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# Congressional Record

PROCEEDINGS AND DEBATES OF THE 114<sup>th</sup> CONGRESS, FIRST SESSION

## HOUSE OF REPRESENTATIVES—Wednesday, June 24, 2015

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. DUNCAN of Tennessee).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
June 24, 2015.

I hereby appoint the Honorable JOHN J. DUNCAN, Jr. to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,  
*Speaker of the House of Representatives.*

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

### REBUILDING OUR NATION'S INFRASTRUCTURE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, there has been a flurry of activity regarding infrastructure funding in recent days. We had the first hearing in the Ways and Means Committee in the 55 months since my Republican friends took over to deal with transportation finance. There have been press conferences and proposals, and actually, a few other hearings have been scheduled.

Despite all the furor, there is only one solution which is broadly supported, which is easy to implement,

and which does the job. That solution is raising the gas tax.

Now, we heard at the hearing on Ways and Means the three basic arguments that are offered against that: that it is not politically possible, that there is really no time to do this so we have to extend it to the end of the year, and that this would somehow be a burden on families.

Actually, that is not true. The notion that it is not politically possible is not remotely the case. There are 20 States in the last 2½ years that have stepped up to raise their gas taxes.

Ironically, information submitted by the American Road & Transportation Builders Association at our Ways and Means hearing pointed out that the legislators in those States who voted to increase the gas tax were reelected at an over 90 percent rate, and the legislators that voted for the gas tax in the States were reelected at a higher percentage than those who voted against it.

If anybody needs more proof, just look at what has happened already this year where six very red States—Idaho; Utah; South Dakota; Iowa; Nebraska, overriding a Governor's veto; and Georgia—have all met their responsibilities raising the gas tax. It absolutely is something that can be done with a little political courage.

The notion that somehow there is no time, that we have got to fuss around and it is going to take extensive hearings to come forward with the proposal—well, only if it is a complex, convoluted, untested, and controversial proposal. Raising the gas tax would take about 1 week's work, could be implemented quickly, and is the simplest and least expensive revenue measure to implement.

What about this notion that somehow it is a burden on American families? Well, the proposal that I have introduced would cost less than 25 cents a day, and those families that would pay the increased user fees are suffering over \$350 a year damage to their vehicles from poorly maintained roads. The American Society of Civil Engi-

neers suggests that that cost per family is going to be over a \$1,000 a year by 2020. And the American public is paying by being stuck in traffic, in congestion, costing \$120 billion a year. It costs money to them—money that could have been used for more productive purposes—and time away from their families.

Imagine if we just came back from our July recess and dedicated the week of July 13 to solving the infrastructure crisis in this country where America is falling apart and falling behind. The people who were experts at the hearing that weren't heard from could have answered all those questions.

Where else are we going to find something that is broadly supported by business and labor, by truckers and AAA, bicyclist, engineers, environmentalists, local governments? We would have all of those people before us supporting a solution to this important challenge. I can't think of any other issue that would bring all those people together and support congressional action.

We could stop the slide of America falling apart and falling behind. We could put hundreds of thousands of people to work at family-wage jobs all across America while we strengthen our communities, make them more livable, and provide an economic boost for the future.

Why don't we do that? Why can't we take "yes" for an answer, deal with the broadest coalition of support for any major issue, and have another victory like we did with the SGR? We can do it, and it is hard to think of something that would be more important.

### HEALTHCARE.GOV DATA BREACH

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. LOUDERMILK) for 5 minutes.

Mr. LOUDERMILK. Mr. Speaker, throughout my life, I have learned that the American people are strong and resilient. Throughout our history, we have shown time and time again our

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

unique ability to overcome every obstacle and every adversary that has blocked our path to freedom. This resilience is what has advanced our Nation from being a ragtag rabble of citizens who took up arms in the American Revolution to being the greatest superpower in the world.

Throughout our advancement as a nation, we have not always been perfect. In fact, we have made some grave mistakes. However, our shared dedication to liberty and justice for all people has put us back on course. And though it sometimes takes years, or even generations, the spirit of American exceptionalism overshadows our mistakes and, with the spirit of forgiveness and reconciliation, we move forward.

However, when the government and its leaders purposefully mislead the American people, they are much less willing to forgive and forget, especially when such deception puts the people at risk, threatens their God-given rights or the sovereignty of this Nation. Mr. Speaker, I fear the American people and the Members of this Congress have, once again, been deceived, and I intend to get to the bottom of it.

When the 111th Congress ran through this body the Affordable Care Act, the American people were sold a bill of goods with deceiving statements and deceptive promises, statements such as, "If you like your healthcare plan, you can keep it." Although this disastrous legislation passed against the will of the people, some Americans trusted that the law would not take away their chosen healthcare plan. Unfortunately, the American people found out the hard way they have been deceived.

Now, Mr. Speaker, new reports give evidence of another deception surrounding ObamaCare. Prior to the launch of the healthcare.gov Web site, officials of this administration assured Congress and the American people that personal information submitted via the ObamaCare Web site would be secure and would not be permanently stored. However, new evidence suggests this may have been just another bait-and-switch tactic.

Contrary to what we have been told, the government is apparently storing American citizens' personal identifiable information obtained through the healthcare.gov Web site. If this is indeed true, then, this is not only another assault on the good faith of the American people, but, more importantly, it puts them at significant personal risk.

This government has recently shown its inability to secure computer systems and protect sensitive information. In the past several months, we have been inundated with reports of security breaches of government computer systems, disclosing personal and official information that potentially harms our national security.

With many Americans being forced into the government healthcare exchange, over 11 million people have registered with healthcare.gov. A breach of this system could be larger and potentially more disastrous than any of the previous breaches, which is a serious concern.

Mr. Speaker, the last time I checked, our Founders gave us a government of the people, not a government of elitists, establishment, or executive privilege. We are a nation of laws, not a nation of feelings or good intentions. We are bound by the Constitution, but that Constitution is only as sound as the integrity of those who have sworn to uphold it.

The American people expect their government to operate within the constraints of the Constitution, the limits of the law, and to be transparent and accountable. Unconstrained activity by government agencies has gone on far too long, and now their deceptions and reckless behavior is threatening the safety and the security of the American people. These actions put the future of our Nation at great risk, and they must stop.

As chairman of the Subcommittee on Oversight of Science, Space, and Technology, I intend to diligently pursue this issue, to find the truth, expose those who have violated the trust of the American people, and ensure the illegal collection of data by our government is stopped and the previously collected data is permanently removed.

I intend to use the power given to this body through our Constitution and the trust invested in us by the American people to right these wrongs. Our citizens deserve better than this, and I am committed to ensuring that the American people have a nation that is once again free, safe, and full of opportunity.

#### GUN VIOLENCE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. QUIGLEY) for 5 minutes.

Mr. QUIGLEY. Mr. Speaker, last week, nine parishioners were shot and killed inside Emanuel African Methodist Episcopal Church in Charleston, South Carolina, one of the oldest African American churches in the United States.

In the days following the horrific tragedy in Charleston, we paused to reflect and send our prayers to families grieving an unimaginable loss. I wish this tragedy in Charleston were an isolated incident, but it seems to be part of a terrible recurring pattern.

After national tragedies, society should engage in a discussion about how to address and potentially prevent such tragedies from happening again. Let's remember that after Katrina, we talked about FEMA and national readiness. But the gun lobby doesn't want us

to have this conversation. They accuse anyone who tries with exploiting the deaths of innocent people.

With that logic, we couldn't talk about solutions when 13 people were killed and 8 were injured during the shooting in the Washington, D.C., Navy Yard; or after a person opened fire during a midnight screening of a film, "The Dark Knight Rises" in 2012, killing 12 and injuring 58 others; or when 28 people were shot and killed, including 20 innocent children, at Sandy Hook Elementary School; or when a man shot 3 people and killed 7 others at a Sikh temple in Oak Creek, Wisconsin; or when 14 people were shot and 6 were killed in 2011 during a constituent meeting hosted by our colleague, Congresswoman Gabby Giffords, in a supermarket parking lot in Tucson; or when a man opened fire in Fort Hood, Texas, in 2009, killing 13 people, injuring 30 others; or in 2008 when a man opened fire at a lecture hall at Northern Illinois University, shooting 21 students and killing 6; or when a senior at Virginia Tech went on a shooting rampage on campus in 2007, killing 33 people and injuring 23 others; or when 2 seniors at Columbine High School attacked their classmates and teachers, wounding 24 and killing 15; or in Chicago and cities across the country which experience gun tragedies every day.

Yet, since I have come to this Congress nearly 7 years ago, the people's House has refused to hold even one hearing on the epidemic of gun violence we are facing.

Last Sunday alone, in Chicago, 14 people were shot and 1 man was killed, all within a matter of hours. In May, Chicago saw 300 people shot and 37 people killed in shootings. Every day in America, 297 people are shot and nearly 90 people are killed by guns.

According to Harvard University researchers, the rate of mass shootings has increased threefold since 2011, occurring an average of every 64 days. Let me repeat that. A mass shooting occurs in the U.S. on the average of every 64 days.

□ 1015

When will enough be enough? When will we stand up and say we may not be able to stop every crime, but we can stop some of them and at least minimize the damage of others? When will we realize and acknowledge that this type of mass violence does not happen in other advanced countries? When will we finally be able to have a national discussion about gun violence?

Instead, the gun lobby stymies debate by arguing that no gun regulation can prevent criminals and the mentally ill from killing people with guns, but I don't buy that. Sure, no single law or set of laws can prevent every act of senseless violence. Ending the American epidemic of gun violence will require more than a change in law.

It is clear we need a change in our culture; but oftentimes, changing our culture starts with changing our laws. By enacting reasonable reforms, we can make a difference. We can make it more difficult for would-be assassins to access guns. We can ensure every gun in America is purchased after a background check rather than only 60 percent of guns, as is currently the case.

We can crack down on the flow of illegal guns onto our streets by improving gun trafficking data, and we can reduce the fatality rate by banning assault rifles and high-capacity magazines that are designed exclusively for killing dozens of people at once.

Let's face it, when you have an assault rifle with a high-capacity magazine, you are not hunting deer; you are hunting people. The gun lobby tries to argue that any attempt to regulate gun access is an attempt to restrict all gun access, but there is such a thing as commonsense, middle-ground gun reform, and most gun owners support it.

Can we stop every shooting? No. But can we reduce their frequency and deadliness? Absolutely—the first step toward keeping dangerous guns out of the hands of dangerous people is to begin the conversation. Let's break the silence, stop the violence, and start the conversation.

#### NO DEAL IS BETTER THAN A BAD DEAL

The SPEAKER pro tempore (Mr. LOUDERMILK). The Chair recognizes the gentleman from North Carolina (Mr. HOLDING) for 5 minutes.

Mr. HOLDING. Mr. Speaker, the Obama administration and Tehran are yet again running up against another deadline. This one comes next Tuesday when the clock expires on reaching a comprehensive nuclear deal.

Mr. Speaker, if you head over to [whitehouse.gov](http://whitehouse.gov), there is a site outlining the current nuclear negotiations. On the front page of this Web site, when discussing what a possible deal with Iran should do, it states: "prevent Iran from using the cover of negotiations to continue advancing its nuclear program as we seek to negotiate a long-term comprehensive solution that addresses all of the international community's concerns."

Mr. Speaker, what have we seen in reality? It is a possible deal that could block international inspectors from having unrestricted access to all of Iran's nuclear sites to verify their compliance. Mr. Speaker, what could Iran possibly have to hide if their nuclear work is solely for peaceful purposes?

We have also seen a deal that doesn't require Iran to disclose all of its previous nuclear work and possible military dimensions. It is a bad deal because, if Iran expects the world to trust them and lift sanctions, why not come clean?

I also see a deal that could lift all sanctions once the ink is dried, which is a bad deal, because what would this instant relief be rewarding? Years of covert work, violations of U.N. resolutions, and the export of terror across the globe—no one in good faith could say that the deal before the world right now prevents Iran from obtaining a pathway to the bomb. If anything, Mr. Speaker, it puts them on a pathway to the bomb.

It has been clear for some time now that this administration has been negotiating not with Iran, but with itself. We have seen them consistently move the goalpost on what they are willing to accept with respect to essential components of a good deal. This ranges from the number of centrifuges to inspections to the dismantling of nuclear infrastructure.

The parameters of what this administration is willing to accept has moved so many times, I don't believe it would surprise anyone if reports emerged before next Tuesday that showed even more concessions have been made.

Mr. Speaker, the administration needs to prevent Iran from having a pathway to the bomb. They need to hold good on their word that no deal is better than a bad deal.

Mr. Speaker, I don't see how anyone right now, with the exception of Iran, could accept the reported deal as a "good deal." Let's not settle for a bad deal; let's not stand for a nuclear Iran.

#### EXPORT-IMPORT BANK REAUTHORIZATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. COSTA) for 5 minutes.

Mr. COSTA. Mr. Speaker, I rise today to stress the importance of reauthorizing the Export-Import Bank's charter, which has served this Nation well. The Export-Import Bank is an important program used to support our Nation's entrepreneurs—the best in the world—and keep them competitive in today's global economy.

It is a tool. It is a tool that has enjoyed bipartisan support over the years, just like trade agreements are a tool to, in fact, increase jobs here in America, good-paying jobs.

The Bank provides trade financing to solutions to boost U.S. job growth, and it has been successful in increasing exports for American goods and services—American goods that are made here—at no cost—no cost—to the American taxpayer.

This program is set to expire, sadly, tomorrow—tomorrow. Unfortunately, the House Republican leadership is refusing to bring it to the floor for a vote, with thousands of American jobs at risk.

Now, if the Bank charter expires, American workers and American businesses that are trying to sell their

products and goods overseas face a completely unnecessary blow to their ability to compete.

In total, the Ex-Im Bank—otherwise known, abbreviated—has created and sustained over 1.5 million jobs in the private sector since 2007 alone—1.5 million jobs since 2007. Last year alone, the Bank sustained over 164,000 export-related American good-paying jobs.

If you want to build it in America, you have got to ensure that American workers and businesses can compete. The Ex-Im Bank represents a vital pillar, therefore, in our ability to be competitive overseas, and it has had significant impacts in the San Joaquin Valley that I represent.

Why? Well, many of the businesses that I talk to that use the Ex-Im Bank tell me: JIM, we have the ability to compete. We make our products better, but when we are sitting at the table with foreign competitors, many of these countries want to know, do you have a financing plan in place?

It is because, contingent upon their ability to choose us or choose our competitors, many of these countries want to know that this can be financially put together in a fashion so that the deal works for everybody, and that is what the Bank does.

In my district alone, the Ex-Im Bank has afforded a number of small business exporters—some of which are minority and women owned—to have exports in places all over the world, places like India, Mexico, Turkey, Hong Kong; and I could go on. These businesses export \$77 million worth of goods, ranging from machinery to manufacturing to crop production of the variety and diversity of agricultural exports that we do in California.

As a matter of fact, in California, the Ex-Im Bank has resulted in increased exports of over \$27 billion. Now, let's put this in perspective. Last year, California exported \$174 billion in products.

The Ex-Im Bank was responsible for helping to finance \$27 billion of that \$174 billion. As a matter of fact, \$19.4 billion of the \$174 billion that was exported last year from California were agricultural products grown in the San Joaquin Valley.

The Bank helps level the playing field, therefore, for American workers and American businesses, allowing them to compete and succeed in the global economy that we live in today. That is just the facts.

In these trying times, the last thing Congress should be doing is jeopardizing the economic health of our Nation by refusing to provide Americans with the tools—the tools, which is what this Bank is—they need to compete effectively in the global marketplace.

It is important to note that there is a vast bipartisan support for renewing the Bank's charter. Let me be clear. Despite attempts to paint this as a partisan issue, I do not believe it is. Sadly,

though, there are some of my colleagues on the other side who have decided to play partisan politics with the Bank. That, then, therefore threatens American jobs, halting economic growth and undermining American businesses' ability of all sizes to compete in this global market.

Now is the time for long-term reauthorization of the Bank so that American entrepreneurs can use this tool to create more jobs in our country. This can only happen with bipartisan support. I stand and ask my colleagues to reauthorize the Ex-Im Bank on behalf of American workers and American businesses.

#### NUCLEAR DEAL WITH IRAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. MOONEY) for 5 minutes.

Mr. MOONEY of West Virginia. Mr. Speaker, the single greatest threat to the national security of the United States is Iran's drive for nuclear weapons. The result of the negotiations being conducted by President Obama and our Western allies will shape the long-term security and stability of the United States for years to come.

Iran is the world's leading sponsor of terror, a stronghold for terrorists whose very mission is to spread oppression. Iranian leaders have called for the complete annihilation of Israel, calling Israel a "barbaric, wolflike, and infanticidal regime." Iranian leaders have said that the United States of America has "no place among the nations."

By its own declaration, Iran is not looking for a peaceful path of coexistence. There can be nothing more dangerous for America or our allies than a nuclear-armed Iran. That is why a bad deal with Iran, one that leaves the door open for Iranian nuclear weapons, must be avoided at all costs.

In order to alleviate these concerns, the President and his national security team have said over and over that a bad deal is worse than no deal at all; but will that sentiment actually stop this administration from entering into a bad deal with Iran? What I have seen so far, through the framework agreement released in April, raises serious concerns.

Under this framework agreement, not a single Iranian nuclear centrifuge will be dismantled. No nuclear facilities will be shut down. While some of Iran's nuclear infrastructure will be temporarily warehoused, most of Iran's nuclear infrastructure will remain completely intact. All of these factors point to a flawed understanding of a "good deal" by President Obama; yet this is the deal we may well be given.

Twenty years ago, the United States was negotiating with another country on nuclear weapons development. Dur-

ing these talks with the Soviet Union and Gorbachev in the 1980s, President Ronald Reagan used the proverb "trust, but verify" throughout those discussions.

I do not see this administration using that same tactic. In fact, it seems to me that in regards to Iran, the Obama administration is operating on the principle of "trust and don't verify."

As things stand, these ongoing nuclear negotiations are placing far too much faith in a country that has proven itself both deceptive and unpredictable.

Mr. President, a good deal must contain the following five points: first, a deal that requires anytime, anywhere inspections; second, a deal that would only lift sanctions when Iran demonstrates compliance with its obligations; third, a deal must require Iran to provide a complete report of its past nuclear activities; fourth, a deal must require Iran to dismantle its nuclear weapons infrastructure; and, last but not least, a good deal must not allow Iran to become a nuclear state ever.

Without these conditions in place, the United States will, without a doubt, be prioritizing a bad deal over no deal at all.

□ 1030

#### HONORING DICK HORIGAN ON HIS 90TH BIRTHDAY

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. TONKO) for 5 minutes.

Mr. TONKO. Mr. Speaker, I rise today to recognize a very dear friend, Dick Horigan.

Richard hails from my hometown of Amsterdam, New York. Dick turns 90 on Friday, and it is worth noting this milestone because he has epitomized the generosity, humility, and dedication of the World War II generation, and he has made Amsterdam a better place as a result.

Richard T. Horigan wasn't born in Amsterdam, nor did he grow up there. In horse racing terms, a sport he continues to enjoy at the nearby historic Saratoga Race Course, Dick was a "shipper" from Scranton, Pennsylvania.

After serving in the Navy in the Pacific during World War II, he enrolled in Georgetown University. On a blind date, he met Marie Smeallie, the beautiful daughter of Donald and Agnes Smeallie of Amsterdam, and they were married shortly thereafter. Upon Dick's graduation from Georgetown law school, Marie convinced him to move to Amsterdam and begin his law practice there.

Since 1951, Dick has been a pillar of our community. Retired now, he was very active in the American Bar Association and the American College of Trial Lawyers. Dick was the consum-

mate attorney and a leader in his field. He was the village attorney for nearby Hagaman, and practiced before the United States District Court, the Northern District of New York, and the United States Court of Appeals.

In the 1970s, he struck out on his own, and his son, Tim, joined him to start Horigan & Horigan, which continues to be one of the top firms not only in Amsterdam, but throughout New York's greater capital region.

While his love of his profession is strong, his love of family is even stronger. When Marie passed away in 1977, he found himself spending more and more time with Ellie Smeallie, who had been widowed many years earlier. In 1979, Ellie and Dick were married. This good-looking couple merged two great families and brought them even closer together.

Dick is the patriarch of 13 children, 33 grandchildren, and, yes, 3 great-grandchildren. While many of them live outside of the region now, they all come back to visit, especially in August, when the historic Saratoga Race Course is open.

In addition to horse racing, his other passions include golfing and helping St. Mary's Catholic Church, where I would often see him at mass in the mornings.

We wish a happy 90th birthday to Richard Horigan. I hope there are many more to come, Dick. You are a beloved, reliable patriarch of an awesome clan. You are a respected, loyal friend to countless many, including myself.

My message here on the House floor is: To a great man, have a great day. It is my honor to recognize your 90th birthday.

#### ENDLESS WAR IN THE MIDDLE EAST

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee (Mr. DUNCAN) for 5 minutes.

Mr. DUNCAN of Tennessee. Mr. Speaker, the week before last, the greatly respected conservative columnist Thomas Sowell wrote:

What lessons might we learn from the whole experience of the Iraq war? If nothing else, we should never again imagine that we can engage in nation building in the sweeping sense that term acquired in Iraq—least of all, building a democratic Arab nation in a region of the world that has never had such a thing in a history that goes back thousands of years.

The week before last, the longtime conservative leader David Keene wrote in the Washington Times about our Middle East wars:

The concept of U.S. national interests was stretched beyond any rational meaning with the argument that "democracies don't go to war with democracies," so rebuilding the world in our own image was seen as our ultimate national interest.

Mr. Keene went on and said:

America took on more than we could possibly handle. The result is a generation of



young Americans who have never known peace, a decade in which thousands of our best have died or been maimed with little to show for their sacrifices, our enemies have multiplied, and the national debt has skyrocketed.

The week before last, the publisher of *The American Conservative* magazine, Jon Utley, wrote an article entitled: "12 Reasons America Doesn't Win Its Wars." *The Magazine* said:

Too many parties now benefit from perpetual warmongering for the U.S. to ever conclude its military conflicts.

Mr. Utley quoted conservative columnist Peggy Noonan, who wrote:

We spend too much on the military, which not only adds to our debt, but guarantees that our weapons will be used.

She quoted one expert, who said:

Policymakers will find uses for them to justify their expense, which will implicate us in crises that are none of our business.

Conservative icon William F. Buckley, shortly before he passed away, came out strongly against the war in Iraq. He wrote:

A respect for the power of the United States is engendered by our success in engagements in which we take part. A point is reached when tenacity conveys not steadfastness of purpose but misapplication of pride.

He added that if the war dragged on, as it certainly has:

There has been skepticism about our venture, there will be contempt.

A couple of weeks ago, we saw an Iraq army, which we have trained for years and on which we have spent megabillions, cutting and running at the first sign of a fight. We should not be sending our young men and women to lead and/or fight in any war where the people in that country are not willing to fight for themselves.

Mr. Speaker, fiscal conservatives should be the ones most horrified by and most opposed to the horrendous waste and trillions of dollars we have spent on these very unnecessary wars in the Middle East.

Last week, 19 Republicans voted for a resolution saying that we should bring our troops home from Iraq and Afghanistan. The Republican leadership of the Foreign Affairs Committee did not want any Republicans to speak in favor of that resolution, so Mr. JONES, Mr. SANFORD, and Mr. MASSIE requested, and received, time from the Democratic sponsor, Mr. MCGOVERN.

I did not want to do that, but I at least wanted to point out today that there has been nothing conservative about our policy of permanent, forever, endless war in the Middle East.

In his most famous speech, President Eisenhower warned us against the military industrial complex. We should not be going to war in wars that are more about money and power and prestige than they are about any serious threat to the United States. I think President Eisenhower would be shocked at how

far we have gone down that path that he warned us against.

#### UPCOMING SUPREME COURT DECISION IN OBERGEFELL V. HODGES, TANCO V. HASLAM, DEBOER V. SNYDER, AND BOURKE V. BESHEAR

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. NADLER) for 5 minutes.

Mr. NADLER. Mr. Speaker, I rise to express the profound hope that, in its upcoming decision, the Supreme Court will strike down laws that prohibit same-sex couples from marrying and to ensure that all States recognize lawful marriages performed elsewhere.

These four cases—*Obergefell v. Hodges*, *Tanco v. Haslam*, *DeBoer v. Snyder*, and *Bourke v. Beshear*—are an opportunity for the Court to end legal discrimination against committed gay and lesbian couples and their children and to reestablish marriage as a civil right, one that is "fundamental to our very existence and survival," as it was called by Justice Warren in *Loving v. Virginia* in 1967. As a country, we can no longer allow State governments to burden their citizens by refusing to grant marriage licenses based on whom they love.

Since my earliest days in the New York State Assembly, I have fought alongside the lesbian, gay, bisexual, and transgender community for equality under the law. I spoke out in opposition when, in 1996, Congress, for the first time, created a Federal definition of marriage with the Defense of Marriage Act, or DOMA, solely for the purpose of excluding gays and lesbians from receiving Federal marriage benefits; and I have long carried legislation to repeal this insidious law, from offering the Respect for Marriage Act to leading the congressional amicus briefs in both *Windsor* and the current marriage equality cases before the Court. Yet even a full repeal of DOMA would still leave individuals vulnerable to continued State discrimination, which is why there must be a guaranteed right to access to benefits of marriage regardless of where a couple may reside.

When my constituent and friend Edith Windsor began dating Thea Spyer in 1965 and accepted her proposal in 1967, she was not thinking about how the government would view her relationship. She was thinking about the joy and happiness that comes from beginning to shape a life with a partner she loved. Forty years after that proposal, they were able to legally marry in Canada, outside of the country and State they called home.

No one in a free and just country should be forced to leave their home, traveling away from friends and family across State lines, in order to get married. Nor should anyone be faced with

the humiliation of being denied government benefits, the tragedy of being barred from a partner's hospital bedside, or the indignity of being refused any of the other thousands of benefits that come with marriage that millions of Americans access every day because a State refuses to recognize their otherwise lawful marriage.

Denying recognition of same-sex relationships signals to the couple, their family, and all others that their bond in love is less deserving of respect, harming the individuals and creating divisions within the fabric of our society.

After Thea's death, Edith bravely fought all the way to the Supreme Court, in the *United States v. Windsor*, to establish what so many of us have known for decades: that laws that deny recognition of legal same-sex marriages serve no legitimate purpose, stigmatize and shame American families, and are a deprivation of the equal liberty guarantee of the Constitution's Fifth Amendment.

It is time for the long arc of history to continue to bend towards justice and for similarly discriminatory State laws to be struck down once and for all.

Should the Court rule for equality, there will be no losers. No one will be harmed by the granting and recognition of same-sex marriages. Those claiming otherwise are either promoting discredited claims about the dangers of gays and lesbians or falsely believe they have the right to involve themselves in the private affairs of others.

More than 70 percent of Americans already live in jurisdictions that provide for same-sex marriages. It is unconscionable that anyone would propose to continue to deny universal access and recognition, as well as the associated safety and security, to these families.

The Court has the immediate responsibility to expand upon its decision in *Windsor* to ensure that State laws comply with established basic constitutional protections and that all Americans are given the equal respect and support they deserve.

Much as in *Loving v. Virginia*, which also rolled back government-enforced marriage discrimination based on race, outdated prejudices and intolerance cannot be allowed to rule the day. It is time that we make the Constitution's promise of equality a reality for gay and lesbian couples throughout the Nation.

Regardless of the forthcoming decision, we have a long way to go to ensure full equality for LGBT Americans who can still be fired from their jobs, denied housing, and turned away from stores simply for being who they are. We must work together to pass comprehensive nondiscrimination legislation to protect these vulnerable Americans.

# SPYING AND SNOOPING BY GOVERNMENT ON AMERICANS

□ 1045

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, like most Americans, I store a lot on my computer and on my phone: family photographs, personal calendars, emails, schedules, and even weekend to-do lists, or, as my wife calls them, honey-do lists. But this information stored on a phone like the one I have here is not private from the prying, spying eyes of government.

Most Americans have no idea that Big Brother can snoop on tweets, g-chats, texts, Instagrams, and even emails. Anything that is stored in the cloud is available to be spied on by government, as long as it is older than 180 days.

Now, why is that? Well, it goes back to the outdated Electronic Communications Privacy Act of 1986. That act protects the privacy of emails that are less than 6 months old. 1986, those were the days before the World Wide Web even existed. Many of us—I do—have stuff that weren't even born before 1986.

We stored letters in folders, filing cabinets, and desk drawers. No one knew what the cloud was because the cloud didn't even exist. There was not any broadband, no social media, no tablets, or smartphones.

The relatively few people who used email—and I remember when email was invented—never imagined keeping emails longer than it took to send it or read it. So it was perfectly reasonable that, in 1986, lawmakers tried to protect emails, but only did so for 180 days. Who would keep anything online for longer than 6 months? Well, three decades later, we know. Everybody stores their emails.

Under current law, every email and text, every Google doc and Facebook message, every photograph of our vacation, is subject to government inspection without a warrant, without probable cause, and without our knowledge if it is older than 6 months. That is an invasion of privacy.

Constitutional protection for 6 months only? That is nonsense.

What is worse, some government agencies don't want the law changed. The Securities and Exchange Commission is lobbying to keep the law on the books. Why does the SEC want to maintain this spying ability? Well, I suspect they want to be able to read our personal financial records and communications without the constitutional protection of a search warrant and without our knowledge. Spying on the citizens by government sounds like conduct reminiscent of the old Soviet Union, to me.

The SEC is not the only government agency that has access to emails over 6 months old.

Any government agency can go and confiscate emails older than 6 months, without a warrant, without probable cause, and without knowledge of the person. This is a clear violation of the Constitution, in my opinion.

Mr. Speaker, if you go back to snail mail and you write a letter and you put a stamp on it and you put it in the mailbox, that letter floats around the fruited plain until it ends up in somebody's possession. Government generally cannot seize that letter without a warrant and go in and snoop around and look in there and see what it is.

Email is a form of communication. Why should government have the ability to snoop around in our personal emails? They don't have that right, even though they have the ability.

Whatever our political disagreements, on both sides, most Americans, I believe, share the conviction that privacy is protected by the Fourth Amendment of the U.S. Constitution: to protect us from unreasonable searches and seizures from government; protect us in our persons, houses, papers, and personal effects.

Government agents can't raid homes or tap into phones or read mail without showing a judge they have probable cause that a crime was committed; then a search warrant must be obtained.

Mr. Speaker, I was a judge for 22 years in Texas, and officers would come to me with search warrants, and I would read and see if they had probable cause. If they did, I would sign a warrant. That is what the Constitution requires before you can go snoop around and spy on Americans. Why should our possessions and communications be less private just because they are online?

Well, they shouldn't be. That is why I have teamed up with Representative ZOE LOFGREN, on the other side, and lots of other Members of Congress in both parties, to introduce legislation to update the outdated ECPA law. There is also a bill in the Senate that enjoys the same support.

Our bills restore ECPA's original purpose, to protect privacy in the ways we live, communicate, learn, and transact business and recreate today. This legislation would protect the sacred right of privacy from the ever-increasing spying government trolls in America.

Our mission is simple: extend constitutional protections to communications and records that Americans store online for any amount of time. There is no need to delay. The bill is written. The votes are there. Let's pass the legislation.

Mr. Speaker, technology may change, but the Constitution remains the same. Thomas Jefferson said in the Declaration of Independence:

Government is created to protect our rights.

It is about time we make government protect the right of privacy, rather than violate the right of privacy.

And that is just the way it is.

# HONORING THE LIFE AND SERVICE OF DR. ELSON FLOYD

The SPEAKER pro tempore. The Chair recognizes the gentleman from Washington (Mr. KILMER) for 5 minutes.

Mr. KILMER. Mr. Speaker, I rise today to honor Dr. Elson Floyd, the president of Washington State University, who passed away this past weekend.

Let me start with a little bit of background. Every member of my family went to the University of Washington, so I was actually raised to root for the UW Huskies and to root against the Washington State University Cougars.

Now, before Dr. Floyd passed, I admitted to him that, having worked with him over the years and having admired his leadership, I suddenly found myself rooting for Washington State University, too. You will be glad to know that eventually my family started talking to me again.

I was proud to call Elson Floyd a friend and a partner. He led the university during incredibly difficult times in our economy, and he never hesitated to make tough decisions that he believed would be best for his university and best for his students. That even included cutting his own salary during the Great Recession. He fought for opportunities for his students, and in fact, the number of students of color at WSU doubled during his tenure.

I think it is worth pointing out, he wasn't just a leader for Washington State University, he was a leader and a visionary for all of higher education in Washington State. It wasn't just about what was good for Washington State University, it was what was good for higher education.

How do we make sure we have an ethic where we are advocating for more people to have more opportunities to get more education to higher levels? He understood that. He understood that because he understood that education is the door of economic opportunity because he had lived it himself.

He did all he could to ensure that opportunity was felt, not just in Pullman, Washington, and not just at the University of Washington in Seattle, but all throughout our State. We saw in my neck of the woods at Olympic College in Bremerton where, because of Dr. Floyd's leadership, WSU set up a 4-year program in engineering.

That sounds kind of wonky, but here is the reality of it. What he did changed lives. It meant that young people in Bremerton could see the opportunity to actually learn at home, study for 4 years, get a degree in engineering, and then go work in private industry or go work at our shipyard.

There are now young people who have opportunities that they would have never had before if it hadn't been for Elson Floyd's leadership. What he did changed lives. He was such a good man. He was ethical, and he was wise, and he had that extraordinary combination of big heart and big brain and courage.

His life has been celebrated in the days since he passed, and I just want to be one of the people to celebrate him. I am going to miss him, and I want to extend to the entire WSU community my condolences.

Most importantly, I want his family to know that we lost a very special person and that our thoughts and prayers are with them.

#### GOVERNMENT WASTE, FRAUD, AND ABUSE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Tennessee (Mrs. BLACKBURN) for 5 minutes.

Mrs. BLACKBURN. Mr. Speaker, one of the things I hear from my constituents so regularly is: What are you doing about our Nation's debt? What are you doing about this out-of-control budget?

From time to time, at our committee, we would hold hearings on an inspector general report and actually look at some waste. This started our office thinking and some of us on the Budget Committee thinking about: How do you begin to quantify that and hold these agencies accountable?

As one of my constituents said: You know, it seems that they are always after one of us, a small-business owner, but they never go ask a Federal bureaucrat or a Federal agency to pony up or to pay back money or to be held accountable.

In our office, our interns this summer have worked with us on a project to actually begin to quantify this waste and to look at these inspector general reports.

Mr. Speaker, this is what we found. Just taking the reports from the 70 agencies that have inspector generals and looking at a 4-year period of time, from 2011 to 2014, what we found is this: we could put our finger on \$105.7 billion of waste, and that is \$105.7 billion of waste, of taxpayer money that is being wasted. It has been identified by the inspector general's office. That works out to about \$1.5 billion for each of these 70 agencies.

Now, what was of concern to us was the fact that many of these agencies are doing nothing about it; and we found that, when you look at the reports that have been issued, which total 81 different reports, the reports for which a management decision was made during the reporting period was only 30 of those reports.

Mr. Speaker, 30 times, management said that they are going to go in and

they are going to take an action in response to the recommendations that the inspector general has found.

Now, one of the things that we looked at was where these wasteful occurrences continue to happen and who are the repeat offenders when you look at these IG reports.

Let me give you some examples, Mr. Speaker. Department of Defense, \$38.2 billion that has been identified—this is one of the reasons that Republicans are pushing to audit the DOD and hold people accountable for the wasteful spending.

Health and Human Services, \$10.3 billion—we found that \$2 billion went toward the ObamaCare Web site, which still is barely working.

Department of Agriculture, \$9.2 billion; Social Security Administration, \$9.1 billion; Department of Energy, \$7.7 billion—and by the way, Solyndra, a green energy firm, filed for bankruptcy in September 2011, after they got 536 million taxpayer dollars. The list goes on and on.

What we are going to do—and I commend Chairman PRICE for pushing forward to hold some hearings with these inspector generals, with these departments, to drill down on the total number of reports and to hold them accountable for not taking an action and looking for ways that we, as Members of Congress, can charge back these agencies for the continued misuse—not occasional misuse, not one time misuse, but continued misuse of taxpayer dollars.

When you look at the list of these agencies and what they have done, year after year, there are some of these agencies that end up in the top 10 offenders every year—2014, Department of Defense, HUD, Health and Human Services, Department of Energy, Social Security, Department of Agriculture, VA, Homeland Security, Department of Education, Department of State, and the Agency for International Development.

You can look at 2013, continuing down the list, the top 10 again, Defense, HUD, Energy, Health and Human Services, Railroad Retirement Board, Homeland Security, Agriculture, Social Security Administration, Department of Education, and Department of State—repeated waste, fraud, and abuse of the taxpayer money.

When I came to Congress in January 2003, our freshman class decided our project was going to be rooting out wasteful Washington spending. We continue to be committed to that, and I submit our findings to the body for their review and understanding.

#### INSPECTOR GENERAL REPORTS—WASTE, FRAUD, AND ABUSE 2011–2014

Total waste (70 agencies) = \$105.7 billion  
Average waste of the 70 agencies = \$1.5 billion  
Waste by year:

#### Our findings

2011 = \$20.1 billion

2012 = \$19.5 billion

2013 = \$40.9 billion

2014 = \$25.2 billion

#### Council of the Inspectors General on Integrity & Efficiency

2011 = \$17.2 billion

2012 = \$12.8 billion

2013 = \$35.1 billion

2014 = n/a

11 agencies accumulated over \$1 billion in waste over the 4 years:

1. Dept. of Defense—\$38.2 billion

2. Dept. of Health & Human Services—\$10.3 billion

3. Dept. of Agriculture—\$9.2 billion

4. Social Security Administration—\$9.1 billion

5. HUD—\$7.7 billion

6. Dept. of Energy—\$7.7 billion

7. Dept. of Homeland Security—\$5.9 billion

8. VA—\$3.9 billion

9. Dept. of Education—\$3.2 billion

10. Railroad Retirement Board—\$2.5 billion

11. Dept. of State—\$1.1 billion

Top 10 in 2014 Total Waste

1. Dept. of Defense—\$10.4 billion

2. HUD—\$2.9 billion

3. Dept. Health & Human Services—\$2.7 billion

4. Dept. of Energy—\$2.6 billion

5. Social Security Administration—\$2.5 billion

6. Dept. of Agriculture—\$992.7 million

7. VA—\$957.1 million

8. Dept. of Homeland Security—\$345.5 million

9. Dept. of Education—\$273.4 million

10. Dept. of State—\$264.8 million

11. Agency for International Development—\$202.9 million

Top 10 in 2013 Total Waste

1. Dept. of Defense—\$23.9 billion

2. HUD—\$2.9 billion

3. Dept. of Energy—\$2.6 billion

4. Dept. of Health and Human Services—\$2.5 billion

5. Railroad Retirement Board—\$2.2 billion

6. Dept. of Homeland Security—\$1.6 billion

7. Dept. of Agriculture—\$1.5 billion

8. Social Security Administration—\$1.4 billion

9. Dept. of Education—\$606.6 million

10. Dept. of State—\$266.1 million

Top 10 in 2012 Total Waste

1. Social Security Administration—\$3.4 billion

2. Dept. of Defense—\$3.0 billion

3. Dept. of Homeland Security—\$2.3 billion

4. Dept. of Health & Human Services—\$2.3 billion

5. Dept. of Agriculture—\$2.0 billion

6. HUD—\$1.4 billion

7. Dept. of Energy—\$1.2 billion

8. Dept. of Education—\$999.4 million

9. Securities and Exchange Commission—\$557.1 million

10. Treasury Inspector General on Tax Administration—\$404.2 million

Top 10 in 2011 Total Waste

1. Dept. of Agriculture—\$4.7 billion

2. Dept. of Health & Human Services—\$2.9 billion

3. VA—\$2.8 billion

4. Social Security Administration—\$1.8 billion

5. Dept. of Homeland Security—\$1.6 billion

6. Dept. of Education—\$1.3 billion

7. Dept. of Energy—\$1.2 billion

8. Dept. of Defense—\$979 million

9. Securities and Exchange Commission—\$566.9 million

10. HUD—\$395.9 million

Other agencies total waste 2011-2014 (no particular order). . .  
 EPA—\$404.7 million  
 FCC—\$24.4 million  
 Dept. of Labor—\$147.1 million  
 Dept. of Treasury—\$38.9 million  
 Dept. of Commerce—\$467.1 million  
 Dept. of Transportation—\$478.4 million.

#### RECOGNIZING THE SERVICE OF KEN FARFSING

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. LOWENTHAL) for 5 minutes.

Mr. LOWENTHAL. Mr. Speaker, today, I rise to recognize Mr. Ken Farfsing, upon his retirement as the city manager of the city of Signal Hill, California, which will be this coming week, on June 30.

I have had the pleasure of working with Ken on local and statewide issues for almost 20 years, while I served on the Long Beach City Council, as a member of the California State Legislature, and now, as a Member of the United States Congress. I consider Ken to be a dear friend.

Ken has served for over 33 years, in community development, redevelopment, economic development, and city management in five southern California communities. He has spent the last 19 years, however, serving the city of Signal Hill, and I am honored to recognize his outstanding career.

Ken began his career with the city of Santa Fe Springs in California in 1981 as an intern. In 1985, he was promoted to community development director. In 1988, he continued his career as the community development director for the city of Downey. He later became Downey's assistant city manager and director of economic development. He served as the city manager in the city of South Pasadena for 4 years before coming to the city of Signal Hill.

Under his guidance, the city of Signal Hill established three commercial centers, the Town Center North, the Town Center West, and the Signal Hill Gateway Center.

He facilitated the relocation of a Mercedes Benz dealership to Signal Hill and the expansion of the Glenn E. Thomas Dodge dealership, growing sales and tax revenues from \$6 million to more than \$12 million. Additionally, he completed the development of six community parks and a new police station.

Ken has been active in regional issues, also, and he has been a leader with expertise on water issues, working with 27 of the area's Gateway Cities Council of Governments on water, storm water, and urban runoff regulations and practices.

He has served as the chair of the city manager's steering committee for the Gateway Cities manager's group, and he was a member of the water quality task force for the League of California Cities.

As you can tell, I respect and admire Ken Farfsing's leadership and service to the community of Signal Hill, and he will be greatly missed. I want to wish him the very best as he retires. His impact on the city of Signal Hill will always be remembered.

Mr. Speaker, it is my honor to ask all my distinguished colleagues to join me in thanking Ken Farfsing for his 19 years of public service within the city of Signal Hill.

□ 1100

#### POWER OF THE PURSE ACT OF 2015

The SPEAKER pro tempore. The Chair recognizes the gentleman from Wisconsin (Mr. RIBBLE) for 5 minutes.

Mr. RIBBLE. Mr. Speaker, I rise today to introduce the Power of the Purse Act of 2015. I wrote this bill to restore Congress' ability to set priorities within Federal spending and, quite frankly, to better control it. To do that, my bill simply removes the firewall that exists within sequestration between defense spending and non-discretionary spending. It allows Congress to regain the power of the purse so that we can take discretionary spending and take defense spending, but right now, the firewall requires us to spend equally on both. The Constitution gives the power of the purse clearly to Congress, and, as elected Representatives, we have an obligation to make the hard choices about where your tax dollars are spent.

Mr. Speaker, I want to take you back to 2011. The country was facing its third year in a row with trillion-dollar deficits. Republicans and Democrats alike here in the House, Republicans and Democrats in the Senate, and the President of the United States signed into law the Budget Control Act, the result of a failure of Congress to come to a better agreement.

The intention of that act was to control spending, to put caps on spending. But to get Democrats to agree to it, we had to say we would only spend 50 percent of discretionary spending on defense spending; yet Republicans, we would only put 50 percent on non-defense spending. So we locked ourselves and tied our hands, but we couldn't actually prioritize.

In 2011, you could make the argument, as some did—I was here at the time, but prior to that, I was not here—when they argued that we should spend more money here in the United States on domestic spending, and they passed an \$800 billion stimulus bill. They had the ability to do that and adjust to the global financial crisis. In 2011, they responded to the terrorist attacks and decided to spend more money on defense.

But today we don't get to respond. We have to say, 50 percent here, 50 percent there, without regard to the cir-

cumstances that we face. This makes no sense at all.

Today we are facing a new and an unprecedented number of threats. They are coming at us from all around the world. ISIS poses one of the greatest terrorist threats that we have seen since 9/11, while Iraq, Syria, and Yemen descend further into chaos. Iran remains committed to advancing its nuclear infrastructure while continuing to meddle and support instability in the region. And we have seen an alarming rise in cyber threats from both nonstate and state actors like Russia, Iran, and North Korea. China has started to build islands in the China Sea, raising tensions in Southeast Asia.

By removing the arbitrary firewall that exists under sequestration, budget caps on defense and nondefense discretionary spending, we restore spending control back to the Congress, and we can appropriately respond to these international and global threats and require more focus on defense.

Tomorrow could be just as well something else. It could be infrastructure right here at home or education. This is National Alzheimer's Month. Maybe it would be spending more there to cure that horrible disease. We need to have the ability here to respond to the climate and environment that we face today, not what it was 4 years ago. My bill simply allows us to do that. By taking the taxpayer dollars that are sent by hard-working taxpayers here, it allows this Congress to make the determination on what the priorities ought to be at the time that we face those priorities.

Now, I know Democrats are concerned that we will just blow up and spend more money on defense, and Republicans are concerned that if Democrats control it they would spend more money on discretionary spending. My bill does not remove the caps, but it does make this Congress have to debate with each other and find a conclusion that makes the most sense for the American people, because times have changed right here in the Congress.

Today there are many Republicans who are more libertarian-minded, and they would prefer not to spend money on defense. They would prefer to spend it domestically. Rather than building roads in Afghanistan, they would prefer to build roads here. I have got colleagues on the Democratic side of the aisle that feel we need to focus on national defense. They serve on the House Armed Services Committee or the Foreign Affairs Committee and are well aware of the national defense threats that we face. But we can't do anything because we reluctantly hold onto bad policy.

My bill is designed to correct this once and for all. By removing the firewall, we get to have the control of the purse once again that the Constitution has given us.

Benjamin Franklin said that a nation is best off when control of its money is handled by those who are the most "immediate representatives of the people." This Chamber, Mr. Speaker, is called the people's House. Each of us represent well over 700,000 Americans, and our job is to represent them to the best of our ability. We should not and can not continue to tie our hands with some arbitrary decision that was made maybe out of necessity 4 years ago but doesn't recognize the threat today.

I encourage my colleagues to be part of this process and to cosponsor the Power of the Purse Act of 2015.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 4 minutes a.m.), the House stood in recess.

□ 1200

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

#### PRAYER

Dr. Chandra Bhanu Satpathy, Shri Sai Cultural & Community Center, Seattle, Washington, offered the following prayer:

O, Lord, by Your will, we are born in different nations, speak different languages, and follow different religions and cultures; yet we are all Your children and ever grateful for Your love and protection.

Evoke in us pious thoughts and feelings to shun all hatred and violence and become worthy of Your services. Bless our future generations to imbibe this spirit of love, sacrifice, and cooperation.

Guide us in following saints like Shirdi Sai Baba, who proclaimed in Hindi "sabka malik ek," meaning "God is the master of all." Inspire us, as Your trustees, to nourish and protect the world around us to sustain all life.

Guide us along the ethical and holistic path of self-control, purity of purpose, and dedication enshrined in the Shrimad Bhagavad Gita.

O, Lord, bless this august assembly and this Nation in performing its national and global responsibilities towards furthering the cause of humanity.

#### THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

#### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Pennsylvania (Mr. CARTWRIGHT) come forward and lead the House in the Pledge of Allegiance.

Mr. CARTWRIGHT led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

#### WELCOMING DR. CHANDRA BHANU SATPATHY

The SPEAKER. Without objection, the gentleman from Washington (Mr. McDERMOTT) is recognized for 1 minute.

There was no objection.

Mr. McDERMOTT. Mr. Speaker, it is my privilege this morning to welcome our guest chaplain, Dr. Chandra Bhanu Satpathy.

Dr. Satpathy deserves great credit for his earnest and humble leadership of the global Sai movement, which celebrates the teachings and ideals of Shirdi Sai Baba, the most respected of the Indian Perfect Masters and renowned for his teachings of compassion and acceptance.

This year marks the 25th anniversary of the global Sai movement, and I can't think of a time when the values of peace, respect, and compassion are needed more here in our own country and in other parts of the world.

Dr. Satpathy's moving invocation this morning serves as a motivation to each of us gathered here to always remember what ultimately unites us far outweighs what divides us, regardless of language, culture, or creed.

Thank you, Dr. Satpathy, for being here today. Thank you for your exemplary leadership in the spirit of Sai Baba's teachings, and thank you for sharing your vision for a peaceful future.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HUIZENGA of Michigan). The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

#### THANKS TO CLEVELAND COUNTY COMMUNITY

(Mr. McHENRY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McHENRY. Mr. Speaker, last Thursday, Americans across the country awoke to the horrific news of nine lives ended in an act of hatred and senseless violence that occurred at Charleston's AME Church.

The senseless act of violence shocked the country and left the Carolinas in a

high state of anxiety as the suspect remained on the run. Fortunately, due to the vigilance of quick thinking of one of my constituents and the professional work of local law enforcement, the perpetrator of this heinous act was brought to quick justice.

Thursday morning, Gastonia's Debbie Dills spotted the suspect and his car after having seen photos on the morning news. She quickly called 911, alerted local law enforcement to its whereabouts, and then the Shelby Police Department took over pursuing the suspect and arresting him. A little over 12 hours after the event occurred, the monster who committed this heinous act was in custody.

I want to express my gratitude to Ms. Dills, the Shelby Police Department, local law enforcement, and the entire Cleveland County community for their work in assisting in this arrest.

Their quick thinking and professional work brought this manhunt to a close and allowed all Americans to begin the mourning process for the nine innocent lives that were ended just a week ago.

#### GUN VIOLENCE IN CHICAGO

(Ms. KELLY of Illinois asked and was given permission to address the House for 1 minute.)

Ms. KELLY of Illinois. Mr. Speaker, I rise today on behalf of the three individuals killed and 32 injured by gun violence last weekend in Chicago.

They included a 17-year-old boy shot in the head, a 27-year-old man shot to death in his car, and a man who died shielding his mother from bullets fired outside of their home.

In recent days, our media has been gripped by tragic displays of violence. Charleston is what happens when racism and hate find a gun. Charleston is yet another gut-wrenching reminder that, as leaders, we can't stay silent on gun violence or racism. How many more deadly weekends will we allow on our watch? What will you do to stop the next Newtown or Charleston?

We can pass background checks and other commonsense gun safety measures; but in addition and most importantly, we need meaningful conversations and actions around racism, both individual and systemic, to truly have a safe and secure Nation with equal treatment and opportunity for all.

#### REMEMBERING EMANUEL AME CHURCH

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, last week, nine extraordinary men and women were killed at the Wednesday night Bible study at historic Mother Emanuel AME Church in

my birthplace of Charleston. I am grateful for their memories.

Reverend Sharonda Coleman-Singleton, Cynthia Hurd, Tywanza Sanders, Susie Jackson, Myra Thompson, Ethel Lee Lance, Reverend Daniel Simmons, Reverend Depayne Middleton-Doctor, along with Pastor Clementa Pinckney were all leaders of our community and in their church. One served the youth as a high school track coach, one a lifelong librarian, one a recent college graduate with a bright future ahead of him. Many served their church. Each had a clear love of God and love for their fellow man as followers of Jesus Christ.

The loss of Reverend Senator Clementa Pinckney has been personal, as he was a fellow State legislator. I was honored to host the senator, his wife, and daughters when they visited the Capitol a few years ago. He grew up in Ridgeland as a lifelong friend of my former chief of staff Eric Dell.

A hate-filled, drug-crazed murderer tried to divide our citizens, but he failed, and South Carolinians have unified in love, prayer, and respect.

#### RENEW THE EXPORT-IMPORT BANK

(Mr. CARTWRIGHT asked and was given permission to address the House for 1 minute.)

Mr. CARTWRIGHT. Mr. Speaker, I rise at this time to lodge my objection that this House is going to recess tomorrow without taking up the renewal of the Export-Import Bank. This is a time when American businesspeople are doing everything they can think of to compete abroad. American manufacturers are seeking to export our goods.

This is an outfit that stands up for American exporting manufacturers. It supports 1.5 million American manufacturing jobs—good-paying, family-sustaining jobs. We can't recess without renewing the Export-Import Bank.

In my district alone, 600 people are employed by companies that benefit materially from the Ex-Im Bank: Universal Industrial Gases in Easton; Fluortek, Inc., in Easton; Victaulic Company of America in Easton; Noble Biomaterials, Inc., in Scranton; Leighton Electronics in Leighton; and Copperhead Chemical Company in Tamaqua.

Mr. Speaker, we have to do the sensible thing and renew the Export-Import Bank. It is as plain as the nose on your face; it is as true as the law of gravity.

#### LAMENTING DEATHS IN THE AMERICAN FAMILY

(Mr. BYRNE asked and was given permission to address the House for 1 minute.)

Mr. BYRNE. Mr. Speaker, I rise today in the wake of last week's dev-

astating shooting in a church in Charleston, South Carolina.

The killing of any human is a real tragedy, but to lose nine innocent people while they were in a Bible study simply because of the color of their skin is heinous beyond words. On behalf of the people of southwest Alabama, I want to share our condolences with the families of those who lost loved ones.

Let me be very clear. In today's society, this kind of hate-based act and particularly hate-based on race or ethnicity is deplorable and unacceptable. We are one Nation, and there is no place in our country for racism.

As a southerner, but more importantly, as an American, I feel as if there has been a death in my own family because these deaths were in my family, the family of all citizens in the United States of America.

#### MARRIAGE EQUALITY

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, 2 years ago, I stood on the steps of the Supreme Court as the discriminatory Defense of Marriage Act was struck down.

On a beautiful day in June, much like today, I stood there with the words "Equal Justice Under Law" inscribed on the top of the Court and celebrated a truly historic decision that finally, after decades of injustice, granted LGBT Americans the right to have their marriages recognized by the Federal Government.

That day was even more important to me because I stood on those steps with many of my close friends and many of my staff whom I deeply care about, many of whom for the first time had their basic humanity recognized by the highest court in the land.

I am looking forward again, in the next coming days, to stand on those same steps as the Supreme Court hopefully rules that every American has the constitutional right to marry the person they love.

I am optimistic and hopeful that marriage equality will soon be the law of the land. As a vice chair of the LGBT Equality Caucus, I am committed to continuing to provide Federal policies that recognize the rights of all Americans, regardless of their sexual orientation or gender identity.

□ 1215

#### IPAB REPEAL VOTE

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, it is no secret that I am opposed to ObamaCare. I have been since

day one. It is a bad law that is hurting Americans. It is hurting Americans with higher costs; it is hurting Americans because they have lost doctors they liked, and it is hurting our seniors because it will ration their health care.

When ObamaCare created the Independent Payment Advisory Board, it put 15 unelected bureaucrats in charge of what payments Medicare seniors could get for their treatments. Many people have referred to this Board as a "death panel."

That is wrong. I have been working to repeal this Board, and yesterday, I was proud to stand up for our seniors by voting for the Protecting Seniors' Access to Medicare Act, which would do just that.

The Senate needs to pass this commonsense bill now, and we need to keep working to see that ObamaCare is fully and permanently repealed.

#### IN CELEBRATION OF THE USS "GABRIELLE GIFFORDS"

(Mr. SIREs asked and was given permission to address the House for 1 minute.)

Mr. SIREs. Mr. Speaker, I rise today to celebrate the christening and launch of the USS *Gabrielle Giffords*, the Navy's 10th littoral combat ship.

My former colleague in the House of Representatives, Gabrielle Giffords, could teach us all a thing or two about honor, courage, and commitment.

On January 8, Navy spouse and former Representative Giffords was shot in Tucson, Arizona, while meeting with many of her constituents and has since made an incredible recovery. She still works tirelessly to serve the people of Arizona, as well as citizens all across the country.

I am pleased that the U.S. Navy christened the USS *Gabrielle Giffords* last week in a ceremony led by Dr. Jill Biden, the sponsor of the ship. Dr. Biden aptly noted that former Representative Giffords represents the same qualities that the Navy embodies, and I could not agree more. As this vessel travels the world, I hope it will inspire patriotism and resiliency.

I am proud that the Navy has chosen to honor former Representative Giffords in this prestigious manner, and I am encouraged by the work she is doing as an advocate for safe and responsible gun ownership in order to prevent needless gun violence.

#### POST-TRAUMATIC STRESS DISORDER AWARENESS MONTH

(Mr. DOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOLD. Mr. Speaker, I rise today to recognize veterans suffering from post-traumatic stress disorder. The month of June is the Veterans Affairs

Post-Traumatic Stress Disorder Awareness Month.

Unacceptably, we lose 22 heroes a day to mental illness, often connected to PTSD trauma. We must take steps to reduce this horrible statistic. Even one is too many. Mr. Speaker, 22 is a disgrace to everything these heroes fought for.

Post-traumatic stress disorder is widespread, affecting one in five when they return home. Only 40 percent will seek treatment, leaving the remaining three-fifths unaware of their condition, uneducated about the resources available to them, and often fearing that seeking help could hurt their career.

Mr. Speaker, our servicemen and -women deserve the best treatment, and so I pledge to continue supporting initiatives that put our troops and veterans first.

I am honored to stand here today to raise awareness about post-traumatic stress disorder and urge others to fight the fight to combat this terrible disease.

#### CELEBRATING JUNETEENTH

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, I rise today to honor Juneteenth, a celebration that commemorates the ultimate implementation of the Emancipation Proclamation.

Mr. Speaker, 150 years ago, on June 19, 1865, Union soldiers marched into Galveston, Texas, with the news that the Civil War had ended and the enslaved were now free. Two and a half years after President Lincoln issued the Emancipation Proclamation, its promise was realized at least.

Juneteenth is a celebration of African American freedom, and it also serves as a reminder to constantly strive for the expression and extension of the American idea—one of freedom, independence, and liberty.

This year, I had the honor to join in the 40th annual Buffalo Juneteenth Festival, the third largest in the Nation. People of all backgrounds partake in cultural activities that promote and preserve the African American heritage.

Juneteenth has established its position as an important tradition in western New York and in neighborhoods, towns, and cities throughout America.

Mr. Speaker, I am honored to recognize Juneteenth to celebrate our Nation's rich African American history.

#### YWCA BRADFORD

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to recognize

the YWCA of Bradford, Pennsylvania, on celebrating its 100-year anniversary.

The YWCA of Bradford, which started as the Young Women's Christian League in 1915, seeks to eliminate racism; empower women; and promote peace, justice, freedom, and dignity for all.

In the 1980s, the YWCA was converted from a social organization to one based on service. Since then, it has been the home of McKean County's first program to provide services to victims of domestic and sexual assault.

During its centennial year, the YWCA of Bradford expanded its programs to include services and shelters for the homeless, mentally ill, and intellectually disabled. Meals on Wheels and a food pantry are among the other new amenities offered by the organization.

Mr. Speaker, it is my pleasure to honor an organization that has worked so hard to improve its community, and I thank the YWCA of Bradford for its dedicated service to the citizens of McKean County, Pennsylvania.

#### LET'S ACT TO CUT DOWN GUN VIOLENCE

(Mr. THOMPSON of California asked and was given permission to address the House for 1 minute.)

Mr. THOMPSON of California. Mr. Speaker, last week, we witnessed an act of pure hatred and evil in Charleston, South Carolina.

This is a time to mourn the victims, to pray for their families, for a community to heal, and for Congress to take action against unchecked and widespread gun violence.

Thirty-plus people are killed every day by someone using a gun. Mass shootings are becoming almost commonplace; yet we continue to do nothing. No legislation will stop every tragedy, but passing commonsense gun laws will at least stop some. We need to pass background checks as our first line of defense against criminals and the dangerously mentally ill getting guns.

We don't know what laws could have prevented the shooting in Charleston, but we do know that background checks help keep guns from dangerous people, and that saves lives.

If the Republican leadership has a better idea to cut down on gun violence, let's see it. If not, let's bring commonsense, bipartisan reforms like my bill to expand criminal background checks up for a vote.

#### BLUE STAR MOTHERS

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, it is time we recognize the important role

Blue Star Mothers play in supporting our troops by passing my bipartisan resolution which calls for August 2015 to be designated as Blue Star Mothers of America Month.

The Blue Star Mothers have been tireless advocates for our troops and have assisted by providing hundreds of thousands of care packages, sending letters to troops stationed overseas, and hosting thousands of events and ceremonies.

Blue Star Mothers of America is a nonprofit, nonpartisan service organization that was chartered by Congress in 1960 and has currently over 11,000 members in 42 States.

Women who have a son or daughter that is currently serving or previously served in the U.S. Armed Forces are eligible for membership. Many of these Blue Star Mothers have seen their loved ones sent into harm's way.

Mr. Speaker, I urge all my colleagues to stand with the Blue Star Mothers of America and support House Resolution 140.

#### STEVE WILBURN DOESN'T GET IT

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, there is just one more congressional workday before the charter for the U.S. Export-Import Bank expires. If Republicans allow it to expire, thousands of Americans will lose their jobs and many small-business owners will be hurt, people like Steve Wilburn.

Steve is a pretty amazing guy. He is a former marine who was wounded in Vietnam; he owns a small business, and he is a Republican. Today, Steve runs a biomass-to-energy company, and thanks to the help of our Ex-Im Bank, he had a tentative \$300 million deal with the Philippines; but they sent him a letter saying that, if the Ex-Im Bank goes under, so does his deal. Steve won't get the contract, and instead, it will go to a South Korean firm using a South Korean export bank.

Perhaps our ideologically driven friends on the right can explain to Steve and to his employees who are going to lose their jobs why this is a good thing.

We should join together. Let's pass the Ex-Im Bank for American jobs.

#### NATIONAL DAIRY MONTH

(Mr. EMMER of Minnesota asked and was given permission to address the House for 1 minute.)

Mr. EMMER of Minnesota. Mr. Speaker, I rise today in support of Minnesota's dairy industry and National Dairy Month.

In my home State, dairy is one of our largest agricultural products. We are one of the Nation's top dairy-producing



States, and Stearns County, in my district, is the top dairy-producing county in Minnesota.

Dairy farming is more than a profession; it is a way of life for many Minnesota families. I have had the privilege of visiting dairy farms across my district and have seen firsthand the hard work these men and women do day in and day out. From waking up before sunrise to milk their cows, to breeding, to delivering and raising newborn calves, it is just another day at the office for these folks.

I am proud of Minnesota's dairy industry, and I hope that every American will take some time to grab an ice cream cone and appreciate the hard work that goes into making some of our Nation's favorite food.

Happy Dairy Month to all of our hard-working farmers.

#### EXPORT-IMPORT BANK

(Mr. WALZ asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WALZ. Mr. Speaker, I rise with my colleagues who have spoken before in support of the Export-Import Bank, which is an absolutely vital tool that helps businesses of all sizes compete in the world market.

It does this not by competing with private sector lenders, but by partnering with them. The Bank fills gaps and provides loans to folks that the private sector is often unwilling or often unable to provide, and it costs the taxpayers nothing. In fact, since 1990, it has generated \$7 billion in deficit reduction.

The Export-Import Bank is overwhelmingly supported by Republicans and Democrats; business groups, like the Chamber of Commerce; and labor, like the AFL-CIO. Presidents Eisenhower, Reagan, Bush, Clinton, and Obama have all been on board.

It sure seems like a commonsense measure, right? I think we have all learned in this Congress that a small, vocal extremist minority can derail the most bipartisan measures. Unfortunately, this is exactly what is happening.

I ask you, Speaker BOEHNER, to not allow that small, vocal extreme minority derail a very good program. That is not the way our government is supposed to work.

Southern Minnesota is working, too. Businesses like Davisco, Fastenal, and AGCO all rely on the Bank. The last thing they need is for Congress to get in the way and stop the growth, putting their prosperity at risk.

Speaker BOEHNER, all we are asking for is a simple thing. Bring it to the floor, and let us vote. If it passes, America is better off.

#### ARKANSAS RAZORBACK BASEBALL

(Mr. HILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HILL. Mr. Speaker, I rise today to recognize the University of Arkansas Razorback baseball team on their successful 2015 season.

After winning their regional and super regional play, they made it to the College World Series in Omaha, Nebraska. This was the Omahogs' eighth trip to the College World Series and their fourth under the leadership of Coach Dave Van Horn.

While their season may have come to an end last week, they still have many reasons to be proud. On April 4 of this year, the team was idling with a .500 record, and postseason play seemed doubtful. They then embarked on one of the greatest turnarounds in the program's history, winning 25 of their next 35 games to finish the season with an impressive 40-25 record.

With their seemingly limitless enthusiasm and spirit, the Razorbacks represented themselves on the national stage with the determination and dedication that made all Arkansans and Arkansas alumni proud.

Congratulations on a great season, and I look forward to your continued success.

Go Hogs, go.

#### LET'S DREAM AGAIN

(Mr. BERA asked and was given permission to address the House for 1 minute.)

Mr. BERA. Mr. Speaker, the other day, I was out in my community and was introduced to a young man, Tyus Ashby, of Boy Scout Troop 447.

Tyus and I got into a conversation, and he discovered I was on the Space Subcommittee. He asked if he could write me a letter. It is one of the requirements to get a Boy Scout merit badge. The other day, my staff passed me Tyus' letter, and I want to read from it.

Congressman, you told me you are on the committee that looks into why we aren't going to space right now. I hope you can convince them to try again. There is so much more for us to discover. I hope you tell the other people on the committee that kids like me hope they won't let the space program end before we grow up and get to be part of it. We might be missing out on something really fun and important.

Mr. Speaker, let's dream again. Let's explore. Let's invest in the research that is going to take us to the next generation, to Mars, and all the technologies that come with it. Let's not let Tyus' generation down.

□ 1230

#### ALZHEIMER'S AWARENESS MONTH

(Mr. COSTELLO of Pennsylvania asked and was given permission to ad-

dress the House for 1 minute and to revise and extend his remarks.)

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today to recognize June as Alzheimer's Awareness Month.

In 2014, approximately 270,000 Pennsylvania seniors were diagnosed and living with Alzheimer's disease. Just a little over a decade from now, in 2025, this number is expected to jump by nearly 18 percent to 320,000.

According to the Alzheimer's Association, the disease is the sixth leading cause of death in the United States and is the only cause of death in the top 10 that cannot be prevented, cured, or slowed.

As someone who watched his grandmother suffer and ultimately pass away from this horrible disease, I can say that is a startling trend that needs to be reversed starting now. That is why I am proud to have joined the Congressional Task Force on Alzheimer's Disease and committed to support greater coordination and cooperation among patients, caregivers, and healthcare providers.

Together, we can improve the long-term health of those diagnosed, and increase our efforts on combating Alzheimer's, preventing it, curing it, and slowing the disease.

#### IMMIGRANT HERITAGE MONTH

(Mr. VEASEY asked and was given permission to address the House for 1 minute.)

Mr. VEASEY. Mr. Speaker, I rise today to mark June as Immigrant Heritage Month. I am also proud to represent and support Representative LINDA SÁNCHEZ' House resolution to recognize June as Hispanic Heritage Month.

In the closing days of Immigrant Heritage Month, we celebrate our country being fueled by immigrants from around the world and how America and her immigrants who have built our country are linked and share in a very productive history.

Members of my own staff, people who serve in the military and our armed services, police forces, and all sorts of jobs around our country help add to the history that makes America great. Each weaves their own family's unique experience into the American fabric and makes our country stronger.

Although June 30 marks the end of Immigrant Heritage Month, the universal American ethos of entrepreneurship, inclusion, strength, and resilience unifies all of us and resonates beyond the end of this month. Today and every day, I remain committed to fighting for immigrant families in my district and nationwide.

# PERMANENT REAUTHORIZATION OF THE LAND AND WATER CONSERVATION FUND

(Mr. GIBSON asked and was given permission to address the House for 1 minute.)

Mr. GIBSON. Mr. Speaker, I rise today in strong support of the permanent reauthorization of the Land and Water Conservation Fund, an important program that benefits every American.

LWCF was founded 50 years ago to utilize revenue from energy projects to fund important conservation efforts. In total, it has conserved approximately 7 million acres of land and water resources, including mountains, forest, waterways, nature trails, and other beautiful aspects of our natural environment.

In New York's 19th District, for example, several different projects have benefited, including the Rensselaer Plateau Alliance's Community Forest and, potentially soon, a new improvement to the Appalachian Trail.

Unfortunately, this critical program expires in about 100 days, potentially jeopardizing important funding for many local communities, States, and private organizations. We simply can't let that happen. We must permanently reauthorize this important program.

## AFFIRMING MARRIAGE EQUALITY

(Mr. GALLEG0 asked and was given permission to address the House for 1 minute.)

Mr. GALLEG0. Mr. Speaker, I rise today in support of affirming marriage equality and providing equal protection guarantees to LGBT Americans throughout our country. Mr. Speaker, the overwhelming majority of the American public supports marriage equality. They know that same-sex couples should have access to dignity and security that only marriage can provide.

In 37 States in our Nation, this is already a reality. Today, more than 70 percent of our population live in jurisdictions where they are free to marry whom they love. However, at this very moment, marriage discrimination is still openly practiced in 13 States, taking away the securities and protections, financial and otherwise, that many Americans have, but not our LGBT Americans.

Make no mistake, Mr. Speaker; the failure or prohibition to recognize and allow same-sex couples to marry is discrimination. The fight for marriage equality for our LGBT brothers and sisters is one of the great civil rights battles of our lifetime, and it continues through our tireless efforts to achieve full equality under the law for all.

A positive Supreme Court decision on marriage is an important step towards ending the discrimination that too many American families are suffering

because of where they live and whom they love. Mr. Speaker, it is the year 2015. It is well past time we end the discrimination against our LGBT Americans.

## THE PROTECT MEDICAL INNOVATION ACT

(Mr. ALLEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALLEN. Mr. Speaker, for too long, Americans all across the Nation have felt the devastating effects of the President's healthcare plan, also known as ObamaCare. One of its many harmful provisions is the job-killing medical device tax, a \$30 billion tax hike on medical device manufacturers that has crippled growth in this industry to pay for this flawed program.

For this reason, I am proud to be an original cosponsor of H.R. 160, the Protect Medical Innovation Act, which eliminates the 2.3 percent excise tax imposed on the sale of medical devices by ObamaCare and passed in the House on a bipartisan basis.

As we continue working for full repeal of ObamaCare, this is a step in the right direction to eliminate this job-killing provision in ObamaCare that hinders our economy and hurts patients' access to quality care.

I encourage my colleagues in the Senate to quickly pass this legislation to spur innovation and bring down healthcare costs.

## RECOGNIZING THE VICTIMS OF THE CHARLESTON SHOOTING

(Mr. DEUTCH asked and was given permission to address the House for 1 minute.)

Mr. DEUTCH. Mr. Speaker, I rise today to recognize the victims of the tragic shooting last week in Charleston: Reverend Clementa Pinckney, Sharonda Coleman-Singleton, Depayne Middleton-Doctor, Tywanza Sanders, Myra Thompson, Daniel Simmons, Susie Jackson, Ethel Lance, and Cynthia Hurd. My thoughts and prayers are with their families.

And I congratulate South Carolina for trying to lower the Confederate flag. It is the right thing to do.

But we don't stop these tragedies by retiring a racist relic. We stop them by fixing our broken gun laws, gun laws that are failing to keep guns out of the hands of those who seek to do us harm.

To fix them, Congress must act. But what has our response been? Silence: silence after Aurora, silence after Tucson, silence after Newtown, silence after daily acts of gun violence.

Mr. Speaker, America should never accept all this mourning, all this heartbreak, and all this gun violence. And shame on this United States Congress if we remain silent after Charleston.

## THE RATEPAYER PROTECTION ACT

(Mr. HUDSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUDSON. Mr. Speaker, tonight the House will vote on the Ratepayer Protection Act, which is a response to the EPA's proposed 111(d) rule.

The divide between what is right for job creation and the policies coming out of this administration continues to grow deeper. I have heard from countless farmers, manufacturers, businesses, and families who are concerned with the EPA's overreach and what it means for them.

In February, Administrator McCarthy asserted that no EPA rule has ever cost a single job. This is absolutely absurd and demonstrates a myopia that is absolutely stunning.

Outside of the national debt, the EPA, in general—and this proposed rule, specifically—represents one of the greatest threats to the economic prosperity of this Nation.

Our economy is recovering, and many folks are just getting back on their feet. But with this proposed rule and many others, the EPA wants to rip the rug right out from under the American people.

Families and businesses depend on access to affordable and reliable electricity. EPA's proposed 111(d) rule for existing power plants will increase rates by nearly 14 percent.

North Carolina has already reduced CO<sub>2</sub> power plant emissions by 21 percent, without Federal regulations. So for this and many reasons, I urge my colleagues to support the Ratepayer Protection Act.

## REAUTHORIZE THE EXPORT-IMPORT BANK

(Mr. BRENDAN F. BOYLE of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, this is one of the things that is actually very difficult to explain to my constituents and to most people who don't follow the ins and outs of Washington.

I was at a plant in my district in northeast Philadelphia just 2 days ago, along with Senator CASEY. This company, Agusta Westland, does excellent work and employs Americans right there in Philadelphia and in Pennsylvania. It benefits from something called the Export-Import Bank, something that has existed for 81 years and has been supported by every single President, both Democrat and Republican.

It is a program that supports 164,000 jobs a year, and just last year, created a \$675 million surplus for the taxpayers. So we have a program that helps business, creates jobs, and actually gives to taxpayers rather than

taking from them. So, of course, Congress is about to allow this program to expire. It makes absolutely no sense.

It is time for the leadership of this House to listen to the will of the vast majority and not the very vocal extreme minority. Let us reauthorize the Export-Import Bank.

#### AN ANSWERED PRAYER FOR THE PEOPLE OF NEPAL

(Mr. AL GREEN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. AL GREEN of Texas. Mr. Speaker, I believe that a prayer has been answered.

On May 15, I took to this very podium and prayed for the people of Nepal. The prayer was that we would accord them temporary protected status if they were living in the United States. I am proud to say that Homeland Security has now issued a mandate for a 180-day registration period, 18-month temporary protected status.

I am grateful to Congressman CROWLEY and Congresswoman MENG for the letter that they sent to Homeland Security making this request that I was proud to sign on to.

I thank the President of the United States for allowing this to happen.

And, Mr. Speaker, I thank God that the people of Nepal will have an opportunity to stay in this country and not go back to the devastation that they have suffered in Nepal as a result of the earthquakes that took place there.

God bless you, Mr. Speaker, and God bless the United States of America.

#### WEAR RED WEDNESDAYS TO BRING BACK OUR GIRLS

(Ms. WILSON of Florida asked and was given permission to address the House for 1 minute.)

Ms. WILSON of Florida. Mr. Speaker, today is Wear Red Wednesday to Bring Back Our Girls.

The news Monday of Boko Haram using two girls as suicide bombers to kill 30 people in northern Nigeria reminds us yet again why we must act now. Please cosponsor House Resolution 147, as amended, to help the Nigerian Government bring back our girls and defeat Boko Haram.

Tomorrow, Congressman SMITH, chairman of the Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, and I will host a classified briefing from the State Department. I invite you to join in this briefing on the future of Nigeria.

Today, I welcome 38 young girls from Camp Congress for Girls. Please join me on the Capitol steps after the first series of votes to take a group picture with these wonderful little girls. They are from all over the country. They are

helping in the fight against Boko Haram, and they are in the gallery today.

Don't forget to tweet, tweet, tweet, #bringbackourgirls. Tweet, tweet, tweet, #joinrepwilson.

#### PROVIDING FOR CONSIDERATION OF H.R. 2822, DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016; PROVIDING FOR CONSIDERATION OF H.R. 2042, RATEPAYER PROTECTION ACT OF 2015; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM JUNE 26, 2015, THROUGH JULY 6, 2015

Mr. BURGESS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 333 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

##### H. RES. 333

*Resolved*, That (a) at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2822) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2016, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived.

(b) During consideration of the bill for amendment—

(1) each amendment, other than amendments provided for in paragraph (2), shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent and shall not be subject to amendment except as provided in paragraph (2);

(2) no pro forma amendment shall be in order except that the chair and ranking minority member of the Committee on Appropriations or their respective designees may offer up to 10 pro forma amendments each at any point for the purpose of debate; and

(3) the chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read.

(c) When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole

House on the state of the Union for consideration of the bill (H.R. 2042) to allow for judicial review of any final rule addressing carbon dioxide emissions from existing fossil fuel-fired electric utility generating units before requiring compliance with such rule, and to allow States to protect households and businesses from significant adverse effects on electricity ratepayers or reliability. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-20. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 3. It shall be in order without intervention of any point of order to consider concurrent resolutions providing for adjournment during the month of July, 2015.

SEC. 4. On any legislative day during the period from June 26, 2015, through July 6, 2015—

(a) the Journal of the proceedings of the previous day shall be considered as approved; and

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 5. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 4 of this resolution as though under clause 8(a) of rule I.

□ 1245

The SPEAKER pro tempore. The gentleman from Texas is recognized for 1 hour.

Mr. BURGESS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman

from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BURGESS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURGESS. Mr. Speaker, House Resolution 333 provides for a rule to consider important bills that deal with our environment: the first, H.R. 2822, the Interior, Environment, and Related Agencies Appropriations bill for fiscal year 2016; and the second, H.R. 2042, the Ratepayer Protection Act of 2015. Each bill will be provided the standard 1 hour of debate, equally divided between the majority and the minority. Further, on each bill, the minority is granted the standard motion to recommend, a chance to amend the legislation one final time prior to its passage.

As with nearly all regular order appropriations bills that have come to the floor under the Republican leadership, the Interior-EPA bill will be considered under a modified open rule, allowing every Member of this body the opportunity to come to the floor and offer amendments to the bill that comply with the House budget rules.

H.R. 2042, the Ratepayer Protection Act, is given a structured rule under the resolution before us today, with the Rules Committee making in order five of the eight amendments offered during consideration of the bill last evening. Of the amendments made in order, one is bipartisan, three were offered by Democrats, and one was offered by a Republican.

H.R. 2822, the Department of the Interior, Environment, and Related Agencies Appropriations Act for fiscal year 2016, provides funding for both the Department of the Interior and the Environmental Protection Agency. This bill provides funding for many of the national parks and recreational facilities throughout the United States. The bill includes over \$30 billion in base funding, decreasing the top line level by \$246 million below fiscal year 2015 and cutting \$3 billion from the President's budget request.

This spending reduction is necessary to rein in an out-of-control Environmental Protection Agency that is moving at breakneck speed to regulate every aspect of our economy. Following the failure of the House and Senate Democrats to get the disastrous Waxman-Markey cap-and-trade legislation to President Obama's desk in 2009, Lisa Jackson and, now, Gina McCarthy, both administrators of the Environmental Protection Agency, have moved forward with regulatory regimes

under the guise of the Clean Air Act to go around Congress to regulate carbon after the American people explicitly rose up and said do not do this.

The Energy and Commerce Committee has held countless hearings and markups to address the out-of-control efforts by the Environmental Protection Agency and has taken over the past few years to push President Obama's harmful environmental policies onto a populace that has rejected those same policies at the ballot box. From carbon dioxide to ozone to every stream, puddle, ditch, pond in America, the Environmental Protection Agency will not rest until it has regulatory control over every aspect of every life in America.

The appropriations bill before us is an important step toward reining in such a power-hungry agency. The bill contains prohibitions on the Department of the Interior's attempts to regulate hydraulic fracturing, a process that President Obama's own Environmental Protection Agency recently stated has not resulted in any significant environmental or health harms. It includes a provision preventing the Environmental Protection Agency from proposing new ozone standards until at least 85 percent of the country is able to meet current standards, which would seem to be a reasonable request. It prohibits the Environmental Protection Agency from moving forward with new greenhouse gas regulations, regulations that the American people have never supported. And it prohibits the Environmental Protection Agency from moving forward with regulating every stream and pond in the country, an issue that the Supreme Court has rejected and that farmers and landowners all across America have risen up to oppose.

Even more than the funding levels in this bill, passing the House Interior Appropriations bill will keep the Environmental Protection Agency from doing further damage to the United States economy than has already been done by this administration. Mr. Speaker, I will just point out, we were greeted with the news that in the first quarter of this year, the economy actually contracted by 0.2 percent. That is not the direction that we need to go.

The second bill contained in today's rule is H.R. 2042, the Ratepayer Protection Act of 2015, which does address the Environmental Protection Agency's job-killing carbon rules on existing power plants. The bill allows for judicial review of any final rule pertaining to greenhouse gas emissions before requiring compliance with such a rule and allows States to protect households and businesses from significant adverse effects on electricity ratepayers or reliability. This seems like a reasonable ask, that the EPA's own rule, which we know will be litigated anyway, not go into effect until the

courts have had a final say on whether or not the Environmental Protection Agency actually followed the law.

The Environmental Protection Agency's proposed regulation on greenhouse gases, a regulation that the Democrats couldn't achieve through legislation, places different limits on different States, allowing the Environmental Protection Agency to pick winners and losers in the carbon wars.

If a State does not comply with the strict guidelines that the Environmental Protection Agency sets out for its electricity market, then the EPA will force its own Federal plan on the State, driving up the cost to ratepayers exponentially.

The EPA's own estimates of this rule—just the rule, without any mention of the other disastrously expensive rules that it is currently proposing, such as the ozone regulations—suggest that the carbon rule for existing power plants will impose annual costs of \$5.5 billion to \$7.5 billion by 2020, and almost \$9 billion by 2030. All of those costs will be passed on to every American who pays an electricity bill.

Of course, as we have seen in previous rules, the Environmental Protection Agency consistently underestimates the cost of its rules to hide the ball from the American people about the true damage that is actually being proposed by the Agency. Outside estimates put the cost of this one regulation at upwards of well over \$360 billion to almost \$500 billion between 2017 and 2031. That level of harm to the United States economy is insane after seeing such a slow recovery under the current President, but it is exactly what Administrator Gina McCarthy is proposing.

State Governors, regulators, and other stakeholders have submitted thousands of comments on this rule, explaining how difficult it will be to implement and prevent rates from increasing, but those pleas appear to have hit a dead end. The Environmental Protection Agency is moving forward with these rules, and this bill before us presents one of the great opportunities to slow them down before irreversible damage is done to the economy.

Mr. Speaker, the House is moving forward with important legislation today to make the government more accountable. I look forward to both bills having a full debate on the House floor after the passage of today's rule.

Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume.

If we defeat the previous question, I will offer an amendment to the rule to allow for consideration of legislation that would reauthorize the Export-Import Bank for 7 years. The Export-Import Bank allows American businesses to compete in global markets and supports hundreds of thousands of jobs.

I ask unanimous consent to insert the text of the amendment in the RECORD along with extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

□ 1300

Mr. POLIS. Mr. Speaker, we have one legislative day until the expiration of the Export-Import Bank's authorization. We are going to get to talk about this EPA rule in a few minutes, but there are many Members on my side of the aisle who want to bring forward in the form of a previous question, the only procedural way that we can advance this important piece of legislation to the floor before the House goes home in July, to reauthorize the Export-Import Bank.

Reauthorization of the Export-Import Bank would strengthen our Nation's economy. It would provide stability and certainty for American businesses. The Export-Import Bank assists tens of thousands of small-and medium-sized businesses throughout the country. In fact, nearly 90 percent of Export-Import's transactions are with small businesses, and the Bank directly supports 164,000 private sector jobs at over 3,300 companies.

In August, I was honored to receive a visit from Export-Import Bank President Fred Hochberg, who came to my district to highlight the kinds of jobs and companies that Export-Import really benefits and discuss ways that it can work together with some of our local Colorado small businesses. Together, we visited Boulder-based Droplet Measurement Technologies, which was named the Export-Import Bank's 2015 Small Business Exporter of the Year for its work in cloud and aerosol measurements. Roughly two-thirds of this small company's sales come from exports.

Mr. Speaker, that is the kind of growing business that Export-Import Bank supports—export-related jobs so important in today's global economy—not just the brand names, not big companies, but the types of small-and mid-sized firms that need and deserve our support to compete on the global market.

FiberLok in Fort Collins is a specialty-based printing company in my district that provides heat transfer graphic products like computer mouses and drink coaster rugs. It is family-owned with 70 employees, and about 40 percent of its business is international. They sell worldwide, including Germany, Mexico, and the U.K. In 2008, the company discovered Export-Import Bank through a direct mail campaign that targeted small businesses, and they have been using the small business multibuyer credit insurance since,

and through that, with the help of that program, export sales have grown 15 to 20 percent, and the Bank has supported over 2.7 million of FiberLok's exports.

Mr. Speaker, I understand that there are some on the other side of the aisle that have a philosophical problem with the existence of the charter of the authorization for this Bank. If that is the case, surely unilateral disarmament is not the solution. Perhaps instruct our trade negotiators to remove backdoor subsidies at other export-import banks that other nations have, but as long as these types of efforts are permitted under WTO and trade rules, and as long as other nations support the export economy in their countries through programs like the Export-Import Bank, why would we want to unilaterally disarm? It makes no sense and puts American businesses and American exporters at a disadvantage and would lead to the outsourcing of even more jobs overseas.

Financing assistance from this Bank—which, incidentally, costs zero money to taxpayers—helps ensure that U.S. companies are competing on a level playing field. Canada, China, and Japan, over 60 other nations, have similar banks that extend even more export financing to their businesses.

Mr. Speaker, there is strong, bipartisan support for the renewal of the Bank's charter. I urge every Member who supports that to help defeat the previous question so we can offer our amendment, and I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentlewoman from the great State of California (Ms. MAXINE WATERS), to discuss the previous question and the Export-Import Bank.

Ms. MAXINE WATERS of California. Mr. Speaker, I would like to thank the gentleman from Colorado, as well as Leader PELOSI and Whip HOYER, for continuing to fight for the survival of the Export-Import Bank.

Mr. Speaker, with just 1 day left for Congress to act before the Ex-Im Bank shuts down, I am shocked that my Republican colleagues are planning to leave town without even considering legislation to review its charter. Democrats will not sit idly by. That is why I rise today to urge my colleagues to defeat the previous question in order to force a vote on legislation sponsored by myself, Mr. HECK, Ms. MOORE, Mr. HOYER, and nearly every other Democrat in this House to renew and reform the Export-Import Bank's charter for the long term.

Over the past 5 years, the Export-Import Bank has created or sustained an estimated 1.3 million jobs, and it has returned \$6.9 billion to the American people over the past two decades. But next Tuesday, that record of success will be stopped in its tracks. The Ex-

port-Import Bank will stop creating jobs and supporting our small businesses. It will stop returning profits to the Treasury, and it will stop helping to make our businesses more competitive.

Failure to act hands countries like China, Russia, and countless others that have their own version of the bank a significant victory—at the hands of American workers' products and businesses. But we haven't given up yet. Today we are giving the broad base of Democrats and Republicans who support the Bank an opportunity to cast a vote in favor of keeping this engine of job creation and economic growth alive.

Last week my Republican colleagues who support the Bank failed to stand up for its survival. But with just 1 more day for Congress to save the Bank from shutting down, I am afraid that those who claim to support the Export-Import Bank but refuse to stand up and do so do not truly support the Bank or the jobs it creates.

Mr. Speaker, businesses need to know that our government will stand up for them, not work to undermine them.

The SPEAKER pro tempore (Mr. HOLDING). The time of the gentlewoman has expired.

Mr. POLIS. Mr. Speaker, I yield the gentlewoman an additional 20 seconds.

Ms. MAXINE WATERS of California. Mr. Speaker, I ask my colleagues to heed the advice of Ronald Reagan, George W. Bush, and Bill Clinton, all of whom supported the Export-Import Bank.

I urge a "no" vote on the previous question.

Mr. BURGESS. Mr. Speaker, I yield 1 minute to myself.

Mr. Speaker, I would remind the Chair that the issue under consideration today before the House of Representatives is H. Res. 333, which provides for the consideration of the bill, H.R. 2822, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; and further providing for the consideration of H.R. 2042, to allow for judicial review of any final rule addressing carbon dioxide emissions from existing fossil fuel-fired electric utility generating units before requiring compliance with such rule, and to allow States to protect households and businesses from significant adverse effects on electricity ratepayers or reliability.

Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield such time as he may consume to the gentleman from Maryland (Mr. HOYER), the minority whip.

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, my friend, Dr. BURGESS, has just made an observation, that this

resolution is about the Interior, Environment, and Related Agencies Subcommittee Appropriations bill. I will tell Mr. Speaker, as you know—and the American people, I am sure, know—that that Agency is funded through September 30 of this year, which means we have months to go before it will run out of funds.

The other bill that he mentions, of course, as you know, is about a proposal, not a rule. It may be a rule at some point in time, but it is a proposal which has no absolute definite need to be done today or next week or next month.

However, Mr. Speaker, the Export-Import Bank, if we do not act by tomorrow, loses its authority to loan money or to support—not to loan money, but to support the selling of goods from America by American workers to those abroad.

We just went through a trade debate which was about jobs and whether or not it was going to undermine jobs in America. Now, my previous colleague, Ms. WATERS, mentioned President Reagan, she mentioned President Bush, and she mentioned President Clinton. But the person who says we are going to lose jobs if we don't pass the Export-Import Bank is the Speaker of this House, Mr. Speaker, JOHN BOEHNER of Ohio. He says, if we don't pass this, we are immediately going to start losing jobs—JOHN BOEHNER, Speaker of the House from Ohio.

Mr. Speaker, I ask unanimous consent that the House bring up H.R. 1031—a bill to protect thousands of American jobs by preventing the Export-Import Bank from shutting down.

The SPEAKER pro tempore. The Chair would advise that all time has been yielded for the purpose of debate only.

Does the gentleman from Texas yield for the purpose of this unanimous consent request?

Mr. BURGESS. Mr. Speaker, I do not.

The SPEAKER pro tempore. The gentleman from Texas does not yield. Therefore, the unanimous consent request cannot be entertained.

Mr. BURGESS. Mr. Speaker, again, I will just remind the House that what is under consideration is a rule resolution, H. Res. 333, for consideration of the appropriations bill for the Department of the Interior and H.R. 2042 to allow for judicial review of any final rule addressing carbon dioxide emissions.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield to the gentleman from Washington (Mr. HECK), a champion of reauthorizing the Export-Import Bank for the purpose of a unanimous consent request.

Mr. HECK of Washington. Mr. Speaker, I ask unanimous consent that the House bring up H.R. 1031, which is within its power to do—a bill to protect thousands of American jobs by

preventing the shutting down of the Export-Import Bank.

The SPEAKER pro tempore. Does the gentleman from Texas yield for the purpose of this unanimous consent request?

Mr. BURGESS. Mr. Speaker, I would reiterate my earlier announcement that all time yielded is for the purpose of debate only, and I do not yield time for any other purpose.

The SPEAKER pro tempore. The gentleman from Texas does not yield. Therefore, the unanimous consent request cannot be entertained.

Mr. POLIS. Mr. Speaker, I yield to the gentleman from Arizona (Mr. GRIJALVA) for the purpose of a unanimous consent request.

Mr. GRIJALVA. Mr. Speaker, I ask unanimous consent that the House bring up H.R. 1031—a bill to protect thousands of American jobs by preventing the Export-Import Bank from being shut down.

The SPEAKER pro tempore. The Chair understands that the gentleman from Texas does not yield for that purpose. Therefore, the unanimous consent request cannot be entertained.

Mr. POLIS. Mr. Speaker, I yield to the gentleman from Nebraska (Mr. ASHFORD) for the purpose of a unanimous consent request.

Mr. ASHFORD. Mr. Speaker, I ask unanimous consent that the House bring up H.R. 1031—a bill to protect thousands of American jobs by preventing the Export-Import Bank from shutting down.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. POLIS. Mr. Speaker, I yield to the gentleman from Texas (Mr. AL GREEN) for the purpose of a unanimous consent request.

Mr. AL GREEN of Texas. Mr. Speaker, I join my colleagues, and I ask unanimous consent that the House bring up H.R. 1031—a bill to protect thousands of American jobs by preventing the Export-Import Bank from shutting down.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. POLIS. Mr. Speaker, I yield to the gentleman from New York (Mr. TONKO) for the purpose of a unanimous consent.

Mr. TONKO. Mr. Speaker, I ask unanimous consent that the House bring up H.R. 1031—a bill to protect thousands of American jobs by preventing the Export-Import Bank from shutting down.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. POLIS. Mr. Speaker, I yield to the gentleman from California (Mr. SHERMAN) for the purpose of a unanimous consent request.

Mr. SHERMAN. Mr. Speaker, I ask unanimous consent that the House

bring up H.R. 1031—a bill to protect hundreds of thousands of American jobs by preventing the shutdown of the Ex-Im Bank.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. POLIS. Mr. Speaker, I yield to the gentlewoman from California (Ms. MAXINE WATERS), the ranking member of the Committee on Financial Services, for the purpose of a unanimous consent request.

Ms. MAXINE WATERS of California. Mr. Speaker, I ask unanimous consent that the House bring up H.R. 1031—a bill to protect thousands of American jobs by preventing the Export-Import Bank from shutting down.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. POLIS. Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. BRENDAN F. BOYLE) for the purpose of a unanimous consent request.

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, as you might be able to predict, I ask unanimous consent that the House bring up H.R. 1031—a bill that would protect thousands of American jobs by preventing the shutdown of the Export-Import Bank.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. POLIS. Mr. Speaker, we were hoping at least Mr. BOYLE's would be accepted. But, Mr. Speaker, I yield to another Member of Congress from California (Mr. CÁRDENAS), a leader in the fight to reauthorize the Export-Import Bank, for the purpose of a unanimous consent request.

Mr. CÁRDENAS. Mr. Speaker, I ask unanimous consent that the House bring up H.R. 1031—a bill to protect thousands of American jobs by preventing the Export-Import Bank from shutting down.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. POLIS. Mr. Speaker, I yield to the gentlewoman from New York (Ms. SLAUGHTER), the ranking member of the Committee on Rules, for the purpose of a unanimous consent request.

Ms. SLAUGHTER. Mr. Speaker, I ask unanimous consent that the House bring up H.R. 1031—a bill to protect thousands of American jobs by preventing the Export-Import Bank from shutting down. It is most important in my district.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. POLIS. Mr. Speaker, I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield 1 minute to myself.

Again, I just want to underscore that the issue under consideration on the

House floor today is to consider H. Res. 333, to provide for consideration of the bill, H.R. 2822, making appropriations for the Department of the Interior, environment and related agencies, and to provide for consideration of the bill, H.R. 2042, to allow for judicial review of any final rule addressing carbon dioxide emissions.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 2½ minutes to the gentleman from Washington (Mr. HECK), a leader in the effort to reauthorize the Export-Import Bank.

Mr. HECK of Washington. Mr. Speaker, I am going to get an enormous frustration off my chest today, the obsessive-compulsive focus of this Chamber on the Ts: trade, trade promotion authority, Trans-Pacific Partnership, and trade adjustment authority. This view that we can distill our entire Nation's future trading prospects to one trade agreement or the TPA leading up to it is wrongheaded, it is myopic, and it does not serve our self-interest. The fact of the matter is, in order for us to be successful in a global economy, we must be much more complex and nuanced in our view.

□ 1315

Infrastructure—we don't even spend two-thirds of the money generated by the harbor maintenance tax, which is generated by trade, on improving the ports so that we can have more trade. Where is that issue?

The International Monetary Fund, 5 years hanging loose the reform. We are Nero; Rome is burning. No reforms to the IMF—and what is the consequence? This is real. This isn't abstract. I didn't make this up. China forms the Asian Infrastructure Investment Bank; Brazil, Russia, India, China, and South Africa form the BRICS Bank—all of this while we sit and watch Rome burn.

Lastly, the Export-Import Bank is a deficit-cutting, job-creating machine—\$6 billion to reduce our deficit, 164,000 thousand jobs in the country just last year. Ninety-five percent, as has so often been said, of the world's population lives outside the borders of the great country of the United States of America.

If we want to keep our middle class, we are going to have to learn how to sell into their middle class and engage in global trade, but it is more complex than just one trade agreement or IMF or what we do with the infrastructure investment. It is all of these things.

Yes, at the top of that list, the Export-Import Bank, a deficit-cutting, job-creating machine, we need to reauthorize the Export-Import Bank—1 day left—because the layoff notices are going out next week.

People will lose that which they value more than anything in life, save their family; and that is the opportunity to be self-sufficient and provide for themselves.

Ladies and gentlemen, I beseech you, vote against the previous question, bring up H.R. 1031, reauthorize the Export-Import Bank in the name of cutting deficits and creating jobs.

Mr. BURGESS. Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, you have heard what we will bring up if we defeat the previous question. You will now hear what this body under this rule has chosen to consider instead—a bill that, as Mr. HOYER said, could be done any time and a bill that is bad.

To explain that, I yield 3 minutes to the gentleman from Arizona (Mr. GRIJALVA), the distinguished member of the Committee on Natural Resources.

Mr. GRIJALVA. Mr. Speaker, I thank the gentleman.

I rise in opposition to House Resolution 333.

The Interior Appropriations bill is a disaster, not only because it would continue the pattern of underfunding core Department of Interior programs and ignoring climate change, but also because it is littered with partisan legislative riders that don't belong in an appropriations bill.

This rule does nothing to improve the bill, and even includes waivers to protect these illegitimate riders. Republicans make the rules, but through this appropriations bill, they seek to break their own rules and sneak significant legislative changes into this spending bill.

The riders protected by this rule would make species extinction more likely, close the courthouse door to American citizens, and grease the wheels for Big Business to make private profits from public resources. These are all terrible ideas, but they are terrible ideas that should be considered in the Natural Resources Committee, not snuck into an Interior spending bill.

I have the honor of serving as the ranking member of the Natural Resources Committee, and I would tell my colleagues: we have hearing rooms and a full staff, and if you support delisting endangered species or prohibiting judicial review of resource decisions or giving away public resources to wealthy companies, you should put your name on a bill and come over to 1324 in the Longworth Building for a hearing.

While I cannot speak for the chairman of the Natural Resources Committee, as ranking member, I cannot agree to cede jurisdiction over management of our Federal natural resources to appropriators, and I cannot support a rule designed to allow it.

Even though the best available science indicates otherwise, section 121 of the underlying bill would direct the Secretary to reissue two final rules removing wolves in Wyoming and the Great Lakes from the endangered species list.

Another rider would make it more difficult to protect the habitat of the threatened northern long-eared bat. We aren't the experts. We should not interfere with the species listing and recovery processes at all, let alone interfere through an appropriations bill where the merits of such proposals cannot be given any appropriate consideration. This is why the House rules prohibit these riders, and this rule should not protect them.

Another awful rider would block the Fish and Wildlife Service from cracking down on illegal ivory trade within the U.S. Poaching of elephants and trafficking of illegal ivory is currently at an all-time 25-year high here in the U.S., and the U.S. is one of the major markets for the sale of illegal ivory.

Section 120 of the underlying bill would restrict our ability to regulate the trade of elephant ivory in the U.S. and will directly contribute to elephant slaughter. House rules prohibit these kinds of sneaky, partisan riders in spending bills for a good reason, and we should not adopt a rule to protect these provisions.

If these provisions are so toxic that they can only be passed by waiving House rules, they shouldn't be passed at all.

Either way, the question should be considered in the authorizing committee, not in an appropriations bill and not in this rule.

Mr. BURGESS. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I would remind the gentleman from Arizona that this appropriations bill is coming to the floor, as has been the custom during the Republican majority, under a modified open rule, which means that any Member is able to bring an amendment to the floor of the House and have it heard.

This, of course, includes limitation amendments that would be heard at the end of the reading of the bill that would allow for the striking of any of the provisions that he finds objectionable. Then all that is necessary for the gentleman to do is to convince 218 Members of this body to vote with him on an amendment, and he will be able to accomplish his heart's desire.

A modified open rule is a good process, and it does allow the will of the House to be heard on this bill. I look forward to us affirming the previous question, passing the rule to allow the bill to be heard, and then we can get on to the business at hand.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume.

I think the problem with the idea of the gentleman from Texas is that the base bill is so bad, it could take this body weeks or months to fix it. Meanwhile, we are 1 day away from the Export-Import Bank's reauthorization.

At least let's get that done, and then we are happy to begin the work of trying to fix this terrible bill. Although,



again, it might be more productive just to defeat it, send it back to Appropriations, and have them come up with a better base bill.

I am proud to yield 2½ minutes to the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. Mr. Speaker, I thank the gentleman for yielding. As he points out, we are 1 legislative day away from the end of the authorization of the Ex-Im Bank.

American businesses are already losing contracts as foreign companies must decide whether to structure themselves around American equipment or whether to buy equipment from another source. That foreign source offers stable export promotion authority financing provided by the governments of Germany, Japan, China, et cetera; whereas, we dawdle here.

The purpose of a rule is to decide how the House will devote its time here on the floor. The most pressing matter before us is the Export-Import Bank. That is why we should defeat the rule and focus the House on the most pressing matter, and we should allow the House to work its will. A majority of this body wants to reauthorize the Ex-Im Bank, but instead, we are being held hostage by a group inside only one of the two caucuses.

I gave 100 speeches for George McGovern. I am proud of that. We were accused of unilateral disarmament being our platform. This is a platform for unilateral disarmament because this is a platform that says Germany, Japan, and China will provide concessionary financing to push their exports, and we will be disarmed in the world of business.

The Export-Import Bank makes money. The CBO concludes that; generally accepted accounting principles conclude that. The enemies of the Bank have concocted a fantasy accounting system, and only under that system, used nowhere else, is there any argument that the Export-Import Bank does not make money.

We have hundreds of thousands of American jobs at stake. They should not be sacrificed on the altar of a new religion. Ayn Rand is not a deity; "Fountainhead" is not Holy Scripture, and we need to make practical decisions in the real world where we face real competition from real competitors.

That is why we need to focus the attention of this House on today's most pressing issue, the reauthorization of Ex-Im Bank.

Mr. BURGESS. Mr. Speaker, I continue to reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I am proud to yield 2 minutes to the gentleman from Nebraska (Mr. ASHFORD), a leader in the effort to reauthorize the Export-Import Bank.

Mr. ASHFORD. Mr. Speaker, I thank the gentleman.

I rise today to express my support for the reauthorization of the Export-Import Bank.

The Ex-Im Bank is an independent, self-sustaining executive branch agency with one mission, to foster American job growth by helping American companies with the tools they need to compete in the global marketplace.

In short, the Ex-Im Bank provides the business community the certainty it needs to compete in overseas markets and grow jobs at home.

Why am I so supportive of the Ex-Im Bank and its reauthorization? In my district alone, in the month of May, the Ex-Im Bank provided \$3.8 million worth of Nebraska's export goods into the global marketplace, companies as large as Valmont Industries, one of the largest manufacturers of center pivot irrigation systems in the world, and companies as small as Volcanic Peppers, that in a small kitchen produced hot sauce that is exported to Australia.

In fiscal year 2014, the Ex-Im Bank supported approximately \$107 million in Nebraska exports, 49 percent of which went to Nebraska small businesses.

Since 2007, the Bank has supported \$230 million in exports from 52 Iowa companies and \$550 million in exports from 39 Nebraska companies. This translates into American private sector jobs in every district of this country.

In real terms, the Ex-Im Bank helps to level the playing field for both large and small businesses who export products abroad.

Simply put, there is no rational reason, Mr. Speaker, for allowing American products and American goods to have a disadvantage in the global marketplace.

Congress must reauthorize the Ex-Im Bank immediately, and I am committed to working with my colleagues on both sides of the aisle to make this happen.

Mr. BURGESS. Mr. Speaker, I continue to reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I think it is clear what we would like to do, what Democrats would like to do, like the probusiness Members of this House would try to do, we want to, with 1 legislative day left, bring forward a reauthorization of the Export-Import Bank for the reasons that have been made abundantly clear by my Democratic colleagues and I know an idea that is shared by many, perhaps less outspoken, Members on your side of the aisle who also support reauthorizing the Export-Import Bank.

Let's have a clean vote. If we defeat the previous question, that is exactly what we will bring forward, a 7-year authorization that I believe will pass this body.

Now, let's talk about what this House is choosing to do instead under these rules—two bills that are not urgent, are not timely, both of which would need Presidential vetoes: the Ratepayer Protection Act of 2015, which I will talk about, which, again, will go nowhere, even if it gets out of both chambers, will get a Presidential veto and won't have two-thirds in this body to override; and Interior Appropriations, which needs to be done, but could be done next week, while we are up against a deadline of the expiration of the Export-Import Bank.

The Ratepayer Protection Act pertains to the recently proposed clean power plan, which establishes emission guidelines for States to follow in developing plans to control carbon pollution from existing coal and natural gas-fired power plants.

Like so many Presidential initiatives, it stems out of the President's legitimate authority to act in areas under his statutory authority when this body fails to act.

I applaud the President for using his existing executive powers on immigration. I applaud the President for using his existing executive powers for a clean power plan to work with the States and the EPA.

□ 1330

What this bill would do, however, is suspend the implementation of the clean power plan and extend all compliance and submission deadlines until a judicial review can be completed, already in process.

On this point, let me make one thing very clear, that there is no existent rule and that the proposed clean power plan is a proposal. Let's give the executive branch the opportunity to at least come forward with a final proposal before this body decides that it somehow wants to invalidate that very proposal.

I have discussed this proposal with many folks in my district, and there are issues that need to be worked out to make this regulation feasible. I have talked to and heard from rural electric utilities and from many others, and we all want to make sure that ratepayers are not detrimentally impacted, but the answer is not to cut the process short.

That is why developers are actually working with the EPA through a public input process, which includes rural electric utilities and others, an unprecedented reach of outreach opportunities that the EPA is doing, including in my district.

They are saying that they want to amend this proposed rule to make it work better. If a majority of this body doesn't like the final result, then it is time to talk about how we want to amend it and how this body would rather deal with emissions and carbon reduction.

There are plenty of other opportunities. Several years ago, this body considered a cap-and-trade program. I am

a cosponsor of a bill with Mr. DELANEY that would implement a carbon tax and would use the income from that to reduce the corporate tax rate and reduce the tax burden on American businesses.

There are plenty of good ideas out there, but let's at least see what the administration and the EPA come up with and then respond to its final proposal with meaningful legislation to address our carbon emissions.

Passing this bill now would prematurely undermine the EPA's collaborative effort, instead of encouraging them to involve multiple stakeholders in reducing carbon emissions. Under current law, the EPA is required to develop and implement a Federal plan for any State that fails to submit its own State plan.

This means that the passage of this bill would overturn that existing requirement in the Clean Air Act as it pertains to the clean power plan, which means the State would find itself in a place in which, if it fails to utilize the flexibility this rule provides, it might have a plan that they have not been part of forming.

I urge my colleagues to reflect on a position that not only disregards science but that runs in opposition to business, to the religious community, and to our national and global security. Congress can constructively weigh in on reducing carbon emissions, and I encourage this body to do so.

There are a number of great bills that would provide a statutory mechanism to reduce our carbon emissions. Instead of going that route, this body is saying that we don't even want to see what the President comes up with or what the EPA comes up with. We want to invalidate it before they even finalize it. We want to invalidate the hard work of listening to rural electric utilities; of listening to ratepayer groups; and, instead, throw it all out because, somehow, politicians in Washington know better. That is simply not the right answer, and the American people will not stand for it.

Let's talk about the other bill that the Republicans are bringing forth under this rule instead of reauthorizing the Export-Import Bank—the Interior, Environment, and Related Agencies Appropriations bill.

First of all, I always try to talk about what is good in a bill. I do want to commend the chairman and the ranking member of the subcommittee for including the Payments in Lieu of Taxes program, or PILT.

As a Representative of a district that is 62 percent owned by the Federal Government and, therefore, untaxable by our local taxing jurisdictions, I know how important it is to ensure the sustainability of our county programs, particularly those that affect our Federal lands; but much of the remainder of the bill and the reasoning for my opposition to it is the drastic approach it

takes to nearly every other environmental, energy, and animal welfare issue facing our Nation.

The bill fails to deal with the issue of fire sharing, which is a mechanism utilized that takes money from the Forest Service and gives it to emergency response systems in the wake of wildfires. This limits the Forest Service's resources and capabilities that could be used for the protection of the watershed and for the insurance of access and accountability of maintenance on Forest Service lands, especially those like some in my district that are affected by forest fires.

This bill sets backward priorities for the Bureau of Land Management, funding the continuation and expansion of oil and gas permitting when it doesn't facilitate the zoning of solar or wind projects as my bipartisan bill with Mr. GOSAR would do.

The National Park Service, facing a backlog of over \$11 billion, is drastically cut under this bill. The bill also fails to address the fact that offshore oil and gas operations require an inspection fee while onshore wells do not.

This bill fails to address the looming expiration of the Land and Water Conservation Fund, which helps American citizens, businesses, homeowners, and communities protect important lands and resources.

It also includes, as Mr. GRIJALVA pointed out, a number of policy riders, any one of which would be grounds for a veto by the President of the United States. It fails to adequately fund the Environmental Protection Agency, and it circumvents its ability to enforce and ensure protections granted to critical species under the Endangered Species Act.

This bill needs a lot of work. I suggest we reject it, send it back to the Appropriations Committee, and let them come up with a more meaningful effort to fund our Department of the Interior, a goal that all of us share.

I also urge my colleagues to reject the Ratepayer Protection Act of 2015, a bill that seeks to proactively invalidate the process of listening, as the Environmental Protection Agency has done, to many stakeholders across my district and across this country.

Instead, Mr. Speaker, I call upon my colleagues to defeat the previous question so that, with 1 day remaining, we can move to reauthorize the Export-Import Bank, protect over 130,000 American jobs, help American small businesses compete in an increasingly global economy, and grow our export-related economy in Colorado and across the Nation.

I encourage my colleagues to reject the previous question and reject the rule.

I yield back the balance of my time. Mr. BURGESS. Madam Speaker, I yield myself the balance of my time.

It was 6 years ago this week. I don't know if many people remember the ac-

tivities on the House floor 6 years ago this week, but in June of 2009, right before we left for the July 4 recess, the then-Speaker of the House, NANCY PELOSI, brought forward to this floor a bill.

The bill was called Waxman-Markey. It was the cap-and-trade bill. The bill had come through our Committee on Energy and Commerce. I thought it was a dead duck when it left there, but that bill was pushed through to the floor at the end of June 2009.

Madam Speaker, I don't know that I need to remind you that, in 2009, right after the 2008 election, the Republicans were deeply in the minority. People talked about the fact that the Republicans were so far in the minority that 40 years in the wilderness actually sounded like the best case scenario for House Republicans; but something happened, and it began in that last week of June 2009.

Now, a lot of people will credit the change in the House majority to the President's healthcare law—and, indeed, it was ill-advised; and, indeed, it did upset a lot of people very quickly—but prior to that, even before we began having the big debates on the Affordable Care Act—the big debates on what became ObamaCare—the then-Speaker of the House brought to the floor of this House Waxman-Markey.

When people started to look at it, Waxman-Markey, we started to get phone calls. People said: "I can't sell my house unless the Department of Energy certifies it as reaching certain levels of energy efficiency. How am I supposed to be able to do that? That is not a free society. That is not a free country when I am prohibited from selling the one possession that I had used to accumulate dollars in my estate over my entire life, and I can't sell it without permission from the Department of Energy."

People were legitimately asking questions about what this cap-and-trade bill will do.

Madam Speaker, I have got to tell you that there are times in this body when there is one of those moments when the incandescent lightbulb goes off. One of those was last night. We were sitting in the Rules Committee, and we were hearing testimony from two Members from Kentucky, one in the majority and one in the minority.

The one in the majority is bringing the bill that we have before us, H.R. 2042, the Ratepayer Protection Act. Mr. WHITFIELD of Kentucky was explaining what the bill would do and the protections the bill would provide. The other Member from Kentucky, a member of the minority, said, because of the failure of the legislative process, the President was required to act, and this is part of the President's Climate Action Plan.

What the H? A failure of the legislative process?

Madam Speaker, I would submit that the legislative process functioned as intended when Speaker PELOSI brought Waxman-Markey to the floor of this House and this House passed that bill. We went back to our districts that weekend, and I will tell you what we caught.

We caught unmitigated holy “you know what” because people were so incensed at the freedoms that Waxman-Markey and the cap-and-trade program would take away from them.

When the gentleman last night said it was a failure of the legislative process and that the President had to act, it was exactly the performance of the legislative process that delivered us from a very bad proposition.

What happened after that? Because the country was in such a convulsion about what the House had done, the visceral and immediate reaction of the people of the United States was: “Hold the phone; we don’t want what they are doing.”

The Senate, which was fully invested in passing a cap-and-trade bill—you had Senators who thought cap-and-trade was the be-all and end-all, and that was the reason they were in the United States Senate—didn’t bring it up. It never came up for a vote.

Here was a situation in which the Democrats had—I don’t remember what—a 55-seat majority on us here in the House of Representatives and a 60-vote—filibuster-proof—majority over in the Senate, and they couldn’t get this done. They couldn’t get this done because the people said: “No. No. Don’t do this to me.”

The legislative process worked. The Senate said, “I haven’t got the courage to do this right before the 2010 election,” and the proposition died at the end of the session that concluded on December 31, 2010. I would just submit that that is a good thing.

Here we have before us a bill today to provide, in some measure, some of the protections about things that people were worried about 6 years ago, but it is precisely because we were where we were 6 years ago that we are now considering a bill that will hold back some of the rulemaking authority from the Environmental Protection Agency.

Madam Speaker, under today’s rule, we are providing for the consideration of two important bills, bills that prevent the Environmental Protection Agency from doing irreversible damage to our economy through dozens of ill-advised regulations that Administrator McCarthy is looking to push on the American people before President Obama leaves the White House in January 2017.

The bills are thoughtful responses to one of the most egregious agencies in the administration, and I look forward to a full debate for that reason.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 333 OFFERED BY  
MR. POLIS OF COLORADO

At the end of the resolution, add the following new sections:

SEC. 6. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1031) to reauthorize the Export-Import Bank of the United States, and for other purposes. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 7. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 1031.

THE VOTE ON THE PREVIOUS QUESTION: WHAT  
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon’s Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as “a motion to direct or control the consideration of the subject before the House being made by the Member in charge.” To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker’s ruling of January 13, 1920, to the effect that “the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition” in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: “The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.”

The Republican majority may say “the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.” But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here’s

how the Republicans describe the previous question vote in their own manual: “Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.”

In Deschler’s Procedure in the U.S. House of Representatives, the subchapter titled “Amending Special Rules” states: “a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.” (Chapter 21, section 21.2) Section 21.3 continues: “Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.”

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority’s agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. BURGESS. Madam Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore (Mrs. HARTZLER). The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POLIS. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption.

The vote was taken by electronic device, and there were—yeas 243, nays 181, not voting 9, as follows:

[Roll No. 379]

YEAS—243

Abraham	Buchanan	Curbelo (FL)
Aderholt	Buck	Davis, Rodney
Allen	Bucshon	Denham
Amash	Burgess	Dent
Amodei	Byrne	DeSantis
Babin	Calvert	DesJarlais
Barletta	Carter (GA)	Diaz-Balart
Barr	Carter (TX)	Dold
Barton	Chabot	Donovan
Benishek	Chaffetz	Duffy
Bilirakis	Clawson (FL)	Duncan (SC)
Bishop (MI)	Coffman	Duncan (TN)
Bishop (UT)	Cole	Ellmers (NC)
Black	Collins (GA)	Emmer (MN)
Blackburn	Collins (NY)	Farenthold
Blum	Comstock	Fincher
Bost	Conaway	Fitzpatrick
Boustany	Cook	Fleischmann
Brady (TX)	Costello (PA)	Fleming
Brat	Cramer	Flores
Bridenstine	Crawford	Forbes
Brooks (AL)	Crenshaw	Fortenberry
Brooks (IN)	Culberson	Foxx

Franks (AZ) Lucas  
 Frelinghuysen Luetkemeyer  
 Garrett Lummis  
 Gibbs MacArthur  
 Gibson Marchant  
 Gohmert Marino  
 Goodlatte Massie  
 Gosar McCarthy  
 Gowdy McCaul  
 Granger McClintock  
 Graves (GA) McHenry  
 Graves (LA) McKinley  
 Graves (MO) McMorris  
 Griffith Rodgers  
 Grothman McSally  
 Guinta Meadows  
 Guthrie Meehan  
 Hardy Messer  
 Harper Mica  
 Harris Miller (FL)  
 Hartzler Miller (MI)  
 Heck (NV) Moolenaar  
 Hensarling Mooney (WV)  
 Herrera Beutler Mullin  
 Hice, Jody B. Mulvaney  
 Hill Murphy (PA)  
 Holding Neugebauer  
 Hudson Newhouse  
 Huelskamp Noem  
 Huizenga (MI) Nugent  
 Hultgren Nunes  
 Hunter Olson  
 Hurd (TX) Palazzo  
 Hurt (VA) Palmer  
 Issa Paulsen  
 Jenkins (KS) Pearce  
 Jenkins (WV) Perry  
 Johnson (OH) Pittenger  
 Johnson, Sam Pitts  
 Jolly Poe (TX)  
 Jones Poliquin  
 Jordan Pompeo  
 Joyce Posey  
 Katko Price, Tom  
 Kelly (PA) Ratcliffe  
 King (IA) Reed  
 King (NY) Reichert  
 Kinzinger (IL) Renacci  
 Kline Ribble  
 Knight Rice (SC)  
 Labrador Rigell  
 LaMalfa Roby  
 Lamborn Roe (TN)  
 Lance Rogers (AL)  
 Latta Rogers (KY)  
 LoBiondo Rohrabacher  
 Long Rokita  
 Loudermilk Rooney (FL)  
 Love Ros-Lehtinen

## NAYS—181

Adams Conyers  
 Aguilar Cooper  
 Ashford Grijalva  
 Bass Crowley  
 Beatty Cuellar  
 Becerra Cummings  
 Bera Davis (CA)  
 Beyer Davis, Danny  
 Bishop (GA) DeFazio  
 Blumenauer DeGette  
 Bonamici DeLauro  
 Boyle, Brendan F. DelBene  
 Brady (PA) DeSaulnier  
 Brown (FL) Deutch  
 Brownley (CA) Dingell  
 Bustos Doggett  
 Butterfield Doyle, Michael F.  
 Capps Duckworth  
 Capuano Edwards  
 Cardenas Ellison  
 Carney Engel  
 Carson (IN) Eshoo  
 Cartwright Esty  
 Castor (FL) Farr  
 Castro (TX) Fattah  
 Chu, Judy Foster  
 Cicilline Frankel (FL)  
 Clark (MA) Fudge  
 Clarke (NY) Gabbard  
 Clay Gallego  
 Cleaver Garamendi  
 Cohen Graham  
 Connolly Grayson

Roskam  
 Ross  
 Rothfus  
 Rouzer  
 Royce  
 Russell  
 Ryan (WI)  
 Salmon  
 Sanford  
 Scalise  
 Schweikert  
 Scott, Austin  
 Sensenbrenner  
 Sessions  
 Shimkus  
 Shuster  
 Simpson  
 Smith (MO)  
 Smith (NE)  
 Smith (NJ)  
 Smith (TX)  
 Stefanik  
 Stewart  
 Stivers  
 Stutzman  
 Thompson (PA)  
 Thornberry  
 Tiberi  
 Tipton  
 Trott  
 Turner  
 Upton  
 Valadao  
 Wagner  
 Walberg  
 Walden  
 Walker  
 Walorski  
 Walters, Mimi  
 Weber (TX)  
 Webster (FL)  
 Wenstrup  
 Westerman  
 Westmoreland  
 Whitfield  
 Williams  
 Wilson (SC)  
 Wittman  
 Womack  
 Woodall  
 Yoder  
 Yoho  
 Young (AK)  
 Young (IA)  
 Young (IN)  
 Zeldin  
 Zinke

Lipinski  
 Loeb sack  
 Lofgren  
 Lowenthal  
 Lowey  
 Lujan Grisham (NM)  
 Luján, Ben Ray (NM)  
 Lynch  
 Maloney, Carolyn  
 Maloney, Sean  
 Matsui  
 McCollum  
 McDermott  
 McGovern  
 McNeerney  
 Meeks  
 Meng  
 Moore  
 Moulton  
 Murphy (FL)  
 Nadler  
 Neal  
 Nolan  
 Norcross  
 O'Rourke  
 Pallone  
 Clyburn  
 Courtney  
 Delaney  
 Pascrell  
 Pelosi  
 Perlmutter  
 Peters  
 Peterson  
 Pingree  
 Pocan  
 Polis  
 Price (NC)  
 Quigley  
 Rangel  
 Rice (NY)  
 Richmond  
 Roybal-Allard  
 Ruiz  
 Ruppersberger  
 Rush  
 Ryan (OH)  
 Sánchez, Linda T.  
 Sanchez, Loretta  
 Schakowsky  
 Schiff  
 Schrader  
 Scott (VA)  
 Scott, David  
 Serrano  
 Sewell (AL)  
 Sherman  
 Sinema  
 Sires  
 Slaughter  
 Smith (WA)  
 Speier  
 Swalwell (CA)  
 Takai  
 Takano  
 Thompson (CA)  
 Thompson (MS)  
 Titus  
 Tonko  
 Torres  
 Tsongas  
 Van Hollen  
 Vargas  
 Veasey  
 Vela  
 Velázquez  
 Visclosky  
 Walz  
 Wasserman  
 Schultz  
 Waters, Maxine  
 Watson Coleman  
 Welch  
 Wilson (FL)  
 Yarmuth  
 Hanna  
 Hinojosa  
 Kelly (MS)  
 Napolitano  
 Payne  
 Sarbanes

## NOT VOTING—9

□ 1408

Mr. CARSON of Indiana changed his vote from “yea” to “nay.”

Mr. NEUGEBAUER changed his vote from “nay” to “yea.”

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated against:

MS. NAPOLITANO. Madam Speaker, on Wednesday, June 24th, 2015, I was absent during rollcall No. 379. Had I been present, I would have voted “nay” on ordering the previous question on H. Res. 333—Rule providing for consideration of both H.R. 2042—Ratepayer Protection Act of 2015 and H.R. 2822—Department of the Interior, Environment, and Related Agencies Appropriations Act, 2016.

(By unanimous consent, Mr. BARTON was allowed to speak out of order.)

## 54TH ANNUAL CONGRESSIONAL BASEBALL GAME

Mr. BARTON. Madam Speaker, I rise with an extremely heavy heart to, once again, have to congratulate my good friend MIKE DOYLE, the manager of the Democratic baseball team, for another victory. It is sad, but true. Sad, but true.

On June 11, the Republicans and the Democrats played the Annual Congressional Baseball Game. It was a spirited game, but for the seventh year in a row, Mr. DOYLE's team won. I don't know how to say that.

I will say that our team is back. MARK WALKER, our MVP from North Carolina, pitched a good game. He struck out CEDRIC RICHMOND, which I think is probably the first time CEDRIC has not gotten a hit.

We had new blood: Mr. COSTELLO, Mr. MOOLENAAR, and several others. Of course, we had our stalwarts: JOHN SHIMKUS; KEVIN BRADY; our whip, STEVE SCALISE.

So we played a good game, but the Democrats deserved to win. They beat us, 5–20.

I will say that it was a pretty low blow to have the President of the United States come and interrupt the game, take away our momentum right when we had a big rally.

I am very proud of the Republican team, but I do want to congratulate MIKE DOYLE and the Democrats.

I yield to the gentleman from Pennsylvania (Mr. DOYLE).

Mr. MICHAEL F. DOYLE of Pennsylvania. First off, I want to thank my good friend, JOE BARTON. JOE, you know, you used the tools that are at your disposal.

This was a great game. It was good. I think all the fans were treated to a very competitive game this year. We had almost 10,000 people attend the game this year.

As we all know, the real winners here are our charities. This game helps raise money for the Washington Boys & Girls Clubs, the Washington Literacy Council, and the Nationals Dream Foundation. I am happy to report, after expenses, we were able to write checks in excess of \$100,000 to each of the three charities. So those are the big winners of the game.

This was a hard-fought game. In the last 3 years that we have played this game, our team has made only one error. We made that this game, but I think the difference in the score was that we made the plays in the field.

Both pitchers were outstanding. Your new pitcher, MARK, we weren't used to that knuckle ball and some of those curves. He kept us off balance, and he pitched a brilliant game. I believe you guys actually had one more hit than we did. You had six and we had five.

CEDRIC RICHMOND, coming off of shoulder surgery, pitched a gutsy game for seven innings. And I should also mention that, after striking out, he hit a double over the center fielder's head, just to throw that in.

I want to also note JOE DONNELLY, our first baseman, made some unbelievable plays at first base that, I think, saved the game for us.

And then, as always, anytime I ask LINDA SÁNCHEZ to put a batting helmet on, she gets a hit. So those three individuals share our team MVPs.

Also, there are lots of ways to contribute, and ERIC SWALWELL stole three bases for us and scored. He did it all on the base pads, and he deserves some notice for that, too.

JOE, I just want to say it was a great game. I want to thank you for how hard your team fought, and we look forward to a competitive game next year.

We know some day, you know, the shoe will be on the other foot. But for the past 7 years, we are kind of enjoying this. So God bless.

Mr. BARTON. Madam Speaker, I want to thank leadership on both sides:

our Speaker, JOHN BOEHNER; our majority leader, KEVIN MCCARTHY; and our whip, STEVE SCALISE, who played in the game. On their side, Ms. PELOSI, Mr. HOYER, and Mr. CLYBURN were all there. So both leadership supported the game.

It was a good game. We did raise a lot of money for charity.

But I will put you on notice, MIKE DOYLE, the shoe is going to be on the other foot next year. Be ready.

Mr. MICHAEL F. DOYLE of Pennsylvania. Talk is cheap, JOE. Bring it on.

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

#### RECORDED VOTE

Mr. BURGESS. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 244, noes 178, not voting 11, as follows:

[Roll No. 380]

AYES—244

Abraham	DesJarlais	Hurt (VA)
Aderholt	Diaz-Balart	Issa
Allen	Dold	Jenkins (KS)
Amash	Donovan	Jenkins (WV)
Amodel	Duffy	Johnson (OH)
Babin	Duncan (SC)	Johnson, Sam
Barletta	Duncan (TN)	Jolly
Barr	Ellmers (NC)	Jones
Barton	Emmer (MN)	Jordan
Benish	Farenthold	Joyce
Bilirakis	Fincher	Katko
Bishop (MI)	Fitzpatrick	Kelly (PA)
Bishop (UT)	Fleischmann	King (IA)
Black	Fleming	King (NY)
Blackburn	Flores	Kinzinger (IL)
Blum	Forbes	Kline
Bost	Fortenberry	Knight
Boustany	Fox	Labrador
Brady (TX)	Franks (AZ)	LaMalfa
Brat	Frelinghuysen	Lamborn
Bridenstine	Garrett	Lance
Brooks (AL)	Gibbs	Latta
Brooks (IN)	Gibson	LoBiondo
Buchanan	Gohmert	Long
Buck	Goodlatte	Loudermilk
Bucshon	Gosar	Love
Burgess	Gowdy	Lucas
Byrne	Granger	Luetkemeyer
Calvert	Graves (GA)	Lummis
Carter (GA)	Graves (LA)	MacArthur
Carter (TX)	Graves (MO)	Marchant
Chabot	Griffith	Marino
Chaffetz	Grothman	Massie
Clawson (FL)	Guinta	McCarthy
Coffman	Guthrie	McCaul
Cole	Hardy	McClintock
Collins (GA)	Harper	McHenry
Collins (NY)	Harris	McKinley
Comstock	Hartzler	McMorris
Conaway	Heck (NV)	Rodgers
Cook	Hensarling	McSally
Costello (PA)	Herrera Beutler	Meadows
Cramer	Hice, Jody B.	Meehan
Crawford	Hill	Messer
Crenshaw	Holding	Mica
Culberson	Hudson	Miller (FL)
Curbelo (FL)	Huelskamp	Miller (MI)
Davis, Rodney	Huizenga (MI)	Moolenaar
Denham	Hultgren	Mooney (WV)
Dent	Hunter	Mullin
DeSantis	Hurd (TX)	Mulvaney

Murphy (PA)	Rokita	Tiberi
Neugebauer	Rooney (FL)	Tipton
Newhouse	Ros-Lehtinen	Trott
Noem	Roskam	Turner
Nugent	Ross	Upton
Nunes	Rothfus	Valadao
Olson	Rouzer	Wagner
Palazzo	Royce	Walberg
Palmer	Russell	Walden
Paulsen	Ryan (WI)	Walker
Pearce	Salmon	Walorski
Perry	Sanford	Walters, Mimi
Pittenger	Scalise	Weber (TX)
Pitts	Schweikert	Webster (FL)
Poe (TX)	Scott, Austin	Wenstrup
Poliquin	Sensenbrenner	Westerman
Pompeo	Sessions	Westmoreland
Posey	Shimkus	Whitfield
Price, Tom	Shuster	Williams
Ratcliffe	Simpson	Wilson (SC)
Reed	Sinema	Wittman
Reichert	Smith (MO)	Womack
Renacci	Smith (NE)	Woodall
Ribble	Smith (NJ)	Yoder
Rice (SC)	Smith (TX)	Yoho
Rigell	Stefanik	Young (AK)
Roby	Stewart	Young (IA)
Roe (TN)	Stivers	Young (IN)
Rogers (AL)	Stutzman	Zeldin
Rogers (KY)	Thompson (PA)	Zinke
Rohrabacher	Thornberry	

#### NOES—178

Adams	Gabbard	Neal
Aguilar	Gallego	Nolan
Ashford	Garamendi	Norcross
Bass	Graham	O'Rourke
Beatty	Grayson	Pallone
Becerra	Green, Al	Pascarell
Bera	Green, Gene	Pelosi
Beyer	Grijalva	Perlmutter
Bishop (GA)	Gutiérrez	Peters
Blumenauer	Hahn	Peterson
Bonamici	Hastings	Pingree
Boyle, Brendan	Heck (WA)	Pocan
F.	Higgins	Polis
Brady (PA)	Himes	Price (NC)
Brown (FL)	Honda	Quigley
Brownley (CA)	Hoyer	Rangel
Bustos	Huffman	Rice (NY)
Butterfield	Israel	Richmond
Capuano	Jackson Lee	Roybal-Allard
Cárdenas	Jeffries	Ruiz
Carney	Johnson (GA)	Ruppersberger
Carson (IN)	Johnson, E. B.	Rush
Cartwright	Kaptur	Ryan (OH)
Castor (FL)	Keating	Sánchez, Linda
Castro (TX)	Kennedy	T.
Chu, Judy	Kildee	Sanchez, Loretta
Cicilline	Kilmer	Schakowsky
Clark (MA)	Kind	Schiff
Clay	Kirkpatrick	Schrader
Cleaver	Kuster	Scott (VA)
Cohen	Langevin	Scott, David
Connolly	Larsen (WA)	Serrano
Conyers	Larson (CT)	Sewell (AL)
Cooper	Lawrence	Sherman
Costa	Lee	Sires
Crowley	Levin	Slaughter
Cuellar	Lewis	Smith (WA)
Cummings	Lieu, Ted	Speier
Davis (CA)	Lipinski	Swalwell (CA)
Davis, Danny	Loeb sack	Takai
DeFazio	Lofgren	Takano
DeGette	Lowenthal	Thompson (CA)
Delaney	Lowe	Thompson (MS)
DeLauro	Lujan Grisham	Titus
DelBene	(NM)	Tonko
DeSaulnier	Luján, Ben Ray	Torres
Deutch	(NM)	Tsongas
Dingell	Lynch	Van Hollen
Doggett	Maloney,	Vargas
Doyle, Michael	Carolyn	Veasey
F.	Maloney, Sean	Vela
Duckworth	Matsui	Velázquez
Edwards	McCollum	Visclosky
Ellison	McDermott	Walz
Engel	McGovern	Wasserman
Eshoo	McNerney	Schultz
Esty	Meeks	Waters, Maxine
Farr	Meng	Watson Coleman
Fattah	Moore	Welch
Foster	Moulton	Wilson (FL)
Frankel (FL)	Murphy (FL)	Yarmuth
Fudge	Nadler	

#### NOT VOTING—11

Capps	Hanna	Napolitano
Clarke (NY)	Hinojosa	Payne
Clyburn	Kelly (IL)	Sarbanes
Courtney	Kelly (MS)	

□ 1422

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mrs. NAPOLITANO. Mr. Speaker, on Wednesday, June 24th, 2015, I was absent during rollcall vote No. 380. Had I been present, I would have voted "no" on H. Res. 333—Rule providing for consideration of both H.R. 2042—Ratepayer Protection Act of 2015 and H.R. 2822—Department of the Interior, Environment, and Related Agencies Appropriations Act, 2016.

#### RATEPAYER PROTECTION ACT OF 2015

##### GENERAL LEAVE

Mr. WHITFIELD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill, H.R. 2042.

The SPEAKER pro tempore (Mr. POE of Texas). Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 333 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2042.

The Chair appoints the gentleman from Tennessee (Mr. DUNCAN) to preside over the Committee of the Whole.

□ 1424

##### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2042) to allow for judicial review of any final rule addressing carbon dioxide emissions from existing fossil fuel-fired electric utility generating units before requiring compliance with such rule, and to allow States to protect households and businesses from significant adverse effects on electricity ratepayers or reliability, with Mr. DUNCAN of Tennessee in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Kentucky (Mr. WHITFIELD) and the gentleman from New Jersey (Mr. PALLONE) each will control 30 minutes.

The Chair recognizes the gentleman from Kentucky.

Mr. WHITFIELD. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the bill before us today addresses EPA's proposed clean power plan for existing power plants under section 111(d) of the Clean Air Act.

Unfortunately, the Obama administration has made a decision that they are not going to work with Congress, and in order to accomplish his public policy goals, he has indicated that he is going to use executive orders and regulations.

Now, this proposed regulation focuses on power plants. That is why it is called the existing coal plant rule. But because of this regulation, once it becomes final, it is only the first step in the administration's plan to regulate other areas of our economy, including sources such as refineries, industrial boilers, cement plants, pulp and paper mills, and steel mills.

Since its proposal in June 2014, the Subcommittee on Energy and Power has held five hearings on the proposed rule, where we heard from EPA, FERC, entities within the States, legal experts, and industry stakeholders and manufacturers.

Now, when Mrs. McCarthy comes to Congress, she always says that this proposed rule gives maximum flexibility to the States, but what she does not say is that EPA, and EPA alone, sets the emissions standard for every State, and there is no flexibility in that.

Even Harvard Law School Professor Laurence Tribe, who taught President Obama constitutional law at Harvard, testified at one of the hearings that "EPA's proposal raises grave constitutional questions, exceeds EPA's statutory authority, and violates the Clean Air Act."

The hearings also identified implementation challenges, risks to electric reliability, and significantly higher energy costs under the rule.

For example, economist Eugene Trisko estimated that, for 31 geographically diverse States, electricity rates under the rule could increase by an average of 15 percent, with peak year increases of 22 percent during the period 2017–2031.

State officials also appeared, expressing the same concerns. And I might say, this rule is so complicated that, generally, EPA allows States 3 years to develop their State implementation plans. But under this proposed rule, which we know will be final soon, they are giving States 16 months, which is going to be extremely difficult for them to meet.

So the States are not only filing lawsuits, as are other entities, to try to slow this process down, but they are coming to Congress and saying, you know, Congress didn't pass this regulation, Congress has not asked for this, but the administration, unilaterally, is imposing it upon the American people, and so they are asking us to give them some more time.

So this legislation does specifically that. It does two things: One, it delays the time for the States to submit their implementation plans until after the courts have rendered a decision on whether or not the rule is legal. And then, if it is found to be legal, the State Governors have an option, after consulting with their economic development people, the EPA people, the Attorney General, and other authorities in the States. They have the option, if they find that it significantly and adversely affects their electricity prices and the reliability of electricity, they can opt out of the program.

□ 1430

This bill is simple. It simply gives States more time. We are not repealing this power grab of a regulation, but simply responding to requests from the States and other entities.

I reserve the balance of my time.

Mr. PALLONE. Mr. Chairman, I reserve the balance of my time.

Mr. WHITFIELD. Mr. Chairman, at this time, I yield such time as he may consume to the gentleman from Georgia (Mr. BISHOP).

Mr. BISHOP of Georgia. I thank the gentleman for yielding.

Mr. Chairman, I am pleased to be an original cosponsor of the Ratepayer Protection Act, and I want to commend Representative ED WHITFIELD for his leadership on this important issue.

We all agree that it is vital that we protect our environment today and for future generations. At the same time, though, we must ensure that we are acting within the law, as well as safeguarding American jobs and the economy.

I have serious concerns that the Environmental Protection Agency's proposed clean power rule will be a vast and unprecedented regulatory overreach, resulting in high energy costs; loss of jobs; and a disruption in the states' ability to generate, transmit, distribute, and use electricity.

As the gentleman from Kentucky (Mr. WHITFIELD) noted earlier, no less than the renowned Harvard Law School professor Laurence Tribe has testified that "the EPA lacks the statutory and constitutional authority to adopt its plan." He described the proposed clean power plan as a "power grab" from the three branches of government.

I am especially concerned, Mr. Chairman, about the impact that the EPA's proposed rule will have on Georgia ratepayers. The State of Georgia already has reduced CO<sub>2</sub> emissions by 33 percent between 2005 and 2012 but will have no credit for these reductions. Under the proposed regulation, Georgia would be required to reduce emissions by an additional 44 percent, the sixth largest reduction of any State.

Georgia also will receive no credit towards achieving EPA's mandated State goal for the two nuclear plants that are being constructed.

Ratepayers in Georgia served by Georgia Power, MEAG, and the Electric Membership Corporation would face hundreds of dollars in higher energy bills, which would be especially devastating to rural households in the Second Congressional District, which I represent.

I believe that this legislation takes a commonsense approach that the issue that allows for the completion of judicial review before States are required to comply with the clean power plan.

In addition, the Ratepayer Protection Act provides for a safe harbor if a Governor determines that the proposed rule's implementation will have an adverse impact on ratepayers or on the reliability of this electrical system.

I urge my colleagues to support this bill to ensure that ratepayers as well as our Nation's economy are protected from an overzealous EPA.

Mr. PALLONE. Mr. Chairman, I yield myself such time as I may consume. I rise in opposition to this legislation.

The bill before us is dangerous, unnecessary, and premature. It undermines the cornerstone of the administration's plan to tackle unchecked climate change, and the President has made clear that he will veto this legislation.

Yesterday, we passed a bipartisan bill amending the Toxic Substances Control Act. That is the type of legislation that we should be spending our time on, not messaging bills aimed at gutting draft EPA rules.

As we sit here today, climate change continues to reshape our world. According to NOAA, 2014 was the warmest year ever recorded, and 9 of the 10 hottest years have occurred since 2000, and that trend shows no sign of slowing down.

We know this warming is due to carbon pollution from fossil fuels accumulating in the atmosphere, trapping more heat, and changing our climate.

Last week, the Pope highlighted our worldwide moral obligation to address climate change. This week, EPA released a report which confirms what many in the country are already experiencing, that failing to address climate change will have enormous financial costs.

Just look at the skyrocketing costs of fighting wildfires, the mounting costs to farmers of losing their crops and cattle to more frequent and severe droughts, the enormous costs of rebuilding infrastructure swept away by more intense storms or threatened by steadily rising seas.

Ignoring these costs won't make them go away; and the longer we wait to act, the more we allow the risks to compound and accumulate, the more costly it will be to solve the problem.

In fact, the projected costs of climate change impacts dwarf any projected short-term costs associated with transitioning to a clean energy economy, which is happening already.

Mr. Chairman, EPA has proposed a workable plan to reduce emissions of carbon pollution from power plants, which are the largest uncontrolled source of manmade greenhouse gases in the United States.

The clean power plan outlines a path to cleaner air, better health, a safer climate, and a stronger economy. The proposed rule also gives States a lot of flexibility to choose how to achieve their emission reduction goals, which are State specific and cost effective. This is a moderate and reasonable approach and falls well within the legal authority and responsibility of the EPA to address carbon pollution from power plants.

This bill we are considering today would dismiss all of this progress and would cripple the efforts of the EPA to move forward in the fight against climate change. Effectively, this bill would amend the Clean Air Act in a harmful and dangerous fashion.

This bill establishes an unprecedented extension for every clean power plan deadline until all litigation is concluded. This blanket extension would be given to all polluters, incentivizing opponents of the rule to run the clock on frivolous litigation, simply to put off having to reduce their carbon emissions.

The bill also allows a Governor to say: "The requirements of the clean power plan don't apply to me." Under the bill, a Governor can opt out of a Federal plan, giving certain States a free ride to pollute without any consequences. It is one thing to encourage States to just say no, but to let a Governor declare that his State is not subject to the Federal Clean Air Act at all? Mr. Chairman, I think that just goes too far.

As I have said before, EPA's proposed clean power plan is both modest and flexible and will help us tackle our urgent need to reduce our carbon emissions. Just saying no, as this bill would have us do, and condemning future generations is simply not an option. I strongly oppose the bill and urge a "no" vote.

I reserve the balance of my time.

Mr. WHITFIELD. Mr. Chairman, I yield 3 minutes to the gentleman from Georgia (Mr. LOUDERMILK).

Mr. LOUDERMILK. Mr. Chairman, I rise to support the Ratepayer Protection Act, which is a critical piece of legislation that helps protect our Nation's consumers and businesses from skyrocketing electricity costs.

Last year, the EPA proposed a new set of regulations on existing power plants which will dramatically effect our economy if implemented.

The Obama administration has been doing its best to convince the American people that these new standards would achieve great progress for our Nation, calling the proposal the clean power plan. Despite the illusions of

good intentions, the devil is in the details of this proposed rule.

What the administration does not want us to know is that these standards would wreak havoc on our economy and inflict enormous costs on the American consumer. According to the National Economic Research Associates, these regulations would increase electricity prices in my home State of Georgia by 12 percent.

While this would be a problem for any State, it is especially alarming for me, given that Georgia already has the tenth highest average electricity bill in the Nation.

Mr. Chairman, right now, the temperature in my State is 95 degrees. My constituents depend on affordable electricity to stay cool all summer long, and the administration's assault on our Nation's power plants is totally unacceptable.

What is more, the average American household already spends about \$15,000 a year to comply with Federal regulations. It has been radical proposals like these which have caused our economy to stagnate throughout this administration.

Even the EPA admits that the rule will cost our economy more than \$7 billion a year by the year 2030. Washington bureaucrats may be able to afford this assault on our economy, but my constituents cannot.

The EPA also promotes these regulations with a promise that they would cut 30 percent of carbon pollution by the year 2030. The inconvenient truth is my State has already reduced its carbon emissions by 33 percent from 2005 to 2012.

Why is the administration pursuing these unrealistic regulations when Georgia and other States have already dramatically reduced their pollution levels?

The bill we are considering today, H.R. 2042, would halt the rule's compliance deadlines until litigation on the rule has been completed. This bill would also allow the Governor of any State to opt out of the rule's requirements if their State's electricity rates would increase significantly, as they would in my home State.

This commonsense piece of legislation would help to bring the U.S. environmental policy back into the real world and allow us to remain economically competitive.

I urge my colleagues to support this bill.

Mr. PALLONE. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois (Mr. RUSH), the ranking member of our subcommittee.

Mr. RUSH. Mr. Chair, I thank the gentleman from New Jersey (Mr. PALLONE), the fine ranking member of the full committee, for yielding me this time.

Mr. Chair, I applaud the Obama administration for its veto threat of this

abhorrent legislation that we are now considering, this just say no bill, which would effectively give Governors the power to sabotage EPA's proposed clean power plan by allowing them to opt out of the Federal requirements of the plan based on arbitrary and ambiguous determinations.

Mr. Chair, when implemented, the clean power plan will allow the EPA to cut common pollution from some of the Nation's oldest, dirtiest, and most inefficient power plants.

We know, Mr. Chair, that these same power plants account for the largest share of greenhouse gases from stationary sources in the country, and they are responsible for about one-third of the total U.S. greenhouse gas emissions.

Currently, Mr. Chair, there are no Federal limits on the amount of carbon pollution that these very same power plants are allowed to emit. The clean power plan would decrease power sector carbon emissions by 30 percent from 2005 levels by the year 2030.

However, Mr. Chair, this bill is an attempt to abort EPA's efforts before they even have the chance to take hold, despite the fact that the clean power plan gives States great flexibility when implementing the rule, based on their existing utility infrastructure and policies.

Mr. Chair, the proposed clean power plan could not be more timely, as we are experiencing more and more frequent extreme weather events due to climate change, with disastrous effects being felt in our economy and in our communities all across our Nation.

In fact, no region in America has been safe from the impacts of climate change, with nearly annual record wildfires and heat waves in the West and the Southwest, perennial flooding along the coasts, and damaging and costly droughts and crop loss in the Plains and the Midwestern portions of our Nation.

Mr. Chair, when implemented, the clean power plan would help to reduce carbon pollution by hundreds of millions of tons, decreasing particle pollution, such as sulfur dioxide and nitrogen oxides by hundreds of thousands of tons annually.

Additionally, Mr. Chair, the clean power plan would help protect the health of our most vulnerable citizens, our children, older Americans, and low-income and minority communities.

Mr. Chair, not only do the vast majority of the American people believe that climate change is a serious problem and that the government—our government, this Federal Government, we in this Congress—should take action to address it and take it now, but also, the overwhelming majority of our Nation's doctors believe so, also.

□ 1445

Earlier this year, the American Thoracic Society found that, by a huge



margin, most doctors believe that climate change is already negatively impacting their patients' health.

Fully 77 percent of responding doctors reported that increases in air pollution caused by climate change is making their patients' illnesses even more severe, a trend, I might add, Mr. Chairman, that they expect will steadily increase in the future.

The CHAIR. The time of the gentleman has expired.

Mr. PALLONE. Mr. Chairman, I yield the gentleman an additional 1 minute.

Mr. RUSH. Mr. Chairman, these findings are in line with a similar study conducted by the National Medical Association last year which found that older Americans, low-income communities, and the sick will all be disproportionately impacted by climate change if we fail to act.

Mr. Chairman, this is not just a political issue. This is not just a partisan issue. This is also a moral issue. Just last week, in a landmark encyclical, Pope Francis himself warned of the grave implications of climate change when he stated:

Climate change is a global problem with grave implications: environmental, social, economic, political, and for the distribution of goods. It represents one of the principal challenges facing humanity in our day.

There is an urgent need to develop policies so that, in the next few years, the emission of carbon dioxide and other highly polluting gases can be drastically reduced.

I urge all of my colleagues, Mr. Chairman, to heed the warning of our scientists, of our doctors, and one of the world's foremost moral authorities, the Pope himself.

Mr. WHITFIELD. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to say that, obviously, you can't have a discussion about this regulation without climate change, and frequently, we hear that climate change is responsible for every extreme weather condition.

I would point out that The Economist magazine, in its May 5 issue, stated that it is impossible to say categorically that climate change has caused any individual storm, flood, drought, heat wave, tornado, or hurricane. Scientists agree that it is impossible to say that.

Mr. Chairman, I would like to make one other comment. The President of the United States believes that climate change is the number one issue facing mankind.

All of us recognize that the climate has been changing since the beginning of time, but where we fundamentally disagree with the President is we think there are other, more pressing issues dealing with poverty, creating jobs, economic growth, access to clean water, access to health care, and fighting diseases like pancreatic cancer. We think those are more urgent.

But this President has got 61 individual government programs and is

spending \$23 billion a year on climate change in addition to trying to push regulations like this without any involvement of Congress.

Mr. Chairman, I yield 3 minutes to the distinguished gentleman from North Dakota (Mr. CRAMER), a member of the Energy and Commerce Committee.

Mr. CRAMER. I thank the chairman for yielding and for your leadership on this issue. Let me pick up where the gentleman left off relating to the comments made by the opposition to climate change's role in extreme weather conditions.

Mr. Chairman, a couple of years ago, there was a weather condition that many people out here refer to as the polar vortex; in North Dakota, we call that winter, but I think what a lot of people don't know is that, during that cold snap, they don't know how very susceptible and fragile our system of transmitting and distributing electricity was, largely because we don't have the base load generation that we once had largely because of this attack on base load fuels like coal, and that is really what we are talking about.

Mr. Chairman, I spent 10 years prior to coming to Congress as one of those energy regulators, one of those people in the State agency the Governor would consult as per this law, the Governor would consult before determining whether they should opt out of the clean power plan.

It was my responsibility to make sure North Dakotans had reliable electricity, that a grid system and a distribution system was reliable and could deliver on a regular basis, as needed, electricity and that the rates remained as they are still today in North Dakota, among the very lowest in this country.

I also had regulation over the coal industry. I am also very proud of the fact that, while North Dakota is a major coal-producing State that generates over 4,000 megawatts of electricity at the mine mouth and distributes it throughout a robust transmission and distribution system that generates lots of low-cost electricity, it also creates lots and lots of good-paying, important jobs.

The chairman also in response referenced the importance that Republicans are placing on other things besides climate change, things like job creation. Well, the clean power plan is a jobs killer, and it makes us less competitive in the global marketplace.

It is really, in many respects, a unilateral disarmament of the American economy at a time when the only really great thing going on in the American economy is energy development.

A rule like the clean power plan goes exactly against the one robust and positive in the American economy, and that is energy development.

Let's get back to the issue of the constitutionality, the judicial question.

Our bill simply provides an opportunity for a judicial review, something that the President and the EPA should have done before doing this rule, finishing this rule, and putting this rule out.

I find, frankly, the Ratepayer Protection Act to be a rather modest response to the overreach and the zeal of the EPA and this administration.

Mr. Chairman, I thank the chairman again for his leadership on this important issue.

Mr. PALLONE. Mr. Chairman, I yield 2½ minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. I thank my colleague for yielding.

Mr. Chairman, I rise in strong opposition to H.R. 2042. The so-called Ratepayer Protection Act does nothing to protect any of us. In fact, it does just the opposite.

This bill would simply continue this majority's policy of sticking their head in the sand and doing nothing to address the serious problems of climate change. The Pope has said that climate change is a reality. It is impacting our lives every day. It is impacting our economy, and it is only going to get worse.

Mr. Chairman, we are confronted almost daily with new evidence that climate change is leading to increased health risks, threatening our environment, and costing our economy billions of dollars. Studies have shown that climate change can lead and does lead to higher rates of asthma, reduces crop yields, acidifies our oceans, and increases the risk for harmful algal blooms.

More severe droughts are threatening drinking and agriculture water supplies in many locations, while warmer climates are increasing the severity and frequency of storms in others. A recent study also showed that climate change could undo many of the improvements that we have seen in human well-being and life expectancy over the last half century. The power sector is the largest source of U.S. greenhouse gas emissions, accounting for nearly one-third of the U.S. total.

Mr. Chairman, while we will continue to depend on fossil fuels for some time, we can and we must do more to limit their impacts on our climate. The clean power plan does just that by setting carbon reduction goals for each State and allowing States to implement customized plans to meet those goals.

The clean power plan will help maintain an affordable, reliable energy system while cutting pollution and protecting public health and the environment now and for future generations; yet H.R. 2042 would derail the clean power plan and all the health and economic benefits that will come with it. The bill is full of excuses to support inaction, but does nothing to solve the problem.

Mr. Chairman, this inaction on climate change is putting our constituents and our future generations at risk. It is long past time to acknowledge the causes of climate change and to tackle the issue head on. It is time for us to work together to address this problem, not to pass legislation that continues to ignore it.

For these reasons and so many others, I strongly oppose H.R. 2042, and I urge my colleagues to vote against it as well.

Mr. WHITFIELD. I continue to reserve the balance of my time, Mr. Chairman.

Mr. PALLONE. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Mr. Chairman, I rise in opposition to H.R. 2042, the Ratepayer Protection Act of 2015.

The EPA's clean power plan has raised a number of justifiable concerns. However, while I would like to find a solution to the issues raised by today's bill, I don't believe the present bill is the correct solution. For more than a decade, the focus of environmental debate has been on greenhouse gas emissions. In that time, we have passed two comprehensive bills, while the EPA has promulgated dozens of rules.

Now, I am not raising Cain with the EPA. The Agency, backed by the Supreme Court, has the authority to regulate greenhouse gases, including carbon. The Agency, however, has a different approach to regulating than I think many Members of Congress on both sides would prefer.

I acknowledge that global climate change issues are difficult, and the legislation would require a compromise, but this bill doesn't accomplish that. Congress should create a regulatory framework for the 21st century economy and environment. We should recognize that human activity has impacted the climate, but that does not mean regulating sectors of our economy out of existence.

Regardless of the public outreach conducted by the Agency, regulatory overreach can occur. I don't think allowing each successive administration to prescribe policies that affect so much of our way of life is a correct course of action.

We need to recognize our industries, and more importantly, our workers need time to adjust to the new environmental realities and implement changes, both technological and educational.

Mr. Chairman, I know many of our colleagues agree that our job as legislators is to ensure each of our constituencies are equally represented. I prefer we sit down and craft a bill that addresses the many challenges we face not only domestically, but as a world leader.

Unfortunately, the present bill doesn't address those issues I have laid

out in a balanced and complete way. Allowing for endless legal challenges or partisan political decisions is not the proper way to handle an issue that affects the entire scope of the environment and the economy.

Today's bill is only a part of the challenge, the part that is directly in front of us, and I don't agree with that approach. I would like the opportunity to sit down with my colleagues to draft a fair and comprehensive legislation that reasonably balances the interests of all parties rather than a sector-by-sector approach that balances none.

I want to make sure that the folks back home get what they need, and I think it is an opportunity to bring all sides together. I have heard certainly from many groups they all want the same thing, but they want certainty.

The CHAIR. The time of the gentleman has expired.

Mr. PALLONE. I yield the gentleman an additional 30 seconds.

Mr. GENE GREEN of Texas. Mr. Chairman, we want to be certain that their companies will be profitable, that their livelihoods will be protected, and their grandchildren have a clean environment. We can accomplish these goals not with endless delay or agency decree.

I want to thank my colleague, Chairman WHITFIELD, for addressing part of the problem, but let's work together to solve the whole problem.

For this reason, I oppose the bill and urge my colleagues to do the same.

Mr. WHITFIELD. Mr. Chair, how many minutes are remaining on both sides?

The CHAIR. The gentleman from Kentucky has 15½ minutes remaining. The gentleman from New Jersey has 15½ minutes remaining.

Mr. WHITFIELD. I yield 3 minutes to the gentleman from Virginia (Mr. GRIFFITH), one of the original cosponsors of this legislation, who is a member of the Energy and Commerce Committee.

Mr. GRIFFITH. Mr. Chairman, ladies and gentlemen, earlier, we heard the gentleman from Illinois say that this was a just say no bill. You bet it is. That is exactly what it is.

It is the just say no bill—no to a weaker electric grid; no to fewer jobs, particularly in manufacturing and also in the coal and energy industries; no to regulations that do little to help the environment, but do a lot to raise your electric rates.

When we are talking about protecting the ratepayer—that is who we are talking about, the average man and woman in this country, the families that are out there struggling, trying to make ends meet in an economy that is flat—this bill says no, we are not going to pass a bill on to you for little gain in the environment, but to raise your electric rates tremendously. The American families cannot afford it.

Mr. Chairman, as an example, we heard from a former regulator earlier, but the Virginia State Corporation Commission—and that is the organization in Virginia—appointed judges who make the decisions on what you are going to pay for power in Virginia based on what is an appropriate amount.

They said that customers in Virginia will likely pay significantly more for their electricity.

□ 1500

The incremental cost of compliance for one utility alone—Dominion Virginia Power—would likely be between \$5.5 billion and \$6 billion on a net present value basis. That is just for one of the companies providing power.

Let me give you an idea, Mr. Chairman, of exactly what that means to the people of Virginia. In my district, I have 29 geopolitical subdivisions, 29 different jurisdictions. Only two of those jurisdictions get their power from Dominion Virginia Power. Now, remember, Dominion Virginia Power is going to cost the ratepayers \$5.5 billion to \$6 billion, but that doesn't cover the whole State and doesn't cover very much in my district at all.

And, accordingly, again going back to the statements of the Virginia State Corporation Commission, they say that, contrary to the claim that rates will go up but that bills will go down, experience and costs in Virginia make it extremely unlikely that either electric rates or bills in Virginia will go down as a result of the proposed regulations.

So this is a very important measure. One of our prior speakers said that we should take the time to craft some kind of a compromise. This bill puts everything on hold until court cases can be decided and let Governors come in and say: Well, wait a minute. We can't make this happen in our State—or in our Commonwealth, as the case would be with Virginia. That is important.

And maybe if we get this bill passed, we can sit down and find some way to compromise between the regulators at the EPA and the interests of the ratepayers. But because they are going to come out with this rule sometime later this summer, and the States have roughly 13 months thereafter to come up with their plan to meet the regulations, we do not have the ability to give that time.

Mr. PALLONE. Mr. Chairman, I yield 2 minutes to the gentlewoman from Florida (Ms. CASTOR).

Ms. CASTOR of Florida. Mr. Chairman, I thank the ranking member.

Mr. Chairman, this is the climate change denial bill. Don't be fooled by its name. Ignoring the impact of climate change will heap huge costs on taxpayers. This bill is a disservice to America. And in addition to being very

costly to consumers, it shirks our responsibility for addressing the costly impacts of the changing climate.

The bill we are considering today shows that the Republicans' plan is to just say no and to let our children and grandchildren suffer the consequences of the changing climate without doing anything meaningful to protect them. This position is indefensible, and it will prove very costly, indeed.

Today's bill would essentially amend the Clean Air Act to give a free pass to States that refuse to comply with the requirements of the clean power plan. Unless we work together to meet the modern challenge of the changing climate, this is going to be very expensive for our friends back home, especially in States like mine—Florida.

Here are some of the huge costs we are looking at already: rising property insurance rates and flood insurance rates because of extreme weather events; Federal emergency aid that we have to pay out for things like Superstorm Sandy and other storms, tornadoes, electrical storms, tropical storms, drought, fire, and extreme heat.

In addition to property insurance and flood insurance, property taxes are going to go up because our local communities are going to be saddled with the cost of repairing storm water infrastructure and addressing drinking water. This is going to be very expensive. In Florida, we already see salt-water intrusion into our drinking water aquifers because of rising tides.

There is a terrible drought in California. These are going to require very expensive solutions unless we tackle it on the front end.

And I am fearful that there will be economic harm to coastal communities like mine in the Tampa Bay area where we will have to pay more to renourish our beaches and take care of the lifeblood of our economy, which is tourism, fishing, for a beautiful, healthy economy.

I recommend a "no" vote on this bill.

Mr. WHITFIELD. Mr. Chairman, I yield 3 minutes to the gentleman from Florida (Mr. BILIRAKIS).

Mr. BILIRAKIS. Mr. Chairman, I thank the chairman. I appreciate it very much.

This bill is about commonsense safeguards to ensure my constituents are protected from the EPA's overreach and higher energy prices.

The EPA's proposal under this rule has drawn widespread concern. It places a heavier burden on Florida than other States, despite the fact that Florida has reduced its carbon emissions by 20 percent since 2005.

Congress must act now to protect the everyday American who faces the potential threat of unreliable services and ballooning electricity costs.

With the economy growing at a feeble pace, my constituents cannot afford

to have their power bill increase. We should be working to support new technologies to safely harness America's energy boom, not saddle our constituents with regulations that will increase their cost of living.

Let's focus on an all-the-above energy strategy, unleashing America's domestic, renewable, and nonrenewable resources to reduce the costs of groceries and the costs for heating and cooling your home.

This bill will allow each State to have their own opportunity to assess the proposed plan for their State. Thirty-two States have made legal objections to this rule; 34 States have objected to EPA's rushed timeline.

I am glad that we are taking action here today in a bipartisan fashion. I commend Chairman WHITFIELD, Representative GRIFFITH, Representative BISHOP, and Representative PETERSON for their bipartisan work on the Ratepayer Protection Act. Please vote for this bill.

Mr. PALLONE. Mr. Chairman, I yield 2½ minutes to the gentleman from New York (Mr. TONKO).

Mr. TONKO. Mr. Chairman, this bill represents a misguided attempt to hold back change and progress.

Climate change is a problem. We must deal with it. The clean power plan is an important step in that direction.

It is very disappointing to hear such a "can't do" attitude. We have always been a nation that tackles big problems rather than denying them.

Many States have already achieved significant reductions of greenhouse gas emissions through regional carbon trading, renewable portfolio standards, energy efficient programming, and investments in clean energy.

My home State has made great strides. And if there is a flaw in the proposed rule, it is that the proposal asked States that have already done a lot to reduce their emissions and modernize their electric grids to do even more.

By contrast, the requirements on the States that have resisted change and have done far less, are asked only to get started. This bill invites some States to continue to avoid doing their fair share to address the serious environmental and economic threat posed by climate change.

New York State will continue to work on this problem, as will a number of other States that have already taken the steps that I mentioned earlier, but it would be nice if our neighbors also helped to address the problem that we all had a role in creating.

This bill should be defeated. It certainly will not go far in the Senate, and it would not get signed by our President. Its consideration is, indeed, a waste of time. We should be using our time to find real solutions to the problems we all face. This bill offers no so-

lutions, just another way to avoid addressing our problems.

With that, I urge defeat of H.R. 2042. Mr. WHITFIELD. Mr. Chairman, I yield myself such time as I may consume.

We have heard a lot of discussions today about how important it is with a clean energy plan to address CO<sub>2</sub> emissions in the U.S. You would think that this clean energy plan is going to make a tremendous difference.

I would just like to point out that the Energy Information Administration recently reported that U.S. energy-related CO<sub>2</sub> emissions will remain flat through 2040 and below their 2005 levels without the clean energy plan. So this clean energy plan is being elevated to do some dramatic good. The fact is the U.S. is already doing more than most countries. And I would point out that, in the coming decades, more than two-thirds of the world's energy-related CO<sub>2</sub> emissions will come from the developing countries of the world.

So we are being penalized in America, although we have already made great strides. That is why we are trying to give States more time to address this very complex regulation.

At this time, I yield 3 minutes to the distinguished gentleman from Ohio (Mr. JOHNSON), who is a member of the Energy and Commerce Committee.

Mr. JOHNSON of Ohio. Mr. Chairman, I rise today in strong support of Chairman WHITFIELD's legislation, H.R. 2041, the Ratepayer Protection Act.

This rule, the clean power plan, by the EPA is an unprecedented rule, one that has the potential to devastate Ohio's coal industry. That is the very same industry that employs thousands of people throughout eastern and southeastern Ohio and provides homes and businesses with affordable, reliable electricity.

The Ratepayer Protection Act will stop this devastation. Almost 70 percent of Ohio's electricity today—70 percent of Ohio's electricity—is currently provided by coal. Moreover, coal miners already have a difficult and stressful job as it is. And now, because of the EPA's clean power plan, they will have to worry about whether or not they will even have a job when they show up for work.

The Ratepayer Protection Act is an essential check on the EPA's extreme emission standards. It allows Governors to use common sense to opt their State out of the rule should they determine that it will negatively affect its ratepayers or grid reliability.

The legislation also extends the rule's compliance dates, pending judicial review. That is just common sense, Mr. Chairman, because shouldn't our States have a say in our energy future? Especially when you consider that over 32 States have already raised legal objections to the rule, and 34 have objected to the EPA's rush regulatory timelines.

EPA's carbon emission regulations have already made it economically unfeasible to build a new coal-fired power plant in America. We cannot afford to shut down existing plants and this very important industry as well.

I support the legislation, and I urge my colleagues to.

Mr. PALLONE. Mr. Chairman, I yield 2½ minutes to the gentleman from California (Mr. LOWENTHAL).

Mr. LOWENTHAL. Mr. Chairman, first, I thank the distinguished gentleman from New Jersey for yielding.

I also rise in strong opposition to H.R. 2042.

No one wants to see new rules and regulations just for the fun of it, and we should not take this EPA rule lightly. But here is why we must let this rule move forward: one, climate change is real; two, it is caused by greenhouse gases that are released from human activities; and three, it has already been changing the world as we know it.

Pope Francis, in his encyclical, "Laudato Si," or, "Praise Be to You," points out that "reducing greenhouse gases requires honesty, courage, and responsibility, above all on the part of those countries which are more powerful and pollute the most."

The Pope is right. We need to be honest about climate change, we need to be courageous and face the future, and we need to take responsibility for our carbon pollution.

That is exactly why we need to work with the EPA, with States, with our great research centers, and with our energy sector to increase efficiency and to transition to cleaner fuels and renewable energy sources.

The clean power plan and the authority granted by the Clean Air Act is the vehicle we have right now to cut greenhouse gas emissions and to clean up polluted air. But my colleagues are telling States they should just say no and completely opt out of doing their part and subject this rule, which, by the way, we have not even seen it in its final place, to years and years of delay.

□ 1515

This is not honest. It is not courageous. It is not a responsible way to deal with greenhouse gas pollution.

I urge my colleagues to vote "no" on the irresponsible and shortsighted Ratepayer Protection Act.

Mr. WHITFIELD. Mr. Chairman, I would like to inquire on the remaining time.

The CHAIR. The gentleman from Kentucky has 7½ minutes remaining, and the gentleman from New Jersey has 9 minutes remaining.

Mr. WHITFIELD. Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Mrs. MIMI WALTERS).

Mrs. MIMI WALTERS of California. Mr. Chairman, I rise today in support of H.R. 2042, the Ratepayer Protection Act. This bill would protect States and

families from EPA regulatory overreach and significant spikes in electricity costs.

Last June, the EPA proposed a rule for existing power plants known as the clean power plan. This rule would mandate new carbon reduction goals for each State, effectively changing the way electricity is generated, distributed, and consumed in the United States.

The economic impact of this rule is very troubling. It could mean increased electricity costs and reduced reliability for consumers. In fact, under the clean power plan, electricity rates would increase by an average of 15 percent in a majority of States.

This bill would protect ratepayers and exempt States from complying with the rule until all judicial reviews are complete. It would also allow Governors to opt out of compliance with the rule if there would be a significant impact on states' ratepayers.

Mr. Chairman, I urge my colleagues to join me in supporting this bipartisan, commonsense bill.

Mr. PALLONE. Mr. Chairman, I yield 2½ minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I find this whole conversation somewhat surreal because, in my community in Portland, Oregon, the city is unveiling a new climate action plan to reduce local carbon emissions even more.

We are already below 1999 levels on a per capita basis, but our community has committed, in going forward, to a clean energy future in order to do our part.

It is jarring that, at the same time, we would consider on the floor of the House rolling back the modest, balanced approach that the administration has undertaken with the carbon rule—a carbon rule that is not yet finalized, a carbon rule that is dedicated to working with local States to try and fine-tune it to make sure that it works right and with more public input. Nonetheless, even though it is a little late in coming, the United States must step up.

We have a major responsibility as we are the largest contributor to carbon pollution in the world. We are number two now behind China. We have a responsibility to do our part, but we have a responsibility to do our part not just in terms of global leadership and in trying to change this tremendously destructive trajectory we are on with carbon pollution—as we will, no doubt, hear from the Pope in 3 months in this Chamber—but it is part of what is going to happen with other countries in the world.

If the richest, most powerful nation in the world can't step up to do its part, how can we expect to exert global leadership and prevent catastrophic events elsewhere?

The notion that somehow this is going to be an economic catastrophe is

balderdash. The reason the coal industry is in trouble is that coal is dirty, inefficient, and it is more expensive than natural gas. It is not a foundation for our energy future. Being able to move to a low carbon future is a bedrock for economic prosperity in the future.

The CHAIR. The time of the gentleman has expired.

Mr. PALLONE. I yield the gentleman an additional 1 minute.

Mr. BLUMENAUER. We just heard from the gentlewoman from California, a State that has proven to be an international leader. Its economy is going great guns. It is reducing its carbon footprint, its carbon use.

People confuse the price of energy with the cost of energy, and what has happened in States like California, which have been creative in terms of energy conservation and in pricing it properly, is that use goes down.

Some of the people with the lowest rates waste the most energy. They actually spend more. Part of what we did with climate legislation, as the gentleman from New Jersey well knows, actually would have reduced the cost for most people.

We don't want to be on the wrong side of history on this because it will have a devastating effect. The administration's modest proposal ought to be supported. We ought not to pretend that we can shatter it and piecemeal it out for the States to undercut it. We ought not to pretend that this is not a real problem that deserves our attention going forward.

To waste time today with something that would turn the clock back and that won't pass the Senate—if it did, it would be vetoed—is sad. We ought to be working together on a low carbon future to be able to make it work right for each and every community.

Mr. WHITFIELD. Mr. Chairman, I yield 3 minutes to the gentleman from Louisiana (Mr. SCALISE), the distinguished majority whip.

Mr. SCALISE. I want to thank my friend from Kentucky, the chairman of the Energy and Power Subcommittee, for yielding and for bringing forward the Ratepayer Protection Act.

Mr. Chairman, this bill goes directly to the heart of these radical regulations, which are coming out of agencies like the EPA, that are killing jobs in America. When you look at this regulation, this proposal by the EPA that this bill addresses, the EPA is proposing to bring forward more radical regulations that are going to increase the cost of household electricity for every family in this country. The estimates show you will see an over 12 percent increase in household electricity rates if the EPA is allowed to move forward.

When you look at what this legislation does, at least it stands up and protects hard-working taxpayers who are

tired of all of these regulations—one after the other—coming forward, not through legislation passed by Congress—in open, public settings like this that you can watch on C-SPAN—but coming forward through unelected bureaucrats at the EPA who want to carry out their own agenda.

They can't pass it through Congress, so they try to just ram it through in regulations that aren't backed up by science but that would, in fact, actually, lead to more jobs being shipped out of this country.

Where would those jobs go, Mr. Chairman? They would go to places like China and India and Brazil and to other countries that don't have the environmental standards that we have. You will actually see more carbon emitted if the EPA is successful in moving forward with regulations like this that this bill is addressing.

I want to commend the chairman for bringing this forward. I think you are going to see a large, bipartisan vote in support of this legislation because people across the country are saying enough is enough.

If the proposal is so good by the EPA, why not move it through Congress? Why not have public hearings on C-SPAN and present the facts and point out and defend the increases that families are going to have in their household electricity rates?

They want to hide, Mr. Chairman. They want to hide and try to just sneak this through with the regulation and not have any public vote on the bill.

Here you have a bill, a bill that says let's slow this process down, that says let's actually give States the ability to opt out if they realize just how devastating it will be not only to the states' economies, but to the taxpayers in each State.

In my State of Louisiana, this proposal by the EPA that we are trying to stop would yield about a 13 percent increase in people's household electricity rates. We are already paying too much. The costs of things are already too high because of regulations coming out of Washington not imposed by Congress, but imposed by unelected bureaucrats.

Enough is enough. Let's rein in these unelected bureaucrats, and let's bring some common sense back to the process of getting our economy back on track. I urge the approval of this legislation, which is so important to getting our economy moving again.

Mr. PALLONE. Mr. Chairman, I yield myself such time as I may consume.

It bothers me a great deal when I hear my colleagues on the other side of the aisle acting as if we don't already have a Clean Air Act in place. The fact of the matter is the Clean Air Act was passed by both Democrats and Republicans back in 1970.

It has been amended and changed several times since then, but the EPA

is simply acting on a law that was passed by the Congress. There is no such thing here that the EPA is somehow doing something that they shouldn't be doing, which is what is being suggested by some of my colleagues on the Republican side and, I guess, is the basis for this legislation.

The EPA is regulating based on laws that were passed by Congress—that is what an agency does—but many of my colleagues on the Republican side continue to raise the false specter of job losses and high economic costs in order to try to block the President and the EPA from implementing the clean power plan to curb power plant carbon pollution.

I just want to say again, in going back to the original Clean Air Act, the history of the Clean Air Act shows that they are wrong, that we can have both a clean environment and a strong economy.

This is an argument that industry has used every time the Clean Air Act has been strengthened. Every time new regulations come out that are trying to address the problems with clean air and that are trying to make the air healthier for all Americans, we hear industry argue that somehow there are going to be job losses or that there are going to be huge rate increases.

When Congress debated the 1990 Clean Air Act amendments, the oil industry said that the technology to meet these standards simply does not exist today, and they predicted major supply disruptions, and chemical companies said the law would cause severe economic and social disruption. None of these gloom-and-doom predictions came true. Instead, our air got cleaner, and our economy flourished.

The history of the Clean Air Act shows that the United States can reduce carbon pollution while creating jobs and strengthening the economy. Since its adoption in 1970, the Clean Air Act has reduced key air pollutants by two-thirds while the economy has tripled in size. The Clean Air Act has also made the United States a world leader in pollution control technology, generating hundreds of billions of dollars for U.S. companies and creating millions of jobs.

I want to stress that I think we are at a critical crossroads here. If we continue to ignore the science, we will cause catastrophic climate change and saddle our economy with soaring bills for disaster relief; but, if we invest in the clean energy technologies of the future, we can protect our environment and grow our economy.

This idea of juxtaposing jobs and the economy versus the environment is simply not true. The history of the Clean Air Act shows that it is not true.

I reserve the balance of my time.

Mr. WHITFIELD. Mr. Chairman, once again, I ask how much time is remaining.

The CHAIR. The gentleman from Kentucky has 3½ minutes remaining, and the gentleman from New Jersey has 2½ minutes remaining.

Mr. WHITFIELD. Mr. Chairman, I reserve the balance of my time.

Mr. PALLONE. Mr. Chairman, I yield myself the balance of my time.

The other question that I keep hearing from the other side of the aisle is that, somehow, they just ignore the public health aspects of this. Obviously, we are concerned about climate change, but it is also the question of public health.

There are consequences to inaction. In other words, if this bill were to pass and if the clean power plan were not to go into effect, there are consequences.

The EPA estimates that, in 2030, the clean power plan will avoid up to 3,300 heart attacks, prevent 150,000 asthma attacks in children, lead to 2,800 fewer hospital admissions, and avert 490,000 missed work or schooldays each year.

These benefits are worth an estimated \$93 billion per year, Mr. Chairman. These are human health benefits that could be delayed or, perhaps, permanently lost if this bill takes effect. The health benefits potentially blocked by the bill are especially important for the most vulnerable among us, our babies, our kids, our seniors, and those with asthma.

The legislation grants a blanket extension for all clean power plan compliant States until all opportunities for legal challenges have been exhausted, and this unprecedented suspension of critical clean air regulations would occur regardless of a lawsuit's merits or its likelihood of success. What the Republicans are doing with this bill is denying the health benefits that come from the clean power plan.

I just want to close, Mr. Chairman, by reminding everyone that the President has said he will veto this legislation, so this effort with the legislation is totally in vain, as it probably won't pass the Senate.

The President would veto it, and there are no votes to override his veto. Let me just read what the President says in his statement when he says he will veto the bill.

□ 1530

He says:

The bill is premature and unnecessary. It is premature because the clean power plan has yet to be finalized; it is unnecessary because EPA has made clear its commitment to address concerns raised during the public comment period (including concerns related to cost and reliability) when issuing the final clean power plan. The effect of the bill would, therefore, be a wholly unnecessary postponement of reductions of harmful air pollution.

The bill is unprecedented. The administration is not aware of any instance when Congress has enacted legislation to stay implementation of a clean air standard before judicial review. To do so here, before the rule is even final, would be an unprecedented interference with EPA's efforts to fulfill its duties under the Clean Air Act.

Once again, my colleagues on the Republican side have said that this is only a proposed rule. Why are they passing legislation to deal with a rule that hasn't even been finalized?

I yield back the balance of my time, Mr. Chairman.

Mr. WHITFIELD. Mr. Chair, I yield myself the balance of my time to close.

The reason we are acting is because the 5 years that I have been chairman of this subcommittee, we have had many hearings on proposed rules and regulations coming out of EPA, and only one time did they actually sit down with the affected parties and try to work out a real compromise, and that was on the cement rule.

Other than that, they have made it very clear they intend to move forward with this regulation. Lawsuits have been filed, but the courts have said it is not right yet. So if we don't take action, it is going to become final, and then you go to court, and then it takes years.

So we are simply saying let's pass this legislation to delay the implementation until the court makes a decision on whether or not it is legal. We have real reason to believe that it is not legal because never have they ever attempted to regulate an existing source under section 111(d) except in very minute circumstances.

Now, I agree that since the original Clean Air Act Amendments of 1990, our economy has improved. We have had a lot more jobs. But the Global Markets Institute last month issued a report—it is an arm of Goldman Sachs, a respected institution—and they pointed out that in the Obama administration, since 2009, the number of small businesses in America are 600,000 less today than in 2009; 6 million fewer jobs today than in 2009. They also went on to say that the reason for this is the overzealous issue of regulations in this administration.

That is why the Hispanic Chamber of Commerce, representing thousands of small-business men and women around the country has endorsed this legislation. That is why the African American Chamber of Commerce has written a letter explaining the detrimental impacts of this regulation. That is why over 30-some States have come to us and asked us to give them more time.

As I said in the beginning, this is a complex rule. It certainly applies to more than just coal, because it is the first time that EPA has ever attempted to go outside the source of the emission to reduce the emission. So we are not talking about only coal-powered electricity plants, but the EPA sets the standard for every State, the emission cap, and then they say you go fix it. So the States are going to be forced to go to other industries, to maybe look at building materials in homes, to adopt renewable mandates to meet these very stringent standards.

So it is a complex rule. EPA usually gives States 3 years to come up with their State implementation plan, but in this instance, they are giving them 13 months, which is unheard of.

This legislation is very simple. Let's delay the State implementation plans until the courts render a decision. I urge our Members to support this commonsense legislation.

I yield back the balance of my time.

Mr. UPTON. Mr. Chair, today we fight to keep electricity affordable with the Ratepayer Protection Act, a bill that protects folks all across the country from the potential rate increases and reliability risks that experts predict will occur under the EPA's proposed Clean Power Plan. I applaud my colleague ED WHITFIELD for his efforts on this important bill and I urge my colleagues to support it.

In my home state of Michigan, the American Coalition for Clean Coal Electricity estimates that the EPA's proposed plan would increase electricity prices by 12%. The last thing families in Michigan and across the country can afford right now are higher bills just as they are finally feeling as if they have turned the corner following the extended economic downturn.

Legal experts, including President Obama's own law professor, Laurence Tribe have testified that the proposal raises grave constitutional questions, exceeds EPA's statutory authority, and violates the Clean Air Act. In fact, Professor Tribe equated the administration's action to "burning the Constitution."

Low-income households and those on fixed incomes get hit the hardest when electric bills go up. In Michigan, there are nearly 2 million lower-income and middle-income families—representing 52% of the state's households. Unfortunately, the costs of this proposed rule would fall disproportionately on the most vulnerable.

Small businesses would also face increased electricity costs that could harm their bottom line. And every extra dollar that goes toward higher energy cost is money that can't be spent on new hiring.

For manufacturers, affordable energy is imperative to stay competitive in a global market. That is why the Chamber of Commerce, National Association of Manufacturers, and many other representatives of job-creating businesses have sounded the alarm on the serious threat posed by the administration's plan.

I would also note that higher costs are not the only menace looming on the horizon—what's worse than expensive electricity is no electricity at all. But that is a real possibility. The North American Electric Reliability Corporation and others have warned that the EPA's proposed plan poses a serious threat to electric reliability as power sources are forced offline.

The Ratepayer Protection Act is a thoughtful and straightforward answer to the potential rate shocks and blackouts. The legislation would allow for the completion of judicial review of any rule before requiring states to implement it, and if a governor of a state finds that the rule poses a significant threat to electricity affordability and reliability they would have the power to suspend compliance with the administration's plan.

The Ratepayer Protection Act does not repeal the Clean Power Plan, it merely adds

several reasonable safeguards to it. Regulatory overreach has defined this administration and it is time we all stood up to protect affordable energy. Vote yes in support of every American ratepayer and lower bills.

Ms. ESHOO. Mr. Chair, I rise in strong opposition to this legislation which would significantly exacerbate climate change by gutting the President's plan to cut carbon emissions from power plants.

My home state of California is currently experiencing the worst drought in its history, and scientists say it is made more severe because of the warming climate in California. High temperatures have caused record low levels of mountain snowpack and water evaporation in reservoirs, rivers, and soil. This means mandatory water cuts, fallowed fields, and higher risk of wildfires as we move into the heart of the dry season. With continued increases in global temperatures due to carbon emissions, droughts like California's will become even more common across the country.

These extreme drought and wildfire conditions are not unique to California. States across the west including Oklahoma, Nevada, Utah, and Oregon are experiencing "extreme" or "exceptional" drought conditions, according to the USDA. This is a crisis across the West and scientists tell us that it will be more common as man-made carbon emissions continue to warm the planet.

The costs of failing to address climate change grow with every year that we fail to take action. In 2012 alone, climate-related disasters including drought, wildfires, and severe weather including Hurricane Sandy, cost the economy over \$100 billion. That works out to a \$300 tax on every American, and it will continue to increase as severe weather becomes more common and sea levels continue to rise. On top of those disasters, the White House Council on Economic Advisers calculated that failing to meet our climate goals will cost the U.S. \$150 billion per year in reduced economic output, and each decade of ignoring climate change increases the costs of mitigation by 40 percent.

In the absence of Congressional action to address climate change, the Administration is taking strong action which I support. But the bill before us today would allow the Clean Power Plan to be blocked indefinitely and would set a dangerous precedent of allowing states to opt out of national air quality standards. The Supreme Court has upheld the authority of the EPA to regulate carbon emissions on three separate occasions since 2007, yet this bill would allow lawsuits to permanently delay the Clean Power Plan. The bill also removes the federal backstop that has made the Clean Air Act one of the most successful environmental laws in our nation's history, cutting harmful air pollution by 90 percent since its passage in 1970.

Under the premise of protecting ratepayers, who will actually see their bills go down under the Clean Power Plan, this legislation is a major step backward for our country's efforts to fight climate change.

I urge the rejection of this legislation.

Mr. VAN HOLLEN. Mr. Chair, I rise in opposition to this attempt to weaken our first real shot at reducing the harmful carbon pollution that is contributing to global climate change and endangering our communities.



Last month was the hottest May on record. Last year was the hottest year. We've already seen extreme weather events across the globe—from unprecedented flooding in Texas to deadly drought in India. This is not a coincidence. It is not a fluke. It is a real trend identified by ninety-seven percent of climate scientists worldwide. And it requires our urgent action to protect our constituents and our environment.

It is past time. And when skeptics in this Congress refused to acknowledge reality and refused to take any steps to prevent disaster, the President used his authority under the Clean Air Act to reduce carbon emissions, which are a leading contributor to climate change. His proposed Clean Power Plan is a flexible framework for states to cut carbon pollution from power plants for the first time. It's a plan that sets goals, provides options, and lets states figure out what works best for them.

But today we are considering a bill that would undermine the very structure of the Clean Air Act. Currently, when states refuse or fail to fulfill their obligations to reduce pollution under the Clean Air Act, the federal government has the obligation to step in to put forward a plan that would meet the law's requirements. This federal backstop is a critical part of our nation's environmental laws. Today's legislation would allow states to "opt out" of a federal plan, giving them the authority to ignore their responsibility to comply with the rule and leaving their residents without protection from carbon pollution.

Moreover, we are considering this bill before the Clean Power Plan is even finalized. The EPA is in the process of considering input from many states to refine the proposal before putting forward a final rule. This bill would simply delay efforts to reduce air pollution.

Mr. Chair, just last week the Pope called on all of us to live up to our moral responsibility to act on climate change to protect our communities, our environment, and the most vulnerable among us. We should heed that call, reject this bad bill, and work together to prevent the most damaging impacts of climate change.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-20. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 2042

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Ratepayer Protection Act of 2015".*

#### SEC. 2. EXTENDING COMPLIANCE DATES OF RULES ADDRESSING CARBON DIOXIDE EMISSIONS FROM EXISTING POWER PLANTS PENDING JUDICIAL REVIEW.

(a) *EXTENSION OF COMPLIANCE DATES.—*

(1) *EXTENSION.—Each compliance date of any final rule described in subsection (b) is deemed to be extended by the time period equal to the time period described in subsection (c).*

(2) *DEFINITION.—In this subsection, the term "compliance date"—*

(A) *means, with respect to any requirement of a final rule described in subsection (b), the date by which any State, local, or tribal government or other person is first required to comply; and*

(B) *includes the date by which State plans are required to be submitted to the Environmental Protection Agency under any such final rule.*

(b) *FINAL RULES DESCRIBED.—A final rule described in this subsection is any final rule to address carbon dioxide emissions from existing sources that are fossil fuel-fired electric utility generating units under section 111(d) of the Clean Air Act (42 U.S.C. 7411(d)), including any final rule that succeeds—*

(1) *the proposed rule entitled "Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units" published at 79 Fed. Reg. 34830 (June 18, 2014); or*

(2) *the supplemental proposed rule entitled "Carbon Pollution Emission Guidelines for Existing Stationary Sources: EGUs in Indian Country and U.S. Territories; Multi-Jurisdictional Partnerships" published at 79 Fed. Reg. 65482 (November 4, 2014).*

(c) *PERIOD DESCRIBED.—The time period described in this subsection is the period of days that—*

(1) *begins on the date that is 60 days after the day on which notice of promulgation of a final rule described in subsection (b) appears in the Federal Register; and*

(2) *ends on the date on which judgment becomes final, and no longer subject to further appeal or review, in all actions (including actions that are filed pursuant to section 307 of the Clean Air Act (42 U.S.C. 7607))—*

(A) *that are filed during the 60 days described in paragraph (1); and*

(B) *that seek review of any aspect of such rule.*

#### SEC. 3. RATEPAYER PROTECTION.

(a) *EFFECTS OF PLANS.—No State shall be required to adopt or submit a State plan, and no State or entity within a State shall become subject to a Federal plan, pursuant to any final rule described in section 2(b), if the Governor of such State makes a determination, and notifies the Administrator of the Environmental Protection Agency, that implementation of the State or Federal plan would—*

(1) *have a significant adverse effect on the State's residential, commercial, or industrial ratepayers, taking into account—*

(A) *rate increases that would be necessary to implement, or are associated with, the State or Federal plan; and*

(B) *other rate increases that have been or are anticipated to be necessary to implement, or are associated with, other Federal or State environmental requirements; or*

(2) *have a significant adverse effect on the reliability of the State's electricity system, taking into account the effects on the State's—*

(A) *existing and planned generation and retirements;*

(B) *existing and planned transmission and distribution infrastructure; and*

(C) *projected electricity demands.*

(b) *CONSULTATION.—In making a determination under subsection (a), the Governor of a State shall consult with—*

(1) *the public utility commission or public service commission of the State;*

(2) *the environmental protection, public health, and economic development departments or agencies of the State; and*

(3) *the Electric Reliability Organization (as defined in section 215 of the Federal Power Act (16 U.S.C. 824o)).*

The CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in House Report 114-177. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. PALLONE

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 114-177.

Mr. PALLONE. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, after line 15, insert the following (and redesignate subsection (b) as subsection (c)):

(b) *ADDITIONAL CERTIFICATION REGARDING COSTS OF RESPONDING TO HUMAN-CAUSED CLIMATE CHANGE.—For a Governor's determination to have the effect described in subsection (a), such determination shall include a certification that—*

(1) *electricity generating units are sources of carbon pollution that contribute to human-induced climate change; and*

(2) *the State or Federal plan to reduce carbon emissions from electric utility generating units would promote national security, economic growth, and public health by addressing human-induced climate change through the increased use of clean energy, energy efficiency, and reductions in carbon pollution.*

The CHAIR. Pursuant to House Resolution 333, the gentleman from New Jersey (Mr. PALLONE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. PALLONE. Mr. Chairman, I yield myself such time as I may consume in support of my amendment.

Mr. Chairman, my amendment includes language identical to an amendment recently offered by Senator BENNET and approved during the Senate budget process. It is simple enough. In order to opt out, a Governor must certify that the State or Federal plan would "promote national security, economic growth and public health by addressing human induced climate change through the increased use of clean energy, energy efficiency and reductions in carbon pollution."

This clear and concise language passed the Senate in the budget bill with the support of seven Republican Senators along with all the Democratic Senators. Republican Senators like DEAN HELLER, MARK KIRK, and ROB PORTMAN voted for this language, as did the chair of the Senate Energy and Natural Resources Committee, Senator MURKOWSKI, who is from Alaska, where the impacts of climate change are undeniable.



Let me just start by quoting pro-coal Senator MANCHIN from West Virginia: "There is no question that climate change is real and that billions of people have impacted the world's climate. This amendment supports investment in clean energy technology, including advanced fossil energy, and supports energy efficiency, which reduces carbon while saving customers money. We can protect the environment for future generations while ensuring that we have affordable and reliable energy sources today."

That is a quote from Senator MANCHIN from West Virginia.

Mr. Chairman, I think we should be clear about where Members of this esteemed committee stand on the reality of human-induced climate change and whether or not it needs to be addressed. Senators have had to stand up and be counted, so we here in the House should do the same.

Some on the Republican side of the aisle have said that they are not climate deniers. Well, if that is the case, then this should be a very easy vote for them, in my opinion. But it wouldn't surprise me if some or all on the Republican side oppose this amendment. In the Committee on Energy and Commerce, it was voted down twice: first in the subcommittee, and then in the full committee along party lines.

Let me be clear, Mr. Chairman. This amendment still allows the Governor to opt out of the Federal plan. It doesn't really change the substance of the bill. This amendment is for anyone who believes in human-induced climate change, regardless of their views on various approaches to deal with the problem. You can vote for my amendment and, if you must, still oppose the clean power plan. But if you vote against my amendment, it can only mean, in my opinion, that you are against any solution to climate change.

Mr. Chairman, I reserve the balance of my time.

Mr. WHITFIELD. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Kentucky is recognized for 5 minutes.

Mr. WHITFIELD. Mr. Chair, I want to say that I have the utmost respect for my colleague from New Jersey, Mr. PALLONE, who is the ranking member of the Committee on Energy and Commerce. He is always thoroughly prepared and does a great job, but I respectfully must disagree with him on this amendment.

Just reading the amendment, there doesn't seem to be that much wrong with it, and really there is not that much wrong with it; but I would point out that this amendment suggests that the Federal Government is not taking action about climate change. The fact is, we have 18 Federal agencies administering 61 separate programs on climate change, and since 2008, we have

spent over \$77 billion addressing it. That is not even including the regulations coming out of EPA. Last year alone, the Federal Government spent \$23 billion on climate change.

I would just point out that this bill is about responding to States who are asking us for help. They need more time to address this very complex regulation that will be coming out of EPA very soon. We can't have a debate about it without talking about climate change. But as I said earlier, everyone recognizes the climate has been changing since the beginning of time. I read an article the other day, in the 13th century, they had grape vineyards in northern England. That is not true today.

Where we differ with the President is that the President has made it very clear that he thinks climate change is the number one issue facing mankind. We recognize that it is a problem, but we think there are other more pressing issues out there and that this administration seems to be obsessed with climate change.

We think creating jobs, economic growth, clean water, health care, and trying to solve pancreatic cancer are more important. We have countries in Africa, representatives in Africa and Bangladesh telling us we are more concerned about just having electricity, just having enough food. So that is the big difference between us and the President.

Like I said, we are simply trying to give States more time, giving them the option to opt out if they need to. We want the courts to render a decision that this is legal before they have to start spending the resources and the money to respond to it. For that reason, I would respectfully disagree with this amendment and ask that our Members vote against it.

I yield back the balance of my time.

Mr. PALLONE. I yield myself the remainder of my time to close.

Mr. Chairman, I would just say once again that, again, I respect my colleague from Kentucky a great deal, but I don't see how this amendment even says that climate change is a priority. It is simply saying that it should be addressed in the context of any Governor's effort to opt out. Now, I don't think that Governors should be opting out, but at least if they decide to do so, then they should be able to certify the reference to these various issues, including public health and climate change.

Again, we talk about climate change. I understand what the gentleman is saying, but in terms of priorities, keep in mind that public health is a priority. The gentleman mentioned pancreatic cancer. I was thinking that the group that are advocates for trying to cure pancreatic cancer probably came to see him yesterday as they came to see me. We don't even know what the

cause of it is. It may very well be that there are environmental causes in the air that lead to pancreatic cancer. So I think that it does need to be a priority. Climate change does need to be a priority.

But again, you can vote for this amendment without saying that climate change is your biggest priority. We are simply saying that when a Governor decides to opt out, which I don't think they should, that they have to say that they certify that they have looked at the public health, that they have looked at climate change, that they have looked at increased use of clean energy and other issues. I see no reason why anyone on either side of the aisle shouldn't support the amendment for that reason.

I yield back the balance of my time and urge passage of the amendment, Mr. Chairman.

The CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. PALLONE).

The question was taken; and the Chair announced that the yeas appeared to have it.

Mr. PALLONE. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

□ 1545

AMENDMENT NO. 2 OFFERED BY MR. RUSH

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 114-177.

Mr. RUSH. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, after line 15, insert the following (and redesignate subsection (b) as subsection (c)):

(b) ADDITIONAL CERTIFICATION REGARDING COSTS OF RESPONDING TO HUMAN-CAUSED CLIMATE CHANGE.—For a Governor's determination to have the effect described in subsection (a), such determination shall include a certification that the inapplicability of a State or Federal plan described in such subsection will not have a significant adverse effect on costs associated with a State's plan to respond to extreme weather events associated with human-caused climate change, taking into account any costs necessary to—

- (1) adapt or respond to increased sea level rise or flooding;
- (2) prepare for or respond to more frequent and intense storms;
- (3) fight or otherwise respond to more frequent and intense wildfires; and
- (4) adapt or respond to increased drought.

The CHAIR. Pursuant to House Resolution 333, the gentleman from Illinois (Mr. RUSH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. RUSH. Mr. Chairman, the legislation before us, which I prefer to call

the “Just Say No” bill, would effectively give Governors the power to opt out of the Federal requirements of the EPA’s proposed clean power plan if they decide that complying with the plan would have an adverse effect on either rates or reliability.

Unfortunately, Mr. Chairman, the language allowing a Governor to opt out is ambiguous and does not take into account other costs that States are already paying due to the impacts of climate change.

So, Mr. Chairman, in order to address this issue, I am offering a straightforward amendment that simply states that a Governor must certify that, within his or her State, any ratepayer increases associated with implementing a State or Federal plan would be greater than any costs associated with responding to extreme weather conditions associated with human-caused climate change.

Mr. Chairman, this would include the costs associated with cleaning up after mass flooding, intense wildfires, more frequent and intense storms, as well as the costs associated with loss of crops and livestock due to increased drought.

Mr. Chairman, as any State that has had to deal with the aftermath of any of these destructive extreme weather events can attest, Americans are already shouldering the costs of climate change—and these costs are getting worse and worse. In fact, according to the National Climate Assessment, if we do not seriously invest in addressing climate change impacts now, we can expect to see more expensive and costly future damages associated with almost every facet of our society, from negative health impacts, to stressing our infrastructure and water system, to harming our national security, up to and including hurting our overall long-term economic growth.

Mr. Chairman, just 2 days ago, on Monday, the EPA, in collaboration with the Massachusetts Institute of Technology, the Pacific Northwest National Lab, and the National Renewable Energy Laboratory, released a peer-reviewed study detailing the costs if we fail to address climate change. This report stated that failure to act could cost 12,000 lives from extreme temperatures and 57,000 lives from poor air quality in the year 2100, as well as cost the country hundreds of billions of dollars each and every year.

The analysis also looked at the impact of climate change on health, electricity, infrastructure, water resources, agriculture, forestry, and the ecosystem. It found that if we acted to reduce emissions, we could avert loss of life, reduce the number of droughts and floods, and save up to \$34 billion in power system costs in the year 2050 alone.

So, Mr. Chairman, with all of these dire warnings coming from both the experts as well as from Mother Nature

herself, we cannot allow Governors to “just say no” to reducing harmful pollutants from their States and simply put their heads in the sand.

Mr. Chairman, I urge all of my colleagues to support this amendment to ensure that Governors are held accountable for their failure to act to reduce harmful pollutants that impact the overall public good.

The CHAIR. The time of the gentleman from Illinois has expired.

Mr. WHITFIELD. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Kentucky is recognized for 5 minutes.

Mr. WHITFIELD. Mr. Chairman, with great respect to my friend, the gentleman from Illinois (Mr. RUSH), whom I have had the privilege of sitting through 5 years, it seems like, of hearings almost every day, while I have the greatest respect for him, I do rise in opposition to this amendment.

His amendment would basically say that State Governors must certify that the cost to the ratepayers under EPA’s 111(d) rule would exceed the costs associated with responding to extreme weather events.

I point out once again that in *The Economist* magazine just this May, a few weeks ago, they were quoting scientists who were saying it is impossible to say categorically that climate change has caused any individual storm, flood, drought, heat wave, tornado, hurricane, or any other adverse weather effect. So that correlation has simply not been established scientifically.

This amendment would require State Governors to make a certification on something that they cannot do, even the EPA itself will not and cannot do, which is to show any direct benefit on climate events from their rule.

EPA has said in their own testimony that this rule, this regulation, will not have a significant impact on climate events in the U.S. As a matter of fact, in April testimony before Congress, Acting Assistant Administrator McCabe indicated that EPA could not predict the impact of the rule on any of its climate indicators. So they are adopting this rule as simply following up on the President’s Georgetown speech in which he laid out his climate plan.

But I would like to point out that America is addressing climate change. I would say once again, we have 61 government programs involved. We have 18 Federal agencies involved. We spent a total of \$77 billion since 2008. We are doing all sorts of things.

This bill is simply to give States enough time to respond to this very complex regulation until after the courts have rendered a decision.

And so, with that, I would respectfully request Members to oppose the Rush amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. RUSH).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. RUSH. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Illinois will be postponed.

#### AMENDMENT NO. 3 OFFERED BY MR. HUIZENGA OF MICHIGAN

The CHAIR. It is now in order to consider amendment No. 3 printed in House Report 114-177.

Mr. HUIZENGA of Michigan. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of section 2 of the bill, add the following:

(d) SENSE OF CONGRESS.—The Congress encourages the Administrator of the Environmental Protection Agency, in promulgating, implementing, or enforcing any final rule described in subsection (b), to specifically address how the megawatt hours discharged from a pumped hydroelectric storage system will be incorporated into State and Federal implementation plans adopted pursuant to any such final rule.

The CHAIR. Pursuant to House Resolution 333, the gentleman from Michigan (Mr. HUIZENGA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. HUIZENGA of Michigan. Mr. Chairman, I would like to thank my colleague, the gentleman from Kentucky, for bringing this important bill to the floor to empower States to protect consumers from higher electric rates and to ensure grid reliability. In fact, when I was in the State legislature back in Michigan, I served as the vice chair of our Energy and Technology Committee and spent a lot of time and work on grid reliability and cost issues.

Under the clean power plan, the EPA would set mandatory carbon dioxide emission levels for each State and require that they submit State plans to meet their EPA-established “goals.”

While I have many concerns about the proposed rule, I am offering this amendment to highlight how the EPA’s approach to calculating emissions actually discourages the kind of emission reductions that it is intended to promote.

Here is how. The EPA’s compliance formula does not include a way to calculate the benefits of clean energy storage. Michigan is a prime example of the importance of energy storage via the Ludington Pumped Storage reservoir in west Michigan, in the Second District.

Ludington Pumped Storage was the largest pumped storage hydroelectric

facility in the world when it was constructed. I remember as a young man, my dad was in construction, and we would do Sunday drives an hour and a half north just to see progress on this. It is an 842-acre reservoir that is 2½ miles long and holds 27 billion gallons of water. In the last couple of years, it now includes a wind farm with 56 turbines that are generating an additional 100 megawatts. Ludington can generate up to 1,872 megawatts, which is enough electricity to serve a community of 1.4 million residential customers.

Here is how the pump storage works. At night, when electric rates are low—and oftentimes the wind is blowing in west Michigan, and those turbines are going—Ludington's reversible turbines down at the lake level pump water up the 363-foot hill from Lake Michigan to the reservoir. Then, during the day, when electric demand is high, the reservoir releases water to flow downhill and it turns the turbines to make carbon-free electricity. And that is very, very helpful, obviously especially in the summertime when we have peak times.

In fact, when I was in the State legislature, I was standing next to those turbines and they got the call that they needed peak electricity because a substation had gone down in southeast Michigan. Literally, within 10 minutes, those turbines were spinning and producing electricity and putting it back out on the grid, thereby saving a whole lot of expenses they were going to look at in needing to go out on the MISO system to purchase that electricity.

In addition to it being carbon-free, there are no other emissions being pumped from the storage generation either.

Ironically, the proposed rule would penalize States like Michigan and Virginia that have prudently invested in energy storage technology because the emissions and megawatt hours from plants used to charge the system are included in the EPA's equation. However, the megawatt hours discharged from the storage system are not. Thus, according to the EPA, a State's emissions intensity actually increases if they utilize clean energy storage. That is the exact opposite of what I hope is the EPA's goal of this rule.

This amendment simply encourages the EPA to explicitly authorize States to include clean energy storage in their compliance plans.

I encourage my colleagues to support this bipartisan amendment and the underlying bill so that States can best protect their residents from the significant economic and reliability impact the proposed rule could have.

At this time, I yield to the gentleman from Michigan (Mr. KILDEE), my colleague.

Mr. KILDEE. I thank my friend for yielding.

He has his photo of the hydroelectric pump storage facility. His is from the

right. I have a picture from the left. It is a different view, but it is the same facility.

This is really important. I support this amendment. With electricity demands varying, as Mr. HUIZENGA said, throughout peak and nonpeak times, Michigan companies produce and store reserve energy in this facility for future use when demand is high, which provides, as was said, energy literally at a moment's notice, which is critical for grid stability and also critical to keep prices low for our consumers.

This technology allows our companies to respond quickly when demand exceeds base load capacity, especially during extreme weather events such as heat waves and polar vortexes.

The EPA has repeatedly recognized the need for large-scale storage facilities like Ludington's and how pumped hydroelectric storage can fill this role, but the EPA's proposed rule compliance formula does not include a way to calculate the benefits of pumped hydroelectric storage.

□ 1600

With this amendment, we would like to encourage the EPA to address specifically how pumped hydroelectric storage will be counted in Michigan and other States, so the consumers will have access. This is important for Michigan.

The CHAIR. The time of the gentleman from Michigan has expired.

Mr. WHITFIELD. Mr. Chairman, I rise in opposition to the amendment. I am not going to oppose the amendment, but I would like to speak to the amendment.

The CHAIR. Without objection, the gentleman from Kentucky is recognized for 5 minutes.

There was no objection.

Mr. WHITFIELD. First, I yield 2 minutes to the gentleman from Georgia (Mr. COLLINS).

Mr. COLLINS of Georgia. Mr. Chair, I am not going to take the time, maybe give it back to the two gentlemen whom I joined on this amendment as well.

This is one of those things that is common sense—at least, we believe in. Our people back home, they don't understand this in dealing with some regulation on why we are trying to encourage this clean resource and this energy and pumping the hydroelectric and not getting the credit for it.

I have had to deal with this on the core issues on some others where we are actually trying to do what is right for the environment and also trying to do for sustainable and renewable energy.

So I just wanted to say thanks for this amendment. I think we are working toward the right way, and I think this sense of Congress to say "study this" is the positive way we look at this and we work forward toward using

all the resources and all the energy sources that we have and using those in a very productive way.

I just wanted to put my support to this and look forward to this amendment being approved. I join with my two other cosponsors on this as well.

Mr. WHITFIELD. Mr. Chairman, I want to thank the gentleman from Michigan for raising the issue and the gentleman from Georgia.

It does illustrate some of the shortcomings of this proposed regulation because, instead of encouraging clean renewable energy, it, in effect, is discouraging it because they are not getting credit for it. That is another problem.

For that reason, we would be happy to accept this amendment and include it as part of this bill. Thank you all very much for bringing it to our attention.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. HUIZENGA).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. MCNERNEY

The CHAIR. It is now in order to consider amendment No. 4 printed in House Report 114-177.

Mr. MCNERNEY. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 2.

Redesignate section 3 as section 2 and amend such section (as so redesignated) to read as follows:

#### SEC. 2. RATEPAYER PROTECTION.

(a) EFFECTS OF PLANS.—In developing a State or Federal plan pursuant to any final rule described in subsection (c), a State or the Administrator shall—

(1) consult with the State's public utility commission or public service commission, and the Electric Reliability Organization; and

(2) to the extent available, consider any independent reliability analysis prepared by such entities during development of such plan.

(b) INDEPENDENT RELIABILITY ANALYSIS.—In preparing an independent reliability analysis for purposes of subsection (a), a State's public utility commission or public service commission, and the Electric Reliability Organization, shall evaluate the anticipated effects of implementation and enforcement of the final rule on—

(1) regional electric reliability and resource adequacy;

(2) operation of wholesale electricity markets within the region involved;

(3) existing and planned transmission and distribution infrastructure; and

(4) projected electricity demands.

(c) FINAL RULES DESCRIBED.—A final rule described in this subsection is any final rule to address carbon dioxide emissions from existing sources that are fossil fuel-fired electric utility generating units under section 111(d) of the Clean Air Act (42 U.S.C. 7411(d)), including any final rule that succeeds—

(1) the proposed rule entitled "Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating

Units" published at 79 Fed. Reg. 34830 (June 18, 2014); or

(2) the supplemental proposed rule entitled "Carbon Pollution Emission Guidelines for Existing Stationary Sources: EDUs in Indian Country and U.S. Territories; Multi-Jurisdictional Partnerships" published at 79 Fed. Reg. 65482 (November 4, 2014).

(d) DEFINITIONS.—In this section, the term "Electric Reliability Organization" has the meaning given to such term in section 215(a) of the Federal Power Act (16 U.S.C. 824o(a)).

The CHAIR. Pursuant to House Resolution 333, the gentleman from California (Mr. McNERNEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. McNERNEY. Mr. Chairman, first, I want to commend my colleague from Kentucky on his efforts to protect consumers and ratepayers. I share that goal. However, we also need to reduce greenhouse gas emissions; and we can protect customers, consumers, and reduce greenhouse gas emissions simultaneously.

My amendment is intended as a compromise that is practical and would both protect consumers and reduce greenhouse gas emissions.

I worked in the energy industry for two decades before coming to Congress. I worked with the utilities sector, with the national laboratories, and with other stakeholders. I know these issues. I have been on the ground. So I can appreciate the need for a secure, reliable electric grid. I clearly understand the need for certainty and flexibility.

That is one of the reasons I co-founded the bipartisan Grid Innovation Caucus, to help address the pressing issues affecting our Nation's electric grid. We are focusing on hardening the grid, protecting against cyber threats, responsiveness to extreme weather events, and ensuring grid reliability and resiliency.

H.R. 2042 will stop the EPA's proposed clean power plan and proposed ozone standard from taking effect. This would sharply limit our Nation's ability to address climate change and the growing negative consequences it has on public health and our economy.

To address this, my amendment will make two changes:

First, it strikes section 2 of the bill, which prevents any rule from taking place until all litigation is complete. That provision would add considerable uncertainty to the entire process and introduce a significant precedent into the Federal rulemaking process. If a delay is appropriate, let's introduce a simple delay.

Second, my amendment replaces the ability of States to opt out of the plan with the requirement that the State public utility commissions or public service commissions, as well as the appropriate electric reliability organization, issue reliability analyses on any State or Federal plan. In this bill's cur-

rent form, allowing States to opt out of the Federal law would create a significant barrier to Federal authority.

The analysis that my amendment calls for must include effects on regional electric reliability and resource adequacy, operation of wholesale electric markets, transmission and distribution infrastructure, and projected electricity demands.

Federal agencies have varied expertise and missions and not all are equipped to properly assess potential impacts that a rule may have on a particular industry. Consequently, we need collaboration at all levels.

In a letter to the EPA earlier this year, FERC stated that working together with the EPA, ISOs, RTOs, and the States will be essential as plans are developed. FERC wrote that, "its rate jurisdiction, at times, has effects on reliability issues. But, reliability also depends on factors beyond the Commission's jurisdiction, such as State authority over local distribution and integrated resource planning."

So I think it is an overstatement to claim that the clean power plan or the ozone standard would be the sole cause of impacts on rates or reliability.

My amendment mirrors FERC's comments and ensures that an independent analysis is conducted by experts who deal with the grid on a daily basis because the EPA is not an expert on grid reliability.

If we want to add safeguards to add transparency and accountability, we need to ensure that States and regions have their voices heard. A practical way to accomplish that is by having the PUC and ISO submit a reliability report to the EPA.

Grid reliability is a bipartisan issue. If my amendment is adopted, it will help move the ball forward on this important issue. If not, H.R. 2042 will just be another messaging bill that the President will almost certainly veto. I urge my colleagues to adopt this amendment.

I reserve the balance of my time.

Mr. WHITFIELD. Mr. Chairman, I claim the time in opposition to the amendment.

The CHAIR. The gentleman from Kentucky is recognized for 5 minutes.

Mr. WHITFIELD. Once again, I would like to thank Mr. McNERNEY for this amendment. I have certainly enjoyed working with him on our committee. He certainly understands energy.

I must say that I have to respectfully disagree with him on this amendment. His amendment would basically strike the substantive part of our bill. As I have said in the beginning, this proposed regulation is so far outside the bounds of anything EPA has ever attempted before because these plants are already regulated under section 112. It specifically states if they are regulated there, they can't be regulated under 111(d).

So we are trying to respond to the States. EPA, we expect, is going to give them 13 months to comply. There have been many lawsuits already filed. There are going to be more lawsuits filed.

Because it is so costly, so complex, and they are under such time constraints, we simply want to delay the State implementation plans until after the courts have made a decision.

Also, his amendment would eliminate the Governor's finding of a significantly adverse impact on electricity rates and reliability and simply say that they have got to come up with this State implementation plan by working with utility commissioners and NERC, which they will be doing anyway. So if our bill is vetoed, that is where they are going to be anyway.

So I would respectfully oppose this amendment as certainly defeating what we are trying to do. With great respect to Mr. McNERNEY, I would oppose the amendment.

I yield back the balance of my time.

Mr. McNERNEY. Mr. Chairman, I certainly appreciate the chairman's thoughtful remarks and his concern about the effects of the clean power plan.

My recommendation is that, if a delay is required, let's just introduce a specific delay, 1 year or 2 years. Introducing a bill that requires all the judicial matters to be settled before a plan can come into effect is just too vague. It doesn't make sense. I think it will do a lot more damage.

What we are asking for is that the States and the local authorities produce a reliability plan so that they will understand the effects of the clean power plan. It is really a compromise position. If we want to move forward, then, let's adopt a compromise. If we want to make a message bill, let's move forward with the existing plan.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from California (Mr. McNERNEY).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. McNERNEY. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. NEWHOUSE

The CHAIR. It is now in order to consider amendment No. 5 printed in House Report 114-177.

Mr. NEWHOUSE. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following new section:

#### SEC. 4. TREATMENT OF HYDROPOWER AS RENEWABLE ENERGY.

In issuing, implementing, and enforcing any final rule described in section 2(b), the Administrator of the Environmental Protection Agency shall treat hydropower as renewable energy.

The CHAIR. Pursuant to House Resolution 333, the gentleman from Washington (Mr. NEWHOUSE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. NEWHOUSE. Mr. Chairman, I would like to thank the good gentleman from Kentucky for his work on this bill.

I rise today in support of my amendment to H.R. 2042, the Raterpayer Protection Act of 2015, and urge my colleagues to support its adoption.

This amendment, which I am proud to introduce with my friend and colleague from the State of Washington, Congresswoman JAIME HERRERA BEUTLER, would very simply direct the Environmental Protection Agency to consider hydropower as a renewable energy source when issuing, implementing, and enforcing any final rule regarding carbon dioxide emissions from existing power plants under the Clean Air Act.

EPA's misguided proposed clean power plan, which the Agency announced in June of 2014, attempts to regulate and reduce the amount of carbon emitted from the power sector by setting emission guidelines for each individual State. Under the proposed rule, my home State of Washington would be responsible for an unattainable 72 percent reduction in its carbon emissions by the year 2030.

To put this into context, the State of Iowa would be required to reduce carbon emissions by 16 percent, the State of Kentucky by 18 percent, and the State of North Dakota by 11 percent. I believe the proposed clean power plan would have devastating consequences for each and every State, as well as for the country at large, which is why I am proud to cosponsor and support H.R. 2042.

Mr. Chairman, the requirements placed on Washington by this misguided rule are simply unachievable. It will hurt our families and our small businesses by raising the cost of electricity, and it will cost our economy billions of dollars just to comply.

My amendment would seek to provide a reality check to EPA and highlight the effect this regulation would have on such States as Washington, Oregon, Idaho, and South Dakota, which are blessed with abundant sources of hydropower, a nonemitting energy source. However, under the EPA's plan, hydropower is not treated as a renewable energy source, despite the fact that the Obama administration has recently been touting the potential of hydropower as part of its all-the-above energy strategy.

In fact, Mr. Chair, last April, Secretary Moniz discussed the importance of hydropower and described it as a renewable in an address to the National Hydropower Association. In his remarks, the Secretary stated: "We have to pick up the covers off of this hidden renewable that is right in front of our eyes and continues to have significant potential."

Yet, despite this public praise for hydropower and recognition of it as a renewable, the EPA decided to push a plan that explicitly neglects hydropower as a renewable in favor of other sources, such as wind and solar.

□ 1615

Additionally, the EPA's plan uses the year 2012 as its baseline for each State's carbon reduction goals, and this will also negatively impact my home State and others in the Northwest.

In 2012, Oregon and Washington experienced unusually high levels of rainfall, unfortunately, unlike this year, which led to a sharp increase in hydropower production; and, therefore, we used less energy from fossil fuel sources.

As a result, the proposed rule seriously underestimates the average amount of carbon used by my State in its power production which, in reality, is much higher than the EPA 2012 baseline. Because hydropower is not viewed as a renewable, we will have to utilize impractical amounts of other renewable energy sources, such as wind and solar, to meet the EPA's goals.

Mr. Chair, the effects of this decision in States with large amounts of existing hydroelectric power, such as mine, Oregon, South Dakota, and Idaho, are significantly disadvantaged under the rule and will not get credit for their existing hydroelectric generation and infrastructure.

However, my amendment would address this issue by directing EPA to simply recognize hydropower as a renewable energy source. This would in no way restrict the goals of H.R. 2042, which I fully support, nor would it negatively affect other nonhydropower States. It just highlights the misguided rule put forth by the Agency.

Mr. Chair, I urge my colleagues to support the Newhouse-Herrera Beutler amendment and the underlying bill, and I urge the amendment's adoption.

I yield back the balance of my time.

Mr. PALLONE. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. PALLONE. Mr. Chairman, the Newhouse amendment seeks to legislatively adjust an element of the EPA's clean power plan, but the amendment does nothing to fix the problems in the rest of the bill, which was actually designed to cripple the EPA's ability to curb emissions from power plants and

allows Governors to thumb their noses at the Clean Air Act.

The Newhouse amendment would make more sense if it were a comment submitted to the EPA on the proposed rule, rather than being attached to legislation that would gut the clean power plan altogether.

In fact, the EPA is actively considering this issue already. The proposed clean power plan would have allowed new and incremental hydropower to count towards compliance with the rule, but it did not consider existing hydropower in either goal setting or for compliance.

EPA received many comments on including hydropower in setting the clean power plan's goals and treating hydropower as an eligible measure to lower CO<sub>2</sub> emissions.

EPA has engaged in outreach to numerous stakeholders about hydropower, renewable energy, and other low- and zero-emitting sources of power to better understand issues raised in their comments; and it is giving careful consideration to all comments received.

There are varying views on this topic, and it should be left, in my opinion, to the rulemaking process to sort out the best approach.

Since EPA is actively considering the comments received on hydropower, the amendment is not necessary, and in fact, it could be counterproductive. Ultimately, approval of the Newhouse amendment would do nothing to change the fundamental flaws of the underlying bill. I urge my colleagues to vote against the amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. NEWHOUSE).

The amendment was agreed to.

ANNOUNCEMENT BY THE CHAIR

The CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 114-177 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. PALLONE of New Jersey.

Amendment No. 2 by Mr. RUSH of Illinois.

Amendment No. 4 by Mr. MCNERNEY of California.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. PALLONE

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. PALLONE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 181, noes 245, not voting 7, as follows:

[Roll No. 381]

## AYES—181

Adams Fudge Moulton  
Aguilar Gabbard Murphy (FL)  
Ashford Gallego Nadler  
Bass Garamendi Neal  
Beatty Gibson Nolan  
Becerra Graham Norcross  
Bera Grayson O'Rourke  
Beyer Green, Al Pallone  
Blumenauer Green, Gene Pascarell  
Bonamici Grijalva Perlmutter  
Boyle, Brendan Gutiérrez Peters  
F. Hahn Pingree  
Brady (PA) Hastings Pocan  
Brown (FL) Heck (WA) Polis  
Brownley (CA) Higgins Price (NC)  
Bustos Himes Quigley  
Butterfield Hinojosa Rangel  
Capps Honda Rice (NY)  
Capuano Hoyer Richmond  
Cárdenas Huffman Roybal-Allard  
Carney Israel Ruiz  
Carson (IN) Jackson Lee Ruppersberger  
Cartwright Jeffries Rush  
Castor (FL) Johnson (GA) Ryan (OH)  
Castro (TX) Johnson, E. B. Sánchez, Linda  
Chu, Judy Kaptur T.  
Cicilline Keating Sanchez, Loretta  
Clark (MA) Kelly (IL) Schakowsky  
Clarke (NY) Kennedy Schiff  
Clay Kildee Schrader  
Cleaver Kilmer Scott (VA)  
Cohen Kind Scott, David  
Connolly Kirkpatrick Serrano  
Conyers Kuster Sherman  
Cooper Langevin Sinema  
Costa Larsen (WA) Sires  
Courtney Larson (CT) Slaught  
Crowley Lawrence Titus  
Cummings Lee Tonko  
Davis (CA) Levin Torres  
Davis, Danny Lewis Tsongas  
DeFazio Lieu, Ted Van Hollen  
DeGette Lipinski Varg  
Delaney Loeb sack Vearse  
DeLauro Lofgren Vela  
DelBene Lowenthal Velázquez  
DeSaulnier Lowey Visclosky  
Deutch Lujan Grisham Walz  
Dingell (NM) Watson Coleman  
Doggett Luján, Ben Ray Welch  
Dold (NM) Wilson (FL)  
Doyle, Michael Lynch Yarmuth  
F. Malone  
Duckworth Carolyn  
Edwards Maloney, Sean  
Ellison Matsui  
Engel McCollum  
Eshoo McDermott  
Esty McGovern  
Farr McNeerney  
Fattah Meeks  
Foster Meng  
Frankel (FL) Moore

## NOES—245

Abraham Boustany Cole  
Aderholt Brady (TX) Collins (GA)  
Allen Brat Collins (NY)  
Amash Bridenstine Comstock  
Amodei Brooks (AL) Conaway  
Babin Brooks (IN) Cook  
Barletta Buchanan Costello (PA)  
Barr Buck Cramer  
Barton Bucshon Crawford  
Benishkek Burgess Crenshaw  
Bilirakis Byrne Cuellar  
Bishop (GA) Calvert Culberson  
Bishop (MI) Carter (GA) Curbelo (FL)  
Bishop (UT) Carter (TX) Davis, Rodney  
Black Chabot Denham  
Blackburn Chaffetz Dent  
Blum Clawson (FL) DeSantis  
Bost Coffman DesJarlais

Diaz-Balart Knight  
Donovan Labrador Rogers (AL)  
Duffy LaMalfa Rogers (KY)  
Duncan (SC) Lamborn Rohrabacher  
Duncan (TN) Lance Rokita  
Ellmers (NC) Latta Rooney (FL)  
Emmer (MN) LoBiondo Ros-Lehtinen  
Farenthold Long Ross  
Fincher Loudermilk Rothfus  
Fitzpatrick Love Rouzer  
Fleischmann Lucas Royce  
Fleming Luetkemeyer Russell  
Flores Lummis Ryan (WI)  
Forbes MacArthur Salmon  
Fortenberry Marchant Sanford  
Foxy Marino Scalise  
Franks (AZ) Massie Schweikert  
Frelinghuysen McCarthy Scott, Austin  
Garrett McCaul Sensenbrenner  
Gibbs McClintock Sessions  
Gohmert McHenry Sewell (AL)  
Goodlatte McKinley Shimkus  
Gosar McMorris Shuster  
Gowdy Rodgers Simpson  
Granger McSally Smith (MO)  
Graves (GA) Meadows Smith (NE)  
Graves (LA) Meehan Smith (NJ)  
Graves (MO) Messer Smith (TX)  
Griffith Mica Stefanik  
Grothman Miller (FL) Stewart  
Guinta Miller (MI) Stivers  
Guthrie Moolenaar Stutzman  
Hardy Mooney (WV) Thompson (PA)  
Harper Mullin Thornberry  
Harris Mulvaney Tiberi  
Hartzler Murphy (PA) Tipton  
Heck (NV) Neugebauer Trott  
Hensarling Newhouse Turner  
Herrera Beutler Noem Upton  
Hice, Jody B. Nugent Valadao  
Hill Nunes Wagner  
Holding Olson Walberg  
Hudson Palazzo Walden  
Huelskamp Palmer Walker  
Huiizenga (MI) Paulsen Walorski  
Hultgren Pearce Walters, Mimi  
Hunter Perry Weber (TX)  
Hurd (TX) Peterson Webster (FL)  
Hurt (VA) Pittenger Wenstrup  
Issa Pitts Westerman  
Jenkins (KS) Poe (TX) Westmoreland  
Jenkins (WV) Poliquin Whitfield  
Johnson (OH) Pompeo Williams  
Johnson, Sam Posey Wilson (SC)  
Jolly Wittman Wittman  
Jones Ratcliffe Womack  
Jordan Reed Woodall  
Joyce Reichert Yoder  
Katko Renacci Yoho  
Kelly (PA) Ribble Young (AK)  
King (IA) Rice (SC) Young (IA)  
King (NY) Rigell Young (IN)  
Kinzinger (IL) Roby Zeldin  
Kline Roe (TN) Zinke

## NOT VOTING—7

Clyburn Napolitano Sarbanes  
Hanna Payne  
Kelly (MS) Pelosi

□ 1649

Mrs. WALORSKI, Messrs. MULLIN, WALKER, BARLETTA, RYAN of Wisconsin, POE of Texas, CHAFFETZ, HUELSKAMP, Mes. GRANGER and SEWELL of Alabama changed their vote from “aye” to “no.”

Ms. EDDIE BERNICE JOHNSON of Texas, Messrs. CROWLEY, HUFFMAN, Mesdames LAWRENCE and TORRES changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mrs. NAPOLITANO. Mr. Chair, on Wednesday, June 24th, 2015, I was absent during roll-call vote No. 381. Had I been present, I would have voted “aye” on agreeing to the Pallone Amendment.

## AMENDMENT NO. 2 OFFERED BY MR. RUSH

The Acting CHAIR (Mr. HOLDING). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Illinois (Mr. RUSH) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 182, noes 243, not voting 8, as follows:

[Roll No. 382]

## AYES—182

Adams Gabbard Moore  
Ashford Gallego Moulton  
Bass Garamendi Murphy (FL)  
Beatty Gibson Nadler  
Becerra Graham Neal  
Bera Grayson Nolan  
Beyer Green, Al Norcross  
Blumenauer Green, Gene O'Rourke  
Bonamici Griffith Pallone  
Boyle, Brendan Grijalva Pascarell  
F. Gutiérrez Perlmutter  
Brady (PA) Hahn Peters  
Brown (FL) Hastings Pingree  
Brownley (CA) Heck (WA) Pocan  
Bustos Higgins Polis  
Butterfield Himes Price (NC)  
Capps Hinojosa Quigley  
Capuano Honda Rangel  
Cárdenas Hoyer Rice (NY)  
Cárdenas Huffman Richmond  
Carney Israel Roybal-Allard  
Carson (IN) Jackson Lee Ruiz  
Cartwright Jeffries Ruppersberger  
Castor (FL) Johnson (GA) Rush  
Castro (TX) Johnson, E. B. Ryan (OH)  
Chu, Judy Kaptur Sánchez, Linda  
Cicilline Keating T.  
Clark (MA) Kelly (IL) Sanchez, Loretta  
Clarke (NY) Kennedy Schakowsky  
Clay Kildee Schiff  
Cleaver Kilmer Schrader  
Cohen Kind Scott (VA)  
Connolly King (NY) Scott, David  
Conyers Kirkpatrick Serrano  
Cooper Kuster Sherman  
Costa Langevin Sinema  
Courtney Larsen (WA) Sires  
Crowley Lawrence Slaught  
Cummings Lee Smith (WA)  
Davis (CA) Levin Speier  
Davis, Danny Lewis Swalwell (CA)  
DeFazio Lieu, Ted Takai  
DeGette Lipinski Takano  
Delaney LoBiondo Thompson (CA)  
DeLauro Loeb sack Thompson (MS)  
DelBene Lofgren Titus  
DeSaulnier Lowenthal Tonko  
Deutch Lowey Torres  
Dingell Lujan Grisham Tsongas  
Doggett (NM) Van Hollen  
Dold Luján, Ben Ray Varg  
Doyle, Michael (NM) Veasey  
F. Lynch Vela  
Duckworth Maloney, Velázquez  
Edwards Carolyn Visclosky  
Ellison Maloney, Sean Walz  
Engel Matsui Wasserman  
Eshoo McCollum Schultz  
Esty McDermott Waters, Maxine  
Farr McGovern Watson Coleman  
Fattah McNeerney Welch  
Foster Meeks Wilson (FL)  
Frankel (FL) Meng Yarmuth  
Fudge

## NOES—243

Abraham	Graves (MO)	Pittenger
Aderholt	Grothman	Pitts
Aguilar	Guinta	Poe (TX)
Allen	Guthrie	Poliquin
Amash	Hardy	Pompeo
Amodei	Harper	Posey
Babin	Harris	Price, Tom
Barletta	Hartzler	Ratcliffe
Barr	Heck (NV)	Reed
Barton	Hensarling	Reichert
Benishek	Herrera Beutler	Renacci
Bilirakis	Hice, Jody B.	Ribble
Bishop (GA)	Hill	Rice (SC)
Bishop (MI)	Holding	Rigell
Bishop (UT)	Hudson	Roby
Black	Huelskamp	Roe (TN)
Blackburn	Huizenga (MI)	Rogers (AL)
Blum	Hultgren	Rogers (KY)
Bost	Hunter	Rohrabacher
Boustany	Hurd (TX)	Rokita
Brady (TX)	Hurt (VA)	Rooney (FL)
Brat	Issa	Ros-Lehtinen
Bridenstine	Jenkins (KS)	Roskam
Brooks (AL)	Jenkins (WV)	Ross
Brooks (IN)	Johnson (OH)	Rothfus
Buchanan	Johnson, Sam	Rouzer
Buck	Jolly	Royce
Bucshon	Jones	Russell
Burgess	Jordan	Ryan (WI)
Byrne	Joyce	Salmon
Calvert	Katko	Sanford
Carter (GA)	Kelly (PA)	Scalise
Carter (TX)	King (IA)	Schweikert
Chabot	Kinzinger (IL)	Scott, Austin
Chaffetz	Kline	Sensenbrenner
Clawson (FL)	Knight	Sessions
Coffman	Labrador	Sewell (AL)
Cole	LaMalfa	Shimkus
Collins (GA)	Lamborn	Shuster
Collins (NY)	Lance	Simpson
Comstock	Latta	Smith (MO)
Conaway	Long	Smith (NE)
Cook	Loudermilk	Smith (NJ)
Costello (PA)	Love	Smith (TX)
Cramer	Lucas	Stefanik
Crawford	Luetkemeyer	Stewart
Crenshaw	Lummis	Stivers
Cuellar	MacArthur	Stutzman
Culberson	Marchant	Thompson (PA)
Curbelo (FL)	Marino	Thornberry
Davis, Rodney	Massie	Tiberi
Denham	McCarthy	Tipton
Dent	McCaul	Trott
DeSantis	McClintock	Turner
DesJarlais	McHenry	Upton
Diaz-Balart	McKinley	Valadao
Donovan	McMorris	Wagner
Duffy	Rodgers	Walberg
Duncan (SC)	McSally	Walden
Duncan (TN)	Meadows	Walker
Ellmers (NC)	Meehan	Walorski
Emmer (MN)	Messer	Walters, Mimi
Farenthold	Mica	Weber (TX)
Fincher	Miller (FL)	Webster (FL)
Fitzpatrick	Miller (MI)	Wenstrup
Fleischmann	Moolenaar	Westerman
Fleming	Mooney (WV)	Westmoreland
Flores	Mullin	Whitfield
Forbes	Mulvaney	Williams
Fortenberry	Murphy (PA)	Wilson (SC)
Fox	Neugebauer	Wittman
Franks (AZ)	Newhouse	Nugent
Frelinghuysen	Noem	Rothfus
Garrett	Nunes	Rouzer
Gibbs	Nunes	Royce
Gohmert	Olson	Russell
Goodlatte	Palazzo	Ryan (WI)
Gosar	Palmer	Salmon
Gowdy	Paulsen	Sanford
Granger	Pearce	Scalise
Graves (GA)	Perry	Schweikert
Graves (LA)	Peterson	Scott, Austin

## NOT VOTING—8

Clyburn	Larson (CT)	Pelosi
Hanna	Napolitano	Sarbanes
Kelly (MS)	Payne	

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

## □ 1655

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mrs. NAPOLITANO. Mr. Chair, on Wednesday, June 24th, 2015, I was absent during rollcall vote No. 382. Had I been present, I would have voted “aye” on agreeing to the Rush of Illinois Amendment #2.

Mr. LARSON of Connecticut. Mr. Chair, on June 24, 2015—I was not present for rollcall vote 382. If I had been present for this vote, I would have voted: “yay” on rollcall vote 382.

Stated against:

Mr. GRIFFITH. Mr. Chair, on rollcall No. 382 I inadvertently voted “yes”, when I wanted to vote “no.”

## AMENDMENT NO. 4 OFFERED BY MR. MCNERNEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. MCNERNEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 177, noes 250, not voting 6, as follows:

[Roll No. 383]

## AYES—177

Adams	DeGette	Johnson, E. B.
Aguilar	Delaney	Kaptur
Bass	DeLauro	Keating
Beatty	DeBene	Kelly (IL)
Becerra	DeSaulnier	Kennedy
Bera	Deutch	Kildee
Beyer	Dingell	Kilmer
Blumenauer	Doggett	Kind
Bonamici	Doyle, Michael	Kirkpatrick
Boyle, Brendan	F.	Kuster
F.	Duckworth	Langevin
Brady (PA)	Edwards	Larsen (WA)
Brown (FL)	Ellison	Larson (CT)
Brownley (CA)	Eshoo	Lawrence
Bustos	Esty	Lee
Butterfield	Farr	Levin
Capps	Fattah	Lewis
Capuano	Foster	Lieu, Ted
Cárdenas	Frankel (FL)	Lipinski
Cárney	Fudge	Loeb
Carson (IN)	Gabbard	Lofgren
Cartwright	Gallego	Lowenthal
Castor (FL)	Garamendi	Lowey
Castro (TX)	Graham	Lujan Grisham
Chu, Judy	Grayson	(NM)
Cicilline	Green, Al	Luján, Ben Ray
Clark (MA)	Green, Gene	(NM)
Clarke (NY)	Gutiérrez	Lynch
Clay	Hahn	Maloney,
Cleaver	Hastings	Carolyn
Cohen	Heck (WA)	Maloney, Sean
Connolly	Higgins	Matsui
Conyers	Himes	McCollum
Cooper	Hinojosa	McDermott
Costa	Honda	McGovern
Courtney	Hoyer	McNerney
Crowley	Huffman	Meeks
Cummings	Israel	Meng
Davis (CA)	Jackson Lee	Moore
Davis, Danny	Jeffries	Moulton
DeFazio	Johnson (GA)	Murphy (FL)

Nadler	Rush	Thompson (MS)
Neal	Ryan (OH)	Titus
Nolan	Sánchez, Linda	Tonko
Norcross	T.	Torres
O'Rourke	Sanchez, Loretta	Tsongas
Pallone	Schakowsky	Van Hollen
Pascrell	Schiff	Vargas
Pelosi	Schrader	Veasey
Perlmutter	Scott (VA)	Vela
Peters	Scott, David	Velázquez
Pingree	Serrano	Visclosky
Pocan	Sherman	Walz
Polis	Sinema	Wasserman
Price (NC)	Sires	Schultz
Quigley	Slaughter	Waters, Maxine
Rangel	Smith (WA)	Watson Coleman
Rice (NY)	Speier	Welch
Richmond	Swalwell (CA)	Wilson (FL)
Roybal-Allard	Takai	Yarmuth
Ruiz	Takano	
Ruppersberger	Thompson (CA)	

## NOES—250

Abraham	Fox	McKinley
Aderholt	Franks (AZ)	McMorris
Allen	Frelinghuysen	Rodgers
Amash	Garrett	McSally
Amodei	Gibbs	Meadows
Ashford	Gibson	Meehan
Babin	Gohmert	Messer
Barletta	Goodlatte	Mica
Barr	Gosar	Miller (FL)
Barton	Gowdy	Miller (MI)
Benishek	Granger	Moolenaar
Bilirakis	Graves (GA)	Mooney (WV)
Bishop (GA)	Graves (LA)	Mullin
Bishop (MI)	Graves (MO)	Mulvaney
Bishop (UT)	Griffith	Murphy (PA)
Black	Grijalva	Neugebauer
Blackburn	Grothman	Newhouse
Blum	Guinta	Noem
Bost	Guthrie	Nugent
Boustany	Hardy	Nunes
Brady (TX)	Harper	Olson
Brat	Harris	Palazzo
Bridenstine	Hartzler	Palmer
Brooks (AL)	Heck (NV)	Paulsen
Brooks (IN)	Hensarling	Pearce
Buchanan	Herrera Beutler	Perry
Buck	Hice, Jody B.	Peterson
Bucshon	Hill	Pittenger
Burgess	Holding	Pitts
Byrne	Hudson	Poe (TX)
Calvert	Huelskamp	Poliquin
Carter (GA)	Huizenga (MI)	Pompeo
Carter (TX)	Hultgren	Posey
Chabot	Hunter	Price, Tom
Chaffetz	Hurd (TX)	Ratcliffe
Clawson (FL)	Hurt (VA)	Reed
Coffman	Issa	Reichert
Cole	Jenkins (KS)	Renacci
Collins (GA)	Jenkins (WV)	Ribble
Collins (NY)	Johnson (OH)	Rice (SC)
Comstock	Johnson, Sam	Rigell
Conaway	Jolly	Roby
Cook	Jones	Roe (TN)
Costello (PA)	Jordan	Rogers (AL)
Cramer	Joyce	Rogers (KY)
Crawford	Katko	Rohrabacher
Crenshaw	Kelly (PA)	Rokita
Cuellar	King (IA)	Rooney (FL)
Culberson	King (NY)	Ros-Lehtinen
Curbelo (FL)	Kinzinger (IL)	Roskam
Davis, Rodney	Kline	Ross
Denham	Knight	Rothfus
Dent	Labrador	Rouzer
DeSantis	LaMalfa	Royce
DesJarlais	Lamborn	Russell
Diaz-Balart	Lance	Ryan (WI)
Dold	Latta	Salmon
Donovan	LoBiondo	Sanford
Duffy	Long	Scalise
Duncan (SC)	Loudermilk	Schweikert
Duncan (TN)	Love	Scott, Austin
Ellmers (NC)	Lucas	Sensenbrenner
Emmer (MN)	Luetkemeyer	Sessions
Engel	Lummis	Sewell (AL)
Farenthold	MacArthur	Shimkus
Fincher	Marchant	Shuster
Fleischmann	Marino	Simpson
Fleming	Massie	Smith (MO)
Flores	McCarthy	Smith (NE)
Forbes	McCaul	Smith (NJ)
Fortenberry	McClintock	Smith (TX)
	McHenry	Stefanik



Stewart	Walberg	Wilson (SC)
Stivers	Walden	Wittman
Stutzman	Walker	Womack
Thompson (PA)	Walorski	Woodall
Thornberry	Walters, Mimi	Yoder
Tiberi	Weber (TX)	Yoho
Tipton	Webster (FL)	Young (AK)
Trott	Wenstrup	Young (IA)
Turner	Westerman	Young (IN)
Upton	Westmoreland	Zeldin
Valadao	Whitfield	Zinke
Wagner	Williams	

## NOT VOTING—6

Clyburn	Kelly (MS)	Payne
Hanna	Napolitano	Sarbanes

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1701

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mrs. NAPOLITANO. Mr. Speaker, on Wednesday, June 24th, 2015, I was absent during rollcall vote No. 383. Had I been present, I would have voted "aye" on agreeing to the McNerney of California Amendment No. 4.

The Acting CHAIR. The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HULTGREN) having assumed the chair, Mr. HOLDING, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 4042) to allow for judicial review of any final rule addressing carbon dioxide emissions from existing fossil fuel-fired electric utility generating units before requiring compliance with such rule, and to allow States to protect households and businesses from significant adverse effects on electricity ratepayers or reliability, and, pursuant to House Resolution 333, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

(By unanimous consent, Mrs. ROBY was allowed to speak out of order.)

## SEVENTH ANNUAL CONGRESSIONAL WOMEN'S SOFTBALL GAME

Mrs. ROBY. Mr. Speaker, I rise with my colleagues this afternoon to remind all that today is a very special day. Today is the Seventh Annual Congressional Women's Softball Game that we play for the Young Survival Coalition. Each of us is playing either in memory of or in honor of a survivor.

No one in this room is untouched by cancer, so I would just encourage all of my colleagues to join us tonight. The first pitch is at 7 o'clock at the Watkins Recreation Center.

Members can bring all of their staffs and their interns and their friends and their families. It will be a great event.

Beat cancer, and beat the press.

Mr. Speaker, I yield to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Speaker and my colleagues, we are really so gratified to have been able to have spent the last 3 months practicing every morning at 7 a.m.

Our team—I just keep repeating that over and over, and maybe it will come true—is bipartisan. It is an opportunity every year for us to come together and bridge the divide around a cause that is so meaningful and important for so many women all across America.

I thank all of you every year for your support and for the turnout and for the love and affection that we have for one another in that we are able to put aside our differences. As a breast cancer survivor myself—diagnosed at 41—I just can't thank my colleagues enough for their time.

I will close by saying that the Member team is the defending champion; and, tonight, we will keep the trophy. Go, Members. Beat the press. Beat cancer.

Please join us at 420 12th Street Southeast, at the Watkins Recreation Center. The first pitch is at 7 p.m. It is a great game. Come by. Eat hot dogs. Cheer us on.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

## RECORDED VOTE

Mr. WHITFIELD. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Without objection, this will be a 5-minute vote. There was no objection.

The vote was taken by electronic device, and there were—ayes 247, noes 180, not voting 6, as follows:

[Roll No. 384]

AYES—247

Abraham	Benishek	Brady (TX)
Aderholt	Billirakis	Brat
Allen	Bishop (GA)	Bridenstine
Amash	Bishop (MI)	Brooks (AL)
Amodei	Bishop (UT)	Brooks (IN)
Ashford	Black	Buchanan
Babin	Blackburn	Buck
Barletta	Blum	Bucshon
Barr	Bost	Burgess
Barton	Boustany	Byrne

Calvert	Hurt (VA)	Reichert
Carson (IN)	Issa	Renacci
Carter (GA)	Jenkins (KS)	Ribble
Carter (TX)	Jenkins (WV)	Rice (SC)
Chabot	Johnson (OH)	Rigell
Chaffetz	Johnson, Sam	Roby
Clawson (FL)	Jolly	Roe (TN)
Coffman	Jones	Rogers (AL)
Cole	Jordan	Rogers (KY)
Collins (GA)	Joyce	Rohrabacher
Collins (NY)	Katko	Rokita
Comstock	Kelly (PA)	Rooney (FL)
Conaway	King (IA)	Ros-Lehtinen
Cook	King (NY)	Roskam
Costello (PA)	Kinzing (IL)	Ross
Cramer	Kirkpatrick	Rothfus
Crawford	Kline	Rouzer
Crenshaw	Knight	Royce
Cuellar	Labrador	Russell
Culberson	LaMalfa	Ryan (WI)
Davis, Rodney	Lamborn	Salmon
Denham	Lance	Sanford
Dent	Latta	Scalise
DeSantis	Long	Schweikert
DesJarlais	Loudermilk	Scott, Austin
Diaz-Balart	Love	Sensenbrenner
Donovan	Lucas	Sessions
Duffy	Luetkemeyer	Sewell (AL)
Duncan (SC)	Lummis	Shimkus
Duncan (TN)	MacArthur	Shuster
Ellmers (NC)	Marchant	Simpson
Emmer (MN)	Marino	Sinema
Farenthold	Massie	Smith (MO)
Fincher	McCarthy	Smith (NE)
Fitzpatrick	McCaul	Smith (NJ)
Fleischmann	McClintock	Smith (TX)
Fleming	McHenry	Stefanik
Flores	McKinley	Stewart
Forbes	McMorris	Stivers
Fortenberry	Rodgers	Stutzman
Fox	McSally	Thompson (PA)
Franks (AZ)	Meadows	Thornberry
Frelinghuysen	Meehan	Tiberi
Garrett	Messer	Tipton
Gibbs	Mica	Trott
Gohmert	Miller (FL)	Turner
Goodlatte	Miller (MI)	Upton
Gosar	Moolenaar	Valadao
Gowdy	Mooney (WV)	Wagner
Granger	Mullin	Walberg
Graves (GA)	Mulvaney	Walden
Graves (LA)	Murphy (PA)	Walker
Graves (MO)	Neugebauer	Walorski
Griffith	Newhouse	Walters, Mimi
Grothman	Noem	Weber (TX)
Guinta	Nugent	Webster (FL)
Guthrie	Nunes	Wenstrup
Hardy	Olson	Westerman
Harper	Palazzo	Westmoreland
Harris	Palmer	Whitfield
Hartzler	Paulsen	Williams
Heck (NV)	Pearce	Wilson (SC)
Hensarling	Perry	Wittman
Herrera Beutler	Peterson	Womack
Hice, Jody B.	Pittenger	Woodall
Hill	Pitts	Yoder
Holding	Poe (TX)	Yoho
Hudson	Poliquin	Young (AK)
Huelskamp	Pompeo	Young (IA)
Huizenga (MI)	Posey	Young (IN)
Hultgren	Price, Tom	Zeldin
Hunter	Ratchliffe	Zinke
Hurd (TX)	Reed	

## NOES—180

Adams	Cartwright	DeFazio
Aguilar	Castor (FL)	DeGette
Bass	Castro (TX)	Delaney
Beatty	Chu, Judy	DeLauro
Becerra	Cicilline	DeBene
Bera	Clark (MA)	DeSaulnier
Beyer	Clarke (NY)	Deutch
Blumenauer	Clay	Dingell
Bonamici	Cleaver	Doggett
Boyle, Brendan	Cohen	Dold
F.	Connolly	Doyle, Michael
Brady (PA)	Conyers	F.
Brown (FL)	Cooper	Duckworth
Brownley (CA)	Costa	Edwards
Bustos	Courtney	Ellison
Butterfield	Crowley	Engel
Capps	Cummings	Eshoo
Capuano	Curbelo (FL)	Esty
Cardenas	Davis (CA)	Farr
Carney	Davis, Danny	Fattah

Foster	Lipinski	Ruiz
Frankel (FL)	LoBiondo	Ruppersberger
Fudge	Loeb sack	Rush
Gabbard	Lofgren	Ryan (OH)
Galleo	Lowenthal	Sanchez, Linda
Garamendi	Lowe y	T.
Gibson	Lujan Grisham	Sanchez, Loretta
Graham	(NM)	Schakowsky
Grayson	Lujan, Ben Ray	Schiff
Green, Al	(NM)	Schrader
Green, Gene	Lynch	Scott (VA)
Grijalva	Maloney,	Scott, David
Gutiérrez	Carolyn	Serrano
Hahn	Maloney, Sean	Sherman
Hastings	Matsui	Sires
Heck (WA)	McCollum	Slaughter
Higgins	McDermott	Smith (WA)
Himes	McGovern	Speier
Hinojosa	McNerney	Swalwell (CA)
Honda	Meeks	Takai
Hoyer	Meng	Takano
Huffman	Moore	Thompson (CA)
Israel	Moulton	Thompson (MS)
Jackson Lee	Murphy (FL)	Titus
Jeffries	Nadler	Tonko
Johnson (GA)	Neal	Torres
Johnson, E. B.	Nolan	Tsongas
Kaptur	Norcross	Van Hollen
Keating	O'Rourke	Vargas
Kelly (IL)	Pallone	Veasey
Kennedy	Pascarell	Vela
Kildee	Pelosi	Velázquez
Kilmer	Perlmutter	Visclosky
Kind	Peters	Walz
Kuster	Pingree	Wasserman
Langevin	Pocan	Schultz
Larsen (WA)	Polis	Waters, Maxine
Larson (CT)	Price (NC)	Watson Coleman
Lawrence	Quigley	Welch
Lee	Rangel	Wilson (FL)
Levin	Rice (NY)	Yarmuth
Lewis	Richmond	
Lieu, Ted	Roybal-Allard	

## NOT VOTING—6

Clyburn	Kelly (MS)	Payne
Hanna	Napolitano	Sarbanes

□ 1719

Ms. HERRERA BEUTLER changed her vote from “no” to “aye.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HANNA. Mr. Speaker, on rollcall No. 384 on H.R. 2042, I am not recorded because I was absent for personal reasons. Had I been present, I would have voted “aye.”

Stated against:

Mrs. NAPOLITANO. Mr. Speaker, on Wednesday, June 24th, 2015, I was absent during rollcall vote No. 384. Had I been present, I would have voted “no” on passage of H.R. 2042, the Raterpayer Protection Act of 2015.

## MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate concurs in the House amendment to the Senate amendment to the bill (H.R. 2146) “An Act to amend the Internal Revenue Code of 1986 to allow Federal law enforcement officers, firefighters, and air traffic controllers to make penalty-free withdrawals from governmental plans after age 50, and for other purposes.”

The message also announced pursuant to section 4355(a) of title 10, United States Code, the Chair, on behalf of the

Vice President, appoints the following Senators to the Board of Visitors of the U.S. Military Academy:

The Senator from New York (Mrs. GILLIBRAND), designee of the Committee on Armed Services.

The Senator from Connecticut (Mr. MURPHY), designee of the Committee on Appropriations.

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 HOUR OF MEETING ON TOMORROW

Mr. PERRY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

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 NOTICE OF INTENTION TO OFFER RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. THOMPSON of Mississippi. Mr. Speaker, pursuant to the clause 2(a)(1) of rule IX, I rise to give notice of my intent to raise a question of the privileges of the House. The form of my resolution is as follows:

Whereas on December 20, 1860, South Carolina became the first State to secede from the Union;

Whereas on January 9, 1861, Mississippi seceded from the Union, stating in its “Declaration of Immediate Causes” that “[o]ur position is thoroughly identified with the institution of slavery—the greatest material interest of the world.”;

Whereas on February 9, 1861, the Confederate States of America was formed with a group of 11 States as a purported sovereign nation and with Jefferson Davis of Mississippi as its president;

Whereas on March 11, 1861, the Confederate States of America adopted its own constitution;

Whereas on April 12, 1861, the Confederate States of America fired shots upon Fort Sumter in Charleston, South Carolina, effectively beginning the Civil War;

Whereas the United States did not recognize the Confederate States of America as a sovereign nation, but rather as a rebel insurrection, and took to military battle to bring the rogue states back into the Union;

Whereas on April 9, 1865, General Robert E. Lee surrendered to General Ulysses S. Grant at Appomattox Court House in Virginia, effectively, ending the Civil War and preserving the Union;

Whereas during the Civil War, the Confederate States of America used the Navy Jack, Battle Flag, and other imagery as a symbols of the Confederate armed forces;

Whereas since the end of the Civil War, the Navy Jack, Confederate battle flag, and other imagery of the Confed-

eracy have been appropriated by groups as a symbols of hate, terror, intolerance, and as supportive of the institution of slavery;

Whereas groups such as the Ku Klux Klan and other white supremacist groups utilize Confederate imagery to frighten, terrorize, and cause harm to groups of people toward whom they have hateful intent, including African Americans, Hispanic Americans, and Jewish Americans;

Whereas many State and Federal political leaders, including United States Senators Thad Cochran and Roger Wicker, along with Mississippi House Speaker Philip Gunn and other State leaders, have spoken out and advocated for the removal of the imagery of the Confederacy on Mississippi's state flag;

Whereas many Members of Congress, including Speaker John Boehner, support the removal of the Confederate flag from the grounds of South Carolina's capitol;

Whereas Speaker John Boehner released a statement on the issue saying, “I commend Governor Nikki Haley and other South Carolina leaders in their effort to remove the Confederate flag from Statehouse grounds. In his second inaugural address 150 years ago, and a month before his assassination, President Abraham Lincoln ended his speech with these powerful words, which are as meaningful today as when they were spoken on the East Front of the Capitol on March 4, 1865: ‘With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us strive on to finish the work we are in, to bind up the nation's wounds, to care for him who shall have borne the battle and for his widow and his orphan, to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations.’”;

Whereas the House of Representatives has several State flags with imagery of the Confederacy throughout its main structures and House office buildings;

Whereas it is an uncontroverted fact that symbols of the Confederacy offend and insult many members of the general public who use the hallways of Congress each day;

Whereas Congress has never permanently recognized in its hallways the symbols of sovereign nations with whom it has gone to war or rogue entities such as the Confederate States of America;

Whereas continuing to display a symbol of hatred, oppression, and insurrection that nearly tore our Union apart and that is known to offend many groups throughout the country would irreparably damage the reputation of this august institution and offend the very dignity of the House of Representatives; and

Whereas this impairment of the dignity of the House and its Members constitutes a violation under rule IX of

the Rules of the House of Representatives of the One Hundred Fourteenth Congress: Now, therefore, be it

Resolved, That the Speaker of the House of Representatives shall remove any State flag containing any portion of the Confederate battle flag, other than a flag displayed by the office of a Member of the House, from any area within the House wing of the Capitol or any House office building, and shall donate any such flag to the Library of Congress.

The SPEAKER pro tempore. Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentleman from Mississippi will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

#### HONORING THE LIFE OF OFFICER SONNY KIM

(Mr. WENSTRUP asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WENSTRUP. Mr. Speaker, last week, Cincinnati lost a hero in blue. A 27-year veteran of the Cincinnati Police Department, Officer Sonny Kim lived a life of service to his family, his department, and his city.

We mourn for a life cut short while serving in the line of duty. Officer Kim is remembered as a model police officer, husband, and father, an officer with 22 commendations during his decorated career. His lasting memory stands as a testament to the best of our community and society.

Mr. Speaker, police officers deal with people every day, usually people at their very worst, and they do so selflessly and tirelessly, but we must never take that service for granted.

We mourn with Officer Kim's wife, his sons, and his sisters and brothers who served alongside him.

Rest in peace, Officer Kim. Your good deeds will not be forgotten.

□ 1730

#### REMEMBERING WILLIAM WHITE

(Ms. DUCKWORTH asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DUCKWORTH. Mr. Speaker, recently, we lost William White to can-

cer, but his contributions to his community and dedication to his friends and family will not be forgotten. His life is yet another example of the American Dream realized.

Born in 1930, in Brooklyn, Bill started out selling printing presses in New York. Eventually, he would join forces with his brother Tom to build some of New York City's most impressive restaurants.

While he was well known for his success in business, Bill was also an important member of his community in Point Lookout, New York. There, he established the chamber of commerce and was an active member of the Point Lookout Civic Association. He was a true example that we can all find a way to serve and give something back to this great Nation.

He met his wife of almost 60 years, Patricia, at a dance near West Point in 1955. He and Pat traveled the world, always excited to explore culture and cuisine on their next great adventure.

They had one child, Bill, who works in philanthropy and has helped raise hundreds of millions of dollars for our Nation's veterans. I know that Bill was very proud of his son. His legacy of service, carried on by his son, has meant that thousands of veterans—our Nation's heroes—have received help they otherwise would not have received.

While this is a painful time for all who knew Bill, I know his family and friends can be proud of the life he lived and his dedication to his family and his country.

#### SONORAN CORRIDOR

(Ms. MCSALLY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MCSALLY. Mr. Speaker, the number one priority I hear from my constituents is creating more jobs and economic opportunity in southern Arizona, and this week, I introduced legislation, along with my Arizona colleagues, to do just that.

Southern Arizona already plays a vital role in our Nation's trade partnership with Mexico through its proximity to the border and key interstate systems, but more can be done to take advantage of these invaluable assets.

Right now, trucks driving north on Interstate 19 from the Mariposa Port of Entry at Nogales must travel on congested city routes before meeting Interstate 10 to travel east. This impedes the flow of traffic and wastes valuable time and money.

A connection between the two highways south of Tucson would reduce this congestion, help attract businesses to southern Arizona, and expand trade connectivity for the southwestern United States and Mexico.

My bill, the Sonoran Corridor Interstate Development Act, would des-

ignate this proposed connection a high-priority corridor on the National Highway System. It has the support of the entire Arizona delegation.

Its passage is in the best interest of southern Arizona, our State, and our country; and I look forward to working with my colleagues to move this important project forward.

#### AURORA POLICE OFFICER DAVID BEMER

(Mr. FOSTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FOSTER. Mr. Speaker, in the last year, we have seen far too many examples of conflict and violence in our communities. While we cannot forget or ignore these tragedies, it is important that we recognize the good that is happening throughout our country every day.

I would like to take a moment to share with you one example. While out on patrol, Aurora, Illinois, Police Officer David Bemer stopped when he saw a group of teens in the street. Some of the kids said they were alarmed, not knowing why he was stopping or what might happen next.

They explained that they were all part of a dance group called Simply Destinee and were practicing in the alley because their dance studio had lost electrical power. What happened next was something that we would all love to see much more of.

Officer Bemer got out of his car and danced with the kids. The video from this apparently went viral, highlighting exactly the kind of community engagement that we would love to see more of.

This is what happens when police officers like those in my district get to know their communities and communities get to know their police officers.

It is only when we work together—police officers, side by side with members of the community—that we make real and lasting progress.

Mr. Speaker, that leaves a smile on my face.

#### CONGRATULATING WAYZATA HIGH SCHOOL BOYS TRACK AND FIELD

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, I rise to congratulate the Wayzata High School boys track and field team on winning the Minnesota State championship.

After coming up just short the last 2 years, the Trojans were boosted by strong performances from distance runners Jaret Carpenter and Connor Olson. In addition, Wayzata was led by Wesley Jackson's second-place finish in the long jump, Tyler Didier's third-place

finish in the 400-meter dash, and a number of strong relay teams. It absolutely was a complete team effort.

These athletes spend practice after practice pushing themselves and each other to reach their personal bests. In addition, every single one of these student athletes still manage to meet and excel at other school, family, and social obligations.

Mr. Speaker, the families, teachers, friends, and entire community are very proud of these high school champs.

Congratulations to Coach Aaron Berndt and the Wayzata High School boys track and field team on a job well done.

#### ISIS PROMOTES SLAVERY

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, according to news reports, ISIS is holding competitions at mosques to celebrate Ramadan. Here is the challenge: memorize the Koran. The prize—get this—is a young female sex slave.

As a father and a grandfather, I am repulsed by the fact that young women—just kids—are being handed out like door prizes in a Koran contest. Second and third place apparently receive the same reward, kidnapped young teenage girls.

This competition is advertised on flyers and marketed to young males. The arrogance, barbarity, and brutality of this terrorist enterprise has no limits. ISIS pillages, rapes, and kills their way across the Middle East. They brazenly broadcast decapitations, slowly drown people in cages, and burn captors alive.

ISIS is an enemy of all states. Its terrorist reign of religious genocide threatens all humanity in a path of murderous anarchy. The world must ban together to destroy these sub-human radical jihadists.

Justice demands these killers be held accountable for their crimes against all peoples of the world, including little girls.

And that is just the way it is.

#### FLORIDA INTERNATIONAL UNIVERSITY 50TH ANNIVERSARY

(Mr. CURBELO of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CURBELO of Florida. Mr. Speaker, I rise today to recognize Florida International University on the celebration of their 50th anniversary earlier this week on June 22.

This great accomplishment gives all Floridians an opportunity to recognize this special institution and all who have contributed to FIU's success throughout the years should be proud.

FIU is located in Florida's 26th Congressional District, where over 17,000 of

my constituents are enrolled as students and an additional 2,400 graduated last year. In my time serving south Florida in Congress, I have witnessed this university's passion for helping students seek higher education to better themselves while giving back to our community.

Mr. Speaker, south Florida is a place where people from all over the world come seeking opportunity and success; many find it at FIU.

On the occasion of FIU's 50th anniversary, I salute all those who have dedicated their careers to improving the lives of scholars. I know many proud graduates who today are leaders in our community.

Once again, congratulations. I know that the next 50 years will bring even greater success and achievement.

Go Panthers.

#### PROGRESSIVE CAUCUS: ADDRESSING GUN VIOLENCE

The SPEAKER pro tempore (Mr. JODY B. HICE of Georgia). Under the Speaker's announced policy of January 6, 2015, the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) is recognized for 60 minutes as the designee of the minority leader.

##### GENERAL LEAVE

Mrs. WATSON COLEMAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New Jersey?

There was no objection.

Mrs. WATSON COLEMAN. As we do almost every week, my colleagues and I are here on the floor this evening to urge the people's House to take up the issues that matter to the people.

This week, we are still reeling from the tragedy in South Carolina. My colleagues and I are urging Members on both sides of the aisle to take a look at an issue we have consistently and painfully avoided for years, what we are doing to prevent gun violence.

Mr. Speaker, I yield to the gentlewoman from Michigan (Mrs. LAWRENCE).

Mrs. LAWRENCE. Mr. Speaker, I rise today in strong support of the Second Amendment and Americans' rights to reasonable, responsible gun ownership; but it is time for us in America to admit we have a problem.

When I see more than two dozen people shot in one weekend in my hometown of Detroit, when I see the face of a deranged and hate-fueled young man—a man who should have never had a gun but was able to destroy the lives of nine amazing people who welcomed him into their church in South Carolina—I know it is time for America to embrace commonsense gun control.

In the span of about 24 hours, 27 people were shot and 3 were killed in Detroit, Michigan. It is a city that I represent, along with my esteemed colleague Congressman JOHN CONYERS. The FBI and the Detroit Police Department confirm that, in the city of Detroit, overall crime is down; yet gun deaths are on the rise.

Ninety percent of Americans who were polled want universal background checks for gun purchases. That is 90 percent. What are we waiting for?

There is not a Member of Congress who has not been touched by gun violence. That includes one of our own, a colleague that was highly respected, Gabby Giffords.

How many more deaths must families and communities endure? How many more funerals must we attend? How many children must be orphaned? How many parents must suffer the unspeakable heartbreak of losing a child?

There is no question that we must act, and we must act now. How many times must we watch on national news what uncontrolled gun violence can do to our country?

That action must focus on three principles: establish universal background checks; eliminate the gun show loopholes that allow a person to walk in, pick up a gun, and walk out the door; and enforce our existing gun control laws.

We have seen countries all over the globe who are not experiencing the gun violence that we have here in America, and their citizens have the right to own guns.

It is time for us to awaken from a sleep of the past and address this issue and address it now.

Mrs. WATSON COLEMAN. I thank the gentlewoman for taking the time to join us and sharing that important message. I join her in her sentiments.

I now yield to the gentlewoman from Illinois (Ms. KELLY).

Ms. KELLY of Illinois. Mr. Speaker, I thank my colleague for yielding as we continue this important conversation.

Every day in America, we navigate the threat of gun violence. From metal detectors in public buildings to shooting safety drills at schools and movie theaters, guns affect how we live and whether we live at all; yet, when gun violence intruded into the most sacred of places, piercing the peace of prayer at Emanuel AME Church in Charleston, it stirred a sickening sadness within us.

□ 1745

It was a searing reminder that there is no corner of our country that offers a haven for us when guns end up in the wrong hands.

We are here today because of Charleston, to remember the lives of the nine souls who were lost. It is a ritual we have on automatic repeat, again and again, massacre after massacre, as an end run around real gun reform.

We have the conviction covered. What we have lacked in Congress is the courage to do the right thing. The Charleston 9 are victims of this lack of courage, as are the 30,000 Americans who die each year from gun violence.

For the first time in history, this year, gun deaths are on pace to be the leading cause of death of Americans aged 15-24. We are losing a generation of young Americans to guns. The future of our Nation is, quite literally, at stake.

All across America, children are growing up in fear. Kids play tag indoors. Mothers second-guess on letting their children walk to school. Some studies suggest that repeated exposure to shootings in some communities is akin to the trauma suffered by soldiers in war zones.

We as a nation have accepted gun violence as a fact of life. But we are better than this.

In the Kelly Report on Gun Violence in America, I outlined a number of effective strategies to stop the bloodshed, which includes expanding gun background checks.

I implore my colleagues to listen to your conscience and the conscience of the country you represent and work with me to chart a new course for a safer America. There is overwhelming public support for commonsense gun reform. Responsible gun owners support responsible gun laws. We can strike a sensible balance on gun reform that protects our Second Amendment rights while also ensuring the basic human right of all Americans to live free from gun violence.

How many more massacres must we endure? How many more innocent people will we allow to be murdered on our watch?

The time has come for Congress to have the courage of our convictions, to honor through action by expanding background checks to keep these depraved killers from getting their hands on guns, and the other gun safety laws that we have talked about in the past.

We have the power to stop the next Charleston, Newtown, and Aurora so that no other American city becomes synonymous with gun tragedy. We have the moral imperative to stop an epidemic that claims more casualties than war and disease, combined.

Congress must put saving American lives at the top of our agenda. We owe it to the Charleston 9 and to all who have fallen before them, as we owe it to a generation of young people at risk of meeting a similar fate.

I thank the gentlewoman from New Jersey.

Mrs. WATSON COLEMAN. I thank the gentlewoman for her remarks, and I associate myself with the concerns raised through them.

Mr. Speaker, my heart is heavy right now. I never thought that I would be in Washington representing the people of

the 12th District in the State of New Jersey, but never in my wildest imagination did I think that I would be on the floor of this body mourning the nine Americans murdered for the color of their skin in the midst of worship, at a church that was part of the fight for our civil rights.

In what has become a disturbingly routine order of events, we watch, horrified, as the helicopter circles a church, a movie theater, a college campus, or a school. A breaking news headline parades across the screen, keeping track of the developing details. The next day, we debate the mental stability or motive of the shooter. We ask where they purchased the weapon. We ponder the merits of changing our Nation's laws to keep more Americans safe. And then, inevitably, we do nothing, and the cycle repeats.

The rate of mass shootings has steadily risen since 2000. President Barack Obama has himself addressed the Nation for at least a dozen of these incidents since the beginning of his first term. We are the only developed nation in the world that has this problem, and we need to wake up and ask ourselves why.

We are told that more guns will keep us safe. We are told that requiring background checks for every purchase, with no exceptions, is too intrusive. We are told that our constitutional right to bear arms should cover every weapon, from a simple handgun to a machine gun, whose only purpose is to cause massive and irreparable harm.

Mr. Speaker, we are here tonight because we know that these statements are, at the very least, misleading and, more likely, outright falsehoods.

We stand together on behalf of the millions of Americans who agree that the shooting in Tucson, Arizona, that wounded one of our own should have been our last; that the lives lost in Aurora, Colorado, should have been the last; that the babies we lost in Newtown, Connecticut, should have moved us to change the ease with which we allow access to firearms.

We are asking our colleagues on both sides of the aisle whether they are willing to make this newest addition to a painful list the very last. I hope when we close our remarks this evening that every one of us will see the need for change.

Mr. Speaker, it is now my pleasure to yield to a fellow freshman, who has introduced legislation today that would keep firearms out of the hands of criminals, the gentleman from Virginia (Mr. BEYER).

Mr. BEYER. Mr. Speaker, every day, 88 Americans are killed by guns. The gun homicide rate in the U.S. is 20 times higher than other developed nations. How long before enough is enough?

Today, I am introducing the Keeping Guns from Criminals Act, common-

sense gun violence prevention legislation that will close a loophole in current Federal law, that allows straw purchasers and gun traffickers to funnel firearms to felons, juveniles and other restricted purchasers, with little to no risk of being prosecuted.

While Federal law clearly prohibits the sale of a gun to a felon or other persons deemed not eligible to possess a firearm, the standard required to prosecute violators is so high that law enforcement is rarely able to bring charges. Only if the prosecutor can prove the seller knew the buyer was prohibited from purchasing a gun are they able to successfully prosecute. So unenforceable is the current statute that, on average, only 75 such prosecutions occur every year.

My bill would make it easier to prosecute these bad actors by making the sale of a firearm a strict liability. It is a crime, and the onus is on the seller to know whether the buyer is in the prohibited class of customers. No longer would a gun trafficker or irresponsible gun seller be able to claim they didn't know a purchaser was a criminal or had a restraining order against them or was on a terrorist watch list. No longer would we be tying the hands of law enforcement and preventing them from enforcing laws to protect our children. No longer would a prosecutor have to prove the intention or knowledge of wrongdoing required under current law.

Mr. Speaker, no doubt, one of the arguments against this bill will be a complaint that a background check places an onerous burden upon the seller. But consider this: the seller and prospective buyer need only go to one of the many Federal Firearms Licensees, or FFL, who provide a private property transfer with a background check for only about \$30.

And consider that there are 130,000 FFLs in the United States. That is roughly nine times as many McDonald's as there are.

Mr. Speaker, everyone, even the National Rifle Association, agrees that we have a responsibility to keep guns out of the hands of dangerous criminals. This legislation is a step in that direction, and I encourage my colleagues to please support it.

Mrs. WATSON COLEMAN. Mr. Speaker, I thank the gentleman for those remarks.

Mr. Speaker, last Wednesday, Dylann Roof walked into Emanuel AME and stole the lives of nine innocent Americans. In the days since, somehow we have lost track of the real problems. We keep talking about a flag, a flag that is a symbol of many our Nation's most glaring problems, but it is only a symbol.

I don't want to get too far off track, but I do want to make something perfectly clear. Symbols may matter, but they don't matter as much as the actions of police who consistently treat

black men and women with clear and biased disregard. Symbols don't matter as much as the mandatory sentencing laws that have propped up a prison industry with hundreds of thousands of Black men. Symbols don't matter as much as the predatory loan structures that put Black homeowners underwater and decimated the Black middle class, practices that banks were never truly held accountable for.

So, alongside those calls to take down the flag, I would appreciate calls to acknowledge that persistent racism is not the only problem here. Pervasive and unnecessary gun violence is also one of our Nation's most pronounced flaws.

Mr. Speaker, let me say this: I fully support the permanent removal of the Confederate flag. It represents one of the darkest stains on our Nation's history. It represents baseless hate, disrespect for the civil rights and freedoms this Nation was founded upon, and enduring mistreatment in communities of color.

But if we are really about the business of ending discrimination once and for all, we need to enact policies that will counteract everything that that flag represents: job training that ensures all of our communities are qualified for the jobs of the future; education that lets our students succeed, regardless of where they live; and affordable housing that exists outside of the urban centers, in the communities that can offer folks the jobs they need to get on their feet and to climb to the middle class.

Mr. Speaker, I yield to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, let me thank the gentlewoman from New Jersey for her consistent leadership and, particularly, her friendship, her passion for her district, and her commitment to policies that will lift all of us together as Americans.

This is the first time, Mr. Speaker, that I have had an opportunity to speak on the floor of the House since the moving and horrific tragedy that occurred in Charleston, South Carolina, to be able to first publicly express my deepest sympathy to the families that now mourn.

I think this may be the longest period of time that I have had a chance to speak. My recollection may be that I offered sympathies last week.

But to take a moment to explore the heinousness of the acts of the perpetrator who knocked on a door that was not closed, entered a sanctuary that did not reject him, walked down some stairs to a historic basement that reminds all of us of our church basements across the Nation, being that houses of worship, in particular, African American churches, will have their Sunday or Sabbath school in areas that are basements, particularly along the northern and eastern coasts.

We know that Sunday or Sabbath school is particular to all of our many

denominations in the Protestant faith, and every one of us understands that weekly Bible study that, through the traditions of our lives, we have seen our families and grandmothers and grandfathers, aunts and uncles, and those of us who joined in Bible study. In fact, Mr. Speaker, a Bible study is a phenomenon of the American church, the Protestant Church, where people gather to study and to understand the Word.

I said in a memorial service in Houston, it is a time of joy, a time of pain, a time of explaining one's self, and a time of redemption. And you feel good, for you join with your fellow travelers, and in a weary week, midweek, you come and restore yourself.

I can imagine that during the time that this evildoer was there, there was a lot of laughing or asking questions about the Scripture; might have been some joyful, argumentative interpretation, where Bible study participants give their perception or their interpretation. I know this because, if you have gone, you know what Bible study is all about.

In the course of that, the evildoer, filled with the sickness—and I hesitate to say “cancer.” Cancer is something that people do not voluntarily seek, but we know that cancer can eat at a body and kill someone.

So the cancerous racism that this individual possessed and internalized and, in fact, duped himself and took the medicine and continued to fill himself with a deadly concoction that was going to do nothing but kill him, but before it killed him, he felt compelled to kill someone else.

The money that he received for the celebrating of his 21st year, very young years—I guess what breaks my heart is how, in those young years, he could become so hateful. For as I said, he came into a place that did not reject him. He went down the stairs in a place where people were rejoicing.

□ 1800

And he, at the conclusion, after sitting next to Reverend Doctor Senator Pinckney, took out a gun and methodically killed those wonderful families—mothers and grandfathers and grandmothers and a son and father—without a pain.

He took a gun that none of us would raise to any Member on this floor or none of us in our houses of worship would raise to any forlorn traveler, any weary person that would come into our place of worship, whether a mosque, a Catholic parish, a synagogue, a Hindu temple, or any form of Protestant church, big or small.

Houston prides itself on having many, many denominations. In fact, we are now in the middle of Ramadan. Houston has many, many places of worship. I wouldn't venture to say I have been to all all over the world, but

I have been to all in the city of Houston, my own congressional district, and each place, in their own faith, have welcomed people in.

We only see where there are evildoers that people would blow up temples, mosques, synagogues, and churches. This person didn't blow it up a distance away. He methodically did this. And a mother had to watch a son try to rescue those, protect them.

Heroes shown. The stories have not all been told, but we know that there were heroes in the midst. In fact, they all are heroes.

So I come for two reasons. I come to indicate that much of what we heard here today is true, that for us to do honor to those who died in this disastrous massacre, murderous, blood flowing from the church, that it will have to be our actions. It will have to be what we do about education and criminal justice reform.

I almost want to stop myself for the broken recordness of this because we will only do it in unity. We will only do it after we put aside contentious votes and we begin to say, What will heal America? We will not heal—and we have said this before—on the issue of cancerous racism unless we admit that it exists.

Many of us will present to this Congress a resolution that calls upon the recognition that there are some symbols of hate that we cannot deny. We will frame it in America's unity, as has been noted already earlier today, Governors and State representatives and others of good thought. Mitt Romney, for example, joined with President Obama's tweet that it is the right thing to do, to take down that rebel symbol that has been used to run onto the plantations of yesteryear with individuals clothed in white clothing, providing fear, intimidation, and evil-doing.

Certainly we know the threats that Dr. King received during his life, or Medgar Evers during his life, who was murdered on his front porch, were all circling around people not talking about slavery. They were talking about desegregation and their opposition to desegregation and their support of upholding segregation.

This symbol of evil is not far from our life of 2015. Many of us lived through it and saw the disaster of such. Many of us saw the killing of civil rights workers, bound in hatred and not wanting to change what did not unify America but divided America.

So the guns that I have addressed now for the period of time that I have been here—I passed one of the few gun ordinances in a lawmaking body, the city council, which most people don't realize that some city governments give lawmaking legislative authority to their elected representatives. Houston, a noncity manager government, does that.

And I remember that ordinance, amongst the mayor and city council persons, packed the chambers. People with revolutionary outfits, gun enthusiasts, the NRA, all opposing a simple gun ordinance that said that, if a parent allowed a child to get a gun in their hand and a horrific incident happened, a shooting or the child shot themselves, the parent would be held responsible. It was some semblance of not taking a gun away, but trying to instill responsibility with guns.

When we talk about this on the floor of the House, why all of a sudden, Mr. Speaker, does it become that we are against the Second Amendment and the National Rifle Association, and that this is going to be the undermining of this powerful organization if we even utter the words “gun responsibility”? Why?

Why in Newtown?

I thought I had seen enough, heard enough when 20 little babies in a corner, no less, 6 adults murdered in a murderous fashion from someone who absolutely did not deserve a gun for whatever the reason, as they took their own life, or someone who now stands on trial in Colorado who decided that a night out with a dad and his daughter in a theater—something that Americans know is part of our American culture. We are just moviegoers. We make the movie industry.

In the old days, in those outdoor drive-ins that many remember were some of the best times with your family—and thank God they didn’t cost a lot—or the sophisticated high-tech theaters of today, it is still the same. Dads and little girls are going to theaters together. And this criminally minded person, evildoer, decided to kill 12 or, to our very distinguished colleague, the Congresswoman from Arizona, who was maintaining the dignity of her office, was shot down in the street by a gun, killed a Federal judge and many others, a 9-year-old girl, her staff, whose memory that we continue to mourn.

So, Mr. Speaker, I would offer to say that I joined with Congresswoman WATSON COLEMAN to indicate that the issue of gun responsibility legislation is not even overdue. We are crying out for relief. The violence that is used with handguns and AK-47s and automatic weapons is unspeakable.

We need to close the gun show loophole that allows people to go and get guns at gun shows. The name of my good friend Carolyn McCarthy and John Dingell, they worked together and had compromises. We could not get them on the floor of the House.

We need to go even further. We need to be able to assure that where this evildoer brought the gun, his exposure to the criminal justice system should have disallowed him from purchase until he was completely vetted. Some say that he would have stolen one or

gotten one out of the back of a pickup truck, but maybe, Mr. Speaker, he would not have been able to go on that fateful night down those stairs through that open door to kill those blessed souls who were studying the word of the Lord.

So it is a challenge now. I know that those of us in the Congressional Progressive Caucus are Americans. I know that those who adhere to the Tea Party philosophy are Americans. To our various conservative caucuses that are in the Conference, our Republican friends, to the various caucuses that are in the Democratic Caucus, all are Americans. All felt the pain of the murderous act. In fact, it is almost like we are living in a cocoon. It is not over yet, as these families bury their loved ones.

But I think it is upon us—it is an onerous responsibility—to confront this whole question of racism, as the President has charged us to do, and not do it with another round of conversation, but confronting the fact that we can begin by removing symbols and doing something proactively on changing lives.

Then it is upon us to take on this gun responsibility question, to call the NRA to a table of reconciliation, to master a legislative agenda and an omnibus initiative that doesn’t have anyone hiding under tables, that there will be no indictment of whether you are for or against. But we hope the majority would move this legislation forward to change the way young people, people who are on the edge, people who shouldn’t have guns get guns and kill people. It is time for this Congress to pass the legislation. It is time for the President to be able to sign the legislation.

Let me thank the gentlewoman from New Jersey for her genuine courtesy extended this evening to allow me to both mourn and condemn racism that has been the plight of many of our people in this country and to, as well, remind us that we are derelict in our duty if we do not pass real serious gun responsibility legislation.

Mr. Speaker, last weekend we were faced with another example of what damage results from easy access to guns. The violence that took place in Charleston, South Carolina last week is something that is not new to our nation but is something that we can and must come together to prevent from happening in the future.

As a senior member of the Judiciary Committee and the Ranking Member of its subcommittee on Crime, Terrorism, Homeland Security, and Investigations, and the author of H.R. 65, “Child Gun Safety and Gun Access Prevention Act, I am in support of our Congress coming together to find solutions to the issue of gun violence, through gun law reform and active engagement of our communities to get to the heart of these problems.

Today, homicide is the second leading cause of death for young people ages 15 to 24 years old.

Even more disturbing is the fact that homicide is the leading cause of death for African Americans between ages 10 and 24, and the second leading cause of death for Hispanic Americans.

The leading weapon of choice used to kill those victims was a firearm. (82.8% were killed with a firearm.)

Many guns are in the wrong hands, and end up being the highly efficient tools of criminals and mass murderers.

Every 30 minutes, a child or teenager in America is injured by a gun.

Every 3 hours and 15 minutes, a child or teenager loses their life to a firearm.

In 2010, 82 children under 5 years of age lost their lives due to guns.

To put that number in perspective, 58 law enforcement officers died in the line of duty that year.

While preventing the deaths of so many young people should be our highest priority, we also need to address the broader culture of violence that pervades our society.

The Members of the Congressional Progressive Caucus recognize the need for a comprehensive approach to addressing the problem of gun violence in America.

Guns and the harm perpetrated by them impact every American and the events at Sandy Hook and Aurora only underscore how random gun violence events can be; but it is important to appreciate that regular gun violence has a particularly devastating impact on the communities we represent.

We must use the tragedy in Charleston, which took the lives of nine innocent church members, as an opportunity to take action to improve the lives of all Americans.

We need to reform current gun laws and implementing change that will prevent these types of events in the future.

As the Founder and Co-Chair of the Congressional Children’s Caucus and as a senior Member of the Judiciary Committee, I have listened far too often to the tragic testimony of individuals who have survived or lost loved ones as a result of gun violence.

We respect the Second Amendment, but we understand that supporting universal background checks for all gun sales is not inconsistent with supporting responsible gun ownership. With rights come responsibilities.

And responsible gun ownership requires at a minimum that guns in the home be stored safely out of reach of unsupervised children and making sure that guns are not transferred to non law abiding citizens or the mentally ill.

My bill, H.R. 65 “The Child Gun Safety and Gun Access Prevention Act of 2013”, would do just that.

Mr. Speaker, gun violence has reached epidemic proportions.

We must pass responsible gun violence prevention legislation like H.R. 65 and require universal background checks for all gun sales.

Mrs. WATSON COLEMAN. Mr. Speaker, I thank the gentlewoman from Texas. She has always been a source of information and history. She has always tied our history into our current situation as she has always been someone who has motivated us to think sincerely about the issues of the day and how we can become part of the solution.



Mr. Speaker, in closing, I just want to reiterate that I associate myself with every recommendation that this gentlewoman has put forth here. I do indeed believe that we need some sensible gun control legislation. I have even introduced legislation that makes it more difficult to secure ammunition. I do think that that is a very important component of creating a safer environment in this country for all citizens.

I think also that we need to take a serious look at what this type of domestic terrorism is doing and whether or not we are devoting the type of resources that are necessary to ensure that our people are as safe as they can be.

I think that we are very involved and very concerned and very proactive in looking at potential lone wolves, jihadists, ISIS recruitment activities, and things of that ilk, but I question whether or not we are sufficiently engaging in oversight, interventions, and creating tools in order to look at the sites that kind of generate the willingness of people such as Mr. Roof and his desire to do what he did.

So I hope that in consort with what Mr. THOMPSON had earlier released that we are willing to hold hearings on the issue of domestic terrorism. I hope that we are willing to look at policies and procedures that create opportunities and jobs and safer communities and good public education.

Mr. Speaker, I thank you for your indulgence. I yield the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I would like to thank my friend from New Jersey, Congresswoman WATSON COLEMAN, for organizing this very important special order.

Mr. Speaker, we have a right to safety and to reasonably expect that we will be free from gun violence in our homes, schools, places of worship, workplaces, and communities. Unfortunately, we are not safe. As I said on the House floor the morning after the devastating murders in Charleston, "there are no more sanctuaries in the United States from gun violence."

There is no question that we are not doing enough. We see the evidence in the news every day. Across the country, guns are the number two killer of children under 19 years of age. After Charleston, Newtown, the DC Navy Yard, Aurora, Fort Hood, Virginia Tech—the list goes on—it is clear that we need a comprehensive approach to preventing gun violence.

Just like my colleagues, I have heard from hundreds of my constituents urging me to support commonsense policies that would help save lives from this senseless violence. I have cosponsored legislation to strengthen background checks, improve mental health services, ensure criminals and dangerous individuals cannot purchase guns or ammunition, ban military-style assault weapons, and prohibit large capacity magazines, and yet, none of these commonsense policies have even received a vote on the House floor.

I refuse to stop fighting for this cause as long as 30,000 Americans needlessly die because of guns every year.

In 2013, West Webster firefighter Ted Scardino came to Washington to give testimony on gun trafficking prevention. On the previous Christmas Eve, when Ted responded to a fire in the early morning hours along the shores of Lake Ontario, he had no way of knowing that a gunman had set the fire as part of a murderous plot that would leave him as well as fellow firefighter Joseph Hofstetter injured, and take the lives of two more firefighters, Mike Chiapperini and Tomasz Kaczowka.

The gunman in this case was already a convicted killer. He was not able to legally purchase a gun himself, but was able to easily obtain one after recruiting a young woman who lived nearby. He took her to a sporting goods store where he picked out a Bushmaster semiautomatic rifle and a shotgun, and just like that a convicted killer had armed himself with military-style guns that he would use to murder two innocent public servants, wound two more, and upend the close-knit community of Webster, NY.

I am deeply embarrassed that this body cannot manage to pass—or even vote on—legislation that would protect our families, friends, and fellow citizens. Tragedy after tragedy happens, and yet we do not act. I am terrified at the thought of what it will take to finally bring this body to action.

#### INNOVATION ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from California (Mr. ROHRBACHER) is recognized for 60 minutes as the designee of the majority leader.

Mr. ROHRBACHER. Mr. Speaker, today I rise to draw the attention of my colleagues and, yes, the American people to a legislative threat to the safety and well-being of the American people.

We dodged a bullet in the last session of Congress about this very same issue that I will be discussing this evening. But today, again, we are in serious jeopardy of having an important right of the American people neutered from them, taken away from them by a power play here in Washington, D.C., being conducted by multinational corporations who have done everything they can to impact on this system while the American people do not know that there is an attempted move against their constitutional rights.

Alerted by an aggressive yet an unsuccessful attempt to stop this rigorous and rancorous legislation in the House, the Senate was inundated last year about a similar bill that was supposed to be reform, and it was very similar to the one that I will be discussing today.

□ 1815

There was so much opposition to that bill in the Senate that they simply re-

fused to bring it up to the floor for consideration. The bill had already passed the House; and as I say, today, a similar bill now is making its way through the House and will be on the floor, and it is a great threat to the freedom, security, and well-being of the American people.

What was that issue that was rammed through the House and once it was exposed that the Senate turned it back? Well, it has been an ongoing fight over 20 years, a classic case of crony capitalism that plagues our country. The big guys are trying to diminish the rights of the little guys in order to make more money—surprise, surprise.

In this case, however, what we are talking about, they will not only make more money and take that from the little guys, but it will undermine America's prosperity and security in the long run.

Mr. Speaker, I am certainly not opposed to the profit motive, but first and foremost, we need to ensure that powerful forces don't change the economic rules in order to enrich themselves.

Unseen by most Americans who are not paying attention, but are paying attention to the important things in their lives: their children, their families, their jobs, their schools, and their churches; but they have been basically unaware that there is an attempt by mega-multinational corporations to undermine and, yes, destroy a constitutional right of our citizens—this in order to fill their pockets at the expense of the American people who don't really understand and even know this power play is going on.

I am referring to an attack on the fundamental constitutional right of the American people to own what they have created. This is a right that has been written into the law at the Constitutional Convention—it is in our Constitution—that is under attack in a clandestine legal maneuver that would neuter America's inventors the protection that they were granted by the Constitution and permit powerful multinational corporations to steal what rightfully belongs to American inventors as granted to them as a right in the Constitution.

Thus, Mr. Speaker, ordinary Americans, of course, are not as able to get their voices heard at times here in Congress and big corporations are. They have whole stables of lobbyists. Tonight, we need to mobilize the American people and have them make sure that they contact their Member of Congress.

I will alert my fellow colleagues to make sure that they pay attention to what is happening in this piece of legislation that is now being rammed through Congress.

It isn't just about, of course, dispossessing. This issue isn't just dispossessing individual inventors. It is a

power grab that, if they are successful in undermining the constitutional rights of inventors to own for a given period of time what they have created, this change in our constitutional law will undermine the prosperity that we have enjoyed as Americans.

The less than forthright attack on our patent system will undermine the economic well-being of our working people who depend on the United States to be technologically superior in order so that they can outcompete other peoples in other countries who come from poor societies who work just as hard, but don't have the technological advantage that we Americans have.

Mr. Speaker, the American working people have always had the advantage that they can be more productive because our country permitted the technological development of the means of production that made our workers the most productive in the world.

People are working hard all over the world, but it was the people of the United States who coupled that with freedom and coupled that with technology, and it uplifted everyone. Our Founding Fathers believed that technology, freedom, and, yes, the profit motive was the formula that would uplift humankind. They wrote into our Constitution a guarantee of the property rights of inventors and authors.

It is the only place in the body of our Constitution where the word "right" is used, in article I, section 8, clause 8 of the Constitution of the United States:

The Congress shall have power to promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries.

This provision has served America well. It has led to a general prosperity and national security, and it has permitted average people in our country to live decent lives and to have good jobs; but instead, now, we are putting all of that at risk because some multinational corporations want to steal the technology that has been developed by our little guys, our small inventors.

Our small and independent inventors are where the new ideas come from. These big meganational corporations have huge bureaucracies that are not the source of the great discoveries that we have had over the last two centuries.

Americans work hard, as I say, but so do all the other people in the world. It is technology that makes the difference. Our technology has multiplied results of that hard work. Yes, that is the secret of our success, technology and freedom.

That was put in place not just because we talk about it, but because we wrote that into our law, our basic fundamental law, the Constitution, and we have developed from that moment the strongest patent system in the world,

and that is what has made all the difference.

Benjamin Franklin and Thomas Jefferson were men who believed in technology, believed in liberty and freedom, and believed that we could uplift every human being, not just the elite in our society; thus they made sure that, in our Constitution, we had this provision that we set our course toward uplifting all people through technology, hard work, freedom, and the profit motive.

Yet, today, multinational corporations run by Americans—and maybe by some multinational corporations that just have Americans working for them—want to diminish the patent protection our Founding Fathers put in place, want to diminish the patent protection that has served us so well, and over the years, we fought and turned back several efforts to weaken the patent system.

The American people are unaware of this. They are unaware that, for the last 20 years, there has been this attempt—and they call it harmonizing our patent system with the rest of the world, when we have the strongest system, and they were trying to weaken it.

How does the rest of the world respect the rights of the little guy? They don't. In fact, our patent system has said that if a man or a woman—an inventor—applies for a patent overseas that, after 18 months, anybody who applies for a patent over there has a different situation than our patent applicants.

An inventor who applies for a patent in the United States knows that his patent application will be totally confidential until the moment he is issued the patent. When that patent is issued, then it can be published, but he then has the legal power to protect his patent rights for a given period of time. Traditionally, that has been 17 years of guaranteed protection.

Well, that is not the way the rest of the world works. The rest of the world wants 18 months. Eighteen months after you apply for a patent, they publish it for the whole world to see, even if the patent has not been issued; thus any inventor in that case, everything that he or she has invented and all of the research is now made available to one's competitors. That destroys incentive, and in fact, that was the goal 20 years ago that MARCY KAPTUR of Ohio and I were able to stop that provision from being put in the law.

Mr. Speaker, because of what they were trying to do in harmonizing this law, was that every American today—think about it—every American inventor today, anybody who didn't get their patent in 18 months, it would be published to the world, and we would have a massive stealing of our technology and undercutting of our technological superiority.

I might add the other thing they were trying to accomplish was they said—and overseas, they don't have this guarantee—and that is, if you apply for a patent, if it takes you 10 years to get your patent, you still have 17 years of guaranteed patent protection from the time it is issued.

Overseas, they start the clock ticking at 20 years when you file. If you file for a patent and it takes you, let's say, 10 years to get your patent, in the United States, you would have 17 years of protection. Overseas, you end up with 10, sometimes 5 years of protection.

Mr. Speaker, we have the strongest system in the world. It has worked for us. Now, we have people over the last 20 years who have tried everything they could to undermine it. We won those early fights against the two provisions I just described.

Well, after a few years of this, of course, MARCY KAPTUR, a strong coalition, and I managed to thwart those efforts, but today, we see another—another—effort to try to undermine and diminish the patent protection that we have been fighting to preserve for these last 20 years.

Mr. Speaker, 3½ years ago, the House passed the America Invents Act which we warned fundamentally diminished the patent system, weakening its protection for ordinary citizens.

The negative impact of that bill—and that is just 3½ years ago—the negative impact is overwhelming. We changed, for example, the fundamental idea in that bill, one of the ideas that was changed, from our country's founding, it was always the first person to invent something and can prove they invented it, they will get the patent.

Well, they have changed it to the first not to invent, they changed that to the first one to file for a patent is going to get the patent, so that smaller and independent inventors who can't afford to go over and over again and every new twist of their invention get a separate patent for, these small inventors have been facing major corporations that then immediately will go in and file for patent after patent after patent because they can afford it.

Mr. Speaker, what they have done now is these corporations are flooding the Patent Office with applications. Of course, there are not more people working in the Patent Office; thus they are feeling a dramatic reduction in their ability to get the job done because they are being flooded with patent application because we have changed the basic rules of the game, and it has worked against technological development in our country.

The onslaught, as I said, of course, is aimed at neutering the rights of the small inventor. We have barely turned back this latest attempt which, last year, we passed through the House and went to the Senate, but when the Senators, of course, got a message from

their own colleges and universities as to what this would do and the damage that it would do to the universities, we were able to stop it and stop the effort in the Senate.

Now, we have the American Innovation Act that has been presented here. This is yet the most recent onslaught. Over a 20-year battle of trying to protect the interests of the little guy, now we have the American Innovation Act.

Let me just suggest that these big megacorporations over the years, who have stepped up with these proposals that would diminish the right of the small inventor, didn't say: We are trying to diminish the rights of the small inventor.

That is not what was being sold to the Members of Congress. Instead, what was sold in the first onslaught 20 years ago was the submarine patent. That is why we have got to eliminate the ability for people to have a patent application that is secret until it is granted. That is why, at 20 years from filing, you don't have any more patent protection.

Well, that was a derogatory term that was used to confuse the public in order to try to secure their goal of diminishing the right of all inventors, especially small inventors. They are insisting, of course, now that there is another threat and that we should pay attention to this other threat that has emerged that should motivate us to, again, diminish the rights of American inventors to protect their own patent because, supposedly, patent law is being abused by the so-called patent trolls.

□ 1830

Now, what are patent trolls? Let me note that we all understand that there are frivolous lawsuits that take place throughout the American system. We have a system of justice. You can sue someone if that person has damaged you. Yet there are frivolous lawsuits. Lawyers will do that. And we know that that is something we have got to deal with. Judges need to be stronger in that case. But they exist.

And yes, there are frivolous lawsuits that are presented by lawyers over patent right infringement. And sometimes these frivolous lawsuits—and many times—are just based on phony claims that they claim they have the right in the patent to this and they sue some businessman hoping he will just pay off. That is indeed a problem. It is not a major problem in the sense that it is a minor part of all of the litigation that goes on.

Almost all the patent litigation that goes on, and most of the lawyers who are involved in this who are called patent trolls, are involved with legitimate claims against people who have infringed on the patent rights of especially small inventors. They are basically getting involved with the small

inventor who does not have the resources to basically defend his patent against some large mega-multinational corporation. But, of course, big corporations would have us believe that what we are really talking about are frivolous lawsuits against them.

No, there are many, many positive lawsuits that are totally justified. The vast majority of all lawsuits that come into play against these major corporations are based on a legitimate claim by someone who owns a legitimate patent who these big companies have just tried to rip off.

And so what they are trying to do now is what? They are trying to make it more difficult for those little guys, even with any type of help from what they call a patent troll, to be able to actually bring their case of infringement against large corporations.

What this basically is saying is we have got to change our justice system. We have got to change the rules of the game for every lawsuit because some people have been manipulating the law and having frivolous lawsuits.

I don't think that that is what we want in America. We don't want to take away the right, the legitimate right, to go and defend yourself in court because some people use the courts in a frivolous or a manipulative manner.

If the small inventor doesn't have the resources, for example, to enforce his or her own patent, and if they have been granted this patent legitimately by the Federal Government that they own this technology that they have developed, then there is nothing wrong with the fact that someone could come along and help them enforce it when a mega-multinational corporation is basically stealing their rights.

I have consulted with a number of outside individual inventors and groups. They have affirmed to me that the legislation now being proposed in H.R. 9, the bill that was already passed through the Judiciary Committee, that that bill disadvantages the little guy against deep-pocketed corporations. And, in fact, every provision in the name of stopping patent trolls is a provision that would undermine the efforts of people who own legitimate patents and have legitimate patent claims, and undermine their ability to enforce those claims.

So, basically, we are saying, and what is being said about patent trolls, yes, there are frivolous lawsuits and trolls sometimes are involved with frivolous lawsuits; but, by and large, that does not mean that the overwhelming number of lawsuits are not legitimate and they should have every right to call on someone to help them in their effort, basically, to defend their patent rights.

Proponents of this legislation are covering the fact that what we really have here is a bill on H.R. 9 that makes

it easier for big corporations to steal the technology secrets of the little guys. They would have us believe that all lawsuits are frivolous and the frivolous lawsuits are throughout our system. And instead of focusing just on frivolous lawsuits, they want us to have an overall diminishing of the rights to our inventors to enforce their patents and make it more difficult for them to do so.

So tonight I draw the attention of the American people to H.R. 9. The Innovation Act, as I say, was introduced by Chairman GOODLATTE and was passed through just a week ago or 2 weeks ago in the Judiciary Committee.

In the last Congress, the House Judiciary Committee held hearings on this bill and witnesses at that hearing included Director Kappos and others. That was when we were discussing the America Invents Act. And people said: Let's go slow on this. Why are we trying to push this through in such a hurried manner?

Well, they are trying to push it through in a hurried manner because, once people understand the implications of diminishing the right of people to protect their patents, they are going to find it has dramatic changes to the American way of life.

For example, our universities now have discovered that if, indeed, H.R. 9 passes, that it will have a huge impact on the viability of their own scientific research and their own patents that they own by these various universities. It will diminish the value of patents across the board if we say that it is going to be more difficult to fight infringers and more costly for someone to fight someone who is infringing on that patent.

So, according to sponsors of H.R. 9, this is, as I say, an attempt to control the trolls but, in fact, it is going to control the universities. It is going to control other companies other than these big companies that, as I say, are multinational companies. They are mainly in the electronics industry. Those people may want to take away some of these patent rights and let them sue, but that is not true in many others. You have got pharmaceuticals and biotech and many other industries that will be impacted in a horrible way because of H.R. 9.

Now, what we need to do is make sure that the American people speak to their Member of Congress and talk to them about we do not want to make it more difficult for people who have developed new technologies to defend their technologies against infringers. We don't want to make it more difficult for people who are the innovators to innovate, to come up with the new ideas, to basically make sure that America is on the cutting edge and leading the way.

And if we have harmonized with the rest of the world, as has been their goal

for a long time—and, I might add, one of the things that we have to be very concerned about when we look at the trade bill that is being shoved through Congress is whether or not it will contain a provision that I helped defeat 20 years ago, which I just mentioned, that will make sure that our patent applications are published after 18 months.

Now, I have been told that that is in the trade bill, and there have been all sorts of denials and some people are coming to me whispering, yes, it is in there. Well, we know we are operating under secrecy. We have been operating under secrecy here, so it is impossible for me to tell the public I know absolutely because I read it. Because had I read about this in that bill, I wouldn't be permitted to talk about it.

But that is another one of those things that you have got to be very careful. What are you going to pass in this trade bill? It might be exactly what I am talking about, which is a diminishing of the patent rights of the little guy. And who is pushing that? Megacorporations, multinational corporations, the same guys who are pushing this trade bill on us and not letting us even know what is in the trade bill, which we are supposed to give up our right for an up-or-down vote not even knowing what is in that bill.

So what we need to do is make sure we go through all of those items in this bill, H.R. 9. And people have to understand that every one of those provisions in this bill are aimed at making it more difficult for the small inventor to go up against a major corporation who is infringing on that inventor's creation.

So how come we have got bills now that we can be bringing to the floor and that are aimed at helping the big guy steal from the little guy? This is not what America is all about. This isn't what our Founding Fathers had in mind.

The results of H.R. 9 will be increased patent infringement, meaning the little guys will have more and more of what they are developing stolen from them and, thus, there will be less incentive for the geniuses in our society to use that genius to create the new technologies that keep us safe—safe. It is our technological edge that keeps us safe, that makes us prosperous.

We can't be prosperous unless we are the innovators, unless we are the guys with the new ideas rather than the people who are just copying other people. Our working people will not have a decent standard of living. This will reduce the legal remedies for those who have been infringed upon.

It will reduce investment into small businesses that are aimed at technological development. Why would anybody want to invest with a small inventor or a small company that is developing technology if you are going to make it more and more difficult for

that investor to get that money back if someone is stealing that technology?

And, of course, it will do irreparable damage to our research universities, our inventors, our entrepreneurs, our economy, and our Nation.

Every part of the so-called reform is detrimental to the patent owners, and especially individual innovators will be damaged. Every provision bolsters the patent thieves, the infringers, at the expense of the legal owners. All this done, covered by the idea, well, we have got to get at the trolls.

I would like to share with you and with my colleagues just the story of exactly how that word "troll" came up.

There is a head of a major corporation who changed his mind on this bill, who years ago was part of the clique pushing this sort of diminishing of patent rights. He told me that he sat in a room with other corporate executives to come up with the strategy: How are we going to get the American people to support legislation that actually hurts the little guy and helps the big guy steal from the little guy? How are we going to do that?

Well, we need a straw man. We need something to get attention that is going to make it look like that is really the goal is to take care of that evil, sinister person over there. They went around the circle trying to come up with a name that was so sinister that would help them accomplish their mission. This is how cynical these people are who are offering this argument about trolls. And finally, the guy who was talking to me said: I suggested "patent pirate," but by the time it got around, "patent troll" sounded so much more sinister, they decided they would accept that.

Well, this is absolutely absurd. The fact is that if we are going to beat this onslaught of the big guys against the little guys, we little guys have got to stick together. We have got to make sure that we notify our Members of Congress and talk to other Members. We have got to pay attention because this is just another example of when we are not paying attention, we lose our freedom. We lose our freedom. Our rights are diminished.

You can count on the fact, with the diminished rights of our inventors, wages in this country will go down. Our competitiveness will go down. We will not be secure. We will not be prosperous. This is an important issue, yet they are trying to get this by with as little debate and as little attention as possible.

Now, how important is this? Well, it has always been important to our country. If we didn't have this patent protection that I am talking about, our country would be totally different.

Let me suggest this. If you look back and see what our Founding Fathers had in mind, they wanted the little guys to be protected and have legal rights. This

is what our country was all about. And the innovation and the rights of ownership, this was our innovation. This is what Benjamin Franklin talked about and put into our Constitution, and that has worked so well for us.

□ 1845

If we cut off the little guys and if we make sure that they are not going to profit from their hard work and their struggle, we will not have the new technologies. We will not be the leader in technology in the world, and we will fall behind, and every one of us will be hurt by this.

One only needs to see how important technology was to our society. One only needs to take a look here in the Halls of Congress. There is a statue here in the Capitol of Philo Farnsworth.

Now, who the heck knows who Philo Farnsworth was? They have done a special on him on education TV, I understand, on the History Channel. Philo Farnsworth was someone who really was important to our country, and there is a statue to Philo Farnsworth right here in the Capitol.

He was a farmer in Utah, a man who was educated in engineering, but who had very little resources. In fact, he was a farmer. He set out between farming to try to find out and discover a technological secret that had perplexed some of the most powerful and financial interests in our country.

RCA at that time—this was back at the turn of the century in 1910 and 1920—was under a man named David Sarnoff. He was America's premier executive at the premier technology company of the United States, a company that had vast resources and was deeply involved with trying to find out how to invent a picture tube.

They knew what the radio tube was, but they didn't know how to make images on it. How could they make that radio tube show images? This is what they really were looking for, and they had invested so much in it. It was a huge challenge—an historic challenge—that RCA dumped millions of dollars of research into. However, they didn't discover it.

The one who discovered the secret of the picture tube—and it has had so much impact on the American way of life since everything we have—cell phones, computers, you name it—is based on a picture tube—was Philo Farnsworth.

This independent inventor, this farmer from Utah, discovered the secret. He wrote RCA, naively believing that this big corporation would honor his discovery and permit him to at least have the benefit of being recognized as the person who made this discovery.

Then RCA, when they got the letter from Philo Farnsworth, sent a representative to the laboratory there in Utah, which was in his barn, I believe.

When he described to these top engineers from RCA what he had found, the scientists from RCA went away, saying: Oh, yes. We will be back in touch with you.

Of course, they never did get back in touch once they learned of his secret, the thing that Philo knew was his. He ends up reading an announcement in a magazine of how RCA had made this major breakthrough, this discovery, except Philo knew. He was the one who had discovered it, and he was the one who had transmitted that information to RCA. This became one of the great jury and great legal battles of the 20th century.

Philo Farnsworth, an individual person—not a wealthy person, the little guy—was up against the most powerful American corporation of the day, RCA, which had one of the strongest and toughest leaders. This corporate leader, David Sarnoff, had a whole stable full of tough, well-paid lawyers, all of whom vowed not to give one penny to Philo Farnsworth and not to recognize him because RCA deserved to get the credit and the money.

Philo Farnsworth was able to mobilize support behind his claim. People invested in Philo Farnsworth's claim, and it went all the way to the Supreme Court. He was able to have people invest in his lawsuit. Slowly but surely, they made their way through the court system—as I say, all the way to the Supreme Court.

God bless the United States of America. A poor, single man—an individual farmer—came up against one of the most powerful corporations in America at the time because he had invented something.

The Supreme Court decided with Philo Farnsworth over this brutally powerful corporation in America. RCA was beaten by an individual farmer, but he had people who had invested in him. Had the same laws they are trying to promote now in H.R. 9 been in place, Philo Farnsworth and the other little guys who have invented things like this throughout our country's history would have been betrayed. There would have been nothing he could have done because H.R. 9 would have prevented him from having had people invest in his lawsuit.

That is what H.R. 9 does. It says, if a big corporation has stolen from you and if somebody has invested in helping you with your invention, they then become liable if you have to sue to get your money.

If something happens where the big guys win—even if you are right and they win because they have better lawyers—anybody who invests in you has to pay part of the legal fees of these big corporations, which are millions of dollars of legal fees.

No one is going to want to invest in a little guy like that. The Philo Farnsworths would be left out in the

cold. The nature of our system would have been totally different than what it is today if we were to have had the provisions of H.R. 9, which they are trying to foist on us now.

Let me give you another example. Black Americans happen to be some of the most inventive people in the United States. A lot of people don't know that. If you look back in the history of the Patent Office, as I have been looking, what you will find is, while Black Americans were being discriminated against in general throughout our whole system, the Patent Office was the one place that they had equal rights to come up with their ideas and to say, "This is what I have discovered."

Because of that, we have many great Black inventors. Maybe that is the reason former chairman of the Judiciary Committee, JOHN CONYERS, is taking my side in this debate on H.R. 9. He is opposed to that.

We have a Black inventor, for example, who was the guy who invented the machine that permitted us to mass produce shoes. Before that time, Americans had one pair of shoes. We started to mass produce them because this Black American, struggling on his own because he was discriminated against like all Black Americans were in that day, managed to get his patent accepted, and he changed not only himself, but the whole country had shoes after that. Isn't that wonderful?

That is what happens when you have freedom for the little guy and not just for the big guys. They come up with the new ideas. They can uplift everybody and make sure everybody's feet feel better. We are on the verge of losing that now. We are on the verge of losing that.

When I go out in the hallway of Congress here, I see a statue to Philo Farnsworth. That is where it is. It is the statue of this Utah farmer who invented the picture tube and who had to take on the biggest company and the biggest corporate powers in the world, and he won. I will tell you that there is his statue there and that there is no statue to David Sarnoff, the corporate leader who tried to beat him down and steal his technology.

I do not care how rich and powerful he was; we respect the little guy in this country. We want the little guys to be able to have rights that are protected by our Constitution. That is why our Founding Fathers put it in the Constitution.

Many of these megacorporations, especially electronic corporations, don't care one bit about the well-being of the American people because they are multinational corporations now.

We want to make sure our people maintain their rights, that we keep being the leaders of innovation, and that we are able to outcompete the world and not just take all of our jobs

overseas and give them to cheap labor. We want to make sure that Americans benefit because this is what America is all about. It is where the little guy has the same rights legally, and they are protected.

That is what this fight is all about when it comes to H.R. 9. People need to talk to their congressmen, and the congressmen need to talk to each other about what this is really all about. It is easy to yawn when someone says: "I am going to discuss patent rights."

"Oh, yeah, patent law. How boring."

It is not boring. It is going to make all the difference as to whether our country stays safe because we have to have the technological edge to be safe in the world we are getting into now. Our people are not going to have decent housing or a decent standard of living because the wealth that is produced isn't produced just by hard work, it is produced by technological efficiency, and we have to be on the cutting edge, or we will be outcompeted by people overseas. This is going to determine what America is going to be like.

I would ask my colleagues to join me in opposing H.R. 9. Let's talk to the universities. Let's talk to the other industries that are being hurt dramatically by this. Just talk to the inventors. Let the inventors know.

Mr. Speaker, I yield back the balance of my time.

#### LGBTQ PRIDE MONTH

The SPEAKER pro tempore (Mr. KNIGHT). Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Texas (Mr. AL GREEN) for 30 minutes.

Mr. AL GREEN of Texas. Mr. Speaker, I would like to thank the leadership for allowing this time on the floor to take up H. Res. 329. H. Res. 329 encourages the celebration of the month of June as LGBTQ Pride Month.

I bring this to the floor, Mr. Speaker, because I have had some experiences in life that have caused me to understand why it is important that we do this. Someone might ask, Mr. Speaker: Why would you, AL GREEN—a person who is not gay, a person who is considered straight—bring a resolution to the floor, a resolution to celebrate and recognize some of the most notable events in the movement of the LGBTQ community?

Let me explain why. I am a son of the South. More specifically, I am a son of the segregated South. I grew up at a time when my friends and neighbors denied me rights that the Constitution of the United States of America accorded me.

I was forced to go through backdoors. I was forced to drink from colored water fountains. I was forced to ride at the back of the bus. I was a son of the segregated South, and as a son of the segregated South, I learned early in

life what invidious discrimination was like.

I learned what it smelled like because I had to go to filthy toilet facilities. I learned what it looked like because I saw the Klan burn crosses. I learned what it sounded like because I was called names that we no longer use in polite society. I am a son of the segregated South, and I know what discrimination looks like, feels like, smells like; I know what it hurts like.

I know of the people who lost their lives in the effort to try to bring about justice and equality for all. Medgar Evers lost his life, and Myrlie Evers still suffers to this day because she lost her husband in a worthy cause, in a cause for justice.

I know what it is like, and I know that, notwithstanding my circumstance as a straight guy, I didn't get here by myself. There were people who lived and died so that I could have the blessings that I have. Schwerner, Goodman, and Chaney died. Schwerner and Goodman were not Black. John Shillady died in Austin, Texas, fighting for the rights of Black people. John Shillady was not Black. Of the people who formed the NAACP in an effort to stop lynchings, which were almost commonplace, a good many of them were not Black.

I have been the beneficiary of the efforts of people who do not look like me, of people who had blessings such that they could have gone on with their lives. There was no reason other than they wanted "justice for all" for them to take up my cause.

I believe that, when you are blessed, there is a reason for it. You are blessed so that you may be a blessing to others. You have such that you may help those who have less or who have not. Hence, I find myself standing on the floor tonight of the Congress of the United States of America, proud to sponsor a resolution to encourage the celebration of the month of June as LGBTQ Pride Month.

This resolution celebrates and recognizes some of the most notable events of the LGBTQ movement.

□ 1900

What I would like to do is explain what this resolution actually does, H. Res. 329. H. Res. 329 celebrates the accomplishments of Houston mayor Annise Parker, the first lesbian elected as mayor of Houston, Texas.

I am proud that it does because not only was she elected mayor of Houston, Texas, before she was mayor, she served as the city's controller for 6 years; and before serving in this capacity, she served on city council for 6 years. She has earned the right to be recognized, and I am proud to have her recognized in H. Res. 329.

It celebrates the hard work that the transgender community has done to spread awareness about tolerance and

inclusion and encouraging the community to keep on working toward broader inclusion. We live in a society that has within its Pledge of Allegiance the words "liberty and justice for all."

I salute the flag of the United States of America, and I am proud to do so because I am a proud American. Liberty and justice for all, that means that we have to encourage liberty and justice for those who are in the transgender community and encourage them to keep on fighting for liberty and justice.

This resolution recognizes the protesters who stood for human rights and dignity at Stonewall Inn on June 28, 1968, as some of the pioneers of the movement. It celebrates the gay rights organizations in major cities in the aftermath of the Stonewall uprising.

After Stonewall, there was an uprising in a very positive way that took place. People realized that there was something they could do and should do to make sure that justice and equality were more than words for those who are members of the LGBTQ community.

This resolution highlights the importance of the American Psychiatric Association removing homosexuality from its list of mental illnesses in December of 1973. There is a recognition in the medical community that we should not have and that we must undo what has been done by labeling people as mentally ill because they were being the persons that God created them to be.

We have a saying in my community that God didn't create any junk, and people who are homosexuals are not junk; they are not persons with a mental illness; they are people who deserve the dignity and respect of all human beings and the dignity and respect that we accord other human beings, and I stand here tonight as a friend of the community to make it known that there are people who are willing to stand alone and fight for the rights of others, notwithstanding any consequences that may be put upon them.

This resolution recognizes Elaine Noble as the first LGBTQ candidate elected to a State legislature in 1974 and Barney Frank as the first Representative to come out as an openly gay Member of Congress in 1987. I had the preeminent privilege of knowing the Honorable Barney Frank.

I served on the Committee on Financial Services when he was the chairperson of that committee. He was a person committed to human rights for all, to human dignity for all. I am proud to stand here tonight and say that he has become an honorary member of the persons who are sponsoring this resolution.

By the way, there are many persons in Congress who are sponsoring this resolution, and I want to thank all of them for signing on to it. The Honorable Barney Frank is no longer in Con-

gress. That is why he is listed as an honorary sponsor or cosponsor of the resolution.

This resolution highlights the importance of the Civil Service Commission eliminating the ban on hiring homosexuals in most Federal jobs in 1975. It seems unimaginable and unthinkable that we had to have a civil rights commission to eliminate the ban on hiring persons because of their sexual preference, because of their sexual orientation. It just seems unimaginable, but it had to happen, and it did.

The resolution celebrates Harvey Milk making national news when he was sworn in as an openly gay member of the San Francisco Board of Supervisors on January 8, 1978. I remember when it happened. It was really big news in this country. Quite frankly, it took courage for him to do this, and the kind of courage that he showed, that he exemplified, has merited his being mentioned in this resolution, H. Res. 329.

It praises the thousands of activists who participated in the National March on Washington for Lesbian and Gay Rights to demand equal civil rights in 1979 and the National March on Washington to demand that President Reagan address the AIDS crisis in 1987.

There were some people who, because they thought that the disease impacted a certain segment of society, did not readily respond with the hand of help that was available. I am grateful that President Reagan did take up this cause to help with the fight against AIDS.

AIDS can impact anyone in our society, and I am proud that our government has spent money on this disease to help eliminate it, but we haven't spent enough, and we haven't done enough. I think we can do more, and we should do more.

The resolution highlights the importance of the 1980 Democratic National Convention, where Democrats took a stance in support of gay rights. I am proud of my party. I happen to be a Democrat, but this is not a partisan effort, and the Democratic Party took that stance at a time when it wasn't popular to take the stance.

It has become popular now, to a certain extent and to a certain degree, to support gay rights and the rights of gay people, but in 1980, it was not nearly as popular as it is today, and the party took the step forward and in so doing brought a lot of others along with us.

The resolution highlights the importance of the Supreme Court ruling in *Romer v. Evans* in May of 1996, which found a Colorado constitutional amendment preventing the enactment of protection for gays and lesbians unconstitutional.

It is important that we challenge laws that prevent people from having

equality of opportunity from receiving the same access to all that society has to offer as other people, and I am honored that the Colorado amendment preventing the enactment of protections for gays and lesbians was found unconstitutional.

It celebrates Vermont becoming the first State to legally recognize civil unions between gay and lesbian couples in 2000; and, my, have we come a long ways since 2000. We have come a long way because a good many people in this country now understand that the laws ought to apply equally to all, that the 14th Amendment is not for some, it is for all.

The judges who interpret these laws, who are indicating that these laws should apply appropriately to the LGBTQ community, these judges are not all gay judges. These are judges who are sworn to uphold the Constitution of the United States of America, and they are doing it because they know that it is the right thing to do.

The Supreme Court will be taking up the case of gay marriage—in fact, is taking it up and will make a ruling sometime in the very near future. My hope is that the Supreme Court will honor the 14th Amendment and will allow the Constitution of the United States to apply to the members of the LGBTQ community to the same extent that it applies to people in other communities.

The law should be blind to who you are; it ought to give you justice because you happen to be a person that is a subject of the Constitution. It ought not peek to see if you are of a different hue or of a different sexual orientation. It ought to weigh equally all people and mete out justice to all the same.

This resolution recognizes the importance of the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act, which was signed into law on October 28, 2009, by President Obama, as it expanded the Federal hate crime laws to include crimes motivated by a victim's actual or perceived gender, sexual orientation, or disability. People ought not be assaulted because of who they are.

What this does is it recognizes that, if you assault a police officer because you know that person is a police officer, then the crime that you will be charged with is enhanced, the punishment is enhanced. You will be punished more severely because you have assaulted a peace officer. This is a law in the State of Texas.

Well, if you assault a person because of who that person happens to be and because you don't happen to like that person because of the person's gender, because of the person's ethnicity, color, there ought to be a special punishment for you because you have gone out of your way to hurt somebody that you don't know in a good many circumstances and you want to do it sim-

ply because you don't like the way the person looks or you don't like the person's perceived sexual orientation. The law has been changed, and it punishes you if you decide that you are going to commit this type of crime.

This resolution celebrates 2012 as the first year in which all 50 States had at least one LGBTQ elected official. All 50 States have now at least one person who is a part of the LGBTQ community holding public trust. People have come to understand that it is not the color of skin, it is not sexual orientation; it is the character within a person that determines whether or not a person ought to hold public trust, whether or not a person ought to be respected appropriately. It is the character, not the way the person is perceived in terms of color or sexual orientation.

This resolution celebrates Senator TAMMY BALDWIN being sworn in as the first openly gay United States Senator in January of 2013, and she has served her country well and merits this sort of recognition.

The resolution highlights the importance of the Supreme Court ruling in the *United States v. Windsor* on June 26, 2013, which found that section 3 of the Defense of Marriage Act, DOMA, found it unconstitutional and determined that the Federal Government cannot discriminate against married lesbian and gay couples for the purpose of determining Federal benefits and protections.

This is the Supreme Court of the United States of America, the same Supreme Court with conservative and liberal Justices on it. We don't have to agree with everything the Supreme Court does, but I thank God I live in a country where we respect the decisions. We can differ with them. Even the Justices themselves differ about various opinions, but they respect the rulings of the Court. This Supreme Court has made such a ruling as it relates to the Defense of Marriage Act.

This resolution celebrates the 37 States and the District of Columbia where it is now legal for same-sex couples to get married. Literally, more than half of the States in the United States of America now permit same-sex couples to get married—more than half of the States.

This means that this country is moving toward, without a ruling from the Supreme Court, the notion that same-sex couples should be allowed to not only love each other, but to marry each other, to have the same benefits that heterosexual couples have when they marry.

□ 1915

Marriage is a great institution. I celebrate the institution of marriage. But the law, under the 14th Amendment, seems to indicate that we cannot prevent people who are of the same sex and who love each other from having

the same opportunities that benefit from the institution of marriage that other people who are heterosexual have the opportunity of benefiting from.

So the States that have decided that they would do this should be recognized. By the way, many of these States recognize same-sex marriage because of judges in those States who have made rulings, because of legislatures in those States who have legislated, and because of people in those States who have voted.

There are 37 States. The States include Alabama, Alaska, Arizona, California, Colorado, Connecticut. They are all States that recognize same-sex marriage. Delaware, Florida, Hawaii, and Idaho are States that recognize same-sex marriage. Indiana, Iowa, Illinois, Kansas, Maine, Maryland, Massachusetts, and Minnesota all recognize same-sex marriage. Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Oklahoma, and Ohio all recognize same-sex marriage. Oregon, Pennsylvania, Rhode Island, South Carolina, Utah, Vermont, Virginia, Washington, West Virginia, and Wisconsin are all States in the United States of America that recognize same-sex marriage.

So, Mr. Speaker, I am honored to present the resolution. And I am honored to do so because I know the importance of having people who were not of African ancestry who supported causes that made it possible for me to be here.

I have a debt that I owe. I hope that tonight I have made a down payment on the retirement of that debt. Because somebody suffered so that I could have the opportunity to stand in the Congress of the United States of America and make this floor speech. No one could have—or would have—predicted at my birth that I would have the opportunity to be a Member of the Congress of the United States of America.

For me to be here, somebody had to find out what a 90-pound German Shepherd bites like; somebody had to find out what a high-pressure water hose stings like; somebody had to find out what going to jail feels like; somebody had to find out what losing someone that you love dearly to a cause hurts like.

I am not here because I am so smart. I am here because there are people who were willing to make great sacrifices so that I could have the opportunities that I have. And because I have them, I have a debt that I owe. And I am here tonight to say that I am proud to stand with the LGBTQ community to help bring about the kind of justice for this community that I have enjoyed.

Now let me be perspicuously clear about one thing. I am not saying that we have reached the panacea as it relates to the African American community. There is still great work to be done as evidenced by what happened in



Charleston, South Carolina. There is still work to be done and still heavy lifting to do. But I am also very proud of some things that happened there.

I happened to be in a position to be at the bond hearing that took place, and as I listened, I could not believe my ears when I heard a mother say, "You took my son"—took her hero, "but I forgive you. I forgive you." Time and time again, persons said, "I forgive you."

I had tears well in my eyes because it takes a special person to say "I forgive you" so close to the event that is being forgiven or that the forgiveness addresses. It takes a special person.

And I want to compliment the families of the persons who lost their lives in church. My God, in church, lost their lives in church. I want to commend those families for having what Dr. Martin Luther King called the strength to love. The strength to love. He wrote the book, "Strength to Love." It is a collection of his sermons. And he makes it known to us in that book that it is not easy to love your enemy. It is not easy to forgive those who would persecute you. But he also makes it known in the book "Strength to Love" that that is what love is all about: loving those who would do ugly things to you, who would be spiteful, who would be evil.

I think that the family members in Charleston who have shown the strength to love are a supreme, superb, sterling example to the rest of this country of what we must do if we are to continue to live together such that we will have a future that will be void of the kind of behavior—the ugly, dastardly deed, if you will—that took place in that church.

Dr. King reminded us also that we have a duty—an obligation, if you will—to learn to live together as brothers and sisters. We must learn to live together as brothers and sisters. Because if we don't learn to live together as brothers and sisters, we will perish together as fools.

I thank the people of South Carolina for exhibiting the ultimate in the strength to love, and I thank God that I have been blessed. I pray that God will continue to give me the strength to be a blessing to others.

I yield back the balance of my time.

#### FAITH THROUGH THE BIBLE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, I enjoy hearing my friend from Texas, a former judge down in Houston, talk about love. I do love him as a Christian brother. We can disagree and still love each other.

I have been surprised in recent years to find some of those of us who believe

in the Book that used to be read here. It was a pretty common practice on the floor of the House on Sundays down in Statuary Hall, and even in this room, back when church services were held in the former House Chamber.

It was attended by the man that first coined the phrase, "separation of church and State." It is not in the Constitution. It was in his letter to the Danbury Baptists. He came to a non-denominational Christian worship service down the hall. Of course, Thomas Jefferson would even bring the Marine Band and have them play hymns. Because although he made clear he believed in separation of church and State, and used that phrase, he didn't see any problem with singing hymns and having the Marine Band play the hymns to accompany right here in the U.S. Capitol.

I have been surprised in recent years at how prominent the Bible was in our founding, so much so that toward the end of June 1787, the Constitutional Convention was at wits' end, having a great deal of trouble, and Randolph from Virginia made a motion that they all convene together on the Nation's birthday and worship God together in services under the auspices of the Bible. They came back and were able to reach a conclusion that we call the Constitution. People like Alexander Hamilton said that clearly the finger of God was in that, and it all came into place after they worshipped the Lord and used the Bible in worship there in 1787.

But it is amazing now, after the Bible was such a prominent part of our founding throughout our history, now those of us that believe what is in the Bible are the ones who are now discriminated against. I have suffered it right here in this town, not to the extent of being harmed physically, of course. Physical threats are not uncommon, but they were there when I was a judge as well.

So I am just going to read without comment the Book that has been read in this Capitol throughout our history, Romans 1:16:

For I am not ashamed of the Gospel, for it is the power of God for salvation to everyone who believes, to the Jew first and also to the Greek. For in the righteousness of God is revealed from faith for faith, as it is written "The righteous shall live by faith."

For the wrath of God is revealed from heaven against all ungodliness and unrighteousness of men, who suppressed the truth and unrighteousness, because that which is known about God is evident within them, for God made it evident to them. For since the creation of the world, His invisible attributes, His eternal power, divine nature, have been clearly seen, being understood through what has been made so that they are without excuse.

For even though they knew God, they did not honor Him as God or give thanks, but they became futile in their speculations, and their foolish heart was darkened. Professing to be wise, they became fools and exchanged

the glory of the incorruptible God for an image in the form of corruptible man and of birds, four-footed animals, crawling creatures.

Therefore, God gave them over in the lust of their hearts to impurity that their bodies might be dishonored among them, for they exchanged the truth of God for a lie and worshipped and served the creature rather than the Creator, who is blessed forever. Amen.

For this reason, God gave them over to degrading passions. For their women exchanged the natural function for that which is unnatural; and in the same way, also the men abandoned the natural function of the woman and burned in their desire for one another, men with men committing indecent acts.

Because I believe the Scripture—love those who don't, love those because we have all sinned one way or another—there is no room to hate anybody that has sinned, because we all have. We have all fallen short.

But I am sure my office, Mr. Speaker, will be getting nasty, angry, bitter calls, as we often do when we refer to the Bible that helped give us our founding.

□ 1930

But that is what the Bible said, and I am deeply concerned that we have Supreme Court Justices, two of whom who have actually participated in same-sex weddings, thereby showing how biased and partial they are in favor of such things, against the dignity and history of marriage in the country, marriage in the Bible.

It has been said many times here over our history, Moses said it came from God, that Moses, depicted right up above the center door, that a man shall leave his father and mother and a woman leave her home and the two will become one flesh.

When Jesus was asked about marriage, he repeated it: For a man shall leave his father and mother, and a woman leave her home, and the two will become one flesh. And Jesus added: What God has joined together, let no man put asunder.

So we have two Justices that have already indicated they believe otherwise than the law of Moses and Jesus, and they have shown themselves to be anything but impartial.

So, under the law, 28 United States Code 455, it is mandatory, they shall disqualify themselves. And if it turns out that they sit in judgment on a case in which they are clearly disqualified and a part of the majority, that cannot possibly be a legitimate law change, judges substituting their law for the law that this country has utilized throughout its history.

Yes, courts all over the country have substituted their judgment for State constitutions and laws. And for those who don't believe the Bible, you have got nothing to worry about. But the indications are, in Romans 1, God's protective hand will be withdrawn when we continue to abandon the Nation's founding.

Thank God churches fought for, so many were involved in, the movement to make the Constitution mean just what it said. We really shouldn't have had to have a 14th Amendment. Everybody should have been equal under the law. But it took an amendment, took a civil rights movement, to apply it across the board.

Now we have judges that will be oligarchs, as they have been, and they will be making decisions, rather than elected officials, and we will see how much longer the Nation lasts.

There is no hate, just a broken heart in me, but I will be accused of being hatermonger this, hatermonger that. That is not the case.

I would like to congratulate our own leadership, Mr. Speaker. This is The Hill: "Obama Poised for Huge Win on Trade."

I would like to congratulate our Speaker, our Republican leadership, for pushing through the trade deal, leader MCCONNELL, down the hall. The President could not have gotten this ability to fast-track, to make deals that we won't know about, without the Republican leadership making that happen for him. Of course, nobody that I know of on the Republican side ran promising that we would get such ability for President Obama, but congratulations go there.

Some people say I am not quick enough to congratulate my own Republican leadership. I mean, I have congratulated our Speaker before when he was chairman of the Education Committee. As President Bush cited in his book, our now-Speaker was very important, very instrumental in getting No Child Left Behind pushed through.

Of course, when we won the majority in November 2010, got it back that December, deals were worked out that cost the country a lot of spending, raised the debt a great deal. Since then, although we continue to promise that we are going to do something about the debt, we continue to give the President almost a blank check.

But congratulations on all these. Congratulations on enabling the President to make these kind of deals. Then we will see if this law, TPA, is finally one the President abides by and gives us notice, timely, as he hasn't done in so many other areas, like Guantanamo and releasing people from Guantanamo.

But we have an article here, I guess, congratulations then would go to the Commander-in-Chief. Because I don't know that this would be the lion lying down with the lamb, if this lamb is the Iranian military-backed forces.

But this article from Bloomberg, June 22, Josh Rogin and Eli Lake, says:

The U.S. military and Iranian-backed Shiite militias are getting closer and closer in Iraq, even sharing a base, while Iran uses those militias to expand its influence in Iraq and fight alongside the Bashar al-Assad regime in neighboring Syria.

Two senior administration officials confirmed to us the U.S. soldiers and Shiite militia groups are both using the Taqaddum military base in Anbar, the same Iraqi base where President Obama is sending an additional 450 U.S. military personnel to help train the local forces fighting against the Islamic State. Some of the Iran-backed Shiite militias at the base have killed American soldiers in the past.

Some inside the Obama administration fear that sharing the base puts U.S. soldiers at risk. The U.S. intelligence community has reported back to Washington that representatives of some of the more extreme militias have been spying on U.S. operations at Taqaddum, one senior administration official told us. That could be calamitous if the fragile relationship between the U.S. military and the Shiite militia comes apart and Iran-backed forces decide to again target U.S. troops.

American critics of this growing cooperation between the U.S. military and the Iranian-backed militias call it a betrayal of the U.S. personnel who fought against the militias during the 10-year U.S. occupation of Iraq.

"It's an insult to the families of the American soldiers that were wounded and killed in battles in which the Shia militias were the enemy," Senate Armed Services Chairman JOHN MCCAIN told us. "Now, providing arms to them and supporting them, it's very hard for those families to understand."

The U.S. is not directly training Shiite units of what are known as the Popular Mobilization Forces, which include tens of thousands of Iraqis who have volunteered to fight against the Islamic State as well as thousands of hardened militants who ultimately answer to militia leaders loyal to Tehran. But the U.S. is flying close air support missions for those forces.

The U.S. gives weapons directly only to the Iraqi Government and the Iraqi Security Forces, but the lines between them and the militias are blurry. U.S. weapons often fall into the hands of militias, like Iraqi Hezbollah. Sometimes the military cooperation is even more explicit. Commanders of some of the hard-line militias sit in on U.S. military briefings on operations that were meant for the government-controlled Iraqi Security Forces, a senior administration official said.

This collaboration with terrorist groups that have killed Americans was seen as unavoidable as the U.S. marshaled Iraqis against the Islamic State, but could prove counterproductive to U.S. interests in the long term, this official said.

The militias comprise largely Shiite volunteers and are headed by the leader of the Iraqi Hezbollah, Abu Mahdi al-Muhandis. He was sanctioned in 2009 by the Treasury Department for destabilizing Iraq. Al-Muhandis is a close associate of Qasem Suleimani, the Iranian Quds Force commander, who has snapped selfies with the militia leader at key battles.

Other militias that have participated in the fighting against the Islamic State include the League of the Righteous which, in 2007, carried out a brutal roadside execution of five U.S. soldiers near Karbala. The group to this day boasts of its killing of U.S. soldiers. In an interview in February, a spokesman for the militia defended the killings and said his militia had killed many more American soldiers.

Members of these groups have also been deployed by Iran to defend the Assad regime in neighboring Syria. James Clapper, the Direc-

tor of National Intelligence, confirmed in a June 3 letter to seven Republican Senators, which we obtained, that "Iran and Hezbollah have also leveraged allied Iraqi Shia militant and terrorist groups, which receive training in Iran, to participate in the pro-Assad operations."

The militias also stand accused of gross human rights abuses and battlefield atrocities in Sunni areas where they have fought. The State Department heavily criticized Iran's support for the Iraqi militias and those militias' behavior in its annual report on worldwide terrorism, released last week.

Further down:

With the deadline approaching for a nuclear deal that would place up to \$150 billion in the hands of Iran, the U.S. is now openly acknowledging in its annual report on international terrorism that Iran is supporting a foreign legion, comprising Afghans, Iraqis, and Lebanese fighters to defend Iranian interests throughout the Middle East.

But the U.S. response to this is inconsistent. In Iraq, America is fighting alongside Iranian-backed militias. In Syria, U.S.-supported forces are fighting against those same militias. The tragedy of this policy is that the Islamic State has been able to hold and expand its territory in Iraq and Syria, while Iran has been able to tighten its grip on Baghdad.

Then another article from Daniel Horowitz, *Conservative Review*:

Anyone who visits Walter Reed Hospital will immediately see the irrevocable destruction of Hezbollah. Thousands of our troops have been incapacitated and mangled by IEDs from Hezbollah and other Shiite groups in Iraq, all funded by Obama's ally, Iran. Anyone who was around in 1983 will remember the 241 American servicemen who were killed in the Hezbollah terror attack in Beirut.

Guess what Obama is doing with them?

Eli Lake reports at Bloomberg News that our troops are sharing a base with Hezbollah-controlled Shiite forces, and we are bailing them out of their humiliating loss to the Islamic State.

□ 1945

The article goes on, but it is just exceedingly tragic; but it explains why the President has been unable to state that we have a clear strategy in the Middle East because, on the one hand, we have had the United States military give their lives fighting against the tyranny and the atrocities of Hezbollah.

On the other hand, we now have the President, the Commander in Chief, who commands over our forces that he has put in the same camp with Hezbollah. The hope, apparently, of the administration is, even though they are still bragging in Hezbollah about killing American soldiers, that maybe by having them camp in the same camp, they won't be killing them now. You have got to love that optimism.

As we see the Commander in Chief's troops being forced to come together with people like Hezbollah—that want to kill them, have killed them, have maimed them, Hezbollah is clearly supported by Iran—then we get this, "AP Exclusive: Document outlines big-power nuke help to Iran," George Jahn, dated today, from Vienna.

The United States and other nations negotiating a nuclear deal with Iran are ready to offer high-tech reactors and other state-of-the-art equipment to Tehran if it agrees to crimp programs that can make atomic bombs, according to a confidential document obtained Tuesday by the Associated Press.

The draft document—one of several technical appendixes meant to accompany the main text of any deal—has dozens of bracketed texts where disagreements remain. Technical cooperation is the least controversial issue at the talks, and the number of brackets suggest the sides have a ways to go not only on the topic but also more contentious disputes with little more than a week until the June 30 deadline for a deal.

With that deadline looming, Iran's top leader, Ayatollah Ali Khamenei, on Tuesday rejected a long-term freeze on nuclear research and supported banning international inspectors from accessing military sites. Khamenei, in comments broadcast on Iranian state television, also said Iran will sign a final deal provided all economic sanctions now in Iran are first lifted—in a sign the Islamic Republic may be toughening its stance ahead of the deadline.

In any event, that is great news.

Of course, the Senate and House passed a bill that turned requirements for authorization of treaties upside down. Instead of having two-thirds of the Senate required to approve a deal, we have flipped it. Now, it will take two-thirds of a vote in the House and Senate to disapprove a deal. That makes it easier for the President to give Iran the nuclear reactors they are hoping.

Mr. Speaker, I brought this up in past years; but here, in negotiating with Iran, one of our lead negotiators was the same person who was involved in the Clinton administration negotiations with North Korea, where they cut this wonderful deal basically saying, in essence, we will give you nuclear reactors for power if you will just promise that you won't use them to make nuclear weapons.

This dishonest, evil leader said: All you want is a promise from a dishonest leader that I won't use them to make nukes? Sure, I will promise you that. Bring on the nuclear power plants.

Those came, and they were converted. Now, North Korea is helping with parts of the evil empire to develop nuclear weapons of their own.

When you have somebody involved in that kind of deal with North Korea sent to negotiate with Iran, we should have known that this would be coming: Hey, we will give you nuclear reactors. We will help you make it happen. We just don't want you to use them to make nuclear weapons.

Since Iran has been—at least the leaders have been so evil in the way they have pursued Israel, in the way they have pursued Americans, continuing to brag about killing Americans, I don't think anybody should really be surprised if this deal gets cut and then Iran goes ahead and uses what we provide them or the P5+1 provides them in order to make nuclear weapons

more quickly than they could have without this kind of deal.

But “congratulations” again go to the Republican leaders in the House and Senate for pushing through the authority for the President to have the ability to make these kinds of deals. Who says I can't be magnanimous and thank Republican leaders?

I hope the American public will wake up and understand, the deal that has been negotiated is deadly to our ally Israel; it is deadly to the United States. Make it clear that any party that hopes to have any chance of having a President elected from their party better not be part of the deal with Iran because it is going to get more Americans and Israelis killed.

Mr. Speaker, I yield back the balance of my time.

#### FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 533. An act to revoke the charter of incorporation of the Miami Tribe of Oklahoma at the request of that tribe, and for other purposes.

The message also announced that the Senate concurs in the House amendment to the Senate amendment with an amendment to the bill (H.R. 1295) “An Act to extend the African Growth and Opportunity Act, the Generalized System of Preferences, the preferential duty treatment program for Haiti, and for other purposes.”.

The message also announced that the Senate has passed a concurrent resolution of the following title in which the concurrence of the House is requested:

S. Con. Res. 19. Concurrent resolution providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 644) “An Act to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes.”, and request a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HATCH, Mr. CORNYN, Mr. THUNE, Mr. ISAKSON, Mr. WYDEN, Mr. SCHUMER, and Ms. STABENOW to be the conferees on the part of the Senate.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the chair.

Accordingly (at 7 o'clock and 51 minutes p.m.), the House stood in recess.

□ 2032

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. Foxx) at 8 o'clock and 32 minutes p.m.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF THE SENATE AMENDMENT TO THE HOUSE AMENDMENT TO THE SENATE AMENDMENT TO H.R. 1295, TRADE PREFERENCES EXTENSION ACT OF 2015

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 114-179) on the resolution (H. Res. 338) providing for consideration of the Senate amendment to the House amendment to the Senate amendment to the bill (H.R. 1295) to extend the African Growth and Opportunity Act, the Generalized System of Preferences, the preferential duty treatment program for Haiti, and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PAYNE (at the request of Ms. PELOSI) for today on account of a medical procedure.

#### ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 615. An act to amend the Homeland Security Act of 2002 to require the Under Secretary for Management of the Department of Homeland Security to take administrative action to achieve and maintain interoperable communications capabilities among the components of the Department of Homeland Security, and for other purposes.

H.R. 2146. An act to amend the Internal Revenue Code of 1986 to allow Federal law enforcement officers, firefighters, and air traffic controllers to make penalty-free withdrawals from governmental plans after age 50, and for other purposes.

#### ADJOURNMENT

Mr. SESSIONS. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 33 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, June 25, 2015, at 9 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1901. A letter from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule — Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Salable Quantities and Allotment Percentages for the 2015-2016 Marketing Year [Doc. No.: AMS-FV-14-0096; FV15-985-1 FR] received June 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1902. A letter from the Administrator, Rural Business-Cooperative Service, Department of Agriculture, transmitting the Department's interim final rule — Biorefinery, Renewable Chemical, and Biobased Product Manufacturing Assistance Program (RIN: 0570-AA73) received June 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1903. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's "Report to Congress on the Child Care and Development Fund (CCDF) for Fiscal Years 2012 and 2013", pursuant to Pub. L. 113-186, Sec. 658L; to the Committee on Education and the Workforce.

1904. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Food Additives Permitted in Feed and Drinking Water of Animals; Gamma-Linolenic Acid Safflower Meal [Docket No.: FDA-2010-F-0537] received June 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1905. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Food Additives Permitted for Direct Addition to Food for Human Consumption; TBHQ [Docket No.: FDA-2014-F-0364] received June 19, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1906. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the "2012-2013 Report to Congress on Organ Donation and the Recovery, Preservation, and Transportation of Organs", pursuant to 42 U.S.C. 274f-4, added by Pub. L. 108-216, the Organ Donation and Recovery Improvement Act; to the Committee on Energy and Commerce.

1907. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the report to Congress on the Ryan White HIV/AIDS Program Parts A and B Supplemental Funds for FY 2011 through 2014, pursuant to Secs. 2603(e) and 2620(d) of Title XXVI of the Public Health Service Act; to the Committee on Energy and Commerce.

1908. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Food and Drug Administration's FY 2014 annual Performance Report to Congress, pursuant to the Generic Drug User Fee Amendments of 2012; to the Committee on Energy and Commerce.

1909. A letter from the Director, Defense Security Cooperation Agency, transmitting notice of Proposed Issuance of Letter of Offer and Acceptance to Australia, pursuant to Sec. 36(b)(1) of the Arms Export Control Act, as amended, Pub. L. 94-329, Transmittal No.: 15-41; to the Committee on Foreign Affairs.

1910. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's "Country Re-

ports on Terrorism 2014", pursuant to 22 U.S.C. 2656f; to the Committee on Foreign Affairs.

1911. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report consistent with the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Pub. L. 107-243) and the Authorization for Use of Military Force Against Iraq Resolution (Pub. L. 102-1), for the February 14, 2015, to April 15, 2015 reporting period; to the Committee on Foreign Affairs.

1912. A letter from the Inspector General, Department of Health and Human Services, transmitting the "Report on External Quality Control Review" for the year ending on September 30, 2014; to the Committee on Oversight and Government Reform.

1913. A letter from the Chief Privacy and Civil Liberties Officer, Department of Justice, transmitting the Department's final rule — Privacy Act of 1974; Implementation [CPCLD Order No.: 008-2015] received June 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1914. A letter from the Director, Office of Management and Budget, Executive Office of The President, transmitting the "2014 Report to Congress on the Benefits and Costs of Federal Regulations and Unfunded Mandates on State, Local, and Tribal Entities", as required by 31 U.S.C. 1105 note and 2 U.S.C. 1531-1538; to the Committee on Oversight and Government Reform.

1915. A letter from the Senior Vice President and Chief Accounting Officer, Federal Home Loan Bank of Des Moines, transmitting the Federal Home Loan Bank of Des Moines 2014 management report and financial statements, pursuant to the Chief Financial Officers Act of 1990; to the Committee on Oversight and Government Reform.

1916. A letter from the Officer, Equal Employment Opportunity, International Boundary and Water Commission, U.S. Section, transmitting the Commission's FY 2014 annual report, pursuant to Sec. 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. 107-174; to the Committee on Oversight and Government Reform.

1917. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting a report entitled "District of Columbia Agencies' Compliance with Fiscal Year 2015 Small Business Enterprise Expenditure Goals through the 2nd Quarter of Fiscal Year 2015"; to the Committee on Oversight and Government Reform.

1918. A letter from the Executive Analyst, Office of the Secretary, Department of Health and Human Services, transmitting two reports pursuant to the Federal Vacancies Reform Act of 1998, Pub. L. 105-277; to the Committee on Oversight and Government Reform.

1919. A letter from the Acting Commissioner, Social Security Administration, transmitting the semiannual report to Congress from the Social Security Administration Office of Inspector General during the period from October 1, 2014, through March 31, 2015, pursuant to the Inspector General Act of 1978, as amended; to the Committee on Oversight and Government Reform.

1920. A letter from the Secretary, Department of the Interior, transmitting a notification that the Department, through the Bureau of Land Management, intends to accept a gift of land in Tulare County, California, from the Mojave Desert Land Trust, pursu-

ant to Sec. 6 of the Wilderness Act of 1964, as amended (16 U.S.C. 1135); to the Committee on Natural Resources.

1921. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's interim rule — International Fisheries; Western and Central Pacific Fisheries for Highly Migratory Species; Fishing Effort Limits in Purse Seine Fisheries for 2015 [Docket No.: 150406346-5346-01] (RIN: 0648-BF03) received June 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1922. A letter from the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting the Department's final rule — Technical Edits [NPS-WASO-18005; PPWOVPADU0, PPMPSPDIY.YM0000] (RIN: 1024-AE25) received June 19, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1923. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Special Management Zones for Delaware Artificial Reefs [Docket No.: 130702585-5454-02] (RIN: 0648-BD42) received June 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1924. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Small-Mesh Multispecies Specifications [Docket No.: 150205118-5443-02] (RIN: 0648-BE87) received June 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1925. A letter from the Director, Administrative Office of the United States Courts, transmitting a report on compliance within the time limitations established for deciding habeas corpus death penalty petitions under Title I of the Antiterrorism and Effective Death Penalty Act of 1996, in accordance with 28 U.S.C. 2266 subsections (b)(5) and (c)(5); to the Committee on the Judiciary.

1926. A letter from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting the 2014 Report to Congress on the STOP (Services, Training, Officers, Prosecutors) Violence Against Women Formula Grants Program (STOP Program), as required by the Violence Against Women Act, codified as amended at 42 U.S.C. 3796gg-3, and the 2014 Report to Congress on the Sexual Assault Services Formula Grants Program, as required by Sec. 1003(b) of the Violence Against Women Act of 2000, codified at 42 U.S.C. 3789p; to the Committee on the Judiciary.

1927. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment to the Titles of Restricted Areas R-5301, R-5302A, R-5302B, and R-5302C; North Carolina [Docket No.: FAA-2015-1862; Airspace Docket No.: 15-ASO-6] (RIN: 2120-AA66) received June 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1928. A letter from the Management and Program Analyst, FAA, Department of

Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2014-0485; Directorate Identifier 2014-NM-093-AD; Amendment 39-18176; AD 2015-12-03] (RIN: 2120-AA64) received June 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1929. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Tribune, KS [Docket No.: FAA-2014-0744; Airspace Docket No.: 14-ACE-5] received June 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1930. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Learjet Inc. Airplanes [Docket No.: FAA-2014-0249; Directorate Identifier 2012-NM-211-AD; Amendment 39-18180; AD 2015-12-06] (RIN: 2120-AA64) received June 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1931. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2014-0585; Directorate Identifier 2013-NM-248-AD; Amendment 39-18182; AD 2015-12-08] (RIN: 2120-AA64) received June 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1932. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2014-0618; Directorate Identifier 2012-NM-171-AD; Amendment 39-18178; AD 2015-12-05] (RIN: 2120-AA64) received June 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1933. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Avidyne Corporation Integrated Flight Displays [Docket No.: FAA-2015-2191; Directorate Identifier 2015-CE-019-AD; Amendment 39-18183; AD 2015-10-51] (RIN: 2120-AA64) received June 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1934. A letter from the FMCSA Division Chief, Regulatory Development, Department of Transportation, transmitting the Department's final rule — Medical Examiner's Certification Integration [Docket No.: FMCSA-2012-0178] (RIN: 2126-AB40) received June 19, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1935. A letter from the Regulations Officer, Federal Highway Administration, Department of Transportation, transmitting the Department's final rule — Procurement, Management, and Administration of Engineering and Design Related Services [FHWA Docket No.: FHWA-2012-0043] (RIN: 2125-AF44) received June 19, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1936. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's temporary regulations — Suspension of Benefits under the Multiemployer Pension Reform

Act of 2014 [TD 9723] (RIN: 1545-BM73) received June 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1937. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final regulations and removal of temporary regulations — Portability of a Deceased Spousal Unused Exclusion Amount [TD 9725] (RIN: 1545-BK74) received June 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1938. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final and temporary regulations — Partnership Transactions Involving Equity Interests of a Partner [TD 9722] (RIN: 1545-BM35) received June 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1939. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Credit for Carbon Dioxide Sequestration: 2015 Section 45Q Inflation Adjustment Factor [Notice 2015-44] received June 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1940. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — 2014 Section 45K(d)(2)(C) Reference Price [Notice 2015-45] received June 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1941. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rules — Summary of Benefits and Coverage and Uniform Glossary [TD 9724] (RIN: 1545-BM53) received June 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RYAN of Wisconsin: Committee on Ways and Means. S. 984. An act to amend title XVIII of the Social Security Act to provide Medicare beneficiary access to eye tracking accessories for speech generating devices and to remove the rental cap for durable medical equipment under the Medicare Program with respect to speech generating devices (Rept. 114-178 Pt. 1). Ordered to be printed.

Mr. SESSIONS: Committee on Rules. H. Res. 338. A resolution providing for consideration of the Senate amendment to the House amendment to the Senate amendment to the bill (H.R. 1295) to extend the African Growth and Opportunity Act, the Generalized System of Preferences, the preferential duty treatment program for Haiti, and for other purposes (Rept. 114-179). Referred to the House Calendar.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. SEWELL of Alabama (for herself, Ms. JUDY CHU of California, Ms. LINDA T. SANCHEZ of California, Mr. LEWIS, and Mr. VEASEY):

H.R. 2867. A bill to amend the Voting Rights Act of 1965 to revise the criteria for determining which States and political subdivisions are subject to section 4 of the Act, and for other purposes; to the Committee on the Judiciary.

By Mr. SAM JOHNSON of Texas:

H.R. 2868. A bill to amend title I of the Employee Retirement Income Security Act of 1974 to improve access and choice for entrepreneurs with small businesses with respect to medical care for their employees; to the Committee on Education and the Workforce.

By Mr. MARCHANT (for himself, Mr. THORNBERRY, and Mr. OLSON):

H.R. 2869. A bill to amend title XXVII of the Public Health Service Act to permit cooperative governing of public entity health benefits through local governments in secondary States; to the Committee on Energy and Commerce.

By Mr. SMITH of New Jersey (for himself and Mr. MCGOVERN):

H.R. 2870. A bill to amend the Torture Victims Relief Act of 1998 to authorize appropriations to provide assistance for domestic and foreign programs and centers for the treatment of victims of torture, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BEYER (for himself, Mr. VAN HOLLEN, Mr. CONNOLLY, Mr. MEEKS, Mr. DESAULNIER, Miss RICE of New York, Ms. NORTON, and Mr. BLUMENAUER):

H.R. 2871. A bill to provide an incentive for firearm owners to sell their firearms safely and responsibly; to the Committee on the Judiciary.

By Mr. BUCSHON (for himself and Mr. WOMACK):

H.R. 2872. A bill to amend the Controlled Substances Act to modernize the treatment of opioid addiction, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CROWLEY (for himself, Ms. LINDA T. SANCHEZ of California, Mr. ELLISON, and Mr. POCAN):

H.R. 2873. A bill to prohibit employers from requiring low-wage employees to enter into covenants not to compete, to require employers to notify potential employees of any requirement to enter into a covenant not to compete, and for other purposes; to the Committee on Education and the Workforce.

By Mr. DESJARLAIS (for himself, Mrs. BLACKBURN, Mr. COOPER, Mr. DUNCAN of Tennessee, Mr. FLEISCHMANN, Mr. ROE of Tennessee, Mr. POLIQUIN, Mr. FINCHER, Mrs. BLACK, Mr. JORDAN, and Mr. MASSIE):

H.R. 2874. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income any discharge of indebtedness income on education loans of deceased veterans; to the Committee on Ways and Means.

By Mr. CONYERS (for himself, Ms. JACKSON LEE, Mr. LEWIS, Mr. HOYER, Mr. CLYBURN, Ms. JUDY CHU of California, Mr. GRIJALVA, Mr. BUTTERFIELD, Mr. ELLISON, Mr. NADLER, Ms. LOFGREN, Mr. COHEN, Mr. JOHNSON of Georgia, Mr. PIERLUISI,

Mr. DEUTCH, Mr. GUTIÉRREZ, Ms. BASS, Mr. RICHMOND, Ms. DELBENE, Mr. JEFFRIES, Mr. CICILLINE, Mr. RANGEL, Mr. BISHOP of Georgia, Ms. NORTON, Mr. HASTINGS, Mr. RUSH, Mr. SCOTT of Virginia, Mr. THOMPSON of Mississippi, Mr. BLUMENAUER, Ms. LEE, Mr. CLAY, Mr. VAN HOLLEN, Ms. MOORE, Ms. CLARKE of New York, Ms. EDWARDS, Ms. KELLY of Illinois, Mr. DESAULNIER, Mrs. LAWRENCE, and Ms. PLASKETT):

H.R. 2875. A bill to encourage greater community accountability of law enforcement agencies, and for other purposes; to the Committee on the Judiciary.

By Mr. GRAVES of Louisiana (for himself, Mr. HUNTER, and Mr. VELA):

H.R. 2876. A bill to promote the recycling of vessels in the United States and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUNTER (for himself and Mr. DELANEY):

H.R. 2877. A bill to designate an existing Federal officer to coordinate efforts to secure the release of United States persons who are hostages of hostile groups or state sponsors of terrorism, and for other purposes; to the Committee on Foreign Affairs.

By Ms. JENKINS of Kansas (for herself and Mr. LOEBACK):

H.R. 2878. A bill to provide for the extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals through 2015; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KINZINGER of Illinois (for himself, Mr. SHIMKUS, Mr. RODNEY DAVIS of Illinois, Mrs. BUSTOS, and Mr. BOST):

H.R. 2879. A bill to include Livingston County, the city of Jonesboro in Union County, and the city of Freeport in Stephenson County, Illinois, to the Lincoln National Heritage Area, and for other purposes; to the Committee on Natural Resources.

By Mr. LEWIS (for himself, Ms. MOORE, Mr. HASTINGS, Ms. CLARKE of New York, Ms. HAHN, Mr. HIGGINS, Mr. GRIJALVA, Ms. LEE, Mr. VAN HOLLEN, Mr. NADLER, Mr. LEVIN, Mr. ISRAEL, Mr. MEEKS, Mr. BISHOP of Georgia, Mr. CUMMINGS, Mr. JOHNSON of Georgia, Ms. BROWN of Florida, Mr. COHEN, Ms. WILSON of Florida, Mr. RANGEL, Ms. FUDGE, Ms. JACKSON LEE, and Mr. SERRANO):

H.R. 2880. A bill to redesignate the Martin Luther King, Junior, National Historic Site in the State of Georgia, and for other purposes; to the Committee on Natural Resources.

By Mr. MESSER (for himself, Mr. YOUNG of Indiana, Mr. FRANKS of Arizona, and Mr. MEADOWS):

H.R. 2881. A bill to amend the Internal Revenue Code of 1986 to modify the definition of applicable large employer for purposes of the employer mandate in the Patient Protection and Affordable Care Act; to the Committee on Ways and Means.

By Mr. PAYNE (for himself, Mr. CONYERS, Mr. DANNY K. DAVIS of Illinois,

Ms. NORTON, Ms. BROWN of Florida, Mr. CUMMINGS, Mr. RANGEL, Mr. RICHMOND, Mrs. WATSON COLEMAN, Mr. PASCRELL, Mr. MCGOVERN, Mr. TAKANO, Ms. FUDGE, Ms. WILSON of Florida, Ms. PLASKETT, Mr. MEEKS, Ms. LEE, Mr. SCOTT of Virginia, Mr. BUTTERFIELD, Ms. JACKSON LEE, and Ms. CLARKE of New York):

H.R. 2882. A bill to support Promise Neighborhoods; to the Committee on Education and the Workforce.

By Mr. POE of Texas (for himself, Mr. THOMPSON of California, Mr. AMODEI, Mr. WELCH, Mr. GOSAR, Mr. BLUMENAUER, Mr. COFFMAN, and Mr. MCNERNEY):

H.R. 2883. A bill to amend the Internal Revenue Code of 1986 to extend the publicly traded partnership ownership structure to energy power generation projects and transportation fuels, and for other purposes; to the Committee on Ways and Means.

By Mr. RIBBLE:

H.R. 2884. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to eliminate the firewalls between defense and nondefense discretionary spending limits; to the Committee on the Budget.

By Ms. TSONGAS (for herself, Mr. NEAL, Mr. MCGOVERN, Mr. KENNEDY, Ms. CLARK of Massachusetts, Mr. MOULTON, Mr. CAPUANO, Mr. LYNCH, and Mr. KEATING):

H.R. 2885. A bill to amend the Internal Revenue Code of 1986 to exclude from income and employment taxes real property tax abatements for seniors and disabled individuals in exchange for services; to the Committee on Ways and Means.

By Mr. SCHIFF (for himself, Mr. CARTWRIGHT, Mr. COHEN, Mr. DESAULNIER, Mr. GARAMENDI, Mr. HIMES, Ms. LEE, Mr. LYNCH, Ms. NORTON, Mr. RANGEL, Ms. TSONGAS, Mr. VAN HOLLEN, Mr. WELCH, and Mr. KEATING):

H.J. Res. 58. A joint resolution proposing an amendment to the Constitution of the United States relating to the authority of Congress and the States to regulate contributions and expenditures in political campaigns and to enact public financing systems for such campaigns; to the Committee on the Judiciary.

By Mr. NOLAN:

H. Res. 336. A resolution expressing the sense of the House of Representatives regarding the need to create a small donor and public finance system for Congressional elections; to the Committee on House Administration.

By Mr. ENGEL (for himself, Mr. SALMON, Ms. PELOSI, Mr. PITTS, Mr. MCGOVERN, Ms. CLARKE of New York, Mr. CHABOT, Mr. GRAYSON, Mr. CONNOLLY, Mr. SIREN, Mr. HASTINGS, Mr. CAPUANO, Ms. JACKSON LEE, Mr. LEWIS, Mr. BEYER, Ms. MCCOLLUM, Mr. DESJARLAIS, Mr. CICILLINE, Mr. LOWENTHAL, Mr. POLIS, Mr. SHERMAN, Mr. HONDA, Mr. RIBBLE, Mr. RANGEL, Ms. ROS-LEHTINEN, Mr. ROHRABACHER, Ms. CLARK of Massachusetts, Mr. FRANKS of Arizona, and Mr. BERA):

H. Res. 337. A resolution calling for substantive dialogue, without preconditions, in order to address Tibetan grievances and secure a negotiated agreement for the Tibetan people; to the Committee on Foreign Affairs.

By Mr. PITTS (for himself and Mr. MCDERMOTT):

H. Res. 339. A resolution expressing the sense of the House of Representatives regard-

ing the 25th anniversary of democracy in Mongolia; to the Committee on Foreign Affairs.

## CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. SEWELL of Alabama:

H.R. 2867.

Congress has the power to enact this legislation pursuant to the following:

Fifteenth Amendment, Section 2 Section 1: The right of citizens of the United States to vote shall not be denied or abridged by the U.S. or by any state on account of race, color, or previous condition of servitude.

By Mr. SAM JOHNSON of Texas:

H.R. 2868.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1 (relating to providing for the general welfare of the United States), Clause 3 (relating to the power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes), and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Mr. MARCHANT:

H.R. 2869.

Congress has the power to enact this legislation pursuant to the following:

1. regulate commerce . . . among the several states . . . as enumerated in Article I, Section 8, Clause 3 of the United States Constitution, and

2. provide for the general welfare of the United States as enumerated in Article I, Section 8, Clause I of the Constitution.

By Mr. SMITH of New Jersey:

H.R. 2870.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 10

By Mr. BEYER:

H.R. 2871.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 or Article I of the U.S. Constitution

By Mr. BUCHSHON:

H.R. 2872.

Congress has the power to enact this legislation pursuant to the following:

According to Article I, Section 8 of the Constitution of the United States

By Mr. CROWLEY:

H.R. 2873.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: "The Congress shall have Power [...] To regulate Commerce with foreign Nations, and among the several States..."

By Mr. DESJARLAIS:

H.R. 2874.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises



shall be uniform throughout the United States;

By Mr. CONYERS:

H.R. 2875.

Congress has the power to enact this legislation pursuant to the following:

1) Section 5 of the Fourteenth Amendment to the United States Constitution. This provision grants Congress the authority to enact appropriate laws protecting the civil rights of all Americans; and

2) The Fourth Amendment to the United States Constitution. This provision prohibits unreasonable searches and seizures.

By Mr. GRAVES of Louisiana:

H.R. 2876.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7 of the United States Constitution.

By Mr. HUNTER:

H.R. 2877.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII, Clause XVIII

By Ms. JENKINS of Kansas:

H.R. 2878.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States.

By Mr. KINZINGER of Illinois:

H.R. 2879.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 providing for the general welfare of the United States

By Mr. LEWIS:

H.R. 2880.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. MESSER:

H.R. 2881.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. PAYNE:

H.R. 2882.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 14—Congress has the ability to make rules for the government and regulation of the land and naval forces.

By Mr. POE of Texas:

H.R. 2883.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. RIBBLE:

H.R. 2884.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section, 9, Clause 7

By Ms. TSONGAS:

H.R. 2885.

Congress has the power to enact this legislation pursuant to the following:

Amendment XVI to the Constitution.

By Mr. SCHIFF:

H.J. Res. 58.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article V of the United States Constitution.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 6: Ms. BONAMICI, Mr. CICILLINE, Mr. LIPINSKI, Miss RICE of New York, Mr. PAULSEN, Ms. SPEIER, Mr. COOK, Mr. LANGEVIN, Mr. STIVERS, Mr. CLEAVER, Mr. COLLINS of Georgia, Mr. HUNTER, Ms. HAHN, Mr. RIGELL, Mr. CHABOT, Ms. DELBENE, and Mr. LOBIONDO.

H.R. 20: Ms. BASS and Mr. MOULTON.

H.R. 21: Mr. DENT.

H.R. 167: Mr. GUINTA.

H.R. 213: Mr. VARGAS and Ms. JENKINS of Kansas.

H.R. 223: Mr. TROTT.

H.R. 224: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 282: Mr. PETERS.

H.R. 379: Mr. ROSKAM, Mr. WHITFIELD, Ms. SLAUGHTER, and Ms. SPEIER.

H.R. 403: Mr. BLUMENAUER.

H.R. 430: Mr. PETERS.

H.R. 465: Mr. BOUSTANY.

H.R. 539: Mr. COHEN, Mr. POSEY, Ms. LEE, Ms. MCCOLLUM, Mr. MCGOVERN, and Mr. BLUMENAUER.

H.R. 540: Mr. SERRANO, Mr. RANGEL, Mr. ROSKAM, and Mr. NORCROSS.

H.R. 564: Mr. SIMPSON.

H.R. 611: Mr. PITTENGER, Mr. FORBES, Mr. KING of Iowa, and Mr. LAMALFA.

H.R. 634: Mr. BLUMENAUER.

H.R. 635: Mr. BLUMENAUER.

H.R. 680: Mr. NADLER.

H.R. 686: Ms. KUSTER.

H.R. 692: Mr. DUFFY, Mr. PITTS, Mr. KLINE, Mr. BABIN, Mr. POSEY, Mr. RIBBLE, and Mr. POMPEO.

H.R. 700: Mr. MCGOVERN.

H.R. 702: Mr. KLINE.

H.R. 707: Mr. SALMON.

H.R. 716: Ms. LOFGREN.

H.R. 759: Mr. FARENTHOLD.

H.R. 771: Ms. MCCOLLUM.

H.R. 775: Mr. VALADAO, Mr. RODNEY DAVIS of Illinois, Mr. SMITH of Washington, Ms. MATSUI, Mr. MULLIN, and Ms. WASSERMAN SCHULTZ.

H.R. 789: Mr. PETERSON.

H.R. 790: Mr. BRAT.

H.R. 824: Mr. HULTGREN.

H.R. 840: Mr. SMITH of Washington and Ms. MATSUI.

H.R. 842: Ms. DUCKWORTH.

H.R. 845: Mr. AUSTIN SCOTT of Georgia.

H.R. 879: Mr. FLEMING.

H.R. 885: Mr. SARBANES and Mr. HASTINGS.

H.R. 915: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 918: Mr. ISSA, Mr. KING of Iowa, Mr. BRADY of Texas, and Mr. LAMALFA.

H.R. 920: Mr. NORCROSS.

H.R. 930: Mr. MCGOVERN.

H.R. 969: Mr. SCHRADER and Mrs. NAPOLITANO.

H.R. 980: Mr. BOUSTANY.

H.R. 985: Mr. ROSKAM, Mr. COSTELLO of Pennsylvania, and Mr. MEADOWS.

H.R. 986: Mr. JOLLY.

H.R. 1019: Mr. MACARTHUR, Mr. OLSON, Ms. LEE, Mr. BERA, and Mrs. MIMI WALTERS of California.

H.R. 1062: Mr. DESANTIS.

H.R. 1078: Mr. PAYNE.

H.R. 1086: Mr. MILLER of Florida, Mr. LATTA, and Mr. BRAT.

H.R. 1089: Mr. VARGAS.

H.R. 1091: Mr. BYRNE.

H.R. 1095: Mr. PRICE of North Carolina.

H.R. 1120: Mr. SMITH of Texas and Mr. ROKITA.

H.R. 1132: Mr. LAMALFA, Mr. MCCLINTOCK, Mr. DENHAM, Ms. LOFGREN, Mr. NUNES, Ms. BROWNLEY of California, Ms. BASS, Mr. ROYCE, Ms. MAXINE WATERS of California, and Mrs. MIMI WALTERS of California.

H.R. 1141: Mr. PASCRELL.

H.R. 1194: Mr. LOEBSACK.

H.R. 1218: Mr. SHUSTER.

H.R. 1233: Mr. KLINE and Mr. WITTMAN.

H.R. 1258: Mrs. MILLER of Michigan.

H.R. 1299: Mr. WEBER of Texas.

H.R. 1300: Mr. GRAVES of Georgia.

H.R. 1301: Ms. HAHN and Mr. ROUZER.

H.R. 1309: Mr. WOMACK, Mr. BISHOP of Utah, and Ms. JENKINS of Kansas.

H.R. 1321: Mr. WELCH.

H.R. 1328: Mr. NUGENT.

H.R. 1342: Mr. AMODEI.

H.R. 1384: Ms. BROWNLEY of California.

H.R. 1434: Ms. LORETTA SANCHEZ of California.

H.R. 1439: Mr. SABLAN.

H.R. 1453: Mrs. BEATTY.

H.R. 1462: Mr. CAPUANO, Mr. DUNCAN of Tennessee, Mr. NEAL, and Mr. FITZPATRICK.

H.R. 1475: Mr. TROTT.

H.R. 1502: Ms. MCCOLLUM.

H.R. 1516: Ms. TITUS, Mr. BARLETTA, and Mr. WITTMAN.

H.R. 1559: Mr. FOSTER.

H.R. 1566: Mr. MULVANEY.

H.R. 1567: Mr. CRAMER.

H.R. 1594: Mr. JOHNSON of Ohio, Mrs. BLACKBURN, and Mr. RUIZ.

H.R. 1598: Mr. SEAN PATRICK MALONEY of New York.

H.R. 1600: Ms. LEE.

H.R. 1603: Mr. WHITFIELD.

H.R. 1604: Mr. POLIQUIN.

H.R. 1610: Mr. ASHFORD.

H.R. 1624: Mr. FRANKS of Arizona, Mr. KATKO, and Mr. DUFFY.

H.R. 1653: Mr. GRIJALVA and Ms. MCCOLLUM.

H.R. 1654: Mr. PITTENGER and Mr. COSTELLO of Pennsylvania.

H.R. 1655: Ms. NORTON, Mr. KILMER, and Mr. MACARTHUR.

H.R. 1680: Mr. HINOJOSA, Mr. MURPHY of Florida, Ms. GABBARD, Ms. SLAUGHTER, and Ms. CLARKE of New York.

H.R. 1684: Mr. JOLLY.

H.R. 1686: Mr. ISRAEL and Mr. HASTINGS.

H.R. 1722: Mr. GARAMENDI.

H.R. 1725: Mr. MOULTON.

H.R. 1728: Mr. DESAULNIER and Ms. MOORE.

H.R. 1743: Mrs. LAWRENCE, Mr. POLIS, and Mr. JOHNSON of Georgia.

H.R. 1752: Mr. TOM PRICE of Georgia, Mr. FITZPATRICK, Mr. SAM JOHNSON of Texas, Mr. NEUGEBAUER, and Mr. RENACCI.

H.R. 1769: Mr. MICHAEL F. DOYLE of Pennsylvania.

H.R. 1774: Mr. CONYERS.

H.R. 1801: Mr. RANGEL, Ms. LEE, and Mr. HONDA.

H.R. 1818: Mr. BLUMENAUER.

H.R. 1832: Mr. PETERS.

H.R. 1853: Mr. BISHOP of Utah and Ms. ROSELEHTINEN.

H.R. 1859: Mr. AMODEI.

H.R. 1861: Mr. NORCROSS.

H.R. 1882: Mr. COURTNEY.

H.R. 1893: Mr. BUCK, Mr. CALVERT, Mr. FLORES, Mr. HARPER, Mr. NUGENT, Mr. OLSON, Mr. POMPEO, and Mr. ROKITA.

H.R. 1901: Mr. RIBBLE.

H.R. 1937: Mr. RENACCI.

H.R. 1950: Mr. FARENTHOLD, Mr. BLUM, Mrs. BLACK, and Mr. GROTHMAN.

H.R. 1994: Mr. GUINTA, Mr. PITTENGER, and Mr. HUDSON.

H.R. 2013: Mrs. DAVIS of California.

H.R. 2016: Mr. LARSEN of Washington.



H.R. 2023: Mr. PETERS.  
 H.R. 2037: Mr. POE of Texas.  
 H.R. 2043: Ms. JUDY CHU of California.  
 H.R. 2061: Ms. MENG.  
 H.R. 2123: Mr. HUNTER.  
 H.R. 2125: Mrs. BUSTOS.  
 H.R. 2134: Mr. POE of Texas.  
 H.R. 2140: Mr. DOGGETT and Mr. RUSSELL.  
 H.R. 2148: Mr. WEBER of Texas.  
 H.R. 2169: Mr. CONYERS, Mr. POCAN, and Mr. FARR.  
 H.R. 2191: Ms. ESHOO and Mr. MCKINLEY.  
 H.R. 2216: Mr. PRICE of North Carolina.  
 H.R. 2233: Mr. OLSON.  
 H.R. 2280: Mr. PRICE of North Carolina and Mrs. BEATTY.  
 H.R. 2285: Mr. LANGEVIN, Mr. SHERMAN, Mr. HIGGINS, and Mr. ROYCE.  
 H.R. 2290: Mr. CRENSHAW and Mr. EMMER of Minnesota.  
 H.R. 2304: Mr. HUFFMAN.  
 H.R. 2315: Mr. AUSTIN SCOTT of Georgia, Mr. NEWHOUSE, Mr. YOHIO, and Mr. LOEBBACH.  
 H.R. 2355: Mr. LOWENTHAL, Mr. PETERS, and Mr. BLUMENAUER.  
 H.R. 2362: Mr. AMODEI and Mr. HIMES.  
 H.R. 2371: Mr. DESAULNIER and Mr. GARAMENDI.  
 H.R. 2380: Mr. LYNCH.  
 H.R. 2400: Mr. JODY B. HICE of Georgia and Mr. AUSTIN SCOTT of Georgia.  
 H.R. 2403: Mr. CRAMER.  
 H.R. 2404: Mr. LARSON of Connecticut.  
 H.R. 2406: Mr. SESSIONS, Mr. EMMER of Minnesota, Mrs. MILLER of Michigan, and Mr. WESTMORELAND.  
 H.R. 2407: Mr. MARINO.  
 H.R. 2466: Mr. CURBELO of Florida.  
 H.R. 2524: Mr. MURPHY of Florida.  
 H.R. 2530: Mrs. DAVIS of California and Mr. GARAMENDI.  
 H.R. 2560: Mr. ROE of Tennessee and Mr. KING of New York.  
 H.R. 2595: Mr. HUFFMAN and Ms. BROWNLEY of California.  
 H.R. 2602: Ms. TSONGAS, Ms. ESTY, and Mr. MEEKS.  
 H.R. 2612: Ms. MCCOLLUM.  
 H.R. 2615: Mr. DESAULNIER, Mr. O'ROURKE, Mr. SABLON, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Ms. MENG.  
 H.R. 2636: Ms. SCHAKOWSKY.  
 H.R. 2646: Mr. AMODEI, Mr. CRAWFORD, Mr. WILSON of South Carolina, Ms. MCSALLY, Mr. JEFFRIES, and Ms. BASS.  
 H.R. 2650: Mr. ALLEN.  
 H.R. 2652: Mr. YOUNG of Iowa.  
 H.R. 2653: Mr. FLEISCHMANN and Mr. LATTI.  
 H.R. 2660: Mr. DESAULNIER.  
 H.R. 2662: Mr. COOPER and Mr. WITTMAN.  
 H.R. 2691: Mr. WALZ.  
 H.R. 2710: Mr. CONAWAY, Mr. POLIQUIN, Mr. GUINTA, Mr. SAM JOHNSON of Texas, Mr. AUSTIN SCOTT of Georgia, Mr. KING of Iowa, Mr. BROOKS of Alabama, Mr. ROE of Tennessee, Mr. STUTZMAN, Mr. GIBBS, and Mr. MOONEY of West Virginia.  
 H.R. 2726: Mr. SMITH of Texas, Mr. JOLLY, Mr. DEUTCH, Mr. HASTINGS, Mr. DIAZ-BALART, Mr. GRAYSON, Mr. ROONEY of Florida, Mr. HINOJOSA, Mr. FARENTHOLD, and Mr. MURPHY of Florida.  
 H.R. 2742: Mr. WALZ, Mr. RANGEL, Mr. CÁRDENAS, and Ms. TITUS.  
 H.R. 2762: Ms. ESHOO and Ms. MATSUI.  
 H.R. 2763: Ms. JUDY CHU of California, Mr. ISRAEL, and Mr. POLIS.  
 H.R. 2775: Mr. JOYCE and Mr. DENT.  
 H.R. 2802: Mr. BUCK, Mr. BRIDENSTINE, Mr. HURT of Virginia, Mr. ZINKE, and Mr. BYRNE.  
 H.R. 2805: Mr. GUINTA.  
 H.R. 2809: Mrs. MILLER of Michigan.  
 H.R. 2825: Mr. SAM JOHNSON of Texas.  
 H.R. 2826: Mr. WELCH, Mr. MURPHY of Florida, Mr. BISHOP of Georgia, Mr. DAVID SCOTT of Georgia, Mr. ASHFORD, and Mr. COSTA.

H.R. 2835: Mrs. MILLER of Michigan.  
 H.R. 2838: Mr. COLE.  
 H.R. 2850: Mr. DESAULNIER.  
 H.R. 2856: Mr. BRIDENSTINE.  
 H.R. 2866: Mr. FATTAH.  
 H.J. Res. 47: Mrs. BEATTY.  
 H.J. Res. 51: Mr. MOULTON.  
 H.J. Res. 54: Mr. BRAT.  
 H. Con. Res. 17: Ms. MCSALLY.  
 H. Con. Res. 19: Mr. DESJARLAIS.  
 H. Con. Res. 50: Mr. GALLEGGO and Mr. WALZ.  
 H. Res. 54: Mr. FOSTER.  
 H. Res. 82: Mr. WEBSTER of Florida.  
 H. Res. 112: Mr. BLUMENAUER and Ms. LOFGREN.  
 H. Res. 209: Mr. STIVERS and Mr. WEBER of Texas.  
 H. Res. 227: Mr. PASCRELL.  
 H. Res. 291: Mr. DESAULNIER, Mr. O'ROURKE, Mr. SABLON, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Ms. MENG.  
 H. Res. 294: Mr. UPTON, Mr. LAMALFA, and Mrs. BUSTOS.  
 H. Res. 310: Ms. JENKINS of Kansas, Mrs. MILLER of Michigan, and Mr. CARSON of Indiana.  
 H. Res. 318: Mr. TED LIEU of California and Mr. DIAZ-BALART.  
 H. Res. 324: Ms. LEE, Ms. ADAMS, and Mr. HONDA.  
 H. Res. 329: Mr. HINOJOSA, Mr. LEWIS, Mrs. WATSON COLEMAN, Mr. ISRAEL, Mrs. DAVIS of California, and Ms. MCCOLLUM.

#### AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

##### H.R. 2822

OFFERED BY: MR. POLIQUIN

AMENDMENT NO. 4: At the end of the bill (before the short title), insert the following:  
 SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to implement or enforce section 63.7570(b)(2) of title 40, Code of Federal Regulations (as in effect on the date of enactment of this Act).

##### H.R. 2822

OFFERED BY: MRS. BLACKBURN

AMENDMENT NO. 5: Page 70, line 3, after the dollar amount, insert "(reduced to \$0)".

##### H.R. 2822

OFFERED BY: MRS. BLACKBURN

AMENDMENT NO. 6: At the end of the bill (before the short title), insert the following:

##### ACROSS-THE-BOARD REDUCTION

SEC. \_\_\_\_\_. Each amount made available by this Act is hereby reduced by 1 percent.

##### H.R. 2822

OFFERED BY: MR. WEBER OF TEXAS

AMENDMENT NO. 7: At the end of the bill (before the short title), insert the following:

##### LIMITATION ON USE OF FUNDS

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used in contravention of Section 321(a) of the Clean Air Act (42 U.S.C. 7621(a)).

##### H.R. 2822

OFFERED BY: MR. WEBER OF TEXAS

AMENDMENT NO. 8: At the end of the bill (before the short title), insert the following:

##### LIMITATION ON USE OF FUNDS

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to issue any final rule pursuant to the Clean Air Act (42 U.S.C. 7401 et seq.) until the Administrator of the

Environmental Protection Agency complies with Section 321(a) of the such Act (42 U.S.C. 7621(a)).

##### H.R. 2822

OFFERED BY: MR. WALBERG

AMENDMENT NO. 9: At the end of the bill (before the short title), insert the following:

##### LIMITATION ON FUNDS

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used by the Environmental Protection Agency to lobby in contravention of section 1913 of title 18, United States Code, on behalf of the proposed rule entitled "Definition of 'Waters of the United States' Under the Clean Water Act" (79 Fed. Reg. 22188; April 21, 2014).

##### H.R. 2822

OFFERED BY: MR. KILDEE

AMENDMENT NO. 10: Page 68, strike lines 1 and 2 and insert the following: "": *Provided further*, That an entity shall not be an eligible recipient for a grant under this paragraph unless the entity has experienced at least 15 percent population loss since 1970, as measured by data from the 2010 decennial census and has experienced prolonged population, income, and employment loss resulting in substantial levels of housing vacancy and abandonment and such housing vacancies and abandonments are concentrated in more than one neighborhood or geographic area within a jurisdiction or jurisdictions."

##### H.R. 2822

OFFERED BY: MRS. LAWRENCE

AMENDMENT NO. 11: Strike section 418.

##### H.R. 2822

OFFERED BY: MRS. LAWRENCE

AMENDMENT NO. 12: Strike section 422.

##### H.R. 2822

OFFERED BY: MRS. LAWRENCE

AMENDMENT NO. 13: Strike section 439.

##### H.R. 2822

OFFERED BY: MRS. LAWRENCE

AMENDMENT NO. 14: Strike section 417.

##### H.R. 2822

OFFERED BY: MRS. LAWRENCE

AMENDMENT NO. 15: Strike section 434.

##### H.R. 2822

OFFERED BY: MR. AMODEI

AMENDMENT NO. 16: At the end of the bill, before the short title, add the following new section:

##### SAGE-GROUSE

SEC. \_\_\_\_\_. (a) None of the funds made available by this Act may be used by the Secretary of the Interior to develop, propose, finalize, implement, enforce, or administer any action to withdraw lands pursuant to section 204 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1714) for the purpose of managing the greater sage-grouse or greater sage-grouse habitat.

(b) None of the funds made available by this Act may be used by the Secretary of the Interior or the Secretary of Agriculture to finalize, approve, or implement the Great Basin Region Greater Sage-Grouse Proposed Land Use Plan Amendments for the Sub-Regions of Idaho and Southwestern Montana, Nevada and Northeastern California, Oregon and Utah; the Rocky Mountain Region Greater Sage-Grouse Proposed Land Use Plan Amendments for the Wyoming, Northwest Colorado, Lewistown, and North Dakota Sub-Regions; the Proposed Resource Management Plan for the Billings and Pompeys Pillar National Monument Resource Management Plan Revision; the

HiLine District Proposed Resource Management Plan; the Miles City Field Office Proposed Resource Management Plan; Proposed Resource Management Plan for the Bighorn Basin Resource Management Plan Revision; the Proposed Resource Management Plan for the Buffalo, Wyoming Resource Management Plan Revision; and the South Dakota Field Office Proposed Resource Management Plan developed pursuant to section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712) or section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604).

H.R. 2822

OFFERED BY: MR. DUNCAN OF SOUTH CAROLINA

AMENDMENT No. 17: Page 14, line 3, before the period insert the following: “: *Provided*

*further*, That none of such funds and appropriations may be used to enforce any prohibition under the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.) or the Act of June 8, 1940 (chapter 278; 16 U.S.C. 668 et seq.; popularly known as the Bald Eagle Protection Act) on the accidental taking of birds, before the date of the issuance of a rule that exempts such takings from such prohibitions”.

H.R. 2822

OFFERED BY: MR. HUDSON

AMENDMENT No. 18: At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS TO REMOVE OIL AND GAS LEASE SALE 260 FROM LEASING PROGRAM

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to remove oil and gas lease sale 260 from the Draft Proposed

Outer Continental Shelf (OCS) Oil and Gas Leasing Program for 2017-2022 (DPP), or from any subsequent proposed or final iteration of such Program.

H.R. 2822

OFFERED BY: MR. NEWHOUSE

AMENDMENT No. 19: At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS TO TREAT GRAY WOLVES IN WASHINGTON, OREGON, AND UTAH AS ENDANGERED SPECIES OR THREATENED SPECIES

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to used to treat any gray wolf (*Canis lupus*) in Washington, Oregon, or Utah as an endangered species or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

**SENATE—Wednesday, June 24, 2015**

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

**PRAYER**

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Lord God, sustainer of nations, continue to heal our land. We claim Your promise that if people of faith will humble themselves and fervently seek You in prayer as they turn from evil, that You will hear their intercession, forgive their sins, and heal their land.

Use our lawmakers as instruments of unity. As they model the bridge building necessary to bring harmony and healing to nations, may their positive example transform lives. Lord, lead our Senators in righteous paths that will keep our Nation strong. Equip them to conduct the work of freedom with justice and humility.

Teach us all to disagree without being disagreeable, to seek to understand before being understood, to plant seeds of love to counteract hate, and to sow seeds of hope to eliminate despair.

We pray in Your sacred Name. Amen.

**PLEDGE OF ALLEGIANCE**

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

**RECOGNITION OF THE MAJORITY LEADER**

The PRESIDING OFFICER (Mr. PAUL). The majority leader is recognized.

**TRADE**

Mr. MCCONNELL. Mr. President, yesterday's TPA vote was a long-overdue victory for the American worker and the American middle class. It was not easy. Many thought it would never happen. We even saw corks pop in the facts-optional lobby a few weeks ago. But that proved to be premature because here is what we have always known about the legislation we will vote to send to the President today. It is underpinned by a simple but powerful idea: For American workers to have a fair shot in the 21st-century economy, it makes sense to remove the unfair barriers that discriminate against them and the products they make.

Some may disagree. They certainly were not quiet in voicing their opinions. It is OK if they do not share our passion for ending this unfair discrimination against American workers. It is OK if they would rather rail against them tomorrow. But a bipartisan coalition in the House and the Senate thought it was time for forward progress instead.

We were very pleased to see President Obama pursue an idea we have long believed in. We thank him for his efforts to help us advance this measure. We thank all of our friends across the aisle for their efforts, too, Senator WYDEN most of all. Over in the House, I commend Speaker BOEHNER and Chairman RYAN for everything they have done. It hasn't been easy, and without them it would not have been possible. Of course, let me thank Chairman ORRIN HATCH for demonstrating such patience, persistence, and determination throughout this process. He never lost sight of the goal. He never gave up. The people of Utah are lucky to have him.

The Senate's work on trade does not end today. I said the Senate would finish pursuing the rest of the full trade package, and it will. We will take another cloture vote today to that end. That process continues. But the key victory for American workers and products stamped "Made in the U.S.A." comes today. The bill we are about to pass will assert Congress's authority throughout the trade negotiation process. It will ensure that we have the tools we need to properly scrutinize whatever trade agreements are ultimately negotiated. It will make clear that the final say rests with us.

We had plenty of bumps along the road—frankly, a few big potholes, too—but we worked across the aisle to get through all of them. That is an example of how a new Congress is back to work for the American people. I thank everyone who helped us get where we are. Now let's vote again to support the American worker and the American middle class by approving the bipartisan TPA bill.

**CYBER SECURITY**

Mr. MCCONNELL. Mr. President, on another matter, here is a headline from an Associated Press article that ran yesterday: "Federal Agencies Are Wide Open to Hackers, Cyberspies." That headline is scary enough, but read just a little further, and it gets even worse.

Passwords written down on desks. Outdated anti-virus software. "Perceived ineptitude" in information-technology departments.

The federal government, which holds secrets and sensitive information ranging from nuclear blueprints to the tax returns of hundreds of millions of Americans, has for years failed to take basic steps to protect its data from hackers and thieves, records show. In the latest example, the Office of Personnel Management is under fire for allowing its databases to be plundered by suspected Chinese cyberspies in what is being called one of the worst breaches in U.S. history. OPM repeatedly neglected to implement basic cybersecurity protections, its internal watchdog told Congress.

Let me repeat that—"one of the worst breaches in U.S. history." If you are looking for something scary to tell the kids around the campfire tonight, I would suggest reading the rest of the article. It gets a lot worse. To call this alarming would be quite an understatement.

So when the head of the agency that allowed that big breach to happen testified before a Senate subcommittee yesterday, you would think she would have come with a detailed action plan. You would think she would have announced that heads were rolling. You would think she said this could never ever be allowed to happen again under her watch. That is what the American people expect when a breach happens in the private sector and information is stolen. Why should they not expect as much from the public sector? But what did we hear instead? World-class buck-passing. World-class buck-passing. A complete lack of accountability and urgency. That tired and predicable excuse that the absence of leadership can be solved by throwing a few more dollars at the problem.

Well, Congress can certainly look at the funding angle. I know we will. But as we learned yesterday, it was not just the old stuff that was breached, it was the new stuff, too. More money is not going to solve a management problem, either. Let's be honest. This appears primarily to be a management problem. This appears primarily to be a management problem.

Here is what the American people were really looking for the OPM Director to address: Accountability. Accountability. A plan for the future. Confidence in the ability of the bureaucracy they hired and rarely, if ever, can fire to break out of the stereotype and show they can put the people's concerns first.

I thank Chairman BOOZMAN for holding that hearing. We learned a lot, but it is not the end of the story. The OPM Director will testify tomorrow before Chairman RON JOHNSON's homeland security committee, too. I hope she will take that opportunity to articulate a credible plan of action. I hope she will

better address the legitimate concerns of the American people. That means a resolve to get to the bottom of what happened. That means giving the American people renewed confidence in a creaking bureaucracy. And that means pledging to work with policymakers to enact real reforms rather than simply accepting failure.

Whatever happens tomorrow, one thing does not change: the need for the Intelligence Committee's cyber security bill we tried to pass earlier this month. I am going to continue working with my colleagues toward that end. In the meantime, I look forward to seeing what happens in tomorrow's committee meeting.

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

#### CYBER SECURITY

Mr. REID. Mr. President, the senior Senator from Kentucky is certainly right that we need to move on cyber security. I have known that for many years, and we have tried. Why have we not done something on it? Because of filibusters by the Republicans. We had a bill that had been worked on for years that we brought before the Senate. But instructions were given from the Chamber of Commerce, and the Republicans dutifully walked down here and voted no, stopping us from moving forward on the bill. The Chamber said—and obviously Republicans agreed—this is not something for the government. It should be done in-house.

Well, my friend the Republican leader rails against the government, but he should also understand that this is a situation which involves the private sector also. We could name 25 companies, 50 companies, 100 companies that have been hacked and hacked very badly, not the least of which are Sony and Target.

It is hard for me to comprehend that my friend, my counterpart, is here talking about the need to do something about cyber security when he is the leader of the Republicans who have stopped us from doing this.

There is a bill—it is not a perfect bill; it is far from it—a bipartisan bill. It has the support of the chairman and ranking member of the Intelligence Committee. We could get to work on that right now. We should do that. I repeat, it is not perfect legislation, but it is certainly a step forward.

My friend said he wants heads to roll. If that were the case, then there are a lot of heads to roll in the public sector and the private sector because they do not have the tools to do much about this hacking. We need to help them with appropriate legislation. I hope we

can do that and do it very soon. I remain committed to turning to cyber security as quickly as we can. We need to get that done. I hope we can get that done. On that issue, we could go to that legislation right now. Do you know why we are not going to go to it right now? Because the Republicans have holds on the bill. So the Republican leader will file a motion to invoke cloture on moving forward on this legislation. We are ready to move on it now. Again, the problem is on the Republican side, not our side.

#### TRANSPORTATION FUNDING

Mr. REID. Mr. President, our great country faces yet another manufactured crisis. In just a few weeks from now, the end of July—and that is coming quickly—on July 31, the authority for the recent extension of the highway trust fund will expire. The U.S. Department of Transportation will not be able to make payments to our States for highways, bridges, railways. All transportation agencies will likely postpone or cancel roadwork during the busy summer construction season. Why? Because they have no money. They know the highway Surface Transportation Program has been stymied as a result of 33 short-term extensions forced upon us by the Republicans in the Senate—33. How can these agencies plan ahead? They can't.

Before this crisis becomes full-blown, Democrats want to work with Republicans on a long-term reauthorization of the highway program. I know there are Members of the majority who want to do something about this.

The Presiding Officer has a plan to take care of highways. Is it a perfect plan? Of course it is not perfect, but it sure is a good step forward to do something about this program, something that is long term.

This crisis is about jobs, hundreds of thousands, if not millions, of high-paying construction jobs throughout the country. That is why we challenged the Republican leader to move forward with a robust, long-term surface transportation bill ahead of that deadline.

I am pleased Republicans have joined with Democrats to schedule a markup—in fact, it is going on right now in the Environment and Public Works Committee—on a 6-year surface transportation bill. This, of course, is an authorization only, but what terrific work done by Senators BOXER and INHOFE. They are an unmatched pair usually in all issues that come before this body, but on this legislation they are a matched pair. I admire and appreciate what they are going to mark up in just a few minutes. It is an authorization but a big step forward.

But next comes the need for funding what they authorize and maybe a little more. Their legislation will modernize our Nation's crumbling infrastructure.

The bill the EPW Committee will consider is \$275 billion. That includes modest increases of funding over the next 6 years. But modest increases, while important, will not allow us to make the investments our transportation system really needs. Every day we learn of new examples about the state of disrepair of our roads, bridges, our highways, and of course our transit systems.

The highway trust fund is no longer sufficient to fund the investments we so desperately need to rebuild them. Why? Because people's habits have changed. Vehicles have changed. People don't drive—every car they have is not a gas guzzler. We have a lot of electric cars. We have cars that run sometimes on gasoline, sometimes on electricity. We have cars that run on gasoline all the time, but they don't burn much gasoline.

So the trust fund, which was set to take care of all the road needs we have, surface transportation needs—we simply don't have the resources anymore, so we have to look for other resources because, I repeat, the highway trust fund is no longer sufficient to fund these investments we so desperately need to rebuild them. We know this because over the past few years Congress has transferred billions of dollars to make up the shortfall in the trust fund revenues.

Today, it is important to thank again Senators INHOFE and BOXER for their leadership in marking up this bill.

I hope the new chairmen of the Banking, Commerce, and Finance Committees will demonstrate the same sense of urgency and schedule markups for their portion of the surface transportation legislation. Despite the common knowledge about the expiration of surface transportation funding, Republicans have delayed the important work of writing a bipartisan bill for far too long.

Our good citizens don't deserve another exercise in crisis management like we are seeing this week in the Export-Import Bank. Democrats have laid out a clear timetable and process for bipartisan negotiations. A long-term, robust bill can pass before the August recess.

To recap, we requested a number of things, but let me mention a few of them: hearings in each of the authorizing committees by June 23—we know how that has already passed—bipartisan markups in all authorizing committees by July 10 that include robust increases for highways, transit, passenger rail, and of course all kinds of new safety programs and maintain those we have; and basically a long-term bill on the Senate floor by July 20.

If the Republican leader continues to avoid conducting business on Fridays, we have only 15 session days in the month of July; that is, 15 days to address our country's major surface

transportation needs and help our struggling economy by providing lots and lots of jobs. The clock is ticking.

At a hearing on the funding gap last week, Senator HATCH said: "As chairman of the [Finance] committee, I intend to solve this problem."

Well, I appreciate that very much. I am taking him at his word. Senate Democrats are ready to work with Republicans to grow, not cut, our transportation funding. But I say to my friend the senior Senator from Utah, please, please do something that is more than another short-term extension. We need a 6-year bill. Every State in the Union needs that. We have had them in the past, but now the Republicans, learning how to filibuster—they have stopped, basically, everything we have tried to do in this regard.

We cannot—I say to my friend from Utah—we cannot have another extension. I repeat, this would be the 34th short-term extension. Enough is enough. We need to move forward with a plan that funds our Nation's infrastructure, supports jobs, and grows our economy, creating hundreds of thousands of jobs. Americans rely on a strong transportation system to travel. They do this to commute and also, of course, to move goods across the country.

This program was the brainchild of Dwight D. Eisenhower, the President of the United States, when he called upon his experience as a young military officer in trying to bring military equipment and men across the country. It was very difficult. As a young military officer he said: Someday, if I have any ability to change this, I will—and he did. The National Highway System is Eisenhower's highway system. This is not a program that was developed by anyone other than Dwight Eisenhower.

So temporary funding for the highway trust fund leads only to uncertainty, slowing construction, and of course hurting economic development in every State of our Nation. The Republican leadership should act now to avoid this looming deadline and support long-term investment into our Nation's crumbling infrastructure.

Mr. President, I see no one on the floor so I would ask what the business of the day is.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### DEFENDING PUBLIC SAFETY EMPLOYEES' RETIREMENT ACT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the House message to accompany H.R. 2146, which the clerk will report.

The legislative clerk read as follows:

House message to accompany H.R. 2146, an act to amend the Internal Revenue Code of 1986 to allow Federal law enforcement officers, firefighters, and air traffic controllers to make penalty-free withdrawals from governmental plans after age 50, and for other purposes.

Pending:

McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill.

McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill, with amendment No. 2060 (to the House amendment to the Senate amendment to the bill), to change the enactment date.

McConnell amendment No. 2061 (to amendment No. 2060), of a perfecting nature.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MURPHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COTTON). Without objection, it is so ordered.

Mr. MURPHY. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### GUN VIOLENCE

Mr. MURPHY. Mr. President, we had a wonderful event last night here in Washington that I was able to attend. It was a night honoring champions for anti-gun violence measures across the country. It was put on by Sandy Hook Promise, which is an organization that has grown up out of the tragedy in Sandy Hook. A number of parents have become the organizers of an effort to try and learn from what happened at Sandy Hook and make sure we don't repeat the mistakes of the past.

We actually got to honor two of our colleagues there. We honored Senator PAT TOOMEY for his work 2 years ago on the background checks bill, as well as Senator STABENOW, who, of course, has been a great advocate for increasing resources in our mental health system. And as wonderful a night as it was to honor these champions of change, it also was a night in which we were reminded about that terrible morning in December of 2012.

We watched a short video of the news coverage, and we listened to the parents of Daniel Barden and Dylan Hockley. The husband of Mary Sherlach talked to us about what their lives have been like in the years since that shooting at Sandy Hook.

I remember the hours and days after the shooting. I remember feeling like I needed to be really restrained about talking about the obvious policy issues that, to me, were due for airing and that sort of tumbled out of the facts surrounding that tragedy. I mean, this

kid—this really troubled young man—walked into a school with a semiautomatic weapon designed for the military and shot 20 kids in less than 5 minutes. This gun was designed for the military, designed to kill as many people as quickly as possible, and it killed every single kid it hit. There were 20 kids shot. Twenty kids were dead in a matter of minutes.

So it seemed to me we should have an immediate discussion about why this kind of gun is still legal. But I held back because it felt like the mourning and the grieving should take precedence over action. It took me only up to the first wake that I attended to realize I was wrong. Senator BLUMENTHAL and I went to every single wake and every funeral we could over the course of that first week—and there were dozens.

At first, I remember waiting in a really long line, standing next to Senator BLUMENTHAL. I remember as if it were yesterday, talking to a sobbing mother, who was standing in front of us waiting in that line and telling us about how her child survived the shooting only because she had been sick that day and she stayed home from school. But all her daughters' friends were dead. As we approached that family, I remember struggling with what to say. I am lucky that the senior Senator from Connecticut, who sits behind me in the Chamber, had the right words ready. He said to the parents something like this: If you are ever ready or willing to talk about how we make sure this doesn't happen again, we will be waiting. The dad didn't pause more than a few seconds before he said, clear as day: We are ready now.

In the years since, these mass shootings have become as commonplace as rain storms. Since 2011, the number of mass shootings in the United States has tripled—tripled. After each one, the forces of the status quo—the defenders of the gun industry—tell us we can't talk about policy reform in the days after a shooting. One prominent commentator called those of us who dared talk about change in the wake of Charleston "sick." How convenient that is. How convenient that, at the moment when the world is watching, when the country is asking itself what we can do to make sure another mass slaughter doesn't happen again, the rules say we can't say a word.

But think about how these rules would work, because Charleston happens 10 times over, every single day, across this country. Eighty-six people die, on average, every day because of guns.

Last Thursday the families of Clementa Pinckney, Cynthia Hurd, Tywanza Sanders, Sharonda Coleman Singleton, Myra Thompson, Ethel Lee Lance, Susie Jackson, Daniel Lee Simmons, Sr., and DePayne Middleton-Doctor mourned the loss of their loved ones in Charleston.

But the day before, on Wednesday, the families of Angel Feliciano, Malik Mercer, Eric Ferguson, Michael Kidd, Jr., Thomas Whitaker, Roy Brown, Martarese Gentry, Keith Battle, and Ronald Collins mourned their loss. And those were just nine. There were dozens more on Wednesday, the day before the Charleston shooting, who were killed by guns.

If we can't talk about anti-gun violence policy the day after a large number of Americans are shot, then we will never talk about anti-gun violence policy, because on average 86 people die from gun violence every single day. But even if we accept that there is never a bad time to talk about how we can end this carnage, then we also have to have the courage to take on all the other ridiculous arguments about why we can't act.

Now, the first one is familiar because it comes right after the mass shooting happens. A former NRA board member trotted this one out within hours of Charleston: He said that the solution was to just arm more pastors and parishioners in churches so they can defend themselves. The more there are people who have guns, the less people will die from guns—so goes this logic. So don't act.

The simple argument is that more good guys with guns equals less gun deaths. The problem with that argument is it is a boldfaced lie. Study after study shows that the more guns there are in a community, the more crime there is. The more guns there are, the more gun homicides there are. New evidence makes the case even clearer. As States more clearly separate between those with lax gun laws and those with stricter gun laws, we can look to see what happens.

The second argument is one that I have heard from my Republican colleagues in the Senate just in the last few days—that these laws can't stop a madman such as Dylann Root or Adam Lanza from perpetrating violence. Some of my colleagues say the only recourse is to close our eyes and pray this doesn't happen again. But again, these stubborn facts betray that argument. As I said, now that we have States that have loose gun laws and States that have tougher gun laws, we can see what happens. Over and over research shows us that jurisdictions that make it a little bit harder for bad guys to get guns have less gun deaths.

In my State of Connecticut, Johns Hopkins researchers concluded that our permit-to-carry laws have reduced gun crimes by 40 percent. Similarly, they concluded that in Missouri, the repeal of a similar law increased gun homicides by 25 percent. Now, both studies controlled for all other possible factors influencing gun crimes, and they still found these shocking results.

While the facts are still fresh out of Charleston, there is evidence that a dif-

ferent set of laws could have—not would have—stopped Dylann Root without having any effect on law-abiding gun owners in South Carolina.

Root had charges pending for trespassing and drug crimes. Alone, neither would have disqualified him from owning a gun. But what if our laws were different so that multiple misdemeanors—a pattern of criminal behavior—disqualified you from buying a firearm? Or what about a permit-to-carry law?

Maybe local law enforcement knew enough about Root—his criminal past or his association with extremist right-wing organizations—to know he shouldn't carry a weapon. Now, maybe not, but if South Carolina had a permit-to-carry law, at least there would have been a chance law enforcement would have withheld a permit from a young man as plainly unstable as Root.

But even if you don't believe that any specific law could have prevented the tragedy in Charleston or in Newtown, I am not sure that it matters, because separate and aside from the specific case-by-case impact of any law is the collective moral and psychological effect of nonaction. No matter how maligned Congress becomes, we still set the moral tone for the Nation. When we declare something to be morally out of bounds, especially when we do it in a bipartisan or nonpartisan manner, Americans listen. They take cues from our endorsements and from our approvals.

That is why, in my heart of hearts, I believe that our silence has made us complicit in these murders. I don't care that an assault weapons ban or universal background check maybe wouldn't have stopped the slaughter in Charleston. When we do nothing year after year, our silence sends a silent message of endorsement to the killers. I am not saying we are in conscious alignment with these assassins, but when all we do in the wake of Newtown, Tucson, Aurora, and Charleston is rhetorical, then those on the fringe, those hanging on the edge of reason, those contemplating the unthinkable take a cue that we don't really mean it when we condemn mass violence, because if we did, we would, at the very least, try to do something—anything—to stop it, and we don't.

Quite frankly, removing one flag from one building in South Carolina doesn't cut it, and neither does a handful of retailers ceasing to sell Confederate flag paraphernalia. Don't get me wrong. I actually think the tidal wave of sentiment to remove the last vestiges of this symbol of slavery and racism is significant. That flag has quietly endorsed conscious and subconscious racism, particularly in the South—but really all across the country—for as long as it has continued to be perceived as a mainstream American symbol.

The events of the last few days are also important because they show that people of all political stripes—conservatives and liberals, Democrats and Republicans—have been so emotionally moved by the shooting in Charleston that they were inspired to some sort of action. That matters.

But removing the Confederate flag is a necessary but totally, completely insufficient response to Charleston. Taking down a flag from a building is a pretty easy giveback. Deciding to spend billions of dollars to make sure that troubled young men get the help they need for their sickness is harder, and so is taking on the gun industry and listening to the 90 percent of Americans who want to make sure criminals aren't a continued profit center for the gun makers and sellers.

Now, Walmart should be congratulated for ceasing sales of the Confederate flag, but they still advertise an assault weapon online that even their description concedes is designed for use by law enforcement and the military. Did you know that last year there were at least 92 shootings in Walmart? Some 16 people died, and 42 people were injured by guns in Walmart. Getting rid of the Confederate flag from their shelves isn't going to help that unbelievably disturbing trend.

So we need real action, a real debate. We need a real, honest policy to happen here. And, no, it is not all about guns. It is about mental health, it is about law enforcement, and it is about a culture of violence and hate that we have just become immune to.

In South Carolina, Reverend Pinckney knew something about real action. He supported things like expanded background checks and body cameras for police, maybe because he came from a family of action. His father and grandfather were both pastors who fought to end White-only political primaries and segregated school busing. He wasn't just about condemnation. He lived his life to effectuate political change. Last night, at the Sandy Hook Promise dinner, I chatted with my friend Mark Barden. His son, Daniel, massacred at Sandy Hook Elementary School by a young man wielding a military-style assault weapon with cartridges of 30 bullets apiece, would have just finished third grade last week. Mark recalled how special Danny was and how Daniel, just 6 years old, lived a life of action, too. Daniel was that kid who sensed when other children were hurting. His dad told me last night how Daniel would see little kids sitting alone at lunch with no one to talk to, and Daniel would go over, sit down next to them, and make a new friend, just because it was the right thing to do.

Reverend Pinckney and little Daniel Barden knew the difference between words and actions. They understood that actions are what really count.

The U.S. gun homicide rate is 20 times higher than that of our 22 peer nations. And 86 people die every day from guns—that is 4 Sandy Hooks, 10 Charlestons every day. Since Sandy Hook, there has been a school shooting, on average, every week.

How on Earth can we live with ourselves if we do nothing or, worse, if we don't even try.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SULLIVAN). Without objection, it is so ordered.

#### KING V. BURWELL DECISION

Mr. CORNYN. Mr. President, I wish to spend the next few minutes speaking about the Supreme Court and particularly the fact that the Supreme Court has some big cases they are going to hand down probably tomorrow, Friday, and Monday, before they adjourn for the summer.

I particularly wish to speak about *King v. Burwell*, which, as the Presiding Officer knows, could be the beginning of the end of ObamaCare. In the process, it also will potentially disrupt the health care coverage for more than 6 million Americans. The Court could issue its decision, as I said, as early as tomorrow. What they will decide is whether the IRS is bound by the law which Congress writes and which is signed by the President or whether they can make it up on their own.

Specifically, the case challenges the legality of subsidies provided to 6 million people in up to 37 States that they have depended on to buy their ObamaCare-approved policies, including about 1 million in my State of Texas.

If the Court rules against the IRS, it will literally be the third strike against ObamaCare from the Supreme Court of the United States. It would serve as yet another reminder of the administration's overreach of its authority under the Constitution—a practice that has become disturbingly routine.

This administration and our friends across the aisle have failed to own up to the repeated demonstrations of the flaws of ObamaCare since it passed in March of 2010. The biggest problem is that this is partisan legislation jammed through Congress that no Republican in the Senate voted for, so the responsibility lies clearly at their feet.

Through this law, the administration has wasted billions of dollars on exchanges that have failed to function properly. My colleagues may recall that the President even called the healthcare.gov exchange—which was so

broken and just didn't work—a disaster. The President himself said that.

It is also based on a system that grows the bureaucracy at the expense of legitimate, needed health care delivery. I would have thought that if Congress was going to reform health care, it would certainly include reducing the cost and making it more affordable. However, time after time, we have seen that ObamaCare has actually driven up costs. Just last month, one study noted that nearly \$274 billion of projected ObamaCare spending will end up going to its implementation—bureaucratic and administrative costs—and not actually for health care. That is \$274 billion. Do we think that money could have been better spent providing people with health care policies they can afford and access to the doctors and the hospitals they need?

Today, ObamaCare has utterly failed to live up to the many promises the President and congressional Democrats made to the American people. Seeing the Presiding Officer in the chair reminds me that both he and I served as attorneys general in our States. One of my responsibilities in Texas—and no doubt the Presiding Officer's as well—was to enforce our consumer protection laws. Can my colleagues imagine, if anybody other than the Federal Government had made the series of promises the President and congressional Democrats made under ObamaCare that proved over time to be demonstrably false, whether a company in the private sector could withstand the flood of lawsuits by the Attorney General and other consumer protection officials against that company?

I guess the fact is that there is very little recourse to the American people—certainly the courts—to enforce our consumer protection laws against the outright deceit and misleading promises that were made in order to sell ObamaCare, which are clearly, as time has demonstrated, not true.

The President's trail of broken promises has instead led us to a damaged health care system and a limping economy. There is a reason why the economy shrunk last quarter by 0.7 percent. What that means is that fewer people can find work and their wages are depressed. We need our economy to grow. But as long as additional and heavy burdens, such as ObamaCare and unnecessary regulations, are imposed on the private sector, those jobs and those rising wages are simply not going to exist.

This week, many are rightly concerned that, depending on what the Supreme Court decides, millions of people will lose their access to health care should the Court rule against the President. I must point out that is a feature of ObamaCare. That is not the fault of the Supreme Court, and it is not the fault of the opponents of ObamaCare; it is the fault of the Presi-

dent and of the people who passed ObamaCare because this will be a feature of ObamaCare, this failed law.

Having said where the responsibility lies, while we didn't contribute to getting the country in this mess, we are ready, willing, and able to provide an off-ramp for the millions of people who may have their health care interrupted. My State, as I indicated earlier, is not immune. Close to 1 million Texans could suddenly see their costs shoot up. So I am here to emphatically say to the Texans whose health care coverage may be disrupted: We will not leave you out in the cold as a casualty of this flawed law, and we will no longer allow this flawed piece of legislation to cause additional hardship for hard-working Texas families.

In order to protect Americans and Texans who may lose their health care coverage if the Court decides against the President and against the IRS, we are prepared, having worked for months now, to protect those who need it as they transition out of ObamaCare.

Make no mistake about it—this will be the beginning of the end of ObamaCare if the Court rules for the plaintiff in *King v. Burwell*.

At the same time, we plan to provide an end to the individual and employer mandates, the opportunity for States to opt out of ObamaCare, and finally, an end to government-backed health care that the American people don't want, don't need, and cannot afford.

There is a better alternative. If the Supreme Court rules for *King*, we will offer the American people what ObamaCare never could—options, choices, and the freedom to choose the health care coverage they want at a price they can afford. Most importantly, we want to allow individuals as well as the States to opt out of this disastrous law all across the country. In doing so, Americans can get what they actually need and not what government tells them they must buy. By empowering States to opt out, we put the States back in the driver's seat. I must say, every public opinion poll I have seen indicates that the people have a lot more confidence in the ability of the States to deal with their health care needs than they do the Federal Government, particularly in light of the failed experiment over the last 5 years. We put the States back in the driver's seat and allow them the flexibility they need to more effectively lower costs and increase choices.

So while we didn't create this mess, we are ready to do our best to work together to protect the American people from any more harm caused by this legislation. The American people deserve real, patient-centered reforms which, again, lower costs, making it more affordable, and increase access to care—not the opposite.

If the Court delivers what could be a third strike against ObamaCare, my



colleagues and I are eager to provide the American people with the freedom and the options they need in order to get the best health care available at a price they can afford.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GARDNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GARDNER. Mr. President, as we are moving toward concluding debate on trade promotion authority, I rise to speak about what the Trans-Pacific Partnership will mean for our Nation's global standing. As we have heard throughout this debate, the potential economic benefits from TPP for our Nation are simply enormous. According to the Congressional Research Service, total trade in goods between TPP member countries reached \$1.6 trillion in 2014; that is, the nations represented in TPP, \$1.6 trillion in trade between those countries, representing nearly 40 percent of all global trade.

In my own State of Colorado, trade with countries involved in TPP currently supports over 265,000 jobs. The nations represented by the TPP agreement—the negotiations that are taking place right now—265,000 jobs in Colorado result from those nations. But we know the TPP is more than just an economic agreement. It is a critical test of U.S. strategic leadership in the Asia-Pacific region, a region that will be integral to our economic and national security for generations to come.

As stated in the 2015 National Security Strategy:

Sustaining our leadership depends on shaping an emerging global economic order that continues to reflect our interests and our values. Despite its success, our rules-based system is now competing against alternative, less-open models. . . . To meet this challenge, we must be strategic in the use of our economic strength to set new rules of the road, strengthen our partnerships, and promote inclusive development.

Those are important words from the National Security Strategy issued just this year. Defense Secretary Ash Carter echoed that sentiment when he said on April 6, 2015, the “TPP is as important to me as another aircraft carrier.” If we fail to pass the TPP, we know others will rush to fill the vacuum left behind with such “alternative, less-open models,” as the National Security Strategy laid out.

So we should not be surprised when a rising China tries to fill the vacuum and that they would, indeed, exert efforts to fill that vacuum with policies and programs crafted from their own vision of what is beneficial for themselves and their region.

Let's take China's recent establishment of the Asian Infrastructure and Investment Bank, the AIIB, as an example. On the face of it, the AIIB is a positive response to address the infrastructure challenges in the region. It is also the clearest evidence yet that the United States faces a very serious credibility gap in the Asia-Pacific region. The AIIB is envisioned as a \$100 billion enterprise, with China as the largest shareholder that will hold veto power over major investment decisions. Its rules of governance and standards remain unclear.

Yet 56 nations, including some of the strongest U.S. allies, including the United Kingdom, Australia, South Korea, have indicated they will join the Chinese-led AIIB. We need to understand why. Do they believe the AIIB is primarily an economic opportunity for their companies? They might. But I would contend that the reason is a lack of leadership from the United States, again going back to that credibility gap.

China is also part of ongoing negotiations for another regional trade pact, the Regional Comprehensive Economic Partnership, which would join China, Australia, India, Japan, New Zealand, and South Korea with nations comprising the Association of Southeast Asian Nations or ASEAN. In addition to the Regional Comprehensive Economic Partnership, Beijing is also entering negotiations to consider 6 agreements comprised of an additional 11 countries.

That brings China's total trade agreement portfolio to 33 countries. While the United States should continue bilateral and multilateral economic engagement with China that brings high levels of transparency and accountability, the fundamental question before us today is this: Do we want the United States or do we want China writing the rules?

It is clear that while our partners and allies in the region may welcome additional Chinese investment, they want more American leadership, not less. They want more American standards, not fewer.

We know the standards TPP and U.S. engagement brings include not only important economic benefits, such as removal of tariff or nontariff barriers, but fundamental American values such as transparency, good governance, respect for the rule of law, and basic human rights.

U.S. economic statecraft in the Asia-Pacific reflects our values and cements our leadership in the critically important region. We must look at TPP as just one step forward in this enduring commitment. Despite the crises of the day that are occurring in the Middle East, where the United States does and should play an important role, our Nation's future lies in Asia.

Just consider the following estimates from the Asian Development Bank. By

2050, Asia will account for over half of the global population and over half of the world's gross domestic product. The Asian middle class will rise to a staggering 3 billion people. Per capita GDP income in the region will rise to around \$40,000, making it similar to the Europe of today.

We cannot miss the opportunity to be a part of this historic transformation. Working with Japan and regional partners, we must ensure that our policies strengthen existing friendships and build new partnerships that will be critical to U.S. national security and economic well-being for generations to come. Unfortunately, the administration's efforts to date with regard to the Asia-Pacific region have fallen short.

While I commend the President's leadership on TPP and our Asia rebalance, which many of us agreed to, the Asia rebalance policy has yielded few tangible results, and it is in need of a serious overhaul. The administration has consistently stated that the rebalance represented a “whole-of-government” effort to redirect U.S. military, diplomatic, and commercial service resources toward the Asia-Pacific region.

But in April of 2014, just a year ago, the Senate Foreign Relations Committee released a report stating that “while the United States has successfully moved forward with the initial phases of implementing the military aspects of the rebalance,” the State Department and the Department of Commerce have not substantially prioritized their resources to increase engagement with the Asia-Pacific region.

The report concluded that “the administration can improve the effectiveness and sustainability of the rebalance policy by increasing civilian engagement, strengthening diplomatic partnerships, and empowering US businesses.”

It is clear we need an integrated, multiyear planning and budget strategy for a rebalancing of the U.S. policy in Asia. That is why I was proud to offer an amendment to the National Defense Authorization Act that passed unanimously that would require the President to submit a strategy within 120 days to promote U.S. interests in the Asia-Pacific region. Our partners in the region must know every day that the United States is here to stay. The TPP is the first step in the process.

This is an important debate that we have this week. Later on today, we will have the opportunity to vote for trade promotion authority. I hope this Chamber will see the wisdom of passing that legislation—265,000 jobs in Colorado from a region responsible for TPP, responsible for increasing economic opportunity, increasing wage growth, and the number of jobs that we have not only in Colorado but around this country.

I yield the floor.

Ms. MIKULSKI. Mr. President, I rise in opposition to fast-track trade promotion authority.

I am a blue-collar Senator. My heart and soul lies with blue-collar America. I spent most of my life in a blue-collar neighborhood. My mother and father owned a neighborhood grocery store and when Bethlehem Steel went on strike, my dad gave those workers credit.

Blue-collar workers in the labor movement stood with me during my first campaign for the House in 1976. I wish there were more of them left to stand with me now, but the great manufacturing unions have been whittled away. On this fast-track trade vote, and in my last years in the Senate, I will continue to stand with the unions.

Let me be very clear that I support and encourage trade. Trade is very important to my State. It is vital to The Port of Baltimore and Maryland's agricultural industries such as poultry on the Eastern Shore.

In the past I have supported bilateral trade agreements. We have leverage in those situations to get strong enforceable labor and environmental provisions into those agreements. We can improve living standards and stop child labor in sweatshops. And Maryland workers can compete successfully in a global marketplace if they are given a level playing field.

But I have always been suspicious of multilateral agreements such as NAFTA. I have seen too many of these big deals fail to deliver the promises of new jobs and businesses. Every time somebody talks about a big multilateral trade agreement that will provide a cornucopia of opportunity, we lose jobs in Baltimore. And my constituents in Dundalk don't have a steel industry anymore. They wonder why Congress didn't do more to protect them from the effects of trade.

I believe that a renewal of fast-track trade authority for the Trans-Pacific Partnership and the Transatlantic Trade and Investment Partnership means more Americans will lose their jobs.

We should use the leverage of our trade agreements to ensure fair competition. That means workers in other countries should have the right to organize into unions. Without the strength of collective bargaining, their wages will always be below ours. They should also have worker safety protection and retirement and health care benefits.

We should use the leverage of our trade agreements to encourage countries to respect the basic human rights of their citizens. Everyone deserves the right to live in a healthy, clean, unpolluted environment. And every worker should be guaranteed fundamental rights at work.

Why is the role of Congress so important in trade agreements? To make

sure that the American people get a good deal. I am ready to support trade agreements that are good for America, good for workers, and good for the environment. Congress should consider trade legislation and amendments using the same procedures we use to consider other legislation.

I have to base my decision on the facts and what I know to be true in my State. I know that proponents of fast-track say it is inevitable that there will be winners and losers. The problem with these big trade deals is that America's workers and their families always seem to be the losers. They lose their jobs. If they keep their jobs, or find new jobs, they lose the wage rates they have earned. Working people have faced the loss of jobs, lower wages, and a reduced standard of living, and a shrinking manufacturing base.

I have to stand with my constituents who have felt repeatedly betrayed by the trade deals. I have to vote against fast-track trade authority.

**THE PRESIDING OFFICER.** The Senator from Illinois.

#### KING V. BURWELL DECISION

Mr. DURBIN. Mr. President, across the street from the Senate Chamber is the U.S. Supreme Court. The Court this week has several important cases pending. We are waiting anxiously for decisions, but probably the one that affects as many Americans as any other is a case called *King v. Burwell*. King is a case that was brought by someone who was objecting to the Affordable Care Act—ObamaCare.

They are arguing that the bill we passed in the Senate and the House did not include a subsidy, a tax credit, for those who are under Federal marketplace plans. My State of Illinois is one of those States. In Illinois, there are about 232,000 individuals who receive a tax credit that allows them to pay for their health insurance. Their income levels are such that they need a helping hand, otherwise the health insurance premium would be too expensive.

In my State, the average tax credit that goes to these 232,000 is \$1,800 a year—not insubstantial—\$150 a month. Now, those who brought the lawsuit say that the law does not provide this tax credit. I believe it clearly does. No one during the course of debating this bill ever suggested otherwise. In fact, there were many times when we calculated the impact of this law. We always assumed the tax credit would be there for families, whether their State had its own State insurance exchange or used the Federal exchange, as we do in the State of Illinois.

But the big problem we have is that if the Court rules the other way, if those who are critical of the Affordable Care Act—and some of my colleagues on the other side of the aisle have been on the floor this morning talking about getting rid of the Affordable Care Act—if the Court rules in that direction, we

are going to have a problem on our hands because at least in my State, 232,000 people will see their health insurance premiums go up 35 percent, on average, based on that Court ruling.

There are not many working families who can face that kind of increase and say, well, it really does not make any difference. It makes a big difference—on average \$150 a month. For families living paycheck to paycheck and struggling who qualify for this tax credit, it is a big problem. Many of them will not be able to afford health insurance.

So what happens next? We go back to where we were before: More uninsured Americans. I don't know how many people in the Senate Chamber who serve here have ever been in a position in their lives where they did not have health insurance and needed it. I have. Newly married, my wife and I had a baby with a serious health issue. We had no health insurance. It is a humbling experience, as a father, as a husband, to be in that position. It means hoping you get the best medical care and hoping you can pay for it.

For many families across America, that was the standard before the Affordable Care Act. But because of the Affordable Care Act, ObamaCare, we now have fewer people uninsured in America. That is a good thing, not just because it gives you peace of mind and access to quality health care but because uninsured people still get sick. When they get sick and go to the hospital, their expenses that they can't cover because they don't have health insurance are passed along to everyone else. How can that possibly be a good outcome?

So the Affordable Care Act has increased the number of people across America who have health insurance by about 11 million people—not insubstantial. It has reduced the uninsured rate, as I mentioned, 3½ percent in just a 1- or 2-year period of time. Six million receive these tax credits. So there are 6 million families who may not know it, but what happens across the street at the Supreme Court this week or next week could have a big impact on the family budget.

I struggle to try to understand those who hate the Affordable Care Act like the devil hates Holy water. They cannot stand this notion that 11 million people have health insurance. They want to get rid of it. There are proposals from the other side of the aisle to get rid of the Affordable Care Act. They want to eliminate the individual mandate. What does that mean? That is the part of the law that says: You have a personal responsibility to have health insurance.

Now, do we run into any other aspect of life where we are required to have insurance? Drive a car in my State, you better have automobile insurance. Buy a home in my State, virtually every bank requires fire insurance. It is

a matter of responsibility. So the individual mandate not only says to everyone: You need to buy health insurance, it helps those who are in low-income categories, and it is a critical part of the big picture.

Here is the big picture: If we are going to say, as we do in this law, that no health insurance company can discriminate against you because of a preexisting condition that you have or that someone in your family has—if we are going to say that, the only way it works in the insurance business is if you have a lot of people who are in that insurance pool. That includes people with preexisting conditions.

So when the Republicans argue: We are going to get rid of the individual mandate, you can sign up if you want to, the people who run insurance companies say: It doesn't work. You have to have a pool with a lot of people in it: healthy and those not so healthy. Otherwise, you cannot write insurance that is going to work. What else has happened because of the Affordable Care Act? The rate of growth in health care costs has started—just started—to come down. It does not have to come down much to have a dramatic impact on our economy.

This Affordable Care Act, incidentally, which many on the other side are cheering to have it abolished—this Affordable Care Act, according to the Congressional Budget Office, is going to cut \$353 billion in deficit. How could that be?

Because one of the largest drivers of cost to the Federal Government is the cost of health care. If the rate of growth in the cost of health care just takes a little dip down and you project it out, it is big dollars.

We even used what many Republicans believe is holy writ called dynamic scoring. We even said: Take a look. Use dynamic scoring, and tell us what impact it has on the deficit.

It turns out that even with dynamic scoring, our Affordable Care Act reduces the deficit by \$137 billion. It works. More people are being insured. Folks cannot be denied insurance because of a preexisting condition. The overall cost of health care is starting to dip down. It brings down the deficit. What part of that isn't good news? I think it is all good news.

For a lot of individuals who live in my home State of Illinois, it is pretty personal. I have met with them. Last week, in my newsletter I asked people to share with me their experiences with the Affordable Care Act. The response was overwhelming, and the majority was positive.

Danny Blight lives in Germantown Hills, IL. He was diagnosed with bladder cancer in 2005. At the time, he was lucky enough to have a job with health insurance, but then he was fired and let go. He lost his health insurance, and he couldn't afford coverage because of his

preexisting condition, his history of cancer, and he required surgery to treat his cancer. According to Danny, he relied on the local sisters of St. Francis to provide basic care for him and his family when he couldn't afford health insurance until the Affordable Care Act became the law. Now Danny Blight and his family have health insurance. Is this an important law for them? It may be the most important thing we have done in Congress when it comes to this family.

I got in a debate back in my own hometown once with a group who opposes this law. They were of the opposite political faith, and I knew it. They had some pretty strong feelings about the role and the size of government, and they said as much. I would answer them by saying: Well, let me tell you about a family I met. Let me tell you about this family.

Finally, one man stood, raised his hand, and said: Stop telling stories. We don't want to hear these stories.

I know why they didn't want to hear it—because these stories are reality. These stories don't reflect political philosophy so much as the reality of life for a lot of people across America.

We know that discriminating against families because of preexisting conditions is a real problem. We know there are many families, for example, with a history of some illness, even mental illness, who in days gone by had no chance to have health insurance.

There were two other things we did in this law, and I don't understand why the other party wants to get rid of these provisions. The Affordable Care Act says that if you have a child graduating from college, your family health insurance plan can cover them until they reach the age of 26. Why is that important? Because many times young people coming fresh out of college have a lot of student debt and no job—no full-time job—and very few of them have health insurance immediately, and they think they are invincible.

I remember reaching out to my daughter when she graduated from college.

I said: Jen, what about health insurance?

Dad, don't worry about it. I feel fine. Well, I did worry about it, and a lot of parents do. So our law says you can keep your recent college graduate under your family plan until they reach the age of 26. Why would you want to get rid of that? Why would someone want to eliminate that provision in the law?

The other thing it says is that if you are a senior and you are on Medicare—the Part D, which provides your prescription drugs, used to have what is called a doughnut hole in it. What that meant was Medicare would cover your prescription drugs to a certain point and then stop, and you had to go to

your savings account, pull out about \$1,200, pay for your prescription drugs, and then coverage would start again. The doughnut hole is what we called it. We filled it. We filled it so seniors don't have to worry about going to their savings to make sure they can keep taking prescriptions that keep them independent, strong, and healthy. What is wrong with that idea? Why do they want to get rid of that? That is part of the Affordable Care Act as well.

I just wonder sometimes if those who get all tied up over the philosophy of this legislation deal with the reality of family life in America.

Jean Terrien and her husband Michael live in Evanston, IL. They are both cancer survivors. Jean had breast cancer at age 45, and Michael had prostate cancer at the same age. Neither could purchase insurance before the Affordable Care Act because of preexisting medical conditions in their family. Because of this law, they have an affordable policy, and Jean is able to do freelance work without having to worry about health insurance. She told me she worries about losing her coverage if the Supreme Court goes the wrong way or if the majority party here gets their wish and abolishes the Affordable Care Act. I think we owe it to them to strengthen the law and not to repeal it.

The Affordable Care Act, incidentally, has been very good when it comes to Medicare. Because of the Affordable Care Act and the slowdown in the rate of growth in health care costs, Medicare will have an additional 13 years of solvency. How about that. I worried about it for many years. I still do. But it is good news to us, to know that we have, in the Medicare Part A trust fund, 13 years more solvency since the passage of the Affordable Care Act. The trustees of the Medicare Program in 2010 said that the Affordable Care Act “substantially improved” the financial status of Medicare. Is that a good thing for America? Forty million Americans think it is. Those are the people who depend on Medicare.

The law is helping seniors with their prescription drugs, as I mentioned earlier, and it is a savings of about \$925 a year for each senior in America.

So for those who are cheering and hoping the Supreme Court will somehow derail the Affordable Care Act, my questions are very direct: What do you have to replace it? What will you do to deal with preexisting conditions and denying health insurance? What will you do to make sure parents can keep their kids under their health insurance plans until the kids reach age 26? What will you do to fill the doughnut hole? What will you do to replace the deficit reduction the Affordable Care Act has achieved? What will you do in terms of the long-term solvency of Medicare to make up for the 13 years the Affordable Care Act has purchased?

And the answer is, they don't have an idea. They just don't like it. They don't like ObamaCare, and they don't want to hear these stories, just like the folks whom I debated with in my hometown, because these stories reflect the reality of life.

#### NORTH CENTRAL ILLINOIS TORNADES

Mr. President, it was 2 months ago when I came to the floor and talked about tornadoes in my State of Illinois, the north central part of the State. We had it again on Monday night. Nine twisters tore through the small towns in five Illinois counties Monday evening, accompanied by baseball-sized hail, flooding rains, and wind damage. Grundy, Lee, Kankakee, Will, and Whiteside Counties all experienced severe damage.

One of the towns that was hardest hit was Coal City in Grundy County, IL. Here is a photo of Grundy County and some of the damage. You can see the destruction. The National Weather Service said the tornado that struck this town was an EF-3, winds of 160 miles an hour. Some of the homes had the roofs ripped off and others were just flattened. Debris was scattered across the town. Many roads were impassable. There were downed power lines and trees, and there was flooding. This is the second tornado to hit Coal City in 2 years.

As soon as the twister passed Monday night, the first responders—God bless them—went door to door to try to make sure the 5,000 people there were accounted for. Thank goodness there were no fatalities or life-threatening injuries.

This tight-knit community is pulling together to help the victims. One man who lives in Coal City, Rick Druse, said he was lucky that one of his neighbors came to find him and his family—they were trapped in a crawl space. The homeowner across from Rick also was trapped in his home, which had been flattened by the storm. Power was knocked out for roughly 61,000 customers, and some are still waiting for it to be restored.

Yesterday, we reached out to Terri Halliday, the mayor of Coal City. We have spoken with Grundy County Board chair David Welter and Lee County Board chair Rick Ketchum.

My staff connected with Sterling mayor Skip Lee and Whiteside County Board chair Jim Duffy about the tornado that struck Sterling. That is another town which is also dealing with flooding. I reached out to each of them last night and, not surprisingly, had to leave voice mails. I know they were out and about. But we are there to help them if we can.

As is so often the case with disasters such as this, first responders, friends, and family waste no time helping their neighbors. It isn't just a Midwestern thing, but we are pretty proud of it in the Midwest. I have no doubt that the

people in Coal City, Sublette, Sterling, and all of the others are going to stand up and help one another clean up, rebuild, and get on with their lives.

My thoughts are with the many people today who have lost their homes and other property.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LANKFORD). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BLUNT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### NUCLEAR AGREEMENT WITH IRAN

Mr. BLUNT. Mr. President, I wish to speak a little bit about an agreement that very well could be reached between now and the time that the Senate returns right after the Fourth of July. The agreement has been negotiated for 2 years now with Iran, although it seems to me that using the term "negotiation" is a stretch. As to most of what we said we wanted to achieve in this so-called negotiation, the Iranians have said they didn't want to achieve it. We seem then to move forward to the next point once we concede that point.

Yesterday, I read in press reports that the State Department has now decided it will not demand a full accountability for the past nuclear research on the part of Iran before they conclude a deal. One of the early statements was: We want to know what Iran did, how long they had been doing it, what scientists were involved, what material, and what information they had achieved in their efforts to actually have a nuclear weapon.

It appears now that we are happy if Iran is just nuclear-weapons capable, with a clock that would start at some time, and we seem to feel we suddenly have a new ability to monitor everything Iran does even though we don't appear to have the ability to get them to tell us what they have done.

As I have said before, this is one of the areas where there is no question that no deal is better than a bad deal.

According to the State Department, which recently reported again that Iran should still be considered a country that encourages terrorism; that, in fact, you can make the case that there is no greater encourager of terrorist activities in the world today than Iran—but all of those things seem to be off the table as we talk to Iran.

The true nature of the regime, and why we want to have an agreement on just a nuclear program and not all of the other things Iran has going on, continues to be of great concern to me.

The news reports today were that the Iranian Parliament, the Iranian legislature will now finalize legislation demanding that we not be able to look at

military sites as part of our inspection. If the goal here is to stop Iran from having a nuclear capability, having a nuclear weapon, having a military capacity to use a nuclear weapon, why would we take military sites off the list of things we are supposed to pay attention to? Where would we expect them to be finally developing a weapon if not at a military site?

The Iranian Parliament appears to have a whole lot more to say about this negotiation than the Senate. In fact, I am afraid we are going to find with the legislation that we did vote on that it is going to be a lot easier to prevent disapproval than it would have ever been to get approval of this agreement that looks like it is headed toward a very bad agreement.

The Supreme Leader of Iran has ruled out any long-term freezes of nuclear activities and demands that sanctions be lifted immediately. A few weeks ago, when the United States said what our understanding of the framework moving forward would be—it seems to be about 180 degrees different from what Iran is announcing every day. They want immediate sanctions relief. We say they are only going to get sanctions relief when they begin to comply. They don't want to have inspections at military sites. We say one of the reasons we want to have this agreement is so we can ensure that nothing happens at military sites.

Meanwhile, Iran advances violence and instability around the world. Supported by Iran, Assad in Syria is massacring his own people. So far, at least 190,000 Syrians have been killed in what is going on in Syria today. Iran is supporting that regime. Shiite militias support Assad. They promote division and wage violence outside of Syria, now into Iraq, encouraged by Iran. Supported by Iran, Houthi rebels have seized key territory in Yemen and seek to overthrow the government.

By the way, I remind the President that this was something which less than a year ago President Obama said was a great example of how our foreign policy under his leadership was working, that Yemen was an example. Only a few months later, we are fleeing the country and closing our Embassy. Actually, the President may have been right. Maybe Yemen is a great example of how our foreign policy is working.

Hezbollah and Lebanon wage terrorism against Israel, encouraged by Iran.

Palestinian terrorists in Gaza, encouraged by Iran, continue to lob mortars and rockets into Israel.

Last April, Iran's Islamic Revolutionary Guard stopped a Marshall Islands-flagged ship in the Strait of Hormuz.

Iran continues to hold hostages without any reasonable charge. Three American citizens—Pastor Saeed Abedini, former U.S. marine Amir

Hekmati, and Washington Post journalist Jason Rezaian—are being held by Iran. A fourth American, former FBI official Robert Levinson, is missing and is in Iran, with no assistance from Iran to find him. In fact, they don't know exactly where he is. I have repeatedly called, as others in the Congress have, on the administration to just stop negotiations until there is a show of good faith to let these Americans go.

I saw a few days ago that Pastor Abedini was beaten again in the prison he has been put in, the most dangerous prison in Iran.

How could we not get three people whom they are holding under charges that will not stand up to any public view? How could we allow them to continue to hold these people while we continue to have talks about something like letting this country become nuclear capable?

Washington Post reporter Jason Rezaian was arrested after security forces raided his home. His case was referred to a Revolutionary Court on January 14 of this year, but details of his charges and details of his court date have not been released. His mother is concerned—as we all should be—about his health, which is deteriorating as he is being imprisoned. Recent reports would suggest that this Washington Post reporter is being charged with espionage.

Pastor Abedini was imprisoned in September of 2012. In January of 2013, he was sentenced to 8 years in prison for “practicing his religion.” That is his crime—practicing his religion. The Iranian Government charged that Pastor Abedini was undermining the Iranian Government by creating a network of Christian house churches and attempting to sway Iranian youth away from Islam. In August of 2013, his appeal was denied. He was then put in the worst prison in the country. He has been beaten up in prison. I think he was beaten in the hospital when he had to be taken there, as his life had almost ended with prison beatings. Why do they still have him?

Why do they have Amir Hekmati, a former U.S. marine who was arrested while visiting his family in Iran in August of 2011? The Iranian Government sentenced him to death for espionage. Fortunately, his death sentence was overturned by an appeals court in March of 2012. However, he was still convicted of aiding a hostile nation—that would be us, by the way—and was found guilty of espionage.

Bob Levinson, who is a retired DEA and FBI agent, disappeared in March of 2007 while visiting Iran's Kish Island. It is very likely, many people believe, that Mr. Levinson is currently a prisoner in Iran. Just 3 weeks after he disappeared, Iranian state television reported that he was in the hands of Iranian security forces.

Why are we assuming that the Iranians will agree to something much more complicated when they will not let these four people go? Why wouldn't we insist on that?

Finally, Iran is responsible for killing and maiming thousands of American service men and women in Iraq and Iran from deadly, armor-piercing improvised explosive devices that originated in Iran. They don't deny it. I think they take pride in it.

The destabilizing impact of a nuclear weapons-capable Iran is hard to overstate. If you want to do one thing to cast a huge shadow over the next decade and perhaps decades of this century—unless that shadow somehow is removed before the end of the decade, it is hard to imagine.

Sanctions, with the credible threat of military force, were doing good until we decided we would ease those sanctions if Iran would come to the negotiating table. That began 2 years ago. Two years ago we said things we would insist on. Two years later, none of those things appear to be things that are still being discussed in these Iranian so-called negotiations.

Sanctions should stay in place until Iran fundamentally changes its course and its behavior.

I am greatly concerned that the agreement on Iran's nuclear program will not be presented to the Congress in a way that allows the Congress to really weigh in, and I am concerned that this program as it will be presented to the Congress will establish Iran as a nuclear-capable, nuclear-threshold state. When that happens, Egypt, Saudi Arabia, the UAE, and Jordan have all stated they will claim the exact same rights to do whatever it is we allow Iran to do. If we come up with an agreement that says Iran will be within 6 months of having a nuclear weapon and that they have to tell us when they start that 6-month clock, other countries will also want to be within 6 months of a nuclear weapon.

If we believe we can monitor Iran within 6 months or 12 months or whatever the number is, I think we are kidding ourselves, and most of the world doesn't believe we can do this either.

Turkey and other countries outside of the immediate neighborhood will also want to view nuclear weapons capability as a new status quo in a dangerous world.

An agreement that doesn't change the terror threat from Iran, an agreement that doesn't allow inspection of military facilities, an agreement that doesn't disclose past secret research for nuclear weapons, an agreement that doesn't ensure long-term inspections, an agreement that doesn't maintain sanctions in place until important compliance benchmarks are made is not an agreement that would be good enough.

We are facing a dangerous time. Iran is one of the chief perpetrators of ter-

rorism in the world today. How we let that country that has one example of bad behavior after another, one example of hatred for Israel after another, one example of contempt for the United States after another, how we let that country become nuclear capable is amazing to me, as it is to the world. That is why our friends question whether they can depend on the United States of America any longer and why our enemies aren't afraid of us, as you would want your enemies to be.

I hope we don't settle for a bad deal. I will say again that a bad deal is worse than no deal at all.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

#### GUN VIOLENCE

Mr. BLUMENTHAL. Mr. President, last night a number of us from this Chamber and many of us from across the country gathered for a remarkable evening to support and honor an organization called Sandy Hook Promise. It is an organization that was created in the wake of the horrific, unspeakable tragedy in Newtown that involved the mass murder of 20 beautiful, innocent children and 6 great educators. Sandy Hook Promise was created to make some good come of this horrific evil, to protect children against violence and prevent more gun violence around the country, to advance the cause of mental health and wellness, and to make sure that no one is alone, no one eats alone, no one suffers alone, and no one endures mental illness alone.

Sandy Hook Promise is a wonderful, inspiring organization, and I was proud to serve as the cochairman of this event, along with my great colleague, CHRIS MURPHY, who has been a partner in efforts to stop gun violence in this Chamber and in Connecticut and around the country. I was also proud that the dinner and evening honored two of our colleagues, Senator DEBBIE STABENOW, a wonderful friend and distinguished Member of this body from Michigan, and PAT TOOMEY, our friend from Pennsylvania, who added his name and the weight of his support to a measure in the last session that seeks to protect children against gun violence by imposing a universal background check.

The evening was designed to honor our two colleagues, but it was also so inspiring for me to hear from Nicole Hockley, Mark Barden, and Bill Sherlach, whose lives were transformed and changed forever on that horrific day.

I will never forget that day when I arrived at the firehouse in Sandy Hook and seeing the grief and pain experienced by those families who learned for the first time that their beautiful children would not be coming home that night. The searing memory of their faces and voices will be with me forever. Their courage and strength in the

wake of that tragedy will inspire me forever.

It inspired many of our colleagues to vote for the commonsense, sensible measures that Senator TOOMEY and Senator MANCHIN of West Virginia helped to spearhead. It was a bipartisan package of measures that was advanced and advocated so ably by them and many of us tirelessly in those days before the vote. A majority of Senators voted in favor of that package of measures. Unfortunately, that majority did not reach 60 votes. But last night was a time to renew and redouble our efforts to prevent gun violence and to take positive, constructive, commonsense, sensible steps to help prevent it around the country.

At the very outset of the evening, both Senator MURPHY and I requested a moment of silence to honor the loved ones and families in Charleston, SC. Our hearts and prayers go out to them, as they have since that unimaginable tragedy. It was a violation of not only human life but the sanctity of a place of worship, just as Newtown involved the violation of a place we regard as among the safest, our schoolhouse—killing our schoolchildren.

When we finished that moment of silence, I am sure all of us retained the grief and pain. We in Connecticut know and understand that grief and pain and outrage because we remember that day when we felt it in the same way the people of Charleston felt it when nine people were killed. Their families were left with holes in their hearts just as we were on that day in Newtown.

But the message of last night was not one of despair or desperation, it was one of hope and energy. That message came from Nicole Hockley, Mark Barden, and Bill Sherlach, the families of the Sandy Hook tragedy who came here to Washington. They have continued their work through Sandy Hook Promise and other organizations to make some good come from that evil.

We can do it. We can make sure this country does more than grieve and remember. We need to redouble our commitment as a nation to make our Nation safer and better, not just for those 9 innocent people in the church in Charleston or the 26 innocent people in a schoolhouse in Sandy Hook but for the 11,000 people who are killed every year on the streets of Hartford, New Haven, Stamford, in our rural and suburban communities, and on our military bases. Every year, 11,000 people throughout our country die from gun violence.

We will never eliminate all gun violence. We will never stop all of the deaths and killings, but we can save lives. That is what the families of Newtown said to me in the wake of their tragedy, and that is what I hope our Nation will say to itself in the wake of the Charleston tragedy. We will never stop all evil, but we can take a stand and stop some of it.

Last night, I recalled the conversation I had with one of the moms when I was at the funeral of her child. When I approached her, I said, somewhat apprehensively: When you are ready, I would like to talk to you about what we can do together to stop gun violence in this country. And she said, with tears in her eyes: I am ready now. That was the spirit the families from Newtown brought to our Capitol. That is the spirit I hope we can honor with action and not just with words on the floor of the Senate or in the eulogies that will be given tomorrow.

We need to have an answer for those victims of Charleston and Newtown and the 11,000 people who die needlessly and senselessly every year from gun violence. We need to answer the question that all of us have: What can we do to stop gun violence? And there are some answers, such as background checks, a ban on illegal trafficking, an end to straw purchases, mental health initiatives, and school safety. Those are some answers, and we should think of other solutions. We need to work together, just as Sandy Hook Promise has done, regardless of party, race or religion, where we live or what our interest is because we have a common, shared interest in making our Nation safer and better.

That is why honoring both PAT TOOMEY and DEBBIE STABENOW was so meaningful, because they have given so much with their courage and leadership and have helped to make our Nation safer and better.

The killer in Charleston was not just a murderer, he was a domestic terrorist. He meant to terrify, not just kill. He meant to start a race war. He was a racist and White supremacist, and, rightly, has been regarded as someone who came to that church not just to target innocent worshippers but an entire community. He targeted the town of Charleston, the State of South Carolina, and our Nation. His message was not about hate for specific individuals, it was hate for an entire race.

We should recognize domestic terrorism and racism for what it is. We are not the only country with racists, but we are a country with a uniquely high number of gun violence incidents.

The shooting in Charleston was a physical manifestation of ideas that go beyond this murderer. To prevent future shootings, we must understand and undercut the ideas for which he killed so he could advance. We need to call this problem for what it is and understand it and fight it. Hate-inspired domestic terrorism is an evil all its own.

We can make progress against gun violence. We know we can, just as surely as 10 days ago no one thought the Confederate flag on State grounds in South Carolina would ever be removed. No one ever thought, plausibly, that the Governor of South Carolina would ever

advocate it, and now that has happened, just as commonsense, sensible measures against gun violence can happen. We can prevail. Nobody thought before Ronald Reagan was almost assassinated and Jim Brady was paralyzed that the Brady bill would ever be passed. In fact, it took 10 years.

So we are here in a marathon, not a sprint. We are here for the long haul. We are not going away, not giving up, not abandoning this fight, and not surrendering to the forces of domestic terrorism or racial hatred or gun violence. We are better than that as a nation.

As we leave and go back home for this recess, I hope we will not only share the grief and pain of those brave and courageous families in South Carolina who were so heroic in the face of evil but resolve that we will redouble our efforts to raise awareness and organize people who are of good will and want to stop gun violence and who need to be heard because the vast majority of the American people want us to take commonsense, sensible measures to make America safer and better.

I thank the Presiding Officer.

I yield the floor.

The PRESIDING OFFICER (Mr. TILLIS). The Senator from Indiana.

#### WASTEFUL SPENDING

Mr. COATS. Mr. President, today, I am back on the floor of the Senate for the 15th installment of the waste of the week. We all know the debt clock is ticking and that the Federal Government is racking up trillions of dollars of debt, which will have to be paid off at some point in the future by our generation and more likely our children and our grandchildren.

It is unsustainable. It is going to cause immense harm. It is something that has been ignored as of late, but we are unable to move forward with any kind of constructive solution to this problem or putting us on a path to deal with this because the President of the United States simply refuses to come to an agreement in terms of how to deal with this and, in fact, doesn't even bother to mention it.

We also have an issue that is part of the problem; that is, an inefficient, ineffective use of taxpayer money here in Washington. The money that was hard-earned by the people back home and then deducted from their payroll income and sent to the Federal Government. It is not always used in an effective, efficient way to address the necessary and essential issues the Federal Government deals with and that we talk about here every day. Instead, it goes into programs that can only be deemed as waste, fraud, and abuse, and that is what I have been trying to highlight for the past 15 weeks as we deal with the waste of the week.

Today, what I would like to talk about is a sweet deal. Everyone likes a sweet deal, right? Well, no, not quite everyone and not always. But, unfortunately, in this case what is a sweet

deal for some is actually a raw deal for the American taxpayer. I am talking about the sugar subsidy.

Currently, the U.S. Department of Agriculture, the USDA, issues loans to sugar producers and allows them to repay those loans with raw sugar if sugar prices fall below a certain price. After obtaining the sugar through this so-called loan, the USDA ends up with a bunch of sugar that it needs to resell, and it resells that sugar at a discounted price. As a result, these loans function as a price support for sugar, ensuring that sugar producers never sell their product below the price determined by the government—not the fair market but by the government. This cost taxpayers nearly \$300 million in 2013 alone. I don't have the figures yet for 2014. I assume that they are the same or that they may have fluctuated a little bit up or down, depending on the world sugar price.

If this sweet loan deal for sugar producers isn't enough—\$300 million a year in cost—there is more. In addition to providing a subsidy to sugar producers through the program I just described, the Federal Government also enforces a system of quotas and tariffs on imported sugar, thereby blocking Americans' fair-market access to cheaper sugar and resulting in a large difference between the international or global price of sugar and domestic sugar prices. In fact, the USDA's sugar program has caused the price of American sugar to be about 40 percent higher than the global price, resulting in an estimated cost to consumers of \$3.5 billion annually between the years 2009 and 2012.

So when we take these two programs and put them together, they effectively function as a mass Federal subsidy of sugar, which drives up prices for consumers and provides a double benefit to the sugar industry.

As a result of these two sweet policies, thousands of jobs in sugar-using industries, particularly candy manufacturers, have been lost, and the American taxpayer pays for it all.

Now, why were these policies put in place in the first place? Well, the global price of sugar was much higher in the early 1980s. So the idea was that higher sugar prices would result in more sugar growers, and the more sugar growers we had, the more sugar would be produced, thus lowering the price. That is how fair and free markets work. It is a supply-and-demand issue. But government interference through subsidies distorts the free-market price of goods, and in the case of sugar, it results in a direct hit to the taxpayer and much higher costs for the consumer of sugar-based products.

To this day, the sugar subsidy remains a giveaway to sugar producers and a raw deal for sugar consumers. Ice cream, doughnuts, cakes, pies—we know they are not the healthiest foods

to eat, but they are some of the more desirable foods that we like to eat, particularly after we have been forced to eat broccoli and greens. Our mothers raised us saying that you can't have ice cream or cake or pie after dinner unless you eat what is on your plate. And so we should suffer through eating some of that green stuff—I don't mean to belittle that, it is healthy and we should do that, but I'm not going to tell the public what to eat. Nevertheless, it is these products and many others that incorporate the cost of sugar in making the product that drive up the price of the product simply because of the subsidies that are provided by this government through its policies to sugar producers.

The end result is companies not being able to provide the jobs they would like to provide or to be the dynamic industry they would like to be, and that puts them in a less than competitive position against our overseas producers. Many companies in my home State of Indiana have been affected by this subsidy. Let me give a couple of examples.

The Albanese Confectionery Group, Inc., is a renowned Indiana-based manufacturer of confections, including the World's Best Gummi Bears—in Germany they call them Gooies; here we call them Gummies—Gold Label Chocolates, and other products. They are a very successful manufacturer. They estimate they could save \$3 million annually by having access to sugar from the world market price. But, no, they are not allowed to do that. They are forced to buy it at the U.S.-subsidized producer price, which is, as I indicated earlier, roughly 40 percent more than what they could otherwise pay.

Lewis Bakeries is headquartered in Evansville, IN, and is one of the few remaining independent bakeries in the Midwest and the largest wholesale bakery in Indiana, and they have the same issue.

Artificially high sugar prices contribute directly to increased costs that hamstring budgets of businesses such as Lewis Bakeries and other bakeries throughout Indiana.

Artificially high sugar prices affect the large companies also, such as Kraft Foods. It has a marshmallow and caramel plant in Kendallville, IN. They say that dismantling the sugar program would enhance the competitiveness of U.S. food manufacturers.

If Congress were to terminate the sugar subsidy program, which we have tried to do year after year after year and have not succeeded in passing it, we could save billions of dollars for U.S. taxpayers, not just from the U.S. Treasury but also in the grocery bills of American families. These savings could have extremely positive consequences for our economy if they were allowed to be used to support the economy.

According to an Iowa State University study, if the sugar program were abolished, domestic sugar prices would fall by roughly a third—earlier we were talking about 40 percent—saving consumers, said this study, at least \$2.9 billion to \$3.5 billion a year. And according to a recent report by the non-partisan Congressional Budget Office, eliminating this subsidy could save the Federal Government at least \$116 million over 10 years.

So here we have a subsidized program by the Federal Government that is costing consumers billions per year. And here we have a second subsidized program by the Federal Government that through its policies of pricing and unfair practices, in my opinion, is costing nearly \$116 million a year to American taxpayers. This is a perfect example of an outdated government program that is hurting consumers and wasting taxpayer dollars. The net effect of the program is that Americans are paying higher prices for sugar and more taxes to pay for the sugar subsidy.

So what is a sweet deal for the sugar producers is a raw deal for the American consumer. It is a subsidy—a package of subsidies that only go to the producers and deny the consumers the right to have reasonable prices for sugar in accordance with international pricing.

I have joined with a bipartisan group of my colleagues in supporting legislation, the Sugar Reform Act, introduced by Senator SHAHEEN from New Hampshire, that would end the sugar subsidy. If we could pass this legislation, it would result in a savings of at least \$116 million, according to the Congressional Budget Office.

So today I add to our chart \$116 million of savings that the government can claim, moving our chart ever closer to our goal of \$100 billion of savings.

How do we pay for some essential programs here, and where are we going to get the money? Why don't we start here? Why don't we start by eliminating some of these programs? Better yet, why don't we let the taxpayers keep their hard-earned money rather than send it to Washington to pay for waste and abuse that occurs almost on a daily basis.

We are gradually creeping up to our \$100 billion goal. I think we are going to have to go way beyond that, because these examples just keep rolling in. They are documented through non-partisan agencies related to Congress and related to the Federal Government, including inspectors general and various programs. Why are we spending this money in the first place? The program is wasted, it is abused, and it is misused. It doesn't need to be in place.

So we are going to keep coming to the floor week after week talking about the waste of the week. No. 16 is on the way. Stay tuned.

With that, I yield the floor.



I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MERKLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MERKLEY. Mr. President, in just a short period of time here in the Senate Chamber we will be voting on fast-track legislation designed to create a very quick path through the Senate for the Trans-Pacific Partnership and for trade agreements to come thereafter.

So I rise now to share with my colleagues and to share with the American people my concerns about this course of action. It is President Kennedy who once said: "The trade of a nation expresses, in a very concrete way, its aims and aspirations." What are our aims and aspirations in the context of this trade agreement and fast-track?

From my perspective, the thing that really matters is whether this trade agreement will create good-paying jobs or will destroy good-paying jobs. Will this trade agreement make the American economy work better for working Americans? I feel it fails the test. I am going to explain why.

Now, it is true that the trade agreement is complex. It is multidimensional. It has a dimension that deals with intellectual property, with the extension of copyrights and patents and protections for trade secrets. That is certainly a win for protecting an innovation economy and innovation by Americans and American companies.

It has an agricultural section. We have sought out an analysis of the agricultural section, but don't have one yet. But those in the know say there is a good chance that the tariffs that are struck down and the nontariff barriers that are struck down as barriers to U.S. products may on balance benefit the U.S. agricultural economy. I look forward to an analysis to really examine that in detail.

But the heart of the trade agreement is about manufacturing. We have multinational companies that are seeking to be able to make things at the lowest possible cost. That is the heart of this trade agreement, as with other trade agreements. That means being able to incorporate into an economic circle countries where the costs are very low to make things. That is certainly the case with this trade agreement.

This trade agreement includes a couple of countries that have no minimum wage and others that have a very low minimum wage. We are really talking about Vietnam, Malaysia, and Mexico. In Vietnam they have a regional minimum wage. So it varies from place to place. You hear different amounts, but roughly it is 60 to 75 cents per hour. In

Malaysia it is \$1.54. In Mexico it is 66 cents. Well, those are all incredibly low compared to the American minimum wage of \$7.25.

Of course, many of our States have State minimum wages that are higher. But the minimum wage is only a part of the puzzle. When you include the cost of labor in the United States, you have to include such things as workers' compensation and set aside expenses for Social Security and disability insurance and the cost of maintaining safe working standards, which are rigorously enforced.

So when you compare all of that, you probably have a labor ratio that is on the order of about 20 to 1. That is a playing field tilted against the American worker at a 20-to-1 ratio for manufacturing. That is certainly not a level playing field. Our companies will say time and again: Here in America, we will thrive with anyone in the world on a level playing field. But when the costs are 20 to 1—that is, when the costs overseas in countries such as Vietnam, Malaysia, and Mexico are lower than in the United States on a 20-to-1 ratio—that is a playing field steeply tilted against the United States.

So it is no wonder that in previous agreements we have seen an increase in trade deficits and a big loss of jobs here in the United States of America. Let's take a look at three of those cases.

In 1993, we signed the North America Free Trade Agreement. That incorporated Mexico into our economic circle. So let's compare the trade deficit in 1992, a year before, with 2014. In the course of those years, the trade deficit increased from \$5.3 billion to \$53.8 billion. That is a massive, massive change. Now, by various estimates that translates into a job loss of between 480,000 to 680,000 jobs. So half a million Americans lost good-paying jobs as a result of NAFTA.

Let's take a look at China. China came into the World Trade Organization, or WTO, in the year 2000. So let's compare 1999 with 2014. The trade deficit went from \$68.7 billion to \$343 billion. That is an increase of one-quarter of a trillion dollars. That is not a collective amount. That is an annual amount. By various estimates that resulted in job losses of between 2.7 million and 3.2 million American jobs.

Or let's look at South Korea. Remember how folks said that this would facilitate so much access to consumers in South Korea, and it would not have a big impact on our trade deficit? The South Korea agreement was signed in 2011 or ratified. So comparing 2010 to 2014—just 4 years—the trade deficit ballooned. It ballooned from \$10 billion to \$25 billion. The resulting job losses are estimated to have been between 75,000 and 150,000 jobs. Now, when I say jobs, maybe that is abstract. So let's translate this to families. Between the

low estimates and the high estimates, we are talking about 3.3 to 4 million American families losing their jobs—good-paying manufacturing jobs. You know, there is no better foundation for a family than a good-paying job.

So when we pull away that foundation by striking agreements that send our jobs overseas, that is utterly devastating to families across our Nation and certainly to families in my home State of Oregon and certainly to families in every single State. So you cannot be pro-family and also be for shipping our good-paying jobs overseas. There is no government program that substitutes for a good-paying job.

That is why I am so deeply disturbed about the outline of the agreement that we are undertaking. Each and every time that improvements to wages here in the U.S. come up, the makers will say: If you raise your wages, if you add family vacation or family leave or sick leave or medical leave or help with daycare for your children—you know what—we may just have to move our manufacturing overseas or we may have to move our supply chain overseas or we may have to produce less at the factory here and more at the factory overseas.

It does not stop there. The construction that is envisioned by our multinational manufacturers in pursuit of their low-cost production is not just to play off the United States against Malaysia or the United States against Mexico or the United States against Vietnam—although all of that will happen—it is also to play off each of those low-cost countries against each of them.

So they can say to China, which has a certain cost structure and is not yet envisioned to be part of the Trans-Pacific Partnership but does benefit from WTO access: China, your costs are going up. Oh, you are enforcing those environmental laws, and your costs are going up. Oh, you are adding health standards, labor standards, and your costs are going up. You are paying overtime, and your costs are going up. We are going to shift more of our manufacturing to Malaysia, and if you keep at it, we will shift all of it.

Or to Malaysia: You are just close by to Vietnam. Your costs go up, and we are going to ship more to Vietnam.

Or to Vietnam: You raise your standards, you raise your costs, you raise your pay, and you raise your standard of living. So we are going to move those jobs to Mexico.

This is tremendous leverage if you are an owner of a multinational, if you own stock in a multinational, if you are an investor in a multinational, because you can sell—you can produce your product at lower costs by playing off economy against economy—at the world market price and you make more money.

But if you are a worker in the United States who is being played against a

worker in Vietnam, it is a bad deal. If you are a worker in Vietnam being played off against a worker in Malaysia, it is a bad deal.

That is not all that is wrong with this arrangement. Let's look at the various things that could have made fast-track stronger and that are not in fast-track. We have heard a lot of conversation and a lot of presentation that this is a gold-standard framework, that this is a new style of trade agreement. But the fact is that key provisions that could have made it a gold standard or a new strategy are not there.

Let's start with the fact that there is no minimum wage required in this agreement—not even a minimum wage of \$1 an hour, which would have certainly affected Mexico or Vietnam—and no mechanism for where there is a minimum wage, to increase it gradually over time to help lift up workers in our poorest nations and to reduce the gap and level out the playing field between low-wage countries and high-wage countries such as the United States.

Second, the agreement does not address currency manipulation. Everyone in international trade understands that tariffs can be replaced by a pseudo-tariff through currency manipulation, through intervention in the currency market. In 2009, when I came to the Senate, our Congress estimated that the currency manipulation by China amounted to a 25-percent tariff on American products and a 25-percent subsidy to Chinese products. Why would we agree to an arrangement where currency manipulation can produce a tariff against our products and a subsidy to our competitors within that framework?

Third, we have had a problem with the loss of our sovereignty on health issues, environmental issues, and consumer issues by giving that sovereignty away and that decision-making away to an international panel. Just weeks ago, under the World Trade Organization structure—the WTO structure—we lost a case, and the outcome of that case was that here in America we are not allowed to label our meat “Produced in America.”

That is a loss of our sovereignty. I want to live in an America where if our consumers, if our policymakers, if our legislators believe it is in the best interest of this Nation for our consumers to be able to know where their meat is raised, if our consumers want to exercise some patriotic decisionmaking and support American ranchers, they ought to be able to do so. We ought to be able to have that law and not give away our lawmaking authority to an international panel.

So this is an investor-state dispute settlement panel of three corporate lawyers, who can be advocates in one case and the judges in the next. It does not provide anything close to an appro-

priate mechanism to decide issues of health, safety, and the environment. We could have taken those off the table so that if we wanted to control a dangerous environmental toxin such as cancer-causing flame retardants in our carpets, we could do so without going afoul of trade agreements.

But there was no effort to protect our health and safety here in America in this trade agreement. If we really believed that we were going to have a new-order agreement, we would have an enforcement mechanism for labor standards and for environmental standards. We have heard folks talk on the floor that there are such new enforcement standards. So I am aggrieved to report to you that that is simply not the case.

Now, let's start with the fact that we could have required the passage of laws before countries are admitted into the trade agreement and required that they bring their environmental standards, their legal standards, and their labor standards up to snuff before admission and then show that they were actually implementing them and have a 2-year demonstration period to show that they were actually enforcing them. Because that is the easiest point at which to bring nations accountable before they are members of the trade agreement, before they get the lower tariffs. That is the point you have incentive. That is the point you have leverage. But there was no effort to force countries, to require countries to meet those minimum standards before being admitted into this trade agreement.

We could have had some form of snapback provision that said: If you fail in bringing your laws into accordance on the environmental side or the labor side, if you fail to enforce your laws, then tariffs snap back. But there is no snapback provision in this agreement.

We could have expanded the dumping provisions in international law to give a way to take on situations where countries are producing at low cost because they are not abiding by the goals in the environmental or the labor area, but there is no such provision envisioned or required in fast-track or anticipated in the Trans-Pacific Partnership.

In the course of our trade agreements, there has been only one situation where we challenged labor laws, and it was with Guatemala. We challenged them 7 years ago, and to date that case has never been adjudicated. It is virtually impossible, after a country has failed to come up to standards, to go back and retroactively enforce those standards without some new mechanism, some new strategy. But there is no new mechanism or strategy that applies in this situation, nothing that would solve the Guatemala case and actually end with it being adjudicated.

To continue with the challenges to this fast-track, the failures of this fast-track, there is nothing in this that provides for Congress to be consulted when other nations dock; that is, tie on to the framework that will exist in the Trans-Pacific Partnership.

We had an amendment here on the floor that if China was to try to dock with the TPP and become a TPP fully privileged member, it would have to come back to the United States for consideration. That would give us a chance to look at China's currency manipulation or China's cheating on international intellectual property. That would give us a chance to examine a whole facet of things. But no requirement like that exists.

To add on to everything else, now, because of the way this process has proceeded, there is no guarantee that there will be trade adjustment assistance for families who lose their jobs when their jobs go overseas, no assistance in training.

I find it absurd that the same folks who say that there will be virtually no jobs lost proceed to say that the cost of compensating families by giving some minimal training to them when they lose their jobs will be vastly expensive and that America can't afford it. So on the one hand they say there will be no jobs lost. On the other hand they say that so many jobs will be lost that it will be too expensive for our Nation to afford. So they are OK with leaving American families not only stranded without jobs but stranded with no training to try to find new jobs in the economy.

If we go back to where I started with President Kennedy and his vision that the trade of a nation expresses in a concrete way its aims and aspirations, our aim should be to create good-paying jobs here in America. Our aspiration should be to create a trade agreement that works for working families. Unfortunately, this trade agreement is constructed around a different aspiration, one of maximizing the value of stock in the multinational manufacturing corporations, and that is done by shipping our jobs overseas. That is the wrong aim for this Nation. That is the wrong aim for our working families. We have seen the impact of Korea. We have seen the impact of China joining the WTO. We have seen the impact of Mexico and NAFTA. As a result, we have lost millions of good-paying jobs in our Nation and undermined the success of millions of American families.

There is a lot of conversation on the floor of the Senate about inequality in our Nation. Do you know what drives inequality? Well, I will tell you. It is this: When you create trade agreements that are great for investors but are terrible for workers, that drives inequality. That is why I encourage my colleagues to vote no when it comes to the fast-track legislation being voted

on later today. It is wrong for America because it is wrong as far as solving inequality. It is wrong for America because it is wrong for working families to have their jobs shipped overseas. It is wrong because it does not fulfill the vision of working for working Americans.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak for up to 15 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I am on the floor today for the 104th time—one of these days, I am going to get it right—to urge that we wake up to the dangers of climate change.

The scientific community has been sounding the alarm for decades. Our most respected scientific institutions are virtually unanimous in their verdict: Carbon pollution from humans' burning of fossil fuels is warming our atmosphere and oceans, raising and acidifying our seas, loading the dice for more extreme weather, and disrupting the natural systems upon which we all depend. They are not alone.

Our defense and intelligence communities warn us of the threats these climate disruptions pose to our national security and to international stability.

Public health officials warn that greenhouse gas pollution and its effects trigger human health risks.

Economists—even very conservative ones—have long recognized the distortion of energy markets ignoring the true cost of carbon pollution.

Our government's accountants now list climate change as one of the most significant threats to America's fiscal stability. The new Republican CBO chief even put sea level rise and increased storm activity from climate change into his budget outlook just last week.

Of course, voices of faith call to us. They plead that we heed the moral imperatives of protecting God's creation, seeking justice for all people, and meeting our own responsibilities to future generations.

His Holiness the Dalai Lama has called for us to “develop a sense of the oneness of humanity” and address climate change.

The Archbishop of Canterbury recently issued a declaration, along with other British religious leaders, warning of the “huge challenge” of climate change and supporting an international climate treaty to be negotiated in Paris this December.

Ecumenical Patriarch Bartholomew, the spiritual leader of Orthodox Christians worldwide, has called climate change “a matter of social and economic justice.”

More than 350 rabbis have signed a rabbinic letter on the climate crisis

calling for vigorous action against climate disruption and global socioeconomic injustice, reminding us that “social justice, sustainable abundance, a healthy Earth, and spiritual fulfillment are inseparable.”

Last week, Pope Francis, the worldwide leader of the Catholic Church, which is the largest Christian denomination in the world, the largest Christian denomination in the United States, and the largest Christian denomination in my home State of Rhode Island, added his charismatic voice to the call.

In the Roman Catholic Church, an encyclical is a papal letter sent to all bishops. It is considered among the most authoritative documents of Catholic teaching. Rather than just an internal communication to the clergy, however, this encyclical of Pope Francis on climate change is explicitly addressed to “every single living person on this planet.” It is entitled “*Laudato Si'*,” or “Praise Be to You,” a reference to the “Canticle of the Sun” by St. Francis of Assisi, the patron saint of the environment, friend of the poor, and namesake of this Pope.

This encyclical accepts and affirms what we know about climate change: that most is due to the greenhouse gases emitted by human activity; that seas are rising, oceans acidifying, polar ice melting; that weather is worsening at the extremes; and that basic systems of life on our planet home are being disrupted.

He writes:

[W]e need only take a frank look at the facts to see that our common home is falling into serious disrepair. . . . [T]hings are now reaching a breaking point. . . . [H]umanity has disappointed God's expectations.

The Earth herself, he says, “groans in travail.”

Pope Francis tells us that “humanity is called to recognize the need for changes of lifestyle, production, and consumption, in order to combat this warming or at least the human causes which produce or aggravate it.” Specifically, he says that “technology based on the use of highly polluting fossil fuels needs to be progressively replaced without delay.”

The Pope reminds us that as we in power sleepwalk through this crisis, we are hurting people who have no voice today. First, we harm future generations, leaving them a world that, to use his own words, “is beginning to look more and more like an immense pile of filth.”

“[T]he world is a gift which we have freely received and must share with others,” the Pope writes. “Intergenerational solidarity is not optional, but rather a basic question of justice.”

The Pope also emphasizes that when we damage that gift, we inflict particular harm on the poor, who live close to the Earth—outside of our privileged bubble of consumption. They

rely on agriculture, fishing, and forestry for their livelihoods and sustenance. As climate change disrupts natural systems, the poor take the hit most directly. As a result, Pope Francis says, we who have profited most from burning fossil fuels owe a debt to the rest of the world. He calls it our “ecological debt.”

The United States has produced more carbon dioxide than any other nation. Our historical responsibility calls us to help other nations develop cleaner energy, relieve their systematized poverty, and soften the blow of climate change. This responsibility, this call from Pope Francis matters particularly for America, the indispensable and the exceptional nation. Years ago, Daniel Webster described the work of our Founding Fathers as having “set the world an example.” From John Winthrop to Ronald Reagan, we have called ourselves a city on a hill, set high for the world to witness, to emulate.

Should we ignore the climate disruption we have caused, Pope Francis warns, “those who will have to suffer the consequences of what we are trying to hide will not forget this failure of conscience and responsibility.” In saying that, Pope Francis aligns squarely with Daniel Webster's warning from that same speech—his warning about our American experiment in popular liberty: “The last hopes of mankind, therefore, rest with us; and if it should be proclaimed that our example had become an argument against the experiment, the knell of popular liberty would be sounded throughout the earth.”

Pope Francis's encyclical even has something to say directly to us in Congress. He says:

To take up these responsibilities, and the costs they entail, politicians will inevitably clash with the mindset of short-term gain and results which dominates present-day economics and politics. But if they are courageous, they will attest to their God-given dignity and leave behind a testimony of selfless responsibility.

Remember the Pharisees. Remember the traders and the money changers in the temple. If we choose to ignore the call of the Pope and of leaders of faith around the world and choose to protect the side that is polluting and destroying, even when we see right before our faces its ravage of our natural world, its harm to the poor, its robbery of future generations, what are we then? What are we then? Jesus himself, the Lamb of God, lost his temper twice, the Bible tells us; once at the Pharisees and once at the traders and money changers in the temple. He went after them with a lash, actually. Are we to take their side now? Must we, in the Senate, serve Caesar in every single thing? Is there no light left here at all?

Here in the Senate, the hand of greed lies so heavily upon us. Please, may the Pope's exhortation give us the

courage to stand up against the power of these selfish forces and do what is right for our people and for our planet.

The fossil fuel industry has been a particular disgrace, polluting our politics as well as our planet. Ever since the Citizens United ruling gave polluters the ability to inject unlimited and untold amounts of money into our elections, the tsunami of their slime has drowned honest debate on climate change. Senators who once supported commonsense legislation have gone silent as stones under the threat of the polluters' spending. Getting past the dark influence of the fossil fuel industry will indeed take some light and some courage, especially on the part of the Republican majority whom they so relentlessly bully and cajole. But we must do it. Again, mankind will not forget this failure of conscience and responsibility.

Senator SCHATZ and I have even offered legislation rooted in conservative free-market principles. We would put a fee on carbon pollution and return all the revenue to the American people. It would reduce carbon pollution 40 percent by 2025 and be a significant downpayment on our ecological debt to the world and, by the way, it would generate significant tax cuts and economic benefits for American families and businesses in the process. I urge friends across the aisle, please, take a serious look at our bill.

In seeking a solution to the climate crisis, Pope Francis asks each of us to "draw constantly from [our] deepest convictions about love, justice, and peace." He dares us even "to turn what is happening to the world into our own personal suffering"—into our own personal suffering—"and thus discover what each of us can do about it." He urges us to recognize the systems around us—the financial systems, the industrial systems, the economic systems, the political systems—are drawing us down a destructive and unjust path.

But his encyclical to the world illuminates another path—a compassionate path, blazed with abiding faith in the human family, a path toward the preservation of our common home and our common decency. The choice of which path we take will be a fateful one.

I yield the floor.

The PRESIDING OFFICER (Mr. CRUZ). The Senator from Oregon.

Mr. WYDEN. Mr. President, before he leaves the floor, let me just commend the Senator from Rhode Island. He has made a number of important points this afternoon, but I am particularly pleased my colleague has laid out, in such a thoughtful way, the implications of the Pope's encyclical. This was very important as a major new focus of the debate, and I really commend my colleague.

I suspect we are now on 101 or 102—oh, 104. I was there for 100, so I must

have missed one along the way. But I commend my colleague and thank him for his commitment. He knows I share many of his views with respect to creating a fresh set of approaches to deal with this climate change question, and I look forward to working with him.

Mr. WHITEHOUSE. Mr. President, I thank the Senator very kindly.

Mr. WYDEN. Mr. President, today the Senate is taking major steps toward a new, more progressive trade policy that will shut the door on the 1990s North American Free Trade Agreement once and for all.

One of the major ways this overall package accomplishes this goal is by kicking our trade enforcement into high gear. Later today, the Senate is going to vote to go to conference with the House on strong bipartisan legislation that was passed by the Chamber only a few weeks ago by a vote of 78 to 20.

It has long been my view that vigorous enforcement of our trade laws must be at the forefront of any modern approach to trade at this unique time in history. One of the first questions many citizens ask is, I hear there is talk in Washington, DC, about passing a new trade law. How about first enforcing the laws that are on the books?

This has been an area I long have sought to change, and we are beginning to do this with this legislation and I want to describe it. For me, this goes back to the days when I chaired the Senate's Subcommittee on International Trade and Competitiveness. We saw such widespread cheating, such widespread flouting of our trade laws, my staff and I set up a sting operation. We set up a sting operation to catch the cheats; in effect, almost inviting these people to try to use a Web site to evade the laws. They came out of nowhere because they said: Hey, cheating has gotten pretty easy. Let's sign up. And we caught a lot of people.

So we said, from that point on, that we were going to make sure any new trade legislation took, right at the center, an approach that would protect hard-working Americans from the misdeeds of trade cheats. In fact, the core of the bipartisan legislation that heads into conference is a jobs bill—a jobs bill that will protect American workers and our exporters from those kinds of rip-offs by those who would flout the trade laws.

The fact is, when you finally get tough enforcement of our trade laws, it is a jobs bill—a true jobs bill—because you are doing a better job of enforcing the laws that protect the good-paying jobs of American workers.

I guess some people think we are going to get that tougher enforcement by osmosis. We are going to get it because we are going to pass a law, starting today with the conference agreement that is going to have real teeth in it—real teeth in it—to enforce our trade laws.

Foreign companies and nations employ a whole host of complicated schemes and shadowy tactics to break the trade rules, and they bully American businesses and undercut our workers. So what we said in the Finance Committee, on a bipartisan basis, is the name of the game will be to stay out in front of these unfair trade practices that cost our workers good-paying jobs. My colleagues and I believe the Senate has offered now the right plan to fight back against the trade cheats and protect American jobs and protect our companies from abuse.

It really starts with what is called the ENFORCE Act, which is a proposal I first offered years ago that will give our Customs agency more tools to crack down on the cheaters. Then, we have a bipartisan, bicameral agreement on the need for an unfair trade alert. That is another major upgrade that responds to what we heard companies and labor folks say again and again. What they would say is that trade enforcement laws get there too late. They get there too late. The plant is closed, the jobs are gone, the hopes and dreams of working families are shattered. So what we said is we are going to start using some of the data and the information we have to have a real trade alert so we can spot what is coming up and get that information to our communities and our working families and our companies to protect our workers. So this unfair trade alert is another major upgrade in how we tackle enforcing our trade laws.

My view is that any bill that comes out of that enforcement conference, the Customs conference, needs to reflect important American priorities, and that should certainly include smart protection of our environmental treasures. When our trade agreements establish rules on environmental protection, they have to be enforced with the same vigor as the rules that knock down barriers for businesses overseas.

Our colleague from Colorado Senator BENNET offered, in my view, a very constructive proposal that is going to accomplish this important goal. It was overwhelmingly agreed to by the Committee on Finance and passed by the Senate, and I would like to note that much of the good work done by Senator BENNET mirrors what my colleague in the other body, Congressman BLUMENAUER, is doing on this issue as well.

It is my view—and why it was important to hear from Senator WHITEHOUSE—that climate change is one of the premier challenges of our time. It is critical to make sure this enforcement package sends the right message on environmental issues. Whether the issue at hand is climate change, fisheries or conservation, this package—the package we are going to be dealing with in the Customs conference—strikes the right balance for the environment.

I also want to take a moment to build on what I discussed yesterday with respect to the Democratic priorities that my colleagues and I are going to fight for in conference. This stems from an important point made by our colleague from North Dakota Senator HEITKAMP, who said we really need to go into this Customs conference with some markers—some strong markers that lay out a path for some of our priorities with respect to enforcing the Customs law.

So after the pro-trade Democrats met on Monday night, I talked with Chairman RYAN with respect to these issues. We intend to champion provisions by Senator SHAHEEN which will help our small businesses take full advantage of trade. A lot of people say, oh, trade bills are for the big guys; the big guys are the ones who are going to benefit. I have always thought big guys can take care of themselves. They have lots of people to stand up for them. But what Senator SHAHEEN is saying—and it is particularly important in my home State, where we have mostly small businesses. Senator SHAHEEN is saying she is going to make sure, as part of the enforcement efforts, we beef up the effort to help small businesses, particularly at the State level—not at the Federal level, at the State level—promote these efforts to have more markets for our small businesses in the export field.

In addition to Senator SHAHEEN's amendment, as far as those Customs markers are concerned, we are also going to make the environmental protection provisions I just described authored by Senator BENNET a priority and Senator CANTWELL's trade enforcement trust fund. I am very hopeful about the trade enforcement trust fund as well. Suffice it to say, there is interest on both sides of the aisle because there is an awareness that, again, we can have some trade laws, but we are going to need some resources in order to make sure they are implemented. So I think that trade enforcement trust fund is another very important priority, and it is one that the pro-trade Democrats have said would be part of our short list in terms of our Customs markers.

As I noted, when I have town meetings at home—I have had more than 730 of them and am going to have more of them this upcoming week—I do find people say that everybody in Washington talks about new laws, new proposals, trade ideas: Enforce the laws on the books first. It has been too hard—too hard in the past—for our businesses, particularly our small businesses, to get the enforcement that matters, enforcement with teeth, enforcement that serves as a real deterrent to cheating.

So this legislation is our chance to demonstrate that strengthening trade enforcement—enforcement of the trade

laws—will now be an integral part of a new modern approach to trade, an approach that says we are not part of the 1990s on trade, where nobody had Web sites and iPhones and the like. We have a modern trade policy with the centerpiece enforcing our trade laws.

Our policies are going to give America's trade enforcers the tools they need to fight on behalf of American jobs and American workers and stop the trade cheats who seek to undercut them. I strongly urge my colleagues to vote yes later today on the motion to send the enforcement bill to conference and work on a bipartisan basis, as we did in the Finance Committee, to put strong trade enforcement legislation on the President's desk.

Now, I would also like to briefly make some remarks on the trade adjustment assistance package. As we have said, later today, the Senate is going to take a series of votes that again speak to how we kick off a new progressive era in trade policy that closes the books on the trade ideas of the 1990s once and for all.

Once again, a key part of that effort is protecting our workers and ensuring that more trade means everybody has an opportunity to get ahead. That is why the package of legislation under debate expands and extends the support system for America's workers called trade adjustment assistance.

Now, this program dates back to the days of President Kennedy. President Kennedy, during his push for the Trade Expansion Act of 1962, called it "a program to afford time for American initiative, American adaptability and American resiliency to assert themselves." Since then, this program has been extended by Republican and Democratic Presidents. The program is now a lifeline for more than 100,000 Americans, including 3,000 Oregonians who receive job training and financial support. The heart of it is to provide a springboard to new opportunities, and it guarantees that workers and their families don't get knocked off stride when times are tough. In my view, it is a core element of what I call trade done right.

As I noted yesterday, Tim Nesbitt, former past president of the Oregon AFL-CIO, essentially said our legislation was a blueprint for trade done right.

Now, for 1½ years, the Trade Adjustment Assistance Program has been running at reduced strength. But that is going to change once this legislation becomes law. The funding for trade adjustment assistance goes back up to a level that will cover everybody who qualifies. Once again, service workers will be eligible for the program because in today's economy they are facing competition from overseas as well. Trade adjustment assistance would take into account competition from anywhere in the world, not just from our trade agreement partners.

These are significant improvements that I will tell the Presiding Officer and colleagues I fought very hard for in what were negotiations that really lasted well over 6 months with Chairman HATCH and Chairman RYAN. I believe these changes are going to make a big difference for workers across our Nation who fall on tough times. If China manages to lure a manufacturer away from the United States, for example, now those workers will be covered. They will have a chance to learn new skills and find a job that pays good wages, and they will not have to worry about whether the bills will get paid or if they are going to have food on their table.

Along with trade adjustment assistance, this legislation will reinstate the health coverage tax credit that expired at the end of last year. The majority of workers in this country—tens of millions of middle-class people and their families—get health insurance through their employer. The health coverage tax credit guarantees that workers and families affected by trade are going to still be able to see their doctor. If they get sick or suffer an injury, they aren't going to face colossal medical bills or the threat of bankruptcy. They get protection, and they get it until they are back on their feet.

In the process of bringing this legislation together, my friend and colleague on the Finance Committee Senator BROWN offered a proposal that goes a long way, in my view, to strengthening our enforcement of key trade laws. It is called the Leveling the Playing Field Act. I urge the Senate majority leader to include this important legislation in the TAA bill, both because it is a good policy and it is a sign that both parties are working on issues that are logical bipartisan priorities. Leveling the playing field—and I can say this at this point in the debate. If we look at the Senate Finance Committee files, leveling the playing field was a top priority for those in the unions—the steel unions and others—and it was also a top priority for their companies. So having this policy in trade adjustment assistance is exactly the kind of bipartisan work the American people want done—business, labor, Democrats, Republicans—a strong record of evidence as to why it is needed. This legislation is going to be the difference between steelworkers and paper workers being on the job or being laid off because it ensures that the remedies of trade law—what is called countervailing duty law, anti-dumping law—is going to be available to workers and their companies earlier and in a more comprehensive way. It is going to protect jobs, which is a priority of both political parties.

I made mention how important this was to me. My first hearing—my first hearing when I became chairman of the Finance Committee's trade subcommittee—was on trade enforcement.

So I could have chosen a lot of topics. We could have talked about exports, hugely important to my State. We could have talked about the fact that the trade laws haven't kept up with the digital age, hugely important to my State. I said my first hearing was going to be on trade enforcement.

My good friend from United Steelworkers, Leo Gerard, together with the U.S. Steel chairman, Mario Longhi, spoke at length about how American workers wanted to see the Senate and the Finance Committee stand up for them and finally fix the shortcomings in our trade remedy laws. That is what we have done now. Getting behind SHERROD BROWN's proposal to strengthen our trade laws, to stop unfair trade so foreign companies do not undercut American workers and manufacturers ought to be an American priority—a red, white, and blue priority, a priority for every Member of this body.

I am proud to have worked with Senator BROWN on this important issue. I thank him for the fact that he has brought this up again and again and again. I said quite some time ago that we weren't going to let this package become law without the Leveling the Playing Field Act authored by Senator BROWN at the outset. That is going to be the case, and I thank him for his work.

The three programs—the Trade Adjustment Assistance Program, the health coverage tax credit, Senator BROWN's Leveling the Playing Field Act—are now moving through the Senate alongside legislation that creates new economic opportunities for impoverished countries in Africa and other places around the world. This trade package will extend the biggest of these programs, the African Growth and Opportunity Act—what is called AGOA—for 10 years. I am a strong believer in AGOA. It works for our country, it works for Africa, and it builds a stronger economic future for so many around the world. We worked hard again on a bipartisan basis in the Finance Committee to find ways to strengthen AGOA. That was the point of our hearing, to find ways to strengthen it, extend it for another decade, and the committee came together on a bipartisan basis to make smart improvements.

Once again, we see the value of a progressive trade policy. Two of our very outstanding colleagues—my colleague Senator COONS on this side of the aisle and our friend Senator ISAKSON on the other side of the aisle—are always working in a bipartisan way, pointing out that this is what our country is all about, and certainly creating opportunities for impoverished parts of the world is a core American priority. Hearts and minds around the world are hoping we will have this kind of leadership.

I will close, and I think this will be my last comment before the vote. It is

my view that for all who want to see trade done right, for all who want American workers to thrive in the 21st century, getting behind these key programs is an ideal way to do it. By supporting this legislation, the Congress reaffirms what President Kennedy really rhapsodized over half a century ago: You get behind these programs, and it reaffirms America's commitment to American initiative, to adaptability, and resiliency.

I encourage all of my colleagues to vote yes to support these important programs when we vote later today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Mr. President, I rise today to talk briefly about trade adjustment assistance, or TAA, and about trade enforcement. I will be supporting the TAA bill.

TRIBUTE TO CASEY ADEN-WANSBURY

But before I talk about that, I would like to recognize my chief of staff, Casey Aden-Wansbury, who has never been on the floor before. She asked to be on the floor today, since she is leaving. Of course, I said yes.

But I said that so that I could talk about you, Casey. You didn't know that. You have to sit through this.

Casey has served in my office since I joined the Senate in July of 2009. She is leaving Washington next week and is heading to San Francisco, where her husband will be starting an amazing new job. Jamo has a great job, and he has been so supportive of you, Casey, and also of Casey's parents. You will now be much closer to them.

I am very excited for Casey, but I wish she weren't leaving. Everyone in my office is going to miss you—no one more than me.

When my grandson was 30 minutes old, I held him in my arms, and I said to him: It is all staff.

It is true. It is all staff. Casey has been an amazing chief of staff. She is the most focused, determined person I know.

I am a member of the Writers Guild and the Screen Actors Guild. I get screeners. We got "Zero Dark Thirty" sent to me during the awards season. My wife and I were in our living room. We put "Zero Dark Thirty" on. At a certain point in the movie, I said to Franni: The lead character reminds me of someone. Finally, I said: It is Casey. If Casey had been in the CIA, I think we would have gotten bin Laden a little earlier.

Casey deserves an enormous amount of credit for all the work that I and our office have been able to get done in my first term—the day-to-day work that we do to improve the lives of people in Minnesota and across the country. Whether it was mental health in schools or improving workforce training or protecting net neutrality or defeating the Comcast-Time Warner

Cable deal, I am so proud of the work we have done in the Senate. And it is all staff. Casey has led that staff brilliantly every step of the way. I will miss Casey more than anyone, including myself, really knows.

Whoever gets Casey next will be very, very lucky indeed.

Casey, I cannot express how deeply thankful I am for all you have done for me, for our office, and for the State of Minnesota. Thank you.

Now, Mr. President, I would like to turn briefly to the trade adjustment assistance package. I believe that when trade is done right, it can benefit our workers, our communities, and our businesses. But I was concerned that the fast-track procedures set up by the trade promotion authority bill will not do enough to make sure that we do trade right. So I voted against that bill, and I will vote against it again later.

Once we are done with that bill, we will consider the trade adjustment assistance bill that was originally packaged together with the fast-track bill. I will support TAA. It is far from perfect. For one thing, it simply does not provide enough assistance. But it will go a long way toward providing help for workers who are displaced by trade, as we know some will be.

I also strongly support the Leveling the Playing Field Act, which is included in this package along with TAA. Senator BROWN's bill, of which I am proud to be a cosponsor, would help strengthen our trade remedy laws—the laws that enforce our trade policies and protect our domestic industries from dumped and subsidized imports from other countries.

In Minnesota, I have seen firsthand the damage that happens when we don't have—and just as importantly, can't enforce—strong trade protections. In the last few months alone, we have seen what happens when countries unfairly dump their goods here. Nearly 1,000 Minnesotans in the Iron Range are losing their jobs after a flood of dumped steel imports.

The Leveling the Playing Field Act would help improve our anti-dumping laws, including restoring Congress's original intent in setting the standard for when a domestic industry is materially injured by unfairly traded foreign imports. We need to be able to respond effectively when dumped imports are harming our domestic iron and steel industry and the workers in that industry or when those imports are harming other industries, as is happening now. This bill will be an important step in enabling that more effective response. With these provisions, we are standing up for American manufacturers by putting in place and enforcing fair trade practices.

For these reasons, I will be voting for the trade adjustment assistance bill, and I look forward to its being enacted into law.



Thank you, Mr. President, for allowing me to say a few words about Casey and about TAA.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BROWN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. Mr. President, I have come to this floor a number of times arguing against trade promotion authority. I have done that for months. This body should not give up its authority to amend trade agreements, and it should not pave the way for a trade deal that looks like it is going to be more of the same—corporate and worker sellouts.

We have seen it with NAFTA, and we saw a similar kind of move on PNTR with China, where our bilateral trade deficit almost literally exploded since 2000, when this body and the other body moved forward on PNTR. We saw it with the Central American Free Trade Agreement, when President Bush had to wake in the middle of the night and get on the phone with Republican Member after Republican Member to get them to change their vote on fast-track so he could get the Central American Free Trade Agreement, which he sold in the name of counterterrorism. We saw it in the South Korean trade agreement, when this President made promises of more job creation and higher wages, neither of which has borne out.

We have seen big promises and bad results on trade issue after trade issue after trade issue after trade issue. We have seen it through the Presidencies of George Bush 1, Bill Clinton, George Bush 2, and now Barack Obama.

As I said, this body should not give up its authority to make better trade agreements. In essence, what we are saying in this body with this vote, which will take place within the hour or so, is that we are willing to give up these powers to the executive branch to give us more of the same, trade agreements that don't work for our communities, don't work for our workers, don't work for our families, and don't work for our small businesses.

While this Chamber will vote on trade promotion authority today, so-called fast-track, it doesn't mean we throw in the towel on the congressional oversight of our Nation's trade policy. Moving forward with fast-track means it is more critical than ever that we protect Congress's prerogative to have a say on a deal that could offset 40 percent of the world's economy. Members on both sides of the aisle, Members on both sides of this debate, supporters and opponents, Republicans and Democrats, a good mix of each,

have had conversations with me and many others about how this deal, the Trans-Pacific Partnership, is too secretive.

We have had conversations about how the U.S. Trade Representative is not answering the concerns of Members, even supporters of TPA and TPP, on issues such as currency, workers' protections, workers' rights, tobacco, and public health. Starting today, we need to make sure any Trans-Pacific Partnership deal—and that is the deal we will vote on later. I am assuming TPA will pass today. I hope not. I assume it will pass, go to the President, and I assume he will sign it.

The next question is, What happens with the Trans-Pacific Partnership, which is 12 countries coming together. It includes a handful of countries in the Western Hemisphere, including the three NAFTA countries—Canada, the United States, and Mexico—a couple of South American countries and Asia and the Australian subcontinent countries will be part of this trade agreement. If China is added to it, we hope there is a vote in the Congress, although there is no promise of that from the administration—but we need to make sure any deal on the Trans-Pacific Partnership includes strong labor protections. There are always big promises about labor protections, but a President has yet to deliver on these labor protections.

I am particularly concerned about Vietnam, a large country of tens of millions—approaching 100 million people. Vietnam is a country that has one labor union controlled by the Communist Party. It is a country that doesn't have collective bargaining rights. Yet we are assuming somehow that wages will come up high enough in Vietnam that they don't undercut U.S. wages, even though they don't have free trade unions, they don't have collective bargaining, and there is no mechanism so far in these trade agreements, whether it is TPA or Trans-Pacific Partnership, that Vietnam reach these wage levels and begins to move toward collective bargaining and free trade unionism prior to its admission to TPP.

We need to figure out all of those questions. We need to make sure that any TPP deal has strong environmental protections. Again, there were big promises on other agreements, but there is never much on the delivery side of these promises.

We want to see strong currency provisions. Again, there have been big promises on TPP but with little results in the past, and so far we have an administration that is not willing to carry it out.

We need to make sure we protect Medicare and Medicaid from investor-state dispute resolution, and we need to preserve access to medicines. We know citizens in the developing world

simply can't afford the high cost of Western medicines. Much of the time Americans can't afford the high cost of medicines, and we are an affluent country.

When we look at some of these TPP countries in South America and Asia, they can afford them even less. We need to make sure there are strong preserve-access-to-medicine provisions. We need to include protections that prevent this deal from being a tool for tobacco, which is perhaps the simplest to understand and one of the most troubling because of its moral bankruptcy.

This body is about to vote for fast-track legislation. If we don't stop this train from going down the track on which it seems to be heading, we are handing Big Tobacco even more power to addict children to tobacco in the developing world and countries that don't have nearly the public health system we do and don't have the affluence to be able to fight back against Big Tobacco. We have been pretty successful in doing that and protecting our children.

About 15 years ago when I was a member of the House Energy and Commerce Subcommittee on Health, I remember seven tobacco executives came to our committee. There was a picture on just about every front page of newspapers in the country, where the seven CEOs of the biggest tobacco companies in the country, some of the biggest in the world, raised their right hands and pledged to tell the truth, the whole truth, and nothing but the truth, and out and out lied to that committee about nicotine and cigarettes and the addictive qualities of nicotine.

These same tobacco companies, over time, pledged that they would no longer put billboards near schoolyards, pledged that they would no longer hand out sample packages of cigarettes near schools, pledged that they would stop their Joe Camel promotions.

I remember the ranking member of the Finance Committee, Senator WYDEN, was as outraged as I was with Big Tobacco.

I asked them a question at this hearing. I said: You are willing to do that in this country? You are willing to say that you will no longer have billboards near high schools, and you will no longer hand out samples of cigarette packs near schools, and you will stop your Joe Camel ads? I then said: Are you willing to do that in other countries around the world?

The answer was: No, no, no, no, no, no, no.

When these tobacco companies go to the developing world and peddle their poisons, they know public health in the developing world is about fighting cholera, fighting AIDS, fighting malaria, and fighting tuberculosis. They simply don't have the public health resources that we do in our country to



fight Big Tobacco. That is my concern about what could happen.

I will talk for a moment about how Big Tobacco uses trade agreements generally to undermine public health. We know tobacco use is the world's leading cause of preventable death. It is why countries around the world are passing stricter laws to protect their citizens from the massive health risks tobacco poses. Big Tobacco has turned trade deals into a tool for defeating commonsense international public health efforts.

How could that happen? Why would a trade deal be a vehicle to weaken anti-tobacco laws, the laws that especially protect children against addictive tobacco? Here is how it happens: It uses a trade agreement provision known as investor-state dispute settlement to attack a nation's public health law. Under this process, corporations use trade agreements to dispute domestic laws that they say undermine their investments.

I will use the best example, but there are several. Not many years ago, Australia passed the Tobacco Plain Packaging Act. Big Tobacco challenged this law. First of all, they opposed it in the Australian Legislature. They lobbied against it, but they were unsuccessful. The Australian Legislature passed the plain packaging consumer protection anti-addicting children tobacco law in 2011. Then, they sued, and it went to the Australian supreme court. Big Tobacco lost that case too.

So you know what they did? I give them credit for being pretty clever. They paid their lawyers a lot of money. Big Tobacco challenged this new law under the Australia-Hong Kong Bilateral Investment Treaty in a World Trade Organization dispute settlement proceeding. That means although Australian courts had ruled in favor of this law—their legislature passed it and the supreme court said it is constitutional—Big Tobacco, from the platform of Hong Kong, sued the Australian Government, saying, fundamentally, that was takings, that would undermine their profits.

I believe a three-person tribunal will hear this case. These are not Australian lawyers. Australia has nothing to do with this case except that they are going to be victimized.

I know the Presiding Officer cares about sovereignty for our country. I know this cuts across party lines. Conservatives, as much as progressives, care about sovereignty and public health. What we are doing is turning over the sovereignty of our Nation to these tribunals that can undercut our sovereignty.

Tobacco companies have launched similar cases against Uruguay and Togo over proposed laws. Cases like these can bankrupt small countries. Togo is one of the 10 poorest countries on Earth. It was forced to give up its

tobacco labeling laws, bowing under pressure from Philip Morris, a company whose sales, I believe, are larger than the GDP of Togo—bowing under pressure from Philip Morris, which threatened an “incalculable amount of trade litigation.”

So here are some U.S. trade lawyers who threatened to sue a poor African government or, in some cases, Latin American government which, once it exercised its sovereignty to protect its children against potential addictive tobacco marketing—marketing that will lead to children being addicted to tobacco—but they back off because they can't afford to go to court against the deep pockets of Philip Morris. This is Big Tobacco's strategy: Litigate and bankrupt countries into submission.

What we are facing is huge corporations using trade laws to blackmail countries—call it another word if you want; I think “blackmail” is about as close as it gets—into overturning laws that were passed by their legislature and usually ratified by their court system. People from another country—a very rich country—and one of the richest industries in that country, represented by some of the most privileged Harvard- and Yale-trained lawyers, are saying: We are going to overturn your democratically elected law because our profits are more important than protecting your children in Togo or your children in Uruguay, than protecting your children's health. That is fundamentally what they are saying.

So a vote today—since we haven't fixed tobacco—on fast-track is essentially saying—unless the people voting for it are going to go to bat, for a change, against Big Tobacco—fundamentally, we are saying it is OK for Big Tobacco and it is the privilege of the Big Tobacco lawyers to go to court and choose large tobacco profits over 15- and 16- or may I say 12- and 13-year-old children's health in poor countries in the developing world. That is a rather uneven match. Yet we ratify that with a “yes” vote today.

(Mr. TOOMEY assumed the Chair.)

We also have a responsibility to look out for the American worker who we know will be hurt by this deal. We know that—while I may disagree with the Presiding Officer from Pennsylvania over whether these trade agreements produce net jobs or what he, I think, believes—I believe these trade agreements produce a net loss of jobs.

That aside, people on both sides of this debate understand and have acknowledged that because of our actions, because of what we do here in this body and in the House and in the White House—what we do here with this trade agreement will throw some people out of jobs. We know there will be dislocation. People will lose their jobs because of our decisions. So how in the world could we possibly pass this without first taking care of those

workers who lose their jobs? We make a decision; you get thrown out of work. My colleague makes a decision; you get thrown out of work. We are just going to turn our backs because we don't really care about helping you even though you lost your job because of our decision.

So TAA is particularly important. It is not that we should pass the trade adjustment assistance; it is what we should do with it. I am disappointed that the TAA bill being considered today is significantly less generous to those workers than it should be. There will be many workers who lose their jobs. Even if we pass TAA, there will be many workers who lose their jobs who will not be taken care of under TAA. It does not make the program available to all workers.

I am disappointed that the bipartisan funding levels—which almost every Democrat in this body cosponsored—in my legislation that included a more generous level for TAA—we agreed to it in 2011 in this body, but for no reason at all, those numbers were cut. I want to expand eligibility. I want to increase its funding.

We are making it easier to pass TPP, but we are cutting the TAA Program by 20 percent. So how does that figure? We are saying we are going to pass this trade agreement—40 percent of the world's economy—yet we are cutting the protection for workers, the aid for those workers who lose their jobs because of our decisions in this body. We are cutting those workers 20 percent.

Last, we have an opportunity in this bill today to once again support the Leveling the Playing Field Act and ensure it gets to the President's desk. This will be the vote after the TPA vote. This bill is essential to protect our manufacturers from illegal foreign competition. We can't have trade promotion without trade enforcement. This is not controversial. It shouldn't be partisan. Regardless of how one votes on TPA, we need to make sure our deals are enforced.

Leveling the playing field will increase U.S. companies' ability to fight back against unfair trade practices. It is critical for our businesses, and it is critical for our workers who are drowning under a flood of illegally subsidized imports. It has the support of businesses and workers, Republicans and Democrats.

I want to particularly thank Senators PORTMAN and GRAHAM and CASEY for their work in support of this issue. No matter where we stand on TPA, we should all be able to come together to demand enforcement of our trade laws. We cannot have trade promotion without trade enforcement and without protecting those workers who we know will be left behind.

We know these agreements cause wages to stagnate. We know these agreements cause factories to close.

They cause imports to increase. They devastate families and communities. This is a terrible mistake we will make—which we have made over and over and over and over—if we pass this today. If we pass TPA, it is the same mistake we made with NAFTA—big promises of job increases, wages going up. Bad results. We did it when we passed PNTR. We did it when we passed CAFTA, the Central America Free Trade Agreement. And we are about to do it again. Shame on us. At least take care of workers if we are going to pass this legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

KING V. BURWELL DECISION

Mr. TILLIS. Mr. President, there is a lot of talk about the imminent decision of the Supreme Court ruling in *King v. Burwell*. I will get to that a little bit later in my speech, but I wish to start by talking about how we got here.

I would like to review what Americans were told were the reasons for ObamaCare. It was supposed to help the 15 million people who are currently uninsured to get covered with quality, affordable insurance. Everyone else, we were promised, would be left alone. Remember that promise: If you like your doctor, you can keep him. If you like your health care, you can keep it. That is the first of several broken promises ObamaCare has ultimately produced. I will go through a few this afternoon.

Let's take a look at what has happened since ObamaCare was implemented and where we stand. Most of the uninsured nationwide are—and they were prior to ObamaCare—working families; 71 percent in 2013. They either couldn't afford the cost-sharing of their employer plan or their employer didn't offer a plan. Of those who got insurance under ObamaCare, too many were working families who actually didn't get private insurance under ObamaCare; they were ultimately forced into Medicaid, which is supposed to be a safety net, not a permanent solution for working families.

Is Medicaid the quality, affordable insurance that we all want for Americans and that people thought they were getting with ObamaCare? I don't think so. The provider payment rates in Medicaid are so low that many doctors refuse to see patients and participate in the plans. I don't really begrudge the doctors and the health care providers for this because the cost of care oftentimes exceeds the Medicaid reimbursement rates, and the redtape that comes with it absolutely is destroying the administrative side of health care. That is why doctors don't participate in the plan. That is why the doctors are not available for the people who actually need good, quality health care.

It is not for lack of investment though. States are drowning in unaffordable Medicaid Programs that

eat more and more of their budgets at the expense of other essential services. States are throwing everything they can and then some at Medicaid, but it is still unacceptable in terms of cost, quality, and access. That is exactly why North Carolina refused to participate in ObamaCare's Medicaid expansion. I was speaker of the house in North Carolina at the time.

We know that if we are going to solve the health care problem, it has to be a real solution. We have to bring back a vibrant, robust, patient-centered, private insurance system, customized for our State rather than dictated by bureaucrats in Washington.

My constituents deserve a plan that pays doctors fairly so that provider networks are big enough to ensure that people don't get turned away at the door. Herding more of our hard-working, proud neighbors into a substandard welfare plan designed to be a temporary safety net is no solution at all, but that is exactly what ObamaCare has done. The President even brags about it.

In North Carolina, prior to the implementation of ObamaCare, there were some 1.9 million of our citizens who were uninsured. Who are these people? Ten percent were already Medicaid eligible before ObamaCare. Most of them are children. We could have enrolled them without ever passing ObamaCare and disrupting and destroying health care for everyone else. About a third were people who were eligible for subsidies on the exchange—almost half a million.

So did all of those folks get help? It might look as though they did. After all, 459,000 have signed up through the Federal exchange in North Carolina. But wait. Are those the same people, the same ones who were insured before ObamaCare? It turns out that even more than that—473,000 people—had their plans canceled by ObamaCare. Again, 473,000 North Carolinians received a letter saying: The Affordable Care Act has determined you can't keep your plan. They didn't like it, even though those who were insured were satisfied with their plans.

This was a nationwide trend. The Associated Press reported that 4.7 million people had their plans canceled because of ObamaCare. There was such an outcry that the President, by Executive fiat, actually instructed the insurers to continue to allow the plans for a period of time. So how many people lost their plan this time is still not clear. But what is clear is that the individual mandate is going to cause problems down the road because those who lost their plan or who will lose their plan, are going to be required by law to buy a Washington-approved insurance plan no matter how unaffordable ObamaCare has made insurance.

Again, in North Carolina, more people received cancellation notices for

plans they liked than have actually signed up for ObamaCare. Between the half million whose plans were initially canceled by ObamaCare and the 1.9 million people who were already uninsured prior to ObamaCare, we should end up with a wash—with no change in the uninsured figures for my State of North Carolina, but, actually, we don't. The uninsured rate has gone down 2.7 percent—from 19.9 percent in 2013 to 17.2 percent in 2014—after the first full year of the ObamaCare implementation, so roughly equivalent to about 200,000 people in North Carolina. But were all of those people getting quality, affordable plans on the exchange as promised by ObamaCare? Hardly. The reason is Medicaid enrollment. The majority of the people who the administration claims ObamaCare covered have been those who went to the exchange to get insurance but were then forced to enroll in Medicaid. And when I say forced, I mean forced. The law requires them to have insurance, but the exchange doesn't allow them to buy a private plan if they are eligible for Medicaid. It shows them one option: Medicaid.

Well, wait. You said North Carolina didn't expand Medicaid, so how did this happen? It is true. Medicaid enrollment for my State has increased by 300,000 people—the biggest enrollment increase of any of the States that didn't expand Medicaid. What that means is much if not all of the drop in the uninsured rate is due to North Carolinians enrolling in Medicaid through the exchange. These are the same people who were eligible before ObamaCare was ever passed.

Nationally, last year, nearly 90 percent of ObamaCare's net coverage gain was through Medicaid. A study from MIT released in April found that Medicaid enrollees receive much less value from the program than the cost of paying for services.

So far, I have been talking about people who were targeted by ObamaCare, including the population of previously uninsured, as well as those who became uninsured because ObamaCare forced them into the exchange. Again, ObamaCare didn't really make a dent in our uninsured numbers—not to this point in North Carolina—and it actually harmed many who were forced onto the exchange. It turns out that ObamaCare is an equal opportunity wrecking ball. It hurt the people it was supposed to help. It forced working families who needed quality, affordable, permanent care into a program that provides the lowest quality access there is—Medicaid.

ObamaCare took over and removed the insurance options, the individual market for people who didn't have employer coverage, leaving those Washington-approved ObamaCare plans with increased premiums, increased deductibles, and increased copays. You

see, increased coverage doesn't necessarily mean better health care. If you can't afford your plan or you can't find the doctor, then your health care suffers.

But that is not all. ObamaCare broke health care for everyone else. Those of us who were supposedly happy with our doctors and happy with our health plans have been affected and will continue to be negatively affected.

What about the majority of Americans who actually have insurance through their employer? They haven't necessarily lost coverage yet, but they have been harmed. Despite the President's promise to lower insurance premiums, the average family premium for employer-sponsored coverage has risen \$3,500 a year between 2009 and 2014.

In North Carolina, during the first full year of the exchange rollout, premium price increases outpaced increases in wages and inflation, losing ground to the working family. Even worse, premium prices in individual insurance markets—a market my daughter was a part of—went up 147 percent as a result of a plan that promised to reduce our health care insurance costs.

I know I am not the only one who remembers what President Obama said about ObamaCare. He said the average premiums would go down \$2,500. The reality is they have gone up an average of \$3,500 a year. All of this leads to the problem of people having insurance they can't afford, and they are not able to use it because their deductibles and copays are simply too high.

Between this group and the people who are now on Medicaid who can't get appointments with the small number of doctors who accept Medicaid, what one gets is a dramatic increase in the use of emergency rooms. That is exactly the opposite of what supporters of ObamaCare predicted. They predicted that emergency room visits would go down. We were told that once everyone was insured under ObamaCare, people could go to their doctors in outpatient settings and not show up at the ER. Instead, people can't afford the copays and deductibles or they can't get an outpatient appointment, so they wait until their problem is critical and end up in the ER.

In fact, Kaiser Family Foundation reports that emergency room utilization is up significantly among ObamaCare participants. In a survey of more than 2,000 emergency room doctors, three-quarters of them said emergency room visits have risen since January 1, 2014. Medicaid recipients covered under ObamaCare are struggling to find doctors who will accept their coverage, so they have no choice but to end up at an emergency room, where the costs skyrocket.

A spokesman for the Emergency Room Doctors Association, Dr. Howard Mell, noted:

There was a grand theory the law would reduce emergency room visits. Well, guess what, it hasn't happened. Visits are going up despite the ACA, and in a lot of cases because of it.

One of the most troubling elements of ObamaCare to me is the intergenerational wealth transfer from the young and the poor to the older and the wealthier. When I say "older," I don't mean elderly and frail or the population who may be on Medicare; I am talking about a wealth transfer from young people in their twenties to people like me in their fifties. I would never ask my daughter, who is about to start a career in nursing, to pay for her mother's insurance or for my insurance, neither would any of you or any other American. That is not how parents are wired. But an impersonal law that empowers an impersonal bureaucracy does not have the same moral compass as a parent.

For example, ObamaCare's mandates have jacked up premiums for young people to keep premiums down for older people like me. I am not sure "let's fleece our children and grandchildren" is a winning talking point, so the supporters of the bill try to hide the truth in Washington-speak. They call this "age rating bands."

Another talking point that tends to not fly too well with folks is "Let's kick seniors off of their Medicare Advantage plans." That is exactly what happened in North Carolina late last year. Many who know about Medicare Advantage plans know they are very important and popular among seniors. In my State last year, 57,000 seniors—more than any other State in the Nation—were sent cancellation letters from the Medicare Advantage plans they liked. Many of these seniors were offered a minimum benefit plan with higher copayments and higher premiums instead, all because ObamaCare cut reimbursement for Medicare Advantage plans out of some bizarre but longstanding aversion to the program on the part of some of our friends on the other side of the aisle. I have never understood it. Does Medicare Advantage somehow give seniors too much control, stability, and convenience in their Medicare benefits? I suspect my mom is watching me right now in Nashville, TN. I bet if she was asked that question, she would say no.

Just when you think it is really bad, realize that some of the toughest ObamaCare hits haven't even been taken yet.

First, the individual mandate penalty. The penalty for not having insurance increases next year to almost \$700 per adult or 2.5 percent of one's annual income, whichever is greater. This is a penalty which many people will be surprised to see when they get their tax return and they are expecting this amount and it is \$700 or \$1,000 less to pay for the mandated care. If an indi-

vidual's income is \$50,000, they will pay a penalty of \$1,000. A family with two adults with an income of \$50,000 will pay \$1,400. When adding a college kid to the mix, the penalty is \$2,100. A lot of people are in for a shock when they open up that tax refund and they see the additional hidden costs of ObamaCare on working families. That penalty, however, is still dramatically lower than the out-of-pocket costs of an ObamaCare plan. So we are forcing Americans to pick between bad and worse.

Second, the employer mandate and penalty. President Obama knows the devastation the employer mandate will cause not only for businesses but, more importantly, for workers. Employers will be forced to cut workers. They will be forced to reduce wages and drop employer-sponsored health plans altogether and pay the penalty because the penalty will cost less than the mandates will to provide the care, and many employers simply can't afford it.

So far, people with employer-sponsored coverage have been harmed only by rising costs and shrinking provider networks, but they haven't for the most part lost their plans yet. The day is coming when the President can no longer delay the employer mandate, and that is when the plans they were promising you can keep will be canceled. We will see a massive disruption in the group market where most North Carolinians get their health insurance.

Premiums are going up every year because fewer younger, healthier people are enrolling than projected. This was completely predictable. Young people are no dummies. They know this is a terrible deal for them. As a result, insurance companies recalculate premiums based on the cost of the pool actually enrolled. The largest insurer in my State announced premium hikes for next year in the individual market of at least 26 percent. You know it is a bad thing when I felt better about the fact that our premium increases in North Carolina were only 26 percent because in some States they were upwards of 50 percent, and there is more to come.

ObamaCare relies on people paying into the pool to subsidize the sicker and poorer members of the pool. That is how insurance works. But virtually no one is signing up who isn't eligible for the subsidies.

CMS released data yesterday showing that 2015 exchange enrollment is 30 percent below projections made just 3 years ago. And of those who do enroll, they are doing it because of the lure of the subsidy. Ninety-three percent of the North Carolinians who are on the exchange have received those subsidies. That means the plans are unaffordable without massive subsidies. Those ineligible for the subsidy don't bother to sign up. That is why we have seen almost no movement in our State for uninsured.

ObamaCare is forcing employers to cut jobs and move full-time workers into part-time positions. New data show a decline in the average hours worked per week by lower wage employees, and many workers are just below that 30-hour threshold, 30 hours per week.

I was at a restaurant in North Carolina a couple months back, and I was talking with a manager, who said it was heartbreaking for her to go and talk to a single mom who was able to make ends meet between the tips and her salary at 40 hours a week and tell her that she can now only work 30 hours a week because the restaurant simply cannot afford to be exposed to the mandates.

Now you have people who may have been able to make it on 40 hours a week or 45 hours a week having to get two jobs to make ends meet. I hear employers talking about how they are having to call each other to try to work out the schedules for these hard-working folks.

The CBO projects that ObamaCare will reduce employment as a result of all this by 2 million full-time equivalent jobs in 2017.

President Obama campaigned saying he wouldn't raise taxes on families making less than \$250,000 a year. Let's talk a little bit more about that. ObamaCare broke that promise as well by creating or raising 20 different taxes amounting to more than \$1 trillion in the first decade. Several taxes directly punished families making less than \$250,000 a year.

University of Chicago economist Casey Mulligan modeled the macroeconomic effects of ObamaCare and estimated that the damage would be twice as large. He expects ObamaCare to cause a 3-percent drop in employment and work hours and a 2-percent drop in our gross domestic product and worker income. If he is right, the total loss of worker compensation caused by the President's health care law will exceed \$2 trillion between 2017 and 2024.

Now let's talk about the King v. Burwell case that has everyone's attention, with the Supreme Court imminently in a position to issue a ruling, probably sometime next week. The question for the Supreme Court is this: Did the President break the law by going around the will of the people in the States that wanted to opt out of establishing a State exchange, like we did in North Carolina?

Mr. President, what I just finished was a very long list of broken promises and the fiscal disaster we call ObamaCare. But now I want to talk about the King v. Burwell decision.

The question is this: Did the President break the law by going around the will of the people in the States that wanted to opt out of establishing a State exchange, such as North Carolina?

I am not interested in litigating this. I am not an attorney; I am a businessman. I will leave the lawyering to others. When I look at King v. Burwell, I don't see a legal battle; I see an opportunity. It may sound trite, but I see hope. The Court may give us the chance of a generation—the chance to fix health care once and for all. We can't fix ObamaCare, but we can fix health care.

But here is the thing. We don't come up with the solution ourselves. The press is counting on us to come up with a solution. Others are pressuring us on the other side of the aisle. But here is what I think we need to do. I think we need to look beyond the traditional way of trying to solve health care to a new way, and it starts with something fairly simple—humility.

I won't read the definition, but I think it is something that is sometimes missed in Washington. The solution is that we take the power out of Washington and we let the States do it. We give States, which are closer to the people, the chance—the privilege, really—to offer health care solutions that are local, accountable, and affordable.

Every State is different. Let's respect those differences. I believe the solution is one that will give States the flexibility, the funding, and the control to decide how best to serve the people of their particular State.

I just went through the long list of problems with ObamaCare. It has been problematic from the start, with higher costs, lower quality, less freedom, and people losing their coverage. It is a badly written law, and it hurts almost everyone.

Washington had its chance. Now it is time to let the States decide what is best for their people, and let the people decide what is best for their health care. To do that, we are going to have to do something we don't always do up here. We are going to have to jump on this opportunity and work together—Republicans and Democrats, the Federal Government and the States—to find commonsense solutions that are truly patient-centered.

That is the type of patient-first approach that will give patients more freedom, more choice, and control over their health care. That is what will expand coverage—not bureaucratic power. That will promote genuine quality and innovation. It is also what is going to bring costs down. I do not think my responsibility is to my party. I do not think our responsibility is to the institution of the Senate or the prerogatives of the Federal legislative branch.

I think our responsibility is to the patients who deserve the highest quality care; to the patients who want the best treatments for their children; to the nurses and doctors who deserve freedom to heal according to their wisdom, their experience, and their con-

science; and to the businesses that deserve the freedom to design affordable coverage that fits their workforce.

Finally, I think we are responsible to the seniors who have paved America's road to prosperity before us and who deserve a strong, secure Medicare program. The Court may just give us the opportunity to firmly and finally reject ObamaCare so that we can deliver what everyone in America deserves—a health care solution.

The law has not worked. It cannot work. It is time we return the power of medicine to the people. It is time to stop fighting and to start cooperating and to find a permanent solution.

Patients deserve portability in their health insurance, and they deserve affordability. They deserve their peace of mind when their parent or their child or they themselves are in their hour of crisis and when they can count on getting the best health care America has to offer.

Sometimes politicians in Washington forget that health care is not about systems or rules and structure or even markets. It is about real people and real families and real lives. So my commitment is simple. Our commitment should be simple. No one who has ObamaCare-subsidized care today will lose that coverage tomorrow. We are equally committed to providing long-term, State-designed, patient-empowering solutions that deliver better long-term results, and safe, secure, and affordable health care and an improved economy.

We commit that every patient with a preexisting condition will be able to find affordable coverage. No one will hit a cap on benefits. Anyone can renew their health plan. That is our commitment. Health care is about patients, not politics. It is about doctors and nurses, not politicians. For the millions who have been affected, from the cancelled plans to the higher costs, we are committed to real solutions to protect patients and make health care genuinely personal and genuinely affordable.

Hard-working taxpayers deserve certainty, stability, and peace of mind when it comes to health care. A temporary extension of subsidies alone would not be enough. It would just be another Washington gimmick. It would not address the very real problems with the President's health care law. Let's commit to each other—Republicans and Democrats—that we will show a little modesty. We won't assume we know what is best for every American, and we will let the States come up with solutions. We will work together to return power to the States, to the people, and really to the kitchen table, where most health care decisions are made.

I know what you are thinking: I am new and have been here for 6 months. Maybe I am a little bit naive. But I

have herded a lot of cats in the North Carolina legislature. I have stepped up to very serious challenges, and we produced a lot of good results for my friends and colleagues and citizens in North Carolina. I know it can be done at the State level when policies are on the line that have a real impact on our neighbors—neighbors we have to face in the checkout line and in the church pews.

I am looking forward to providing a solution to the health care problems in the United States. I am looking forward to seeing bipartisan cooperation, to delivering on the promises that we make here, and to fulfilling the promise of fixing health care for our great country.

The PRESIDING OFFICER. The majority leader.

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding rule XXII, at 4 p.m. today, June 24, all postcloture time on the motion to concur with respect to H.R. 2146 be considered expired, the pending motion to concur with amendment be withdrawn, and the Senate vote on the motion to concur; that if cloture on H.R. 1295 is invoked, all postcloture time be considered expired, all motions and amendments be withdrawn except the motion to concur with amendment, and the Senate immediately vote on the motion to concur with amendment; further, that following the disposition of H.R. 1295, all time on the compound motion to go to conference under rule XXVIII on H.R. 644 be yielded back and the Senate vote on the motion to invoke cloture with the mandatory quorum waived.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, we are now one vote away from final passage of our bill to renew trade promotion authority. One more vote and we can finally, and at long last, send this important bill to the President's desk. That vote is expected to take place within the next 25 minutes.

This is a critical day for our country. In fact, I would call it a historic day. It has taken us a while to get there, longer than many of us would have liked. But we all know that anything worth doing takes effort. Believe me, this bill has been worth the effort. This is, I believe, the most important bill we will pass in the Senate this year. It will help reassert Congress's role over the U.S. trade negotiations and reestablish the United States as a strong player in international trade.

Renewing TPA has been a top priority for me for many years, and as chairman of the Senate Finance Committee, I am pleased that with the help of Ranking Member WYDEN, we have

been able to deliver a robust and bipartisan bill. It has also been a high priority for the Senate majority leader. Thanks to his strong support and leadership, we are one step away from completing this important task.

This bill will help farmers, ranchers, manufacturers, and our entrepreneurs throughout our country get better access to foreign markets and allow them to compete on a level playing field. This bill will help give these job creators and the workers they employ greater opportunities to grow their businesses, which will help create a healthier American economy. The business and agricultural communities understand the importance of strong trade agreements. That is why they came together in strong support of this important legislation. We have heard from all of them throughout this debate. I appreciate their enthusiasm and support.

This has, from the outset, been a bipartisan effort, and I am glad that it has remained that way. Throughout this entire debate—here in the Senate and over in the House and here in the Senate again—we have been able to maintain a bipartisan coalition in support of TPA, fair trade, and expanded market access to U.S. exporters. This is no small feat. I am appreciative of everyone who has worked so hard to make this possible.

With this final vote, we can complete the work we began so many years ago. But let's be clear. Passing TPA is not the end of the story; it is just the beginning. As chairman of the Finance Committee, I intend to remain vigilant in our oversight as the administration pursues the negotiating objectives that Congress has set with this legislation. If they fall short, I will be among the first to hold them accountable. But that is for another day.

Today, I urge my colleagues to help us finalize this historic achievement and join me in voting in favor of this bipartisan TPA bill. If the vote moves the way I think it will, today will be remembered as a good day for the Senate, the President, and the American people.

Once we vote to pass TPA, we will then be voting to invoke cloture on the Trade Preferences Extension Act of 2015. This bill will reauthorize and improve three of our trade preference programs: the Generalized System of Preferences, or GSP; the African Growth and Opportunity Act, or AGOA; and tariff preferences for Haiti. I want to take some time to reiterate why each of these programs is important.

First, the GSP promotes trade with developing nations by providing duty-free tariff treatment of certain products originating in those countries. The program helps beneficiary countries advance their economic development and move toward more open economies. It also helps manufacturers

and importers in the United States to receive inputs and raw materials at lower costs.

Approximately three-quarters of U.S. imports under the GSP are raw materials, parts and components, or machinery and equipment used by U.S. companies to manufacture goods here at home.

The program expired in 2013. As a result, businesses that would typically benefit from this program have had to deal with high tariffs on these imports for the last 2 years. Last year alone, American companies paid over \$600 million in tariffs that would otherwise have been eliminated with the GSP in place. Once we finally pass this bill, we will take a long overdue step toward solving these problems.

The preferences bill also includes a long-term renewal of the AGOA Program, which lowers U.S. tariffs on the exports of qualified sub-Saharan African countries, encouraging them to further develop their economy. Since AGOA was enacted in 2000, trade with beneficiary countries has more than tripled, with U.S. direct investment in beneficiary countries growing more than sixfold during that time.

The program has also helped to create more than 1 million jobs in those countries. The AGOA authorization in this preferences bill will improve on this past success.

Some of our colleagues here in the Congress have voiced concerns about the AGOA Program and the failure of some beneficiary countries to live up to their commitments. I share many of these concerns. We tried to address them with this bill. Most notably, the bill creates a mechanism under the AGOA Program to allow for benefits to be scaled back if a country is found not to be making good faith progress on eligibility criteria. We expect the administration to use this new tool aggressively.

Finally, the preferences bill will also extend preferential access to the U.S. market for Haiti. As we all know, Haiti is one of the poorest countries in the Western Hemisphere. The Haiti preference programs support the creation of jobs and stability in a country dealing with debilitating poverty and unemployment. I hope this extension will encourage continued economic development and democracy in Haiti.

It is easy to see why these programs have all received bipartisan support. I expect that support to continue. In addition to those preferences programs, the bill we will be voting on includes legislation introduced by Senators PORTMAN and BROWN to strengthen the enforcement and administration of our antidumping and countervailing duty laws. As I have noted in the past, antidumping and countervailing duty laws are among the most important trade tools we have to protect U.S. companies from unfair foreign trade practices.

A number of Utah companies do benefit from these laws, which allow them to compete against imports that unfairly benefit from the support of foreign governments. I am pleased we were able to include this legislation in the preferences bill.

Finally, also included in this bill is an extension of the trade adjustment assistance, or TAA, Program. I think I have said enough about my opposition to this program here on the floor over the past several weeks. I will not delve too deeply into that issue here. However, I do understand that for many of my colleagues who want to support TPA and free trade, passage of TAA is a prerequisite.

From the outset of this debate over trade promotion authority, I have committed to my colleagues to working to ensure that both TAA and TPA move on parallel tracks. I plan to make good on this commitment, and today will show that. That is why, despite my misgivings about TAA, and with the entire picture in view, I plan to vote for this latest version of the trade preferences bill.

Back in April, the Senate Finance Committee reported four separate trade bills. All of these bills have enjoyed bipartisan support and are priorities for many Members of Congress. I committed to doing all that I could to get all of these bills through Congress and onto the President's desk. While the path has taken some unexpected turns, I think the light at the end of the tunnel at this point is very visible. Once again, we will shortly be voting to pass our TPA bill and send it to the President. Shortly thereafter, I expect that we will pass our trade preferences bill, which includes TAA, and send it to the House, where I think it will pass, hopefully, without much difficulty.

Then we expect to appoint conferees on the Customs bill, which will get us closer to the finish line on that important legislation. Needless to say, I am pleased with these developments. I think they speak well of what Congress is able to do when Members work together to address important issues and solve real problems.

Once again, I thank my colleagues for working with us on the bipartisan effort to update and improve U.S. trade policy. Most notably, I once again thank Senator WYDEN for his assistance and support throughout this effort and on all of these trade bills. He has been a great partner and deserves much of the credit for getting us this far. I also thank our distinguished majority leader for his unwavering support, even in the most difficult times. I also need to thank Chairman RYAN of the House Ways and Means Committee, who has been a coauthor and a key partner in this endeavor. Of course, I thank Speaker BOEHNER and the House Republican leadership for their efforts in getting us through all the twists and

turns we have had to take to get to this point.

We also need to give credit to President Obama and Ambassador Froman for their work in building and maintaining a coalition of support for this entire undertaking.

Ultimately, I need to thank everyone who supported our work on these bills in the Senate, in the House, in the administration, and elsewhere, but that list is too long for me to go through on the floor. I just hope everyone who had a hand in today's success knows I am grateful for the work they have put in. I hope we can build on this success and that we can find more ways to work together to help the American people solve our Nation's problems.

I also praise my chief trade counsel on this matter, Everett Eissenstat, who with his vast foreign policy experience and trade experience has been nothing but a tremendous help to me.

Chris Campbell, who is our chief of staff on the Finance Committee, has played another role; Jay Khosla, who is one of my chief policy advisers; and the rest of my staff: Mark Prater, Jeff Wrase, Bryan Hickman, Shane Warren, Rebecca Eubank, Kevin Rosenbaum.

I compliment Senator WYDEN's staff as well: Joshua Sheinkman, Jayme White, Elissa Alben, Greta Peisch, Anderson Heiman, and Michael Evans. They have worked long and hard and, really, we have had a lot of good days together and a lot of tough days together, but hopefully it will come out all right.

I can say without reservation that I look forward to tackling the bipartisan challenges that lie ahead.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

OBAMACARE

Mr. THUNE. Mr. President, it has been said that there is nothing certain in life but death and taxes.

I would suggest there is a third item that can be included in that saying, and that is bad news about ObamaCare, because if there is one thing that can be counted on, it is the regular revelation of new ObamaCare failures.

This past week, we learned that the Obama administration cannot verify whether almost \$3 billion in subsidies that it paid to insurance companies during the first 4 months of 2014 was properly paid. Thanks to the government's failure to ensure that a reporting system was in place by the time exchange plans went into effect in 2014, the government made payments to insurance companies without any way of verifying if the payments were correct or if the people it made payments for were still enrolled in their plans.

Unfortunately, missing systems are just par for the course when it comes to the President's health care law.

I don't need to remind anyone of the massive breakdowns that occurred

when the partially finished healthcare.gov kicked off 2 years ago. The President himself referred to healthcare.gov last week as a "well-documented disaster."

But as bad as these problems have been for a health care law that the President once claimed would make purchasing health care as easy as shopping on Amazon, they are just the tip of the iceberg when it comes to ObamaCare.

Two weeks ago, I came to the floor to talk about the massive rate hikes customers on exchanges are facing for 2016. Let me just read a couple headlines from the first week in June. CNN: "Obamacare sticker shock: Big rate hikes proposed for 2016." From the New York Times: "Many Health Insurers Go Big With Initial 2016 Rate Requests." From the Wall Street Journal: "More Health-Care Insurers Seek Big Premium Increases." From the Associated Press: "8 Minnesota Health Plans Propose Big Premium Hikes for 2016." From the Newark Star-Ledger: "Premiums to jump more than 10 percent on many Obamacare policies."

I could go on. Nationwide, insurers have requested double-digit premium increases on hundreds of individual and small group plans for 2016. More than 6 million people are enrolled in plans facing average rate increases of 10 percent or more. Around the country, rate increases of 20, 30, and even 40 percent are common.

Yet the President promised that his health care plan "would bring down the cost of healthcare for millions." Well, in fact, the President's health care law has been driving up the cost of health care for millions since its inception. The average family health care premium has increased by almost \$3,500 since 2009, despite the President's promise that health insurance costs for families would decrease by \$2,500 if his law were passed.

I could go on about ObamaCare's many failures. I could talk about the State exchanges that are failing or those that have already failed. I could talk about the individuals who lost their health insurance plans—plans, I might add, that they liked—as a result of this law. I could talk about the people who no longer can see doctors they saw for years because their new ObamaCare plans have severely limited the network of doctors they can see. I could talk about the small businesses that are struggling with the costs imposed by ObamaCare or the fact that the Congressional Budget Office has stated that the law will reduce work hours equivalent to 2 million full-time workers by the year 2017.

I think every American gets the point. ObamaCare is broken. It has been broken from the beginning. It has failed to deliver on the promise—the President's promise—of more affordable, accessible health care, and it has

made things worse for American families.

In the next few days, the Supreme Court will release its decision in the *King v. Burwell* case. If the Supreme Court abolishes or phases out the ObamaCare subsidies, Republicans will take action to provide effective assistance to Americans to repeal the mandates that forced these Americans to buy government-approved insurance in the first place. Our plan will protect families while we move away from costly, top-down, government-mandated health care and toward a system that will actually drive down costs and increase choices for American families.

President Obama promised that his health care law would be a solution to the problems plaguing our health care system. The last 5 years have proved that ObamaCare is anything but. Not only did ObamaCare fail to solve the existing problems in our health care system, it has created entirely new ones, and American families are those who are suffering as a result.

It is time for Democrats to stop defending this broken law and start working with Republicans to replace it with real health care reform that will lower costs, put patients back in charge, and provide greater access to quality care. That is what we should be working on. That is what the American people expect, and it is long overdue.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. PERDUE. Mr. President, I ask unanimous consent to be able to speak for up to 4 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. PERDUE. Mr. President, I rise to speak about the greatest domestic policy train wreck we have seen in our lifetime, a fundamentally flawed law that is holding back our economy and limiting people's freedom when it comes to choices in health care. Of course, I am talking about the Affordable Care Act, ObamaCare.

ObamaCare was the creation of a Democratic supermajority that crammed ObamaCare through Congress without open debate by the American people. In the last 5 years since ObamaCare became law, the American people have not yielded in their strong opposition to ObamaCare. In fact, today, more than a majority of Americans continue to disapprove of this law, and there is no wonder why.

When I am back home in Georgia, one of the most frequent and sobering concerns I hear about is the insidious, negative economic impact of this law. The consequences of ObamaCare are hurting Georgians in many ways and millions of Americans.

First, the individual mandate is forcing people onto ObamaCare, whether they can afford it or not. Like my wife

Bonnie and I, many people have had their insurance plans actually canceled, lost access to their preferred doctors or were forced onto insurance plans that cost more, not less. In Georgia alone, dozens of ObamaCare plans are expected to have double-digit rate hikes next year, with some people's plans skyrocketing over 60 percent. That is just unacceptable.

Second, ObamaCare's employer mandate is causing small businesses to cut back workers' hours and, in some cases, businesses have actually stopped hiring completely. Due to the 30-hour workweek rule inside ObamaCare, many people are being forced to move from full-time to part-time work. This is devastating the families already struggling to get from payday to payday. Without a full workweek, many moms and dads are juggling multiple part-time jobs to provide for their families and try to save for the future. Next year, for example, 2.6 million people are in danger of having their hours cut because of ObamaCare. Sixty percent of those individuals are female and over 60 percent are the young, first-time workers between 18 and 35 years of age.

Third, given the growing, aging population, ObamaCare is contributing to a dangerous doctor shortage. The Association of American Medical Colleges is predicting a shortage of as many as 90,000 doctors by 2025.

Another survey by the Physicians Foundation found that 81 percent of doctors describe themselves as either overextended or at full capacity, and 44 percent said they planned to cut back on the number of patients they see, retire, work part time or actually close their practice to new patients.

Ultimately, ObamaCare is raising costs, not lowering them; cutting workers' wages, not growing them; decreasing access, not expanding it; and making it harder on the middle class, not easier.

While the sentiment of the Supreme Court on ObamaCare is still to be determined, one thing is crystal clear: ObamaCare is hurting people and our economy. It must be fully repealed and replaced.

We have to stop allowing Washington to dictate what is best for individuals and their families. Putting bureaucrats between patients and their doctors, between patients and their insurance provider, and between doctors and the insurance providers is what created this catastrophe in the first place.

ObamaCare was wrong from the start. We have seen the growing unintended consequences of this flawed law in its implementation over the last 5 years. We now have the power to change course and create a better health care system for all Americans. I remain committed to using every tool at our disposal to repeal ObamaCare.

Achieving consensus on repealing ObamaCare with a patient-based alter-

native will require diligence and robust debate, but I am hopeful we can achieve that goal. I urge my colleagues to continue to work not just to fight against ObamaCare but to fight to protect the millions of people who are hurt by it every day.

We can create a health care system that offers the American people affordability, transportability, and yes, insurability. We can create commonsense health care policy that lowers costs and doesn't harm the economy like ObamaCare. And yes, we can create a bipartisan solution that helps people by putting patients first and getting Washington out of the way.

It won't be easy, but is achievable. It must be achievable. For the sake of our kids and grandkids we must do this. We must get rid of ObamaCare once and for all.

I yield the floor.

The PRESIDING OFFICER. (Mr. GARDNER). Under the previous order, all postcloture time is expired.

Under the previous order, the motion to concur in the House amendment to the Senate amendment to H.R. 2146, with an amendment, is withdrawn.

VOTE ON MOTION TO CONCUR

The PRESIDING OFFICER. The question is on agreeing to the motion to concur in the House amendment to the Senate amendment to H.R. 2146.

Mr. HATCH. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Utah (Mr. LEE) and the Senator from Florida (Mr. RUBIO).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 60, nays 38, as follows:

[Rollcall Vote No. 219 Leg.]

YEAS—60

Alexander	Ernst	Moran
Ayotte	Feinstein	Murkowski
Barrasso	Fischer	Murray
Bennet	Flake	Nelson
Blunt	Gardner	Perdue
Boozman	Graham	Portman
Burr	Grassley	Risch
Cantwell	Hatch	Roberts
Capito	Heitkamp	Rounds
Carper	Heller	Sasse
Cassidy	Hoeven	Scott
Coats	Inhofe	Shaheen
Cochran	Isakson	Sullivan
Coons	Johnson	Thune
Corker	Kaine	Tillis
Cornyn	Kirk	Toomey
Cotton	Lankford	Vitter
Crapo	McCaIn	Warner
Daines	McCaskill	Wicker
Enzi	McConnell	Wyden

NAYS—38

Baldwin	Boxer	Casey
Blumenthal	Brown	Collins
Booker	Cardin	Cruz



Donnelly	Markey	Schatz
Durbin	Menendez	Schumer
Franken	Merkley	Sessions
Gillibrand	Mikulski	Shelby
Heinrich	Murphy	Stabenow
Hirono	Paul	Tester
King	Peters	Udall
Klobuchar	Reed	Warren
Leahy	Reid	Whitehouse
Manchin	Sanders	

## NOT VOTING—2

Lee	Rubio
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The motion was agreed to.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. SCOTT. Mr. President, I ask unanimous consent that Senator GRAHAM and I be allowed to speak for about 5 minutes, equally divided.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

# CONDEMNING THE ATTACK ON EMANUEL AFRICAN METHODIST EPISCOPAL CHURCH IN CHARLESTON, SOUTH CAROLINA

Mr. SCOTT. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 212, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 212) condemning the attack on Emanuel African Methodist Episcopal Church in Charleston, South Carolina, and expressing encouragement and prayers for all affected by this evil assault.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCOTT. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The resolution (S. Res. 212) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

Mr. SCOTT. Mr. President, I stand before you today and before the Nation not as a Senator, not as an elected official but as a humble South Carolinian. The past week has been one of terrible tragedy and amazing unity.

Last Wednesday night, we experienced an unimaginable tragedy. Nine men and women—nine mothers, fathers, sisters, brothers, sons, daughters—were lost forever. The hateful and racist actions of one deranged man have changed nine families forever. It has changed South Carolina forever and Charleston forever. But what we saw from the nine families at last Friday's bond hearing was simple. It was powerful and absolutely the best of who we are as Americans.

A few minutes ago I was in the cloakroom, and I had the opportunity to talk to one of the victim's sons, Daniel Simmons, Jr. I was talking to him back there.

I said: Is there anything you want me to share when I go on the floor of the Senate?

He said: Please share that God cares for his people. God still lives.

I was amazed.

Then he said with great enthusiasm and energy and a sense of excitement: This evil attack will lead to reconciliation, restoration, and unity in our Nation.

Those are powerful words.

It is with great sadness and amazing hope that our future as a nation has been changed. It has been changed because one person decided to murder nine. It has been changed because the response of those nine families has been so courageous and so inspiring.

If you permit me, I will read the names of those nine individuals.

We honor the Reverend Sharonda Coleman-Singleton, beloved teacher and coach at Goose Creek High School. Her son Chris has shown us all what an amazing mother she was through his strength over the past 6 days.

We honor Cynthia Hurd, whose love for education has been shared for over 31 years as a librarian in the public library system.

We honor Susie Jackson, who at 87 years young still offered her beautiful voice to the choir and had recently returned from visiting her family in Ohio.

We honor Ethel Lee Lance, who served her church with pride and whose daughter calls her the strong woman who just tried to keep her family together.

We honor Depayne Middleton-Doctor, who dedicated her life to serving the poor and helping her students as an enrollment counselor at Southern Wesleyan University.

We honor my good friend, the Reverend Clementa Pinckney, an amazing man of faith, a great dad, and a wonderful father.

We honor Tywanza Sanders, beloved son of Tyrone and Felicia, whose warmth and heartfelt spirit has kept us moving.

We honor the Reverend Daniel Simmons, Sr., whose granddaughter said: My granddaddy was an amazing man. It seemed like every time he spoke, it was pure wisdom.

And we honor Pastor Myra Thompson, who served the Lord with grace and dignity. She loved her children, her grandchildren, and her great grandchildren.

If you would pause for 9 seconds, I would appreciate it.

(Moment of silence.)

Thank you.

In closing, I want to thank all of my colleagues in the Senate and the House

for their kind words over the past week and for the prayers that continue to come into our city from across the Nation.

We are Charleston, we are South Carolina, and we are absolutely united. We are committed to replacing hate with love, pain with kindness, and ill will and hostility with goodwill and comfort.

I yield to Senator GRAHAM.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I want to recognize Senator SCOTT. We all know Senator SCOTT is a man of quiet faith. He does it when no one is looking, by the way. I remember being in the cloakroom watching a basketball game, which is consistent with me, and the Senator was over in the corner with headphones on. I said: What are you listening to or what are you doing?

He said very sheepishly: I am doing my Bible study.

Senator SCOTT has been a great comfort to our State because he is truly a man of God.

To the rest of you, I want to tell people in South Carolina that in the Senate we have a lot of differences and we display them a lot. I wish you could have heard what was said to me and Senator SCOTT. Everybody in this body has come up to us in one way or another and said the most kind things. In the Senate we have our problems, but we are still a family. Thank you all, from all over this country, for the kindness you have shown during these difficult times.

Very quickly, I don't know how you can sit with somebody for an hour in a church and pray with them and get up and shoot them. That is Mideast hate. I didn't think it was something we had here, but apparently we do.

I just can't imagine what it takes of an individual to be welcomed in a church—here is what happened. He went to Charleston with a plan. The people in the church had no idea who he was or what he had in mind. He came into the church, and he was sitting in the pews by himself and they invited him up for the Bible study and spent an hour with him.

And he said: They were so nice, I almost backed out.

That says a lot about them. It says a lot about him. But Senator SCOTT mentioned something that I cannot get over. Within 48 hours of having your family member murdered, to appear in a public setting, looking at the guy in the eye and to say: You ruined my life but I love you and I forgive you—that is a level of love and understanding that can only come from some higher authority. I don't have that within me.

When it comes to representing South Carolina, Senator SCOTT and I will do our best. But on our best day, we are nowhere close to these people. There is no politician in America who can represent their State better than the people of Mother Emanuel AME Church

when they went to a public place, looked the killer in the eye and said: I forgive you; I am praying for you.

I wish we could muster that kind of love for each other, just for a little bit. What would America be like?

Thank you all for your kindness.

#### ORDER OF PROCEDURE

Mr. GRAHAM. Mr. President, I ask unanimous consent that the votes following the first vote in the series be 10 minutes in length.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to H.R. 1295, an act to extend the African Growth and Opportunity Act, the Generalized System of Preferences, the preferential duty treatment program for Haiti, and for other purposes, with an amendment.

Mitch McConnell, Johnny Isakson, David Perdue, Chuck Grassley, Thom Tillis, Marco Rubio, Daniel Coats, John Cornyn, Michael B. Enzi, Kelly Ayotte, Orrin G. Hatch, Roger F. Wicker, Deb Fischer, Rob Portman, Cory Gardner, Richard Burr, Roy Blunt.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to concur in the House amendment to the Senate amendment to H.R. 1295, with an amendment, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Utah (Mr. LEE) and the Senator from Florida (Mr. RUBIO).

The yeas and nays resulted—yeas 76, nays 22, as follows:

[Rollcall Vote No. 220 Leg.]

#### YEAS—76

Alexander	Burr	Corker
Ayotte	Cantwell	Cornyn
Baldwin	Capito	Donnelly
Bennet	Cardin	Durbin
Blumenthal	Carper	Ernst
Blunt	Casey	Feinstein
Booker	Coats	Flake
Boozman	Cochran	Franken
Boxer	Collins	Gillibrand
Brown	Coons	Graham

Grassley	McCaskill	Schumer
Hatch	McConnell	Shaheen
Heinrich	Menendez	Stabenow
Heitkamp	Merkley	Sullivan
Heller	Mikulski	Tester
Hirono	Murkowski	Thune
Isakson	Murphy	Tillis
Johnson	Murray	Toomey
Kaine	Nelson	Udall
King	Peters	Warner
Kirk	Portman	Warren
Klobuchar	Reed	Whitehouse
Leahy	Reid	Wicker
Manchin	Rounds	Wyden
Markey	Sanders	
McCain	Schatz	

#### NAYS—22

Barrasso	Gardner	Roberts
Cassidy	Hoeven	Sasse
Cotton	Inhofe	Scott
Crapo	Lankford	Sessions
Cruz	Moran	Shelby
Daines	Paul	Vitter
Enzi	Perdue	
Fischer	Risch	

#### NOT VOTING—2

Lee  
Rubio

The PRESIDING OFFICER (Mr. SULLIVAN). On this vote, the yeas are 76, the nays are 22.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The majority leader.

#### ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the cloture motion with respect to the compound motion to go to conference with respect to H.R. 644 be withdrawn and that following the disposition of H.R. 1295, the Senate vote on the compound motion to go to conference with respect to H.R. 644.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, let me just tell everybody what that means. For the information of all Senators, this means that we will be able to process all of the other votes on trade by voice vote, and so there will be no further rollcall votes this week. Having said that, the Senate will be in session tomorrow. There are multiple committee meetings that are going to occur, but no votes will be expected tomorrow.

#### UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that following the vote on the compound motion, the Senate proceed to executive session to consider the following nominations en bloc: Calendar Nos. 129, 130, 149, 150, 151, 152, and 154; that the Senate proceed to vote without intervening action or debate; the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nominations; that any statements related to the nominations be printed

in the RECORD; and that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### TRADE PREFERENCES EXTENSION ACT OF 2015

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

House message to accompany H.R. 1295, an act to amend the Internal Revenue Code of 1986 to improve the process for making determinations with respect to whether organizations are exempt from taxation under section 501(c)(4) of such Code.

Pending:

McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill, with McConnell/Hatch amendment No. 2065 (to the House amendment to the Senate amendment to the bill), in the nature of a substitute.

McConnell amendment No. 2066 (to amendment No. 2065), to change the enactment date.

McConnell motion to refer the bill to the Committee on Finance, with instructions, McConnell amendment No. 2067, to change the enactment date.

McConnell amendment No. 2068 (to the instructions) amendment No. 2067), of a perfecting nature.

McConnell amendment No. 2069 (to amendment No. 2068), of a perfecting nature.

The PRESIDING OFFICER. Under the previous order, all postcloture time is expired.

Under the previous order, all motions and amendments with the exception of the motion to concur in the House amendment to the Senate amendment to H.R. 1295, with an amendment, are withdrawn.

#### VOTE ON MOTION TO CONCUR

Under the previous order, the question occurs on the motion to concur, with the amendment.

Is there further debate?

Hearing none, the question is on agreeing to the motion.

The motion was agreed to.

#### TRADE FACILITATION AND TRADE ENFORCEMENT ACT OF 2015

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

House message to accompany H.R. 644, an act to amend the Internal Revenue Code of 1986 to permanently extend and expand the charitable deduction for contributions of food inventory.

Pending:

McConnell motion to insist upon the Senate amendment, request a conference with the House of Representatives, and authorize the Presiding Officer to appoint conferees.

#### VOTE ON COMPOUND MOTION

The PRESIDING OFFICER. Under the previous order, the question occurs

on the compound motion to go to conference on H.R. 644.

Is there further debate?

Hearing none, the question is on agreeing to the motion.

The motion was agreed to.

#### EXECUTIVE SESSION

NOMINATION OF CHARLES C. ADAMS, JR., TO BE AMBASSADOR EXTRAORDINARY AND Plenipotentiary OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF FINLAND

NOMINATION OF MARY CATHERINE PHEE TO BE AMBASSADOR EXTRAORDINARY AND Plenipotentiary OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SOUTH SUDAN

NOMINATION OF NANCY BIKOFF PETTIT TO BE AMBASSADOR EXTRAORDINARY AND Plenipotentiary OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF LATVIA

NOMINATION OF GREGORY T. DELAWIE TO BE AMBASSADOR EXTRAORDINARY AND Plenipotentiary OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF KOSOVO

NOMINATION OF IAN C. KELLY TO BE AMBASSADOR EXTRAORDINARY AND Plenipotentiary OF THE UNITED STATES OF AMERICA TO GEORGIA

NOMINATION OF JULIETA VALLS NOYES TO BE AMBASSADOR EXTRAORDINARY AND Plenipotentiary OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CROATIA

NOMINATION OF ANNE ELIZABETH WALL TO BE A DEPUTY UNDER SECRETARY OF THE TREASURY

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations, which the clerk will report.

The legislative clerk read the nominations of Charles C. Adams, Jr., of Maryland, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Finland; Mary Catherine Phee, of Illinois, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraor-

dinary and Plenipotentiary of the United States of America to the Republic of South Sudan; Nancy Bikoff Pettit, of Virginia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Latvia; Gregory T. Delawie, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Kosovo; Ian C. Kelly, of Illinois, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Georgia; Julieta Valls Noyes, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Croatia; and Anne Elizabeth Wall, of Illinois, to be a Deputy Under Secretary of the Treasury.

#### VOTE ON ADAMS NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Charles C. Adams, Jr., of Maryland, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Finland?

The nomination was confirmed.

#### VOTE ON PHEE NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Mary Catherine Phee, of Illinois, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of South Sudan?

The nomination was confirmed.

#### VOTE ON PETTIT NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Nancy Bikoff Pettit, of Virginia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Latvia?

The nomination was confirmed.

#### VOTE ON DELAWIE NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Gregory T. Delawie, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Kosovo?

The nomination was confirmed.

#### VOTE ON KELLY NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and

consent to the nomination of Ian C. Kelly, of Illinois, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Georgia?

The nomination was confirmed.

#### VOTE ON NOYES NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Julieta Valls Noyes, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Croatia?

The nomination was confirmed.

#### VOTE ON WALL NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Anne Elizabeth Wall, of Illinois, to be a Deputy Under Secretary of the Treasury?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table and the President will be immediately notified of the Senate's action.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now resume legislative session.

The majority whip.

#### MORNING BUSINESS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Indiana.

Mr. COATS. Mr. President, I ask unanimous consent to speak for up to 20 minutes in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COATS. Mr. President, I understand that Senators have some business to wrap up and are expecting an early out here today, and this Senator is letting some of them finish their conversations. I do want to speak, and I appreciate the unanimous consent request to go forward.

#### NUCLEAR AGREEMENT WITH IRAN

Mr. COATS. Mr. President, the nuclear negotiations with Iran are now approaching a self-imposed deadline of June 30, just a few days from now. The negotiators chose that deadline when they concluded the interim accord 6 months ago and have reportedly been determined to stick to it to focus their efforts.

At the same time, it may be the case that a brief extension deadline rather than a rush to a conclusion that would bring us to a bad deal is something we ought to consider. Senator CORKER has told Secretary Kerry exactly that, cautioning him that there is no need so desperate that requires either accepting a bad deal or yielding to unacceptable Iranian demands. I don't necessarily oppose a short-term extension to reach a better conclusion or a better deal, but I have deep concerns about whether that will be the case, even if we extend for a small amount of time.

I fear the Obama administration is not hearing the message that a potential bad deal could be in the making, and it raises great concern. I fear that yielding to one Iranian demand after another in order to secure a deal is exactly what the Obama administration has been doing in its negotiations. I fear that we will return from our Independence Day celebrations to take up a pending Iran nuclear deal that neither permanently foils Iran's nuclear weapons ambitions nor makes us or the world more secure. I fear this administration, so seemingly desperately eager for a legacy, will choose to define any Iranian deal at all as a great success for diplomacy, no matter how much it concedes to Iranian positions.

In May, I and many of my colleagues worked hard to impose a requirement for the administration to present any Iran deal to Congress. Despite strong opposition from the Obama administration, 99 of the 100 Senators were convinced that Congress must have the ability to evaluate in detail every aspect of a negotiated settlement and how it is to be imposed, how it is to be monitored, and verified. That is our core task once a deal is presented to us. It is an immensely important duty of historic dimensions.

I hope and pray that each of us will evaluate the proposed deal on its merits alone and what it would mean for our Nation's security, both now and in the future when the terms have expired. Unfortunately, to take up that duty and perform that task, we will have to immerse ourselves in some of the arcane technical details that lie near the heart of such negotiations. I say "near" the heart rather than "at" the heart because the very central issue for me—and hopefully for my colleagues—is the nature of the Iranian regime, their proven, demonstrated ill will revealed by decades of murderous aggression and lying deceit. That is the proven record of our negotiating partner, and all their claimed commitments will have to be evaluated in that light.

However, evaluating the technical details will present its own challenges and we need to prepare ourselves for those challenges. We need to take stock now of some of those details as they appear at the moment any deal is

finalized. To do that, we will have to look through a fog of claims and counterclaims to see the outlines of something that is still evolving, even as it remains in the shadows. But with just those partial images, I have some deep concerns.

First, it now appears from public comments that our negotiators—and especially Secretary Kerry himself—are no longer insisting that Iran come clean on its past nuclear weapons development activities. This has long been a central demand by our side, as often confirmed by our negotiators themselves. To cave on this demand would be a fatal flaw and should all by itself lead to rejection of the deal.

Let me state that again. To cave on this demand that Iran come clean on its past nuclear weapons development activities all by itself should lead to rejection of the deal, if we do not achieve that goal.

The International Atomic Energy Agency, IAEA, has been pressing for information from Iran about the past nuclear weapons programs for years. Recently, the IAEA Director General explained the importance of the issue this way:

What we don't know [is] whether they have undeclared activities or something else. We don't know what they did in the past. So, we know a part of their activities, but we cannot tell we know all of their activities. And that is why we cannot say that all the activities in Iran is in peaceful purposes . . . the Agency is not in a position to provide credible assurance about the absence of undeclared nuclear material and activities in Iran, and therefore to conclude that all nuclear material in Iran is in peaceful activities.

The Obama administration has long agreed with the IAEA that Iran needs to come clean on its past activities to create a baseline for understanding future activities under any agreement—an absolutely essential standard that has to be met.

The U.S. head negotiator, Wendy Sherman—who, incidentally, negotiated the utterly failed deal with North Korea as well—told a Senate committee in 2013 that "Iran must agree to address past and present practices, which is the IAEA terminology for possible military dimensions . . . we intend to support the IAEA in its efforts to deal with possible military dimensions." Later, she told the SFRC that "in the Joint Plan of Action we have required that Iran come clean."

These are the statements of our negotiators. These are the commitments they made to the Senate and to the American people that these were the standards that could not be breached and that if it was not a part of the arrangement, then we would not accept this deal.

So we are quoting here from the record of what policy and what conditions the United States has laid out before the Iranians that, if not achieved, are a nonstarter of a deal.

Secretary Kerry has repeatedly said that the possible military dimensions of the Iranian nuclear program "will have to be addressed" and "that Iranians will have to do it."

"It will be done," he said.

However, I was shocked to read last week that Secretary Kerry told this to the Department of State press corps:

We are not fixated on Iran specifically accounting for what they did at one point in time or another. We know what they did. We have no doubt. We have absolute knowledge with respect to the certain military activities they were engaged in. What we are concerned about is going forward.

First of all, this is completely misleading. It is a complete 180-degree turn from what had been committed to earlier. As a member of the Senate Intelligence Committee, I can state emphatically that we do not have absolute knowledge of anything. That is not how intelligence works.

Secretary Kerry's statement suggests that he may be misusing one of our most useful tools of statecraft—perhaps a more concerning issue than the statement itself.

If we did have absolute knowledge of what the Iranians had done and have done to this date, we would not have spent the past years joining with the IAEA and the responsible international community to demand that Iran come clean. For the life of me, I cannot understand what the Secretary is thinking about when making such a claim. It is in total contradiction of a key facet—maybe the key facet of this deal.

Now, suddenly we are backing away, saying "We know everything" when we have for years been pursuing with the IAEA to get the knowledge of what we do know and the IAEA basically saying to us: No, we don't know everything. There is a lot we do not know.

In any case, I regard this new position as a blatant reversal of a key part of our negotiating objectives and a capitulation to the Iranians—a capitulation that reveals, perhaps, how desperate the administration is to secure a deal—any deal.

The next point of concern is the type and pace of sanctions relief we seem to be dangling as an incentive for the Iranians to accept any deal. This issue is very complex technically, legally, and legislatively. One key point is that throughout these negotiations, the administration has consistently argued that any deal would lead only to sanctions relief regarding nuclear issues. But the fact sheet that the White House put out following the interim deal framework stated that U.S. sanctions on Iran for terrorism, human rights abuses, and ballistic missiles will remain in place under the deal.

Let me say that again. The administration put out this fact sheet following the interim deal stating that U.S. sanctions on Iran for terrorism, human rights abuses, and ballistic missiles will remain in place under the deal.

Now it seems this limitation was not good enough for the Iranians, and we have caved again.

Yesterday, the so-called Supreme Leader, Ayatollah Khamenei, included this matter in his expanded list of redlines. He said that all economic, financial, and banking sanctions implemented either by the United Nations Security Council, the United States Congress, or the administration must be lifted immediately when the deal is signed.

According to media reports, which have not been refuted by the administration since they began appearing last month, the Supreme Leader has won again.

The emerging deal may roll back sanctions that had been imposed for these other nonnuclear reasons. According to these reports, based on leaks from the negotiating teams, 23 out of the 24 currently sanctioned Iranian banks will be delisted as sanctions targets, including the Central Bank of Iran. This is the Revolutionary Guard Corps-dominated institution that was sanctioned because of its role in money laundering, financing terrorism, ballistic weapons research, and campaign claims of bolstering the Assad regime in Syria. Removing sanctions applied to these banks will give Iran hundreds of billions of dollars that could be used for their terrorism activities in regional proxy wars.

These reports, if true, constitute yet another reversal of clearly stated policy and yet another capitulation to the Iranians.

No. 3, it appears that negotiators may be aiming at an arrangement to set aside the dispute about open, free access to Iranian facilities. We have long maintained that any agreement would have to give the IAEA such access—stated over and over to us through our briefings, by the Secretary, and by others negotiating this. What this means is open, free access anytime, anywhere. It appears this is not now the case. We have long maintained that the IAEA have access anytime, anyplace, as their spokesmen have often emphasized. President Obama himself reassured the region's nervous Arab leaders on this very point in an effort to gain their acceptance of the deal.

In the meantime, once again Ayatollah Khamenei, the Supreme Leader, has stated emphatically that no such access would be granted, and other Iranian authorities repeated this redline that the Iranians have drawn in the deal and that we are capitulating to, one after another. Their Parliament even recently passed a law to this effect. It looked like an unbridgeable gap. Khamenei repeated this firm position again just yesterday.

Some argue that Khamenei's declarations are part of the negotiating strategy. Well, if so, it seems to have

worked. Anyplace access for intrusive inspection has been taken out. We have dropped "anytime, anyplace."

The buzzword phrase that now is being given to us is "managed access." When I first heard that, I said, what in the world does that mean, "managed access"? With this concept, it appears there would now be a mechanism that would evaluate requests for access to determine if there is a genuine need. Instead of anytime, anyplace, anywhere, for any reason, in order to verify that the Iranians are not cheating, that has turned into now a request for a search or for access at their time and their decision as to what the place will be or what the place will not be. This makes a mockery of the state of the original required demand for access at anytime, anyplace. "Access where needed, when needed" seems to be the new mantra—where needed, when needed, giving them plenty of time to make a decision as to yea or nay or to remove from those sites damning evidence of their pursuit of nuclear capabilities.

Because this issue of access is crucial to the issue of credibility, verification, and compliance, it arguably is the most important requirement of all for an acceptable deal. Those advocating for the emerging deal are actually boasting that this artful dodging is a negotiating victory.

Is there anything more we need to say about the weak and compromising negotiating strategy of those who are currently at the table representing the United States? I have just named and spelled out three major concerns regarding these negotiations, but there are many other aspects of the apparently emerging deal that separately and together show a pattern—a very disturbing pattern of constant retreat and capitulation by this administration in the negotiations with the Iranians. I won't go into the details of each of these, but let me just run off several other issues of major concern.

One, the clearly inadequate time-frame for any agreement, the sunset clause—it is no longer a part of the negotiations; two, outrageously generous details of sanctions relief, both scale and timing; the almost laughable, specious claims of sanctions snapback provisions—whatever that means—once the sanctions regime has been dismantled; the number of and types of enrichment equipment to be retained by the Iranians; the types of enrichment activities that will be permitted in the thousands of modern centrifuges in the most fortified, bunkered facilities; fatal limitations on our ability to monitor and verify compliance; and the Joint Plan of Action provisions that Iran has already blatantly violated without any White House comment.

My colleagues, once a deal is announced, it will be critical that we exercise the wisdom and courage to

evaluate it honestly. My doubts about our ability to do so are aggravated by the public relations campaign we can foresee. Indeed, we have seen it before when the Clinton administration told us the nuclear deal with North Korea was "good for America." I was a Member of the Senate at that time. I raised a number of issues and concerns about whether this deal with North Korea was good for America. I did not vote to support that effort. Nevertheless, the treaty was agreed to.

The framework agreement with North Korea, President Clinton said in 1994, "is a good deal for the United States. North Korea will freeze and dismantle its nuclear programs." North Korea will freeze and dismantle its nuclear programs. "South Korea and our other allies will be better protected. The entire world will be safer as we slow the spread of nuclear weapons. . . . The United States and international inspectors will carefully monitor North Korea to make sure it keeps its commitments. Only as it does so will North Korea fully join the community of nations."

That is what was promised in 1994. That is what was stated to Senators on this floor in 1994—that we can count on the fact that we are going to know if the North Koreans cheat and we are not going to allow them to do that. How significantly this resonates now, all these years later, as we are assured by the administration and by Secretary Kerry: Don't worry. Everything is covered. Inspections will take place. They won't be able to cheat. We will know it if they do. The sanctions will come back on. We will snap back those sanctions, et cetera, et cetera.

Some Members took a bite of that apple and regret that. I did not. I am sure not going to take another bite of that apple, and no one else should view this current negotiation with Iran without putting it in the context of what was done before. We have been here before. We need to learn the lessons from that. We now know that North Korea possesses dozens of nuclear weapons and the ballistic missile capacity to deliver those weapons. We now know they cheated blatantly and we did not know it. The so-called guarantee of verification was not accomplished and not achieved.

So before making a final decision on the Iran so-called deal, we need to learn the lessons from the Clinton administration and the agreement with North Korea. The similarities between the secret negotiations then and the secret ones now are remarkable.

In 1994, a key sticking point was complete access to nuclear sites, and then, too, we caved in order to get the deal.

In 1994, the White House and major media outlets trumpeted a deal that would make the world safer—a victory for diplomacy over force and hostility.

Those who did not see this as something that was going to be enforced were called warmongers.

Here is the choice, war or peace. Some choice. North Korea promised to forgo their nuclear weapons ambitions, and although I could not vote to support President Clinton's request, enough of the Senate did to approve the agreement with North Korea.

Now we know they have between 20 to 40 nuclear weapons, possibly miniaturized, ICBMs—intercontinental ballistic missiles—to put them on and recently tested submarine launch missiles.

Another lesson is the time gap between the heralded diplomatic breakthrough and the revelation that we had been taken to the cleaners. It took years to learn what we had really done in North Korea and not done in North Korea.

The failure of a bad deal with Iran will not be evident to most of us for years perhaps—perhaps even 10, 11 or 12 years, even when President Obama concedes that Iran's nuclear breakout time will be zero.

In fact, such a delay—in the unlikely event Iran actually complies with a deal—is the stated objective of the P5+1 negotiators—to impose a delay of a decade or so on Iran's nuclear weapons program. That is what they will define as success.

But we must remember this: Today's brutal, unhinged, nuclear-armed North Korea is actually a product of misguided and naive American diplomacy, sold to the Senate as something other than what it was. We now know the agreement with North Korea was not a diplomatic victory but a diplomatic and policy failure, an absolute failure. My deep concern is that this time many will, once again, see the emerging deal as a great victory for diplomacy, no matter what it contains.

The utterly false claim that it presents a choice between peaceful resolution of a dispute and war, as a consequence of not arranging and agreeing to a deal, will be a central part of the discourse and salesmanship that will confront us as Senators. Those opposed will potentially be labeled as war mongers.

It is good of us to remember something that was said by Winston Churchill leading up to World War II: Peace at any price does not lead to peace. It only lengthens the path for war with far greater consequences in terms of cost or blood.

So, for us, we are going to have to stand up to those who posit the false choice between peace and between war. We have a more difficult obligation of historic consequences, looking to the following decade. Such a duty must not be guided by party. It must not be guided by politics. It must not be guided by deference either to the White House, our own leadership or even our constituents.

We must look at each and every detail of any agreement presented to us to reach a judgment on whether this so-called deal with Iran will prevent Iran from acquiring nuclear weapons capability. Then, and only then, we must decide on that basis whether to approve or reject the deal that will be presented to us by the President and his Secretary of State. To do anything less than fulfilling this obligation and this duty that each one of us has, will be a failure of our duty as a U.S. Senator, with historic consequences if we get it wrong.

My hope, prayer, wish, desire, and admonition is that each one of us sees this as something with historic consequences that will affect not only the future of our Nation and our people but will affect the future of the world. Therefore, we must give full attention and every ounce of our best wisdom and judgment in determining, not for political or party or any other reason—other than finding out and determining whether this deal is acceptable or not acceptable and make our yes be yes and our no be no and well reasoned, well judged, and well decided.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

#### POST-TRAUMATIC STRESS DISORDER AWARENESS DAY

Mr. DAINES. Mr. President, this Saturday, June 27, marks Post-Traumatic Stress Disorder—or PTSD—Awareness Day.

This marks a critical opportunity to remind people about the prevalence of mental illnesses such as PTSD among our Active-Duty troops and our veterans. By generating more awareness, we can help remove the stigma about PTSD and encourage people to seek treatment and, in turn, save lives. PTSD is a serious problem affecting too many of our country's bravest individuals, and we must do more to help our heroes.

According to a study by the RAND Corporation, 20 percent of Iraq and Afghanistan war veterans report symptoms of PTSD and, of those, only about half actually seek treatment.

Our Nation made a promise to our men and women in uniform: When they come home from war and their time in service to our country, we will be there for them. We need to have the same concern for our servicemembers' mental health as we do for their physical health. For far too long, we have been focused on the physical wounds of war, but as many of our veterans know too well, the mental wounds also inflict great damage.

I am proud to serve as a Senator from a State with a rich legacy of service. I am proud to be the son of a U.S. marine. One in ten Montanans have proudly served in our Armed Forces,

making the Treasure State home to more veterans per capita than almost any other State in our Nation. According to the VA, Montana is home to nearly 100,000 veterans, 75,000 of whom served our Nation during wartime.

As the son of a marine, I strongly believe we have a duty to ensure that the promises we have made to these men and these women are kept. There is no greater honor or responsibility than fighting for our veterans. We owe them our freedom. We owe them nothing but our best. Anything less is unacceptable.

I have had many conversations with the brave men and women who have gone overseas in the name of freedom, and one of the many concerns they have expressed is the negative stigma surrounding post-traumatic stress in our military. For too long, our service men and women have attempted to hide mental health issues from their superiors out of fear of being discharged. That is why I am committed to raising PTSD awareness to overcome the misinformation and the stigma surrounding these mental health challenges.

I am proud to be working on S. 1567 with GARY PETERS and THOM TILLIS to ensure due process for veterans who suffer from mental health illnesses and may have been erroneously given an administrative discharge rather than an honorable discharge. It helps ensure that Active-Duty servicemembers who suffer from invisible wounds, like PTSD and traumatic brain injuries, also called TBIs, are not incorrectly administratively discharged, putting their hard-earned benefits at risk. This bill is just a small step that Congress can take toward ensuring that the stigma facing PTSD is lifted and hopefully allowing more veterans to seek out treatment for PTSD.

In the last few years, I am pleased to see that our country has taken steps to ensure that our troops and veterans get the mental health services they need upon their return home. More than ever, troops and veterans are seeking treatment. They are receiving timely diagnosis, they are getting needed care.

We have a long way to go. Too many veterans are taking their own lives and, unfortunately, Montana consistently ranks at the top for suicides in our country. One story from Montana particularly resonated with me. In fact, it occurred in my hometown of Bozeman. I went from kindergarten through college in Bozeman. On May 29, 2013, U.S. Army PFC Wade Christiansen took his own life. He was 23 years old. Private First Class Christiansen served his country as a paratrooper in the 82nd Airborne Division and was deployed to Afghanistan with his unit in 2009. During an ambush, he sustained severe injuries to his face and to his arms.

After his return to Montana, Wade struggled with both the physical and

the mental healing process. Wade's brother Matt talked about how Wade's mood would change when he wouldn't be able to take his medication when the VA failed to get him his medications on time.

I wish I could stand here and tell you that Wade Christiansen's story is unique. Unfortunately, he is just one of the many veterans who committed suicide in my State that year. In fact, between 2004 and 2013, there were 566 suicides by Montana veterans. In Montana and across the Nation, too many of our veterans struggle with PTSD, they struggle with depression. Veteran depression not only affects the individual but also the loved ones closest to the veteran as well. The emotional toll on the family is immense. To have a loved one serve overseas, only to come back as a shell of what they once were is difficult.

PTSD Awareness Day invites us to face the larger issues of veterans who are suffering from post-traumatic stress. We do everything in our power to protect our servicemembers while they are overseas. We must do the same to address their needs once they return home. That includes reducing the stigma attached to PTSD and doing more to help our brave veterans find good-paying jobs and transition back into civilian life.

Now is the time to act to work toward real solutions that protect our veterans here at home. They are an embodiment of the ideals this Nation holds dear, and I believe it is our job to do everything in our power to protect them.

Before I end my remarks, I want to encourage everyone, if they or a loved one is struggling with mental illness or PTSD, there is help available.

You can visit [www.ptsd.va.gov](http://www.ptsd.va.gov)—[www.ptsd.va.gov](http://www.ptsd.va.gov)—where they will find resources that are available for our veterans.

Mental illness is not something anyone should have to go through alone. Seeking help is not a sign of weakness, but instead it is a testament to individual character.

I yield back.

The PRESIDING OFFICER. The Senator from Delaware.

#### NUCLEAR AGREEMENT WITH IRAN

Mr. CARPER. Mr. President, I wish to begin by talking about two subjects. The first of those is the nuclear agreement that our Nation and five other nations are seeking to negotiate with Iran, and the second is I wish to do something we don't do often enough and thank some people, people who serve all of us, some folks in the Coast Guard.

But I wish to start with the agreement that we and part of the five permanent members of the Security Council, plus one—Germany—are attempt-

ing to negotiate with the country of Iran. We are closing in, I hope, on a historic nuclear agreement with Iran.

Today, the United States, the United Kingdom, Russia, China, France, and Germany are hard at work trying to hammer out a final nuclear deal with Iran that will hopefully put an end to that country's pursuit of nuclear weapons. We have a key role to play in the fate of this potential nuclear deal.

If the P5+1 and Iran can forge a final deal, then Congress will have its chance to support or reject it by voting on a resolution that would prohibit lifting the sanctions against Iran. So it is my great hope that when Congress comes back from our Fourth of July recess—holiday recess—we will be returning to the news that the negotiators have succeeded in striking what they believe to be a fair deal.

We will then begin our job of considering whether that deal represents the best path forward for our Nation's security and the security of other nations, including our allies.

Should this agreement come together, I will assess the final nuclear deal on how it implements three key requirements that were articulated in last April's nuclear framework. Let me just take a moment and explain these three requirements.

First, any final agreement must block all of Iran's pathways to developing a nuclear weapon. The Iranians will have to agree to measures that prohibit them from acquiring weapons-grade plutonium, enriching enough uranium to build a bomb and developing a covert nuclear program.

Fortunately, as part of April's nuclear framework, the P5+1 agreed in principle to close off Iran's four pathways to a nuclear weapon, and here is how.

Iran would no longer have a source of weapons-grade plutonium, as the framework requires Iran's heavy water reactor to be redesigned so that it no longer generates a plutonium byproduct needed for a bomb.

Iran would lose one path to acquiring enough enriched uranium to build a bomb by being forced to reduce its current centrifuge inventory of almost 20,000 down to 5,000 units. Moreover, the remaining 5,000 centrifuges would be Iran's oldest and least capable variants, making it almost impossible for Iran to restart weapons-grade enrichment activities.

Under the framework, Iran would lose its other path to acquiring enough enriched uranium for a nuclear weapon. Iran will be required to dramatically reduce its stockpile of enriched uranium from 10 tons to just 300 kilograms and will not be able to enrich above 3.7 percent.

Lastly, the framework eliminates the ability of Iran to covertly develop a nuclear weapon by monitoring not just the declared facilities but also sub-

jecting the country's entire nuclear supply chain to inspections and continuous surveillance.

If a final agreement makes good on these promises in a verifiable way—in a verifiable way—then it will earn my support.

Some have argued that a final agreement must require Iran to dismantle its entire nuclear infrastructure so that it cannot enrich uranium even for peaceful nuclear energy. This is an unnecessary requirement on Iran in my view. If that country agrees to these four roadblocks to a nuclear weapon, then Iran should be able to maintain an enrichment program that is verifiably limited to producing only peaceful nuclear energy.

That brings me to my second requirement. In any final agreement, Iran must submit to uncomfortable and intrusive inspections.

If weapons inspectors for the International Atomic Energy Agency identify a facility they suspect of housing illicit nuclear activity, then these inspectors should be granted access to these undeclared sites. If Iran fails to grant access to the inspectors, then Iran should be in violation of the agreement, and that should trigger expedited and appropriate consequences for Iran.

In the weeks since the announcement of the April framework agreement, we have heard some contradictory claims coming from Iran's Supreme Leader, the Ayatollah Khamenei. He has said that Iran will not allow inspections of military sites.

Well, perhaps the Supreme Leader is only playing to a hard-line domestic audience in Iran. Perhaps he is attempting to return and to rhetorically walk back on the concessions his negotiating team promised to the P5+1 nations or perhaps he is just not being honest.

Whatever the case may be, I certainly do not trust the Iranian Supreme Leader nor do I want my acceptance of a deal to be based solely on his rhetoric. To borrow a phrase from President Reagan—a phrase we have heard in this Chamber hundreds of times since I came here 14 years ago—final deals should not be predicated on the mantra “trust but verify.” Rather they should embody the principle of “distrust and verify.”

To that end, the final deal must have a system of consequences and incentives in place to ensure that Iran complies with its promises to submit to inspections.

Third, any lifting of sanctions against Iran must be conditional on the Iranians meeting and implementing core requirements of the nuclear deal. Iran must prove to us they are serious about following through on their commitments. If they live up to their promises, only then should they be rewarded with phased sanctions relief.



Fortunately, the administration has made this a sticking point in the negotiations. As the President said upon the announcement of the nuclear framework on April 2, “[Sanctions] relief will be phased in as Iran takes steps to adhere to the deal. If Iran violates the deal, sanctions can be snapped back into place.”

Additionally, after announcing the nuclear framework, Secretary Kerry made clear that the Iranians will not get sanctions relief until they have implemented their obligation to the satisfaction of the international inspectors and the United States. These are the words of Secretary Kerry:

Iran has a responsibility to get the breakout time to the one year . . . . When that is done and certified by the IAEA that [Iran] has lived up to that nuclear responsibility, and we make that judgment with them, at that point we would begin the phasing of sanctions relief.

Now, Secretary Kerry and President Obama are right to insist on this point. They are right to insist on this point. I imagine this is one of the details still being worked out in talks. But if Iran is serious about abandoning its nuclear weapons ambitions—I hope they are—they must agree to take action before being rewarded with sanctions relief.

For 2½ years—2½ years—our negotiating team has been working tirelessly to strike a deal with Iran that strengthens our Nation’s security, our allies’ security, and the security of the broader Middle East. Whatever the outcome next week, we owe these negotiators a debt of gratitude for their service and their dedication.

At the end of the day, however, I feel confident that we will reach a deal that blocks Iran’s pathways to a bomb, subjects Iran to intrusive inspections, and only provides sanctions relief after Iran takes action.

If the final deal includes these three key provisions, then it will certainly have my support. Moreover, I think if each Senator and Representative evaluates this deal on its merits, forgets about the rhetoric, forgets about the preconceived notions and considers the alternatives, then this deal will enjoy broad support in this Congress.

Mr. President, I want to set these remarks aside now. Before our current Presiding Officer took the Chair, I mentioned to our colleague before him that I had a two-part address. This is like a day-night doubleheader.

The PRESIDING OFFICER (Mr. DAINES). The Senator has used his 10 minutes.

Mr. CARPER. I ask unanimous consent to proceed for an extra 6 minutes.

May I prevail on the Senator from Ohio?

The PRESIDING OFFICER. Is there objection?

Mr. PORTMAN. I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARPER. I thank the Senator from Ohio for his kindness.

#### TRIBUTE TO FEDERAL EMPLOYEES

Mr. CARPER. Mr. President, over the past few months I have been coming to the floor to recognize the work of a few of the outstanding employees of the Department of Homeland Security.

There are over 200,000 men and women who work at the Department’s 22 components. They secure our borders and secure our skies. They respond to natural disasters. They protect us in cyber space. Few other Federal agencies touch the lives of Americans on a daily basis more than the Department of Homeland Security.

Although the jobs they do every day may be diverse, all DHS employees go to work with one critical mission, and that is to ensure our country is a safe, secure, and resilient place where the American way of life can thrive.

Today I recognize the outstanding service of several officers from the U.S. Coast Guard. As a law enforcement agency and one of our Nation’s five armed services, the Coast Guard has safeguarded our interests on the high seas for over two centuries.

The thousands of brave men and women who honorably serve our Nation at the Coast Guard dedicate their lives to its important missions. These missions range from maritime law enforcement and military operations to search and rescue and environmental protection.

MAX KACZMAREK, CHRIS LEON, AND  
MATTHEW WORDEN

Last month, Homeland Security Secretary Jeh Johnson recognized three individuals from the Coast Guard for their valor: Petty Officer Max Kaczmarek, Petty Officer Chris Leon, and Petty Officer Matthew Worden. In pictures right here next to me are Petty Officer Matt Worden, Petty Officer Max Kaczmarek, and Petty Officer Chris Leon.

These three brave individuals have each demonstrated outstanding courage in the face of perilous circumstances, acting selflessly and without hesitation to render lifesaving aid to their fellow Americans. Simply put, they were, in the words of the Coast Guard motto, “Semper Paratus”—“Always Ready.”

I want to extend my congratulations to these three officers, Petty Officers Kaczmarek, Leon, and Worden, and to all of the recipients of this year’s DHS Valor awards. These devoted public servants are an inspiration for me, and I think for all of us, and I encourage my colleagues to learn more about their heroic stories.

JOSCELYN GREENWELL

For the 42,000 Active-Duty Coast Guard men and women, their mission may take them to ports and waterways

across our country and around the globe. For Petty Officer Joscelyn Greenwell, her service with the Coast Guard has taken her from California to Hawaii to my home State of Delaware.

Originally from Cape Canaveral, FL, Petty Officer Greenwell, pictured here to my left, has served our country for over 7 years at three different Coast Guard units and stations. She first spent 3 years on the high endurance cutter Hamilton and home ported in San Diego, CA.

While aboard the Coast Guard cutter Hamilton, Petty Officer Greenwell was one of our many brave servicemembers assigned to provide disaster relief following the catastrophic 2010 Haiti earthquake, which we all remember. In Haiti, Petty Officer Greenwell and her fellow crew members transported clean drinking water and other resources to the island to save lives. She received a Unit Commendation award for her outstanding efforts in that mission.

After her time in San Diego, Petty Officer Greenwell spent 2 years aboard the patrol boat Galveston Island, home ported in Honolulu, HI.

Today Petty Officer Greenwell calls Lewes, DE, her home and now serves at the U.S. Coast Guard Station Indian River Inlet in Rehoboth Beach, DE. With summer in full swing, Delawareans and people from across the country—actually, from around the world—are flocking to our Nation’s pristine five-star beaches. Thankfully, day and night, Petty Officer Greenwell and her crew stand diligent watch over parts of Delaware Bay, Rehoboth Bay, Indian River Bay, and the Atlantic Ocean. We Delawareans can rest assured that Petty Officer Greenwell and her unit stand ready to answer our call, if ever we need their assistance.

According to her superiors, Petty Officer Greenwell takes ownership of her responsibilities and is committed to the safety of the public. Her colleagues say that she always goes above and beyond what is expected of her.

For example, in addition to her usual responsibilities, Petty Officer Greenwell received her certification as a boat operator, or coxswain, in just 1 year—a process that normally takes about a year and a half. Her colleagues say that she demonstrated an outstanding level of skill and professionalism throughout the rigorous certification process.

She has also served as a mentor to junior personnel and assisted multiple shipmates in receiving their qualifications as watch standers, boat crew members, boarding team members, and as coxswains. Petty Officer Greenwell’s commitment to her team and the public she serves every day exemplifies—truly exemplifies—the Coast Guard’s core values of honor, respect, and devotion to duty.

Petty Officer Greenwell, I just want you to know tonight that your service

to our Nation has taken you around the world, and I know you will continue to go far—both literally and figuratively—in all your endeavors. Every day, you help to ensure the safety of your fellow Americans and the security of our Nation. From the bottom of my heart, I thank you for your tireless dedication, your invaluable service to the State and the Nation that we call home, and as we say in the Navy, “Bravo Zulu.”

Finally, to the thousands of brave men and women across the Department of Homeland Security who dedicate their lives to serving and protecting America and Americans, please know that what you do every day is important. I hope it fills your work with meaning and your life with happiness. On behalf of the people we all serve together, thank you for your service.

Sometimes we ask people—whether the Coast Guard or Department of Homeland Security, any part of the Federal Government—what they would like. Sometimes people say they would like more money, they would like more of this, or they would like more of that. What more than half the people say, though, is, I would just like to be thanked.

So to all the people I mentioned tonight and those with whom they serve at the Department of Homeland Security, thank you, and God bless you.

I especially thank my colleague from Ohio for his generosity and kindness tonight.

To the leader, good work. “Bravo Zulu” on the good work done here this week.

I yield the floor.

#### TRADE PREFERENCES EXTENSION ACT OF 2015

Mr. HATCH. Mr. President, today I rise to commend my colleagues on passage of the Trade Preferences Extension Act of 2015. This legislation provides timely extension of the African Growth and Opportunity Act, or AGOA, Program, and preferential treatment for products from Haiti. And, this legislation finally reauthorizes the Generalized System of Preferences, or GSP, Program which has languished since July of 2013. I am very pleased we have been successful in this effort.

Trade preference programs are vitally important to the economies of the beneficiary countries, supporting economic and social development. And, these programs support production here in the U.S. as many of the goods eligible under preference programs are raw materials and inputs that fuel American manufacturing. These programs build a trading relationship that is the first stepping stone towards developing a full, bilateral trading relationship that will further grow and support the U.S. economy. Particularly for some of our trading partners bene-

fitting under the AGOA Program, we look forward to our trading relationship developing to the next phase, full bilateral trade agreements, during this authorization of the program.

But none of this would have been possible without the dedicated work of many people. I would like to recognize the staff of the Senate Finance Committee. I would like to recognize Senator WYDEN and his staff, especially Joshua Sheinkman, Jayme White, Elissa Alben, Greta Peisch, and Anderson Heiman. Our work was supported by the outstanding efforts of the International Trade Commission and the Office of the United States Trade Representative. I would like to particularly thank Florie Liser, Constance Hamilton, Behnaz Kibria, Bill Jackson, and Ben Kostrzewa from the Office of the USTR.

I would like to especially thank my staff for all their dedicated work on this legislation. Our international trade staff has worked tirelessly on this legislation and I thank them for their efforts: Everett Eissenstat, Shane Warren, and Rebecca Eubank. We have had the excellent support of detailees from the U.S. Patent and Trademark Office, Kevin Rosenbaum, and U.S. Customs and Border Protection, Andrew Rollo, as well as Sahra Park Su and Kenneth Schmidt. I would like to thank my senior staff: Chris Campbell, Mark Prater, Jay Khosla, Jeff Wrase, and Bryan Hickman.

We can all be proud of the broad support this bill has received in both Houses of Congress. This legislation demonstrates that trade is a bipartisan issue. I look forward to President Obama signing this legislation into law as soon as possible.

#### CONGRATULATING RAMSEY LEWIS

Mr. DURBIN. Mr. President, I wish to take a moment to congratulate a native son of Chicago who has earned worldwide acclaim as a jazz pianist and who will soon achieve a lifelong dream of conducting and soloing with the Chicago Symphony Orchestra.

Ramsey Lewis is a true American original—a virtuoso pianist and musical innovator who helped pioneer the sound many refer to as “smooth jazz.” Fifty-one years ago he and his band, the Ramsey Lewis Trio, recorded a song that became an instant sensation and which remains a definitive classic of the cool jazz genre. It’s called “The In Crowd.” You know the refrain: “I’m in with the in crowd. I go where the in crowd goes.”

That song was recorded live at Bohemian Caverns in Washington, DC, with almost no rehearsal. It sounds like a fable but it is true. That afternoon Ramsey and his bandmates—drummer Isaac “Redd” Holt and bassist Eldee Young—were sitting in a Washington, DC, coffee shop, debating what they

could add to their set that night to make the recording stand out. Their waitress, a woman by the name of Nettie Gray, asked what was wrong. They explained their predicament.

Miss Nettie Gray walked over to the jukebox, dropped a coin in the slot and said: “Listen to this.” It was “The In Crowd,” sung by Dobie Gray—a popular hit at the time. The trio quickly worked out a jazz arrangement and used the song to end their set that evening. The crowd loved it. Audiences everywhere loved it. “The In Crowd” became the first of seven gold records by the Ramsey Lewis Trio.

What makes that story even more amazing is that “The In Crowd” was just one of four albums the Ramsey Lewis Trio recorded that year, 1964. Talk about prolific.

All told, this jazz legend has recorded 80 albums in an illustrious career that has spanned more than half a century. He has earned 3 Grammy Awards, 7 gold records, and hosted a nationally syndicated radio show and a 13-episode “Legends of Jazz” TV series on PBS.

In addition, he has served as artistic director of Jazz at Ravinia since 1992. He also helped organize Ravinia’s Jazz Mentor Program. He serves on the board of trustees for the Merit School of Music in Chicago and The Chicago High School for the Arts. And a decade ago he created the Ramsey Lewis Foundation to help connect at-risk children to the world of music.

Many artists might decide that such a resume was long and impressive enough—but not Ramsey Lewis. At the age of 80, Ramsey Lewis is preparing to fulfill the dream of a lifetime. On August 8, he will serve as conductor and soloist with the Chicago Symphony Orchestra at the Ravinia Festival in Highland Park, IL, just outside of Chicago.

Ravinia is the oldest music festival in North America. Over the years it has hosted such musical giants as Louis Armstrong, Pablo Casals, Aaron Copland, Duke Ellington, Ella Fitzgerald, George Gershwin, Luciano Pavarotti, and Yoyo Ma. It is also the summer home of the Chicago Symphony Orchestra.

Ramsey Lewis’ debut as conductor and soloist with the CSO is a testament to his musical genius and dexterity. It is also a testament to his ability to see beyond narrow expectations about what is possible for musicians of color.

Ramsey Lewis has been playing the piano since he was 4 years old. He knew at a young age that he wanted to play classical piano. But a music teacher told him when he was still a boy to give up that dream because the world of classical music was not open to musicians with skin the color of Ramsey’s.

Fortunately for all of us, Ramsey Lewis had the good sense to know that

was nonsense. He has played and recorded countless forms of music—and helped to invent new forms. In doing so, he has helped to create a world where every child is freer to pursue his or her own dreams.

Mr. Lewis' August 8 performance with the Chicago Symphony Orchestra at Ravinia is a continuation of what the Chicago Tribune has called a "Ramsey Renaissance" as a composer. His collaborator in this new chapter of his career is Ravinia president and CEO Welz Kauffman, who commissioned Mr. Lewis to write a piano concerto for his CSO debut. In recent years, Mr. Kauffman has commissioned Mr. Lewis to write other pieces, including a jazz ballet for the Joffrey Ballet Company, and "Proclamation of Hope," a celebration of Abraham Lincoln on the bicentennial of his birth. Both works made their world premieres at Ravinia.

In 2002 Ramsey Lewis was chosen to carry the Olympic torch as it passed through Chicago on its run to Salt Lake City. With his debut with the CSO at Ravinia, Ramsey Lewis will light up the night sky again with his own special brilliance. What a joyous celebration it will be.

#### JUDICIAL NOMINATIONS

Mr. LEAHY. Mr. President, earlier this month, the Senate Judiciary Committee approved the PATENT Act with a strong bipartisan vote. As the Senate continues to consider this important, balanced legislation aimed at curbing abusive patent litigation practices, it is critical that the court of appeals that considers patent claims be at full strength. Legislation alone cannot solve the problems facing Main Street businesses from abuses of the patent system; we also need dedicated judges, such as Kara Fernandez Stoll, on the bench to faithfully apply the law.

Ms. Fernandez Stoll was first nominated to serve on the U.S. Court of Appeals for the Federal circuit more than 7 months ago. Her hearing was held more than 3 months ago and 2 months ago she was unanimously reported by the Senate Judiciary Committee. The American Bar Association's Standing Committee on the Federal Judiciary unanimously rated her "well qualified" to serve on the Federal circuit—its highest possible rating. The Hispanic National Bar Association, the Federal Circuit Bar Association, and the American Intellectual Property Law Association strongly support her confirmation. Once confirmed, Ms. Fernandez Stoll will be the first woman of color to serve on the Federal circuit. Yet her nomination has been languishing on the Senate Executive Calendar.

Nearly 6 months into this new Congress, the Republican leadership has scheduled votes to confirm only 4 district court judges. We have not confirmed a single judge this work period.

Not one. This is simply unacceptable. In addition to Ms. Fernandez Stoll, there are 11 other consensus judicial nominations pending on the Senate Executive Calendar.

The other nominees pending on the calendar include five U.S. Court of Federal Claims, CFC, nominees. We are well past the 1 year anniversary of when each were first nominated and are closing in on the anniversary of all five having had hearings before they were first reported unanimously out of committee. The five CFC nominees were again reported out of committee unanimously at the beginning of this year. We have heard no opposition to any of these nominees, yet they have been in limbo for months and months because the Republican leader has refused to schedule a vote. The U.S. Court of Federal Claims is where our citizens go to seek redress against the Federal Government for monetary claims. The cases this court hears include claims of unlawful takings of private land by the U.S. Government without proper compensation under the fifth Amendment, claims of veterans seeking disability benefits for combat-related injuries, and vaccine compensation claims.

We are debating trade policy in the Senate, yet the nomination to fill one of four current vacancies on the U.S. Court of International Trade—CIT—has sat idle on the Senate Executive Calendar for months. Like the CFC nominees, the CIT nominee had a hearing last year, was favorably reported out of the Judiciary Committee unanimously by voice vote last Congress, and again earlier this year.

Also pending on the calendar are nominees to fill vacancies on the Western District of Missouri, the Western District of New York, and three nominees to fill judicial emergency vacancies—two on the Eastern District of New York and one on the Eastern District of California, all but one of whom were first nominated last year.

There is nothing keeping the Senate from confirming all 12 nominees—nothing, except for the mindset of delay for delay's sake, which is unfortunately the hallmark of the majority's leadership on judicial nominations.

The Senate has a duty to consider judicial vacancies no matter which party holds the majority. In the 17 months I chaired the Senate Judiciary Committee during President Bush's first 2 years in office, the Senate confirmed 100 Federal circuit and district court judges. I also served as chairman during the last 2 years of the Bush administration and we confirmed another 68 district and circuit court judges.

In contrast to the 4 district judges we have confirmed this year, when the Democrats were in an equivalent position in the 7th year of the Bush administration, we had confirmed 18 judges—including 15 district and 3 circuit court judges—by June 24, 2007.

That's 18 judges under a Democratic majority compared to 4 under the Republican majority. That is nearly five times as many judges confirmed under a Democratic majority with a President of the opposite party than today's Senate Republican majority.

Nevertheless, the Republican majority continues to make excuses for their continued obstruction and delay on confirming President Obama's judicial nominees. Their excuse is that the Democratic majority was able to confirm those 18 judges by this date in 2007 only because those nominees were held over from the previous year. What the Republicans fail to note is that 6 of the 18 judges confirmed by June 24, 2007 first had their hearing in 2007, were reported out of committee without needless delay, and were confirmed promptly.

We began this Congress with 38 district and circuit court vacancies, including 12 vacancies deemed "judicial emergencies" by the nonpartisan Administrative Office of the U.S. Courts. While 38 is the lowest number of vacancies during the entire Obama administration, it is still higher than the low of 28 district and circuit court vacancies during the Bush administration, which was achieved due to Democratic cooperation.

There are now 55 district and circuit court vacancies, including 27 that have been deemed "judicial emergency" vacancies. Of the 55 vacancies, 41 are in States with at least one Republican home State Senator. Of great concern to the timely administration of justice are four circuit court vacancies that are "judicial emergencies"—two in Texas, one in Alabama, and one in Kentucky—that have each been vacant and without nominees for well over a year, including one Texas circuit court vacancy that has been vacant for nearly 3 years. These 3 States alone also account for 12 district court vacancies without a currently pending nominee, half of which are "judicial emergency" vacancies.

While I know that the senior Senator from Texas, who is also the assistant republican leader, likes to say that it is the President who "has to nominate the judges," we are all well aware of the central role home State Senators have in making recommendations to the President to fill vacancies in our States. I urge all Senators to work meaningfully with President Obama to get these vacancies filled.

As we head into July 4 recess, the Senate Republican leadership should be allowing us to clear the calendar of the 12 noncontroversial consensus judicial nominees to let them get to work for the American people.

I would remind the current majority leader of his floor remarks from June 2008, the last year of the Bush administration when Democrats held the majority in the Senate:

On the issue of judicial confirmations, my good friend the majority leader and I discussed this matter publicly at the beginning of this Congress, and we agreed that President Bush, in the last 2 years of his term, should be treated as well as President Reagan, Bush 41, and President Clinton were treated in the last 2 years of their tenures in office because there was one common thread, and that was that the Senate was controlled by the opposition party.

I hope he stays true to the words he spoke when the shoe was on the other foot. I urge the majority leader to immediately schedule a vote for Kara Farnandez Stoll and the CFC and CIT nominees so they can get to work serving the American people.

#### BUDGETARY REVISIONS

Mr. ENZI. Mr. President, section 4311 of S. Con. Res. 11, the concurrent resolution on the budget for fiscal year 2016, allows the chairman of the Senate Budget Committee to revise the allocations, aggregates, and levels in the budget resolution for legislation that would promote jobs in the United States through international trade. The authority to adjust is contingent on the legislation not increasing the deficit over either the period of the total of fiscal years 2016 to 2020 or the period of the total of fiscal years 2016 to 2025.

I find that Senate amendment 2065 fulfills the conditions of deficit neutrality found in section 4311 of S. Con. Res. 11. Accordingly, I am revising the allocation to the Committee on Finance and the budgetary aggregates to account for the budget effects of the amendment.

I ask unanimous consent that this notice and the accompanying tables, which provide details about the adjustment, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### REVISION TO THE ALLOCATION TO THE COMMITTEE ON FINANCE

(Pursuant to Section 302 of the Congressional Budget Act of 1974 and Section 4311 of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016)

\$ Millions	2016	2016–2020	2016–2025
Current Allocation:			
Budget Authority	2,179,304	12,340,566	29,433,590
Outlays	2,169,584	12,321,005	29,408,581
Adjustments:			
Budget Authority	445	1,985	–5,414
Outlays	175	1,700	–5,382
Revised Allocation:			
Budget Authority	2,179,749	12,342,551	29,428,176
Outlays	2,169,759	12,322,705	29,403,199

#### BUDGET AGGREGATES BUDGET AUTHORITY AND OUTLAYS

(Pursuant to Section 311 of the Congressional Budget Act of 1974 and Section 4311 of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016)

\$ Millions	2016
Current Aggregates:	
Budget Authority	3,032,343
Outlays	3,091,098
Adjustments:	
Budget Authority	445
Outlays	175
Revised Aggregates:	
Budget Authority	3,032,788

#### BUDGET AGGREGATES BUDGET AUTHORITY AND OUTLAYS—Continued

(Pursuant to Section 311 of the Congressional Budget Act of 1974 and Section 4311 of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016)

\$ Millions	2016
Outlays	3,091,273

#### BUDGET AGGREGATE REVENUES

(Pursuant to Section 311 of the Congressional Budget Act of 1974 and Section 4311 of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016)

\$ Millions	2016	2016–2020	2016–2025
Current Revenue Aggregate	2,676,733	14,412,516	32,237,371
Adjustment	–766	3,398	–4,272
Revised Revenue Aggregate	2,675,967	14,415,914	32,233,099

#### SHULKIN CONFIRMATION

Mr. ISAKSON. Mr. President, I rise today to speak on the nomination of Dr. David J. Shulkin to be the next Under Secretary for Health for the U.S. Department of Veterans Affairs.

I was pleased that Dr. Shulkin's nomination was confirmed by the Senate last night. The Veterans Health Administration, which he will oversee, has not had a permanent leader for more than 1 year. In my view, it is important to have permanent leadership in place to address a number of ongoing issues at the Veterans Health Administration, including properly implementing the Veterans Access, Choice, and Accountability Act of 2014, to give veterans the option of accessing care in their communities and ensure managers are held accountable for any lapses in customer service; improving care and support for victims of military sexual trauma; helping to eradicate homelessness among veterans; ensuring that veterans have access to timely and adequate mental health care; reducing the systemic problems with over-prescription of opioids; and providing appropriate gender-specific services for the growing population of women veterans.

Dr. Shulkin has roughly 20 years of experience serving in leadership roles at hospitals and health care systems. I hope he can use that experience to provide the stability and leadership needed to start overcoming the serious challenges that the Veterans Health Administration continues to face. Providing a permanent leader is a significant step in ensuring that the Veterans Health Administration is providing our Nation's veterans with the level of care and service they have earned and they deserve.

I thank my colleagues for their assistance in filling this important role at VA.

#### SHULKIN AND COUNCIL CONFIRMATIONS

Mr. BLUMENTHAL. Mr. President, last night, the Senate confirmed David

Shulkin to be the Under Secretary for Health and LaVerne Council to be the Assistant Secretary for Information and Technology at the Department of Veterans Affairs, VA.

Let me begin by thanking Chairman ISAKSON for making the confirmation of Dr. Shulkin and Ms. Council a priority for this Congress.

Dr. Shulkin comes to the Veterans Health Administration, VHA, with significant experience managing complex health care organizations. Prior to being confirmed as Undersecretary of Health Dr. Shulkin was the president of Morristown Medical Center where he oversaw a 658-bed facility that has received countless awards for its excellence in care. During his confirmation hearing before the committee, Dr. Shulkin stated, "We all agree that the status quo is simply not acceptable. I want to assure you that, if confirmed, it would be my sole mission each and every day to transform the VA health system into one that provides our veterans with the highest level of quality care." Given the challenges that face VA, I look forward to working with Dr. Shulkin to ensure the status quo does not persist. I am committed to ensuring VA provides high-quality care options to veterans.

Ms. Council has significant private sector experience in managing global information and technology programs, including service as the first global chief information officer at Johnson & Johnson and leading the consolidation of 250 operating companies across 57 countries in the world. I trust that her experience will allow her to navigate ongoing issues around health data interoperability between VA and DOD, and I look forward to collaborating with her to make this a practical reality for VA and DOD clinicians and veteran patients. At a time when data security is being tested by dramatic increases in malware and intrusion attempts, it is more critical than ever to have a permanent leader in place to remediate known security deficiencies and ensure that health and personal data remains secure in VA systems. I am committed to doing right by veterans on this critical issue.

VA continues to lurch from crisis to crisis, facing health care funding shortfalls, construction cost overruns, growing patient wait times, insufficient collaboration between VA and DOD, and a backlog of disability compensation claims and appeals. In the face of these crises, these nominees will assume two of the toughest jobs in government given all of the attention VA has received of late. VA's culture has been described as corrosive and nonresponsive, and there continues to be a need for a significant change in the culture at VA. I expect both Dr. Shulkin and Ms. Council to use their expertise and experience to make these changes and improve VA services for veterans.

Finally, I would like to highlight one additional area of concern. There are far too many key leadership positions at VA that remain unfilled. There are still five positions requiring Senate confirmation that are occupied by officials serving in an interim or acting capacity. A permanent, Senate-confirmed leadership team is vital to make the significant and necessary changes to the culture of an organization of the size and scope of VA. The bottom line is VA needs permanent, Senate-confirmed leadership in place in order to meet the significant challenges that continue to face the Department. The Senate needs the names of qualified nominees to fill VA's many vacancies.

As the ranking member of the Senate Committee on Veterans' Affairs, I congratulate Mr. Shulkin and Ms. Council, and thank them for their willingness to serve the veterans of this great Nation.

#### 40TH ANNIVERSARY OF INDEPENDENCE IN CABO VERDE

Mr. REED. Mr. President, the 40th anniversary of Cabo Verde's independence, on July 5th, comes just one day after our country's own Independence Day. As we near Cabo Verde's 40th anniversary, this small country of 500,000 merits our recognition for its longstanding ties to the United States and for serving as a beacon for democracy in Africa.

While the existence of Cabo Verde's islands was first acknowledged by the Romans, it was not until 1456 that the uninhabited islands were rediscovered and settled by Portuguese explorers. Over the next several hundred years, as a colony of the Portuguese Empire, Cabo Verde was a lucrative trading post between Europe, Africa, and the Americas. Towards the end of the 18th century, many Cabo Verdeans came to New England, particularly Rhode Island and Massachusetts, where some found success working in the whaling industry. This immigration strengthened the ties between the United States and Cabo Verde and, in 1818, Cabo Verde became the site of the first U.S. consulate in sub-Saharan Africa. As a result of the 1974 Carnation Revolution in Portugal, and after centuries of colonial rule, Cabo Verde was able to formally gain independence on July 5, 1975, and soon established diplomatic ties with the United States.

Since that time, Cabo Verde has worked for a democratic government. It has made great strides in this regard and, today, Cabo Verde is a leader in good governance, receiving top marks from the Freedom House for political rights and civil liberties. Cabo Verde has also made significant economic and social progress in the past several years. Additionally, given Cabo Verde's strong ties to the United States and our shared commitment to democracy

and economic freedom, Cabo Verde was awarded and successfully undertook a Millennium Challenge Corporation, MCC, compact for private sector, agricultural, and transportation reforms, and is currently implementing a second MCC compact in the areas of water, sanitation, and land management. Moving forward, Cabo Verde can build on these successes to continue to grow its economy as well as strengthen ties to the United States and other allies.

Rhode Island is fortunate to have one of the two largest Cabo Verdean-American populations in the country, and continues to be enriched by the heritage and contributions of Cabo Verde. I am very pleased that earlier this month, T.F. Green Airport in Rhode Island began welcoming direct flights from Cabo Verde, which will lead to greater exchange and new opportunities between Rhode Island and Cabo Verde.

As we near July 5th, I send my best wishes to all those of Cabo Verdean descent in Rhode Island and throughout the country on the 40th anniversary of Cabo Verde's independence.

#### COMBATTING ANTI-SEMITISM, RACISM AND INTOLERANCE

Mr. CARDIN. Mr. President, as our Nation continues to mourn the tragic loss of life at the Mother Emmanuel AME Church in Charleston, I wish to discuss international efforts that can assist in addressing the prejudice and discrimination that fuels violence and acts of extremism in our country and abroad.

Following the horrific attacks in Paris and Copenhagen earlier this year, the president of the OSCE Parliamentary Assembly, Ilkka Kanerva, appointed me to serve as the assembly's first special representative on anti-Semitism, racism, and intolerance. As a Member of Congress, the U.S. Helsinki Commission, and the OSCE Parliamentary Assembly, I have long fought to counter prejudice and discrimination and to advance more effective measures against hate crimes. I was therefore extremely honored that President Kanerva entrusted me with this responsibility.

Given the breadth of my mandate, I am focusing my work this year on three areas: first, the urgent issue of anti-Semitism and community security; second, discrimination against Muslims and anti-Muslim backlash; finally, in light of events in our own country and the salience of these struggles for minorities in Europe, discriminatory policing.

As my first initiative, I visited the sites of the Paris and Copenhagen tragedies in April, where I met with people directly affected by the violence as well as government officials and civil society representatives. In my consultations with Jewish, Muslim, Afri-

can-descent, and other community leaders, we discussed Jewish community security and civil society coalition efforts to combat all forms of prejudice and discrimination. The horrific attacks in those two capitals—simultaneously targeting Jewish communities and expressions of free speech—underscored the urgent need to address security threats to Jewish individuals and communities. The pervasiveness of anti-Semitism is one of the main reasons I last year called on the OSCE to hold a High Level Conference to mark the 10th anniversary of the seminal OSCE Berlin Conference on Anti-Semitism and adopt a ministerial decision calling on all 57 participating states of the OSCE to implement commitments to combat anti-Semitism. In this vein, I recently led efforts to provide funding for U.S. and European civil society to work with youth to combat anti-Semitism and other forms of intolerance.

Of course, we must be vigilant to ensure that such efforts do not degenerate into anti-Muslim backlash. Measures that are framed in ways that fuel anti-Muslim prejudice will ultimately be counterproductive. Moreover, we need diverse coalitions working together to address the threats we face today. This month, fringe extremist parties from seven different countries formed a block in the EU Parliament. They are now eligible to receive EU money to disseminate toxic views that combine anti-Semitism with anti-Muslim bigotry.

I have also introduced legislation to end racial profiling in the United States. The End Racial Profiling Act, S. 1056, prohibits racial profiling by law enforcement, mandates law enforcement bias training, requires data collection on all police stops, and creates procedures for receiving, investigating, and resolving profiling complaints. Tragic events in Baltimore and New York, North Charleston and Ferguson, and elsewhere around the country have shown us that Federal legislation finally ending racial profiling is essential.

It is also essential that we restore confidence between communities and the police, and the criminal justice system at large. To that end, I have also introduced the "Baltimore Act," S. 1610 named after my home city, to provide strategies and resources to strengthen police-community relations and restore justice.

Discriminatory policing is undoubtedly a challenge that many governments face. In some European countries, minorities are 10 times more likely to be stopped by the police than members of the majority. In France—the country with some of Europe's largest Muslim and Black populations—police officers were recently acquitted in connection with the death of two teenagers. That incident 10 years ago sparked riots across France;

the acquittal this year has prompted protests and comparisons with Ferguson. In Germany, a human rights group is petitioning the government to end profiling after a Black student was arrested solely because his skin color led them to presume he was in the country illegally. In Slovakia, 10 police officers were acquitted in February of forcing Romani boys to strip and fight each other, even though this notorious incident was captured on cell phone video. As we know from our own experience, racial bigotry, if unaddressed, only metastasizes.

The United States and our European partners have a lot to learn from one another. We have learned—and continue to learn—from the civil rights struggle and, as a country founded and built by people seeking freedom and opportunity, about immigration and integration. Many European countries are working hard to address discrimination and advance civil rights through the creation of national human rights institutions and targeted strategies. Additionally, there are many lessons learned from hate-based violence reduction and gun laws.

The United States and Europe have worked on both sides of the Atlantic to address issues of prejudice and discrimination and foster diversity, but on a largely ad hoc basis. I recently introduced provisions in the Senate for a Joint Action Plan between the United States and European Union to formalize and coordinate such consultations and ensure that the necessary experts and stakeholders from the public and private sectors are involved. It would also improve transparency and access to information generated by these exchanges. I have also urged the OSCE chair-in-office to convene a high-level conference on racism and xenophobia to elevate understanding of these issues and advance additional concrete steps by the OSCE participating states. The recent events in Charleston, Paris, and Copenhagen underscore the urgent need for shared efforts to combat hate and foster inclusion on both sides of the Atlantic.

In 1991, just days after the failed Moscow coup, the United States met in Russia with other OSCE participating states. Our countries agreed that “issues relating to human rights, fundamental freedoms, democracy and the rule of law are of international concern, as respect for these rights and freedoms constitutes one of the foundations of the international order.” Such matters are “of direct and legitimate concern to all participating States and do not belong exclusively to the internal affairs of the state concerned.” That is as true today as it was 20 some years ago. It is in that spirit that I will continue to work with other parliamentarians to combat anti-Semitism, racism, and other forms of intolerance—in the United States and elsewhere in the OSCE region.

#### REMEMBERING MARGUERITE MCKAY

Mr. REED. Mr. President, today I pay tribute to a great Rhode Islander, Marguerite K. McKay, who passed away last month at the age of 96.

Marguerite Katherine McCrudden was born in Providence on September 15, 1918, and grew up in the Smith Hill neighborhood of the city. One of six children, she attended St. Patrick's High School in Providence and graduated from Bryant College in 1938.

Marguerite spent much of her professional life dedicated to the city of Providence. She began her career in the Building Inspector's Office, and later moved to the Providence School Department, where she worked until she retired.

Marguerite married Franklin Richard McKay in 1950, and together they had one child, Bernard. Franklin served as a city councilman and city solicitor in Attleboro, MA, and both he and Marguerite were active in the Attleboro community and their church parish, St. John the Evangelist.

After Franklin's passing in 1968, Marguerite spent her time living in Barrington, RI, and on Prudence Island in Narragansett Bay. She enjoyed cooking, gardening, swimming, and following politics. In her retirement, she traveled extensively and remained active in her church, St. Luke's in Barrington. In 2005, she moved to Reston, VA to be closer to her family.

Marguerite passed away in Reston in May. Her funeral was held on June 20 at her childhood church, St. Patrick's, in the Smith Hill neighborhood of Providence. She was predeceased by her beloved grandson Brendan, who passed away last year.

I would like to offer my heartfelt condolences to Marguerite's son Bernard and his wife Mary; her grandchildren Patrick, Conor, and Rosemary; her three great-grandchildren; and her two surviving siblings, Cornelius Bernard McCrudden and Mary McCrudden Broome. Marguerite led a life of service to her community, and our State is better for it. I know her example of good will and selflessness will continue to sustain and inspire her family.

#### ALZHEIMER'S & BRAIN AWARENESS MONTH

Mr. KAINE. Mr. President. I wish to commemorate Alzheimer's & Brain Awareness month. The impact of Alzheimer's is felt in families and communities across Virginia and the Nation, and this month provides an opportunity to stand with those suffering from Alzheimer's and other brain diseases to raise awareness. I am also proud to cosponsor S. 857, the Health Outcomes, Planning, and Education, HOPE, for Alzheimer's Act today.

The challenges Alzheimer's poses for families are real. Financially and emo-

tionally, Alzheimer's disease has a devastating impact as patients need to navigate medical information, access community services and prepare for living with this disease. In Virginia there are over 130,000 people living with Alzheimer's and that number is expected to grow to as many as 190,000 by 2025. Alzheimer's does not only impact the individual patient, but also changes the lives of family caregivers. In 2014, an estimated 452,000 family caregivers provided 514 million hours of care for individuals with Alzheimer's disease and dementia in Virginia.

The cost is also significant for the Federal Government. Nearly one in every five Medicare dollars is spent on someone with Alzheimer's or dementia, and by 2050, it will be nearly \$1 of every \$3. In the years between 2015 and 2050, caring for people with Alzheimer's will cost our country \$20.8 trillion. Research funding is critical, and action is needed to provide to support for newly diagnosed patients and families.

The HOPE for Alzheimer's Act would ensure patients and their families have access to a care planning session with their doctor to help them understand the diagnosis, treatment options, and what medical and community services are available. Studies have shown that providing patients and families with a full range of information and support results in better outcomes for those living with Alzheimer's, including higher quality of care, increased use of needed community services, reduced patient behavioral and psychiatric symptoms, and reduced caregiver stress and depression. According to the Alzheimer's Association, only 45 percent of people with Alzheimer's disease or their caregivers report being told of their diagnosis.

This legislation provides for Medicare coverage for comprehensive Alzheimer's disease care planning services. While Medicare covers Alzheimer's disease diagnostic services, it currently does not provide coverage for comprehensive care planning following a diagnosis. These critical services will allow patients and families to understand the diagnosis, receive information about medical and non-medical options for ongoing treatment, services and supports and how to access care.

As a member of the Committee on Aging, I am committed to working with my colleagues to raise awareness about this devastating disease, and thank the Alzheimer's Association and other advocates for their strong voices during June and throughout the year.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO WALLACE “WALLY” RENEY

• Ms. AYOTTE. Mr. President, today I wish to honor one of New Hampshire's

most respected, accomplished, and beloved citizens, Wallace "Wally" Reney, as he enters into retirement. I am proud to recognize his illustrious professional career and continued service to many communities across the Granite State and our country.

Originally from Bellows Falls, VT, Wally has been a resident of Surry, NH for the past five decades. During his 50-year career as a community banker, Wally has helped thousands of Granite Staters become homeowners, serviced their financial needs, and helped strengthen and develop the Monadnock Region. Before becoming a business leader in the community, Wally spent 8 years in the U.S. Marine Corps. Serving overseas in Japan for 2 of those years as a court stenographer, he took the time to learn the language, culture, and customs—demonstrating an appreciation for serving people and a knack for communication that would lend itself to Wally's own work and character years later.

Wally tells everyone he meets that he has what money cannot buy. He is revered as one of the most generous and selfless individuals who has devoted his life to giving back, not just to the community, but to others who gave him the opportunity to be successful in life. Wally lent his time and energy to over 50 nonprofits and has been a member of the Lions Club for over 40 years. He sent dozens of children to summer camp, often paying for their experience himself. Since 1969, Wally has helped expand the local Toys for Tots program, where he has donated gifts and toys to ensure a joyful holiday season for all children.

Wally Reney embodies the true spirit of the American dream, and, in turn, has encouraged countless others to achieve their own dreams. Wally has improved the quality of life in the Granite State and epitomizes the great New Hampshire tradition of being a good neighbor. I am extraordinarily proud to recognize and celebrate Wally. I wish him the best for a happy and healthy retirement.●

#### TRIBUTE TO RALPH SHOWER

● Mr. BLUNT. Mr. President, I wish to honor Ralph Shower of St. Louis, MO, on his upcoming 100th birthday on July 6, 2015. As a dedicated family man, heroic World War II veteran, and successful business professional, he has made his family, community, and the entire State of Missouri proud to call him one of our own.

Born and raised in St. Louis, Mr. Shower attended Soldan High School, where he participated in varsity track and field. His dad ran a hotel and restaurant supply business, and in his younger years, he worked with his father at the family business.

As mentioned before, Mr. Shower honorably served in the U.S. Army's

517 Signal Company, 17th Airborne Division, during World War II. While serving, he suffered from serious injuries in a paratrooper glider accident from which he fully recovered, and he has continued to live a full and healthy life. To this day, he has remained actively involved in his community through the local veterans service organizations.

After leaving the Army, Mr. Shower began a career in public relations management, serving various charity organizations, including the Leukemia Guild of Missouri and the City of Hope Hospital in Durate, CA.

Even with his military and professional successes, Shower has always prioritized his family above all else. He and Ethel, his late wife of 70 years, had three children. Michael Shower, his son, held an esteemed position as the executive secretary and counselor to the executive director of UNICEF up until his passing in 1994. Mr. Shower has two beloved daughters, Suzanne Shower and Michelle Proctor, along with two granddaughters and five great-granddaughters.

Forty-seven of Mr. Shower's relatives will be traveling to the St. Louis area to celebrate his long and accomplished life. It sounds like it will be a truly special celebration.

Ralph Shower has touched the lives of so many people over the past century, and his service to his country and community deserves our recognition and appreciation. I congratulate Ralph Shower for his service to his family, community, and this great country. Happy Birthday!●

#### TRIBUTE TO DR. WILLIAM E. "BRIT" KIRWAN

● Mr. CARDIN. Mr. President, as you know, when Senators converse in the cloakroom between votes, we often claim bragging rights—who represents the State with the best crab cake, which State has the best hiking trails, and which baseball team will win the American League East division for example. Everyone likes to chime in and claim his or her State as the best in some regard. But if anyone mentions leaders in higher education, the conversation just stops. Every Senator knows what the senior Senator from Maryland and I are going to say—Dr. William E. "Brit" Kirwan. That ends the competition right there. Today I wish to honor this man who can rightfully be called one of the Nation's most respected leaders in higher education.

After 51 years in the field of education—spending 25 years as a faculty member and administrator at the University of Maryland, College Park, president of both the University of Maryland, College Park and The Ohio State University, and now as the chancellor of the University System of Maryland for the past 12 years—Dr. Kirwan will be retiring on June 30, 2015.

Under Dr. Kirwan's extraordinary leadership, the University System of Maryland has thrived. Our State's universities are among the best in the Nation, with cutting-edge research programs which support the work of private businesses and Federal agencies located nearby, internationally renowned academic programs, and diverse student bodies. Dr. Kirwan also paved the way for innovative solutions to cut the university system's costs while improving quality, expanding educational access for minorities, and initiating other successful strategies, such as the University System of Maryland's "Closing the Achievement Gap" program.

Outside of Maryland, Dr. Kirwan's expertise has been sought by Presidents of both parties and the U.S. Congress to offer his input on national higher education efforts. Even after he announced his retirement, Dr. Kirwan cochaired the Task Force on Federal Regulation of Higher Education, and currently serves as the cochair of the Knight Commission on Intercollegiate Athletics; chair of the College Board's Commission on Access, Admissions, and Success in Education; a member of the Business Higher Education Forum and as chair of the National Research Council Board of Higher Education and the Workforce.

His work is not without recognition by the citizens of our State. Among his many accolades but not an exhaustive list after his numerous years of service, Dr. Kirwan is the recipient of the TIAA-CREF Theodore M. Hesburgh Award for Leadership, the Carnegie Corporation Leadership Award, the 16th recipient of the Maryland House of Delegates Speaker's Medallion in recognition of his contributions to the State of Maryland, the Maryland Senate First Citizen Award in recognition of his ongoing commitment and service to our State, the Lifetime Achievement Award in Education from the Tech Council of Maryland, the Champion of Children Award from the Maryland State Department of Education, the Regional Visionary Award of the Greater Baltimore Committee, and the Public Service Award from the Maryland Chamber of Commerce.

As impressive as Dr. Kirwan's resume may be, it does not define who he is as an individual. Dr. Kirwan is a man of integrity and loyalty who maintains a passion for ensuring access to a quality education for all. He has been visionary in all things academic and believer in the well-being of young men and women. I would also like to thank Dr. Kirwan's family for the support they have given to him throughout his academic career and for allowing him to so greatly share his talents with the people of Maryland.

Dr. Kirwan's efforts have left the University System of Maryland and the



State of Maryland both stronger academically and better prepared to educate students for the challenges of tomorrow. He has made social justice a genuine priority, which has elevated the university system even further. Through his vision and actions to establish the then Center for Academic Innovation at the University of Maryland, College Park, and the legacy of the newly commissioned William E. Kirwan Center for Academic Innovation will advance the priorities of Dr. Kirwan to address barriers to a college education for decades to come.

Today, I ask my colleagues to join me in congratulating Dr. Kirwan on his well-deserved retirement and thanking Dr. Kirwan for his service and commitment to higher education.●

#### NATIONAL ROOFING WEEK

● Mr. KIRK. Mr. President, today I would like to recognize the National Roofing Contractors Association, NRCA, headquartered in Rosemont, IL, and support its efforts to designate the week of July 5-11, 2015 as National Roofing Week.

As the first line of defense against natural elements, such as rain, snow or wind, the roof is one of the most critical features of any home or business. Yet, despite its importance, it is often taken for granted until it falls into disrepair. National Roofing Week is a valuable reminder of the significance that quality roofing has on our communities and honors the thousands of contractors in the roofing industry across the United States.

NRCA's 3,800 members, located across all 50 States, play a significant role in the installation and maintenance of roofing systems. With a vast network of roofing contractors and industry-related members, NRCA handles a majority of new construction and replacement roof systems on commercial and residential structures in America. However, the organization's activities extend beyond its construction duties.

National Roofing Week provides an opportunity to recognize the thousands of NRCA members and their commitment to supporting their local communities. As part of its outreach efforts last year, NRCA members worked together to raise funds and repair the roof for a local nonprofit organization that provides health services and housing options for mistreated and abused children in Chicago. I commend the NRCA and the vital role the organization and its members play in every community and I ask my colleagues to join me in acknowledging their contributions during National Roofing Week.●

#### REMEMBERING TROOPER JAMES A. MOEN AND RECOGNIZING MEGAN PETERS

● Ms. MURKOWSKI. Mr. President, on Thursday, the Alaska State Troopers will pause to recognize the 14th anniversary of the loss of Trooper James A. Moen. Trooper Moen, assigned to fish and wildlife protection duties, was killed in an aircraft accident while on law enforcement patrol near Lake Iliamna, AK. Trooper Moen was piloting the single-engine Piper Cub float plane when it crashed for unknown reasons. His remains were recovered by troopers who hiked in to the scene. Trooper Moen had served with the Alaska State Troopers—fish and wildlife protection for over 18 years and had over 4,000 hours of flight time as both a military and civilian pilot. He was survived by his wife and four children.

One of Trooper Moen's children is Megan Peters, a spokesperson for the Alaska State Troopers. Megan's name is perhaps better known among Alaskans than her father's was. But one thing that Alaskans may not know is that Megan plays a leading role in organizing the Alaska police memorial ceremony each May. While all Alaska's law enforcement officers who gave their lives in the line of duty are recognized in this ceremony, the emphasis is on honoring those who passed in the preceding year.

There is a certain irony to Megan's involvement in all this. During Police Week, Megan devotes her energy to comforting the families of other fallen officers. But who is there to recognize and comfort Megan, herself a survivor of a law enforcement tragedy? That irony was not lost on Mallory Peebles, a reporter from KTUU Television in Anchorage. During the 2013 ceremony, Mallory devoted a segment of Channel 2 News to telling Megan's story—then and now.

So this year, through this message in the CONGRESSIONAL RECORD, it is my intention to honor both father and daughter. The legacy of Trooper James A. Moen very much lives on in the work of his daughter Megan. I didn't know Trooper Moen, but I have to believe that he would be very proud of Megan's work.

My staff and I rely on Megan throughout the year for information on public safety issues in Alaska. She is the go-to person and gets us the answers we need on short deadline. We appreciate her knowledge and diligence, but rarely do we think to take a moment to say thank you.

I ask unanimous consent that Mallory Peebles report on the work of Megan Peters be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Channel 2 News, May 20, 2013]

LOST IN THE LINE OF DUTY: A STATE TROOPER'S STORY 12 YEARS LATER

(By Mallory Peebles and Photojournalist Shawn Wilson)

ANCHORAGE, AK.—When a service member or civilian in uniform makes the ultimate sacrifice, they are officially considered lost in the line of duty. Channel Two is looking back at three Alaskans and their families who have paid the ultimate price. On May 10, The State of Alaska recognized Peace Officers Memorial Day. It's a somber yet iconic event to mark and mourn Alaska's law enforcement officers who have lost their lives in the line of duty. This year the annual event was organized by State Trooper spokeswoman Megan Peters. For Peters it's more than just a work assignment, it's personal. "My dad was a fish cop, fish and wildlife. So he was a brown shirt," Peters said. Peters said growing up she always knew her father did important work with the Alaska Troopers—sometimes even dangerous work—but as a child she didn't focus on the dangers of the job. "He would go out on the boat all the time. He loved flying," Peters said. "People say yeah, it's something that you know could happen but I was a little kid, and my dad was a trooper the whole time, so why would something happen?" When Peters was just 18-years-old something did happen. Her father was flying on a routine sport fishing patrol near Iliamna when his plane crashed. It was May 25, 2001. Megan was studying abroad in Finland when her mother called with the news. "I was just walking down the street, and I'll never forget the first thing she said was 'I'm so sorry Megan,'" Peters said. "I don't remember anything after that phone call. I don't remember packing. I didn't have to change my plane tickets because I was already leaving. I just came home, and it was a different life." It was a life without a father who had meant the world to her. "When he wasn't working he was always taking us out. We had a boat and we had our own plane in high school," Peters said. "My dad loved Alaska and that's why he came up here. He came up with the intent on wanting to be a State Trooper." James Arthur Moen was a productive Alaska State Trooper. For 18 years he served The State of Alaska. A member of the Special Emergency Response Team, SERT and dive unit, Moen assisted in numerous rescues and recovery missions. Today, he is still remembered for his contributions across the state. A trooper boat is named after Moen and still operates out of Petersburg. While serving Alaskans, Moen also served as a strong role model for his daughter. She decided to follow in her father's footsteps and is now working with the State Troopers. Peters joined the Troopers in 2007 where she is tasked with writing a press release each time a plane crashes in Alaska and troopers respond. Just like her father's hat that sits on her desk in the office, each press release serves as a constant and often painful reminder of the high cost of duty. "I might not understand what it is that the troopers are doing every single day and what they're facing but I grew up around it enough to know what their jobs do entail," said Peters, "and to know what it's like to be in that environment." Alaska Peace Officers Memorial Day serves as a stark reminder of the life and death situations law enforcement officers face every day while on duty. The harsh realities that come along with the responsibilities of duty in Alaska can mean it's possible they may not come home. Moen's name was added to this memorial more than a decade ago and joins many

like it. This year 40-year-old State Trooper Tage Toll of Talkeetna had his name added. He died only two months ago when Helo-One crashed while executing the rescue of a stranded snowmachiner. Village Public Safety Officer Thomas Madole also had his name added to the memorial this year. He was shot and killed while responding to a 911 call in Manokotak. All the names added serve as a reminder of the lives sacrificed for a job, country and state they loved. "My dad was a trooper and a pilot and he loved both, and you could see it every day when he came home," Peters said. "He was happy, he loved his life."

Ms. MURKOWSKI. Very touching story. This year, once again, we reflect on the service of Trooper James A. Moen to our State. At the same time we recognize the continuing contributions of his daughter, Megan, without whom we would not know as much about the triumphs, the risks and the sacrifices made by the troopers who keep Alaskans safe.●

#### RECOGNIZING CONVERSATIONS

● Mr. VITTER. Mr. President, small businesses have the unique ability to recognize emerging service gaps in their local economies. Often, these small businesses fill these unique service gaps in targeted, innovative ways. One such entity is this week's Small Business of the Week, Conversations of New Orleans, LA.

In 2010, Megan Hargroder noticed a lack in social media and online engagement consulting for startups, small businesses, and nonprofits in the greater New Orleans area. Eager to fill the niche, Hargroder founded the media consulting company Conversations. Through Conversations, Hargroder's team provides targeted, easy-to-implement strategies for entities to connect with clients and future clients across a variety of online media platforms. Conversations has been an integral component in the online presence of hundreds of local organizations, businesses, and campaigns, such as the Junior League of New Orleans, the League of Women Voters, Tobacco Free Living, and former New Orleans Saints safety Steve Gleason. Additionally, the Conversations team maintains an online journal and steady calendar of speaking engagements in their quest to continually educate and engage folks in social media outreach techniques.

Like many startups, Hargroder initially struggled with transforming her innovative ideas into a profitable, effective business. She turned to the Greater New Orleans Region's Louisiana Small Business Development Center, LSBDC, which helped her navigate the nuances of starting and maintaining a healthy, thriving business. In the years since, Conversations' five-person team of bright and driven innovators in the realm of media consulting has transformed online media engagement in the State—creating eco-

nomic opportunities for scores of businesses in Louisiana and beyond.

Congratulations again to Conversations for being selected as Small Business of the Week. Thank you for your commitment to help local small businesses connect with clients and customers and foster economic growth.●

#### TRIBUTE TO HERBERT COLLINS

● Mr. WARNER. Mr. President, I wish to pay tribute to one of my constituents. Mr. Herbert Collins, a native member of the Caroline County community, has dedicated his life to the protection and preservation of the unique history of the region and of the Commonwealth of Virginia.

Mr. Collins is a historian who served as a curator for the Smithsonian Institution here in Washington, DC. During his time at the museum, he was the executive director of the National Museum of American History. He also helped found the National Postal Museum, established a security system for the National Philatelic Museum, and was integral to the establishment of the National Museum of the American Indian.

Mr. Collins has committed his life to serving the United States, both as a member of the U.S. Army in his youth and in his service as a historian. This is exemplified in the transformation of his historic home into a personal museum, furnished with dozens of historic artifacts and antiques open to the public. Mr. Collins has also developed relationships with Presidents dating back to President Harry Truman. He contributed his military uniform, complete with his laundry mark, for the funeral service of President Dwight Eisenhower, who had requested to be buried in full military dress, and toured the country raising funds for a museum honoring President John F. Kennedy after the President was assassinated. Mr. Collins has undoubtedly left his mark on the Commonwealth, and I am honored to celebrate his achievements. I know that many throughout Virginia will join me in congratulating him on his service to the Nation and this great State.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

#### MESSAGES FROM THE HOUSE

At 1:33 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to the amendment of the Senate to the bill (H.R. 615) to amend the Homeland Security Act of 2002 to require the Under Secretary for Management of the Department of Homeland Security to take administrative action to achieve and maintain interoperable communications capabilities among the components of the Department of Homeland Security, and for other purposes.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 805. An act to provide for certain requirements relating to the Internet Assigned Numbers Authority stewardship transition.

H.R. 893. An act to require the Secretary of the Treasury to mint coins in commemoration of the centennial of Boys Town, and for other purposes.

H.R. 1190. An act to repeal the provisions of the Patient Protection and Affordable Care Act providing for the Independent Payment Advisory Board.

H.R. 1626. An act to reduce duplication of information technology at the Department of Homeland Security, and for other purposes.

H.R. 1633. An act to provide for certain improvements relating to the tracking and reporting of employees of the Department of Homeland Security placed on administrative leave, or any other type of paid non-duty status without charge to leave, for personnel matters, and for other purposes.

H.R. 1637. An act to require annual reports on the activities and accomplishments of federally funded research and development centers within the Department of Homeland Security, and for other purposes.

H.R. 1640. An act to direct the Secretary of Homeland Security to submit to Congress a report on the Department of Homeland Security headquarters consolidation project in the National Capital Region, and for other purposes.

H.R. 1646. An act to require the Secretary of Homeland Security to research how certain commercially available small and medium sized unmanned aircraft systems could be used in an attack, how to prevent or mitigate the risk of such an attack, and for other purposes.

H.R. 1698. An act to amend design and content requirements for certain gold and silver coins, and for other purposes.

H.R. 2390. An act to require a review of university-based centers for homeland security, and for other purposes.

H.R. 2576. An act to modernize the Toxic Substances Control Act, and for other purposes.

H.R. 2620. An act to amend the United States Cotton Futures Act to exclude certain cotton futures contracts from coverage under such Act.

#### ENROLLED BILLS SIGNED

At 5:45 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 615. An act to amend the Homeland Security Act of 2002 to require the Under

Secretary for Management of the Department of Homeland Security to take administrative action to achieve and maintain interoperable communications capabilities among the components of the Department of Homeland Security, and for other purposes.

H.R. 2146. An act to amend the Internal Revenue Code of 1986 to allow Federal law enforcement officers, firefighters, and air traffic controllers to make penalty-free withdrawals from governmental plans after age 50, and for other purposes.

The enrolled bills were subsequently signed by the President pro tempore (Mr. HATCH).

### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1190. An act to repeal the provisions of the Patient Protection and Affordable Care Act providing for the Independent Payment Advisory Board; to the Committee on Finance.

H.R. 1626. An act to reduce duplication of information technology at the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1633. An act to provide for certain improvements relating to the tracking and reporting of employees of the Department of Homeland Security placed on administrative leave, or any other type of paid non-duty status without charge to leave, for personnel matters, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1637. An act to require annual reports on the activities and accomplishments of federally funded research and development centers within the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1640. An act to direct the Secretary of Homeland Security to submit to Congress a report on the Department of Homeland Security headquarters consolidation project in the National Capital Region, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1646. An act to require the Secretary of Homeland Security to research how certain commercially available small and medium sized unmanned aircraft systems could be used in an attack, how to prevent or mitigate the risk of such an attack, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1698. An act to amend design and content requirements for certain gold and silver coins, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2390. An act to require a review of university-based centers for homeland security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2028. A communication from the Director of the Regulatory Management Division,

Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Thiram; Pesticide Tolerance" (FRL No. 9928-82) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2029. A communication from the Administrator, Rural Business-Cooperative Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Biorefinery, Renewable Chemical, and Biobased Product Manufacturing Assistance Program" (RIN0570-AA73) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2030. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of three (3) officers authorized to wear the insignia of the grade of rear admiral or rear admiral (lower half), as indicated, in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-2031. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General John M. Bednarek, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-2032. A communication from the Under Secretary of Defense (Acquisition, Technology, and Logistics), transmitting, pursuant to law, a report of a delay in submission of a report relative to the inventory of contracts for services for fiscal year 2014; to the Committee on Armed Services.

EC-2033. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General William T. Grisoli, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-2034. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Ronnie D. Hawkins, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-2035. A communication from the Deputy Secretary, Office of the General Counsel, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Commission Guidance Regarding the Definition of the Terms 'Spouse' and 'Marriage' Following the Supreme Court's Decision in *United States v. Windsor*" (17 CFR Parts 231, 241, 271, and 276) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-2036. A communication from the Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Amendments to the 2013 Integrated Mortgage Disclosures Rule Under the Real Estate Settlement Procedures Act (Regulation X) and the Truth In Lending Act (Regulation Z) and the 2013 Loan Originator Rule Under the Truth in Lending Act (Regulation Z)" (RIN3170-AA48) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-2037. A communication from the President of the United States, transmitting, pur-

suant to law, a report on the continuation of the national emergency that was originally declared in Executive Order 13466 of June 26, 2008, with respect to North Korea; to the Committee on Banking, Housing, and Urban Affairs.

EC-2038. A communication from the President of the United States, transmitting, pursuant to law, a report on the continuation of the national emergency that was originally declared in Executive Order 13219 of June 26, 2001, with respect to the Western Balkans; to the Committee on Banking, Housing, and Urban Affairs.

EC-2039. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of items not detrimental to the U.S. space launch industry; to the Committee on Banking, Housing, and Urban Affairs.

EC-2040. A communication from the Secretary of the Interior, transmitting, pursuant to law, a report relative to the acceptance of gifted land in Tulare County, California; to the Committee on Energy and Natural Resources.

EC-2041. A communication from the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Technical Edits" (RIN1024-AE25) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Energy and Natural Resources.

EC-2042. A communication from the Acting Commissioner of the Social Security Administration, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from October 1, 2014 through March 31, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-2043. A communication from the Inspector General, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Report on External Quality Control Review"; to the Committee on Homeland Security and Governmental Affairs.

EC-2044. A communication from the Secretary of Housing and Urban Development, transmitting, pursuant to law, the Department of Housing and Urban Development Semiannual Report of the Inspector General for the period from October 1, 2014, through March 31, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-2045. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Child Care and Development Fund Report to Congress for Fiscal Years 2012 through 2013"; to the Committee on Finance.

EC-2046. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Partnership Transactions: Equity Interests of a Partner" (RIN1545-BM35) (TD 9722) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Finance.

EC-2047. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Suspension of Benefits Under the Multiemployer Pension Reform Act of 2014" (RIN1545-BM73) (TD 9723) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Finance.

EC-2048. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates - July 2015" (Rev. Rul. 2015-15) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Finance.

EC-2049. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Probability of a Deceased Spousal Unused Exclusion Amount" ((RIN1545-BK74) (TD 9725)) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Finance.

EC-2050. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Credit for Carbon Dioxide Sequestration 2015 Section 45Q Inflation Adjustment Factor" (Notice 2015-44) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Finance.

EC-2051. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Rulings and Determination Letters" (Rev. Proc. 2015-37) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Finance.

EC-2052. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Child Welfare Outcomes 2010-2013: Report to Congress"; to the Committee on Finance.

EC-2053. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14-050); to the Committee on Foreign Relations.

EC-2054. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2015-0067—2015-0072); to the Committee on Foreign Relations.

EC-2055. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Food Additives Permitted for Direct Addition to Food for Human Consumption; TBHQ" (Docket No. FDA-2014-F-0364) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC-2056. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Food Additives Permitted in Feed and Drinking Water of Animals; Gamma-Linolenic Acid Safflower Meal" (Docket No. FDA-2010-F-0537) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC-2057. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting,

pursuant to law, a report entitled "Report to Congress on the Ryan White HIV/AIDS Program Parts A and B Supplemental Funds for Fiscal Years 2011 through 2014"; to the Committee on Health, Education, Labor, and Pensions.

EC-2058. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "2012-2013 Report to Congress on Organ Donation and the Recovery, Preservation, and Transportation of Organs"; to the Committee on Health, Education, Labor, and Pensions.

EC-2059. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, the Performance Report for fiscal year 2014 for the Generic Drug User Fee Amendments; to the Committee on Health, Education, Labor, and Pensions.

EC-2060. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, a report relative to compliance by the United States courts of appeals and district courts with the time limitations established for deciding habeas corpus death penalty petitions; to the Committee on the Judiciary.

EC-2061. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emissions Standards for Hazardous Air Pollutants: Ferroalloys Production" ((RIN2060-AQ11) (FRL No. 9928-66-OAR)) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Environment and Public Works.

EC-2062. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Adoption of Control Technique Guidelines for Offset Lithographic Printing and Letterpress Printing; Flexible Package Printing; and Adhesives, Sealants, Primers, and Solvents" (FRL No. 9929-39-Region 3) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Environment and Public Works.

EC-2063. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; State of New Mexico; Infrastructure Requirements for the 2008 Ozone and 2010 Nitrogen Dioxide National Ambient Air Quality Standards and Interstate Transport of Fine Particulate Matter Air Pollution Affecting Visibility" (FRL No. 9929-38-Region 6) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Environment and Public Works.

EC-2064. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Connecticut; Ambient Air Quality Standards" (FRL No. 9925-88-Region 1) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Environment and Public Works.

EC-2065. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air

Quality Implementation Plans; Pennsylvania; Revision to Allegheny County Regulations for Establishing Permit Fees" (FRL No. 9929-40-Region 3) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Environment and Public Works.

EC-2066. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Ohio; Ohio PM<sub>2.5</sub> NSR" (FRL No. 9928-57-Region 5) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Environment and Public Works.

EC-2067. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; North Dakota; Alternative Monitoring Plan for Milton R. Young Station" (FRL No. 9928-81-Region 8) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Environment and Public Works.

EC-2068. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Permits for Construction and Major Modification of Major Stationary Sources for the Prevention of Significant Deterioration" (FRL No. 9929-34-Region 3) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Environment and Public Works.

EC-2069. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "IFR Altitudes; Miscellaneous Amendments" (RIN2120-AA63) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2070. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D Airspace; Jupiter, FL" ((RIN2120-AA66) (Docket No. FAA-2015-0794)) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2071. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Class E Airspace; Lexington, TN" ((RIN2120-AA66) (Docket No. FAA-2014-0969)) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2072. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of VOR Federal Airways; Northeastern United States" ((RIN2120-AA66) (Docket No. FAA-2015-1650)) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2073. A communication from the Management and Program Analyst, Federal

Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Class E Airspace; Forrest City, AR" (RIN2120-AA66) (Docket No. FAA-2014-0879) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2074. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Eufaula, AL" (RIN2120-AA66) (Docket No. FAA-2014-0970) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2075. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Clark, SD" (RIN2120-AA66) (Docket No. FAA-2014-0724) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2076. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Restricted Areas R-4501A, R-4501B, R-4501C, R-4501D, R-4501F, and R-4501H; Fort Leonard Wood, MO" (RIN2120-AA66) (Docket No. FAA-2014-0640) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2077. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and Class E Airspace; Clarksburg, WV" (RIN2120-AA66) (Docket No. FAA-2014-1003) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2078. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (23); Amdt. No. 3641" (RIN2120-AA65) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2079. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (47); Amdt. No. 3643" (RIN2120-AA65) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2080. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (110); Amdt. No. 3644" (RIN2120-AA65) received in

the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2081. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (169); Amdt. No. 3646" (RIN2120-AA65) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2082. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (3645)" (RIN2120-AA65) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2083. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (254); Amdt. No. 3642" (RIN2120-AA65) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2084. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Exclusion of Tethered Launches From Licensing Requirements" (RIN2120-AJ90) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2085. A communication from the Director, Bureau of Economic Analysis, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "International Services Surveys: BE-180, Benchmark Survey of Financial Services Transactions Between U.S. Financial Services Providers and Foreign Persons" (RIN0691-AA84) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2086. A communication from the Regulatory Ombudsman, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Lease and Interchange of Vehicles; Motor Carriers of Passengers" (RIN2126-AB44) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2087. A communication from the Regulations Officer, Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Procurement, Management, and Administration of Engineering and Design Related Services" (RIN2125-AF44) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2088. A communication from the Division Chief of Regulatory Development, Federal Motor Carrier Safety Administration,

Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Medical Examiner's Certification Integration" (RIN2126-AB40) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2089. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "International Fisheries; Western and Central Pacific Fisheries for Highly Migratory Species; Closure of Purse Seine Fishery in the ELAPS in 2015" (RIN0648-XD972) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2090. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; 2015-2016 Biennial Specifications and Management Measures; Inseason Adjustments" (RIN0648-BF08) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2091. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery Off the Southern Atlantic States; Amendment 29" (RIN0648-BE55) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2092. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; the Highly Migratory Species Fishery; Closure" (RIN0648-XD945) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2093. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Pacific Island Fisheries; 2014-15 Annual Catch Limits and Accountability Measures; Main Hawaiian Islands Deep 7 Bottomfish" (RIN0648-XD082) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2094. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Blueline Tilefish Fishery; Secretarial Emergency Action" (RIN0648-BE97) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2095. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "International Fisheries; Western and Central Pacific Fisheries for Highly Migratory Species; Fishing Effort Limits in Purse

Seine Fisheries for 2015" (RIN0648-BF03) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2096. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2014-0584)) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2097. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Helicopters (Type Certificate Previously Held by Eurocopter France)" ((RIN2120-AA64) (Docket No. FAA-2014-0464)) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2098. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Helicopters (Type Certificate Previously Held by Eurocopter France)" ((RIN2120-AA64) (Docket No. FAA-2015-1570)) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2099. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Helicopters (Type Certificate Previously Held by Eurocopter France)" ((RIN2120-AA64) (Docket No. FAA-2014-0646)) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2100. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; ATR—GIE Avions de Transport Regional Airplanes" ((RIN2120-AA64) (Docket No. FAA-2014-0568)) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2101. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Agusta S.p.A. (Agusta) Helicopters" ((RIN2120-AA64) (Docket No. FAA-2015-1937)) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2102. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Agusta S.p.A. (Agusta) Helicopters" ((RIN2120-AA64) (Docket No. FAA-2015-1936)) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2103. A communication from the Management and Program Analyst, Federal

Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bell Helicopter Textron Canada Limited" ((RIN2120-AA64) (Docket No. FAA-2013-0489)) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2104. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2014-0756)) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2105. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2014-0575)) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2106. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2014-0342)) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2107. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2014-0754)) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2108. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Lockheed Martin Corporation/Lockheed Martin Aeronautics Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2014-0227)) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2109. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Sikorsky Aircraft Corporation (Sikorsky) Model Helicopters" ((RIN2120-AA64) (Docket No. FAA-2014-0493)) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2110. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Sikorsky Aircraft Corporation (Type Certificate Previously Held by Schweizer Aircraft Corporation) Helicopters" ((RIN2120-AA64) (Docket No. FAA-

2014-1020)) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2111. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Turbomeca S.A. Turboshift Engines" ((RIN2120-AA64) (Docket No. FAA-2013-1003)) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2112. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Lycoming Engines Reciprocating Engines (Type Certificate Previously Held by Textron Lycoming Division, AVCO Corporation)" ((RIN2120-AA64) (Docket No. FAA-2014-0940)) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2113. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Slingsby Aviation Limited Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-1737)) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2114. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; International Aero Turbofan Engines" ((RIN2120-AA64) (Docket No. FAA-2014-0386)) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2115. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Zodiac Seats France (formerly Sisma Aero Seat) Passenger Seat Assemblies" ((RIN2120-AA64) (Docket No. FAA-2015-1282)) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 282. A bill to provide taxpayers with an annual report disclosing the cost and performance of Government programs and areas of duplication among them, and for other purposes (Rept. No. 114-71).

By Mr. COCHRAN, from the Committee on Appropriations:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals from the Concurrent Resolution for Fiscal Year 2016" (Rept. No. 114-72).

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:



H.R. 728. An act to designate the facility of the United States Postal Service located at 7050 Highway BB in Cedar Hill, Missouri, as the "Sergeant First Class William B. Woods, Jr. Post Office".

H.R. 891. An act to designate the facility of the United States Postal Service located at 141 Paloma Drive in Floresville, Texas, as the "Floresville Veterans Post Office Building".

H.R. 1326. An act to designate the facility of the United States Postal Service located at 2000 Mulford Road in Mulberry, Florida, as the "Sergeant First Class Daniel M. Ferguson Post Office".

H.R. 1350. An act to designate the facility of the United States Postal Service located at 442 East 167th Street in Bronx, New York, as the "Herman Badillo Post Office Building".

### EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. JOHNSON for the Committee on Homeland Security and Governmental Affairs.

\*Carol Fortine Ochoa, of Virginia, to be Inspector General, General Services Administration.

\*Steven M. Wellner, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

\*William Ward Nooter, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. PERDUE:

S. 1655. A bill to amend the United States Cotton Futures Act to exclude certain cotton futures contracts from coverage under that Act; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. COONS (for himself, Mr. MORAN, Ms. MURKOWSKI, Ms. STABENOW, Ms. COLLINS, Mr. BENNET, Mr. GARDNER, and Mr. KING):

S. 1656. A bill to amend the Internal Revenue Code of 1986 to extend the publicly traded partnership ownership structure to energy power generation projects and transportation fuels, and for other purposes; to the Committee on Finance.

By Mr. BARRASSO:

S. 1657. A bill to amend the Reclamation Safety of Dams Act of 1978; to the Committee on Energy and Natural Resources.

By Mrs. MCCASKILL (for herself, Mr. BLUNT, Mr. KIRK, and Mr. DURBIN):

S. 1658. A bill to amend the Internal Revenue Code of 1986 to protect employees in the building and construction industry who are participants in multiemployer plans, and for other purposes; to the Committee on Finance.

By Mr. LEAHY (for himself, Mr. DURBIN, Mr. COONS, Mr. REID, Mrs. FEINSTEIN, Mr. SCHUMER, Mr. WHITEHOUSE, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. BLUMENTHAL, Mrs. MURRAY, Ms. STABENOW, Mr. BROWN, Mr. CASEY, Mrs. SHAHEEN, Mr. WARNER, Mr. MERKLEY, Ms. BALDWIN, Mr. Kaine, Ms. WARREN, Mr. BOOKER, Mr. SANDERS, Mrs. GILLIBRAND, and Mr. WYDEN):

S. 1659. A bill to amend the Voting Rights Act of 1965 to revise the criteria for determining which States and political subdivisions are subject to section 4 of the Act, and for other purposes; to the Committee on the Judiciary.

By Mr. ROBERTS (for himself, Mr. ISAKSON, Mr. BLUNT, and Mr. TOOMEY):

S. 1660. A bill to amend the Internal Revenue Code of 1986 to modify and make permanent bonus depreciation; to the Committee on Finance.

By Mr. ISAKSON (for himself and Mr. COONS):

S. 1661. A bill to amend title XXVII of the Public Health Service Act to preserve consumer and employer access to licensed independent insurance producers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KIRK (for himself and Mr. DURBIN):

S. 1662. A bill to include Livingston County, the city of Jonesboro in Union County, and the city of Freeport in Stephenson County, Illinois, to the Lincoln National Heritage Area, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BLUMENTHAL (for himself and Ms. AYOTTE):

S. 1663. A bill to better protect, serve, and advance the rights of victims of elder abuse and financial exploitation by encouraging States and other qualified entities to hold offenders accountable, enhance the capacity of the justice system to investigate, pursue, and prosecute elder abuse cases, identify existing resources to leverage to the extent possible, and assure data collection, research, and evaluation to promote the efficacy and efficiency of the activities described in this Act; to the Committee on the Judiciary.

By Mr. CARPER (for himself, Mr. DURBIN, Mr. BLUMENTHAL, Mrs. MURRAY, Mr. BROWN, Mr. SCHUMER, Mrs. MCCASKILL, Mr. FRANKEN, Ms. STABENOW, Mrs. FEINSTEIN, Mrs. BOXER, Ms. BALDWIN, Mr. SCHATZ, Mr. MURPHY, Mr. MENENDEZ, Mr. REED, Mr. MERKLEY, Mr. MARKEY, Mr. COONS, Mr. PETERS, Ms. WARREN, Ms. HIRONO, Mrs. SHAHEEN, Mr. CARDIN, Mrs. GILLIBRAND, and Mr. WHITEHOUSE):

S. 1664. A bill to count revenues from military and veteran education programs toward the limit on Federal revenues that certain proprietary institutions of higher education are allowed to receive for purposes of section 487 of the Higher Education Act of 1965, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. GILLIBRAND (for herself, Mr. HELLER, and Mrs. FEINSTEIN):

S. 1665. A bill to amend the Elementary and Secondary Education Act of 1965 to authorize local educational agencies and schools to carry out child sexual abuse awareness and prevention programs or activities; to the Committee on Health, Education, Labor, and Pensions.

By Ms. STABENOW (for herself, Mr. ROBERTS, Mr. BROWN, and Mr. BLUNT):

S. 1666. A bill to amend the Internal Revenue Code of 1986 to increase the limitation on the election to accelerate the AMT credit in lieu of bonus depreciation for 2015 and 2016, and for other purposes; to the Committee on Finance.

By Ms. CANTWELL (for herself, Mr. CRAPO, Ms. KLOBUCHAR, and Mrs. MURRAY):

S. 1667. A bill to amend the Internal Revenue Code of 1986 to clarify the special rules for accident and health plans of certain governmental entities, and for other purposes; to the Committee on Finance.

By Mr. GRAHAM (for himself, Mrs. FEINSTEIN, Mr. LEE, Ms. AYOTTE, Mr. RUBIO, Mr. COATS, and Mr. TILLIS):

S. 1668. A bill to restore long-standing United States policy that the Wire Act prohibits all forms of Internet gambling, and for other purposes; to the Committee on the Judiciary.

By Mrs. FISCHER:

S. 1669. A bill to reform the Federal Motor Carrier Safety Administration; to the Committee on Commerce, Science, and Transportation.

By Ms. KLOBUCHAR (for herself and Mr. FRANKEN):

S. 1670. A bill to amend the Torture Victims Relief Act of 1998 to authorize appropriations to provide assistance for domestic and foreign programs and centers for the treatment of victims of torture, and for other purposes; to the Committee on Foreign Relations.

By Mr. BENNET:

S. 1671. A bill to reauthorize the National Forest Foundation Act, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. FISCHER:

S. 1672. A bill to authorize States to enter into interstate compacts regarding Class A commercial driver's licenses; to the Committee on the Judiciary.

By Mr. BLUMENTHAL (for himself and Mr. MARKEY):

S. 1673. A bill to improve passenger vessel security and safety, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. GILLIBRAND (for herself, Mr. SCHUMER, Mr. BLUMENTHAL, and Mr. MURPHY):

S. 1674. A bill to amend and reauthorize certain provisions relating to Long Island Sound restoration and stewardship; to the Committee on Environment and Public Works.

By Mr. BLUMENTHAL (for himself, Mr. SCHUMER, Mr. MURPHY, and Mrs. GILLIBRAND):

S. 1675. A bill to amend certain appropriations Acts to repeal the requirement directing the Administrator of General Services to sell Federal property and assets that support the operations of the Plum Island Animal Disease Center in Plum Island, New York, to provide for a report on the potential transfer of Plum Island, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. TESTER (for himself and Mrs. MCCASKILL):

S. 1676. A bill to increase the number of graduate medical education positions treating veterans, to improve the compensation of health care providers, medical directors, and directors of Veterans Integrated Service Networks of the Department of Veterans Affairs,



and for other purposes; to the Committee on Veterans' Affairs.

# SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CARDIN:

S. Res. 211. A resolution expressing the sense of the Senate regarding Srebrenica; to the Committee on Foreign Relations.

By Mr. SCOTT (for himself, Mr. GRAHAM, Mr. ALEXANDER, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mrs. CAPITO, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CASSIDY, Mr. COATS, Mr. COCHRAN, Ms. COLLINS, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. COTTON, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. ERNST, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. FRANKEN, Mr. GARDNER, Mrs. GILLIBRAND, Mr. GRASSLEY, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHNSON, Mr. KAINE, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LEAHY, Mr. LEE, Mr. MANCHIN, Mr. MARKEY, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MCCONNELL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PERDUE, Mr. PETERS, Mr. PORTMAN, Mr. REED, Mr. REID, Mr. RISCH, Mr. ROBERTS, Mr. ROUNDS, Mr. RUBIO, Mr. SANDERS, Mr. SASSE, Mr. SCHATZ, Mr. SCHUMER, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. STABENOW, Mr. SULLIVAN, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr. TOOMEY, Mr. UDALL, Mr. VITTER, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN):

S. Res. 212. A resolution condemning the attack on Emanuel African Methodist Episcopal Church in Charleston, South Carolina, and expressing encouragement and prayers for all affected by this evil assault; considered and agreed to.

By Mr. ALEXANDER (for himself, Mr. HEINRICH, Mr. CORKER, Mr. MCCONNELL, Mr. PORTMAN, Mr. BROWN, Mr. GRAHAM, Mr. REID, Mr. UDALL, and Ms. MURKOWSKI):

S. Res. 213. A resolution designating October 30, 2015, as a national day of remembrance for nuclear weapons program workers; to the Committee on the Judiciary.

By Mr. MCCONNELL:

S. Con. Res. 19. A concurrent resolution providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 310

At the request of Mr. CASSIDY, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 310, a bill to prohibit the use of Federal funds for the costs of painting portraits of officers and employees of the Federal Government.

S. 311

At the request of Mr. CASEY, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 311, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 312

At the request of Mr. GRASSLEY, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 312, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of pharmacist services.

S. 512

At the request of Mr. HATCH, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 512, a bill to amend title 18, United States Code, to safeguard data stored abroad from improper government access, and for other purposes.

S. 574

At the request of Mr. BOOKER, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 574, a bill to amend the Internal Revenue Code of 1986 to allow employers a credit against income tax for employees who participate in qualified apprenticeship programs.

S. 578

At the request of Mr. SCHUMER, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 578, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 667

At the request of Mr. ENZI, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 667, a bill to ensure that organizations with religious or moral convictions are allowed to continue to provide services for children.

S. 681

At the request of Mrs. GILLIBRAND, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 681, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 711

At the request of Ms. AYOTTE, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 711, a bill to amend section 520J of the Public Service Health Act to authorize grants for mental health first aid training programs.

S. 713

At the request of Mrs. BOXER, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S.

713, a bill to prevent international violence against women, and for other purposes.

S. 743

At the request of Mr. BOOZMAN, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 743, a bill to amend title 38, United States Code, to recognize the service in the reserve components of the Armed Forces of certain persons by honoring them with status as veterans under law, and for other purposes.

S. 746

At the request of Mr. WHITEHOUSE, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 746, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 843

At the request of Mr. BROWN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 843, a bill to amend title XVIII of the Social Security Act to count a period of receipt of outpatient observation services in a hospital toward satisfying the 3-day inpatient hospital requirement for coverage of skilled nursing facility services under Medicare.

S. 861

At the request of Mr. CARPER, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 861, a bill to amend titles XVIII and XIX of the Social Security Act to curb waste, fraud, and abuse in the Medicare and Medicaid programs.

S. 885

At the request of Ms. WARREN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 885, a bill to direct the Architect of the Capitol to place in the United States Capitol a chair honoring American Prisoners of War/Missing in Action.

S. 891

At the request of Mr. BROWN, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 891, a bill to amend the Tariff Act of 1930 to facilitate the administration and enforcement of antidumping and countervailing duty orders, and for other purposes.

S. 928

At the request of Mrs. GILLIBRAND, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 928, a bill to reauthorize the World Trade Center Health Program and the September 11th Victim Compensation Fund of 2001, and for other purposes.

S. 991

At the request of Mrs. MURRAY, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 991, a bill to establish the Commission on Evidence-Based Policymaking, and for other purposes.

S. 1040

At the request of Mr. HELLER, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 1040, a bill to direct the Consumer Product Safety Commission and the National Academy of Sciences to study the vehicle handling requirements proposed by the Commission for recreational off-highway vehicles and to prohibit the adoption of any such requirements until the completion of the study, and for other purposes.

S. 1081

At the request of Mr. BOOKER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1081, a bill to end the use of body-gripping traps in the National Wildlife Refuge System.

S. 1119

At the request of Mr. PETERS, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1119, a bill to establish the National Criminal Justice Commission.

S. 1170

At the request of Mrs. FEINSTEIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1170, a bill to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research, and for other purposes.

S. 1203

At the request of Mr. HELLER, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1203, a bill to amend title 38, United States Code, to improve the processing by the Department of Veterans Affairs of claims for benefits under laws administered by the Secretary of Veterans Affairs, and for other purposes.

S. 1300

At the request of Mrs. FEINSTEIN, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 1300, a bill to amend the section 221 of the Immigration and Nationality Act to provide relief for adoptive families from immigrant visa fees in certain situations.

S. 1324

At the request of Mr. INHOFE, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 1324, a bill to require the Administrator of the Environmental Protection Agency to fulfill certain requirements before regulating standards of performance for new, modified, and reconstructed fossil fuel-fired electric utility generating units, and for other purposes.

S. 1387

At the request of Mr. BROWN, the names of the Senator from Hawaii (Mr. SCHATZ) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 1387, a bill to amend title XVI

of the Social Security Act to update eligibility for the supplemental security income program, and for other purposes.

S. 1445

At the request of Mrs. FISCHER, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1445, a bill to improve the Microloan Program of the Small Business Administration.

S. 1455

At the request of Mr. MARKEY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1455, a bill to provide access to medication-assisted therapy, and for other purposes.

S. 1458

At the request of Mr. COATS, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 1458, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to ensure scientific transparency in the development of environmental regulations and for other purposes.

S. 1512

At the request of Mr. CASEY, the names of the Senator from Michigan (Ms. STABENOW), the Senator from Maine (Mr. KING) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 1512, a bill to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition.

S. 1524

At the request of Mr. BLUNT, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 1524, a bill to enable concrete masonry products manufacturers to establish, finance, and carry out a coordinated program of research, education, and promotion to improve, maintain, and develop markets for concrete masonry products.

S. 1576

At the request of Mr. LANKFORD, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 1576, a bill to amend title 5, United States Code, to prevent fraud by representative payees.

S. 1578

At the request of Mr. GRASSLEY, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1578, a bill to amend the Internal Revenue Code of 1986 to enhance taxpayer rights, and for other purposes.

S. 1598

At the request of Mr. LEE, the names of the Senator from Alabama (Mr. SHELBY), the Senator from South Dakota (Mr. THUNE) and the Senator from Oklahoma (Mr. LANKFORD) were added

as cosponsors of S. 1598, a bill to prevent discriminatory treatment of any person on the basis of views held with respect to marriage.

S. 1631

At the request of Mr. SANDERS, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1631, a bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to modify certain provisions relating to multiemployer pensions, and for other purposes.

S. 1634

At the request of Ms. KLOBUCHAR, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1634, a bill to amend the Federal antitrust laws to provide expanded coverage and to eliminate exemptions from such laws that are contrary to the public interest with respect to railroads.

S. 1651

At the request of Mr. BROWN, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 1651, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 1652

At the request of Mr. CARDIN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 1652, a bill to designate an existing Federal officer to coordinate efforts to secure the release of United States persons who are hostages of hostile groups or state sponsors of terrorism, and for other purposes.

S. CON. RES. 4

At the request of Mr. BARRASSO, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. Con. Res. 4, a concurrent resolution supporting the Local Radio Freedom Act.

S. RES. 200

At the request of Mrs. FEINSTEIN, the names of the Senator from Florida (Mr. RUBIO), the Senator from Arizona (Mr. MCCAIN) and the Senator from Nevada (Mr. REID) were added as cosponsors of S. Res. 200, a resolution wishing His Holiness the 14th Dalai Lama a happy 80th birthday on July 6, 2015, and recognizing the outstanding contributions His Holiness has made to the promotion of nonviolence, human rights, interfaith dialogue, environmental awareness, and democracy.

S. RES. 204

At the request of Mr. CARDIN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. Res. 204, a resolution recognizing June 20, 2015 as "World Refugee Day".

STATEMENTS ON INTRODUCED  
BILLS AND JOINT RESOLUTIONS

By Mr. LEAHY (for himself, Mr. DURBIN, Mr. COONS, Mr. REID, Mrs. FEINSTEIN, Mr. SCHUMER, Mr. WHITEHOUSE, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. BLUMENTHAL, Mrs. MURRAY, Ms. STABENOW, Mr. BROWN, Mr. CASEY, Mrs. SHAHEEN, Mr. WARNER, Mr. MERKLEY, Ms. BALDWIN, Mr. KAINE, Ms. WARREN, Mr. BOOKER, Mr. SANDERS, Mrs. GILLIBRAND, and Mr. WYDEN):

S. 1659. A bill to amend the Voting Rights Act of 1965 to revise the criteria for determining which States and political subdivisions are subject to section 4 of the Act, and for other purposes; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, this year marks the 50th anniversaries of the March from Selma to Montgomery and the passage of the landmark Voting Rights Act. Passage of the Voting Rights Act was the result of the blood, sweat, and tears of so many brave Americans who marched for justice—and the decades-long work of countless other men and women committed to seeing our country live up to its promise of equality and justice for all. Their actions transformed our Nation. On this 50th anniversary year, we pay special tribute to their legacy, but there is still work to be done. Each generation must contribute to the fight for equality. Each of us must answer the call to move this Nation toward a more perfect union.

In the coming weeks there will be continued celebrations of the passage of the original Voting Rights Act. Unfortunately, two years ago, the Supreme Court voted to dismantle a core piece of that vital legislation. In *Shelby County v. Holder*, five Republican-appointed justices on the Supreme Court drove a stake through the heart of the Voting Rights Act. Under Section 5 of the Act, the Federal government has the authority to examine and prevent racially discriminatory voting changes from being enacted before those changes disenfranchise voters in covered jurisdictions. By striking down the coverage formula that determined which States and jurisdictions were subject to Federal review, the Court effectively gutted Section 5. And in holding that the formula was based on outdated information, the Roberts Court disregarded thousands of pages of testimony and evidence from nearly 20 congressional hearings held when the law was reauthorized in 2006.

Within weeks of the Supreme Court's devastating ruling, Republican governors and State legislatures exploited the *Shelby County* decision. Several States with a documented history of racial discrimination in voting implemented sweeping laws that disproportionately suppressed the voting rights of minorities, the elderly, and young people.

For example, Texas immediately implemented the most restrictive photo identification law in the country. Although, a Federal judge found the law to be an "unconstitutional poll tax" that could disenfranchise up to 600,000 voters and disproportionately impact African Americans and Latinos, the law was allowed to disenfranchise voters this past election.

In North Carolina, the Republican legislature and Republican governor passed a far-reaching bill that restricted its citizens' right to vote. The bill cut early voting down from 17 days to 10 days, eliminated teenagers' ability to preregister before their 18th birthday, and eliminated same day voter registration. It also enacted a strict photo identification requirement, which is currently being challenged in court.

These are just a few of the numerous discriminatory voting restrictions that have been enacted since *Shelby County* was decided. We cannot sit by as the fundamental right to vote is systematically undermined. We must not retreat from our commitment to civil rights and the great accomplishments we celebrate this year. As my friend Congressman JOHN LEWIS has stated, voting "is the most powerful, nonviolent tool we have to create a more perfect union."

Similarly, in 1962, Martin Luther King, Jr., delivered a speech at the Mother Emanuel Church in Charleston—the scene of the horrific tragedy last week—where he noted that voting rights was the key to achieving the American dream for all. Their statements are as true today as they were fifty years ago, and that is why we must do all we can to protect that right for all Americans.

I challenge anyone to claim that racial discrimination no longer exists. Even Chief Justice Roberts acknowledged in the *Shelby County* decision that "voting discrimination still exists; no one doubts that." The Court further said that Congress may respond with legislation based on current conditions. The bill we introduce today, the Voting Rights Advancement Act of 2015, is that response. It reflects the very real, current conditions that Americans face when trying to participate in our democracy.

We have heard from Americans across the country whose voting rights have been diminished and suppressed since the *Shelby County* decision. We have also heard from numerous voting rights experts and civil rights leaders who have called for strong legislation that would fully restore the protections gutted by the Court's decision. The legislation we are introducing today responds to those calls from the grassroots and the community leaders on the ground who are today's foot soldiers for justice. This bill also represents the hard work and commitment

of civil rights organizations like the Leadership Conference on Civil and Human Rights, the NAACP, the NAACP Legal Defense and Educational Fund, the Lawyers' Committee for Civil Rights Under Law, the Brennan Center for Justice, the Mexican American Legal Defense and Educational Fund, the National Association of Latino Elected and Appointed Officials Educational Fund, Asian Americans Advancing Justice, the American Civil Liberties Union, the Native American Rights Fund, the Alaska Federation of Natives, the National Congress of American Indians, LatinoJustice, the Advancement Project, and many others. I thank all of these organizations and the tireless individuals who have helped us shape this legislation.

This bill is a voting rights bill for all Americans. It is a bill for the next generation, and helps protect the legacy of the previous generation who fought so hard five decades ago for these voting rights protections.

Under this bill, all States and local jurisdictions are eligible for Section 5 protections under a new coverage formula, which is based on a finding of repeated voting rights violations in the preceding 25 years. Significantly, the 25-year period "rolls" or continuously moves to keep up with "current conditions," as the Supreme Court stated must be a basis for any new coverage provision. States that have repeated and persistent violations will be covered for a period of 10 years, but if a State establishes a clean record moving forward, it emerges from preclearance coverage. In addition, the existing bailout provision would still be available so that States or local jurisdictions that establish a clean record can also emerge from coverage.

The bill also establishes a nationwide, targeted preclearance process for a limited set of voting changes that have historically been found to discriminate against minority voters. For example, a racially diverse county that seeks to change a single-member district seat into an at-large seat will require preclearance because that kind of change has historically been used to marginalize minority voters. Racial gerrymandering, annexations that dilute minority voting strength, strict photo identification requirements, reduction of multilingual voting materials, and the elimination of polling locations in jurisdictions that are racially, ethnically, or linguistically diverse, will also receive greater scrutiny under this bill.

Our bill would also improve the Voting Rights Act to allow Federal courts to bail-in specific jurisdictions where the effect of a particular voting change is to deny citizens their right to vote. Under this provision, a Federal court could subject to preclearance any State or local jurisdiction that the court determines violated the Voting Rights

Act or any other Federal law that prohibits discrimination in voting on the basis of race, color, or membership in a language minority group.

The bill we introduce today will also ensure that voters are made aware of changes in laws affecting their right to vote. Justice Brandeis once observed that sunlight is the best disinfectant and I believe that applies here as well. Transparency is a strong deterrent to voting discrimination. Under our bill, the public must be notified of late-breaking changes to standards and voting procedures in Federal elections. Information on polling place resource allocation for Federal elections must also be made public, including information about accessibility for persons with disabilities. Finally, information on changes to electoral districts must be made available to the general public. This includes demographic information, to prevent racial gerrymandering, impermissible redistricting, and infringement on minority voters at the Federal, State and local levels.

The bill makes other commonsense improvements, such as amending current law to allow the Attorney General to request Federal observers in those jurisdictions where racial discrimination in voting remains a serious threat. It revises the preliminary injunction standard for voting rights actions to recognize the principle that oftentimes, obtaining relief after the election has already concluded is too late to vindicate the individuals' voting rights. Thus, such temporary relief may be obtained where the complainant raises a "serious question" that—on balance—the hardship the voting change imposes on the complainant outweighs the hardship imposed upon the state or jurisdiction.

In addition, this bill addresses the unique challenges that Native American and Alaska Native voting populations encounter by: allowing for more accessible polling locations and voter registration agencies; permitting absentee voting where polling locations are too remote; and ensuring ballots are translated into all written Native languages where current law already requires bilingual voting materials.

We are introducing this bill today because the persistent and evolving forms of voting discrimination require a strong response. I am proud to be joined by so many lawmakers from both sides of the Capitol and all parts of the country. I am joined by Senator DURBIN, who worked with me in 2006 to reauthorize the Voting Rights Act. We are also joined by Senator COONS, Leader REID, all Democratic Senators on the Judiciary Committee, and many others. In addition, the House of Representatives is today introducing a companion bill, led by my friend JOHN LEWIS and leaders of the House Tri-Caucus—Representative TERRI SEWELL

of the Congressional Black Caucus, Representative LINDA SÁNCHEZ of the Congressional Hispanic Caucus, and Representative JUDY CHU of the Congressional Asian Pacific American Caucus.

I hope that Senate Republicans will join us soon as well. The Voting Rights Act has always been bipartisan. In 2006, when we last reauthorized the Voting Rights Act, I worked closely with the Republican chairmen of the Senate and House Judiciary Committees—former Senator Arlen Specter and Representative JIM SENSENBRENNER. Past reauthorizations have been signed into law by Republican presidents. Yet over the past year, I have not found a Republican in the Senate willing to join me in proposing a meaningful reinstatement of voter protections.

In marking the 50th anniversary of the march in Selma this past March, President Obama issued a call to action on the Voting Rights Act. He observed that: "One hundred members of Congress have come here today to honor people who were willing to die for the right to protect it. If we want to honor this day, let that hundred go back to Washington and gather four hundred more, and together, pledge to make it their mission to restore that law this year. That is how we honor those on this bridge."

I agree with the President. The best way we can honor those individuals and the countless others who gave so much to make this a more perfect union is not with platitudes or long overdue symbolic gestures. No, we must act—just as they did. We must continue to agitate, to organize, to educate, and to build momentum so that this legislation becomes law. This bill, just as the Voting Rights Act before it, is necessary if we believe in a democracy that reflects our ideals of equality and justice. This legislation will protect the constitutional rights of all Americans and advance the principles of those who marched a generation ago.

Much attention is focused on the Supreme Court this week as it is poised to hand down decisions that will affect millions of Americans. The decisions of those nine women and men will impact the security of our health care, the sanctity of our marriages and the quality of the air we breathe. What the Supreme Court does matters. Its decisions affect us all. Nowhere in recent years has that been more clear than in its Shelby County decision. That destructive ruling made the fundamental right to vote vulnerable. It is long past time for Congress to respond with meaningful action.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 211—EX-PRESSING THE SENSE OF THE SENATE REGARDING SREBRENICA

Mr. CARDIN submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 211

Whereas July 2015 will mark 20 years since the genocide at Srebrenica in Bosnia and Herzegovina;

Whereas, beginning in April 1992, aggression and ethnic cleansing perpetrated by Bosnian Serb forces resulted in a massive influx of Bosniaks seeking protection in Srebrenica and its environs, which the United Nations Security Council designated a "safe area" within the Srebrenica enclave in Resolution 819 on April 16, 1993, under the protection of the United Nations Protection Force (UNPROFOR);

Whereas the UNPROFOR presence in Srebrenica consisted of a Dutch peacekeeping battalion, with representatives of the United Nations High Commissioner for Refugees, the International Committee of the Red Cross, and the humanitarian medical aid agency Médecins Sans Frontières (Doctors Without Borders) helping to provide humanitarian relief to the displaced population living in conditions of massive overcrowding, destitution, and disease;

Whereas, early in 1995, an intensified blockade of the enclave by Bosnian Serb forces deprived the entire population of humanitarian aid and outside communication and contact, and effectively reduced the ability of the Dutch peacekeeping battalion to deter aggression or otherwise respond effectively to a deteriorating situation;

Whereas, beginning on July 6, 1995, Bosnian Serb forces attacked UNPROFOR outposts, seized control of the isolated enclave, held captured Dutch soldiers hostage and, after skirmishes with local defenders, took control of the town of Srebrenica on July 11, 1995;

Whereas an estimated one-third of the population of Srebrenica at the time, including a relatively small number of soldiers, attempted to pass through the lines of Bosnian Serb forces to the relative safety of Bosnian-government controlled territory, but many were killed by patrols and ambushes;

Whereas the remaining population sought protection with the Dutch peacekeeping battalion at its headquarters in the village of Potocari north of Srebrenica, but many of these individuals were with seeming randomness seized by Bosnian Serb forces to be beaten, raped, or executed;

Whereas Bosnian Serb forces deported women, children, and the elderly in buses, but held over 8,000 primarily Bosniak men and boys at collection points and sites in northeastern Bosnia and Herzegovina under their control, and then summarily executed these captives and buried them in mass graves;

Whereas Bosnian Serb forces, hoping to conceal evidence of the massacre at Srebrenica, subsequently moved corpses from initial mass grave sites to many secondary sites scattered throughout parts of eastern Bosnia and Herzegovina under their control;

Whereas the International Commission for Missing Persons (ICMP) deserves recognition for its assistance to the relevant institutions

in Bosnia and Herzegovina in accounting for close to 90 percent of those individuals reported missing from Srebrenica, despite active attempts to conceal evidence of the massacre, through the careful excavation of mass graves sites and subsequent DNA analysis which confirmed the true extent of the massacre;

Whereas the massacre at Srebrenica was among the worst of many atrocities to occur in the conflict in Bosnia and Herzegovina from April 1992 to November 1995, during which the policies of aggression and ethnic cleansing pursued by Bosnian Serb forces with the direct support of the Serbian regime of Slobodan Milosevic and its followers ultimately led to the displacement of more than 2,000,000 people, more than 100,000 killed, tens of thousands raped or otherwise tortured and abused, including at concentration camps in the Prijedor area, with the innocent civilians of Sarajevo and other urban centers repeatedly subjected to traumatic shelling and sniper attacks;

Whereas, in addition to being the primary victims at Srebrenica, individuals with Bosniak heritage comprise the vast majority of the victims during the conflict in Bosnia and Herzegovina as a whole, especially among the civilian population;

Whereas Article 2 of the Convention on the Prevention and Punishment of the Crime of Genocide defines genocide as "any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (a) killing members of the group; (b) causing serious bodily or mental harm to members of the group; (c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) imposing measures intended to prevent births within the group; and (e) forcibly transferring children of the group to another group";

Whereas, on May 25, 1993, the United Nations Security Council adopted Resolution 827 establishing the International Criminal Tribunal for the former Yugoslavia (ICTY), based in The Hague, the Netherlands, and charging the ICTY with responsibility for investigating and prosecuting individuals suspected of committing war crimes, genocide, crimes against humanity and grave breaches of the 1949 Geneva Conventions on the territory of the former Yugoslavia since 1991;

Whereas the ICTY, along with courts in Bosnia and Herzegovina as well as in Serbia, has indicted and in most cases convicted approximately three dozen individuals at various levels of responsibility for grave breaches of the 1949 Geneva Conventions, violations of the laws or customs of war, crimes against humanity, genocide, and complicity in genocide associated with the massacre at Srebrenica, most notably Radovan Karadzic and Ratko Mladic, whose trials are ongoing;

Whereas both the ICTY and the International Court of Justice (ICJ) have ruled that the actions of Bosnian Serb forces in Srebrenica in July 1995 constitute genocide;

Whereas House Resolution 199 (109th Congress), passed on June 27, 2005, expressed the sense of the House of Representatives that the aggression and ethnic cleansing committed by Serb forces in Bosnia and Herzegovina meets the terms defining genocide according to the 1949 Genocide Convention;

Whereas the United Nations has largely acknowledged its failure to fulfill its responsibility to take actions and make decisions that could have deterred the assault on

Srebrenica and prevented the subsequent genocide from occurring;

Whereas some prominent Serbian and Bosnian Serb officials, among others, have denied or at least refused to acknowledge that the massacre at Srebrenica constituted a genocide, or have sought otherwise to trivialize the extent and importance of the massacre; and

Whereas the international community, including the United States, has continued to provide personnel and resources, including through direct military intervention, to prevent further aggression and ethnic cleansing, to negotiate the General Framework Agreement for Peace in Bosnia and Herzegovina (initialed in Dayton, Ohio, on November 21, 1995, and signed in Paris on December 14, 1995), and to help ensure its fullest implementation, including cooperation with the International Criminal Tribunal for the former Yugoslavia as well as reconciliation among all of Bosnia and Herzegovina's citizens: Now, therefore, be it

*Resolved*, That the Senate—

(1) affirms that the policies of aggression and ethnic cleansing as implemented by Serb forces in Bosnia and Herzegovina from 1992 to 1995 meet the terms defining the crime of genocide in Article 2 of the Convention on the Prevention and Punishment of the Crime of Genocide;

(2) condemns statements that deny or question that the massacre at Srebrenica constituted a genocide;

(3) urges the Atrocities Prevention Board, a United States interagency committee established by the President in 2012, to study the lessons of Srebrenica and issue informed guidance on how to prevent similar incidents from recurring in the future, paying particular regard to troubled countries, including Syria, the Central African Republic and Burundi;

(4) encourages the United States to maintain and reaffirm its policy of supporting the independence and territorial integrity of Bosnia and Herzegovina, peace and stability in southeastern Europe as a whole, and the right of all people living in the region, regardless of national, racial, ethnic or religious background, to return to their homes and enjoy the benefits of democratic institutions, the rule of law, and economic opportunity, as well as to know the fate of missing relatives and friends;

(5) recognizes the achievement of the International Commission for Missing Persons (ICMP) in accounting for those missing in conflicts or natural disasters around the world and believes that the ICMP deserves justified recognition for its assistance to Bosnia and Herzegovina and its relevant institutions in accounting for approximately 90 percent of those reported missing after the Srebrenica massacre and 70 percent of those reported missing during the whole of the conflict in Bosnia and Herzegovina;

(6) welcomes the arrest and transfer to the International Criminal Tribunal for the former Yugoslavia (ICTY) of all persons indicted for war crimes, crimes against humanity, genocide and grave breaches of the 1949 Geneva Conventions, particularly those of Radovan Karadzic and Ratko Mladic, which has helped strengthen peace and encouraged reconciliation between the countries of the region and their citizens;

(7) asserts that it is in the national interest of the United States that those individuals who are responsible for these crimes and breaches should continue to be held accountable for their actions, and that the work of the ICTY therefore warrants continued sup-

port until all trials and appeals have been completed; and

(8) honors the thousands of innocent people killed or executed at Srebrenica in Bosnia and Herzegovina in July 1995, along with all individuals who were victimized during the conflict and genocide in Bosnia and Herzegovina from 1992 to 1995, as well as foreign nationals, including United States citizens, and those individuals in Serbia, Bosnia and Herzegovina, and other countries of the region who risked and in some cases lost their lives during their brave defense of human rights and fundamental freedoms, and advocacy of respect for ethnic identity without discrimination.

#### SENATE RESOLUTION 212—CONDEMNING THE ATTACK ON EMANUEL AFRICAN METHODIST EPISCOPAL CHURCH IN CHARLESTON, SOUTH CAROLINA, AND EXPRESSING ENCOURAGEMENT AND PRAYERS FOR ALL AFFECTED BY THIS EVIL ASSAULT

Mr. SCOTT (for himself, Mr. GRAHAM, Mr. ALEXANDER, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mrs. CAPITO, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CASSIDY, Mr. COATS, Mr. COCHRAN, Ms. COLLINS, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. COTTON, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. ERNST, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. FRANKEN, Mr. GARDNER, Mrs. GILLIBRAND, Mr. GRASSLEY, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHNSON, Mr. KAINE, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LEAHY, Mr. LEE, Mr. MANCHIN, Mr. MARKEY, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MCCONNELL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PERDUE, Mr. PETERS, Mr. PORTMAN, Mr. REED, Mr. REID, Mr. RISCH, Mr. ROBERTS, Mr. ROUNDS, Mr. RUBIO, Mr. SANDERS, Mr. SASSE, Mr. SCHATZ, Mr. SCHUMER, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. STABENOW, Mr. SULLIVAN, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr. TOOMEY, Mr. UDALL, Mr. VITTER, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

#### S. RES. 212

Whereas on June 17, 2015, a horrific mass shooting took place during a Bible study class at "Mother Emanuel", the Emanuel African Methodist Episcopal Church in Charleston, South Carolina, where 9 innocent lives were ended in bloodshed;

Whereas the people of the United States mourn the loss to the community and to our Nation of the individuals taken that night: State Senator Rev. Clementa Pinckney, Rev.

DePayne Middleton-Doctor, Rev. Daniel Simmons Sr., Rev. Sharonda Singleton, Cynthia Hurd, Susie Jackson, Ethel Lance, Tywanza Sanders, and Myra Thompson; and

Whereas the church, community, and State have come together to offer support, faith, and prayers for those lost and for those who will work to soothe this terrible wound and overcome the hatred and racism that led to this attack: Now, therefore, be it

*Resolved*, That the Senate—

(1) condemns the attack of June 17, 2015, on Emanuel African Methodist Episcopal Church in Charleston, South Carolina and the hate and racist bigotry that motivated it;

(2) offers condolences to the families and loved ones of those killed and to the staff and congregation of Mother Emanuel; and

(3) supports community efforts towards healing from this terrible crime and nationwide efforts to overcome hatred, bigotry, and violence.

#### SENATE RESOLUTION 213—DESIGNATING OCTOBER 30, 2015, AS A NATIONAL DAY OF REMEMBRANCE FOR NUCLEAR WEAPONS PROGRAM WORKERS

Mr. ALEXANDER (for himself, Mr. HEINRICH, Mr. CORKER, Mr. MCCONNELL, Mr. PORTMAN, Mr. BROWN, Mr. GRAHAM, Mr. REID, Mr. UDALL, and Ms. MURKOWSKI) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 213

Whereas, since World War II, hundreds of thousands of men and women, including uranium miners, millers, and haulers, have served the United States by building nuclear weapons for the defense of the United States;

Whereas dedicated workers paid a high price for developing a nuclear weapons program at the service, and for the benefit of, the United States, including by developing disabling or fatal illnesses;

Whereas the Senate recognized the contributions, services, and sacrifices that those patriotic men and women made for the defense of the United States in—

(1) Senate Resolution 151, 111th Congress, agreed to May 20, 2009;

(2) Senate Resolution 653, 111th Congress, agreed to September 28, 2010;

(3) Senate Resolution 275, 112th Congress, agreed to September 26, 2011;

(4) Senate Resolution 519, 112th Congress, agreed to August 1, 2012;

(5) Senate Resolution 164, 113th Congress, agreed to September 18, 2013; and

(6) Senate Resolution 417, 113th Congress, agreed to July 9, 2014;

Whereas a national day of remembrance time capsule has been crossing the United States, collecting stories and artifacts of nuclear weapons program workers relating to the nuclear defense era of the United States, and a remembrance quilt has been constructed to memorialize the contribution of those workers;

Whereas the stories and artifacts reflected in the time capsule and the remembrance quilt reinforce the importance of recognizing nuclear weapons program workers; and

Whereas those patriotic men and women deserve to be recognized for the contributions, services, and sacrifices they made for the defense of the United States: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates October 30, 2015, as a national day of remembrance for the nuclear weapons program and uranium enrichment workers of the United States, including the uranium miners, millers, and haulers; and

(2) encourages the people of the United States to support and participate in appropriate ceremonies, programs, and other activities to commemorate October 30, 2015, as a national day of remembrance for past and present workers in the nuclear weapons program of the United States.

#### SENATE CONCURRENT RESOLUTION 19—PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND AN ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

Mr. MCCONNELL submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 19

*Resolved by the Senate (the House of Representatives concurring)*, That when the Senate recesses or adjourns on any day from Thursday, June 25, 2015, through Friday, July 3, 2015, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Tuesday, July 7, 2015, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day from Thursday, June 25, 2015, through Friday, July 3, 2015, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Tuesday, July 7, 2015, or until the time of any reassembly pursuant to section 3 of this concurrent resolution, whichever occurs first.

SEC. 2. (a) The Majority Leader of the Senate or his designee, after concurrence with the Minority Leader of the Senate, shall notify the Members of the Senate to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the Senate adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the Senate shall again stand adjourned pursuant to the first section of this concurrent resolution.

SEC. 3. (a) The Speaker or his designee, after consultation with the Minority Leader of the House, shall notify the Members of the House to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the House adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the House shall again stand adjourned pursuant to the first section of this concurrent resolution.

#### AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Com-

mittee on Environment and Public Works be authorized to meet during the session of the Senate on June 24, 2015, at 9:30 a.m., in room SD-406 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on June 24, 2015, at 10 a.m., in room SD-215 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 24, 2015, at 10:30 a.m., to conduct a hearing entitled “Lessons Learned from Past WMD Negotiations.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on June 24, 2015, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on June 24, 2015, in room SD-628 of the Dirksen Senate Office Building, at 2:15 p.m., to conduct a hearing entitled “Demanding Results to End Native Youth Suicides.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS’ AFFAIRS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Veterans’ Affairs be authorized to meet during the session of the Senate on June 24, 2015, at 2:30 p.m., in room SR-418 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. CORNYN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 24, 2015, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SPECIAL COMMITTEE ON AGING

Mr. CORNYN. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on June 24, 2015, at 2 p.m., in room SD-



562 of the Dirksen Senate Office Building, to conduct a hearing entitled "Work in Retirement: Career Reinventions and the New Retirement Workscape."

The PRESIDING OFFICER. Without objection, it is so ordered.

#### APPOINTMENT OF CONFEREES— H.R. 644

The Presiding Officer appointed Mr. HATCH, Mr. CORNYN, Mr. THUNE, Mr. ISAKSON, Mr. WYDEN, Mr. SCHUMER, and Ms. STABENOW conferees on the part of the Senate.

The PRESIDING OFFICER. The majority leader.

#### UNANIMOUS CONSENT AGREEMENT—S. 1177

Mr. MCCONNELL. Mr. President, I ask unanimous consent that following leader remarks on Tuesday, July 7, the Senate proceed to the consideration of Calendar No. 63, S. 1177, the Every Child Achieves Act of 2015.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### UNANIMOUS CONSENT AGREE- MENT—EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that on Tuesday, July 7, at 5:30 p.m., the Senate proceed to executive session to consider Executive Calendar No. 81; that the Senate vote on the nomination without intervening action or debate; and that following disposition of the nomination, the motion to reconsider be considered made and laid upon the table; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; and that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### REVOKING THE CHARTER OF IN- CORPORATION OF THE MIAMI TRIBE OF OKLAHOMA

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be discharged from further consideration of H.R. 533 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 533) to revoke the charter of incorporation of the Miami Tribe of Oklahoma at the request of that tribe, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 533) was ordered to a third reading, was read the third time, and passed.

#### PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND AN ADJOURN- MENT OF THE HOUSE OF REP- RESENTATIVES

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Con. Res. 19.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The senior assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 19) providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 19) was agreed to.

(The concurrent resolution is printed in today's RECORD under "Submitted Resolutions.")

The PRESIDING OFFICER. The Senator from Ohio.

#### TRADE PROMOTION AUTHORITY

Mr. PORTMAN. Mr. President, I rise today to talk about what just happened on the floor, which was passing in the Senate the trade promotion authority for the President of the United States and for our good country to be able to get out there and expand markets for our exporters and for our farmers, our workers, and our service providers.

This is a significant change because for the last 8 years the United States of America has not been engaged in opening up these markets. While other countries have completed these trade agreements, we have not been able to. So this gives us as a country the ability to be able to open up markets. That is a good thing, and it is significant and will have an impact on our economy that is positive because exports mean not only more jobs but better jobs. So we will see more jobs that are,

on average, 15 to 18 percent higher pay and have better benefits, and we will be able to compete more globally. This is important to get America off the sidelines.

There is also a benefit of getting us back involved in trade because it enables America to be able to set some of the rules of trade rather than other countries. And while we have not had this ability to be able to open up new markets, what has happened? Other countries have been completing agreements, shutting us out—our farmers, our workers, our service providers—but they also have been setting the rules of trade. We want to be able to set them because we are a country that believes we ought to have a rules-based system, that it ought to be fair, that there ought to be the rule of law, and that the standards we have—which are high standards in terms of getting tariffs down but also not being able to unfairly send imports to another country—that those are upheld. So this is a positive step.

What I am also really happy about is that after we passed the trade promotion authority for the first time in 8 years, sending it for signature to the President, which he has indicated he will sign, we then passed legislation with regard to trade adjustment assistance, which is extending benefits to people who are displaced. So if someone in any particular trade agreement loses a job or a company gets hurt, they have the ability to get the worker retraining they need, get the help they need to be able to get the skills they need to find a job and to get themselves back on their feet. So trade adjustment assistance is important.

But within trade adjustment assistance there is something even more interesting. We included an amendment which Senator BROWN—my colleague from Ohio—and I had promoted previously. This is to help all of our workers all around America because it enables us to have the ability to go after countries that send their products to us unfairly, meaning that they subsidize them, which is not fair under the rules of trade, or that they dump them, meaning they sell them at below their cost, which is also unfair.

So this is a very important amendment. We call it the leveling the playing field amendment because as we are expanding exports—which we, of course, should do because that creates more good jobs in my home State of Ohio and around the country—we should also be sure that we are more aggressively enforcing the trade laws that are in place, the international rules and our domestic rules. This amendment that just passed the Senate tonight enables us to do that.

I am excited about it because it gives us the chance to be able to compete. It gives the steelworker in Ohio who is playing by the rules and doing all the



right things—being more efficient, being more productive—and companies that are using technology to our advantage the chance to be productive, not to be undercut when other countries dump their products—say, their steel products, their tubes, and other products, structural steel—into the United States of America because they want to get market share. We are going to be able to stop that with this amendment because it enables us to be able to not just file lawsuits against these countries but actually get them resolved more quickly.

Right now, my concern is that too often with these trade laws, by the time you bring a case and are successful at it, you have lost so many jobs that, in effect, although you get a remedy that is winning a trade case and getting higher tariffs on that product, it is too late. This is a really important amendment, the leveling the playing field amendment.

I want to thank my colleagues for supporting it. I know there were some concerns and questions about it. We spent the last couple of months talking about it. Tonight it actually passed. I am told that legislation is now going to go to the House and that it will be passed in the House. I am told that Speaker PELOSI has said today that she is going to support that legislation. This is the trade adjustment assistance legislation with the leveling the playing field amendment as a part of it.

Finally, as part of the TAA, there is another really important measure that I appreciate my colleagues supporting. It is one that I offered in committee, and I have offered it over the years in committee. It is to help workers who were left behind. Back when it was necessary for the U.S. Government to intervene and help our auto companies, there were some people who weren't helped.

This provides a health care tax credit to those individuals who through no fault of their own lost health care and lost pensions. This is when their plans went into the PBGC. This includes Delphi workers in my home State of Ohio. There are several thousand of them. It includes some United Steelworkers. It includes some other employees who were left behind when other workers were given their pensions and given their health care.

Every year we have fought for this. We have now been able to put in place an extension of the health care tax credit they desperately need. For most of these people, it is to provide them the ability between the age they are now—say, in their late 50s—and when they get on Medicare. It is a critical time for them to be able to have this bridge and to be able to provide health care for themselves and for their families.

The health care tax credit is part of this broader TAA, or trade adjustment

assistance, legislation that was passed here on the floor of the Senate this afternoon. I thank my colleagues for working with me on this over the past several years but also over the past several weeks with regard to this specific provision. Again, that will go to the House now, and we are told that will pass the House as it is. In other words, the House will take up this exact bill and pass it and send it to President for signature.

This is also a really important opportunity for us to reach out to people who are hurting today through no fault of their own and to provide them the health care tax credit they deserve.

In the legislation that we passed this afternoon, we also did something else really important that we have never done before, and that is to help protect Israel from discrimination. We included language in the trade bill itself that Senator CARDIN and I had championed in the committee. It is the part of the bill that says that countries that engage in boycotts or sanctions or divestment of Israel in a trade agreement with the United States of America would not be able to get the benefits of trade with us.

We think this is incredibly important leverage to help protect Israel from what, unfortunately, is happening around the world too often now, which is a double standard—telling the State of Israel that somehow it is going to be treated differently than other countries are treated.

I think it is part of a larger effort to try to delegitimize the State of Israel, and it is one where the United States ought to stand up. Why is this being done in the context of trade? Because it works. It is an area where we do have leverage.

When I was U.S. Trade Representative, I had the honor to be able to negotiate agreements with various countries. One was Oman, one was Bahrain, and one was Saudi Arabia. In all three cases, we were able to make great progress in the case of boycotts of Israel by telling those countries: If you want to do business with the United States and have a free-trade agreement with us, then you have to treat all countries fairly. You have to follow the MFN, or most favored nation status, which means you treat countries fairly and you don't discriminate against countries.

Initially, they would say: No, gosh, politically that is too hard for us. But after discussions and after the United States stood tall with Israel, we were able to succeed in all three cases: Bahrain and Oman with trade agreements and Saudi Arabia with regard to their accession agreement to the World Trade Organization. I know it works. I have seen it.

Again, that is in the legislation that was passed today here on the floor of this Senate. I am proud of us because

we are actually doing some of this work on a bipartisan basis to help our country, to help our workers, to help our service providers, our farmers but also to ensure that these rules of trade are fair globally.

Finally, I will say that we are not done. There is another bill that we were told would be part of this whole package. It is currently being negotiated in conference after this afternoon because we named conferees between the House and Senate. It is the Customs bill.

In that legislation, there are additional provisions that I think are very important that we passed, including one called the ENFORCE Act. This is to avoid the situation where a country is told: You are dumping products in the United States or you are subsidizing your product in the United States, and you can't do that anymore. Instead, they figure out a way to divert their product to another country and still send it to the United States using the same unfair trade practices.

We need to be sure that we are putting in place provisions that allow us to stop that diversion as well. That is what the ENFORCE Act does. That is in the Customs bill, as one example. There are other important provisions in the Customs bill, as well.

I would urge my colleagues to work with us to get that conference done as quickly as possible because the House and Senate versions are a little bit different and to be sure that we can come up with a way to resolve those differences and bring that back to the floor as part of this package.

The final one in that package is something that is very important to manufacturers in my State. This is to enable us to bring products in from overseas that were not made anywhere in America under what is called miscellaneous tariff bill. This is something that we have not had the opportunity to do in several years because there are concerns about earmarks. I agree with those concerns. We should not have earmarks, whether it is in trade or whether it is in appropriations or elsewhere.

We have resolved that issue by not having it be earmarked under the definition we have in the House and Senate but rather have it go through the International Trade Commission and have them be the ones that determine whether a particular product fits within a miscellaneous tariff bill or not.

This will help in terms of adding employment in America, reducing the cost to consumers, making our economy more productive and more efficient, and adding economic growth. It is another example that when once we complete this package, it includes expanding exports, which was very important. We had to do that today because America has been sitting on the sidelines for too long. We were losing

market share for our farmers, our workers, our service providers. We needed to get back in the game and send more products stamped "Made in America" around the world. That creates jobs here. That is good.

Second, we need to be sure that we have a level playing field, that we work on this issue of currency manipulation, which has some unprecedented language, and also on these other issues we talked about today with the level the playing field amendment to ensure that products are not being sold unfairly and that we do provide workers with trade adjustment assistance.

Then finally, we move forward with this final bill called the Customs bill to ensure that we include all these provisions which are so important as a package and to make sure that yes, we are expanding exports at the same time and we are letting people know that they are going to get a fair shake. When they work hard and play by the rules here in America, our workers are going to be told: You are in the global marketplace; we are going to watch your back. That is important. It is important to me. It is important to my State. It is important to the people who send us here, who expect us to set the conditions in place for more exports but also to ensure that is more fairly done.

Again, I thank my colleagues for the work that has been done today, and I also urge my colleagues to move quickly, passing trade adjustment assistance in the House and then passing the conference report on the Customs bill so we can keep this package together and actually give our economy a shot in the arm and give American workers the chance to compete.

If they are given that chance, we have the best work force in the world. We will be able not just to compete but to win the global competition.

I yield back my time.

Mr. President, I have been asked to do the closing script, and then the Senator from Massachusetts will be recognized.

#### ORDERS FOR THURSDAY, JUNE 25, 2015

Mr. PORTMAN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:50 a.m., Thursday, June 25; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each, and that the first hour be equally divided, with the Democrats controlling the first half and the majority controlling the final half.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### ORDER FOR ADJOURNMENT

Mr. PORTMAN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator MARKEY and Senator SHAHEEN.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Massachusetts.

#### ALZHEIMER'S & BRAIN AWARENESS MONTH

Mr. MARKEY. Mr. President, June is Alzheimer's & Brain Awareness Month—an opportunity to join the global conversation about this equal opportunity killer, Alzheimer's.

Everyone with a brain is at risk to develop Alzheimer's. Worldwide right now there are 47 million people living with Alzheimer's and with other dementias. Without a change, these numbers are expected to grow to 76 million people globally with Alzheimer's by the year 2030.

In 1998, my mother passed away from Alzheimer's. That is the year that I created the bipartisan Congressional Alzheimer's Task Force. The reason I did it was that it is very hard—as people who have an Alzheimer's patient in their family know—to deal with this disease while my mother had it. But for me, it became something very important, something that I felt that Congress had a responsibility to deal with. For 13 years, my mother just stayed in our living room, being cared for by my father. My mother was quite fortunate because my father had been a milkman. The right arm of a milkman carrying milk bottles for decades is the strongest right arm you can have. My father could care for my mother. My father could keep my mother in our home. But not every family has a strong right arm of a milkman.

Keeping an Alzheimer's patient at home is a difficult task. We have to accept the fact that statistically, we now have more than 5 million Americans with Alzheimer's. Let me say that again: 5 million Americans, as we gather here on the Senate floor, have Alzheimer's in our country, but that is before all the baby boomers have retired. By the time all of the baby boomers in America have retired, 15 million of them are going to have Alzheimer's. Like my family, someone else in each one of those families is going to have Alzheimer's as well because they will be the family caregiver. That will be about 30 million people by the time all the baby boomers have retired whose principal reality in life will be this one disease.

How big is this disease as a drain on our country? This year we are going to spend in Medicare and Medicaid dollars \$153 billion on Alzheimer's patients.

I will say that again. This year in America, with 5 million people with the disease, we are going to spend \$153 billion. How big is that number? While we are debating the Defense bill for our country—how big is the Defense bill to protect our entire country here and overseas? It is \$560 billion. One disease, Alzheimer's, is going to cost us \$153 billion. By the time all 15 million baby boomers have the disease, the amount of Federal money in Medicare and Medicaid that we will be spending will be equal to the entire defense budget of our country. That is obviously not sustainable.

We have to find a cure for Alzheimer's not just for our country but for every other country in the world. We have to be the leader. Our caregivers are the heroes today, but even heroes need help. As the true neurological wasting effects take hold of the next generation of Alzheimer's patients, the costs to our society will mount unless we make the smart investments to treat and defeat this disease. We have an opportunity here in the Senate to provide the leadership.

For every \$27,000 in 2015 that we are going to spend from the U.S. Senate on Alzheimer's out of the Medicare and Medicaid budget, the National Institutes of Health invests \$100 in trying to find a cure. That is right. You heard me correctly. For every \$27,000 of Federal money this year on an Alzheimer's patient, we are spending \$100 to try to find a cure.

The NIH budget has to increase, and it has to increase dramatically because in the long run we cannot balance the Federal budget if in 30 years one disease is going to consume as much Federal money as the entire defense budget in our country.

Every 67 seconds, someone new in this country develops Alzheimer's. In my State of Massachusetts, 12 percent of all seniors have Alzheimer's.

We need a breakthrough in research. Research is medicine's field of dreams from which we harness the findings that give hope to families so that one day children will have to look to the history books to find that there ever was such a disease as Alzheimer's.

Right now is not the time to cut funding at the National Institutes of Health. They are not only the National Institutes of Health, they are also the national institutes of hope, and we must give that hope to American families that we can find a cure. We cannot cut that budget. We cannot allow sequestration to come in and slash the NIH budget once again. In 2015, NIH has buying power that is 20 percent lower than it was 10 years ago. This is at a point where it should be ramped up 20 percent higher, not lower.

This is a debate which we should be having. The terrorist call that people fear is that some doctor will call their house to them that yet another member of their family has Alzheimer's or some other tragic disease.

We need to increase the NIH budget. We need to give that hope to American families. And that is why Senator CRAPO and I worked to pass the Alzheimer's Accountability Act into law. It requires the Director of NIH to submit an annual budget directly to Congress outlining what resources are needed to meet the goal of preventing and treating Alzheimer's disease by 2025. That is why my colleagues, Senator STABENOW, Senator COLLINS, Senator CAPITO, and I introduced the Hope for Alzheimer's Act, which will allow Medicare beneficiaries to receive comprehensive care-planning services when they are diagnosed with Alzheimer's. That is also why Senator WYDEN and I included the Independence at Home Program as part of the Affordable Care Act. This program allows chronically ill Medicare beneficiaries, such as those with Alzheimer's, to receive primary care services in the comfort of their home. Independence at Home allows teams of doctors and nurses to continue to care for severely ill Medicare patients in their home by bringing the house calls of the yesteryear physicians into the 21st century.

Just last week, some game-changing data was released on the success of the first year of this program. We learned that when implemented properly, the Independence at Home Program has the potential to save \$21 billion of Medicare money over the next decade, and at the same time it also improves the quality of care for Medicare beneficiaries. This is a win-win situation. It is possible to design Medicare so that it works smarter, saves money, and improves the lives of beneficiaries.

Patients want to be cared for in their living rooms, not in the emergency room. That is what my father, John Markey the milkman, was able to provide for my mother with Alzheimer's. That is what the Independence at Home Program does. It is a program where nurse practitioners, physicians, and nursing homes are able to say: We are going to help to keep your loved one at home. We will give you the help that makes that possible.

Independence at Home is steering our health care system toward a focus of quality and not simply the quantity of care.

As we build a future free of Alzheimer's disease, Congress and the American people need a blueprint on how to be more effective at prioritizing Federal resources to reach our goal. When America makes a plan, America can do great things. We need an action plan to cure Alzheimer's and to care for those who suffer from it.

In the 1960s, President Kennedy called for a mission to the Moon, and

we accomplished great things to make that happen. In the 21st century, it is not a mission to the Moon, it is a mission to the mind which is our challenge, and we must make the same kind of investment in research that was made in the 1960s.

We did not allow the Soviet Union to dominate. We cannot allow this disease to devastate 15 million lives with Alzheimer's in this baby boom generation. The legacy we should be leaving is that we found the cure. It was first identified more than 100 years ago. We now have to make sure that our legacy in the 21st century is that we have been able to build the momentum to fund the research that ensures families in our country have hope.

I thank the Presiding Officer.

I yield back the remainder of my time.

THE PRESIDING OFFICER. The Senator from New Hampshire.

#### U.S. AND EUROPEAN SUPPORT FOR ALLIES THREATENED BY RUSSIA

Mrs. SHAHEEN. Mr. President, last week I returned from 3 days in Poland and Latvia. I participated in the global security forum in Wroclaw, Poland, where I met with key foreign leaders from Eastern Europe in particular. I also visited U.S. and allied forces participating in military exercises in Latvia.

For the first time since the end of the Cold War, the West is confronted by an armed aggressor directly challenging the principle of a Europe whole, free, and at peace. European officials I spoke with see Russian President Vladimir Putin as opportunistic, determined to expand Russia's sphere of influence, and ready to exploit any vulnerabilities in nearby European countries.

Our friends on the frontlines in Central and Eastern Europe want more than words of solidarity from the European Union, NATO, and the United States; they want a more robust response and concrete actions to counter the Russian threat and deter further Russian aggression.

The crucible for this effort must come in Ukraine. With the Euromaidan Revolution of 2013 and the subsequent election of President Petro Poroshenko, the Ukrainian people have made it clear that their future is with the West, with democracy, with responsive and transparent governance. President Putin responded by invading eastern Ukraine, annexing Crimea, and destabilizing the entire Ukrainian State.

Ukraine today is a symbol of democratic Europe's resistance to Russian domination in the same way that Berlin was in 1948. The Ukrainian army has performed commendably under incredibly challenging circumstances, but it is no match for Russia's military.

However, as we witnessed throughout the Communist era in Eastern Europe, military power is not the only kind of power, nor does it necessarily always prevail. There is also the moral power of those who dare to resist, people like Andrei Sakharov, Vaclav Havel, and Lech Walesa. As dissidents, they didn't command armies; instead, they commanded immense moral authority. They stood for freedom, and ultimately they triumphed.

Last Friday, at that forum in Wroclaw, I had the privilege of presenting Freedom Awards to Ukrainians who embodied their nation's courageous resistance and indomitable spirit. One of the awardees was Nadiya Savchenko. She has been well known in Ukraine for many years as one of the first women to serve as a pilot in the Ukrainian Air Force. In 2014, she joined a volunteer battalion to fight separatist forces in the country's east.

Nadiya Savchenko was not present to receive her Freedom Award because tragically, outrageously, this hero of the fight for Ukrainian independence is imprisoned in a Russian jail. At every turn, Nadiya Savchenko has been courageous and unbowed—the embodiment of Ukraine's defiance of Russian aggression.

Captured while fighting in the east, she was handcuffed to a metal pipe, surrounded by armed men, and interrogated. When asked who was fighting the pro-Russian separatists, she answered, "All of Ukraine."

Held as a prisoner in Russia, she went on an 83-day hunger strike. Appearing in a cage inside a courtroom, she refused to speak Russian, wore a T-shirt that displayed the Ukrainian trident, and held up a sign that read "I was born Ukrainian, and I die Ukrainian."

President Poroshenko awarded her the title "Hero of Ukraine," and her fellow citizens elected her to Parliament. But, truly, she is a hero to all of us who seek to restore a Europe that is whole and free.

I presented the second Freedom Award to the Donetsk National University. Last year, pro-Russian separatists seized the city of Donetsk and declared a Soviet-style people's republic. Armed rebels took over the Donetsk's national university, the region's most prestigious college. They ousted the school's Ukrainian rector, ordered the Russification of the curriculum, and destroyed any semblance of academic freedom. Rather than submit, the rector and core faculty members left Donetsk and they transplanted the school roughly 500 miles to the west. Donetsk National University became Ukraine's first university in exile. It has been a struggle to survive, but this university has become a proud symbol of both academic freedom and Ukrainian independence.

The attack on Ukraine has not only galvanized Europe, it also focused the

attention of Congress on European affairs like no other event perhaps since the end of the Cold War, certainly like no other event since I have been in the Senate.

On a bipartisan basis, Members of Congress admire and support Ukraine's stand for universal values and independence, and Congress has responded. In December, we passed the Ukraine Freedom Support Act authorizing the President to provide defensive military assistance to Ukraine and to tighten economic sanctions against Russia.

Through the European Reassurance Initiative, the administration has pledged \$1 billion to bolster U.S. military deployments, to increase our training exercises, and to step up our partnerships with allies, including the Baltic States, Poland, Ukraine, Moldavia, and Georgia as they strengthen their own defenses. I was pleased to learn last week that the administration is planning to preposition tanks and other heavy weaponry in the Baltic States and in Eastern Europe to support training with regional allies and to show resolve in the face of Russian threats.

These are all important steps forward, but they are not sufficient. Within the Transatlantic Alliance and NATO, the United States remains the indispensable Nation. If there is going to be a renaissance of the alliance in the face of the Russian threat, then the United States must lead it with our European allies.

The United States must mobilize the alliance, our European partners, and international financial institutions, such as the IMF, to provide generous economic support to Ukraine because no amount of security assistance can offset an economic collapse in Kyiv.

We also must recognize that the challenge for Mr. Putin is not only geopolitical; it is ideological. He has mobilized a vast propaganda campaign against what he calls "decadent" Western values and Western-style democracy. The United States, along with our allies, must go on the offensive to champion our values and our democracy. Just as we did during the Cold War, we must develop a 21st-century United States Information Agency and a Radio Free Europe-style campaign to counter Russia in the information space, including in the competition of ideas and values.

While American leadership is essential, our European allies must also step up. NATO leaders made important spending pledges at the Wales Summit last September. Now we all need to make good on those commitments, including increasing defense budgets to respond to Russian threats.

As we confront a newly aggressive Russia, we should also take heart from the Transatlantic Alliance's remarkable track record of achievement, thanks in large part to American lead-

ership. Over the last seven decades, we have risen to every major challenge—rebuilding Europe after World War II; maintaining a united front during the Cold War; liberating the captive nations of Eastern Europe and integrating them into a Europe whole and free; and today, standing united against the challenges of terrorism, Russian aggression, and a nuclear Iran.

The Russian threat to Eastern and Central Europe is very real. President Putin is an autocrat whose popularity is based largely on his determination to reassert Russia's domination over its neighbors. But we have the means to counter this threat.

To support Ukraine and other frontline states, we need vigorous U.S. leadership of the Transatlantic Alliance, we need a robust mobilization of the alliance's military and financial resources, and we need to engage Vladimir Putin aggressively in the competition of ideas and ideals.

Our friends in Ukraine are already in this fight. Our allies elsewhere in Central and Eastern Europe fear that they could be next. For the West to rise to this new challenge, the United States once again must be the indispensable Nation, and I know that here in the Senate we support that effort.

Mr. President, I yield the floor.

#### ADJOURNMENT UNTIL 9:50 A.M. TOMORROW

The PRESIDING OFFICER. The Senate stands adjourned until 9:50 a.m. tomorrow morning.

Thereupon, the Senate, at 6:53 p.m., adjourned until Thursday, June 25, 2015, at 9:50 a.m.

#### NOMINATIONS

Executive nominations received by the Senate:

##### ENVIRONMENTAL PROTECTION AGENCY

KENNETH J. KOPOCIS, OF VIRGINIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY, VICE PETER SILVA SILVA, RESIGNED.  
JANET GARVIN MCCABE, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY, VICE REGINA MCCARTHY, RESIGNED.

##### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### To be lieutenant general

MAJ. GEN. MICHAEL H. SHIELDS

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

##### To be major general

BRIG. GEN. VICTOR J. BRADEN

##### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### To be vice admiral

REAR ADM. RICHARD P. BRECKENRIDGE

##### IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS VICE COMMANDANT, UNITED STATES COAST GUARD,

AND TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 47:

##### To be vice admiral

VICE ADM. CHARLES D. MICHEL

##### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

##### To be colonel

JANE E. BOOMER  
SETH R. DEAM  
JOSEPH F. DENE  
ROBERT S. HALL  
ROBERT S. HUME  
JULIE J. R. HUYGEN  
JOSEPH S. IMBURGIA  
MATTHEW T. JARREAU  
JOHN C. JOHNSON  
RICHARD H. LADUE, JR.  
LINELL A. LETENDRE  
DEBRA A. LUKER  
MATTHEW J. MULBARGER  
MYNDA L. G. OHMAN  
SHELLY W. SCHOOLS  
SUZETTE D. SEUELL  
SHANNON L. SHERWIN  
MATTHEW D. VAN DALEN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

##### To be lieutenant colonel

BRANDON R. ABEL  
ALICIA D. ABRAMS  
LUIS J. ADAMES  
GEORGE E. ADAMS  
ISAAC E. ADAMS  
JOHN F. ADAMS, JR.  
BRIAN S. ADCOCK  
JOHN T. AGNEW  
ROBERT A. AIKMAN II  
DANIEL O. AKEREDOLU  
ADAM T. AKERS  
JAMES D. AKERS II  
MICHAEL S. ALBERS  
MELISSA M. ALBLINGER  
JOHN E. ALDERMAN  
JAMES D. ALDRICH  
STEPHEN C. ALDRIDGE  
DAVID S. ALEXANDER  
GARRY J. ALEXANDER  
KERRI V. ALEXANDER  
PERRY D. ALEXANDER  
DANIEL M. ALFORD  
PERRY G. ALFRED  
BILLY S. ALLEN  
CHRISTOPHER B. ALLEN  
CHRISTOPHER IAN ALLEN  
CHRISTOPHER W. ALLEN  
KYLE S. ALLEN  
JEARL C. ALLMAN  
LANCE P. ALLRED  
BRADLEY D. ALTMAN  
MARK A. AMENDT  
MATTHEW B. AMIG  
CRAIG A. ANDERS  
KELLY S. ANDERSON  
MATTHEW E. ANDERSON  
RYAN J. ANDERSON  
STEPHEN G. ANDERSON  
TODD R. ANDREWS  
CHRISTOPHER J. ANGLIN  
CASSANDRA P. ANTWINE  
JAYVIN L. ARBORE  
STEPHEN P. ARNOTT  
SETH W. ASAY  
ALBERT J. ASHBY  
GEOFFREY MICHAEL ASHBY  
SAMUEL L. ASTON  
MICHAEL L. AUL  
JENNIFER M. AUPKE  
JAMES H. AUSTIN  
NELSON AVILESFIGUEROA  
GABRIEL C. AVILLA  
GERRED J. AYRES  
FRANK A. AZARAVICH  
PAUL T. BABIARZ  
MARCOS MANUEL BACA  
NANCY L. BACCHESCHI  
ERIC D. BADGER  
JAMES A. BADGETT  
NANCY E. BADGETT  
JASON F. BAGGETT  
JOHN M. BAKER  
JUDD W. BAKER  
MICHAEL B. BAKER  
MICHAEL BALLAK  
WILLIAM H. BALLARD  
JUSTIN D. BALLINGER  
RICKIE A. BANISTER  
AARON B. BANKS  
BENJAMIN P. BARBOUR  
JEFFREY L. BARKER  
JOSEPH F. BARNARD  
NATHAN E. BARRETT  
TRACIE A. BARRETT  
SUZANNE M. BARROQUEIRO  
JASON R. BARTA

JASON R. BARTELS  
 CAROLYN R. BARTLEY  
 DAVID R. BARTLEY III  
 ZACHARY D. BARTOE  
 CHARLES J. BARTON  
 JAMES R. BARTRAN II  
 PATRICK J. BASS  
 MICHAEL T. BATCHELOR, JR.  
 CLIFFORD M. BAYNE  
 RICHARD A. BAYSINGER  
 JONATHAN R. BEACH  
 JOSEPH DELANE BEAL  
 ROBERT J. BEAL  
 THOMAS M. BEAN  
 CHRISTOPHER J. BEATTIE  
 JOHN DONALD BEATTY  
 WILLIAM M. BEAUTER  
 CHRISTOPHER D. BEAVER  
 PETER L. BECK  
 BRIAN D. BEECHER  
 BRANDON C. BEERS  
 MEREDITH S. BEG  
 JOHNATHAN E. BENNETT  
 JOHN D. BENSON  
 ASHLEY J. BERG  
 MET M. BERISHA  
 DAVID BERRIOS  
 ANDREW P. BERVEN  
 SHAWN P. BESKAR  
 MIRCEA M. BIAGINI  
 ERNEST T. BICE  
 STEPHEN F. BICHLER  
 JOSHUA M. BIEDERMANN  
 TIMOTHY S. BIGGS  
 GARRET J. BILBO  
 RONNIE H. BIRGE, JR.  
 GARY L. BISHOP II  
 KEVIN J. BISHOP  
 SCOTT P. BLACK  
 EDMUND J. BLANCHET  
 MICHAEL J. BLAUSER  
 JAMES J. BLECH  
 ZAK S. BLOM  
 NATHAN D. BOARDMAN  
 PAUL A. BOBNOCK  
 TODD F. BODE  
 RYAN A. BODGE  
 MICHAEL DAREN BOE  
 JAMES T. BOEHM  
 STEVEN M. BOFFERDING  
 JASON M. BOISVERT  
 JOSEPH S. BOOKER, JR.  
 JEFFREY K. BOSQUE  
 JASON M. BOSWELL  
 MICHAEL L. BOSWELL  
 CARL B. BOTTLFSON  
 JORDAN T. BOUNDS  
 JASON T. BOWDEN  
 ARNOLD H. BOWEN  
 GEOFFREY G. BOWMAN  
 JAMES D. BOYD  
 RONALD G. BOYD  
 JOE T. BOZARTH IV  
 WESLEY P. BRADFORD  
 KENNETH C. BRADLEY  
 JEFFERY R. BRANDENBURG  
 BROOKE K. BRANDER  
 SCOTT D. BRANDIMORE  
 ANTHONY BRANICK  
 MICHAEL J. BRANNON  
 GEOFFREY R. BRASSE  
 SEAN C. BRAZEL  
 MARK W. BREED  
 DAVID K. BREGAND  
 MATTHEW A. BRICE  
 DAVID S. BRISTOW  
 JACOB A. C. BRITTINGHAM  
 MATTHEW F. BROCKHAUS  
 TIMOTHY J. BRONDER  
 BENTLEY A. BROOKS  
 FRANK BROOKS  
 NATHAN D. BROSHEAR  
 STEVEN M. BROUSSARD  
 MARK EDWARD BROW  
 AARON B. BROWN  
 GABRIEL C. BROWN  
 KEVIN L. BROWN  
 LEROY BROWN, JR.  
 RHETT W. BROWN  
 JAMES R. BROWNING  
 PHILIP N. BROYLES  
 MATTHEW P. BRUNO  
 CHRISTOPHER L. BRYANT  
 PHILIP A. BRYANT  
 MATTHEW J. BUBAR  
 DOUGLAS C. BUCHHOLZ  
 BOBBY D. BUCKNER, JR.  
 JOHN T. BUCKREIS  
 HANS NICHOLAS BUCKWALTER  
 CHERYL N. BUEHN  
 JONATHAN J. BUIE  
 TRACY A. BUNKO  
 DONALD S. BURKE  
 BRYON J. BURKS  
 MATTHEW M. BURY  
 KEVIN R. BUSH  
 TOMMY R. BUTLER  
 BRIAN E. BUTSON  
 STEVEN S. BYRUM  
 EMERSONN C. CABATU  
 JOSHUA A. CADICE  
 JARED R. CAFFEY

PATRICK D. CAIN  
 PAUL J. CALHOUN  
 SEAN M. CALLAHAN  
 SEAN M. CALLAHAN  
 RICARDO L. A. CAMEL  
 LOUIS M. CAMILLI  
 KEVIN F. CAMPBELL  
 CHRISTOPHER C. CANNON  
 PEGGY L. CANOPY  
 KATHRYN RHONDA CANTU  
 ELLEN T. CANUPP  
 JUSTIN RICHARD CAPPER  
 CHRIS E. CARDEN  
 JONATHAN J. H. CARLE  
 RANDALL E. CARLSON  
 MARISSA ANNE CARLTON  
 KENNETH R. CARMICHAEL  
 JENNIFER A. BRANIGAN CARNS  
 ANDREW D. CARR  
 RENE N. CARRILLO  
 MICHEAL CARRIZALES  
 BENJAMIN L. CARROLL  
 PATRICK G. CARROLL  
 THOMAS M. CARSON  
 JOHN D. CARTER  
 RYAN D. CARVILLE  
 MATTHEW S. CASPERS  
 DAVID J. CASWELL  
 JONATHAN B. CATO  
 KRISTEN L. CAVALLARO  
 DAWN RENEE CECIL  
 JOHN M. CHAMBERLIN V  
 MARK D. CHANG  
 MARK A. CHAPA  
 GEORGE L. CHAPMAN  
 MICHELLE M. CHARLESTON  
 CHRISTOPHER M. CHASE  
 ANNALaura CHAVEZ  
 STEPHEN J. CHENELLE  
 MICHAEL V. CHIARAMONTE  
 LOYD G. CHILDS  
 JASON C. CHISM  
 MYRON LEE CHIVIS  
 KELII H. CHOCK  
 PAUL J. CHOI  
 LISA H. CHRISTENSEN  
 MICHAEL WAYNE CHRISTENSEN  
 SCOTT D. CHRISTENSEN  
 TRAVIS E. CHRISTENSEN  
 TY CHRISTIAN  
 JOHN A. CHRISTIANSON  
 ALEXANDER C. CHRISTY  
 DONOVAN CIRINO  
 CORY L. CLAGETT  
 MICHAEL D. CLAPPER  
 NATHAN D. CLARK  
 THOMAS B. CLARK  
 MATTHEW R. CLAUSEN  
 WILLIAM J. CLAYTON III  
 JASON D. CLENDENIN  
 MICHAEL R. CLINE  
 SCOTT D. CLINE  
 RONALD V. CLOUGH  
 JASON E. CLUCHE  
 BRETT W. COCHRAN  
 KEVIN W. CODRINGTON  
 STEVEN L. COFFEE  
 DANIEL J. COIL  
 ANTHONY C. COLELLA  
 HECTOR L. COLLAZO  
 STEPHEN F. COLLETTI  
 JOHN M. COLLIER  
 JORDAN S. COLLINS  
 MATTHEW L. COLLINS  
 RAYMOND S. COLLINS  
 JEREMY W. COLVIN  
 ANDREW B. CONGDON  
 MICHAEL A. CONLAN  
 KIT R. CONN  
 WILLIAM G. CONNELLY, JR.  
 TIMOTHY J. COOK  
 TODD M. COOK  
 JAMES A. COOPER  
 CHRISTOPHER J. COPE  
 BRIAN L. COPPER, JR.  
 PAUL E. COPPER  
 JESSICA C. COREA  
 JOHN W. CORNETT  
 JESUS M. COSME  
 LOREN M. COULTER  
 CLAUDIO G. COVACCI  
 ANDREW P. CRABTREE  
 DANIEL A. CRAIG  
 BARRY A. CROKER  
 BRIAN O. CROOKS  
 BARRY D. CROSBY  
 RAY E. CROTTS II  
 JAMES S. CRUM  
 KAVERI T. CRUM  
 ERNEST CSOMA  
 PEDRO CUADRA III  
 RUSSELL B. CUENCA  
 ANDREW J. CULLEN  
 DEVIN J. CUMMINGS  
 SHANNON CHRISTOPHER CUMMINS  
 CHRISTOPHER K. CUNNINGHAM  
 JAMES A. CUNNINGHAM  
 ROBERT M. CURETON  
 DOUGLAS M. CURRAN  
 ROBERT D. CURRAN  
 BRENT W. CURTIS  
 KATRINA L. CURTIS

DAVID M. CZESAK  
 JUSTIN T. DAHMAN  
 KENNY W. DAILEY  
 TIMOTHY D. DALBY  
 DAVID C. DAMMEIER  
 JOHN J. DAMRON  
 TRACY A. DANIEL  
 ERIC C. DANIELSEN  
 MARY B. DANNER JONES  
 SEPTEMBER SHANNON DASILVA  
 KEVIN J. DAVIS  
 LINDA L. DAVIS  
 MARK E. DAVIS  
 MATTHEW T. DAVIS  
 ROBERT D. DAVIS  
 JERRY ALVIN DAVISSON  
 MINDY A. P. DAVITCH  
 JEFFERY H. DAY  
 TIMOTHY J. DAY  
 KENNETH A. DECHELLIS  
 DANIEL DEVON DECKER  
 STEPHAN R. DEHAAS  
 DELFIN ARIEL C. DELACRUZ  
 CIRO E. DELAVEGA III  
 ARMANDO DELEON, JR.  
 NORA E. DELOSRIOS  
 JEFFREY R. DENNIS  
 SCOTT E. DENNY  
 RANDALL D. DEPPENSMITH  
 SCOTT WILLIAM DERENZY  
 ANDREW C. DESANTIS, JR.  
 NATHAN K. DEVONSHIRE  
 KEVIN G. DEWEVER  
 HEIDI L. DEXTER  
 WILLIAM T. DEXTER  
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KRISTOPHER A. PRUITT  
MATTHEW A. PSILOS  
TOMASZ A. PUDLO  
LONDON E. QUAN  
JEFFREY J. QUICK  
KEITH E. QUICK  
WENDY L. QUICK  
ERIC B. QUIDLEY  
JOSEPH A. QUINN  
QAIS RABADI  
MATTHEW R. RABE  
JOHN R. RACZKOWSKI  
TRIGG E. RANDALL  
MICHAEL F. RASINSKI  
TIMOTHY DANIEL RAY  
STEVEN W. READY  
PATRICK M. REAGAN



JOHANNA KATHRYN REAM  
 EMIL LAWRENCE REBIK  
 KARL H. RECKSIEK  
 RICHARD J. REED  
 CARRIE E. REGISTER  
 JESSICA L. REGNI  
 CHRISTOPHER R. REHM  
 JEREMY R. REICH  
 SCOTT J. REIN  
 MICHAEL S. RELICK  
 STACIE A. REMBOLD  
 KARIN E. REYNOLDS  
 MATTHEW E. REYNOLDS  
 ERIK PAUL RHYLANDER  
 PRESTON L. RHYMER  
 DUANE E. RICHARDSON  
 LLOYD S. RICHARDSON IV  
 JAMISON L. RIDDLE  
 PATRICK D. RIENZI  
 JOHN J. RIESTER  
 DANIEL C. RIGSBEE  
 EDWARD T. RIVERA  
 JOEL RIVERA  
 ERIC J. RIVERO  
 JEFFREY J. RIVERS  
 TERESA D. RIVERS  
 NEAL R. ROACH  
 TYLER W. ROBARGE  
 BRIAN V. ROBERTS  
 MICHAEL L. ROBERTS  
 GREGORY C. ROCKWOOD  
 BREANNE C. ROECKERS  
 SHANE D. ROGERS  
 ALAN T. ROHRER  
 MARK C. ROMAN  
 JASON B. ROOKS  
 DEREK A. ROOT  
 DARNELL ROPER  
 ALFRED J. ROSALES  
 DOMINIC A. ROSS  
 JASON F. ROSSI  
 CARL B. ROTERMUND  
 STEWART L. ROUNTREE  
 FRANK W. ROVELLO  
 ADAM C. RUDOLPHI  
 BEN M. RUDOLPHI  
 DANIEL E. RUETH  
 NICOLE K. RUFF  
 WILFREDO RUIZ  
 AARON L. RUONA  
 KAREN P. RUPP  
 ANGELINDA D. RUSH  
 CON A. RUSLING  
 JEREMY J. RUSSELL  
 NICHOLAS J. RUSSO  
 KYLENE L. RUTH  
 JEFFREY L. RUTHERFORD  
 ANDREW R. RUTKOWSKI  
 JESSICA N. RUTTENBER  
 TIMOTHY M. RYAN  
 CHRISTOPHER J. RYDER  
 ROBERT W. RYDER, JR.  
 WILLIAM R. RYERSON  
 REBECCA SADLER  
 TROY R. SAECHAO  
 DON R. SALVATORE  
 DALE S. SANDERS  
 JEREMIAH B. SANDERS  
 LEE T. SANDUSKY  
 RYAN A. SANFORD  
 TRACI A. SARMIENTO  
 JACQUELINE A. SARTORI  
 MARTHA J. SASNETT  
 LUKE M. SAUTER  
 JOSHUA M. SCHAAD  
 JESSI R. SCHAEFER  
 JOHN R. SCHANTZ  
 JOSH C. SCHECHT  
 BENJAMIN SCHEUTZOW  
 JAMES E. SCHIESER  
 NICHOLAS S. SCHINDLER  
 TRACY A. SCHMIDT  
 ERNEST R. SCHMITT  
 ROBERT N. SCHOENEBERG  
 ANDREW SCHOFIELD  
 MATTHEW KENNETH SCHROEDER  
 SCOTT J. SCHROEDER  
 GREGORY N. SCHULKE  
 PAUL D. SCHULTZ  
 AVERY D. SCHUTT  
 KARL R. SCHWENN  
 GEORGE W. SCONYERS III  
 AMANDA K. SCOUGHTON  
 CLIFFORD N. SCRUGGS  
 JONATHON S. SEAL  
 CHRISTOPHER G. SEAMAN  
 JUSTIN D. SECREST  
 WILLIAM A. SEEFELDT  
 JASON L. SEELHORST  
 ANTHONY EDWARD K. SEKI  
 LESLIE L. SEMRAU  
 NEIL R. SENKOWSKI  
 ADAM J. SERAFIN  
 CARLOS A. SERBIA  
 RYAN D. SERRILL  
 BRIAN R. SERVANT  
 BRENDAN M. SHANNON  
 RICHARD R. SHARPE  
 ROBERT R. SHAW, JR.  
 ADAM W. SHELTON  
 NATHAN G. SHELTON  
 FRANKLYN K. SHEPHERD, JR.

JOHN C. SHERINIAN II  
 MICHAEL J. SHIELDS  
 BORIS SHIF  
 DAN J. SHINOHARA  
 MATTHEW P. SHIPSTEAD  
 JOSHUA N. SHONKWILER  
 MATTHEW R. SHRULL  
 JEFFREY D. SHULMAN  
 JOSEPH H. SHUPERT  
 WESLEY R. SIDES  
 PAUL D. SIEGLER  
 MICHAEL S. SIMIC  
 CHRISTOPHER E. SIMMONS  
 JEFFREY D. SIMMONS  
 RYAN S. SIMMS  
 MICHAEL ANDREW SIMONICH  
 MICHAEL J. SIMONS  
 BRYAN P. SIMPSON  
 CHAD S. SITZMANN  
 MARK D. SKALKO  
 JACK SKILES III  
 ROBERT J. SKOPECK, JR.  
 CHRISTOPHER A. SKOW  
 JAMES SLATON  
 MARTIN J. SLOVINSKY  
 JONATHAN R. SMITH  
 PETER M. SMITH  
 RACHEL K. SMITH  
 REGINALD L. SMITH  
 ROBERT SHELBY SMITH  
 ROCHELLE D. SMITH  
 SCOTT E. SMITH  
 WILLIAM CHARLES SMITH  
 SOL R. SNEDEKER  
 RYAN E. SNIDER  
 SAMUEL M. SNODDY  
 DAVID N. SNODGRASS  
 MATTHEW P. SNYDER  
 JASON G. SOMERS  
 PAUL N. SOMERS  
 THOMAS E. SONNE  
 PAUL RUSSELL SORTOR  
 LEWIS G. SORVILLO  
 WILLIAM G. SOTO  
 JOEL R. SOUKUP  
 BOONE C. SPENCER  
 KENDALL W. SPENCER  
 RAYMOND H. K. SPOHR  
 BRIAN J. SPORYSZ  
 JULIE SPOSITO SALCEIES  
 ZAN A. SPROLES  
 BERNARD R. SPRUTE  
 JEREMY E. ST LOUIS  
 CHEO F. STALLWORTH  
 DAWN STANDRIDGE  
 MATTHEW F. STANLEY  
 STUART A. STANTON  
 EDWARD J. STAPANON III  
 BROCC L. STARRETT  
 BRUCE A. STAUFER  
 TROY T. STAUTER  
 CHAD J. STEEL  
 ERIC D. STEELE  
 MICHAEL D. STEFANOVIC  
 TRAVIS H. STEPHENS  
 KAREN L. STEVENS  
 ROBERT D. STEVENS  
 HELEN STEWART  
 ZACHARY ROY STEWART  
 MICHAEL J. STOCK  
 ERIK STEVEN STOCKHAM  
 JAMES L. STONE  
 SCOTT J. STONE  
 RANDON L. STORMS  
 JEFFREY P. STRANGE  
 BRIAN K. STRICKLAND  
 RICHARD R. STRINGER  
 MATTHEW D. STROHMMEYER  
 PAUL B. STROM  
 CHRISTOPHER S. STROUP  
 PAUL D. STUCKI  
 JACQUELINE M. SUKHLALL  
 DAVID A. SULHOFF  
 JOEY P. SULLIVAN  
 MARK A. SULLIVAN  
 MICHAEL J. SULLIVAN  
 JOSE R. SURITA, JR.  
 TIMOTHY P. SUTTON  
 WALTER B. SWAIN III  
 MICHAEL DAVID SWARD  
 LAYLA M. SWEET  
 RICHARD W. SWENGROS  
 JENNIE A. Y. SWIECHOWICZ  
 MARK T. SZATKOWSKI  
 EDWARD V. SZCZEPANIK  
 YURI P. TAITANO  
 JOHN A. TALAFUSE  
 KATHERINE A. TANNER  
 DARIN R. TATE  
 THOMAS M. TAUER  
 YOLANDA S. TAYLOR  
 BRANDON J. TELLEZ  
 BRIAN S. TEMPLE  
 LINDA J. THERIAUF  
 JASON T. THIRY  
 ILLYA K. THOMAS  
 JAMES J. THOMAS  
 JEREMEY T. THOMAS  
 WILLIAM D. THOMAS  
 MICHAEL A. THOMPSON  
 SHAUNDAL T. THOMPSON  
 WILBUR L. THOMPSON

LEE C. THOMSON  
 SCOT A. THORNHILL  
 PAUL B. THORNTON  
 DYLAN G. THORPE  
 JOSEPH W. TIMBERLAKE  
 DAVID W. TIPTON  
 JOSEPH C. TOBIN  
 JUSTIN C. TOLLIVER  
 PHOENIX L. TORRIJOS  
 LINDSAY M. TOTTEN  
 KELLY R. TRAVIS  
 KEVIN M. TREAT  
 BRIAN J. TREBOLD  
 ROBERT J. TREST  
 JOSHUA J. TROSCLAIR  
 JOSHUA W. TULL  
 THOMAS A. TURNER  
 MATTHEW L. TUZEL  
 MARK C. UBERUAGA  
 MICHAEL S. UEDA  
 VINCENT N. ULLOA  
 JEFFREY M. ULMER  
 JOHN M. URSO  
 VHANCE V. VALENCIA  
 KEITH W. VANDERHOEVEN  
 GEORGE H. VANDEVERE  
 LANCE A. VANN  
 RYAN M. VANVEELEN  
 JONATHAN A. VAROLI  
 CLINTON B. VARTY  
 LEWIS M. VAUGHN III  
 JAVIER VELAZQUEZ  
 PETER J. VENTRES, JR.  
 MARTIN D. VERMEULEN  
 STEVEN L. VESTEL  
 ANTHONY L. VIEIRA  
 JOSEPH R. VIGUERIA  
 DERRICK S. VINCENT  
 SETH K. VOLK  
 PAUL K. VOSS  
 ANDREW R. VRABEC  
 ERIC S. WADDELL  
 JOHN P. WAGEMANN  
 JEREMY C. WAGNER  
 TERRY L. WAGNER  
 TIMOTHY S. WAGNER  
 ROBERT D. WAIDER  
 STEVEN D. WALD  
 CORY WILLIAM WALDROUP  
 IAN N. WALKER  
 THOMAS V. WALKER  
 JOSEPH D. WALL  
 BRIAN D. WALLER  
 BRYAN J. WALTER  
 ERIC J. WARD  
 ROBERT A. WARD  
 RANDY D. WARREN  
 DAVID L. WASHER  
 ANGELA MARIE WATERS  
 RICHARD H. WATERS  
 JOSEPH P. WATSON  
 JUSTIN T. WATSON  
 ERIN OWENS WEATHERLY  
 BARRY S. WEAVER  
 JEFFREY S. WEBB  
 TIMOTHY R. WEBB  
 JESSICA A. WEDINGTON  
 MARK A. WEGER  
 KRISTIN J. WEHLE  
 SHANE A. WEHUNT  
 HAYES J. WEIDMAN  
 JOSEF R. WEIN  
 JEFFREY E. WEISLER  
 CHRISTOPHER M. WELCH  
 JOSHUA N. WENNRICH  
 CARRIE E. WENTZEL  
 DANIEL C. WERNER  
 JOHNNY L. WEST  
 KELLY WEST  
 DANIEL L. WESTER  
 INGEMAR S. WESTPHALL  
 GLENDON C. WHELAN  
 JENNIFER L. WHETSTONE  
 DOUGLAS W. WHITE  
 TIMOTHY G. WHITE  
 TANDY R. WHITEHEAD  
 JASON A. WHITFORD  
 BENJIMAN C. WHITTEN  
 NICHOLAS J. WHRITENOUR  
 RYAN M. WICK  
 TONY M. WICKMAN  
 RAY BLAINE WIDDISON  
 DORSEY C. WILKIN  
 MICHAEL J. WILLEN  
 JASON P. WILLEY  
 DAVID W. WILLHARDT  
 CRAIG L. WILLIAMS  
 EDWARD C. WILLIAMS, JR.  
 KELLEN M. WILLIAMS  
 RYAN R. WILLIAMS  
 SCOTT J. WILLIAMS  
 TIMOTHY S. WILLIAMS  
 TODD C. WILLIAMS  
 DEREK L. WILLIAMSON  
 CHRISTOPHER M. WILLIS  
 SHAWN M. WILLIS  
 WILLIAM S. WILLIS  
 BILLY R. WILSON, JR.  
 JOHN D. WILSON  
 LARA L. WILSON  
 STEPHANIE Q. WILSON  
 STEPHEN W. WILSON

THOMAS K. WILSON  
JEREMY D. WIMER  
JAMES L. WINKELHAKE  
TRAVIS M. WINSLOW  
CYNTHIA E. WITTNAM  
JASON B. WOLFF  
BRYAN K. WONG  
RYAN M. WONG  
KRISTEN N. WOOD  
MICHAEL R. WOODRUFF  
MARC A. WOODWORTH  
WILLIAM D. WOOTEN  
BRADLEY R. WORDEN  
DAVID A. WRAY  
STEVEN P. WYATT  
REBECCA A. WYFFELS  
DAVID J. WYRICK  
MICHAEL L. YAMZON  
ROBERT J. YATES III  
ROWDY E. YATES  
EDWARD F. YONCE  
MATTHEW J. YOUNGMEYER  
FERNANDO L. ZAPATA  
GREGORY M. ZELINSKI  
JASON M. ZEMLER  
NICHOLAS G. ZERVOS  
MATTHEW J. ZIEMANN  
JOHN C. ZINGARELLI  
BARBARA L. ZISKA  
CAROLOS J. ZOURDOS  
BRANDON A. ZUERCHER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

AFSANA AHMED  
KENNETH A. ARTZ  
ANDREW R. BARKER  
CHELSEA L. BARTOE  
PETER THOMAS BEAUDETTE, JR.  
NAOMI PORTERFIELD DENNIS  
LAUREN N. DIDOMENICO  
PAUL E. DURKES  
SEAN M. ELAMETO  
TODD J. FANNIFF  
MICHAEL J. FELSEN  
THOMAS A. GABRIELE  
BRIAN R. GAGNE  
CHARLES J. GARTLAND  
JAMES G. GENTRY  
RYAN A. HENDRICKS  
MATTHEW EDWARD HILL  
SCOTT A. HODGES  
MICHAEL TODD HOPKINS  
CHRISTOPHER DAVID JONES  
JACK M. JONES, JR.  
JASON F. KEEN  
TYSON D. KINDNESS  
MICHAEL G. KING  
MATTHEW T. LUND  
AMER MAHMUD  
KRISTIN K. MCCALL  
MATTHEW N. MCCALL  
NICHOLAS WILLIAM MCCUE  
SARAH M. MOUNTIN  
JOHN MERRITT PAGE  
TRACY A. PARK  
LISA M. RICHARD  
DAVID R. SCHICHTLE  
CHRISTOPHER JOSEPH SCHUBBE  
PATRICK M. SCHWOMEYER  
JUSTIN A. SILVERMAN  
MAXWELL S. SMART  
JACQUELINE M. STINGL  
FELIX I. SUTANTO  
SARA A. SWART  
BRIAN D. TETER  
GREGORY J. THOMPSON  
SCOTT A. VAN SCHOYCK  
ROBERT EUGENE VORHEES II  
CHARLES G. WARREN  
DANIEL J. WATSON  
REGGIE D. YAGER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

*To be lieutenant colonel*

JOHN C. ROCKWELL  
NEIL L. SCHWIMLEY

*To be major*

TRAVIS A. ARNOLD LLOYD  
JENNIFER J. BARTLETT  
MAX M. CHAE  
CHARLES H. CHESNUT III  
JOONE H. CHOI  
MELANIE E. DEYSS  
PHILIP V. PARRY  
CRAIG S. POSTER  
KEVIN J. RYCYN  
MARION M. SWALL  
STEPHEN J. TORRES

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

*To be major*

ANA M. APOLTAN

ALDO TTINOCO

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

BRIAN H. ADAMS  
RONALD SCOTT ADAMS  
BRADLY ADAM CARLSON  
MARC G. CARNS  
ANDREA R. CARROLL  
MARK E. COON  
HEATHER NOELLE CORROTHERS  
TERRY LEE COULTER  
ALLISON ANNE DEVITO  
HUGH HAMMOND DUBOSE III  
CHRISTOPHER M. DYKSTRA  
PHILLIP LEE ERVIE  
BENJAMIN D. FORD  
ERIC HOWARD FRENCK  
NICHOLAS C. FROMMELT  
KEVIN WAYNE GOTTFREDSON  
ANDREW G. HALLDIN  
AIMEE ROCHELLE HANEY  
JEFFREY J. HANNON  
JASON MICHAEL HARLEY  
THERESA LYNN HILTON  
NOEL E. HORTON  
CHRISTIE A. JONES  
KELBY DANIEL KERSHNER  
AARON DOUGLAS KIRK  
DEAN W. KORSACK  
SARAH LORETTA KRESS  
MALCOLM LAFRANCE LANGLOIS  
JEFFREY JOSEPH LOREK  
ALEXANDER LEONARDO LOWRY  
KURT ALAN MABIS  
MEGAN CRAMER MALLONE  
JACOB ROBERT MARSHALL  
MICAH MCMILLAN  
TED ADAM NEWSOME  
MICHAEL EDWARD OBRIEN  
STELLA JEAN PHILLIPS  
BRIANNE ELIZABETH RAHN  
MATTHEW WALLACE RAMAGEWHITE  
JACOB ALLEN RAMER  
MATTHEW GAYLORD REAM  
CHRISTOPHER LANE SANDERS  
MICHAEL ALAN SCHRAMA  
RICHARD JOSEPH SCHRIDER  
MICHAEL AARON SCHWARTZ  
LAURENANN L. SHURE  
JEREMY NATHANIEL SNYDER  
JAMES RONALD STEELMAN III  
JARROD H. STUARD  
JESSICA L. SWITZER  
ROBERT MATHEWS THOMPSON  
RACHEL LYNNE VAN MAASDAM  
MATTHEW D. VAN MAASDAM  
MELVIN ARTHUR VAUGHN II  
KARL JEFFREY VOGEL  
DAVID LEE WALKER  
MARY JEAN WOOD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

JESSE L. JOHNSON

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

*To be colonel*

DAVID G. JONES

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be colonel*

RAYMOND L. PHUA

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

*To be major*

JOHN M. BRADFORD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be major*

STEVE J. CHUN  
CHRISTOPHER J. COCHRANE  
BRYAN S. NEWBROUGH  
LUCKEY C. REED  
BENJAMIN R. SIEBERT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

*To be colonel*

STEVEN L. ISENHOUR

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be colonel*

JOSEPH D. GRAMLING

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

*To be colonel*

MARK S. SNYDER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

*To be colonel*

KEITH J. MCVEIGH

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

*To be major*

LISA M. STREMEL

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be colonel*

MICHAEL N. CLEVELAND  
MICHAEL W. SUMMERS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be major*

MATTHEW H. BROOKS  
JAY D. HANSON

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be colonel*

GIL A. DIAZCRUZ  
DAVID S. RASMUSSEN  
YESENIA R. ROQUE  
RICHARD T. SCHUTE, JR.  
SOLIMAN G. VALDEZ

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be captain*

THOMAS F. MURPHY III

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

*To be lieutenant commander*

ARSLAN S. CHAUDHRY  
ANDREW D. SILVESTRI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

BENJAMIN M. BOCHE

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

MICHAEL J. ELLIOTT

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 6222:

*To be lieutenant colonel*

JOHN R. BARCLAY

## CONFIRMATIONS

Executive nominations confirmed by the Senate June 24, 2015:

DEPARTMENT OF STATE

CHARLES C. ADAMS, JR., OF MARYLAND, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF FINLAND.

MARY CATHERINE PHEE, OF ILLINOIS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SOUTH SUDAN.

NANCY BIKOFF PETTTT, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF LATVIA.  
GREGORY T. DELAWIE, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAOR-

DINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF KOSOVO.  
IAN C. KELLY, OF ILLINOIS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO GEORGIA.  
JULIETA VALLS NOYES, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MIN-

ISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CROATIA.  
DEPARTMENT OF THE TREASURY  
ANNE ELIZABETH WALL, OF ILLINOIS, TO BE A DEPUTY UNDER SECRETARY OF THE TREASURY.

## EXTENSIONS OF REMARKS

### HONORING COMCAST FOUNDER RALPH ROBERTS

#### HON. THOMAS MacARTHUR

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Mr. MACARTHUR. Mr. Speaker, I rise today to pay tribute to a great man, Ralph Roberts, who passed away last week at 95.

Mr. Roberts is a true example of the American Dream. He was born to a family of Russian immigrants, and grew up watching his father manage a chain of drugstores in New York City. He inherited his father's work ethic, and following his service in the Navy, he bought a small cable company in 1963 and founded Comcast.

Today, Comcast is headquartered in Philadelphia, and many of my constituents are proud Comcast employees. It's the largest Internet, cable, and telephone service provider to residential homes in our country, and has led the way in the telecommunications industry.

Mr. Roberts' spirit will live on not only in his successful business, but in his legacy of charity and generosity in the Philadelphia area. He was truly a remarkable and inspiring man, and he will be sorely missed.

### IN RECOGNITION OF THE LEADERSHIP AND INGENUITY OF STEVEN LEVESQUE

#### HON. BRUCE POLIQUIN

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Mr. POLIQUIN. Mr. Speaker, I rise to congratulate Steven Levesque on earning the prestigious Community Excellence Award. I join the Association of Defense Communities (ADC) in recognizing Mr. Levesque's tireless efforts to cultivate business and employ Mainers at the former Naval Air Station Brunswick, now known as Brunswick Landing, and the former Topsham Annex, now known as the Topsham Commerce Park.

As Executive Director of Midcoast Regional Redevelopment Authority (MRRA), Mr. Levesque has worked with an exceptional team to swiftly transform the base property from military to civilian functionality.

The success of MRRA's Reuse Master Plans for the former military installation serves as a model for innovative business practice in the state of Maine and beyond. Already, Mr. Levesque and MRRA have helped to bring 72 total businesses to Brunswick Landing and the result of their extraordinary efforts is 617 new Maine jobs. In addition to the Brunswick Landing, the Topsham Commerce Park provides residential space as well as office, retail and civic uses for residents.

Although the surrounding community of this project is not in my Congressional district, I recognize how critical the work of Mr. Levesque and MRRA is to my Second District constituents, the businesses that employ them, and the overall health of Maine's economy.

It is an honor to recognize Mr. Levesque on his leadership and ingenuity as the Executive Director of MRRA. Our great state thanks and applauds Mr. Levesque for his hard work as he accepts the Community Excellence Award.

### IN RECOGNITION OF MR. NICK MANGANARO ON HIS 90TH BIRTHDAY

#### HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Mr. BARLETTA. Mr. Speaker, it is my honor to recognize Mr. Nick Manganaro as he celebrates his 90th birthday. Nick began working at Medico Industries at the young age of 13, and he has continually served my local community in his duties at the company's Hanover Township facility.

The son of Italian immigrants, Nick graduated from Pittston High School in 1943. He proudly went on to serve in the Navy during WWII and was stationed in Panama until 1946. Upon returning to Pittston, Nick immediately resumed his work at Medico Electric Motor Company.

To this day, Nick is still employed by Medico Industries, where he has worked for 77 years. His work ethic is unparalleled. A wearer of many hats, Nick has worked on the rigging crew, operated cranes, drove tractor trailers, and maneuvered all of the construction equipment. Within the company, Nick is considered to be a father figure to many employees, always willing to provide support and guidance to those in need. He is admired by his coworkers and customers for his bright attitude, modest demeanor, and dedication to the company.

Though he cannot perform all the job functions he once could, Nick continues to work seven days per week—a habit that is indicative of his tireless, hard-working character. He still lives at the Manganaro family home—stead, where he resides next door to his sister, Maria Capolarella Montante. The two have one living brother, Joe Manganaro. Outside of work, Nick is a member of St. Rocco's Parish in Pittston, and is a life-long member of the San Cataldo Society in Pittston, a social organization that is united in celebrating its member's Italian heritage, familial values, and religious principles.

Mr. Speaker, I am pleased to recognize Mr. Nick Manganaro on this important milestone, and I admire his diligent work ethic and sense of commitment. I thank Nick for his service to

our country and community, and I hope that he will celebrate this year in the company of his family and friends.

### RECOGNIZING THE SERVICE OF EXECUTIVE ASSISTANT U.S. ATTORNEY JOHN DUNCAN

#### HON. JOHN KATKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Mr. KATKO. Mr. Speaker, I rise today to honor the career of Executive Assistant U.S. Attorney John Duncan. Duncan bravely served our nation as a soldier in the U.S. Army before serving our nation in the U.S. Attorney's Office for 27 years. As Mr. Duncan retires, it is my honor to recognize such a distinguished citizen and civil servant.

Assistant Attorney Duncan, after graduating from the University of Buffalo in 1969, served in the U.S. Army from 1969 through 1972, being stationed at the White House from 1970 to 1972. During his time in the military, Duncan earned the Presidential Service Medal and the Joint Service Accommodation Medal.

Following his time in the military, Assistant Attorney Duncan attended Syracuse University Law School where he is still heavily involved today as an adjunct professor. Following his graduation from Syracuse University Law, Duncan began working in private practice in 1975 and continued through 1978. He then moved to the public sector working in the Onondaga County District Attorney's office as the Chief Assistant District Attorney from 1978 through 1988 and was named the Chief Homicide Prosecutor in 1985 and served until 1988. Duncan then moved to the U.S. Attorney's office as an Assistant U.S. Attorney until 1999 when he was promoted to Executive Assistant.

Assistant Attorney Duncan has received numerous commendations and awards throughout his career in Central New York, including: an Onondaga County Sheriff's Department Commendation for the prosecution of *People v. Billy Blake* in 1987, the U.S. Department of Justice, Executive Office of United States Attorneys Director's Award for Outstanding Performance in Law Enforcement in 1994, the Above and Beyond the Call Award from CONTACT Community Services for leadership and volunteer service to community substance abuse prevention in 1996, the Edward J. Speno Award from the New York State Federation of Professional Health Educators for distinguished community service in support of substance abuse prevention programs in 1996, a Department of Defense Office of the Inspector General commendation for the prosecution of Oneida Research Services, Inc. in 1998, the American Bar Association Division for Public Education Award for commitment to Youth Court Programs in 2004, the American

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Probation and Parole Association award for outstanding service to Youth Courts in 2005, the U.S. District Court Recognition Award for support to the Open Door to Justice Program in 2006, and a Syracuse Police Department Commendation for the prosecution of the "Elk Block" Syracuse street gang in 2006.

During his career, Assistant Attorney Duncan has played an active role in the community through his board and chair memberships of several organizations and commissions, such as: the United Cerebral Palsy Association, the Onondaga County Criminal Justice Advisory Board, the City of Syracuse and County of Onondaga Drug and Alcohol Abuse Commission, the Onondaga County Youth Court Advisory Board, and the Town of Dewitt Police Commission.

Executive Assistant U.S. Attorney John Duncan has gone well beyond the call of duty while serving and protecting the 24th district. I wish Mr. Duncan well in his retirement and would like to thank him for his years of hard work, dedication, and service to our community.

IN MEMORY OF CHARLES RYLAND  
REVERE

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 24, 2015

Mr. WITTMAN. Mr. Speaker, I rise today to reflect on the life of Charles Ryland Revere, known by most as "Charlie," a native son and lifelong resident of Middlesex County in Virginia's First District. It was a privilege to be among the hundreds upon hundreds of admiring friends who joined Charlie's family in celebrating his life on June 7, 2015, in what many congregants noted to be perhaps the largest funeral gathering in the history of Lower United Methodist Church, a sanctuary that has stood across four centuries in Hartfield. As Charlie's eulogist noted, his lifelong contributions to his family, his community, and his beloved church were "incalculable." Another of Charlie's grateful friends observed, "Charlie's passion for life and his Christian compassion for others were beyond measure." Charlie's dedication to humbly serving, uplifting, and caring for others took many forms—Army officer, county supervisor, hospital board chair, youth league booster, free health clinic advocate, volunteer firefighter, bank board member, farmer, employer, and church leader, to name a few. His commitment to the professional men and women of Revere Gas touched thousands of families over the more than 50 years of operation. Charlie did not allow tragedy or any adversity to deter his loving embrace of life and all those who were blessed to know him. As a person of extraordinary humor yet humility, Charlie was never concerned with accolades or recognition. His life certainly reflected a notion often associated with Presidents Reagan and Truman—that there is no limit to what can be accomplished and the good that can be done when we don't worry about who gets the credit. We in the First District will miss him dearly but we will long note and take heart from his selfless

devotion to his community, his country, his family, and his faith. I submit the text of an article from the Southside Sentinel that gives a small glimpse of the impact of the lives of Charlie and his remarkable wife, Sally Gayle.

[From the Southside Sentinel, Apr. 18, 2012]

"FRIENDS TO THE COMMUNITY"

(By Tom Chillemmi)

HARTFIELD.—Many stories were told about Charles and Sally Gayle Revere of Hartfield during last Saturday's 14th annual Pride of Middlesex award banquet. Most involved good-natured ribbing. Sprinkled among the humor were heartfelt affirmations of a grateful community.

Sallie Belle Benedetti, a longtime friend, shared memories of their college years at the University of Richmond, where Charles and Sally Gayle met.

On a serious note, Benedetti said, "You've shared your time and talent so unselfishly. You have touched us in so many ways and we are better for knowing you."

Benedetti closed with a quote she said describes the Reveres so well. "The real purpose of our existence is not to make a living, but to make a life . . . a worthy well-rounded useful and loving life. If anyone has done that well, I think Sally Gayle and Charlie have."

Johnny Fleet of Hartfield, who grew up with Charles, told several stories. However, he also had this to say. "The word 'generous' comes to mind when I think about Charlie and Sally . . . generous, not just in monetary things. In today's world, generosity is better judged by the time spent and time given. And it truly applies to them. I don't know how they keep up. They are absolutely tireless in their efforts and the time they spend with their family and this community for all the things they are involved in."

Fleet made a point of noting Sally Gayle's many acts of kindness. "She has made more visits, sent more cards, sent more birthday acknowledgments, sent more get-well cards and more food than anyone I can imagine."

The Reveres are "friends to the community," said Fleet.

In selecting the Reveres, the Middlesex Rotary Club "brought the cream to the top," said Jimmy Pitts of Urbanna. "No two better people could have been picked for what they've done for the county of Middlesex and all of us in it. We thank you so much." Charles Bristow of Urbanna said, "I don't know of anyone else that is more deserving."

The Pride of Middlesex (POM) award is given annually to recognize and honor individuals or groups that exemplify the Rotary motto of "Service Above Self."

In accepting the award, Charles said, "It's very humbling to be recognized by your peers. It's an honor and we do appreciate this more than you know."

Charles said his family is thankful to live in Middlesex where there is a true sense of community. "This county has some very kind people. They are very, very generous when there is a need, and they all have the best interests of the county and the community."

Sally Gayle thanked all those involved in the event. "We're very humbled to receive this honor. Thank you so much."

Charles also recognized the 37-year career of Reverend Chauncey Mann, Jr., who recently retired as pastor of Grafton Baptist Church. Rev. Mann, a Rotarian, was the emcee of the banquet, which was held in the Hartfield Firehouse pavilion.

"Chauncey is someone I admire," said Charles. "He's always been a great friend,

he's always been community minded, he always puts the best interest of the county forward, and he's worked tirelessly for the county. He's just been a model citizen for our county. We are going to miss you."

The Reveres selected two organizations to receive a charitable donation from the proceeds of the Pride of Middlesex award banquet. Donations will be given to the Grafton Baptist Church's after-school program and the Northern Neck Free Health Clinic, which also serves Middlesex County.

BACKGROUND

Charles Revere, a native of Middlesex, graduated from Middlesex High School. He attended the University of Richmond where he met and married Sally Gayle Shepherd. Sally Gayle grew up in Lynchburg and is a graduate of E.C. Glass High School. She attended Westhampton College of the University of Richmond, and graduated from Phillips Business College.

After Charles graduated from the University of Richmond and completed infantry training in the U.S. Army, the couple moved to Fort Ord, California, until Charles completed his two-year military obligation. Charles elected to participate in the National Guard program for four years after which he was discharged as a captain.

Upon returning to Middlesex, Charles joined Revere Gas, a business his father started as Middlesex Bottled Gas in 1942 by delivering bottled gas from Richmond to a few Middlesex customers. Today, Revere Gas serves customers in 17 counties from six locations. Revere Gas is a family business. Sally Gayle is the firm's secretary/treasurer and for many years she handled the payroll. Both of the Reveres' sons, Craig and Carlton, work for the company.

In 1999-2000, Charles was president of the National Propane Gas Association. During the same period, Sally Gayle was chairman of the Scholarship Foundation of the National Propane Gas Association. Charles has continued the family interest and service to the Hartfield Volunteer Fire Department. His father was one of the five original founders.

Charles was a member of the Middlesex Board of Supervisors from 1980 to 1988. He is a past president of Middlesex Lions Club, and is currently a director on the boards of EVB Bank, Riverside Health System, Riverside Tappahannock Hospital (chairman), and the Northern Neck Free Health Clinic.

Sally Gayle's past services include: president/chair of American Cancer Society (Middlesex); chair of the first Middlesex Relay for Life; president of Middlesex Junior Woman's Club; volunteer work with the Middlesex YMCA (Middlesex Capital Campaign); RGH Hospital volunteer; president of the Middle Peninsula Community Concert Association; chair of the first county rescue squad drive; and a volunteer at the Northern Neck Free Health Clinic and with Red Cross Bloodmobiles.

Charles and Sally Gayle have and continue to serve and support Lower United Methodist Church in many capacities.

Previous POM recipients have included the following notable county residents and organizations: Louise Gray, Sherman Holmes, Ruth Barr, Middlesex Volunteer Fire Department, Middlesex Volunteer Rescue Squad, Joe Fears, Jack Fackler, Tom Hardin, Charles Bristow, Dave and Linda Cryer, sisters Rachel Norris Bridger and Ruby Lee Norris, and Aubrey and Margie Hall.

POLICY INITIATIVE ON IRAN:  
BREAKING THE STALEMATE, EN-  
GAGING WITH THE IRANIAN OP-  
POSITION

**HON. TOM MCCLINTOCK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Mr. MCCLINTOCK. Mr. Speaker, with a long history of serving the American people and the U.S. national interest, we stand together today to call for a new approach in our country's policy toward Iran and the Iranian opposition.

Ours is an independent initiative, motivated by our concerns for United States national security, as well as justice and opportunity for millions of Arab and Persian citizens whose futures are being shaped by current events, and the unending suffering of the Iranian people, who have been deprived of their most fundamental rights for over 35 years under the tyrannical regime ruling Iran.

We are also concerned about the safety and security of the approximately 2,500 Iranian opposition members trapped in Camp Liberty in Iraq, whom our government, through its military, has pledged in writing to protect. Their safety while being processed for onward relocation by the United Nations remains a moral obligation for the United States, arising not only from our written guarantee but also from the valuable help and intelligence—including information about Iran's nuclear program—provided by these opposition members. Our country's failure to uphold its solemn promises to these defenseless men and women is inexcusable, and is a by-product of our government's misreading of the Iranian regime's intentions.

We are united in our understanding of the nature of the regime in Iran, a subject about which many of our colleagues in Washington seem uncertain. While we share the goal of seeking an end to Iran's nuclear weapons activities through diplomacy if such an outcome can be negotiated, we believe it is a mistake for Iran's actions in Syria, Iraq, Yemen and elsewhere to be overlooked, minimized, excused or even welcomed. We also believe it will better serve our country's interests to pay closer attention to the human rights and aspirations of the Iranian people.

Today we call for an end to the misguided position of those in Washington who seek to isolate, exclude or otherwise ignore Iran's largest, most established and best organized political opposition, the National Council of Resistance of Iran, led by Mrs. Maryam Rajavi. In recent years we have come to know Mrs. Rajavi and the NCRI, and we know the resistance far better than many in Washington who believe that the NCRI should be kept at arm's length for one reason or another.

We call as well for immediate pressure by our government on the government of Iraq, which depends on United States military and financial aid, to end the systematic torment of the MEK members still in Iraq that has thus far resulted in 142 deaths (101 outright murdered, 15 victims of rocket attacks, and 26 denied access to proper medical treatment) and the ongoing denial of livable health, sanitary and nutrition conditions. This cessation of harass-

ment should be followed immediately by their physical removal from Iraq to countries in which Iranian opposition members are already leading productive lives, including the United States.

Mrs. Rajavi's steadfast message, to political and religious leaders around the world over a period of many years, is a 10-point plan for the future of Iran that would resolve Iran's most dangerous and destabilizing challenges. The plan would restore political legitimacy through universal suffrage, guarantee rights for all citizens and particularly women and minorities, end the cruel excesses of the judiciary and establish the rule of law, end the nightmare of fundamentalist Islamic dictatorship by once again separating church and state, protect property rights, promote equal opportunity and environmental protections, and—last but certainly not least—seek a non-nuclear Iran, free of weapons of mass destruction. The idea that Washington should continue in 2015 to disregard a worldwide group of Iranians promoting such a platform is indefensible. The United States should be maintaining a vibrant and constant dialogue with the National Council of Resistance of Iran.

It is by now beyond dispute that the regime in Tehran is fomenting instability and conflict throughout the region, most notably in Syria, Lebanon, Yemen and Iraq. Its campaign to undermine stability was launched because the regime sought to enhance its influence throughout the region and because it feared the emergence of more open political systems in nearby countries that could revive the democratic forces behind the Persian Spring of 2009. Iran shares responsibility for the rise of ISIS; this phenomenon was cynically facilitated by Syrian dictator Bashar al Assad and then-Prime Minister Nouri al-Maliki in Iraq to divert the focus from their own divisive sectarian actions, supported by Iran, about which we have repeatedly warned in previous years.

Iran's regime has sustained a leader in Damascus guilty of major war crimes against his own people and in defiance of a Presidential "red line," a UN-brokered transition process and the united stance of Arab League governments insisting on his departure. It has supplied military-grade weapons to Hizballah, a Lebanese non-state actor with the blood of American diplomats and Marines on its hands. It has supported and led sectarian militias in Iraq assaulting Sunni villages and towns. It has provided long-range rockets to Hamas in Gaza to be aimed at population centers in Israel, destabilizing efforts at a negotiated two-state solution. And it has supplied arms, explosives, and funds to an insurgent group in Yemen that has driven out foreign Embassies, including our own, seized power and provoked a new regional military conflict.

In all of these actions, while the U.S. Administration has exercised restraint in the apparent hope of moderating Iran's behavior, Iran's leaders have shown nothing but contempt for longstanding American, European, and Arab interests throughout the Middle East. They have also clearly demonstrated that money is no object in their efforts to quell popular movements for more open and democratic governance, both domestically and in neighboring Arab countries.

Inside Iran, while many Americans have for years detected signs of moderation, the re-

gime has become, if anything, more repressive since Hassan Rouhani became President in 2013. Imprisonment and executions have increased. Information, including access to the internet, radio, and television, as well as social media, are now substantially controlled by the Revolutionary Guards. The 2013 elections were carefully managed by the regime to avoid a repeat of the open rebellion in the streets in 2009, after which many were executed and more have been imprisoned.

The editors of The Washington Post, writing about its reporter, whom they say is "entirely innocent of the charges" for which he has been imprisoned in Iran since July of 2014, write that this "blatant abuse of the human rights of an American journalist" raises "disturbing questions about a regime that Mr. Obama is counting on to implement a complex and multifaceted accord limiting its nuclear activities." The Post editors ask, "If [Foreign Minister] Zarif and President Hassan Rouhani either countenance or cannot stop such blatantly provocative behavior by the Iranian intelligence services and judiciary, how can they be expected to overcome the entrenched resistance to limiting Iran's uranium enrichment?"

We share these concerns. We also recognize that the fundamentalist regime in Tehran, in violating so many norms of political governance and international behavior since the 1979 revolution, survives not through the ballot box but only by absolute suppression and its false claim to religious authority—a formula which has now been repeated by Sunni extremists attempting to create an Islamic State in Iraq and Syria. No one should misunderstand why the National Council of Resistance of Iran is the single entity feared most by the rulers in Tehran: it is because the MEK and NCRI directly challenge the religious claim of authority that the mullahs have used to exercise and maintain political power.

The ayatollahs' thirty-five-year war against the MEK and the NCRI; the repeated deadly assaults against the residents of Camp Ashraf and Camp Liberty; their intelligence services' covert influence and propaganda campaigns against the Resistance in Western countries; their constant diplomatic requests over the past two decades for the U.S., France, and other governments to place the MEK on their lists of terrorist organizations; their confiscation of satellite dishes and jamming of Iran National TV signals reaching the population inside Iran; their arbitrary arrest, imprisonment, and execution of anyone supporting the Resistance—all these aspects of the regime's obsessive focus on the Resistance are due to one fact.

This is not about terrorism, not about culture, not about the Iran-Iraq War or the aftermath of the 1991 Gulf War. All the propaganda generated by the regime to defame and criminalize the Resistance has now been exposed, and the NCRI has challenged every terrorist listing and won. No, this obsession of the mullahs with the Resistance is about Islam, and the desire of millions of Iranians to exercise their faith while living in a modern society with higher education, and economic and political empowerment for women and men alike. The concept of Velayat e-faqih in the new regime's constitution—forcefully imposed

by Ayatollah Khomeini after the fall of the Shah to place total religious and political power in the hands of one man—has been a disaster for the Iranian people, for Iran, and for the world. You will not hear any debate in Washington that ISIS must be stopped; it is high time Americans also recognized that if ISIS succeeds, what the world will get is a Sunni version of Khomeini's Iran.

We recommend the following four initiatives to our government and to presidential candidates and prospective candidates in both parties, aimed at de-escalating conflict throughout the Middle East, in part by recognizing these realities, standing for American principles and basic international norms, and opposing the destructive role of Iran in the region.

First, on the nuclear issue, we support a peaceful solution if it can be achieved through diplomacy. However, we strongly believe that such a solution cannot be achieved by making concessions to Iran but rather by making clear that Iran will be denied any potential opportunity to obtain a nuclear bomb. Iran under the ayatollahs has consistently shown that it cannot be trusted. Verification, not blind trust in the Iranian government to fulfill conditions of the agreement, must be an unconditional reality. Furthermore, western negotiators must clarify what is meant by Possible Military Dimension (PMD) activities of Iran before a comprehensive deal can be signed.

Second, Iran's destructive role throughout the region must be curbed and deterred. Far from being part of the solution, Iran is a major part of the problem. There should be no direct or indirect cooperation with Iran under the pretext of fighting ISIS. Iran has been a major engine of the spread of Islamic extremism and fundamentalism. It is globally recognized to be the primary state sponsor of terrorism. The success of a long-term stabilization strategy in the region hinges on ending Iran's cynical and destructive meddling in Syria, Iraq, Yemen, Lebanon, and other countries.

Third, we should be more vigilant and vocal about the serious human rights abuses by the regime that continue inside Iran. Our policy on Iran's internal and external transgressions against universal international norms can no longer be held hostage to the nuclear issue. Indeed, our failure to stand for basic principles and rights only encourages the regime to violate them further with impunity. Nuclear negotiations, which many have taken as an indication of moderation within the theocratic regime, must not inadvertently provide it an undesired veneer of legitimacy and abet its suppression of the Iranian people. During Mr. Rouhani's tenure as President, the human rights situation in Iran has measurably deteriorated, while illicit arms trafficking and support for terrorist non-state actors has continued unabated. A successful policy toward Iran and the Middle East cannot be based on denial of these realities.

Ultimately, the core of our approach is to side with 80 million Iranian people and their desire, along with people everywhere, for freedom and popular sovereignty based on democratic principles. Engaging with the democratic opposition has been the missing piece of U.S. policy for many years under both Republican and Democratic leadership. Thus, as our

fourth initiative, we call on our government to break the stalemate and engage in respectful dialogue with the Iranian opposition, consistent with our country's policy of dialogue with all political groups. Whatever the outcome of nuclear negotiations and in virtually any possible scenario, the wishes of the Iranian people and their desire for change must be taken into consideration.

The fact is that Washington officials, experts, and expatriates cannot possibly know what Iranians living under a violently repressive dictatorship truly believe about their circumstances or whom they would support in an open political process. We disrespect a great people by assuming that a democratic and non-nuclear Iran is impossible. It is not impossible; to the contrary, it is the only way to a future of regional stability.

Mrs. Maryam Rajavi, as a Muslim woman advocating a tolerant and democratic interpretation of Islam enabling Muslims to be accepted and respected by all cultures and faiths, represents the very opposite of the misogynous Iranian regime's dictatorial nature and that of all Islamic fundamentalists and extremists. We need to align our policies with our principles, and begin listening to the voices of brave Iranians, many of whom have waited more than three decades, as their loved ones endured torture and death in the mullahs' prisons, still believing in the promise of America. All of us here today stand with them in solidarity with their deepest aspirations for a respectable, just, and democratic Iranian government worthy of its people.

Hon. J. Kenneth Blackwell—Former U.S. Ambassador, UN Human Rights Commission  
Hon. Lincoln P. Bloomfield, Jr.—Former Special Envoy and Asst. Secretary of State  
Hon. John Bolton—Former U.S. Ambassador to the UN

Col., U.S. Army (Ret.) Thomas V. Cantwell—Former U.S. Military Commander for Camp Ashraf

Hon. Marc Ginsberg—Former U.S. Ambassador to Morocco

Hon. Rudy Giuliani—Former Mayor of New York City, Presidential Candidate

Hon. Porter Goss—Former Director of CIA, Former Chairman of House Intel Committee

Hon. Newt Gingrich—Former Speaker of the House

Brig. Gen., U.S. Army (Ret.) David D. Phillips—Former U.S. Military Commander for Camp Ashraf

Hon. Mitchell B. Reiss—Former Ambassador, Former Special Envoy to the Northern Ireland Peace Process

Hon. Bill Richardson—Former NM Governor, Secretary of Energy, UN Ambassador, Presidential Candidate

Hon. Glenn Carle—Former Deputy National Intelligence Officer for Transnational Threats, National Intelligence Council

Gen., U.S. Army George Casey—Former Chief of Staff and Commander of Multi-National Forces—Iraq

Hon. Linda Chavez—Former Assistant to the President for Public Liaison, Chairman of the Center for Equal Opportunity

Gen., U.S. Marine Corps (Ret.) James Conway—Former Commandant

Hon. Howard Dean—Former Governor of Vermont, DNC Chairman, Presidential Candidate

Dr. Alan Dershowitz—Professor of Law, Harvard Law School

Lt. Gen., U.S. Air Force (Ret.) David Deptula—Former Deputy Chief of Staff for Intel, Surveillance, and Reconnaissance

Hon. Paula J. Dobriansky—Former Under Secretary of State for Democracy and Global Affairs

Hon. Louis J. Freeh—Former FBI Director  
Gen., U.S. Marine Corps (Ret.) James L. Jones—Former Commandant, NATO Commander, National Security Advisor to the President

Hon. Robert Joseph—Former Under Secretary of State for Arms Control and International Security

Hon. Patrick Kennedy—Former Congressman from Rhode Island

Hon. Joseph I. Lieberman—Former Senator from Connecticut

Col., U.S. Army (Ret.) Wesley M. Martin—Former U.S. Military Commander for Camp Ashraf, Senior Antiterrorism Officer—Iraq

Lt. Col., U.S. Army (Ret.) Leo McCloskey—Former U.S. Military Commander for Camp Ashraf

Hon. R. Bruce McColm—President, Institute for Democratic Strategies

Col., U.S. Army (Ret.) Gary Morsch—Former Senior Medical Officer, Camp Ashraf

Hon. Michael B. Mukasey—Former U.S. Attorney General

Hon. Tom Ridge—Former Governor of Pennsylvania, Secretary Homeland Security

Hon. John Sano—Former Deputy Director, CIA National Clandestine Service

Gen., U.S. Army (Ret.) Hugh Shelton—Former Chairman of U.S. Joint Chiefs of Staff

Hon. Eugene R. Sullivan—Retired Federal Judge, Lt. Col., U.S. Army (Ret.)

Hon. Raymond Tanter—Former Personal Representative of Secretary of Defense to Arms Control Negotiations

Hon. Robert Torricelli—Former Senator from New Jersey

Hon. Frances Townsend—Former Homeland Security Advisor to the President

Gen., U.S. Air Force (Ret.) Charles (Chuck) Wald—Former Deputy Commander U.S. European Command

#### TRIBUTE TO MS. CARRIE MAE PACE-WILLIAMS THOMPSON

### HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following Proclamation:

Whereas, Ms. Carrie Mae Pace-Williams Thompson was born on December 10, 1920 in Taliaferro County, Georgia and this year she is celebrating a remarkable milestone reaching 95 years of age; and

Whereas, Ms. Pace-Williams Thompson has been blessed with a long, happy life, devoted to God and credits it all to the Will of God; she is a strong woman of God and a sister in the Hall Order of Eastern Stars; and

Whereas, Ms. Pace-Williams Thompson is celebrating her 95th Birthday with family members at this year's Pace-Williams Family Reunion in Virginia Beach, Virginia; and



Whereas, she celebrates a life of blessings as a Mother, Grandmother, Great Grandmother, Great-Great Grandmother, friend, community servant and leader; and

Whereas, the Lord has been her Shepherd throughout her 95 years and she prays daily and leads by example serving as an advocate, faithful matriarch and a community leader; and

Whereas, we are honored that she is celebrating her birthday today with family and friends giving generations of loved ones the opportunity to give thanks and display their love for the blessings that God has bestowed upon the Pace-Williams family; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Ms. Pace-Williams Thompson for an exemplary life which is an inspiration to all; now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby proclaim June 26th and December 10th, 2015 as Ms. Carrie Mae Pace-Williams Thompson Day in the 4th Congressional District of Georgia.

Proclaimed, this 26th day of June, 2015.

IN RECOGNITION OF KLA LABORATORIES' 85TH ANNIVERSARY AND GRAND OPENING OF THEIR NEW TECHNICAL CENTER IN DEARBORN

**HON. DEBBIE DINGELL**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Mrs. DINGELL. Mr. Speaker, I rise today to recognize KLA Laboratories on their 85th anniversary as well as for the opening of their new facility in Dearborn, Michigan. As a Member of Congress it is both my privilege and honor to recognize KLA for their dedication and service in the IT and communications field.

In today's technological climate, a skilled and dependable communication provider is an invaluable asset. Over the course of 85 years, KLA Laboratories has been a critical resource for private and public entities ranging from cellular providers to educators and healthcare organizations. KLA established itself on the principles of customer satisfaction, a commitment to quality, and safety. As a testament to these principles, KLA Laboratories now counts several major Detroit-area businesses among those they serve, including Ford Motor Company, General Motors, and all of Detroit's professional sport teams. This diverse client base exemplifies KLA's leadership in the communications field and has warranted them the coveted "Best Audio/Visual Provider in Michigan Award" on numerous occasions.

Mr. Speaker, I ask my colleagues to join me today in honoring KLA Laboratories for combining best business practices and a committed partnership with our community. I thank them for their great work in our region and hope it will continue for many years to come.

COMMEMORATING THE LIFE OF  
RAYMOND SHELTON

**HON. ROBERT HURT**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Mr. HURT of Virginia. Mr. Speaker, I submit these remarks to commemorate the life of Bufalo Soldier Raymond Shelton of Halifax County, Virginia, who passed away June 12, 2015 at age 100.

Raymond Shelton served as a medic in the 92nd Infantry Buffalo Division, the last segregated Army division and the only African-American division to fight in Europe during World War II. This division suffered 3,200 devastating casualties between August 1944 and May 1945, as it fought to liberate Italy from Nazi occupation. Mr. Shelton served as a chaplain assistant for an Army medical corps, where he played music at services in the field, fought in combat, guarded a German POW camp, and had the somber task of collecting personal belongings of deceased soldiers to return to their families.

Mr. Shelton was awarded four medals for his dedicated service: a good conduct medal, the European-African-Middle Eastern Campaign Service Medal, American Service Medal, and World War II Victory Medal. In 1946, Shelton was honorably discharged as a tech corporal and later settled in Hampton, where he worked his way up from bag boy to store manager at the Bi-Lo Market.

He retired to South Boston with his wife, Mabel, but his service to others did not end with his military career. In his retirement, he often visited nursing homes, sharing his love of music by playing the piano and entertaining residents with his stories. He was a pillar in the community and will forever be remembered as a hero to South Boston and our great nation for his compassion, dedication, and patriotism.

On the occasion of the passing of Raymond Shelton, I ask that the members of this House of Representatives join with me and the community of South Boston, Virginia in honoring the memory of a great American hero.

RECOGNIZING LEVITTOWN-  
FAIRLESS HILLS ROTARY CLUB

**HON. MICHAEL G. FITZPATRICK**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Mr. FITZPATRICK. Mr. Speaker, congratulations to the Levittown-Fairless Hills Rotary Club on its 60th anniversary. Yours is a global service organization, founded in 1905 in Chicago and since then has grown to more than 34,000 clubs and 1.2 million members, worldwide. Rotary International has contributed to many service projects on the local and global scale and consistently worked toward the elimination of polio, which is a major Rotary project. In forming your clubs, you gather together business and professional leaders, who will strive to advance high ethical standards and dedicate themselves to humanitarian serv-

ice. Rotarians contribute to their communities through individual local chapters, such as the Levittown-Fairless Hills Club that each year awards scholarships to local, high school graduates and takes part in the international efforts. In so doing, you are upholding the Rotary International motto: Service Above Self. Again, congratulations to the Levittown-Fairless Hills Rotary Club for 60 years of community service and best wishes for continued success.

RECOGNIZING THE LIFE OF  
JANUSZ BORZUCHOWSKI

**HON. MARCY KAPTUR**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Ms. KAPTUR. Mr. Speaker, I rise today to recognize Janusz Borzuchowski of Bialystok, Poland, who helped keep the flame of liberty alive in one of this country's most important allies since the birth of the American Revolution.

As the 2016 election cycle roars into our television sets and permeates our consciousness, I am pleased to be able to report from time to time on the sometimes secret heroes whose lives we can all celebrate in the most bipartisan fashion.

Many of their stories we find in our civil and human rights movements, on our factory floors, in our military and police, in our hospitals, and myriad other places—all bearing the stamp: MADE IN THE USA.

However, it is also important to remember those around the world who, while not sharing our sacred citizenship, do share our values—often at the greatest risk and greatest potential cost to themselves.

Janusz Borzuchowski was not quite six years old when his father, Lieutenant Tadeusz Borzuchowski, was taken from their home by a Soviet Union then allied with Hitler's Germany. He, along with thousands of others of Poland's intelligencia, was murdered on Stalin's orders in Katyn Forest.

As a young man, Janusz Borzuchowski became a civil engineer and well-known outdoorsman, teaching at the local university and marrying a woman with whom he deeply fell in love, Halina Dworakowska, who herself returned to Poland very young after being born in Kazakhstan, where her parents had been sent into exile by the Soviet regime.

As the Polish motto, "For Our Freedom—and Yours," slowly resurrected itself from behind the Iron Curtain, Janusz went on to be a key clandestine figure in the Solidarity movement in Eastern Poland. Working out of Bialystok, he was in charge of collecting money to support the cause—distributing in the process beautiful clandestine postage stamps for secret sale among liberty's partisans—and secretly running the region's printing press from one of his apartments.

At the same time, his sister Agnieszka, who passed away three years ago, was a fabled physician in the Medical University of Bialystok who hid Solidarity movement fugitives from Communist authorities—disguising them as

patients in her hospital ward for infectious diseases. She was also the premier and pioneering figure in the largest city in north-eastern Poland in the fight against HIV/AIDS. Just last year, Białystok named a local park after Agnieszka in recognition of her vast following of well-wishers and her many medical, social, and political contributions to Poland.

Agnieszka's passing was followed last year by that of Janusz's oldest daughter, Dorota, an architect in Warsaw who was very well known for her designing of the interiors of some of the most famous gambling casinos in Poland's capital. His other daughter, Polish American Congress Washington Director Dr. Barbara Borzuchowski Andersen, is one of the Polish American community advocates best known for her work with both Congress and the White House.

Unfortunately Janusz—a devoted husband, father, brother and advocate for liberty—is himself now facing major health problems. I cannot think of a better tribute to him now than to salute him: "W imię Boga za Naszą i Waszą Wolność"—thanking God, for our freedom, yours, and that of people around the world.

#### PERSONAL EXPLANATION

### HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Ms. ROYBAL-ALLARD. Mr. Speaker, I was unavoidably detained due to a delayed flight and was not present for two roll call votes on Tuesday, June 23, 2015. Had I been present, I would have voted in this manner:

Rollcall Vote # 376—Protecting Seniors' Access to Medicare Act of 2015—"no."

Rollcall Vote # 377—Domain Openness Through Continued Oversight Matters Act of 2015—"yes."

Rollcall Vote # 378—TSCA Modernization Act—"yes."

#### PERSONAL EXPLANATION

### HON. JOHN C. CARNEY, JR.

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Mr. CARNEY. Mr. Speaker, I wish to clarify my position on the vote cast for H. Con. Res. 55 (Roll no. 371).

On June 17, 2015 I voted against Representative MCGOVERN's Resolution which would have directed the President to remove United States Armed Forces deployed to Iraq or Syria on or after August 7, 2015. I appreciate the Congressman's sustained work on this issue. I continue to believe Congress should vote on a new Authorization for Use of Military Force and have previously voted in favor of revoking the existing AUMF. However, I am not comfortable requiring that the President remove troops in the short time frame provided in this legislation, especially given the difficult job those troops face in combating ISIL and training our allies in Iraq and the region.

#### TRIBUTE TO THE MCCORMICK FAMILY

### HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following Proclamation:

Whereas, the arrival of John Dominy and his two sons Tom Ball and Abraham McCormick to America in 1830 began the McCormick family lineage which has blessed us with descendants that have helped to shape our nation; and

Whereas, the McCormick Family has produced many well respected citizens, and the patriarchs and matriarchs of the McCormick family are pillars of strength that have touched the lives of many; and

Whereas, in our beloved Fourth Congressional District of Georgia, we are honored to have members of the McCormick family for they are some of our most honorable citizens in our District; and

Whereas, family is one of the most honored and cherished institutions in the world and we take pride in knowing that families such as the McCormick family have set aside this time to fellowship with each other, honor one another and to pass along history to each other through their family reunion in DeKalb County, Georgia; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize the McCormick family; now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby proclaim August 1, 2015 as McCormick Family Reunion Day in the 4th Congressional District of Georgia.

Proclaimed, this 1st day of August, 2015.

#### IN RECOGNITION OF GEORGIE GOODE

### HON. RUBEN GALLEGO

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Mr. GALLEGO. Mr. Speaker, I rise today to recognize Mrs. Georgie Goode, a longtime Phoenix educator, and community activist, who passed away recently at the age of 87.

Born to Horace H.S. and Georgia Stroud in 1928, Mrs. Goode led a remarkable life that can serve as an example to young people in our communities. She was a Phoenix treasure—an educator, school board leader, activist, mother and grandmother who inspired our community in countless, immeasurable ways.

Raised near Atlanta in segregated schools, she would go on to graduate from Spelman College, a historically black liberal arts college for women and later received a master's degree from Atlanta University.

Mrs. Goode arrived in Phoenix in the 1950s, where she would marry Mr. Calvin C. Goode. In her time in Phoenix, she was a tremendous leader, serving as a City of Phoenix Councilwoman for 22 years. She was passionately committed to strengthening education and did so through her work on the board of the Phoe-

nix Elementary School District and Phoenix Union High School District, as well as a teacher in the Roosevelt School District.

Mrs. Goode was also a very active member of several community boards, where she was instrumental in providing basic amenities for several neighborhoods, such as paved roads, streetlights, and a library.

Mr. Speaker, Georgia Goode was a pillar of the Phoenix community. Her lifelong commitment to education, building strong neighborhoods, and mentoring those around her will live on. I am deeply honored to recognize Georgie Goode's storied life. She will be missed by many, but her impact on our communities will endure for generations to come.

#### HONORING THE GRAND OPENING OF THE PALM BEACH RENEWABLE ENERGY FACILITY 2

### HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Mr. DEUTCH. Mr. Speaker, I rise today to recognize the Solid Waste Authority of Palm Beach County as they open the Palm Beach Renewable Energy Facility 2. Today, the facility will celebrate its public grand opening as the most environmentally friendly waste-to-energy power plant in North America. It is also the first waste-to-energy power plant built in the United States in more than 15 years. As a member of Congress representing Palm Beach County, I am proud to recognize the County's commitment to alternative forms of energy and reducing the accumulation of waste.

The Palm Beach Renewable Energy Facility 2 will reduce our reliance on the County's landfill by up to 90 percent while providing enough energy to power an estimated 44,000 homes and businesses. Each year, this facility will process over one million tons of post-recycled waste as well as recycle an estimated 27,000 tons of metal. Not only will the Palm Beach Renewable Energy Facility 2 repurpose our waste, but it will do so in an efficient way using advanced air pollution controls and water conservation measures.

I especially look forward to visiting the facility's Education Center. This Center will provide countless opportunities to educate our students and the greater public on the benefits of preserving our environment and investing in innovative energy solutions.

I congratulate the Solid Waste Authority of Palm Beach County, its partners, and its employees on this momentous occasion and honor them.

CONGRATULATING PIONEER NATURAL RESOURCES ON EARNING PLACEMENT ON THE FORTUNE 500 LIST

**HON. KENNY MARCHANT**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Mr. MARCHANT. Mr. Speaker, I rise today to recognize Pioneer Natural Resources of Irving, Texas, on having a successful fiscal year and joining an elite group of businesses on the Fortune 500 list.

Pioneer is a strong and driven company set on providing oil and natural gas to the world. They work to meet the needs and demands of the oil and natural gas market that drives much of the energy industry. Pioneer has provided many years of stable economic growth, producing jobs and opportunities worldwide. It is an incredibly active and enriching company, and I am honored to have such a business within the 24th district of Texas.

This company was not built overnight. Pioneer came to be by hardworking individuals and tactical strategic intelligent business maneuvers. With large oil and natural gas operations, its economic impact is felt far and wide. But its positive impact on local communities is just as meaningful. Pioneer's employees give back by volunteering for Habitat for Humanity, Dallas Court Appointed Special Advocates, the United Way, and the North Texas Food Bank, to name a few.

By focusing on economic growth and helping the communities in which they are involved, Pioneer has built a strong reputation. This company will continue expanding and practicing smart business tactics that will bring about more jobs and enrich the lives of Texans and many others. Pioneer has brought pride to the 24th district of Texas and continues to be a positive influence in the state and our country.

Mr. Speaker, it is a pleasure to recognize Pioneer Natural Resources as a member of the Forbes 500 list. I ask all of my distinguished colleagues to join me in celebrating such an accomplishment.

TRIBUTE TO STANLEY HANKIN

**HON. CHRIS VAN HOLLEN**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Mr. VAN HOLLEN. Mr. Speaker, I rise today to salute the career of a distinguished public servant, Stanley Hankin, after a remarkable 53 years of service to our country. On July 3, 2015, Mr. Hankin will be retiring from the U.S. Department of Labor, leaving a legacy of extraordinary dedication to the Department and to the American worker.

Mr. Hankin arrived at the U.S. Department of Labor in 1962 as a graduate student at the University of Maryland. He began in the Division of State and Federal Relations within the Bureau of Employment Security, where he developed national training programs for workers in the State Employment Security system. At

that time, videotape technology was just being introduced, although its uses were largely unknown within the government. Using his initiative and foresight, Mr. Hankin transformed video into an integral part of the Department's strategy to convey its messages to the American public.

As an innovator and forward-thinker, Mr. Hankin's talents as an Audiovisual Producer were well-known. He ran nationwide training workshops on how to videotape and produce programs, and he began videotaping significant meetings and sending the recordings to employees in the field. Mr. Hankin also persuaded the Job Corps and the Bureau of Apprenticeship to utilize video PSAs as tools for promoting their good work. After Jobs Corps began to collaborate with the National Football League, Mr. Hankin produced the first in-house Department of Labor PSA, which featured Rosey Grier and Ron Jaworski of the Philadelphia Eagles and Franco Harris of the Pittsburgh Steelers.

Mr. Hankin continued his work with video into the 1970s, a period when the technology was gaining popularity. During this time, he began efforts to use video as a means of communicating with workers, and also started a program to coach Department of Labor executives for on-camera appearances and interviews. In the 1980s, when the Department of Labor was given a fully operational Ampex Television studio, Mr. Hankin seized the opportunity. Before long, he was producing award-winning programs for both employees and employers. Mr. Hankin's accomplishments were so widespread that he was invited to Amsterdam to teach its Labor Department employees how to produce video programming. He was then asked to document the 1983 Conference of Liberators, which brought together men and women from across the world who had played a role in liberating Nazi concentration camps. The resulting work, *To Bear Witness*, brought the Department critical acclaim, winning an Emmy in 1983.

From the 1990s until today, Mr. Hankin continued to approach the Department's use of various forms of media with great innovation. Among many other projects, he produced emergency PSAs for victims of Hurricane Katrina, and *Up From Zero*, a program documenting the heroic workers in New York City who reclaimed and recovered the World Trade Center site. Considered by Mr. Hankin to be one of the Department's crowning achievements, *Up From Zero* won numerous awards, including the coveted CINE Golden Eagle Award. His most recent plans include making video-streaming a regular component of the Department's events and maintaining the standard of excellence expected of the Department's television facility.

Whether he was training Department employees on how to better communicate the goals of their new programs and initiatives or producing PSAs to help the unemployed, at-risk youth, or veterans suffering from Post-Traumatic Stress Disorder, Mr. Hankin always has supported the mission of the Department to assist and protect the rights of American workers. Over the course of his career, he produced or directed more than 1000 video programs and projects.

Through his leadership, infectious energy, and enthusiasm, Mr. Hankin has inspired a

standard of excellence in the creative disciplines throughout the Department of Labor. A truly remarkable and accomplished public servant, he has received well-deserved recognition and the love and respect of employees throughout the decades.

I ask my colleagues to join me in expressing our deepest gratitude and appreciation to Stanley Hankin for his 53 years of outstanding service to our country.

A TRIBUTE TO PAMELA THIEVON—  
DECADES OF SERVICE

**HON. RODNEY P. FRELINGHUYSEN**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Mr. FRELINGHUYSEN. Mr. Speaker, Members of this House come from all backgrounds, walks of life, and political philosophies. We are truly a diverse group. However, each and every one of us has at least one thing in common—the desire to provide quality service to the hundreds of thousands of constituents who call us “Representative.”

My predecessor, the late Representative Dean A. Gallo, established a well-earned reputation for prompt and accurate constituent service, helping thousands of New Jersey residents over his two decades of service in Congress. I would like to think that I have been successful in emulating Dean's stellar record.

There is no mystery about this continuity and I would like to identify and pay tribute to a “common link” between the staff of Congressman Gallo and my New Jersey District Office staff: Mrs. Pamela Thievon of Long Hill, New Jersey.

For over two decades, Pam has provided tireless service to the people of New Jersey's 11th Congressional District. As my current District Director, Pam leads a team of caseworkers and field personnel. In this important capacity, she has helped thousands of families, taxpayers, veterans, citizen organizations and service groups in their daily struggle to work through the federal bureaucracy. I take casework—resolving your problems with the federal government—very seriously and work enormously hard to get you the answers you deserve. Pam helps me to ensure that constituents are heard and are given an adequate response in a timely manner.

In addition, over the past two decades Pam has mentored dozens of caseworkers and field staff, making an indelible impression on their careers and, indeed, their lives. Just as important, she has provided responsible and sound advice to me as I work to serve the diverse communities of the 11th Congressional District.

Of course, retirement itself is a great gift. After decades of selfless effort, Pamela Thievon will retire at month's end. She certainly earned this new chapter in her life. We will miss her, but hope she will enjoy her “golden years” surrounded by family and friends.

I am confident that my friend, Dean Gallo, would join me in uttering a heartfelt, “thank you” to Mrs. Pamela Thievon.

## PERSONAL EXPLANATION

**HON. ZOE LOFGREN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Ms. LOFGREN. Mr. Speaker, yesterday I was unavoidably detained from voting when my D.C. bound flight was diverted to Richmond, VA due to the severe weather in this region. Had I been present, I would have voted as follows:

Rollcall #376: "no."

Rollcall #377: "no."

Rollcall #378: "yes."

## PERSONAL EXPLANATION

**HON. JOAQUIN CASTRO**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Mr. CASTRO of Texas. Mr. Speaker, my vote was not recorded on Rollcall #376 on H.R. 1190, Protecting Seniors' Access to Medicare Act. I was not present for this vote due to travel in Texas at the ICE detention facilities and subsequent flight delay. I intended to vote "no."

Mr. Speaker, my vote was not recorded on Rollcall #377 on H.R. 805, Domain Openness Through Continued Oversight Matters (DOTCOM) Act of 2015. I was not present for this vote due to travel in Texas at the ICE detention facilities and subsequent flight delay. I intended to vote "yes."

Mr. Speaker, my vote was not recorded on Rollcall #378 on H.R. 2576, TSCA Modernization Act of 2015. I was not present for this vote due to a travel in Texas at the ICE detention facilities and subsequent flight delay. I intended to vote "yes."

## STOP OVERDOSE STAT (SOS) ACT

**HON. DONNA F. EDWARDS**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Ms. EDWARDS. Mr. Speaker, yesterday I reintroduced the Stop Overdose Stat (S.O.S.) Act, legislation that will curb the nation's growing opioid overdose rates.

Joined by Sen. JACK REED of Rhode Island, our legislation will establish a grant program that funds efforts to educate and train the public, first responders, and caregivers of those at-risk of overdose on how to administer naloxone, a drug that reverses the effects of heroin and opioid overdoses until proper medical care can be provided.

We remain encouraged that this important legislation can be funded during the Fiscal Year 2016 appropriations cycle, a reflection of the Obama Administration's priority to expand naloxone access across our nation.

Since I first introduced this bill in 2009, nearly 140,000 Americans have died from opioid related deaths, including more than 4,000 from my home state of Maryland.

I thank Sen. REED for leading this effort on the Senate side, committing to the idea that Washington lawmakers have a responsibility to fund proven programs that make a real difference in treating and preventing overdose, and ultimately saving lives.

And while I understand that there is much work to be done in order to address substance abuse before it gets to the point of overdose, each year hundreds of Maryland families and tens of thousands of American families need immediate assistance.

I urge my colleagues on both sides of the aisle to cosponsor this important and much needed piece of legislation.

## HONORING THE OLDENBURG INDIANA VOLUNTEER FIRE DEPARTMENT'S 150 YEARS OF SERVICE

**HON. LUKE MESSER**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Mr. MESSER. Mr. Speaker, I rise today to honor the Oldenburg Indiana Volunteer Fire Department's 150 years of service to the community.

Being a volunteer firefighter is a special calling. These brave men and women who serve obviously don't do it for the money. They volunteer for this job because they love their community and want to give back.

Firefighters put their lives on the line every day to protect their neighbors. And, for that, their community owes them a tremendous debt of gratitude.

It is my privilege to recognize Oldenburg's courageous firefighters for their dedication and to recognize the Oldenburg Indiana Volunteer Fire Department for 150 years of service to the community.

## PERSONAL EXPLANATION

**HON. JOHN R. CARTER**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Mr. CARTER of Texas. Mr. Speaker, on June 23, 2015, I was unable to be present for all votes due to multiple flight delays.

If present, I would have voted accordingly on the following votes:

H.R. 1190, Protecting Seniors' Access to Medicare Act—Aye.

H.R. 805, Domain Openness Through Continued Oversight Matters (DOTCOM) Act—Aye.

H.R. 2576, TSCA Modernization Act—Aye.

## PERSONAL EXPLANATION

**HON. JUDY CHU**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Ms. JUDY CHU of California. Mr. Speaker, on Tuesday, June 23, 2015, I was unable to

vote due to travel delays. Had I been present on the House floor, I would have voted "nay" on roll call No. 376, final passage of H.R. 1190, the Protecting Seniors' Access to Medicare Act of 2015. I would have voted "aye" on roll call No. 377, H.R. 805, the Domain Openness Through Continued Oversight Matters Act of 2015, and "aye" on roll call No. 378, H.R. 2576, TSCA Modernization Act of 2015.

## TRIBUTE TO MS. PHYLLIS DANIEL

**HON. HENRY C. "HANK" JOHNSON, JR.**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following Proclamation:

Whereas, Thirty five years ago a virtuous woman of God accepted her calling to serve as a teacher, administrator and principal; and

Whereas, Ms. Phyllis E. Daniel has enhanced the academic curriculum of Public Schools in DeKalb County, Georgia and has increased the good will of the schools in my district. Her work resonates throughout the community and she has created a legacy for students through scholarships and servitude; and

Whereas, this phenomenal woman has shared her time and talents as a friend, a fearless leader and a servant to ensure that all students receive the best education and skills to become outstanding leaders of our communities and nation; and

Whereas, Ms. Phyllis E. Daniel is a cornerstone in our community who has enhanced the lives of thousands for the betterment of my District and our Nation; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Ms. Phyllis E. Daniel on her retirement and to wish her well in her new endeavors; now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby proclaim May 26, 2015 as Ms. Phyllis E. Daniel Day in the 4th Congressional District.

Proclaimed, this 26th day of May, 2015.

## 15TH ANNIVERSARY OF THE HERO CAMPAIGN

**HON. FRANK A. LoBIONDO**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Mr. LoBIONDO. Mr. Speaker, I come to the floor to recognize the 15th Anniversary of the John R. Elliot HERO Campaign for Designated Drivers.

The HERO Campaign was created by Bill and Muriel Elliot in honor of their son John, a Naval Academy graduate, that seeks to end drunken driving tragedies nationwide by promoting the use of safe and sober designated drivers. This campaign, which began as a result of the death of John at the hands of a drunk driver who was arrested and released while still intoxicated, resulted in the enactment of John's Law which allows police to hold a driver's vehicle for up to 12 hours if

they are arrested for driving while under the influence.

Since the organization's founding in 2000, the HERO Campaign has organized more than 100,000 designated drivers to end drunk driving and has extended its reach to over seven states, from Massachusetts to Kentucky, through its partnerships with the NFL and NASCAR. In 2005, I was a co-sponsor of H.R. 3—the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy For Users (SAFETEA-LU) that included this needed provision and ensured John's legacy would live on through the protection of drivers across the nation.

Finally, I would like to extend my appreciation to Bill and Muriel for their many years of hard work on this very important issue. The strength they have shown in turning tragedy into a worthwhile cause is a testament to their son's memory and the noble and needed cause to end drunk driving.

#### PERSONAL EXPLANATION

#### HON. ANN WAGNER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Mrs. WAGNER. Mr. Speaker, on Tuesday, June 23, 2015, my family and I said goodbye to a remarkable woman, my mother-in-law, Loretto Wagner. While she will be greatly missed, we are comforted in knowing that she lived a full and blessed life as a voice for the voiceless, and is now in Jesus' embrace as his good and faithful servant.

Due to the extraordinary nature of this event, I was unable to be in Washington, D.C. and vote on legislative business during this time. Had I been present, I would have voted in the following manner:

On Passage of H.R. 1190—Protecting Seniors' Access to Medicare Act of 2015 (Roll Call Vote #376), had I been present I would have voted yes.

On Passage of H.R. 805—Domain Openness Through Continued Oversight Matters Act of 2015 (Roll Call Vote #377), had I been present I would have voted yes.

On Passage of H.R. 2576—TSCA Modernization Act of 2015 (Roll Call Vote #378), had I been present I would have voted yes.

#### CONGRATULATING THE CITY OF ADDISON, TEXAS ON THIRTY YEARS OF ADDISON KABOOM TOWN!

#### HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Mr. MARCHANT. Mr. Speaker, I rise today in recognition of the city of Addison, Texas, located in my Congressional district, for this year's Addison Kaboom Town! fireworks show. July 3rd marks the 30th consecutive fireworks show for the town, which is expected to draw over 500,000 spectators, a remarkable accomplishment as Addison is home to 19,000 residents and is only 4.4 sq miles.

Addison Kaboom Town! began in 1985 and has quickly grown into the nationally renowned event it is today. Addison Kaboom Town! has received accolades from the American Pyrotechnics Associations, USA Today, the Wall Street Journal, and AOL, each naming it one of the top fireworks shows in the country. The fireworks show has been simulcast over Dallas-Fort Worth radio, which broadcasts a music program that accompanies the fireworks.

In addition to the fireworks show, this year will also feature the Addison Airport Air Show in addition to live performances by the 36th Infantry Division Band, Rhythm and Boots, and the Dallas Wind Symphony. Addison Kaboom Town! is truly a remarkable fixture of the Dallas-Fort Worth Metroplex, and the display of patriotism from Addison and the plethora of visitors it attracts is second to none. I look forward to this year's celebration as well as its continued success into the future.

Mr. Speaker, on behalf of the 24th Congressional District of Texas, I ask all my distinguished colleagues to join me in honoring the 30th anniversary of Addison Kaboom Town!

#### PERSONAL EXPLANATION

#### HON. GRACE F. NAPOLITANO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Mrs. NAPOLITANO. Mr. Speaker, on Tuesday, June 23, 2015, I was absent during roll call vote #376. Had I been present, I would have voted "NO" on passage of H.R. 1190, the Protecting Seniors' Access to Medicare Act of 2015.

#### COMMENDING THE NORTH ATTLEBORO POLICE DEPARTMENT AND CHIEF JOHN REILLY

#### HON. JOSEPH P. KENNEDY III

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Mr. KENNEDY. Mr. Speaker, I rise today to commend the North Attleboro Police Department and Chief John Reilly on achieving accreditation and demonstrating the department goes above and beyond state and national standards.

Under the strong leadership of Chief Reilly, the department has revamped their policies and practices to come in compliance with the requirements of the Massachusetts Police Accreditation Commission.

For two years, the entire department worked together to ensure that they met the highest possible standards in their service to the town of North Attleboro. This is no small feat, nor is it an easy task for a department facing budget cuts.

Earning this recognition is about more than the preparation and readiness of the North Attleboro Police Department, it's about guaranteeing their officers are committed to the safety and protection of their community.

With each traffic stop and every distress call, our police officers face a challenging, oftentimes evolving situation with courage and bravery.

They never ask who is calling for their help or whether their service is necessary. Instead, they race to the scene and risk their safety for that of the community.

Thank you Chief Reilly and your entire force for your work day and night to ensure that our citizens can walk around North Attleboro knowing you will always answer their call.

#### THE 100TH BIRTHDAY OF GRACE LEE BOGGS

#### HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Mrs. Grace Lee Boggs who will celebrate her 100th birthday on June 27, 2015. As a Member of Congress it is both my privilege and honor to recognize Mrs. Boggs for her service and contributions to the cause of civil rights throughout the 20th and 21st centuries.

Born to Chinese immigrants in Providence, Rhode Island, Mrs. Boggs graduated from Barnard College in 1935 before going on to receive her Ph.D. in philosophy from Bryn Mawr College in 1940. Mrs. Boggs moved to Detroit in 1953 and immediately identified with issues facing the city's African American population.

In an era known for the greatest civil rights advancements in our nation's history, Grace Lee Boggs became an indispensable ally. Her unique approach to the power struggle affecting minorities and women in the middle of the 20th century stood out as innovative even amongst the leading civil rights thinkers of the time. At the core of Mrs. Boggs' understanding of social relations is the idea that small groups of people working together are the key to bringing about social change, as opposed to the idea that total revolution is the only option. Mrs. Boggs' belief in starting with localized change is one which all Americans can support, as our nation was founded on the idea of change coming from the bottom, rather than the top.

Mrs. Boggs' legacy in Detroit has been enshrined in The James & Grace Lee Boggs School, the Boggs Center, and programs like the Detroit Summer, which brings members of all ages and backgrounds together to think creatively about the problems their communities face and fulfilling the dream of making positive change one small group at a time.

Mr. Speaker, I ask my colleagues to join me today in honoring Mrs. Boggs for her service to our community and her leadership in advancing the rights of all Americans. She has made an indelible mark on our nation for which we owe a tremendous debt of gratitude.

IN HONOR OF THE 100TH ANNIVERSARY OF CENTER WEST MISSIONARY BAPTIST CHURCH

### HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Mr. ROGERS of Alabama. Mr. Speaker, I ask for the House's attention today to recognize the 100th anniversary of Center West Missionary Baptist Church in Delta, Alabama, located in Randolph County.

The church was founded on July 11, 1915 under Rev. B.W. Matthews.

The original church building was built in 1915 and burned in 1946. It was rebuilt that same year in the same location. In 1973, a new more modern building was constructed across the road where services are still held today.

On July 11th, the congregation will gather to commemorate their 100th anniversary. Former pastors, leaders and members will join the present Center West family to reminisce about the past and prepare for the future in this rural community focused on God's word.

Mr. Speaker, please join me in recognizing this milestone for Center West Missionary Baptist Church and congratulate them all on their 100th anniversary.

### THE NUCLEAR NEGOTIATIONS BETWEEN THE P5+1 AND IRAN

### HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Mr. HASTINGS. Mr. Speaker, I rise today to highlight the ongoing negotiations between the P5+1 and Iran concerning Iran's nuclear weapons program. In today's polarized environment there are few areas where we can all reach agreement, but certainly Democrats and Republicans alike can agree that Iran must not be allowed to develop a nuclear weapon. I believe that every single pathway available to Iran to obtain a nuclear weapon must be completely blocked.

I commend the efforts of President Obama and Secretary of State Kerry, as well as our partners in the P5+1, as they have worked diligently to reach a framework agreement that will halt Iran's ability to develop a nuclear weapon. We must ensure that any agreement reached has as its aim a framework that allows for unobstructed verification and enforceability. Such an agreement is not only in our best interest, but also in the best interest of the region at-large. We need such a framework because it is no secret that the Iranians have engaged, over the years, in deceitful actions that are cause for much concern. This reality of course does not mean that we should not engage fully in negotiations, but simply, that we must weave this reality into our final agreement. Buyers beware, Mr. Speaker.

It is my belief that as we move closer to a final agreement, we must ensure that Iran allows United Nations' inspectors the necessary

and sufficient access to nuclear sites. This must include military sites. Along similar lines, we must be allowed a full accounting of Iran's previous efforts at weaponization. In knowing their past progress, we will be better able to discern their compliance with the agreement. These factors are essential if we are to determine whether Iran is meeting its obligations.

Although these elements are needed, we must also have a strong mechanism that allows sanctions to be re-imposed should Iran violate the agreement. The political calculus of reimposing sanctions could be quite difficult and, therefore, it is not enough that sanctions be able to be "snapped back," but we must also ensure that any sanctions in place now are lifted gently and deliberately. We cannot lose sight of the fact that Iran continues to fund terrorist organizations the world over. Any sanctions relief will undoubtedly increase their ability to fund such organizations. The final deal must spell out the immediate consequences for Iran should it violate the agreement, and sanctions must only be reduced when Iran provides unequivocal proof of compliance with the negotiated agreement.

Furthermore, this ought to be clear as day to all involved—any agreement must block Iran's path to a nuclear weapon not for a year, not for five years, but for decades to come. It concerns me that Iran's breakout time will be just a matter of days after twelve or thirteen years. It is important to remember that should we need to re-impose sanctions that we will certainly need more than a few days to do so. Any deal worth signing, therefore, must mandate that Iran demonstrate that it has entirely abandoned its desire for nuclear weapons capabilities.

Similarly, a final deal must insist that Iran dismantle its nuclear infrastructure. Allowing such infrastructure to remain simply courts trouble further down the road. Should Iran's nuclear infrastructure remain in place, it will be far too easy for Iran to not only skirt its responsibilities under the agreement, but to reinvest in its nuclear weapons ambitions quickly and meaningfully.

Mr. Speaker, I applaud President Obama and Secretary Kerry for working diligently to find a diplomatic solution that stops Iran from obtaining a nuclear weapon. The United States must certainly continue to negotiate from a position of strength. Such a position is clearly strengthened when Congress continues to weigh in on what a final agreement must entail. At the end of the day, however, I do believe that no deal is better than a bad deal. Let us work together to ensure that we choose neither "no deal" nor "a bad deal," but a strong deal that denies the Iranians all paths to a nuclear weapon.

### KILLEN'S KNOWS BRISKET

### HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Mr. OLSON. Mr. Speaker, I rise today to congratulate Killen's Barbeque in Pearland for being named one of the top barbeque destinations in the country. The Food Network finally

recognized what Pearland residents have known since Chef Ronnie Killen opened his doors.

A new Food Network series, "Top 5 Restaurants," named Killen's Barbeque the second best barbeque restaurant in the nation for its delicious smoked brisket. After millions of fan recommendations, our hometown barbeque hero's brisket came second only to a pork rib joint in Memphis. Killen's brisket is truly the best of the best. I can't wait to get back to Texas and order up some delicious brisket!

On behalf of the Twenty-Second Congressional District of Texas, congratulations to the entire team at Killen's Barbeque on being recognized as a top barbeque destination in America.

### STATEMENT ON INTRODUCTION OF A RESOLUTION CALLING FOR SUBSTANTIVE DIALOGUE, WITH- OUT PRECONDITIONS, IN ORDER TO ADDRESS TIBETAN GRIEV- ANCES AND SECURE A NEGOTIATED AGREEMENT FOR THE TIBETAN PEOPLE

### HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Mr. ENGEL. Mr. Speaker, I am pleased to introduce this resolution along with my friends and colleagues Representatives MATT SALMON, NANCY PELOSI, JOSEPH R. PITTS, JAMES P. MCGOVERN, YVETTE D. CLARKE, STEVE CHABOT, ALAN GRAYSON, GERALD CONNOLLY, ALBIO SIRE, ALCEE L. HASTINGS, MICHAEL E. CAPUANO, SHEILA JACKSON LEE, JOHN LEWIS, DONALD S. BEYER, Jr., BETTY MCCOLLUM, SCOTT DESJARLAIS, DAVID N. CICILLINE, ALAN S. LOWENTHAL, JARED POLIS, BRAD SHERMAN, MICHAEL M. HONDA, REID J. RIBBLE, CHARLES B. RANGEL, ILEANA ROS-LEHTINEN, DANA ROHR-ABACHER, KATHERINE M. CLARK, TRENT FRANKS, and AMI BERA.

This resolution calls for meaningful dialogue and a negotiated settlement for the people of Tibet and acknowledges the contributions of His Holiness, the 14th Dalai Lama in advance of his 80th birthday. The 14th Dalai Lama has tirelessly promoted, through peaceful means, genuine autonomy for the people of Tibet.

Throughout his life, His Holiness, the 14th Dalai Lama, has championed greater understanding, harmony and respect among all religious faiths. As the spiritual and temporal leader of the Tibetan people, he has been a model for all of us on the importance of preserving the cultural, religious, historical, and linguistic heritage—not just for the Tibetan people but for all people.

His Holiness has done outstanding work to safeguard the environment in the Tibetan plateau, to promote democracy among the Tibetan people, and to champion non-violent conflict resolution. With this resolution, we reaffirm the unwavering friendship between the Tibetan people and the United States and call on the government of the United States to uphold its commitment to preserving the human rights, political and religious freedom of the

people of Tibet. Additionally, it calls on the People's Republic of China to enter into meaningful dialogue with the Dalai Lama and his representatives, without any preconditions, in order to produce negotiated settlement for the Tibetan people.

I encourage my colleagues to join me in supporting this resolution.

#### RECOGNIZING JIM TUDOR

### HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 24, 2015

Mr. JOHNSON of Georgia. Mr. Speaker, I rise to recognize and thank Jim Tudor with the Georgia Association of Convenience Stores who is retiring this week after 29 years of outstanding service to the people of Georgia.

Jim and his wife Sandra Tudor have 4 children, James, Kelly, Bobby & Bill, and 5 grandchildren.

In addition to working for 29 years on behalf of Georgia consumers at the Georgia Association of Convenience Stores, Jim worked for 7-Eleven for nine years and served his country as a member of the U.S. Army for two years.

An active member of my community, Jim donated his time through the Covington Rotary and previously the South DeKalb Rotary.

Over the years Jim has received a number of awards, including the Liberty Award from Brown & Williamson in 2000 and various Pigeon Awards from The Pigeon Committee—a group of fellow lobbyists for the State of Georgia.

Jim was recognized by James Magazine as one of the Top Ten Lobbyists or Trade Organizations for 3 straight years: 2012–2013–2014.

He gives back to his community and has been extremely active with Georgia Youth Assembly, the YMCA, and various other youth groups as a mentor and leader.

Upon retirement, Jim and Sandra plan to roam the countryside in their retro-style 2015 Mellow Yellow Winnebago.

I wish Jim, Sandra, and the entire Tudor family lots of happiness as they embark on this new adventure.

#### HONORING JAMES "JIM" E. TUDOR

### HON. LYNN A. WESTMORELAND

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 24, 2015

Mr. WESTMORELAND. Mr. Speaker, it is with great pleasure that I honor today a dedicated Georgia citizen and leader, James "Jim" E. Tudor. After a 29-year-long career, Jim Tudor has recently announced his retirement from the Georgia Association of Convenience Stores, where he has contributed his time and loyalty since January 1987.

Before dedicating his career to Georgia's convenience store industry, Mr. Jim Tudor worked for nine years at 7-Eleven, followed by two years of committed service in the United States Army. He is also a 1972 graduate from the University of Cincinnati.

In 2000, Jim Tudor was honored with the Liberty Award from Brown & Williamson, a now-retired American tobacco company responsible for producing many of the United States' popular cigarette brands. Jim has also received various Pigeon Awards presented by The Pigeon Committee, a group of fellow Georgia lobbyists. Namely, in 2012, Jim received the annual Pigeon Award for his work towards the legalization of Sunday alcohol sales in Georgia. Mr. Tudor was again recognized by James Magazine as one of the Top 10 Lobbyists and Associations in Georgia for three consecutive years, 2012, 2013 and 2014.

Aside from his notable career and presence in the Georgia Association of Convenience Stores, Jim maintains a strong presence in the Covington Rotary, and, previously, the South DeKalb Rotary. Within his community he acts as an active mentor and leader, dedicating his time to the Georgia Youth Assembly and The YMCA, amongst various other youth groups. Jim is also a devout Christian and has served in various leadership roles in his church.

Jim and his wife, Sandra Tudor, have four children—James, Kelly, Bobby and Bill—and five grandchildren to whom Jim, known better (more affectionately?) as "Poppy" to his grandkids, refers to as "the reward you get for not killing your children". Upon retirement, Georgia natives Jim and Sandra Tudor plan to roam the countryside in their beloved retro-style 2015 Mellow Yellow Winnebago.

Over the past three decades, James E. Tudor has been a crucial and unforgettable part of the Georgia Association of Convenience Stores. His service in and out of the workplace has left a lasting impact, and I am pleased to have had the opportunity to meet such a devoted Georgia citizen. A leader, mentor, veteran and friend—Jim, on behalf of the Georgia community, I offer the sincerest thank you and best wishes on your retirement.

#### OUR UNCONSCIONABLE NATIONAL DEBT

### HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 24, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$18,152,658,501,837.30. We've added \$7,525,781,452,924.22 to our debt in 6 years. This is over \$7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

#### CONGRATULATING JUDGE DAN CONKLIN ON HIS RETIREMENT AND 29 YEARS OF SERVICE

### HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 24, 2015

Mr. LONG. Mr. Speaker, I rise today to recognize and honor Judge Dan Conklin's 29

years of service with Missouri's 31st Circuit Court in Greene County.

Judge Conklin was elected Circuit 31, Division 3 judge in 2004 after serving as an associate circuit judge since 1987. The great work and contributions to the judicial system and community have not gone unrecognized, demonstrated with his 2010 re-election and getting 78 percent of the vote. Prior to his time with the 31st Circuit, Judge Conklin was the Republic, Mo., city attorney and worked as a partner in a private practice, Conklin, Holden and Wagner.

Judge Conklin is known for his passion for the court, and he is respected far and wide for it. Colleagues and attorneys have all mentioned the humor he brings to the bench. He has been dedicated to improving the quality and speed of the legal system, putting in 45 weeks per year for jury trials. Judge Conklin has no plans of slowing down as he approaches his 70th birthday, and plans to continue his record of service with a transition back to private practice.

I urge my colleagues to join me in thanking Judge Dan Conklin for his decades of service to Greene County and the State of Missouri. I wish him all the very best in his future endeavors.

#### INTRODUCTION OF LAW ENFORCEMENT TRUST AND INTEGRITY ACT OF 2015

### HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 24, 2015

Mr. CONYERS. Mr. Speaker, on behalf of myself and Ms. JACKSON LEE, I am pleased to introduce the Law Enforcement Trust and Integrity Act of 2015, along with additional sponsors. This legislation has a history of support by both police and civil rights organizations around the country and is focused on building trust between law enforcement agencies, officials and the people they serve.

Over the past two decades, tensions between police and communities of color have grown as allegations of bias-based policing by law enforcement agents, sometimes supported by data collection efforts and video evidence, have increased in number and frequency. Since the tragic police-involved shooting of Michael Brown in Ferguson, Missouri, there has been public outcry for Congressional action to address police accountability and public safety issues through the adoption of substantive law enforcement policy reforms.

Despite the fact that the majority of law enforcement officers perform their duties professionally and without bias, the relationship between the police and some of minority communities has deteriorated to such a degree that federal action is required to begin addressing the issue. With recent Washington Post reports of almost 400 police-involved shooting fatalities in the first five months of 2015, all should agree that the time for bipartisan action is long overdue.

The Law Enforcement Trust and Integrity Act is designed to provide incentives for local police organizations to voluntarily adopt standards to ensure that incidents of deadly force or



misconduct will be minimized through appropriate management and training protocols and properly investigated, should they occur. The bill authorizes the Department of Justice to work cooperatively with independent accreditation, law enforcement and community-based organizations to further develop and refine accreditation standards, and further authorizes the Attorney General to make grants to law enforcement agencies for the purpose of obtaining accreditation from certified law enforcement accreditation organizations.

Beyond the human toll created by law enforcement accountability issues, there remains the fiscal impact created by the high cost of litigation settlements for police abuse claims. Currently, there are no federally recognized minimum standards for operating a law enforcement agency. The ad hoc nature of police management has accordingly left many officers and agencies in the dark about how to cope with changes in their communities. While most cities fail to systematically track the cost of litigation, the cost reports for major cities have proven staggering. In New York City alone, during Mayor Michael Bloomberg's three term tenure, NYPD payouts were in excess of \$1 billion for policing claims. For small departments, the cost of a single high profile incident could prove crippling in its impact on public safety.

While the Department of Justice has a range of criminal and civil authority to address policing issues, the Civil Rights Division will never have the resources necessary to investigate more than a small fraction of those departments engaged in unconstitutional conduct, even with the enhanced funding and task force authority granted by this legislation. Through the support of a robust accreditation regime, like that existing in healthcare, Congress can ensure that all communities have the best trained and managed police departments. Only by establishing acceptable police operations standards can we begin to preemptively address issues like use of force and heal the rifts within our communities.

Media reports from Baltimore and other cities depicting confrontations between protestors and their police departments illustrate the current divide between law enforcement and the communities they police. In the past years, cities from New York to Cincinnati and Miami to Los Angeles have experienced unrest following controversial use of force incidents by their police. Absent a climate of trust and accountability, community needs are not served and the jobs of the police officers become more difficult and dangerous.

The energies of Congress should be focused on the adoption of legislative priorities that address the substance of law enforcement management and strengthen the current battery of tools available to sanction misconduct. As a Congress we have been enthusiastic about supporting programs designed to get officers on the street. We must be just as willing to support programs designed to train and manage them after they get there. The current national climate requires decisive action to implement solutions. Out of respect for all who have lost their lives over the last nine months—both law enforcement and civilian—I hope you will join Ms. JACKSON LEE and myself in supporting legislation that initiates the

reforms necessary to restore public trust and accountability to law enforcement.

#### PERSONAL EXPLANATION

**HON. DAVID W. JOLLY**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Mr. JOLLY. Mr. Speaker, on roll call no. 375.

Had I been present, I would have voted YEA.

#### HOUSE MAJORITY TURNING ITS BACK ON COMPETITIVENESS

**HON. GERALD E. CONNOLLY**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Mr. CONNOLLY. Mr. Speaker, I and many business leaders are having trouble fathoming this foolhardy decision by House Republicans to allow the Export-Import Bank to expire.

I thought my Republican colleagues wanted to support small businesses and create jobs.

Well, last year, the Bank helped 121 Virginia businesses, and thousands more nationwide, reach new global markets with their American-made products and services. Nearly 90% of its loans benefit small businesses, and those loans supported 164,000 jobs, most of which had higher-than-average wages.

I also thought my Republican colleagues wanted to help reduce the deficit.

The Bank returned \$675 million to the Treasury last year and more than \$1 billion in each of the previous two years.

By allowing the Bank to expire, House Republicans are casting aside a program that has consistently created jobs, strengthened small businesses, and helped reduce the deficit.

Every other industrialized nation has an export-import bank, and this unilateral disarmament cedes American competitiveness.

Mr. Speaker, there is a bipartisan majority that supports the Ex-Im Bank. I urge you to bring up a clean extension and let the House work its will.

#### IN RECOGNITION OF DR. SUSAN MARTIN'S SERVICE AS PRESIDENT OF EASTERN MICHIGAN UNIVERSITY

**HON. DEBBIE DINGELL**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Dr. Susan Martin for her seven years of service as President of Eastern Michigan University and her long career as a public servant to the State of Michigan. Dr. Martin's commitment to EMU and higher education has resulted in tremendous improvement for the university's campus and greatly enriched the

collegiate experience of thousands of students. Dr. Martin's long career in public service reveals her dedication to the betterment of the State of Michigan and her capacity to inspire others to achieve academic excellence.

Dr. Martin's passion for higher education began when she worked as an administrator at Grand Valley State University. For 18 years, she worked in several faculty and administrative positions, including Assistant and Associate Vice President of Academic Affairs, Special Assistant to the Provost, and Executive Associate Vice President of Academic Affairs. She later served as the Provost and Vice President of Academic Affairs at The University of Michigan-Dearborn.

Dr. Martin's seven years as the first female president of Eastern Michigan University are marked by many accomplishments. Under her leadership, the university has experienced enrollment growth, the expansion of the Honors College, increased financial aid assistance, student-focused academic advising, collaboration with public safety agencies in the surrounding community, the creation of living and learning spaces, and massive construction projects.

Mr. Speaker, I ask my colleagues to join me today to honor Dr. Susan Martin for her seven years as president of Eastern Michigan University and her dedication to quality, affordable, public education. I thank her for her leadership, and wish her many years of success.

#### TRIBUTE TO MS. GLADYS OPELOUSAS

**HON. HENRY C. "HANK" JOHNSON, JR.**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following Proclamation:

Whereas, reaching the age of 90 years is a remarkable milestone; and

Whereas, Ms. Gladys Opelousas was born on August 30, 1925 in Marks, Mississippi and today she is celebrating reaching that milestone of reaching 90 years of age; and

Whereas, Ms. Opelousas has been blessed with a long, happy life, devoted to God and credits it all to the Will of God; she is a devoted aunt and sister that blesses the lives of others with her kindness and charm; and

Whereas, Ms. Opelousas is celebrating her 90th Birthday with family members and friends in Chicago, Illinois; and

Whereas, she celebrates a life of blessings and through her goodwill, communities across the nation have been enhanced; and

Whereas, the Lord has been her Shepherd throughout 90 years and she is leading by example a blessed life by serving as a faithful matriarch to her family and a precious jewel to our nation; and

Whereas, we are honored that she is celebrating the milestone of her birthday today with family that hail from the 4th District of Georgia; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Ms. Gladys

Opelousas for an exemplary life which is an inspiration to all; now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby proclaim August 30, 2015 as Ms. Gladys Opelousas Day in the 4th Congressional District of Georgia.

Proclaimed, this 15th day of August, 2015.

#### PERSONAL EXPLANATION

### HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 24, 2015

Mr. COURTNEY. Mr. Speaker, I was unable to be present for votes on June 23, 2015 due to responsibilities back in my district. Had I been present, I would have voted:

"No" on roll call no. 376, passage of H.R. 1190, the Protecting Seniors Access to Medicare Act of 2015;

"Yes" on roll call no. 377, on the Motion to Suspend the Rules and Pass, as amended, H.R. 805, the Domain Openness Through Continued Oversight Matters Act of 2015 (DOTCOM Act of 2015); and,

"Yes" on roll call no. 378, on the Motion to Suspend the Rules and Pass, as amended, H.R. 2576, the TSCA Modernization Act of 2015.

#### HONORING LOUIS WILLIAMS

### HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 24, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a tremendous public servant who has dedicated his life to serving the needs of his community. Louis Williams, of Edwards, Mississippi, is retiring from the police force after 39 years of service, 38 of which he spent as chief of police. As an officer, Williams has served as a vital link between law enforcement and the youth of his community as a figure both highly respected and admired.

Before joining the police force, Williams coached Edwards' youth baseball and basketball and has continued doing so over the years. His mentorship gave him the relatability necessary to effectively police his city and maintain a healthy relationship with its citizens. The number of adolescents he has coached now spans three generations for many families whom Williams has gotten to know over his decades of service.

As police chief, his dedication is unquestioned, as he has made the concerted effort to maintain round-the-clock availability. While Williams views that as a condition of the job, he is greatly appreciated for it by all who have ever given him a call. His career has exemplified how policemen and women can govern efficiently by truly committing their time and effort to their citizens.

Mr. Speaker, I ask my colleagues to join me in recognizing Chief Williams for his dedication to serving others.

#### PERSONAL EXPLANATION

### HON. GRACE F. NAPOLITANO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 24, 2015

Mrs. NAPOLITANO. Mr. Speaker, on Tuesday, June 23rd, 2015, I was absent during roll call vote #377. Had I been present, I would have voted "YEA" On Motion to Suspend the Rules and Pass, as Amended, H.R. 805, Domain Openness Through Continued Oversight Matters Act of 2015 (DOTCOM Act of 2015).

#### IN SUPPORT OF THE INTRODUCTION OF H. RES. 329 "LGBTQ PRIDE MONTH"

### HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 24, 2015

Ms. JACKSON LEE. Mr. Speaker, I rise to commemorate LGBTQ Pride Month and the remarkable progress that has been made in making our country more diverse and tolerant and embracing differences in the 17 years since the cruel murder of Matthew Shepherd, a college student from Laramie, Wyoming, and 12 years since the historic case of Lawrence v. Texas that laid the groundwork for the Supreme Court decision in United States v. Windsor, which held that the Defense of Marriage Act was unconstitutional.

As a country, America has made and continues to make great progress in the area of social equality, as evidenced most dramatically by the seismic shift in public support for marriage equality over the past decade.

Today, supporters of marriage equality dramatically outnumber opponents by 61%–35%; a near total reversal from 2004, when opponents outnumbered supporters 58–39 percent. Currently, we await a critical ruling from the Supreme Court which could legalize same-sex marriage nationwide later this month.

Our country made progress in bringing our LGBTQ brothers and sisters, mothers and fathers, out of the shadows with the repeal of "Don't Ask, Don't Tell," which I was proud to support.

Our nation is now stronger and our people are safer thanks to the sacrifices made by these brave Americans, who no longer need to choose between service and silence.

There have been other changes for the better.

In April 2015, President Obama issued a landmark Executive Order prohibiting discrimination against LGBTQ persons in the workplace.

This civil rights victory ensures the tax dollars used to pay government contractors support contractors that are committed to equal employment opportunity for all persons regardless of sexual orientation or gender identity.

This legislation marks a major shift from a time when the U.S. Civil Service Commission prohibited the hiring of LGBTQ persons to a time when the Secretary of Defense has selected an openly gay man as his chief of staff.

Mr. Speaker, this year marks the 46th anniversary of the LGBTQ Civil Rights Movement,

where activists such as Frank Kameny led the struggle for the voices of the LGBTQ community to be heard.

Frank Kameny's courageous demonstrations inspired others to resist mistreatment, and we witnessed in 1969 what happens when a community says enough is enough.

Our country has made progress since the Stonewall uprising of 1969, and with the support of equal rights for all communities by leaders such as President Barack Obama, more and more voices are being heard.

Mr. Speaker, although more remains to be done to realize the full promise of America that all are equally treated and protected by the law, it is undeniable that America is closer to realizing that promise than it was during the dark days of Stonewall.

So there is much reason for joy and optimism as my home city of Houston celebrates Houston Pride Week right now.

According to the 2010 U.S. Census, the 16th largest LGBTQ community in the nation is located in the Houston metropolitan area, which I am privileged to represent.

The Houston LGBTQ community is culturally diverse, economically dynamic, and artistically vibrant.

Houston Pride Week has been an annual event for the last 36 years, since 1979, and promotes the individuality of Houston's ever-growing LGBTQ community.

The Pride Festival and Parade are at the center of the Celebration and are annually attended by more than 400,000 people from Houston and around the world. I am a proud participant and previous grand marshal of the event.

Mr. Speaker, progress is made through the efforts of courageous leaders who actively engage their communities and face adversity to ensure that the rights of all are clearly recognized and protected.

People like the legendary Bayard Rustin, who organized the 1947 Journey of Reconciliation which inspired the Freedom Rides of the 1960s and helped Dr. King organize the Southern Christian Leadership Conference and who was the driving force behind the historic 1963 March on Washington.

Texas natives such as Sheryl Swoopes, a 3-time WNBA Most Valuable Player and champion for the Houston Comets, as well as Houston Mayor Annise Parker, whose election made Houston the largest city in the U.S. to have an openly gay mayor.

These leaders have set an example of what can happen when we lift the limits of inequality and support our fellow Americans in pursuit of their inalienable rights.

Other members of the LGBTQ community whose contributions have enriched American culture and made our country better include the great poet Langston Hughes; Mandy Carter, 2008 national co-chair of Obama Pride and lifelong activist; Billy Strayhorn, the musician and gifted composer whose 30-year collaboration with Duke Ellington gave the world some of the greatest jazz music ever; Tom Waddell, army medical doctor and Olympic athlete; and James Baldwin, one of the towering figures in the history of American literature.

Mr. Speaker, I am proud to acknowledge the achievements of just a few of the countless number of Americans who overcame prejudice and discrimination to make America a

more welcoming place for succeeding generations of LGBTQ community members.

CONGRATULATING ARAPAHOE/  
DOUGLAS WORKS! (ADW)

**HON. MIKE COFFMAN**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Mr. COFFMAN. Mr. Speaker, I rise today to congratulate Arapahoe/Douglas Works! (ADW). ADW was selected as the NAWB 2015 WIB Excellence Award Winner and was recognized during the 2015 NAWB Forum in Washington, D.C.

The WIB Excellence Award honors workforce investment boards that have demonstrated an ongoing ability to develop comprehensive workforce solutions and innovations for its community by creating proactive program initiatives, engaging businesses, diversifying funding, and ensuring accountability. Not only did ADW fulfill and exceed its Workforce Investment Act responsibilities, but it has continuously demonstrated its dedication and leadership in promoting workforce development strategies.

By developing partnerships and initiatives that serve the entire community, ADW has proven to be a critical resource to southeastern Colorado. I am proud to hold my annual Relevant Job Skills Seminar in conjunction with ADW to better prepare those looking for jobs.

Mr. Speaker, Arapahoe/Douglas Works! is a testament to how public service can help build a community and I am honored to represent them in Congress.

MARY LOIS NEVINS

**HON. JUDY CHU**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Ms. JUDY CHU of California. Mr. Speaker, I rise today to celebrate the life and work of my close friend, Mary Lois Nevins, who passed away on May 25, 2015.

A resident of Pasadena for over seventy years, Mary Lois embodied civic engagement as she was an active supporter of the Altadena-Pasadena Young Democrats, the California Democratic Council, the League of Women Voters, the Franklin Delano Roosevelt Club, and the National Women's Political Caucus of Greater Pasadena. She walked the precincts, knocked on doors to engage voters, and volunteered her time to monitor polling stations on Election Day. In fact, she was gearing up for the 2016 elections during her last weeks.

I met Mary Lois when I won a seat on the California Board of Equalization, which was previously held by her husband, Richard Nevins. From that time, she was my most enthusiastic supporter in Pasadena, and I owe so much of my connection to the Pasadena community to her. After I came to the House of Representatives and redistricting placed Pasadena

in my district, Mary was the first one to express her excitement and support.

But my longstanding friendship with Mary Lois is just an example of the passion and positive change she brought to Pasadena. After raising three sons with Richard, she went back to school to earn her teaching credentials, and spent the next twenty years teaching at-risk youth at the center now known as Hill-sides. But she didn't stop there. She founded the Tutor-Friend Volunteer program, which brings together the young residents of Hill-sides with high school and college students in Pasadena. This unique program allows students to build close-knit communities as they help each other reach their highest potential. That was Mary Lois' strength since she saw the best in everyone she met. The students at Hill-sides, many in the foster care system, were no exception. She was determined that they receive every opportunity regardless of their background, and her legacy with the Hill-sides program will never be forgotten.

After she retired from Hill-sides in 1986, Mary Lois remained active in Pasadena. She was devoted to the Mother's Club Family Learning Center, and served as the President of the Board from 1988 to 1992. She promoted the revolutionary concept of two-generation learning, which focuses on educating both the child and his or her caregiver. She believed that educating a child during the first years of life is critical to a healthy future, but it is just as important to educate the child's caregiver. Thanks to her dedication, the Mother's Club is now a nationally recognized model for two-generation family learning.

Mary Lois is truly a shining example of activism. She firmly believed that everyone should be engaged in their government, educated about the issues affecting them and their community, and that ordinary citizens putting their minds together could make a difference. We are thankful for her many years of service, and will continue to honor her legacy and commitment to her community.

HONORING MR. FRANK KOGUT

**HON. THEODORE E. DEUTCH**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Mr. DEUTCH. Mr. Speaker, I rise today in honor of Mr. Frank Kogut, a 100-year-old veteran of World War II, who served in the Army from 1941 to 1946.

As the Representative of a district home to veterans of every major conflict since World War II, I know very well the sacrifices that our veterans, military men and women, and their families have made for our country. I speak for our district and the Nation when I sincerely thank Mr. Kogut for his service to our country. Mr. Kogut, who held the rank of First Lieutenant, captured a German Admiral and fought in the 746th Tank Battalion on D-Day.

Mr. Kogut's courage and resolve reflect the dedication of a generation of men and women who served during one of history's darkest periods. His patriotism is truly admirable and exhibits a level of dedication and self-sacrifice worthy of recognition. It is with great pleasure and gratitude that I honor Frank Kogut.

RECOGNIZING SANDI ADAMS-SLESCH

**HON. MICHAEL G. FITZPATRICK**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Mr. FITZPATRICK. Mr. Speaker, I rise today in recognition of Sandi Adams-Slesch's 30 years of committed service to the people of Tullytown Borough.

Tullytown lays on the southern edge of Lower Bucks County along the Delaware River, between Falls and Bristol Townships, and includes part of historic Levittown—the embodiment of the American dream for families who returned home after World War II. Levittown—and Tullytown—has an important place in our local history, and one that is only strengthened by the individuals that live and work there.

For three decades, Sandi has attended to the needs of her neighbors and community through her service as Police Secretary of Tullytown Borough. Her thoughtful and dedicated work has earned the praise of her peers and added to the success of her hometown.

The continued efforts of involved individuals, like Sandi, make my District of Bucks County, Pennsylvania, a special one to represent.

I thank Sandi for dutifully executing her role as Police Secretary for the last 30 years and wish her all the best in her next 30.

REMEMBERING THE LIFE OF MR.  
PATRICK J. CARANO

**HON. TIM RYAN**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 24, 2015*

Mr. RYAN of Ohio. Mr. Speaker, I rise today to honor and celebrate the life of Patrick J. Carano, who passed away peacefully on June 5, 2015. Mr. Carano was highly regarded for his commitment to social justice, his educational determination, his devotion to his work, and most of all his unconditional love for family and friends. As a member of the Summit County community, Mr. Carano attended St. Martha's Catholic Grade School and North High School prior to graduating from Akron University. As a devoted public servant, Mr. Carano worked vigilantly for Summit County and the Summit County Port Authority until ultimately retiring in 2011 as the head of economic development for the City of Tallmadge, Ohio.

Mr. Carano was an esteemed member of our community. In his early years, he created the St. Martha's Social Committee. He later served on the board of the Akron Catholic Commission and dedicated his time to working with the non-profit Genneseerat, Inc. He was a man who championed his fellow workers and fought for better wages and fairer contracts for union members. Mr. Carano understood the importance of being politically involved and proved himself to be a leader within his party. He participated in numerous campaigns for Democratic candidates, organized the Summit County Progressive Democrats, and reinvigorated the Tallmadge Democratic Club.

Patrick Carano aimed to make his community a better place to call home, and he undoubtedly succeeded. Patrick is survived by his loving wife, Lisa Zeno Carano; his sons, Justin and Matthew Carano; step-daughters, Kelsey and Samantha Kulesza; twin brother, Michael Carano; his nieces, Sarah and Lisa; his sister, Joan Feaster; and brothers, David and Thomas Carano. I am deeply saddened by the passing of Patrick Carano and I would like to extend my deepest condolences to his entire family. He was a great man whose legacy and memory will live on.

#### SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, June 25, 2015 may be found in the Daily Digest of today's RECORD.

#### MEETINGS SCHEDULED

JULY 7

3 p.m.

Committee on Agriculture, Nutrition, and Forestry

To hold hearings to examine highly pathogenic avian influenza, focusing on the impact on the United States poultry sector and protecting poultry flocks.

SR-328A

JULY 8

2:15 p.m.

Committee on Indian Affairs

To hold an oversight hearing to examine a path forward, focusing on trust modernization and reform for Indian lands.

SD-628

Committee on the Judiciary

Subcommittee on Crime and Terrorism

To hold hearings to examine cyber crime, focusing on modernizing our legal framework for the information age.

SD-226

JULY 9

10 a.m.

Committee on Energy and Natural Resources

To hold an oversight hearing to examine mitigation requirements, interagency coordination, and pilot projects related to economic development on Federal lands.

SD-366

AUGUST 4

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine the back-end of the nuclear fuel cycle and related legislation, including S. 854, to establish a new organization to manage nuclear waste, provide a consensual process for siting nuclear waste facilities, ensure adequate funding for managing nuclear waste.

SD-366

**SENATE—Thursday, June 25, 2015**

The Senate met at 9:50 a.m. and was called to order by the President pro tempore (Mr. HATCH).

**PRAYER**

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Spirit of God, from generation to generation, people of faith speak of Your greatness. Thank You for the strength You give to all who love You and for the blessings You bestow upon our Nation.

Today, give our lawmakers the contentment that comes from knowing and serving You. Clear their hearts with Your peace as You bring them into a closer relationship with You.

Shield this land we love against all enemies foreign and domestic as You teach us to dwell in Your peace. Lord, make us to know the constancy of Your presence, to be aware of the certainty of Your judgment, and to give primacy to prayer in these challenging times.

We pray in Your sacred Name. Amen.

**PLEDGE OF ALLEGIANCE**

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

**RECOGNITION OF THE MINORITY LEADER**

The PRESIDING OFFICER (Mr. HELLER). The Democratic leader is recognized.

**VOTING RIGHTS ACT**

Mr. REID. Mr. President, in less than 18 months, Americans all over the country will cast their ballots in the 2016 elections. This exercise fulfills one of the most basic promises of our constitutional democracy: that all citizens have the right to vote, regardless of race, gender, or social status.

This right to vote and the guarantee that each vote counts equally is the foundation of our form of government. It ensures that as this country changes, the elected officials who represent its citizens will also reflect those changes. The electorate should be able to elect those who represent them, their thoughts, and their ideals. Yet, there is an ongoing effort all over America to obstruct the work of perfecting our Union by hindering progress where it is needed the most.

We see this reflected in the debate about whether the Confederate flag—a symbol of bigotry and racism—still has a place on public lands. There should be no debate. The answer to this question is no. And that matter should have been settled long ago. It was not. It took the deaths of nine innocent people, perhaps, to move this issue forward.

We see this reflected in the debate about whether gay people have the right to marry. After all that has gone on, there should be no debate in this regard. The answer to this question is yes. The matter should have been settled long ago.

We see this reflected in the insidious fight to keep certain citizens from exercising their constitutional right to vote by instituting voter ID laws. There should be no debate. The answer to this question is no poll tax or any sort of maneuver designed to prevent voting should exist anywhere at any time. That matter was settled long ago—or at least we thought it was.

The fight is not new. It is deeply rooted in our Nation's history. I finished many years ago now a book, "Freedom Summer," about these courageous, brilliant young men and women who went to Mississippi and spent one summer. It pointed out how the people of Mississippi at that time would do anything they could to keep an African American from voting. That is wrong. The Constitution now grants women and citizens of all races the right to vote. There have long been efforts to undermine that right. We also see it playing out in State capitols across the country. Districts are being gerrymandered to ensure that minority votes have the least possible impact on election outcomes. We have seen it playing out in courtrooms, where the Voting Rights Act has been under attack.

Congress passed the Voting Rights Act 50 years ago—hard to believe but 50 years ago. Historically, it is one of the country's most important laws—or was an important law. It aimed to clear the path to the ballot box for all citizens who choose to vote. But 2 years ago, the Supreme Court, in one of their questionable decisions, struck down a crucial section of the Voting Rights Act, in a 5-to-4 decision in the case of *Shelby County v. Holder*. As a result of the Court's decision, it is now easier for States to enact laws making it harder for citizens to vote, and they have taken that way past where they should have. Voter ID, shortening the time for early voting—they are doing so many different things to prevent

people from voting. It is hard to believe there would be efforts made to stop people from voting.

In the States where we have same-day registration, I am not aware of a single case—not a single case of any type of fraud. The voter turnout where we have same-day registration is tremendous.

In the Presiding Officer's State and my State, there have been efforts made over the years to make sure that 30 days before an election, either a primary or general, no more registrations. How ridiculous. I personally have tried to get that changed for decades, but no luck. The county clerks from 15 rural counties have enough juice in the State legislature to prevent that from happening. It is too bad. Why in the world should we stop registration a month before an election? Election day is when people are so excited about voting. So I am really very disappointed in what is happening in my own State regarding keeping people from voting.

The Voting Rights Act was very important, but now it is harder and harder for people to vote. There is little question that Republican-controlled State legislatures have taken advantage of this decision. I repeat: In States all across this country, Republican-controlled State legislatures have passed burdensome voter ID laws that target minority voters especially, college students especially, and many other groups, to prevent them from voting.

In Ohio—a State that experienced the longest voting lines in the Nation, even longer than the questionable Florida election—the Republican legislature scaled back early-voting hours in an effort to keep people from voting. The legislature in North Carolina eliminated same-day registration when it worked so well and the turnout—it helped significantly. How can we work to form a more perfect union when some States actively work to prevent our fellow citizens from voting?

We have a moral obligation to protect the right to vote for every American citizen. Our country is stronger when every eligible voter participates. The Dean of the Senate, Senator LEAHY, has introduced robust legislation to repair the damage from the Supreme Court's *Shelby County* decision. I am happy to support the efforts made by the senior Senator from Vermont. His bill will restore the heart of the Voting Rights Act. It will create a new nationwide coverage formula that applies to any State with repeated voting rights violations in the last 25 years. It will also establish a targeted process

for reviewing voting changes and also any changes these jurisdictions make all around the country that have a record of discrimination against voters. This bill requires reasonable public notice for voting changes and also allows the Attorney General to request Federal observers to be present in places where a serious threat of racial discrimination may occur.

We must do everything we can to restore and reestablish and defend the Voting Rights Act. Congress must act to protect one of the most important legislative accomplishments of the civil rights era. We should ensure that every American has equal access to the ballot. It is the right thing to do. As Dr. King said many years ago, "There comes a time when one must take a position that is neither safe nor politic, nor popular, but he must take it because conscience tells him it is right." To push forward, under the words of Dr. King, is so important.

Let's do everything we can to have people vote. Let's stand together on increasing, not diminishing, one's ability to vote. Why? Because it is the right thing to do.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

#### TRADE PROMOTION AUTHORITY

Mr. MCCONNELL. Mr. President, the road to yesterday's win for the middle class on TPA was never going to be an easy one. It was hardly a quick one.

We always knew that was going to be the case, but I thought we owed it to the working men and women of our country to push ahead anyway. So we did. Through every bump and twist along the way, Republicans and Democrats held together.

In achieving something that can open more opportunities for working families, we proved the growing power of good ideas in the new Republican Congress. In passing legislation that can facilitate the lowering of barriers and the lifting up of our workers in the 21st century, we proved that this is a new Congress that is back to work on behalf of the American people.

Passing trade wasn't the first bipartisan achievement of this new Congress, and it won't be the last, but it is significant. It opens the door for more wins for the middle class as trade nego-

tiators move forward under this President and, importantly, under the next President as well.

I thank everyone who worked with us to get here on both sides of the aisle. It is thanks to continued cooperation and no end of determination that we were able to achieve another important accomplishment for our country.

#### WARRIOR GAMES 2015

Mr. MCCONNELL. Mr. President, on an entirely different matter, yesterday I had the pleasure of meeting with some of our Nation's heroes. These men and women are taking part in Warrior Games 2015, an annual DOD-organized sporting event for both veterans and wounded, ill, and injured servicemembers from every corner of the country. This year's games featured approximately 250 athletes from the Army, Navy, Coast Guard, Air Force, and Marine Corps. All of these wounded warriors gave it their all in heated competition. Their bravery and their perseverance through adversity serve as a source of inspiration to the rest of us. Their determination serves as a continuing reminder that heroism endures long after events on the battlefield.

It was a great honor to meet some of these courageous athletes and their families yesterday afternoon. They were here in the Capitol. I shared the thanks of a grateful nation with many men and women who wear our Nation's uniform or who recently have. I shared my personal gratitude as well, because their heroism and their sacrifice represent an enduring source of freedom for every other American.

I hope they never forget it. I hope they are reminded when looking out to cheering crowds on the field, because America won't forget what the men and women who stood in our defense have given all of us for our freedom.

So let us hope that our Nation will always find brave warriors like them.

#### POST-TRAUMATIC STRESS DISORDER AWARENESS DAY

Mr. MCCONNELL. Mr. President, on one final matter, Saturday, June 27, is Post-Traumatic Stress Disorder Awareness Day.

Sadly, post-traumatic stress disorder is an affliction that touches too many of our veterans. Raising awareness of PTSD and combatting the myths and misinformation that surround it are incredibly important. There are effective treatments for PTSD, and all of us can do a few simple things in honor of PTSD Awareness Day.

First, we can learn more about PTSD by getting the facts on the condition and its treatment. We can also reach out to somebody who might have PTSD or be at risk, particularly among the veterans community. And, finally, we can pass along what we learned to others to continue to raise awareness.

So I hope Americans will take action on this PTSD Awareness Day to shed some light on an often misunderstood condition and hopefully to reach out to someone in need.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. TILLIS). Without objection, it is so ordered.

The Senator from Arizona.

#### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2016

Mr. MCCAIN. Mr. President, before I make a unanimous consent request, I wish to say, for the information of my colleagues, that, as happens on occasion, the legislation of the National Defense Authorization Act was in violation of the Ways and Means jurisdiction in the House, which then led to an automatic blue slip, which means that basically, for all intents and purposes, the entire bill comes to a standstill.

In order to repair that, it requires unanimous consent in the Senate in order to strike the provision and send it back to the House, without the provision which they found objectionable—their Parliamentary did—and which required the so-called blue slip.

So I appreciate very much the agreement of the Democratic leader, who agreed to this unanimous consent request, so that we can move forward with a conference on the bill and hopefully, if now things go right, we could get it to the President's desk in July.

I thank the Democratic leader, who has agreed to this unanimous consent request, in order that we might move forward. So I express my appreciation to him for allowing this.

Mr. President, I ask unanimous consent that when the Senate receives the papers on H.R. 1735, the Secretary of the Senate re-engross the Senate amendment to the bill, H.R. 1735, with the following: Strike section 636.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

(The bill, H.R. 1735, which was previously ordered to be printed as passed by the Senate, and was printed in the RECORD of Monday, June 22, 2015, was modified by unanimous consent to strike section 636.)

Mr. MCCAIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### AFFORDABLE CARE ACT

Mr. REID. Mr. President, today in this great country of ours the Affordable Care Act—ObamaCare—has survived the latest partisan attempt to deny health coverage to working families. Millions of working families won today. America won today. The Supreme Court ruled against Republicans who were seeking to strip 6.5 million Americans of the subsidies that enable them to buy health insurance coverage. America won, I repeat, very pure, very simple.

More than 10 million Americans are covered in the exchanges operating across the country, many of them insured for the first time, and 85 percent of these men and women receive tax credits that help them afford that coverage.

On top of that, 12 million more Americans now have coverage through the Medicaid and Children's Health Insurance Programs. The Commonwealth Fund recently found that more than 8 in 10 adults—four-fifths—of people who have these programs are satisfied with them. The Affordable Care Act is not perfect. No law ever is. But this law is working for millions—approaching 20 million—Americans.

Once again, the Affordable Care Act prevailed. So I say to my Senate colleagues, respectfully—and I mean that—stop banging your heads against the wall. This legislation passed. It is the law of this Nation. Stop. Move on. Republicans should pause for a minute and look back.

I don't know the number anymore. I don't know, I lost count—is it 75? It is certainly approaching 100—of the actual votes which have taken place to repeal the law. Never even came close to passing, but they have done it time and time again. Stop it. Think of the time wasted doing it. As Einstein said, the pure definition of insanity is someone who keeps doing the same thing over and over again and gets the same results.

I would hope the Republicans would rethink what they have been up to—their reckless, cynical attempts to increase taxes on millions of middle-income families. That is what it amounts to.

I was interested in looking at the paper today regarding what Republicans have suggested doing if the Supreme Court ruled against this law. Every one of them, without exception, would be a tremendous blow to the budgeting process of America. This bill makes America money. It has cut the deficit significantly. That is why I say it makes the country money. It allows for a more healthy nation.

Republicans weren't content to jeopardize the health of Americans in need

of coverage assistance in order to exact political revenge against President Obama. They were happy trying to do that. I also think it is important to note that Republicans who worked on this legislation in the process going through the committees here admitted that the legislation drafters never discussed withholding subsidies in the manner suggested by the plaintiffs. Republicans who worked on the legislation said that.

So I think the public has basically had it with Republicans trying to take away a law that protects them from insurance company discrimination when they get sick or hurt. Enough is enough.

I had a "Welcome to Washington." I have them every Thursday. I had a group of people here from Nevada who have family members who suffer from cystic fibrosis. They were able to tell me that for the first time in the lives of their children they could not be denied insurance. They are adults now. They can't be denied insurance coverage because of this law. If this had been repealed, people with cystic fibrosis and many other diseases would not be able to get health insurance. So let's move on. Stop this. Stop wasting the time of the American people by trying to repeal the law.

I appreciate the work done by the Supreme Court, a 6-to-3 decision. It was a good decision, a strong decision that upheld the law. Enough is enough. Let's move on.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each, with the first hour equally divided, with the Democrats controlling the first half and the majority controlling the final half.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### OBAMACARE

Mr. McCONNELL. Mr. President, that we are even discussing another of ObamaCare's self-inflicted brushes

with the brink—yet again—is the latest indictment of a law that has been a rolling disaster for the American people, a rolling disaster for the American people.

Today's ruling will not change ObamaCare's multitude of broken promises, including the one that resulted in millions—literally millions—of Americans losing the coverage they had and wanted to keep. Today's ruling will not change ObamaCare's spectacular flops—spectacular flops—from humiliating Web site debacles to the total collapse of exchanges in States run by the law's loudest cheerleaders. Today's ruling will not change the skyrocketing costs in premiums, deductibles, and copays that have hit the middle class so hard over the last few years.

The politicians who forced ObamaCare on the American people now have a choice: They can crow about ObamaCare's latest wobble toward the edge or work with us to address the ongoing negative impact of a 2,000-page law that continues to make life literally miserable—miserable—for so many of the same people it purported to help.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I have two very brief comments. One involves our national security and the world at large and the other involves our Nation as a whole.

First, as to the Supreme Court ruling. I am surprised. I am disappointed. But the ruling is now in. Senator McCONNELL said it well: This doesn't mean ObamaCare is fixed; it means it is going to continue until somebody finds a better way or we are going to be left with ObamaCare for the rest of our lives and children's lives and those who follow.

The 2016 race domestically will be centered on health care as the most dominant domestic issue in the country. If you are running for the House, if you are running for the Senate or if you are running for President, here is what this Supreme Court ruling means: If the public wants to continue ObamaCare—which I think would be a huge mistake—vote Democrat. If you want to repeal and replace ObamaCare with something better for you and your family, bipartisan, vote Republican.

Hillary Clinton, the most likely Democratic nominee, will make ObamaCare her own. Whomever the Republican Party may nominate, the one thing I can assure you is that they will repeal and replace ObamaCare with something better.

So to the people of the United States: You finally have a chance to have your say. This election in 2016 for the House, the Senate, and the White House will give you a chance to stop ObamaCare and replace it with something better for you and your children. Take advantage of this opportunity. Because if we



fail to have the people in place in 2016 to change course, ObamaCare becomes cemented in terms of the American health care system and our economic future. I think it would be a mistake for the ages.

#### NUCLEAR AGREEMENT WITH IRAN

Mr. GRAHAM. Mr. President, as I speak, Secretary Kerry is on his way to Geneva to try to conclude nuclear negotiations with the Iranian regime.

To Secretary Kerry: I urge you to suspend negotiations until we clear up two matters.

No. 1, the Supreme Leader Ayatollah Ali Khamenei said on state-run television in Iran, yesterday and the day before, "All economic, financial and banking sanctions, implemented either by the United Nations Security Council, the United States Congress or the administration, must be lifted immediately when the deal is signed." Secretary Kerry, would you please tell the Ayatollah that is unacceptable and repudiate that statement before you negotiate any further.

The Iranian Parliament, several days ago, passed draft legislation prohibiting the international community from having access to Iranian military facilities to determine the state of the Iranian nuclear program. Secretary Kerry, please suspend negotiations until the Iranian Government repudiates this concept. The P5+1 should be firm in these areas: There will never be a deal signed with Iran that does not allow for anytime, anywhere inspections of nuclear sites, particularly military sites. How can you negotiate any further until they repudiate the actions they have taken?

Please tell me—and I will send you a letter—what to tell my constituents who are very worried about this. I am being overwhelmed by questions: Does the Iranian Parliament action represent the position of the Iranian Government? My answer would be yes. Nothing happens in Iran unless the Ayatollah wants it to happen.

So Secretary Kerry and the P5+1, please tell the Iranians that the action of the Parliament—the statement they have made that we will not be allowed to inspect military facilities as part of a deal—is a nonstarter and walk away until they repudiate that. Please send a message to the Ayatollah through the negotiators that we will not lift sanctions until there is full compliance, until the IAEA has a chance to tell us about the possible military dimensions of their nuclear program. How can you lift sanctions and go forward and give them money until you know exactly what they have been up to in the past?

Secretary Kerry, now is a time for you and President Obama to send a clear message to the Iranians: repudiate these two statements or we will not negotiate any further.

This is the most important decision any President of the United States will make, and we are about to go into negotiations in the final stages with two thought processes on the table coming from the highest level of the Iranian Government: You will not be allowed to inspect military facilities, and we will demand immediate sanctions relief before there is verification.

Those two statements coming from the Iranian leadership must be repudiated—and repudiated now. Walk away, Secretary Kerry, until they repudiate these statements. No more negotiations until we understand, is this a red line for the Iranians. Because if this is their red line, I will now ask you in public: Secretary Kerry, are these positions red lines for the Iranian Government? Have they now adopted a red line that you will never be allowed to inspect military facilities as part of an inspection regime to determine the past development of nuclear weapons in Iran? Secondly, is this now a red line by the Ayatollah; that they will never agree to a deal that doesn't allow for immediate sanctions relief?

I need to know the answer to that question. Are these red lines? And if they are red lines, walk away. And if they are not red lines, have these statements repudiated because this is the most important decision the world will ever make.

God help us all if we enter into a deal with this regime that is not sound, with every i dotted and every t crossed, because the Iranians have been cheating and lying about their nuclear ambitions for well over a decade, and at the end of the day, you can't trust the Iranians.

I urge as strongly as possible that the P5+1 suspend negotiations until the Iranians set the record straight and repudiate these statements about denying us access to military facilities and requiring immediate sanctions relief as part of any deal.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

#### THE ECONOMY AND HEALTH CARE

Mr. ENZI. Mr. President, I want to talk a little bit today about jobs and the economy and people's health care, and they are all related. We are in the midst of one of the slowest growth periods for the economy in the recent history of the United States. They just revised the figures again. That makes three times the figures have been revised for the last quarter. They now show a two-tenths of 1 percent growth. They should be showing about 2 percent growth for the year.

Why is that a problem? If the economy increases by just 1 percent, it results in \$300 billion to \$400 billion more tax revenue without raising taxes. That is where we need to be. When it is

less than that 2 percent, that means we are losing that much in additional money. We make these decisions on about \$1,100 billion a year, and we are overspending that by \$468 billion. That is almost 50 percent overspending. No family can afford to do that, no city can afford to do that, and no State can afford to do that, but apparently the Federal Government can because we just borrowed more. So far, there is a lot of confidence in this country that we can continue to borrow.

One of the areas where job growth and economy growth are impeded is with health care. President Obama is disconnected from the harsh reality that this health care law has created for people. Almost 2 weeks ago, speaking about his health care law, the President said:

Part of what's bizarre about this whole thing is, we haven't had a lot of conversation about the horrors of ObamaCare because none of them have come to pass.

None of them have come to pass? How insulated is our President? I just want to emphasize what he said—none of those horror stories have come to pass.

Apparently that message didn't make it very far because I hear a drastically different story from folks across Wyoming and other parts of the country.

A rancher from Gillette complained to me that her and her husband's health insurance went up from \$11,000 per year to \$20,000 per year and then had a deductible thrown in that was \$6,500. She said: How is that affordable?

A retired nurse from Casper told me that if you add the premium increases and the deductible increases, she and her husband are up \$36,000 per year.

She wrote: Health care is unaffordable. It is a huge burden and worry. How can people afford to pay more for health care than they make in a year?

She said that ObamaCare doesn't provide them with coverage for their medical needs and added that it goes against everything they believe in for America.

A man from Cheyenne said the President's health care law is forcing him to choose between paying for his health care or paying for his mortgage.

A small business owner in Newcastle said that before the affordable health care law, she could afford to pay for her employees' health care. After the law went into force, she couldn't. Her employees couldn't afford it, either, so they might leave for a bigger company—which probably isn't possible—and the small business owner might have to sell out to a bigger company, which in many of the towns in Wyoming also isn't going to be possible. She loves her community and wants to stay an active part of it. She is discouraged by the situation this health care law has created and is asking for help.

We have been asking for help for several years now. The President has recognized that there needs to be some help; otherwise, there will be some real calamities. Why haven't they happened? Well, some of them have. I have described some of them to you. But some of them haven't happened. That is because the President has given waivers on some of the things that he knows are atrocious and will cause a huge problem with the economy of the United States. Does he have the authority to do the waivers? Not really, but he did them, and that is to put off the tragedies until later. That is not what we ought to be doing. We ought to be making health care more affordable. There are lots of plans around here for making it more affordable; most of those were just discarded.

The bill that went through here went through—there was a 60-vote majority on that side of the aisle. Sixty votes is enough to pass anything through here. I hope neither party has a 60-vote majority again because you don't have to listen to the other side. You don't have to listen to the unintended consequences that might come from somebody who is knowledgeable because of their background. There are a bunch of different backgrounds who serve here and another 435 backgrounds who serve on the House side. Why do we have so many people in Congress? So that we have those diverse backgrounds and we can find those unintended consequences and adjust for them.

The people I mentioned are real people, real families. They didn't write the story. They and many more like them contacted me. They are telling me and they are telling all of us in Washington to do something about this unworkable health care bill for millions of Americans that is far from affordable, breaks promises, and makes lives harder. I am listening to them, and so should the torch carriers of this federally mandated dream that was broken before it began.

Today's Supreme Court ruling on *King v. Burwell* is surprising, but it reminds all of us who warned against this health care law that we will have our work cut out for us to move our country away from the failed policies. This law was written and implemented in its entirety by one party, as I mentioned, and has been informed from the start by ideology rather than reality.

There are a number of us who were working on health care before the President even became a Senator, and we have continued to work on it. We have had a lot of discarded ideas that could have increased competition and brought prices down.

This law was written and implemented in its entirety by one party, and it has been informed from the start by ideology rather than reality. Yet, it has fallen to us to make things better and help people get through these difficulties caused by this law.

The Federal Government cannot possibly know what is best for each individual, and, as we have seen, a one-size-fits-all dictate doesn't work. The Wyoming folks whose stories I just relayed and the millions more like them from every State are a testament to that. That is just a very small sample out of the hundreds of people who write to me or talk to me as I travel across Wyoming. Our focus is to offer each of them new choices for quality affordable health care. Our focus is not protecting this failed law, this busted political legacy. We want to protect families as we get rid of ObamaCare and transition away from this fiasco. That is what it is, as is illustrated by the testimonials that I talked about earlier and the hundreds more that I have.

It is time for Republicans and Democrats to truly deliver on the President's broken promise of a health care system that expands access and promotes quality and has patient-centered care while actually bringing the costs down. That is possible, just not under that bill. This is an opportunity for both parties to work together and put into place real solutions that rely on these principles.

I think they just announced that one of the Federal insurance co-ops is going out of business. All of them are severely in the red. Those would be government-sponsored entities that said too much was being charged for health care by many of the insurance companies, and they went for far lower premiums. The hope was that it would bring down the price, but it didn't. That is not the way to encourage the kind of competition we need if we are going to bring down health care costs.

One of the things that has been focused on around here for a long time has been small business health plans or small businesses. Small businesses are the ones that are really having the problem.

I ran into a man who said: I have a very successful business, and I just got a tremendous location that is only 50 miles away where I could open another one. But that would put me over 50 employees, and that puts me in a different category on health care costs. The people who are working for me like the health care costs I am providing, and I would have to go to a whole different level or pay huge fines, and I can't afford to do that. So I am not going to open that other location; I am not going to put 50 more people to work.

For too long, the debate over health care has placed politics over the best interests of patients. No matter the Court's ruling, it is time for Democrats and Republicans to deliver what the President promised but ultimately failed to deliver. We need a health system that expands access and promotes quality, patient-centered care while actually bringing down the costs. We must allow States the freedom and

flexibility to ensure that hard-working Americans can get the care they need. It is time for both parties to work together on real solutions that rely on these principles. We should move forward on a bipartisan basis to provide more choices and a better health care system for hard-working Americans.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I come to the floor to congratulate my colleague, the senior Senator from Wyoming, whom I have worked with for many years and who has been a true leader in true health care reform with proposals he has made that would actually help people get affordable care.

The Obama health care law, regardless of the ruling of the Supreme Court, continues to be an expensive failure. There have been so many broken promises by this President about health care in America, which, to me, is the reason this health care law—the support for it across the country remains at an alltime low.

People were promised that if they liked their coverage, they could keep their coverage. Millions have lost coverage. The President promised: If you like your doctor, you can keep your doctor. Millions have lost their doctors. The President said premiums would go down by \$2,500 per family. Instead, premiums have gone up, and there is no end in sight.

When I take a look at this and say “Why is the support so low?” it is because most people believe that for them personally, it is a bad deal. They are paying more in premiums, higher copays, and higher deductibles, all of which makes it a bad deal for them personally.

I would say that ObamaCare cannot be fixed, but health care in America must be fixed.

They say: What are you going to do about it as a Republican?

There are incredible Republican plans out there, each of which is much better than the President's health care law. We still have 30 million Americans without insurance, concerned about the fact that they still need care. We are going to continue to work to repeal and replace this health care law with a law that will allow people to get what Senator ENZI had been talking about. We need patients to get the care they need from a doctor they choose at lower costs. That is what Republicans are committed to, and that is what Republicans, in spite of today's ruling by the Supreme Court, will continue to work for.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MURPHY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. FISCHER). Without objection, it is so ordered.

#### AFFORDABLE CARE ACT

Mr. MURPHY. Madam President, hopefully, we can move on. After a Presidential election, two Supreme Court cases, 60-plus votes to repeal the Affordable Care Act in the House of Representatives, and endless debates here in the Senate, maybe now is the moment where Republicans will choose to close the books on trying to strip away from millions of Americans the benefits they have received from the Affordable Care Act. This is an important day for over 10 million Americans who have health care right now because of the Affordable Care Act. I would argue it is an important day as well for the separation of powers and the recognition that it is the legislative body that sets the policy for this country.

I just wanted to come down to the floor for a few minutes to express my hope and my desire that proponents of the Affordable Care Act—such as myself, Senator STABENOW, and Senator BALDWIN—who have come down to the floor over and over during the course of the last 3 years don't have to do it anymore. I would love to come down to the floor and talk about the need to fix our transportation system or the need for mental health reform. I would love to talk about tax reform. I have come down to the floor over and over to defend the Affordable Care Act simply because it has been perpetually under attack despite the fact that its successes are now unparalleled.

Justice Roberts, in the decision today—I won't quote from it at length—said: "Congress passed the Affordable Care Act to improve health insurance markets, not to destroy them." That is essentially the operative phrase in today's decision. We passed the Affordable Care Act to improve health insurance marketplaces, not to destroy them, and that is what it has done. It has improved marketplaces all across the country. Why? Because people have voted with their feet. The 10 to 11 million people who signed up for either expanded Medicare, Medicaid coverage or these exchanges have shown us that the law works as intended because they didn't stay out or deem it to be unaffordable. They stepped in and bought coverage.

We should now be in the business of perfecting this law. None of us, frankly, think that this law is perfect. Many of us are open to conversations about how to make it better and how to perfect it. Now that the Supreme Court has completely shut the door to a judicial repeal of the act, and after having debate after debate, hopefully it is clear that there are not the votes—nor the support, obviously, in the executive

branch—to repeal the act, and we can move on to something else.

This is an old chart of mine that I have in the Chamber. I brought this down to the floor several months ago when a colleague of ours suggested that the administration shouldn't be celebrating the successes of the Affordable Care Act, as if people receiving health insurance for the first time in their life wasn't something to celebrate, as if 17 million children with preexisting conditions who will never have their health care taken away from them wasn't something to celebrate, and as if 9.4 million senior citizens who are saving \$15 billion on drugs isn't something to celebrate. I get excited when I talk about the Affordable Care Act not only because it is a really sober and important topic but because when I talk to my constituents back home, they are excited. They are bubbling over with enthusiasm. Those of them who never had the chance to get health coverage before the Affordable Care Act and those who worried every single night, sick that their child wouldn't be able to live a normal life because their existence would be obsessed with whether they were able to cover their complicated illness with insurance, are bubbling over with enthusiasm.

There are millions of people who are celebrating this decision today, and it is a sober day because, hopefully, we will be able to have a conversation about how we can move on to another topic. But it is a day to celebrate, not only for the 6.4 million Americans, first and foremost, who would have had their insurance taken away by an adverse decision, but for all Americans who would have been caught up in an insurance death spiral had the decision gone the other way.

I hope we can limit our discussions about the Affordable Care Act to ways in which we can make it work better.

So I hope we can now spend more time talking about other topics that matter to this country. I hope the House of Representatives decides to give up this obsession with repealing the Affordable Care Act, which is something that is simply not going to happen. And for its opponents out in the field, the Supreme Court has shut the doors to a judicial repeal of the Affordable Care Act today.

I think of a lot of stories when I think about what the Affordable Care Act has meant to the people of Connecticut. We have cut our uninsurance rates in half in Connecticut. We have one of the best running exchanges in the country. But one of the simplest stories is the only one I will convey as I wrap up this morning.

I was at the community pool that my family goes to in Cheshire, CT, and I was in the pool with my then 2-year-old just shortly after passage of the Affordable Care Act.

A young man about my age came up to me, and he said: Listen, I am sorry, Mr. MURPHY, to disturb you; I know you are here with your son, but I have a little boy, too, and he has a congenital heart problem. Every single day since he has been born, I have worried that he wouldn't get to live out his dreams because his life decisions would be dictated by whether or not he could get insurance to cover all of the complicated health care needs he is going to have and that would be determinative of his path in life, not his dreams, his desires for himself.

He said: I get it that this is going to help a lot of people in very practical and economic ways, but I just want to thank you because now I sleep better at night knowing that my son is going to be able to get covered, that my son is going to be able to lead a relatively normal life, and that he can be whatever he wants to be.

That is the benefit the Affordable Care Act brings people. It is not just practical. It is not just economic. It is not just the battle over whether somebody has health insurance. It is psychological. It is peace of mind.

The Supreme Court protected 6.4 million people from losing their health insurance today, but they also protected tens of millions of patients and parents and sons and daughters and grandparents from losing that peace of mind that comes with the protections from an Affordable Care Act that is working.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GARDNER). Without objection, it is so ordered.

#### KING V. BURWELL DECISION

Mr. HATCH. Mr. President, earlier today the Supreme Court issued its long-awaited ruling in *King v. Burwell*. As we now know, the Court has once again decided to rule against common sense and the plain meaning of statutory language in order to uphold the poorly drafted Affordable Care Act—which, by the way, Justice Roberts says has a lot of ambiguity and poor draftsmanship. Even worse, with today's decision, the Court's ruling failed to hold the Obama administration accountable for its reckless execution of its own law.

The plain text of the Affordable Care Act authorizes subsidies only through State exchanges, not the Federal exchange. This decision will allow the administration to continue to ignore the law in order to implement its own preferred policies.

(Mrs. FISCHER assumed the Chair.)

As Justice Scalia said in his dissent, “We should start calling this law SCOTUScare.” Only Justice Scalia would come up with something like that, which I find extremely humorous.

Justice Scalia continued, saying:

Perhaps the Patient Protection and Affordable Care Act will attain the enduring status of the Social Security Act or the Taft-Hartley Act; perhaps not. But this Court’s two decisions on the Act will surely be remembered through the years. The somersaults of statutory interpretation . . . they have performed will be cited by litigants endlessly, to the confusion of honest jurisprudence. And the cases publish forever the discouraging truth that the Supreme Court of the United States favors some laws over others, and is prepared to do whatever it takes to assist its favorites.

I couldn’t have said it any better myself.

Needless to say, I am disappointed at this decision, as I know many throughout the country are, but at the same time I am undeterred.

As I said on the floor last week, ObamaCare has been nothing but a long series of broken promises that include skyrocketing costs, reduced access to care, and more government mandates hanging over our health care system.

Today’s ruling changes none of that. Just because the Court decided to misinterpret, in my opinion, the statute doesn’t mean that the law suddenly works and that all is now right with the world. For the good of our health care system and hardworking taxpayers throughout our country, we still need to chart a new course on health care policy. Unfortunately, with the current occupant of the White House, those kinds of reforms are not currently possible.

But make no mistake, Republicans in Congress have a plan to help the American people by repealing ObamaCare and replacing it with reforms that will put patients—not Washington bureaucrats—in charge of their own health care decisions.

I am coauthor of the Patient CARE Act, a legislative proposal that would replace ObamaCare with real reforms that would actually reduce health costs without all the burdensome mandates that have come part and parcel with the so-called Affordable Care Act—which is anything but affordable. Moving forward, I, along with the coauthors of this proposal, Senator BURR and Chairman UPTON over in the House, will continue to seek input from experts and stakeholders and use every opportunity to give States more freedom and flexibility.

Once again, any workable reform must lower costs and put patients first. That is the only way we will end the negative consequences of ObamaCare and help the American people move past this misguided attempt at health care reform.

The American people deserve better, and Republicans in Congress are united in our commitment to make sure we do better on health care reform in the future.

Now, I had suspected that this is the way the court would decide and it is a big enough bill that extremely clever judges could find a way to rule how they did today. And there are few justices as clever as the Chief Justice. I have tremendous respect for him.

And though he used his talents to uphold this law, he did it with aplomb and unparalleled legal skill. I have had colleagues bad-mouth the Chief Justice for this case and especially the *Sebelius* case.

What few of my colleagues remember, however, is that in the *Sebelius* decision, the Chief Justice led the way to preserve for States the right to make their own decisions with regard to whether to undertake a Medicaid expansion or not.

Under Obamacare, the Democrats wanted to force the hands of the States—either expand the program, or you would lose all access to Medicaid funds.

That was coercion, pure and simple, and the Court ruled accordingly. And Justice Roberts wrote the opinion, which was joined, at least with regard to the Medicaid expansion, by all conservative justices on the Court.

The Court’s decision preserved a real and meaningful choice for the States, and States have used that ability to choose in different ways. Some have expanded Medicaid. Some have not. Some have tried to use waiver authority to craft solutions that work for them. This flexibility is how it should work.

All I can say is that the Chief Justice is a remarkable judge. He is a tremendous human being. I have a tremendous confidence in him and I believe in him. I differ with him on this opinion though. This ruling will not solve any of the problems inherent in Obamacare, as we can see from the continually skyrocketing costs of health care and insurance coverage.

As I have said, clever judges can find ambiguities where none exist. Clever judges can find ambiguities that others may not be able to find. And despite the Chief Justice’s brilliance and integrity of character, we need to repeal Obamacare and replace it with something better.

I believe, with Chairman UPTON in the House, and Senator BURR, that the Patient CARE Act is one of the best solutions out there. I urge all of my colleagues to read through our proposal and offer constructive criticism. We need an off-ramp from Obamacare to an actually affordable, and privatized, health care system. Only then can we give every day Americans the economic growth and prosperity they deserve.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

#### REACH ACT

Mr. GARDNER. Madam President, today I wish to discuss the REACH Act, legislation that I have introduced with my colleague, the senior Senator from Iowa, Mr. GRASSLEY, to establish a new category for critical access hospitals in financial distress.

Rural hospitals are an essential yet vulnerable part of our health care system. Rural residents face a unique set of challenges in relation to their urban counterparts. According to the American Hospital Association, rural residents are typically older, poorer, and more likely to have chronic diseases than those living in more developed cities. The unique challenges of caring for patients in underserved areas are not the only hurdles that face rural hospitals today. They have a hard time simply keeping their doors open.

Since January of 2010, approximately 55 rural hospitals nationwide have closed because they could not generate the kind of support or the volume necessary to continue operation. In Colorado, nearly 60 percent of care for patients in underserved areas is provided by hospitals dependent on rural payment mechanisms, and many hospitals are in danger of closing their doors.

I would like to share with you a story about the impact of a rural hospital in my hometown of Yuma, CO, as shared by the CEO of the hospital. Now, I will also tell you that the name of the CEO of the hospital is John Gardner. John Gardner also happens to be the name of my father. They are two different people. My father sells farm equipment. This John Gardner runs a hospital. I think I can tell you that both of them have gotten complaints.

My dad has gotten complaints about the emergency room bill, and John Gardner, this CEO of the hospital, has gotten complaints about a tractor overhaul bill. But they are two different people. But this John Gardner, the CEO of the hospital, does live right next to me in this small town of right around 3,000 people. This is what he said, the CEO of the hospital:

Because we are located in a rural farming community, we see many farming accidents and motor vehicle accidents. Gravel roads are not the driver’s friend. In partnership with the city ambulance service, we have invested a lot of time and training and equipment to be prepared to respond to these accidents. We have two young adults in our community who were involved in serious automobile accidents on gravel roads. Both had severe head trauma which without immediate stabilization would have had terminal outcomes.

Because of our hospital we were able to treat and transport both to level 1 trauma centers for complete treatment and following extensive rehabilitation are now back with their families.

Stories like this and the invaluable lifesaving services provided by rural hospitals are why we need a new system, a new system that recognizes the financial challenges and obstacles that rural hospitals face today. Without an adjustment, there may be more facilities closing. A 2014 report by the National Rural Health Association identified 283 additional hospitals at risk of closing.

Now, we saw 55 nationwide hospitals already close. An additional 283 rural hospitals around the country are at risk of closing. Ensuring that rural communities have access to the lifesaving care they need is why I am introducing—and joining Senator GRASSLEY—the Rural Emergency Acute Care Hospital Act or the REACH Act.

The REACH Act aims to allow rural hospitals which are in financial distress to become a new category of hospital, called a rural emergency hospital. Here is the problem and why we need to pass the REACH Act. Under current law, critical access hospitals are classified as hospitals maintaining no more than 25 acute care beds. These hospitals rely on rural payment mechanism for Medicare reimbursements for outpatient, inpatient, laboratory, therapy services, and post-acute swing-bed services.

As the medical service industry has evolved, patients find it more and more attractive to have services requiring rural hospital admission performed in large city hospitals because inpatient services are delivered there on a more routine basis. We see more people leaving rural hospitals to go to the city hospitals because they perform these inpatient services more regularly.

The problem, of course, is that leaves rural hospitals without enough inpatient volume to cover their costs, oftentimes resulting in hospital closures. So when a critical access hospital—again, these are hospitals defined under the law as 25 acute care beds. When a critical access hospital has to shut its doors for inpatient services, it has to stop providing inpatient services, it also means the emergency care closes with it.

So now you have a hospital no longer providing inpatient services and no longer offering emergency care. But as highlighted by my hometown story—the story I just shared from the CEO of the hospital, timely access to emergency services is truly the difference between life and death. Those two young men who would have faced a terminal outcome were saved because of the availability of a rural hospital emergency room.

So when dealing with life-threatening injuries, it is critical for patients to receive the kind of health care they need, that lifesaving care to prevent the terminal outcome within the golden hour. That is something doctors and hospitals use—a term for medical pro-

fessionals—meaning that hour after injury where it is absolutely critical that they receive treatment, that can make the difference between survival—if they do not receive their care during this critical golden hour, their condition could rapidly deteriorate.

Recent statistics from the National Conference of State Legislatures found that 60 percent of trauma deaths in the United States occur in rural areas but only represent 15 percent of the overall population. So if we are talking about why we need access to rural emergency hospitals, the statistic is very clear: 60 percent of rural trauma deaths in this country occur amongst a population that only represents 15 percent of the overall population. That is a pretty dramatic number.

It is critical that we provide rural hospitals that are under financial distress the necessary tools to prevent closures for those living in isolated areas, to make sure they have the same access to emergency services. The solution is the REACH Act, a solution Senator GRASSLEY and I are working on together, to allow rural hospitals in financial distress to switch from being a critical access hospital to this new category called a rural emergency hospital.

This new category would offer reimbursement rates that are consistent with the care, needs, and capabilities of rural hospitals, but more importantly allowing them to remain open, keeping that critical emergency room service open. Now, the emergency hospital must provide emergency medical care and observation 24 hours a day, 7 days a week by onsite staff.

So we are still providing quality care, but we are allowing them to overcome the fact that they have seen their inpatient services decline, enabling them to keep their emergency services open 24 hours a day, 7 days a week, to make sure trauma patients can see the doctor and be provided the necessary medical care they need during that all-important golden hour.

The bill would also establish protocols for the timely transfer of patients in need of a higher level of care and patient admittance. The Presiding Officer and I both came from rural States, where we know—there are hospitals in our States that are facing financial challenges. There have been stories in newspapers in Colorado about the struggles some communities are having maintaining their services, keeping their doors open. But there are stories in each and every one of these communities like the story John Gardner told about those two young people in my hometown who otherwise would have had a terminal outcome but for the availability of the emergency care in rural Colorado.

So to avoid missing out on the services necessary to keep people alive, to make sure rural patients have access

to care during that critical golden hour, the REACH Act provides our hospitals with an opportunity to keep health services and hospitals available across rural America—available, open with emergency care, giving troubled hospitals an avenue to keep their doors open and to keep providing the lifesaving care we all so desperately want in each of our communities, rural or urban.

I thank the Presiding Officer for the time on the floor today. I urge my colleagues to support the REACH Act. We are always reaching out for more cosponsors in a bipartisan fashion to make sure we can do the best job possible providing health care to rural America, to urban America, and to make sure we keep these hospitals open.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Maryland.

#### TRAGEDY IN CHARLESTON, SOUTH CAROLINA

Mr. CARDIN. Madam President, I rise today to discuss my hometown of Baltimore and the city's recovery after the civil unrest related to the Freddie Gray case. But first let me say a few words about the heartbreaking events in South Carolina. Words are inadequate to express the heartache of yet another mass shooting. Gun violence regularly takes far too many victims in Baltimore and other cities across the country, but to have a place of worship violated in such a hateful way is inexplicable.

My prayers are with the Mother Emanuel AME Church, its congregants, and the people of Charleston, SC, at this difficult time. I appreciate the Department of Justice's swiftness in opening a hate crimes investigation of this tragedy. Despite the alarming frequency of such shootings, we as a nation cannot become complacent and immune to the pain and anguish caused by these instances.

Every time a senseless shooting takes place, there should be more and more of us who shout to the Heavens in protest as loudly as we can. As parents, we have a responsibility to teach our children to focus on things that unite all people and to view differences as strengths, rather than seeds for hatred and resentment. As lawmakers, we need to move from a place of political inertia to stop guns from getting into the hands of people who use them for the wrong reasons. We have mourned too many good people—men, women, and children—to stand idly by.

I am pleased State leaders have come together for the removal of the Confederate flag from the grounds of South Carolina's statehouse. I urge the State legislature to move quickly to permanently remove this symbol of intolerance from government facilities.

## BALTIMORE ACT

Mr. CARDIN. Now, as I travel around Baltimore, and particularly the neighborhoods that are trying to recover, I hear a recurring theme from constituents: They don't feel their government truly represents them and their interests. They don't feel government has fully invested in recovery efforts in their communities. They don't feel fully enfranchised.

So what steps have the local government and Federal Government taken so far? We have seen our State's attorney in Baltimore indict several police officers on numerous criminal charges as a result of the death of Freddie Gray. Mr. Gray suffered a severe spinal cord injury while in police custody, which ultimately led to his death.

The judge in this case has scheduled a trial to begin in October. At the Federal level, even before the Freddie Gray case, I had called for the Justice Department to intervene regarding allegations of brutality and misconduct by the Baltimore Police Department. In October 2014, the Maryland congressional delegation sent a letter to the Justice Department in support of greater Federal involvement with our local police force.

DOJ agreed to this request and opened a collaborative review process with their COPS Office in Baltimore City. Shortly after the Freddie Gray case came to light in April of 2015, I sent a letter, along with the Maryland congressional delegation, asking the Justice Department to open a pattern or practice investigation into civil rights violations in the Baltimore Police Department.

DOJ agreed to this request and opened the investigation, which is still ongoing, at the same time that the State trial for the police officers is occurring. For those of us who live in Baltimore, the events over those last couple of weeks have been heart-breaking. The city we love has gone through very difficult times. I wish to thank my colleagues who have contacted Senator MIKULSKI and me for offering their help, for offering their understanding, and for their willingness to work together so we can deal with the issues that have been raised in Baltimore and other cities and other places around our country.

It is our responsibility to move forward. The people of Baltimore understand that. We understand the national spotlight will be leaving, and we are going to deal with the issues that are left behind. I want to thank the administration for their high-level involvement as Baltimore gets back on its feet. Our congressional delegation and Mayor Stephanie Rawlings-Blake has had the opportunity to meet at the White House with senior administration officials and Cabinet Secretaries to support our local priorities, including jobs, economic growth, education, housing, and law enforcement.

I thank President Obama for making Baltimore a top priority. Team Maryland is committed to working with the White House and Cabinet agencies to ensure that the tools and resources available from the Federal Government—from improving housing and increasing quality jobs to supporting our schools and small businesses, to providing citizens with second chances and expanding programs to rebuild the trust between neighborhoods and law enforcement—are brought to bear in Baltimore as a national model for the restoration of hope and opportunities in our cities.

As Congressman CUMMINGS has said: This is a transformational moment for Baltimore. It is finally time that we look at comprehensive steps to restore hope and trust in our neighborhoods. We need to ensure that all our citizens' rights are preserved, while giving police the tools they need to reengage with families and individuals that they are there to protect.

Last week, I introduced the BALTIMORE Act, S. 1610, with Senator MIKULSKI as my cosponsor. The legislation stands for Building and Lifting Trust in Order to Multiply Opportunities and Racial Equality. The components of the BALTIMORE Act are powerful antidotes to many of the long-term ills facing our city and others. We must simultaneously promote economic development and opportunities for our cities.

But this bill gives individuals and law enforcement a second chance to do the right thing and contribute in a positive way to their families, their neighborhoods, and the larger community. The BALTIMORE Act contains legislation from this Senator and other Senators as well as new legislative ideas. The BALTIMORE Act consists of four titles. The first title deals with law enforcement. The BALTIMORE Act contains the text of my legislation, S. 1056, which is the End Racial Profiling Act. I have talked on the floor before about ending racial profiling. It should have no place in law enforcement in our communities. It is counterproductive, it turns communities against law enforcement, it is costly, and it can be deadly.

Now, if you have specific information about a person who has committed a crime, you can use that. That is not profiling. But when you target a community solely because of race, that has to end. The first title of the BALTIMORE Act also contains several reforms championed by Senator MIKULSKI, as part of the Commerce, Justice, Science appropriations bill, approved by the committee for fiscal year 2016.

The legislation would require local law enforcement officials receiving Byrne-JAG and COPS Hiring Program funds to submit officer training information to the DOJ, including how their officers are trained in the use of force,

countering racial and ethnic bias, deescalating conflicts, and constructive engagement with the public. It requires State and local police departments to promptly submit the use-of-force data to the FBI.

The legislation requires the Department of Justice to issue a report on a plan to assist State and local law enforcement agencies to improve training in the use of force, in identifying racial and ethnic bias, and in conflict resolution through the course of officers' careers.

The final piece of this title I act establishes a pilot program to assist local law enforcement in purchasing or leasing body-worn cameras and requires privacy study. I thank Senators SCHATZ and PAUL for introducing this legislation as the CAMERA Act, S. 877.

The second title involves voting rights reform and civil rights restoration. It includes the text from my legislation, S. 772, the Democracy Restoration Act.

My legislation will restore voting privileges for those who have completed their prison terms. I know I have support on both sides of the aisle. We have had a vote on this, and a near majority have agreed on it. Those who opposed it said it was on the wrong bill. Well, let's move it forward.

Once individuals have completed their sentencing, they should be welcomed back to our community so that they can be productive, law-abiding citizens, so they know they have become part of our community and they believe they have a future.

They should be able to serve on our juries. There is not a person in the Senate who didn't have a second chance sometime in their life. We should look at second-chance opportunities. In part our legislation provides additional funding for second-chance type programs that would employ those who have had criminal convictions. We also have the sense of Congress to end "check-the-box" so that in Federal contracts all persons have an opportunity to participate.

The third title deals with sentencing reform. I have spoken to some of my colleagues about some of the sentencing guidelines we have in this country. We need to take a look at our criminal justice system and the sentencing guidelines to recognize that if a person is of a certain race, a certain religion or ethnic background, that person is much more likely to end up in prison today even though the instance of violating the laws are not different in that community than in other communities in the country. We have to deal with it. The country has to deal with it.

The fourth title of the bill—the last title—deals with the reentry programs that I have already talked about. We need to finance those.

It may take time for Baltimore to recover fully from the damage done to its

business and national image by the tragic events following the recent death of Freddie Gray, but this great city will come back. I am optimistic when it comes to Baltimore's future. From its earliest days, Baltimore's industrial and financial business sectors have proven themselves resilient and innovative, and these same qualities will be vital in the days ahead.

I am confident that together we can find ways to help Baltimore recover and grow all sectors of its diverse economy, spurring community improvements along way.

We also need to have a serious discussion about sentencing reform and finding ways to restore the lost trust between law enforcement and the communities they serve. The BALTIMORE Act will allow us to move decisively in that direction by ending racial profiling, increasing accountability, collecting critical crime data such as officer-related shootings, and providing real strategies and resources to strengthen police-community relations. These measures will help protect the rights of every American on every side of our justice system.

With that, I yield the floor.

The PRESIDING OFFICER. The majority whip.

#### OBAMACARE

Mr. CORNYN. Madam President, when I have constituents come to Washington, DC, I typically will describe this as being a little bit like Disneyland. It is a lot of fun to visit, with a lot of excitement. A lot of things happening here, but it is not real. It is not real.

What I mean by that is that what is real are the lives that are lived by the average American families all across this country, whether it is Nebraska, Texas or elsewhere and the struggles they have trying to raise their children, trying to get a good education, trying to keep a job—to keep a job that has good wages and one that hopefully grows over time. But in Washington, the focus is typically on winners and losers—winners and losers. If you look at almost any newspaper each week in Washington, they will talk about the winners and the losers. Usually, they are talking about political figures such as the President of the United States.

So I just happened to catch one headline that talked about the President being the biggest winner of the week in Washington, DC.

Why? Well, one is because of the trade promotion authority legislation that we passed that we worked with the President on. That happened to be a subject that I agreed with the President on—the importance of opening new markets to the things that we grow, the livestock we raise, and the manufactured goods we make. Hopefully, we will be able to enter into a

good deal on the Trans-Pacific Partnership, opening up 40 percent of the world's economy in Asia to the new markets for the things that we make, grow, and the livestock we raise.

So that happened to be a subject on which I agreed with the President. He had more problems with his own party. We got 13 Senate Democrats to join us in passing this legislation, but we got it done. I think in that instance—maybe you could call the President a winner if you want—you could say that the American people were the winner, and I think that would be accurate too.

But on the loser's side of the ledger, we had a disappointing decision by the U.S. Supreme Court today, where they ignored the clear language that Congress wrote when the Affordable Care Act was passed in March of 2010. Even worse, while the press may consider that this represents a win for the President, there is no question in my mind that the vast majority of the American people are the losers as a result of this decision. The fact is that ObamaCare has been a disaster for millions of hard-working families, and it was really sold under false pretenses.

The President said: If you like your doctor, you can keep your doctor.

Well, that ended up not being true.

If you like your policy, you can keep your policy.

Well, that ended up not being true for roughly 5 million people who lost their insurance coverage that they liked because the law said they couldn't keep it anymore.

Then there was the fact that the President said this: Prices of health coverage for an average family will come down \$2,500.

None of those proved to be true.

So despite the Supreme Court's disappointing decision, I will not stand down in my opposition to this bad law, because I know we can do better. I look forward to working with our colleagues to eventually protect the American people from the harmful effects of ObamaCare and get the American people what they thought they were going to get out of health care reform in the first place—coverage they wanted at a price they could afford, neither one of which is delivered under ObamaCare.

#### WORKING TOGETHER IN THE SENATE

Mr. CORNYN. Madam President, as I indicated initially, this Congress—and particularly the Senate—has had an unusually productive period of time of late. It may be hard for some people to believe, but the most common word I heard used to describe Congress last year, and in recent years, has been “dysfunctional.” But we have actually been functioning very well. We have been able to accomplish quite a bit.

Today the Senate is marked by something that we refer to as regular order.

What does that mean? It means that we operate according to the rules, where not only the majority but also the minority get to participate in the process, both at committees and on the floor of the Senate. If anybody has a good idea, they can offer that idea, and they can actually get a vote on it up or down.

I was pleased to read in the Wall Street Journal yesterday that two former Republican majority leaders wrote that they were encouraged to see “the Senate addressing big problems after years of inaction.” I couldn't agree more.

Bringing the amendment process back is one obvious way we have done so under the new majority after years of inaction. Now that may sound like inside baseball or just talking about procedure, but by allowing Members of both parties—the minority and the majority—to offer their ideas on legislation, we have restored the ability of all Members of the Senate, as elected representatives of the people, to cast our votes on numerous issues that affect all of our constituents and the country.

But restoring such a simple process, one that had been largely absent during the years the minority leader held the reins, represents a real sign of progress.

At the beginning of this year, it was reported that just 3 weeks into the new Senate, we had voted on more amendments than the minority leader had allowed during the last year in its entirety. Let me say that again, because it is pretty shocking. In the first 3 weeks of this year, we had voted on more amendments than the minority leader—when he was majority leader—allowed in the entire previous year.

Well, it would mean nothing if it didn't reflect the core philosophy of the new leadership of this Chamber. In other words, our successes on amendment votes didn't stop after our first month in the new Congress. I am now proud to say that voting is now the norm, instead of the exception to the rule.

What did our constituents send us here to do, if not to vote? During the last 6 months, the Senate has voted on 136 amendments in legislation, compared to just 15 last year. We are working for the American people, and, more importantly, the Congress is now working on their behalf and actually beginning to solve real problems that have lingered for years.

But we have done more than just allow amendments and votes on amendments. During the last few months, we have passed more than 40 bipartisan bills. Now, if anybody has been here for very long, one of the things they learned, perhaps to their chagrin, is that you can't do anything around here on a purely partisan basis. You just don't have the numbers to do it—with some notable exceptions. But



we passed more than 40 bipartisan bills, and we have seen 18 of those already signed into law by the President.

This includes important legislation that I am very proud of called the Justice for Victims of Trafficking Act, which passed this Chamber 99 to 0 and is focused on making sure we help the victims of modern-day slavery recover and rebuild their lives and making sure that these women, typically teenage girls, are treated as victims and not criminals.

We have also passed other important legislation, such as the Iran Nuclear Agreement Review Act. This law will give Congress the time and space to closely scrutinize any deal that the President negotiates with Iran concerning its pursuit of nuclear weapons. In so doing, we will make sure that the American people, through their elected representatives, can voice their opinions on what could be a bad deal that could jeopardize our national security and that of our allies, such as the nation of Israel.

Then there is the National Defense Authorization Act, which was passed this last week and which will provide our men and women in uniform the authorities and the resources they need to protect and defend our Nation against rising threats around the world.

And, as I mentioned at the beginning, just yesterday we passed trade promotion authority, which will soon be heading to the President's desk. It provides Texas farmers, ranchers, and small businesses the opportunity to find new markets around the world through pending and future trade agreements.

We also see significant progress in many other bills that the Senate may soon consider, bills that our committee chairs have been tirelessly moving forward. This includes more than 110 bills that have been reported out of committee and legislation such as the PATENT Act, a bill I have been very involved in, which helps startups and small businesses that are too often wasting their time and money fighting costly, frivolous litigation.

It is good to see that the Senate is back working for the American people, and it is my hope that we can, on a bipartisan basis, continue to build on our strong record so far this Congress and to continue to work productively, where we can, to serve those who elected us.

The Senate is starting to build some momentum. With several appropriations bills looming, we need to keep getting things done and to continue providing real solutions to the problems it faces.

Although my friends across the aisle suggested that they will launch a filibuster summer, I would like to stress that would undercut the good progress and the productivity we have dem-

onstrated so far, and it would also frustrate the American people and only harm those whom we are sent here to represent, not the least of which are our troops and veterans.

So let's do away with this irresponsible idea of a filibuster summer, and let's work together to try to do the Nation's business.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Madam President, I wish to say a couple of things before I speak to the issue that brought me to the floor today.

I have been listening to our leader from Texas talk about so many of the advances we have seen in the Senate this session. I think it is important to acknowledge and note that we are making progress. Often we get labeled in the media for being that "do-nothing Congress," that entity which is just engaged in loggerheads and deadlock. But I think the truth is and the facts on the ground are that we are seeing substantive legislation passed, just as the Senator from Texas has noted.

I was pleased to lead off the Senate with the first bill on the floor in this Congress—the Keystone XL Pipeline. It was good to be back at work in a body that was entertaining amendments from both sides and offered by my colleagues without any direction or dictation from the majority side—an opportunity for the give-and-take that comes with not only good debate but not knowing whether your amendment is going to pass or fail. That is how the legislative process works.

The occupant of the Chair is a former member of a State body, as am I. We know that is how you build legislation, the good, constructive back-and-forth. We saw that with the Keystone XL debate. We moved that through both bodies. The President chose to veto it. I think it is a mistake on his part. I would like to see us resolve that eventually. But I do think it reflects the way that we as a Chamber can work and the way a constructive majority can work. So I applaud the leadership of the majority in getting us to this point and through some very difficult issues. We are going to have some good things coming up, and I look forward to further engaging in debate on those.

#### FIRES IN ALASKA

Ms. MURKOWSKI. Madam President, I want to mention very quickly what is on the front page of my newspapers in the State of Alaska this week and has been for a couple of weeks now. Our fire season started very early and with an intensity that has really attracted concern not only within the State but outside the State. Currently, we have about 545 fires that have begun within the State, both in the interior, where we traditionally see them, but also

down in Southcentral, fires that have taken homes and properties.

In the first part of the fire season, there was a great deal of attention on the community of Willow, an area that hosts the homes of many of our famous and our infamous dog mushers, mushers who mush along the Iditarod Trail and other parts. The articles have been about the dislocation of not only the mushers who have lost their homes but also trying to find places for up to 600 sled dogs for temporary relocation.

So there has been a great deal of concern about the fire status in Alaska. As I mentioned, 545 fires have burned, 427,881 acres as of yesterday evening. That is a significant total. It is a very significant total, but it is pretty small in comparison to where we were in 2004 when we saw almost 5 million acres burn. In 2004, 4.7 million acres burned, and in 2005, we had 2.2 million acres.

We are hopeful that the weather is going to change and that we will get on top of this. But when I was home in Fairbanks in the interior on Saturday, on Saturday alone we saw 6,500 lightning strikes at a time and a place where it is very dry in the interior and has been for some time. So fire danger is very real.

My point this morning is not to give the weather report but to acknowledge publicly the efforts of the men and women who have been engaged so bravely and so heroically in fighting these wildland fires, fighting these fires all over the State in extreme conditions, in difficult conditions where wind can come in at the last minute and change the direction of the fires and not only threaten the property but the safety of our firefighters.

Right now, we have about 3,300 fire personnel in the State of Alaska. About 2,200 of them are fighting fires on the ground. Over 1,000 of these are men and women from Alaska. Many of them are hotshots and are firefighters from the villages who have a great deal of expertise, but we also rely on many who come from the lower 48 to assist us during this time of our wildfires. We thank them and we pray for their safety and for those who have been left homeless, whose property has been damaged, whose lives have been upended by these very difficult fires. Know that our hearts go out to you, and whatever efforts we are able to provide for assistance, we stand ready to do so. And a very heartfelt thank-you to those who are fighting these fires.

#### EPA RULE ON WATERS OF THE UNITED STATES

Ms. MURKOWSKI. Madam President, I came to the floor today to speak about an issue—a regulation that has raised a level of concern and controversy in my State of Alaska like no other we have seen in a long time, and this is in regard to the EPA and the

Army Corps of Engineers and their release of a final version of a rule that significantly increases the ability of these agencies to regulate more of our land and our water. I am speaking specifically to the rule that expands the definition of “waters of the United States” under the Clean Water Act.

Coming from the State of Nebraska, an agriculture State, I am sure the Presiding Officer has heard concerns from constituents and farmers about the expansion of this definition and what it may mean to our economies.

The EPA claims this rule—and we lovingly refer to it as WOTUS—is a clarification to provide certainty and predictability as to where clean air permits are required. But the view of so many Alaskans—and really the view around the country—is that this rule is far beyond a simple clarification because it substantially increases EPA’s regulatory reach. It will subject countless new projects to permitting requirements that will be difficult to satisfy, increasing cost and certainly increasing project delays.

The application of the WOTUS in Alaska is expansive and it is negative. It is something I have described as a showstopper in the past, and none of the changes in the final rule alter that description. If anything, they just serve to reinforce it. The rule really was a showstopper when it was drafted, and it remains at least as bad and damaging today.

According to the U.S. Fish and Wildlife Service, there are more than 174 million acres in Alaska that are wetlands. There are 174 million acres in the State that are considered wetlands, so compare this: The entire State of Texas is 172 million acres. Everyone in the lower 48 thinks Texas is a pretty big State. My friend JOHN CORNYN was here earlier. Texas has 172 million acres. In Alaska, we have 174 million acres of wetlands. So take the whole State of Texas and turn it into wetlands, and that is what we are looking at in Alaska.

Look at this map for a little bit of context. Under the old rule, 43.3 percent of Alaska’s surface is considered wetlands compared to about 5.2 percent of the surface area in the lower 48. This map is pulled from the U.S. Fish and Wildlife Service’s wetlands finder Web site. It may be difficult to see, but these areas in the brighter green are all the wetlands. The area of southeastern Alaska, where I was born and raised, is entirely wetlands. The entire southeastern part of the State is wetlands—in Fairbanks, in the interior area, Southcentral, all around Prince William Sound, all the southwest.

But I think it is important to note that this Web site which Fish and Wildlife has is lacking data for a significant part of Alaska, and so the map is effectively incomplete. The last study conducted by the Service on the status of

wetlands in the State was done back in 1994, which really puts it out of date. It doesn’t take into account the recent Supreme Court decisions of Rapanos and SWANCC. So we have another map here that I think is instructive to look at as well.

This map is pulled from a study by the University of Michigan and the Jet Propulsion Laboratory at the California Institute of Technology. In this map, they use L-band radar satellite imagery. It probably produces a more complete and accurate view of the wetlands in the State. Again, we see all of these areas that are considered wetlands, but, in effect, more parts of the State are considered wetlands or viewed as wetlands than not.

So what we have between these two maps—between what Fish and Wildlife has done and what the University of Michigan and the California Institute of Technology has done—are some discrepancies, but it illustrates the problem. The problem is that nobody really knows what will be considered wetlands by the EPA and by the Corps, and if the new rule takes effect, that problem will only be compounded because it declares that any water or wetland within 4,000 feet of a “categorically jurisdictional water” will now be subject to this “significant nexus” analysis. That analysis will include the entire water at issue even if only a tiny part of that lies within the 4,000-foot boundary.

If you are like most Americans, you probably and understandably have no idea how to define a categorically jurisdictional water. You probably don’t have any interest in learning how to define it. But what you may soon find is that it is going to impact you because it will include all waters used or susceptible to use in interstate commerce, all interstate waters, the territorial seas, all tributaries to those bodies of waters, and all waters adjacent to all those other enumerated waters. That is a lot of water.

Again, you probably and understandably aren’t familiar with this significant nexus analysis, either. I mean, really, what does that mean? Here is a way to help put it into context. If you have a 500-acre plot of land and within that 500 acres you have 10 square feet that are within 4,000 feet of any jurisdictional water, your entire parcel—the whole 500-acre plot—will now be evaluated as a whole. Even though the area we are talking about where there are wetlands is like 10 square feet out of 500 acres, the whole thing is considered as a whole. The significant nexus analysis must include all similarly situated waters. So, again, you will have a situation where EPA and the Corps are going to interpret broadly.

What does all this mean in terms of application? It is interesting, looking at maps and having this discussion about categorically jurisdictional

waters and significant nexus, but let’s take a specific example.

Take the community of Fairbanks, where I spent a lot of time growing up. Fairbanks is in a valley, it is in the Tanana Valley surrounded by a pretty large watershed. The Tanana River, Chena River, we have a situation in this area in Fairbanks where all of the wetlands in the basin have been declared similarly situated. What that means is that a landowner will be forced to prove that none of the wetlands in the basin, as a whole, have a significant physical, chemical or biological connection to either the Tanana or the Chena Rivers. That is practically an impossible hurdle. There are thousands of acres of wetlands in that basin that are now all effectively subject to jurisdiction under this new rule. Every single person who wants to do any sort of development in Alaska’s second-largest city will now be required to get some form of a permit. This includes the guy who wants to build a cabin up on Chena Ridge or the small dredge operator out in the Goldstream Valley or the developer out in North Pole who wants to put in a new subdivision. To all of them: Go out and get your permit.

The bureaucratic mess that is the 404 permitting process has already held back crucial development within the State, and this new rule is only going to make things worse. Now, I wish to go further to the Fairbanks example and to tell the story of Richard Schok. He has a company called Flowline. He has been engaged in an ongoing battle with the Corps since May 21, 2008. That was the day Richard submitted a permit application to the Corps. It was a reapplication for a permit which had been granted back in 2003. We might think, OK, this is just a reapplication. This is a permit which has been in place now for 5 years. It should have been an easy matter. Instead, Richard is still fighting the Corps—this many years after, still fighting the Corps for a new permit. Since 2008, the Corps has connected the piece of property at issue to the Tanana River, the Chena River, and something known as Channel B, which is a manmade waterway used for flood control purposes.

The Agency’s first attempt to establish jurisdiction over his private land, which consists of 455 acres outside of Fairbanks, was through the Tanana River. They looked at it, and after administrative review, it was held there was no connection between the subject land and the Tanana. So we would have thought we were done with it. But, no, rather than just allow Mr. Schok to develop his private land, the Corps then switched theories on him and said: No, we think the land is connected to the Chena River instead. But then they went further than that. They settled on a third theory, and that was that the wetlands had a direct connection to

Channel B. Channel B is over 2 miles away from Mr. Schok's property via a small 20- to 50-foot-wide wetland arm, since Channel B drains into the Chena River. So when you are talking about a significant nexus, how remote could you possibly be.

So there are a couple problems with this analysis. First, the strip of land they labeled as wetlands wasn't wetlands at all. People drive four-wheelers on it. You can walk on it in tennis shoes. Basically, this is the land they are describing as wetlands. The guy has taken a core sample here. It is muddy underneath, but effectively this is what is being considered the wetlands. Second, Channel B contributes less than 1 percent of the total flow to the Chena River. We would think that should not suffice for a finding of a significant nexus, but the Corps thinks it does. So to date, this permitting battle has cost Mr. Schok over \$200,000, and that doesn't count the 1,000 man-hours he and his staff have put into the project. All he is trying to do is move his business from its current location, which is limited in size, to this new piece of land—his private property—and open a new powder coating plant. The move would allow him to expand his operations, employ more people, and contribute to the growth of Alaska. But since 2008, he can't make it happen.

The PRESIDING OFFICER. The Senator's time has expired.

Ms. MURKOWSKI. Madam President, I ask unanimous consent to continue for an additional 4 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MURKOWSKI. I also wish to speak to how the rule impacts the development of hydropower in the State of Alaska. We are looking to find energy solutions, clean energy solutions. Hydropower is huge for us. Alaska has nearly 300 prime locations for hydrodevelopment, nearly 200 in Southeast Alaska alone, but many of them require the construction of powerhouses or transmission lines that may rest on wetlands or cross wetlands as defined by the new rule—and that is a big problem.

A good example of this is Crater Lake, a fishing community of Cordova, down in Prince William Sound. Crater Lake is at an elevation of 1,600 feet, straight up from the ocean. Cordova has been looking at this small hydro opportunity to advance their energy solutions. It is clean. It is renewable. It is carbon free. There are no fish issues. So this is perfect for them. Prior to WOTUS, it was anticipated that it would be about a 12- to 18-month process to permit this small hydroproject. What the Federal nexus WOTUS brings, this project is now likely to end up in the FERC process, and what was expected to be about \$150,000 to \$200,000 in permitting costs is now looking to be closer to \$1 million and take poten-

tially 3 to 5 years. Think about it. For a small community like Cordova that is trying to find small energy solutions for this fishing community, these additional costs are likely going to kill this small project. And what happens? The community continues providing their power by diesel, when we have a clean opportunity, but that opportunity is going to be suffocated by this rule.

Most of coastal Alaska, with its rugged mountains filled with rivulets and waters, will be subject to these case-by-case determinations. Simply performing the science and providing justification to the EPA for these adjacent water determinations will add cost to projects and likely delay any development as the determinations are litigated.

If any projects do make it to the finish line, their higher costs under this rule will mean their electricity is ultimately less affordable for Alaskans. The costs we face when developing in Alaska are already steep enough. They will be magnified and worsened by the final WOTUS rule. I am grateful to our colleagues on the EPW Committee, who recently reported out bipartisan legislation, which I cosponsored, which requires the agencies to develop a better rule.

These two bills will help provide relief to local governments. The Infrastructure Rehabilitation Act will allow the Secretary of the Army to waive the notice and comment period required by the Clean Water Act when a natural disaster has damaged critical infrastructure and a local government needs to rebuild.

We also have the Mitigation Facilitation Act, which will allow the Secretary to provide loans to local governments in order to ease the burden created by 404 permits and the overreaching scope of the new WOTUS rule. If the Federal Government is going to require hugely burdensome and expensive mitigation projects, effectively an unfunded mandate, the government should assist municipalities by providing loans and loan guarantees to small local entities. So I have introduced these two bills and am looking forward to having them move forward, in addition to what the EPW Committee has done.

Alaska will be the State most heavily impacted just because of the nature of our wetlands. An analyst done by EPA and the Corps suggests that at the high end, the mitigation costs to Alaska could be \$55,000 per acre—\$55,000 an acre. With 43 percent of our land requiring mitigation for any sort of development, these costs will halt many development projects. And when combined with the cost of even getting a permit, which averages about \$270,000, economic development will be seemingly impossible in many parts of the State.

But it goes further than that because EPA can also issue civil penalties for

violations of a permit or for failing to have a permit when it thinks you should have one. These penalties can be assessed at a rate of up to \$37,500 per day and doubled if the person being fined has been issued an administrative compliance order and EPA decides there has been a violation of that order. The threat of these penalties is another cost that people have to take into account when they are developing property.

There are so many places in Alaska that are more than 4,000 feet away from some kind of water. We are close to water. We are close to water everywhere. We have too many rivers, too many lakes, too many wetlands. We love them all. But we are the only State that has permafrost, and we have no idea at this point in time whether or not, and under what circumstances, these areas might be regulated. We have incredible uncertainty working against.

The bottom line is that the new WOTUS rule will have results that in many cases will just be absurd in Alaska and add significant, significant costs. For us, this rule is the equivalent of the Roadless Rule that killed off logging in the Tongass National Forest, ending hundreds of jobs.

I know this is an issue that many of us in this body care about, many of us in this country care about. It speaks to what we see when we have agencies that go beyond their jurisdictional authority, that go beyond the scope of the laws that were passed with good intentions. I want us to get back to that place of laws that allow us to have clean air, clean water. But when we see interpretations like we have with this, it is time to stop them.

Madam President, I thank my colleague for the indulgence of some additional time.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

#### NUCLEAR AGREEMENT WITH IRAN

Mr. BOOKER. Madam President, I rise as negotiations between the P5+1 nations and Iran enter their final phase. The President deserves our thanks for his commitment to eliminating the nuclear threat we face from Iran, and we owe the negotiating team our gratitude for their tireless and ongoing work to achieve a meaningful deal.

For decades, Iran has posed a serious, real, and ongoing threat to the U.S. national security interests. Iran's pursuit of its hegemonic ambitions in the Middle East has manifested in the training and arming of Syrian President Bashar al-Assad's forces and terrorist organizations such as Hezbollah. More recently, Iran's increased intervention in the conflicts in Yemen and Iraq pose dangerous and unpredictable regional

consequences. Iran's Ayatollah Khamenei continues his horrific and unacceptable calls for the destruction of the State of Israel and has not yet come clean about the dimensions of Iran's nuclear program.

The stakes of these nuclear negotiations clearly could not be higher. Nothing less than the peace and security of the Middle East hangs in the balance.

The Iran Nuclear Agreement Review Act, the hard-fought legislation crafted by Senators BOB CORKER, BEN CARDIN, and New Jersey's own Senator MENENDEZ—of which I am a cosponsor—sets up a clear and constructive process for Congress to weigh in on any final deal that touches upon the statutory sanctions Congress has enacted.

With just days remaining before a final deadline, Congress must continue to voice its concerns and exercise its oversight authority. To me, this role is at the bedrock of our role, and Congress must play its role. As my senior Senator, Senator MENENDEZ, has stated: If the interim period is just a short-term pause that preserves for Iran the ability to quickly restart its nuclear program, we will have failed the American people, and we will have our allies and friends to whom we have vowed to protect from Iranian aggressions.

Any final agreement must build in the ability to hold Iran to its commitments and to prevent the absolute nightmare of a nuclear Iran from being realized.

My intent today is to ensure that the administration, which has worked tirelessly to prevent Iran from gaining access to a nuclear weapon, has the best possible chance of success once the final agreement reaches Congress. The framework agreement released on April 2, 2015, leaves gaps, some of which I would like to spend a few moments highlighting today.

First, a robust and comprehensive inspections and verification regime must be the foundation of any deal that is reached. With Iran's known enrichment facilities at Natanz and Fordow, as well as a heavy water reactor at Arak, under international oversight, the country's leaders would almost certainly look elsewhere to conduct any secret nuclear work.

Iran, of course, denies any desire to build a bomb, but distrust of Iran is based on deep historical precedence. Iran secretly built and operated Natanz and Fordow, and they still haven't come clean about their past military nuclear activities at Parchin. Therefore, ensuring a robust inspections regime is critical for my support of a final deal.

The Joint Comprehensive Plan of Action—JCPOA—fact sheet released on April 2 stated that Iran will be required to grant access to the IAEA to investigate suspicious sites or allegations of covert facilities anywhere in the country.

It was hoped that rapid inspections would underwrite the verifiability of the agreement, so if Iran were suspected of violating the agreement, the IAEA would have access to those suspected sites.

According to the latest reports, the IAEA would have the ability to investigate undeclared sites; however, Iran would still be able to dispute those requests in an international forum made up of five permanent members of the U.N. Security Council—the United States, Britain, France, Russia, and China—plus Germany, the EU, and Iran. As we look forward to examining the contours of an inspection regime, we must be wary of any proposal that allows Iran to jam up the IAEA and the dispute resolution process, while removing any evidence of violations that are occurring.

Our negotiators should expect questions from this Chamber: Are there clear loopholes for cheating? Does the administration have high confidence that Iran is not making bomb material at its declared nuclear facilities and that the inspectors are able to detect clandestine facilities?

Our standard will be an arrangement that prevents Iran from dodging or hiding from an inspections regime. Our intelligence, together with enhanced inspections, must be able to ensure that the United States will catch Iran if it takes the risk of pursuing a secret pathway to nuclear weapons and pursuing secret nuclear activities.

Let's not forget that Iran has a dismal record of compliance with its international obligations. Iran has a 30-year record of cheating on the non-proliferation treaty—30 years of cheating. Iran has a 30-year record of cheating, but already the Ayatollah stated that Iran will not allow inspections at military sites today. Khamenei is already backtracking on major commitments agreed to by negotiators on all sides.

This is a serious issue, and in my opinion, it is a clear ploy by Iran to frustrate the negotiations and move the goalpost on these negotiations. Even more so, understanding the history, this reinforces how much we don't know about the military dimension of Iran's past activities. We have no baseline for monitoring Iran moving forward without an understanding of what has been sought in the past.

This is not new. The IAEA has raised these concerns. The April 2 JCPOA says: "Iran will implement an agreed set of measures to address the IAEA's concerns regarding the past military dimensions of its program."

Secretary Kerry stated in April that past military dimensions "will be part of a final agreement. If there's going to be a deal, it will be done." I applaud the Secretary's commitment to ensuring that the Iranians' past behavior will play a clear role in the ongoing negotiations.

We know that in this Chamber, my colleagues will examine this closely. We will also examine timelines. In the best-case scenario, for 10 to 15 years, Iran will limit its research and development, limit its domestic enrichment capacity, will not build new enrichment facilities or heavy water reactors, will limit its stockpile of enriched uranium, and will accept enhanced transparency measures. After 15 years, when it is allowed under the terms of the agreement to build its stockpile, it will only be able to do so for peaceful purposes.

But I believe we have to be clear-eyed about the other scenario, which is that after 10 to 15 years—a blip in time for a regime that has been under sanctions for decades—Iran ramps up its research and development efforts on advanced centrifuges, installs these centrifuges, and decides to break out.

Would this deal enhance the intelligence picture of Iran's nuclear capability? That is an important question. If so, would it adequately inform our military options should Iran attempt that breakout?

Are there assumptions being made that in the short term Iran may undergo internal political changes that will make them more favorable to the West? Are we assuming that in making this deal? Relying on such assumptions would be a dangerous gamble. There are no assurances about what the future state of their regime will be.

Finally, Congress must be clear that this deal must not only be credible to Congress, but it must also satisfy Iran's neighbors that have much to gain from an Iran that follows established international norms and far too much to lose if we allow a deal that leaves Iran's neighbors vulnerable to reckless rhetoric and aggression. If other countries believe we have wavered in our resolve to get the strongest possible deal, it will be very difficult to discourage other countries from developing or pursuing a weapon. This could lead to proliferation, and such proliferation would be catastrophic. It would be a catastrophic blow to an already unstable and unpredictable region. This is not an abstract concern; Iran's neighbors are watching these negotiations carefully.

While I sincerely hope that in 50 years future Senators will discuss how the United States did what no other nation was able to do—build a comprehensive sanctions regime that brought Iran to the negotiating table, neutralized the threat of nuclear proliferation in the Middle East, and succeeded in putting an end to dangerous calls for the destruction of Israel—success is not certain. Success is not an inevitability.

I will not judge this deal before I see a final agreement. I encourage my colleagues to read the final text, as I am

sure they will, before making judgments about the deal. We need to see what is in it.

Under the Joint Plan of Action, we have seen unprecedented inspections of Iran's nuclear infrastructure take hold. Iran's enriched stockpile has shrunk. There are limitations on their enrichment processes. Enrichment has been confined to one facility. This is progress. It is my hope that the negotiators are building upon this progress and working toward a comprehensive final deal. There is much at stake. The bar is set high—as it should be—for a deal, and the questions I have raised are among the many that will be asked and that must be asked as we examine a final deal in the coming weeks.

#### THANKING SENATE PAGES

Mr. BOOKER. Madam President, if I may take one more moment, today, as I understand, or tomorrow is the last day for this group of pages to be here with us.

I have been in this Senate now a little bit longer than this group of pages—about 20 months now. We see these groups of pages, and it is extraordinary to see young people come from all over America. Some of them may go on to government, but most of them will go on to do other things. We see them come into this Chamber and continue a tradition that has been going on for decades. They come and they go. But I want everyone to know that they really do enrich our experience here as Senators, and they help the staff do invaluable work for the operations of the Senate. They may be viewed as the lowest on the totem pole in this institution, but their value and the legacy they are continuing is a noble one.

Today, on the penultimate day of this group of pages, I wish to offer them my gratitude for their service to our country.

Thank you.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CRUZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SASSE). Without objection, it is so ordered.

#### KING V. BURWELL DECISION

Mr. CRUZ. Mr. President, today's decision in *King v. Burwell* is judicial activism, plain and simple. For the second time in just a few years, a handful of unelected judges has rewritten the text of *ObamaCare* in order to impose that failed law upon millions of Americans. The first time, the Court ignored Federal law and magically transformed a statutory "penalty" into a "tax."

Today, these robed Houdinis have transmogrified a "Federal exchange" into an exchange "established by the State." This is lawless.

As Justice Scalia rightfully put it, "Words no longer have meaning if an exchange that is not established by a State is 'established by the State.'" Justice Scalia continues: "We should start calling this law SCOTUScare." I agree.

If this were a bankruptcy case or any other case of ordinary statutory interpretation, the results would have been 9 to 0, with the Court unanimously reversing the Obama administration's illegal actions. But instead, politics intervened. For nakedly political reasons, the Supreme Court willfully ignored the words that Congress wrote, and instead read into the law their preferred policy outcome. These Justices have joined with President Obama in harming millions of Americans. Unelected judges have once again become legislators—and bad ones at that. They are lawless, and they hide their prevarication in legalese. Our government was designed to be one of laws, not of men, and this transparent distortion is disgraceful.

These Justices are not behaving as umpires calling balls and strikes. They have joined a team, and it is a team that is hurting Americans across this country. *ObamaCare* is the biggest job killer in America. Millions of Americans have lost their jobs, have been forced into part-time work, have lost their health insurance, have lost their doctors. Millions of Americans have seen their health insurance premiums skyrocket, and it is a direct result of President Obama, of Democrats in the Congress, and of lawless Justices at the U.S. Supreme Court who have joined the team of the Obama administration. If those Justices want to become legislators, I invite them to resign and run for office. That is the appropriate place to write laws—on this floor, not from that courtroom.

I began my career as a law clerk of the U.S. Supreme Court, clerking for Chief Justice William Rehnquist, one of the greatest Chief Justices ever to serve our Nation. I have spent the majority of my adult life litigating before the U.S. Supreme Court, both on behalf of the State of Texas and on behalf of private parties. What this Court has become is heartbreaking. If Chief Justice Rehnquist could see this Court today, he would be filled with sorrow at what has become of the Supreme Court of the United States.

The obligation of fidelity to the Constitution and fidelity to law matters. We are not living in a platonic oligarchy with philosopher kings governing us who believe they get to write the laws, interpret the laws, and enforce the laws. That is not the American system of governance.

At the same time, crocodile tears are flowing here in our Nation's Capital

over the Supreme Court's decision to illegally rewrite *ObamaCare*, which has been a disaster since its inception. But one day of faux outrage from the Washington cartel won't fool the millions of courageous conservatives all across our country. They know that far too many career politicians—Democrats and Republicans—in this Nation's Capital are quietly celebrating the Court's decision. If they believe this issue is now settled so they don't have to address it, they are sorely mistaken.

I have made repeal of this disastrous law a top priority since the very first day I entered into this body, and I have made its repeal central to my tenure in office. Republicans all across the country, including my friend the Presiding Officer, campaigned on repealing this law and were elected in a historic tidal wave year—historic majorities in both Chambers of this Congress and in statehouses all across the country. It is now up to us to keep our promises.

I believe 2016 will be a national referendum on repealing *ObamaCare*. This law is profoundly unpopular. It is unpopular with Republicans, it is unpopular with Independents, it is unpopular with Democrats, it is unpopular with young people, it is unpopular with Hispanics, and it is unpopular with everybody it has hurt, and there are millions being hurt by this law.

The Court adopted and put its stamp of approval on the IRS's blatantly unlawful reading of the statute to make subsidies and taxes applicable to individuals on Federal exchanges when Congress explicitly provided the opposite. Jonathan Gruber famously said *Obamacare* was built on exploiting the stupidity of the American people. Well, unfortunately the Supreme Court is now complicit in that deception. The Supreme Court has joined President Obama, whose statement "if you like your health insurance plan, you can keep your health insurance plan" was rightfully noted as the lie of the year as millions of Americans lost their doctors. Now those rogue Justices are complicit in that lie, in setting aside their oath of office to lie to the American people.

After today's ruling, *ObamaCare* will now be responsible for imposing illegal taxes on more than 11 million individuals and for burdening hundreds of thousands of businesses with illegal penalties on their workers, killing jobs and further slowing economic growth.

You are a young person right now. You come out of school. You have student loans up to your eyeballs. You are struggling. You don't know if you are going to get a job. The dismal *Obama* economy means your future is bleak. You have no hope or optimism of actually getting a career, getting skills, moving towards the American dream. Well, today the U.S. Supreme Court has joined arm in arm with President

Obama and the IRS in illegally imposing taxes on you—you, that young person starting your career, struggling to make your student loan payments.

Working as a part-time employee making coffee doesn't pay those payments, and yet you are stuck with the individual mandate, which is a tax, so says the Supreme Court and so the Obama Justice Department argued. Right after President Obama told the American people it wasn't a tax, the Obama Justice Department said yes, it is a tax. The Supreme Court agreed. You, the single person, the single mom trying to feed your kids, are paying an illegal tax because of the lies emanating from Washington, DC.

You, the teenage immigrant, as my father was 58 years ago, washing dishes, making 50 cents an hour—he couldn't speak English, but he was filled with hopes and dreams. He was filled with an aspiration for the American dream. Ours is the greatest Nation in the history of the world because people can start with nothing and achieve anything. That is the promise of America.

ObamaCare is strangling that promise. You, the teen, are paying illegal taxes right now today because of President Obama's deception, because of the IRS's lawlessness, and because of the Supreme Court's judicial activism, violating their oaths of office.

I remain fully committed to repealing every single word of ObamaCare. Mark my words. Following the election in 2016, the referendum that we will have, in 2017, this Chamber will return and we will repeal every word of ObamaCare. We will bring back economic growth, we will bring back opportunity, and then we will pass commonsense health reform that makes health insurance personal, portable, and affordable and that keeps government from getting between us and our doctors.

We will recognize that this horrible experiment has failed. When millions of Americans lose their jobs, are forced into part-time jobs, lose their health care, lose their doctors, when millions of Americans see their premiums skyrocket, it is incumbent on Members of this body, it is incumbent on the Federal Government to fix the wreckage they caused, to fix the wreckage the Supreme Court has now embraced lawlessly.

We will repeal ObamaCare, and I will fight with every breath in my body to make sure that happens in 2017.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. STABENOW. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. STABENOW. Mr. President, first I have to say that clearly there are two Americas on how we view health care, that is for sure, after hearing my colleague speak about the "disaster" of providing tens of millions of people health insurance, affordable health insurance.

Where I live in Michigan, it is great that families no longer have to put the kids to bed and then say a little prayer: Dear God, don't let the kids get sick. For millions of Americans, the Supreme Court decision has reaffirmed the fact that they will have that peace of mind.

When Chief Justice Roberts, writing for the majority today, said "Congress passed the Affordable Care Act to improve health insurance markets, not destroy them," I think he was absolutely right. I commend him and the majority—substantial majority—for understanding that in the competitive, private marketplace that we set up through insurance exchanges, we meant for all Americans to have the opportunity for the tax cuts that allow them to be able to purchase insurance, most people purchasing insurance for under \$100 a month, which, contrary to destroying America, I think is making incredible differences in people's lives and creating the opportunity going forward for a competitive marketplace for small business.

Certainly now, I hope from here that we will go forward and stop all of the repeal discussions and get down to the business of improving health care because I think there are still things we need to do. We need to look at how things are working and make sure things are going as well as possible, particularly with small businesses, and I feel we have some work to do. But it would be nice if we could get beyond the unfortunate commentary that has gone on for too long that somehow providing affordable health insurance for Americans is going to be the end of our country.

I certainly think that on something like health care, where nobody controls whether they get sick or mom and dad get sick or the kids get sick or their friends get sick—we are in a situation where our job is to figure out the best way to support people taking responsibility to purchase insurance and make sure that it is affordable, high quality, and low cost. And that is something which we—in the greatest country in the world, with all of the innovators, all of the smart people we have, the wonderful doctors, the wonderful hospital facilities we have, certainly we can do that.

That is, in fact, what is happening through health reform. Right now, 16.4 million Americans who were without insurance before the Affordable Care Act now have the confidence and security of knowing they have health care coverage. Now, 6.4 million Americans,

because of the Supreme Court decision, will be able to keep the tax credit. They are not going to see their taxes go up. They are going to be able to keep the tax credits that are going to allow them to make sure that insurance is affordable. That includes over 228,000 people in my home State of Michigan. That is a lot of people.

What is also so incredibly important is that of those people who already have insurance—the majority of Americans—they are having better opportunities to keep it, not be blocked, not be dropped, not have caps.

Some 129 million Americans have preexisting conditions, whether it is diabetes, juvenile diabetes, cancer. Colleagues here have been in situations of announcing various kinds of cancer, diseases, and so on. Some 129 million Americans—including 17 million children—no longer have a risk of being denied coverage because of the insurance company being able to stop them if they have a preexisting condition.

"BEAT THE PRESS" SOFTBALL GAME

I was with a wonderful group of women from Congress—if I can just divert from that serious moment to say that last night we raised money for breast cancer survivors in a wonderful game between the press and the women Members of Congress. Despite both teams doing a great job—I was very impressed with both sides, but the great news is that the Congresswomen won. We called it "beat the press." It was great. But what was most important last night was seeing all the breast cancer survivors who were there, women who had been able to get that checkup, been able to get that treatment, knowing that going forward, wherever they work—if they move from one job to another, if they change insurance, they are still going to be able to get the coverage they need. They are going to be able to get that mammogram with no copay as preventive health care. They are going to be able to get the care they need. If they need treatment, they are not going to arbitrarily have an insurance company come in and say "We don't really care what your doctor says about how many sessions you need or radiation treatments. You get 10 and that is it" or "You get 5 and that is it" or whatever the number is.

Mr. President, 129 million Americans with preexisting conditions today can breathe a sigh of relief because they are going to be able to continue to have the health insurance they need. Some 105 million Americans no longer have a lifetime cap on coverage, including mental health and substance abuse coverage, which is so very significant, and 76 million Americans with private coverage are eligible for expanded preventive services, such as mammograms and prostate screening.

We all wish our wonderful friend and colleague Senator KING all the best as

he gets his treatments next week. We know he will come back strong, as well as all of our colleagues who have been in similar situations.

This is a big deal. This really is about saving lives. That is what this is all about. It is not a political game. It is not just going back and forth between Republicans and Democrats. This is health. This is medical care. If you get that horrible diagnosis—you are sitting in a doctor's office, and you are told you have cancer or a heart condition or any number of other things—you are going to be able to get medical care.

We also know that consumers have saved \$9 billion since 2011 because the law requires insurance companies to spend at least 80 cents on every dollar we give them on medical care. That was not always the case. You can get a rebate if they don't.

So I hope that at this moment in time, we will stop the efforts to repeal health reform. I know it is in the budget that passed. The Republican budget—House and Senate—sets up a process to be able to go back and one more time try to repeal health insurance for tens of millions of Americans. I hope we will not do that. I hope the other side will not do that. We certainly will not do that. I hope that, instead, we will get about the business of making sure it works as well as possible and that we are strengthening the quality measures, the opportunities for competition, and continuing to bring rates down.

We know that if health reform is repealed, it will increase deficits by hundreds of billions of dollars and cause 19 million Americans to lose their health insurance just next year, according to the budget office—19 million people—and 24 million people in the next few years. The Congressional Budget Office says that a repeal would result in a \$353 billion increase in the budget.

I congratulate the Supreme Court for common sense today and for understanding what we meant, what legislative intent was all about, and urge that we now decide we are going to work together on health care moving forward.

#### HIGHWAY BILL

Ms. STABENOW. Mr. President, I have one more topic I would like to speak about today, and that is the fact that we have a looming deadline. In 36 days, the highway trust fund is going to be at zero—empty. In 36 days as of today, if we do not act together, there will be a shutdown of the highway trust fund, which will have a ripple effect through the entire economy and harm businesses and workers and families in every single one of our States coast to coast. The harm will be felt equally—Republicans, Democrats, Independents, people who don't participate in the political process, people

who do. Everybody will suffer if we cannot come together and address the highway trust fund. If this happens, Congress fails in its responsibility.

With all due respect, I have to say that it falls right on the majority because we have been saying and will continue to say that we want to work together on a bipartisan basis to get this done.

There was a time when it was not a partisan issue, when Republicans were leaders on building our infrastructure. In fact, President Eisenhower said in 1952: "A network of modern roads is as necessary to our national defense as it is to our national economy and our personal safety."

What is interesting is that tomorrow is the day when it is 59 years—tomorrow, 59 years ago, Congress approved the Federal Highway Act, connecting all of our country for commerce, for farmers, for families. The rollcall, interestingly, was almost unanimous. Only one Senator voted no. Everybody else voted yes. Ninety-nine voted yes. Then it passed in the House on a voice vote.

Think about all the discussions we are having today. The Federal Highway Act passed on a voice vote in the House. Only one person in the Senate voted no. It was signed by President Eisenhower 3 days later. It was the biggest public works project in our Nation's history. It could not have happened if not for a triumph of bipartisanship. A Republican President working with a Democratic Congress got this done.

When we look at who benefited from taking that dirt road, paving it, and being able to go across our country, it certainly was colleagues in the West, colleagues in the South. It wasn't just the cities. In fact, they probably had roads already. It was everybody else, as we moved across the country. So this should not be regional. It should not be partisan. It doesn't make any sense for us not to come together and get this done.

Behind the teamwork at the time, after they worked together to pass this, construction began on a system of 40,000 miles of highways, enough to circle the globe 1½ times. That is what was done when people worked together to build the strong infrastructure of the 20th century.

It didn't take long before the economic impact was felt. By the late 1950s, our interstate highways were responsible for 31 percent of the annual growth of the economy. Over 30 percent of the growth in the economy came from that one act, developing the infrastructure to move goods and services and people across our country.

The people of this country were getting to their destinations faster, more safely than ever before. Every rural community was flourishing just as our urban communities had been.

Thanks to President Eisenhower's leadership and a Democratic-controlled Congress, our roads in the mid-21st century were the envy of the world. Other nations noticed. Those nations aspired to be like us, to be like America in a global economy.

They now are making huge investments in their infrastructure, from China, at 9 percent of their GDP—four times more than we are—to Brazil.

I have said before that when I was in China a couple of years ago, they rolled out 20 new international airports—20 international airports. That didn't count anything else they were doing.

In Brazil they rolled out for us—when I was there with the Secretary of Agriculture—their new rail system and road system that was going to get agricultural commodities to the ports and move people around their country so they could move forward as a global, economic power.

Today our European competitors spend twice as much as we do, and now it is time for America to step forward because, unfortunately, we are now playing catchup. The World Economic Forum's Global Competitiveness Report for 2014 and 2015 ranks America 16th in the world in the quality of our roads. America is one spot behind Luxembourg and just one spot ahead of Croatia, as I said before. Yay, we are beating Croatia. It is an embarrassment, and it is not what our people need or our businesses need or what our farmers need or what our workers need.

In 2002, that same report had us at No. 5—the fifth best transportation system. Now we are 16th, and the American Society of Civil Engineers has given America a D. And how many of us would be satisfied if our children came home from school with a D? I know I wouldn't be.

It also said that 32 percent of America's major roads are in poor or mediocre condition. We know what has happened when bridges have fallen. We know what happens. I have seen it in Michigan and heard the stories of people driving under overpasses and cement falls down on the car. People's lives are threatened. People's lives have been taken.

Driving on bad roads costs motorists \$109 billion in road repairs a year. I talked to one colleague who told me that he had to replace all four tires on his car when he went through one pothole not long ago, and that in the last year he had bought seven new tires for his car, which is way more than he would have been paying if we had created a way to fund our roads on a long-term basis that made sense.

It is not right for Congress to neglect our responsibility to maintain and, in fact, strengthen our infrastructure. In fact, we, as individuals and business people driving on roads, driving across bridges, and moving across our country, are paying for the fact that we



have not come together with a long-term plan. We cannot expect our workers and companies to compete in the 21st century global marketplace if we are forced to use 20th century roads and bridges.

So I would say, in conclusion, that we have 36 days left to act. Now, when we want to, we can act pretty quickly.

I commend colleagues from the EPW Committee who have come forward with a 6-year bill. We have in front of us a policy passed by the committee.

I congratulate Senator INHOFE and Senator BOXER for coming forward with a proposal that will increase the funding over time, and I believe and hope we will do it in an even more robust way. They put forth policies that will, in the long term, create the economic stability for our businesses and the jobs for our workers and our families that they need. The DRIVE Act, as we call it, is an important step forward. I commend the chairman of the Finance Committee for holding hearings on how we finance that, because that is our responsibility.

I say, again, we have enough time to get this done because President Eisenhower, over 50 years ago tomorrow, with a Democratic Congress, got it done. Thirty-six days is enough time for us to meet the expectations of the American people on this issue.

Thank you.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I have been interested in how the Democrats are constantly pushing to get moneys for the Federal highway system. All of us are. Every one of us in this body wants to do everything we can for the highway system. However, they are talking in such big terms that the only way you could possibly reach those kinds of moneys would be with further tax increases.

Now, my experience here is that when our friends on the other side call for tax increases, it is so they can spend. Frankly, I would tell you, if we raised the amount of money they are asking for in tax increases, I could tell you all of the projects that are going to be done, and many of them are not the crucial projects in this country.

All I can say is that we are going to try to find the moneys, but we don't want to raise taxes, and we certainly don't want to raise the gas tax at this time. We will find enough moneys to do, hopefully, a multiyear approach toward the highway plan. I am dedicated to try to find that way.

The other committee, the Environment and Public Works Committee, is, I believe, the committee that has passed a bill calling for a 6-year highway program. I hope that it would meet my highest goal, if we could do that, but I don't think we would be able to do that under the current monetary and economic systems that we have today.

But, nevertheless, I am going to do my best to try to help to get the highway bill through and to do it the right way.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Mr. President, I ask unanimous consent that Senator HATCH be recognized following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### TRIBUTE TO ALAN LEVIN

Mr. COONS. Mr. President, today I wish to honor someone I have had the privilege of calling a friend for many years and who is retiring after serving the State of Delaware for the past 6 years, Alan Levin. Alan and I both had our first tours of duty in Washington working for the same Republican Senator. I was an intern for Senator William Roth in the early 1980s and Alan was his counsel in the mid-1980s. Alan, a well-known and respected statewide leader in Delaware's Republican Party, has, since 2009, served as the director of the Delaware Economic Development Office, where he has worked every day to attract businesses to Delaware and to help them create good jobs in our communities.

Alan took over at a time when communities throughout Delaware were hemorrhaging jobs and feeling the very worst effects of the great recession. Today Delaware's unemployment rate sits a full point below the national average at 4.5 percent, in part thanks to the great effort of Alan Levin's.

During his tenure, Alan exemplified what it means to be a public servant. It didn't matter to Alan if someone came to him who was thinking of starting a small business that would employ 4 people or if it was a company thinking of moving to Delaware and bringing 400 jobs. No matter what, if it was going to help Delaware, Alan was ready to meet with anyone and show them why there was no better place than the First State, our home State of Delaware, to run a business.

Of course, Alan's service to our State began well before 2009. Long a leader in the Delaware State Chamber of Commerce for more than two decades, Alan ran Happy Harry's Pharmacy, a family business that he grew over decades of discipline and capable leadership, ultimately expanding it to 76 stores in our region. That success is an important part of who Alan is, because to really know him is to know that his job at the Delaware Economic Development Office was not one he needed; it was one he chose.

Alan could have continued and built his success in the business world—anyone could tell you that—but he made a decision at that key point in his life to strive for something else, something more to make his home State a better

place. He recognized his considerable skills, talents, and knowledge and decided to use them to help families and businesses across our State succeed. That is a profound thing. In a world where there are far too many people who shun public life and public service for good reason, Alan stepped up to the plate when Delaware needed him most.

Now, fortunately for all of us, Alan isn't going far. We will still get to see him in southern Delaware, where he will be working with SoDel Concepts in their successful restaurants. It is hopeful that he will get a chance to trade in his business suit for flip-flops and a beach chair from time to time. I just wanted to take this moment on the floor to thank Alan and to thank especially his wife Ellen and his wonderful sons, Andrew, Daniel, Jason, and Jess, for letting us have Alan in public service for so many years where he has made such a difference. It is my hope he will get to enjoy his family, his grandchildren, and the entire Delaware community, which is so grateful to Alan for his public service.

I yield the floor.

The PRESIDING OFFICER (Mr. HOEVEN). The Senator from Utah.

#### WORKING TOGETHER IN THE SENATE

Mr. HATCH. Mr. President, I rise today to discuss the progress of the Senate under the new Republican leadership. In the first 6 months of this Congress, we have passed bipartisan, commonsense legislation that has delivered meaningful results to the American people.

As we work to return the Senate to regular order—and that has not been an easy thing—we are rebuilding this institution's reputation as the world's greatest deliberative body, something that it has not been over the last number of years. To that end, we have renewed our commitment to the open amendment process and the committee system, which give all Members—from the most seasoned chairman to the freshman—a hand in drafting and improving legislation.

The progress we have made is remarkable, especially considering the difficult situation we inherited. At the end of the 113th Congress, partisan grandstanding and festering dysfunction had tarnished this body's reputation. This Senate was beset by gridlock and weak leadership more focused on political messaging than constructive legislation. At the end of the 2014, Congress had a historically low approval rating of only 9 percent and, in many respects, the way the Congress was being run, we deserved it. Americans had every reason to disapprove of what was going on. These persistent low approval ratings reflected the American people's frustration with their Federal Government and the direction of our

country under the failed policies and leadership of the President and his party.

Under our new leadership, we are working to regain the trust of the American people. Already, the Senate has taken up and passed nearly 40 pieces of bipartisan legislation, and our extensive efforts to restore confidence in the legislative branch are beginning to bear fruit. Consider our legislative accomplishments thus far.

At the beginning of this Congress, Republicans and Democrats came together to pass the Hovener-Manchin bill to authorize the unreasonably delayed Keystone XL Pipeline.

We also passed my Amy and Vicky act, a bill I authored to create an effective, balanced restitution process for victims of child pornography. Others deserve lots of credit on that bill.

In a bipartisan manner, Republican leaders cooperated with Democrats to repeal and replace Medicare's sustainable growth rate. Instead of resorting to patch after patch, year after year—that is what we had been doing here for so long; that is really a tremendous achievement—we came together to work out a balanced package that both protects seniors and includes important cost controls. It demonstrated the scope of what Congress can do when Members work together, and it represented an important step forward in reforming our Nation's entitlement programs. With regard to that, we paired it with the CHIP bill, which was the Hatch-Kennedy bill for young children who were left out of the health care system, and that passed too.

We built on this positive momentum when the Senate passed the Cornyn-Klobuchar human trafficking bill—a very important bill. With this legislation, Congress established a special fund providing victims of human trafficking the resources they need to repair their shattered lives.

This bill suffered a number of hiccups along the way. Yet ultimately we were able to come together in a collaborative fashion to overcome our differences.

We again bridged the partisan divide when we passed the Iran Nuclear Agreement Review Act—a monumental piece of legislation. This legislation ensures Congress's right to oversee any agreement the President reaches with Iranian leaders and reasserts the Senate's valuable role in approving international treaties. Despite our divergent opinions on the Obama administration's negotiation efforts, we were able to devise a compromise that earned the support of nearly every Senator.

These are not small achievements. It is amazing we have been able to do so many in these first 6 months. Just last week, we worked together, yet again, in a bipartisan fashion to pass the National Defense Authorization Act, re-

authorizing important defense programs critical to our national security—a complex and very difficult bill to handle. And no less than our wonderful Senator from Arizona, Mr. McCain, handled that matter on the floor, along with the help of a lot of others.

In passing this legislation, our new majority did not run roughshod over the minority. Rather, we collaborated with our colleagues in the minority to draft legislation agreeable to both sides.

Our bipartisan work hasn't been limited to this Chamber. We have also worked closely with the White House to pass trade legislation critical to our country's economic future. In fact, just a short while ago, the President called me and thanked me. His top Chief of Staff Denis McDonough called me yesterday and thanked me—something that, frankly, I was very grateful for.

In fact, yesterday's passage of trade promotion authority might be the strongest evidence to date that the Senate is back to work on behalf of the American people. This bipartisan piece of legislation is one of the President's highest trade priorities because it supports U.S. job growth, boosts American exports, enhances our ability to negotiate trade agreements, and makes our goods and services more competitive globally. TPA will give the United States viable pathways to enter into critical trade agreements with our international partners to level the playing field for American exporters, creating and sustaining more and better paying American jobs.

Beyond the content of our legislation, the Senate's return to regular order and an open amendment process is remarkable. At times, it has been difficult to make progress in restoring the Senate as an institution, and the consideration of complex legislation can be a slow and arduous process. Nonetheless, this body has been deliberate and thoughtful in our consideration of legislation. Often, these bills have been considered for several weeks and occupied many hours of valuable floor time. These bills have required dozens of amendments to be considered before they were ultimately put before the Senate for a vote on final passage. Though this process is difficult and often laborious, it is the way things should be done.

I have had friends on the other side of the floor come to me and say: This is wonderful. We are able to have amendments again. We are able to do the work of the Senate again. We feel good about it, and they feel good about doing the bipartisan work that we have done.

The Presiding Officer did an awful lot of good bringing the Hovener bill through, and we can name so many others. There are great people on the other side who have cooperated. With

regard to that, I think of Senator Wyden, who has worked very hard and very closely with me on a number of bills but especially the trade promotion authority bill, which is the key bill to enable this administration to enter into good agreements with foreign countries that are important to us. Without that bill, we wouldn't have these agreements. We may still not have them, unless they are done right, but at least we can say we have given the administration the opportunity to do it right.

Now, in spite of our successes so far in this Congress, there are still many who oppose and criticize our efforts to restore the Senate to its proper function. The minority leader might be foremost among these detractors. I wish to take just a moment to respond to some of his sharp criticisms. In recent remarks, the Democratic leader has willfully ignored the significant achievements of the current Congress, even arguing the Republican-led Senate has done nothing to help the American people. The minority leader's accusation is patently false. He lobs these criticisms to distract the American people from his failed leadership in the last Congress.

I happen to like the minority leader. He is my friend. I care for him. But there is no excuse for that kind of language on the floor of the Senate. I have to say he has cooperated and helped do some of these bills. He ought to be taking credit for it rather than lobbing jabs from across the aisle.

Contrary to the claims of the minority leader, the current Republican leadership has been remarkably successful at doing exactly what Leader McConnell promised we would do: pass legislation that improves the economy, makes it easier for Americans to get jobs, and helps restore Americans' confidence in their country and government. Importantly, the majority leader has kept his promise of restoring the proper role of the Senate by enhancing deliberation on legislation through an open and robust committee and floor amendment process.

To appreciate fully the success of the new Congress, we need only to review the failures of the past. As we all remember too well, under the tight-fisted control of the Democratic leader, the Senate, in all of 2014, was only allowed to take a total of 17 rollcall votes on amendments—17 rollcall votes on amendments in an entire year. Some of the Democratic Senators who were defeated had never brought up an amendment on the floor of the Senate. They didn't have that privilege. They didn't have that remarkable experience.

The Democratic leader shut down the amendment process by abusing procedural mechanisms and dismantled the rights of the minority in this Chamber. This dysfunction lies in stark contrast to the way Leader McConnell is leading the Senate today. Under the new

majority leader, we have made progress that is tangible, even measurable. Just look at the facts: In the 6 months of 2015, the Senate has taken over 130 roll-call votes on amendments.

In other words, the Senate has taken more than seven times as many rollcall votes on amendments in the first 6 months of this year than the current majority leader allowed in all of last year. It is worth noting that a majority of the rollcall votes taken this year have been on amendments introduced by Democrats. A majority of the roll-call votes taken this year have been on amendments by our friends on the other side. They haven't been blocked. This is powerful evidence that the Republican-led Senate is committed to working in a manner respectful of the minority's voice.

Additionally, we have considered and agreed to 183 amendments this year. That means we have agreed to nearly four times as many amendments in the first 6 months of this year than we did in the first 6 months of the last Congress. I am pleased the Senate has largely returned to operating under regular order with increased deliberation and an open and robust floor consideration process. The bottom line is that this increased transparency and deliberation has greatly benefited the work of Senators on both sides of the aisle.

That said, I think we can all agree the Senate has a lot more work to do. I am hopeful we can capitalize on our recent success by continuing to tackle difficult issues, such as sustaining the highway trust fund, working toward comprehensive tax reform, and improving our Nation's cyber security. These are important bills and we have to work on them. As we work together to find solutions to these problems, I urge my colleagues on both sides of the aisle to practice the principle of mutual restraint.

Senator Mike Mansfield, the longtime Democratic Senate majority leader, and a wonderful man whom I knew, counseled that the remedy to partisan gridlock in the Senate "lies not in the seeking of shortcuts, not in the cracking of nonexistent whips, not in wheeling and dealing, but in an honest facing of the situation and a resolution of it by the Senate itself, by accommodation, by respect for one another, [and] by mutual restraint."

Now, both parties must make certain sacrifices in order for the Senate to function. The majority leadership must generally refrain from bringing divisive and partisan messaging bills before the Senate for consideration and should seek to gather bipartisan support through a consensus. Mutual restraint also requires in most cases the majority leadership to allow legislation to be thoroughly vetted by the committee of jurisdiction and to allow for an open amendment process, which

provides an opportunity for all Senators to contribute to the Chamber's work.

I remember how the ObamaCare bill was formulated. It was formulated not in the committee of jurisdiction, where we had all those people with all that experience; it was done with the White House, in a small room with just a few Senators who decided this monumental bill—passed only with Democratic support—that we are now all subject to. That bill has been anything but a success. Now, I have to say, all Senators should be able to contribute to the Chamber's work.

This duty is not incumbent upon the majority alone. The minority also has to practice restraint, including resisting impulses to filibuster routine unanimous consent requests and insisting on poison pill amendments. The minority in the Senate has powerful rights that can be used to grind the work of the Senate to a halt, but the minority should not abuse those rights. At times, it can be appropriate for the minority to utilize all of the procedural mechanisms at their disposal to legitimately and judiciously disagree with a serious policy being considered by the Senate. However, when the minority deliberately frustrates the operation of the Senate for partisan gain, it is an offense to the institution—and I say that with regard to both sides.

My friend the majority leader has been committed to conducting the Senate's consideration of legislation in a deliberate manner, with prudence and restraint. He has renewed and enhanced deliberation and open consideration of serious policy proposals. We have not made a point of pushing Republican messaging bills, but rather we have worked hard to find broad bipartisan consensus. Although it has not been easy by any means, I feel confident the American people are beginning to regain confidence in the legislative branch as it is being led today under Republican leadership.

We still have a long way to go before we can restore the full confidence and trust of the American people—at least that is my viewpoint—but we are really once again moving the country in the right direction. This Senate is a dramatic improvement from the way business has been conducted over the past several years. We are not focused on scoring cheap political points but are deliberating serious policy and legislation aimed at meaningful reform.

The Senate, under Republican leadership, has passed bipartisan legislation that will improve the lives of all Americans. We are doing the right kind of work, and we are doing it the right way. We are not focused on political gimmicks and pageantry; rather, we are interested in real, substantive policy aimed at strengthening the Nation, our economy, and our national security. We have made significant

progress, and we continue to work together to restore our reputation as the world's greatest deliberative body.

In the Finance Committee alone, as of yesterday we have passed 36 bipartisan bills out of that committee, which wasn't really allowed to function during the last number of years. It was so bad that Senator Coburn left it. He said we are not getting anything done. Frankly, we weren't. A lot of that was because of the way the Senate was being led at that particular time.

I am pleased to say I think the Finance Committee is restoring itself as the greatest deliberative committee on Capitol Hill, certainly in the Senate.

In that regard, it has been a privilege to work with PAUL RYAN over in the House. In all of our meetings, there has never been any real push to be partisan. It is to get the job done, to do it the best way we possibly can, to involve our brethren and sisters on the other side, and to make sure our side does what really ought to be done in our respective bodies.

We are going to have tie-ups in the future, I know, but it was getting so it was in every way. And I suspect there were sincere motives in doing that, in trying to protect the then-majority's side before this year. I understand that. But it went way too far, and it was not the way to run the Senate.

We all know Senator McCONNELL is a strong, tough, intelligent, complete Senator and certainly majority leader. That can irritate some people who don't look at the real facts and don't look at what he really stands for and what he is really trying to do. But I have found him to be fair. I have found him to be fair and deliberate and somebody you can work with as long as you are working in good faith.

I would like to see both of our leaders work in good faith so we can do things for our country first and quit worrying so much about who is going to run the Senate for the next couple of years or who is going to win or who is going to get the big headline. Let's worry about running the country in the proper way. To do that, it takes both sides, not just one side, and it takes a deliberative process that elevates the Senate again to the greatest deliberative body in the world. We can do it.

I caution both leaders to do everything in their power to see that we do work together as much as we can. When we fight, let's have real good fights, but let's do it over substantive things, not just deliberated procedural matters.

But the fact is that we have done quite a bit in these first 6 months. The leader has done a great job in getting us there, and we have had a lot of help from our friends on the other side. I want to keep that system going so we can do even better.

I yield the floor.

The PRESIDING OFFICER. The assistant minority leader.

## KING V. BURWELL DECISION

Mr. DURBIN. Mr. President, this morning the Supreme Court of the United States came down with its decision in *King v. Burwell*. I think it will probably be a decision that is remembered for a long time, certainly by Members of Congress. We were watching carefully, closely, wondering what the Supreme Court was going to say about the Affordable Care Act, otherwise known as *ObamaCare*. We passed it 5 years ago, and it was about the issue of health insurance—how many Americans who were uninsured would be insured under the Affordable Care Act and how much it would help health insurance cost.

Controversial, as the Senator from Utah just noted—it was passed on a partisan roll call. There was an effort to write a bipartisan bill, and it failed. There was no sentiment shared by both sides of the aisle to create the Affordable Care Act or anything like it.

How important is this decision, *King v. Burwell*, a decision which basically sustained the Affordable Care Act and said that the tax credits—which are part of the act—given to families in lower income situations were legal and constitutional? I think it is one of the most important decisions because I think health insurance is one of the most important things in our lives.

If you have ever been in the position as a father with a sick child, a seriously ill child without health insurance, you will never forget it. I know. I have been there. As a law student, my wife and I got married and had a little baby. She had some challenges, and we had no health insurance. Every time we took her to the hospital, every time we saw a doctor, I wondered if she was getting the best that she could get because we didn't have health insurance. It meant waiting in big waiting rooms with a lot of other people without health insurance and hoping that whoever walked through that door, that doctor would be just what my daughter needed. I will never forget it. When it comes to a time when people are debating about health insurance and how important it is, it sure is important to me. It was even when I didn't have it, as I realized how insecure and uncertain I was.

About 5 years ago, I was down in southern Illinois, Marion, IL, which is a great little town. I stayed there in deep southern Illinois at a local motel, and in the morning I would go up and go in. They had a little breakfast buffet there. There was a sweet lady named Judy. She was always there; "Senator, what can I do for you?" and all that. She couldn't have been nicer. I got to know Judy over the times we stayed there, and we talked about her life.

Judy was 60 years old. She was working part time in this motel—kind of in the world of hospitality—and she took

care of guests when they went to the breakfast buffet in the morning. We talked about her life. She had grown up in southern Illinois. She had worked all the way through her life, job after job after job. I knew she was a hard-working lady and a good person.

One day she said to me: Senator, I have heard about this debate in Washington about the Affordable Care Act, and I am scared.

I said: Why?

She said: I don't think I can afford it, and they won't let me pick my own doctor.

I said: Well, Judy, I don't want to get personal, but I need to ask you a few questions. Do you have health insurance?

No. No, Senator. I have never had health insurance in my life. I have never had a job that offered health insurance.

She was 60 years old.

I said: Now I am going to get real personal. Can you give me an idea how much money you make? If you want to, can you tell me?

Sure.

She told me.

I said: Judy, when it is all over, you are going to be covered by Medicaid. You won't be paying for this. For the first time in your life, you are going to have health insurance. You are going to be able to go to the hospital and not be a charity case.

She said: It won't cost me?

No. Your income is so low that you qualify for this tax credit and this treatment under Medicaid. You don't have to pay out of pocket.

The next time I went back there after the law passed and we knew she had Medicaid coverage, Judy didn't look the same. She was obviously sick.

I said: What is wrong?

She said: Well, I just got diagnosed with diabetes.

I said: Well, at least you have Medicaid.

She said: I sure do. And I have a doctor. I like him, and he is helping me. And I have a hospital that I can go to if I need to.

There she was, for the first time in her life at the age of 60, with diabetes, and with health insurance. From my point of view, that is what this decision and this debate is all about.

What we set out to do with the passage of the Affordable Care Act was to make sure health insurance was there for that young couple getting started with a baby who otherwise wouldn't have had health insurance or that 60-year-old woman who was working a job that didn't provide health insurance benefits who was facing diabetes.

Well, it has helped a lot of people. When we started the debate on the Affordable Care Act, there were 50 million Americans—out of over 320 million, 50 million—who had no health insurance. Because of this law, the Af-

fordable Care Act, almost one-third of them—16 million—now have health insurance. I think that is a good thing. Most Americans would celebrate that we have reduced the rolls of the uninsured by one-third. It means they have peace of mind having coverage.

Roy Romanowski, in Chicago—I sat next to Roy at a community health clinic in a neighborhood. I go to those clinics all the time because I think they are one of the best places on Earth to meet some great medical professionals who are doing a wonderful service for a lot of people who live in a neighborhood and who wouldn't have a place to go.

Roy Romanowski, a big, barrel-chested Polish guy from Chicago, is a musician. He plays a guitar. He never had a solid 40-hour-a-week job in his life and never had health insurance. He has it now. The Affordable Care Act gave Roy health insurance coverage for the first time—health insurance coverage he can afford.

That is what the decision in this court case was about today—whether people like Roy and Judy would have health insurance. And it does something else: It moves us along the path we want to be on—and not only that more and more people have health insurance. Here is good news for everybody: The rate of growth in health care costs is going down. Oh, it is not a dramatic plunge. We didn't expect it to be. But even as it starts to level off a little bit, it has a dramatic impact. It means even if you don't have your health insurance plan through the Affordable Care Act, if you have it through your employer, the health insurance premiums your employer faces are less than they would have been. So it is starting to flatten out this growth and the cost of health care.

What about Medicare? Medicare is important for over 40 million Americans. Here is the great news on Medicare—two things. No. 1, because the overall cost of health care is coming down just a little, in 5 years, the projected solvency of Medicare has been—they have added 13 years to it, 13 more years of solvency for a program critically important to seniors and disabled people. So Medicare has benefited from it as well.

There is a second part. If you are under Medicare and you have prescription Part D, which covers your prescriptions under Medicare, we closed the doughnut hole. The doughnut hole used to be that point in the cost of your prescription drugs when Medicare no longer paid for it and you had to pay for it out of pocket. That was a crazy idea in the law, and it cost seniors thousands of dollars. And then, of course, after they paid out of pocket, Medicare came in to cover the additional expenses. We got rid of that craziness. We eliminated that doughnut hole. So for seniors wanting to take

the medicines the doctor has prescribed so they can feel good, be strong, be independent, stay on their own, this Affordable Care Act helped them pay. In Illinois, it was about \$1,000 per Medicare recipient per year in prescription drug costs taken care of by the Affordable Care Act.

Let me tell you a couple other things this law did and does. Do you have any children in your family who are going to college? Are you worried about when they graduate from college, whether they have a job and health insurance? I was. My wife and I were worried about our daughter.

I remember calling her.

Jennifer, you just got out of school. Do you have health insurance?

Dad, I don't need it. I am healthy as can be.

That is not what a father wants to hear.

The Affordable Care Act says that your son or daughter can stay under your family plan until they reach the age of 26. I think that is a good thing. As a parent who had a college grad looking for a job, I had the peace of mind of knowing she was under the family health insurance plan.

So the people who want to repeal the Affordable Care Act—do they really want to repeal that provision?

And here is another one that is important. How many of us can say with certainty that in our homes, in our households, there isn't someone with a preexisting condition, someone who—perhaps a child—has had diabetes, a spouse who has had good luck in beating breast cancer or prostate cancer? Someone there is a history of mental illness. In the old days before the Affordable Care Act, what I just described to you were grounds for denying health insurance coverage or charging through the roof. Well, that was changed by the Affordable Care Act. Preexisting conditions no longer disqualify you from health insurance in America.

The President said this morning, after the Supreme Court decision: We will have to explain to our grandkids there was a time when you couldn't get health insurance if you were sick.

Thank goodness that time has passed and the Affordable Care Act protects people. Overall, this act in the last 5 years has made real progress for America. For 16 million Americans, it has given many of them health insurance for the first time in their lives, health insurance they can afford and a tax credit to help them pay for it that was protected today by this Supreme Court decision.

In all of the time since the Affordable Care Act has been the law, we have heard from the other party that they want to repeal it. But in that same period of time, we have never ever heard what they would replace it with. They don't have a better idea. Here is what I

hope we will do. I hope we will put behind us this whole effort of let's file another lawsuit, let's vote another time to abolish the Affordable Care Act. I hope instead that there will be a constructive dialogue between Democrats and Republicans to make the Affordable Care Act better.

I voted for it and am proud of it. It is one of the most important votes I ever cast in Congress. But it is not perfect. I tell my town meetings in Illinois that the only perfect law was brought down the side of a mountain by Senator Moses on clay tablets. Ever since then, we have done our best to write laws but know that we have to be ready to improve them and to react to changing circumstances.

We should do the same with the Affordable Care Act. I think there are things we can do to make it stronger, and on a bipartisan basis we should. Until this moment in time of this Supreme Court decision, it has been politically impossible to have that conversation.

The Restaurant Association came to see me. They are worried. They said: Wait a minute. We have a lot of part-time employees and a lot of them don't want health insurance. Their spouses have health insurance. We are looking at the law. We want some clarity here about what our obligation will be under the Affordable Care Act.

They deserve that clarity. I will tell you as I stand here today, I am willing to sit down with any Republican Senator and work out changes and provisions in the law to make sure we treat these employees fairly and we give them coverage and do it in a fashion that is fair to their employer as well as individual employees. These are things we can and should do.

For the longest time, there were people who opposed Social Security—going way back in time 70 or 80 years when it was created. They said that it will never last; it will never stay. Eventually, public sentiment changed and people realized Social Security was critically important for America.

The same thing was true for Medicare. There were those who said: Socialized medicine, you have to get rid of it. Now, 60 years later, 50 years later, they understand it is part of America. For millions of Americans, it is critically important. Medicaid, the same thing.

I hope today will be that turning point on the Affordable Care Act, where we decide on a bipartisan basis that this is part of our future, providing health insurance for uninsured Americans, doing it in a fair way, and particularly for those in lower income situations.

This was a historic decision, *King v. Burwell*, at the Supreme Court—6 to 3. A decisive majority opinion said the Affordable Care Act is legal and constitutional and should move forward. I

hope that message makes it across the street over to the Halls of Congress.

#### TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS V. INCLUSIVE COMMUNITIES PROJECT, INC.

Mr. DURBIN. Mr. President, this morning, the Supreme Court also announced its decision in *Texas Department of Housing and Community Affairs v. Inclusive Communities Project, Inc.*

In a major victory for the millions of Americans who rely on the protections of the Fair Housing Act to challenge unfair, discriminatory housing practices, the Court held that disparate impact claims are permissible under the law.

The Fair Housing Act was a landmark civil rights bill passed in 1968 to combat widespread housing discrimination. Under the disparate impact doctrine, the law allows plaintiffs to challenge housing policies that have a “disproportionally adverse effect on minorities,” without proving discriminatory intent.

Housing discrimination is rarely as overt today as it was in the 1960s, and disparate impact claims thus play an important role in preventing housing segregation. Federal appeals courts across the country have long held that these types of claims are permissible and constitutional. Today, the Supreme Court rightfully affirmed this principle.

As Justice Kennedy acknowledged in the opinion, the Fair Housing Act plays a “continuing role in moving the Nation toward a more integrated society.”

This past week has reminded us that we have much to accomplish in creating a more just and equal society. On issues ranging from voting rights to mass incarceration, there are fundamental disparities that we must address.

Thankfully, the Court's ruling today ensures that the full protections of the Fair Housing Act remain intact. We must continue to work to prevent discrimination in housing and give all American families access to safe, affordable homes in inclusive, prosperous communities.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### REMEMBERING MAJOR KENNETH M. SLYE

Mr. McCONNELL. Mr. President, I rise today to honor and pay tribute to

a very dear friend of mine who has sadly passed away. MAJ Ken Slye, retired from both the U.S. Army and the Office of the Secretary of Defense, died on June 24, 2015, at the Robley Rex VA Medical Center in Louisville. He was 81 years old.

Ken was a retired master Army aviator who did two combat tours in Vietnam, flying both Chinook and Huey helicopters. After his retirement from the Army, Ken was very active in the local Louisville military community as well as that of Fort Knox. He was a past chairman of the Louisville Armed Forces Committee; a four-times past president of the Louisville Chapter, Military Officers Association of America; a member of VFW 1170 Middletown; of the DAV; and of the American Legion G.I. Joe Post 244 in Jeffersonton.

Ken served on the Veteran Experience Board at the Robley Rex VA Medical Center, and in fact he and fellow veteran Carl Kaelin were instrumental in getting the medical center named after Kentucky's own World War I-era vet, Robley Rex. Ken was the recipient of the 2015 Louisville Armed Forces Patriot Award just this past May.

Ken was also heavily involved with professional tennis as an international chair umpire, and he served in the chair in matches all over the United States as well as the United Kingdom, Germany, Australia, Canada, Brazil, Japan, France, Argentina, Mexico, the Netherlands, and Jamaica. He began his officiating career in 1974 and was a graduate of the first professional tennis officials' school, in 1976 in Dallas. He chaired matches at the U.S. Open, Wimbledon, the French Open, and the Davis Cup.

Ken officiated in 16 matches with legendary player John McEnroe. Ken was the only Kentuckian to chair the final of a Grand Slam Tennis Tournament. He was the chair umpire for the classic 1980 U.S. Open Men's Singles Final between McEnroe and Bjorn Borg, watched on television by 20 million fans and 22,000 in the stands at Flushing Meadow. He was the chair umpire at the 1987 Wimbledon semi-final match between Stefan Edberg and Ivan Lendl. Other tennis legends Ken encountered during his career were Arthur Ashe, Stan Smith, Ilie Nastase, and Jimmy Connors.

Born in Boston and raised in Wellesley, MA, Ken moved to Louisville because it was the hometown of his wife, Linda. He sang bass with the Louisville Thoroughbred Chorus for 4 years and served as its manager for 6 years. He served for 20 years with the Secretary of Defense's staff on top of his heroic service with the Army.

Ken is survived by his wife, Linda, as well as his son Scott Slye and daughter Susan Fabiano; his granddaughters Stacey Brandon and Audrey Ribley; his six great-grandchildren, Ashlynn, Will, Addison, Cooper, Scott, and Brystal;

and Linda's son and daughter Jeff Furnish and Meg Furnish.

MAJ Ken Slye bravely served his country in uniform during a time of war, and he served his fellow veterans when he returned home. He will be greatly missed, not only by the military community throughout Kentucky but also by his many friends who knew and loved him.

I am proud to count myself among that group of friends. I relied on Ken's advice and friendship. I want to extend my deepest condolences to his family in their time of loss. The Commonwealth of Kentucky joins them in mourning this heroic man, patriot, and soldier.

#### REMEMBERING THOMAS BLAKE RATLIFF

Mr. MCCONNELL. Mr. President, I rise to pay tribute to a very dear friend of mine and a great Kentuckian who has sadly passed away. Thomas Blake Ratliff of Pikeville, a Navy veteran, died on April 20, 2015. He was 88 years old.

Born on May 27, 1926, Tom attended elementary, junior high, and high school at the Pikeville College Academy and graduated in 1944. Upon graduation he joined the Navy and served in the Pacific theater during World War II until being honorably discharged in 1946.

After his naval service, Tom attended Pikeville College and the University of Kentucky, where he received a bachelor of laws in 1951 and a juris doctorate in 1970. Tom and his wife Myrtle returned home to Pikeville after Tom graduated law school, and he practiced law and also became involved in the coal business. Tom also had business interests in hotels, restaurants, the Reynold's Body Company and in properties in Kentucky and Florida.

Tom was also active in civic affairs and public service. A passionate supporter of the Republican Party, he served in various capacities for the local, State, and national GOP. He was a great supporter of mine and I remember well his enthusiasm and dedication over the years. He was elected as the Commonwealth attorney for the 35th Judicial Circuit and served in that post from 1964 to 1970. He was also the Republican candidate for Lieutenant Governor in 1967.

In addition to his work and positions in politics, Tom gave generously of his time to many worthy causes, including service as the director of the Pikeville Methodist Hospital and as a trustee of Pikeville College. He was the president of the Pikeville Rotary Club and volunteered his time with the Coal Operators Association and the Boy Scouts.

Tom was a Christian who attended Pikeville United Methodist Church. He also served on the church's administrative board. His hobbies included read-

ing, traveling, boating, and being physically active. He loved to travel and had visited all the continents.

Tom is survived by his wife, Myrtle; the two were married on August 21, 1949. He is also survived by his daughters Susan G. Tillotson and Jan E. Sharpe; his sons Kevin N. Ratliff and Chris Ratliff; his grandchildren Elizabeth J. Spraggs, Juliet Kamper, Jonathan K. Wright, Thomas N. Ratliff, Daniel C. Ratliff, and Jordan B. Ratliff; his great-grandchild, Tiara Wright; his sister, Charlene R. Easton; and his brother, Roger E. J. Ratliff.

I want to extend my deepest condolences to Myrtle and to the family in this time of loss. The Commonwealth of Kentucky joins them in mourning this hero and public servant. Tom Ratliff bravely served his country in uniform during World War II, and served his fellow Kentuckians in public office. He was a hero and a patriot who I was proud to know and to call a friend. He will be greatly missed, not only by his family but by his many friends who knew and loved him.

#### RECOGNIZING THE 30TH ANNIVERSARY OF MIRACLE FLIGHTS FOR KIDS

Mr. REID. Mr. President, today I recognize the 30th anniversary of Miracle Flights for Kids.

Since its founding in southern Nevada in 1985, Miracle Flights for Kids has been providing airline tickets for sick children in low-income families. These flights are truly miracles that allow children to receive the specialized medical care they need and otherwise would not have access to due to distance and travel costs. In the beginning, Miracle Flights for Kids was a small organization that served a handful of local children, but today the organization coordinates hundreds of flights a month, including a record 976 flights in April 2015. To date, Miracle Flights for Kids has coordinated more than 92,000 flights resulting in 50 million miles of travel. These flights have helped to save and improve the quality of life for countless children.

Families from across the country and the world contact Miracle Flights for Kids for assistance, and the organization works to ensure eligible children have access to the care they need, regardless of how far away the treatment center is located. They have flown children relatively short distances, such as flights from Nevada to California, and longer distances, including flights from Alaska to Colorado. They have even flown children from as far away as Turkey to Maryland. Miracle Flights for Kids also works to ensure that children can travel back to their treatment center as many times as their doctor deems necessary. For instance, they provided more than 40 flights from Ohio to Texas for one little girl so she

could receive the medical attention she required.

Having a sick child is a devastating, trying experience for any parent. The services provided by Miracle Flights for Kids give families some peace-of-mind as they focus on getting their child healthy. I commend Miracle Flights for Kids for 30 years of exceptional service to children and families in Nevada and throughout the world. Their work is truly appreciated and admired, and I wish them continued success for years to come.

#### RECOGNIZING MARGARET A. FOCARINO AND JAMES D. SMITH

Mr. LEAHY. Mr. President, I wish to take a moment to recognize two distinguished public servants who are leaving their positions at the U.S. Patent and Trademark Office, or USPTO,—Margaret “Peggy” Focarino, Commissioner for Patents, and James D. Smith, Chief Administrative Patent Judge. Both have played critical roles in bringing the USPTO into the 21st century by working tirelessly to implement the Leahy-Smith America Invents Act, the most comprehensive update of U.S. patent law since the 1950s. The patent system is one of the cornerstones of our economy. It drives innovation, growth, and job creation. This country has been fortunate to have dedicated leaders such as Ms. Focarino and Mr. Smith in key positions at this crucial Agency.

Peggy Focarino became Commissioner for Patents in 2012, where she has been instrumental in developing and implementing administrative changes made by the Leahy-Smith act. Working collaboratively with all stakeholders in the patent community while implementing this law is a hallmark of her tenure as Commissioner for Patents. As someone who worked for nearly 6 years to pass comprehensive patent reform legislation, I can attest to the fact that it is not easy to bring all of these stakeholders together and build consensus. The provisions she worked to implement include the transition to first-inventor-to-file and the USPTO’s fee-setting authority, but her work encompassed a number of other aspects of the Leahy-Smith act as well.

Ms. Focarino’s impressive tenure as Commissioner for Patents likely did not come as a surprise to anyone who followed her rise within the USPTO. She started at the Agency in 1977 as a patent examiner. In 1997, she was promoted to the senior executive service. Throughout her almost 40 years at the USPTO, she distinguished herself as a leader within the Agency, receiving the Department of Commerce Silver Medal for Leadership in 2010. She also received American University’s School of Public Affairs Roger W. Jones Award for Executive Leadership in 2010. While the USPTO will continue to do impor-

tant work without her, there is little doubt that her leadership will be missed.

James Smith also played a key role in the implementation of the Leahy-Smith act. Mr. Smith became the Chief Administrative Patent Judge in 2011. During his tenure, Mr. Smith worked to implement the postgrant review proceedings the law established. Thanks to Mr. Smith’s leadership at the Patent Trial and Appeal Board, these postgrant proceedings have been successful in providing low-cost alternatives to litigation for reviewing the patentability of issued patents. His strong and varied background in the private sector, including time spent working on intellectual property issues at large companies and law firms, served him well as he helped the USPTO implement these essential components of the Leahy-Smith act.

It is always difficult to see good public servants leave their roles. Ms. Focarino and Mr. Smith can look back proudly at their record of public service and point to meaningful accomplishments that have improved the U.S. patent system. I wish them both the best in their new endeavors.

#### VOTING RIGHTS ADVANCEMENT ACT OF 2015

Mr. BOOKER. Mr. President, I support the Voting Rights Advancement Act of 2015, an important step on the road to protecting the right to vote for all Americans. It responds to a recent Supreme Court ruling that rolled back critical voting protections that had proven effective for decades and that Congress had reauthorized several times.

This landmark legislation would reaffirm the importance of the vote as a pillar of our democracy and restore a powerful shield to combat voting discrimination. I thank Senator LEAHY for his leadership on this bill, and I am proud to be an original cosponsor of a bill that protects access to the ballot box for all American citizens.

Mr. President, 50 years ago, President Lyndon Johnson signed into law the Voting Rights Act of 1965, legislation that he called “a triumph for freedom as huge as any victory that has ever been won on any battlefield.” At the time he signed the bill into law, millions of Americans were denied the right to vote based on the color of their skin.

President Johnson called this “a clear and simple wrong” and acknowledged that the Voting Rights Act’s “only purpose is to right that wrong.” With the stroke of a pen, President Johnson enacted a bill that threw open the doors of democracy for all Americans and promised that the precious right to vote would be protected.

The United States has had a long and bumpy road to even achieving that

promise. In the decades before the Voting Rights Act, Blacks had been denied their right to vote and participate in the political process. They were harassed and intimidated from going to the polls. Ordinary Americans who marched for themselves or their fellow citizens to exercise the right to vote were beaten, arrested, jailed, or even murdered.

On June 21, 1964, 51 years ago this week, three civil rights workers—two white young men from New York City and one black Mississippian—were killed in Mississippi by the Ku Klux Klan simply for trying to help register African Americans to vote. Their sacrifice inspired countless others to fight to make our union more perfect. Even in my home State, in Cherry Hill, NJ, stands a monument that pays tribute to these three civil rights workers who died in the struggle for equality.

Few things made African Americans feel less equal in America than being deprived of the basic right of citizenship—the right to vote. They even suffered the indignity of having to count beans in a barrel, take a literacy test, pay a poll tax, or recite from memory the preamble to the Constitution without a glitch just to cast a ballot. As a result of disenfranchising tactics, no Black southerner served in Congress from 1901 to 1973. For decades, the promises of liberty and justice for all embedded in our national charter were simply words on paper.

But the Voting Rights Act changed America. By the end of 1966, 1 year after it became law, only 4 out of the traditional 13 Southern States had less than 50 percent of African Americans registered to vote. In Mississippi alone, Black voter turnout increased from 6 percent in 1964 to 59 percent in 1969. Throughout the South, and indeed our entire country, Blacks and Latinos were elected into public office in significant numbers.

The Voting Rights Act has been the most powerful tool to defend minorities’ voting rights. The law established new ground to curb voter discrimination by requiring Federal “preclearance”—that is, Federal review—of voting law changes in areas with histories of discrimination. And therein lies its power. There is no remedy for citizens after an unfair election has occurred. Section 5 of the Voting Rights Act was the only Federal remedy that could prevent unfair elections before they took place.

The lesson of history is clear—section 5 of the Voting Rights Act has made America live up to its promises of liberty and justice by ensuring that every citizen has an equal opportunity to participate in our democracy. That is why preserving the Voting Rights Act is so important. That is why Presidents Reagan, Ford, and Nixon had signed prior reauthorizations of the



act. That is why in successive Congresses—both Republicans and Democrats—repeatedly reauthorized section 5.

In 2006, Congress reauthorized the Voting Rights Act by an overwhelming bipartisan margin. The law was reauthorized 98 to 0 in the Senate and 390 to 33 in the House and President George W. Bush signed the bill into law. It was a testament to the fact that men and women from across the aisle could come together to protect what is most important to our democracy, the right to vote. A right the Supreme Court has called fundamental because it is preservative of all other rights.

Congress developed an expansive record during its 2006 reauthorization that justified the need for section 5 as a necessary and effective tool to protect minority voters. The House and Senate Judiciary Committees found ample evidence that, even after the passage of the Voting Rights Act of 1965, States and localities continued to engage in overt and subtle tactics that discriminated against minority voters.

Two years ago, a narrowly split and deeply divided Supreme Court disregarded extensive findings of Congress and gutted the Voting Rights Act. In a case known as *Shelby County v. Holder*, five Justices on the Supreme Court put the Voting Rights Act on life support by striking down the formula by which Congress determines which States and localities are subject to preclearance.

That 2013 decision has nullified the ability of the Federal Government to use the preclearance requirement. Section 5 has protected constitutional guarantees against discrimination in voting even when civil rights laws tried for over 100 years to achieve the success of the Voting Rights Act. The Court reached its decision despite Congress finding an overwhelming record of contemporary voting discrimination. Even the Chief Justice wrote, “voting discrimination still exists: no one doubts that.”

Yet, the *Shelby County* decision rested on a flawed logic that the Voting Rights Act was a victim of its own success. Justice Ginsburg’s dissent noted a “catch-22” in the majority’s logic. She said:

If the statute was working, there would be less evidence of discrimination, so opponents might argue that Congress should not be allowed to renew the statute. In contrast, if the statute was not working, there would be plenty of evidence of discrimination, but scant reason to renew a failed regulatory regime.

I agree with Justice Ginsburg that the Court’s decision to strike down section 5 “when it has worked and is continuing to work to stop discriminatory changes is like throwing away your umbrella in a rainstorm because you’re not getting wet.”

Even in the aftermath of *Shelby County*, States continued to enact laws

that make it harder for American citizens to cast their ballot. The Leadership Conference on Civil Rights, the Nation’s foremost civil rights coalition, released a report last year entitled “The Persistent Challenges of Voting Discrimination.” That report documented 148 voting rights violations in America since 2000. Because each voting rights violation often impacts thousands of voters, the report underscored that the impact of racial discrimination in voting is much more profound than the nearly 150 documented violations suggest.

New State laws erect barriers to voting, which restrict voter registration drives, eliminate same-day voter registration, reduce the early voting period, and require photo identification and proof of citizenship to vote. So far, 32 States have passed laws requiring voters to show some kind of identification at the polls, which often have a disparate impact on minority and low-income voters.

The Voting Rights Advancement Act would help prevent voting practices that are likely to be discriminatory before they cause harm. It would create a new nationwide coverage formula requiring States and localities to obtain preclearance for voting changes that have historically been found to be discriminatory. It would enhance the authority of courts to order a preclearance remedy, require greater transparency regarding voting changes, and clarify the Attorney General’s authority to send Federal observers to monitor elections across the country.

In his “I Have a Dream” speech, Dr. Martin Luther King, Jr. said, “When the architects of our republic wrote the magnificent words of the Constitution and Declaration of Independence, they were signing a promissory note to which every American was to fall heir.” The Voting Rights Act has been one of our most important tools to fulfill that promise and protect voters against discrimination. Congress now has a historic opportunity to ensure that the critical provisions in that law are restored and strengthened.

Now is the time to recommit ourselves to the cause of justice. Now is the time to safeguard our democratic values. Now is the time to protect the progress so many Americans worked so hard to establish. I urge all Senators to support this bill that would combat voter discrimination and breathe life back into the Voting Rights Act.

#### PASSENGER RAIL LEGISLATION

Mr. BOOKER. Mr. President, the tragic Amtrak derailment last month shined a light on the critical need to have a strong, safe passenger rail system for the millions of passengers traveling on our rails. My heart goes out to the families and individuals impacted by the tragedy and I hope we never see anything like it again.

Last week I joined my colleague, Senator WICKER in introducing the Railroad Reform, Enhancement, and Efficiency Act, comprehensive passenger rail legislation that boosts our infrastructure and implements needed reforms. Most importantly, it improves safety on our Nation’s railways. This 4-year authorization is a step forward in providing the stability Amtrak needs to be successful and serve the consumers who rely on it.

Across every mode of transportation, America needs critical investment. Nowhere is the investment crisis more pronounced than in New Jersey. The century-old tunnels that run under the Hudson River between New Jersey and New York are reaching a breaking point. We must act with urgency to find State and local partners to replace this critical infrastructure. New Jersey is also home to the Portal Bridge, which is in need of replacement in order to prevent delays and closures that slow our economy. It has been estimated that the loss of the Northeast Corridor could cost the country \$100 million per day; a devastating impact that we cannot afford. The costs for these projects are significant, which is why we must find new ways to help advance them.

Our legislation is a game changer for large-scale rail projects. The bill helps unlock and leverage innovative financing opportunities by improving the Railroad Rehabilitation and Improvement Financing Program, or RRIF. Our legislation will establish new creditworthiness criteria focused on the merits of the project, increase repayment flexibility, help leverage private financing opportunities, and speed up the process of applying for and receiving a loan—all of which can help advance projects like the Gateway Project along the Northeast Corridor. As China and other countries invest tens of billions for rail infrastructure, we must do more than maintain the status quo. Our bill’s financing provisions enable us to take every possible advantage to improve our rail capacity and infrastructure.

Our legislation also includes strong safety provisions to protect passengers and workers. Positive train control, or PTC, was cited as a technology that could have prevented the tragic derailment last month and our legislation will advance deployment of PTC by authorizing grants and prioritizing loan applications to support implementation. Additionally, the legislation will improve safety by requiring action on priorities like grade crossings and enforcing speed limits, as well as worker protections, among various other provisions.

It is important to note that a strong authorization of funding for passenger rail is only the start. Investing in the future of America’s rail network will also require dedicated and multi-year

streams of revenue to support the funding authorized in this bill. I am committed to working with my colleagues on the Finance Committee to make that a reality.

The Railroad Reform, Enhancement, and Efficiency Act is important for our global competitiveness and a forward step in promoting investment in our infrastructure. I thank the committee leadership and Senator WICKER for their support and work on this important legislation that will improve the lives of New Jerseyans and individuals across the country I urge my colleagues to support it.

### 3RD ANNIVERSARY OF DACA PROGRAM

Mr. BENNET. Mr. President, I would like to commemorate the third-year anniversary of the creation of the Deferred Action for Childhood Arrivals, DACA, program. On June 15, 2015, we celebrated this successful, although not comprehensive, policy that has provided deportation relief to more than 660,000 child immigrants nationally, including 14,900 in Colorado.

This life-changing program has allowed young people who were brought to the United States as children—DREAMers—to fully engage in their communities by continuing their education and having the opportunity to work. They have been able to open bank accounts, obtain credit cards, and receive driver's licenses. Deferred action is giving these young people relief and some degree of certainty to pursue opportunities that would not have been available to them otherwise.

DACA has given DREAMers hope for their future. They include DREAMers like Alex Alvarado-Rentería who has lived in Carbondale, CO for the last 18 years and has known no other home outside of the United States. Alex's parents migrated from Mexico and worked as farmworkers in order to give their children an opportunity for a better life. Alex was granted DACA and has since graduated from the Metropolitan State University of Denver with a bachelor of arts in history and Chicana/o studies. He now plans to become the first in his family to earn an advanced degree by attending law school and opening up his own immigration law practice one day.

We also have DREAMers like Lourdes Bustos from Denver, CO who has lived in the United States for the last 26 years and who was able to stay with her children upon receiving DACA. It was years before Lourdes realized she was not documented and would not be able to work legally or get a driver's license. Granting her deferred action meant that she would not be separated from her family. Lourdes has graduated from high school and has opened her own painting business.

DACA has played a transformative role in increasing social and economic

integration for youth who have been raised and educated in our country. It has given DREAMers an opportunity to invest in their futures. It has empowered DREAMers with a sense of community and belonging.

This program has helped many of our young people, but only offers a temporary solution to the unfair consequences of our broken immigration system. This anniversary should also serve as a stark reminder that every day that Congress fails to enact immigration reform, it jeopardizes our economy, our safety, and our communities. It is time to put politics aside and work to enact comprehensive immigration reform.

### TRIBUTE TO ADMIRAL SAMUEL LOCKLEAR

Mr. MCCAIN. Mr. President, after a lifetime of service to our Nation, ADM Samuel J. Locklear III recently stepped down as Commander of United States Pacific Command and retired from the U.S. Navy. On this occasion, I wish to honor Admiral Locklear's 43 years of distinguished uniformed service to our Nation.

Admiral Locklear graduated from the U.S. Naval Academy in 1977. He has led at every level from command-at-sea to theater command. Prior to assuming command of the United States Pacific Command, he commanded U.S. Naval Forces Europe and concurrently, U.S. Naval Forces Africa and NATO's Commander of the Allied Joint Force Command, where his leadership was instrumental in galvanizing an effective coalition of 18 NATO nations to support the complex Libya air campaign.

At Pacific Command, Admiral Locklear provided the strategic vision required to lead in a region vital to America's future peace and prosperity. He has presided over the rebalance to the Asia-Pacific with an even-keeled leadership approach that has focused our Nation in a time of difficult security challenges and austere budgets. Pacific Command is the oldest and largest of our geographic commands encompassing roughly half of the Earth's surface, extending from pole to pole and across the vastness of two great oceans. Admiral Locklear skillfully navigated the complexities and competing interests of this expansive theater. He has worked to strengthen alliances, reinvigorate old ones, cultivate new partnerships, and maintain a robust forward presence to assure and defend our allies and partners.

Admiral Locklear's legacy of service will be as a driving force behind a renewed commitment to protecting America's enduring interests in the Asia-Pacific region. When the Nation needed its very best in military experience, leadership, and advice to confront the challenges and threats we face globally, Admiral Locklear answered the call.

I join many past and present members of the Senate Armed Services Committee in my gratitude to ADM Samuel Locklear for his outstanding leadership and his unwavering commitment to the peace and stability of the Asia-Pacific region. His impact will continue into the coming decades and our Navy and our Nation will feel his absence. I wish him and his wife Pam "fair winds and following seas."

### REMEMBERING LIEUTENANT ROBERT "STAN" LOWE

Mr. BARRASSO. Mr. President, today I wish to honor and remember one of Wyoming's many World War II heroes, LT Robert "Stan" Lowe. On Friday, June 19, 2015, Wyoming and our Nation lost one its most revered veterans advocates. Stan lived to be 92 years old.

In 1943, Stan chose to serve his Nation rather than complete his college studies and join the U.S. Merchant Marines. The Merchant Marines' mission was one of the most dangerous and important missions during World War II. The mission was critical to ensuring our servicemen had the resources they needed to ultimately defeat tyranny. While Lieutenant Lowe was keeping the sea lanes open and secure and he also had more than one job. Stan was a staff officer handling payroll and personnel matters, ran the ship store, and carried out chaplain duties. He even served as a tour coordinator for port calls to keep the young mariners out of trouble. In addition to manning their battle stations, this was the life of a Merchant Marine.

When Lieutenant Lowe returned to the United States in 1946, he like many of his fellow veterans returned to school. He went on to get a law degree. Like your traditional Merchant Marine, Stan never wore just one hat. He was first a mariner and then an attorney. He served in the Wyoming State House of Representatives and as the Carbon County Attorney. Throughout most of Stan's professional career he served as general counsel to True Oil.

Stan was the first commissioner appointed to Wyoming Veterans Commission. He served under two Governors and chaired the commission. He retired with the title of chairman emeritus. Stan never stopped serving our veterans or our community. Stan was a mentor and teacher to many of Wyoming's veterans. In every veteran he came across, he instilled the virtue that the oath servicemen and women take does not expire when you take off the uniform. He strongly believed he had responsibility to help his fellow veterans to honor and respect current servicemen and women and to serve his community.

Stan was always very involved in his community working with the Casper Rotary Club and the American Legion

to name a few. He always worked behind the scenes for many causes especially for veterans. If it was the veterans' museum, efforts to protect the benefits of the widows of veterans, WWII Honor Flights or veteran license plates, Stan probably had his finger prints all over it. Stan also fought hard to get the Merchant Marines recognized with veteran status. He and Merchant Marines around the Nation finally got this much deserved recognition in 1988.

For almost 30 years, on every Memorial Day, Stan would recite Flanders Field at the Oregon Trail Veterans Cemetery. It was always a humbling experience. In his later years, despite the pain, Stan would rise from his chair like a maestro stepping up to a podium. With a quiet tone that could reach the back of the chapel, Stan would begin by reciting the poem. His voice would draw you into a moment in time reminding you of the silence of peace. Children and adults alike would hang on his every word and Stan's voice, like a lullaby, reminded us of soldiers who were loved and paid the ultimate price for freedom. For that moment, you felt warm and secure in their remembrance. As gently he begun he would end and quietly sit. The only sound you could hear was the breathing of the crowd.

Stan was preceded in death by his wife Anne "Pat" Kirtland Selden Lowe, and is survived by his two children Robert J. Lowe and wife Lanette and Meganne L. Acres and husband Craig, sister-in-law Ruth Selden Sturgill, brother-in-law George L. Selden, grandchildren Parker and Dalton Lowe, Hannah and Ben Acres, niece Lauren and husband Bill Gasmick, nephew John Lefferdink and Lanette's father Jerry Kelly.

Stan epitomizes the service and sacrifice of our men and women in uniform and service to our communities. It also epitomizes the Rotary motto "Service Above Self." People like Stan Lowe do not come around often so we thank him for all he has done to make our Nation safe and Wyoming a better State.

Stan, my friend, as they say in the Merchant Marines, "fair winds and following seas."

#### ADDITIONAL STATEMENTS

##### RECOGNIZING THE NASWA 80TH ANNIVERSARY

• Ms. AYOTTE. Mr. President, I wish to honor a long standing New Hampshire institution, often called "the ultimate NH Resort Destination." The NASWA Resort at Weirs Beach in Laconia, NH, also known as, "The Naz," is named for the natural spring water that was found at the site of the original cabins.

This year, the NASWA will celebrate its 80th year of continuous operation in the Granite State. As the 6th annual NASWA Day approaches, it is a time to celebrate the thousands of people from New Hampshire and around the country who have visited this relaxing destination overlooking Pausgus Bay on Lake Winnepesaukee.

Drawing guests from the Lakes Region to the White Mountains, the NASWA is a place for people to enjoy the beauty of the Granite State, family fun, summertime entertainment and recreation. People of all ages can enjoy paddleboats, fine and casual dining, gather with friends, or take a swim in the lake. Founded by Greek immigrants in 1935, the NASWA is still a family-run business, owned and operated by Hope Makris, who continues to live on the property, her daughters Cynthia and Karen, and the rest of the family. To this day, you will find Hope in the kitchen, baking all of the desserts, including Greek pastries.

The Makris family has made tremendous contributions to the community. Each year, the NASWA hosts the Peter Makris Memorial Run in honor of Hope's late husband, which benefits the Laconia Fire Department's Life Saving Fund and Water Rescue Team. The Makris family is also committed to serving veterans. Hope's daughter Cynthia serves as the Lakes Region chairwoman of the Easter Seals Veterans Count program; and for the past 14 years, the NASWA has hosted the Easter Seals Land and Lake Poker Run. The run further benefits the Easter Seals of New Hampshire and the Veterans Count program.

As a native Granite Stater and on behalf of the State of New Hampshire, I congratulate the NASWA and the Makris family. After 80 years, the NASWA continues to be a beloved New Hampshire destination, and I wish the Makris family the very best for many more decades to come.●

##### REMEMBERING RALPH J. ROBERTS

• Mr. CASEY. Mr. President, I wish today to remember Ralph J. Roberts, a proud Pennsylvanian and a national business leader. Ralph passed away on June 18, 2015, at the age of 95, after a long life of personal and professional success.

To many across our Nation, Ralph was best known as the founder of Comcast, where he served for 46 years as the chief executive officer. Navigating complex technological developments in a competitive entertainment market, Ralph's entrepreneurial spirit helped lead Comcast from a small, local startup in 1963 to the country's largest cable television company today. His professional achievements complemented his extensive philanthropic work; Ralph held positions on several charitable boards in Philadel-

phia, where he offered his business acumen to support local economic and community development projects.

One of the defining aspects of Ralph's career was undoubtedly his enduring partnership with his son Brian, as they built a strong business team while maintaining their close father-son relationship. As the New York Times wrote on June 19, 2015:

Mr. Roberts, typically dapper in his signature bow tie and Brooks Brothers suits, became his son's mentor and sounding board, and the two were admired as a potent business partnership while never displaying the kind of strained and tempestuous relationship that can flare when a son succeeds a successful father.

"Since I was 12, all I wanted to do was work with my dad," Brian Roberts said in an interview for this obituary. "I believe the reason we are still in this business when so many others have long since departed was his will to succeed, and to do it with certain core values and integrity. Maybe it was losing both his parents before he was 21, living through the Depression, but somehow he became an optimist. He was the most optimistic man I ever knew. He never told me anything I wanted to do at Comcast was a bad idea, and after more than 30 years, you'd think I've had a lot of bad ideas."

Together, Brian and Ralph had many good ideas that brought television to tens of millions across America. We are all forever grateful for Ralph Roberts' contributions to the American business world and to telecommunications. The Commonwealth of Pennsylvania and our Nation benefited from Ralph's hard work and vision. Our prayers are with his wife Suzanne, his children, and his grandchildren.●

##### REMEMBERING COLONEL PAUL F. DUDLEY, RETIRED

• Mr. HELLER. Mr. President, today we honor the life and service of Col. Paul F. Dudley, Retired, whose passing signifies a great loss to Nevada. I send my condolences and prayers to his wife Barbara and all of Mr. Dudley's family in this time of mourning, including his 6 children, 16 grandchildren, and 18 great-grandchildren. Mr. Dudley was a man committed to his family, his country, his State, and his community. He will be sorely missed.

Mr. Dudley was born on April 24, 1925, in Marengo, OH. After graduating from high school, he enlisted in the Marines and served during World War II. Following the war, Mr. Dudley attended Otterbein College and served his local community as an Ohio State Patrol trooper and detective. He later served in the Ohio Air National Guard, following graduating first in his class from the Air Force in Colorado as a nuclear weapons maintenance officer and returning to active duty. Throughout his service with the Ohio Air National Guard, he commanded the NATO Special Ammunition Storage Site in Ghedi, Italy. In 1975, he moved his family to Las Vegas and served at Nellis

Air Force Base to command the Aviation Depot Squadron. Mr. Dudley's service to this country has been invaluable.

From serving in World War II, to his Air Force assignments as a nuclear safety officer in Italy, to his duty as an inspector general at the Tan Son Nhut Air Base in South Vietnam, his bravery was without limit. Mr. Dudley received two Distinguished Flying Cross medals for his extraordinary actions as a Marine radioman-gunner during World War II and also flew in 43 combat missions throughout the Pacific campaign.

As a World War II veteran, Mr. Dudley's commitment to his country, as well as his dedication to his family and community, exemplified why the legacy of all World War II veterans must be preserved for generations to come. These veterans truly are the "greatest generation"—selflessly serving not for recognition, but because it was the right thing to do. As a member of the Senate Veterans' Affairs Committee, I recognize that Congress has a responsibility not only to honor these brave individuals, but to ensure they are cared for when they return home. I remain committed to upholding this promise for our veterans and servicemembers in Nevada and throughout the Nation.

I extend my deepest sympathies to Barbara and all of Mr. Dudley's family. We will always remember Mr. Dudley for his courageous contributions to the United States of America. His service to his country and dedication to his family and community earn him a place among the outstanding men and women who have valiantly defended our Nation.

Throughout his life, Mr. Dudley maintained a dedication to keeping this great Nation safe, which I am honored to commend. His patriotism and drive will never be forgotten. Today, I join the Las Vegas community and citizens of the Silver State to celebrate the life of an upstanding Nevadan.●

#### CONGRATULATING FOOTHILL HIGH SCHOOL

● Mr. HELLER. Mr. President, today, I wish to congratulate Foothill High School on its team of students selected as the Southwest regional winner and third place overall in the sixth annual Vans Custom Culture shoe designing contest. The contest was highly competitive with 2,529 schools registered to participate. Five students, including April Siglos, Cayleigh Miner, Catherine Swift, Shelby Baker, and Aimee Perry, were chosen to represent the high school at the award ceremony in New York. Students Daniel Di'Antonio and Elizabeth Marshall were also important contributors to the team, participating in the design process. Competitors were required to design pairs of shoes for four categories including art, music, action sports, and local flavor.

The team won a total of \$4,000 for its achievement in being selected in the top five competitors, a contribution that will help future Foothill students for years to come.

The contest has been utilized by Foothill High School art teacher Sarah Plough as a classroom assignment in recent years, giving students the opportunity to harness their creative side and apply their art skills to a three-dimensional object. Students in Ms. Plough's class were also assigned to participate in local contests, bringing their artwork outside of Foothill High School's walls and into the local community. Ms. Plough's drive to bring opportunity to her students is appreciated by the entire Foothill High School and Las Vegas communities.

The students are shining examples to their fellow Foothill Falcons, focusing a great amount of time and effort to create phenomenal artwork for the competition. They spent 5 weeks working on their designs and even devoted hours over spring break to their projects. They should be proud of their hard work and their great accomplishment.

I am excited to see local students bringing recognition to both Nevada and to Foothill High School for their advancement in a national competition. Their accolade is well deserved. Today, I ask my colleagues to join me and all Nevadans in congratulating Foothill High School for its success and its honorable representation of Nevada.●

#### TRIBUTE TO RAEGAN ARNOLDY

● Mr. THUNE. Mr. President, today I recognize Raegan Arnoldy, an intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the State of South Dakota.

Raegan is a graduate of Lyman County High School in Presho, SD. Currently, Raegan is attending the University of Nebraska-Lincoln, where she is majoring in communication studies and business administration. Raegan is a dedicated worker who has been committed to getting the most out of her experience.

I extend my sincere thanks and appreciation to Raegan Arnoldy for all of the fine work she has done and wish her continued success in the years to come.●

#### TRIBUTE TO MACI BURKE

● Mr. THUNE. Mr. President, today I recognize Maci Burke, an intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the State of South Dakota.

Maci is a graduate of Chamberlain High School in Chamberlain, SD. Currently, Maci is attending the University of Nebraska-Lincoln, where she is majoring in political science. Maci is a

dedicated worker who has been committed to getting the most out of her experience.

I extend my sincere thanks and appreciation to Maci Burke for all of the fine work she has done and wish her continued success in the years to come.●

#### TRIBUTE TO DANIELLE KERR

● Mr. THUNE. Mr. President, today I recognize Danielle Kerr, an intern in my Rapid City, SD, office, for all of the hard work she has done for me, my staff, and the State of South Dakota.

Danielle is a graduate of St. Thomas More High School in Rapid City, SD as well as the University of Nebraska-Lincoln, UNL, with an English major. Currently she has been accepted into the 2018 class at the UNL College of Law. Danielle is a dedicated worker who has been committed to getting the most out of her experience.

I extend my sincere thanks and appreciation to Danielle Kerr for all of the fine work she has done and wish her continued success in the years to come.●

#### TRIBUTE TO ALEX SACHTJEN

● Mr. THUNE. Mr. President, today I recognize Alex Sachtjen, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

Alex is a graduate of Burke High School in Burke, SD. Currently, Alex is attending Augustana College, where he is majoring in government and international affairs and business administration. Alex is a dedicated worker who has been committed to getting the most out of his experience.

I extend my sincere thanks and appreciation to Alex Sachtjen for all of the fine work he has done and wish him continued success in the years to come.●

#### TRIBUTE TO TIARA TINGLE

● Mr. THUNE. Mr. President, today I recognize Tiara Tingle, an intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the State of South Dakota.

Tiara is a graduate of Brandon Valley High School in Brandon, SD. Currently, Tiara is attending the University of Nebraska-Lincoln, where she is majoring in economics. Tiara is a dedicated worker who has been committed to getting the most out of her experience.

I extend my sincere thanks and appreciation to Tiara Tingle for all of the fine work she has done and wish her continued success in the years to come.●

#### MESSAGES FROM THE HOUSE

At 10:18 a.m., a message from the House of Representatives, delivered by

Mrs. Cole, one of its reading clerks, announced that the House agrees to the resolution (H. Res. 340) returning to the Senate the bill (H.R. 1735) to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, and, in the opinion of this House, contravenes the first clause of the seventh section of the first article of the Constitution of the United States and is an infringement of the privileges of this House and that such bill, with the Senate amendment thereto, shall be respectfully returned to the Senate with a message communicating this resolution.

At 1:45 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2042. An act to allow for judicial review of any final rule addressing carbon dioxide emissions from existing fossil fuel-fired electric utility generating units before requiring compliance with such rule, and to allow States to protect households and businesses from significant adverse effects on electricity ratepayers or reliability.

The message also announced that the House disagrees to the amendment of the Senate to the bill (H.R. 1735) to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, and asks for a conference with the Senate on the disagreeing votes of the two Houses thereon, and appoints the following Members as managers of the conference on the part of the House:

From the Committee on Armed Services: Messrs. THORNBERRY, FORBES, MILLER of Florida, WILSON of South Carolina, LOBIONDO, BISHOP of Utah, TURNER, KLINE, ROGERS of Alabama, SHUSTER, CONAWAY, LAMBORN, WITTMAN, HUNTER, Mrs. HARTZLER, Messrs. HECK of Nevada, WENSTRUP, Ms. STEFANIK, Mr. SMITH of Washington, Ms. LORETTA SANCHEZ of California, Mrs. DAVIS of California, Messrs. LANGEVIN, LARSEN of Washington, COOPER, Ms. BORDALLO, Mr. COURTNEY, Ms. TSONGAS, Messrs. GARAMENDI, JOHNSON of Georgia, Ms. SPEIER, Mr. CASTRO of Texas, and Ms. DUCKWORTH.

The message further announced that the House agrees to the amendment of the Senate to the amendment of the Senate to the bill (H.R. 1295) to extend the African Growth and Opportunity Act, the Generalized System of Preferences, the preferential duty treatment program for Haiti, and for other purposes, without amendment.

## MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 1698. A bill to exclude payments from State eugenics compensation programs from consideration in determining eligibility for, or the amount of, Federal public benefits.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with amendments:

S. 1180. A bill to amend the Homeland Security Act of 2002 to direct the Administrator of the Federal Emergency Management Agency to modernize the integrated public alert and warning system of the United States, and for other purposes (Rept. No. 114-73).

By Mr. BLUNT, from the Committee on Appropriations, without amendment:

S. 1695. An original bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2016, and for other purposes (Rept. No. 114-74).

By Ms. COLLINS, from the Committee on Appropriations, with an amendment in the nature of a substitute:

H.R. 2577. An act making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes (Rept. No. 114-75).

By Mr. CORKER, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 204. A resolution recognizing June 20, 2015 as "World Refugee Day".

S. Res. 207. A resolution recognizing threats to freedom of the press and expression around the world and reaffirming freedom of the press as a priority in efforts of the United States Government to promote democracy and good governance.

By Mr. CORKER, from the Committee on Foreign Relations, with amendments and an amendment to the title and with a preamble:

S. Res. 211. A resolution expressing the sense of the Senate regarding Srebrenica.

By Mr. CORKER, from the Committee on Foreign Relations, with an amendment:

S. 1643. A bill to require a report on actions to secure the safety and security of dissidents housed at Camp Liberty, Iraq.

## EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. CORKER for the Committee on Foreign Relations.

\*David Hale, of New Jersey, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Islamic Republic of Pakistan.

Nominee: David Hale.

Post: Islamabad.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the in-

formation contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None.
2. Spouse: N/A.
3. Children and Spouses: N/A.
4. Parents: Marjorie Freeman, \$25, 5/20/10, RNC; \$25, 2/19/12, RNC; \$10, 4/12/12, RNC; \$20, 8/15/12, RNC; \$20, 9/21/12, RNC; \$20, 9/27/13, RNC; \$50, 4/8/14, RNC; \$100, 6/30/14, RNC; \$25, 9/27/12, Romney Victory Fund.
5. Grandparents: N/A.
6. Brothers and Spouses: John Hale, \$50, 4/25/11, Bridgewater Republican Municipal Committee.
7. Sisters and Spouses: \$50, 4/26/13, Same.

\*Atul Keshap, of Virginia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Democratic Socialist Republic of Sri Lanka, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Maldives.

Nominee: Atul Keshap.

Post: Colombo, Sri Lanka.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: n/a.
2. Spouse: Karen Young Keshap: n/a.
3. Children and Spouses (all unmarried minor children): n/a.
4. Parents: Zoe Antoinette Calvert (mother), n/a; Dr. Keshap Chander Sen, Ph.D. (father)—deceased 2008: n/a.
5. Grandparents: Chaudhry Bhawani Das Arora (deceased 1965): n/a; Chinko Bhai Sachdeva (deceased 1991): n/a; Richard Creagh Mackubin Calvert (deceased 1968): n/a; Margaret Taylor Calvert (deceased 2003): n/a.
6. Brothers and Spouses: Kiran Keshap (unmarried): n/a; Arun Keshap (unmarried): n/a; Rahul and Rochelle Keshap: \$500, 03/14/2010, Thomas Perriello; \$100, 08/10/2010, Thomas Perriello.
7. Sisters and Spouses: No sisters.

\*Alaina B. Teplitz, of Illinois, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federal Democratic Republic of Nepal.

Nominee: Alaina Beth Teplitz.

Post: Federal Democratic Republic of Nepal.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: none.
2. Spouse: N/A (and none prior to divorce).
3. Children and Spouses: Maximilien Mellott, none; Miles Mellott, none.
4. Parents: Marsha Neece, none; Jack Teplitz, please see attached; Marcella Teplitz, none.
5. Grandparents: Thomas Freeman, none; Janis Freeman, none.
6. Brothers and Spouses: Nathan Teplitz, none.

## 7. Sisters and Spouses: N/A.

Jack Teplitz, Political Donations—Jan. 1, 2010–Sep. 11, 2014

Date, description, amount:

2010

02/24/10, Democratic National Committee, Barack Obama, 100.00.  
03/23/10, Democratic National Committee, Barack Obama, 50.00.  
06/29/10, Democratic National Committee, 50.00.  
09/03/10, Democratic National Committee, 25.00.  
09/28/10, Democratic National Committee, 25.00.  
10/12/10, Democratic National Committee, Barack Obama, 90.00.  
10/28/10, Democratic National Committee, Barack Obama, 10.00.  
10/28/10, Democratic National Committee, Barack Obama, 75.00.  
10/31/10, Democratic National Committee, Barack Obama, 5.00.  
Total 2010: 430.00.

2011

01/21/11, Citizens for Grayeb (Peoria City Council), 100.00.  
02/16/11, Friends of Chuck Weaver (Peoria City Council), 50.00.  
06/30/11, Obama for America, 100.00.  
08/11/11, Obama for America, 100.00.  
09/06/11, Citizens for Koehler (IL State Senate), 100.00.  
11/01/11, Democratic Congressional Campaign Committee, 50.00.  
12/01/11, Committee to Elect Kate Gorman (IL Circuit Court Judge), 100.00.  
12/29/11, Democratic Congressional Campaign Committee, 50.00.  
Total 2011: 650.00.

2012

05/04/12, Obama for America, 25.00.  
08/21/12, ActBlue\*Donate to Dems, 38.50.  
09/06/12, Obama Victory Fund, 150.00.  
09/07/12, Obama Victory Fund, 100.00.  
09/28/12, ActBlue\*DCCC-House Democrats, 55.00.  
10/11/12, Friends of Dave Koehler (IL State Senate), 100.00.  
Total 2012: 468.50.

2013

01/31/13, Chuck Grayeb for Council (Peoria City Council), 200.00.  
Total 2013: 200.00.

2014

08/07/14, ActBlue\*Cheri Bustos (US Rep from IL), 50.00.  
Total 2014: 50.00.

Black Heron, LLC, Political Donations—Jan. 1, 2010–Sep. 11, 2014

Date, description, amount:

2010

10/06/10, Batavians Against Debt, 9,233.13.  
10/13/10, Batavians Against Debt, 8,156.44.  
10/21/10, Batavians Against Debt, 9,000.00.  
10/28/10, Batavians Against Debt, 6,755.74.  
12/08/10, Batavians Against Debt, 17,394.16.  
Total 2010: 50,539.47.

2011

02/03/11, Batavians Against Debt, 400.00.  
02/18/11, Batavians Against Debt, 5,462.00.  
Total 2011: 5,862.00.

These were contributions to a group in Batavia, IL that was opposed to a Park District referendum which wanted authority to construct a multi-million dollar fitness center. This facility would have had an adverse effect on one of my fathers most substantial clients. The contributions were made by Black Heron, LLC, a company he formed and for which he was the sole owner/member.

\*William A. Heidt, of Pennsylvania, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Cambodia.

Nominee: William A. Heidt.

Post: Cambodia.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None.

2. Spouse: Sotie Kenmano Heidt, None.

3. Children and Spouses: Allen Soriya Heidt, None.

4. Parents: Robert E. Heidt—deceased; Audrey C. Heidt—deceased.

5. Grandparents: William D. Heidt—deceased; Emma Heidt—deceased; Henry Weber—deceased; Myrtle Weber—deceased.

6. Brothers and Spouses: Stephen R. Heidt, \$8,800, Various (2011–15), Hewlett Packard (Payroll deductions) Company PAC; Pam S. Knudsen, None; Kenneth R. Heidt—deceased; Lenny Heidt, None; John D. Heidt, None; Nicole Heidt, None; Paul E. Heidt, None; Carrie Heidt, None.

7. Sisters and Spouses: Catherine Savvas, \$130, 2011, KeyCorp Advocate Fund; \$130, 2012, KeyCorp Advocate Fund; \$75 (est.), 2013, KeyCorp Advocate Fund; Savvas H. Savvas, \$260, 2011, MWH PAC; \$260, 2012, MWH PAC; \$260, 2013, MWH PAC; \$270, 2014, MWH PAC; \$80, 2014, MWH PAC; Beth Praskwicz, None; John Praskwicz, None.

\*Glyn Townsend Davies, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Thailand.

Nominee: Glyn T. Davies.

Post: Bangkok, Thailand.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None.

2. Spouse: None.

3. Children and Spouses: Ashley M. Springer (daughter): None; Chapin L. Springer (spouse): \$100, 2009, Barack Obama; \$50, 2012, DCCC; Theodora E. Davies (daughter): None.

4. Parents: Richard T. Davies—deceased; Jean S. Davies: None.

5. Grandparents: Wilmer E. Stevens—deceased; Alice H. Stevens—deceased; John Davies—deceased; Laura Davies—deceased.

6. Brothers and Spouses: John S. Davies: None; Lou Michaels (spouse): None; Michael H. Davies: None; Stephen A. Davies: None.

7. Sisters and Spouses: None.

\*Jennifer Zimdahl Galt, of Colorado, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Mongolia.

Nominee: Jennifer Zimdahl Galt.

Post: Ambassador to Mongolia.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by

them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None.

2. Spouse: Frederick Mahler Galt: \$250, 06/27/2012, Obama, Barack via Obama for America; \$250, 06/27/2012, Obama Victory Fund 2012; \$250, 09/1/2012, Obama, Barack via Obama for America.

3. Children and Spouses: Phoebe Anna Galt (no spouse): None; Dylan Chase Galt (no spouse): None.

4. Parents: Robert Lawrence Zimdahl: None; Ann Osborn Zimdahl (mother)—deceased; Pamela Jeanne McLean (née Lutz) Zimdahl (stepmother)—deceased; Karen Roney (née Johnson) Zimdahl (stepmother): None.

5. Grandparents: Clinton Morris Osborn—deceased; Catherine Ruth Osborn—deceased; Mildred Maria (née Lawrence) Zimdahl—deceased; Alfred Frank Zimdahl—deceased.

6. Brothers and Spouses: Randall Lawrence Zimdahl: None; Michelle Zimdahl (spouse): None; Robert Osborn Zimdahl (no spouse): None; Thomas Edward Zimdahl: None; Britt Meisenheimer (marriage 9/20/2014): None.

7. Sisters and Spouses: n/a.

\*Brian James Egan, of Maryland, to be Legal Adviser of the Department of State.

\*Janet L. Yellen, of California, to be United States Alternate Governor of the International Monetary Fund for a term of five years.

By Mr. THUNE for the Committee on Commerce, Science, and Transportation.

\*Coast Guard nomination of Brian J. Maggi, to be Lieutenant Commander.

\*Coast Guard nominations beginning with Anna W. Hickey and ending with Kimberly C. Young-McClear, which nominations were received by the Senate and appeared in the Congressional Record on May 21, 2015.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. SANDERS:

S. 1677. A bill to amend the Internal Revenue Code of 1986 to reinstate estate and generation-skipping taxes, and for other purposes; to the Committee on Finance.

By Mr. BOOZMAN:

S. 1678. A bill to designate the facility of the United States Postal Service located at 201 B Street in Perryville, Arkansas, as "Harold George Bennett Post Office"; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HELLER (for himself and Mr. TESTER):

S. 1679. A bill to amend the Flood Disaster Protection Act of 1973 to require that certain buildings and personal property be covered by flood insurance, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. CANTWELL (for herself, Mr. BOOKER, Mrs. MURRAY, and Mr. MARKEY):



S. 1680. A bill to improve the condition and performance of the national multimodal freight network, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SCHUMER:

S. 1681. A bill to criminalize the knowing use of commercial robocalls without the prior express written consent of the recipient, and for other purposes; to the Committee on the Judiciary.

By Mr. KIRK (for himself and Mr. MENENDEZ):

S. 1682. A bill to extend the Iran Sanctions Act of 1996 and to require the Secretary of the Treasury to report on the use by Iran of funds made available through sanctions relief; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HATCH (for himself, Mrs. ERNST, and Mr. BLUNT):

S. 1683. A bill to provide for the establishment of a process for the review of rules and sets of rules, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. KIRK (for himself and Mr. HOEVEN):

S. 1684. A bill to amend the Volunteer Protection Act of 1997 to provide for liability protection for organizations and entities; to the Committee on the Judiciary.

By Mr. WICKER (for himself and Mr. BLUMENTHAL):

S. 1685. A bill to direct the Federal Communications Commission to extend to private land use restrictions its rule relating to reasonable accommodation of amateur service communications; to the Committee on Commerce, Science, and Transportation.

By Ms. BALDWIN (for herself, Mr. WHITEHOUSE, Ms. WARREN, Mr. FRANKEN, Mr. SANDERS, Mr. REED, Ms. HIRONO, Mr. MANCHIN, and Mr. BLUMENTHAL):

S. 1686. A bill to amend the Internal Revenue Code of 1986 to provide for the proper tax treatment of personal service income earned in pass-thru entities; to the Committee on Finance.

By Mr. WYDEN:

S. 1687. A bill to amend the Internal Revenue Code of 1986 to restrict the insurance business exception to passive foreign investment company rules; to the Committee on Finance.

By Mr. CARPER (for himself, Ms. BALDWIN, Mrs. BOXER, Mr. BOOKER, Mr. BROWN, Mr. COONS, Mr. DURBIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. LEAHY, Mr. MARKEY, Mrs. MURRAY, Mr. SANDERS, Mr. SCHUMER, Ms. WARREN, Mr. CARDIN, Mr. REID, and Ms. MIKULSKI):

S. 1688. A bill to provide for the admission of the State of New Columbia into the Union; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BROWN:

S. 1689. A bill to amend title 23, United States Code, to reduce the funding available for a State under the national highway performance program and the surface transportation program if the State issues a license plate that contains an image of a flag of the Confederate States of America, including the Battle Flag of the Confederate States of America; to the Committee on Environment and Public Works.

By Ms. CANTWELL (for herself and Mrs. MURRAY):

S. 1690. A bill to establish the Mountains to Sound Greenway National Heritage Area in the State of Washington; to the Committee on Energy and Natural Resources.

By Mr. BARRASSO:

S. 1691. A bill to expedite and prioritize forest management activities to achieve ecosystem restoration objectives, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MORAN (for himself, Mr. ROBERTS, and Mr. DONNELLY):

S. 1692. A bill to amend title 49, United States Code, to clarify the use of a towaway trailer transportation combination, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. HIRONO:

S. 1693. A bill to amend title 38, United States Code, to expand eligibility for reimbursement for emergency medical treatment to certain veterans that were unable to receive care from the Department of Veterans Affairs in the 24-month period preceding the furnishing of such emergency treatment, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. CANTWELL (for herself and Mrs. MURRAY):

S. 1694. A bill to amend Public Law 103-434 to authorize Phase III of the Yakima River Basin Water Enhancement Project for the purposes of improving water management in the Yakima River basin, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BLUNT:

S. 1695. An original bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. ISAKSON (for himself and Mr. PERDUE):

S. 1696. A bill to redesignate the Ocmulgee National Monument in the State of Georgia, to revise the boundary of that monument, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. GRASSLEY (for himself and Ms. HEITKAMP):

S. 1697. A bill to provide an exception from certain group health plan requirements to allow small businesses to use pre-tax dollars to assist employees in the purchase of policies in the individual health insurance market, and for other purposes; to the Committee on Finance.

By Mr. TILLIS (for himself, Mr. CARPER, Mr. BURR, Mr. KAINE, and Mr. WARNER):

S. 1698. A bill to exclude payments from State eugenics compensation programs from consideration in determining eligibility for, or the amount of, Federal public benefits; read the first time.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 1699. A bill to designate certain land administered by the Bureau of Land Management and the Forest Service in the State of Oregon as wilderness and national recreation areas and to make additional wild and scenic river designations in the State of Oregon, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI:

S. 1700. A bill to require the Secretary of the Army, acting through the Chief of Engineers, to establish a program to provide loans and loan guarantees to enable eligible public entities to purchase credits from mitigation banks or in-lieu fee programs or acquire interests in real property that are acquired pursuant to mitigation projects required under certain Federal Water Pollu-

tion Control Act permits, and for other purposes; to the Committee on Environment and Public Works.

By Ms. MURKOWSKI:

S. 1701. A bill to amend the Federal Water Pollution Control Act to modify a provision relating to discharges of dredged or fill material into navigable waters at specified disposal sites; to the Committee on Environment and Public Works.

By Mr. KING (for himself, Ms. COLLINS, Mr. LEAHY, and Mr. MANCHIN):

S. 1702. A bill to require the administering authority to determine an individual countervailable subsidy rate upon request if four or fewer exporters and producers are involved in the investigation or review, and for other purposes; to the Committee on Finance.

By Mr. UDALL:

S. 1703. A bill to direct the Administrator of the National Highway Traffic Safety Administration to carry out a collaborative research effort to prevent drunk driving injuries and fatalities, and for other purposes; to the Committee on Environment and Public Works.

By Mr. ENZI:

S.J. Res. 17. A joint resolution proposing an amendment to the Constitution of the United States to give States the right to repeal Federal laws and regulations when ratified by the legislatures of two-thirds of the several States; to the Committee on the Judiciary.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. FEINSTEIN:

S. Res. 214. A resolution commemorating the 85th anniversary of the Daughters of Penelope, a preeminent international women's association and an affiliate organization of the American Hellenic Educational Progressive Association; to the Committee on the Judiciary.

By Ms. HEITKAMP (for herself, Mr. HELLER, Mr. BLUMENTHAL, Mr. INHOFE, Mrs. MURRAY, Mr. TILLIS, Mr. DURBIN, Mr. MORAN, Ms. STABENOW, Mr. THUNE, Mr. HOEVEN, Mr. GRASSLEY, Ms. BALDWIN, Mr. BOOKER, Mr. BROWN, Mr. WARNER, Mr. DONNELLY, Mr. CRAPO, Mr. FRANKEN, Mr. ROBERTS, Mr. TESTER, Ms. HIRONO, and Ms. COLLINS):

S. Res. 215. A resolution designating the month of June 2015 as "National Post-Traumatic Stress Disorder Awareness Month" and June 27, 2015, as "National Post-Traumatic Stress Disorder Awareness Day"; considered and agreed to.

By Mrs. FEINSTEIN:

S. Res. 216. A resolution recognizing the month of June 2015 as "Immigrant Heritage Month", a celebration of the accomplishments and contributions immigrants and their children have made in shaping the history, strengthening the economy, and enriching the culture of the United States; to the Committee on the Judiciary.

## ADDITIONAL COSPONSORS

S. 139

At the request of Mr. WYDEN, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of



S. 139, a bill to permanently allow an exclusion under the Supplemental Security Income program and the Medicaid program for compensation provided to individuals who participate in clinical trials for rare diseases or conditions.

S. 439

At the request of Mr. FRANKEN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 439, a bill to end discrimination based on actual or perceived sexual orientation or gender identity in public schools, and for other purposes.

S. 681

At the request of Mrs. GILLIBRAND, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 681, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 697

At the request of Mr. UDALL, the names of the Senator from Utah (Mr. HATCH), the Senator from New Hampshire (Ms. AYOTTE) and the Senator from Montana (Mr. DAINES) were added as cosponsors of S. 697, a bill to amend the Toxic Substances Control Act to reauthorize and modernize that Act, and for other purposes.

S. 804

At the request of Ms. COLLINS, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 804, a bill to amend title XVIII of the Social Security Act to specify coverage of continuous glucose monitoring devices, and for other purposes.

S. 890

At the request of Ms. CANTWELL, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 890, a bill to amend title 54, United States Code, to provide consistent and reliable authority for, and for the funding of, the Land and Water Conservation Fund to maximize the effectiveness of the Fund for future generations, and for other purposes.

S. 957

At the request of Mrs. SHAHEEN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 957, a bill to increase access to capital for veteran entrepreneurs to help create jobs.

S. 987

At the request of Mr. WYDEN, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 987, a bill to amend the Internal Revenue Code of 1986 to allow deductions and credits relating to expenditures in connection with marijuana sales conducted in compliance with State law.

S. 1016

At the request of Mr. SCOTT, his name was withdrawn as a cosponsor of S. 1016, a bill to preserve freedom and choice in health care.

S. 1140

At the request of Mr. BARRASSO, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 1140, a bill to require the Secretary of the Army and the Administrator of the Environmental Protection Agency to propose a regulation revising the definition of the term "waters of the United States", and for other purposes.

S. 1250

At the request of Ms. KLOBUCHAR, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1250, a bill to encourage States to require the installation of residential carbon monoxide detectors in homes, and for other purposes.

S. 1403

At the request of Mr. NELSON, his name was added as a cosponsor of S. 1403, a bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to promote sustainable conservation and management for the Gulf of Mexico and South Atlantic fisheries and the communities that rely on them, and for other purposes.

S. 1438

At the request of Ms. AYOTTE, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1438, a bill to allow women greater access to safe and effective contraception.

S. 1495

At the request of Mr. TOOMEY, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 1495, a bill to curtail the use of changes in mandatory programs affecting the Crime Victims Fund to inflate spending.

S. 1512

At the request of Mr. CASEY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1512, a bill to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition.

S. 1513

At the request of Mr. LEAHY, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1513, a bill to reauthorize the Second Chance Act of 2007.

S. 1538

At the request of Mr. DURBIN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1538, a bill to reform the financing of Senate elections, and for other purposes.

S. 1580

At the request of Mr. TESTER, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 1580, a bill to allow additional appointing authorities to select individuals from competitive service certificates.

S. 1591

At the request of Mr. TESTER, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1591, a bill to amend title 5, United States Code, to provide a pathway for temporary seasonal employees in Federal land management agencies to compete for vacant permanent positions under internal merit promotion procedures, and for other purposes.

S. 1603

At the request of Mr. FLAKE, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1603, a bill to actively recruit members of the Armed Forces who are separating from military service to serve as Customs and Border Protection Officers.

S. 1632

At the request of Ms. COLLINS, the names of the Senator from Wisconsin (Ms. BALDWIN), the Senator from Nebraska (Mrs. FISCHER), the Senator from Maryland (Ms. MIKULSKI), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from California (Mrs. FEINSTEIN), the Senator from New York (Mrs. GILLIBRAND), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Washington (Ms. CANTWELL) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 1632, a bill to require a regional strategy to address the threat posed by Boko Haram.

S. 1641

At the request of Ms. BALDWIN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1641, a bill to improve the use by the Department of Veterans Affairs of opioids in treating veterans, to improve patient advocacy by the Department, and to expand availability of complementary and integrative health, and for other purposes.

S. 1643

At the request of Mr. BLUNT, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1643, a bill to require a report on actions to secure the safety and security of dissidents housed at Camp Liberty, Iraq.

S. 1659

At the request of Mr. LEAHY, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1659, a bill to amend the Voting Rights Act of 1965 to revise the criteria for determining which States and political subdivisions are subject to section 4 of the Act, and for other purposes.

S. 1676

At the request of Mr. TESTER, the names of the Senator from Hawaii (Mr. SCHATZ) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. 1676, a bill to increase the number of graduate medical education positions treating veterans, to improve the compensation of health care providers, medical directors, and directors of Veterans Integrated Service Networks of the Department of Veterans Affairs, and for other purposes.

S. RES. 207

At the request of Mr. CASEY, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. Res. 207, a resolution recognizing threats to freedom of the press and expression around the world and reaffirming freedom of the press as a priority in efforts of the United States Government to promote democracy and good governance.

S. RES. 211

At the request of Mr. CARDIN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. Res. 211, a resolution expressing the sense of the Senate regarding Srebrenica.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WYDEN:

S. 1687. A bill to amend the Internal Revenue Code of 1986 to restrict the insurance business exception to passive foreign investment company rules; to the Committee on Finance.

Mr. WYDEN. Mr. President, I rise today to introduce the Offshore Reinsurance Tax Fairness Act. This bill closes a tax loophole that is being used by some U.S.-based hedge funds that set up insurance companies in places like Bermuda and the Cayman Islands where they aren't taxed and where their earnings are sheltered from U.S. taxes. Offshore businesses that reinsure risks and that invest in U.S. hedge funds create the potential for tax avoidance of hundreds of millions of dollars.

Under these arrangements, a hedge fund or hedge fund investors make a capital investment in an offshore reinsurance company. The offshore reinsurance company then reinvests that capital, as well as premiums it receives, in the hedge fund. The owners of the reinsurer take the position that they are not taxed on corporate earnings until either those earnings are distributed, or the investors sell the corporation's stock at a gain reflecting those earnings.

However, the hedge fund "reinsurers" are taking advantage of an exception to the passive foreign investment company—or PFIC—rules of U.S. tax law. The PFIC rules are designed to prevent U.S. taxpayers from delaying U.S. tax

on investment income by holding investments through offshore corporations. However, the PFIC rules provide an exception for income derived from the active conduct of an insurance business. The exception applies to income derived from the active conduct of an insurance business by a corporation which is predominantly engaged in an insurance business and which would be subject to tax under Subchapter L if it were a domestic corporation.

Current law does not prescribe how much insurance or reinsurance business the company must do to be considered predominantly engaged in an insurance business. Our investigative efforts show that some companies that are not legitimate insurance companies are taking advantage of this favorable tax treatment.

About a year ago I asked the Treasury Department and IRS to issue guidance to shut down this abuse. And in April, Treasury and IRS issued regulations that take a first step at addressing this issue. However, while the guidance offers clarity in this area, a legislative fix is required to fully close this loophole.

Therefore, today I am introducing the Offshore Reinsurance Tax Fairness Act to shut down this abuse once and for all. My bill would provide a bright-line test for determining whether a company is truly an insurance company for purposes of the exception to the PFIC rules.

Under the new rule, to be considered an insurance company, the company's insurance liabilities must exceed 25 percent of its assets. If the company fails to qualify because it has 25 percent or less—but not less than 10 percent—in insurance liability assets, the company may still be predominantly engaged in the insurance business based on facts and circumstances. A company with less than 10 percent of insurance liability assets will not be considered an insurance company and, therefore, would be ineligible for the PFIC exception and subject to current taxation.

The Offshore Reinsurance Tax Fairness Act will disqualify most of the hedge fund reinsurance companies that are taking advantage of the current law loophole, making them ineligible for the PFIC exception and stopping this abuse. I look forward to working with my colleagues to enact this important reform.

Mr. President, I ask unanimous consent that the text of the bill and a technical explanation be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1687

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Offshore Reinsurance Tax Fairness Act".

#### SEC. 2. RESTRICTION ON INSURANCE BUSINESS EXCEPTION TO PASSIVE FOREIGN INVESTMENT COMPANY RULES.

(a) IN GENERAL.—Section 1297(b)(2)(B) of the Internal Revenue Code of 1986 is amended to read as follows:

“(B) derived in the active conduct of an insurance business by a qualifying insurance corporation (as defined in subsection (f)).”.

(b) QUALIFYING INSURANCE CORPORATION DEFINED.—Section 1297 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(f) QUALIFYING INSURANCE CORPORATION.—For purposes of subsection (b)(2)(B)—

“(1) IN GENERAL.—The term ‘qualifying insurance corporation’ means, with respect to any taxable year, a foreign corporation—

“(A) which would be subject to tax under subchapter L if such corporation were a domestic corporation, and

“(B) the applicable insurance liabilities of which constitute more than 25 percent of its total assets, determined on the basis of such liabilities and assets as reported on the corporation's applicable financial statement for the last year ending with or within the taxable year.

“(2) ALTERNATIVE FACTS AND CIRCUMSTANCES TEST FOR CERTAIN CORPORATIONS.—If a corporation fails to qualify as a qualified insurance corporation under paragraph (1) solely because the percentage determined under paragraph (1)(B) is 25 percent or less, a United States person that owns stock in such corporation may elect to treat such stock as stock of a qualifying insurance corporation if—

“(A) the percentage so determined for the corporation is at least 10 percent, and

“(B) under regulations provided by the Secretary, based on the applicable facts and circumstances—

“(i) the corporation is predominantly engaged in an insurance business, and

“(ii) such failure is due solely to temporary circumstances involving such insurance business.

“(3) APPLICABLE INSURANCE LIABILITIES.—For purposes of this subsection—

“(A) IN GENERAL.—The term ‘applicable insurance liabilities’ means, with respect to any life or property and casualty insurance business—

“(i) loss and loss adjustment expenses, and

“(ii) reserves (other than deficiency, contingency, or unearned premium reserves) for life and health insurance risks and life and health insurance claims with respect to contracts providing coverage for mortality or morbidity risks.

“(B) LIMITATIONS ON AMOUNT OF LIABILITIES.—Any amount determined under clause (i) or (ii) of subparagraph (A) shall not exceed the lesser of such amount—

“(i) as reported to the applicable insurance regulatory body in the applicable financial statement described in paragraph (4)(A) (or, if less, the amount required by applicable law or regulation), or

“(ii) as determined under regulations prescribed by the Secretary.

“(4) OTHER DEFINITIONS AND RULES.—For purposes of this subsection—

“(A) APPLICABLE FINANCIAL STATEMENT.—The term ‘applicable financial statement’ means a statement for financial reporting purposes which—

“(i) is made on the basis of generally accepted accounting principles,

“(ii) is made on the basis of international financial reporting standards, but only if there is no statement that meets the requirement of clause (i), or

“(iii) except as otherwise provided by the Secretary in regulations, is the annual statement which is required to be filed with the applicable insurance regulatory body, but only if there is no statement which meets the requirements of clause (i) or (ii).”

“(B) APPLICABLE INSURANCE REGULATORY BODY.—The term ‘applicable insurance regulatory body’ means, with respect to any insurance business, the entity established by law to license, authorize, or regulate such business and to which the statement described in subparagraph (A) is provided.”

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

TECHNICAL EXPLANATION OF THE OFFSHORE REINSURANCE TAX FAIRNESS ACT INTRODUCED BY SENATOR WYDEN ON JUNE 25, 2015

#### PRESENT LAW

##### *Passive foreign investment companies*

A U.S. person who is a shareholder of a passive foreign investment company (“PFIC”) is subject to U.S. tax in respect to that person’s share of the PFIC’s income under one of three alternative anti-deferral regimes. A PFIC generally is defined as any foreign corporation if 75 percent or more of its gross income for the taxable year consists of passive income, or 50 percent or more of its assets consists of assets that produce, or are held for the production of, passive income. Alternative sets of income inclusion rules apply to U.S. persons that are shareholders in a PFIC, regardless of their percentage ownership in the company. One set of rules applies to passive foreign investment companies that are “qualified electing funds,” under which electing U.S. shareholders currently include in gross income their respective shares of the company’s earnings, with a separate election to defer payment of tax, subject to an interest charge, on income not currently received. A second set of rules applies to passive foreign investment companies that are not qualified electing funds, under which U.S. shareholders pay tax on certain income or gain realized through the company, plus an interest charge that is attributable to the value of deferral. A third set of rules applies to PFIC stock that is marketable, under which electing U.S. shareholders currently take into account as income (or loss) the difference between the fair market value of the stock as of the close of the taxable year and their adjusted basis in such stock (subject to certain limitations), often referred to as “marking to market.”

##### *Passive income*

Passive income means any income which is of a kind that would be foreign personal holding company income, including dividends, interest, royalties, rents, and certain gains on the sale or exchange of property, commodities, or foreign currency.

However, among other exceptions, passive income does not include any income derived in the active conduct of an insurance business by a corporation that is predominantly engaged in an insurance business and that would be subject to tax under subchapter L if it were a domestic corporation.

In Notice 2003-34, the Internal Revenue Service identified issues in applying the insurance exception under the PFIC rules. One issue involves whether risks assumed under contracts issued by a foreign company organized as an insurer are truly insurance risks, and whether the risks are limited under the terms of the contracts. In the Notice, the Service also analyzed the status of the company as an insurance company. The Service

looked to Treasury Regulations issued in 1960 and last amended in 1972, as well as to the statutory definition of an insurance company and to the case law. The question to resolve in determining a company’s status as an insurance company is whether “the character of all of the business actually done by [the company] . . . indicate[s] whether [the company] uses its capital and efforts primarily in investing rather than primarily in the insurance business.” The Notice concluded that “[t]he Service will scrutinize these arrangements and will apply the PFIC rules where it determines that [a company] is not an insurance company for federal tax purposes.”

Proposed regulations on the insurance exception under the PFIC rules published on April 24, 2015, provide that “the term insurance business means the business of issuing insurance and annuity contracts and the reinsuring of risks underwritten by insurance companies, together with those investment activities and administrative services that are required to support or are substantially related to insurance and annuity contracts issued or reinsured by the foreign corporation.” The proposed regulations provide that an investment activity is an activity producing foreign personal holding company income, and that is “required to support or [is] substantially related to insurance and annuity contracts issued or reinsured by the foreign corporation to the extent that income from the activities is earned from assets held by the foreign corporation to meet obligations under the contracts.”

The preamble to the proposed regulations specifically requests comments on the proposed regulations “with regard to how to determine the portion of a foreign insurance company’s assets that are held to meet obligations under insurance contracts issued or reinsured by the company,” for example, if the assets “do not exceed a specified percentage of the corporation’s total insurance liabilities for the year.”

#### REASONS FOR CHANGE

The establishment of offshore businesses that reinsure risks and that invest in U.S. hedge funds has been characterized as creating the potential for tax avoidance. In these arrangements, a hedge fund or hedge fund investors make a capital investment in an offshore reinsurance company. The offshore reinsurance company then reinvests that capital (as well as premiums it receives) as reserves in the hedge fund. Because the capital may be held largely or completely in one investment (the hedge fund), an insurance regulator may require a higher level of reserves to compensate for the lack of diversification. This can magnify the effect of holding a high level of reserves relative to a low level of insurance liabilities.

The owners of the offshore reinsurance company take the position that the reinsurance company is not a PFIC, and that investors in it are not taxed on its earnings until those earnings are distributed or the investors sell the reinsurance company stock at a gain reflecting those earnings. U.S. PFIC rules designed to prevent tax deferral through offshore corporations provide an exception for income derived in the active conduct of an insurance business. What it takes to qualify under this exception as an insurance business, including how much insurance or reinsurance business the company must do to qualify under the exception, may not be completely clear.

The hedge fund reinsurance arrangement is said to provide indefinite deferral of U.S. taxation of the hedge fund’s investment

earnings, such as interest and dividends. At the time the taxpayer chooses to liquidate the investment, ordinary investment earnings are said to be converted to capital gains, which are subject to a lower rate of tax. The use of offshore reinsurance companies allows large-scale investments that are said to be consistent with capital and reserve requirements applicable to the insurance and reinsurance business.

Media attention to hedge fund reinsurance has described the practice as dating from an arrangement set up in 1999. In recent years, the practice has grown, giving rise to a serious income mismeasurement problem. The “Offshore Reinsurance Tax Fairness Act” seeks to prevent this income mismeasurement by modifying the definition of an insurance company for purposes of the PFIC rules. The “Offshore Reinsurance Tax Fairness Act” provides that objective measures of a firm’s real insurance risks compared to its assets are used to determine whether a firm is an insurance company, or is a disguise cloaking untaxed offshore income.

#### EXPLANATION OF PROVISION

##### *Applicable insurance liabilities as a percentage of total assets*

Under the provision, passive income for purposes of the PFIC rules does not include income derived in the active conduct of an insurance business by a corporation (1) that would be subject to tax under subchapter L if it were a domestic corporation; and (2) the applicable insurance liabilities of which constitute more than 25 percent of its total assets as reported on the company’s applicable financial statement for the last year ending with or within the taxable year.

For the purpose of the provision’s exception from passive income, applicable insurance liabilities means, with respect to any property and casualty or life insurance business (1) loss and loss adjustment expenses, (2) reserves (other than deficiency, contingency, or unearned premium reserves) for life and health insurance risks and life and health insurance claims with respect to contracts providing coverage for mortality or morbidity risks. This includes loss reserves for property and casualty, life, and health insurance contracts and annuity contracts. Unearned premium reserves with respect to any type of risk are not treated as applicable insurance liabilities for purposes of the provision. For purposes of the provision, the amount of any applicable insurance liability may not exceed the lesser of such amount (1) as reported to the applicable insurance regulatory body in the applicable financial statement (or, if less, the amount required by applicable law or regulation), or (2) as determined under regulations prescribed by the Secretary.

An applicable financial statement is a statement for financial reporting purposes that (1) is made on the basis of generally accepted accounting principles, (2) is made on the basis of international financial reporting standards, but only if there is no statement made on the basis of generally accepted accounting principles, or (3) except as otherwise provided by the Secretary in regulations, is the annual statement required to be filed with the applicable insurance regulatory body, but only if there is no statement made on either of the foregoing bases. Unless otherwise provided in regulations, it is intended that generally accepted accounting principles means U.S. GAAP.

The applicable insurance regulatory body means, with respect to any insurance business, the entity established by law to license, authorize, or regulate such insurance

business and to which the applicable financial statement is provided. For example, in the United States, the applicable insurance regulatory body is the State insurance regulator to which the corporation provides its annual statement.

*Election to apply alternative test in certain circumstances*

If a corporation fails to qualify solely because its applicable insurance liabilities constitute 25 percent or less of its total assets, a United States person who owns stock of the corporation may elect in such manner as the Secretary prescribes to treat the stock as stock of a qualifying insurance corporation if (1) the corporation's applicable insurance liabilities constitute at least 10 percent of its total assets, and (2) based on the applicable facts and circumstances, the corporation is predominantly engaged in an insurance business, and its failure to qualify under the 25 percent threshold is due solely to temporary circumstances involving such insurance business.

Whether the corporation's applicable insurance liabilities constitute at least 10 percent of its total assets is determined in the same manner as whether the corporation's applicable insurance liabilities constitute more than 25 percent of its total assets.

In determining whether the corporation is predominantly engaged in an insurance business, relevant facts and circumstances under this election include: the number of insurance contracts issued or taken on through reinsurance by the firm; the amount of insurance liabilities (determined as above) with respect to such contracts; the total assets of the firm (determined as above); information with respect to claims payment patterns for the current and prior years; the nature of risks underwritten and the data available on likelihood of the risk occurring (extremely low-risk but extremely high cost risks are less indicative of being engaged in an insurance business); the firm's loss exposure as calculated for a regulator such as the SEC or for a rating agency, or if those are not calculated, for internal pricing purposes; the percentage of gross receipts constituting premiums for the current and prior years; whether the firm makes substantial expenditures during the taxable year with respect to marketing or soliciting new insurance or reinsurance business; and such other facts or circumstances as the Secretary may prescribe.

Facts and circumstances that tend to show the firm may not be predominantly engaged in an insurance business include a small number of insured risks with low likelihood but large potential costs; workers focused to a greater degree on investment activities than underwriting activities; and low loss exposure. The fact that a firm has been holding itself out as an insurer for a long period is not determinative either way.

Temporary circumstances include the fact that the company is in runoff, that is, it is not taking on new insurance business (and consequently has little or no premium income), and is using its remaining assets to pay off claims with respect to pre-existing insurance risks on its books. Temporary circumstances may also include specific requirements with respect to capital and surplus relating to insurance liabilities imposed by a rating agency as a condition of obtaining a rating necessary to write new insurance business for the current year.

Temporary circumstances do not refer to starting up an insurance business; the present-law PFIC rules include a special start-up year rule under which a foreign cor-

poration that would be a PFIC under the income or assets test will not be considered a PFIC in the first year in which it has gross income if, among other requirements, the corporation is not a PFIC in either of the two following years. This start-up year exception to status as a PFIC applies broadly to all foreign corporations including those in the insurance business.

**EFFECTIVE DATE**

The provision applies to taxable years beginning after December 31, 2015.

By Mr. GRASSLEY (for himself and Ms. HEITKAMP):

S. 1697. A bill to provide an exception from certain group health plan requirements to allow small businesses to use pre-tax dollars to assist employees in the purchase of policies in the individual health insurance market, and for other purposes; to the Committee on Finance.

Mr. GRASSLEY. Mr. President, over the past year and half or more, many small business owners have discovered they could be subject to punitive penalties simply for helping their employees purchase health insurance. This is the result of a little understood provision in the Affordable Care Act, ACA.

Farmers, ranchers, and small business owners frequently do not have the resources to offer a traditional group health plan to their employees. However, many still want to help their employees obtain health coverage. They have frequently done this by reimbursing their employees on a pre-tax basis for the cost of health insurance the employee purchases on the individual market.

However, as a result of so-called market reforms in the ACA, small business owners who want to help their employees purchase insurance on the individual market could be subject to a \$100 a day per employee penalty.

This fails to meet the common sense test. These businesses have no obligation under the ACA to offer any form of insurance. However, they would like to do what they can to help their employees obtain coverage. This is a practice that should be commended, not penalized.

I have had a number of farmers, small business owners, and accountants reach out to me over the past year explaining how this penalty has the potential to be devastating. Just as examples, I want to read excerpts from a couple emails I have received from Iowans.

The first is from a constituent who is a dentist in Sioux City, IA:

Help! . . . I am a small business owner—7 employees. I have been helping to subsidize my employee's health insurance for 20 years. I just found out that the Market Reforms of the ACA have made that illegal. . . . Now all of my employees will have to pay taxes on the money I gave them for Health Insurance. They all live paycheck to paycheck and won't be able to come up with the taxes on this money. They also most likely won't qualify for the exchanges and any govern-

ment subsidy. They are caught in the middle. I can't subsidize their Health Insurance because I risk a \$100/day/employee penalty . . . Please hurry and do something to help the millions of middle class small business employees who are caught between a rock and a hard place.

This next one is from an accountant in Zwingle, IA:

I recently completed two classes for CPE credit for my CPA license. These classes covered the Affordable Care Act and the presenters were adamant that we contact our senators and representatives on behalf of small businesses. I do have a client that this affects that could potentially be put out of business.

Businesses that have section 105 plans or that provide additional salary to employees for the employees to purchase health insurance privately or through the government marketplace can be fined \$100 per day per employee. That is \$36,500 per employee per year!

I'm trying to help my client to figure out how to stop the payments to the employees and not be destroyed by the potential fines. This could be absolutely devastating.

No doubt, there are countless other small business owners who have similarly been caught off guard. In fact, due to widespread confusion, the IRS granted penalty relief earlier this year. However, this penalty relief runs out at the end of this month. Legislation is necessary to eliminate this unfair and potentially devastating penalty once and for all.

Toward this end, I have been working with Senator HEITKAMP, along with Representatives CHARLES BOUSTANY and MIKE THOMPSON in the House, on bipartisan, bicameral legislation. Today, we are pleased to introduce this legislation.

This common sense legislation will permit small businesses to continue offering a benefit to their employees that many have provided for years—namely reimbursing their employees for the cost of health insurance purchased on the individual market.

According to the National Federation of Independent Business, around 18 percent of small businesses last year reimbursed employees or provided other financial support to workers who bought individual insurance plans. Many others responded that they would be interested in such an option. Our legislation ensures this option is, and continues to be, available by eliminating the potential for devastating penalties.

This legislation should be a no brainer for anyone who supports small business. I hope that my colleagues on both sides of the aisle will join in this effort.

By Mr. TILLIS (for himself, Mr. CARPER, Mr. BURR, Mr. KAINE, and Mr. WARNER):

S. 1698. A bill to exclude payments from State eugenics compensation programs from consideration in determining eligibility for, or the amount of, Federal public benefits; read the first time.

Mr. TILLIS. Mr. President, I am introducing the Treatment of Certain Payments in Eugenics Compensation Act, which would exclude payments from State eugenics compensation programs from consideration in determining eligibility for, or the amount of, Federal public benefits. My colleagues, Senator RICHARD BURR, Senator TOM CARPER, Senator TIM KAINE, and Senator MARK WARNER have agreed to cosponsor the bill. In addition, Congressman PATRICK MCHENRY will introduce a companion bill in the House of Representatives.

A dark chapter in American history, eugenics and compulsory sterilization laws were implemented in the first decades of the 20th century by more than 30 States, leading to the forced sterilization of more than 60,000 disabled citizens. Only California and Virginia sterilized more citizens than North Carolina under these laws, though North Carolina was considered as having the most aggressive State-run program.

In 2013, North Carolina became the first State in the country to enact legislation to compensate living victims of these forced-sterilization laws. Most of the victims of the State-run eugenics program were poor and disadvantaged individuals and many remain so to this day. Therefore, concerns have been raised in both States that the compensation provided to the victims could unintentionally render them ineligible under Federal law to continue receiving Federal benefits that are subject to income thresholds. The bill introduced today would specifically exclude all payments from any State eugenics compensation program from being used in determining eligibility for, or the amount of, any public benefits from the Federal government.

The implementation of State-run eugenics and sterilization programs represent a dark and shameful chapter in our Nation's history. While North Carolina and Virginia have recently created State compensation programs to help victims recover from horrible wrongs that have been perpetrated against them in the past, Federal laws can unintentionally punish victims who receive eugenics compensation by preventing them from receiving Federal benefits. This bipartisan legislation will ensure that will not happen.

I wish to offer a special, much deserved thank you to my friend and former colleague, North Carolina State representative Larry Womble, who has provided extraordinary leadership in the decades-long fight for justice for the living victims of North Carolina's eugenics program.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 1699. A bill to designate certain land administered by the Bureau of Land Management and the Forest

Service in the State of Oregon as wilderness and national recreation areas and to make additional wild and scenic river designations in the State of Oregon, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. WYDEN. Mr. President, today I am introducing the Oregon Wildlands Act to designate hundreds of miles of Oregon Rivers as Wild and Scenic, to protect thousands of acres of beautiful Oregon lands as National Recreation Areas, and to expand Wilderness for some of Oregon's most treasured areas.

Oregon is a unique State and Oregonians take pride in the many natural treasures throughout our diverse landscape. From the Oregon Coast to the high desert of Eastern Oregon, our State boasts some of the most beautiful scenery, varied ecosystems, and unmatched outdoor recreation opportunities in the nation. Protecting these lands and rivers ensures that they will be treasured for generations to come. Oregon's rivers and landscapes are also home to threatened and endangered species, old-growth trees, and delicate ecosystems that deserve the highest protections.

Enjoying the outdoors is in Oregonians' DNA—across the State, opportunities to get outside and enjoy Oregon's treasures bring in visitors from all over the world and make residents proud to call Oregon home. Protecting the lands and waters that support recreation is also an investment in our rural economies. In Oregon alone, the tourism industry employed more than 100,000 Oregonians during 2014 and generated \$10.3 billion for the State's economy. Nationwide, outdoor recreation supports a \$646 billion industry. Ensuring that visitors have pristine rivers to fish and float on, wilderness areas to hike in, and recreation areas to explore is a guaranteed way to make certain that visitors will return year after year.

All told, the bill designates approximately 118,000 acres of Recreation Areas, approximately 250 miles of Wild and Scenic Rivers, and over 86,600 acres of Wilderness. Each area offers significant opportunities for recreation and ecosystem protections.

The protections in this bill highlight some of Oregon's most environmentally significant areas, such as Devil's Staircase near the Oregon Coast. Devil's Staircase is the epitome of Wilderness in Oregon—it is rugged, pristine, and remote, with hikers following elk and deer trails to navigate the rugged terrain. My bill would protect approximately 30,540 acres as wilderness and 14.6 miles of Wasson Creek and Franklin Creek, which run through the Devil's Staircase area as Wild and Scenic Rivers. Devil's Staircase is home to the most remarkable old-growth forest on Oregon's Coast Range, where giant Douglas-fir, cedar, and

hemlock support threatened and endangered species habitat, such as marbled murrelets and Northern Spotted Owls.

My proposal would expand the Wild Rogue Wilderness by approximately 56,100 acres and include an additional 125 miles to the incomparable Wild and Scenic Rogue River. The Rogue is world-renowned as a premier recreation destination for rafting and fishing, with its free flowing waters starting at Oregon's Crater Lake National Park and emptying into the Pacific Ocean. Along the way, the Rogue River flows through a diverse landscape and its cold waters are the perfect habitat for salmon—the river is home to runs of Coho, spring and fall Chinook, and winter and summer Steelhead. By protecting the Rogue River and its tributaries we are protecting the fish and wildlife that depend on clean, healthy water. Additionally, the Wilderness expansion would protect the habitat for bald eagles, osprey, spotted owls, bear, elk, and cougars.

In addition, my proposal designates approximately 35.2 miles of the Elk River and 21.3 miles of the Molalla River as a new recreational, scenic, and wild rivers, and withdraws 19 miles of the Chetco River, one of the most endangered rivers in the country, from mineral development. By protecting hundreds of miles of Wild and Scenic Rivers, as well as the lands that surround those rivers, my proposal ensures that important wildlife habitat can thrive, that Oregon's treasured recreation destinations remain scenic and pristine, and that Oregonians continue to have clean sources of drinking water.

I am pleased to be joined on this bill by my colleague from Oregon Senator JEFF MERKLEY who has worked closely with me over the years to protect Oregon's natural treasures.

#### SUBMITTED RESOLUTIONS

SENATE RESOLUTION 214—COMMEMORATING THE 85TH ANNIVERSARY OF THE DAUGHTERS OF PENELOPE, A PREEMINENT INTERNATIONAL WOMEN'S ASSOCIATION AND AN AFFILIATE ORGANIZATION OF THE AMERICAN HELLENIC EDUCATIONAL PROGRESSIVE ASSOCIATION

Mrs. FEINSTEIN submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 214

Whereas the Daughters of Penelope is a leading international organization of women of Hellenic descent and of Philhellenes, that was founded on November 16, 1929 in San Francisco, California, to improve the status and well-being of women and their families and to provide women the opportunity to make significant contributions to their communities and country;

Whereas the mission of the Daughters of Penelope is to promote philanthropy, education, civic responsibility, good citizenship, family and individual excellence, and the ideals of ancient Greece, through community service and volunteerism;

Whereas Daughters of Penelope chapters sponsor affordable and dignified housing to the senior citizen population of the United States by participating in the supportive housing for the elderly program established under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q);

Whereas Penelope House, a domestic violence shelter for women and their children sponsored by the Daughters of Penelope in Mobile, Alabama, is the first of its kind in the State of Alabama and is recognized as a model shelter for others to emulate throughout the United States;

Whereas the Daughters of Penelope also sponsors Penelope's Place, a domestic violence shelter in Brockton, Massachusetts;

Whereas the Daughters of Penelope Foundation, Inc. supports the educational objectives of the Daughters of Penelope by providing tens of thousands of dollars annually for scholarships, sponsoring educational seminars, and donating children's books to libraries, schools, shelters, and churches through the Penelope's Books program;

Whereas the Daughters of Penelope is the first ethnic organization to submit to the Library of Congress oral history tapes, which provide an oral history of first generation Greek American women in the United States;

Whereas the Daughters of Penelope promotes awareness of and provides financial support to charitable organizations, including the University of Miami Sylvester Comprehensive Cancer Center (formerly the Papanicolaou Cancer Center), the Alzheimer's Foundation, and the American Heart Association;

Whereas the Daughters of Penelope also promotes awareness of and provides financial support to medical research for breast cancer and other cancers, Thalassemia (also known as Cooley's Anemia), Lymphangioleiomyomatosis, and Muscular Dystrophy;

Whereas the Daughters of Penelope provides support and financial assistance to victims and communities affected by natural disasters such as hurricanes, earthquakes, and forest fires; and

Whereas the Daughters of Penelope has supported and contributed to organizations such as the Special Olympics, the Barbara Bush Foundation for Literacy, the Children's Wish Foundation, UNICEF, Habitat for Humanity, St. Basil Academy, and countless other organizations that help families and communities: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the significant contributions of American citizens of Greek ancestry and of Philhellenes to the United States; and

(2) commemorates the 85th anniversary of the Daughters of Penelope in 2015, applauds its mission, and commends the many charitable contributions of its members to organizations and communities worldwide.

# SENATE RESOLUTION 215—DESIGNATING THE MONTH OF JUNE 2015 AS “NATIONAL POST-TRAUMATIC STRESS DISORDER AWARENESS MONTH” AND JUNE 27, 2015, AS “NATIONAL POST-TRAUMATIC STRESS DISORDER AWARENESS DAY”

Ms. HEITKAMP (for herself, Mr. HELLER, Mr. BLUMENTHAL, Mr. INHOFE, Mrs. MURRAY, Mr. TILLIS, Mr. DURBIN, Mr. MORAN, Ms. STABENOW, Mr. THUNE, Mr. HOEVEN, Mr. GRASSLEY, Ms. BALDWIN, Mr. BOOKER, Mr. BROWN, Mr. WARNER, Mr. DONNELLY, Mr. CRAPO, Mr. FRANKEN, Mr. ROBERTS, Mr. TESTER, Ms. HIRONO, and Ms. COLLINS) submitted the following resolution; which was considered and agreed to:

S. RES. 215

Whereas the brave men and women of the Armed Forces of the United States, who proudly serve the United States, risk their lives to protect the freedom of the people of the United States, and deserve the investment of every possible resource to ensure their lasting physical, mental, and emotional well-being;

Whereas more than 2,000,000 members of the Armed Forces have deployed overseas since the events of September 11, 2001, and have served in places such as Afghanistan and Iraq;

Whereas the Armed Forces of the United States have sustained a historically high operational tempo since September 11, 2001, with many members of the Armed Forces deploying overseas multiple times, placing those members at high risk of post-traumatic stress disorder (referred to in this preamble as “PTSD”);

Whereas men and women of the Armed Forces and veterans who served before September 11, 2001, remain at risk for PTSD and other mental health disorders;

Whereas the Secretary of Veterans Affairs reports that—

(1) since October 2001, more than 390,000 of the approximately 1,160,000 veterans of Operation Enduring Freedom, Operation Iraqi Freedom, and Operation New Dawn who have received health care from the Department of Veterans Affairs have been diagnosed with PTSD;

(2) in fiscal year 2014, more than 531,000 of the nearly 6,000,000 veterans who sought care at a medical facility of the Department of Veterans Affairs received treatment for PTSD; and

(3) of veterans who served in Operation Enduring Freedom, Operation Iraqi Freedom, and Operation New Dawn who are receiving health care from the Department of Veterans Affairs, more than 615,000 have received a diagnosis for at least 1 mental health disorder;

Whereas many cases of PTSD remain unreported, undiagnosed, and untreated due to a lack of awareness about PTSD and the persistent stigma associated with mental health conditions;

Whereas exposure to military trauma can lead to PTSD;

Whereas PTSD significantly increases the risk of anxiety, depression, suicide, homelessness, and drug- and alcohol-related disorders and deaths, especially if left untreated;

Whereas public perceptions of PTSD or other mental health disorders create unique challenges for veterans seeking employment;

Whereas the Department of Defense and the Department of Veterans Affairs—as well

as the larger medical community, both private and public—have made significant advances in the identification, prevention, diagnosis, and treatment of PTSD and the symptoms of PTSD, but many challenges remain;

Whereas increased understanding of PTSD can help diminish the stigma attached to this mental health issue, and additional efforts are needed to find further ways to reduce this stigma—including an examination of how PTSD is discussed in the United States and a recognition that PTSD is a common injury that is treatable and repairable;

Whereas PTSD can result from any number of stressors other than combat, including rape, sexual assault, battery, torture, confinement, child abuse, car accidents, train wrecks, plane crashes, bombings, or natural disaster, and affects approximately 8,000,000 adults in the United States annually; and

Whereas the designation of a National Post-Traumatic Stress Disorder Awareness Month and a National Post-Traumatic Stress Disorder Day will raise public awareness about issues related to PTSD, reduce the stigma associated with PTSD, and help ensure that those suffering from the invisible wounds of war receive proper treatment: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates June 2015 as “National Post-Traumatic Stress Disorder Awareness Month” and June 27, 2015 as “National Post-Traumatic Stress Disorder Awareness Day”;

(2) supports the efforts of the Secretary of Veterans Affairs and the Secretary of Defense—as well as the entire medical community—to educate members of the Armed Forces, veterans, the families of members of the Armed Forces and veterans, and the public about the causes, symptoms, and treatment of PTSD;

(3) encourages commanders of the Armed Forces to support appropriate treatment of men and women of the Armed Forces who are diagnosed with PTSD; and

(4) respectfully requests that the Secretary of the Senate transmit a copy of this resolution to the Secretary of Veterans Affairs and the Secretary of Defense.

# SENATE RESOLUTION 216—RECOGNIZING THE MONTH OF JUNE 2015 AS “IMMIGRANT HERITAGE MONTH”, A CELEBRATION OF THE ACCOMPLISHMENTS AND CONTRIBUTIONS IMMIGRANTS AND THEIR CHILDREN HAVE MADE IN SHAPING THE HISTORY, STRENGTHENING THE ECONOMY, AND ENRICHING THE CULTURE OF THE UNITED STATES

Mrs. FEINSTEIN submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 216

Whereas the United States has always been a nation of immigrants and throughout the history of the United States immigrants from around the globe and their children have—

(1) kept the workforce of the United States vibrant;

(2) kept the businesses of the United States on the cutting edge; and

(3) helped build the greatest economic engine in the world;

Whereas the entrepreneurial drive and spirit of the United States—



(1) is built on the diversity of the origins of the people of the United States;

(2) drew the first immigrants to the United States; and

(3) continues to drive business in the United States;

Whereas the success of the United States is a result of the many distinct experiences of the people of the United States, not in spite of those distinct experiences;

Whereas as a nation of immigrants, the people of the United States must remember the generations of pioneers that helped—

(1) lay railroads and build cities;

(2) develop new industries; and

(3) fuel the Information Age, from the telegraph to the smartphone;

Whereas more than 70 percent of agricultural workers in the United States are foreign born, and these workers keep California and farms in the United States in business and feed families in the United States;

Whereas immigrants start more than one-fourth of all new businesses in the United States and immigrants or their children start more than 40 percent of Fortune 500 companies;

Whereas those businesses collectively employ tens of millions of people in the United States and generate more than \$4,500,000,000,000 in annual revenue;

Whereas immigrants to the United States contribute greatly to advances in technology and sciences;

Whereas, as of the date of introduction of this resolution, 14 percent of employed college graduates and 50 percent of individuals with doctorate degrees working in mathematics and computer science occupations in the United States are immigrants;

Whereas between 2006 and 2012, 44 percent of new technology start-ups in Silicon Valley (widely known as the international hub for technological development and innovation) had at least 1 immigrant founder;

Whereas the work of immigrants has directly enriched the culture of the United States by influencing the performing arts (from Broadway to Hollywood), academia, art, music, literature, media, fashion, cuisine, customs, and cultural celebrations enjoyed across the United States;

Whereas generations of immigrants have come to the shores of the United States from all corners of the globe;

Whereas immigrants fought tirelessly in the Revolutionary War and continue to defend the ideals of the United States;

Whereas as of June 2015, more than 30,000 lawful permanent residents are serving in the United States Armed Forces;

Whereas between 2002 and 2015, more than 102,000 men and women, including individuals serving in Iraq, Afghanistan, South Korea, Germany, Japan, and elsewhere, have become United States citizens while wearing the uniform of the United States military;

Whereas Congress represents a rich diversity of communities across the United States and works closely with diaspora leaders from more than 60 ethnic caucuses to ensure that the voices of people of the United States of all backgrounds are heard; and

Whereas the United States was founded on the universal promise that all people are created equal: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes June 2015 as “Immigrant Heritage Month” in honor of the accomplishments and contributions of immigrants and their children in shaping the history and culture of the United States;

(2) pledges to celebrate immigrant contributions to, and immigrant heritage in, each State; and

(3) encourages the people of the United States to commemorate the history of immigrants in the United States and to always remember the immigrant roots of the United States.

Mrs. FEINSTEIN. Mr. President, I rise to submit a resolution on Immigrant Heritage Month, which is recognized every June. This resolution honors the accomplishments and contributions of immigrants, pledges to celebrate our immigrant heritage, and joins the American people in commemorating our immigrant roots.

Since our founding, the United States has been a nation of immigrants. Immigrants from all over the world have sought to start anew in the United States. Whether they were seeking to practice their religious and political beliefs without interference or obtain new professional or educational opportunities, the United States has been a refuge for those seeking a better life.

We have benefited tremendously as a result. Immigrants have played a vital role in our Nation’s history, shaping the economic, cultural, and social development of our society. Immigrants have helped build our nation’s cities and railroads, developed some of our most cutting-edge businesses, and fueled inventions from the telegraph to the smartphone.

Individuals and families from Europe, Asia, Africa, Australia, and the Americas have all contributed to our Nation’s fabric, enhancing the diversity and vibrancy of our communities and forming the melting pot for which our country is known.

In addition, immigrants have defended our Nation since the Revolutionary War. As of this month, over 30,000 lawful permanent residents are currently serving in the United States Armed Forces. I imagine many more immigrants would join as well if they were afforded the opportunity. Between 2002 and 2015, more than 102,000 immigrants have become U.S. citizens while serving in the U.S. Military in Iraq, Afghanistan, Germany, Japan, and elsewhere.

Our Nation’s food supply also depends upon the work of immigrants. Over 70 percent of agricultural workers in the U.S. are foreign born. These workers help feed American families and support U.S. farms and businesses. Without their help, we would struggle to harvest our Nation’s crops and feed our people.

Immigrants also have made impressive contributions in business and technology. Immigrants or children-of-immigrants have started more than 25 percent of all new businesses in the U.S., including more than 40 percent of Fortune 500 companies. These businesses have created tens of millions of American jobs, and they exceed over \$4.5 trillion in revenue annually. In Silicon Valley, over 44 percent of tech-

nology startups had at least one immigrant founder between 2006 and 2012.

One of our country’s greatest exports, our culture, has been enhanced by immigrants from all corners of the globe. From Broadway to Hollywood, our country’s unique contributions in the performing arts, art, music, literature, media, fashion, and cuisine have been shaped by immigrants.

I urge my colleagues to join me in observing Immigrant Heritage Month to recognize the contributions of immigrants to the United States, as well as our nation’s strong immigrant heritage.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 2077. Mr. MCCONNELL (for Ms. MURKOWSKI) proposed an amendment to the bill S. 230, to provide for the conveyance of certain property to the Yukon Kuskokwim Health Corporation located in Bethel, Alaska.

## TEXT OF AMENDMENTS

SA 2077. Mr. MCCONNELL (for Ms. MURKOWSKI) proposed an amendment to the bill S. 230, to provide for the conveyance of certain property to the Yukon Kuskokwim Health Corporation located in Bethel, Alaska; as follows:

Strike all after the enacting clause and insert the following:

### SECTION 1. CONVEYANCE OF PROPERTY.

(a) IN GENERAL.—As soon as practicable, but not later than 180 days, after the date of enactment of this Act, the Secretary of Health and Human Services (referred to in this Act as the “Secretary”) shall convey to the Yukon Kuskokwim Health Corporation located in Bethel, Alaska (referred to in this Act as the “Corporation”), all right, title, and interest of the United States in and to the property described in section 2 for use in connection with health and social services programs.

(b) EFFECT ON ANY QUITCLAIM DEED.—The conveyance by the Secretary of title by warranty deed under this section shall, on the effective date of the conveyance, supersede and render of no future effect any quitclaim deed to the property described in section 2 executed by the Secretary and the Corporation.

(c) CONDITIONS.—The conveyance of the property under this Act—

(1) shall be made by warranty deed; and

(2) shall not—

(A) require any consideration from the Corporation for the property;

(B) impose any obligation, term, or condition on the Corporation; or

(C) allow for any reversionary interest of the United States in the property.

### SEC. 2. PROPERTY DESCRIBED.

The property, including all land and appurtenances, described in this section is the property included in U.S. Survey No. 4000, Lot 2, T. 8 N., R. 71 W., Seward Meridian, containing 22.98 acres.

### SEC. 3. ENVIRONMENTAL LIABILITY.

(a) LIABILITY.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Corporation shall not be liable for any soil, surface water,



groundwater, or other contamination resulting from the disposal, release, or presence of any environmental contamination on any portion of the property described in section 2 on or before the date on which the property is conveyed to the Corporation.

(2) ENVIRONMENTAL CONTAMINATION.—An environmental contamination described in paragraph (1) includes any oil or petroleum products, hazardous substances, hazardous materials, hazardous waste, pollutants, toxic substances, solid waste, or any other environmental contamination or hazard as defined in any Federal or State of Alaska law.

(b) EASEMENT.—The Secretary shall be accorded any easement or access to the property conveyed under this Act as may be reasonably necessary to satisfy any retained obligation or liability of the Secretary.

(c) NOTICE OF HAZARDOUS SUBSTANCE ACTIVITY AND WARRANTY.—In carrying out this Act, the Secretary shall comply with subparagraphs (A) and (B) of section 120(h)(3) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)(3)).

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on June 25, 2015, at 10 a.m., in room SD-G50 of the Dirksen Senate Office Building, to conduct a hearing entitled “Country of Origin Labeling and Trade Retaliation: What’s at stake for America’s Farmers, Ranchers, Businesses, and Consumers.”

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on June 25, 2015, at 10:30 a.m., in room SR-253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON FINANCE

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on June 25, 2015, at 10 a.m., in room SD-215 of the Dirksen Senate Office Building, to conduct a hearing entitled “Unlocking the Private Sector: State Innovations in Financing Infrastructure.”

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON FOREIGN RELATIONS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 25, 2015, at 10 a.m., to conduct a hearing entitled “Evaluating

Key Components of a Joint Comprehensive Plan of Action with Iran.”

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on June 25, 2015, at 9:30 a.m., to conduct a hearing entitled “Under Attack: Federal Cybersecurity and the OPM Data Breach.”

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON THE JUDICIARY

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on June 25, 2015, at 9:45 a.m., in room SD-226 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on June 25, 2015, at 9:30 a.m., in SR-428A of the Russell Senate Office Building to conduct a hearing entitled “Opening Doors to Economic Opportunity for Our Veterans and Their Families Through Entrepreneurship.”

The PRESIDING OFFICER. Without objection, it is so ordered.

##### SELECT COMMITTEE ON INTELLIGENCE

Mr. CORNYN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 25, 2015, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### SUBCOMMITTEE ON NATIONAL SECURITY AND INTERNATIONAL TRADE AND FINANCE

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs Subcommittee on National Security and International Trade and Finance be authorized to meet during the session of the Senate on June 25, 2015, at 1:30 p.m., to conduct a hearing entitled “Economic Crisis: The Global Impact of a Greek Default.”

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PRIVILEGES OF THE FLOOR

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the following interns in my office be granted the privilege of the floor for the remainder of the day: Jenna Dreydoppel, Tasha Boyer, Denae Benson, Claire

Landis, Holly O’Brien, Kelsey Colligan, Jasper MacNaughton, Justin Dahlgren, Grant Ackerman, Anthony Lekanof, Anna Dietderich, and Tavish Logan.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I ask unanimous consent that Valerie Williams, a fellow in Senator PATTY MURRAY’s office, be granted floor privileges for the remainder of this Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### BOYS TOWN CENTENNIAL COMMEMORATIVE COIN ACT

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 893, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (H.R. 893) to require the Secretary of the Treasury to mint coins in commemoration of the centennial of Boys Town, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 893) was ordered to a third reading, was read the third time, and passed.

#### TO PROVIDE FOR THE CONVEYANCE OF CERTAIN PROPERTY TO THE YUKON KUSKOKWIM HEALTH CORPORATION

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 78, S. 230.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 230) to provide for the conveyance of certain property to the Yukon Kuskokwim Health Corporation located in Bethel, Alaska.

There being no objection, the Senate proceeded to consider the bill.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Murkowski amendment be agreed to, the bill, as amended, be read a third time and passed, and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2077) was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

**SECTION 1. CONVEYANCE OF PROPERTY.**

(a) IN GENERAL.—As soon as practicable, but not later than 180 days, after the date of enactment of this Act, the Secretary of Health and Human Services (referred to in this Act as the “Secretary”) shall convey to the Yukon Kuskokwim Health Corporation located in Bethel, Alaska (referred to in this Act as the “Corporation”), all right, title, and interest of the United States in and to the property described in section 2 for use in connection with health and social services programs.

(b) EFFECT ON ANY QUITCLAIM DEED.—The conveyance by the Secretary of title by warranty deed under this section shall, on the effective date of the conveyance, supersede and render of no future effect any quitclaim deed to the property described in section 2 executed by the Secretary and the Corporation.

(c) CONDITIONS.—The conveyance of the property under this Act—

- (1) shall be made by warranty deed; and
- (2) shall not—

(A) require any consideration from the Corporation for the property;

(B) impose any obligation, term, or condition on the Corporation; or

(C) allow for any reversionary interest of the United States in the property.

**SEC. 2. PROPERTY DESCRIBED.**

The property, including all land and appurtenances, described in this section is the property included in U.S. Survey No. 4000, Lot 2, T. 8 N., R. 71 W., Seward Meridian, containing 22.98 acres.

**SEC. 3. ENVIRONMENTAL LIABILITY.**

(a) LIABILITY.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Corporation shall not be liable for any soil, surface water, groundwater, or other contamination resulting from the disposal, release, or presence of any environmental contamination on any portion of the property described in section 2 on or before the date on which the property is conveyed to the Corporation.

(2) ENVIRONMENTAL CONTAMINATION.—An environmental contamination described in paragraph (1) includes any oil or petroleum products, hazardous substances, hazardous materials, hazardous waste, pollutants, toxic substances, solid waste, or any other environmental contamination or hazard as defined in any Federal or State of Alaska law.

(b) EASEMENT.—The Secretary shall be accorded any easement or access to the property conveyed under this Act as may be reasonably necessary to satisfy any retained obligation or liability of the Secretary.

(c) NOTICE OF HAZARDOUS SUBSTANCE ACTIVITY AND WARRANTY.—In carrying out this Act, the Secretary shall comply with subparagraphs (A) and (B) of section 120(h)(3) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)(3)).

The bill (S. 230), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

# NATIONAL POST-TRAUMATIC STRESS DISORDER AWARENESS MONTH AND NATIONAL POST- TRAUMATIC STRESS DISORDER AWARENESS DAY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 215, submitted earlier today.

The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 215) designating the month of June 2015 as “National Post-Traumatic Stress Disorder Awareness Month” and June 27, 2015, as “National Post-Traumatic Stress Disorder Awareness Day.”

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 215) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

## MEASURE READ THE FIRST TIME—S. 1698

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The bill clerk read as follows:

A bill (S. 1698) to exclude payments from State eugenics compensation programs from consideration in determining eligibility for, or the amount of, Federal public benefits.

Mr. MCCONNELL. I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

## SIGNING AUTHORITY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that for the upcoming adjournment of the Senate, the junior Senator from Arkansas be au-

thorized to sign duly enrolled bills or joint resolutions.

The PRESIDING OFFICER. Without objection, it is so ordered.

## APPOINTMENTS AUTHORITY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding the upcoming adjournment of the Senate, the President of the Senate, the President pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences or interparliamentary conferences authorized by law, by concurrent action of the two Houses or by order of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

## ORDERS FOR FRIDAY, JUNE 26, 2015, THROUGH TUESDAY, JULY 7, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the following dates and times to convene for pro forma session only, with no business being conducted; further, that following each pro forma session, the Senate adjourn until the next pro forma session, unless the House adopts the provisions of S. Con. Res. 19: Friday, June 26, at 10 a.m.; Tuesday, June 30, at 2 p.m.; Friday, July 3, at 10 a.m.; further, that the Senate adjourn on July 3, until 2:30 p.m., Tuesday, July 7; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate proceed to the consideration of S. 1177, as under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

## CONDITIONAL ADJOURNMENT UNTIL FRIDAY, JUNE 26, 2015, AT 10 A.M.

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 2:51 p.m., conditionally adjourned until Friday, June 26, 2015, at 10 a.m.

## HOUSE OF REPRESENTATIVES—Thursday, June 25, 2015

The House met at 9 a.m. and was called to order by the Speaker.

### PRAYER

Pastor Randy Bezet, Bayside Community Church, Bradenton, Florida, offered the following prayer:

Lord God, we humbly come before You today, and we thank You for Your love and Your Grace and Your peace that is made available to us all.

God, we ask for Your divine wisdom and guidance here today, for You and You alone know the future and the things that are to come. We ask that You would lead us in the decisions we are a part of and that You would give us boldness to honor You.

Would You empower every man and woman in this room to use the life You have given them for good? Let us be leaders who follow Your example, leaders who love sacrificially, give selflessly, and serve graciously. May we all do our best to impact this incredible Nation of ours for the better.

We ask Your blessing on this House and on our United States of America.

In the name of Jesus, we pray.  
Amen.

### THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from Washington (Mrs. McMORRIS RODGERS) come forward and lead the House in the Pledge of Allegiance.

Mrs. McMORRIS RODGERS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### WELCOMING PASTOR RANDY BEZET

The SPEAKER. Without objection, the gentleman from Florida (Mr. BUCHANAN) is recognized for 1 minute.

There was no objection.

Mr. BUCHANAN. Mr. Speaker, it is an honor for me to welcome to the United States Capitol a tremendous community and spiritual leader, Pastor Randy Bezet, who led us in the opening prayer this morning.

Pastor Bezet is the senior and founding pastor of Bayside Community Church, which has several campuses located throughout my district. His church has been at the forefront of strengthening, encouraging, and serving the people of Sarasota and Bradenton, Florida. The pastor is an inspirational leader who mentors young pastors who are also passionate about revitalizing and restoring local churches in their communities.

I applaud the work and service the pastor and his church do in southwest Florida. It is a great honor and a privilege for me to welcome the pastor before Congress today.

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON). The Chair will entertain up to five further requests for 1-minute speeches on each side of the aisle.

### HAPPY 104TH BIRTHDAY, EDNA YODER

(Mr. YODER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YODER. Mr. Speaker, I rise today for a very special occasion, to wish my grandmother, Edna Yoder, a happy 104th birthday. That is right. She is 104 years of age. The Lord has blessed my grandmother with great health and longevity, and I cannot be more thankful for her or proud of my grandmother on her birthday this upcoming Sunday.

She is a true example of what has made America such a strong and vibrant nation. Born in 1911 and one of 14 children, she worked tirelessly on the farm, milking cows at dawn and bringing in the wheat harvest in the hot Kansas sun.

She has seen hard times, and she has seen good times over the past 104 years with a front seat to the great American century, but through it all, her faith in God and love of family define her life. She is a sweet, caring, and loving woman who continues to inspire me each and every day in so many ways.

Today, Grandma, on behalf of the United States House of Representatives, I wish you a very happy 104th birthday.

### LAND AND WATER CONSERVATION FUND

(Ms. TSONGAS asked and was given permission to address the House for 1 minute.)

Ms. TSONGAS. Mr. Speaker, I rise in strong support of the Land and Water Conservation Fund, which is set to expire in less than 100 days, unless Congress takes action.

We have a generational responsibility to protect our Nation's remaining natural wilderness areas for our children and grandchildren. For over 50 years, the Land and Water Conservation Fund has been an instrumental tool in this effort, and it has been used in almost every single county in the United States.

LWCF protects and expands access to recreational areas and preserves our treasured natural and historic landscapes. It does not cost taxpayer money or contribute to the Federal deficit. In fact, according to a recent economic analysis, every dollar invested in the conservation of public lands through the LWCF leads to \$4 in economic activity to local communities.

I urge my colleagues to join me in supporting the permanent reauthorization of the LWCF, ensuring that it remains one of our Nation's most successful conservation tools.

### BRINGING HEALTH CARE INTO THE 21ST CENTURY

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, it is time to personalize and modernize our healthcare system and bring it into the 21st century.

We have an opportunity through the 21st Century Cures Act to pass bipartisan reforms that will accelerate the discovery, development, deployment, and delivery of lifesaving and life-improving techniques and cures.

The 21st Century Cures Act is the result of bipartisan work to ensure that our regulatory system keeps pace with the advances we are seeing in our science and technology fields. 21st Century Cures will make a difference in people's lives.

For the 10,000 known diseases, there are only 500 FDA-approved treatments. By removing barriers to research and development, by modernizing clinical trials, and by incorporating more patient perspectives, we can more effectively develop treatments and cures to

fight cancer, Alzheimer's, and other diseases that affect millions of Americans.

Mr. Speaker, in the coming weeks, we will have the opportunity to help bring the newest, cutting-edge medical technology to the people who need it the most.

#### REAUTHORIZE THE EXPORT-IMPORT BANK

(Mrs. LAWRENCE asked and was given permission to address the House for 1 minute.)

Mrs. LAWRENCE. Mr. Speaker, I am standing here today because the clock is ticking. Today is the last legislative day to prevent the shutdown of the Export-Import Bank and avoid disaster for our economy.

I have in my hand, sir, a letter regarding dozens of businesses in my district, the 14th District of Michigan, that rely on the Ex-Im Bank. It is clear the dire consequences if Congress does not act.

In 7 years, Ex-Im has supported \$93 million in exports and nearly 600 jobs just in my district. This year alone, more than half a million dollars has been financed for businesses in the 14th District. All of this was done at no cost to our taxpayers.

To reduce the deficit, to create more jobs, to remain globally competitive, we must reauthorize the Ex-Im Bank.

#### ELSON FLOYD

(Mrs. McMORRIS RODGERS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. McMORRIS RODGERS. Mr. Speaker, I rise today in honor and in memory of Washington State University president, Dr. Elson Floyd, who passed away on June 20, after a courageous battle against cancer.

Dr. Floyd was a giant for eastern Washington. He embodied the values we seek in our leaders. He was visionary. He was kindhearted. He was a fearless and passionate advocate for higher education, our region, and our State. He had the gift of making our dreams seem possible and of turning our aspirations into a reality.

It has been my privilege to know him and call him friend. During this difficult time, my prayers continue to be with his wife, his children, and the whole WSU family. Together, Washingtonians are inspired and will carry on his legacy.

Thank you, Dr. Floyd, for your tireless work. Rest in peace.

#### REAUTHORIZE THE EXPORT-IMPORT BANK

(Mr. CARNEY asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. CARNEY. Mr. Speaker, I rise today to join my many colleagues in highlighting the urgency of reauthorizing the Export-Import Bank.

On Monday, I visited a steel company in New Castle, Delaware, called V&S Delaware Galvanizing. This small business employs 60 hard-working Delawareans. Their jobs depend on the financing provided by the Export-Import Bank. The failure to authorize the Bank would be a failure to support and protect these and many other jobs in Delaware.

If we are serious about making things here in America, if we are serious about providing good middle class jobs to people who need them, if we are serious about creating an economy that is built to last, we will reauthorize the Export-Import Bank before it expires next week.

The Ex-Im Bank creates jobs across the country. It sustains those jobs, and it also reduces the deficit. Last year alone, the Bank returned \$700 million to the United States Treasury, and it supports 160,000 U.S. jobs.

This shouldn't be a partisan issue, and it never has been in the past. Mr. Speaker, I urge my colleagues to come together and take action today to ensure that the Export-Import Bank can continue to grow our economy and create jobs across our country.

#### NEGOTIATIONS WITH IRAN

(Mr. GIBBS asked and was given permission to address the House for 1 minute.)

Mr. GIBBS. Mr. Speaker, in less than a week, the deadline for the administration's negotiations with Iran will pass. Many people, including myself, have serious concerns about the status and the outcome of these negotiations.

Iran's nuclear ambitions are a threat to the Middle East, especially to our closest ally, Israel. I remain skeptical of Iran's commitment to disarmament and transparency.

I believe there are five key issues that must be addressed for this to be a good deal for America and Israel.

One, unrestricted access to inspection locations on short notice—inspectors must be given complete access at any time and at any place for verification inspections.

Two, Iran must disclose the entirety of its previous activities and efforts towards a nuclear weapon.

Three, sanctions must remain in place until Iran complies and proves its compliance, and we must show commitment to a robust response to any violation.

Four, any deal must be long term, and it must not include the development of and access to nuclear weapons.

Finally, any negotiations must include provisions that require Iran to

dismantle its program completely with no path to a weapon in the future.

I believe that only if these conditions are met should Congress and the American people even consider a deal with Iran.

#### SUPPORTING MARRIAGE EQUALITY

(Mr. KILMER asked and was given permission to address the House for 1 minute.)

Mr. KILMER. Mr. Speaker, I join my colleagues today in supporting equality and dignity for every American regardless of whom one loves.

Very soon, the Supreme Court will make an historic decision about the rights of LGBT couples and families, and it is my hope they will respect that each of us deserves as an American citizen the ability to have a family and to love whom one loves.

The economic downturn illustrated how important it is for all families to access the protections of civil marriage so they can live with more certainty and dignity even in challenging times.

No matter what the Court decides, we will keep pushing so people in loving, committed relationships throughout this Nation can say two simple words with extraordinary meaning: "I do." We will keep fighting to ensure that people don't face discrimination based on whom they love.

Let me close with the words of President Kennedy, who said: "In giving rights to others which belong to them, we give rights to ourselves and to our country."

#### ALZHEIMER'S AND BRAIN AWARENESS MONTH

(Mr. JOLLY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOLLY. Mr. Speaker, I rise today to add my voice in support of Alzheimer's and Brain Awareness Month.

Today, 5.3 million Americans are living with Alzheimer's, including 200,000 who are younger than 65. When you include dementia and other brain diseases with Alzheimer's, the number of diagnoses is nearly on par with cancer diagnoses.

In fact, Alzheimer's, itself, is the sixth leading cause of death in the United States, and of the top 10 causes of death, Alzheimer's is the only one that today cannot be prevented, cannot be cured, and cannot be slowed.

This week, Congress is taking action. Yesterday, the House Appropriations Committee approved an initial funding bill for the Department of Health and Human Services that provides a \$300 million increase over last year's level for Alzheimer's research at the National Institute on Aging.

Additionally, the committee continues its support for the Peer Reviewed Alzheimer's Research Program at the Department of Defense.

These programs, coupled with several bills pending in the House, including the HOPE for Alzheimer's Act, are a testament to the strong advocacy that we have been witnessing on Capitol Hill and throughout the country, but we must continue to do more.

I encourage my colleagues to join me in this fight and join me in raising awareness of this most critical national health concern.

□ 0915

RETURNING TO THE SENATE H.R. 1735, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2016

Mr. BOUSTANY. Mr. Speaker, I offer a resolution constituting a question of the privileges of the House.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 340

*Resolved*, That the Senate amendment to the bill (H.R. 1735) entitled "To authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes", in the opinion of this House, contravenes the first clause of the seventh section of the first article of the Constitution of the United States and is an infringement of the privileges of this House and that such bill, with the Senate amendment thereto, shall be respectfully returned to the Senate with a message communicating this resolution.

The SPEAKER pro tempore. The resolution presents a question of the privileges of the House.

Is there objection to the request of the gentleman from Louisiana?

Mr. LEVIN. Mr. Speaker, I reserve the right to object, only to say I do not object.

Mr. BOUSTANY. I thank the gentleman.

The SPEAKER pro tempore. The gentleman from Michigan withdraws his reservation.

Without objection the resolution is agreed to.

There was no objection.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF THE SENATE AMENDMENT TO THE HOUSE AMENDMENT TO THE SENATE AMENDMENT TO H.R. 1295, TRADE PREFERENCES EXTENSION ACT OF 2015

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 338 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 338

*Resolved*, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 1295) to extend the African Growth and Opportunity Act, the Generalized System of Preferences, the preferential duty treatment program for Haiti, and for other purposes, with the Senate amendment to the House amendment to the Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the chair of the Committee on Ways and Means or his designee that the House concur in the Senate amendment to the House amendment to the Senate amendment. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. The previous question shall be considered as ordered on the motion to adoption without intervening motion.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 1 hour.

Mr. SESSIONS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), my friend, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. SESSIONS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SESSIONS. Mr. Speaker, I yield myself such time as I may consume.

I rise this morning in support of a rule which would allow for an up-or-down vote in the House on the Senate amendment to H.R. 1295, the Trade Preferences Extension Act, so that it can be considered by the full House; and, if the bill passes, it will head to the President's desk along with the trade promotion authority for the President's signature.

This bill that would be considered after passage of this rule renews the Generalized System of Preferences program, extending the African Growth and Opportunity Act, and reauthorizes Trade Adjustment Assistance, known as TAA.

The activity on the floor of the House today represents a promise to Congress made by Speaker BOEHNER and Senate Majority Leader MCCONNELL. After House Democrats voted down TAA last week, the House considered and passed TPA, with a bipartisan majority, and sent it to the Senate. In the meantime, the Speaker and the Senate majority leader promised that they would ensure that both TPA and

TAA receive votes in the House and the Senate.

As promised, here we are today. The Senate yesterday delivered it, when it passed TPA 60-38, which is now headed to the President's desk for his signature. The Senate also passed the Senate amendment to H.R. 1295, which will be considered today under the rule which we are speaking about. The final legislative step is for the House to consider the Trade Preferences Extension Act, and that is exactly what the rule will do.

This rule and the underlying bill represents the end of a long process to deliver trade promotion authority on behalf of the American people. Mr. Speaker, it is a Republican agenda about jobs. By passing TPA, the House and the Senate proved to the world that America is willing to lead and to stand for jobs and interaction between great countries to help lead in the 21st century. We believe in the rule of law, we believe in intellectual property, and we believe in an opportunity for consumers to have the best products, wherever they are around the world, at a great price.

The world has responded, and our partner nations have indicated that they are now ready to begin the negotiation to bring their best deals to the table. As these negotiations heat up, it is vital that the administration follow the requirements of TPA, some 160 separate, specific items which this House and the legislation very clearly talks about. It will lead negotiation to a deal that is good for the American people. If the administration violates that promise, the House can turn off TPA and stop the process.

Once a trade agreement is completed, the President is required to make public the text of an agreement for 60 days before the President seeks approval to it. The President must then submit the final text of any trade agreement to Congress 30 days before it gets a vote. Because of this important transparency feature of TPA, the American people have seen a better process than what existed today. We will have months to read the text of any deal before Congress votes on it.

Most importantly, though, Congress retains its right to vote up or down on any agreement. So if the President brings us a bad trade deal, we can and we would vote that down. This ensures that Congress, and only the U.S. Congress, can change and agree to any law or agreement that is made that becomes U.S. law.

We have also proved that Washington has learned from some States, like my home State of Texas, which benefit greatly from trade. Trade supports over 3 million jobs in Texas, and last year Texas exported \$289 billion worth of goods and services to trading partners around the globe. Because of the process Congress has gone through the

past few weeks, we can ensure that the growth, the availability of better jobs, and high-paying opportunities lie ahead for the American people.

At a time when it has become very difficult to create jobs in this country, we will, through trade promotion authority and these trade deals, offer new and great opportunities for more jobs and to build more American products and to sell more products around the globe.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume, and I thank the gentleman very much for yielding me the time, but the procedural jockeying that has unfolded before us does a disservice to our Chamber, to our economy, and to our Nation.

Mr. Speaker, without opportunity for Members to offer amendments, without clear consideration, and without, certainly, robust debate, the bills have bounced from one Chamber to another, jumped back and forth between in every iteration that can be cooked up.

The procedural machinations do deep disservice not only to the bills, but to the people it will impact, and I think even to the House of Representatives. Thomas Jefferson, who authored the legislative manual that guides our procedure, would be pained to see the path by which these trade packages have come to the floor.

From beginning to end, Members of this body have been shut out, shut out from reading the text of the Trans-Pacific Partnership that has now been fast-tracked, and we are not being able to discuss it with our constituents.

It is not just the American Representatives that have been silenced, either. The trade deal is upending legislative bodies across the world, and particularly in another great democracy involved in this agreement—Australia. The people's representatives in Australia could not look at this bill, even though they had great concern that PhRMA was going to do great harm to their own health system in Australia as well as in New Zealand. They couldn't even go to see about that unless they signed a paper that they would not discuss it for 4 years. So, two of the great democracies on the planet working on this trade bill, the United States and Australia, basically shut out the people's representatives from knowing what it is that we are even talking about today.

Mr. Speaker, I insert for the RECORD the text of an article about the Australians, an article from *The Guardian* from June 11, titled, "Leaked Trade Deal Terms Prompt Fears for Pharmaceutical Benefits Scheme."

[From the *Guardian*, June 11, 2015]

(Gabrielle Chan)

The leak of new information on the Trans-Pacific Partnership agreement (TPP) shows

the mega-trade deal could provide more ways for multinational corporations to influence Australia's control of its pharmaceutical regulations.

Revealed via Wikileaks, the annexe on "transparency and procedural fairness for pharmaceutical products and medical devices" uncovered the draft agreements regarding medicines between the 12 TPPA member countries.

The leak comes as US Republican leaders announced a vote on Friday that may provide Barack Obama a fast-track authority to complete the agreement with Australia, Brunei, Canada, Chile, Japan, Malaysia, Mexico, New Zealand, Peru, Singapore and Vietnam. The countries represent 40% of the world's economy.

The leaked text, dated December 2014, laid out the draft rules for member countries regarding medicines under national health care programs, in Australia's case, the Pharmaceutical Benefits Scheme (PBS). The TPP has yet to be signed off.

The Abbott government has argued the trade deal will provide access for Australian products to other markets. But it requires Australia to trade off regulations that stop access by other countries and particularly multinational companies to the Australian market.

Critics have suggested the deal, which is likely to include Investor State Dispute Settlement (ISDS) clauses, will allow big corporations to sue Australian governments. Philip Morris International is currently challenging the former Labor government's tobacco plain packaging laws under a Hong Kong trade treaty ISDS.

Trade experts leaped on the rare information release regarding the secret but wide-ranging trade deal. Deborah Gleeson, a lecturer at the school of psychology and public health at La Trobe University, said the inclusion of an annexe on health "serves no useful public interest purpose".

"It sets a terrible precedent for using regional trade deals to tamper with other countries' health systems and could circumscribe the options available to developing countries seeking to introduce pharmaceutical coverage programs in future," Gleeson said.

Jane Kelsey of the faculty of law of the University of Auckland described the annexe as one of the most controversial parts of the TPP in her analysis. She said the US pharmaceutical industry was using the trade agreement to target New Zealand's Pharmaceutical Management Agency (Pharmac), equivalent to the PBS.

"This 'transparency' annexe seeks to erode the processes and decisions of agencies that decide which medicines and medical devices to subsidise the public money and by how much," Kelsey said.

"This leaked text shows the TPP will severely erode Pharmac's ability to continue to deliver affordable medicines and medical devices as it has for the past two decades.

"That will mean fewer medicines are subsidised, or people will pay more as co-payments or more of the health budget will go to pay for medicines instead of other activities or the health budget will have to expand beyond the cap.

"Whatever the outcome, the big global pharmaceutical companies will win and the poorest and most vulnerable New Zealanders will lose."

AMA president Brian Owler said while doctors were very concerned at the possible effects on Australia's healthcare systems, they were constantly dismissed by the trade minister Andrew Robb.

"When we have raised concerns about the effects on health, the only response is 'we are not going to undermine the Pharmaceutical Benefits Scheme'," said Owler.

"We are worried about the Investor State Dispute Settlement (ISDS) mechanism and there are issues in terms of patents that would affect pharmaceutical prices.

"The problem is our concerns have been dismissed by the trade minister but we do not know what is in the text."

However, Robb said on Thursday that the government would not accept anything that would adversely affect the PBS, the health system more generally, or increase the price of medicines for Australians.

"It's perhaps time to look at the enormous benefits that will flow from a more seamless trade and investment environment across 12 countries representing 40 percent of global GDP," Robb said.

"New levels of market access and common sets of trading rules will help support growth, create new jobs and result in higher living standards."

Parliamentarians were offered the chance to see the TPP draft by Robb if they agreed to a four year non-disclosure agreement.

A cross-party parliamentary working group has formed, including Greens senator Peter Whish-Wilson, Labor MP Melissa Parke and independent senator Nick Xenophon.

Whish-Wilson, who has not seen the draft as he refused to agree to the terms of the agreement, said the latest leak suggested the Australian PBS could be undermined.

"These negotiations are happening behind closed doors, without the scrutiny of the parliament," he said.

"At the very least, the Australian people deserve to be reassured that the government won't allow any deal which drives up the public health costs for Australian taxpayers such as further subsidising important new medicines including biologics."

During the most recent senate estimates in the past fortnight, Whish-Wilson questioned officials from the department of foreign affairs and trade about the strategic importance of the TPP to the United States.

The secretary of Dfat, Peter Varghese, said the whole purpose was to indicate a "ramped up US presence in Asia".

"The conclusion of the TPP is important to the United States in terms of its rebalance, because it is an important step in relation to the economic engagement of the United States with the region, and the whole purpose of the re-balance was to indicate a ramped up US presence in Asia, and a recognition of the importance of Asia in broader US geostrategic thinking," Varghese said.

"We in Australia have never seen the TPP as an instrument for locking anybody out—in fact, quite the contrary."

The trade minister's office was contacted for comment.

Ms. SLAUGHTER. So the two great democracies are now being cut out, and the 750,000 people that I represent in western New York have been silenced because I don't go see a trade bill if I can't discuss it with them.

There has been no regular order and absolutely no Member input, with the exception of the Committee on Ways and Means. Now, the Senate had plenty of opportunity for amendments, and they were plentiful. Many of them were accepted. They also had robust debate, but not the House of Representatives.

The opportunity in the Committee on Ways and Means to offer amendments did not result in acceptance of any Democratic amendments.

Over the last 3 weeks, the Democrats and Republicans, alike, came to the Committee on Rules with ideas to try to make the trade package better. They ranged from currency manipulation to labor standards to environmental fixes to the investor-state dispute settlement, but one by one they were shut out.

Perhaps one of the most critical is the investor-state dispute settlement, where three lawyers will be allowed to adjudicate all cases brought against any of the participating countries, in many cases resulting against change in their laws. I should note that the House of Representatives, in fear of all this, has already voted to do away with country of origin labeling.

What is more, on the third rule that we have had in so many weeks on trade, we are being asked to vote on two separate bills packaged into one vote. On one hand, we have Trade Adjustment Assistance, or TAA; on the other hand, we have the African Growth and Opportunity Act, or AGOA, which most of us have supported. The other part of this is a bill that was trounced in the House of Representatives. We find ourselves in the position of supporting the African Growth and Opportunity Act at the same time of a vote that most of us have voted against, the TAA.

Linking these two bills together is untenable and goes against the mores of the Chamber. And as we see, when the process is strained, the bills suffer, but most of all, the people we represent suffer.

Mr. Speaker, I reserve the balance of my time.

Mr. SESSIONS. I yield myself such time as I may consume.

Mr. Speaker, the gentlewoman brings up a lot of good issues. We have been on the floor talking about this bill for a long, long time: hours of debate up in the Committee on Rules; hours of debate not only in the Committee on Ways and Means, but also watching the United States Senate for weeks work through this issue.

I think the gentlewoman knows and understands that any final trade deal will result in our ability to see in writing—and the public—this document; and the gentlewoman knows and understands it is simply not true if we try and say that we can't see what is in the bill, we don't know what is in the bill. Plenty of time, plenty of time to do that. It is just not available yet.

So why would you put out something that has not yet been negotiated? I wouldn't do that. And whether the administration has handled this entire process well or not may be up for speculation, but I find it hard to criticize. Any Member of Congress was given an

opportunity to come and read what exists today. This is not the final deal. Members of Congress have not seen the final deal because it has not been negotiated. When it is negotiated, when whoever the President is brings a trade deal back to the United States, to the United States Congress, we will be able to see it.

Secondly, very specifically, Chairman PAUL RYAN of the Committee on Ways and Means put in the law that any Member of Congress may take part in any of the trade talks as they evolve around the country. Members of Congress are allowed to do this, and I think that it is a real advantage to have more authority for Members of Congress of rules and regulations, putting us into the process to where we are a part of understanding not only what we would be voting on, but the importance of us being involved throughout the process.

Lastly, the gentlewoman is right. I do understand that the rules and regulations that have been added, not every Member of this House would like them, but I felt like they were important. I would like to just go through some of those very quickly.

One of them is that we are not going to allow any part of a trade deal to end up as an immigration deal. That is the wrong thing. This should be about trade, not about immigration.

Secondly, it shouldn't be about climate change, and we specifically said it cannot be about climate change.

Lastly, we said that for our own authority—and I think the constitutional bounds are there for us to say that—if there are any changes in this document, those changes have to come through Congress for us to approve them.

□ 0930

Of course, not every colleague that we have in the House would be for those rules, but I believe that they are in the best interest of this body.

I believe they are in the best interest of making sure that the way the world sees us is that we work together from a democracy, a republic perspective; that we work back through the things that we agree to in law, in bilateral deals, would have to involve the United States Congress. It would have to involve the United States Senate and the President and us working together.

By the authority granted within this TPA, that is exactly what we will do. I think it is well balanced. I think it is really a work of art that Chairman RYAN has crafted, along with our colleagues in the Senate, and I am proud of that.

I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself 1 minute.

What the gentleman said sounds wonderful, and so we are all going to have an opportunity to do it, but we have

not been in on the negotiation. All we know about it is what has come through WikiLeaks, that it is being negotiated mainly by financial services and pharmaceutical companies.

Once we pass fast trade and it has passed both Houses, once that is done, the administration can do the trade bill itself in perfect secrecy, and we will not know it until it comes to the House. At that point, all we can do is vote up or down. It is my sincere hope that we vote it down.

I am now pleased to yield 5 minutes to the gentleman from Massachusetts (Mr. LYNCH).

Mr. LYNCH. Mr. Speaker, I want to thank the gentlewoman for yielding.

I want to begin this discussion by saying I have the utmost respect for the gentleman from Texas (Mr. SESSIONS). I have worked with him on other issues where we have agreed. That is not the case today.

I also know that there will be Members of the majority and Members of the minority that have a different opinion than I do on this matter, and it does not mean I have less respect for them; it just means we have a difference of agreement on this one bill.

Now, when I first met my wife, I was an ironworker. I worked as an ironworker for 20 years. Then I went to law school and became an attorney. Then I ran for office and became a politician. My wife says it has been one disappointment after another.

When I was an ironworker, I had an opportunity to work at the General Motors facility, the auto plant in Framingham, Massachusetts. That was just before they made a decision to close that plant, close a couple in Michigan, and move them over the border to Mexico. I have seen the effect that that has had on local communities where that has happened.

I oppose this bill because I want a stronger America. That is why I oppose this bill. Our trade agreements negotiated under fast track have had a continual pattern of exporting American jobs overseas. That is just the fact of the matter.

Now, you might be surprised that a former union president, a Democrat, an ironworker would oppose a bill. The object of this bill is to provide public assistance to workers after we send their jobs overseas. That is the object of this bill. When their jobs are exported, we will give them public assistance and some training for a new job.

I oppose this bill; some people find that surprising, but I can only draw on my own experience. I always felt that I would rather have my Representative fighting for my job than coming up with a public assistance program to support me after I lost my job.

That is why I am here on the floor today. I think American workers want their Representative in the fight. They want them in the fight to protect their



jobs, not to give them public assistance after they ship their jobs overseas. That is as simple as I can describe.

I think I understand the American people. I think I understand the American worker. I have been there, and this does not do the job.

If you want to read this bill, you have to go to a secret location here on the Capitol Grounds. I had to give up my cell phone and my iPad. I had to give them my pen. I was not allowed to bring any paper. I can't take notes. They bring in a big box with the bill, and they sat it down in front of me, and they let me read it. They do not allow me to talk to the people who sent me here about what is in that bill.

That is not right. That is undemocratic. There is a reason they don't let me talk about that bill to the people I represent and everybody else in this Chamber—because they would not like it. They would tell you: Do not pass this bill; it is going to cost our jobs and our kids' jobs.

The people who are drafting this bill, though, as the gentlewoman from New York spoke, are industries like the chemical industry, the pharmaceutical industry. They are all drafting sections of this bill; yet the people who represent American workers are kept out of the process.

Later on, we will be able to vote up or down, but we cannot fix this bill. Unlike every other bill that comes to this floor that we are allowed to amend, we cannot fix this bill. We have to vote it up or down, and that is not right. That is not right. If we see a problem, we should be able to fix it.

I was listening to a guy the other day talk about the fact that we shouldn't really worry about not having manufacturing jobs in America anymore, that we have a service economy. He described it as a Starbucks economy.

Now, I love Starbucks as much as the next guy; I like my grande latte, but the Starbucks economy does not work unless you have someone who can walk into that store and pay \$4 for a cup of coffee. This is not good for America.

I was watching that Roosevelt show last night on PBS, and they talked about, after the Second World War, the world called America "the arsenal of democracy" because our industrial might, our manufacturing capacity, allowed us to marshal resources and save the world.

We have continually exported millions and millions and millions of American manufacturing jobs in the industrial capacity.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. SLAUGHTER. I yield the gentleman an additional 2 minutes.

Mr. LYNCH. I am just getting wound up.

They referred to America after the Second World War as the arsenal of democracy because we did save the world.

Today, when the world looks at us after we have exported millions of manufacturing jobs and industrial capacity overseas, I think they look at America and say: You know, in America, they can make us a good cup of coffee if you can pay \$4 a cup.

This is not the direction we should be sending America. I have the utmost respect for my friends on the other side of aisle. Democrats on my side of the aisle are going to support this. We have to get America's Representatives, Members of Congress, back in this fight. We have abnegated our responsibility.

We negotiate a lot of complicated bills on this floor and over in the Senate, nuclear regulatory issues, bankruptcy—very complicated issues—war and peace; yet we can't negotiate this trade deal. We have got to leave it up to multinational corporations. That is flat wrong. America wants their Representatives back in the fight on this issue.

Let's vote this bill down; let's get rid of TPA and let the American workers have a voice on the floor of this House of Representatives on this bill.

Mr. SESSIONS. Mr. Speaker, I yield myself such time as I may consume.

The gentleman, my friend from Massachusetts, is a great man and a very dear friend, but I would respond and say to the gentleman that you are going to have an opportunity, and I can't wait to get you invited to every single round of these and have you find time to go do exactly what you think Members of Congress ought to be doing because, in fact, that is the way the TPA is written.

Now, we haven't agreed to it yet because it has not been signed by—well, that has—but this whole process. As soon as that takes place, the gentleman will have all the opportunity he wants to go and take part in every round of the discussions.

I don't believe that is what we were elected for. I don't believe we were elected to go and have to do all the work that is described that the gentleman said to get back into the fight, to go offer the trade deals, to go do the negotiating.

He will be given that chance. He will be given that chance every single day. As soon as it is signed by the President, he can go at it. He can maybe even just tell the President he wants to do this for a full-time job; I don't know, but he will have that opportunity.

Every Member of this body will have that same chance. He and every Member will have a chance to go and negotiate, be in the room, be a part of the discussion, and make sure all these big, multilateral corporations that he talks about that will be in the room—which they won't be because that would not be the right thing. There would be ethics violations. I am sure the White

House, the executive branch, can notify him of that, but he will be allowed as a Member of Congress.

Mr. Speaker, the things that are being talked about most as negative points about this bill, there is already an answer to it. That is what Republicans did.

This is a Republican bill. This is about the authority of the House of Representatives, the United States Congress, to make sure we are involved. That has never been allowed before.

Fast track is what we used to have. That is what we did have. We now have a bill before us today which will help us complete the entire process, to make sure Members of Congress are involved, not just the United States negotiator; but all the world will know the piece parts about how we are going to negotiate the trade deal. If it doesn't come back that way, we will vote it down.

Do we need to second-guess them now today? I don't think so, but if any Member wants to be involved in this, they can just get on their plane and go wherever they want and get it done. By law, they will be allowed that opportunity.

I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself 1 minute.

I have great admiration for Mr. SESSIONS. We truly are good friends, and I know that he is absolutely sincere when he says that every Member of Congress is going to have input now into this bill that has not even begun.

If there is no bill, then why is everybody talking about going to read something? For goodness sake, when you passed the TPA, we have passed fast track. You can't say we are not operating under fast track.

I hear that all the time, and it really grates on me because fast track is what was passed here and in the Senate that gives to the administration the ability to negotiate that.

It will come in here, and we may be reading all of it—if we have the ability to do that—before we vote; I am not even clear about that. But I do know that they negotiate it; it is brought over here, and we get to vote "yes" or "no." We don't amend it. There will be nothing that we can say about it, and we are stuck with it.

Not only do we have fast track, but it is not just until the expiration of President Obama's term; it is for years beyond, so a future President can do whatever they please because the Congress gave that authority to the executive department. Why? I don't know.

It doesn't just apply to this one trade bill. I hope everybody understands that. When they passed TPA here the other day, they were doing it for years to come.

I yield such time as he may consume to the gentleman from Massachusetts (Mr. LYNCH).

Mr. LYNCH. I thank the gentlewoman for yielding.

I will try not to repeat the arguments that the gentlewoman has put forward, but I do have to say that there is about 8 pounds of bill over there at a secure location, as I spoke of before, that I can't talk about it in public because I am precluded from doing that. I would violate the rules of the House and the classified status that has been accorded that material, so I can't really talk about it.

I can say that it is very complicated. Like I say, there is probably, I am guessing, about 8 pounds of document there that you have to read. It is largely aspirational. In other words, I will paraphrase without disclosing any classified information. It largely says the parties will aspire or engage to do blah, blah, blah. It is largely unenforceable.

Here is another part of the problem. We are negotiating the biggest multinational trade agreement in the history of the United States. You have got some countries that I think are reliable partners and that we have a history with.

Canada, even before free trade agreements, we had trade agreements with Canada. They have the rule of law there. It is not a race to the bottom with Canada or with Australia or with New Zealand.

□ 0945

I think we have rule of law established in those countries. But we also, in the same agreement, are negotiating with Vietnam.

I went to Vietnam not long ago, and when we talked issues, I sat down across the table from a bunch of Communist generals. They run the country. They have problems with prison labor. They have problems with child labor. They have serious problems with environmental standards in that country.

Malaysia, do you know what the minimum wage in Malaysia is? Zero. They do that to try to attract companies.

The situation in Chile and Peru, we have organizers that have tried to work on behalf of workers who have been killed in those countries. There is no rule of law established in those countries where we have had success in enforcing our agreements. That has been a major problem.

So we are going to ask the American worker to compete with workers in Vietnam, who get, I think it is 90 cents an hour, 97 cents an hour—I don't want to sell them short—97 cents an hour in a country that has had a history of major problems, as I have spoken about. Malaysia, the same thing.

We can't enforce our agreements. And on the issue of who has drafted this bill, it is my understanding that the chemical industry provisions in that TPP were drafted by the chemical industry. They like it. They got exactly what they wanted. The same thing with these other industries.

And again, why is it a national secret that I can't talk about a bill that is going to affect every American citizen today? And not only that, it is going to affect their sons and daughters.

There is a reason that our kids coming out of college can't get jobs. We have got to wake up.

I told this story before. I went to Korea recently, with JPAC. It was about the Korean war and recovering our sons and daughters who fought in that country and are still there. But while I was there, I looked for American cars because we had passed a free trade agreement with Korea. We were there for days. I had two young Navy lieutenants with me. I said, Let's all look for American cars.

We saw two American cars in the time we were there in Korea. It is a big industrial country. They have got plenty of traffic. We saw hundreds of thousands of cars. I saw two American cars: the one I was driving in from the Embassy, and the one that the Navy lieutenants were driving in behind me. They have shut us out.

You go to Japan, it is pretty much the same story. I said before, you need to hire a detective to find an American car in Japan.

So we have had very little success in enforcing our trade agreements overseas. We have got a lousy deal.

So all I am asking is, look, I believe in—and you know what? I have to say, the EU did it right. The EU, when they negotiated with South Korea, they said: If you are going to sell cars into the EU from Korea, we want 30 percent of the components in that car to be made in the EU. And they created a lot of work for their auto parts industry.

Think about it. We could do that. Congress could do that. We could maintain that, if they are going to sell a foreign car here, we want 40 percent or 50 percent of the components to be manufactured here in the United States. We would create millions of jobs in the United States. There is nothing wrong with that. It is a good thing. We would restore industrial and manufacturing capacity in the United States if Congress got back in the game.

I am not against free trade. I think free trade works when it is balanced. I want somebody in there fighting for the American worker. We don't have that now. We don't have that now. Congress has abdicated its responsibility by agreeing to buy a pig in a poke because, when they bring that bill back on the floor here, we are going to have to vote up or down.

You won't have the ability to change the bill like you do on every other bill that is brought on the floor of Congress. You will not have that ability. Congress will have abdicated its responsibility to represent the people that sent them here.

Free trade can work. Let's have a fair deal for the American worker. That is all I am asking for.

If there were a fair deal for the American worker that I could read and talk to my constituents about—you know, I have got 727,514 bosses back in Massachusetts, and they sent me here to do my job, and I am trying to do that on their behalf. I think that every other Member of Congress is trying to do their job as well. We can't do that if TPA goes through. We need to give the American worker a voice, and we can do that today.

Let's vote this stuff down. Let's talk to the President. He is a good man, wants to create American jobs. Let's have an open debate. It should not be a secret. It should not be a national secret about these agreements we are having with multinational corporations. We should not be afraid that the American people might find out what is going on here.

We should be proud of what we are doing here. We should want it plastered all over the front pages of the newspapers in this country. We should be proud of our work here.

I can't be proud of what is going on right now, and so I urge my colleagues to vote against it. Vote this down. Let's change this system to a transparent system that the American people can be assured that their Representatives in Congress are doing the right thing.

Mr. SESSIONS. Mr. Speaker, I really, once again, appreciate the gentleman for coming to the floor and speaking directly with you and all of his colleagues about the importance of this bill and, really, the problems he has with it.

But I would also like to let you know, Mr. Speaker, that the number one selling car in Korea is an American-made car. We signed a trade agreement in 2011 with Korea. The Toyota Camry from Georgetown, Kentucky, the Toyota made in Georgetown, Kentucky, is the number one selling vehicle in Korea starting last year.

Now, there may not be a lot of them necessarily where the gentleman visited in Korea, but that is a fact; and the gentleman from Georgetown, Kentucky, ANDY BARR, who is a Member of this Congress, has talked about this for a long, long time.

The trade agreements, when the United States engages with them, we end up with surpluses, and it is better for the American worker. The trade agreement jobs pay 30 percent more than the nontrade-associated jobs in this country; and by virtue of what we are doing we are trying to get a trade deal now where Japan would be involved because we do want Japan to open up their marketplaces. But where we have these agreements, that is what happens. The American worker wins.

So TPA is already the law of the land. The question we have today is whether we are going to include in that

package the last parts of this, which would be TAA, which do give, if there is a difference as a result of the trade deals where an industry, where a town, where a group of people were "harmed," then the law would be there for retraining.

I think that is the right vote. That is why Speaker BOEHNER is bringing this back, even though, by and large, this concept was turned down by the Democratic Party, from the very top of their organization to the bottom. That is why Speaker BOEHNER understood the right and fair thing to do.

Senate Majority Leader MCCONNELL said the right thing to do is to bring it back; let's see if we can repackage it. Let's see if we can take a little bit of time, measure three times, saw again, see if we can get it right. That is what we are trying to do.

Trade Promotion Authority that the gentleman has been speaking of is already the law of the land. The question is will this last piece be a part of it.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. I yield myself such time as I may consume.

Mr. Speaker, what we have heard this morning must certainly cause great confusion in the minds of America. Let me restate what has happened here.

The Congress has passed fast-track authority, TPA, for 6 years. It goes beyond this President's term and covers 4 years of another. Why that happened, I am not really clear, but it certainly is something we have given away our right to negotiate trade agreements, which, by the way, the Constitution gives us the ability to do.

Second, there will be no input. The Congress of the United States will not be writing that trade bill. That is purely in the hands of the Trade Representative and the Executive Department of the United States.

Our next role, and the only one we have, is to vote up or down on whatever they present us. What a sad day it is.

And I want to agree with Mr. LYNCH. The very fact of passing this bill is an admission and knowing that we are going to lose jobs.

My part of the district in western New York is just now starting to regain its footing after NAFTA. You have heard me say it a million times. Eastman Kodak, one of the iconic companies in the country—in the world, actually—went from 62,000 employees down to foreign bankruptcy. What we have got, also NAFTA has put us, the losses there, as the fifth city that is under the poverty line in the United States.

For heaven's sake, it breaks my heart to think that my constituents are going to have to be facing this again, because people who have voted for all this don't seem to understand what it is that they have done.

Mr. Speaker, I yield back the balance of my time.

Mr. SESSIONS. Mr. Speaker, I yield myself the balance of my time. I appreciate my colleagues, the gentleman from Massachusetts, the gentlewoman from New York, for their engagement today.

Mr. Speaker, confirmed again, the number one car, the car of the year in Korea in 2013: Toyota Camry, made in Georgetown, Kentucky. I have had 10 people text me trying to give me more information about what a great opportunity this is for American workers.

Mr. Speaker, that is what this bill is about. It is about the jobs opportunity and a fair proposal, not just by the administration, not just by the House and the Senate but, really, a Republican bill for jobs. This is a jobs bill, a jobs bill that will allow the American worker to have new boundaries, new opportunities to go out in.

And let me tell you, Mr. Speaker, I don't travel very much. But I will tell you that I know from the stories that come back, people want American-made products. They want American-made, everything from jeans all the way to high-tech products. They want American products because of the reliability of the American workers, because of the stability of America, and we have got a great opportunity with this final piece, part of this trade agreement to move it forward.

I think 5 years from now we are going to look back and say, Wow, what did we do great? And you can mark it just like they do this year, 2 years ago, looking back to the Toyota Camry, number one in the Korean market.

Mr. Speaker, today's rule provides for, I think, just an up-or-down vote—it is really simple—to Senate amendment H.R. 1295, the Trade Preferences Extension Act. By passing this rule today, we can move on. The House will have an opportunity to consider the bill, and it will head to the President's desk, this package of bills to the President.

I urge adoption of the rule and look forward to the debate that will follow on the real substance of the bill.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SESSIONS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

□ 1000

## RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. THOMPSON of Mississippi. Mr. Speaker, I have a privileged resolution at the desk.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 341

Whereas on December 20, 1860, South Carolina became the first State to secede from the Union;

Whereas on January 9, 1861, Mississippi seceded from the Union, stating in its "Declaration of Immediate Causes" that "[o]ur position is thoroughly identified with the institution of slavery—the greatest material interest of the world.":

Whereas on February 9, 1861, the Confederate States of America was formed with a group of 11 States as a purported sovereign nation and with Jefferson Davis of Mississippi as its president;

Whereas on March 11, 1861, the Confederate States of America adopted its own constitution;

Whereas on April 12, 1861, the Confederate States of America fired shots upon Fort Sumter in Charleston, South Carolina, effectively beginning the Civil War;

Whereas the United States did not recognize the Confederate States of America as a sovereign nation, but rather as a rebel insurrection, and took to military battle to bring the rogue states back into the Union;

Whereas on April 9, 1865, General Robert E. Lee surrendered to General Ulysses S. Grant at Appomattox Court House in Virginia, effectively, ending the Civil War and preserving the Union;

Whereas during the Civil War, the Confederate States of America used the Navy Jack, Battle Flag, and other imagery as a symbols of the Confederate armed forces;

Whereas since the end of the Civil War, the Navy Jack, Confederate battle flag, and other imagery of the Confederacy have been appropriated by groups as a symbols of hate, terror, intolerance, and as supportive of the institution of slavery;

Whereas groups such as the Ku Klux Klan and other white supremacist groups utilize Confederate imagery to frighten, terrorize, and cause harm to groups of people toward whom they have hateful intent, including African Americans, Hispanic Americans, and Jewish Americans;

Whereas many State and Federal political leaders, including United States Senators Thad Cochran and Roger Wicker, along with Mississippi House Speaker Philip Gunn and other State leaders, have spoken out and advocated for the removal of the imagery of the Confederacy on Mississippi's state flag;

Whereas many Members of Congress, including Speaker John Boehner, support the removal of the Confederate flag from the grounds of South Carolina's capitol;

Whereas Speaker John Boehner released a statement on the issue saying, "I commend Governor Nikki Haley and other South Carolina leaders in their effort to remove the Confederate flag from Statehouse grounds. In his second inaugural address 150 years ago, and a month before his assassination, President Abraham Lincoln ended his speech with these powerful words, which are as meaningful today as when they were spoken on the East Front of the Capitol on March 4, 1865: 'With malice toward none, with charity for all, with firmness in the right as God

gives us to see the right, let us strive on to finish the work we are in, to bind up the nation's wounds, to care for him who shall have borne the battle and for his widow and his orphan, to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations.'";

Whereas the House of Representatives has several State flags with imagery of the Confederacy throughout its main structures and House office buildings;

Whereas it is an uncontroverted fact that symbols of the Confederacy offend and insult many members of the general public who use the hallways of Congress each day;

Whereas Congress has never permanently recognized in its hallways the symbols of sovereign nations with whom it has gone to war or rogue entities such as the Confederate States of America;

Whereas continuing to display a symbol of hatred, oppression, and insurrection that nearly tore our Union apart and that is known to offend many groups throughout the country would irreparably damage the reputation of this august institution and offend the very dignity of the House of Representatives; and

Whereas this impairment of the dignity of the House and its Members constitutes a violation under rule IX of the Rules of the House of Representatives of the One Hundred Fourteenth Congress: Now, therefore, be it

*Resolved*, That the Speaker of the House of Representatives shall remove any State flag containing any portion of the Confederate battle flag, other than a flag displayed by the office of a Member of the House, from any area within the House wing of the Capitol or any House office building, and shall donate any such flag to the Library of Congress.

The SPEAKER pro tempore. The resolution presents a question of privilege.

#### MOTION TO REFER

Mr. MCCARTHY. Mr. Speaker, I have a motion at the desk.

The SPEAKER. The Clerk will report the motion.

The Clerk read as follows:

Mr. McCarthy moves that the resolution be referred to the Committee on House Administration.

The SPEAKER pro tempore. The gentleman from California is recognized for 1 hour.

Mr. MCCARTHY. Mr. Speaker, all time yielded is for the purpose of debate only.

Mr. Speaker, I thank the gentleman for bringing this resolution to the attention of the House.

As I have said many times before, I am a big believer in the committee process to discuss all issues that come before the floor, especially one of this importance. I think this resolution should be referred to the Committee on House Administration to give other Members an opportunity to weigh in.

I yield 2 minutes to the gentleman from Mississippi (Mr. THOMPSON) for the purpose of debate only.

Mr. THOMPSON of Mississippi. Mr. Speaker, I appreciate the gentleman yielding the time.

Mr. Speaker, to someone who has lived his entire life in the State of Mis-

issippi and has had to endure a symbol that represented bigotry, hatred, and everything this country is not, I am convinced that an effort to remove this flag from the hallowed Halls of the House of Representatives is the right thing to do.

We all know the history of the South. We know the secessionists' motivations behind the Civil War, and my ancestors were those individuals who were held in bondage against their will.

We are a Nation of laws. We should not identify with symbols of hatred and bigotry. That flag, those symbols should be put in a museum. They should not be flown under any circumstance where there is freedom and dignity in this great institution of ours.

I know it is a hard choice for Members to do, but I saw what happened in Charleston, South Carolina, last Wednesday. The whole world saw it, and they did not like it. This is one step toward getting us healed as a Nation.

I take it personally. I have had churches burned in my district. I have had men and women killed for trying to do the right thing; yet, when I see people trying to defend that way of life which that flag represents, this is not who we are as an institution.

Because of that, I offer the privileged resolution. I understand where we are with it, but I have issues with it.

I appreciate the gentleman yielding the 2 minutes.

I urge my colleagues to oppose the referral of this resolution to committee.

Mr. MCCARTHY. Mr. Speaker, I yield 1 minute to the gentlewoman from Michigan (Mrs. MILLER), the distinguished chair of the Committee on House Administration.

Mrs. MILLER of Michigan. Mr. Speaker, I certainly thank the majority leader for yielding the time.

I would just say, Mr. Speaker, to my colleague from Mississippi, I certainly was moved personally just listening to him speak now; and I listened to him last night when he offered his privileged motion.

I would say that the Committee on House Administration is looking forward to hearing more from Representative THOMPSON, as well as all of the congressional delegation from the great State of Mississippi, on this resolution. As well, our committee, of course, would want to have an opportunity to hear from all of the elected representatives at the State level of the great State of Mississippi.

We want to say that we sincerely appreciate Representative THOMPSON for offering his privileged resolution and to assure the gentleman from Mississippi, Mr. Speaker, that our committee will give this measure every serious consideration and every thoughtful consideration.

Mr. MCCARTHY. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the motion to refer.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion to refer.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. THOMPSON of Mississippi. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to refer will be followed by 5-minute votes on adoption of House Resolution 338 and the motion to suspend the rules on H.R. 1615.

The vote was taken by electronic device, and there were—yeas 240, nays 184, not voting 9, as follows:

[Roll No. 385]

#### YEAS—240

Abraham	Fitzpatrick	Latta
Aderholt	Fleischmann	LoBiondo
Allen	Fleming	Long
Amash	Flores	Loudermilk
Amodei	Forbes	Love
Babin	Fortenberry	Lucas
Barletta	Fox	Luetkemeyer
Barr	Franks (AZ)	Lummis
Barton	Frelinghuysen	MacArthur
Benish	Garrett	Marchant
Bilirakis	Gibbs	Marino
Bishop (MI)	Gibson	Massie
Bishop (UT)	Gohmert	McCarthy
Black	Goodlatte	McCaul
Blackburn	Gosar	McClintock
Blum	Gowdy	McHenry
Bost	Granger	McKinley
Boustany	Graves (GA)	McMorris
Brady (TX)	Graves (LA)	Rodgers
Brat	Graves (MO)	McSally
Bridenstine	Griffith	Meadows
Brooks (AL)	Grothman	Meehan
Brooks (IN)	Guinta	Messer
Buchanan	Guthrie	Mica
Buck	Hanna	Miller (FL)
Bucshon	Hardy	Miller (MI)
Burgess	Harper	Moolenaar
Byrne	Harris	Mooney (WV)
Calvert	Hartzler	Mullin
Carter (GA)	Heck (NV)	Mulvaney
Carter (TX)	Hensarling	Murphy (PA)
Chabot	Herrera Beutler	Neugebauer
Chaffetz	Hice, Jody B.	Newhouse
Coffman	Hill	Noem
Cole	Holding	Nugent
Collins (GA)	Hudson	Nunes
Collins (NY)	Huelskamp	Olson
Comstock	Huizenga (MI)	Palazzo
Conaway	Hultgren	Palmer
Cook	Hunter	Paulsen
Costello (PA)	Hurd (TX)	Pearce
Cramer	Issa	Perry
Crawford	Jenkins (KS)	Pittenger
Crenshaw	Jenkins (WV)	Pitts
Culberson	Johnson (OH)	Poe (TX)
Curbelo (FL)	Johnson, Sam	Poliquin
Davis, Rodney	Jolly	Pompeo
Denham	Jones	Posey
Dent	Jordan	Price, Tom
DeSantis	Joyce	Ratcliffe
DesJarlais	Katko	Reed
Diaz-Balart	Kelly (PA)	Reichert
Dold	King (IA)	Renacci
Donovan	King (NY)	Ribble
Duffy	Kinzinger (IL)	Rice (SC)
Duncan (SC)	Kline	Rigell
Duncan (TN)	Knight	Roby
Ellmers (NC)	Labrador	Roe (TN)
Emmer (MN)	LaMalfa	Rogers (AL)
Farenthold	Lamborn	Rogers (KY)
Fincher	Lance	Rohrabacher

Rokita  
Rooney (FL)  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Rouzer  
Royce  
Russell  
Ryan (WI)  
Salmon  
Scalise  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (MO)

## NAYS—184

Adams  
Aguilar  
Ashford  
Bass  
Beatty  
Becerra  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Bonamici  
Boyle, Brendan  
F.  
Brady (PA)  
Brown (FL)  
Brownley (CA)  
Bustos  
Butterfield  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clawson (FL)  
Clay  
Cleaver  
Cohen  
Connolly  
Conyers  
Cooper  
Costa  
Courtney  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
DeSaulnier  
Deutch  
Dingell  
Doggett  
Doyle, Michael  
F.  
Duckworth  
Edwards  
Ellison  
Engel  
Eshoo  
Esty  
Farr  
Fattah  
Foster  
Frankel (FL)

## NOT VOTING—9

Clarke (NY)  
Clyburn  
Hurt (VA)

□ 1038

Mses. EDDIE BERNICE JOHNSON of Texas and DELBENE, Messrs. HAS-

Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Westmoreland  
Whitfield  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (IA)  
Young (IN)  
Zeldin  
Zinke

Nadler  
Neal  
Nolan  
Norcross  
O'Rourke  
Pallone  
Pascrell  
Pelosi  
Perlmuter  
Peterson  
Pingree  
Pocan  
Polis  
Price (NC)  
Quigley  
Rangel  
Rice (NY)  
Richmond  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schrader  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Sherman  
Sinema  
Sires  
Slaughter  
Smith (WA)  
Speier  
Swaikwell (CA)  
Takai  
Takano  
Thompson (CA)  
Thompson (MS)  
Titus  
Tonko  
Torres  
Tsongas  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Walz  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Welch  
Wilson (FL)  
Yarmuth

Peters  
Sanford  
Young (AK)

TINGS, CLAWSON of Florida, SERRANO, and JOHNSON of Georgia changed their vote from “yea” to “nay.”

Messrs. FLORES and BURGESS changed their vote from “nay” to “yea.”

So the motion to refer was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HURT of Virginia. Mr. Speaker, I was not present for rollcall vote No. 385 on H. Res. 341. Had I been present, I would have voted “yea.”

Stated against:

Ms. CLARKE of New York. Mr. Speaker, earlier today, I was unavoidably detained in a meeting with constituents and missed recorded vote No. 385. Had I been present, on rollcall No. 385, On the Motion to Refer the Thompson (MS) Resolution to the Committee on House Administration, I would have voted “no.”

Mrs. NAPOLITANO. Mr. Speaker, on Thursday, June 25th, 2015, I was absent during rollcall vote No. 385. Had I been present, I would have voted “no” on the Motion to Refer the Thompson (MS) Resolution to the Committee on House Administration.

# PROVIDING FOR CONSIDERATION OF THE SENATE AMENDMENT TO THE HOUSE AMENDMENT TO THE SENATE AMENDMENT TO H.R. 1295, TRADE PREFERENCES EXTENSION ACT OF 2015

The SPEAKER pro tempore. The unfinished business is the vote on adoption of the resolution (H. Res. 338) providing for consideration of the Senate amendment to the House amendment to the Senate amendment to the bill (H.R. 1295) to extend the African Growth and Opportunity Act, the Generalized System of Preferences, the preferential duty treatment program for Haiti, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 251, nays 176, not voting 6, as follows:

[Roll No. 386]

## YEAS—251

Abraham  
Aderholt  
Allen  
Amash  
Amodei  
Ashford  
Babin  
Barletta  
Barr  
Barton  
Benishek  
Bilirakis  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Blumenauer  
Bost  
Boustany  
Brady (TX)  
Brat  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Buchanan  
Buck  
Bucshon  
Burgess  
Byrne  
Calvert  
Carter (GA)  
Carter (TX)  
Chabot  
Chaffetz  
Clawson (FL)  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comstock  
Conaway  
Cook  
Cooper  
Costa

Costello (PA)  
Cramer  
Crawford  
Crenshaw  
Culberson  
Curbelo (FL)  
Davis, Rodney  
Delaney  
Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Dold  
Donovan  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers (NC)  
Emmer (MN)  
Farenthold  
Fincher  
Fitzpatrick  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Fox  
Franks (AZ)  
Frelinghuysen  
Garrett  
Gibbs  
Gibson  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Griffith  
Grothman  
Guinta  
Guthrie  
Hanna  
Hardy  
Harper  
Harris  
Hartzler  
Heck (NV)  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Hill  
Himes  
Holding  
Hudson  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurd (TX)  
Hurt (VA)  
Issa  
Jenkins (KS)  
Jenkins (WV)  
Johnson (OH)  
Johnson, E. B.

Johnson, Sam  
Jolly  
Jordan  
Joyce  
Katko  
Kelly (PA)  
Kind  
King (IA)  
King (NY)  
Kinzinger (IL)  
Kline  
Knight  
Labrador  
LaMalfa  
Lamborn  
Lance  
Latta  
LoBiondo  
Long  
Loudermilk  
Love  
Lucas  
Luetkemeyer  
Lummis  
MacArthur  
Marchant  
Marino  
Massie  
McCarthy  
McCaul  
McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Meehan  
Meeks  
Messer  
Mica  
Miller (FL)  
Miller (MI)  
Moolenaar  
Mooney (WV)  
Mullin  
Mulvaney  
Murphy (PA)  
Neugebauer  
Newhouse  
Noem  
Nugent  
Nunes  
O'Rourke  
Olson  
Palazzo  
Palmer  
Paulsen  
Pearce  
Perry  
Pittenger  
Pitts  
Poe (TX)  
Poliquin  
Pompeo  
Posey  
Price, Tom  
Ratcliffe  
Reed

## NAYS—176

Adams  
Aguilar  
Bass  
Beatty  
Becerra  
Bera  
Beyer  
Bishop (GA)  
Bonamici  
Boyle, Brendan  
F.  
Brady (PA)  
Brown (FL)  
Brownley (CA)  
Bustos  
Butterfield  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Cleaver  
Cohen  
Connolly  
Conyers  
Courtney  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
DeLauro  
DelBene  
DeSaulnier  
Deutch  
Dingell  
Doggett  
Doyle, Michael  
F.  
Duckworth  
Edwards  
Ellison  
Engel  
Eshoo  
Esty  
Farr  
Fattah  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Garamendi  
Gohmert  
Graham  
Grayson  
Green, Al  
Green, Gene  
Grijalva  
Gutiérrez  
Hahn

Hastings	Maloney,	Sarbanes
Heck (WA)	Carolyn	Schakowsky
Higgins	Maloney, Sean	Schiff
Hinojosa	Matsui	Schrader
Honda	McCollum	Scott (VA)
Hoyer	McDermott	Scott, David
Huffman	McGovern	Serrano
Israel	McNerney	Sewell (AL)
Jackson Lee	Meng	Sherman
Jeffries	Moore	Sires
Johnson (GA)	Moulton	Slaughter
Jones	Murphy (FL)	Smith (WA)
Kaptur	Nadler	Speier
Keating	Neal	Swalwell (CA)
Kelly (IL)	Nolan	Takai
Kennedy	Norcross	Takano
Kildee	Pallone	Thompson (CA)
Kilmer	Pascrell	Thompson (MS)
Kirkpatrick	Pelosi	Titus
Kuster	Perlmutter	Tonko
Langevin	Peters	Torres
Larsen (WA)	Peterson	Tsongas
Larson (CT)	Pingree	Van Hollen
Lawrence	Pocan	Vargas
Lee	Polis	Veasey
Levin	Price (NC)	Vela
Lewis	Quigley	Velázquez
Lieu, Ted	Rangel	Visclosky
Lipinski	Rice (NY)	Walz
Loeb sack	Richmond	Wasserman
Lofgren	Roybal-Allard	Schultz
Lowenthal	Ruiz	Waters, Maxine
Lowe y	Ruppersberger	Watson Coleman
Lujan Grisham	Rush	Welch
(NM)	Ryan (OH)	Wilson (FL)
Lujan, Ben Ray	Sanchez, Linda	Yarmuth
(NM)	T.	
Lynch	Sanchez, Loretta	

## NOT VOTING—6

Clyburn	Napolitano	Sanford
Kelly (MS)	Payne	Young (AK)

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1046

Mr. SIREs and Ms. JACKSON LEE changed their vote from “yea” to “nay.”

Mr. PALAZZO changed his vote from “nay” to “yea.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mrs. NAPOLITANO. Mr. Speaker, on Thursday, June 25th, 2015, I was absent during roll-call vote No. 386. Had I been present, I would have voted “no” on agreeing to the resolution, H. Res. 338, Providing for consideration of a Motion to Concur in the Senate Amendment to H.R. 1295, the Trade Preferences Extension Act of 2015.

## HONORING TIM HARROUN

(Mr. BOEHNER asked and was given permission to address the House for 1 minute.)

Mr. BOEHNER. My colleagues, the people’s House is only as good as its people, and I would like to take a moment to recognize a very well-respected member of our staff.

Tim Harroun, the manager of the Republican cloakroom, is retiring after 41 years of service.

It is actually more than that when you factor in that Tim started here as a page on September 5, 1972, under Re-

publican leader Gerald R. Ford; but his first full-time job was in the post office. Then he moved to the cloakroom, where he has been a steady presence ever since.

Now, you all know Tim is a good guy and, frankly, quite a character, and he wears the worst ties of anybody here.

But, Tim, God has blessed you with great success because you are the kind of guy who works hard and gives back. So, on behalf of the whole House, I want to thank you for your long and distinguished service, and I wish you and your wife all the best.

## HONORING TIM HARROUN

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, as someone who has not served here as long as Tim—but for a pretty long time—I have gotten to know him very well when I have wandered across that side of the aisle. He always receives me with a very gracious attitude and is always very, very helpful. He has been a wonderful fellow worker on the floor of this House with all of us on this side of the aisle as well.

I certainly join our Speaker in thanking him for the service that he has given to this House and to this country, and I wish him the very best in the future.

## DHS FOIA EFFICIENCY ACT OF 2015

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1615) to direct the Chief FOIA Officer of the Department of Homeland Security to make certain improvements in the implementation of section 552 of title 5, United States Code (commonly known as the Freedom of Information Act), and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. CARTER) that the House suspend the rules and pass the bill, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 423, nays 0, not voting 10, as follows:

[Roll No. 387]

YEAS—423

Abraham  
Adams  
Aderholt  
Aguilar  
Allen  
Amash  
Amodei

Ashford  
Babin  
Barletta  
Barr  
Barton  
Bass  
Beatty

Becerra  
Benishak  
Bera  
Beyer  
Bilirakis  
Bishop (GA)  
Bishop (MI)

Bishop (UT)  
Black  
Blackburn  
Blum  
Blumenauer  
Bonamici  
Bost  
Boustany  
Boyle, Brendan  
F.  
Brady (PA)  
Brady (TX)  
Brat  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Brown (FL)  
Brownley (CA)  
Buchanan  
Buck  
Bucshon  
Burgess  
Bustos  
Butterfield  
Byrne  
Calvert  
Capps  
Capuano  
Cardenas  
Carney  
Carson (IN)  
Carter (GA)  
Carter (TX)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chabot  
Chaffetz  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clawson (FL)  
Clay  
Cleaver  
Coffman  
Cohen  
Cole  
Collins (GA)  
Collins (NY)  
Comstock  
Conaway  
Connolly  
Conyers  
Cook  
Cooper  
Costa  
Costello (PA)  
Courtney  
Cramer  
Crawford  
Crenshaw  
Crowley  
Cuellar  
Culberson  
Cummings  
Curbelo (FL)  
Davis (CA)  
Davis, Danny  
Davis, Rodney  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Denham  
Dent  
DeSantis  
DeSaulnier  
DesJarlais  
Deutch  
Diaz-Balart  
Dingell  
Doggett  
Dold  
Donovan  
Doyle, Michael  
F.  
Duckworth  
Duffy  
Duncan (SC)  
Duncan (TN)  
Edwards  
Ellison  
Ellmers (NC)  
Emmer (MN)  
Engel

Eshoo  
Esty  
Farenthold  
Farr  
Fattah  
Fincher  
Fitzpatrick  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foster  
Fox  
Frankel (FL)  
Franks (AZ)  
Frelinghuysen  
Fudge  
Gabbard  
Gallego  
Garamendi  
Garrett  
Gibbs  
Gibson  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Graham  
Granger  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Grayson  
Green, Al  
Green, Gene  
Griffith  
Grothman  
Guinta  
Guthrie  
Gutiérrez  
Hahn  
Hanna  
Hardy  
Harper  
Harris  
Hartzer  
Hastings  
Heck (NV)  
Heck (WA)  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Higgins  
Hill  
Himes  
Hinojosa  
Holding  
Honda  
Hoyer  
Hudson  
Huelskamp  
Huffman  
Huizenga (MI)  
Hultgren  
Hunter  
Hurd (TX)  
Hurt (VA)  
Israel  
Issa  
Jackson Lee  
Jeffries  
Jenkins (KS)  
Jenkins (WV)  
Johnson (GA)  
Johnson (OH)  
Johnson, E. B.  
Johnson, Sam  
Jolly  
Jones  
Jordan  
Joyce  
Kaptur  
Katko  
Keating  
Kelly (IL)  
Kelly (PA)  
Kennedy  
Kildee  
Kilmer  
Kind  
King (IA)  
King (NY)  
Kinzinger (IL)  
Kirkpatrick  
Kline

Knight  
Kuster  
Labrador  
LaMalfa  
Lamborn  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)  
Latta  
Lawrence  
Lee  
Levin  
Lewis  
Lieu, Ted  
Lipinski  
LoBiondo  
Loeb sack  
Lofgren  
Long  
Loudermilk  
Love  
Lowenthal  
Lowe y  
Lucas  
Luetkemeyer  
Lujan Grisham  
(NM)  
Lujan, Ben Ray  
(NM)  
Lummis  
Lynch  
MacArthur  
Maloney,  
Carolyn  
Maloney, Sean  
Marchant  
Marino  
Massie  
Matsui  
McCarthy  
McCaul  
McClintock  
McCollum  
McDermott  
McGovern  
McHenry  
McKinley  
McMorris  
Rodgers  
McNerney  
McSally  
Meadows  
Meehan  
Meeks  
Meng  
Messer  
Mica  
Miller (FL)  
Miller (MI)  
Moolenaar  
Mooney (WV)  
Moore  
Moulton  
Mullin  
Mulvaney  
Murphy (FL)  
Murphy (PA)  
Nadler  
Neal  
Neugebauer  
Newhouse  
Noem  
Nolan  
Norcross  
Nugent  
Nunes  
O'Rourke  
Olson  
Palazzo  
Pallone  
Palmer  
Pascrell  
Paulsen  
Pearce  
Perlmutter  
Perry  
Peters  
Peterson  
Pingree  
Pittenger  
Pitts  
Pocan  
Poe (TX)  
Poliquin  
Polis

Pompeo	Schakowsky	Turner
Posey	Schiff	Upton
Price (NC)	Schrader	Valadao
Price, Tom	Schweikert	Van Hollen
Quigley	Scott (VA)	Vargas
Rangel	Scott, Austin	Veasey
Ratcliffe	Scott, David	Vela
Reed	Sensenbrenner	Velázquez
Reichert	Serrano	Visclosky
Renacci	Sessions	Wagner
Ribble	Sewell (AL)	Walberg
Rice (NY)	Sherman	Walden
Rice (SC)	Shimkus	Walker
Richmond	Shuster	Walorski
Rigell	Simpson	Walters, Mimi
Roby	Sinema	Walz
Roe (TN)	Sires	Wasserman
Rogers (AL)	Slaughter	Schultz
Rogers (KY)	Smith (MO)	Waters, Maxine
Rohrabacher	Smith (NE)	Watson Coleman
Rokita	Smith (NJ)	Weber (TX)
Rooney (FL)	Smith (TX)	Webster (FL)
Ros-Lehtinen	Speier	Welch
Roskam	Stefanik	Wenstrup
Ross	Stewart	Westerman
Rothfus	Stivers	Westmoreland
Rouzer	Stutzman	Whitfield
Roybal-Allard	Swalwell (CA)	Williams
Royce	Takai	Wilson (FL)
Ruiz	Takano	Wilson (SC)
Ruppersberger	Thompson (CA)	Wittman
Rush	Thompson (MS)	Womack
Russell	Thompson (PA)	Woodall
Ryan (OH)	Thornberry	Yarmuth
Ryan (WI)	Tiberi	Yoder
Salmon	Tipton	Yoho
Sánchez, Linda	Titus	Young (IA)
T.	Tonko	Young (IN)
Sanchez, Loretta	Torres	Zeldin
Sarbanes	Trott	Zinke
Scalise	Tsongas	

## NOT VOTING—10

Chu, Judy	Napolitano	Smith (WA)
Clyburn	Payne	Young (AK)
Grijalva	Pelosi	
Kelly (MS)	Sanford	

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1057

Mr. HASTINGS changed his vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. NAPOLITANO. Mr. Speaker, on Thursday, June 25th, 2015, I was absent during roll-call vote No. 387. Had I been present, I would have voted “yea” on the motion to suspend the rules and pass H.R. 1615, the DHS FOIA Efficiency Act, as amended.

## TRADE PREFERENCES EXTENSION ACT OF 2015

Mr. RYAN of Wisconsin. Mr. Speaker, pursuant to House Resolution 338, I call up the bill (H.R. 1295) to extend the African Growth and Opportunity Act, the Generalized System of Preferences, the preferential duty treatment program for Haiti, and for other purposes, with the Senate amendment to the House amendment to the Senate amendment thereto, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. WOMACK). The Clerk will designate the Senate amendment to the House amendment to the Senate amendment.

Senate amendment to House amendment to Senate amendment:

In lieu of the matter proposed to be inserted, insert the following:

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) *SHORT TITLE.*—This Act may be cited as the “Trade Preferences Extension Act of 2015”.

(b) *TABLE OF CONTENTS.*—The table of contents for this Act is as follows:

Sec. 1. *Short title; table of contents.*

**TITLE I—EXTENSION OF AFRICAN GROWTH AND OPPORTUNITY ACT**

Sec. 101. *Short title.*

Sec. 102. *Findings.*

Sec. 103. *Extension of African Growth and Opportunity Act.*

Sec. 104. *Modifications of rules of origin for duty-free treatment for articles of beneficiary sub-Saharan African countries under Generalized System of Preferences.*

Sec. 105. *Monitoring and review of eligibility under Generalized System of Preferences.*

Sec. 106. *Promotion of the role of women in social and economic development in sub-Saharan Africa.*

Sec. 107. *Biennial AGOA utilization strategies.*

Sec. 108. *Deepening and expanding trade and investment ties between sub-Saharan Africa and the United States.*

Sec. 109. *Agricultural technical assistance for sub-Saharan Africa.*

Sec. 110. *Reports.*

Sec. 111. *Technical amendments.*

Sec. 112. *Definitions.*

**TITLE II—EXTENSION OF GENERALIZED SYSTEM OF PREFERENCES**

Sec. 201. *Extension of Generalized System of Preferences.*

Sec. 202. *Authority to designate certain cotton articles as eligible articles only for least-developed beneficiary developing countries under Generalized System of Preferences.*

Sec. 203. *Application of competitive need limitation and waiver under Generalized System of Preferences with respect to articles of beneficiary developing countries exported to the United States during calendar year 2014.*

Sec. 204. *Eligibility of certain luggage and travel articles for duty-free treatment under the Generalized System of Preferences.*

**TITLE III—EXTENSION OF PREFERENTIAL DUTY TREATMENT PROGRAM FOR HAITI**

Sec. 301. *Extension of preferential duty treatment program for Haiti.*

**TITLE IV—EXTENSION OF TRADE ADJUSTMENT ASSISTANCE**

Sec. 401. *Short title.*

Sec. 402. *Application of provisions relating to trade adjustment assistance.*

Sec. 403. *Extension of trade adjustment assistance program.*

Sec. 404. *Performance measurement and reporting.*

Sec. 405. *Applicability of trade adjustment assistance provisions.*

Sec. 406. *Sunset provisions.*

Sec. 407. *Extension and modification of Health Coverage Tax Credit.*

**TITLE V—IMPROVEMENTS TO ANTI-DUMPING AND COUNTERVAILING DUTY LAWS**

Sec. 501. *Short title.*

Sec. 502. *Consequences of failure to cooperate with a request for information in a proceeding.*

Sec. 503. *Definition of material injury.*

Sec. 504. *Particular market situation.*

Sec. 505. *Distortion of prices or costs.*

Sec. 506. *Reduction in burden on Department of Commerce by reducing the number of voluntary respondents.*

Sec. 507. *Application to Canada and Mexico.*

**TITLE VI—TARIFF CLASSIFICATION OF CERTAIN ARTICLES**

Sec. 601. *Tariff classification of recreational performance outerwear.*

Sec. 602. *Duty treatment of protective active footwear.*

**TITLE VII—MISCELLANEOUS PROVISIONS**

Sec. 701. *Report on contribution of trade preference programs to reducing poverty and eliminating hunger.*

**TITLE VIII—OFFSETS**

Sec. 801. *Customs user fees extension.*

Sec. 802. *Additional customs user fees extension.*

Sec. 803. *Time for payment of corporate estimated taxes.*

Sec. 804. *Payee statement required to claim certain education tax benefits.*

Sec. 805. *Special rule for educational institutions unable to collect TINs of individuals with respect to higher education tuition and related expenses.*

Sec. 806. *Penalty for failure to file correct information returns and provide payee statements.*

Sec. 807. *Child tax credit not refundable for taxpayers electing to exclude foreign earned income from tax.*

Sec. 808. *Coverage and payment for renal dialysis services for individuals with acute kidney injury.*

**TITLE I—EXTENSION OF AFRICAN GROWTH AND OPPORTUNITY ACT****SEC. 101. SHORT TITLE.**

This title may be cited as the “AGOA Extension and Enhancement Act of 2015”.

**SEC. 102. FINDINGS.**

Congress finds the following:

(1) Since its enactment, the African Growth and Opportunity Act has been the centerpiece of trade relations between the United States and sub-Saharan Africa and has enhanced trade, investment, job creation, and democratic institutions throughout Africa.

(2) Trade and investment, as facilitated by the African Growth and Opportunity Act, promote economic growth, development, poverty reduction, democracy, the rule of law, and stability in sub-Saharan Africa.

(3) Trade between the United States and sub-Saharan Africa has more than tripled since the enactment of the African Growth and Opportunity Act in 2000, and United States direct investment in sub-Saharan Africa has grown almost sixfold.

(4) It is in the interest of the United States to engage and compete in emerging markets in sub-Saharan African countries, to boost trade and investment between the United States and sub-Saharan African countries, and to renew and strengthen the African Growth and Opportunity Act.

(5) The long-term economic security of the United States is enhanced by strong economic and political ties with the fastest-growing economies in the world, many of which are in sub-Saharan Africa.

(6) It is a goal of the United States to further integrate sub-Saharan African countries into the global economy, stimulate economic development in Africa, and diversify sources of growth in sub-Saharan Africa.



(7) To that end, implementation of the Agreement on Trade Facilitation of the World Trade Organization would strengthen regional integration efforts in sub-Saharan Africa and contribute to economic growth in the region.

(8) The elimination of barriers to trade and investment in sub-Saharan Africa, including high tariffs, forced localization requirements, restrictions on investment, and customs barriers, will create opportunities for workers, businesses, farmers, and ranchers in the United States and sub-Saharan African countries.

(9) The elimination of such barriers will improve utilization of the African Growth and Opportunity Act and strengthen regional and global integration, accelerate economic growth in sub-Saharan Africa, and enhance the trade relationship between the United States and sub-Saharan Africa.

#### SEC. 103. EXTENSION OF AFRICAN GROWTH AND OPPORTUNITY ACT.

(a) *IN GENERAL.*—Section 506B of the Trade Act of 1974 (19 U.S.C. 2466b) is amended by striking “September 30, 2015” and inserting “September 30, 2025”.

(b) *AFRICAN GROWTH AND OPPORTUNITY ACT.*—

(1) *IN GENERAL.*—Section 112(g) of the African Growth and Opportunity Act (19 U.S.C. 3721(g)) is amended by striking “September 30, 2015” and inserting “September 30, 2025”.

(2) *EXTENSION OF REGIONAL APPAREL ARTICLE PROGRAM.*—Section 112(b)(3)(A) of the African Growth and Opportunity Act (19 U.S.C. 3721(b)(3)(A)) is amended—

(A) in clause (i), by striking “11 succeeding” and inserting “21 succeeding”; and

(B) in clause (ii)(II), by striking “September 30, 2015” and inserting “September 30, 2025”.

(3) *EXTENSION OF THIRD-COUNTRY FABRIC PROGRAM.*—Section 112(c)(1) of the African Growth and Opportunity Act (19 U.S.C. 3721(c)(1)) is amended—

(A) in the paragraph heading, by striking “SEPTEMBER 30, 2015” and inserting “SEPTEMBER 30, 2025”; and

(B) in subparagraph (A), by striking “September 30, 2015” and inserting “September 30, 2025”; and

(C) in subparagraph (B)(ii), by striking “September 30, 2015” and inserting “September 30, 2025”.

#### SEC. 104. MODIFICATIONS OF RULES OF ORIGIN FOR DUTY-FREE TREATMENT FOR ARTICLES OF BENEFICIARY SUB-SAHARAN AFRICAN COUNTRIES UNDER GENERALIZED SYSTEM OF PREFERENCES.

(a) *IN GENERAL.*—Section 506A(b)(2) of the Trade Act of 1974 (19 U.S.C. 2466a(b)(2)) is amended—

(1) in subparagraph (A), by striking “and” at the end;

(2) in subparagraph (B), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(C) the direct costs of processing operations performed in one or more such beneficiary sub-Saharan African countries or former beneficiary sub-Saharan African countries shall be applied in determining such percentage.”

(b) *APPLICABILITY TO ARTICLES RECEIVING DUTY-FREE TREATMENT UNDER TITLE V OF TRADE ACT OF 1974.*—Section 506A(b) of the Trade Act of 1974 (19 U.S.C. 2466a(b)) is amended by adding at the end the following:

“(3) *RULES OF ORIGIN UNDER THIS TITLE.*—The exceptions set forth in subparagraphs (A), (B), and (C) of paragraph (2) shall also apply to any article described in section 503(a)(1) that is the growth, product, or manufacture of a beneficiary sub-Saharan African country for purposes of any determination to provide duty-free treatment with respect to such article.”

(c) *MODIFICATIONS TO THE HARMONIZED TARIFF SCHEDULE.*—The President may proclaim

such modifications as may be necessary to the Harmonized Tariff Schedule of the United States (HTS) to add the special tariff treatment symbol “D” in the “Special” subcolumn of the HTS for each article classified under a heading or subheading with the special tariff treatment symbol “A” or “A\*” in the “Special” subcolumn of the HTS.

(d) *EFFECTIVE DATE.*—The amendments made by subsections (a) and (b) take effect on the date of the enactment of this Act and apply with respect to any article described in section 503(b)(1)(B) through (G) of the Trade Act of 1974 that is the growth, product, or manufacture of a beneficiary sub-Saharan African country and that is imported into the customs territory of the United States on or after the date that is 30 days after such date of enactment.

#### SEC. 105. MONITORING AND REVIEW OF ELIGIBILITY UNDER GENERALIZED SYSTEM OF PREFERENCES.

(a) *CONTINUING COMPLIANCE.*—Section 506A(a)(3) of the Trade Act of 1974 (19 U.S.C. 2466a(a)(3)) is amended—

(1) by striking “If the President” and inserting the following:

“(A) *IN GENERAL.*—If the President”; and

(2) by adding at the end the following:

“(B) *NOTIFICATION.*—The President may not terminate the designation of a country as a beneficiary sub-Saharan African country under subparagraph (A) unless, at least 60 days before the termination of such designation, the President notifies Congress and notifies the country of the President’s intention to terminate such designation, together with the considerations entering into the decision to terminate such designation.”

(b) *WITHDRAWAL, SUSPENSION, OR LIMITATION OF PREFERENTIAL TARIFF TREATMENT.*—Section 506A of the Trade Act of 1974 (19 U.S.C. 2466a) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

“(c) *WITHDRAWAL, SUSPENSION, OR LIMITATION OF PREFERENTIAL TARIFF TREATMENT.*—

“(1) *IN GENERAL.*—The President may withdraw, suspend, or limit the application of duty-free treatment provided for any article described in subsection (b)(1) of this section or section 112 of the African Growth and Opportunity Act with respect to a beneficiary sub-Saharan African country if the President determines that withdrawing, suspending, or limiting such duty-free treatment would be more effective in promoting compliance by the country with the requirements described in subsection (a)(1) than terminating the designation of the country as a beneficiary sub-Saharan African country for purposes of this section.

“(2) *NOTIFICATION.*—The President may not withdraw, suspend, or limit the application of duty-free treatment under paragraph (1) unless, at least 60 days before such withdrawal, suspension, or limitation, the President notifies Congress and notifies the country of the President’s intention to withdraw, suspend, or limit such duty-free treatment, together with the considerations entering into the decision to terminate such designation.”

(c) *REVIEW AND PUBLIC COMMENTS ON ELIGIBILITY REQUIREMENTS.*—Section 506A of the Trade Act of 1974 (19 U.S.C. 2466a), as so amended, is further amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following:

“(d) *REVIEW AND PUBLIC COMMENTS ON ELIGIBILITY REQUIREMENTS.*—

“(1) *IN GENERAL.*—In carrying out subsection (a)(2), the President shall publish annually in

the Federal Register a notice of review and request for public comments on whether beneficiary sub-Saharan African countries are meeting the eligibility requirements set forth in section 104 of the African Growth and Opportunity Act and the eligibility criteria set forth in section 502 of this Act.

“(2) *PUBLIC HEARING.*—The United States Trade Representative shall, not later than 30 days after the date on which the President publishes the notice of review and request for public comments under paragraph (1)—

“(A) hold a public hearing on such review and request for public comments; and

“(B) publish in the Federal Register, before such hearing is held, notice of—

“(i) the time and place of such hearing; and

“(ii) the time and place at which such public comments will be accepted.

“(3) *PETITION PROCESS.*—

“(A) *IN GENERAL.*—Not later than 60 days after the date of the enactment of this subsection, the President shall establish a process to allow any interested person, at any time, to file a petition with the Office of the United States Trade Representative with respect to the compliance of any country listed in section 107 of the African Growth and Opportunity Act with the eligibility requirements set forth in section 104 of such Act and the eligibility criteria set forth in section 502 of this Act.

“(B) *USE OF PETITIONS.*—The President shall take into account all petitions filed pursuant to subparagraph (A) in making determinations of compliance under subsections (a)(3)(A) and (c) and in preparing any reports required by this title as such reports apply with respect to beneficiary sub-Saharan African countries.

“(4) *OUT-OF-CYCLE REVIEWS.*—

“(A) *IN GENERAL.*—The President may, at any time, initiate an out-of-cycle review of whether a beneficiary sub-Saharan African country is making continual progress in meeting the requirements described in paragraph (1). The President shall give due consideration to petitions received under paragraph (3) in determining whether to initiate an out-of-cycle review under this subparagraph.

“(B) *CONGRESSIONAL NOTIFICATION.*—Before initiating an out-of-cycle review under subparagraph (A), the President shall notify and consult with Congress.

“(C) *CONSEQUENCES OF REVIEW.*—If, pursuant to an out-of-cycle review conducted under subparagraph (A), the President determines that a beneficiary sub-Saharan African country does not meet the requirements set forth in section 104(a) of the African Growth and Opportunity Act (19 U.S.C. 3703(a)), the President shall, subject to the requirements of subsections (a)(3)(B) and (c)(2), terminate the designation of the country as a beneficiary sub-Saharan African country or withdraw, suspend, or limit the application of duty-free treatment with respect to articles from the country.

“(D) *REPORTS.*—After each out-of-cycle review conducted under subparagraph (A) with respect to a country, the President shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report on the review and any determination of the President to terminate the designation of the country as a beneficiary sub-Saharan African country or withdraw, suspend, or limit the application of duty-free treatment with respect to articles from the country under subparagraph (C).

“(E) *INITIATION OF OUT-OF-CYCLE REVIEWS FOR CERTAIN COUNTRIES.*—Recognizing that concerns have been raised about the compliance with section 104(a) of the African Growth and Opportunity Act (19 U.S.C. 3703(a)) of some beneficiary sub-Saharan African countries, the President shall initiate an out-of-cycle review

under subparagraph (A) with respect to South Africa, the most developed of the beneficiary sub-Saharan African countries, and other beneficiary countries as appropriate, not later than 30 days after the date of the enactment of the Trade Preferences Extension Act of 2015.”

**SEC. 106. PROMOTION OF THE ROLE OF WOMEN IN SOCIAL AND ECONOMIC DEVELOPMENT IN SUB-SAHARAN AFRICA.**

(a) **STATEMENT OF POLICY.**—Section 103 of the African Growth and Opportunity Act (19 U.S.C. 3702) is amended—

(1) in paragraph (8), by striking “; and” and inserting a semicolon;

(2) in paragraph (9), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(10) promoting the role of women in social, political, and economic development in sub-Saharan Africa.”

(b) **ELIGIBILITY REQUIREMENTS.**—Section 104(a)(1)(A) of the African Growth and Opportunity Act (19 U.S.C. 3703(a)(1)(A)) is amended by inserting “for men and women” after “rights”.

**SEC. 107. BIENNIAL AGOA UTILIZATION STRATEGIES.**

(a) **IN GENERAL.**—It is the sense of Congress that—

(1) beneficiary sub-Saharan African countries should develop utilization strategies on a biennial basis in order to more effectively and strategically utilize benefits available under the African Growth and Opportunity Act (in this section referred to as “AGOA utilization strategies”);

(2) United States trade capacity building agencies should work with, and provide appropriate resources to, such sub-Saharan African countries to assist in developing and implementing biennial AGOA utilization strategies; and

(3) as appropriate, and to encourage greater regional integration, the United States Trade Representative should consider requesting the Regional Economic Communities to prepare biennial AGOA utilization strategies.

(b) **CONTENTS.**—It is further the sense of Congress that biennial AGOA utilization strategies should identify strategic needs and priorities to bolster utilization of benefits available under the African Growth and Opportunity Act. To that end, biennial AGOA utilization strategies should—

(1) review potential exports under the African Growth and Opportunity Act and identify opportunities and obstacles to increased trade and investment and enhanced poverty reduction efforts;

(2) identify obstacles to regional integration that inhibit utilization of benefits under the African Growth and Opportunity Act;

(3) set out a plan to take advantage of opportunities and address obstacles identified in paragraphs (1) and (2), improve awareness of the African Growth and Opportunity Act as a program that enhances exports to the United States, and utilize United States Agency for International Development regional trade hubs;

(4) set out a strategy to promote small business and entrepreneurship; and

(5) eliminate obstacles to regional trade and promote greater utilization of benefits under the African Growth and Opportunity Act and establish a plan to promote full regional implementation of the Agreement on Trade Facilitation of the World Trade Organization.

(c) **PUBLICATION.**—It is further the sense of Congress that—

(1) each beneficiary sub-Saharan African country should publish on an appropriate Internet website of such country public versions of its AGOA utilization strategy; and

(2) the United States Trade Representative should publish on the Internet website of the

Office of the United States Trade Representative public versions of all AGOA utilization strategies described in paragraph (1).

**SEC. 108. DEEPENING AND EXPANDING TRADE AND INVESTMENT TIES BETWEEN SUB-SAHARAN AFRICA AND THE UNITED STATES.**

It is the policy of the United States to continue to—

(1) seek to deepen and expand trade and investment ties between sub-Saharan Africa and the United States, including through the negotiation of accession by sub-Saharan African countries to the World Trade Organization and the negotiation of trade and investment framework agreements, bilateral investment treaties, and free trade agreements, as such agreements have the potential to catalyze greater trade and investment, facilitate additional investment in sub-Saharan Africa, further poverty reduction efforts, and promote economic growth;

(2) seek to negotiate agreements with individual sub-Saharan African countries as well as with the Regional Economic Communities, as appropriate;

(3) promote full implementation of commitments made under the WTO Agreement (as such term is defined in section 2(9) of the Uruguay Round Agreements Act (19 U.S.C. 3501(9)) because such actions are likely to improve utilization of the African Growth and Opportunity Act and promote trade and investment and because regular review to ensure continued compliance helps to maximize the benefits of the African Growth and Opportunity Act; and

(4) promote the negotiation of trade agreements that cover substantially all trade between parties to such agreements and, if other countries seek to negotiate trade agreements that do not cover substantially all trade, continue to object in all appropriate forums.

**SEC. 109. AGRICULTURAL TECHNICAL ASSISTANCE FOR SUB-SAHARAN AFRICA.**

Section 13 of the AGOA Acceleration Act of 2004 (19 U.S.C. 3701 note) is amended—

(1) in subsection (a)—

(A) by striking “shall identify not fewer than 10 eligible sub-Saharan African countries as having the greatest” and inserting “, through the Secretary of Agriculture, shall identify eligible sub-Saharan African countries that have”; and

(B) by striking “and complying with sanitary and phytosanitary rules of the United States” and inserting “, complying with sanitary and phytosanitary rules of the United States, and developing food safety standards”;

(2) in subsection (b)—

(A) by striking “20” and inserting “30”; and

(B) by inserting after “from those countries” the following: “, particularly from businesses and sectors that engage women farmers and entrepreneurs.”; and

(3) by adding at the end the following:

“(c) **COORDINATION.**—The President shall take such measures as are necessary to ensure adequate coordination of similar activities of agencies of the United States Government relating to agricultural technical assistance for sub-Saharan Africa.”

**SEC. 110. REPORTS.**

(a) **IMPLEMENTATION REPORT.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of the enactment of this Act, and biennially thereafter, the President shall submit to Congress a report on the trade and investment relationship between the United States and sub-Saharan African countries and on the implementation of this title and the amendments made by this title.

(2) **MATTERS TO BE INCLUDED.**—The report required by paragraph (1) shall include the following:

(A) A description of the status of trade and investment between the United States and sub-

Saharan Africa, including information on leading exports to the United States from sub-Saharan African countries.

(B) Any changes in eligibility of sub-Saharan African countries during the period covered by the report.

(C) A detailed analysis of whether each such beneficiary sub-Saharan African country is continuing to meet the eligibility requirements set forth in section 104 of the African Growth and Opportunity Act and the eligibility criteria set forth in section 502 of the Trade Act of 1974.

(D) A description of the status of regional integration efforts in sub-Saharan Africa.

(E) A summary of United States trade capacity building efforts.

(F) Any other initiatives related to enhancing the trade and investment relationship between the United States and sub-Saharan African countries.

(b) **POTENTIAL TRADE AGREEMENTS REPORT.**—Not later than 1 year after the date of the enactment of this Act, and every 5 years thereafter, the United States Trade Representative shall submit to Congress a report that—

(1) identifies sub-Saharan African countries that have expressed an interest in entering into a free trade agreement with the United States;

(2) evaluates the viability and progress of such sub-Saharan African countries and other sub-Saharan African countries toward entering into a free trade agreement with the United States; and

(3) describes a plan for negotiating and concluding such agreements, which includes the elements described in subparagraphs (A) through (E) of section 116(b)(2) of the African Growth and Opportunity Act.

(c) **TERMINATION.**—The reporting requirements of this section shall cease to have any force or effect after September 30, 2025.

**SEC. 111. TECHNICAL AMENDMENTS.**

Section 104 of the African Growth and Opportunity Act (19 U.S.C. 3703), as amended by section 106, is further amended—

(1) in subsection (a), by striking “(a) **IN GENERAL.**—”; and

(2) by striking subsection (b).

**SEC. 112. DEFINITIONS.**

In this title:

(1) **BENEFICIARY SUB-SAHARAN AFRICAN COUNTRY.**—The term “beneficiary sub-Saharan African country” means a beneficiary sub-Saharan African country described in subsection (e) of section 506A of the Trade Act of 1974 (as redesignated by this Act).

(2) **SUB-SAHARAN AFRICAN COUNTRY.**—The term “sub-Saharan African country” has the meaning given the term in section 107 of the African Growth and Opportunity Act.

**TITLE II—EXTENSION OF GENERALIZED SYSTEM OF PREFERENCES**

**SEC. 201. EXTENSION OF GENERALIZED SYSTEM OF PREFERENCES.**

(a) **IN GENERAL.**—Section 505 of the Trade Act of 1974 (19 U.S.C. 2465) is amended by striking “July 31, 2013” and inserting “December 31, 2017”.

(b) **EFFECTIVE DATE.**—

(1) **IN GENERAL.**—The amendment made by subsection (a) shall apply to articles entered on or after the 30th day after the date of the enactment of this Act.

(2) **RETROACTIVE APPLICATION FOR CERTAIN LIQUIDATIONS AND RELIQUIDATIONS.**—

(A) **IN GENERAL.**—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law and subject to subparagraph (B), any entry of a covered article to which duty-free treatment or other preferential treatment under title V of the Trade Act of 1974 (19 U.S.C. 2461 et seq.) would have applied if the

entry had been made on July 31, 2013, that was made—

(i) after July 31, 2013; and  
(ii) before the effective date specified in paragraph (1),  
shall be liquidated or reliquidated as though such entry occurred on the effective date specified in paragraph (1).

(B) REQUESTS.—A liquidation or reliquidation may be made under subparagraph (A) with respect to an entry only if a request therefor is filed with U.S. Customs and Border Protection not later than 180 days after the date of the enactment of this Act that contains sufficient information to enable U.S. Customs and Border Protection—

(i) to locate the entry; or  
(ii) to reconstruct the entry if it cannot be located.

(C) PAYMENT OF AMOUNTS OWED.—Any amounts owed by the United States pursuant to the liquidation or reliquidation of an entry of a covered article under subparagraph (A) shall be paid, without interest, not later than 90 days after the date of the liquidation or reliquidation (as the case may be).

(3) DEFINITIONS.—In this subsection:

(A) COVERED ARTICLE.—The term “covered article” means an article from a country that is a beneficiary developing country under title V of the Trade Act of 1974 (19 U.S.C. 2461 et seq.) as of the effective date specified in paragraph (1).

(B) ENTER; ENTRY.—The terms “enter” and “entry” include a withdrawal from warehouse for consumption.

**SEC. 202. AUTHORITY TO DESIGNATE CERTAIN COTTON ARTICLES AS ELIGIBLE ARTICLES ONLY FOR LEAST-DEVELOPED BENEFICIARY DEVELOPING COUNTRIES UNDER GENERALIZED SYSTEM OF PREFERENCES.**

Section 503(b) of the Trade Act of 1974 (19 U.S.C. 2463(b)) is amended by adding at the end the following:

“(5) CERTAIN COTTON ARTICLES.—Notwithstanding paragraph (3), the President may designate as an eligible article or articles under subsection (a)(1)(B) only for countries designated as least-developed beneficiary developing countries under section 502(a)(2) cotton articles classifiable under subheading 5201.00.18, 5201.00.28, 5201.00.38, 5202.99.30, or 5203.00.30 of the Harmonized Tariff Schedule of the United States.”.

**SEC. 203. APPLICATION OF COMPETITIVE NEED LIMITATION AND WAIVER UNDER GENERALIZED SYSTEM OF PREFERENCES WITH RESPECT TO ARTICLES OF BENEFICIARY DEVELOPING COUNTRIES EXPORTED TO THE UNITED STATES DURING CALENDAR YEAR 2014.**

(a) IN GENERAL.—For purposes of applying and administering subsections (c)(2) and (d) of section 503 of the Trade Act of 1974 (19 U.S.C. 2463) with respect to an article described in subsection (b) of this section, subsections (c)(2) and (d) of section 503 of such Act shall be applied and administered by substituting “October 1” for “July 1” each place such date appears.

(b) ARTICLE DESCRIBED.—An article described in this subsection is an article of a beneficiary developing country that is designated by the President as an eligible article under subsection (a) of section 503 of the Trade Act of 1974 (19 U.S.C. 2463) and with respect to which a determination described in subsection (c)(2)(A) of such section was made with respect to exports (directly or indirectly) to the United States of such eligible article during calendar year 2014 by the beneficiary developing country.

**SEC. 204. ELIGIBILITY OF CERTAIN LUGGAGE AND TRAVEL ARTICLES FOR DUTY-FREE TREATMENT UNDER THE GENERALIZED SYSTEM OF PREFERENCES.**

Section 503(b)(1) of the Trade Act of 1974 (19 U.S.C. 2463(b)(1)) is amended—

(1) in subparagraph (A), by striking “paragraph (4)” and inserting “paragraphs (4) and (5)”;

(2) in subparagraph (E), by striking “Footwear” and inserting “Except as provided in paragraph (5), footwear”;

(3) by adding at the end the following:

“(5) CERTAIN LUGGAGE AND TRAVEL ARTICLES.—Notwithstanding subparagraph (A) or (E) of paragraph (1), the President may designate the following as eligible articles under subsection (a):

“(A) Articles classifiable under subheading 4202.11.00, 4202.12.40, 4202.21.60, 4202.21.90, 4202.22.15, 4202.22.45, 4202.31.60, 4202.32.40, 4202.32.80, 4202.92.15, 4202.92.20, 4202.92.45, or 4202.99.90 of the Harmonized Tariff Schedule of the United States.

“(B) Articles classifiable under statistical reporting number 4202.12.2020, 4202.12.2050, 4202.12.8030, 4202.12.8070, 4202.22.8050, 4202.32.9550, 4202.32.9560, 4202.91.0030, 4202.91.0090, 4202.92.3020, 4202.92.3031, 4202.92.3091, 4202.92.9026, or 4202.92.9060 of the Harmonized Tariff Schedule of the United States, as such statistical reporting numbers are in effect on the date of the enactment of the Trade Preferences Extension Act of 2015.”.

**TITLE III—EXTENSION OF PREFERENTIAL DUTY TREATMENT PROGRAM FOR HAITI**

**SEC. 301. EXTENSION OF PREFERENTIAL DUTY TREATMENT PROGRAM FOR HAITI.**

Section 213A of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2703a) is amended as follows:

(1) Subsection (b) is amended as follows:

(A) Paragraph (1) is amended—

(i) in subparagraph (B)(v)(I), by amending item (cc) to read as follows:

“(cc) 60 percent or more during the 1-year period beginning on December 20, 2017, and each of the 7 succeeding 1-year periods.”; and

(ii) in subparagraph (C)—

(I) in the table, by striking “succeeding 11 1-year periods” and inserting “16 succeeding 1-year periods”; and

(II) by striking “December 19, 2018” and inserting “December 19, 2025”.

(B) Paragraph (2) is amended—

(i) in subparagraph (A)(ii), by striking “11 succeeding 1-year periods” and inserting “16 succeeding 1-year periods”; and

(ii) in subparagraph (B)(iii), by striking “11 succeeding 1-year periods” and inserting “16 succeeding 1-year periods”.

(2) Subsection (h) is amended by striking “September 30, 2020” and inserting “September 30, 2025”.

**TITLE IV—EXTENSION OF TRADE ADJUSTMENT ASSISTANCE**

**SEC. 401. SHORT TITLE.**

This title may be cited as the “Trade Adjustment Assistance Reauthorization Act of 2015”.

**SEC. 402. APPLICATION OF PROVISIONS RELATING TO TRADE ADJUSTMENT ASSISTANCE.**

(a) REPEAL OF SNAPBACK.—Section 233 of the Trade Adjustment Assistance Extension Act of 2011 (Public Law 112-40; 125 Stat. 416) is repealed.

(b) APPLICABILITY OF CERTAIN PROVISIONS.—Except as otherwise provided in this title, the provisions of chapters 2 through 6 of title II of the Trade Act of 1974, as in effect on December 31, 2013, and as amended by this title, shall—

(1) take effect on the date of the enactment of this Act; and

(2) apply to petitions for certification filed under chapter 2, 3, or 6 of title II of the Trade Act of 1974 on or after such date of enactment.

(c) REFERENCES.—Except as otherwise provided in this title, whenever in this title an amendment or repeal is expressed in terms of an

amendment to, or repeal of, a provision of chapters 2 through 6 of title II of the Trade Act of 1974, the reference shall be considered to be made to a provision of any such chapter, as in effect on December 31, 2013.

**SEC. 403. EXTENSION OF TRADE ADJUSTMENT ASSISTANCE PROGRAM.**

(a) EXTENSION OF TERMINATION PROVISIONS.—Section 285 of the Trade Act of 1974 (19 U.S.C. 2271 note) is amended by striking “December 31, 2013” each place it appears and inserting “June 30, 2021”.

(b) TRAINING FUNDS.—Section 236(a)(2)(A) of the Trade Act of 1974 (19 U.S.C. 2296(a)(2)(A)) is amended by striking “shall not exceed” and all that follows and inserting “shall not exceed \$450,000,000 for each of fiscal years 2015 through 2021.”.

(c) REEMPLOYMENT TRADE ADJUSTMENT ASSISTANCE.—Section 246(b)(1) of the Trade Act of 1974 (19 U.S.C. 2318(b)(1)) is amended by striking “December 31, 2013” and inserting “June 30, 2021”.

(d) AUTHORIZATIONS OF APPROPRIATIONS.—

(1) TRADE ADJUSTMENT ASSISTANCE FOR WORKERS.—Section 245(a) of the Trade Act of 1974 (19 U.S.C. 2317(a)) is amended by striking “December 31, 2013” and inserting “June 30, 2021”.

(2) TRADE ADJUSTMENT ASSISTANCE FOR FIRMS.—Section 255(a) of the Trade Act of 1974 (19 U.S.C. 2345(a)) is amended by striking “fiscal years 2012 and 2013” and all that follows through “December 31, 2013” and inserting “fiscal years 2015 through 2021”.

(3) TRADE ADJUSTMENT ASSISTANCE FOR FARMERS.—Section 298(a) of the Trade Act of 1974 (19 U.S.C. 2401g(a)) is amended by striking “fiscal years 2012 and 2013” and all that follows through “December 31, 2013” and inserting “fiscal years 2015 through 2021”.

**SEC. 404. PERFORMANCE MEASUREMENT AND REPORTING.**

(a) PERFORMANCE MEASURES.—Section 239(j) of the Trade Act of 1974 (19 U.S.C. 2311(j)) is amended—

(1) in the subsection heading, by striking “DATA REPORTING” and inserting “PERFORMANCE MEASURES”;

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A)—

(i) by striking “a quarterly” and inserting “an annual”; and

(ii) by striking “data” and inserting “measures”;

(B) in subparagraph (A), by striking “core” and inserting “primary”; and

(C) in subparagraph (C), by inserting “that promote efficiency and effectiveness” after “assistance program”;

(3) in paragraph (2)—

(A) in the paragraph heading, by striking “CORE INDICATORS DESCRIBED” and inserting “INDICATORS OF PERFORMANCE”; and

(B) by striking subparagraph (A) and inserting the following:

“(A) PRIMARY INDICATORS OF PERFORMANCE DESCRIBED.—

“(i) IN GENERAL.—The primary indicators of performance referred to in paragraph (1)(A) shall consist of—

“(I) the percentage and number of workers who received benefits under the trade adjustment assistance program who are in unsubsidized employment during the second calendar quarter after exit from the program;

“(II) the percentage and number of workers who received benefits under the trade adjustment assistance program and who are in unsubsidized employment during the fourth calendar quarter after exit from the program;

“(III) the median earnings of workers described in subclause (I);

“(IV) the percentage and number of workers who received benefits under the trade adjustment assistance program who, subject to clause

(ii), obtain a recognized postsecondary credential or a secondary school diploma or its recognized equivalent, during participation in the program or within one year after exit from the program; and

“(V) the percentage and number of workers who received benefits under the trade adjustment assistance program who, during a year while receiving such benefits, are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measurable gains in skills toward such a credential or employment.

“(ii) INDICATOR RELATING TO CREDENTIAL.—For purposes of clause (i)(IV), a worker who received benefits under the trade adjustment assistance program who obtained a secondary school diploma or its recognized equivalent shall be included in the percentage counted for purposes of that clause only if the worker, in addition to obtaining such a diploma or its recognized equivalent, has obtained or retained employment or is in an education or training program leading to a recognized postsecondary credential within one year after exit from the program.”;

(A) in paragraph (3)—

(A) in the paragraph heading, by striking “DATA” and inserting “MEASURES”;

(B) by striking “quarterly” and inserting “annual”; and

(C) by striking “data” and inserting “measures”; and

(5) by adding at the end the following:

“(4) ACCESSIBILITY OF STATE PERFORMANCE REPORTS.—The Secretary shall, on an annual basis, make available (including by electronic means), in an easily understandable format, the reports of cooperating States or cooperating State agencies required by paragraph (1) and the information contained in those reports.”.

(b) COLLECTION AND PUBLICATION OF DATA.—Section 249B of the Trade Act of 1974 (19 U.S.C. 2323) is amended—

(1) in subsection (b)—

(A) in paragraph (3)—

(i) in subparagraph (A), by striking “enrolled in” and inserting “who received”;

(ii) in subparagraph (B)—

(I) by striking “complete” and inserting “exited”; and

(II) by striking “who were enrolled in” and inserting “, including who received”;

(iii) in subparagraph (E), by striking “complete” and inserting “exited”;

(iv) in subparagraph (F), by striking “complete” and inserting “exit”; and

(v) by adding at the end the following:

“(G) The average cost per worker of receiving training approved under section 236.

“(H) The percentage of workers who received training approved under section 236 and obtained unsubsidized employment in a field related to that training.”; and

(B) in paragraph (4)—

(i) in subparagraphs (A) and (B), by striking “quarterly” each place it appears and inserting “annual”; and

(ii) by striking subparagraph (C) and inserting the following:

“(C) The median earnings of workers described in section 239(f)(2)(A)(i)(III) during the second calendar quarter after exit from the program, expressed as a percentage of the median earnings of such workers before the calendar quarter in which such workers began receiving benefits under this chapter.”; and

(2) in subsection (e)—

(A) in paragraph (1)—

(i) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively; and

(ii) by inserting after subparagraph (A) the following:

“(B) the reports required under section 239(f);”; and

(B) in paragraph (2), by striking “a quarterly” and inserting “an annual”.

(c) RECOGNIZED POSTSECONDARY CREDENTIAL DEFINED.—Section 247 of the Trade Act of 1974 (19 U.S.C. 2319) is amended by adding at the end the following:

“(19) The term ‘recognized postsecondary credential’ means a credential consisting of an industry-recognized certificate or certification, a certificate of completion of an apprenticeship, a license recognized by a State or the Federal Government, or an associate or baccalaureate degree.”.

#### SEC. 405. APPLICABILITY OF TRADE ADJUSTMENT ASSISTANCE PROVISIONS.

(a) TRADE ADJUSTMENT ASSISTANCE FOR WORKERS.—

(1) PETITIONS FILED ON OR AFTER JANUARY 1, 2014, AND BEFORE DATE OF ENACTMENT.—

(A) CERTIFICATIONS OF WORKERS NOT CERTIFIED BEFORE DATE OF ENACTMENT.—

(i) CRITERIA IF A DETERMINATION HAS NOT BEEN MADE.—If, as of the date of the enactment of this Act, the Secretary of Labor has not made a determination with respect to whether to certify a group of workers as eligible to apply for adjustment assistance under section 222 of the Trade Act of 1974 pursuant to a petition described in clause (iii), the Secretary shall make that determination based on the requirements of section 222 of the Trade Act of 1974, as in effect on such date of enactment.

(ii) RECONSIDERATION OF DENIALS OF CERTIFICATIONS.—If, before the date of the enactment of this Act, the Secretary made a determination not to certify a group of workers as eligible to apply for adjustment assistance under section 222 of the Trade Act of 1974 pursuant to a petition described in clause (iii), the Secretary shall—

(I) reconsider that determination; and

(II) if the group of workers meets the requirements of section 222 of the Trade Act of 1974, as in effect on such date of enactment, certify the group of workers as eligible to apply for adjustment assistance.

(iii) PETITION DESCRIBED.—A petition described in this clause is a petition for a certification of eligibility for a group of workers filed under section 221 of the Trade Act of 1974 on or after January 1, 2014, and before the date of the enactment of this Act.

(B) ELIGIBILITY FOR BENEFITS.—

(i) IN GENERAL.—Except as provided in clause (ii), a worker certified as eligible to apply for adjustment assistance under section 222 of the Trade Act of 1974 pursuant to a petition described in subparagraph (A)(iii) shall be eligible, on and after the date that is 90 days after the date of the enactment of this Act, to receive benefits only under the provisions of chapter 2 of title II of the Trade Act of 1974, as in effect on such date of enactment.

(ii) COMPUTATION OF MAXIMUM BENEFITS.—Benefits received by a worker described in clause (i) under chapter 2 of title II of the Trade Act of 1974 before the date of the enactment of this Act shall be included in any determination of the maximum benefits for which the worker is eligible under the provisions of chapter 2 of title II of the Trade Act of 1974, as in effect on the date of the enactment of this Act.

(2) PETITIONS FILED BEFORE JANUARY 1, 2014.—A worker certified as eligible to apply for adjustment assistance pursuant to a petition filed under section 221 of the Trade Act of 1974 on or before December 31, 2013, shall continue to be eligible to apply for and receive benefits under the provisions of chapter 2 of title II of such Act, as in effect on December 31, 2013.

(3) QUALIFYING SEPARATIONS WITH RESPECT TO PETITIONS FILED WITHIN 90 DAYS OF DATE OF EN-

ACTMENT.—Section 223(b) of the Trade Act of 1974, as in effect on the date of the enactment of this Act, shall be applied and administered by substituting “before January 1, 2014” for “more than one year before the date of the petition on which such certification was granted” for purposes of determining whether a worker is eligible to apply for adjustment assistance pursuant to a petition filed under section 221 of the Trade Act of 1974 on or after the date of the enactment of this Act and on or before the date that is 90 days after such date of enactment.

(b) TRADE ADJUSTMENT ASSISTANCE FOR FIRMS.—

(1) CERTIFICATION OF FIRMS NOT CERTIFIED BEFORE DATE OF ENACTMENT.—

(A) CRITERIA IF A DETERMINATION HAS NOT BEEN MADE.—If, as of the date of the enactment of this Act, the Secretary of Commerce has not made a determination with respect to whether to certify a firm as eligible to apply for adjustment assistance under section 251 of the Trade Act of 1974 pursuant to a petition described in subparagraph (C), the Secretary shall make that determination based on the requirements of section 251 of the Trade Act of 1974, as in effect on such date of enactment.

(B) RECONSIDERATION OF DENIAL OF CERTAIN PETITIONS.—If, before the date of the enactment of this Act, the Secretary made a determination not to certify a firm as eligible to apply for adjustment assistance under section 251 of the Trade Act of 1974 pursuant to a petition described in subparagraph (C), the Secretary shall—

(i) reconsider that determination; and

(ii) if the firm meets the requirements of section 251 of the Trade Act of 1974, as in effect on such date of enactment, certify the firm as eligible to apply for adjustment assistance.

(C) PETITION DESCRIBED.—A petition described in this subparagraph is a petition for a certification of eligibility filed by a firm or its representative under section 251 of the Trade Act of 1974 on or after January 1, 2014, and before the date of the enactment of this Act.

(2) CERTIFICATION OF FIRMS THAT DID NOT SUBMIT PETITIONS BETWEEN JANUARY 1, 2014, AND DATE OF ENACTMENT.—

(A) IN GENERAL.—The Secretary of Commerce shall certify a firm described in subparagraph (B) as eligible to apply for adjustment assistance under section 251 of the Trade Act of 1974, as in effect on the date of the enactment of this Act, if the firm or its representative files a petition for a certification of eligibility under section 251 of the Trade Act of 1974 not later than 90 days after such date of enactment.

(B) FIRM DESCRIBED.—A firm described in this subparagraph is a firm that the Secretary determines would have been certified as eligible to apply for adjustment assistance if—

(i) the firm or its representative had filed a petition for a certification of eligibility under section 251 of the Trade Act of 1974 on a date during the period beginning on January 1, 2014, and ending on the day before the date of the enactment of this Act; and

(ii) the provisions of chapter 3 of title II of the Trade Act of 1974, as in effect on such date of enactment, had been in effect on that date during the period described in clause (i).

#### SEC. 406. SUNSET PROVISIONS.

(a) APPLICATION OF PRIOR LAW.—Subject to subsection (b), beginning on July 1, 2021, the provisions of chapters 2, 3, 5, and 6 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.), as in effect on January 1, 2014, shall be in effect and apply, except that in applying and administering such chapters—

(1) paragraph (1) of section 231(c) of that Act shall be applied and administered as if subparagraphs (A), (B), and (C) of that paragraph were not in effect;

(2) section 233 of that Act shall be applied and administered—

(A) in subsection (a)—

(i) in paragraph (2), by substituting “104-week period” for “104-week period” and all that follows through “130-week period”]; and

(ii) in paragraph (3)—

(I) in the matter preceding subparagraph (A), by substituting “65” for “52”; and

(II) by substituting “78-week period” for “52-week period” each place it appears; and

(B) by applying and administering subsection (g) as if it read as follows:

“(g) PAYMENT OF TRADE READJUSTMENT ALLOWANCES TO COMPLETE TRAINING.—Notwithstanding any other provision of this section, in order to assist an adversely affected worker to complete training approved for the worker under section 236 that leads to the completion of a degree or industry-recognized credential, payments may be made as trade readjustment allowances for not more than 13 weeks within such period of eligibility as the Secretary may prescribe to account for a break in training or for justifiable cause that follows the last week for which the worker is otherwise entitled to a trade readjustment allowance under this chapter if—

“(1) payment of the trade readjustment allowance for not more than 13 weeks is necessary for the worker to complete the training;

“(2) the worker participates in training in each such week; and

“(3) the worker—

“(A) has substantially met the performance benchmarks established as part of the training approved for the worker;

“(B) is expected to continue to make progress toward the completion of the training; and

“(C) will complete the training during that period of eligibility.”;

(3) section 245(a) of that Act shall be applied and administered by substituting “June 30, 2022” for “December 31, 2007”;

(4) section 246(b)(1) of that Act shall be applied and administered by substituting “June 30, 2022” for “the date that is 5 years” and all that follows through “State”;

(5) section 256(b) of that Act shall be applied and administered by substituting “the 1-year period beginning on July 1, 2021” for “each of fiscal years 2003 through 2007, and \$4,000,000 for the 3-month period beginning on October 1, 2007”;

(6) section 298(a) of that Act shall be applied and administered by substituting “the 1-year period beginning on July 1, 2021” for “each of the fiscal years” and all that follows through “October 1, 2007”; and

(7) section 285 of that Act shall be applied and administered—

(A) in subsection (a), by substituting “June 30, 2022” for “December 31, 2007” each place it appears; and

(B) by applying and administering subsection (b) as if it read as follows:

“(b) OTHER ASSISTANCE.—

“(1) ASSISTANCE FOR FIRMS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), assistance may not be provided under chapter 3 after June 30, 2022.

“(B) EXCEPTION.—Notwithstanding subparagraph (A), any assistance approved under chapter 3 pursuant to a petition filed under section 251 on or before June 30, 2022, may be provided—

“(i) to the extent funds are available pursuant to such chapter for such purpose; and

“(ii) to the extent the recipient of the assistance is otherwise eligible to receive such assistance.

“(2) FARMERS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), assistance may not be provided under chapter 6 after June 30, 2022.

“(B) EXCEPTION.—Notwithstanding subparagraph (A), any assistance approved under chapter 6 on or before June 30, 2022, may be provided—

“(i) to the extent funds are available pursuant to such chapter for such purpose; and

“(ii) to the extent the recipient of the assistance is otherwise eligible to receive such assistance.”;

(b) EXCEPTIONS.—The provisions of chapters 2, 3, 5, and 6 of title II of the Trade Act of 1974, as in effect on the date of the enactment of this Act, shall continue to apply on and after July 1, 2021, with respect to—

(1) workers certified as eligible for trade adjustment assistance benefits under chapter 2 of title II of that Act pursuant to petitions filed under section 221 of that Act before July 1, 2021;

(2) firms certified as eligible for technical assistance or grants under chapter 3 of title II of that Act pursuant to petitions filed under section 251 of that Act before July 1, 2021; and

(3) agricultural commodity producers certified as eligible for technical or financial assistance under chapter 6 of title II of that Act pursuant to petitions filed under section 292 of that Act before July 1, 2021.

#### SEC. 407. EXTENSION AND MODIFICATION OF HEALTH COVERAGE TAX CREDIT.

(a) EXTENSION.—Subparagraph (B) of section 35(b)(1) of the Internal Revenue Code of 1986 is amended by striking “before January 1, 2014” and inserting “before January 1, 2020”.

(b) COORDINATION WITH CREDIT FOR COVERAGE UNDER A QUALIFIED HEALTH PLAN.—Subsection (g) of section 35 of the Internal Revenue Code of 1986 is amended—

(1) by redesignating paragraph (11) as paragraph (13), and

(2) by inserting after paragraph (10) the following new paragraphs:

“(11) ELECTION.—

“(A) IN GENERAL.—This section shall not apply to any taxpayer for any eligible coverage month unless such taxpayer elects the application of this section for such month.

“(B) TIMING AND APPLICABILITY OF ELECTION.—Except as the Secretary may provide—

“(i) an election to have this section apply for any eligible coverage month in a taxable year shall be made not later than the due date (including extensions) for the return of tax for the taxable year, and

“(ii) any election for this section to apply for an eligible coverage month shall apply for all subsequent eligible coverage months in the taxable year and, once made, shall be irrevocable with respect to such months.

“(12) COORDINATION WITH PREMIUM TAX CREDIT.—

“(A) IN GENERAL.—An eligible coverage month to which the election under paragraph (11) applies shall not be treated as a coverage month (as defined in section 36B(c)(2)) for purposes of section 36B with respect to the taxpayer.

“(B) COORDINATION WITH ADVANCE PAYMENTS OF PREMIUM TAX CREDIT.—In the case of a taxpayer who makes the election under paragraph (11) with respect to any eligible coverage month in a taxable year or on behalf of whom any advance payment is made under section 7527 with respect to any month in such taxable year—

“(i) the tax imposed by this chapter for the taxable year shall be increased by the excess, if any, of—

“(I) the sum of any advance payments made on behalf of the taxpayer under section 1412 of the Patient Protection and Affordable Care Act and section 7527 for months during such taxable year, over

“(II) the sum of the credits allowed under this section (determined without regard to paragraph (1)) and section 36B (determined without regard to subsection (f)(1) thereof) for such taxable year, and

“(ii) section 36B(f)(2) shall not apply with respect to such taxpayer for such taxable year, except that if such taxpayer received any advance payments under section 7527 for any month in such taxable year and is later allowed a credit under section 36B for such taxable year, then section 36B(f)(2)(B) shall be applied by substituting the amount determined under clause (i) for the amount determined under section 36B(f)(2)(A).”.

(c) EXTENSION OF ADVANCE PAYMENT PROGRAM.—

(1) IN GENERAL.—Subsection (a) of section 7527 of the Internal Revenue Code of 1986 is amended by striking “August 1, 2003” and inserting “the date that is 1 year after the date of the enactment of the Trade Adjustment Assistance Reauthorization Act of 2015”.

(2) CONFORMING AMENDMENT.—Paragraph (1) of section 7527(e) of such Code is amended by striking “occurring” and all that follows and inserting “occurring—

“(A) after the date that is 1 year after the date of the enactment of the Trade Adjustment Assistance Reauthorization Act of 2015, and

“(B) prior to the first month for which an advance payment is made on behalf of such individual under subsection (a).”.

(d) INDIVIDUAL INSURANCE TREATED AS QUALIFIED HEALTH INSURANCE WITHOUT REGARD TO ENROLLMENT DATE.—

(1) IN GENERAL.—Subparagraph (J) of section 35(e)(1) of the Internal Revenue Code of 1986 is amended by striking “insurance if the eligible individual” and all that follows through “For purposes of” and inserting “insurance. For purposes of”.

(2) SPECIAL RULE.—Subparagraph (J) of section 35(e)(1) of such Code, as amended by paragraph (1), is amended by striking “insurance.” and inserting “insurance (other than coverage enrolled in through an Exchange established under the Patient Protection and Affordable Care Act).”.

(e) CONFORMING AMENDMENT.—Subsection (m) of section 6501 of the Internal Revenue Code of 1986 is amended by inserting “, 35(g)(11)” after “30D(e)(4)”.

(f) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to coverage months in taxable years beginning after December 31, 2013.

(2) PLANS AVAILABLE ON INDIVIDUAL MARKET FOR USE OF TAX CREDIT.—The amendment made by subsection (d)(2) shall apply to coverage months in taxable years beginning after December 31, 2015.

(3) TRANSITION RULE.—Notwithstanding section 35(g)(11)(B)(i) of the Internal Revenue Code of 1986 (as added by this title), an election to apply section 35 of such Code to an eligible coverage month (as defined in section 35(b) of such Code) (and not to claim the credit under section 36B of such Code with respect to such month) in a taxable year beginning after December 31, 2013, and before the date of the enactment of this Act—

(A) may be made at any time on or after such date of enactment and before the expiration of the 3-year period of limitation prescribed in section 6511(a) with respect to such taxable year; and

(B) may be made on an amended return.

(g) AGENCY OUTREACH.—As soon as possible after the date of the enactment of this Act, the Secretaries of the Treasury, Health and Human Services, and Labor (or such Secretaries’ delegates) and the Director of the Pension Benefit Guaranty Corporation (or the Director’s delegate) shall carry out programs of public outreach, including on the Internet, to inform potential eligible individuals (as defined in section 35(c)(1) of the Internal Revenue Code of 1986) of

the extension of the credit under section 35 of the Internal Revenue Code of 1986 and the availability of the election to claim such credit retroactively for coverage months beginning after December 31, 2013.

# **TITLE V—IMPROVEMENTS TO ANTI-DUMPING AND COUNTERVAILING DUTY LAWS**

## **SEC. 501. SHORT TITLE.**

This title may be cited as the “American Trade Enforcement Effectiveness Act”.

## **SEC. 502. CONSEQUENCES OF FAILURE TO COOPERATE WITH A REQUEST FOR INFORMATION IN A PROCEEDING.**

Section 776 of the Tariff Act of 1930 (19 U.S.C. 1677e) is amended—

(1) in subsection (b)—

(A) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively, and by moving such subparagraphs, as so redesignated, 2 ems to the right;

(B) by striking “ADVERSE INFERENCES.—If” and inserting the following: “ADVERSE INFERENCES.—

“(1) IN GENERAL.—If”;

(C) by striking “under this title, may use” and inserting the following: “under this title—“(A) may use”; and

(D) by striking “facts otherwise available. Such adverse inference may include” and inserting the following: “facts otherwise available; and

“(B) is not required to determine, or make any adjustments to, a countervailable subsidy rate or weighted average dumping margin based on any assumptions about information the interested party would have provided if the interested party had complied with the request for information.

“(2) POTENTIAL SOURCES OF INFORMATION FOR ADVERSE INFERENCES.—An adverse inference under paragraph (1)(A) may include”;

(2) in subsection (c)—

(A) by striking “CORROBORATION OF SECONDARY INFORMATION.—When the” and inserting the following: “CORROBORATION OF SECONDARY INFORMATION.—

“(1) IN GENERAL.—Except as provided in paragraph (2), when the”;

(B) by adding at the end the following:

“(2) EXCEPTION.—The administrative authority and the Commission shall not be required to corroborate any dumping margin or countervailing duty applied in a separate segment of the same proceeding.”; and

(3) by adding at the end the following:

“(d) SUBSIDY RATES AND DUMPING MARGINS IN ADVERSE INFERENCE DETERMINATIONS.—

“(1) IN GENERAL.—If the administering authority uses an inference that is adverse to the interests of a party under subsection (b)(1)(A) in selecting among the facts otherwise available, the administering authority may—

“(A) in the case of a countervailing duty proceeding—

“(i) use a countervailable subsidy rate applied for the same or similar program in a countervailing duty proceeding involving the same country, or

“(ii) if there is no same or similar program, use a countervailable subsidy rate for a subsidy program from a proceeding that the administering authority considers reasonable to use, and

“(B) in the case of an antidumping duty proceeding, use any dumping margin from any segment of the proceeding under the applicable antidumping order.

“(2) DISCRETION TO APPLY HIGHEST RATE.—In carrying out paragraph (1), the administering authority may apply any of the countervailable subsidy rates or dumping margins specified under that paragraph, including the highest such rate or margin, based on the evaluation by

the administering authority of the situation that resulted in the administering authority using an adverse inference in selecting among the facts otherwise available.

“(3) NO OBLIGATION TO MAKE CERTAIN ESTIMATES OR ADDRESS CERTAIN CLAIMS.—If the administering authority uses an adverse inference under subsection (b)(1)(A) in selecting among the facts otherwise available, the administering authority is not required, for purposes of subsection (c) or for any other purpose—

“(A) to estimate what the countervailable subsidy rate or dumping margin would have been if the interested party found to have failed to cooperate under subsection (b)(1) had cooperated, or

“(B) to demonstrate that the countervailable subsidy rate or dumping margin used by the administering authority reflects an alleged commercial reality of the interested party.”.

## **SEC. 503. DEFINITION OF MATERIAL INJURY.**

(a) EFFECT OF PROFITABILITY OF DOMESTIC INDUSTRIES.—Section 771(7) of the Tariff Act of 1930 (19 U.S.C. 1677(7)) is amended by adding at the end the following:

“(J) EFFECT OF PROFITABILITY.—The Commission may not determine that there is no material injury or threat of material injury to an industry in the United States merely because that industry is profitable or because the performance of that industry has recently improved.”.

(b) EVALUATION OF IMPACT ON DOMESTIC INDUSTRY IN DETERMINATION OF MATERIAL INJURY.—Subclause (I) of section 771(7)(C)(iii) of the Tariff Act of 1930 (19 U.S.C. 1677(7)(C)(iii)) is amended to read as follows:

“(I) actual and potential decline in output, sales, market share, gross profits, operating profits, net profits, ability to service debt, productivity, return on investments, return on assets, and utilization of capacity,”.

(c) CAPTIVE PRODUCTION.—Section 771(7)(C)(iv) of the Tariff Act of 1930 (19 U.S.C. 1677(7)(C)(iv)) is amended—

(1) in subclause (I), by striking the comma and inserting “, and”;

(2) in subclause (II), by striking “, and” and inserting a comma; and

(3) by striking subclause (III).

## **SEC. 504. PARTICULAR MARKET SITUATION.**

(a) DEFINITION OF ORDINARY COURSE OF TRADE.—Section 771(15) of the Tariff Act of 1930 (19 U.S.C. 1677(15)) is amended by adding at the end the following:

“(C) Situations in which the administering authority determines that the particular market situation prevents a proper comparison with the export price or constructed export price.”.

(b) DEFINITION OF NORMAL VALUE.—Section 773(a)(1)(B)(ii)(III) of the Tariff Act of 1930 (19 U.S.C. 1677b(a)(1)(B)(ii)(III)) is amended by striking “in such other country.”.

(c) DEFINITION OF CONSTRUCTED VALUE.—Section 773(e) of the Tariff Act of 1930 (19 U.S.C. 1677b(e)) is amended—

(1) in paragraph (1), by striking “business” and inserting “trade”; and

(2) by striking the flush text at the end and inserting the following:

“For purposes of paragraph (1), if a particular market situation exists such that the cost of materials and fabrication or other processing of any kind does not accurately reflect the cost of production in the ordinary course of trade, the administering authority may use another calculation methodology under this subtitle or any other calculation methodology. For purposes of paragraph (1), the cost of materials shall be determined without regard to any internal tax in the exporting country imposed on such materials or their disposition that is remitted or refunded upon exportation of the subject merchandise produced from such materials.”.

## **SEC. 505. DISTORTION OF PRICES OR COSTS.**

(a) INVESTIGATION OF BELOW-COST SALES.—Section 773(b)(2) of the Tariff Act of 1930 (19

U.S.C. 1677b(b)(2)) is amended by striking subparagraph (A) and inserting the following:

“(A) REASONABLE GROUNDS TO BELIEVE OR SUSPECT.—

“(i) REVIEW.—In a review conducted under section 751 involving a specific exporter, there are reasonable grounds to believe or suspect that sales of the foreign like product have been made at prices that are less than the cost of production of the product if the administering authority disregarded some or all of the exporter’s sales pursuant to paragraph (1) in the investigation or, if a review has been completed, in the most recently completed review.

“(ii) REQUESTS FOR INFORMATION.—In an investigation initiated under section 732 or a review conducted under section 751, the administering authority shall request information necessary to calculate the constructed value and cost of production under subsections (e) and (f) to determine whether there are reasonable grounds to believe or suspect that sales of the foreign like product have been made at prices that represent less than the cost of production of the product.”.

(b) PRICES AND COSTS IN NONMARKET ECONOMIES.—Section 773(c) of the Tariff Act of 1930 (19 U.S.C. 1677b(c)) is amended by adding at the end the following:

“(5) DISCRETION TO DISREGARD CERTAIN PRICE OR COST VALUES.—In valuing the factors of production under paragraph (1) for the subject merchandise, the administering authority may disregard price or cost values without further investigation if the administering authority has determined that broadly available export subsidies existed or particular instances of subsidization occurred with respect to those price or cost values or if those price or cost values were subject to an antidumping order.”.

## **SEC. 506. REDUCTION IN BURDEN ON DEPARTMENT OF COMMERCE BY REDUCING THE NUMBER OF VOLUNTARY RESPONDENTS.**

Section 782(a) of the Tariff Act of 1930 (19 U.S.C. 1677m(a)) is amended—

(1) in paragraph (1), by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and by moving such clauses, as so redesignated, 2 ems to the right;

(2) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and by moving such subparagraphs, as so redesignated, 2 ems to the right;

(3) by striking “INVESTIGATIONS AND REVIEWS.—In” and inserting the following: “INVESTIGATIONS AND REVIEWS.—

“(1) IN GENERAL.—In”;

(4) in paragraph (1), as designated by paragraph (3), by amending subparagraph (B), as redesignated by paragraph (2), to read as follows:

“(B) the number of exporters or producers subject to the investigation or review is not so large that any additional individual examination of such exporters or producers would be unduly burdensome to the administering authority and inhibit the timely completion of the investigation or review.”; and

(5) by adding at the end the following:

“(2) DETERMINATION OF UNDULY BURDENSOME.—In determining if an individual examination under paragraph (1)(B) would be unduly burdensome, the administering authority may consider the following:

“(A) The complexity of the issues or information presented in the proceeding, including questionnaires and any responses thereto.

“(B) Any prior experience of the administering authority in the same or similar proceeding.

“(C) The total number of investigations under subtitle A or B and reviews under section 751 being conducted by the administering authority as of the date of the determination.



“(D) Such other factors relating to the timely completion of each such investigation and review as the administering authority considers appropriate.”.

#### SEC. 507. APPLICATION TO CANADA AND MEXICO.

Pursuant to article 1902 of the North American Free Trade Agreement and section 408 of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3438), the amendments made by this title shall apply with respect to goods from Canada and Mexico.

#### TITLE VI—TARIFF CLASSIFICATION OF CERTAIN ARTICLES

#### SEC. 601. TARIFF CLASSIFICATION OF RECREATIONAL PERFORMANCE OUTERWEAR.

(a) AMENDMENTS TO ADDITIONAL U.S. NOTES.—The Additional U.S. Notes to chapter 62 of the Harmonized Tariff Schedule of the United States are amended—

(1) in Additional U.S. Note 2—

(A) by striking “For the purposes of subheadings” and all that follows through “6211.20.15” and inserting “For purposes of this chapter”;

(B) by striking “garments classifiable in those subheadings” and inserting “a garment”;

(C) by striking “D 3600-81” and inserting “D 3779-81”;

(2) by adding at the end the following new notes:

“(c) For purposes of this chapter, the term ‘recreational performance outerwear’ means trousers (including, but not limited to, paddling pants, ski or snowboard pants, and ski or snowboard pants intended for sale as parts of ski-suits), coveralls and bib overalls, and jackets (including, but not limited to, full zip jackets, paddling jackets, ski jackets, and ski jackets intended for sale as parts of ski-suits), windbreakers, and similar articles (including padded, sleeveless jackets) composed of fabrics of cotton, wool, hemp, bamboo, silk, or manmade fiber, or a combination of such fibers, that are either water resistant or treated with plastics, or both, with critically sealed seams, and with five or more of the following features:

“(1) Insulation for cold weather protection.

“(2) Pockets, at least one of which has a zippered, hook and loop, or other type of closure.

“(3) Elastic, drawcord, or other means of tightening around the waist or leg hems, including hidden leg sleeves with a means of tightening at the ankle for trousers and tightening around the waist or bottom hem for jackets.

“(4) Venting, not including grommet(s).

“(5) Articulated elbows or knees.

“(6) Reinforcement in one of the following areas: the elbows, shoulders, seat, knees, ankles, or cuffs.

“(7) Weatherproof closure at the waist or front.

“(8) Multi-adjustable hood or adjustable collar.

“(9) Adjustable powder skirt, inner protective skirt, or adjustable inner protective cuff at sleeve hem.

“(10) Construction at the arm gusset that utilizes fabric, design, or patterning to allow radial arm movement.

“(11) Odor control technology.

The term ‘recreational performance outerwear’ does not include occupational outerwear.

“(d) For purposes of this Note, the following terms have the following meanings:

“(1) The term ‘treated with plastics’ refers to textile fabrics impregnated, coated, covered, or laminated with plastics, as described in Note 2 to chapter 59.

“(2) The term ‘sealed seams’ means seams that have been covered by means of taping, gluing, bonding, cementing, fusing, welding, or a similar process so that water cannot pass through the seams when tested in accordance with the current version of AATCC Test Method 35.

“(3) The term ‘critically sealed seams’ means—

“(A) for jackets, windbreakers, and similar articles (including padded, sleeveless jackets), sealed seams that are sealed at the front and back yokes, or at the shoulders, arm holes, or both, where applicable; and

“(B) for trousers, overalls and bib overalls and similar articles, sealed seams that are sealed at the front (up to the zipper or other means of closure) and back rise.

“(4) The term ‘insulation for cold weather protection’ means insulation with either synthetic fill, down, a laminated thermal backing, or other lining for thermal protection from cold weather.

“(5) The term ‘venting’ refers to closeable or permanent constructed openings in a garment (excluding front, primary zipper closures and grommet(s)) to allow increased expulsion of built-up heat during outdoor activities. In a jacket, such openings are often positioned on the underarm seam of a garment but may also be placed along other seams in the front or back of a garment. In trousers, such openings are often positioned on the inner or outer leg seams of a garment but may also be placed along other seams in the front or back of a garment.

“(6) The term ‘articulated elbows or knees’ refers to the construction of a sleeve (or pant leg) to allow improved mobility at the elbow (or knee) through the use of extra seams, darts, gussets, or other means.

“(7) The term ‘reinforcement’ refers to the use of a double layer of fabric or section(s) of fabric that is abrasion-resistant or otherwise more durable than the face fabric of the garment.

“(8) The term ‘weatherproof closure’ means a closure (including, but not limited to, laminated or coated zippers, storm flaps, or other weatherproof construction) that has been reinforced or engineered in a manner to reduce the penetra-

tion or absorption of moisture or air through an opening in the garment.

“(9) The term ‘multi-adjustable hood or adjustable collar’ means, in the case of a hood, a hood into which is incorporated two or more draw cords, adjustment tabs, or elastics, or, in the case of a collar, a collar into which is incorporated at least one draw cord, adjustment tab, elastic, or similar component, to allow volume adjustments around a helmet, or the crown of the head, neck, or face.

“(10) The terms ‘adjustable powder skirt’ and ‘inner protective skirt’ refer to a partial lower inner lining with means of tightening around the waist for additional protection from the elements.

“(11) The term ‘arm gusset’ means construction at the arm of a gusset that utilizes an extra fabric piece in the underarm, usually diamond- or triangular-shaped, designed, or patterned to allow radial arm movement.

“(12) The term ‘radial arm movement’ refers to unrestricted, 180-degree range of motion for the arm while wearing performance outerwear.

“(13) The term ‘odor control technology’ means the incorporation into a fabric or garment of materials, including, but not limited to, activated carbon, silver, copper, or any combination thereof, capable of adsorbing, absorbing, or reacting with human odors, or effective in reducing the growth of odor-causing bacteria.

“(14) The term ‘occupational outerwear’ means outerwear garments, including uniforms, designed or marketed for use in the workplace or at a worksite to provide durable protection from cold or inclement weather and/or workplace hazards, such as fire, electrical, abrasion, or chemical hazards, or impacts, cuts, punctures, or similar hazards.

“(e) Notwithstanding subdivision (b)(i) of this Note, for purposes of this chapter, Notes 1 and 2(a)(1) to chapter 59 and Note 1(c) to chapter 60 shall be disregarded in classifying goods as ‘recreational performance outerwear’.

“(f) For purposes of this chapter, the importer of record shall maintain internal import records that specify upon entry whether garments claimed as recreational performance outerwear have an outer surface that is water resistant, treated with plastics, or a combination thereof, and shall further enumerate the specific features that make the garments eligible to be classified as recreational performance outerwear.”.

(b) TARIFF CLASSIFICATIONS.—Chapter 62 of the Harmonized Tariff Schedule of the United States is amended as follows:

(1) By striking subheading 6201.11.00 and inserting the following, with the article description for subheading 6201.11 having the same degree of indentation as the article description for subheading 6201.11.00 (as in effect on the day before the date of the enactment of this Act):

“	6201.11	Of wool or fine animal hair:					
	6201.11.05	Recreational performance outerwear .....	41¢/kg + 16.3%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 8% (AU) 16.4¢/kg + 6.5% (OM)	52.9¢/kg + 58.5%		
	6201.11.10	Other .....	41¢/kg + 16.3%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 8% (AU) 16.4¢/kg + 6.5% (OM)	52.9¢/kg + 58.5%	”.	

(2) By striking subheadings 6201.12.00 and 6201.12.20 and inserting the following, with the article description for subheading 6201.12.05

having the same degree of indentation as the article description for subheading 6201.12.10 (as in

effect on the day before the date of the enactment of this Act):



“	6201.12.05	Recreational performance outerwear .....	9.4%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	60%	
	6201.12.10	Other: Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down .....	4.4%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 3.9% (AU)	60%	
	6201.12.20	Other .....	9.4%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	90%	”.

(3) By striking subheadings 6201.13.10 through 6201.13.40 and inserting the following, with the article description for subheading 6201.13.05 having the same degree of indentation as the article description for subheading 6201.13.10 (as in effect on the day before the date of the enactment of this Act):

“	6201.13.05	Recreational performance outerwear .....	27.7%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	90%	
	6201.13.10	Other: Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down .....	4.4%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 3.9% (AU)	60%	
	6201.13.30	Other: Containing 36 percent or more by weight of wool or fine animal hair	49.7¢/kg + 19.7%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	52.9¢/kg + 58.5%	
	6201.13.40	Other .....	27.7%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	90%	”.

(4) By striking subheadings 6201.19.10 and 6201.19.90 and inserting the following, with the article description for subheading 6201.19.05 having the same degree of indentation as the article description for subheading 6201.19.10 (as in effect on the day before the date of the enactment of this Act):

“	6201.19.05	Recreational performance outerwear .....	2.8%	Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	35%	
	6201.19.10	Other: Containing 70 percent or more by weight of silk or silk waste .....	Free	Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	35%	
	6201.19.90	Other .....	2.8%	P, PA, PE, SG)	35%	”.

(5) By striking subheadings 6201.91.10 and 6201.91.20 and inserting the following, with the article description for subheading 6201.91.10 (as in effect on the day before the date of the enactment of this Act):

“	6201.91.05	Recreational performance outerwear .....	49.7¢/kg + 19.7%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 8% (AU) 19.8¢/kg + 7.8% (OM)	58.5%	
		Other:				

6201.91.10	Padded, sleeveless jackets .....	8.5%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 7.6% (AU) 3.4% (OM)	58.5%	
6201.91.20	Other .....	49.7¢/kg + 19.7%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 8% (AU) 19.8¢/kg + 7.8% (OM)	52.9¢/kg + 58.5%	”.

(6) By striking subheadings 6201.92.10 through 6201.92.20 and inserting the following, with the article description for subheading 6201.92.05 having the same degree of indentation as the article description for subheading 6201.92.10 (as in effect on the day before the date of the enactment of this Act):

6201.92.05	Recreational performance outerwear .....	9.4%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	90%	
6201.92.10	Other: Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down .....	4.4%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 3.9% (AU)	60%	
6201.92.15	Other: Water resistant .....	6.2%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 5.5% (AU)	37.5%	
6201.92.20	Other .....	9.4%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	90%	”.

(7) By striking subheadings 6201.93.10 through 6201.93.35 and inserting the following, with the article description for subheading 6201.93.05 having the same degree of indentation as the article description for subheading 6201.93.10 (as in effect on the day before the date of the enactment of this Act):

6201.93.05	Recreational performance outerwear .....	27.7%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	90%	
6201.93.10	Other: Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down .....	4.4%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 3.9% (AU)	60%	
6201.93.20	Other: Padded, sleeveless jackets .....	14.9%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	76%	
6201.93.25	Other: Containing 36 percent or more by weight of wool or fine animal hair .....	49.5¢/kg + 19.6%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	52.9¢/kg + 58.5%	
	Other:				

6201.93.30	Water resistant .....	7.1%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	65%	
6201.93.35	Other .....	27.7%	6.3% (AU) Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)		
			8% (AU)	90%	”.

(8) By striking subheadings 6201.99.10 and 6201.99.90 and inserting the following, with the article description for subheading 6201.99.05 having the same degree of indentation as the article description for subheading 6201.99.10 (as in effect on the day before the date of the enactment of this Act):

6201.99.05	Recreational performance outerwear .....	4.2%	Free (BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	35%	
	Other:		3.7% (AU)		
6201.99.10	Containing 70 percent or more by weight of silk or silk waste .....	Free		35%	
6201.99.90	Other .....	4.2%	Free (BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)		
			3.7% (AU)	35%	”.

(9) By striking subheading 6202.11.00 and inserting the following, with the article description for subheading 6202.11 having the same degree of indentation as the article description for subheading 6202.11.00 (as in effect on the day before the date of the enactment of this Act):

6202.11	Of wool or fine animal hair:				
6202.11.05	Recreational performance outerwear .....	41¢/kg + 16.3%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG)	46.3¢/kg + 58.5%	
			8% (AU)		
			16.4¢/kg + 6.5% (OM)		
6202.11.10	Other .....	41¢/kg + 16.3%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG)		
			8% (AU)		
			16.4¢/kg + 6.5% (OM)	46.3¢/kg + 58.5%	”.

(10) By striking subheadings 6202.12.10 and 6202.12.20 and inserting the following, with the article description for subheading 6202.12.05 having the same degree of indentation as the article description for subheading 6202.12.10 (as in effect on the day before the date of the enactment of this Act):

6202.12.05	Recreational performance outerwear .....	8.9%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	90%	
	Other:		8% (AU)		
6202.12.10	Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down .....	4.4%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	60%	
			3.9% (AU)		
6202.12.20	Other .....	8.9%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)		
			8% (AU)	90%	”.

(11) By striking subheadings 6202.13.10 through 6202.13.40 and inserting the following, with the article description for subheading 6202.13.05 having the same degree of indentation as the article description for subheading 6202.13.10 (as in effect on the day before the date of the enactment of this Act):

“	6202.13.05	Recreational performance outerwear .....	27.7%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	90%	
	6202.13.10	Other: Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down .....	4.4%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 3.9% (AU)	60%	
	6202.13.30	Other: Containing 36 percent or more by weight of wool or fine animal hair .....	43.5¢/kg + 19.7%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	46.3¢/kg + 58.5%	
	6202.13.40	Other .....	27.7%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	90%	”.

(12) By striking subheadings 6202.19.10 and 6202.19.90 and inserting the following, with the article description for subheading 6202.19.10 (as in effect on the day before the date of the enactment of this Act):

“	6202.19.05	Recreational performance outerwear .....	2.8%	Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	35%	
	6202.19.10	Other: Containing 70 percent or more by weight or silk or silk waste .....	Free	Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	35%	
	6202.19.90	Other .....	2.8%	Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	35%	”.

(13) By striking subheadings 6202.91.10 and 6202.91.20 and inserting the following, with the article description for subheading 6202.91.05 (as in effect on the day before the date of the enactment of this Act):

“	6202.91.05	Recreational performance outerwear .....	36¢/kg + 16.3%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 8% (AU) 14.4¢/kg + 6.5% (OM)	58.5%	
	6202.91.10	Other: Padded, sleeveless jackets .....	14%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 8% (AU) 5.6% (OM)	58.5%	
	6202.91.20	Other .....	36¢/kg + 16.3%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 8% (AU) 14.4¢/kg + 6.5% (OM)	46.3¢/kg + 58.5%	”.

(14) By striking subheadings 6202.92.10 through 6202.92.20 and inserting the following, with the article description for subheading 6202.92.05 (as in effect on the day before the date of the enactment of this Act):

“	6202.92.05	Recreational performance outerwear .....	8.9%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	90%	
		Other:				

6202.92.10	Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down .....	4.4%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 3.9% (AU)	60%	
6202.92.15	Other: Water resistant .....	6.2%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 5.5% (AU)	37.5%	
6202.92.20	Other .....	8.9%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	90%	”.

(15) By striking subheadings 6202.93.10 through 6202.93.50 and inserting the following, as the article description for subheading 6202.93.05 having the same degree of indentation as the article description for subheading 6202.93.10 (as in effect on the day before the date of the enactment of this Act):

6202.93.05	Recreational performance outerwear .....	27.7%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	90%	
6202.93.10	Other: Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down .....	4.4%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 3.9% (AU)	60%	
6202.93.20	Other: Padded, sleeveless jackets .....	14.9%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	76%	
6202.93.40	Other: Containing 36 percent or more by weight of wool or fine animal hair .....	43.4¢/kg + 19.7%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	46.3¢/kg + 58.5%	
6202.93.45	Other: Water resistant .....	7.1%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 6.3% (AU)	65%	
6202.93.50	Other .....	27.7%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	90%	”.

(16) By striking subheadings 6202.99.10 and 6202.99.90 and inserting the following, with the article description for subheading 6202.99.05 having the same degree of indentation as the article description for subheading 6202.99.10 (as in effect on the day before the date of the enactment of this Act):

6202.99.05	Recreational performance outerwear .....	2.8%	Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	35%	
6202.99.10	Other: Containing 70 percent or more by weight of silk or silk waste .....	Free		35%	

6202.99.90	Other .....	2.8%	Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	35%	”.
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(17) By striking subheadings 6203.41 and 6203.41.05, and the superior text to subheading 6203.41.05, and inserting the following, with the article description for subheading 6203.41 having the same degree of indentation as the article description for subheading 6203.41 (as in effect on the day before the date of the enactment of this Act):

6203.41	Of wool or fine animal hair:				
6203.41.05	Recreational performance outerwear .....	41.9¢/kg + 16.3%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG)	52.9¢/kg + 58.5%	
			8% (AU)		
			16.7¢/kg + 6.5% (OM)		
6203.41.10	Trousers, breeches and shorts: Trousers and breeches, containing elastomeric fiber, water resistant, without belt loops, weighing more than 9 kg per dozen .....	7.6%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG)		
			6.8% (AU)		
			3% (OM)	52.9¢/kg + 58.5%	”.

(18) By striking subheadings 6203.42.10 through 6203.42.40 and inserting the following, with the article description for subheading 6203.42.05 having the same degree of indentation as the article description for subheading 6203.42.10 (as in effect on the day before the date of the enactment of this Act):

6203.42.05	Recreational performance outerwear .....	16.6%	Free (BH, CA, CL, CO, IL, JO, MA, MX, OM, P, PA, PE, SG)	90%	
			8% (AU)		
			11.6% (KR)		
6203.42.10	Other: Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down .....	Free		60%	
6203.42.20	Other: Bib and brace overalls .....	10.3%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	90%	
			8% (AU)		
6203.42.40	Other .....	16.6%	Free (BH, CA, CL, CO, IL, JO, MA, MX, OM, P, PA, PE, SG)		
			8% (AU)		
			11.6% (KR)	90%	”.

(19) By striking subheadings 6203.43.10 through 6203.43.40 and inserting the following, with the article description for subheading 6203.43.05 having the same degree of indentation as the article description for subheading 6203.43.10 (as in effect on the day before the date of the enactment of this Act):

6203.43.05	Recreational performance outerwear .....	27.9%	Free (BH, CA, CL, CO, IL, JO, MA, MX, OM, P, PA, PE, SG)	90%	
			8% (AU)		
			11.1% (KR)		
6203.43.10	Other: Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down .....	Free		60%	
6203.43.15	Other: Bib and brace overalls: Water resistant .....	7.1%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	65%	
			6.3% (AU)		
6203.43.20	Other .....	14.9%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	76%	
			8% (AU)		

6203.43.25	Other: Certified hand-loomed and folklore products .....	12.2%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	76%	
6203.43.30	Other: Containing 36 percent or more by weight of wool or fine animal hair .....	49.6¢/kg + 19.7%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	52.9¢/kg + 58.5%	
6203.43.35	Other: Water resistant trousers or breeches .....	7.1%	Free (BH, CA, CL, CO, IL, JO, MA, MX, OM, P, PA, PE, SG) 6.3% (AU) 2.8% (KR)	65%	
6203.43.40	Other .....	27.9%	Free (BH, CA, CL, CO, IL, JO, MA, MX, OM, P, PA, PE, SG) 8% (AU) 11.1% (KR)	90%	”.

(20) By striking subheadings 6203.49 through 6203.49.80 and inserting the following, with the article description for subheading 6203.49 having the same degree of indentation as the article description for subheading 6203.49 (as in effect on the day before the date of the enactment of this Act):

“ 6203.49	Of other textile materials:				
6203.49.05	Recreational performance outerwear .....	2.8%	Free (AU, BH, CA, CL, CO, E*, IL, JO, MA, MX, OM, P, PA, PE, SG) 1.1% (KR)	35%	
6203.49.10	Other: Of artificial fibers: Bib and brace overalls .....	8.5%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 7.6% (AU)	76%	
6203.49.15	Trousers, breeches and shorts: Certified hand-loomed and folklore products .....	12.2%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	76%	
6203.49.20	Other .....	27.9%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	90%	
6203.49.40	Containing 70 percent or more by weight of silk or silk waste .....	Free		35%	
6203.49.80	Other .....	2.8%	Free (AU, BH, CA, CL, CO, E*, IL, JO, MA, MX, OM, P, PA, PE, SG) 1.1% (KR)	35%	”.

(21) By striking subheadings 6204.61.10 and 6204.61.90 and inserting the following, with the article description for subheading 6204.61.10 (as in effect on the day before the date of the enactment of this Act):

“ 6204.61.05	Recreational performance outerwear .....	13.6%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 5.4% (OM) 8% (AU)	58.5%	
	Other:				



6204.61.10	Trousers and breeches, containing elastomeric fiber, water resistant, without belt loops, weighing more than 6 kg per dozen .....	7.6%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 3% (OM) 6.8% (AU)	58.5%	
6204.61.90	Other .....	13.6%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 5.4% (OM) 8% (AU)	58.5%	”.

(22) By striking subheadings 6204.62.10 through 6204.62.40 and inserting the following, as the article description for subheading 6204.62.10 (as in effect on the day before the date of the enactment of this Act):

6204.62.05	Recreational performance outerwear .....	16.6%	Free (BH, CA, CL, CO, IL, JO, MA, MX, OM, P, PA, PE, SG) 8% (AU) 11.6% (KR)	90%	
6204.62.10	Other: Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down .....	Free		60%	
6204.62.20	Other: Bib and brace overalls .....	8.9%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	90%	
6204.62.30	Other: Certified hand-loomed and folklore products .....	7.1%	Free (BH, CA, CL, CO, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 6.3% (AU)	37.5%	
6204.62.40	Other .....	16.6%	Free (BH, CA, CL, CO, IL, JO, MA, MX, OM, P, PA, PE, SG) 8% (AU) 11.6% (KR)	90%	”.

(23) By striking subheadings 6204.63.10 through 6204.63.35 and inserting the following, as the article description for subheading 6204.63.10 (as in effect on the day before the date of the enactment of this Act):

6204.63.05	Recreational performance outerwear .....	28.6%	Free (BH, CA, CL, CO, IL, JO, MA, MX, OM, P, PA, PE, SG) 8% (AU) 11.4% (KR)	90%	
6204.63.10	Other: Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down .....	Free		60%	
6204.63.12	Other: Bib and brace overalls: Water resistant .....	7.1%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 6.3% (AU)	65%	
6204.63.15	Other .....	14.9%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	76%	
6204.63.20	Certified hand-loomed and folklore products .....	11.3%	Free (BH, CA, CL, CO, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	76%	
	Other:				

6204.63.25	Containing 36 percent or more by weight of wool or fine animal hair .....	13.6%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	58.5%	
6204.63.30	Other: Water resistant trousers or breeches .....	7.1%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 6.3% (AU)	65%	
6204.63.35	Other .....	28.6%	Free (BH, CA, CL, CO, IL, JO, MA, MX, OM, P, PA, PE, SG) 8% (AU) 11.4% (KR)	90%	”.

(24) By striking subheadings 6204.69 through 6204.69.90 and inserting the following, with the article description for subheading 6204.69 having the same degree of indentation as the article description for subheading 6204.69 (as in effect on the day before the date of the enactment of this Act):

“ 6204.69	Of other textile materials:				
6204.69.05	Recreational performance outerwear .....	2.8%	Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	35%	
6204.69.10	Other: Of artificial fibers: Bib and brace overalls .....	13.6%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	76%	
6204.69.20	Trousers, breeches and shorts: Containing 36 percent or more by weight of wool or fine animal hair .....	13.6%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	58.5%	
6204.69.25	Other .....	28.6%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	90%	
6204.69.40	Of silk or silk waste: Containing 70 percent or more by weight of silk or silk waste .....	1.1%	Free (AU, BH, CA, CL, CO, E, IL, J, JO, KR, MA, MX, OM, P, PA, PE, SG)	65%	
6204.69.60	Other .....	7.1%	Free (BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 6.3% (AU)	65%	
6204.69.90	Other .....	2.8%	Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	35%	”.

(25) By striking subheadings 6210.40.30 and 6210.40.50 and inserting the following, with the article description for subheading 6210.40.30 (as in effect on the day before the date of the enactment of this Act):

“ 6210.40.05	Recreational performance outerwear .....	7.1%	Free (AU, BH, CA, CL, IL, JO, KR, MA, MX, OM, P, PE, SG)	65%	
	Other:				

6210.40.30	Having an outer surface impregnated, coated, covered or laminated with rubber or plastics material which completely obscures the underlying fabric .....	3.8%	Free (AU, BH, CA, CL, IL, JO, KR, MA, MX, OM, P, PE, SG)	65%	
6210.40.50	Other .....	7.1%	Free (AU, BH, CA, CL, IL, JO, KR, MA, MX, OM, P, PE, SG)	65%	”.

(26) By striking subheadings 6210.50.30 and 6210.50.50 and inserting the following, with the article description for subheading 6210.50.05 having the same degree of indentation as the article description for subheading 6210.50.30 (as in effect on the day before the date of the enactment of this Act):

6210.50.05	Recreational performance outerwear .....	7.1%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PE, SG)	65%	
6210.50.30	Other: Having an outer surface impregnated, coated, covered or laminated with rubber or plastics material which completely obscures the underlying fabric .....	3.8%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PE, SG)	65%	
6210.50.50	Other .....	7.1%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PE, SG)	65%	”.

(27) By striking subheading 6211.32.00 and inserting the following, with the article description for subheading 6211.32 having the same degree of indentation as the article description for subheading 6211.32.00 (as in effect on the day before the date of the enactment of this Act):

6211.32	Of cotton:				
6211.32.05	Recreational performance outerwear .....	8.1%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	90%	
6211.32.10	Other .....	8.1%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	90%	”.

(28) By striking subheading 6211.33.00 and inserting the following, with the article description for subheading 6211.33 having the same degree of indentation as the article description for subheading 6211.33.00 (as in effect on the day before the date of the enactment of this Act):

6211.33	Of man-made fibers:				
6211.33.05	Recreational performance outerwear .....	16%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG)	76%	
6211.33.10	Other .....	16%	6.4% (OM) Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG)	76%	”.

(29) By striking subheadings 6211.39.05 through 6211.39.90 and inserting the following, with the article description for subheading 6211.39.05 having the same degree of indentation as the article description for subheading 6211.39.05 (as in effect on the day before the date of the enactment of this Act):

6211.39.05	Recreational performance outerwear .....	2.8%	Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	35%	
6211.39.10	Other: Of wool or fine animal hair .....	12%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG)	58.5%	
			4.8% (OM)		

6211.39.20	Containing 70 percent or more by weight of silk or silk waste .....	0.5%	Free (AU, BH, CA, CL, CO, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	35%	
6211.39.90	Other .....	2.8%	Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	35%	”.

(30) By striking subheading 6211.42.00 and inserting the following, with the article description for subheading 6211.42 having the same degree of indentation as the article description for subheading 6211.42.00 (as in effect on the day before the date of the enactment of this Act):

“ 6211.42	Of cotton:				
6211.42.05	Recreational performance outerwear .....	8.1%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	90%	
6211.42.10	Other .....	8.1%	7.2% (AU) Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	90%	”.

(31) By striking subheading 6211.43.00 and inserting the following, with the article description for subheading 6211.43 having the same degree of indentation as the article description for subheading 6211.43.00 (as in effect on the day before the date of the enactment of this Act):

“ 6211.43	Of man-made fibers:				
6211.43.05	Recreational performance outerwear .....	16%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG)	90%	
6211.43.10	Other .....	16%	8% (AU) 6.4% (OM) Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG)	90%	”.

(32) By striking subheadings 6211.49.10 through 6211.49.90 and inserting the following, with the article description for subheading 6211.49.05 having the same degree of indentation as the article description for subheading 6211.49.10 (as in effect on the day before the date of the enactment of this Act):

“ 6211.49.05	Recreational performance outerwear .....	7.3%	Free (BH, CA, CL, CO, E, IL, JO, MA, MX, OM, P, PA, PE, SG)	35%	
6211.49.10	Other: Containing 70 percent or more by weight of silk or silk waste .....	1.2%	6.5% (AU) 2.9% (KR) Free (AU, BH, CA, CL, CO, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	35%	
6211.49.41	Of wool or fine animal hair .....	12%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG)	58.5%	
6211.49.90	Other .....	7.3%	4.8% (OM) 8% (AU) Free (BH, CA, CL, CO, E, IL, JO, MA, MX, OM, P, PA, PE, SG)	35%	”.

(c) EFFECTIVE DATE.—This section and the amendments made by this section shall—

(1) take effect on the 180th day after the date of the enactment of this Act; and

(2) apply to articles entered, or withdrawn from warehouse for consumption, on or after such 180th day.

#### SEC. 602. DUTY TREATMENT OF PROTECTIVE ACTIVE FOOTWEAR.

(a) DEFINITION OF PROTECTIVE ACTIVE FOOTWEAR.—The Additional U.S. Notes to chapter 64 of the Harmonized Tariff Schedule of the United States are amended by adding at the end the following:

“(f) For the purposes of subheadings 6402.91.42 and 6402.99.32, the term ‘protective active footwear’ means footwear (other than footwear described in Subheading Note 1) that is designed for outdoor activities, such as hiking shoes, trekking shoes, running shoes, and trail running shoes, the foregoing valued over \$24/pair and which provides protection against

water that is imparted by the use of a coated or laminated textile fabric.”.

(b) **DUTY TREATMENT FOR PROTECTIVE ACTIVE FOOTWEAR.**—Chapter 64 of the Harmonized Tar-

iff Schedule of the United States is amended as follows:

(1) By inserting after subheading 6402.91.40 the following new subheading, with the article

description for subheading 6402.91.42 having the same degree of indentation as the article description for subheading 6402.91.40:

“ 6402.91.42	Protective active footwear (except footwear with waterproof molded bottoms, including bottoms comprising an outer sole and all or part of the upper and except footwear with insulation that provides protection against cold weather), whose height from the bottom of the outer sole to the top of the upper does not exceed 15.34 cm .....	20%	Free (AU, BH, CA, CL, D, E, IL, JO, KR, MA, MX, OM, P, PA, PE, R, SG)	35%	”.
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(2) By inserting immediately preceding subheading 6402.99.33 the following new sub-

heading, with the article description for subheading 6402.99.32 having the same degree of in-

dentation as the article description for subheading 6402.99.33:

“ 6402.99.32	Protective active footwear .....	20%	Free (AU, BH, CA, CL, D, IL, JO, MA, MX, P) 1% (PA) 6% (OM) 6% (PE) 12% (CO) 20% (KR)	35%	”.
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(c) **STAGED RATE REDUCTIONS.**—The staged reductions in special rates of duty proclaimed for subheading 6402.99.90 of the Harmonized Tariff Schedule of the United States before the date of the enactment of this Act shall be applied to subheading 6402.99.32 of such Schedule, as added by subsection (b)(2), beginning in calendar year 2016.

(d) **EFFECTIVE DATE.**—This section and the amendments made by this section shall—

(1) take effect on the 15th day after the date of the enactment of this Act; and

(2) apply to articles entered, or withdrawn from warehouse for consumption, on or after such 15th day.

## TITLE VII—MISCELLANEOUS PROVISIONS

### SEC. 701. REPORT ON CONTRIBUTION OF TRADE PREFERENCE PROGRAMS TO REDUCING POVERTY AND ELIMINATING HUNGER.

Not later than 1 year after the date of the enactment of this Act, the President shall submit to Congress a report assessing the contribution of the trade preference programs of the United States, including the Generalized System of Preferences under title V of the Trade Act of 1974 (19 U.S.C. 2461 et seq.), the African Growth and Opportunity Act (19 U.S.C. 3701 et seq.), and the Caribbean Basin Economic Recovery Act (19 U.S.C. 2701 et seq.), to the reduction of poverty and the elimination of hunger.

## TITLE VIII—OFFSETS

### SEC. 801. CUSTOMS USER FEES EXTENSION.

(a) **IN GENERAL.**—Section 13031(j)(3)(A) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)(A)) is amended by striking “September 30, 2024” and inserting “July 7, 2025”.

(b) **RATE FOR MERCHANDISE PROCESSING FEES.**—Section 503 of the United States–Korea Free Trade Agreement Implementation Act (Public Law 112–41; 125 Stat. 460) is amended by striking “June 30, 2021” and inserting “June 30, 2025”.

### SEC. 802. ADDITIONAL CUSTOMS USER FEES EXTENSION.

(a) **IN GENERAL.**—Section 13031(j)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)) is amended—

(1) in subparagraph (B)(i), by striking “September 30, 2024” and inserting “September 30, 2025”; and

(2) by adding at the end the following:

“(D) Fees may be charged under paragraphs (9) and (10) of subsection (a) during the period

beginning on July 29, 2025, and ending on September 30, 2025.”.

(b) **RATE FOR MERCHANDISE PROCESSING FEES.**—Section 503 of the United States–Korea Free Trade Agreement Implementation Act (Public Law 112–41; 125 Stat. 460) is amended by adding at the end the following:

“(c) **FURTHER ADDITIONAL PERIOD.**—For the period beginning on July 15, 2025, and ending on September 30, 2025, section 13031(a)(9) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(a)(9)) shall be applied and administered—

“(1) in subparagraph (A), by substituting ‘0.3464’ for ‘0.21’; and

“(2) in subparagraph (B)(i), by substituting ‘0.3464’ for ‘0.21’.”.

### SEC. 803. TIME FOR PAYMENT OF CORPORATE ESTIMATED TAXES.

Notwithstanding section 6655 of the Internal Revenue Code of 1986, in the case of a corporation with assets of not less than \$1,000,000,000 (determined as of the end of the preceding taxable year)—

(1) the amount of any required installment of corporate estimated tax which is otherwise due in July, August, or September of 2020 shall be increased by 8 percent of such amount (determined without regard to any increase in such amount not contained in such Code); and

(2) the amount of the next required installment after an installment referred to in paragraph (1) shall be appropriately reduced to reflect the amount of the increase by reason of such paragraph.

### SEC. 804. PAYEE STATEMENT REQUIRED TO CLAIM CERTAIN EDUCATION TAX BENEFITS.

(a) **AMERICAN OPPORTUNITY CREDIT, HOPE SCHOLARSHIP CREDIT, AND LIFETIME LEARNING CREDIT.**—

(1) **IN GENERAL.**—Section 25A(g) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(8) **PAYEE STATEMENT REQUIREMENT.**—Except as otherwise provided by the Secretary, no credit shall be allowed under this section unless the taxpayer receives a statement furnished under section 6050S(d) which contains all of the information required by paragraph (2) thereof.”.

(2) **STATEMENT RECEIVED BY DEPENDENT.**—Section 25A(g)(3) of such Code is amended by striking “and” at the end of subparagraph (A), by striking the period at the end of subparagraph (B) and inserting “, and”, and by adding at the end the following:

“(C) a statement described in paragraph (8) and received by such individual shall be treated as received by the taxpayer.”.

(b) **DEDUCTION FOR QUALIFIED TUITION AND RELATED EXPENSES.**—Section 222(d) of such Code is amended by redesignating paragraph (6) as paragraph (7), and by inserting after paragraph (5) the following new paragraph:

“(6) **PAYEE STATEMENT REQUIREMENT.**—

“(A) **IN GENERAL.**—Except as otherwise provided by the Secretary, no deduction shall be allowed under subsection (a) unless the taxpayer receives a statement furnished under section 6050S(d) which contains all of the information required by paragraph (2) thereof.

“(B) **STATEMENT RECEIVED BY DEPENDENT.**—The receipt of the statement referred to in subparagraph (A) by an individual described in subsection (c)(3) shall be treated for purposes of subparagraph (A) as received by the taxpayer.”.

(c) **INFORMATION REQUIRED TO BE PROVIDED ON PAYEE STATEMENT.**—Section 6050S(d)(2) of such Code is amended to read as follows:

“(2) the information required by subsection (b)(2).”.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

### SEC. 805. SPECIAL RULE FOR EDUCATIONAL INSTITUTIONS UNABLE TO COLLECT TINS OF INDIVIDUALS WITH RESPECT TO HIGHER EDUCATION TUITION AND RELATED EXPENSES.

(a) **IN GENERAL.**—Section 6724 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(f) **SPECIAL RULE FOR RETURNS OF EDUCATIONAL INSTITUTIONS RELATED TO HIGHER EDUCATION TUITION AND RELATED EXPENSES.**—No penalty shall be imposed under section 6721 or 6722 solely by reason of failing to provide the TIN of an individual on a return or statement required by section 6050S(a)(1) if the eligible educational institution required to make such return contemporaneously makes a true and accurate certification under penalty of perjury (and in such form and manner as may be prescribed by the Secretary) that it has complied with standards promulgated by the Secretary for obtaining such individual’s TIN.”.

(b) **EFFECTIVE DATE.**—The amendments made by this section shall apply to returns required to be made, and statements required to be furnished, after December 31, 2015.

**SEC. 806. PENALTY FOR FAILURE TO FILE CORRECT INFORMATION RETURNS AND PROVIDE PAYEE STATEMENTS.**

(a) *IN GENERAL.*—Section 6721(a)(1) of the Internal Revenue Code of 1986 is amended—

(i) by striking “\$100” and inserting “\$250”; and

(2) by striking “\$1,500,000” and inserting “\$3,000,000”.

(b) *REDUCTION WHERE CORRECTION IN SPECIFIED PERIOD.*—

(1) *CORRECTION WITHIN 30 DAYS.*—Section 6721(b)(1) of such Code is amended—

(i) by striking “\$30” and inserting “\$50”;

(B) by striking “\$100” and inserting “\$250”; and

(C) by striking “\$250,000” and inserting “\$500,000”.

(2) *FAILURES CORRECTED ON OR BEFORE AUGUST 1.*—Section 6721(b)(2) of such Code is amended—

(A) by striking “\$60” and inserting “\$100”;

(B) by striking “\$100” (prior to amendment by subparagraph (A)) and inserting “\$250”; and

(C) by striking “\$500,000” and inserting “\$1,500,000”.

(c) *LOWER LIMITATION FOR PERSONS WITH GROSS RECEIPTS OF NOT MORE THAN \$5,000,000.*—Section 6721(d)(1) of such Code is amended—

(1) in subparagraph (A)—

(A) by striking “\$500,000” and inserting “\$1,000,000”; and

(B) by striking “\$1,500,000” and inserting “\$3,000,000”;

(2) in subparagraph (B)—

(A) by striking “\$75,000” and inserting “\$175,000”; and

(B) by striking “\$250,000” and inserting “\$500,000”; and

(3) in subparagraph (C)—

(A) by striking “\$200,000” and inserting “\$500,000”; and

(B) by striking “\$500,000” (prior to amendment by subparagraph (A)) and inserting “\$1,500,000”.

(d) *PENALTY IN CASE OF INTENTIONAL DISREGARD.*—Section 6721(e) of such Code is amended—

(1) by striking “\$250” in paragraph (2) and inserting “\$500”; and

(2) by striking “\$1,500,000” in paragraph (3)(A) and inserting “\$3,000,000”.

(e) *FAILURE TO FURNISH CORRECT PAYEE STATEMENTS.*—

(1) *IN GENERAL.*—Section 6722(a)(1) of such Code is amended—

(A) by striking “\$100” and inserting “\$250”; and

(B) by striking “\$1,500,000” and inserting “\$3,000,000”.

(2) *REDUCTION WHERE CORRECTION IN SPECIFIED PERIOD.*—

(A) *CORRECTION WITHIN 30 DAYS.*—Section 6722(b)(1) of such Code is amended—

(i) by striking “\$30” and inserting “\$50”;

(ii) by striking “\$100” and inserting “\$250”; and

(iii) by striking “\$250,000” and inserting “\$500,000”.

(B) *FAILURES CORRECTED ON OR BEFORE AUGUST 1.*—Section 6722(b)(2) of such Code is amended—

(i) by striking “\$60” and inserting “\$100”;

(ii) by striking “\$100” (prior to amendment by clause (i)) and inserting “\$250”; and

(iii) by striking “\$500,000” and inserting “\$1,500,000”.

(3) *LOWER LIMITATION FOR PERSONS WITH GROSS RECEIPTS OF NOT MORE THAN \$5,000,000.*—Section 6722(d)(1) of such Code is amended—

(A) in subparagraph (A)—

(i) by striking “\$500,000” and inserting “\$1,000,000”; and

(ii) by striking “\$1,500,000” and inserting “\$3,000,000”;

(B) in subparagraph (B)—

(i) by striking “\$75,000” and inserting “\$175,000”; and

(ii) by striking “\$250,000” and inserting “\$500,000”; and

(C) in subparagraph (C)—

(i) by striking “\$200,000” and inserting “\$500,000”; and

(ii) by striking “\$500,000” (prior to amendment by subparagraph (A)) and inserting “\$1,500,000”.

(4) *PENALTY IN CASE OF INTENTIONAL DISREGARD.*—Section 6722(e) of such Code is amended—

(A) by striking “\$250” in paragraph (2) and inserting “\$500”; and

(B) by striking “\$1,500,000” in paragraph (3)(A) and inserting “\$3,000,000”.

(f) *EFFECTIVE DATE.*—The amendments made by this section shall apply with respect to returns and statements required to be filed after December 31, 2015.

**SEC. 807. CHILD TAX CREDIT NOT REFUNDABLE FOR TAXPAYERS ELECTING TO EXCLUDE FOREIGN EARNED INCOME FROM TAX.**

(a) *IN GENERAL.*—Section 24(d) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(5) *EXCEPTION FOR TAXPAYERS EXCLUDING FOREIGN EARNED INCOME.*—Paragraph (1) shall not apply to any taxpayer for any taxable year if such taxpayer elects to exclude any amount from gross income under section 911 for such taxable year.”.

(b) *EFFECTIVE DATE.*—The amendment made by this section shall apply to taxable years beginning after December 31, 2014.

**SEC. 808. COVERAGE AND PAYMENT FOR RENAL DIALYSIS SERVICES FOR INDIVIDUALS WITH ACUTE KIDNEY INJURY.**

(a) *COVERAGE.*—Section 1861(s)(2)(F) of the Social Security Act (42 U.S.C. 1395x(s)(2)(F)) is amended by inserting before the semicolon the following: “, including such renal dialysis services furnished on or after January 1, 2017, by a renal dialysis facility or provider of services paid under section 1881(b)(14) to an individual with acute kidney injury (as defined in section 1834(r)(2))”.

(b) *PAYMENT.*—Section 1834 of the Social Security Act (42 U.S.C. 1395m) is amended by adding at the end the following new subsection:

“(r) *PAYMENT FOR RENAL DIALYSIS SERVICES FOR INDIVIDUALS WITH ACUTE KIDNEY INJURY.*—

“(1) *PAYMENT RATE.*—In the case of renal dialysis services (as defined in subparagraph (B) of section 1881(b)(14)) furnished under this part by a renal dialysis facility or provider of services paid under such section during a year (beginning with 2017) to an individual with acute kidney injury (as defined in paragraph (2)), the amount of payment under this part for such services shall be the base rate for renal dialysis services determined for such year under such section, as adjusted by any applicable geographic adjustment factor applied under subparagraph (D)(iv)(II) of such section and may be adjusted by the Secretary (on a budget neutral basis for payments under this paragraph) by any other adjustment factor under subparagraph (D) of such section.

“(2) *INDIVIDUAL WITH ACUTE KIDNEY INJURY DEFINED.*—In this subsection, the term ‘individual with acute kidney injury’ means an individual who has acute loss of renal function and does not receive renal dialysis services for which payment is made under section 1881(b)(14).”.

**MOTION TO CONCUR**

Mr. RYAN of Wisconsin. Mr. Speaker, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Ryan of Wisconsin moves that the House concur in the Senate amendment to the House amendment to the Senate amendment to H.R. 1295.

The SPEAKER pro tempore. Pursuant to House Resolution 338, the motion shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means.

The gentleman from Wisconsin (Mr. RYAN) and the gentleman from Michigan (Mr. LEVIN) each will control 30 minutes.

The Chair recognizes the gentleman from Wisconsin.

□ 1100

**GENERAL LEAVE**

Mr. RYAN of Wisconsin. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material to H.R. 1295, the Trade Preferences Extension Act of 2015, as amended, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Washington (Mr. REICHERT), a senior member of the Committee on Ways and Means, the chairman of the Subcommittee on Select Revenue Measures, who is the author of the Trade Adjustment Assistance bill.

Mr. REICHERT. Mr. Speaker, I thank the gentleman for yielding and thank him for his leadership on this series of trade bills that we have been considering for the last few weeks.

Mr. Speaker, I rise today in support of the preferences bill before us. This bipartisan legislation renews both the Generalized System of Preferences and the African Growth and Opportunity Act. GSP is an important program, both to Washington State businesses and promoting economic development across the globe.

Similarly, the renewal of AGOA is critical to further strengthening our ties with Africa. The strong bipartisan vote this legislation received weeks ago made clear there is strong support for these programs in Congress and among the American people.

Also included in this legislation is a renewal of Trade Adjustment Assistance, and I am proud, as Mr. RYAN said, to sponsor the House legislation to renew TAA because there is a need for this program. I believe increased trade is good for all Americans. It creates jobs and it makes America stronger. But I also understand that as we create jobs and trade, and our jobs change over the next few years, along the way some workers may need extra assistance and additional training. That is why TAA is so important.

Now, we have made great strides this past week by sending TPA to the President's desk; and I am also proud that TPA was attached to another bill, which happened to be a labor bill, TSP, which created a fair application of retirement benefits for Federal public safety officers. Now, Mr. Speaker, we must move forward, pass TAA and AGOA today, General System of Preferences.

Mr. LEVIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the debate these last weeks and months has been about how do we get a strong and effective trade policy and trade agreement. That debate only intensifies now. Supporters of trade promotion authority, TPA, thought vague negotiating objectives and a passive role for Congress in the process were the way to go, in part because many on the majority side feel that more trade is essentially better, no matter its terms or conditions.

The opponents of TPA wanted to ensure that TPP negotiations were on the right track, with no blank check to USTR, when there are so many outstanding areas where we are not satisfied with the status of negotiations or where we are uncertain of their outcome. Now we can focus like a laser beam on those issues. The argument about the process of TPA is now behind us and the challenge of the substance of TPP smack in front of us.

Automatic embrace of centuries-old doctrines does not meet the challenges of intensifying globalization, so we will continue to shine a bright light on the critical issues, like market access, state-owned enterprises, intellectual property and access to medicines, worker rights, environment, currency manipulation, and investment provisions that could put at risk domestic regulations. Our calls for improvements to the negotiations will only grow louder.

In order for TPP to gain the support of the American people, it will need to gain the votes of a much broader coalition of Members of Congress than voted for TPA. The issue is not protrade versus antitrade, but whether we shape trade agreements to spread the benefits broadly, including the middle class of Americans.

Take, for example, the two trade bills before us today: the African Growth and Opportunity Act and our trade preferences programs. House Democrats have been key architects of these programs. For example, in the 1990s, our colleagues CHARLIE RANGEL and JIM McDERMOTT, working with Phil Crane, laid the foundation for the African Growth and Opportunity Act of 2000.

These programs are designed to help shape trade, to ensure that its benefits are more broadly based. We can see that in AGOA, stronger labor and other eligibility criteria and the inclusion of

textile and apparel products can give us additional leverage to help raise living standards.

The same is doubly true with the Haiti program. While there is much work to be done in Haiti, one critical element of our program, inspections of factories by the independent group Better Work, is resulting in improved compliance with Haitian labor laws and better conditions for workers there.

Finally, this bill includes a reauthorization of Trade Adjustment Assistance. I am an ardent supporter of TAA and introduced a bill earlier this year with ADAM SMITH to reauthorize it. I support H.R. 1295. To be sure, this TAA is not perfect. It falls short of the high water mark we established for the program in 2009.

At a time when trade is expanding and is expected to expand even further with new trade agreements, we should be ensuring adequate funding for workers who lose their jobs as a result of trade and are transitioning to new jobs, not cutting the program. But we need to restore the program also for service workers and for trade with all countries, improvements that were wrongly allowed to lapse at the end of 2013, and we need to extend the entire program for the future.

TPA, TPP, TAA, it might seem like a word scramble, but going forward, TPP, to the American people, will be about jobs and wages. They expect us to work hard to get it right as it is being negotiated, not simply leaving their elected officials with a "yes" or a "no" vote after TPP is done. We have a lot of work to do, and there is no ducking these issues now.

I reserve the balance of my time.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, people on both sides of the aisle have been working for years to promote American trade. We took big steps when we passed TPA last week and sent it to the President yesterday. Passing TPA, I believe, is an achievement that this Congress should be very proud of. It is going to empower Congress in trade negotiations. It will help America get the best possible trade agreements for American workers, and it will tell the world that the America that they knew and the America that they know is an America that is still willing to lead.

I especially want to thank my colleagues in the House, like Congressman RON KIND and Congressman EARL BLUMENAUER, for their leadership on this issue. I also want to thank our friends in the Senate, like Senators HATCH and WYDEN. But to pass TPA, we needed a little bit of trust. We promised our Democratic friends, if they stay with us on TPA, that we will follow through with this bill that is before us today, and so we are here today to keep our word.

There are three parts to this bill, all three of which have bipartisan support. First, we reauthorize the Trade Adjustment Assistance Act, which is in keeping with the agreements that we have made. This program helps workers whose jobs have moved elsewhere to find new opportunities through job training. Traditionally, we have always authorized TPA and TAA, and that is what we are doing here. We have always authorized them together, and that is effectively what we are doing here. We have made some improvements to the program.

Second, we reauthorize a number of trade preferences for developing countries. This bill reauthorizes a number of programs that have broad bipartisan support: AGOA, GSP, and Haiti Hope. These programs lower trade barriers between our country and these developing countries. It is the best example of trade not aid that you can come up with. They grow our trading ties, because when we grow, they grow. This is good policy that has been well respected and supported by both sides of the aisle. Therefore, we have every incentive to get this done.

Third, we make sure that our companies can use our trade remedy laws to address unfair trade practices. This is something that we have worked with our colleagues on both sides of the aisle, our colleagues from steel country and the House Steel Caucus, to make sure that our trade laws are actually enforced and, when our trade laws are not being followed, when they are being abused, that we have quick remedies to these situations. All of this legislation will strengthen the American economy. It will strengthen America's credibility on the world stage, and it will strengthen American leadership.

With that, I urge its passage.

I reserve the balance of my time.

Mr. LEVIN. I now yield 3 minutes to the gentleman from New York (Mr. RANGEL), who was an inspiration for AGOA and a major author.

Mr. RANGEL. Mr. Speaker, this is a good day for America, and it is a good day for us in the House. There are so many people to thank for making this day possible, not just for the people in developing countries in Africa, but, more importantly, for Americans who recognize, unless we can raise the level of survival in other countries, our country is not fulfilling its moral and economic obligations.

I want to give a special thanks to the chairman of the Committee on Ways and Means. It is kind of rough listening to him talking about TPP, the Trans-Pacific Partnership, because he knows and I know that, if we wanted each bill passed, we would be concerned not by what the multinationals want, but we would be concerned about the middle class. The middle class you can help by having infrastructure, you can help by having an education, all the things



that are not Democratic issues. On this particular AGOA bill, he gave assurances that he thought that this standing alone did not have to get involved in the controversy that people had over the more controversial bill. Like he said, he made his commitment. He kept his commitment. It is things like this that should have younger Members realizing Congress can do it, we can work together, and I thank him publicly for that.

You will be hearing more from other Members in terms of the involvement that they have had. Certainly, Mr. LEVIN from the very, very beginning working with JIM McDERMOTT, working with Republicans, gave birth to this bill 10 years ago, and his guidance and support and the Ways and Means members have given another year.

KAREN BASS, she is something special. She came to us after serving as California speaker. She grabbed Africa, foster care, and those types of issues that people have left behind, but she managed to make certain that everyone knows that this country cares, and cares deeply.

It is ironic that as we talk about Africa, we are talking about Haiti, we are talking about developing countries, and we also are talking about those workers who, through no fault of their own and because of international and national decisions, have lost their opportunity to have self-esteem and to have a job.

□ 1115

These are issues that we have touched on in this bill. These are issues that go nowhere in terms of how far America has to go in order to be fair and equal and allow us to include real wages, real education, and real opportunity in the pursuit of happiness.

But since we are trying and since there is nothing in this bill that doesn't point us in the right direction, especially on the same day that the United States Supreme Court has recognized that compassion is not restricted to just those who can afford insurance on their own, I just want to thank the leadership in this House, both Republican and Democrats, for the great work that allows me to be a proud Member of this House.

Mr. RYAN of Wisconsin. Mr. Speaker, at this time, I yield 2 minutes to the gentleman from Pennsylvania (Mr. MEEHAN), a distinguished member of the Ways and Means Committee.

Mr. MEEHAN. I thank the chairman for his leadership in bringing the bipartisan solution to the trade promotion authority.

I stand right now in support of the Trade Preferences Extension Act, which is before us at the moment, and encourage my colleagues on both sides of the aisle to join in supporting this.

I speak first about Trade Adjustment Assistance, a program I have seen in

my own district, where I have watched for workers, when it can be demonstrated that they have had their jobs impacted because of foreign implications, there is a support network in place.

I have seen the value of that program and believe that it is important that we keep the tradition of TAA, but we also need to point out that there have been significant improvements in this program.

There is streamlining. Some of the underperforming programs were not reauthorized. There is accountability. There will now be performance goals for TAA that are aligned with other job training programs.

Consolidation is a third part. It is a process in which we will promote direct services for participants over administrative spending. These are important and critical improvements to a program that already has a history.

I just want to close my comments. There is a very important provision in the Trade Preferences Extension Act dealing with improving antidumping and countervailing duty laws.

As an attorney, I appreciate the importance of creating an accurate record. This allows us to do this in a vitally important area, in the battle against the dumping that is being done that are affecting American jobs at home.

First and most important, it will allow the Department of Commerce to have the ability to create an accurate record. When, in fact, what you have is a foreign party that fails to cooperate with the agency's request, they will be able to impute the information that is necessary to make that case.

In addition, they will be empowered to be able to disregard prices or costs of inputs that foreign producers purchase if the Department of Commerce has reason to believe or suspects that the inputs in question have been subsidized or dumped.

Once again, it creates an accurate record.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. RYAN of Wisconsin. I yield the gentleman an additional 1 minute.

Mr. MEEHAN. I thank the gentleman.

Because I think this is such a critically important issue to be able to create the kind of record—and it gives the Department of Commerce the kind of discretion to be able to look at the facts and to take recalcitrant countries and hold them accountable by creating what is accurate in the form of the case that we can make to assure that workers here at home are being protected.

These are important and valuable assets in the ability for us to continue to protect American jobs. It is for those reasons that I strongly encourage my colleagues on both sides of the aisle to

support the Trade Preferences Extension Act of 2015.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER), another distinguished member of our committee.

Mr. BLUMENAUER. I appreciate the gentleman's courtesy.

I rise in support of the effort today, and I would first acknowledge what my friend, the chairman of the committee, said a moment ago.

At times, trust is in short supply in this institution for a whole host of reasons, but we were given ironclad assurances from the Speaker, from the President, from the chairman, from Senator WYDEN, Senator HATCH, and Leader MCCONNELL that TAA would come back to this floor to be voted on. I think it is important that that has in fact occurred.

To adapt, respond, and grow a 21st century workforce, we need Trade Adjustment Assistance. What we have before us is an improvement over current law. It is not as good as what we had in 2009. I hope that we will be able to build on this and move forward. This program has helped more than 100,000 Americans, including 3,000 of my fellow Oregonians who received job training and financial support.

There will continue to be winners and losers in the global economy, whether we have trade agreements with countries or not, like with pressures from China. It is important that we provide this for our workers. With our vote today, we do so.

I lend my voice saluting Chairman RANGEL for the work that he has done on AGOA. Having this package before us, including new economic opportunities for growing the economies of Africa, Haiti, and other places around the world is critically important. The 10-year extension is an example of how trade can improve these critical living standards.

Finally, I have to acknowledge one little parochial interest in this bipartisan provision I worked on with Mr. REICHERT that creates jobs in the Northwest and helps all outdoor enthusiasts.

Right now, innovative footwear faces an unreasonable reality coming to our borders. Two identical-looking running shoes are imported. One must pay a significantly higher tariff for a single reason: they have a waterproof liner.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LEVIN. I yield the gentleman an additional 30 seconds.

Mr. BLUMENAUER. Coming from the Pacific Northwest, waterproof matters. To be able to end this outmoded tariff code charging extremely high tariffs for no reason at all, I think, is an important step forward.

I look forward to continuing work to fine-tune the tariff regimen that we have, but this is an important one for

the people that I represent in the Northwest. I appreciate working with Mr. REICHERT to be able to get this one across the finish line.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. TIBERI), the chairman of the Trade Subcommittee.

Mr. TIBERI. Mr. Speaker, this is a good day for America.

As the previous speaker just said, globalization occurs with or without America engaging in the world. It is important for America to engage in the world, to write the rules of the global balance economy; but whether or not we do or we don't, there will be winners and losers because of globalization.

This bill is called the preferences bill, but it is more than just about preferences. It is about America's leadership in Africa. It is about America's leadership in Haiti. It is about America's leadership at home in providing trade assistance for those workers who did lose their job because of globalization.

My dad was one of them. Long before America engaged in a bilateral trade agreement, my dad lost his job as a steelworker. There are important provisions in this bill written by Chairman RYAN that will help the steel industry. That is really important. My dad was in that industry. He lost his job of 25 years. He benefited from trade assistance.

This is important for American workers. This is also important for those workers who lost their job through no fault of their own and who lost their health care. The health coverage tax credit is renewed in this bill.

This bill almost wasn't, quite frankly. There was a lot of rhetoric on the floor of this House and the floor of the other House about the word of our chairman and the word of our Speaker and about how this wouldn't come up and we can't trust them.

Well, let me tell you, ladies and gentlemen, our chairman's word has been gold from day one in this process. Every commitment he has made has come through. Through this process, every commitment our Speaker has made has come to be.

We wouldn't be on the floor today debating this bill and approving this bill in a little while if it weren't for the leadership of Chairman RYAN and the leadership of Speaker BOEHNER. They both deserve our thanks.

Also, the chairman has put together a great staff at the Ways and Means Committee. They should be thanked for their yeoman's work in this process, which has been very difficult but very bipartisan and very bicameral.

Americans want this place to work. Americans want Congress to work together for America's benefit. America's leadership in the world today is a little bit stronger. The light of America is shining a little bit brighter because of

the work that this Congress has done on this bill and the other bills, including the customs bill that this Congress has put together and will be sending to the President's desk shortly.

America is going to lead in the global economy because of what we have done today. Americans should be proud that Congress is working again.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. KIND), another distinguished member of our committee.

Mr. KIND. I thank my friend for yielding.

Mr. Speaker, I rise in strong support of this trade preferences bill and the Trade Adjustment Assistance legislation that is before us today.

As the previous speaker pointed out, for us to be in this situation did require a little leap of faith. We weren't sure how we were going to be able to get back after the procedural snafu earlier to have a chance to reconsider Trade Adjustment Assistance, but I give credit, and I thank the leadership on both sides of the aisle, especially my good friend and colleague on the Ways and Means Committee, Mr. RYAN from Wisconsin; the Speaker; and Senator MCCONNELL.

They promised, as we did move forward trying to give the President trade promotion authority, that they wouldn't pull any punches, that they would allow Trade Adjustment Assistance to come back for consideration, and that is exactly what is happening today.

This has not been an easy process, but this week, the President will get trade promotion authority on his desk so this administration can go forward and try to negotiate the best agreement in the Trans-Pacific Partnership—and even with our European allies—that we can obtain in order to elevate standards and begin to level the playing field so that our workers, our farmers, our businesses have a better chance of competing in that global environment, especially the fastest growing region in the Pacific Rim right now. That is what TPP is all about.

It is also important to recognize the significant work done with the African Growth and Opportunity Act. That is all about our relationship with the countries in Africa and Haiti and where we go here in the 21st century together. It is important that we get this accomplished today, along with the Trade Adjustment Assistance bill.

That is the help we are able to provide displaced workers who are impacted by globalization the job training and education funds so they can reintegrate as quickly as possible in the economy and be full participants of this 21st century global economy.

That would not have happened if the political stars had not aligned. There are areas of common agreement here in this country, as represented in this

Congress. Today is proof of that, being able to move forward on a trade agenda that is important for U.S. global leadership, important for our workers, growing the economy and our competitiveness as a Nation.

Again, I commend the leadership shown on both sides of the aisle. We are looking forward to more opportunity to work together in the future. I encourage my colleagues to support this legislation.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself 30 seconds.

I add my thanks, Mr. Speaker. Mr. TIBERI left, but he did a lot of work on this legislation. He did yeoman's work on it.

I just want to echo the sentiment that has been said here, which is passing these very challenging bills, doing a number of bills, did require a lot of trust between the two parties, which we have not seen a lot of lately.

I am just very pleased to be a part of this dynamic where we have given each other our words, we have kept our words, and therefore, we are getting this done. As a result of that, I believe that the country is far better off. This policy is good for America, and it restores our leadership in the world.

I reserve the balance of my time.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. PASCRELL), another distinguished member of our committee.

Mr. PASCRELL. Mr. Speaker, I have heard from both sides of the aisle the term "winners and losers."

Our workers who are laid off because of the deals that have been put before this Congress in the last 15 years are not losers. They are the most productive workers in the world. How dare you call them losers.

We are all patting each other on the back here. We are talking about a piece of legislation that is like putting the cart before the horse.

We want to prevent people from being laid off—engineers, laborers, technicians. Our trade deals have been a joke. Not one person has come to this floor to explain to us—and I know that is not the bill we are talking about, that has already been deep-sixed in its past—not one person has come to the floor and told us how these jobs are going to be created through trade.

We are not antitrade. What we want is fair trade deals. How dare you call our workers losers.

□ 1130

The SPEAKER pro tempore. The gentleman is reminded to direct his remarks to the Chair.

Mr. PASCRELL. Mr. Speaker, I say that through you to them.

All we have been hearing over the past few months is that we need to grant the President fast-track authority so we can finalize the Trans-Pacific Partnership because it will be good for

American workers; and yet here we are today, voting on a package to prepare for the opposite: the loss of American jobs because of a trade deal that doesn't put American workers first.

I could support the Trade Adjustment Assistance. You need to help those people who are going to be laid off because of these trade deals that are so great so that they kept their jobs or some other jobs were created. Where are those jobs?

If American workers are going to have the rug pulled out from under them because of trade deals, something should be there to break their fall. The sad reality is that we need TAA. And even the sadder reality is that, despite the great need, this TAA bill before us today is inadequate.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LEVIN. I yield the gentleman an additional 30 seconds.

Mr. PASCRELL. The trade adjustment bill we are voting on today contains a number of flaws. The TAA has been used as a bargaining chip to push the TPA over the finish line. I would prefer that we didn't need a TAA at all. Trade Adjustment Assistance is not preferable to a job.

Secondly, the bill cuts funding for the worker from \$575 to \$450 million per year. You got your pound of flesh. At a time when trade is expanding, this bill slashes funding for worker training by 20 percent.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. PAULSEN), a distinguished member of the Ways and Means Committee and a member of the Trade Subcommittee, in an effort to try and restore the civil dialogue and bipartisan dialogue we have been having.

Mr. PAULSEN. Mr. Speaker, I thank the gentleman for yielding and for his leadership in bringing forward some additional trade legislation today that is very, very important.

I am going to rise in support of H.R. 1295, the Trade Preferences Extension Act, for a couple of key reasons, because there are some key, important provisions that accomplish some very critical goals.

First, it extends those vital trade preferences with both Africa, through the African Growth and Opportunity Act, as well as Haiti. And these investments now, these preference programs, provide vital opportunities for American investment, for U.S. investment, long-term investment. These countries are asking for this investment for the long term.

It helps the African workers, it helps Haitian workers and businesses as they establish themselves as developing countries to making sure they are going to be set for the 21st century global economy.

So, Mr. Speaker, this is more about establishing soft power, strategic alliances, and that is smart power.

Secondly, the legislation renews the Generalized System of Preferences program. Now, this is another very important program that reduces tariffs and, therefore, it reduces prices. It helps consumers here in the United States each and every day and the amount of product that they consume.

Importantly, Mr. Speaker, the bill authorizes also the USTR to designate certain travel goods, including purses, briefcases, attache cases, and backpacks, to be eligible under this GSP program, expanding new production opportunities for U.S. businesses. This is a provision that I personally have long supported.

Mr. Speaker, I think what you are seeing over the last few days is the trade agenda moving forward on a very bipartisan basis. Every President since Franklin Delano Roosevelt, regardless of their political background and their party background, has understood and engaged the world with the United States leading in trade.

That tradition is continuing now with this Congress, with this President. We want to see it through. We want to see more opportunity for enhanced trade, because more trade means more jobs and higher-paying jobs for our American workers, especially in manufacturing right here at home.

Mr. Speaker, I thank the chairman for bringing this important bill to the floor. I urge my colleagues to join me in supporting it.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Speaker, let me thank our ranking member for yielding and for your very critical and tremendous leadership on these issues.

Mr. Speaker, as a strong supporter of this African Growth and Opportunity Act, let me first say that I am extremely disappointed that AGOA was used as a bargaining chip to pass the unrelated Trade Adjustment Assistance package. AGOA has been a long-time cornerstone of the U.S.-Africa relationship.

And I just have to thank Congressman RANGEL and Congresswoman BASS and members of the Congressional Black Caucus who have done everything they could do, everything possible to keep AGOA a clean bill, without being loaded with non-Africa trade-related issues.

Yet, in spite of these efforts, we are faced with a bill, really, that looks like a Christmas tree. But I will reluctantly vote for this because Africa deserves better. It deserves not to be caught up in the gimmicks of this body. And we will continue to fight for American jobs, American workers, and a TPP that creates jobs in America, economic growth in America, and preserves jobs in America. So this is not over.

On top of the very cynical way that these trade bills have been brought to

the floor, the TAA included in this bill is inadequately funded and fails to protect workers who will ultimately be displaced by massive trade agreements like the TPP—and that will happen.

It is unfortunate that we have to pass a TAA to protect workers from job losses that we know will exist which we are told won't exist. So at least we need to, sooner or later, come back with a TAA that is fully funded, at least to the tune of \$575 million. We have got to do that.

This TAA fails to cover all workers who will adversely be affected by TPP, and it even excludes public sector employees from eligibility. This is simply wrong. We must do better.

It is time for us to get real and stop putting American workers at risk with trade deals like TPP. We need an adequate trade assistance bill and a trade policy that protects and creates American jobs and economic growth in America.

But, quite frankly, we have to have trade policies that create markets also for African goods, jobs in Africa.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. LEVIN. I yield the gentlewoman an additional 15 seconds.

Ms. LEE. Also jobs in Africa; healthcare issues like HIV and AIDS; development assistance, such as the Millennium Challenge Account.

So we can't neglect Africa, and we can't allow the continent of Africa to be used as a gimmick in this overall process, which I think was very, very poor and reflects poorly on this body.

Mr. RYAN of Wisconsin. Mr. Speaker, let me yield myself 1 minute to try and clarify some of what was just mentioned.

The reason we are here with this bill and the reason TAA is attached to the AGOA bill is because of the dilatory tactics from the minority a couple of weeks ago.

In keeping with our word, we brought this Trade Preferences bill through the House on its own stand-alone. And so the reason this is happening is not because of the majority, but because of what the minority did with respect to the TAA bill. So I just want to be very clear, that is why we are where we are.

Having said all of that, we are still keeping our agreement going that these bills are going through.

The second point I would like to make is TPP does not exist yet. There is no Trans-Pacific Partnership trade agreement. There are talks. There have been talks for years, and those talks are still ongoing. But we do not have a trade agreement yet. That was why we needed to pass TPA, so that we can get a trade agreement like TPP.

So I would just encourage all Members not to oppose something they have not yet seen, not to prejudge an agreement that does not yet exist.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself an additional 1 minute.

It is very important that we recognize 95 percent of the world's consumers. They don't live in this country. They live in other countries. And if we want good jobs that pay more, we need to be able to make and grow things in America and sell them overseas into other markets, other countries.

Since TPA last expired in 2007, there have been 100 trade agreements negotiated and enacted around the world where we were a party to zero, none of them. What that means is other countries are lowering the trade barriers between themselves, and we, America, by not being a part of this, have much higher barriers. So when we want to make something and sell it overseas, it is a lot more expensive for them to buy our products than buying our competitors' products.

There were 48 trade agreements enacted in Asia since 2000 alone. We were a party to two of them.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. RYAN of Wisconsin. Mr. Speaker, giving myself an additional 30 seconds, we were a party to two of those agreements and, as a result, our share of trade going into Asia, meaning exports going there from our country, went down 42 percent.

One in five jobs is tied to trade. These jobs pay more. This is about jobs.

So I would simply encourage our Members: Don't take a position on something that doesn't exist yet. Read. See with your own eyes, then form an opinion. But I would argue, it is not in your constituents' interest to simply say what you are for or against before you even see what it is.

Mr. Speaker, I reserve the balance of my time.

Mr. LEVIN. Mr. Speaker, could I ask for the balance of my time?

The SPEAKER pro tempore. The gentleman from Michigan has 12¼ minutes remaining.

Mr. LEVIN. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, the reason for the vote on TAA some days ago was because it was used as a bargaining chip to get votes for TPA. That is what the vote on TAA was all about.

Secondly, I just want to observe, it is said don't judge TPP in opposition before you see it. The problem is so many people are judging in favor of it while it is still being negotiated and labeling it for a certain kind of an agreement while it is still being negotiated.

So, for those who criticize those who are opposed before they see it, I would like to say to them, what is good for the goose is good for the gander. Don't embrace it so fully and so passionately before it is completed, and it is far from being completed.

Mr. Speaker, I yield 1 minute to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. Mr. Speaker, I thank the gentleman, my friend from Michigan, and I take his word seriously. I think it is good counsel for both sides. Let's wait and see what the fine print has to say before we draw our lines in support or opposition. I take those words to heart.

I must say, I echo the words of Chairman RYAN. We are here today not under some cynical ploy to use the Africa bill to pass Trade Adjustment Assistance, rather, we are here to save Trade Adjustment Assistance because some decided it was worth sacrificing to get at Trade Promotion Authority. That was their political judgment, and they are entitled to it. But they are not entitled to then accuse those of us trying to save that program of cynicism. That is the least thing happening today.

We are all about trying to keep workers who might be displaced, who will be displaced from globalization and, yes, maybe trade, get some training, get some help. That is what this program has done. It is a democratic program, and Chairman RYAN and Speaker BOEHNER have kept their word.

That is what today's vote is also about: redeeming a pledge made to us that we would have a second bite at this apple. And thank God we do, because American workers are going to benefit from it.

Mr. RYAN of Wisconsin. Mr. Speaker, I reserve the balance of my time.

Mr. LEVIN. Mr. Speaker, I yield 1 minute to the gentleman from Minnesota (Mr. ELLISON), who is so active on these issues.

Mr. ELLISON. Mr. Speaker, Mr. Chairman, ranking member, I will submit for the RECORD a letter from the President of the AFL-CIO, Mr. Richard Trumka.

AMERICAN FEDERATION OF LABOR  
AND CONGRESS OF INDUSTRIAL ORGANIZATIONS,

Washington, DC, June 24, 2015.

DEAR REPRESENTATIVE: We are in the final stretch of a long and contentious battle over the congressional grant of trade negotiating authority to the President. Congress has now approved fast track authority, which will give the executive branch the opportunity to negotiate—in secret—as many trade agreements as it can through at least June 30, 2018 (and likely through 2021). Fast track 2015 fails to hold the executive branch accountable for achieving negotiating objectives, addressing the U.S. trade imbalance, or ensuring that trade deals adequately protect good jobs, workers rights, environmental protections, access to affordable medicines, food safety, and other vital protections for working families.

This week, Trade Adjustment Assistance (H.R. 1295 or TAA) will come before the House of Representatives. Unfortunately, and against the advice of many members of Congress, TAA has been packaged with an important and necessary bill to provide trade preferences to sub-Saharan African

countries—the African Growth and Opportunity Act (AGOA). The AFL-CIO has long supported renewal of AGOA, and we will continue to work closely with our African trade union brothers and sisters to ensure that AGOA supports workers' rights and sustainable development.

The AFL-CIO has been clear that this TAA bill is inadequately funded and fails to take into account job disruptions from massive pending trade agreements like the Trans-Pacific Partnership (TPP) and others that may be negotiated over the course of the next six years. TAA ought to include a minimum funding level of \$575 million and ensure that public sector workers are eligible. Moreover, the funding mechanism for TAA remains highly problematic: despite a fix to one "pay-for," partial funding for TAA is achieved in this bill by cutting \$250 million from Medicare payments to hospital kidney dialysis centers. These unrelated program cuts are unwarranted and compromise the integrity of the program. Furthermore, this violates the principle that Medicare savings should be plowed back into Medicare.

The sequencing and cynical packaging of votes on Trade Promotion Authority (TPA), TAA, and the Customs Enforcement bill have been designed to obfuscate clear policy issues and force members of Congress to make awkward and conflicting votes with inadequate information.

Scheduling a fast track vote without assurance that an adequately funded TAA would ever be enacted or that important trade enforcement measures would be included compounds the existing failures of U.S. trade policy to promote the interests of working families. There is significant uncertainty about what version of the Customs bill might eventually emerge from the conference process, or whether any TAA or Customs bill will eventually reach the President's desk at all.

The changes made to the Customs bill in the House of Representatives eviscerated key enforcement, currency and human rights provisions, while inserting ideologically motivated and counter-productive negotiating objectives with respect to climate change and immigrant rights. Every member of Congress who voted for TPA essentially endorsed this process and signaled a willingness to accept these problematic changes to the fast track objectives, as well as a willingness to enact new job-killing trade agreements without any guarantee that displaced workers will receive adequate training and support.

We deplore the procedural machinations used by the Republican congressional leadership and endorsed by the White House to advance a flawed package of trade bills, absent any clarity or certainty about the final outcomes.

We cannot endorse the current TAA legislation, given its shortcomings. We would oppose TAA in a heartbeat if by doing so we could be assured that we could slow or stop a flawed trade agenda from moving forward, and we are confident that we would have the votes to defeat it. However, in light of the unfortunate passage of TPA by the House and the Senate, we recognize that many members will be reluctant to imperil the passage of AGOA and may reasonably lack confidence that the Republican leadership will give them a chance to vote for an improved TAA bill.

Despite President Obama's repeated assurances that he would not sign TPA without TAA, this no longer seems to be the case. The President has made clear that his only priority in the trade agenda is passage of

TPA—regardless of what happens with respect to currency, trade enforcement, trafficking in persons, immigration policy or climate change—let alone assistance to dislocated workers. We do not have confidence that the White House would hold out for a stronger TAA bill if this one were to fail. We therefore urge you to vote your conscience, and we will respect your decision, whatever it may be.

We will redouble our efforts to shape and improve U.S. trade policy. We will vigorously oppose TPP if it continues on its current course—with problematic provisions on investor-state-dispute settlement, procurement and intellectual property rights; without any protections against currency manipulation; with weak rules of origin; and with inadequate protections for workers' and human rights and the environment. We will continue to work closely with Congress and with our allies in the environmental, consumer, human rights, family farm, faith, development, domestic business, immigrants', women's and Internet privacy rights organizations—among many others—to educate and mobilize our members and the American public about what a good trade policy ought to be and why this one falls short.

Sincerely,

RICHARD L. TRUMKA,  
*President.*

Mr. ELLISON. Mr. Speaker, I submit this letter from Mr. Trumka because I think, perhaps more than anybody else in this whole country, he is in touch with workers and what they need; and labor has been a solid wall of opposing the Trans-Pacific Partnership and the Trade Promotion Authority.

The fact is, when people said we don't know what it is and it is an unknown, that is not true. We have, as Members, been able to go and read some of it. Pieces of it have been leaked. And everything I have seen so far has been incredibly disappointing and represents a real threat to the interests of working people, which Mr. Trumka is an expert on.

I mean, I think it is really odd that we think the person who is expert at representing American workers knows so little and workers in general know so little about what is good for them. Maybe we should listen to the people who have borne the brunt of these trade bills in this country, from NAFTA all the way down.

□ 1145

The fact is, yeah, we do need Trade Adjustment Assistance.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LEVIN. I yield the gentleman an additional 1 minute.

Mr. ELLISON. If this Trans-Pacific Partnership is anything like the trade bills we have seen so far, we are going to need a way bigger Trade Adjustment Assistance than this represents.

Trade Adjustment Assistance is a good thing, but it is an admission that we are going to have displaced workers. We are saying people will be hurt by this trade bill, and so we are going to try to mitigate some of the harm.

The billions and billions of dollars that will be made by transnational cor-

porations from the Trans-Pacific Partnership—well, let me tell you, we ought to be doing a whole lot more than the meager amount of Trade Adjustment Assistance that is captured in this bill.

I will tell you this, the interests of the American people are what we should be thinking about. I have not heard a word about how this is going to help raise workers' wages. In fact, there is every reason to believe that this will put downward pressure on American workers at a time when we have seen historic income inequality and stagnation of worker pay.

America needs to be the land of opportunity, not the land of economic stagnation caused by trade bills like the one I am afraid we are about to talk about. I am moving on the TPP, and we will fight that.

Mr. LEVIN. I yield 2 minutes to the gentlewoman from California (Ms. BASS), who has made the AGOA such an important part of her life here.

Ms. BASS. Mr. Speaker, I rise today to support H.R. 1295, the Trade Preferences Extension Act of 2015, which includes the reauthorization of the African Growth and Opportunity Act, or AGOA.

I want to thank Chairman RYAN, who made a commitment at the beginning of the year that we would follow through and we would make sure that AGOA was on the President's desk. I want to thank Ranking Member LEVIN; Chairman TIBERI; and a giant in this House and one of the original authors of AGOA and a mentor to me and many, many others in this house, Mr. CHARLIE RANGEL, for their leadership on AGOA.

I want to thank members of the African Diplomatic Corps, African heads of state, the diaspora, and members of the African civil society for their tireless work on this legislation.

It has been almost a year since President Obama brought together heads of state from 50 African nations for the historic U.S.-Africa leaders summit last August. This summit was the largest event any American President had held with African heads of state, and it was critical in creating the momentum and support that AGOA now enjoys.

Over the next 10 years, Africa will become an even more important part of the world economy with a large youthful population that is increasingly university educated, tech savvy, and entrepreneurial. Without question, it is in the interest of the United States and the countries of Africa that we work toward a stronger and mutually beneficial economic relationship that will stand the test of time.

Mr. LEVIN. I yield 1 minute to the gentleman from Texas (Mr. CUELLAR).

Mr. CUELLAR. Mr. Speaker, 95 percent of all consumers are outside the United States. When you look at who exports and who is involved in inter-

national trade, over 80 percent of the companies that do this are small- and medium-sized companies. In fact, in the State of Texas, 93 percent of all the companies that export are small- and medium-sized companies.

One point that we understand, if we want to make sure that labor and environmental standards are higher in those countries that we want to deal with, the only way we can do that is by engaging, by talking, and by having a conversation; and that is why these trade agreements are important.

Again, I support a TPA. I support TAA. On TPP, let's reserve our judgment, and let's make a decision on the facts at this time.

Mr. RYAN of Wisconsin. I have no further speakers. Since I reserve the right to close, I will let the gentleman finish his speakers, and then I will do a quick close.

Mr. LEVIN. I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, let me thank Ranking Member LEVIN for always standing in the gap with a creative mind for trade but for workers.

Let me acknowledge my colleague from Wisconsin and indicate that those of us who stand here today have several reasons for doing so.

It was in 1997 that I traveled to the continent of Africa and looked at the rich resources of people and product and understood that that developing continent needed a bridge of opportunity. I am not against a bridge of opportunity, and therefore, I vote and support the African Growth and Opportunity Act and those African nations who have extended their hand of friendship to the United States to create jobs.

At the same time, I have to represent some of the most impoverished and one of the largest groups of working people in the South in the State of Texas. Oh, I know that there is benefit. Texas is a State that fits appropriately for benefit in trade, but there are workers that I must be concerned about. I really stand here today to support the Trade Adjustment Assistance Act.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. LEVIN. I yield an additional 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. There is not one district where the Department of Labor does not document the loss of jobs through trade. I would rather be standing here today and saving a monumental amount of jobs for those individuals that may have skills that are not in the chief executive office.

I want to make sure that there is help, and I also want to say let's keep negotiating to get a component that deals with workers. The Trade Adjustment Assistance Act is for workers. It is to give you that cushion; and it is to,

in actuality, be able to help over 10,853 workers in my State alone.

We are here today to say keep pushing for an equality in trade negotiations to be able to lift the boats of workers across America, and then we are telling those who may be the beneficiary or the victim of dumping or other tactics that we will not leave here without voting for Trade Adjustment Assistance.

Again, I thank my colleague for realizing we are better together than we are divided. I thank my colleague Mr. LEVIN, who was never wavered from understanding trade, but having the empathy of the working man and woman.

I stand with him, and we are going to move America forward.

Mr. Speaker, I rise in support of the Motion to Concur to H.R. 1295—Trade Preferences Extension Act of 2015.

Put simply, this bill will create jobs, protect workers and help grow our economy.

Specifically, this bill includes three separate provisions:

- trade preferences for developing countries;
- trade adjustment assistance; and
- Leveling the Playing Field.

As it relates to the Trade Preferences Extension Act, this provides developing countries with duty-free access to a range of goods that are otherwise subject to tariffs to help promote commerce and boost our economy.

The bill extends the important African Growth and Opportunity Act (AGOA) and trade programs for countries who most need it such as Haiti through 2025.

As it relates to the Trade Adjustment Assistance (TAA), since 1962, the Trade Adjustment Assistance has provided assistance to workers who face challenges due to global competition.

Pre 2009, the only beneficiaries of TAA were manufacturing workers out of work due to American trade, utilizing our free trade agreements to engage our global partners.

However, the 2009 legislation extended the program to cover a larger pool of workers such as those in the service sector, as well as manufacturing workers who lose their jobs due to trade with any country.

Additionally, TAA also extended coverage to public sector workers.

Currently, TAA has increased funding for worker training from \$220 million per year to \$575 million per year.

This is a step in the right direction.

I support this bill because it provides us with the opportunity to reauthorize TAA to protect workers who may lose their jobs due to trade with other countries.

According to the Department of Labor and Commerce, between 2009 and 2013 over 770 18th Congressional District constituents benefited from the Trade Adjustment Assistance Program.

This means thousands of families were able to put food on their tables.

For instance, 46,521 workers were certified in the state of Texas between 2009 and 2013.

In 2013 alone, over \$46,000,000 was allocated to Texas, covering over 10,853 workers in the state of Texas and thousands of families.

Finally, I support this bill because it levels the playing field.

Specifically, it includes improvements to U.S. antidumping and countervailing duty laws by:

- providing the Department of Commerce with more discretion to determine dumping or subsidy rate to apply to an uncooperative foreign company;

- requiring the International Trade Commissions (ITC) to consider additional factors when determining whether a domestic industry has been materially injured;

- allowing Department of Commerce to use a different calculation methodology to compare domestic and foreign costs if the methodology does not produce an appropriate comparison;

- clarifying that the Department of Commerce when approximating costs in a non-market foreign economy can disregard the price of goods that are dumped or benefit from illegal subsidies; and

- providing that Department of Commerce with more discretion to reject voluntary respondents, which will allow the Department of Commerce to use its limited resources on other matters.

Job creation, economic security, growing our economy and the protection of workers are the reasons why I support this bill.

For the millions of American lives that will be enriched by this bill that is why I strongly support the Trade Preference Extension Act of 2013.

I support this bill and will keep an eye on it to make sure we make good on our promise to the American people in creating jobs and our commitment to growing our economy.

I urge all members to support the bill.

Mr. LEVIN. I yield 1 minute to the gentlewoman from California (Ms. PELOSI), our leader.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding. I commend him for his tremendous, relentless, persistent leadership on behalf of America's workers. They have no better friend than you, Mr. LEVIN, and your pursuit of bigger paychecks for American workers and doing so without exploiting workers in other countries because, as we know, that only leads to stagnation of wages in America. You have understood that so clearly. You have taught us so well. It is an honor to serve with you, Mr. LEVIN.

We come to this place with the Senate passage of TPA and the recognition that there will only be TPA signed. It no longer is connected to TAA. We have a choice today to choose between voting for TAA or not.

If it was the intent of the Republicans in the Senate to attach TAA to AGOA in order to bring down both bills, they are very wrong because we reject that, even though we would have hoped for a better TAA.

When we are talking about trade agreements that involve 40 percent of the world's economy, very large with a very small TAA bill, it is woefully small, but at least it is there. I would have fought for a bigger bill. We are not given that opportunity.

As small as it is, tying it to AGOA and perhaps pulling down AGOA, well, we reject that. People said: Oh, let's just defeat the TAA bill, and AGOA will come up another way.

We didn't trust that. We don't trust that the Republicans would allow AGOA to come up another way. For that reason, from strength, knowing that we could defeat TAA, but at the same time bring down AGOA, it was wisely decided that we should just end this phase now, especially since the idea that both bills or no bill no longer existed.

This is the end of phase one, and to get to this point, there has been a massive mobilization in our country of people of faith; people who are concerned about environment; women's groups; and, of course, our friends in organized labor. There has been a massive mobilization for America's working families.

We all stand ready to go to the next phase, and that next phase is to keep a very sharp, clear, bright light focused on the provisions of the TPP. Most people really didn't realize TPP and TPA, they are different things. Now, they will know.

While I respect the values of the administration, giving their negotiators all of this power, it gives them no reason to come back with anything better than a great trade agreement for America's working families, and that is what we are here to fight for.

We do not believe in trickle-down economics at home, and we do not believe in trickle-down trade policy where it helps people at the top, entities at the top, and then trickles down maybe to the workers.

We can do this thinking in new, fresh, and entrepreneurial ways. What has bothered me about this debate is it is so stale; it is so old in terms of you are either for globalization and recognize it as a reality and you are for participating in it or you are not—how condescending.

Of course, we know we live in a global economy. Globalization is something that goes well beyond trade. It is about outsourcing and offshoring and all kinds of other ways of taking jobs away from our workforce.

It is something that is a possibility that can be done, and that was my aspiration, that we can do something great, something new, something that benefited all workers, lifted up all workers, not exploiting some in some country to the advantage of multinational corporations and stagnation for American workers' wages.

Everybody says this is better than the status quo. Well, "better" is a comparative word. If the status quo is not good, better is less bad. We want something best. Good, better, best, never let it rest until good is better and better is best; that is what we were told in grade school.

Better can also mean less bad. If this is the standard that we are going with,



something that is less bad than the status quo, that is simply not good enough.

The possibilities are so great for the world, for the planet, so we must recognize the relationship between trade policy and people's lives. We must recognize the relationship, the interconnection between commerce around climate.

We cannot enable a trade agreement to go forward that degrades the environment, especially now that our awareness is so great about the impact of business decisions on the environment that our people live in, the air that our people breathe, and the rest.

We must recognize that we can only accomplish this with greater transparency than this TPA enables us to have. That is done. We are arguing that.

We are saying now, for TPP, the American people need, expect, and deserve for us to see what the course of this debate is about so that they can weigh in, so that, at the end of the day, the final product will be something that we can rally around or understand why certain decisions had to go a certain way, but not something that is just put there to say, up or down, you either understand we live in a global economy or you do not.

□ 1200

That is, again, Mr. Speaker, condescending and not worthy, really, of the debate, and certainly not worthy of our responsibility to America's working families. So I am excited about the prospect as we go forward.

Mr. Speaker, I will vote for this legislation today. I wish we had a better TAA, and I certainly do not want to vote against the goal. I want to commend KAREN BASS and CHARLIE RANGEL who worked on this—created it, really—from the start. It is really important, and we should be happy about passing that. This could have been on the President's desk before now if our colleagues in the Senate would have just voted for it and sent it there, except that they decided to hijack it by putting this TAA in there and changing this debate. But that is okay. It is what it is.

We go forward again with a bright spotlight on TPP. If there is any value to what we have been through—which I think has been a great one in terms of mobilization and unifying people about the importance of the stability of America's financial stability and of America's working family—it is that we are ready with judgment and knowledge, again, engaged in the debate as we go forward. We won't be part of the debate because TPA prohibits that. But the American people will want to be engaged in that debate, and we, as their representatives, will have to vote on it at some point.

President Lincoln said that public sentiment is everything. The more the

public knows about what is happening, I think, the better the agreement will be. That is my hope, and that is what we will fight for.

So this is another day, a new day to go forward. I congratulate my colleagues who have worked so hard to get us to where we are, but we have much more to do, much bigger possibilities for the American people, and much recognition that it is a whole new world in terms of our understanding of our interconnections. Technology aids us, information helps us, and communication can be our salvation as we share information.

So again, Mr. Speaker, I congratulate Mr. LEVIN for his leadership and so many people who worked so hard on all of this, and I look forward to possibly a time when we not only have a unified Democratic Caucus but a unified Congress to come together with one thing in mind as we approach the Fourth of July: remembering *e pluribus unum*—from many, one. We are one country. I don't think partisan politics, Democrats, Republicans, have anything to do with this debate. It is a debate about advancing America's workers and about bigger paychecks for America's workers as we lift up workers throughout the world, as we protect our environment, and as we go into the future.

Mr. LEVIN. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. DANNY K. DAVIS), a member of our committee.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, we have had a very rigorous and robust debate on trade. Trade is important to not only the entire country, but certainly it is important to the communities that I represent.

Throughout this process, I have followed the dictates of organized labor, and I have followed the dictates of the people I represent, which means I voted "no." I listened to the logic of the Democratic leader just this moment, and I am going to vote with her. I am going to vote for this legislation today because it is necessary to help those individuals who are going to be displaced, and they need all the help we can provide. I will vote to help them.

Mr. LEVIN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, as we proceed to vote, let me just reflect a bit as someone who has been working on trade issues for some time.

At one point when USTR would not negotiate the trade agreement, Mr. RANGEL and I actually did the negotiating of the Peru free trade agreement with the Peruvian Government. I don't suggest that should be the usual practice.

As I look back on our debate on TPA, I think it has essentially been a prelude, a prelude to more vigorous debate about the contents of TPP. I think this debate has stirred the pot, and now it

is important that this Congress—that this Congress—impact the ingredients in the pot and that we do so while the ingredients are being cooked and not simply afterwards, because these ingredients affect the lives of American businesses, American workers, and working families; and when we get it wrong, as sometimes has been true, people get hurt and millions of jobs are lost.

So I think we now have to rededicate ourselves as these negotiations proceed to be an active partner and insist that we be an active partner, that we know what is going on, and that we are able to discuss with the public what is going on. I think that is where we are today.

Within that spirit, Mr. Speaker, I urge that Democrats support this bill on TAA.

I yield back the balance of my time.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, first I would like to clarify a few things. The reason we are here is because of the defeat of TAA the first time it came through here. That is why this bill is such this way.

The idea that by combining this for the Preferences was somehow a plan in the other body to defeat the two bills, I would just like to remind people that the first Preferences bill passed 97-1 when it passed the Senate. This bill was voice-voted in the Senate yesterday, so if someone was planning on trying to defeat these bills, they sure picked the wrong way to go about doing it.

What is really happening here is a commitment is being honored the second time around to make sure that these bills have passed, and I am pleased to see that. So I don't read into anything that the other body did other than respond to the fact that TAA was defeated here the first time around. Now we have rebuilt the process, kept the agreements, and here we are passing a bill that the Senate voice-voted yesterday.

Why is this important, Mr. Speaker? These three bills are bipartisan. TAA is offered by Mr. REICHERT, a Republican from Washington. Preferences is something that has gotten near universal support from both sides of the aisle. It is very good policy, and everyone on both sides of the aisle is in favor of TAA.

We also have heard from our manufacturers that they need trade remedy, that when another country and a company from another country violate our trade laws and dump product into our market, we ought to be able to do something about it. So there is a bipartisan acknowledgment on that front, too. That is why this package is here. I anticipate a good vote count.

At the end of the day, Mr. Speaker, the reason we are doing this is because we care about workers, we care about American leadership, and we care



about jobs. The reason you need trade agreements is to remove those barriers so that the little guy, the small business, can also have access to these foreign markets. That is one of the elements to this debate that I think is missing.

Without trade agreements, big businesses can survive, no problem. Do you know why? Because big businesses can just erect a factory in another country to sell into that other country. It happens all the time. We call it outsourcing. So a big company can set up a factory in another country, hire people in that other country, and ship our jobs over there to make their product there to sell into those markets.

Trade agreements, on the other hand, remove those barriers, make it so that you can build it here and send it over there. That means small businesses can also get engaged in trade. Small businesses can also get access to these markets. So by getting in a trade agreement, we remove those barriers from these countries who say, "If you want to sell your product in our country, then make it in our country," to getting a trade agreement saying, "We remove these barriers, and we will allow you to make it in your country, America, and send it here."

Mr. Speaker, that is why we want trade agreements, so we can keep jobs and keep manufacturing in America, make and grow more things here so that we can have more jobs here and send them over there. It is why we have a trade surplus in manufacturing with the countries we had trade agreements with and a big manufacturing deficit with the countries we do not have trade agreements with.

We are pretty generous, Mr. Speaker. We already let a lot of other countries sell their goods into our country. Just go through Walmart, Farm & Fleet, KMart, or Shopko, wherever you go buy stuff, and you will see things made in other countries all down the aisle. I bought this shirt I am wearing right now in Kenosha, Wisconsin, at the outlet mall. It was made in Malaysia.

Go to these other countries, and you will not see something similar. You will not see a bunch of American products on their store shelves. Trade agreements say: Hey, wait, that is not fair. Let's make it fair. You give us the same kind of access to your country that we are giving you to our country.

That is what we get with trade agreements; level the playing field, keep it fair, and give us access to the fact that we have one in five jobs in America tied to trade, the fact that these jobs on average pay 18 percent more, so that we can keep that going so that we can have more jobs with higher wages. That is what this is about.

When a worker is displaced—if a worker is displaced—TAA is there to help that person get job training skills and benefits so they can get a new skill

to get a new job to keep their life going where they want it to go.

So that is why I expect a good vote here today. I am pleased that we are able to honor the agreements that were made, and I am very pleased that we are sending the signal to the rest of the world that this country is still willing and able to lead.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 338, the previous question is ordered.

The question is on the motion by the gentleman from Wisconsin (Mr. RYAN).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. RYAN of Wisconsin. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on adoption of the motion will be followed by a 5-minute vote on the motion to suspend the rules and pass H.R. 2200.

The vote was taken by electronic device, and there were—yeas 286, nays 138, not voting 9, as follows:

[Roll No. 388]

YEAS—286

Adams	Courtney	Green, Gene
Aderholt	Cramer	Griffith
Aguilar	Crenshaw	Grothman
Ashford	Crowley	Guinta
Barletta	Cuellar	Guthrie
Barr	Cummings	Gutiérrez
Barton	Curbelo (FL)	Hanna
Bass	Davis (CA)	Harper
Beatty	Davis, Danny	Hastings
Benishke	Davis, Rodney	Heck (WA)
Bera	DeFazio	Herrera Beutler
Beyer	DeGette	Higgins
Bishop (GA)	Delaney	Himes
Bishop (MI)	DeLauro	Hinojosa
Blum	DelBene	Honda
Blumenauer	Denham	Hoyer
Bonamici	Dent	Huffman
Bost	DeSaulnier	Huizenga (MI)
Boustany	Deutch	Hurt (VA)
Brady (PA)	Dingell	Israel
Brady (TX)	Doggett	Issa
Brooks (IN)	Dold	Jackson Lee
Brown (FL)	Donovan	Jeffries
Brownley (CA)	Doyle, Michael	Jenkins (WV)
Bucshon	F.	Johnson (GA)
Bustos	Duckworth	Johnson (OH)
Butterfield	Edwards	Johnson, E. B.
Calvert	Ellison	Jolly
Capps	Ellmers (NC)	Joyce
Capuano	Emmer (MN)	Kaptur
Cárdenas	Engel	Katko
Carney	Eshoo	Keating
Carson (IN)	Esty	Kelly (IL)
Carter (TX)	Farr	Kelly (PA)
Castor (FL)	Fattah	Kennedy
Castro (TX)	Fitzpatrick	Kildee
Chu, Judy	Fortenberry	Kilmer
Cicilline	Foster	Kind
Clark (MA)	Frankel (FL)	King (NY)
Clarke (NY)	Frelinghuysen	Kinzinger (IL)
Clay	Fudge	Kirkpatrick
Cleaver	Gabbard	Kline
Coffman	Galleo	Kuster
Cohen	Garamendi	Langevin
Cole	Gibbs	Larsen (WA)
Comstock	Graham	Larson (CT)
Connolly	Granger	Lawrence
Conyers	Graves (LA)	Lee
Cooper	Graves (MO)	Levin
Costa	Grayson	Lewis
Costello (PA)	Green, Al	Lieu, Ted

Lipinski	Pascrell	Sires
LoBiondo	Paulsen	Slaughter
Loebback	Pelosi	Smith (NE)
Lofgren	Perlmutter	Smith (NJ)
Lowenthal	Peters	Smith (WA)
Lowe	Peterson	Speier
Luetkemeyer	Pingree	Stefanik
Lujan Grisham	Pittenger	Stivers
(NM)	Pitts	Swalwell (CA)
Luján, Ben Ray	Pocan	Takai
(NM)	Poliquin	Takano
MacArthur	Polis	Thompson (CA)
Maloney,	Price (NC)	Thompson (PA)
Carolyn	Quigley	Thornberry
Maloney, Sean	Rangel	Tiberi
Marchant	Reed	Titus
Marino	Reichert	Tonko
Matsui	Renacci	Torres
McCarthy	Rice (NY)	Trott
McCollum	Richmond	Tsongas
McDermott	Rigell	Turner
McGovern	Rogers (AL)	Upton
McHenry	Rogers (KY)	Valadao
McKinley	Rokita	Van Hollen
McMorris	Roskam	Vargas
Rodgers	Rothfus	Veasey
McNerney	Roybal-Allard	Vela
McSally	Royce	Velázquez
Meehan	Ruiz	Visclosky
Meeks	Ruppersberger	Wagner
Meng	Ryan (OH)	Walberg
Messer	Ryan (WI)	Walden
Mica	Sánchez, Linda	Walters, Mimi
Miller (MI)	T.	Walz
Moolenaar	Sanchez, Loretta	Wasserman
Moore	Sarbanes	Schultz
Moulton	Scalise	Waters, Maxine
Murphy (FL)	Schakowsky	Watson Coleman
Murphy (PA)	Schiff	Welch
Nadler	Schrader	Whitfield
Neal	Serrano	Wilson (FL)
Noem	Sewell (AL)	Wilson (SC)
Nolan	Sherman	Yarmuth
Norcross	Shimkus	Yoder
Nunes	Shuster	Young (IA)
O'Rourke	Simpson	Young (IN)
Pallone	Sinema	

NAYS—138

Abraham	Gibson	Neugebauer
Allen	Gohmert	Newhouse
Amash	Goodlatte	Nugent
Amodei	Gosar	Olson
Babin	Gowdy	Palazzo
Becerra	Graves (GA)	Palmer
Bilirakis	Grijalva	Pearce
Bishop (UT)	Hardy	Perry
Black	Harris	Poe (TX)
Blackburn	Hartzler	Pompeo
Boyle, Brendan	Heck (NV)	Posey
F.	Hensarling	Price, Tom
Brat	Hice, Jody B.	Ratcliffe
Bridenstine	Hill	Ribble
Brooks (AL)	Holding	Rice (SC)
Buchanan	Hudson	Roby
Buck	Huelskamp	Roe (TN)
Burgess	Hultgren	Rohrabacher
Byrne	Hunter	Rooney (FL)
Carter (GA)	Hurd (TX)	Ros-Lehtinen
Cartwright	Jenkins (KS)	Ross
Chabot	Johnson, Sam	Rouzer
Chaffetz	Jones	Russell
Clawson (FL)	Jordan	Salmon
Collins (GA)	King (IA)	Schweikert
Collins (NY)	Knight	Scott, Austin
Conaway	Labrador	Sensenbrenner
Cook	LaMalfa	Sessions
Crawford	Lamborn	Smith (MO)
Culberson	Lance	Smith (TX)
DeSantis	Latta	Stewart
DesJarlais	Long	Stutzman
Diaz-Balart	Loudermilk	Thompson (MS)
Duffy	Love	Tipton
Duncan (SC)	Lucas	Walker
Duncan (TN)	Lummis	Walorski
Farenthold	Lynch	Weber (TX)
Fincher	Massie	Webster (FL)
Fleischmann	McCaul	Wenstrup
Fleming	McClintock	Westerman
Flores	Meadows	Westmoreland
Forbes	Miller (FL)	Williams
Fox	Mooney (WV)	Wittman
Franks (AZ)	Mullin	
Garrett	Mulvaney	

Womack  
WoodallYoho  
Young (AK)Zeldin  
Zinke

## NOT VOTING—9

Clyburn  
Hahn  
Kelly (MS)Napolitano  
Payne  
RushSanford  
Scott (VA)  
Scott, David

□ 1238

Messrs. LUCAS, WALKER, COLLINS of New York, STUTZMAN, KNIGHT, MILLER of Florida, CLAWSON of Florida, LONG, and BUCHANAN changed their vote from “yea” to “nay.”

Mr. SIREs and Mrs. LAWRENCE changed their vote from “nay” to “yea.”

So the motion to concur was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. NAPOLITANO. Mr. Speaker, on Thursday, June 25th, 2015, I was absent during rollcall vote No. 388. Had I been present, I would have voted “yea” on the Motion to Concur in the Senate Amendment to H.R. 1295, the Trade Preferences Extension Act of 2015 (TAA/AGOA).

Mr. RUSH. Mr. Speaker, on Thursday, June 25, 2015 I was unavoidably delayed and missed rollcall vote 388. Had I been present I would have voted in the affirmative.

Ms. HAHN. Mr. Speaker, due to an unforeseen conflict, I unavoidably missed the following vote on June 25, 2015. Had I been present I would have voted as follows: on rollcall No. 388, I would have voted “aye” (June 25) (Motion to Concur in the Senate Amendment to H.R. 1295—Trade Preferences Extension Act of 2015).

Mr. SCOTT of Virginia. Mr. Speaker, on rollcall No. 388, had I been present, I would have voted “yes.”

## CBRN INTELLIGENCE AND INFORMATION SHARING ACT OF 2015

THE SPEAKER pro tempore (Mr. SIMPSON). The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2200) to amend the Homeland Security Act of 2002 to establish chemical, biological, radiological, and nuclear intelligence and information sharing functions of the Office of Intelligence and Analysis of the Department of Homeland Security and to require dissemination of information analyzed by the Department to entities with responsibilities relating to homeland security, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Arizona (Ms. MCSALLY) that the House suspend the rules and pass the bill, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 420, nays 2, not voting 11, as follows:

[Roll No. 389]

## YEAS—420

Abraham  
Adams  
Aderholt  
Aguliar  
Allen  
Amash  
Amodei  
Ashford  
Babin  
Barletta  
Barr  
Barton  
Bass  
Beatty  
Becerra  
Benishak  
Bera  
Beyer  
Bilirakis  
Bishop (GA)  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Blumenauer  
Bonamici  
Bost  
Boustany  
Boyle, Brendan  
F.  
Brady (PA)  
Brat  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Brown (FL)  
Brownley (CA)  
Buchanan  
Buck  
Bucshon  
Burgess  
Bustos  
Butterfield  
Byrne  
Calvert  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Carter (GA)  
Carter (TX)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chabot  
Chaffetz  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clawson (FL)  
Clay  
Cleaver  
Coffman  
Cohen  
Cole  
Collins (GA)  
Collins (NY)  
Comstock  
Conaway  
Connolly  
Conyers  
Cook  
Cooper  
Costa  
Costello (PA)  
Courtney  
Cramer  
Crawford  
Crenshaw  
Crowley  
Cuellar  
Culberson  
Cummings  
Curbelo (FL)  
Davis (CA)  
Davis, Danny  
Davis, Rodney  
DeFazio  
DeGette  
Delaney

DeLauro  
DeBene  
Denham  
Dent  
DeSantis  
DeSaulnier  
DesJarlais  
Deutch  
Diaz-Balart  
Dingell  
Doggett  
Dold  
Donovan  
Doyle, Michael  
F.  
Duckworth  
Duffy  
Duncan (SC)  
Duncan (TN)  
Edwards  
Ellison  
Ellmers (NC)  
Emmer (MN)  
Engel  
Eshoo  
Esty  
Farenthold  
Farr  
Fattah  
Fincher  
Fitzpatrick  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foster  
Fox  
Frankel (FL)  
Franks (AZ)  
Frelinghuysen  
Fudge  
Gabbard  
Gallo  
Galego  
Garamendi  
Garrett  
Gibbs  
Gibson  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Graham  
Granger  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Grayson  
Green, Al  
Green, Gene  
Griffith  
Grijalva  
Grothman  
Guinta  
Guthrie  
Gutiérrez  
Hahn  
Hanna  
Hardy  
Harper  
Harris  
Hartzler  
Hastings  
Heck (NV)  
Heck (WA)  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Higgins  
Hill  
Himes  
Holding  
Honda  
Hoyer  
Hudson  
Huelskamp  
Huffman  
Huizenga (MI)  
Hultgren  
Hunter  
Hurd (TX)  
Hurt (VA)  
Issa

Jackson Lee  
Jeffries  
Jenkins (KS)  
Jenkins (WV)  
Johnson (GA)  
Johnson (OH)  
Johnson, E. B.  
Johnson, Sam  
Jolly  
Jones  
Jordan  
Joyce  
Kaptur  
Karl  
Keating  
Kelly (IL)  
Kelly (PA)  
Kennedy  
Kildee  
Kilmer  
Kind  
King (IA)  
King (NY)  
Kinzinger (IL)  
Kirkpatrick  
Kline  
Knight  
Kuster  
Labrador  
LaMalfa  
Lamborn  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)  
Latta  
Lawrence  
Lee  
Levin  
Lewis  
Lieu, Ted  
Lipinski  
LoBiondo  
Loebach  
Long  
Loudermilk  
Love  
Lowenthal  
Lowey  
Lucas  
Luetkemeyer  
Lujan Grisham  
(NM)  
Luján, Ben Ray  
(NM)  
Lummis  
Lynch  
MacArthur  
Maloney  
Malone, Carolyn  
Marchant  
Marino  
Matsui  
McCarthy  
McCaul  
McClintock  
McCollum  
McDermott  
McGovern  
McHenry  
McKinley  
McMorris  
Rodgers  
McNerney  
McSally  
Meadows  
Meehan  
Meeks  
Meng  
Messer  
Mica  
Miller (FL)  
Miller (MI)  
Moolenaar  
Mooney (WV)  
Moore  
Moulton  
Mullin  
Mulvaney  
Murphy (FL)  
Murphy (PA)  
Nadler  
Neal

Neugebauer  
Newhouse  
Noem  
Nolan  
Norcross  
Nugent  
Nunes  
O'Rourke  
Olson  
Palazzo  
Pallone  
Palmer  
Pascarella  
Paulsen  
Pearce  
Pelosi  
Perlmutter  
Perry  
Peters  
Peterson  
Pingree  
Pittenger  
Pitts  
Pocan  
Poe (TX)  
Poliquin  
Polis  
Pompeo  
Posey  
Price (NC)  
Price, Tom  
Quigley  
Rangel  
Ratcliffe  
Reed  
Renacci  
Ribble  
Rice (NY)  
Rice (SC)  
Richmond  
Rigell  
Roby  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney (FL)  
Ros-Lehtinen  
Roskam  
Ross

Rothfus  
Rouzer  
Roybal-Allard  
Royce  
Ruiz  
Ruppersberger  
Rush  
Russell  
Ryan (OH)  
Ryan (WI)  
Salmon  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Scalise  
Schakowsky  
Schiff  
Schrader  
Schweikert  
Scott (VA)  
Scott, Austin  
Scott, David  
Sensenbrenner  
Serrano  
Sessions  
Sewell (AL)  
Sherman  
Shimkus  
Shuster  
Simpson  
Sinema  
Sires  
Slaughter  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Speier  
Stefanik  
Stewart  
Stivers  
Stutzman  
Swalwell (CA)  
Takai  
Takano  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)

Thornberry  
Tiberi  
Tipton  
Titus  
Tonko  
Torres  
Trott  
Tsongas  
Turner  
Upton  
Valadao  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Walz  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Weber (TX)  
Webster (FL)  
Welch  
Wenstrup  
Westerman  
Westmoreland  
Whitfield  
Williams  
Wilson (FL)  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yarmuth  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Young (IN)  
Zeldin  
Zinke

## NAYS—2

Lofgren  
Brady (TX)  
Clyburn  
Hinojosa  
Israel

Massie

## NOT VOTING—11

Kelly (MS)  
Maloney, Sean  
Napolitano  
Payne

□ 1246

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. NAPOLITANO. Mr. Speaker, on Thursday, June 25th, 2015, I was absent during rollcall vote No. 389. Had I been present, I would have voted “yea” on the motion to suspend the rules and pass H.R. 2200, the CBRN Intelligence and Information Sharing Act, as amended.

## PERSONAL EXPLANATION

Mr. ROE of Tennessee. Mr. Speaker, I was unable to vote on the afternoon of June 25, 2015, due to my attendance at a funeral. Had I been present, I would have voted: rollcall No. 388—“nay,” rollcall No. 389—“yea.”

## MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced

that the Senate reengross the Senate amendment to the bill (H.R. 1735) "An Act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes."

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GRAVES of Louisiana). Without objection, the motion to reconsider the vote on the question of concurring in the matter comprising the remainder of title II of the Senate amendment to H.R. 1314 is laid on the table.

There was no objection.

#### APPOINTMENT OF CONFEREES ON H.R. 1735, NATIONAL DEFENSE AUTHORIZATION ACT FOR FIS- CAL YEAR 2016

Mr. THORNBERRY. Mr. Speaker, pursuant to clause 1 of rule XXII and by direction of the Committee on Armed Services, I move to take from the Speaker's table the bill (H.R. 1735) an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and request a conference with the Senate thereon.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees:

From the Committee on Armed Services, for consideration of the House bill and the Senate amendment, and modifications committed to conference:

Messrs. THORNBERRY, FORBES, MILLER of Florida, WILSON of South Carolina, LoBIONDO, BISHOP of Utah, TURNER, KLINE, ROGERS of Alabama, SHUSTER, CONAWAY, LAMBORN, WITTMAN, HUNTER, Mrs. HARTZLER, Messrs. HECK of Nevada, WENSTRUP, Ms. STEFANIK, Mr. SMITH of Washington, Ms. LORETTA SANCHEZ of California, Mrs. DAVIS of California, Messrs. LANGEVIN, LARSEN of Washington, COOPER, Ms. BORDALLO, Mr. COURTNEY, Ms. TSONGAS, Messrs. GARAMENDI, JOHNSON of Georgia, Ms. SPEIER, Mr. CASTRO of Texas, and Ms. DUCKWORTH.

There was no objection.

The SPEAKER pro tempore. The Chair will announce the appointment

of additional conferees at a subsequent time.

#### DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

##### GENERAL LEAVE

Mr. CALVERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on consideration of the H.R. 2822, and that I may include tabular material on the same.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore (Mr. DENHAM). Pursuant to House Resolution 333 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2822.

The Chair appoints the gentleman from Louisiana (Mr. GRAVES) to preside over the Committee of the Whole.

□ 1254

##### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2822) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, with Mr. GRAVES of Louisiana in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from California (Mr. CALVERT) and the gentlewoman from Minnesota (Ms. MCCOLLUM) each will control 30 minutes.

The Chair recognizes the gentleman from California.

Mr. CALVERT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am pleased to bring to the floor H.R. 2822, the fiscal year 2016 Interior, Environment, and Related Agencies Appropriations bill.

As we begin, I want to personally thank Chairman ROGERS for his leadership and support. Under his guidance, the Committee on Appropriations is again setting the standard for getting things done in the House. The Interior bill is the seventh appropriation bill to come to the floor so far this year.

I also want to thank the gentlewoman from Minnesota (Ms. MCCOLLUM), my good friend and ranking member, for her partnership and work on this bill.

Finally, I want to thank each of our subcommittee members for their efforts and the collegiality that continues to be the hallmark of our sub-

committee's deliberations. Even though we may have differences of opinion within this bill, I greatly appreciate the Members' constructive contribution, and I mean that sincerely.

The committee has made very difficult choices preparing this bill. As reported by the Committee on Appropriations, the fiscal year 2016 Interior and Environment bill is funded at \$30.17 billion, which is \$246 million below the fiscal year 2015-enacted level and \$3 billion below the budget request. We have made a sincere effort to prioritize needs within our 302(b) allocation. I would like to point out a few of the highlights.

Again, this year, the committee has provided robust wildland fire funding. Fire suppression accounts at the Department of the Interior and the Forest Service are fully funded at the 10-year average level. The hazardous fuels program was increased by \$75 million to \$526 million in the fiscal year 2015-enacted bill, and that increase has been maintained in this bill.

This bill also continues critical investments in Indian Country, a non-partisan priority of the committee. Building upon the bipartisan work of the former subcommittee chairmen MIKE SIMPSON, Jim Moran, and Norm Dicks, this bill continues to make investments in education, public safety, and health programs in Indian Country.

Overall, funding for the Indian Health Service is increased by \$145 million, or 3 percent, while funding for the Bureaus of Indian Affairs and Education is increased by \$165 million, or 6 percent, from fiscal year 2015 levels, the largest percentage increase in this bill.

This bill provides full funding in fiscal year 2016 for the Payment in Lieu of Taxes, or PILT, payments. PILT payments are made to 49 of the 50 States as well as to the District of Columbia, Guam, the U.S. Virgin Islands, and the Commonwealth of Puerto Rico.

The bill provides \$2.7 billion for the National Park Service, including more than \$60 million in new funding, relating to the centennial of the Park Service.

We have also addressed a number of priorities within the Fish and Wildlife Service accounts. The bill funds popular cost-shared grant programs above the fiscal year 2015-enacted levels. It also provides additional funds to combat international wildlife trafficking, protects fish hatcheries from cuts and closures, continues funding to fight invasive species, and reduces the backlog of species that are recovered but not yet de-listed.

The bill provides \$248 million for the Land and Water Conservation Fund, programs that enjoy broad support—bipartisan support, for that matter. Some Members would prefer more

funding; others would prefer less for LWCF. We have attempted to forge a middle ground that begins to return the emphasis of the Land and Water Conservation Fund to its original intent of recreation and State and local acquisitions.

Overall, funding for EPA is reduced by \$718 million, or 9 percent, from fiscal year 2015-enacted levels. Members from the Great Lakes region will be pleased to know that the Great Lakes Restoration Initiative is maintained at the fiscal year 2015-enacted level of \$300 million. Rural water technical assistance grants and many categorical grants, including radon grants, are level funded at the fiscal year 2015 enacted level.

Again this year, there is a great deal of concern over the number of regulatory actions being pursued by the EPA in the absence of legislation and without clear congressional direction. For this reason, the bill includes a number of provisions to stop unnecessary and damaging regulatory overreach by the Agency.

Before closing, I would like to address the Endangered Species Act pro-

visions in this bill. We have no interest in interfering with science or letting any species go extinct, but we are concerned about Federal regulatory actions lacking in basic fairness and common sense. The provisions in this bill address problems created by an ESA driven not by science, but by court orders that drain limited Agency resources and force the Department to cut corners to meet arbitrary deadlines. Nowhere is this more evident than with the sage-grouse.

□ 1300

States are rightfully concerned that a listing or unnecessarily restrictive Federal land use plans will jeopardize existing conservation partnerships with States and private landowners. These partnerships are necessary to save both the sagebrush ecosystem and local economies.

So long as sage-grouse are not under imminent threat of extinction, cooperative conservation must be given a chance to work. That is why this bill maintains a 1-year delay on any decision to list sage-grouse along with full funding to implement conservation efforts.

House consideration of this bill is the next step in a long legislative process. I hope over the coming months we will come together, as we do each year, to find common ground. In that spirit, I look forward to continuing to work with Ms. MCCOLLUM and the Members of the House on both sides of the aisle.

In closing, I want to thank the staff on both sides for their hard work on this bill. On the minority side, I would like to thank Rick Healy, Rita Culp, Joe Carlile, as well as Rebecca Taylor. They have played an integral role in the process, and their efforts are very much appreciated.

On the majority side, I would like to thank subcommittee staff Kristin Richmond, Jackie Kilroy, Betsy Bina, Jason Gray, Darren Benjamin, and Dave LesStrang. I would also like to thank Ian Foley, Rebecca Keightley, Alexandra Berenter, and Tricia Evans on my personal staff for their great work.

Mr. Chairman, this is a good bill. It deserves the support of the Members of this body.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS BILL, 2016 (H.R. 2822)  
(Amounts in thousands)

	FY 2015 Enacted	FY 2016 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF THE INTERIOR					
BUREAU OF LAND MANAGEMENT					
Management of Lands and Resources					
Land Resources:					
Soil, water and air management.....	43,239	46,755	43,239	---	-3,516
Rangeland management.....	79,000	76,444	79,000	---	+2,556
Grazing administration management.....	---	16,500	---	---	-16,500
Grazing administration management offsetting collections.....	---	-16,500	---	---	+16,500
Forestry management.....	9,838	9,980	9,838	---	-142
Riparian management.....	21,321	22,784	21,321	---	-1,463
Cultural resources management.....	15,131	17,206	15,131	---	-2,075
Wild horse and burro management.....	77,245	80,555	77,245	---	-3,310
Subtotal.....	245,774	253,724	245,774	---	-7,950
Wildlife and Fisheries:					
Wildlife management.....	52,338	89,381	89,381	+37,043	---
Fisheries management.....	12,530	12,685	12,530	---	-155
Subtotal.....	64,868	102,066	101,911	+37,043	-155
Threatened and endangered species.....	21,458	21,567	21,458	---	-109
Recreation Management:					
Wilderness management.....	18,264	18,559	18,264	---	-295
Recreation resources management.....	48,697	56,851	48,697	---	-8,154
Subtotal.....	66,961	75,410	66,961	---	-8,449
Energy and Minerals:					
Oil and gas management.....	53,183	59,671	53,183	---	-6,488
Oil and gas permit processing.....	32,500	7,125	32,500	---	+25,375
Oil and gas inspection and enforcement.....	41,126	48,000	41,126	---	-6,874
Subtotal, Oil and gas.....	126,809	114,796	126,809	---	+12,013
Oil and gas permit processing fees.....	-32,500	---	-32,500	---	-32,500
Oil and gas inspection and enforcement fees.....	---	-48,000	---	---	+48,000
Subtotal, offsetting collections.....	-32,500	-48,000	-32,500	---	+15,500
Coal management.....	9,595	10,868	9,595	---	-1,273
Other mineral resources.....	10,586	11,879	10,586	---	-1,293
Renewable energy.....	29,061	29,356	29,061	---	-295
Subtotal, Energy and Minerals.....	143,551	118,899	143,551	---	+24,652
Realty and Ownership Management:					
Alaska conveyance.....	22,000	22,220	22,000	---	-220
Cadastral, lands, and realty management.....	45,658	51,252	45,658	---	-5,594
Subtotal.....	67,658	73,472	67,658	---	-5,814
Resource Protection and Maintenance:					
Resource management planning.....	38,125	59,341	46,125	+8,000	-13,216
Abandoned mine lands.....	16,987	19,946	16,987	---	-2,959
Resource protection and law enforcement.....	25,325	25,495	25,325	---	-170
Hazardous materials management.....	15,612	15,786	15,612	---	-174
Subtotal.....	96,049	120,568	104,049	+8,000	-16,519

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS BILL, 2016 (H.R. 2822)  
(Amounts in thousands)

	FY 2015 Enacted	FY 2016 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>Transportation and Facilities Maintenance:</b>					
Annual maintenance.....	38,637	38,942	38,637	---	-305
Deferred maintenance.....	26,995	31,387	26,995	---	-4,392
Subtotal.....	65,632	70,329	65,632	---	-4,697
<b>Workforce and Organizational Support:</b>					
Administrative support.....	47,127	50,942	47,127	---	-3,815
Bureauwide fixed costs.....	91,010	93,645	91,010	---	-2,635
Information technology management.....	25,696	25,958	25,696	---	-262
Subtotal.....	163,833	170,545	163,833	---	-6,712
Challenge cost share.....	2,413	12,416	2,400	-13	-10,016
National landscape conservation system, base program..	31,819	48,470	31,819	---	-16,651
Communication site management.....	2,000	2,000	2,000	---	---
Offsetting collections.....	-2,000	-2,000	-2,000	---	---
Subtotal, Management of lands and resources.....	970,016	1,067,466	1,015,046	+45,030	-52,420
<b>Mining Law Administration:</b>					
Administration.....	39,696	39,696	39,696	---	---
Offsetting collections.....	-57,000	-56,000	-56,000	+1,000	---
Subtotal, Mining Law Administration.....	-17,304	-16,304	-16,304	+1,000	---
Total, Management of Lands and Resources.....	952,712	1,051,162	998,742	+46,030	-52,420
<b>Land Acquisition</b>					
Land Acquisition.....	14,226	30,384	2,500	-11,726	-27,884
Emergencies, Hardships, and Inholdings.....	1,616	1,616	1,000	-616	-616
Acquisition Management.....	1,904	2,000	1,750	-154	-250
Recreational Access.....	2,000	4,000	2,000	---	-2,000
Total, Land acquisition.....	19,746	38,000	7,250	-12,496	-30,750
<b>Oregon and California Grant Lands</b>					
Western Oregon resources management.....	101,423	95,255	98,248	-3,175	+2,993
Western Oregon information and resource data systems..	1,772	1,786	1,772	---	-14
Western Oregon transportation & facilities maintenance	9,517	9,602	9,517	---	-85
Western Oregon construction and acquisition.....	312	324	312	---	-12
Western Oregon national monument.....	753	767	753	---	-14
Total, Oregon and California Grant Lands.....	113,777	107,734	110,602	-3,175	+2,868
<b>Range Improvements</b>					
Current appropriations.....	10,000	10,000	10,000	---	---
<b>Service Charges, Deposits, and Forfeitures</b>					
Service charges, deposits, and forfeitures.....	32,465	31,050	31,050	-1,415	---
Offsetting fees.....	-32,465	-31,050	-31,050	+1,415	---
Total, Service Charges, Deposits & Forfeitures..	---	---	---	---	---
<b>Miscellaneous Trust Funds and Permanent Operating Funds</b>					
Current appropriations.....	24,000	24,000	24,000	---	---
<b>TOTAL, BUREAU OF LAND MANAGEMENT</b>					
(Mandatory).....	1,120,235	1,230,896	1,150,594	+30,359	-80,302
(Discretionary).....	(34,000)	(34,000)	(34,000)	---	---
	(1,086,235)	(1,196,896)	(1,116,594)	(+30,359)	(-80,302)

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS BILL, 2016 (H.R. 2822)  
(Amounts in thousands)

	FY 2015 Enacted	FY 2016 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>UNITED STATES FISH AND WILDLIFE SERVICE</b>					
Resource Management					
Ecological Services (FY 2015 Structure):					
Endangered species:					
Candidate conservation.....	12,030	---	---	-12,030	---
Listing and critical habitat.....	20,515	---	---	-20,515	---
Consultation and HCPs.....	62,550	---	---	-62,550	---
Recovery.....	77,916	---	---	-77,916	---
Subtotal.....	173,011	---	---	-173,011	---
Habitat conservation:					
Partners for fish and wildlife.....	51,776	---	---	-51,776	---
Conservation planning assistance.....	33,014	---	---	-33,014	---
Coastal programs.....	13,184	---	---	-13,184	---
National wetlands inventory.....	4,861	---	---	-4,861	---
Subtotal.....	102,835	---	---	-102,835	---
Environmental contaminants.....	9,557	---	---	-9,557	---
Subtotal, Ecological services.....	285,403	---	---	-285,403	---
Ecological Services (Proposed FY 2016 Structure):					
Listing.....	---	23,002	10,257	+10,257	-12,745
Planning and consultation.....	---	108,943	100,787	+100,787	-8,156
Conservation and restoration.....	---	126,298	33,396	+33,396	-92,902
(National Wetlands Inventory).....	---	(4,871)	(3,721)	(+3,721)	(-1,150)
(Coastal Barrier Resources Act).....	---	(1,390)	(1,390)	(+1,390)	---
Recovery.....	---	---	87,480	+87,480	+87,480
Subtotal.....	---	258,243	231,920	+231,920	-26,323
Habitat conservation (Proposed FY 2016 Structure):					
Partners for fish and wildlife.....	---	52,393	51,776	+51,776	-617
Coastal programs.....	---	13,375	13,375	+13,375	---
Subtotal.....	---	65,768	65,151	+65,151	-617
National Wildlife Refuge System:					
Wildlife and habitat management.....	230,343	249,832	230,343	---	-19,489
Visitor services.....	70,319	76,792	70,819	+500	-5,973
Refuge law enforcement.....	38,054	38,959	38,959	+905	---
Conservation planning.....	2,988	2,665	3,023	+35	+358
Refuge maintenance.....	132,498	139,910	139,910	+7,412	---
Subtotal.....	474,202	508,158	483,054	+8,852	-25,104
Conservation and Enforcement:					
Migratory bird management.....	46,468	53,602	47,718	+1,250	-5,884
Law enforcement.....	66,737	75,423	73,772	+7,035	-1,651
International affairs.....	14,506	14,696	14,599	+93	-97
Science support.....	16,985	---	---	-16,985	---
Subtotal.....	144,696	143,721	136,089	-8,607	-7,632
Fish and Aquatic Conservation:					
National fish hatchery system operations.....	52,860	53,418	52,418	-442	-1,000
Maintenance and equipment.....	17,920	19,920	19,920	+2,000	---
Aquatic habitat and species conservation.....	76,668	74,152	70,250	-6,418	-3,902
Subtotal.....	147,448	147,490	142,588	-4,860	-4,902
Cooperative landscape conservation.....	13,988	17,869	6,994	-6,994	-10,875



DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS BILL, 2016 (H.R. 2822)  
(Amounts in thousands)

	FY 2015 Enacted	FY 2016 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>Science Support:</b>					
Adaptive science.....	---	15,159	5,259	+5,259	-9,900
Service science.....	---	16,516	6,468	+6,468	-10,048
Subtotal.....	---	31,675	11,727	+11,727	-19,948
<b>General Operations:</b>					
Central office operations.....	39,985	42,257	39,985	---	-2,272
Regional office operations.....	37,722	41,798	37,722	---	-4,076
Servicewide bill paying.....	35,227	35,898	35,177	-50	-721
National Fish and Wildlife Foundation.....	7,022	7,022	7,022	---	---
National Conservation Training Center.....	21,965	25,830	22,914	+949	-2,916
Health benefits for seasonal employees.....	---	1,103	---	---	-1,103
Subtotal.....	141,921	153,908	142,820	+899	-11,088
Total, Resource Management.....	1,207,658	1,326,832	1,220,343	+12,685	-106,489
<b>Construction</b>					
<b>Construction and rehabilitation:</b>					
Line item construction projects.....	6,554	11,554	4,011	-2,543	-7,543
Bridge and dam safety programs.....	1,972	1,972	1,972	---	---
Nationwide engineering service.....	7,161	7,286	7,161	---	-125
Total, Construction.....	15,687	20,812	13,144	-2,543	-7,668
<b>Land Acquisition</b>					
Acquisitions.....	25,071	35,911	9,000	-16,071	-26,911
Emergencies, Hardships, and Inholdings.....	5,351	5,351	2,500	-2,851	-2,851
Exchanges.....	1,500	1,500	1,000	-500	-500
Acquisition Management.....	12,613	12,773	10,000	-2,613	-2,773
Highlands Conservation Act Grants.....	3,000	---	3,000	---	+3,000
Recreational Access.....	---	2,500	2,000	+2,000	-500
Land Protection Planning.....	---	465	---	---	-465
Total, Land Acquisition.....	47,535	58,500	27,500	-20,035	-31,000
<b>Cooperative Endangered Species Conservation Fund</b>					
<b>Grants and administration:</b>					
Conservation grants.....	10,508	10,508	10,508	---	---
HCP assistance grants.....	9,485	7,390	9,485	---	+2,095
Administration.....	2,702	3,002	2,702	---	-300
Subtotal.....	22,695	20,900	22,695	---	+1,795
<b>Land acquisition:</b>					
Species recovery land acquisition.....	9,462	11,162	9,462	---	-1,700
HCP land acquisition grants to states.....	17,938	17,938	17,938	---	---
Subtotal.....	27,400	29,100	27,400	---	-1,700
Total, Cooperative Endangered Species Conservation Fund.....	50,095	50,000	50,095	---	+95
<b>National Wildlife Refuge Fund</b>					
Payments in lieu of taxes.....	13,228	---	13,228	---	+13,228
<b>North American Wetlands Conservation Fund</b>					
North American Wetlands Conservation Fund.....	34,145	34,145	35,000	+855	+855
<b>Neotropical Migratory Bird Conservation</b>					
Migratory bird grants.....	3,660	4,160	3,660	---	-500

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS BILL, 2016 (H.R. 2822)  
(Amounts in thousands)

	FY 2015 Enacted	FY 2016 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>Multinational Species Conservation Fund</b>					
African elephant conservation fund.....	1,582	2,582	1,832	+250	-750
Rhinoceros and tiger conservation fund.....	2,440	3,440	2,690	+250	-750
Asian elephant conservation fund.....	1,557	1,557	1,557	---	---
Great ape conservation fund.....	1,975	1,975	1,975	---	---
Marine turtle conservation fund.....	1,507	1,507	1,507	---	---
Total, Multinational Species Conservation Fund..	9,061	11,061	9,561	+500	-1,500
<b>State and Tribal Wildlife Grants</b>					
State wildlife grants (formula).....	49,124	51,000	49,124	---	-1,876
State wildlife grants (competitive).....	5,487	13,000	5,987	+500	-7,013
Tribal wildlife grants.....	4,084	6,000	4,084	---	-1,916
Total, State and tribal wildlife grants.....	58,695	70,000	59,195	+500	-10,805
TOTAL, U.S. FISH AND WILDLIFE SERVICE.....	1,439,764	1,575,510	1,431,726	-8,038	-143,784
<b>NATIONAL PARK SERVICE</b>					
<b>Operation of the National Park System</b>					
Park Management:					
Resource stewardship.....	317,207	351,242	321,483	+4,276	-29,759
Visitor services.....	242,986	276,935	251,447	+8,461	-25,488
Park protection.....	348,802	359,034	351,953	+3,151	-7,081
Facility operations and maintenance.....	697,312	848,944	731,355	+34,043	-117,589
Park support.....	489,462	498,373	491,569	+2,107	-6,804
Subtotal.....	2,095,769	2,334,528	2,147,807	+52,038	-186,721
External administrative costs.....	180,004	180,603	180,004	---	-599
Total, Operation of the National Park System....	2,275,773	2,515,131	2,327,811	+52,038	-187,320
<b>National Recreation and Preservation</b>					
Recreation programs.....	589	858	589	---	-269
Natural programs.....	13,560	13,743	13,560	---	-183
Cultural programs.....	24,562	25,502	24,562	---	-940
International park affairs.....	1,648	1,667	1,648	---	-19
Environmental and compliance review.....	433	440	433	---	-7
Grant administration.....	2,004	2,037	2,004	---	-33
Heritage Partnership Programs.....	20,321	9,952	19,671	-650	+9,719
Total, National Recreation and Preservation.....	63,117	54,199	62,467	-650	+8,268
<b>Historic Preservation Fund</b>					
State historic preservation offices.....	46,925	46,925	46,925	---	---
Tribal grants.....	8,985	9,985	8,985	---	-1,000
Competitive grants.....	500	30,500	5,000	+4,500	-25,500
New Grants to Historically Black Colleges and Universities.....	---	2,500	---	---	-2,500
Total, Historic Preservation Fund.....	56,410	89,910	60,910	+4,500	-29,000
<b>Construction</b>					
General Program:					
Line item construction and maintenance.....	61,678	153,344	62,894	+1,216	-90,450
Emergency and unscheduled.....	3,855	3,855	3,855	---	---
Housing.....	2,200	2,200	2,200	---	---
Dam safety.....	1,248	1,248	1,248	---	---

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS BILL, 2016 (H.R. 2822)  
(Amounts in thousands)

	FY 2015 Enacted	FY 2016 Request	Bill	Bill vs. Enacted	Bill vs. Request
Equipment replacement.....	13,500	13,500	13,500	---	---
Planning, construction.....	7,266	16,520	7,266	---	-9,254
Construction program management.....	36,771	48,330	36,771	---	-11,559
General management plans.....	11,821	11,970	11,821	---	-149
Total, Construction.....	138,339	250,967	139,555	+1,216	-111,412
Land and Water Conservation Fund (rescission of contract authority).....	-28,000	-30,000	-28,000	---	+2,000
Land Acquisition and State Assistance					
Assistance to States:					
State conservation grants (formula).....	42,000	45,000	42,000	---	-3,000
State conservation grants (competitive).....	3,000	5,000	3,000	---	-2,000
Administrative expenses.....	3,117	3,161	3,117	---	-44
Subtotal.....	48,117	53,161	48,117	---	-5,044
National Park Service:					
Acquisitions.....	23,475	34,818	9,000	-14,475	-25,818
Recreational Access.....	---	2,000	2,000	+2,000	---
American Battlefield Protection Program.....	8,986	8,986	9,000	+14	+14
Emergencies, Hardships, Relocations, and Deficiencies.....	3,928	3,928	2,500	-1,428	-1,428
Acquisition Management.....	9,526	9,679	9,250	-276	-429
Inholdings, Donations, and Exchanges.....	4,928	4,928	4,500	-428	-428
Subtotal.....	50,843	64,339	36,250	-14,593	-28,089
Total, Land Acquisition and State Assistance....	98,960	117,500	84,367	-14,593	-33,133
Centennial Challenge.....	10,000	50,000	20,000	+10,000	-30,000
TOTAL, NATIONAL PARK SERVICE.....	2,614,599	3,047,707	2,667,110	+52,511	-380,597
UNITED STATES GEOLOGICAL SURVEY					
Surveys, Investigations, and Research					
Ecosystems:					
Status and trends.....	20,473	22,178	20,473	---	-1,705
Fisheries: Aquatic and endangered resources.....	20,886	25,422	19,886	-1,000	-5,536
Wildlife: Terrestrial and endangered resources.....	45,257	46,671	44,257	-1,000	-2,414
Terrestrial, Freshwater and marine environments....	36,224	42,755	35,224	-1,000	-7,531
Invasive species.....	16,830	19,281	16,830	---	-2,451
Cooperative research units.....	17,371	19,992	17,371	---	-2,621
Total, Ecosystems.....	157,041	176,299	154,041	-3,000	-22,258
Climate and Land Use Change:					
Climate variability:					
Climate science centers.....	26,735	37,403	26,435	-300	-10,968
Climate research and development.....	21,495	26,656	20,495	-1,000	-6,161
Carbon sequestration.....	9,359	18,513	9,359	---	-9,154
Subtotal.....	57,589	82,572	56,289	-1,300	-26,283
Land Use Change:					
Land remote sensing.....	67,894	97,531	72,194	+4,300	-25,337
Land change science.....	10,492	11,725	10,492	---	-1,233
Subtotal.....	78,386	109,256	82,686	+4,300	-26,570
Total, Climate and Land Use Change.....	135,975	191,828	138,975	+3,000	-52,853

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS BILL, 2016 (H.R. 2822)  
(Amounts in thousands)

	FY 2015 Enacted	FY 2016 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>Energy, Minerals, and Environmental Health:</b>					
Minerals resources.....	45,931	47,717	45,931	---	-1,786
Energy resources.....	24,895	28,068	24,895	---	-3,173
Contaminant biology.....	10,197	12,070	10,197	---	-1,873
Toxic substances hydrology.....	11,248	15,447	11,248	---	-4,199
<b>Total, Energy, Minerals, and Env Health.....</b>	<b>92,271</b>	<b>103,302</b>	<b>92,271</b>	<b>---</b>	<b>-11,031</b>
<b>Natural Hazards:</b>					
Earthquake hazards.....	59,503	57,952	59,503	---	+1,551
Volcano hazards.....	25,121	25,709	25,121	---	-588
Landslide hazards.....	3,485	4,039	3,485	---	-554
Global seismographic network.....	4,853	9,799	4,853	---	-4,946
Geomagnetism.....	1,888	3,624	1,888	---	-1,736
Coastal and marine geology.....	40,336	45,230	40,336	---	-4,894
<b>Total, Natural Hazards.....</b>	<b>135,186</b>	<b>146,353</b>	<b>135,186</b>	<b>---</b>	<b>-11,167</b>
<b>Water Resources:</b>					
Groundwater resources.....	11,348	---	---	-11,348	---
National water quality assessment.....	59,459	---	---	-59,459	---
National streamflow information program.....	34,901	---	---	-34,901	---
Hydrologic research and development.....	11,215	---	---	-11,215	---
Hydrologic networks and analysis.....	30,134	---	---	-30,134	---
Cooperative Water Program.....	57,710	---	---	-57,710	---
Water Availability and Use Science Program.....	---	46,758	40,919	+40,919	-5,839
Groundwater and Streamflow Information Program.....	---	73,533	69,707	+69,707	-3,826
National Water Quality Program.....	---	96,087	94,141	+94,141	-1,946
Water Resources Research Act Program.....	6,500	6,500	6,500	---	---
<b>Total, Water Resources.....</b>	<b>211,267</b>	<b>222,878</b>	<b>211,267</b>	<b>---</b>	<b>-11,611</b>
<b>Core Science Systems:</b>					
Science, synthesis, analysis, and research.....	24,299	25,897	24,299	---	-1,598
National cooperative geological mapping.....	24,397	25,339	24,397	---	-942
National Geospatial Program.....	58,532	75,731	58,532	---	-17,199
<b>Total, Core Science Systems.....</b>	<b>107,228</b>	<b>126,967</b>	<b>107,228</b>	<b>---</b>	<b>-19,739</b>
<b>Science Support:</b>					
Administration and Management.....	84,192	90,599	84,192	---	-6,407
Information Services.....	21,419	22,229	21,419	---	-810
<b>Total, Science Support.....</b>	<b>105,611</b>	<b>112,828</b>	<b>105,611</b>	<b>---</b>	<b>-7,217</b>
<b>Facilities:</b>					
Rental payments and operations & maintenance.....	93,141	107,047	93,141	---	-13,906
Deferred maintenance and capital improvement.....	7,280	7,280	7,280	---	---
<b>Total, Facilities.....</b>	<b>100,421</b>	<b>114,327</b>	<b>100,421</b>	<b>---</b>	<b>-13,906</b>
<b>TOTAL, UNITED STATES GEOLOGICAL SURVEY.....</b>	<b>1,045,000</b>	<b>1,194,782</b>	<b>1,045,000</b>	<b>---</b>	<b>-149,782</b>
<b>BUREAU OF OCEAN ENERGY MANAGEMENT</b>					
<b>Ocean Energy Management</b>					
Renewable energy.....	23,104	24,278	23,104	---	-1,174
Conventional energy.....	49,633	59,869	49,633	---	-10,236
Environmental assessment.....	65,712	68,045	63,212	-2,500	-4,833
General support services.....	15,002	---	15,002	---	+15,002
Executive direction.....	16,319	18,665	16,319	---	-2,346
<b>Subtotal.....</b>	<b>169,770</b>	<b>170,857</b>	<b>167,270</b>	<b>-2,500</b>	<b>-3,587</b>

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS BILL, 2016 (H.R. 2822)  
(Amounts in thousands)

	FY 2015 Enacted	FY 2016 Request	Bill	Bill vs. Enacted	Bill vs. Request
Offsetting rental receipts.....	-94,868	-92,961	-92,961	+1,907	---
Cost recovery fees.....	-2,480	-3,661	-3,661	-1,181	---
Subtotal, offsetting collections.....	-97,348	-96,622	-96,622	+726	---
=====					
TOTAL, BUREAU OF OCEAN ENERGY MANAGEMENT.....	72,422	74,235	70,648	-1,774	-3,587
=====					
BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT					
Offshore Safety and Environmental Enforcement					
Environmental enforcement.....	8,314	---	8,314	---	+8,314
Operations, safety and regulation.....	133,597	151,768	133,094	-503	-18,674
Administrative operations.....	15,676	18,268	15,676	---	-2,592
General support services.....	13,912	---	13,912	---	+13,912
Executive direction.....	18,227	19,736	17,358	-869	-2,378
Subtotal.....	189,726	189,772	188,354	-1,372	-1,418
Offsetting rental receipts.....	-50,412	-49,399	-49,399	+1,013	---
Inspection fees.....	-65,000	-65,000	-59,000	+6,000	+6,000
Cost recovery fees.....	-8,167	-7,808	-7,808	+359	---
Subtotal, offsetting collections.....	-123,579	-122,207	-116,207	+7,372	+6,000
Total, Offshore Safety and Environmental Enforcement.....	66,147	67,565	72,147	+6,000	+4,582
Oil Spill Research					
Oil spill research.....	14,899	14,899	14,899	---	---
=====					
TOTAL, BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT.....	81,046	82,464	87,046	+6,000	+4,582
=====					
OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT					
Regulation and Technology					
Environmental protection.....	91,832	91,880	91,832	---	-48
Permit fees.....	40	1,900	40	---	-1,860
Offsetting collections.....	-40	-1,900	-40	---	+1,860
Technology development and transfer.....	14,455	20,086	15,205	+750	-4,881
Financial management.....	505	711	505	---	-206
Executive direction.....	15,921	15,711	15,711	-210	---
Civil penalties (indefinite).....	100	100	100	---	---
Subtotal.....	122,813	128,488	123,353	+540	-5,135
Civil penalties (offsetting collections).....	-100	-100	-100	---	---
Total, Regulation and Technology.....	122,713	128,388	123,253	+540	-5,135
Abandoned Mine Reclamation Fund					
Environmental restoration.....	9,480	11,431	9,480	---	-1,951
Technology development and transfer.....	3,544	6,283	3,544	---	-2,739
Financial management.....	6,396	6,477	6,396	---	-81

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS BILL, 2016 (H.R. 2822)  
(Amounts in thousands)

	FY 2015 Enacted	FY 2016 Request	Bill	Bill vs. Enacted	Bill vs. Request
Executive direction.....	7,979	7,883	7,883	-96	---
State grants.....	---	---	30,000	+30,000	+30,000
Total, Abandoned Mine Reclamation Fund.....	27,399	32,074	57,303	+29,904	+25,229
=====					
TOTAL, OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT.....	150,112	160,462	180,556	+30,444	+20,094
=====					
BUREAU OF INDIAN AFFAIRS AND BUREAU OF INDIAN EDUCATION					
Operation of Indian Programs					
Tribal Budget System					
Tribal Government:					
Aid to tribal government.....	24,614	24,833	24,614	---	-219
Consolidated tribal government program.....	76,348	77,088	76,348	---	-740
Self governance compacts.....	158,767	162,321	158,767	---	-3,554
Contract support.....	246,000	272,000	272,000	+26,000	---
Indian self determination fund.....	5,000	5,000	5,000	---	---
New tribes.....	463	464	463	---	-1
Small and needy tribes.....	1,845	3,095	1,845	---	-1,250
Road maintenance.....	26,461	26,693	26,693	+232	---
Tribal government program oversight.....	8,181	12,273	8,181	---	-4,092
Subtotal.....	547,679	583,767	573,911	+26,232	-9,856
Human Services:					
Social services.....	40,871	47,179	41,871	+1,000	-5,308
Welfare assistance.....	74,809	74,791	74,809	---	+18
Indian child welfare act.....	15,433	15,641	15,433	---	-208
Housing improvement program.....	8,009	8,021	8,009	---	-12
Human services tribal design.....	407	246	407	---	+161
Human services program oversight.....	3,105	3,126	3,105	---	-21
Subtotal.....	142,634	149,004	143,634	+1,000	-5,370
Trust - Natural Resources Management:					
Natural resources, general.....	5,089	8,168	5,089	---	-3,079
Irrigation operations and maintenance.....	11,359	12,898	11,359	---	-1,539
Rights protection implementation.....	35,420	40,138	35,420	---	-4,718
Tribal management/development program.....	9,244	14,263	9,244	---	-5,019
Endangered species.....	2,675	3,684	2,675	---	-1,009
Cooperative landscape conservation.....	9,948	30,355	9,948	---	-20,407
Integrated resource information program.....	2,996	3,996	2,996	---	-1,000
Agriculture and range.....	30,494	30,751	30,494	---	-257
Forestry.....	47,735	51,914	47,735	---	-4,179
Water resources.....	10,297	14,917	10,297	---	-4,620
Fish, wildlife and parks.....	13,577	15,646	13,577	---	-2,069
Resource management program oversight.....	6,018	6,066	6,018	---	-48
Subtotal.....	184,852	232,796	184,852	---	-47,944
Trust - Real Estate Services.....	127,002	143,686	125,817	-1,185	-17,869
Education:					
Elementary and secondary programs (forward funded)..	536,897	565,517	550,034	+13,137	-15,483
(Tribal grant support costs).....	(62,395)	(75,335)	(75,335)	(+12,940)	---
Post secondary programs (forward funded).....	69,793	69,793	69,793	---	---
Subtotal, forward funded education.....	606,690	635,310	619,827	+13,137	-15,483

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS BILL, 2016 (H.R. 2822)  
(Amounts in thousands)

	FY 2015 Enacted	FY 2016 Request	Bill	Bill vs. Enacted	Bill vs. Request
Elementary and secondary programs.....	119,195	142,361	139,195	+20,000	-3,166
Post secondary programs.....	64,182	69,412	64,182	---	-5,230
Education management.....	20,464	57,381	30,956	+10,492	-26,425
Subtotal, Education.....	810,531	904,464	854,160	+43,629	-50,304
Public Safety and Justice:					
Law enforcement.....	328,296	334,976	331,304	+3,008	-3,672
Tribal courts.....	23,280	28,173	24,780	+1,500	-3,393
Fire protection.....	1,274	1,274	1,274	---	---
Subtotal.....	352,850	364,423	357,358	+4,508	-7,065
Community and economic development.....	35,996	40,619	40,505	+4,509	-114
Executive direction and administrative services.....	227,692	241,832	225,433	-2,259	-16,399
(housing improvement, road maint, etc. in bill lang)...	(48,553)	(46,663)	(48,785)	(+232)	(+2,122)
Total, Operation of Indian Programs.....	2,429,236	2,660,591	2,505,670	+76,434	-154,921
Construction					
Education.....	74,501	133,245	133,245	+58,744	---
Public safety and justice.....	11,306	11,306	11,306	---	---
Resources management.....	34,427	34,488	34,427	---	-61
General administration.....	8,642	9,934	8,642	---	-1,292
Total, Construction.....	128,876	188,973	187,620	+58,744	-1,353
Indian Land and Water Claim Settlements and Miscellaneous Payments to Indians					
White Earth Land Settlement Act (Admin) (P.L.99-264)...	625	625	625	---	---
Hoopa-Yurok Settlement Fund (P.L.96-420)(P.L.100-580)...	250	250	250	---	---
Pyramid Lake Water Rights Settlement (P.L.101-618)....	142	142	142	---	---
Navajo Water Resources Development Trust Fund (P.L.111-11).....	4,000	4,000	4,000	---	---
Navajo Gallup Water Settlement (P.L.111-11).....	9,000	17,800	15,556	+6,556	-2,244
Taos Pueblo Water Rights Settlement (P.L.111-291)....	15,392	29,212	29,212	+13,820	---
Aamodt Settlement (P.L.111-291).....	6,246	15,627	15,627	+9,381	---
Total, Indian Land and Water Claim Settlements and Miscellaneous Payments to Indians.....	35,655	67,656	65,412	+29,757	-2,244
Indian Guaranteed Loan Program Account					
Indian guaranteed loan program account.....	7,731	7,748	7,731	---	-17
TOTAL, BUREAU OF INDIAN AFFAIRS AND INDIAN EDUCATION.....	2,601,498	2,924,968	2,766,433	+164,935	-158,535
DEPARTMENTAL OFFICES					
Office of the Secretary					
Leadership and administration.....	122,885	128,256	119,013	-3,872	-9,243
Management services.....	20,747	20,966	20,747	---	-219
New Coastal Resilience Fund.....	---	50,000	---	---	-50,000
Office of Natural Resources Revenue.....	121,631	128,717	125,519	+3,888	-3,198
Payments in Lieu of Taxes (PILT).....	---	---	452,000	+452,000	+452,000
Total, Office of the Secretary.....	265,263	327,939	717,279	+452,016	+389,340



DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS BILL, 2016 (H.R. 2822)  
(Amounts in thousands)

	FY 2015 Enacted	FY 2016 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>Insular Affairs</b>					
<b>Assistance to Territories</b>					
<b>Territorial Assistance</b>					
Office of Insular Affairs.....	9,448	10,184	9,448	---	-736
Technical assistance.....	14,504	24,239	14,504	---	-9,735
Maintenance assistance fund.....	1,081	5,000	1,081	---	-3,919
Brown tree snake.....	3,500	3,000	3,500	---	+500
Coral reef initiative.....	1,000	1,000	1,000	---	---
Empowering Insular Communities.....	2,971	4,421	2,971	---	-1,450
Compact impact.....	3,000	1,344	3,000	---	+1,656
<b>Subtotal, Territorial Assistance.....</b>	<b>35,504</b>	<b>49,188</b>	<b>35,504</b>	<b>---</b>	<b>-13,684</b>
American Samoa operations grants.....	22,752	22,752	22,752	---	---
Northern Marianas covenant grants.....	27,720	27,720	27,720	---	---
<b>Total, Assistance to Territories.....</b>	<b>85,976</b>	<b>99,660</b>	<b>85,976</b>	<b>---</b>	<b>-13,684</b>
(discretionary).....	(58,256)	(71,940)	(58,256)	---	(-13,684)
(mandatory).....	(27,720)	(27,720)	(27,720)	---	---
<b>Compact of Free Association</b>					
Compact of Free Association - Federal services.....	2,818	2,818	2,818	---	---
Enewetak support.....	500	500	500	---	---
Compact payments, Palau.....	13,147	---	---	-13,147	---
<b>Total, Compact of Free Association.....</b>	<b>16,465</b>	<b>3,318</b>	<b>3,318</b>	<b>-13,147</b>	<b>---</b>
<b>Total, Insular Affairs.....</b>	<b>102,441</b>	<b>102,978</b>	<b>89,294</b>	<b>-13,147</b>	<b>-13,684</b>
(discretionary).....	(74,721)	(75,258)	(61,574)	(-13,147)	(-13,684)
(mandatory).....	(27,720)	(27,720)	(27,720)	---	---
<b>Office of the Solicitor</b>					
Legal services.....	59,091	63,167	58,500	-591	-4,667
General administration.....	4,971	4,982	4,921	-50	-61
Ethics.....	1,738	1,739	1,721	-17	-18
<b>Total, Office of the Solicitor.....</b>	<b>65,800</b>	<b>69,888</b>	<b>65,142</b>	<b>-658</b>	<b>-4,746</b>
<b>Office of Inspector General</b>					
Audit and investigations.....	37,538	39,503	37,538	---	-1,965
Administrative services and information management....	12,509	12,721	12,509	---	-212
<b>Total, Office of Inspector General.....</b>	<b>50,047</b>	<b>52,224</b>	<b>50,047</b>	<b>---</b>	<b>-2,177</b>
<b>Office of Special Trustee for American Indians</b>					
<b>Federal Trust Programs</b>					
Program operations, support, and improvements.....	136,998	140,938	136,998	---	-3,940
(Office of Historical Accounting).....	(23,061)	(22,120)	(22,120)	(-941)	---
Executive direction.....	2,031	2,040	2,031	---	-9
<b>Total, Office of Special Trustee for American Indians.....</b>	<b>139,029</b>	<b>142,978</b>	<b>139,029</b>	<b>---</b>	<b>-3,949</b>
<b>TOTAL, DEPARTMENTAL OFFICES.....</b>	<b>622,580</b>	<b>696,007</b>	<b>1,060,791</b>	<b>+438,211</b>	<b>+364,784</b>
(Discretionary).....	(594,860)	(668,287)	(1,033,071)	(+438,211)	(+364,784)
(Mandatory).....	(27,720)	(27,720)	(27,720)	---	---

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS BILL, 2016 (H.R. 2822)  
(Amounts in thousands)

	FY 2015 Enacted	FY 2016 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>DEPARTMENT-WIDE PROGRAMS</b>					
<b>Wildland Fire Management</b>					
Fire Operations:					
Preparedness.....	318,970	323,685	318,970	---	-4,715
Fire suppression operations.....	291,657	268,571	291,673	+16	+23,102
Subtotal, Fire operations.....	610,627	592,256	610,643	+16	+18,387
Other Operations:					
Fuels Management.....	164,000	148,279	164,000	---	+15,721
Resilient Landscapes.....	---	30,000	---	---	-30,000
Burned area rehabilitation.....	18,035	18,970	18,035	---	-935
Fire facilities.....	6,127	10,000	6,127	---	-3,873
Joint fire science.....	5,990	5,990	5,990	---	---
Subtotal, Other operations.....	194,152	213,239	194,152	---	-19,087
Subtotal, Wildland fire management.....	804,779	805,495	804,795	+16	-700
Total, Wildland fire management.....	804,779	805,495	804,795	+16	-700
<b>FLAME Wildfire Suppression Reserve Account</b>					
FLAME wildfire suppression reserve account.....	92,000	---	92,000	---	+92,000
Total, all wildland fire accounts .....	896,779	805,495	896,795	+16	+91,300
Suppression Cap Adjustment.....	---	200,000	---	---	-200,000
Total, Wildland Fire Management with cap adjustment.....	896,779	1,005,495	896,795	+16	-108,700
<b>Central Hazardous Materials Fund</b>					
Central hazardous materials fund.....	10,010	10,011	10,010	---	-1
<b>Natural Resource Damage Assessment Fund</b>					
Damage assessments.....	2,500	2,063	2,475	-25	+412
Program management.....	2,192	2,466	2,170	-22	-296
Restoration support.....	2,075	3,607	2,054	-21	-1,553
Oil Spill Preparedness.....	1,000	1,100	990	-10	-110
Total, Natural Resource Damage Assessment Fund..	7,767	9,236	7,689	-78	-1,547
Working Capital Fund.....	57,100	74,462	56,529	-571	-17,933
=====					
TOTAL, DEPARTMENT-WIDE PROGRAMS.....	971,656	1,099,204	971,023	-633	-128,181
Appropriations.....	(971,656)	(899,204)	(971,023)	(-633)	(+71,819)
Disaster Relief cap adjustment.....	---	(200,000)	---	---	(-200,000)
=====					
TOTAL, TITLE I, DEPARTMENT OF THE INTERIOR.....	10,718,912	12,086,235	11,430,927	+712,015	-655,308
Appropriations.....	(10,746,912)	(12,116,235)	(11,458,927)	(+712,015)	(-657,308)
Rescissions of contract authority.....	(-28,000)	(-30,000)	(-28,000)	---	(+2,000)
(Mandatory).....	(61,720)	(61,720)	(61,720)	---	---
(Discretionary without cap adjustment).....	(10,657,192)	(11,824,515)	(11,369,207)	(+712,015)	(-455,308)
(Disaster Relief cap adjustment).....	---	(200,000)	---	---	(-200,000)
=====					

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS BILL, 2016 (H.R. 2822)  
(Amounts in thousands)

	FY 2015 Enacted	FY 2016 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>TITLE II - ENVIRONMENTAL PROTECTION AGENCY</b>					
<b>Science and Technology</b>					
Clean Air and Climate.....	116,541	124,844	107,738	-8,803	-17,106
(Climate protection program).....	(8,018)	(8,124)	(8,018)	---	(-106)
Enforcement.....	13,669	14,398	13,125	-544	-1,273
Homeland security.....	37,122	38,150	37,122	---	-1,028
Indoor air and Radiation.....	5,997	6,615	5,997	---	-618
IT / Data management / Security.....	3,089	3,196	3,089	---	-107
Operations and administration.....	68,339	79,170	68,339	---	-10,831
Pesticide licensing.....	6,027	7,691	6,027	---	-1,664
Research: Air, climate and energy.....	91,906	100,342	88,282	-3,624	-12,060
Research: Chemical safety and sustainability.....	126,930	140,722	126,930	---	-13,792
(Research: Computational toxicology).....	(21,409)	(33,775)	(21,409)	---	(-12,366)
(Research: Endocrine disruptor).....	(16,253)	(15,417)	(16,253)	---	(+836)
Research: National priorities.....	4,100	---	7,100	+3,000	+7,100
Research: Safe and sustainable water resources.....	107,434	111,022	102,576	-4,858	-8,446
Research: Sustainable and healthy communities.....	149,975	139,172	135,074	-14,901	-4,098
Water: Human health protection.....	3,519	3,766	3,519	---	-247
Total, Science and Technology.....	734,648	769,088	704,918	-29,730	-64,170
(by transfer from Superfund).....	(18,850)	(16,217)	(16,217)	(-2,633)	---
<b>Environmental Programs and Management</b>					
Brownfields.....	25,593	29,599	23,680	-1,913	-5,919
Clean air and climate.....	273,108	336,907	247,472	-25,636	-89,435
(Climate protection program).....	(95,436)	(109,625)	(85,160)	(-10,276)	(-24,465)
Compliance.....	101,665	122,424	100,048	-1,617	-22,376
Enforcement.....	240,637	269,256	226,656	-13,981	-42,600
(Environmental justice).....	(6,737)	(13,971)	(6,737)	---	(-7,234)
Environmental protection: National priorities.....	12,700	---	12,700	---	+12,700
Geographic programs:					
Great Lakes Restoration Initiative.....	300,000	250,000	300,000	---	+50,000
Chesapeake Bay.....	73,000	70,000	60,000	-13,000	-10,000
San Francisco Bay.....	4,819	3,988	3,988	-831	---
Puget Sound.....	28,000	29,998	28,000	---	-1,998
Long Island Sound.....	3,940	2,893	3,940	---	+1,047
Gulf of Mexico.....	4,482	3,908	3,908	-574	---
South Florida.....	1,704	1,340	1,340	-364	---
Lake Champlain.....	4,399	1,399	1,399	-3,000	---
Lake Pontchartrain.....	948	948	948	---	---
Southern New England Estuaries.....	5,000	5,000	---	-5,000	-5,000
Other geographic activities.....	1,445	939	---	-1,445	-939
Subtotal.....	427,737	370,413	403,523	-24,214	+33,110
Homeland security.....	10,195	10,274	10,195	---	-79
Indoor air and radiation.....	27,637	30,277	29,237	+1,600	-1,040
Information exchange / Outreach.....	126,538	155,678	109,010	-17,528	-46,668
(Children and other sensitive populations:					
Agency coordination).....	(6,548)	(8,035)	(6,548)	---	(-1,487)
(Environmental education).....	(8,702)	(10,969)	---	(-8,702)	(-10,969)
International programs.....	15,400	16,561	14,100	-1,300	-2,461
IT / Data management / Security.....	90,536	103,061	85,773	-4,763	-17,288
Legal/science/regulatory/economic review.....	111,414	138,786	90,503	-20,911	-48,283

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS BILL, 2016 (H.R. 2822)  
(Amounts in thousands)

	FY 2015 Enacted	FY 2016 Request	Bill	Bill vs. Enacted	Bill vs. Request
Operations and administration.....	482,751	505,402	480,482	-2,269	-24,920
Pesticide licensing.....	102,363	111,765	102,363	---	-9,402
Resource Conservation and Recovery Act (RCRA).....	104,877	111,242	104,877	---	-6,365
Toxics risk review and prevention.....	92,521	87,705	89,521	-3,000	+1,816
(Endocrine disruptors).....	(7,553)	(4,259)	(7,553)	---	(+3,294)
Underground storage tanks (LUST / UST).....	11,295	11,657	11,295	---	-362
Water: Ecosystems:					
National estuary program / Coastal waterways.....	26,723	27,310	25,098	-1,625	-2,212
Wetlands.....	21,065	23,334	19,882	-1,183	-3,452
Subtotal.....	47,788	50,644	44,980	-2,808	-5,664
Water: Human health protection.....	98,507	125,768	93,324	-5,183	-32,444
Water quality protection.....	210,417	254,299	192,550	-17,867	-61,749
Total, Environmental Programs and Management....	2,613,679	2,841,718	2,472,289	-141,390	-369,429
Hazardous Waste Electronic Manifest System Fund					
E-Manifest System Fund.....	3,674	7,368	---	-3,674	-7,368
Office of Inspector General					
Audits, evaluations, and investigations.....	41,489	50,099	40,000	-1,489	-10,099
(by transfer from Superfund).....	(9,939)	(8,459)	(8,459)	(-1,480)	---
Buildings and Facilities					
Homeland security: Protection of EPA personnel					
and infrastructure.....	6,676	7,875	6,676	---	-1,199
Operations and administration.....	35,641	43,632	27,791	-7,850	-15,841
Total, Buildings and Facilities.....	42,317	51,507	34,467	-7,850	-17,040
Hazardous Substance Superfund					
Audits, evaluations, and investigations.....	9,939	8,459	8,459	-1,480	---
Compliance.....	995	1,067	995	---	-72
Enforcement.....	166,375	173,263	160,375	-6,000	-12,888
Homeland security.....	36,362	33,767	33,767	-2,595	---
Indoor air and radiation.....	1,985	2,180	1,985	---	-195
Information exchange / Outreach.....	1,328	1,366	1,328	---	-38
IT /data management/security.....	14,485	15,642	14,485	---	-1,157
Legal/science/regulatory/economic review.....	1,253	1,241	1,241	-12	---
Operations and administration.....	128,105	137,340	125,525	-2,580	-11,815
Research: Chemical safety and sustainability.....	2,843	2,831	2,831	-12	---
Research: Sustainable communities.....	14,032	12,220	12,220	-1,812	---
Superfund cleanup:					
Superfund: Emergency response and removal.....	181,306	190,732	181,306	---	-9,426
Superfund: Emergency preparedness.....	7,636	7,843	7,636	---	-207
Superfund: Federal facilities.....	21,125	26,265	21,125	---	-5,140
Superfund: Remedial.....	501,000	539,618	515,491	+14,491	-24,127
Subtotal.....	711,067	764,458	725,558	+14,491	-38,900
Total, Hazardous Substance Superfund.....	1,088,769	1,153,834	1,088,769	---	-65,065
(transfer out to Inspector General).....	(-9,939)	(-8,459)	(-8,459)	(+1,480)	---
(transfer out to Science and Technology).....	(-18,850)	(-16,217)	(-16,217)	(+2,633)	---
Leaking Underground Storage Tank Trust Fund (LUST)					
Enforcement.....	620	627	620	---	-7
Operations and administration.....	1,352	1,681	1,352	---	-329
Research: Sustainable communities.....	320	348	320	---	-28

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS BILL, 2016 (H.R. 2822)  
(Amounts in thousands)

	FY 2015 Enacted	FY 2016 Request	Bill	Bill vs. Enacted	Bill vs. Request
Underground storage tanks (LUST / UST).....	89,649	92,670	89,649	---	-3,021
(LUST/UST).....	(9,240)	(9,409)	(9,240)	---	(-169)
(LUST cooperative agreements).....	(55,040)	(54,402)	(55,040)	---	(+638)
(Energy Policy Act grants).....	(25,369)	(28,859)	(25,369)	---	(-3,490)
Total, Leaking Underground Storage Tank Trust Fund.....	91,941	95,326	91,941	---	-3,385
Inland Oil Spill Program					
Compliance.....	139	155	139	---	-16
Enforcement.....	2,413	2,424	2,413	---	-11
Oil.....	14,409	18,524	14,409	---	-4,115
Operations and administration.....	584	1,762	498	-86	-1,264
Research: Sustainable communities.....	664	513	485	-179	-28
Total, Inland Oil Spill Program.....	18,209	23,378	17,944	-265	-5,434
State and Tribal Assistance Grants (STAG)					
Alaska Native villages.....	10,000	10,000	10,000	---	---
Brownfields projects.....	80,000	110,000	75,000	-5,000	-35,000
Clean water state revolving fund (SRF).....	1,448,887	1,116,000	1,018,000	-430,887	-98,000
Diesel emissions grants.....	30,000	10,000	50,000	+20,000	+40,000
Drinking water state revolving fund (SRF).....	906,896	1,186,000	757,000	-149,896	-429,000
Mexico border.....	5,000	5,000	5,000	---	---
Targeted airshed grants.....	10,000	---	20,000	+10,000	+20,000
Subtotal, Infrastructure assistance grants.....	2,490,783	2,437,000	1,935,000	-555,783	-502,000
Categorical grants:					
Beaches protection.....	9,549	---	---	-9,549	---
Brownfields.....	47,745	49,500	47,745	---	-1,755
Environmental information.....	9,646	25,346	9,646	---	-15,700
Hazardous waste financial assistance.....	99,693	99,693	99,693	---	---
Lead.....	14,049	14,049	14,049	---	---
Nonpoint source (Sec. 319).....	159,252	164,915	159,252	---	-5,663
Pesticides enforcement.....	18,050	18,050	18,050	---	---
Pesticides program implementation.....	12,701	13,201	12,701	---	-500
Pollution control (Sec. 106).....	230,806	249,164	230,806	---	-18,358
(Water quality monitoring).....	(17,848)	(18,500)	(17,848)	---	(-652)
Pollution prevention.....	4,765	4,765	4,765	---	---
Public water system supervision.....	101,963	109,700	101,963	---	-7,737
Radon.....	8,051	---	8,051	---	+8,051
State and local air quality management.....	228,219	268,229	228,219	---	-40,010
Toxics substances compliance.....	4,919	4,919	4,919	---	---
Tribal air quality management.....	12,829	12,829	12,829	---	---
Tribal general assistance program.....	65,476	96,375	65,476	---	-30,899
Underground injection control (UIC).....	10,506	10,506	10,506	---	---
Underground storage tanks.....	1,498	1,498	1,498	---	---
Wetlands program development.....	14,661	19,661	14,661	---	-5,000
Subtotal, Categorical grants.....	1,054,378	1,162,400	1,044,829	-9,549	-117,571
Total, State and Tribal Assistance Grants.....	3,545,161	3,599,400	2,979,829	-565,332	-619,571
Subtotal, ENVIRONMENTAL PROTECTION AGENCY.....	8,179,887	8,591,718	7,430,157	-749,730	-1,161,561
Administrative Provisions					
Rescission.....	-40,000	---	-8,000	+32,000	-8,000
TOTAL, TITLE II, ENVIRONMENTAL PROTECTION AGENCY	8,139,887	8,591,718	7,422,157	-717,730	-1,169,561
Appropriations.....	(8,179,887)	(8,591,718)	(7,430,157)	(-749,730)	(-1,161,561)
Rescissions.....	(-40,000)	---	(-8,000)	(+32,000)	(-8,000)
(By transfer).....	(28,789)	(24,676)	(24,676)	(-4,113)	---
(Transfer out).....	(-28,789)	(-24,676)	(-24,676)	(+4,113)	---

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS BILL, 2016 (H.R. 2822)  
(Amounts in thousands)

	FY 2015 Enacted	FY 2016 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE III - RELATED AGENCIES					
DEPARTMENT OF AGRICULTURE					
FOREST SERVICE					
Forest and Rangeland Research					
Forest inventory and analysis.....	70,000	83,000	70,000	---	-13,000
Research and development programs.....	226,000	208,982	207,507	-18,493	-1,475
Total, Forest and rangeland research.....	296,000	291,982	277,507	-18,493	-14,475
State and Private Forestry					
Landscape scale restoration.....	14,000	23,513	14,000	---	-9,513
Forest Health Management:					
Federal lands forest health management.....	58,922	58,998	58,922	---	-76
Cooperative lands forest health management.....	45,655	40,678	40,678	-4,977	---
Subtotal.....	104,577	99,676	99,600	-4,977	-76
Cooperative Forestry:					
Forest stewardship.....	23,036	23,049	23,036	---	-13
Forest legacy.....	53,000	61,000	50,660	-2,340	-10,340
Community forest and open space conservation.....	2,000	1,683	1,683	-317	---
Urban and community forestry.....	28,040	23,686	23,686	-4,354	---
Subtotal, Cooperative Forestry.....	106,076	109,418	99,065	-7,011	-10,353
International forestry.....	8,000	4,004	8,000	---	+3,996
Total, State and Private Forestry.....	232,653	236,611	220,665	-11,988	-15,946
National Forest System					
Integrated resource restoration.....	---	822,110	---	---	-822,110
Land management planning.....	37,754	---	32,020	-5,734	+32,020
Inventory and monitoring.....	151,019	---	144,890	-6,129	+144,890
Land management planning, assessment and monitoring...	---	184,236	---	---	-184,236
Recreation, heritage and wilderness.....	261,719	263,942	256,839	-4,880	-7,103
Grazing management.....	55,356	49,706	55,356	---	+5,650
Forest products.....	339,130	---	355,000	+15,870	+355,000
Vegetation and watershed management.....	184,716	---	184,716	---	+184,716
Wildlife and fish habitat management.....	140,466	---	140,466	---	+140,466
Collaborative Forest Landscape Restoration Fund.....	40,000	60,000	40,000	---	-20,000
Minerals and geology management.....	76,423	70,689	76,423	---	+5,734
Landownership management.....	77,730	71,601	77,730	---	+6,129
Law enforcement operations.....	126,653	126,030	126,653	---	+623
Valles Caldera National Preserve.....	3,364	---	---	-3,364	---
Total, National Forest System.....	1,494,330	1,648,314	1,490,093	-4,237	-158,221
Capital Improvement and Maintenance					
Facilities:					
Maintenance.....	55,369	55,674	55,369	---	-305
Construction.....	16,231	16,021	16,021	-210	---
Subtotal.....	71,600	71,695	71,390	-210	-305
Roads:					
Maintenance.....	143,454	129,580	140,653	-2,801	+11,073
Construction.....	24,640	24,682	24,640	---	-42
Subtotal.....	168,094	154,262	165,293	-2,801	+11,031

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS BILL, 2016 (H.R. 2822)  
(Amounts in thousands)

	FY 2015 Enacted	FY 2016 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>Trails:</b>					
Maintenance.....	69,777	74,264	69,777	---	-4,487
Construction.....	7,753	8,252	7,753	---	-499
Subtotal.....	77,530	82,516	77,530	---	-4,986
Deferred maintenance.....	3,150	33,451	3,150	---	-30,301
Legacy road and trail remediation.....	40,000	---	40,000	---	+40,000
Subtotal, Capital improvement and maintenance...	360,374	341,924	357,363	-3,011	+15,439
Deferral of road and trail fund payment.....	-17,000	-17,000	-16,000	+1,000	+1,000
Total, Capital improvement and maintenance.....	343,374	324,924	341,363	-2,011	+16,439
<b>Land Acquisition</b>					
Acquisitions.....	36,000	47,250	9,000	-27,000	-38,250
Acquisition Management.....	7,500	8,500	7,250	-250	-1,250
Cash Equalization.....	500	250	250	-250	---
Recreational Access.....	2,000	5,000	2,000	---	-3,000
Critical Inholdings/Wilderness.....	1,500	2,000	1,500	---	-500
Total, Land Acquisition.....	47,500	63,000	20,000	-27,500	-43,000
Acquisition of land for national forests, special acts	950	1,950	950	---	-1,000
Acquisition of lands to complete land exchanges.....	216	216	216	---	---
Range betterment fund.....	2,320	2,320	2,320	---	---
Gifts, donations and bequests for forest and rangeland research.....	45	45	45	---	---
Management of national forest lands for subsistence uses.....	2,500	2,441	2,441	-59	---
<b>Wildland Fire Management</b>					
<b>Fire operations:</b>					
Wildland fire preparedness.....	1,145,840	1,082,620	1,082,620	-63,220	---
Wildland fire suppression operations.....	708,000	794,534	811,000	+103,000	+16,466
Subtotal, Fire operations.....	1,853,840	1,877,154	1,893,620	+39,780	+16,466
<b>Other operations:</b>					
Hazardous fuels.....	361,749	359,126	361,749	---	+2,623
(Hazardous Fuels Base Program).....	(346,749)	---	(356,749)	(+10,000)	(+356,749)
(Biomass Grants).....	(15,000)	---	(5,000)	(-10,000)	(+5,000)
Fire plan research and development.....	19,795	19,820	19,795	---	-25
Joint fire sciences program.....	6,914	6,917	6,914	---	-3
State fire assistance.....	78,000	78,012	78,000	---	-12
Volunteer fire assistance.....	13,000	13,000	13,000	---	---
Subtotal, Other operations.....	479,458	476,875	479,458	---	+2,583
Subtotal, Wildland Fire Management.....	2,333,298	2,354,029	2,373,078	+39,780	+19,049
<b>FLAME Wildfire Suppression Reserve Account</b>					
FLAME wildfire suppression reserve account.....	303,060	---	315,000	+11,940	+315,000
Total, all wildland fire accounts.....	2,636,358	2,354,029	2,688,078	+51,720	+334,049



DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS BILL, 2016 (H.R. 2822)  
(Amounts in thousands)

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Suppression cap adjustment.....	---	854,578	---	---	-854,578
Total, Wildland Fire Management with cap adjustment.....	2,636,358	3,208,607	2,688,078	+51,720	-520,529
Total, Forest Service without Wildland Fire Management.....	2,419,888	2,571,803	2,355,600	-64,288	-216,203
TOTAL, FOREST SERVICE.....	5,056,246	5,780,410	5,043,678	-12,568	-736,732
Appropriations.....	(5,073,246)	(4,942,832)	(5,059,678)	(-13,568)	(+116,846)
Disaster Relief cap adjustment.....	---	(854,578)	---	---	(-854,578)
DEPARTMENT OF HEALTH AND HUMAN SERVICES					
INDIAN HEALTH SERVICE					
Indian Health Services					
Clinical Services:					
Hospital and health clinics.....	1,836,789	1,936,323	1,878,944	+42,155	-57,379
Dental health.....	173,982	181,459	178,959	+4,977	-2,500
Mental health.....	81,145	84,485	83,199	+2,054	-1,286
Alcohol and substance abuse.....	190,981	227,062	198,172	+7,191	-28,890
Purchased/referred care.....	914,139	984,475	935,726	+21,587	-48,749
Subtotal.....	3,197,036	3,413,804	3,275,000	+77,964	-138,804
Preventive Health:					
Public health nursing.....	75,640	79,576	78,499	+2,859	-1,077
Health education.....	18,026	19,136	18,802	+776	-334
Community health representatives.....	58,469	62,363	61,129	+2,660	-1,234
Immunization (Alaska).....	1,826	1,950	1,826	---	-124
Subtotal.....	153,961	163,025	160,256	+6,295	-2,769
Other services:					
Urban Indian health.....	43,604	43,604	44,410	+806	+806
Indian health professions.....	48,342	48,342	48,342	---	---
Tribal management grant program.....	2,442	2,442	2,442	---	---
Direct operations.....	68,065	68,338	67,384	-681	-954
Self-governance.....	5,727	5,735	5,735	+8	---
Contract support costs.....	662,970	717,970	717,970	+55,000	---
Subtotal.....	831,150	886,431	886,283	+55,133	-148
Total, Indian Health Services.....	4,182,147	4,463,260	4,321,539	+139,392	-141,721
Indian Health Facilities					
Maintenance and improvement.....	53,614	89,097	53,614	---	-35,483
Sanitation facilities construction.....	79,423	115,138	79,423	---	-35,715
Health care facilities construction.....	85,048	185,048	85,048	---	-100,000
Facilities and environmental health support.....	219,612	226,870	224,882	+5,270	-1,988
Equipment.....	22,537	23,572	23,362	+825	-210
Total, Indian Health Facilities.....	460,234	639,725	466,329	+6,095	-173,396
TOTAL, INDIAN HEALTH SERVICE.....	4,642,381	5,102,985	4,787,868	+145,487	-315,117

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS BILL, 2016 (H.R. 2822)  
(Amounts in thousands)

	FY 2015 Enacted	FY 2016 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>NATIONAL INSTITUTES OF HEALTH</b>					
National Institute of Environmental Health Sciences...	77,349	77,349	77,349	---	---
<b>AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY</b>					
Toxic substances and environmental public health.....	74,691	74,691	74,691	---	---
<b>TOTAL, DEPARTMENT OF HEALTH AND HUMAN SERVICES..</b>					
	4,794,421	5,255,025	4,939,908	+145,487	-315,117
<b>OTHER RELATED AGENCIES</b>					
<b>EXECUTIVE OFFICE OF THE PRESIDENT</b>					
Council on Environmental Quality and Office of Environmental Quality.....	3,000	3,015	3,000	---	-15
<b>CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD</b>					
Salaries and expenses.....	11,000	12,271	11,000	---	-1,271
<b>OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION</b>					
Salaries and expenses.....	7,341	8,400	7,341	---	-1,059
<b>INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT</b>					
Payment to the Institute.....	9,469	11,619	9,469	---	-2,150
<b>SMITHSONIAN INSTITUTION</b>					
<b>Salaries and Expenses</b>					
<b>Museum and Research Institutes:</b>					
National Air and Space Museum.....	18,603	19,469	18,603	---	-866
Smithsonian Astrophysical Observatory.....	23,957	24,343	23,957	---	-386
Major scientific instrumentation.....	4,118	6,118	4,118	---	-2,000
Universe Center.....	184	184	184	---	---
National Museum of Natural History.....	47,992	48,935	47,992	---	-943
National Zoological Park.....	25,420	26,603	26,120	+700	-483
Smithsonian Environmental Research Center.....	3,909	3,992	3,909	---	-83
Smithsonian Tropical Research Institute.....	14,025	14,271	14,025	---	-246
Biodiversity Center.....	1,520	2,285	1,520	---	-765
Arthur M. Sackler Gallery/Freer Gallery of Art.....	6,049	6,169	6,049	---	-120
Center for Folklife and Cultural Heritage.....	2,503	2,603	2,503	---	-100
Cooper-Hewitt, National Design Museum.....	4,755	4,842	4,755	---	-87
Hirshhorn Museum and Sculpture Garden.....	4,301	4,605	4,301	---	-304
National Museum of African Art.....	4,227	4,632	4,227	---	-405
World Cultures Center.....	284	284	284	---	---
Anacostia Community Museum.....	2,093	2,415	2,093	---	-322
Archives of American Art.....	1,859	1,898	1,859	---	-39
National Museum of African American History and Culture.....	40,648	41,501	41,148	+500	-353
National Museum of American History.....	22,840	24,333	22,840	---	-1,493
National Museum of the American Indian.....	31,444	32,077	31,444	---	-633
National Portrait Gallery.....	5,997	6,448	5,997	---	-451
Smithsonian American Art Museum.....	9,474	10,005	9,474	---	-531
American Experience Center.....	593	595	593	---	-2
Subtotal, Museums and Research Institutes.....	276,795	288,607	277,995	+1,200	-10,612
<b>Mission enabling:</b>					
<b>Program support and outreach:</b>					
Outreach.....	9,150	14,317	9,150	---	-5,167
Communications.....	2,567	3,945	2,567	---	-1,378
Institution-wide programs.....	10,505	14,784	14,384	+3,879	-400

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS BILL, 2016 (H.R. 2822)  
(Amounts in thousands)

	FY 2015 Enacted	FY 2016 Request	Bill	Bill vs. Enacted	Bill vs. Request
Office of Exhibits Central.....	2,974	3,037	2,974	---	-63
Museum Support Center.....	1,848	1,884	1,848	---	-36
Museum Conservation Institute.....	3,244	3,308	3,244	---	-64
Smithsonian Institution Archives.....	2,167	2,223	2,167	---	-56
Smithsonian Institution Libraries.....	10,399	10,748	10,399	---	-349
Subtotal, Program support and outreach.....	42,854	54,246	46,733	+3,879	-7,513
Office of Chief Information Officer.....	48,929	53,395	48,929	---	-4,466
Administration.....	34,067	34,977	34,067	---	-910
Inspector General.....	3,416	3,476	3,416	---	-60
Facilities services:					
Facilities maintenance.....	71,403	86,695	71,403	---	-15,292
Facilities operations, security and support.....	197,879	214,429	197,879	---	-16,550
Subtotal, Facilities services.....	269,282	301,124	269,282	---	-31,842
Subtotal, Mission enabling.....	398,548	447,218	402,427	+3,879	-44,791
Total, Salaries and expenses.....	675,343	735,825	680,422	+5,079	-55,403
Facilities Capital					
Revitalization.....	97,588	144,590	112,000	+14,412	-32,590
Facilities planning and design.....	22,600	55,410	27,119	+4,519	-28,291
Construction.....	24,010	---	---	-24,010	---
Total, Facilities Capital.....	144,198	200,000	139,119	-5,079	-60,881
TOTAL, SMITHSONIAN INSTITUTION.....	819,541	935,825	819,541	---	-116,284
NATIONAL GALLERY OF ART					
Salaries and Expenses					
Care and utilization of art collections.....	39,418	42,226	39,418	---	-2,808
Operation and maintenance of buildings and grounds....	33,858	34,532	33,858	---	-674
Protection of buildings, grounds and contents.....	22,418	22,943	22,418	---	-525
General administration.....	23,806	26,959	23,806	---	-3,153
Total, Salaries and Expenses.....	119,500	126,660	119,500	---	-7,160
Repair, Restoration and Renovation of Buildings					
Base program.....	19,000	26,000	19,000	---	-7,000
TOTAL, NATIONAL GALLERY OF ART.....	138,500	152,660	138,500	---	-14,160
JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS					
Operations and maintenance.....	22,000	21,660	21,660	-340	---
Capital repair and restoration.....	10,800	14,740	11,140	+340	-3,600
TOTAL, JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS.....	32,800	36,400	32,800	---	-3,600
WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS					
Salaries and expenses.....	10,500	10,420	10,420	-80	---

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS BILL, 2016 (H.R. 2822)  
(Amounts in thousands)

	FY 2015 Enacted	FY 2016 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES</b>					
National Endowment for the Arts					
Grants and Administration					
Grants:					
Direct grants.....	62,380	63,420	62,380	---	-1,040
Challenge America grants.....	7,600	7,600	7,600	---	---
Subtotal.....	69,980	71,020	69,980	---	-1,040
State partnerships:					
State and regional.....	36,716	37,262	36,716	---	-546
Underserved set-aside.....	9,937	10,084	9,937	---	-147
Subtotal.....	46,653	47,346	46,653	---	-693
Subtotal, Grants.....	116,633	118,366	116,633	---	-1,733
Program support.....	1,990	1,780	1,780	-210	---
Administration.....	27,398	27,803	27,608	+210	-195
Total, Arts.....	146,021	147,949	146,021	---	-1,928
National Endowment for the Humanities					
Grants and Administration					
Grants:					
Bridging cultures.....	3,500	---	---	-3,500	---
Special Initiative: The Common Good.....	---	5,500	3,695	+3,695	-1,805
Federal/State partnership.....	42,528	43,040	43,040	+512	---
Preservation and access.....	15,460	15,200	15,200	-260	---
Public programs.....	13,684	13,454	13,454	-230	---
Research programs.....	14,784	14,536	14,536	-248	---
Education programs.....	13,265	13,040	13,040	-225	---
Program development.....	500	500	500	---	---
Digital humanities initiatives.....	4,400	4,480	4,480	+80	---
Subtotal, Grants.....	108,121	109,750	107,945	-176	-1,805
Matching Grants:					
Treasury funds.....	2,400	2,400	2,400	---	---
Challenge grants.....	8,500	8,500	8,500	---	---
Subtotal, Matching grants.....	10,900	10,900	10,900	---	---
Administration.....	27,000	27,292	27,176	+176	-116
Total, Humanities.....	146,021	147,942	146,021	---	-1,921
=====					
TOTAL, NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES.....	292,042	295,891	292,042	---	-3,849
=====					
<b>COMMISSION OF FINE ARTS</b>					
Salaries and expenses.....	2,524	2,653	2,524	---	-129
<b>NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS</b>					
Grants.....	2,000	2,000	2,000	---	---
<b>ADVISORY COUNCIL ON HISTORIC PRESERVATION</b>					
Salaries and expenses.....	6,204	6,080	6,080	-124	---

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS BILL, 2016 (H.R. 2822)  
(Amounts in thousands)

	FY 2015 Enacted	FY 2016 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>NATIONAL CAPITAL PLANNING COMMISSION</b>					
Salaries and expenses.....	7,948	8,348	7,948	---	-400
<b>UNITED STATES HOLOCAUST MEMORIAL MUSEUM</b>					
Holocaust Memorial Museum.....	52,385	54,959	52,385	---	-2,574
<b>DWIGHT D. EISENHOWER MEMORIAL COMMISSION</b>					
Construction.....	---	68,200	---	---	-68,200
Salaries and expenses.....	1,000	2,000	---	-1,000	-2,000
	=====	=====	=====	=====	=====
Total, DWIGHT D. EISENHOWER MEMORIAL COMMISSION.	1,000	70,200	---	-1,000	-70,200
	=====	=====	=====	=====	=====
TOTAL, TITLE III, RELATED AGENCIES.....	11,246,921	12,646,176	11,378,636	+131,715	-1,267,540
(Disaster Relief cap adjustment).....	---	(854,578)	---	---	(-854,578)
	=====	=====	=====	=====	=====
GRAND TOTAL.....	30,105,720	33,324,129	30,231,720	+126,000	-3,092,409
Appropriations.....	(30,173,720)	(32,299,551)	(30,267,720)	(+94,000)	(-2,031,831)
Rescissions.....	(-40,000)	---	(-8,000)	(+32,000)	(-8,000)
Rescissions of contract authority.....	(-28,000)	(-30,000)	(-28,000)	---	(+2,000)
Disaster Relief cap adjustment.....	---	(1,054,578)	---	---	(-1,054,578)
(By transfer).....	(28,789)	(24,676)	(24,676)	(-4,113)	---
(Transfer out).....	(-28,789)	(-24,676)	(-24,676)	(+4,113)	---
(Discretionary total).....	(30,416,000)	(33,262,409)	(30,170,000)	(-246,000)	(-3,092,409)

I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I yield myself such time as I may consume.

First, I would like to acknowledge and thank Ranking Member LOWEY for her support and her mentorship as I start working on this very first appropriations bill on the House floor.

I would like to thank my subcommittee chairman, KEN CALVERT, for the effort he has put into this bill. I appreciate that even as Chairman CALVERT grappled with an inadequate funding allocation, he carried out his work in an open and thoughtful manner. The chairman is to be commended for his diligence in holding 14 budget hearings, where we received testimony from nearly 150 witnesses.

Let me also, along with the chairman, express my appreciation to the subcommittee staff on the minority and majority sides for their hard work during another difficult budget year.

Unfortunately, the inadequate 302(b) allocation given to the Interior, Environment, and Related Agencies Appropriations sets this bill up for failure. The majority's refusal to adopt a sufficient overall budget allocation for discretionary appropriations has led to a bill that severely underfunds investments and protections that are priorities for the American people.

The subcommittee's 302(b) allocation for FY 2016 is \$246 million below the current year's enacted level. When added to the cuts of the past 5 years, this bill is more than \$2 billion below the FY 2010 enacted level. In fact, when adjusted for inflation, this bill invests less than what was appropriated in 2005.

But it gets worse. The rising emergency costs of combating wildland fires, court-ordered Native American contract support costs, and the majority's decision to abandon mandatory funding for the Payment in Lieu of Taxes program, otherwise known as PILT, means the remaining funding available for other critical public programs is far below the FY 2015 enacted.

PILT has been mandatory spending in the past, and almost 2,000 counties use this compensation for lost tax revenue to provide vital services. PILT should not be in this discretionary bill. It should be returned to mandatory spending.

The courts have ruled that Congress must pay full contract support costs to tribal nations. Contract support costs are true mandatory spending, and they should not be in this discretionary bill.

Catastrophic wildland fires are natural disasters and, just as any other natural disaster, they should be treated as such emergency spending. Catastrophic wildland fires should not be subject to discretionary spending caps in this bill.

Together, spending on these three activities consumes \$5.4 billion, or 18 per-

cent of the bill's budget allocation. It is time for the authorizing committees to stop ignoring this problem and responsibly address what are truly mandatory costs, because these costs are burning through our budget allocation.

So what does that mean for the rest of the programs funded by H.R. 2822? After years of cuts and flat funding, it means we are going backwards and undermining efforts to preserve America's natural and cultural heritage, failing to meet our commitments to the social and economic well-being of Native Americans, and causing real and lasting harm to the environment.

We received compelling testimony this year on the unmet needs in Indian Country, especially in the areas of education and health. Yet this bill's inadequate allocation means that many Native American programs receive far less funding than what the President requested and what Native Americans indeed deserve.

This is unfortunate because, as the chairman pointed out, he and I share a deep bipartisan commitment to bettering the lives of Native Americans and to uphold our Federal trust and treaty obligations.

Last year, attendance at our national parks was at a record high. With the upcoming centennial of the National Park Service in 2016, visitation is expected to increase. But what will visitors find when they come to the centennial celebration?

Without additional funding, they will find historic hotels in Yellowstone and Glacier National Parks that have serious health, safety, and accessibility issues. They will find closed facilities at Yosemite due to 70-year-old sewer lines that are failing. And under the Republican spending plan, what visitors will not find are the hundreds of seasonal rangers that the Park Service needs to hire to restore staffing capacity to 2010 levels.

Under H.R. 2822, less than 16 percent of the funds requested for the National Park Service's centennial are provided. By underfunding the Centennial Challenge, this bill misses the opportunity to allow the American public to support their parks through matching donations.

The National Park's Civil Rights initiative fares only slightly better, with just 19 percent of the request funded. It is our responsibility to act now to preserve the stories and monuments of the civil rights movement.

The Land and Water Conservation Fund is cut by more than 25 percent below the FY 2015-enacted level, continuing the pattern of shortchanging conservation.

Wildlife programs are underfunded as well, with cuts or flat funding to programs that assist in the recovery of species or help to prevent their listing in the first place. Funding decisions such as these set up the Endangered Species Act to fail.

However, the most significant and devastating cuts are again targeted at the Environmental Protection Agency. The bill cuts the EPA by \$718 million from the FY 2015-enacted level, a 9 percent cut. This is on top of the nearly 20 percent cut the Agency has received over the past 4 years.

The air every American breathes and the water every American family drinks are all at risk by the funding cuts and policy attacks in this bill. When the majority says it wants to rein in the EPA, what they are really doing is denying the protection of our air and water.

The consequences of abandoning public health and environmental protection will be negatively felt in communities across this Nation. Why? Because this bill cuts the Clean Water and Safe Drinking Water Revolving Funds by more than half a billion dollars. The revolving funds are part of a partnership with our communities to build and repair infrastructure that protects America's drinking water and prevents sewage from contaminating our water. And when we invest in these water systems, we are also creating jobs in communities all across the country.

Earlier this month, the Secretaries of Agriculture and the Interior released their latest summer fire forecast, which showed that fire costs are likely to exceed FY 2015-enacted levels by nearly \$300 million.

Wildland fires burn up 12 percent, or \$3.9 billion, of the bill's allocation. And without some relief, these numbers will only continue to grow.

In just the past 3 years, we have had to make up a total of a billion-dollar shortfall that forced agencies to borrow funds from other accounts to pay for fire costs. We know the answer to this problem. Many of us are cosponsors of Mr. SIMPSON's bill, H.R. 167, to treat a portion of these wildfire costs as they are—disasters.

Yet as problematic as the funding decisions in this bill are, what is even more troubling are the more than two dozen problem legislative riders and funding limitations contained in the bill, with seven of these being new this year.

These provisions do not belong in the bill. These are proposals that should be moved through the authorizing committee, where open, transparent, and thoughtful debate can take place.

The riders the majority have hung on this bill undermine our Nation's bedrock environmental laws, endanger public health and safety, and deny the impact that climate change is having on our planet.

Several of these riders would require that Agency scientists and procedures be ignored, saying that they "can't be trusted." Yet other provisions would overturn Federal court decisions and limit judicial review.

As lawmakers, we create the legislation that guides our Nation, but my colleagues in the majority seem to need a reminder that we are only one of three branches of government. Clearly, we are the most important branch. But the other two branches have jobs to do as well.

For a majority that complains about the Federal rulemaking process, it is surprising to see that the bill contains directives that certain Federal rules be issued. It would appear that the majority is okay with Federal rulemaking, but only as long as the rules are the ones they want.

With the inadequate funding and special interest provisions, I share the administration's concerns about this bill. I will submit the Statement of Administration Policy on H.R. 2822, which is eight pages and includes a veto threat.

#### STATEMENT OF ADMINISTRATION POLICY

H.R. 2822—DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

(Rep. Rogers, R-KY)

The Administration strongly opposes House passage of H.R. 2822, making appropriations for the Department of the Interior, Environment, and related agencies for the fiscal year ending September 30, 2016, and for other purposes. The bill drastically underfunds core Department of the Interior programs as well as the Environmental Protection Agency's operating budget, which supports nationwide protection of human health and our vital air, water and land resources. Funding levels in the bill would prevent investments that reduce future costs to taxpayers by facilitating increased energy development and maintaining facilities and infrastructure in national parks, refuges, forests, public lands, and Indian Country. They would make it harder for States and businesses to plan and execute changes that would decrease carbon pollution and address the challenges the Nation faces from climate change. They would also reduce support for partnerships and effective collaboration with States, local governments and private entities on efforts to restore and conserve natural resources. Further, the bill includes numerous highly problematic ideological provisions that have no place in funding legislation. These provisions threaten to undermine the ability of States and communities to address climate change and protect a resource that is essential to America's health—clean water, as well as the most basic protections for America's special places and the people and wildlife that rely on them. If the President were presented with H.R. 2822, his senior advisors would recommend that he veto the bill.

Enacting H.R. 2822 and adhering to the congressional Republican budget's overall spending limits for fiscal year (FY) 2016 would hurt our economy and shortchange investments in middle-class priorities. Sequestration was never intended to take effect; rather, it was supposed to threaten such drastic cuts to both defense and non-defense funding that policymakers would be motivated to come to the table and reduce the deficit through smart, balanced reforms. The Republican framework would bring base discretionary funding for both non-defense and defense for FY 2016 to the lowest real levels in a decade. Compared to the President's Budget, the cuts would result in tens of

thousands of the Nation's most vulnerable children losing access to Head Start, millions fewer workers receiving job training and employment services, and drastic cuts to research awards and grants, along with other impacts that would hurt the economy, the middle class, and Americans working hard to reach the middle class.

Sequestration funding levels would also put our national security at unnecessary risk, not only through pressures on defense spending, but also through pressures on State, USAID, Homeland Security, and other non-defense programs that help keep us safe. More broadly, the strength of our economy and the security of our Nation are linked. That is why the President has been clear that he is not willing to lock in sequestration going forward, nor will he accept fixes to defense without also fixing non-defense.

The President's senior advisors would recommend that he veto H.R. 2822 and any other legislation that implements the current Republican budget framework, which blocks the investments needed for our economy to compete in the future. The Administration looks forward to working with the Congress to reverse sequestration for defense and non-defense priorities and offset the cost with commonsense spending and tax expenditure cuts, as Members of Congress from both parties have urged.

The Administration would like to take this opportunity to share additional views regarding the Committee's version of the bill.

#### ENVIRONMENTAL PROTECTION AGENCY (EPA)

**EPA Operating Budget.** The Administration disagrees strongly with the bill's reduction to EPA's operating budget by \$474 million, or 13 percent, compared to the FY 2016 Budget request. This reduced level of funding would significantly undermine implementation of the Clean Power Plan and the recently finalized Clean Water Rule. The Clean Power Plan is a flexible and practical approach to addressing the risks of climate change by reducing carbon pollution from the electric power sector, the largest source of carbon pollution in the United States. Climate change is not only an environmental challenge, it is also an economic, public health, and national security challenge. Unabated climate change is projected to hamper economic growth in the United States and put the health and well-being of the Nation at risk from extreme weather events, wildland fire, poor air quality, and illnesses transmitted by food, water, and disease carriers such as mosquitoes and ticks. Failing to address climate change would also exacerbate poverty and contribute to environmental degradation in developing countries, potentially resulting in resource shortages, political instability, and conflict. Meanwhile, the bill also reduces funding to implement the recently finalized Clean Water Rule that would ensure waters protected under the Clean Water Act are more precisely defined and predictably determined. By delaying implementation of this rule, business and industry face a more costly, difficult, and slower permitting process.

**State Categorical Grants.** The Administration opposes the \$118 million reduction to State and Tribal Categorical grants compared to the FY 2016 Budget request. Often, States and Tribes implement environmental programs through delegated authorities. However, the bill reduces these grants to States and Tribes to carry out activities such as water quality permitting, air monitoring, and hazardous waste management programs. In addition, the bill reduces funding for brownfields projects by \$35 million, or

32 percent, from the FY 2016 Budget request. This reduced level of funding severely limits opportunities for local communities to revitalize their contaminated lands to improve environmental quality and spark economic redevelopment.

**State Revolving Funds (SRFs).** The Administration objects to the funding levels provided for EPA's Clean Water and Drinking Water SRFs. The bill reduces SRF funding by a combined \$527 million from the FY 2016 Budget request, reducing necessary support to help communities finance water infrastructure improvements, resulting in approximately 200 fewer projects being funded nationally.

**Greenhouse Gas (GHG) Limits for Power Plants.** The Administration strongly objects to section 428 of the bill, which would prohibit the use of funds to propose, finalize, implement or enforce carbon pollution standards for fossil fuel-fired electric generating units that are the largest source of carbon pollution in the United States. The bill seeks to derail Administration efforts to address under section 111 of the Clean Air Act the urgent economic, public health, and national security impacts of unabated climate change. Failure to reduce the utility sector's carbon footprint places the Nation at risk from extreme weather events, wildland fire, poor air quality, global instability, accelerated environmental degradation, and illnesses transmitted by food, water, and disease carriers such as mosquitoes and ticks.

**Clean Water Act (CWA).** The Administration believes that the CWA provisions in the bill undermine efforts to protect America's clean water resources, which are critical to American families and businesses. The Administration strongly objects to section 422 of the bill in particular, which would disrupt the Administration's current efforts to clarify the scope of CWA, hamstringing future regulatory efforts, and create significant ambiguity regarding existing regulations and guidance.

**Social Cost of Carbon (SCC).** The Administration regards the SCC as an essential component of the environmental rulemaking process and opposes the Congress' interference with the Interagency Working Group's (IWG) development of the SCC. The Administration strongly objects to section 437 of the bill, which would force the IWG to revise the SCC using only the discount rates and "domestic" SCC values stated in Executive Order 12866 and Office of Management and Budget Circular A-4. This revision would ignore the trans-boundary movement of carbon, fail to capture key costs of carbon emissions, and disrupt dozens of upcoming rules that would use the SCC to monetize carbon reduction benefits.

**Limitations on Significant New Alternatives Policy (SNAP) Program** under the Clean Air Act (CAA). The Administration objects to section 435 of the bill, which would block the finalization, implementation, and enforcement of a rule to prohibit certain uses of climate super-pollutants known as hydrofluorocarbons (HFCs). Domestic action to reduce use of HFCs is consistent with U.S. advocacy for addressing HFCs on a global basis, such as through an amendment to the Montreal Protocol.

**National Ocean Policy.** The Administration objects to section 425 of the bill, which prohibits any funding provided in the bill from being used to implement the marine planning components of the National Ocean Policy. This provision would prohibit the Department of the Interior (DOI) and EPA from



participating in marine and coastal planning efforts, a process to better determine how the ocean, the Nation's coasts, and the Great Lakes are managed in an efficient manner.

Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) Financial Assurance. The Administration objects to section 427 of the bill, which prohibits the use of funds to develop, propose, finalize, and implement financial responsibility requirements under CERCLA 108(b). On May 19, 2015, the U.S. Court of Appeals for the District of Columbia Circuit ordered EPA to develop an expedited schedule for financial responsibility rules for the hardrock mining industry and for three other industries. This provision would severely limit EPA's ability to develop these rules in a timely manner and abrogates EPA's responsibilities laid out in CERCLA 108(b).

Classification of Forest Biomass Fuels as Carbon-Neutral. The Administration objects to the bill's representation of forest biomass as categorically "carbon-neutral." This language conflicts with existing EPA policies on biogenic CO<sub>2</sub> and interferes with the position of States that do not apply the same policies to forest biomass as other renewable fuels like solar or wind. This language stands in contradiction to a wide-ranging consensus on policies and best available science from EPA's own independent Science Advisory Board, numerous technical studies, many States, and various other stakeholders.

e-Manifest. The Administration objects to the elimination of funding for e-Manifest development, EPA's system for electronically tracking the transport of hazardous waste. While the Administration acknowledges the concern about the pace of development of the e-Manifest, eliminating the requested \$7 million in funding at this time would jeopardize EPA's ongoing progress to develop the system and begin operations in the coming years.

Lead Test Kits. The Administration objects to section 426 of the bill that would disrupt EPA's current activities under the 2008 Lead Renovation, Repair and Painting rule until EPA approves a commercially available "improved" lead paint test kit. This provision would undermine EPA's efforts to protect sensitive populations from exposure to lead, a known toxin to children and developing fetuses, during home renovation projects.

#### DEPARTMENT OF THE INTERIOR (DOI)

Bureau of Indian Affairs (BIA) Topline. The Administration opposes the \$159 million, or 5 percent, reduction to BIA as compared to the FY 2016 Budget request. This funding level would limit DOI's ability to make key investments in education and wrap-around services to support Native youth, eliminating all increases to post-secondary scholarships and \$10 million for education program enhancement funds to allow Bureau of Indian Education to drive school improvement and reforms. The bill reduces funding for initiatives aimed at supporting tribal self-determination through the creation of a one-stop portal to facilitate access to Federal resources and funding to address data gaps in Indian Country, and the creation of an Office of Indian Affairs Policy, Program Evaluation, and Data to support effective, data-driven, tribal policy making and program implementation. In addition, this bill eliminates all increases to natural resources management on tribal lands, including funds to help tribal communities prepare for and respond to the impacts of climate change.

National Park Service (NPS) Centennial. The Administration opposes funding levels

provided for the NPS Centennial. The bill fails to provide adequate funding to prepare for the Centennial in 2016, resulting in the delay of roughly 70 percent of line-item park construction projects and 36 percent of repair and rehabilitation projects, and forgoes millions in matching private donations. The bill also fails to provide funding for engaging youth and cultivating the next generation of conservation-minded individuals, including funding for transportation assistance to students from Title I schools.

Onshore Inspection Fees. The bill does not include a proposal in the FY 2016 Budget request to institute a new onshore oil and gas inspection fee program. The proposal, which is similar to the program already in place for offshore operations, would cover the cost of inspection activities and reduce the net cost to taxpayers of operating the Bureau of Land Management's (BLM) oil and gas program. Failure to adopt the new fees and associated funding would hamper the BLM's ability to protect human safety, conserve energy resources, facilitate the proper reporting of oil and gas production, and ensure environmental requirements are being followed in all phases of development.

State and Tribal Wildlife Grants. The Administration opposes the 15 percent reduction to State and Tribal Wildlife Grants compared to the FY 2016 Budget request. This important program allows States and Tribes, key partners in conservation, to strategically protect wildlife and conserve habitat in a way that complements Federal investments and yields better results for the public.

Payments in Lieu of Taxes (PILT). The bill provides \$452 million for PILT, which the Administration has proposed to fund through a separate mandatory appropriation in line with its previous congressional enactment. While the Administration appreciates the Committee's support for PILT, inclusion of these funds in the bill comes at the expense of all other programs funded by the bill.

Carcieri Land into Trust. The bill fails to include the provision in the FY 2016 Budget request to clarify and reaffirm the Secretary of the Interior's authority to acquire land in trust under the Indian Reorganization Act (IRA). In *Carcieri v. Salazar*, 555 U.S. 397 (2009), the Supreme Court held that the Secretary could acquire land in trust under the IRA only for tribes that were "under Federal jurisdiction" in 1934. A legislative solution would help achieve the goals of the IRA and tribal self-determination by clarifying that DOI's authority under the law applies to all tribes, whether recognized in 1934 or after. Such legislation would be consistent with the longstanding policy of assisting Tribes in establishing and protecting a land base sufficient to allow them to provide for the health, welfare, and safety of tribal members, and in treating all tribes equally for purposes of setting aside lands for tribal communities.

Hydraulic Fracturing. Section 439 of the bill would block DOI from implementing, administering or enforcing the Bureau of Land Management's recently-finalized Hydraulic Fracturing rule. This would leave the agency reliant on 30-year old requirements and prevent it from taking key steps to improve the safety of oil and gas drilling activities and improve opportunities for BLM to coordinate standards and processes with States and Tribes to reduce administrative costs and improve efficiency.

Stream Buffer Regulation. Section 423 would prohibit DOI's Office of Surface Mining, Reclamation, and Enforcement from up-

dating 30-year-old stream protection regulations to reflect modern science and technology and better protect people and the environment, provide industry more certainty, and address recent court decisions.

Hunting, Fishing and Recreational Shooting. Sections 421 and 424 would substantially impair the enforcement of a longstanding ban on the use of lead ammunition in the hunting of migratory waterfowl, and would complicate in other ways the overall implementation of hunting, fishing, and recreational shooting on public lands.

Wildlife Trafficking. Section 120 would interfere with ongoing Fish and Wildlife Service (FWS) actions to combat wildlife trafficking, curb the poaching of African Elephants, and restrict trade in ivory, which would impair U.S. leadership in the global fight against ivory poaching.

Endangered Species Act Restrictions. Sections 117, 121, and 122 of the bill undercut the Endangered Species Act by limiting the ability of the FWS to properly protect, based on the best available science, a number of species, including the greater sage grouse, northern long-eared bat, and certain gray wolf populations. Language provisions, like those affecting the sage grouse, would only create additional uncertainty and undermine unprecedented efforts to conserve the sagebrush landscape and the Western way of life.

Federal Acknowledgement of American Indian Tribes. Language under the heading "Bureau of Indian Affairs, Administrative Provisions" in the bill would block DOI from finalizing, implementing, administering, or enforcing the Administration's proposed Federal acknowledgment rule, preventing DOI's effort to improve the regulations governing the process and criteria by which the Secretary of the Interior acknowledges an Indian Tribe.

#### DOI AND DEPARTMENT OF AGRICULTURE (USDA), FOREST SERVICE

Land and Water Conservation Fund (LWCF). The Administration objects to the drastic reduction of \$152 million, or 38 percent, to the requested discretionary funding for DOI and USDA LWCF programs. LWCF is a cornerstone of Federal conservation and recreation preservation efforts. This funding level would severely impede agency capacity to further protect our Nation's natural heritage. To date, the LWCF has contributed to the protection of key public lands, such as Rocky Mountain National Park, Mount Rainier National Park, and portions of the Appalachian Trail, among others, as well as State and local recreation projects and important cultural heritage sites.

Wildland Fire Suppression. The Administration's cap adjustment for wildfire suppression was not included in this bill. Continued inaction on this proposal, which has bipartisan support, would increase the likelihood of disruptive funding transfers for suppression and away from the very restoration and fire risk reduction programs that are meant to restore landscapes and reduce suppression costs and restore landscapes.

Land Management Operations. The Administration opposes the \$502 million, or 8 percent, reduction to operational funding to land management agencies, relative to the FY 2016 Budget request. This reduction would undermine support for the provision of basic public and business services that support the long-term health and resilience of national parks, forests, refuges, and other public lands.

Water Rights on Federal Land. Section 434 prohibits agencies from conditioning land use authorizations on the transfer, relinquishment, or impairment of a water right,

or on the acquisition of a water right in the name of the United States. This language is unnecessary for its intended purpose, and would preclude land management agencies from protecting the public interest. The provision would eliminate the ability of land management agencies to maintain sufficient water for other congressionally-designated purposes and ensure water rights are tied to the activities for which they were developed. These restrictions would also hamper cooperative work with land users to improve land conditions, such as range improvements, or conduct habitat mitigation activities as part of land use agreements.

DEPARTMENT OF AGRICULTURE (USDA), FOREST SERVICE

Land Management Improvements. The bill provides \$357 million for capital improvement and maintenance of the national forest system, a 5 percent increase from the FY 2016 Budget request. While the Administration supports the capital improvement and maintenance of the Nation's public forests in order to increase its health, resilience, and accessibility, the increase in this bill comes at the expense of other needed priorities.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Indian Health Service (IHS) Topline. The Administration strongly opposes the reduction to funding for Native American health care programs and facilities of the Indian Health Service (IHS) by \$300 million, or 6 percent, below the FY 2016 Budget request. This would result in inadequate funding for the provision of health care to a population that is sicker and poorer compared to national averages. For example, compared to the FY 2016 Budget request, the bill reduces funding by nearly \$50 million for Purchased and Referred Care, a program that supports health care not available in IHS and tribal facilities, which would exacerbate existing levels of denied care and waiting lists for services.

Contract Support Costs. The Administration objects to the limitation in funding for tribal Contract Support Costs (CSC) for BIA and IHS. Specifically, the bill would limit funding for CSC that could perpetuate the funding issues described in the Supreme Court's *Salazar v. Ramah Navajo Chapter* decision. The Congress should pursue a long-term solution for CSC appropriations, providing an increase in funding in FY 2016 as part of a transition to a new three-year mandatory funding stream in FY 2017, as proposed in the President's Budget.

OTHER PROVISIONS

Smithsonian Institution. The bill reduces funding for the Smithsonian Institution by \$116 million, or 12 percent, below the FY 2016 Budget request—a reduction that can be expected to reduce public access to the Smithsonian as well as increase safety concerns through delays in planned renovations. With over 30 million visits to Smithsonian facilities recorded in 2014, it is important to ensure the museums, galleries, National Zoological Park, and nine research facilities that make up the world's largest museum and research complex remain open, maintained, and available to the generations of Americans who make use of this unique institution each year. Specifically, the bill reductions would delay renovation for the National Air and Space Museum, where the museum has had to establish temporary covered walkways to protect the public from potential falling debris from its facade, and would reduce operating hours for the museums, including the new National Museum of African American History and Culture.

Digital Accountability and Transparency Act of 2014 (DATA Act). The Administration urges the Congress to fully fund the FY 2016 Budget requests for DOI and EPA to implement the DATA Act. This funding would support efforts to provide more transparent Federal spending data, such as updating information technology systems, changing business processes, and employing a uniform procurement instrument identifier.

U.S. Digital Service Team. The Administration urges the Congress to fully fund the FY 2016 Budget requests for DOI and EPA to develop U.S. Digital Service teams. This funding would support managing the agency's digital services that have the greatest impact to citizens and businesses.

CONSTITUTIONAL CONCERNS

Several provisions in the bill raise separation of powers concerns.

The Administration looks forward to working with the Congress as the FY 2016 appropriations process moves forward.

Ms. MCCOLLUM. Mr. Chairman, we owe it to our constituents to be good stewards of the environment, to be protectors of public health, and to be defenders of the public good. We can do better than what this bill offers. H.R. 2822 falls short of our responsibilities to present and future generations. As such, I cannot support the bill in its current form.

Mr. Chair, I reserve the balance of my time.

Mr. CALVERT. Mr. Chairman, it is my pleasure to yield such time as he may consume to the gentleman from Kentucky (Mr. ROGERS), the full committee chairman.

Mr. ROGERS of Kentucky. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in support of the fiscal year 2016 Department of the Interior and Environment Appropriations bill. This is the eighth of the 12 individual bills that have made it to the floor. That is a record pace, by the way. It is the fastest that these bills have come before the House since at least 1974, when the Budget Control Act came into being.

This bill, as the chairman said, provides just over \$30 billion in discretionary funding for programs that preserve and nurture our Nation's unique natural and cultural heritage. This fulfills our responsibility to the American taxpayers to provide funding for these important programs within a smart and sustainable budget.

Our responsibility to the American taxpayers, of course, doesn't end there. The people of this Nation expect their government to act in a way that fosters economic development and job creation. This current administration has been neglecting that duty, instead choosing to push a regulatory agenda that would create an environment hostile to economic growth, that would put our energy independence at risk, and that could cost thousands of hard-working Americans their jobs.

So this bill takes important steps to stop this harmful executive overreach.

First and foremost, we limit funding for the Environmental Protection Agency, cutting its funding by 9 percent from last year.

The bill also prohibits the EPA from implementing a litany of its egregious, expensive regulations, including applying new greenhouse gas regulations for power plants, updating existing ozone regulations, and changing the definitions of "navigable waters" and "fill material," all of which could spell disaster for our economy.

□ 1315

The bill also prevents the Bureau of Land Management from hampering economic growth by halting increases in oil and gas inspection fees and from burdening ranchers with higher grazing fees.

Provisions like these will help get the government out of the way of growth, preventing the overregulation and overtaxation of American business and industry, and keeping down manufacturing costs and utility bills for families across the country.

In addition, the bill also focuses funding on other important Department of the Interior related programs. For instance, the bill creates a new \$30 million program to help accelerate the reclamation of abandoned mine lands, boosting local community redevelopment.

The bill also fulfills our moral and legal obligations to American Indians and Alaska Natives, increasing funding for programs that will help improve education systems, health facilities, and other infrastructure.

The bill prioritizes the prevention of and preparation for wildland fires, increasing funding for these programs billwide by \$52 million.

Mr. Chairman, this is a fine appropriations bill that we have before us today. I want to commend Chairman CALVERT for his good work on this bill. He, the ranking member, and the subcommittee have done a thorough job on the bill, and I am proud to support it. I also want to thank the staff for their work to bring this bill to the floor today.

This is the maiden voyage, Mr. Chairman, of this cardinal, this new chairman, the new chairman of this subcommittee. This is his first bill, and it is a good one. I want to salute him and his staff for doing a great job in putting together a bill that was tough to put together. Congratulations to you.

Before I close, Mr. Chairman, I want to take a moment to recognize one of my staff members, Mike Robinson, who will be moving on to greener pastures next week.

Mike started working for me nearly 20 years ago and has had several tenures in my personal office. Four years ago, he joined the Appropriations Committee, the front office, as coalitions and Member services director.

Many of our colleagues have gotten a chance to know Mike over these past 4 years. He has answered your questions. He has helped you offer amendments. He has helped guide dozens of appropriations bills to passage. He has been an integral part of the staff over these years, and we will miss him greatly when he departs.

Thank you, Mike, for all of your hard work. We are very grateful to you.

Mr. Chairman, this is an appropriations bill that puts our Nation's economy first. It preserves the role of the Federal Government, making sure the government is doing its job well, not in a way that intrudes into the lives of American businesses or the American people, but in a way that encourages our economy to grow and thrive, and I urge my colleagues to support the bill.

Ms. MCCOLLUM. Mr. Chairman, I yield 5 minutes to the gentlewoman from New York (Mrs. LOWEY), the ranking member of the Appropriations Committee.

Mrs. LOWEY. Mr. Chairman, I would like to thank Chairman CALVERT; Chairman ROGERS; as well as my good friend BETTY MCCOLLUM, who is doing an outstanding job in her first year as ranking member of the subcommittee; and all the hard-working staff on both sides of the aisle.

However, while I appreciate the chairman's willingness to accommodate some Democratic priorities, this is the latest in a series of bills that drastically shortchanges job-creating investments and vital environmental protections, while carrying a wish list of special interest giveaways that hurt hard-working American families' health and safety.

The President proposed to end sequestration through more reasonable and realistic budgeting 4 months ago, but Republicans have yet to engage on finding a workable solution. How much longer do we have to play this charade, the Republican shutdown strategy, before the House considers bills that could be enacted?

Refusing to adopt a sufficient overall allocation for discretionary investments has led to a bill that severely underfunds far too many priorities.

The EPA would be slashed \$1.17 billion below the President's request, \$718 million below the 2015 enacted level. Such a draconian cut would take EPA investments back to 1997 levels.

Capital programs are dramatically underfunded, with Indian Health facilities receiving \$173 million less than the President's request.

Over half a billion dollars in cuts to the State revolving funds endanger our Nation's water infrastructure, cutting 32,000 construction jobs on 207 projects, risking public health with fewer water and drinking water projects.

The Land and Water Conservation Fund, which conserves irreplaceable lands and improves outdoor recreation

opportunities, would be cut by 30 percent below the current level.

Unsurprisingly, the majority seeks to dismantle critical environmental protections in the bill that are supposed to advance environmental initiatives.

In a demonstration of solidarity with climate change deniers and the coal industry, the majority would prevent the administration from advancing new rules to reduce greenhouse gas emissions.

Despite the fact that it harmonizes existing activities to protect the environment, 2.8 million ocean industry jobs, \$282 billion in GDP generated by ocean industries in coastal States, the National Ocean Policy's implementation would be blocked.

Once again, the majority has waged war on the Endangered Species Act, placing politics above science and jeopardizing the protection of precious species, including wolves.

Instead of allowing the United States to lead the world to end the trade of ivory, the Fish and Wildlife Service's efforts would be rolled back.

Given the number of unnecessary riders, it is particularly disappointing that the majority didn't include our colleague, Mr. SIMPSON's wildfire bill, an excellent proposal that would improve our ability to prepare for and respond to disasters.

Democrats are more than willing to find a balanced and fiscally responsible way to lift the sequester that is strangling our investments in America's future and invest in a stronger defense, better infrastructure, and bigger paycheck for America's hard-working families.

I hope that, as we move forward, this bill makes those investments and sheds unnecessary policy changes. I urge my colleagues to oppose this misguided bill.

Mr. CALVERT. Mr. Chairman, it is my pleasure to yield 2 minutes to the gentleman from West Virginia (Mr. JENKINS), our new hard-working member.

Mr. JENKINS of West Virginia. Mr. Chairman, I want to express my appreciation to your hard work and to the ranking member, to your staff, and all who have worked so hard on this legislation.

This bill is notable for what it funds and what it doesn't fund.

West Virginians, we love our clean water. We love clean air. We love our mountains and our forests and our rivers.

What West Virginians do not love is this President's war on coal. This week, petitions from 26,000 West Virginians were delivered to my office asking the President to stop the war on coal. West Virginia's jobs and our citizens' livelihoods are on the line. The President has requested hundreds of millions of dollars to spend on new regulations, programs, and an army of

lawyers to defend his illegal regulatory overreach.

Our State has lost 7,000 coal jobs in just the last 3 years of this administration. Today, we say "no" to funding the war on coal, "no" to regulatory overreach. We do cut the EPA's budget by more than \$1 billion from what was requested. We halt harmful, job-killing rules on new and existing coal-fired power plants.

We say no to changing the definition of navigable waters and fill material, no to imposing ozone regulations that are simply unachievable, and no to imposing the stream buffer zone rule.

The Administrator of the EPA even refused to come to West Virginia to talk to our communities and hard-working coal miners, but instead, when she refused, I brought coal miners to the Appropriations Committee to tell their story, and it was a powerful story.

Today, I am here with 26,000 other voices to make sure they are heard here at the Capitol.

Thank you, Mr. Chairman, for your leadership. Thank you for the hard work.

I would appreciate a "yes" vote on this important legislation.

Ms. MCCOLLUM. Mr. Chairman, I yield 3 minutes to the gentleman from Washington (Mr. KILMER), a member of the subcommittee who is very valued.

Mr. KILMER. Mr. Chairman, I want to begin by thanking the subcommittee chairman, my friend from California, and the ranking member, my friend from Minnesota, for the hard work that they have put into today's bill.

As a new member of the committee, I have gotten to see firsthand the enormous amount of work that went into the product that we have before us today, and it is, frankly, a testament to the hard work of the Appropriations Committee staff that we have been able to get to this point.

I want to begin by expressing support for a number of really important provisions in the bill that I think are critical points of progress. In a very tough budget environment, this bill boosts funding for the Bureau of Indian Affairs and the Indian Health Service, increasing the Federal commitment to addressing the needs of Indian Country.

Coming from timber country, I can say that there is also a very strong effort here to ensure that the Forest Service can responsibly increase harvest levels on our national forests, as well as supporting new tools, such as collaboratives, that have the potential to bring folks together in a way that reduces the litigation risk surrounding these projects.

Of course, I would love for us to be able to include in this bill Mr. SIMPSON's legislation addressing wildfire disaster funding. I have heard from so many people in my neck of the woods just how important it is that we get this taken care of it.

The bill also provides essential resources to support recovery efforts in the Puget Sound. As both the chairman and ranking member of the subcommittee know, this is big deal, both for our natural environment and for our economy; and I will continue working with them to make sure we are dedicating the needed resources for this critical effort.

Unfortunately, I will have to oppose the bill before us today. This bill comes in at \$2 billion below the President's budget request. It would cut funding for the Land and Water Conservation Fund. It fails to make needed investments in the National Park System and takes a meat axe to the Environmental Protection Agency and the programs that protect clean water.

Mr. Chairman, to conclude, let me just say we need to come together in a bipartisan way to end sequestration, to remove these budget caps, and to work on bipartisan bills that make the investments our Nation needs to boost economic development and protect our natural resources for future generations.

I hope we do that, and I am eager to be a partner in doing that.

Mr. CALVERT. Mr. Chairman, I yield 3 minutes to the gentleman from Georgia (Mr. CARTER) for the purpose of engaging in a colloquy.

Mr. CARTER of Georgia. Mr. Chairman, first of all, I want to thank you and the Appropriations Committee for its hard work on bringing this important legislation to the floor.

As you know, we have been working with your staff on an issue of great importance to the Port of Savannah, which services 40 percent of American consumers.

Since 1940, the National Park Service has leased a small parcel of land on Cockspur Island within the Fort Pulaski National Monument to the Savannah Bar Pilots. The bar pilots help navigate large ships through the Savannah River channel to the port and have done so from Cockspur Island since as far as back as the 1730s.

In 2011, at the request of the Park Service, Congress passed legislation to change the relationship between the bar pilots and the Park Service. With enactment of the Fort Pulaski National Monument Lease Authorization Act, Public Law 112-69, the relationship between the bar pilots and Park Service was shifted from a series of special use permits to a noncompetitive lease of up to 10 years.

□ 1330

At the time of consideration of the legislation, the Congressional Budget Office estimated the annual lease fee for the bar pilots would be \$25,000, a slight increase from their existing rate based on a 2008 appraisal conducted by the Park Service.

It has come to my attention that the Park Service is attempting to use pas-

sage of the legislation to increase the lease fee by as much as tenfold. This is extremely problematic because such an increase could threaten to force the bar pilots off Cockspur Island.

Simply given their history on the island, the idea of forcing the bar pilots to relocate is inappropriate, in and of itself. However, this is more troubling when you realize that pilotage services are required by law, so vessels are required to use their services to move in and out of the Port of Savannah, and there is no other known location from which pilots could operate more efficiently.

Moving the facility could lead to longer transit times for vessels, increased safety risk in foul weather, delays in ship movement, and greater fuel usage for pilots and vessels waiting to call on the Port of Savannah.

The resulting environmental and economic harm would significantly increase costs and could threaten growth at the Port of Savannah just as the Federal Government embarks on the construction phase of the \$706 million Savannah Harbor Expansion Project.

The legislation passed in 2011 was intended to create a long-term fix to the permitting issue, not to create an outlet by which the National Park Service could continuously raise fees to exorbitant levels.

Mr. Chairman, I would request your support of our efforts to find an equitable and timely resolution to this matter that reflects Congress' intent and establishes a process for ensuring that the pilots are charged only fair market value in line with previous National Park Service appraisals and that they are able to continue operating from their current location on Cockspur Island.

Mr. CALVERT. I thank the gentleman from Georgia for bringing this matter to my attention. I share your concerns that this change could negatively impact the growth at the Port of Savannah just as work begins on the expansion project.

The CHAIR. The time of the gentleman has expired.

Mr. CALVERT. I yield myself an additional 30 seconds.

I would note that, in testimony before the Senate, National Park Service Associate Director Stephen Whitesell testified that the Savannah bar pilots have operated "with virtually no adverse impact on park resources, on the visitor experience, or on park operations."

The legislation that passed at the request of the Park Service in 2011 was supposed to simply improve the legal basis through which the bar pilots and the Park Service entered into a contract.

I am committed to continuing to work with you to find an equitable and timely solution to this matter that ensures the Fort Pulaski National Monu-

ment Lease Authorization Act is appropriately implemented and that the bar pilots are not forced to move from Cockspur Island.

Mr. CARTER of Georgia. Thank you, Mr. Chairman, for your attention to this issue and for your service in shepherding this important legislation through the legislative process.

Ms. MCCOLLUM. Mr. Chair, I yield 2 minutes to the gentlewoman from Ohio (Ms. KAPTUR), a colleague of mine on the Appropriations Committee.

Ms. KAPTUR. Mr. Chair, I appreciate the gentlewoman from Minnesota, Ranking Member MCCOLLUM, as well as Chairman KEN CALVERT of California for working with me to include important language relative to the National Park Service.

Specifically, the report addresses a threat to a significant part of the history of the region I represent, the Battle of Lake Erie that paved the way for America's expansion beyond 13 colonies, commemorated by Perry's Victory and International Peace Memorial at Put-In-Bay, Ohio.

Perry's Memorial is at the heart of coastal tourism in Ohio, attracting 130,000 visitors just last year, and more than double as many people were reached through their educational activities.

Despite its popularity, this site has been unnecessarily targeted for consolidation. The idea that resources and, more importantly, management of this popular site would shift to a noncontiguous, smaller installation in a different State is both concerning and, frankly, quite puzzling.

Reporting requirements included with the bill are there to ensure that Perry's Memorial will continue operating as a stand-alone site.

I would also ask the chairman and ranking member to continue working with me to address this need moving forward to ensure that this misguided consolidation plan is stopped.

Mr. CALVERT. Will the gentlewoman yield?

Ms. KAPTUR. I yield to the gentleman from California.

Mr. CALVERT. Mr. Chair, I am certainly happy to continue to work with the gentlewoman from Minnesota and to address her concerns as this process continues.

Ms. KAPTUR. I thank the gentleman very much, and I thank the ranking member.

I yield to the gentlewoman from Minnesota.

Ms. MCCOLLUM. The gentlewoman from Ohio has my commitment to work with the chairman to resolve it.

Ms. KAPTUR. I thank both the chairman and ranking member.

Mr. CALVERT. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. GIBBS).

Mr. GIBBS. Mr. Chairman, I rise today in support of H.R. 2822, the Department of the Interior, Environment,

and Related Agencies Appropriations bill for fiscal year 2016.

This bill responsibly ensures the EPA's regulatory overreach is checked by Congress. Key provisions included will stop the EPA's most burdensome and damaging regulations and encourage opportunities for water infrastructure investment.

This bill ensures that the EPA cannot use resources to expand the definitions of the "waters of the United States" and "fill material" beyond what Congress wrote in the Clean Water Act. As the *King v. Burwell* case just taught us, this administration is eager to redefine words to suit their purposes. This House must stand up to them, and in this bill, we are.

These key provisions are excellent backstops for ensuring the EPA's clean water rule does not move forward in implementation because this rule is nothing more than a Federal power grab and a substantial expansion of Clean Water Act jurisdiction. Even the agencies implementing this rule have concerns about the clarity of its changes.

I am also pleased to see the committee supports an integrated planning approach to help communities affordably manage and meet their burdensome regulatory obligations under the Clean Water Act. Communities face enormous financial pressure to have quality services for its residents, including clean water. This approach can potentially save ratepayers millions of dollars while focusing clean water investments in a way that ensures the greatest water quality benefit.

Lastly, this bill encourages the implementation of the bipartisan pilot program, Water Infrastructure Finance and Innovation Act, better known as WIFIA, that was authorized under WRRDA in 2014.

Provisions offered in this legislation will set the stage for EPA to implement WIFIA loans in fiscal years 2017 to provide credit assistance for water resource infrastructure projects and act as a complement to the major source of Federal investment in water infrastructure, the Clean Water State Revolving Fund, known as the SRF. This program will provide communities increased options and flexibility for funding their critical water infrastructure projects.

I thank Chairman CALVERT and Ranking Member MCCOLLUM for recognizing the importance of these provisions and for putting together a bill that sets appropriate levels for agencies and programs.

Ms. MCCOLLUM. Mr. Chairman, I yield 3 minutes to the gentlewoman from Maine (Ms. PINGREE), a thoughtful and valued member of the subcommittee.

Ms. PINGREE. I thank the ranking member for yielding me time and for the nice comments and the ability to

work with her on the committee. I do appreciate the work of the Chair and the ranking member very much on this bill.

Mr. Chair, there are so many important programs that are funded in the Department of Interior Appropriations bill. I am proud to be on this committee and particularly to serve on this subcommittee.

Today's bill was written by a very good chairman in conjunction with a great ranking member, but at the end of the day, the funding levels are still too low. We cannot get bipartisan support on this bill when there are not enough dollars to go around. The reality is we need to get rid of the sequester, roll back the Budget Control Act caps, and pass these bills with funding levels that move our country forward, not backward.

As so many of my colleagues have stated, when adjusted for inflation, this bill provides less than the appropriated levels in FY 2005. That is just not sufficient for the vital programs in this bill, programs that monitor and protect the water we drink and the air we breathe and regulate the products we use.

There are some highlights in today's bill, such as the Bureau of Indian Education construction budget and the Forest Legacy program and the international forestry accounts, and I am glad to see them there, but there is so much more to be concerned about.

I am deeply disappointed in the cut to the Fish and Wildlife Service endangered species listing program, which is cut by 50 percent, and the overall Land and Water Conservation Fund cuts. This overall Land and Water Conservation Fund level is 20 percent less than last year, and that is very frustrating, knowing how important this program is to every single congressional district in the country.

I am concerned that programs such as the Aquatic Animal Drug Approval Partnership Program are funded at last year's level—and no higher—when we really need to understand the diseases that affect our fish and establish treatment options to protect them.

The U.S. Geological Survey that funds critical research programs and the monitoring of climate change, stormwater gauges, earthquake and weather research is also funded only at last year's level.

The National Endowment for the Arts and National Endowment for the Humanities were denied the additional resources they requested, including funds that would have been used to increase programming for our veterans and wounded warriors.

For those of us in Maine who are so proud of our national park, Acadia National Park, and are strong supporters of parks across the country, there is simply not enough funding. There are not enough dollars for the improve-

ments and maintenance that is needed in any given year, but particularly needed in this special centennial year.

The National Park centennial is a once in a lifetime opportunity for us to highlight our parks and help millions of Americans who have not been to a national park before to see our Nation's greatest treasures.

Again, I recognize completely the position that this subcommittee and our other subcommittees have been in because of the Budget Control Act caps, but these programs deserve more.

I look forward to working with our chair and ranking member as this bill moves forward, to try to improve the areas that still need attention.

Mr. CALVERT. Mr. Chair, it is my pleasures to yield 1½ minutes to the gentleman from North Carolina (Mr. ROUZER).

Mr. ROUZER. Mr. Chairman, today, I rise in support of H.R. 2822, the Department of the Interior, Environment, and Related Agencies Appropriations Act of 2016.

It is no secret that the EPA is out of control. I think everybody across this great land knows that. A few weeks ago, the EPA issued their final rule to redefine waters of the U.S., completely ignoring the will of the House and stakeholders all across America.

Under this rule change, waters of the U.S. would now include smaller bodies of water and even some dry land. In fact, this new definition would extend the EPA's regulatory reach to seemingly any body of water, including that water puddled in your ditch after a rain storm. Yes, you heard me right.

I have heard from small-business owners, farmers, Realtors, and homebuilders in my district; and they are all concerned about the negative impact this rule could have—and rightly so. This rule is so broad that it could very well require them to get permission from a Federal bureaucrat before acting on their own property.

I commend Chairman CALVERT and the other members of the committee for including language in this appropriations bill to prohibit any funds from being used to implement this new rule.

I am proud to support this bill, and I encourage my colleagues to do the same.

Ms. MCCOLLUM. Mr. Chairman, may I inquire as to how much time is left?

The CHAIR. The gentlewoman from Minnesota has 9 minutes remaining.

Ms. MCCOLLUM. Mr. Chairman, I yield 3 minutes to the gentleman from Rhode Island (Mr. CICILLINE), a valued Member of this body.

Mr. CICILLINE. I thank the gentlewoman, my friend, for yielding.

Mr. Chair, I rise today to oppose this legislation for many reasons but, in particular, because it vastly underfunds the operation of our national parks, as well as many other important priorities.

Next August, the National Park Service will celebrate its 100th anniversary. Our national parks are the envy of the world and serve as a model for their emphasis on conservation.

The National Park System accounts for more than 400 parks, heritage areas, monuments, and the historical sites; occupies more than 84 million acres of land in all 50 States; and is home to more than 1,000 endangered or threatened animal species. It is the responsibility of the National Park Service to preserve these sites so that future generations may enjoy them.

Our national parks tell a rich story of our stunning landscapes, natural wonders, and historic sites. From Yosemite National Park in California to Mammoth Cave—the world's longest known cave system, in Kentucky—to the Great Smoky Mountains in Tennessee and North Carolina, our national parks are an essential part of the American fabric and have been called America's best idea.

This bill appropriates approximately \$2.33 billion for the operation of the National Park System over the next year. This is more than \$187 million below the amount that was requested by the President. This account funds the critical needs of our National Park System, such as support services for new responsibilities within the system, resource stewardship, and facilities management.

The National Park System is a significant driver of economic activity. More than 275 million people visit our national parks each year. In 2013, it was estimated that every dollar invested in the National Park Service saw a return of \$10.

We need to do better in ensuring that this economic engine and beacon of American tourism is operating at the highest level so that it can continue to fulfill its vital economic, environmental, and cultural role.

Ensuring that the National Park Service has proper funding for operation ensures that we are able to preserve the story of our country's development into the Nation that it is today.

In my home State of Rhode Island, the Blackstone River Valley National Historical Park, created last year after I sponsored legislation in the House in cooperation with Senator JACK REED in the Senate, marks the birthplace of the American industrial revolution.

Sites like old Slater Mill in Pawtucket and the Museum of Work and Culture in Woonsocket help tell the story of how America became an economic superpower.

□ 1345

It embodies our Nation's economic, environmental, social, and cultural transformation. In the best spirit of the National Park Service, the Blackstone River Valley tells a nationally

significant multidimensional story. It illustrates how a beautiful natural landscape and powerful waterways fueled the industrial revolution and launched far-reaching changes to our Nation's economy and social structure.

Blackstone serves only as one example of why it is essential that our national parks are properly funded and are able to operate in a manner in which millions of Americans continue to appreciate the storied history of our Nation.

It is long past time to end sequester and set spending levels that meet our current responsibilities to be good stewards of the environment and protect the natural beauty of America.

Mr. CALVERT. Mr. Chairman, how much time do I have remaining?

The CHAIR. The gentleman from California has 8 minutes remaining.

Mr. CALVERT. I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I yield 2 minutes to the gentlewoman from Nevada (Ms. TITUS), a valued Member of this body.

Ms. TITUS. Mr. Chair, I thank the ranking member for yielding me the time.

You know, my Republican colleagues have made no secret about the fact that they want to strangle the EPA and undermine its vital environmental work, but they make little mention of how this bill also threatens our national security.

I represent Las Vegas, which is the home of a number of critical radiation response programs, including one of the only two EPA mobile field labs that can quickly be deployed should a radiological incident occur anywhere in the West. They can process air, soil, and water samples.

Because of ongoing budget cuts led by the Republicans, however, EPA will soon be moving this unit to Montgomery, Alabama, and decommissioning its other mobile lab. That will leave the whole country with only one EPA radiation response lab, which will be located over 2,000 miles from Los Angeles, 2,600 miles from Seattle, and 1,800 miles from Las Vegas and the Nevada test site.

Now, Republicans may be willing to gamble our health and safety to satisfy their corporate friends, but I am not, and that is why I am asking my colleagues to vote against this legislation and fund our agencies at levels necessary to protect our national security.

Mr. CALVERT. I reserve the balance of my time to close.

Ms. MCCOLLUM. Mr. Chairman, I do not have an update on the Member that I am waiting for.

I yield back the balance of my time. Mr. CALVERT. Mr. Chairman, I will just say that this is a good bill. A lot of work has gone into it, and I would make sure that everyone votes for it because it is a fine bill.

I yield back the balance of my time.

Mr. KLINE. Mr. Chair, I rise today because I believe every child in every school should receive an excellent education.

It is a goal that I have worked toward as Chairman of the Education and the Workforce Committee, and one I know many in this House share. I would like to especially thank the Committee Chairmen ROGERS and CALVERT, and Ranking Members LOWEY and MCCOLLUM, for working with me to address the challenges facing Native American students.

Earlier this year I visited the Bug-O-Nay-Ge-Shig School of the Leech Lake Band of Ojibwe in Minnesota. At the school, thin metal walls are all that separate students from harsh winters and blankets hang over the doors in a desperate attempt to keep out the cold air. When winds reach a certain strength at the "Bug School," students are forced to evacuate the building—often in below-zero temperatures. On many cold and windy winter days, Bug School students keep their winter jackets on all day, to save time during evacuation.

Mr. Chair, this is unacceptable. These children deserve much better. It's incumbent on the Administration and this Congress to get to the bottom of this.

The Education and the Workforce Committee recently held hearings to examine the deplorable conditions affecting Native American schools—an issue that in recent months has received national attention thanks to the investigative work of the Star Tribune.

Mr. Chair, the federal government promised to provide Native American students a quality education in a manner that preserves their heritage, and we are failing to keep that promise.

Accordingly, I sent a letter to my colleagues on the House Committee on Appropriations this year requesting an increase of nearly \$60 million more than last year's budget for Bureau of Indian Education schools.

I am pleased the Department of Interior appropriations bill, through the hard work of the Chairmen and Ranking Members, reflects my request and recognizes that we cannot continue to fail meeting our commitment.

While additional resources are certainly important, they are only part of what is needed in a long-term solution. We still must work together in a bipartisan manner to untangle the maze of bureaucracy that continues to plague BIE schools and students.

Mr. Chair, these unique, vulnerable children have waited long enough for the federal government to live up to its promises and I urge my colleagues to support this bill which is an important step toward our goal of providing an excellent education for all our children.

Ms. LEE. Mr. Chair, let me thank our Ranking Member, Congresswoman MCCOLLUM, for her tremendous leadership of this Subcommittee.

Mr. Chair, the Fiscal Year (FY) 2016 Interior and Environment bill before us would place health and safety of all Americans at risk. It dangerously cuts funding by \$246 million from FY 2015 levels and is \$3.1 billion less than the President's FY2016 request.

The deep cuts to this bill would undermine our air quality, land, water and conservation funding and will have devastating impacts on



all communities in my home state of California and across the country.

What's worse—this bill slashes funding for the Environmental Protection Agency (EPA) by more than 700 million dollars—from FY2015 levels and funds the agency at more than a billion dollars less than the President's FY2016 request. These profound cuts would significantly harm the Clean Water Fund and the Safe Drinking Water Fund—critical programs that ensure the safety of our drinking water and our children.

It also includes \$40 million in cuts to the Historic Preservation Fund (HPP), which would weaken the National Park Service's (NPS) ability to preserve sites significant in the Civil Rights Movement. This includes sites like the Selma to Montgomery National Historic Trail, where I marched this spring to commemorate the 50th anniversary of "Bloody Sunday."

Furthermore, there are also egregious policy riders in this bill that would block clean air protections, such as the EPA's Clean Power Plan.

Too many families, particularly those in low-income, vulnerable communities, already suffer from poor air quality because of dirty carbon pollution.

We know that communities of color are disproportionately affected by pollution-related illnesses, including asthma. According to the American Academy of Allergy Asthma and Immunology, one in six African American and one in nine Latino children suffer from asthma.

There are other toxic policy riders that would block the protection of our imperiled wildlife under the Endangered Species Act, like the Greater Sage Grouse population.

The Endangered Species Act is the only law that has safeguarded more than 2,000 plants and wildlife from extinction. This law enjoys broad support from nearly 85 percent of Americans. And yet here we are again, with a bill that seeks to undermine decades of animal protection and runs counter to vast public support.

Mr. Chair, we need to continue to fight to defend our environment, address climate change, and make real, meaningful impacts on reducing greenhouse gas emissions so we can protect our environment, our children and our future.

Unfortunately, the bill before us does just the opposite.

I hope that as this process moves forward, we can address the insufficient funding allocations and backwards policy riders that would harm every American and put our precious environment at risk.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

During consideration of the bill for amendment each amendment shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent and shall not be subject to amendment. No pro forma amendment shall be in order except that the chair and ranking minority member of the Committee on Appropriations or their respective designees

may offer up to 10 pro forma amendments each at any point for the purpose of debate. The chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the CONGRESSIONAL RECORD designated for that purpose. Amendments so printed shall be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 2822

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, namely:*

# TITLE I—DEPARTMENT OF THE INTERIOR

## BUREAU OF LAND MANAGEMENT MANAGEMENT OF LANDS AND RESOURCES

For necessary expenses for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to section 1010(a) of Public Law 96-487 (16 U.S.C. 3150(a)), \$1,015,046,000, to remain available until expended, including all such amounts as are collected from permit processing fees, as authorized but made subject to future appropriation by section 35(d)(3)(A)(i) of the Mineral Leasing Act (30 U.S.C. 191), except that amounts from permit processing fees may be used for any bureau-related expenses associated with the processing of oil and gas applications for permits to drill and related use of authorizations; of which \$3,000,000 shall be available in fiscal year 2016 subject to a match by at least an equal amount by the National Fish and Wildlife Foundation for cost-shared projects supporting conservation of Bureau lands; and such funds shall be advanced to the Foundation as a lump-sum grant without regard to when expenses are incurred.

### AMENDMENT OFFERED BY MR. POE OF TEXAS

Mr. POE of Texas. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 20, after the dollar amount, insert "(reduced by \$1,000,000) (increased by \$1,000,000)".

The CHAIR. Pursuant to House Resolution 333, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. POE of Texas. Mr. Chairman, this amendment is really relatively simple. It takes \$1 million from the Bureau of Land Management's management of lands account and inserts it

right back into the account with the intent of identifying unused land for potential sale to Americans.

The service charges, deposits, and forfeitures account already has the authority to dispose of land under the Bureau of Land Management, but is not specifically appropriated funds.

Today, Mr. Chairman, the United States Government owns and controls 640 million acres of American land. This is 27 percent of the entire landmass in the United States. If you take all of the countries in Western Europe, the United States Government, Uncle Sam, owns that much land and more.

In this poster to my left, the red portions of the poster identify land that is owned by Uncle Sam, the Federal Government. The white portions, of course, are land that is owned by private entities. Included in the red area is Alaska. The red area represents 27 percent of the landmass in the United States. A lot of this land is unused, and it is not even managed by the Federal Government. It is just sitting in these different parts of the country.

This amendment is very simple. It tells the Bureau of Land Management to study the possibility of selling some of this land back to Americans. Let Americans own America, not all of it. We are not talking about the national parks, the national forests. We are not talking about Yosemite. We are talking about the unused abandoned land in the United States, but yet it is still owned by this Federal Government.

That is what this amendment does; it is to require a study take place.

Mr. Chairman, I ask that this amendment be adopted.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. POE of Texas).

The amendment was agreed to.

### AMENDMENT OFFERED BY MR. FLORES

Mr. FLORES. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

On page 2, line 20, insert "(increased by \$5,000,000)" after the dollar amount.

On page 62, line 8, insert "(reduced by \$12,307,693)" after the dollar amount.

On page 75, line 14, insert "(increased by \$5,000,000)" after the dollar amount.

The CHAIR. Pursuant to House Resolution 333, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. FLORES. Mr. Chairman, I rise today to offer an amendment, along with my friend from Pennsylvania (Mr. THOMPSON) and my friend from North Dakota (Mr. CRAMER).

This amendment will address an energy infrastructure issue that faces our Nation today, as well as continuing



regulatory overreach by the Environmental Protection Agency.

We all know that the American shale revolution has dramatically improved our energy security at home and our economic opportunity for hard-working Americans. The United States is now the number one producer of oil and gas in the world, yet we are in the midst of new challenges due to a lack of appropriate infrastructure to bring those resources to our consumers.

Also, the EPA has recently reported that methane emissions from oil and gas wells are down 79 percent since 2005, and total methane emissions from natural gas systems are down 11 percent since that same year. However, the administration intends to propose another regulation that only results in more bureaucratic red tape and higher energy costs. This does nothing to address the underlying issue.

There is a better solution, which not only achieves lower greenhouse gas emissions, but also improves the outcomes for the American taxpayer.

My amendment would increase the amount of funds made available to both the Bureau of Land Management and the U.S. Forest Service by \$5 million each to help expedite the approval of additional pipeline infrastructure that would more efficiently and more cleanly deliver our taxpayer-owned resources to consumers. This will ensure that the BLM and the Forest Service have the appropriate resources to permit rights-of-way for gathering lines on Federal lands. This increase would be offset by a very modest reduction of less than one-half of 1 percent to the EPA environmental programs and management accounts.

It is important that we safely bring these natural resources to market using the latest low-emissions, cutting-edge technology. Permitting and constructing this critical infrastructure is beneficial to the environment since natural gas could be transported, processed, and sold to consumers instead of being vented or flared, which creates the greenhouse gas problems.

Finally, constructing more pipelines furthers our country's ongoing energy renaissance, while creating more jobs and growing our economy. A recent API study shows over 1.1 million jobs on average per year and over \$1.1 trillion in capital investments will be generated by updating our domestic midstream infrastructure.

So, in a nutshell, my amendment provides three great outcomes: first, it reduces greenhouse gas emissions; second, it provides critical infrastructure to safely transport taxpayer-owned resources to consumer markets; and third, it promotes good-paying American jobs for these hard-working American families.

I also want to take a second to compliment and thank my friend from California (Mr. CALVERT) and all of the

subcommittee members and all of the subcommittee staff for such a great job on this Interior Appropriations bill.

I urge our Members to support my amendment and to support the underlying bill.

Mr. CALVERT. Will the gentleman yield?

Mr. FLORES. I yield to the gentleman from California.

Mr. CALVERT. I like the amendment. I would accept that amendment.

Mr. FLORES. I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I rise in opposition to this amendment.

The CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, the gentleman's amendment would cut \$12 million from the Environmental Protection Agency program and shift \$5 million to the Bureau of Land Management and \$5 million to the Forest Service.

Now, I know cutting the EPA is an easy target for many of my colleagues across here on the other side of the aisle, but I want to assure my colleagues and understand if this amendment were to be adopted, this account funds program is important to both sides of the aisle. For example, it includes permitting for construction projects across the country; toxic risk prevention, part of the successful brownfields program; pesticide licensing; indoor air quality; radiation.

Quite frankly, the EPA's work goes beyond the political talking point of various regulations, and it is necessary to keep this valuable Agency able to do the functions it needs to do to protect public health.

I yield back the balance of my time.

Mr. FLORES. Mr. Chairman, I want to make sure that everybody knows that this cuts one-half of 1 percent from the EPA to hopefully help stop them from pursuing a regulatory scheme where the industry is already working to reduce greenhouse gas emissions, and then it takes that money and puts it into accounts where we actually achieve greenhouse gas reductions and we bring taxpayer-owned resources to market in a clean, safe, and efficient way.

□ 1400

My amendment accomplishes all of those things: reduces greenhouse gas emissions, better jobs, and better infrastructure for hard-working Americans.

Again, I ask all Members to support my amendment and to support the underlying bill, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. FLORES).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GARAMENDI

Mr. GARAMENDI. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 20, after the dollar amount, insert “(reduced by \$14,000,000)”.

Page 18, line 24, after the dollar amount, insert “(increased by \$11,611,000)”.

The CHAIR. Pursuant to House Resolution 333, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. GARAMENDI. Mr. Chairman, in listening to the previous debate, I would certainly agree we have made great strides in America in accessing oil and gas, so much so that we have now become almost energy independent, all for the good. All of that has happened in the last 7 to 8 years, and we are thankful for that.

However, this appropriation has more money than needed. The administration has asked for about \$32 million less.

I would like my colleagues to take a look at where we really do need to spend some money. This amendment that I am proposing deals with this. This is California's water situation today. The great Central Valley of California is rapidly depleting its aquifers. The water resources that agriculture and communities depend upon are rapidly depleting.

This amendment would move about \$11,611,000 to the USGS, to Geological Survey, for the purposes of studying the aquifers of California. Now, keep in mind that the State of California voters approved a \$7 billion bond act of which a good portion of that money is for underground aquifer storage.

We have to have the science; we have to have the engineering to go with it, and this amendment would provide the additional money that the USGS needs in order to do the surveys and the engineering and understanding the geology of those areas where we might be able to have the aquifers replenished. That is what it is all about.

This leaves plenty of money behind for the purposes that the committee has identified in the approval and the permitting of mineral and gas and oil resources.

I see my colleague from California, who is well aware of these issues, including aquifers in the San Fernando and the Santa Anna aquifer area, and I reserve the balance of my time.

Mr. CALVERT. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR (Mr. MARCHANT). The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chairman, I don't necessarily oppose where the gentleman wants to go; I just oppose the offset right now because, under the budget scenario that we are operating under, we obviously have cut back a lot of these agencies somewhat.

I am sympathetic to the job that the United States Geological Survey has. As you know, in California, we probably have the most adjudicated water rights in the world. I will work on this in the future as this process moves forward.

If it is necessary, after some conversations with USGS, that they need additional resources, I will be happy to work with the gentleman to attempt to do so, but this offset, we could not accept at this time.

I reserve the balance of my time.

Mr. GARAMENDI. Mr. Chairman, I thank the chairman.

Certainly, the chairman understands the issues of water in California, as well as anyone does, and also understands that, in order for us to meet the current and certainly any future drought, we are going to have to use the aquifers, which will require the services and the knowledge and capability of the U.S. Geological Survey to fully comprehend the potential that the various aquifers have throughout the State, those in southern California, as well as the Central Valley and coastal areas.

I would be delighted working with the chairman as the process moves along and see if we might be able to find sufficient money and address the specific needs of aquifer surveys by the USGS. I look forward to working with the gentleman on that.

Rather than taking a "no" vote on this and going to a vote, I heard the gentleman suggest that we can work together and quite possibly solve this problem.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from California?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. YOHO

Mr. YOHO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 20, after the dollar amount, insert "(reduced by \$25,325,000)".

Page 132, line 24, after the dollar amount, insert "(increased by \$25,325,000)".

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. YOHO. Mr. Chairman, I want to thank Chairman CALVERT and the ranking members for the fine work they have done on H.R. 2822. I think, overall, it is a great bill.

What my amendment does is move over \$25 million from the Bureau of Land Management's law enforcement activities and transfer that money into the deficit savings account.

Just a brief cap, BLM, Bureau of Land Management, has a force of roughly 200 uniformed officers and 70 criminal investigators on staff enforcing a wide range of laws. In addition, the FBI has 35,000 agents; the Department of Homeland Security has over 70,000 enforcement agents; the IRS has over 3,700 criminal investigation employees, including 2,600 special agents; the ATF has over 2,500 special agents; and the DEA has over 5,000.

With just those five agencies, there are over 115,000 national law agents in just these five agencies. I feel that we have enough Federal agencies to deal with the problem to enforce the laws on the books, especially when we are talking about the violations on Federal lands.

I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, the gentleman's amendment would cut \$25 million from the Bureau of Land Management program and put the savings into the so-called spending reduction account.

The gentleman pointed out that he plans on reducing that amount on law enforcement in the Bureau of Land Management. The employees who are out doing this work are already overstretched and find themselves sometimes in very dangerous positions.

The BLM is the caretaker of our Nation's public lands. They protect one-eighth of the country. I think that we should make sure that BLM law enforcement is able to do their job, do their job safely, come home to their families, and protect America's resources.

I reserve the balance of my time.

Mr. CALVERT. Will the gentleman yield?

Mr. YOHO. I yield to the gentleman from California.

Mr. CALVERT. Mr. Chairman, as the gentleman knows, I am a westerner. As was pointed out by Mr. POE, a significant amount of the West is in BLM control. In dealing with the BLM over the years, they have a lot of land mass that they deal with, and they also work with the Native American tribes and others dealing with really a restricted number of law enforcement.

We have commented and criticized about how well they operate, but I would hope that we didn't have to do this because there is a considerable need for some law enforcement in those vast areas in which the Federal Government owns throughout the Western United States.

Mr. YOHO. Mr. Chairman, I agree with that. This amendment is about priorities.

I think with the state of the economy that we are on both sides, I don't have

to remind people that we have the debt ceiling coming up, and we are short of money; we have the highway trust fund that is going to come up again at the end of July, and we are short of money. I believe that the Federal Government has enough agents and more than enough debt for sure.

I just encourage people to vote in favor of this amendment.

We get people from our district, and they talk to us about what happened out in Nevada with the Cliven Bundy case. When you have the Bureau of Land Management with SWAT capabilities showing up like they do, we get asked: Why are agencies like this having that kind of tactical gear? Why do they have that kind of capacity?

This is not to weaken them in a sense, and we do have to patrol those areas. I just think, at this point in time, that \$25 million would serve our debt.

I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, this bill already is \$246 million below the FY 2015-enacted level. This amendment only causes further damage.

Let's look at what has been happening over the past decade. As the funding has decreased, we know from committee hearings that the demands on the BLM have increased. There are more oil and gas leases to manage to make sure that they are properly protected.

These issues that we deal with in the Bureau of Land Management, also with law enforcement, is working directly with the public sometimes who are out recreating and accessing these lands.

I would just like, once again, to reiterate my strong opposition to cutting law enforcement for BLM.

I yield back the balance of my time.

Mr. YOHO. Mr. Chairman, in lieu of what the chairman is saying, I will withdraw the amendment at this time if we can have a serious discussion about the debt before September.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. GARAMENDI

Mr. GARAMENDI. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 20, after the dollar amount, insert "(reduced by \$4,010,000)".

Page 8, line 14, after the dollar amount, insert "(increased by \$3,902,000)".

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. GARAMENDI. Mr. Chairman, this bill deals with the very real problem for delivering water to southern California.

Those people who are familiar with the way in which the California water system works, water flows down the Sacramento River—I will just put this up here—water comes down the Sacramento River from the north and up the San Joaquin from the south.

It all gets to the delta where the massive pumps at Tracy pick the water up, put it in the canals, and send it to the San Joaquin Valley and then on to southern California, Los Angeles, Orange County, and other cities in that massive urban area.

There is a problem in the delta, a lot of problems. One of the problems is aquatic plants. The delta is being totally overrun by water hyacinths. Other parts of the United States and the West are also finding these invasive water aquatic plants plugging their pumps, reducing water supply, eliminating opportunities for boating, recreation, fishing, and the like.

What this amendment does is address that problem by adding \$3,902,000 to the aquatic habitat and species conservation fund, thereby allowing the Federal agencies to work with the State and local agencies to attack the aquatic plants.

Specifically in the delta, those who want to have more water flowing south to the San Joaquin Valley and southern California's great metropolitan areas, including Orange County, ought to be in favor of unplugging the pumps and getting the water hyacinths reduced in the delta.

That is what we would do. It is a very real problem; it is a problem that exists today, and it is also money that comes from some 32 million more dollars in this Bureau of Land Management oil and gas permitting account than the President thought necessary. Surely, there is a little bit of room to move around so that southern California can have the water that it needs.

I reserve the balance of my time.

□ 1415

Mr. CALVERT. Mr. Chairman, I rise in opposition.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chairman, I appreciate what the gentleman is attempting to do, again, on the offset.

Right now, the BLM is involved in this issue of the sage-grouse in the West. We, in effect, gave both the BLM and the Fish and Wildlife Service additional resources in order for us not to be in a position to list the sage-grouse so as to make sure that we do what is necessary in the sage ecosystem.

At the same time, we have plussed up conservation accounts within the Fish and Wildlife Service for those types of

invasive species. We have a number of invasive species, not just in the plant world, but, obviously, we have this invasive clam, as you mentioned, that is stuffing up the quagga mussel, and that is causing disruptions throughout the West.

I appreciate what the gentleman is trying to do. It is just that we are under the budget allocations we have. We have done what we can in both of these accounts, which is to do good work on conservation and to make sure we conserve species and get rid of bad species throughout the United States. I would hope the gentleman would withdraw his amendment, and I will work with him in the future on the other issue.

I reserve the balance of my time.

Mr. GARAMENDI. Mr. Chairman, the chairman is quite correct. We do have a problem. We do have quagga mussels. We have this particular one, the water hyacinths, and there are other aquatic invasive species that are causing havoc throughout the United States—certainly, the quagga mussel in the East, along the Great Lakes, Chicago and the rest—and certainly in California. The energy systems at Hoover Dam, on the Colorado River, are impeded by quagga mussels, and there is the delta with water hyacinths, and there are other lakes and streams throughout the West.

If we let this problem continue to grow, we are going to continue to have less water and less power available to us. This is just under \$4 million coming out of an account that was plussed up by some \$32 million over and above what the administration thought necessary. I would remind all of us that the administration has done a rather good job on permitting, so much so that we now have the greatest production of oil and gas ever in the United States, so much so that we are on the verge of becoming energy sufficient.

Do we need another \$32 million to do what is already being done, or would that \$4 million of that \$32 million be better spent in dealing with the very real problem of trying to get water to the pumps so it can go south to Orange County and to Los Angeles and to San Joaquin County?

Mr. Chairman, I look forward to working with you, but I am going to ask for a vote on this one.

I yield back the balance of my time.

Mr. CALVERT. Mr. Chairman, in closing, the plus up in the BLM account was primarily to help resolve the issue in 11 States involving the sage-grouse, which is close to a listing, and we have a plus up in the Fish and Wildlife Service accounts to recognize a real problem that hits 11 Western States.

We do not underestimate the problems in the West as they involve the drought, and we are going to continue to work on that. Again, I would oppose this based upon the offset.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. GARAMENDI).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GARAMENDI. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

The Clerk will read.

The Clerk read as follows:

In addition, \$39,696,000 is for Mining Law Administration program operations, including the cost of administering the mining claim fee program, to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from mining claim maintenance fees and location fees that are hereby authorized for fiscal year 2016, so as to result in a final appropriation estimated at not more than \$1,015,046,000, and \$2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administering communication site activities.

#### LAND ACQUISITION

For expenses necessary to carry out sections 205, 206, and 318(d) of Public Law 94-579, including administrative expenses and acquisition of lands or waters, or interests therein, \$7,250,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

#### AMENDMENT OFFERED BY MR. GUINTA

Mr. GUINTA. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 25, after the dollar amount, insert “(increased by \$7,000,000)”.

Page 8, line 14, after the dollar amount, insert “(reduced by \$11,000,000)”.

Page 9, line 11, after the dollar amount, insert “(increased by \$2,000,000)”.

Page 16, line 12, after the dollar amount, insert “(increased by \$4,000,000)”.

Page 62, line 25, after the dollar amount, insert “(reduced by \$3,000,000)”.

Page 77, line 14, after the dollar amount, insert “(increased by \$3,000,000)”.

Page 105, line 15, after the dollar amount, insert “(reduced by \$2,000,000)”.

Mr. GUINTA (during the reading). Mr. Chair, I ask unanimous consent to dispense with the reading.

The Acting CHAIR. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from New Hampshire and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Hampshire.

Mr. GUINTA. Mr. Chair, I rise today in support of my amendment to the Department of the Interior, Environment, and Related Agencies Appropriations bill in order to increase funding by \$16

million for the Land and Water Conservation Fund.

Since 1977, LWCF receipts have been collected annually to specifically fund Federal land acquisition, conserve threatened and endangered species, and provide grants to States. However, more than \$18 billion has been syphoned from the LWCF trust fund since the program's inception in 1965, diverted from their original conservation purpose. Despite a history of underfunding, the LWCF remains a crucial Federal program to conserve our Nation's land, water, historic, and recreational heritage.

As those in my home State of New Hampshire know, we are lucky to call one of the most pristine ecological environments in the Nation our home, and we understand firsthand LWCF's impact on both our State's natural resources and on our access to hunting, fishing, and outdoor activities. The LWCF is also an essential tool to expand public lands and to protect national parks, national wildlife refuges, national forests, wild and scenic river corridors, national scenic and historic trails, the Bureau of Land Management lands, and other Federal areas.

I applaud the Appropriations Committee for its hard work on this important bill as it does prevent harmful executive overreach, reduces regulatory burdens on job creators and local communities, and it finds important savings for taxpayers. I certainly urge my colleagues to support the underlying bill, but given the importance of the LWCF programs across the country and in New Hampshire, I believe more robust funding for this particular program is important for the reasons I have stated.

I reserve the balance of my time.

Mr. CALVERT. Mr. Chair, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chair, as the gentleman knows, the bill already provides \$87 million for other land acquisition. Our intent was to needle a Federal land acquisition program that has strong support in the East—certainly, in New Hampshire—and lukewarm support in the West, where the government already owns a significant amount of real estate in the Western United States. When the conference begins on this bill with the Senate, Congress will exercise its power of the purse by selecting projects from the President's budget to improve recreational access that have strong local, State, and congressional support.

I will work with the gentleman. I know he is a strong advocate of the Land and Water Conservation Fund, but this amendment might leave advocates on both sides of the aisle with some difficult and unnecessary choices.

Therefore, I ask the gentleman to consider withdrawing his amendment, knowing I will be working with him in the future to see if we can't be of assistance through the conference process.

I yield back the balance of my time. Mr. GUINTA. Mr. Chair, I thank the chairman, and I look forward to working with him on this particular issue as it is important and critical to New Hampshire.

I recognize the differences between the East and the West and the challenges that we do face. Certainly, I support, again, the underlying bill, and I look forward to working with the chairman on this very important issue in New Hampshire.

Mr. Chair, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. GARAMENDI

Mr. GARAMENDI. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 25, after the dollar amount, insert "(reduced by \$1,000,000) (increased by \$1,000,000)".

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. GARAMENDI. Mr. Chairman, to everyone here, this is one of those amendments that really becomes a talking point amendment, but this is something we need to talk about. Our colleague, a moment ago, raised the question of the Land and Water Conservation Fund. In addition to the words that he spoke, we need to be aware that, later this next month—in about 100 days, actually. I guess that is more than a month—the Land and Water Conservation Fund is going to disappear. It needs to be reauthorized, and I see on the floor here today the men and women who are in a position to make that happen.

We really cannot lose this program. For example, there are projects in the Sequoia National Forest, which is in the majority leader's district, that were funded through the Land and Water Conservation Fund. There is a Galloway Park playground expansion in Clark County, Ohio. I think we know in whose district that is—the Speaker's district. The chairman of the subcommittee here is from San Bernardino. There is the Santa Rosa and San Jacinto Mountains National Monument, and there is a Santa Ana River Trail and Parkway. I am sure the chairman is familiar with that park-

way. These are all Land and Water Conservation projects that, over the years, have been in place. We have 100 days, and we have got some work to do here.

Is the money available? Yes. There is \$18 billion in the Land and Water Conservation Fund, should it continue to exist, that has not been spent. It is sitting there. Well, I guess there is an IOU there. Actually, the cash isn't there. There is an IOU because, over the years, we have diverted money from the original purpose and law to transfer that money over to all kinds of projects. Perhaps some of it even went to debt reduction. Nonetheless, it has not been used for its intended purpose and legal purpose, which is for the Land and Water Conservation Fund. Every year, over \$900 million of royalties comes in from the oil and gas and energy companies for the public resources that they mine or pump out of the earth. Only a small fraction of that money has ever gone to the Land and Water Conservation Fund.

I want all of us to pay attention to this extraordinarily important program—a program that I was able to work with when I was Deputy Secretary at the Department of the Interior, overseeing the projects in all of our districts—parks, local parks, some of the big national parks, including national forests, such as the one in Mr. MCCARTHY's district.

Why are we not moving aggressively to reauthorize the Land and Water Conservation Fund? Why is it that, every year, we deny the public, whether it is a playground or a swimming pool or a park expansion playground in Ohio, the opportunity for better lives in their own communities?

I do not understand, and I don't think that if any of us were to think about this for any amount of time that we would not say, yes, let's reauthorize the Land and Water Conservation Fund. Let's not let it expire. Let's make sure that the money that was intended for it—the royalties from the resources of this great Nation—be spent on providing for the projects that all of America can enjoy. That is what it is all about.

I don't know if I will go to a vote on this one, but I have, in my view here, leaders in the House who really have the power and, I think, the obligation to make sure the LWCF, the Land and Water Conservation Fund, is reauthorized and that we adequately fund it. I achieved, at least, my own goal of talking about something that I believe to be important.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from California?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

The Clerk will read.

The Clerk read as follows:

#### OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein, including existing connecting roads on or adjacent to such grant lands; \$110,602,000, to remain available until expended: *Provided*, That 25 percent of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (43 U.S.C. 1181f).

#### RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1751), notwithstanding any other Act, sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315b, 315m) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than \$10,000,000, to remain available until expended: *Provided*, That not to exceed \$600,000 shall be available for administrative expenses.

#### SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under Public Law 94-579 (43 U.S.C. 1701 et seq.), and under section 28 of the Mineral Leasing Act (30 U.S.C. 185), to remain available until expended: *Provided*, That, notwithstanding any provision to the contrary of section 305(a) of Public Law 94-579 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this Act by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such action are used on the exact lands damaged which led to the action: *Provided further*, That any such moneys that are in excess of amounts needed to repair damage to the exact land for which funds were collected may be used to repair other damaged public lands.

#### MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended under existing laws, there is hereby

appropriated such amounts as may be contributed under section 307 of Public Law 94-579 (43 U.S.C. 1737), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act (43 U.S.C. 1721(b)), to remain available until expended.

#### ADMINISTRATIVE PROVISIONS

The Bureau of Land Management may carry out the operations funded under this Act by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities, including with States. Appropriations for the Bureau shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to \$100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed \$10,000: *Provided*, That notwithstanding Public Law 90-620 (44 U.S.C. 501), the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share the cost of printing either in cash or in services, and the Bureau determines the cooperator is capable of meeting accepted quality standards: *Provided further*, That projects to be funded pursuant to a written commitment by a State government to provide an identified amount of money in support of the project may be carried out by the Bureau on a reimbursable basis. Appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau or its contractors or for the sale of wild horses and burros that results in their destruction for processing into commercial products.

#### UNITED STATES FISH AND WILDLIFE SERVICE RESOURCE MANAGEMENT

For necessary expenses of the United States Fish and Wildlife Service, as authorized by law, and for scientific and economic studies, general administration, and for the performance of other authorized functions related to such resources, \$1,220,343,000, to remain available until September 30, 2017: *Provided*, That not to exceed \$10,257,000 shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533) (except for processing petitions, developing and issuing proposed and final regulations, and taking any other steps to implement actions described in subsection (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii)).

□ 1430

#### AMENDMENT OFFERED BY MR. CLAWSON OF FLORIDA

Mr. CLAWSON of Florida. I have an amendment for consideration, please.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 8, line 14, after the dollar amount, insert "(increased by \$1,000,000)".

Page 62, line 8, after the dollar amount, insert "(reduced by \$1,200,000)".

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman

from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. CLAWSON of Florida. Mr. Chairman, I will be brief and also try to improve just a little bit on a very good bill.

My congratulations to the team and to the ranking member and to the chairman.

Included in the U.S. Fish and Wildlife resource management account is funding for the National Wildlife Refuge System. By my amendment, we ask that an extra \$1 million be added to this account. We are offsetting the increase by taking \$1 million from the \$2.4 billion Environmental Protection Agency programs and management account, hardly a stretch.

The National Wildlife Refuge System has grown to over 563 national wildlife refuge and 38 wetland management districts, 150 million acres in all. We have several of these national wildlife refuges in my district or near my district, including J.N. "Ding" Darling National Wildlife Refuge on Sanibel Island and the Florida Panther National Wildlife Refuge outside of Naples.

The "Ding" Darling National Wildlife Refuge, in particular, sets itself apart as a leading contributor to the economy, with 816,000 visitors a year. Importantly, my hero, my mother, loves to go there, and I love to take her there in the autumn of her lifetime. I ask my fellow Members to support this \$1 million adjustment to these national treasures.

Mr. CALVERT. Will the gentleman yield?

Mr. CLAWSON of Florida. I yield to the gentleman from California.

Mr. CALVERT. Mr. Chairman, I think this is a good amendment. I certainly support it and would ask Members to vote "aye" on the amendment.

Mr. CLAWSON of Florida. Mr. Chairman, I thank the chairman and the ranking member.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. CLAWSON of Florida).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

#### CONSTRUCTION

For construction, improvement, acquisition, or removal of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of fish and wildlife resources, and the acquisition of lands and interests therein; \$13,144,000, to remain available until expended.

#### LAND ACQUISITION

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, (16 U.S.C. 4601-4 et seq.), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to

the United States Fish and Wildlife Service, \$27,500,000, to be derived from the Land and Water Conservation Fund and to remain available until expended: *Provided*, That none of the funds appropriated for specific land acquisition projects may be used to pay for any administrative overhead, planning or other management costs.

#### COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

For expenses necessary to carry out section 6 of the Endangered Species Act of 1973 (16 U.S.C. 1535), \$50,095,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

#### NATIONAL WILDLIFE REFUGE FUND

For expenses necessary to implement the Act of October 17, 1978 (16 U.S.C. 715s), \$13,228,000.

#### NORTH AMERICAN WETLANDS CONSERVATION FUND

For expenses necessary to carry out the provisions of the North American Wetlands Conservation Act (16 U.S.C. 4401 et seq.), \$35,000,000, to remain available until expended.

#### NEOTROPICAL MIGRATORY BIRD CONSERVATION

For expenses necessary to carry out the Neotropical Migratory Bird Conservation Act (16 U.S.C. 6101 et seq.), \$3,660,000, to remain available until expended.

#### MULTINATIONAL SPECIES CONSERVATION FUND

For expenses necessary to carry out the African Elephant Conservation Act (16 U.S.C. 4201 et seq.), the Asian Elephant Conservation Act of 1997 (16 U.S.C. 4261 et seq.), the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5301 et seq.), the Great Ape Conservation Act of 2000 (16 U.S.C. 6301 et seq.), and the Marine Turtle Conservation Act of 2004 (16 U.S.C. 6601 et seq.), \$9,561,000, to remain available until expended.

#### STATE AND TRIBAL WILDLIFE GRANTS

For wildlife conservation grants to States and to the District of Columbia, Puerto Rico, Guam, the United States Virgin Islands, the Northern Mariana Islands, American Samoa, and Indian tribes under the provisions of the Fish and Wildlife Act of 1956 and the Fish and Wildlife Coordination Act, for the development and implementation of programs for the benefit of wildlife and their habitat, including species that are not hunted or fished, \$59,195,000, to remain available until expended: *Provided*, That of the amount provided herein, \$4,084,000 is for a competitive grant program for Indian tribes not subject to the remaining provisions of this appropriation: *Provided further*, That \$5,987,000 is for a competitive grant program to implement approved plans for States, territories, and other jurisdictions and at the discretion of affected States, the regional Associations of fish and wildlife agencies, not subject to the remaining provisions of this appropriation: *Provided further*, That the Secretary shall, after deducting \$10,071,000 and administrative expenses, apportion the amount provided herein in the following manner: (1) to the District of Columbia and to the Commonwealth of Puerto Rico, each a sum equal to not more than one-half of 1 percent thereof; and (2) to Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, each a sum equal to not more than one-fourth of 1 percent thereof: *Provided further*, That the Secretary shall apportion the remaining amount in the following manner: (1) one-third of which is based on the ratio to which the land area of such State bears to

the total land area of all such States; and (2) two-thirds of which is based on the ratio to which the population of such State bears to the total population of all such States: *Provided further*, That the amounts apportioned under this paragraph shall be adjusted equitably so that no State shall be apportioned a sum which is less than 1 percent of the amount available for apportionment under this paragraph for any fiscal year or more than 5 percent of such amount: *Provided further*, That the Federal share of planning grants shall not exceed 75 percent of the total costs of such projects and the Federal share of implementation grants shall not exceed 65 percent of the total costs of such projects: *Provided further*, That the non-Federal share of such projects may not be derived from Federal grant programs: *Provided further*, That any amount apportioned in 2016 to any State, territory, or other jurisdiction that remains unobligated as of September 30, 2017, shall be reapportioned, together with funds appropriated in 2018, in the manner provided herein.

#### ADMINISTRATIVE PROVISIONS

The United States Fish and Wildlife Service may carry out the operations of Service programs by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities. Appropriations and funds available to the United States Fish and Wildlife Service shall be available for repair of damage to public roads within and adjacent to reservation areas caused by operations of the Service; options for the purchase of land at not to exceed \$1 for each option; facilities incident to such public recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the Service and to which the United States has title, and which are used pursuant to law in connection with management, and investigation of fish and wildlife resources: *Provided*, That notwithstanding 44 U.S.C. 501, the Service may, under cooperative cost sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share at least one-half the cost of printing either in cash or services and the Service determines the cooperator is capable of meeting accepted quality standards: *Provided further*, That the Service may accept donated aircraft as replacements for existing aircraft: *Provided further*, That notwithstanding 31 U.S.C. 3302, all fees collected for non-toxic shot review and approval shall be deposited under the heading "United States Fish and Wildlife Service—Resource Management" and shall be available to the Secretary, without further appropriation, to be used for expenses of processing of such non-toxic shot type or coating applications and revising regulations as necessary, and shall remain available until expended.

#### NATIONAL PARK SERVICE

##### OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service and for the general administration of the National Park Service, \$2,327,811,000, of which \$10,001,000 for planning and interagency coordination in support of Everglades restoration and \$96,961,000 for maintenance, repair, or rehabilitation projects for constructed assets shall remain available until September 30, 2017.

#### AMENDMENT OFFERED BY MR. CLAWSON OF FLORIDA

Mr. CLAWSON of Florida. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 14, line 10, after the first dollar amount, insert "increased by \$1,000,000".

Page 14, line 10, after the second dollar amount, insert "increased by \$1,000,000".

Page 62, line 8, after the dollar amount, insert "reduced by \$1,250,000".

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. CLAWSON of Florida. Mr. Chairman, by this amendment, we are asking for an additional \$1 million to be put towards Everglades restoration to be paid for with a decrease in the Environmental Protection Agency's environmental programs and management account.

I first want to say that I am grateful to my Democratic colleague from Florida, PATRICK MURPHY, who has supported me on this and repeatedly supports our important Everglades initiatives.

Shortly after retiring from the private sector 3 years ago, I took a walk in the Gulf with my father. When we waded into the Gulf, we got to about knee depth of water, and we looked down and we couldn't see our toes because that was a bad year for all the discharges into the Gulf of Mexico.

So my dad said to me: Can you do something about this? Just get involved.

I said: Dad, what can a retired auto parts executive do to help this situation?

He said: If you get involved, you will figure out what to do.

From there, I got involved in local matters and then eventually came here to Congress.

In Florida, we are indeed blessed to have an extensive network of over 1.5 million acres of freshwater and saltwater, known as Everglades National Park. It is the largest remaining subtropical wilderness in the United States, and it serves as home to numerous beautiful species, including a number of endangered species. For these reasons, we must guarantee the Everglades continue to reflect our shared values of healthy landscape through effective stewardship and conscientious management, and that is why I offer this amendment today.

Mr. CALVERT. Will the gentleman yield?

Mr. CLAWSON of Florida. I yield to the gentleman from California.

Mr. CALVERT. Mr. Chairman, I rise in support of the gentleman's amendment. I know he has been a champion for the Everglades. It is certainly a



concern of this committee. I want to get out there and look at those pythons in the Everglades. I understand they are all over the place.

Mr. CLAWSON of Florida. There are too many of them.

Mr. CALVERT. Yes, too many, that is the problem.

I would be happy to support this amendment. I would urge an "aye" vote when it comes up.

Mr. CLAWSON of Florida. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. CLAWSON).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. SEWELL OF ALABAMA

Ms. SEWELL of Alabama. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 14, line 10, after the first dollar amount, insert "(increased by \$2,500,000)".

Page 14, line 24, after the dollar amount, insert "(increased by \$4,500,000)".

Page 15, line 5, after the dollar amount, insert "(increased by \$4,500,000)".

Page 36, line 8, after the dollar amount, insert "(reduced by \$7,000,000)".

The Acting CHAIR. Pursuant to House Resolution 333, the gentlewoman from Alabama and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Alabama.

Ms. SEWELL of Alabama. Mr. Chairman, I rise today to thank the gentleman from California (Mr. CALVERT), the subcommittee chairman, as well as the gentlewoman from Minnesota (Ms. MCCOLLUM), the ranking member, for their hard work in shepherding this important legislation to the floor and, most importantly, for working with me and my staff to propose this amendment and to make sure that it is budget neutral.

On the 50th anniversary of the Voting Rights Act, we need to invest in the National Park Service sites associated with the civil rights movement, not cut necessary funding. Seminal locations such as the Selma to Montgomery National Historic Trail, Little Rock Central High School National Historic Site, Brown v. Board of Education National Historic Site, and the Martin Luther King, Jr. National Historic Site tell the story of the struggle for civil rights and voting rights in this country. It is our obligation to preserve these prominent locations for future generations.

My amendment increases funding by \$2.5 million for the documentation and preservation of civil rights history as well as restores \$2.5 million for the rehabilitation and preservation of historic sites on the campuses of Historically Black Colleges, and \$2 million additional for competitive grants for the

civil rights initiative to preserve sites of the civil rights movement.

Institutions such as Miles College in Alabama and Tougaloo College in Mississippi served as a base for students who were involved in the civil rights movement. Some projects that would benefit would include digitizing the archives at places like Tuskegee University, where the Tuskegee Airmen as well as the records and papers of Booker T. Washington and George Washington Carver reside. Other sites that would benefit from this funding include the Carter G. Woodson Home National Historic Site in Washington, D.C., the Selma Interpretive Center at Selma University, the Selma to Montgomery Interpretive Center at Alabama State University, and the Harriet Tubman Underground Railroad National Historic Park in Maryland.

Mr. Chairman, over the last 5 years, as the Representative of the Seventh Congressional District and a proud product of Selma, Alabama, my native hometown, it has been an honor to not only represent this wonderful district, but to protect the legacy of those that came before us and to make sure that the history of the movement is preserved for future generations.

It was my high honor on March 7, 2015, to welcome President and Mrs. Obama as well as President and Mrs. George W. Bush, along with 100 Members of Congress and the Senate, Republican and Democrat, to my hometown of Selma, where we commemorated the 50th anniversary of the Selma to Montgomery March. Let us try to preserve that history and continue to show our commitment to the legacy of JOHN LEWIS and those brave Freedom Fighters who changed the Nation as well as this world by their quest for equality and justice for all.

I want to again thank the subcommittee chair, Mr. CALVERT, and I want to thank the ranking member, Ms. MCCOLLUM, for their dedication and commitment to this preservation. I urge my colleagues to support the Sewell amendment and commit ourselves to the task of preserving the civil rights and voting rights.

Mr. Chairman, I reserve the balance of my time.

Mr. CALVERT. I claim time in opposition, but I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. CALVERT. Mr. Chairman, I want to thank the gentlewoman for a fine amendment and the great work that she has done working with both the majority and minority staff in fashioning this amendment.

Ms. MCCOLLUM. Will the gentleman yield?

Mr. CALVERT. I yield to the gentlewoman from Minnesota.

Ms. MCCOLLUM. Mr. Chairman, I thank the gentleman for the generosity of yielding to me.

I also support the Sewell amendment to increase funding for the President's civil rights initiative. I remain a strong supporter of the President's initial request for \$50 million for the civil rights initiative. While the gentlewoman's amendment would increase funding by \$7 million, we still have a long way to go to get the adequate funding for these very important sacred places, I might add, in our Nation's history, to protect them.

I appreciate the majority's willingness to accept this amendment, and I thank the sponsor for offering it.

I thank the gentleman, once again, for his kindness in yielding.

Mr. CALVERT. Mr. Chairman, I yield back the balance of my time.

Ms. SEWELL of Alabama. Mr. Chairman, I just want to again reiterate my thanks. In this commemorative year of the Selma to Montgomery March and so many pivotal moments, including our upcoming 50th anniversary of the signing of the Voting Rights Act, I thank you for your commitment to making sure that we preserve these wonderful sites for future generations. I yield back the balance of my time.

Ms. EDWARDS. Mr. Chair, I wish to join my colleague from Alabama, Congresswoman SEWELL, to support this amendment, which would restore necessary funding for preserving our nation's Civil Rights history.

This amendment would increase funding by \$2.5 million for documentation and preservation of Civil Rights history, as well as restoring \$2.5 million for the rehabilitation and preservation of historic sites on the campuses of HBCUs. In my own state of Maryland, the Harriet Tubman Underground Railroad National Monument in Dorchester is currently putting together educational programming in conjunction with the Harriet Tubman State Park, which is slated to open later this year.

This National Monument is an important part of telling our American story—especially in light of the fact that, currently, only 26 of our nation's 460 national parks have a primary focus on African-American history.

It is our responsibility as federal representatives to come together in order to preserve the history of our nation and its people. We must keep this commitment to preserve the legacy of the Civil Rights Movement, and the land and structures that will keep that legacy alive.

I encourage all of my colleagues, both Democrat and Republican, to support this amendment.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Alabama (Ms. SEWELL).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GALLEGO

Mr. GALLEGO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 14, line 10, after the first dollar amount, insert "(increased by \$1,000,000) (reduced by \$1,000,000)".



The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GALLEGU. Mr. Chairman, my amendment will help ensure that all communities are able to participate in decisions that shape the National Park Service. Environmental justice is defined as the fair treatment and meaningful involvement of all people—regardless of race, color, national origin, or income—with respect to our Nation's environmental laws and policies. This amendment represents an important step towards that goal.

The NPS has a robust planning, environment, and public comment database and Web site, known as PEPC.

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This Web site is used for consultation and providing information on planning issues such as management plans, construction projects, environmental assessments, and environmental impact statements. This Web site is how the users of the National Park Service can participate in NPS decisionmaking.

Unfortunately, however, PEPC is only available in English—no Spanish, none of the Asian languages spoken by the fastest growing segment of our population, and none of the indigenous languages of our Native American brothers and sisters.

To address this shortcoming, my amendment will provide \$1 million to update PEPC. This funding will provide translation of the contents of PEPC to the public, the ability of the public to provide input into the PEPC process in the most commonly spoken languages, and informing affected communities of the improvements.

Mr. Chairman, America is becoming more and more diverse every day, and our land management agencies must adapt to it. It is critical that new and growing community can access our public lands and services. They are the new users and stewards that Federal land management agencies such as the National Park Service must engage as it prepares for its centennial.

To reach these Americans, the NPS will need improved tools to clearly communicate with people who may struggle to comprehend materials in English. That is exactly what my amendment intends to accomplish. This measure will help the Park Service and the Department of the Interior to achieve their performance benchmarks.

One of the key measures of the Department's environmental justice outcomes is outreach to minority and underserved communities. Executive Order 13116 states that all Federal agencies shall provide access to services for persons with limited English proficiency. By offering a Web inter-

face in multiple languages, NPS will increase its relevance to minority communities and help the Department of the Interior to make progress towards this very important requirement.

Mr. Chairman, we can all agree that engaging the public on important decisions that affect their communities is a linchpin of our system of government. When all communities are afforded access to the decisionmaking process, we improve the outcomes of those decisions and we strengthen our democracy.

I hope all Members will join me in supporting this critical amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GALLEGU).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BEYER

Mr. BEYER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 14, after line 14, insert the following:

EMERGENCY INFRASTRUCTURE REPAIRS

For expenses necessary for emergency infrastructure repairs related to the National Park Service deferred maintenance backlog, \$11,500,000,000, to remain available until expended.

Mr. CALVERT. Mr. Chairman, I reserve a point of order on the amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 333, the gentleman from Virginia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. BEYER. Mr. Chairman, I rise to offer an amendment to provide \$11.5 billion to fund emergency infrastructure repairs related to the National Park Service deferred maintenance backlog.

Mr. Chair, earlier this month, the National Park Service, at the recommendation of the Department of Transportation, took the precautionary measure of closing two lanes on the iconic Arlington Memorial Bridge, one of the most important entrances to the Nation's Capital and a major artery for many of my constituents commuting to work every day.

The crisis of the Memorial Bridge, whose replacement will cost a startling \$250 million, demonstrates the degradation of park infrastructure throughout the country. It also shows the extent of the backlog and the need to provide funds to ensure reliability for the economy as well as the safety of the public.

The backlog has also grown because of a steady decline in the construction account. Over the last decade, there has been a 62 percent decline, \$227 million in today's dollars. The Park Serv-

ice receives only 58 cents out of every dollar needed just to keep the backlog from growing.

Mr. Chair, the United States is the richest country in the history of mankind. We are the democratic leader, the military leader, the human rights leader, the financial leader of all the world. Can we not also be the investment leader?

This country needs to be the country that invests in our infrastructure today for our children and our grandchildren tomorrow.

Mr. Chair, I reserve the balance of my time.

Ms. TSONGAS. Mr. Chair, I rise in support of increased funding for the National Park Service in order to address the deferred maintenance backlog.

Despite its significant and multifaceted contributions to our country, the National Park Service budget has been shrinking, compromising its ability to adequately protect our treasured national history. Shrinking appropriations and increasing wear and tear on aging infrastructure has led to a maintenance backlog of approximately \$11.5 billion dollars, including dilapidated visitor centers, unmaintained trails, and failing water treatment facilities.

More than half of the maintenance backlog, approximately \$6 billion, is comprised of transportation projects that require funding through the Highway Trust Fund, not the Park Service. The Arlington Memorial Bridge, which is so important to our nation, connecting the Lincoln Memorial to Arlington National Cemetery, is so badly corroded that it must be partially shut down for six to nine months. In fact, the estimated total cost of repairs for the bridge is more than the entire annual allocation to the Park Service from the Highway Trust Fund.

This trend is completely unsustainable if we want our children and grandchildren to have the same opportunity to visit and enjoy some of our nation's most iconic sites.

At recent hearings on the Natural Resources Committee, I have heard many of my colleagues express their frustrations with the maintenance backlog. This is our opportunity to address the problem, but we are once again kicking the can down the pothole riddled, crumbling road.

Next year is the 100th anniversary of the National Park Service, which will bring even more visitors to our parks. I urge my colleagues to not only address the maintenance backlog at the National Park Service, but to come together and pass a long-term fix for the Highway Trust Fund so that we can address the maintenance backlog.

POINT OF ORDER

Mr. CALVERT. Mr. Chairman, I make a point of order that the amendment proposes a net increase in budget authority in the bill.

The amendment is not in order under section 3(d)(3) of House Resolution 5, 114th Congress, which states:

"It shall not be in order to consider an amendment to a general appropriations bill proposing a net increase in budget authority in the bill unless considered en bloc with another amendment or amendments proposing an

equal or greater decrease in such budget authority pursuant to clause 2(f) of rule XXI.”

The amendment proposes a net increase in budget authority in the bill in violation of such section.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

Ms. TSONGAS. Mr. Chairman, I rise in support of increased funding for the National Park Service in order to address the deferred maintenance backlog.

Despite its significant and multifaceted contributions to our country, the National Park Service budget has been shrinking, compromising its ability to adequately protect our treasured national history.

Shrinking appropriations and increasing wear and tear on aging infrastructure has led—

The Acting CHAIR. The gentlewoman must confine her remarks to the point of order.

Does any other Member wish to be heard on the point of order?

Mr. BEYER. Mr. Chairman, the Interior Subcommittee has done its best to invest in parks, but given its insufficient allocation, this was the only meaningful way for the very obvious need for the \$11.5 billion for infrastructure.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

If not, the Chair is prepared to rule.

The gentleman from California makes a point of order that the amendment offered by the gentleman from Virginia violates section 3(d)(3) of House Resolution 5.

Section 3(d)(3) establishes a point of order against an amendment proposing a net increase in budget authority in the pending bill.

As persuasively asserted by the gentleman from California, the amendment proposes a net increase in budget authority in the bill. Therefore, the point of order is sustained. The amendment is not in order.

The Clerk will read.

The Clerk read as follows:

#### NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance and review, international park affairs, and grant administration, not otherwise provided for, \$62,467,000.

#### HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the National Historic Preservation Act (16 U.S.C. 470 et seq.), \$60,910,000, to be derived from the Historic Preservation Fund and to remain available until September 30, 2017, of which \$500,000 is for competitive grants for the survey and nomination of properties to the National Register of Historic Places and as National Historic Landmarks associated with communities currently underrepresented, as determined by the Secretary, and of which

\$4,500,000 is for competitive grants to preserve the sites and stories of the Civil Rights movement: *Provided*, That such competitive grants shall be made without imposing the matching requirements in Section 102(a)(3) of the National Historic Preservation Act (16 U.S.C. 470(a)(3)).

#### CONSTRUCTION

For construction, improvements, repair, or replacement of physical facilities, including modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989 (16 U.S.C. 410r-8), \$139,555,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, for any project initially funded in fiscal year 2016 with a future phase indicated in the National Park Service 5-Year Line Item Construction Plan, a single procurement may be issued which includes the full scope of the project: *Provided further*, That the solicitation and contract shall contain the clause availability of funds found at 48 CFR 52.232-18.

#### LAND AND WATER CONSERVATION FUND (RESCISSION)

The contract authority provided for fiscal year 2016 by section 9 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-10a) is rescinded.

#### LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out the Land and Water Conservation Act of 1965 (16 U.S.C. 4601-4 through 11), including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with the statutory authority applicable to the National Park Service, \$84,367,000, to be derived from the Land and Water Conservation Fund and to remain available until expended, of which \$48,117,000 is for the State assistance program and of which \$9,000,000 shall be for the American Battlefield Protection Program grants as authorized by section 7301 of the Omnibus Public Land Management Act of 2009 (Public Law 111-11).

#### CENTENNIAL CHALLENGE

For expenses necessary to carry out the provisions of section 814(g) of Public Law 104-333 (16 U.S.C. 1f) relating to challenge cost share agreements, \$20,000,000, to remain available until expended, for Centennial Challenge projects and programs: *Provided*, That not less than 50 percent of the total cost of each project or program shall be derived from non-Federal sources in the form of donated cash, assets, or a pledge of donation guaranteed by an irrevocable letter of credit.

#### AMENDMENT OFFERED BY MS. TSONGAS

Ms. TSONGAS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 16, line 22, after the dollar amount, insert “(increased by \$30,000,000) (reduced by \$30,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 333, the gentlewoman from Massachusetts and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Massachusetts.

Ms. TSONGAS. Mr. Chair, I yield myself such time as I may consume.

My amendment is intended to recognize the National Park Service’s Centennial Challenge and the importance

of funding the program at the level requested by President Obama and the National Park Service.

Next year is the 100th anniversary of the National Park Service, a milestone in this country’s history that we as a nation should be proud of and celebrate. For a century now, the national parks have preserved and protected our Nation’s natural, cultural, and historic resources for the use and enjoyment of future generations. I am proud to represent two national parks.

In my hometown, the Lowell National Historic Park was the first urban national park of its kind, commemorating, preserving, and protecting the catalytic role the city played in spawning America’s Industrial Revolution.

Minute Man National Historic Park is just down the road in Concord, where visitors can see firsthand where the shot heard ‘round the world was fired and where the American Revolution began.

The many visitors to both sites are grateful that our country has made the commitment to protecting our history and our landscapes for future generations, coming away awed and inspired by the sites that have shaped who we are as a people.

The upcoming centennial is a tremendous opportunity to increase public engagement with our parks so that we may not only celebrate the places we love to visit with family and friends, but also make the necessary investments that will prepare our parks for the next 100 years.

Despite its significant and multifaceted obligations, the Park Service budget has been shrinking, compromising its ability to ensure adequate protection to our treasured national history.

Since 2010, there has been more than a 7 percent, or \$178 million in today’s dollars, reduction in the account to operate national parks. Over the last decade, there has been a 62 percent, or \$227 million in today’s dollars, decline in the National Park Service construction account. This has led to an enormous deferred maintenance backlog, totaling \$11.5 billion of dilapidated visitor centers, unmaintained trail centers, and failing water treatment facilities.

Historically, our parks have had bipartisan support. To mark the 50th anniversary of the National Park Service in 1966, President Eisenhower initiated Mission 66, which invested more than \$1 billion in improvements to visitor facilities throughout the park system.

Ten years ahead of the 100th anniversary, President George W. Bush launched the Centennial Initiative, a 10-year, \$3 billion plan to restore the parks through a combination of public and private funding. That effort was never fully realized, but President Obama revived the initiative ahead of the 2016 centennial celebration.

In the FY15 omnibus spending bill, Congress provided \$10 million to reinvigorate the Centennial Challenge. The initial \$10 million Federal investment was matched by an additional \$16 million in private donations for signature centennial projects.

In total, 106 projects were selected throughout the country to improve visitor services, chip away at the deferred maintenance backlog, and support youth programs. Over 200 projects were submitted, demonstrating the high demand for additional money to be matched by private contributions.

Given the overwhelming success from the \$10 million investment this year, Congress should strongly consider increasing funding levels for the Centennial Challenge in 2017.

I understand that this is a difficult task, given the inadequate funding allocation provided for the Interior Department under the Budget Control Act and sequestration. I regret that we were unable to do so through this amendment. The funding allocation for the National Park Service represents yet another example of why Congress must work together on a bipartisan basis to end sequestration.

I hope that we can find a way to support the Centennial Challenge and the President's budget request for the National Park Service so that we not only celebrate the places we love to visit with family and friends, but to make the necessary investments that will prepare our parks for the next 100 years.

With that, Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. BEYER.)

Mr. BEYER. Mr. Chair, I rise in support of Representative TSONGAS' amendment to support the National Park Service's Centennial Challenge.

As a former National Park Service Ranger, I am proud to serve as a Congressional Friend of the National Park Service Centennial, and I eagerly await the centennial in 2016: Find Your Park.

As the NPS approaches its centennial year, it is important to ensure they have the resources they need to enter into the second century of service to the American people. The Interior Subcommittee has tried its very best to invest in parks, given its insufficient allocation; but with the centennial approaching and the buildup of park needs, this level is not remotely enough for parks.

Recognizing the serious impact of both the Budget Control Act and emergency wildfire suppression on the Interior allocation, Congress still must find a way to meet the needs of parks by securing another budget deal to get rid of the threat of sequester. There is no better time than the centennial for a robust investment in our national parks by Congress and the American people. It is time to make our national parks a national priority.

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Ms. TSONGAS. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR (Mr. POE of Texas). The question is on the amendment offered by the gentlewoman from Massachusetts (Ms. TSONGAS).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

ADMINISTRATIVE PROVISIONS  
(INCLUDING TRANSFER OF FUNDS)

In addition to other uses set forth in section 407(d) of Public Law 105-391, franchise fees credited to a sub-account shall be available for expenditure by the Secretary, without further appropriation, for use at any unit within the National Park System to extinguish or reduce liability for Possessory Interest or leasehold surrender interest. Such funds may only be used for this purpose to the extent that the benefitting unit anticipated franchise fee receipts over the term of the contract at that unit exceed the amount of funds used to extinguish or reduce liability. Franchise fees at the benefitting unit shall be credited to the sub-account of the originating unit over a period not to exceed the term of a single contract at the benefitting unit, in the amount of funds so expended to extinguish or reduce liability.

For the costs of administration of the Land and Water Conservation Fund grants authorized by section 105(a)(2)(B) of the Gulf of Mexico Energy Security Act of 2006 (Public Law 109-432), the National Park Service may retain up to 3 percent of the amounts which are authorized to be disbursed under such section, such retained amounts to remain available until expended.

National Park Service funds may be transferred to the Federal Highway Administration (FHWA), Department of Transportation, for purposes authorized under 23 U.S.C. 204. Transfers may include a reasonable amount for FHWA administrative support costs.

UNITED STATES GEOLOGICAL SURVEY  
SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, biology, and the mineral and water resources of the United States, its territories and possessions, and other areas as authorized by 43 U.S.C. 31, 1332, and 1340; classify lands as to their mineral and water resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); conduct inquiries into the economic conditions affecting mining and materials processing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes as authorized by law; and to publish and disseminate data relative to the foregoing activities; \$1,045,000,000, to remain available until September 30, 2017; of which \$57,637,189 shall remain available until expended for satellite operations; and of which \$7,280,000 shall be available until expended for deferred maintenance and capital improvement projects that exceed \$100,000 in cost: *Provided*, That none of the funds provided for the ecosystem research activity shall be used to conduct new surveys on private property, unless specifically authorized in writing by the property owner: *Provided further*, That no part of this appropriation shall be used to pay more than one-half the

cost of topographic mapping or water resources data collection and investigations carried on in cooperation with States and municipalities.

ADMINISTRATIVE PROVISIONS

From within the amount appropriated for activities of the United States Geological Survey such sums as are necessary shall be available for contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gauging stations and observation wells; expenses of the United States National Committee for Geological Sciences; and payment of compensation and expenses of persons employed by the Survey duly appointed to represent the United States in the negotiation and administration of interstate compacts: *Provided*, That activities funded by appropriations herein made may be accomplished through the use of contracts, grants, or cooperative agreements as defined in section 6302 of title 31, United States Code: *Provided further*, That the United States Geological Survey may enter into contracts or cooperative agreements directly with individuals or indirectly with institutions or nonprofit organizations, without regard to 41 U.S.C. 6101, for the temporary or intermittent services of students or recent graduates, who shall be considered employees for the purpose of chapters 57 and 81 of title 5, United States Code, relating to compensation for travel and work injuries, and chapter 171 of title 28, United States Code, relating to tort claims, but shall not be considered to be Federal employees for any other purposes.

BUREAU OF OCEAN ENERGY MANAGEMENT  
OCEAN ENERGY MANAGEMENT

For expenses necessary for granting leases, easements, rights-of-way and agreements for use for oil and gas, other minerals, energy, and marine-related purposes on the Outer Continental Shelf and approving operations related thereto, as authorized by law; for environmental studies, as authorized by law; for implementing other laws and to the extent provided by Presidential or Secretarial delegation; and for matching grants or cooperative agreements, \$167,270,000, of which \$70,648,000, is to remain available until September 30, 2017 and of which \$96,622,000 is to remain available until expended: *Provided*, That this total appropriation shall be reduced by amounts collected by the Secretary and credited to this appropriation from additions to receipts resulting from increases to lease rental rates in effect on August 5, 1993, and from cost recovery fees from activities conducted by the Bureau of Ocean Energy Management pursuant to the Outer Continental Shelf Lands Act, including studies, assessments, analysis, and miscellaneous administrative activities: *Provided further*, That the sum herein appropriated shall be reduced as such collections are received during the fiscal year, so as to result in a final fiscal year 2016 appropriation estimated at not more than \$70,648,000: *Provided further*, That not to exceed \$3,000 shall be available for reasonable expenses related to promoting volunteer beach and marine cleanup activities.

AMENDMENT OFFERED BY MRS. CAPPS

Mrs. CAPPS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 21, line 3, after each of the first and second dollar amounts, insert “(reduced by \$5,434,000)”.

Page 64, line 21, after the dollar amount, insert “(increased by \$5,434,000)”.

The Acting CHAIR. Pursuant to House Resolution 333, the gentlewoman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Mrs. CAPPs. Mr. Chairman, drilling for and transporting oil and gas is a dirty and dangerous business. There is no disputing that.

No matter what assurances are given by the oil industry, spills do happen, and they will continue to happen as we depend on fossil fuels for our energy needs.

Sadly, my constituents in Santa Barbara, California, are far too familiar with this reality. Just over a month ago, on May 19, over 100,000 gallons of crude oil spilled from the Plains All American pipeline along the Gaviota Coast. The oil spilled down a hill, through a culvert, and into the ocean, eventually spreading thick, black tar along nearly 100 miles of coastline.

This was a unique spill, in that it impacted both land and ocean, requiring both the Environmental Protection Agency, or EPA, as well as the Coast Guard to respond to and lead the cleanup effort.

When it comes to oil spills, the damage gets worse by the minute, so ensuring that spill response teams are properly trained and prepared to respond quickly is essential to minimizing the impacts. This is precisely why the EPA has jurisdiction over the inland oil spill program.

The EPA uses this funding to prevent, to prepare for, and to respond to oil spills associated with the more than 600,000 oil storage facilities that the Agency regulates. The EPA's oil program also provides oil spill response resources and training for States, localities, and tribal governments.

Despite its scope and importance, this program has been seriously underfunded for years, and H.R. 2822 only makes things worse by funding this program at nearly 25 percent less than the President requested.

My amendment would simply increase funding for this program by \$5.4 million, to match the President's requested amount of \$23.4 million for fiscal year 2016. This modest increase in funding would help ensure that EPA can do its job to help protect coastal areas, like the one I represent, from the impacts of oil spills.

The funding increase, however, would be offset by reducing the conventional energy account at the Bureau of Ocean Energy Management, or BOME, by an equal amount.

I want to be clear. This funding reduction for BOME is intended to target

the funding used for new offshore oil and gas leasing. BOME will continue to fund safety operations and environmental assessments.

The new 5-year offshore oil and gas program being drafted by BOME calls for 14 potential lease sales, including in some new areas off the East Coast. Expanding drilling by cutting funding for oil spill cleanup is incredibly irresponsible.

Mr. Chairman, I have spent my entire career in Congress fighting to stop offshore drilling because I firmly believe the risks outweigh the benefits. Perhaps the current majority does not agree with me on this goal.

I hope we can at least all agree that we should not be expanding oil drilling unless we are properly preparing for the spills that will inevitably occur. As long as we drill for oil, there will be oil spills, and the economic and ecological risks of these spills only increases when the oil is extracted offshore.

While the Coast Guard is responsible for responding to offshore spills, the recent spill in my district shows that offshore drilling can also have onshore impacts, especially for coastal communities like those I represent.

The oil that spilled from the Plains All American pipeline was extracted just a few miles offshore in Federal waters. It was then pumped onshore to a holding facility, and it continued through the pipeline that ruptured. This offshore oil spilled from the pipeline, down a hillside, on to the beach, and back into the ocean under which it had been extracted.

Drilling and spill cleanup are inextricably linked. The least we can do is ensure that the EPA has the resources it needs to ensure that the spills are quickly and properly cleaned up when they inevitably happen.

This is precisely what my amendment seeks to achieve. I urge my colleagues to support it, and I reserve the balance of my time.

Mr. CALVERT. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. As in the case with many of the amendments today before us, I cannot support the offset. Let me say this: EPA may be reimbursed for oil spill response activities from the Oil Spill Liability Trust Fund.

Now, personally, I think EPA should have direct access to that trust fund to avoid the delays, these administrative reimbursement delays, when responding to an oil spill such as what happened in California. However, that is an authorizing issue, not an appropriating issue.

That is the proper place because those dollars will be there eventually to clean that up, and we just need to clean up the bureaucracy to have more immediacy in that process.

This offset, I cannot support; and so, for that reason, I oppose the amendment.

Mr. Chairman, I reserve the balance of my time.

Mrs. CAPPs. Mr. Chairman, I have no additional speakers. I am prepared to close. In closing, I would like to reiterate two points.

First, that oil and gas exploration is inherently dangerous, there is no disputing that. Spills do happen. Unfortunately, my district observed these consequences firsthand during the Plains pipeline spill just over a month ago.

Second, if we are going to continue to extract, to transport, and to utilize oil, we need to be prepared for the inevitability of these spills. The EPA's inland oil spill program is intended for just this purpose, to be prepared to respond to the inevitable.

It is irresponsible to develop new oil extraction, including offshore, without being prepared to respond to its risk.

Mr. Chairman, I urge support for this amendment, and I yield back the balance of my time.

Mr. CALVERT. Mr. Chairman, I would urge a “no” vote on this amendment. I don't agree to the offset. The fact that we have an Oil Spill Liability Trust Fund, that should be accessed.

I will be happy to work with the gentlewoman to work with the authorizers where we can get more immediate response to these kinds of activities that happen from time to time around the country, but I urge a “no” vote on this amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Mrs. CAPPs).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. CAPPs. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

The Clerk will read.

The Clerk read as follows:

BUREAU OF SAFETY AND ENVIRONMENTAL  
ENFORCEMENT

OFFSHORE SAFETY AND ENVIRONMENTAL  
ENFORCEMENT

For expenses necessary for the regulation of operations related to leases, easements, rights-of-way and agreements for use for oil and gas, other minerals, energy, and marine-related purposes on the Outer Continental Shelf, as authorized by law; for enforcing and implementing laws and regulations as authorized by law and to the extent provided by Presidential or Secretarial delegation; and for matching grants or cooperative agreements, \$123,354,000, of which \$66,147,000 is to remain available until September 30, 2017, and of which \$57,207,000 is to remain available until expended: *Provided*, That this

total appropriation shall be reduced by amounts collected by the Secretary and credited to this appropriation from additions to receipts resulting from increases to lease rental rates in effect on August 5, 1993, and from cost recovery fees from activities conducted by the Bureau of Safety and Environmental Enforcement pursuant to the Outer Continental Shelf Lands Act, including studies, assessments, analysis, and miscellaneous administrative activities: *Provided further*, That the sum herein appropriated shall be reduced as such collections are received during the fiscal year, so as to result in a final fiscal year 2016 appropriation estimated at not more than \$66,147,000.

For an additional amount, \$65,000,000, to remain available until expended, to be reduced by amounts collected by the Secretary and credited to this appropriation, which shall be derived from non-refundable inspection fees collected in fiscal year 2016, as provided in this Act: *Provided*, That to the extent that amounts realized from such inspection fees exceed \$65,000,000, the amounts realized in excess of \$65,000,000 shall be credited to this appropriation and remain available until expended: *Provided further*, That for fiscal year 2016, not less than 50 percent of the inspection fees expended by the Bureau of Safety and Environmental Enforcement will be used to fund personnel and mission-related costs to expand capacity and expedite the orderly development, subject to environmental safeguards, of the Outer Continental Shelf pursuant to the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.), including the review of applications for permits to drill.

#### OIL SPILL RESEARCH

For necessary expenses to carry out title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990, \$14,899,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended.

#### OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

##### REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95, §123, 253,000, to remain available until September 30, 2017: *Provided*, That appropriations for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

#### AMENDMENT OFFERED BY MR. JOHNSON OF OHIO

Mr. JOHNSON of Ohio. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 24, line 6, after the dollar amount, insert “(reduced by \$2,000,000)”.

Page 65, lines 5 and 10, after each dollar amount, insert “(increased by \$2,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Ohio and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. JOHNSON of Ohio. Mr. Chairman, I, too, would like to thank Chairman CALVERT and the subcommittee for a great underlying piece of legisla-

tion. We have got a great appropriations bill here, and I look forward to supporting it.

My amendment to the FY 2016 Interior and Environment Appropriations bill will keep the Office of Surface Mining Reclamation and Enforcement's spending in check with the agency's obligation. Specifically, it will reduce OSM's regulation and technology budget by \$2 million and transfer those funds to the Drinking Water State Revolving Funds.

According to OSM, States and tribes perform 97 percent of the regulatory activity relating to surface coal mining in the United States; yet OSM receives 25 percent of the staffing resources to perform 3 percent of the work.

This amendment will help bring spending in parity with the work done by OSM.

Although the Surface Mining Control and Reclamation Act, or SMCRA, was enacted to allow States with approved programs to assume exclusive jurisdiction of mining in their States, under the current administration, OSM has increasingly used its inflated budget to improperly usurp the lawful decisions of State regulators.

This amendment will help curtail excessive Federal interference and restore the State's role in surface mining regulation. For instance, over the past 5 years, OSM has spent more than \$10 million of its disproportionately large budget to pursue a wholesale regulatory rewrite of the agency's regulatory program.

Dubbed the “stream protection rule” by the agency, this massive regulatory undertaking has little to do with protecting streams and more to do with riding roughshod over State regulating programs and the role of other agencies, including State Clean Water Act regulators.

During its pursuit of the stream protection rule, OSM has completely cut States out of the process, in violation of its legal obligations under the National Environmental Policy Act.

My amendment will help restrain the resources of the agency from promulgating a rule made without State consultation and in violation of NEPA.

In fact, 10 States initially signed a memorandum of understanding with OSM and agreed to serve as cooperating agencies for the development of the environmental impact statement to accompany the so-called stream protection rule.

Of those 10 States, six have withdrawn their respective MOUs due to lack of consultation from OSM. These States include Alabama, New Mexico, Utah, Texas, Kentucky, and West Virginia. More States are expected to withdraw. While Wyoming is still a cooperating agency, they have requested that their State seal be removed from the EIS.

Mr. Chairman, I urge my fellow colleagues to support this amendment that will keep spending in check with the OSM's statutory responsibilities.

Mr. CALVERT. Will the gentleman yield?

Mr. JOHNSON of Ohio. I yield to the gentleman from California.

Mr. CALVERT. Mr. Chairman, I rise in support of the amendment. I understand there is a level of frustration regarding the Office of Surface Mining's continued use of funds to develop the stream buffer rule, and we attempted to address that through the bill language to limit funding.

I certainly support what you are doing for water infrastructure. It is a good amendment that will leverage jobs, and I urge an “aye” vote.

Mr. JOHNSON of Ohio. Mr. Chairman, at this time, I yield 2 minutes to my colleague from West Virginia (Mr. MOONEY).

Mr. MOONEY of West Virginia. Mr. Chairman, I rise today in support of Congressman JOHNSON's amendment to cut \$2 million from the Office of Surface Mining regulatory and technology budget and transfer those funds to the Drinking Water State Revolving Funds.

This amendment will cut funding for an office that has launched an all-out war on coal in my home State of West Virginia. The Office of Surface Mining's stream protection rule is intentionally designed to shut down all surface mining and a significant section of underground mining in the Appalachian region.

□ 1515

A 2012 study found the rewrite of the stream protection rule is estimated to cost nearly 80,000 direct coal-related jobs. The coal industry is vital to West Virginia and my district. Coal supports over 90 percent of the power generation in my State. It is crucial that we cut the funding for the Office of Surface Mining before they can do any more damage.

I thank my colleague for offering this amendment and urge its passage.

Mr. JOHNSON of Ohio. Mr. Chairman, I thank subcommittee Chairman CALVERT again for supporting this amendment.

I urge a “yes” vote by my colleagues. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. JOHNSON).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

In addition, for costs to review, administer, and enforce permits issued by the Bureau pursuant to section 507 of Public Law 95-87 (30 U.S.C. 1257), \$40,000, to remain available until expended: *Provided*, That fees assessed and collected by the Office pursuant to such section 507 shall be credited to this account as discretionary offsetting collections, to remain available until expended:

*Provided further*, That the sum herein appropriated from the general fund shall be reduced as collections are received during the fiscal year, so as to result in a fiscal year 2016 appropriation estimated at not more than \$123,253,000.

#### ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95-87, \$27,303,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended: *Provided*, That pursuant to Public Law 97-365, the Department of the Interior is authorized to use up to 20 percent from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts: *Provided further*, That funds made available under title IV of Public Law 95-87 may be used for any required non-Federal share of the cost of projects funded by the Federal Government for the purpose of environmental restoration related to treatment or abatement of acid mine drainage from abandoned mines: *Provided further*, That such projects must be consistent with the purposes and priorities of the Surface Mining Control and Reclamation Act: *Provided further*, That amounts provided under this heading may be used for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

In addition, \$30,000,000, to remain available until expended, for grants to States for reclamation of abandoned mine lands and other related activities in accordance with the terms and conditions in the report accompanying this Act: *Provided*, That such additional amount shall be used for economic and community development in conjunction with the priorities in section 403(a) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1233(a)): *Provided further*, That such additional amount shall be distributed in equal amounts to the 3 Appalachian States with the greatest amount of unfunded needs to meet the priorities described in paragraphs (1) and (2) of such section: *Provided further*, That such additional amount shall be allocated to States within 60 days after the date of enactment of this Act.

#### AMENDMENT OFFERED BY MR. YOHO

Mr. YOHO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 25, line 23, after the dollar amount, insert “(reduced by \$29,904,000)”.

Page 132, line 24, after the dollar amount, insert “(increased by \$29,904,000)”.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. YOHO. Mr. Chairman, after speaking with Chairman CALVERT and Chairman ROGERS with help on future amendments, I ask unanimous consent to withdraw this amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

#### AMENDMENT OFFERED BY MR. GRIFFITH

Mr. GRIFFITH. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 26, line 7, strike “3” and insert “6”.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Virginia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GRIFFITH. Mr. Chairman, expanding the number of Appalachian States eligible for this program from three to six will allow additional States, including Virginia, to be able to participate. The committee and the subcommittee came up with a great idea. I just want to make sure it is expanded so that more States can benefit.

The Kentucky Coal Association was in this week for a press conference, and one of their members said to me at that time that the sickness that has been in Kentucky is now spreading to Virginia, and they are absolutely right.

In 1 year's time, my district has lost hundreds of coal mine jobs due to this administration's burdensome regulations on the coal industry; but it is not just the coal mine jobs. Many more jobs in related industries have also been lost.

With those jobs, jobs in things as diverse as the hardware store, the Long John Silver's—you name it—are being lost throughout the coal country of Appalachian Virginia.

The downturn of the coal industry in my district has led to many economic difficulties for many of my constituents and the local governments. I believe it is critical that we work to find ways to provide assistance throughout all of the Appalachian coal country, and my amendment would go part of the way to helping restore some economic vitality to my district.

Mr. Chairman, I reserve the balance of my time.

Mr. CALVERT. Mr. Chairman, I rise in reluctant opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chairman, the committee, as the gentleman knows, has included this as a pilot program to test in a few States how community and economic redevelopment can combine in conjunction with reclamation of abandoned mine lands.

These funds will be provided to States with the largest unfunded needs to date. If you expand that to include six States, this pilot then starts to look more like a program, and that is not the committee's intent. The committee believes that the lessons learned from this pilot will inform changes, both pros and cons, under the reauthorization of the underlying law.

I want to work with the gentleman in the future as this pilot moves forward. When we have more information, we can potentially, next year, reexamine this.

I would ask the gentleman if he would withdraw the amendment. I would certainly be happy to work with him in the future. I know the full committee chairman is certainly in the interest of him to address the needs of his constituents. We are certainly sympathetic to that.

I reserve the balance of my time.

Mr. GRIFFITH. Mr. Chairman, I certainly have no quarrel with the committee or the committee chairman or the subcommittee chairman.

I think this is a great pilot project, which was why I thought it was a brilliant idea, which is why I wanted to at least put this on the table.

It is not my habit to offer and then withdraw. Sometimes, you lose; and I understand that is probably the case. I did want to put it on the table, and I do appreciate the gentleman's kind remarks.

I yield back the balance of my time.

Mr. CALVERT. Mr. Chairman, I would just reluctantly oppose this amendment at this time.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. GRIFFITH).

The amendment was rejected.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

#### BUREAU OF INDIAN AFFAIRS AND BUREAU OF INDIAN EDUCATION

##### OPERATION OF INDIAN PROGRAMS (INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the operation of Indian programs, as authorized by law, including the Snyder Act of November 2, 1921 (25 U.S.C. 13), the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450 et seq.), the Education Amendments of 1978 (25 U.S.C. 2001-2019), and the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.), \$2,505,670,000, to remain available until September 30, 2017, except as otherwise provided herein; of which not to exceed \$8,500 may be for official reception and representation expenses; of which not to exceed \$74,809,000 shall be for welfare assistance payments: *Provided*, That in cases of designated Federal disasters, the Secretary may exceed such cap, from the amounts provided herein, to provide for disaster relief to Indian communities affected by the disaster: *Provided further*, That federally recognized Indian tribes and tribal organizations of federally recognized Indian tribes may use their tribal priority allocations for unmet welfare assistance costs: *Provided further*, That not to exceed \$619,827,000 for school operations costs of Bureau-funded schools and other education programs shall become available on July 1, 2016, and shall remain available until September 30, 2017: *Provided further*, That not to exceed \$48,785,000 shall remain available until expended for housing improvement, road maintenance, attorney fees, litigation support, land records improvement, and the Navajo-Hopi Settlement Program: *Provided further*, That any forestry



funds allocated to a federally recognized tribe which remain unobligated as of September 30, 2017, may be transferred during fiscal year 2018 to an Indian forest land assistance account established for the benefit of the holder of the funds within the holder's trust fund account: *Provided further*, That any such unobligated balances not so transferred shall expire on September 30, 2018: *Provided further*, That in order to enhance the safety of Bureau field employees, the Bureau may use funds to purchase uniforms or other identifying articles of clothing for personnel: *Provided further*, That \$272,000,000 shall be for payments to Indian tribes and tribal organizations for contract support costs associated with contracts, grants, self-governance compacts, or annual funding agreements between the Bureau and an Indian tribe or tribal organization pursuant to the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) prior to or during fiscal year 2016, and shall remain available until expended.

#### AMENDMENT OFFERED BY MR. GOSAR

Mr. GOSAR. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 26, line 24, after the dollar amount, insert “(increased by \$50,304,000)”.

Page 62, line 8, after the dollar amount, insert “(reduced by \$61,304,000)”.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chairman, I rise today to offer a straightforward amendment to ensure local schools within the Bureau of Indian Education have the resources necessary to provide gainful education in quality facilities at a level on par with their peers in other non-Bureau funded schools.

This amendment is also offered and supported by a bipartisan group of my colleagues, including Representatives Cramer, Rokita, Noem, Kirkpatrick, and Sinema.

Our amendment redirects funds from administrative accounts within the EPA to the Operation of Indian Programs account with the intent of those funds going to the BIE and evenly allocated between the education construction, replacement facilities construction account and the elementary and secondary programs, facilities operations account.

Currently, more than one-third of Bureau-funded facilities are in substandard or poor condition. A sizable volume of research, including investigations by the Government Accountability Office, have established a direct correlation between facility conditions and poor student outcomes within the BIE.

The United States Government has trust responsibilities to Indian tribes and Indian education. This amendment supports the trust responsibility by helping to provide high-quality education in an environment that is safe, healthy, and conducive for learning.

I urge my colleagues to adopt this amendment. I thank the supporters of the amendment, and I thank the chairman and ranking member for their great work on this bill.

I reserve the balance of my time.

Mr. CALVERT. Mr. Chair, I rise in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. CALVERT. Mr. Chairman, I know there is no doubt that Indian Country, especially Indian education, is a nonpartisan priority of this entire subcommittee. We are committed to building upon the bipartisan work of former subcommittee chairmen MIKE SIMPSON, Jim Moran, Norm Dicks, and certainly Ranking Member BETTY MCCOLLUM.

We all agree that there are great needs in Indian Country, especially in education. In fact, we were in Arizona recently at both the Navajo and Hopi reservations and saw firsthand the need for education in this country.

Although I am proud of what we have done for Indian Country in this bill, that said, I understand where the gentleman is coming from. I recognize there is so much more to do on Indian education that can and should be done.

I yield back the balance of my time.

Mr. GOSAR. Mr. Chair, I thank the gentleman from California and the ranking member for their help.

I yield 1 minute to the gentleman from Indiana (Mr. ROKITA), my friend.

Mr. ROKITA. Mr. Chair, I thank Mr. GOSAR, Mr. CALVERT, and Ms. MCCOLLUM for their help in all this.

This amendment, which I support, would fund the BIE to the administration's fiscal year 2016 request, but unlike that request, it is paid for and adheres to our budget cap.

This year, as the chairman of the Early Childhood, Elementary and Secondary Education Subcommittee, I have had the opportunity to visit several BIE schools in Arizona and Minnesota.

During these visits, I have seen firsthand the challenges that the BIE faces. These challenges consist of crumbling school buildings, inadequate technology and Internet connectivity, transportation issues, and inconsistent management.

These are all serious challenges, and they are all well documented by my official visits, by committee hearings—such as those being done by Mr. CALVERT's subcommittee and mine—by GAO reports, and by the media.

This increase in funds will help address the identified challenges by providing the resources needed to improve the academic achievement and increase the graduation rates of Native American students that attend BIE schools. This is the goal of all of us for Native American children.

Mr. Chairman, I look at this as a bipartisan issue and appreciate my colleagues' support of Mr. GOSAR's amendment.

Mr. GOSAR. I thank the chairman and the ranking member for their support and my colleague from Indiana for speaking on behalf of this.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

#### CONSTRUCTION

##### (INCLUDING TRANSFER OF FUNDS)

For construction, repair, improvement, and maintenance of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands, and interests in lands; and preparation of lands for farming, and for construction of the Navajo Indian Irrigation Project pursuant to Public Law 87-483, \$187,620,000, to remain available until expended: *Provided*, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: *Provided further*, That not to exceed 6 percent of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau: *Provided further*, That any funds provided for the Safety of Dams program pursuant to 25 U.S.C. 13 shall be made available on a nonreimbursable basis: *Provided further*, That for fiscal year 2016, in implementing new construction, replacement facilities construction, or facilities improvement and repair project grants in excess of \$100,000 that are provided to grant schools under Public Law 100-297, the Secretary of the Interior shall use the Administrative and Audit Requirements and Cost Principles for Assistance Programs contained in 43 CFR part 12 as the regulatory requirements: *Provided further*, That such grants shall not be subject to section 12.61 of 43 CFR; the Secretary and the grantee shall negotiate and determine a schedule of payments for the work to be performed: *Provided further*, That in considering grant applications, the Secretary shall consider whether such grantee would be deficient in assuring that the construction projects conform to applicable building standards and codes and Federal, tribal, or State health and safety standards as required by 25 U.S.C. 2005(b), with respect to organizational and financial management capabilities: *Provided further*, That if the Secretary declines a grant application, the Secretary shall follow the requirements contained in 25 U.S.C. 2504(f): *Provided further*, That any disputes between the Secretary and any grantee concerning a grant shall be subject to the disputes provision in 25 U.S.C. 2507(e): *Provided further*, That in order to ensure timely completion of construction projects, the Secretary may assume control of a project and all funds related to the project, if, within 18 months of the date of enactment of this Act, any grantee receiving funds appropriated in this Act or in any prior Act, has not completed the planning and design phase of the project and commenced construction: *Provided further*, That this appropriation may be reimbursed



from the Office of the Special Trustee for American Indians appropriation for the appropriate share of construction costs for space expansion needed in agency offices to meet trust reform implementation.

#### INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

For payments and necessary administrative expenses for implementation of Indian land and water claim settlements pursuant to Public Laws 99-264, 100-580, 101-618, 111-11, and 111-291, and for implementation of other land and water rights settlements, \$65,412,000, to remain available until expended.

#### INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed loans and insured loans, \$7,731,000, of which \$1,045,000 is for administrative expenses, as authorized by the Indian Financing Act of 1974: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed or insured, not to exceed \$100,496,183.

#### ADMINISTRATIVE PROVISIONS

The Bureau of Indian Affairs may carry out the operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts, and grants, either directly or in cooperation with States and other organizations.

Notwithstanding 25 U.S.C. 15, the Bureau of Indian Affairs may contract for services in support of the management, operation, and maintenance of the Power Division of the San Carlos Irrigation Project.

Notwithstanding any other provision of law, no funds available to the Bureau of Indian Affairs for central office oversight and Executive Direction and Administrative Services (except executive direction and administrative services funding for Tribal Priority Allocations, regional offices, and facilities operations and maintenance) shall be available for contracts, grants, compacts, or cooperative agreements with the Bureau of Indian Affairs under the provisions of the Indian Self-Determination Act or the Tribal Self-Governance Act of 1994 (Public Law 103-413).

In the event any tribe returns appropriations made available by this Act to the Bureau of Indian Affairs, this action shall not diminish the Federal Government's trust responsibility to that tribe, or the government-to-government relationship between the United States and that tribe, or that tribe's ability to access future appropriations.

Notwithstanding any other provision of law, no funds available to the Bureau of Indian Education, other than the amounts provided herein for assistance to public schools under 25 U.S.C. 452 et seq., shall be available to support the operation of any elementary or secondary school in the State of Alaska.

No funds available to the Bureau of Indian Education shall be used to support expanded grades for any school or dormitory beyond the grade structure in place or approved by the Secretary of the Interior at each school in the Bureau of Indian Education school system as of October 1, 1995, except that the Secretary of the Interior may waive this prohibition to support expansion of up to one additional grade when the Secretary determines such waiver is needed to support accomplishment of the mission of the Bureau of Indian Education. Appropriations made available in this or any prior Act for schools

funded by the Bureau shall be available, in accordance with the Bureau's funding formula, only to the schools in the Bureau school system as of September 1, 1996, and to any school or school program that was reinstated in fiscal year 2012. Funds made available under this Act may not be used to establish a charter school at a Bureau-funded school (as that term is defined in section 1141 of the Education Amendments of 1978 (25 U.S.C. 2021)), except that a charter school that is in existence on the date of the enactment of this Act and that has operated at a Bureau-funded school before September 1, 1999, may continue to operate during that period, but only if the charter school pays to the Bureau a pro rata share of funds to reimburse the Bureau for the use of the real and personal property (including buses and vans), the funds of the charter school are kept separate and apart from Bureau funds, and the Bureau does not assume any obligation for charter school programs of the State in which the school is located if the charter school loses such funding. Employees of Bureau-funded schools sharing a campus with a charter school and performing functions related to the charter school's operation and employees of a charter school shall not be treated as Federal employees for purposes of chapter 171 of title 28, United States Code.

Notwithstanding any other provision of law, including section 113 of title I of appendix C of Public Law 106-113, if in fiscal year 2003 or 2004 a grantee received indirect and administrative costs pursuant to a distribution formula based on section 5(f) of Public Law 101-301, the Secretary shall continue to distribute indirect and administrative cost funds to such grantee using the section 5(f) distribution formula.

Funds available under this Act may not be used to establish satellite locations of schools in the Bureau school system as of September 1, 1996, except that the Secretary may waive this prohibition in order for an Indian tribe to provide language and cultural immersion educational programs for non-public schools located within the jurisdictional area of the tribal government which exclusively serve tribal members, do not include grades beyond those currently served at the existing Bureau-funded school, provide an educational environment with educator presence and academic facilities comparable to the Bureau-funded school, comply with all applicable Tribal, Federal, or State health and safety standards, and the Americans with Disabilities Act, and demonstrate the benefits of establishing operations at a satellite location in lieu of incurring extraordinary costs, such as for transportation or other impacts to students such as those caused by busing students extended distances: *Provided*, That no funds available under this Act may be used to fund operations, maintenance, rehabilitation, construction or other facilities-related costs for such assets that are not owned by the Bureau: *Provided further*, That the term "satellite school" means a school location physically separated from the existing Bureau school by more than 50 miles but that forms part of the existing school in all other respects: *Provided further*, That none of the funds made available by this or any other Act may be used by the Secretary to finalize, implement, administer, or enforce the proposed rule entitled "Federal Acknowledgement of American Indian Tribes" published by the Department of the Interior in the Federal Register on May 29, 2014 (79 Fed. Reg. 30766 et seq.).

#### DEPARTMENTAL OFFICES OFFICE OF THE SECRETARY DEPARTMENTAL OPERATIONS

For necessary expenses for management of the Department of the Interior, including the collection and disbursement of royalties, fees, and other mineral revenue proceeds, and for grants and cooperative agreements, as authorized by law, \$717,279,000, to remain available until September 30, 2017; of which not to exceed \$15,000 may be for official reception and representation expenses; and of which up to \$1,000,000 shall be available for workers compensation payments and unemployment compensation payments associated with the orderly closure of the United States Bureau of Mines; and of which \$8,128,000 for the Office of Valuation Services is to be derived from the Land and Water Conservation Fund and shall remain available until expended; and of which \$38,300,000 shall remain available until expended for the purpose of mineral revenue management activities: *Provided*, That notwithstanding any other provision of law, \$15,000 under this heading shall be available for refunds of overpayments in connection with certain Indian leases in which the Secretary concurred with the claimed refund due, to pay amounts owed to Indian allottees or tribes, or to correct prior unrecoverable erroneous payments.

#### AMENDMENT OFFERED BY MR. SABLAN

Mr. SABLAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 36, line 8, after the dollar amount, insert "(reduced by \$5,000,000)".

Page 38, line 6, after each of the first and second dollar amounts, insert "(increased by \$5,000,000)".

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from the Northern Mariana Islands and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from the Northern Mariana Islands.

Mr. SABLAN. Mr. Chairman, my amendment increases funding for territorial assistance initiatives managed by the Interior Department.

The assistance benefits the Commonwealth of the Northern Mariana Islands, which I represent, but also the United States territories of American Samoa, Guam, and the United States Virgin Islands, as well as America's allies in the Pacific, the Republic of Palau, the Federated States of Micronesia, and the Republic of the Marshall Islands.

□ 1530

The assistance will continue our commitment to help all of these areas to develop economically and become more self-sufficient.

Mr. Chairman, much remains to reach these goals. The 2010 Census revealed that poverty levels in the islands remain three to five times the national average, and median income in the Northern Marianas is only \$20,000 compared to \$53,000 nationwide.

The most recent gross domestic product data for the islands, reported by

the Bureau of Economic Analysis, found that in the Virgin Islands, real GDP declined 5.4 percent in 2013 and declined 2.4 percent in American Samoa. In contrast, the real GDP for the United States, excluding the territories, increased 2.2 percent in 2013. So we have a lot of catching up to do.

Interior has been very responsible in recent years, focusing technical assistance funds in a way that really will help our areas develop economically. I am thinking in particular of the Empowering Insular Communities program, which is helping us move imported fuels—that are costly and take money out of our economies—to greater use of locally available energy sources.

I am thinking about the Insular Areas: Assessment of Buildings and Classrooms Initiative, just like the preceding amendment. This program found that only 38 percent of insular schools are in acceptable condition and identified specifically those schools where there are safety hazards for students. The ABC Initiative is systematically upgrading that infrastructure so our children have schools that are conducive to learning and are safe. Developing those human resources is the surest way to raise our economy. We need to give Interior the resources to continue—and finish—that initiative.

The additional \$5 million my amendment provides can be used for these or any of the other territorial assistance programs, such as the Coral Reef Initiative, brown tree snake control, or compact impact to areas negatively affected by United States immigration policies.

Mr. Chairman, all of these programs are works in progress. We should provide more funding for them, and technical assistance funding should remain focused on programs that the Department has already begun and invested in. I appreciate the past support for the program and, even in these challenging fiscal times, I urge your support for increased funding for assistance to territories for fiscal year 2016.

Mr. Chairman, I reserve the balance of my time.

Mr. CALVERT. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in reluctant opposition to the gentleman's amendment. I want the gentleman to know that I understand that the territories would benefit greatly from additional funding. We funded the assistance to territories at the FY15-enacted levels. We level-funded that because we know that the money is needed, and we know that we have responsibilities in the territories. However, the offset right now, we have cut back that particular oper-

ation considerably, so I would oppose that offset. But I would be more than happy to work with the gentleman as we move this process along, along with the ranking member, to see if we can't get additional funds as we move this process along.

Mr. Chairman, I certainly appreciate the gentleman's intent, but we would have to reluctantly oppose this amendment at this time, and I reserve the balance of my time.

Mr. SABLON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I appreciate very much the chairman's offer to work with me because I will look him up and work with him and his subcommittee. But let me just make a small point here of what this technical assistance money means to us.

The States are eligible for thousands of Federal programs that help States do one thing or another, from social to educational to infrastructure projects. For the territories, there are only 700-some programs where the territories are eligible. So there is a difference.

So this small pot of technical assistance money is a program that provides grants to help the territories pick themselves up and wipe off the dust. It is just a small amount of money. Five million goes a long way, Mr. Chairman, when it is fixing the schools that the Army Corps has already identified. I understand there are 1,500 school buildings, and 62 percent of them are not safe, and only 38 percent are declared safe. So just like we do for the Bureau of Indian Education, we are also asking that we increase this money.

So I will also work with the chair, Mr. Chairman, and I yield back the balance of my time.

Mr. CALVERT. Mr. Chairman, I oppose the amendment, and I yield back balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from the Northern Mariana Islands (Mr. SABLON).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. SABLON. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from the Northern Mariana Islands will be postponed.

Ms. MCCOLLUM. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, I appreciate the fact that the chairman is looking towards working more for putting dollars into Indian education, as Mr. GOSAR's amendment did, and the bipartisan way in which this bill has been proceeding forward, and I yield to the chairman.

Mr. CALVERT. Mr. Chairman, I am more than happy to work with the young lady to get additional funding for Indian education at any time in the future, and we can continue to work together to do that.

Ms. MCCOLLUM. Mr. Chairman, I thank the gentleman.

Mr. Chairman, I also appreciate the Parliamentarian's patience and the majority's patience while we get another copy of the amendment presented to the body for consideration. I thank everyone for their courtesy.

Mr. Chairman, Minnesota is a great State, and we would like to have the gentleman from California there so the gentleman can see our great lakes and our great water.

I yield to the gentleman from California.

Mr. CALVERT. Mr. Chairman, could the gentlewoman please ship some of that water to California?

Ms. MCCOLLUM. Reclaiming my time and my water, we would love to have the gentleman there, and when the water is very hard, it freezes, and then the gentleman can try ice fishing, which is a great sport.

Mr. Chair, I think the amendment is coming to the desk. Once more, I thank you very much for your patience, and I yield back the balance of my time.

AMENDMENT OFFERED BY MS. CASTOR OF FLORIDA

Ms. CASTOR of Florida. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 36, line 8, after the dollar amount, insert "(reduced by \$1,913,000)".

Page 62, line 8, after the dollar amount, insert "(increased by \$1,913,000)".

Mr. CALVERT. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 333, the gentlewoman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. CASTOR of Florida. Mr. Chairman, I appreciate the House's consideration.

Mr. Chairman, I rise today to offer an amendment to restore brownfields funding to fiscal year 2015 levels and to make the point that when we help redevelop contaminated properties, we generate a large return on investments that lift our communities back home.

My amendment increases EPA's Environmental Programs and Management account by a modest \$1.9 million to be offset by the same amount from the Office of the Secretary. Even with this modest boost, the proposed bill on the floor, unfortunately, would remain \$4 million below the budget request.

Mr. Chairman, when a contaminated property achieves a brownfields designation and a grant, local communities and businesses can clean up the property and put the property back into use. This type of economic redevelopment is key to our neighborhoods and communities, rural or urban. It increases property values and creates jobs with just a little bit of seed money from the EPA through brownfields.

A 2014 study concluded that cleaning up brownfields leads to nearby residential property value increases of 4.9 to 11 percent. Another 2007 study found that an average of 10 jobs are created for every acre of brownfields redevelopment. And based on historical data, we know that \$1 of the EPA's brownfields funding leverages between \$17 and \$18 in other public and private financing.

Mr. Chairman, I have witnessed great success in brownfields redevelopment back home in the Tampa Bay area. For example, when the existence of the Old Mercy Hospital in Midtown St. Petersburg was in jeopardy due to environmental contamination on the site, the city of St. Petersburg and the EPA stepped in to turn the Old Mercy Hospital into a flourishing community health center. The project created 80 jobs, saved existing jobs, created new jobs, and it stands now as the Johnnie Ruth Clarke Community Health Center, which is the linchpin to Midtown St. Petersburg community redevelopment efforts.

Similarly, in Tampa, the Tampa Family Health Centers have redeveloped a number of brownfields sites, including one on the site of a closed car dealership, that have had a very positive impact beyond the health care of thousands and thousands of my neighbors in a severely underserved area. It is one of the primary examples of the growing healthfields initiative which targets redevelopment through brownfields to help improve access to health services for our neighbors.

Mr. Chairman, the return on investment is so great across America. The Congress must invest much more in our communities, and brownfields redevelopment is simply smart policy, especially in places where these resources are scarce. It is also a critical part of EPA's environmental justice efforts and its Environmental Justice 2020 Action Agenda framework. When the EPA released its Environmental Justice 2020 framework, I convened local community leaders across the Tampa Bay area to solicit their opinions, and brownfields redevelopment was at the top of their list.

Mr. Chairman, we can do better here, and I hope as the appropriations process goes on we will find ways to help communities redevelop with this small seed money through the brownfields initiative.

I would like to thank Chairman CALVERT and Ranking Member MCCOLLUM.

I urge my colleagues to support the Castor amendment to revitalize our communities back home, and I reserve the balance of my time.

Mr. CALVERT. Mr. Chairman, I withdraw the point of order.

The Acting CHAIR. The point of order is withdrawn.

Mr. CALVERT. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chairman, I wish the gentlewoman was able to share this amendment with both the majority and the minority in the committee where we could have reviewed it. But saying that, I still must oppose the amendment because of the offset.

Mr. Chairman, the offset obviously would take money from the Secretary and move it over to the EPA, and at this time we have used the Secretary's Office tremendously as an offset already, and I am afraid that this may start affecting other programs within the Department of the Interior. So I would have to oppose this amendment.

The gentlewoman's amendment won't increase the cleanup of a brownfields site, it will only pay for salaries over at the EPA, and I believe that we don't need to do any more for the EPA than has already been done.

So with that, Mr. Chairman, I oppose the amendment, and I reserve the balance of my time.

Ms. CASTOR of Florida. Mr. Chairman, this is an important account to beef up. Remember, we are under the sequester caps, and then we are \$4 million under the budget request even with this amendment.

Now, the Secretary's Office is the best place to go for an offset. The Secretary's account is \$452 million above fiscal year 2015 levels and \$389 million above the budget request.

□ 1545

I would put to you that it would be a better investment for our communities back home to allow them this little seed money, this little matching money, to redevelop properties, rather than fund the bureaucracy at the EPA.

I urge approval of the Castor amendment, and I yield back the balance of my time.

Mr. CALVERT. Mr. Chairman, I urge my colleagues to vote "no" on this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Florida (Ms. CASTOR).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. CASTOR of Florida. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by

the gentlewoman from Florida will be postponed.

The Clerk will read.

The Clerk read as follows:

#### ADMINISTRATIVE PROVISIONS

For fiscal year 2016, up to \$400,000 of the payments authorized by the Act of October 20, 1976 (31 U.S.C. 6901-6907) may be retained for administrative expenses of the Payments in Lieu of Taxes Program: *Provided*, That no payment shall be made pursuant to that Act to otherwise eligible units of local government if the computed amount of the payment is less than \$100: *Provided further*, That the Secretary may reduce the payment authorized by 31 U.S.C. 6901-6907 for an individual county by the amount necessary to correct prior year overpayments to that county: *Provided further*, That the amount needed to correct a prior year underpayment to an individual county shall be paid from any reductions for overpayments to other counties and the amount necessary to cover any remaining underpayment is hereby appropriated and shall be paid to individual counties: *Provided further*, That of the total amount made available by this title for "Office of the Secretary—Departmental Operations", \$452,000,000 shall be available to the Secretary of the Interior for an additional amount for fiscal year 2016 for payments in lieu of taxes under chapter 69 of title 31, United States Code.

#### INSULAR AFFAIRS

##### ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior and other jurisdictions identified in section 104(e) of Public Law 108-188, \$85,976,000, of which: (1) \$76,528,000 shall remain available until expended for territorial assistance, including general technical assistance, maintenance assistance, disaster assistance, coral reef initiative activities, and brown tree snake control and research; grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands as authorized by law (Public Law 94-241; 90 Stat. 272); and (2) \$9,448,000 shall be available until September 30, 2017, for salaries and expenses of the Office of Insular Affairs: *Provided*, That all financial transactions of the territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or used by such governments, may be audited by the Government Accountability Office, at its discretion, in accordance with chapter 35 of title 31, United States Code: *Provided further*, That Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 104-134: *Provided further*, That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance improvement of capital infrastructure with territorial participation and cost sharing to be determined by the Secretary based on the grantee's commitment to timely maintenance of its capital assets: *Provided further*, That any appropriation for disaster assistance under this

heading in this Act or previous appropriations Acts may be used as non-Federal matching funds for the purpose of hazard mitigation grants provided pursuant to section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).

AMENDMENT OFFERED BY MS. PLASKETT

Ms. PLASKETT. Mr. Chairman, I rise today to offer an amendment to H.R. 2822.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 38, line 6, after the second dollar amount, insert “(reduced by \$13,684,000) (increased by \$13,684,000)”.

The Acting CHAIR. Pursuant to House Resolution 333, the gentlewoman from the Virgin Islands and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from the Virgin Islands.

Ms. PLASKETT. Mr. Chairman, as one of the five Members of Congress representing America’s offshore territories and as the Representative from the U.S. Virgin Islands, I am disappointed to see the underfunding made to the FY16 Interior, Environment, and Related Agencies Appropriations bill.

Aside from the underfunding to environmental protection programs that protect important natural resources and, among a myriad of things, assures Americans have access to clean water, the cuts to this bill come largely at the expense of America’s island territories.

The Virgin Islands, Puerto Rico, Guam, American Samoa, and the Northern Marianas have been a part of this great Nation for more than a century. Since then, this country has augmented the support to critical areas of activity by the respective local governments in these territories.

This is done, largely in part, through the Interior’s territorial assistance activity, in which this bill proposes to underfund by \$13,684,000.

Mr. Chairman, this is unacceptable. Funding through Interior’s territorial assistance activity go toward many important functions in these territories, like capital improvement projects. These capital improvement projects, CIP, funds address a variety of infrastructure needs in the U.S. territories, including critical infrastructure such as hospitals, schools, wastewater, and solid waste systems.

For example, funding through CIP helped the Virgin Islands Waste Management Authority complete the repair of a severely deteriorated force main water line that threatened to leak in nearby ocean water.

Improvements to critical infrastructure not only benefit the current population of these territories and the businesses that invest in those communities, but lay the groundwork to attract new investment to the territories, which promotes economic development and self-sufficiency.

An example of the importance of this funding to the territories is highlighted in the fiscal year ’16 budget request, in which my home district, the U.S. Virgin Islands, proposes to use approximately \$2 million to address health and safety deferred maintenance items that have been identified in Interior’s insular assessment of buildings and classrooms initiative. This is imperative, as our schools are not structurally sound or conducive to the healthy learning environment.

Many of the schools in the Virgin Islands are overrun with mold and have severe structural deficiencies, some of which are over a half a century old.

The St. Croix Central High School had to close its doors last year because of noxious odors that made teachers and students sick. This recurring incident began midway through the 2013 school year and forced the entire student body of more than 1,000 students to join a similarly populated high school in double session for the remainder of the school year.

This coming fall, the Virgin Islands government will again close schools on the island of St. Croix, but this time, students from three schools will be relocated to other schools for at least an entire school year, maybe longer, while the local government works to repair the severely decrepit buildings that house those young people.

Mr. Chairman, there hasn’t been a school built in the U.S. Virgin Islands in the last two decades. The children in my home district, as well as in the other five territories, deserve better and need the assistance afforded through this funding.

A breakdown of CIP expenditures in 2014 underscores how important this funding is to not only students in our territories, but also to our senior citizens as well. Construction or repair to schools and hospitals account for nearly half the total amount of CIP expenditures last year.

In St. Croix, our hospital is without an adequate mental health facility, as well as St. Thomas, and there are few assisted living facilities and a growing population of aging citizens.

The U.S. Virgin Islands also proposes to use \$1 million in 2016 CIP funding for structural renovations and equipment upgrades at a variety of public libraries on the islands of St. Croix, St. Thomas, and St. John. These repairs and upgrades will help provide a safe, secure, and comfortable location for citizens to use library archives and public resources.

Mr. Chairman, the people living in America’s island territories are citizens of this great Nation, the same as people living in Alaska, Hawaii, and the 48 contiguous States. We are constitutionally entitled to fair and equal representation and full inclusion by this House, as well as by this government.

I look forward to continuing to work on this issue.

Mr. Chairman, I want to also point out that unlike the States, the Virgin Islands and the other territories are not part of the formula grants that the other locations have. We do not receive the same funding for grants, programs that provide technical assistance, jobs, or infrastructure.

In fact, today, with the announcement of the Supreme Court, while we are thankful for the rest of the United States, with the Affordable Care Act, we are not included in it to the full extent the other States are.

I am asking, Mr. Chairman, at this time, that this body, as well as this Congress and, in fact, the Federal Government, look to the Virgin Islands and look to including us and all of the territories in full inclusion.

Mr. Chairman, at this time, I ask unanimous consent to withdraw the amendment.

The Acting CHAIR. Is there objection to the request of the gentlewoman from the Virgin Islands?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

The Clerk will read.

The Clerk read as follows:

#### COMPACT OF FREE ASSOCIATION

For grants and necessary expenses, \$3,318,000, to remain available until expended, as provided for in sections 221(a)(2) and 233 of the Compact of Free Association for the Republic of Palau; and section 221(a)(2) of the Compacts of Free Association for the Government of the Republic of the Marshall Islands and the Federated States of Micronesia, as authorized by Public Law 99-658 and Public Law 108-188.

#### ADMINISTRATIVE PROVISIONS

##### (INCLUDING TRANSFER OF FUNDS)

At the request of the Governor of Guam, the Secretary may transfer discretionary funds or mandatory funds provided under section 104(e) of Public Law 108-188 and Public Law 104-134, that are allocated for Guam, to the Secretary of Agriculture for the subsidy cost of direct or guaranteed loans, plus not to exceed three percent of the amount of the subsidy transferred for the cost of loan administration, for the purposes authorized by the Rural Electrification Act of 1936 and section 306(a)(1) of the Consolidated Farm and Rural Development Act for construction and repair projects in Guam, and such funds shall remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That such loans or loan guarantees may be made without regard to the population of the area, credit elsewhere requirements, and restrictions on the types of eligible entities under the Rural Electrification Act of 1936 and section 306(a)(1) of the Consolidated Farm and Rural Development Act: *Provided further*, That any funds transferred to the Secretary of Agriculture shall be in addition to funds otherwise made available to make or guarantee loans under such authorities.

#### OFFICE OF THE SOLICITOR

##### SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, \$65,142,000.

OFFICE OF INSPECTOR GENERAL  
SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General, \$50,047,000.

## AMENDMENT OFFERED BY MS. JACKSON LEE

Ms. JACKSON LEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 41, line 12, after the dollar amount, insert “(reduced by \$2,000,000)”.

On page 102, line 23, after the dollar amount, insert “(increased by \$1,500,000)”.

The Acting CHAIR. Pursuant to House Resolution 333, the gentlewoman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Chairman, let me thank the chair and the ranking member of this appropriations process for the Interior and Environment for their indulgence and their understanding of how much a part of the lives of Americans this legislation is from my amendment dealing with the culture and history of this Nation to that of clean water, clean air, our Federal parks, our forestry. This is a vital piece of the livelihood and the life of America.

Among other agencies that the legislation funds is the Smithsonian Institution, which operates our national museums, including the Air and Space Museum, the Museum of African Art, the American Art Museum, and the National Portrait Gallery. It also operates the national treasure, the National Zoo.

My amendment is simple. It sends a very important message from the Congress of the United States to infuse into the people cultural and appreciation for the respect and holding of wild animals, for the forests, for the number of assets that we should hold very dear, and it increases the Smithsonian Institution by \$1.5 million.

Mr. Chairman, the Smithsonian's outreach programs bring scholars in art, history, and science out of the Nation's attic and into their own backyard. Each year, millions of Americans visit the Smithsonian.

In order to fill the Smithsonian's mission, the increase and diffusion of knowledge, the Smithsonian seeks to serve on an even greater audience by bringing it to the communities, to the people who otherwise would be deprived, or the institutions that would otherwise be deprived of this kind of cultural exchange.

This money is not a lot of money, but it is an important statement for those who seek to be connected to the cultural history of America.

The Smithsonian's outreach program serves millions of Americans, thousands of communities, and hundreds of institutions in all 50 States through loans of objects, traveling exhibitions, and sharing of educational resources.

Smithsonian outreach programs work in close cooperation with Smithsonian museums and research centers, as well as with 144 affiliate institutions, and others across the Nation. Smithsonian outreach activities support community-based cultural and educational organizations.

It reaches out to African Americans, Asian Americans, Latino Americans, Native Americans, new Americans, and all Americans from kindergarten to college to our senior citizens.

What can we do to help this outreach expand? We can provide this simple amendment of \$1.5 million to create more mobile museums talking about the extensive history that we have. These mobile museums then connect with our museums that we have.

The African American Museum in Houston is one of those that needs the bridge that the Smithsonian has. It is a museum that has reached prominence, but not the ability to reach a lot of people. This is an opportunity to boost the Smithsonian in order to ensure that we have that kind of outreach.

I reserve the balance of my time.

Mr. CALVERT. Mr. Chairman, I rise in opposition.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chairman, I rise in reluctant opposition to the gentlewoman's amendment only because of the offset.

The offset that we are talking about is taking money of the inspector general's office, which is our auditors, and we desperately need auditors in the Federal Government. We, as appropriators, are very reluctant to cut the inspector general's office in general.

I want to work with the gentlewoman. I recognize her passion to make sure that the good work that the Smithsonian does gets out to the general community throughout the United States. I am a big supporter of the Smithsonian. We have level-funded the Smithsonian Institution this year. Obviously, we are operating under difficult budget constraints.

We certainly support what the gentlewoman wants to do; we just don't support the offset in which she wants to do it with.

Ms. JACKSON LEE. Will the gentleman yield?

Mr. CALVERT. I yield to the gentlewoman from Texas.

Ms. JACKSON LEE. I think we have had an opportunity to be on the floor together over the years. Thank you so very much. I want to thank the ranking member and the leadership on the committee.

My question would be—obviously, this appropriations process is a bill here in the House and then there is conference—what would be the immediate strategy of working with you on this goal that we both would have?

Mr. CALVERT. We will continue to work with the gentlewoman as this process moves forward and with the ranking member, Ms. McCOLLUM.

Who knows, there may be something that happens between A and B, and we may have some additional resources, who knows; but we will certainly work with you to find out if we do.

I know that if we can help the Smithsonian Institution out, it is really at the top of our list.

Ms. JACKSON LEE. Mr. Chairman, I thank the gentleman.

Let me, first of all, thank the ranking member for all the hard work that has been done and the chairman. It is a passion for reaching out and touching museums like the Houston African American Museum that has, as its curator, an excellent leader in John Guess.

I would say to museums like that to allow me to take up the chairman and the ranking member's leadership and begin to look for what may be an extra opportunity to infuse dollars to get the culture of America to reach out to all over.

With that, in the spirit of collaboration and collegiality, I am going to at this time withdraw in a friendly manner the Jackson Lee amendment with a very hopeful commitment to be able to help museums like the Houston African American Museum and many others that really benefit from this connection.

□ 1600

Mr. CALVERT. I thank the gentlewoman for her generosity, and I will continue to work with her as this process moves forward.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Chairman, how much time do I have?

The Acting CHAIR. The gentlewoman from Texas has 1½ minutes remaining.

Ms. JACKSON LEE. Mr. Chairman, let me just say, in concluding, there are many things that this bill does. I am hoping that we will rid ourselves of sequester to let it do more, and one of the things would be this outreach that brings us together as a Nation in a positive way.

I cannot say good accolades about Houston museums in general, the Buffalo Soldiers National Museum, the Houston African American Museum that has a great purpose, and other museums that I hope we can address the Smithsonian's outreach capability.

Mr. Chair, thank you for this opportunity to speak in support of my amendment to H.R. 2822, the “Interior and Environment Appropriations Act of 2016.”

Let me also thank Chairman CALVERT and Ranking Member McCOLLUM for their leadership in shepherding this bill to the floor.

Among other agencies, this legislation funds the Smithsonian Institution, which operates our national museums, including the Air and Space Museum; the Museum of African Art;

the Museum of the American Indian; and the National Portrait Gallery.

The Smithsonian also operates another national treasure: the National Zoo.

Mr. Chair, my amendment is simple but it sends a very important message from the Congress of the United States.

The Jackson Lee Amendment provides that increases funding for the Smithsonian Institution by \$1.5 million to fund outreach programs administered by the Smithsonian Institution.

Mr. Chair, the Smithsonian's outreach programs bring Smithsonian scholars in art, history and science out of "the nation's attic" and into their own backyard.

Each year, millions of Americans visit the Smithsonian in Washington, D.C.

But in order to fulfill the Smithsonian's mission, "the increase and diffusion of knowledge," the Smithsonian seeks to serve an even greater audience by bringing the Smithsonian to enclaves of communities who otherwise would be deprived of the vast amount of cultural history offered by the Smithsonian.

The Smithsonian's outreach programs serve millions of Americans, thousands of communities, and hundreds of institutions in all 50 states, through loans of objects, traveling exhibitions, and sharing of educational resources via publications, lectures and presentations, training programs, and websites.

Smithsonian outreach programs work in close cooperation with Smithsonian museums and research centers, as well as with 144 affiliate institutions and others across the nation.

The Smithsonian's outreach activities support community-based cultural and educational organizations around the country.

They ensure a vital, recurring, and high-impact Smithsonian presence in all 50 states through the provision of traveling exhibitions and a network of affiliations.

Smithsonian outreach programs increase connections between the Institution and targeted audiences (African American, Asian American, Latino, Native American, and new American) and provide kindergarten through college-age museum education and outreach opportunities.

These outreach programs enhance K–12 science education programs, facilitate the Smithsonian's scholarly interactions with students and scholars at universities, museums, and other research institutions; and disseminate results related to the research and collections strengths of the Institution.

The programs that provide the critical mass of Smithsonian outreach activity are:

1. the Smithsonian Institution Traveling Exhibition Service (SITES);
2. the Smithsonian Affiliations, the Smithsonian Center for Education and Museum Studies (SCEMS);
3. National Science Resources Center (NSRC);
4. the Smithsonian Institution Press (SIP);
5. the Office of Fellowships (OF); and
6. the Smithsonian Associates (TSA), which receives no federal funding.

To achieve the goal of increasing public engagement, SITES directs some of its federal resources to develop Smithsonian Across America: A Celebration of National Pride.

This "mobile museum," which will feature Smithsonian artifacts from the most iconic

(presidential portraits, historic American flags, Civil War records, astronaut uniforms, etc.) to the simplest items of everyday life (family quilts, prairie schoolhouse furnishings, historic lunch boxes, multilingual store front and street signs, etc.), has been a long-standing organizational priority of the Smithsonian.

SITES "mobile museum" is the only traveling exhibit format able to guarantee audience growth and expanded geographic distribution during sustained periods of economic retrenchment, but also because it is imperative for the many exhibitors nationwide who are struggling financially yet eager to participate in Smithsonian outreach.

For communities still struggling to fully recover from the economic downturn, the ability of museums to present temporary exhibitions, the "mobile museum" promises to answer an ever-growing demand for Smithsonian shows in the field.

A single, conventional SITES exhibit can reach a maximum of 12 locations over a two- to three-year period.

In contrast, a "mobile museum" exhibit can visit up to three venues per week in the course of only one year, at no cost to the host institution or community.

The net result is an increase by 150 in the number of outreach locations to which SITES shows can travel annually.

And in addition to its flexibility in making short-term stops in cities and towns from coast-to-coast, a "mobile museum" has the advantage of being able to frequent the very locations where people live, work, and take part in leisure time activities.

By establishing an exhibit presence in settings like these, SITES will not only increase its annual visitor participation by 1 million, but also advance a key Smithsonian performance objective: to develop exhibit approaches that address diverse audiences, including population groups not always affiliated with mainstream cultural institutions.

SITES also will be the public exhibitions' face of the Smithsonian's National Museum of African American History and Culture, as that new Museum comes online.

Providing national access to projects that will introduce the American public to the Museum's mission, SITES in FY 2008 will tour such stirring exhibitions as NASA ART: 50 Years of Exploration; 381 Days: The Montgomery Bus Boycott Story; Beyond: Visions of Planetary Landscapes; The Way We Worked: Photographs from the National Archives; and More Than Words: Illustrated Letters from the Smithsonian's Archives of American Art.

To meet the growing demand among smaller community and ethnic museums for an exhibition celebrating the Latino experience, SITES provided a scaled-down version of the National Museum of American History's 4,000-square-foot exhibition about legendary entertainer Celia Cruz.

Two 1,500-square-foot exhibitions, one about Crow Indian history and the other on basket traditions, will give Smithsonian visitors beyond Washington a taste of the Institution's critically acclaimed National Museum of the American Indian.

Two more exhibits, "In Plane View" and "Earth from Space," provided visitors an opportunity to experience the Smithsonian's re-

cently opened, expansive National Air and Space Museum Udvar-Hazy Center.

For almost 30 years, The Smithsonian Associates—the highly regarded educational arm of the Smithsonian Institution—has arranged Scholars in the Schools programs.

Through this tremendously successful and well-received educational outreach program, the Smithsonian shares its staff—hundreds of experts in art, history and science—with the national community at a local level.

The mission of Smithsonian Affiliations is to build a strong national network of museums and educational organizations in order to establish active and engaging relationships with communities throughout the country.

There are currently 138 affiliates located in the United States, Puerto Rico, and Panama.

By working with museums of diverse subject areas and scholarly disciplines, both emerging and well-established, Smithsonian Affiliations is building partnerships through which audiences and visitors everywhere will be able to share in the great wealth of the Smithsonian while building capacity and expertise in local communities.

The National Science Resources Center (NSRC) strives to increase the number of ethnically diverse students participating in effective science programs based on NSRC products and services.

The Center develops and implements a national outreach strategy that will increase the number of school districts (currently more than 800) that are implementing NSRC K–8 programs.

The NSRC is striving to further enhance its program activity with a newly developed scientific outreach program introducing communities and school districts to science through literacy initiatives.

In addition, through the building of the multicultural Alliance Initiative, the Smithsonian's outreach programs seek to develop new approaches to enable the public to gain access to Smithsonian collections, research, education, and public programs that reflect the diversity of the American people, including underserved audiences of ethnic populations and persons with disabilities.

For all these reasons, Mr. Chair, I urge adoption of my amendment and thank Chairman Dicks and Ranking Member TIAHRT for their courtesies, consideration, and very fine work in putting together this excellent legislation.

I ask unanimous consent to withdraw my amendment at this time and begin to work the process to provide funding to the Smithsonian for that purpose.

The Acting CHAIR. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

The Clerk will read.

The Clerk read as follows:

OFFICE OF THE SPECIAL TRUSTEE FOR  
AMERICAN INDIANS  
FEDERAL TRUST PROGRAMS  
(INCLUDING TRANSFER OF FUNDS)

For the operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, compacts, and grants,



\$139,029,000, to remain available until expended, of which not to exceed \$22,120,000 from this or any other Act, may be available for historical accounting: *Provided*, That funds for trust management improvements and litigation support may, as needed, be transferred to or merged with the Bureau of Indian Affairs and Bureau of Indian Education, "Operation of Indian Programs" account; the Office of the Solicitor, "Salaries and Expenses" account; and the Office of the Secretary, "Departmental Operations" account: *Provided further*, That funds made available through contracts or grants obligated during fiscal year 2016, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 450 et seq.), shall remain available until expended by the contractor or grantee: *Provided further*, That, notwithstanding any other provision of law, the Secretary shall not be required to provide a quarterly statement of performance for any Indian trust account that has not had activity for at least 15 months and has a balance of \$15 or less: *Provided further*, That the Secretary shall issue an annual account statement and maintain a record of any such accounts and shall permit the balance in each such account to be withdrawn upon the express written request of the account holder: *Provided further*, That not to exceed \$50,000 is available for the Secretary to make payments to correct administrative errors of either disbursements from or deposits to Individual Indian Money or Tribal accounts after September 30, 2002: *Provided further*, That erroneous payments that are recovered shall be credited to and remain available in this account for this purpose: *Provided further*, That the Secretary shall not be required to reconcile Special Deposit Accounts with a balance of less than \$500 unless the Office of the Special Trustee receives proof of ownership from a Special Deposit Accounts claimant.

#### DEPARTMENT-WIDE PROGRAMS

##### WILDLAND FIRE MANAGEMENT

##### (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for fire preparedness, fire suppression operations, fire science and research, emergency rehabilitation, hazardous fuels management activities, and rural fire assistance by the Department of the Interior, \$804,795,000, to remain available until expended, of which not to exceed \$6,127,000 shall be for the renovation or construction of fire facilities: *Provided*, That such funds are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: *Provided further*, That of the funds provided \$164,000,000 is for hazardous fuels management activities: *Provided further*, That of the funds provided \$18,035,000 is for burned area rehabilitation: *Provided further*, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: *Provided further*, That notwithstanding 42 U.S.C. 1856d, sums received by a bureau or office of the Department of the Interior for fire protection rendered pursuant to 42 U.S.C. 1856 et seq., protection of United States property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation: *Provided further*, That using the amounts designated under this title of this Act, the Secretary of the Interior may enter into procurement contracts, grants, or cooperative agreements, for hazardous fuels management and resilient landscapes activities, and for training and monitoring associ-

ated with such hazardous fuels management and resilient landscapes activities on Federal land, or on adjacent non-Federal land for activities that benefit resources on Federal land: *Provided further*, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: *Provided further*, That notwithstanding requirements of the Competition in Contracting Act, the Secretary, for purposes of hazardous fuels management and resilient landscapes activities, may obtain maximum practicable competition among: (1) local private, nonprofit, or cooperative entities; (2) Youth Conservation Corps crews, Public Lands Corps (Public Law 109-154), or related partnerships with State, local, or nonprofit youth groups; (3) small or micro-businesses; or (4) other entities that will hire or train locally a significant percentage, defined as 50 percent or more, of the project workforce to complete such contracts: *Provided further*, That in implementing this section, the Secretary shall develop written guidance to field units to ensure accountability and consistent application of the authorities provided herein: *Provided further*, That funds appropriated under this heading may be used to reimburse the United States Fish and Wildlife Service and the National Marine Fisheries Service for the costs of carrying out their responsibilities under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) to consult and conference, as required by section 7 of such Act, in connection with wildland fire management activities: *Provided further*, That the Secretary of the Interior may use wildland fire appropriations to enter into leases of real property with local governments, at or below fair market value, to construct capitalized improvements for fire facilities on such leased properties, including but not limited to fire guard stations, retardant stations, and other initial attack and fire support facilities, and to make advance payments for any such lease or for construction activity associated with the lease: *Provided further*, That the Secretary of the Interior and the Secretary of Agriculture may authorize the transfer of funds appropriated for wildland fire management, in an aggregate amount not to exceed \$50,000,000, between the Departments when such transfers would facilitate and expedite wildland fire management programs and projects: *Provided further*, That funds provided for wildfire suppression shall be available for support of Federal emergency response actions: *Provided further*, That funds appropriated under this heading shall be available for assistance to or through the Department of State in connection with forest and rangeland research, technical information, and assistance in foreign countries, and, with the concurrence of the Secretary of State, shall be available to support forestry, wildland fire management, and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with United States and international organizations.

#### FLAME WILDFIRE SUPPRESSION RESERVE FUND

##### (INCLUDING TRANSFER OF FUNDS)

For necessary expenses for large fire suppression operations of the Department of the Interior and as a reserve fund for suppression and Federal emergency response activities, \$92,000,000, to remain available until expended: *Provided*, That such amounts are only available for transfer to the "Wildland Fire Management" account following a de-

claration by the Secretary in accordance with section 502 of the FLAME Act of 2009 (43 U.S.C. 1748a).

#### CENTRAL HAZARDOUS MATERIALS FUND

For necessary expenses of the Department of the Interior and any of its component offices and bureaus for the response action, including associated activities, performed pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.), \$10,010,000, to remain available until expended.

#### NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

##### NATURAL RESOURCE DAMAGE ASSESSMENT FUND

To conduct natural resource damage assessment, restoration activities, and onshore oil spill preparedness by the Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.), the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.), and Public Law 101-337 (16 U.S.C. 1911 et seq.), \$7,689,000, to remain available until expended.

#### WORKING CAPITAL FUND

For the operation and maintenance of a departmental financial and business management system, information technology improvements of general benefit to the Department, and the consolidation of facilities and operations throughout the Department, \$56,529,000, to remain available until expended: *Provided*, That none of the funds appropriated in this Act or any other Act may be used to establish reserves in the Working Capital Fund account other than for accrued annual leave and depreciation of equipment without prior approval of the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That the Secretary may assess reasonable charges to State, local and tribal government employees for training services provided by the National Indian Program Training Center, other than training related to Public Law 93-638: *Provided further*, That the Secretary may lease or otherwise provide space and related facilities, equipment or professional services of the National Indian Program Training Center to State, local and tribal government employees or persons or organizations engaged in cultural, educational, or recreational activities (as defined in section 3306(a) of title 40, United States Code) at the prevailing rate for similar space, facilities, equipment, or services in the vicinity of the National Indian Program Training Center: *Provided further*, That all funds received pursuant to the two preceding provisos shall be credited to this account, shall be available until expended, and shall be used by the Secretary for necessary expenses of the National Indian Program Training Center: *Provided further*, That the Secretary may enter into grants and cooperative agreements to support the Office of Natural Resource Revenue's collection and disbursement of royalties, fees, and other mineral revenue proceeds, as authorized by law.

#### ADMINISTRATIVE PROVISION

There is hereby authorized for acquisition from available resources within the Working Capital Fund, aircraft which may be obtained by donation, purchase or through available excess surplus property: *Provided*, That existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft.



GENERAL PROVISIONS, DEPARTMENT OF THE  
INTERIOR  
(INCLUDING TRANSFERS OF FUNDS)  
EMERGENCY TRANSFER AUTHORITY—INTRA-  
BUREAU

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: *Provided*, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: *Provided further*, That all funds used pursuant to this section must be replenished by a supplemental appropriation, which must be requested as promptly as possible.

EMERGENCY TRANSFER AUTHORITY—  
DEPARTMENT-WIDE

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of wildland fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; for response and natural resource damage assessment activities related to actual oil spills or releases of hazardous substances into the environment; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 417(b) of Public Law 106-224 (7 U.S.C. 7717(b)); for emergency reclamation projects under section 410 of Public Law 95-87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: *Provided*, That appropriations made in this title for wildland fire operations shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for wildland fire operations, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: *Provided further*, That for wildland fire operations, no funds shall be made available under this authority until the Secretary determines that funds appropriated for “wildland fire operations” and “FLAME Wildfire Suppression Reserve Fund” shall be exhausted within 30 days: *Provided further*, That all funds used pursuant to this section must be replenished by a supplemental appropriation, which must be requested as promptly as possible: *Provided further*, That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

AUTHORIZED USE OF FUNDS

SEC. 103. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by sec-

tion 3109 of title 5, United States Code, when authorized by the Secretary, in total amount not to exceed \$500,000; purchase and replacement of motor vehicles, including specially equipped law enforcement vehicles; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

AUTHORIZED USE OF FUNDS, INDIAN TRUST  
MANAGEMENT

SEC. 104. Appropriations made in this Act under the headings Bureau of Indian Affairs and Bureau of Indian Education, and Office of the Special Trustee for American Indians and any unobligated balances from prior appropriations Acts made under the same headings shall be available for expenditure or transfer for Indian trust management and reform activities. Total funding for historical accounting activities shall not exceed amounts specifically designated in this Act for such purpose.

REDISTRIBUTION OF FUNDS, BUREAU OF INDIAN  
AFFAIRS

SEC. 105. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to redistribute any Tribal Priority Allocation funds, including tribal base funds, to alleviate tribal funding inequities by transferring funds to address identified, unmet needs, dual enrollment, overlapping service areas or inaccurate distribution methodologies. No tribe shall receive a reduction in Tribal Priority Allocation funds of more than 10 percent in fiscal year 2016. Under circumstances of dual enrollment, overlapping service areas or inaccurate distribution methodologies, the 10 percent limitation does not apply.

ELLIS, GOVERNORS, AND LIBERTY ISLANDS

SEC. 106. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to acquire lands, waters, or interests therein including the use of all or part of any pier, dock, or landing within the State of New York and the State of New Jersey, for the purpose of operating and maintaining facilities in the support of transportation and accommodation of visitors to Ellis, Governors, and Liberty Islands, and of other program and administrative activities, by donation or with appropriated funds, including franchise fees (and other monetary consideration), or by exchange; and the Secretary is authorized to negotiate and enter into leases, subleases, concession contracts or other agreements for the use of such facilities on such terms and conditions as the Secretary may determine reasonable.

OUTER CONTINENTAL SHELF INSPECTION FEES

SEC. 107. (a) In fiscal year 2016, the Secretary shall collect a nonrefundable inspection fee, which shall be deposited in the “Off-shore Safety and Environmental Enforcement” account, from the designated operator for facilities subject to inspection under 43 U.S.C. 1348(c).

(b) Annual fees shall be collected for facilities that are above the waterline, excluding drilling rigs, and are in place at the start of the fiscal year. Fees for fiscal year 2016 shall be:

(1) \$10,500 for facilities with no wells, but with processing equipment or gathering lines;

(2) \$17,000 for facilities with 1 to 10 wells, with any combination of active or inactive wells; and

(3) \$31,500 for facilities with more than 10 wells, with any combination of active or inactive wells.

(c) Fees for drilling rigs shall be assessed for all inspections completed in fiscal year 2016. Fees for fiscal year 2016 shall be:

(1) \$30,500 per inspection for rigs operating in water depths of 500 feet or more; and

(2) \$16,700 per inspection for rigs operating in water depths of less than 500 feet.

(d) The Secretary shall bill designated operators under subsection (b) within 60 days, with payment required within 30 days of billing. The Secretary shall bill designated operators under subsection (c) within 30 days of the end of the month in which the inspection occurred, with payment required within 30 days of billing.

BUREAU OF OCEAN ENERGY MANAGEMENT, REG-  
ULATION AND ENFORCEMENT REORGANIZATION

SEC. 108. The Secretary of the Interior, in order to implement a reorganization of the Bureau of Ocean Energy Management, Regulation and Enforcement, may transfer funds among and between the successor offices and bureaus affected by the reorganization only in conformance with the reprogramming guidelines described in the report accompanying this Act.

CONTRACTS AND AGREEMENTS FOR WILD HORSE  
AND BURRO HOLDING FACILITIES

SEC. 109. Notwithstanding any other provision of this Act, the Secretary of the Interior may enter into multiyear cooperative agreements with nonprofit organizations and other appropriate entities, and may enter into multiyear contracts in accordance with the provisions of section 3903 of title 41, United States Code (except that the 5-year term restriction in subsection (a) shall not apply), for the long-term care and maintenance of excess wild free roaming horses and burros by such organizations or entities on private land. Such cooperative agreements and contracts may not exceed 10 years, subject to renewal at the discretion of the Secretary.

MASS MARKING OF SALMONIDS

SEC. 110. The United States Fish and Wildlife Service shall, in carrying out its responsibilities to protect threatened and endangered species of salmon, implement a system of mass marking of salmonid stocks, intended for harvest, that are released from federally operated or federally financed hatcheries including but not limited to fish releases of coho, chinook, and steelhead species. Marked fish must have a visible mark that can be readily identified by commercial and recreational fishers.

EXHAUSTION OF ADMINISTRATIVE REVIEW

SEC. 111. Section 122(a)(1) of division E of Public Law 112-74 (125 Stat. 1013) is amended by striking “fiscal years 2012 through 2016” and inserting “fiscal year 2012 and each fiscal year thereafter”.

WILD LANDS FUNDING PROHIBITION

SEC. 112. None of the funds made available in this Act or any other Act may be used to implement, administer, or enforce Secretarial Order No. 3310 issued by the Secretary of the Interior on December 22, 2010.

BUREAU OF INDIAN EDUCATION OPERATED  
SCHOOLS

SEC. 113. Section 115(d) of division E of Public Law 112-74 (25 U.S.C. 2000 note) is amended by striking “2017” and inserting “2027”.

## VOLUNTEERS IN PARKS

SEC. 114. Section 102301(d) of title 54, United States Code, is amended by striking “\$3,500,000” and inserting “\$7,000,000”.

## CONTRACTS AND AGREEMENTS WITH INDIAN AFFAIRS

SEC. 115. Notwithstanding any other provision of law, during fiscal year 2016, in carrying out work involving cooperation with State, local, and tribal governments or any political subdivision thereof, Indian Affairs may record obligations against accounts receivable from any such entities, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available at the end of the fiscal year.

## HERITAGE AREAS

SEC. 116. (a) Section 157(h)(1) of title I of Public Law 106-291 (16 U.S.C. 461 note) is amended by striking “\$11,000,000” and inserting “\$13,000,000”.

(b) Division II of Public Law 104-333 (16 U.S.C. 461 note) is amended—

(1) in sections 409(a), 508(a), and 812(a) by striking “\$15,000,000” and inserting “\$17,000,000”; and

(2) in sections 208, 310, and 607 by striking “2015” and inserting “2017”.

## SAGE-GROUSE

SEC. 117. None of the funds made available by this or any other Act may be used by the Secretary of the Interior to write or issue pursuant to section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533)—

(1) a proposed rule for greater sage-grouse (*Centrocercus urophasianus*);

(2) a proposed rule for the Columbia basin distinct population segment of greater sage-grouse.

## OFFSHORE PAY AUTHORITY EXTENSION

SEC. 118. Section 117 of division G of Public Law 113-76 is amended by striking “and 2015” and inserting “through 2017”.

## ONSHORE PAY AUTHORITY EXTENSION

SEC. 119. Section 123 of division G of Public Law 113-76 is amended by striking “and 2015” and inserting “through 2017”.

## IVORY

SEC. 120. None of the funds made available by this or any other Act may be used to draft, prepare, implement, or enforce any new or revised regulation or order that—

(1) prohibits or restricts, within the United States, the possession, sale, delivery, receipt, shipment, or transportation of ivory that has been lawfully imported into the United States;

(2) changes any means of determining, including any applicable presumptions concerning, when ivory has been lawfully imported; or

(3) prohibits or restricts the importation of ivory that was lawfully importable into the United States as of February 1, 2014.

## AMENDMENT OFFERED BY MR. GRIJALVA

Mr. GRIJALVA. I have an amendment at the desk, Mr. Chairman.

The Acting CHAIR (Mr. BISHOP of Michigan). The Clerk will report the amendment.

The Clerk read as follows:

Beginning at page 59, line 9, strike section 120.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GRIJALVA. Mr. Chairman, last week, the U.S. Fish and Wildlife Service destroyed a 1-ton stockpile of illegal elephant ivory. Most of it was seized up from a Philadelphia antique dealer named Victor Gordon.

For at least 9 years, Gordon imported and sold ivory from freshly killed African elephants in violation of U.S. law and the laws of the countries where the elephants were poached and the ivory stolen.

How did he get away with this for so long? The ivory was doctored so that it looked old enough to pass through a loophole in the enforcement of the African Elephant Conservation Act, a law that was passed in 1989 to end the commercial import and export of ivory.

While a ton of ivory was confiscated, there is no way to know how much Gordon had sold during the previous decade or where it is now. All we know for certain is all of it was illegal, all of it is nearly impossible to distinguish from antique ivory, and anyone who bought it from Gordon, resells it, or buys it from a new owner is contributing to the ongoing slaughter of elephants and the criminal trafficking of ivory that supports organized crime and terrorism.

This has got to stop. How many more Victor Gordons are out there? The amount is a question that can't be answered. The amount of ivory seized from his shop represents 100 elephants, roughly the same number killed every day in Africa.

The photo we wanted to enlarge was a photo of an Africa elephant that had been killed and its head decapitated and the ivory butchered out of its head. Upon review, it was decided that it was too graphic and disturbing for the Chamber and for the floor, and we didn't bring that one.

While much of this poaching is fueled by demand for ivory in Asia, a significant black market exists in the United States, as evidenced by the Gordon case and similar State level investigations in New York City and elsewhere.

The only way—and I repeat—the only way to keep U.S. citizens from being involved, whether knowingly or unknowingly, in this elephant poaching and trafficking crisis is to close the enforcement loopholes and eliminate the commercial import, export, and trade of Africa elephant ivory in this country.

That is precisely what the Obama administration is trying to do by proposing new rules to limit ivory trade in the United States. Instead of assisting in this important cause, House Republicans have slipped a rider into the appropriations bill to kill the new rule before it is even finalized.

My amendment would remove this rider. Ending the commercial ivory trade does not mean taking away people's musical instruments, as some have said, ivory-handled pistols, or

family heirlooms. Museum collections, scientific specimens, and sport-hunted trophies will also be allowed to move freely. Further, items containing very small amounts of ivory can be bought and sold.

Profiteering off elephant parts will no longer be allowed, nor should it be. As long as ivory has monetary value, people will kill elephants to get it. Eliminating value will eliminate demand and that will reduce wildlife poaching and trafficking.

I understand the administration's proposed ivory rule is due out very shortly, and in the interest of giving everyone a chance to review that rule, I will withdraw this amendment today.

However, I will not hesitate to return with a similar amendment later if that is what it takes to remove this damaging rider from the bill.

I ask, Mr. Chairman, unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

The Clerk will read.

The Clerk read as follows:

## REISSUANCE OF FINAL RULES

SEC. 121. Before the end of the 60-day period beginning on the date of the enactment of this Act, the Secretary of the Interior shall reissue the final rule published on December 28, 2011 (76 Fed. Reg. 81666 et seq.) and the final rule published on September 10, 2012 (77 Fed. Reg. 55530 et seq.), without regard to any other provision of statute or regulation that applies to issuance of such rules. Such reissuances (including this section) shall not be subject to judicial review.

## NORTHERN LONG-EARED BAT

SEC. 122. Before the end of the 60-day period beginning on the date of the enactment of this Act, the Secretary of the Interior shall amend the interim rule pertaining to the northern long-eared bat published by the Department of the Interior in the Federal Register on April 2, 2015 (80 Fed. Reg. 17974 et seq.), only in such a way that—

(1) take incidental to any activity conducted in accordance with the habitat conservation measures identified at pages 18024 to 18205 of volume 80 of the Federal Register (April 2, 2015), as applicable, is not prohibited; and

(2) the public comment period for such interim rule is reopened for not less than 90 days.

## ECHINODERMS

SEC. 123. Section 14.21(a)(1) of title 50, Code of Federal Regulations, is amended by inserting “, including echinoderms commonly known as sea urchins and sea cucumbers,” after “products”.

## TITLE II—ENVIRONMENTAL PROTECTION AGENCY

## SCIENCE AND TECHNOLOGY

For science and technology, including research and development activities, which shall include research and development activities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980; necessary expenses for personnel and related costs and travel expenses;

procurement of laboratory equipment and supplies; and other operating expenses in support of research and development, \$704,918,000, to remain available until September 30, 2017: *Provided*, That of the funds included under this heading, \$7,100,000 shall be for Research: National Priorities as specified in the report accompanying this Act.

AMENDMENT OFFERED BY MR. LANGEVIN

Mr. LANGEVIN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 61, line 16, after the dollar amount, insert “(reduced by \$1,625,000)”.

Page 62, lines 8 and 13, after each dollar amount, insert “(increased by \$1,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Rhode Island and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Rhode Island.

Mr. LANGEVIN. Mr. Chairman, I yield myself such time as I may consume.

This amendment, which I am offering with my good friends, Mr. KEATING and Mr. CICILLINE, will provide \$1 million to the southern New England estuaries geographic program. This program was funded at \$5 million last year and has been incredibly successful at leveraging resources, bringing stakeholders together, and increasing efficiencies.

Estuaries are essential for healthy coastal ecosystems. They provide benefits of great economic and ecologic significance, including vital nesting and feeding habitats for aquatic plants and animals; yet they are increasingly affected by impacts of human activity along our coasts. These funds will be used to continue efforts to protect and restore our coasts and estuaries, which are critical for our environment and our economy.

The southern New England estuaries geographic program supports projects and science to restore the health of southeastern New England's estuaries watersheds and coastal waters and ensure access now and in the future to resilient, self-sustaining ecosystems and associated populations of our fish and shellfish.

I would like to take a moment to say that the account that we are reallocating from, EPA science and technology, is also critically important. While we would have liked to offer an amendment increasing the southern New England estuary geographic program to its full funding amount of \$5 million, there were neither sufficient nor appropriate offsets in this bill to do so.

Mr. Chair, I hope that as our appropriators go to conference with the Senate, they are able to restore the full funding amount of \$5 million for this important program.

I would also like to thank Congressman KEATING, along with Congressman

CICILLINE, for being tremendous partners in ensuring that our southern New England estuaries are restored and stay healthy for generations to come.

I would like to thank Chairman CALVERT, Ranking Member MCCOLLUM, and their staffs who worked on this bill.

I urge my colleagues to support the funding for the southern New England estuary geographic program.

I yield to the gentleman from Rhode Island (Mr. CICILLINE), my good friend and colleague, to speak on the amendment.

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Mr. CICILLINE. Mr. Chairman, I thank my colleague and friend for yielding.

I also would like to express my gratitude to Mr. KEATING, who unfortunately could not be with us today, for his hard work on this important issue, and I thank my colleague from Rhode Island (Mr. LANGEVIN) for his elegant words.

Mr. Chairman, the estuaries in Narragansett Bay in Rhode Island and Buzzards Bay in Massachusetts face significant environmental challenges, many shared by estuaries across the country. These challenges include rivers and streams that are disconnected from the landscape, the loss of critical wetlands, the impacts of centuries of urbanization and development, and aging infrastructure.

Southern New England estuaries are especially threatened by these challenges. Yet despite the harm that we know is being done to our estuaries, southern New England was the only geographic region in this bill which saw all of its estuary funding eliminated. While some geographic regions were underfunded compared to fiscal year 2016 requests, most requests for geographic regions were either met or, in some cases, increased. Inexplicably, it was only southern New England that was singled out for complete elimination of funding for the next fiscal year.

This amendment would restore a modest \$1 million funding for southern New England estuaries program, as Congressman LANGEVIN said. Then, at conference, we hope that full funding is restored.

The southern New England watershed has experienced more than 400 years of ecological degradation, which is further exacerbated by the effects of climate change. Rivers and waterways have become disconnected from the watershed, which has led to the absorption of nitrogen and other pollutants from sources such as septic systems, treatment plants, and storm water runoff.

The funding provided to these geographic programs allows for essential collaboration between Federal entities, nonprofit and academic institutions, and other private entities to formulate

innovative solutions and to produce new technologies to create cleaner and clearer waterways. For example, in fiscal year 2014, more than \$65,000 in grants was awarded to the Narragansett Bay watershed. This funded projects run by Save the Bay in my district, including an education and awareness project for residents and businesses on Aquidneck Island as well as a partnership program involving the Rhode Island Coastal Resources Management Council to facilitate site visits to more than 200 shoreline rights-of-way to determine any needed levels of improvement to public access.

Programs like these have proven to be effective. In fact, the Narragansett Bay Estuary Program was awarded a 2015 Environmental Merit Award from EPA New England for outstanding contributions on behalf of southern New England's public health and natural environment. These collaborative efforts throughout the southern New England region with continued funding will help to support projects to protect ecological habitats, foster self-sustaining ecosystems, and protect wildlife. Federal collaboration and investment is essential to helping local communities apply for and receive funding.

I thank my colleague from Rhode Island and my colleague from Massachusetts for the great work they have done on this issue.

I urge passage of this amendment by all of my colleagues.

Mr. CALVERT. Mr. Chairman, I claim time in opposition, but I don't oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. CALVERT. I would be happy to work with the gentlemen, and I would urge acceptance of this amendment.

I yield back the balance of my time.

Mr. LANGEVIN. Mr. Chairman, I thank the gentleman for his support of the amendment as well as my colleague and Mr. KEATING. As I said, this is such an important amendment. It includes important funding for protecting our ecosystems.

I urge passage of my amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Rhode Island (Mr. LANGEVIN).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

For environmental programs and management, including necessary expenses, not otherwise provided for, for personnel and related costs and travel expenses; hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to

subscribers who are not members; administrative costs of the brownfields program under the Small Business Liability Relief and Brownfields Revitalization Act of 2002; and not to exceed \$9,000 for official reception and representation expenses, \$2,472,289,000, to remain available until September 30, 2017: *Provided*, That of the funds included under this heading, \$12,700,000 shall be for Environmental Protection: National Priorities as specified in the report accompanying this Act: *Provided further*, That of the funds included under this heading, \$403,523,000 shall be for Geographic Programs specified in the report accompanying this Act.

AMENDMENT OFFERED BY MR. GRAYSON

Mr. GRAYSON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 62, line 8, after the dollar amount, insert “(reduced by \$2,212,000) (increased by \$2,212,000)”.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. GRAYSON. Mr. Chairman, I want to thank Chairman CALVERT and his staff for working with me on this amendment. It simply seeks to decrease and then increase by the same amount within the \$2.5 billion appropriation for the environmental programs and management account within the Environmental Protection Agency. More specifically, my amendment seeks to remove and then reapply \$2.2 million from that account.

The intent behind my amendment is simple. It is to put the House on record of supporting a final funding amount of \$27,310,000 for the National Estuary Program and coastal waterways.

Currently, the report accompanying this bill calls for \$25,098,000 for the National Estuary Program and coastal waterways, which is \$2,212,000 below both the Senate's proposed appropriations level and the President's request for fiscal year 2016. Hence, the amount specified in my amendment.

The National Estuary Program and coastal waterways subaccount within the EPA does important work, including work in my State, especially on the Atlantic Coast. It addresses ocean acidification, seeks to remove coastal watersheds, furthers the National Estuary Program's restoration goals, and assists in the implementation of the very important Gulf of Mexico hypoxia action plan.

Mr. Chairman, there is an area, a large area called the dead zone off of Louisiana that literally stinks. It has no fish. It has no recreational opportunities. It has no fishing. It is, in fact, a scar on the face of the Earth. Part of the funding for this program is used to try to overcome the hypoxia situation that has arisen off the coast of Louisiana that threatens to spread not

only to Texas, Alabama, and Mississippi, but also to the coast of my State of Florida, eventually, if we do nothing about it.

The estuarine regions of the United States comprise just 12 percent of land area of the United States, but they contain 43 percent of the U.S. population and provide 49 percent of all U.S. economic output. The economic value of coastal recreation alone in the United States—beach going, fishing, bird watching, snorkeling, diving, and so on—has conservatively been estimated by NOAA to be between \$20 billion and \$60 billion annually.

Clearly, the \$2.2 million increase in funding for the National Estuary Program and coastal waterways that I am seeking will result in dramatic returns for the American economy, an enhanced quality of life for the American people, and eliminate that scar on the face of planet Earth that exists off the coast of Louisiana and should never be allowed to spread.

Mr. Chairman, I know that you support this amendment, and I am thankful for your support. With that in mind, I will stop talking before I lose your support.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. GRAYSON).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MOONEY OF WEST VIRGINIA

Mr. MOONEY of West Virginia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 62, line 8, after the dollar amount, insert “(reduced by \$2,000,000)”.

Page 62, line 19, after the dollar amount, insert “(increased by \$1,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from West Virginia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. MOONEY of West Virginia. Mr. Chairman, I rise today to offer an amendment to the fiscal year 2016 Interior Appropriations bill that will help strengthen transparency and oversight at the Environmental Protection Agency, EPA. My amendment simply provides \$1 million in additional funding for the Office of Inspector General at the EPA.

I thank Chairman KEN CALVERT for working with me on this amendment.

Under the current administration, the EPA has waged an all-out war on jobs in the beautiful Second District of West Virginia and on communities across America. With this backdrop, I think it is absolutely critical that we strengthen oversight and transparency at the EPA. Taxpayers deserve to know what is going on behind the curtain.

The Office of the Inspector General plays a critical oversight role within the EPA. It is the independent office that works diligently to root out waste, fraud, and abuse. For example, a May 28, 2015, report found that two separate EPA employees were viewing pornography at work for up to 6 hours a day, and they were paid in the neighborhood of \$120,000 a year while doing it.

The same report found that Renee Page, who at the time was Director of the EPA's Office of Administration, allegedly sold jewelry and weight loss pills out of her office. But she didn't stop there with her abuses. She hired not one, not two, but 17 family members and friends for paid internships at the EPA.

These are just two examples of the incredible abuses of public trust and of taxpayer dollars that occur at the EPA. Without rigorous oversight from the inspector general, these abuses might never have been exposed.

My amendment provides additional oversight funding without increasing the budgetary impact of the fiscal year 2016 Interior Appropriations bill. We pull the money from the Office of Public Affairs, which is the office responsible for promoting the administration's radical environmental agenda, and use it instead for oversight.

I would encourage my colleagues today to cast their vote in favor of my amendment.

Mr. CALVERT. Will the gentleman yield?

Mr. MOONEY of West Virginia. I yield to the gentleman from California.

Mr. CALVERT. Mr. Chairman, I would be happy to support this amendment. I appreciate the gentleman's bringing it up, and I encourage everyone to adopt it.

Mr. MOONEY of West Virginia. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from West Virginia (Mr. MOONEY).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MOONEY OF WEST VIRGINIA

Mr. MOONEY of West Virginia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 62, line 8, after the dollar amount, insert “(reduced by \$2,000,000)”.

Page 132, line 24, after the dollar amount, insert “(increased by \$2,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from West Virginia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. MOONEY of West Virginia. Mr. Chairman, this amendment would strike \$2 million in funding from the

Environmental Protection Agency Office of Policy and transfer those funds to the deficit reduction account.

The Office of Policy is located within the EPA Office of the Administrator and is the primary policy arm for the Agency, or what I have been calling the regulatory nerve center. The funding for this office directly supports this administration's radical regulatory agenda that is putting an alarming number of my constituents out of work, and they are not shy about it.

The head of the EPA's Office of Policy, Joel Beauvais, on October 13, 2014, boasted to a group of New York University law students that his office "coordinates the process through which all of the EPA's rules are developed, including the clean power plan."

Well, the so-called clean power plan is projected to increase energy costs by as much as \$479 billion over the next 15 years. For my constituents in the beautiful Second District of West Virginia, that means an average electricity price increase of 12 percent. This is something we cannot afford. Yesterday, on the floor of this Chamber, we passed the ratepayer protection plan, which will stop the clean power plan, but the Office of Policy is coordinating more than just the clean power plan. The EPA issues about 150 new regulations each year, and this office is right at the center.

Another rule that deserves attention is the EPA's proposed ozone standard. The National Association of Manufacturers found that this new regulation could reduce the United States' GDP by \$207 billion to \$360 billion annually, leading to 2.9 million fewer jobs between now and 2040.

It is clear that the EPA, under this administration, will continue to promote their radical environmentalist agenda through an enormous number of rules and regulations. We have to slow this process, and that is why I propose this amendment to cut the Office of Policy funding by \$2 million. I would encourage my colleagues today to cast their vote in favor of my amendment.

I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

□ 1630

Ms. MCCOLLUM. The gentleman's amendment would cut \$2 million from the Office of Policy and Program and put the savings into the so-called spending reduction account. If enacted, this would cut an already barebones bill that is plagued by policy riders and further erode our environment.

I am concerned that this cut could have great influence on what the policy division does in its relationship in working with States and divisions

within States, community assistance, and its research division.

I would also point out to my colleagues that the spending reduction account has never been enacted into law in the 4 years it has been proposed, so there really isn't an account I know of that has been authorized where this fund could go.

I urge my colleagues to oppose this amendment and to keep the Office of Policy able to do its work that impacts on our States and local community.

I yield back the balance of my time.

Mr. MOONEY of West Virginia. Mr. Chairman, I yield to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. I agree with the gentleman's amendment. I would urge its adoption.

Mr. MOONEY of West Virginia. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from West Virginia (Mr. MOONEY).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. TIPTON

Mr. TIPTON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 62, line 8, after the dollar amount, insert "(reduced by \$20,000,000)".

Page 79, line 17, after the dollar amount, insert "(increased by \$20,000,000)".

Page 80, line 19, after the dollar amount, insert "(increased by \$20,000,000)".

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Colorado and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. TIPTON. Mr. Chairman, I yield myself such time as I may consume.

I would like to thank Chairman CALVERT and Ranking Member MCCOLLUM for their collaborative efforts in putting together this bill that carefully and thoughtfully allocates limited resources in order to conserve and restore our Nation's precious natural resources.

As you know, States across the Nation, especially those in the West, face widespread drought and deteriorating forest health conditions, all of which increase the risk of catastrophic wildfires and the tragic loss of life and property.

Furthermore, these forest health conditions and the wildfires wreak havoc on species habitat; recreational economies; critical infrastructure; and clean, abundant water supplies.

In 2014, the Forest Service and the Department of the Interior agencies spent over \$1.5 million in fire suppression costs to combat fires on more than 3.5 million acres of private, State, and Federal lands.

These suppression costs will only continue to rise if we do not appro-

priately address the critical issues of wildfire preparation, including hazardous fuel management activities.

For far too long, we have been addressing the problem after the fact. That course of action has led to decades of declining healthy forests and a staggering increase in the occurrence of catastrophic wildfires, putting people, communities, and ecosystems at risk.

In fiscal year 2015, Congress provided a \$75 million increase for hazardous fuels management. I applaud Chairman CALVERT and my colleagues for spearheading these efforts, but we can do more.

Today, I am offering a simple amendment that will bolster the wildfire management system account on the National Forest System lands by \$20 million, allowing the Forest Service to be able to expand ongoing work on hazardous fuels reduction and fire mitigation projects.

Quite simply, the cost of proactive healthy forest management is far less than the cost of wildfire suppression and cleaning up devastating aftermaths.

I urge my colleagues to support this amendment.

At this time, I yield 2 minutes to the gentleman from New Mexico (Mr. PEARCE), a cosponsor of this legislation.

Mr. PEARCE. Mr. Chairman, I appreciate the gentleman from Colorado bringing this amendment.

In the West, we are finding that our States are being burned up. They are burned up because the forests are simply full of fuel that has not been cut or logged for the last 20, 30 years. These are internal decisions that were created by an inappropriate listing of the spotted owl, declaring that timber reduction was the reason the spotted owl was going extinct.

A couple of years ago, the Fish and Wildlife Service reversed that, saying: Oops, logging had nothing to do with it.

It doesn't matter. Now, the damage is done. Our forests are chock-full of fuels. It has been extraordinarily dry through the West. Small sparks set off tremendous blazes. The wind always blows in the West. We find these raging while fires that weren't in existence 30, 40, and 50 years ago because nature was pretty well in harmony.

The idea of the gentleman is simply to put more money into the fuels reduction account. That is a common-sense solution that will save us in the West, save our valuable resources, save our valuable forests, and it will make sense for the country.

I support the amendment and would urge its adoption.

Mr. TIPTON. I yield to the gentleman from California (Mr. CALVERT), the chairman.

Mr. CALVERT. I certainly agree with you. We need to improve the condition

of our national forests. My home of California, as you know, is going through an exceptional drought. Colorado is just not sending enough water down the Colorado River, so you need to help us out a little bit.

This hazardous fuel issue is a huge issue in my area. As you know, we have the blight issue that is just killing trees because we have too many trees in the forests, and it has weakened the forests.

This is a good amendment, and I certainly urge its adoption.

Mr. TIPTON. Mr. Chairman, I reserve the balance of my time.

Ms. PINGREE. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Maine is recognized for 5 minutes.

Ms. PINGREE. Mr. Chair, while I certainly appreciate the challenges that so many Western States are facing right now with the drought and very frightening wildfires, I need to oppose this.

Unlike most programs in H.R. 2822, especially within the Forest Service, the base hazardous fuels program received a \$10 million increase above the FY 2015 enacted level.

There is a reduction in H.R. 2822 to the biomass grant portion of the hazardous fuels program, but I see nothing in this amendment that addresses that cut.

We would all like to see increases in funding for many programs funded by the bill. Chairman CALVERT has certainly been a strong advocate for a robust wildland fire program, including hazardous fuels. Coming from the fire-prone State of California, as he just mentioned, he knows as well as anyone that our fire programs need support, and he has funded that accordingly.

To provide what would be a record level of funding for hazardous fuels, the sponsor of this amendment would cut an additional \$20 million from the EPA, which is why I feel it is important to oppose this amendment.

This bill already severely cuts the EPA's main operating account by \$141.4 million, or 5 percent. I strongly oppose an amendment that takes more money from the already starved EPA. The very air we breathe and the water we drink are endangered by the funding and policy decisions made in this bill, and their consequences will be negatively felt in communities across this Nation.

I know cutting EPA is an easy target for many of my colleagues across the aisle, but I want to make sure that my colleagues understand what this amendment would cut if it was adopted.

This account funds programs that are important to both sides of the aisle, including permitting for construction projects across the country, toxics risk prevention, the cleanup of toxic waste

sites, pesticide licensing, and radiation prevention.

EPA's work goes beyond the political talking point of scary regulations and is necessary to keep vulnerable populations safe from environmental disasters. It is beyond reason, frankly, to cut the very Federal employees that have ably responded to the disasters such as the BP oil spill and the coal ash spill in Kingston, Tennessee, in 2008.

I do not support gutting the EPA further, and I oppose this amendment. I urge my colleagues to do the same.

I yield back the balance of my time. Mr. TIPTON. Mr. Chairman, how much time is remaining?

The Acting CHAIR. The gentleman from Colorado has 1 minute remaining.

Mr. TIPTON. Mr. Chairman, the current Environmental Protection Agency likes to applaud itself that it is a champion of clean air and clean water. For those of us who live in the West, this is not a political talking point. This is reality.

If you care about clean air, think about the carbon that is emitted from wildfires. Think about the devastation to the wildlife habitat as our forests burn. Think about clean water as ash is washed down through the ravines into very narrow watersheds where we have endangered species residing as well.

I would submit, Mr. Chairman, that we actually put action through our words in terms of being proactive and in terms of addressing forest health. If you care about clean water, if you care about endangered species, if you care about clean air, this is an opportunity to actually allow us to be able to move the ball forward, to be able to address what the Environmental Protection Agency says it is about—that is clean air, clean water.

This amendment will help achieve that goal, and encourage my colleagues to adopt it.

I yield back the balance of my time. The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. TIPTON).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

#### OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$40,000,000, to remain available until September 30, 2017.

#### BUILDINGS AND FACILITIES

For construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of, or for use by, the Environmental Protection Agency, \$34,467,000, to remain available until expended.

#### HAZARDOUS SUBSTANCE SUPERFUND (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Comprehensive Environmental Response,

Compensation, and Liability Act of 1980 (CERCLA), including sections 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611) \$1,088,769,000, to remain available until expended, consisting of such sums as are available in the Trust Fund on September 30, 2015, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA) and up to \$1,088,769,000 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA: *Provided*, That funds appropriated under this heading may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA: *Provided further*, That of the funds appropriated under this heading, \$8,459,000 shall be paid to the "Office of Inspector General" appropriation to remain available until September 30, 2017, and \$16,217,000 shall be paid to the "Science and Technology" appropriation to remain available until September 30, 2017.

#### LEAKING UNDERGROUND STORAGE TANK TRUST FUND PROGRAM

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by subtitle I of the Solid Waste Disposal Act, \$91,941,000, to remain available until expended, of which \$66,572,000 shall be for carrying out leaking underground storage tank cleanup activities authorized by section 9003(h) of the Solid Waste Disposal Act; \$25,369,000 shall be for carrying out the other provisions of the Solid Waste Disposal Act specified in section 9508(c) of the Internal Revenue Code: *Provided*, That the Administrator is authorized to use appropriations made available under this heading to implement section 9013 of the Solid Waste Disposal Act to provide financial assistance to federally recognized Indian tribes for the development and implementation of programs to manage underground storage tanks.

#### INLAND OIL SPILL PROGRAMS

For expenses necessary to carry out the Environmental Protection Agency's responsibilities under the Oil Pollution Act of 1990, \$17,944,000, to be derived from the Oil Spill Liability trust fund, to remain available until expended.

#### STATE AND TRIBAL ASSISTANCE GRANTS

For environmental programs and infrastructure assistance, including capitalization grants for State revolving funds and performance partnership grants, \$2,979,829,000, to remain available until expended, of which—

(1) \$1,018,000,000 shall be for making capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act; and of which \$757,000,000 shall be for making capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act: *Provided*, That for fiscal year 2016, funds made available under this title to each State for Clean Water State Revolving Fund capitalization grants and for Drinking Water State Revolving Fund capitalization grants may, at the discretion of each State, be used for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities: *Provided further*, That notwithstanding section 603(d)(7) of the Federal Water Pollution Control Act, the limitation on the amounts in a State water pollution control revolving fund that may be used by a State to administer the fund shall not apply to amounts included as principal in loans made by such fund in



fiscal year 2016 and prior years where such amounts represent costs of administering the fund to the extent that such amounts are or were deemed reasonable by the Administrator, accounted for separately from other assets in the fund, and used for eligible purposes of the fund, including administration: *Provided further*, That for fiscal year 2016, notwithstanding the limitation on amounts in section 518(c) of the Federal Water Pollution Control Act, up to a total of 2 percent of the funds appropriated, or \$30,000,000, whichever is greater, and notwithstanding the limitation on amounts in section 1452(i) of the Safe Drinking Water Act, up to a total of 2 percent of the funds appropriated, or \$20,000,000, whichever is greater, for State Revolving Funds under such Acts may be reserved by the Administrator for grants under section 518(c) and section 1452(i) of such Acts: *Provided further*, That for fiscal year 2016, notwithstanding the amounts specified in section 205(c) of the Federal Water Pollution Control Act, up to 1.5 percent of the aggregate funds appropriated for the Clean Water State Revolving Fund program under the Act less any sums reserved under section 518(c) of the Act, may be reserved by the Administrator for grants made under title II of the Federal Water Pollution Control Act for American Samoa, Guam, the Commonwealth of the Northern Marianas, and United States Virgin Islands: *Provided further*, That for fiscal year 2016, notwithstanding the limitations on amounts specified in section 1452(j) of the Safe Drinking Water Act, up to 1.5 percent of the funds appropriated for the Drinking Water State Revolving Fund programs under the Safe Drinking Water Act may be reserved by the Administrator for grants made under section 1452(j) of the Safe Drinking Water Act: *Provided further*, That 10 percent of the funds made available under this title to each State for Clean Water State Revolving Fund capitalization grants and 20 percent of the funds made available under this title to each State for Drinking Water State Revolving Fund capitalization grants shall be used by the State to provide additional subsidy to eligible recipients in the form of forgiveness of principal, negative interest loans, or grants (or any combination of these), and shall be so used by the State only where such funds are provided as initial financing for an eligible recipient or to buy, refinance, or restructure the debt obligations of eligible recipients only where such debt was incurred on or after the date of enactment of this Act;

(2) \$5,000,000 shall be for architectural, engineering, planning, design, construction and related activities in connection with the construction of high priority water and wastewater facilities in the area of the United States-Mexico Border, after consultation with the appropriate border commission; *Provided*, That no funds provided by this appropriations Act to address the water, wastewater and other critical infrastructure needs of the colonias in the United States along the United States-Mexico border shall be made available to a county or municipal government unless that government has established an enforceable local ordinance, or other zoning rule, which prevents in that jurisdiction the development or construction of any additional colonia areas, or the development within an existing colonia the construction of any new home, business, or other structure which lacks water, wastewater, or other necessary infrastructure;

(3) \$10,000,000 shall be for grants to the State of Alaska to address drinking water and wastewater infrastructure needs of rural

and Alaska Native Villages: *Provided*, That of these funds: (A) the State of Alaska shall provide a match of 25 percent; (B) no more than 5 percent of the funds may be used for administrative and overhead expenses; and (C) the State of Alaska shall make awards consistent with the Statewide priority list established in conjunction with the Agency and the U.S. Department of Agriculture for all water, sewer, waste disposal, and similar projects carried out by the State of Alaska that are funded under section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301) or the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) which shall allocate not less than 25 percent of the funds provided for projects in regional hub communities;

(4) \$75,000,000 shall be to carry out section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), including grants, inter-agency agreements, and associated program support costs: *Provided*, That not more than 25 percent of the amount appropriated to carry out section 104(k) of CERCLA shall be used for site characterization, assessment, and remediation of facilities described in section 101(39)(D)(ii)(II) of CERCLA;

(5) \$50,000,000 shall be for grants under title VII, subtitle G of the Energy Policy Act of 2005;

(6) \$20,000,000 shall be for targeted airshed grants in accordance with the terms and conditions of the report accompanying this Act; and

(7) \$1,044,829,000 shall be for grants, including associated program support costs, to States, federally recognized tribes, interstate agencies, tribal consortia, and air pollution control agencies for multi-media or single media pollution prevention, control and abatement and related activities, including activities pursuant to the provisions set forth under this heading in Public Law 104-134, and for making grants under section 103 of the Clean Air Act for particulate matter monitoring and data collection activities subject to terms and conditions specified by the Administrator, of which: \$47,745,000 shall be for carrying out section 128 of CERCLA; \$9,646,000 shall be for Environmental Information Exchange Network grants, including associated program support costs; \$1,498,000 shall be for grants to States under section 2007(f)(2) of the Solid Waste Disposal Act, which shall be in addition to funds appropriated under the heading "Leaking Underground Storage Tank Trust Fund Program" to carry out the provisions of the Solid Waste Disposal Act specified in section 9508(c) of the Internal Revenue Code other than section 9003(h) of the Solid Waste Disposal Act; \$17,848,000 of the funds available for grants under section 106 of the Federal Water Pollution Control Act shall be for State participation in national- and State-level statistical surveys of water resources and enhancements to State monitoring programs.

AMENDMENT OFFERED BY MR. MCNERNEY

Mr. MCNERNEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 65, line 5, after the dollar amount, insert "(increased by \$861,000,000)".

Page 65, line 7, after the dollar amount, insert "(increased by \$432,000,000)".

Page 65, line 10, after the dollar amount, insert "(increased by \$429,000,000)".

Mr. CALVERT. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 333, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. MCNERNEY. Mr. Chairman, although I had planned to withdraw my amendment, I feel it is important to discuss the Clean Water and Safe Drinking Water State Revolving Funds and the benefits these funds provide to our Nation.

Droughts are becoming more severe, which is putting an incredible strain on our water supply in California, and in my district, where we are experiencing a historic drought for the last 4 years. We have to manage our available water in smart and efficient ways.

We lose an estimated 7 billion gallons of water a day from leaking pipes, with some cities losing as much as 30 percent of their water. At the same time, these cracks expose the water supply to an increasing number of waterborne diseases and contaminants. This means utilities face considerable challenges as they try to provide both adequate and safe drinking water to families and businesses.

Upgrading our infrastructure would save trillions of gallons of water a year and make our water safer to drink, but the best part is that, according to the American Water Works Association, there are already enough shovel-ready water projects around the United States that would create work for more than 400,000 Americans, including almost 90,000 direct construction jobs. These are jobs that would be welcomed with open arms in our towns and cities across the United States.

Our Nation's water infrastructure is in desperate need of repair. According to an infrastructure needs survey by the EPA, nearly \$335 billion worth of repairs, upgrades, and replacements are needed by water systems in the next 20 years to continue providing safe drinking water and protecting public health. Almost \$300 billion is needed to repair and replace wastewater and storm water pipes and treatment plants.

Furthermore, the National Association of Clean Water Agencies and the Association of Metropolitan Water Agencies estimate that utilities will need to spend \$448 billion to \$944 billion by 2050 just to deal with climate change impacts.

Considering the significant water infrastructure needs our country is facing, the Clean Water and Safe Drinking Water State Revolving Funds have never been more important.

□ 1645

These funds help finance projects that handle and treat domestic sewage



and storm water and deliver drinking water to homes and businesses. These infrastructure investments also create jobs and have a positive impact on the economy well beyond the amount spent.

Unfortunately, the bill proposes significant—and I want to repeat that—significant reductions to drinking water SFRs and over a \$400 million cut in the Clean Water Act sewage treatment SFRs.

The Nation's water infrastructure needs already exceed the available funding, and cutting the revolving funds by this much means that a greater number of deserving community projects will not be able to get done. This approach will only imperil our infrastructure and our healthy communities that it helps foster.

Congress should commit to providing the necessary funding to maintain and upgrade our Nation's ailing water infrastructure and make sure that the green infrastructure is a critical part of that process.

My State of California is doing its best to cope with a severe and ongoing drought, and Congress must do its best to fund and support the needed infrastructure and water quality enhancements that preserve our precious water resources and create a sustainable system.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from California?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT NO. 10 OFFERED BY MR. KILDEE

Mr. KILDEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 68, strike lines 1 and 2 and insert the following: "Provided further, That an entity shall not be an eligible recipient for a grant under this paragraph unless the entity has experienced at least 15 percent population loss since 1970, as measured by data from the 2010 decennial census and has experienced prolonged population, income, and employment loss resulting in substantial levels of housing vacancy and abandonment and such housing vacancies and abandonments are concentrated in more than one neighborhood or geographic area within a jurisdiction or jurisdictions."

Mr. CALVERT. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 333, the gentleman from Michigan and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. KILDEE. Mr. Chairman, my hometown of Flint, Michigan, has endured

decades of job loss and population loss through the slow, painful erosion of our manufacturing base. Previous trade deals, population shifts, bad land use management, and trade deals like NAFTA, for example, have accelerated the job losses in my hometown.

That has had the effect of reducing local revenues, creating lower housing prices, less local services, and less investments in things that matter the most, like infrastructure, including our own water system. To reinvest in those places costs money that the cities don't have.

The Drinking Water State Revolving Fund was specifically designed to assist communities with maintaining and improving water infrastructure. This fund provides critical support to ensure safe, clean drinking water is available in our communities.

Many of us represent communities, however, that have outstanding loans issued under the Drinking Water State Revolving Fund from prior to 2009, and those loan funds are ineligible for certain types of help because of the timing of those loans.

In Flint, our current water system loses over a third of the treated water due to decades-old delivery systems before it even reaches the faucets in homes and businesses. This city has relied on the Drinking Water State Revolving Fund to improve this system, but the challenge and the cost is immense.

The cost is even more daunting when the city is working to pull itself out of an economic downturn that has lasted not just a few years, but has lasted decades.

So we should, as Congress, give these communities the tools that they need to build bridges and roads, to fix their aging water systems, and bring, most importantly, economic development. My amendment would be an important step to doing this.

First, it would allow current revolving loan funds to be used to provide loan forgiveness to cities that have outstanding loans, regardless of the date of the incurrence of that loan. Prior to 2009, those loans are not eligible for loan forgiveness. Loans incurred after 2009 are actually eligible for forgiveness. So the first option, we would like to see those pre-2009 loans eligible for forgiveness.

Second, the option to use new funds to provide loan forgiveness on prior loans is limited because these cities have had—this amendment would limit that loan forgiveness to cities that have had significant financial problems due to population loss, cities that have had a population loss of more than 15 percent since 1970 and also have a high rate of abandoned and vacant buildings—basically, the cities that are in no position right now to finance improvements to their system just be-

cause of the level of abandonment, the level of population loss, and the revenue loss associated with it.

Allowing financially distressed cities like Flint to have loans forgiven will bring some stability to these communities and allow them to better serve their residents.

So I ask for support for this amendment to help communities across the country, like Flint, the backbone of the American economy in the 20th century, so that they can again become leaders in the 21st century.

If we don't re-invest in those places and find ways to do that, we are going to have a difficult time having them join the economy in a way that really makes a difference for the people who live there.

Mr. Chairman, I reserve the balance of my time.

POINT OF ORDER

Mr. CALVERT. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and, therefore, violates clause 2 of rule XXI.

The rule states in pertinent part:

"An amendment in a general appropriations bill shall not be in order if changing existing law."

The amendment requires a determination.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

Mr. KILDEE. Mr. Chairman, other than to say that I will continue to press every opportunity I have to find a way to help these communities.

I understand the gentleman's point of order, and I will continue to work with him and any other Member of this body that will help me find a path forward to help communities like this community of Flint that is really struggling to deliver clean water to its residents.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

If not, the Chair is prepared to rule.

The Chair finds that this amendment includes language requiring new determinations, such as levels of population loss and housing vacancy.

The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

The Clerk will read.

The Clerk read as follows:

ADMINISTRATIVE PROVISIONS—  
ENVIRONMENTAL PROTECTION AGENCY  
(INCLUDING TRANSFER AND RESCISSION OF FUNDS)

For fiscal year 2016, notwithstanding 31 U.S.C. 6303(1) and 6305(1), the Administrator of the Environmental Protection Agency, in carrying out the Agency's function to implement directly Federal environmental programs required or authorized by law in the

absence of an acceptable tribal program, may award cooperative agreements to federally recognized Indian tribes or Intertribal consortia, if authorized by their member tribes, to assist the Administrator in implementing Federal environmental programs for Indian tribes required or authorized by law, except that no such cooperative agreements may be awarded from funds designated for State financial assistance agreements.

The Administrator of the Environmental Protection Agency is authorized to collect and obligate pesticide registration service fees in accordance with section 33 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w-8).

Notwithstanding section 33(d)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136w-8(d)(2)), the Administrator of the Environmental Protection Agency may assess fees under section 33 of FIFRA (7 U.S.C. 136w-8) for fiscal year 2016.

The Administrator is authorized to transfer up to \$300,000,000 of the funds appropriated for the Great Lakes Restoration Initiative under the heading "Environmental Programs and Management" to the head of any Federal department or agency, with the concurrence of such head, to carry out activities that would support the Great Lakes Restoration Initiative and Great Lakes Water Quality Agreement programs, projects, or activities; to enter into an inter-agency agreement with the head of such Federal department or agency to carry out these activities; and to make grants to governmental entities, nonprofit organizations, institutions, and individuals for planning, research, monitoring, outreach, and implementation in furtherance of the Great Lakes Restoration Initiative and the Great Lakes Water Quality Agreement.

The Science and Technology, Environmental Programs and Management, Office of Inspector General, Hazardous Substance Superfund, and Leaking Underground Storage Tank Trust Fund Program Accounts, are available for the construction, alteration, repair, rehabilitation, and renovation of facilities provided that the cost does not exceed \$150,000 per project.

The Administrator of the Environmental Protection Agency shall base agency policies and actions regarding air emissions from forest biomass including, but not limited to, air emissions from facilities that combust forest biomass for energy, on the principle that forest biomass emissions do not increase overall carbon dioxide accumulations in the atmosphere when USDA Forest Inventory and Analysis data show that forest carbon stocks in the U.S. are stable or increasing on a national scale, or when forest biomass is derived from mill residuals, harvest residuals or forest management activities. Such policies and actions shall not pre-empt existing authorities of States to determine how to utilize biomass as a renewable energy source and shall not inhibit States' authority to apply the same policies to forest biomass as other renewable fuels in implementing Federal law.

AMENDMENT OFFERED BY MR. BEYER

Mr. BEYER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 73, strike lines 8 through 23.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman

from Virginia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. BEYER. Mr. Chair, my amendment would correct the assertion in this bill that all forest biomass is carbon neutral. The assertion is simply scientifically inaccurate.

In 2012, EPA's Scientific Advisory Board directly challenged the claim that all forest biomass is carbon neutral, explaining that while some types of carbon biomass may indeed be, it is inappropriate to assume that all types of forest biomass are carbon neutral. This misperception could have serious consequences for wildlife habitat and for our ability to combat climate change in the coming years. In fact, numerous studies have underscored that using some types of forest biomass, particularly slow-growing trees, can actually increase atmospheric carbon for many decades.

The New York Times this Tuesday mentioned a study commissioned by the State of Massachusetts that indicated that the climate impacts of burning wood were worse than those for coal for 45 years and worse than that for natural gas for 90 years.

To know what types of biomass are truly low-carbon, scientists need to actually assess them, and treating all forest biomass as carbon neutral is risky. The Energy Information Administration has found that this will lead to a boom in the use of forest and other biomass for energy.

While this sounds like a good idea on the surface, the resulting logging would have dire consequences for climate mitigation and wildlife habitat. It would also drive up the price of pulpwood and other lower grades of wood for wood-product industries.

In my State of Virginia, local environmental organizations are concerned that if biomass is treated as carbon neutral, it would encourage Dominion Virginia Power to burn wood from forests to meet its emission reduction obligations. Dominion has already converted three of its existing coal plants to run on biomass fuel and has a hybrid energy center that can burn up to 20 percent biomass for fuel.

I share the concern of these local groups that Virginia will become known as a State that harvests forests to reduce its dependence on coal, rather than developing renewable technologies that clearly reduce emissions, such as solar and wind. More broadly, I worry about the precedent that this will set for forest management policy in the U.S. and around the world.

We have already seen that under the European Emissions Trading System, where biomass has a zero emissions rating, European companies have invested billions to convert coal plants to plants that can burn wood pellets, leading to an incredible demand for

wood. Earlier this month, The Washington Post reported that Europe's climate policies have led to more U.S. trees being cut down as wood pellets are being exported to meet the demand for wood fuel.

More than two dozen pellet factories have been constructed in the southeastern U.S. over the past decade, along with special port facilities in Virginia and Georgia to ship the wood to Europe. Demand for wood in Europe is so robust that wood pellet exports from the U.S. nearly doubled from 2012 to 2013 and are expected to nearly double again this year.

We should not create artificial demand to meet scientifically unsubstantiated goals. It is critical that we make sure that the accounting used to estimate net biogenic emissions is scientifically accurate before we implement policies that might add carbon pollution rather than reduce it.

Mr. Chair, I will withdraw this amendment, but I do so urging my colleagues to support policies that are scientifically accurate, and to realize that not all forest biomass is carbon neutral, and that the EPA should take that into consideration.

I look forward to working with the chairman and the ranking member to more appropriately consider biomass.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR (Mr. MOOLENAAR). Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

The Clerk will read.

The Clerk read as follows:

Of the unobligated balances available for "State and Tribal Assistance Grants" account, \$8,000,000 are permanently rescinded: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

For fiscal year 2016, and notwithstanding section 518(f) of the Federal Water Pollution Control Act (33 U.S.C. 1377(f)), the Administrator is authorized to use the amounts appropriated for any fiscal year under section 319 of the Act to make grants to federally recognized Indian tribes pursuant to sections 319(h) and 518(e) of that Act.

#### TITLE III—RELATED AGENCIES

##### DEPARTMENT OF AGRICULTURE

###### FOREST SERVICE

###### FOREST AND RANGELAND RESEARCH

For necessary expenses of forest and rangeland research as authorized by law, \$277,507,000, to remain available until expended: *Provided*, That of the funds provided, \$70,000,000 is for the forest inventory and analysis program.

###### STATE AND PRIVATE FORESTRY

For necessary expenses of cooperating with and providing technical and financial assistance to States, territories, possessions, and others, and for forest health management, including treatments of pests, pathogens,

and invasive or noxious plants and for restoring and rehabilitating forests damaged by pests or invasive plants, cooperative forestry, and education and land conservation activities and conducting an international program as authorized, \$220,665,000, to remain available until expended, as authorized by law; of which \$50,660,000 is to be derived from the Land and Water Conservation Fund.

NATIONAL FOREST SYSTEM  
(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, \$1,490,093,000, to remain available until expended: *Provided*, That of the funds provided, \$40,000,000 shall be deposited in the Collaborative Forest Landscape Restoration Fund for ecological restoration treatments as authorized by 16 U.S.C. 7303(f): *Provided further*, That of the funds provided, \$355,000,000 shall be for forest products: *Provided further*, That of the funds provided, up to \$81,941,000 is for the Integrated Resource Restoration pilot program for Region 1, Region 3 and Region 4: *Provided further*, That of the funds provided for forest products, up to \$65,560,000 may be transferred to support the Integrated Resource Restoration pilot program in the preceding proviso: *Provided further*, That the Secretary of Agriculture may transfer to the Secretary of the Interior any unobligated funds appropriated in a previous fiscal year for operation of the Valles Caldera National Preserve.

AMENDMENT OFFERED BY MR. BENISHEK

Mr. BENISHEK. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 75, line 14, insert after the dollar amount the following: "(reduced by \$2,000,000)".

Page 76, line 8, insert after the dollar amount the following: "(increased by \$2,000,000)".

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Michigan and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. BENISHEK. Mr. Chairman, I rise today in support of my amendment to H.R. 2822, the fiscal year 2016 Interior, Environment, and Related Agencies Appropriations bill.

Mr. Chairman, my district covers nearly half the State of Michigan and includes three Federal forests. These forests are a major vacation destination for people, not only in my district, but in districts of Members all across the country.

Yet, sadly, many of our constituents arrive to the Federal forests of northern Michigan to find that the road to their favorite fishing spot or hiking trail or ORV path has been arbitrarily closed by the Forest Service, with no warning and no input from the local community.

Mr. Chairman, the last thing that people want to do when they travel to the woods of northern Michigan with their families is to learn about the ob-

scure policies of the U.S. Forest Service, a Federal agency that treats the forests like their personal property instead of a public resource for everyone to enjoy.

□ 1700

Activities like hunting, snowmobiling, fishing, and hiking all depend on access to these forests. And it is important to note that the outdoor economy contributes over \$5.5 billion and 194,000 jobs to Michigan, most of which are in my district.

My amendment is an opportunity to demonstrate to the Forest Service that their focus should be on making our forests more open and accessible to the American people. In practice, the amendment would reduce spending from the National Forest System vegetation and watershed program by \$2 million and transfer those funds into the capital improvement and maintenance fund.

Now, you might ask yourself, What does that have to do with opening forest roads?

Well, I will tell you.

According to the Forest Service, when work is necessary to open a road for access, they use the capital improvement and maintenance fund. If the Forest Service is working to close a road to appease environmentalists who don't want anyone to visit the forest, they use the vegetation and watershed line item.

My amendment is simple. It gives more dollars to the Forest Service to keep roads open rather than closed. In addition, the CBO says that this change would save taxpayers \$1 million for fiscal year 2016.

Mr. Chairman, today I am standing up on behalf of my constituents in my district who want to use their forests responsibly, who want to teach their kids and grandkids how to hunt, fish, and snowmobile. They want to enjoy nature. Furthermore, I am standing up today for the small businesses that employ families throughout the outdoor economy.

For example, I recently visited Extreme Power Sports in Gaylord, where they sell a variety of all-terrain vehicles, sleds, and safety gear. This small business sells ATVs and sleds to users all over the country who come to enjoy the trails and forests in our State and beyond.

In addition to businesses like Extreme Power Sports, the hotels and restaurants around northern Michigan are supported by those who come to visit our forests year-round.

Healthy, accessible forests are important for our way of life in northern Michigan and across the United States. All of our constituents deserve improved access to the forests, and I urge my colleagues to support this amendment.

Mr. SIMPSON. Will the gentleman yield?

Mr. BENISHEK. I yield to the gentleman from Idaho.

Mr. SIMPSON. I thank the gentleman for raising these concerns about how the Forest Service is managing its roads and trails in Michigan. I will tell you that the same concerns exist around the country, in Idaho as well as other States, too.

Chairman CALVERT and the committee would be happy to work with you on this issue as the Interior bill moves through the process.

If there is no objection, we would be willing to accept the amendment.

Mr. BENISHEK. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. BENISHEK).

The amendment was agreed to.

Mr. CALVERT. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. ROUZER) having assumed the chair, Mr. MOLENAAR, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 2822) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, had come to no resolution thereon.

PROVIDING FOR A CONDITIONAL  
ADJOURNMENT OR RECESS OF  
THE SENATE AND AN ADJOURN-  
MENT OF THE HOUSE OF REP-  
RESENTATIVES

The SPEAKER pro tempore laid before the House the following privileged concurrent resolution (S. Con. Res. 19) providing for recess of the Senate from June 25, 2015, until July 7, 2015, and adjournment of the House from June 25, 2015, until July 7, 2015.

The Clerk read the concurrent resolution, as follows:

S. CON. RES. 19

*Resolved by the Senate (the House of Representatives concurring)*, That when the Senate recesses or adjourns on any day from Thursday, June 25, 2015, through Friday, July 3, 2015, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Tuesday, July 7, 2015, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day from Thursday, June 25, 2015, through Friday, July 3, 2015, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Tuesday, July 7, 2015, or until the time of any reassembly pursuant to section 3 of this concurrent resolution, whichever occurs first.

SEC. 2. (a) The Majority Leader of the Senate or his designee, after concurrence with the Minority Leader of the Senate, shall notify the Members of the Senate to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the Senate adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the Senate shall again stand adjourned pursuant to the first section of this concurrent resolution.

SEC. 3. (a) The Speaker or his designee, after consultation with the Minority Leader of the House, shall notify the Members of the House to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the House adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the House shall again stand adjourned pursuant to the first section of this concurrent resolution.

Mr. HOYER. Mr. Speaker, reserving my right to object.

The SPEAKER pro tempore. The gentleman from Maryland is recognized.

Mr. HOYER. Mr. Speaker, I express my deep disappointment that the House will adjourn without having concluded its business.

Charter authority for the Export-Import Bank is set to expire this coming Tuesday should Congress fail to reauthorize it, which apparently we are going to fail to do. Shutting down the Bank puts at risk tens of thousands of jobs at American businesses whose exports are supported by the Bank's financing mechanisms.

Everybody knows that a bill to reauthorize the Bank has the votes to pass in this House. Everybody has known that the charter authority to back up loans by those who would buy goods from American workers expires at the end of this month. The Speaker of this House has said that jobs will be lost shortly after we fail to do this act, which we apparently are going to fail to do.

It is the will of the House and ought to be reflected by a vote of the House that this charter be renewed. And once we send it down the hall, such a bill will pass the Senate. Who said so? Senator ROY BLUNT, who used to be the majority whip and majority leader and minority whip in this House.

Before leaving to go home to our districts, we ought to reauthorize the Bank and provide certainty, Mr. Speaker, to businesses and their workers who depend on it to level the playing field against foreign competitors.

There are 85 such banks located in 60 countries with whom we compete. This will diminish, at least for a short time, our ability to compete in international markets. That will cost, as Speaker BOEHNER has said, jobs in the short term.

At the same time, I want to say that my friend from Mississippi, Represent-

ative THOMPSON, noticed a resolution that was referred to the Committee on House Administration today. Mr. Speaker, I believe that that resolution deserves to be considered in the committee without delay, and I hope it will be.

In the aftermath of the horrific and racially motivated murders of nine innocent people in Charleston last week, Americans across the country are taking a long overdue, critical look at the practice of allowing confederate symbols of hatred, slavery, and segregation to remain on prominent display in our public places. There is no public space more visible and more important than this United States Capitol Building.

Mr. THOMPSON's resolution would authorize the Speaker to remove Mississippi's flag—the only one to include the battle flag of the Confederacy—from the Capitol complex until such time as the State of Mississippi selects a new flag, free from a legacy of bigotry, exclusion, and racism.

I hope that Mississippians will move swiftly to design a new flag that more accurately reflects their pride in diversity, tolerance, and equality.

There is no reason why any Member or staffer, especially those whose ancestors suffered the horrors of slavery and segregation, should have to see that symbol in the temple to liberty that is our Capitol.

So, Mr. Speaker, I am disappointed that the House is adjourning without having completed its task for the June work period and without having shown the American people that Congress can do what it has been sent to do: support job growth, promote justice, and achieve results for those it serves.

Mr. Speaker, if I thought continuing my objection would lead to the swift enactment today or tomorrow of the Export-Import Bank, I would object. I do not believe that that would be the result; and, therefore, I will shortly withdraw my objection, but with a plea to the majority party that they bring to the floor very shortly after we return the reauthorization of the Export-Import Bank and that the Committee on House Administration give prompt consideration to the resolution of the gentleman from Mississippi (Mr. THOMPSON).

I withdraw my reservation.

The SPEAKER pro tempore. The reservation is withdrawn.

Without objection, the concurrent resolution is concurred in.

There was no objection.

A motion to reconsider was laid on the table.

#### PATRIOT WEEK

(Mr. BISHOP of Michigan asked and was given permission to address the House for 1 minute.)

Mr. BISHOP of Michigan. Mr. Speaker, with our 239th Independence Day

around the corner, I rise today to urge my colleagues to join me in recognizing what makes our Nation the greatest country in the world by celebrating Patriot Week later this year.

In 2009, while I served in the Michigan Senate, we became the first legislative body to recognize Patriot Week. Since then, five States and countless private organizations have participated in celebrating our Founders and other great Americans who furthered the cause of liberty.

Patriot Week pays tribute to influential Americans, from George Washington to Martin Luther King, Jr.; it celebrates our values, from equal protection under the law to limited government; and it remembers our most important events, from the passage of the Constitution in 1787 to the ratification of the 19th Amendment, to many other events that collectively define our country.

Mr. Speaker, my resolution recognizes how each of these events has advanced the principles we hold in the highest regard and encourages our schools, our government agencies, States, and private employers to participate as well as take time to remember and learn about these events that are so important to our history.

Patriot Week begins by remembering those who died in the attacks of September 11, 2001, and those who sacrificed to save others. It ends on September 17 by celebrating Constitution Day and honoring those who risked everything to establish this Republic, for which we all have the privilege of serving.

With that, Mr. Speaker, I urge my colleagues to join me in supporting my Patriot Week resolution.

□ 1715

#### ALOHA SPIRIT

(Ms. GABBARD asked and was given permission to address the House for 1 minute.)

Ms. GABBARD. Mr. Speaker, a week ago, a man walked into a church in South Carolina and, in cold blood, gunned down nine worshippers. His actions were motivated by ignorance and hate. Throughout history and also in present day, unfortunately, there has been so much terror and suffering caused by ignorance and hate.

Mr. Speaker, in order to truly transcend racism, we must do more than remove slurs from our national vocabulary. In Hawaii, my home State, that consciousness is known as the aloha spirit—the consciousness of love and respect for all others, regardless of differences such as race, religion, gender, or nationality.

Understanding this truth is the path to peace. I would like to quote Mahatma Gandhi who said:

There must be a recognition of the existence of the soul apart from the body, and of

its permanent nature, and this recognition must amount to a living faith; and, in the last resort, nonviolence does not avail those who do not possess a living faith in the God of love.

#### RECOGNIZING CAROLINE ROBERTSON

(Mr. ROUZER asked and was given permission to address the House for 1 minute.)

Mr. ROUZER. Mr. Speaker, I would like to take a moment to recognize a truly inspirational individual from my district. Caroline Robertson is a 12-year-old girl from Potters Hill, North Carolina. We met last October at an event in Beulaville. She was born with Trisomy 18, a rare chromosomal disorder.

Despite her diagnosis, Caroline has maintained a positive outlook on life, choosing to live every minute of every day. Last year, Caroline was crowned a "Dream Angel" by the North Carolina Outstanding Little Miss Pageant. She is using her crown to help raise awareness for handicapped children throughout North Carolina.

Earlier this year, Caroline hosted a fundraiser called Bikers, Tea, and Tiaras to raise money for Children's Miracle Network Hospitals. There were over 35 crown titles in attendance, including Miss North Carolina 2014, Beth Stovall.

Caroline has had to overcome more adversity in 12 years than most of us will in a lifetime. She is a true inspiration to all around her, and I am honored to know her.

I would like to thank her for her work as a Dream Angel, and I know she will continue to accomplish great things in the years to come.

#### NUCLEAR NEGOTIATIONS WITH IRAN

(Mr. DOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOLD. Mr. Speaker, it seems like every day there is a startling headline about a new concession to Iran in the nuclear negotiations. We are undeniably cascading further and further from where these talks started just 19 months ago.

With the latest deadline for the deal only 5 days away, I fear and expect that even more damaging concessions to the Iranians are on the way. It doesn't need to be this way. We don't have to accept it, and we must make sure that our voices continue to be heard by the administration on this historic issue.

We know that upon reaching a deal—any deal—there will be a full on PR blitz to try to sell this agreement. When that happens, we must stand strong and avoid the temptation to

simply go along with the "thrill of the deal."

Instead of getting swept up in the momentum, we must not flinch from the simple, foundational idea that we have dedicated ourselves to all along, preventing Iran from having any path to a nuclear weapon. We can do it if we stick together.

#### SUPREME COURT ISSUES

The SPEAKER pro tempore (Mr. MOOLENAAR). Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, it has been a big day over at the Supreme Court and a big day for the Constitution as the Constitution has taken a rather profound hit.

I understand the rules, Mr. Speaker. The rules are made clear. We will not impugn anybody's integrity and office up here, so I am not talking about an individual, I am talking about how completely dishonest, disingenuous, and how much affront to the Constitution and pure candor the majority's opinion is at the Supreme Court.

Nothing is more of an indictment against the majority opinion than at the end of the opinion itself. The majority indicted themselves with their own words.

At the end of the majority opinion, the majority says, "In a democracy, the power to make the law rests with those chosen by the people. Our role is more confined"—and then quotes from *Marbury v. Madison*—"to say what the law is."

The Court today goes on to say: "That is easier in some cases than in others. But in every case we must respect the role of the legislature, and take care not to undo what it has done. A fair reading of legislation demands a fair understanding of the legislative plan."

"Congress passed the Affordable Care Act to improve health insurance markets, not to destroy them. If at all possible, we must interpret the Act in a way that is consistent with the former, and avoids the latter. Section 36B can fairly be read consistent with what we see as Congress' plan, and that is the reading we adopt."

The judgment of the United States Court of Appeals Fourth Circuit is affirmed.

That majority opinion is an indictment of the majority. The Constitution is worthless—absolutely worthless—when we have a majority of the Supreme Court that makes up law or in this case says: Do you know what? We know what Congress passed, we have read it, and we get it.

It makes exceedingly clear that unless a State sets up a State exchange for health care, then that State will be punished by not getting subsidies. That

was debated, and that was included by the majority of the House and Senate without a single Republican vote, not a single Republican vote.

As the former chair of Ways and Means told some of our Members: We don't need your vote, and we don't want your input.

They did it as one party, jamming this down the throats of the Republican Party and the majority of the American people. That is why they lost the majority in November 2010.

They made it very clear. If you don't set up a State exchange, you don't get the subsidies in your State. God bless all the States that stood up and said: No, this is wrong. A majority of the American people didn't want this. You passed this without any input from nearly a majority of the constituents that are represented by Republicans. You didn't care that it was the most partisan a bill that has ever passed in Congress. You didn't care. You forced it. It is bad for Americans, and we are not going to help you by setting up a State exchange. Yes, we understand the law is very clear. Our State doesn't get the subsidies from the Federal Government—those are called bribes to be more literal—our State won't get the bribes that you throw back at us that came from our taxpayers if we don't set up the State exchanges. We understand that.

So what happens? The people that passed that bill and the President that helped pass the bill and forced it through and signed it realized they had made a major mistake, and rather than come and get Republicans to fix the disaster they had created, the President who had indicated he has a pen and he has a phone, decided: That allows me to make law, create new law, and change law completely that I have already signed into law because I got a pen and a phone, I can just change it upon my whim.

The President basically decided, through his administration, they decided that they would set up Federal exchanges. Even though the law was very unequivocal, those States get no subsidies. They decided we better start giving them subsidies. If I sound sensitive about this, Mr. Speaker, it is because I am.

This disaster of a healthcare bill that costs so many of my constituents the health insurance they liked because they were lied to every time they were told by anybody if you like your policy you can keep it, that was a lie, and when people were told, Nobody that is in this country illegally will ever get insurance under ObamaCare, that was a lie.

When they were told, If you like your doctor, you can keep your doctor, no matter who told it to them, that was a lie. They were all lies.

We found out later they talked about it within the White House and decided:

Well, the best thing to do is not to tell everybody that they stand a good chance of losing their own health insurance and losing their doctor and losing their hospital and losing their particular policy that may keep them alive. Let's don't tell them that. Let's just say, if you like your doctor, if you like your health care, you can keep it.

The bill passed. It was a bad bill, and now, we have a Supreme Court that has entered into the fiction and the fraud that this opinion can somehow act like the law was equivocal when it was very unequivocal.

God bless Antonin Scalia and Clarence Thomas at the—well, the minority opinion, as it says here, I have a copy of the whole opinion, including the dissent, Justice Scalia with Justice Thomas and Justice Alito join, dissenting.

That dissent starts by saying the Court holds that when the Patient Protection and Affordable Care Act says “exchanges established by the State,” it means “exchanges established by the State or the Federal Government.”

That is, of course, quite absurd, and the Court's 21 pages of explanation make it no less so.

The dissenting opinion also states in answer to the question of whether someone who buys insurance on an exchange established by the Secretary gets the tax credit, he says: “You would think the answer would be obviously.”

Obviously, there would hardly be a need for the Supreme Court to hear a case about it. In order to receive any money under section 36B, an individual must enroll in an insurance plan through “an exchange established by the State.” The Secretary of Health and Human Services is not a State.

Further down, he says: “Words no longer have meaning if an exchange that is not established by a State is ‘established by the State.’”

Further down he quotes: “The plain, obvious, and rational meaning of a statute is always to be preferred to any curious, narrow, hidden sense that nothing but the exigency of a hard case and the ingenuity and study of an acute and powerful intellect would discover.”

That quote is from *Lynch v. Alworth-Stephens Company*.

□ 1730

Under all the usual rules of interpretation, in short, the government should lose this case, but normal rules of interpretation seem always to yield to overriding principle of the present Court: the Affordable Care Act must be saved.

Mr. Speaker, the trouble this Nation is in when we have a President who makes law at the sound of his voice, at the stroke of his pen, without going through Congress, and then that is aggravated exponentially by a Supreme Court that enters into the charade.

As the Court said on page 5 of its dissent, adopting the Court's interpretations means nullifying the term “by the State,” not just once, but again and again throughout the act.

It goes on to point out that the term “by the State” is mentioned seven times throughout the bill and that the majority on the Court, they could care less about the Constitution, they could care less about their oath. They feel their job is to uphold anything that this President and the former Democratic majority sent to them, regardless of how badly it requires them to ax the Constitution.

Page 12 of the dissent says: “For its next defense of the indefensible, the Court”—talking about the majority—“turns to the Affordable Care Act's design and purposes.”

Well, obviously, they need to turn to something because the law was very clear. To get the subsidies, a State had to set up an exchange.

Page 13 of the dissent says: “Having gone wrong in consulting statutory purpose at all, the Court goes wrong again in analyzing it.”

Page 15 of the dissent says: “Compounding its errors, the Court forgets that it is no more appropriate to consider one of a statute's purposes in isolation than it is to consider one of its words that way.”

Page 16 of the dissent says: “Worst of all, for the repute of today's decision, the Court's reasoning is largely self-defeating.”

It goes on to explain why.

Page 18 of the dissent says: “The Court's decision reflects the philosophy that judges should endure whatever interpretive distortions it takes in order to correct a supposed flaw in the statutory machinery. That philosophy ignores the American people's decision to give Congress ‘all legislative powers’ enumerated in the Constitution, citing article I, section 1. They made Congress, not this Court, responsible for both making laws and mending them.”

“This Court holds only the judicial power, the power to pronounce the law as Congress has enacted it. We lack the prerogative to repair laws that do not work out in practice, just as the people lack the ability to throw us out of office if they dislike the solutions we concoct. We must always remember, therefore, that our task is to apply the text, not to improve upon it.”

The dissent actually cites precedent for that very language.

Trying to make its judge-empowering approach seem respectful of Congressional authority, the Court asserts that its decision merely ensures that the Affordable Care Act operates the way Congress meant it to operate.

First of all, what makes the Court so sure that Congress meant tax credits to be available everywhere? Those are great questions that the dissent asks, even though they are rhetorical.

The Supreme Court struck a blow for tyranny today. I predicted this for quite some time because when you have someone who is Solicitor General under the Obama administration and who has the job of advising—well, first of all, defending legislation and defending acts that the administration wanted defended in court, but of course, part of that means, as any good lawyer will tell you, that attorney that defends you in court must give you advice about that which he or she may have to defend in court.

Either we had a Solicitor General go before the Senate and lie that there had never been any discussions about the Affordable Care Act, about ObamaCare, in the presence of the Solicitor General, or the Solicitor General was completely incompetent.

Everybody that voted for that Solicitor General should have their heads examined because either a lie or incompetence should have been enough to keep a former Solicitor General from going on to the Supreme Court of the land. It didn't happen. That person went on the Court.

It also is reprehensible for judges, Justices, on the Supreme Court to flaunt the law, disobey perhaps one of the most critical laws assigned to the court, in order to participate in an opinion in which they want to change the law.

Apparently, since the Supreme Court didn't come down with a decision regarding same-sex marriage today, that should be coming out next week. So far, there has been no notice that the two Justices that perform same-sex weddings would be disqualifying themselves as 28 U.S.C. section 455 says.

With your indulgence, Mr. Speaker, I have a chart.

28 U.S.C. section 455 says very clearly in A part—there is an A part that would disqualify judges, or Justices, and then there is a B part that may as well, but A is a certainty.

“Any justice, judge, or magistrate judge of the United States shall disqualify himself”—that can be male or female—“in any proceeding in which his impartiality might reasonably be questioned.”

That is the law. When we have two Supreme Court Justices that, so far, have given no indications of anything but that they are going to intentionally knowingly violate that law and participate in a majority opinion, then we have to wonder how much longer this little experiment in a democratic republic will last. I would submit not much longer.

The laws of Moses, the Bible, helped found this country. When all seemed lost and nothing appeared to be agreeable to a majority in the constitutional convention, they took a recess to go worship God at the Reformed Calvinist church in Philadelphia.

We still have part of what the preacher prayed, what he spoke. He



seemed to make a real difference because they came back. As Alexander Hamilton noted—someone not noted for being spiritual—he noted that, clearly, the finger of God was involved in bringing together people that could not agree in such an incredible document.

We turn our back once again today, as a majority of the Supreme Court did, on the clear meaning, clear statement of the law. So far, I hope and pray they will have a change of heart and not disobey the law in order to try to change law overriding State constitutions, as it may.

I hope and pray they will have a change of heart and they will disqualify themselves, anyone on the Supreme Court, who clearly, not just might reasonably be questioned, but they clearly were biased and partial when it comes to same-sex marriage. Hopefully, they will disqualify themselves, and we will get an opinion by a more objective Court; but if they don't, we are looking at a constitutional crisis of incredible proportions.

Does a country have to follow a law created out of whole cloth by a majority of unelected judges who violate the law itself in order to create new law? I think the answer is: No, you don't have to follow that kind of law.

There is no question that the persecution of Christians who practice their religion, as set out in the Bible, will be forced to subject themselves to persecution, as this administration already has shown.

It doesn't matter if you are a nun and you have devoted your entire life to helping the poor and the downtrodden, your little sister of the poor; it doesn't matter to this administration.

They are going to drag you through the muck, through the devastation of having to go to court, all because you happen to believe what the Founders believed, the huge majority since, heck, over a third of the signers of the Declaration of Independence were actually ordained Christian ministers, and then the great work by churches to force the Constitution to mean what it said so that slavery was eliminated, the great work of an ordained Christian minister named Martin Luther King, Jr., in pushing the issue of civil rights for one and all, so that one day, hopefully, we can have people judged not by the color of their skin, but by the content of their character.

The things Martin Luther King, Jr., believed in, that he was ordained and preached, the things those abolitionist churches believed with all their hearts, if the Supreme Court does what the indications are they will likely do, they would be persecuted for their beliefs, our very Founders would be persecuted for their beliefs. This isn't about slavery. We did away with that. It is tragic.

No one, no matter what their sexual preference is, should be discriminated

against; but when it comes to marriage, it is the building block, the foundational building block established by nature itself, by nature's God, by the law of Moses, the Moses imprint that exists above my head here in this Chamber, that exists on the southern wall of the chamber of the Supreme Court, and is the law as Jesus laid it out regarding marriage when he quoted Moses.

We are coming into some difficult days, and I am afraid this decision today that mocks the law, both case law and the written law, we are coming into some difficult days.

Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from Texas has 6 minutes remaining.

Mr. GOHMERT. Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. ROTHFUS), my friend.

□ 1745

Mr. ROTHFUS. I thank the gentleman for yielding.

Mr. Speaker, I heard the discussion going on about today's Supreme Court decision, and I, too, am very troubled by what I read today. To me, there are a couple of big issues at play here.

One is accountability and how this Congress 5 years ago rammed through legislation without reading it. We all remember the famous line: "Pass it to find out what is in it." The American people continue to find out what is in it. I heard the President talking today about this law's being woven into the fabric of the country. What is being woven into the fabric of the country are higher premiums, higher deductibles, less choice, more Washington, more bureaucrats, more forcing people to violate their consciences. That is not the way we need to be going.

Now we see how the Supreme Court for the second time has allowed, really, a lack of accountability. When we saw in the NFIB case how they said, "Oh, it is not a penalty; it is a tax," there were people in this Chamber who argued for the Affordable Care Act in saying there are no taxes here. Then the Supreme Court absolved them of that responsibility by saying, "Oh, it is a tax. We will keep it in place." Here today is clear language that subsidies would go to only those exchanges that were established by the State.

There is a serious problem here, and it is not just with Congress' not being held accountable for the laws it passes; there is a separation of powers issue here as we see another branch of the government invade the lawmaking responsibility that this Congress has. Again, I want to talk about Justice Scalia's dissent here.

"The Court's decision reflects the philosophy that judges should endure whatever interpretive distortions it

takes in order to correct a supposed flaw in the statutory machinery. That philosophy ignores the American people's decision to give Congress 'all legislative powers' enumerated in the Constitution."

That is what the Constitution says.

"They made Congress, not this Court, responsible for both making laws and mending them. This Court holds only the judicial power—the power to pronounce the law as Congress has enacted it. We lack the prerogative to repair laws that do not work out in practice, just as the people lack the ability to throw us out of office"—that is, the Supreme Court—"if they dislike the solutions we concoct."

This is the Congress' responsibility to amend the laws, not the Supreme Court's. The dissent continues:

"Rather than rewriting the law under the pretense of interpreting it, the Court should have left it to Congress to decide what to do about the Act's limitation of tax credits to State exchanges . . . The Court's insistence on making a choice that should be made by Congress both aggrandizes judicial power and encourages congressional lassitude."

Mr. Speaker, it is the Congress' job to make law. It is the Court's job to interpret the law, not to rewrite the law as it did in the NFIB case and not to rewrite the law as it did today.

I thank the gentleman for raising these very serious issues as to what happened with the Court today.

Mr. GOHMERT. I appreciate the gentleman's observations.

Frankly, Mr. Speaker, I knew when I stood with Mr. ROTHFUS in the Senate Chamber in recent years past, in support of a filibuster, that I would enjoy standing with him on other occasions, and I appreciate so much his observations.

Mr. Speaker, I just want to finish with this observation from John Adams, 1776 July. He is writing to Abigail. In the last paragraph, he writes:

"You will think me transported with enthusiasm"—in talking about the Declaration of Independence—"but I am not. I am well aware of the toil and blood and treasure that it will cost to maintain this Declaration and support and defend these States. Yet, through all the gloom, I can see the rays of ravishing light and glory. I can see that the end is worth more than all the means, that posterity will triumph in that day's transaction even though we may regret it, which I trust in God we shall not."

For this to stand as a country, as a democratic Republic as created, it takes courage and it takes integrity, and we didn't get that from the Supreme Court today.

Mr. Speaker, I yield back the balance of my time.



# AN AGREEMENT WITH IRAN MUST BAR ITS PATH TO NUCLEAR WEAPONS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from New Jersey (Mr. SMITH) for 30 minutes.

Mr. SMITH of New Jersey. Mr. Speaker, the deadline is bearing down on us for the President's nuclear agreement with Iran. So, at this moment, Congress must send the administration a strong message: In order to be acceptable, any agreement must bar every Iranian path to nuclear weapons.

This means the deal must last for decades. There has been a lot of reporting of stopgap deals that would try to restrict Iran in the short term while giving it a blank check after just some 10 years. Such an agreement would be absurd, Mr. Speaker. Given Iran's longstanding nefarious quest for nuclear weapons and its government's genocidal anti-Semitism, I and the vast majority of my colleagues in Congress would never accept such a bad deal.

Iran will also have to dismantle its current nuclear infrastructure and turn over nearly all of its stockpile of uranium. Iran prefers to merely "disconnect" its 19,000 centrifuges. That is totally unacceptable—coming from the Iranian Government with its murderous threats to annihilate the State of Israel and its obsessive hatred of Jews worldwide. It is estimated that centrifuges could be reconnected in a matter of mere months—and so they must be dismantled, and the core should be removed from the Arak heavy water reactor.

It also means there can be no lifting or a reduction of sanctions until the International Atomic Energy Agency, or IAEA, certifies that Iran has complied with its commitments under the agreement; and IAEA inspectors must be granted access to any and all suspected sites. This access must be unimpeded, Mr. Speaker, meaning that the IAEA must be able to conduct inspections at military sites as well. The rule must be full access—anytime, anywhere.

Iran must also fully account for its past efforts to develop nuclear weapons. Unless it does so, there is no way to establish a baseline from which to measure its current capacities and potential future violations and responsibly gauge a "breakout time."

Mr. Speaker, these are minimum criteria. In order to get congressional approval, any deal the President presents to Congress will have to have met them. The Nuclear Agreement Review Act gives Congress the authority to review any agreement with Iran and to pass a joint resolution barring any statutory sanctions relief. The administration and the Iranian Government need to know that the vast majority of my colleagues will be as firm as I am in

insisting on them. I am certainly prepared to vote against any agreement that does not meet these criteria.

Mr. Speaker, the Obama administration has shown itself far too weak in dealing with Iran. For example, last week, Secretary Kerry said that the United States is "not fixated" on Iran's explaining its past behavior—a significant backtracking on his earlier insistence on this crucial point.

In fact, throughout June, we have been reading disturbing reports of administration weakness in the negotiations on a whole range of issues—from demanding access to potential nuclear sites to signaling a willingness to repeal non-nuclear-related sanctions. Just yesterday, five of the President's top former Iran advisers wrote an open letter, warning that the agreement "may fall short of meeting the administration's own standard of a 'good' agreement." The letter outlined concerns about concessions at the same time that Ayatollah Ali Khamenei appeared to back away from other preliminary understandings.

There are many other signs of the administration's weakness, Mr. Speaker, in its dealings with Iran. Fundamentally, it refuses to speak truths that are obvious to everyone: that the Iranian Government has made itself the enemy of the United States and the genocidal enemy of the State of Israel, and that our goal must always be to prevent it from acquiring or manufacturing nuclear weapons now and long into the future. A nuclear Iran would be a grave threat to our country and an existential threat to Israel, our closest ally. That is intolerable. The administration seems to no longer recall that Iran is the leading sponsor of Hezbollah and Hamas.

Mr. Speaker, the case of Pastor Saeed Abedini is another sad sign of administration weakness toward Iran. Saeed Abedini is an American citizen. He was in Iran in 2012, visiting family and building an orphanage, when he was taken prisoner. As a matter of fact, he had been given permission by the Iranians to do just that. Twelve years before, he had converted to Christianity and, later, was involved in the home church movement in Iran. Knowing about his conversion and earlier engagement in home churches, Iranian authorities approved his 2012 trip, approved his orphanage building, and then imprisoned him. He has been in prison ever since then and has suffered immensely from beatings that have caused internal bleeding, death threats, solitary confinement, and more. His wife, Naghmeh, who is also an American and has been a heroic champion for her husband and their two children, has also suffered. I have chaired two hearings when we have heard from Naghmeh, who told the compelling story of her husband, of her love for her husband, of the gross injus-

tice that he has been forced to suffer. It is time the administration made this a priority and a very, very important matter in the nuclear negotiations.

The administration is not doing enough to secure his release. There is no doubt about it. The administration does little more than raise his case and those of other American prisoners on the sidelines of the nuclear negotiations because it sees the prisoners as sideline issues. This is an American citizen, unjustly imprisoned now for over 1,000 days—and tortured—in Iran, and the administration has a few marginal conversations with Iranian officials and considers that good enough. It is deeply disturbing. It ought to be a central priority.

Mr. Speaker, it is also a very alarming sign of what we might expect the administration to present us with when we return to session in early July. That is why Congress' responsibility is to be prepared to maintain a much firmer line on the outcome of these negotiations—when we review the agreement—than the administration seems to be taking.

Mr. Speaker, I would also like to bring to the attention of my colleagues a couple of excerpts from today—they were released today—from the State Department's Country Reports on Human Rights Practices for 2014, which reads in pertinent part:

"The most significant human rights problems were severe restrictions on civil liberties, including the freedoms of assembly, speech, religion, and press; limitations on the citizens' ability to change the government peacefully through free and fair elections; and disregard for the physical integrity of persons whom authorities arbitrarily and unlawfully detained, tortured, or killed.

"Other reported human rights problems included: disappearances; cruel, inhuman, or degrading treatment or punishment, including judicially sanctioned amputation and flogging; politically motivated violence and repression; harsh and life-threatening conditions in detention and prison facilities, with instances of deaths in custody; arbitrary arrest and lengthy pretrial detention, sometimes incommunicado; continued impunity of the security forces; denial of fair public trial, sometimes resulting in executions without due process; the lack of an independent judiciary; political prisoners and detainees; ineffective implementation of civil judicial procedures and remedies; arbitrary interference with privacy, family, home, and correspondence; severe restrictions on freedoms of speech, including via the Internet, and press; harassment and arrest of journalists; censorship and media content restrictions; severe restrictions on academic freedom; severe restrictions on the freedoms of assembly and association."

□ 1800

That is just a few of the catalog of horrors being imposed upon Iranians and people like our own American citizens being held in custody, like Pastor Saeed Abedini.

Mr. Speaker, I yield back the balance of my time.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 893. An act to require the Secretary of the Treasury to mint coins in commemoration of the centennial of Boys Town, and for other purposes.

The message also announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 230. An act to provide for the conveyance of certain property to the Yukon Kuskokwim Health Corporation located in Bethel, Alaska.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PAYNE (at the request of Ms. PELOSI) for today on account of a medical procedure.

PUBLICATION OF BUDGETARY MATERIAL

REVISIONS TO THE ALLOCATIONS AND AGGREGATES OF THE FISCAL YEAR 2016 BUDGET RESOLUTION RELATED TO TRADE LEGISLATION

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON THE BUDGET,  
Washington, DC, June 25, 2015.

Hon. JOHN A. BOEHNER,  
Speaker, Office of the Speaker, U.S. Capitol,  
House of Representatives, Washington, DC.

MR. SPEAKER: I hereby submit for printing in the Congressional Record revisions to the

budget allocations and aggregates of the Fiscal Year 2016 Concurrent Resolution on the Budget, S. Con. Res. 11, pursuant to section 4506 of such concurrent resolution. These revisions are designated for Senate Amendment 2065 to H.R. 1295, the Trade Preferences Extension Act of 2015. Corresponding tables are attached.

This revision represents an adjustment for purposes of budgetary enforcement. These revised allocations and aggregates are to be considered as the aggregates and allocations included in the budget resolution, pursuant to S. Con. Res. 11, as adjusted. Pursuant to section 3403 of such concurrent resolution, this revision to the allocations and aggregates shall apply only while Senate Amendment 2065 to H.R. 1295 is under consideration or upon its enactment.

Sincerely,

TOM PRICE, M.D.,  
Committee on the Budget.

TABLE 1—REVISION TO ON-BUDGET AGGREGATES—BUDGET AGGREGATES  
[On-budget amounts, in millions of dollars]

	Fiscal Year	
	2016	2016–2025
Current Aggregates:		
Budget Authority .....	3,039,215	<sup>1</sup>
Outlays .....	3,091,442	<sup>1</sup>
Revenues .....	2,676,733	32,237,371
Adjustment for the Senate amendment to HR 1295, the Trade Preferences Extension Act of 2015:		
Budget Authority .....	445	<sup>1</sup>
Outlays .....	175	<sup>1</sup>
Revenues .....	– 766	– 4,272
Revised Aggregates:		
Budget Authority .....	3,039,660	<sup>1</sup>
Outlays .....	3,091,617	<sup>1</sup>
Revenues .....	2,675,967	32,233,099

<sup>1</sup> Not applicable because annual appropriations acts for fiscal years 2017–2025 will not be considered until future sessions of Congress.

TABLE 2—REVISION TO COMMITTEE ALLOCATIONS—AUTHORIZING COMMITTEE 302(a) ALLOCATIONS  
[On-budget amounts, in millions of dollars]

House Committee on Ways and Means	2016		2016–2025 Total	
	Budget Authority	Outlays	Budget Authority	Outlays
Current Allocation .....	962,805	962,080	13,224,077	13,222,960
Adjustment for the Senate amendment to HR 1295, the Trade Preferences Extension Act of 2015 .....	445	175	– 5,382	– 5,382
Revised Allocation .....	963,250	962,255	13,218,695	13,217,578

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 533. An act to revoke the charter of incorporation of the Miami Tribe of Oklahoma at the request of that tribe, and for other purposes.

ADJOURNMENT

Mr. SMITH of New Jersey. Mr. Speaker, pursuant to Senate Concurrent Resolution 19, 114th Congress, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 1 minute p.m.), pursuant to Senate Concurrent Resolution 19, 114th Congress, the House ad-

journed until Tuesday, July 7, 2015, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1942. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's final rule — National Vaccine Injury Compensation Program: Addition of Intussusception as Injury for Rotavirus Vaccines to the Vaccine Injury Table (RIN: 0906-AB00) received June 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1943. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation

of Air Quality Implementation Plans; West Virginia; Permits for Construction and Major Modification of Major Stationary Sources for the Prevention of Significant Deterioration [EPA-R03-OAR-2015-0028; FRL-9929-34-Region 3] received June 19, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1944. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Air Quality Implementation Plans; North Dakota; Alternative Monitoring Plan for Milton R. Young Station [EPA-R08-OAR-2015-0026; FRL-9928-81-Region 8] received June 19, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1945. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation

of Air Quality Implementation Plans; Pennsylvania; Revision to Allegheny County Regulations for Establishing Permit Fees [EPA-R03-OAR-2014-0886; FRL-9929-40-Region 3] received June 19, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1946. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Air Quality Implementation Plans; Connecticut; Ambient Air Quality Standards [EPA-R01-OAR-2014-088 1; A-1-FRL-9925-88-Region 1] received June 19, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1947. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; State of New Mexico; Infrastructure Requirements for the 2008 Ozone and 2010 Nitrogen Dioxide National Ambient Air Quality Standards and Interstate Transport of Fine Particulate Matter Air Pollution Affecting Visibility [EPA-R06-OAR-2014-0270; FRL-9929-38-Region 6] received June 19, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1948. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Adoption of Control Technique Guidelines for Offset Lithographic Printing and Letterpress Printing; Flexible Package Printing; and Adhesives, Sealants, Primers, and Solvents [EPA-R03-OAR-2015-0166; FRL-9929-39-Region 3] received June 19, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1949. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Emissions Standards for Hazardous Air Pollutants: Ferroalloys Production [EPA-HQ-OAR-2010-0895; FRL-9928-66-OAR] (RIN: 2060-AQ11) received June 19, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1950. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Thiram; Pesticide Tolerance [EPA-HQ-OPP-2014-0249; FRL-9928-82] received June 19, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1951. A letter from the Director, Bureau of Economic Analysis, Department of Commerce, transmitting the Department's final rule — International Services Surveys: BEI80, Benchmark Survey of Financial Services Transactions Between U.S. Financial Services Providers and Foreign Persons [Docket No.: 150108021-5409-01] (RIN: 0691-AA84) received June 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

1952. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Greater Atlantic Regional Fisheries Office, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Taking of Marine Mammals Incidental to Commercial Fishing Operations; Atlantic Large Whale Take Reduction Plan Regulations [Docket No.: 150122067-5453-02] (RIN: 0648-BE83) received June 22, 2015, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Natural Resources.

1953. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Lockheed Martin Corporation/Lockheed Martin Aeronautics Company Airplanes [Docket No.: FAA-2014-0227; Directorate Identifier 2013-NM-211-AD; Amendment 39-18165; AD 2015-11-02] (RIN: 2120-AA64) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1954. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2014-0754; Directorate Identifier 2014-NM-136-AD; Amendment 39-18156; AD 2015-10-01] (RIN: 2120-AA64) received June 19, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1955. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Removal of Pilot Pairing Requirement [Docket No.: FAA-2015-2129; Amdt. Nos.: 61-134 and 121-372] (RIN: 2120-AK68) received June 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1956. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2014-0575; Directorate Identifier 2014-NM-086-AD; Amendment 39-18181; AD 2015-12-07] (RIN: 2120-AA64) received June 19, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1957. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Agusta S.p.A. (Agusta) Helicopters [Docket No.: FAA-2015-2119; Directorate Identifier 2015-SW-005-AD; Amendment 39-18179; AD 2015-05-51] (RIN: 2120-AA64) received June 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1958. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Tucumcari, NM [Docket No.: FAA-2014-0902; Airspace Docket No.: 14-ASW-8] received June 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1959. A letter from the Regulatory Ombudsman, FMCSA, Department of Transportation, transmitting the Department's final rule — Lease and Interchange of Vehicles; Motor Carriers of Passengers [Docket No.: FMCSA-2012-0103] (RIN: 2126-AB44) received June 19, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1960. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Sikorsky Aircraft Corporation (Type Certificate Previously held by Schweizer Aircraft Corporation) Helicopters [Docket No.: FAA-2014-1020; Directorate Identifier 2013-SW-078-AD; Amendment 39-18172; AD 2015-11-09] (RIN: 2120-AA64) received June 24,

2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1961. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Sikorsky Aircraft Corporation (Sikorsky) Model Helicopters [Docket No.: FAA-2014-0493; Directorate Identifier 2013-SW-019-AD; Amendment 39-18173; AD 2015-11-10] (RIN: 2120-AA64) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1962. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters (Previously Eurocopter France) Helicopters [Docket No.: FAA-2014-0646; Directorate Identifier 2013-SW-053-AD; Amendment 39-18174; AD 2015-12-01] (RIN: 2120-AA64) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1963. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Exclusion of Tethered Launches From Licensing Requirements [Docket No.: FAA-2012-0045; Amdt. Nos.: 400-5 and 401-8] (RIN: 2120-AJ90) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1964. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's direct final rule — Electronic Applications for Licenses, Permits, and Safety Approvals [Docket No.: FAA-2015-1745; Amdt. Nos.: 413-11 and 414-3] (RIN: 2120-AK58) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1965. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31019; Amdt. No.: 3645] received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1966. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31020; Amdt. No.: 3646] received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1967. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31017; Amdt. No.: 3643] received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1968. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums

and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31018; Amdt. No.: 3644] received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1969. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31015; Amdt. No.: 3641] received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1970. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31016; Amdt. No.: 3642] received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1971. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — IFR Altitudes; Miscellaneous Amendments [Docket No.: 31021; Amdt. No.: 520] received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1972. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of VOR Federal Airways; Northeastern United States [Docket No.: FAA-2015-1650; Airspace Docket No.: 14-AEA-8] (RIN: 2120-AA66) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1973. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revocation of Class E Airspace; Forrest City, AR [Docket No.: FAA-2014-0879; Airspace Docket No.: 14-ASW-7] received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1974. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Clark, SD [Docket No.: FAA-2014-0724; Airspace Docket No.: 14-AGL-12] received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1975. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Eufaula, AL [Docket No.: FAA-2014-0970; Airspace Docket No.: 14-ASO-18] received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1976. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Restricted Areas R-4501A, R-4501B, R-4501C, R-4501D, R-4501F, and R-4501H; Fort Leonard Wood, MO [Docket No.: FAA-2014-0640; Airspace Docket No.: 14-ACE-4] (RIN: 2120-AA66) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1977. A letter from the Acting Director, Regulation Policy and Management, Office of the General Counsel (02REG), Department of Veterans Affairs, transmitting the Department's final rule — Delegations of Authority; Office of Regulation Policy and Management (ORPM) (RIN: 2900-AP47) received June 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

1978. A letter from the Acting Director, Regulation Policy and Management, Office of the General Counsel (02 REG), Department of Veterans Affairs, transmitting the Department's interim final rule — Presumption of Herbicide Exposure and Presumption of Disability During Service for Reservists Presumed Exposed to Herbicide (RIN: 2900-AP43) received June 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

1979. A letter from the Chief, Office of Regulatory Affairs, Bureau of Alcohol, Tobacco, Firearms and Explosives, Department of Justice, transmitting the Department's final rule — Importation of Arms, Ammunition and Defense Articles — Removal of Certain Defense Articles Currently on the U.S. Munitions Import List That No Longer Warrant Import Control Under the Arms Export Control Act (2011R-25P) [Docket No.: ATF-25F; AG Order No.: 35-31-2015] (RIN: 1140-AA45) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1980. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Air Quality Implementation Plans; Ohio; Ohio PM<sub>2.5</sub> NSR [EPA-R05-OAR-2014-0385; FRL-9928-57-Region 5] received June 19, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 313. A bill to amend title 5, United States Code, to provide leave to any new Federal employee who is a veteran with a service-connected disability rated at 30 percent or more for purposes of undergoing medical treatment for such disability, and for other purposes (Rept. 114-180). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 1069. A bill to amend title 44, United States Code, to require information on contributors to Presidential library fundraising organizations, and for other purposes (Rept. 114-181). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 1531. A bill to amend title 5, United States Code, to provide a pathway for temporary seasonal employees in Federal land management agencies to compete for vacant permanent positions under internal merit promotion procedures, and for other purposes (Rept. 114-182). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOODLATTE: Committee on the Judiciary. H.R. 690. A bill to require each agency, in providing notice of a rule making, to in-

clude a link to a 100 word plain language summary of the proposed rule (Rept. 114-183). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOODLATTE: Committee on the Judiciary. H.R. 712. A bill to impose certain limitations on consent decrees and settlement agreements by agencies that require the agencies to take regulatory action in accordance with the terms thereof, and for other purposes (Rept. 114-184). Referred to the Committee of the Whole House on the state of the Union.

Mr. CONAWAY: Committee on Agriculture. H.R. 2647. A bill to expedite under the National Environmental Policy Act and improve forest management activities in units of the National Forest System derived from the public domain, on public lands under the jurisdiction of the Bureau of Land Management, and on tribal lands to return resilience to overgrown, fire-prone forested lands, and for other purposes; with amendments (Rept. 114-185, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 2647. A bill to expedite under the National Environmental Policy Act and improve forest management activities in units of the National Forest System derived from the public domain, on public lands under the jurisdiction of the Bureau of Land Management, and on tribal lands to return resilience to overgrown, fire-prone forested lands, and for other purposes; with amendments (Rept. 114-185, Pt. 2). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHABOT: Committee on Small Business. H.R. 208. A bill to require the Administrator of the Small Business Administration to establish a program to make loans to certain businesses, homeowners, and renters affected by Superstorm Sandy; with amendments (Rept. 114-186). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHABOT: Committee on Small Business. H.R. 2499. A bill to amend the Small Business Act to increase access to capital for veteran entrepreneurs, to help create jobs, and for other purposes; with an amendment (Rept. 114-187). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHABOT: Committee on Small Business. H.R. 2670. A bill to amend the Small Business Act to provide for expanded participation in the microloan program, and for other purposes (Rept. 114-188). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHABOT: Committee on Small Business. H.R. 1023. A bill to amend the Small Business Investment Act of 1958 to provide for increased limitations on leverage for multiple licenses under common control (Rept. 114-189). Referred to the Committee of the Whole House on the state of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. LIPINSKI:

H.R. 2886. A bill to direct the Secretary of Transportation to establish an Automated and Connected Vehicle Research Initiative, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committee on Transportation

and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARTWRIGHT (for himself, Mr. BLUMENAUER, Mr. CÁRDENAS, Ms. CLARKE of New York, Ms. FUDGE, Mr. ISRAEL, Ms. MENG, Ms. NORTON, Mr. PIERLUISI, Mr. POCAN, Mr. RANGEL, Mr. TAKANO, Ms. JACKSON LEE, Mr. POLIS, Ms. TITUS, Ms. DEGETTE, Mr. MCNERNEY, Ms. MOORE, Mr. MCGOVERN, Mr. HONDA, Miss RICE of New York, Mr. NORCROSS, Ms. KELLY of Illinois, Mr. LOEBSACK, Mr. MCDERMOTT, Mr. LARSON of Connecticut, Ms. DELAURO, Mr. HUFFMAN, Mr. ELLISON, Mr. CONNOLLY, and Ms. MICHELLE LUJAN GRISHAM of New Mexico):

H.R. 2887. A bill to provide employees with 2 hours of paid leave in order to vote in Federal elections; to the Committee on Education and the Workforce.

By Mr. BARTON (for himself, Mr. LANCE, and Mr. COHEN):

H.R. 2888. A bill to establish a program for the licensing of Internet poker by States and federally recognized Indian tribes, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEVIN (for himself, Mr. VAN HOLLEN, Mr. RANGEL, Mr. MCDERMOTT, and Mr. ELLISON):

H.R. 2889. A bill to amend the Internal Revenue Code of 1986 to provide for the proper tax treatment of personal service income earned in pass-thru entities; to the Committee on Ways and Means.

By Mr. HULTGREN (for himself and Mr. NEAL):

H.R. 2890. A bill to amend the Internal Revenue Code of 1986 to modify certain rules applicable to qualified small issue manufacturing bonds; to the Committee on Ways and Means.

By Mr. MOOLENAAR:

H.R. 2891. A bill to amend the Internal Revenue Code of 1986 to inflation adjust the \$5,000 limitation with respect to dependent care assistance programs and flexible spending arrangements; to the Committee on Ways and Means.

By Mr. MOOLENAAR:

H.R. 2892. A bill to amend title 49, United States Code, to prescribe safety standards for autocycles and related equipment, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MACARTHUR:

H.R. 2893. A bill to amend title 10, United States Code, to require that decorative objects depicting the official seal of the Department of Defense, the military departments, the Armed Forces, and the Defense Agencies be manufactured in the United States; to the Committee on Armed Services.

By Ms. ESTY (for herself and Mr. COSTELLO of Pennsylvania):

H.R. 2894. A bill to expand eligibility for the program of comprehensive assistance for family caregivers of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. POMPEO (for himself and Mr. BEYER):

H.R. 2895. A bill to amend title XVIII of the Social Security Act to establish payment

parity under the Medicare program for ambulatory cancer care services furnished in the hospital outpatient department and the physician office setting; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TIPTON (for himself and Mr. BARR):

H.R. 2896. A bill to require the Federal financial institutions regulatory agencies to take risk profiles and business models of institutions into account when taking regulatory actions, and for other purposes; to the Committee on Financial Services.

By Mr. JOHNSON of Georgia (for himself, Mr. SMITH of New Jersey, Mr. RANGEL, Ms. CLARKE of New York, Ms. NORTON, Ms. BROWN of Florida, Mr. FATTAH, and Mr. RUSH):

H.R. 2897. A bill to require the submission of a report to the Congress on parasitic disease among poor Americans; to the Committee on Energy and Commerce.

By Mr. VALADAO (for himself, Mr. MCCARTHY, Mr. CALVERT, Mr. NUNES, Mr. LAMALFA, Mr. DENHAM, Mr. MCCLINTOCK, Mr. JOYCE, Mr. DIAZ-BALART, Mr. STEWART, Mr. SIMPSON, Mr. KNIGHT, Mr. COOK, Mr. RODNEY DAVIS of Illinois, Mrs. MIMI WALTERS of California, Mr. ROHRBACHER, Mr. HUNTER, Mr. ROYCE, Mr. ISSA, Mr. ZINKE, Mr. COSTA, Mr. AMODEI, Mr. HARDY, Mr. TIPTON, Mr. NEWHOUSE, and Mrs. LUMMIS):

H.R. 2898. A bill to provide drought relief in the State of California, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCAUL:

H.R. 2899. A bill to amend the Homeland Security Act of 2002 to authorize the Office for Countering Violent Extremism; to the Committee on Homeland Security.

By Mr. REICHERT (for himself and Mr. SMITH of Washington):

H.R. 2900. A bill to establish the Mountains to Sound Greenway National Heritage Area in the State of Washington, and for other purposes; to the Committee on Natural Resources.

By Mr. ROSS (for himself and Mr. MURPHY of Florida):

H.R. 2901. A bill to amend the Flood Disaster Protection Act of 1973 to require that certain buildings and personal property be covered by flood insurance, and for other purposes; to the Committee on Financial Services.

By Ms. LINDA T. SÁNCHEZ of California (for herself, Mr. GIBSON, Ms. ADAMS, Ms. JUDY CHU of California, Ms. CLARK of Massachusetts, Mr. COFFMAN, Mr. DESAULNIER, Mr. DEUTCH, Mr. ELLISON, Mr. FITZPATRICK, Mr. HANNA, Mr. HONDA, Mr. KING of New York, Mr. MACARTHUR, Mr. POCAN, Mr. POLIS, Ms. ROS-LEHTINEN, Mr. SCOTT of Virginia, Mr. TAKANO, Mr. TONKO, Mr. YOUNG of Alaska, and Mr. LOBIONDO):

H.R. 2902. A bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students; to the Committee on Education and the Workforce.

By Mr. PAULSEN (for himself, Mr. KIND, Mr. BLUMENAUER, Mr. TIBERI, Mr. DEFazio, Mr. NEAL, Mr. WOMACK, and Ms. JENKINS of Kansas):

H.R. 2903. A bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages; to the Committee on Ways and Means, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JENKINS of Kansas (for herself, Mr. DESJARLAIS, Mr. STIVERS, and Mr. CRAWFORD):

H.R. 2904. A bill to amend title 49, United States Code, to clarify the use of a towaway trailer transportation combination, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BABIN (for himself, Mr. RATCLIFFE, and Mr. BRIDENSTINE):

H.R. 2905. A bill to amend title I of the Patient Protection and Affordable Care Act to provide that only health plans made available by the Federal Government to Supreme Court Justices and staff are Exchange health plans; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. O'ROURKE:

H.R. 2906. A bill to require the Secretary of the Treasury to mint coins in recognition of the 50th anniversary of the Texas Western College National Collegiate Athletic Association men's basketball championship; to the Committee on Financial Services.

By Ms. SCHAKOWSKY (for herself and Mr. ELLISON):

H.R. 2907. A bill to amend the Internal Revenue Code of 1986 to reinstate estate and generation-skipping taxes, and for other purposes; to the Committee on Ways and Means.

By Mr. CLAY (for himself, Mr. FORTENBERRY, Mr. SERRANO, Mrs. NOEM, Mr. CRAMER, Mr. HANNA, Ms. CLARKE of New York, Mr. PERLMUTTER, and Mr. CLEAVER):

H.R. 2908. A bill to adopt the bison as the national mammal of the United States; to the Committee on Oversight and Government Reform.

By Ms. SINEMA (for herself, Mr. HUNTER, Mr. PETERS, Mr. STEWART, Mr. GOSAR, Mr. SALMON, and Ms. MCSALLY):

H.R. 2909. A bill to establish an inter-agency working group to study the use of unmanned aircraft systems for wildland firefighting, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Agriculture, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOSAR (for himself, Mr. AMODEI, Mr. FRANKS of Arizona, Ms. MCSALLY, Mr. PEARCE, Mr. PETERSON, Mr. SALMON, Mr. SCHWEIKERT, Mr. ZINKE, and Mr. GROTHMAN):

H.R. 2910. A bill to ensure the United States Fish and Wildlife Service's Mexican wolf nonessential experimental population 10(j) rule has no force or effect, and for other purposes; to the Committee on Natural Resources.

By Mr. BOUSTANY (for himself and Mr. THOMPSON of California):

H.R. 2911. A bill to provide an exception from certain group health plan requirements to allow small businesses to use pre-tax dollars to assist employees in the purchase of policies in the individual health insurance market, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRADY of Texas (for himself, Mr. JONES, Mr. MULLIN, Mr. BLUM, Mr. MCCLINTOCK, Mr. BURGESS, Mr. LABRADOR, Mr. FARENTHOLD, Mr. PEARCE, Mr. SMITH of Texas, Mr. MULVANEY, Mr. JORDAN, Mr. JOYCE, Mr. ROTHFUS, Mr. DUNCAN of South Carolina, Mr. FLORES, Ms. JENKINS of Kansas, Mr. NEUGEBAUER, Mrs. LUMMIS, Mr. MCCAUL, Mr. GOHMERT, Mr. RENACCI, and Mr. WEBER of Texas):

H.R. 2912. A bill to establish a commission to examine the United States monetary policy, evaluate alternative monetary regimes, and recommend a course for monetary policy going forward; to the Committee on Financial Services.

By Mr. BRADY of Texas (for himself, Mr. JONES, Mr. MULLIN, Mr. BLUM, Mr. MCCLINTOCK, Mr. BURGESS, Mr. LABRADOR, Mr. FARENTHOLD, Mr. PEARCE, Mr. SMITH of Texas, Mr. MULVANEY, Mr. JORDAN, Mr. COLE, Mr. WOODALL, Mr. DUNCAN of South Carolina, Mr. FLORES, Ms. JENKINS of Kansas, Mr. NEUGEBAUER, Mrs. LUMMIS, Mr. WEBER of Texas, and Mr. GOHMERT):

H.R. 2913. A bill to amend the Federal Reserve Act to improve the functioning and transparency of the Board of Governors of the Federal Reserve System and the Federal Open Market Committee, and for other purposes; to the Committee on Financial Services.

By Ms. BROWNLEY of California (for herself, Mr. TAKANO, Mr. THOMPSON of California, Ms. PINGREE, Mrs. DINGELL, and Mr. ZINKE):

H.R. 2914. A bill to amend title 38, United States Code, to require congressional approval before the appropriation of funds for Department of Veterans Affairs major medical facility leases; to the Committee on Veterans' Affairs.

By Ms. BROWNLEY of California:

H.R. 2915. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to identify mental health care and suicide prevention programs and metrics that are effective in treating women veterans as part of the evaluation of such programs by the Secretary; to the Committee on Veterans' Affairs.

By Mr. CICILLINE (for himself, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. HIMES, Ms. MOORE, Mr. MEEKS, Mr. VAN HOLLEN, Mr. KEATING, Mr. ELLISON, Ms. TSONGAS, Mr. CARTWRIGHT, Mr. LIPINSKI, Ms. CLARK of Massachusetts, Mr. FARR, Ms. SCHAKOWSKY, Mr. ISRAEL, Mrs. NAPOLITANO, Ms. DELAURO, Ms. DEGETTE, Mr. LANGEVIN, Ms. SLAUGHTER, Mr. POCAN, Ms. CASTOR of Florida, Ms. PINGREE, Ms. LOFGREN, Ms. FUDGE, Ms. WILSON of Florida, Mrs. CAPPS, Mr. GRIJALVA, Mr. NADLER, Mr. PASCRELL, Mr. SWALWELL of California, Ms. MENG, Ms. ESTY, Ms. MCCOLLUM, and Mr. BLUMENAUER):

H.R. 2916. A bill to amend chapter 44 of title 18, United States Code, to restrict the ability of a person whose Federal license to import, manufacture, or deal in firearms has been revoked, whose application to renew such a license has been denied, or who has received a license revocation or renewal denial notice, to transfer business inventory firearms, and for other purposes; to the Committee on the Judiciary.

By Mr. CICILLINE (for himself, Mr. GRIJALVA, and Mr. BLUMENAUER):

H.R. 2917. A bill to incentivize State reporting systems that allow mental health professionals to submit information on certain individuals deemed dangerous for purposes of prohibiting firearm possession by such individuals, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CURBELO of Florida (for himself and Mr. MURPHY of Florida):

H.R. 2918. A bill to ensure fairness in premium rates for coverage under the National Flood Insurance Program for residences and business properties, and for other purposes; to the Committee on Financial Services.

By Ms. DEGETTE (for herself, Mr. COFFMAN, Mr. LAMBORN, Mr. PERLMUTTER, Mr. POLIS, and Mr. TIPTON):

H.R. 2919. A bill to authorize 2 additional district judgeships for the district of Colorado; to the Committee on the Judiciary.

By Mr. FITZPATRICK (for himself, Mr. BLUMENAUER, Mr. BUCHANAN, Ms. DELAURO, Mr. LARSON of Connecticut, and Mr. KING of New York):

H.R. 2920. A bill to amend the Lacey Act Amendments of 1981 to prohibit importation, exportation, transportation, sale, receipt, acquisition, and purchase in interstate or foreign commerce, or in a manner substantially affecting interstate or foreign commerce, of any live animal of any prohibited wildlife species; to the Committee on Natural Resources.

By Mr. FORBES (for himself and Mr. LIPINSKI):

H.R. 2921. A bill to intensify stem cell research showing evidence of substantial clinical benefit to patients, and for other purposes; to the Committee on Energy and Commerce.

By Mr. FRANKS of Arizona (for himself, Mr. ROYCE, Mr. REICHERT, Mr. SCHIFF, Mr. RUSH, Mr. BEYER, Mr. SALMON, Mr. LEWIS, Ms. DELBENE, Mr. HUIZENGA of Michigan, Mr. KLINE, Mr. RANGEL, Mr. RIBBLE, Mr. NOLAN, Mr. ALLEN, Mr. CARSON of Indiana, Mr. ISRAEL, Mr. HASTINGS, Mr. COHEN, Mrs. DAVIS of California, Mr. CONYERS, Mr. ROKITA, Mr. POMPEO, Mr. POCAN, Mr. DUNCAN of Tennessee, Mrs. WAGNER, Mr. WILLIAMS, Mrs. HARTZLER, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. BROOKS of Indiana, Mr. WESTMORELAND, Mr. JOHNSON of Georgia, Ms. HERRERA BEUTLER, Mr. MCCLINTOCK, Mrs. LUMMIS, Mr. LAMBORN, Mr. WHITFIELD, Mr. BISHOP of Georgia, Mr. DUFFY, Mr. PITTINGER, Ms. LOFGREN, Mr. CÁRDENAS, Mr. MESSER, Mr. DOGGETT, Mr. MEADOWS, Mr. VEASEY, Mr. CICILLINE, and Mr. FITZPATRICK):

H.R. 2922. A bill to amend the section 221 of the Immigration and Nationality Act to provide relief for adoptive families from immigrant visa fees in certain situations; to the Committee on the Judiciary.

By Mr. GENE GREEN of Texas (for himself, Mr. BABIN, Mr. SCOTT of Virginia, Mr. RIBBLE, Mr. OLSON, and Ms. BONAMICI):

H.R. 2923. A bill to require the Secretary of Energy to award grants to expand programs in maritime and energy workforce technical training, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIJALVA:

H.R. 2924. A bill to withdraw certain Federal lands and interests located in Pima and Santa Cruz counties, Arizona, from the mining and mineral leasing laws of the United States, and for other purposes; to the Committee on Natural Resources.

By Mr. GRIJALVA:

H.R. 2925. A bill to establish the Santa Cruz Valley National Heritage Area, and for other purposes; to the Committee on Natural Resources.

By Mr. GRIJALVA:

H.R. 2926. A bill to designate certain public lands in the Sonoran Desert of the State of Arizona as national conservation areas and wilderness areas, and for other purposes; to the Committee on Natural Resources.

By Mr. HECK of Nevada (for himself, Mr. RUIZ, and Mr. VALADAO):

H.R. 2927. A bill to authorize Hispanic-serving institutions receiving grants under part A of title V of the Higher Education Act of 1965 to use such grant amounts to assist students in entering medical schools, and for other purposes; to the Committee on Education and the Workforce.

By Mr. HILL (for himself, Mr. WOMACK, Mr. CRAWFORD, and Mr. WESTERMAN):

H.R. 2928. A bill to designate the facility of the United States Postal Service located at 201 B Street in Perryville, Arkansas, as the "Harold George Bennett Post Office"; to the Committee on Oversight and Government Reform.

By Mr. HURT of Virginia (for himself, Mr. BUTTERFIELD, Mr. GRIFFITH, Mr. MULLIN, and Mr. GOODLATTE):

H.R. 2929. A bill to amend the Federal Power Act to require the Federal Energy Regulatory Commission to minimize infringement on the exercise and enjoyment of property rights in issuing hydropower licenses, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ISRAEL (for himself, Ms. DELAURO, Mr. ZELDIN, Mr. LARSON of Connecticut, Mr. HIMES, Ms. ESTY, Mr. COURTNEY, Mr. ENGEL, Ms. MENG, Mr. NADLER, Mr. KING of New York, Miss RICE of New York, Mr. TONKO, Mr. MEEKS, Ms. CLARKE of New York, Mr. SERRANO, and Mr. CROWLEY):

H.R. 2930. A bill to amend and reauthorize certain provisions relating to Long Island Sound restoration and stewardship; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KILMER (for himself, Mr. RENACCI, Mr. CARNEY, and Mr. BARLETTA):

H.R. 2931. A bill to amend the Federal Election Campaign Act of 1971 to reduce the number of members of the Federal Election

Commission from 6 to 5, to revise the method of selection and terms of service of members of the Commission, to distribute the powers of the Commission between the Chair and the remaining members, and for other purposes; to the Committee on House Administration.

By Mr. KIND (for himself, Mr. CONYERS, Mr. RANGEL, Mrs. DAVIS of California, Mr. MURPHY of Florida, and Mr. VEASEY):

H.R. 2932. A bill to provide for the Secretary of Health and Human Services to establish grant programs to improve the health and positive youth development impacts of youth sports participation, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LARSEN of Washington:

H.R. 2933. A bill to amend title 49, United States Code, to establish a local rail facilities and safety program to award grants for freight capacity projects, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. TED LIEU of California (for himself, Ms. BROWNLEY of California, Mr. TAKANO, Mr. MURPHY of Florida, Mr. MEEKS, Ms. NORTON, Mr. HONDA, Mrs. DAVIS of California, Mr. SERRANO, Mr. QUIGLEY, Mr. CONYERS, Mrs. TORRES, Mr. GRIJALVA, Ms. MENG, Ms. JUDY CHU of California, Mr. ISRAEL, Mr. AL GREEN of Texas, and Mr. NOLAN):

H.R. 2934. A bill to amend title 38, United States Code, to extend the authority of the Advisory Committee on Homeless Veterans for five years; to the Committee on Veterans' Affairs.

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 2935. A bill to provide for a five-year extension of the authority of the Secretary of Veterans Affairs to provide for the conduct of medical disability examinations by contract physicians; to the Committee on Veterans' Affairs.

By Ms. MENG:

H.R. 2936. A bill to amend the Federal Food, Drug, and Cosmetic Act to treat infant formula as adulterated if its use-by date has passed; to the Committee on Energy and Commerce.

By Mr. NUNES (for himself, Mr. THORNBERRY, Mr. FRELINGHUYSEN, Mr. DIAZ-BALART, Ms. ROS-LEHTINEN, Mr. CURBELO of Florida, Mr. ALLEN, Mr. BOUSTANY, Mr. COLE, Mr. CRENSHAW, Mr. DESANTIS, Mr. HARDY, Mr. HOLDING, Mr. YOUNG of Iowa, Ms. JENKINS of Kansas, Mr. KING of New York, Mr. LAMBORN, Mr. MARINO, Mrs. MILLER of Michigan, Mr. MILLER of Florida, Mr. MOONEY of West Virginia, Mr. MURPHY of Pennsylvania, Mr. POMPEO, Mr. TOM PRICE of Georgia, Mr. RIGELL, Mr. SALMON, Mr. SIREs, Mr. STEWART, Mr. TIBERI, Mr. UPTON, Mr. VALADAO, Mrs. MIMI WALTERS of California, and Mr. WILSON of South Carolina):

H.R. 2937. A bill to strengthen support for the Cuban people and prohibit financial transactions with the Cuban military, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker,

in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PERLMUTTER (for himself, Mr. ROSS, Ms. MOORE, Mr. SIREs, Mr. ASHFORD, and Mr. NOLAN):

H.R. 2938. A bill to amend the Housing and Community Development Act of 1974 to authorize the Secretary of Housing and Urban Development to carry out a loan repayment program for certain architects, and for other purposes; to the Committee on Financial Services.

By Mr. RANGEL (for himself, Ms. MOORE, and Ms. NORTON):

H.R. 2939. A bill to repeal certain appropriations riders that limit the ability of the Bureau of Alcohol, Tobacco, Firearms, and Explosives to administer the Federal firearms laws; to the Committee on the Judiciary.

By Mr. REICHERT (for himself, Mr. McDERMOTT, Mr. DOLD, Mr. PASCRELL, Mr. RODNEY DAVIS of Illinois, and Mr. VALADAO):

H.R. 2940. A bill to amend the Internal Revenue Code of 1986 to improve and make permanent the above-the-line deduction for certain expenses of elementary and secondary school teachers; to the Committee on Ways and Means.

By Mr. ROE of Tennessee:

H.R. 2941. A bill to amend title 38, United States Code, to prohibit the receipt of bonuses by Department of Veterans Affairs employees who violate Federal civil laws or regulations, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SALMON (for himself, Mr. FRANKS of Arizona, Mr. SCHWEIKERT, Mr. GOSAR, Ms. MCSALLY, Mr. BARLETTA, Mr. MEADOWS, Mr. BRAT, Mr. MCCLINTOCK, Mr. DUNCAN of South Carolina, and Mr. WALKER):

H.R. 2942. A bill to require the Secretary of Homeland Security to detain any alien who is unlawfully present in the United States and is arrested for certain criminal offenses; to the Committee on the Judiciary.

By Mr. SALMON:

H.R. 2943. A bill to prohibit the Department of Agriculture from obligating or expending any funds for grants awarded for research on the prevention of rose rosette disease, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SENSENBRENNER (for himself, Mr. SCOTT of Virginia, Mr. LABRADOR, Mr. CUMMINGS, Mr. FARENTHOLD, Ms. LOFGREN, Mr. COLLINS of Georgia, Mr. COHEN, Mr. BISHOP of Michigan, Mr. JOHNSON of Georgia, Mrs. LOVE, Ms. JUDY CHU of California, Mr. BARTON, Mr. GUTIERREZ, Mr. YOHIO, Ms. BASS, Mr. YOUNG of Alaska, Mr. RICHMOND, Mr. RIGELL, Mr. JEFFRIES, Mr. MCCLINTOCK, and Mr. CÁRDENAS):

H.R. 2944. A bill to improve public safety, accountability, transparency, and respect for federalism in Federal criminal law by applying the findings of the bipartisan Over-Criminalization Task Force and evidence-based reforms already made by some States, and reinvesting the resulting savings from doing so in additional evidence-based criminal justice strategies that are proven to reduce recidivism and crime, and the burden of the criminal justice system on the taxpayer; to

the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WELCH:

H.R. 2945. A bill to require the administering authority to determine an individual countervailable subsidy rate upon request if four or fewer exporters and producers are involved in the investigation or review, and for other purposes; to the Committee on Ways and Means.

By Mr. WILLIAMS:

H.R. 2946. A bill to amend the Internal Revenue Code of 1986 to reduce the corporate income tax rate to 20 percent; to the Committee on Ways and Means.

By Mr. BISHOP of Michigan (for himself and Mr. TROTT):

H. Con. Res. 58. Concurrent resolution supporting the designation of the week of September 11 to September 17 as "Patriot Week"; to the Committee on Oversight and Government Reform.

By Mr. CICILLINE (for himself, Ms. ESTY, Mr. LANGEVIN, Ms. NORTON, and Mr. MEEKS):

H. Con. Res. 59. Concurrent resolution expressing support for designation of June 21 as National ASK (Asking Saves Kids) Day to promote children's health and gun safety; to the Committee on Oversight and Government Reform.

By Mr. BOUSTANY:

H. Res. 340. A resolution returning to the Senate H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, with the Senate amendment thereto; considered and agreed to.

By Mr. THOMPSON of Mississippi:

H. Res. 341. A resolution raising a question of the privileges of the House; to the Committee on House Administration.

By Ms. JACKSON LEE (for herself, Mr. LEWIS, Mr. PALLONE, Mr. RUSH, Ms. KAPTUR, Mr. CONYERS, Mr. COHEN, Mr. JOHNSON of Georgia, Ms. SEWELL of Alabama, and Mr. VEASEY):

H. Res. 342. A resolution expressing the sense of the House of Representatives regarding the enhancement of unity in America; to the Committee on the Judiciary.

By Ms. ROS-LEHTINEN (for herself, Mr. CONNOLLY, Mr. ROHRBACHER, Mr. POE of Texas, Mr. DIAZ-BALART, Mrs. BROWNLEY of California, Mr. FARR, and Mr. VALADAO):

H. Res. 343. A resolution expressing concern regarding persistent and credible reports of systematic, state-sanctioned organ harvesting from non-consenting prisoners of conscience in the People's Republic of China, including from large numbers of Falun Gong practitioners and members of other religious and ethnic minority groups; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CLYBURN (for himself, Mr. CLEAVER, Mr. BUTTERFIELD, Ms. ADAMS, Mrs. BEATTY, Mr. CARSON of Indiana, Ms. CLARKE of New York, Mr. CLAY, Mrs. WATSON COLEMAN, Mr. CONYERS, Mr. DANNY K. DAVIS of Illinois, Ms. EDWARDS, Mr. FATTAH, Ms.



FUDGE, Mr. AL GREEN of Texas, Mr. HASTINGS, Mr. JEFFRIES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Mrs. LAWRENCE, Ms. LEE, Ms. JACKSON LEE, Mr. LEWIS, Ms. MOORE, Ms. NORTON, Mr. PAYNE, Mr. RICHMOND, Mr. DAVID SCOTT of Georgia, Mr. THOMPSON of Mississippi, Mr. VEASEY, Ms. MAXINE WATERS of California, Ms. WILSON of Florida, Ms. BASS, Ms. BROWN of Florida, and Mr. SCOTT of Virginia):

H. Res. 344. A resolution urging the discontinued use of the Confederate battle flag, which represents pain, humiliation, torture, and racial oppression, in remembrance of the Emanuel 9; to the Committee on the Judiciary.

By Mr. PETERS (for himself, Ms. NORTON, Mr. JONES, Mr. PAYNE, and Mr. DESAULNIER):

H. Res. 345. A resolution expressing support for designation of the month of June 2015 as ‘National Post-Traumatic Stress Awareness Month’ and June 27, 2015, as ‘National Post-Traumatic Stress Awareness Day’; to the Committee on Armed Services, and in addition to the Committee on Veterans’ Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOHO (for himself, Ms. ROSELEHTINEN, Mr. SHERMAN, Mr. WILSON of South Carolina, Mr. COOK, Mr. RIBBLE, Mr. ISSA, and Mr. CLAWSON of Florida):

H. Res. 346. A resolution condemning the use of toxic chemicals as weapons in the Syrian Arab Republic; to the Committee on Foreign Affairs.

## MEMORIALS

Under clause 3 of rule XII,

70. The SPEAKER presented a memorial of the House of Representatives of the State of Illinois, relative to House Resolution No. 497, urging the Congress to pass legislation in support of universal child care services for working families and to provide sufficient and sustainable funding for a permanent child care program similar to the federally administered program created and implemented under the Lanham Act of 1940; to the Committee on Education and the Workforce.

## CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. LIPINSKI:

H.R. 2886.

Congress has the power to enact this legislation pursuant to the following:

Article I, §8, clause 3, the Commerce Clause

By Mr. CARTWRIGHT:

H.R. 2887.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution relating to the power of Congress to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States)

By Mr. BARTON:

H.R. 2888.

Congress has the power to enact this legislation pursuant to the following:  
clause 3 of section 8 of article I of the Constitution

Mr. LEVIN:

H.R. 2889.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article 1 of the United States Constitution

By Mr. HULTGREN:

H.R. 2890.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, as this legislation regulates commerce between the states.

Article I, Section 8, Clause 18, providing Congress with the authority to enact legislation necessary to execute one of its enumerated powers, such as Article I, Section 8, Clause 3.

By Mr. MOOLENAAR:

H.R. 2891.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution.

By Mr. MOOLENAAR:

H.R. 2892.

Congress has the power to enact this legislation pursuant to the following:

Under, Article 1, Section 8, Clause 3 of the United States Constitution, which gives Congress the power “to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.”

By Mr. MACARTHUR:

H.R. 2893.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3, of the Constitution

By Ms. ESTY:

H.R. 2894.

Congress has the power to enact this legislation pursuant to the following:

clause 18 of section 8 of article 1 of the Constitution.

By Mr. POMPEO:

H.R. 2895.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1:  
The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. TIPTON:

H.R. 2896.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: “The Congress shall have power . . . To regulate commerce with foreign nations, and among the several states, and with the Indian Tribes.”

By Mr. JOHNSON of Georgia:

H.R. 2897.

Congress has the power to enact this legislation pursuant to the following:

Article I, §8, clause 3, the Commerce Clause

By Mr. VALADAO:

H.R. 2898.

Congress has the power to enact this legislation pursuant to the following:

Clauses 1, 3, and 18 of section 8 and clause 7 of section 9 of article I, of the Constitution of the United States.

By Mr. MCCAUL:

H.R. 2899.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. REICHERT:

H.R. 2900.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article 1, section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. ROSS:

H.R. 2901.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1; and Article I, section 8, clause 3

By Ms. LINDA T. SÁNCHEZ of California:

H.R. 2902.

Congress has the power to enact this legislation pursuant to the following:

Article One, section 8, clause 18:

Congress shall have Power—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof

By Mr. PAULSEN:

H.R. 2903.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the United States Constitution.

By Ms. JENKINS of Kansas:

H.R. 2904.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8, clause three; to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mr. BABIN:

H.R. 2905.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. O'ROURKE:

H.R. 2906.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power\*\*\*To make all Laws which shall be necessary and proper for carrying into the Execution the foregoing Powers, and all the Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. SCHAKOWSKY:

H.R. 2907.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII.

By Mr. CLAY:

H.R. 2908.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Ms. SINEMA:

H.R. 2909.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

Article IV, Section 3

By Mr. GOSAR:

H.R. 2910.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 (the Property Clause) which give Congress the power to make all needful rules and regulations respecting the territory or other property belonging to the United States. In *Kleppe v. New Mexico*, 426 U.S.592 (1976), the Congress was found to have sufficient power to regulate the activity of animals on public lands; and

Article 1, Section 8, Clause 3 (the Commerce Clause) which gives Congress the power to regulate commerce among the states. If the matter in question is not purely a local matter (intra-state) or if it has an impact on interstate commerce, it falls within the Congressional power to regulate interstate commerce. *National Federation of Independent Business v. Sebelius*, 567 U.S.\_\_(2012).

By Mr. BOUSTANY:

H.R. 2911.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3—Business/Labor Regulation—The Congress shall have Power \* \* \* To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. BRADY of Texas:

H.R. 2912.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 of the U.S. Constitution, which states that “Congress shall have the power to . . . coin money, regulate the value thereof . . .”.

By Mr. BRADY of Texas:

H.R. 2913.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 of the U.S. Constitution, which states that “Congress shall have the power to . . . coin money, regulate the value thereof . . .”.

By Ms. BROWNLEY of California:

H.R. 2914.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII

By Ms. BROWNLEY of California:

H.R. 2915.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. CICILLINE:

H.R. 2916.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. CICILLINE:

H.R. 2917.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. CURBELO of Florida:

H.R. 2918.

Congress has the power to enact this legislation pursuant to the following:

Clause 1, Section 8, Article 1

The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States

By Ms. DEGETTE:

H.R. 2919.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically clause 9, which states “The Congress shall have Power . . . To constitute Tribunals inferior to the supreme Court.”

Article III, Section 1 states that “The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish.”

By Mr. FITZPATRICK:

H.R. 2920.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution gives Congress the power “to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.”

By Mr. FORBES:

H.R. 2921.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 and 18

By Mr. FRANKS of Arizona:

H.R. 2922.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 4: To establish a uniform Rule of Naturalization

By Mr. GENE GREEN of Texas:

H.R. 2923.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution: “The Congress shall have Power . . . to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.”

By Mr. GRIJALVA:

H.R. 2924.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, sec. 8, cl. 3

To regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes;

U.S. Cont. art. IV, sec. 3, cl. 2, sen. a

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory of other Property belonging to the United States;

By Mr. GRIJALVA:

H.R. 2925.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, sec. 8, cl. 3

To regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes;

U.S. Cont. art. IV, sec. 3, cl. 2, sen. a

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory of other Property belonging to the United States;

By Mr. GRIJALVA:

H.R. 2926.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, sec. 8, cl. 3

To regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes;

U.S. Cont. art. IV, sec. 3, cl. 2, sen. a

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory of other Property belonging to the United States;

By Mr. HECK of Nevada:

H.R. 2927.

Congress has the power to enact this legislation pursuant to the following:

clause 18 of section 8 of article I of the Constitution.

By Mr. HILL:

H.R. 2928.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 7: “The Congress shall have power . . . to establish post offices and post roads”

By Mr. HURT of Virginia:

H.R. 2929.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution

By Mr. ISRAEL:

H.R. 2930.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the powers granted to the Congress by Article 1, Sec. 8, Clause 3 of the United States Constitution

By Mr. KILMER:

H.R. 2931.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 4 of the U.S. Constitution granting Congress the authority to make laws governing the time, place, and manner of holding Federal elections

By Mr. KIND:

H.R. 2932.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

By Mr. LARSEN of Washington:

H.R. 2933.

Congress has the power to enact this legislation pursuant to the following:

As described in Article 1, Section 1 “all legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.”

By Mr. TED LIEU of California:

H.R. 2934.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, of the Constitution of the United States.

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 2935.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

Ms. MENG:

H.R. 2936.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. NUNES:

H.R. 2937.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of section 8 of Article I of the United States Constitution

By Mr. PERLMUTTER:

H.R. 2938.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. RANGEL:

H.R. 2939.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 3

The Congress shall have Power \* \* \* to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mr. REICHERT:

H.R. 2940.

Congress has the power to enact this legislation pursuant to the following:

Amendment XVI to the Constitution of the United States: The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

By Mr. ROE of Tennessee:

H.R. 2941.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. SALMON:

H.R. 2942.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 4—"To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States"

By Mr. SALMON:

H.R. 2943.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7—"No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time."

By Mr. SENSENBRENNER:

H.R. 2944.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of the Constitution

By Mr. WELCH:

H.R. 2945.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof

By Mr. WILLIAMS:

H.R. 2946.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 6: Ms. ROYBAL-ALLARD, Mr. PERRY, Mr. DELANEY, Mr. LEWIS, Mr. TED LIEU of California, Mr. JOHNSON of Georgia, Ms. WILSON of Florida, Mr. KEATING, Ms. BROWN of Florida, Mr. KIND, Mr. MARINO, Mr. BRADY of

Pennsylvania, Mr. FARR, Mr. CALVERT, Mr. LARSON of Connecticut, Ms. JUDY CHU of California, Mr. HOYER, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. MAXINE WATERS of California, Mr. LOWENTHAL, Mr. RYAN of Ohio, Mrs. DAVIS of California, Mr. KILMER, and Ms. DUCKWORTH.

H.R. 136: Mr. BECERRA, Ms. LEE, and Mr. RUIZ.

H.R. 167: Mr. BERA.

H.R. 228: Mr. JOHNSON of Ohio.

H.R. 282: Mr. WITTMAN.

H.R. 288: Mr. RYAN of Ohio, Miss RICE of New York, and Mr. JOHNSON of Ohio.

H.R. 292: Mr. JEFFRIES and Ms. MCCOLLUM.

H.R. 358: Mr. GRIJALVA, Ms. BROWNLEY of California, Mr. THOMPSON of Mississippi, Mr. BRADY of Pennsylvania, Ms. LOFGREN, and Mr. NEAL.

H.R. 379: Mr. DOLD and Mr. HASTINGS.

H.R. 425: Mr. PASCRELL.

H.R. 448: Mr. NORCROSS.

H.R. 465: Mr. FORTENBERRY and Mr. SMITH of Texas.

H.R. 467: Mr. BLUMENAUER and Mr. SMITH of Washington.

H.R. 556: Mrs. MIMI WALTERS of California, Mr. SMITH of Washington, and Mr. POCAN.

H.R. 563: Mrs. BROOKS of Indiana.

H.R. 581: Mr. TROTT.

H.R. 592: Ms. SLAUGHTER, Mr. PALMER, Mr. FARR, and Mr. AUSTIN SCOTT of Georgia.

H.R. 612: Mr. YODER, Mr. JODY B. HICE of Georgia, and Mr. WESTERMAN.

H.R. 616: Mr. RENACCI.

H.R. 662: Mr. WITTMAN and Mr. COOK.

H.R. 692: Mr. MULLIN, Mr. BENISHEK, Mr. THORNBERRY, Mr. LUCAS, Mr. SCALISE, and Mr. MOONEY of West Virginia.

H.R. 699: Mr. ROHRBACHER, Mr. BISHOP of Michigan, and Ms. SCHAKOWSKY.

H.R. 711: Mr. RENACCI.

H.R. 721: Mr. YOUNG of Iowa, Mr. TROTT, Mr. GIBBS, Mrs. BROOKS of Indiana, and Mr. JOHNSON of Ohio.

H.R. 727: Mr. SIRES.

H.R. 765: Ms. JENKINS of Kansas and Mr. TIBERI.

H.R. 767: Ms. LORETTA SANCHEZ of California and Mr. KINZINGER of Illinois.

H.R. 829: Mr. MCNERNEY and Mr. POCAN.

H.R. 842: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. PERLMUTTER.

H.R. 845: Mr. DEFazio.

H.R. 855: Mr. DUFFY.

H.R. 868: Mr. PERRY.

H.R. 918: Mr. POLQUIN.

H.R. 921: Mr. CARTER of Georgia, Mr. FINCHER, and Mr. CRAMER.

H.R. 963: Mr. POCAN.

H.R. 973: Mr. BISHOP of Georgia.

H.R. 985: Mr. BERA.

H.R. 986: Mr. CULBERSON and Mr. SMITH of Nebraska.

H.R. 1002: Mr. BOST, Mr. NUGENT, Mr. COURTNEY, Mr. WALZ, Mr. HUDSON, and Mr. TED LIEU of California.

H.R. 1057: Mr. YOUNG of Iowa.

H.R. 1062: Mr. HUNTER and Mr. ROUZER.

H.R. 1086: Mr. LUETKEMEYER.

H.R. 1101: Mr. LIPINSKI, Mr. LOEBSACK, and Ms. MCCOLLUM.

H.R. 1120: Mr. YOUNG of Iowa and Mr. MARCHANT.

H.R. 1142: Mrs. BROOKS of Indiana.

H.R. 1148: Mr. MCCLINTOCK.

H.R. 1151: Mr. EMMER of Minnesota.

H.R. 1174: Mr. PASCRELL and Mr. FINCHER.

H.R. 1178: Mr. POMPEO.

H.R. 1197: Mr. WITTMAN.

H.R. 1209: Ms. MCCOLLUM.

H.R. 1221: Mr. SMITH of New Jersey.

H.R. 1270: Mr. JOLLY.

H.R. 1283: Ms. HAHN.

H.R. 1301: Mr. HUIZENGA of Michigan, Mr. HUNTER, Mr. NEWHOUSE, and Ms. BROWN of Florida.

H.R. 1305: Ms. LOFGREN.

H.R. 1308: Mr. CAPUANO.

H.R. 1309: Mr. MILLER of Florida.

H.R. 1321: Mr. LARSEN of Washington and Mr. TROTT.

H.R. 1344: Mr. BILIRAKIS.

H.R. 1384: Mr. LIPINSKI.

H.R. 1393: Mr. SWALWELL of California.

H.R. 1422: Mr. RYAN of Ohio.

H.R. 1427: Ms. DUCKWORTH, Mr. THOMPSON of California, Mr. KINZINGER of Illinois, and Mr. DANNY K. DAVIS of Illinois.

H.R. 1434: Mr. RUSH.

H.R. 1453: Mr. JOLLY.

H.R. 1462: Mr. BILIRAKIS and Mr. YOUNG of Indiana.

H.R. 1475: Mr. LUETKEMEYER and Mr. JOHNSON of Ohio.

H.R. 1476: Mr. SCHWEIKERT.

H.R. 1479: Mr. ROGERS of Alabama and Mr. BROOKS of Alabama.

H.R. 1516: Mr. CICILLINE.

H.R. 1528: Mr. LUETKEMEYER.

H.R. 1559: Ms. GABBARD.

H.R. 1571: Ms. GABBARD, Mr. THOMPSON of Pennsylvania, Mr. LANGEVIN, and Mr. FITZPATRICK.

H.R. 1572: Mr. JOHNSON of Ohio.

H.R. 1599: Mrs. HARTZLER, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Mr. NORCROSS.

H.R. 1608: Ms. DUCKWORTH, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. CRENSHAW.

H.R. 1610: Mr. GOWDY, Mr. LAMBORN, Mr. MULLIN, Mr. SMITH of Missouri, Mr. ALLEN, Mr. CARTER of Georgia, Mr. DENHAM, Mr. JODY B. HICE of Georgia, Mr. HOLDING, Mr. KNIGHT, Mr. WENSTRUP, and Mr. LOUDERMILK.

H.R. 1624: Mr. SMITH of Nebraska, Mr. MARCHANT, Mr. LIPINSKI, and Miss RICE of New York.

H.R. 1635: Ms. GABBARD.

H.R. 1655: Mr. JOYCE and Mr. MOULTON.

H.R. 1671: Mr. WILSON of South Carolina, Mr. WESTERMAN, Mr. WEBER of Texas, and Mr. MCCAUL.

H.R. 1684: Mr. BILIRAKIS.

H.R. 1703: Mr. PRICE of North Carolina.

H.R. 1726: Mr. MCHEENRY.

H.R. 1728: Mr. CÁRDENAS, Mr. TAKANO, and Ms. DELAURO.

H.R. 1737: Ms. ESTY, Mr. YOUNG of Iowa, and Ms. GABBARD.

H.R. 1739: Mr. JOHNSON of Ohio.

H.R. 1748: Mr. RODNEY DAVIS of Illinois, Mr. PALAZZO, Mr. YOUNG of Iowa, and Ms. NORTON.

H.R. 1768: Mr. KING of Iowa and Mr. SMITH of Texas.

H.R. 1769: Mr. CARTWRIGHT.

H.R. 1784: Mr. CLEAVER.

H.R. 1786: Mr. GABBARD.

H.R. 1788: Mr. YOUNG of Iowa.

H.R. 1814: Mr. SERRANO, Mr. DEUTCH, and Mr. CURBELO of Florida.

H.R. 1849: Ms. LOFGREN.

H.R. 1854: Mr. TONKO.

H.R. 1861: Mr. ROTHFUS.

H.R. 1901: Mr. SHIMKUS.

H.R. 1937: Mr. ROTHFUS.

H.R. 1942: Mr. SHERMAN, Ms. LOFGREN, Mr. McDERMOTT, and Ms. LORETTA SANCHEZ of California.

H.R. 1945: Mr. SCHIFF, Mr. HASTINGS, Mr. VAN HOLLEN, and Ms. FRANKEL of Florida.

H.R. 1977: Mr. POCAN.

H.R. 1978: Mr. POCAN.

H.R. 1994: Mr. GOODLATTE and Mr. MICA.

H.R. 2023: Mr. BERA.

H.R. 2030: Mr. LOEBSACK and Ms. NORTON.

H.R. 2050: Ms. KELLY of Illinois, Mr. TED LIEU of California, Ms. WILSON of Florida, Mr. JONES, Ms. HAHN, and Mr. VEASEY.

H.R. 2058: Mr. KINZINGER of Illinois.  
 H.R. 2061: Mr. SAM JOHNSON of Texas, Mr. RENACCI, Mr. KIND, and Mr. COHEN.  
 H.R. 2096: Mr. BLUM.  
 H.R. 2113: Mr. POCAN.  
 H.R. 2121: Mrs. CAROLYN B. MALONEY of New York, Mr. HUIZENGA of Michigan, Mr. CARNEY, Mr. MULVANEY, Mr. SHERMAN, Mr. TIPTON, and Mr. LUETKEMEYER.  
 H.R. 2124: Mr. REED, Mr. GIBSON, Mr. NOLAN, Miss RICE of New York, Mr. DOLD, and Mr. ENGEL.  
 H.R. 2128: Mrs. NOEM.  
 H.R. 2144: Mr. CHABOT.  
 H.R. 2156: Mr. GIBSON.  
 H.R. 2211: Mr. HUDSON.  
 H.R. 2229: Ms. MOORE and Mr. LUETKEMEYER.  
 H.R. 2260: Ms. DUCKWORTH and Mr. SCHIFF.  
 H.R. 2277: Ms. DEGETTE.  
 H.R. 2278: Mr. BABIN.  
 H.R. 2290: Mr. KINZINGER of Illinois.  
 H.R. 2291: Mrs. KIRKPATRICK.  
 H.R. 2293: Mr. MCGOVERN, Mr. STIVERS, Mr. SIREs, Mr. QUIGLEY, Mrs. LOWEY, Ms. MCSALLY, Mr. CARDENAS, Mr. NORCROSS, Mrs. BEATTY, Mr. PRICE of North Carolina, Mr. VALADAO, Mr. CAPUANO, Mr. LYNCH, Mr. CARTWRIGHT, and Mr. POCAN.  
 H.R. 2302: Mr. VEASEY.  
 H.R. 2303: Mr. BEYER.  
 H.R. 2309: Mr. CAPUANO and Mr. HINOJOSA.  
 H.R. 2311: Ms. LOFGREN.  
 H.R. 2315: Ms. SEWELL of Alabama, Mr. DOLD, and Mr. DELANEY.  
 H.R. 2342: Mr. MCNERNEY.  
 H.R. 2358: Mr. POMPEO.  
 H.R. 2382: Mr. MURPHY of Florida.  
 H.R. 2400: Mr. HUIZENGA of Michigan, Mr. ALLEN, Mr. HARDY, and Mrs. HARTZLER.  
 H.R. 2404: Ms. EDDIE BERNICE JOHNSON of Texas.  
 H.R. 2412: Mr. ISRAEL and Mr. LOEBsACK.  
 H.R. 2417: Mrs. BLACKBURN.  
 H.R. 2466: Mr. MILLER of Florida.  
 H.R. 2477: Mr. OLSON and Mr. FRANKS of Arizona.  
 H.R. 2493: Ms. LOFGREN.  
 H.R. 2494: Mr. COHEN, Mr. MCNERNEY, Mr. FORTENBERRY, Ms. LOFGREN, Mr. SIREs, Mr. DESAULNIER, Mr. GRIJALVA, Mrs. DAVIS of California, Mr. WALZ, Mr. CHABOT, Mr. VEASEY, Mr. ISRAEL, Mr. PRICE of North Carolina, Mr. DEUTCH, Mr. DEFazio, Mr. YOHO, Mr. CAPUANO, Mr. LOWENTHAL, Mr. BLUMENAUER, Mr. RIBBLE, Ms. MENG, Mr. DESANTIS, and Mr. MCKINLEY.  
 H.R. 2500: Mr. PRICE of North Carolina.  
 H.R. 2510: Mr. CARTER of Georgia, Mr. KNIGHT, and Mr. GRAVES of Louisiana.  
 H.R. 2518: Mr. LAMALFA.  
 H.R. 2521: Mr. POCAN.  
 H.R. 2522: Mr. DESAULNIER.  
 H.R. 2530: Mr. BRADY of Pennsylvania, Ms. LINDA T. SANCHEZ of California, and Mr. SMITH of Washington.  
 H.R. 2553: Mr. LOWENTHAL, Mr. HONDA, Mr. ISRAEL, Mr. MURPHY of Florida, Mr. ROONEY of Florida, Mrs. CAPPS, and Mr. PETERS.  
 H.R. 2557: Mr. OLSON and Mr. POMPEO.  
 H.R. 2560: Mr. COLLINS of New York.  
 H.R. 2567: Mr. CAPUANO, Mr. YODER, Mr. CALVERT, and Mr. MCGOVERN.  
 H.R. 2586: Mr. KNIGHT.  
 H.R. 2587: Mr. KNIGHT.  
 H.R. 2602: Ms. BROWN of Florida.  
 H.R. 2627: Mr. DESAULNIER.  
 H.R. 2631: Mr. GRAVES of Missouri.  
 H.R. 2646: Mr. RUSH, Mr. ROE of Tennessee, and Mr. PETERSON.  
 H.R. 2647: Mr. BENISHEK, Mr. SIMPSON, and Mr. PALMER.  
 H.R. 2650: Mr. WILSON of South Carolina.  
 H.R. 2653: Mr. RATCLIFFE and Mr. KELLY of Pennsylvania.

H.R. 2658: Mr. LATTA.  
 H.R. 2660: Mrs. BEATTY.  
 H.R. 2662: Mr. MILLER of Florida, Mr. GIBSON, and Mr. FORTENBERRY.  
 H.R. 2663: Ms. DELBENE and Mr. LOEBsACK.  
 H.R. 2689: Mr. PETERS and Mr. ROYCE.  
 H.R. 2691: Mr. CARTWRIGHT.  
 H.R. 2692: Mr. DESAULNIER.  
 H.R. 2698: Mr. DUNCAN of Tennessee, Mr. JOLLY, Mr. FORTENBERRY, and Mr. MOOLENAAR.  
 H.R. 2710: Mr. CARTER of Georgia and Mr. MURPHY of Pennsylvania.  
 H.R. 2713: Mr. CLAY and Ms. LOFGREN.  
 H.R. 2721: Mr. SERRANO.  
 H.R. 2726: Mr. CURBELO of Florida, Mr. MILLER of Florida and Mr. OLSON.  
 H.R. 2734: Mr. CAPUANO, Ms. TSONGAS, Ms. CLARK of Massachusetts, and Mr. MCGOVERN.  
 H.R. 2742: Mr. QUIGLEY, Ms. MCSALLY, and Mr. SWALWELL of California.  
 H.R. 2744: Mr. CRENSHAW.  
 H.R. 2752: Mr. RENACCI.  
 H.R. 2758: Mr. GUINTA.  
 H.R. 2768: Mr. POCAN.  
 H.R. 2775: Mr. AUSTIN SCOTT of Georgia, Mr. HECK of Washington, Mr. CRENSHAW, and Mr. AMODEI.  
 H.R. 2788: Mr. RENACCI.  
 H.R. 2789: Mr. LUETKEMEYER.  
 H.R. 2800: Mrs. ELLMERS of North Carolina and Mrs. MIMI WALTERS of California.  
 H.R. 2802: Mr. NEWHOUSE, Mr. HUDSON, and Mr. WILLIAMS.  
 H.R. 2805: Mr. YOUNG of Indiana.  
 H.R. 2808: Mr. GRIJALVA.  
 H.R. 2810: Mr. QUIGLEY.  
 H.R. 2812: Mr. ALLEN and Mr. MOONEY of West Virginia.  
 H.R. 2818: Mr. LAMALFA, Mr. FRANKS of Arizona, Mr. KING of Iowa, and Mr. ZINKE.  
 H.R. 2820: Mr. BILIRAKIS, Mr. MURPHY of Pennsylvania, and Mrs. ELLMERS of North Carolina.  
 H.R. 2824: Mr. SCOTT of Virginia and Mr. POCAN.  
 H.R. 2835: Mr. KING of New York.  
 H.R. 2844: Ms. MOORE.  
 H.R. 2846: Mr. RANGEL.  
 H.R. 2854: Mr. HARDY.  
 H.R. 2866: Mrs. BUSTOS.  
 H.R. 2867: Mrs. BUSTOS, Mr. BRADY of Pennsylvania, Mrs. BEATTY, Mr. VAN HOLLEN, Mr. CLYBURN, Ms. PELOSI, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. NADLER, Ms. NORTON, Mr. HONDA, Ms. LEE, Ms. KAPTUR, Ms. EDWARDS, Mr. DOGETT, Mr. CONYERS, Mr. RICHMOND, Ms. SCHAKOWSKY, Mr. WELCH, Mr. ELLISON, Mr. PRICE of North Carolina, Mr. PERLMUTTER, Ms. MAXINE WATERS of California, Mr. FATTAH, Mr. GENE GREEN of Texas, Mr. CASTRO of Texas, Ms. DEGETTE, Mr. NORCROSS, Mrs. LAWRENCE, Mr. NOLAN, Ms. DELAURO, Mr. CARNEY, Mr. HUFFMAN, Mr. SEAN PATRICK MALONEY of New York, Ms. TSONGAS, Ms. MATSUI, Mr. TED LIEU of California, Ms. MCCOLLUM, Mr. THOMPSON of California, Mr. KILMER, Mr. KIND, Ms. ROYBAL-ALLARD, Mr. COURTNEY, Mr. YARMUTH, Mr. HIMES, Mr. QUIGLEY, Mr. PALLONE, Ms. BAAS, Mr. RUPPERSBERGER, Ms. KELLY of Illinois, Mr. COHEN, Mr. BLUMENAUER, Mr. HOYER, Ms. HAHN, Ms. PLASKETT, Mr. DANNY K. DAVIS of Illinois, Ms. JACKSON LEE, Mr. ISRAEL, Mr. JOHNSON of Georgia, Mr. BEN RAY LUJAN of New Mexico, Mr. MCGOVERN, Ms. WASSERMAN SCHULTZ, Mr. MEEKS, Mr. DESAULNIER, Mr. HASTINGS, Mr. BUTTERFIELD, and Mrs. TORRES.  
 H.R. 2875: Ms. WILSON of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. SERRANO.  
 H.J. Res. 48: Mr. BLUMENAUER.  
 H.J. Res. 55: Mr. RIBBLE, Mr. AMASH, Mr. ZINKE, Mr. CRAMER, Mr. GOSAR, Mr. PERRY,

Mr. NEWHOUSE, Mr. WALBERG, Mr. MASSIE, Mr. MOONEY of West Virginia, and Mr. MCCLINTOCK.  
 H.J. Res. 58: Mr. BLUMENAUER.  
 H. Con. Res. 17: Mr. CARNEY.  
 H. Con. Res. 19: Mr. PITTINGER, Mr. ROE of Tennessee, and Mr. CROWLEY.  
 H. Con. Res. 38: Ms. WILSON of Florida.  
 H. Con. Res. 50: Mr. NEAL.  
 H. Res. 34: Mr. HONDA.  
 H. Res. 140: Mr. RUSH and Mr. TAKAI.  
 H. Res. 209: Mr. ZELDIN.  
 H. Res. 294: Ms. LINDA T. SANCHEZ of California.  
 H. Res. 310: Ms. KELLY of Illinois, Mr. HONDA, Mrs. WAGNER, and Mr. LOWENTHAL.  
 H. Res. 318: Mr. MARINO, Mr. YODER, Mr. PERRY, and Mr. JOHNSON of Ohio.  
 H. Res. 320: Mrs. MIMI WALTERS of California.  
 H. Res. 327: Mr. JOHNSON of Georgia, Mr. RANGEL, Mr. VAN HOLLEN, Ms. LOFGREN, Mr. LOWENTHAL, Ms. FRANKEL of Florida, and Mr. MURPHY of Florida.  
 H. Res. 329: Mr. SWALWELL of California, Mr. LOWENTHAL, and Ms. FRANKEL of Florida.

### AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

#### H.R. 2822

OFFERED BY: MR. CLAWSON OF FLORIDA

AMENDMENT No. 20: Page 14, line 10, after the first dollar amount, insert “increased by \$1,000,000”.

Page 14, line 10, after the second dollar amount, insert “increased by \$1,000,000”.

Page 62, line 8, after the dollar amount, insert “reduced by \$1,250,000”.

#### H.R. 2822

OFFERED BY: MR. CLAWSON OF FLORIDA

AMENDMENT No. 21: Page 8, line 14, after the dollar amount, insert “(increased by \$1,000,000)”.

Page 62, line 8, after the dollar amount, insert “(reduced by \$1,200,000)”.

#### H.R. 2822

OFFERED BY: MR. GARAMENDI

AMENDMENT No. 22: At the end of the bill (before the spending reduction account), insert the following:

None of the funds made available by this Act may be used in contravention of Executive Order 13693.

#### H.R. 2822

OFFERED BY: MR. GARAMENDI

AMENDMENT No. 23: At the end of the bill (before the short title), insert the following new section:

#### PROHIBITION ON TRANSFER OF FIRE PREPAREDNESS FUNDS

SEC. \_\_\_\_ . None of the funds made available by this Act may be used to transfer funds made available by this Act for fire preparedness activities to the Wildland Fire Management appropriation for fire suppression activities.

#### H.R. 2822

OFFERED BY: MR. GARAMENDI

AMENDMENT No. 24: Page 2, line 20, after the dollar amount, insert “(reduced by \$4,010,000)”.

Page 8, line 14, after the dollar amount, insert “(increased by \$3,902,000)”.

#### H.R. 2822

OFFERED BY: MR. GARAMENDI

AMENDMENT No. 25: Page 2, line 20, after the dollar amount, insert “(reduced by \$14,000,000)”.

Page 18, line 24, after the dollar amount, insert “(increased by \$11,611,000)”.

H.R. 2822

OFFERED BY: MR. GARAMENDI

AMENDMENT NO. 26: Page 3, line 25, after the dollar amount, insert “(reduced by \$1,000,000)(increased by \$1,000,000)”.

H.R. 2822

OFFERED BY: MR. GARAMENDI

AMENDMENT NO. 27: At the end of the bill (before the spending reduction account), insert the following:

#### LIMITATION ON USE OF FUNDS

None of the funds made available by this Act for California drought response or relief may be used by the Administrator of the Environmental Protection Agency or the Secretary of the Interior in contravention of implementation of Division 26.7 of the California Water Code (the Water Quality, Supply, and Infrastructure Improvement Act of 2014), as approved by the voters of California in California Proposition 1 (2014).

H.R. 2822

OFFERED BY: MR. SABLAN

AMENDMENT NO. 28: Page 36, line 8, after the dollar amount, insert “(reduced by \$14,114,000)”.

Page 39, line 22, after the dollar amount, insert “(increased by \$13,800,000)”.

H.R. 2822

OFFERED BY: MR. SABLAN

AMENDMENT NO. 29: Page 36, line 8, after the dollar amount, insert “(reduced by \$5,000,000)”.

Page 38, line 6, after each of the first and second dollar amounts, insert “(increased by \$5,000,000)”.

H.R. 2822

OFFERED BY: MR. WALDEN

AMENDMENT NO. 30: At the end of the bill (before the short title), insert the following new section:

#### RESOURCE MANAGEMENT PLANS

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to complete or implement the revision of the resource management plans for the Coos Bay, Eugene, Medford, Roseburg, or Salem Districts of the Bureau of Land Management or the Klamath Falls Field Office of the Lakeview District of the Bureau of Land Management proposed in the Bureau of Land Management Notice of

Availability of the Draft Resource Management Plan Revisions and Draft Environmental Impact Statement for Western Oregon published in the Federal Register on April 24, 2015 (80 Fed. Reg. 23046).

H.R. 2822

OFFERED BY: MR. NEWHOUSE

AMENDMENT NO. 31: At the end of the bill (before the short title) insert the following new section:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used by the Environmental Protection Agency, with respect to any alleged violation of the Clean Air Act, the Federal Water Pollution Control Act (popularly known as the “Clean Water Act”), or the Solid Waste Disposal Act, to enter into consent decree that is not made available to the public.

H.R. 2822

OFFERED BY: MRS. CAPPS

AMENDMENT NO. 32: Page 21, line 3, after each of the first and second dollar amounts, insert “(reduced by \$5,434,000)”.

Page 64, line 21, after the dollar amount, insert “(increased by \$5,434,000)”.

H.R. 2822

OFFERED BY: MR. GRAYSON

AMENDMENT NO. 33: Page 62, line 8, after the dollar amount, insert “(reduced by \$2,212,000) (increased by \$2,212,000)”.

H.R. 2822

OFFERED BY: MR. GRAYSON

AMENDMENT NO. 34: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to enter into a contract with any offeror or any of its principals if the offeror certifies, pursuant to the Federal Acquisition Regulation, that the offeror or any of its principals—

(1) within a three-year period preceding this offer has been convicted of or had a civil judgment rendered against it for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) contract or subcontract; violation of Federal or State antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, violating Federal criminal tax laws, or receiving stolen property; or

(2) are presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated in paragraph (1); or

(3) within a three-year period preceding this offer, has been notified of any delinquent Federal taxes in an amount that exceeds \$3,000 for which the liability remains unsatisfied.

H.R. 2822

OFFERED BY: MR. GRIFFITH

AMENDMENT NO. 35: Page 26, line 7, strike “3” and insert “6”.

H.R. 2822

OFFERED BY: MS. PLASKETT

AMENDMENT NO. 36: Page 38, line 6, after the second dollar amount, insert “(reduced by \$13,684,000) (increased by \$13,684,000)”.

H.R. 2822

OFFERED BY: MR. BEYER

AMENDMENT NO. 37: Page 73, strike lines 8 through 23.

H.R. 2822

OFFERED BY: MR. ZINKE

AMENDMENT NO. 38: At the end of the bill (before the short title), insert the following:

#### LIMITATION ON USE OF FUNDS WITH RESPECT TO VALUATION OF COAL

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to finalize, implement, or enforce the provisions related to coal valuation of the proposed rule by the Department of the Interior entitled “Consolidated Federal Oil & Gas and Federal & Indian Coal Valuation Reform” and dated January 6, 2015 (80 Fed. Reg. 608).

H.R. 2822

OFFERED BY: MR. ZINKE

AMENDMENT NO. 39: At the end of the bill (before the short title), insert the following:

#### LIMITATION ON USE OF FUNDS WITH RESPECT TO VALUATION OF COAL

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to finalize, implement, or enforce subparts F and J of part 1206 of the proposed rule by the Department of the Interior entitled “Consolidated Federal Oil & Gas and Federal & Indian Coal Valuation Reform” and dated January 6, 2015 (80 Fed. Reg. 608).

## EXTENSIONS OF REMARKS

HONORING MR. EDWARD LEYDEN

**HON. JEB HENSARLING**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. HENSARLING. Mr. Speaker, it is my honor to recognize Mr. Edward Leyden for his 33 years of outstanding service to Bishop Lynch High School and his community.

Mr. Leyden was hired in 1982 as the school's first lay president during a time of transition and uncertainty with a struggling school enrollment. Mr. Leyden immediately began working to make the school a better place, and he hasn't stopped since.

Thanks to Mr. Leyden's years of hard work and dedication, the school's student population has more than doubled in size and the campus has undergone numerous expansion and improvement projects. Shortly after Mr. Leyden's arrival, the school received the first of two National Blue Ribbon Awards—an honor given by the U.S. Department of Education to recognize schools of exemplary academic achievement. While he points to the prestigious award for the school's success, many believe the credit goes to Mr. Leyden's leadership and open door policy.

Under Mr. Leyden's leadership, the school—once primarily attended by East Dallas pupils—now has students from all parts of the city—from Frisco to Plano and Oak Cliff to Northwest Dallas. A performing arts center was built, science wing, arts and athletics complex, and other renovation projects all have come to completion thanks to Mr. Leyden's vision and dedication to making Bishop Lynch an exemplary place for students to learn.

Mr. Leyden has achieved much in his life. A graduate of St. Edward's University in Austin, Texas and Barry University in Miami, Florida, he was ordained a deacon for the Diocese of Dallas in 2006; was the Catholic Foundation Award honoree in 2015; received the Bishop Lynch JFK award for service; is a member of St. Edward's University Board of Trustees and the advisory committee for Ferguson Road Initiative. He has been in Catholic education for more than 50 years and has presided over 33 graduation ceremonies, but if you ask Mr. Leyden what he considers his greatest accomplishment, he will say that he is leaving the school a better place than he found it.

This month, Mr. Leyden will retire from his career in education. While his time as an educator has come to an end, the results of his hard work will no doubt continue to be seen for generations to come.

Mr. Speaker, on behalf of the Fifth District of Texas, I am honored to recognize Mr. Edward Leyden for his devotion to education and for helping to shape a brighter future for our community and our country.

CELEBRATING THE 100TH ANNIVERSARY OF GOODWILL INDUSTRIES OF GREATER NEW YORK AND NEW JERSEY

**HON. RODNEY P. FRELINGHUYSEN**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to celebrate the 100th Anniversary of Goodwill Industries of Greater New York and northern New Jersey.

For a whole century, this organization has provided assistance and opportunity to a wide host of thankful recipients in the New York and northern New Jersey area.

Founded on February 13, 1915 in a Brooklyn suburb by two clergymen, the first Goodwill in New York began the task of providing assistance to persons with disabilities and disadvantages so they could achieve a level of self-sufficiency. From this humble start, people requesting assistance earned a living through the collection and sale of donated clothing and other goods. It wasn't long before the success of the Brooklyn Goodwill spread to other communities.

Years later, in 1922, St. Paul's Community House founded its own Goodwill in Jersey City, New Jersey. In 1962 the Goodwill in Brooklyn merged with its Jersey City cousin to form Goodwill Industries of Greater New York and Northern New Jersey Inc.

The success from that early Brooklyn store is how the organization gained its current name. Goodwill Industries International is composed of 165 agencies in the United States, Canada, and fourteen affiliates abroad. Goodwill's mission is to "empower individuals with disabilities and other barriers to employment to gain independence through the power of work," and they certainly have acted on that directive. In 2014 alone, the organization served 95,000 persons in need and connected approximately 8,500 with jobs. Aside from providing job services to persons with disabilities, immigrants, and war veterans, Goodwill also provides free afterschool programs in a bid to assist in the proper education and direction of our nation's young people.

Goodwill has also dedicated their efforts towards assisting those afflicted by two major disasters in recent memory. After the events of 9/11, Goodwill organized an emergency employment initiative to assist those whose families had been effected by the terrible events of that day, offering over 70 programs aimed at retail training and rehabilitation through 42 Goodwill stores across New York and New Jersey.

In the wake of the destruction of Hurricane Sandy, Goodwill gave back to the community by organizing the distribution of crucially needed donated goods, as well as supporting communities in the afflicted areas by partnering

with local businesses. Even today, Goodwill continues to work with state officials in providing donated goods for those still struggling to recover from the storm.

Mr. Speaker, I urge you and my colleagues to join me in thanking Goodwill Industries and congratulating them on their 100th Anniversary.

TRIBUTE TO ST. PATRICK CATHOLIC CHURCH

**HON. DAVID YOUNG**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate a special Iowa church congregation from Imogene, Iowa. St. Patrick Catholic Church will be celebrating the centennial of their building on July 11, 2015.

Founded first in 1880, the third St. Patrick Catholic Church building was established August 1915. Since that time, and long before, congregations of Iowans have been worshipping at St. Patrick's. Still to this day it remains one of the bedrock institutions of this small Iowa town.

Mr. Speaker, I applaud and congratulate the members of St. Patrick's for their many years of faithful attendance and service to God. I am proud to represent them in the United States Congress. I know that my colleagues will join me in congratulating St. Patrick's and wishing them, their pastor, Reverend Tom Kunnell, Bishop Richard Pates, and the community of Imogene nothing but joy in the years ahead.

PERSONAL EXPLANATION

**HON. STEVE RUSSELL**

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. RUSSELL. Mr. Speaker, on roll call no. 376 I was absent due to travel for personal reasons and in connection with my official duties.

Had I been present, I would have voted Yea.

TRIBUTE TO RON DICKERSON

**HON. TODD ROKITA**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. ROKITA. Mr. Speaker, I rise today to congratulate Ron Dickerson on his retirement from Nucor Steel Indiana after 27 years with the company.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

As a student at Wabash College, I can remember the steel mill being built and the excitement it brought to the community as they moved closer to production. Like Wabash College, Nucor Steel Indiana calls the Fourth District's Crawfordsville home. Ron has been with Nucor Steel Indiana from the beginning when he was hired as a frontline worker in the hot rolling mill. He worked his way up to the top job, serving as Vice President and General Manager of the mill for the past 13 years.

As a native of Crawfordsville, Ron understands as well as anyone the positive impact the mill has had on the city of 16,000. Nucor Steel Indiana is a major employer, providing high-paying jobs and supporting the work of nonprofit organizations in the community. Nucor's culture emphasizes the importance of its teammates and Ron embodies that culture.

Nucor Steel Indiana has enjoyed great success under Ron's leadership, but he would be the first to tell you that success is the result of the hard work of Nucor's 742 teammates in Crawfordsville. For Ron, nothing is more important than the men and women who work at the mill.

I have known Ron for a number of years, and have always been impressed with his work ethic and desire to succeed. We have a shared love for classic cars, and his 1970 Ford Mustang Mach 1 embodies that American desire and work ethic. I have always valued Ron's counsel and appreciate his friendship and leadership.

Mr. Speaker, I ask my colleagues to join me today in honoring Ron Dickerson for his outstanding career in the steel industry and his commitment to the community of Crawfordsville. I wish him all the best in his retirement.

HONORING DR. LINDA HENRIE

**HON. JEB HENSARLING**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. HENSARLING. Mr. Speaker, it is my honor to recognize Dr. Linda Henrie, Superintendent of Mesquite Independent School District, who is retiring after 43 years of service. Dr. Henrie has been an invaluable asset to the students, teachers, and community of Mesquite, and will be sorely missed.

Dr. Henrie leaves behind a legacy of leadership that started in the 1980s when she began shattering glass ceilings. She began her career with Mesquite ISD as a business teacher at Mesquite High School and became president of the Mesquite Education Association. In the fall of 1986, Dr. Henrie became one of the first women to be appointed to a secondary administration position in the district.

Dr. Henrie has served MISD in a variety of positions throughout her long and successful career. She spent 15 years in administrative positions and four years as deputy superintendent prior to assuming the role of superintendent in 2005. In addition to her official job description, she has also been a cheerleader for many athletic events, a patron of countless school plays and shows and an overall supporter to everyone in MISD.

Thanks to her fiscal savvy and wise stewardship of limited resources, the school district was able to succeed and even reach new accomplishments in recent years. She found a way to avoid job cuts and often reminded her hard-working staff—in both word and by example—that they were charged with giving the taxpayers a good return on investment at MISD.

While overseeing the 46-campus MISD, Dr. Henrie has somehow found time to be involved in other professional groups and organizations. The Texas Association of School Administrators, Mesquite Education Association, Texas Staff Development Council, Texas ASCD, UIL Legislative Council, and the National Federation of State High School Associations and Equity Center have all benefitted from Dr. Henrie's wisdom and leadership.

During her tenure, MISD was a recognized district in 2010 and 2011, received the Texas Award for Performance Excellence from Quality Texas, gained membership in the Comptroller's Gold Leadership Circle, and was a large-district finalist in the H-E-B Excellence in Education Awards for three consecutive years. MISD is also one of only 11 public school districts to earn the highest rating of five stars on the Financial Allocation Study for Texas (FAST) for three consecutive years.

Dr. Henrie received personal recognition as the recipient of Mesquite Social Services' Women in Service and Enterprise Award, Texas ASCD's Brownlee Leadership Award, the ATPE's 2011 Administrator Educator of the Year honor, and City of Mesquite Pillar of the Community Award.

This year Dr. Henrie will retire. Though her time as an educator has come to an end, the results of her hard work will no doubt continue to be seen for generations to come. While she may be giving up the title of superintendent, I have no doubt her role as one of MISD's biggest fans will continue.

Mr. Speaker, on behalf of the Fifth District of Texas, I am honored to recognize Dr. Linda Henrie for her devotion to education and for helping to shape a brighter future for our community and our country.

ALZHEIMER'S AWARENESS MONTH

**HON. JOHN ABNEY CULBERSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. CULBERSON. Mr. Speaker, June is Alzheimer's & Brain Awareness Month, an opportunity to raise awareness and continue a national conversation about this debilitating disease, which is the nation's sixth leading cause of death.

Worldwide, there are 47 million people living with Alzheimer's and other dementias, and without a change, these numbers are expected to grow to 76 million by 2030. Not only will this affect individuals and families with an unmeasurable toll of physical and emotional pain, it will also cost our entire economy and health care system billions. Just this year alone, the disease is estimated to cost us \$226 billion.

Even more concerning, Mr. Speaker, is the fact that Alzheimer's disease is not treatable

and its progression cannot be slowed down. However, I am encouraged by the important work that researchers are doing at the National Institutes of Health regarding this deadly disease. Furthermore, I am glad that my colleagues and I in the House came together in a responsible and bi-partisan manner to not only increase funding to \$31.2 billion for the NIH (\$1.1 billion above fiscal year 2015 and \$100 million above the President's request); but within that allocation provided \$886 million for the Alzheimer's disease research initiative, a \$300 million increase. I am hopeful that these research dollars will go a long way to treating, and ultimately curing this disease.

IN RECOGNITION OF THE HONEY POT VOLUNTEER ACTIVE FIRE DEPARTMENT'S 50TH ANNIVERSARY

**HON. LOU BARLETTA**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. BARLETTA. Mr. Speaker, it is my honor to help commemorate the 50th anniversary of the establishment of The Honey Pot Volunteer Active Fire Department in Honey Pot, Pennsylvania, which continually works to ensure public safety within my congressional district. Out of seven fire departments in the City of Nanticoke, it is the only independent station supported solely from fundraisers and the State fire grant.

After a devastating fire consumed three houses, a group of Honey Pot residents chartered the department in April of 1965. Under the leadership of the department's first chief, Theodore Zdiarski, the organization raised sufficient funds to purchase a \$32,000 1965 FWD pumper through the sale of rags, metals, and other miscellaneous items; an impressive feat in and of itself.

Throughout the years, the department has responded to calls in neighboring municipalities such as Nanticoke, Wilkes Barre, Plymouth, Plymouth Township, Shickshinny, and Dupont; service that has greatly enhanced public safety across northeastern Pennsylvania. In 1992, the company created a junior firefighter program. In doing so, the company not only successfully increased their membership, but also engaged with local youths.

In addition to their stellar record of public service, the company has repeatedly used fundraising efforts as a way to positively influence the community. For example, when the department needed to replace its aged pumper truck in 2000, the members organized a "cabbage roll," a fundraiser where participants compete in rolling heads of cabbage down a hill. The cabbage roll made local headlines across northeastern Pennsylvania, and such an event is testament to the integral role the company plays in the local community outside of the fire station.

Mr. Speaker, it is my pleasure to recognize The Honey Pot Volunteer Active Fire Department as it celebrates its 50th anniversary. On behalf of a grateful community, I wish to thank the department and its members for their tireless service and unwavering commitment to increasing public safety.



RECOGNIZING THE RETIREMENT  
OF DR. DUANE M. FORD

**HON. RON KIND**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. KIND. Mr. Speaker, today I rise in honor of the career of Dr. Duane M. Ford, President of Southwest Wisconsin Technical College. He served as the fifth president of the College for the past four years.

Dr. Ford grew up on a family farm outside of Tonica, Illinois. He spent much of his childhood doing chores and helping out with the farm work. He eventually went on to University of Illinois at Urbana-Champaign, where he received a bachelor of science in Agronomy with Highest and University Honors in 1977. After farming with his father and brother for two years, he studied at Iowa State University, where he received an M.S. and a Ph.D. He then served as a Post-Doctorate Fellow in the Department of Biological Sciences at the University of Illinois at Chicago.

In 1986, he began his career in teaching and academic leadership at Truman State University in Kirksville, Missouri, where he first discovered his passion for teaching. While at Truman State, he served as Convener of the Agricultural Science Discipline, as Associate Division Head for the Division of Science, received a fellowship in the W.K. Kellogg National Leadership Program (1991–1994), and studied for a sabbatical year at the Center for Biotechnology Policy and Ethics at Texas A&M University (1993–1994). In 1996, Dr. Ford became the Chairperson of the Department of Agriculture at Southeast Missouri State University in Cape Girardeau, Missouri. From 1999–2011 he was Dean of the College of Business, Industry, Life Science and Agriculture at the University of Wisconsin-Platteville, where he also served as Interim Provost and Vice Chancellor before becoming President of Southwest Tech in 2011.

Under President Ford's leadership, Southwest Tech has become a premiere place for high-quality, affordable education and training. Dr. Ford has a strong relationship with businesses in the area, and he has adapted the curriculum to reflect the needs of the nearly 12,000 students per year attending Southwest Tech. Throughout his career, he has stayed true to his Midwest roots. He was a creative thinker and tireless advocate for education. I personally have enjoyed working with Duane, first at UW-Platteville, then as President of Southwest Tech, where his pursuit of quality educational opportunities for his students was inspirational. He will be missed.

Duane and his wife Sheri currently live in Platteville, Wisconsin. They have two adult children, Hollie and Simon, a grandson, Matt, and a cat named Dusty. In his retirement, Duane looks forward to pursuing his hobbies of running, bicycling, baking and disc golf. Dr. Ford will continue to serve on the Board of Directors for Southwest Health Center.

IN HONOR OF HUGO TOTTINO

**HON. SAM FARR**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. FARR. Mr. Speaker, I rise today to honor the agricultural and public service career of a great American. Mr. Hugo Tottino is being honored this month by the Grower Shipper Association of Central California with the E.E. Gene Harden Award for Lifetime Achievement in Central Coast Agriculture. Known to many as the "Artichoke King" and to his friends and family as Ocean Mist Farms as simply Hugo, he is one of the pioneers of modern agriculture on the Central Coast. So while you may have never heard of him, I can guarantee that every member of this House has eaten something grown by Hugo and his family.

Hugo's lifelong love and passion for farming undoubtedly began while working closely with his father on the family farm while growing up. Upon graduation from Salinas High in 1944, Hugo gave up a Saint Mary's College football scholarship to enlist in the Navy. After returning home to Castroville in 1946, Hugo joined California Artichoke and Vegetable Growers Corporation now known as Ocean Mist Farms. Once at work, Hugo turned his boundless energy toward helping to grow this family owned business into the dynamic industry leader that it is today. His signature work ethic is well known. He still drives to the office six days a week. And his leadership has extended beyond Ocean Mist Farms to the broader agricultural community. Hugo has been instrumental in championing the development of the Castroville Seawater Intrusion Project, helping to slow the rate of sea water intrusion into fresh water aquifers. He helped rally support to utilize alternative sources of water to save thousands of crop acres, and has been actively involved in the efforts of soil conservation and water reclamation.

Hugo also turned his passion towards family and community. In 1951, Hugo married the love of his life, Doris Bei from Santa Cruz. Together they raised five children: Michele, Les, Karen, Cathy, David and are the loving grandparents of Amy, Brian, Katie, Jeff, Kevin, Sarah, Lisa, Glen, and Mary. He and Doris have also been active leaders or contributors to numerous community endeavors, including Salinas Valley Memorial Hospital, the Monterey County Food Bank, Our Lady of Refuge Catholic Church, the Ausonio Library, and North Monterey County High School, to name just a few.

Mr. Speaker, I know I speak on behalf of the entire House in thanking Mr. Tottino for his decades of service to this nation and its agriculture industry. I wish him nothing but success wherever this next chapter of life takes him, and we are proud that he calls Castroville and California's Central Coast his home.

REMEMBERING THE LIFE OF MR.  
RICHARD A. MARSICO

**HON. TIM RYAN**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. RYAN of Ohio. Mr. Speaker, I rise today to honor the life of Mr. Richard A. Marsico who passed away on June 6th, 2015. Richard was born to his loving parents Anthony and Mary Marsico on October 5th, 1934. Mr. Marsico was raised on the south side of Youngstown, Ohio. He graduated from Woodrow Wilson High School in 1953 and was inducted into the Woodrow Wilson Hall of Fame for his successful high school football career. Richard later graduated from the Ohio State University in 1958 with a bachelor of science degree in Civil Engineering.

Richard was later commissioned second lieutenant in the U.S. Army Reserves in 1958 and obtained the rank of captain during his service. He was honorably discharged in 1969. Mr. Marsico continued to work in the field of engineering with Engelhardt & Associates until 1968 when he formed his own firm, Richard A. Marsico & Associates. His firm helped expand prominent businesses, like General Motors and Packard Electric Plants which made our community more economically prosperous. Richard used his talents to contribute to the growth and prosperity of Youngstown by serving as the director of public works, the city engineer, as well as the chief building official and plan examiner. In 1997, he was elected to the office of Mahoning County Engineer and served for four terms. He also served as the president of the County Engineers Association of Ohio, and won the Mahoning County Township Association's "Excellence in Service" Award.

Richard was very hardworking and dedicated; he achieved many successes and was well-respected among his colleagues and throughout the community. On June 19, 1954 Richard married his high school sweetheart Shirlee Eckerle. After Shirlee's passing, Richard married Patricia DePizzo-Como on July 27, 2007. Richard is preceded in death by parents Anthony and Mary Marsico; wife, Shirlee; and his son Richard Phillip Marsico. He leaves behind his wife Patricia; sons, Martin and David; daughter-in-law, Nita; stepchildren, Michelle and Bryan; his wonderful grandchildren; and great-granddaughter, Mia. He is also survived by his brother, Dr. Robert Marsico and numerous nieces and nephews. Richard will be remembered for being a noble man of valor as well as for his professional accomplishments. I extend my condolences to his entire family. Our community is a better place to call home due to his great contributions and he will be dearly missed.

THE MICHIGAN CONGRESSIONAL  
DELEGATION CONGRATULATING  
QUICKEN LOANS ON 30 YEARS OF  
EXCELLENCE

**HON. BILL HUIZENGA**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. HUIZENGA of Michigan. Mr. Speaker, I rise today, along with my colleagues Reps. JOHN CONYERS, CANDICE MILLER, JOHN MOOLENAAR, BRENDA LAWRENCE, MIKE BISHOP, DAN BENISHEK, TIM WALBERG, DAVID TROTT, DEBBIE DINGELL, FRED UPTON, DAN KILDEE, and SANDER LEVIN, to congratulate Quicken Loans Inc. on its 30th year in business and recognize its pivotal role in revitalizing Detroit as well as its impact on Michigan's economy. Quicken Loans has helped more than 2 million American families achieve their dream of home ownership.

Originally founded as Rock Financial in 1985 by Detroit native Dan Gilbert, Quicken Loans Inc. has grown to become America's largest online lender and the 2nd largest lender in the United States. From 2013–2014 alone, Quicken closed \$140 billion of mortgage volume across all 50 states.

As the largest FHA lender, Quicken has helped lower income Americans borrow money for the purchase of a home that they would likely otherwise not have been able to afford. Quicken Loans' commitment to its customers is commendable, as Quicken has maintained the best loan quality score and lowest default rate among the largest 30 FHA lenders.

Because of its commitment to its customers, Quicken Loans Inc. has been awarded the J.D. Power awards for Highest in Customer Satisfaction for Primary Mortgage Origination for five straight years, their award for Highest in Customer Satisfaction among home loan servicers in 2014, and their award for Customer Service Champion—making Quicken Loans Inc. one of only 40 companies in the United States to receive this prestigious award.

Over the past 30 years, Quicken has taken civic engagement to a new level by establishing itself as a leader and innovator in community engagement by developing a culture that encourages its 12,000 team members to volunteer in communities surrounding Detroit, Michigan; Cleveland, Ohio; North Scottsdale, Arizona; San Diego, California, and Charlotte, North Carolina, where the team members work and live.

Last year alone, Quicken Loans Inc. donated more than \$16 million to local charities and its team members volunteered over 75,000 hours to charity work including: assisting local veterans, community development, and helping in the downtown revitalization process in Detroit. It's for reasons like these that Quicken has ranked in the Top 30 of FORTUNE Magazine's Best Places to Work in America for 12 years.

The leadership of Quicken Loans Inc. in restoring Detroit cannot be understated.

On December 3, 2013, the City of Detroit was declared bankrupt. Since that time, Quicken Loans Inc. founder and Chairman Dan Gil-

bert was named co-chair of the Blight Removal Task Force which continues to focus on the revitalization of Detroit through the removal of all blighted structures and lots within the city. Additionally, Mr. Gilbert serves as Vice Chairman of the M-1 RAIL initiative which began construction in July 2014. The 6.6 mile light rail system is designed to spur economic development and improve downtown and midtown Detroit's transportation infrastructure.

As of midnight on December 11, 2014, Detroit successfully left Chapter 9 municipal bankruptcy. This transition would not have been possible without key players, one of which was Quicken Loans Inc., and their commitment to Michigan and the city of Detroit.

Congratulations to Quicken Loans Inc. on your 30th anniversary and thank you for leading by example in communities here in Michigan and across the nation.

HONORING LOCAL VETERAN  
EDWARD HENDERSON

**HON. MIKE BISHOP**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. BISHOP of Michigan. Mr. Speaker, I rise today to honor a Vietnam war veteran from Rochester Hills, Michigan, Mr. Edward Henderson.

Mr. Henderson spent several years in Thailand and Vietnam during the late 1960s and early 1970s. He served with the U.S. Army Security Agency, and until just recently, his mission remained confidential.

As his new Congressman, Mr. Henderson recently contacted my office to request his military records. During the process, the U.S. Army notified us that he was entitled to six awards earned during his time overseas nearly 50 years ago.

It's shocking to think veterans, like Edward Henderson, can go so long without recognition for their service. We must right this wrong.

Selfless veterans like Edward Henderson don't "win" medals. They earn them. They put their lives on the line to protect us and our freedom. And our Vietnam veterans went through hell and back to defend America and our allies.

That's why when they return, it's our responsibility to honor and fight for them here at home.

Leaving the battlefield does not mean their battles are done. So as a nation, we must do more to support and reach out to our veterans.

We have a duty to do whatever we can to serve and honor our American heroes. Not just today, but every day.

So thank you—to Ed, his wife Martha, and his family and friends. We owe him more than just medals, but a lifetime of gratitude.

CONGRATULATING ILLINOIS AUDITOR GENERAL WILLIAM G. HOLLAND ON HIS RETIREMENT

**HON. CHERI BUSTOS**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mrs. BUSTOS. Mr. Speaker, I rise today to congratulate William G. Holland on his retirement from serving as Illinois Auditor General. Mr. Holland's almost 25 years of service have illustrated his persistent dedication to the State of Illinois.

The Illinois General Assembly has appointed Mr. Holland as Auditor General for an unprecedented three 10-year terms. Throughout his tenure, he has consistently maintained stability during some of our state's most turbulent times. His career embodies true public service, and he has been a role model for many other public servants, including myself.

I have known Mr. Holland for more than 30 years and had the privilege to serve as an intern when he was the Chief of Staff to the Illinois Senate President. I have seen first-hand that regardless of who or what party is in power, he has always upheld the important values of fiscal responsibility, transparency, and accountability.

Mr. Speaker, I would like to recognize and thank Mr. Holland for his longstanding commitment to good government in the State of Illinois, and I congratulate him again on his well-earned retirement.

RECOGNIZING DAVID L. DIEDRICH FOR 40 YEARS OF OUTSTANDING MILITARY AND COMMUNITY SERVICE

**HON. BILL SHUSTER**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. SHUSTER. Mr. Speaker, I rise today to recognize David L. Diedrich, a resident of Altoona, for his heroic efforts and selfless service to his country and community over the past 40 years.

Mr. Diedrich served in the United States Army for 20 years after attending the United States Military Academy at West Point, where he graduated in the top ten percent of the class of 1976. For his subsequent exemplary military service in Hawaii, Detroit, and Germany, Mr. Diedrich was awarded the Army Meritorious Service Medal three times and the Army Commendation Medal twice.

After attaining a master's degree in Civil Engineering and returning to West Point as a career counselor and instructor, Mr. Diedrich became the City Engineer and the Director of Public Works for the City of Altoona, where he oversaw the public works of the entire city. In addition to this role, Mr. Diedrich has served the local community as a member of the Improved Dwellings of Altoona Board of Directors, through his church, and as a mentor to area students interested in the United States Military Academy.

It is my honor to recognize Mr. Diedrich, one of our nation's many heroes, and congratulate him for his decades of dedicated

service to our country and his local community.

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CARE ACT OF 2015

**HON. LUCILLE ROYBAL-ALLARD**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Ms. ROYBAL-ALLARD. Mr. Speaker, on June 12, we observed International Day Against Child Labor. This is the day set aside to remind us of the plight of hundreds of millions of children throughout the world who are engaged in dangerous work that often deprives them of obtaining adequate education, health and decent living conditions.

Unconscionably, hundreds of thousands of these children live right here in the United States. These children work long hours and under dangerous conditions in our nation's agricultural industry.

This industry has a fatality rate nearly 8 times the national average, yet our labor laws do not protect children in agriculture in the same way they protect children in every other industry.

The impact of our permissive child labor laws is most evident in our tobacco fields. Human Rights Watch recently issued a study that found children as young as twelve suffering from nausea, vomiting, headaches and dizziness, all symptoms of acute nicotine poisoning, likely contracted by absorbing nicotine through their skin while harvesting tobacco plants.

Many of these children say they work long hours without overtime pay, often in extreme heat, without sufficient breaks, or adequate protective gear.

These hazards have led countries like Russia and Kazakhstan to restrict tobacco harvesting to adults, but no such protections exist for children in the United States.

The time has come for the United States of America to bring child labor laws in line with our American values and give all of our children the fundamental protections they need and rightfully deserve.

That is why I am once again re-introducing the Children's Act for Responsible Employment, better known as the CARE Act.

While retaining current exemptions for family farms and agricultural education programs like 4-H and Future Farmers of America, the CARE Act raises labor standards and protections for farm worker children to the same level set for children in all other occupations.

Specifically the CARE Act ends our country's double standard that allows children in agriculture to work at younger ages and for longer hours than those working in all other industries.

It raises the minimum age for agricultural work to 14 and restricts children under 16 from work that interferes with their education or endangers their health and well-being.

The CARE Act also prohibits children under the age of 18 from working in agricultural jobs which the Department of Labor has declared as particularly hazardous. This is consistent with current law governing every industry outside of agriculture.

No child should be discriminated against based on the work they do. All of America's children deserve to be protected equally under our laws.

Mr. Speaker, it is our moral obligation to do everything in our power to protect the rights, safety and educational future of our most precious resource—America's children, and I urge my colleagues to support the CARE Act.

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HONORING COLONEL JAMES C. HODGES

**HON. THOMAS MacARTHUR**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. MACARTHUR. Mr. Speaker, I rise to pay tribute to Colonel James C. Hodges of the United States Air Force for his extraordinary dedication to duty and service to our nation as the Commander at Joint Base McGuire-Dix-Lakehurst in New Jersey. Colonel Hodges is leaving his position at the Joint Base and transitioning to a new role.

Today, the Joint Base stands as a model, state-of-the-art facility with Army, Air Force, Navy, Marine and Coast Guard operations, including airlift and air refueling, soldier training and deployment and aircraft carrier research and development. The Joint Base's officers provide an invaluable service to the military. In particular, the 87th Air Base Wing provides installation management support for 3,933 facilities with an approximate value of \$9.3 billion in physical infrastructure.

Colonel Hodges has been serving as the 87th Air Base Wing Commander and Installation Commander, where he has provided installation support to more than 80 mission partners. Colonel Hodges has also been responsible for providing mission-ready expeditionary Airmen and Sailors to combatant commanders in support of joint and combined operations. As the Commander of the Nation's only Tri-Service Base, Colonel Hodges has had a very difficult job, which he has performed masterfully.

A career civil engineer, Colonel Hodges obtained his degree from the U.S. Air Force Academy in 1991. Upon receiving such degree, Colonel Hodges has served a variety of staff positions at the base, major command, joint, multinational and Pentagon levels. He has also commanded at the squadron and group level. His contingency experience includes service as a commander of an expeditionary civil engineer squadron in Operation Iraqi Freedom and as a joint-multinational staff officer in support of Operation Enduring Freedom.

Along with his lengthy service, Colonel Hodges has devoted countless hours of his time to furthering his education. He holds a master of science in engineering and policy from Washington University, a master of arts in organizational management from George Washington University and a master of Strategic Studies from the Air War College.

Colonel Hodges' great work has not gone unnoticed. His military awards include the Legion of Merit, the Bronze Star, the Defense Meritorious Service Medal, the Meritorious

Service Medal with silver oak leaf cluster, the Air Force Commendation Medal, the Joint Achievement Medal and the Air Force Achievement Medal.

Mr. Speaker, it is my honor to recognize the selfless service of Colonel James C. Hodges as he transitions into a new role and continues to serve the United States of America. I wish him the best as he proceeds into the next chapter of his career.

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HONORING MICHAEL KARLS OF THE FESTUS TIGERS

**HON. BLAINE LUETKEMEYER**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Michael Karls of the Festus Tigers for his first place win in the 3200 Meter Run at the 2015 Class 4 Track and Field State Championship.

Michael and his coach should be commended for all of their hard work throughout this past year and for bringing home the state championship to their school and community. He was also chosen as his school's scholar-athlete of the 2014–2015 year by the St. Louis Post-Dispatch.

I ask you to join me in recognizing Michael Karls of the Festus Tigers for a job well done.

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HONORING WASHINGTON STATE UNIVERSITY PRESIDENT ELSON FLOYD

**HON. DAVID G. REICHERT**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. REICHERT. Mr. Speaker, today we remember the life of Washington State University President Elson Floyd. Dr. Floyd was one of the leading lights of education in our state. He not only ensured that he personally engaged with the lives of the students on his own campus, but he advocated for higher education across the state to any who would listen. He made educating his top priority and took extra measures to help his school succeed—such as cutting his own salary when he saw the effects of the economic downturn on WSU. I have had the pleasure of personally meeting Dr. Floyd and was moved by his passion and sincerity. We need more men and women like him throughout this country, helping our young people realize the advantages of pursuing a good education and pursue their dreams. My thoughts and prayers are with his wife and children as well as with his WSU family. As we say in the law enforcement world, he is gone but never forgotten.

CELEBRATING THE 77TH ANNIVERSARY OF THE FAIR LABOR STANDARDS ACT

**HON. ROBERT A. BRADY**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2015

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to honor the 77th Anniversary of the Fair Labor Standards Act.

As you know, we can thank the Fair Labor Standards Act (FLSA), signed into law by President Franklin Roosevelt in 1938, for providing workers with an hourly minimum wage, overtime pay, and child labor protections. Since then, the FLSA has been amended numerous times in an attempt to reflect changes in the cost of living. The most recent increase was in 2007, bringing the hourly minimum wage from \$5.15 per hour to its current rate of \$7.25 per hour.

Unfortunately, many key components of the FLSA are outdated and have failed to keep pace with the demands of daily life in 2015. This includes the value of the minimum wage, which has decreased sharply over the past few years—a mere \$7.25 per hour equates to \$14,500 per year for a full-time minimum wage employee. This makes it difficult for individuals to support themselves and their families, forcing many people to live below the poverty line. Other present day workers' concerns include the subminimum wage for tipped workers, which has remained at \$2.13 per hour for the past two decades. Domestic workers lack access to health care, paid sick days or paid time off—something I believe must be changed. Moreover, "comp time" in lieu of overtime pay, and break time for nursing mothers are workers' rights issues that need to be addressed in order to have a more productive workforce that can compete in a global marketplace, as well as to maintain a thriving society here at home.

We just celebrated the Fair Labor Standards Act's 75th Anniversary two years ago, and there was a lot of positive discussion around the issue at that time. We must keep up this momentum and continue to fight for workers' rights in our increasingly global economy. People deserve a livable wage for a hard day's work, and we urge you to bring up legislation that will lift so many Americans out of poverty.

CELEBRATING THE RETIREMENT OF MONSIGNOR JOHN BEVINS

**HON. ELIZABETH H. ESTY**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2015

Ms. ESTY. Mr. Speaker, I rise today to celebrate the retirement of Monsignor John Bevins of the Basilica of the Immaculate Conception in Waterbury, Connecticut.

This Sunday, Monsignor Bevins will celebrate the completion of 24 years of distinguished service to the Basilica of the Immaculate Conception and the entire Waterbury community. Prior to his appointment as pastor

of the basilica, Monsignor Bevins was a Navy Chaplain for 23 years, faithfully serving his fellow servicemembers wherever he was stationed including Vietnam. Monsignor Bevins has dedicated his life to his church, city, and country.

During his time as pastor, Monsignor Bevins has built a legacy of innovation and compassion for the basilica and its members. He was instrumental in having the parish named a minor basilica by Pope Benedict XVI in 2008 and has been involved in the creation and restoration of numerous parish programs. From feeding the homeless every morning, to providing workshops for adult education, to leading a massive renovation project, Monsignor Bevins' spiritual guidance and good work has positively impacted countless lives.

Monsignor Bevins illustrates the power of altruistic generosity and determination to bringing people together and strengthening communities. I would like to thank him for his exceptional contributions to the Basilica of the Immaculate Conception and the Waterbury community. He will be greatly missed, but his legacy of service at Immaculate Conception will continue for years to come.

Congratulations to Monsignor Bevins on his retirement.

HONORING THE 50TH ANNIVERSARY OF THE VIETNAM WAR

**HON. EARL L. "BUDDY" CARTER**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2015

Mr. CARTER of Georgia. Mr. Speaker, today I rise to honor the 50th Anniversary of the start of the Vietnam war.

The treatment so many of our veterans faced when they returned home from tours of duty was and is unacceptable. It is a dark chapter in our nation's history that we must never allow to be repeated. It is a testament to our veterans' unyielding call to duty that so many of them remain involved in veteran's service organizations and continue taking care of our troops as they return home from the conflicts in Afghanistan and Iraq.

Georgia has a rich military heritage and her involvement in the Vietnam war is no different. Out of the 228,000 sons and daughters of our state that served in the military during the war, 1,584 were killed, 8,534 were wounded, 21 were held as prisoners of war and 35 are missing in action. Today, it is our honor to be the home state of an estimated 254,000 Vietnam veterans.

Mr. Speaker, on behalf of the people of the First District of Georgia, it is my honor to extend to our veterans this long overdue welcome home with the thanks of a grateful nation.

HONORING WAYNE BURGESS UPON HIS RETIREMENT

**HON. JOE COURTNEY**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2015

Mr. COURTNEY. Mr. Speaker, today I rise to thank and honor an advocate, employee, veteran, and community leader from my district, Mr. Wayne Burgess, upon his retirement. Wayne has been a fixture of the Groton community for nearly 50 years, as the longest serving Principal Officer of MDA-UAW Local 571, as the President of the Southeastern Connecticut Central Labor Council, AFL-CIO, and as a leader in countless other local service organizations.

His energy and commitment are boundless, as evidenced by his impressive accomplishments, beginning with his service in the Navy during the Vietnam war. Wayne served three deployments aboard the USS *Taylor* from 1967–1969 before returning home to work at Electric Boat, where he has remained involved ever since. At EB, he worked as a technical/test writer before being elected MDA-UAW Financial Secretary in 1988. In the years that followed, Wayne constantly saw new opportunities for EB and its employees. He began the EB School to Work program in the City of Groton that allows high school juniors the opportunity to work at EB during the summers.

Wayne also devotes his time to the United Way of Southeastern Connecticut, serving on the Food Advisory Board for the Gemma E. Moran United Way Center in New London and serves as the volunteer Chairman of the Charter Oak Credit Union Supervisory Committee. He is a devoted advocate for labor, for good jobs, for opportunity, and for the hardworking members of our community.

Please join me in thanking Wayne Burgess for the monumental impact he has made on the Groton community, and wishing him a peaceful and productive retirement.

TRADE ADJUSTMENT ASSISTANCE

**HON. ADAM SMITH**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2015

Mr. SMITH of Washington. Mr. Speaker, today I rise in support of Trade Adjustment Assistance. Although it is important that we sustain this program, this is not the best reauthorization bill the House could consider. However, the program expires on September 30 and this legislation allows workers in my district and across the country to access the support they need to compete in our global economy.

Unlike the bill that I introduced with Ranking Member LEVIN earlier this year, today's bill has several shortcomings, including one of critical concern. This legislation cuts funding for worker training from \$575 million to \$450 million at a time when we are expanding markets and transforming our economy.

We are in the middle of simultaneously negotiating trade agreements with Asia and the

Pacific, as well as the European Union. Those who are impacted from increased competition deserve support and a safety net to adjust and reenter the job market.

The Administration recognizes that the \$450 million funding level does not take into account increased competition from Asia and the Pacific. However, Secretary Perez has assured Congress that his funding level is adequate to cover not only training services, but also case management, reemployment services, and state administration of the program—all areas that had been previously funded separately, not with a combined funding stream, like that in this bill. I hope the Secretary is correct but should this not be the case, I hope the Administration is prepared to work with Congress to provide additional funding with the same vigor they've invested in passing TPA.

I am glad to see that we are no longer paying for this program by cutting funds from Medicare. However, I am disappointed that this bill does not qualify public sector workers for Trade Adjustment Assistance. They are an important part of our workforce and should be able to qualify for access to the same services.

Our nation's economy and success depend on our workers. Over the last decade, I have been a strong supporter of Trade Adjustment Assistance and have led the effort to protect, extend, and enhance the program. I believe in this program and will continue this fight for good jobs, to ensure American workers can provide for their families, and that our country remains competitive.

#### PERSONAL EXPLANATION

#### HON. LYNN A. WESTMORELAND

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2015

Mr. WESTMORELAND. Mr. Speaker, on June 23, 2015 I missed votes due to a previously scheduled doctor's appointment.

#### HONORING MACKENZIE RONEY OF THE HERCULANEUM BLACKCATS

#### HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2015

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Mackenzie Roney of the Herculanum Blackcats for her first place win in Pole Vaulting at the 2015 Class 3 Track and Field State Championship.

Mackenzie and her coach should be commended for all of their hard work throughout this past year and for bringing home the state championship to their school and community. She was also chosen as her school's scholar-athlete of the 2014–2015 year by the St. Louis Post-Dispatch.

I ask you to join me in recognizing Mackenzie Roney of the Herculanum Blackcats for a job well done.

#### CELEBRATING THE 110TH ANNIVERSARY OF THE MENDHAM FIRE DEPARTMENT

#### HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2015

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to recognize the 110th Anniversary of the Mendham Fire Department located in the Borough of Mendham in Morris County, New Jersey.

The Mendham Fire Department was established on June 20, 1905. The first officers of the department were elected at the founding meeting. The President was Edward S.P. Bretherton, Secretary J. Smith Gunther, Treasurer Charles P. Bretherton, and Chief John M. Hoffman. The original firehouse was completed in December 1906 with \$885 raised by the residents. In 1913 the Mendham Independent Hook, Ladder, and Hose Company No. 1 was formed. One year later in 1904 the First Aid Squad came into existence with twelve men volunteers. In the past century, the department has grown and continued to provide the community with exemplary service.

On September 11, 2001 the fire department responded to terrorist attacks in New York. Their First Aid Squad was also sent to the World Trade Center to assist the victims at the site of the tragedy.

In 2014, the department responded to 250 calls with an average response time of seven minutes and twenty-two seconds. This is about two minutes less than the national average for all volunteer fire organizations. The department is not just responsible for responding to emergency calls. They are actively involved in just about every facet of the Mendham community and provide mutual aid to neighboring towns.

Each year the department continues to grow their junior membership. They provide opportunities for young men and women aged sixteen to eighteen, who participate in various firefighting and first aid activities. The makeup of the junior membership represents the best and brightest of Mendham. They carry on to college and beyond the confidence and skills that are instilled in them while working at the fire department.

The Mendham Fire Department has been able to maintain and grow a wonderful relationship of trust and respect with Mendham residents. For this 110th Anniversary the department is planning a number of events and activities to celebrate their achievements.

Mr. Speaker, please join me in thanking and recognizing the Mendham Fire Department for their 110 years of dedicated service to the community.

#### HONORING TEMPLE, TX POLICE CHIEF GARY SMITH

#### HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2015

Mr. CARTER of Texas. Mr. Speaker, I rise today to honor the distinguished career of

Temple, TX Police Chief Gary Smith. With his retirement approaching, he will soon close out 37 years of incredible service to his community and begin the next chapter of his life.

A native son of Temple, Smith joined the force right out of high school and quickly rose through the ranks, showcasing his leadership and expertise at every step along the way. Recognition of his excellence included his being named Rookie of the Year and twice receiving the prestigious Officer of the Year award. Community leaders took notice of his great work and Smith was honored by the Temple City Council on three separate occasions for his stellar leadership and commitment to duty.

Chief Smith led his department with dedication, honesty, and integrity. Over the decades, Smith has seen his beloved police department grow from a small town force into a skilled and mobile law enforcement agency capable of providing safety to this rapidly growing city. Due in large part to his leadership, Temple is now one of the safest cities in the country. Locals could always sleep well knowing their safety was Smith's first priority.

As a former judge, I know firsthand the essential role police officers play in maintaining law and order and the risks they face every time they report for duty. These brave men and women awake each day uncertain of what dangers await. Yet they carry on, strengthened by their resolve to protect and serve. Police officers, be they big city beat cops or small town sheriffs, help preserve our way of life and are the shields that guard us from those lost souls who wish harm to others.

Some people live an entire lifetime and wonder if they have made a difference in the world; Chief Gary Smith doesn't have that problem. I salute his extraordinary career and join the grateful citizens of Temple, TX in wishing him only the best in the years ahead.

#### CELEBRATING THE 135TH ANNIVERSARY OF MAINE'S FRIENDSHIP SLOOP

#### HON. CHELLIE PINGREE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2015

Ms. PINGREE. Mr. Speaker, I rise today to honor the 135th anniversary of the Friendship Sloop, a style of sailing vessel that stands as an icon of Maine's maritime heritage.

Friendship Sloops were developed over a century ago in Maine's Muscongus Bay as fishing and lobstering boats. Their beautiful lines served an important purpose. The shape of the hull provided great stability and lobstermen could sail the boats by themselves while laying and checking their traps by hand. Many local craftsmen were known for building them, but none more than Wilbur Morse of Friendship, Maine. Morse's shop turned out so many of the boats that they eventually became known by the name of his hometown.

With the advent of modern-day engines in the 20th century, the Friendship Sloop fell out of favor as a fishing vessel. But it wasn't long before its beauty and functionality made it a popular design for recreational sailboats and

yachts. Its distinctive shape lives on to this day with the help of many enthusiasts who carry on its legacy. Since 1961, the Friendship Sloop Society has hosted an annual regatta and connected a community of people who sail, rebuild, and appreciate these boats.

Much has changed since 1880, but life on the Maine coast retains many connections to those earlier days. Hard-working individuals still make their living on the water. Tight-knit communities still pull together for each other. And Friendship Sloops still gracefully ply the waters, their design largely unchanged in 135 years. Some things just cannot be improved upon.

My appreciation goes to all those who keep the tradition of the Friendship Sloop alive. It gives me great pleasure to celebrate its 135th anniversary.

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OMAR RODAS

**HON. TED POE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. POE of Texas. Mr. Speaker, millions of American teenagers walked across the stage in their cap and gown and received their diploma after four years of hard work. Their high school careers will officially come to an end and the next chapter will soon take off. High School Graduation is an exciting time meant for celebration with friends and family. But one Texas student did not get to cross the stage in his green cap and gown to receive his high school diploma.

Omar Rodas from Houston, Texas was an 18 year old student at Klein Forest High School.

He was a tenacious student. Constantly, he put in the extra effort to make his dream of graduation a reality. He stayed for after school hours and worked overtime to ensure that he would graduate. He spent his extra time busing tables at a local restaurant, Babins.

At first he did not think that he would be able to graduate, but Omar pulled it off. He worked tirelessly for that cap and gown and to make sure he was part of the big day in June. His friends said that he was so excited that the hours of extra time and effort made his dream of graduating a reality.

Omar was on his way to his graduation ceremony early Saturday morning on June 6, 2015 with his good friend, who agreed to drive him that morning to ensure that he would make it to the ceremony on time. On the Houston highway, he was suddenly killed in a violent car accident involving two other cars. Omar was already wearing his cap and gown when rescue crews pulled him out of the wreck.

Initial reports have suggested that Omar was driving on the freeway around 7 a.m. when he veered out of his lane and hit the back of a dump truck and SUV then veered in front of the truck and was struck.

Omar was pronounced dead at the scene.

Friends and family at the graduation ceremony were surprised and confused when Omar's name was called and he did not cross the stage.

No one knew that a terrible highway accident took the life of the bright student.

A candle vigil was held for Omar on June 7th at Klein Forest High School and student, parents, and friends are helping the family by setting up a GoFund account in order to help them raise money for the funeral so that the family may grieve properly without the worry of money. Many who attended the vigil wore red, Omar's favorite color, and many of the Class of 2015 students wore their graduation caps in honor of him.

Omar is survived by his parents, an older sister who previously graduated from Klein Forest High School and a younger brother. He had plans to continue working and hopefully attend Lone Star College after graduation.

Even though Omar did not get to hear his name called and physically walk the stage to take his diploma, the community has not stopped cheering for him.

Omar's memory will live on through his family, friends and classmates in Houston. He will always be a great example of how no matter the circumstances, hard work will always pay off.

Our prayers are with the Rodas family and all of Omar's friends.

And that's just the way it is.

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RECOGNIZING NEW DEVELOPMENTS AND IMPROVEMENTS TO THE HISTORIC DOWNTOWN SQUARE AND PIONEER PARK

**HON. KENNY MARCHANT**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. MARCHANT. Mr. Speaker, I rise today to recognize the recent improvements made to the Historic Downtown Square and Pioneer Park of Carrollton, Texas. Downtown Carrollton has been an iconic part of northern Texas since the early 1800s.

These improvements will give people improved space and new scenery to visit and enjoy leisurely time with friends and family. It is important to keep our parks and recreational areas updated to continue and expand their vital role in the community. These renovations will reinvigorate the Historic Downtown Square as well as Pioneer Park and make them alluring destinations for years to come.

There will be a ribbon cutting ceremony on June 27th to officially unveil the new changes. City officials and local leaders will be in attendance to speak about the hard work and effort put into the new developments. I encourage everyone to attend and show support for the time and dedication put into this project. I'm thankful for the people of the 24th District of Texas who strive to make our home a more habitable and enjoyable place.

At the unveiling will be a concert featuring local artists as well as an outdoor movie with the director's wife present to introduce the film. It is this strong sense of community that will serve the people of Carrollton and everyone who visits the historic downtown.

Mr. Speaker, it is a pleasure to recognize the ever improved Historic Downtown Square and Pioneer Park. I ask all of my distinguished

colleagues to join me in celebrating such an accomplishment.

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IN HONOR OF MR. FRANKLIN DOUGLASS

**HON. SANFORD D. BISHOP, JR.**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to pay tribute to an outstanding community leader, devoted public servant, and loving husband, father, grandfather, and friend, Mr. Franklin Douglass. A funeral service to celebrate Frank's life will be held on Tuesday, June 30, 2015 at 11:00 a.m. at Fourth Street Missionary Baptist Church in Columbus, Georgia, where he had served as a deacon.

Franklin Douglass was born in Belle Mona, Alabama on July 20, 1936, the third oldest of ten brothers and four sisters. The family made a living by tenant farming in rural Limestone County, Alabama. He enrolled in Tuskegee Institute, joined ROTC, and graduated with a bachelor's degree in Physical Education, Health, and Recreation in 1956. Over the next 30 years, his pursuit of personal growth earned him graduate degrees in Personnel Management and Education Supervision and Administration. His passion for education was infectious, and as an educator Frank inspired thousands of students to seek knowledge and growth.

Frank served our nation honorably as an officer in the United States Army from 1959 until 1964, when he was honorably discharged. He then accepted his first teaching post at Marshall Junior High School. After only a year of teaching, Frank was appointed acting principal of Marshall Junior High before becoming a Media Specialist for the Muscogee County School District. His career as an educator in the Columbus area took Frank to several schools and classrooms before his appointment as principal of William H. Spencer High School at the age of 40 in 1976. After a dozen years of serving as principal, Frank became Director of Muscogee County Student Services in 1988, a post he held until his retirement in 1990.

Frank's passion for improving the conditions of those in the Columbus area extended beyond the classroom. As Commissioner and Vice Chairman of the Columbus Housing Authority, Frank fought for three decades to keep living conditions affordable for everyone in his community. An active member of Kiwanis Club, Social-Civic 25 Club, 837 Club, Phi Delta Kappa, and Omega Psi Phi, Frank utilized his smile and amiable humor to advance the interests of Columbus natives. Additionally, as a member of the Georgia Association of Educational Leaders and the Chamber of Commerce Education Committee, Frank built ties with educational leaders around the state of Georgia and the southeastern United States.

Mr. Speaker, one of the things that I will always remember about Franklin Douglass is his steadfast commitment to his family, as well as his community. As father to Franklin Karl Douglass and grandfather to Temple Douglass, he was an inspiration to extended family

and countless friends. Moreover, as a husband, there was no limit to his love of his wonderful wife of nearly 55 years, Merrian.

A dear friend to me for more than thirty years, Frank was soft spoken, quiet, and thoughtful. He was one of the cooler heads in dealing with community issues and problems. His demeanor and intuitiveness helped him get things done. We are so blessed that Frank passed this way and did so much for so many for so long.

Mr. Speaker, I ask my colleagues to join me and my wife, Vivian, in paying tribute to Franklin Douglass for his servant leadership and his deep commitment to his family, his community, and his country. We extend our deepest sympathies to the Douglass family and friends during this very difficult time. May they be consoled and comforted by their abiding faith and the Holy Spirit in the days, weeks and months ahead.

HONORING DEVON DOWLER OF  
THE OWENSVILLE DUTCHMEN

**HON. BLAINE LUETKEMEYER**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Devon Dowler of the Owensville Dutchmen for his first place win in the 3200 Meter Hurdles at the 2015 Class 3 Track and Field State Championship.

Devon and his coach should be commended for all of their hard work throughout this past year and for bringing home the state championship to their school and community.

I ask you to join me in recognizing Devon Dowler of the Owensville Dutchmen for a job well done.

H.R. 2898—WESTERN WATER AND  
FOOD SECURITY ACT OF 2015

**HON. DOUG LaMALFA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. LaMALFA. Mr. Speaker, today, the California Republican Delegation again took action to address our state's water supply crisis, introducing balanced legislation improving water access for Californians around the state by using improved science to time water deliveries, preserve water rights and move forward on new surface storage facilities.

The bill protects the most fundamental water rights of all, area of origin rights, ensuring that northern Californians who live where our state's water supply originates have access to it.

It uses modern science to improve the timing of water deliveries, allowing the storage of more water during winter storms which makes it available for dry periods like now.

It addresses invasive species that are negatively impacting salmon populations, and allows local water districts to undertake their own habitat improvement projects.

Finally, California's voters have spoken clearly in support of investment in new surface storage projects, and this measure fulfills that promise by advancing projects that would generate over one million acre-feet of water, enough for eight million Californians.

We'll continue to refine this proposal as it moves through the process, but I am proud to cosponsor a bill that addresses both short- and long-term needs of all Californians and support continued economic growth.

TRIBUTE TO PAIGE SEISER

**HON. DAVID YOUNG**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Paige Seiser from Waukee High School for winning the Class 2A Co-ed Golf Doubles title along with her partner, Parker Howe. I would like to also recognize Paige Seiser for taking home the Class 5A Girls Golf individual title.

Mr. Speaker, the example set by these students demonstrates the rewards of hard work, dedication, and perseverance. I am honored to represent them and their families in the United States Congress. I know all of my colleagues in the House join me in congratulating Paige and Parker on competing in this rigorous competition and wishing continued success in their education and high school golf career.

HONORING THE VIRGINIA SOCIETY  
OF THE SONS OF THE AMERICAN  
REVOLUTION

**HON. H. MORGAN GRIFFITH**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. GRIFFITH. Mr. Speaker, I submit these remarks today in honor of the Virginia Society of the Sons of the American Revolution, which will be celebrating its 125th anniversary on July 7.

Sadly, too often it seems as if lessons from history are overlooked or forgotten. But in Virginia, we are proud of our history, of our love of freedom, and of our dedication to independence. I commend the important efforts of the Virginia Society of the Sons of the American Revolution to keep in our hearts and minds American patriotism and the memory of our Revolutionary War heritage.

As a student of history myself, I could spend hours discussing not only the various events preceding and succeeding our nation's fight for independence, but also the crucial role by Virginians. Countless patriots, battles, and events from this pivotal period in our nation's history ought to be commemorated and remembered, battles including but not limited to the Battle of Point Pleasant, which is credited as being the first battle of the American Revolution by the Senate of the United States, to the Battle of Great Bridge, the Burning of Norfolk, etc.

May we forever remain vigilant and committed to preserving and protecting the self-

evident truths and freedoms fought for and so carefully outlined in our nation's founding documents by our Founding Fathers.

I extend to all those involved with the Virginia Society of the Sons of the American Revolution my best wishes on the occasion of its 125th anniversary, and look forward to this organization's continued success.

BIOGRAPHY OF MARY BROOM-  
THOMAS

**HON. MAXINE WATERS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Ms. MAXINE WATERS of California. Mr. Speaker, I submit the biography of Mary Broom-Thomas, a wife, mother and woman of faith who lived to the ripe age of 101 years and who will be missed by many who loved her.

Mrs. Mary Broom-Thomas was born on January 22, 1914 in Lexington, Mississippi to Alberta Garnett-Broom and Cleveland Broom. She graduated from Saints Industrial High School in Lexington, Mississippi and taught there for 2 years.

Mary married Leroy Thomas, Sr. in 1937 and the couple moved to Jackson, Mississippi, where they built a home. They had four children, McKinley, Abraham, Earnestine, and Leroy, Jr.

After Leroy finished military duty in the South Pacific, Mary and Leroy moved the family to Compton, California in 1955. Mary practiced her vocation as a seamstress, making her own patterns and designing clothes, including garments for her children and some specialty sales for friends and family. After the children graduated from Centennial and Locke High Schools and were off to college and building careers, Mary took a job at Newberry's Department Store in downtown Los Angeles. She continued sewing clothing, but later added making handbags and light upholstery to her sewing skills portfolio.

Mrs. Thomas was a member of First A.M.E. Church where Reverend Dr. Cecil Murray was Pastor. They continued to visit at family gatherings after his retirement and by then she became less mobile.

Up until seven years ago, Mrs. Thomas always had an organic garden. She grew an array of vegetables and fruits. She and her family were healthier for it . . . she lived a great 101 years.

She raised her children to embrace the Golden Rule, "Do unto others as you would have them do unto you." She lived the example. She taught the core values of honesty, respect, humility, courage and the necessity of sometimes standing alone as long as you stand for the right thing.

She championed education. Some of her most favorite people: The Honorable Maxine Waters, Congresswoman; the Honorable Barack Obama—she was glad to see the first African-American become President of the United States; the late former Mayor Tom Bradley; Malcolm X; Dr. Martin Luther King; Mrs. Rosa Parks; Reverend Dr. Cecil L. Chip Murray; Kobe Bryant; and Shaquille O'Neil as she was an avid Laker fan. She attended a personal reception with the team along with her grandson, Demetrius Wilson.

She has been honored with a published song entitled "Mary," composed, scored and



written by her grandson, Endeale (Sky) Wilson; and she has been given a tribute by her grandson, Demetrius (Red) Wilson, via a personalized brick on the residential mall at Xavier University, his alma mater, in Cincinnati, Ohio.

One would often hear her quoting from an old spiritual, "needless pain we bear . . . all because we do not carry everything to God in prayer."

Just a little about a Queen, who never had to declare herself a queen . . . she just was.

#### CONGRATULATING PENNY BUSINGA

**HON. ADRIAN SMITH**

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. SMITH of Nebraska. Mr. Speaker, I rise today to congratulate Penny Businga of Gering, Nebraska, on her retirement this month and to honor her 29 years of dedicated service at Educational Service Unit #13 in Scottsbluff.

Before becoming a trailblazer for professional development, Ms. Businga taught in western Nebraska public schools. She then decided to take her classroom expertise to the next level to assist other educators across the Nebraska Panhandle and beyond.

Ms. Businga devoted her career to ensuring Nebraska teachers have the innovative training and support they need to instill a love of learning in their students. When I worked for her, I personally witnessed Ms. Businga's hard work and dedication to ensuring educational opportunity for young people.

On behalf of the people of Nebraska's Third District, I thank Ms. Businga for her impact on Nebraska education and congratulate her on the start of this new chapter in her life.

#### RECOGNIZING THE DAMAGING IMPACT OF SHELBY COUNTY V. HOLDER

**HON. EDDIE BERNICE JOHNSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today on the 2nd anniversary of the Shelby County v. Holder Supreme Court ruling. By declaring Section 4 of the Voting Rights Act unconstitutional, the Supreme Court dismantled a key provision to this pivotal voting rights protection. The importance of the Voting Rights Act to our American democracy cannot be overstated. This damaging precedent, set by the nation's highest Court has weakened a piece of legislation that was fundamental to the advancement of the American democracy.

On June 25, 2013, when the Supreme Court decided that states with a history of discrimination against minority voters no longer needed clearance from the federal government to set new voting restrictions, it established a pathway for modern day discriminatory practices. Under this ruling, states across the

Deep South, where vestiges of discrimination are still present, were able to enact stricter voting requirements for the first time since 1965.

Many of these states, including my home state of Texas, are governed by Republican-led state legislatures that insist on the necessity of voter ID laws to protect the integrity of elections. However, Mr. Speaker, it is quite clear that these laws, which disproportionately affect African-Americans, Hispanics and poor people, are a political ploy to suppress voter turnout. This runs counter to the Constitutional right to vote, which is the cornerstone of our democracy.

Recently, as a result of the Shelby County v. Holder ruling, Texas implemented restrictive voter ID laws that prohibit voting autonomy for many underserved minorities across the state. During the 2014 election, instead of being granted the opportunity to cast their vote of choice, many voters were turned away on the basis of technicalities.

Mr. Speaker, I cannot fathom how these actions would be permissible among any group of lawmakers. Today, I stand before you to call attention to this fact. The Voting Rights Act of 1965 was implemented to ensure that all Americans have the ability to exercise their right to vote. This body should act in a bi-partisan fashion to ensure that this right is fully restored.

#### HONORING BRIANNA HALLER OF THE FATIMA COMETS

**HON. BLAINE LUETKEMEYER**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Brianna Haller of the Fatima Comets for her first place win in 3200 Meter Run at the 2015 Class 3 Track and Field State Championship.

Brianna and her coach should be commended for all of their hard work throughout this past year and for bringing home the state championship to their school and community.

I ask you to join me in recognizing Brianna Haller of the Fatima Comets for a job well done.

#### PERSONAL EXPLANATION

**HON. JOE COURTNEY**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. COURTNEY. Mr. Speaker, I was detained with business in my district and missed the following votes. Had I been present, I would have voted:

"No" on roll call no. 379, on ordering the previous question on H. Res. 33, Providing for consideration of the bill (H.R. 2822) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2016 and providing for consideration of the bill (H.R. 2042) Raterpayer Protection Act; and,

"No" on roll call no. 380, On Agreeing to the Resolution, H. Res. 333, Providing for consideration of the bill (H.R. 2822) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2016 and providing for consideration of the bill (H.R. 2042) Raterpayer Protection Act.

#### THANKING FATHER ALAN HUNTER

**HON. RODNEY DAVIS**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to thank Father Alan Hunter for his years of service in the St. Mary's parish in my hometown of Taylorville, Illinois.

Having served 13 years in Taylorville and 22 years in Christian County, Father Hunter has captured the true essence of what it means to be a disciple of Christ.

Alan has not only been a great leader for all of the parishioners at St. Mary's, but he's also been a close personal friend of mine as well.

He married my wife, Shannon, and I twenty years ago and has helped educate all three of my children through grade school at St. Mary's.

I've been fortunate enough to work with Father Hunter as a volunteer athletic director and serve on his finance advisory committee.

He will be greatly missed at St. Mary's, but I know our loss is St. Jerome's gain and I wish him the best in his new parish. I also welcome Father David Lantz as he makes Taylorville his new home.

Father Hunter, thank you for the many years of spiritual guidance and leadership you've provided, not just my family and the parishioners at St. Mary's, but to the entire Taylorville community.

#### PERSONAL EXPLANATION

**HON. STEVE RUSSELL**

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. RUSSELL. Mr. Speaker, on roll call no. 378 I was absent due to travel for personal reasons and in connection with my official duties. Had I been present, I would have voted Yea.

#### PERSONAL EXPLANATION

**HON. ANDRÉ CARSON**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. CARSON of Indiana. Mr. Speaker, on June 24, 2015 I mistakenly voted "yes" on rollcall 384, the Raterpayer Protection Act of 2015. I strongly oppose the bill and intended to vote "no".

RECOGNIZING THE ACCOMPLISHMENTS OF AN OUTSTANDING NEW HAMPSHIRE GRADUATE

**HON. FRANK C. GUINTA**

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. GUINTA. Mr. Speaker, I rise today to honor Meaghan Six, an outstanding recent graduate of Manchester Memorial High School, located in New Hampshire's First Congressional District and a future graduate of Daniel Webster College in Nashua, New Hampshire.

As a dedicated student and an active individual, Meaghan Six quickly distinguished herself as an influential leader amongst her peers. Meaghan was the captain of her high school volleyball team, as well as being named as an alternate to the Women's Jr. National A1 Working team, placing her in the top 100 volleyball players nationwide for her age group. She was also a competitor on the spring track and field team and nominated for the female in spring sports award. She was awarded the single Crusader award for her graduating class. Meaghan's talents do not only set her apart athletically, but also in the classroom. Along with completing 28 consecutive quarters on both the Honor Roll and High Honors she was inducted into the National Honor Society; which recognizes students for their exemplary character, commitment to scholarship, and, their dedication to service outreach in their community.

This coming fall Meaghan will continue her impressive career as a notable student-athlete at Daniel Webster College on their women's volleyball team; she serves as an inspiration to all young people in New Hampshire and throughout the nation. She is proof that hard work and dedication can certainly pay off. I am proud to recognize her accomplishments and look forward to witnessing her future successes.

Congratulations to Meaghan Six for all of her achievements.

TRIBUTE TO MAUREEN VIOLA PERCIVAL WILLIAMS

**HON. CORRINE BROWN**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Ms. BROWN of Florida. Mr. Speaker, on behalf of the constituents of the Fifth Congressional District of Florida and myself, I rise to offer a tribute to the life and accomplishments of a great American, Maureen Viola Percival Williams, who has, and continues to act as a mentor, devout Christian and loving mother. On July 1, 2015, Maureen will celebrate her 71st birthday. We exalt Mrs. Maureen Viola Percival Williams first for the determination and perseverance that she has exhibited throughout her life. Maureen has been no stranger to hard work. At an early age the importance of hard work and dedication were introduced to Maureen on her father's agricultural farms in the mountains of Molyneux in St.

Kitts West Indies. Arriving at the farm at 5:00 a.m., Maureen would weed the land and feed the livestock before school each day. These displays of commitment were not reserved solely for the weekdays. Mrs. Maureen Viola Percival Williams would spend Saturdays by her mother's side assisting in the selling of produce at the local market. Few would be able to handle the manual labor of Maureen's day-to-day activities, let alone balancing academics alongside of it. Mrs. Percival Williams' rigorous work schedule did not deter her from successfully completing Primary School and obtaining her certificate, which is equivalent to a high school diploma. Maureen Viola Percival was then enrolled in typing classes at the Catholic Church of Molyneux, where she completed a one year program. After marrying Ralph J. A. Williams in 1964, the family moved to the U.S. Virgin Islands where her life as a public servant and model citizen continued. She became the first member of her family to have children born as citizens of the United States after giving birth to her seven children: (Vallyn J. A. Williams, Artlyn K. J. Williams, Ralph J. A. Williams, Jr., M. Louisa Williams, Barbara N. Williams, Maura F. Williams and Jayar D. Williams). In spite of challenges faced balancing motherhood and her career, Maureen continued to dedicate her life to the church and bettering the lives of others.

Volunteering as a member of the AFM—Cottage Meeting Group, Maureen also spent time as a phone intercessor for the sick and disabled. This sort of selflessness is primarily the reason for which I deem this tribute necessary. Unfortunately, life often proves to not be as fair and just as Mrs. Maureen Percival Williams.

In 1987 her husband and two daughters were involved in an automobile accident which rendered them incapacitated. Yet, amidst Maureen Williams' personal struggles, she persevered. Determined to become a citizen of the United States, on July 1, 1998 she fulfilled the requirements for naturalization and received her Certification of Naturalization.

Mr. Speaker, I rise to offer tribute to Mrs. Percival Williams because she represents a group of citizens that are more deserving of recognition than any other. Men and women like Mrs. Percival Williams are what silently hold this nation together. Those who struggle and persevere and those who give back are exactly what this country needs. Mr. Speaker, Mrs. Percival Williams acts as a representative for all of these groups. Simply put, Mrs. Williams is a model citizen.

In 1999, Maureen once again displayed her caring nature when she rushed to the aid of her son in Orlando, Florida who had recently experienced an aneurysm. These extenuating circumstances are what brought Mrs. Maureen Percival Williams to my district. Her love and care brought her to our country and the values of perseverance and determination instilled to her on her father's farm in the West Indies have aided her in face of recent struggles. Mrs. Percival Williams has endured the loss of family members, and overcome her own near death medical challenges and yet, she perseveres.

Though Maureen is celebrated for her persistence and determination, the title that suits her best is that of which she is most proud;

caregiver. Mrs. Percival Williams holds her relationship with her children with the utmost regard, and prides herself on being a mother not only to her own but for the children of others. The lives of those directly and indirectly affected by the actions and care of Maureen Viola Percival Williams are undoubtedly better. Today we pay tribute to a woman of God. Today we recognize Mrs. Maureen Viola Percival Williams, a humanitarian, a woman, a wife, a mother, and a citizen of the United States of America. Simply put, Mr. Speaker, we are here to pay tribute to a hero.

SUPPORT OF THE "PRIVILEGED" RESOLUTION CALLED BY REP. BENNIE THOMPSON (MS) TO REMOVE ALL SYMBOLS BEARING THE CONFEDERATE FLAG FROM THE HALLS OF THE HOUSE WING OF THE UNITED STATES CAPITOL

**HON. YVETTE D. CLARKE**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Ms. CLARKE of New York. Mr. Speaker, I rise today with my brothers and sisters of the Congressional Black Caucus, to stand in support of the "privileged" resolution called by Rep. BENNIE THOMPSON to remove the Confederate Flag where ever it may be represented within the House wing of the U.S. Capitol.

It is with great remorse that what took place on June 17, 2015 at the Emanuel AME bible study in Charleston, S.C. that claimed the lives of Sharonda Coleman-Singleton, Cynthia Hurd, Tywanza Sanders, Myra Thompson, Ethel Lance, Daniel Simmons, Depayne Middleton-Doctor, Susie Jackson, and South Carolina State Senator Rev. Clementa Pinckney had to be the catalyst to drive this motion after 150 years when this symbol was first surrendered.

For many Americans, this symbol has stood as a symbol of heritage under which their family has dug deep roots into our country.

But, this symbol was created in a time where our nation struggled to understand the very words written in our own Declaration of Independence, "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness."

Furthermore, troubled individuals and groups have taken to the symbol of the Confederate flag as an icon to portray their racist expression and actions against all groups whether in regards to their gender, sexuality, or race.

Much like the creation and defamations of the swastika in Europe, this symbol of hatred must not be a symbol in our present, but a symbol in our past.

I urge my colleagues in the House Administration to act in due diligence to bring this issue back to the House Floor for consideration so that we may do our duty as elected Representatives and respond to the voices of this great nation.

HONORING ALLISON HINSON OF  
THE ST. CLAIR BULLDOGS

**HON. BLAINE LUETKEMEYER**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Allison Hinson of the St. Clair Bulldogs for her first place win in Shot Put at the 2015 Class 4 Track and Field State Championship.

Allison and her coach should be commended for all of their hard work throughout this past year and for bringing home the state championship to their school and community.

I ask you to join me in recognizing Allison Hinson of the St. Clair Bulldogs for a job well done.

THE TIME TO REAUTHORIZE THE  
LAND AND WATER CONSERVATION  
FUND IS NOW

**HON. DAVID E. PRICE**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. PRICE of North Carolina. Mr. Speaker, last year, I spoke in celebration of the 50th anniversary of the Land and Water Conservation Fund (LWCF). There are now less than 100 days until the expiration of the program, and I rise today to urge timely reauthorization of this critical conservation program.

LWCF, which is paid for entirely by royalties collected from oil and gas companies, has financed generations of projects, bringing parks and open spaces to the hearts of our urban areas and protecting our natural lands, outdoor recreation opportunities, and working forests at the local, state and federal levels. Since its creation, the LWCF program has conserved more than 5 million acres of parks, recreation, forests, and other lands through the federal program and more than 2.6 million acres in communities throughout every state in the nation.

My home state of North Carolina has received more than \$200 million in LWCF funding over the past five decades, which has helped protect some of our state's most treasured places, such as the Cape Hatteras National Seashore and the Great Dismal Swamp National Wildlife Refuge. LWCF funds have also helped conserve land to preserve viewsheds along the Blue Ridge Parkway and the Appalachian Trail. I was particularly pleased that one such project included the Rocky Fork tract in the Cherokee National Forest in my native state of Tennessee.

But LWCF does more than simply add to our public lands. Investing in LWCF is also an important way to grow our economy. In North Carolina alone, active outdoor recreation contributes more than \$7.5 billion annually to the state's economy, supports 95,000 jobs, generates \$430 million in annual state tax revenue and produces \$6.1 billion annually in retail sales and services. Overall, outdoor recreation contributes more than \$1.06 trillion annu-

ally to the U.S. economy. Every \$1 invested in LWCF has been found to yield \$4 in economic value. Without LWCF funding to stimulate matching investments from state, local and private entities, this crucial economic engine will be lost.

These numbers prove the program's success, but I would note that the program is also extremely popular. In recent polls, more than 80% of voters expressed support for continuing to deposit fees from offshore oil and gas drilling into LWCF—this broad support extends from every geographic region of the country and every political persuasion. Supporters include governors, mayors, sportsmen, industry leaders, conservationists, Civil War enthusiasts, historians, recreationists, small businesses, forest owners, and the many Americans who see firsthand the tangible benefits this program has had on their communities and families. I know many of my colleagues represent states and communities that have benefitted greatly from LWCF funds.

Although LWCF has a dedicated revenue stream from offshore drilling royalties and takes no taxpayer money from the general fund, large portions of this funding have been diverted over the years to non-conservation purposes. Even at last year's appropriated level of \$306 million, we were a far cry from the \$900 million that is annually authorized for conservation work.

I am proud to be a cosponsor of the bipartisan legislation, H.R. 1814, that would permanently reauthorize LWCF. I strongly believe Congress should uphold its decades long commitment to land and water conservation and reinvigorate LWCF, thereby expanding opportunities for all Americans to have access to parks and natural areas for outdoor recreation. With the expiration coming in September 2015, the time to reauthorize Land and Water Conservation Fund is now.

STAFF SERGEANT HEREFORD

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and honor Staff Sergeant Keith Hereford, United States Army for his service to our country.

Staff Sergeant Hereford served in the United States Army and Army Air Corps from November 1943 to November 1945. During his service as B-17 aerial gunner, he served a year of duty with 1st Division, 8th Air Force, 305th Bomb Group, and 365th Bomb Squadron in Chelveston, England.

During Staff Sergeant Hereford's ninth mission his aircraft was shot down over Holland where he was captured after successfully parachuting to the ground. He was subsequently sent to the German Prisoner of War camp, Stalag Luft 4, in Gross Tychow (Prussia). The camp was liberated by the British forces on May 2, 1945, and in November 1945, he separated from active duty.

Staff Sergeant Hereford's awards and decorations include the Air Medal, the Purple Heart Medal, the Prisoner of War Medal, the Amer-

ican Campaign Medal, the European-African-Middle Eastern Campaign Medal with 3 Bronze Service Stars, and the World War II Victory Medal. After his service, Staff Sergeant Hereford started his own plumbing company and successfully raised his four daughters as a single parent after his wife passed away in 1962.

Through his courageous service, Staff Sergeant Hereford charted the path for future generations to serve in the military. I extend my deepest appreciation to Staff Sergeant Hereford for his dedication, integrity and outstanding service to the United States of America.

HONORING DEBBIE FRAZIER

**HON. LOIS FRANKEL**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Ms. FRANKEL of Florida. Mr. Speaker, I rise today to congratulate Debbie Frazier on winning the Michael Brown Memorial Faces of the Community Award. Ms. Frazier is an outstanding member of our community, and I am proud to represent her in Florida's 22nd District.

This distinguished award recognizes community members who have dedicated themselves to grassroots organizations that promote LGBT pride, diversity, and awareness. Debbie is a prolific advocate and leader, and her long list of credentials illustrates her passion for public service and promoting LGBT equality.

In 2010, Ms. Frazier founded the Straight and Gay Alliance in Wellington, Florida. Debbie also led a county-wide effort to 'Get Out the Vote,' which included a social media photo campaign. Currently, she serves as the President of the Alliance for Social Justice, a grassroots outreach program designed to empower young adults to become the leaders of tomorrow. When she is not doing community outreach, she works as the executive regional director of the LGBT Democratic Caucus.

In honor of her award, I am proud to recognize Debbie Frazier and thank her for her tireless advocacy and work for our community.

REMEMBERING EMANUEL AME

**HON. JOE WILSON**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. WILSON of South Carolina. Mr. Speaker, last week, nine extraordinary men and women were killed at the Wednesday night Bible study at historic Mother Emanuel AME Church in my birthplace of Charleston. I am grateful for their memories.

Reverend Sharonda Coleman-Singleton, Cynthia Hurd, Tywanza Sanders, Susie Jackson, Myra Thompson, Ethel Lee Lance, Reverend Daniel Simmons, Reverend Depayne Middleton-Doctor, along with Pastor Clementa Pinckney were all leaders of our community and in their church. One served the youth as

a high school track coach, one a lifelong librarian, one a recent college graduate with a bright future ahead of him. Many served their church. Each had a clear love of God and love for their fellow man as followers of Jesus Christ.

The loss of Reverend Senator Clementa Pinckney has been personal, as he was a fellow State legislator. I was honored to host the senator, his wife, Jennifer, and their daughters, Eliana and Malana, when they visited the Capitol a few years ago. He grew up in Ridgeland as a lifelong friend of my former chief of staff Eric Dell.

A hate-filled, drug-crazed murderer tried to divide our citizens, but he failed, and South Carolinians have unified in love, prayer, and respect.

#### OUR UNCONSCIONABLE NATIONAL DEBT

##### HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$18,152,648,277,344.06. We've added \$7,525,771,228,430.98 to our debt in 6 years. This is over \$7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

#### JUNE AS ALZHEIMER'S AND BRAIN AWARENESS MONTH

##### HON. CARLOS CURBELO

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2015

Mr. CURBELO of Florida. Mr. Speaker, I rise today to recognize the month of June as Alzheimer's and Brain Awareness month. Currently, 5.3 million Americans have Alzheimer's and it is projected that the number will increase to a staggering 16 million by 2050. In my home state of Florida, an estimated 480,000 people are living with the debilitating disease.

Alzheimer's is devastating for patients and their families and is the sixth leading cause of death in the United States. Early this year, I had the opportunity to speak with a representative from the Southeast Florida Chapter of the Alzheimer's Association about priorities related to research and care planning. I want to give a special thanks to the local chapter I am honored to represent in Miami Dade and Monroe Counties for providing patient services like a 24 hour dementia specific helpline.

Today, Alzheimer's cannot be prevented, cured, or slowed, but there are many things we can do as lawmakers to support patients and their families. I look forward to working with my colleagues to help move towards eradicating this terrible disease.

#### CELEBRATING THE 125TH ANNIVERSARY OF THE ESSEX TROOP

##### HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2015

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor The Essex Troop for their dedicated service as they celebrate their 125th Anniversary.

The Essex Troop was established at a meeting on June 3, 1890, with the goal of creating a cavalry troop. For one hundred and twenty-five years the troop has been working hard to serve the military needs of the State of New Jersey and the United States of America.

At the founding meeting, officers were elected to lead the newly established troop. Colonel James E. Fleming, Second Lieutenant R. Wayne Parker, First Sergeant Charles Heath, Quartermaster Sergeant Frederick B Young, and First Lieutenant Frederick Frelinghuysen were elected. The troop was originally composed of forty members including the officers. Colonel Fleming immediately began training the troops to protect and defend the state and the nation.

Originally, the Essex Troop operated out of a privately owned armory. By 1903, however, the Troop outgrew this facility. It was then the Troop moved into its current location. The Armory, which was designed by a member of the Essex Troop, sits on 30 acres of land in West Orange and was furnished entirely by the Troopers themselves. It was here that they became renowned for their equestrian abilities, regularly hosting horse shows and polo matches that eventually gained national attention. The Troop also hosted a number of balls here over the years. This Armory is still in use today, and is where the members of the Essex Troop keep their traditions alive.

The Essex troop has responded to several riots and natural disasters that have occurred in New Jersey as well as other states throughout the nation. They have participated in many events and ceremonies, including parades, escort services, marches, and statue dedications.

On June 18, 1902 the troop reported for active duty in response to the textile strikes in Paterson, New Jersey. The strikes had gotten out of hand and the troop patrolled for ten days, walking the streets during the evening to ensure law and order. During World War I, the troop was called into duty to serve our nation. They have also had the responsibility for guarding the Mexican border.

The troop served as the personal escort for President William McKinley's Vice President, Garret A. Hobart of Paterson, New Jersey. They were also charged with transferring President Ulysses Grant's tomb to New York City. The troop served as the honor guard and escort for Presidents Theodore Roosevelt, William Taft, and Woodrow Wilson. At the inauguration ceremony for each Governor of New Jersey, the Essex Troop serves as part of the honor guard.

Mr. Speaker please join me in honoring the Essex Troop and its members for their one hundred and twenty-five years of service and

dedication to the State of New Jersey and the United States of America.

#### PERSONAL EXPLANATION

##### HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2015

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I missed recorded votes on H.R. 1190 (Roll Call #376), H.R. 805 (Roll Call #377), and H.R. 2576 (Roll Call #378) on June 23, 2015 due to inclement weather.

If I had been present, I would have voted NAY on H.R. 1190, and YEA on H.R. 805 and H.R. 2576.

#### THE 70TH ANNIVERSARY OF THE SIGNING OF THE U.N. CHARTER

##### HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2015

Ms. PELOSI. Mr. Speaker, I rise today to join in celebrating the 70th anniversary of the signing of the United Nations Charter and the establishment of one of the world's greatest organizations for peace and the advancement of humanity.

As the representative from San Francisco, this anniversary holds a particular pride for the people of my city and for me—for it was San Francisco that played host to the grand conference of delegates that wrote the U.N. Charter; and it was in the San Francisco War Memorial and Performing Arts Center, on June 26, 1945, that the Charter was signed.

On that day, President Harry S. Truman came to the Plenary to offer his congratulations and his hopes for the future of the new United Nations: "You have created a great instrument for peace and security and human progress in the world," President Truman said. "The world must now use it."

Seven decades later, 193 member states have ratified the Charter. The world's greatest leaders and thinkers have been among the United Nations representatives. In 1946, United Nations General Assembly Delegate and Former First Lady Eleanor Roosevelt helped draft the Universal Declaration of Human Rights, which builds on President Franklin D. Roosevelt's commitment to "freedom of speech, freedom of religion, freedom from fear, and freedom from want" for all people.

The United Nations has worked to end disease, hunger and poverty. It has sought to advance human rights, human dignity, and the opportunities of women and girls. It has focused the world's attention on the urgency of the climate crisis and the plight of refugees. It has stood against violence, terrorism and weapons of mass destruction. It has been a great bulwark for global peace.

The U.N. continues to confront the challenges of the 21st century by striving to not only meet the Millennium Development Goals but to expand them with the Sustainable Development Goals to be finalized this fall. It is

my firm hope that the United States will be a strong and active participant in the effort to realize the Sustainable Development Goals to achieve progress for all the peoples of the United Nations.

In striving to fulfill the ideals and promise of its charter, the United Nations, related agencies, programs and staff have been awarded the Nobel Peace Prize eleven times.

In 1950, Ralph Bunche, an American, became the first person affiliated with the new organization to be awarded the Nobel Peace Prize. In his acceptance speech, he remarked, "I am but one of many cogs in the United Nations, the greatest peace organization ever dedicated to the salvation of mankind's future on earth."

This weekend, the city of San Francisco will once again welcome the U.N.'s highly respected Secretary-General, Ban Ki-moon, and other representatives of the United Nations. Our mayor Ed Lee and the people of San Francisco are thrilled and proud to once more play host to another milestone of U.N. history in our beautiful city.

Under the vital leadership of Secretary-General Ban Ki-moon, the United Nations remains a strong, resolute, unwavering voice for peace in a world burdened by war. May it continue to stand as a beacon of peace for the next 70 years and beyond.

H.R. 160

### HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2015

Mr. PRICE of North Carolina. Mr. Speaker, I voted against H.R. 160, not because I believe that the current tax on the device industry is perfect, but because I object to the Majority's fixation on passing permanent tax repeals without offsets.

As the representative from a part of our country that is known around the world for its research and innovation, I fully understand the importance of the device industry to the health and wellness of Americans, economic development, and our global competitiveness. Medical devices have the potential to save and improve the lives of Americans, and the companies that produce them are helping our economy recover by investing in new technology and providing high-paying, high-skilled jobs here in the United States.

Like other industries, device companies understand that the skyrocketing cost of health care represents one of the greatest threats to families, small business owners, state and federal budgets, and the overall economy. In part, Congress enacted the Affordable Care Act to help reverse this trend, and AdvaMed, the trade association representing medical device manufacturers, has supported policies to expand access to their life-saving products.

The final law brought the original \$40 billion levy on device manufacturers down to a \$20 billion contribution through a 2.3%, rather than 4.6%, excise tax on medical devices. However, as the ten-year budget window has shifted, industry leaders report that they expect to pay more than originally predicted. We need

to monitor this situation carefully and find a fair solution that accounts for the additional business the device industry may acquire as a result of the Affordable Care Act, while underscoring the need to keep the industry vibrant and innovative.

Unfortunately, that is not the discussion we are having today. House Republicans are bringing to the Floor a bill that would, yet again, provide for a permanent tax cut without an offset. When this bill is added to the other permanent tax cut bills brought to the Floor this year alone, they add up to more than \$610 billion in tax cuts without even a penny of an offset.

The point is not that tax reductions or expenditures without offsets are never justified. Rather, they need to be part of a coherent, comprehensive budget strategy.

This is not a debate about innovation and economic development as the Majority would like you to believe. This debate is about fiscal responsibility; it is about taking one tax provision and making it permanent without paying for it, without regard to implications for the rest of the budget.

At a time when the House is bringing its appropriations bills to the House Floor, it is clear that reckless tax cuts like these have decimated our nation's ability to make the key investments a great country must make. Earlier this month, the House considered the 2016 Transportation-Housing and Urban Development appropriations bill. As the Ranking Member of the Subcommittee charged with drafting the bill, I can tell you that it, like the other appropriations bills this body will consider, woefully underinvests in our nation due to the Majority's wrong-headed refusal to adopt a comprehensive approach to balance our budget.

Should the House Republicans choose to debate and refine the Affordable Care Act's medical device excise tax, I stand ready to work with them. Until then, I will have to continue my record of voting against the unpaid-for tax cuts the Republican Majority is bringing to the Floor in the 114th Congress.

### RED FOXES COMMUNITY COLLEGE INNOVATION CHALLENGE

### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2015

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and congratulate the Red Foxes from Red Rocks Community College on placing first in the National Science Foundation's Community College Innovation Challenge. This program serves as an innovative way for community college students to partner with community industries to create pioneering STEM-based solutions for real world issues. The Community College Innovation Challenge is an important example of encouraging STEM education and research for our nation's students and future leaders. I congratulate all of the competition's participants for their work on a variety of important projects.

The Red Foxes placed first in the challenge with their Mobile Medical Disaster Relief Unit. Made out of 3D printed parts, a motor, Radio

Frequency ID (RFID) tracker and Raspberry Pi computer, this device enhances the ability for medical teams to distribute and track needed medicine when responding to disasters. With its implementation, emergency responders could respond to high-stress, time-sensitive medical situations more quickly, more safely, and more effectively. The Red Foxes identified this problem and began working as a team to develop an innovative solution leaning on the skills of each of their team members.

I congratulate the Red Fox Team of Nathan Tiedt, Scotty Hall, Kaia Chapman, Keya Lea Horiuchi, and their faculty advisory Helena Martellaro for their first place finish. I applaud the Red Foxes for their dedication to this groundbreaking project and their leadership and commitment to STEM education blazing a path for our country's future leaders and innovators. I am proud of the work Red Rocks Community College does every day and I look forward to seeing what the school and these students accomplish in the years to come.

### RETIREMENT OF JIM TUDOR

### HON. DOUG COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2015

Mr. COLLINS of Georgia. Mr. Speaker, I rise to honor my dear friend, Jim Tudor, who is retiring after 29 years of committed service to the Georgia Association of Convenience Stores.

Jim served in the U.S. Army after graduating from the University of Cincinnati in 1972. After completing his military service, Jim went on to spend nine years working for 7-Eleven before joining the Georgia Association of Convenience Stores.

In his 29 years with the Georgia Association of Convenience Stores, Jim has been repeatedly honored for his skilled and dedicated advocacy. He received the Liberty Award from Brown & Williamson in 2000. Moreover, the Pigeon Committee, an organization of Georgia lobbyists, has recognized him on numerous occasions throughout his career, most notably, with the 2012 Golden Pigeon Award for his advocacy that succeeded in bringing about the passage of Sunday alcohol sales in Georgia. Jim was also recognized in James Magazine's list of top ten lobbyists or trade organizations every year from 2012 through 2014.

Jim's tireless dedication goes well beyond his work at the Georgia Association of Convenience Stores. He has been an active mentor and leader at the Georgia Youth Assembly, the YMCA, and a host of other youth groups. Jim is also very active in the Covington Rotary. A devout Christian, Jim has served in numerous roles in his church and has been a model of the highest morals and values.

In Jim's career and with his family, church, and community, he has been the embodiment of dedication and moral character. I wish him all the best as he spends his hard-earned retirement with his wife Sandra, their four children, and five grandchildren.

HONORING THE CHILDREN'S  
HEALTH INITIATIVE OF NAPA  
COUNTY

**HON. MIKE THOMPSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor the Children's Health Initiative of Napa County as they celebrate their tenth anniversary of service to our community. I thank the Children's Health Initiative for their years of work connecting underserved families and children to quality healthcare services.

Founded in 2005, the Children's Health Initiative has worked tirelessly to help the less fortunate members of the Napa County community enroll in affordable health and dental insurance plans. Since their inception, the Children's Health Initiative has enrolled over 16,000 children and teens in subsidized health insurance programs, increasing the number of insured children in Napa County by 78.6 percent.

Additionally, the Children's Health Initiative works in 43 public schools across the county to educate students and parents about health insurance and coverage options. As the first non-profit organization in California to implement a team of bi-lingual, bi-cultural licensed insurance agents, the Children's Health Initiative has shown a true dedication to providing quality service to our community. Thanks to these outreach efforts, thousands of Napa County residents now have access to affordable health insurance and a platform to lead healthy lives.

Mr. Speaker, it is appropriate at this time that we honor and thank the Children's Health Initiative of Napa County for their service to our community over the past ten years. The Children's Health Initiative's unyielding commitment to providing the residents of Napa County with affordable healthcare options has been essential to ensuring the overall well being of our community, and we wish them continued success in the future.

CONGRATULATING CHARLES R.  
MIDDLETON ON HIS RETIRE-  
MENT AS PRESIDENT OF ROO-  
SEVELT UNIVERSITY

**HON. MIKE QUIGLEY**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. QUIGLEY. Mr. Speaker, I rise today to congratulate Dr. Chuck Middleton, President of Roosevelt University, on his retirement from Roosevelt after 13 years of outstanding leadership and unwavering commitment to academic excellence and student success.

As Roosevelt University's fifth president, Dr. Middleton brought relentless energy and dedication to the institution, transforming the university from a part-time, adult university to one primarily serving traditional-age, full-time students. During his tenure, Dr. Middleton expanded Roosevelt's faculty by 23%, created Roosevelt's College of Pharmacy, revitalized

Roosevelt's intercollegiate athletic programs, and led construction of Roosevelt's Wabash Building, a multi-purpose 32-story, vertical campus that is the second tallest university building in the United States.

Dr. Middleton is a professor and scholar of modern British history. In addition to Roosevelt, he has held senior administrative positions at the University System of Maryland, Bowling Green State University, and the University of Colorado at Boulder.

Dr. Middleton's career is defined by his commitment to inclusiveness and diversity in education, and he has dedicated significant energy to civic and community leadership, including establishment of the national LGBTQ Presidents in Higher Education.

Mr. Speaker, as an alumnus of Roosevelt University, I applaud Dr. Middleton for his invaluable and exemplary leadership to the many students and institutions he has served. I ask that my colleagues join me in congratulating Dr. Middleton on an accomplished career and wishing him a well-deserved retirement.

HONORING THOMAS GLENDON  
STAFFORD

**HON. JASON SMITH**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor lifelong Missourian Thomas Glendon Stafford from Cape Girardeau on his 100th birthday.

Mr. Stafford was born on June 28, 1915 in Zadock, Missouri. After sixth grade, Mr. Stafford went to work for his father who was a farmer. He lived on the family farm until he met his wife Bernice at her church in Vanduser, Missouri. He asked for her hand in marriage at the age of 19. In 1942, the couple moved to Cape Girardeau where he has made a home for 68 years and began working for Commercial Transport as a truck driver.

On March 14, 1945, Mr. Stafford was drafted into the U.S. Army during World War II. After 19 weeks of training at Fort Hood, he was sent across the Pacific to the Philippines before eventually being transferred to Tokyo, Japan. He spent a year in Tokyo at the personnel office driving soldiers. Mr. Stafford was honorably discharged on May 18, 1946, and was awarded the Asiatic Pacific Theater Ribbon, the World War II Victory Medal, and a Good Conduct Medal for his dedication and service.

After his daughters left home, he and his wife lived a quiet life until Bernice passed away at the age of 91 on November 6th, 2004. He has seven grandchildren, fourteen great-grandchildren, and three great-great-grandchildren and now lives at the Missouri Veterans Home in Cape Girardeau.

For his service to our nation, and all that he has accomplished over the last century, it is my pleasure to honor Mr. Stafford before the United States House of Representatives on his 100th birthday.

IN RECOGNITION OF HAROLD  
HOLZER

**HON. CAROLYN B. MALONEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise to pay tribute to Mr. Harold Holzer who has had an extraordinary and distinguished career as a communications director and historian. He is retiring after 23 years of invaluable service to the Metropolitan Museum of Art, the largest and most comprehensive art museum in the western hemisphere. Mr. Holzer helped broaden the media visibility of the Museum both here and abroad. In addition to his day job at the Museum, Mr. Holzer is widely considered one of the preeminent authorities on Abraham Lincoln and the political culture of the Civil War era. Mr. Holzer's impact on New York's civic and cultural life has been profound and his contributions to our understanding of the Civil War era have been incalculable.

Mr. Holzer began his career as a reporter and later editor for The Manhattan Tribune, going on to become political press secretary first for Bella Abzug during her campaigns for Senate and Mayor, and then for Mario Cuomo's Gubernatorial campaign. He served as a government speechwriter for Mayor Abraham Beame, leaving to become the public affairs director for WNET. From 1984 to 1992, he served Governor Mario Cuomo as Special Counselor to the Director of Economic Development and Executive Vice President for Public Affairs at the New York State Urban Development Corporation (NYSUDC), which was then involved in overseeing the construction of the Jacob K. Javits Convention Center.

In 1992, Mr. Holzer became Chief Communications Officer for the Metropolitan Museum. Four years later, he was promoted to Vice President and, in 2005, he was named the Senior Vice President for Public Affairs. In this capacity, Mr. Holzer has been responsible for supervising external affairs and overseeing publicity, marketing, audience research and tourism promotion for the Museum, and has served as chief spokesman on all local, national, and international issues. During his tenure, Mr. Holzer helped persuade government grantors to deliver unprecedented levels of funding to the Museum, which have, among other things, supported educational programs and critical improvements to the Museum's physical plant. He also created broadcast marketing partnerships with radio, television and the Internet, magnifying the Museum's outreach.

A prolific writer, Mr. Holzer has authored, coauthored, and edited over forty books on Abraham Lincoln and the Civil War. Some of his works include: Lincoln at Cooper Union, The Lincoln Image, and the 2015 Lincoln Prize-winning Lincoln and the Power of the Press. In 2008, Mr. Holzer received the National Humanities Medal from President George W. Bush, the highest recognition America awarded to individuals or institutions that have had a positive impact on the nation's understanding of the humanities.

Mr. Holzer authored Lincoln: How Abraham Lincoln Ended Slavery in America, the young-

adult companion to Steven Spielberg's Academy Award-winning biopic, *Lincoln*. Mr. Holzer also served as a script consultant on the adapted screenplay for the film.

President Bill Clinton appointed Mr. Holzer as cochairman of the U.S. Abraham Lincoln Bicentennial Commission, which oversaw the planning of the national celebration of Lincoln's 200th birthday. Mr. Holzer served in that capacity from 2000–2009. He now serves as Chairman of the successor organization, the Abraham Lincoln Bicentennial Foundation.

Mr. Holzer lives in Rye, New York with his wife, Edith. They have two daughters and a grandson.

Mr. Speaker, I ask my colleagues to join me in recognizing Harold Holzer's talent, dedication and erudition. His contributions to our nation's civic and cultural life, as well as our understanding of President Lincoln and the extraordinary era when he was President will last long into the future.

#### REAFFIRMING THE IMPORTANCE OF PREVENTING A NUCLEAR ARMED IRAN

##### HON. LOIS FRANKEL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Ms. FRANKEL of Florida. Mr. Speaker, today our nation faces challenges across the globe, but there is no threat more central to current world order than the prospect of a nuclear armed Iran.

Tuesday, June 30, is the self-imposed negotiating deadline for the P5+1 over Iran's illicit nuclear program. At this critical juncture I am thankful for the Administration's repeated promise that no deal is better than a bad deal.

I want to remind my colleagues why this issue is so vital.

Even a threshold nuclear Iran—where they have a short breakout capacity—would lead to massive nuclear proliferation in the Middle East. We have already seen troubling statements from regional partners like Saudi Arabia about developing or purchasing nuclear weapons of their own.

Mr. Speaker, I don't need to tell you the consequences of possible proliferation of the world's most dangerous weapon in the world's most dangerous region.

Just look at the destructive role Iran is already playing in this chaotic region without nuclear weapons.

Iran is the most active state sponsor of terrorism, sending weapons and support to Hamas and Hezbollah. It is actively assisting rebel advances in Yemen, it has long destabilized Iraq and Lebanon, and it is propping up the brutal Assad regime in Syria. Not to mention that this Iranian regime systematically violates its own citizen's basic human rights.

That is why there is broad bipartisan support for preventing Iran from obtaining nuclear weapons, and on both sides of the aisle, we hope for a diplomatic solution to this crisis.

But we must be vigilant and ensure that if a deal is reached it truly is a good deal that verifiably prevents all Iranian pathways to a bomb.

Such a deal must include five key components: robust and intrusive inspections, phased sanctions relief that comes only as a result of Iranian compliance, dismantlement of key nuclear infrastructure, disclosure of possible military dimensions of the program, and a long timeline that gives the international community confidence that it can hold Iran accountable.

My colleagues and I will be watching closely and stand ready to scrutinize any final agreement to ensure the future security of our nation and that of our allies in the region.

#### HONORING DANIEL "DANNY" DARIO VILLANUEVA

##### HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. BECERRA. Mr. Speaker, I rise today to honor the life and legacy of Daniel "Danny" Dario Villanueva, a dear friend, successful athlete and businessman, and champion of the little guy. Danny passed away unexpectedly at the age of 77. His death is a deep loss for Myrna, his wife, his sons Danny Jr. and Jim, and his extended family. Losing Danny brings equal sadness to all who believe in the American Dream and seek role models willing to answer that call to duty.

In reflecting on Danny Villanueva's accomplishments, the list is long. The better question to ask is: what didn't Danny accomplish. From his humble beginnings in Tulum, New Mexico—the ninth of twelve children of migrant missionary workers—and throughout the rest of his life, Danny pioneered a remarkable path in professional sports, the broadcasting industry and the investment and philanthropic world.

As a kicker for the Los Angeles Rams, Danny was one of the first Latino players in the National Football League. His successful and record-breaking career there, and later with the Dallas Cowboys, helped open the door to a sportscaster job with the KMEX television station in Los Angeles, which at the time was a fledgling Spanish-language broadcaster. Today, KMEX serves as the West Coast flagship for the Univision network.

But Danny didn't just stand in front of the KMEX camera, he stood behind it as a journalist, a news director, a general manager and its President. He eventually became an owner of KMEX and the network which we know as Univision. In all those roles, he committed himself to serving the community of Los Angeles. Whether it was broadcasting that was happening in the city through a Latino lens or raising funds to help new immigrant families, or victims of natural disaster, Danny was their voice and their advocate. And, putting his money where his mouth is, he became one of LA's true philanthropists.

Even after he retired from broadcasting, his passion for philanthropic work continued through his founding of an investment firm focused on helping small and family businesses and the establishment of a scholarship fund at his alma mater New Mexico State University. He and Myrna remained actively involved in many charitable causes throughout his life.

Danny was a leader, an innovator, a loving husband and father and an incredible example to many of us of a man determined to do good as he did well. Without Danny, the Spanish-language news and broadcasting industry in the U.S. would not be what it is today. Without Danny, there would be no Univision, no Telemundo or many of the other broadcasting giants that exist today.

Mr. Speaker, I am proud to stand here today and share some of Danny Villanueva's successes because they are not just his, they belong to us all. For anyone who aspires to the American Dream, Danny's life and legacy show us that with hard work, compassion and a sense of humor, anything is possible. Danny will remain in our hearts not only as a friend, but as a champion to his family, his community and to all the little guys who believe in hard work and relentless effort.

To Myrna, Danny Jr. and Jim, we extend our warmest affection and gratitude for sharing with us this champion of America. Through our collective success we will do justice to the memory of Daniel Dario Villanueva.

#### PERSONAL EXPLANATION

##### HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. COURTNEY. Mr. Speaker, earlier this week the House voted on H.R. 1190, the Protecting Seniors Access to Medicare Act. Although I was not present for the vote, I wanted to make my position on this bill clear. While I strongly support repeal of the Independent Payment Advisory Board, or IPAB, and have long supported bipartisan legislation to do so, I would have voted against this bill due to the attachment of a partisan and misguided amendment that undermines another important piece of the Affordable Care Act (ACA).

I share the concern of many of my colleagues on both sides of the aisle that the IPAB relinquishes control of Medicare provider reimbursements to an unelected group, which is problematic to me for a number of reasons. Congress has helped shape a Medicare system that reflects the unique care needs of varying demographics, and differences between regions and states. Further, this system has been developed with transparency and accountability in congressional debates. And, reforms like better coordination of care and enhanced waste, fraud, and abuse abatement measures have already helped slow Medicare spending to historic lows.

Since the enactment of the ACA, the Congressional Budget Office has consistently found that other measures in the law have helped keep health care spending at record lows. While I remain committed to strengthening Medicare's finances for current and future generations, I do not believe that IPAB is the best strategy to achieve this goal. While annual spending bills passed by Congress over the last several years have denied funding to support IPAB thus rendering it inoperable, I agree that the best course of action would be to remove it entirely from the law. That is why I have consistently cosponsored bipartisan legislation to do just that.



I am disappointed, therefore, that the Republican-led House chose to take a highly bipartisan bill and turn it, once again, into a highly partisan vehicle to further undermine a key component of the ACA. The amendment that was added to the bill as it headed to the floor would tie repeal to gutting the Prevention and Public Health Fund section of the law. Funds from this section of the ACA go towards Alzheimer's Disease Prevention Education and Outreach, towards the Breast and Cervical Cancer Early Detection Program, to the Heart Disease and Stroke Prevention Program, and to the Garrett Lee Smith Youth Suicide Prevention fund, among other programs in 2015 alone.

I strongly support the ACA and its implementation, but agree with many of my colleagues that it is by no means perfect. It is time for this chamber to work on a truly bipartisan basis to strengthen and improve the law. I stand ready to work across the aisle to repeal IPAB and to make other commonsense changes to the law—but hope that we can do so in a thoughtful and balanced way, which unfortunately this bill did not.

#### HONORING ALBERTA LENTE

#### HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2015

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to honor Alberta Lente, a respected elder and patriarch of a proud family from the Pueblo of Isleta.

Alberta had amazing role models in her parents, Esquipula and Juanita Jojola, who raised nine children while maintaining several jobs. Coming from a big family meant that Alberta had to make sacrifices. She started attending business school aspiring to one day work as a professional secretary, but her father urged her to come home and help with the household finances.

The news was devastating for Alberta, but she forged forward, knowing that her family needed her support. She put her dreams on hold, came home, and took on the role of primary caregiver for the family. From 1945 to 1984, Alberta worked as a seamstress for the famous "Tiwa Weavers" and later went on to work for the Pueblo of Isleta Elder Center as a delivery driver and site manager all while caring for her children and younger siblings.

She never failed to carry out her commitment to her family. Every morning, Alberta would wake up and catch the 6:30 a.m. bus from Isleta Pueblo to work. On a typical day she would not return home until 7:00 p.m. and always made sure she had enough groceries to feed the family. Often her children would find her up in the middle of night fixing dolls or clothing, trying to earn extra money for the family.

At age 93, Alberta has no plans to slow down any time soon. Incredibly, she has won more than 80 medals in soccer, shuffleboard and many more events in the New Mexico Senior Olympics. Today, Alberta prepares for her 5th National Senior Olympics and hopes to add a second Gold medal to her collection.

It is clear that Alberta's zest for life is endless and her dedication to her family is one of a kind. She reminds us to cherish our family, fight for those we love, and continue to strive for excellence in all that we do. Alberta is truly a remarkable woman, and I join all her family and friends in celebrating her accomplishments.

#### FIRST LIEUTENANT CLAYTON NATTIER

#### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2015

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and honor First Lieutenant Clayton Nattier, Army Air Corps, and United States Air Force for his service to our country.

First Lieutenant Nattier served in the United States Army Air Corps from January 1942 to December 1945. During his time as a pilot, he served in the United Kingdom with the 1st Bomb Division, 8th Air Force, 306th Bomb Group, and 369th Bomb Squadron.

During his 16th combat mission, in September 1944, his B-17 aircraft was badly damaged by enemy anti-aircraft fire, and the crew was unable to control a fire in the cockpit. At that time, he and five other crew members parachuted out of the aircraft mid-flight. Lieutenant Nattier was captured by enemy forces and sent to the German Prisoner of War camp, Stalag Luft I in Barth, Western Pomerania (Prussia) after spending three weeks in a German hospital. The Prisoner of War camp was liberated by the Russian Army on April 30, 1945, and in December 1945 he separated from active duty. Lieutenant Nattier continued to serve in the Air Force Reserves until 1952.

His awards and decorations include the Purple Heart Medal, the Air Medal with two Bronze Oak Leaf Clusters, the Prisoner of War Medal, the Army Good Conduct Medal, the American Campaign Medal, the European-African-Middle East Campaign Medal with three Bronze Service Stars and the World War II Victory Medal. After his service, Lieutenant Nattier has been involved in the American Ex-Prisoners of War, Mile High Chapter, as Chapter Commander, State Department Commander and National Convention Treasurer. He continues to be active in the Eighth Air Force Historical Society.

Through his courageous service, Lieutenant Nattier charted the path for future generations to serve in the military. I extend my deepest appreciation to Lieutenant Nattier for his dedication, integrity and outstanding service to the United States of America.

#### MISSISSIPPI STATE FLAG

#### HON. STEVEN M. PALAZZO

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2015

Mr. PALAZZO. Mr. Speaker, I rise today to voice my opposition to any and all attempts to

remove the State flag of Mississippi from the Capitol grounds.

Simply put, the flag that flies over the State of Mississippi is an issue to be decided by the people of Mississippi.

This is not an issue for Congress. Congress cannot decide which flag flies over the Capitol of Mississippi. Congress cannot decide which state flags hang in the Capitol of the United States. Congress cannot simply decide for the people of Mississippi.

Our flag is not an issue for the media, not an issue for one party or the other, not an issue for outsiders who wish to force certain beliefs on others.

Our flag is an issue for the people of Mississippi and the people of Mississippi alone.

#### HONORING MR. JIM TUDOR

#### HON. EARL L. "BUDDY" CARTER

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2015

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize Mr. Jim Tudor for his many years of contributions to the convenience store industry.

Mr. Tudor has worked at the Georgia Association of Convenience Stores since January of 1987, and currently serves as President. Before that, Mr. Tudor also spent nine years at 7-Eleven. Over the years, Mr. Tudor has received various Pigeon Awards from The Pigeon Committee. He was honored as the 2012 Annual Golden Pigeon. He also received the Liberty Award from Brown & Williamson in 2000, and was recognized by James Magazine as one of the Top Ten Lobbyist or trade organizations for three straight years 2012–2014.

Mr. Tudor is very active in the Covington Rotary and previously the South DeKalb Rotary. He has been extremely active with Georgia Youth Assembly, the YMCA, and various other youth groups as a mentor and leader. Mr. Tudor has served numerous roles at his church and is a devout Christian man with impeccable morals and values.

Mr. Tudor graduated from the University of Cincinnati in 1972, and spent two years in the U.S. Army. Mr. Tudor and his wife, Sandra, have four children—James, Kelly, Bobby and Bill—and five grandchildren. Upon retirement, Jim and Sandra plan to roam the countryside in their retro-style 2015 Mellow Yellow Winnebago.

Mr. Speaker, I am honored to join Mr. Tudor's colleagues, family and friends in celebrating his many years of hard work and dedication to the Georgia Association of Convenience Stores and his community.

CELEBRATING THE 120TH ANNIVERSARY OF THE MORRISTOWN CHAPTER OF THE DAUGHTERS OF THE AMERICAN REVOLUTION

**HON. RODNEY P. FRELINGHUYSEN**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to congratulate the Morristown Chapter of the Daughters of the American Revolution as they celebrate their 120th Anniversary.

Due to the exclusion from men's organizations that were formed to express patriotism for our nation, a group of women took it upon themselves to create an organization that was exclusively for women and their love for this country. Thus, on October 11, 1890, the National Society of Daughters of the American Revolution was born right in our nation's capital.

Shortly after the National Society of the Daughters of the American Revolution was founded, New Jersey organized its own State Society of the DAR on April 29, 1891. The Morristown Chapter was created four years later in 1895, making it one of the 47 chapters located in the state of New Jersey. In 1999, the Short Hills Chapter of DAR merged with the Morristown Chapter.

The Morristown DAR Chapter house played an important role in our country's history. The Schulyer-Hamilton House, originally known as the Jabez Campfield House, was built in 1760 in Morristown. The Campfield House is where the surgeon general of the Continental Army, Dr. John Cochran, quartered and is where founding father Alexander Hamilton also courted his wife Betsy Schuyler in 1780. Schuyler was the niece of the surgeon general. In 1923, the Campfield house was bought by the Morristown Chapter of the DAR and the members decided to name their new Chapter House in honor of Betsy Schuyler and Alexander Hamilton.

The DAR is a non-profit, non-political volunteer organization. They focus on promoting patriotism, preserving American history and future, and supporting education for children. On a national level the DAR host various summer camps for youth. That educates them on topics such as, the textile industry. They also provide citizens of all ages with a lecture series called Tuesday Talks.

The Morristown Chapter has been devoted to keeping up with these objectives as well. Throughout the community the Morristown Chapter of the DAR has volunteered at the annual Morristown Fall Festival and local DAR schools. They provide numerous opportunities for the advancement of children including but not limited to, The Christopher Columbus Essay Contest, scholarship for high school seniors in New Jersey, and the Betty Bradbury Vail Scholarship.

Additionally, to carry on their commitment to honoring all veterans in the Morristown area, the Morristown chapter of the DAR will host a luncheon on Saturday, November 14, 2015 to celebrate their 120th Anniversary as well as the 50th Anniversary of the beginning of the Vietnam war.

Mr. Speaker, I urge you and all of my colleagues to join me in congratulating the Mor-

ristown Chapter of the Daughters of the Revolution, New Jersey as they celebrate their 120th Anniversary.

**JOHN DAVID CROW—AGGIE HEISMAN WINNER**

**HON. TED POE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. POE of Texas. Mr. Speaker, rough tough, real stuff, Texas A&M. The mantra of John David Crow. The man known by all three of his names, with a distinctive gaze and commanding presence is the first Aggie Heisman Winner who left the piney Louisiana Woods to play football at Texas A&M University—and the rest is history.

Crow has been tough since birth. Born into the Great Depression in Marion, Louisiana on July 8, 1935, a midwife struggled to remove the umbilical cord wrapped tightly around his neck, which resulted in nerve damage—preventing him from ever being able to shut his left eye.

After almost dying from pneumonia at the age of two, Crow grew into his larger-than-life stature. At 6'2", 215 pounds he was made to be a football player.

Crow arrived in College Station, Texas in 1954 to play under football legend Paul "Bear" Bryant, who he had never even heard of. The newly married freshman watched two buses take the football team to training camp in Junction and only one bus return—half empty. But he wasn't scared. Crow suited up to play anyway.

A new husband and father, Crow helped lead the Aggies to a conference championship and bowl game after coming off a 1–9 season.

In three seasons, he gained 1,455 yards rushing on 296 attempts, with 22 touchdowns. His stats may not have put him at the top of the leaderboard, but coach Bear Bryant came up with more appropriate and realistic statistics to showcase Crow, which he called "Players Run Over."

When Crow was told he was a Heisman candidate, he confessed that he had never heard of the award. Bryant rallied behind the football player saying, "If he doesn't win the Heisman, they ought to stop giving it." The saying stuck. In 1957, in almost a landslide vote, John David Crow won the Heisman Trophy. The first Aggie to win and the only Heisman Trophy winner to ever play for Bryant.

Crow went on to be a running back in the NFL for the Cardinals in Chicago and St. Louis as well as the San Francisco 49ers. After retiring in 1968, he joined Bryant on the field again as an assistant coach at the University of Alabama. He went back to the NFL as an assistant coach with Cleveland and San Diego. In 1983, he returned back to his maroon alma mater as the assistant athletic director under Jackie Sherrill.

Crow was a husband, father, grandfather and great-grandfather. For as much success as Crow knew, he has also known deep sorrow. His son, John David Jr., born while his father was playing at Texas A&M and also played under Bear Bryant, was killed in 1994.

John David Crow passed away on June 18th, joining his son.

The statue of Crow outside the Bright Athletic Complex at Texas A&M University accurately portrays the man whose name is synonymous with Aggie Football. It depicts the strapping Louisiana paper mill teenager who showed up in Texas unintimidated, unafraid, and more than ready to bring pride to a small Texas town.

They just don't make them like John David Crow anymore—rough tough, real stuff, Texas A&M. "Gig 'Em Aggies"

And that's just the way it is.

**IN RECOGNITION OF MR. JIM TUDOR**

**HON. SANFORD D. BISHOP, JR.**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. BISHOP of Georgia. Mr. Speaker, it is my honor and pleasure to extend my personal congratulations and best wishes to an exceptional business leader and outstanding citizen, Mr. Jim Tudor, on the occasion of his retirement as President of the Georgia Association of Convenience Stores.

Mr. Tudor has spent the last 28 years of his life advancing the interests of small business owners and workers in Georgia. After spending nine years working for 7–Eleven, Mr. Tudor began working for the Georgia Association of Convenience Stores in 1987. As a representative of convenience stores across the state, Mr. Tudor worked tirelessly to promote a welcoming, inclusive, and world-class business atmosphere in hundreds of Georgia stores. His smile and humor were familiar to the hundreds of store workers he represented on a daily basis.

Mr. Tudor's service to convenience store owners and workers earned distinction for its vigor and persistence. Along with receiving the Liberty Award from Brown & Williamson in 2000, Mr. Tudor is the recipient of various Pigeon Awards from the Pigeon Committee, a group of fellow lobbyists in Georgia. In 2012, his work to ensure the passage of Sunday alcohol sales in the state earned him the Golden Pigeon award, recognizing him as the state's most influential business advocate. Additionally, Mr. Tudor was named by James Magazine as one of the top ten lobbyist or trade organizations for three straight years from 2012–2014.

A 1972 graduate of the University of Cincinnati, Mr. Tudor has dedicated his life to serving his community. His commitment to public service has persisted since his service in the U.S. Army as a young man. He has been extremely active in the Georgia Youth Assembly, the YMCA, and the Rotary Club of Covington. Always a mentor to those who worked and lived around him, Mr. Tudor possesses the rare quality of humble leadership.

Mr. Tudor's Christian faith has always instilled within him a desire to positively shape the community in which he lives. As a leader in his church, he incorporates his faith into his commitment to public service regularly.

After retirement, Mr. Tudor will enjoy spending time with his four children, James, Kelly,

Bobby and Bill, and as "Poppy" to his five grandchildren. He plans to travel across the country with his wife, Sandra, in their retro-style 2015 Winnebago. Mr. Tudor has accomplished much in his life, but none of it would be possible without the love and support of the family he cherishes so dearly.

Mr. Speaker, I ask my colleagues to join me in extending our sincerest appreciation and best wishes to Mr. Jim Tudor upon the occasion of his retirement from an outstanding career spanning nearly three decades with the Georgia Association of Convenience Stores.

#### TRIBUTE TO PARKER HOWE

#### HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Parker Howe from Waukegan High School for winning the Class 2A Co-ed Golf Doubles title along with his partner, Paige Seiser.

Mr. Speaker, the example set by these students demonstrates the rewards of hard work, dedication, and perseverance. I am honored to represent them and their families in the United States Congress. I know all of my colleagues in the House join me in congratulating Paige and Parker on competing in this rigorous competition and wishing continued success in their education and high school golf career.

#### BIOGRAPHY OF JERRY DUNFEY

#### HON. MAXINE WATERS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Ms. MAXINE WATERS of California. Mr. Speaker, I submit the biography of Jerry Dunfey, who is celebrating his 80th birthday.

GLOBAL CITIZENS CIRCLE

Jerry Dunfey, co-founder with his brothers of Dunfey Hotels, which now is Omni Hotels International, also is the co-founder and president of Global Citizens Circle. Since 1974, hundreds of Circles globally featured prominent leaders engaging in dialogue with 20,000 citizens from all sectors. Circles have been held in Belfast, Soweto, Jerusalem, Havana, and in cities throughout the U.S.

Dunfey and his wife Nadine Hack have a deep history of involvement in the U.S. civil rights movement. Friends of the entire King family, they served on the board of the Martin Luther King, Jr. Center for Nonviolent Social Change, Dunfey starting alongside of "Daddy" King. They maintained close relationships with many of the movement's leaders, including actively campaigning in Georgia during Andy Young's political career. They read a Psalm at Coretta Scott King's family funeral and were honorary pall bearers at her much larger public funeral.

They also have profound ties with the leaders of South Africa's liberation movement. He's been in South Africa on countless occasions including as a member of Senator Edward M. Kennedy's 1985 fact-finding mission. With his wife, they were guests of state at President Nelson Rolihlahla Mandela's 1994

inauguration they led a 1998 delegation of 61 democracy activists from seven countries on an eight-day visit; he was honored with the 2008 National Order, Grand Companion of OR Tambo, which is that nation's equivalent of the U.S. Presidential Medal of Freedom; and in 2013 he attended Mandela's funeral in Qunu as a VIP family guest.

He is on the boards of the Joslin Diabetes Center, the South Africa Development Fund, and with his brothers is a founder of The American Ireland Fund. While it was in existence, he was on the board of the International Defense and Aid Fund for South Africa. He is the recipient of numerous awards from myriad organizations ranging from the 2003 Northern Ireland Cross-Community Honor to the 2008 Hoteliers of the Year, just among several of the countless times he's been honored.

He is the 11th of the 12 children of Leroy and Catherine Dunfey, who met in the textile mills of Lowell, MA, and he worked with his siblings from a very early age in his parents' luncheonette in that city. In the 1940s and 1950s he and his brothers operated a number of restaurants, later acquiring several small New England inns and by the 1960s founding Dunfey Hotels. The Parker House, the oldest continuously operating hotel in America, was among its flagship hotels. Shortly after acquiring that hotel in Boston is when the family launched their inaugural Circle.

During those same decades, he and his family were extremely active in Democratic politics. John F. Kennedy announced his presidential campaign from a Dunfey Hotel. Jerry's brother Bud served as the Northeast Coordinator of that campaign for which the entire Dunfey family campaigned actively. They were all invited to the President's 1963 Inauguration. A six-decade close relationship among the two families, including comparable activism with Bobby Kennedy, culminated in having the great honor to sit with his wife in the final hour of vigil over Ted Kennedy's casket at the JFK Library before the family brought the Senator to the church for his funeral service.

A 1956 graduate of the University of New Hampshire, Dunfey has five children—one who died in 1978 with four surviving, all happily married—and six grandchildren. He and his wife Nadine were extremely proud that all three generations of their family actively campaigned for President Barack Obama. Their two oldest grandchildren, for whom this was the first time in their lives to vote, participated in the Maine caucuses. Dunfey continues as an activist with Friends of Barack Obama.

#### PERSONAL EXPLANATION

#### HON. STEVE RUSSELL

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. RUSSELL. Mr. Speaker, on roll call no. 377, I was absent due to travel for personal reasons and in connection with my official duties.

Had I been present, I would have voted Yea.

#### TRIBUTE TO JEANETTE WYNN

#### HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Ms. BROWN of Florida. Mr. Speaker, on behalf of the constituents of the Fifth Congressional District of Florida and myself, I rise to offer a tribute to the life and accomplishments of a great American, Jeanette Wynn, who continues to act as a mentor and leader in the community at large. On June 21, 2015, Jeanette celebrated her 67th birthday.

We exalt Mrs. Jeanette Wynn first for the determination and perseverance that she has exhibited throughout her life. Jeanette's rise to her current title as the president of AFSCME deserves recognition. In September 1970, she began work at Florida State Hospital in Chattahoochee. Here, in the state's largest public mental institution, she treated the mentally ill and criminally insane. Her exceptional work was recognized and as a rehabilitative specialist, President Wynn was responsible not only for treatment of mentally ill individuals but also played a role in the judicial process. Mrs. Wynn was given the responsibility of evaluating whether they were competent to stand trial. President Wynn was one of the first state employees to join AFSCME in 1976. She was a member of Council 79's first executive board and was the first secretary/treasurer of Local 1963. In 1981, she was elected Local 1963's second president. In 1983, she earned her first AFSCME Florida statewide office as Council 79 secretary/treasurer.

As Council 79 secretary/treasurer, President Wynn served until 1996, the same year she won a spot as International Vice President Caribbean. In 1998, President Wynn ascended to Council 79's highest office and has distinguished herself in leading fights to help all working families. Drawing on her experiences in the Civil Rights movement of the 1960s, President Wynn played a crucial role in forging a coalition of African-American and Latino farm workers that led to the successful organizing drive in 1998 at Quincy Farms. The United Farm Workers later awarded President Wynn for her incredible effort. Though President Wynn is celebrated for her accomplishments, we must not forget her effect on the community at large. The lives of those directly and indirectly affected by the actions and oversight of Mrs. Jeanette Wynn are undoubtedly better. Today we pay tribute to a strong woman, a compassionate leader, and a tireless worker.

#### LEE KLEIN'S 50TH ANNIVERSARY AT THE CHILDREN'S CANCER CARING CENTER

#### HON. CARLOS CURBELO

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. CURBELO of Florida. Mr. Speaker, today I rise to recognize Lee Klein on her 50th anniversary at the Children's Cancer Caring Center, or CCCC. Lee has dedicated her life

to caring for South Florida children and their families who are affected with cancer by providing them comfort and support as they fight the deadly disease and return to a sense of normalcy.

Lee currently serves as CEO and Chairman of the CCCC Board. She began her career in 1956 as a charity worker for children's causes, and nine years later, founded a treatment clinic for cancer-stricken children which today we call CCCC. She also serves as Patient Program Director at the center, where she becomes personally involved with the patients and their families. Lee has been the recipient of numerous honors, including the 2004 Junior League of Miami "Women who make a difference" award and 2003 Big Brothers Big Sisters "Miracle Makers" award.

Mr. Speaker, these children and their families battling cancer deserve all the love and support they can get during the unfathomable difficulties that no young person should have to endure. I am proud to recognize that on June 27, Lee will have served the Center and our South Florida community for 50 years, touching the lives of thousands of our friends and neighbors. I wish her the best of luck in the future and offer my sincere gratitude for the work she has done.

CORPORAL JOHN PEDERSON

### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2015

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and honor Corporal John Pederson, United States Army, for his service to our country.

Corporal Pederson served in the United States Army from June 1944 to February 1947. During his service as a rifleman and infantryman, he was assigned to the 42nd Infantry "Rainbow" Division, Company A, 232nd Infantry Regiment. After Corporal Pederson's arrival in France, he was transferred to the 7th Army, and participated as a member of "Task Force Linden" near Strasbourg, France.

On January 18, 1945, in the Battle of Sessenheim, he was captured by the German Army and sent to the German Prison camp, Stalag 5A, in Malschbach Ludwigsburg Wurttemberg 49-09. He was liberated by the British Army in April 1945, and eventually returned to the U.S. after being discharged in February 1947.

His awards and decorations include the Bronze Star, the Prisoner of War Medal, the Army Good Conduct Medal, the American Campaign Medal, the European-African-Middle Eastern Campaign Medal with one Bronze Service Star, the World War II Victory Medal, and the Combat Infantryman Badge. Since retiring, he has been active in the American Ex-Prisoners of War—Mile High Chapter where he currently serves as Commander of the Department of Colorado and Commander of the Mile High Chapter.

Through his courageous service, Corporal Pederson charted the path for future generations to serve in the military. I extend my deepest appreciation to Corporal Pederson for

his dedication, integrity and outstanding service to the United States of America.

IN HONOR OF JIM TUDOR'S  
RETIREMENT

### HON. DAVID SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2015

Mr. DAVID SCOTT of Georgia. Mr. Speaker, I rise today to pay tribute to the accomplishments of a dear friend and colleague, Mr. Jim Tudor. Over the last twenty years, Mr. Tudor has left an indelible impression on the State of Georgia through his entrepreneurial advances and philanthropic endeavors.

Whether it be in his church, his community, or business, Mr. Tudor strives to turn any challenge into an opportunity. In 1986, Mr. Tudor moved from a promising career as the Zone Manager for 7-Eleven to serve as a lobbyist for the Georgia Association of Convenience Stores, marking the beginning of a career that would be recognized as among the most prolific in Georgia's capitol community.

Mr. Tudor's contributions have been recognized numerous times throughout his illustrious career. In 2000, Mr. Tudor received the Liberty Award from Brown & Williamson. Later, Mr. Tudor was honored with various Pigeon Awards from The Pigeon Committee, a group of fellow lobbyists for the State of Georgia. For three straight years, Mr. Tudor was named by James Magazine as one of the Top Ten Lobbyist for trade organizations.

Throughout his distinguished career, Mr. Tudor has used his success to empower those around him. Well known by his friends and family for a seemingly inexhaustible amount of energy, Mr. Tudor is an extremely active member of the Covington Rotary Club. On many weeknights he can be found volunteering for the Georgia Youth Assembly, the YMCA, and various other groups as a mentor and leader, where he passes on the practical skills he has accumulated through years of shaping Georgia's business climate.

Mr. Speaker, I rise today to not only honor the impressive achievements of this man, but also to commend his compassionate contributions to my Congressional district and to the great State of Georgia. I ask my colleagues to join me in venerating this distinguished individual.

HONORING DR. JAY L. SCHAUBEN,  
PHARMD, DABAT, FAACCT UPON  
HIS ELECTION AS PRESIDENT OF  
THE BOARD OF DIRECTORS FOR  
THE AMERICAN ASSOCIATION OF  
POISON CONTROL CENTERS

### HON. ANDER CRENSHAW

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2015

Mr. CRENSHAW. Mr. Speaker, I rise today to honor the service of Dr. Jay L. Schauben, PharmD, DABAT, FAACCT, and his election as President of the Board of Directors for the

American Association of Poison Control Centers (AAPCC). As President, Dr. Schauben will oversee the national agency responsible for the accreditation of poison centers and the certification of its specialists. Throughout his career, he has completed four terms on the AAPCC Board of Directors. I am honored to recognize Dr. Schauben as the first Floridian to be elected to this prestigious position.

In 1992, Dr. Schauben developed and implemented the Florida/U.S. Virgin Islands Poison Information Center in Jacksonville, Florida. Today, the Florida/USVI Poison Information Center—Jacksonville continues to work in improving the three-center Statewide Florida Poison Information Center Network. Dr. Schauben has been Director of Jacksonville center, located at UF-Health Jacksonville Medical Center, since 1996. His work is both widely known and greatly admired. He holds the rank of Professor in the Department of Emergency Medicine within the College of Medicine and the Department of Pharmacotherapy and Translational Research in the College of Pharmacy, University of Florida Health Science Center. Since 1987, he has held board-certification in Clinical Toxicology by the American Board of Applied Toxicology and was awarded the status as a Fellow of the American Academy of Clinical Toxicology. Dr. Schauben also has served as President and At-Large Member to the Board of Directors of the American Board of Applied Toxicology. He is a member of the International Society for Disease Surveillance.

Dr. Schauben is a recognized expert witness in the field of clinical toxicology and often consults with federal and state agencies on issues relating to toxic exposures, poisonings and overdoses. Under the National Disaster Medical System, he held a Federal Emergency Management Agency/Department of Homeland Security rank of Deputy Commander for the Florida-4 Disaster Medical Assistance Team. In addition, he has authored 54 journal articles and 21 chapters in major medical textbooks and is the Associate Editor for the Advanced HAZMAT Life Support Course.

Although larger states have more than one center, the nation has 55 poison control centers that cover every state, Puerto Rico, the Federated States of Micronesia, American Samoa, the U.S. Virgin Islands and Guam. Callers are provided free, 24-hour professional advice on poisons and treatments. Our Jacksonville Center serves a population of approximately six million people and receives 160–200 calls per day from Floridians in 42 northern and eastern coastal counties and the U.S. Virgin Islands.

Florida/USVI Poison Information Center—Jacksonville, under the leadership of Dr. Schauben, conducts a full spectrum of poison prevention educational programs for the general public and health care professionals. The Center serves as a teaching facility for clinical and medical toxicology fellowships; and facilitates academic rotations for nursing, medical and pharmacy students; pharmacy, emergency medicine and other health professional residents in training; pediatric critical care fellows and pediatric emergency medicine fellows.

One of the highlights of the year in Jacksonville is the children's poster contest for National Poison Prevention Week. Jay and his staff have also instituted a video contest, and kids can earn a Deputy badge by completing the Poison Patrol Checklist.

I salute the dedicated hard work of Dr. Schauben, and his well-deserved recognition by fellow colleagues in electing him President of the Board of Directors of the AAPCC.

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SUPPORTING THE REAUTHORIZATION  
OF THE EXPORT-IMPORT  
BANK

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**HON. RODNEY DAVIS**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 25, 2015*

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today in support of small businesses, American manufacturing and good jobs right

here at home. I rise to support reauthorization of the Export-Import Bank.

The simple reality is that 95% of the globe's consumers live outside of America's borders. Therefore, our ability to export American products around the world has a direct impact on many small, medium and large companies' ability to create and sustain jobs. Unfortunately, many potential global customers are not able to secure the necessary financing to complete a purchase from an American company because of the instability of their region or other circumstances.

In order to connect these American exporters with their buyers around the globe, the Ex-Im Bank can provide vital loans to complete transactions with American companies that otherwise may not have occurred. The economic impacts here at home are significant. Last year, the Ex-Im Bank provided financing for \$27.5 billion in U.S. exports, supporting more than 160,000 jobs. Importantly, nearly 90% of Ex-Im transactions involved U.S. small businesses last year, supporting nearly \$11 billion in exports.

Some have called for ending the Ex-Im Bank on the grounds that it competes with the private market—that's just not the case. The Ex-Im Bank simply levels the playing field and fills the gaps that exist in the private credit market. Additionally, the Ex-Im Bank brings in a surplus of dollars to the U.S. Treasury each year, which isn't something we can say about a whole lot of Federal agencies. Last year, Ex-Im sent nearly \$700 million back to the Treasury as a surplus. And over the past two decades, this surplus has been nearly \$7 billion.

Ex-Im supports good paying jobs in Illinois, and not only at great companies like Caterpillar and John Deere, but also at small and medium sized businesses such as GSI Group in Assumption, IL and Litania Sports Group in Champaign, IL. With the June 30th deadline looming, we simply cannot afford to put these jobs at risk and we must reauthorize the Ex-Im bank. I urge my colleagues on both sides of the aisle to join me in supporting reauthorization of the job-creating Ex-Im bank.

**SENATE—Tuesday, July 7, 2015**

The Senate met at 2:30 p.m. and was called to order by the President pro tempore (Mr. HATCH).

**PRAYER**

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, by whose providence our forebears brought forth this Nation conceived in liberty and dedicated to equal justice for all, fill our lawmakers with a similar passion for life and liberty. May their smaller successes prompt larger undertakings for human betterment. Lord, guide them with Your higher wisdom so that Your will may be accomplished on Earth, even as it is in Heaven. Give our Senators the moral and spiritual stamina to walk with integrity that they may fulfill their high calling in service to this land we love. Use them also to advance Your Kingdom on Earth.

We pray in Your powerful Name. Amen.

**PLEDGE OF ALLEGIANCE**

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

**RECOGNITION OF THE MAJORITY LEADER**

The PRESIDING OFFICER (Mr. HOEVEN). The majority leader is recognized.

**MEASURE PLACED ON THE CALENDAR—S. 1698**

Mr. McCONNELL. Mr. President, I understand there is a bill at the desk that is due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (S. 1698) to exclude payments from State eugenics compensation programs from consideration in determining eligibility for, or the amount of, Federal public benefits.

Mr. McCONNELL. Mr. President, in order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

**LEGISLATIVE PROCESS IN THE SENATE**

Mr. McCONNELL. Mr. President, I wish to share a few lines from an opinion piece Speaker BOEHNER wrote last week. It began:

In November, the American people decided to entrust Republicans with control of the U.S. Senate, where common-sense jobs bills too often went to die in recent years. Now, since the start of this year, the Republican majority of the U.S. House finally has a willing partner in our work on behalf of the American people. It is an opportunity we haven't let go to waste.

The Speaker is hardly the only one who feels good about a new Senate that is back to work for the American people. The State work period was a good reminder of just that. Over the past week, Kentuckians repeated similar sentiments at events I attended across the Commonwealth.

It is no surprise our constituents feel this way because the American people see more signs of more open debate in the new Senate. They see more opportunities for Senators in both parties to take a stake in the legislative process. They see us passing bills. They see committees working again. Quite a bit of bipartisan reform legislation has emerged from committees already, often with strong support from both parties.

**EVERY CHILD ACHIEVES ACT**

Mr. McCONNELL. Mr. President, this week we will begin floor debate on yet another such bipartisan measure, the Every Child Achieves Act.

Many Washington pundits assumed that Congress could never agree on a workable solution to replace a broken No Child Left Behind law, and they certainly didn't believe one would receive unanimous committee support from both Republicans and Democrats. But many of those folks didn't think Washington could reform the Medicare payment system or pass trade legislation either. So it is a good thing Chairman ALEXANDER and Ranking Member MURRAY didn't listen to them. The new Congress has proved the pundits wrong already. If the senior Senator from Tennessee and his Democratic counterpart from Washington State have their way, the new Congress will prove them wrong yet again.

The Every Child Achieves Act aims to assure we are helping students to succeed instead of helping Washington to grow, and it recognizes an obvious truth; that the needs of a student in Eastern Kentucky aren't likely to be the same as those of students in South

Florida or downtown Manhattan. The bill would give States the flexibility to develop systems that work for the needs of their students rather than the one-size-fits-all mandate of Washington, taking decisions out of the hands of Federal bureaucrats and putting them into the hands of real experts: parents, teachers, and State and local leaders.

I will be talking more about the bipartisan Every Child Achieves Act later this week. But the fact that we are even on the floor today discussing yet another important reform solution to yet another seemingly intractable problem is one more reminder that this is a new Congress that is focused on solutions for the American people.

**RECOGNITION OF THE MINORITY LEADER**

The PRESIDING OFFICER. The minority leader is recognized.

**REPUBLICAN FILIBUSTERS**

Mr. REID. Mr. President, I appreciate the Republican leader for taking credit for passage of bills they filibustered. He led the filibusters on these the last 4 years. It is unfortunate, but any one of those, with rare exception, would have been passed had we not had filibusters by the Republicans—the SGRs, and we could go through the whole list.

But I appreciate we are doing some things that are important because we are not filibustering. Remember, every one that we tried to do was stopped dead in its tracks and, as a result of that, we had to file hundreds of motions to invoke cloture. So my friend the Republican leader should be very happy we are not doing the same thing to him that was done to us.

**DEADLINES PASSED**

Mr. REID. Mr. President, all Americans face deadlines. Ask any student or any working professional, and they will tell you they have to meet deadlines to be successful. It is part of life.

Senate Republicans, though, seem to reject the idea of finishing work on time. Instead, the Republican leader has repeatedly taken the Senate to the brink. Already the first few months of this year, Republicans have botched deadlines for funding the Department of Homeland Security, the Federal Intelligence Surveillance Court—that was a real debacle—and, most recently, the Export-Import Bank, which is now out of business.

There were 165,000 people working as a result of the Bank who now—if not

gone and looking for employment, they will have to do it very soon because the Republicans are boasting they were able to kill this business-oriented program that has been successful all over the world, allowing us to export things that we would not have been able to had that law not been in effect. As a result of our not doing things, other countries—China and other countries—are now picking up the slack where Ex-Im Bank worked before. There is a lot of business being lost for the American people, and it is very unfortunate because, again, Republicans are not meeting deadlines.

Every one of those crises is accompanied by consequences that hurt our country: lost productivity, a volatile stock market, and lapses in national security. Every time Republicans miss a deadline who gets hurt worse than anyone else? The middle class does and our Nation is less safe.

Now, I realize we have another vitally important, time-sensitive matter that requires the Senate's attention as soon as possible. At the end of this month, our Nation is faced with a looming expiration and insolvency of the highway trust fund. With 64,000 structurally deficient bridges and billions of dollars needed for construction projects across America—really, trillions of dollars. We have an infrastructure deficit in this country of about \$3 trillion, and 64,000 bridges are structurally deficient. It is irresponsible for Republicans to be content to let the authorization of the highway program lapse or maybe they will come up with another solution like they have in the past, 33 separate short-term extensions of the highway bill.

And now I understand that the chairman of the Finance Committee is working on another short-term extension. How really insensitive to the needs of the American people. There are some States that can't do construction work on highways in the winter-time. It is cold. But that doesn't seem to matter. These short-term extensions are what has become part of the Republican mantra.

There is also an urgent need to reach a bipartisan budget agreement. In less than 3 months, unless we act, the government will shut down. To avoid that, we will need a budget agreement between two parties. That is going to take time and a lot of work, but to this point, the deadline seems to be meaningless to my Republican colleagues. They are doing nothing, not a conversation about it, and they led the charge in the past about how phony the overseas contingency funding was to pay the bills of this country, but now they seem to embrace it. But I guess their theory is—why not put off until tomorrow what you can do today? I don't understand why what we have around here is, putting off until tomorrow everything that should be done today.

There is no need to wait until the end of July to address our Nation's roads, bridges, and rails. That is what we are doing. There is no need to wait until September to come to a sensible agreement funding our government, but that is what they are doing.

Democrats are ready to work with Republicans on these two issues—and now.

#### PRESIDENTIAL NOMINATIONS

Mr. REID. Mr. President, another glaring deficiency is we are certainly ready to help Republicans fulfill their constitutional obligations to give due consideration to President Obama's judicial nominations and other nominations.

The Constitution gives the Senate the job to give its advice and consent to the President's nominations to the judiciary. So far, the Republican leader and his party are failing catastrophically. They are intent on delaying important confirmations, even in the face of increasing judicial emergencies all over this country.

Today marks the 182nd day of the 114th Congress. Yet today will be our first circuit court nomination. That means for almost 7 months, the Republican Senate has not confirmed a single appellate court judge, but today we are going to finally consider one, and that is important. We will be hopefully confirming the first Latina on the Federal Circuit.

Kara Farnandez Stoll is well qualified by every measure. Her nomination was reported out of the Judiciary Committee months ago. Yet no Republican can explain why she has waited this long to have a vote. It is all part of a disturbing trend, I am sorry to say, of neglecting constitutional duties.

According to the Congressional Research Service, the new Republican Senate has doubled the average time for the confirmation of the first circuit judge for any President in the modern era. The new Republican Senate is once again making history but for all the wrong reasons. The Republican leader and his party are on pace to confirm the fewest judicial nominations in half a century.

President Obama's Federal judges are not getting a fair shake. They are bottled up in the Judiciary Committee. They are focused on I don't know what in that committee, but it is certainly not moving the President's nominations. Nominations are forced to wait longer than in past Congresses on the floor.

I have spoken before about the nomination of one very well-qualified person from Philadelphia, Luis Felipe Restrepo—another extremely well-qualified judge-to-be. The junior Senator from Pennsylvania delayed his confirmation by not returning the blue slip to advance his nomination. Before

we left for the recess, the Judiciary Committee delayed his hearing again. Yet the junior Senator from Pennsylvania said he is not responsible for the delay because he does not sit on the committee.

This good man, Luis Felipe Restrepo, has waited far too long. He has been nominated to fill a judicial emergency. Judicial emergencies have skyrocketed under Republicans' lack of leadership. Justice delayed is justice denied. The people of Pennsylvania deserve to have him confirmed. So why doesn't the junior Senator from Pennsylvania simply ask to confirm Judge Restrepo immediately? I am confident that if that happened we would have that matter on the calendar. We could confirm Judge Restrepo to the Third Circuit next week if Republicans would quit playing games with nominations.

Time and time again, Democrats have asked for the fair consideration of President Obama's judicial nominations. It is not too much to ask the new majority to match the numbers of confirmations Democrats gave George W. Bush the last 2 years of his administration. By this point, Democrats had confirmed 21 of President George W. Bush's judges-to-be. President Obama has only had four confirmed to date.

And according to the senior Senator from Texas, we should not expect a change anytime soon. Here is what he said. Speaking of Republicans' desire to keep nominations at a trickle, the assistant Republican leader said last week: "It'll be a slow, steady pace." The pace certainly has been slow, but not steady—more like nonexistent. One circuit court nominee in more than 6 months is an embarrassment. That puts the Senate on pace to confirm fewer than four circuit court nominees this entire Congress. It does not matter that there are judicial emergencies all over the country.

But Republicans' inaction on nominees is not just hurting our judicial system; it is also hurting our Nation's ability to combat terrorism, including ISIS. One way to help stop ISIS and other terrorist organizations is to go after their funding. Republicans know that. But listen to this, Mr. President. Since April, Adam Szubin, President Obama's nominee to the Department of Treasury as Under Secretary for Terrorism and Financial Crimes, has remained in limbo. It is so important to this country. We have the situation going on with Iran. We need people in the Treasury Department to help figure out all that is going on in regard to terrorism there and other places in the world. Yet Republicans will not confirm this good man. He cannot get a vote. And who knows why. Ask Republicans.

By any objective measure, the Republican Senate is failing in their basic constitutional responsibility to provide



advice and consent. The American people deserve better. They deserve a Senate that does its work responsibly and completes it on time.

Mr. President, will the Chair announce the business of the day.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### EVERY CHILD ACHIEVES ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of S. 1177, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (S. 1177) to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, if I could gain the attention of the Democratic leader for just a moment, before he leaves the floor. In a few moments, the Senator from Washington and I will make our opening statements on our proposed committee legislation to fix No Child Left Behind, but before we do that, I want to first express my appreciation to the majority leader for his putting it on the floor, bringing it up. I know the majority leader has a variety of other options, and he is giving us a chance to take our bill, which we will be describing in a few minutes, and put it on the floor.

I also want to acknowledge and thank the Democratic leader because he has allowed the bill to come to the floor without delay so that we can move to the bill and allow Senators to begin to vote on it. We hope to begin having those votes tomorrow morning.

We have a good example of cooperation here with the majority leader bringing the bill to the floor, a unanimous bill by the committee. Senator MURRAY, a member of the Democratic leadership, played a major role in the legislation. In fact, it was her advice that I took which caused us I think to have success in the committee by presenting a bipartisan bill. But I specifically want to thank Senator REID for his attitude on the bill. I think that will create the environment in which we will have to frankly work through some contentious issues. This is not an issue-free piece of legislation. We are 7 years overdue. It should have been passed in the last two Congresses. But we have made a good start.

I thank both leaders for giving Senator MURRAY and me a chance to try to work in the next few days with other Senators to continue the amendment process, allow Senators to have their say, get a result, and work with the

House to send a bill to the President that he is willing to sign.

The PRESIDING OFFICER. The minority leader.

Mr. REID. Mr. President, my friend from Tennessee is an expert in education. Not only was he the Governor of the great State of Tennessee, he was also the Secretary of Education. He knows education. And he has a good partner to work with, PATTY MURRAY. The senior Senator from Washington is a legislator first class, and the work they have done as leaders of this important committee has been very, very good.

I appreciate the kind words of my friend from Tennessee, but this is an example of what I talked about a few minutes ago. We are not treating Republicans the way they have treated us. I repeat, every piece of legislation I brought to the floor we had to file a motion to proceed on—with extremely rare exception, everything. We wasted months going through this senseless 2 days, 30 hours, and on and on with all the time spent on this. It was an effort to embarrass President Obama, and they did their best to do that. But as cynical as it was, it helped them in the 2014 elections, and I acknowledge that, and that is too bad. But it is too bad we had to go through all that because it has really hurt the country.

I say to my friend, I have great respect for this man from Tennessee. He is a good legislator, and I look forward to moving forward on this important piece of legislation involving elementary and secondary education. We have to do a better job, and I think there are no two better qualified people than the two managers of this bill to accomplish that.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I thank the Democratic leader. Senator MURRAY and I will make our opening statements, but I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, we begin debate today on a bill to fix the problems with No Child Left Behind, the Federal law that has been causing confusion and anxiety in 100,000 public schools in our country.

This week, Newsweek magazine called this the “law that everyone wants to fix.” There is a broad consensus about that, and, remarkably, there is a broad consensus about how to fix it. This is the consensus: that we should continue the law’s important measurements of students’ academic

progress but restore to States, school districts, classroom teachers, and parents the responsibility for deciding what to do about the results of those tests. In my view, this change should produce fewer tests and more appropriate ways to measure student achievement. We believe this is the most effective path toward higher standards, better teaching, and real accountability.

Our Health, Education, Labor and Pensions Committee—the Senate’s education committee—obviously believes that too. The committee reported the bill unanimously. Senator MCCONNELL, the majority leader, noted earlier that committee has on it some of the Senate’s most liberal Democrats and several of the Senate’s most conservative Republicans. It was a surprise to many people that the committee reported it unanimously. But the committee understood that this was a problem we needed to solve and that we had a fair and open process, everyone had a chance to participate, and that the bill was good enough to come to the floor, where we could continue to work on it.

Not only is there a consensus about how to fix it within the U.S. Senate committee on education, there is outside of the Senate. This bipartisan bill, which has come to the Senate floor, has been supported by teachers, by school boards, by school superintendents, by chief State school officers, and by Governors.

The Presiding Officer is a former Governor, as am I. Both of us would have to go back a long time to remember something that was supported as enthusiastically by both the National Governors Association and the major teachers unions, but this bipartisan proposal is.

Earlier I thanked the majority leader, Senator MCCONNELL, for putting the bill on the floor. That may seem like a small matter for those not involved in the Senate, but it is a big matter. He has a pretty big list of bipartisan legislation that is important to this country’s future, and he could have chosen any of those to bring to the floor. But he saw the importance of education to our country and that we not only need a strong national defense, but we need to be strong at home.

So we are going to be dealing with legislation that affects 100,000 public schools, 50 million children, 3½ million teachers. It may not be big news every day in Washington, DC, but it sure is in Nashville, TN, in Maryville, TN, in Washington State, and in North Dakota.

If you go home, you hear quite a bit about Common Core. You hear quite a bit about the national school board. You hear quite a bit about whether the standards we have for our children are enough to help them get a job and to help them succeed in the world we

have. So I thank the majority leader for putting it on the floor.

As I said before, I thank the Democratic leader, Senator REID. He has allowed the bill to come to the floor as rapidly as it could. There have been no delaying tactics whatsoever. We didn't have to have a motion to proceed and a cloture vote. I am grateful for that because that means we can work with other Senators and put this bill into shape and give more people a chance to have their say on behalf of their constituents at home.

I want to give my special thanks at the outset—and I probably will again during this debate more than once—to the Senator from Washington State, Mrs. PATTY MURRAY. She is a good partner to have in this, and I am glad I took her advice in dealing with this bill. I knew we had a problem because we tried in the last two Congresses to solve this problem, and we absolutely failed. We are 7 years overdue. But Senator MURRAY made the suggestion that she and I try to work together to create a bipartisan product that we could present to the committee and then work from that. I took that advice, and it turned out to be excellent advice. Her ability to be a forceful advocate for her positions but at the same time command respect within her caucus and among people around the country who know her and to make this work is a principal reason, if not the main reason, we had a unanimous report from the education committee. So I am grateful to her for that.

If you are a busy parent of one of the 50 million children attending public school today, you may not know your child has been going to school for the last 7 years under a broken and expired Federal education law. You may not know that the U.S. Department of Education is practically running your child's school, if you live in one of 42 States operating under waivers. You may have heard your child's teacher complain about how little flexibility he or she has to help your child and to innovate in the classroom, and you have probably seen your child's frustration at the number of tests he or she is taking.

You have no doubt heard of the frustration of other parents and teachers about Common Core, the academic standard most States have adopted. In 2009, the Department of Education created a \$4.4 billion pot of money that States competed for. This was called Race to the Top. States got extra points for adopting Common Core. Race to the Top caused 30 States plus Washington, DC, to adopt Common Core so they could include that in their application.

Then along came the phenomenon of waivers, because we in Congress had failed to act since 2007. The original No Child Left Behind bill passed in 2001 became unworkable. It established a goal

that by 2014 all of our children in 100,000 public schools would be proficient in math and science. We got to 2014—or were getting there—and the children weren't proficient. So all the schools—almost all our public schools—were labeled as failing. So to avoid that bizarre result the Secretary issued waivers. But at the same time he issued some requirements about what you had to do to get a waiver if you were the State of North Dakota or Tennessee or some other State.

So you are likely to have heard from teachers and school board members frustrated about the narrow definitions from Washington about exactly how to evaluate teachers and what to do about low performing schools. Those requirements came with the waivers.

You may be frustrated that your child doesn't have more options for school than the nearest public school. I believe this bill will end many of those frustrations. It will restore responsibility to States for deciding what academic standards to use and will restore responsibility to teachers to do what they do best, and that is to help your child learn what they need to know and be able to do.

It will stop the trend of taking too many tests by restoring to States the responsibility for deciding how to use Federal test scores in measuring school achievement. It will help States expand and replicate their best charter schools so more parents will have a choice of schools.

The Senate education committee adopted 29 amendments during its debate on the bill. Already Senator MURRAY and I are working with Democratic and Republican Senators on adopting a large number of other amendments. In fact, I will have a substitute amendment for our bill to offer a little later this afternoon that will include a number of those amendments, and we expect there to be a robust discussion and debate and votes on the Senate floor.

Now, just for some context about the debate we are having, when we talk about fixing No Child Left Behind, here is what we are talking about. We are talking about reauthorizing the Elementary and Secondary Education Act. We are talking about the spending in that act of about \$23 billion, which the Federal Government distributes to States through the law's nine titles. The biggest title is what we call title I. It spends about \$14.5 billion specifically to help low-income students.

Now, the \$23 billion that is spent through this bill we are debating is a lot of money, but it is only about 4 percent of the total amount this Nation spends each year on kindergarten through 12th grade public education. The Federal Government contributes another 4 or 5 percent to K-through-12 education through various programs. But the rest of the money, about 90 percent, comes from State and local governments.

Why No Child Left Behind must be fixed: The problems have been created by a combination of Presidential action—but let us not forget our own responsibility and our own fault for this problem. That is called congressional inaction. So it is the combination of Presidential action and congressional inaction that has led us to a situation where we have a bill described by a major news magazine as “the education law that everybody wants to fix.”

It started in 2001, when President George W. Bush and Congress enacted a bill called No Child Left Behind, which requires a total of 17 tests between reading and math and science during a child's elementary and secondary education. The results of these tests must be disaggregated and reported according to race, ethnicity, gender, disability, and other measures so parents, teachers, and the community can see which children are being left behind.

In other words, a typical third grader would have two tests, one in reading and one in math. Each test should last about 2 hours. Then that test for that school would be reported to the public, and you would break it down according to the groups I just mentioned, and we could see if any group of children in any community is being left behind.

That wasn't all the law did. The law also created Federal standards—created here in Washington—for whether a school is succeeding or failing, what a State or school district must do about that failure, and whether a teacher was highly qualified to teach in a classroom. Those are Washington, DC, definitions.

If fixing No Child Left Behind were a standardized test, Congress would have earned a failing grade for each of the last 7 years because No Child Left Behind expired in 2007. We have been unable to agree on how to reauthorize it. As a result, the law's original requirements stayed in place and gradually became unworkable. As I mentioned earlier, this would have caused all of America's public schools—almost all of them—to be classified as failing schools under the terms of the law.

The reason for that was the law set up as a goal that by 2014 all children would be proficient in reading and mathematics. That sounded like a fair enough goal to have when you are looking at it from 2001. But the closer we got to 2014—even by some of the lowest and easiest definitions of proficiencies established by States—it was clear that most children and most schools wouldn't reach that goal. So President Obama's Education Secretary offered waivers from the terms of the law, and today 42 States operate their public schools under the terms of those waivers from the original provisions of No Child Left Behind.

But instead of just saying yes or no, here is a waiver, each of those waivers

contains some requirements. The Secretary really had the State over a barrel. He said: If you want a waiver from these unworkable provisions, you are going to have to do a few things. One is to adopt certain academic standards. That turned out to be, in most cases, Common Core. One was to take prescribed steps to help failing schools. Another was to evaluate teachers in a defined way.

There was so much new Federal control of local schools over the last several years that this has produced a backlash against Common Core academic standards, a backlash against teacher evaluation, and against tests in general. Governors and chief State school officers complain about Federal overreach. Infuriated teachers say the U.S. Department of Education has become a national human resources department or, in effect, a national school board.

This doesn't just come from Republicans. This comes from Democratic chief State school officers who have come to my office and who have come to Senator MURRAY's office and have said: Please give us more flexibility. We are with the children. We are in our States. We think we know what to do.

They say it in different ways maybe if they are Republicans or Democrats, but they all basically have said the same thing, which is why we have this consensus, at least so far on how to fix this legislation, this law that everybody wants to fix.

So what is this remarkable consensus on how to fix the law? Here are nine things the bill does. No. 1, it strengthens State and local control. The bill gives responsibility for creating what we call accountability systems to States. Now, "accountability systems" simply means who is in charge of making sure the job gets done. Well, that goes to States, working with school districts, with teachers and with others to make sure all students are learning and preparing for success. The accountability systems will be State designed. They will meet minimum Federal parameters, including ensuring that all students and subgroups of students are included in the accountability system.

Disaggregating student achievement data—those are the tests I talked about earlier. In establishing challenging academic standards for all students, the Federal Government is prohibited from determining or approving State standards. So if you are in Alaska, Tennessee or Washington, the Federal Government says if you want the Federal money, you have to have challenging standards and you have to have a test of those standards. But those are your standards, and those are your tests. You need to publicize them so the world can know how kids in schools are doing, but the Secretary in Washington is specifically prohibited by this proposal of ours from determining or approving those standards.

No. 2, our legislation would end the Common Core mandate. The bill affirms that States may decide for themselves what academic standards they will adopt without interference from Washington, DC.

I mentioned a little earlier how the \$4.4 billion pot of money caused as many as 30 States to immediately say: Yes, we will adopt Common Core. Now, maybe they were going to do it anyway, and we can talk about that more in just a minute, but that is what it did.

The Federal Government may not, under our proposal, mandate or incentivize States to adopt or maintain any particular set of standards, including Common Core. States will be free to decide what academic standards they will maintain in their States. If they want Common Core, they can have Common Core. If they want half of Common Core, they can have half of it. If they want uncommon core, States can have that. They simply have to have standards, and the Secretary is prohibited from telling them what those standards are.

No. 3, the bill would end the Secretary's waivers. The waiver provision was a small part of the original bill in 2001. I doubt if those who passed it ever expected it would be used the way it has been used by the current Secretary. The bill prohibits the Secretary, though, from mandating additional requirements for States or school districts seeking waivers from Federal law.

In other words, if I come as Governor of Tennessee to the Secretary of Education and say: I would like to have a waiver. He can say yes or he can say no, but he can't say: Well, you can get a waiver if you will evaluate teachers this way, adopt these standards, and fix these performing schools in that way. That is up to the State. The bill limits the Secretary's authority to disapprove a waiver request as well.

No. 4, the bill maintains important information for parents, teachers, and communities. No issue has stirred as much controversy in our discussion as testing. No Child Left Behind required students to take 17 standardized tests over the course of their kindergarten through 12th grade education, and it attached high stakes for schools, school districts, and States to the results. As we studied the problem, as we listened to teachers and Governors and people of both political parties, it became obvious to us that it wasn't so much those 17 federally required tests but the stakes attached to them.

A third grader, for example, is required to take only one test in math and one test in reading. The testimony of the Denver school superintendent was that each of those tests takes about 2 hours. If you take two tests in the third grade and two in the fourth grade—and those are the tests that are

publicized so people can tell whether the school is succeeding or the child is succeeding or children are being left behind—that is not very much time out of the school year. But the accountability system for what to do about the test results contributed to the exploding number of State and local tests. Many of them were given to prepare students for the high-stakes Federal tests.

Our proposal maintains the federally required two annual tests in reading and math in grades 3 through 8 and once in high school, as well as science tests given three times between grades 3 and 12.

These important measures of student achievement need to be reported publicly so parents can know how their child is performing. It is important the results be disaggregated so we know if any particular group of students is being ignored or left behind. It can also help teachers support students who are struggling to meet State standards.

We have included in our proposal before the Senate an amendment from Senator COLLINS and Senator SANDERS for a pilot program which would allow States additional flexibility to experiment with innovative assessment systems—meaning tests—that might replace the kind of standardize tests used today. It is important to point out that the Federal requirement isn't for a particular test. It simply says the State has to have one and the State has to publicize it in a special way.

No. 5, our proposal ends Federal test-based accountability. We discovered that the problem is the Federal Government's accountability system for what to do about the results of these tests, which has contributed to the exploding number of State and local tests. Said another way, it is the "made in Washington" decision about what a qualified teacher is, how to evaluate a teacher, and what is adequate yearly progress in a school. All of that is what seems to have caused the exploding number of tests we have heard about so much.

To give an example, in testimony it was said to us that Fort Myers, FL, had 183 tests for children in the kindergarten through 12th grade career of a child. We know only 17 of those are Federal tests under No Child Left Behind. So where are the rest of the tests coming from? They are State and local tests. Once the spotlight was shown on Fort Myers, FL, and their 183 tests, it became clear it wasn't No Child Left Behind causing that—or at least it wasn't Federal tests but State and local tests that were causing this. Then the number of tests quickly went down.

Because of this, our proposal ends the high-stakes Federal test-based accountability system of No Child Left Behind and restores the accountability system to State and local responsibility to hold schools and teachers accountable.

Teachers are in the assessment business. They said to us: Look, there are many different types of tests and assessments. We do this all the time. We have pop quizzes, we have end-of-the-year tests, we have standardized tests, we have multiple choice tests, and we have open-ended questions. We need to be deciding what those assessments should be, and we need to be deciding what weight each of those has in deciding how this child is doing or how this school is doing or how this group of children are doing. So they don't really object to having a standardized test as one of the measurements. What they object to is having a single standardized test—set in Washington, DC—count for so much and to pretend that here we can make a decision about what may be going on in native schools in Alaska or the mountains of Tennessee or schools in Harlem.

States must include these standardized tests in their accountability system, but States will determine the weight of these tests. States will also be required to include graduation rates, another measure of academic success for elementary schools, English proficiency for English learners, and one other State-determined measure of school success or student support.

States may also include other measures of student and school performance in their accountability systems in order to provide teachers, parents, and other stakeholders with a more accurate determination of school performance.

State accountability systems must meet limited Federal guidelines, including challenging academic standards for all students, but the Federal Government is prohibited in this proposal from determining or approving State standards. So whether a State adopts common core or any other academic standard is entirely the State's decision.

This transfer of responsibility for determining what to do about the results of tests is why we believe our proposal will result in fewer and more appropriate testing for children.

There are three more things that our proposal does. No. 6, it strengthens the charter school program. The bill provides grants to State entities and charter management organizations to start new charter schools and to replicate or expand high-quality charter schools, including by developing facilities, preparing and hiring teachers, and providing transportation. It also provides incentives for States to adopt stronger charter school authorizing practices, increases charter school transparency so we can know what is going on, and improves community engagement in the operation of charter schools.

Charter schools are public schools. I remember in 1992, when I was Education Secretary, the last thing I did was that I wrote a letter to all the

school superintendents in the country in all the different school districts—I guess there are 14,000 or 15,000—and asked them to consider creating in their school district one of the new start-from-scratch schools that had been created in the State of Minnesota by the Democratic-Farmer-Labor government. There were 10 of them, and they called them charter schools. Those were the first 10 charter schools.

There are 6,700 charter schools today. About 6 percent of all public school students go to charter schools. Charter schools, in my view, are nothing more than public schools in which teachers have the freedom to give children what those children need, and parents have the freedom to choose the school that their child attends. I think any teacher would much prefer to have that sort of arrangement and that sort of freedom—freedom from State regulations, freedom from Federal regulations, freedom from some union rules—so they can provide for the children who come to that school and who choose to go to that school the kind of education those children deserve.

No. 7, our proposal would help States fix the lowest performing schools. The bill includes Federal grants to States and school districts to help improve low-performing schools identified by State accountability systems. School districts will be responsible for designing evidence-based interventions for low-performing schools with technical assistance from the States. The Federal Government is prohibited from mandating, prescribing or defining the specific steps school districts and States must take to improve these schools.

Why would one do that? Let me give an example of what goes on today. Under the waiver requirements, if you have a low-performing school, you have to identify a certain number. That is prescribed by Washington. Then you have six ways you can fix the school. I insisted a couple of years ago that we add a seventh. Showing my old Governor biases, I said: Let's allow a State to come up with a seventh way of improving a low-performing school, and that would be whatever the Governor thinks would be the best way to do it. That was adopted by the Congress. About 12 months later, out came a regulation from the U.S. Department of Education defining, limiting, and explaining what a Governor could do about it.

The whole purpose of the exercise was to get rid of that sort of instruction from here and to recognize that Governors themselves might feel like their principal responsibility might be to improve a low-performing schools. I always did when I was there. And I, with all respect, didn't really need advice from Washington, DC, about how to do it.

No. 8, it helps States support teachers. The bill provides resources to

States and school districts to implement activities to support teachers, principals, and other educators, including through high-quality induction programs for new teachers and ongoing rigorous professional development opportunities. The bill allows—but doesn't require—States to develop and implement teacher evaluation systems.

I know I am using some of my own experiences here, but that is how I have learned. I believe that teacher evaluation is the holy grail of public education. Parents are more important than teachers, but I have yet to figure out how to pass a better parents law.

Most of the evidence we know about shows that the single most important way to help a child succeed is to put that child in the presence of a really exceptional teacher. So in 1984, Tennessee became the first State to pay teachers more for teaching well. That included a 1½-year brawl with the National Education Association, which objected to it.

President Reagan was President then. He came to Tennessee not to tell us to do it and not with any Federal dollars but just to say this is important to do and this is good to do. That helped me greatly in passing it in the legislature, which was Democratic at the time, and this kind of leadership began the process across the country that has spread—the evaluation of teachers—to identify the better teachers, to encourage them, to reward them, and to try to keep them in the teaching profession.

It was assumed when I came here that because I was so involved in teacher evaluation, I would want to come to Washington and say: OK, now everybody has to do what Tennessee did. But I have done just the reverse. The last thing we needed in Tennessee when we were trying to do teacher evaluation in a fair way was Washington looking over our shoulder, making it more difficult and complicated.

Evaluating good teachers, particularly rewarding outstanding teaching, is not easy to do. It sounds simple, but it is hard. It needs something teachers can buy into that may be different in Alaska and Tennessee and Washington, and it needs to respect what the circumstances are in each place. The goal is to reward outstanding teachers and make teaching more professional and to recognize that excellent teachers of math have great opportunities at IBM or some other company. I want to encourage that. This does that, but it doesn't mandate it from Washington.

No. 9, finally, this helps States improve the fragmentation of early childhood programs. I suspect we will hear a lot about this from Senator MURRAY because we heard a great deal about it in the committee from her. She is a preschool teacher. Her mother was as well. I think one of the things Senator MURRAY learned as a preschool teacher

was how to work well with others, which is what 5-year-olds learn. She is a passionate advocate for early childhood education—more than we have in this bill. But we have an important step forward in this bill, in my opinion, that Senator MURRAY and Senator ISAKSON offered as an amendment. It was approved by the committee.

It will provide competitive planning grants to help States expand quality early childhood education by addressing the fragmentation of spending of Federal dollars currently through early childhood education programs. We spend about \$8 billion on Head Start. We spend about another \$6 billion or \$7 billion on child development block grants. That total amount of money is as much money as we spend in the entire title I program for kindergarten through the 12th grade. We spend another \$8 billion or \$10 billion throughout different parts of the Federal Government for early childhood education. Then there is State funding for early childhood education. Then there is local funding. Then there is private funding.

For example, the testimony from the superintendent of education from Louisiana was that, as much as more money, what would help create more educational opportunities for children ages 2, 3, and 4, is for States and local governments to be able to spend the money we are already spending more effectively. He said: There are too many silos. You can't use the Head Start money in conjunction with this money or that money or in conjunction with this money. This proposal in our bill would be a step toward helping States use Federal dollars more effectively in early childhood education.

Finally, I said earlier that if fixing No Child Left Behind was a standardized test, Congress would have earned a failing grade for the last 7 years. In each of the last two Congresses, the Senate committee that Senator MURRAY and I head produced bills to fix No Child Left Behind. But these bills divided our committee along party lines. Even so, two Congresses ago, Senator ENZI, Senator KIRK, and I voted with the Democratic majority to report a bill out of committee so that the full Senate could act.

In the last Congress, the committee majority passed a partisan bill without any Republican votes, but I committed to support Chairman Harkin in taking the bill to the floor if there would be an open amendment process.

Unfortunately, these bills never reached the floor. We needed, obviously, to do something different, which is where Senator MURRAY's leadership became so important. She suggested the way that we proceeded, which allowed us to create a bridge across the partisan divide so that we could recommend to the full committee a bipartisan solution upon which they could

build and upon which the full Senate could build.

I accepted her suggestion, and I have repeatedly thanked her for it. She and I have listened carefully to our Senate colleagues, to teachers, principals, Governors, chief State school officers, students and parents, and to the business and civil rights communities, and we have listened to each other. I am grateful that the majority leader has put the bill on the floor and that the Democratic leader has allowed it to come to the floor expeditiously.

Senators with amendments will have a chance to have a vote on those amendments. Already in our Senate education committee, we considered 58 amendments, and we have adopted 29. We have had a fair and open process, which I believe is the main reason the committee vote was unanimous.

I would like to say this: Senator MURRAY and I have exercised restraint. Neither of us has insisted on forcing into the bill every proposal about which we feel strongly. We know that to get a result we have to achieve consensus. We know that in the Senate, "consensus" means at least 60 votes. We know that if we succeed here, we will have to deal with our friends in the House of Representatives. After that, if we want a result, which we do, we want the President's signature. We want to fix No Child Left Behind—not just make a political statement.

The only major objection to this bill that I have heard is one from some groups that believe the path to higher standards, the path to better teaching, and the path to real accountability is through Washington, DC, instead of State by State.

I would like to offer three reasons why I think this is wrong and why I believe our consensus to restore decisions to those closest to the children is right.

No. 1, States are better prepared today to set higher standards, to evaluate teachers, to develop good assessments, and to develop good accountability systems than they were when No Child Left Behind passed in 2001. President Bush and President Obama can take some credit for that and should.

No. 2, the national school board—as I call it—which has been created over the last 10 years as we move more and more responsibility from States to Washington, DC, has created a backlash. It has made it harder to have higher standards. It has made it harder to evaluate teachers. It has showed conclusively that the better path to higher standards, better teaching, and accountability is through the States and not through Washington.

No. 3, most Americans understand that you don't get wiser and more caring simply by getting on a plane and flying to Washington. In fact, the people closer to the children are usually

better equipped to make decisions about their well-being.

I have, principally because of age, a long view of this whole process. States are better prepared today than they used to be. I was Governor when Terrel Bell, President Reagan's Education Secretary in 1983, issued "A Nation at Risk," saying that our schools were in such a shape that if a foreign country had done that to our country, we would have considered it an act of war.

I worked together with other Governors—the Governors who were elected adjacent to me, especially Governor Clinton, Governor Riley, and Governor Graham—and the National Governors Association. In 1985 and 1986, Governor Clinton and I caused all of the Governors to work on something we called "Time for Results" to begin to move State by State toward more achievement for our students. Then in 1989, President George H. W. Bush called the Governors together to a summit and set national education goals.

That never happened before in our country. It may sound like an easy thing to do, to say let's have goals of all children being proficient in math, science, English, history, and geography. But just to pick those subjects was a controversial topic. Just to spend that time on it was a great step forward.

Then "America 2000" in 1991 and 1992, when I was Education Secretary, was the way to reach the goals. That is where we began to see this debate again. Is the best way to do it State by State, community by community or is the best way to do it through Washington, DC? President George H. W. Bush believed the best way to do it was State by State, community by community. He advocated voluntary national standards, but they were voluntary. He advocated voluntary national tests, but they were voluntary. He advocated accountability systems, but they were voluntary as well. He advocated more choices for parents of low-income children and an expansion of charter schools.

What the Governors have done since that time is worked together State by State to create our standards, better tests, and better accountability systems. The Governors have also agreed that States would take the so-called NAEP test, the National Assessment of Educational Progress, which is a sample test. Not all students take it. But it keeps the Governor of Tennessee from setting a low standard, which we once did so we looked good when we achieved that standard. Now we can know whether Alaska and Tennessee are really comparable because that test is public and we take it.

The second point I made about this was about the backlash. It may seem counterintuitive to say that it is harder to create higher standards because of the Common Core debate, but you

would understand it pretty well if you ran for the Senate in a Republican primary or even in a general election, which I did last year. Common Core was an issue both in the primary and in the general election. What I said was this: Wait a minute; I think Washington should stay entirely out of it. But people were so upset with Common Core, not really so much because of what is in it but because Washington was requiring it or at least it seemed to them that it was Washington taking over local schools.

The truth of the matter was that Common Core began with Bill Bennett, a former Education Secretary and a leading conservative, when he was head of the National Endowment for the Humanities here in Washington, DC. He sponsored research by E.D. Hirsch in Virginia, who wanted to put more rigor in academic curriculum.

When the first President Bush called the Governors together and said we want to set these high goals and Governors begin to talk about what the standards for the proposed goals are, Governors began to work together on something called Achieve. There were some who said: Let's have Washington do it.

But the Governor said: No, you stay out of it; we will do it together.

It was out of this that the Common Core academic standards came together. It was basically a bunch of conservative Governors working together to add rigor to the system. But what spoiled it was that Washington's involvement in it in the 1990s created this enormous backlash and now Governors are backpedaling. At a time when, for example, in our State we have advanced manufacturing coming in and workers need to know a lot in order to get a job, we are arguing about whether to have high standards because of the backlash against Common Core. We need to get Washington out of the Common Core debate and let Tennessee and every other State make their own decisions about what their academic standards should be. Then, if you don't like what your child is learning, you can go talk to your Governor or your legislature and they have 100 percent of the authority to decide whether that is good or whether that is bad.

Then there is teacher evaluation. As I said, I spent a lot of time on that in the 1980s and since. It is hard to do. It is hard enough to do without adding a new element, and the new element is the highly prescriptive method that is defined from Washington about how to do a teacher evaluation. That produced a backlash.

Teachers unions are up in arms. When they are up in arms, that makes it harder to put in a teacher evaluation system. If you believe, as I do, that high standards and teacher evaluation are the underpinnings of a great edu-

cation system and are the way that you help children learn what they need to know and are able to do, you do not want to create a backlash to those efforts by insisting on prescriptive definitions from Washington, DC.

Finally, it is a strange idea, as I mentioned earlier as well, to suggest that those of us who fly from Knoxville to Washington—or Senator MURRAY flies a long way each week and goes all the way to the West Coast and back, but almost all of us go home almost every weekend—get that much smarter and that much wiser on the plane flying here. I may get a little less smart and a little less wise on the plane flight here. It doesn't help me to know any more about what is going on in the Tennessee mountains or the native areas of Alaska or in eastern Washington State by being here in Washington, DC.

We spend 4 percent of the Nation's education dollars through this bill we are debating today. I think we have a right to ask: How are these children doing? Take a test, report the results, and let us see if children are being left behind. But we shouldn't presume then to say: Here then is what you ought to do about it. We are going to decide who is succeeding, who is failing, what the right way to fix that is. We can't do that with 50 million children, 100,000 schools, and 3.5 million teachers. All those are better done by men and women who are closer to the children.

One of the most eloquent statements of what I just said came from Carol Burris, New York's 2013 High School Principal of the Year. She wrote us after we began work on our proposal and put it online and this is what she said:

Remember that the American public school system was built on the belief that local communities cherish their children and have the right and responsibility, within sensible limits, to determine how they are schooled.

While the federal government has a very special role in ensuring that our students do not experience discrimination based on who they are or what their disability might be, Congress is not a National School Board.

That is the principal of the year in New York State saying that.

She went on to say:

Although our locally elected school boards may not be perfect, they represent one of the purest forms of democracy that we have. Bad ideas in the small do damage in the small and are easily corrected. Bad ideas at the federal level result in massive failure and are far harder to fix.

That is advice from the New York Principal of the Year. In other words, our well-intentioned guidance from Washington is usually not as effective as a decision made in the home, classroom, and community by those closest to the children.

What we heard over and over from Democrats as well as Republicans was that while continuing measurements of

academic progress are important in holding schools and teachers accountable, we should respect the judgments of those closest to the children and leave to them most decisions about how to help 3.4 million teachers help 50 million children in 100,000 public schools.

A little humility on our part is an important part of the recipe for a successful fix of No Child Left Behind. I look forward to this debate. I particularly look forward to fixing this law that everybody seems to agree has to be fixed, and that most people seem to agree on how to fix it.

If Senators were in a classroom, none of us would expect to receive a passing grade for unfinished work. Seven years is long enough to continue fixing No Child Left Behind.

I yield the floor.

The PRESIDING OFFICER (Mr. SUL-LIVAN). The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Senator from New Jersey, Mr. BOOKER, follow my remarks on the floor.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, since our Nation's founding, the idea of a strong public education for every child has been a part of the fabric of America because when all students have the chance to learn, we strengthen our future workforce, our country grows stronger, and we empower the next generation of Americans to lead the world. A good education can provide a ticket to the middle class, so improving education is an important part of what it means to grow our economy from the middle out, not from the top down.

Today marks the first day of debate on our bipartisan bill to strengthen our education system by reauthorizing the Nation's K-12 education law, the Elementary and Secondary Education Act, or ESEA. This work is a chance to recommit ourselves to the promise of a quality education. For every child, it is an opportunity to finally fix the current law, No Child Left Behind.

I have been very proud to partner with the senior Senator from Tennessee throughout this process, and I commend Chairman ALEXANDER for working with me to create this bipartisan bill and for passing the Every Child Achieves Act through the education committee with unanimous support.

I think it is important at the onset to discuss why we need to fix the current law. I also would like to lay out what we accomplished in the Every Child Achieves Act and go through how I think we can best strengthen this bill and pass it through the Senate with bipartisan support.

I wish to acknowledge my committee members as well. This bill is better

thanks to their hard work and commitment to their priorities and their communities.

Nearly everyone agrees that No Child Left Behind is badly broken. For one, the current law required States to set standards for schools but then didn't give the schools the resources they needed to meet those standards. Second, across the country we are still seeing inequality in education, where some schools simply don't offer the same opportunities as others, and some schools still have very large achievement gaps.

I have seen firsthand how this law is not working for my home State of Washington. No Child Left Behind has become so unworkable that the Obama administration began issuing waivers to exempt States from the law's requirements. Washington State had received a waiver but lost it last year, and now most of the schools in my State are categorized as failing.

A few months back, I stood here on the Senate floor and told the story of a mom from Shoreline, WA. Her name is Lillian. Last year her son was going into the fourth grade in the same school district where I once served as a school board member. Lillian's son had a learning disability. With the help of teachers and specialists at his elementary school, he showed great signs of progress. But then Lillian got a letter in the mail 2 weeks before school started, and that letter described her son's school as failing. That left her worried about the kind of education her son was getting, and she said it gave her a wave of uncertainty over the coming school year.

I have traveled around Washington State over the past decade and I have heard from a lot of my constituents, from teachers in the classrooms, to moms at the grocery stores, to tech company CEOs. They all have the same message: We need to fix the No Child Left Behind law. I was very glad that earlier this year we got to work on a bipartisan basis to find common ground to do just that, and I remain convinced that the only way to advance a bill to fix this broken law is with a bipartisan approach. Students, teachers, and parents are counting on us to do this, and now it is time to take the next step as we debate the Every Child Achieves Act here on the Senate floor.

This bill is a strong step in the right direction to finally fixing No Child Left Behind and making sure all of our students have access to a high-quality public education. It addresses the high-stakes testing. I have heard from parent after parent, teacher after teacher in Washington State that students are taking too many tests. The current law overemphasized test scores to measure how students are doing in school. Our bill will give flexibility to States to use multiple measures—not just a sin-

gle test score—to determine how well a school is performing. The bill will create a pilot program for States to design new assessments, and that will provide our States with a lot of flexibility for innovation. Those steps will reduce the pressure on our students, our teachers, and our parents so they can focus less on test prep and more on learning.

The bill eliminates the one-size-fits-all provisions of No Child Left Behind that have been so damaging to our schools districts. Instead, the bill allows our communities, parents, and teachers to work together to improve schools and to ensure that every child receives a well-rounded education.

The bill maintains Federal protections to help students graduate from high school college- and career-ready. The bill also requires States to identify schools that do need improvement.

When the education committee debated the bill, I was also proud, as the Senator from Tennessee mentioned, to work on a bipartisan amendment with Senator ISAKSON to expand and improve early learning programs. As a former preschool teacher, I have seen the kind of transformation early learning can inspire in a child, so I am proud that this bill will help us expand access to high-quality early childhood education so more of our kids can start kindergarten ready to learn.

There are a few key ways that I want to continue to improve this bill. First of all, I believe we should strengthen the accountability requirements in the bill. Too many schools have failed too many of our children for too many years. When we don't hold the schools and States accountable for educating every child, it is the kids from our low-income backgrounds, kids with disabilities, kids who are learning English, and kids of color who too often do fall through the cracks. Before No Child Left Behind, it was easy for schools to overlook the performance of these vulnerable groups of students. Before 2002, as long as the school's overall performance was OK, it didn't matter if students of color or students from low-income backgrounds struggled to make progress year after year. The overall average of all students allowed achievement gaps to be swept under the rug even as some students fell further and further behind. We cannot go back to those days, and we can't back-track on holding our schools accountable for helping all of our students learn.

States should still be required to identify the schools that are struggling the most so they can get the help and resources they need to improve. States need to identify the schools where some groups of students aren't making enough progress. These schools should get the support and locally designed interventions they need to better serve their students. Let's remember that holding States accountable for all stu-

dents will only work if schools get the resources they need to promote students' success.

Unfortunately, some schools simply don't provide the same educational opportunities as others. Oftentimes students of color don't even have the option to take an AP course or use up-to-date technology in the classroom. African-American and Latino students are significantly less likely to attend a high school that offers advanced math or art classes, and, on average, kids from low-income neighborhoods don't have access to qualified and experienced teachers like students from wealthier neighborhoods often do. A ZIP Code should never determine a student's academic success. We need to make sure all students have equitable resources.

In the 1800s, Horace Mann, who is often called the father of American education, worked to make it universal and free for all. He famously said: "Education . . . is the great equalizer." I believe that is true but only if we continue to hold ourselves accountable for providing educational opportunities to all students. The Every Child Achieves Act takes some very important steps to do that. As we debate this bill, I hope we can build on the progress and continue to move in the right direction.

I do believe there are important ways we should be able to work together to improve the bill, but there are other ideas out there that may derail any chance of passing this bill and fixing No Child Left Behind. I know some of my Republican colleagues are interested in making title I funding "portable." That name sounds innocuous enough, but that proposal would allow funds to be taken away from schools that need the help the most, and it would defy the original purpose of our Federal K-12 education law. ESEA was meant to help level the playing field for students growing up in poverty. Efforts to backtrack on our country's commitment to target funds to the highest needs schools and instead give funding away to our more affluent schools is a nonstarter.

Others are interested in voucherizing the public school system. That would undermine the basic goals of public education by allowing funding designated for the most average students to flow out of the public school system and into mostly unaccountable private schools. Vouchers are unacceptable to me and would jeopardize our bipartisan work.

I am looking forward to our debate to make this bill even better. Half a century ago President Lyndon Johnson directed Congress to improve education for our Nation's students. In January of 1965, in what would be just months before signing the original ESEA into law, President Johnson said that when



it comes to education, “nothing matters more to the future of our country,” and that remains true today. The future of our country hinges on our students’ ability to one day lead the world, and a high-quality education for every student is one of the best investments our country can make to ensure we have broad-based and long-term economic growth.

Finishing this process we are working on today and getting a bill signed into law isn’t going to be easy. Nothing in Congress ever is. But students, parents, teachers, and communities across our country, including in my home State of Washington, are looking to us here in Congress to fix this broken law. We cannot let them down.

We need to work across the aisle to help our students and our schools and our teachers get some much needed relief from No Child Left Behind. We need to give our States flexibility while strengthening accountability and resource equity. We need to work together to reaffirm our Nation’s commitment to ensuring that all students have access to a quality education regardless of where they live or how they learn or how much money their parents make. By doing so, we will help our Nation grow stronger for generations to come.

I again thank the Senator from Tennessee for his tremendous leadership in getting us to this point and for working with us to make sure we get this bill to the President and signed into law so that we can all go home and say we fixed a badly broken law.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BOOKER. Mr. President, I rise today to discuss the reauthorization of the Elementary and Secondary Education Act. I rise today with the understanding that I have been a Senator for just a short while—about 19 months—and with the knowledge that I stand in a body full of champions for our Nation’s kids. I am proud of the conversations I have had on both sides of the political aisle and see the earnestness and hard work to ensure that America is a place where all children can thrive.

I wish to give a special thanks to Senators ALEXANDER and MURRAY, the chairman and ranking member of the Senate HELP Committee. They have worked tirelessly in an effort to expand educational opportunities for children, and I have no doubt that they have already made lasting contributions to the lives of our children. In addition to that, they have taken a flawed legislative reality in No Child Left Behind and have already made significant strides in improving it. It should be applauded. They have done good work. In a nation that has been overcome with test craziness, they lowered those ridiculous bars and barriers that are being put up at the local level to achieving high education.

I am proud to see a bipartisan consensus forming to correct the ills of No Child Left Behind which have been foisted upon school districts all over our country and which have made the quest for educational excellence more difficult, not easier or more empowering.

I say all of that, but I must also say that I am here because there is an enormous amount of work still to do. This body must confront the dark places in our country where the ideals of the American educational system and where the dream of this country of equal access to opportunity is being failed. We have work to do. There is a moral urgency in this country, and that is what I am worried about today.

It is deeply disconcerting to me that I cannot stand in the well of the Senate before you today and say that a child born in any ZIP Code in America will have access to a quality education and an equal shot in this Nation at learning the skills they need to make the most out of their lives, to contribute to our country, and to live their American dream.

It is troubling that I cannot stand here in the well of this auspicious body and say that we are leading our peers around the globe when it comes to the number of our kids—percentage of the population—who graduate from high school ready to succeed as part of the global economy.

It is shameful and ignominious that I cannot stand here today and say that we are doing everything we can to ensure that all of our students can succeed and that we are holding those schools that are performing the worst in our Nation—those schools that often deal with the poorest of our country, the most marginalized of our country—that we are doing everything we can to serve them.

There should be standards to which we hold ourselves accountable. For this Senator, it is this America where children are still struggling for the basic foundations of our ideals that concerns me.

It was back in 1967 at Stanford University—my alma mater—that Martin Luther King stood and gave a speech about the other America. Sadly, we are a nation that still reflects these words from decades ago. He talked about a great America where children have quality schools, quality housing, and opportunities to succeed. That is the majority of our Nation. It makes us all proud and honored to serve this country that is an example to the globe of what is possible in a vibrant and strong democracy. But in that speech, Martin Luther King also talks about the other America. It is in this America, he said, that people are poor by the millions. “They find themselves perishing on a lonely island of poverty in the midst of a vast ocean of material prosperity,” King said.

He said:

In a sense, the greatest tragedy of this other America is what it does to little children. Little children in this other America are forced to grow up with clouds of inferiority forming every day in their little mental skies. And as we look at this other America, we see it as an arena of blasted hopes and shattered dreams.

He details this other America by saying that “many people of various backgrounds live in this other America. Some are Mexican-Americans, some are Puerto Ricans, some are Indians.” Millions of them are White. “But probably the largest group in this other America in proportion to its size in the population is the American Negro.”

We are moving now on education legislation, but let’s tell the truth of what is happening in this other America—that there is still a dark underside where lack of achievement and lack of opportunity in this other America must be addressed.

I have visited schools all over New Jersey. We are a State that is the envy of America in the quality of our schools. We have reached heights of educational attainment, and New Jersey youngsters go to great, prestigious universities all over our State and our country. I am proud that we are one of the greatest education States in America. But I also know that even New Jersey has some schools—particularly in vulnerable places of high poverty—that fail to serve the genius of our children.

I have also had the privilege to travel our Nation, having been invited to speak in cities from coast to coast, and, like New Jersey, I see signs of hope and signs of promise. I see kids going to schools in the toughest neighborhoods, but those schools are more than schools—they are cathedrals of learning that serve their genius. Yet I am still told by parents from New Jersey and in our Nation, who look me in the eye and know their schools are failing their kids—they don’t need reports from any government body to let them know their kids are not getting the education they deserve and to know the even more painful truth that their children, should they not get the education they deserve, will have options for themselves that are lost and constricted in this greatly global economy we have.

I worry that if we put legislation forward which does not keep those children in the center of our hearts and our minds, the consequences of dashing those dreams are great for our Nation.

When I was a child, I heard this poem by Langston Hughes:

What happens to a dream deferred?  
Does it dry up  
like a raisin in the sun?  
Or fester like a sore—  
And then run?  
Does it stink like rotten meat?  
Or crust and sugar over—  
like a syrupy sweet?  
Maybe it just sags

like a heavy load.  
Or does it explode?

In our country, people who are in environments with schools that fail the genius of our kids witness the disastrous manifestation of that failure on a daily basis. We now know that in America, a young Black boy who does not graduate from high school has a 70 percent chance, without that diploma, of ending up in jail by his midthirties. We now know that in our prisons in this Nation, 67 percent of inmates are high school dropouts. We know that the national average spent for a student in our country is \$12,643. Yet, somehow we allow funds to drain from the National treasure that are the kids in our schools, by spending almost \$29,000, on average, to keep one person behind bars in federal prison.

If we deny poor children a quality education, there will be disastrous consequences. We now know that in our Nation, if you are born in poverty, you have a 9-percent chance of going to college. I will repeat that. If you are born in poverty, you have a 9-percent chance of going to college and graduating. This is unacceptable.

We cannot design legislation in this body that does not stand up to this reality. Indeed, the legislation we are passing now has its roots in its initial focus on the disadvantaged.

Fifty years ago this past April, President Lyndon B. Johnson sat in front of what once was a one-room schoolhouse in Texas, next to a woman named Kate Deadrich Loney, and signed into law the Elementary and Secondary Education Act. It had a purpose to it. It had a mission.

Sitting next to his former teacher and in front of his former school, President Lyndon Johnson signed the law and said that this law “represents a major commitment of the federal government to quality and equality in the schooling that we offer our young people. By passing this bill, we bridge the gap between helplessness and hope for more than five million educationally deprived children.”

That is not all he mentioned, but he specifically focused on those disadvantaged children—those 5 million in our Nation—who were not getting access to the American ideal, the American dream. Their dream was to be deferred or stolen or denied.

Today in America, 6 percent of high schools fail to graduate one-third of their students. We must do better by them. It is this issue in our country that we have to recognize.

As stated in President Johnson’s words, the Federal Government’s role in education has been that of a bridge between helplessness and hope, one that identifies the needs of the underserved and the most vulnerable students and the schools that are not serving them. Since 1965, the Federal Government has done a good job of playing

a critical role in advancing equality and greater educational opportunity so that more children are included. The creation of Pell grants, title IX, and the first Education for All Handicapped Children Act are great strides our Nation has taken in being that bridge from helplessness to hope.

The reauthorization of the critical legislation that first established that “bridge” has taken different forms over the past 50 years. In certain instances, as in the case of No Child Left Behind, it took a step too far. That is why this Senator praises Senator ALEXANDER and Senator MURRAY for beginning to correct the inadequacies and deficiencies and harm that bill has done.

When it comes to reauthorization of the ESEA, we cannot allow for an overly prescriptive No Child Left Behind bill. We cannot afford to go back to that era. We must change. However, we cannot allow the pendulum to swing so far that we abdicate our responsibility to make sure every student—to make sure the students in that other America are being served by a quality school.

It is not overly prescriptive to ask schools that are failing to graduate a large share of their students to do something differently. It is not overly prescriptive to ask schools—these 6 percent of our schools that are dropout factories in our Nation—to make changes to honor the children, their beauty, their dignity, and their potential. And it is certainly not asking too much that we who are putting hundreds of millions of dollars from the Federal Government into a system—that there is some accountability for these dropout factors.

This body should be a steward of taxpayer dollars. Congress has a role when it comes to the investments we make in housing, when it comes to the investments we make in infrastructure, and when it comes to defense dollars, to make sure these dollars are serving the purpose to which they are extended—to make sure these investments produce returns for taxpayers. Today, the Federal Government and this body still have that critical role to play when it comes to making sure all American children have access to a quality education.

The status quo is unacceptable. Too many of our children are still stuck in failing schools—schools that are so bad that they put thousands of children into that world where they do not have a chance at a college education or even getting a high school degree. The students succeeding in our country’s quality schools will have the opportunity to become the next generation of teachers, mayors, police, firefighters, doctors, and Senators. They will lead the globe. This is what I am proud of as an American. The students in our country’s failing schools deserve to have that same opportunity.

I know this from traveling our country and traveling our State: that prodigy isn’t bounded by geography and that genius is equally distributed in our country. Talent is as concentrated in one ZIP Code as it is in another. There are as many geniuses in Camden as there are in Princeton. The next Einstein or Gates or Hemingway is as likely to be growing up in Newark as they are in the Upper East Side of Manhattan. I have seen schools flourish in poor neighborhoods. I have seen great schools meet incredible challenges and succeed in educating our kids. We know it is possible, and we should expect better than we are seeing now.

Our moral test is whether we will be able to attain success everywhere it might be found, whether we will be able to nurture the genius in all of our kids. We owe it to every child in America to ensure that every door is open for them to demand better. We need to demand better for our kids. We need to keep them front and center as we consider this bill on the floor.

I want to conclude by saying that we cannot succeed as a nation, in an increasingly global competitive environment, if we leave genius on the sidelines. Our educational determination to help those children is not simply about them, it is about us. It is about whether we will get the full bounty of the strength and potential of our Nation or if we will cast many aside into those dark places, into that other America.

We cannot now be damned by the self-defeating stakes of low expectations for ourselves and all of our children. Kids who languish in this other America because of a lack of compassion and support and investment cannot afford to have less accountability for their success.

I know as we debate this bill there will be resistance to the idea that those failing most, those stuck in dropout factories, those in the other America don’t deserve levels of accountability. But I know that if we focus on those children, to keep them at the center of our thoughts, as was done by President Johnson when this bill originated, I know we can be the America we want to be, a nation that when our children put their hands on their hearts and say those words, “liberty and justice for all,” that they are real, indeed, for all children.

The PRESIDING OFFICER. The Senator from Tennessee.

AMENDMENT NO. 2089

(Purpose: In the nature of a substitute)

Mr. ALEXANDER. Mr. President, I call up the Alexander-Murray substitute amendment No. 2089.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Tennessee [Mr. ALEXANDER] proposes an amendment numbered 2089.

Mr. ALEXANDER. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The PRESIDING OFFICER. The majority whip.

WORK IN THE SENATE AND NUCLEAR AGREEMENT  
WITH IRAN

Mr. CORNYN. Mr. President, last week I had a chance to travel the State of Texas. Of course, the Presiding Officer can imagine, I had a chance to move around the State to listen to what people were saying and, frankly, to tell them what it is we have done on their behalf in the Senate so far this year. By and large, I heard that folks are happy to see the Senate back to work, under new management, and getting things done that they elected us to do.

I spent a good amount of time out in West Texas and in the panhandle and had a chance to speak to a number of farmers and ranchers in that part of the State. They are, frankly, very pleased to hear that they will soon have access to new markets in Asia now that the trade promotion authority bill has been passed and is the law of the land, and we are currently in the final stages of negotiating the Trans-Pacific Partnership.

The trade promotion authority, of course, passed last month and was signed by the President, and it represents a true bipartisan accomplishment between Congress and the President. While it is true that I disagree with the President more often than I agree with him, in this case we can both agree that opening new markets for our farmers, ranchers, and our small business people is good for our States and good for the country.

Getting Texas beef, cattle, cotton, and other goods to new markets translates into better jobs, better wages, and a better economic climate for hard-working Texans. But of course passing the trade promotion authority legislation is just one example of what this Chamber has accomplished so far this year. Under new leadership, the Senate has made tremendous progress from what this Senate used to be. We have seen the return to regular order, functioning as a deliberate body that considers a wide range of legislation to benefit the everyday lives of the American people.

I think pointing out that we voted on more than 130 amendments, compared to just the 15 that were voted on last year, is a great indicator that this Chamber is actually back working the way it should. The good news is, whether you are in the majority or the minority, everyone is getting a chance to participate in this process, and regular voting on amendments brought by any of our Members is now typical and not the exception to the rule.

I mention we passed the trade legislation, but overall the Senate has passed more than 40 bipartisan bills. We have seen 22 of those already signed into law by President Obama. So the American people let their voices be heard last November 4. They sent us here to do their work. This week, we will take up another important piece of legislation. We will take up an education bill that will ultimately give school districts in Texas and across the country more flexibility and more power to make the best choices for their students.

I know the HELP Committee—the Health, Education, Labor and Pensions Committee—the committee of jurisdiction in education matters, has worked hard under the leadership of Chairman ALEXANDER and Ranking Member MURRAY. They brought this bill to the floor with a unanimous vote in the committee. So I and others look forward to an open amendment process and a vigorous debate over our Nation's education priorities and the important role the States play and local control plays in making sure all students have access to educational opportunities.

Later this week, we will likely have a chance to reconcile the language between the House and the Senate version of the Defense authorization bill, a bill that will help equip our Armed Forces with the resources and give them the authorities they need to keep our country safe. Of course, the Senate will also continue discussions on how to responsibly address the challenges facing the highway trust fund and find a way forward for our transportation networks.

I remain optimistic that this Chamber can ultimately take up appropriations bills that are needed to fund our troops on the battlefield and care for our veterans upon their return. Last month, our Democratic friends laid out a strategy, something they called the filibuster summer, saying unless they get 100 percent of what they want, that they are not going to allow the Senate to proceed to consider these appropriations bills.

Well, I would like to just remind them there is a lot of work we have to do that needs to be done, and if we could just get back in the spirit of this bipartisan cooperation, everybody can let their voice be heard and their vote will count, but pure partisanship will not get the job done. The many Texans I spoke to back home want this spirit of diligent, focused work to continue. They certainly want to see us provide the resources to our troops that they need to carry out their mission. So while we have a strong track record so far in the 114th Congress, we still have a lot of work to do. I hope my friends across the aisle will continue to work with us on behalf of the people who sent us here.

Separately, I know my colleagues and I are anxiously awaiting the news

of the final outcome of Secretary Kerry's ongoing negotiations regarding Iran and its nuclear aspirations. As we all know, earlier this year, Congress passed the Iran Nuclear Agreement Review Act, which guarantees that Congress, on behalf of the American people, will have time to study, scrutinize, debate, and then ultimately vote on whether we approve or disapprove of the negotiated deal between Secretary Kerry and the administration and Tehran.

If the President reaches a deal with Iran by Thursday, then Congress will have up to 30 days to review it and then to vote on whether to approve it. As I have said all along, I have grave concerns about how the President has been negotiating with one of our foremost adversaries, a country that constantly threatens the American people and our allies and has done nothing to garner our trust or respect.

The broad outlines of the deal—of the potential deal—we have seen reported in the press don't look particularly promising. It seems to get actually worse by the day. So I strongly encourage the President and Secretary Kerry to remember that if you want a deal badly enough, that is exactly what you are going to get is a bad deal. So "any deal at any cost" is not the mantra of the American people who are understandably very wary of any agreement with Iran.

But, fortunately, the Senate has proved we will not stand by and watch the President as he makes far-reaching agreements without the consent of the American people through their elected representatives. So I look forward to working with my colleagues to give very careful scrutiny, certainly the sort of scrutiny this proposed deal deserves, to make sure our country's best interests are protected. If this deal does not protect our national security and the security of the region and our allies, Congress may have no other choice than to vote it down by passing a resolution of disapproval.

I yield the floor.

The PRESIDING OFFICER (Ms. AYOTTE). The Senator from Virginia.

Mr. WARNER. Madam President, I rise to speak in support of an amendment I have filed to the Every Child Achieves Act that will be brought up, I believe, later today. In the spirit of my friend the Senator from Texas I am glad he has joined me on this amendment. I know as we get into this terribly important education bill, I want to commend Senator ALEXANDER, Senator MURRAY for their leadership in bringing it to the floor and trying to wrestle through the right balance of between Federal, State, and local partnerships in education. I look forward to being a part of that debate.

While we will spend hours on the floor of the Senate debating issues around accountability and assessment,

terribly important issues, there is one issue I believe all of us in this body can agree upon, to make certain we ensure that all dollars that are spent on education are spent appropriately and in an efficient way and that most of those dollars end up in the classroom.

This was a conversation I started when I was Governor of Virginia. When I looked around at the Commonwealth of Virginia, where we spend close to \$9 billion a year on public education, I realized that many of the same debates we are having in the Chamber we were having in Virginia at that time. But again, one area where there was complete agreement was to make sure those dollars spent on education were spent efficiently.

Too often school divisions, quite honestly, didn't know how to spend using best practices in terms of bus routes, energy usage, back-office staffing. How do you make sure you can take best practices around—I mentioned this was being done in Virginia, from around the State—and make sure those dollars were better spent, more efficiently, in the classroom.

Well, we looked around the country and we actually found a program in Texas—again, why I am so grateful my friend the Senator from Texas, Mr. CORNYN, has joined me on this amendment. We put in place a program to bring better accountability to our school divisions.

As I mentioned, too many school divisions don't have the ability to assess whether they are spending operational funds in the smartest way. My amendment helps school districts figure out how to be thoughtful about their operations budget, which again allows them to put more money back into their classrooms. I mentioned this was an initiative I started as Governor back in 2003 in Virginia.

I mentioned as well that Virginia was spending a combined \$9 billion in local, State, and Federal support for public schools. I felt it was very important we make sure that as much of those resources were spent in classroom instruction and not in back-office administrative functions. So, in Virginia, we asked our Department of Planning and Budget to design a school efficiency review program. Our public school divisions actually volunteered—a local school superintendent actually volunteered to work with the State Department of Education. It took some level of trust, but they volunteered to undergo a review of their noninstructional functions, things like human resources, purchasing, facilities, transportation, and food service.

So we launched this program, and over a decade reviews have been conducted in 41 localities around the Commonwealth, in rural, suburban, and urban districts. Over the course of the history of this program, Virginia's program has identified \$45 million in an-

nual potential savings. In Virginia, each review cost an average of about \$110,000 and produced an average annual savings of \$1.1 million, a return in investment of nearly 9-to-1, a return that allowed these dollars to be more valuably spent on instruction.

These reviews recommend commonsense steps: software programs to improve bus transportation routes, enterprise-wide facilities management, best practices in purchasing and personnel, and smart, responsible steps to conserve limited resources and direct those savings into the classroom.

As I mentioned, we initially borrowed this concept from Texas. Since that time, additional States, including Oklahoma, Minnesota, New York, Kansas, and Arizona, have implemented similar programs.

This commonsense best practice should be available to school districts nationwide. That is why I am proud, along with Senator CORNYN, to offer an amendment that will allow States to use their title IX consolidated administrative funds to pay for fiscal support teams. This proposal will empower localities with the information they need to better allocate limited resources so they get a maximum impact in the classroom. I encourage my colleagues on both sides of the aisle to support it. I believe this amendment will be brought up later by either Senator MURRAY or Senator ALEXANDER, and I look forward to its consideration tomorrow.

I yield the floor.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. WARREN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Ms. WARREN pertaining to the introduction of S. 1709 are printed in today's RECORD under "Statements of Introduced Bills and Joint Resolutions.")

Ms. WARREN. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HATCH. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. Madam President, I rise today as the Senate begins its consideration of the Every Child Achieves Act under the leadership of Chairman ALEXANDER and Ranking Member MURRAY—two great leaders who have done a great job on this bill. The HELP Committee, under their leadership, has

produced a truly bipartisan effort to find solutions to the seemingly intractable problems facing our educational system. I commend our distinguished chairman and ranking member for their leadership and their commitment to prioritizing concrete results over partisan grandstanding.

While the nature of compromise means that this bill may not be perfect in each Senator's eyes, it represents an opportunity for meaningful reform for America's schools, and I urge my colleagues to support its swift passage.

Ensuring that every child has access to a high-quality education is a top priority shared by all Republicans and Democrats alike. In 2001, I joined 86 of my colleagues in supporting No Child Left Behind to address the shortcomings of our educational system. Despite the best of intentions, No Child Left Behind fell short of true success. Its testing requirements hamper learning by compelling students to take test after test to satisfy the law's various requirements. Its focus on metrics incentivizes schools to report higher graduation rates even if that means pushing out failing students unprepared for the working world. Because of these and other unintended consequences, of course, the current law is in desperate need of reform.

With the Every Child Achieves Act, Congress now has an opportunity to correct the shortcomings of No Child Left Behind. Instead of setting artificial and unattainable requirements, the new legislation allows States to set their own standards for success. It defers to local leaders to formulate goals that are realistic and effective for their districts. It puts parents and teachers in the driver's seat, not Washington bureaucrats.

For years, States have sought relief from burdensome Federal mandates in education, and many States find themselves in untenable positions thanks to Federal law. For example, my home State of Utah has struggled in the past few years with an impossible decision—either ask for a continuation of Department of Education waiver mandates or fall back on unattainable No Child Left Behind requirements and risk losing crucial Federal funding all together.

Under this new bill, States will continue to develop their own standards and will establish their own accountability systems linked to these standards. States will also be able to say what they want their accountability systems to measure and will be able to determine how well their students are doing based on a variety of important metrics. Maintaining the Federal requirement for statewide annual testing is necessary to ensure transparency on school performance and to set a bar by which States can measure themselves in a comparable fashion.

My colleagues and I were able to make significant improvements to this

legislation through the committee and the committee's process. I was especially pleased to see two amendments I care deeply about adopted by voice vote during the committee markup: the Innovative Technology Expands Children's Horizons—or I-TECH—Program and the Education Innovation and Research Program.

Senator BALDWIN and I worked closely to develop I-TECH to ensure that technology in the classroom is coupled with teacher support to give students access to a wide range of personalized learning opportunities. By intertwining technology and traditional teaching methods, we can tailor each student's educational journey to his or her individual needs and learning style to boost achievement.

With the Education Innovation and Research Program, Senator BENNET and I created a flexible funding stream that would allow schools, districts, nonprofits, and small businesses to develop proposals based on the specific needs of students and the community. Funding for that program will be awarded based on an initial evidence-based proposal, with continued funding tied to demonstrated successful outcomes flowing from the project. It is time we start looking at new ways of investing in education, much like we do in other realms. Money should not be tied to what the U.S. Senate or the Federal Department of Education thinks is a good prescriptive idea. It should be tied to local innovation and clear outcomes.

Senator BENNET and I have expounded on that idea by pushing for Pay for Success Initiatives in the underlying bill, as well as in the amendment process on the floor. Pay for Success allows the government to pay only for programs that actually achieve meaningful results. I have offered an amendment to allow funding from the early childhood program to be used in this manner.

My home State of Utah has the first-ever Pay for Success Program designed to expand access to early childhood education for at-risk children. The Utah High Quality Preschool Program delivers a high-impact, targeted curriculum that increases school readiness and academic performance among 3- and 4-year-olds. As children enter kindergarten better prepared, fewer students will need to use special education and remedial services in kindergarten through 12th grade, allowing schools and States to save money. We should build on this success and empower other States to do the same.

In addition to these cost-saving programs, technology will also improve the quality of education in our country, but advancements in technology must come side-by-side with a conversation on how best to protect our children's privacy. Education technology is a multibillion dollar indus-

try, and it is important to balance the needs for innovation and expansion in schools with reasonable privacy safeguards.

To that end, I joined with the senior Senator from Massachusetts in filing an amendment to this legislation to create a structured commission to study important aspects of the convoluted world of student privacy. The primary law governing this realm—the Family Educational Rights and Privacy Act—was last updated in 2001. Since Congress last acted in this area, there have been significant changes in the way student information is stored and how outside parties use that information. These changes have led to the introduction of numerous proposals to update this outdated law.

The amendment Senator MARKEY and I have introduced strengthens student privacy by requiring a commission to report to Congress on the current mechanisms for transparency, parental involvement, research usage, and third-party vendor usage of student information. The Commission will also be tasked with providing suggestions for improvement. This process will allow privacy experts, parents, school leaders, and the technology industry to provide us with a clear consensus on how best to protect personal data while not hampering development in schools or access to the important data we garner from aggregated student information.

In addition to protecting student privacy, I have introduced another amendment crucial to ensuring success in all schools nationwide. The Every Child Achieves Act asks States to identify low-performing schools and to allow localities to intervene in these schools. One of the greatest tools Congress could give localities in this process would be the power to renegotiate contracts and to reallocate money and policies in more effective ways. Under my amendment, many failing schools would be permitted to ask relief from contracts from vendors and unions, among others. These schools would also be able to renegotiate the terms of these contracts.

Currently, school funding is trapped in a cobweb of unwieldy and complicated vendor contracts and collective bargaining agreements. Old, automatically renewing contracts with janitorial services, transportation vendors, teachers unions, and testing companies represent massive locked-in expenditures. Education leaders need flexibility to enable failing schools to get a fresh start—the same opportunity available to successful charter and private schools. Right now, local leaders' budgets and staffing decisions are largely shaped by forces beyond their control. My amendment will encourage more commonsense change from the Federal level to empower localities to act in the best interest of the students they serve.

The bill we are now considering will make significant improvements to the quality of education in this country and the ability of our students to compete in a global economy once they enter the workforce. I strongly urge my colleagues to support these efforts, and I again express my congratulations and my support to the distinguished chairman and ranking member on this committee, Senator ALEXANDER and Senator MURRAY, who have done a really good job in the best interests of children all over this society.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I thank the Senator from Utah for his remarks and his contribution to the committee's legislation. He is a former chairman of the Senate's education committee—we call it the Health, Education, Labor and Pensions Committee—and his contributions in this legislation on early childhood education and other matters are awfully important, and I thank him for his work.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Madam President, let me just state that this legislation before us is of vital national importance, and I would like to commend Chairman ALEXANDER and Senator MURRAY for their commitment to an open and inclusive debate. They and their staffs have been unfailingly responsive, helpful, and thoughtful throughout the process. I was a long-standing member of the education committee, having served on the Education and Labor Committee in the other body, and on the Health, Education, Labor and Pensions Committee for 14 years in this body. And I have had the privilege of working with my colleagues over the last two reauthorizations of the Elementary and Secondary Education Act.

So, again, I must commend Senators ALEXANDER and MURRAY for the extraordinary work they have done and also my colleague Senator WHITEHOUSE, who has been a major contributor to this effort. I am hopeful and confident, because of the leadership of Senators ALEXANDER and MURRAY, that we will reach a strong bipartisan outcome on this very important piece of legislation.

I appreciate the opportunity to continue to work with the committee on issues that are very important. The fair and equitable access to the core resources for learning, access to effective school library programs, professional development for teachers and principals, family engagement, and environmental education are all topics I think are critical, and I am very appreciative my colleagues also thought they were important and gave them very thorough and very fair consideration.

I am convinced, if you provide the resources, if you support teachers and principals and you engage families, students will thrive. This legislation reflects that perspective, and I appreciate that very much.

Our challenges and our responsibilities are to create and support learning environments that enable young people to hone their talents, discover their skills, and pursue their passions. In some respects, education is about finding a child's talent—letting them find their talent. If you do that, then stand back, they will do wonderful things for themselves, their communities, and this Nation.

In fact, our Nation is very much dependent upon education to achieve our noblest ideals. As we create educational opportunities for all, we fulfill the basic aspiration of this country. While we know we still have work to do, I am very pleased at the work that has been done so far by the committee.

We are closing the gaps in high school graduation between minority and other students—majority students—but college education gaps are widening, and that is something that must be addressed. The debate we begin today is vital because the Elementary and Secondary Education Act is not just about elementary schools and high schools, it is about preparing young people for what comes next—for college, postsecondary education, for careers, and for contributions to their communities. We have to start at the beginning to get it right in the middle and in the end. Again, Senators ALEXANDER and MURRAY have brought this perspective, this bipartisan approach, and I commend them for it.

This bill is an improvement over current law. The Every Child Achieves Act maintains the critical transparency and high expectations for all students that were the hallmarks of the No Child Left Behind Act. It does so while updating the parts of the law that have become unworkable and counterproductive, such as the overly prescriptive approach to school improvement and corrective action.

I am pleased the Every Child Achieves Act continues Federal support in key areas for building strong and successful schools, including investments in literacy and school library programs, for professional development to strengthen educator effectiveness, and family engagement in education. From the beginning, access to effective school library programs was a critical part of the Elementary and Secondary Education Act. The results from a recent National Center for Education Statistics survey shows there are still gaps in access to school libraries.

Effective school library programs are essential supports for educational success. Multiple education and literacy studies have produced clear evidence

that school libraries staffed by qualified librarians have a positive impact on student achievement.

Now, Senator COCHRAN and I introduced the Strengthening Kids' Interest in Learning and Libraries—SKILLS—Act to ensure that school libraries continue to be a part of the Elementary and Secondary Education Act. The Every Child Achieves Act recognizes this need by including an authorization to provide funds to high-need school districts to support effective school library programs.

Soon we will be voting on an amendment that Senator COCHRAN and I are offering to further integrate school library programs into the core Elementary and Secondary Education Act formula grant programs. I encourage all our colleagues to vote yes on this bipartisan amendment that will support student learning.

I am also pleased that the Every Child Achieves Act recognizes the importance of ensuring that disadvantaged children have access to books in their homes from a very early age. Literacy skills are the foundation for success in school and in life. Developing and building these skills begins at home, with parents as the first teachers.

Senator GRASSLEY and I introduced the Prescribe A Book Act to help address this issue, and the Every Child Achieves Act includes some key provisions from this legislation.

We also know teachers and principals are two of the most important in-school factors related to school achievement. It is essential that teachers, principals, and other educators have a comprehensive system that supports their professional growth and development starting on day one and continuing throughout their careers.

Senator CASEY and I introduced the Better Education Support and Training Act to create such a system. Once again, I am extraordinarily pleased that the Every Child Achieves Act includes many of the provisions of that legislation, particularly the focus on equitable access to experienced and effective educators.

I remain concerned, however, that the failure to define an "inexperienced teacher" will mask inequities and will limit the usefulness of the reporting for parents and communities. I hope we can clarify this issue as we proceed forward.

Family engagement is another critical area this bill addresses. I hope we will be able to strengthen these provisions by increasing the resources that school districts dedicate to meaningful, evidence-based family engagement activities and by providing a statewide system of technical assistance that supports these efforts.

I have been working with Senators COONS and BENNET on amendments that make these additions to the bill

based on the Family Engagement and Education Act that I introduced with Senators COONS and WHITEHOUSE in the past two Congresses.

Most fundamental to the question of whether we move closer to achieving our ideals for educational equity and excellence is resources. The grand bargain of the No Child Left Behind Act was greater accountability coupled with greater resources. We have fallen short on accountability for resources. The authorized level for title I for fiscal year 2007 was \$25 billion. That is in the No Child Left Behind Act. Today, we are nowhere near that level—at only \$14.4 billion.

We need to be just as concerned about opportunity gaps as we are about achievement gaps, and that is why the first bill I introduced this Congress was the Core Opportunity Resources for Equity and Excellence—CORE—Act to establish an accountability mechanism for resource equity. We must look to hold our educational system accountable for both results and for resources.

The Every Child Achieves Act includes some of what I proposed in the CORE Act by bringing some long-overdue transparency to resource equity, requiring States to report on key measures of school quality beyond student achievement on statewide assessments, including student access to experienced and effective educators, access to rigorous and advanced course work, availability of career and technical educational opportunities, and safe and healthy school learning environments.

However, transparency alone is not enough. I am pleased to be working with Senators KIRK, BALDWIN, and BROWN on the opportunity dashboard of core resources amendment, which will add further provisions from the CORE Act; namely, some accountability for action on disparities in access to critical educational resources.

With more than one in five school-aged children living in families in poverty and roughly half of our public school students eligible for free or reduced-price lunches, we cannot afford nor should we tolerate a public education system that fails to provide resources and opportunities for the children who need them the most.

Again, I thank Chairman ALEXANDER and Senator MURRAY for bringing this bill before us so thoughtfully, so carefully, and with so much effort and expertise, and their staffs also. I hope we can work together on this amendment to improve an already excellent bill.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I simply wish to acknowledge the contributions of the Senator from Rhode Island. He may not officially be on the committee, but he stays actively interested in all of the education issues. He

has made important contributions to the pending legislation in support of libraries, and we are working with him on a number of matters, including risk sharing and higher education. So I thank the Senator from Rhode Island for his leadership and his continued interest in better schools and better colleges and universities.

The PRESIDING OFFICER. The Senator from Pennsylvania.

PROTECTING STUDENTS FROM SEXUAL AND VIOLENT PREDATORS ACT

Mr. TOOMEY. Madam President, I rise to speak on S. 474, the Protecting Students from Sexual and Violent Predators Act.

This is a bipartisan bill that Senator JOE MANCHIN and I introduced some time ago. We have been working on this for a while now, and we intend to offer this legislation as an amendment to the pending legislation, the reauthorization of the Elementary and Secondary Education Act.

This is a commonsense bill, designed simply to protect children from child molesters and predators—predators who infiltrate our schools because they know that is where the kids are.

The vast overwhelming majority of school employees, we all know, are people who care very much about kids. It would never occur to them in a million years to do anything to harm the children in their care. But the fact is there are pedophiles in our society—there are predators in our society—and they do in fact look to find opportunities where they will find their prey. So we need protections against these people as they try to infiltrate our schools. These are protections I have been fighting for, for some time now, and I am not going to stop until we get this done.

There are lots of reasons to have this fight. For me, as for so many people, it is personal. I have three young children. They are 15, 13, and 5 years old. When I send my kids to school in the morning and watch my children get on the schoolbus, I have every right to know I am sending my children somewhere where they can be safe, where they can be cared for, where they can be in the safest possible environment, and every other parent deserves that too—every parent across Pennsylvania, every parent across America.

Unfortunately, too many children and too many families have discovered this is not always the case. The horrific story which brought my attention to this cause and my passion for this was the story about a little boy named Jeremy Bell.

The story begins in Delaware County, Pennsylvania. One of the schoolteachers was molesting boys. He was a serial pedophile. He raped a boy. The school officials discovered what was going on. They brought it to the attention of law enforcement, but law enforcement authorities never had

enough strong evidence to make a successful criminal case. The school decided they would dismiss the teacher for sexually abusing students. But, appallingly, the school also helped this teacher get a new job in West Virginia, where he became a teacher, in part because he got a letter of recommendation from the school that knew he was preying on their students. But they wanted him to be someone else's problem, so they gave him a letter of recommendation.

He went to a new school in a nearby State. Eventually, he became a principal. Along the way, of course, he continued his ways, culminating in the rape and murder of a 12-year-old boy named Jeremy Bell. Justice did finally catch up with that monster. He is now in jail serving a life sentence for the murder of Jeremy Bell, but for Jeremy Bell that justice came too late.

We would like to think this is a bizarre and isolated event that could never happen again. Unfortunately, that is not the case. Last year alone, there were 459 school employees arrested across America for sexual misconduct with the children they are supposed to be taking care of—459—and those were the ones where there was enough of a case that the arrest was actually made. It is more than one per day. Twenty-six of them were in my State of Pennsylvania.

Sadly, we are halfway through 2015 now, and we are doing even worse. In the first half of 2015, there have been 265 such arrests. We are on pace to have well over 500 school employees across America arrested for sexual misconduct with the children they are supposed to be taking care of.

Every single one of these stories has a terrible tragedy at the center: a little girl whose sexual abuse began at age 10 and only ended when at 17 years old she found herself pregnant with the teacher's child, a teacher's aide who raped a young, mentally disabled boy in his care, a kindergarten teacher who kept a child in during recess, then forced her to perform sexual acts on him.

This is hard stuff to talk about, but that doesn't make it go away. I think we need to confront it, and the cases are too many to ignore.

Senator MANCHIN and I decided it is time for Congress to act, to do something to make it more difficult for these predators to carry out these appalling acts, so we introduced the Protecting Students Act. It has two important goals, two protections, designed to prevent convicted sex offenders from infiltrating our country's schools. The first is a standard background check process that will catch those who have been convicted. The second feature in our legislation would end this terrible practice we saw in the Jeremy Bell case—the practice of a school knowingly helping a child molester find employment in a new school, a practice called passing the trash.

Now, both of these provisions, both of these ideas have very broad bipartisan support. The House of Representatives unanimously passed a bill including both protections last Congress, and just last fall Congress voted 523 to 1—both Houses combined voted unanimously, with only one dissenting voice—for even more expansive background check language enacted in the Child Care Development Block Grant that we all voted for, 523 to 1.

In addition, Senator MANCHIN's and my legislation, the Protecting Students Act, has been endorsed by numerous organizations in various categories.

First, child protection groups: National Children's Alliance, which oversees the Nation's Children's Advocacy Centers, the National Center for Missing and Exploited Children, the Pennsylvania Coalition Against Rape, the Children's Defense Fund, the Pennsylvania Partnerships for Children. Law enforcement organizations overwhelmingly support our legislation: the National Association of Police Organizations, the Federal Law Enforcement Officers Association. Prosecutors support Senator MANCHIN's and my bill. The Association of Prosecuting Attorneys and the National District Attorneys Association have both endorsed the bill. The medical professionals at the American Academy of Pediatrics and the Pennsylvania School Board Association, they all have endorsed this legislation, and they have said it has two essential features, two ways in which we would be protecting our kids.

The first is the criminal background check. Let me be clear. Every State in the Union performs some kind of background check already. That is true. That is a fact. The problem is that many of them are woefully inadequate. For instance, several States fail to check all the school workers. They check teachers, for instance, but not nonteachers, and others will check certain criminal databases, but they won't check others, and so they miss convictions.

Our legislation, Protecting Students Act, requires that if a school wants to accept Federal funds, it has to perform background checks on all adult workers who have unsupervised access to children. That would be both new hires and existing employees.

Many States have only recently adopted background check policies. Many employees were hired before they put the background check policies in place, so many of these employees were never subject to a background check.

Consider the case of 64-year-old William Vahey, who taught for decades across America and across the globe at some of the world's most elite schools. He would give his young students Oreo cookies laced with narcotics. While the boys slept, the teacher molested them



and photographed them. Scores of children were sexually abused. This teacher had been convicted for sexual abuse of children in California when he was in his twenties, but he was hired before many States had background check requirements, and therefore he was grandfathered into the system. The Protecting Students Act ensures that convicted sex offenders like William Vahey will be discovered and they will not be hired.

It also would include contractors. There are 12 States that don't require background checks for contractors at all. This fact recently gave Montana parents a rude awakening.

An audit of Montana's busdrivers found that 123 drivers had criminal histories, including 1 driver whose conviction landed him on the Sexual and Violent Offender Registry and 1 with an outstanding arrest warrant.

Running checks is really only helpful if the checks are thorough enough to find all convictions. So our legislation would require the four major databases to be checked: the FBI fingerprint check in the National Crime Information Center database, the National Sex Offender Registry, the State criminal registry, and State child abuse and neglect registries. These background check requirements constitute the first part of our bill. As I said, this was passed unanimously in the House. I wouldn't think this would be controversial.

The second part of our bill is equally important, and that is the part which precludes passing the trash. It addresses the terrible acts that led to and made it possible for little Jeremy Bell to be raped and murdered. What this provision says is that if a school wishes to receive Federal funds, the school may not knowingly help a child molester obtain a new teaching job. I would think this would not be controversial. The practice, as I alluded to before, has become so common, sadly, that it has its own moniker. It is called passing the trash. It has become all too prevalent.

I see that the Senator from Tennessee would like to address the body.

Mr. ALEXANDER. Will the Senator yield—

Mr. TOOMEY. I will.

Mr. ALEXANDER. For the purpose of allowing me consent to take up several amendments, including Senator TOOMEY's amendment, which he has worked on so hard for a long period of time and he and I have discussed? This will take about 60 seconds, if he permits this. Senator MURRAY is here.

I thank the Senator for his indulgence.

I ask unanimous consent that the following amendments be offered by the two bill managers or their designees in the following order: Fischer, No. 2079; Peters, No. 2095; Rounds, No. 2078; Reed, No. 2085; and Warner, No. 2086.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 2079 TO AMENDMENT NO. 2089

Mr. ALEXANDER. On behalf of Senator FISCHER, I call up amendment No. 2079 and ask unanimous consent that it be reported by number.

The PRESIDING OFFICER. Without objection, the clerk shall report the amendment by number.

The senior assistant legislative clerk read as follows:

The Senator from Tennessee [Mr. ALEXANDER], for Mrs. FISCHER, proposes an amendment numbered 2079 to amendment No. 2089.

The amendment is as follows:

(Purpose: To ensure local governance of education)

On page 800, between lines 17 and 18, insert the following:

**SEC. 9115A. LOCAL GOVERNANCE.**

Subpart 2 of part F of title IX (20 U.S.C. 7901 et seq.), as amended by sections 4001(3), 9114, and 9115, and redesignated by section 9106(1), is further amended by adding at the end the following:

**"SEC. 9540. LOCAL GOVERNANCE.**

"(a) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to allow the Secretary to—

"(1) exercise any governance or authority over school administration, including the development and expenditure of school budgets, unless otherwise authorized under this Act;

"(2) issue any regulation without first complying with the rulemaking requirements of section 553 of title 5, United States Code; or

"(3) issue any non-regulatory guidance without first, to the extent feasible, considering input from stakeholders.

"(b) AUTHORITY UNDER OTHER LAW.—Nothing in subsection (a) shall be construed to affect any authority the Secretary has under any other Federal law."

The PRESIDING OFFICER. The Senator from Washington.

AMENDMENT NO. 2095 TO AMENDMENT NO. 2089

Mrs. MURRAY. On behalf of Senator PETERS, I call up amendment No. 2095 and ask unanimous consent that it be reported by number.

The PRESIDING OFFICER. Without objection, the clerk shall report the amendment by number.

The senior assistant legislative clerk read as follows:

The Senator from Washington [Mrs. MURRAY], for Mr. PETERS, proposes an amendment numbered 2095 to amendment No. 2089.

The amendment is as follows:

(Purpose: To allow local educational agencies to use parent and family engagement funds for financial literacy activities)

On page 172, line 25, insert "financial literacy activities and" before "adult education".

AMENDMENT NO. 2078 TO AMENDMENT NO. 2089

Mr. ALEXANDER. On behalf of Senator ROUNDS, I call up amendment No. 2078 and ask unanimous consent that it be reported by number.

The PRESIDING OFFICER. Without objection, the clerk shall report the amendment by number.

The senior assistant legislative clerk read as follows:

The Senator from Tennessee [Mr. ALEXANDER], for Mr. ROUNDS, proposes an amendment numbered 2078 to amendment No. 2089.

The amendment is as follows:

(Purpose: To require the Secretary of Education and the Secretary of the Interior to conduct a study regarding elementary and secondary education in rural or poverty areas of Indian country)

On page 723, after line 23, insert the following:

**SEC. 7006. REPORT ON ELEMENTARY AND SECONDARY EDUCATION IN RURAL OR POVERTY AREAS OF INDIAN COUNTRY.**

(a) IN GENERAL.—By not later than 90 days after the date of enactment of this Act, the Secretary of Education, in collaboration with the Secretary of the Interior, shall conduct a study regarding elementary and secondary education in rural or poverty areas of Indian country.

(b) REPORT.—By not later than 270 days after the date of enactment of this Act, the Secretary of Education, in collaboration with the Secretary of the Interior, shall prepare and submit to Congress a report on the study described in subsection (a) that—

(1) includes the findings of the study;

(2) identifies barriers to autonomy that Indian tribes have within elementary schools and secondary schools funded or operated by the Bureau of Indian Education;

(3) identifies recruitment and retention options for highly effective teachers and school administrators for elementary school and secondary schools in rural or poverty areas of Indian country;

(4) identifies the limitations in funding sources and flexibility for such schools; and

(5) provides strategies on how to increase high school graduation rates in such schools, in order to increase the high school graduation rate for students at such schools.

(c) DEFINITIONS.—In this section:

(1) ESEA DEFINITIONS.—The terms "elementary school", "high school", and "secondary school" shall have the meanings given the terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(2) INDIAN COUNTRY.—The term "Indian country" has the meaning given the term in section 1151 of title 18, United States Code.

(3) INDIAN TRIBE.—The term "Indian tribe" has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

AMENDMENT NO. 2085 TO AMENDMENT NO. 2089

Mrs. MURRAY. On behalf of Senator REED, I call up amendment No. 2085 and ask unanimous consent that it be reported by number.

The PRESIDING OFFICER. Without objection, the clerk shall report the amendment by number.

The senior assistant legislative clerk read as follows:

The Senator from Washington [Mrs. MURRAY], for Mr. REED, proposes an amendment numbered 2085 to amendment No. 2089.

The amendment is as follows:

(Purpose: To amend the Elementary and Secondary Education Act of 1965 regarding school librarians and effective school library programs)

On page 69, after line 25, insert the following:

"(ii) assist local educational agencies in developing effective school library programs

to provide students an opportunity to develop digital literacy skills and to help ensure that all students graduate from high school prepared for postsecondary education or the workforce without the need for remediation; and”.

On page 107, between lines 17 and 18, insert the following:

“(B) assist schools in developing effective school library programs to provide students an opportunity to develop digital literacy skills and to help ensure that all students graduate from high school prepared for postsecondary education or the workforce without the need for remediation; and”.

On page 282, strike lines 18 and 19 and insert the following:

“(xiii) Supporting the instructional services provided by effective school library programs.”.

On page 305, strike lines 14 and 15 and insert the following:

“(M) supporting the instructional services provided by effective school library programs.”.

On page 364, line 9, insert “school librarians,” after “personnel.”.

On page 365, line 10, insert “school librarians,” after “support personnel.”.

On page 771, lines 12 and 13, strike “and speech language pathologists,” and insert “, speech language pathologists, and school librarians”.

AMENDMENT NO. 2086 TO AMENDMENT NO. 2089

Mrs. MURRAY. On behalf of Senator WARNER, I call up amendment No. 2086 and ask unanimous consent that it be reported by number.

The PRESIDING OFFICER. Without objection, the clerk shall report the amendment by number.

The senior assistant legislative clerk read as follows:

The Senator from Washington [Mrs. MURRAY], for Mr. WARNER, proposes an amendment numbered 2086 to amendment No. 2089.

The amendment is as follows:

(Purpose: To enable the use of certain State and local administrative funds for fiscal support teams)

On page 772, after line 23, insert the following:

**SEC. \_\_\_\_\_. CONSOLIDATION OF STATE ADMINISTRATIVE FUNDS FOR ELEMENTARY AND SECONDARY EDUCATION PROGRAMS.**

Section 9201(b)(2) (20 U.S.C. 7821 (b)(2)) is amended—

(1) in subparagraph (G), by striking “and” after the semicolon;

(2) in subparagraph (H), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(I) implementation of fiscal support teams that provide technical fiscal support assistance, which shall include evaluating fiscal, administrative, and staffing functions, and any other key operational function.”.

**SEC. \_\_\_\_\_. CONSOLIDATION OF FUNDS FOR LOCAL ADMINISTRATION.**

Section 9203(d) (20 U.S.C. 7823(d)) is amended to read as follows:

“(d) USES OF ADMINISTRATIVE FUNDS.—

“(1) IN GENERAL.—A local educational agency that consolidates administrative funds under this section may use the consolidated funds for the administration of the programs and for uses, at the school district and school levels, comparable to those described in section 9201(b)(2).

“(2) FISCAL SUPPORT TEAMS.—A local educational agency that uses funds as described

in 9201(b)(2)(I) may contribute State or local funds to expand the reach of such support without violating any supplement, not supplant requirement of any program contributing administrative funds.”.

Mr. ALEXANDER. I ask unanimous consent that it be in order for Senator TOOMEY to offer amendment No. 2094 to background checks during today’s session of the Senate, with side-by-sides by each bill manager, if applicable, and that no second-degree amendments be in order to the Toomey or side-by-side amendments.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. ALEXANDER. Madam President, I thank the Chair and the Senator from Pennsylvania. I interrupted his remarks, but I thought it was important to make sure that the full Senate consented to an ability to deal with an issue he has worked on for so long.

I thank the Senator.

Mr. TOOMEY. Madam President, I am claiming my time. I want to thank Senator ALEXANDER for the sincere effort we have been engaged in for some time to find our common ground on this. I appreciate his constructive efforts. I know they are continuing, and I hope we will be able to reach an agreement on this. I thank the Senator.

**PROTECTING STUDENTS FROM SEXUAL AND VIOLENT PREDATORS ACT**

I was talking about the second part of our legislation. The first part is requiring background check standards that would actually work. The second part is a provision that would forbid this terrible practice known as passing the trash. When we hear the idea that a school, a principal, a superintendent or a school district would knowingly and willfully recommend for hire a known predator, it strikes us as so morally repulsive that we think this couldn’t really seriously happen except in the most bizarre and unusual circumstances. I wish that were the case. It is not the case. The fact is it happens.

Let me give you an example. In February, WUSA News 9 reported some really shocking news on the public school system of Montgomery County, Maryland. Since 2011, 21 Montgomery County public school workers have been investigated for child sexual abuse or exploitation. The news station learned that the Montgomery County school system “keeps a ‘confidential database’ of personnel who demonstrate ‘inappropriate or suspicious behavior’ toward children—a watch list of suspected abusers who are working in area schools.”

WUSA 9 learned that the school system has a record of passing the trash. For example, elementary school teacher Daniel Picca abused children for 17 years. The school system knew. What did they do? The teacher was punished.

You know what his punishment was? It was to assign him to another school again and again—17 years of passing a known child molester from one elementary school to another.

This is appalling. This has to stop. It has to stop now. The Federal Government can play a role in stopping it. Frankly, only the Federal Government can play a role because sometimes the passing the trash occurs across State lines, as in the case of Jeremy Bell.

Or, for example, more recently, a Las Vegas, NV, kindergarten teacher was arrested for kidnapping a 16-year-old girl and infecting her with a sexually transmitted disease. That same teacher had molested six children, all fourth and fifth graders, several years before while working as a teacher in Los Angeles, CA. The Los Angeles school district knew about these allegations. In fact, in 2009 the school district recommended settling a lawsuit—a suit that alleged that the teacher had molested the children. The school district wanted to settle.

When this teacher came across the State lines to Nevada to work, the Nevada school district specifically asked if there had been any criminal concerns regarding the teacher. The Los Angeles school district not only hid the truth, not only hid what they knew about this molester, but it provided three references for the teacher.

For those folks who suggest that States can solve this problem on their own, I have a question: What in the world can Nevada do about the behavior that is occurring in California? Since when can the laws of one State reach into and be enforced in another State?

I know the answer. It can’t. It doesn’t work. The only way to deal with this cross-border abuse, this horrendous abuse of kids, is with Federal legislation.

The Toomey-Manchin bill that we are going to be offering as an amendment to this underlying legislation has a simple proposition: If a school district wants to take Federal tax dollars, it can’t use that money to hire convicted sexual offenders of kids.

Is that really unreasonable? Is that really too much to ask? To accomplish that, the school district has to perform a criminal background check on those workers who have unsupervised access to children. The school district must prevent passing the trash. That has to be illegal. It has to be illegal to knowingly and willfully recommend for hire a pedophile who is molesting children. There is no one who can stand here and tell me these protections against child sexual predators are not urgently needed—not when more than one person is being arrested every day across America for committing sexual crimes against children and the rate at which these people are being arrested is accelerating.

What is more urgent than that? The Protecting Students Act has overwhelming bipartisan support. As I said earlier, the House passed this legislation unanimously last Congress—unanimously. How many things can pass the House unanimously? This did. The entire Congress, the House and Senate together, adopted that virtually identical background check requirements be imposed for kids at daycares, younger children, by a vote of 523 to 1.

We have already vetted this. We have already been down this road. This body and the House have expressed their support for this. I would remind my colleagues that the Protecting Students Act has been endorsed by many, many groups. I rattled off several of them: Child protection groups, law enforcement groups, prosecutors, the medical professionals at the American Academy of Pediatrics, and the Pennsylvania School Board Association. The Toomey-Manchin proposal is the only proposal that is endorsed by these groups.

We know there are going to be alternatives. There are going to be side-by-sides. Those alternatives do not have the endorsements of these organizations, for reasons that we may need to elaborate on later.

Finally, there are 459 arrests—more than one a day. Every single one of those represents a tragedy—a childhood that has been shattered, a family that has been torn by grief, by self-blame, by betrayal. The numbers aren't staying the same. The numbers are growing. The problem is getting worse.

How many more arrests do we need before the Senate decides that it is time that we do our part to protect these kids? Children of America have waited long enough, and I say no more waiting—no more passing child molesters into new schools so they can find new victims, no more defenseless children such as Jeremy Bell falling victim to a known child predator, no more excuses for not enacting a bill that the House of Representatives has passed unanimously over a year ago.

I urge my colleagues to support the Protecting Students from Sexual and Violent Predators Act and to vote aye when I offer it as an amendment this week.

AMENDMENT NO. 2094 TO AMENDMENT NO. 2089

Madam President, I ask to set aside the pending amendment in order to call up amendment No. 2094.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows: The Senator from Pennsylvania [Mr. TOOMEY] proposes an amendment numbered 2094 to amendment No. 2089.

Mr. TOOMEY. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To protect our children from convicted pedophiles, child molesters, and other sex offenders infiltrating our schools and from schools “passing the trash”—helping pedophiles obtain jobs at other schools)

At the end of title IX, add the following:

**SEC. —. PROTECTING CHILDREN FROM CHILDREN FROM CONVICTED PEDOPHILES, CHILD MOLESTERS, AND OTHER SEX OFFENDERS.**

Title IX (20 U.S.C. 7801 et seq.), as amended by this title, is further amended by adding at the end the following:

**“PART H—SCHOOL EMPLOYEE BACKGROUND CHECKS**

**“SEC. 9651. SHORT TITLE.**

“This part may be cited as the ‘Protecting Students from Sexual and Violent Predators Act’.

**“SEC. 9652. DEFINITION OF SCHOOL EMPLOYEE.**

“In this part, the term ‘school employee’ means—

“(1) a person who—

“(A) is an employee of, or is seeking employment with, an elementary school, secondary school, local educational agency, or State educational agency, that receives funds under this Act; and

“(B) as a result of such employment, has (or will have) a job duty that results in unsupervised access to elementary school or secondary school students; or

“(2) a person, or an employee of a person, who—

“(A) has a contract or agreement to provide services with an elementary school, secondary school, local educational agency, or State educational agency, that receives funds under this Act; and

“(B) as a result of such contract or agreement, the person or employee, respectively, has a job duty that results in unsupervised access to elementary school or secondary school students.

**“SEC. 9653. BACKGROUND CHECKS.**

“(a) BACKGROUND CHECKS.—Not later than 2 years after the date of enactment of the Every Child Achieves Act of 2015, each State educational agency, or each local educational agency in any case where State law designates a local educational agency to carry out the requirements of this part, that receives funds under this Act shall, as a condition of receiving such funds, have in effect policies and procedures that—

“(1) require that a criminal background check be conducted for each school employee that includes—

“(A) a search of the State criminal registry or repository of the State in which the school employee resides;

“(B) a search of State-based child abuse and neglect registries and databases of the State in which the school employee resides;

“(C) a Federal Bureau of Investigation fingerprint check using the Integrated Automated Fingerprint Identification System; and

“(D) a search of the National Sex Offender Registry established under section 119 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16919);

“(2) prohibit the employment of a school employee as a school employee if such employee—

“(A) refuses to consent to a criminal background check under paragraph (1);

“(B) makes a false statement in connection with such criminal background check;

“(C) has been convicted of a felony consisting of—

“(i) murder;

“(ii) child abuse or neglect;

“(iii) a crime against children, including child pornography;

“(iv) spousal abuse;

“(v) a crime involving rape or sexual assault;

“(vi) kidnapping;

“(vii) arson; or

“(viii) physical assault, battery, or a drug-related offense, committed on or after the date that is 5 years before the date of such employee's criminal background check under paragraph (1); or

“(D) has been convicted of any other crime that is a violent or sexual crime against a minor;

“(3) require that each criminal background check conducted under paragraph (1) be periodically repeated or updated in accordance with State law or the policies of local educational agencies served by the State educational agency;

“(4) upon request, provide each school employee who has had a criminal background check under paragraph (1) with a copy of the results of the criminal background check;

“(5) provide for a timely process, by which a school employee may appeal, but which does not permit the employee to be employed as a school employee during such appeal, the results of a criminal background check conducted under paragraph (1) which prohibit the employee from being employed as a school employee under paragraph (2) to—

“(A) challenge the accuracy or completeness of the information produced by such criminal background check; and

“(B) establish or reestablish eligibility to be hired or reinstated as a school employee by demonstrating that the information is materially inaccurate or incomplete, and has been corrected;

“(6) ensure that such policies and procedures are published on the website of the State educational agency and the website of each local educational agency served by the State educational agency; and

“(7) allow a local educational agency to share the results of a school employee's criminal background check recently conducted under paragraph (1) with another local educational agency that is considering such school employee for employment as a school employee.

**“(b) FEES FOR BACKGROUND CHECKS.—**

“(1) CHARGING OF FEES.—The Attorney General, attorney general of a State, or other State law enforcement official may charge reasonable fees for conducting a criminal background check under subsection (a)(1), but such fees shall not exceed the actual costs for the processing and administration of the criminal background check.

“(2) ADMINISTRATIVE FUNDS.—A local educational agency or State educational agency may use administrative funds received under this Act to pay any reasonable fees charged for conducting such criminal background check.

**“PART I—BAN ON AIDING AND ABETTING CHILD SEXUAL ABUSE THROUGH ‘PASSING THE TRASH’**

**“SEC. 9661. BAN ON AIDING AND ABETTING CHILD SEXUAL ABUSE THROUGH ‘PASSING THE TRASH’.**

“Each State or State educational agency, or each local educational agency in any case where State law designates a local educational agency to carry out the requirements of this part, that receives funds under this Act shall, as a condition of receiving such funds, have in effect laws, regulations, or policies and procedures that prohibit any

agency or person from transferring, or facilitating the transfer of, any school employee if the agency or person knows, or recklessly disregards information showing, that such school employee engaged in sexual misconduct with a minor in violation of law.”.

The PRESIDING OFFICER. The Senator from Vermont.

NOMINATION OF KARA FARNANDEZ STOLL

Mr. LEAHY. Madam President, today, we are finally, finally going to vote on the nomination of Kara Farnandez Stoll to serve as a judge on the United States Court of Appeals for the Federal Circuit. She is superbly qualified, and once confirmed, she will be the first woman of color to serve on the Federal Circuit.

She has the strong endorsement of the non-partisan Hispanic National Bar Association as well as from the Federal Circuit Bar Association, and the American Intellectual Property Law Association. In its letter of support to the Judiciary Committee, the Hispanic National Bar Association, HNBA, wrote that their due diligence has confirmed that Ms. Farnandez Stoll “maintains the highest ethical and professional standards. She is also competent and hardworking. Her litigation experience, commitment to public service, and temperament make her an ideal candidate for a court appointment.” I could not agree more. So why did it take so long for the Republican leadership to schedule a confirmation vote for this uncontroversial, highly qualified, and historic nominee?

The President nominated Ms. Farnandez Stoll last year—nearly 8 months ago. The Senate Judiciary Committee unanimously reported her nomination to the full Senate more than 2 months ago. There is no good reason why her confirmation vote has been stalled over and over again.

Unfortunately, the Republican majority’s treatment of Ms. Farnandez Stoll’s nomination is more pattern than aberration. Six months into this new Republican-led Congress that was supposed to move forward on things and the Senate has only confirmed a handful of judges. In fact, it has been more than 6 weeks since a vote was even scheduled by the majority leader for a single judicial nominee. This glacial pace of confirmations is a dereliction of the Senate’s constitutional duty to provide advice and consent on judicial nominees. Many are concerned that such treatment threatens the functioning of our independent judiciary.

We have 11 other consensus judicial nominations pending on the Senate Executive Calendar in addition to Ms. Farnandez Stoll. No one can credibly claim that the majority’s slow pace in scheduling confirmation votes is due to a lack of nominees. This group includes another nominee who has received the strong support of the HNBA—Armando Bonilla—one of five pending nominees

to the U.S. Court of Federal Claims, CFC. Like Ms. Farnandez Stoll, Mr. Bonilla’s confirmation will be an historic milestone—when confirmed he will be the first Hispanic judge to hold a seat on the CFC.

In less than 48 hours, the Judiciary Committee is expected to report out another HNBA-endorsed nominee, Luis Felipe Restrepo, who will fill a judicial emergency vacancy on the U.S. Court of Appeals for the Third Circuit. Judge Restrepo was unanimously confirmed 2 years ago by the Senate to serve as a district court judge in Pennsylvania. I have heard no objection to his nomination, yet it took 7 months just to get him a hearing. Once confirmed, Judge Restrepo will be the first Hispanic judge from Pennsylvania to ever serve on this court and only the second Hispanic judge to serve on the Third Circuit.

If Senate Republicans had an issue with any of the pending nominees or if they sought time to debate them on the floor, some of the delay might be understandable. But no Senator has spoken in opposition to any of the pending nominees. In fact, the Senate Judiciary Committee reported all 11 of them by voice vote. Instead of receiving timely consideration of their nominations, however, these uncontroversial nominees have not been treated fairly by the Senate majority.

There is a different way to lead. In the last 2 years of George W. Bush’s term, Democrats came into the majority. Some thought we would slow up his judges. We did not. I served as chairman of the Judiciary Committee during those last 2 years of President George W. Bush’s administration and we confirmed 68 district and circuit court judges during that time. In fact, by this time in the seventh year of the Bush administration, the Democratic-controlled Senate had confirmed 21 judges—including 18 district and 3 circuit court judges. Compare that to this seventh year of the Obama administration under Republican control, in which the Senate has thus far confirmed just four district court judges this year. Just four. Now this is outrageous. It hurts. It politicizes the Federal bench. It hurts the rules of law in this country.

So under a Democratic majority with a Republican President, we confirmed five times more judges than the Senate Republican majority has allowed under their control of the Senate for a Democratic President. The disparity of treatment is clear, and it is wrong. Incidentally, that is the same way we did it when Democrats took over control of the Senate during the last 2 years of President Reagan’s term. We moved judges at a much faster pace than anything Republicans have allowed us to do under President Obama. This is wrong. This is petty partisanship that hurts our independent judiciary. We

are not asking for anything special but we are saying it would be nice if Republicans treated Democrats the same way we treated them.

We should also not forget the rising number of judicial vacancies in our Federal courts. At the start of this Congress, there were 44 vacancies, including 12 vacancies deemed “judicial emergencies” by the nonpartisan Administrative Office of the U.S. Courts. That number has climbed to 63 vacancies, including 27 “judicial emergency” vacancies on our district and circuit courts. The vast majority of these vacancies are concentrated in States with at least one Republican home State Senator. Of particular concern are four circuit court “judicial emergency” vacancies: two in Texas, one in Alabama, and one in Kentucky. Each vacancy has been left open for well over a year, including one in Texas that has remained vacant for almost 3 years.

All Senators know that it is our constitutional duty to provide advice and consent on judicial nominees. When it comes to filling vacancies on the Federal courts in our State, we have unique insight into our States’ legal communities to share with the President before he makes a nomination. Americans expect us to do our jobs and in the Senate that includes ensuring their access to the Federal courts. I urge all Senators to work with the President to fill the growing number of judicial vacancies in their States.

We will at least make some small progress today as we finally take up Ms. Farnandez Stoll’s nomination. Her extensive experience on issues that come before the Federal Circuit will serve the court well. She is currently a partner at Finnegan, Henderson, Farabow, Garrett and Dunner, a law firm specializing in intellectual property law. Ms. Farnandez Stoll also teaches as an adjunct professor at George Mason University Law School. Before practicing law, Ms. Farnandez Stoll was a patent examiner in the U.S. Patent and Trademark Office. Ms. Farnandez Stoll received her B.S. in electrical engineering from Michigan State University in 1991 and her J.D. from Georgetown University Law School in 1997. Upon graduating from law school, she served as a law clerk to Federal Circuit Judge Alvin Schall. I trust that her background and the reputation she has earned in the legal community will serve her well as she begins this new chapter.

I congratulate Ms. Farnandez Stoll on what I expect will be her successful, albeit long overdue, confirmation. I urge the Senate leadership to act responsibly by scheduling votes for the other 11 uncontroversial judicial nominees still pending on the Executive Calendar.

I yield the floor.

## EXECUTIVE SESSION

NOMINATION OF KARA  
FARNANDEZ STOLL TO BE  
UNITED STATES CIRCUIT JUDGE  
FOR THE FEDERAL CIRCUIT

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read the nomination of Kara Farnandez Stoll, of Virginia, to be United States Circuit Judge for the Federal Circuit.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Kara Farnandez Stoll, of Virginia, to be United States Circuit Judge for the Federal Circuit?

Mr. LEAHY. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Arizona (Mr. FLAKE), the Senator from Ohio (Mr. PORTMAN), and the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Maine (Mr. KING) is necessarily absent.

I further announce that, if present and voting, the Senator from Maine (Mr. KING) would vote "yea."

The PRESIDING OFFICER (Mr. GARDNER). Are there any other Senators in the Chamber desiring to vote?

The result was announced— yeas 95, nays 0, as follows:

[Rollcall Vote No. 221 Ex.]

## YEAS—95

Alexander	Ernst	Mikulski
Ayotte	Feinstein	Moran
Baldwin	Fischer	Murkowski
Barrasso	Franken	Murphy
Bennet	Gardner	Murray
Blumenthal	Gillibrand	Nelson
Blunt	Graham	Paul
Booker	Grassley	Perdue
Boozman	Hatch	Peters
Boxer	Heinrich	Reed
Brown	Heitkamp	Reid
Burr	Heller	Risch
Cantwell	Hirono	Roberts
Capito	Hoeven	Rounds
Cardin	Inhofe	Sanders
Carper	Isakson	Sasse
Casey	Johnson	Schatz
Cassidy	Kaine	Schumer
Coats	Kirk	Scott
Cochran	Klobuchar	Sessions
Collins	Lankford	Shaheen
Coons	Leahy	Shelby
Corker	Lee	Stabenow
Cornyn	Manchin	Sullivan
Cotton	Markey	Tester
Crapo	McCain	Thune
Daines	McCasikill	Tillis
Donnelly	McConnell	Toomey
Durbin	Menendez	Udall
Enzi	Merkley	

Vitter  
Warner

Warren  
Whitehouse

Wicker  
Wyden

## NOT VOTING—5

Cruz  
Flake

King  
Portman

Rubio

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

## LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

The Senator from Nebraska.

## MORNING BUSINESS

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

LOCAL GOVERNANCE IN  
EDUCATION

Mrs. FISCHER. Mr. President, this summer parents across the country will be preparing their children for the coming school year. Whether unwinding on a family break, purchasing school supplies, returning summer reading books to the library or finishing summer camp, it will almost be time to go back to school.

We owe so much to our hard-working educators. They are the role models for our children who provide invaluable life lessons that go well beyond reading, writing, and arithmetic. Years before I served in the Nebraska legislature, I served on my local school board, as president of the Nebraska Association of School Boards, and on the Nebraska School Finance Review Committee. These experiences helped shape my views on education policy as a state lawmaker, and they continue to inform my work here in the Senate.

Nebraska is truly fortunate to have excellent schools. Each school district has unique strengths, and they face challenges that are specific to their schools and to the students. Because of this, parents, teachers, school boards, and communities are in the best position to know the needs of their students. They are an integral part of every child's academic success.

That is why I believe education decisions are best made at the State and especially at the local level. The role of the Federal Government should be to promote policies that will improve the ability of individual States to meet the needs of their specific communities. To that end, I have worked with my col-

leagues, Senator KING and Senator TESTER, to offer an amendment promoting local governance in education.

The purpose of this bipartisan amendment is simple: to ensure that our local school districts are not coerced into adopting misguided education requirements. It ensures that our local stakeholders have a stronger voice in both the regulatory and the guidance process. This amendment would ensure that communities have ultimate authority over their school districts. It also strengthens the relationship among school board members and parents.

These changes are long overdue. We must limit Federal intrusion into local education policy. As we prepare for the first day of school, Nebraska is focused on providing students with a well-rounded education. We must ensure that our public policy enhances the classroom experience, provides essential resources to student success, and helps place our students on the path for successful futures.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

## EVERY CHILD ACHIEVES ACT

Ms. COLLINS. Mr. President, I rise today to support the bipartisan Every Child Achieves Act. This bill is landmark legislation that would reform and reauthorize the Elementary and Secondary Education Act, also known as No Child Left Behind. This bill would improve our schools and strengthen the traditional roles played by our local communities, our educators, and our States.

I am proud to have joined every member of the Senate Health, Education, Labor and Pensions Committee in voting to report this bill and I applaud the chairman, Senator ALEXANDER, and the ranking member, Senator MURRAY, for their leadership.

Congressional action to remedy the serious problems with the law No Child Left Behind, while preserving its valuable parts, is long overdue. NCLB was a well-intentioned law, and its focus on the education of every child, greater transparency in school performance, and more accountability for results were welcome reforms. But some of its provisions were simply not achievable and thus discouraging to teachers, to parents, and to students alike.

The current system of unattainable standards and a patchwork of State waivers has led to confusion about Federal requirements. High-stakes testing and unrealistic 100-percent proficiency goals do not raise aspirations; they instead dispirit those who are committed to a high-quality education for our students. Responding to those concerns in 2004, along with then-Senator Olympia Snowe, I established the Maine NCLB

Task Force to examine the issues facing Maine and to provide recommendations for changes to No Child Left Behind.

Our task force brought together individuals with a great deal of expertise, experience, and perspective on the law and on educational policy in general. The task force included teachers, principals, superintendents, school board members, parents, and State officials. It was cochaired by Leo Martin, a former commissioner of the Maine Department of Education, and Anne Pooler, a former professor and then-associate dean at the College of Education at the University of Maine. The task force completed its work in 2005.

Well, our Maine NCLB task force proved to be prescient in identifying the problems with implementing No Child Left Behind, and 10 years later its report is as relevant as ever.

Chief among the task force's final recommendations was the need for greater flexibility for the State department of education and for local school boards. The members pointed out that the principles of improved student performance and closing achievement gaps were completely compatible with according States more flexibility to design different accountability systems.

Reflecting that recommendation, the bill before us, the Every Child Achieves Act, would remove the high-stakes accountability system that has been proven unworkable under No Child Left Behind. Our bill would give States much-needed flexibility over how to improve the accountability of schools for student achievement. Recognizing also the critical importance of family engagement in education, the bill supports school districts in conducting parent outreach and participation activities.

The Every Child Achieves Act would also eliminate the burdensome definition of a "highly qualified teacher" which has proven to be unworkable in Maine's small, rural schools. In such schools, the reality is that teachers must often teach multiple subjects and are reassigned to different content areas because of low enrollment.

For example, on Maine's North Haven Island, there is one school that serves all students from kindergarten through the 12th grade. With fewer than 70 students, North Haven Community School is one of the smallest K-through-12 schools in my State. It is not surprising that the educators at the North Haven Community School teach multiple subject areas across the different grades because of the school's size.

Speaking of smaller schools, I am particularly pleased that the Every Child Achieves Act would extend the Rural Education Achievement Program, known as REAP, which I coauthored with former Senator Kent Conrad in 2002. Students in rural America

should have the same access to Federal grant dollars as those who attend schools in large urban and suburban communities. Most Federal competitive grant programs, however, favor larger school districts because those are the districts that have the ability to hire grant writers to apply for these grants. If you are in a school district such as North Haven, which only has 70 students for all the grades, you don't have the luxury of extra funds to hire grant writers to apply for these competitive grant programs.

What REAP does is provides financial assistance to small and high-poverty rural districts to help them address their unique local needs and also to meet Federal requirements. This program has helped to support new technology in classrooms, distance learning opportunities, professional development for educators, as well as an array of other programs that benefit students and teachers in rural districts. Since the law was enacted, at least 120 Maine school districts have collectively received more than \$42 million from the Rural Education Achievement Program. That is money which has made a real difference to these small, rural, high-poverty districts, and it is Federal funds that they would never have been able to successfully compete for when they were applying against large, urban school districts.

Maine's educators are working hard to develop high-quality assessments that better track student performance and growth. I am pleased that the Every Child Achieves Act includes a pilot program to support States that are designing alternative assessment systems based on student proficiency, not just traditional standardized tests. Such systems often give teachers, parents, and students a fuller understanding of each student's abilities and better prepare them for college or the career path they choose. The Federal Government should cooperate with States and school districts that are designing new assessment systems, and this pilot program is an important step in the right direction.

During the committee's consideration of this bill, I offered an amendment with Senator SANDERS to allow more States to participate in the innovative assessment program and to give participating school districts more time to scale up their systems statewide. Our amendment passed unanimously in committee, and I thank Chairman ALEXANDER and Ranking Member MURRAY for continuing to work with me to refine and improve this pilot program.

The bottom line is that Washington should not be imposing a top-down, one-size-fits-all approach to assessment. What works in Chicago may not be the answer for Turner, ME, which was named a Blue Ribbon School last year. Assessing the progress of our stu-

dents is critical, but there are many effective ways to determine students' level of learning.

Fifty years ago and alongside significant civil rights legislation, Congress first passed the Elementary and Secondary Education Act to improve access to education, particularly for the students from low-income families. Providing a good education for every child must remain a national priority so that each child reaches his or her full potential, has a wide range of opportunities, and can compete in an increasingly global economy. The Every Child Achieves Act honors those guiding principles while returning greater control and flexibility to our States, to local school boards, and to educators.

Again, I thank the chairman and the ranking member of the committee for their work in crafting this bipartisan bill. I look forward to the debate on it in the week to come, and I urge my colleagues to support its passage.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

#### REMEMBERING ELDER BOYD K. PACKER

Mr. LEE. Mr. President, I rise today to pay tribute to Elder Boyd K. Packer, president of the Quorum of the Twelve Apostles of the Church of Latter-day Saints, who passed away on July 3, 2015, at the age of 90.

Boyd K. Packer was both a man of principle and a man who knew the power of principles. He taught that talking about principles and doctrines changes behavior far better than talking about behavior changes behavior. He boldly stood as a "watchman on the tower," proclaiming the principles that lead to faithful families, strong communities, and ultimately better nations.

Trained as an educator, Elder Packer was truly a teacher first, last, and always. Whether interacting with an individual, speaking in front of thousands, writing one of his many insightful books, or simply spending time with one of his beloved children, he was forever teaching. And to be clear, he wasn't preaching; he was teaching—teaching principles that would instruct, inspire, and improve all who came within the sound of his distinct and powerful voice.

Boyd K. Packer understood the important influence of simple stories in teaching. He masterfully wove priceless principles into powerful modern-day parables, keen observations from everyday living, and spiritual lessons that were meaningful and memorable. Experiences such as tuning an old radio, getting his boys to stop wrestling in the living room, visiting a small church in Denmark, carving and painting birds, learning about crocodiles in Africa, or observing the pleadings for help from an orphan boy while



serving as a serviceman in Japan, all emerged as foundational stories from which to teach life-changing principles.

Faith and family were always at the center of Elder Packer's teaching, and he often illustrated that the intersection of faith and family is where critical lessons are taught. He illustrated that this intersection between faith and family is precisely where critical lessons are taught and learned and where children are prepared to live nobly and serve selflessly.

In describing how to prepare children for the challenges of life, he thought that children should be provided with a shield of faith and that forming that shield of faith was of necessity a cottage industry. In his own words:

We can teach about the materials from which a shield of faith is made: reverence, courage, repentance, forgiveness, compassion. . . . We can learn how to assemble and fit them together in many places. But the actual making of and fitting on of the shield of faith belongs in the family circle. Otherwise it may loosen and come off in a crisis.

As a "watchman on the tower," Boyd K. Packer was perpetually ahead of his time. He could see around difficult societal corners and had a clear view of the blessings and benefits that flow from principled living. What some may have interpreted as a stern and serious speaking style was simply Elder Packer teaching out of both love and urgency because he could see and he could sense what was on the horizon.

It has been said that the ability to see ahead is both a blessing and a tremendous burden. It is a blessing because you can prepare, and it is a burden because often the people you are trying to help can't see what you can see. Elder Packer's ability to see ahead was unrivaled, occasionally underestimated, but always an unmatched lesson for those who chose to follow the visionary principles he taught.

Elder Packer was indeed a master teacher because he followed, he studied, and he came to know the Master Teacher.

I am confident that the principles Boyd K. Packer shared with the world will continue to impact and improve behavior for generations to come.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. DAINES). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### TRIBUTE TO DR. JAMES BILLINGTON

Mr. LEAHY. Mr. President, at the end of this year, Congress will say farewell to Dr. James Billington, a dear friend who, for the last 28 years, has

dedicated his life to ensuring that the Nation's most prominent library is an unparalleled resource for all who visit, either in person or online. Since his nomination by President Reagan in 1987 and subsequent confirmation by the United States Senate, Dr. Billington has led the Library of Congress into the digital era, and expanded its relationships internationally and with the private sector.

For almost three decades, Dr. Billington championed the National Digital Library program, which made millions of rare and one-of-a-kind historical and cultural documents readily available to the public. The National Digital Library was a colossal undertaking and one that students and scholars alike will utilize for many years to come.

In 1990, Dr. Billington created the James Madison Council, an advisory panel that serves as a liaison between the Library and the business community. The Council was the Library's first national private-sector advisory and support group, and has since helped to fund more than 360 projects. Dr. Billington's devotion to the growth and development of the Library of Congress has helped bring a national treasure into the 21st Century and improve access for people all over the country and the world.

Dr. Billington has also worked to expand the Library of Congress' online resources by collaborating with Russian libraries to establish a major bilingual website. He later completed similar joint projects with the national libraries of Brazil, Spain, France, the Netherlands, and Egypt. Dr. Billington spearheaded efforts to create the World Digital Library, which was successfully launched in April 2009. Today, the site contains cultural materials from all 193 countries in the United Nation's Educational, Scientific and Cultural Organization, UNESCO, with commentary in seven languages. As the Librarian of Congress, Dr. Billington led a delegation to Tehran, Iran, in October 2004, making him the most senior U.S. government official to visit Iran in 25 years and furthering his international leadership.

Throughout his 42 years in public service in Washington, Dr. Billington has collaborated on numerous programs such as the Veterans History Project, highlighting the great accomplishments of countless Americans through oral histories, the National Book Festival, and the Gershwin Prize for Popular Song. Dr. Billington's brilliance, devotion, and vision throughout his career is unparalleled and incredibly appreciated.

Marcelle and I were happy to welcome Dr. Billington to Vermont in 2012, to celebrate the sesquicentennial of the historic Land Grant College Act, authored by Vermont Senator Justin Morrill in the 1800s. Like Justin Mor-

rill, Dr. Billington and I share a profound regard for the importance of Federal investment in access to education. I have deeply appreciated Dr. Billington's commitment to preserving and advancing the incredible resource that is the Library of Congress. Marcelle and I both thank him for his service and wish he and his wife Marjorie well as he begins this new chapter.

#### THE LOST SHUL MURAL AT OHAVI ZEDEK SYNAGOGUE

Mr. LEAHY. Mr. President, I am proud to recognize Aaron Goldberg, Jeffrey Potash and the greater Ohavi Zedek community for their tireless efforts in relocating a treasured artifact in our State's Jewish community. For nearly two decades, the historically significant Shul Mural—a 105-year-old rare mural—has sat hidden behind the walls of Chai Adam Synagogue in Burlington's north end district. In May, after years of careful restoration and planning, the mural was safely moved to its new home, where it will finally be displayed to honor a prominent period in our State's Jewish history.

Burlington's Jewish history dates back to the mid-1880s, when a large influx of Lithuanian Jews traveled from Eastern Europe to settle in Vermont. Ohavi Zedek Synagogue was established in 1885 by the Lithuanians, and has since remained a thriving community stronghold for Burlington's Jewish population. In 1889, the Chai Adam Synagogue was created by a group of Orthodox Jews previously aligned with Ohavi Zedek. It is here the Shul Mural was created.

Stretching floor-to-ceiling, the Shul Mural depicts two lions and the Ten Commandments, two iconic symbols in the Jewish faith. The Shul Mural, painted by Ben Zion Black, uses a rare artistic style, one that dates back to before World War II and was prevalent in wooden synagogues across Eastern Europe. At that time, vast murals of iconic, hand-painted images sprawled entire walls and ceilings to capture the imagery held in Jewish Torah readings. The Shul Mural presents a rare folk design mixed with modern painting techniques, yet little is actually known about its genre, as most of these works were sadly destroyed during the Holocaust.

In 1939, Ohavi Zedek and Chai Adam rejoined, and the old Chai Adam was sold and used as retail space and later a rug store. It was here that Aaron Goldberg, a volunteer and historian of Ohavi Zedek Synagogue, discovered the mural. Through the years, the Shul Mural sat uncovered and ill-preserved, until 1986 when the space was renovated to an apartment complex, and Mr. Goldberg along with Ohavi Zedek archivist, Jeffrey Potash, pleaded with the new owner to cover the mural with



a false wall so that it would not bear further decay.

Over two decades later, when the apartment building was again sold in 2012, its new owner, Steven Offenhartz, agreed to donate the mural to Ohavi Zedek. The false wall that had covered the Shul Mural for more than 20 years was lifted, and the construction team worked with Constance Silver, a conservator from Brattleboro, to stabilize and recover what was lost. At that point, decades of deterioration had taken their toll, and the once vibrant paint began to dull and flake away. Piece by piece, Constance reinforced and restored the painting.

On May 6, 2015, after decades in hiding, the mural was successfully transported to Ohavi Zedek where it will be cleaned and further restored. The hard work and dedication of the entire team with the support of Burlington's community—which raised over \$400,000 to support the restoration and transportation of this historic piece of art—made this incredible feat possible.

Aaron Goldberg, Jeffrey Potash, Steven Offenhartz, Constance Silver, and the many other members of the Ohavi Zedek and greater Burlington community should be congratulated for their support and dedication to protecting and restoring one of our State's most significant treasures. This important piece of Burlington's Jewish history will finally be on proper display for all to enjoy.

I ask unanimous consent that an article on the Shul Mural from the Burlington Free Press be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Burlington Free Press,  
May 14, 2015]

#### "LOST" JEWISH MURAL FINDS NEW HOME

(By Zach Despart, Free Press Staff Writer)

When the project was done, it might have appeared to onlookers that a construction crew had no difficulty moving the Lost Shul Mural to a new home in the Old North End.

After all, the construction crew only had to remove the roof of a Hyde Street building, lift via crane a brittle, multi-panel, 105-year-old rare piece of art, place the mural on a flatbed truck, drive it nearly half a mile uphill and, with the strength of many workers, push the artwork, on rollers, into Ohavi Zedek Synagogue.

All in a day's work for a volunteer group of local residents, who for almost three decades have been trying to find a way to move the historic artifact from a hidden alcove on Hyde Street to more suitable location.

"I had hoped to someday move the mural, but it's been over 29 years we've been waiting for this time," Ohavi Zedek archivist Aaron Goldberg said Wednesday. "It's a remarkable achievement for the community to have this here."

The story of the lost work begins in 1910, when Burlington's Jewish community commissioned Lithuanian artist Ben Zion to paint a mural within the Chai Adam synagogue, which was built on Hyde Street in 1889. The floor-to-ceiling mural contains

three panels that depict Jewish iconography, including two lions and the Ten Commandments.

In 1939, Chai Adam merged with Ohavi Zedek and vacated the Hyde Street building. Congregants, in an effort to preserve the mural, hid the piece behind a false wall. The ownership of the building changed hands several times in the following decades, and a private owner in 1986 converted the building into apartments.

That year, Goldberg and other archivists persuaded the owner to wall off the mural permanently with Sheetrock, so the art would be safe for a later move. Many tenants over the next two decades never knew the mural was there.

But Burlington's Jewish community never forgot about the lost mural. In 2012, some 26 years since the mural disappeared from public view, the archivists of Ohavi Zedek worked with the owner of the building to uncover the artwork.

They decided to move the artifact to Ohavi Zedek and proudly display the mural in the lobby. For the next three years, a dedicated group of congregants developed a plan for the big move, and raised more than \$400,000.

"This is a very innovative job," Goldberg said. "This took two and a half years of planning."

#### THE BIG MOVE

The moment Goldberg for decades had waited for arrived Wednesday. Shortly after 8 a.m. on the warm, calm morning, crews used a crane to lift off a pre-cut section of the roof of the synagogue-turned-apartment-building on Hyde Street, exposing the old cupola that held the mural.

The mural itself was not visible to onlookers. For protection, it was encased in cushioning made of Chinese silk and other materials. Bob Neeld, the structural engineer, said this project required special attention to minimize any vibrations that could damage the mural.

"Even a three-story building can be built to handle several inches of movement," Neeld said. For this move, Neeld added, the crew was hoping to limit movement "to a couple thousandths of an inch."

The mural itself is made of less than half an inch of plaster on a wood lathe. To stabilize the century-old material before the move, crews reinforced the artwork with mortar.

After the roof was off, the crane lifted the fragile mural, encased in a specially built steel frame, from the second floor of the structure and placed the artifact onto a flatbed truck. The mural and frame stood about feet tall and 15 feet wide, and weighed about 6,500 pounds.

Next came a slow parade through the Old North End, as the truck crept north on Hyde Street, east on Archibald Street and south on North Prospect Street, onto the lawn of Ohavi Zedek. A crowd of congregants, many of them with cameras, followed the informal procession. Burlington police blocked the intersections along the way. Perplexed motorists scratched their heads.

In front of the synagogue, another crane lifted the mural onto a makeshift bed of rollers on a wooden "landing pad." Once there, about of dozen laborers pushed the 3-ton mural through an opening into the lobby. Next week, crews will hoist the mural above the lobby, where the art will hang for visitors to see, much as it did on Hyde Street 105 years ago.

Organizers planned the move to take 12 hours, but it took just three—a result engineers chalked up to good weather and meticulous planning.

#### COMMUNITY SIGNIFICANCE

Thousands of European synagogues—and the ornate murals within the places of worship—were destroyed by the Nazis during the Holocaust. The Lost Shul Mural is one of the few remaining murals from that time period in existence, said Goldberg, the Ohavi Zedek archivist.

Rabbi Joshua Chasan said the restoration of the lost mural was important not only to Burlington's Jewish community, but to Jews around the world.

"It's a benefit to the Jewish people internationally to have a piece of folk art from the world the Nazis destroyed," Chasan said. "In that sense, it's a memorial to those who died in the Holocaust and . . . to that Jewish world that perished."

Goldberg said that in addition to being a Jewish relic, the lost mural is an important connection to Burlington's rich history of hosting immigrants. Among the European immigrants who settled in Burlington during the 19th century were a group of Lithuanian Jews who moved into the city's North End, a neighborhood that for decades came to be known as Little Jerusalem.

"This is immensely important to the preservation immigration history in Vermont," Goldberg said. "It is the only example of its kind we know of in the U.S., and one of the few remaining remnants in the world."

Janie Cohen, director of the University of Vermont's Fleming Museum, said having such a rare piece of art in Burlington is remarkable.

"The fact there are so few of these left in the world, and we have one in Burlington—it's phenomenal," said Cohen, who watched the move Wednesday.

Former Vermont Gov. Madeleine Kunin, who helped raise money for the move and the restoration, walked with the crowd that followed the mural as the truck traveled through the Old North End.

"Today is so exciting, because many people thought it would never happen: How can you move something that's part of a wall?" she said.

One man on the synagogue lawn had a special connection to the lost art. He remembers seeing the mural 76 years ago. Mark Rosenthal, 84, grew up in Burlington and remembers seeing the mural as a child at Chai Adam in the 1930s.

"My father and I would go on holidays," Rosenthal said. "I remember the whole scene where the mural was, and I'm moved and touched by what is taking place today. I can't believe it's happening."

#### REMEMBERING NORMAN RUNNION

Mr. LEAHY. Mr. President, I would like to take a moment to honor the memory of a longtime journalist and true friend, Norman Runnion, who passed away in a Vermont hospital last month at the age of 85. Norm was many things to many people, but as they say of those in the newspaper business, he had ink coursing through his veins. Norm was born into a news family and he loved to tell stories of his early days spent in newsrooms, watching his father work the trade. But when tragedy struck home—Norm's father was killed after falling under a train—the younger Runnion dedicated himself to the profession.

From his gritty beginnings working the night cop beat on Chicago's South

Side, Norm worked his way up as a reporter and editor with United Press International, covering the biggest stories of the day, including the Cuban Missile Crisis and the Warren Commission report. By the mid-1960s, Norm made the wise decision to ply his skills in Vermont and settled in at the Brattleboro Reformer. He soon made his way to the managing editor post, where he earned deep respect from his community and his State over the next two decades. When newspapers lost a bit of luster for Norm, he turned to the seminary and became an Episcopal priest, further dedicating his life in public service.

In retelling the path of his colorful news career, Norm suggested that fate led to his successes. "I was really incredibly lucky," he told a younger reporter who he once mentored. "Everywhere I went was one after another of the biggest news stories of the world. Those were the most monumental news stories of my generation."

I believe it was far more than luck that made Norm Runnion the talent that he was. It was devotion to a trade that he believed was worthy of that commitment. And his readers were incredibly lucky for that. I feel fortunate to have spoken with Norm shortly before his passing. Although weak, his spirit was still very much evident. In honor of that spirit, I ask unanimous consent to have printed in the RECORD a remembrance of Norm Runnion, which appeared on VTDigger.org.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From VTDigger.org, June 22, 2014]

VERMONT JOURNALIST NORMAN RUNNION DIES  
AT AGE 85

(By Kevin O'Connor)

Ask Norman Runnion for his life story and he'd point to a newspaper.

Take the old Kansas City Journal-Post, where he played as a child while his father pounded on a manual typewriter.

Or the Evanston (Ill.) Review, where he broke into journalism pasting up the sports page for \$5 a week.

Or Vermont's Brattleboro Reformer and The Herald of Randolph, where he capped a globetrotting career covering the world for wire service desks in New York, London, Paris and Washington, D.C.

"I'm a newspaperman, my father was a newspaperman—I love that word, I grew up on that word. It would never have occurred to me to be anything else."

"I'm a newspaperman, my father was a newspaperman—I love that word, I grew up on that word," he said in 1989. "It would never have occurred to me to be anything else."

Except an Episcopal priest, which he tried for a decade at midlife. But Runnion eventually returned to writing, which he did until shortly before his death Friday at Randolph's Gifford Medical Center at age 85.

When Newfane mystery novelist Archer Mayor wanted an interesting character name for his 1993 book "The Skeleton's Knee," he borrowed Norm Runnion's. But fiction was no match for the real man's feats.

The lifelong scribe made his own headlines as recently as two years ago, when he wrote a widely circulated column recalling his work as Washington night news editor for United Press International when President John F. Kennedy was assassinated Nov. 22, 1963.

"For those of us who were around on that searing day in American history, it could have been yesterday, not 50 years ago," he recalled of an event for which UPI's coverage won a Pulitzer Prize. "I can hear today the haunting sounds of the muffled drums as they passed below our windows, leading the solemn procession past the thousands of people who jammed the sidewalks to watch and mourn."

Runnion went on to write the main story about the 888-page Warren Commission report on the shooting.

"The report was embargoed for a later release to give journalists time to absorb the contents instead of rushing out with the first available tidbits," he wrote. "But the stark principal finding was right there: Oswald, acting alone, had murdered America's beloved president."

Ask Runnion what sparked his interest in journalism and he'd rewind back to his birth in Kansas City, Mo., in 1929. His mother was a teacher; his father, like his grandfather, was a newspaperman.

"I grew up in a newsroom—quite literally," he told this reporter in a 1989 interview.

For Runnion, home was wherever his father worked. At age 12, his family moved to St. Louis and the Star-Times; in 1941, it was Chicago and the Sun.

Life changed in 1945 when Runnion's father fell underneath a commuter train and was killed. The next day, Runnion, then a high school junior, enrolled in a journalism course. Eventually receiving a degree from Northwestern University's Medill School of Journalism in 1951, he worked "four god-awful months" at the Chicago City News Bureau, servicing a half-dozen metropolitan papers with crime reports.

"I was covering the night police beat in the south side of Chicago, which had the second highest crime rate in the world outside of Singapore at that time," he recalled. "Earned 25 bucks a week for approximately an 80-hour week."

Runnion went on to join United Press International, reporting and editing in New York starting in 1953, in London in 1955 (where he covered Winston Churchill), in Paris in 1957 (where he covered Charles de Gaulle) and in Washington, D.C., in 1960.

"Came in on the tail end of the '60 elections, spent the next three years covering Kennedy, the civil rights movement, covered Martin Luther King's march on Washington, got assigned to cover the space program, covered Alan Shepard's flight, covered John Glenn's flight," he recalled.

Runnion was also the lead writer of UPI's coverage of the Cuban missile crisis.

"I was really incredibly lucky," he said. "Everywhere I went was one after another of the biggest news stories of the world. Those were the most monumental news stories of my generation. What the hell more do you want?"

In 1966, Runnion decided he needed a break. Moving to Vermont, he joined the Reformer in 1969 and became its managing editor in 1971. Working in Windham County for two decades, he both reported and made state news.

In 1983, for example, Runnion was the only journalist invited to the wedding of then

Vermont House Speaker Stephan Morse—a ceremony presided over by then Gov. Richard Snelling—with explicit instructions not to write a word.

If the bride and groom didn't suspect Runnion had other thoughts when he arrived with a camera, they knew it when they picked up the Reformer the next publication day and saw their nuptials splashed as an exclusive atop the front page.

Runnion, deemed by one competitor "chief curmudgeon of the Vermont press corps," surprised readers in 1990 by leaving the paper to attend Virginia Theological Seminary, work as a seminarian assistant at the all-black St. Luke's Episcopal Church in Washington, and serve as rector of St. Martin's Episcopal Church in Fairlee.

Invited to address several New England press associations, the new priest condemned the media for "growing ineptness" he blamed on a loss of ethics and "corporate obsession with the bottom line."

"I don't think the First Amendment is a protective umbrella for the kind of sin journalism we are seeing in our culture today," he said at one event. "I don't think picturing violence for the sake of money is what Thomas Jefferson and Alexander Hamilton had in mind. The fact is, the public has a right not to know a lot of the junk that is being tossed their way in the name of the 'right to know.'"

Runnion would retire from the church in 2001 and return to journalism by writing for the weekly Herald of Randolph, near his Brookfield home. His column on the 50th anniversary of Kennedy's assassination was reprinted by the statewide news website VTDigger.org, spurring a flurry of public comment.

"Hey, Norm: Oswald did not do it," one reader posted.

"Good point—I agree," Runnion replied. "It was ET and the aliens."

Runnion will be remembered July 8 at a public service in Randolph to be led by Vermont Episcopal Bishop Thomas Ely, with specifics to come from that town's Day Funeral Home. ("He wrote a partial obituary and said, 'You can fill in the blanks,'" his wife Linda said Monday.) He'll also live on through nearly seven decades of his published work.

"I personally witnessed much of this history and believe what I saw over what people who were not there claimed happened 20 or 30 or 50 years later," he recently posted to Internet readers sharing conspiracy theories. "But hey, it's differences of opinion that make the world go around. Cheers, Norm."

#### CELEBRATING WYOMING'S 125TH STATEHOOD ANNIVERSARY

Mr. BARRASSO. Mr. President, we will celebrate the 125th anniversary of the day Wyoming became a State on Friday, July 10, 2015.

Wyoming's journey to statehood was not without hurdles. In fact, the debate in Congress was contentious. The arguments centered upon one of our most proud accomplishments—a decision made long before Wyoming became a State. On December 10, 1869, the Wyoming territory was the first in the United States to grant women the right to vote.

Efforts to attain statehood finally came to fruition 20 years later. It was incumbent on our delegate to the U.S.

House of Representatives, Joseph M. Carey, to convince his colleagues to support the statehood bill.

On March 26, 1890, the day of the statehood bill debate, Joseph Carey spoke passionately about Wyoming. His words still hold true today. He said that Wyoming was rich in agricultural possibilities. He explained Wyoming was one of nature's great storehouses of minerals. Joseph Carey also talked about grazing development, educational leadership, widespread railway construction, the model Constitution, and the unique opportunities for women.

Yet, opponents to our statehood did not support women having the right to vote. On the same day as Joseph Carey's impassioned speech, Representative William Oates of Alabama argued against our admittance to the Union. He said, "Mr. Speaker, I do not hesitate to say that in my judgment the franchise has been too liberally extended. Should we ever reach universal suffrage this Government will become practically a pure democracy and then the days of its existence are numbered."

The U.S. House of Representatives narrowly passed Wyoming's statehood bill with a vote of 139-127. Part of the narrow margin was due to Democrats in Congress fearing that Wyoming would be a Republican State. The U.S. Senate passed the bill on June 27, 1890.

President Benjamin Harrison signed the bill into law on July 10, 1890, which led to impromptu celebrations across the State. Newspapers reported a 44-gun salute in Laramie; Douglas celebrated "louder than ever;" and "Rawlins Town is wild."

The main celebration on July 23 featured a 2-mile parade in Cheyenne consisting of many floats. One float had 42 women representing the older States and a small carriage in which rode three little girls, representing the Goddess of Liberty, the State of Idaho—admitted July 3, and the State of Wyoming. The parade led to the Capitol where Esther Hobart Morris, the first female justice of the peace in the United States from Wyoming, presented a 44-star silk flag, purchased by women of the State of Wyoming to Governor Francis E. Warren.

After a 44-gun salute, Mrs. I.S. Bartlett read an original poem, "The True Republic." Her poem ended with the following words:

Let the bells ring out more loudly and the deep-toned cannon roar,  
Giving voice to our thanksgiving, such as never rose before,  
For we tread enchanted ground today, we're glorious, proud and great;  
Our independence day has come—Wyoming is a State!

As Wyoming marks 125 years of statehood, I encourage my colleagues to join me in celebrating Wyoming's rich heritage, geological wonders and genuine cowboy hospitality that pro-

vides a truly wonderful experience to visitors from all over the world.

#### RECOGNIZING FERDINAND, INDIANA ON ITS 175TH ANNIVERSARY

Mr. DONNELLY. Mr. President, today, I wish to honor the town of Ferdinand on its 175th anniversary and to recognize the many contributions of Ferdinand's citizens to the surrounding communities, the great State of Indiana, and to our country.

Ferdinand's history dates to the mid-1800s when Dubois County was known for its merchants and tobacco market. The town was established on January 8, 1840, as a resting point for travelers and was officially incorporated as a town in 1905. Ferdinand quickly began to grow and develop with the discovery of materials needed to make paint. The town began manufacturing paint and developed the largest foundry in the county. By the end of the 19th century, Ferdinand innovated as industries changed and grew to include manufacturing plants, small businesses, a mill, schools, churches, and a convent. Today, manufacturing continues to be its top industry.

Ferdinand is a community of 2,500 citizens located in the beautiful hills of southern Indiana. Throughout the year, outdoor enthusiasts visit Ferdinand to take advantage of its numerous natural wonders. Camping, hunting, swimming, fishing, and hiking are just a handful of the activities available to visitors. Since its founding, Ferdinand has remained the home to some of our State's most beautiful parks and forests, plus an expanding trail system. Ferdinand is home to the Ferdinand State Forest, a historic Benedictine monastery, and the Ferdinand Folk Festival. The community is also a short drive from Abraham Lincoln's boyhood home and the gravesite of his mother, Nancy Hanks Lincoln.

The strength of Ferdinand is rooted in an importance placed on community, family values, and quality education. Ferdinand Elementary School and Cedar Crest Intermediate School are both four-star academic institutions that provide quality education to young Hoosiers. Furthermore, the residents of Ferdinand are widely known for their strong work ethic, sense of community, and Hoosier hospitality. It is due to these enduring qualities that Ferdinand has been a contributor to Indiana's success. It is a great honor to represent the town of Ferdinand, also known as the "gateway to Dubois County and a gateway to opportunity," in the Senate. On behalf of the State of Indiana, I congratulate each and every citizen of Ferdinand on the town's 175th anniversary and wish you continued success and prosperity in the future.

#### TRIBUTE TO GARY HOLLANDER

Ms. BALDWIN. Mr. President, today I wish to recognize and honor Gary Hollander of Milwaukee, WI, for 20 years of guiding Diverse & Resilient as its founder and CEO. I have known Gary for many years and have been proud to work with and support his efforts at Diverse & Resilient throughout that time. Gary has been a leader in the mental health and LGBT communities, and his passion for serving people will be missed by all who have worked with him and who have benefited from his guidance and passion.

A licensed psychologist, Gary received his degrees in education and psychology from the University of Wisconsin—Milwaukee. His professional career began in the Milwaukee Public Schools, where he was a classroom teacher and school psychologist. He later served in the education division at Planned Parenthood of Wisconsin and later as an educational consultant to Planned Parenthood Federation of America. Gary developed an HIV mental health program and HIV clinic in conjunction with Aurora Health Care, a leading health care provider in Wisconsin. He later directed their medical education programs and was the founding administrator of the Center for Urban Population Health.

In 1995, Gary founded Diverse & Resilient as a way to build the capacity of LGBT groups across Wisconsin, filling a void in the public health sphere. Gary recognized that public health organizations and community groups were not rising to meet the needs of the LGBT community, and he became the driving force behind greater community engagement and recognition of the LGBT community in Wisconsin. During his tenure, Diverse & Resilient has expanded many times over and currently serves more than 5,000 LGBT people each year, helping them to thrive by living healthy, satisfying lives in safe, supportive communities.

His tireless work on behalf of Wisconsin's LGBT community has led to greater understanding, improved access to care, and new ways of looking at the unique and diverse needs of the LGBT community. Gary and his team have focused their work in six priority areas: acceptance, cultivating leaders, mental health, sexual health, partner and community violence, and substance abuse—areas in which they hope to eliminate health disparities between LGBT people and the general population. They have made many impressive strides over the past 20 years, and I know that the future is bright for Diverse & Resilient, as well as Wisconsin's LGBT community, because of Gary's work.

I am proud to call Gary a friend, and I am grateful for his important contributions to our State and the LGBT community. I know that his passion and dedication to improving the lives

of others will continue long after he steps down from his leadership role at Diverse & Resilient. I wish him all the best in his future endeavors.

#### ADDITIONAL STATEMENTS

##### RECOGNIZING BATH, NEW HAMPSHIRE ON ITS 250TH ANNIVERSARY

• Ms. AYOTTE. Mr. President, today I wish to pay tribute to Bath, NH—a town in Grafton County that is celebrating the 250th anniversary of its founding. I am proud to join citizens across the Granite State in recognizing this historic occasion.

Bath is surrounded by the Green Mountains to the west and White Mountains to the east and is situated at the furthest navigable point of the Connecticut River. Both the Ammonoosuc and Wild Ammonoosuc Rivers flow through Bath and are the source of the rich soil and ample water power responsible for Bath's thriving industrial and agricultural history.

The town of Bath is named for William Pulteney, first Earl of Bath, and was originally chartered by Colonial Governor Benning Wentworth in 1761 and later settled by John Herriman of Haverhill, MA, in 1765.

Bath is known as the Covered Bridge Capital of New England and is home to the Bath, Swiftwater, and Bath-Haverhill covered bridges. Bath's architectural history is represented by a well-preserved group of 18th and 19th century style buildings located within its villages. One of the most famous of these buildings is The Brick Store. Opened in 1824, this Bath landmark holds the distinction of being the oldest continuously operated general store in the United States.

As both statesmen and soldiers, Bath residents have been known throughout the town's history for their commitment and sacrifice in the service of our great Nation. United States Congressmen Harry Hibbard and James Hutchins Johnson both share ties to Bath, but it is New Hampshire's former District 1 executive councilor, Raymond S. Burton, who exemplified the meaning of public service. For over 30 years, Ray tirelessly advocated for his constituents throughout the North Country, and at the end of the day he always returned to his farm on River Road in Bath.

On behalf of all Granite Staters, I am pleased to offer my congratulations to the citizens of Bath on reaching this special milestone, and I thank them for their many contributions to the life and spirit of the State of New Hampshire.●

##### TRIBUTE TO BEN STEELE

• Mr. DAINES. Mr. President, I wish to recognize World War II veteran, teach-

er, and artist Ben Steele, for whom the new middle school in Billings, MT will be named. I had the distinct honor to meet Mr. Steele in Washington, DC, when he was in town for the Big Sky Honor Flight last year. Following the Fourth of July holiday celebrating our Nation's independence, it is fitting to recognize a man that understands the importance of freedom better than most. Mr. Steele served in the Philippines and survived the horrors of the Bataan Death March.

As a prisoner of war, Mr. Steele chronicled his experiences through drawings, and after the war, he received formal training as an artist. Receiving his master's degree in art from the University of Denver, he went on to teach art at several colleges including Montana State University in Billings. His paintings depict the haunting scenes of war, and remind us of the great sacrifices our military men and women make defending our freedom.

I want to express my deep gratitude to Mr. Steele for his service to our country and dedication to teaching and inspiring generations of Montana students.●

##### REMEMBERING JIM MALONE

• Mr. MCCAIN. Mr. President, today I honor James "Jim" Malone, a retired Navy veteran from Chandler, AZ who tragically passed away at the young age of 55 after a hard-fought battle with Adenocarcinoma, a terminal form of cancer.

Jim served honorably in the U.S. Navy from 1977 to 1981 before retiring as a disbursing clerk second class. Having served during peacetime, Jim wrote that his most meaningful memory was pulling out of port and seeing the land disappear. "I always got a charge over that," he said. "When I was on watch, I would look out and realize that I was protecting family and loved ones back home."

Before his untimely death, Jim received word that the Dream Foundation, a national dream-granting organization for adults and their families suffering from life-threatening illness, would help him achieve a life-long wish to visit Washington, DC. My office helped the foundation do everything we could to plan a memorable trip for Jim and his wife and son, including tours of the White House and U.S. Capitol and visits to historic landmarks around the city.

Jim was deeply proud of his military service, and looked forward to sharing the rich cultural history of the Nation's capital with his family, writing: "I am hoping this trip will help them to fully understand why I felt the call to duty in my youth and why my service to this country is so important to me." He described his "deep love of this country and its history" and the importance of sharing that patriotic spirit with his family.

Tragically, Jim's health sharply declined in the week leading up to his trip, and he passed away the day before he was expected to depart for his dream experience. While Jim left this world far too early, we should all take comfort in knowing that his memory and selfless service has left a mark on Arizona and our Nation.

I am also comforted by the work that organizations like the Dream Foundation have and will continue to do to honor veterans like Jim through dream-granting programs that give dying veterans and their families the opportunity to make the most of the time they have left, while also improving their end-of-life care.

As Sheri, Jim's wife, explained, "[My husband was] overwhelmed by the Foundation granting him his dream. Even though he didn't get to go on the trip," she continued, "it helped to restore his faith in the goodness of people."

I hope we might all keep in our thoughts and prayers the Malone family as they mourn the loss of their beloved husband and father, whose service to our State and Nation will always be remembered.●

##### MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the order of the Senate of January 6, 2015, the Secretary of the Senate, on June 25, 2015, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House agreed to the following concurrent resolution, without amendment:

S. Con. Res. 19. Concurrent resolution providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives.

##### ENROLLED BILL SIGNED

Under the order of the Senate of January 6, 2015, the Secretary of the Senate, on June 25, 2015, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bill:

H.R. 533. An act to revoke the charter of incorporation of the Miami Tribe of Oklahoma at the request of that tribe, and for other purposes.

##### MESSAGE FROM THE HOUSE

At 2:34 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1615. An act to direct the Chief FOIA Officer of the Department of Homeland Security to make certain improvements in the implementation of section 552 of title 5, United States Code (commonly known as the Freedom of Information Act), and for other purposes.

H.R. 2200. An act to amend the Homeland Security Act of 2002 to establish chemical, biological, radiological, and nuclear intelligence and information sharing functions of the Office of Intelligence and Analysis of the Department of Homeland Security and to require dissemination of information analyzed by the Department to entities with responsibilities relating to homeland security, and for other purposes.

### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1615. An act to direct the Chief FOIA Officer of the Department of Homeland Security to make certain improvements in the implementation of section 552 of title 5, United States Code (commonly known as the Freedom of Information Act), and for other purposes; to the Committee on the Judiciary.

H.R. 2200. An act to amend the Homeland Security Act of 2002 to establish chemical, biological, radiological, and nuclear intelligence and information sharing functions of the Office of Intelligence and Analysis of the Department of Homeland Security and to require dissemination of information analyzed by the Department to entities with responsibilities relating to homeland security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

### MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 1698. A bill to exclude payments from State eugenics compensation programs from consideration in determining eligibility for, or the amount of, Federal public benefits.

### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2116. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13348 of July 22, 2004, relative to the former Liberian regime of Charles Taylor; to the Committee on Banking, Housing, and Urban Affairs.

EC-2117. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report entitled "Report to the U.S. Congress on Global Export Credit Competition"; to the Committee on Banking, Housing, and Urban Affairs.

EC-2118. A communication from the Assistant Secretary, Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, a report entitled "Barriers to Industrial Energy Efficiency"; to the Committee on Energy and Natural Resources.

EC-2119. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Report to

Congress on the Administration, Cost and Impact of Quality Improvement Organization (QIO) Program for Medicare Beneficiaries for Fiscal Year (FY) 2012"; to the Committee on Finance.

EC-2120. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Application Procedures for Approval of Benefit Suspensions for Certain Multiemployer Defined Benefit Pension Plans under Section 432(e)(9)" (Rev. Proc. 2015-34) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC-2121. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Health Profession Opportunity Grants (HPOG) Program and Evaluation Portfolio Interim Report to Congress"; to the Committee on Health, Education, Labor, and Pensions.

EC-2122. A communication from the Executive Director for Operations, Nuclear Regulatory Commission, transmitting, pursuant to law, the Uniform Resource Locator (URL) for the Commission's commercial activities inventory; to the Committee on Homeland Security and Governmental Affairs.

EC-2123. A communication from the Regulatory Coordinator, U.S. Immigration and Customs Enforcement, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Change to Existing Regulation Concerning the Interest Rate Paid on Cash Deposited to Secure Immigration Bonds" (RIN1653-AA66) received in the Office of the President of the Senate on June 23, 2015; to the Committee on the Judiciary.

### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 1109. A bill to require adequate information regarding the tax treatment of payments under settlement agreements entered into by Federal agencies, and for other purposes (Rept. No. 114-76).

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 1359. A bill to allow manufacturers to meet warranty and labeling requirements for consumer products by displaying the terms of warranties on Internet websites, and for other purposes (Rept. No. 114-77).

By Mr. BURR, from the Select Committee on Intelligence, without amendment:

S. 1705. An original bill to authorize appropriations for fiscal year 2016 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BARRASSO (for himself, Ms. MURKOWSKI, Mr. TESTER, Mr. DAINES,

Mr. MORAN, Mr. SCHATZ, Mr. UDALL, Ms. HEITKAMP, and Mr. HOEVEN):

S. 1704. A bill to amend the Indian Tribal Justice Act to secure urgent resources vital to Indian victims of crime, and for other purposes; to the Committee on Indian Affairs.

By Mr. BURR:

S. 1705. An original bill to authorize appropriations for fiscal year 2016 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; from the Select Committee on Intelligence; placed on the calendar.

By Mr. RISCH (for himself and Mr. HEINRICH):

S. 1706. A bill to amend the Energy Independence and Security Act of 2007 to promote energy efficiency via information and computing technologies, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BOOZMAN (for himself and Mr. COTTON):

S. 1707. A bill to designate the Federal building located at 617 Walnut Street in Helena, Arkansas, as the "Jacob Trieber Federal Building, United States Post Office, and United States Court House"; to the Committee on Environment and Public Works.

By Mr. BROWN:

S. 1708. A bill to improve certain provisions relating to charter schools; to the Committee on Health, Education, Labor, and Pensions.

By Ms. WARREN (for herself, Mr. MCCAIN, Mr. KING, and Ms. CANTWELL):

S. 1709. A bill to reduce risks to the financial system by limiting banks' ability to engage in certain risky activities and limiting conflicts of interest, to reinstate certain Glass-Steagall Act protections that were repealed by the Gramm-Leach-Bliley Act, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BROWN (for himself, Mr. COONS, and Mr. CASEY):

S. 1710. A bill to authorize a grant-matching program that strengthens and accelerates interventions in the lowest-performing elementary schools and secondary schools; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCOTT (for himself, Mr. DONNELLY, Mr. CRAPO, Mrs. SHAHEEN, Mr. HELLER, Mr. KING, Mr. ROUNDS, Mr. DAINES, Ms. AYOTTE, Mr. ROBERTS, and Mr. ISAKSON):

S. 1711. A bill to provide for a temporary safe harbor from the enforcement of integrated disclosure requirements for mortgage loan transactions under the Real Estate Settlement Procedures Act of 1974 and the Truth in Lending Act, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BENNET:

S. 1712. A bill to amend the Small Tract Act of 1983 to expand the authority of the Secretary of Agriculture to sell or exchange small parcels of National Forest System land to enhance the management of the National Forest System, resolve minor encroachments, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. SANDERS (for himself and Mr. MERKLEY):

S. 1713. A bill to require the Secretary of Energy to provide loans and grants for solar installations in low-income and underserved

areas; to the Committee on Energy and Natural Resources.

By Mr. MANCHIN (for himself, Mrs. CAPITO, Mr. CASEY, Mr. BROWN, Mr. KAINE, Mr. WARNER, and Mr. ROBERTS):

S. 1714. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the Multiemployer Health Benefit Plan and the 1974 United Mine Workers of America Pension Plan, and for other purposes; to the Committee on Finance.

#### ADDITIONAL COSPONSORS

S. 33

At the request of Mr. BARRASSO, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 33, a bill to provide certainty with respect to the timing of Department of Energy decisions to approve or deny applications to export natural gas, and for other purposes.

S. 71

At the request of Mr. VITTER, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 71, a bill to preserve open competition and Federal Government neutrality towards the labor relations of Federal Government contractors on Federal and federally funded construction projects.

S. 164

At the request of Mr. SCHATZ, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 164, a bill to increase the rates of pay under the General Schedule and other statutory pay systems and for prevailing rate employees by 3.8 percent, and for other purposes.

S. 271

At the request of Ms. MURKOWSKI, her name was added as a cosponsor of S. 271, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 314

At the request of Mr. GRASSLEY, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 314, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of pharmacist services.

S. 389

At the request of Ms. HIRONO, the names of the Senator from Nevada (Mr. REID), the Senator from Massachusetts (Ms. WARREN), the Senator from Pennsylvania (Mr. CASEY) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 389, a bill to amend section 1111(h)(1)(C)(i) of the El-

ementary and Secondary Education Act of 1965 to require that annual State report cards reflect the same race groups as the decennial census of population.

S. 439

At the request of Mr. FRANKEN, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 439, a bill to end discrimination based on actual or perceived sexual orientation or gender identity in public schools, and for other purposes.

S. 491

At the request of Ms. KLOBUCHAR, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 491, a bill to lift the trade embargo on Cuba.

S. 497

At the request of Mrs. MURRAY, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 497, a bill to allow Americans to earn paid sick time so that they can address their own health needs and the health needs of their families.

S. 524

At the request of Mr. WHITEHOUSE, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 524, a bill to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use.

S. 551

At the request of Mrs. FEINSTEIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 551, a bill to increase public safety by permitting the Attorney General to deny the transfer of firearms or the issuance of firearms and explosives licenses to known or suspected dangerous terrorists.

S. 564

At the request of Mr. MORAN, the names of the Senator from Idaho (Mr. RISCH) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. 564, a bill to amend title 38, United States Code, to include licensed hearing aid specialists as eligible for appointment in the Veterans Health Administration of the Department of Veterans Affairs, and for other purposes.

S. 571

At the request of Mr. INHOFE, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 571, a bill to amend the Pilot's Bill of Rights to facilitate appeals and to apply to other certificates issued by the Federal Aviation Administration, to require the revision of the third class medical certification regulations issued by the Federal Aviation Administration, and for other purposes.

S. 599

At the request of Mr. TOOMEY, the name of the Senator from North Caro-

lina (Mr. BURR) was added as a cosponsor of S. 599, a bill to extend and expand the Medicaid emergency psychiatric demonstration project.

S. 624

At the request of Mr. BROWN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 624, a bill to amend title XVIII of the Social Security Act to waive co-insurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 628

At the request of Ms. BALDWIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 628, a bill to amend the Public Health Service Act to provide for the designation of maternity care health professional shortage areas.

S. 637

At the request of Mr. CRAPO, the names of the Senator from South Dakota (Mr. THUNE), the Senator from Maryland (Ms. MIKULSKI) and the Senator from New Hampshire (Ms. AYOTTE) were added as cosponsors of S. 637, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 654

At the request of Mr. ROBERTS, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 654, a bill to exempt certain class A CDL drivers from the requirement to obtain a hazardous material endorsement while operating a service vehicle with a fuel tank containing 3,785 liters (1,000 gallons) or less of diesel fuel.

S. 681

At the request of Mrs. GILLIBRAND, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 681, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 696

At the request of Ms. BALDWIN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 696, a bill to increase the number and percentage of students who graduate from high school and college career ready with the ability to use knowledge to solve complex problems, think critically, communicate effectively, collaborate with others, and develop academic mindsets, and for other purposes.

S. 700

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 700, a bill to amend the Asbestos Information Act of 1988 to establish a public database of asbestos-



containing products, to require public disclosure of information pertaining to the manufacture, processing, distribution, and use of asbestos-containing products in the United States, and for other purposes.

S. 857

At the request of Ms. STABENOW, the names of the Senator from Kansas (Mr. MORAN), the Senator from Virginia (Mr. KAINE) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 857, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of an initial comprehensive care plan for Medicare beneficiaries newly diagnosed with Alzheimer's disease and related dementias, and for other purposes.

S. 862

At the request of Ms. MIKULSKI, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 862, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 901

At the request of Mr. MORAN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 901, a bill to establish in the Department of Veterans Affairs a national center for research on the diagnosis and treatment of health conditions of the descendants of veterans exposed to toxic substances during service in the Armed Forces that are related to that exposure, to establish an advisory board on such health conditions, and for other purposes.

S. 911

At the request of Mr. CASEY, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 911, a bill to direct the Administrator of the Federal Aviation Administration to issue an order with respect to secondary cockpit barriers, and for other purposes.

S. 976

At the request of Mrs. MURRAY, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 976, a bill to promote the development of a United States commercial space resource exploration and utilization industry and to increase the exploration and utilization of resources in outer space.

S. 979

At the request of Mr. NELSON, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 979, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 1013

At the request of Mr. SCHUMER, the names of the Senator from Colorado (Mr. BENNET) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 1013, a bill to amend title XVIII of the Social Security Act to provide for coverage and payment for complex rehabilitation technology items under the Medicare program, and for other purposes.

S. 1085

At the request of Mrs. MURRAY, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1085, a bill to expand eligibility for the program of comprehensive assistance for family caregivers of the Department of Veterans Affairs, to expand benefits available to participants under such program, to enhance special compensation for members of the uniformed services who require assistance in everyday life, and for other purposes.

S. 1203

At the request of Mr. HELLER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1203, a bill to amend title 38, United States Code, to improve the processing by the Department of Veterans Affairs of claims for benefits under laws administered by the Secretary of Veterans Affairs, and for other purposes.

S. 1212

At the request of Mr. CARDIN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 1212, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 1239

At the request of Mr. DONNELLY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1239, a bill to amend the Clean Air Act with respect to the ethanol waiver for the Reid vapor pressure limitations under that Act.

S. 1250

At the request of Ms. KLOBUCHAR, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1250, a bill to encourage States to require the installation of residential carbon monoxide detectors in homes, and for other purposes.

S. 1333

At the request of Mr. GARDNER, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 1333, a bill to amend the Controlled Substances Act to exclude cannabidiol and cannabidiol-rich plants from the definition of marijuana, and for other purposes.

S. 1347

At the request of Mr. ISAKSON, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cospon-

sor of S. 1347, a bill to amend title XVIII of the Social Security Act with respect to the treatment of patient encounters in ambulatory surgical centers in determining meaningful EHR use, and for other purposes.

S. 1362

At the request of Mr. TOOMEY, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 1362, a bill to amend title XI of the Social Security Act to clarify waiver authority regarding programs of all-inclusive care for the elderly (PACE programs).

S. 1387

At the request of Mr. BROWN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1387, a bill to amend title XVI of the Social Security Act to update eligibility for the supplemental security income program, and for other purposes.

S. 1389

At the request of Mr. UDALL, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1389, a bill to authorize exportation of consumer communications devices to Cuba and the provision of telecommunications services to Cuba, and for other purposes.

S. 1428

At the request of Mr. BARRASSO, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 1428, a bill to amend the USEC Privatization Act to require the Secretary of Energy to issue a long-term Federal excess uranium inventory management plan, and for other purposes.

S. 1454

At the request of Mrs. FISCHER, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1454, a bill to enhance interstate commerce by creating a National Hiring Standard for Motor Carriers.

S. 1495

At the request of Mr. TOOMEY, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 1495, a bill to curtail the use of changes in mandatory programs affecting the Crime Victims Fund to inflate spending.

S. 1512

At the request of Mr. CASEY, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1512, a bill to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition.

S. 1513

At the request of Mr. LEAHY, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor



of S. 1513, a bill to reauthorize the Second Chance Act of 2007.

S. 1536

At the request of Mr. VITTER, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 1536, a bill to amend chapter 6 of title 5, United States Code (commonly known as the Regulatory Flexibility Act), to ensure complete analysis of potential impacts on small entities of rules, and for other purposes.

S. 1562

At the request of Mr. WYDEN, the names of the Senator from Missouri (Mr. BLUNT), the Senator from Wisconsin (Ms. BALDWIN), and the Senator from Colorado (Mr. GARDNER) were added as cosponsors of S. 1562, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 1598

At the request of Mr. LEE, the names of the Senator from Nebraska (Mrs. FISCHER), the Senator from Texas (Mr. CORNYN) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 1598, a bill to prevent discriminatory treatment of any person on the basis of views held with respect to marriage.

S. 1617

At the request of Mrs. SHAHEEN, the names of the Senator from Kansas (Mr. ROBERTS), the Senator from South Dakota (Mr. ROUNDS), the Senator from Oregon (Mr. WYDEN), the Senator from Michigan (Mr. PETERS), the Senator from Arizona (Mr. MCCAIN), the Senator from Massachusetts (Mr. MARKEY), the Senator from Pennsylvania (Mr. TOOMEY), the Senator from Maine (Ms. COLLINS), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Ohio (Mr. PORTMAN) were added as cosponsors of S. 1617, a bill to prevent Hizballah and associated entities from gaining access to international financial and other institutions, and for other purposes.

S. 1636

At the request of Mr. KIRK, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 1636, a bill to streamline the collection and distribution of Government information.

S. 1654

At the request of Mr. REED, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1654, a bill to prevent deaths occurring from drug overdoses.

S. 1659

At the request of Mr. LEAHY, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1659, a bill to amend the Voting Rights Act of 1965 to revise the criteria for determining which States and political subdivisions are subject to section 4 of the Act, and for other purposes.

S. 1691

At the request of Mr. BARRASSO, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 1691, a bill to expedite and prioritize forest management activities to achieve ecosystem restoration objectives, and for other purposes.

S.J. RES. 15

At the request of Mr. CARDIN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S.J. Res. 15, a joint resolution removing the deadline for the ratification of the equal rights amendment.

S. RES. 148

At the request of Ms. MURKOWSKI, her name was added as a cosponsor of S. Res. 148, a resolution condemning the Government of Iran's state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 200

At the request of Mrs. FEINSTEIN, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. Res. 200, a resolution wishing His Holiness the 14th Dalai Lama a happy 80th birthday on July 6, 2015, and recognizing the outstanding contributions His Holiness has made to the promotion of nonviolence, human rights, interfaith dialogue, environmental awareness, and democracy.

S. RES. 216

At the request of Mrs. FEINSTEIN, the names of the Senator from Illinois (Mr. KIRK), the Senator from Nevada (Mr. HELLER) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. Res. 216, a resolution recognizing the month of June 2015 as "Immigrant Heritage Month", a celebration of the accomplishments and contributions immigrants and their children have made in shaping the history, strengthening the economy, and enriching the culture of the United States.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BOOZMAN (for himself and Mr. COTTON):

S. 1707. A bill to designate the Federal building located at 617 Walnut Street in Helena, Arkansas, as the "Jacob Trieber Federal Building, United States Post Office, and United States Court House"; to the Committee on Environment and Public Works.

Mr. BOOZMAN. Mr. President, the Honorable Jacob Trieber, of Helena, AR, known as a "genius lawyer and jurist," served as the first Jewish Federal judge in the United States. Born on October 6, 1853, in Raschkow, Prussia, a young Jacob Trieber and his family escaped the growing anti-Semitism in Prussia and moved to the United States. In a few short years they estab-

lished their homestead and a family store in Helena, AR. In 1873, he began to study law, and 3 years later entered the Arkansas Bar. In 1897, he was appointed U.S. Attorney for the Eastern District of Arkansas in Little Rock. Three years later, on July 26, 1900, President William McKinley appointed Jacob Trieber to the Federal bench, where for 27 years Judge Trieber served on the U.S. Circuit Court for the Eastern District of Arkansas. Judge Trieber was committed to equal justice for all, and ruled for equality for African Americans and women. Judge Trieber had astounding foresight. Many of his rulings were important to civil rights and wildlife conservation. Judge Trieber was also committed to his local Arkansas community and served as an elected official on the Helena City Council and as the Phillips County treasurer. Judge Trieber played an influential role in saving the Old State House and establishing the Arkansas State Tuberculosis Sanatorium. In honor of Judge Jacob Trieber, Senator COTTON and I are introducing this legislation that designates the Federal Building in Helena-West Helena, Arkansas, the "Jacob Trieber Federal Building, United States Post Office, and Court House." Judge Trieber's name will appropriately mark this building and stand as a symbol of his significant work for not only the people of Arkansas, but for the entire United States.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1707

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. JACOB TRIEBER FEDERAL BUILDING, UNITED STATES POST OFFICE, AND UNITED STATES COURT HOUSE.

(a) DESIGNATION.—The Federal building located at 617 Walnut Street in Helena, Arkansas, shall be known and designated as the "Jacob Trieber Federal Building, United States Post Office, and United States Court House".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in subsection (a) shall be deemed to be a reference to the "Jacob Trieber Federal Building, United States Post Office, and United States Court House".

By Ms. WARREN (for herself, Mr. MCCAIN, Mr. KING, and Ms. CANTWELL):

S. 1709. A bill to reduce risks to the financial system by limiting banks' ability to engage in certain risky activities and limiting conflicts of interest, to reinstate certain Glass-Steagall Act protections that were repealed by the Gramm-Leach-Bliley Act, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Ms. WARREN. Mr. President, I rise today to speak in support of the 21st Century Glass-Steagall Act. I am honored to join Senators MCCAIN, CANTWELL, and KING in introducing this bill.

Washington is a partisan place and this Congress has its share of partisan bills, but we have all joined together because we all want a more stable economy that works not just for those at the top but for everyone.

Seven years ago, Wall Street's high-risk bets brought our economy to its knees. The Dallas Fed estimates that the total cost of the crash was \$14 trillion. Millions of families lost their homes. Millions of people lost their savings. Millions of people lost their jobs. And even today, millions of hard-working, play-by-the-rules people are still struggling to survive.

Over the past 7 years, we have made some real progress dialing back the risk of a future crisis. But despite that progress, the biggest banks continue to threaten the economy. The biggest banks are collectively much bigger today than they were 7 years ago. They continue to engage in dangerous, high-risk practices. And with each new headline and subsequent legal settlement, it becomes clearer that they keep chasing profits even if it means breaking the law.

The big banks weren't always allowed to take on big risks while enjoying the benefits of taxpayer guarantees. Four years after the 1929 Wall Street crash, Congress passed the Glass-Steagall Act, which is best known for separating investment banks and their risk-taking from commercial banks that manage savings accounts, checking accounts, and offer other banking services.

For 50 years, Glass-Steagall played a central role in keeping our country safe. Traditional banking stayed separate from high-risk Wall Street banking. There wasn't a single major financial crisis, and the financial sector helped contribute to a sustained, broad-based economic growth that helped build America's middle class. But the big traditional banks wanted the higher profits they could get from taking more risks, and investors in the big investment banks wanted access to the low-cost, insured deposits of traditional banks, so they teamed up to try to tear down Glass-Steagall's wall. Starting in the 1980s, regulators of the Federal Reserve and the Office of the Comptroller of the Currency buckled under industry pressure and began poking bigger and bigger holes in the wall between investment and commercial banking, and, after 12 separate attempts, Congress repealed most of Glass-Steagall in 1999.

The 21st Century Glass-Steagall Act will rebuild the wall between commercial banks and investment banks, separating traditional banks that offer savings and checking accounts and that

are insured by the FDIC from their riskier counterparts on Wall Street. Banks can choose: Take big risks using investors' money or be very careful using depositors' money—but no more mixing the two.

The 21st Century Glass-Steagall Act also fills in the holes the regulators punched in the original Glass-Steagall, and it recognizes that the financial markets have become more complicated since the 1930s, so it covers products that did not exist when Glass-Steagall was originally passed.

By itself, the 21st Century Glass-Steagall Act will not end too big to fail and implicit government subsidies, but it will make financial institutions smaller, safer, and move us in the right direction. By separating depository institutions from riskier activities, large financial institutions will shrink in size and won't be able to rely on FDIC insurance as a safety net for their high-risk activities. It will stop the game these banks have played for far too long—heads, the big banks win and take all the profits; tails, the taxpayers lose and get stuck with the bill.

Our proposal has an added benefit—it is simple. It doesn't require thousands of pages of new rules. And better still, if we rebuilt the wall between commercial banks and investment banks, we could even cut back on some of the other rules we have in place to stop big banks from taking on too much risk.

If financial institutions actually have to face the consequences of their business decisions, if they cannot rely on government insurance to subsidize their riskiest activities, then the investors in those institutions will have a stronger incentive to closely monitor those risks before they get out of hand and take down the entire economy. Government regulators could play a more limited role, and that is an outcome everyone should like.

It has now been 7 years since the great financial crash. Most of the banks that were too big to fail in 2008 are even bigger now. Shortly after they were bailed out by the American taxpayers, these banks once again started raking in billions of dollars in profits. In fact, in 2014 they posted two of their most profitable quarters in the last 20 years. Between 2010 and 2013, the median compensation for a big-bank CEO was about \$15 million a year while median household income in the United States during that same period—that is, income for the whole family—was barely above \$50,000. The big banks and their executives have recovered handsomely from the crisis they helped create while too many other Americans are still scraping to get by.

We weren't sent to Washington to work for the big banks. It is time for a banking system that serves the best interests of the American people, not just those few at the top. The 21st Century Glass-Steagall Act is an impor-

tant step in the right direction, and I ask my colleagues to join me in supporting this bipartisan measure to strengthen our economy.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 2078. Mr. ROUNDS (for himself and Mr. UDALL) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

SA 2079. Mrs. FISCHER (for herself, Mr. KING, and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, *supra*.

SA 2080. Mr. HATCH (for himself and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, *supra*; which was ordered to lie on the table.

SA 2081. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, *supra*; which was ordered to lie on the table.

SA 2082. Mr. HATCH (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, *supra*; which was ordered to lie on the table.

SA 2083. Mr. GARDNER (for himself, Mr. PETERS, and Mr. ISAKSON) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, *supra*; which was ordered to lie on the table.

SA 2084. Mr. ALEXANDER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, *supra*; which was ordered to lie on the table.

SA 2085. Mr. REED (for himself and Mr. COCHRAN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, *supra*.

SA 2086. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, *supra*.

SA 2087. Mrs. FEINSTEIN (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, *supra*; which was ordered to lie on the table.

SA 2088. Mr. REED submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, *supra*; which was ordered to lie on the table.

SA 2089. Mr. ALEXANDER (for himself and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill S. 1177, *supra*.

SA 2090. Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, *supra*; which was ordered to lie on the table.

SA 2091. Mrs. McCASKILL submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2092. Mrs. McCASKILL submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2093. Mr. FRANKEN (for himself, Ms. BALDWIN, Mr. BENNET, Mr. BOOKER, Mrs. BOXER, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. COONS, Mr. DURBIN, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. HEINRICH, Ms. HEITKAMP, Ms. HIRONO, Mr. KAINE, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MARKEY, Mr. MANCHIN, Mrs. McCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MURPHY, Mrs. MURRAY, Mr. PETERS, Mr. REED, Mr. SANDERS, Mr. SCHATZ, Mr. SCHUMER, Mrs. SHAHEEN, Ms. STABENOW, Mr. TESTER, Mr. UDALL, Ms. WARREN, Mr. WHITEHOUSE, Mr. WYDEN, and Mr. KIRK) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2094. Mr. TOOMEY (for himself, Mr. MANCHIN, Mr. COTTON, Mr. MCCAIN, Mr. GARDNER, and Mr. VITTER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra.

SA 2095. Mr. PETERS submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra.

SA 2096. Mr. KAINE (for himself, Mr. MERKLEY, Ms. AYOTTE, and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2097. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2098. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2099. Mr. BROWN (for himself, Mr. MANCHIN, and Mrs. CAPITO) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2100. Mr. BROWN (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2101. Mr. ENZI submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2102. Mr. MANCHIN (for himself, Mr. BROWN, and Mrs. CAPITO) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2103. Mr. MANCHIN (for himself and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2104. Mr. MANCHIN (for himself and Ms. AYOTTE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2105. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2106. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2107. Mr. TESTER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2108. Mrs. GILLIBRAND (for herself and Ms. AYOTTE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2109. Ms. HIRONO (for herself and Mr. HELLER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2110. Mr. DAINES (for himself, Mr. GRASSLEY, Mr. CRUZ, Mr. VITTER, Mr. JOHNSON, Mr. LEE, Mr. LANKFORD, Mr. BLUNT, and Mr. CRAPO) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2111. Mr. MCCAIN (for himself and Mr. REID) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2112. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2113. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2114. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2115. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2116. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2117. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2118. Mr. KAINE (for himself, Mr. PORTMAN, and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2119. Mr. GARDNER (for himself, Mr. CARPER, Mr. COONS, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2120. Ms. WARREN (for herself and Mr. GARDNER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2121. Mr. HELLER (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 2078.** Mr. ROUNDS (for himself and Mr. UDALL) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; as follows:

On page 723, after line 23, insert the following:

#### **SEC. 7006. REPORT ON ELEMENTARY AND SECONDARY EDUCATION IN RURAL OR POVERTY AREAS OF INDIAN COUNTRY.**

(a) IN GENERAL.—By not later than 90 days after the date of enactment of this Act, the Secretary of Education, in collaboration with the Secretary of the Interior, shall conduct a study regarding elementary and secondary education in rural or poverty areas of Indian country.

(b) REPORT.—By not later than 270 days after the date of enactment of this Act, the Secretary of Education, in collaboration with the Secretary of the Interior, shall prepare and submit to Congress a report on the study described in subsection (a) that—

- (1) includes the findings of the study;
- (2) identifies barriers to autonomy that Indian tribes have within elementary schools and secondary schools funded or operated by the Bureau of Indian Education;
- (3) identifies recruitment and retention options for highly effective teachers and school administrators for elementary school and secondary schools in rural or poverty areas of Indian country;
- (4) identifies the limitations in funding sources and flexibility for such schools; and
- (5) provides strategies on how to increase high school graduation rates in such schools, in order to increase the high school graduation rate for students at such schools.

(c) DEFINITIONS.—In this section:

(1) ESEA DEFINITIONS.—The terms “elementary school”, “high school”, and “secondary school” shall have the meanings

given the terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(2) INDIAN COUNTRY.—The term “Indian country” has the meaning given the term in section 1151 of title 18, United States Code.

(3) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

**SA 2079.** Mrs. FISCHER (for herself, Mr. KING, and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; as follows:

On page 800, between lines 17 and 18, insert the following:

**SEC. 9115A. LOCAL GOVERNANCE.**

Subpart 2 of part F of title IX (20 U.S.C. 7901 et seq.), as amended by sections 4001(3), 9114, and 9115, and redesignated by section 9106(1), is further amended by adding at the end the following:

**“SEC. 9540. LOCAL GOVERNANCE.**

“(a) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to allow the Secretary to—

“(1) exercise any governance or authority over school administration, including the development and expenditure of school budgets, unless otherwise authorized under this Act;

“(2) issue any regulation without first complying with the rulemaking requirements of section 553 of title 5, United States Code; or

“(3) issue any non-regulatory guidance without first, to the extent feasible, considering input from stakeholders.

“(b) AUTHORITY UNDER OTHER LAW.—Nothing in subsection (a) shall be construed to affect any authority the Secretary has under any other Federal law.”.

**SA 2080.** Mr. HATCH (for himself and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

**SEC. 1018. STUDENT PRIVACY POLICY COMMITTEE.**

(a) ESTABLISHMENT OF A COMMITTEE ON STUDENT PRIVACY POLICY.—Not later than 60 days after the date of enactment of this Act, there is established a committee to be known as the “Student Privacy Policy Committee” (referred to in this section as the “Committee”).

(b) MEMBERSHIP.—

(1) COMPOSITION.—The Committee shall be composed of—

(A) 3 individuals appointed by the Secretary of Education;

(B) not less than 8 and not more than 13 individuals appointed by the Comptroller General of the United States, representing—

(i) experts in education data and student privacy;

(ii) educators and parents;

(iii) State and local government officials responsible for managing student information;

(iv) education technology leaders in the State or a local educational agency;

(v) experts with practical experience dealing with data privacy management at the State or local level;

(vi) experts with a background in academia or research in data privacy and education data; and

(vii) education technology providers and education data storage providers; and

(C) 4 members appointed by—

(i) the majority leader of the Senate;

(ii) the minority leader of the Senate;

(iii) the Speaker of the House of Representatives; and

(iv) the minority leader of the House of Representatives.

(D) CHAIRPERSON.—The Committee shall select a Chairperson from among its members.

(E) VACANCIES.—Any vacancy in the Committee shall not affect the powers of the Committee and shall be filled in the same manner as an initial appointment described in subparagraphs (A) through (C).

(c) MEETINGS.—The Committee shall hold, at the call of the Chairperson, not less than 5 meetings before completing the study required under subsection (e) and the report required under subsection (f).

(d) PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS.—Each member of the Committee shall serve without compensation in addition to any such compensation received for the member's service as an officer or employee of the United States, if applicable.

(2) TRAVEL EXPENSES.—The members of the Committee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter 1 of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Committee.

(e) DUTIES OF THE COMMITTEE.—

(1) STUDY.—The Committee shall conduct a study on the effectiveness of Federal laws and enforcement mechanisms of—

(A) student privacy; and

(B) parental rights to student information.

(2) RECOMMENDATIONS.—Based on the findings of the study under paragraph (1), the Committee shall develop recommendations addressing issues of student privacy and parental rights and how to improve and enforce Federal laws regarding student privacy and parental rights, including recommendations that—

(A) provide or update standard definitions, if needed, for relevant terms related to student privacy, including—

(i) education record;

(ii) personally identifiable information;

(iii) aggregated, de-identified, or anonymized data;

(iv) third-party; and

(v) educational purpose;

(B) identify—

(i) which Federal laws should be updated; and

(ii) the appropriate Federal enforcement authority to execute the laws identified in clause (i);

(C) address the sharing of data in an increasingly technological world, including—

(i) evaluations of protections in place for student data when it is used for research purposes;

(ii) establishing best practices for any entity that is charged with handling, or that comes into contact with, student education records;

(iii) ensuring that identifiable data cannot be used to target students for advertising or marketing purposes; and

(iv) establishing best practices for data deletion and minimization;

(D) discuss transparency and parental access to personal student information by establishing best practices for—

(i) ensuring parental knowledge of any entity that stores or accesses their student's information;

(ii) parents to amend, delete, or modify their student's information; and

(iii) a central designee in a State or a political subdivision of a State who can oversee transparency and serve as a point of contact for interested parties;

(E) establish best practices for the local entities who handle student privacy, which may include professional development for those who come into contact with identifiable data; and

(F) discuss how to improve coordination between Federal and State laws.

(f) REPORT.—Not later than 270 days after the date of enactment of this Act, the Committee shall prepare and submit a report to the Secretary of Education and to Congress containing the findings of the study under subsection (e)(1) and the recommendations developed under subsection (e)(2).

**SA 2081.** Mr. HATCH submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 63, beginning on line 22, strike “and the” and all that follows through the semicolon on line 25 and insert the following: “and the steps the State will take to further assist local educational agencies, if such strategies are not effective, including an assurance that the State will make the determinations required under paragraphs (1)(A) and (2)(A) of section 1119(b);”.

On page 183, between lines 6 and 7, insert the following:

**SEC. \_\_\_\_ REVIEWING POLICIES ON AUTOMATIC CONTRACT RENEWALS AND RENEGOTIATING CONTRACTS FOR FAILING LOCAL EDUCATIONAL AGENCIES AND SCHOOLS.**

Subpart 1 of part A of title I (20 U.S.C. 6311 et seq.) is amended by adding at the end the following:

**“SEC. 1119. REVIEWING POLICIES ON AUTOMATIC CONTRACT RENEWALS AND RENEGOTIATING CONTRACTS FOR FAILING LOCAL EDUCATIONAL AGENCIES AND SCHOOLS.**

“(a) REVIEWING POLICIES ON AUTOMATIC CONTRACT RENEWALS.—Each State receiving funds under this part shall require that, beginning on the date of enactment of the Every Child Achieves Act of 2015, each local educational agency or public elementary school or secondary school in the State review their policies on entering into contracts that allows for the automatic renewal of the contract without affirmative action by the local educational agency or school, respectively.

“(b) RENEGOTIATING ABILITY.—Each State receiving funds under this part shall establish policies and procedures ensuring that—

“(1) each covered contract entered into by a local educational agency receiving assistance under this part allows the local educational agency, during any period for which

the local educational agency is a failing local educational agency—

“(A) to renegotiate any of the terms or conditions of the covered contract at any point before the expiration of the term of the covered contract; and

“(B) after the State determines that the local educational agency has attempted to renegotiate in good faith but the parties have been unable to reach agreement, to be released from the contract; and

“(2) each covered contract entered into by a public elementary school or secondary school receiving assistance under this part allows the school, during any period for which the school is identified for intervention and support under section 1114(a)(1) and is served by a failing local educational agency—

“(A) to renegotiate, with approval by the local educational agency, any of the terms or conditions of the covered contract at any point before the expiration of the term of the covered contract; and

“(B) after the State and local educational agency determine that the school has attempted to renegotiate in good faith but the parties have been unable to reach agreement, to be released from the contract.

“(c) DEFINITIONS.—In this section:

“(1) COVERED CONTRACT.—The term ‘covered contract’ means a contract or agreement that—

“(A) is entered into by a local educational agency, or by a public elementary school or secondary school, that receives assistance under this part; and

“(B) is entered into or renewed on or after the date of enactment of the Every Child Achieves Act of 2015.

“(2) FAILING LOCAL EDUCATIONAL AGENCY.—The term ‘failing local educational agency’ means a local educational agency for which not less than 40 percent of the public schools served by the local educational agency have been identified by the State as in need of intervention and support under section 1114(a)(1) for the applicable year.”.

**SA 2082.** Mr. HATCH (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 627, line 8, strike “State.” and insert “State, such as pay for success initiatives that promote coordination among existing programs and meet the purposes of this part.”.

**SA 2083.** Mr. GARDNER (for himself, Mr. PETERS, and Mr. ISAKSON) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 145, between lines 17 and 18, insert the following:

“(e) USE FOR DUAL OR CONCURRENT ENROLLMENT PROGRAMS.—

“(1) IN GENERAL.—A local educational agency carrying out a schoolwide program or a targeted assistance school program under

subsection (c) or (d) in a high school may use funds received under this part—

“(A) to carry out—

“(i) dual or concurrent enrollment programs for high school students, through which the students are enrolled in the high school and in postsecondary courses at an institution of higher education; or

“(ii) programs that allow a student to continue in a dual or concurrent enrollment program at a high school for the school year following the student’s completion of grade 12; or

“(B) to provide training for teachers, and joint professional development for teachers in collaboration with career and technical educators and educators from institutions of higher education where appropriate, for the purpose of integrating rigorous academics in dual or concurrent enrollment programs.

“(2) FLEXIBILITY OF FUNDS.—A local educational agency using funds received under this part for a dual or concurrent program described in clause (i) or (ii) of paragraph (1)(A) may use such funds for any of the costs associated with such program, including the costs of—

“(A) tuition and fees, books, and required instructional materials for such program; and

“(B) transportation to and from such program.

“(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to impose on any State any requirement or rule regarding dual or concurrent enrollment programs that is inconsistent with State law.

**SA 2084.** Mr. ALEXANDER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 800, between lines 17 and 18, insert the following:

**SEC. 9115A. CRIMINAL BACKGROUND CHECKS FOR SCHOOL EMPLOYEES.**

Subpart 2 of part F of title IX (20 U.S.C. 7901 et seq.), as amended by sections 4001(3), 9114, and 9115, and redesignated by section 9106(1), is further amended by adding at the end the following:

**“SEC. 9540. CRIMINAL BACKGROUND CHECKS FOR SCHOOL EMPLOYEES.**

“(a) CRIMINAL BACKGROUND CHECK REQUIREMENTS.—

“(1) IN GENERAL.—Each State educational agency and local educational agency that receives funds under this Act shall have in effect policies and procedures that—

“(A) require a criminal background check for each school employee in each covered school served by such State educational agency and local educational agency consistent with State and Federal laws, including but not limited to the Civil Rights Act of 1964; and

“(B) establish an appeals process to permit a school employee to, among other things, challenge the accuracy of the findings of a criminal background check.

“(2) REQUIREMENTS.—A background check required under paragraph (1) shall be conducted and administered by—

“(A) the State;

“(B) the State educational agency; or

“(C) the local educational agency.

“(b) STATE AND LOCAL USES OF FUNDS.—A State, State educational agency, or local

educational agency that receives funds under this Act may use such funds to establish, implement, or improve policies and procedures on background checks for school employees required under subsection (a) to—

“(1) expand the registries or repositories searched when conducting background checks, such as—

“(A) the State criminal registry or repository of the State in which the school employee resides;

“(B) the State-based child abuse and neglect registries and databases of the State in which the school employee resides;

“(C) the Federal Bureau of Investigation fingerprint check using the Integrated Automated Fingerprint Identification System; and

“(D) the National Sex Offender Registry established under section 119 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16919);

“(2) provide school employees with training and professional development on how to recognize, respond to, and prevent child abuse;

“(3) develop, implement, or improve mechanisms to assist covered local educational agencies and covered schools in effectively recognizing and quickly responding to incidents of child abuse by school employees;

“(4) develop and disseminate information on best practices and Federal, State, and local resources available to assist local educational agencies and schools in preventing and responding to incidents of child abuse by school employees;

“(5) develop professional standards and codes of conduct for the appropriate behavior of school employees;

“(6) establish, implement, or improve policies and procedures for covered State educational agencies, covered local educational agencies, or covered schools to provide the results of background checks to—

“(A) individuals subject to the background checks in a statement that indicates whether the individual is ineligible for such employment due to the background check and includes information related to each disqualifying crime;

“(B) the employer in a statement that indicates whether a school employee is eligible or ineligible for employment, without revealing any disqualifying crime or other related information regarding the individual;

“(C) another employer in the same State or another State, as permitted under State law, without revealing any disqualifying crime or other related information regarding the individual; and

“(D) another local educational agency in the same State or another State that is considering such school employee for employment, as permitted under State law, without revealing any disqualifying crime or other related information regarding the individual;

“(7) establish, implement, or improve procedures that include periodic background checks, which also allows for an appeals process as described in paragraph (8), for school employees in accordance with State policies or the policies of covered local educational agencies served by the covered State educational agency;

“(8) establish, implement, or improve a process by which a school employee may appeal the results of a background check, which process is completed in a timely manner, gives each school employee notice of an opportunity to appeal, and instructions on how to complete the appeals process;

“(9) establish, implement, or improve a review process through which the covered

State educational agency or covered local educational agency may determine that a school employee is disqualified due to a crime is eligible for employment due to mitigating circumstances as determined by a covered local educational agency or a covered State educational agency;

“(10) establish, implement, or improve policies and procedures intended to ensure a covered State educational agency or covered local educational agency does not knowingly transfer or facilitate the transfer of a school employee if the agency knows that employee has engaged in sexual misconduct, as defined by State law, with an elementary school or secondary school student;

“(11) provide that policies and procedures are published on the website of the covered State educational agency and the website of each covered local educational agency served by the covered State educational agency;

“(12) provide school employees with training regarding the appropriate reporting of incidents of child abuse under section 106(b)(2)(B)(i) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a(b)(2)(B)(i)); and

“(13) support any other activities determined by the State to protect student safety or improve the comprehensiveness, coordination, and transparency of policies and procedures on criminal background checks for school employees in the State.

“(c) NO PRIVATE RIGHT OF ACTION.—Nothing in this section shall be construed to create a private right of action if a State, covered State educational agency, covered local educational agency, or covered school is in compliance with State regulations and requirements concerning background checks.

“(d) BACKGROUND CHECK FEES.—Nothing in this section shall be construed as prohibiting States or local educational agencies from charging school employees for the costs of processing applications and administering a background check as required by State law, provided that the fees charged to school employees do not exceed the actual costs to the State or local educational agency for the processing and administration of the background check.

“(e) STATE AND LOCAL PLAN REQUIREMENTS.—Each plan submitted by a State or local educational agency under title I shall include—

“(1) an assurance that the State and local educational agency has in effect policies and procedures that meet the requirements of this section; and

“(2) a description of laws, regulations, or policies and procedures in effect in the State for conducting background checks for school employees designed to—

“(A) terminate individuals in violation of State background check requirements;

“(B) improve the reporting of violations of the background check requirements in the State;

“(C) reduce the instance of school employee transfers following a substantiated violation of the State background check requirements by a school employee;

“(D) provide for a timely process by which a school employee may appeal the results of a criminal background check;

“(E) provide each school employee, upon request, with a copy of the results of the criminal background check, including a description of the disqualifying item or items, if applicable;

“(F) provide the results of the criminal background check to the employer in a statement that indicates whether a school employee is eligible or ineligible for employ-

ment, without revealing any disqualifying crime or other related information regarding the individual; and

“(G) provide for the public availability of the policies and procedures for conducting background checks.

“(f) TECHNICAL ASSISTANCE TO STATES, SCHOOL DISTRICTS, AND SCHOOLS.—The Secretary, in collaboration with the Secretary of Health and Human Services and the Attorney General, shall provide technical assistance and support to States, local educational agencies, and schools, which shall include, at a minimum—

“(1) developing and disseminating a comprehensive package of materials for States, State educational agencies, local educational agencies, and schools that outlines steps that can be taken to prevent and respond to child sexual abuse by school personnel;

“(2) determining the most cost-effective way to disseminate Federal information so that relevant State educational agencies and local educational agencies, child welfare agencies, and criminal justice entities are aware of such information and have access to it; and

“(3) identifying mechanisms to better track and analyze the prevalence of child sexual abuse by school personnel through existing Federal data collection systems, such as the School Survey on Crime and Safety, the National Child Abuse and Neglect Data System, and the National Crime Victimization Survey.

“(g) REPORTING REQUIREMENTS.—

“(1) REPORTS TO THE SECRETARY.—A covered State educational agency or covered local educational agency that uses funds pursuant to this section shall report annually to the Secretary on—

“(A) the amount of funds used; and

“(B) the purpose for which the funds were used under this section.

“(2) SECRETARY'S REPORT CARD.—Not later than July 1, 2017, and annually thereafter, the Secretary, acting through the Director of the Institute of Education Sciences, shall transmit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives a national report card that includes—

“(A) actions taken pursuant to subsection (f), including any best practices identified under such subsection; and

“(B) incidents of reported child sexual abuse by school personnel, as reported through existing Federal data collection systems, such as the School Survey on Crime and Safety, the National Child Abuse and Neglect Data System, and the National Crime Victimization Survey.

“(h) RULES OF CONSTRUCTION REGARDING BACKGROUND CHECKS.—

“(1) NO FEDERAL CONTROL.—Nothing in this section shall be construed to authorize an officer or employee of the Federal Government to—

“(A) mandate, direct, or control the background check policies or procedures that a State or local educational agency develops or implements under this section;

“(B) establish any criterion that specifies, defines, or prescribes the background check policies or procedures that a State or local educational agency develops or implements under this section; or

“(C) require a State or local educational agency to submit such background check policies or procedures for approval.

“(2) PROHIBITION ON REGULATION.—Nothing in this section shall be construed to permit

the Secretary to establish any criterion that—

“(A) prescribes, or specifies requirements regarding, background checks for school employees;

“(B) defines the term ‘background checks’, as such term is used in this section; or

“(C) requires a State or local educational agency to report additional data elements or information to the Secretary not otherwise explicitly authorized under this section or any other Federal law.

“(3) EXISTING CIVIL RIGHTS LAW.—Nothing in this section shall be construed as permitting a State or local agency or official to amend, establish, or implement background checks for school employees in a manner inconsistent with title VII of the Civil Rights Act of 1964 or limiting Federal enforcement of such law.

“(i) DEFINITIONS.—In this section—

“(1) the term ‘covered local educational agency’ means a local educational agency that receives funds under this Act;

“(2) the term ‘covered school’ means a public elementary school or public secondary school, including a public elementary or secondary charter school, that receives funds under this Act;

“(3) the term ‘covered State educational agency’ means a State educational agency that receives funds under this Act; and

“(4) the term ‘school employee’ includes, at a minimum—

“(A) an employee of, or a person seeking employment with, a covered school, covered local educational agency, or covered State educational agency and who, as a result of such employment, has (or, in the case of a person seeking employment, will have) a job duty that includes unsupervised contact or interaction with elementary school or secondary school students; or

“(B) any person, or any employee of any person, who has a contract or agreement to provide services with a covered school, covered local educational agency, or covered State educational agency, and such person or employee, as a result of such contract or agreement, has a job duty that includes unsupervised contact or unsupervised interaction with elementary school or secondary school students.

#### “SEC. 9541. PROHIBITIONS ON TRANSFERS.

“(a) IN GENERAL.—A State, State educational agency, or local educational agency that receives funds under this Act shall have regulations, laws, or policies that prohibit any person, State educational agency, or local educational agency from knowingly transferring or facilitating the transfer of any school employee while knowing, or in reckless disregard of, credible information indicating that such school employee engaged in sexual misconduct with a minor in violation of the law, unless such information has been properly reported as required by Federal, State, or local law, including title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq. and its implementing regulations at section 106 of title 34, Code of Federal Regulations), and no action has been taken by the relevant authorities within 2 years or the employee has been exonerated.

“(b) PROHIBITION.—The Secretary shall not have the authority to mandate, direct, or control the specific measures adopted by the State, State educational agency, or local educational agency pursuant to this section.”.

**SA 2085.** Mr. REED (for himself and Mr. COCHRAN) submitted an amendment intended to be proposed to



amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; as follows:

On page 69, after line 25, insert the following:

“(ii) assist local educational agencies in developing effective school library programs to provide students an opportunity to develop digital literacy skills and to help ensure that all students graduate from high school prepared for postsecondary education or the workforce without the need for remediation; and”.

On page 107, between lines 17 and 18, insert the following:

“(B) assist schools in developing effective school library programs to provide students an opportunity to develop digital literacy skills and to help ensure that all students graduate from high school prepared for postsecondary education or the workforce without the need for remediation; and”.

On page 282, strike lines 18 and 19 and insert the following:

“(xiii) Supporting the instructional services provided by effective school library programs.”.

On page 305, strike lines 14 and 15 and insert the following:

“(M) supporting the instructional services provided by effective school library programs;”.

On page 364, line 9, insert “school librarians,” after “personnel.”.

On page 365, line 10, insert “school librarians,” after “support personnel.”.

On page 771, lines 12 and 13, strike “and speech language pathologists,” and insert “, speech language pathologists, and school librarians”.

**SA 2086.** Mr. WARNER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; as follows:

On page 772, after line 23, insert the following:

**SEC. \_\_\_\_\_. CONSOLIDATION OF STATE ADMINISTRATIVE FUNDS FOR ELEMENTARY AND SECONDARY EDUCATION PROGRAMS.**

Section 9201(b)(2) (20 U.S.C. 7821 (b)(2)) is amended—

(1) in subparagraph (G), by striking “and” after the semicolon;

(2) in subparagraph (H), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(I) implementation of fiscal support teams that provide technical fiscal support assistance, which shall include evaluating fiscal, administrative, and staffing functions, and any other key operational function.”.

**SEC. \_\_\_\_\_. CONSOLIDATION OF FUNDS FOR LOCAL ADMINISTRATION.**

Section 9203(d) (20 U.S.C. 7823(d)) is amended to read as follows:

“(d) USES OF ADMINISTRATIVE FUNDS.—

“(1) IN GENERAL.—A local educational agency that consolidates administrative funds under this section may use the consolidated funds for the administration of the programs and for uses, at the school district and school levels, comparable to those described in section 9201(b)(2).

“(2) FISCAL SUPPORT TEAMS.—A local educational agency that uses funds as described in 9201(b)(2)(I) may contribute State or local funds to expand the reach of such support without violating any supplement, not supplant requirement of any program contributing administrative funds.”.

**SA 2087.** Mrs. FEINSTEIN (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 813, line 8, insert before the semicolon the following: “, and provide training on the definitions of terms related to homelessness specified in sections 103, 401, and 725 to the personnel (including personnel of preschool and early childhood education programs provided through the local educational agency) and the liaison”.

On page 827, strike line 22 and insert the following:

“(E) CERTIFYING HOMELESS STATUS.—A local educational agency liaison or member of the personnel of a local educational agency who receives training described in subsection (f)(6) may certify a child or youth who is participating in a program provided by the local educational agency, or a parent or family of such a child or youth, who meets the eligibility requirements of this Act for a program or service authorized under title IV, as eligible for the program or service.”; and

**SA 2088.** Mr. REED submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 772, between lines 14 and 15, insert the following:

“(47) INEXPERIENCED TEACHER.—The term ‘inexperienced teacher’ means a teacher in a public school who has been teaching less than a total of 3 complete school years.”.

**SA 2089.** Mr. ALEXANDER (for himself and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Every Child Achieves Act of 2015”.

**SEC. 2. TABLE OF CONTENTS.**

The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. References.
- Sec. 4. Statement of purpose.
- Sec. 5. Table of contents of the Elementary and Secondary Education Act of 1965.

**TITLE I—IMPROVING BASIC PROGRAMS OPERATED BY STATE AND LOCAL EDUCATIONAL AGENCIES**

- Sec. 1001. Statement of purpose.
- Sec. 1002. Authorization of appropriations.
- Sec. 1003. School intervention and support and State administration.
- Sec. 1004. Basic program requirements.
- Sec. 1005. Parent and family engagement.
- Sec. 1006. Participation of children enrolled in private schools.
- Sec. 1007. Supplement, not supplant.
- Sec. 1008. Coordination requirements.
- Sec. 1009. Grants for the outlying areas and the Secretary of the Interior.
- Sec. 1010. Allocations to States.
- Sec. 1011. Maintenance of effort.
- Sec. 1012. Academic assessments.
- Sec. 1013. Education of migratory children.
- Sec. 1014. Prevention and intervention programs for children and youth who are neglected, delinquent, or at-risk.
- Sec. 1015. General provisions.
- Sec. 1016. Report on subgroup sample size.
- Sec. 1017. Report on implementation of educational stability of children in foster care.

**TITLE II—HIGH-QUALITY TEACHERS, PRINCIPALS, AND OTHER SCHOOL LEADERS**

- Sec. 2001. Transfer of certain provisions.
- Sec. 2002. Preparing, training, and recruiting high-quality teachers, principals, and other school leaders.
- Sec. 2003. American history and civics education.
- Sec. 2004. Literacy education.
- Sec. 2005. Improving science, technology, engineering, and mathematics instruction and student achievement.
- Sec. 2006. General provisions.

**TITLE III—LANGUAGE INSTRUCTION FOR ENGLISH LEARNERS AND IMMIGRANT STUDENTS**

- Sec. 3001. General provisions.
- Sec. 3002. Authorization of appropriations.
- Sec. 3003. English language acquisition, language enhancement, and academic achievement.
- Sec. 3004. Other provisions.
- Sec. 3005. American community survey research.

**TITLE IV—SAFE AND HEALTHY STUDENTS**

- Sec. 4001. General provisions.
- Sec. 4002. Grants to States and local educational agencies.
- Sec. 4003. 21st century community learning centers.
- Sec. 4004. Elementary school and secondary school counseling programs.
- Sec. 4005. Physical education program.

**TITLE V—EMPOWERING PARENTS AND EXPANDING OPPORTUNITY THROUGH INNOVATION**

- Sec. 5001. General provisions.
- Sec. 5002. Public charter schools.
- Sec. 5003. Magnet schools assistance.
- Sec. 5004. Supporting high-ability learners and learning.
- Sec. 5005. Education innovation and research.
- Sec. 5006. Accelerated learning.
- Sec. 5007. Ready-to-Learn Television.
- Sec. 5008. Innovative technology expands children’s horizons (I-TECH).
- Sec. 5009. Literacy and arts education.
- Sec. 5010. Early learning alignment and improvement grants.

**TITLE VI—INNOVATION AND FLEXIBILITY**

- Sec. 6001. Purposes.



Sec. 6002. Improving academic achievement.  
 Sec. 6003. Rural education initiative.  
 Sec. 6004. General provisions.  
 Sec. 6005. Review relating to rural local educational agencies.

#### TITLE VII—INDIAN, NATIVE HAWAIIAN, AND ALASKA NATIVE EDUCATION

Sec. 7001. Indian education.  
 Sec. 7002. Native Hawaiian education.  
 Sec. 7003. Alaska Native education.  
 Sec. 7004. Native American language immersion schools and programs.  
 Sec. 7005. Improving Indian student data collection, reporting, and analysis.

#### TITLE VIII—IMPACT AID

Sec. 8001. Purpose.  
 Sec. 8002. Amendment to Impact Aid Improvement Act of 2012.  
 Sec. 8003. Payments relating to Federal acquisition of real property.  
 Sec. 8004. Payments for eligible federally connected children.  
 Sec. 8005. Policies and procedures relating to children residing on Indian lands.  
 Sec. 8006. Application for payments under sections 8002 and 8003.  
 Sec. 8007. Construction.  
 Sec. 8008. Facilities.  
 Sec. 8009. State consideration of payments in providing State aid.  
 Sec. 8010. Definitions.  
 Sec. 8011. Authorization of appropriations.

#### TITLE IX—GENERAL PROVISIONS

Sec. 9101. Definitions.  
 Sec. 9102. Applicability to Bureau of Indian Education operated schools.  
 Sec. 9103. Consolidation of funds for local administration.  
 Sec. 9104. Rural consolidated plan.  
 Sec. 9105. Waivers of statutory and regulatory requirements.  
 Sec. 9106. Plan approval process.  
 Sec. 9107. Participation by private school children and teachers.  
 Sec. 9108. Maintenance of effort.  
 Sec. 9109. School prayer.  
 Sec. 9110. Prohibitions on Federal Government and use of Federal funds.  
 Sec. 9111. Armed forces recruiter access to students and student recruiting information.  
 Sec. 9112. Prohibition on federally sponsored testing.  
 Sec. 9113. Limitations on national testing or certification for teachers.  
 Sec. 9114. Consultation with Indian tribes and tribal organizations.  
 Sec. 9115. Outreach and technical assistance for rural local educational agencies.  
 Sec. 9116. Evaluations.

#### TITLE X—EDUCATION FOR HOMELESS CHILDREN AND YOUTHS; OTHER LAWS; MISCELLANEOUS

##### PART A—EDUCATION FOR HOMELESS CHILDREN AND YOUTH

Sec. 10101. Statement of policy.  
 Sec. 10102. Grants for State and local activities.  
 Sec. 10103. Local educational agency subgrants.  
 Sec. 10104. Secretarial responsibilities.  
 Sec. 10105. Definitions.  
 Sec. 10106. Authorization of appropriations.  
 PART B—OTHER LAWS; MISCELLANEOUS  
 Sec. 10201. Use of term “highly qualified” in other laws.  
 Sec. 10202. Department staff.  
 Sec. 10203. Report on Department actions to address Office of the Inspector General charter school reports.

#### SEC. 3. REFERENCES.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.).

#### SEC. 4. STATEMENT OF PURPOSE.

The purpose of this Act is to enable States and local communities to improve and support our Nation’s public schools and ensure that every child has an opportunity to achieve.

#### SEC. 5. TABLE OF CONTENTS OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.

Section 2 is amended to read as follows:

##### “SEC. 2. TABLE OF CONTENTS.

“The table of contents for this Act is as follows:

“Sec. 1. Short title.

“Sec. 2. Table of contents.

##### “TITLE I—IMPROVING THE ACADEMIC ACHIEVEMENT OF THE DISADVANTAGED

“Sec. 1001. Statement of purpose.

“Sec. 1002. Authorization of appropriations.

“Sec. 1003. State administration.

##### “PART A—IMPROVING BASIC PROGRAMS OPERATED BY LOCAL EDUCATIONAL AGENCIES

###### “SUBPART 1—BASIC PROGRAM REQUIREMENTS

“Sec. 1111. State plans.

“Sec. 1112. Local educational agency plans.

“Sec. 1113. Eligible school attendance areas; schoolwide programs; targeted assistance programs.

“Sec. 1114. School identification, interventions, and supports.

“Sec. 1115. Parent and family engagement.

“Sec. 1116. Participation of children enrolled in private schools.

“Sec. 1117. Fiscal requirements.

“Sec. 1118. Coordination requirements.

###### “SUBPART 2—ALLOCATIONS

“Sec. 1121. Grants for the outlying areas and the Secretary of the Interior.

“Sec. 1122. Allocations to States.

“Sec. 1124. Basic grants to local educational agencies.

“Sec. 1124A. Concentration grants to local educational agencies.

“Sec. 1125. Targeted grants to local educational agencies.

“Sec. 1125AA. Adequacy of funding of targeted grants to local educational agencies in fiscal years after fiscal year 2001.

“Sec. 1125A. Education finance incentive grant program.

“Sec. 1126. Special allocation procedures.

“Sec. 1127. Carryover and waiver.

###### “PART B—ACADEMIC ASSESSMENTS

“Sec. 1201. Grants for State assessments and related activities.

“Sec. 1202. Grants for enhanced assessment instruments.

“Sec. 1203. Audits of assessment systems.

“Sec. 1204. Funding.

“Sec. 1205. Innovative assessment and accountability demonstration authority.

###### “PART C—EDUCATION OF MIGRATORY CHILDREN

“Sec. 1301. Program purpose.

“Sec. 1302. Program authorized.

“Sec. 1303. State allocations.

“Sec. 1304. State applications; services.

“Sec. 1305. Secretarial approval; peer review.

“Sec. 1306. Comprehensive needs assessment and service-delivery plan; authorized activities.

“Sec. 1307. Bypass.

“Sec. 1308. Coordination of migrant education activities.

“Sec. 1309. Definitions.

##### “PART D—PREVENTION AND INTERVENTION PROGRAMS FOR CHILDREN AND YOUTH WHO ARE NEGLECTED, DELINQUENT, OR AT-RISK

“Sec. 1401. Purpose and program authorization.

“Sec. 1402. Payments for programs under this part.

###### “SUBPART 1—STATE AGENCY PROGRAMS

“Sec. 1411. Eligibility.

“Sec. 1412. Allocation of funds.

“Sec. 1413. State reallocation of funds.

“Sec. 1414. State plan and State agency applications.

“Sec. 1415. Use of funds.

“Sec. 1416. Institution-wide projects.

“Sec. 1417. Three-year programs or projects.

“Sec. 1418. Transition services.

“Sec. 1419. Evaluation; technical assistance; annual model program.

###### “SUBPART 2—LOCAL AGENCY PROGRAMS

“Sec. 1421. Purpose.

“Sec. 1422. Programs operated by local educational agencies.

“Sec. 1423. Local educational agency applications.

“Sec. 1424. Uses of funds.

“Sec. 1425. Program requirements for correctional facilities receiving funds under this section.

“Sec. 1426. Accountability.

###### “SUBPART 3—GENERAL PROVISIONS

“Sec. 1431. Program evaluations.

“Sec. 1432. Definitions.

###### “PART E—GENERAL PROVISIONS

“Sec. 1501. Federal regulations.

“Sec. 1502. Agreements and records.

“Sec. 1503. State administration.

“Sec. 1504. Prohibition against Federal mandates, direction, or control.

“Sec. 1505. Rule of construction on equalized spending.

##### “TITLE II—PREPARING, TRAINING, AND RECRUITING HIGH-QUALITY TEACHERS, PRINCIPALS, AND OTHER SCHOOL LEADERS

“Sec. 2001. Purpose.

“Sec. 2002. Definitions.

“Sec. 2003. Authorization of appropriations.

###### “PART A—FUND FOR THE IMPROVEMENT OF TEACHING AND LEARNING

“Sec. 2101. Formula grants to States.

“Sec. 2102. Subgrants to local educational agencies.

“Sec. 2103. Local use of funds.

“Sec. 2104. Reporting.

“Sec. 2105. National activities of demonstrated effectiveness.

“Sec. 2106. Supplement, not supplant.

###### “PART B—TEACHER AND SCHOOL LEADER INCENTIVE PROGRAM

“Sec. 2201. Purposes; definitions.

“Sec. 2202. Teacher and school leader incentive fund grants.

“Sec. 2203. Reports.

###### “PART C—AMERICAN HISTORY AND CIVICS EDUCATION

“Sec. 2301. Program authorized.

“Sec. 2302. Teaching of traditional American history.

“Sec. 2303. Presidential and congressional academies for American history and civics.

“Sec. 2304. National activities.

“Sec. 2305. Authorization of appropriations.

###### “PART D—LITERACY EDUCATION FOR ALL, RESULTS FOR THE NATION

“Sec. 2401. Purposes; definitions.

- “Sec. 2402. Comprehensive literacy State development grants.
- “Sec. 2403. Subgrants to eligible entities in support of birth through kindergarten entry literacy.
- “Sec. 2404. Subgrants to eligible entities in support of kindergarten through grade 12 literacy.
- “Sec. 2405. National evaluation and information dissemination.
- “Sec. 2406. Supplement, not supplant.
- “PART E—IMPROVING SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS INSTRUCTION AND STUDENT ACHIEVEMENT.
- “Sec. 2501. Purpose.
- “Sec. 2502. Definitions.
- “Sec. 2503. Grants; allotments.
- “Sec. 2504. Applications.
- “Sec. 2505. Authorized activities.
- “Sec. 2506. Performance metrics; report; evaluation.
- “Sec. 2507. Supplement, not supplant.
- “PART F—GENERAL PROVISIONS
- “Sec. 2601. Rules of construction.
- “TITLE III—LANGUAGE INSTRUCTION FOR ENGLISH LEARNERS AND IMMIGRANT STUDENTS
- “Sec. 3001. Authorization of appropriations.
- “PART A—ENGLISH LANGUAGE ACQUISITION, LANGUAGE ENHANCEMENT, AND ACADEMIC ACHIEVEMENT ACT
- “Sec. 3101. Short title.
- “Sec. 3102. Purposes.
- “SUBPART 1—GRANTS AND SUBGRANTS FOR ENGLISH LANGUAGE ACQUISITION AND LANGUAGE ENHANCEMENT
- “Sec. 3111. Formula grants to States.
- “Sec. 3112. Native American and Alaska Native children in school.
- “Sec. 3113. State and specially qualified agency plans.
- “Sec. 3114. Within-State allocations.
- “Sec. 3115. Subgrants to eligible entities.
- “Sec. 3116. Local plans.
- “SUBPART 2—ACCOUNTABILITY AND ADMINISTRATION
- “Sec. 3121. Reporting.
- “Sec. 3122. Reporting requirements.
- “Sec. 3123. Coordination with related programs.
- “Sec. 3124. Rules of construction.
- “Sec. 3125. Legal authority under State law.
- “Sec. 3126. Civil rights.
- “Sec. 3127. Programs for Native Americans and Puerto Rico.
- “Sec. 3128. Prohibition.
- “SUBPART 3—NATIONAL ACTIVITIES
- “Sec. 3131. National professional development project.
- “PART B—GENERAL PROVISIONS
- “Sec. 3201. Definitions.
- “Sec. 3202. National clearinghouse.
- “Sec. 3203. Regulations.
- “TITLE IV—SAFE AND HEALTHY STUDENTS
- “PART A—GRANTS TO STATES AND LOCAL EDUCATIONAL AGENCIES
- “Sec. 4101. Purpose.
- “Sec. 4102. Definitions.
- “Sec. 4103. Formula grants to States.
- “Sec. 4104. Subgrants to local educational agencies.
- “Sec. 4105. Local educational agency authorized activities.
- “Sec. 4106. Supplement, not supplant.
- “Sec. 4107. Prohibitions.
- “Sec. 4108. Authorization of appropriations.
- “PART B—21ST CENTURY COMMUNITY LEARNING CENTERS
- “Sec. 4201. Purpose; definitions.
- “Sec. 4202. Allotments to States.
- “Sec. 4203. State application.
- “Sec. 4204. Local competitive subgrant program.
- “Sec. 4205. Local activities.
- “Sec. 4206. Authorization of appropriations.
- “PART C—ELEMENTARY SCHOOL AND SECONDARY SCHOOL COUNSELING PROGRAMS
- “Sec. 4301. Elementary school and secondary school counseling programs.
- “PART D—PHYSICAL EDUCATION PROGRAM
- “Sec. 4401. Purpose.
- “Sec. 4402. Program authorized.
- “Sec. 4403. Applications.
- “Sec. 4404. Requirements.
- “Sec. 4405. Administrative provisions.
- “Sec. 4406. Supplement, not supplant.
- “Sec. 4407. Authorization of appropriations.
- “TITLE V—EMPOWERING PARENTS AND EXPANDING OPPORTUNITY THROUGH INNOVATION
- “PART A—PUBLIC CHARTER SCHOOLS
- “Sec. 5101. Purpose.
- “Sec. 5102. Program authorized.
- “Sec. 5103. Grants to support high-quality charter schools.
- “Sec. 5104. Facilities financing assistance.
- “Sec. 5105. National activities.
- “Sec. 5106. Federal formula allocation during first year and for successive enrollment expansions.
- “Sec. 5107. Solicitation of input from charter school operators.
- “Sec. 5108. Records transfer.
- “Sec. 5109. Paperwork reduction.
- “Sec. 5110. Definitions.
- “Sec. 5111. Authorization of appropriations.
- “PART B—MAGNET SCHOOLS ASSISTANCE
- “Sec. 5201. Findings and purpose.
- “Sec. 5202. Definition.
- “Sec. 5203. Program authorized.
- “Sec. 5204. Eligibility.
- “Sec. 5205. Applications and requirements.
- “Sec. 5206. Priority.
- “Sec. 5207. Use of funds.
- “Sec. 5208. Limitations.
- “Sec. 5209. Authorization of appropriations; reservation.
- “PART C—SUPPORTING HIGH-ABILITY LEARNERS AND LEARNING
- “Sec. 5301. Short title.
- “Sec. 5302. Purpose.
- “Sec. 5303. Rule of construction.
- “Sec. 5304. Authorized programs.
- “Sec. 5305. Program priorities.
- “Sec. 5306. General provisions.
- “Sec. 5307. Authorization of appropriations.
- “PART D—EDUCATION INNOVATION AND RESEARCH
- “Sec. 5401. Grants for education innovation and research.
- “PART E—ACCELERATED LEARNING
- “Sec. 5501. Short title.
- “Sec. 5502. Purposes.
- “Sec. 5503. Funding distribution rule.
- “Sec. 5504. Accelerated learning examination fee program.
- “Sec. 5505. Accelerated learning incentive program grants.
- “Sec. 5506. Supplement, not supplant.
- “Sec. 5507. Definitions.
- “Sec. 5508. Authorization of appropriations.
- “PART F—READY-TO-LEARN TELEVISION
- “Sec. 5601. Ready-To-Learn.
- “PART G—INNOVATIVE TECHNOLOGY EXPANDS CHILDREN’S HORIZONS (I-TECH)
- “Sec. 5701. Purposes.
- “Sec. 5702. Definitions.
- “Sec. 5703. Technology grants program authorized.
- “Sec. 5704. State applications.
- “Sec. 5705. State use of grant funds.
- “Sec. 5706. Local subgrants.
- “Sec. 5707. Reporting.
- “Sec. 5708. Authorization.
- “PART H—LITERACY AND ARTS EDUCATION
- “Sec. 5801. Literacy and arts education.
- “PART I—EARLY LEARNING ALIGNMENT AND IMPROVEMENT GRANTS
- “Sec. 5901. Purposes; definitions.
- “Sec. 5902. Early learning alignment and improvement grants.
- “Sec. 5903. Authorization of appropriations.
- “TITLE VI—FLEXIBILITY AND ACCOUNTABILITY
- “Sec. 6001. Purposes.
- “PART A—IMPROVING ACADEMIC ACHIEVEMENT
- “SUBPART 1—FUNDING TRANSFERABILITY FOR STATE AND LOCAL EDUCATIONAL AGENCIES
- “Sec. 6111. Short title.
- “Sec. 6112. Purpose.
- “Sec. 6113. Transferability of funds.
- “SUBPART 2—WEIGHTED STUDENT FUNDING FLEXIBILITY PILOT PROGRAM
- “Sec. 6121. Weighted student funding flexibility pilot program.
- “PART B—RURAL EDUCATION INITIATIVE
- “Sec. 6201. Short title.
- “Sec. 6202. Purpose.
- “SUBPART 1—SMALL, RURAL SCHOOL ACHIEVEMENT PROGRAM
- “Sec. 6211. Use of applicable funding.
- “Sec. 6212. Grant program authorized.
- “Sec. 6213. Academic achievement assessments.
- “SUBPART 2—RURAL AND LOW-INCOME SCHOOL PROGRAM
- “Sec. 6221. Program authorized.
- “Sec. 6222. Uses of funds.
- “Sec. 6223. Applications.
- “Sec. 6224. Accountability.
- “Sec. 6225. Choice of participation.
- “SUBPART 3—GENERAL PROVISIONS
- “Sec. 6231. Annual average daily attendance determination.
- “Sec. 6232. Supplement, not supplant.
- “Sec. 6233. Rule of construction.
- “Sec. 6234. Authorization of appropriations.
- “PART C—GENERAL PROVISIONS
- “Sec. 6301. Prohibition against Federal mandates, direction, or control.
- “Sec. 6302. Rule of construction on equalized spending.
- “TITLE VII—INDIAN, NATIVE HAWAIIAN, AND ALASKA NATIVE EDUCATION
- “PART A—INDIAN EDUCATION
- “Sec. 7101. Statement of policy.
- “Sec. 7102. Purpose.
- “SUBPART 1—FORMULA GRANTS TO LOCAL EDUCATIONAL AGENCIES
- “Sec. 7111. Purpose.
- “Sec. 7112. Grants to local educational agencies and tribes.
- “Sec. 7113. Amount of grants.
- “Sec. 7114. Applications.
- “Sec. 7115. Authorized services and activities.
- “Sec. 7116. Integration of services authorized.
- “Sec. 7117. Student eligibility forms.
- “Sec. 7118. Payments.
- “Sec. 7119. State educational agency review.
- “SUBPART 2—SPECIAL PROGRAMS AND PROJECTS TO IMPROVE EDUCATIONAL OPPORTUNITIES FOR INDIAN CHILDREN
- “Sec. 7121. Improvement of educational opportunities for Indian children and youth.

“Sec. 7122. Professional development for teachers and education professionals.

“SUBPART 3—NATIONAL ACTIVITIES

“Sec. 7131. National research activities.

“Sec. 7132. Grants to tribes for education administrative planning, development, and coordination.

“SUBPART 4—FEDERAL ADMINISTRATION

“Sec. 7141. National Advisory Council on Indian Education.

“Sec. 7142. Peer review.

“Sec. 7143. Preference for Indian applicants.

“Sec. 7144. Minimum grant criteria.

“SUBPART 5—DEFINITIONS; AUTHORIZATIONS OF APPROPRIATIONS

“Sec. 7151. Definitions.

“Sec. 7152. Authorizations of appropriations.

“PART B—NATIVE HAWAIIAN EDUCATION

“Sec. 7201. Short title.

“Sec. 7202. Findings.

“Sec. 7203. Purposes.

“Sec. 7204. Native Hawaiian Education Council.

“Sec. 7205. Program authorized.

“Sec. 7206. Administrative provisions.

“Sec. 7207. Definitions.

“PART C—ALASKA NATIVE EDUCATION

“Sec. 7301. Short title.

“Sec. 7302. Findings.

“Sec. 7303. Purposes.

“Sec. 7304. Program authorized.

“Sec. 7305. Funds for administrative purposes.

“Sec. 7306. Definitions.

“PART D—NATIVE AMERICAN AND ALASKA NATIVE LANGUAGE IMMERSION SCHOOLS AND PROGRAMS

“Sec. 7401. Native American and Alaska Native language immersion schools and programs.

“TITLE VIII—IMPACT AID

“Sec. 8001. Purpose.

“Sec. 8002. Payments relating to Federal acquisition of real property.

“Sec. 8003. Payments for eligible federally connected children.

“Sec. 8004. Policies and procedures relating to children residing on Indian lands.

“Sec. 8005. Application for payments under sections 8002 and 8003.

“Sec. 8007. Construction.

“Sec. 8008. Facilities.

“Sec. 8009. State consideration of payments in providing State aid.

“Sec. 8010. Federal administration.

“Sec. 8011. Administrative hearings and judicial review.

“Sec. 8012. Forgiveness of overpayments.

“Sec. 8013. Definitions.

“Sec. 8014. Authorization of appropriations.

“TITLE IX—GENERAL PROVISIONS

“PART A—DEFINITIONS

“Sec. 9101. Definitions.

“Sec. 9102. Applicability of title.

“Sec. 9103. Applicability to Bureau of Indian Education operated schools.

“PART B—FLEXIBILITY IN THE USE OF ADMINISTRATIVE AND OTHER FUNDS

“Sec. 9201. Consolidation of State administrative funds for elementary and secondary education programs.

“Sec. 9202. Single local educational agency States.

“Sec. 9203. Consolidation of funds for local administration.

“Sec. 9204. Consolidated set-aside for Department of the Interior funds.

“PART C—COORDINATION OF PROGRAMS; CONSOLIDATED STATE AND LOCAL PLANS AND APPLICATIONS

“Sec. 9301. Purpose.

“Sec. 9302. Optional consolidated State plans or applications.

“Sec. 9303. Consolidated reporting.

“Sec. 9304. General applicability of State educational agency assurances.

“Sec. 9305. Consolidated local plans or applications.

“Sec. 9306. Other general assurances.

“PART D—WAIVERS

“Sec. 9401. Waivers of statutory and regulatory requirements.

“PART E—APPROVAL AND DISAPPROVAL OF STATE PLANS AND LOCAL APPLICATIONS

“Sec. 9451. Approval and disapproval of State plans.

“Sec. 9452. Approval and disapproval of local educational agency applications.

“PART F—UNIFORM PROVISIONS

“SUBPART 1—PRIVATE SCHOOLS

“Sec. 9501. Participation by private school children and teachers.

“Sec. 9502. Standards for by-pass.

“Sec. 9503. Complaint process for participation of private school children.

“Sec. 9504. By-pass determination process.

“Sec. 9505. Prohibition against funds for religious worship or instruction.

“Sec. 9506. Private, religious, and home schools.

“SUBPART 2—OTHER PROVISIONS

“Sec. 9521. Maintenance of effort.

“Sec. 9522. Prohibition regarding State aid.

“Sec. 9523. Privacy of assessment results.

“Sec. 9524. School prayer.

“Sec. 9525. Equal access to public school facilities.

“Sec. 9526. General prohibitions.

“Sec. 9527. Prohibitions on Federal Government and use of Federal funds.

“Sec. 9528. Armed Forces recruiter access to students and student recruiting information.

“Sec. 9529. Prohibition on federally sponsored testing.

“Sec. 9530. Limitations on national testing or certification for teachers.

“Sec. 9531. Prohibition on nationwide database.

“Sec. 9532. Unsafe school choice option.

“Sec. 9533. Prohibition on discrimination.

“Sec. 9534. Civil rights.

“Sec. 9535. Rulemaking.

“Sec. 9536. Severability.

“Sec. 9537. Transfer of school disciplinary records.

“Sec. 9538. Consultation with Indian tribes and tribal organizations.

“SUBPART 3—TEACHER LIABILITY PROTECTION

“Sec. 9541. Short title.

“Sec. 9542. Purpose.

“Sec. 9543. Definitions.

“Sec. 9544. Applicability.

“Sec. 9545. Preemption and election of State nonapplicability.

“Sec. 9546. Limitation on liability for teachers.

“Sec. 9547. Allocation of responsibility for noneconomic loss.

“Sec. 9548. Effective date.

“SUBPART 4—INTERNET SAFETY

“Sec. 9551. Internet safety.

“SUBPART 5—GUN POSSESSION

“Sec. 9561. Gun-free requirements.

“SUBPART 6—ENVIRONMENTAL TOBACCO SMOKE

“Sec. 9571. Short title.

“Sec. 9572. Definitions.

“Sec. 9573. Nonsmoking policy for children’s services.

“Sec. 9574. Preemption.

“PART G—EVALUATIONS

“Sec. 9601. Evaluations.”

**TITLE I—IMPROVING BASIC PROGRAMS OPERATED BY STATE AND LOCAL EDUCATIONAL AGENCIES**

**SEC. 1001. STATEMENT OF PURPOSE.**

Section 1001 (20 U.S.C. 6301) is amended to read as follows:

**“SEC. 1001. STATEMENT OF PURPOSE.**

“The purpose of this title is to ensure that all children have a fair, equitable, and significant opportunity to receive a high-quality education that prepares them for postsecondary education or the workforce, without the need for postsecondary remediation, and to close educational achievement gaps.”

**SEC. 1002. AUTHORIZATION OF APPROPRIATIONS.**

Section 1002 (20 U.S.C. 6302) is amended to read as follows:

**“SEC. 1002. AUTHORIZATION OF APPROPRIATIONS.**

“(a) LOCAL EDUCATIONAL AGENCY GRANTS.—For the purpose of carrying out part A, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.

“(b) STATE ASSESSMENTS.—For the purpose of carrying out part B, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.

“(c) EDUCATION OF MIGRATORY CHILDREN.—For the purpose of carrying out part C, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.

“(d) PREVENTION AND INTERVENTION PROGRAMS FOR CHILDREN AND YOUTH WHO ARE NEGLECTED, DELINQUENT, OR AT-RISK.—For the purpose of carrying out part D, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.

“(e) FEDERAL ACTIVITIES.—For the purpose of carrying out evaluation activities related to title I under section 9601, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.

“(f) SCHOOL INTERVENTION AND SUPPORT.—For the purpose of carrying out section 1114, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.”

**SEC. 1003. SCHOOL INTERVENTION AND SUPPORT AND STATE ADMINISTRATION.**

The Act (20 U.S.C. 6301 et seq.) is amended—

(1) by striking section 1003;

(2) by redesignating section 1004 as section 1003; and

(3) in section 1003, as redesignated by paragraph (2), by adding at the end the following:

“(c) TECHNICAL ASSISTANCE AND SUPPORT.—

“(1) IN GENERAL.—Each State may reserve not more than 4 percent of the amount the State receives under subpart 2 of part A for a fiscal year to carry out paragraph (2) and to carry out the State educational agency’s responsibilities under section 1114(a), including carrying out the State educational agency’s statewide system of technical assistance and support for local educational agencies.

“(2) USES.—Of the amount reserved under paragraph (1) for any fiscal year, the State educational agency—

“(A) shall use not less than 95 percent of such amount by allocating such sums directly to local educational agencies for activities required under section 1114; or

“(B) may, with the approval of the local educational agency, directly provide for such activities or arrange for their provision through other entities such as school support teams, educational service agencies, or other nonprofit or for-profit organizations that use evidence-based strategies to improve student achievement, teaching, and schools.

“(3) PRIORITY.—The State educational agency, in allocating funds to local educational agencies under this subsection, shall give priority to local educational agencies that—

“(A) serve the lowest-performing elementary schools and secondary schools, as identified by the State under section 1114;

“(B) demonstrate the greatest need for such funds, as determined by the State; and

“(C) demonstrate the strongest commitment to using evidence-based interventions to enable the lowest-performing schools to improve student achievement and student outcomes.

“(4) UNUSED FUNDS.—If, after consultation with local educational agencies in the State, the State educational agency determines that the amount of funds reserved to carry out this subsection for a fiscal year is greater than the amount needed to provide the assistance described in this subsection, the State educational agency shall allocate the excess amount to local educational agencies in accordance with—

“(A) the relative allocations the State educational agency made to those agencies for that fiscal year under subpart 2 of part A; or

“(B) section 1126(c).

“(5) SPECIAL RULE.—Notwithstanding any other provision of this subsection, the amount of funds reserved by the State educational agency under this subsection for any fiscal year shall not decrease the amount of funds each local educational agency receives under subpart 2 of part A below the amount received by such local educational agency under such subpart for the preceding fiscal year.

“(6) REPORTING.—Each State educational agency shall make publicly available a list of those schools that have received funds or services pursuant to this subsection and the percentage of students from each such school from families with incomes below the poverty line.”

#### SEC. 1004. BASIC PROGRAM REQUIREMENTS.

Subpart 1 of part A of title I (20 U.S.C. 6311 et seq.) is amended—

(1) by striking sections 1111 through 1117 and inserting the following:

##### “SEC. 1111. STATE PLANS.

“(a) PLANS REQUIRED.—

“(1) IN GENERAL.—For any State desiring to receive a grant under this part, the State educational agency shall submit to the Secretary a plan, developed by the State educational agency with timely and meaningful consultation with the Governor, representatives of the State legislature and State board of education (if the State has a State board of education), local educational agencies (including those located in rural areas), representatives of Indian tribes located in the State, teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals (including organizations representing such individuals), administrators, other staff, and parents, that—

“(A) is coordinated with other programs under this Act, the Individuals with Disabilities Education Act, the Rehabilitation Act of 1973, the Carl D. Perkins Career and Technical Education Act of 2006, the Workforce Innovation and Opportunity Act, the Head Start Act, the Child Care and Development

Block Grant Act of 1990, the Education Sciences Reform Act of 2002, the Education Technical Assistance Act, the National Assessment of Educational Progress Authorization Act, the McKinney-Vento Homeless Assistance Act, and the Adult Education and Family Literacy Act; and

“(B) describes how the State will implement evidence-based strategies for improving student achievement under this title and disseminate that information to local educational agencies.

“(2) CONSOLIDATED PLAN.—A State plan submitted under paragraph (1) may be submitted as part of a consolidated plan under section 9302.

“(3) PEER REVIEW AND SECRETARIAL APPROVAL.—

“(A) IN GENERAL.—The Secretary shall—

“(i) establish a peer-review process to assist in the review of State plans;

“(ii) establish multidisciplinary peer-review teams and appoint members of such teams that—

“(I) are representative of teachers, principals, other school leaders, specialized instructional support personnel, State educational agencies, local educational agencies, and individuals and researchers with practical experience in implementing academic standards, assessments, or accountability systems, and meeting the needs of disadvantaged students, children with disabilities, students who are English learners, the needs of low-performing schools, and other educational needs of students;

“(II) include a balanced representation of individuals who have practical experience in the classroom, school administration, or State or local government, such as direct employees of a school, local educational agency, or State educational agency within the preceding 5 years; and

“(III) represent a regionally diverse cross-section of States;

“(iii) make available to the public, including by such means as posting to the Department's website, the list of peer reviewers who will review State plans under this section;

“(iv) ensure that the peer-review teams are comprised of varied individuals so that the same peer reviewers are not reviewing all of the State plans; and

“(v) deem a State plan as approved within 90 days of its submission unless the Secretary presents substantial evidence that clearly demonstrates that such State plan does not meet the requirements of this section.

“(B) PURPOSE OF PEER REVIEW.—The peer-review process shall be designed to—

“(i) maximize collaboration with each State;

“(ii) promote effective implementation of the challenging State academic standards through State and local innovation; and

“(iii) provide publicly available, timely, and objective feedback to States designed to strengthen the technical and overall quality of the State plans.

“(C) STANDARD AND NATURE OF REVIEW.—Peer reviewers shall conduct an objective review of State plans in their totality and out of respect for State and local judgments, with the goal of supporting State- and local-led innovation and providing objective feedback on the technical and overall quality of a State plan.

“(D) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed as prohibiting the Secretary from appointing an individual to serve as a peer reviewer on more than one peer-review team under subpara-

graph (A) or to review more than one State plan.

“(4) STATE PLAN DETERMINATION, DEMONSTRATION, AND REVISION.—If the Secretary determines that a State plan does not meet the requirements of this subsection or subsection (b) or (c), the Secretary shall, prior to declining to approve the State plan—

“(A) immediately notify the State of such determination;

“(B) provide a detailed description of the specific requirements of this subsection or subsection (b) or (c) of the State plan that the Secretary determines fails to meet such requirements;

“(C) provide all peer-review comments, suggestions, recommendations, or concerns in writing to the State;

“(D) offer the State an opportunity to revise and resubmit its plan within 60 days of such determination, including the chance for the State to present substantial evidence to clearly demonstrate that the State plan meets the requirements of this part;

“(E) provide technical assistance, upon request of the State, in order to assist the State to meet the requirements of this subsection or subsection (b) or (c); and

“(F) conduct a public hearing within 30 days of such resubmission, with public notice provided not less than 15 days before such hearing, unless the State declines the opportunity for such public hearing.

“(5) STATE PLAN DISAPPROVAL.—The Secretary shall have the authority to disapprove a State plan if the State has been notified and offered an opportunity to revise and submit with technical assistance under paragraph (4), and—

“(A) the State does not revise and resubmit its plan; or

“(B) the State revises and resubmits a plan that the Secretary determines does not meet the requirements of this part after a hearing conducted under paragraph (4)(F), if applicable.

“(6) LIMITATIONS.—

“(A) IN GENERAL.—The Secretary shall not have the authority to require a State, as a condition of approval of the State plan or revisions or amendments to the State plan, to—

“(i) include in, or delete from, such plan 1 or more specific elements of the challenging State academic standards;

“(ii) use specific academic assessment instruments or items;

“(iii) set specific State-designed goals or specific timelines for such goals for all students or each of the categories of students, as defined in subsection (b)(3)(A);

“(iv) assign any specific weight or specific significance to any measures or indicators of student academic achievement or growth within State-designed accountability systems;

“(v) include in, or delete from, such a plan any criterion that specifies, defines, or prescribes—

“(I) the standards or measures that States or local educational agencies use to establish, implement, or improve challenging State academic standards, including the content of, or achievement levels within, such standards;

“(II) the specific types of academic assessments or assessment items that States and local educational agencies use to meet the requirements of this part;

“(III) any requirement that States shall measure student growth, the specific metrics used to measure student academic growth if a State chooses to measure student growth, or the specific indicators or methods to

measure student readiness to enter postsecondary education or the workforce;

“(IV) any specific benchmarks, targets, goals, or metrics to measure nonacademic measures or indicators;

“(V) the specific weight or specific significance of any measure or indicator of student academic achievement within State-designed accountability systems;

“(VI) the specific goals States establish for student academic achievement or high school graduation rates, as described in subclauses (I) and (II) of subsection (b)(3)(B)(i);

“(VII) any aspect or parameter of a teacher, principal, or other school leader evaluation system within a State or local educational agency; or

“(VIII) indicators or specific measures of teacher, principal, or other school leader effectiveness or quality; or

“(vi) require data collection beyond data derived from existing Federal, State, and local reporting requirements and data sources.

“(B) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed as authorizing, requiring, or allowing any additional reporting requirements, data elements, or information to be reported to the Secretary not otherwise explicitly authorized under Federal law.

“(7) PUBLIC REVIEW.—All written communications, feedback, and notifications under this subsection shall be conducted in a manner that is transparent and immediately made available to the public through the website of the Department, including—

“(A) plans submitted or resubmitted by a State;

“(B) peer-review comments;

“(C) State plan determinations by the Secretary, including approvals or disapprovals; and

“(D) notices and transcripts of public hearings under this section.

“(8) DURATION OF THE PLAN.—

“(A) IN GENERAL.—Each State plan shall—

“(i) remain in effect for the duration of the State’s participation under this part or 7 years, whichever is shorter; and

“(ii) be periodically reviewed and revised as necessary by the State educational agency to reflect changes in the State’s strategies and programs under this part.

“(B) ADDITIONAL INFORMATION.—

“(i) IN GENERAL.—If a State makes significant changes to its plan at any time, such as the adoption of new challenging State academic standards, new academic assessments, or changes to its accountability system under subsection (b)(3), such information shall be submitted to the Secretary in the form of revisions or amendments to the State plan.

“(ii) REVIEW OF REVISED PLANS.—The Secretary shall review the information submitted under clause (i) and approve or disapprove changes to the State plan within 90 days in accordance with paragraphs (4) through (6) without undertaking the peer-review process under paragraph (3).

“(iii) SPECIAL RULE FOR STANDARDS.—If a State makes changes to its challenging State academic standards, the requirements of subsection (b)(1), including the requirement that such standards need not be submitted to the Secretary pursuant to subsection (b)(1)(A), shall still apply.

“(C) RENEWAL.—A State educational agency shall submit a revised plan every 7 years subject to the peer-review process under paragraph (3).

“(D) LIMITATION.—The Secretary shall not have the authority to place any new condi-

tions, requirements, or criteria for approval of a plan submitted for renewal under subparagraph (C) that are not otherwise authorized under this part.

“(9) FAILURE TO MEET REQUIREMENTS.—If a State fails to meet any of the requirements of this section, then the Secretary may withhold funds for State administration under this part until the Secretary determines that the State has fulfilled those requirements.

“(10) PUBLIC COMMENT.—Each State shall make the State plan publicly available for public comment for a period of not less than 30 days, by electronic means and in a computer friendly and easily accessible format, prior to submission to the Secretary for approval under this subsection. The State shall provide an assurance that public comments were taken into account in the development of the State plan.

“(b) CHALLENGING STATE ACADEMIC STANDARDS, ACADEMIC ASSESSMENTS, AND ACCOUNTABILITY SYSTEMS.—

“(1) CHALLENGING STATE ACADEMIC STANDARDS.—

“(A) IN GENERAL.—Each State shall provide an assurance that the State has adopted challenging academic content standards and aligned academic achievement standards (referred to in this Act as ‘challenging State academic standards’), which achievement standards shall include not less than 3 levels of achievement, that will be used by the State, its local educational agencies, and its schools to carry out this part. A State shall not be required to submit such challenging State academic standards to the Secretary.

“(B) SAME STANDARDS.—Except as provided in subparagraph (E), the standards required by subparagraph (A) shall be the same standards that the State applies to all public schools and public school students in the State.

“(C) SUBJECTS.—The State shall have such standards in mathematics, reading or language arts, and science, and any other subjects as determined by the State, which shall include the same knowledge, skills, and levels of achievement expected of all public school students in the State.

“(D) ALIGNMENT.—Each State shall demonstrate that the challenging State academic standards are aligned with—

“(i) entrance requirements, without the need for academic remediation, for the system of public higher education in the State;

“(ii) relevant State career and technical education standards; and

“(iii) relevant State early learning guidelines, as required under section 658E(c)(2)(T) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858c(c)(2)(T)).

“(E) ALTERNATE ACADEMIC ACHIEVEMENT STANDARDS FOR STUDENTS WITH THE MOST SIGNIFICANT COGNITIVE DISABILITIES.—

“(i) IN GENERAL.—The State may, through a documented and validated standards-setting process, adopt alternate academic achievement standards for students with the most significant cognitive disabilities, provided those standards—

“(I) are aligned with the challenging State academic content standards under subparagraph (A);

“(II) promote access to the general curriculum, consistent with the purposes of the Individuals with Disabilities Education Act, as stated in section 601(d) of such Act;

“(III) reflect professional judgment of the highest achievement standards attainable by those students;

“(IV) are designated in the individualized education program developed under section 614(d)(3) of the Individuals with Disabilities

Education Act for each such student as the academic achievement standards that will be used for the student; and

“(V) are aligned to ensure that a student who meets the alternate academic achievement standards is on track for further education or employment.

“(ii) PROHIBITION ON ANY OTHER ALTERNATE OR MODIFIED ACADEMIC ACHIEVEMENT STANDARDS.—A State shall not develop, or implement for use under this part, any alternate academic achievement standards for children with disabilities that are not alternate academic achievement standards that meet the requirements of clause (i).

“(F) ENGLISH LANGUAGE PROFICIENCY STANDARDS.—Each State plan shall demonstrate that the State has adopted English language proficiency standards that are aligned with the challenging State academic standards under subparagraph (A). Such standards shall—

“(i) ensure proficiency in each of the domains of speaking, listening, reading, and writing;

“(ii) address the different proficiency levels of children who are English learners; and

“(iii) be aligned with the challenging State academic standards in reading or language arts, so that achieving proficiency in the State’s English language proficiency standards indicates a sufficient knowledge of English to measure validly and reliably the student’s achievement on the State’s reading or language arts standards.

“(G) PROHIBITIONS.—

“(i) STANDARDS REVIEW OR APPROVAL.—A State shall not be required to submit any standards developed under this subsection to the Secretary for review or approval.

“(ii) FEDERAL CONTROL.—The Secretary shall not have the authority to mandate, direct, control, coerce, or exercise any direction or supervision over any of the challenging State academic standards adopted or implemented by a State.

“(H) EXISTING STANDARDS.—Nothing in this part shall prohibit a State from revising, consistent with this section, any standard adopted under this part before or after the date of enactment of the Every Child Achieves Act of 2015.

“(2) ACADEMIC ASSESSMENTS.—

“(A) IN GENERAL.—Each State plan shall demonstrate that the State educational agency, in consultation with local educational agencies, has implemented a set of high-quality statewide academic assessments that—

“(i) includes, at a minimum, academic statewide assessments in mathematics, reading or language arts, and science; and

“(ii) meets the requirements of subparagraph (B).

“(B) REQUIREMENTS.—The assessments under subparagraph (A) shall—

“(i) except as provided in subparagraph (D), be—

“(I) the same academic assessments used to measure the achievement of all public elementary school and secondary school students in the State; and

“(II) administered to all public elementary school and secondary school students in the State;

“(ii) be aligned with the challenging State academic standards, and provide coherent and timely information about student attainment of such standards and whether the student is performing at the student’s grade level;

“(iii) be used for purposes for which such assessments are valid and reliable, consistent with relevant, nationally recognized

professional and technical testing standards, and objectively measure academic achievement, knowledge, and skills;

“(iv) be of adequate technical quality for each purpose required under this Act and consistent with the requirements of this section, the evidence of which is made public, including on the website of the State educational agency;

“(v)(I) measure the annual academic achievement of all students against the challenging State academic standards in, at a minimum, mathematics and reading or language arts, and be administered—

“(aa) in each of grades 3 through 8; and

“(bb) at least once in grades 9 through 12; and

“(II) measure the academic achievement of all students against the challenging State academic standards in science, and be administered not less than one time, during—

“(aa) grades 3 through 5;

“(bb) grades 6 through 9; and

“(cc) grades 10 through 12;

“(vi) involve multiple up-to-date measures of student academic achievement, including measures that assess higher-order thinking skills and understanding, which may include measures of student academic growth and may be partially delivered in the form of portfolios, projects, or extended performance tasks;

“(vii) provide for—

“(I) the participation in such assessments of all students;

“(II) the appropriate accommodations for children with disabilities, as defined in section 602(3) of the Individuals with Disabilities Education Act, and students with a disability who are provided accommodations under an Act other than the Individuals with Disabilities Education Act, necessary to measure the academic achievement of such children relative to the challenging State academic standards; and

“(III) the inclusion of English learners, who shall be assessed in a valid and reliable manner and provided appropriate accommodations on assessments administered to such students under this paragraph, including, to the extent practicable, assessments in the language and form most likely to yield accurate data on what such students know and can do in academic content areas, until such students have achieved English language proficiency, as determined under paragraph (1)(F);

“(viii) at the State’s choosing—

“(I) be administered through a single summative assessment; or

“(II) be administered through multiple statewide assessments during the course of the year if the State can demonstrate that the results of these multiple assessments, taken in their totality, provide a summative score that provides valid and reliable information on individual student achievement or growth;

“(ix) notwithstanding clause (vii)(III), provide for assessments (using tests in English) of reading or language arts of any student who has attended school in the United States (not including the Commonwealth of Puerto Rico) for 3 or more consecutive school years, except that if the local educational agency determines, on a case-by-case individual basis, that academic assessments in another language or form would likely yield more accurate and reliable information on what such student knows and can do, the local educational agency may make a determination to assess such student in the appropriate language other than English for a period that does not exceed 2 additional consecutive

years, provided that such student has not yet reached a level of English language proficiency sufficient to yield valid and reliable information on what such student knows and can do on tests (written in English) of reading or language arts;

“(x) produce individual student interpretive, descriptive, and diagnostic reports, consistent with clause (iii), that allow parents, teachers, principals, and other school leaders to understand and address the specific academic needs of students, and include information regarding achievement on academic assessments aligned with challenging State academic achievement standards, and that are provided to parents, teachers, principals, and other school leaders as soon as is practicable after the assessment is given, in an understandable and uniform format, and, to the extent practicable, in a language that the parents can understand;

“(xi) enable results to be disaggregated within each State, local educational agency, and school, by—

“(I) each major racial and ethnic group;

“(II) economically disadvantaged students as compared to students who are not economically disadvantaged;

“(III) children with disabilities as compared to children without disabilities;

“(IV) English proficiency status;

“(V) gender; and

“(VI) migrant status;

“(xii) enable itemized score analyses to be produced and reported, consistent with clause (iii), to local educational agencies and schools, so that parents, teachers, principals, other school leaders, and administrators can interpret and address the specific academic needs of students as indicated by the students’ achievement on assessment items; and

“(xiii) be developed, to the extent practicable, using the principles of universal design for learning.

“(C) EXCEPTION TO DISAGGREGATION.—Notwithstanding subparagraph (B)(xi), the disaggregated results of assessments shall not be required in the case of a local educational agency or school if—

“(i) the number of students in a category described under subparagraph (B)(xi) is insufficient to yield statistically reliable information; or

“(ii) the results would reveal personally identifiable information about an individual student.

“(D) ALTERNATE ASSESSMENTS FOR STUDENTS WITH THE MOST SIGNIFICANT COGNITIVE DISABILITIES.—

“(i) ALTERNATE ASSESSMENTS ALIGNED WITH ALTERNATE ACADEMIC ACHIEVEMENT STANDARDS.—A State may provide for alternate assessments aligned with the challenging State academic content standards and alternate academic achievement standards described in paragraph (1)(E) for students with the most significant cognitive disabilities, if the State—

“(I) ensures that for each subject, the total number of students assessed in such subject using the alternate assessments does not exceed 1 percent of the total number of all students in the State who are assessed in such subject;

“(II) establishes and monitors implementation of clear and appropriate guidelines for individualized education program teams (as defined in section 614(d)(1)(B) of the Individuals with Disabilities Education Act) to apply in determining, individually for each subject, when a child’s significant cognitive disability justifies assessment based on alternate academic achievement standards;

“(III) ensures that, consistent with the requirements of the Individuals with Disabil-

ities Education Act, parents are involved in the decision to use the alternate assessment for their child;

“(IV) ensures that, consistent with the requirements of the Individuals with Disabilities Education Act, students with the most significant cognitive disabilities are involved in and make progress in the general education curriculum;

“(V) describes in the State plan the appropriate accommodations provided to ensure access to the alternate assessment;

“(VI) describes in the State plan the steps the State has taken to incorporate universal design for learning, to the extent feasible, in alternate assessments;

“(VII) ensures that general and special education teachers and other appropriate staff know how to administer assessments, including making appropriate use of accommodations, to children with disabilities;

“(VIII) develops, disseminates information on, and promotes the use of appropriate accommodations to increase the number of students with significant cognitive disabilities participating in academic instruction and assessments and increase the number of students with significant cognitive disabilities who are tested against challenging State academic achievement standards; and

“(IX) ensures that students who take alternate assessments based on alternate academic achievement standards are not precluded from attempting to complete the requirements for a regular high school diploma.

“(ii) STUDENTS WITH THE MOST SIGNIFICANT COGNITIVE DISABILITIES.—In determining the achievement of students in the State accountability system, a State educational agency shall include, for all schools in the State, the performance of the State’s students with the most significant cognitive disabilities on alternate assessments as described in this subparagraph in the subjects included in the State’s accountability system, consistent with the 1 percent limitation of clause (i)(I).

“(E) STATE AUTHORITY.—If a State educational agency provides evidence, which is satisfactory to the Secretary, that neither the State educational agency nor any other State government official, agency, or entity has sufficient authority, under State law, to adopt challenging State academic standards, and academic assessments aligned with such standards, which will be applicable to all students enrolled in the State’s public elementary schools and secondary schools, then the State educational agency may meet the requirements of this subsection by—

“(i) adopting academic standards and academic assessments that meet the requirements of this subsection, on a statewide basis, and limiting their applicability to students served under this part; or

“(ii) adopting and implementing policies that ensure that each local educational agency in the State that receives grants under this part will adopt academic content and student academic achievement standards, and academic assessments aligned with such standards, which—

“(I) meet all of the criteria in this subsection and any regulations regarding such standards and assessments that the Secretary may publish; and

“(II) are applicable to all students served by each such local educational agency.

“(F) LANGUAGE ASSESSMENTS.—Each State plan shall identify the languages other than English that are present to a significant extent in the participating student population of the State and indicate the languages for

which annual student academic assessments are not available and are needed, and such State shall make every effort to develop such assessments as necessary.

“(G) ASSESSMENTS OF ENGLISH LANGUAGE PROFICIENCY.—Each State plan shall demonstrate that local educational agencies in the State will provide for an annual assessment of English proficiency, which is valid, reliable, and consistent with relevant nationally recognized professional and technical testing standards measuring students’ speaking, listening, reading, and writing skills in English, of all children who are English learners in the schools served by the State educational agency.

“(H) DEFERRAL.—A State may defer the commencement, or suspend the administration, but not cease the development, of the assessments described in this paragraph, for 1 year for each year for which the amount appropriated for grants under part B is less than \$369,100,000.

“(I) RULE OF CONSTRUCTION REGARDING USE OF ASSESSMENTS FOR STUDENT PROMOTION OR GRADUATION.—Nothing in this paragraph shall be construed to prescribe or prohibit the use of the academic assessments described in this part for student promotion or graduation purposes.

“(J) RULE OF CONSTRUCTION REGARDING ASSESSMENTS.—

“(i) IN GENERAL.—Except as provided in clause (ii), nothing in this paragraph shall be construed to prohibit a State from developing and administering computer adaptive assessments as the assessments described in this paragraph, as long as the computer adaptive assessments—

“(I) meet the requirements of this paragraph; and

“(II) assess the student’s academic achievement in order to measure, in the subject being assessed, whether the student is performing above or below the student’s grade level.

“(ii) APPLICABILITY TO ALTERNATE ASSESSMENTS FOR STUDENTS WITH THE MOST SIGNIFICANT COGNITIVE DISABILITIES.—In developing and administering computer adaptive assessments as the assessments allowed under subparagraph (D), a State shall ensure that such computer adaptive assessments—

“(I) meet the requirements of this paragraph, including subparagraph (D), except such assessments shall not be required to meet the requirements of clause (i)(II); and

“(II) assess the student’s academic achievement in order to measure, in the subject being assessed, whether the student is performing at the student’s grade level.

“(K) RULE OF CONSTRUCTION ON PARENT AND GUARDIAN RIGHTS.—Nothing in this part shall be construed as preempting a State or local law regarding the decision of a parent or guardian to not have the parent or guardian’s child participate in the statewide academic assessments under this paragraph.

“(3) STATE ACCOUNTABILITY SYSTEM.—

“(A) CATEGORY OF STUDENTS.—In this paragraph, the term ‘category of students’ means—

“(i) economically disadvantaged students;

“(ii) students from major racial and ethnic groups;

“(iii) children with disabilities; and

“(iv) English learner students.

“(B) DESCRIPTION OF SYSTEM.—Each State plan shall describe a single, statewide State accountability system that will be based on the challenging State academic standards adopted by the State in mathematics and reading or language arts under paragraph (1)(C) to ensure that all students graduate

from high school prepared for postsecondary education or the workforce without the need for postsecondary remediation and at a minimum complies with the following:

“(i) Establishes measurable State-designed goals for all students and each of the categories of students in the State that take into account the progress necessary for all students and each of the categories of students to graduate from high school prepared for postsecondary education or the workforce without the need for postsecondary remediation, for, at a minimum each of the following:

“(I) Academic achievement, which may include student growth, on the State assessments under paragraph (2)(B)(v)(I).

“(II) High school graduation rates, including—

“(aa) the 4-year adjusted cohort graduation rate; and

“(bb) at the State’s discretion, the extended-year adjusted cohort graduation rate.

“(ii) Annually measures and reports on the following indicators:

“(I) The academic achievement of all public school students in all public schools and local educational agencies in the State towards meeting the goals described in clause (i) and the challenging State academic standards for all students and for each of the categories of students using student performance on State assessments required under paragraph (2)(B)(v)(I), which may include measures of student academic growth to such standards.

“(II) The academic success of all public school students in all public schools and local educational agencies in the State, that is, with respect to—

“(aa) elementary schools and secondary schools that are not high schools, an academic indicator, as determined by the State, that is the same statewide for all public elementary school students and all students at such secondary schools, and each category of students; and

“(bb) high schools, the high school graduation rates of all public high school students in all public high schools in the State toward meeting the goals described in clause (i), for all students and for each of the categories of students, including the 4-year adjusted cohort graduation rate and at the State’s discretion, the extended-year adjusted cohort graduation rate.

“(III) English language proficiency of all English learners in all public schools and local educational agencies, which may include measures of student growth.

“(IV) Not less than one other valid and reliable indicator of school quality, student success, or student supports, as determined appropriate by the State, that will be applied to all local educational agencies and schools consistently throughout the State for all students and for each of the categories of students, which may include measures of—

“(aa) student readiness to enter postsecondary education or the workforce without the need for postsecondary remediation;

“(bb) student engagement, such as attendance rates and chronic absenteeism (including both excused and unexcused absences);

“(cc) educator engagement, such as educator satisfaction (including working conditions within the school), teacher quality and effectiveness, and teacher absenteeism;

“(dd) results from student, parent, and educator surveys;

“(ee) school climate and safety, such as incidents of school violence, bullying, and harassment, and disciplinary rates, including rates of suspension, expulsion, referrals to

law enforcement, school-related arrests, disciplinary transfers (including placements in alternative schools), and student detentions;

“(ff) student access to or success in advanced coursework or educational programs or opportunities; and

“(gg) any other State-determined measure of school quality or student success.

“(iii) Establishes a system of annually identifying and meaningfully differentiating among all public schools in the State, which shall—

“(I) be based on all indicators in the State’s accountability system under clause (ii) for all students and for each of the categories of students; and

“(II) use the indicators described in subclauses (I) and (II) of clause (ii) as substantial factors in the annual identification of schools, and the weight of such factors shall be determined by the State.

“(iv) For public schools receiving assistance under this part, meets the requirements of section 1114.

“(v) Provides a clear and understandable explanation of the method of identifying and meaningfully differentiating schools under clause (iii).

“(vi) Measures the annual progress of not less than 95 percent of all students, and students in each of the categories of students, who are enrolled in the school and are required to take the assessments under paragraph (2) and provides a clear and understandable explanation of how the State will factor this requirement into the State-designed accountability system determinations.

“(4) EXCEPTION FOR ENGLISH LEARNERS.—A State may choose to—

“(A) exclude a recently arrived English learner who has attended school in one of the 50 States in the United States or in the District of Columbia for less than 12 months from one administration of the reading or language arts assessment required under paragraph (2);

“(B) exclude the results of a recently arrived English learner who has attended school in one of the 50 States in the United States or in the District of Columbia for less than 12 months on the assessments under paragraph (2)(B)(v)(I), except for the results on the English language proficiency assessments required under paragraph (2)(G), for the first year of the English learner’s enrollment in a school in the United States for the purposes of the State-determined accountability system under this subsection; and

“(C) include the results on the assessments under paragraph (2)(B)(v)(I), except for results on the English language proficiency assessments required under paragraph (2)(G), of former English learners for not more than 4 years after the student is no longer identified as an English learner within the English learner category of the categories of students, as defined in paragraph (3)(A), for the purposes of the State-determined accountability system.

“(5) ACCOUNTABILITY FOR CHARTER SCHOOLS.—The accountability provisions under this title shall be overseen for charter schools in accordance with State charter school law.

“(6) PROHIBITION ON FEDERAL INTERFERENCE WITH STATE AND LOCAL DECISIONS.—Nothing in this subsection shall be construed to permit the Secretary to establish any criterion that specifies, defines, or prescribes—

“(A) the standards or measures that States or local educational agencies use to establish, implement, or improve challenging



State academic standards, including the content of, or achievement levels within, such standards;

“(B) the specific types of academic assessments or assessment items that States or local educational agencies use to meet the requirements of paragraph (2)(B) or otherwise use to measure student academic achievement or student growth;

“(C) the specific goals that States establish within State-designed accountability systems for all students and for each of the categories of students, as defined in paragraph (3)(A), for student academic achievement or high school graduation rates, as described in subclauses (I) and (II) of paragraph (3)(B)(i);

“(D) any requirement that States shall measure student growth or the specific metrics used to measure student academic growth if a State chooses to measure student growth;

“(E) the specific indicator under paragraph (3)(B)(ii)(II)(aa), or any indicator under paragraph (3)(B)(ii)(IV), that a State must use within the State-designed accountability system;

“(F) setting specific benchmarks, targets, or goals, for any other measures or indicators established by a State under subclauses (III) and (IV) of paragraph (3)(B)(ii), including progress or growth on such measures or indicators;

“(G) the specific weight or specific significance of any measures or indicators used to measure, identify, or differentiate schools in the State-determined accountability system, as described in clauses (ii) and (iii) of paragraph (3)(B);

“(H) the terms ‘meaningfully’ or ‘substantially’ as used in this part;

“(I) the specific methods used by States and local educational agencies to identify and meaningfully differentiate among public schools;

“(J) any aspect or parameter of a teacher, principal, or other school leader evaluation system within a State or local educational agency; or

“(K) indicators or measures of teacher, principal, or other school leader effectiveness or quality.

“(c) OTHER PLAN PROVISIONS.—

“(1) DESCRIPTIONS.—Each State plan shall describe—

“(A) with respect to any accountability provisions under this part that require disaggregation of information by each of the categories of students, as defined in subsection (b)(3)(A)—

“(i) the minimum number of students that the State determines are necessary to be included in each such category of students to carry out such requirements and how that number is statistically sound;

“(ii) how such minimum number of students was determined by the State, including how the State collaborated with teachers, principals, other school leaders, parents, and other stakeholders when setting the minimum number; and

“(iii) how the State ensures that such minimum number does not reveal personally identifiable information about students;

“(B) the State educational agency’s system to monitor and evaluate the intervention and support strategies implemented by local educational agencies in schools identified as in need of intervention and support under section 1114, including the lowest-performing schools and schools identified for other reasons, including schools with categories of students, as defined in subsection (b)(3)(A), not meeting the goals described in sub-

section (b)(3)(B)(i), and the steps the State will take to further assist local educational agencies, if such strategies are not effective;

“(C) in the case of a State that proposes to use funds under this part to offer early childhood education programs, how the State provides assistance and support to local educational agencies and individual elementary schools that are creating, expanding, or improving such programs, such as through plans for engaging and supporting principals and other school leaders responsible for improving early childhood alignment with their elementary school, supporting teachers in understanding the transition between early learning to kindergarten, and increasing parent and community engagement;

“(D) in the case of a State that proposes to use funds under this part to support a multi-tiered system of supports, positive behavioral interventions and supports, or early intervening services, how the State educational agency will assist local educational agencies in the development, implementation, and coordination of such activities and services with similar activities and services carried out under the Individuals with Disabilities Education Act in schools served by the local educational agency, including by providing technical assistance, training, and evaluation of the activities and services;

“(E) how the State educational agency will provide support to local educational agencies for the education of homeless children and youths, and how the State will comply with the requirements of subtitle B of title VII of the McKinney-Vento Homeless Assistance Act;

“(F) how low-income and minority children enrolled in schools assisted under this part are not served at disproportionate rates by ineffective, out-of-field, and inexperienced teachers, principals, or other school leaders, and the measures the State educational agency will use to evaluate and publicly report the progress of the State educational agency with respect to such description;

“(G) how the State will make public the methods or criteria the State or its local educational agencies are using to measure teacher, principal, and other school leader effectiveness for the purpose of meeting the requirements described in subparagraph (F); however, nothing in this subparagraph shall be construed as requiring a State to develop or implement a teacher, principal, or other school leader evaluation system;

“(H) how the State educational agency will protect each student from physical or mental abuse, aversive behavioral interventions that compromise student health and safety, or any physical restraint or seclusion imposed solely for purposes of discipline or convenience, which may include how such agency will identify and support, including through professional development, training, and technical assistance, local educational agencies and schools that have high levels of seclusion and restraint or disproportionality in rates of seclusion and restraint;

“(I) how the State educational agency will address school discipline issues, which may include how such agency will identify and support, including through professional development, training, and technical assistance, local educational agencies and schools that have high levels of exclusionary discipline or disproportionality in rates of exclusionary discipline;

“(J) how the State educational agency will address school climate issues, which may include providing technical assistance on effective strategies to reduce the incidence of

school violence, bullying, harassment, drug and alcohol use and abuse, and rates of chronic absenteeism (including both excused and unexcused absences);

“(K) how the State determines, with timely and meaningful consultation with local educational agencies representing the geographic diversity of the State, the timelines and annual goals for progress necessary to move English learners from the lowest levels of English proficiency to the State-defined proficient level in a State-determined number of years, including an assurance that such goals will be based on students’ initial language proficiency when first identified as an English learner and may take into account the amount of time that an individual child has been enrolled in a language program and grade level;

“(L) the steps a State educational agency will take to ensure collaboration with the State agency responsible for administering the State plans under parts B and E of title IV of the Social Security Act (42 U.S.C. 621 et seq. and 670 et seq.) to ensure the educational stability of children in foster care, including assurances that—

“(i) any such child enrolls or remains in such child’s school of origin, unless a determination is made that it is not in such child’s best interest to attend the school of origin, which decision shall be based on all factors relating to the child’s best interest, including consideration of the appropriateness of the current educational setting and the proximity to the school in which the child is enrolled at the time of placement;

“(ii) when a determination is made that it is not in such child’s best interest to remain in the school of origin, the child is immediately enrolled in a new school, even if the child is unable to produce records normally required for enrollment;

“(iii) the enrolling school shall immediately contact the school last attended by any such child to obtain relevant academic and other records; and

“(iv) the State educational agency will designate an employee to serve as a point of contact for child welfare agencies and to oversee implementation of the State agency responsibilities required under this subparagraph, and such point of contact shall not be the State’s Coordinator for Education of Homeless Children and Youths under section 722(d)(3) of the McKinney-Vento Homeless Assistance Act;

“(M) how the State educational agency will provide support to local educational agencies for the education of expectant and parenting students; and

“(N) any other information on how the State proposes to use funds under this part to meet the purposes of this part, and that the State determines appropriate to provide, which may include how the State educational agency will—

“(i) assist local educational agencies in identifying and serving gifted and talented students; and

“(ii) encourage the offering of a variety of well-rounded education experiences to students.

“(2) ASSURANCES.—Each State plan shall provide an assurance that—

“(A) the State educational agency will notify local educational agencies, Indian tribes and tribal organizations, schools, teachers, parents, and the public of the challenging State academic standards, academic assessments, and State accountability system, developed under this section;

“(B) the State educational agency will assist each local educational agency and

school affected by the State plan to meet the requirements of this part;

“(C) the State will participate in the biennial State academic assessments in reading and mathematics in grades 4 and 8 of the National Assessment of Educational Progress carried out under section 303(b)(3) of the National Assessment of Educational Progress Authorization Act if the Secretary pays the costs of administering such assessments;

“(D) the State educational agency will modify or eliminate State fiscal and accounting barriers so that schools can easily consolidate funds from other Federal, State, and local sources in order to improve educational opportunities and reduce unnecessary fiscal and accounting requirements;

“(E) the State educational agency will support the collection and dissemination to local educational agencies and schools of effective parent and family engagement strategies, including those included in the parent and family engagement policy under section 1115;

“(F) the State educational agency will provide the least restrictive and burdensome regulations for local educational agencies and individual schools participating in a program assisted under this part;

“(G) the State educational agency will ensure that local educational agencies, in developing and implementing programs under this part, will, to the extent feasible, work in consultation with outside intermediary organizations, such as educational service agencies, or individuals, that have practical expertise in the development or use of evidence-based strategies and programs to improve teaching, learning, and schools;

“(H) the State educational agency has appropriate procedures and safeguards in place to ensure the validity of the assessment process;

“(I) the State educational agency will ensure that all teachers and paraprofessionals working in a program supported with funds under this part meet applicable State certification and licensure requirements, including alternative certification requirements;

“(J) the State educational agency will coordinate activities funded under this part with other Federal activities as appropriate;

“(K) the State educational agency has involved the committee of practitioners established under section 1503(b) in developing the plan and monitoring its implementation;

“(L) the State has professional standards for paraprofessionals working in a program supported with funds under this part, including qualifications that were in place on the day before the date of enactment of the Every Child Achieves Act of 2015; and

“(M) the State educational agency will assess the system for collecting data from local educational agencies, and the technical assistance provided to local educational agencies on data collection, and will evaluate the need to upgrade or change the system and to provide additional support to help minimize the burden on local educational agencies related to reporting data required for the annual State report card described in subsection (d)(1) and annual local educational agency report cards described in subsection (d)(2).

“(d) REPORTS.—

“(1) ANNUAL STATE REPORT CARD.—

“(A) IN GENERAL.—A State that receives assistance under this part shall prepare and disseminate widely to the public an annual State report card for the State as a whole that meets the requirements of this paragraph.

“(B) IMPLEMENTATION.—

“(i) IN GENERAL.—The State report card required under this paragraph shall be—

“(I) concise;

“(II) presented in an understandable and uniform format and, to the extent practicable, in a language that parents can understand; and

“(III) widely accessible to the public, which shall include making the State report card, along with all local educational agency and school report cards required under paragraph (2), and the annual report to the Secretary under paragraph (5), available on a single webpage of the State educational agency’s website.

“(ii) ENSURING PRIVACY.—No State report card required under this paragraph shall include any personally identifiable information about any student. Each such report card shall be consistent with the privacy protections under section 444 of the General Education Provisions Act (20 U.S.C. 1232g, commonly known as the ‘Family Educational Rights and Privacy Act of 1974’).

“(C) MINIMUM REQUIREMENTS.—Each State report card required under this subsection shall include the following information:

“(i) A clear and concise description of the State’s accountability system under subsection (b)(3), including the goals for all students and for each of the categories of students, as defined in subsection (b)(3)(A), the indicators used in the accountability system to evaluate school performance described in subsection (b)(3)(B), and the weights of the indicators used in the accountability system to evaluate school performance.

“(ii) For all students and disaggregated by each category of students described in subsection (b)(2)(B)(xi), homeless status, and status as a child in foster care, except that such disaggregation shall not be required in a case in which the number of students in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student, information on student achievement on the academic assessments described in subsection (b)(2) at each level of achievement, as determined by the State under subsection (b)(1).

“(iii) For all students and disaggregated by each category of students described in subsection (b)(2)(B)(xi), the percentage of students assessed and not assessed.

“(iv) For all students and disaggregated by each of the categories of students, as defined in subsection (b)(3)(A), except that such disaggregation shall not be required in a case in which the number of students in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student—

“(I) information on the performance on the other academic indicator under subsection (b)(3)(B)(ii)(II)(aa) used by the State in the State accountability system; and

“(II) high school graduation rates, including 4-year adjusted cohort graduation rates and, at the State’s discretion, extended-year adjusted cohort graduation rates.

“(v) Information on indicators or measures of school quality, climate and safety, and discipline, including the rates of in-school suspensions, out-of-school suspensions, expulsions, school-related arrests, referrals to law enforcement, chronic absenteeism (including both excused and unexcused absences), and incidences of violence, including bullying and harassment, that the State educational agency and each local educational agency in the State reported to the Civil Rights Data Collection biennial survey re-

quired by the Office for Civil Rights of the Department that is the most recent to the date of the determination in the same manner that such information is presented on such survey.

“(vi) The minimum number of students that the State determines are necessary to be included in each of the categories of students, as defined in subsection (b)(3)(A), for use in the accountability system under subsection (b)(3).

“(vii) The professional qualifications of teachers, principals, and other school leaders in the State, including information (that shall be presented in the aggregate and disaggregated by high-poverty compared to low-poverty schools which, for the purpose of this clause, means schools in each quartile based on school poverty level, and high-minority and low-minority schools in the State) on the number, percentage, and distribution of—

“(I) inexperienced teachers, principals, and other school leaders;

“(II) teachers teaching with emergency or provisional credentials;

“(III) teachers who are not teaching in the subject or field for which the teacher is certified or licensed;

“(IV) teachers, principals, and other school leaders who are ineffective, as determined by the State, using the methods or criteria under subsection (c)(1)(G); and

“(V) the annual retention rates of effective and ineffective teachers, principals, and other school leaders, as determined by the State, using the methods or criteria under subsection (c)(1)(G).

“(viii) Information on the performance of local educational agencies and schools in the State, including the number and names of each school identified for intervention and support under section 1114.

“(ix) For a State that implements a teacher, principal, and other school leader evaluation system consistent with title II, the evaluation results of teachers, principals, and other school leaders, except that such information shall not provide personally identifiable information on individual teachers, principals, or other school leaders.

“(x) The per-pupil expenditures of Federal, State, and local funds, including actual personnel expenditures and actual nonpersonnel expenditures of Federal, State, and local funds, disaggregated by source of funds, for each local educational agency and each school in the State for the preceding fiscal year.

“(xi) The number and percentages of students with the most significant cognitive disabilities that take an alternate assessment under subsection (b)(2)(D), by grade and subject.

“(xii) Information on the acquisition of English language proficiency by students who are English learners.

“(xiii) Information on, including information that the State educational agency and each local educational agency in the State reported to the Civil Rights Data Collection biennial survey required by the Office for Civil Rights of the Department that is the most recent to the date of the determination in the same manner that such information is presented on such survey on—

“(I) the number and percentage of—

“(aa) students enrolled in gifted and talented programs;

“(bb) students enrolled in rigorous coursework to earn postsecondary credit while still in high school, such as Advanced Placement and International Baccalaureate

courses and examinations, and dual or concurrent enrollment and early college high schools; and

“(cc) children enrolled in preschool programs;

“(II) the average class size, by grade; and

“(III) any other indicators determined by the State.

“(xiv) The number and percentage of students attaining career and technical proficiencies, as defined by section 113(b) of the Carl D. Perkins Career and Technical Education Act of 2006 and reported by States only in a manner consistent with section 113(c) of that Act.

“(xv) Results on the National Assessment of Educational Progress in reading and mathematics in grades 4 and 8 for the State, compared to the national average.

“(xvi) Information on the percentage of students, including for each of the categories of students, as defined in subsection (b)(3)(A), who did not meet the State goals established under subsection (b)(3)(B).

“(xvii) Information regarding the number of military-connected students (which, for purposes of this clause, shall mean students with parents who serve in the uniformed services, including the National Guard and Reserves), and information regarding the academic achievement of such students, except that such information shall not be used for school or local educational agency accountability purposes under sections 1111(b)(3) and 1114.

“(xviii) Any additional information that the State believes will best provide parents, students, and other members of the public with information regarding the progress of each of the State’s public elementary schools and secondary schools.

“(D) RULE OF CONSTRUCTION.—

“(i) IN GENERAL.—Nothing in clause (v) or (xiii) of subparagraph (C) shall be construed as requiring a State to report any data that are not otherwise required or voluntarily submitted to the Civil Rights Data Collection biennial survey required by the Office for Civil Rights of the Department.

“(ii) CONTINUATION OF SUBMISSION TO DEPARTMENT OF INFORMATION.—If, at any time after the date of enactment of the Every Child Achieves Act of 2015, the Civil Rights Data Collection biennial survey is no longer conducted by the Office for Civil Rights of the Department, a State educational agency shall still include the information under clauses (v) and (xiii) of subparagraph (C) in the State report card under this paragraph in the same manner that such information is presented on such survey.

“(2) ANNUAL LOCAL EDUCATIONAL AGENCY REPORT CARDS.—

“(A) IN GENERAL.—

“(i) PREPARATION AND DISSEMINATION.—A local educational agency that receives assistance under this part shall prepare and disseminate an annual local educational agency report card that includes—

“(I) information on such agency as a whole; and

“(II) for each school served by the agency, a school report card that meets the requirements of this paragraph.

“(ii) NO PERSONALLY IDENTIFIABLE INFORMATION.—No local educational agency report card required under this paragraph shall include any personally identifiable information about any student.

“(iii) CONSISTENT WITH FERPA.—Each local educational agency report card shall be consistent with the privacy protections under section 444 of the General Education Provisions Act (20 U.S.C. 1232g, commonly known

as the ‘Family Educational Rights and Privacy Act of 1974’).

“(B) IMPLEMENTATION.—Each local educational agency report card shall be—

“(i) concise;

“(ii) presented in an understandable and uniform format, and to the extent practicable, in a language that parents can understand; and

“(iii) accessible to the public, which shall include—

“(I) placing such report card on the website of the local educational agency and on the website of each school served by the agency; and

“(II) in any case in which a local educational agency or school does not operate a website, providing the information to the public in another manner determined by the local educational agency.

“(C) MINIMUM REQUIREMENTS.—Each local educational agency report card required under this paragraph shall include—

“(i) the information described in paragraph (1)(C), disaggregated in the same manner as under paragraph (1)(C), except for clause (xv) of such paragraph, as applied to the local educational agency, and each school served by the local educational agency, including—

“(I) in the case of a local educational agency, information that shows how students served by the local educational agency achieved on the academic assessments described in subsection (b)(2) compared to students in the State as a whole; and

“(II) in the case of a school, information that shows how the school’s students’ achievement on the academic assessments described in subsection (b)(2) compared to students served by the local educational agency and the State as a whole;

“(ii) any information required by the State under paragraph (1)(C)(xviii); and

“(iii) any other information that the local educational agency determines is appropriate and will best provide parents, students, and other members of the public with information regarding the progress of each public school served by the local educational agency, whether or not such information is included in the annual State report card.

“(D) PUBLIC DISSEMINATION.—

“(i) IN GENERAL.—Except as provided in clause (ii), a local educational agency shall—

“(I) publicly disseminate the information described in this paragraph to all schools in the school district served by the local educational agency and to all parents of students attending such schools; and

“(II) make the information widely available through public means, including through electronic means, including posting in an easily accessible manner on the local educational agency’s website, except in the case in which an agency does not operate a website, such agency shall determine how to make the information available, such as through distribution to the media, and distribution through public agencies.

“(ii) EXCEPTION.—If a local educational agency issues a report card for all students, the local educational agency may include the information described in this paragraph as part of such report.

“(3) PREEXISTING REPORT CARDS.—A State educational agency or local educational agency that was providing public report cards on the performance of students, schools, local educational agencies, or the State prior to the date of enactment of the Every Child Achieves Act of 2015, may use such report cards for the purpose of disseminating information under this subsection if the report card is modified, as may be need-

ed, to contain the information required by this subsection.

“(4) COST REDUCTION.—Each State educational agency and local educational agency receiving assistance under this part shall, wherever possible, take steps to reduce data collection costs and duplication of effort by obtaining the information required under this subsection through existing data collection efforts.

“(5) ANNUAL STATE REPORT TO THE SECRETARY.—Each State educational agency receiving assistance under this part shall report annually to the Secretary, and make widely available within the State—

“(A) information on student achievement on the academic assessments described in subsection (b)(2) for all students and disaggregated by each of the categories of students, as defined in subsection (b)(3)(A), including—

“(i) the percentage of students who achieved at each level of achievement the State has set in subsection (b)(1);

“(ii) the percentage of students who did not meet the State goals set in subsection (b)(3)(B); and

“(iii) if applicable, the percentage of students making at least one year of academic growth over the school year, as determined by the State;

“(B) the percentage of students assessed and not assessed on the academic assessments described in subsection (b)(2) for all students and disaggregated by each category of students described in subsection (b)(2)(B)(xi);

“(C) for all students and disaggregated by each of the categories of students, as defined in subsection (b)(3)(A)—

“(i) information on the performance on the other academic indicator under subsection (b)(3)(B)(ii)(II)(aa) used by the State in the State accountability system;

“(ii) high school graduation rates, including 4-year adjusted cohort graduation rates and, at the State’s discretion, extended-year adjusted cohort graduation rates; and

“(iii) information on each State-determined indicator of school quality, success, or student support under subsection (b)(3)(B)(ii)(IV) selected by the State in the State accountability system;

“(D) information on the acquisition of English language proficiency by students who are English learners;

“(E) the per-pupil expenditures of Federal, State, and local funds, including actual staff personnel expenditures and actual nonpersonnel expenditures, disaggregated by source of funds for each school served by the agency for the preceding fiscal year;

“(F) the number and percentage of students with the most significant cognitive disabilities that take an alternate assessment under subsection (b)(2)(D), by grade and subject;

“(G) the number and names of the schools identified as in need of intervention and support under section 1114, and the school intervention and support strategies developed and implemented by the local educational agency under section 1114(b) to address the needs of students in each school;

“(H) the number of students and schools that participated in public school choice under section 1114(b)(4);

“(I) information on the quality and effectiveness of teachers for each quartile of schools based on the school’s poverty level and high-minority and low-minority schools in the local educational agencies in the State, including the number, percentage, and distribution of—

“(i) inexperienced teachers;

“(ii) teachers who are not teaching in the subject or field for which the teacher is certified or licensed; and

“(iii) teachers who are not effective, as determined by the State if the State has a statewide teacher, principal, or other school leader evaluation system; and

“(J) if the State has a statewide teacher, principal, or other school leader evaluation system, information on the results of such teacher, principal, or other school leader evaluation systems that does not reveal personally identifiable information.

“(6) PRESENTATION OF DATA.—

“(A) IN GENERAL.—A State educational agency or local educational agency shall only include in its annual report card described under paragraphs (1) and (2) data that are sufficient to yield statistically reliable information, and that do not reveal personally identifiable information about an individual student, teacher, principal, or other school leader.

“(B) STUDENT PRIVACY.—In carrying out this subsection, student education records shall not be released without written consent consistent with section 444 of the General Education Provisions Act (20 U.S.C. 1232g, commonly known as the ‘Family Educational Rights and Privacy Act of 1974’).

“(7) REPORT TO CONGRESS.—The Secretary shall transmit annually to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives a report that provides national- and State-level data on the information collected under paragraph (5). Such report shall be submitted through electronic means only.

“(8) SECRETARY’S REPORT CARD.—

“(A) IN GENERAL.—Not later than July 1, 2017, and annually thereafter, the Secretary, acting through the Director of the Institute of Education Sciences, shall transmit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives a national report card on the status of elementary and secondary education in the United States. Such report shall—

“(i) analyze existing data from State reports required under this Act, the Individuals with Disabilities Education Act, and the Carl D. Perkins Career and Technical Education Act of 2006, and summarize major findings from such reports;

“(ii) analyze data from the National Assessment of Educational Progress and comparable international assessments;

“(iii) identify trends in student achievement and high school graduation rates (including 4-year adjusted cohort graduation rates and extended-year adjusted cohort graduation rates), by analyzing and reporting on the status and performance of students, disaggregated by achievement level and by each of the categories of students, as defined in subsection (b)(3)(A), and by students in rural schools;

“(iv) analyze data on Federal, State, and local expenditures on education, including per-pupil spending, teacher salaries, school-level spending, and other financial data publicly available, and report on current trends and major findings; and

“(v) analyze information on the teaching, principal, and other school leader professions, including education and training, retention and mobility, and effectiveness in improving student achievement.

“(B) SPECIAL RULE.—The information used to prepare the report described in subpara-

graph (A) shall be derived from existing State and local reporting requirements and data sources. Nothing in this paragraph shall be construed as authorizing, requiring, or allowing any additional reporting requirements, data elements, or information to be reported to the Secretary not otherwise explicitly authorized by any other Federal law.

“(C) PUBLIC RECOGNITION.—The Secretary may identify and publicly recognize States, local educational agencies, schools, programs, and individuals for exemplary performance.

“(e) VOLUNTARY PARTNERSHIPS.—

“(1) IN GENERAL.—Nothing in this section shall be construed to prohibit a State from entering into a voluntary partnership with another State to develop and implement the academic assessments, challenging State academic standards, and accountability systems required under this section.

“(2) PROHIBITION.—The Secretary shall be prohibited from requiring or coercing a State to enter into a voluntary partnership described in paragraph (1), including—

“(A) as a condition of approval of a State plan under this section;

“(B) as a condition of an award of Federal funds under any grant, contract, or cooperative agreement;

“(C) as a condition of approval of a waiver under section 9401; or

“(D) by providing any priority, preference, or special consideration during the application process under any grant, contract, or cooperative agreement.

“(f) SPECIAL RULE WITH RESPECT TO BUREAU-FUNDED SCHOOLS.—In determining the assessments to be used by each school operated or funded by the Bureau of Indian Education of the Department of the Interior that receives funds under this part, the following shall apply:

“(1) Each such school that is accredited by the State in which it is operating shall use the assessments the State has developed and implemented to meet the requirements of this section, or such other appropriate assessment as approved by the Secretary of the Interior.

“(2) Each such school that is accredited by a regional accrediting organization shall adopt an appropriate assessment in consultation with, and with the approval of, the Secretary of the Interior and consistent with assessments adopted by other schools in the same State or region, that meets the requirements of this section.

“(3) Each such school that is accredited by a tribal accrediting agency or tribal division of education shall use an assessment developed by such agency or division, except that the Secretary of the Interior shall ensure that such assessment meets the requirements of this section.

“SEC. 1112. LOCAL EDUCATIONAL AGENCY PLANS.

“(a) PLANS REQUIRED.—

“(1) SUBGRANTS.—A local educational agency may receive a subgrant under this part for any fiscal year only if such agency has on file with the State educational agency a plan, approved by the State educational agency, that—

“(A) is developed with timely and meaningful consultation with teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals (including organizations representing such individuals), administrators (including administrators of programs described in other parts of this title), and other appropriate school personnel, and with parents of children in schools served under this part;

“(B) satisfies the requirements of this section; and

“(C) as appropriate, is coordinated with other programs under this Act, the Individuals with Disabilities Education Act, the Rehabilitation Act of 1973, the Carl D. Perkins Career and Technical Education Act of 2006, the Workforce Innovation and Opportunity Act, the Head Start Act, the Child Care and Development Block Grant Act of 1990, the Education Sciences Reform Act of 2002, the Education Technical Assistance Act, the National Assessment of Educational Progress Authorization Act, the McKinney-Vento Homeless Assistance Act, and the Adult Education and Family Literacy Act.

“(2) CONSOLIDATED APPLICATION.—The plan may be submitted as part of a consolidated application under section 9305.

“(3) STATE REVIEW AND APPROVAL.—

“(A) IN GENERAL.—Each local educational agency plan shall be filed according to a schedule established by the State educational agency.

“(B) APPROVAL.—The State educational agency shall approve a local educational agency’s plan only if the State educational agency determines that the local educational agency’s plan meets the requirements of this part and enables children served under this part to meet the challenging State academic standards described in section 1111(b)(1).

“(4) DURATION.—Each local educational agency plan shall be submitted for the first year for which this part is in effect following the date of enactment of the Every Child Achieves Act of 2015 and shall remain in effect for the duration of the agency’s participation under this part.

“(5) REVIEW.—Each local educational agency shall periodically review and, as necessary, revise its plan to reflect changes in the local educational agency’s strategies and programs under this part.

“(6) RENEWAL.—A local educational agency that desires to continue participating in a program under this part shall submit a renewed plan on a periodic basis, as determined by the State.

“(b) PLAN PROVISIONS.—To ensure that all children receive a high-quality education that prepares them for postsecondary education or the workforce without the need for postsecondary remediation, and to close the achievement gap between children meeting the challenging State academic standards and those who are not, each local educational agency plan shall describe—

“(1) how the local educational agency will work with each of the schools served by the agency so that students meet the challenging State academic standards by—

“(A) developing and implementing a comprehensive program of instruction to meet the academic needs of all students;

“(B) identifying quickly and effectively students who may be at risk for academic failure;

“(C) providing additional educational assistance to individual students determined as needing help in meeting the challenging State academic standards;

“(D) identifying significant gaps in student academic achievement and graduation rates between each of the categories of students, as defined in section 1111(b)(3)(A), and developing strategies to reduce such gaps in achievement and graduation rates; and

“(E) identifying and implementing evidence-based methods and instructional strategies intended to strengthen the academic program of the school and improve school climate;

“(2) how the local educational agency will monitor and evaluate the effectiveness of

school programs in improving student academic achievement and academic growth, if applicable, especially for students not meeting the challenging State academic standards;

“(3) how the local educational agency will—

“(A) ensure that all teachers and paraprofessionals working in a program supported with funds under this part meet applicable State certification and licensure requirements, including alternative certification requirements; and

“(B) identify and address, as required under State plans as described in section 1111(c)(1)(F), any disparities that result in low-income students and minority students being taught at higher rates than other students by ineffective, inexperienced, and out-of-field teachers;

“(4) the actions the local educational agency will take to assist schools identified as in need of intervention and support under section 1114, including the lowest-performing schools in the local educational agency, and schools identified for other reasons, including schools with categories of students, as defined in section 1111(b)(3)(A), not meeting the goals described in section 1111(b)(3)(B), to improve student academic achievement, the funds used to conduct such actions, and how such agency will monitor such actions;

“(5) the poverty criteria that will be used to select school attendance areas under section 1113;

“(6) the programs to be conducted by such agency's schools under section 1113 and, where appropriate, educational services outside such schools for children living in local institutions for neglected or delinquent children, and for neglected and delinquent children in community day school programs;

“(7) the services the local educational agency will provide homeless children, including services provided with funds reserved under section 1113(a)(4)(A)(i);

“(8) the strategy the local educational agency will use to implement effective parent and family engagement under section 1115;

“(9) if applicable, how the local educational agency will coordinate and integrate services provided under this part with preschool educational services at the local educational agency or individual school level, such as Head Start programs, the literacy program under part D of title II, State-funded preschool programs, and other community-based early childhood education programs, including plans for the transition of participants in such programs to local elementary school programs;

“(10) how the local educational agency will coordinate programs and integrate services under this part with other Federal, State, tribal, and local services and programs, including programs supported under this Act, the Carl D. Perkins Career and Technical Education Act of 2006, the Individuals with Disabilities Education Act, the Rehabilitation Act of 1973, the Head Start Act, the Child Care and Development Block Grant Act of 1990, the Workforce Innovation and Opportunity Act, the McKinney-Vento Homeless Assistance Act, and the Education Sciences Reform Act of 2002, violence prevention programs, nutrition programs, and housing programs;

“(11) how teachers and school leaders, in consultation with parents, administrators, paraprofessionals, and specialized instructional support personnel, in schools operating a targeted assistance school program under section 1113, will identify the eligible

children most in need of services under this part;

“(12) in the case of a local educational agency that proposes to use funds under this part to support a multi-tiered system of supports, positive behavioral interventions and supports, or early intervening services, how the local educational agency will provide such activities and services and coordinate them with similar activities and services carried out under the Individuals with Disabilities Education Act in schools served by the local educational agency, including by providing technical assistance, training, and evaluation of the activities and services;

“(13) how the local educational agency will provide opportunities for the enrollment, attendance, and success of homeless children and youths consistent with the requirements of the McKinney-Vento Homeless Assistance Act and the services the local educational agency will provide homeless children and youths;

“(14) how the local educational agency will implement strategies to facilitate effective transitions for students from middle school to high school and from high school to postsecondary education, including—

“(A) if applicable, through coordination with institutions of higher education, employers, and other local partners to seamlessly transition students from high school into postsecondary education or careers without remediation; and

“(B) a description of the specific transition activities the local educational agency will take, such as providing students with access to dual or concurrent enrollment opportunities that enable students during high school to earn postsecondary credit or an industry-recognized credential that meets any quality standards required by the State or utilizing comprehensive career counseling to identify student interests and skills;

“(15) how the local educational agency will address school discipline issues, which may include identifying and supporting schools with significant discipline disparities, or high rates of discipline, disaggregated by each of the categories of students, as defined in section 1111(b)(3)(A), including by providing technical assistance on effective strategies to reduce such disparities and high rates;

“(16) how the local educational agency will address school climate issues, which may include identifying and improving performance on school climate indicators related to student achievement and providing technical assistance to schools;

“(17) how the local educational agency will provide opportunities for the enrollment, attendance, and success of expectant and parenting students and the services the local educational agency will provide expectant and parenting students;

“(18) if determined appropriate by the local educational agency, how such agency will support programs that promote integrated academic and career and technical education content through coordinated instructional strategies, that may incorporate experiential learning opportunities; and

“(19) any other information on how the local educational agency proposes to use funds to meet the purposes of this part, and that the local educational agency determines appropriate to provide, which may include how the local educational agency will—

“(A) assist schools in identifying and serving gifted and talented students; and

“(B) encourage the offering of a variety of well-rounded education experiences to students.

“(c) ASSURANCES.—Each local educational agency plan shall provide assurances that the local educational agency will—

“(1) ensure that migratory children and formerly migratory children who are eligible to receive services under this part are selected to receive such services on the same basis as other children who are selected to receive services under this part;

“(2) provide services to eligible children attending private elementary schools and secondary schools in accordance with section 1116, and timely and meaningful consultation with private school officials regarding such services;

“(3) participate, if selected, in the National Assessment of Educational Progress in reading and mathematics in grades 4 and 8 carried out under section 303(b)(3) of the National Assessment of Educational Progress Authorization Act;

“(4) coordinate and integrate services provided under this part with other educational services at the local educational agency or individual school level, such as services for English learners, children with disabilities, migratory children, American Indian, Alaska Native, and Native Hawaiian children, and homeless children, in order to increase program effectiveness, eliminate duplication, and reduce fragmentation of the instructional program;

“(5) collaborate with the State or local child welfare agency and, by not later than 1 year after the date of enactment of the Every Child Achieves Act of 2015, develop and implement clear written procedures governing how transportation to maintain children in foster care in their school of origin when in their best interest will be provided, arranged, and funded for the duration of the time in foster care, which procedures shall—

“(A) ensure that children in foster care needing transportation to the school of origin will promptly receive transportation in a cost-effective manner and in accordance with section 475(4)(A) of the Social Security Act (42 U.S.C. 675(4)(A)); and

“(B) ensure that, if there are additional costs incurred in providing transportation to maintain children in foster care in their schools of origin, the local educational agency will provide transportation to the school of origin if—

“(i) the local child welfare agency agrees to reimburse the local educational agency for the cost of such transportation;

“(ii) the local educational agency agrees to pay for the cost of such transportation; or

“(iii) the local educational agency and the local child welfare agency agree to share the cost of such transportation; and

“(6) designate a point of contact if the corresponding child welfare agency notifies the local educational agency, in writing, that the agency has designated an employee to serve as a point of contact for the local educational agency.

“(d) PARENTS' RIGHT-TO-KNOW.—

“(1) TEACHER QUALIFICATIONS.—

“(A) IN GENERAL.—At the beginning of each school year, a local educational agency that receives funds under this part shall notify the parents of each student attending any school receiving funds under this part that the parents may request, and the agency will provide the parents on request (and in a timely manner), information regarding the professional qualifications of the student's classroom teachers, including at a minimum, the following:

“(i) Whether the teacher has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.

“(ii) Whether the teacher is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived.

“(iii) The field of discipline of the certification of the teacher.

“(iv) Whether the child is provided services by paraprofessionals and, if so, their qualifications.

“(B) ADDITIONAL INFORMATION.—In addition to the information that parents may request under subparagraph (A), a school that receives funds under this part shall provide to each individual parent of a child who is a student in such school, with respect to such student—

“(i) information on the level of achievement and academic growth of the student, if applicable and available, on each of the State academic assessments required under this part; and

“(ii) timely notice that the student has been assigned, or has been taught for 4 or more consecutive weeks by, a teacher who does not meet applicable State certification or licensure requirements at the grade level and subject area in which the teacher has been assigned.

“(2) LANGUAGE INSTRUCTION.—

“(A) NOTICE.—Each local educational agency using funds under this part or title III to provide a language instruction educational program as determined under title III shall, not later than 30 days after the beginning of the school year, inform a parent or parents of a child who is an English learner identified for participation or participating in such a program, of—

“(i) the reasons for the identification of their child as an English learner and in need of placement in a language instruction educational program;

“(ii) the child’s level of English proficiency, how such level was assessed, and the status of the child’s academic achievement;

“(iii) the methods of instruction used in the program in which their child is, or will be, participating and the methods of instruction used in other available programs, including how such programs differ in content, instructional goals, and the use of English and a native language in instruction;

“(iv) how the program in which their child is, or will be, participating will meet the educational strengths and needs of their child;

“(v) how such program will specifically help their child learn English and meet age-appropriate academic achievement standards for grade promotion and graduation;

“(vi) the specific exit requirements for the program, including the expected rate of transition from such program into classrooms that are not tailored for children who are English learners, and the expected rate of graduation from high school (including 4-year adjusted cohort graduation rates and extended-year adjusted cohort graduation rates for such program) if funds under this part are used for children in high schools;

“(vii) in the case of a child with a disability, how such program meets the objectives of the individualized education program of the child, as described in section 614(d) of the Individuals with Disabilities Education Act; and

“(viii) information pertaining to parental rights that includes written guidance—

“(I) detailing the right that parents have to have their child immediately removed from such program upon their request;

“(II) detailing the options that parents have to decline to enroll their child in such

program or to choose another program or method of instruction, if available; and

“(III) assisting parents in selecting among various programs and methods of instruction, if more than 1 program or method is offered by the eligible entity.

“(B) SPECIAL RULE APPLICABLE DURING THE SCHOOL YEAR.—For those children who have not been identified as English learners prior to the beginning of the school year but are identified as English learners during such school year, the local educational agency shall notify the children’s parents during the first 2 weeks of the child being placed in a language instruction educational program consistent with subparagraph (A).

“(C) PARENTAL PARTICIPATION.—Each local educational agency receiving funds under this part and title III shall implement an effective means of outreach to parents of children who are English learners to inform the parents how the parents can be involved in the education of their children, and be active participants in assisting their children to attain English proficiency, achieve at high levels in core academic subjects, and meet the challenging State academic standards expected of all students, including holding, and sending notice of opportunities for, regular meetings for the purpose of formulating and responding to recommendations from parents of students assisted under this part and title III.

“(D) BASIS FOR ADMISSION OR EXCLUSION.—A student shall not be admitted to, or excluded from, any federally assisted education program on the basis of a surname or language-minority status.

“(3) NOTICE AND FORMAT.—The notice and information provided to parents under this subsection shall be in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand.

**“SEC. 1113. ELIGIBLE SCHOOL ATTENDANCE AREAS; SCHOOLWIDE PROGRAMS; TARGETED ASSISTANCE PROGRAMS.**

“(a) ELIGIBLE SCHOOL ATTENDANCE AREAS.—

“(1) DETERMINATION.—

“(A) IN GENERAL.—A local educational agency shall use funds received under this part only in eligible school attendance areas.

“(B) ELIGIBLE SCHOOL ATTENDANCE AREAS.—In this part—

“(i) the term ‘school attendance area’ means, in relation to a particular school, the geographical area in which the children who are normally served by that school reside; and

“(ii) the term ‘eligible school attendance area’ means a school attendance area in which the percentage of children from low-income families is at least as high as the percentage of children from low-income families served by the local educational agency as a whole.

“(C) RANKING ORDER.—

“(i) IN GENERAL.—Except as provided in clause (ii), if funds allocated in accordance with paragraph (3) are insufficient to serve all eligible school attendance areas, a local educational agency shall—

“(I) annually rank, without regard to grade spans, such agency’s eligible school attendance areas in which the concentration of children from low-income families exceeds 75 percent, or exceeds 50 percent in the case of the high schools served by such agency, from highest to lowest according to the percentage of children from low-income families; and

“(II) serve such eligible school attendance areas in rank order.

“(ii) RULE OF CONSTRUCTION.—Nothing in this subparagraph shall be construed as requiring a local educational agency to reduce, in order to comply with clause (i), the amount of funding provided under this part to elementary schools and middle schools from the amount of funding provided under this part to such schools for the fiscal year preceding the date of enactment of the Every Child Achieves Act of 2015 in order to provide funding under this part to high schools pursuant to clause (i).

“(D) REMAINING FUNDS.—If funds remain after serving all eligible school attendance areas under subparagraph (C), a local educational agency shall—

“(i) annually rank such agency’s remaining eligible school attendance areas from highest to lowest either by grade span or for the entire local educational agency according to the percentage of children from low-income families; and

“(ii) serve such eligible school attendance areas in rank order either within each grade-span grouping or within the local educational agency as a whole.

“(E) MEASURES.—

“(i) IN GENERAL.—Except as provided in clause (ii), a local educational agency shall use the same measure of poverty, which measure shall be the number of children aged 5 through 17 in poverty counted in the most recent census data approved by the Secretary, the number of children eligible for a free or reduced price lunch under the Richard B. Russell National School Lunch Act, the number of children in families receiving assistance under the State program funded under part A of title IV of the Social Security Act, or the number of children eligible to receive medical assistance under the Medicaid program established under title XIX of the Social Security Act, or a composite of such indicators, with respect to all school attendance areas in the local educational agency—

“(I) to identify eligible school attendance areas;

“(II) to determine the ranking of each area; and

“(III) to determine allocations under paragraph (3).

“(ii) SECONDARY SCHOOLS.—For measuring the number of students in low-income families in secondary schools, the local educational agency shall use the same measure of poverty, which shall be—

“(I) the calculation described under clause (i); or

“(II) an accurate estimate of the number of students in low-income families in a secondary school that is calculated by applying the average percentage of students in low-income families of the elementary school attendance areas as calculated under clause (i) that feed into the secondary school to the number of students enrolled in such school.

“(F) EXCEPTION.—This subsection shall not apply to a local educational agency with a total enrollment of less than 1,000 children.

“(G) WAIVER FOR DESEGREGATION PLANS.—The Secretary may approve a local educational agency’s written request for a waiver of the requirements of this paragraph and paragraph (3) and permit such agency to treat as eligible, and serve, any school that children attend with a State-ordered, court-ordered school desegregation plan or a plan that continues to be implemented in accordance with a State-ordered or court-ordered desegregation plan, if—

“(i) the number of economically disadvantaged children enrolled in the school is at least 25 percent of the school’s total enrollment; and

“(ii) the Secretary determines, on the basis of a written request from such agency and in accordance with such criteria as the Secretary establishes, that approval of that request would further the purposes of this part.

“(2) LOCAL EDUCATIONAL AGENCY DISCRETION.—

“(A) IN GENERAL.—Notwithstanding paragraph (1)(B), a local educational agency may—

“(i) designate as eligible any school attendance area or school in which at least 35 percent of the children are from low-income families;

“(ii) use funds received under this part in a school that is not in an eligible school attendance area, if the percentage of children from low-income families enrolled in the school is equal to or greater than the percentage of such children in a participating school attendance area of such agency;

“(iii) designate and serve a school attendance area or school that is not eligible under this section, but that was eligible and that was served in the preceding fiscal year, but only for 1 additional fiscal year; and

“(iv) elect not to serve an eligible school attendance area or eligible school that has a higher percentage of children from low-income families if—

“(I) the school meets the comparability requirements of section 1117(c);

“(II) the school is receiving supplemental funds from other State or local sources that are spent according to the requirements of this section; and

“(III) the funds expended from such other sources equal or exceed the amount that would be provided under this part.

“(B) SPECIAL RULE.—Notwithstanding subparagraph (A)(iv), the number of children attending private elementary schools and secondary schools who are to receive services, and the assistance such children are to receive under this part, shall be determined without regard to whether the public school attendance area in which such children reside is assisted under subparagraph (A).

“(3) ALLOCATIONS.—

“(A) IN GENERAL.—A local educational agency shall allocate funds received under this part to eligible school attendance areas or eligible schools, identified under paragraphs (1) and (2) in rank order, on the basis of the total number of children from low-income families in each area or school.

“(B) SPECIAL RULE.—

“(i) IN GENERAL.—Except as provided in clause (ii), the per-pupil amount of funds allocated to each school attendance area or school under subparagraph (A) shall be at least 125 percent of the per-pupil amount of funds a local educational agency received for that year under the poverty criteria described by the local educational agency in the plan submitted under section 1112, except that this clause shall not apply to a local educational agency that only serves schools in which the percentage of such children is 35 percent or greater.

“(ii) EXCEPTION.—A local educational agency may reduce the amount of funds allocated under clause (i) for a school attendance area or school by the amount of any supplemental State and local funds expended in that school attendance area or school for programs that meet the requirements of this section.

“(4) RESERVATION OF FUNDS.—

“(A) IN GENERAL.—A local educational agency shall reserve such funds as are necessary under this part to provide services comparable to those provided to children in schools funded under this part to serve—

“(i) homeless children, including providing educationally related support services to children in shelters and other locations where children may live;

“(ii) children in local institutions for neglected children; and

“(iii) if appropriate, children in local institutions for delinquent children, and neglected or delinquent children in community day programs.

“(B) HOMELESS CHILDREN AND YOUTH.—Funds reserved under subparagraph (A)(i) may be—

“(i) determined based on a needs assessment of homeless children and youths in the local educational agency, as conducted under section 723(b)(1) of the McKinney-Vento Homeless Assistance Act; and

“(ii) used to provide homeless children and youths with services not ordinarily provided to other students under this part, including providing—

“(I) funding for the liaison designated pursuant to section 722(g)(1)(J)(ii) of such Act; and

“(II) transportation pursuant to section 722(g)(1)(J)(iii) of such Act.

“(5) EARLY CHILDHOOD EDUCATION.—A local educational agency may reserve funds made available to carry out this section to provide early childhood education programs for eligible children.

“(b) SCHOOLWIDE PROGRAMS AND TARGETED ASSISTANCE SCHOOLS.—

“(1) IN GENERAL.—For each school that will receive funds under this part, the local educational agency shall determine whether the school shall operate a schoolwide program consistent with subsection (c) or a targeted assistance school program consistent with subsection (d).

“(2) NEEDS ASSESSMENT.—The determination under paragraph (1) shall be—

“(A) based on a comprehensive needs assessment of the entire school that takes into account information on the academic achievement of children in relation to the challenging State academic standards under section 1111(b)(1), particularly the needs of those children who are failing, or are at-risk of failing, to meet the challenging State academic standards and any other factors as determined by the local educational agency; and

“(B) conducted with the participation of individuals who would carry out the schoolwide plan, including those individuals under subsection (c)(2)(B).

“(3) COORDINATION.—The needs assessment under paragraph (2) may be undertaken as part of other related needs assessments under this Act.

“(c) SCHOOLWIDE PROGRAMS.—

“(1) IN GENERAL.—

“(A) ELIGIBILITY.—A local educational agency may consolidate and use funds under this part, together with other Federal, State, and local funds, in order to upgrade the entire educational program of a school that serves an eligible school attendance area in which not less than 40 percent of the children are from low-income families, or not less than 40 percent of the children enrolled in the school are from such families.

“(B) EXCEPTION.—A school that serves an eligible school attendance area in which less than 40 percent of the children are from low-income families, or a school for which less than 40 percent of the children enrolled in the school are from such families, may operate a schoolwide program under this section if—

“(i) the local educational agency in which the school is located allows such school to do so; and

“(ii) the results of the comprehensive needs assessment conducted under subsection (b)(2) determine a schoolwide program will best serve the needs of the students in the school served under this part in improving academic achievement and other factors.

“(2) SCHOOLWIDE PROGRAM PLAN.—An eligible school operating a schoolwide program shall develop a comprehensive plan, in consultation with the local educational agency, tribes and tribal organizations present in the community, and other individuals as determined by the school, that—

“(A) is developed during a 1-year period, unless—

“(i) the local educational agency determines in consultation with the school that less time is needed to develop and implement the schoolwide program; or

“(ii) the school is operating a schoolwide program on the day before the date of enactment of the Every Child Achieves Act of 2015, in which case such school may continue to operate such program, but shall develop amendments to its existing plan during the first year of assistance after that date to reflect the provisions of this section;

“(B) is developed with the involvement of parents and other members of the community to be served and individuals who will carry out such plan, including teachers, principals, other school leaders, paraprofessionals present in the school, and administrators (including administrators of programs described in other parts of this title), and, if appropriate, specialized instructional support personnel, technical assistance providers, school staff, and students;

“(C) remains in effect for the duration of the school's participation under this part, except that the plan and the implementation of, and results achieved by, the schoolwide program shall be regularly monitored and revised as necessary to ensure that students are meeting the challenging State academic standards;

“(D) is available to the local educational agency, parents, and the public, and the information contained in such plan shall be in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand;

“(E) if appropriate and applicable, developed in coordination and integration with other Federal, State, and local services, resources, and programs, such as programs supported under this Act, violence prevention programs, nutrition programs, housing programs, Head Start programs, adult education programs, career and technical education programs, and interventions and supports for schools identified as in need of intervention and support under section 1114; and

“(F) includes a description of—

“(i) the results of the comprehensive needs assessments of the entire school required under subsection (b)(2);

“(ii) the strategies that the school will be implementing to address school needs, including a description of how such strategies will—

“(I) provide opportunities for all children, including each of the categories of students, as defined in section 1111(b)(3)(A), to meet the challenging State academic standards under section 1111(b)(1);

“(II) use evidence-based methods and instructional strategies that strengthen the academic program in the school, increase the amount and quality of learning time, and help provide an enriched and accelerated curriculum;



“(III) address the needs of all children in the school, but particularly the needs of those at risk of not meeting the challenging State academic standards, which may include—

“(aa) counseling, specialized instructional support services, and mentoring services;

“(bb) preparation for and awareness of opportunities for postsecondary education and the workforce, including career and technical education programs, which may include broadening secondary school students’ access to coursework to earn postsecondary credit while still in high school, such as Advanced Placement and International Baccalaureate courses and examinations, and dual or concurrent enrollment and early college high schools;

“(cc) implementation of a schoolwide multi-tiered system of supports, including positive behavioral interventions and supports and early intervening services, including through coordination with such activities and services carried out under the Individuals with Disabilities Education Act;

“(dd) implementation of supports for teachers and other school personnel, which may include professional development and other activities to improve instruction, activities to recruit and retain effective teachers, particularly in high-need schools, and using data from academic assessments under section 1111(b)(2) and other formative and summative assessments to improve instruction;

“(ee) programs, activities, and courses in the core academic subjects to assist children in meeting the challenging State academic standards; and

“(ff) other strategies to improve student’s academic and nonacademic skills essential for success; and

“(IV) be monitored and improved over time based on student needs, including increased supports for those students who are lowest-achieving;

“(iii) if programs are consolidated, the specific State educational agency and local educational agency programs and other Federal programs that will be consolidated in the schoolwide program; and

“(iv) if appropriate, how funds will be used to establish or enhance early childhood education programs for children who are aged 5 or younger, including how programs will help transition such children to local elementary school programs.

“(3) IDENTIFICATION OF STUDENTS NOT REQUIRED.—

“(A) IN GENERAL.—No school participating in a schoolwide program shall be required to identify—

“(i) particular children under this part as eligible to participate in a schoolwide program; or

“(ii) individual services as supplementary.

“(B) SUPPLEMENTAL FUNDS.—In accordance with the method of determination described in section 1117, a school participating in a schoolwide program shall use funds available to carry out this paragraph only to supplement the amount of funds that would, in the absence of funds under this part, be made available from non-Federal sources for the school, including funds needed to provide services that are required by law for children with disabilities and children who are English learners.

“(4) EXEMPTION FROM STATUTORY AND REGULATORY REQUIREMENTS.—

“(A) EXEMPTION.—The Secretary may, through publication of a notice in the Federal Register, exempt schoolwide programs under this section from statutory or regu-

latory provisions of any other noncompetitive formula grant program administered by the Secretary (other than formula or discretionary grant programs under the Individuals with Disabilities Education Act, except as provided in section 613(a)(2)(D) of such Act), or any discretionary grant program administered by the Secretary, to support schoolwide programs if the intent and purposes of such other programs are met.

“(B) REQUIREMENTS.—A school that chooses to use funds from such other programs shall not be relieved of the requirements relating to health, safety, civil rights, student and parental participation and involvement, services to private school children, comparability of services, maintenance of effort, uses of Federal funds to supplement, not supplant non-Federal funds (in accordance with the method of determination described in section 1117), or the distribution of funds to State educational agencies or local educational agencies that apply to the receipt of funds from such programs.

“(C) RECORDS.—A school that chooses to consolidate and use funds from different Federal programs under this paragraph shall not be required to maintain separate fiscal accounting records, by program, that identify the specific activities supported by those particular funds as long as the school maintains records that demonstrate that the schoolwide program, considered as a whole, addresses the intent and purposes of each of the Federal programs that were consolidated to support the schoolwide program.

“(5) PRESCHOOL PROGRAMS.—A school that operates a schoolwide program under this subsection may use funds made available under this part to establish, expand, or enhance preschool programs for children aged 5 or younger.

“(d) TARGETED ASSISTANCE SCHOOL PROGRAMS.—

“(1) IN GENERAL.—Each school selected to receive funds under subsection (a)(3) for which the local educational agency serving such school, based on the results of the comprehensive needs assessment conducted under subsection (b)(2), determines that the school will operate a targeted assistance school program, may use funds received under this part only for programs that provide services to eligible children under paragraph (3)(A)(ii) who are identified as having the greatest need for special assistance.

“(2) TARGETED ASSISTANCE SCHOOL PROGRAM.—Each school operating a targeted assistance school program shall develop a plan, in consultation with the local educational agency and other individuals as determined by the school, that includes—

“(A) a description of the results of the comprehensive needs assessments of the entire school required under subsection (b)(2);

“(B) a description of the process for determining which students will be served and the students to be served;

“(C) a description of how the activities supported under this part will be coordinated with and incorporated into the regular education program of the school;

“(D) a description of how the program will serve participating students identified under paragraph (3)(A)(ii), including by—

“(i) using resources under this part, such as support for programs, activities, and courses in core academic subjects to help participating children meet the challenging State academic standards;

“(ii) using methods and instructional strategies that are evidence-based to strengthen the core academic program of the school and that may include—

“(I) expanded learning time, before- and after-school programs, and summer programs and opportunities; or

“(II) a multi-tiered system of supports, positive behavioral interventions and supports, and early intervening services;

“(iii) coordinating with and supporting the regular education program, which may include services to assist preschool children in the transition from early childhood education programs such as Head Start, the literacy program under part D of title II, or State-run preschool programs to elementary school programs;

“(iv) supporting effective teachers, principals, other school leaders, paraprofessionals, and, if appropriate, specialized instructional support personnel, and other school personnel who work with participating children in programs under this subsection or in the regular education program with resources provided under this part, and, to the extent practicable, from other sources, through professional development;

“(v) implementing strategies to increase parental involvement of parents of participating children in accordance with section 1115; and

“(vi) if applicable, coordinating and integrating Federal, State, and local services and programs, such as programs supported under this Act, violence prevention programs, nutrition programs, housing programs, Head Start programs, adult education programs, career and technical education, and intervention and supports in schools identified as in need of intervention and support under section 1114; and

“(E) assurances that the school will—

“(i) help provide an accelerated, high-quality curriculum;

“(ii) minimize removing children from the regular classroom during regular school hours for instruction provided under this part; and

“(iii) on an ongoing basis, review the progress of participating children and revise the plan under this section, if necessary, to provide additional assistance to enable such children to meet the challenging State academic standards.

“(3) ELIGIBLE CHILDREN.—

“(A) ELIGIBLE POPULATION.—

“(i) IN GENERAL.—The eligible population for services under this subsection shall be—

“(I) children not older than age 21 who are entitled to a free public education through grade 12; and

“(II) children who are not yet at a grade level at which the local educational agency provides a free public education.

“(ii) ELIGIBLE CHILDREN FROM ELIGIBLE POPULATION.—From the population described in clause (i), eligible children are children identified by the school as failing, or most at risk of failing, to meet the challenging State academic standards on the basis of multiple, educationally related, objective criteria established by the local educational agency and supplemented by the school, except that children from preschool through grade 2 shall be selected solely on the basis of criteria, including objective criteria, established by the local educational agency and supplemented by the school.

“(B) CHILDREN INCLUDED.—

“(i) IN GENERAL.—Children who are economically disadvantaged, children with disabilities, migrant children, or children who are English learners, are eligible for services under this subsection on the same basis as other children selected to receive services under this subsection.

“(ii) HEAD START AND PRESCHOOL CHILDREN.—A child who, at any time in the 2

years preceding the year for which the determination is made, participated in a Head Start program, the literacy program under part D of title II, or in preschool services under this title, is eligible for services under this subsection.

“(iii) **MIGRANT CHILDREN.**—A child who, at any time in the 2 years preceding the year for which the determination is made, received services under part C is eligible for services under this subsection.

“(iv) **NEGLECTED OR DELINQUENT CHILDREN.**—A child in a local institution for neglected or delinquent children and youth or attending a community day program for such children is eligible for services under this subsection.

“(v) **HOMELESS CHILDREN.**—A child who is homeless and attending any school served by the local educational agency is eligible for services under this subsection.

“(C) **SPECIAL RULE.**—Funds received under this subsection may not be used to provide services that are otherwise required by law to be made available to children described in subparagraph (B) but may be used to coordinate or supplement such services.

“(4) **INTEGRATION OF PROFESSIONAL DEVELOPMENT.**—To promote the integration of staff supported with funds under this subsection into the regular school program and overall school planning and improvement efforts, public school personnel who are paid with funds received under this subsection may—

“(A) participate in general professional development and school planning activities; and

“(B) assume limited duties that are assigned to similar personnel who are not so paid, including duties beyond classroom instruction or that do not benefit participating children, so long as the amount of time spent on such duties is the same proportion of total work time as prevails with respect to similar personnel at the same school.

“(5) **SPECIAL RULES.**—

“(A) **SIMULTANEOUS SERVICE.**—Nothing in this subsection shall be construed to prohibit a school from serving students under this subsection simultaneously with students with similar educational needs, in the same educational settings where appropriate.

“(B) **COMPREHENSIVE SERVICES.**—If health, nutrition, and other social services are not otherwise available to eligible children in a school operating a targeted assistance school program and such school, if appropriate, has established a collaborative partnership with local service providers and funds are not reasonably available from other public or private sources to provide such services, then a portion of the funds provided under this subsection may be used to provide such services, including through—

“(i) the provision of basic medical equipment and services, such as eyeglasses and hearing aids;

“(ii) compensation of a coordinator;

“(iii) family support and engagement services;

“(iv) health care services and integrated student supports to address the physical, mental, and emotional well-being of children; and

“(v) professional development necessary to assist teachers, specialized instructional support personnel, other staff, and parents in identifying and meeting the comprehensive needs of eligible children.

“(e) **PROHIBITION.**—Nothing in this section shall be construed to authorize the Secretary or any other officer or employee of the Federal Government to require a local educational agency or school to submit the re-

sults of a comprehensive needs assessment under subsection (b)(2) or a plan under subsection (c) or (d) for review or approval by the Secretary.

**“SEC. 1114. SCHOOL IDENTIFICATION, INTERVENTIONS, AND SUPPORTS.**

“(a) **STATE REVIEW AND RESPONSIBILITIES.**—

“(1) **IN GENERAL.**—Each State educational agency receiving funds under this part shall use the system designed by the State under section 1111(b)(3) to annually—

“(A) identify the public schools that receive funds under this part and are in need of intervention and support using the method established by the State in section 1111(b)(3)(B)(iii);

“(B) require for inclusion—

“(i) on each local educational agency report card required under section 1111(d), the names of schools served by the agency identified under subparagraph (A); and

“(ii) on each school report card required under section 1111(d), whether the school was identified under subparagraph (A);

“(C) ensure that all public schools that receive funds under this part and are identified as in need of intervention and support under subparagraph (A), implement an evidence-based intervention or support strategy designed by the State or local educational agency described in subparagraph (A) or (B) of subsection (b)(3);

“(D) prioritize intervention and supports in the identified schools most in need of intervention and support, as determined by the State, using the results of the accountability system under 1111(b)(3)(B)(iii); and

“(E) monitor and evaluate the implementation of school intervention and support strategies by local educational agencies, including in the lowest-performing elementary schools and secondary schools in the State, and use the results of the evaluation to take appropriate steps to change or improve interventions or support strategies as necessary.

“(2) **STATE EDUCATIONAL AGENCY DISCRETION.**—Notwithstanding paragraph (1)(A), a State educational agency may—

“(A) identify any middle school or high school as in need of intervention and support if at least 40 percent of the children served by such school are from low-income families (as measured under section 1113(a)(1)(E)(ii)); and

“(B) use funds provided under subsection (c) to assist such school consistent with such subsection.

“(3) **STATE EDUCATIONAL AGENCY RESPONSIBILITIES.**—The State educational agency shall—

“(A) make technical assistance available to local educational agencies that serve schools identified as in need of intervention and support under paragraph (1)(A);

“(B) if the State educational agency determines that a local educational agency failed to carry out its responsibilities under this section, take such actions as the State educational agency determines to be appropriate and in compliance with State law to assist the local educational agency and ensure that such local educational agency is carrying out its responsibilities;

“(C) inform local educational agencies of schools identified as in need of intervention and support under paragraph (1)(A) in a timely and easily accessible manner that is before the beginning of the school year; and

“(D) publicize and disseminate to the public, including teachers, principals and other school leaders, and parents, the results of the State review under paragraph (1).

“(b) **LOCAL EDUCATIONAL AGENCY REVIEW AND RESPONSIBILITIES.**—

“(1) **IN GENERAL.**—Each local educational agency with a school identified as in need of intervention and support under subsection (a)(1)(A) shall, in consultation with teachers, principals and other school leaders, school personnel, parents, and community members—

“(A) conduct a review of such school, including by examining the indicators and measures included in the State-determined accountability system described in section 1111(b)(3)(B) to determine the factors that led to such identification;

“(B) conduct a review of the agency's policies, procedures, personnel decisions, and budgetary decisions, including the measures on the local educational agency and school report cards under section 1111(d) that impact the school and could have contributed to the identification of the school;

“(C) develop and implement appropriate intervention and support strategies, as described in paragraph (3), that are proportional to the identified needs of the school, for assisting the identified school;

“(D) develop a rigorous comprehensive plan that will be publicly available and provided to parents, for ensuring the successful implementation of the intervention and support strategies described in paragraph (3) in identified schools, which may include—

“(i) technical assistance that will be provided to the school;

“(ii) improved delivery of services to be provided by the local educational agency;

“(iii) increased support for stronger curriculum, program of instruction, wraparound services, or other resources provided to students in the school;

“(iv) any changes to personnel necessary to improve educational opportunities for children in the school;

“(v) redesigning how time for student learning or teacher collaboration is used within the school;

“(vi) using data to inform instruction for continuous improvement;

“(vii) providing increased coaching or support for principals and other school leaders to have the knowledge and skills to lead and implement efforts to improve schools and to support teachers to improve instruction;

“(viii) improving school climate and safety;

“(ix) providing ongoing mechanisms for family and community engagement to improve student learning; and

“(x) establishing partnerships with entities, including private entities with a demonstrated record of improving student achievement, that will assist the local educational agency in fulfilling its responsibilities under this section; and

“(E) collect and use data on an ongoing basis to monitor the results of the intervention and support strategies and adjust such strategies as necessary during implementation in order to improve student academic achievement.

“(2) **NOTICE TO PARENTS.**—A local educational agency shall promptly provide to a parent or parents of each student enrolled in a school identified as in need of intervention and support under subsection (a)(1)(A) in an easily accessible and understandable form and, to the extent practicable, in a language that parents can understand—

“(A) an explanation of what the identification means, and how the school compares in terms of academic achievement and other measures in the State accountability system under section 1111(b)(3)(B) to other schools served by the local educational agency and the State educational agency involved;

“(B) the reasons for the identification;

“(C) an explanation of what the local educational agency or State educational agency is doing to help the school address student academic achievement and other measures, including a description of the intervention and support strategies developed under paragraph (1)(C) that will be implemented in the school;

“(D) an explanation of how the parents can become involved in addressing academic achievement and other measures that caused the school to be identified; and

“(E) an explanation of the parents’ option to transfer their child to another public school under paragraph (4), if applicable.

“(3) SCHOOL INTERVENTION AND SUPPORT STRATEGIES.—

“(A) IN GENERAL.—Consistent with subsection (a)(1) and paragraph (1), a local educational agency shall develop and implement evidence-based intervention and support strategies for an identified school that the local educational agency determines appropriate to address the needs of students in such identified school, which shall—

“(i) be designed to address the specific reasons for identification, as described in subparagraphs (A) and (B) of paragraph (1);

“(ii) be implemented, at a minimum, in a manner that is proportional to the specific reasons for identification, as described in subparagraphs (A) and (B) of paragraph (1); and

“(iii) distinguish between the lowest-performing schools and other schools identified as in need of intervention and support for other reasons, including schools with categories of students, as defined in section 1111(b)(3)(A), not meeting the goals described in section 1111(b)(3)(B)(i), as determined by the review in subparagraphs (A) and (B) of paragraph (1).

“(B) STATE DETERMINED STRATEGIES.—Consistent with State law, a State educational agency may establish alternative evidence-based State determined strategies that can be used by local educational agencies to assist a school identified as in need of intervention and support under subsection (a)(1)(A), in addition to the assistance strategies developed by a local educational agency under subparagraph (A).

“(4) PUBLIC SCHOOL CHOICE.—

“(A) IN GENERAL.—A local educational agency may provide all students enrolled in a school identified as in need of intervention and support under subsection (a)(1)(A) with the option to transfer to another public school served by the local educational agency, unless such an option is prohibited by State law.

“(B) PRIORITY.—In providing students the option to transfer to another public school, the local educational agency shall give priority to the lowest-achieving children from low-income families, as determined by the local educational agency for the purposes of allocating funds to schools under section 1113(a)(3).

“(C) TREATMENT.—Students who use the option to transfer to another public school shall be enrolled in classes and other activities in the public school to which the students transfer in the same manner as all other children at the public school.

“(D) SPECIAL RULE.—A local educational agency shall permit a child who transfers to another public school under this paragraph to remain in that school until the child has completed the highest grade in that school.

“(E) FUNDING FOR TRANSPORTATION.—A local educational agency may spend an amount equal to not more than 5 percent of

its allocation under subpart 2 to pay for the provision of transportation for students who transfer under this paragraph to the public schools to which the students transfer.

“(5) PROHIBITIONS ON FEDERAL INTERFERENCE WITH STATE AND LOCAL DECISIONS.—Nothing in this section shall be construed to authorize or permit the Secretary to establish any criterion that specifies, defines, or prescribes—

“(A) any school intervention or support strategy that States or local educational agencies shall use to assist schools identified as in need of intervention and support under this section; or

“(B) the weight of any indicator or measure that a State shall use to identify schools under subsection (a).

“(C) FUNDS FOR LOCAL SCHOOL INTERVENTIONS AND SUPPORTS.—

“(1) IN GENERAL.—

“(A) GRANTS AUTHORIZED.—From the total amount appropriated under section 1002(f) for a fiscal year, the Secretary shall award grants to States and the Bureau of Indian Education of the Department of the Interior, through an allotment as determined under subparagraph (B), to carry out the activities described in this subsection.

“(B) ALLOTMENTS.—From the total amount appropriated under section 1002(f) for a fiscal year, the Secretary shall allot to each State, the Bureau of Indian Education of the Department of the Interior, and each outlying area for such fiscal year with an approved application, an amount that bears the same relationship to such total amount as the amount such State, the Bureau of Indian Education of the Department of the Interior, or such outlying area received under parts A, C, and D of this title for the most recent preceding fiscal year for which the data are available bears to the amount received by all such States, the Bureau of Indian Education of the Department of the Interior, and all such outlying areas under parts A, C, and D of this title for such most recent preceding fiscal year.

“(2) STATE APPLICATION.—A State (including, for the purpose of this paragraph, the Bureau of Indian Education) that desires to receive school intervention and support funds under this subsection shall submit an application to the Secretary at such time and in such manner as the Secretary may require, which shall include a description of—

“(A) the process and the criteria that the State will use to award subgrants under paragraph (4)(A), including how the subgrants will serve schools identified by the State as the lowest-performing schools under subsection (a)(1);

“(B) the process and the criteria the State will use to determine whether the local educational agency’s proposal for serving each identified school meets the requirements of paragraph (6) and other provisions of this section;

“(C) how the State will ensure that local educational agencies conduct a comprehensive review of each identified school as required under subsection (b) to identify evidence-based school intervention and support strategies that are likely to be successful in each particular school;

“(D) how the State will ensure geographic diversity in making subgrants;

“(E) how the State will set priorities in awarding subgrants to local educational agencies, including how the State will prioritize local educational agencies serving elementary schools and secondary schools identified as the lowest-performing schools under subsection (a)(1) that will use subgrants to serve such schools;

“(F) how the State will monitor and evaluate the implementation of evidence-based school intervention and support strategies supported by funds under this subsection; and

“(G) how the State will reduce barriers for schools in the implementation of school intervention and support strategies, including by providing operational flexibility that would enable complete implementation of the selected school intervention and support strategy.

“(3) STATE ADMINISTRATION; TECHNICAL ASSISTANCE; EXCEPTION.—

“(A) IN GENERAL.—A State that receives an allotment under this subsection may reserve not more than a total of 5 percent of such allotment for the administration of this subsection to carry out its responsibilities under subsection (a)(3) to support school and local educational agency interventions and supports, which may include activities aimed at building State capacity to support and monitor the local educational agency and school intervention and supports.

“(B) EXCEPTION.—Notwithstanding subparagraph (A), a State educational agency may reserve from the amount allotted under this subsection additional funds to meet its responsibilities under subsection (a)(3)(B) if a local educational agency fails to carry out its responsibilities under subsection (b), but shall not reserve more than necessary to meet such State responsibilities.

“(4) SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES.—

“(A) IN GENERAL.—From the amounts awarded to a State under this subsection, the State educational agency shall allocate not less than 95 percent to make subgrants to local educational agencies, on a competitive basis, to serve schools identified as in need of intervention and support under subsection (a)(1)(A).

“(B) DURATION.—The State educational agency shall award subgrants under this paragraph for a period of not more than 5 years, which period may include a planning year.

“(C) CRITERIA.—Subgrants awarded under this section shall be of sufficient size to enable a local educational agency to effectively implement the selected intervention and support strategy.

“(D) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed as prohibiting a State from allocating subgrants under this subsection to a statewide school district, consortium of local educational agencies, or an educational service agency that serves schools identified as in need of intervention and support under this section, if such entities are legally constituted or recognized as local educational agencies in the State.

“(5) APPLICATION.—In order to receive a subgrant under this subsection, a local educational agency shall submit an application to the State educational agency at such time, in such form, and including such information as the State educational agency may require. Each application shall include, at a minimum—

“(A) a description of the process the local educational agency has used for selecting an appropriate evidence-based school intervention and support strategy for each school to be served, including how the local educational agency has analyzed the needs of each such school in accordance with subsection (b)(1) and meaningfully consulted with teachers, principals, and other school leaders in selecting such intervention and support strategy;

“(B) the specific evidence-based school interventions and supports to be used in each school to be served, how these interventions and supports will address the needs identified in the review under subsection (b)(1), and the timeline for implementing such school interventions and supports in each school to be served;

“(C) a detailed budget covering the grant period, including planned expenditures at the school level for activities supporting full and effective implementation of the selected school intervention and support strategy;

“(D) a description of how the local educational agency will—

“(i) design and implement the selected school intervention and support strategy, in accordance with the requirements of subsection (b)(1)(C), including the use of appropriate measures to monitor the effectiveness of implementation;

“(ii) use a rigorous review process to recruit, screen, select, and evaluate any external partners with whom the local educational agency will partner;

“(iii) align other Federal, State, and local resources with the intervention and support strategy to reduce duplication, increase efficiency, and assist identified schools in complying with reporting requirements of Federal and State programs;

“(iv) modify practices and policies, if necessary, to provide operational flexibility that enables full and effective implementation of the selected school intervention and support strategy;

“(v) collect and use data on an ongoing basis to adjust the intervention and support strategy during implementation, and, if necessary, modify or implement a different strategy if implementation is not effective, in order to improve student academic achievement;

“(vi) ensure that the implementation of the intervention and support strategy meets the needs of each of the categories of students, as defined in section 1111(b)(3)(A);

“(vii) provide information to parents, guardians, teachers, and other stakeholders about the effectiveness of implementation, to the extent practicable, in a language that the parents can understand; and

“(viii) sustain successful reforms and practices after the funding period ends;

“(E) a description of the technical assistance and other support that the local educational agency will provide to ensure effective implementation of school intervention and support strategies in identified schools, in accordance with subsection (b)(1)(D), such as ensuring that identified schools have access to resources like facilities, professional development, and technology and adopting human resource policies that prioritize recruitment, retention, and placement of effective staff in identified schools; and

“(F) an assurance that each school the local educational agency proposes to serve will receive all of the State and local funds it would have received in the absence of funds received under this subsection.

“(6) **LOCAL ACTIVITIES.**—A local educational agency that receives a subgrant under this subsection—

“(A) shall use the subgrant funds to implement evidence-based school intervention and support strategies consistent with subsection (a)(1)(A); and

“(B) may use the subgrant funds to carry out, at the local educational agency level, activities that directly support the implementation of the intervention and support strategies such as—

“(i) assistance in data collection and analysis;

“(ii) recruiting and retaining staff;

“(iii) high-quality, evidence-based professional development;

“(iv) coordination of services to address students' non-academic needs; and

“(v) progress monitoring.

“(7) **REPORTING.**—A State that receives funds under this subsection shall report to the Secretary a list of all the local educational agencies that received a subgrant under this subsection and for each local educational agency that received a subgrant, a list of all the schools that were served, the amount of funds each school received, and the intervention and support strategies implemented in each school.

“(8) **SUPPLEMENT NOT SUPPLANT.**—A local educational agency or State shall use Federal funds received under this subsection only to supplement the funds that would, in the absence of such Federal funds, be made available from non-Federal sources for the education of students participating in programs funded under this subsection.

“(d) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to alter or otherwise affect the rights, remedies, and procedures afforded school or school district employees under Federal, State, or local laws (including applicable regulations or court orders) or under the terms of collective bargaining agreements, memoranda of understanding, or other agreements between such employees and their employers.”;

(2) by striking section 1119; and

(3) by redesignating sections 1118, 1120, 1120A, and 1120B as sections 1115, 1116, 1117, and 1118, respectively.

#### **SEC. 1005. PARENT AND FAMILY ENGAGEMENT.**

Section 1115, as redesignated by section 1004(3), is amended—

(1) in the section heading, by striking “**PARENTAL INVOLVEMENT**” and inserting “**PARENT AND FAMILY ENGAGEMENT**”;

(2) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting “conducts outreach to all parents and family members and” after “only if such agency”; and

(ii) by inserting “and family members” after “and procedures for the involvement of parents”;

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A)—

(I) by inserting “and family members” after “, and distribute to, parents”;

(II) by striking “written parent involvement policy” and inserting “written parent and family engagement policy”; and

(III) by striking “expectations for parent involvement” and inserting “expectations and objectives for meaningful parent and family involvement”; and

(ii) by striking subparagraphs (A) through (F) and inserting the following:

“(A) involve parents and family members in jointly developing the local educational agency plan under section 1112 and the process of school review and intervention and support under section 1114;

“(B) provide the coordination, technical assistance, and other support necessary to assist and build the capacity of all participating schools within the local educational agency in planning and implementing effective parent and family involvement activities to improve student academic achievement and school performance, which may include meaningful consultation with employers, business leaders, and philanthropic organizations, or individuals with expertise in effectively engaging parents and family members in education;

“(C) coordinate and integrate parent and family engagement strategies under this part with parent and family engagement strategies, to the extent feasible and appropriate, with other relevant Federal, State, and local laws and programs;

“(D) conduct, with the meaningful involvement of parents and family members, an annual evaluation of the content and effectiveness of the parent and family engagement policy in improving the academic quality of all schools served under this part, including identifying—

“(i) barriers to greater participation by parents in activities authorized by this section (with particular attention to parents who are economically disadvantaged, are disabled, are English learners, have limited literacy, or are of any racial or ethnic minority background);

“(ii) the needs of parents and family members to assist with the learning of their children, including engaging with school personnel and teachers; and

“(iii) strategies to support successful school and family interactions;

“(E) use the findings of such evaluation in subparagraph (D) to design evidence-based strategies for more effective parental involvement, and to revise, if necessary, the parent and family engagement policies described in this section; and

“(F) involve parents in the activities of the schools served under this part, which may include establishing a parent advisory board comprised of a sufficient number and representative group of parents or family members served by the local educational agency to adequately represent the needs of the population served by such agency for the purposes of developing, revising, and reviewing the parent and family engagement policy.”;

and

(C) in paragraph (3)—

(i) in subparagraph (A), by striking “to carry out this section, including promoting family literacy and parenting skills,” and inserting “to assist schools to carry out the activities described in this section,”;

(ii) in subparagraph (B), by striking “(B) **PARENTAL INPUT.**—Parents of children” and inserting “(B) **PARENT AND FAMILY MEMBER INPUT.**—Parents and family members of children”;

(iii) in subparagraph (C)—

(I) by striking “95 percent” and inserting “85 percent”; and

(II) by inserting “, with priority given to high-need schools” after “schools served under this part”; and

(iv) by adding at the end the following:

“(D) **USE OF FUNDS.**—Funds reserved under subparagraph (A) by a local educational agency shall be used to carry out activities and strategies consistent with the local educational agency's parent and family engagement policy, including not less than 1 of the following:

“(i) Supporting schools and nonprofit organizations in providing professional development for local educational agency and school personnel regarding parent and family engagement strategies, which may be provided jointly to teachers, school leaders, specialized instructional support personnel, paraprofessionals, early childhood educators, and parents and family members.

“(ii) Supporting home visitation programs.

“(iii) Disseminating information on best practices focused on parent and family engagement, especially best practices for increasing the engagement of economically disadvantaged parents and family members.

“(iv) Collaborating or providing subgrants to schools to enable such schools to collaborate with community-based or other organizations or employers with a demonstrated record of success in improving and increasing parent and family engagement.”

“(v) Engaging in any other activities and strategies that the local educational agency determines are appropriate and consistent with such agency’s parent and family engagement policy, which may include adult education and literacy activities, as defined in section 203 of the Adult Education and Family Literacy Act.”;

(3) in subsection (b)—

(A) in the subsection heading, by striking “PARENTAL INVOLVEMENT POLICY” and inserting “PARENTAL AND FAMILY ENGAGEMENT POLICY”;

(B) in paragraph (1)—

(i) by inserting “and family members” after “distribute to, parents”; and

(ii) by striking “written parental involvement policy” and inserting “written parent and family engagement policy”;

(C) in paragraph (2)—

(i) by striking “parental involvement policy” and inserting “parent and family engagement policy”; and

(ii) by inserting “and family members” after “that applies to all parents”; and

(D) in paragraph (3)—

(i) by striking “school district-level parental involvement policy” and inserting “district-level parent and family engagement policy”; and

(ii) by inserting “and family members in all schools served by the local educational agency” after “policy that applies to all parents”;

(4) in subsection (c)—

(A) in paragraph (3), by striking “parental involvement policy” and inserting “parent and family engagement policy”;

(B) in paragraph (4)(B), by striking “the proficiency levels students are expected to meet” and inserting “the achievement levels of the challenging State academic standards”; and

(C) in paragraph (5), by striking “section 1114(b)(2)” and inserting “section 1113(c)(2)”;

(5) in subsection (d)—

(A) in the matter preceding paragraph (1), by striking “parental involvement policy” and inserting “parent and family engagement policy”;

(B) in paragraph (1)—

(i) by striking “the State’s student academic achievement standards” and inserting “the challenging State academic standards”; and

(ii) by striking “, such as monitoring attendance, homework completion, and television watching”; and

(C) in paragraph (2)—

(i) in subparagraph (B), by striking “and” after the semicolon;

(ii) in subparagraph (C), by striking the period and inserting “; and”; and

(iii) by adding at the end the following:

“(D) ensuring regular two-way, meaningful communication between family members and school staff, to the extent practicable, in a language that family members can understand and access.”;

(6) in subsection (e)—

(A) in paragraph (1), by striking “the State’s academic content standards and State student academic achievement standards” and inserting “the challenging State academic standards”;

(B) in paragraph (2), by striking “technology” and inserting “technology (including education about the harms of copyright piracy)”;

(C) in paragraph (3), by striking “pupil services personnel, principals” and inserting “specialized instructional support personnel, principals, and other school leaders”; and

(D) in paragraph (4), by striking “Head Start, Reading First, Early Reading First, Even Start, the Home Instruction Programs for Preschool Youngsters, the Parents as Teachers Program,” and inserting “other relevant Federal, State, and local laws,”;

(7) by striking subsection (f) and inserting the following:

“(f) ACCESSIBILITY.—In carrying out the parent and family engagement requirements of this part, local educational agencies and schools, to the extent practicable, shall provide opportunities for the full and informed participation of parents and family members (including parents and family members who are English learners, parents and family members with disabilities, and parents and family members of migratory children), including providing information and school reports required under section 1111 in a format and, to the extent practicable, in a language such parents understand.”; and

(8) in subsection (h), by striking “parental involvement policies” and inserting “parent and family engagement policies”.

#### SEC. 1006. PARTICIPATION OF CHILDREN ENROLLED IN PRIVATE SCHOOLS.

Section 1116, as redesignated by section 1004(3), is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “section 1115(b)” and inserting “section 1113(d)(3)”;

(ii) by striking “sections 1118 and 1119” and inserting “section 1115”; and

(B) by striking paragraph (4) and inserting the following:

“(4) EXPENDITURES.—

“(A) IN GENERAL.—Expenditures for educational services and other benefits to eligible private school children shall be equal to the proportion of funds allocated to participating school attendance areas based on the number of children from low-income families who attend private schools.

“(B) TERM OF DETERMINATION.—The local educational agency may determine the equitable share each year or every 2 years.

“(C) METHOD OF DETERMINATION.—The proportional share of funds shall be determined—

“(i) based on the total allocation received by the local educational agency; and

“(ii) prior to any allowable expenditures or transfers by the local educational agency.”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (E)—

(I) by striking “and” before “the proportion of funds”; and

(II) by inserting “, and how that proportion of funds is determined” after “such services”;

(ii) in subparagraph (F), by striking “section 1113(c)(1)” and inserting “section 1113(a)(3)”;

(iii) in subparagraph (G), by striking “and” after the semicolon;

(iv) in subparagraph (H), by striking the period at the end and inserting “; and”; and

(v) by adding at the end the following:

“(I) whether the agency shall provide services directly or assign responsibility for the provision of services to a separate government agency, consortium, or entity, or to a third-party contractor.”; and

(B) in paragraph (5)(A)—

(i) by striking “or” before “did not give due consideration”; and

(ii) by inserting “, or did not make a decision that treats the private school students equitably as required by this section” before the period at the end.

#### SEC. 1007. SUPPLEMENT, NOT SUPPLANT.

Section 1117, as redesignated by section 1004(3), is amended by striking subsection (b) and inserting the following:

“(b) FEDERAL FUNDS TO SUPPLEMENT, NOT SUPPLANT, NON-FEDERAL FUNDS.—

“(1) IN GENERAL.—A State educational agency or local educational agency shall use Federal funds received under this part only to supplement the funds that would, in the absence of such Federal funds, be made available from non-Federal sources for the education of students participating in programs assisted under this part, and not to supplant such funds.

“(2) COMPLIANCE.—To demonstrate compliance with paragraph (1), a local educational agency shall demonstrate that the methodology used to allocate State and local funds to each school receiving assistance under this part ensures that such school receives all of the State and local funds it would otherwise receive if it were not receiving assistance under this part.

“(3) SPECIAL RULE.—No local educational agency shall be required to—

“(A) identify that an individual cost or service supported under this part is supplemental; and

“(B) provide services under this part through a particular instructional method or in a particular instructional setting in order to demonstrate such agency’s compliance with paragraph (1).

“(4) PROHIBITION.—Nothing in this section shall be construed to authorize or permit the Secretary to establish any criterion that specifies, defines, or prescribes the specific methodology a local educational agency uses to allocate State and local funds to each school receiving assistance under this part.

“(5) TIMELINE.—A local educational agency—

“(A) shall meet the compliance requirement under paragraph (2) not later than 2 years after the date of enactment of the Every Child Achieves Act of 2015; and

“(B) may demonstrate compliance with the requirement under paragraph (1) before the end of such 2-year period using the method such local educational agency used on the day before the date of enactment of the Every Child Achieves Act of 2015.”.

#### SEC. 1008. COORDINATION REQUIREMENTS.

Section 1118, as redesignated by section 1004(3), is amended—

(1) in subsection (a), by striking “early childhood development programs such as the Early Reading First program” and inserting “, early childhood education programs, including by developing agreements with such Head Start agencies and other entities to carry out such activities”; and

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking “early childhood development programs, such as the Early Reading First program,” and inserting “early childhood education programs”;

(B) in paragraph (1), by striking “early childhood development program such as the Early Reading First program” and inserting “early childhood education program”;

(C) in paragraph (2), by striking “early childhood development programs such as the Early Reading First program” and inserting “early childhood education programs”;

(D) in paragraph (3), by striking “early childhood development programs such as the Early Reading First program” and inserting “early childhood education programs”;

(E) in paragraph (4)—

(i) by striking “Early Reading First program staff.”; and

(ii) by striking “early childhood development program” and inserting “early childhood education program”;

(F) in paragraph (5), by striking “and entities carrying out Early Reading First programs”.

#### **SEC. 1009. GRANTS FOR THE OUTLYING AREAS AND THE SECRETARY OF THE INTERIOR.**

Section 1121(b)(3)(C)(ii) (20 U.S.C. 6331(b)(3)(C)(ii)) is amended by striking “challenging State academic content standards” and inserting “challenging State academic standards”.

#### **SEC. 1010. ALLOCATIONS TO STATES.**

Section 1122(a) (20 U.S.C. 6332(a)) is amended by striking “for each of fiscal years 2002–2007” and inserting “for each of fiscal years 2016 through 2021”.

#### **SEC. 1011. MAINTENANCE OF EFFORT.**

Section 1125A (20 U.S.C. 6337) is amended—

(1) in subsection (c), by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively;

(2) in subsection (d)(1)(A)(ii), by striking “clause ‘(i)’ and inserting “clause (i)”;

(3) by striking subsection (e) and inserting the following:

“(e) MAINTENANCE OF EFFORT.—

“(1) IN GENERAL.—A State is entitled to receive its full allotment of funds under this section for any fiscal year if the Secretary finds that the State’s fiscal effort per student or the aggregate expenditures of the State with respect to the provision of free public education by the State for the preceding fiscal year was not less than 90 percent of the fiscal effort or aggregate expenditures for the second preceding fiscal year, subject to the requirements of paragraph (2).

“(2) REDUCTION IN CASE OF FAILURE TO MEET.—

“(A) IN GENERAL.—The Secretary shall reduce the amount of the allotment of funds under this section for any fiscal year in the exact proportion by which a State fails to meet the requirement of paragraph (1) by falling below 90 percent of both the fiscal effort per student and aggregate expenditures (using the measure most favorable to the State), if such State has also failed to meet such requirement (as determined using the measure most favorable to the State) for 1 or more of the 5 immediately preceding fiscal years.

“(B) SPECIAL RULE.—No such lesser amount shall be used for computing the effort required under paragraph (1) for subsequent years.

“(3) WAIVER.—The Secretary may waive the requirements of this subsection if the Secretary determines that a waiver would be equitable due to—

“(A) exceptional or uncontrollable circumstances, such as a natural disaster or a change in the organizational structure of the State; or

“(B) a precipitous decline in the financial resources of the State.”;

(4) in subsection (f), by striking “fiscal year 2002” and inserting “fiscal year 2016”;

and

(5) in subsection (g)(3), in the matter preceding subparagraph (A), by striking “shall be” and inserting “shall be—”.

#### **SEC. 1012. ACADEMIC ASSESSMENTS.**

Part B of title I (20 U.S.C. 6361 et seq.) is amended to read as follows:

#### **“PART B—ACADEMIC ASSESSMENTS**

##### **“SEC. 1201. GRANTS FOR STATE ASSESSMENTS AND RELATED ACTIVITIES.**

“From amounts made available in accordance with section 1204, the Secretary shall make grants to States to enable the States to carry out 1 or more of the following:

“(1) To pay the costs of the development of the State assessments and standards adopted under section 1111(b), which may include the costs of working in voluntary partnerships with other States, at the sole discretion of each such State.

“(2) If a State has developed the assessments adopted under section 1111(b), to administer those assessments or to carry out other assessment activities described in this part, such as the following:

“(A) Expanding the range of appropriate accommodations available to children who are English learners and children with disabilities to improve the rates of inclusion in regular assessments of such children, including professional development activities to improve the implementation of such accommodations in instructional practice.

“(B) Developing challenging State academic standards and aligned assessments in academic subjects for which standards and assessments are not required under section 1111(b).

“(C) Developing or improving assessments of English language proficiency necessary to comply with section 1111(b)(2)(G).

“(D) Ensuring the continued validity and reliability of State assessments.

“(E) Refining State assessments to ensure their continued alignment with the challenging State academic standards and to improve the alignment of curricula and instructional materials.

“(F) Developing or improving the quality, validity, and reliability of assessments for children who are English learners, including alternative assessments aligned with the challenging State academic standards, testing accommodations for children who are English learners, and assessments of English language proficiency.

“(G) Developing or improving balanced assessment systems that include summative, interim, and formative assessments, including supporting local educational agencies in developing or improving such assessments.

“(H) At the discretion of the State, refining science assessments required under section 1111(b)(2) in order to integrate engineering design skills and practices into such assessments.

“(I) Developing or improving models to measure and assess student growth on State assessments under section 1111(b)(2) and other assessments not required under section 1111(b)(2).

##### **“SEC. 1202. GRANTS FOR ENHANCED ASSESSMENT INSTRUMENTS.**

“(a) GRANT PROGRAM AUTHORIZED.—From amounts made available in accordance with section 1204, the Secretary shall award, on a competitive basis, grants to State educational agencies that have submitted applications at such time, in such manner, and containing such information as the Secretary may reasonably require, which demonstrate, to the satisfaction of the Secretary, that the requirements of this section will be met, for one of more of the following:

“(1) Allowing for collaboration with institutions of higher education, other research institutions, or other organizations to improve the quality, validity, and reliability of State academic assessments beyond the requirements for such assessments described in section 1111(b)(2).

“(2) Developing or improving assessments for students who are children with disabilities, including using the principles of universal design for learning, which may include developing assessments aligned to alternate academic achievement standards for students with the most significant cognitive disabilities described in section 1111(b)(2)(D).

“(3) Measuring student progress or academic growth over time, including by using multiple measures, or developing or improving models to measure and assess growth on State assessments under section 1111(b)(2).

“(4) Evaluating student academic achievement through the development of comprehensive academic assessment instruments, such as performance and technology-based academic assessments that emphasize the mastery of standards and aligned competencies in a competency-based education model, technology-based academic assessments, computer adaptive assessments, and portfolios, projects, or extended performance task assessments.

“(b) ANNUAL REPORT.—Each State educational agency receiving a grant under this section shall submit an annual report to the Secretary describing its activities under the grant and the result of such activities.

“(c) PROHIBITION.—No funds provided under this section to the Secretary shall be used to mandate, direct, control, incentivize, or make financial awards conditioned upon a State (or a consortium of States) developing any assessment common to a number of States, including testing activities prohibited under section 9529.

##### **“SEC. 1203. AUDITS OF ASSESSMENT SYSTEMS.**

“(a) IN GENERAL.—From the amount reserved under section 1204(b)(1)(C) for a fiscal year, the Secretary shall make grants to States to enable the States to—

“(1) in the case of a grant awarded under this section to a State for the first time—

“(A) carry out audits of State assessment systems and ensure that local educational agencies carry out audits of local assessments under subsection (e)(1);

“(B) prepare and carry out the State plan under subsection (e)(6); and

“(C) award subgrants under subsection (f); and

“(2) in the case of a grant awarded under this section to a State that has previously received a grant under this section—

“(A) carry out the State plan under subsection (e)(6); and

“(B) award subgrants under subsection (f).

“(b) MINIMUM AMOUNT.—Each State with an approved application shall receive a grant amount of not less than \$1,500,000 per fiscal year.

“(c) REALLOCATION.—If a State chooses not to apply to receive a grant under this subsection, or if such State’s application under subsection (d) is disapproved by the Secretary, the Secretary shall reallocate such grant amount to other States with approved applications.

“(d) APPLICATION.—A State desiring to receive a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

“(e) AUDITS OF STATE ASSESSMENT SYSTEMS AND LOCAL ASSESSMENTS.—

“(1) AUDIT REQUIREMENTS.—Not later than 1 year after a State receives a grant under this section for the first time, the State shall—

“(A) conduct an audit of the State assessment system;

“(B) ensure that each local educational agency under the State’s jurisdiction and receiving funds under this Act—

“(i) conducts an audit of each local assessment administered by the local educational agency; and

“(ii) submits the results of such audit to the State; and

“(C) report the results of each State and local educational agency audit conducted under subparagraphs (A) and (B), in a format that is—

“(i) publicly available, such as a widely accessible online platform; and

“(ii) with appropriate accessibility provisions for individuals with disabilities and English learners.

“(2) RESOURCES FOR LOCAL EDUCATIONAL AGENCIES.—In carrying out paragraph (1)(B), each State shall develop and provide local educational agencies with resources, such as guidelines and protocols, to assist the agencies in conducting and reporting the results of the audit required under such paragraph.

“(3) STATE ASSESSMENT SYSTEM DESCRIPTION.—An audit of a State assessment system conducted under paragraph (1) shall include a description of each State assessment carried out in the State, including—

“(A) the grade and subject matter assessed;

“(B) whether the assessment is required under section 1111(b)(2) or allowed under section 1111(b)(2)(D);

“(C) the annual cost to the State educational agency involved in developing, purchasing, administering, and scoring the assessment;

“(D) the purpose for which the assessment was designed and the purpose for which the assessment is used, including assessments designed to contribute to systems of improvement of teaching and learning;

“(E) the time for disseminating assessment results;

“(F) a description of how the assessment is aligned with the challenging State academic standards under section 1111(b)(1);

“(G) a description of any State law or regulation that established the requirement for the assessment;

“(H) the schedule and calendar for all State assessments given; and

“(I) a description of the State's policies for inclusion of English learners and children with disabilities participating in assessments, including developing and promoting the use of appropriate accommodations.

“(4) LOCAL ASSESSMENT DESCRIPTION.—An audit of a local assessment conducted under paragraph (1) shall include a description of the local assessment carried out by the local educational agency, including—

“(A) the descriptions listed in subparagraphs (A), (D), and (E) of paragraph (3);

“(B) the annual cost to the local educational agency of developing, purchasing, administering, and scoring the assessment;

“(C) the extent to which the assessment is aligned to the challenging State academic standards under section 1111(b)(1);

“(D) a description of any State or local law or regulation that establishes the requirement for the assessment; and

“(E) in the case of a summative assessment that is used for accountability purposes, whether the assessment is valid and reliable and consistent with nationally recognized professional and technical standards.

“(5) STAKEHOLDER FEEDBACK.—Each audit of a State assessment system or local assessment system conducted under subparagraph (A) or (B) of paragraph (1) shall include feedback on such system from education stakeholders, which shall cover information such as—

“(A) how educators, school leaders, and administrators use assessment data to improve and differentiate instruction;

“(B) the timing of release of assessment data;

“(C) the extent to which assessment data is presented in an accessible and understandable format for educators, school leaders, parents, students (if appropriate), and the community;

“(D) the opportunities, resources, and training educators and administrators are given to review assessment results and make effective use of assessment data;

“(E) the distribution of technological resources and personnel necessary to administer assessments;

“(F) the amount of time educators spend on assessment preparation;

“(G) the assessments that administrators, educators, parents, and students, if appropriate, do and do not find useful;

“(H) the amount of time students spend taking the assessments; and

“(I) other information as appropriate.

“(6) STATE PLAN ON AUDIT FINDINGS.—

“(A) PREPARING THE STATE PLAN.—Not later than 6 months after a State conducts an audit under paragraph (1) and based on the results of such audit, the State shall, in coordination with the local educational agencies under the jurisdiction of the State, prepare and submit to the Secretary a plan to improve and streamline State assessment systems and local assessment systems, including through activities such as—

“(i) developing and maintaining lists of State and local assessments that—

“(I) align to the State's content standards under section 1111(b)(1);

“(II) are valid, reliable, and remain consistent with nationally recognized professional and technical standards; and

“(III) contribute to systems of continuous improvement for teaching and learning;

“(ii) eliminating any assessments that are not required under section 1111(b)(2) (such as buying out the remainder of procurement contracts with assessment developers) that do not meet the contributing factors of high-quality assessments listed under subclauses (I) through (III) of clause (i);

“(iii) supporting the dissemination of best practices from local educational agencies or other States that have successfully improved assessment quality and efficiency to improve teaching and learning;

“(iv) supporting local educational agencies or consortia of local educational agencies to carry out efforts to streamline local assessment systems and implementing a regular process of review and evaluation of assessment use in local educational agencies;

“(v) disseminating the assessment data in an accessible and understandable format for educators, parents, and families; and

“(vi) decreasing time between administering such State assessments and releasing assessment data.

“(B) CARRY OUT THE STATE PLAN.—A State shall carry out a State plan as soon as practicable after the State prepares such State plan under subparagraph (A) and during each grant period of a grant described in subsection (a)(2) that is awarded to the State.

“(F) SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES.—

“(1) IN GENERAL.—From the amount awarded to a State under this section, the State shall reserve not less than 20 percent of funds to make subgrants to local educational agencies in the State, or consortia of such local educational agencies, based on demonstrated need in the agency's or consortium's application to improve assessment quality, use, and alignment with the challenging State academic standards under section 1111(b)(1).

“(2) LOCAL EDUCATIONAL AGENCY APPLICATION.—Each local educational agency, or consortium of local educational agencies, seeking a subgrant under this subsection shall submit an application to the State at such time, in such manner, and containing such other information as determined by the State. The application shall include a description of the agency's or consortium's needs to improve assessment quality, use, and alignment (as described in paragraph (1)).

“(3) USE OF FUNDS.—A subgrant awarded under this subsection to a local educational agency or consortium of such agencies may be used to—

“(A) conduct an audit of local assessments under subsection (e)(1)(B);

“(B) eliminate any assessments identified for elimination by such audit, such as by buying out the remainder of procurement contracts with assessment developers;

“(C) disseminate the best practices described in subsection (e)(6)(A)(ii);

“(D) improve the capacity of school leaders and educators to disseminate assessment data in an accessible and understandable format for parents and families, including for children with disabilities or English learners;

“(E) improve assessment delivery systems and schedules, including by increasing access to technology and exam proctors, where appropriate;

“(F) hire instructional coaches, or promote educators who may receive increased compensation to serve as instructional coaches, to support educators to develop classroom-based assessments, interpret assessment data, and design instruction; and

“(G) provide for appropriate accommodations to maximize inclusion of children with disabilities and English learners participating in assessments.

“(g) DEFINITIONS.—In this section:

“(1) LOCAL ASSESSMENT.—The term ‘local assessment’ means an academic assessment selected and carried out by a local educational agency that is separate from an assessment required by section 1111(b)(2).

“(2) STATE.—The term ‘State’ means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

#### “SEC. 1204. FUNDING.

“(a) NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS.—For the purpose of administering the State assessments under the National Assessment of Educational Progress, there are authorized to be appropriated such sums as may be necessary for fiscal years 2016 through 2021.

“(b) ALLOTMENT OF APPROPRIATED FUNDS.—

“(1) IN GENERAL.—From amounts made available for each fiscal year under subsection 1002(b) that are equal to or less than the amount described in section 1111(b)(2)(H), the Secretary shall—

“(A) reserve  $\frac{1}{2}$  of 1 percent for the Bureau of Indian Education;

“(B) reserve  $\frac{1}{2}$  of 1 percent for the outlying areas;

“(C) reserve not more than 20 percent to carry out section 1203; and

“(D) from the remainder, allocate to each State for section 1201 an amount equal to—

“(i) \$3,000,000; and

“(ii) with respect to any amounts remaining after the allocation is made under clause (i), an amount that bears the same relationship to such total remaining amounts as the number of students aged 5 through 17 in the State (as determined by the Secretary on the basis of the most recent satisfactory data) bears to the total number of such students in all States.



“(2) AMOUNTS ABOVE TRIGGER AMOUNT.—Any amounts made available for a fiscal year under subsection 1002(b) that are more than the amount described in section 1111(b)(2)(H) shall be made available as follows:

“(A)(i) To award funds under section 1202 to States selected for such grants, according to the quality, needs, and scope of the State application under that section.

“(ii) In determining the grant amount under clause (i), the Secretary shall ensure that a State’s grant includes an amount that bears the same relationship to the total funds available under this paragraph for the fiscal year as the number of students ages 5 through 17 in the State (as determined by the Secretary on the basis of the most recent satisfactory data) bears to the total number of such students in all States.

“(B) Any amounts remaining after the Secretary awards funds under subparagraph (A) shall be allocated to each State that did not receive a grant under such subparagraph, in an amount that bears the same relationship to the total funds available under this subparagraph as the number of students ages 5 through 17 in the State (as determined by the Secretary on the basis of the most recent satisfactory data) bears to the total number of such students in all States.

“(c) STATE DEFINED.—In this section, the term ‘State’ means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

**“SEC. 1205. INNOVATIVE ASSESSMENT AND ACCOUNTABILITY DEMONSTRATION AUTHORITY.**

“(a) INNOVATIVE ASSESSMENT SYSTEM DEFINED.—The term ‘innovative assessment system’ means a system of assessments that may include—

“(1) competency-based assessments, instructionally embedded assessments, interim assessments, cumulative year-end assessments, or performance-based assessments that combine into an annual summative determination for a student, which may be administered through computer adaptive assessments; and

“(2) assessments that validate when students are ready to demonstrate mastery or proficiency and allow for differentiated student support based on individual learning needs.

“(b) DEMONSTRATION AUTHORITY.—

“(1) IN GENERAL.—The Secretary may provide a State educational agency, or a consortium of State educational agencies, in accordance with paragraph (3), with the authority to establish an innovative assessment system.

“(2) DEMONSTRATION PERIOD.—In accordance with the requirements described in subsection (c), each State educational agency, or consortium of State educational agencies, that submits an application under this section shall propose in its application the period of time over which it desires to exercise the demonstration authority, except that such period shall not exceed 5 years.

“(3) INITIAL DEMONSTRATION AUTHORITY; PROGRESS REPORT; EXPANSION.—

“(A) INITIAL PERIOD.—During the first 3 years of the demonstration authority under this section, the Secretary shall provide State educational agencies, or consortia of State educational agencies, subject to meeting the application requirements in subsection (c), with the authority described in paragraph (1).

“(B) LIMITATION.—During the first 3 years of the demonstration authority under this section, the total number of participating State educational agencies, including those

participating in consortia, may not exceed 7, and not more than 4 State educational agencies may participate in a single consortium.

“(C) PROGRESS REPORT.—

“(i) IN GENERAL.—Not later than 90 days after the end of the first 3 years of the initial demonstration period described in subparagraph (A), the Director of the Institute of Education Sciences, in consultation with the Secretary, shall publish a report detailing the initial progress of the approved innovative assessment systems prior to providing additional State educational agencies with the demonstration authority described in paragraph (1).

“(ii) CRITERIA.—The progress report under clause (i) shall draw upon the annual information submitted by participating States described in subsection (c)(2)(I) and examine the extent to which—

“(I) the innovative assessment systems have demonstrated progress for all students, including at-risk students, in relation to such measures as—

“(aa) student achievement and academic outcomes;

“(bb) graduation rates for high schools;

“(cc) retention rates of students in school; and

“(dd) rates of remediation for students;

“(II) the innovative assessment systems have facilitated progress in relation to at least one other valid and reliable indicator of quality, success, or student support, such as those reported annually by the State in accordance with section 1111(b)(3)(B)(ii)(IV);

“(III) the State educational agencies have solicited feedback from teachers, principals, other school leaders, and parents about their satisfaction with the innovative assessment system;

“(IV) teachers, principals, and other school leaders have demonstrated a commitment and capacity to implement or continue to implement the innovative assessment systems;

“(V) the innovative assessment systems have been developed in accordance with the requirements of subsection (c), including substantial evidence that such systems meet such requirements; and

“(VI) each State participating in the demonstration authority has demonstrated that the same system of assessments was used to measure the achievement of all students that participated in the demonstration authority, and at least 95 percent of such students overall and in each of the categories of students, as defined in section 1111(b)(3)(A), were assessed under the innovative assessment system.

“(iii) USE OF REPORT.—Upon completion of the progress report, the Secretary shall provide a response to the findings of the progress report, including a description of how the findings of the report will be used—

“(I) to support participating State educational agencies through technical assistance; and

“(II) to inform the peer review process described in subsection (d) for advising the Secretary on the awarding of the demonstration authority to the additional State educational agencies described in subparagraph (D).

“(iv) PUBLICLY AVAILABLE.—The Secretary shall make the progress report under this subparagraph and the response described in clause (iii) publicly available on the website of the Department.

“(v) PROHIBITION.—Nothing in this subparagraph shall be construed to authorize the Secretary to require participating States to submit any additional information for the

purposes of the progress report beyond what the State has already provided in the annual report described in subsection (c)(2)(I).

“(D) EXPANSION OF THE DEMONSTRATION AUTHORITY.—Upon completion and publication of the report described in subparagraph (C)(iv), additional State educational agencies or consortia of State educational agencies may apply for the demonstration authority described in this section without regard to the limitations described in subparagraph (B). Such State educational agencies or consortia of State educational agencies shall be subject to all of the same requirements of this section.

“(c) APPLICATION.—Consistent with the process described in subsection (d), a State educational agency, or consortium of State educational agencies, that desires to participate in the program of demonstration authority under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require. Such application shall include a description of the innovative assessment system, what experience the applicant has in implementing any components of the innovative assessment system, and the timeline over which the State proposes to exercise this authority. In addition, the application shall include the following:

“(1) A demonstration that the innovative assessment system will—

“(A) meet all the requirements of section 1111(b)(2)(B), except the requirements of clauses (i) and (v) of such section;

“(B) be aligned to the standards under section 1111(b)(1) and address the depth and breadth of the challenging State academic standards under such section;

“(C) express student results or student competencies in terms consistent with the State aligned academic achievement standards;

“(D) be able to generate comparable, valid, and reliable results for all students and for each category of students described in section 1111(b)(2)(B)(xi), compared to the results for such students on the State assessments under section 1111(b)(2);

“(E) be developed in collaboration with stakeholders representing the interests of children with disabilities, English learners, and other vulnerable children, educators, including teachers, principals, and other school leaders, local educational agencies, parents, and civil rights organizations in the State;

“(F) be accessible to all students, such as by incorporating the principles of universal design for learning;

“(G) provide educators, students, and parents with timely data, disaggregated by each category of students described in section 1111(b)(2)(B)(xi), to inform and improve instructional practice and student supports;

“(H) be able to identify which students are not making progress toward the State’s academic achievement standards so that educators can provide instructional support and targeted intervention to all students to ensure every student is making progress;

“(I) measure the annual progress of not less than 95 percent of all students and students in each of the categories of students, as defined in section 1111(b)(3)(A), who are enrolled in each school that is participating in the innovative assessment system and are required to take assessments;

“(J) generate an annual, summative achievement determination based on annual data for each individual student based on the challenging State academic standards under

section 1111(b)(1) and be able to validly and reliably aggregate data from the innovative assessment system for purposes of accountability, consistent with the requirements of section 1111(b)(3), and reporting, consistent with the requirements of section 1111(d); and

“(K) continue use of the high-quality statewide academic assessments required under section 1111(b)(2) if such assessments will be used for accountability purposes for the duration of the demonstration.

“(2) A description of how the State educational agency will—

“(A) identify the distinct purposes for each assessment that is part of the innovative assessment system;

“(B) provide support and training to local educational agency and school staff to implement the innovative assessment system described in this subsection;

“(C) inform parents of students in participating local educational agencies about the innovative assessment system at the beginning of each school year during which the innovative assessment system will be implemented;

“(D) engage and support teachers in developing and scoring assessments that are part of the innovative assessment system, including through the use of high-quality professional development, standardized and calibrated scoring rubrics, and other strategies, consistent with relevant nationally recognized professional and technical standards, to ensure inter-rater reliability and comparability;

“(E) acclimate students to the innovative assessment system;

“(F) ensure that students with the most significant cognitive disabilities may be assessed with alternate assessments consistent with section 1111(b)(2)(D);

“(G) if the State is proposing to administer the innovative assessment system initially in a subset of local educational agencies, scale up the innovative assessment system to administer such system statewide or with additional local educational agencies in the State’s proposed period of demonstration authority and 2-year extension period, if applicable, including the timeline that explains the process for scaling to statewide implementation by either the end of the State’s proposed period of demonstration authority or the 2-year extension period;

“(H) gather data, solicit regular feedback from educators and parents, and assess the results of each year of the program of demonstration authority under this section, and respond by making needed changes to the innovative assessment system; and

“(I) report data from the innovative assessment system annually to the Secretary, including—

“(i) demographics of participating local educational agencies, if such system is not statewide, and additional local educational agencies if added to the system during the course of the State’s demonstration or 2-year extension period, including a description of how—

“(I) the inclusion of additional local educational agencies contributes to progress toward achieving high-quality and consistent implementation across demographically diverse local educational agencies throughout the demonstration period; and

“(II) by the end of the demonstration authority, the participating local educational agencies, as a group, will be demographically similar to the State as a whole;

“(ii) performance of all participating students and for each category of students, as defined in section 1111(b)(3)(A), on the inno-

vative assessment, consistent with the requirements in section 1111(d);

“(iii) performance of all participating students in relation to at least one other valid and reliable indicator of quality, success, or student supports, such as those reported annually by the State in accordance with section 1111(b)(3)(B)(ii)(IV);

“(iv) feedback from teachers, principals, other school leaders, and parents about their satisfaction with the innovative assessment system; and

“(v) if such system is not statewide, a description of the State’s progress in scaling up the innovative assessment system to additional local educational agencies during the State’s period of demonstration authority, as described in subparagraph (G).

“(3) A description of the State educational agency’s plan to—

“(A) ensure that all students and each of the categories of students, as defined in section 1111(b)(3)(A)—

“(i) are held to the same high standard as other students in the State; and

“(ii) receive the instructional support needed to meet challenging State academic standards;

“(B) ensure that each local educational agency has the technological infrastructure to implement the innovative assessment system; and

“(C) hold all participating schools in the local educational agencies participating in the program of demonstration authority accountable for meeting the State’s expectations for student achievement.

“(4) If the innovative assessment system will initially be administered in a subset of local educational agencies—

“(A) a description of the local educational agencies within the State educational agency that will participate, including what criteria the State has for approving any additional local educational agencies to participate during the demonstration period;

“(B) assurances from such local educational agencies that such agencies will comply with the requirements of this subsection; and

“(C) a description of how the State will—

“(i) ensure that the inclusion of additional local educational agencies contributes to progress toward achieving high-quality and consistent implementation across demographically diverse local educational agencies throughout the demonstration authority; and

“(ii) ensure that the participating local educational agencies, as a group, will be demographically similar to the State as a whole by the end of the State’s period of demonstration authority.

“(d) PEER REVIEW.—The Secretary shall—

“(1) implement a peer review process to inform—

“(A) the awarding of the demonstration authority under this section and the approval to operate the system for the purposes of paragraphs (2) and (3) of section 1111(b), as described in subsection (h) of this section; and

“(B) determinations about whether the innovative assessment system—

“(i) is comparable to the State assessments under section 1111(b)(2)(B)(v)(I), valid, reliable, of high technical quality, and consistent with relevant, nationally recognized professional and technical standards; and

“(ii) provides an unbiased, rational, and consistent determination of progress toward the goals described under section 1111(b)(3)(B)(i) for all students;

“(2) ensure that the peer review team is comprised of practitioners and experts who

are knowledgeable about the innovative assessment being proposed for all students, including—

“(A) individuals with past experience developing systems of assessment innovation that support all students, including English learners, children with disabilities, and disadvantaged students; and

“(B) individuals with experience implementing innovative State assessment and accountability systems;

“(3) make publicly available the applications submitted under subsection (c) and the peer review comments and recommendations regarding such applications;

“(4) make a determination and inform the State regarding approval or disapproval of the application not later than 90 days after receipt of the complete application;

“(5) offer a State the opportunity to revise and resubmit its application within 60 days of a disapproval determination under paragraph (4) to allow the State to submit additional evidence that the State’s application meets the requirements of subsection (c); and

“(6) make a determination regarding application approval or disapproval of a resubmitted application under paragraph (5) not later than 45 days after receipt of the resubmitted application.

“(e) EXTENSION.—The Secretary may extend an authorization of demonstration authority under this section for an additional 2 years if the State educational agency demonstrates with evidence that the State educational agency’s innovative assessment system is continuing to meet the requirements of subsection (c), including—

“(1) demonstrating capacity to transition to statewide use by the end of a 2-year extension period; and

“(2) demonstrating that the participating local educational agencies, as a group, will be demographically similar to the State as a whole by the end of a 2-year extension period.

“(f) USE OF INNOVATIVE ASSESSMENT SYSTEM.—A State may, during its approved demonstration period or 2-year extension period, include results from the innovative assessment systems developed under this section in accountability determinations for each student in the participating local educational agencies instead of, or in addition to, those from the assessment system under section 1111(b)(2) if the State demonstrates that the State has met the requirements in subsection (c). The State shall continue to meet all other requirements of section 1111(b)(3).

“(g) AUTHORITY WITHDRAWN.—The Secretary shall withdraw the authorization for demonstration authority provided to a State educational agency under this section and any participating local educational agency or the State as a whole shall return to the statewide assessment system under section 1111(b)(2) if, at any point during a State’s approved period of demonstration or 2-year extension period, the State educational agency cannot present to the Secretary a body of substantial evidence that the innovative assessment system developed under this section—

“(1) meets requirements of subsection (c);

“(2) includes all students attending schools participating in the demonstration authority, including each of the categories of students, as defined in section 1111(b)(3)(A), in the innovative assessment system demonstration;

“(3) provides an unbiased, rational, and consistent determination of progress toward the goals described under section

1111(b)(3)(B)(i) for all students, which are comparable to determinations under section 1111(b)(3)(B)(iii) across the State in which the local educational agencies are located;

“(4) presents a high-quality plan to transition to full statewide use of the innovative assessment system by the end of the State’s approved demonstration period and 2-year extension, if the innovative assessment system will initially be administered in a subset of local educational agencies; and

“(5) is comparable to the statewide assessments under section 1111(b)(2) in content coverage, difficulty, and quality.

“(h) TRANSITION.—

“(1) IN GENERAL.—If, after a State’s approved demonstration and extension period, the State educational agency has met all the requirements of this section, including having scaled the system up to statewide use, and demonstrated that such system is of high quality, the State shall be permitted to operate the innovative assessment system approved under the program of demonstration authority under this section for the purposes of paragraphs (2) and (3) of section 1111(b). Such system shall be deemed of high quality if the Secretary, through the peer review process described in subsection (d), determines that the system has—

“(A) met all of the requirements of this section;

“(B) demonstrated progress for all students, including each of the categories of students defined in section 1111(b)(3)(A), in relation to such measures as—

“(i) increasing student achievement and academic outcomes;

“(ii) increasing the 4-year adjusted cohort graduation rate or the extended-year adjusted cohort graduation rate for high schools;

“(iii) increasing retention rates of students in school; and

“(iv) increasing rates of remediation at institutions of higher education for participating students;

“(C) demonstrated progress in relation to at least one other valid and reliable indicator of quality, success, or student supports, such as those reported annually by the State in accordance with section 1111(b)(3)(B)(ii)(IV);

“(D) provided coherent and timely information about student attainment of the State’s challenging academic standards, including objective measurement of academic achievement, knowledge, and skills that are valid, reliable, and consistent with relevant, nationally-recognized professional and technical standards;

“(E) solicited feedback from teachers, principals, other school leaders, and parents about their satisfaction with the innovative assessment system; and

“(F) demonstrated that the same system of assessments was used to measure the achievement of all students, and at least 95 percent of such students overall and in each of the categories of students, as defined in section 1111(b)(3)(A), were assessed under the innovative assessment system.

“(2) BASELINE.—For the purposes of the evaluation described in paragraph (1), the baseline year shall be considered the first year of implementation of the innovative assessment system for each local educational agency.

“(3) WAIVER AUTHORITY.—If, at the conclusion of the State’s approved demonstration and extension period, the State has met all of the requirements of this section, except transition to full statewide use for States that will initially administer an innovative

assessment system in a subset of local educational agencies, and continues to comply with the other requirements of this section, and demonstrates a high-quality plan for transition to statewide use in a reasonable period of time, the State may request, and the Secretary shall review such request, a delay of the withdrawal of authority under subsection (g) for the purpose of providing the State time necessary to implement the innovative assessment system statewide.

“(i) AVAILABLE FUNDS.—A State may use funds available under section 1201 to carry out this section.

“(j) RULE OF CONSTRUCTION.—A consortium of States may apply to participate in the program of demonstration authority under this section and the Secretary may provide each State member of such consortium with such authority if each such State member meets all of the requirements of this section. Such consortium shall be subject to the limitation described in subsection (b)(3)(B) during the initial 3 years of the demonstration authority.

“(k) DISSEMINATION OF BEST PRACTICES.—

“(1) IN GENERAL.—Following the publication of the progress report described in subsection (b)(3)(C), the Director of the Institute of Education Sciences, in consultation with the Secretary, shall collect and disseminate the best practices on the development and implementation of innovative assessment systems that meet the requirements of this section, including—

“(A) the development of summative assessments that meet the requirements of section 1111(b)(2)(B), are comparable with statewide assessments, and include assessment tasks that determine proficiency or mastery of State-approved competencies aligned to challenging academic standards;

“(B) the development of effective supports for local educational agencies and school staff to implement innovative assessment systems;

“(C) the development of effective engagement and support of teachers in developing and scoring assessments and the use of high-quality professional development;

“(D) the development of effective supports for all students, particularly each of the categories of students, as defined in section 1111(b)(3)(A), participating in the innovative assessment systems; and

“(E) the development of standardized and calibrated scoring rubrics, and other strategies, to ensure inter-rater reliability and comparability of determinations of mastery or proficiency across local educational agencies and the State.

“(2) PUBLICATION.—The Secretary shall make the information described in paragraph (1) available to the public on the website of the Department and shall publish an update to the information not less often than once every 3 years.”

#### SEC. 1013. EDUCATION OF MIGRATORY CHILDREN.

Part C of title I (20 U.S.C. 6391 et seq.) is amended—

(1) in section 1301—

(A) in paragraph (2), by striking “State academic content and student academic achievement standards” and inserting “challenging State academic standards”;

(B) in paragraph (4), by striking “State academic content and student academic achievement standards” and inserting “State academic standards”;

(C) in paragraph (5), by inserting “without the need for postsecondary remediation” after “employment”;

(2) in section 1303—

(A) by striking subsection (a) and inserting the following:

“(a) STATE ALLOCATIONS.—

“(1) BASE AMOUNT.—

“(A) IN GENERAL.—Except as provided in subsection (b) and subparagraph (B), each State (other than the Commonwealth of Puerto Rico) is entitled to receive under this part, for fiscal year 2016 and succeeding fiscal years, an amount equal to—

“(i) the amount that such State received under this part for fiscal year 2002; plus

“(ii) the amount allocated to the State under paragraph (2).

“(B) NONPARTICIPATING STATES.—In the case of a State (other than the Commonwealth of Puerto Rico) that did not receive any funds for fiscal year 2002 under this part, the State shall receive, for fiscal year 2016 and succeeding fiscal years, an amount equal to—

“(i) the amount that such State would have received under this part for fiscal year 2002 if its application under section 1304 for the year had been approved; plus

“(ii) the amount allocated to the State under paragraph (2).

“(2) ALLOCATION OF ADDITIONAL AMOUNT.—For fiscal year 2016 and succeeding fiscal years, the amount (if any) by which the funds appropriated to carry out this part for the year exceed such funds for fiscal year 2002 shall be allocated to a State (other than the Commonwealth of Puerto Rico) so that the State receives an amount equal to—

“(A) the sum of—

“(i) the number of identified eligible migratory children, aged 3 through 21, residing in the State during the previous year; and

“(ii) the number of identified eligible migratory children, aged 3 through 21, who received services under this part in summer or intersession programs provided by the State during such year; multiplied by

“(B) 40 percent of the average per-pupil expenditure in the State, except that the amount determined under this subparagraph may not be less than 32 percent, or more than 48 percent, of the average per-pupil expenditure in the United States.”;

(B) in subsection (b), by striking paragraph (2) and inserting the following:

“(2) MINIMUM PERCENTAGE.—The percentage in paragraph (1)(A) shall not be less than 85.0 percent.”;

(C) in subsection (c)—

(i) in paragraph (1)—

(I) by striking “(A) If, after” and inserting the following:

“(A) IN GENERAL.—If, after”;

(II) in subparagraph (B)—

(aa) by striking “If additional” and inserting “REALLOCATION.—If additional”;

(bb) by moving the margins of such subparagraph 2 ems to the right; and

(ii) in paragraph (2)—

(I) by striking “(A) The Secretary” and inserting the following:

“(A) FURTHER REDUCTIONS.—The Secretary”;

and

(II) in subparagraph (B)—

(aa) by striking “The Secretary” and inserting “REALLOCATION.—The Secretary”;

and

(bb) by moving the margins of such subparagraph 2 ems to the right; and

(D) in subsection (d)(3)(B), by striking “welfare or educational attainment” and inserting “academic achievement”;

(E) in subsection (e)—

(i) in the matter preceding paragraph (1), by striking “estimated” and inserting “identified”;

(ii) by striking “the Secretary shall” and all that follows through the period at the

end and inserting “the Secretary shall use such information as the Secretary finds most accurately reflects the actual number of migratory children.”;

(3) in section 1304—

(A) in subsection (b)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A)—

(aa) by striking “special educational needs” and inserting “unique educational needs”; and

(bb) by inserting “and out-of-school migratory children” after “including preschool migratory children”;

(II) in subparagraph (B), by striking “part A or B of title III” and inserting “part A of title III”; and

(III) by striking subparagraph (D) and inserting the following:

“(D) measurable program objectives and outcomes.”;

(ii) in paragraph (2), by striking “challenging State academic content standards and challenging State student academic achievement standards” and inserting “challenging State academic standards”;

(iii) in paragraph (3), by striking “, consistent with procedures the Secretary may require.”;

(iv) in paragraph (5), by inserting “and” after the semicolon;

(v) by striking paragraph (6); and

(vi) by redesignating paragraph (7) as paragraph (6);

(B) in subsection (c)—

(i) in the matter preceding paragraph (1), by striking “, satisfactory to the Secretary.”;

(ii) in paragraph (2), by striking “in a manner consistent with the objectives of section 1114, subsections (b) and (d) of section 1115, subsections (b) and (c) of section 1120A, and part I” and inserting “in a manner consistent with the objectives of section 1113(c), paragraphs (3) and (4) of section 1113(d), subsections (b) and (c) of section 1117, and part E”;

(iii) in paragraph (3)—

(I) in the matter before subparagraph (A), by striking “parent advisory councils” and inserting “parents of migratory children, including parent advisory councils”; and

(II) by striking “section 1118” and inserting “section 1115”;

(iv) in paragraph (4), by inserting “and out-of-school migratory children” after “addressing the unmet educational needs of preschool migratory children”;

(v) in paragraph (6)—

(I) by striking “to the extent feasible.”;

(II) by striking subparagraph (C) and inserting the following:

“(C) evidence-based family literacy programs.”; and

(III) in subparagraph (E), by inserting “, without the need for postsecondary remediation” after “employment.”; and

(vi) in paragraph (7), by striking “paragraphs (1)(A) and (2)(B)(i) of section 1303(a), through such procedures as the Secretary may require” and inserting “section 1303(a)(2)(A)”;

(C) by striking subsection (d) and inserting the following:

“(d) PRIORITY FOR SERVICES.—In providing services with funds received under this part, each recipient of such funds shall give priority to migratory children who have made a qualifying move within the previous 1-year period and who—

“(1) are failing, or most at risk of failing, to meet the challenging State academic standards; or

“(2) have dropped out of school.”; and

(D) in subsection (e)(3), by striking “secondary school students” and inserting “students”;

(4) in section 1305(b), by inserting “, to the extent practicable,” after “may”;

(5) in section 1306—

(A) in subsection (a)(1)—

(i) by striking “special” both places the term appears and inserting “unique”;

(ii) in subparagraph (C), by striking “challenging State academic content standards and challenging State student academic achievement standards” and inserting “challenging State academic standards”; and

(iii) in subparagraph (F), by striking “or B”; and

(B) in subsection (b)(4)—

(i) by striking “special” and inserting “unique”; and

(ii) by striking “section 1114” each place the term appears and inserting “section 1113(c)”;

(6) in section 1307—

(A) in the matter preceding paragraph (1), by striking “nonprofit”; and

(B) in paragraph (3), by striking “welfare or educational attainment” and inserting “educational achievement”;

(7) in section 1308—

(A) in subsection (a)(1), by inserting “through” after “including”; and

(B) in subsection (b)—

(i) in paragraph (1), by striking “developing effective methods for”;

(ii) in paragraph (2)—

(I) in subparagraph (A)—

(aa) in the matter preceding clause (i), in the first sentence—

(AA) by striking “ensure the linkage of migrant student” and inserting “maintain”;

(BB) by striking “systems” and inserting “system”;

(CC) by inserting “within and” before “among the States”; and

(DD) by striking “all migratory students” and inserting “all migratory children eligible under this part”;

(bb) in the matter preceding clause (i), by striking “The Secretary shall ensure” and all that follows through “maintain.”;

(cc) in the matter preceding clause (i), by striking “Such elements” and inserting “Such information”; and

(dd) in clause (ii), by striking “required”;

(II) by redesignating subparagraph (B) as subparagraph (C);

(III) by inserting after subparagraph (A) the following:

“(B) CONSULTATION.—The Secretary shall maintain ongoing consultation with the States, local educational agencies, and other migratory student service providers on—

“(i) the effectiveness of the system described in subparagraph (A); and

“(ii) the ongoing improvement of such system.”; and

(IV) in subparagraph (C), as redesignated by subclause (II)—

(aa) by striking “the proposed data elements” and inserting “any new proposed data elements”; and

(bb) by striking “Such publication shall occur not later than 120 days after the date of enactment of the No Child Left Behind Act of 2001.”; and

(iii) by striking paragraph (4); and

(8) in section 1309—

(A) in paragraph (1)(B), by striking “non-profit”; and

(B) by striking paragraph (2) and inserting the following:

“(2) MIGRATORY AGRICULTURAL WORKER.—The term ‘migratory agricultural worker’

means an individual who made a qualifying move in the preceding 36 months and, after doing so, engaged in new temporary or seasonal employment or personal subsistence in agriculture, which may be dairy work or the initial processing of raw agricultural products. If an individual did not engage in such new employment soon after a qualifying move, such individual may be considered a migratory agricultural worker if the individual actively sought new employment and has a recent history of moves for agricultural employment.

“(3) MIGRATORY CHILD.—The term ‘migratory child’ means a child or youth who made a qualifying move in the preceding 36 months—

“(A) as a migratory agricultural worker or a migratory fisher; or

“(B) with, or to join, a parent or spouse who is a migratory agricultural worker or a migratory fisher.

“(4) MIGRATORY FISHER.—The term ‘migratory fisher’ means an individual who made a qualifying move in the preceding 36 months and, after doing so, engaged in new temporary or seasonal employment or personal subsistence in fishing. If the individual did not engage in such new employment soon after the move, the individual may be considered a migratory fisher if the individual actively sought new employment and has a recent history of moves for fishing work.

“(5) QUALIFYING MOVE.—The term ‘qualifying move’ means a move due to economic necessity—

“(A) from one residence to another residence; and

“(B) from one school district to another school district, except—

“(i) in the case of a State that is comprised of a single school district, wherein a qualifying move is from one administrative area to another within such district;

“(ii) in the case of a school district of more than 15,000 square miles, wherein a qualifying move is a distance of 20 miles or more to a temporary residence to engage in a fishing activity; or

“(iii) in a case in which another exception applies, as defined by the Secretary.”.

#### SEC. 1014. PREVENTION AND INTERVENTION PROGRAMS FOR CHILDREN AND YOUTH WHO ARE NEGLECTED, DELINQUENT, OR AT-RISK.

Part D of title I (20 U.S.C. 6421 et seq.) is amended—

(1) in section 1401(a)—

(A) in paragraph (1)—

(i) by inserting “, tribal,” after “youth in local”; and

(ii) by striking “challenging State academic content standards and challenging State student academic achievement standards” and inserting “challenging State academic standards”; and

(B) in paragraph (3), by inserting “and the involvement of their families and communities” after “to ensure their continued education”;

(2) in section 1412(b), by striking paragraph (2) and inserting the following:

“(2) MINIMUM PERCENTAGE.—The percentage in paragraph (1)(A) shall not be less than 85 percent.”;

(3) in section 1414—

(A) in subsection (a)—

(i) in paragraph (1)(B), by striking “from correctional facilities to locally operated programs” and inserting “between correctional facilities and locally operated programs”; and

(ii) in paragraph (2)—

(I) in subparagraph (A)—

(aa) by striking “the program goals, objectives, and performance measures established by the State” and inserting “the program objectives and outcomes established by the State”; and

(bb) by striking “vocational” and inserting “career”;

(II) in subparagraph (B), by striking “and” after the semicolon;

(III) in subparagraph (C)—

(aa) in clause (i), by inserting “and” after the semicolon;

(bb) by striking clause (ii) and redesignating clause (iii) as clause (ii); and

(cc) by striking clause (iv); and

(IV) by adding at the end the following:

“(D) provide assurances that the State educational agency has established—

“(i) procedures to ensure the prompt re-enrollment of each student who has been placed in the juvenile justice system in secondary school or in a re-entry program that best meets the needs of the student, including the transfer of credits that such student earns during placement; and

“(ii) opportunities for such students to participate in higher education or career pathways.”; and

(B) in subsection (c)—

(i) in paragraph (1)—

(I) by inserting “and respond to” after “to assess”; and

(II) by inserting “and, to the extent practicable, provide for an assessment upon entry into a correctional facility” after “to be served under this subpart”;

(ii) in paragraph (6)—

(I) by striking “carry out the evaluation requirements of section 9601 and how” and inserting “use”;

(II) by inserting “under section 9601” after “recent evaluation”; and

(III) by striking “will be used”;

(iii) in paragraph (8)—

(I) by striking “vocational” and inserting “career”; and

(II) by striking “Public Law 105-220” and inserting “the Workforce Innovation and Opportunity Act”;

(iv) in paragraph (9)—

(I) by inserting “and following” after “youth prior to”; and

(II) by inserting “and, to the extent practicable, to ensure that transition plans are in place” after “the local educational agency or alternative education program”;

(v) in paragraph (11), by striking “transition of children and youth from such facility or institution to” and inserting “transition of such children and youth between such facility or institution and”;

(vi) in paragraph (16), by inserting “and obtain a high school diploma” after “to encourage the children and youth to reenter school”;

(vii) in paragraph (17), by inserting “certified or licensed” after “provides an assurance that”;

(viii) in paragraph (18), by striking “and” after the semicolon;

(ix) in paragraph (19), by striking the period at the end and inserting “; and”;

(x) by adding at the end the following:

“(20) describes how the State agency will, to the extent feasible, identify youth who have come in contact with both the child welfare system and juvenile justice system and improve practices and expand the evidence-based intervention services to reduce school suspensions, expulsions, and referrals to law enforcement.”;

(4) in section 1415—

(A) in subsection (a)—

(i) in paragraph (1)(B)—

(I) by inserting “, without the need for remediation,” after “transition”; and

(II) by striking “vocational or technical training” and inserting “career and technical education”; and

(ii) in paragraph (2)—

(I) by striking subparagraph (A), and inserting the following:

“(A) may include—

“(i) the acquisition of equipment;

“(ii) pay-for-success initiatives that produce a measurable, clearly defined outcome that results in social benefit and direct cost savings to the local, State, or Federal Government; and

“(iii) providing targeted, evidence-based services for youth who have come in contact with both the child welfare system and juvenile justice system.”;

(II) in subparagraph (B)—

(aa) in clause (i), by striking “content standards and student academic achievement”;

(bb) in clause (iii)—

(AA) by striking “challenging State academic achievement standards” and inserting “challenging State academic standards”; and

(BB) by inserting “and” after the semicolon;

(III) in subparagraph (C)—

(aa) by striking “section 1120A” and inserting “section 1117”; and

(bb) by striking “; and” and inserting a period; and

(IV) by striking subparagraph (D); and

(B) in subsection (b), by striking “section 1120A” and inserting “section 1117”;

(5) in section 1416—

(A) in paragraph (3)—

(i) by striking “challenging State academic content standards and student academic achievement standards” and inserting “challenging State academic standards”; and

(ii) by striking “complete secondary school, attain a secondary diploma” and inserting “attain a high school diploma”;

(B) in paragraph (4)—

(i) by striking “pupil” and inserting “specialized instructional support”; and

(ii) by inserting “and, to the extent practicable, the development and implementation of transition plans” after “children and youth described in paragraph (1)”;

(C) in paragraph (6), by striking “student progress” and inserting “and improve student achievement”;

(6) in section 1418(a)—

(A) by striking paragraph (1) and inserting the following:

“(1) projects that facilitate the transition of children and youth between State-operated institutions, or institutions in the State operated by the Secretary of the Interior, and schools served by local educational agencies or schools operated or funded by the Bureau of Indian Education; or”;

(B) in paragraph (2)—

(i) by striking “vocational” each place the term appears and inserting “career”; and

(ii) in the matter preceding subparagraph (A)—

(I) by striking “secondary” and inserting “high”; and

(II) by inserting “, without the need for remediation,” after “reentry”;

(7) in section 1419, by striking “for a fiscal year” and all that follows through “to provide” and inserting “for a fiscal year to provide”;

(8) in section 1421—

(A) in paragraph (1), by inserting “, without the need for remediation,” after “youth”; and

(B) in paragraph (3), by inserting “, including schools operated or funded by the Bureau of Indian Education,” after “local schools”;

(9) in section 1422(d)—

(A) by inserting “, which may include the nonacademic needs,” after “to meet the transitional and academic needs”; and

(B) by striking “impact on meeting the transitional” and inserting “impact on meeting such transitional”;

(10) in section 1423—

(A) in paragraph (2)(B), by inserting “, including such facilities operated by the Secretary of the Interior and Indian tribes” after “the juvenile justice system”;

(B) by striking paragraph (4) and inserting the following:

“(4) a description of the activities that the local educational agency will carry out to facilitate the successful transition of children and youth in locally operated institutions for neglected and delinquent children and other correctional institutions into schools served by the local educational agency or, as appropriate, into career and technical education and postsecondary education programs”;

(C) in paragraph (8), by inserting “and family members” after “will involve parents”;

(D) in paragraph (9)—

(i) by striking “vocational” and inserting “career”; and

(ii) by striking “Public Law 105-220” and inserting “the Workforce Innovation and Opportunity Act”;

(E) by striking paragraph (11) and inserting the following:

“(11) as appropriate, a description of how the local educational agency and schools will address the educational needs of children and youth who return from institutions for neglected and delinquent children and youth or from correctional institutions and attend regular or alternative schools”;

(F) in paragraph (12), by striking “participating schools” and inserting “the local educational agency”;

(11) in section 1424—

(A) in paragraph (2), by striking “, including” and all that follows through “gang members”;

(B) in paragraph (4)—

(i) by striking “vocational” and inserting “career”; and

(ii) by striking “and” after the semicolon; and

(C) in paragraph (5), by striking the period at the end and inserting a semicolon; and

(D) by inserting the following after paragraph (5):

“(6) programs for at-risk Indian children and youth, including such children and youth in correctional facilities in the area served by the local educational agency that are operated by the Secretary of the Interior or Indian tribes; and

“(7) pay-for-success initiatives that produce a measurable, clearly defined outcome that results in social benefit and direct cost savings to the local, State, or Federal government.”;

(12) in section 1425—

(A) in paragraph (4)—

(i) by inserting “and obtain a high school diploma” after “reenter school”; and

(ii) by striking “or seek a secondary school diploma or its recognized equivalent”;

(B) in paragraph (6), by striking “high academic achievement standards” and inserting “the challenging State academic standards”;

(C) in paragraph (9)—

(i) by striking “vocational” and inserting “career”; and

(ii) by striking “Public Law 105-220” and inserting “the Workforce Innovation and Opportunity Act”;

(D) in paragraph (10), by striking “and” after the semicolon;

(E) in paragraph (11), by striking the period at the end and inserting a semicolon; and

(F) by adding at the end the following:

“(12) to the extent practicable, develop an initial educational services and transition plan for each child or youth served under this subpart upon entry into the correctional facility, in partnership with the child’s or youth’s family members and the local educational agency that most recently provided services to the child or youth (if applicable), consistent with section 1414(a)(1); and

“(13) consult with the local educational agency for a period jointly determined necessary by the correctional facility and local educational agency upon discharge from that facility, to coordinate educational services so as to minimize disruption to the child’s or youth’s achievement.”;

(13) in section 1426(2), by striking “secondary” and inserting “high”;

(14) in section 1431(a)—

(A) by striking “secondary” each place the term appears and inserting “high”;

(B) in paragraph (1), by inserting “and to graduate from high school in the standard number of years” after “educational achievement”; and

(C) in paragraph (3), by inserting “or school operated or funded by the Bureau of Indian Education” after “local educational agency”; and

(15) in section 1432(2)—

(A) by striking “has limited English proficiency” and inserting “is an English learner”; and

(B) by striking “or has a high absenteeism rate at school.” and inserting “has a high absenteeism rate at school, or has other life conditions that make the individual at high risk for dependency or delinquency adjudication.”.

#### SEC. 1015. GENERAL PROVISIONS.

Title I (20 U.S.C. 6301 et seq.) is amended—

(1) by striking parts E, F, G, and H;

(2) by redesignating part I as part E;

(3) by striking sections 1907 and 1908;

(4) by redesignating sections 1901, 1902, 1903, 1905, and 1906 as sections 1501, 1502, 1503, 1504, and 1505, respectively;

(5) in section 1501, as redesignated by paragraph (4)—

(A) in subsection (a), by inserting “, in accordance with subsections (b) through (d),” after “may issue”;

(B) in subsection (b)—

(i) in paragraph (1), by inserting “principals, other school leaders (including charter school leaders),” after “teachers.”;

(ii) in paragraph (2), by adding at the end the following: “All information from such regional meetings and electronic exchanges shall be made public in an easily accessible manner to interested parties.”;

(iii) in paragraph (3)(A), by striking “standards and assessments” and inserting “standards, assessments, the State accountability system under section 1111(b)(3), school intervention and support under section 1114, and the requirement that funds be supplemented and not supplanted under section 1117.”;

(iv) by striking paragraph (4) and inserting the following:

“(4) PROCESS.—Such process shall not be subject to the Federal Advisory Committee Act, but shall, unless otherwise provided as described in subsection (c), follow the provisions of the Negotiated Rulemaking Act of 1990 (5 U.S.C. 561 et seq.).”;

and

(v) by striking paragraph (5) and inserting the following:

“(5) EMERGENCY SITUATION.—In an emergency situation in which regulations to carry out this title must be issued within a very limited time to assist State educational agencies and local educational agencies with the operation of a program under this title, the Secretary may issue a proposed regulation without following such process but shall—

“(A) designate the proposed regulation as an emergency with an explanation of the emergency in a notice provided to Congress;

“(B) publish the duration of the comment and review period in such notice and in the Federal Register; and

“(C) conduct regional meetings to review such proposed regulation before issuing any final regulation.”;

(C) by redesignating subsection (c) as subsection (d);

(D) by inserting after subsection (b) the following:

“(c) ALTERNATIVE PROCESS IF FAILURE TO REACH CONSENSUS.—If consensus, as defined in section 562 of title 5, United States Code, on any proposed regulation is not reached by the individuals selected under paragraph (3)(B) for the negotiated rulemaking process, or if the Secretary determines that a negotiated rulemaking process is unnecessary, the Secretary may propose a regulation in the following manner:

“(1) NOTICE TO CONGRESS.—Not less than 30 days prior to issuing a notice of proposed rulemaking in the Federal Register, the Secretary shall provide to the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on Education and the Workforce of the House of Representatives, and other relevant congressional committees, notice of the Secretary’s intent to issue a notice of proposed rulemaking that shall include—

“(A) a copy of the regulation to be proposed;

“(B) a justification of the need to issue a regulation;

“(C) the anticipated burden, including the time, cost, and paperwork burden, the regulations will impose on State educational agencies, local educational agencies, schools, and other entities that may be impacted by the regulation;

“(D) the anticipated benefits to State educational agencies, local educational agencies, schools, and other entities that may be impacted by the regulation;

“(E) any regulations that will be repealed when the new regulations are issued; and

“(F) an opportunity to comment on the information in subparagraphs (A) through (E).

“(2) COMMENT PERIOD FOR CONGRESS.—The Secretary shall provide Congress with a 15-day period, beginning after the date on which the Secretary provided the notice of any proposed rulemaking to Congress under paragraph (1), to make comments on the proposed rule. After addressing all comments received from Congress during such period, the Secretary may proceed with the rulemaking process under section 553 of title 5, United States Code, as modified by this section.

“(3) PUBLIC COMMENT AND REVIEW PERIOD.—The public comment and review period for any proposed regulation shall be not less than 90 days unless an emergency requires a shorter period, in which case the Secretary shall comply with the process outlined in subsection (b)(5).

“(4) ASSESSMENT.—No regulation shall be made final after the comment and review pe-

riod described in paragraph (3) until the Secretary has published in the Federal Register—

“(A) an assessment of the proposed regulation that—

“(i) includes a representative sampling of local educational agencies based on enrollment, geographic diversity (including suburban, urban, and rural local educational agencies), and other factors impacted by the proposed regulation;

“(ii) addresses the burden, including the time, cost, and paperwork burden, that the regulation will impose on State educational agencies, local educational agencies, schools, and other entities that may be impacted by the regulation;

“(iii) addresses the benefits to State educational agencies, local educational agencies, schools, and other entities that may be impacted by the regulation; and

“(iv) thoroughly addresses, based on the comments received during the comment and review period under paragraph (3), whether the rule is financially and operationally viable at the local level; and

“(B) an explanation of how the entities described in subparagraph (A)(ii) may cover the cost of the burden assessed under such subparagraph.”;

(E) by inserting after subsection (d), as redesignated by subparagraph (C), the following:

“(e) RULE OF CONSTRUCTION.—Nothing in this section affects the applicability of subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the ‘Administrative Procedure Act’) or chapter 8 of title 5, United States Code (commonly known as the ‘Congressional Review Act’).”;

(6) in section 1502(a), as redesignated by paragraph (4)—

(A) by striking “section 1901” and inserting “section 1501”; and

(B) by striking “or provides a written” and all that follows through the period at the end and inserting “or, where negotiated rulemaking is not pursued, shall conform to section 1501(c).”;

(7) in section 1503, as redesignated by paragraph (4)—

(A) in subsection (a)(2), by striking “student academic achievement” and inserting “academic”; and

(B) in subsection (b)(2)—

(i) in subparagraph (C), by striking “, including vocational educators”;

(ii) in subparagraph (F), by striking “and” after the semicolon; and

(iii) by striking subparagraph (G) and inserting the following:

“(G) specialized instructional support personnel;

“(H) representatives of charter schools, as appropriate; and

“(I) paraprofessionals.”.

#### SEC. 1016. REPORT ON SUBGROUP SAMPLE SIZE.

(a) REPORT.—Not later than 90 days after the date of enactment of this Act, the Director of the Institute of Education Sciences shall publish a report on best practices for determining valid, reliable, and statistically significant minimum numbers of students for each of the categories of students, as defined in section 1111(b)(3)(A) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(3)(A)) (as amended by this Act), for the purposes of inclusion as categories of students in an accountability system described in section 1111(b)(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(3)) (as amended by this Act) and how such minimum number that is

determined will not reveal personally identifiable information about students.

(b) **PUBLIC DISSEMINATION.**—The Director of the Institute of Education Sciences shall work with the Department of Education's existing technical assistance providers and dissemination networks to ensure that the report described under subsection (a) is widely disseminated—

(1) to the public, State educational agencies, local educational agencies, and schools; and

(2) through electronic transfer and other means, such as posting the report on the website of the Institute of Education Sciences or in another relevant place.

**SEC. 1017. REPORT ON IMPLEMENTATION OF EDUCATIONAL STABILITY OF CHILDREN IN FOSTER CARE.**

Not later than 2 years after the date of enactment of this Act, the Secretary of Education and the Secretary of Health and Human Services shall submit to the appropriate committees of Congress a report on the implementation of section 1111(c)(1)(L) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(c)(1)(L)), including the progress made and the remaining barriers relating to such implementation.

**TITLE II—HIGH-QUALITY TEACHERS, PRINCIPALS, AND OTHER SCHOOL LEADERS**

**SEC. 2001. TRANSFER OF CERTAIN PROVISIONS.**

The Act (20 U.S.C. 6301 et seq.) is amended—

(1) by redesignating subpart 5 of part C of title II (20 U.S.C. 6731 et seq.) as subpart 3 of part F of title IX, as redesignated by section 9106(1), and moving that subpart to the end of part F of title IX;

(2) by redesignating sections 2361 through 2368 as sections 9541 through 9548, respectively;

(3) in section 9546(b), as redesignated by paragraph (2), by striking the matter following paragraph (2) and inserting the following:

“(3) A State law that makes a limitation of liability inapplicable if the civil action was brought by an officer of a State or local government pursuant to State or local law.”;

(4) by redesignating subpart 4 of part D of title II as subpart 4 of part F of title IX, as redesignated by section 9106(1), and moving that subpart to follow subpart 3 of part F of title IX, as redesignated and moved by paragraph (1);

(5) by redesignating section 2441 as section 9551; and

(6) by striking the subpart heading of subpart 4 of part F of title IX, as redesignated by paragraph (4), and inserting the following:

“Subpart 4—Internet Safety”.

**SEC. 2002. PREPARING, TRAINING, AND RECRUITING HIGH-QUALITY TEACHERS, PRINCIPALS, AND OTHER SCHOOL LEADERS.**

The Act (20 U.S.C. 6301 et seq.) is amended by striking title II (as amended by section 2001) and inserting the following:

**“TITLE II—PREPARING, TRAINING, AND RECRUITING HIGH-QUALITY TEACHERS, PRINCIPALS, AND OTHER SCHOOL LEADERS**

**“SEC. 2001. PURPOSE.**

“The purpose of this title is to improve student academic achievement by—

“(1) increasing the ability of local educational agencies, schools, teachers, principals, and other school leaders to provide a well-rounded and complete education for all students;

“(2) improving the quality and effectiveness of teachers, principals, and other school leaders;

“(3) increasing the number of teachers, principals, and other school leaders who are effective in improving student academic achievement in schools; and

“(4) ensuring that low-income and minority students are served by effective teachers, principals, and other school leaders and have access to a high-quality instructional program.”.

**“SEC. 2002. DEFINITIONS.**

“In this title:

“(1) **SCHOOL LEADER RESIDENCY PROGRAM.**—The term ‘school leader residency program’ means a school-based principal, school leader, or principal and school leader preparation program in which a prospective principal or school leader—

“(A) for 1 academic year, engages in sustained and rigorous clinical learning with substantial leadership responsibilities and an opportunity to practice and be evaluated in an authentic school setting; and

“(B) during that academic year—

“(i) participates in evidence-based coursework that is integrated with the clinical residency experience; and

“(ii) receives ongoing support from a mentor principal or school leader who is effective.”.

“(2) **STATE.**—The term ‘State’ means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

“(3) **TEACHER RESIDENCY PROGRAM.**—The term ‘teacher residency program’ means a school-based teacher preparation program in which a prospective teacher—

“(A) for not less than 1 academic year, teaches alongside an effective teacher, as determined by a teacher evaluation system implemented under part A (if applicable), who is the teacher of record for the classroom;

“(B) receives concurrent instruction during the year described in subparagraph (A)—

“(i) through courses that may be taught by local educational agency personnel or by faculty of the teacher preparation program; and

“(ii) in the teaching of the content area in which the teacher will become certified or licensed; and

“(C) acquires effective teaching skills, as demonstrated through completion of a residency program, or other measure determined by the State, which may include a teacher performance assessment.”.

**“SEC. 2003. AUTHORIZATION OF APPROPRIATIONS.**

“(a) **GRANTS TO STATES AND LOCAL EDUCATIONAL AGENCIES.**—For the purposes of carrying out part A (other than section 2105), there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.

“(b) **NATIONAL ACTIVITIES.**—For the purposes of carrying out activities authorized under section 2105, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.

“(c) **TEACHER AND SCHOOL LEADER INCENTIVE PROGRAM.**—For the purposes of carrying out part B, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.

“(d) **AMERICAN HISTORY AND CIVICS EDUCATION.**—For the purposes of carrying out part C, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.

“(e) **LITERACY EDUCATION FOR ALL, RESULTS FOR THE NATION.**—For the purposes of carrying out part D, there are authorized to be appropriated such sums as may be nec-

essary for each of fiscal years 2016 through 2021.

“(f) **STEM INSTRUCTION AND STUDENT ACHIEVEMENT.**—For the purposes of carrying out part E, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.

**“PART A—FUND FOR THE IMPROVEMENT OF TEACHING AND LEARNING**

**“SEC. 2101. FORMULA GRANTS TO STATES.**

“(a) **RESERVATION OF FUNDS.**—From the total amount appropriated under section 2003(a) for a fiscal year, the Secretary shall reserve—

“(1) one-half of 1 percent for allotments for the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, to be distributed among those outlying areas on the basis of their relative need, as determined by the Secretary, in accordance with the purpose of this title; and

“(2) one-half of 1 percent for the Secretary of the Interior for programs under this part in schools operated or funded by the Bureau of Indian Education.

“(b) **STATE ALLOTMENTS.**—

“(1) **HOLD HARMLESS.**—

“(A) **FISCAL YEARS 2016 THROUGH 2021.**—For each of fiscal years 2016 through 2021, subject to paragraph (2) and subparagraph (C), from the funds appropriated under section 2003(a) for a fiscal year that remain after the Secretary makes the reservations under subsection (a), the Secretary shall allot to each State an amount equal to the total amount that such State received for fiscal year 2001 under—

“(i) section 2202(b) of this Act (as in effect on the day before the date of enactment of the No Child Left Behind Act of 2001); and

“(ii) section 306 of the Department of Education Appropriations Act, 2001 (as enacted into law by section 1(a)(1) of Public Law 106-554).

“(B) **RATABLE REDUCTION.**—If the funds described in subparagraph (A) are insufficient to pay the full amounts that all States are eligible to receive under subparagraph (A) for any fiscal year, the Secretary shall ratably reduce those amounts for the fiscal year.

“(C) **PERCENTAGE REDUCTION.**—For each of fiscal years 2016 through 2021, the amount in subparagraph (A) shall be reduced by a percentage equal to the product of 14.29 percent and the number of years between the fiscal year for which the determination is being made and fiscal year 2015.

“(2) **ALLOTMENT OF ADDITIONAL FUNDS.**—

“(A) **IN GENERAL.**—Subject to subparagraph (B), for any fiscal year for which the funds appropriated under section 2003(a) and not reserved under subsection (a) exceed the total amount required to make allotments under paragraph (1), the Secretary shall allot to each State the sum of—

“(i) an amount that bears the same relationship to 20 percent of the excess amount as the number of individuals age 5 through 17 in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined; and

“(ii) an amount that bears the same relationship to 80 percent of the excess amount as the number of individuals age 5 through 17 from families with incomes below the poverty line in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined.”.



“(B) EXCEPTION.—No State receiving an allotment under subparagraph (A) may receive less than one-half of 1 percent of the total excess amount allotted under such subparagraph for a fiscal year.

“(3) FISCAL YEAR 2022 AND SUCCEEDING FISCAL YEARS.—For fiscal year 2022 and each of the succeeding fiscal years, the Secretary shall allot funds appropriated under section 2003(a) and not reserved under subsection (a) to each State in accordance with paragraph (2).

“(4) REALLOTMENT.—If any State does not apply for an allotment under this subsection for any fiscal year, the Secretary shall reallocate the amount of the allotment to the remaining States in accordance with this subsection.

“(c) STATE USE OF FUNDS.—

“(1) IN GENERAL.—Except as provided for under paragraph (3), each State that receives an allotment under subsection (b) for a fiscal year shall reserve not less than 95 percent of such allotment to make subgrants to local educational agencies for such fiscal year, as described in section 2102.

“(2) STATE ADMINISTRATION.—A State educational agency may use not more than 1 percent of the amount allotted to such State under subsection (b) for the administrative costs of carrying out such State educational agency's responsibilities under this part.

“(3) PRINCIPALS AND OTHER SCHOOL LEADERS.—Notwithstanding paragraph (1) and in addition to funds otherwise available for activities under paragraph (4), a State educational agency may reserve not more than 3 percent of the amount reserved for subgrants to local educational agencies under paragraph (1) for activities for principals and other school leaders described in paragraph (4), if such reservation would not result in a lower allocation to local educational agencies under section 2102, as compared to such allocation for the preceding fiscal year.

“(4) STATE ACTIVITIES.—

“(A) IN GENERAL.—The State educational agency for a State that receives an allotment under subsection (b) may use funds not reserved under paragraph (1) to carry out 1 or more of the activities described in subparagraph (B), which may be implemented in conjunction with a State agency of higher education (if such agencies are separate) and carried out through a grant or contract with a for-profit or nonprofit entity, including an institution of higher education.

“(B) TYPES OF STATE ACTIVITIES.—The activities described in this subparagraph are the following:

“(i) Reforming teacher, principal, and other school leader certification, recertification, licensing, or tenure systems or preparation program standards and approval processes to ensure that—

“(I) teachers have the necessary subject-matter knowledge and teaching skills, as demonstrated through measures determined by the State, which may include teacher performance assessments, in the academic subjects that the teachers teach to help students meet challenging State academic standards described in section 1111(b)(1);

“(II) principals and other school leaders have the instructional leadership skills to help teachers teach and to help students meet such challenging State academic standards; and

“(III) teacher certification or licensing requirements are aligned with such challenging State academic standards.

“(ii) Developing, improving, or providing assistance to local educational agencies to support the design and implementation of

teacher, principal, and other school leader evaluation and support systems that are based in part on evidence of student academic achievement, which may include student growth, and shall include multiple measures of educator performance and provide clear, timely, and useful feedback to teachers, principals, and other schools leaders, such as by—

“(I) developing and disseminating high-quality evaluation tools, such as classroom observation rubrics, and methods, including training and auditing, for ensuring inter-rater reliability of evaluation results;

“(II) developing and providing training to principals, other school leaders, coaches, mentors, and evaluators on how to accurately differentiate performance, provide useful and timely feedback, and use evaluation results to inform decisionmaking about professional development, improvement strategies, and personnel decisions; and

“(III) developing a system for auditing the quality of evaluation and support systems.

“(iii) Improving equitable access to effective teachers, principals, and other school leaders.

“(iv) Carrying out programs that establish, expand, or improve alternative routes for State certification of teachers (especially for teachers of children with disabilities, English learners, science, technology, engineering, mathematics, or other areas where the State demonstrates a shortage of educators), principals, and other school leaders, for—

“(I) individuals with a baccalaureate or master's degree, or other advanced degree;

“(II) mid-career professionals from other occupations;

“(III) paraprofessionals;

“(IV) former military personnel; and

“(V) recent graduates of institutions of higher education with records of academic distinction who demonstrate the potential to become highly effective teachers, principals, or other school leaders.

“(v) Developing, improving, and implementing mechanisms to assist local educational agencies and schools in effectively recruiting and retaining teachers, principals, and other school leaders who are effective in improving student academic achievement, including highly effective teachers from underrepresented minority groups and teachers with disabilities, such as through—

“(I) opportunities for a cadre of effective teachers to lead evidence-based professional development for their peers;

“(II) career opportunities for teachers to grow as leaders, including hybrid roles that allow teachers to voluntarily serve as mentors or academic coaches while remaining in the classroom; and

“(III) providing training and support for teacher leaders and school leaders who are recruited as part of instructional leadership teams.

“(vi) Fulfilling the State educational agency's responsibilities concerning proper and efficient administration and monitoring of the programs carried out under this part, including provision of technical assistance to local educational agencies.

“(vii) Developing, or assisting local educational agencies in developing—

“(I) teacher advancement initiatives that promote professional growth and emphasize multiple career paths, such as school leadership, mentoring, involvement with school intervention and support, and instructional coaching;

“(II) strategies that provide differential pay, or other incentives, to recruit and re-

tain teachers in high-need academic subjects and teachers, principals, or other school leaders, in low-income schools and school districts, which may include performance-based pay systems; and

“(III) new teacher, principal, and other school leader induction and mentoring programs that are evidence-based and designed to—

“(aa) improve classroom instruction and student learning and achievement;

“(bb) increase the retention of effective teachers, principals, and other school leaders;

“(cc) improve school leadership to improve classroom instruction and student learning and achievement; and

“(dd) provide opportunities for teachers, principals, and other school leaders who are experienced, are effective, and have demonstrated an ability to work with adult learners to be mentors.

“(viii) Providing assistance to local educational agencies for—

“(I) the development and implementation of high-quality professional development programs for principals that enable the principals to be effective and prepare all students to meet the challenging State academic standards described in section 1111(b)(1); and

“(II) the development and support of other school leadership programs to develop educational leaders.

“(ix) Supporting efforts to train teachers, principals, and other school leaders to effectively integrate technology into curricula and instruction, which may include blended learning projects that include an element of online learning, combined with supervised learning time and student-led learning, in which the elements are connected to provide an integrated learning experience.

“(x) Providing training, technical assistance, and capacity-building to local educational agencies that receive a subgrant under this part.

“(xi) Supporting teacher, principal, and other school leader residency programs.

“(xii) Reforming or improving teacher, principal, and other school leader preparation programs.

“(xiii) Supporting the instructional services provided by school librarians.

“(xiv) Supporting the instructional services provided by athletic administrators, such as through professional development or relevant State certification or licensure for such administrators.

“(xv) Developing, or assisting local educational agencies in developing, strategies that provide teachers, principals, and other school leaders with the skills, credentials, or certifications needed to educate all students in postsecondary education coursework through early college high school or dual or concurrent enrollment courses or programs.

“(xvi) Providing training for all school personnel, including teachers, principals, other school leaders, specialized instructional support personnel, and paraprofessionals, regarding how to prevent and recognize child sexual abuse.

“(xvii) Supporting principals, other school leaders, teachers, teacher leaders, paraprofessionals, early childhood education program directors, and other early childhood education program providers to participate in efforts to align and promote quality early learning experiences from prekindergarten through grade 3.

“(xviii) Developing and providing professional development and instructional materials for science, technology, engineering,

and mathematics subjects, including computer science.

“(xix) Supporting the efforts of teachers, principals, and other school leaders to integrate academic and career and technical education content into instructional practices.

“(xx) Supporting other activities identified by the State that are evidence-based and that meet the purpose of this title.

“(d) STATE PLAN.—

“(1) IN GENERAL.—In order to receive an allotment under this section for any fiscal year, a State shall submit a plan to the Secretary, at such time, in such manner, and containing such information as the Secretary may reasonably require.

“(2) CONTENTS.—Each plan described under paragraph (1) shall include the following:

“(A) A description of how the State educational agency will use funds received under this title for State-level activities described in subsection (c).

“(B) A description of the State’s system of certification, licensing, and professional growth and improvement, such as clinical experience for prospective educators, support for new educators, professional development, professional growth and leadership opportunities, and compensation systems for teachers, principals, and other educators.

“(C) A description of how activities under this part are aligned with challenging State academic standards and State assessments under section 1111, which may include, as appropriate, relevant State early learning and developmental guidelines, as required under section 658E(c)(2)(T) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858c(c)(2)(T)).

“(D) A description of how the activities using funds under this part are expected to improve student achievement.

“(E) If a State educational agency plans to use funds under this part to improve equitable access to effective teachers, principals, and other school leaders, a description of how such funds will be used to meet the State’s commitment described in section 1111(c)(1)(F) to ensure equitable access to effective teachers, principals, and school leaders.

“(F) An assurance that the State educational agency will monitor the implementation of activities under this part and provide technical assistance to local educational agencies in carrying out such activities.

“(G) An assurance that the State educational agency will work in consultation with the entity responsible for teacher and principal professional standards, certification, and licensing for the State, and encourage collaboration between educator preparation programs, the State, and local educational agencies to promote the readiness of new educators entering the profession.

“(H) A description of how the State educational agency will improve the skills of teachers, principals, and other school leaders in order to enable them to identify students with specific learning needs, particularly students with disabilities, English learners, students who are gifted and talented, and students with low literacy levels, and provide instruction based on the needs of such students.

“(I) A description of how the State will use data and ongoing consultation with and input from teachers and teacher organizations, principals, other school leaders, specialized instructional support personnel, parents, community partners, and (where applicable) institutions of higher education, to

continually update and improve the activities supported under this part.

“(3) CONSULTATION.—In developing the State plan under this subsection, a State shall—

“(A) involve teachers, teacher organizations, principals, other school leaders, specialized instructional support personnel, parents, community partners, and other organizations or partners with relevant and demonstrated expertise in programs and activities designed to meet the purpose of this title;

“(B) seek advice from the individuals, organizations, or partners described in subparagraph (A) regarding how best to improve the State’s activities to meet the purpose of this title; and

“(C) coordinate the State’s activities under this part with other related strategies, programs, and activities being conducted in the State.

“(e) PROHIBITION.—Nothing in this section shall be construed to authorize the Secretary or any other officer or employee of the Federal Government to mandate, direct, or control any of the following:

“(1) The development, improvement, or implementation of elements of any teacher, principal, or school leader evaluation systems.

“(2) Any State or local educational agency’s definition of teacher, principal, or other school leader effectiveness.

“(3) Any teacher, principal, or other school leader professional standards, certification, or licensing.

#### “SEC. 2102. SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES.

“(a) ALLOCATION OF FUNDS TO LOCAL EDUCATIONAL AGENCIES.—

“(1) IN GENERAL.—From funds reserved by a State under section 2101(c)(1) for a fiscal year, the State, acting through the State educational agency, shall award subgrants to eligible local educational agencies from allocations described in paragraph (2).

“(2) ALLOCATION FORMULA.—From the funds described in paragraph (1), the State educational agency shall allocate to each of the eligible local educational agencies in the State for a fiscal year the sum of—

“(A) an amount that bears the same relationship to 20 percent of such funds for such fiscal year as the number of individuals aged 5 through 17 in the geographic area served by the agency, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in the geographic areas served by all eligible local educational agencies in the State, as so determined; and

“(B) an amount that bears the same relationship to 80 percent of the funds for such fiscal year as the number of individuals aged 5 through 17 from families with incomes below the poverty line in the geographic area served by the agency, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in the geographic areas served by all the eligible local educational agencies in the State, as so determined.

“(3) ADMINISTRATIVE COSTS.—Of the amounts allocated to a local educational agency under paragraph (2), the local educational agency may use not more than 2 percent for the direct administrative costs of carrying out its responsibilities under this part.

“(4) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit a consortium of local educational agencies that are designated with a school locale code

of 41, 42, or 43, or such local educational agencies designated with a school locale code of 41, 42, or 43 that work in cooperation with an educational service agency, from voluntarily combining allocations received under this part for the collective use of funding by the consortium for activities under this section.

“(b) LOCAL APPLICATIONS.—

“(1) IN GENERAL.—To be eligible to receive a subgrant under this section, a local educational agency shall conduct a needs assessment described in paragraph (2) and submit an application to the State educational agency at such time, in such manner, and containing such information as the State educational agency may reasonably require.

“(2) NEEDS ASSESSMENT.—

“(A) IN GENERAL.—To be eligible to receive a subgrant under this section, a local educational agency shall periodically conduct a comprehensive needs assessment of the local educational agency and of all schools served by the local educational agency.

“(B) REQUIREMENTS.—The needs assessment under subparagraph (A) shall be designed to determine the schools with the most acute staffing needs related to—

“(i) increasing the number of teachers, principals, and other school leaders who are effective in improving student academic achievement;

“(ii) ensuring that low-income and minority students are not disproportionately served by ineffective teachers, principals, and other school leaders;

“(iii) ensuring that low-income and minority students have access to—

“(I) a high-quality instructional program (such as opportunities for high-quality postsecondary education coursework through an early college high school or a dual or concurrent enrollment program); and

“(II) class sizes that are appropriate and evidence-based;

“(iv) hiring, retention, and advancement and leadership opportunities for effective teachers, principals, and other school leaders;

“(v) supporting and developing all educators, including preschool, kindergarten, elementary, middle, or high school teachers (including special education and career and technical education teachers), principals, other school leaders, early childhood directors, specialized instructional support personnel, paraprofessionals, or other staff members who provide or directly support instruction;

“(vi) understanding and using data and assessments to improve student learning and classroom practice;

“(vii) improving student behavior, including the response of teachers, principals, and other school leaders to student behavior, in the classroom and school, including the identification of early and appropriate interventions, which may include positive behavioral interventions and supports;

“(viii) teaching students who are English learners, children who are in early childhood education programs, children with disabilities, American Indian children, Alaskan Native children, and gifted and talented students;

“(ix) ensuring that funds are used to support schools served by the local educational agency that are identified under section 1114(a)(1)(A) and schools with high percentages or numbers of children counted under section 1124(c);

“(x) improving the academic and non-academic skills of all students that are essential for learning readiness and academic success; and

“(xi) any other evidence-based factors that the local educational agency determines are appropriate to meet the needs of schools within the jurisdiction of the local educational agency and meet the purpose of this title.

“(3) CONSULTATION.—

“(A) IN GENERAL.—In conducting a needs assessment described in paragraph (2), a local educational agency shall—

“(i) involve teachers, teacher organizations, principals, and other school leaders, specialized instructional support personnel, parents, community partners, and others with relevant and demonstrated expertise in programs and activities designed to meet the purpose of this title; and

“(ii) take into account the activities that need to be conducted in order to give teachers, principals, and other school leaders the skills to provide students with the opportunity to meet challenging State academic standards described in section 1111(b)(1).

“(B) CONTINUED CONSULTATION.—A local educational agency receiving a subgrant under this section shall consult with such individuals and organizations described in subparagraph (A) on an ongoing basis in order to—

“(i) seek advice regarding how best to improve the local educational agency’s activities to meet the purpose of this title; and

“(ii) coordinate the local educational agency’s activities under this part with other related strategies, programs, and activities being conducted in the community.

“(4) CONTENTS OF APPLICATION.—Each application submitted under paragraph (1) shall be based on the results of the needs assessment required under paragraph (2) and shall include the following:

“(A) A description of the results of the comprehensive needs assessment carried out under paragraph (2).

“(B) A description of the activities to be carried out by the local educational agency under this section and how these activities will be aligned with the challenging State academic standards described in section 1111(b)(1).

“(C) A description of how such activities will comply with the principles of effectiveness described in section 2103(c).

“(D) A description of the activities, including professional development, that will be made available to meet needs identified by the needs assessment described in paragraph (2).

“(E) A description of the local educational agency’s systems of hiring and professional growth and improvement, such as induction for teachers, principals, and other school leaders.

“(F) A description of how the local educational agency will support efforts to train teachers, principals, and other school leaders to effectively integrate technology into curricula and instruction.

“(G) A description of how the local educational agency will prioritize funds to schools served by the agency that are identified under section 1114(a)(1)(A) and have the highest percentage or number of children counted under section 1124(c).

“(H) Where a local educational agency has a significant number of schools identified under section 1114(a)(1)(A), as determined by the State, a description of how the local educational agency will seek the input of the State educational agency in planning and implementing activities under this part.

“(I) A description of how the local educational agency will increase and improve opportunities for meaningful teacher leader-

ship and for building the capacity of teachers.

“(J) An assurance that the local educational agency will comply with section 9501 (regarding participation by private school children and teachers).

“(K) An assurance that the local educational agency will coordinate professional development activities authorized under this part with professional development activities provided through other Federal, State, and local programs.

“SEC. 2103. LOCAL USE OF FUNDS.

“(a) IN GENERAL.—A local educational agency that receives a subgrant under section 2102 shall use the funds made available through the subgrant to develop, implement, and evaluate comprehensive, evidence-based programs and activities described in subsection (b), which may be carried out through a grant or contract with a for-profit or nonprofit entity, in partnership with an institution of higher education, or in partnership with an Indian tribe or tribal organization (as defined under section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)).

“(b) TYPES OF ACTIVITIES.—The activities described in this subsection—

“(1) shall meet the needs identified in the needs assessment described in section 2102(b)(2);

“(2) shall be in accordance with the purpose of this title, evidence-based, and consistent with the principles of effectiveness described in subsection (c);

“(3) shall address the learning needs of all students, including children with disabilities, English learners, and gifted and talented students; and

“(4) may include, among other programs and activities—

“(A) developing or improving a rigorous, transparent, and fair evaluation and support system for teachers, principals, and other school leaders that is based in part on evidence of student achievement, which may include student growth, and shall include multiple measures of educator performance and provide clear, timely, and useful feedback to teachers, principals, and other schools leaders;

“(B) developing and implementing initiatives to assist in recruiting, hiring, and retaining highly effective teachers, principals, and other school leaders, particularly in low-income schools with high percentages of ineffective teachers and high percentages of students who do not meet the challenging State academic standards described in section 1111(b)(1), to improve within-district equity in the distribution of teachers, principals, and school leaders consistent with the requirements of section 1111(c)(1)(F), such as initiatives that provide—

“(i) expert help in screening candidates and enabling early hiring;

“(ii) differential and incentive pay for teachers, principals, and other school leaders in high-need academic subject areas and specialty areas, which may include performance-based pay systems;

“(iii) teacher, paraprofessional, principal, and other school leader advancement and professional growth, and an emphasis on leadership opportunities, multiple career paths and pay differentiation;

“(iv) new teacher, principal, and other school leader induction and mentoring programs that are designed to—

“(I) improve classroom instruction and student learning and achievement;

“(II) increase the retention of effective teachers, principals, and other school leaders;

“(III) improve school leadership to improve classroom instruction and student learning and achievement; and

“(IV) provide opportunities for mentor teachers, principals, and other educators who are experienced, are effective, and have demonstrated an ability to work with adult learners;

“(v) the development and provision of training for school leaders, coaches, mentors and evaluators on how to accurately differentiate performance, provide useful feedback, and use evaluation results to inform decisionmaking about professional development, improvement strategies, and personnel decisions; and

“(vi) a system for auditing the quality of evaluation and support systems;

“(C) recruiting qualified individuals from other fields to become teachers, principals, or other school leaders including mid-career professionals from other occupations, former military personnel, and recent graduates of institutions of higher education with a record of academic distinction who demonstrate potential to become effective teachers, principals, or other school leaders;

“(D) reducing class size to an evidence-based level to improve student achievement through the recruiting and hiring of additional effective teachers;

“(E) providing high-quality, personalized professional development for teachers, instructional leadership teams, principals, and other school leaders, focused on improving teaching and student learning and achievement, including supporting efforts to train teachers, principals, and other school leaders to—

“(i) effectively integrate technology into curricula and instruction (including education about the harms of copyright piracy);

“(ii) use data from such technology to improve student achievement;

“(iii) effectively engage parents, families and community partners, and coordinate services between school and community;

“(iv) help all students develop the academic and nonacademic skills essential for learning readiness and academic success; and

“(v) develop policy with school, local educational agency, community, or State leaders;

“(F) developing programs and activities that increase the ability of teachers to effectively teach children with disabilities, including children with significant cognitive disabilities, which may include the use of multi-tier systems of support and positive behavioral intervention and supports, and students who are English learners, so that such children with disabilities and students who are English learners can meet the challenging State academic standards described in section 1111(b)(1);

“(G) providing programs and activities to increase—

“(i) the knowledge base of teachers, principals, and other school leaders on instruction in the early grades and on strategies to measure whether young children are progressing; and

“(ii) the ability of principals and other school leaders to support teachers, teacher leaders, early childhood educators, and other professionals to meet the needs of students through age 8, which may include providing joint professional learning and planning activities for school staff and educators in preschool programs that address the transition to elementary school;

“(H) providing training, technical assistance, and capacity-building in local educational agencies to assist teachers and

school leaders with selecting and implementing formative assessments, designing classroom-based assessments, and using data from such assessments to improve instruction and student academic achievement, which may include providing additional time for teachers to review student data and respond, as appropriate;

“(I) supporting teacher, principal, and school leader residency programs;

“(J) reforming or improving teacher, principal, and other school leader preparation programs;

“(K) carrying out in-service training for school personnel in—

“(i) the techniques and supports needed for early identification of children with trauma histories, and children with, or at risk of, mental illness;

“(ii) the use of referral mechanisms that effectively link such children to appropriate treatment and intervention services in the school and in the community, where appropriate; and

“(iii) forming partnerships between school-based mental health programs and public or private mental health organizations;

“(L) providing training to support the identification of students who are gifted and talented, including high-ability students who have not been formally identified for gifted education services, and implementing instructional practices that support the education of such students, such as—

“(i) early entrance to kindergarten;

“(ii) enrichment, acceleration, and curriculum compacting activities; and

“(iii) dual or concurrent enrollment in secondary school and postsecondary education;

“(M) supporting the instructional services provided by school librarians;

“(N) providing general liability insurance coverage for teachers related to actions performed in the scope of their duties;

“(O) providing training for all school personnel, including teachers, principals, other school leaders, specialized instructional support personnel, and paraprofessionals, regarding how to prevent and recognize child sexual abuse;

“(P) developing and providing professional development and instructional materials for science, technology, engineering, and mathematics subjects, including computer science;

“(Q) providing training for teachers, principals, and other school leaders to address school climate issues such as school violence, bullying, harassment, drug and alcohol use and abuse, and rates of chronic absenteeism (including both excused and unexcused absences);

“(R) increasing time for common planning, within and across content areas and grade levels;

“(S) increasing opportunities for teacher-designed and implemented professional development activities, which may include opportunities for experiential learning through observation;

“(T) developing feedback mechanisms to improve school working conditions;

“(U) providing high-quality professional development for teachers, principals, and other school leaders on effective strategies to integrate academic and career and technical education content, which may include common planning time; and

“(V) carrying out other evidence-based activities identified by the local educational agency that meet the purpose of this title.

“(c) PRINCIPLES OF EFFECTIVENESS.—

“(1) IN GENERAL.—For a program or activity supported with funds provided under this part to meet principles of effectiveness, such program or activity shall—

“(A) be based on an assessment of objective data regarding the need for programs and activities in the schools to be served to—

“(i) increase the number of teachers, principals, and other school leaders who are effective in improving student academic achievement;

“(ii) ensure that low-income and minority students are served by effective teachers, principals, and other school leaders; and

“(iii) ensure that low-income and minority students have access to a high-quality instructional program;

“(B) be based on established and evidence-based criteria—

“(i) aimed at ensuring that all students receive a high-quality education taught by effective teachers and attend schools led by effective principals and other school leaders; and

“(ii) that result in improved student academic achievement in the school served by the program or activity; and

“(C) include meaningful and ongoing consultation with and input from teachers, teacher organizations, principals, other school leaders, specialized instructional support personnel, parents, community partners, and (where applicable) institutions of higher education, in the development of the application and administration of the program or activity.

“(2) PERIODIC EVALUATION.—

“(A) IN GENERAL.—A program or activity carried out under this section shall undergo a periodic evaluation to assess its progress toward achieving the goal of providing students with a high-quality education, taught by effective teachers, in schools led by effective principals and school leaders that results in improved student academic achievement.

“(B) USE OF RESULTS.—The results of an evaluation described in subparagraph (A) shall be—

“(i) used to refine, improve, and strengthen the program or activity, and to refine the criteria described in paragraph (1)(B); and

“(ii) made available to the public upon request, with public notice of such availability provided.

“(3) PROHIBITION.—Nothing in this subsection shall be construed to authorize the Secretary or any other officer or employee of the Federal Government to mandate, direct, or control the principles of effectiveness developed by local educational agencies under paragraph (1) or the specific programs or activities that will be implemented by a local educational agency.

“SEC. 2104. REPORTING.

“(a) STATE REPORT.—Each State educational agency receiving funds under this part shall annually submit to the Secretary a report that provides—

“(1) the number and percentage of teachers, principals, and other school leaders in the State and each local educational agency in the State who are licensed or certified, provided such information does not reveal personally identifiable information;

“(2) the first-time passing rate of teachers and principals in the State and each local educational agency in the State on teacher and principal licensure examinations, provided such information does not reveal personally identifiable information;

“(3) a description of how chosen professional development activities improved teacher and principal performance; and

“(4) if funds are used under this part to improve equitable access to teachers, principals, and other school leaders for low-income and minority students, a description of

how funds have been used to improve such access.

“(b) LOCAL EDUCATIONAL AGENCY REPORT.—Each local educational agency receiving funds under this part shall submit to the State educational agency such information as the State requires, which shall include the information described in subsection (a) for the local educational agency.

“(c) AVAILABILITY.—The reports and information provided under subsections (a) and (b) shall be made readily available to the public.

“(d) LIMITATION.—The reports and information provided under subsections (a) and (b) shall not reveal personally identifiable information about any individual.

“SEC. 2105. NATIONAL ACTIVITIES OF DEMONSTRATED EFFECTIVENESS.

“(a) IN GENERAL.—From the funds appropriated under section 2003(b) to carry out this section, the Secretary—

“(1) shall reserve such funds as are necessary to carry out activities under subsection (b);

“(2) shall reserve not less than 40 percent of the funds appropriated under such section to carry out activities under subsection (c); and

“(3) shall reserve not less than 40 percent of such funds to carry out activities under subsection (d).

“(b) TECHNICAL ASSISTANCE AND NATIONAL EVALUATION.—From the funds reserved by the Secretary under subsection (a)(1), the Secretary—

“(1) shall establish, in a manner consistent with section 203 of the Educational Technical Assistance Act of 2002, a comprehensive center on students at risk of not attaining full literacy skills due to a disability, which shall—

“(A) identify or develop free or low-cost evidence-based assessment tools for identifying students at risk of not attaining full literacy skills due to a disability, including dyslexia impacting reading and writing, or developmental delay impacting reading, writing, language processing, comprehension, or executive functioning;

“(B) identify evidence-based literacy instruction, strategies, and accommodations, including assistive technology, designed to meet the specific needs of such students;

“(C) provide families of such students with information to assist such students;

“(D) identify or develop evidence-based professional development for teachers, paraprofessionals, principals, other school leaders, and specialized instructional support personnel to—

“(i) understand early indicators of students at risk of not attaining full literacy skills due to a disability, including dyslexia impacting reading and writing, or developmental delay impacting reading, writing, language processing, comprehension, or executive functioning;

“(ii) use evidence-based screening assessments for early identification of such students beginning not later than kindergarten; and

“(iii) implement evidence-based instruction designed to meet the specific needs of such students; and

“(E) disseminate the products of the comprehensive center to regionally diverse State educational agencies, local educational agencies, regional educational agencies, and schools, including, as appropriate, through partnerships with other comprehensive centers established under section 203 of the Educational Technical Assistance Act of 2002 and regional educational laboratories established

under section 174 of the Education Sciences Reform Act of 2002; and

“(2) may—

“(A) provide technical assistance, which may be carried out directly or through grants or contracts, to States and local educational agencies carrying out activities under this part; and

“(B) carry out evaluations of activities by States and local educational agencies under this part, which shall be conducted by a third party or by the Institute of Education Sciences.

“(c) PROGRAMS OF NATIONAL SIGNIFICANCE.—

“(1) IN GENERAL.—From the funds reserved by the Secretary under subsection (a)(2), the Secretary shall award grants, on a competitive basis, to eligible entities for the purposes of—

“(A) providing teachers, principals, and other school leaders from nontraditional preparation and certification routes or pathways to serve in traditionally underserved local educational agencies;

“(B) providing evidence-based professional development activities that addresses literacy, numeracy, remedial, or other needs of local educational agencies and the students the agencies serve;

“(C) making freely available services and learning opportunities to local educational agencies, through partnerships and cooperative agreements or by making the services or opportunities publicly accessible through electronic means; or

“(D) providing teachers, principals, and other school leaders with evidence-based professional enhancement activities, which may include activities that lead to an advanced credential.

“(2) PROGRAM PERIODS AND DIVERSITY OF PROJECTS.—

“(A) IN GENERAL.—A grant awarded by the Secretary to an eligible entity under this subsection shall be for a period of not more than 3 years.

“(B) RENEWAL.—The Secretary may renew a grant awarded under this subsection for 1 additional 2-year period.

“(C) DIVERSITY OF PROJECTS.—In awarding grants under this subsection, the Secretary shall ensure that, to the extent practicable, grants are distributed among eligible entities that will serve geographically diverse areas, including urban, suburban, and rural areas.

“(D) LIMITATION.—The Secretary shall not award more than 1 grant under this subsection to an eligible entity during a grant competition.

“(3) COST-SHARING.—

“(A) IN GENERAL.—An eligible entity that receives a grant under this subsection shall provide, from non-Federal sources, not less than 25 percent of the funds for the total cost for each year of activities carried out under this subsection.

“(B) ACCEPTABLE CONTRIBUTIONS.—An eligible entity that receives a grant under this subsection may meet the requirement of subparagraph (A) by providing contributions in cash or in kind, fairly evaluated, including plant, equipment, and services.

“(C) WAIVERS.—The Secretary may waive or modify the requirement of subparagraph (A) in cases of demonstrated financial hardship.

“(4) APPLICATIONS.—In order to receive a grant under this subsection, an eligible entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require. Such applica-

tion shall include, at a minimum, a certification that the services provided by an eligible entity under the grant to a local educational agency or to a school served by the local educational agency will not result in direct fees for participating students or parents.

“(5) DEFINITION OF ELIGIBLE ENTITY.—In this subsection, the term ‘eligible entity’ means—

“(A) an institution of higher education that provides course materials or resources that are evidence-based in increasing academic achievement, graduation rates, or rates of postsecondary education matriculation;

“(B) a national nonprofit entity with a demonstrated record of raising student academic achievement, graduation rates, and rates of higher education attendance, matriculation, or completion, or of effectiveness in providing preparation and professional development activities and programs for teachers, principals, and other school leaders; or

“(C) a partnership consisting of—

“(i) 1 or more entities described in subparagraph (A) or (B); and

“(ii) a for-profit entity.

“(d) SCHOOL LEADER RECRUITMENT AND SUPPORT PROGRAMS.—

“(1) IN GENERAL.—From the funds reserved by the Secretary under subsection (a)(3), the Secretary shall award grants, on a competitive basis, to eligible entities to enable such entities to improve the recruitment, preparation, placement, support, and retention of effective principals and other school leaders in high-need schools, which may include—

“(A) developing or implementing leadership training programs designed to prepare and support principals and other school leaders in high-need schools, including through new or alternative pathways and school leader residency programs;

“(B) developing or implementing programs or activities for recruiting, selecting, and developing aspiring or current principals and other school leaders to serve in high-need schools;

“(C) developing or implementing programs for recruiting, developing, and placing school leaders to improve schools identified for intervention and support under section 1114(a)(1)(A), including through cohort-based activities that build effective instructional and school leadership teams and develop a school culture, design, instructional program, and professional development program focused on improving student learning;

“(D) providing continuous professional development for principals and other school leaders in high-need schools;

“(E) developing and disseminating information on best practices and strategies for effective school leadership in high-need schools, such as training and supporting principals to identify, develop, and maintain school leadership teams using various leadership models; and

“(F) other evidence-based programs or activities described in section 2101(c)(3) or section 2103(b)(4) focused on principals and other school leaders in high-need schools.

“(2) PROGRAM PERIODS AND DIVERSITY OF PROJECTS.—

“(A) IN GENERAL.—A grant awarded by the Secretary to an eligible entity under this subsection shall be for a period of not more than 5 years.

“(B) RENEWAL.—The Secretary may renew a grant awarded under this subsection for 1 additional 2-year period.

“(C) DIVERSITY OF PROJECTS.—In awarding grants under this subsection, the Secretary

shall ensure that, to the extent practicable, grants are distributed among eligible entities that will serve geographically diverse areas, including urban, suburban, and rural areas.

“(D) LIMITATION.—The Secretary shall not award more than 1 grant under this subsection to an eligible entity during a grant competition.

“(3) COST-SHARING.—

“(A) IN GENERAL.—An eligible entity that receives a grant under this subsection shall provide, from non-Federal sources, not less than 25 percent of the funds for the total cost for each year of activities carried out under this subsection.

“(B) ACCEPTABLE CONTRIBUTIONS.—An eligible entity that receives a grant under this subsection may meet the requirement of subparagraph (A) by providing contributions in cash or in-kind, fairly evaluated, including plant, equipment, and services.

“(C) WAIVERS.—The Secretary may waive or modify the requirement of subparagraph (A) in cases of demonstrated financial hardship.

“(4) APPLICATIONS.—An eligible entity that desires a grant under this subsection shall submit to the Secretary an application at such time, in such manner, and accompanied by such information as the Secretary may require.

“(5) PRIORITY.—In awarding grants under this subsection, the Secretary shall give priority to an eligible entity with a record of preparing or developing principals who—

“(A) have improved school-level student outcomes;

“(B) have become principals in high-need schools; and

“(C) remain principals in high-need schools for multiple years.

“(6) DEFINITIONS.—In this subsection—

“(A) the term ‘eligible entity’ means—

“(i) a local educational agency, including an educational service agency, that serves a high-need school or a consortium of such agencies;

“(ii) a State educational agency or a consortium of such agencies;

“(iii) a State educational agency in partnership with 1 or more local educational agencies or educational service agencies that serve a high-need school; or

“(iv) an entity described in clause (i), (ii), or (iii) in partnership with 1 or more nonprofit organizations or institutions of higher education; and

“(B) the term ‘high-need school’ means—

“(i) an elementary school in which not less than 50 percent of the enrolled students are from families with incomes below the poverty line; or

“(ii) a high school in which not less than 40 percent of the enrolled students are from families with incomes below the poverty line.

**“SEC. 2106. SUPPLEMENT, NOT SUPPLANT.**

“Funds made available under this part shall be used to supplement, and not supplant, non-Federal funds that would otherwise be used for activities authorized under this part.

**“PART B—TEACHER AND SCHOOL LEADER INCENTIVE PROGRAM**

**“SEC. 2201. PURPOSES; DEFINITIONS.**

“(a) PURPOSES.—The purposes of this part are—

“(1) to assist States, local educational agencies, and nonprofit organizations to develop, implement, improve, or expand comprehensive performance-based compensation systems or human capital management systems for teachers, principals, and other

school leaders (especially for teachers, principals, and other school leaders in high-need schools) who raise student academic achievement and close the achievement gap between high- and low-performing students; and

“(2) to study and review performance-based compensation systems or human capital management systems for teachers, principals, and other school leaders to evaluate the effectiveness, fairness, quality, consistency, and reliability of the systems.

“(b) DEFINITIONS.—In this part:

“(1) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—

“(A) a local educational agency, including a charter school that is a local educational agency, or a consortium of local educational agencies;

“(B) a State educational agency or other State agency designated by the chief executive of a State to participate under this part; or

“(C) a partnership consisting of—

“(i) 1 or more agencies described in subparagraph (A) or (B); and

“(ii) at least 1 nonprofit or for-profit entity.

“(2) HIGH-NEED SCHOOL.—The term ‘high-need school’ means a public elementary school or secondary school that is located in an area in which the percentage of students from families with incomes below the poverty line is 30 percent or more.

“(3) HUMAN CAPITAL MANAGEMENT SYSTEM.—The term ‘human capital management system’ means a system—

“(A) by which a local educational agency makes and implements human capital decisions, such as decisions on preparation, recruitment, hiring, placement, retention, dismissal, compensation, professional development, tenure, and promotion; and

“(B) that includes a performance-based compensation system.

“(4) PERFORMANCE-BASED COMPENSATION SYSTEM.—The term ‘performance-based compensation system’ means a system of compensation for teachers, principals, and other school leaders that—

“(A) differentiates levels of compensation based in part on measurable increases in student academic achievement; and

“(B) may include—

“(i) differentiated levels of compensation, which may include bonus pay, on the basis of the employment responsibilities and success of effective teachers, principals, and other school leaders in hard-to-staff schools or high-need subject areas; and

“(ii) recognition of the skills and knowledge of teachers, principals, and other school leaders as demonstrated through—

“(I) successful fulfillment of additional responsibilities or job functions, such as teacher leadership roles; and

“(II) evidence of professional achievement and mastery of content knowledge and superior teaching and leadership skills.

#### **“SEC. 2202. TEACHER AND SCHOOL LEADER INCENTIVE FUND GRANTS.**

“(a) GRANTS AUTHORIZED.—From the amounts appropriated to carry out this part, the Secretary shall award grants, on a competitive basis, to eligible entities to enable the eligible entities to develop, implement, improve, or expand performance-based compensation systems or human capital management systems, in schools served by the eligible entity.

“(b) DURATION OF GRANTS.—

“(1) IN GENERAL.—A grant awarded under this part shall be for a period of not more than 3 years.

“(2) RENEWAL.—The Secretary may renew a grant awarded under this part for a period

of up to 2 years if the grantee demonstrates to the Secretary that the grantee is effectively utilizing funds. Such renewal may include allowing the grantee to scale up or replicate the successful program.

“(3) LIMITATION.—A local educational agency may receive (whether individually or as part of a consortium or partnership) a grant under this part only twice, as of the date of enactment of the Every Child Achieves Act of 2015.

“(c) APPLICATIONS.—An eligible entity desiring a grant under this part shall submit an application to the Secretary, at such time, in such manner, and containing such information as the Secretary may reasonably require. The application shall include—

“(1) a description of the performance-based compensation system or human capital management system that the eligible entity proposes to develop, implement, improve, or expand through the grant;

“(2) a description of the most pressing gaps or insufficiencies in student access to effective teachers and school leaders in high-need schools, including gaps or inequities in how effective teachers and school leaders are distributed across the local educational agency, as identified using factors such as data on school resources, staffing patterns, school environment, educator support systems, and other school-level factors;

“(3) a description and evidence of the support and commitment from teachers, principals, and other school leaders, which may include charter school leaders, in the school (including organizations representing teachers, principals, and other school leaders), the community, and the local educational agency to the activities proposed under the grant;

“(4) a description of how the eligible entity will develop and implement a fair, rigorous, valid, reliable, and objective process to evaluate teacher, principal, school leader, and student performance under the system that is based in part on measures of student academic achievement, including the baseline performance against which evaluations of improved performance will be made;

“(5) a description of the local educational agencies or schools to be served under the grant, including such student academic achievement, demographic, and socioeconomic information as the Secretary may request;

“(6) a description of the quality of teachers, principals, and other school leaders in the local educational agency and the schools to be served under the grant and the extent to which the system will increase the quality of teachers, principals, and other school leaders in a high-need school;

“(7) a description of how the eligible entity will use grant funds under this part in each year of the grant, including a timeline for implementation of such activities;

“(8) a description of how the eligible entity will continue the activities assisted under the grant after the grant period ends;

“(9) a description of the State, local, or other public or private funds that will be used to supplement the grant, including funds under part A, and sustain the activities assisted under the grant at the end of the grant period;

“(10) a description of—

“(A) the rationale for the project;

“(B) how the proposed activities are evidence-based; and

“(C) if applicable, the prior experience of the eligible entity in developing and implementing such activities; and

“(11) a description of how activities funded under this part will be evaluated, monitored, and publicly reported.

“(d) AWARD BASIS.—

“(1) PRIORITY.—In awarding a grant under this part, the Secretary shall give priority to an eligible entity that concentrates the activities proposed to be assisted under the grant on teachers, principals, and other school leaders serving in high-need schools.

“(2) EQUITABLE DISTRIBUTION.—To the extent practicable, the Secretary shall ensure an equitable geographic distribution of grants under this part, including the distribution of such grants between rural and urban areas.

“(e) USE OF FUNDS.—

“(1) IN GENERAL.—An eligible entity that receives a grant under this part shall use the grant funds to develop, implement, improve, or expand, in collaboration with teachers, principals, other school leaders, and members of the public, a performance-based compensation system or human capital management system consistent with this part.

“(2) AUTHORIZED ACTIVITIES.—Grant funds under this part may be used for the following:

“(A) Developing or improving an evaluation and support system, including as part of a human capital management system as applicable, that—

“(i) reflects clear and fair measures of teacher, principal, and other school leader performance, based in part on demonstrated improvement in student academic achievement; and

“(ii) provides teachers, principals, and other school leaders with ongoing, differentiated, targeted, and personalized support and feedback for improvement, including professional development opportunities designed to increase effectiveness.

“(B) Conducting outreach within a local educational agency or a State to gain input on how to construct an evaluation system described in subparagraph (A) and to develop support for the evaluation system, including by training appropriate personnel in how to observe and evaluate teachers, principals, and other school leaders.

“(C) Providing principals and other school leaders with—

“(i) balanced autonomy to make budgeting, scheduling, and other school-level decisions in a manner that meets the needs of the school without compromising the intent or essential components of the policies of the local educational agency or State; and

“(ii) authority to make staffing decisions that meet the needs of the school, such as building an instructional leadership team that includes teacher leaders or offering opportunities for teams or pairs of effective teachers or candidates to teach or start teaching in high-need schools together.

“(D) Implementing, as part of a comprehensive performance-based compensation system, a differentiated salary structure, which may include bonuses and stipends, to—

“(i) teachers who—

“(I)(aa) teach in high-need schools; or

“(bb) teach in high-need subjects;

“(II) raise student academic achievement; or

“(III) take on additional leadership responsibilities; or

“(ii) principals and other school leaders who serve in high-need schools and raise student academic achievement in the schools.

“(E) Improving the local educational agency's system and process for the recruitment, selection, placement, and retention of effective teachers and school leaders in high-need

schools, such as by improving local educational agency policies and procedures to ensure that high-need schools are competitive and timely in—

“(i) attracting, hiring, and retaining effective educators;

“(ii) offering bonuses or higher salaries to effective teachers; or

“(iii) establishing or strengthening residency programs.

“(F) Instituting career advancement opportunities characterized by increased responsibility and pay that reward and recognize effective teachers and school leaders in high-need schools and enable them to expand their leadership and results, such as through teacher-led professional development, mentoring, coaching, hybrid roles, administrative duties, and career ladders.

“(f) MATCHING REQUIREMENT.—Each eligible entity that receives a grant under this part shall provide, from non-Federal sources, an amount equal to 50 percent of the amount of the grant (which may be provided in cash or in-kind) to carry out the activities supported by the grant.

“(g) SUPPLEMENT, NOT SUPPLANT.—Grant funds provided under this part shall be used to supplement, not supplant, other Federal or State funds available to carry out activities described in this part.

#### “SEC. 2203. REPORTS.

“(a) ACTIVITIES SUMMARY.—Each eligible entity receiving a grant under this part shall provide to the Secretary a summary of the activities assisted under the grant.

“(b) REPORT.—The Secretary shall provide to Congress an annual report on the implementation of the program carried out under this part, including—

“(1) information on eligible entities that received grant funds under this part, including—

“(A) information provided by eligible entities to the Secretary in the applications submitted under section 2202(c);

“(B) the summaries received under subsection (a); and

“(C) grant award amounts; and

“(2) student academic achievement and, as applicable, growth data from the schools participating in the programs supported under the grant.

“(c) EVALUATION AND TECHNICAL ASSISTANCE.—

“(1) RESERVATION OF FUNDS.—Of the total amount reserved under section 2003(c) for this part for a fiscal year, the Secretary may reserve for such fiscal year not more than 1 percent for the cost of the evaluation under paragraph (2) and for technical assistance in carrying out this part.

“(2) EVALUATION.—From amounts reserved under paragraph (1), the Secretary, acting through the Director of the Institute of Education Sciences, shall carry out an independent evaluation to measure the effectiveness of the program assisted under this part.

“(3) CONTENTS.—The evaluation under paragraph (2) shall measure—

“(A) the effectiveness of the program in improving student academic achievement;

“(B) the satisfaction of the participating teachers, principals, and other school leaders; and

“(C) the extent to which the program assisted the eligible entities in recruiting and retaining high-quality teachers, principals, and other school leaders, especially in high-need subject areas.”.

#### SEC. 2003. AMERICAN HISTORY AND CIVICS EDUCATION.

Title II (20 U.S.C. 6601 et seq.), as amended by section 2002, is further amended by adding at the end the following:

### “PART C—AMERICAN HISTORY AND CIVICS EDUCATION

#### “SEC. 2301. PROGRAM AUTHORIZED.

“(a) IN GENERAL.—From amounts appropriated to carry out this part, the Secretary is authorized to carry out an American history and civics education program to improve—

“(1) the quality of American history, civics, and government education by educating students about the history and principles of the Constitution of the United States, including the Bill of Rights; and

“(2) the quality of the teaching of American history, civics, and government in elementary schools and secondary schools, including the teaching of traditional American history.

“(b) FUNDING ALLOTMENT.—From amounts made available under section 2305 for a fiscal year, the Secretary shall—

“(1) use not less than 85 percent for activities under section 2302;

“(2) use not less than 10 percent for activities under section 2303; and

“(3) use not more than 5 percent for activities under section 2304.

#### “SEC. 2302. TEACHING OF TRADITIONAL AMERICAN HISTORY.

“(a) IN GENERAL.—From the amounts reserved by the Secretary under section 2301(b)(1), the Secretary shall award grants, on a competitive basis, to local educational agencies—

“(1) to carry out activities to promote the teaching of traditional American history in elementary schools and secondary schools as a separate academic subject (not as a component of social studies); and

“(2) for the development, implementation, and strengthening of programs to teach traditional American history as a separate academic subject (not as a component of social studies) within elementary school and secondary school curricula, including the implementation of activities—

“(A) to improve the quality of instruction; and

“(B) to provide professional development and teacher education activities with respect to American history.

“(b) REQUIRED PARTNERSHIP.—A local educational agency that receives a grant under subsection (a) shall carry out activities under the grant in partnership with 1 or more of the following:

“(1) An institution of higher education.

“(2) A nonprofit history or humanities organization.

“(3) A library or museum.

“(c) APPLICATION.—To be eligible to receive a grant under this section, a local educational agency shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

“(d) GRANT TERMS.—Grants awarded under subsection (a) shall be for a term of not more than 5 years.

#### “SEC. 2303. PRESIDENTIAL AND CONGRESSIONAL ACADEMIES FOR AMERICAN HISTORY AND CIVICS.

“(a) IN GENERAL.—From the amounts reserved under section 2301(b)(2), the Secretary shall award not more than 12 grants, on a competitive basis, to—

“(1) eligible entities to establish Presidential Academies for the Teaching of American History and Civics (in this section referred to as the ‘Presidential Academies’) in accordance with subsection (e); and

“(2) eligible entities to establish Congressional Academies for Students of American History and Civics (in this section referred

to as the ‘Congressional Academies’) in accordance with subsection (f).

“(b) APPLICATION.—An eligible entity that desires to receive a grant under subsection (a) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

“(c) ELIGIBLE ENTITY.—The term ‘eligible entity’ under this section means—

“(1) an institution of higher education or nonprofit educational organization, museum, library, or research center with demonstrated expertise in historical methodology or the teaching of American history and civics; or

“(2) a consortium of entities described in paragraph (1).

“(d) GRANT TERMS.—Grants awarded to eligible entities under subsection (a) shall be for a term of not more than 5 years.

#### “(e) PRESIDENTIAL ACADEMIES.—

“(1) USE OF FUNDS.—Each eligible entity that receives a grant under subsection (a)(1) shall use the grant funds to establish a Presidential Academy that offers a seminar or institute for teachers of American history and civics, which—

“(A) provides intensive professional development opportunities for teachers of American history and civics to strengthen such teachers’ knowledge of the subjects of American history and civics;

“(B) is led by a team of primary scholars and core teachers who are accomplished in the field of American history and civics;

“(C) is conducted during the summer or other appropriate time; and

“(D) is of not less than 2 weeks and not more than 6 weeks in duration.

“(2) SELECTION OF TEACHERS.—Each year, each Presidential Academy shall select between 50 and 300 teachers of American history and civics from public or private elementary schools and secondary schools to attend the seminar or institute under paragraph (1).

“(3) TEACHER STIPENDS.—Each teacher selected to participate in a seminar or institute under this subsection shall be awarded a fixed stipend based on the length of the seminar or institute to ensure that such teacher does not incur personal costs associated with the teacher’s participation in the seminar or institute.

“(4) PRIORITY.—In awarding grants under this subsection, the Secretary shall give priority to eligible entities that coordinate or align their activities with the National Park Service National Centennial Parks initiative to develop innovative and comprehensive programs using the resources of the National Parks.

#### “(f) CONGRESSIONAL ACADEMIES.—

“(1) USE OF FUNDS.—Each eligible entity that receives a grant under subsection (a)(2) shall use the grant funds to establish a Congressional Academy that offers a seminar or institute for outstanding students of American history and civics, which—

“(A) broadens and deepens such students’ understanding of American history and civics;

“(B) is led by a team of primary scholars and core teachers who are accomplished in the field of American history and civics;

“(C) is conducted during the summer or other appropriate time; and

“(D) is of not less than 2 weeks and not more than 6 weeks in duration.

#### “(2) SELECTION OF STUDENTS.—

“(A) IN GENERAL.—Each year, each Congressional Academy shall select between 100 and 300 eligible students to attend the seminar or institute under paragraph (1).



“(B) ELIGIBLE STUDENTS.—A student shall be eligible to attend a seminar or institute offered by a Congressional Academy under this subsection if the student—

“(i) is recommended by the student’s secondary school principal or other school leader to attend the seminar or institute; and

“(ii) will be a junior or senior in the academic year following attendance at the seminar or institute.

“(3) STUDENT STIPENDS.—Each student selected to participate in a seminar or institute under this subsection shall be awarded a fixed stipend based on the length of the seminar or institute to ensure that such student does not incur personal costs associated with the student’s participation in the seminar or institute.

“(g) MATCHING FUNDS.—

“(1) IN GENERAL.—An eligible entity that receives funds under subsection (a) shall provide, toward the cost of the activities assisted under the grant, from non-Federal sources, an amount equal to 100 percent of the amount of the grant.

“(2) WAIVER.—The Secretary may waive all or part of the matching requirement described in paragraph (1) for any fiscal year for an eligible entity if the Secretary determines that applying the matching requirement would result in serious hardship or an inability to carry out the activities described in subsection (e) or (f).

“SEC. 2304. NATIONAL ACTIVITIES.

“(a) PURPOSE.—The purpose of this section is to promote new and existing evidence-based strategies to encourage innovative American history, civics and government, and geography instruction, learning strategies, and professional development activities and programs for teachers, principals, and other school leaders, particularly such instruction, strategies, activities, and programs that benefit low-income students and underserved populations.

“(b) IN GENERAL.—From the funds reserved by the Secretary under section 2301(b)(3), the Secretary shall award grants, on a competitive basis, to eligible entities for the purposes of—

“(1) expanding, developing, implementing, evaluating, and disseminating for voluntary use, innovative, evidenced-based approaches or professional development programs in American history, civics and government, and geography, which may include—

“(A) hands-on civic engagement activities for teachers and low-income students; and

“(B) programs that educate students about the history and principles of the Constitution of the United States, including the Bill of Rights and that demonstrate scalability, accountability, and a focus on underserved populations; and

“(2) developing other innovative approaches that—

“(A) improve the quality of student achievement in, and teaching of, American history, civics and government, and geography, in elementary schools and secondary schools; and

“(B) demonstrate innovation, scalability, accountability, and a focus on underserved populations.

“(c) PROGRAM PERIODS AND DIVERSITY OF PROJECTS.—

“(1) IN GENERAL.—A grant awarded by the Secretary to an eligible entity under this section shall be for a period of not more than 3 years.

“(2) RENEWAL.—The Secretary may renew a grant awarded under this section for 1 additional 2-year period.

“(3) DIVERSITY OF PROJECTS.—In awarding grants under this section, the Secretary

shall ensure that, to the extent practicable, grants are distributed among eligible entities that will serve geographically diverse areas, including urban, suburban, and rural areas.

“(d) APPLICATIONS.—In order to receive a grant under this section, an eligible entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

“(e) ELIGIBLE ENTITY.—In this section, the term ‘eligible entity’ means an institution of higher education or other nonprofit or for-profit organization with demonstrated expertise in the development of evidence-based approaches for improving the quality of American history, geography, and civics learning and teaching.

“SEC. 2305. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this part such sums as may be necessary for fiscal years 2016 through 2021.”.

SEC. 2004. LITERACY EDUCATION.

Title II (20 U.S.C. 6601 et seq.), as amended by sections 2001 through 2003, is further amended by adding at the end the following:

#### “PART D—LITERACY EDUCATION FOR ALL, RESULTS FOR THE NATION

“SEC. 2401. PURPOSES; DEFINITIONS.

“(a) PURPOSES.—The purposes of this part are—

“(1) to improve student academic achievement in reading and writing by providing Federal support to States to develop, revise, or update comprehensive literacy instruction plans that, when implemented, ensure high-quality instruction and effective strategies in reading and writing from early education through grade 12; and

“(2) for States to provide targeted subgrants to State-designated early childhood education programs and local educational agencies and their public or private partners to implement evidenced-based programs that ensure high-quality comprehensive literacy instruction for students most in need.

“(b) DEFINITIONS.—In this part:

“(1) COMPREHENSIVE LITERACY INSTRUCTION.—The term ‘comprehensive literacy instruction’ means instruction that—

“(A) includes developmentally appropriate, contextually explicit, and systematic instruction, and frequent practice, in reading and writing across content areas;

“(B) includes age-appropriate, explicit, systematic, and intentional instruction in phonological awareness, phonic decoding, vocabulary, language structure, reading fluency, and reading comprehension;

“(C) includes age-appropriate, explicit instruction in writing, including opportunities for children to write with clear purposes, with critical reasoning appropriate to the topic and purpose, and with specific instruction and feedback from instructional staff;

“(D) makes available and uses diverse, high-quality print materials that reflect the reading and development levels, and interests, of children;

“(E) uses differentiated instructional approaches, including individual and small group instruction and discussion;

“(F) provides opportunities for children to use language with peers and adults in order to develop language skills, including developing vocabulary;

“(G) includes frequent practice of reading and writing strategies;

“(H) uses age-appropriate, valid, and reliable screening assessments, diagnostic assessments, formative assessment processes,

and summative assessments to identify a child’s learning needs, to inform instruction, and to monitor the child’s progress and the effects of instruction;

“(I) uses strategies to enhance children’s motivation to read and write and children’s engagement in self-directed learning;

“(J) incorporates the principles of universal design for learning;

“(K) depends on teachers’ collaboration in planning, instruction, and assessing a child’s progress and on continuous professional learning; and

“(L) links literacy instruction to the challenging State academic standards under section 1111(b)(1), including the ability to navigate, understand, and write about, complex print and digital subject matter.

“(2) ELIGIBLE ENTITY.—The term ‘eligible entity’ means an entity that serves a high percentage of high-need schools and consists of—

“(A) one or more local educational agencies that—

“(i) have the highest number or proportion of children who are counted under section 1124(c), in comparison to other local educational agencies in the State;

“(ii) are among the local educational agencies in the State with the highest number or percentages of children reading or writing below grade level, based on the most currently available State academic assessment data under section 1111(b)(2); or

“(iii) serve a significant number or percentage of schools that are identified under section 1114(a)(1)(A);

“(B) one or more State-designated early childhood education programs, which may include home-based literacy programs for preschool aged children, that have a demonstrated record of providing comprehensive literacy instruction for the age group such program proposes to serve; or

“(C) a local educational agency, described in subparagraph (A), or consortium of such local educational agencies, or a State-designated early childhood education program, which may include home-based literacy programs for preschool aged children, acting in partnership with 1 or more public or private nonprofit organizations or agencies (which may include State-designated early childhood education programs) that have a demonstrated record of effectiveness in—

“(i) improving literacy achievement of children, consistent with the purposes of their participation, from birth through grade 12; and

“(ii) providing professional development in comprehensive literacy instruction.

“(3) HIGH-NEED SCHOOL.—

“(A) IN GENERAL.—The term ‘high-need school’ means—

“(i) an elementary school or middle school in which not less than 50 percent of the enrolled students are children from low-income families; or

“(ii) a high school in which not less than 40 percent of the enrolled students are children from low-income families, which may be calculated using comparable data from the schools that feed into the high school.

“(B) LOW-INCOME FAMILY.—For purposes of subparagraph (A), the term ‘low-income family’ means a family—

“(i) in which the children are eligible for a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);

“(ii) receiving assistance under the program of block grants to States for temporary assistance for needy families established under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.); or

“(iii) in which the children are eligible to receive medical assistance under the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

**“SEC. 2402. COMPREHENSIVE LITERACY STATE DEVELOPMENT GRANTS.**

“(a) GRANTS AUTHORIZED.—From the amounts appropriated to carry out this part and not reserved under subsection (b), the Secretary shall award grants, on a competitive basis, to State educational agencies to enable the State educational agencies to—

“(1) provide subgrants to eligible entities serving a diversity of geographic areas, giving priority to entities serving greater numbers or percentages of disadvantaged children; and

“(2) develop or enhance comprehensive literacy instruction plans that ensure high-quality instruction and effective strategies in reading and writing for children from early childhood education through grade 12, including English learners and children with disabilities.

“(b) RESERVATION.—From the amounts appropriated to carry out this part for a fiscal year, the Secretary shall reserve—

“(1) not more than a total of 5 percent for national activities including a national evaluation, technical assistance and training, data collection, and reporting;

“(2) one-half of 1 percent for the Secretary of the Interior to carry out a program described in this part at schools operated or funded by the Bureau of Indian Education; and

“(3) one-half of 1 percent for the outlying areas to carry out a program under this part.

“(c) DURATION OF GRANTS.—A grant awarded under this part shall be for a period of not more than 5 years. Such grant may be renewed for an additional 2-year period upon the termination of the initial period of the grant if the grant recipient demonstrates to the satisfaction of the Secretary that—

“(1) the State has made adequate progress; and

“(2) renewing the grant for an additional 2-year period is necessary to carry out the objectives of the grant described in subsection (d).

“(d) STATE APPLICATIONS.—

“(1) IN GENERAL.—A State educational agency desiring a grant under this part shall submit an application to the Secretary, at such time and in such manner as the Secretary may require. The State educational agency shall collaborate with the State agency responsible for administering early childhood education programs and the State agency responsible for administering child care programs in the State in writing and implementing the early childhood education portion of the grant application under this subsection.

“(2) CONTENTS.—An application described in paragraph (1) shall include, at a minimum, the following:

“(A) A needs assessment that analyzes literacy needs across the State and in high-need schools and local educational agencies that serve high-need schools, including identifying the most pressing gaps in literacy proficiency and inequities in student access to effective teachers of literacy, considering each of the categories of students, as defined in section 1111(b)(3)(A).

“(B) A description of how the State educational agency, in collaboration with the State literacy team, if applicable, will develop a State comprehensive literacy instruction plan or will revise and update an already existing State comprehensive literacy instruction plan.

“(C) An implementation plan that includes a description of how the State educational agency will carry out the State activities described in subsection (e).

“(D) An assurance that the State educational agency will use implementation grant funds described in subsection (e)(1) for comprehensive literacy instruction programs as follows:

“(i) Not less than 15 percent of such grant funds shall be used for State and local programs and activities pertaining to children from birth through kindergarten entry.

“(ii) Not less than 40 percent of such grant funds shall be used for State and local programs and activities, allocated equitably among the grades of kindergarten through grade 5.

“(iii) Not less than 40 percent of such grant funds shall be used for State and local programs and activities, allocated equitably among grades 6 through 12.

“(E) An assurance that the State educational agency will give priority in awarding a subgrant under section 2403 to an eligible entity that—

“(i) serves children from birth through age 5 who are from families with income levels at or below 200 percent of the Federal poverty line; or

“(ii) is a local educational agency serving a high number or percentage of high-need schools.

“(e) STATE ACTIVITIES.—

“(1) IN GENERAL.—A State educational agency receiving a grant under this section shall use not less than 95 percent of such grant funds to award subgrants to eligible entities, based on their needs assessment and a competitive application process.

“(2) RESERVATION.—A State educational agency receiving a grant under this section may reserve not more than 5 percent for activities identified through the needs assessment and comprehensive literacy plan described in subparagraphs (A) and (B) of subsection (d)(2), including the following activities:

“(A) Providing technical assistance, or engaging qualified providers to provide technical assistance, to eligible entities to enable the eligible entities to design and implement literacy programs.

“(B) Coordinating with institutions of higher education in the State to provide recommendations to strengthen and enhance pre-service courses for students preparing to teach children from birth through grade 12 in explicit, systematic, and intensive instruction in evidence-based literacy methods.

“(C) Reviewing and updating, in collaboration with teachers, statewide educational and professional organizations representing teachers, and statewide educational and professional organizations representing institutions of higher education, State licensure or certification standards in the area of literacy instruction in early education through grade 12.

“(D) Making publicly available, including on the State educational agency’s website, information on promising instructional practices to improve child literacy achievement.

“(E) Administering and monitoring the implementation of subgrants by eligible entities.

“(3) ADDITIONAL USES.—After carrying out the activities described in paragraphs (1) and (2), a State educational agency may use any remaining amount to carry out 1 or more of the following activities:

“(A) Developing literacy coach training programs and training literacy coaches.

“(B) Administration and evaluation of activities carried out under this part.

**“SEC. 2403. SUBGRANTS TO ELIGIBLE ENTITIES IN SUPPORT OF BIRTH THROUGH KINDERGARTEN ENTRY LITERACY.**

“(a) SUBGRANTS.—

“(1) IN GENERAL.—A State educational agency receiving a grant under this part shall, in consultation with the State agencies responsible for administering early childhood education programs and services, including the State agency responsible for administering child care programs, and, if applicable, the State Advisory Council on Early Childhood Education and Care designated or established pursuant to section 642B(b)(1)(A)(i) of the Head Start Act (42 U.S.C. 9837b(b)(1)(A)(i))), use a portion of the grant funds, in accordance with section 2402(d)(2)(D)(i), to award subgrants, on a competitive basis, to eligible entities to enable the eligible entities to support high-quality early literacy initiatives for children from birth through kindergarten entry.

“(2) DURATION.—The term of a subgrant under this section shall be determined by the State educational agency awarding the subgrant and shall in no case exceed 5 years.

“(3) SUFFICIENT SIZE AND SCOPE.—Each subgrant awarded under this section shall be of sufficient size and scope to allow the eligible entity to carry out high-quality early literacy initiatives for children from birth through kindergarten entry.

“(b) LOCAL APPLICATIONS.—An eligible entity desiring to receive a subgrant under this section shall submit an application to the State educational agency, at such time, in such manner, and containing such information as the State educational agency may require. Such application shall include a description of—

“(1) how the subgrant funds will be used to enhance the language and literacy development and school readiness of children, from birth through kindergarten entry, in early childhood education programs, which shall include an analysis of data that support the proposed use of subgrant funds;

“(2) how the subgrant funds will be used to prepare and provide ongoing assistance to staff in the programs, through high-quality professional development;

“(3) how the activities assisted under the subgrant will be coordinated with comprehensive literacy instruction at the kindergarten through grade 12 levels;

“(4) how the subgrant funds will be used to evaluate the success of the activities assisted under the subgrant in enhancing the early language and literacy development of children from birth through kindergarten entry; and

“(5) such other information as the State educational agency may require.

“(c) LOCAL USES OF FUNDS.—An eligible entity that receives a subgrant under this section shall use the subgrant funds, consistent with the entity’s approved application under subsection (b), to—

“(1) carry out high-quality professional development opportunities for early childhood educators, teachers, principals, other school leaders, paraprofessionals, specialized instructional support personnel, and instructional leaders;

“(2) train providers and personnel to develop and administer high-quality early childhood education literacy initiatives; and

“(3) coordinate the involvement of families, early childhood education program staff, principals, other school leaders, and teachers in literacy development of children served under the subgrant.

**"SEC. 2404. SUBGRANTS TO ELIGIBLE ENTITIES IN SUPPORT OF KINDERGARTEN THROUGH GRADE 12 LITERACY.**

"(a) SUBGRANTS TO ELIGIBLE ENTITIES.—

"(1) SUBGRANTS.—A State educational agency receiving a grant under this part shall use a portion of the grant funds, in accordance with clauses (ii) and (iii) of section 2402(d)(2)(D), to award subgrants, on a competitive basis, to eligible entities to enable the eligible entities to carry out the authorized activities described in subsections (b) and (c).

"(2) DURATION.—The term of a subgrant under this section shall be determined by the State educational agency awarding the subgrant and shall in no case exceed 5 years.

"(3) SUFFICIENT SIZE AND SCOPE.—A State educational agency shall award subgrants under this section of sufficient size and scope to allow the eligible entities to carry out high-quality comprehensive literacy instruction in each grade level for which the subgrant funds are provided.

"(4) LOCAL APPLICATIONS.—An eligible entity desiring to receive a subgrant under this section shall submit an application to the State educational agency at such time, in such manner, and containing such information as the State educational agency may require. Such application shall include, for each school that the eligible entity identifies as participating in a subgrant program under this section, the following information:

"(A) A description of the eligible entity's needs assessment conducted to identify how subgrant funds will be used to inform and improve comprehensive literacy instruction at the school.

"(B) How the school, the local educational agency, or a provider of high-quality professional development will provide ongoing high-quality professional development to all teachers, principals, other school leaders, and other instructional leaders served by the school.

"(C) How the school will identify children in need of literacy interventions or other support services.

"(D) An explanation of how the school will integrate comprehensive literacy instruction into core academic subjects.

"(E) A description of how the school will coordinate comprehensive literacy instruction with early childhood education and after-school programs and activities in the area served by the local educational agency.

"(b) LOCAL USES OF FUNDS FOR KINDERGARTEN THROUGH GRADE 5.—An eligible entity that receives a subgrant under this section shall use the subgrant funds to carry out the following activities pertaining to children in kindergarten through grade 5:

"(1) Developing and implementing a comprehensive literacy instruction plan across content areas for such children that—

"(A) serves the needs of all children, including children with disabilities and English learners, especially children who are reading or writing below grade level;

"(B) provides intensive, supplemental, accelerated, and explicit intervention and support in reading and writing for children whose literacy skills are below grade level; and

"(C) supports activities that are provided primarily during the regular school day but which may be augmented by after-school and out-of-school time instruction.

"(2) Providing high-quality professional development opportunities for teachers, literacy coaches, literacy specialists, English as a second language specialists (as appropriate), principals, other school leaders, spe-

cialized instructional support personnel, paraprofessionals, and other program staff.

"(3) Training principals, specialized instructional support personnel, and other school district personnel to support, develop, administer, and evaluate high-quality kindergarten through grade 5 literacy initiatives.

"(4) Coordinating the involvement of early childhood education program staff, principals, other instructional leaders, teachers, teacher literacy teams, English as a second language specialists (as appropriate), special educators, and school personnel in the literacy development of children served under this subsection.

"(5) Engaging families and encouraging family literacy experiences and practices to support literacy development.

"(c) LOCAL USES OF FUNDS FOR GRADES 6 THROUGH 12.—An eligible entity that receives a subgrant under this section shall use subgrant funds to carry out the following activities pertaining to children in grades 6 through 12:

"(1) Developing and implementing a comprehensive literacy instruction plan described in subsection (b)(1) for children in grades 6 through 12.

"(2) Training principals, specialized instructional support personnel, and other school district personnel to support, develop, administer, and evaluate high-quality comprehensive literacy instruction initiatives for grades 6 through 12.

"(3) Assessing the quality of adolescent comprehensive literacy instruction in core academic subjects, and career and technical education subjects where such career and technical education subjects provide for the integration of core academic subjects.

"(4) Providing time for teachers to meet to plan evidence-based adolescent comprehensive literacy instruction in core academic subjects, and career and technical education subjects where such career and technical education subjects provide for the integration of core academic subjects.

"(5) Coordinating the involvement of principals, other instructional leaders, teachers, teacher literacy teams, English as a second language specialists (as appropriate), paraprofessionals, special educators, and school personnel in the literacy development of children served under this subsection.

"(d) ALLOWABLE USES.—An eligible entity that receives a subgrant under this section may, in addition to carrying out the activities described in subsection (b) or (c), use subgrant funds to carry out the following activities pertaining to children in kindergarten through grade 12:

"(1) Recruiting, placing, training, and compensating literacy coaches.

"(2) Connecting out-of-school learning opportunities to in-school learning in order to improve the literacy achievement of the children.

"(3) Training families and caregivers to support the improvement of adolescent literacy.

"(4) Providing for a multitier system of support.

"(5) Forming a school literacy leadership team to help implement, assess, and identify necessary changes to the literacy initiatives in 1 or more schools to ensure success.

"(6) Providing time for teachers (and other literacy staff, as appropriate, such as school librarians) to meet to plan comprehensive literacy instruction.

**"SEC. 2405. NATIONAL EVALUATION AND INFORMATION DISSEMINATION.**

"(a) NATIONAL EVALUATION.—From funds reserved under section 2402(b)(1), the Direc-

tor of the Institute of Education Sciences shall conduct a national evaluation of the grant and subgrant programs assisted under this part. Such evaluation shall include evidence-based research that applies rigorous and systematic procedures to obtain valid knowledge relevant to the implementation and effect of the programs and shall directly coordinate with individual State evaluations of the programs' implementation and impact.

"(b) PROGRAM IMPROVEMENT.—The Secretary shall—

"(1) provide the findings of the evaluation conducted under this section to State educational agencies and subgrant recipients for use in program improvement;

"(2) make such findings publicly available, including on the websites of the Department and the Institute of Education Sciences; and

"(3) submit such findings to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives.

**"SEC. 2406. SUPPLEMENT, NOT SUPPLANT.**

"Grant funds provided under this part shall be used to supplement, and not supplant, other Federal or State funds available to carry out activities described in this part."

**SEC. 2005. IMPROVING SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS INSTRUCTION AND STUDENT ACHIEVEMENT.**

Title II (20 U.S.C. 6601 et seq.), as amended by sections 2001 through 2004, is further amended by adding at the end the following:

**"PART E—IMPROVING SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS INSTRUCTION AND STUDENT ACHIEVEMENT**

**"SEC. 2501. PURPOSE.**

"The purpose of this part is to improve student academic achievement in science, technology, engineering, and mathematics, including computer science, by—

"(1) improving instruction in such subjects through grade 12;

"(2) improving student engagement in, and increasing student access to, such subjects;

"(3) improving the quality and effectiveness of classroom instruction by recruiting, training, and supporting highly rated teachers and providing robust tools and supports for students and teachers in such subjects;

"(4) increasing student access to high-quality informal and after-school programs that target the identified subjects and improving the coordination of such programs with classroom instruction in the identified subjects; and

"(5) closing student achievement gaps, and preparing more students to be college and career ready, in such subjects.

**"SEC. 2502. DEFINITIONS.**

"In this part:

"(1) ELIGIBLE SUBGRANTEE.—The term 'eligible subgrantee' means—

"(A) a high-need local educational agency;

"(B) an educational service agency serving more than 1 high-need local educational agency;

"(C) a consortium of high-need local educational agencies; or

"(D) an entity described in subparagraph (A) or (C) of paragraph (2) that has signed a memorandum of agreement with an entity described in subparagraph (A), (B), or (C) of this paragraph to implement the requirements of this part in partnership with such entity.

"(2) OUTSIDE PARTNER.—The term 'outside partner' means an entity that has expertise

and a demonstrated record of success in improving student learning and engagement in the identified subjects described in section 2504(b)(2), including any of the following:

“(A) A nonprofit or community-based organization, which may include a cultural organization, such as a museum or learning center.

“(B) A business.

“(C) An institution of higher education.

“(D) An educational service agency.

“(3) STEM MASTER TEACHER CORPS.—The term ‘STEM master teacher corps’ means a State-led effort to elevate the status of the science, technology, engineering, and mathematics teaching profession by recognizing, rewarding, attracting, and retaining outstanding science, technology, engineering, and mathematics teachers, particularly in high-need and rural schools, by—

“(A) selecting candidates to be master teachers in the corps on the basis of—

“(i) content knowledge based on a screening examination; and

“(ii) pedagogical knowledge of and success in teaching;

“(B) offering such teachers opportunities to—

“(i) work with one another in scholarly communities;

“(ii) participate in and lead high-quality professional development; and

“(C) providing such teachers with additional appropriate and substantial compensation for the work described in subparagraph (B) and in the master teacher community.

#### “SEC. 2503. GRANTS; ALLOTMENTS.

“(a) IN GENERAL.—From amounts made available to carry out this part for a fiscal year, the Secretary shall award grants to State educational agencies, through allotments described in subsection (b), to enable State educational agencies to carry out the activities described in section 2505.

“(b) DISTRIBUTION OF FUNDS.—

“(1) IN GENERAL.—Subject to paragraph (2), for each fiscal year, the Secretary shall allot to each State—

“(A) an amount that bears the same relationship to 35 percent of the amount available to carry out this part for such year, as the number of individuals ages 5 through 17 in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined; and

“(B) an amount that bears the same relationship to 65 percent of the amount available to carry out this part for such year as the number of individuals ages 5 through 17 from families with incomes below the poverty line in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined.

“(2) FUNDING MINIMUM.—No State receiving an allotment under this subsection may receive less than one-half of 1 percent of the total amount allotted under paragraph (1) for a fiscal year.

“(c) REALLOTMENT OF UNUSED FUNDS.—If a State does not successfully apply for an allotment under this part, the Secretary shall reallocate the amount of the State’s allotment to the remaining States in accordance with this section.

#### “SEC. 2504. APPLICATIONS.

“(a) IN GENERAL.—Each State desiring an allotment under section 2503(b) shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require.

“(b) CONTENTS.—At a minimum, an application submitted under subsection (a) shall include the following:

“(1) A description of the needs, including assets, identified by the State educational agency based on a State analysis, which shall include—

“(A) an analysis of science, technology, engineering, and mathematics education quality and outcomes in the State, which may include results from a pre-existing analysis;

“(B) labor market information regarding the industry and business workforce needs within the State; and

“(C) an analysis of the quality of pre-service preparation at all public institutions of higher education (including alternative pathways to teacher licensure or certification) for individuals preparing to teach science, technology, engineering, and mathematics subjects in the State.

“(2) An identification of the specific subjects that the State educational agency will address through the activities described in section 2505, consistent with the needs identified under paragraph (1) (referred to in this part as ‘identified subjects’).

“(3) A description, in a manner that addresses any needs identified under paragraph (1), of—

“(A) how grant funds will be used by the State educational agency to improve instruction in the identified subjects;

“(B) the process that the State educational agency will use for awarding subgrants, including how relevant stakeholders will be involved;

“(C) how the State’s proposed project will ensure an increase in access for students who are members of groups underrepresented in science, technology, engineering, and mathematics subject fields to high-quality courses in 1 or more of the identified subjects; and

“(D) how the State educational agency will continue to involve stakeholders in education reform efforts related to science, technology, engineering, and mathematics instruction.

#### “SEC. 2505. AUTHORIZED ACTIVITIES.

“(a) REQUIRED ACTIVITIES.—Each State educational agency that receives an allotment under this part shall use the grant funds reserved under subsection (d)(2) to carry out each of the following activities:

“(1) Increasing access for students through grade 12 who are members of groups underrepresented in science, technology, engineering, and mathematics subject fields to high-quality courses in the identified subjects.

“(2) Implementing evidence-based programs of instruction based on high-quality standards and assessments in the identified subjects.

“(3) Providing professional development and other comprehensive systems of support for teachers and school leaders to promote high-quality instruction and instructional leadership in the identified subjects.

“(b) PERMISSIBLE ACTIVITIES.—Each State educational agency that receives an allotment under this part may use the grant funds reserved under subsection (d)(2) to carry out 1 or more of the following activities:

“(1) Recruiting qualified teachers and instructional leaders who are trained in identified subjects, including teachers who have transitioned into the teaching profession from a careers in the science, technology, engineering, and mathematics fields.

“(2) Providing induction and mentoring services to new teachers in identified subjects.

“(3) Developing instructional supports for identified subjects, such as curricula and as-

sessments, which shall be evidence-based and aligned with challenging State academic standards under section 1111(b)(1).

“(4) Supporting the development of a State-wide STEM master teacher corps.

“(c) SUBGRANTS.—

“(1) IN GENERAL.—Each State educational agency that receives a grant under this part shall use the amounts not reserved under subsection (d) to award subgrants, on a competitive basis, to eligible subgrantees to enable the eligible subgrantees to carry out the activities described in paragraph (4).

“(2) MINIMUM SUBGRANT.—A State educational agency shall award subgrants under this subsection that are of sufficient size and scope to support high-quality, evidence-based, effective programs that are consistent with the purpose of this part.

“(3) SUBGRANTEE APPLICATION.—

“(A) IN GENERAL.—Each eligible subgrantee desiring a subgrant under this subsection shall submit an application to the State educational agency at such time, in such manner, and accompanied by such information as the State educational agency may require.

“(B) CONTENTS OF SUBGRANTEE APPLICATION.—At a minimum, the application described in subparagraph (A) shall include the following:

“(i) A description of the activities that the eligible subgrantee will carry out, and how such activities will improve teaching and student academic achievement in the State’s identified subjects.

“(ii) A description of how the eligible subgrantee will use funds provided under this subsection to serve students and teachers in high-need schools.

“(iii) A description of how funds provided under this subsection will be coordinated with other Federal, State, and local programs and activities, including career and technical education programs authorized under the Carl D. Perkins Career and Technical Education Act of 2006.

“(iv) If the eligible subgrantee is working with outside partners, a description of how such outside partners will be involved in improving instruction and increasing access to high-quality learning experiences in the State’s identified subjects.

“(4) SUBGRANTEE USE OF FUNDS.—

“(A) REQUIRED USE OF FUNDS.—Each subgrantee under this subsection shall use the subgrant funds to carry out activities for students through grade 12, as described in the subgrantee’s application, which shall include—

“(i) high-quality teacher and instructional leader recruitment, support, and evaluation in the State’s identified subjects;

“(ii) professional development, which may include development and support for instructional coaches, to enable teachers and instructional leaders to increase student achievement in identified subjects;

“(iii) activities to—

“(I) improve the content knowledge of teachers in the State’s identified subjects;

“(II) facilitate professional collaboration, which may include providing time for such collaborations with school personnel, after-school program personnel, and personnel of informal programs that target the identified subjects; and

“(III) improve the integration of informal and after-school programs that target the identified subjects with classroom instruction, such as through the use of strategic partnerships with science, technology, engineering, and mathematics researchers, and other professionals from relevant fields who may be able to assist in activities focused in

science, technology, engineering, and mathematics; and

“(iv) the development, adoption, and improvement of high-quality curricula and instructional supports that—

“(I) are aligned with the challenging State academic standards under section 1111(b)(1); and

“(II) the eligible subgrantee will use to improve student academic achievement in the identified subjects.

“(B) ALLOWABLE USE OF FUNDS.—In addition to the required activities described in subparagraph (A), each eligible subgrantee that receives a subgrant under this subsection may also use the subgrant funds to—

“(i) support the participation of low-income students in nonprofit competitions related to science, technology, engineering, and mathematics subjects (such as robotics, science research, invention, mathematics, computer science, and technology competitions);

“(ii) broaden secondary school students’ access to, and interest in, careers that require academic preparation in 1 or more identified subjects;

“(iii) broaden the access of secondary school students to early college high school or dual or concurrent enrollment courses in science, technology, engineering, or mathematics subjects, including providing professional development to teachers and leaders related to this work;

“(iv) partner with established after-school and science, technology, engineering, and mathematics networks to provide technical assistance to after-school programs to improve their practice, such as through developing quality standards and appropriate learning outcomes for science, technology, engineering, and mathematics programming in after-school programs;

“(v) provide hands-on learning and exposure to science, technology, engineering, and mathematics research facilities and businesses through in-person or virtual distance-learning experiences;

“(vi) support the use of field-based or service learning that enables students to use the local environment and community as a learning resource and to enhance the students’ understanding of the identified subjects through environmental science education; and

“(vii) address science, technology, engineering, and mathematics needs identified in the State plan under section 102 of the Workforce Innovation and Opportunity Act (29 U.S.C. 312), or by a local workforce development board under section 107(d), or in the local plan submitted under section 108, of such Act (29 U.S.C. 3122(d), 3123), for the State, local area (as defined in section 3 of such Act (29 U.S.C. 3102)), or region (as so defined) that the eligible subgrantee is serving.

“(C) MATCHING FUNDS.—A State may require an eligible subgrantee receiving a subgrant under this subsection to demonstrate that such subgrantee has obtained a commitment from 1 or more outside partners to match, using non-Federal funds, a portion of the amount of subgrant funds, in an amount determined by the State.

“(d) STATE ACTIVITIES.—

“(1) IN GENERAL.—Each State educational agency that receives an allotment under this part may use not more than 5 percent of grant funds for—

“(A) administrative costs;

“(B) monitoring the implementation of subgrants;

“(C) providing technical assistance to eligible subgrantees; and

“(D) evaluating subgrants in coordination with the evaluation described in section 2506(c).

“(2) RESERVATION.—Each State educational agency that receives an allotment under this part shall reserve not less than 15 and not more than 20 percent of grant funds, inclusive of the amount described in paragraph (1), for additional State activities, consistent with subsections (a) and (b).

#### “SEC. 2506. PERFORMANCE METRICS; REPORT; EVALUATION.

“(a) ESTABLISHMENT OF PERFORMANCE METRICS.—The Secretary, acting through the Director of the Institute of Education Sciences, shall establish performance metrics to evaluate the effectiveness of the activities carried out under this part.

“(b) ANNUAL REPORT.—Each State educational agency that receives an allotment under this part shall prepare and submit an annual report to the Secretary, which shall include information relevant to the performance metrics described in subsection (a).

“(c) EVALUATION.—The Secretary shall—

“(1) acting through the Director of the Institute of Education Sciences, and in consultation with the Director of the National Science Foundation—

“(A) evaluate the implementation and impact of the activities supported under this part, including progress measured by the metrics established under subsection (a);

“(B) identify best practices to improve instruction in science, technology, engineering, and mathematics subjects; and

“(C) ensure that the Department is taking appropriate action to avoid unnecessary duplication of efforts between the activities being supported under this part and other programmatic activities supported by the Department or by other Federal agencies; and

“(2) disseminate, in consultation with the National Science Foundation, research on best practices to improve instruction in science, technology, engineering, and mathematics subjects.

#### “SEC. 2507. SUPPLEMENT NOT SUPPLANT.

“Funds received under this part shall be used to supplement, and not supplant, funds that would otherwise be used for activities authorized under this part.”

#### SEC. 2006. GENERAL PROVISIONS.

Title II (20 U.S.C. 6601 et seq.), as amended by sections 2001 through 2005, is further amended by adding at the end the following:

#### “PART F—GENERAL PROVISIONS

#### “SEC. 2601. RULES OF CONSTRUCTION.

“(a) PROHIBITION AGAINST FEDERAL MANDATES, DIRECTION, OR CONTROL.—Nothing in this title shall be construed to authorize the Secretary or any other officer or employee of the Federal Government to mandate, direct, or control a State, local educational agency, or school’s—

“(1) instructional content or materials, curriculum, program of instruction, academic standards, or academic assessments;

“(2) teacher, principal, or other school leader evaluation system;

“(3) specific definition of teacher, principal, or other school leader effectiveness; or

“(4) teacher, principal, or other school leader professional standards, certification, or licensing.

“(b) SCHOOL OR DISTRICT EMPLOYEES.—Nothing in this title shall be construed to alter or otherwise affect the rights, remedies, and procedures afforded school or school district employees under Federal, State, or local laws (including applicable regulations or court orders) or under the

terms of collective bargaining agreements, memoranda of understanding, or other agreements between such employees and their employers.”

#### TITLE III—LANGUAGE INSTRUCTION FOR ENGLISH LEARNERS AND IMMIGRANT STUDENTS

#### SEC. 3001. GENERAL PROVISIONS.

Title III (20 U.S.C. 6801 et seq.) is amended—

(1) in the title heading, by striking “**LIMITED ENGLISH PROFICIENT**” and inserting “**ENGLISH LEARNERS**”;

(2) in part A—

(A) by striking section 3122;

(B) redesignating sections 3123, 3124, 3125, 3126, 3127, 3128, and 3129 as sections 3122, 3123, 3124, 3125, 3126, 3127, and 3128, respectively; and

(C) by striking subpart 4;

(3) by striking part B;

(4) by redesignating part C as part B; and

(5) in part B, as redesignated by paragraph (4)—

(A) by redesignating section 3301 as section 3201;

(B) by striking section 3302; and

(C) by redesignating sections 3303 and 3304 as sections 3202 and 3203, respectively.

#### SEC. 3002. AUTHORIZATION OF APPROPRIATIONS.

Section 3001 (20 U.S.C. 6801) is amended to read as follows:

#### “SEC. 3001. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this title such sums as may be necessary for each of fiscal years 2016 through 2021.”

#### SEC. 3003. ENGLISH LANGUAGE ACQUISITION, LANGUAGE ENHANCEMENT, AND ACADEMIC ACHIEVEMENT.

Part A of title III (20 U.S.C. 6811 et seq.) is amended—

(1) in section 3102, by striking paragraphs (1) through (9) and inserting the following:

“(1) to help ensure that English learners, including immigrant children and youth, attain English proficiency, and develop high levels of academic achievement in English;

“(2) to assist all English learners, including immigrant children and youth, to achieve at high levels in academic subjects so that children who are English learners can meet the same challenging State academic standards that all children are expected to meet, consistent with section 1111(b)(1);

“(3) to assist early childhood educators, teachers, principals and other school leaders, State educational agencies, and local educational agencies in establishing, implementing, and sustaining effective language instruction educational programs designed to assist in teaching English learners, including immigrant children and youth;

“(4) to assist early childhood educators, teachers, principals and other school leaders, State educational agencies, and local educational agencies to develop and enhance their capacity to provide effective instruction programs designed to prepare English learners, including immigrant children and youth, to enter all-English instruction settings;

“(5) to promote parental, family, and community participation in language instruction educational programs for the parents, families, and communities of English learners; and

“(6) to provide incentives to grantees to implement policies and practices that will lead to significant improvements in the instruction and achievement of English learners.”

(2) in section 3111—

(A) in subsection (b)—

(i) in paragraph (2), by striking subparagraphs (A) through (D) and inserting the following:

“(A) Establishing and implementing, with timely and meaningful consultation with local educational agencies representing the geographic diversity of the State, standardized statewide entrance and exit procedures, including a requirement that all students who may be English learners are assessed for such status within 30 days of enrollment in a school in the State.

“(B) Providing effective teacher and principal preparation, professional development activities, and other evidence-based activities related to the education of English learners, which may include assisting teachers, principals, and other educators in—

“(i) meeting State and local certification and licensing requirements for teaching English learners; and

“(ii) improving teaching skills in meeting the diverse needs of English learners, including how to implement effective programs and curricula on teaching English learners.

“(C) Planning, evaluation, administration, and interagency coordination related to the subgrants referred to in paragraph (1).

“(D) Providing technical assistance and other forms of assistance to eligible entities that are receiving subgrants from a State educational agency under this subpart, including assistance in—

“(i) identifying and implementing effective language instruction educational programs and curricula for teaching English learners, including those in early childhood settings;

“(ii) helping English learners meet the same State academic standards that all children are expected to meet;

“(iii) identifying or developing, and implementing, measures of English proficiency; and

“(iv) strengthening and increasing parent, family, and community engagement in programs that serve English learners.

“(E) Providing recognition, which may include providing financial awards, to recipients of subgrants under section 3115 that have significantly improved the achievement and progress of English learners in meeting—

“(i) annual timelines and goals for progress established under section 1111(c)(1)(K) based on the State's English language proficiency assessment under section 1111(b)(2)(G); and

“(ii) the challenging State academic standards described in section 1111(b)(1).”; and

(ii) in paragraph (3)—

(I) in the heading, by inserting “DIRECT” before “ADMINISTRATIVE”; and

(II) by inserting “direct” before “administrative costs”; and

(B) in subsection (c)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by striking “section 3001(a)” and inserting “section 3001”; and

(II) in subparagraph (B), by inserting “and” after the semicolon;

(III) in subparagraph (C)—

(aa) by striking “3303” both places it appears and inserting “3202”; and

(bb) by striking “not more than 0.5 percent of such amount shall be reserved for evaluation activities conducted by the Secretary and”; and

(cc) by striking “; and” and inserting a period; and

(IV) by striking subparagraph (D);

(ii) by striking paragraphs (2) and (4);

(iii) by redesignating paragraph (3) as paragraph (2);

(iv) in paragraph (2)(A), as redesignated by clause (iii)—

(I) in the matter preceding clause (i), by striking “section 3001(a)” and inserting “section 3001”; and

(II) in clause (i), by striking “limited English proficient” and all that follows through “States;” and inserting “English learners in the State bears to the number of English learners in all States, as determined by the Secretary under paragraph (3);”; and

(v) by adding at the end the following:

“(3) USE OF DATA FOR DETERMINATIONS.—In making State allotments under paragraph (2)(A) for each fiscal year, the Secretary shall—

“(A) determine the number of English learners in a State and in all States, using the most accurate, up-to-date data, which shall be—

“(i) data available from the American Community Survey conducted by the Department of Commerce, which may be multiyear estimates;

“(ii) the number of students being assessed for English language proficiency, based on the State's English language proficiency assessment under section 1111(b)(2)(G), which may be multiyear estimates; or

“(iii) a combination of data available under clauses (i) and (ii); and

“(B) determine the number of immigrant children and youth in the State and in all States based only on data available from the American Community Survey conducted by the Department of Commerce, which may be multiyear estimates.”;

(3) in section 3113—

(A) in subsection (a), by inserting “reasonably” before “require”; and

(B) in subsection (b)—

(i) in paragraph (1), by striking “making” and inserting “awarding”; and

(ii) by striking paragraphs (2) through (6) and inserting the following:

“(2) describe how the agency will establish and implement, with timely and meaningful consultation with local educational agencies representing the geographic diversity of the State, standardized, statewide entrance and exit procedures, including an assurance that all students who may be English learners are assessed for such status within 30 days of enrollment in a school in the State;

“(3) provide an assurance that—

“(A) the agency will ensure that eligible entities receiving a subgrant under this subpart comply with the requirement in section 1111(b)(2)(B)(ix) to annually assess in English all English learners who have been in the United States for 3 or more years;

“(B) the agency will ensure that eligible entities receiving a subgrant under this subpart annually assess the English proficiency of all English learners participating in a program funded under this subpart, consistent with section 1111(b)(2)(G);

“(C) in awarding subgrants under section 3114, the agency will address the needs of school systems of all sizes and in all geographic areas, including school systems with rural and urban schools;

“(D) subgrants to eligible entities under section 3114(d)(1) will be of sufficient size and scope to allow such entities to carry out effective language instruction educational programs for English learners;

“(E) the agency will require an eligible entity receiving a subgrant under this subpart to use the subgrant in ways that will build such recipient's capacity to continue to offer effective language instruction educational programs that assist English learners in meeting challenging State academic standards described in section 1111(b)(1);

“(F) the agency will monitor each eligible entity receiving a subgrant under this subpart for compliance with applicable Federal fiscal requirements; and

“(G) the plan has been developed in consultation with local educational agencies, teachers, administrators of programs implemented under this subpart, parents of English learners, and other relevant stakeholders;

“(4) describe how the agency will coordinate its programs and activities under this subpart with other programs and activities under this Act and other Acts, as appropriate;

“(5) describe how each eligible entity will be given the flexibility to teach English learners—

“(A) using a high-quality, effective language instruction curriculum for teaching English learners; and

“(B) in the manner the eligible entities determine to be the most effective;

“(6) describe how the agency will assist eligible entities in meeting—

“(A) annual timelines and goals for progress established under section 1111(c)(1)(K) based on the State's English language proficiency assessment under section 1111(b)(2)(G); and

“(B) the challenging State academic standards described in section 1111(b)(1);

“(7) describe how the agency will assist eligible entities in decreasing the number of English learners who have not yet acquired English proficiency within 5 years of their initial classification as an English learner;

“(8) describe how the agency will ensure that the unique needs of the State's population of English learners and immigrant children and youth are being addressed; and

“(9) describe how the agency will monitor and evaluate the progress of each eligible entity receiving funds under this subpart toward meeting the timelines and goals for English proficiency required under section 1111(c)(1)(K) and the steps the State will take to further assist eligible entities if such strategies funded under this part are not effective in making such progress and meeting academic goals established under section 1111(b)(3)(B)(i) for English learners, such as providing technical assistance and modifying such strategies.”;

(C) in subsection (d)(2)(B), by striking “part” and inserting “subpart”; and

(D) in subsection (f), by striking “, objectives,”;

(4) in section 3114—

(A) in subsection (a)—

(i) by striking “section 3111(c)(3)” and inserting “section 3111(c)(2);” and

(ii) by striking “limited English proficient children” both places the term appears and inserting “English learners”; and

(B) in subsection (d)(1)—

(i) by striking “section 3111(c)(3)” and inserting “section 3111(c)(2);” and

(ii) by striking “preceding the fiscal year”; and

(5) by striking section 3115 and inserting the following:

**“SEC. 3115. SUBGRANTS TO ELIGIBLE ENTITIES.**

“(a) PURPOSES OF SUBGRANTS.—A State educational agency may make a subgrant to an eligible entity from funds received by the agency under this subpart only if the entity agrees to expend the funds to improve the education of English learners by assisting the children to learn English and meet the challenging State academic standards described in section 1111(b)(1). In carrying out activities with such funds, the eligible entity shall use effective approaches and methodologies for teaching English learners and

immigrant children and youth for the following purposes:

“(1) Developing and implementing new language instruction educational programs and academic content instruction programs for English learners and immigrant children and youth, including early childhood education programs, elementary school programs, and secondary school programs.

“(2) Carrying out highly focused, innovative, locally designed activities to expand or enhance existing language instruction educational programs and academic content instruction programs for English learners and immigrant children and youth.

“(3) Implementing, within an individual school, schoolwide programs for restructuring, reforming, and upgrading all relevant programs, activities, and operations relating to language instruction educational programs and academic content instruction for English learners and immigrant children and youth.

“(4) Implementing, within the entire jurisdiction of a local educational agency, agency-wide programs for restructuring, reforming, and upgrading all relevant programs, activities, and operations relating to language instruction educational programs and academic content instruction for English learners and immigrant children and youth.

“(b) DIRECT ADMINISTRATIVE EXPENSES.—Each eligible entity receiving funds under section 3114(a) for a fiscal year may use not more than 2 percent of such funds for the cost of administering this subpart.

“(c) REQUIRED SUBGRANTEE ACTIVITIES.—An eligible entity receiving funds under section 3114(a) shall use the funds—

“(1) to increase the English language proficiency of English learners by providing effective language instruction educational programs that meet the needs of English learners and are based on high-quality research demonstrating success in increasing—

“(A) English language proficiency; and

“(B) student academic achievement;

“(2) to provide effective professional development to classroom teachers (including teachers in classroom settings that are not the settings of language instruction educational programs), principals, other school leaders, administrators, and other school or community-based organizational personnel, that is—

“(A) designed to improve the instruction and assessment of English learners;

“(B) designed to enhance the ability of such teachers, principals, and other school leaders to understand and implement appropriate curricula, assessment practices, and instruction strategies for English learners;

“(C) effective in increasing children's English language proficiency or substantially increasing the subject matter knowledge, teaching knowledge, and teaching skills of such teachers; and

“(D) of sufficient intensity and duration (which shall not include activities such as 1-day or short-term workshops and conferences) to have a positive and lasting impact on the teachers' performance in the classroom, except that this subparagraph shall not apply to an activity that is one component of a long-term, comprehensive professional development plan established by a teacher and the teacher's supervisor based on an assessment of the needs of the teacher, the supervisor, the students of the teacher, and any local educational agency employing the teacher, as appropriate; and

“(3) to provide and implement effective parent, family, and community engagement activities in order to enhance or supplement

language instruction educational programs for English Learners.

“(d) AUTHORIZED SUBGRANTEE ACTIVITIES.—Subject to subsection (c), an eligible entity receiving funds under section 3114(a) may use the funds to achieve 1 of the purposes described in subsection (a) by undertaking 1 or more of the following activities:

“(1) Upgrading program objectives and effective instructional strategies.

“(2) Improving the instructional program for English learners by identifying, acquiring, and upgrading curricula, instruction materials, educational software, and assessment procedures.

“(3) Providing to English learners—

“(A) tutorials and academic or career and technical education; and

“(B) intensified instruction.

“(4) Developing and implementing effective preschool, elementary school, or secondary school language instruction educational programs that are coordinated with other relevant programs and services.

“(5) Improving the English language proficiency and academic achievement of English learners.

“(6) Providing community participation programs, family literacy services, and parent and family outreach and training activities to English learners and their families—

“(A) to improve the English language skills of English learners; and

“(B) to assist parents and families in helping their children to improve their academic achievement and becoming active participants in the education of their children.

“(7) Improving the instruction of English learners, including English learners with a disability, by providing for—

“(A) the acquisition or development of educational technology or instructional materials;

“(B) access to, and participation in, electronic networks for materials, training, and communication; and

“(C) incorporation of the resources described in subparagraphs (A) and (B) into curricula and programs, such as those funded under this subpart.

“(8) Carrying out other activities that are consistent with the purposes of this section.

“(e) ACTIVITIES BY AGENCIES EXPERIENCING SUBSTANTIAL INCREASES IN IMMIGRANT CHILDREN AND YOUTH.—

“(1) IN GENERAL.—An eligible entity receiving funds under section 3114(d)(1) shall use the funds to pay for activities that provide enhanced instructional opportunities for immigrant children and youth, which may include—

“(A) family literacy, parent and family outreach, and training activities designed to assist parents and families to become active participants in the education of their children;

“(B) recruitment of, and support for personnel, including early childhood educators, teachers, paraprofessionals who have been specifically trained, or are being trained, to provide services to immigrant children and youth;

“(C) provision of tutorials, mentoring, and academic or career counseling for immigrant children and youth;

“(D) identification and acquisition of curricular materials, educational software, and technologies to be used in the program carried out with funds;

“(E) basic instruction services that are directly attributable to the presence of immigrant children and youth in the local educational agency involved, including the payment of costs of providing additional class-

room supplies, costs of transportation, or such other costs as are directly attributable to such additional basic instructional services;

“(F) other instructional services that are designed to assist immigrant children and youth to achieve in elementary schools and secondary schools in the United States, such as programs of introduction to the educational system and civics education; and

“(G) activities, coordinated with community-based organizations, institutions of higher education, private sector entities, or other entities with expertise in working with immigrants, to assist parents and families of immigrant children and youth by offering comprehensive community services.

“(2) DURATION OF SUBGRANTS.—The duration of a subgrant made by a State educational agency under section 3114(d)(1) shall be determined by the agency in its discretion.

“(f) SELECTION OF METHOD OF INSTRUCTION.—

“(1) IN GENERAL.—To receive a subgrant from a State educational agency under this subpart, an eligible entity shall select one or more methods or forms of effective instruction to be used in the programs and activities undertaken by the entity to assist English learners to attain English language proficiency and meet challenging State academic standards described in section 1111(b)(1).

“(2) CONSISTENCY.—Such selection shall be consistent with sections 3124 through 3126.

“(g) SUPPLEMENT, NOT SUPPLANT.—Federal funds made available under this subpart shall be used so as to supplement the level of Federal, State, and local public funds that, in the absence of such availability, would have been expended for programs for English learners and immigrant children and youth and in no case to supplant such Federal, State, and local public funds.”;

(6) in section 3116—

(A) in subsection (b), by striking paragraphs (1) through (6) and inserting the following:

“(1) describe the high-quality programs and activities proposed to be developed, implemented, and administered under the subgrant and how these activities will help English learners increase their English language proficiency and meet the challenging State academic standards described in section 1111(b)(1);

“(2) describe how the eligible entity will ensure that elementary schools and secondary schools receiving funds under this subpart assist English learners in meeting—

“(A) annual timelines and goals for progress established under 1111(c)(1)(K) based on the State's English language proficiency assessment under section 1111(b)(2)(G); and

“(B) the challenging State academic standards described in section 1111(b)(1);

“(3) describe how the eligible entity will promote parent, family, and community engagement in the education of English learners;

“(4) describe how language instruction educational programs carried out under the subgrant will ensure that English learners being served by the programs develop English proficiency and demonstrate such proficiency through academic content mastery;

“(5) contain assurances that—

“(A) each local educational agency that is included in the eligible entity is complying with section 1112(d)(2) prior to, and throughout, each school year as of the date of application, and will continue to comply with



such section throughout each school year for which the grant is received;

“(B) the eligible entity complies with any State law, including State constitutional law, regarding the education of English learners, consistent with sections 3125 and 3126;

“(C) the eligible entity has based its proposed plan on high-quality research on teaching English learners;

“(D) the eligible entity consulted with teachers, researchers, school administrators, parents and family members, community members, public or private entities, and institutions of higher education, in developing and implementing such plan; and

“(E) the eligible entity will, if applicable, coordinate activities and share relevant data under the plan with local Head Start and Early Head Start agencies, including migrant and seasonal Head Start agencies, and other early childhood education providers.”;

(B) in subsection (c), by striking “limited English proficient children” and inserting “English learners”; and

(C) by striking subsection (d);

(7) by striking section 3121 and inserting the following:

**“SEC. 3121. REPORTING.**

“(a) IN GENERAL.—Each eligible entity that receives a subgrant from a State educational agency under subpart 1 shall provide such agency, at the conclusion of every second fiscal year during which the subgrant is received, with a report, in a form prescribed by the agency, on the activities conducted and children served under such subpart that includes—

“(1) a description of the programs and activities conducted by the entity with funds received under subpart 1 during the 2 immediately preceding fiscal years;

“(2) the number and percentage of English learners in the programs and activities who meet the annual State-determined goals for progress established under section 1111(c)(1)(K), including disaggregated, at a minimum, by—

“(A) long-term English learners; and

“(B) English learners with a disability;

“(3) the number and percentage of English learners in the programs and activities attaining English language proficiency based on State English language proficiency standards established under section 1111(b)(1)(F) by the end of each school year, as determined by the State’s English language proficiency assessment under section 1111(b)(2)(G);

“(4) the number and percentage of English learners who exit the language instruction educational programs based on their attainment of English language proficiency;

“(5) the number and percentage of English learners meeting challenging State academic standards described in section 1111(b)(1) for each of the 4 years after such children are no longer receiving services under this part, including disaggregated, at a minimum, by—

“(A) long-term English learners; and

“(B) English learners with a disability;

“(6) the number and percentage of English learners who have not attained English language proficiency within 5 years of initial classification as an English learner; and

“(7) any other information as the State educational agency may require.

“(b) REPORT.—A report provided by an eligible entity under subsection (a) shall be used by the entity and the State educational agency for improvement or programs and activities under this part.

“(c) SPECIAL RULE FOR SPECIALLY QUALIFIED AGENCIES.—Each specially qualified

agency receiving a grant under this part shall provide the reports described in subsection (a) to the Secretary subject to the same requirements as apply to eligible entities providing such evaluations to State educational agencies under such subsection.”;

(8) in section 3122, as redesignated by section 3001(2)—

(A) in subsection (a)—

(i) by striking “evaluations” and inserting “reports”; and

(ii) by striking “children who are limited English proficient” and inserting “English learners”; and

(B) in subsection (b)—

(i) in paragraph (1)—

(I) by striking “limited English proficient children” and inserting “English learners”; and

(II) by striking “children who are limited English proficient” and inserting “English learners”;

(ii) in paragraph (4), by striking “section 3111(b)(2)(C)” and inserting “section 3111(b)(2)(D)”;

(iii) in paragraph (6), by striking “major findings of scientifically based research carried out under this part” and inserting “findings of the evaluation related to English learners carried out under section 9601”;

(iv) in paragraph (8)—

(I) by striking “of limited English proficient children” and inserting “of English learners”; and

(II) by striking “into classrooms where instruction is not tailored for limited English proficient children”; and

(v) in paragraph (9), by striking “title” and inserting “part”;

(9) in section 3123, as redesignated by section 3001(2)—

(A) by striking “children of limited English proficiency” and inserting “English learners”; and

(B) by striking “limited English proficient children” and inserting “English learners”;

(10) in section 3124, as redesignated by section 3001(2)—

(A) in paragraph (1), by striking “limited English proficient children” and inserting “English learners”; and

(B) in paragraph (2), by striking “limited English proficient children” and inserting “English learners”;

(11) in section 3128, as redesignated by section 3001(2), by striking “limited English proficient children” and inserting “English learners”; and

(12) by striking section 3131 and inserting the following:

**“SEC. 3131. NATIONAL PROFESSIONAL DEVELOPMENT PROJECT.**

“The Secretary shall use funds made available under section 3111(c)(1)(C) to award grants on a competitive basis, for a period of not more than 5 years, to institutions of higher education or public or private entities with relevant experience and capacity (in consortia with State educational agencies or local educational agencies) to provide for professional development, capacity building, or evidence-based activities that will improve classroom instruction for English learners and assist educational personnel working with such children to meet high professional standards, including standards for certification and licensure as teachers who work in language instruction educational programs or serve English learners. Grants awarded under this section may be used—

“(1) for preservice or inservice effective professional development programs that will assist local schools and may assist institu-

tions of higher education to upgrade the qualifications and skills of educational personnel who are not certified or licensed, especially educational paraprofessionals, and for other activities to increase teacher and school leader effectiveness;

“(2) for the development of curricula or other instructional strategies appropriate to the needs of the consortia participants involved;

“(3) to support strategies that strengthen and increase parent, family, and community member engagement in the education of English learners;

“(4) to develop, share, and disseminate effective practices in the instruction of English learners and in increasing the student academic achievement of English learners, such as through the use of technology-based programs;

“(5) in conjunction with other Federal need-based student financial assistance programs, for financial assistance, and costs related to tuition, fees, and books for enrolling in courses required to complete the degree involved, to meet certification or licensing requirements for teachers who work in language instruction educational programs or serve English learners; and

“(6) as appropriate, to support strategies that promote school readiness of English learners and their transition from early childhood education programs, such as Head Start or State-run preschool programs to elementary school programs.”.

**SEC. 3004. OTHER PROVISIONS.**

Part B of title III, as redesignated by section 3001(4), is amended—

(1) in section 3201, as redesignated by section 3001(5)—

(A) by striking paragraphs (3), (4), and (5);

(B) by inserting after paragraph (2) the following:

“(3) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—

“(A) one or more local educational agencies; or

“(B) one or more local educational agencies, in collaboration with an institution of higher education, educational service agency, community-based organization, or State educational agency.

“(4) ENGLISH LEARNER WITH A DISABILITY.—The term ‘English learner with a disability’ means an English learner who is also a child with a disability, as that term is defined in section 602 of the Individuals with Disabilities Education Act.”;

(C) by redesignating paragraphs (6) through (8) as paragraphs (5) through (7), respectively;

(D) in paragraph (7)(A), as redesignated by subparagraph (C), by striking “a limited English proficient child” and inserting “an English learner”;

(E) by inserting after paragraph (7) the following:

“(8) LONG-TERM ENGLISH LEARNER.—The term ‘long-term English learner’ means an English learner who has attended schools in the United States for not less than 5 years and who has not yet exited from English learner status by the culmination of the fifth year of services.”; and

(F) in paragraph (13), by striking “, as defined in section 3141,”; and

(2) in section 3202, as redesignated by section 3001(5)—

(A) in the matter preceding paragraph (1), by striking “limited English proficient children” and inserting “English learners”; and

(B) in paragraph (4)—

(i) in subparagraph (A), by striking “limited English proficient children” and inserting “English learners, including English learners with a disability (as defined in section 3141), that includes information on best practices on instructing and serving English learners”; and

(ii) in subparagraph (B), by striking “limited English proficient children” and inserting “English learners”; and

(3) in section 3203, as redesignated by section 3001(5)—

(A) by striking “limited English proficient individuals” and inserting “English learners”; and

(B) by striking “limited English proficient children” and inserting “English learners”.

**SEC. 3005. AMERICAN COMMUNITY SURVEY RESEARCH.**

(a) **STUDY.**—The Director of the Institute of Education Sciences and the Secretary of Education, in consultation with the Director of the Bureau of the Census, shall conduct research on the accuracy of the American Community Survey language items for assessing population prevalence of English learner children and youth, including—

(1) the strength of such survey’s association with more comprehensive English language proficiency measures;

(2) the effects on responses of situational, cultural, demographic, and socioeconomic factors;

(3) placement of the item in the questionnaire; and

(4) the ability of adult responders to make English language proficiency distinctions.

(b) **IMPLEMENTATION.**—The Director of the Bureau of the Census shall use the results of the study described in subsection (a) to improve the accuracy of the American Community Survey language items for assessing population prevalence of English learner students.

#### **TITLE IV—SAFE AND HEALTHY STUDENTS**

##### **SEC. 4001. GENERAL PROVISIONS.**

Title IV (20 U.S.C. 7101 et seq.) is amended—

(1) by redesignating subpart 3 of part A as subpart 5 of part F of title IX, as redesignated by section 9106(1), and moving that subpart to follow subpart 4 of part F of title IX, as redesignated by sections 2001 and 9106(1);

(2) by redesignating section 4141 as section 9561;

(3) by redesignating section 4155 as section 9537 and moving that section so as to follow section 9536;

(4) by redesignating part C as subpart 6 of part F of title IX, as redesignated by section 9106(1), and moving that subpart to follow subpart 5 of part F of title IX, as redesignated by section 9106(1) and paragraph (1);

(5) by redesignating sections 4301, 4302, 4303, and 4304, as sections 9571, 9572, 9573, and 9574, respectively; and

(6) by striking the title heading and inserting the following:

#### **“TITLE IV—SAFE AND HEALTHY STUDENTS”.**

##### **SEC. 4002. GRANTS TO STATES AND LOCAL EDUCATIONAL AGENCIES.**

Part A of title IV (20 U.S.C. 7101 et seq.) is amended to read as follows:

#### **“PART A—GRANTS TO STATES AND LOCAL EDUCATIONAL AGENCIES**

##### **“SEC. 4101. PURPOSE.**

“The purpose of this part is to improve students’ safety, health, well-being, and academic achievement during and after the school day by—

“(1) increasing the capacity of local educational agencies, schools, and local commu-

nities to improve conditions for learning through the creation of safe, healthy, supportive, and drug-free environments;

“(2) carrying out programs designed to improve school safety and promote students’ physical and mental health and well-being;

“(3) preventing and reducing substance use and abuse, school violence, harassment, and bullying; and

“(4) strengthening parent and community engagement to ensure a healthy, safe, and supportive school environment.

##### **“SEC. 4102. DEFINITIONS.**

“In this part:

“(1) **CONTROLLED SUBSTANCE.**—The term ‘controlled substance’ means a drug or other substance identified under Schedule I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)).

“(2) **DRUG.**—The term ‘drug’ includes controlled substances, the illegal use of alcohol or tobacco (including smokeless tobacco products and electronic cigarettes), and the harmful, abusive, or addictive use of substances, including inhalants and anabolic steroids.

“(3) **DRUG AND VIOLENCE PREVENTION.**—The term ‘drug and violence prevention’ means—

“(A) with respect to drugs, prevention, early intervention, rehabilitation referral, or education related to the illegal use of drugs, such as raising awareness about the evidence-based consequences of drug use; and

“(B) with respect to violence, the promotion of school safety, such that students and school personnel are free from violent and disruptive acts, including sexual harassment and abuse, and victimization associated with prejudice and intolerance, on school premises, going to and from school, and at school-sponsored activities, through the creation and maintenance of a school environment that is free of weapons and fosters individual responsibility and respect for the rights of others.

“(4) **SCHOOL-BASED MENTAL HEALTH SERVICES PROVIDER.**—The term ‘school-based mental health services provider’ includes a State licensed or State certified school counselor, school psychologist, school social worker, or other State licensed or certified mental health professional qualified under State law to provide such mental health services to children and adolescents, including children in early childhood education programs.

“(5) **STATE.**—The term ‘State’ means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

##### **“SEC. 4103. FORMULA GRANTS TO STATES.**

“(a) **RESERVATIONS.**—From the total amount appropriated under section 4108 for a fiscal year, the Secretary shall reserve—

“(1) not more than 5 percent for national activities, which the Secretary may carry out directly or through grants, contracts, or agreements with public or private entities or individuals, or other Federal agencies, such as providing technical assistance to States and local educational agencies carrying out activities under this part or conducting a national evaluation;

“(2) one-half of 1 percent for allotments for the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, to be distributed among those outlying areas on the basis of their relative need, as determined by the Secretary, in accordance with the purpose of this part;

“(3) one-half of 1 percent for the Secretary of the Interior for programs under this part in schools operated or funded by the Bureau of Indian Education; and

“(4) such funds as may be necessary for the Project School Emergency Response to Violence program (referred to as ‘Project SERV’), which is authorized to provide education-related services to local educational agencies and institutions of higher education in which the learning environment has been disrupted due to a violent or traumatic crisis, and which funds shall remain available for obligation until expended.

“(b) **STATE ALLOTMENTS.**—

“(1) **ALLOTMENT.**—

“(A) **IN GENERAL.**—In accordance with subparagraph (B), the Secretary shall allot among each of the States the total amount made available to carry out this part for any fiscal year and not reserved under subsection (a).

“(B) **DETERMINATION OF STATE ALLOTMENT AMOUNTS.**—Subject to paragraph (2), the Secretary shall allot the amount made available under subparagraph (A) for a fiscal year among the States in proportion to the number of individuals, aged 5 to 17, who reside within the State and are from families with incomes below the poverty line for the most recent fiscal year for which satisfactory data are available, compared to the number of such individuals who reside in all such States for that fiscal year.

“(2) **SMALL STATE MINIMUM.**—No State receiving an allotment under paragraph (1) shall receive less than one-half of 1 percent of the total amount allotted under such paragraph.

“(3) **PUERTO RICO.**—The amount allotted under subparagraph (A) to the Commonwealth of Puerto Rico for a fiscal year may not exceed one-half of 1 percent of the total amount allotted under such subparagraph.

“(4) **REALLOTMENT.**—If a State does not receive an allotment under this part for a fiscal year, the Secretary shall reallocate the amount of the State’s allotment to the remaining States in accordance with this section.

“(c) **STATE USE OF FUNDS.**—

“(1) **IN GENERAL.**—Each State that receives an allotment under this section shall reserve not less than 95 percent of the amount allotted to such State under subsection (b), for each fiscal year, for subgrants to local educational agencies, which may include consortia of such agencies, under section 4104.

“(2) **STATE ADMINISTRATION.**—A State educational agency shall use not more than 1 percent of the amount made available to the State under subsection (b) for the administrative costs of carrying out its responsibilities under this part.

“(3) **STATE ACTIVITIES.**—A State educational agency shall use the amount made available to the State under subsection (b) and not reserved under paragraph (1) for activities and programs designed to meet the purposes of this part, which—

“(A) shall include—

“(i) providing training, technical assistance, and capacity building to local educational agencies that are recipients of a subgrant under section 4104, which may include identifying and disseminating best practices for professional development and capacity building for teachers, administrators, and specialized instructional support personnel in schools that are served by local educational agencies under this part; and

“(ii) publicly reporting on how funds made available under this part are being expended by local educational agencies under section 4104; and

“(B) may include—

“(i) identifying and eliminating State barriers to the coordination and integration of

programs, initiatives, and funding streams that meet the purposes of this part, so that local educational agencies can better coordinate with other agencies, schools and community-based services and programs;

“(ii) assisting local educational agencies to expand access to or coordination of resources for school-based counseling and mental health programs, such as through school-based mental health services partnership programs described in section 4105(a)(4)(C);

“(iii) supporting programs and activities that offer a variety of well-rounded educational experiences to students;

“(iv) supporting activities that promote physical and mental health and well-being for students and staff;

“(v) designing and implementing a grant process for local entities that wish to use funds to reduce exclusionary discipline practices in elementary schools and secondary schools, in a manner consistent with State or federally identified best practices on the subject;

“(vi) assisting in the creation of a continuum of evidence-based or promising practices in the reduction of juvenile delinquency;

“(vii) promoting gender equity in education by supporting local educational agencies in meeting the requirements of title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.);

“(viii) providing local educational agencies with evidence-based resources—

“(I) addressing—

“(aa) student athletic safety, such as developing a plan for concussion safety and recovery practices (which may include policies that prohibit student athletes suspected of having a concussion from returning to play the same day);

“(bb) cardiac conditions such as cardiomyopathy; and

“(cc) exposure to excessive heat and humidity; and

“(II) relating to the development of recommended guidelines for an emergency action plan for youth athletics; and

“(ix) other activities identified by the State that meet the purposes of this part.

“(d) STATE PLAN.—

“(1) IN GENERAL.—In order to receive an allotment under this section for any fiscal year, a State shall submit a plan to the Secretary, at such time and in such manner as the Secretary may reasonably require.

“(2) CONTENTS.—Each plan submitted by a State under this section shall include the following:

“(A) A description of how the State educational agency will use funds received under this part for State-level activities.

“(B) A description of program objectives and outcomes for activities under this part.

“(C) An assurance that the State educational agency will review existing resources and programs across the State and will coordinate any new plans and resources under this part with such existing programs and resources.

“(D) An assurance that the State educational agency will monitor the implementation of activities under this part and provide technical assistance to local educational agencies in carrying out such activities.

“(3) ANNUAL REPORT.—Each State receiving a grant under this part shall annually prepare and submit a report to the Secretary, which shall include—

“(A) how the State and local educational agencies used funds provided under this part; and

“(B) the degree to which the State and local educational agencies have made progress toward meeting the objectives and outcomes described in the plan submitted by the State under paragraph (2)(B).

#### “SEC. 4104. SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES.

“(a) ALLOCATIONS TO LOCAL EDUCATIONAL AGENCIES.—

“(1) IN GENERAL.—A State that receives an allotment under this part for a fiscal year shall provide the amount made available under section 4103(c)(1) for subgrants to local educational agencies, which may include consortia of such agencies, in accordance with this section.

“(2) FUNDS TO LOCAL EDUCATIONAL AGENCIES.—From the funds reserved by a State under section 4103(c)(1), the State shall allocate to each local educational agency or consortium of such agencies in the State an amount that bears the same relationship to such funds as the number of individuals aged 5 to 17 from families with incomes below the poverty line in the geographic area served by the agency, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of such individuals in the geographic areas served by all the local educational agencies in the State, as so determined.

“(3) ADMINISTRATIVE COSTS.—Of the amount received under paragraph (2), a local educational agency or consortium of such agencies may use not more than 2 percent for the direct administrative costs of carrying out its responsibilities under this part.

“(b) LOCAL APPLICATIONS.—

“(1) IN GENERAL.—To be eligible to receive a subgrant under this section, a local educational agency or consortium of such agencies shall submit an application to the State educational agency at such time, in such manner, and containing such information as the State educational agency may reasonably require.

“(2) CONSULTATION.—

“(A) IN GENERAL.—A local educational agency or consortium of such agencies shall conduct a needs assessment described in paragraph (3), and develop its application, through consultation with parents, teachers, principals, school leaders, specialized instructional support personnel, early childhood educators, students, community-based organizations, local government representatives (which may include a local law enforcement agency, local juvenile court, local child welfare agency, or local public housing agency), Indian tribes or tribal organizations (if applicable) that may be located in the region served by the local educational agency, and others with relevant and demonstrated expertise in programs and activities designed to meet the purpose of this part.

“(B) CONTINUED CONSULTATION.—On an ongoing basis, the local educational agency or consortium of such agencies shall consult with the individuals and organizations described in subparagraph (A) in order to seek advice regarding how best—

“(i) to improve the local activities in order to meet the purpose of this part; and

“(ii) to coordinate such activities under this part with other related strategies, programs, and activities being conducted in the community.

“(3) NEEDS ASSESSMENT.—

“(A) IN GENERAL.—To be eligible to receive a subgrant under this section, a local educational agency or consortium of such agencies shall conduct a comprehensive needs assessment of the local educational agency or agencies proposed to be served and of all

schools within the jurisdiction of the local educational agency or agencies proposed to be served.

“(B) REQUIREMENTS.—In conducting the needs assessment required under subparagraph (A), the local educational agency or consortium of such agencies shall—

“(i) take into account applicable and available school-level data on indicators or measures of school quality, climate and safety, and discipline, including those described in section 1111(d)(1)(C)(v); and

“(ii) take into account risk factors in the community, school, family, or peer-individual domains that—

“(I) are known through prospective, longitudinal research efforts to be predictive of drug use, violent behavior, harassment, disciplinary issues, and to have an effect on the physical and mental health and well-being of youth in the school and community; and

“(II) may include using available State and local data on incidence, prevalence, and perception of such risk factors.

“(4) CONTENTS.—Each application submitted under this subsection shall be based on the needs assessment described in paragraph (3) and shall include the following:

“(A) The results of the needs assessment described in paragraph (3) and an identification of each school that will be served by a subgrant under this section.

“(B) A description of the activities that the local educational agency or consortium of such agencies will carry out under this part and how these activities are aligned with the results of the needs assessment conducted under paragraph (3).

“(C) A description of the performance indicators that the local educational agency or consortium of such agencies will use to evaluate the effectiveness of the activities carried out under this section.

“(D) A description of the programs or activities that the local educational agency or consortium of such agencies will carry out under this part to assist schools in facilitating safe relationship behavior between and among students, as determined necessary by the local educational agency to meet the purposes of this part and which may include—

“(i) providing age-appropriate education and training; and

“(ii) improving instructional practices on developing effective communication skills, and on how to recognize and prevent coercion, violence, or abuse, including teen and dating violence, stalking, domestic abuse, and sexual violence and harassment.

“(E) An assurance that such activities will comply with the principles of effectiveness described in section 4105(b), and foster a healthy, safe, and supportive school environment that improves students' safety, health, and well-being during and after the school day.

“(F) An assurance that the local educational agency or consortium of such agencies will prioritize the distribution of funds to schools served by the local educational agency or consortium of such agencies that—

“(i) are among the schools with the greatest needs as identified through the needs assessment conducted under paragraph (3);

“(ii) have the highest percentages or numbers of children counted under section 1124(c);

“(iii) are identified under section 1114(a)(1)(A); or

“(iv) are identified as a persistently dangerous public elementary school or secondary school under section 9532.

“(G) An assurance that the local educational agency or consortium of such agencies will comply with section 9501 (regarding equitable participation by private school children and teachers).”

**“SEC. 4105. LOCAL EDUCATIONAL AGENCY AUTHORIZED ACTIVITIES.**

“(a) LOCAL EDUCATIONAL AGENCY ACTIVITIES.—A local educational agency or consortium of such agencies that receives a subgrant under section 4104 shall use the subgrant funds to develop, implement, and evaluate comprehensive programs and activities, which are coordinated with other schools and community-based services and programs and may be conducted in partnership with nonprofit organizations with a demonstrated record of success in implementing activities, that are in accordance with the purpose of this part and—

“(1) foster safe, healthy, supportive, and drug-free environments that support student academic achievement;

“(2) are consistent with the principles of effectiveness described in subsection (b);

“(3) promote the involvement of parents in the activity or program, as appropriate; and

“(4) may include, among other programs and activities—

“(A) drug and violence prevention activities and programs (including programs to educate students against the use of alcohol, tobacco, marijuana, smokeless tobacco products, and electronic cigarettes), including professional development and training for school and specialized instructional support personnel and interested community members in prevention, education, early identification, and intervention mentoring, and, where appropriate, rehabilitation referral, as related to drug and violence prevention;

“(B) programs that support extended learning opportunities, including before- and after-school programs and activities, programs during summer recess periods, and expanded learning time;

“(C) in accordance with subsections (c) and (d), school-based mental health services, including early identification of mental-health symptoms, drug use and violence, and appropriate referrals to direct individual or group counseling services provided by qualified school or community-based mental health services providers;

“(D) in accordance with subsections (c) and (d), school-based mental health services partnership programs that—

“(i) are conducted in partnership with a public or private mental-health entity or health care entity, which may also include a child welfare agency, family-based mental health entity, trauma network, or other community-based entity; and

“(ii) provide comprehensive school-based mental health services and supports and staff development for school and community personnel working in the school that are based on trauma-informed and evidence practices, are coordinated (where appropriate) with early intervening services carried out under the Individuals with Disabilities Education Act, are provided by qualified mental and behavioral health professionals who are certified or licensed by the State involved and practicing within their area of expertise, and may include—

“(I) the early identification of social, emotional, or behavioral problems, or substance use disorders, and the provision of early intervening services;

“(II) notwithstanding section 4107, the treatment or referral for treatment of students with social, emotional, or behavioral health problems, or substance use disorders;

“(III) the development and implementation of programs to assist children in dealing with trauma and violence; and

“(IV) the development of mechanisms, based on best practices, for children to report incidents of violence or plans by other children or adults to commit violence;

“(E) emergency planning and intervention services following traumatic crisis events;

“(F) programs that train school personnel to identify warning signs of youth drug abuse and suicide;

“(G) mentoring programs and activities for children who—

“(i) are at risk of academic failure, dropping out of school, or involvement in criminal or delinquent activities, drug use and abuse; or

“(ii) lack strong positive role models;

“(H) early childhood, elementary school, and secondary school counseling programs, including college and career guidance programs, such as—

“(1) postsecondary education and career awareness and exploration activities;

“(ii) efforts to enhance the use of information about local workforce needs in postsecondary education and career guidance programs, which may include training counselors to effectively utilize labor market information in assisting students with postsecondary education and career planning;

“(iii) the development of personalized learning plans for students; and

“(iv) financial literacy and Federal financial aid awareness activities;

“(I) programs or activities that support a healthy, active lifestyle, including nutritional education and regular, structured physical education programs for early childhood, elementary school, and secondary school students;

“(J) implementation of schoolwide positive behavioral interventions and supports, including through coordination with similar activities carried out under the Individuals with Disabilities Education Act, in order to improve academic outcomes for students and reduce the need for suspensions, expulsions, and other actions that remove students from instruction;

“(K) programs and activities that offer a variety of well-rounded educational experience for students, such as those that—

“(i) use music and the arts as tools to promote constructive student engagement, problem solving, and conflict resolution; or

“(ii) further students' understanding and knowledge of computer science from elementary school through secondary school;

“(L) systems of high-capacity, integrated student supports;

“(M) strategies that establish learning environments to further students' academic and nonacademic skills essential for school readiness and academic success, such as by providing integrated systems of student and family supports and building teacher, principal, and other school leader capacity;

“(N) bullying and harassment prevention programs or activities, including professional development and training for school and specialized instructional support personnel in the prevention, early identification, and early intervention, as related to bullying and harassment;

“(O) programs or activities designed to increase school safety and improve school climate, which may include training for school personnel related to conflict prevention and resolution practices and raising awareness of issues such as—

“(i) suicide prevention;

“(ii) effective and trauma-informed practices in classroom management;

“(iii) crisis management techniques;

“(iv) conflict resolution practices;

“(v) human trafficking (defined, for purposes of this subparagraph, as an act or practice described in paragraph (9) or (10) of section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102)); and

“(vi) school-based violence prevention strategies;

“(P) programs or activities that integrate health and safety practices into school or athletic programs, such as developing a plan for concussion safety and recovery or cardiac safety or implementing an excessive heat action plan to be used during school-sponsored athletic activities;

“(Q) pay-for-success initiatives that produce a measurable, clearly defined outcome that results in social benefit and direct cost savings to the local, State, or Federal Government;

“(R) programs or activities to connect youth who are involved in, or are at risk of involvement in, juvenile delinquency or street gang activity to evidence-based and promising prevention and intervention practices related to juvenile delinquency and criminal street gang activity;

“(S) child sexual abuse awareness and prevention programs or activities, such as programs or activities designed to provide—

“(i) age-appropriate and developmentally-appropriate instruction for early childhood education program, elementary school, and secondary school students in child sexual abuse awareness and prevention, including how to recognize child sexual abuse and how to safely report child sexual abuse; and

“(ii) information to parents and guardians of early childhood education program, elementary school, and secondary school students about child sexual abuse awareness and prevention, including how to recognize child sexual abuse and how to discuss child sexual abuse with a child;

“(T) the development and implementation of a school asthma management plan;

“(U) assisting schools in educating children facing substance abuse in the home, which may include providing professional development, training, and technical assistance to elementary schools and secondary schools that serve communities with high rates of substance abuse;

“(V) instructional and support activities and programs, such as activities and programs addressing chronic disease management, led by school nurses, nurse practitioners, social workers, and other appropriate specialists or professionals to help maintain the well-being of students;

“(W) programs and activities that facilitate safe relationship behavior between and among students; and

“(X) other activities and programs identified as necessary by the local educational agency through the needs assessment conducted under section 4104(b)(3) that will increase student achievement and otherwise meet the purpose of this part.

“(b) PRINCIPLES OF EFFECTIVENESS.—

“(1) IN GENERAL.—For a program or activity developed or carried out under this part to meet principles of effectiveness, such program or activity shall—

“(A) be based upon an assessment of objective data regarding the need for programs and activities in the early childhood, elementary school, secondary school, or community to be served to—

“(i) improve school safety and promote students' physical and mental health and well-being, healthy eating and nutrition, and physical fitness; and

“(ii) strengthen parent and community engagement to ensure a healthy, safe, and supportive school environment;

“(B) be based upon established State requirements and evidence-based criteria aimed at ensuring a healthy, safe, and supportive school environment for students in the early childhood, elementary school, secondary school, or community that will be served by the program; and

“(C) include meaningful and ongoing consultation with and input from teachers, principals, school leaders, and parents in the development of the application and administration of the program or activity.

“(2) PERIODIC EVALUATION.—

“(A) IN GENERAL.—The program or activity shall undergo a periodic independent, third-party evaluation to assess the extent to which the program or activity has helped the local educational agency or school provide students with a healthy, safe, and supportive school environment that promotes school safety and students’ physical and mental health and well-being.

“(B) USE OF RESULTS.—The local educational agency or consortium of such agencies shall ensure that the results of the periodic evaluations described under subparagraph (A) are—

“(i) used to refine, improve, and strengthen the program or activity, and to refine locally determined criteria described under paragraph (1)(B); and

“(ii) made available to the public and the State.

“(3) PROHIBITION.—Nothing in this subsection shall be construed to authorize the Secretary or any other officer or employee of the Federal Government to mandate, direct, or control, the principles of effectiveness developed or utilized by a local educational agency under this subsection.

“(c) PARENTAL CONSENT.—

“(1) IN GENERAL.—Each local educational agency receiving a subgrant under this part shall obtain prior written, informed consent from the parent of each child who is under 18 years of age to participate in any mental-health assessment service or treatment that is funded under this part and conducted in connection with an elementary school or secondary school under this part.

“(2) EXCEPTION.—Notwithstanding paragraph (1), the written, informed consent described in such paragraph shall not be required in—

“(A) an emergency, where it is necessary to protect the immediate health and safety of the student, other students, or school personnel; or

“(B) other instances where parental consent cannot be reasonably obtained, as defined by the Secretary.

“(d) PRIVACY.—Each local educational agency receiving a subgrant under this part shall ensure that student mental health records are accorded the privacy protections provided under section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly referred to as the ‘Family Educational Rights and Privacy Act of 1974’).

**“SEC. 4106. SUPPLEMENT, NOT SUPPLANT.**

“Funds made available under this part shall be used to supplement, and not supplant, non-Federal funds that would otherwise be used for activities authorized under this part.

**“SEC. 4107. PROHIBITIONS.**

“(a) PROHIBITED USE OF FUNDS.—No funds under this part may be used for—

“(1) construction; or

“(2) medical services or drug treatment or rehabilitation, except for integrated student

supports or referral to treatment for impacted students, which may include students who are victims of, or witnesses to, crime or who illegally use drugs.

“(b) PROHIBITION ON MANDATORY MEDICATION.—No child shall be required to obtain a prescription for a substance covered by the Controlled Substances Act (21 U.S.C. 801 et seq.) as a condition of receiving an evaluation, services, or attending a school receiving assistance under this part.

**“SEC. 4108. AUTHORIZATION OF APPROPRIATIONS.**

“There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.”

**SEC. 4003. 21ST CENTURY COMMUNITY LEARNING CENTERS.**

(a) PROGRAM AUTHORIZED.—Part B of title IV (20 U.S.C. 7171 et seq.) is amended to read as follows:

**“PART B—21ST CENTURY COMMUNITY LEARNING CENTERS**

**“SEC. 4201. PURPOSE; DEFINITIONS.**

“(a) PURPOSE.—The purpose of this part is to provide opportunities for communities to establish or expand activities in community learning centers that—

“(1) provide opportunities for academic enrichment, including providing tutorial services to help students, particularly students who attend low-performing schools, to meet challenging State academic standards described in section 1111(b)(1);

“(2) offer students a broad array of additional services, programs, and activities, such as youth development activities, service learning, nutrition and health education, drug and violence prevention programs, counseling programs, art, music, physical fitness and wellness programs, technology education programs, financial literacy programs, environmental literacy programs, mathematics, science, career and technical programs, internship or apprenticeship programs, and other ties to an in-demand industry sector or occupation for high school students that are designed to reinforce and complement the regular academic program of participating students; and

“(3) offer families of students served by community learning centers opportunities for active and meaningful engagement in their children’s education, including opportunities for literacy and related educational development.

“(b) DEFINITIONS.—In this part:

“(1) COMMUNITY LEARNING CENTER.—The term ‘community learning center’ means an entity that—

“(A) assists students to meet challenging State academic standards described in section 1111(b)(1) by providing the students with academic enrichment activities and a broad array of other activities (such as programs and activities described in subsection (a)(2)) during nonschool hours or periods when school is not in session (such as before and after school or during summer recess) that—

“(i) reinforce and complement the regular academic programs of the schools attended by the students served; and

“(ii) are targeted to the students’ academic needs and aligned with the instruction students receive during the school day; and

“(B) offers families of students served by such center opportunities for literacy, and related educational development and opportunities for active and meaningful engagement in their children’s education.

“(2) COVERED PROGRAM.—The term ‘covered program’ means a program for which —

“(A) the Secretary made a grant under part B of title IV (as such part was in effect

on the day before the date of enactment of the Every Child Achieves Act of 2015); and

“(B) the grant period had not ended on that date of enactment.

“(3) ELIGIBLE ENTITY.—The term ‘eligible entity’ means a local educational agency, community-based organization, Indian tribe or tribal organization (as such terms are defined in section 4 of the Indian Self-Determination and Education Act (25 U.S.C. 450b)), another public or private entity, or a consortium of 2 or more such agencies, organizations, or entities.

“(4) EXTERNAL ORGANIZATION.—The term ‘external organization’ means—

“(A) a nonprofit organization with a record of success in running or working with after school programs; or

“(B) in the case of a community where there is no such organization, a nonprofit organization in the community that enters into a formal agreement or partnership with an organization described in subparagraph (A) to receive mentoring and guidance.

“(5) RIGOROUS PEER-REVIEW PROCESS.—The term ‘rigorous peer-review process’ means a process by which—

“(A) employees of a State educational agency who are familiar with the 21st century community learning center program under this part review all applications that the State receives for awards under this part for completeness and applicant eligibility;

“(B) the State educational agency selects peer reviewers for such applications, who shall—

“(i) be selected for their expertise in providing effective academic, enrichment, youth development, and related services to children; and

“(ii) not include any applicant, or representative of an applicant, that has submitted an application under this part for the current application period; and

“(C) the peer reviewers described in subparagraph (B) review and rate the applications to determine the extent to which the applications meet the requirements under sections 4204(b) and 4205.

“(6) STATE.—The term ‘State’ means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

**“SEC. 4202. ALLOTMENTS TO STATES.**

“(a) RESERVATION.—From the funds appropriated under section 4206 for any fiscal year, the Secretary shall reserve—

“(1) such amounts as may be necessary to make continuation awards to grant recipients under covered programs (under the terms of those grants);

“(2) not more than 1 percent for national activities, which the Secretary may carry out directly or through grants and contracts, such as providing technical assistance to eligible entities carrying out programs under this part or conducting a national evaluation; and

“(3) not more than 1 percent for payments to the outlying areas and the Bureau of Indian Affairs, to be allotted in accordance with their respective needs for assistance under this part, as determined by the Secretary, to enable the outlying areas and the Bureau to carry out the purpose of this part.

“(b) STATE ALLOTMENTS.—

“(1) DETERMINATION.—From the funds appropriated under section 4206 for any fiscal year and remaining after the Secretary makes reservations under subsection (a), the Secretary shall allot to each State for the fiscal year an amount that bears the same relationship to the remainder as the amount the State received under subpart 2 of part A of title I for the preceding fiscal year bears

to the amount all States received under that subpart for the preceding fiscal year, except that no State shall receive less than an amount equal to one-half of 1 percent of the total amount made available to all States under this subsection.

“(2) REALLOTMENT OF UNUSED FUNDS.—If a State does not receive an allotment under this part for a fiscal year, the Secretary shall reallocate the amount of the State’s allotment to the remaining States in accordance with this part.

“(c) STATE USE OF FUNDS.—

“(1) IN GENERAL.—Each State that receives an allotment under this part shall reserve not less than 93 percent of the amount allotted to such State under subsection (b), for each fiscal year for awards to eligible entities under section 4204.

“(2) STATE ADMINISTRATION.—A State educational agency may use not more than 2 percent of the amount made available to the State under subsection (b) for—

“(A) the administrative costs of carrying out its responsibilities under this part;

“(B) establishing and implementing a rigorous peer-review process for subgrant applications described in section 4204(b) (including consultation with the Governor and other State agencies responsible for administering youth development programs and adult learning activities); and

“(C) awarding of funds to eligible entities (in consultation with the Governor and other State agencies responsible for administering youth development programs and adult learning activities).

“(3) STATE ACTIVITIES.—A State educational agency may use not more than 5 percent of the amount made available to the State under subsection (b) for the following activities:

“(A) Monitoring and evaluation of programs and activities assisted under this part.

“(B) Providing capacity building, training, and technical assistance under this part.

“(C) Comprehensive evaluation (directly, or through a grant or contract) of the effectiveness of programs and activities assisted under this part.

“(D) Providing training and technical assistance to eligible entities that are applicants for or recipients of awards under this part.

“(E) Ensuring that any eligible entity that receives an award under this part from the State aligns the activities provided by the program with State academic standards.

“(F) Ensuring that any such eligible entity identifies and partners with external organizations, if available, in the community.

“(G) Working with teachers, principals, parents, the local workforce, the local community, and other stakeholders to review and improve State policies and practices to support the implementation of effective programs under this part.

“(H) Coordinating funds received under this part with other Federal and State funds to implement high-quality programs.

“(I) Providing a list of prescreened external organizations, as described in section 4203(a)(11).

#### “SEC. 4203. STATE APPLICATION.

“(a) IN GENERAL.—In order to receive an allotment under section 4202 for any fiscal year, a State shall submit to the Secretary, at such time as the Secretary may require, an application that—

“(1) designates the State educational agency as the agency responsible for the administration and supervision of programs assisted under this part;

“(2) describes how the State educational agency will use funds received under this

part, including funds reserved for State-level activities;

“(3) contains an assurance that the State educational agency—

“(A) will make awards under this part to eligible entities that serve students who primarily attend schools that have been identified under section 1114(a)(1)(A) and other schools determined by the local educational agency to be in need of intervention and support and the families of such students; and

“(B) will further give priority to eligible entities that propose in the application to serve students described in subclauses (I) and (II) of section 4204(i)(1)(A)(i);

“(4) describes the procedures and criteria the State educational agency will use for reviewing applications and awarding funds to eligible entities on a competitive basis, which shall include procedures and criteria that take into consideration the likelihood that a proposed community learning center will help participating students meet State and local content and student academic achievement standards;

“(5) describes how the State educational agency will ensure that awards made under this part are—

“(A) of sufficient size and scope to support high-quality, effective programs that are consistent with the purpose of this part; and

“(B) in amounts that are consistent with section 4204(h);

“(6) describes the steps the State educational agency will take to ensure that programs implement effective strategies, including providing ongoing technical assistance and training, evaluation, dissemination of promising practices, and coordination of professional development for staff in specific content areas as well as youth development;

“(7) describes how programs under this part will be coordinated with programs under this Act, and other programs as appropriate;

“(8) contains an assurance that the State educational agency—

“(A) will make awards for programs for a period of not less than 3 years and not more than 5 years; and

“(B) will require each eligible entity seeking such an award to submit a plan describing how the activities to be funded through the award will continue after funding under this part ends;

“(9) contains an assurance that funds appropriated to carry out this part will be used to supplement, and not supplant, other Federal, State, and local public funds expended to provide programs and activities authorized under this part and other similar programs;

“(10) contains an assurance that the State educational agency will require eligible entities to describe in their applications under section 4204(b) how the transportation needs of participating students will be addressed;

“(11) describes how the State will prescreen external organizations that could provide assistance in carrying out the activities under this part, and develop and make available to eligible entities a list of external organizations that successfully completed the prescreening process;

“(12) provides—

“(A) an assurance that the application was developed in consultation and coordination with appropriate State officials, including the chief State school officer, and other State agencies administering before- and after-school (or summer school) programs, the heads of the State health and mental health agencies or their designees, statewide after-school networks (where applicable) and

representatives of teachers, local educational agencies, and community-based organizations; and

“(B) a description of any other representatives of teachers, parents, students, or the business community that the State has selected to assist in the development of the application, if applicable;

“(13) describes the results of the State’s needs and resources assessment for before- and after-school activities, which shall be based on the results of on-going State evaluation activities;

“(14) describes how the State educational agency will evaluate the effectiveness of programs and activities carried out under this part, which shall include, at a minimum—

“(A) a description of the performance indicators and performance measures that will be used to evaluate programs and activities with emphasis on alignment with the regular academic program of the school and the academic needs of participating students, including performance indicators and measures that—

“(i) are able to track student success and improvement over time;

“(ii) include State assessment results and other indicators of student success and improvement, such as improved attendance during the school day, better classroom grades, regular (or consistent) program attendance, and on-time advancement to the next grade level; and

“(iii) for high school students, may include indicators such as career competencies, successful completion of internships or apprenticeships, or work-based learning opportunities;

“(B) a description of how data collected for the purposes of subparagraph (A) will be collected; and

“(C) public dissemination of the evaluations of programs and activities carried out under this part; and

“(15) provides for timely public notice of intent to file an application and an assurance that the application will be available for public review after submission.

“(b) DEEMED APPROVAL.—An application submitted by a State educational agency pursuant to subsection (a) shall be deemed to be approved by the Secretary unless the Secretary makes a written determination, prior to the expiration of the 120-day period beginning on the date on which the Secretary received the application, that the application is not in compliance with this part.

“(c) DISAPPROVAL.—The Secretary shall not finally disapprove the application, except after giving the State educational agency notice and an opportunity for a hearing.

“(d) NOTIFICATION.—If the Secretary finds that the application is not in compliance, in whole or in part, with this part, the Secretary shall—

“(1) give the State educational agency notice and an opportunity for a hearing; and

“(2) notify the State educational agency of the finding of noncompliance and, in such notification—

“(A) cite the specific provisions in the application that are not in compliance; and

“(B) request additional information, only as to the noncompliant provisions, needed to make the application compliant.

“(e) RESPONSE.—If the State educational agency responds to the Secretary’s notification described in subsection (d)(2) during the 45-day period beginning on the date on which the agency received the notification, and re-submits the application with the requested information described in subsection (d)(2)(B), the Secretary shall approve or disapprove such application prior to the later of—

“(1) the expiration of the 45-day period beginning on the date on which the application is resubmitted; or

“(2) the expiration of the 120-day period described in subsection (b).

“(f) FAILURE TO RESPOND.—If the State educational agency does not respond to the Secretary’s notification described in subsection (d)(2) during the 45-day period beginning on the date on which the agency received the notification, such application shall be deemed to be disapproved.

“(g) LIMITATION.—The Secretary may not impose a priority or preference for States or eligible entities that seek to use funds made available under this part to extend the regular school day.

**“SEC. 4204. LOCAL COMPETITIVE SUBGRANT PROGRAM.**

“(a) IN GENERAL.—

“(1) COMMUNITY LEARNING CENTERS.—A State that receives funds under this part for a fiscal year shall provide the amount made available under section 4202(c)(1) to award subgrants to eligible entities for community learning centers in accordance with this part.

“(2) EXPANDED LEARNING PROGRAM ACTIVITIES.—A State that receives funds under this part for a fiscal year may also use funds under section 4202(c)(1) to support those enrichment and engaging academic activities described in section 4205(a) that—

“(A) are included as part of an expanded learning program that provide students at least 300 additional program hours before, during, or after the traditional school day;

“(B) supplement but do not supplant school day requirements; and

“(C) are awarded to entities that meet the requirements of subsection (i).

“(b) APPLICATION.—

“(1) IN GENERAL.—To be eligible to receive a subgrant under this part, an eligible entity shall submit an application to the State educational agency at such time, in such manner, and including such information as the State educational agency may reasonably require.

“(2) CONTENTS.—Each application submitted under paragraph (1) shall include—

“(A) a description of the activities to be funded, including—

“(i) an assurance that the program will take place in a safe and easily accessible facility;

“(ii) a description of how students participating in the program carried out by the community learning center will travel safely to and from the center and home, if applicable; and

“(iii) a description of how the eligible entity will disseminate information about the community learning center (including its location) to the community in a manner that is understandable and accessible;

“(B) a description of how such activities are expected to improve student academic achievement as well as overall student success;

“(C) a demonstration of how the proposed program will coordinate Federal, State, and local programs and make the most effective use of public resources;

“(D) an assurance that the proposed program was developed and will be carried out—

“(i) in active collaboration with the schools the students attend (including through the sharing of relevant student data among the schools), all participants in the eligible entity, and any partnership entities described in subparagraph (H), while complying with applicable laws relating to privacy and confidentiality; and

“(ii) in alignment with State and local content and student academic achievement standards;

“(E) a description of how the activities will meet the measures of effectiveness described in section 4205(b);

“(F) an assurance that the program will target students who primarily attend schools eligible for schoolwide programs under section 1113(b) and the families of such students;

“(G) an assurance that subgrant funds under this part will be used to increase the level of State, local, and other non-Federal funds that would, in the absence of funds under this part, be made available for programs and activities authorized under this part, and in no case supplant Federal, State, local, or non-Federal funds;

“(H) a description of the partnership between a local educational agency, a community-based organization, and another public entity or private entity, if appropriate;

“(I) an evaluation of the community needs and available resources for the community learning center and a description of how the program proposed to be carried out in the center will address those needs (including the needs of working families);

“(J) a demonstration that the eligible entity will use best practices, including research or evidence-based practices, to provide educational and related activities that will complement and enhance academic performance, achievement, postsecondary and workforce preparation, and positive youth development of the students;

“(K) a description of a preliminary plan for how the community learning center will continue after funding under this part ends;

“(L) an assurance that the community will be given notice of an intent to submit an application and that the application and any waiver request will be available for public review after submission of the application;

“(M) if the eligible entity plans to use volunteers in activities carried out through the community learning center, a description of how the eligible entity will encourage and use appropriately qualified persons to serve as the volunteers; and

“(N) such other information and assurances as the State educational agency may reasonably require.

“(c) APPROVAL OF CERTAIN APPLICATIONS.—The State educational agency may approve an application under this part for a program to be located in a facility other than an elementary school or secondary school only if the program will be at least as available and accessible to the students to be served as if the program were located in an elementary school or secondary school.

“(d) PERMISSIVE LOCAL MATCH.—

“(1) IN GENERAL.—A State educational agency may require an eligible entity to match subgrant funds awarded under this part, except that such match may not exceed the amount of the subgrant and may not be derived from other Federal or State funds.

“(2) SLIDING SCALE.—The amount of a match under paragraph (1) shall be established based on a sliding scale that takes into account—

“(A) the relative poverty of the population to be targeted by the eligible entity; and

“(B) the ability of the eligible entity to obtain such matching funds.

“(3) IN-KIND CONTRIBUTIONS.—Each State educational agency that requires an eligible entity to match funds under this subsection shall permit the eligible entity to provide all or any portion of such match in the form of in-kind contributions.

“(4) CONSIDERATION.—Notwithstanding this subsection, a State educational agency shall not consider an eligible entity’s ability to match funds when determining which eligible entities will receive subgrants under this part.

“(e) PEER REVIEW.—In reviewing local applications under this part, a State educational agency shall use a rigorous peer-review process or other methods of ensuring the quality of such applications.

“(f) GEOGRAPHIC DIVERSITY.—To the extent practicable, a State educational agency shall distribute subgrant funds under this part equitably among geographic areas within the State, including urban and rural communities.

“(g) DURATION OF AWARDS.—Subgrants under this part shall be awarded for a period of not less than 3 years and not more than 5 years.

“(h) AMOUNT OF AWARDS.—A subgrant awarded under this part may not be made in an amount that is less than \$50,000.

“(i) PRIORITY.—

“(1) IN GENERAL.—In awarding subgrants under this part, a State educational agency shall give priority to applications—

“(A) proposing to target services to—

“(i) students who primarily attend schools that—

“(I) have been identified under section 1114(a) and other schools determined by the local educational agency to be in need of intervention and support to improve student academic achievement and other outcomes; and

“(II) enroll students who may be at risk for academic failure, dropping out of school, involvement in criminal or delinquent activities, or who lack strong positive role models; and

“(ii) the families of students described in clause (i);

“(B) submitted jointly by eligible entities consisting of not less than 1—

“(i) local educational agency receiving funds under part A of title I; and

“(ii) another eligible entity; and

“(C) demonstrating that the activities proposed in the application—

“(i) are, as of the date of the submission of the application, not accessible to students who would be served; or

“(ii) would expand accessibility to high-quality services that may be available in the community.

“(2) SPECIAL RULE.—The State educational agency shall provide the same priority under paragraph (1) to an application submitted by a local educational agency if the local educational agency demonstrates that it is unable to partner with a community-based organization in reasonable geographic proximity and of sufficient quality to meet the requirements of this part.

“(3) LIMITATION.—A State educational agency may not impose a priority or preference for eligible entities that seek to use funds made available under this part to extend the regular school day.

“(j) RENEWABILITY OF AWARDS.—A State educational agency may renew a subgrant provided under this part to an eligible entity, based on the eligible entity’s performance during the original subgrant period.

**“SEC. 4205. LOCAL ACTIVITIES.**

“(a) AUTHORIZED ACTIVITIES.—Each eligible entity that receives an award under section 4204 may use the award funds to carry out a broad array of activities that advance student academic achievement and support student success, including—



“(1) academic enrichment learning programs, mentoring programs, remedial education activities, and tutoring services, that are aligned with—

“(A) State and local content and student academic achievement standards; and

“(B) local curricula that are designed to improve student academic achievement;

“(2) core academic subject education activities, including such activities that enable students to be eligible for credit recovery or attainment;

“(3) literacy education programs, including financial literacy programs and environmental literacy programs;

“(4) programs that support a healthy, active lifestyle, including nutritional education and regular, structured physical activity programs;

“(5) services for individuals with disabilities;

“(6) programs that provide after-school activities for students who are English learners that emphasize language skills and academic achievement;

“(7) cultural programs;

“(8) telecommunications and technology education programs;

“(9) expanded library service hours;

“(10) parenting skills programs that promote parental involvement and family literacy;

“(11) programs that provide assistance to students who have been truant, suspended, or expelled to allow the students to improve their academic achievement;

“(12) drug and violence prevention programs and counseling programs;

“(13) programs that build skills in science, technology, engineering, and mathematics (referred to in this paragraph as ‘STEM’) and that foster innovation in learning by supporting nontraditional STEM education teaching methods; and

“(14) programs that partner with in-demand fields of the local workforce or build career competencies and career readiness and ensure that local workforce and career readiness skills are aligned with the Carl D. Perkins Career and Technical Education Act of 2006 and the Workforce Innovation and Opportunity Act.

“(b) MEASURES OF EFFECTIVENESS.—

“(1) IN GENERAL.—For a program or activity developed pursuant to this part to meet the measures of effectiveness, monitored by the State educational agency as described in section 4203(a)(14), such program or activity shall—

“(A) be based upon an assessment of objective data regarding the need for before- and after-school programs (including during summer recess periods) and activities in the schools and communities;

“(B) be based upon an established set of performance measures aimed at ensuring the availability of high-quality academic enrichment opportunities;

“(C) if appropriate, be based upon evidence-based research that the program or activity will help students meet the State and local student academic achievement standards;

“(D) ensure that measures of student success align with the regular academic program of the school and the academic needs of participating students and include performance indicators and measures described in section 4203(a)(14)(A); and

“(E) collect the data necessary for the measures of student success described in subparagraph (D).

“(2) PERIODIC EVALUATION.—

“(A) IN GENERAL.—The program or activity shall undergo a periodic evaluation in con-

junction with the State educational agency’s overall evaluation plan as described in section 4203(a)(14), to assess the program’s progress toward achieving the goal of providing high-quality opportunities for academic enrichment and overall student success.

“(B) USE OF RESULTS.—The results of evaluations under subparagraph (A) shall be—

“(i) used to refine, improve, and strengthen the program or activity, and to refine the performance measures;

“(ii) made available to the public upon request, with public notice of such availability provided; and

“(iii) used by the State to determine whether a subgrant is eligible to be renewed under section 4204(j).

#### **“SEC. 4206. AUTHORIZATION OF APPROPRIATIONS.**

“There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.”

(b) TRANSITION.—The recipient of a multiyear grant award under part B of title IV of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7171 et seq.), as such Act was in effect on the day before the date of enactment of this Act, shall continue to receive funds in accordance with the terms and conditions of such award.

#### **SEC. 4004. ELEMENTARY SCHOOL AND SECONDARY SCHOOL COUNSELING PROGRAMS.**

Title IV (20 U.S.C. 7101 et seq.), as amended by section 4001, is further amended by inserting after part B the following:

#### **“PART C—ELEMENTARY SCHOOL AND SECONDARY SCHOOL COUNSELING PROGRAMS**

#### **“SEC. 4301. ELEMENTARY SCHOOL AND SECONDARY SCHOOL COUNSELING PROGRAMS.**

“(a) GRANTS AUTHORIZED.—

“(1) IN GENERAL.—The Secretary is authorized to award grants to eligible entities to enable such agencies to establish or expand elementary school and secondary school counseling programs that comply with the requirements of subsection (c).

“(2) SPECIAL CONSIDERATION.—In awarding grants under this section, the Secretary shall—

“(A) give special consideration to applications describing programs that—

“(i) demonstrate the greatest need for new or additional counseling services among children in the schools served by the eligible entity, in part by providing information on current ratios, as of the date of application for a grant under this section, of students to school counselors, students to school social workers, and students to school psychologists;

“(ii) propose promising and innovative approaches for initiating or expanding school counseling; and

“(iii) show strong potential for replication and dissemination; and

“(B) give priority to—

“(i) schools that serve students in rural and remote areas;

“(ii) schools in need of intervention and support and schools that are the persistently lowest-achieving schools; or

“(iii) schools with a high percentage of students aged 5 through 17 who—

“(I) are in poverty, as counted in the most recent census data approved by the Secretary;

“(II) are eligible for a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);

“(III) are in families receiving assistance under the State program funded under part A of title IV of the Social Security Act; or

“(IV) are eligible to receive medical assistance under the Medicaid program.

“(3) EQUITABLE DISTRIBUTION.—In awarding grants under this section, the Secretary shall ensure an equitable geographic distribution among the regions of the United States and among eligible entities located in urban, rural, and suburban areas.

“(4) DURATION.—A grant under this section shall be awarded for a period not to exceed 3 years.

“(5) MAXIMUM GRANT.—A grant awarded under this section shall not exceed \$400,000 for any fiscal year.

“(b) APPLICATIONS.—

“(1) IN GENERAL.—Each eligible entity desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

“(2) CONTENTS.—Each application for a grant under this section shall—

“(A) describe the school population to be targeted by the program, the particular counseling needs of such population, and the current school counseling resources available for meeting such needs;

“(B) include the information described in subparagraphs (B) through (D) of section 4104(b)(4), with respect to the grant under this part;

“(C) document that the eligible entity has personnel qualified to develop, implement, and administer the program; and

“(D) document how the eligible entity will engage in meaningful consultation with parents and families in the development of such program.

“(c) USE OF FUNDS.—Each eligible entity receiving a grant under this part shall use grant funds to develop, implement, and evaluate comprehensive, evidence-based, school counseling programs through activities that incorporate evidence-based practices, such as—

“(1) the implementation of a comprehensive school counseling program to meet the counseling and educational needs of all students;

“(2) increasing the range, availability, quantity, and quality of counseling services, provided by qualified school counselors, school psychologists, school social workers, and other qualified school-based mental health services providers, in the elementary schools and secondary schools of the eligible entity;

“(3) the implementation of innovative approaches to increase children’s understanding of peer and family relationships, peer and family interaction, work and self, decisionmaking, or academic and career planning;

“(4) the implementation of academic, post-secondary education and career planning programs;

“(5) the initiation of partnerships with community groups, social service agencies, or other public or private non-profit entities in collaborative efforts to enhance the program and promote school-linked integration of services, as long as the eligible entity documents how such partnership supplements, not supplants, existing school-employed school-based mental health services providers and services, in accordance with subsection (f);

“(6) the implementation of a team approach to school counseling in the schools

served by the eligible entity by working toward ratios of school counselors, school social workers, and school psychologists to students recommended to enable such personnel to effectively address the needs of students; and

“(7) any other activity determined necessary by the eligible entity that meets the purpose of this part.

“(d) LIMITATION ON ADMINISTRATIVE COSTS.—Not more than 4 percent of the amounts made available under this section for any fiscal year may be used for administrative costs to carry out this section.

“(e) REPORT.—Not later than 2 years after assistance is made available to eligible entities under subsection (a), the Secretary shall make publicly available a report—

“(1) evaluating the programs assisted pursuant to each grant under this section; and

“(2) outlining the information from eligible entities regarding the ratios of students to—

“(A) school counselors;

“(B) school social workers; and

“(C) school psychologists.

“(f) SUPPLEMENT, NOT SUPPLANT.—Funds made available under this section shall be used to supplement, and not supplant, other Federal, State, or local funds used for providing school-based counseling and mental health services to students.

“(g) DEFINITIONS.—In this section:

“(1) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—

“(A) a local educational agency;

“(B) an educational service agency serving more than 1 local educational agency; or

“(C) a consortium of local educational agencies.

“(2) SCHOOL-BASED MENTAL HEALTH SERVICES PROVIDER.—The term ‘school-based mental health services provider’ has the meaning given the term in section 4102.

“(3) SCHOOL COUNSELOR.—The term ‘school counselor’ means an individual who meets the criteria for licensure or certification as a school counselor in the State where the individual is employed.

“(4) SCHOOL PSYCHOLOGIST.—The term ‘school psychologist’ means an individual who is licensed or certified in school psychology by the State in which the individual is employed.

“(5) SCHOOL SOCIAL WORKER.—The term ‘school social worker’ means an individual who is licensed or certified as a school social worker for the State in which the individual is employed.

“(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2016 through 2021.”.

#### SEC. 4005. PHYSICAL EDUCATION PROGRAM.

Title IV (20 U.S.C. 7101 et seq.), as amended by sections 4001 and 4004, is further amended by adding at the end the following:

#### “PART D—PHYSICAL EDUCATION PROGRAM

##### “SEC. 4401. PURPOSE.

“The purpose of this part is to award grants and contracts to initiate, expand, and improve physical education programs for all students in kindergarten through grade 12.

##### “SEC. 4402. PROGRAM AUTHORIZED.

“(a) AUTHORIZATION.—From amounts made available to carry out this part, the Secretary is authorized to award grants or contracts to local educational agencies and community-based organizations to pay the Federal share of the costs of initiating, expanding, and improving physical education

programs (including after-school programs) for students in kindergarten through grade 12, by—

“(1) providing materials and support to enable students to participate actively in physical education activities; and

“(2) providing funds for staff and teacher training and education relating to physical education.

“(b) PROGRAM ELEMENTS.—A physical education program that receives assistance under this part may provide for 1 or more of the following:

“(1) Fitness education and assessment to help students understand, improve, or maintain their physical well-being.

“(2) Instruction in a variety of motor skills and physical activities designed to enhance the physical, mental, and social or emotional development of every student.

“(3) Development of, and instruction in, cognitive concepts about motor skill and physical fitness that support a lifelong healthy lifestyle.

“(4) Opportunities to develop positive social and cooperative skills through physical activity participation.

“(5) Instruction in healthy eating habits and good nutrition.

“(6) Opportunities for professional development for teachers of physical education to stay abreast of the latest research, issues, and trends in the field of physical education.

“(c) SPECIAL RULE.—For purposes of this part, extracurricular activities, such as team sports and Reserve Officers’ Training Corps program activities, shall not be considered as part of the curriculum of a physical education program assisted under this part.

##### “SEC. 4403. APPLICATIONS.

“(a) SUBMISSION.—Each local educational agency or community-based organization desiring a grant or contract under this part shall submit to the Secretary an application that contains a plan to initiate, expand, or improve physical education programs in order to make progress toward meeting State standards for physical education.

“(b) PRIVATE SCHOOL AND HOME-SCHOOLED STUDENTS.—An application for a grant or contract under this part may provide for the participation, in the activities funded under this part, of—

“(1) students enrolled in private nonprofit elementary schools or secondary schools, and their parents and teachers; or

“(2) home-schooled students, and their parents and teachers.

##### “SEC. 4404. REQUIREMENTS.

“(a) ANNUAL REPORT TO THE SECRETARY.—In order to continue receiving funding after the first year of a multiyear grant or contract under this part, the administrator of the grant or contract for the local educational agency or community-based organization shall submit to the Secretary an annual report that—

“(1) describes the activities conducted during the preceding year; and

“(2) demonstrates that progress has been made toward meeting State standards for physical education.

“(b) ADMINISTRATIVE EXPENSES.—Not more than 5 percent of the funds made available under this part to a local educational agency or community-based organization for any fiscal year may be used for administrative expenses.

##### “SEC. 4405. ADMINISTRATIVE PROVISIONS.

“(a) FEDERAL SHARE.—The Federal share under this part may not exceed—

“(1) 90 percent of the total cost of a program for the first year for which the program receives assistance under this part; and

“(2) 75 percent of such cost for the second and each subsequent such year.

“(b) PROPORTIONALITY.—To the extent practicable, the Secretary shall ensure that grants awarded under this part are equitably distributed among local educational agencies, and community-based organizations, serving urban and rural areas.

“(c) REPORT TO CONGRESS.—Not later than June 1, 2017, the Secretary shall submit a report to Congress that—

“(1) describes the programs assisted under this part;

“(2) documents the success of such programs in improving physical fitness; and

“(3) makes such recommendations as the Secretary determines appropriate for the continuation and improvement of the programs assisted under this part.

“(d) AVAILABILITY OF FUNDS.—Amounts made available to the Secretary to carry out this part shall remain available until expended.

##### “SEC. 4406. SUPPLEMENT, NOT SUPPLANT.

“Funds made available under this part shall be used to supplement, and not supplant, any other Federal, State, or local funds available for physical education activities.

##### “SEC. 4407. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.”.

#### TITLE V—EMPOWERING PARENTS AND EXPANDING OPPORTUNITY THROUGH INNOVATION

##### SEC. 5001. GENERAL PROVISIONS.

Title V (20 U.S.C. 7201 et seq.) is amended—

(1) by striking the title heading and inserting “EMPOWERING PARENTS AND EXPANDING OPPORTUNITY THROUGH INNOVATION”;

(2) by striking part A;

(3) by striking subparts 2 and 3 of part B;

(4) by striking part D;

(5) by redesignating parts B and C as parts A and B, respectively;

(6) in part A, as redesignated by paragraph (5), by striking “Subpart 1—Charter School Programs”;

(7) by redesignating sections 5201 through 5211 as sections 5101 through 5111, respectively;

(8) by redesignating sections 5301 through 5307 as sections 5201 through 5207, respectively;

(9) by striking sections 5308 and 5310; and

(10) by redesignating sections 5309 and 5311 as sections 5208 and 5209, respectively.

##### SEC. 5002. PUBLIC CHARTER SCHOOLS.

Part A of title V (20 U.S.C. 7221 et seq.), as redesignated by section 5001(5), is amended—

(1) by striking sections 5101 through 5105, as redesignated by section 5001(7), and inserting the following:

##### “SEC. 5101. PURPOSE.

“It is the purpose of this part to—

“(1) provide financial assistance for the planning, program design, and initial implementation of charter schools;

“(2) increase the number of high-quality charter schools available to students across the United States;

“(3) evaluate the impact of such schools on student achievement, families, and communities, and share best practices among charter schools and other public schools;

“(4) encourage States to provide support to charter schools for facilities financing in an amount more nearly commensurate to the amount the States have typically provided for traditional public schools;

“(5) expand opportunities for children with disabilities, students who are English learners, and other traditionally underserved students to attend charter schools and meet the challenging State academic standards under section 1111(b)(1); and

“(6) support efforts to strengthen the charter school authorizing process to improve performance management, including transparency, monitoring, including financial audits, and evaluation of such schools.

**“SEC. 5102. PROGRAM AUTHORIZED.**

“(a) IN GENERAL.—The Secretary is authorized to carry out a charter school program that supports charter schools that serve early childhood, elementary school, and secondary school students by—

“(1) supporting the startup of charter schools, the replication of high-quality charter schools, and the expansion of high-quality charter schools;

“(2) assisting charter schools in accessing credit to acquire and renovate facilities for school use; and

“(3) carrying out national activities to support—

“(A) the startup of charter schools, the replication of high-quality charter schools, and the expansion of high-quality charter schools;

“(B) the dissemination of best practices of charter schools for all schools;

“(C) the evaluation of the impact of the charter school program under this part on schools participating in such program; and

“(D) stronger charter school authorizing.

“(b) FUNDING ALLOTMENT.—From the amount made available under section 5111 for a fiscal year, the Secretary shall—

“(1) reserve 12.5 percent to support charter school facilities assistance under section 5104;

“(2) reserve not less than 25 percent to carry out national activities under section 5105; and

“(3) use the remaining amount after the reservations under paragraphs (1) and (2) to carry out section 5103.

“(c) PRIOR GRANTS AND SUBGRANTS.—The recipient of a grant or subgrant under this part (as such part was in effect on the day before the date of enactment of the Every Child Achieves Act of 2015) shall continue to receive funds in accordance with the terms and conditions of such grant or subgrant.

**“SEC. 5103. GRANTS TO SUPPORT HIGH-QUALITY CHARTER SCHOOLS.**

“(a) STATE ENTITY DEFINED.—For purposes of this section, the term ‘State entity’ means—

“(1) a State educational agency;

“(2) a State charter school board;

“(3) a Governor of a State; or

“(4) a charter school support organization.

“(b) PROGRAM AUTHORIZED.—From the amount available under section 5102(b)(3), the Secretary shall award, on a competitive basis, grants to State entities having applications approved under subsection (f) to enable such entities to—

“(1) award subgrants to eligible applicants to enable such eligible applicants to—

“(A) open new charter schools;

“(B) replicate high-quality charter school models; or

“(C) expand high-quality charter schools; and

“(2) provide technical assistance to eligible applicants and authorized public chartering agencies in carrying out the activities described in paragraph (1), and work with authorized public chartering agencies in the State to improve authorizing quality, including developing capacity for, and conducting,

fiscal oversight and auditing of charter schools.

“(c) STATE ENTITY USES OF FUNDS.—

“(1) IN GENERAL.—A State entity receiving a grant under this section shall—

“(A) use not less than 90 percent of the grant funds to award subgrants to eligible applicants, in accordance with the quality charter school program described in the State entity’s application pursuant to subsection (f), for the purposes described in subparagraphs (A) through (C) of subsection (b)(1);

“(B) reserve not less than 7 percent of such funds to carry out the activities described in subsection (b)(2); and

“(C) reserve not more than 3 percent of such funds for administrative costs, which may include the administrative costs of providing technical assistance.

“(2) CONTRACTS AND GRANTS.—A State entity may use a grant received under this section to carry out the activities described in paragraph (1)(B) directly or through grants, contracts, or cooperative agreements.

“(3) RULES OF CONSTRUCTION.—

“(A) USE OF LOTTERY MECHANISMS.—Nothing in this Act shall prohibit the Secretary from awarding grants to State entities, or State entities from awarding subgrants to eligible applicants, that use a weighted lottery, or an equivalent lottery mechanism, to give better chances for school admission to all or a subset of educationally disadvantaged students if—

“(i) the use of a weighted lottery in favor of such students is not prohibited by State law, and such State law is consistent with the laws described in section 5110(2)(G); and

“(ii) such weighted lottery is not used for the purpose of creating schools exclusively to serve a particular subset of students.

“(B) STUDENTS WITH SPECIAL NEEDS.—Nothing in this paragraph shall be construed to prohibit schools from specializing in providing specific services for students with a demonstrated need for such services, such as students who need specialized instruction in reading, spelling, or writing.

“(d) PROGRAM PERIODS; PEER REVIEW; DISTRIBUTION OF SUBGRANTS; WAIVERS.—

“(1) PROGRAM PERIODS.—

“(A) GRANTS.—A grant awarded by the Secretary to a State entity under this section shall be for a period of not more than 3 years, and may be renewed by the Secretary for one additional 2-year period.

“(B) SUBGRANTS.—A subgrant awarded by a State entity under this section—

“(i) shall be for a period of not more than 3 years, of which an eligible applicant may use not more than 18 months for planning and program design; and

“(ii) may be renewed by the State entity for one additional 2-year period.

“(2) PEER REVIEW.—The Secretary, and each State entity awarding subgrants under this section, shall use a peer-review process to review applications for assistance under this section.

“(3) DISTRIBUTION OF SUBGRANTS.—Each State entity awarding subgrants under this section shall award subgrants in a manner that, to the extent practicable and applicable, ensures that such subgrants—

“(A) prioritize eligible applicants that plan to serve a significant number of students from low-income families;

“(B) are distributed throughout different areas, including urban, suburban, and rural areas; and

“(C) will assist charter schools representing a variety of educational approaches.

“(4) WAIVERS.—The Secretary may waive any statutory or regulatory requirement over which the Secretary exercises administrative authority under this Act with respect to charter schools supported under this part, except any such requirement relating to the elements of a charter school described in section 5110(2), if—

“(A) the waiver is requested in an approved application under this section; and

“(B) the Secretary determines that granting such waiver will promote the purpose of this part.

“(e) LIMITATIONS.—

“(1) GRANTS.—A State entity may not receive more than 1 grant under this section at a time.

“(2) SUBGRANTS.—An eligible applicant may not receive more than 1 subgrant under this section for each individual charter school for each grant period or renewal period, unless the eligible applicant demonstrates to the State entity that such individual charter school has demonstrated a strong track record of positive results over the course of the grant period regarding the elements described in subparagraphs (A) and (D) of section 5110(8).

“(f) APPLICATIONS.—A State entity desiring to receive a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require. The application shall include the following:

“(1) DESCRIPTION OF PROGRAM.—A description of the State entity’s objectives in running a quality charter school program under this section and how the objectives of the program will be carried out, including—

“(A) a description of how the State entity will—

“(i) support the opening of new charter schools and, if applicable, the replication of high-quality charter schools and the expansion of high-quality charter schools, including the proposed number of charter schools to be opened, replicated, or expanded under the State entity’s program;

“(ii) inform eligible charter schools, developers, and authorized public chartering agencies of the availability of funds under the program;

“(iii) work with eligible applicants to ensure that the eligible applicants access all Federal funds that such applicants are eligible to receive, and help the charter schools supported by the applicants and the students attending those charter schools—

“(I) participate in the Federal programs in which the schools and students are eligible to participate; and

“(II) receive the commensurate share of Federal funds the schools and students are eligible to receive under such programs;

“(iv) in the case of a State entity that is not a State educational agency—

“(I) work with the State educational agency and the charter schools in the State to maximize charter school participation in Federal and State programs for charter schools; and

“(II) work with the State educational agency to operate the State entity’s program under this section, if applicable;

“(v) ensure that each eligible applicant that receives a subgrant under the State entity’s program—

“(I) is opening or expanding schools that meet the definition of a charter school under section 5110; and

“(II) is prepared to continue to operate such charter schools once the subgrant funds under this section are no longer available;

“(vi) support charter schools in local educational agencies with schools that have

been identified by the State under section 1114(a)(1)(A);

“(vii) work with charter schools to promote inclusion of all students and support all students upon enrollment in order to promote retention of students in the school;

“(viii) work with charter schools on recruitment practices, including efforts to engage groups that may otherwise have limited opportunities to attend charter schools;

“(ix) share best and promising practices among charter schools and other public schools;

“(x) ensure that charter schools receiving funds under the State entity’s program meet the educational needs of their students, including children with disabilities and students who are English learners; and

“(xi) support efforts to increase charter school quality initiatives, including meeting the quality authorizing elements described in paragraph (2)(D);

“(B) a description of how the State will monitor and hold authorized public chartering agencies accountable to ensure high-quality authorizing activity, such as by establishing authorizing standards and by approving, reapproving, and revoking the authority of an authorized public chartering agency based on the performance of the charter schools authorized by such agency in the areas of student achievement, student safety, financial and operational management, and compliance with all applicable statutes, except that nothing in this subparagraph shall be construed to require a State to alter State law, policies, or procedures regarding State practices for holding accountable authorized public chartering agencies;

“(C) a description of the extent to which the State entity—

“(i) is able to meet and carry out the priorities described in subsection (g)(2);

“(ii) is working to develop or strengthen a cohesive statewide system to support the opening of new charter schools and, if applicable, the replication of high-quality charter schools, and the expansion of high-quality charter schools; and

“(iii) will solicit and consider input from parents and other members of the community on the implementation and operation of each charter school receiving funds under the State entity’s charter school program under this section;

“(D) a description of how the State entity will award subgrants, on a competitive basis, including—

“(i) a description of the application each eligible applicant desiring to receive a subgrant will be required to submit, which application shall include—

“(I) a description of the roles and responsibilities of eligible applicants, and of any charter management organizations or other organizations with which the eligible applicant will partner to open charter schools, including the administrative and contractual roles and responsibilities of such partners;

“(II) a description of the quality controls agreed to between the eligible applicant and the authorized public chartering agency involved, such as a contract or performance agreement, financial audits to ensure adequate fiscal oversight, how a school’s performance on the State’s accountability system and impact on student achievement (which may include student academic growth) will be one of the most important factors for renewal or revocation of the school’s charter, and procedures to be followed in the case of the closure or dissolution of a charter school;

“(III) a description of how the autonomy and flexibility granted to a charter school is

consistent with the definition of a charter school in section 5110;

“(IV) a description of the eligible applicant’s planned activities and expenditures of subgrant funds for purposes of opening a new charter school, replicating a high-quality charter school, or expanding a high-quality charter school, and how the eligible applicant will maintain fiscal sustainability after the end of the subgrant period; and

“(V) a description of how the eligible applicant will ensure that each charter school the eligible applicant operates will engage parents as partners in the education of their children; and

“(ii) a description of how the State entity will review applications from eligible applicants;

“(E) in the case of a State entity that partners with an outside organization to carry out the entity’s quality charter school program, in whole or in part, a description of the roles and responsibilities of the partner;

“(F) a description of how the State entity will help the charter schools receiving funds under the State entity’s program address the transportation needs of the schools’ students; and

“(G) a description of how the State in which the State entity is located addresses charter schools in the State’s open meetings and open records laws.

“(2) ASSURANCES.—Assurances that—

“(A) each charter school receiving funds through the State entity’s program will have a high degree of autonomy over budget and operations, including autonomy over personnel decisions;

“(B) the State entity will support charter schools in meeting the educational needs of their students, as described in paragraph (1)(A)(x);

“(C) the State entity will ensure that the authorized public chartering agency of any charter school that receives funds under the entity’s program—

“(i) ensures that the charter school under the authority of such agency is meeting the requirements of this Act, part B of the Individuals with Disabilities Education Act, title VI of the Civil Rights Act of 1964, and section 504 of the Rehabilitation Act of 1973; and

“(ii) adequately monitors and provides adequate technical assistance to each charter school under the authority of such agency in recruiting, enrolling, retaining, and meeting the needs of all students, including children with disabilities and students who are English learners;

“(D) the State entity will promote quality authorizing, consistent with State law, such as through providing technical assistance to support each authorized public chartering agency in the State to improve such agency’s ability to monitor the charter schools authorized by the agency, including by—

“(i) using annual performance data, which may include graduation rates and student academic growth data, as appropriate, to measure a school’s progress toward becoming a high-quality charter school;

“(ii) reviewing the schools’ independent, annual audits of financial statements conducted in accordance with generally accepted accounting principles, and ensuring that any such audits are publicly reported; and

“(iii) holding charter schools accountable to the academic, financial, and operational quality controls agreed to between the charter school and the authorized public chartering agency involved, such as through renewal, non-renewal, or revocation of the school’s charter; and

“(E) the State entity will ensure that each charter school in the State makes publicly

available, consistent with the dissemination requirements of the annual State report card, including on the website of the school, information to help parents make informed decisions about the education options available to their children, including information on the educational program, student support services, parent contract requirements (as applicable), including any financial obligations or fees, enrollment criteria (as applicable), and annual performance and enrollment data for each of the categories of students, as defined in section 1111(b)(3)(A).

“(3) REQUESTS FOR WAIVERS.—

“(A) FEDERAL STATUTE AND REGULATION.—A request and justification for waivers of any Federal statutory or regulatory provisions that the State entity believes are necessary for the successful operation of the charter schools that will receive funds under the entity’s program under this section.

“(B) STATE AND LOCAL RULES.—A description of any State or local rules, generally applicable to public schools, that will be waived, or otherwise not apply, to such schools or, in the case of a State entity defined in subsection (a)(4), a description of how the State entity will work with the State to request necessary waivers, if applicable.

“(g) SELECTION CRITERIA; PRIORITY.—

“(1) SELECTION CRITERIA.—The Secretary shall award grants to State entities under this section on the basis of the quality of the applications submitted under subsection (f), after taking into consideration—

“(A) the degree of flexibility afforded by the State’s public charter school law and how the State entity will work to maximize the flexibility provided to charter schools under such law;

“(B) the proposed number of new charter schools to be opened, and, if applicable, the number of high-quality charter schools to be replicated or expanded under the program, and the number of new students to be served by such schools;

“(C) the likelihood that the schools opened, replicated, or expanded by eligible applicants receiving subgrant funds will increase the academic achievement of the school’s students and progress toward becoming high-quality charter schools;

“(D) the quality of the State entity’s plan to—

“(i) monitor the eligible applicants receiving subgrants under the State entity’s program; and

“(ii) provide technical assistance and support for—

“(I) the eligible applicants receiving subgrants under the State entity’s program; and

“(II) quality authorizing efforts in the State; and

“(E) the State entity’s plan to solicit and consider input from parents and other members of the community on the implementation and operation of the charter schools in the State.

“(2) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to a State entity to the extent that the entity meets the following criteria:

“(A) The State entity is located in a State that—

“(i) allows at least one entity that is not the local educational agency to be an authorized public chartering agency for each developer seeking to open a charter school in the State; or

“(ii) in the case of a State in which local educational agencies are the only authorized public chartering agencies, the State has an appeals process for the denial of an application for a charter school.

“(B) The State entity is located in a State that ensures that charter schools receive equitable financing, as compared to traditional public schools, in a prompt manner.

“(C) The State entity is located in a State that provides charter schools one or more of the following:

- “(i) Funding for facilities.
- “(ii) Assistance with facilities acquisition.
- “(iii) Access to public facilities.
- “(iv) The ability to share in bonds or mill levies.
- “(v) The right of first refusal to purchase public school buildings.

“(vi) Low- or no-cost leasing privileges.

“(D) The State entity is located in a State that uses best practices from charter schools to help improve struggling schools and local educational agencies.

“(E) The State entity supports charter schools that support at-risk students through activities such as dropout prevention or dropout recovery.

“(F) The State entity ensures that each charter school has a high degree of autonomy over the charter school’s budget and operations, including autonomy over personnel decisions.

“(G) The State entity has taken steps to ensure that all authorizing public chartering agencies implement best practices for charter school authorizing.

“(h) LOCAL USES OF FUNDS.—An eligible applicant receiving a subgrant under this section shall use such funds to carry out activities related to opening a new charter school, replicating a high-quality charter school, or expanding a high-quality charter school, which may include—

“(1) supporting the acquisition, expansion, or preparation of a charter school building to meet increasing enrollment needs, including financing the development of a new building and ensuring that a school building complies with applicable statutes and regulations;

“(2) paying costs associated with hiring additional teachers to serve additional students;

“(3) providing transportation to students to and from the charter school;

“(4) providing instructional materials, implementing teacher and principal or other school leader professional development programs, and hiring additional nonteaching staff;

“(5) supporting any necessary activities that assist the charter school in carrying out this section, such as preparing individuals to serve as members of the charter school’s board; and

“(6) providing early childhood education programs for children, including direct support to, and coordination with, school- or community-based early childhood education programs.

“(i) REPORTING REQUIREMENTS.—Each State entity receiving a grant under this section shall submit to the Secretary, at the end of the third year of the grant period and at the end of any renewal period, a report that includes the following:

“(1) The number of students served by each subgrant awarded under this section and, if applicable, the number of new students served during each year of the grant period.

“(2) The number and amount of subgrants awarded under this section to carry out each of the following:

“(A) The opening of new charter schools.

“(B) The replication of high-quality charter schools.

“(C) The expansion of high-quality charter schools.

“(3) The progress the State entity made toward meeting the priorities described in sub-

paragraphs (E) through (G) of subsection (g)(2).

“(4) A description of—

“(A) how the State entity complied with, and ensured that eligible applicants complied with, the assurances described in the State entity’s application;

“(B) how the State entity worked with authorized public chartering agencies, and how the agencies worked with the management company or leadership of the schools that receive subgrant funds, if applicable; and

“(C) how each recipient of a subgrant under this section uses the subgrant funds on early childhood education programs described in subsection (h)(6), if such recipient chooses to use such funds on such programs.

#### “SEC. 5104. FACILITIES FINANCING ASSISTANCE.

“(a) GRANTS TO ELIGIBLE ENTITIES.—

“(1) IN GENERAL.—From the amount reserved under section 5102(b)(1), the Secretary shall use not less than 50 percent to award not less than 3 grants, on a competitive basis, to eligible entities that have the highest-quality applications approved under subsection (d) to demonstrate innovative methods of helping charter schools to address the cost of acquiring, constructing, and renovating facilities by enhancing the availability of loans or bond financing.

“(2) ELIGIBLE ENTITY DEFINED.—For the purposes of this section, the term ‘eligible entity’ means—

“(A) a public entity, such as a State or local governmental entity;

“(B) a private nonprofit entity; or

“(C) a consortium of entities described in subparagraphs (A) and (B).

“(b) GRANTEE SELECTION.—The Secretary shall evaluate each application submitted under subsection (d), and shall determine whether the application is sufficient to merit approval.

“(c) GRANT CHARACTERISTICS.—Grants under subsection (a) shall be of sufficient size, scope, and quality so as to ensure an effective demonstration of an innovative means of enhancing credit for the financing of charter school acquisition, construction, or renovation.

“(d) APPLICATIONS.—

“(1) IN GENERAL.—An eligible entity desiring to receive a grant under this section shall submit an application to the Secretary in such form as the Secretary may reasonably require.

“(2) CONTENTS.—An application submitted under paragraph (1) shall contain—

“(A) a statement identifying the activities that the eligible entity proposes to carry out with funds received under subsection (a), including how the eligible entity will determine which charter schools will receive assistance, and how much and what types of assistance charter schools will receive;

“(B) a description of the involvement of charter schools in the application’s development and the design of the proposed activities;

“(C) a description of the eligible entity’s expertise in capital market financing;

“(D) a description of how the proposed activities will leverage the maximum amount of private-sector financing capital relative to the amount of government funding used and otherwise enhance credit available to charter schools, including how the entity will offer a combination of rates and terms more favorable than the rates and terms that a charter school could receive without assistance from the entity under this section;

“(E) a description of how the eligible entity possesses sufficient expertise in education

to evaluate the likelihood of success of a charter school program for which facilities financing is sought; and

“(F) in the case of an application submitted by a State governmental entity, a description of the actions that the entity has taken, or will take, to ensure that charter schools within the State receive the funding that charter schools need to have adequate facilities.

“(e) CHARTER SCHOOL OBJECTIVES.—An eligible entity receiving a grant under this section shall use the funds deposited in the reserve account established under subsection (f) to assist one or more charter schools to access private-sector capital to accomplish one or more of the following objectives:

“(1) The acquisition (by purchase, lease, donation, or otherwise) of an interest (including an interest held by a third party for the benefit of a charter school) in improved or unimproved real property that is necessary to commence or continue the operation of a charter school.

“(2) The construction of new facilities, including predevelopment costs, or the renovation, repair, or alteration of existing facilities, necessary to commence or continue the operation of a charter school.

“(3) The predevelopment costs that are required to assess sites for purposes of paragraph (1) or (2) and that are necessary to commence or continue the operation of a charter school.

“(f) RESERVE ACCOUNT.—

“(1) USE OF FUNDS.—To assist charter schools in accomplishing the objectives described in subsection (e), an eligible entity receiving a grant under subsection (a) shall, in accordance with State and local law, directly or indirectly, alone or in collaboration with others, deposit the funds received under subsection (a) (other than funds used for administrative costs in accordance with subsection (g)) in a reserve account established and maintained by the eligible entity for this purpose. Amounts deposited in such account shall be used by the eligible entity for one or more of the following purposes:

“(A) Guaranteeing, insuring, and reinsuring bonds, notes, evidences of debt, loans, and interests therein, the proceeds of which are used for an objective described in subsection (e).

“(B) Guaranteeing and insuring leases of personal and real property for an objective described in such subsection.

“(C) Facilitating financing by identifying potential lending sources, encouraging private lending, and other similar activities that directly promote lending to, or for the benefit of, charter schools.

“(D) Facilitating the issuance of bonds by charter schools, or by other public entities for the benefit of charter schools, by providing technical, administrative, and other appropriate assistance (including the recruitment of bond counsel, underwriters, and potential investors and the consolidation of multiple charter school projects within a single bond issue).

“(2) INVESTMENT.—Funds received under this section and deposited in the reserve account established under paragraph (1) shall be invested in obligations issued or guaranteed by the United States or a State, or in other similarly low-risk securities.

“(3) REINVESTMENT OF EARNINGS.—Any earnings on funds received under subsection (a) shall be deposited in the reserve account established under paragraph (1) and used in accordance with this subsection.

“(g) LIMITATION ON ADMINISTRATIVE COSTS.—An eligible entity may use not more

than 2.5 percent of the funds received under subsection (a) for the administrative costs of carrying out its responsibilities under this section (excluding subsection (k)).

“(h) AUDITS AND REPORTS.—

“(1) FINANCIAL RECORD MAINTENANCE AND AUDIT.—The financial records of each eligible entity receiving a grant under subsection (a) shall be maintained in accordance with generally accepted accounting principles and shall be subject to an annual audit by an independent public accountant.

“(2) REPORTS.—

“(A) GRANTEE ANNUAL REPORTS.—Each eligible entity receiving a grant under subsection (a) annually shall submit to the Secretary a report of the entity’s operations and activities under this section.

“(B) CONTENTS.—Each annual report submitted under subparagraph (A) shall include—

“(i) a copy of the most recent financial statements, and any accompanying opinion on such statements, prepared by the independent public accountant reviewing the financial records of the eligible entity;

“(ii) a copy of any report made on an audit of the financial records of the eligible entity that was conducted under paragraph (1) during the reporting period;

“(iii) an evaluation by the eligible entity of the effectiveness of its use of the Federal funds provided under subsection (a) in leveraging private funds;

“(iv) a listing and description of the charter schools served during the reporting period, including the amount of funds used by each school, the type of project facilitated by the grant, and the type of assistance provided to the charter schools;

“(v) a description of the activities carried out by the eligible entity to assist charter schools in meeting the objectives set forth in subsection (e); and

“(vi) a description of the characteristics of lenders and other financial institutions participating in the activities carried out by the eligible entity under this section (excluding subsection (k)) during the reporting period.

“(C) SECRETARIAL REPORT.—The Secretary shall review the reports submitted under subparagraph (A) and shall provide a comprehensive annual report to Congress on the activities conducted under this section (excluding subsection (k)).

“(i) NO FULL FAITH AND CREDIT FOR GRANT-EE OBLIGATION.—No financial obligation of an eligible entity entered into pursuant to this section (such as an obligation under a guarantee, bond, note, evidence of debt, or loan) shall be an obligation of, or guaranteed in any respect by, the United States. The full faith and credit of the United States is not pledged to the payment of funds that may be required to be paid under any obligation made by an eligible entity pursuant to any provision of this section.

“(j) RECOVERY OF FUNDS.—

“(1) IN GENERAL.—The Secretary, in accordance with chapter 37 of title 31, United States Code, shall collect—

“(A) all of the funds in a reserve account established by an eligible entity under subsection (f)(1) if the Secretary determines, not earlier than 2 years after the date on which the eligible entity first received funds under this section (excluding subsection (k)), that the eligible entity has failed to make substantial progress in carrying out the purposes described in subsection (f)(1); or

“(B) all or a portion of the funds in a reserve account established by an eligible entity under subsection (f)(1) if the Secretary determines that the eligible entity has perma-

nently ceased to use all or a portion of the funds in such account to accomplish any purpose described in such subsection.

“(2) EXERCISE OF AUTHORITY.—The Secretary shall not exercise the authority provided in paragraph (1) to collect from any eligible entity any funds that are being properly used to achieve one or more of the purposes described in subsection (f)(1).

“(3) CONSTRUCTION.—This subsection shall not be construed to impair or affect the authority of the Secretary to recover funds under part D of the General Education Provisions Act.

“(k) PER-PUPIL FACILITIES AID PROGRAM.—

“(1) DEFINITION OF PER-PUPIL FACILITIES AID PROGRAM.—In this subsection, the term ‘per-pupil facilities aid program’ means a program in which a State makes payments, on a per-pupil basis, to charter schools to provide the schools with financing—

“(A) that is dedicated solely to funding charter school facilities; or

“(B) a portion of which is dedicated for funding charter school facilities.

“(2) GRANTS.—

“(A) IN GENERAL.—From the amount reserved under section 5102(b)(1) and remaining after the Secretary makes grants under subsection (a), the Secretary shall make grants, on a competitive basis, to States to pay for the Federal share of the cost of establishing or enhancing, and administering, per-pupil facilities aid programs.

“(B) PERIOD.—The Secretary shall award grants under this subsection for periods of not more than 5 years.

“(C) FEDERAL SHARE.—The Federal share of the cost described in subparagraph (A) for a per-pupil facilities aid program shall be not more than—

“(i) 90 percent of the cost, for the first fiscal year for which the program receives assistance under this subsection;

“(ii) 80 percent for the second such year;

“(iii) 60 percent for the third such year;

“(iv) 40 percent for the fourth such year; and

“(v) 20 percent for the fifth such year.

“(D) STATE SHARE.—A State receiving a grant under this subsection may partner with 1 or more organizations, and such organizations may provide not more than 50 percent of the State share of the cost of establishing or enhancing, and administering, the per-pupil facilities aid program.

“(E) MULTIPLE GRANTS.—A State may receive more than 1 grant under this subsection, so long as the amount of such grant funds provided to charter schools increases with each successive grant.

“(3) USE OF FUNDS.—

“(A) IN GENERAL.—A State that receives a grant under this subsection shall use the funds made available through the grant to establish or enhance, and administer, a per-pupil facilities aid program for charter schools in the State of the applicant.

“(B) EVALUATIONS; TECHNICAL ASSISTANCE; DISSEMINATION.—From the amount made available to a State through a grant under this subsection for a fiscal year, the State may reserve not more than 5 percent to carry out evaluations, to provide technical assistance, and to disseminate information.

“(C) SUPPLEMENT, NOT SUPPLANT.—In accordance with the method of determination described in section 1117, funds made available under this subsection shall be used to supplement, and not supplant, State and local public funds expended to provide per-pupil facilities aid programs, operations financing programs, or other programs, for charter schools.

“(4) REQUIREMENTS.—

“(A) VOLUNTARY PARTICIPATION.—No State may be required to participate in a program carried out under this subsection.

“(B) STATE LAW.—

“(i) IN GENERAL.—To be eligible to receive a grant under this subsection, a State shall establish or enhance, and administer, a per-pupil facilities aid program for charter schools in the State, that—

“(I) is specified in State law; and

“(II) provides annual financing, on a per-pupil basis, for charter school facilities.

“(ii) SPECIAL RULE.—A State that is required under State law to provide its charter schools with access to adequate facility space may be eligible to receive a grant under this subsection if the State agrees to use the funds to develop a per-pupil facilities aid program consistent with the requirements of this subsection.

“(5) APPLICATIONS.—To be eligible to receive a grant under this subsection, a State shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

“SEC. 5105. NATIONAL ACTIVITIES.

“(a) IN GENERAL.—From the amount reserved under section 5102(b)(2), the Secretary shall—

“(1) use not less than 80 percent of such funds to award grants in accordance with subsection (b); and

“(2) use the remainder of such funds to—

“(A) disseminate technical assistance to State entities in awarding subgrants under section 5103(b)(1)(A);

“(B) disseminate best practices regarding public charter schools;

“(C) evaluate the impact of the charter school program carried out under this part, including the impact on student achievement; and

“(D) award grants, on a competitive basis, for the purpose of carrying out the activities described in section 5103(h), to eligible applicants that desire to open a charter school, replicate a high-quality charter school, or expand a high-quality charter school in—

“(i) a State that did not apply for a grant under section 5103; or

“(ii) a State that did not receive a grant under section 5103.

“(b) GRANTS FOR THE REPLICATION AND EXPANSION OF HIGH-QUALITY CHARTER SCHOOLS.—The Secretary shall make grants, on a competitive basis, to eligible entities having applications approved under paragraph (2) to enable such entities to replicate a high-quality charter school or expand a high-quality charter school.

“(1) DEFINITION OF ELIGIBLE ENTITY.—For purposes of this subsection, the term ‘eligible entity’ means—

“(A) a charter management organization that, at the time of the application, operates or manages one or more high-quality charter schools; or

“(B) a nonprofit organization that oversees and coordinates the activities of a group of such charter management organizations.

“(2) APPLICATION REQUIREMENTS.—An eligible entity desiring to receive a grant under this subsection shall submit an application to the Secretary at such time and in such manner as the Secretary may require. The application shall include the following:

“(A) A description of the eligible entity’s objectives for implementing a high-quality charter school program with funding under this subsection, including a description of the proposed number of high-quality charter schools to be replicated or expanded with funding under this subsection.

“(B) A description of the educational program that the eligible entity will implement in the charter schools that the eligible entity proposes to replicate or expand, including information on how the program will enable all students to meet the challenging State academic standards under section 1111(b)(1), the grade levels or ages of students who will be served, and the instructional practices that will be used.

“(C) A multi-year financial and operating model for the eligible entity, including a description of how the operation of the charter schools to be replicated or expanded will be sustained after the grant under this subsection has ended.

“(D) A description of how the eligible entity will inform all students in the community, including children with disabilities, students who are English learners, and other educationally disadvantaged students, about the charter schools to be replicated or expanded with funding under this subsection.

“(E) For each charter school currently operated or managed by the eligible entity—

“(i) student assessment results for all students and for each category of students described in section 1111(b)(2)(B)(xi); and

“(ii) attendance and student retention rates for the most recently completed school year and, if applicable, the most recent available 4-year adjusted cohort graduation rates and extended-year adjusted cohort graduation rates (as such rates were calculated on the day before enactment of the Every Child Achieves Act of 2015).

“(F) Information on any significant compliance issues encountered, within the last 3 years, by any school operated or managed by the eligible entity, including in the areas of student safety and financial management.

“(G) A request and justification for any waivers of Federal statutory or regulatory requirements that the eligible entity believes are necessary for the successful operation of the charter schools to be replicated or expanded with funding under this subsection.

“(3) **SELECTION CRITERIA.**—The Secretary shall select eligible entities to receive grants under this subsection, on the basis of the quality of the applications submitted under paragraph (2), after taking into consideration such factors as—

“(A) the degree to which the eligible entity has demonstrated success in increasing academic achievement and attainment for all students attending the charter schools the eligible entity operates or manages;

“(B) the degree to which the eligible entity has demonstrated success in increasing academic achievement and attainment for each of the categories of students, as defined in section 1111(b)(3)(A);

“(C) the quality of the eligible entity's financial and operating model as described under paragraph (2)(C), including the quality of the eligible entity's plan for sustaining the operation of the charter schools to be replicated or expanded after the grant under this subsection has ended;

“(D) a determination that the eligible entity has not operated or managed a significant proportion of charter schools that—

“(i) have been closed;

“(ii) have had a school charter revoked due to problems with statutory or regulatory compliance; or

“(iii) have had the school's affiliation with the eligible entity revoked; and

“(E) a determination that the eligible entity has not experienced significant problems with statutory or regulatory compliance that could lead to the revocation of a school's charter.

“(4) **PRIORITY.**—In awarding grants under this section, the Secretary shall give priority to eligible entities that operate or manage charter schools that, in the aggregate, serve students at least 60 percent of whom are eligible for a free or reduced price lunch under the Richard B. Russell National School Lunch Act.

“(5) **TERMS AND CONDITIONS.**—Except as otherwise provided in this subsection, grants awarded under subsection (a)(2)(D) and this subsection shall have the same terms and conditions as grants awarded to State entities under section 5103.”;

(2) in section 5106 (20 U.S.C. 7221e), as redesignated by section 5001(7), by adding at the end the following:

“(c) **NEW OR SIGNIFICANTLY EXPANDING CHARTER SCHOOLS.**—For purposes of implementing the hold harmless protections in sections 1122(c) and 1125A(g)(3) for a newly opened or significantly expanded charter school under subsection (a), a State educational agency shall calculate a hold-harmless base for the prior year that, as applicable, reflects the new or significantly expanded enrollment of the charter school.”;

(3) in section 5108 (20 U.S.C. 7221g), as redesignated by section 5001(7), by inserting “as quickly as possible and” before “to the extent practicable”;

(4) in section 5110 (20 U.S.C. 7221i), as redesignated by section 5001(7)—

(A) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (5), and (6), respectively;

(B) by redesignating paragraph (4) as paragraph (1), and moving such paragraph so as to precede paragraph (2), as redesignated by subparagraph (A);

(C) in paragraph (2), as redesignated by subparagraph (A)—

(i) in subparagraph (G), by striking “, and part B” and inserting “, the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly referred to as the ‘Family Educational Rights and Privacy Act of 1974’), and part B”;

(ii) by striking subparagraph (H) and inserting the following:

“(H) is a school to which parents choose to send their children, and that—

“(i) admits students on the basis of a lottery, if more students apply for admission than can be accommodated; or

“(ii) in the case of a school that has an affiliated charter school (such as a school that is part of the same network of schools), automatically enrolls students who are enrolled in the immediate prior grade level of the affiliated charter school and, for any additional student openings or student openings created through regular attrition in student enrollment in the affiliated charter school and the enrolling school, admits students on the basis of a lottery as described in clause (i).”;

(iii) by striking subparagraph (I) and inserting the following:

“(I) agrees to comply with the same Federal and State audit requirements as do other elementary schools and secondary schools in the State, unless such State audit requirements are waived by the State.”;

(iv) in subparagraph (K), by striking “and” at the end;

(v) in subparagraph (L), by striking the period at the end and inserting “; and”;

(vi) by adding at the end the following:

“(M) may serve students in early childhood education programs or postsecondary students.”;

(D) by inserting after paragraph (2), as redesignated by subparagraph (A), the following:

“(3) **CHARTER MANAGEMENT ORGANIZATION.**—The term ‘charter management organization’ means a nonprofit organization that operates or manages multiple charter schools by centralizing or sharing certain functions or resources.

“(4) **CHARTER SCHOOL SUPPORT ORGANIZATION.**—The term ‘charter school support organization’ means a nonprofit, nongovernmental entity that is not an authorized public chartering agency and provides, on a statewide basis—

“(A) assistance to developers during the planning, program design, and initial implementation of a charter school; and

“(B) technical assistance to operating charter schools.”;

(E) in paragraph (6)(B), as redesignated by subparagraph (A), by striking “under section 5203(d)(3)”;

(F) by adding at the end the following:

“(7) **EXPANSION OF A HIGH-QUALITY CHARTER SCHOOL.**—The term ‘expansion of a high-quality charter school’ means increasing the enrollment at a high-quality charter school by not less than 50 percent or adding 2 or more grades to a high-quality charter school.

“(8) **HIGH-QUALITY CHARTER SCHOOL.**—The term ‘high-quality charter school’ means a charter school that—

“(A) shows evidence of strong academic results, which may include strong student academic growth, as determined by a State;

“(B) has no significant issues in the areas of student safety, financial and operational management, or statutory or regulatory compliance;

“(C) has demonstrated success in significantly increasing student academic achievement, including graduation rates where applicable, for all students served by the charter school; and

“(D) has demonstrated success in increasing student academic achievement, including graduation rates where applicable, for each of the categories of students, as defined in section 1111(b)(3)(A), except that such demonstration is not required in a case in which the number of students in a group is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student.

“(9) **REPLICATION OF A HIGH-QUALITY CHARTER SCHOOL.**—The term ‘replication of a high-quality charter school’ means the opening of a charter school—

“(A) under an existing charter or an additional charter, if permitted by State law;

“(B) based on the model of a high-quality charter school; and

“(C) that will be operated or managed by the same nonprofit organization that operates or manages such high-quality charter school under an existing charter.”;

(5) by striking section 5111 (20 U.S.C. 7221j), as redesignated by section 5001(7), and inserting the following:

**“SEC. 5111. AUTHORIZATION OF APPROPRIATIONS.**

“There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.”.

**SEC. 5003. MAGNET SCHOOLS ASSISTANCE.**

Part B of title V (20 U.S.C. 7231 et seq.), as redesignated by section 5001(5), is amended—

(1) in section 5201(b), as redesignated by section 5001(8)—

(A) in paragraph (1)—



(i) by inserting “and the increase of socioeconomic integration” before “in elementary schools and secondary schools”; and

(ii) by inserting “low-income and” before “minority students”;

(B) in paragraph (2)—

(i) by striking “and implementation” and inserting “, implementation, and expansion”; and

(ii) by striking “content standards and student academic achievement standards” and inserting “standards under section 1111(b)(1)”;

(C) in paragraph (3), by striking “and design” and inserting “, design, and expansion”;

(D) in paragraph (4), by striking “vocalional” and inserting “career”; and

(E) in paragraph (6), by striking “productive employment” and inserting “to enter into the workforce without the need for post-secondary education”;

(2) in section 5202, as redesignated by section 5001(8), by striking “backgrounds” and inserting “, ethnic, and socioeconomic backgrounds”;

(3) in section 5205(b), as redesignated by section 5001(8)—

(A) in paragraph (1)—

(i) in subparagraph (A), by inserting “any available evidence on” before “how the proposed magnet school programs”;

(ii) in subparagraph (B), by inserting “, including any evidence available to support such description” before the semicolon;

(iii) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(iv) by inserting after subparagraph (C) the following:

“(D) how the applicant will assess, monitor, and evaluate the impact of the activities funded under this part on student achievement and integration.”; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking “will”;

(ii) in subparagraph (A)—

(I) by inserting “will” before “use grant funds”; and

(II) by striking “section 5301(b)” and inserting “section 5201(b)”;

(iii) in subparagraph (B), by striking “employ highly qualified” and inserting “will employ effective”;

(iv) in subparagraph (C), by striking “not engage in” and inserting “is not currently engaging in and will not engage in”;

(v) in subparagraph (D), by inserting “will” before carry out; and

(vi) in subparagraph (E), by inserting “will” before “give students”;

(4) in section 5206, as redesignated by section 5001(8), by striking paragraph (2) and inserting the following:

“(2) propose to—

“(A) carry out a new, evidence-based magnet school program;

“(B) significantly revise an existing magnet school program, using evidence-based methods and practices, as available; or

“(C) expand an existing magnet school program that has a demonstrated record of success in increasing student academic achievement, reducing isolation of minority groups, and increasing socioeconomic integration; and”;

(5) in section 5207, as redesignated by section 5001(8)—

(A) in subsection (a)—

(i) in paragraph (3), by striking “who are highly qualified”;

(ii) in paragraph (6), by striking “and” at the end;

(iii) in paragraph (7), by striking the period and inserting “; and”; and

(iv) by adding at the end the following:

“(8) to enable the local educational agency, or consortium of such agencies, or other organizations partnered with such agency or consortium, to establish, expand, or strengthen inter-district and regional magnet programs.”; and

(B) in subsection (b), by striking “the State’s challenging academic content” and all that follows through the period and inserting “the challenging State academic standards under section 1111(b)(1) or are directly related to improving student academic, career, or technological skills and professional skills.”;

(6) in section 5208, as redesignated by section 5001(10)—

(A) in subsection (a), by striking “for a period” and all that follows through the period and inserting “for an initial period of not more than 3 fiscal years, and may be renewed for not more than an additional 2 years if the Secretary finds that the recipient of a grant under this part is achieving the intended outcomes of the grant and shows improvement in increasing student academic achievement, reducing minority group isolation, and increasing socioeconomic integration, or other indicators of success established by the Secretary.”; and

(B) in subsection (d), by striking “July” and inserting “June”; and

(7) in section 5209, as redesignated by section 5001(10)—

(A) in subsection (a), by striking “\$125,000,000” and all that follows through the period and inserting “such sums as may be necessary for each of fiscal years 2016 through 2021.”;

(B) by redesignating subsection (b) as subsection (c); and

(C) by inserting after subsection (a) the following:

“(b) **RESERVATION FOR TECHNICAL ASSISTANCE.**—The Secretary may reserve not more than 1 percent of the funds appropriated under subsection (a) for any fiscal year to provide technical assistance and carry out dissemination projects with respect to magnet school programs assisted under this part.”.

#### **SEC. 5004. SUPPORTING HIGH-ABILITY LEARNERS AND LEARNING.**

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part B the following:

#### **“PART C—SUPPORTING HIGH-ABILITY LEARNERS AND LEARNING**

##### **“SEC. 5301. SHORT TITLE.**

“This part may be cited as the ‘Jacob K. Javits Gifted and Talented Students Education Act of 2015’.

##### **“SEC. 5302. PURPOSE.**

“The purpose of this part is to initiate a coordinated program of evidence-based research, demonstration projects, innovative strategies, and similar activities designed to build and enhance the ability of elementary schools and secondary schools nationwide to meet the special educational needs of gifted and talented students.

##### **“SEC. 5303. RULE OF CONSTRUCTION.**

“Nothing in this part shall be construed to prohibit a recipient of funds under this part from serving gifted and talented students simultaneously with students with similar educational needs, in the same educational settings, where appropriate.

##### **“SEC. 5304. AUTHORIZED PROGRAMS.**

“(a) **ESTABLISHMENT OF PROGRAM.**—

“(1) **IN GENERAL.**—The Secretary (after consultation with experts in the field of the edu-

cation of gifted and talented students) is authorized to make grants to, or enter into contracts with, State educational agencies, local educational agencies, institutions of higher education, other public agencies, and other private agencies and organizations to assist such agencies, institutions, and organizations in carrying out programs or projects authorized by this part that are designed to meet the educational needs of gifted and talented students, including the training of personnel in the education of gifted and talented students and in the use, where appropriate, of gifted and talented services, materials, and methods for all students.

“(2) **APPLICATION.**—Each entity seeking assistance under this part shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require. Each such application shall describe how—

“(A) the proposed gifted and talented services, materials, and methods can be adapted, if appropriate, for use by all students; and

“(B) the proposed programs can be evaluated.

“(b) **USE OF FUNDS.**—Programs and projects assisted under this section may include each of the following:

“(1) Conducting evidence-based research on methods and techniques for identifying and teaching gifted and talented students and for using gifted and talented programs and methods to serve all students.

“(2) Establishing and operating model projects and exemplary programs for serving gifted and talented students, including innovative methods for identifying and educating students who may not be served by traditional gifted and talented programs (such as summer programs, mentoring programs, service learning programs, and cooperative programs involving business, industry, and education).

“(3) Implementing innovative strategies, such as cooperative learning, peer tutoring, and service learning.

“(4) Carrying out programs of technical assistance and information dissemination, including assistance and information with respect to how gifted and talented programs and methods, where appropriate, may be adapted for use by all students.

“(c) **SPECIAL RULE.**—To the extent that the amount of funds appropriated to carry out this part for a fiscal year beginning with fiscal year 2016 exceed the amount of \$7,500,000, the Secretary shall use such excess funds to award grants, on a competitive basis, to State educational agencies, local educational agencies, or both, to implement activities described in subsection (b).

“(d) **CENTER FOR RESEARCH AND DEVELOPMENT.**—

“(1) **IN GENERAL.**—The Secretary (after consultation with experts in the field of the education of gifted and talented students) shall establish a National Research Center for the Education of Gifted and Talented Children and Youth through grants to, or contracts with, one or more institutions of higher education or State educational agencies, or a combination or consortium of such institutions and agencies and other public or private agencies and organizations, for the purpose of carrying out activities described in subsection (b).

“(2) **DIRECTOR.**—The National Center shall be headed by a Director. The Secretary may authorize the Director to carry out such functions of the National Center as may be

agreed upon through arrangements with institutions of higher education, State educational agencies, local educational agencies, or other public or private agencies and organizations.

“(3) **FUNDING.**—For each fiscal year, the Secretary may use not more than \$2,250,000 to carry out this subsection.

“(e) **COORDINATION.**—Evidence-based activities supported under this part—

“(1) shall be carried out in consultation with the Institute of Education Sciences to ensure that such activities are coordinated with and enhance the research and development activities supported by the Institute; and

“(2) may include collaborative evidence-based activities which are jointly funded and carried out with such Institute.

#### “SEC. 5305. PROGRAM PRIORITIES.

“(a) **GENERAL PRIORITY.**—In carrying out this part, the Secretary shall give highest priority to programs and projects designed to develop new information that—

“(1) improves the capability of schools to plan, conduct, and improve programs to identify and serve gifted and talented students; and

“(2) assists schools in the identification of, and provision of services to, gifted and talented students (including economically disadvantaged individuals, individuals who are English learners, and children with disabilities) who may not be identified and served through traditional assessment methods.

“(b) **SERVICE PRIORITY.**—The Secretary shall ensure that not less than 50 percent of the applications approved under section 5304(a)(2) in a fiscal year address the priority described in subsection (a)(2).

#### “SEC. 5306. GENERAL PROVISIONS.

“(a) **PARTICIPATION OF PRIVATE SCHOOL CHILDREN AND TEACHERS.**—In making grants and entering into contracts under this part, the Secretary shall ensure, where appropriate, that provision is made for the equitable participation of students and teachers in private nonprofit elementary schools and secondary schools, including the participation of teachers and other personnel in professional development programs serving such students.

“(b) **REVIEW, DISSEMINATION, AND EVALUATION.**—The Secretary shall—

“(1) use a peer-review process in reviewing applications under this part;

“(2) ensure that information on the activities and results of programs and projects funded under this part is disseminated to appropriate State educational agencies, local educational agencies, and other appropriate organizations, including nonprofit private organizations; and

“(3) evaluate the effectiveness of programs under this part in accordance with section 9601, in terms of the impact on students traditionally served in separate gifted and talented programs and on other students, and submit the results of such evaluation to Congress not later than 2 years after the date of enactment of the Every Child Achieves Act of 2015.

“(c) **PROGRAM OPERATIONS.**—The Secretary shall ensure that the programs under this part are administered within the Department by a person who has recognized professional qualifications and experience in the field of the education of gifted and talented students and who shall—

“(1) administer and coordinate the programs authorized under this part;

“(2) serve as a focal point of national leadership and information on the educational needs of gifted and talented students and the

availability of educational services and programs designed to meet such needs;

“(3) assist the Director of the Institute of Education Sciences in identifying research priorities that reflect the needs of gifted and talented students; and

“(4) disseminate, and consult on, the information developed under this part with other offices within the Department.

#### “SEC. 5307. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.”

#### SEC. 5005. EDUCATION INNOVATION AND RESEARCH.

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part C, as added by section 5004, the following:

##### “PART D—EDUCATION INNOVATION AND RESEARCH

#### “SEC. 5401. GRANTS FOR EDUCATION INNOVATION AND RESEARCH.

“(a) **PROGRAM AUTHORIZED.**—From funds appropriated under subsection (e), the Secretary shall make grants to eligible entities for the development, implementation, replication, or scaling and rigorous testing of entrepreneurial, evidence-based, field-initiated innovations to improve student achievement and attainment for high-need students, including—

“(1) early-phase grants to fund the development, implementation, and feasibility testing of a program that prior research suggests has promise, for the purpose of determining whether the program can successfully improve student achievement or attainment for high-need students;

“(2) mid-phase grants to fund implementation and a rigorous evaluation of a program that has been successfully implemented under an early-phase grant or other effort meeting similar criteria, for the purpose of measuring the program's impact and cost effectiveness, if possible using existing administrative data; or

“(3) expansion grants to fund implementation and a rigorous replication evaluation of a program that has been found to produce sizable, important impacts under a mid-phase grant or other effort meeting similar criteria, for the purpose of determining whether such impacts can be successfully reproduced and sustained over time, and identifying the conditions in which the program is most effective.

“(b) **ELIGIBLE ENTITY.**—In this section, the term ‘eligible entity’ means any of the following:

“(1) A local educational agency.

“(2) A State educational agency.

“(3) A consortium of State educational agencies or local educational agencies.

“(4) A State educational agency or a local educational agency, in partnership with—

“(A) a nonprofit organization;

“(B) a small business;

“(C) a charter management organization;

“(D) an educational service agency; or

“(E) an institution of higher education.

“(c) **RURAL AREAS.**—In awarding grants under subsection (a), the Secretary shall ensure that not less than 25 percent of the funds for any fiscal year are awarded for projects that meet both of the following requirements:

“(1) The grantee is—

“(A) a local educational agency with an urban-centric district locale code of 32, 33, 41, 42, or 43, as determined by the Secretary;

“(B) a consortium of such local educational agencies; or

“(C) an educational service agency or a nonprofit organization in partnership with such a local educational agency.

“(2) A majority of the schools to be served by the project are designated with a school locale code of 32, 33, 41, 42, or 43, or a combination of such codes, as determined by the Secretary.

“(d) **MATCHING FUNDS.**—In order to receive a grant under subsection (a), an eligible entity shall demonstrate that the eligible entity will provide matching funds in an amount equal to 10 percent of the funds provided under a grant under this part, except that the Secretary may waive the matching funds requirement, on a case-by-case basis, upon a showing of exceptional circumstances, such as—

“(1) the difficulty of raising matching funds for a project to serve a rural area;

“(2) the difficulty of raising matching funds in areas with a concentration of local educational agencies or schools with a high percentage of students aged 5 through 17—

“(A) who are in poverty, as counted in the most recent census data approved by the Secretary;

“(B) who are eligible for a free or reduced priced lunch under the Richard B. Russell National School Lunch Act;

“(C) whose families receive assistance under the State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.); or

“(D) who are eligible to receive medical assistance under the Medicaid program; and

“(3) the difficulty of raising funds in designated tribal areas.

“(e) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2016 through 2021.”

#### SEC. 5006. ACCELERATED LEARNING.

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part D, as added by section 5005, the following:

##### “PART E—ACCELERATED LEARNING

#### “SEC. 5501. SHORT TITLE.

“This part may be cited as the ‘Accelerated Learning Act of 2015’.

#### “SEC. 5502. PURPOSES.

“The purposes of this part are—

“(1) to raise student academic achievement through accelerated learning programs, including Advanced Placement and International Baccalaureate programs, dual or concurrent enrollment programs, and early college high schools that provide postsecondary-level instruction, examinations, or sequences of courses that are widely accepted for credit at institutions of higher education;

“(2) to increase the number of students attending high-need schools who enroll and succeed in accelerated learning courses, accelerated learning examinations, dual or concurrent enrollment programs, and early college high school courses;

“(3) to support efforts by States and local educational agencies to increase the availability of, and enrollment in, accelerated learning courses, pre-accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses in high-need schools; and

“(4) to provide high-quality professional development for teachers of accelerated learning courses, pre-accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses in high-need schools.

**“SEC. 5503. FUNDING DISTRIBUTION RULE.**

“From amounts appropriated under section 5508 for a fiscal year, the Secretary shall give priority to funding activities under section 5504 and shall distribute any remaining funds under section 5505.

**“SEC. 5504. ACCELERATED LEARNING EXAMINATION FEE PROGRAM.**

“(a) **GRANTS AUTHORIZED.**—From amounts made available under section 5503 for a fiscal year, the Secretary shall award grants to State educational agencies having applications approved under this section to enable the State educational agencies to reimburse low-income students to cover part or all of the costs of accelerated learning examination fees, if the low-income students—

“(1) are enrolled in accelerated learning courses; and

“(2) plan to take accelerated learning examinations.

“(b) **AWARD BASIS.**—In determining the amount of the grant awarded to a State educational agency under this section for a fiscal year, the Secretary shall consider the number of children eligible to be counted under section 1124(c) in the State in relation to the number of such children so counted in all States.

“(c) **INFORMATION DISSEMINATION.**—A State educational agency that is awarded a grant under this section shall make publicly available information regarding the availability of accelerated learning examination fee payments under this section, and shall disseminate such information to eligible high school students and parents, including through high school teachers and counselors.

“(d) **APPLICATIONS.**—Each State educational agency desiring to receive a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require. At a minimum, each State educational agency application shall—

“(1) describe the accelerated learning examination fees the State educational agency will pay on behalf of low-income students in the State from grant funds awarded under this section;

“(2) provide an assurance that any grant funds awarded under this section will be used only to pay for accelerated learning examination fees; and

“(3) contain such information as the Secretary may require to demonstrate that the State educational agency will ensure that a student is eligible for payments authorized under this section, including ensuring that the student is a low-income student.

“(e) **REGULATIONS.**—The Secretary shall prescribe such regulations as are necessary to carry out this section.

“(f) **REPORT.**—

“(1) **IN GENERAL.**—Each State educational agency awarded a grant under this section shall, with respect to each accelerated learning course subject, annually report to the Secretary the following data for the preceding year:

“(A) The number of students in the State who are taking an accelerated learning course in such subject.

“(B) The number of accelerated learning examinations taken by students in the State who have taken an accelerated learning course in such subject.

“(C) The number of students in the State scoring at each level on accelerated learning examinations in such subject, disaggregated by race, ethnicity, sex, English proficiency status, and socioeconomic status.

“(D) Demographic information regarding students in the State taking accelerated

learning courses and accelerated learning examinations in such subject, disaggregated by race, ethnicity, sex, English proficiency status, and socioeconomic status.

“(2) **REPORT TO CONGRESS.**—The Secretary shall annually compile the information received from each State educational agency under paragraph (1) and report to the authorizing committees of Congress regarding the information.

“(g) **BUREAU OF INDIAN EDUCATION AS STATE EDUCATIONAL AGENCY.**—For purposes of this section, the Bureau of Indian Education shall be treated as a State educational agency.

**“SEC. 5505. ACCELERATED LEARNING INCENTIVE PROGRAM GRANTS.**

“(a) **GRANTS AUTHORIZED.**—

“(1) **IN GENERAL.**—From amounts made available under section 5503 for a fiscal year, the Secretary shall award grants, on a competitive basis, to eligible entities to enable such entities to carry out the authorized activities described in subsection (e).

“(2) **DURATION, RENEWAL, AND PAYMENTS.**—

“(A) **DURATION.**—The Secretary shall award a grant under this section for a period of not more than 3 years.

“(B) **RENEWAL.**—The Secretary may renew a grant awarded under this section for an additional period of not more than 2 years, if an eligible entity—

“(i) is achieving the objectives of the grant; and

“(ii) has shown improvement against baseline data on the performance measures described in subparagraphs (A) through (E) of subsection (g)(1).

“(b) **DEFINITION OF ELIGIBLE ENTITY.**—In this section, the term ‘eligible entity’ means—

“(1) a State educational agency;

“(2) a local educational agency; or

“(3) a partnership consisting of—

“(A) a national, regional, or statewide non-profit organization, with expertise and experience in providing accelerated learning course services, dual or concurrent enrollment programs, and early college high school courses; and

“(B) a State educational agency or local educational agency.

“(c) **APPLICATION.**—

“(1) **IN GENERAL.**—Each eligible entity desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

“(2) **CONTENTS.**—The application shall, at a minimum, include a description of—

“(A) the goals and objectives for the project supported by the grant under this section, including—

“(i) increasing the number of teachers serving high-need schools who are qualified to teach accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses;

“(ii) increasing the number of accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses that are offered at high-need schools; and

“(iii) increasing the number of students attending a high-need school, particularly low-income students, who enroll and succeed in—

“(I) accelerated learning courses;

“(II) if offered by the school, pre-accelerated learning courses;

“(III) dual or concurrent enrollment programs; and

“(IV) early college high school courses;

“(B) how the eligible entity will ensure that students have access to courses that

will prepare them to enroll and succeed in accelerated learning courses, pre-accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses;

“(C) how the eligible entity will provide professional development for teachers that will further the goals and objectives of the grant project;

“(D) how the eligible entity will ensure that teachers serving high-need schools are qualified to teach accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses;

“(E) how the eligible entity will provide for the involvement of business and community organizations and other entities, including institutions of higher education, in carrying out the activities described in subsection (e);

“(F) how the eligible entity will use funds received under this section; and

“(G) how the eligible entity will evaluate the success of the grant project.

“(d) **PRIORITY.**—In awarding grants under this section, the Secretary shall give priority to applications from eligible entities that propose to carry out activities in a local educational agency that is eligible under the small rural school achievement program or the rural and low-income school program authorized under subpart 1 or 2 of part B of title VI.

“(e) **AUTHORIZED ACTIVITIES.**—Each eligible entity that receives a grant under this section may use grant funds for—

“(1) high-quality teacher professional development, in order to expand the pool of teachers in the participating State, local educational agency, or high-need school who are qualified to teach accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses, including through innovative models such as online academies and training institutes;

“(2) high-quality teacher and counselor professional development to prepare students for success in accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses;

“(3) coordination and articulation between grade levels to prepare students to enroll and succeed in accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses;

“(4) the purchase of instructional materials for accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses;

“(5) activities to increase the availability of, and participation in, online accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses;

“(6) carrying out the requirements of subsection (g); or

“(7) in the case of an eligible entity described in subsection (b)(1), awarding subgrants to local educational agencies to enable the local educational agencies to carry out authorized activities described in paragraphs (1) through (6).

“(f) **CONTRACTS.**—An eligible entity that is awarded a grant to provide online courses under this section may enter into a contract with an organization to provide accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses, including contracting for necessary support services.

“(g) **COLLECTING AND REPORTING REQUIREMENTS.**—

“(1) **REPORT.**—Each eligible entity receiving a grant under this section shall collect

and report to the Secretary annually such data regarding the results of the grant as the Secretary may reasonably require, including—

“(A) the number of students served by the eligible entity enrolling in accelerated learning courses, pre-accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses, disaggregated by grade level of the student, and the grades received by such students in the courses;

“(B) the number of students taking an accelerated learning examination and the distribution of scores on those examinations, disaggregated by the grade level of the student at the time of examination;

“(C) the number of teachers who, as of the date of the report, are receiving training to teach accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses, and will teach such courses in the next school year;

“(D) the number of teachers becoming qualified to teach accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses; and

“(E) the number of qualified teachers who are teaching accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses in high-need schools served by the eligible entity.

“(2) REPORTING OF DATA.—Each eligible entity receiving a grant under this section shall report the data required under paragraph (1)—

“(A) disaggregated by subject area;

“(B) in the case of student data, disaggregated in the same manner as information is disaggregated under section 1111(b)(2)(B)(xi); and

“(C) in a manner that allows for an assessment of the effectiveness of the grant program.

“(h) EVALUATION.—The Secretary, acting through the Director of the Institute of Education Sciences, shall, in consultation with the relevant program office at the Department, evaluate the implementation and impact of the activities supported under this section, including progress as measured by the performance measures established under subparagraphs (A) through (E) of subsection (g)(1).

“(i) MATCHING REQUIREMENT.—

“(1) IN GENERAL.—Each eligible entity that receives a grant under this section shall provide toward the cost of the activities assisted under the grant, from non-Federal sources, an amount equal to 100 percent of the amount of the grant, except that an eligible entity that is a high-need local educational agency, as determined by the Secretary, shall provide an amount equal to not more than 50 percent of the amount of the grant.

“(2) MATCHING FUNDS.—The eligible entity may provide the matching funds described in paragraph (1) in cash or in kind, fairly evaluated, but may not provide more than 50 percent of the matching funds in kind. The eligible entity may provide the matching funds from State, local, or private sources.

“(3) WAIVER.—The Secretary may waive all or part of the matching requirement described in paragraph (1) for any fiscal year for an eligible entity if the Secretary determines that applying the matching requirement to such eligible entity would result in serious hardship or an inability to carry out the authorized activities described in subsection (e).

#### “SEC. 5506. SUPPLEMENT, NOT SUPPLANT.

“Grant funds provided under this part shall supplement, and not supplant, other non-Federal funds that are available to assist low-income students to pay for the cost of accelerated learning fees or to expand access to accelerated learning and pre-accelerated learning courses.

#### “SEC. 5507. DEFINITIONS.

“In this part:

“(1) ACCELERATED LEARNING COURSE.—The term ‘accelerated learning course’ means—

“(A) a course of postsecondary-level instruction provided to middle or high school students, terminating in an Advanced Placement or International Baccalaureate examination; or

“(B) another highly rigorous, evidence-based, postsecondary preparatory program terminating in—

“(i) an examination or sequence of courses that are widely accepted for credit at institutions of higher education; or

“(ii) another examination or sequence of courses approved by the Secretary.

“(2) ACCELERATED LEARNING EXAMINATION.—The term ‘accelerated learning examination’ means an Advanced Placement examination administered by the College Board, an International Baccalaureate examination administered by the International Baccalaureate, an examination that is widely accepted for college credit, or another such examination approved by the Secretary.

“(3) HIGH-NEED SCHOOL.—The term ‘high-need school’ means a high school—

“(A) with a demonstrated need for Advanced Placement or International Baccalaureate courses, dual or concurrent enrollment programs, or early college high school courses; and

“(B) that—

“(i) has a high concentration of low-income students; or

“(ii) is a local educational agency that is eligible, as determined by the Secretary, under the small, rural school achievement program, or the rural and low-income school program, authorized under subpart 1 or 2 of part B of title VI.

“(4) LOW-INCOME STUDENT.—The term ‘low-income student’ means a student who is eligible for a free or reduced price lunch under the school lunch program established under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.).

#### “SEC. 5508. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.”

#### SEC. 5007. READY-TO-LEARN TELEVISION.

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part E, as added by section 5006, the following:

#### “PART F—READY-TO-LEARN TELEVISION

##### “SEC. 5601. READY-TO-LEARN.

“(a) PROGRAM AUTHORIZED; READY-TO-LEARN.—

“(1) IN GENERAL.—The Secretary is authorized to award grants to, or enter into contracts or cooperative agreements with, eligible entities described in paragraph (3) to enable such entities—

“(A) to develop, produce, and distribute educational and instructional video programming for preschool and elementary school children and their parents in order to facilitate student academic achievement;

“(B) to facilitate the development, directly or through contracts with producers of chil-

dren’s and family educational television programming, of educational programming for preschool and elementary school children, and the accompanying support materials and services that promote the effective use of such programming;

“(C) to facilitate the development of programming and digital content containing Ready-to-Learn-based children’s programming and resources for parents and caregivers that is specially designed for nationwide distribution over public television stations’ digital broadcasting channels and the Internet;

“(D) to contract with entities (such as public telecommunications entities) so that programs developed under this section are disseminated and distributed to the widest possible audience appropriate to be served by the programming, and through the use of the most appropriate distribution technologies; and

“(E) to develop and disseminate education and training materials, including interactive programs and programs adaptable to distance learning technologies, that are designed—

“(i) to promote school readiness; and

“(ii) to promote the effective use of materials developed under subparagraphs (B) and (C) among parents, teachers, Head Start providers, providers of family literacy services, child care providers, early childhood development personnel, elementary school teachers, public libraries, and after-school program personnel caring for preschool and elementary school children.

“(2) AVAILABILITY.—In awarding or entering into grants, contracts, or cooperative agreements under this section, the Secretary shall ensure that eligible entities make programming widely available, with support materials as appropriate, to young children, parents, child care workers, Head Start providers, and providers of family literacy services to increase the effective use of such programming.

“(3) ELIGIBLE ENTITIES.—To be eligible to receive a grant, contract, or cooperative agreement under this section, an entity shall be a public telecommunications entity that is able to demonstrate each of the following:

“(A) A capacity for the development and national distribution of educational and instructional television programming of high quality that is accessible by a large majority of disadvantaged preschool and elementary school children.

“(B) A capacity to contract with the producers of children’s television programming for the purpose of developing educational television programming of high quality.

“(C) A capacity, consistent with the entity’s mission and nonprofit nature, to negotiate such contracts in a manner that returns to the entity an appropriate share of any ancillary income from sales of any program-related products.

“(D) A capacity to localize programming and materials to meet specific State and local needs and to provide educational outreach at the local level.

“(4) COORDINATION OF ACTIVITIES.—An entity receiving a grant, contract, or cooperative agreement under this section shall consult with the Secretary and the Secretary of Health and Human Services—

“(A) to maximize the utilization of quality educational programming by preschool and elementary school children, and make such programming widely available to federally funded programs serving such populations; and

“(B) to coordinate activities with Federal programs that have major training components for early childhood development, including programs under the Head Start Act (42 U.S.C. 9831 et seq.) and State training activities funded under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), regarding the availability and utilization of materials developed under paragraph (1)(E) to enhance parent and child care provider skills in early childhood development and education.

“(b) APPLICATIONS.—To be eligible to receive a grant, contract, or cooperative agreement under subsection (a), an entity shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may reasonably require.

“(c) REPORTS AND EVALUATIONS.—

“(1) ANNUAL REPORT TO THE SECRETARY.—An entity receiving a grant, contract, or cooperative agreement under this section shall prepare and submit to the Secretary an annual report that contains such information as the Secretary may require. At a minimum, the report shall describe the program activities undertaken with funds received under the grant, contract, or cooperative agreement, including each of the following:

“(A) The programming that has been developed, directly or indirectly, by the eligible entity, and the target population of the programs developed.

“(B) The support and training materials that have been developed to accompany the programming, and the method by which the materials are distributed to consumers and users of the programming.

“(C) The means by which programming developed under this section has been distributed, including the distance learning technologies that have been utilized to make programming available, and the geographic distribution achieved through such technologies.

“(D) The initiatives undertaken by the entity to develop public-private partnerships to secure non-Federal support for the development, distribution, and broadcast of educational and instructional programming.

“(2) REPORT TO CONGRESS.—The Secretary shall prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives a biannual report that includes the following:

“(A) A summary of the activities assisted under subsection (a).

“(B) A description of the education and training materials made available under subsection (a)(1)(E), the manner in which outreach has been conducted to inform parents and child care providers of the availability of such materials, and the manner in which such materials have been distributed in accordance with such subsection.

“(d) ADMINISTRATIVE COSTS.—An entity that receives a grant, contract, or cooperative agreement under this section may use up to 5 percent of the amount received under the grant, contract, or agreement for the normal and customary expenses of administering the grant, contract, or agreement.

“(e) FUNDING RULE.—Not less than 60 percent of the amount appropriated under subsection (f) for each fiscal year shall be used to carry out activities under subparagraphs (B) through (D) of subsection (a)(1).

“(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.”.

## SEC. 5008. INNOVATIVE TECHNOLOGY EXPANDS CHILDREN'S HORIZONS (I-TECH).

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part F, as added by section 5007, the following:

### “PART G—INNOVATIVE TECHNOLOGY EXPANDS CHILDREN'S HORIZONS (I-TECH)

#### “SEC. 5701. PURPOSES.

“The purposes of this part are—

“(1) to improve the achievement, academic growth, and college and career readiness of all students;

“(2) to ensure that all students have access to personalized, rigorous learning experiences that are supported through technology;

“(3) to ensure that educators have the knowledge and skills to use technology, including computer-based assessments and blended learning strategies, to personalize learning;

“(4) to ensure that local educational agency and school leaders have the skills required to implement, and support school- and district-wide approaches for using technology to inform instruction, support teacher collaboration, and personalize learning;

“(5) to ensure that students in rural, remote, and underserved areas have the resources to take advantage of high-quality digital learning experiences, digital resources, and access to online courses taught by effective educators;

“(6) to ensure that students have increased access to online dual or concurrent enrollment opportunities, career and technical courses, and programs leading to a recognized postsecondary credential (as defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102)), and courses taught by educators, including advanced coursework; and

“(7) to ensure that State educational agencies, local educational agencies, elementary schools, and secondary schools have the technological capacity, infrastructure, and technical support necessary to meet purposes described in paragraphs (1) through (6).

#### “SEC. 5702. DEFINITIONS.

“In this part:

“(1) DIGITAL LEARNING.—The term ‘digital learning’ means any instructional practice that effectively uses technology to strengthen a student's learning experience and encompasses a wide spectrum of tools and practices, including—

“(A) interactive learning resources that engage students in academic content;

“(B) access to online databases and other primary source documents;

“(C) the use of data, data analytics, and information to personalize learning and provide targeted supplementary instruction;

“(D) student collaboration with content experts and peers;

“(E) online and computer-based assessments;

“(F) digital learning content, software, or simulations;

“(G) access to online courses;

“(H) mobile devices for learning in school and at home;

“(I) learning environments that allow for rich collaboration and communication;

“(J) hybrid or blended learning, which occurs under direct instructor supervision at a school or other location away from home and, at least in part, through online delivery of instruction with some element of student control over time, place, path, or pace;

“(K) access to online course opportunities for students in rural or remote areas; and

“(L) discovery, modification, and sharing of openly licensed digital learning materials.

“(2) ELIGIBLE TECHNOLOGY.—The term ‘eligible technology’ means modern computer, and communication technology software, services, or tools, including computer or mobile devices, software applications, systems and platforms, and digital learning content, and related services and supports.

“(3) TECHNOLOGY READINESS SURVEY.—The term ‘technology readiness survey’ means a survey completed by a local educational agency that provides standardized information on the quantity and types of technology infrastructure and access available to the students and in the community served by the local educational agency, including computer devices, access to school libraries, Internet connectivity, operating systems, related network infrastructure, data systems, educator professional learning needs and priorities, and data security.

“(4) UNIVERSAL DESIGN FOR LEARNING.—The term ‘universal design for learning’ has the meaning given the term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

#### “SEC. 5703. TECHNOLOGY GRANTS PROGRAM AUTHORIZED.

“(a) IN GENERAL.—From the amounts appropriated under section 5708, the Secretary may reserve not more than 1.5 percent for national activities to support grantees and shall award the remainder to State educational agencies to strengthen State and local technological infrastructure and professional learning that supports digital learning through State activities under section 5705(c) and local activities under section 5706(c).

“(b) GRANTS TO STATE EDUCATIONAL AGENCIES.—

“(1) RESERVATIONS.—From the amounts appropriated under section 5708 for any fiscal year, the Secretary shall reserve—

“(A) three-fourths of 1 percent for the Secretary of the Interior to provide assistance under this part for schools operated or funded by the Bureau of Indian Education; and

“(B) 1 percent to provide assistance under this part to the outlying areas.

“(2) GRANT ALLOTMENTS.—From the amounts appropriated under section 5708 for any fiscal year and remaining after the Secretary makes reservations under paragraph (1), the Secretary shall make a grant for the fiscal year to each State educational agency with an approved application under section 5704 in an amount that bears the same relationship to such remainder as the amount the State educational agency received under part A of title I for such year bears to the amount all State educational agencies with an approved application under section 5704 received under such part for such year.

“(c) MINIMUM.—The amount of a grant to a State educational agency under subsection (b)(2) for a fiscal year shall not be less than one-half of 1 percent of the total amount made available for grants to all State educational agencies under such subsection for such year.

“(d) REALLOTMENT OF UNUSED FUNDS.—If any State educational agency does not apply for a grant under section 5704 for a fiscal year, or does not use the State educational agency's entire grant allotment under subsection (b)(2) for such year, the Secretary shall reallocate the amount of the State educational agency's grant, or the unused portion of the grant allotment, to the remaining State educational agencies that use their entire grant amounts under subsection (b)(2) for such year.

“(e) MATCHING FUNDS.—

“(1) IN GENERAL.—A State educational agency that receives a grant under subsection (b)(2) shall provide matching funds, from non-Federal sources, in an amount equal to 10 percent of the amount of grant funds provided to the State educational agency to carry out the activities supported by the grant. Such matching funds may be provided in cash or in kind, except that any such in kind contributions shall be provided for the purpose of supporting the State educational agency’s activities under section 5705(c).

“(2) WAIVER.—The Secretary may waive the matching requirement under paragraph (1) for a State educational agency that demonstrates that such requirement imposes an undue financial hardship on the State educational agency.

#### “SEC. 5704. STATE APPLICATIONS.

“(a) APPLICATION.—To receive a grant under section 5703(b)(2), a State educational agency shall submit to the Secretary an application at such time and in such manner as the Secretary may require and containing the information described in subsection (b).

“(b) CONTENTS.—Each application submitted under subsection (a) shall include the following:

“(1) A description of how the State educational agency will meet the following goals:

“(A) Use technology to ensure that all students achieve college and career readiness and digital literacy, including by providing high-quality education opportunities to economically or geographically isolated student populations.

“(B) Provide educators, school leaders, and administrators with the professional learning tools, devices, content, and resources to—

“(i) personalize learning to improve student academic achievement; and

“(ii) discover, adapt, and share relevant high-quality open educational resources.

“(C) Enable local educational agencies to build technological capacity and infrastructure.

“(2) An assurance that each local educational awarded a subgrant under this part has conducted a technology readiness survey and will take steps to address the identified readiness gaps not later than 3 years after the completion of the survey by the local educational agency.

“(3) An assurance that the State educational agency will ensure that the State educational agency’s technology systems and school-based technology systems are interoperable.

“(4) An assurance that the State educational agency will consider making content widely available through open educational resources when making purchasing decisions with funds received under this part.

“(5) A description of how the State educational agency will award subgrants to local educational agencies under section 5706.

“(6) A description of the process, activities, and performance measures that the State educational agency will use to evaluate the impact and effectiveness of the grant and subgrant funds awarded under this part across the State and in each local educational agency.

“(7) An assurance that the State educational agency consulted with local educational agencies in the development of the State educational agency’s application under this subsection.

“(8) An assurance that the State educational agency will provide matching funds as required under section 5703(e).

“(9) An assurance that the State educational agency will protect the privacy and safety of students and teachers, consistent with requirements of section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly known as the ‘Family Educational Rights and Privacy Act of 1974’) and section 445 of the General Education Provisions Act (20 U.S.C. 1232h).

“(10) An assurance that funds made available under this part shall be used to supplement, and not supplant, any other Federal, State, or local funds that would otherwise be available to carry out the activities assisted under this part.

#### “SEC. 5705. STATE USE OF GRANT FUNDS.

“(a) RESERVATION FOR SUBGRANTS TO SUPPORT TECHNOLOGY INFRASTRUCTURE.—Each State educational agency that receives a grant under section 5703(b)(2) shall expend not less than 90 percent of the grant amount for each fiscal year to award subgrants to local educational agencies in accordance with section 5706.

“(b) RESERVATION FOR STATE ACTIVITIES.—

“(1) IN GENERAL.—A State educational agency shall reserve not more than 10 percent of the grant received under section 5703(b)(2) for the State activities described in subsection (c).

“(2) GRANT ADMINISTRATION.—

“(A) IN GENERAL.—Subject to subparagraph (B), of the amount reserved by a State educational agency under paragraph (1), the State educational agency may reserve for the administration of the grant under this part not more than—

“(i) 1 percent in the case of a State educational agency awarding subgrants under section 5706(a)(1); or

“(ii) 3 percent in the case of a State educational agency awarding subgrants under section 5706(a)(2).

“(B) SPECIAL RULE.—Notwithstanding subparagraph (A), a State educational agency that forms a State purchasing consortium under subsection (d)—

“(i) may reserve an additional 1 percent to carry out the activities described in subsection (d)(1); and

“(ii) may reserve amounts in addition to the percentage described in clause (i) if the State purchasing consortium receives direct approval from the local educational agencies receiving subgrants under section 5706(a) from the State educational agency prior to reserving more than the additional percentage authorized under clause (i).

“(c) STATE ACTIVITIES.—A State educational agency may use funds described in subsection (b) to carry out each of the following:

“(1) Except for the awarding of subgrants in accordance with section 5706, activities described in the State educational agency’s application under section 5704(b).

“(2) Providing technical assistance to local educational agencies to—

“(A) identify and address technology readiness needs, as determined by the technology readiness surveys;

“(B) use technology, consistent with the principles of universal design for learning, to support the learning needs of all students, including children with disabilities and English learners;

“(C) build capacity for principals and local educational agency administrators to support teachers in using data and technology to improve teaching and personalize learning;

“(D) ensure that contractual requirements for third parties that have access to student data, its storage, or provide analytics on student data provide privacy protections consistent with the requirements of section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly known as the ‘Family Educational Rights and Privacy Act of 1974’); and

“(E) provide tools and processes to support the creation, modification, and distribution of open educational resources.

“(3) Developing or utilizing evidence-based or innovative strategies for the delivery of specialized or rigorous academic courses and curricula through the use of technology, including digital learning technologies and assistive technology.

“(4) Integrating and coordinating activities under this part with other educational resources and programs across the State.

“(5) Disseminating information, including making publicly available on the website of the State educational agency, promising practices to improve technology instruction, best practices for data security, and acquiring and implementing technology tools and applications.

“(6) Ensuring that teachers, paraprofessionals, school librarians and media personnel, specialized instructional support personnel, and administrators possess the knowledge and skills to use technology to meet the goals described in section 5704(b)(1).

“(7) Coordinating with teacher, principal, and other school leader preparation programs to ensure that preservice teachers, principals, and other school leaders have the skills to implement digital learning programs effectively.

“(8) Supporting schools in rural and remote areas to expand access to high-quality digital learning opportunities.

“(d) PURCHASING CONSORTIA.—

“(1) IN GENERAL.—A State educational agency receiving a grant under section 5703(b)(2) may—

“(A) form a State purchasing consortium with 1 or more State educational agencies receiving such a grant to carry out the State activities described in subsection (c), including purchasing eligible technology;

“(B) encourage local educational agencies to form a local purchasing consortium under section 5706(c)(4); and

“(C) promote pricing opportunities to local educational agencies for the purchase of eligible technology that are—

“(i) negotiated by the State educational agency or the State purchasing consortium of the State educational agency; and

“(ii) available to such local educational agencies.

“(2) RESTRICTIONS.—A State educational agency receiving a grant under section 5703(b)(2) shall not—

“(A) except for promoting the pricing opportunities described in paragraph (1)(C), make recommendations to local educational agencies for, or require, use of any specific commercial products and services by local educational agencies;

“(B) require local educational agencies to participate in a State purchasing consortia or local purchasing consortia; or

“(C) use more than the amount reserved under subsection (b) to carry out the activities described in paragraph (1), unless the State educational agency receives approval in accordance with subsection (b)(2)(B).

#### “SEC. 5706. LOCAL SUBGRANTS.

“(a) SUBGRANTS.—

“(1) GRANTS TO LOCAL EDUCATIONAL AGENCIES.—From the grant funds provided under

section 5703(b)(2) to a State educational agency that are remaining after the State educational agency makes reservations under section 5705(b) for any fiscal year and subject to paragraph (2), the State educational agency shall award subgrants for the fiscal year to local educational agencies served by the State educational agency and with an approved application under subsection (b) by allotting to each such local educational agency an amount that bears the same relationship to the remainder as the amount received by the local educational agency under part A of title I for such year bears to the amount received by all such local educational agencies under such part for such year, except that no local educational agency may receive less than \$20,000 for a year.

“(2) COMPETITIVE GRANTS TO LOCAL EDUCATIONAL AGENCIES.—If the amount of funds appropriated under section 5708 is less than \$300,000,000 for any fiscal year, a State educational agency—

“(A) shall not award subgrants under paragraph (1); and

“(B) shall—

“(i) award subgrants, on a competitive basis, to local educational agencies based on the quality of applications submitted under subsection (b), including—

“(I) the level of technology readiness, as determined by the technology readiness surveys completed by local educational agencies submitting such applications; and

“(II) the technology plans described in subsection (b)(3) and how the local educational agencies with such plans will carry out the alignment and coordination described in such subsection;

“(ii) give priority to local educational agencies that have demonstrated substantial need for assistance in acquiring and using technology, based on the agency's technology readiness survey; and

“(iii) give priority to schools that serve students in rural and remote areas, schools identified under section 1114 as in need of intervention and support and the persistently lowest-achieving schools, or schools with a high percentage of students aged 5 through 17 who are in poverty, as counted in the most recent census data approved by the Secretary, who are eligible for a free or reduced priced lunch under the Richard B. Russell National School Lunch Act, in families receiving assistance under the State program funded under part A of title IV of the Social Security Act, or eligible to receive medical assistance under the Medicaid program.

“(3) DEFINITION OF LOCAL EDUCATIONAL AGENCY FOR CERTAIN FISCAL YEARS.—For purposes of awarding subgrants under paragraph (2), the term ‘local educational agency’ means—

“(A) a local educational agency;

“(B) an educational service agency; or

“(C) a local educational agency and an educational service agency.

“(b) APPLICATION.—A local educational agency that desires to receive a subgrant under subsection (a) shall submit an application to the State at such time, in such manner, and accompanied by such information as the State educational agency may require, such as—

“(1) a description of how the local educational agency will carry out the goals described in subparagraphs (A) through (C) of section 5704(b)(1);

“(2) a description of the results of the technology readiness survey completed by the local educational agency and a description of

the plan for the local educational agency to meet the goals described in paragraph (1) within 3 years of completing the survey;

“(3) a description of the local educational agency's technology plan to carry out paragraphs (1) and (2) and how the agency will align and coordinate the activities under this section with other activities across the local educational agency;

“(4) a description of the team of educators who will coordinate and carry out the activities under this section, including individuals with responsibility and expertise in instructional technology, teachers who specialize in supporting students who are children with disabilities and English learners, other school leaders, school librarians and media personnel, technology officers, and staff responsible for assessments and data;

“(5) a description of how the local educational agency will build capacity for principals, other school leaders, and local educational agency administrators to support teachers in developing data literacy skills and in implementing digital tools to support teaching and learning;

“(6) a description of how the local educational agency will procure content and ensure content quality; and

“(7) an assurance that the local educational agency will protect the privacy and safety of students and teachers, consistent with requirements section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly known as the ‘Family Educational Rights and Privacy Act of 1974’).

“(c) USE OF FUNDS.—

“(1) PROFESSIONAL DEVELOPMENT IN DIGITAL LEARNING.—Subject to paragraph (3), a local educational agency receiving a subgrant under subsection (a) shall use not less than 50 percent of such funds to carry out professional development in digital learning for teachers, principals, other school leaders, paraprofessionals, school librarians and media personnel, specialized instructional support personnel, technology coordinators, and administrators in the use of technology to support student learning.

“(2) TECHNOLOGY INFRASTRUCTURE.—Subject to paragraph (3), a local educational agency receiving a subgrant under subsection (a) shall use not less than 25 percent of such funds to support activities for the acquisition of eligible technology needed to—

“(A) except for the activities described in paragraph (1), carry out activities described in the application submitted under subsection (b), including purchasing devices, equipment, and software applications; and

“(B) address readiness shortfalls identified under the technology readiness survey completed by the local educational agency.

“(3) MODIFICATION OF FUNDING ALLOCATIONS.—A State educational agency may authorize a local educational agency to modify the percentage of the local educational agency's subgrant funds required to carry out the activities described in paragraph (1) or (2) if the local educational agency demonstrates that such modification will assist the local educational agency in more effectively carrying out such activities.

“(4) PURCHASING CONSORTIUM.—Local educational agencies receiving subgrants under subsection (a) may—

“(A) form a local purchasing consortium with other such local educational agencies to carry out the activities described in this subsection, including purchasing eligible technology; and

“(B) use such funds for purchasing eligible technology through a State purchasing consortium under section 5705(d).

“(5) BLENDED LEARNING PROJECTS.—

“(A) IN GENERAL.—A local educational agency receiving a subgrant under subsection (a) may use such funds to carry out a blended learning project, which shall include at least 1 of the following activities:

“(i) Planning activities, which may include development of new instructional models (including blended learning technology software and platforms), the purchase of digital instructional resources, initial professional development activities, and one-time information technology purchases, except that such expenditures may not include expenditures related to significant construction or renovation of facilities.

“(ii) Ongoing professional development for teachers, principals, other school leaders, or other personnel involved in the project that is designed to support the implementation and academic success of the project.

“(B) NON-FEDERAL MATCH.—A local educational agency that carries out a blended learning project under this paragraph shall provide non-Federal matching funds equal to not less than 10 percent of the amount of funds used to carry out such project.

“(C) DEFINITION OF BLENDED LEARNING.—In this paragraph, the term ‘blended learning’ means a formal education program that leverages both technology-based and face-to-face instructional approaches that—

“(i) include an element of online or digital learning, combined with supervised learning time, and student-led learning, in which the elements are connected to provide an integrated learning experience; and

“(ii) where students are provided some control over time, path, or pace.

#### “SEC. 5707. REPORTING.

“(a) LOCAL EDUCATIONAL AGENCIES.—Each local educational agency receiving a subgrant under section 5706 shall submit to the State educational agency that awarded such subgrant an annual report that meets the requirements of subsection (c).

“(b) STATE EDUCATIONAL AGENCIES.—Each State educational agency receiving a grant under section 5703(b)(2) shall submit to the Secretary an annual report that meets the requirements of subsection (c).

“(c) REPORT REQUIREMENTS.—A report submitted under subsection (a) or (b) shall include, at a minimum, a description of—

“(1) the status of the State educational agency's plan described in section 5704(b) or the local education agency's technology plan under section 5706(b)(3), as applicable;

“(2) the categories of eligible technology acquired with funds under this part and how such technology is being used;

“(3) the professional learning activities funded under this part, including types of activities and entities involved in providing such professional learning to classroom teachers and other staff, such as school librarians; and

“(4) the types of programs funded under this part.

#### “SEC. 5708. AUTHORIZATION.

“There are authorized to be appropriated such sums as may be necessary to carry out this part.”.

#### SEC. 5009. LITERACY AND ARTS EDUCATION.

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part G, as added by section 5008, the following:

#### “PART H—LITERACY AND ARTS EDUCATION

##### “SEC. 5801. LITERACY AND ARTS EDUCATION.

“(a) IN GENERAL.—From funds made available under subsection (c), the Secretary may



award grants, contracts, or cooperative agreements, on a competitive basis, to eligible entities for the purposes of promoting—

“(1) arts education for disadvantaged students and students who are children with disabilities, through activities such as—

“(A) professional development for arts educators, teachers, and principals;

“(B) development and dissemination of instructional materials and arts-based educational programming, including online resources, in multiple arts disciplines; and

“(C) community and national outreach activities that strengthen and expand partnerships among schools, local educational agencies, communities, or national centers for the arts; and

“(2) literacy programs that support the development of literacy skills in low-income communities, including—

“(A) developing and enhancing effective school library programs, which may include providing professional development for school librarians, books, and up-to-date materials to low-income schools;

“(B) early literacy services, including pediatric literacy programs through which, during well-child visits, medical providers trained in research-based methods of early language and literacy promotion provide developmentally appropriate books and recommendations to parents to encourage them to read aloud to their children starting in infancy; and

“(C) programs that provide high-quality books on a regular basis to children and adolescents from disadvantaged communities to increase reading motivation, performance, and frequency.

“(b) DEFINITIONS.—In this section:

“(1) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—

“(A) a local educational agency in which 20 percent or more of the students served by the local educational agency are from families with an income below the poverty line;

“(B) a consortium of such local educational agencies; or

“(C) an eligible national nonprofit organization.

“(2) ELIGIBLE NATIONAL NONPROFIT ORGANIZATION.—The term ‘eligible national nonprofit organization’ means an organization of national scope that—

“(A) is supported by staff, which may include volunteers, or affiliates at the State and local levels; and

“(B) demonstrates effectiveness or high-quality plans for addressing childhood literacy activities for the population targeted by the grant.

“(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2016 through 2021.”.

#### SEC. 5010. EARLY LEARNING ALIGNMENT AND IMPROVEMENT GRANTS.

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part H, as added by section 5009, the following:

##### “PART I—EARLY LEARNING ALIGNMENT AND IMPROVEMENT GRANTS

#### “SEC. 5901. PURPOSES; DEFINITIONS.

“(a) PURPOSES.—The purposes of this part are to assist States with—

“(1) more efficiently using existing Federal resources to improve, strengthen, and expand existing high-quality early childhood education, as determined by the State;

“(2) coordinating existing funding streams and delivery models to promote—

“(A) program quality, while maintaining services;

“(B) parental choice among high-quality early childhood education program providers; and

“(C) early care and learning access for children from birth to kindergarten entry; and

“(3) improving access for children from low-income families to high-quality early childhood education programs in order to enhance school readiness.

“(b) DEFINITIONS.—In this part:

“(1) CENTER OF EXCELLENCE.—The term ‘Center of Excellence’ means a local public or private nonprofit agency, including a community-based or faith-based organization, or a for-profit agency, within a community, that provides early learning and care services in the State, including the use of best practices for—

“(A) achieving school readiness, including the development of early literacy and mathematics skills;

“(B) acquisition of English language skills; and

“(C) providing high-quality comprehensive services for eligible children and their families.

“(2) ELIGIBLE CHILD.—The term ‘eligible child’ means an individual—

“(A) who is less than 6 years of age; and

“(B) whose family income does not exceed—

“(i) 200 percent of the poverty line;

“(ii) 85 percent of the State median income for a family of the same size, and whose family assets do not exceed \$1,000,000 (as certified by a member of such family); or

“(iii) a State-determined threshold for eligibility that does not exceed the thresholds in clauses (i) and (ii).

“(3) ELIGIBLE PARTNERSHIP.—The term ‘eligible partnership’ means a partnership that, at a minimum, includes, as applicable and appropriate, the State Advisory Council on Early Childhood Education and Care established under section 642B(b) of the Head Start Act, and all of the following partners, which may be represented on the Council:

“(A) One or more public and private (including nonprofit or for-profit) providers of early childhood education that serve eligible children residing in the State and meet applicable standards of licensing and quality as determined by the State.

“(B) One or more Head Start agencies, which may include Early Head Start, migrant and seasonal Head Start, and Indian Head Start agencies that serve eligible children residing in the State.

“(C) The State educational agency.

“(D) Other relevant State agencies with oversight of preschool, early education, and child care in the State.

“(E) One or more local educational agencies in the State.

“(F) One or more institutions of higher education in the State.

“(G) One or more representatives of business in the State.

“(4) INSTITUTION OF HIGHER EDUCATION.—The term ‘institution of higher education’ has the meanings given the term in section 101 and subparagraphs (A) and (B) of section 102(a)(1) of the Higher Education Act of 1965.

#### “SEC. 5902. EARLY LEARNING ALIGNMENT AND IMPROVEMENT GRANTS.

“(a) GRANTS AUTHORIZED.—

“(1) IN GENERAL.—From amounts made available under section 5903, the Secretary, in consultation with the Secretary of Health and Human Services, shall award grants, on a competitive basis, to States to enable the States to carry out the activities described in subsection (d).

“(2) RESERVATION FOR STATES SERVING RURAL AREAS.—From the amounts appropriated under section 5903 for a fiscal year, the Secretary shall reserve not less than 30 percent for grants to States that propose to carry out the activities described in subsection (d) for eligible children living in rural areas. The Secretary shall reduce the amount described in the preceding sentence if the Secretary does not receive a sufficient number of applications that are deserving of a grant under this part for such purpose.

“(3) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to a State that will use funds under this grant to focus on eligible children—

“(A) who are 3 and 4 years of age; and

“(B) whose family income does not exceed 130 percent of the poverty line.

“(4) DURATION OF GRANTS.—A grant awarded under this section shall be for a period of not more than 3 years and may not be renewed by the Secretary.

“(5) LIMITATION.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), a State may receive a grant under this section once.

“(B) EXCEPTION.—Notwithstanding subparagraph (A), a State may receive more than 1 grant under this section only—

“(i) if the State is proposing, for such additional grants, to carry out activities for eligible children living in rural areas; or

“(ii) after all States, which meet the requirements and have submitted an application under this section, have received a grant, to the extent that funds for a grant are still available.

“(6) EQUITABLE DISTRIBUTION.—To the extent practicable, the Secretary shall ensure an equitable geographic distribution of grants under this section.

“(b) STATE REQUIREMENTS.—

“(1) LEAD AGENCY.—

“(A) DESIGNATION.—A State desiring a grant under this section shall designate an agency (which may be an appropriate collaborative agency) or establish a joint inter-agency office, that complies with the requirements of subparagraph (B), to serve as a lead agency for the State under this section.

“(B) DUTIES.—The lead agency designated under subparagraph (A) shall—

“(i) administer, directly or through other governmental or nongovernmental agencies, the Federal assistance received under this section by the State;

“(ii) develop the application submitted to the Secretary under subsection (c); and

“(iii) coordinate the provision of activities under this section with existing Federal, State, and local early childhood education programs.

“(2) PARTNERS.—In order to be eligible for a grant under this section, a State shall partner with an eligible partnership.

“(3) MATCHING REQUIREMENT.—Each State that receives a grant under this part shall provide from Federal or non-Federal sources (which may be provided in cash or in kind) to carry out the activities supported by the grant, an amount equal to—

“(A) 30 percent of the amount of the grant in the first year of such grant; and

“(B) not less than 30 percent of the amount of the grant in each of the second and third years of such grant, respectively.

“(c) APPLICATIONS.—A State desiring a grant under this section shall submit an application at such time, in such manner, and containing such information as the Secretary may reasonably require. The application shall include—

“(1) an identification of the lead agency that the Governor of the State has appointed

to be responsible for the grant under this section;

“(2) a description of the eligible partnership required under subsection (b)(2), which will assist the State in developing the plan and implementing the activities under this part;

“(3) to the extent practicable, the unduplicated counts of the number of eligible children served using existing Federal, State, and local resources and programs that the State will coordinate to meet the purposes of this part, including—

“(A) programs carried out under the Head Start Act, including the Early Head Start programs carried out under such Act;

“(B) programs carried out under section 619 and parts B and C of the Individuals with Disabilities Education Act;

“(C) child care programs carried out under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.) or section 418 of the Social Security Act (42 U.S.C. 618);

“(D) other Federal, State, local, and Indian tribe or tribal organization programs of early learning, childhood education, child care, and development in the State; and

“(E) as applicable—

“(i) programs carried out under other provisions of this Act;

“(ii) programs carried out under subtitle A of title XX of the Social Security Act (42 U.S.C. 1397 et seq.);

“(iii) programs carried out under the Community Services Block Grant Act (42 U.S.C. 9901 et seq.);

“(iv) programs serving homeless children and services of local educational agency liaisons for homeless children and youths designated under section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432(g)(1)(J)(ii));

“(v) State agencies and programs serving children in foster care and the foster families of such children; and

“(vi) child care programs funded through State veterans affairs offices;

“(4) a description of how the State proposes to coordinate such resources and programs identified under paragraph (3) in order to meet the purposes of this part;

“(5) a description of how the State will identify early childhood education program providers that demonstrate a high level of quality;

“(6) a description of how the State will define eligible children, in accordance with section 5901(b)(2);

“(7) a description of how the State will expand access to existing high-quality early learning and care for eligible children in the State or, if no high-quality early learning and care is accessible for eligible children, expand access to high-quality early learning and care for such children;

“(8) in the case of a State that has elected to use funds under this section to designate Centers of Excellence—

“(A) an assurance that the State will designate an entity, such as an agency, an institution of higher education, a consortium of local educational agencies or Head Start centers, or another entity, to designate early childhood education programs as Centers of Excellence;

“(B) an assurance that the designee will meet the definition of a Center of Excellence;

“(C) a description of the process by which an entity that carries out an early childhood education program would be designated as a Center of Excellence, including evidence that the early childhood education program involved has demonstrated excellence in pro-

gram delivery in a manner designed to improve the school readiness of children who have participated in the program; and

“(D) a description of how the State will assist Centers of Excellence in the dissemination of best practices;

“(9) a description of the measurable outcomes and anticipated levels of performance for such outcomes, as determined by the State, in the areas of program coordination, program quality improvement, and increased access to high-quality programs, that the State will use to evaluate the coordinated statewide or locally implemented system of voluntary early care and learning supported by the grant;

“(10) an assurance that the State will provide technical assistance to partners on methods by which Federal and State early learning and care funding can be coordinated and lead to cost-saving and efficiencies strategies, and other methods that will enhance the quality of the early childhood education programs in the State;

“(11) a description of how the State will sustain early learning and care activities coordinated under this section, including for rural areas in the State, if applicable, once grant funding is no longer available under this section;

“(12) a description of the process that the State proposes to use to collect and disseminate, to parents and the general public, consumer information that will promote informed early learning and care choices in the State;

“(13) a description of how the State will serve eligible children residing in rural areas, if applicable; and

“(14) an assurance that funds made available under this part shall be used to supplement, and not supplant, any other Federal, State, or local funds that would otherwise be available to carry out the activities assisted under this part.

“(d) USE OF FUNDS.—

“(1) IN GENERAL.—A State that receives a grant under this part shall use the grant funds to develop, implement, or improve a coordinated statewide or locally implemented system of voluntary early care and learning, which includes a plan—

“(A) for coordinating funding available through existing Federal, State, and local sources; and

“(B) that is designed in collaboration with an eligible partnership.

“(2) AUTHORIZED ACTIVITIES.—Grant funds under this section may be used for the following:

“(A) Aligning existing Federal, State, and local funding and resources with a statewide or locally designed system for delivering high-quality early learning and care for eligible children in the State, including developing evidence-based practices to improve staff quality, instructional programming, and time in program.

“(B) Analyzing needs for expanded access to existing high-quality early childhood education programs in the State, including child care, preschool, and Early Head Start, Head Start, and special education for all children, particularly low-income children.

“(C) Developing or expanding eligible partnerships to—

“(i) expand access for eligible children to existing high-quality providers or programs or, if no high-quality early learning and care is accessible for eligible children, expand access to high-quality early learning and care for eligible children;

“(ii) share best practices; and

“(iii) ensure that parents have maximum choices in selecting the providers that meet

their individual needs, consistent with State and local laws.

“(D) Developing or expanding Centers of Excellence for the purposes of—

“(i) disseminating best practices for achieving early academic success in the State, including best practices for—

“(I) achieving school readiness, including developing early literacy and mathematics skills;

“(II) the acquisition of the English language for English learners; or

“(III) providing high-quality comprehensive services to low-income and at-risk children and their families;

“(ii) coordinating early education, child care, and other social services available in the State and local communities for low-income and at-risk children and families; or

“(iii) providing effective transitions between preschool programs and elementary schools, including by facilitating ongoing communication between early education and elementary school teachers and by improving the ability of teachers to work effectively with low-income and at-risk children and their families.

“(E) Expanding existing high-quality early education and care for infants and toddlers or, if no high-quality early education and care is accessible for infants and toddlers, expand access to high-quality education and care.

“(F) Developing, implementing, or coordinating programs or strategies determined by the State to increase the involvement of the parents and family of an eligible child in the education of the child, such as programs or strategies that—

“(i) encourage effective ongoing communication between such children and the parents and families of such children, early childhood education providers, early learning administrators, and other early childhood education personnel; and

“(ii) promote active participation of parents, families, and communities as partners in the education of such children.

“(G) Carrying out other strategies determined by the State to improve access to, and expand the overall quality of, a coordinated State or locally designed system of voluntary early learning and care services in the State.

“(3) PRIORITY.—The activities implemented by a State under this subsection shall prioritize parental choice of providers and evidence-based practices for improving early learning program quality and access, to the extent permitted under State and local law.

“(e) REPORTING.—A State that receives a grant under this part shall submit to the Secretary, at such time and in such manner as the Secretary may reasonably require, an annual report that includes—

“(1) the number and percentage of children who are served in high-quality early childhood education programs, as identified by the State, during each year of the grant duration using funds from—

“(A) only this part, as applicable;

“(B) the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.) or section 418 of the Social Security Act (42 U.S.C. 618);

“(C) the Head Start Act; and

“(D) other public and private providers, as applicable;

“(2) the quality improvements undertaken at the State level;

“(3) the extent to which funds are being blended with other public and private funding;

“(4) the progress made regarding the measurable outcomes and the anticipated levels

of performance selected by the State under subsection (c)(9); and

“(5) any other ways in which funds are used to meet the purposes of this part.

“(f) REPORT TO CONGRESS.—The Secretary, in consultation with the Secretary of Health and Human Services, shall prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives a biennial report containing the information described in subsection (e) for all States receiving funds under this part.

“(g) LIMITATIONS ON FEDERAL INTERFERENCE.—Nothing in this part shall be construed to authorize the Secretary to establish any criterion that specifies, defines, or prescribes—

“(1) early learning and development guidelines, standards, or specific assessments, including the standards or measures that States use to develop, implement, or improve such guidelines, standards, or assessments;

“(2) specific measures or indicators of quality early learning and care, including—

“(A) the systems that States use to assess the quality of early childhood education programs and providers, school readiness, and achievement; and

“(B) the term ‘high-quality’ early learning or care;

“(3) early learning or preschool curriculum, program of instruction, or instructional content;

“(4) teacher and staff qualifications and salaries;

“(5) class sizes and child-to-instructional staff ratios; and

“(6) any aspect or parameter of a teacher, principal, other school leader, or staff evaluation system within a State or local educational agency.

#### “SEC. 5903. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.”

### TITLE VI—INNOVATION AND FLEXIBILITY

#### SEC. 6001. PURPOSES.

Title VI (20 U.S.C. 7301 et seq.) is amended by inserting before part A of title VI, the following:

#### “SEC. 6001. PURPOSES.

“The purposes of this title are—

“(1) to support State and local innovation in preparing all students to meet challenging State academic standards under section 1111(b);

“(2) to provide States and local educational agencies with maximum flexibility in using Federal funds provided under this Act; and

“(3) to support education in rural areas.”

#### SEC. 6002. IMPROVING ACADEMIC ACHIEVEMENT.

Part A of title VI (20 U.S.C. 7301 et seq.) is amended—

(1) by striking subparts 1 and 4;

(2) by redesignating subpart 2 as subpart 1;

(3) by redesignating sections 6121 through 6123 as sections 6111 through 6113, respectively;

(4) in section 6113, as redesignated by paragraph (3)—

(A) in subsection (a)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by striking “not more than 50 percent of the nonadministrative State funds” and inserting “all, or any lesser amount, of State funds”; and

(II) by striking subparagraphs (A) through (D) and inserting the following:

“(A) Part A of title II.

“(B) Part A of title IV.

“(C) Part G of title V.”; and

(ii) in paragraph (2), by striking “and subject to the 50 percent limitation described in paragraph (1)”;

(B) in subsection (b)—

(i) in paragraph (1)—

(I) in subparagraph (A), by striking “(except” and all that follows through “subparagraph (C))” and inserting “may transfer all, or any lesser amount, of the funds allocated to it”;

(II) by striking subparagraph (B);

(III) by redesignating subparagraph (C) as subparagraph (B); and

(IV) in subparagraph (B), as redesignated by subclause (III), by striking “and subject to the percentage limitation described in subparagraph (A) or (B), as applicable”; and

(ii) in paragraph (2)—

(I) by striking “subparagraph (A), (B), or (C)” and inserting “subparagraph (A) or (B)”;

and

(II) by striking subparagraphs (A) through (D) and inserting the following:

“(A) Part A of title II.

“(B) Part A of title IV.

“(C) Part G of title V.”; and

(5) by striking subpart 3 and inserting the following:

#### “Subpart 2—Weighted Student Funding Flexibility Pilot Program

#### “SEC. 6121. WEIGHTED STUDENT FUNDING FLEXIBILITY PILOT PROGRAM.

“(a) PURPOSE.—The purpose of the pilot program under this section is to provide local educational agencies with flexibility to consolidate Federal, State, and local funding in order to create a single school funding system based on weighted per-pupil allocations for low-income and otherwise disadvantaged students.

“(b) AUTHORITY.—The Secretary may, on a competitive basis, enter into local flexibility demonstration agreements—

“(1) for not more than 2 years with local educational agencies that are selected under subsection (c) and submit proposed agreements that meet the requirements of subsection (d); and

“(2) under which such agencies may consolidate and use funds in accordance with subsection (d) in order to develop and implement a school funding system based on weighted per-pupil allocations for low-income and otherwise disadvantaged students.

#### “(c) SELECTION OF LOCAL EDUCATIONAL AGENCIES.—

“(1) IN GENERAL.—The Secretary may enter into local flexibility demonstration agreements with not more than 25 local educational agencies, reflecting the size and geographic diversity of all such agencies nationwide to the maximum extent feasible.

“(2) SELECTION.—Each local educational agency shall be selected on a competitive basis from among those local educational agencies that—

“(A) submit a proposed local flexibility demonstration agreement under subsection (d) to the Secretary;

“(B) demonstrate to the satisfaction of the Secretary that the agreement meets the requirements of subsection (d); and

“(C) agree to meet the continued demonstration requirements under subsection (e).

#### “(d) REQUIRED TERMS OF LOCAL FLEXIBILITY DEMONSTRATION AGREEMENT.—

“(1) APPLICATION.—Each local educational agency that desires to participate in the

pilot program under this section shall submit, at such time, in such form, and including such information as the Secretary may prescribe, an application to enter into a local flexibility demonstration agreement with the Secretary in order to develop and implement a school funding system based on weighted per-pupil allocations that meets the requirements of this section, including—

“(A) a description of the school funding system based on weighted per-pupil allocations, including how the system will meet the requirements under paragraph (2);

“(B) a list of funding sources, including eligible Federal funds the local educational agency will include in such system;

“(C) a description of the amount and percentage of total local educational agency funding, including State, local, and eligible Federal funds, that will be allocated through such system;

“(D) the per-pupil expenditures (including actual personnel expenditures, including staff salary differentials for years of employment, and actual nonpersonnel expenditures) of State and local funds for each school served by the agency for the preceding fiscal year;

“(E) the per-pupil amount of eligible Federal funds each school served by the agency, disaggregated by program, received in the preceding fiscal year;

“(F) a description of how the system will continue to ensure that any eligible Federal funds allocated through the system will continue to meet the purposes of each Federal funding stream, including serving students from low-income families, English learners, migratory children, and children who are neglected, delinquent, or at risk, as applicable;

“(G) a description of how the local educational agency will develop and employ a weighted student funding system to support public elementary schools and secondary schools in order to improve the academic achievement of students, including low-income students, the lowest-achieving students, English learners, and students with disabilities;

“(H) an assurance that the local educational agency developed and will implement the local flexibility demonstration agreement in consultation with teachers, principals, other school leaders, administrators of Federal programs impacted by the agreement, parents, civil rights leaders, and other relevant stakeholders;

“(I) an assurance that the local educational agency will use fiscal control and sound accountability procedures that ensure proper disbursement of, and accounting for, eligible Federal funds consolidated and used under such system;

“(J) an assurance that the local educational agency will continue to meet the fiscal provisions in section 1117 and the requirements under section 9501; and

“(K) an assurance that the local educational agency will meet the requirements of all applicable Federal civil rights laws in carrying out the agreement and in consolidating and using funds under the agreement.

“(2) REQUIREMENTS OF SYSTEM.—A local educational agency's school funding system based on weighted per-pupil allocations shall meet each of the following requirements:

“(A) The system shall—

“(i) allocate a significant portion of funds, including State, local, and eligible Federal funds, to the school level through a formula that determines per-pupil weighted amounts based on individual student characteristics;

“(ii) use weights or allocation amounts that allocate substantially more funding to

students from low-income families and English learners than to other students; and

“(iii) demonstrate to the Secretary that each high-poverty school received at least as much total per-pupil funding, including from Federal, State, and local sources, for low-income students and at least as much total per-pupil funding, including from Federal, State, and local sources, for English learners as the school received in the year prior to carrying out the pilot program.

“(B) The system shall be used to allocate a significant portion, including all school-level personnel expenditures for instructional staff and nonpersonnel expenditures, but not less than 65 percent, of all the local educational agency’s local and State funds to schools.

“(C) After allocating funds through the school funding system, the local educational agency shall charge schools for the per-pupil expenditures of Federal, State, and local funds, including actual personnel expenditures for instructional staff and actual nonpersonnel expenditures.

“(D) The system may include weights or allocation amounts according to other characteristics.

“(e) CONTINUED DEMONSTRATION.—Each local educational agency that is selected to participate in the pilot program under this section shall annually—

“(1) demonstrate to the Secretary that no high-poverty school served by the agency received less total per-pupil funding, including from Federal, State, and local sources, for low-income students or less total per-pupil funding, including from Federal, State, and local sources, for English learners than the school received in the previous year;

“(2) make public and report to the Secretary the per-pupil expenditures (including actual personnel expenditures that include staff salary differentials for years of employment, and actual non-personnel expenditures) of State, local, and Federal funds for each school served by the agency, and disaggregated by student poverty quartile and by minority student quartile for the preceding fiscal year; and

“(3) make public the total number of students enrolled in each school served by the agency and the number of students enrolled in each such school disaggregated by each of the categories of students, as defined in section 1111(b)(3)(A).

“(f) ELIGIBLE FEDERAL FUNDS.—In this section, the term ‘eligible Federal funds’ means funds received by a local educational agency under titles I, II, III, and IV of this Act.

“(g) LIMITATIONS ON ADMINISTRATIVE EXPENDITURES.—Each local educational agency that has entered into a local flexibility demonstration agreement with the Secretary under this section may use, for administrative purposes, from eligible Federal funds not more than the percentage of funds allowed for such purpose under any of titles I, II, III, or IV.

“(h) PEER REVIEW.—The Secretary may establish a peer-review process to assist in the review of a proposed local flexibility demonstration agreement.

“(i) NONCOMPLIANCE.—The Secretary may, after providing notice and an opportunity for a hearing (including the opportunity to provide information as provided for in subsection (j)), terminate a local flexibility demonstration agreement under this section if there is evidence that the local educational agency has failed to comply with the terms of the agreement and the requirements under subsections (d) and (e).

“(j) EVIDENCE.—If a local educational agency believes that the Secretary’s determina-

tion under subsection (i) is in error for statistical or other substantive reasons, the local educational agency may provide supporting evidence to the Secretary, and the Secretary shall consider that evidence before making a final termination determination.

“(k) PROGRAM EVALUATION.—From the amount reserved for evaluation activities in section 9601, the Secretary, acting through the Director of the Institute of Education Sciences, shall, in consultation with the relevant program office at the Department, evaluate the implementation and impact of the local flexibility demonstration agreements under this section, consistent with section 9601 and specifically on improving the equitable distribution of State and local funding and increasing student achievement.

“(1) RENEWAL OF LOCAL FLEXIBILITY DEMONSTRATION AGREEMENT.—The Secretary may renew for additional 3-year terms a local flexibility demonstration agreement under this section if—

“(1) the local educational agency has met the requirements under subsections (d)(2) and (e) and agrees to and has a high likelihood of continuing to meet such requirements; and

“(2) the Secretary determines that renewing the local flexibility demonstration agreement is in the interest of students served under titles I and III, including students from low-income families, English learners, migratory children, and children who are neglected, delinquent, or at risk.

“(m) DEFINITION OF HIGH-POVERTY SCHOOL.—In this section, the term ‘high-poverty school’ means a school that is in the highest 2 quartiles of schools served by a local educational agency, based on the percentage of enrolled students from low-income families.”.

#### SEC. 6003. RURAL EDUCATION INITIATIVE.

Part B of title VI (20 U.S.C. 7341 et seq.) is amended—

(1) in section 6211—

(A) in subsection (a)(1), by striking subparagraphs (A) through (E) and inserting the following:

“(A) Part A of title I.

“(B) Part A of title II.

“(C) Title III.

“(D) Part A or B of title IV.

“(E) Part G of title V.”;

(B) in subsection (b)(1)—

(i) in subparagraph (A)(ii), by striking “7 or 8, as determined by the Secretary; or” and inserting “41, 42, or 43, as determined by the Secretary.”;

(ii) in subparagraph (B), by striking the period at the end and inserting “; or”; and

(iii) by adding at the end the following:

“(C) the local educational agency is a member of an educational service agency that does not receive funds under this subpart and the local educational agency meets the requirements of this part.”; and

(C) in subsection (c), by striking paragraphs (1) through (3) and inserting the following:

“(1) Part A of title II.

“(2) Part A of title IV.

“(3) Part G of Title V.”;

(2) in section 6212—

(A) in subsection (a), by striking paragraphs (1) through (5) and inserting the following:

“(1) Part A of title I.

“(2) Part A of title II.

“(3) Title III.

“(4) Part A or B of title IV.

“(5) Part G of title V.”;

(B) in subsection (b)—

(i) by striking paragraph (1) and inserting the following:

“(1) ALLOCATION.—

“(A) IN GENERAL.—Except as provided in paragraphs (3) and (4), the Secretary shall award a grant under subsection (a) to a local educational agency eligible under section 6211(b) for a fiscal year in an amount equal to the initial amount determined under paragraph (2) for the fiscal year minus the total amount received by the agency under the provisions of law described in section 6211(c) for the preceding fiscal year.

“(B) SPECIAL DETERMINATION.—For a local educational agency that is eligible under section 6211 and is a member of an educational service agency, the Secretary may determine the award amount by subtracting from the initial amount determined under paragraph (2), an amount that is equal to that local educational agency’s per-pupil share of the total amount received by the educational service agency under titles II and IV, as long as a determination under this subparagraph would not disproportionately affect any State.”;

(ii) by striking paragraph (2) and inserting the following:

“(2) DETERMINATION OF INITIAL AMOUNT.—

“(A) IN GENERAL.—The initial amount referred to in paragraph (1) is equal to \$100 multiplied by the total number of students in excess of 50 students, in average daily attendance at the schools served by the local educational agency, plus \$20,000, except that the initial amount may not exceed \$60,000.

“(B) SPECIAL RULE.—For any fiscal year for which the amount made available to carry out this part is \$252,000,000 or more, subparagraph (A) shall be applied—

“(i) by substituting ‘\$25,000’ for ‘\$20,000’; and

“(ii) by substituting ‘\$80,000’ for ‘\$60,000’.”;

and

(iii) by adding at the end the following:

“(4) HOLD HARMLESS.—For a local educational agency that is not eligible under this subpart but met the eligibility requirements under section 6211(b) as such section was in effect on the day before the date of enactment of the Every Child Achieves Act of 2015, the agency shall receive—

“(A) for fiscal year 2016, 75 percent of the amount such agency received for fiscal year 2015;

“(B) for fiscal year 2017, 50 percent of the amount such agency received for fiscal year 2015; and

“(C) for fiscal year 2018, 25 percent of the amount such agency received for fiscal year 2015.”; and

(C) by striking subsection (d);

(3) by striking section 6213 and inserting the following:

#### “SEC. 6213. ACADEMIC ACHIEVEMENT ASSESSMENTS.

“Each local educational agency that uses or receives funds under this subpart for a fiscal year shall administer an assessment that is consistent with section 1111(b)(2).”;

(4) in section 6221—

(A) in subsection (b)(1)(B), by striking “6, 7, or 8” and inserting “32, 33, 41, 42, or 43”; and

(B) in subsection (c)(1), by striking “Bureau of Indian Affairs” and inserting “Bureau of Indian Education”;

(5) in section 6222(a), by striking paragraphs (1) through (7) and inserting the following:

“(1) Activities authorized under part A of title I.

“(2) Activities authorized under part A of title II.

“(3) Activities authorized under title III.

“(4) Activities authorized under part A of title IV.

“(5) Parental involvement activities.

“(6) Activities authorized under part G of title V.”;

(6) in section 6223—

(A) in subsection (a), by striking “at such time, in such manner, and accompanied by such information” and inserting “at such time and in such manner”; and

(B) by striking subsection (b) and inserting the following:

“(b) CONTENTS.—Each application submitted under subsection (a) shall include information on—

“(1) program objectives and outcomes for activities under this subpart, including how the State educational agency or specially qualified agency will use funds to help all students meet the challenging State academic standards under section 1111(b);

“(2) if the State educational agency or specially qualified agency will competitively award grants to eligible local educational agencies, as described in section 6221(b)(2)(A), the application under the section shall include—

“(A) the methods and criteria the State educational agency or specially qualified agency will use for reviewing applications and awarding funds to local educational agencies on a competitive basis; and

“(B) how the State educational agency or specially qualified agency will notify eligible local educational agencies of the grant competition; and

“(3) a description of how the State educational agency or specially qualified agency will provide technical assistance to eligible local educational agencies to help such agencies implement the activities described in section 6222.”;

(7) in section 6224—

(A) in subsection (a)—

(i) in the matter preceding paragraph (1), by inserting “or specially qualified agency” after “Each State educational agency”; and

(ii) by striking paragraph (1) and inserting the following:

“(1) if the report is submitted by a State educational agency, the method the State educational agency used to award grants to eligible local educational agencies, and to provide assistance to schools, under this subpart;”; and

(iii) by striking paragraph (3) and inserting the following:

“(3) the degree to which progress has been made toward meeting the objectives and outcomes described in the application submitted under section 6223, including having all students in the State or the area served by the specially qualified agency, as applicable, meet the challenging State academic standards under section 1111(b).”;

(B) by striking subsection (b) and (c) and inserting the following:

“(b) REPORT TO CONGRESS.—The Secretary shall prepare a summary of the reports under subsection (a) and submit a biennial report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives.”;

(C) by redesignating subsection (d) as subsection (c);

(D) in subsection (c), as redesignated by subparagraph (C), by striking “assessment that is consistent with section 1111(b)(3)” and inserting “assessment that is consistent with section 1111(b)(2)”; and

(E) by striking subsection (e);

(8) by inserting after section 6224 the following:

**“SEC. 6225. CHOICE OF PARTICIPATION.**

“(a) IN GENERAL.—If a local educational agency is eligible for funding under both sub-

parts 1 and 2 of this part, such local educational agency may receive funds under either subpart 1 or subpart 2 for a fiscal year, but may not receive funds under both subparts for such fiscal year.

“(b) NOTIFICATION.—A local educational agency eligible for funding under both subparts 1 and 2 of this part shall notify the Secretary and the State educational agency under which of such subparts the local educational agency intends to receive funds for a fiscal year by a date that is established by the Secretary for the notification.”; and

(9) in section 6234, by striking “\$300,000,000 for fiscal year 2002 and such sums as may be necessary for each of the 5 succeeding fiscal years,” and inserting “such sums as may be necessary for each of the fiscal years 2016 through 2021.”.

**SEC. 6004. GENERAL PROVISIONS.**

Part C of title VI (20 U.S.C. 7371) is amended to read as follows:

**“PART C—GENERAL PROVISIONS**

**“SEC. 6301. PROHIBITION AGAINST FEDERAL MANDATES, DIRECTION, OR CONTROL.**

“Nothing in this title shall be construed to authorize an officer or employee of the Federal Government to mandate, direct, or control a State, local educational agency, or school’s specific instructional content, academic standards and assessments, curriculum, or program of instruction, as a condition of eligibility to receive funds under this Act.

**“SEC. 6302. RULE OF CONSTRUCTION ON EQUALIZED SPENDING.**

“Nothing in this title shall be construed to mandate equalized spending per pupil for a State, local educational agency, or school.”.

**SEC. 6005. REVIEW RELATING TO RURAL LOCAL EDUCATIONAL AGENCIES.**

(a) REVIEW AND REPORT.—Not later than 18 months after the date of enactment of this Act, the Secretary of Education shall—

(1) review the organization, structure, and process and procedures of the Department of Education for administering its programs and developing policy and regulations, in order to—

(A) assess the methods and manner through which, and the extent to which, the Department of Education takes into account, considers input from, and addresses the unique needs and characteristics of rural schools and rural local educational agencies; and

(B) determine actions that the Department of Education can take to meaningfully increase the consideration and participation of rural schools and rural local educational agencies in the development and execution of the processes, procedures, policies, and regulations of the Department of Education;

(2) make public a preliminary report containing the information described under paragraph (1) and provide Congress and the public with 60 days to comment on the proposed actions under paragraph (1)(B); and

(3) taking into account comments submitted under paragraph (2), issue a final report to the Committee on Health, Education, Labor, and Pensions of the Senate, which shall describe the final actions developed pursuant to paragraph (1)(B).

(b) IMPLEMENTATION.—Not later than 2 years after the date of enactment of this Act, the Secretary of Education shall—

(1) implement each action described in the report under subsection (a)(3); or

(2) provide a written explanation to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the

House of Representatives of why the action was not carried out.

**TITLE VII—INDIAN, NATIVE HAWAIIAN, AND ALASKA NATIVE EDUCATION**

**SEC. 7001. INDIAN EDUCATION.**

Part A of title VII (20 U.S.C. 7401 et seq.) is amended—

(1) by striking sections 7132, 7133, 7134, and 7136;

(2) by redesignating section 7135 as section 7132;

(3) by striking section 7102 and inserting the following:

**“SEC. 7102. PURPOSE.**

“It is the purpose of this part to support the efforts of local educational agencies, Indian tribes and organizations, postsecondary institutions, and other entities—

“(1) to ensure the academic achievement of American Indian and Alaska Native students by meeting their unique cultural, language, and educational needs, consistent with section 1111;

“(2) to ensure that American Indian and Alaska Native students gain knowledge and understanding of Native communities, languages, tribal histories, traditions, and cultures; and

“(3) to ensure that teachers, principals, other school leaders, and other staff who serve American Indian and Alaska Native students have the ability to provide effective instruction and supports to such students.”;

(4) by striking section 7111 and inserting the following:

**“SEC. 7111. PURPOSE.**

“It is the purpose of this subpart to support local educational agencies in developing elementary school and secondary school programs for American Indian and Alaska Native students that are designed to—

“(1) meet the unique cultural, language, and educational needs of such students; and

“(2) ensure that all students meet the challenging State academic standards adopted under section 1111(b).”;

(5) in section 7112—

(A) by striking subsection (a) and inserting the following:

“(a) IN GENERAL.—The Secretary may make grants, from allocations made under section 7113, and in accordance with this section and section 7113, to—

“(1) local educational agencies;

“(2) Indian tribes; and

“(3) consortia of 2 or more local educational agencies, Indian tribes, Indian organizations, or Indian community-based organizations, provided that each local educational agency participating in such a consortium—

“(A) provides an assurance that the eligible Indian children served by such local educational agency receive the services of the programs funded under this subpart; and

“(B) is subject to all the requirements, assurances, and obligations applicable to local educational agencies under this subpart.”;

(B) in subsection (b)—

(i) in paragraph (1), by striking “A local educational agency shall” and inserting “Subject to paragraph (2), a local educational agency shall”;

(ii) by redesignating paragraph (2) as paragraph (3); and

(iii) by inserting after paragraph (1) the following:

“(2) COOPERATIVE AGREEMENTS.—A local educational agency may enter into a cooperative agreement with an Indian tribe under this subpart if such Indian tribe—

“(A) represents not less than 25 percent of the eligible Indian children who are served by such local educational agency; and

“(B) requests that the local educational agency enter into a cooperative agreement under this subpart.”; and

(C) by striking subsection (c) and inserting the following:

“(C) INDIAN TRIBES AND INDIAN ORGANIZATIONS.—

“(1) IN GENERAL.—If a local educational agency that is otherwise eligible for a grant under this subpart does not establish a committee under section 7114(c)(4) for such grant, an Indian tribe, an Indian organization, or a consortium of such entities, that represents more than one-half of the eligible Indian children who are served by such local educational agency may apply for such grant.

“(2) UNAFFILIATED INDIAN TRIBES.—An Indian tribe that operates a public school and that is not affiliated with either a local educational agency or the Bureau of Indian Education shall be eligible to apply for a grant under this subpart.

“(3) SPECIAL RULE.—

“(A) IN GENERAL.—The Secretary shall treat each Indian tribe, Indian organization, or consortium of such entities applying for a grant pursuant to paragraph (1) or (2) as if such tribe, Indian organization, or consortium were a local educational agency for purposes of this subpart.

“(B) EXCEPTIONS.—Notwithstanding subparagraph (A), such Indian tribe, Indian organization, or consortium shall not be subject to the requirements of subsections (b)(7) or (c)(4) of section 7114 or section 7118(c) or 7119.

“(4) ASSURANCE TO SERVE ALL INDIAN CHILDREN.—An Indian tribe, Indian organization, or consortium of such entities that is eligible to apply for a grant under paragraph (1) shall include, in the application required under section 7114, an assurance that the entity will use the grant funds to provide services to all Indian students served by the local educational agency.

“(d) INDIAN COMMUNITY-BASED ORGANIZATION.—

“(1) IN GENERAL.—If no local educational agency pursuant to subsection (b), and no Indian tribe, Indian organization, or consortium pursuant to subsection (c), applies for a grant under this subpart, an Indian community-based organization serving the community of the local educational agency may apply for such grant.

“(2) APPLICABILITY OF SPECIAL RULE.—The Secretary shall apply the special rule in subsection (c)(3) to an Indian community-based organization applying or receiving a grant under paragraph (1) in the same manner as such rule applies to an Indian tribe, Indian organization, or consortium.

“(3) DEFINITION OF INDIAN COMMUNITY-BASED ORGANIZATION.—In this subsection, the term ‘Indian community-based organization’ means any organization that—

“(A) is composed primarily of Indian parents and community members, tribal government education officials, and tribal members from a specific community;

“(B) assists in the social, cultural, and educational development of Indians in such community;

“(C) meets the unique cultural, language, and academic needs of Indian students; and

“(D) demonstrates organizational capacity to manage the grant.

“(e) CONSORTIA.—

“(1) IN GENERAL.—A local educational agency, Indian tribe, or Indian organization that meets the eligibility requirements under this section may form a consortium with other eligible local educational agen-

cies, Indian tribes, or Indian organizations for the purpose of obtaining grants and operating programs under this subpart.

“(2) REQUIREMENTS.—In any case where 2 or more local educational agencies, Indian tribes, or Indian organizations that are eligible under subsection (b) form or participate in a consortium to obtain a grant, or operate a program, under this subpart, each local educational agency, Indian tribe, and Indian organization participating in such a consortium shall—

“(A) provide, in the application submitted under section 7114, an assurance that the eligible Indian children served by such local educational agency, Indian tribe, and Indian organization will receive the services of the programs funded under this subpart; and

“(B) agree to be subject to all requirements, assurances, and obligations applicable to a local educational agency, Indian tribe, and Indian organization receiving a grant under this subpart.”;

(6) in section 7113—

(A) in subsection (b)(1), by striking “Bureau of Indian Affairs” and inserting “Bureau of Indian Education”; and

(B) in subsection (d)—

(i) in the subsection heading, by striking “INDIAN AFFAIRS” and inserting “INDIAN EDUCATION”; and

(ii) in paragraph (1)(A)(i), by striking “Bureau of Indian Affairs” and inserting “Bureau of Indian Education”;

(7) in section 7114—

(A) in subsection (a), by inserting “Indian tribe, or consortia as described in section 7113(b)(2)” after “Each local educational agency.”;

(B) in subsection (b)—

(i) in paragraph (2)—

(I) in subparagraph (A), by striking “is consistent with the State and local plans” and inserting “supports the State, tribal, and local plans”; and

(II) by striking subparagraph (B) and inserting the following:

“(B) includes program objectives and outcomes for activities under this subpart that are based on the same challenging State academic standards developed by the State under title I for all students.”;

(ii) by striking paragraph (3) and inserting the following:

“(3) explains how the local educational agency, tribe, or consortium will use funds made available under this subpart to supplement other Federal, State, and local programs that meet the needs of such students.”;

(iii) in paragraph (5)(B), by striking “and” after the semicolon;

(iv) in paragraph (6)—

(I) in subparagraph (B)—

(aa) in clause (i), by striking “and” after the semicolon; and

(bb) by adding at the end the following:

“(iii) the Indian tribes whose children are served by the local educational agency, consistent with section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly referred to as the ‘Family Educational Rights and Privacy Act of 1974’); and”;

(II) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(v) by adding at the end the following:

“(7) describes the process the local educational agency used to collaborate with Indian tribes located in the community in the development of the comprehensive programs and the actions taken as a result of such collaboration.”;

(C) in subsection (c)—

(i) in paragraph (1), by striking “the education of Indian children,” and inserting “services and activities consistent with those described in this subpart.”;

(ii) in paragraph (2)—

(I) in subparagraph (A), by striking “and” after the semicolon;

(II) in subparagraph (B), by striking “served by such agency.” and inserting “served by such agency, and meet program objectives and outcomes for activities under this subpart; and”; and

(III) by adding at the end the following:

“(C) determine the extent to which such activities address the unique cultural, language, and educational needs of Indian students.”;

(iii) in paragraph (3)(C)—

(I) by inserting “representatives of Indian tribes on Indian lands located within 50 miles of any school that the agency will serve if such tribe has any children in such school,” after “parents of Indian children and teachers.”; and

(II) by striking “and” after the semicolon;

(iv) in paragraph (4)—

(I) in subparagraph (A)—

(aa) in clause (i), by inserting “and family members” after “parents”;

(bb) by redesignating clauses (ii) and (iii) as clauses (iii) and (iv), respectively; and

(cc) by inserting after clause (i) the following:

“(ii) representatives of Indian tribes on Indian lands located within 50 miles of any school that the agency will serve if such tribe has any children in such school.”;

(II) by striking subparagraph (B) and inserting the following:

“(B) a majority of whose members are parents and family members of Indian children and representatives of Indian tribes described in subparagraph (A)(ii), as applicable.”;

(III) in subparagraph (C), by inserting “and family members” after “, parents”;

(IV) in subparagraph (D)(ii), by striking “and” after the semicolon;

(V) in subparagraph (E), by striking the period at the end and inserting “; and”; and

(VI) by adding at the end the following:

“(F) that will determine the extent to which the activities of the local educational agency will address the unique cultural, linguistic, and educational needs of Indian students.”;

(v) by adding at the end the following:

“(5) the local educational agency will coordinate activities under this title with other Federal programs supporting educational and related services administered by such agency;

“(6) the local educational agency conducted outreach to parents and family members to meet the requirements under this paragraph; and

“(7) the local educational agency will use funds received under this subpart only for activities described and authorized in this subpart.”; and

(D) by adding at the end the following:

“(d) OUTREACH.—The Secretary shall monitor the applications for grants under this subpart to identify eligible local educational agencies and schools operated by the Bureau of Indian Education that have not applied for such grants, and shall undertake appropriate outreach activities to encourage and assist eligible entities to submit applications for such grants.

“(e) TECHNICAL ASSISTANCE.—The Secretary shall, directly or by contract, provide technical assistance to a local educational agency or Bureau of Indian Education school

upon request (in addition to any technical assistance available under other provisions of this Act or available through the Institute of Education Sciences) to support the services and activities provided under this subpart, including technical assistance for—

“(1) the development of applications under this subpart;

“(2) improvement in the quality of implementation, content, and evaluation of activities supported under this subpart; and

“(3) integration of activities under this subpart with other educational activities carried out by the local educational agency.”;

(8) in section 7115—

(A) in subsection (a)—

(i) in paragraph (1), by inserting “solely for the services and activities described in such application” after “under section 7114(a)”;

and

(ii) in paragraph (2), by inserting “to be responsive to the unique learning styles of Indian and Alaska Native children” after “Indian students”;

(B) by striking subsection (b) and inserting the following:

“(b) PARTICULAR ACTIVITIES.—The services and activities referred to in subsection (a) may include—

“(1) activities that support Native American language programs and Native American language restoration programs, which may be taught by traditional leaders;

“(2) culturally related activities that support the program described in the application submitted by the local educational agency;

“(3) high-quality early childhood and family programs that emphasize school readiness;

“(4) enrichment programs that focus on problem solving and cognitive skills development and directly support the attainment of challenging State academic standards described in 1111(b);

“(5) integrated educational services in combination with other programs that meet the needs of Indian children and their families, including programs that promote parental involvement in school activities and increase student achievement;

“(6) career preparation activities to enable Indian students to participate in programs such as the programs supported by the Carl D. Perkins Career and Technical Education Act of 2006, including programs for tech-prep education, mentoring, and apprenticeship;

“(7) activities to educate individuals so as to prevent violence, suicide, and substance abuse;

“(8) the acquisition of equipment, but only if the acquisition of the equipment is essential to achieve the purpose described in section 7111;

“(9) activities that promote the incorporation of culturally responsive teaching and learning strategies into the educational program of the local educational agency;

“(10) family literacy services;

“(11) activities that recognize and support the unique cultural and educational needs of Indian children, and incorporate appropriately qualified tribal elders and seniors; and

“(12) dropout prevention strategies and strategies to—

“(A) meet the educational needs of at-risk Indian students in correctional facilities; and

“(B) support Indian students who are transitioning from such facilities to schools served by local educational agencies.”;

(C) in subsection (c)—

(i) in paragraph (1), by striking “and” after the semicolon;

(ii) in paragraph (2), by striking the period and inserting “; and”; and

(iii) by adding at the end the following:

“(3) the local educational agency identifies in its application how the use of such funds in a schoolwide program will provide benefits to Indian students.”; and

(D) by adding at the end the following:

“(e) LIMITATION ON USE OF FUNDS.—Funds provided to a grantee under this subpart may not be used for long-distance travel expenses for training activities available locally or regionally.”;

(9) in section 7116—

(A) in subsection (g)—

(i) by striking “No Child Left Behind Act of 2001” and inserting “Every Child Achieves Act of 2015”;

(ii) by inserting “the Secretary of Health and Human Services,” after “the Secretary of the Interior.”; and

(iii) by inserting “and coordination” after “providing for the implementation”; and

(B) in subsection (o)—

(i) in paragraph (1), by striking “Not later than 2 years after the date of enactment of the No Child Left Behind Act of 2001,” and inserting “Not later than 2 years after date of enactment of the Every Child Achieves Act of 2015, and every 5 years thereafter.”; and

(ii) by striking paragraph (2) and inserting the following:

“(2) CONTENTS.—The report required under paragraph (1) shall identify—

“(A) any statutory barriers to the ability of participants to more effectively integrate their education and related services to Indian students in a manner consistent with the objectives of this section; and

“(B) the effective practices for program integration that result in increased student achievement, graduation rates, and other relevant outcomes for Indian students.”;

(10) in section 7117—

(A) in subsection (b)(1)—

(i) in subparagraph (A)(ii), by inserting “or membership” after “the enrollment”; and

(ii) in subparagraph (B), by inserting “or membership” after “the enrollment”;

(B) by striking subsection (e) and inserting the following:

“(e) DOCUMENTATION.—

“(1) IN GENERAL.—For purposes of determining whether a child is eligible to be counted for the purpose of computing the amount of a grant award under section 7113, the membership of the child, or any parent or grandparent of the child, in a tribe or band of Indians (as so defined) may be established by proof other than an enrollment number, notwithstanding the availability of an enrollment number for a member of such tribe or band. Nothing in subsection (b) shall be construed to require the furnishing of an enrollment number.

“(2) NO NEW OR DUPLICATE DETERMINATIONS.—Once a child is determined to be an Indian eligible to be counted for such grant award, the local educational agency shall maintain a record of such determination and shall not require a new or duplicate determination to be made for such child for a subsequent application for a grant under this subpart.

“(3) PREVIOUSLY FILED FORMS.—An Indian student eligibility form that was on file as required by this section on the day before the date of enactment of the Every Child Achieves Act of 2015 and that met the requirements of this section, as this section was in effect on the day before the date of

enactment of such Act, shall remain valid for such Indian student.”;

(C) in subsection (g), by striking “Bureau of Indian Affairs” and inserting “Bureau of Indian Education”; and

(D) by adding at the end the following:

“(i) TECHNICAL ASSISTANCE.—The Secretary shall, directly or through contract, provide technical assistance to a local educational agency or Bureau of Indian Education school upon request, in addition to any technical assistance available under section 1114 or available through the Institute of Education Sciences, to support the services and activities described under this section, including for the—

“(1) development of applications under this section;

“(2) improvement in the quality of implementation, content of activities, and evaluation of activities supported under this subpart;

“(3) integration of activities under this title with other educational activities established by the local educational agency; and

“(4) coordination of activities under this title with programs administered by each Federal agency providing grants for the provision of educational and related services and sharing of best practices.”;

(11) in section 7118, by striking subsection (c) and inserting the following:

“(c) REDUCTION OF PAYMENT FOR FAILURE TO MAINTAIN FISCAL EFFORT.—Each local educational agency shall maintain fiscal effort in accordance with section 9521 or be subject to reduced payments under this subpart in accordance with such section 9521.”;

(12) in section 7121—

(A) by striking the section header and inserting the following:

**“SEC. 7121. IMPROVEMENT OF EDUCATIONAL OPPORTUNITIES FOR INDIAN CHILDREN AND YOUTH.”;**

(B) in subsection (a)—

(i) in paragraph (1), by inserting “and youth” after “Indian children”; and

(ii) in paragraph (2)(B), by inserting “and youth” after “Alaska Native children”;

(C) in subsection (b), by striking “Indian institution (including an Indian institution of higher education)” and inserting “a Tribal College or University (as defined in section 316(b) of the Higher Education Act of 1965)”;

(D) in subsection (c)—

(i) in paragraph (1)—

(I) in subparagraph (A), by inserting “and youth” after “disadvantaged children”;

(II) in subparagraph (B), by inserting “and youth” after “such children”;

(III) in subparagraph (D), by inserting “and youth” after “Indian children”;

(IV) in subparagraph (E), by inserting “and youth” after “Indian children” both places the term appears;

(V) by striking subparagraph (G) and inserting the following:

“(G) high-quality early childhood education programs that are effective in preparing young children to be making sufficient academic progress by the end of grade 3, including kindergarten and prekindergarten programs, family-based preschool programs that emphasize school readiness, and the provision of services to Indian children with disabilities.”; and

(VI) in subparagraph (L)—

(aa) by striking “appropriately qualified tribal elders and seniors” and inserting “traditional leaders”; and

(bb) by inserting “and youth” after “Indian children”;

(ii) in paragraph (2), by striking “Professional development” and inserting “High-quality professional development”;



(E) in subsection (d)—

(i) in paragraph (1)(C), by striking “make a grant payment for a grant described in this paragraph to an eligible entity after the initial year of the multiyear grant only if the Secretary determines” and inserting “award grants for an initial period of not more than 3 years and may renew such grants for not more than an additional 2 years if the Secretary determines”; and

(ii) in paragraph (3)(B)—

(I) in clause (i), by striking “parents of Indian children” and inserting “parents and family of Indian children”; and

(II) in clause (iii), by striking “information demonstrating that the proposed program for the activities is a scientifically based research program” and inserting “evidence demonstrating that the proposed program is an evidence-based program”; and

(F) by adding at the end the following:

“(f) CONTINUATION.—Notwithstanding any other provision of this section, a grantee that is carrying out activities pursuant to a grant awarded under this section prior to the date of enactment of the Every Child Achieves Act of 2015 may continue to carry out such activities after such date of enactment under such grant in accordance with the terms of such grant award.”;

(13) in section 7122—

(A) in subsection (a)—

(i) in the subsection heading, by striking “PURPOSES” and inserting “PURPOSE”;

(ii) in the matter preceding paragraph (1), by striking “The purposes of this section are” and inserting “The purpose of this section is”;

(iii) in paragraph (1), by striking “individuals in teaching or other education professions that serve Indian people” and inserting “or Alaska Native teachers and administrators serving Indian or Alaska Native students”;

(iv) in paragraph (2)—

(I) by inserting “and support” after “to provide training”;

(II) by inserting “or Alaska Native” after “Indian”;

(III) by striking “teachers, administrators, teacher aides” and inserting “effective teachers, principals, other school leaders, administrators, teacher aides, counselors”;

(IV) by striking “ancillary educational personnel” and inserting “specialized instructional support personnel”; and

(V) by striking “and” after the semicolon;

(v) in paragraph (3)—

(I) by inserting “or Alaska Native” after “Indian”; and

(II) by striking the period at the end and inserting “; and”;

(vi) by adding at the end the following:

“(4) to develop and implement initiatives to promote retention of effective teachers, principals, and school leaders who have a record of success in helping low-achieving Indian or Alaska Native students improve their academic achievement, outcomes, and preparation for postsecondary education or the workforce without the need for postsecondary remediation.”;

(B) in subsection (b)—

(i) in paragraph (1), by striking “including an Indian institution of higher education” and inserting “including a Tribal College or University, as defined in section 316(b) of the Higher Education Act of 1965”; and

(ii) in paragraph (4), by inserting “in a consortium with at least one Tribal College or University, as defined in section 316(b) of the Higher Education Act of 1965, where feasible” before the period at the end;

(C) in subsection (d)—

(i) in paragraph (1)—

(I) in the first sentence—

(aa) by inserting “or Alaska Native” after “Indian”; and

(bb) by striking “purposes” and inserting “purpose”; and

(II) by striking the second sentence and inserting “Such activities may include—”

“(A) continuing education programs, symposia, workshops, and conferences;

“(B) teacher mentoring programs, professional guidance, and instructional support provided by educators, local tribal elders, or cultural experts, as appropriate for teachers during their first 3 years of employment as teachers;

“(C) direct financial support; and

“(D) programs designed to train tribal elders and cultural experts to assist those personnel referenced in subsection (a)(2), as appropriate, with relevant Native language and cultural mentoring, guidance, and support.”;

(ii) in paragraph (2), by adding at the end the following:

“(C) CONTINUATION.—Notwithstanding any other provision of this section, a grantee that is carrying out activities pursuant to a grant awarded under this section prior to the date of enactment of the Every Child Achieves Act of 2015 may continue to carry out such activities under such grant in accordance with the terms of that award.”;

(D) by striking subsection (e) and inserting the following:

“(e) APPLICATION.—Each eligible entity desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information, as the Secretary may reasonably require. At a minimum, an application under this section shall describe how the eligible entity will—

“(1) recruit qualified Indian or Alaska Native individuals, such as students who may not be of traditional college age, to become teachers, principals, or school leaders;

“(2) use funds made available under the grant to support the recruitment, preparation, and professional development of Indian or Alaska Native teachers or principals in local educational agencies that serve a high proportion of Indian or Alaska Native students; and

“(3) assist participants in meeting the requirements under subsection (h).”;

(E) in subsection (f)—

(i) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively;

(ii) by inserting before paragraph (2), as redesignated by clause (i), the following:

“(1) may give priority to tribally chartered and federally chartered institutions of higher education”; and

(iii) in paragraph (3), as redesignated by clause (i), by striking “basis of” and all that follows through the period at the end and inserting “basis of the length of any period for which the eligible entity has received a grant.”;

(F) by striking subsection (g) and inserting the following:

“(g) GRANT PERIOD.—The Secretary shall award grants under this section for an initial period of not more than 3 years, and may renew such grants for an additional period of not more than 2 years if the Secretary finds that the grantee is achieving the objectives of the grant.”; and

(G) in subsection (h)(1)(A)(ii), by striking “people” and inserting “students in a local educational agency that serves a high proportion of Indian or Alaska Native students”;

(14) by striking section 7132, as redesignated by section 7001(2), and inserting the following:

**“SEC. 7132. GRANTS TO TRIBES FOR EDUCATION ADMINISTRATIVE PLANNING, DEVELOPMENT, AND COORDINATION.**

“(a) IN GENERAL.—The Secretary may award grants under this section to eligible applicants to enable the eligible applicants to—

“(1) promote tribal self-determination in education;

“(2) improve the academic achievement of Indian children and youth; and

“(3) promote the coordination and collaboration of tribal educational agencies with State and local educational agencies to meet the unique educational and culturally related academic needs of Indian students.

“(b) DEFINITIONS.—In this section:

“(1) ELIGIBLE APPLICANT.—In this section, the term ‘eligible applicant’ means—

“(A) an Indian tribe or tribal organization approved by an Indian tribe; or

“(B) a tribal educational agency.

“(2) INDIAN TRIBE.—The term ‘Indian tribe’ means a federally recognized tribe or a State-recognized tribe.

“(3) TRIBAL EDUCATIONAL AGENCY.—The term ‘tribal educational agency’ means the agency, department, or instrumentality of an Indian tribe that is primarily responsible for supporting tribal students’ elementary and secondary education.

“(c) GRANT PROGRAM.—The Secretary may award grants to—

“(1) eligible applicants described under subsection (b)(1)(A) to plan and develop a tribal educational agency, if the tribe or organization has no current tribal educational agency, for a period of not more than 1 year; and

“(2) eligible applicants described under subsection (b)(1)(B), for a period of not more than 3 years, in order to—

“(A) directly administer education programs, including formula grant programs under this Act, consistent with State law and under a written agreement between the parties;

“(B) build capacity to administer and coordinate such education programs, and to improve the relationship and coordination between such applicants and the State educational agencies and local educational agencies that educate students from the tribe;

“(C) receive training and support from the State educational agency and local educational agency, in areas such as data collection and analysis, grants management and monitoring, fiscal accountability, and other areas as needed;

“(D) train and support the State educational agency and local educational agency in areas related to tribal history, language, or culture;

“(E) build on existing activities or resources rather than replacing other funds; and

“(F) carry out other activities, subject to the approval of the Secretary.

“(d) GRANT APPLICATION.—

“(1) IN GENERAL.—Each eligible applicant desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, containing such information, and consistent with such criteria, as the Secretary may reasonably prescribe.

“(2) CONTENTS.—Each application described in paragraph (1) shall contain—

“(A) a statement describing the activities to be conducted, and the objectives to be achieved, under the grant;

“(B) a description of the method to be used for evaluating the effectiveness of the activities for which assistance is sought and for determining whether such objectives are achieved; and

“(C) for applications for activities under subsection (c)(2), evidence of—

“(i) a preliminary agreement with the appropriate State educational agency, 1 or more local educational agencies, or both the State educational agency and a local educational agency; and

“(ii) existing capacity as a tribal educational agency.

“(3) APPROVAL.—The Secretary may approve an application submitted by an eligible applicant under this subsection only if the Secretary is satisfied that such application, including any documentation submitted with the application—

“(A) demonstrates that the eligible applicant has consulted with other education entities, if any, within the territorial jurisdiction of the applicant that will be affected by the activities to be conducted under the grant;

“(B) provides for consultation with such other education entities in the operation and evaluation of the activities conducted under the grant; and

“(C) demonstrates that there will be adequate resources provided under this section or from other sources to complete the activities for which assistance is sought.

“(e) RESTRICTIONS.—

“(1) IN GENERAL.—A tribe may not receive funds under this section if such tribe receives funds under section 1140 of the Education Amendments of 1978.

“(2) DIRECT SERVICES.—No funds under this section may be used to provide direct services.

“(f) SUPPLEMENT, NOT SUPPLANT.—Funds under this section shall be used to supplement, and not supplant, other Federal, State, and local programs that meet the needs of tribal students.”;

(15) in section 7141(b)(1), by inserting “and the Secretary of the Interior” after “advise the Secretary”;

(16) in section 7151, by adding at the end the following:

“(4) TRADITIONAL LEADERS.—The term ‘traditional leaders’ has the meaning given the term in section 103 of the Native American Languages Act (25 U.S.C. 2902).”; and

(17) in section 7152—

(A) in subsection (a), by striking “\$96,400,000 for fiscal year 2002 and such sums as may be necessary for each of the 5 succeeding fiscal years” and inserting “such sums as may be necessary for each of fiscal years 2016 through 2021”; and

(B) in subsection (b) by striking “\$24,000,000 for fiscal year 2002 and such sums as may be necessary for each of the 5 succeeding fiscal years” and inserting “such sums as may be necessary for each of fiscal years 2016 through 2021”.

#### SEC. 7002. NATIVE HAWAIIAN EDUCATION.

Part B of title VII (20 U.S.C. 7511 et seq.) is amended—

(1) in section 7202, by striking paragraphs (14) through (21);

(2) by striking section 7204 and inserting the following:

#### “SEC. 7204. NATIVE HAWAIIAN EDUCATION COUNCIL.

“(a) GRANT AUTHORIZED.—In order to better effectuate the purposes of this part through the coordination of educational and related services and programs available to Native Hawaiians, including those programs that receive funding under this part, the Sec-

retary shall award a grant to the education council described under subsection (b).

“(b) EDUCATION COUNCIL.—

“(1) ELIGIBILITY.—To be eligible to receive the grant under subsection (a), the council shall be an education council (referred to in this section as the ‘Education Council’) that meets the requirements of this subsection.

“(2) COMPOSITION.—The Education Council shall consist of 15 members, of whom—

“(A) 1 shall be the President of the University of Hawaii (or a designee);

“(B) 1 shall be the Governor of the State of Hawaii (or a designee);

“(C) 1 shall be the Superintendent of the State of Hawaii Department of Education (or a designee);

“(D) 1 shall be the chairperson of the Office of Hawaiian Affairs (or a designee);

“(E) 1 shall be the executive director of Hawaii’s Charter School Network (or a designee);

“(F) 1 shall be the chief executive officer of the Kamehameha Schools (or a designee);

“(G) 1 shall be the Chief Executive Officer of the Queen Liliuokalani Trust (or a designee);

“(H) 1 shall be a member, selected by the other members of the Education Council, who represents a private grant-making entity;

“(I) 1 shall be the Mayor of the County of Hawaii (or a designee);

“(J) 1 shall be the Mayor of Maui County (or a designee from the Island of Maui);

“(K) 1 shall be the Mayor of the County of Kauai (or a designee);

“(L) 1 shall be appointed by the Mayor of Maui County from the Island of Molokai or the Island of Lanai;

“(M) 1 shall be the Mayor of the City and County of Honolulu (or a designee);

“(N) 1 shall be the chairperson of the Hawaiian Homes Commission (or a designee); and

“(O) 1 shall be the chairperson of the Hawaii Workforce Development Council (or a designee representing the private sector).

“(3) REQUIREMENTS.—Any designee serving on the Education Council shall demonstrate, as determined by the individual who appointed such designee with input from the Native Hawaiian community, not less than 5 years of experience as a consumer or provider of Native Hawaiian educational or cultural activities, with traditional cultural experience given due consideration.

“(4) LIMITATION.—A member (including a designee), while serving on the Education Council, shall not be a direct recipient or administrator of grant funds that are awarded under this part.

“(5) TERM OF MEMBERS.—A member who is a designee shall serve for a term of not more than 4 years.

“(6) CHAIR; VICE CHAIR.—

“(A) SELECTION.—The Education Council shall select a Chairperson and a Vice-Chairperson from among the members of the Education Council.

“(B) TERM LIMITS.—The Chairperson and Vice-Chairperson shall each serve for a 2-year term.

“(7) ADMINISTRATIVE PROVISIONS RELATING TO EDUCATION COUNCIL.—The Education Council shall meet at the call of the Chairperson of the Council, or upon request by a majority of the members of the Education Council, but in any event not less often than every 120 days.

“(8) NO COMPENSATION.—None of the funds made available through the grant may be used to provide compensation to any member of the Education Council or member of a

working group established by the Education Council, for functions described in this section.

“(c) USE OF FUNDS FOR COORDINATION ACTIVITIES.—The Education Council shall use funds made available through a grant under subsection (a) to carry out each of the following activities:

“(1) Providing advice about the coordination of, and serving as a clearinghouse for, the educational and related services and programs available to Native Hawaiians, including the programs assisted under this part.

“(2) Assessing the extent to which such services and programs meet the needs of Native Hawaiians, and collecting data on the status of Native Hawaiian education.

“(3) Providing direction and guidance, through the issuance of reports and recommendations, to appropriate Federal, State, and local agencies in order to focus and improve the use of resources, including resources made available under this part, relating to Native Hawaiian education, and serving, where appropriate, in an advisory capacity.

“(4) Awarding grants, if such grants enable the Education Council to carry out the activities described in paragraphs (1) through (3).

“(5) Hiring an executive director, who shall assist in executing the duties and powers of the Education Council, as described in subsection (d).

“(d) USE OF FUNDS FOR TECHNICAL ASSISTANCE.—The Education Council shall use funds made available through a grant under subsection (a) to—

“(1) provide technical assistance to Native Hawaiian organizations that are grantees or potential grantees under this part;

“(2) obtain from such grantees information and data regarding grants awarded under this part, including information and data about—

“(A) the effectiveness of such grantees in meeting the educational priorities established by the Education Council, as described in paragraph (6)(D), using metrics related to these priorities; and

“(B) the effectiveness of such grantees in carrying out any of the activities described in paragraphs (2) and (3) of section 7205(a) that are related to the specific goals and purposes of each grantee’s grant project, using metrics related to these priorities;

“(3) assess and define the educational needs of Native Hawaiians;

“(4) assess the programs and services available to address the educational needs of Native Hawaiians;

“(5) assess and evaluate the individual and aggregate impact achieved by grantees under this part in improving Native Hawaiian educational performance and meeting the goals of this part, using metrics related to these goals; and

“(6) prepare and submit to the Secretary, at the end of each calendar year, an annual report that contains—

“(A) a description of the activities of the Education Council during the calendar year;

“(B) a description of significant barriers to achieving the goals of this part;

“(C) a summary of each community consultation session described in subsection (e); and

“(D) recommendations to establish priorities for funding under this part, based on an assessment of—

“(i) the educational needs of Native Hawaiians;

“(ii) programs and services available to address such needs;

“(iii) the effectiveness of programs in improving the educational performance of Native Hawaiian students to help such students meet challenging State academic standards under section 1111(b)(1); and

“(iv) priorities for funding in specific geographic communities.

“(e) USE OF FUNDS FOR COMMUNITY CONSULTATIONS.—The Education Council shall use funds made available through the grant under subsection (a) to hold not less than 1 community consultation each year on each of the islands of Hawaii, Maui, Molokai, Lanai, Oahu, and Kauai, at which—

“(1) not less than 3 members of the Education Council shall be in attendance;

“(2) the Education Council shall gather community input regarding—

“(A) current grantees under this part, as of the date of the consultation;

“(B) priorities and needs of Native Hawaiians; and

“(C) other Native Hawaiian education issues; and

“(3) the Education Council shall report to the community on the outcomes of the activities supported by grants awarded under this part.

“(f) FUNDING.—For each fiscal year, the Secretary shall use the amount described in section 7205(c)(2), to make a payment under the grant. Funds made available through the grant shall remain available until expended.”;

(3) in section 7205—

(A) in subsection (a)(1)—

(i) in subparagraph (C), by striking “and” after the semicolon;

(ii) by redesignating subparagraph (D) as subparagraph (E); and

(iii) by inserting after subparagraph (C) the following:

“(D) charter schools; and”; and

(B) in subsection (c)—

(i) in paragraph (1), by striking “for fiscal year 2002 and each of the 5 succeeding 5 fiscal years” and inserting “for each of fiscal years 2016 through 2021”; and

(ii) in paragraph (2), by striking “for fiscal year 2002 and each of the 5 succeeding fiscal years” and inserting “for each of fiscal years 2016 through 2021”; and

(4) in section 7207—

(A) by redesignating paragraphs (1) through (6) as paragraphs (2) through (7), respectively; and

(B) by inserting before paragraph (2), as redesignated by subparagraph (A), the following:

“(1) COMMUNITY CONSULTATION.—The term ‘community consultation’ means a public gathering—

“(A) to discuss Native Hawaiian education concerns; and

“(B) about which the public has been given not less than 30 days notice.”.

#### SEC. 7003. ALASKA NATIVE EDUCATION.

Part C of title VII (20 U.S.C. 7541 et seq.) is amended—

(1) in section 7302, by striking paragraphs (1) through (7) and inserting the following:

“(1) It is the policy of the Federal Government to maximize the leadership of and participation by Alaska Native peoples in the planning and the management of Alaska Native education programs and to support efforts developed by and undertaken within the Alaska Native community to improve educational opportunity for all students.

“(2) Many Alaska Native children enter and exit school with serious educational disadvantages.

“(3) Overcoming the magnitude of the geographic challenges, historical inequities, and

other barriers to successfully improving educational outcomes for Alaska Native students in rural, village, and urban settings is challenging. Significant disparities between academic achievement of Alaska Native students and non-Native students continues, including lower graduation rates, increased school dropout rates, and lower achievement scores on standardized tests.

“(4) The preservation of Alaska Native cultures and languages and the integration of Alaska Native cultures and languages into education, positive identity development for Alaska Native students, and local, place-based, and culture-based programming are critical to the attainment of educational success and the long-term well-being of Alaska Native students.

“(5) Improving educational outcomes for Alaska Native students increases access to employment opportunities.

“(6) The programs and activities authorized under this part should be led by Alaska Native entities as a means of increasing Alaska Native parent and community involvement in the promotion of academic success of Alaska Native students.

“(7) The Federal Government should lend support to efforts developed by and undertaken within the Alaska Native community to improve educational opportunity for Alaska Native students. In 1983, pursuant to Public Law 98-63, Alaska ceased to receive educational funding from the Bureau of Indian Affairs. The Bureau of Indian Education does not operate any schools in Alaska, nor operate or fund Alaska Native education programs. The program under this part supports the Federal trust responsibility of the United States to Alaska Natives.”;

(2) in section 7303—

(A) in paragraph (1), by inserting “and address” after “To recognize”;

(B) by striking paragraph (3);

(C) by redesignating paragraph (2) as paragraph (4) and paragraph (4) as paragraph (5);

(D) by inserting after paragraph (1) the following:

“(2) To recognize the role of Alaska Native languages and cultures in the educational success and long-term well-being of Alaska Native students.

“(3) To integrate Alaska Native cultures and languages into education, develop Alaska Native students’ positive identity, and support local place-based and culture-based curriculum and programming.”;

(E) in paragraph (4), as redesignated by subparagraph (C), by striking “of supplemental educational programs to benefit Alaska Natives.” and inserting “, management, and expansion of effective educational programs to benefit Alaska Native peoples.”; and

(F) by adding at the end the following:

“(6) To ensure the maximum participation by Alaska Native educators and leaders in the planning, development, implementation, management, and evaluation of programs designed to serve Alaska Native students, and to ensure that Alaska Native tribes and tribal organizations play a meaningful role in providing supplemental educational services to Alaska Native students.”;

(3) by striking section 7304 and inserting the following:

#### “SEC. 7304. PROGRAM AUTHORIZED.

“(a) GENERAL AUTHORITY.—

“(1) GRANTS AND CONTRACTS.—The Secretary is authorized to make grants to, or enter into contracts with, any of the following to carry out the purposes of this part:

“(A) Alaska Native tribes, Alaska Native tribal organizations, or Alaska Native re-

gional nonprofit corporations with experience operating programs that fulfill the purposes of this part.

“(B) Alaska Native tribes, Alaska Native tribal organizations, or Alaska Native regional nonprofit corporations without such experience that are in partnership with—

“(i) a State educational agency or a local educational agency; or

“(ii) Indian tribes, tribal organizations, or Alaska Native regional nonprofit corporations that operate programs that fulfill the purposes of this part.

“(C) An entity located in Alaska, and predominately governed by Alaska Natives, that does not meet the definition of an Alaska Native tribe, an Alaska Native tribal organization, or an Alaska Native regional nonprofit corporation, under this part, provided that the entity—

“(i) has experience operating programs that fulfill the purposes of this part; and

“(ii) is granted an official charter or sanction, as prescribed in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b), from at least one Alaska Native tribe or Alaska Native tribal organization to carry out programs that meet the purposes of this part.

“(2) MULTI-YEAR AWARDS.—The recipient of a multi-year award under this part, as this part was in effect prior to the date of enactment of the Every Child Achieves Act of 2015, shall be eligible to receive continuation funds in accordance with the terms of that award.

“(3) MANDATORY ACTIVITIES.—Activities provided through the programs carried out under this part shall include the following:

“(A) The development and implementation of plans, methods, strategies and activities to improve the educational outcomes of Alaska Native peoples.

“(B) The collection of data to assist in the evaluation of the programs carried out under this part.

“(4) PERMISSIBLE ACTIVITIES.—Activities provided through programs carried out under this part may include the following:

“(A) The development of curricula and programs that address the educational needs of Alaska Native students, including the following:

“(i) Curriculum materials that reflect the cultural diversity, languages, history, or the contributions of Alaska Native people.

“(ii) Instructional programs that make use of Alaska Native languages and cultures.

“(iii) Networks that develop, test, and disseminate best practices and introduce successful programs, materials, and techniques to meet the educational needs of Alaska Native students in urban and rural schools.

“(iv) Methods to evaluate teachers’ inclusion of diverse Alaska Native cultures in their lesson plans.

“(B) Training and professional development activities for educators, including the following:

“(i) Pre-service and in-service training and professional development programs to prepare teachers to develop appreciation for and understanding of Alaska Native history, cultures, values, and ways of knowing and learning in order to effectively address the cultural diversity and unique needs of Alaska Native students and incorporate them into lesson plans and teaching methods.

“(ii) Recruitment and preparation of teachers who are Alaska Native.

“(iii) Programs that will lead to the certification and licensing of Alaska Native teachers, principals, other school leaders, and superintendents.

“(C) Early childhood and parenting education activities designed to improve the school readiness of Alaska Native children, including—

“(i) the development and operation of home visiting programs for Alaska Native preschool children, to ensure the active involvement of parents in their children’s education from the earliest ages;

“(ii) training, education, and support, including in-home visitation, for parents and caregivers of Alaska Native children to improve parenting and caregiving skills (including skills relating to discipline and cognitive development, reading readiness, observation, storytelling, and critical thinking);

“(iii) family literacy services;

“(iv) activities carried out under the Head Start Act;

“(v) programs for parents and their infants, from the prenatal period of the infant through age 3;

“(vi) early childhood education programs; and

“(vii) Native language immersion within early childhood, Head Start, or preschool programs.

“(D) The development and operation of student enrichment programs, including those in science, technology, engineering, and mathematics that—

“(i) are designed to prepare Alaska Native students to excel in such subjects;

“(ii) provide appropriate support services to enable such students to benefit from the programs; and

“(iii) include activities that recognize and support the unique cultural and educational needs of Alaska Native children and incorporate appropriately qualified Alaska Native elders and other tradition bearers.

“(E) Research and data collection activities to determine the educational status and needs of Alaska Native children and adults and other such research and evaluation activities related to programs funded under this part.

“(F) Activities designed to increase Alaska Native students’ graduation rates and assist Alaska Native students to be prepared for postsecondary education or the workforce without the need for postsecondary remediation, such as—

“(i) remedial and enrichment programs;

“(ii) culturally based education programs such as—

“(I) programs of study and other instruction in Alaska Native history and ways of living to share the rich and diverse cultures of Alaska Native peoples among Alaska Native youth and elders, non-Native students and teachers, and the larger community;

“(II) instructing Alaska Native youth in leadership, communication, and Native culture, arts, and languages;

“(III) inter-generational learning and internship opportunities to Alaska Native youth and young adults;

“(IV) cultural immersion activities;

“(V) culturally informed curricula intended to preserve and promote Alaska Native culture;

“(VI) Native language instruction and immersion activities;

“(VII) school-within-a-school model programs; and

“(VIII) college preparation and career planning; and

“(iii) holistic school or community-based support services to enable such students to benefit from the supplemental programs offered, including those that address family instability, school climate, trauma, safety, and nonacademic learning.

“(G) The establishment or operation of Native language immersion nests or schools.

“(H) Student and teacher exchange programs, cross-cultural immersion programs, and culture camps designed to build mutual respect and understanding among participants.

“(I) Education programs for at-risk urban Alaska Native students that are designed to improve academic proficiency and graduation rates, utilize strategies otherwise permissible under this part, and incorporate a strong data collection and continuous evaluation component.

“(J) Strategies designed to increase parents’ involvement in their children’s education.

“(K) Programs and strategies that provide technical assistance and support to schools and communities to engage adults in promoting the academic progress and overall well-being of Alaska Native people, such as through—

“(i) strength-based approaches to child and youth development;

“(ii) positive youth-adult relationships; and

“(iii) improved conditions for learning (school climate, student connection to school and community), and increased connections between schools and families.

“(L) Career preparation activities to enable Alaska Native children and adults to prepare for meaningful employment, including programs providing tech-prep, mentoring, training, and apprenticeship activities.

“(M) Provision of operational support and purchasing of equipment, to develop regional vocational schools in rural areas of Alaska, including boarding schools, for Alaska Native students in grades 9 through 12, or at higher levels of education, to provide the students with necessary resources to prepare for skilled employment opportunities.

“(N) Regional leadership academies that demonstrate effectiveness in building respect and understanding, and fostering a sense of Alaska Native identity to promote their pursuit of and success in completing higher education or career training.

“(O) Other activities, consistent with the purposes of this part, to meet the educational needs of Alaska Native children and adults.

“(b) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2016 through 2021.”;

(4) by striking section 7305 and inserting the following:

**“SEC. 7305. FUNDS FOR ADMINISTRATIVE PURPOSES.**

“Not more than 5 percent of funds provided to an award recipient under this part for any fiscal year may be used for administrative purposes.”; and

(5) in section 7306—

(A) in paragraph (1), by inserting “(43 U.S.C. 1602(b)) and includes the descendants of individuals so defined” after “Settlement Act”;

(B) by striking paragraph (2); and

(C) by inserting after paragraph (1) the following:

“(2) **ALASKA NATIVE TRIBE.**—The term ‘Alaska Native tribe’ has the meaning given the term ‘Indian tribe’ in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b), except that the term applies only to Indian tribes in Alaska.

“(3) **ALASKA NATIVE TRIBAL ORGANIZATION.**—The term ‘Alaska Native tribal organization’

has the meaning given the term ‘tribal organization’ in section 4 of the Indian Self-Determination and Education Assistance Act, (25 U.S.C. 450b), except that the term applies only to tribal organizations in Alaska.

“(4) **ALASKA NATIVE REGIONAL NONPROFIT CORPORATION.**—The term ‘Alaska Native regional nonprofit corporation’ means an organization listed in clauses (i) through (xii) of section 419(4)(B) of the Social Security Act (42 U.S.C. 619(4)(B)(i)–(xii)), or the successor of an entity so listed.”.

**SEC. 7004. NATIVE AMERICAN LANGUAGE IMMERSION SCHOOLS AND PROGRAMS.**

Title VII (20 U.S.C. 7401) is further amended by adding at the end the following:

**“PART D—NATIVE AMERICAN AND ALASKA NATIVE LANGUAGE IMMERSION SCHOOLS AND PROGRAMS**

**“SEC. 7401. NATIVE AMERICAN AND ALASKA NATIVE LANGUAGE IMMERSION SCHOOLS AND PROGRAMS.**

“(a) **PURPOSES.**—The purposes of this section are—

“(1) to establish a grant program to support schools that use Native American and Alaska Native languages as the primary language of instruction;

“(2) to maintain, protect, and promote the rights and freedom of Native Americans and Alaska Natives to use, practice, maintain, and revitalize their languages, as envisioned in the Native American Languages Act (25 U.S.C. 2901 et seq.); and

“(3) to support the Nation’s First Peoples’ efforts to maintain and revitalize their languages and cultures, and to improve student outcomes within Native American and Alaska Native communities.

“(b) **PROGRAM AUTHORIZED.**—

“(1) **IN GENERAL.**—From the amounts made available to carry out this part, the Secretary may award grants to eligible entities to develop and maintain, or to improve and expand, programs that support schools, including prekindergarten through postsecondary education sites and streams, using Native American and Alaska Native languages as the primary language of instruction.

“(2) **ELIGIBLE ENTITIES.**—In this section, the term ‘eligible entity’ means any of the following entities that has a plan to develop and maintain, or to improve and expand, programs that support the entity’s use of Native American or Alaska Native languages as the primary language of instruction:

“(A) An Indian tribe.

“(B) A Tribal College or University (as defined in section 316 of the Higher Education Act of 1965).

“(C) A tribal education agency.

“(D) A local educational agency, including a public charter school that is a local educational agency under State law.

“(E) A school operated by the Bureau of Indian Education.

“(F) An Alaska Native Regional Corporation (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602)).

“(G) A private, tribal, or Alaska Native nonprofit organization.

“(c) **APPLICATION.**—

“(1) **IN GENERAL.**—An eligible entity that desires to receive a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require, including the following:

“(A) The name of the Native American or Alaska Native language to be used for instruction at the school supported by the eligible entity.

“(B) The number of students attending such school.

“(C) The number of present hours of instruction in or through 1 or more Native American or Alaska Native languages being provided to targeted students at such school, if any.

“(D) A description of how the applicant will—

“(i) use the funds provided to meet the purposes of this part;

“(ii) implement the activities described in subsection (f);

“(iii) ensure the implementation of rigorous academic content; and

“(iv) ensure that students progress towards high-level fluency goals.

“(E) Information regarding the school’s organizational governance or affiliations, including information about—

“(i) the school governing entity (such as a local educational agency, tribal education agency or department, charter organization, private organization, or other governing entity);

“(ii) the school’s accreditation status;

“(iii) any partnerships with institutions of higher education; and

“(iv) any indigenous language schooling and research cooperatives.

“(F) An assurance that—

“(i) the school is engaged in meeting State or tribally designated proficiency levels for students, as may be required by applicable Federal, State, or tribal law;

“(ii) the school provides assessments of students using the Native American or Alaska Native language of instruction, where possible;

“(iii) the qualifications of all instructional and leadership personnel at such school is sufficient to deliver high-quality education through the Native American or Alaska Native language used in the school; and

“(iv) the school will collect and report to the public data relative to student achievement and, if appropriate, rates of high school graduation, career readiness, and enrollment in postsecondary education or job training programs, of students who are enrolled in the school’s programs.

“(2) LIMITATION.—The Secretary shall not give a priority in awarding grants under this part based on the information described in paragraph (1)(E).

“(3) SUBMISSION OF CERTIFICATION.—

“(A) IN GENERAL.—An eligible entity that is a public elementary school or secondary school (including a public charter school) or a non-tribal for-profit or nonprofit organization shall submit, along with the application requirements described in paragraph (1), a certification described in subparagraph (B) indicating that the school has the capacity to provide education primarily through a Native American or Alaska Native language and that there are sufficient speakers of the target language at the school or available to be hired by the school.

“(B) CERTIFICATION.—The certification described in subparagraph (A) shall be from one of the following entities, on whose land the school is located, that is an entity served by such school, or that is an entity whose members (as defined by that entity) are served by the school:

“(i) A Tribal College or University (as defined in section 316 of the Higher Education Act of 1965).

“(ii) A federally recognized Indian tribe or tribal organization.

“(iii) An Alaska Native Regional Corporation or an Alaska Native nonprofit organization.

“(iv) A Native Hawaiian organization.

“(d) AWARDING OF GRANTS.—In awarding grants under this section, the Secretary shall—

“(1) determine the amount of each grant and the duration of each grant, which shall not exceed 3 years; and

“(2) ensure, to the maximum extent feasible, that diversity in languages is represented.

“(e) ACTIVITIES AUTHORIZED.—

“(1) REQUIRED ACTIVITIES.—An eligible entity that receives a grant under this section shall use such funds to carry out the following activities:

“(A) Supporting Native American or Alaska Native language education and development.

“(B) Providing professional development for teachers and, as appropriate, staff and administrators to strengthen the overall language and academic goals of the school that will be served by the grant program.

“(C) Carrying out other activities that promote the maintenance and revitalization of the Native American or Alaska Native language relevant to the grant program.

“(2) ALLOWABLE ACTIVITIES.—An eligible entity that receives a grant under this section may use such funds to carry out the following activities:

“(A) Developing or refining curriculum, including teaching materials and activities, as appropriate.

“(B) Creating or refining assessments written in the Native American or Alaska Native language of instruction that measure student proficiency and that are aligned with State or tribal academic standards.

“(f) REPORT TO SECRETARY.—Each eligible entity that receives a grant under this part shall provide an annual report to the Secretary in such form and manner as the Secretary may require.

“(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal years 2016 through 2021.”.

#### **SEC. 7005. IMPROVING INDIAN STUDENT DATA COLLECTION, REPORTING, AND ANALYSIS.**

(a) IN GENERAL.—The Comptroller General, in consultation with the Secretary of Education, the Secretary of the Interior, and tribal communities, shall carry out a study that examines the following:

(1) The representation, at the time of the study, of Indian students in national, State, local, and tribal educational reporting required by law.

(2) The varying ways that individuals are identified as American Indian and Alaska Native (for example, such as through self-reporting or tribal enrollment records) at the time of the study, by national, State, local, and tribal educational reporting systems, and the impact that such variation has on data analysis or statistical trend comparability across such systems.

(3) How reporting of data within the Indian student population can be improved to facilitate comparisons between—

(A) Indian students living in urban and rural settings;

(B) Indian students living in tribal communities, areas with large Indian populations, and in areas with a low percentage of Indian population; and

(C) any other classifications that the Comptroller General determines are significant.

(4) The timeliness of Indian student record transfer between schools and other entities or individuals who may receive student

records in accordance with the requirements of section 444 of the General Education Provisions Act ((20 U.S.C.1232g); commonly referred to as the “Family Educational Rights and Privacy Act of 1974”).

(5) The effectiveness and usefulness for parental, student, Federal, State, tribal, and local educational stakeholders of the findings and structure of the National Indian Education Study conducted by the National Center for Education Statistics in conjunction with the National Assessment of Educational Progress described under section 303 of the National Assessment of Educational Progress Authorization Act (20 U.S.C. 9622).

(6) Any other areas of Indian student data collection, reporting, and analysis, as determined by the Comptroller General.

(b) REPORTING.—

(1) RECIPIENTS.—The Comptroller General shall prepare and submit reports setting forth the conclusions of the study described in subsection (a), in accordance with subsection (c), to each of the following:

(A) The Committee on Indian Affairs of the Senate.

(B) The Committee on Health, Education, Labor, and Pensions of the Senate.

(C) The Committee on Education and the Workforce of the House of Representatives.

(D) The Subcommittee on Indian, Insular, and Alaska Native Affairs of the House of Representatives.

(2) FUTURE LEGISLATION.—The Comptroller General shall include in the reports described in subsection (b) recommendations to inform future legislation regarding the collection, reporting, and analysis of Indian student data.

(c) TIMEFRAME.—The Comptroller General shall—

(1) submit not less than 1 report addressing 1 or more of the areas identified in paragraphs (1) through (6) of subsection (a) not later than 18 months after the enactment of this section; and

(2) submit any other reports necessary to address the areas identified in paragraphs (1) through (6) of subsection (a) not later than 5 years after the enactment of this section.

#### **TITLE VIII—IMPACT AID**

##### **SEC. 8001. PURPOSE.**

Section 8001 (20 U.S.C. 7701) is amended in the matter preceding paragraph (1), by striking “challenging State standards” and inserting “the same challenging State academic standards”.

##### **SEC. 8002. AMENDMENT TO IMPACT AID IMPROVEMENT ACT OF 2012.**

Section 563(c) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1748; 20 U.S.C. 7702 note) is amended—

(1) by striking paragraphs (1) and (4); and

(2) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively.

##### **SEC. 8003. PAYMENTS RELATING TO FEDERAL ACQUISITION OF REAL PROPERTY.**

Section 8002 (20 U.S.C. 7702) is amended—

(1) in subsection (b)(3), by striking subparagraph (B) and inserting the following:

“(B) SPECIAL RULE.—In the case of Federal property eligible under this section that is within the boundaries of 2 or more local educational agencies that are eligible under this section, any of such agencies may ask the Secretary to calculate (and the Secretary shall calculate) the taxable value of the eligible Federal property that is within its boundaries by—

“(i) first calculating the per-acre value of the eligible Federal property separately for each eligible local educational agency that shared the Federal property, as provided in subparagraph (A)(ii);

“(ii) then averaging the resulting per-acre values of the eligible Federal property from each eligible local educational agency that shares the Federal property; and

“(iii) then applying the average per-acre value to determine the total taxable value of the eligible Federal property under subparagraph (A)(iii) for the requesting local educational agency.”;

(2) in subsection (e)(2), by adding at the end the following: “For each fiscal year beginning with fiscal year 2015, the Secretary shall treat local educational agencies chartered in 1871 having more than 70 percent of the county in Federal ownership as meeting the eligibility requirements of subparagraphs (A) and (C) of subsection (a)(1). For each fiscal year beginning with fiscal year 2015, the Secretary shall treat local educational agencies that serve a county chartered or formed in 1734 having more than 24 percent of the county in Federal ownership as meeting the eligibility requirements of subparagraphs (A) and (C) of subsection (a)(1).”;

(3) by striking subsection (f) and inserting the following:

“(f) SPECIAL RULE.—Beginning with fiscal year 2015, a local educational agency shall be deemed to meet the requirements of subsection (a)(1)(C) if the agency was eligible under paragraph (1) or (3) of this subsection, as such subsection was in effect on the day before the date of enactment of the Every Child Achieves Act of 2015.”;

(4) in subsection (h)(4), by striking “For each local educational agency that received a payment under this section for fiscal year 2010 through the fiscal year in which the Impact Aid Improvement Act of 2012 is enacted” and inserting “For each local educational agency that received a payment under this section for fiscal year 2010 or any succeeding fiscal year”;

(5) by striking subsection (k); and

(6) by redesignating subsections (l), (m), and (n), as subsections (j), (k), and (l), respectively.

#### SEC. 8004. PAYMENTS FOR ELIGIBLE FEDERALLY CONNECTED CHILDREN.

Section 8003 (20 U.S.C. 7703) is amended—

(1) in subsection (a)(5)(A), by striking “to be children” and all that follows through the period at the end and inserting “or under lease of off-base property under subchapter IV of chapter 169 of title 10, United States Code, to be children described under paragraph (1)(B), if the property described is—”

“(i) within the fenced security perimeter of the military facility; or

“(ii) attached to, and under any type of force protection agreement with, the military installation upon which such housing is situated.”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking subparagraph (E); and

(ii) by redesignating subparagraphs (F) and (G) as subparagraphs (E) and (F), respectively;

(B) in paragraph (2), by striking subparagraphs (B) through (H) and inserting the following:

“(B) ELIGIBILITY FOR HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES.—

“(i) IN GENERAL.—A heavily impacted local educational agency is eligible to receive a basic support payment under subparagraph (A) with respect to a number of children determined under subsection (a)(1) if the agency—

“(I) is a local educational agency—

“(aa) whose boundaries are the same as a Federal military installation or an island

property designated by the Secretary of the Interior to be property that is held in trust by the Federal Government; and

“(bb) that has no taxing authority;

“(II) is a local educational agency that—

“(aa) has an enrollment of children described in subsection (a)(1) that constitutes a percentage of the total student enrollment of the agency that is not less than 45 percent;

“(bb) has a per-pupil expenditure that is less than—

“(AA) for an agency that has a total student enrollment of 500 or more students, 125 percent of the average per-pupil expenditure of the State in which the agency is located; or

“(BB) for any agency that has a total student enrollment less than 500, 150 percent of the average per-pupil expenditure of the State in which the agency is located or the average per-pupil expenditure of 3 or more comparable local educational agencies in the State in which the agency is located; and

“(cc) is an agency that—

“(AA) has a tax rate for general fund purposes that is not less than 95 percent of the average tax rate for general fund purposes of comparable local educational agencies in the State; or

“(BB) was eligible to receive a payment under this subsection for fiscal year 2013 and is located in a State that by State law has eliminated ad valorem tax as a revenue for local educational agencies;

“(III) is a local educational agency that—

“(aa) has a tax rate for general fund purposes which is not less than 125 percent of the average tax rate for general fund purposes for comparable local educational agencies in the State; and

“(bb)(AA) has an enrollment of children described in subsection (a)(1) that constitutes a percentage of the total student enrollment of the agency that is not less than 30 percent; or

“(BB) has an enrollment of children described in subsection (a)(1) that constitutes a percentage of the total student enrollment of the agency that is not less than 20 percent, and for the 3 fiscal years preceding the fiscal year for which the determination is made, the average enrollment of children who are not described in subsection (a)(1) and who are eligible for a free or reduced price lunch under the Richard B. Russell National School Lunch Act constitutes a percentage of the total student enrollment of the agency that is not less than 65 percent;

“(IV) is a local educational agency that has a total student enrollment of not less than 25,000 students, of which—

“(aa) not less than 50 percent are children described in subsection (a)(1); and

“(bb) not less than 5,000 of such children are children described in subparagraphs (A) and (B) of subsection (a)(1); or

“(V) is a local educational agency that—

“(aa) has an enrollment of children described in subsection (a)(1) including, for purposes of determining eligibility, those children described in subparagraphs (F) and (G) of such subsection, that is not less than 35 percent of the total student enrollment of the agency;

“(bb) has a per-pupil expenditure that is less than the average per-pupil expenditure of the State in which the agency is located or the average per-pupil expenditure of all States (whichever average per-pupil expenditure is greater), except that a local educational agency with a total student enrollment of less than 350 students shall be deemed to have satisfied such per-pupil expenditure requirement, and has a tax rate for

general fund purposes which is not less than 95 percent of the average tax rate for general fund purposes of local educational agencies in the State; and

“(cc) was eligible to receive assistance under subparagraph (A) for fiscal year 2001.

“(ii) LOSS OF ELIGIBILITY.—

“(I) IN GENERAL.—Subject to subclause (II), a heavily impacted local educational agency that met the requirements of clause (i) for a fiscal year shall be ineligible to receive a basic support payment under subparagraph (A) if the agency fails to meet the requirements of clause (i) for a subsequent fiscal year, except that such agency shall continue to receive a basic support payment under this paragraph for the fiscal year for which the ineligibility determination is made.

“(II) LOSS OF ELIGIBILITY DUE TO FALLING BELOW 95 PERCENT OF THE AVERAGE TAX RATE FOR GENERAL FUND PURPOSES.—In a case of a heavily impacted local educational agency that is eligible to receive a basic support payment under subparagraph (A), but that has had, for 2 consecutive fiscal years, a tax rate for general fund purposes that falls below 95 percent of the average tax rate for general fund purposes of comparable local educational agencies in the State, such agency shall be determined to be ineligible under clause (i) and ineligible to receive a basic support payment under subparagraph (A) for each fiscal year succeeding such 2 consecutive fiscal years for which the agency has such a tax rate for general fund purposes, and until the fiscal year for which the agency resumes such eligibility in accordance with clause (iii).

“(III) TAKEN OVER BY STATE BOARD OF EDUCATION.—In the case of a heavily impacted local educational agency that is eligible to receive a basic support payment under subparagraph (A), but that has been taken over by a State board of education in 2 previous years, such agency shall be deemed to maintain heavily impacted status for 2 fiscal years following the date of enactment of the Every Child Achieves Act of 2015.

“(iii) RESUMPTION OF ELIGIBILITY.—A heavily impacted local educational agency described in clause (i) that becomes ineligible under such clause for 1 or more fiscal years may resume eligibility for a basic support payment under this paragraph for a subsequent fiscal year only if the agency meets the requirements of clause (i) for that subsequent fiscal year, except that such agency shall not receive a basic support payment under this paragraph until the fiscal year succeeding the fiscal year for which the eligibility determination is made.

“(C) MAXIMUM AMOUNT FOR HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES.—

“(i) IN GENERAL.—Except as provided in subparagraph (D), the maximum amount that a heavily impacted local educational agency is eligible to receive under this paragraph for any fiscal year is the sum of the total weighted student units, as computed under subsection (a)(2) and subject to clause (ii), multiplied by the greater of—

“(I) four-fifths of the average per-pupil expenditure of the State in which the local educational agency is located for the third fiscal year preceding the fiscal year for which the determination is made; or

“(II) four-fifths of the average per-pupil expenditure of all of the States for the third fiscal year preceding the fiscal year for which the determination is made.

“(ii) CALCULATION OF WEIGHTED STUDENT UNITS.—

“(I) IN GENERAL.—

“(aa) IN GENERAL.—For a local educational agency in which 35 percent or more of the

total student enrollment of the schools of the agency are children described in subparagraph (D) or (E) (or a combination thereof) of subsection (a)(1), and that has an enrollment of children described in subparagraph (A), (B), or (C) of such subsection equal to at least 10 percent of the agency's total enrollment, the Secretary shall calculate the weighted student units of those children described in subparagraph (D) or (E) of such subsection by multiplying the number of such children by a factor of 0.55.

“(bb) EXCEPTION.—Notwithstanding item (aa), a local educational agency that received a payment under this paragraph for fiscal year 2013 shall not be required to have an enrollment of children described in subparagraph (A), (B), or (C) of subsection (a)(1) equal to at least 10 percent of the agency's total enrollment and shall be eligible for the student weight as provided for in item (aa).

“(II) ENROLLMENT OF 100 OR FEWER CHILDREN.—For a local educational agency that has an enrollment of 100 or fewer children described in subsection (a)(1), the Secretary shall calculate the total number of weighted student units for purposes of subsection (a)(2) by multiplying the number of such children by a factor of 1.75.

“(III) ENROLLMENT OF MORE THAN 100 CHILDREN BUT LESS THAN 1000.—For a local educational agency that is not described under subparagraph (B)(i)(I) and has an enrollment of more than 100 but not more than 1,000 children described in subsection (a)(1), the Secretary shall calculate the total number of weighted student units for purposes of subsection (a)(2) by multiplying the number of such children by a factor of 1.25.

“(D) MAXIMUM AMOUNT FOR LARGE HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES.—

“(i) IN GENERAL.—

“(I) IN GENERAL.—Subject to clause (ii), the maximum amount that a heavily impacted local educational agency described in subclause (II) is eligible to receive under this paragraph for any fiscal year shall be determined in accordance with the formula described in paragraph (1)(C).

“(II) HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCY.—A heavily impacted local educational agency described in this subclause is a local educational agency that has a total student enrollment of not less than 25,000 students, of which not less than 50 percent are children described in subsection (a)(1) and not less than 5,000 of such children are children described in subparagraphs (A) and (B) of subsection (a)(1).

“(ii) FACTOR.—For purposes of calculating the maximum amount described in clause (i), the factor used in determining the weighted student units under subsection (a)(2) with respect to children described in subparagraphs (A) and (B) of subsection (a)(1) shall be 1.35.

“(E) DATA.—For purposes of providing assistance under this paragraph the Secretary shall use student, revenue, expenditure, and tax data from the third fiscal year preceding the fiscal year for which the local educational agency is applying for assistance under this paragraph.

“(F) DETERMINATION OF AVERAGE TAX RATES FOR GENERAL FUND PURPOSES.—

“(i) IN GENERAL.—Except as provided in clause (ii), for the purpose of determining the average tax rates for general fund purposes for local educational agencies in a State under this paragraph, the Secretary shall use either—

“(I) the average tax rate for general fund purposes for comparable local educational agencies, as determined by the Secretary in regulations; or

“(II) the average tax rate of all the local educational agencies in the State.

“(ii) FISCAL YEARS 2010–2015.—

“(I) IN GENERAL.—For fiscal years 2010 through 2015, any local educational agency that was found ineligible to receive a payment under subparagraph (A) because the Secretary determined that it failed to meet the average tax rate requirement for general fund purposes in subparagraph (B)(i)(II)(cc)(AA), shall be considered to have met that requirement, if its State determined, through an alternate calculation of average tax rates for general fund purposes, that such local educational agency met that requirement.

“(II) SUBSEQUENT FISCAL YEARS AFTER 2015.—For any succeeding fiscal year after 2015, any local educational agency identified in subclause (I) may continue to have its State use that alternate methodology to calculate whether the average tax rate requirement for general fund purposes under subparagraph (B)(i)(II)(cc)(AA) is met.

“(III) AVAILABILITY OF FUNDS.—Notwithstanding any other provision of law limiting the period during which the Secretary may obligate funds appropriated for any fiscal year after 2012, the Secretary shall reserve an amount equal to a total of \$14,000,000 from funds that remain unobligated under this section from fiscal years 2013 or 2014 in order to make payments under this clause for fiscal years 2011 through 2014.

“(G) ELIGIBILITY FOR HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES AFFECTED BY PRIVATIZATION OF MILITARY HOUSING.—

“(i) ELIGIBILITY.—For any fiscal year, a heavily impacted local educational agency that received a basic support payment under this paragraph for the prior fiscal year, but is ineligible for such payment for the current fiscal year under subparagraph (B), (C), or (D), as the case may be, due to the conversion of military housing units to private housing described in clause (iii), or as the direct result of base realignment and closure or modularization as determined by the Secretary of Defense and force structure change or force relocation, shall be deemed to meet the eligibility requirements under subparagraph (B) or (C), as the case may be, for the period during which the housing units are undergoing such conversion or during such time as activities associated with base closure and realignment, modularization, force structure change, or force relocation are ongoing.

“(ii) AMOUNT OF PAYMENT.—The amount of a payment to a heavily impacted local educational agency for a fiscal year by reason of the application of clause (i), and calculated in accordance with subparagraph (C) or (D), as the case may be, shall be based on the number of children in average daily attendance in the schools of such agency for the fiscal year and under the same provisions of subparagraph (C) or (D) under which the agency was paid during the prior fiscal year.

“(iii) CONVERSION OF MILITARY HOUSING UNITS TO PRIVATE HOUSING DESCRIBED.—For purposes of clause (i), ‘conversion of military housing units to private housing’ means the conversion of military housing units to private housing units pursuant to subchapter IV of chapter 169 of title 10, United States Code, or pursuant to any other related provision of law.”; and

(C) in paragraph (3)—

(i) in subparagraph (B), by striking clause (iii) and inserting the following:

“(iii) In the case of a local educational agency providing a free public education to students enrolled in kindergarten through

grade 12, that enrolls students described in subparagraphs (A), (B), and (D) of subsection (a)(1) only in grades 9 through 12, and that received a final payment in fiscal year 2009 calculated under this paragraph (as this paragraph was in effect on the day before the date of enactment of the Every Child Achieves Act of 2015) for students in grades 9 through 12, the Secretary shall, in calculating the agency's payment, consider only that portion of such agency's total enrollment of students in grades 9 through 12 when calculating the percentage under clause (i)(I) and only that portion of the total current expenditures attributed to the operation of grades 9 through 12 in such agency when calculating the percentage under clause (i)(II).”;

(ii) in subparagraph (C), by striking “subparagraph (D) or (E) of paragraph (2),” and inserting “subparagraph (C) or (D) of paragraph (2)”; and

(iii) by striking subparagraph (D) and inserting the following:

“(D) RATABLE DISTRIBUTION.—For fiscal years described in subparagraph (A), for which the sums available exceed the amount required to pay each local educational agency 100 percent of its threshold payment, the Secretary shall distribute the excess sums to each eligible local educational agency that has not received its full amount computed under paragraphs (1) or (2) (as the case may be) by multiplying—

“(i) a percentage, the denominator of which is the difference between the full amount computed under paragraph (1) or (2) (as the case may be) for all local educational agencies and the amount of the threshold payment (as calculated under subparagraphs (B) and (C)) of all local educational agencies, and the numerator of which is the aggregate of the excess sums, by

“(ii) the difference between the full amount computed under paragraph (1) or (2) (as the case may be) for the agency and the amount of the threshold payment (as calculated under subparagraphs (B) or (C)) of the agency, except that no local educational agency shall receive more than 100 percent of the maximum payment calculated under subparagraphs (C) or (D) of paragraph (2).

“(E) INSUFFICIENT PAYMENTS.—For each fiscal year described in subparagraph (A) for which the sums appropriated are insufficient to pay each local educational agency all of the local educational agency's threshold payment described in subparagraph (B), the Secretary shall ratably reduce the payment to each local educational agency under this paragraph.

“(F) PROVISION OF TAX RATE AND RESULTING PERCENTAGE.—The Secretary shall provide the local educational agency's tax rate and the resulting percentage to each eligible local educational agency immediately following the payments of funds under paragraph (2).”; and

(D) in paragraph (4)(B), by striking “subparagraph (D) or (E)” and inserting “subparagraph (C) or (D)”; and

(3) in subsection (c), by striking paragraph (2) and inserting the following:

“(2) EXCEPTION.—Calculation of payments for a local educational agency shall be based on data from the fiscal year for which the agency is making an application for payment if such agency—

“(A) is newly established by a State, for the first year of operation of such agency only;

“(B) was eligible to receive a payment under this section for the previous fiscal year and has had an overall increase in enrollment (as determined by the Secretary in



consultation with the Secretary of Defense, the Secretary of Interior, or the heads of other Federal agencies)—

“(i) of not less than 10 percent, or 100 students, of children described in—

“(I) subparagraph (A), (B), (C), or (D) of subsection (a)(1); or

“(II) subparagraphs (F) and (G) of subsection (a)(1), but only to the extent such children are civilian dependents of employees of the Department of Defense or the Department of Interior; and

“(ii) that is the direct result of closure or realignment of military installations under the base closure process or the relocation of members of the Armed Forces and civilian employees of the Department of Defense as part of the force structure changes or movements of units or personnel between military installations or because of actions initiated by the Secretary of the Interior or the head of another Federal agency; or

“(C) was eligible to receive a payment under this section for the previous fiscal year and has had an increase in enrollment (as determined by the Secretary)—

“(i) of not less than 10 percent of children described in subsection (a)(1) or not less than 100 of such children; and

“(ii) that is the direct result of the closure of a local educational agency that received a payment under subsection (b)(1) or (b)(2) in the previous fiscal year.”;

(4) in subsection (d)—

(A) in the subsection heading, by striking “CHILDREN” and inserting “STUDENTS”;

(B) in paragraph (1), by striking “children” both places the term appears and inserting “students”; and

(C) in paragraph (2), by striking “children” and inserting “students”;

(5) in subsection (e)—

(A) by striking paragraphs (1) and (2) and inserting the following:

“(1) IN GENERAL.—

“(A) IN GENERAL.—In the case of any local educational agency whose payment under subsection (b) for a fiscal year is determined to be reduced by an amount greater than \$5,000,000 or by 20 percent, as compared to the amount received for the previous fiscal year, the Secretary shall, subject to subparagraph (B), pay a local educational agency, for each of the 3 years following the reduction under subsection (b), the amount determined under subparagraph (B).

“(B) AMOUNT OF REDUCTION.—Subject to subparagraph (C), a local educational agency described in subparagraph (A) shall receive—

“(i) for the first year for which the reduced payment is determined, an amount that is not less than 90 percent of the total amount that the local educational agency received under paragraph (1) or (2) of subsection (b) for the fiscal year prior to the reduction (referred to in this paragraph as the ‘base year’);

“(ii) for the second year following such reduction, an amount that is not less than 85 percent of the total amount that the local educational agency received under paragraph (1) or (2) of subsection (b) for the base year; and

“(iii) for the third year following such reduction, an amount that is not less than 80 percent of the total amount that the local educational agency received under paragraph (1) or (2) of subsection (b) for the base year.

“(C) SPECIAL RULE.—For any fiscal year for which a local educational agency would be subject to a reduced payment under clause (ii) or (iii) of subparagraph (B), but the total amount of the payment for which the local educational agency is eligible under sub-

section (b) for that fiscal year is greater than the amount that initially subjected the local educational agency to the requirements of this subsection, the Secretary shall pay the greater amount to the local educational agency for such year.”; and

(B) by redesignating paragraph (3) as paragraph (2); and

(6) by striking subsection (g).

#### **SEC. 8005. POLICIES AND PROCEDURES RELATING TO CHILDREN RESIDING ON INDIAN LANDS.**

Section 8004(e)(9) (20 U.S.C. 7704(e)(9)) is amended by striking “Affairs” both places the term appears and inserting “Education”.

#### **SEC. 8006. APPLICATION FOR PAYMENTS UNDER SECTIONS 8002 AND 8003.**

Section 8005 (20 U.S.C. 7705) is amended—

(1) in subsection (b), in the matter preceding paragraph (1), by striking “, and shall contain such information,”;

(2) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively;

(3) by inserting after subsection (b) the following:

“(c) STUDENT COUNT.—In collecting information to determine the eligibility of a local educational agency and the number of federally connected children for the local educational agency, the Secretary shall, in addition to any options provided under section 222.35 of title 34, Code of Federal Regulations, or a successor regulation, allow a local educational agency to count the number of such children served by the agency as of the date by which the agency requires all students to register for the school year of the fiscal year for which the application is filed.”; and

(4) in subsection (d), by striking “subsection (c)” and inserting “subsection (d)” each place the term appears.

#### **SEC. 8007. CONSTRUCTION.**

Section 8007 (20 U.S.C. 7707(b)) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “section 8014(e)” and inserting “section 8014(d)”;

(B) in paragraph (3)—

(i) in subparagraph (A)(i)—

(I) by redesignating the first subclause (II) as subclause (I); and

(II) by striking “section 8014(e)” and inserting “section 8014(d)”;

(ii) in subparagraph (B)(i)(I), by striking “section 8014(e)” and inserting “section 8014(d)”;

(2) in subsection (b)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking “section 8014(e)” and inserting “section 8014(d)”;

(B) in paragraph (3)(C)(i)(I), by adding at the end the following:

“(cc) Not less than 10 percent of the property in the agency is exempt from State and local taxation under Federal law.”; and

(C) in paragraph (6), by striking subparagraph (F).

#### **SEC. 8008. FACILITIES.**

Section 8008(a) (20 U.S.C. 7708) is amended by striking “section 8014(f)” and inserting “section 8014(e)”.

#### **SEC. 8009. STATE CONSIDERATION OF PAYMENTS IN PROVIDING STATE AID.**

Section 8009(c)(1)(B) (20 U.S.C. 7709(c)(1)(B)) is amended by striking “and contain the information”.

#### **SEC. 8010. DEFINITIONS.**

Section 8013(5)(A) (20 U.S.C. 7713(5)(A)) is amended—

(1) in clause (ii), by striking subclause (III) and inserting the following:

“(III) conveyed at any time under the Alaska Native Claims Settlement Act to a Native

individual, Native group, or village or regional corporation (including single family occupancy properties that may have been subsequently sold or leased to a third party), except that property that is conveyed under such Act—

“(aa) that is not taxed is, for the purposes of this paragraph, considered tax-exempt due to Federal law; and

“(bb) is considered Federal property for the purpose of this paragraph if the property is located within a Regional Educational Attendance Area”; and

(2) in clause (iii)—

(A) in subclause (II), by striking “Stewart B. McKinney Homeless Assistance Act” and inserting “McKinney-Vento Homeless Assistance Act (42 U.S.C. 11411)”;

(B) by striking subclause (III) and inserting the following:

“(III) used for affordable housing assisted under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.); or”.

#### **SEC. 8011. AUTHORIZATION OF APPROPRIATIONS.**

Section 8014 (20 U.S.C. 7714) is amended—

(1) in subsection (a), by striking “\$32,000,000 for fiscal year 2000 and such sums as may be necessary for each of the seven succeeding fiscal years” and inserting “such sums as may be necessary for each of fiscal years 2016 through 2021”;

(2) in subsection (b), by striking “\$809,400,000 for fiscal year 2000 and such sums as may be necessary for each of the seven succeeding fiscal years” and inserting “such sums as may be necessary for each of fiscal years 2016 through 2021”;

(3) in subsection (c), by striking “\$50,000,000 for fiscal year 2000 and such sums as may be necessary for each of the seven succeeding fiscal years” and inserting “such sums as may be necessary for each of fiscal years 2016 through 2021”;

(4) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively;

(5) in subsection (d), as redesignated by paragraph (4), by striking “\$10,052,000 for fiscal year 2000 and such sums as may be necessary for fiscal year 2001, \$150,000,000 for fiscal year 2002, and such sums as may be necessary for each of the five succeeding fiscal years” and inserting “such sums as may be necessary for each of fiscal years 2016 through 2021”; and

(6) in subsection (e), as redesignated by paragraph (4), by striking “\$5,000,000 for fiscal year 2000 and such sums as may be necessary for each of the seven succeeding fiscal years” and inserting “such sums as may be necessary for each of fiscal years 2016 through 2021”.

### **TITLE IX—GENERAL PROVISIONS**

#### **SEC. 9101. DEFINITIONS.**

Section 9101 (20 U.S.C. 7801) is amended—

(1) by striking paragraphs (3), (19), (23), (35), (36), (37), and (42);

(2) by redesignating paragraphs (1), (2), (17), (18), (20), (21), (22), (24), (25), (26), (27), (28), (29), (30), (31), (32), (33), (34), (38), (39), (41), and (43) as paragraphs (2), (3), (20), (21), (26), (27), (28), (30), (22), (31), (32), (34), (35), (36), (38), (39), (40), (41), (43), (44), (47) and (48), respectively, and by transferring such paragraph (22), as so redesignated, so as to follow such paragraph (21), as so redesignated;

(3) by inserting before paragraph (2), as redesignated by paragraph (2), the following:

“(1) 4-YEAR ADJUSTED COHORT GRADUATION RATE.—The term ‘4-year adjusted cohort graduation rate’ has the meaning given the term ‘four-year adjusted cohort graduation rate’ in section 200.19(b)(1) of title 34, Code of

Federal Regulations, as such section was in effect on November 28, 2008.”;

(4) by striking paragraph (11) and inserting the following:

“(11) **CORE ACADEMIC SUBJECTS.**—The term ‘core academic subjects’ means English, reading or language arts, writing, science, technology, engineering, mathematics, foreign languages, civics and government, economics, arts, history, geography, computer science, music, health, and physical education, and any other subject as determined by the State or local educational agency.”;

(5) in paragraph (13)—

(A) by striking subparagraphs (B), (E), (G), and (K);

(B) by redesignating subparagraphs (C), (D), (F), (H), (I), (J), and (L), as subparagraphs (B), (C), (D), (E), (F), (G), and (I), respectively; and

(C) by inserting after subparagraph (G), as redesignated by subparagraph (B), the following:

“(H) part G of title V; and”;

(6) by inserting after paragraph (16) the following:

“(17) **DUAL OR CONCURRENT ENROLLMENT.**—The term ‘dual or concurrent enrollment’ means a course or program provided by an institution of higher education through which a student who has not graduated from high school with a regular high school diploma is able to earn postsecondary credit.

“(18) **EARLY CHILDHOOD EDUCATION PROGRAM.**—The term ‘early childhood education program’ has the meaning given the term in section 103 of the Higher Education Act of 1965.

“(19) **EARLY COLLEGE HIGH SCHOOL.**—The term ‘early college high school’ means a formal partnership between at least one local educational agency and at least one institution of higher education that allows participants to simultaneously complete requirements toward earning a regular high school diploma and earn not less than 12 transferable credits as part of an organized course of study toward a postsecondary degree or credential at no cost to the participant or participant’s family.”.

(7) in paragraph (22), as redesignated and moved by paragraph (2)—

(A) in the paragraph heading, by striking “LIMITED ENGLISH PROFICIENT” and inserting “ENGLISH LEARNER”;

(B) in the matter preceding subparagraph (A), by striking “limited English proficient” and inserting “English learner”;

(C) in subparagraph (D)(i), by striking “State’s proficient level of achievement on State assessments described in section 1111(b)(3)” and inserting “challenging State academic standards described in section 1111(b)(1)”;

(8) by inserting after paragraph (22), as transferred and redesignated by paragraph (2), the following:

“(23) **EVIDENCE-BASED.**—

“(A) **IN GENERAL.**—Except as provided in subparagraph (B), the term ‘evidence-based’, when used with respect to an activity, means an activity that—

“(i) demonstrates a statistically significant effect on improving student outcomes or other relevant outcomes based on—

“(I) strong evidence from at least 1 well-designed and well-implemented experimental study;

“(II) moderate evidence from at least 1 well-designed and well-implemented quasi-experimental study; or

“(III) promising evidence from at least 1 well-designed and well-implemented correlational study with statistical controls for selection bias; or

“(ii)(I) demonstrates a rationale that is based on high-quality research findings that such activity is likely to improve student outcomes or other relevant outcomes; and

“(II) includes ongoing efforts to examine the effects of such activity.

“(B) **DEFINITION FOR PART A OF TITLE I.**—For purposes of part A of title I, the term ‘evidence-based’, when used with respect to an activity, means an activity that meets the requirements of subclause (I) or (II) of subparagraph (A)(i).

“(24) **EXPANDED LEARNING TIME.**—The term ‘expanded learning time’ means using a longer school day, week, or year schedule to significantly increase the total number of school hours, in order to include additional time for—

“(A) instruction and enrichment in core academic subjects, other academic subjects, and other activities that contribute to a well-rounded education; and

“(B) instructional and support staff to collaborate, plan, and engage in professional development (including professional development on family and community engagement) within and across grades and subjects.

“(25) **EXTENDED-YEAR ADJUSTED COHORT GRADUATION RATE.**—The term ‘extended-year adjusted cohort graduation rate’ has the meaning given the term in section 200.19(b)(1)(v) of title 34, Code of Federal Regulations, as such section was in effect on November 28, 2008.”;

(9) by inserting after paragraph (28), as redesignated by paragraph (2), the following:

“(29) **HIGH SCHOOL.**—The term ‘high school’ means a secondary school that—

“(A) grants a diploma, as defined by the State; and

“(B) includes, at least, grade 12.”;

(10) in paragraph (31), as redesignated by paragraph (2), in subparagraph (C)—

(A) in the subparagraph heading, by striking “BIA” and inserting “BIE”;

(B) by striking “Affairs” both places the term appears and inserting “Education”;

(11) by inserting after paragraph (32), as redesignated by paragraph (2), the following:

“(33) **MULTI-TIER SYSTEM OF SUPPORTS.**—The term ‘multi-tier system of supports’ means a comprehensive continuum of evidence-based, system-wide practices to support a rapid response to academic and behavioral needs, with frequent data-based monitoring for instructional decisionmaking.”;

(12) in paragraph (35), as redesignated by paragraph (2), by striking “pupil services” and inserting “specialized instructional support”;

(13) in paragraph (36), as redesignated by paragraph (2), by striking “includes the freely associated states” and all that follows through the period at the end and inserting “includes the Republic of Palau except during any period for which the Secretary determines that a Compact of Free Association is in effect that contains provisions for education assistance prohibiting the assistance provided under this Act.”;

(14) by inserting after paragraph (36), as redesignated by paragraph (2), the following:

“(37) **PARAPROFSSIONAL.**—The term ‘paraprofessional’, also known as a ‘paraeducator’, includes an education assistant and instructional assistant.”.

(15) in paragraph (39), as redesignated by paragraph (2)—

(A) in subparagraph (C), by inserting “and” after the semicolon; and

(B) in subparagraph (D), by striking “section 1118” and inserting “section 1115”;

(16) by striking paragraph (41), as redesignated by paragraph (2), and inserting the following:

“(41) **PROFESSIONAL DEVELOPMENT.**—The term ‘professional development’ means activities that—

“(A) are an integral part of school and local educational agency strategies for providing educators (including teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals, and, as applicable, early childhood educators) with the knowledge and skills necessary to enable students to succeed in the core academic subjects and to meet challenging State academic standards; and

“(B) are sustained (not stand-alone, 1-day, or short term workshops), intensive, collaborative, job-embedded, data-driven, classroom-focused, and may include activities that—

“(i) improve and increase teachers’—

“(I) knowledge of the academic subjects the teachers teach;

“(II) understanding of how students learn; and

“(III) ability to analyze student work and achievement from multiple sources, including how to adjust instructional strategies, assessments, and materials based on such analysis;

“(ii) are an integral part of broad schoolwide and districtwide educational improvement plans;

“(iii) allow personalized plans for each educator to address the educator’s specific needs identified in observation or other feedback;

“(iv) improve classroom management skills;

“(v) support the recruiting, hiring, and training of effective teachers, including teachers who became certified through State and local alternative routes to certification;

“(vi) advance teacher understanding of—

“(I) effective instructional strategies that are evidence-based; and

“(II) strategies for improving student academic achievement or substantially increasing the knowledge and teaching skills of teachers;

“(vii) are aligned with, and directly related to academic goals of the school or local educational agency;

“(viii) are developed with extensive participation of teachers, principals, other school leaders, parents, representatives of Indian tribes (as applicable), and administrators of schools to be served under this Act;

“(ix) are designed to give teachers of children who are English learners, and other teachers and instructional staff, the knowledge and skills to provide instruction and appropriate language and academic support services to those children, including the appropriate use of curricula and assessments;

“(x) to the extent appropriate, provide training for teachers, principals, and other school leaders in the use of technology (including education about the harms of copyright piracy), so that technology and technology applications are effectively used in the classroom to improve teaching and learning in the curricula and academic subjects in which the teachers teach;

“(xi) as a whole, are regularly evaluated for their impact on increased teacher effectiveness and improved student academic achievement, with the findings of the evaluations used to improve the quality of professional development;

“(xii) are designed to give teachers of children with disabilities or children with developmental delays, and other teachers and instructional staff, the knowledge and skills to provide instruction and academic support services, to those children, including positive behavioral interventions and supports,

multi-tiered systems of supports, and use of accommodations;

“(xiii) include instruction in the use of data and assessments to inform and instruct classroom practice;

“(xiv) include instruction in ways that teachers, principals, other school leaders, specialized instructional support personnel, and school administrators may work more effectively with parents and families;

“(xv) involve the forming of partnerships with institutions of higher education, including, as applicable, Tribal Colleges and Universities as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c (b)), to establish school-based teacher, principal, and other school leader training programs that provide prospective teachers, novice teachers, principals, and other school leaders with an opportunity to work under the guidance of experienced teachers, principals, other school leaders, and faculty of such institutions;

“(xvi) create programs to enable paraprofessionals (assisting teachers employed by a local educational agency receiving assistance under part A of title I) to obtain the education necessary for those paraprofessionals to become certified and licensed teachers;

“(xvii) provide follow-up training to teachers who have participated in activities described in this paragraph that are designed to ensure that the knowledge and skills learned by the teachers are implemented in the classroom; and

“(xviii) where applicable and practical, provide jointly for school staff and other early childhood education program providers, to address the transition to elementary school, including issues related to school readiness.”;

(17) by inserting after paragraph (41), as redesignated by paragraph (2), the following:

“(42) **SCHOOL LEADER.**—The term ‘school leader’ means a principal, assistant principal, or other individual who is—

“(A) an employee or officer of an elementary school or secondary school, local educational agency, or other entity operating an elementary school or secondary school; and

“(B) responsible for the daily instructional leadership and managerial operations in the elementary school or secondary school building.”;

(18) by inserting after paragraph (44), as redesignated by paragraph (2), the following:

“(45) **SPECIALIZED INSTRUCTIONAL SUPPORT PERSONNEL; SPECIALIZED INSTRUCTIONAL SUPPORT SERVICES.**—

“(A) **SPECIALIZED INSTRUCTIONAL SUPPORT PERSONNEL.**—The term ‘specialized instructional support personnel’ means—

“(i) school counselors, school social workers, and school psychologists; and

“(ii) other qualified professional personnel, such as school nurses and speech language pathologists, involved in providing assessment, diagnosis, counseling, educational, therapeutic, and other necessary services (including related services as that term is defined in section 602 of the Individuals with Disabilities Education Act) as part of a comprehensive program to meet student needs.

“(B) **SPECIALIZED INSTRUCTIONAL SUPPORT SERVICES.**—The term ‘specialized instructional support services’ means the services provided by specialized instructional support personnel.”;

(19) by inserting after paragraph (48), as redesignated by paragraph (2), the following:

“(49) **UNIVERSAL DESIGN FOR LEARNING.**—The term ‘universal design for learning’ has the meaning given the term in section 103 of the Higher Education Act of 1965.”; and

(20) by striking the undesignated paragraph between paragraphs (45), as added by paragraph (18), and (47), as redesignated by paragraph (2), and inserting the following:

“(46) **STATE.**—The term ‘State’ means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and each of the outlying areas.”.

#### **SEC. 9102. APPLICABILITY TO BUREAU OF INDIAN EDUCATION OPERATED SCHOOLS.**

Section 9103 (20 U.S.C. 7803) is amended—

(1) in the section heading, by striking “**BUREAU OF INDIAN AFFAIRS**” and inserting “**BUREAU OF INDIAN EDUCATION**”; and

(2) by striking “Bureau of Indian Affairs” each place the term appears and inserting “Bureau of Indian Education”.

#### **SEC. 9103. CONSOLIDATION OF FUNDS FOR LOCAL ADMINISTRATION.**

Section 9203(b) (20 U.S.C. 7823(b)) is amended by striking “Within 1 year after the date of enactment of the No Child Left Behind Act of 2001, a State” and inserting “A State”.

#### **SEC. 9104. RURAL CONSOLIDATED PLAN.**

Section 9305 (20 U.S.C. 7845) is amended by adding at the end the following:

“(e) **RURAL CONSOLIDATED PLAN.**—

“(1) **IN GENERAL.**—Two or more eligible local educational agencies, a consortium of eligible local educational service agencies, or an educational service agency on behalf of eligible local educational agencies may submit plans or applications for 1 or more covered programs to the State educational agency on a consolidated basis, if each eligible local educational agency impacted elects to participate in the joint application or elects to allow the educational service agency to apply on its behalf.

“(2) **ELIGIBLE LOCAL EDUCATIONAL AGENCY.**—For the purposes of this subsection, the term ‘eligible local educational agency’ means a local educational agency that is an eligible local educational agency under part B of title VI.”.

#### **SEC. 9105. WAIVERS OF STATUTORY AND REGULATORY REQUIREMENTS.**

Section 9401 (20 U.S.C. 7861) is amended—

(1) by striking subsection (a) and inserting the following:

“(a) **IN GENERAL.**—

“(1) **REQUEST FOR WAIVER BY STATE OR INDIAN TRIBE.**—A State educational agency or Indian tribe that receives funds under a program authorized under this Act may submit a request to the Secretary to waive any statutory or regulatory requirement of this Act.

“(2) **LOCAL EDUCATIONAL AGENCY AND SCHOOL REQUESTS SUBMITTED THROUGH THE STATE.**—

“(A) **REQUEST FOR WAIVER BY LOCAL EDUCATIONAL AGENCY.**—A local educational agency that receives funds under a program authorized under this Act and desires a waiver of any statutory or regulatory requirement of this Act shall submit a request containing the information described in subsection (b)(1) to the appropriate State educational agency. The State educational agency may then submit the request to the Secretary if the State educational agency determines the waiver appropriate.

“(B) **REQUEST FOR WAIVER BY SCHOOL.**—An elementary school or secondary school that desires a waiver of any statutory or regulatory requirement of this Act shall submit a request containing the information described in subsection (b)(1) to the local educational agency serving the school. The local educational agency may then submit the request to the State educational agency in accordance with subparagraph (A) if the local educational agency determines the waiver appropriate.

“(3) **RECEIPT OF WAIVER.**—Except as provided in subsection (b)(4) or (c), the Secretary may waive any statutory or regulatory requirement of this Act for which a waiver request is submitted to the Secretary pursuant to this subsection.”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A)—

(I) by striking “, local educational agency,” and inserting “, acting on its own behalf or on behalf of a local educational agency in accordance with subsection (a)(2),”; and

(II) by inserting “, which shall include a plan” after “to the Secretary”; and

(ii) by striking subparagraphs (C) and (D) and inserting the following:

“(C) describes the methods the State educational agency, local educational agency, or Indian tribe will use to monitor and regularly evaluate the effectiveness of the implementation of the plan;

“(D) includes only information directly related to the waiver request on how the State educational agency, local educational agency, or Indian tribe will maintain and improve transparency in reporting to parents and the public on student achievement and school performance, including the achievement of students according to each category of students described in section 1111(b)(2)(B)(xi); and”;

(B) in paragraph (2)(B)(i)(II), by striking “(on behalf of, and based on the requests of, local educational agencies)” and inserting “(on behalf of those agencies or on behalf of, and based on the requests of, local educational agencies in the State)”;

(C) in paragraph (3)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by inserting “or on behalf of local educational agencies in the State under subsection (a)(2),” after “acting on its own behalf,”; and

(II) in clause (i)—

(aa) by striking “all interested local educational agencies” and inserting “any interested local educational agency”; and

(bb) by inserting “, to the extent that the request impacts the local educational agency” before the semicolon at the end; and

(ii) in subparagraph (B)(i), by striking “reviewed by the State educational agency” and inserting “reviewed and approved by the State educational agency in accordance with subsection (a)(2) before being submitted to the Secretary”; and

(D) by adding at the end the following:

“(4) **WAIVER DETERMINATION, DEMONSTRATION, AND REVISION.**—

“(A) **IN GENERAL.**—The Secretary shall issue a written determination regarding the approval or disapproval of a waiver request not more than 90 days after the date on which such request is submitted, unless the Secretary determines and demonstrates that—

“(i) the waiver request does not meet the requirements of this section; or

“(ii) the waiver is not permitted under subsection (c).

“(B) **WAIVER DETERMINATION AND REVISION.**—If the Secretary determines and demonstrates that the waiver request does not meet the requirements of this section, the Secretary shall—

“(i) immediately—

“(I) notify the State educational agency, local educational agency (through the State educational agency), or Indian tribe, as applicable, of such determination; and

“(II) provide detailed reasons for such determination in writing and in a public manner, such as posting to the Department’s

website in a clear and easily accessible manner;

“(ii) offer the State educational agency, local educational agency (through the State educational agency), or Indian tribe an opportunity to revise and resubmit the waiver request by a date that is not more than 60 days after the date of such determination; and

“(iii) if the Secretary determines that the resubmission does not meet the requirements of this section, at the request of the State educational agency, local educational agency, or Indian tribe, conduct a public hearing not more than 30 days after the date of such resubmission.

“(C) **WAIVER DISAPPROVAL.**—The Secretary may disapprove a waiver request if—

“(i) the State educational agency, local educational agency, or Indian tribe has been notified and offered an opportunity to revise and resubmit the waiver request, as described under clauses (i) and (ii) of subparagraph (B); and

“(ii) the State educational agency, local educational agency (through the State educational agency), or Indian tribe—

“(I) does not revise and resubmit the waiver request; or

“(II) revises and resubmits the waiver request, and the Secretary determines that such waiver request does not meet the requirements of this section after a hearing conducted under subparagraph (B)(iii).

“(D) **EXTERNAL CONDITIONS.**—The Secretary shall not disapprove a waiver request under this section based on conditions outside the scope of the waiver request.”;

(3) in subsection (c)—

(A) in paragraph (8), by striking “subpart 1 of part B of title V” and inserting “part A of title V”; and

(B) in paragraph (10), by striking “subsections (a) and (b) of section 1113” and insert “section 1113(a)” both places the term appears;

(4) in subsection (d)—

(A) in the subsection heading, by adding “; LIMITATIONS” after “WAIVER”; and

(B) by adding at the end the following:

“(3) **SPECIFIC LIMITATIONS.**—The Secretary shall not place any requirements on a State educational agency, local educational agency, or Indian tribe as a condition, criterion, or priority for the approval of a waiver request, unless such requirements are—

“(A) otherwise requirements under this Act; and

“(B) directly related to the waiver request.”;

(5) by striking subsection (e) and inserting the following:

“(e) **REPORTS.**—A State educational agency, local educational agency, or Indian tribe receiving a waiver under this section shall describe, as part of, and pursuant to, the required annual reporting under section 1111(d)—

“(1) the progress of schools covered under the provisions of such waiver toward improving the quality of instruction to students and increasing student academic achievement; and

“(2) how the use of the waiver has contributed to such progress.”;

(6) in subsection (f), by striking “if the Secretary determines” and all that follows through the period at the end and inserting the following: “if, after notice and an opportunity for a hearing, the Secretary—

“(A) presents substantial evidence that clearly demonstrates that the waiver is not contributing to the progress of schools described in subsection (e)(1); or

“(B) determines that the waiver is no longer necessary to achieve its original purposes.”; and

(7) by adding at the end the following:

“(h) **EFFECT OF ENACTMENT OF ECAA ON WAIVER REQUIREMENTS AND CONDITIONS.**—

“(1) **IN GENERAL.**—Any requirement or condition of any waiver agreement entered into by a State, local educational agency, or Indian tribe with the Secretary, as authorized under this section, between September 23, 2011, and the day before the effective date of the Every Child Achieves Act of 2015 shall be void and have no force of law if such requirement or condition is not otherwise a requirement or condition under this Act.

“(2) **RULE OF CONSTRUCTION.**—Nothing in paragraph (1) shall be construed as voiding any waiver granted by the Secretary under this section before the date of enactment of the Every Child Achieves Act of 2015 that is not voided under paragraph (1), which shall remain in effect for the period of time specified under the waiver.”.

#### **SEC. 9106. PLAN APPROVAL PROCESS.**

Title IX (20 U.S.C. 7801 et seq.) is amended—

(1) by redesignating parts E and F as parts F and G, respectively;

(2) in section 9573—

(A) in subsection (b)(1), by striking “early childhood development (Head Start) services” and inserting “early childhood education programs”;;

(B) in subsection (c)(2)—

(i) in the paragraph heading by striking “DEVELOPMENT SERVICES” and inserting “EDUCATION PROGRAMS”; and

(ii) by striking “development (Head Start) services” and inserting “education programs”; and

(C) in subsection (e), as redesignated by section 4001(5), in paragraph (3), by striking subparagraph (C) and inserting the following:

“(C) such other matters as justice may require.”; and

(3) by inserting after section 9401 the following:

#### **“PART E—APPROVAL AND DISAPPROVAL OF STATE PLANS AND LOCAL APPLICATIONS**

##### **“SEC. 9451. APPROVAL AND DISAPPROVAL OF STATE PLANS.**

“(a) **DEEMED APPROVAL.**—A plan submitted by a State pursuant to section 2101(d), 4103(d), or 9302 shall be deemed to be approved by the Secretary unless—

“(1) the Secretary makes a written determination, prior to the expiration of the 90-day period beginning on the date on which the Secretary received the plan, that the plan is not in compliance with section 2101(d) or 4103(d) or part C, respectively; and

“(2) the Secretary presents substantial evidence that clearly demonstrates that such State plan does not meet the requirements of section 2101(d) or 4103(d) or part C, respectively.

“(b) **DISAPPROVAL PROCESS.**—

“(1) **IN GENERAL.**—The Secretary shall not finally disapprove a plan submitted under section 2101(d), 4103(d), or 9302, except after giving the State educational agency notice and an opportunity for a hearing.

“(2) **NOTIFICATIONS.**—If the Secretary finds that the plan is not in compliance, in whole or in part, with section 2101(d) or 4103(d) or part C, as applicable, the Secretary shall—

“(A) immediately notify the State of such determination;

“(B) provide a detailed description of the specific provisions of the plan that the Secretary determines fail to meet the require-

ments, in whole or in part, of such section or part, as applicable;

“(C) offer the State an opportunity to revise and resubmit its plan within 45 days of such determination, including the chance for the State to present substantial evidence to clearly demonstrate that the State plan meets the requirements of such section or part, as applicable;

“(D) provide technical assistance, upon request of the State, in order to assist the State to meet the requirements of such section or part, as applicable;

“(E) conduct a public hearing within 30 days of the plan’s resubmission under subparagraph (C), with public notice provided not less than 15 days before such hearing, unless a State declines the opportunity for such public hearing; and

“(F) request additional information, only as to the noncompliant provisions, needed to make the plan compliant.

“(3) **RESPONSE.**—If the State educational agency responds to the Secretary’s notification described in paragraph (2)(A) during the 45-day period beginning on the date on which the State educational agency received the notification, and resubmits the plan with the requested information described in paragraph (2)(C), the Secretary shall approve or disapprove such plan prior to the later of—

“(A) the expiration of the 45-day period beginning on the date on which the plan is resubmitted; or

“(B) the expiration of the 90-day period described in subsection (a).

“(4) **FAILURE TO RESPOND.**—If the State educational agency does not respond to the Secretary’s notification described in paragraph (2)(A) during the 45-day period beginning on the date on which the State educational agency received the notification, such plan shall be deemed to be disapproved.

“(c) **PEER-REVIEW REQUIREMENTS.**—Notwithstanding any other requirements of this part, the Secretary shall ensure that any portion of a consolidated State plan that is related to part A of title I is subject to the peer-review process described in section 1111(a)(3).

##### **“SEC. 9452. APPROVAL AND DISAPPROVAL OF LOCAL EDUCATIONAL AGENCY APPLICATIONS.**

“(a) **DEEMED APPROVAL.**—An application submitted by a local educational agency pursuant to section 2102(b), 4104(b), or 9305, shall be deemed to be approved by the State educational agency unless—

“(1) the State educational agency makes a written determination, prior to the expiration of the 90-day period beginning on the date on which the State educational agency received the application, that the application is not in compliance with section 2102(b) or 4104(b), or part C, respectively; and

“(2) the State presents substantial evidence that clearly demonstrates that such application does not meet the requirements of section 2102(b) or 4104(b), or part C, respectively.

“(b) **DISAPPROVAL PROCESS.**—

“(1) **IN GENERAL.**—The State educational agency shall not finally disapprove an application submitted under section 2102(b), 4104(b), or 9305 except after giving the local educational agency notice and opportunity for a hearing.

“(2) **NOTIFICATIONS.**—If the State educational agency finds that the application submitted under section 2102(b), 4104(b), or 9305 is not in compliance, in whole or in part, with section 2102(b) or 4104(b), or part C, respectively, the State educational agency shall—

“(A) immediately notify the local educational agency of such determination;

“(B) provide a detailed description of the specific provisions of the application that the State determines fail to meet the requirements, in whole or in part, of such section or part, as applicable;

“(C) offer the local educational agency an opportunity to revise and resubmit its application within 45 days of such determination, including the chance for the local educational agency to present substantial evidence to clearly demonstrate that the application meets the requirements of such section or part;

“(D) provide technical assistance, upon request of the local educational agency, in order to assist the local educational agency to meet the requirements of such section or part, as applicable;

“(E) conduct a public hearing within 30 days of the application’s resubmission under subparagraph (C), with public notice provided not less than 15 days before such hearing, unless a local educational agency declines the opportunity for such public hearing; and

“(F) request additional information, only as to the noncompliant provisions, needed to make the application compliant.

“(3) RESPONSE.—If the local educational agency responds to the State educational agency’s notification described in paragraph (2)(A) during the 45-day period beginning on the date on which the local educational agency received the notification, and resubmits the application with the requested information described in paragraph (2)(C), the State educational agency shall approve or disapprove such application prior to the later of—

“(A) the expiration of the 45-day period beginning on the date on which the application is resubmitted; or

“(B) the expiration of the 90-day period described in subsection (a).

“(4) FAILURE TO RESPOND.—If the local educational agency does not respond to the State educational agency’s notification described in paragraph (2)(A) during the 45-day period beginning on the date on which the local educational agency received the notification, such application shall be deemed to be disapproved.”

#### **SEC. 9107. PARTICIPATION BY PRIVATE SCHOOL CHILDREN AND TEACHERS.**

Section 9501 (20 U.S.C. 7881) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking subparagraphs (A) through (H) and inserting the following:

“(A) part C of title I;

“(B) part A of title II;

“(C) part E of title II;

“(D) part A of title III;

“(E) parts A and B of title IV; and

“(F) part G of title V.”; and

(B) by striking paragraph (3); and

(2) in subsection (c)(1)—

(A) in subparagraph (E)—

(i) by striking “and the amount” and inserting “, the amount”; and

(ii) by striking “services; and” and inserting “services, and how that amount is determined.”;

(B) in subparagraph (F), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(G) whether the agency, consortium, or entity shall provide services directly or assign responsibility for the provision of services to a separate government agency, consortium, or entity, or to a third-party contractor.”.

#### **SEC. 9108. MAINTENANCE OF EFFORT.**

Section 9521 (20 U.S.C. 7901) is amended—

(1) in subsection (a), by inserting “, subject to the requirements of subsection (b)” after “for the second preceding fiscal year”;

(2) in subsection (b)(1), by inserting before the period at the end the following: “, if such local educational agency has also failed to meet such requirement (as determined using the measure most favorable to the local agency) for 1 or more of the 5 immediately preceding fiscal years”; and

(3) in subsection (c)(1), by inserting “or a change in the organizational structure of the local educational agency” after “, such as a natural disaster”.

#### **SEC. 9109. SCHOOL PRAYER.**

Section 9524(a) (20 U.S.C. 7904(a)) is amended by striking “on the Internet” and inserting “by electronic means, including by posting the guidance on the Department’s website in a clear and easily accessible manner”.

#### **SEC. 9110. PROHIBITIONS ON FEDERAL GOVERNMENT AND USE OF FEDERAL FUNDS.**

Section 9527 (20 U.S.C. 7907) is amended to read as follows:

##### **“SEC. 9527. PROHIBITIONS ON FEDERAL GOVERNMENT AND USE OF FEDERAL FUNDS.**

“(a) GENERAL PROHIBITION.—

“(1) IN GENERAL.—Nothing in this Act shall be construed to authorize an officer or employee of the Federal Government, through grants, contracts, or other cooperative agreements (including as a condition of any waiver provided under section 9401) to—

“(A) mandate, direct, or control a State, local educational agency, or school’s curriculum, program of instruction, instructional content, specific academic standards or assessments, or allocation of State or local resources, or mandate a State or any subdivision thereof to spend any funds or incur any costs not paid for under this Act;

“(B) incentivize a State, local educational agency, or school to adopt any specific instructional content, academic standards, academic assessments, curriculum, or program of instruction, including by providing any priority, preference, or special consideration during the application process for any grant, contract, or cooperative agreement that is based on the adoption of any specific instructional content, academic standards, academic assessments, curriculum, or program of instruction; or

“(C) make financial support available in a manner that is conditioned upon a State, local educational agency, or school’s adoption of any specific instructional content, academic standards, academic assessments, curriculum, or program of instruction (such as the Common Core State Standards developed under the Common Core State Standards Initiative, any other standards common to a significant number of States, or any specific assessment, instructional content, or curriculum aligned to such standards).

“(b) PROHIBITION ON ENDORSEMENT OF CURRICULUM.—Notwithstanding any other prohibition of Federal law, no funds provided to the Department under this Act may be used by the Department directly or indirectly, including through any grant, contract, cooperative agreement, or waiver provided by the Secretary under section 9401, to endorse, approve, or sanction any curriculum (including the alignment of such curriculum to any specific academic standard) designed to be used in an early childhood education program, elementary school, secondary school, or institution of higher education.

“(c) PROHIBITION ON REQUIRING FEDERAL APPROVAL OR CERTIFICATION OF STANDARDS.—

“(1) IN GENERAL.—Notwithstanding any other provision of Federal law, no State shall be required to have academic content or academic achievement standards approved or certified by the Federal Government, in order to receive assistance under this Act.

“(2) RULES OF CONSTRUCTION.—

“(A) APPLICABILITY.—Nothing in this subsection shall be construed to affect requirements under title I.

“(B) STATE OR LOCAL AUTHORITY.—Nothing in this section shall be construed to prohibit a State, local educational agency, or school from using funds provided under this Act for the development or implementation of any instructional content, academic standards, academic assessments, curriculum, or program of instruction that a State, local educational agency, or school chooses, as permitted under State and local law, as long as the use of such funds is consistent with the terms of the grant, contract, or cooperative agreement providing such funds.

“(3) BUILDING STANDARDS.—Nothing in this Act shall be construed to mandate national school building standards for a State, local educational agency, or school.”.

#### **SEC. 9111. ARMED FORCES RECRUITER ACCESS TO STUDENTS AND STUDENT RECRUITING INFORMATION.**

Section 9528 (20 U.S.C. 7908) is amended by striking subsection (d).

#### **SEC. 9112. PROHIBITION ON FEDERALLY SPONSORED TESTING.**

Section 9529 (20 U.S.C. 7909) is amended to read as follows:

##### **“SEC. 9529. PROHIBITION ON FEDERALLY SPONSORED TESTING.**

“(a) GENERAL PROHIBITION.—Notwithstanding any other provision of Federal law and except as provided in subsection (b), no funds provided under this Act to the Secretary or to the recipient of any award may be used to develop, incentivize, pilot test, field test, implement, administer, or distribute any federally sponsored national test in reading, mathematics, or any other subject, unless specifically and explicitly authorized by law, including any assessment or testing materials aligned to the Common Core State Standards developed under the Common Core State Standards Initiative or any other academic standards common to a significant number of States.

“(b) EXCEPTIONS.—Subsection (a) shall not apply to international comparative assessments developed under the authority of section 153(a)(6) of the Education Sciences Reform Act of 2002 and administered to only a representative sample of pupils in the United States and in foreign nations.

“(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit a State, local educational agency, or school from using funds provided under this Act for the development or implementation of any instructional content, academic standards, academic assessments, curriculum, or program of instruction that a State or local educational agency or school chooses, as permitted under State and local law, as long as the use of such funds is consistent with the terms of the grant, contract, or cooperative agreement providing such funds.”.

#### **SEC. 9113. LIMITATIONS ON NATIONAL TESTING OR CERTIFICATION FOR TEACHERS.**

Section 9530(a) (20 U.S.C. 7910(a)) is amended—

(1) by inserting “, principals,” after “teachers”; and

(2) by inserting “, or incentive regarding,” after “administration of”.

#### **SEC. 9114. CONSULTATION WITH INDIAN TRIBES AND TRIBAL ORGANIZATIONS.**

Subpart 2 of part F of title IX (20 U.S.C. 7901 et seq.), as amended by section 4001(3),

and redesignated by section 9106(1), is further amended by adding at the end the following:

**“SEC. 9538. CONSULTATION WITH INDIAN TRIBES AND TRIBAL ORGANIZATIONS.**

“(a) **IN GENERAL.**—To ensure timely and meaningful consultation on issues affecting American Indian and Alaska Native students, an affected local educational agency shall consult with appropriate officials from Indian tribes or tribal organizations approved by the tribes located in the area served by the local educational agency during the design and development of the affected local educational agency’s programs under this Act, with the overarching goal of meeting the unique cultural, language, and educational needs of American Indian and Alaska Native students.

“(b) **TIMING.**—The consultation described in subsection (a) shall include meetings of officials from the affected local educational agency and the tribes or tribal organizations approved by the tribes and shall occur before the affected local educational agency makes any decision regarding how the needs of American Indian and Alaska Native children will be met in covered programs or in services or activities provided under title VII.

“(c) **DOCUMENTATION.**—Each affected local educational agency shall maintain in the agency’s records and provide to the State educational agency a written affirmation signed by officials of the participating tribes or tribal organizations approved by the tribes that the consultation required by this section has occurred. If such officials do not provide such affirmation within a reasonable period of time, the affected local educational agency shall forward documentation that such consultation has taken place to the State educational agency.

“(d) **AFFECTED LOCAL EDUCATIONAL AGENCY.**—In this section, the term ‘affected local educational agency’ means a local educational agency—

“(1) with an enrollment of American Indian or Alaska Native students that is not less than 50 percent of the total enrollment of the local educational agency; or

“(2) with an enrollment of not less than 50 American Indian or Alaska Native students.”.

**SEC. 9115. OUTREACH AND TECHNICAL ASSISTANCE FOR RURAL LOCAL EDUCATIONAL AGENCIES.**

Subpart 2 of part F of title IX (20 U.S.C. 7901 et seq.), as amended by sections 4001(3) and 9114, and redesignated by section 9106(1), is further amended by adding at the end the following:

**“SEC. 9539. OUTREACH AND TECHNICAL ASSISTANCE FOR RURAL LOCAL EDUCATIONAL AGENCIES.**

“(a) **OUTREACH.**—The Secretary shall engage in outreach to rural local educational agencies regarding opportunities to apply for competitive grant programs under this Act.

“(b) **TECHNICAL ASSISTANCE.**—If requested to do so, the Secretary shall provide technical assistance to rural local educational agencies with locale codes 32, 33, 41, 42, or 43, or an educational service agency representing rural local educational agencies with locale codes 32, 33, 41, 42, or 43 on applications or pre-applications for any competitive grant program under this Act. No rural local educational agency or educational service agency shall be required to request technical assistance or include any technical assistance provided by the Secretary in any application.”.

**SEC. 9116. EVALUATIONS.**

Section 9601 (20 U.S.C. 7941) is amended to read as follows:

**“SEC. 9601. EVALUATIONS.**

“(a) **RESERVATION OF FUNDS.**—Except as provided in subsection (b) and (e), the Secretary, in consultation with the Director of the Institute of Education Sciences, may reserve not more than 0.5 percent of the amount appropriated for each program authorized under this Act to carry out activities under this section. If the Secretary elects to make a reservation under this subsection, the reserved amounts—

“(1) shall first be used by the Secretary, acting through the Director of the Institute of Education Sciences, to—

“(A) conduct comprehensive, high-quality evaluations of the programs that—

“(i) are consistent with the evaluation plan under subsection (d); and

“(ii) primarily include impact evaluations that use experimental or quasi-experimental designs, where practicable and appropriate, and other rigorous methodologies that permit the strongest possible causal inferences;

“(B) conduct studies of the effectiveness of the programs and the administrative impact of the programs on schools and local educational agencies; and

“(C) widely disseminate evaluation findings under this section related to programs authorized under this Act—

“(i) in a timely fashion;

“(ii) in forms that are understandable, easily accessible, and usable, or adaptable for use in, the improvement of educational practice;

“(iii) through electronic transfer and other means, such as posting, as available, to the websites of State educational agencies, local educational agencies, the Institute of Education Sciences, or the Department, or in another relevant place; and

“(iv) in a manner that promotes the utilization of such findings; and

“(2) may be used by the Secretary, acting through the Director of the Institute of Education Sciences—

“(A) to evaluate the aggregate short- and long-term effects and cost efficiencies across—

“(i) Federal programs assisted or authorized under this Act; and

“(ii) related Federal early childhood education programs, preschool programs, elementary school programs, and secondary school programs, under any other Federal law;

“(B) to increase the usefulness of the evaluations conducted under this section by improving the quality, timeliness, efficiency, and use of information relating to performance to promote continuous improvement of programs assisted or authorized under this Act; and

“(C) to assist recipients of grants under such programs in collecting and analyzing data and other activities related to conducting high-quality evaluations under paragraph (1).

“(b) **TITLE I.**—The Secretary, acting through the Director of the Institute of Education Sciences, shall use funds authorized under section 1002(e) to carry out evaluation activities under this section related to title I, and shall not reserve any other money from such title for evaluation.

“(c) **CONSOLIDATION.**—Notwithstanding any other provision of this section or section 1002(e), the Secretary, in consultation with the Director of the Institute of Education Sciences—

“(1) may consolidate the funds reserved under subsections (a) and (b) for purposes of carrying out the activities under subsection (a)(1); and

“(2) shall not be required to evaluate under subsection (a)(1) each program authorized under this Act each year.

“(d) **EVALUATION PLAN.**—The Director of the Institute of Education Sciences, shall, on a biennial basis, develop, submit to Congress, and make publicly available an evaluation plan, that—

“(1) describes the specific activities that will be carried out under subsection (a) for the 2-year period applicable to the plan, and the timelines of such activities;

“(2) contains the results of the activities carried out under subsection (a) for the most recent 2-year period; and

“(3) describes how programs authorized under this Act will be regularly evaluated.

“(e) **EVALUATION ACTIVITIES AUTHORIZED ELSEWHERE.**—If, under any other provision of this Act, funds are authorized to be reserved or used for evaluation activities with respect to a program, the Secretary may not reserve additional funds under this section for the evaluation of that program.”.

**TITLE X—EDUCATION FOR HOMELESS CHILDREN AND YOUTHS; OTHER LAWS; MISCELLANEOUS**

**PART A—EDUCATION FOR HOMELESS CHILDREN AND YOUTH**

**SEC. 10101. STATEMENT OF POLICY.**

Section 721 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431) is amended—

(1) in paragraph (2), by striking “In any State” and all that follows through “will review” and inserting “In any State where compulsory residency requirements or other requirements, in laws, regulations, practices, or policies, may act as a barrier to the identification of, or enrollment, attendance, or success in school of homeless children and youths, the State educational agency and local educational agencies in the State will review”;

(2) in paragraph (3), by striking “alone”; and

(3) in paragraph (4), by striking “challenging State student academic achievement standards” and inserting “challenging State academic standards”.

**SEC. 10102. GRANTS FOR STATE AND LOCAL ACTIVITIES.**

Section 722 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432) is amended—

(1) by striking subsection (b) and inserting the following:

“(b) **RESERVATIONS.**—

“(1) **STUDENTS IN TERRITORIES.**—The Secretary is authorized to reserve 0.1 percent of the amount appropriated for each fiscal year under section 726, to be allocated by the Secretary among the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, according to their respective needs for assistance under this subtitle, as determined by the Secretary.

“(2) **INDIAN STUDENTS.**—

“(A) **TRANSFER.**—The Secretary shall transfer 1 percent of the amount appropriated for each fiscal year under section 726 to the Department of the Interior. The transferred funds shall be used for programs for Indian students served by schools funded by the Secretary of the Interior, as determined under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.), that are consistent with the purposes of the programs described in this subtitle.

“(B) **AGREEMENT.**—The Secretary of Education and the Secretary of the Interior shall enter into an agreement, consistent with the

requirements of this subtitle, for the distribution and use of the transferred funds under terms that the Secretary of Education determines best meet the purposes of the programs described in this subtitle. Such agreement shall set forth the plans of the Secretary of the Interior for the use of the amounts transferred, including appropriate goals, objectives, and milestones.”;

(2) in subsection (c)—

(A) by redesignating paragraph (3) as paragraph (4); and

(B) by striking the subsection heading and all that follows through paragraph (2) and inserting the following:

“(c) ALLOTMENTS.—

“(1) IN GENERAL.—The Secretary is authorized to allot to each State for a fiscal year an amount that bears the same ratio to the amount appropriated for such year under section 726 that remains after the Secretary reserves funds under subsection (b) and uses funds to carry out subsections (d) and (h) of section 724, as the amount allocated under section 1122 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6332) to the State for that year bears to the total amount allocated under section 1122 of such Act to all States for that year, except as provided in paragraph (2).

“(2) MINIMUM ALLOTMENTS.—Subject to paragraph (3), no State shall receive less under this subsection for a fiscal year than the greatest of—

“(A) \$150,000;

“(B) one-fourth of 1 percent of the amount appropriated under section 726 for that year; or

“(C) the amount such State received under this section for fiscal year 2001.

“(3) REDUCTION FOR INSUFFICIENT FUNDS.—If there are insufficient funds in a fiscal year to allot to each State the minimum amount under paragraph (2), the Secretary shall ratably reduce the allotments to all States based on the proportionate share that each State received under this subsection for the preceding fiscal year.”;

(3) in subsection (d)—

(A) in paragraph (2)—

(i) by striking “To provide” and all that follows through “that enable” and inserting “To provide services and activities to improve the identification of homeless children and youths (including preschool-aged homeless children) and enable”; and

(ii) by striking “or, if” and inserting “including, if”; and

(B) in paragraph (3), by striking “designate” and all that follows and inserting “designate in the State educational agency an Office of the Coordinator for Education of Homeless Children and Youths that can sufficiently carry out the duties described for the Office in this subtitle.”;

(4) in subsection (e)—

(A) in paragraph (1), by striking “subsection (c)(1)” and inserting “subsection (c)(2)”; and

(B) in paragraph (3)—

(i) in subparagraph (E)(ii)(II), by striking “subsection (g)(6)(A)(v)” and inserting “subsection (g)(6)(A)(vi)”; and

(ii) in subparagraph (F)(iii), by striking “Not later” and all that follows through “the Secretary” and inserting “The Secretary”;

(5) by striking subsection (f) and inserting the following:

“(f) FUNCTIONS OF THE OFFICE OF THE COORDINATOR.—The Coordinator for Education of Homeless Children and Youths established in each State shall—

“(1) gather and make publicly available reliable, valid, and comprehensive information on—

“(A) the number of homeless children and youths identified in the State, which shall be posted annually on the State educational agency’s website;

“(B) the nature and extent of the problems homeless children and youths have in gaining access to public preschool programs and to public elementary schools and secondary schools;

“(C) the difficulties in identifying the special needs and barriers to the participation and achievement of such children and youths;

“(D) any progress made by the State educational agency and local educational agencies in the State in addressing such problems and difficulties; and

“(E) the success of the programs under this subtitle in identifying homeless children and youths and allowing such children and youths to enroll in, attend, and succeed in, school;

“(2) develop and carry out the State plan described in subsection (g);

“(3) collect data for and transmit to the Secretary, at such time and in such manner as the Secretary may reasonably require, a report containing information necessary to assess the educational needs of homeless children and youths within the State, including data necessary for the Secretary to fulfill the responsibilities under section 724(h);

“(4) in order to improve the provision of comprehensive education and related services to homeless children and youths and their families, coordinate activities and collaborate with—

“(A) educators, including teachers, special education personnel, administrators, and child development and preschool program personnel;

“(B) providers of services to homeless children and youths and their families, including services of public and private child welfare and social services agencies, law enforcement agencies, juvenile and family courts, agencies providing mental health services, domestic violence agencies, child care providers, runaway and homeless youth centers, and providers of services and programs funded under the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.);

“(C) providers of emergency, transitional, and permanent housing to homeless children and youths, and their families, including public housing agencies, shelter operators, operators of transitional housing facilities, and providers of transitional living programs for homeless youths;

“(D) local educational agency liaisons designated under subsection (g)(1)(J)(ii) for homeless children and youths; and

“(E) community organizations and groups representing homeless children and youths and their families;

“(5) provide technical assistance to and conduct monitoring of local educational agencies in coordination with local educational agency liaisons designated under subsection (g)(1)(J)(ii), to ensure that local educational agencies comply with the requirements of subsection (e)(3) and paragraphs (3) through (7) of subsection (g);

“(6) provide professional development opportunities for local educational agency personnel and the local educational agency liaison designated under subsection (g)(1)(J)(ii) to assist such personnel and liaison in identifying and meeting the needs of homeless children and youths; and

“(7) respond to inquiries from parents and guardians of homeless children and youths,

including (in the case of unaccompanied youths) such youths, to ensure that each child or youth who is the subject of such an inquiry receives the full protections and services provided by this subtitle.”;

(6) in subsection (g)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking “achievement”;

(ii) in subparagraph (B), by striking “special”;

(iii) in subparagraph (D)—

(I) by striking “(including” and all that follows through “personnel)” and inserting “(including liaisons designated under subparagraph (J)(ii), principals and school leaders, attendance officers, teachers, enrollment personnel, and specialized instructional support personnel)”; and

(II) by striking “of runaway and homeless youths” and inserting “of homeless children and youths, including such children and youths who are runaway and homeless youths”;

(iv) in subparagraph (E), by striking “food” and inserting “nutrition”;

(v) in subparagraph (F)—

(I) in clause (i), by striking “equal” and all that follows and inserting “access to the same public preschool programs, administered by the State educational agency or local educational agency, as are provided to other children in the State, including ensuring that access by having the administering agency carry out the policies and practices required under paragraph (3);”; and

(II) in clause (ii), by striking “services; and” and inserting “services, including through the implementation of policies and practices to ensure that youths described in this clause are able to receive appropriate credit for full or partial coursework satisfactorily completed while attending a prior school, in accordance with State, local, and school policies;”; and

(III) by striking clause (iii) and inserting the following:

“(iii) homeless children and youths who meet the relevant eligibility criteria have access to magnet school, summer school, career and technical education, dual or concurrent enrollment opportunities, early college high school, advanced placement, online learning, and charter school programs, if such programs are available at the State or local levels; and

“(iv) the State educational agency and local educational agencies will adopt policies and practices to promote school success for homeless children and youth, including providing access to full participation in the academic and extracurricular activities that are made available to students who are not homeless children and youth.”;

(vi) in subparagraph (H)(i), by striking “medical” and inserting “other health”;

(vii) in subparagraph (I)—

(I) by striking “enrollment” and inserting “identification of homeless children and youths, and the enrollment.”; and

(II) by striking “State.” and inserting “State, including barriers related to fees, fines, absences, and credit accrual policies.”; and

(viii) in subparagraph (J)—

(I) in clause (ii), by striking “to carry out” and inserting “and assurances that the liaison will have sufficient training and time to carry out”;

(II) in clause (iii), in the matter preceding subclause (I), by striking “origin, as determined in paragraph (3)(A),” and inserting “origin (within the meaning of paragraph (3)(A)), which may include a preschool.”; and



(III) in subclauses (I) and (II) of clause (iii), by striking “homeless” each place it appears;

(B) in paragraph (3)—

(i) in subparagraph (A)(i)(I), by striking “or” at the end and inserting “and”;

(ii) in subparagraph (B)—

(I) by striking “BEST INTEREST” and inserting “SCHOOL STABILITY”;

(II) by redesignating clause (iii) as clause (iv);

(III) by striking clauses (i) and (ii) and inserting the following:

“(i) presume that keeping the child or youth in the school of origin is in the child’s or youth’s best interest, except when doing so is contrary to the request of the child’s or youth’s parent or guardian, or (in the case of an unaccompanied youth) the youth;

“(ii) consider factors related to the child’s or youth’s best interest, including factors related to the impact of mobility on achievement, health, and safety of homeless children and youth, giving priority to the request of the child’s or youth’s parent or guardian or (in the case of an unaccompanied youth) the youth;

“(iii) if after carrying out clauses (i) and (ii) the local educational agency sends the child or youth to a school other than the school of origin or a school requested as described in clause (ii), provide a written explanation, including a statement regarding the right to appeal under subparagraph (E), to the child’s or youth’s parent or guardian, or (in the case of an unaccompanied youth) the youth; and”;

(IV) in that clause (iv), by inserting “and takes into account” after “considers”;

(iii) by striking subparagraph (C) and inserting the following:

“(C) IMMEDIATE ENROLLMENT.—

“(i) IN GENERAL.—The school selected in accordance with this paragraph shall immediately enroll the homeless child or youth, even if the child or youth—

“(I) is unable to produce records normally required for enrollment, such as previous academic records, records of immunization and other required health records, proof of residency, or other documentation; or

“(II) has missed application or enrollment deadlines during any period of homelessness.

“(ii) RELEVANT ACADEMIC RECORDS.—The enrolling school shall immediately contact the school last attended by the child or youth to obtain relevant academic and other records.

“(iii) RELEVANT HEALTH RECORDS.—If the child or youth needs to obtain immunizations or health records, the enrolling school shall immediately refer the parent or guardian of the child or youth or (in the case of an unaccompanied youth) the youth, to the local educational agency liaison designated under paragraph (1)(J)(ii), who shall assist in obtaining necessary immunizations or screenings, or health records, in accordance with subparagraph (D).”;

(iv) in subparagraph (D)—

(I) in the matter preceding clause (i), by striking “medical records” and inserting “health records”;

(II) in clause (i), by inserting “involved” after “records”;

(v) in subparagraph (E)—

(I) in the matter preceding clause (i), by striking “If” and all that follows through “school—” and inserting “If a dispute arises over eligibility for enrollment, school selection, or enrollment in a public school, including a public preschool—”;

(II) in clause (i), by inserting before the semicolon the following: “, including all available appeals”;

(III) by striking clause (ii) and inserting the following:

“(ii) the parent or guardian of the child or youth or (in the case of an unaccompanied youth) the youth shall be provided with a written explanation of any decisions related to school selection or enrollment made by the school, the local educational agency, or the State educational agency involved, including the rights of the parent, guardian, or unaccompanied youth to appeal such decisions”;

(vi) by striking subparagraph (G) and inserting the following:

“(G) PRIVACY.—Information about a homeless child’s or youth’s living situation shall be treated as a student education record, and not as directory information, under section 444 of the General Education Provisions Act (20 U.S.C. 1232g).”;

(vii) by adding at the end the following:

“(I) SCHOOL OF ORIGIN DEFINED.—In this paragraph:

“(i) IN GENERAL.—The term ‘school of origin’ means the school that a child or youth attended when permanently housed or the school in which the child or youth was last enrolled.

“(ii) RECEIVING SCHOOL.—In the case of a child or youth who completed the final grade level served by the school of origin, as described in clause (i), the term ‘school of origin’ shall include the designated receiving school at the next grade level.”;

(C) in paragraph (4)—

(i) in subparagraph (A), by inserting before the period the following “, which may include transportation to a preschool”;

(ii) in subparagraph (B), by striking “and educational” and all that follows and inserting “educational programs for English learners, charter school programs, and magnet school programs.”;

(iii) in subparagraph (C), by striking “vocational” and inserting “career”;

(D) in paragraph (5)—

(i) in subparagraph (A)—

(I) in clause (i), by striking “programs providing” and inserting “entities providing”;

(II) in clause (ii), by striking “such as transportation or” and inserting “including transportation and”;

(iii) in subparagraph (C)—

(I) by redesignating clauses (i) and (ii) as clauses (ii) and (iii), respectively;

(II) by inserting before clause (ii), as redesignated by subclause (I), the following:

“(i) ensure that all homeless children and youths are promptly identified”;

(III) in clause (ii), as redesignated by subclause (I), by striking “have access and” and inserting “have access to and are in”;

(iii) by adding at the end the following:

“(D) HOMELESS CHILDREN AND YOUTHS WITH DISABILITIES.—For children and youths who are to be assisted both under this subtitle, and under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), each local educational agency shall coordinate the provision of services under this subtitle with the provision of programs for children with disabilities served by that local educational agency and other involved local educational agencies.”;

(E) in paragraph (6)—

(i) in subparagraph (A)—

(I) by redesignating clauses (iv) through (vii) as clauses (v) through (viii), respectively;

(II) by striking clause (iii) and inserting the following:

“(iii) homeless families and homeless children and youths have access to and receive

educational services for which such families, children, and youths are eligible, including services through Head Start programs (including Early Head Start programs) under the Head Start Act (42 U.S.C. 9831 et seq.), early intervention services under part C of the Individuals with Disabilities Education Act (20 U.S.C. 1431 et seq.), and other preschool programs administered by the local educational agency;

“(iv) homeless families and homeless children and youths receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services”;

(III) by striking clause (vi), as redesignated by subclause (I), and inserting the following:

“(vi) public notice of the educational rights of homeless children and youths is disseminated in locations frequented by parents and guardians of such children and youths, and unaccompanied youths, including schools, shelters, public libraries, and soup kitchens, in a manner and form understandable to the parents and guardians of homeless children and youths, and unaccompanied youths”;

(IV) in clause (vii), as redesignated by subclause (I), by striking “and” at the end;

(V) in clause (viii), as redesignated by subclause (I), by striking the period and inserting a semicolon; and

(VI) by adding at the end the following:

“(ix) school personnel providing services under this subtitle receive professional development and other support; and

“(x) unaccompanied youths—

“(I) are enrolled in school;

“(II) have opportunities to meet the same challenging State academic standards as the State establishes for other children and youth, including through implementation of the procedures under paragraph (1)(F)(ii); and

“(III) are informed of their status as independent students under section 480 of the Higher Education Act of 1965 (20 U.S.C. 1087vv) and may obtain assistance to receive verification of such status for purposes of the Free Application for Federal Student Aid described in section 483 of such Act (20 U.S.C. 1090).”;

(ii) in subparagraph (B), by striking “and advocates” and all that follows and inserting “advocates working with homeless families, parents and guardians of homeless children and youths, and homeless children and youths who are in secondary school, of the duties of the local educational agency liaisons, and publish an annually updated list of the liaisons on the State educational agency’s website.”;

(iii) in subparagraph (C), by adding at the end the following: “Such coordination shall include collecting and providing to the State coordinator the reliable, valid, and comprehensive information and data needed to meet the requirements of paragraphs (1) and (3) of subsection (f).”;

(iv) by adding at the end the following:

“(D) PROFESSIONAL DEVELOPMENT.—As determined appropriate by the State coordinator, the local educational agency liaisons shall participate in the professional development activities provided, and other technical assistance activities provided pursuant to paragraphs (5) and (6) of subsection (f), by the State coordinator.”;

(F) in paragraph (7)—

(i) in subparagraph (A), by striking “that receives” and all that follows through “enrollment” and inserting “shall review and revise any policies that may act as barriers to the identification of homeless children and youths or enrollment”;

(ii) in subparagraph (C), by striking “enrollment” and inserting “identification, enrollment,”; and

(7) by striking subsection (h).

#### **SEC. 10103. LOCAL EDUCATIONAL AGENCY SUBGRANTS.**

Section 723 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11433) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting “identification of homeless children and youths and” before “enrollment,”; and

(B) in paragraph (2)(B), in the matter preceding clause (i), by inserting “the related” before “schools”;

(2) in subsection (b), by adding at the end the following:

“(6) An assurance that the local educational agency will collect and promptly provide the information and data requested by the State coordinator pursuant to paragraphs (1) and (3) of section 722(f).

“(7) An assurance that the applicant will meet the requirements of section 722(g)(3).”;

(3) in subsection (c)—

(A) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking “preschool, elementary, and secondary schools” and inserting “early childhood education and other preschool programs, elementary schools, and secondary schools,”;

(ii) in subparagraph (A), by inserting “identification,” before “enrollment,”;

(iii) in subparagraph (B), by striking “application—” and all that follows and inserting “application reflects coordination with other local and State agencies that serve homeless children and youths.”; and

(iv) in subparagraph (C), by inserting “(as of the date of submission of the application)” after “practice”;

(B) in paragraph (3)—

(i) in subparagraph (C), by inserting “extent to which the applicant will promote meaningful” after “The”;

(ii) in subparagraph (D), by striking “with-in” and inserting “into”;

(iii) by redesignating subparagraph (G) as subparagraph (I);

(iv) by inserting after subparagraph (F) the following:

“(G) The extent to which the local educational agency will use the subgrant to leverage resources.

“(H) How the local educational agency uses funds to serve homeless children and youths under section 1113(a)(4) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6313(a)(4)).”; and

(v) in subparagraph (I), as redesignated by clause (iii), by striking “Such” and inserting “The extent to which the applicant’s program meets such”;

(4) in subsection (d)—

(A) in paragraph (1), by striking “the same challenging State academic content standards and challenging State student academic achievement standards” and inserting “the same challenging State academic standards as”;

(B) in paragraph (2)—

(i) by striking “students with limited English proficiency” and inserting “English learners”; and

(ii) by striking “vocational” and inserting “career”;

(C) in paragraph (3), by striking “pupil services” and inserting “specialized instructional support services”;

(D) in paragraph (7), by striking “and unaccompanied youths,” and inserting “particularly homeless children and youths who are not enrolled in school,”;

(E) in paragraph (9), by striking “medical” and inserting “other health”;

(F) by striking paragraph (10) and inserting the following:

“(10) The provision of education and training to the parents and guardians of homeless children and youths about the rights of, and resources available to, such children and youths, and the provision of other activities designed to increase the meaningful involvement of parents and guardians of homeless children or youths in the education of the children or youths.”;

(G) in paragraph (12), by striking “pupil services” and inserting “specialized instructional support services”;

(H) in paragraph (13), by inserting before the period the following: “or parental mental health or substance abuse problems”; and

(I) in paragraph (16), by striking “to attend school” and inserting “to enroll, attend, and succeed in school (including a preschool program)”.

#### **SEC. 10104. SECRETARIAL RESPONSIBILITIES.**

Section 724 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434) is amended—

(1) by striking subsection (c) and inserting the following:

“(c) NOTICE.—

“(1) IN GENERAL.—The Secretary shall, before the next school year that begins after the date of enactment of the Every Child Achieves Act of 2015, update and disseminate nationwide the public notice described in this subsection (as in effect prior to such date) of the educational rights of homeless children and youths.

“(2) DISSEMINATION.—The Secretary shall disseminate the notice nationally to all Federal agencies, and grant recipients, serving homeless families or homeless children and youth.”;

(2) by striking subsection (d) and inserting the following:

“(d) EVALUATION, DISSEMINATION, AND TECHNICAL ASSISTANCE.—The Secretary shall conduct evaluation, dissemination, and technical assistance activities for programs designed to meet the educational needs of homeless elementary and secondary school students, and may use funds appropriated under section 726 to conduct such activities.”;

(3) in subsection (f), by adding at the end the following: “The Secretary shall provide support and technical assistance to State educational agencies, concerning areas in which documented barriers to a free appropriate public education persist.”;

(4) by striking subsection (g) and inserting the following:

“(g) GUIDELINES.—The Secretary shall develop, issue, and publish in the Federal Register, not later than 60 days after the date of enactment of the Every Child Achieves Act of 2015, guidelines concerning ways in which a State—

“(1) may assist local educational agencies to implement the provisions related to homeless children and youth amended by that Act; and

“(2) may review and revise State policies and procedures that may present barriers to the identification of homeless children and youth, and the enrollment, attendance, and success of homeless children and youths in school.”;

(5) in subsection (h)—

(A) in the matter preceding subparagraph (A), by striking “periodically” and inserting “periodically but not less frequently than once every 2 years,”;

(B) in subparagraph (A), by striking “location” and all that follows and inserting “lo-

cation (in cases in which location can be identified) of homeless children and youth, in all areas served by local educational agencies under this subtitle.”;

(C) in subparagraph (C), by striking “and” at the end;

(D) by redesignating subparagraph (D) as subparagraph (E); and

(E) by inserting after subparagraph (C) the following:

“(D) the academic progress being made by homeless children and youth, including the percentage or number of homeless children and youth participating in State assessments under section 1111(b)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)); and”;

(6) in subsection (i), by striking “McKinney-Vento Homeless Education Assistance Improvements Act of 2001” and inserting “Every Child Achieves Act of 2015”.

#### **SEC. 10105. DEFINITIONS.**

(a) AMENDMENTS.—Section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a) is amended—

(1) in paragraph (2)(B)(i), by striking “or are awaiting foster care placement,”; and

(2) in paragraph (6), by striking “youth” and inserting “homeless child or youth”.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—In the case of a State that is not a covered State, the amendment made by subsection (a)(1) shall take effect on the date that is 1 year after the date of enactment of this Act.

(2) COVERED STATE.—In the case of a covered State, the amendment made by subsection (a)(1) shall take effect on the date that is 2 years after the date of enactment of this Act.

(c) COVERED STATE.—For purposes of this section the term “covered State” means a State that has a statutory law that defines or describes the phrase “awaiting foster care placement”, for purposes of a program under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.).

#### **SEC. 10106. AUTHORIZATION OF APPROPRIATIONS.**

Section 726 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11435) is amended to read as follows:

#### **“SEC. 726. AUTHORIZATION OF APPROPRIATIONS.**

“There are authorized to be appropriated to carry out this subtitle such sums as may be necessary for each of fiscal years 2016 through 2021.”.

#### **PART B—OTHER LAWS; MISCELLANEOUS**

#### **SEC. 10201. USE OF TERM “HIGHLY QUALIFIED” IN OTHER LAWS.**

Beginning on the date of the enactment of this Act, any reference in law to the term “highly qualified”, as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801), shall be treated as a reference to such term under section 9101 of the Elementary and Secondary Education Act of 1965 as in effect on the day before the date of the enactment of this Act.

#### **SEC. 10202. DEPARTMENT STAFF.**

The Secretary of Education shall—

(1) not later than 90 days after the date of the enactment of this Act—

(A) identify the number of Department of Education employees who worked on or administered each education program and project authorized under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), as such program or project was in effect on the day before such enactment date, and publish such information on the Department of Education’s website; and

(B) identify the number of full-time equivalent employees who work on or administer programs or projects that—

(i) were authorized under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), as in effect on the day before such enactment date; and

(ii) have been eliminated or consolidated since such date; and

(2) not later than 1 year after the date of the enactment of this Act, prepare and submit a report to Congress on—

(A) the number of employees associated with each program or project authorized under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) administered by the Department, disaggregated by employee function with each such program or project;

(B) the number of full-time equivalent employees who were determined to be associated with eliminated or consolidated programs or projects under paragraph (1)(B); and

(C) how the Secretary addressed the findings of paragraph (1)(B) relating to the number of full-time equivalent employees who worked on or administered programs or projects authorized under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), as in effect on the day before such enactment date, that have been eliminated or consolidated since such date.

**SEC. 10203. REPORT ON DEPARTMENT ACTIONS TO ADDRESS OFFICE OF THE INSPECTOR GENERAL CHARTER SCHOOL REPORTS.**

Not later than 6 months after the date of enactment of this Act, the Secretary of Education shall prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on Education and the Workforce of the House of Representatives, and the relevant appropriations committees of Congress, and to the public via the Department's website, a report containing an update on the Department of Education's continued implementation of the recommendations—

(1) responding to the March 9, 2010, final management information report of the Office of the Inspector General of the Department of Education, which expressed concern about findings of inadequate oversight by local educational agencies and authorized public chartering agencies to ensure Federal funds are properly used and accounted for;

(2) responding to the September 2012 report of the Office of the Inspector General of the Department of Education entitled "The Office of Innovation and Improvement's Oversight and Monitoring of the Charter Schools Program's Planning and Implementation Grants Final Audit Report" finding that none of the 3 States whose charter schools programs that Office investigated adequately monitored the public charter schools that the States funded; and

(3) describing actions the Department of Education has taken to address the concerns described in such memorandum and final audit report.

**SA 2090.** Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end, add the following:

**TITLE XI—PROTECTING STUDENTS FROM SEXUAL AND VIOLENT PREDATORS**

**SEC. 11001. SHORT TITLE.**

This title may be cited as the "Protecting Students from Sexual and Violent Predators Act".

**SEC. 11002. DEFINITIONS.**

In this title—

(1) the terms "elementary school", "local educational agency", "secondary school", "State", and "State educational agency" have the meanings given the terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801);

(2) the term "covered local educational agency" means a local educational agency that receives funds under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.);

(3) the term "covered school" means an elementary school or secondary school that receives funds under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.);

(4) the term "covered State" means a State that receives funds under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.);

(5) the term "covered State educational agency" means a State educational agency that receives funds under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.);

(6) the term "current school employee" means a school employee who has begun employment with a covered school, covered State educational agency, or covered local educational agency or an employee of any person or company who has a contract or agreement to provide services with a covered school, covered local educational agency, or covered State educational agency before the effective date of this title;

(7) the term "designated State agency" means the agency designated in section 11003(d)(1)(A); and

(8) the term "school employee" means—

(A) an employee of, or a person seeking employment with, a covered school, covered local educational agency, or covered State educational agency and who, as a result of such employment, has (or, in the case of a person seeking employment, will have) a job duty that includes unsupervised contact or interaction with elementary school or secondary school students; or

(B) any person, or an employee of any person, who has a contract or agreement to provide services with a covered school, covered local educational agency, or covered State educational agency, and such person or employee, as a result of such contract or agreement, has a job duty that includes unsupervised contact or interaction with elementary school or secondary school students.

**SEC. 11003. BACKGROUND CHECKS.**

(a) IN GENERAL.—Each covered State shall ensure that the State has in effect laws, regulations, or policies and procedures requiring that—

(1) a criminal background check be conducted for each school employee in a manner that is consistent with title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) and otherwise meets the requirements of this section, including—

(A) a search of the State criminal registry or repository of the State in which the school employee resides;

(B) a search of State-based child abuse and neglect registries and databases of the State in which the school employee resides;

(C) a Federal Bureau of Investigation fingerprint check using the Integrated Auto-

mated Fingerprint Identification System, conducted in accordance with section 11006; and

(D) a search of the National Sex Offender Registry established under section 119 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16919); and

(2) each criminal background check conducted under paragraph (1) be periodically repeated or updated in accordance with State law or the policies of the covered State educational agency or the covered local educational agencies in the State.

(b) TIMING OF BACKGROUND CHECKS.—

(1) CURRENT SCHOOL EMPLOYEES.—For a current school employee—

(A) the criminal background check required under subsection (a) shall be completed by not later than 3 years after the effective date of this title or by the date of the current school employee's next scheduled performance review as provided by State law (including regulations), whichever is first; and

(B) the employment of the current school employee shall not be terminated by reason of this title while the criminal background check is being conducted.

(2) ALL OTHER SCHOOL EMPLOYEES.—For any school employee who is not a current school employee, the criminal background check required under subsection (a) shall be completed before the school employee begins employment.

(c) EXCEPTION FOR CURRENT SCHOOL EMPLOYEES WITH PRIOR BACKGROUND CHECKS.—

(1) IN GENERAL.—A covered State shall not be required to obtain a criminal background check under subsection (a)(1) for a current school employee if—

(A)(i) the current school employee has received 1 or more criminal background checks (whether on one occasion or on separate occasions) that included—

(I) a search of the State criminal registry or repository of the State in which the current school employee resides;

(II) a search of the State-based child abuse and neglect registries and databases of the State in which the current school employee resides;

(III) a Federal Bureau of Investigation fingerprint check using the Integrated Automated Fingerprint Identification System, conducted in accordance with section 11006; and

(IV) a search of the National Sex Offender Registry established under section 119 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16919); or

(ii) the current school employee has received 1 or more criminal background checks (whether on one occasion or on separate occasions) that included 1 or more of the searches and checks described in subclauses (I) through (IV) of clause (i), and the designated State agency ensures that a criminal background check including all of the remaining searches and checks described in such subclauses is conducted for the current school employee within the timeframe established by subsection (b)(1)(A);

(B) each of the searches and checks described in subclauses (I) through (IV) of subparagraph (A)(i) were conducted for the school employee, whether as part of 1 criminal background check or on separate occasions, on or after the date that is 5 years before the effective date of this title;

(C) the appropriate Federal, State, or local agency provides the results of all the searches and checks described in subclauses (I) through (IV) of subparagraph (A)(i) to the appropriate body, as designated by State law

or the policies of the covered State educational agency or the employing covered local educational agency; and

(D) the appropriate body, as designated by State law or the policies of the covered State agency or covered local educational agency, takes steps to verify all criminal background checks in accordance with State law or the policies of the covered State educational agency or the employing covered local educational agency.

**(2) CONTINUED EMPLOYMENT DURING VERIFICATION PERIOD.—**

(A) **CONTINUED EMPLOYMENT.**—During any period during which the requirements of paragraph (1) are being verified for a current school employee—

(i) the employing covered State educational agency, covered local educational agency, or covered school shall not terminate the employment of the covered school employee or reduce the employee's pay or benefits by reason of this title; and

(ii) nothing in this title shall be construed to prohibit the covered State educational agency, covered local educational agency, or covered school from transferring the employee to a position not meeting the criteria of section 11002(8) during such period of verification.

(3) **PERIODIC UPDATING.**—Each covered State shall ensure that the State has in effect laws, regulations, or policies and procedures requiring that, for each current school employee who meets the requirements of this title through paragraph (1), all of the searches and checks described in paragraph (1)(A)(i) be periodically repeated or updated through a criminal background check, in accordance with State law or the policies of the covered State educational agency or the covered local educational agencies in the State.

**(d) CONFIDENTIALITY OF AND ACCESS TO BACKGROUND CHECKS.—**

(1) **CONFIDENTIALITY.**—Each covered State shall have in effect laws, regulations, or policies and procedures that—

(A) designate a single State agency to administer the criminal background checks required under subsection (a) and paragraphs (1)(A)(ii) and (3) of subsection (c); and

(B) require that information obtained through a criminal background check under subsection (a) or (c) shall only be revealed to the school employee, the designated representative of the school employee, and persons authorized by the State to receive the information in order to make employment decisions.

**(2) COPY OF BACKGROUND CHECK RESULTS.—**

(A) **UPON REQUEST.**—Upon a request by a school employee, the designated State agency shall directly provide a copy of the results of the criminal background check conducted pursuant to subsection (a) or (c) to the school employee or to the school employee's designated representative.

(B) **UPON TERMINATION OR DISQUALIFICATION.**—If a school employee is terminated or disqualified from employment under subparagraphs (B) through (D) of section 11004(a)(3), the designated State agency shall provide the school employee with a copy of the results of any criminal background check conducted under this title.

**(e) APPEALS PROCESS.—**

(1) **IN GENERAL.**—Each covered State shall have in effect laws, regulations, or policies and procedures—

(A) providing for a process by which a school employee may appeal the results of a criminal background check conducted pursuant to subsection (a) or (c) to challenge the

accuracy or completeness of the information yielded by the criminal background check; and

(B) ensuring that—

(i) each school employee shall be given prompt notice of the opportunity to appeal;

(ii) each school employee will receive instructions about how to complete the appeals process; and

(iii) the appeals process is completed no later than 30 days after the appeal is filed for each school employee.

(2) **EMPLOYMENT STATUS OF CURRENT SCHOOL EMPLOYEES FILING AN APPEAL.**—If a current school employee is disqualified from employment under section 11004(a) but files an appeal under this subsection, during the pendency of the appeal, such employee shall not lose employment or face a reduction in pay or benefits. During the pendency of the appeal, the employing covered State educational agency, covered local educational agency, or covered school may place the school employee in a capacity where the school employee's job duties do not include unsupervised contact or interaction with children.

(f) **PUBLICATION OF POLICIES AND PROCEDURES.**—Each covered State shall ensure that the laws, regulations, or policies and procedures required under this section are published on the website of the covered State educational agency and the website of each covered local educational agency that has a website as of the effective date of this title.

**(g) FEES FOR BACKGROUND CHECKS.—**

(1) **REQUIREMENT FOR REASONABLE FEES.**—The Attorney General of the United States, and the State Attorney General or other State law enforcement official of a covered State, may charge a fee for conducting a criminal background check under subsection (a) or (c) if the amount of the fee does not exceed the actual costs to the Federal Government or the State, as the case may be, for processing and administration.

(2) **ADMINISTRATIVE FUNDS.**—A covered State educational agency or covered local educational agency may use administrative funds received under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) to pay any reasonable fees charged for conducting criminal background checks under subsection (a) or (c).

**SEC. 11004. PROHIBITION ON HIRING & TRANSFER.**

(a) **PROHIBITION ON HIRING.**—Each covered State shall have in effect laws, regulations, or policies and procedures that prohibit any covered State educational agency, covered local educational agency, or covered school from employing an individual as a school employee if such employee—

(1) refuses to consent to a criminal background check under section 11003;

(2) makes a knowingly false statement in connection with a criminal background check under section 11003; or

(3) has been convicted of a felony consisting of—

(A) murder, as described in section 1111 of title 18, United States Code;

(B) child abuse;

(C) child pornography; or

(D) a crime involving rape or sexual assault, except for statutory rape where the victim and perpetrator engaged in consensual sexual conduct, the victim and perpetrator were both under the age of 21, and the victim and perpetrator differed in age by not more than 3 years at the time of the offense.

**(b) REVIEW.—**

(1) **IN GENERAL.**—Each covered State shall have in effect laws, regulations, or policies

and procedures that establish a timely review process, not to exceed 30 days from the date that an appeal is received by the State, through which the State may determine that, notwithstanding paragraph (2) or (3) of subsection (a), a school employee identified under paragraph (2) or (3) of subsection (a) is eligible for employment with the covered State educational agency, covered local educational agency, or covered school. The review process shall be an individualized assessment consistent with title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) and may include consideration of the following factors:

(A) Nature and seriousness of the offense.

(B) Circumstances under which the offense was committed.

(C) Lapse of time since the offense was committed or the individual was released from prison.

(D) Individual's age at the time of the offense.

(E) Social conditions that may have fostered the offense.

(F) Relationship of the nature of the offense to the position sought.

(G) Number of criminal convictions.

(H) Honesty and transparency of the candidate in admitting the conviction record.

(I) Individual's work history, including evidence that the individual performed the same or similar work, post-conviction, with the same or different employer, with no known incidents of criminal conduct.

(J) Evidence of rehabilitation, as demonstrated by the individual's good conduct while in correctional custody or in the community, counseling or psychiatric treatment received, acquisition of additional academic or career or technical schooling, successful participation in a correctional work-release program, or the recommendation of a current or former supervisor of the individual.

(K) Whether the individual is bonded under a Federal, State, or local bonding program.

(L) Any other factor that may lead to the conclusion that the individual does not pose a risk to children.

(2) **EMPLOYMENT DURING REVIEW.**—During the pendency of the review described in paragraph (1) of a school employee, the employing covered State educational agency, covered local educational agency, or covered school may place the school employee in a capacity where the employee's job duties do not include unsupervised contact or interaction with children.

(c) **PROHIBITION ON TRANSFER.**—A covered State educational agency, covered local educational agency, covered school, or any employee or agent of a covered State educational agency, covered local educational agency, or covered school, shall not knowingly transfer or facilitate the transfer of any school employee if the agency, school, employee, or agent knows or has reasonable cause to believe that the school employee engaged in abuse of a child, unless—

(1) the allegations of abuse have been properly reported as required by Federal, State, or local law, including title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) and the regulations implementing such title under part 106 of title 34, Code of Federal Regulations; and

(2) with respect to the allegations—

(A) no prosecution is undertaken by local or Federal prosecutors within 1 year of the report;

(B) the local prosecutors have indicated that the individual will not be charged; or

(C) the school employee has been charged and exonerated of the charges, as defined by

law or by regulations or policies of the State, covered State educational agency, or applicable covered local educational agency.

**SEC. 11005. REPORTING OF ABUSE ALLEGATIONS.**

(a) PROHIBITION ON AGREEMENTS TO WITH-HOLD ALLEGATIONS.—Each covered State shall have laws, regulations, or policies and procedures that—

(1) prohibit any State educational agency, local educational agency, elementary school, secondary school, or employee or agent of any State educational agency, local educational agency, elementary school, or secondary school, from making any agreement—

(A) to withhold, from any law enforcement authority, State educational agency, local educational agency, elementary school, or secondary school, the reporting of the fact that an allegation of child abuse in an educational setting has been made against a school employee or volunteer; or

(B) to waive any portion of subsection (c); and

(2) provide that the punishment for any violation of paragraph (1) is not less than the punishment for a violation of the State's law requiring mandatory reporting of concerns of child abuse and neglect.

(b) IMMUNITY FROM LIABILITY FOR REPORTING.—Each covered State shall have laws, regulations, or policies and procedures ensuring that, notwithstanding any other Federal, State, or local law or any agreement or contract, any State educational agency, local educational agency, elementary school, secondary school, or employee or agent of any State educational agency, local educational agency, elementary school, or secondary school who reasonably and in good faith reports to law enforcement officials information regarding allegations of child abuse or a resignation or voluntary suspension due to circumstances described in subsection (a)(1) shall have immunity from any civil or criminal liability.

(c) WARNINGS TO OTHER EDUCATIONAL AGENCIES AND SCHOOLS.—Each covered State shall have in effect laws, regulations, or policies and procedures ensuring that, notwithstanding any other Federal, State, or local law or any agreement or contract, if the State educational agency or any local educational agency, elementary school, secondary school, or employee or agent of the State educational agency, local educational agency, elementary school, or secondary school, has reasonably and in good faith reported to law enforcement officials information regarding allegations of child abuse in an educational setting made against a school employee, and the circumstances described in section 11004(c)(2) do not apply to such allegations, the agency, school, employee, or agent may share the report with any other State educational agency, local educational agency, elementary school, or secondary school that is considering hiring that school employee.

(d) TRAINING.—Notwithstanding any other provision of this title, a local educational agency may use funds provided under part A of title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6601 et seq.) to train school employees in—

(1) recognizing signs of abuse, neglect, or sexual abuse in students;

(2) properly identifying and reporting suspected child physical or sexual abuse, including appropriate behaviors by school personnel and inappropriate behaviors, such as grooming behaviors (defined as actions deliberately undertaken with the aim of befriending and establishing an emotional connec-

tion with a child to lower the child's inhibitions in order to sexually abuse the child); and

(3) effectively responding to incidents of child physical and sexual abuse, including linking students and families to law enforcement, school, community, mental health, or medical supports.

**SEC. 11006. FBI REQUIREMENTS FOR FINGER-PRINT CHECKS.**

Notwithstanding any other provision of law, if a fingerprint check by the Federal Bureau of Investigation, conducted pursuant to section 11003(a) or in accordance with section 11003(c) after the effective date of this title, reveals a record that indicates that an individual was arrested or criminal proceedings were instituted against an individual, but that does not include the final disposition of the arrest or proceeding, the Federal Bureau of Investigation shall—

(1) further investigate the school employee's criminal history until the earlier of—

(A) the date on which the Bureau is able to determine whether a final disposition was reached and what the final disposition was; or

(B) 3 business days (exclusive of the day on which the initial request is made) after the date of the initial request;

(2) notify the State through the designated State agency of the results of the further investigation; and

(3) promptly correct the record, including by making deletions to the record, if the Federal Bureau of Investigations determined that the record was inaccurate.

**SEC. 11007. RULES OF CONSTRUCTION.**

Nothing in this title shall be construed to—

(1) alter or otherwise affect the rights and remedies provided for school employees residing in a State that disqualifies individuals for employment as a school employee based on convictions for crimes not specifically listed in this title;

(2) prevent a State or locality from applying the requirements of this title to State educational agencies, local educational agencies, elementary schools, or secondary schools that do not receive funds under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.); or

(3) create a private right of action against a State educational agency, local educational agency, elementary school, secondary school, or an employee or agent of a State educational agency, local educational agency, elementary school, or secondary school that is in compliance with this title and with any laws, regulations, or policies and procedures promulgated pursuant to this title.

**SEC. 11008. EFFECTIVE DATE.**

This title shall take effect on the date that is 2 years from the date of enactment of this Act.

**SA 2091.** Mrs. McCASKILL submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of title II, insert the following:

**SEC. 2007. PROGRAM FOR INTERSTATE TEACHING APPLICATIONS.**

Part F of title II, as added by section 2006, is further amended by adding at the end the following:

**“SEC. 2602. PROGRAM FOR INTERSTATE TEACHING APPLICATIONS.**

“(a) ESTABLISHMENT.—The Secretary may establish and carry out a program to allow States to voluntarily participate in an interstate teaching application process that allows teachers who are licensed or certified in any participating State—

“(1) to be eligible for licensure or certification in other participating States without subsequently completing additional licensure or certification requirements; and

“(2) to be able to apply for open teaching positions in schools that receive funds under part A of title I in other participating States, unless the open position falls outside the applicant's content area or grade level for which the applicant is already licensed or certified.

“(b) PROGRAM REQUIREMENTS.—In carrying out a program established under subsection (a), the Secretary shall—

“(1) create an application for eligible teachers licensed or certified in a State participating in the program who wish to teach in other States participating in the program;

“(2) require each participating State to recognize a teaching licensure or certification of each such teacher who meets the application requirements under subsection (c)(1), and allow such teacher to teach in an open teaching position described in subsection (a)(2), without requiring such teacher to complete additional requirements for licensure or certification;

“(3) ensure that participating States maintain the eligibility requirements described in subsection (d);

“(4) provide technical assistance to participating States; and

“(5) provide an electronic application process for teachers to apply for the program.

**“(c) PARTICIPATING TEACHERS.—**

“(1) IN GENERAL.—Each teacher seeking to participate in a program established under subsection (a) shall submit an application containing—

“(A) proof of an active teaching license or certification in a participating State;

“(B) the teacher's results on each of the assessments described in subparagraphs (A) through (C) of subsection (d)(1) that are required by the initial licensing or certifying participating State; and

“(C) such other information as the Secretary considers appropriate.

“(2) CONTRACT.—The Secretary shall award a contract to a qualified entity to collect the teacher applications submitted under paragraph (1).

“(d) PARTICIPATING STATES.—A State shall be eligible to participate in a program established under subsection (a) if—

“(1) such State, in awarding a teaching license or certification to an individual, requires—

“(A) an assessment of the content knowledge necessary for postsecondary education and a career before a teacher begins teaching in a classroom;

“(B) an assessment of pedagogical skills not later than 1 year after the date on which a teacher first begins teaching in a classroom; and

“(C) a performance assessment not later than one year after the date on which a teacher first begins teaching, which may include a performance assessment completed as part of a teacher preparation program; and

“(2) the assessments described in paragraph (1) and required by such State are identified as sufficiently rigorous by an organization such as the Council of Chief State School Officers.

“(e) REGULATIONS.—The Secretary may issue such regulations as the Secretary considers necessary to carry out this section.”.

**SA 2092.** Mrs. MCCASKILL submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 284, between lines 11 and 12, insert the following:

“(xxi) Enabling States, as a consortium, to voluntarily develop a process that allows teachers who are licensed or certified in a participating State to teach in other participating States without completing additional licensure or certification requirements, except that nothing in this clause shall be construed to allow the Secretary to exercise any direction, supervision, or control over State teacher licensing or certification requirements.

**SA 2093.** Mr. FRANKEN (for himself, Ms. BALDWIN, Mr. BENNET, Mr. BOOKER, Mrs. BOXER, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. COONS, Mr. DURBIN, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. HEINRICH, Ms. HEITKAMP, Ms. HIRONO, Mr. KAINE, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MARKKEY, Mr. MANCHIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MURPHY, Mrs. MURRAY, Mr. PETERS, Mr. REED, Mr. SANDERS, Mr. SCHATZ, Mr. SCHUMER, Mrs. SHAHEEN, Ms. STABENOW, Mr. TESTER, Mr. UDALL, Ms. WARREN, Mr. WHITEHOUSE, Mr. WYDEN, and Mr. KIRK) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of part B of title X, insert the following:

#### **SEC. \_\_\_\_ . STUDENT NON-DISCRIMINATION.**

(a) **SHORT TITLE.**—This section may be cited as the “Student Non-Discrimination Act of 2015”.

(b) **FINDINGS AND PURPOSES.**—

(1) **FINDINGS.**—Congress makes the following findings:

(A) Public school students who are lesbian, gay, bisexual, or transgender (referred to in this section as “LGBT”), or are perceived to be LGBT, or who associate with LGBT people, have been and are subjected to pervasive discrimination, including harassment, bullying, intimidation, and violence, and have been deprived of equal educational opportunities, in schools in every part of the Nation.

(B) While discrimination of any kind is harmful to students and to the education system, actions that target students based on sexual orientation or gender identity represent a distinct and severe problem that remains inadequately addressed by current Federal law.

(C) Numerous social science studies demonstrate that discrimination at school has contributed to high rates of absenteeism, academic underachievement, dropping out,

and adverse physical and mental health consequences among LGBT youth.

(D) When left unchecked, discrimination in schools based on sexual orientation or gender identity can lead, and has led, to life-threatening violence and to suicide.

(E) Public school students enjoy a variety of constitutional rights, including rights to equal protection, privacy, and free expression, which are infringed when school officials engage in or fail to take prompt and effective action to stop discrimination on the basis of sexual orientation or gender identity.

(F) Provisions of Federal statutory law expressly prohibit discrimination on the basis of race, color, sex, religion, disability, and national origin. The Department of Education and the Department of Justice, as well as numerous courts, have correctly interpreted the prohibitions on sex discrimination to include discrimination based on sex stereotypes and gender identity, even when that sex-based discrimination coincides or overlaps with discrimination based on sexual orientation. However, the absence of express Federal law prohibitions on discrimination on the basis of sexual orientation and gender identity has created unnecessary uncertainty that risks limiting access to legal remedies under Federal law for LGBT students and their parents.

(2) **PURPOSES.**—The purposes of this section are—

(A) to ensure that all students have access to public education in a safe environment free from discrimination, including harassment, bullying, intimidation, and violence, on the basis of sexual orientation or gender identity;

(B) to provide a comprehensive Federal prohibition of discrimination in public schools based on actual or perceived sexual orientation or gender identity;

(C) to provide meaningful and effective remedies for discrimination in public schools based on actual or perceived sexual orientation or gender identity;

(D) to invoke congressional powers, including the power to enforce the 14th Amendment to the Constitution of the United States and to provide for the general welfare pursuant to section 8 of article I of the Constitution and the power to make all laws necessary and proper for the execution of the foregoing powers pursuant to section 8 of article I of the Constitution, in order to prohibit discrimination in public schools on the basis of sexual orientation or gender identity; and

(E) to allow the Department of Education and the Department of Justice to effectively combat discrimination based on sexual orientation and gender identity in public schools, through regulation and enforcement, as the Departments have issued regulations under and enforced title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) and other nondiscrimination laws in a manner that effectively addresses discrimination.

(c) **DEFINITIONS AND RULE.**—

(1) **DEFINITIONS.**—For purposes of this section:

(A) **EDUCATIONAL AGENCY.**—The term “educational agency” means a local educational agency, an educational service agency, or a State educational agency, as those terms are defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(B) **GENDER IDENTITY.**—The term “gender identity” means the gender-related identity, appearance, or mannerisms or other gender-

related characteristics of an individual, with or without regard to the individual’s designated sex at birth.

(C) **HARASSMENT.**—The term “harassment” means conduct that is sufficiently severe, persistent, or pervasive to limit a student’s ability to participate in or benefit from a program or activity of a public school or educational agency, including acts of verbal, nonverbal, or physical aggression, intimidation, or hostility, if such conduct is based on—

(i) a student’s actual or perceived sexual orientation or gender identity; or

(ii) the actual or perceived sexual orientation or gender identity of a person with whom a student associates or has associated.

(D) **PROGRAM OR ACTIVITY.**—The terms “program or activity” and “program” have the same meanings given such terms as applied under section 606 of the Civil Rights Act of 1964 (42 U.S.C. 2000d-4a) to the operations of public entities under paragraph (2)(B) of such section.

(E) **PUBLIC SCHOOL.**—The term “public school” means an elementary school (as the term is defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)) that is a public institution, and a secondary school (as so defined) that is a public institution.

(F) **SEXUAL ORIENTATION.**—The term “sexual orientation” means homosexuality, heterosexuality, or bisexuality.

(G) **STUDENT.**—The term “student” means an individual within the age limits for which the State provides free public education who is enrolled in a public school or who, regardless of official enrollment status, attends classes or participates in the programs or activities of a public school or local educational agency.

(2) **RULE.**—Consistent with Federal law, in this section the term “includes” means “includes but is not limited to”.

(d) **PROHIBITION AGAINST DISCRIMINATION.**—

(1) **IN GENERAL.**—No student shall, on the basis of actual or perceived sexual orientation or gender identity of such individual or of a person with whom the student associates or has associated, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

(2) **HARASSMENT.**—For purposes of this section, harassment includes harassment of a student on the basis of actual or perceived sexual orientation or gender identity of such student or of a person with whom the student associates or has associated.

(3) **RETRALIATION PROHIBITED.**—

(A) **PROHIBITION.**—No person shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination, retaliation, or reprisal under any program or activity receiving Federal financial assistance based on the person’s opposition to conduct made unlawful by this section.

(B) **DEFINITION.**—For purposes of this paragraph, “opposition to conduct made unlawful by this section” includes—

(i) opposition to conduct believed to be made unlawful by this section or conduct that could be believed to become unlawful under this section if allowed to continue;

(ii) any formal or informal report, whether oral or written, to any governmental entity, including public schools and educational agencies and employees of the public schools or educational agencies, regarding conduct made unlawful by this section, conduct believed to be made unlawful by this section, or conduct that could be believed to become

unlawful under this section if allowed to continue;

(iii) participation in any investigation, proceeding, or hearing related to conduct made unlawful by this section, conduct believed to be made unlawful by this section, or conduct that could be believed to become unlawful under this section if allowed to continue; and

(iv) assistance or encouragement provided to any other person in the exercise or enjoyment of any right granted or protected by this section,

if in the course of that expression, the person involved does not purposefully provide information known to be false to any public school or educational agency or other governmental entity regarding conduct made unlawful by this section, or conduct believed to be made unlawful by this section, or conduct that could be believed to become unlawful under this section if allowed to continue.

(e) FEDERAL ADMINISTRATIVE ENFORCEMENT; REPORT TO CONGRESSIONAL COMMITTEES.—

(1) REQUIREMENTS.—Each Federal department and agency which is empowered to extend Federal financial assistance to any education program or activity, by way of grant, loan, or contract other than a contract of insurance or guaranty, is authorized and directed to effectuate the provisions of subsection (d) with respect to such program or activity by issuing rules, regulations, or orders of general applicability which shall be consistent with achievement of the objectives of the statute authorizing the financial assistance in connection with which the action is taken. No such rule, regulation, or order shall become effective unless and until approved by the President.

(2) ENFORCEMENT.—Compliance with any requirement adopted pursuant to this subsection may be effected—

(A) by the termination of or refusal to grant or to continue assistance under such program or activity to any recipient as to whom there has been an express finding on the record, after opportunity for hearing, of a failure to comply with such requirement, but such termination or refusal shall be limited to the particular political entity, or part thereof, or other recipient as to whom such a finding has been made, and shall be limited in its effect to the particular program, or part thereof, in which such non-compliance has been so found; or

(B) by any other means authorized by law, except that no such action shall be taken until the department or agency concerned has advised the appropriate person or persons of the failure to comply with the requirement and has determined that compliance cannot be secured by voluntary means.

(3) REPORTS.—In the case of any action terminating, or refusing to grant or continue, assistance because of failure to comply with a requirement imposed pursuant to this subsection, the head of the Federal department or agency shall file with the committees of the House of Representatives and Senate having legislative jurisdiction over the program or activity involved a full written report of the circumstances and the grounds for such action. No such action shall become effective until 30 days have elapsed after the filing of such report.

(f) PRIVATE CAUSE OF ACTION.—

(1) PRIVATE CAUSE OF ACTION.—Subject to paragraph (3), and consistent with the cause of action recognized under title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), an ag-

grieved individual may bring an action in a court of competent jurisdiction, asserting a violation of this section. Aggrieved individuals may be awarded all appropriate relief, including equitable relief, compensatory damages, and costs of the action.

(2) RULE OF CONSTRUCTION.—This subsection shall not be construed to preclude an aggrieved individual from obtaining remedies under any other provision of law or to require such individual to exhaust any administrative complaint process or notice of claim requirement before seeking redress under this subsection.

(3) STATUTE OF LIMITATIONS.—For actions brought pursuant to this subsection, the statute of limitations period shall be determined in accordance with section 1658(a) of title 28, United States Code. The tolling of any such limitations period shall be determined in accordance with the law governing actions under section 1979 of the Revised Statutes (42 U.S.C. 1983) in the State in which the action is brought.

(g) CAUSE OF ACTION BY THE ATTORNEY GENERAL.—The Attorney General is authorized to institute for or in the name of the United States a civil action for a violation of this section in any appropriate district court of the United States against such parties and for such relief as may be appropriate, including equitable relief and compensatory damages. Whenever a civil action is instituted for a violation of this section, the Attorney General may intervene in such action upon timely application and shall be entitled to the same relief as if the Attorney General had instituted the action. Nothing in this section shall adversely affect the right of any person to sue or obtain relief in any court for any activity that violates this section, including regulations promulgated pursuant to this section.

(h) STATE IMMUNITY.—

(1) STATE IMMUNITY.—A State shall not be immune under the 11th Amendment to the Constitution of the United States from suit in Federal court for a violation of this section.

(2) WAIVER.—A State's receipt or use of Federal financial assistance for any program or activity of a State shall constitute a waiver of sovereign immunity, under the 11th Amendment or otherwise, to a suit brought by an aggrieved individual for a violation of subsection (d).

(3) REMEDIES.—In a suit against a State for a violation of this section, remedies (including remedies both at law and in equity) are available for such a violation to the same extent as such remedies are available for such a violation in the suit against any public or private entity other than a State.

(i) ATTORNEY'S FEES.—Section 722(b) of the Revised Statutes (42 U.S.C. 1988(b)) is amended by inserting "the Student Non-Discrimination Act of 2015," after "Religious Land Use and Institutionalized Persons Act of 2000."

(j) EFFECT ON OTHER LAWS.—

(1) FEDERAL AND STATE NONDISCRIMINATION LAWS.—Nothing in this section shall be construed to preempt, invalidate, or limit rights, remedies, procedures, or legal standards available to victims of discrimination or retaliation, under any other Federal law or law of a State or political subdivision of a State, including titles IV and VI of the Civil Rights Act of 1964 (42 U.S.C. 2000c et seq., 2000d et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), or

section 1979 of the Revised Statutes (42 U.S.C. 1983). The obligations imposed by this section are in addition to those imposed by titles IV and VI of the Civil Rights Act of 1964 (42 U.S.C. 2000c et seq., 2000d et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), and section 1979 of the Revised Statutes (42 U.S.C. 1983).

(2) FREE SPEECH AND EXPRESSION LAWS AND RELIGIOUS STUDENT GROUPS.—Nothing in this section shall be construed to alter legal standards regarding, or affect the rights available to individuals or groups under, other Federal laws that establish protections for freedom of speech and expression, such as legal standards and rights available to religious and other student groups under the First Amendment and the Equal Access Act (20 U.S.C. 4071 et seq.).

(k) SEVERABILITY.—If any provision of this section, or any application of such provision to any person or circumstance, is held to be unconstitutional, the remainder of this section, and the application of the provision to any other person or circumstance shall not be impacted.

(l) EFFECTIVE DATE.—This section shall take effect 60 days after the date of enactment of this section and shall not apply to conduct occurring before the effective date of this section.

**SA 2094.** Mr. TOOMEY (for himself, Mr. MANCHIN, Mr. COTTON, Mr. MCCAIN, Mr. GARDNER, and Mr. VITTER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; as follows:

At the end of title IX, add the following:

**SEC. \_\_\_\_ . PROTECTING CHILDREN FROM CHILDREN FROM CONVICTED PEDOPHILES, CHILD MOLESTERS, AND OTHER SEX OFFENDERS.**

Title IX (20 U.S.C. 7801 et seq.), as amended by this title, is further amended by adding at the end the following:

**"PART H—SCHOOL EMPLOYEE BACKGROUND CHECKS**

**"SEC. 9651. SHORT TITLE.**

"This part may be cited as the 'Protecting Students from Sexual and Violent Predators Act'.

**"SEC. 9652. DEFINITION OF SCHOOL EMPLOYEE.**

"In this part, the term 'school employee' means—

"(1) a person who—

"(A) is an employee of, or is seeking employment with, an elementary school, secondary school, local educational agency, or State educational agency, that receives funds under this Act; and

"(B) as a result of such employment, has (or will have) a job duty that results in unsupervised access to elementary school or secondary school students; or

"(2) a person, or an employee of a person, who—

"(A) has a contract or agreement to provide services with an elementary school, secondary school, local educational agency, or State educational agency, that receives funds under this Act; and

"(B) as a result of such contract or agreement, the person or employee, respectively, has a job duty that results in unsupervised



access to elementary school or secondary school students.

**"SEC. 9653. BACKGROUND CHECKS.**

"(a) BACKGROUND CHECKS.—Not later than 2 years after the date of enactment of the Every Child Achieves Act of 2015, each State educational agency, or each local educational agency in any case where State law designates a local educational agency to carry out the requirements of this part, that receives funds under this Act shall, as a condition of receiving such funds, have in effect policies and procedures that—

"(1) require that a criminal background check be conducted for each school employee that includes—

"(A) a search of the State criminal registry or repository of the State in which the school employee resides;

"(B) a search of State-based child abuse and neglect registries and databases of the State in which the school employee resides;

"(C) a Federal Bureau of Investigation fingerprint check using the Integrated Automated Fingerprint Identification System; and

"(D) a search of the National Sex Offender Registry established under section 119 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16919);

"(2) prohibit the employment of a school employee as a school employee if such employee—

"(A) refuses to consent to a criminal background check under paragraph (1);

"(B) makes a false statement in connection with such criminal background check;

"(C) has been convicted of a felony consisting of—

"(i) murder;

"(ii) child abuse or neglect;

"(iii) a crime against children, including child pornography;

"(iv) spousal abuse;

"(v) a crime involving rape or sexual assault;

"(vi) kidnapping;

"(vii) arson; or

"(viii) physical assault, battery, or a drug-related offense, committed on or after the date that is 5 years before the date of such employee's criminal background check under paragraph (1); or

"(D) has been convicted of any other crime that is a violent or sexual crime against a minor;

"(3) require that each criminal background check conducted under paragraph (1) be periodically repeated or updated in accordance with State law or the policies of local educational agencies served by the State educational agency;

"(4) upon request, provide each school employee who has had a criminal background check under paragraph (1) with a copy of the results of the criminal background check;

"(5) provide for a timely process, by which a school employee may appeal, but which does not permit the employee to be employed as a school employee during such appeal, the results of a criminal background check conducted under paragraph (1) which prohibit the employee from being employed as a school employee under paragraph (2) to—

"(A) challenge the accuracy or completeness of the information produced by such criminal background check; and

"(B) establish or reestablish eligibility to be hired or reinstated as a school employee by demonstrating that the information is materially inaccurate or incomplete, and has been corrected;

"(6) ensure that such policies and procedures are published on the website of the

State educational agency and the website of each local educational agency served by the State educational agency; and

"(7) allow a local educational agency to share the results of a school employee's criminal background check recently conducted under paragraph (1) with another local educational agency that is considering such school employee for employment as a school employee.

"(b) FEES FOR BACKGROUND CHECKS.—

"(1) CHARGING OF FEES.—The Attorney General, attorney general of a State, or other State law enforcement official may charge reasonable fees for conducting a criminal background check under subsection (a)(1), but such fees shall not exceed the actual costs for the processing and administration of the criminal background check.

"(2) ADMINISTRATIVE FUNDS.—A local educational agency or State educational agency may use administrative funds received under this Act to pay any reasonable fees charged for conducting such criminal background check.

**"PART I—BAN ON AIDING AND ABETTING CHILD SEXUAL ABUSE THROUGH 'PASSING THE TRASH'**

**"SEC. 9661. BAN ON AIDING AND ABETTING CHILD SEXUAL ABUSE THROUGH 'PASSING THE TRASH'.**

"Each State or State educational agency, or each local educational agency in any case where State law designates a local educational agency to carry out the requirements of this part, that receives funds under this Act shall, as a condition of receiving such funds, have in effect laws, regulations, or policies and procedures that prohibit any agency or person from transferring, or facilitating the transfer of, any school employee if the agency or person knows, or recklessly disregards information showing, that such school employee engaged in sexual misconduct with a minor in violation of law."

**SA 2095.** Mr. PETERS submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; as follows:

On page 172, line 25, insert "financial literacy activities and" before "adult education".

**SA 2096.** Mr. KAINE (for himself, Mr. MERKLEY, Ms. AYOTTE, and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 759, line 3, insert "career and technical education," after "music,".

**SA 2097.** Mr. BROWN submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

Beginning on page 494, strike line 1 and all that follows through page 544, line 9, and insert the following:

**SEC. 5002. PUBLIC CHARTER SCHOOLS.**

Part A of title V (20 U.S.C. 7221 et seq.), as redesignated by section 5001(5), is amended—

(1) by striking sections 5101 through 5105, as redesignated by section 5001(7), and inserting the following:

**"SEC. 5101. PURPOSE.**

"It is the purpose of this part to—

"(1) provide authorization and support for public charter schools providing elementary or secondary education as a means to test and learn from innovations aimed at improving the education of all students and strengthening public education;

"(2) evaluate the impact of such schools on student achievement, families, and communities, and share best practices among charter schools and other public schools;

"(3) expand opportunities for children with disabilities, students who are English learners, and other traditionally underserved students to attend charter schools and meet the challenging State academic standards under section 1111(b)(1); and

"(4) support efforts to strengthen the charter school authorizing process to improve performance management, including transparency, monitoring, including financial audits, and evaluation of such schools.

**"SEC. 5102. PROGRAM AUTHORIZED.**

"(a) IN GENERAL.—The Secretary may award grants to eligible State educational agencies having applications approved pursuant to section 5103(f) to enable such agencies to conduct a charter school grant program in accordance with this part, by—

"(1) supporting the startup of charter schools that are evaluated by the charter school authorizer for quality and local impact;

"(2) supporting the replication and expansion of high-quality charter schools;

"(3) assisting charter schools in accessing credit to acquire and renovate facilities for school use; and

"(4) carrying out national activities to support—

"(A) the dissemination of best and promising practices between and among magnet, traditional district, and charter schools;

"(B) the evaluation of the impacts of the charter school program under this part on educational quality and equity for students, and the overall strength of public education in local communities; and

"(C) stronger charter school authorizing.

"(b) FUNDING ALLOTMENT.—From the amount made available under section 5113 for a fiscal year, the Secretary shall—

"(1) reserve 12.5 percent to support charter school facilities assistance under section 5104;

"(2) reserve not more than 25 percent to carry out section 5103A and section 5105; and

"(3) use the remaining amount after the reservations under paragraphs (1) and (2) to carry out section 5103.

"(c) PRIOR GRANTS AND SUBGRANTS.—The recipient of a grant or subgrant under this part (as such part was in effect on the day before the date of enactment of the Every Child Achieves Act of 2015) shall continue to receive funds in accordance with the terms and conditions of such grant or subgrant.

**"SEC. 5103. GRANTS TO SUPPORT HIGH-QUALITY CHARTER SCHOOLS.**

"(a) PROGRAM AUTHORIZED.—From the amount available under section 5102(b)(3), the Secretary shall award, on a competitive basis, grants to eligible State educational agencies having applications approved under

subsection (f) to enable such eligible State educational agencies to—

“(1) award subgrants to eligible applicants to enable such eligible applicants to—

“(A) support the startup of charter schools that are thoroughly vetted by the authorizer for quality and local impact;

“(B) replicate or expand high-quality charter schools, which may include—

“(i) supporting the acquisition, expansion, or preparation of a charter school building to meet increasing enrollment needs, including financing the development of a new building and ensuring that a school building complies with applicable statutes and regulations;

“(ii) paying costs associated with hiring additional teachers to serve additional students;

“(iii) providing transportation to students to and from the charter school;

“(iv) providing instructional materials, implementing teacher and principal or other school leader professional development programs, and hiring additional nonteaching staff;

“(v) supporting any necessary activities that assist the charter school in carrying out this section; and

“(vi) providing early childhood education programs for children, including direct support to, and coordination with, school or community based early childhood education programs; or

“(C) in the case of the closure or dissolution of a charter school, transfer students and student records to another school in the school district in which the charter school is located; and

“(2) provide technical assistance to eligible applicants and charter school authorizers in carrying out the activities described in paragraph (1), and work with charter school authorizers in the State to improve authorizing quality, including developing capacity for and conducting fiscal oversight and auditing of charter schools.

“(b) ELIGIBLE STATE EDUCATIONAL AGENCY DEFINED.—For purposes of this section, the term ‘eligible State educational agencies’ are State educational agencies with all of the following student, family, community and taxpayer protection laws and policies in place:

“(1) STATE LAW AUTHORIZING THE CREATION OF CHARTER SCHOOLS.—The State must have a law in force that authorizes the creation and operation of charter schools.

“(2) FIDUCIARY DUTIES AND CONFLICT OF INTEREST RULES.—The State must have legally binding rules establishing fiduciary duties for officers, directors, managers, and employees of charter schools and prohibitions against conflicts of interest among officers, directors, managers, and employees of charter schools, education management organizations, and related entities. Specifically, the State must have legally binding rules—

“(A) providing that charter school officers, directors, managers, and employees occupy positions of trust when they handle the money or property of the charter school;

“(B) prohibiting charter school officers, directors, managers, and employees from dealing with the charter school as an adverse party or acting on behalf of an adverse party in any matter connected with the duties of such officer, director, manager, or employee;

“(C) prohibiting charter school officers, directors, managers, and employees from holding or acquiring any pecuniary or personal interest that conflicts with the interests of the charter school;

“(D) prohibiting education management organizations from entering into any transaction with a related party, including—

“(i) any related entity formed for the purpose of managing or providing support to a charter school or group of related charter schools;

“(ii) any direct or indirect wholly owned subsidiary of any such entity, if the transaction benefits the education management organization, the related party, or both; or

“(iii) any other related party; and

“(E) providing civil remedies and criminal penalties, as applicable, that will apply to a breach of fiduciary duties and prohibited actions described in this paragraph in the same manner that such remedies or penalties apply to a breach of fiduciary duties or an action similar to a prohibited action under this paragraph in the case of officers, directors, managers, and employees of an entity that is not a charter school.

“(3) PUBLIC REMOVAL OF CHARTER SCHOOL GOVERNING BOARD MEMBERS.—The State charter school law shall ensure that a State agency or charter school authorizer has the authority to remove a member of a charter school’s governing board if the member has violated the member’s fiduciary responsibilities or the applicable conflict of interest rules.

“(4) INDEPENDENT FINANCIAL AUDIT REQUIREMENTS WITH PUBLIC DISCLOSURE.—The State must require that all charter schools, and all education management organizations that enter into management services contracts with charter schools—

“(A) conduct annual, independent audits of their financial statements and submit these required audit reports to the eligible State educational agency; and

“(B) make the required audit reports, including any management letters, publicly available via disclosure by the eligible State educational agency.

“(5) CHARTER SCHOOL ACCESS TO BOOKS AND RECORDS OF EDUCATION MANAGEMENT ORGANIZATIONS.—The State must require that a charter school’s governing board have access to all the books and records—

“(A) of any education management organization with which the board has contracted to manage the school; and

“(B) that are applicable to that charter school.

“(6) OPEN MEETINGS AND OPEN RECORDS REQUIREMENTS FOR CHARTER SCHOOLS.—The State must provide that charter schools are covered by the State’s open meetings and open records laws to the same extent that public schools and school boards are covered by such laws.

“(7) CHARTER SCHOOL AUTHORIZER AUTHORITY.—The State must have policies in force that provide charter school authorizers with the authority to—

“(A) inspect and obtain copies of any books and records of the charter schools they authorize, including all contracts entered into by the charter schools; and

“(B) conduct a review or audit of educational performance and financial operations of the charter schools they authorize.

“(8) CHARTER SCHOOL AUTHORIZER ACCOUNTABILITY.—The State must have policies holding charter school authorizers responsible for monitoring the educational performance and financial operations of all charter schools that the charter school authorizer has authorized. Such policies must include all of the following:

“(A) Performance standards for charter school authorizers.

“(B) A standardized and public charter school authorizer performance reporting system that discloses, for each authorizer in each school year—

“(i) the number of applications received;

“(ii) the number of applications approved;

“(iii) the name, location, and status of each authorized school; and

“(iv) all charter school closures, decisions to deny renewal of charters, or decisions to cancel charters, including reasons for the closures, nonrenewal decisions, or cancellation decisions.

“(C) The provision of technical assistance to help authorizers meet performance standards.

“(D) Authority on the part of an agency or instrumentality of the State to suspend or revoke an authorizer’s ability to authorize charter schools on the basis of poor performance, and policies relating to that authority, including—

“(i) published criteria for such suspensions or revocations based on the educational or financial performance of the schools that are authorized by the charter school authorizer; and

“(ii) a protocol or policy for reassigning authorizer responsibilities for each such school to another appropriate authorizer and assisting with the necessary transition (except in the case of a State that has only one charter school authorizer).

“(E) A policy regarding how charter schools are monitored and held accountable for—

“(i) meeting the requirements described in section 5110(1); and

“(ii) providing equitable access and effectively serving the needs of all students, including students with disabilities and English learners.

“(F) A policy regarding how the charter school authorizer will ensure that the local educational agency that serves a charter school that such charter school authorizer has authorized will comply with subsections (a)(5) and (e)(1)(B) of section 613 of the Individuals with Disabilities Education Act.

“(9) FOR-PROFIT CHARTER SCHOOLS.—The State must have laws in effect that require for-profit charter schools to—

“(A) ensure that the charter school’s educational responsibilities take primacy over other purposes, such as generating financial returns for investors, contributing to a related or parent organization, or supporting external interests; and

“(B) include board members who have no significant administrative position and no ownership interest in the charter school or a related party, as described in 5103(b)(2)(D).

“(10) DISTRICTWIDE MULTI-YEAR SCHOOL PLAN.—The State must require local educational agencies, charter school authorizers, and charter schools to jointly develop and regularly update a districtwide multi-year school plan, which shall be coordinated by the charter school authorizer.

“(11) IMPACT STATEMENT.—The State must require that before any new charter school application is approved, the local educational agency that serves the charter school or is in the geographic area of the charter school, in accordance with the districtwide multi-year school plan, shall—

“(A) prepare an impact statement—

“(i) assessing the proposed charter school’s impact on the districtwide multi-year school plan; and

“(ii) identifying the role that the charter school intends to fill within the local educational agency;

“(B) make such impact statement available to community members prior to the hearing described in subparagraph (C); and

“(C) hold a community input hearing prior to the determination about the approval or

disapproval of a pending charter school application.

“(12) **IMPACT REPORT.**—The State educational agency must prepare, and publish on the State educational agency website, an annual assessment of the impact of charter schools on local educational agencies in the State, including—

“(A) a review of the flow of funding between sectors, student enrollment trends, and educational outcomes;

“(B) identification of noteworthy innovative or promising practices carried out by charter schools in the State; and

“(C) documentation of efforts that lead to two-way cross sector sharing of promising practices.

“(13) **CHARTER SCHOOL DISCLOSURES.**—

“(A) **IN GENERAL.**—Subject to subparagraph (B), the State must require each charter school to publicly disclose, on the school's website, the following:

“(i) The school's charter documents.

“(ii) Any performance agreements in effect between the charter school and the charter school's authorizer.

“(iii) A description of the schools' program, including courses and programs offered.

“(iv) Whether or not transportation services are provided, and any fees for transportation.

“(v) Whether or not meals and snacks are served at school and whether or not free or reduced-price meals are available (and, if so, to which students).

“(vi) Annual student attrition rates by grade level.

“(vii) Student behavior or discipline codes, policies, and processes, including parent appeal options.

“(viii) Annual teacher attrition rates.

“(ix) The amounts of non-public funding sources, including the duration of philanthropic funding commitments.

“(x) The names of legal title holders of land and buildings that the charter school utilizes, along with a description of any public subsidies used directly or indirectly to purchase or lease charter school property.

“(xi) Fees related to incidentals of attendance, and whether any of those fees are waived for certain students (such as for students who are eligible to receive a free or reduced price lunch).

“(xii) Information related to financial and in-kind contributions of support, which shall be—

“(I) the amount and duration of any Federal, State, local, and private financial and in-kind contributions of support, and how such funding and in-kind contributions are spent or used;

“(II) the information required to be submitted to the Office for Civil Rights for the Civil Rights Data Collection; or

“(III) in the case of an organization described in section 501(c)(3) of the Internal Revenue Code that is exempt from taxation under section 501(a) of that Code, the information required to be submitted on any return to be filed under section 6033 of that Code.

“(B) **PERSONALLY IDENTIFIABLE INFORMATION.**—Notwithstanding the requirements under subparagraph (A), a charter school shall not provide any information under this paragraph that would reveal personally identifiable information about an individual.

“(C) **ELIGIBLE STATE EDUCATIONAL AGENCY USES OF FUNDS.**—

“(1) **IN GENERAL.**—An eligible State educational agency receiving a grant under this section shall—

“(A) use not less than 90 percent of the grant funds to award subgrants to eligible applicants, in accordance with the quality charter school program described in the eligible State educational agency's application pursuant to subsection (f), for the purposes described in subsection (a)(1);

“(B) reserve not less than 5 percent of such funds to carry out the activities described in subsection (a)(2);

“(C) reserve not more than 3 percent of such funds for administrative costs, which may include the administrative costs of providing technical assistance; and

“(D) reserve not less than 2 percent of such funds for the oversight of charter school use of Federal, State, and local public funds and private funds, including the investigation of fraud, waste, mismanagement and misconduct and ensuring compliance with paragraphs (2), (4), and (13) of subsection (b), which may be used by—

“(i) the State for oversight of each charter school in the State;

“(ii) local educational agencies for oversight of public charter schools served by the local educational agency; and

“(iii) charter school authorizers for—

“(I) oversight of each charter school that is authorized by such authorizer; and

“(II) coordination of the districtwide multi-year school plan, as described in subsection (b)(10).

“(2) **RULES OF CONSTRUCTION.**—Nothing in this part shall prohibit the Secretary from awarding grants to eligible State educational agencies, or eligible State educational agencies from awarding subgrants to eligible applicants, that use a weighted lottery, or an equivalent lottery mechanism, to give better chances for school admission to all or a subset of educationally disadvantaged students if—

“(A) the use of a weighted lottery in favor of such students is not prohibited by State law; and

“(B) such weighted lottery is not used for the purpose of creating schools exclusively to serve a particular subset of students.

“(d) **PROGRAM PERIODS; PEER REVIEW; DISTRIBUTION OF SUBGRANTS; WAIVERS.**—

“(1) **PROGRAM PERIODS.**—

“(A) **GRANTS.**—A grant awarded by the Secretary to an eligible State educational agency under this section shall be for a period of not more than 3 years, and may be renewed by the Secretary for one additional 2-year period.

“(B) **SUBGRANTS.**—A subgrant awarded by an eligible State educational agency under this section—

“(i) shall be for a period of not more than 3 years, of which an eligible applicant may use not more than 18 months for planning and program design; and

“(ii) may be renewed by the eligible State educational agency for one additional 2-year period.

“(2) **PEER REVIEW.**—The Secretary, and each eligible State educational agency awarding subgrants under this section, shall use a peer-review process to review applications for assistance under this section.

“(3) **DISTRIBUTION OF SUBGRANTS.**—Each eligible State educational agency awarding subgrants under this section shall award subgrants in a manner that, to the extent practicable and applicable, ensures that such subgrants—

“(A) prioritize eligible applicants that plan to serve a significant number of students from low-income families;

“(B) are distributed throughout different areas, including urban, suburban, and rural areas; and

“(C) will assist charter schools representing a variety of educational approaches.

“(4) **WAIVERS.**—The Secretary may waive any statutory or regulatory requirement over which the Secretary exercises administrative authority under this Act with respect to charter schools supported under this part, except any such requirement relating to the elements of a charter school, if—

“(A) the waiver is requested in an approved application; and

“(B) the Secretary determines that granting such waiver will promote the purposes of this part.

“(e) **LIMITATIONS.**—

“(1) **GRANTS.**—An eligible State educational agency may not receive more than 1 grant under this section at a time.

“(2) **SUBGRANTS.**—An eligible applicant may not receive more than 1 subgrant under this section for each individual charter school for each grant period or renewal period, unless the eligible applicant demonstrates to the eligible State educational agency that such individual charter school has demonstrated a strong track record of positive results over the course of the grant period regarding the elements described in subparagraphs (A) and (D) of section 5110(8).

“(f) **APPLICATIONS.**—

“(1) **IN GENERAL.**—An eligible State educational agency desiring to receive a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require.

“(2) **CONTENTS.**—The application shall, in addition to citing the applicable policies necessary to satisfy the grant eligibility criteria set forth in subsection (b), provide a description of the eligible State educational agency's objectives in running a quality charter school program under this section and how the objectives of the program will be carried out, including a description of the following:

“(A) How the eligible State educational agency will—

“(i) support the opening of new charter schools and, if applicable, the replication or expansion of high-quality charter schools, and the proposed number of charter schools to be opened, replicated, or expanded under the eligible State educational agency's program;

“(ii) inform eligible charter schools, developers, and charter school authorizers of the availability of funds under the program;

“(iii) work with eligible applicants to ensure that the eligible applicants access all Federal funds that such applicants are eligible to receive, and help the charter schools supported by the applicants and the students attending those charter schools—

“(I) participate in the Federal programs in which the schools and students are eligible to participate; and

“(II) receive the commensurate share of Federal funds the schools and students are eligible to receive under such programs;

“(iv) ensure each eligible applicant that receives a subgrant under the eligible State educational agency's program—

“(I) is opening or expanding schools that meet the definition of a charter school under section 5110; and

“(II) is prepared to continue to operate such charter schools once the subgrant funds under this section are no longer available;

“(v) support charter schools in local educational agencies with schools that have been identified by the State under section 1114(a)(1)(A);

“(vi) work with charter schools to promote inclusion of all students and support all students upon enrollment in order to promote retention of students in the school;

“(vii) work with charter schools on recruitment practices, including efforts to engage groups that may otherwise have limited opportunities to attend charter schools;

“(viii) promote the sharing of best and promising practices among and across their charter, magnet, and traditional school sectors;

“(ix) ensure that charter schools receiving funds under the eligible State educational agency’s program meet the educational needs of their students, including students with disabilities and students who are English learners;

“(x) support efforts to increase charter school quality initiatives, including meeting quality authorizing elements in this part;

“(xi) hold charter schools within such eligible State educational agency’s jurisdiction accountable if such schools do not meet the objectives specified in the performance contract described in section 5110(1), including by closing unsuccessful schools; and

“(xii) ensure that local educational agencies within such eligible State educational agency’s jurisdiction comply with subsections (a)(5) and (e)(1)(B) of section 613 of the Individuals with Disabilities Education Act.

“(B) The eligible State educational agency’s authorizer accountability policies and operations, and plans pursuant to section 5103(b)(8).

“(C) How the eligible State educational agency will ensure that each eligible applicant will solicit and consider input from parents and other members of the community on the implementation and operation of each charter school that will receive funds under the eligible State educational agency’s program.

“(D) How the eligible State educational agency will allow for an impartial appeals process for a denial by a charter school authorizer of a developer’s application for a charter school.

“(E) How the eligible State educational agency will award subgrants, on a competitive basis, to eligible applicants, on the basis of applications that include—

“(i) the name and address of the public charter school and its mission, purpose, and any specialized innovation of the charter school;

“(ii) a description of the roles and responsibilities of eligible applicants, and of any education management organizations or other organizations with which the eligible applicant will partner to open charter schools, including the administrative and contractual roles and responsibilities of such partners;

“(iii) the proposed governance structure of the school, developed with public input and including, at a minimum, a list of members of the governing board with each member’s qualifications, terms, and full financial disclosure of any potential conflicts of interest, including relationships with education management organizations, vendors, or other business dealings with the school or other charter schools;

“(iv) for a traditional public school applying to convert to a charter school, demonstrated support of two-thirds of the families of children attending the school and two-thirds of the school staff for the conversion;

“(v) any contract between the charter school and an education management organization;

“(vi) student recruitment, admission, and retention policies and practices, including a description of how the school provides equitable access and effectively serves the needs of all students, including students with disabilities and English learners, and implements outreach and recruitment practices that include the families of all students;

“(vii) the ages and grades of students and an estimate of the total enrollment of the school to be served by the charter school;

“(viii) the number of staff and school leadership positions, including full-time and part-time employees, and qualifications of employees;

“(ix) a description of the educational program, methodology, and services to be offered to students, including students who are English learners and students with disabilities;

“(x) information about the school’s daily hours of operation and number of days in the school year;

“(xi) a description of how the school will engage parents as partners in the education of their children;

“(xii) a description of transportation services provided to and from school for students;

“(xiii) a statement that the school will not discriminate on the basis of race, national origin, gender, sexual orientation and gender identity, ethnicity, disability, academic achievement, or home language and that the school will comply with Federal and State civil rights laws applicable to other publicly funded elementary and secondary schools;

“(xiv) evidence of adequate community support for and interest in the charter school sufficient to allow the school to reach its anticipated enrollment, and an assessment of the projected programmatic and fiscal impact of the school on other public and non-public schools in the area;

“(xv) a description of the health and food services to be provided to students attending the school, including whether the school participates in any free or reduced price lunch programs;

“(xvi) methods and strategies for serving students with disabilities, students who are English learners, and students who are homeless, including compliance with all applicable Federal laws;

“(xvii) a description of the procedures to be followed in the case of the closure or dissolution of the charter school, including—

“(I) provisions for the transfer of students and student records to the school district in which the charter school is located, which transfer activities may be carried out using funds under this part;

“(II) the amount of funds that will be held in escrow annually to fund closure or dissolution related costs; and

“(III) unless State law requires otherwise, procedures for the disposition of the charter school’s assets to the local educational agency that serves the charter school or is in the geographic area of the charter school;

“(xviii) the hiring and personnel policies and procedures of the school;

“(xix) a description of the manner by which employees of the charter school will be covered by the State teachers’ retirement system, the public employees’ retirement system, or other pension or retirement plan as well as compensation, health, and other benefits provided to the school’s employees;

“(xx) for the purposes of a traditional public school that seeks to convert to a public charter school, how the charter school will comply with the same public sector labor relations laws and regulations as required of

traditional public schools, including collective bargaining rights of the employees of the charter school, as applicable under State law;

“(xxi) a statement that the public charter school will conduct or arrange for the performance of annual independent financial audits and submit the audits to the eligible State educational agency;

“(xxii) a 3-year plan to sustain the maintenance, operation, and fiscal stability of the school;

“(xxiii) a statement that the school will maintain a public online site with information as required in this section, and as otherwise provided in Federal, State, and local requirements applicable to other public schools, and a statement that the public charter school will participate in an independent evaluation, and any other evaluations or assessments, in the time and manner determined by the eligible State educational agency; and

“(xxiv) a description of the quality controls agreed to between the eligible applicant and the authorizer, such as a contract or a performance agreement or financial audits to ensure adequate fiscal oversight.

“(F) In the case of an eligible State educational agency that partners with an outside organization to carry out the entity’s quality charter school program, in whole or in part, a description of the roles and responsibilities of the partner.

“(G) How the eligible State educational agency will help the charter schools receiving funds under the eligible State educational agency’s program address the transportation needs of the schools’ students.

“(3) ASSURANCES.—The application shall, in addition to the information described in paragraph (2), include assurances that the eligible State educational agency will ensure that the charter school authorizer of any charter school that receives funds under the eligible State educational agency’s program—

“(A) ensures that the charter school under the authority of such agency is meeting the requirements of this Act, part B of the Individuals with Disabilities Education Act, title VI of the Civil Rights Act of 1964, and section 504 of the Rehabilitation Act of 1973;

“(B) adequately monitors and provides adequate technical assistance to each charter school under the authority of such agency in recruiting, enrolling, retaining, and meeting the needs of all students, including children with disabilities and students who are English learners; and

“(C) ensures that each such charter school solicits and considers input from parents and other members of the community on the implementation and operation of the school.

“(g) PARENT INFORMATION AND RIGHTS.—

“(1) As a condition for eligibility for funding under this part, eligible State educational agencies shall—

“(A) ensure that each charter school in the State provides the information described in paragraph (2) to the parents of the students who attend the charter school in a manner that is—

“(i) concise;

“(ii) presented in an understandable and uniform format and, to the extent practicable, in a language that parents can understand; and

“(iii) widely accessible to the public; and

“(B) make such information available on a single webpage of the State educational agency’s website.

“(2) Such information shall include, at a minimum, each of the following:

“(A) Information about the charter school’s mission, educational programs, and services.

“(B) The charter application and the approved charter document for the school, as well as any performance or other agreements in effect between the charter school and its authorizer.

“(C) Rules and policies regarding student behavior and student disciplinary policies and practices, including suspension and expulsion policies.

“(D) Information about the provision of meals and snacks, including—

“(i) the number and type of meals and snacks served each day;

“(ii) whether such meals and snacks are fully or partially subsidized; and

“(iii) information about student eligibility for free and reduced price lunch programs.

“(E) Information about transportation to and from the school, including any transportation that is free or subsidized to students and the eligibility requirements for free or subsidized transportation.

“(F) Recruitment and admission policies and practices used at each charter school site.

“(G) Information about the school’s daily, weekly, and school year schedule, including hours of operation and number of days in the school year.

“(H) The number of years that the public charter school has operated.

“(I) The maximum number of students in each classroom by grade.

“(J) Staff qualifications (including school leadership) and languages spoken by staff.

“(K) Fees related to incidentals of attendance (other than tuition), and whether any of those fees are waived for certain students (such as for students who are eligible to receive a free or reduced price lunch).

“(L) Data on attendance and the number of suspensions and expulsions by school year, in total and disaggregated by each of the categories of students, as defined in section 111(b)(3)(A).

“(M) Annual student attrition rates by grade level.

“(N) Annual teacher attrition rates and numbers, disaggregated by grade level and teaching subject matter, years of experience, and credential.

“(O) Procedures for parents, students, and school employees to appeal school decisions and the procedures and processes for such appeals.

“(P) Other information that would assist a parent in making a decision to enroll a child in the public charter school.

“(3) Notwithstanding the requirements under paragraph (2), a charter school shall not provide any information under this subsection that would reveal personally identifiable information about an individual.

“(h) **SELECTION CRITERIA; PRIORITY.**—The Secretary shall award grants to eligible State educational agencies under this section on the basis of—

“(1) the quality of the applications submitted;

“(2) the performance record of the charter sector in the applicant State, including in the areas of promoting high student achievement and growth, identification and use of instructional and other educational program innovations to strengthen public education, financial management, student safety, and compliance with applicable policies; and

“(3) the eligible State educational agency’s plan to solicit and consider input from parents and other members of the community on the implementation and operation of the charter schools in the State.

“(i) **STATE EVALUATION AND REPORT.**—

“(1) **IN GENERAL.**—Beginning not later than 2 years after the date of enactment of the Every Child Achieves Act, each eligible State educational agency receiving a grant under this section shall enter into a contract for an independent evaluation of the charter schools in the State, which shall be carried out on an annual basis. The State educational agency may use grant funds under this section to pay the cost of the independent evaluation and related reporting.

“(2) **SUBMISSION TO THE SECRETARY; PUBLIC AVAILABILITY.**—Each such independent evaluation shall be submitted to the Secretary and shall also be made publicly available on the website of the agency.

“(3) **CONTENTS.**—The independent evaluation described in paragraph (1) shall include an evaluation of the following:

“(A) An assessment of the cumulative impact of charter schools on local educational agencies within the State, including on the flows of funding between sectors, student enrollment trends, staffing, and educational outcomes, along with recommendations for any changes to laws, regulations, or policies to address identified problems.

“(B) A compilation of profiles of public charter school and other charter schools in the State relating to demographic information on student enrollment and retention.

“(C) Staff and leadership qualifications, demographic information and retention information regarding staff, and academic and nonacademic programs provided, in charter schools in the State.

“(D) The academic achievement of students in each public charter school in the State, as compared to students enrolled in other public charter schools within the same local educational agency and as compared to other students enrolled in all public schools in the local educational agency, accounting for differences in student populations served, programs and services provided, and public and nonpublic funding available in the schools students are attending.

“(E) Adequacy of funding and resource distribution among public charter schools and noncharter public schools in the State, accounting for differences in student populations served and programs and services provided.

“(F) Recommendations for any changes to laws, regulations, or policies that would facilitate improvement of student outcomes in public charter schools in the State.

“(G) Recommendations for improvements in equity, transparency, and accountability of public charter schools in the State to the public and the parents and staff at such public charter schools.

“(H) Identification of best and promising practices within the sectors of public schools, private schools, and charter schools, in the State and the extent to which these are being shared to improve educational outcomes as a whole, barriers to effective sharing, and recommendations for how to reduce such barriers, in the State.

“(I) How the eligible State educational agency has worked with charter schools receiving funds under the State educational agency’s program to foster community involvement in the planning for and opening of such schools.

“(b) **SEC. 5103A. GRANTS FOR THE REPLICATION AND EXPANSION OF HIGH-QUALITY CHARTER SCHOOLS.**

“(a) **IN GENERAL.**—From amounts reserved under section 5102(b)(2), the Secretary shall make grants, on a competitive basis, to eligible entities having applications approved

under this section to enable such eligible entities to replicate a high-quality charter school or expand a high-quality charter school.

“(b) **ELIGIBLE ENTITY DEFINED.**—For purposes of this section, the term ‘eligible entity’ means an entity that—

“(1)(A) is a charter management organization that, at the time of the application, operates or manages one or more high-quality charter schools; or

“(B) is a nonprofit organization that oversees and coordinates the activities of a group of such charter management organizations; and

“(2)(A) operates in a State that meets the requirements of section 5103(b); or

“(B) if the entity does not operate in such a State, the Secretary has certified that the eligible entity has policies and controls in place that are in compliance with section 5103(b) and the Secretary has determined that awarding a grant under this section to the entity will promote the purposes of this part.

“(c) **APPLICATION REQUIREMENTS.**—An eligible entity desiring to receive a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require. The application shall include the following:

“(1) Each item that is required for an application as described in clauses (i) through (xxiv) of section 5103(f)(2)(E), except that the term ‘eligible entity’ shall be substituted for the term ‘eligible applicant’.

“(2) A description of the eligible entity’s objectives for implementing a high-quality charter school program with funding under this section, including a description of the proposed number of high-quality charter schools to be replicated or expanded with funding under this section.

“(3) A description of the educational program that the eligible entity will implement in the charter schools that the eligible entity proposes to replicate or expand, including information on how the program will enable all students to meet the challenging State academic standards under section 1111(b)(1), the grade levels or ages of students that will be served, and the instructional practices that will be used.

“(4) A multi-year financial and operating model for the eligible entity, including a description of how the operation of the charter schools to be replicated or expanded will be sustained after the grant under this section has ended.

“(5) A description of how the eligible entity will inform all students in the community, including children with disabilities, students who are English learners, and other educationally disadvantaged students, about the charter schools to be replicated or expanded with funding under this section.

“(6) For each charter school currently operated or managed by the eligible entity—

“(A) student assessment results for all students and for each category of students described in section 1111(b)(2)(B)(xi); and

“(B) attendance and student retention rates for the most recently completed school year and, if applicable, the most recent available 4-year adjusted cohort graduation rate and extended-year adjusted cohort graduation rate (as such rates were calculated on the day before enactment of the Every Child Achieves Act of 2015).

“(7) Information on any significant compliance issues encountered, within the last 3 years, by any school operated or managed by the eligible entity, including in the areas of student safety and financial management.

“(8) An assurance that the eligible entity will comply with the requirements of—

“(A) section 5103(f)(3); and

“(B) section 5103(g).

“(d) **SELECTION CRITERIA.**—The Secretary shall select eligible entities to receive grants under this section, on the basis of the quality of—

“(1) the selection criteria described in section 5103(h);

“(2) the eligible entity’s financial and operating model, including the quality of the eligible entity’s plan for sustaining the operation of the charter schools to be replicated or expanded after the grant under this section has ended;

“(3) a determination that the eligible entity has not operated or managed a significant proportion of charter schools that—

“(A) have been closed;

“(B) have had a school charter revoked due to problems with statutory or regulatory compliance; or

“(C) have had the school’s affiliation with the eligible entity revoked; and

“(4) a determination that the eligible entity has not experienced significant problems with statutory or regulatory compliance that could lead to the revocation of a school’s charter.

“(e) **PRIORITY.**—In awarding grants under this section, the Secretary shall give priority to eligible entities that operate or manage charter schools that, in the aggregate, serve students at least 60 percent of whom are eligible for a free or reduced price lunch under the Richard B. Russell National School Lunch Act.

“(f) **TERMS AND CONDITIONS.**—Except as otherwise provided in this section, grants awarded under this section shall have the same terms and conditions as grants awarded to eligible State educational agencies under section 5103.

#### “SEC. 5104. FACILITIES FINANCING ASSISTANCE.

“(a) **GRANTS TO ELIGIBLE ENTITIES.**—

“(1) **IN GENERAL.**—From the amount reserved under section 5102(b)(1), the Secretary shall use not less than 50 percent to award not less than 3 grants, on a competitive basis, to eligible entities that have the highest-quality applications approved under subsection (d) to demonstrate innovative methods of helping charter schools to address the cost of acquiring, constructing, and renovating facilities by enhancing the availability of loans or bond financing.

“(2) **ELIGIBLE ENTITY DEFINED.**—For the purposes of this section, the term ‘eligible entity’ means an entity with at least an upper medium grade credit rating, which shall be—

“(A) a public entity, such as a State or local governmental entity;

“(B) a private nonprofit entity; or

“(C) a consortium of entities described in subparagraphs (A) and (B).

“(b) **GRANTEE SELECTION.**—The Secretary shall evaluate each application submitted under subsection (d), and shall determine whether the application is sufficient to merit approval.

“(c) **GRANT CHARACTERISTICS.**—Grants under subsection (a) shall be of a sufficient size, scope, and quality so as to ensure an effective demonstration of an innovative means of enhancing credit for the financing of charter school acquisition, construction, or renovation.

“(d) **APPLICATIONS.**—

“(1) **IN GENERAL.**—An eligible entity desiring to receive a grant under this section shall submit an application to the Secretary in such form as the Secretary may reasonably require.

“(2) **CONTENTS.**—An application submitted under paragraph (1) shall contain—

“(A) a statement identifying the activities that the eligible entity proposes to carry out with funds received under subsection (a), including how the eligible entity will determine which charter schools will receive assistance, and how much and what types of assistance charter schools will receive;

“(B) a description of the involvement of charter schools in the application’s development and the design of the proposed activities;

“(C) a description of the eligible entity’s expertise in capital market financing;

“(D) a description of how the proposed activities will leverage the maximum amount of private-sector financing capital relative to the amount of government funding used and otherwise enhance credit available to charter schools, including how the entity will offer a combination of rates and terms more favorable than the rates and terms that a charter school could receive without assistance from the entity under this section;

“(E) a description of how the eligible entity possesses sufficient expertise in education to evaluate the likelihood of success of a charter school program for which facilities financing is sought; and

“(F) in the case of an application submitted by a State governmental entity, a description of the actions that the entity has taken, or will take, to ensure that charter schools within the State receive the funding that charter schools need to have adequate facilities.

“(e) **CHARTER SCHOOL OBJECTIVES.**—An eligible entity receiving a grant under this section shall use the funds deposited in the reserve account established under subsection (f) to assist one or more charter schools to access private sector capital to accomplish one or more of the following objectives:

“(1) The acquisition (by purchase, lease, donation, or otherwise) of an interest (including an interest held by a third party for the benefit of a charter school) in improved or unimproved real property that is necessary to commence or continue the operation of a charter school.

“(2) The construction of new facilities, including predevelopment costs, or the renovation, repair, or alteration of existing facilities, necessary to commence or continue the operation of a charter school.

“(3) The predevelopment costs required to assess sites for purposes of paragraph (1) or (2) and which are necessary to commence or continue the operation of a charter school.

“(f) **RESERVE ACCOUNT.**—

“(1) **USE OF FUNDS.**—To assist charter schools in accomplishing the objectives described in subsection (e), an eligible entity receiving a grant under subsection (a) shall, in accordance with State and local law, directly or indirectly, alone or in collaboration with others, deposit the funds received under subsection (a) (other than funds used for administrative costs in accordance with subsection (g)) in a reserve account established and maintained by the eligible entity for this purpose. Amounts deposited in such account shall be used by the eligible entity for one or more of the following purposes:

“(A) Guaranteeing, insuring, and reinsuring bonds, notes, evidences of debt, loans, and interests therein, the proceeds of which are used for an objective described in subsection (e).

“(B) Guaranteeing and insuring leases of personal and real property for an objective described in such subsection.

“(C) Facilitating financing by identifying potential lending sources, encouraging private lending, and other similar activities that directly promote lending to, or for the benefit of, charter schools.

“(D) Facilitating the issuance of bonds by charter schools, or by other public entities for the benefit of charter schools, by providing technical, administrative, and other appropriate assistance (including the recruitment of bond counsel, underwriters, and potential investors and the consolidation of multiple charter school projects within a single bond issue).

“(2) **INVESTMENT.**—Funds received under this section and deposited in the reserve account established under paragraph (1) shall be invested in obligations issued or guaranteed by the United States or a State, or in other similarly low-risk securities.

“(3) **REINVESTMENT OF EARNINGS.**—Any earnings on funds received under subsection (a) shall be deposited in the reserve account established under paragraph (1) and used in accordance with this subsection.

“(g) **LIMITATION ON ADMINISTRATIVE COSTS.**—An eligible entity may use not more than 2.5 percent of the funds received under subsection (a) for the administrative costs of carrying out its responsibilities under this section (excluding subsection (k)).

“(h) **AUDITS AND REPORTS.**—

“(1) **FINANCIAL RECORD MAINTENANCE AND AUDIT.**—The financial records of each eligible entity receiving a grant under subsection (a) shall be maintained in accordance with generally accepted accounting principles and shall be subject to an annual audit by an independent public accountant.

“(2) **REPORTS.**—

“(A) **GRANTEE ANNUAL REPORTS.**—Each eligible entity receiving a grant under subsection (a) annually shall submit to the Secretary a report of the entity’s operations and activities under this section.

“(B) **CONTENTS.**—Each annual report submitted under subparagraph (A) shall include—

“(i) a copy of the most recent financial statements, and any accompanying opinion on such statements, prepared by the independent public accountant reviewing the financial records of the eligible entity;

“(ii) a copy of any report made on an audit of the financial records of the eligible entity that was conducted under paragraph (1) during the reporting period;

“(iii) an evaluation by the eligible entity of the effectiveness of its use of the Federal funds provided under subsection (a) in leveraging private funds;

“(iv) a listing and description of the charter schools served during the reporting period, including the amount of funds used by each school, the type of project facilitated by the grant, and the type of assistance provided to the charter schools;

“(v) a description of the activities carried out by the eligible entity to assist charter schools in meeting the objectives set forth in subsection (e); and

“(vi) a description of the characteristics of lenders and other financial institutions participating in the activities carried out by the eligible entity under this section (excluding subsection (k)) during the reporting period.

“(C) **SECRETARIAL REPORT.**—The Secretary shall review the reports submitted under subparagraph (A) and shall provide a comprehensive annual report to Congress on the activities conducted under this section (excluding subsection (k)).

“(i) **NO FULL FAITH AND CREDIT FOR GRANT-EE OBLIGATION.**—No financial obligation of

an eligible entity entered into pursuant to this section (such as an obligation under a guarantee, bond, note, evidence of debt, or loan) shall be an obligation of, or guaranteed in any respect by, the United States. The full faith and credit of the United States is not pledged to the payment of funds which may be required to be paid under any obligation made by an eligible entity pursuant to any provision of this section.

“(j) RECOVERY OF FUNDS.—

“(1) IN GENERAL.—The Secretary, in accordance with chapter 37 of title 31, United States Code, shall collect—

“(A) all of the funds in a reserve account established by an eligible entity under subsection (f)(1) if the Secretary determines, not earlier than 2 years after the date on which the eligible entity first received funds under this section (excluding subsection (k)), that the eligible entity has failed to make substantial progress in carrying out the purposes described in subsection (f)(1); or

“(B) all or a portion of the funds in a reserve account established by an eligible entity under subsection (f)(1) if the Secretary determines that the eligible entity has permanently ceased to use all or a portion of the funds in such account to accomplish any purpose described in such subsection.

“(2) EXERCISE OF AUTHORITY.—The Secretary shall not exercise the authority provided in paragraph (1) to collect from any eligible entity any funds that are being properly used to achieve one or more of the purposes described in subsection (f)(1).

“(3) PROCEDURES.—The provisions of sections 451, 452, and 458 of the General Education Provisions Act shall apply to the recovery of funds under paragraph (1).

“(4) CONSTRUCTION.—This subsection shall not be construed to impair or affect the authority of the Secretary to recover funds under part D of the General Education Provisions Act.

“(k) PER-PUPIL FACILITIES AID PROGRAM.—

“(1) DEFINITION OF PER-PUPIL FACILITIES AID PROGRAM.—In this subsection, the term ‘per-pupil facilities aid program’ means a program in which a State makes payments, on a per-pupil basis, to charter schools to provide the schools with financing—

“(A) that is dedicated solely for funding charter school facilities; or

“(B) a portion of which is dedicated for funding charter school facilities.

“(2) GRANTS.—

“(A) IN GENERAL.—From the amount reserved under section 5102(b)(1) and remaining after the Secretary makes grants under subsection (a), the Secretary shall make grants, on a competitive basis, to States to pay for the Federal share of the cost of establishing or enhancing, and administering, per-pupil facilities aid programs.

“(B) PERIOD.—The Secretary shall award grants under this subsection for periods of not more than 5 years.

“(C) FEDERAL SHARE.—The Federal share of the cost described in subparagraph (A) for a per-pupil facilities aid program shall be not more than—

“(i) 90 percent of the cost, for the first fiscal year for which the program receives assistance under this subsection;

“(ii) 80 percent for the second such year;

“(iii) 60 percent for the third such year;

“(iv) 40 percent for the fourth such year; and

“(v) 20 percent for the fifth such year.

“(D) STATE SHARE.—A State receiving a grant under this subsection may partner with 1 or more organizations, and such organizations may provide not more than 50 per-

cent of the State share of the cost of establishing or enhancing, and administering, the per-pupil facilities aid program.

“(E) MULTIPLE GRANTS.—A State may receive more than 1 grant under this subsection, so long as the amount of such grant funds provided to charter schools increases with each successive grant.

“(3) USE OF FUNDS.—

“(A) IN GENERAL.—A State that receives a grant under this subsection shall use the funds made available through the grant to establish or enhance, and administer, a per-pupil facilities aid program for charter schools in the State of the applicant.

“(B) EVALUATIONS; TECHNICAL ASSISTANCE; DISSEMINATION.—From the amount made available to a State through a grant under this subsection for a fiscal year, the State may reserve not more than 5 percent to carry out evaluations, to provide technical assistance, and to disseminate information.

“(C) SUPPLEMENT, NOT SUPPLANT.—In accordance with the method of determination described in section 1117, funds made available under this subsection shall be used to supplement, and not supplant, State and local public funds expended to provide per-pupil facilities aid programs, operations financing programs, or other programs, for charter schools.

“(4) REQUIREMENTS.—

“(A) VOLUNTARY PARTICIPATION.—No State may be required to participate in a program carried out under this subsection.

“(B) STATE LAW.—

“(i) IN GENERAL.—To be eligible to receive a grant under this subsection, a State shall establish or enhance, and administer, a per-pupil facilities aid program for charter schools in the State, that—

“(I) is specified in State law; and

“(II) provides annual financing, on a per-pupil basis, for charter school facilities.

“(ii) SPECIAL RULE.—A State that is required under State law to provide its charter schools with access to adequate facility space may be eligible to receive a grant under this subsection if the State agrees to use the funds to develop a per-pupil facilities aid program consistent with the requirements of this subsection.

“(5) APPLICATIONS.—To be eligible to receive a grant under this subsection, a State shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

“SEC. 5105. NATIONAL ACTIVITIES.

“(a) IN GENERAL.—From the amount reserved under section 5102(b)(2) the Secretary shall use such funds to—

“(1) disseminate technical assistance to eligible State educational agencies in awarding grants under section 5103;

“(2) disseminate best and promising practices regarding charter schools;

“(3) evaluate the impact of the charter school program carried out under this part on all students in charter and traditional public schools and on local communities and the overall strength and performance of their public schools; and

“(4) award grants, on a competitive basis, for the purpose of carrying out the activities described in section 5103(a)(1)(B), to eligible applicants that desire to open a charter school, replicate a high-quality charter school, or expand a high quality charter school in—

“(A) a State that did not apply for a grant under section 5103; or

“(B) a State that did not receive a grant under section 5103.

“(b) REPORT BY THE SECRETARY.—Not later than 6 months after the date of enactment of the Every Child Achieves Act of 2015, the Secretary shall prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on Education and the Workforce of the House of Representatives, and the relevant appropriations committees of Congress, and to the public via the Department’s website, a report responding to—

“(1) the March 9, 2010, final management information report of the Office of the Inspector General of the Department of Education, which expressed concern about findings of inadequate oversight by local educational agencies and charter school authorizers to ensure Federal funds are properly used and accounted for;

“(2) the September 2012 report of the Office of the Inspector General of the Department of Education entitled ‘The Office of Innovation and Improvement’s Oversight and Monitoring of the Charter Schools Program’s Planning and Implementation Grants Final Audit Report’ finding that none of the 3 States whose charter schools programs that Office investigated adequately monitored the public charter schools that the States funded; and

“(3) describing actions the Department has taken to address the concerns described in such memorandum and final audit report.”.

(2) in section 5106 (20 U.S.C. 7221e), as redesignated by section 5001(7), by adding at the end the following:

“(C) NEW OR SIGNIFICANTLY EXPANDING CHARTER SCHOOLS.—For purposes of implementing the hold harmless protections in sections 1122(c) and 1125A(g)(3) for a newly opened or significantly expanded charter school under subsection (a), a State educational agency shall calculate a hold-harmless base for the prior year that, as applicable, reflects the new or significantly expanded enrollment of the charter school.”;

(3) in section 5108 (20 U.S.C. 7221g), as redesignated by section 5001(7), by inserting “as quickly as possible and” before “to the extent practicable”;

(4) in section 5109 (20 U.S.C. 7221f), as redesignated by section 5001(7), by striking “authorized public chartering agency shall ensure that implementation of this subpart” and inserting “charter school authorizer shall ensure that implementation of this part”; and

(5) by striking sections 5110 and 5111 (20 U.S.C. 7221i; 7221j), as redesignated by section 5001(7) and inserting the following:

“SEC. 5110. DEFINITIONS.

“(1) CHARTER SCHOOL.—The term ‘charter school’ means a public school that—

“(A) is afforded autonomy to test innovative educational approaches, consistent with the provisions of this Act, which local educational agencies consider promising;

“(B) complies with the data collection, reporting, auditing, and disclosure provisions of this Act as well as those applicable to other public schools through other Federal, State, and local laws, regulations and policies;

“(C) admits students on the basis of a lottery, if more students apply for admission that can be accommodated;

“(D) in the case of a school that has an affiliated charter school (such as a school that is part of the same network of schools), automatically enrolls students who are enrolled in the immediate prior grade level of the affiliated charter school and, for any additional student openings or student openings created through regular attrition in student



enrollment in the affiliated charter school and the enrolling school, admits students on the basis of a lottery as described in subparagraph (C);

“(E) complies with the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.), title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly referred to as the ‘Family Educational Rights and Privacy Act of 1974’), and part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.);

“(F) meets all applicable Federal, State, and local health and safety requirements;

“(G) operates in accordance with State law;

“(H) has a written performance contract with a charter school authorizer that includes—

“(i) a description of how student performance will be measured on the basis of—

“(I) State assessments that are required of other public schools; and

“(II) any other assessments that are mutually agreeable to the charter school authorizer and the charter school;

“(ii) a requirement that student academic achievement and growth, for the students enrolled at the school as a whole and for each of the categories of students, as defined in section 1111(b)(3)(A) (except in a case in which the number of students in a group is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student) will be used as a primary factor in decisions about the renewal or revocation of the charter, in addition to other criteria, as appropriate;

“(iii) the student academic achievement and growth and student retention goals, and, in the case of a high school, graduation rate goals for the students enrolled at the school as a whole and for each of the categories of students, as defined in section 1111(b)(3)(A) (except in a case in which the number of students in a group is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student), and any other goals to be achieved by the end of the contract period; and

“(iv) the obligations and responsibilities of the charter school and the charter school authorizer;

“(I) does not charge tuition;

“(J) is nonsectarian in its programs, admissions policies, employment practices, and all other operations, and is not affiliated with a sectarian school or religious institution;

“(K) is created by a developer as a public school, or is adapted by a developer from an existing public school, and is operated under public supervision and direction;

“(L) operates in pursuit of a specific set of educational objectives determined by the school’s developer and agreed to by the charter school authorizer;

“(M) provides 1 or more programs of elementary education, secondary education, or both, including early childhood education, and may also provide adult education, in accordance with State law; and

“(N) is governed by a separate and independent board that exercises authority over 1 or more schools, including authority in the areas of governance, personnel, budget, schedule, and instructional program.

“(2) CHARTER MANAGEMENT ORGANIZATION.—The term ‘charter management organization’ means a nonprofit organization that operates or manages multiple charter schools by centralizing or sharing certain functions or resources.

“(3) CHARTER SCHOOL AUTHORIZER.—The term ‘charter school authorizer’ means a local educational agency or other public entity that has authority pursuant to State law and has been approved by the Secretary to authorize and approve a charter school, and that shall—

“(A) develop and update regularly a districtwide multi-year school plan;

“(B) monitor and assist charter schools in complying with applicable requirements, including data collection and public disclosure requirements and participation in the development of the districtwide multi-year school plan;

“(C) establish criteria and processes that the charter school authorizer will use in monitoring the performance of each charter school authorized by the charter school authorizer, including interventions and any actions leading up to the revocation of a school’s charter if the charter school authorizer finds that such a revocation is necessary to protect the public interest;

“(D) review the application and hold meaningful public hearings to gather input from the public and parents on applications to establish a charter school or convert another school to a public charter school;

“(E) provide a statement on the impact of the charter school within the local educational agency; and

“(F) in the case of a State with a cap on the number of public charter schools in the State—

“(i) review and render a decision within 120 days of receipt of the application for a charter school (whether a new school or a conversion); and

“(ii) submit to the State educational agency the charter school authorizer’s recommendation regarding approval of charter school applicants, in order to allow the State educational agency to conduct an expedited review to determine if the approval described in clause (i) will violate the cap on the number of public charter schools in operation in the State.

“(4) DEVELOPER.—The term ‘developer’ means an individual or group of individuals (including a public or private nonprofit organization), which may include teachers, administrators and other school staff, parents, or other members of the local community in which a charter school project will be carried out.

“(5) DISTRICTWIDE MULTI-YEAR SCHOOL PLAN.—The term ‘districtwide multi-year school plan’ means a plan that—

“(A) is developed and regularly updated, with meaningful public input from across the local educational agency; and

“(B) takes into consideration projected demographic changes, criteria for new school openings or closings, and equitable geographic distribution of schools and students to ensure that all students have access to schools in their communities and a range of specialized programs.

“(6) EDUCATION MANAGEMENT ORGANIZATION.—The term ‘education management organization’ means a for-profit or nonprofit organization that operates or manages multiple charter schools by centralizing or sharing certain functions or resources.

“(7) ELIGIBLE APPLICANT.—The term ‘eligible applicant’ means a developer that has—

“(A) applied to a charter school authorizer to operate a charter school; and

“(B) provided adequate and timely notice to that charter school authorizer.

“(8) HIGH-QUALITY CHARTER SCHOOL.—The term ‘high-quality charter school’ means a charter school that—

“(A) shows evidence of strong academic results, which may include strong student academic growth, as determined by a State;

“(B) has no significant issues in the areas of student safety, financial management, or statutory or regulatory compliance;

“(C) has demonstrated success in significantly increasing student academic achievement, including—

“(i) graduation rates, where applicable, for all students served by the charter school; and

“(ii) graduation rates, where applicable, for each of the categories of students, as defined in section 1111(b)(3)(A), except that such demonstration is not required in a case in which the number of students in a group is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student;

“(D) has demonstrated community involvement during the development and operation of the school; and

“(E) has had 3 successful consecutive annual audits that have not indicated fiscal difficulties, as determined by typical accounting standards.

#### **“SEC. 5111. TRANSITION ARRANGEMENTS.**

“No new Federal grants under this part shall be awarded for a period of one year following the date of enactment of the Every Child Achieves Act of 2015, at which time the definition of eligible State educational agency under this part shall take effect.

#### **“SEC. 5112. CAPS.**

“In awarding grants under this part, the Secretary may neither disadvantage nor advantage eligible State educational agency applicants based on whether the State—

“(1) has a cap on the number of charter schools in the State; or

“(2) expresses an intention to adopt such State charter school caps.

#### **“SEC. 5113. AUTHORIZATION OF APPROPRIATIONS.**

“There are authorized to be appropriated to carry out this part such sums as may be necessary for fiscal years 2016 and for each of the next 5 succeeding fiscal years.”

**SA 2098.** Mr. BROWN submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 630, between lines 4 and 5, insert the following:

#### **SEC. 5011. FIX AMERICA’S SCHOOLS TODAY.**

Title V (20 U.S.C. 7201 et seq.) is amended by adding at the end the following:

#### **“PART J—FIX AMERICA’S SCHOOLS TODAY**

##### **“SEC. 5910. SHORT TITLE.**

“This part may be cited as the ‘Fix America’s Schools Today Act of 2015’.

##### **“Subpart 1—Elementary and Secondary Schools**

##### **“SEC. 5911. PURPOSE.**

“The purpose of this subpart is to provide assistance for the modernization, renovation, and repair of elementary school and secondary school buildings for schools that

are served by local educational agencies across the United States, in order to support the achievement of improved educational outcomes in such schools.

**“SEC. 5912. AUTHORIZATION OF APPROPRIATIONS; APPROPRIATION OF FUNDS.**

“There are authorized to be appropriated, and there are appropriated, \$25,000,000,000 to carry out this subpart which shall be available for obligation by the Secretary until September 30, 2016.

**“SEC. 5913. ALLOCATION OF FUNDS.**

“(a) RESERVATIONS.—From the amount made available to carry out this subpart, the Secretary shall reserve—

“(1) one-half of 1 percent for the Secretary of the Interior to carry out modernization, renovation, and repair activities described in section 5916 in schools operated or funded by the Bureau of Indian Education;

“(2) one-half of 1 percent to make grants to the outlying areas for modernization, renovation, and repair activities described in section 5916; and

“(3) such funds as the Secretary determines are needed—

“(A) to conduct a survey, through the National Center for Education Statistics, of the school construction, modernization, renovation, and repair needs of the public schools of the United States; and

“(B) to encourage the States to coordinate and share information about school facilities standards and best practices.

“(b) STATE ALLOCATION.—From the amount made available to carry out this subpart and not reserved under subsection (a), the Secretary shall allocate funds among the States in proportion to their respective allocations under part A of title I for fiscal year 2015, except that—

“(1) the Secretary shall allocate 40 percent of such funds to the 100 local educational agencies with the largest numbers of children ages 5 to 17 living in poverty, as determined using the most recent data available from the Department of Commerce that are satisfactory to the Secretary, in proportion to such local educational agencies’ respective allocations under part A of title I for fiscal year 2015; and

“(2) the allocation to any State shall be reduced by the aggregate amount of the allocations under paragraph (1) to local educational agencies in such State.

**“(c) REMAINING ALLOCATION.—**

“(1) IN GENERAL.—If a State does not apply for its allocation under subsection (b), applies for less than the full allocation for which the State is eligible, or does not use the allocation in a timely manner, the Secretary may—

“(A) reallocate all or a portion of the allocation to the other States in accordance with subsection (b); or

“(B) use all or a portion of the allocation to make direct allocations to local educational agencies within the State based on their respective allocations under part A of title I for fiscal year 2015 or such other method as the Secretary may determine.

“(2) REALLOCATION OF LOCAL EDUCATIONAL AGENCY FUNDS.—If a local educational agency does not apply for its allocation under subsection (b)(1), applies for less than the full allocation for which the local educational agency is eligible, or does not use the allocation in a timely manner, the Secretary may reallocate all or a portion of such local educational agency’s allocation to the State in which such agency is located.

**“SEC. 5914. STATE USE OF FUNDS.**

“(a) RESERVATION.—Each State that receives a grant under this subpart may re-

serve not more than 1 percent of the State’s allocation under section 5913(b) for the purpose of administering the grant.

**“(b) FUNDS TO LOCAL EDUCATIONAL AGENCIES.—**

“(1) FORMULA SUBGRANTS.—From the grant funds that are not reserved under subsection (a), a State shall allocate not less than 50 percent to local educational agencies, including charter schools that are local educational agencies, that did not receive funds under section 5913(b)(1) from the Secretary, in accordance with their respective allocations under part A of title I for fiscal year 2015, except that no such local educational agency shall receive less than \$10,000.

“(2) ADDITIONAL SUBGRANTS.—The State shall use any funds remaining, after reserving funds under subsection (a) and allocating funds under paragraph (1), for subgrants to local educational agencies that did not receive funds under section 5913(b)(1), including charter schools that are local educational agencies, to support modernization, renovation, and repair projects that the State determines, using objective criteria, are most needed in the State, with priority given to projects in rural local educational agencies.

“(c) REMAINING FUNDS.—If a local educational agency does not apply for an allocation under subsection (b)(1), applies for less than its full allocation, or fails to use the allocation in a timely manner, the State may reallocate any unused portion to other local educational agencies in accordance with subsection (b).

**“SEC. 5915. STATE AND LOCAL APPLICATIONS.**

“(a) STATE APPLICATION.—A State that desires to receive a grant under this subpart shall submit an application to the Secretary at such time, in such manner, and containing such information and assurances as the Secretary may require, which shall include—

“(1) an identification of the State agency or entity that will administer the program;

“(2) a description of the State’s process for determining how the grant funds will be distributed and administered, including—

“(A) how the State will determine the criteria and priorities in making subgrants under section 5914(b)(2);

“(B) any additional criteria the State will use in determining which projects the State will fund under such section;

“(C) a description of how the State will consider—

“(i) the needs of local educational agencies for assistance under this subpart;

“(ii) the impact of potential projects on job creation in the State;

“(iii) the fiscal capacity of local educational agencies applying for assistance;

“(iv) the percentage of children in such local educational agencies who are from low-income families; and

“(v) the potential for leveraging assistance provided by the grant program through matching or other financing mechanisms;

“(D) a description of how the State will ensure that the local educational agencies receiving subgrants under this subpart meet the requirements of this subpart;

“(E) a description of how the State will ensure that the State and the local educational agencies in the State meet the deadlines established in section 5917;

“(F) a description of how the State will give priority to the use of green practices that are certified, verified, or consistent with any applicable provisions of—

“(i) the LEED Green Building Rating Sys-

tem; “(ii) Energy Star;

“(iii) the CHPS Criteria;

“(iv) Green Globes; or

“(v) an equivalent program adopted by the State or another jurisdiction with authority over the local educational agency; and

“(G) a description of the steps that the State will take to ensure that local educational agencies receiving subgrants will adequately maintain any facilities that are modernized, renovated, or repaired with subgrant funds under this subpart.

“(b) LOCAL APPLICATION.—A local educational agency that is eligible to receive a grant under section 5913(b)(1) and desires to receive such grant shall submit an application to the Secretary at such time, in such manner, and containing such information and assurances as the Secretary may require, which shall include—

“(1) a description of how the local educational agency will meet the deadlines and requirements of this subpart; and

“(2) a description of the steps that the local educational agency will take to adequately maintain any facilities that are modernized, renovated, or repaired with funds under this subpart.

**“SEC. 5916. USE OF FUNDS.**

“(a) IN GENERAL.—A local educational agency that receives funds under this subpart shall use such funds only for one or both of the following modernization, renovation, and repair activities in facilities that are used for elementary or secondary education or for early learning programs:

“(1) Direct payments for school modernization, renovation, and repair.

“(2) Payment of interest on bonds or payments for other financing instruments that are newly issued for the purpose of financing school modernization, renovation, and repair.

“(b) SUPPLEMENT, NOT SUPPLANT.—Funds made available under this subpart shall be used to supplement, and not supplant, other Federal, State, and local funds that would otherwise be expended to modernize, renovate, or repair eligible school facilities.

“(c) PROHIBITION.—Funds awarded to local educational agencies under this subpart shall not be used for—

“(1) new construction;

“(2) routine janitorial costs; or

“(3) modernization, renovation, and repair of stadiums or other facilities primarily used for athletic contests or exhibitions or other events for which admission is charged to the general public.

**“SEC. 5917. ADDITIONAL PROVISIONS.**

“(a) FUNDS AVAILABLE FOR OBLIGATION FOR TWO YEARS.—Funds appropriated under section 5912 shall be available for obligation by local educational agencies receiving grants from the Secretary under section 5913(b)(1), by States reserving funds under section 5914(a), and by local educational agencies receiving subgrants under section 5914(b)(1) only during the period that ends 24 months after the date of enactment of the Every Child Achieves Act of 2015.

“(b) FUNDS AVAILABLE FOR OBLIGATION FOR THREE YEARS.—Funds appropriated under section 5912 shall be available for obligation by local educational agencies receiving subgrants under section 5914(b)(2) only during the period that ends 36 months after the date of enactment of the Every Child Achieves Act of 2015.

“(c) NOT CONSIDERED LOCAL EDUCATIONAL AGENCIES.—For purposes of section 5913(b)(1), Hawaii, the District of Columbia, and the Commonwealth of Puerto Rico are not local educational agencies.

**“SEC. 5918. REPORTS.**

“(a) **DIRECT GRANTS TO LEAS.**—Each local educational agency that receives a grant under section 5913(b)(1) shall, not later than September 30, 2016, and annually thereafter for each fiscal year in which the local educational agency expends funds received under such section, submit to the Secretary a report that includes—

“(1) a description of the projects for which the grant was, or will be, used; and

“(2) the number of jobs created by the projects funded under such section.

“(b) **SUBGRANT TO LEAS THROUGH THE STATE.**—Each local educational agency that receives a subgrant from a State under paragraph (1) or (2) of section 5314(b) shall, not later than September 30, 2016, and annually thereafter for each fiscal year in which the local educational agency expends funds received under such section, submit to the State a report that includes—

“(1) a description of the projects for which the subgrant was, or will be, used; and

“(2) the number of jobs created by the projects funded under such section.

“(c) **STATE REPORT TO THE SECRETARY.**—Each State that receives a report described under subsection (b) shall submit a report to the Secretary containing the information in each report that such State receives in accordance with subsection (b).

**“Subpart 2—Community College Modernization**

**“SEC. 5921. FEDERAL ASSISTANCE FOR COMMUNITY COLLEGE MODERNIZATION.**

“(a) **IN GENERAL.**—

“(1) **GRANT PROGRAM.**—From the amount made available under subsection (g), the Secretary shall award grants to States to modernize, renovate, or repair existing facilities at community colleges.

“(2) **ALLOCATION.**—

“(A) **RESERVATIONS.**—From the amount made available to carry out this subpart for a fiscal year, the Secretary shall reserve—

“(i) not more than 0.25 percent for grants to institutions that are eligible to receive a grant under section 316 of the Higher Education Act of 1965 to provide for modernization, renovation, and repair activities described in this subpart; and

“(ii) not more than 0.25 percent for grants to the outlying areas to provide for modernization, renovation, and repair activities described in this subpart.

“(B) **ALLOCATION.**—

“(i) **IN GENERAL.**—Except as provided in clause (ii), from the funds made available to carry out this subpart for a fiscal year, and not reserved under subparagraph (A), the Secretary shall allocate to each State that has an application approved by the Secretary an amount that bears the same relation to such funds as the total number of students in such State who are enrolled in institutions described in section 5931(2)(A) plus the number of students who are estimated to be enrolled in and pursuing a degree or certificate that is not a baccalaureate, master's, professional, or other advanced degree at institutions described in section 5931(2)(B), based on the proportion of degrees or certificates awarded by such institutions that are not baccalaureate, master's, professional, or other advanced degrees, as reported to the Integrated Postsecondary Data System, bears to the estimated total number of such students in all States.

“(ii) **MINIMUM ALLOCATION.**—No State shall receive an allocation under clause (i) for a fiscal year that is less than \$2,500,000.

“(C) **REALLOCATION.**—Amounts not allocated under this section to a State because

the State either did not submit an application under subsection (b), the State submitted an application that the Secretary determined did not meet the requirements of such subsection, or the State cannot demonstrate to the Secretary a sufficient demand for projects to warrant the full allocation of the funds, shall be proportionately re-allocated under this paragraph to the other States that have a demonstrated need for, and are receiving, allocations under this section.

“(D) **STATE ADMINISTRATION.**—A State that receives a grant under this section may use not more than 1 percent of such grant for administration costs.

“(3) **SUPPLEMENT, NOT SUPPLANT.**—Funds made available under this section shall be used to supplement, and not supplant, other Federal, State, and local funds that would otherwise be expended to modernize, renovate, or repair existing community college facilities.

“(b) **APPLICATION.**—A State that desires to receive a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information and assurances as the Secretary may require. Such application shall include a description of—

“(1) how the funds provided under this section will improve—

“(A) instruction at community colleges in the State, including how faculty and staff will be consulted regarding uses of funds for projects that will improve instruction at community colleges in the State; and

“(B) the ability of such colleges to educate and train students to meet the workforce needs of employers in the State;

“(2) the projected start date of each project; and

“(3) the estimated number of persons who will be employed through each project.

“(c) **PROHIBITED USES OF FUNDS.**—

“(1) **IN GENERAL.**—Funds awarded under this section shall not be used for—

“(A) routine janitorial costs;

“(B) construction, modernization, renovation, and repair of stadiums or other facilities primarily used for athletic contests or exhibitions or other events for which admission is charged to the general public; or

“(C) construction, modernization, renovation, and repair of facilities—

“(i) used for sectarian instruction, religious worship, or a school or department of divinity; or

“(ii) in which a substantial portion of the functions of the facilities are subsumed in a religious mission.

“(2) **4-YEAR INSTITUTIONS.**—Funds awarded to a 4-year public institution of higher education under this section shall not be used for any facility, service, or program of the institution that is not available to students who are pursuing a degree or certificate that is not a baccalaureate, master's, professional, or other advanced degree.

“(d) **GREEN PROJECTS.**—In providing assistance to community college projects under this section, the State shall consider the extent to which a community college's project involves activities that are certified, verified, or consistent with the applicable provisions of—

“(1) the LEED Green Building Rating System;

“(2) Energy Star;

“(3) the CHPS Criteria, as applicable;

“(4) Green Globes; or

“(5) an equivalent program adopted by the State or the State higher education agency that includes a verifiable method to demonstrate compliance with such program.

“(e) **REPORTS.**—Each State that receives a grant under this subpart, shall, not later than September 30, 2016, and annually thereafter for each fiscal year in which the State expends funds received under this subpart, submit to the Secretary a report that includes—

“(1) a description of the projects for which the grant was, or will be, used;

“(2) a description of the amount and nature of the assistance provided to each community college under this subpart; and

“(3) the number of jobs created by the projects funded under this subpart.

“(f) **AVAILABILITY OF FUNDS.**—

“(1) **AUTHORIZATION OF APPROPRIATIONS; APPROPRIATION OF FUNDS.**—There are authorized to be appropriated, and there are appropriated, to carry out this section (in addition to any other amounts appropriated to carry out this section and out of any money in the Treasury not otherwise appropriated), \$5,000,000,000 for fiscal year 2016.

“(2) **FUNDS AVAILABLE FOR OBLIGATION.**—Funds appropriated under this subsection shall be available for obligation by community colleges only during the period that ends 36 months after the date of enactment of the Every Child Achieves Act of 2015.

**“Subpart 3—General Provisions**

**“SEC. 5931. DEFINITIONS.**

“In this part:

“(1) **COMMUNITY COLLEGE.**—The term ‘community college’ means—

“(A) a junior or community college, as that term is defined in section 312(f) of the Higher Education Act of 1965; or

“(B) a 4-year public institution of higher education that awards a significant number of degrees and certificates, as determined by the Secretary, that are not—

“(i) baccalaureate degrees (or an equivalent); or

“(ii) master's, professional, or other advanced degrees.

“(2) **CHPS CRITERIA.**—The term ‘CHPS Criteria’ means the green building rating program developed by the Collaborative for High Performance Schools.

“(3) **ENERGY STAR.**—The term ‘Energy Star’ means the Energy Star program of the Department of Energy and the Environmental Protection Agency.

“(4) **GREEN GLOBES.**—The term ‘Green Globes’ means the Green Building Initiative environmental design and rating system referred to as Green Globes.

“(5) **LEED GREEN BUILDING RATING SYSTEM.**—The term ‘LEED Green Building Rating System’ means the United States Green Building Council Leadership in Energy and Environmental Design green building rating standard referred to as the LEED Green Building Rating System.

“(6) **MODERNIZATION, RENOVATION, AND REPAIR.**—The term ‘modernization, renovation and repair’ means—

“(A) comprehensive assessments of facilities to identify—

“(i) facility conditions or deficiencies that could adversely affect student and staff health, safety, performance, or productivity or energy, water, or materials efficiency; and

“(ii) needed facility improvements;

“(B) repairing, replacing, or installing roofs (which may be extensive, intensive, or semi-intensive ‘green’ roofs), electrical wiring, water supply and plumbing systems, sewage systems, storm water runoff systems, lighting systems (or components of such systems); or building envelope, windows, ceilings, flooring, or doors, including security doors;

“(C) repairing, replacing, or installing heating, ventilation, or air conditioning systems, or components of those systems (including insulation), including by conducting indoor air quality assessments;

“(D) repairing, replacing, or installing an interior or exterior system that may include paint or coatings, wall covering, drywall or plaster, ceiling, baseboards, or floor covering;

“(E) compliance with fire, health, seismic, and safety codes, including professional installation of fire and life safety alarms, and modernizations, renovations, and repairs that ensure that facilities are prepared for such emergencies as acts of terrorism, campus violence, and natural disasters, such as improving building infrastructure to accommodate security measures and installing or upgrading technology to ensure that a school or incident is able to respond to such emergencies;

“(F) making modifications necessary to make educational facilities accessible in compliance with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), except that such modifications shall not be the primary use of a grant or subgrant;

“(G) abatement, removal, or interim controls of asbestos, polychlorinated biphenyls, mold, mildew, or lead-based hazards, including lead-based paint hazards;

“(H) retrofitting necessary to increase energy efficiency, which may include insulation or reducing heating and cooling costs through thermal coating of school facility roofs;

“(I) measures, such as selection and substitution of products and materials, and implementation of improved maintenance and operational procedures, such as ‘green cleaning’ programs, to reduce or eliminate potential student or staff exposure to—

“(i) volatile organic compounds;

“(ii) particles such as dust and pollens; or

“(iii) combustion gases;

“(J) modernization, renovation, or repair necessary to reduce the consumption of coal, electricity, land, oil, or water;

“(K) installation or upgrading of educational technology infrastructure;

“(L) installation or upgrading of renewable energy generation and heating systems, including solar, photovoltaic, wind, biomass (including wood pellet and woody biomass), waste-to-energy, solar-thermal, fuel cell, and geothermal systems, and energy audits;

“(M) modernization, renovation, or repair activities related to energy efficiency and renewable energy, including—

“(i) insulation of systems functioning as heating, venting, or air conditioning; and

“(ii) improvements to building infrastructures to accommodate bicycle and pedestrian access;

“(N) required environmental remediation related to facilities modernization, renovation, or repair activities described in subparagraphs (A) through (M);

“(O) ground improvements, storm water management, landscaping and environmental clean-up when necessary;

“(P) other modernization, renovation, or repair to—

“(i) improve teachers’ ability to teach and students’ ability to learn;

“(ii) ensure the health and safety of students and staff; or

“(iii) improve classroom, laboratory, and vocational facilities in order to enhance the quality of science, technology, engineering, and mathematics instruction; and

“(Q) measures designed to reduce or eliminate human exposure to classroom noise and environmental noise pollution.

“(7) **OUTLYING AREA.**—The term ‘outlying area’ means the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the Republic of Palau.

“(8) **STATE.**—The term ‘State’ means each of the 50 States of the United States, the Commonwealth of Puerto Rico, and the District of Columbia.

#### “SEC. 5932. BUY AMERICAN.

“Section 1605 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) shall apply to funds made available under this Act.

#### “SEC. 5933. COMPLIANCE WITH DAVIS-BACON ACT.

“All laborers and mechanics employed by contractors and subcontractors on projects funded directly by or assisted in whole or in part pursuant to this Act shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of part A of title 40, United States Code. With respect to the labor standards specified in this section, the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of title 40, United States Code.

#### “SEC. 5934. REPORTS.

“(a) **REPORT BY THE SECRETARY.**—The Secretary shall submit to the appropriations committees and the authorizing committees (as defined in section 103 of the Higher Education Act of 1965) of the House of Representatives and the Senate an annual report regarding the grants made under this Act, including the information described in sections 5918 and 5921(e).

“(b) **GAO.**—Not later than 2 years after the date of enactment of the Every Child Achieves Act of 2015, the Comptroller General of the United States shall submit to Congress a report evaluating the programs carried out under this part that includes an assessment of the impact and benefits of each school improvement project funded under this part.”.

**SA 2099.** Mr. BROWN (for himself, Mr. MANCHIN, and Mrs. CAPITO) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 447, between lines 16 and 17, insert the following:

“(X) designating a site resource coordinator at a school or local educational agency to provide a variety of services, such as—

“(i) establishing partnerships within the community to provide resources and support for schools;

“(ii) ensuring all service and community partners are aligned with the academic expectations of a community school in order to improve student success; and

“(iii) strengthening relationships between schools and communities; and

**SA 2100.** Mr. BROWN (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed to

amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 630, between lines 4 and 5, insert the following:

**SEC. 5011. FULL-SERVICE COMMUNITY SCHOOLS.** Title V (20 U.S.C. 7201 et seq.) is amended by adding at the end the following:

#### “PART J—FULL-SERVICE COMMUNITY SCHOOLS

##### “SECTION 5911. SHORT TITLE.

“This part may be cited as the ‘Full-Service Community Schools Act of 2015’.

##### “SEC. 5912. PURPOSES.

“The purposes of this title are to—

“(1) improve student learning and development by providing supports for students that enable them to graduate college- and career-ready;

“(2) provide support for the planning, implementation, and operation of full-service community schools;

“(3) improve the coordination and integration, accessibility, and effectiveness of services for children and families, particularly for students attending high-poverty schools, including high-poverty rural schools;

“(4) enable educators and school personnel to complement and enrich efforts to improve academic achievement and other results;

“(5) ensure that children have the physical, social, and emotional well-being to come to school ready to engage in the learning process every day;

“(6) promote and enable family and community engagement in the education of children;

“(7) enable more efficient use of Federal, State, local, and private sector resources that serve children and families;

“(8) facilitate the coordination and integration of programs and services operated by community-based organizations, nonprofit organizations, and State, local, and tribal governments;

“(9) engage students as resources to their communities; and

“(10) engage the business community and other community organizations as partners in the development and operation of full-service community schools.

##### “SEC. 5913. DEFINITION OF FULL-SERVICE COMMUNITY SCHOOL.

“In this part, the term ‘full-service community school’ means a public elementary school or secondary school that—

“(1) participates in a community-based effort to coordinate and integrate educational, developmental, family, health, and other comprehensive services through community-based organizations and public and private partnerships; and

“(2) provides access to such services to students, families, and the community, such as access during the school year (including before- and after-school hours and weekends), as well as during the summer.

##### “SEC. 5914. LOCAL PROGRAMS.

“(a) **GRANTS.**—The Secretary may award grants to eligible entities to assist public elementary schools or secondary schools to function as full-service community schools.

“(b) **USE OF FUNDS.**—Grants awarded under this section shall be used to—

“(1) coordinate not less than 3 existing qualified services and provide not less than 2 additional qualified services at 2 or more public elementary schools or secondary schools;

“(2) integrate multiple services into a comprehensive, coordinated continuum supported by research-based activities which achieve the performance goals established under subsection (c)(4)(E) to meet the holistic needs of children; and

“(3) if applicable, coordinate and integrate services provided by community-based organizations and government agencies with services provided by specialized instructional support personnel.

“(c) APPLICATION.—To seek a grant under this section, an eligible entity shall submit an application to the Secretary at such time and in such manner as the Secretary may require. The Secretary shall require that each such application include the following:

“(1) A description of the eligible entity.

“(2) A memorandum of understanding among all partner entities that will assist the eligible entity to coordinate and provide qualified services and that describes the roles the partner entities will assume.

“(3) A description of the capacity of the eligible entity to coordinate and provide qualified services at 2 or more full-service community schools.

“(4) A comprehensive plan that includes descriptions of the following:

“(A) The student, family, and school community to be served, including information about demographic characteristics that include major racial and ethnic groups, median family income, percentage of students eligible for free- and reduced-price lunch under the Richard B. Russell National School Lunch Act, and other information.

“(B) A needs assessment that identifies the academic, physical, social, emotional, health, mental health, and other needs of students, families, and community residents.

“(C) A community assets assessment which identifies existing resources, as of the date of the assessment, that could be aligned.

“(D) The most appropriate metric to describe the plan's reach within a community using either—

“(i) the number of families and students to be served, and the frequency of services; or

“(ii) the proportion of families and students to be served, and the frequency of services.

“(E) Yearly measurable performance goals, including an increase in the percentage of families and students targeted for services each year of the program, which are consistent with the following objectives:

“(i) Children are ready for school.

“(ii) Students are engaged and achieving academically.

“(iii) Students are physically, mentally, socially, and emotionally healthy.

“(iv) Schools and neighborhoods are safe and provide a positive climate for learning that is free from bullying or harassment.

“(v) Families are supportive and engaged in their children's education.

“(vi) Students and families are prepared for postsecondary education and 21st century careers.

“(vii) Students are contributing to their communities.

“(F) Performance measures to monitor progress toward attainment of the goals established under subparagraph (E), including a combination of the following, to the extent applicable:

“(i) Multiple objective measures of student achievement, including assessments, classroom grades, and other means of assessing student performance.

“(ii) Attendance (including absences related to illness and truancy) and chronic absenteeism rates.

“(iii) Disciplinary actions against students, including suspensions and expulsions.

“(iv) Access to health care and treatment of illnesses demonstrated to impact academic achievement.

“(v) Performance in making progress toward intervention services goals as established by specialized instructional support personnel.

“(vi) Participation rates by parents and family members in school-sanctioned activities and activities that occur as a result of community and school collaboration, as well as activities intended to support adult education and workforce development.

“(vii) Number and percentage of students and family members provided services under this part.

“(viii) Valid measures of postsecondary education and career readiness.

“(ix) Service-learning and community service participation rates.

“(x) Student satisfaction surveys.

“(G) Qualified services, including existing and additional qualified services, to be coordinated and provided by the eligible entity and its partner entities, including an explanation of—

“(i) why such services have been selected;

“(ii) how such services will improve student academic achievement; and

“(iii) how such services will address performance goals established under subparagraph (E).

“(H) Plans to ensure that each site has full-time coordination of qualified services at each full-service community school, including coordination with the specialized instructional support personnel employed prior to the receipt of the grant.

“(I) Planning, coordination, management, and oversight of qualified services at each school to be served, including the role of the school principal, partner entities, parents, and members of the community.

“(J) Funding sources for qualified services to be coordinated and provided at each school to be served, including whether such funding is derived from a grant under this section or from other Federal, State, local, or private sources.

“(K) Plans for professional development for personnel managing, coordinating, or delivering qualified services at the schools to be served.

“(L) Plans for joint utilization and maintenance of school facilities by the eligible entity and its partner entities.

“(M) How the eligible entity and its partner entities will focus services on schools eligible for a schoolwide program under section 1113(c).

“(N) Plans for periodic evaluation based upon attainment of the performance measures described in subparagraph (F).

“(O) How the qualified services will meet the principles of effectiveness described in subsection (d).

“(5) A plan for sustaining the programs and services outlined in this part.

“(d) PRINCIPLES OF EFFECTIVENESS.—For a program developed pursuant to this section to meet principles of effectiveness, such program shall be based upon—

“(1) an assessment of objective data regarding the need for the establishment of a full-service community school and qualified services at each school to be served and in the community involved;

“(2) an established set of performance measures aimed at ensuring the availability and effectiveness of high-quality services; and

“(3) if appropriate, scientifically based research that provides evidence that the quali-

fied services involved will help students meet State and local student academic achievement standards.

“(e) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to eligible entities that—

“(1)(A) will serve a minimum of 2 or more full-service community schools eligible for a schoolwide program under section 1113(c), as part of a community- or district-wide strategy; or

“(B) include a local educational agency that satisfies the requirements of—

“(i) subparagraph (A) or (B) of section 6211(b)(1); or

“(ii) subparagraphs (A) and (B) of section 6221(b)(1); and

“(2) will be connected to a consortium comprised of a broad representation of stakeholders, or a consortium demonstrating a history of effectiveness.

“(f) GRANT PERIOD.—Each grant awarded under this section shall be for a period of 5 years and may be renewed at the discretion of the Secretary based on the eligible entity's demonstrated effectiveness in meeting the performance goals and measures established under subparagraphs (E) and (F) of subsection (c)(4).

“(g) PLANNING.—The Secretary may authorize an eligible entity to use grant funds under this section for planning purposes in an amount not greater than 10 percent of the total grant amount.

“(h) MINIMUM AMOUNT.—The Secretary may not award a grant to an eligible entity under this section in an amount that is less than \$75,000 for each year of the 5-year grant period.

“(i) DEFINITIONS.—In this section:

“(1) ADDITIONAL QUALIFIED SERVICES.—The term ‘additional qualified services’ means qualified services directly funded under this part.

“(2) ELIGIBLE ENTITY.—The term ‘eligible entity’ means a consortium of 1 or more local educational agencies and 1 or more community-based organizations, nonprofit organizations, or other public or private entities.

“(3) EXISTING QUALIFIED SERVICES.—The term ‘existing qualified services’ means qualified services already being financed, as of the time of the application, by Federal, State, local, or private sources, or volunteer activities being supported as of such time by civic, business, faith-based, social, or other similar organizations.

“(4) QUALIFIED SERVICES.—The term ‘qualified services’ means any of the following:

“(A) Early childhood education.

“(B) Remedial education activities and enrichment activities, including expanded learning time.

“(C) Summer or after-school enrichment and learning experiences.

“(D) Programs under the Head Start Act, including Early Head Start programs.

“(E) Nurse home visitation services.

“(F) Teacher home visiting.

“(G) Programs that promote parental involvement and family literacy.

“(H) Mentoring and other youth development programs, including peer mentoring and conflict mediation.

“(I) Parent leadership development activities.

“(J) Parenting education activities.

“(K) Child care services.

“(L) Community service and service-learning opportunities.

“(M) Developmentally appropriate physical education.

“(N) Programs that provide assistance to students who have been truant, suspended, or expelled.

“(O) Job training, internship opportunities, and career counseling services.

“(P) Nutrition services.

“(Q) Primary health and dental care.

“(R) Mental health counseling services.

“(S) Adult education, including instruction in English as a second language.

“(T) Juvenile crime prevention and rehabilitation programs.

“(U) Specialized instructional support services.

“(V) Homeless prevention services.

“(W) Other services consistent with this part.

#### “SEC. 5915. STATE PROGRAMS.

“(a) GRANTS.—The Secretary may award grants to State collaboratives to support the development of full-service community school programs in accordance with this section.

“(b) USE OF FUNDS.—Grants awarded under this section shall be used only for the following:

“(1) Developing a State comprehensive results and indicators framework to implement full-service community schools, consistent with performance goals described in section 5914(c)(4)(E).

“(2) Planning, coordinating, and expanding the development of full-service community schools in the State, particularly such schools in high-poverty local educational agencies, including high-poverty rural local educational agencies.

“(3) Providing technical assistance and training for full-service community schools, including professional development for personnel and creation of data collection and evaluation systems.

“(4) Collecting, evaluating, and reporting data about the progress of full-service community schools.

“(5) Evaluating the impact of Federal and State policies and guidelines on the ability of eligible entities (as defined in section 5914(i)) to integrate Federal and State programs at full-service community schools, and taking action to make necessary changes.

“(c) APPLICATION.—To seek a grant under this section, a State collaborative shall submit an application to the Secretary at such time and in such manner as the Secretary may require. The Secretary shall require that each such application include the following:

“(1) A memorandum of understanding among all governmental agencies and non-profit organizations that will participate as members of the State collaborative.

“(2) A description of the expertise of each member of the State collaborative—

“(A) in coordinating Federal and State programs across multiple agencies;

“(B) in working with and developing the capacity of full-service community schools; and

“(C) in working with high-poverty schools or rural schools and local educational agencies.

“(3) A comprehensive plan describing how the grant will be used to plan, coordinate, and expand the delivery of services at full-service community schools.

“(4) A comprehensive accountability plan that will be used to demonstrate effectiveness, including the measurable performance goals of the program and performance measures to monitor progress and assess services’ impact on students and families and academic achievement.

“(5) An explanation of how the State collaborative will work to ensure State policies and guidelines can support the development of full-service community schools, as well as provide technical assistance and training, including professional development, for full-service community schools.

“(6) An explanation of how the State will collect and evaluate information on full-service community schools.

“(d) GRANT PERIOD.—Each grant awarded under this section shall be for a period of 5 years.

“(e) MINIMUM AMOUNT.—The Secretary may not award a grant to a State collaborative under this section in an amount that is less than \$500,000 for each year of the 5-year grant period.

“(f) DEFINITIONS.—For purposes of this section:

“(1) STATE.—The term ‘State’ includes the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the United States Virgin Islands, and any other territory or possession of the United States.

“(2) STATE COLLABORATIVE.—The term ‘State collaborative’ means a collaborative of a State educational agency and not less than 2 other governmental agencies or non-profit organizations that provide services to children and families.

#### “SEC. 5916. ADVISORY COMMITTEE.

“(a) ESTABLISHMENT.—There is hereby established an advisory committee to be known as the ‘Full-Service Community Schools Advisory Committee’ (in this section referred to as the ‘Advisory Committee’).

“(b) DUTIES.—Subject to subsection (c), the Advisory Committee shall—

“(1) consult with the Secretary on the development and implementation of programs under this part;

“(2) identify strategies to improve the coordination of Federal programs in support of full-service community schools; and

“(3) issue an annual report to Congress on efforts under this part, including a description of—

“(A) the results of local and national evaluations of such efforts; and

“(B) the scope of services being coordinated under this part.

“(c) CONSULTATION.—In carrying out its duties under this section, the Advisory Committee shall consult annually with eligible entities awarded grants under section 5914, State collaboratives awarded grants under section 5915, and other entities with expertise in operating full-service community schools.

“(d) MEMBERS.—The Advisory Committee shall consist of 5 members as follows:

“(1) The Secretary of Education (or the Secretary’s delegate).

“(2) The Attorney General of the United States (or the Attorney General’s delegate).

“(3) The Secretary of Agriculture (or the Secretary’s delegate).

“(4) The Secretary of Health and Human Services (or the Secretary’s delegate).

“(5) The Secretary of Labor (or the Secretary’s delegate).

#### “SEC. 5917. GENERAL PROVISIONS.

“(a) TECHNICAL ASSISTANCE.—The Secretary, directly or through grants, shall provide such technical assistance as may be appropriate to accomplish the purposes of this part.

“(b) EVALUATIONS BY SECRETARY.—The Secretary shall conduct evaluations on the effectiveness of grants under sections 5914

and 5915 in achieving the purposes of this part.

“(c) EVALUATIONS BY GRANTEES.—The Secretary shall require each recipient of a grant under this part—

“(1) to conduct periodic evaluations of the progress achieved with the grant toward achieving the purposes of this part;

“(2) to use such evaluations to refine and improve activities conducted with the grant and the performance measures for such activities; and

“(3) to make the results of such evaluations publicly available, including by providing public notice of such availability.

“(d) CONSTRUCTION CLAUSE.—Nothing in this part shall be construed to alter or otherwise affect the rights, remedies, and procedures afforded school or school district employees under Federal, State, or local laws (including applicable regulations or court orders) or under the terms of collective bargaining agreements, memoranda of understanding, or other agreements between such employees and their employers.

“(e) SUPPLEMENT, NOT SUPPLANT.—Funds made available to a grantee under this part may be used only to supplement, and not supplant, any other Federal, State, or local funds that would otherwise be available to carry out the activities assisted under this part.

“(f) MATCHING FUNDS.—

“(1) IN GENERAL.—The Secretary shall require each recipient of a grant under this part to provide matching funds from non-Federal sources in an amount determined under paragraph (2).

“(2) DETERMINATION OF AMOUNT OF MATCH.—

“(A) SLIDING SCALE.—Subject to subparagraph (B), the Secretary shall determine the amount of matching funds to be required of a grantee under this subsection based on a sliding fee scale that takes into account—

“(i) the relative poverty of the population to be targeted by the grantee; and

“(ii) the ability of the grantee to obtain such matching funds.

“(B) MAXIMUM AMOUNT.—The Secretary may not require any grantee under this part to provide matching funds in an amount that exceeds the amount of the grant award.

“(3) IN-KIND CONTRIBUTIONS.—The Secretary shall permit grantees under this part to match funds in whole or in part with in-kind contributions.

“(4) CONSIDERATION.—Notwithstanding this subsection, the Secretary shall not consider an applicant’s ability to match funds when determining which applicants will receive grants under this part.

“(g) SPECIAL RULE.—Entities receiving funds under this part shall comply with all existing Federal statutes that prohibit discrimination.

#### “SEC. 5918. AUTHORIZATION OF APPROPRIATIONS.

“(a) IN GENERAL.—There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.

“(b) ALLOCATION.—Of the amounts appropriated to carry out this part for each fiscal year—

“(1) 85 percent shall be for section 5914, and of the funds available for new grants awarded under such section after the date of enactment of the Every Child Achieves Act of 2015, not less than 10 percent of such funds shall be made available for local educational agencies that satisfy the requirements of—

“(A) subparagraph (A) or (B) of section 6211(b)(1); or

“(B) subparagraphs (A) and (B) of section 6221(b)(1);

“(2) 10 percent shall be for section 5915; and  
 “(3) 5 percent shall be for subsections (a) and (b) of section 5917, of which not less than \$500,000 shall be for technical assistance under section 5917(a).”.

**SA 2101.** Mr. ENZI submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

**SEC. 1020 . . . PROTECTION OF THE RIGHTS AND PRIVACY OF PARENTS AND STUDENTS.**

Section 444 of the General Education Provisions Act (20 U.S.C. 1232g) is amended—

(1) in subsection (a)(4)(A)(ii), by striking “by an educational agency or institution, or by a person acting for such agency or institution” and inserting “in any format by an educational agency or institution, by a person or third party collecting or maintaining such information through the active intervention, facilitation, or authorization of such agency or institution, or by a person or third party acting for such agency or institution”; and

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking subparagraph (A) and inserting the following:

“(A)(i) employees and other school officials, including teachers within the educational institution or local educational agency, who have been determined by such agency or institution to have legitimate educational interests, including the educational interests of the child for whom consent would otherwise be required; or

“(ii) a contractor, or an organization conducting a study under subparagraph (F), if such contractor or organization—

“(I) performs an institutional service of function for which the educational agency or institution would otherwise use employees; or

“(II) is under the direct control of the educational agency or institution with respect to the use and maintenance of education records;

“(III) limits internal access to education records to those individuals who are determined to have legitimate educational interests;

“(IV) does not use education records for any other purposes than those explicitly authorized in the contract or agreement;

“(V) does not disclose any personally identifiable information to any other party—

“(aa) without the prior written consent of the parent of the student; or

“(bb) unless required by law or court order, in which case the party shall provide a notice of the required disclosure to the educational agency or institution that provided the information by not later than the date the disclosure is required except when providing notice of the disclosure is expressly prohibited by the law or court order;

“(VI) maintains reasonable administrative, technical, and physical safeguards to protect the security, confidentiality, and integrity of student personally identifiable information in its custody;

“(VII) uses encryption technologies to protect data while in motion or in its custody from unauthorized disclosure using a technology or methodology specified by the Secretary of Health and Human Services in the

guidance issued on April 27, 2009 (74 Fed. Reg. 19006) under section 13402(h)(2) of the American Recovery and Reinvestment Act of 2009 (42 U.S.C. 17932(h)(2));

“(VIII) has sufficient administrative and technical procedures to monitor continuously the security of personally identifiable information in the custody of the contractor or organization;

“(IX) conducts a security audit annually and provides the results of that audit to the educational agency or institution from which the contractor, consultant, or other party received education records;

“(X) provides the educational agency or institution with a breach remediation plan acceptable to the educational agency or institution prior to initial receipt of education records;

“(XI) reports all suspected security breaches to the educational agency or institution that provided education records as soon as possible, but not later than 48 hours, after a suspected breach was known or would have been known by exercising reasonable diligence;

“(XII) reports all actual security breaches to the educational agency or institution that provided education records as soon as possible, but no later than 24 hours after an actual breach was known or would have been known by exercising reasonable diligence;

“(XIII) in the event of a security breach or unauthorized disclosure of personally identifiable information, pays all costs and liabilities incurred by the educational agency or institution providing the education record related to the security breach or unauthorized disclosure, including the costs of—

“(aa) responding to inquiries about the security breach or unauthorized disclosure;

“(bb) notifying individuals, including parents of students, whose personally identifiable information was held by the contractor, consultant, or other party about the breach or unauthorized disclosure;

“(cc) mitigating the effects of the breach or unauthorized disclosure for such individuals; and

“(dd) investigating the cause or consequences of the security breach or unauthorized disclosure; and

“(XIV) destroys or returns to the educational agency or institution all personally identifiable information in its custody upon request and at the termination of the contract or agreement;”;

(ii) in subparagraph (C)(i), by inserting “under the direct control” after “authorized representatives”; and

(iii) by striking subparagraph (F) and inserting the following:

“(F) organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction, if such studies are—

“(i) explicitly approved by the educational agencies or institutions through a written agreement;

“(ii) conducted in such a manner as will not permit the personal identification of students and their parents by persons other than representatives of such organizations and such information will be destroyed when no longer needed for the purpose for which it is conducted; and

“(iii) consistent with subparagraph (A)(ii);”;

(B) in paragraph (3), by inserting “administered by State or local educational agencies or by an institution” after “Federally-supported education program”; and

(C) in paragraph (5), by inserting “administered by a State or local educational agency or by an institution” after “State supported education program”.

**SA 2102.** Mr. MANCHIN (for himself, Mr. BROWN, and Mrs. CAPITO) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 137, between lines 7 and 8, insert the following:

“(6) COMPREHENSIVE SERVICES.—If health, nutrition, and other social services are not otherwise available to children in a school operating a schoolwide program under this section and such school, if appropriate, has established a collaborative partnership with local service providers and funds are not reasonably available from other public or private sources to provide such services, then the school may use a portion of the funds provided under this subsection to provide such services to economically disadvantaged students, including through—

“(A) the provision of basic medical equipment and services, such as eyeglasses and hearing aids;

“(B) compensation of a coordinator;

“(C) family support and engagement services;

“(D) health care services and integrated student supports to address the physical, mental, and emotional well-being of children; and

“(E) professional development necessary to assist teachers, specialized instructional support personnel, other staff, and parents in identifying and meeting the comprehensive needs of the children in the school.

**SA 2103.** Mr. MANCHIN (for himself and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 444, strike line 2 and insert the following:

school; or

“(iii) promote volunteerism and community service;”.

**SA 2104.** Mr. MANCHIN (for himself and Ms. AYOTTE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 69, between lines 16 and 17, insert the following:

“(N) how the State educational agency will provide support to local educational agencies for the education of children facing substance abuse in the home, which may include how such agency will provide professional



development, training, and technical assistance to local educational agencies, elementary schools, and secondary schools in communities with high rates of substance abuse; and”.

**SA 2105.** Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 181, between lines 18 and 19, insert the following:

(b) COMPARABILITY OF SERVICES.—Section 1117, as redesignated by section 1004(3) and amended by this section, is further amended by striking subsection (c) and inserting the following:

“(c) COMPARABILITY.—

“(1) IN GENERAL.—

“(A) COMPARABILITY.—Beginning for the 2017–2018 school year, a local educational agency may receive funds under this part only if the local educational agency demonstrates to the State educational agency that the combined State and local per-pupil expenditures (including actual personnel and actual non-personnel expenditures) in each school served under this part, in the most recent year for which such data are available, were not less than the average combined State and local per-pupil expenditures (including actual personnel and actual non-personnel expenditures) for those schools that are not served under this part.

“(B) ALTERNATIVE COMPARABILITY.—If the local educational agency is serving all of the schools under its jurisdiction under this part, the agency shall demonstrate to the State educational agency that the combined State and local per-pupil expenditures (including actual personnel and actual non-personnel expenditures) for each of its higher-poverty schools, in the most recent year for which such data are available, were not less than the average combined State and local per-pupil expenditures (including actual personnel and actual non-personnel expenditures) for its lower-poverty schools.

“(C) BASIS.—A local educational agency may meet the requirements of subparagraphs (A) and (B) on a local educational agency-wide basis or a grade-span by grade-span basis.

“(D) EXCLUSION OF FUNDS.—

“(i) IN GENERAL.—For the purpose of complying with this paragraph, a local educational agency shall exclude any State or local funds expended in any school for—

“(I) excess costs of providing services to English learners;

“(II) excess costs of providing services to children with disabilities;

“(III) capital expenditures; and

“(IV) such other expenditures as the Secretary determines appropriate.

“(ii) CHANGES AFTER THE BEGINNING OF THE SCHOOL YEAR.—A local educational agency need not include unpredictable changes in student enrollment or personnel assignments that occur after the beginning of a school year in determining compliance under this subsection.

“(2) DOCUMENTATION.—A local educational agency shall demonstrate that it is meeting the requirements of paragraph (1) by submitting to the State educational agency for each school served by the local educational agency—

“(A) the State and local per-pupil expenditures (including actual personnel expenditures and actual non-personnel expenditures);

“(B) actual personnel expenditures from State and local sources;

“(C) actual non-personnel expenditures from State and local sources; and

“(D) total expenditures from State and local sources.

“(3) INAPPLICABILITY.—This subsection shall not apply to a local educational agency that does not have more than 1 building for each grade span.

“(4) PROCESS AND PROCEDURES.—

“(A) LOCAL EDUCATIONAL AGENCY RESPONSIBILITIES.—Each local educational agency assisted under this part shall, by October 31, 2018, report to the State educational agency on its compliance with the requirements of this subsection for the preceding school year, including by providing a listing, by school, of actual combined per-pupil State and local personnel and non-personnel expenditures, consistent with paragraph (2).

“(B) STATE EDUCATIONAL AGENCY RESPONSIBILITIES.—Each State educational agency assisted under this part shall ensure that the information under subparagraph (A), including the listings of expenditures by school, is made publicly available by the State or the local educational agency.

“(5) TRANSITION PROVISIONS.—

“(A) SCHOOL YEARS PRECEDING THE 2017–2018 SCHOOL YEAR.—For school years preceding the 2017–2018 school year, a local educational agency may receive funds under this part only if the local educational agency demonstrates to the State educational agency that the local educational agency meets the requirements of this subsection, as in effect on the day before the date of enactment of the Every Child Achieves Act of 2015.

“(B) TRANSITION BETWEEN REQUIREMENTS.—The Secretary shall take such steps as are necessary to provide for the orderly transition between the requirements under this section, as in effect on the day before the date of enactment of the Every Child Achieves Act of 2015, and the new requirements under this section, as amended by such Act.

“(6) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to require a local educational agency to transfer school personnel in order to comply with this subsection.

“(7) DEFINITIONS.—For the purposes of this subsection:

“(A) HIGHER-POVERTY SCHOOL.—The term ‘higher poverty school’ means a school that is in the highest 3 quartiles of schools served by a local educational agency, based on the percentage of enrolled students from low-income families.

“(B) LOWER-POVERTY SCHOOL.—The term ‘lower poverty school’ means a school that is in the lowest quartile of schools served by a local educational agency, based on the percentage of enrolled students from low-income families.”.

**SA 2106.** Ms. WARREN submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 361, line 3, strike “school leaders, and” and insert “school leaders, specialized

instructional support personnel (as appropriate), and”.

On page 362, line 19, insert “specialized instructional support personnel (as appropriate),” after “other school leaders.”.

On page 364, line 20, strike “and school personnel” and insert “school personnel, and specialized instructional support personnel (as appropriate)”.

On page 366, line 5, strike “and school personnel” and insert “specialized instructional support personnel (as appropriate), and school personnel”.

On page 367, line 2, insert “or specialized instructional support personnel” after “librarians”.

**SA 2107.** Mr. TESTER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 654, strike lines 7 through 10.

On page 683, lines 16 and 17, strike “7132, as redesignated by section 7001(2),” and insert “7135”.

On page 683, line 18, strike “7132” and insert “7135”.

**SA 2108.** Mrs. GILLIBRAND (for herself and Ms. AYOTTE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 369, strike lines 1 and 2 and insert the following:

“(2) improving student engagement in, and increasing student access to, such subjects, including for students from groups underrepresented in such subjects, such as female students, minority students, English learners, children with disabilities, and economically disadvantaged students;

Beginning on page 374, strike lines 17 through 22 and insert the following:

“(C) how the State’s proposed project will ensure increased access for students who are members of groups underrepresented in science, technology, engineering, and mathematics subject fields (which may include female students, minority students, English learners, children with disabilities, and economically disadvantaged students) to high-quality courses in 1 or more of the identified subjects; and

On page 375, strike lines 8 through 12 and insert the following:

“(1) Increasing access for students through grade 12 who are members of groups underrepresented in science, technology, engineering, and mathematics subject fields, such as female students, minority students, English learners, children with disabilities, and economically disadvantaged students, to high-quality courses in the identified subjects.

On page 377, between lines 22 and 23, insert the following:

“(iii) A description of how the eligible subgrantee will use funds provided under this subsection for services and activities to increase access for students who are members of groups underrepresented in science, technology, engineering, and mathematics subject fields, which may include female students, minority students, English learners,

children with disabilities, and economically disadvantaged students, to high-quality courses in 1 or more of the State's identified subjects. Such activities and services may include after-school activities or other informal learning opportunities designed to encourage interest and develop skills in 1 or more of such subjects.

On page 381, between lines 4 and 5, insert the following:

“(iv) broaden student access to mentorship, tutoring, and after-school activities or other informal learning opportunities designed to encourage interest and develop skills in 1 or more of the State's identified subjects;

**SA 2109.** Ms. HIRONO (for herself and Mr. HELLER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 43, between lines 5 and 6, insert the following:

“(VI) for local educational agencies with not less than 1,000 total Asian and Native Hawaiian/Pacific Islander students, the same race response categories as the decennial census of the population; and

**SA 2110.** Mr. DAINES (for himself, Mr. GRASSLEY, Mr. CRUZ, Mr. VITTER, Mr. JOHNSON, Mr. LEE, Mr. LANKFORD, Mr. BLUNT, and Mr. CRAPO) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

After part B of title X, insert the following:

#### **PART C—A PLUS ACT**

##### **SECTION 10301. SHORT TITLE; PURPOSE; DEFINITIONS.**

(a) **SHORT TITLE.**—This part may be cited as the “Academic Partnerships Lead Us to Success Act” or the “A PLUS Act”.

(b) **PURPOSE.**—The purposes of this part are as follows:

(1) To give States and local communities added flexibility to determine how to improve academic achievement and implement education reforms.

(2) To reduce the administrative costs and compliance burden of Federal education programs in order to focus Federal resources on improving academic achievement.

(3) To ensure that States and communities are accountable to the public for advancing the academic achievement of all students, especially disadvantaged children.

##### **(c) DEFINITIONS.**—

(1) **IN GENERAL.**—Except as otherwise provided, the terms used in this part have the meanings given the terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801 et seq.).

##### **(2) OTHER TERMS.**—In this part:

(A) **ACCOUNTABILITY.**—The term “accountability” means that public schools are answerable to parents and other taxpayers for the use of public funds and shall report student progress to parents and taxpayers regularly.

(B) **DECLARATION OF INTENT.**—The term “declaration of intent” means a decision by a State, as determined by State Authorizing Officials or by referendum, to assume full management responsibility for the expenditure of Federal funds for certain eligible programs for the purpose of advancing, on a more comprehensive and effective basis, the educational policy of such State.

(C) **STATE.**—The term “State” has the meaning given such term in section 1122(e) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6332(e)).

(D) **STATE AUTHORIZING OFFICIALS.**—The term “State Authorizing Officials” means the State officials who shall authorize the submission of a declaration of intent, and any amendments thereto, on behalf of the State. Such officials shall include not less than 2 of the following:

(i) The governor of the State.

(ii) The highest elected education official of the State, if any.

(iii) The legislature of the State.

(E) **STATE DESIGNATED OFFICER.**—The term “State Designated Officer” means the person designated by the State Authorizing Officials to submit to the Secretary, on behalf of the State, a declaration of intent, and any amendments thereto, and to function as the point-of-contact for the State for the Secretary and others relating to any responsibilities arising under this part.

##### **SEC. 10302. DECLARATION OF INTENT.**

(a) **IN GENERAL.**—Each State is authorized to submit to the Secretary a declaration of intent permitting the State to receive Federal funds on a consolidated basis to manage the expenditure of such funds to advance the educational policy of the State.

(b) **PROGRAMS ELIGIBLE FOR CONSOLIDATION AND PERMISSIBLE USE OF FUNDS.**—

(1) **SCOPE.**—A State may choose to include within the scope of the State's declaration of intent any program for which Congress makes funds available to the State if the program is for a purpose described in the Elementary and Education Secondary Act of 1965 (20 U.S.C. 6301). A State may not include any program funded pursuant to the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).

(2) **USES OF FUNDS.**—Funds made available to a State pursuant to a declaration of intent under this part shall be used for any educational purpose permitted by State law of the State submitting a declaration of intent.

(3) **REMOVAL OF FISCAL AND ACCOUNTING BARRIERS.**—Each State educational agency that operates under a declaration of intent under this part shall modify or eliminate State fiscal and accounting barriers that prevent local educational agencies and schools from easily consolidating funds from other Federal, State, and local sources in order to improve educational opportunities and reduce unnecessary fiscal and accounting requirements.

(c) **CONTENTS OF DECLARATION.**—Each declaration of intent shall contain—

(1) a list of eligible programs that are subject to the declaration of intent;

(2) an assurance that the submission of the declaration of intent has been authorized by the State Authorizing Officials, specifying the identity of the State Designated Officer;

(3) the duration of the declaration of intent;

(4) an assurance that the State will use fiscal control and fund accounting procedures;

(5) an assurance that the State will meet the requirements of applicable Federal civil rights laws in carrying out the declaration of

intent and in consolidating and using the funds under the declaration of intent;

(6) an assurance that in implementing the declaration of intent the State will seek to advance educational opportunities for the disadvantaged;

(7) a description of the plan for maintaining direct accountability to parents and other citizens of the State; and

(8) an assurance that in implementing the declaration of intent, the State will seek to use Federal funds to supplement, rather than supplant, State education funding.

(d) **DURATION.**—The duration of the declaration of intent shall not exceed 5 years.

(e) **REVIEW AND RECOGNITION BY THE SECRETARY.**—

(1) **IN GENERAL.**—The Secretary shall review the declaration of intent received from the State Designated Officer not more than 60 days after the date of receipt of such declaration, and shall recognize such declaration of intent unless the declaration of intent fails to meet the requirements under subsection (c).

(2) **RECOGNITION BY OPERATION OF LAW.**—If the Secretary fails to take action within the time specified in paragraph (1), the declaration of intent, as submitted, shall be deemed to be approved.

(f) **AMENDMENT TO DECLARATION OF INTENT.**—

(1) **IN GENERAL.**—The State Authorizing Officials may direct the State Designated Officer to submit amendments to a declaration of intent that is in effect. Such amendments shall be submitted to the Secretary and considered by the Secretary in accordance with subsection (e).

(2) **AMENDMENTS AUTHORIZED.**—A declaration of intent that is in effect may be amended to—

(A) expand the scope of such declaration of intent to encompass additional eligible programs;

(B) reduce the scope of such declaration of intent by excluding coverage of a Federal program included in the original declaration of intent;

(C) modify the duration of such declaration of intent; or

(D) achieve such other modifications as the State Authorizing Officials deem appropriate.

(3) **EFFECTIVE DATE.**—The amendment shall specify an effective date. Such effective date shall provide adequate time to assure full compliance with Federal program requirements relating to an eligible program that has been removed from the coverage of the declaration of intent by the proposed amendment.

(4) **TREATMENT OF PROGRAM FUNDS WITHDRAWN FROM DECLARATION OF INTENT.**—Beginning on the effective date of an amendment executed under paragraph (2)(B), each program requirement of each program removed from the declaration of intent shall apply to the State's use of funds made available under the program.

##### **SEC. 10303. TRANSPARENCY FOR RESULTS OF PUBLIC EDUCATION.**

(a) **IN GENERAL.**—Each State operating under a declaration of intent under this part shall inform parents and the general public regarding the student achievement assessment system, demonstrating student progress relative to the State's determination of student proficiency, as described in paragraph (2), for the purpose of public accountability to parents and taxpayers.

(b) **ACCOUNTABILITY SYSTEM.**—The State shall determine and establish an accountability system to ensure accountability under this part.

(c) REPORT ON STUDENT PROGRESS.—Not later than 1 year after the effective date of the declaration of intent, and annually thereafter, a State shall disseminate widely to parents and the general public a report that describes student progress. The report shall include—

(1) student performance data disaggregated in the same manner as data are disaggregated under section 1111(b)(3)(A) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(3)(A)); and

(2) a description of how the State has used Federal funds to improve academic achievement, reduce achievement disparities between various student groups, and improve educational opportunities for the disadvantaged.

#### SEC. 10304. ADMINISTRATIVE EXPENSES.

(a) IN GENERAL.—Except as provided in subsection (b), the amount that a State with a declaration of intent may expend for administrative expenses shall be limited to 1 percent of the aggregate amount of Federal funds made available to the State through the eligible programs included within the scope of such declaration of intent.

(b) STATES NOT CONSOLIDATING FUNDS UNDER PART A OF TITLE I.—If the declaration of intent does not include within its scope part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.), the amount spent by the State on administrative expenses shall be limited to 3 percent of the aggregate amount of Federal funds made available to the State pursuant to such declaration of intent.

#### SEC. 10305. EQUITABLE PARTICIPATION OF PRIVATE SCHOOLS.

Each State consolidating and using funds pursuant to a declaration of intent under this part shall provide for the participation of private school children and teachers in the activities assisted under the declaration of intent in the same manner as participation is provided to private school children and teachers under section 9501 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7881).

**SA 2111.** Mr. MCCAIN (for himself and Mr. REID) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of part B of title X, add the following:

#### SEC. \_\_\_\_\_. POSTHUMOUS PARDON.

(a) FINDINGS.—Congress finds the following:

(1) John Arthur “Jack” Johnson was a flamboyant, defiant, and controversial figure in the history of the United States who challenged racial biases.

(2) Jack Johnson was born in Galveston, Texas, in 1878 to parents who were former slaves.

(3) Jack Johnson became a professional boxer and traveled throughout the United States, fighting White and African-American heavyweights.

(4) After being denied (on purely racial grounds) the opportunity to fight 2 White champions, in 1908, Jack Johnson was granted an opportunity by an Australian promoter to fight the reigning White title-holder, Tommy Burns.

(5) Jack Johnson defeated Tommy Burns to become the first African-American to hold the title of Heavyweight Champion of the World.

(6) The victory by Jack Johnson over Tommy Burns prompted a search for a White boxer who could beat Jack Johnson, a recruitment effort that was dubbed the search for the “great white hope”.

(7) In 1910, a White former champion named Jim Jeffries left retirement to fight Jack Johnson in Reno, Nevada.

(8) Jim Jeffries lost to Jack Johnson in what was deemed the “Battle of the Century”.

(9) The defeat of Jim Jeffries by Jack Johnson led to rioting, aggression against African-Americans, and the racially-motivated murder of African-Americans throughout the United States.

(10) The relationships of Jack Johnson with White women compounded the resentment felt toward him by many Whites.

(11) Between 1901 and 1910, 754 African-Americans were lynched, some simply for being “too familiar” with White women.

(12) In 1910, Congress passed the Act of June 25, 1910 (commonly known as the “White Slave Traffic Act” or the “Mann Act”) (18 U.S.C. 2421 et seq.), which outlawed the transportation of women in interstate or foreign commerce “for the purpose of prostitution or debauchery, or for any other immoral purpose”.

(13) In October 1912, Jack Johnson became involved with a White woman whose mother disapproved of their relationship and sought action from the Department of Justice, claiming that Jack Johnson had abducted her daughter.

(14) Jack Johnson was arrested by Federal marshals on October 18, 1912, for transporting the woman across State lines for an “immoral purpose” in violation of the Mann Act.

(15) The Mann Act charges against Jack Johnson were dropped when the woman refused to cooperate with Federal authorities, and then married Jack Johnson.

(16) Federal authorities persisted and summoned a White woman named Belle Schreiber, who testified that Jack Johnson had transported her across States lines for the purpose of “prostitution and debauchery”.

(17) In 1913, Jack Johnson was convicted of violating the Mann Act and sentenced to 1 year and 1 day in Federal prison.

(18) Jack Johnson fled the United States to Canada and various European and South American countries.

(19) Jack Johnson lost the Heavyweight Championship title to Jess Willard in Cuba in 1915.

(20) Jack Johnson returned to the United States in July 1920, surrendered to authorities, and served nearly a year in the Federal penitentiary at Leavenworth, Kansas.

(21) Jack Johnson subsequently fought in boxing matches, but never regained the Heavyweight Championship title.

(22) Jack Johnson served the United States during World War II by encouraging citizens to buy war bonds and participating in exhibition boxing matches to promote the war bond cause.

(23) Jack Johnson died in an automobile accident in 1946.

(24) In 1954, Jack Johnson was inducted into the Boxing Hall of Fame.

(25) Senate Concurrent Resolution 29, 111th Congress, agreed to July 29, 2009, expressed the sense of the 111th Congress that Jack Johnson should receive a posthumous pardon for his racially-motivated 1913 conviction.

(b) RECOMMENDATIONS.—It remains the sense of Congress that Jack Johnson should receive a posthumous pardon—

(1) to expunge a racially-motivated abuse of the prosecutorial authority of the Federal Government from the annals of criminal justice in the United States; and

(2) in recognition of the athletic and cultural contributions of Jack Johnson to society.

**SA 2112.** Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 284, between lines 11 and 12, insert the following:

“(C) OPTIONAL USES.—

“(i) IN GENERAL.—The State educational agency for a State that receives an allotment under subsection (b) may use not more than 1 percent of funds available and not reserved under paragraph (1) to establish, expand, or implement 1 or more teacher or principal preparation academies and to provide for a State authorizer, if—

“(I) the State does not have in place legal, statutory, or regulatory barriers to the creation or operation of teacher or principal preparation academies;

“(II) the State enables candidates attending a teacher or principal preparation academy to be eligible for State financial aid to the same extent as participants in other State-approved teacher or principal preparation programs, including alternative certification, licensure, or credential programs;

“(III) the State enables teachers or principals who are teaching or working while on alternative certificates, licenses, or credentials to teach or work in the State while enrolled in a teacher or principal preparation academy; and

“(IV) the State will recognize a certificate of completion (from any teacher or principal preparation academy that is not, or is unfiliated with, an institution of higher education), as at least the equivalent of a master’s degree in education for the purposes of hiring, retention, compensation, and promotion in the State.

“(ii) DEFINITIONS.—In this subparagraph:

“(I) TEACHER OR PRINCIPAL PREPARATION ACADEMY.—The term ‘teacher or principal preparation academy’ means a public or other nonprofit institution that will prepare teachers or principals, or both, to serve in high need schools and that—

“(aa) enters into an agreement with a State authorizer that specifies the goals expected of the institution, including—

“(AA) a requirement that teacher or principal candidates, or teachers teaching or principals serving on alternative certificates, licenses, or credentials, who are enrolled in the academy receive a significant part of their training through clinical preparation that partners candidates with mentor teachers or principals with a demonstrated track record of success in improving student growth, including (where applicable) children with disabilities, children living in poverty, and English learners; and

“(BB) a requirement that the academy will provide instruction to teacher candidates that links to the clinical preparation experience;

“(CC) the number of teachers or principals the academy will produce and the minimum

number and percentage of teachers or principals who will demonstrate success in improving student performance based on multiple measures (including student growth);

“(DD) a requirement that the teacher preparation component of the academy will only award a certificate of completion (or degree, if the academy is, or is affiliated with, an institution of higher education) after the graduate demonstrates a track record of success in improving student performance based on multiple measures (including student growth), either as a student teacher or teacher-of-record on an alternative certificate, license, or credential;

“(EE) a requirement that the principal preparation component of the academy will only award a certificate of completion (or degree, if the academy is, or is affiliated with, an institution of higher education) after the graduate demonstrates a track record of success in improving student performance for some or all of a school’s students; and

“(FF) timelines for producing cohorts of graduates and conferring certificates of completion (or degrees, if the academy is, or is affiliated with, an institution of higher education) from the academy;

“(bb) shall not have unnecessary restrictions placed on the methods the academy will use to train teacher or principal candidates (or teachers or principals that are teaching or working while on alternative certificates, licenses, or credentials), including restrictions or requirements—

“(AA) obligating the faculty of the academy to hold advanced degrees, or prohibiting the faculty of the academy from holding advanced degrees;

“(BB) obligating such faculty to conduct academic research;

“(CC) related to the physical infrastructure of the academy;

“(DD) related to the number of course credits required as part of the program of study;

“(EE) related to the undergraduate coursework completed by teachers teaching on alternative certificates, licenses, or credentials, as long as such teachers have successfully passed all relevant State-approved content area examinations; or

“(FF) related to obtaining additional accreditation from a national accrediting body; and

“(cc) limits admission to its program to candidates who demonstrate strong potential to improve student achievement, based on a rigorous selection process that reviews a candidate’s prior academic achievement or record of professional accomplishment.

“(II) STATE AUTHORIZER.—The term ‘State authorizer’ means an entity designated by the Governor of a State to recognize teacher or principal preparation academies within the State that—

“(aa) enters into an agreement with a teacher or principal preparation academy that specifies the goals expected of the academy, as described in subclause (I)(aa);

“(bb) may be a nonprofit organization, State educational agency, or other public entity, or consortium of such entities (including a consortium of States); and

“(cc) does not reauthorize a teacher or principal preparation academy if the academy fails to produce the minimum number or percentage of effective teachers or principals, respectively, identified in the academy’s authorizing agreement.

“(iii) SUPPLEMENT, NOT SUPPLANT.—Funds used in accordance with this subparagraph shall be used to supplement, and not sup-

plant, non-Federal funds that would otherwise be used for activities authorized under this subparagraph.”.

**SA 2113.** Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 424, strike lines 5 through 12 and insert the following:

“(1) not more than 5 percent for national activities authorized under section 4109;

On page 452, between lines 4 and 5, insert the following:

**“SEC. 4109. NATIONAL ACTIVITIES.**

“(a) ARPA-ED.—From the funds reserved under section 4103(a)(1) to carry about this section, the Secretary may reserve not more than 40 percent for each fiscal year to carry out the activities of the Advanced Research Projects Agency-Education established under section 221 of the Department of Education Organization Act, as added by part C of title X of the Every Child Achieves Act of 2015.

“(b) NATIONAL ACTIVITIES.—From the funds reserved under section 4103(a)(1) and not further reserved in accordance with subsection (a), the Secretary may carry out national activities directly or through grants, contracts, or agreements with public or private entities or individuals, or other Federal agencies, such as providing technical assistance to States and local educational agencies carrying out activities under this part or conducting a national evaluation.”.

At the end of title X, add the following:

**PART C—ADVANCED RESEARCH PROJECTS AGENCY-EDUCATION**

**SEC. 10301. ADVANCED RESEARCH PROJECTS AGENCY-EDUCATION.**

The Department of Education Organization Act (20 U.S.C. 3401 et seq.) is amended by inserting after section 220 the following new section:

**“SEC. 221. ADVANCED RESEARCH PROJECTS AGENCY-EDUCATION.**

“(a) ESTABLISHMENT.—There shall be in the Department an Advanced Research Projects Agency-Education (referred to in this section as ‘ARPA-ED’).

“(b) PURPOSES.—ARPA-ED is established under this section for the purposes of pursuing breakthrough research and development in educational technology and providing the effective use of the technology to improve achievement for all students, by—

“(1) identifying and promoting revolutionary advances in fundamental and applied sciences and engineering that could be translated into new learning technologies;

“(2) developing novel learning technologies, and the enabling processes and contexts for effective use of those technologies;

“(3) developing, testing, and evaluating the impact and efficacy of those technologies;

“(4) accelerating transformational technological advances in areas in which the private sector, by itself, is not likely to accelerate such advances because of difficulties in implementation or adoption, or technical and market uncertainty;

“(5) coordinating activities with non-governmental entities to demonstrate technologies and research applications to facilitate technology transfer; and

“(6) encouraging educational research using new technologies and the data produced by the technologies.

“(c) AUTHORITIES OF SECRETARY.—The Secretary is authorized to—

“(1) appoint a Director, who shall be responsible for carrying out the purposes of ARPA-ED, as described in subsection (b), and such additional functions as the Secretary may prescribe;

“(2) establish processes for the development and execution of projects and the solicitation of entities to carry out the projects in a manner that is—

“(A) tailored to the purposes of ARPA-ED and not constrained by other Department-wide administrative requirements that could detract from achieving program results; and

“(B) designed to heighten transparency, and public- and private-sector involvement, to ensure that investments are made in the most promising areas;

“(3) award grants, contracts, cooperative agreements, and cash prizes, and enter into other transactions (in accordance with such regulations as the Secretary may establish regarding other transactions);

“(4) make appointments of up to 20 scientific, engineering, professional, and other mission-related employees, for periods of up to 4 years (which appointments may not be renewed) without regard to the provisions of title 5, United States Code, governing appointments in the competitive service;

“(5)(A) prescribe the rates of basic pay for the personnel described in paragraph (4) at rates not in excess of the maximum rate of basic pay authorized for senior-level positions under section 5376 of title 5, United States Code, notwithstanding any provision of that title governing the rates of basic pay or classification of employees in the executive branch, but those personnel shall not receive any payment for service (such as an award, premium payment, incentive payment or bonus, allowance, or other similar payment) under any other provision of that title; and

“(B) pay any employee appointed pursuant to paragraph (4) payments in addition to that basic pay, except that the total amount of those payments for any calendar year shall not exceed the lesser of—

“(i) \$25,000; or

“(ii) the difference between the employee’s annual rate of basic pay under paragraph (4) and the annual rate for level I of the Executive Schedule under section 5312 of title 5, United States Code, based on the rates in effect at the end of the applicable calendar year (or, if the employee separated during that year, on the date of separation);

“(6) obtain independent, periodic, rigorous evaluations, as appropriate, of—

“(A) the effectiveness of the processes ARPA-ED is using to achieve its purposes; and

“(B) the effectiveness of individual projects assisted by ARPA-ED, using evidence standards developed in consultation with the Institute of Education Sciences, and the suitability of ongoing projects assisted by ARPA-ED for further investment or increased scale; and

“(7) disseminate, through the comprehensive centers established under section 203 of the Educational Technical Assistance Act of 2002 (20 U.S.C. 9602), the regional educational laboratories system established under section 174 of the Education Sciences Reform Act of 2002 (20 U.S.C. 9564), or such other means as the Secretary determines to be appropriate, information on effective practices and technologies developed with ARPA-ED support.

“(d) EVALUATION FUNDS.—The Secretary may use funds made available for ARPA-ED

to pay the cost of the evaluations under subsection (c)(6).

“(e) **FEDERAL ADVISORY COMMITTEE ACT.**—Notwithstanding any other provision of law, any advisory committee convened by the Secretary to provide advice with respect to this section shall be exempt from the requirements of the Federal Advisory Committee Act (5 U.S.C. App.) and the definition of ‘employee’ in section 2105 of title 5, United States Code, shall not be considered to include any appointee to such a committee.

“(f) **NONDUPLICATION.**—To the maximum extent practicable, the Secretary shall ensure that grants, contracts, cooperative agreements, cash prizes, or other assistance or arrangements awarded or entered into pursuant to this section that are designed to carry out the purposes of ARPA-ED do not duplicate activities under programs carried out under Federal law other than this section by the Department or other Federal agencies.”.

**SA 2114.** Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

**PART C—PROVIDING PROGRAMS THROUGH SCHOOLS**

**SEC. 10301. PROVIDING PROGRAMS THROUGH SCHOOLS.**

(a) **PURPOSE.**—The purpose of this section is to provide flexibility to allow services related to health, education, workforce training, and other social issues affecting the well-being of children and their families to be co-located in public elementary and secondary schools, if the school so chooses.

(b) **DEFINITIONS.**—In this section:

(1) **APPLICABLE SECRETARY.**—The term “applicable Secretary” means the Secretary of Health and Human Services, the Secretary of Labor, the Secretary of Education, or another head of an agency, as the case may be, who has administrative responsibility over a program, activity, or service authorized under a covered HELP program.

(2) **COVERED HELP PROGRAM.**—The term “covered HELP program” means the following:

(A) A program, activity, or service authorized under—

(i) the Abandoned Infants Assistance Act of 1988 (42 U.S.C. 670 note);

(ii) the Act of August 16, 1937 (commonly known as the “National Apprenticeship Act”; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.);

(iii) the Assistive Technology Act of 1998 (29 U.S.C. 3001 et seq.);

(iv) the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.);

(v) the Child Abuse Prevention and Treatment Act (42 U.S.C. 5101 et seq.);

(vi) the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858);

(vii) the Children’s Health Act of 2000 (Public Law 106–310; 114 Stat. 1101);

(viii) the Christopher and Dana Reeve Paralysis Act (42 U.S.C. 284o et seq.);

(ix) the Community Services Block Grant Act (42 U.S.C. 9901 et seq.);

(x) the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15001 et seq.);

(xi) the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.);

(xii) the Education Sciences Reform Act of 2002 (20 U.S.C. 9501 et seq.);

(xiii) the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.);

(xiv) the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.);

(xv) the Head Start Act (42 U.S.C. 9831 et seq.);

(xvi) the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.);

(xvii) the Low Income Home Energy Assistance Act of 1981 (42 U.S.C. 8261 et seq.);

(xviii) the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.);

(xix) the Older Americans Act of 1965 (42 U.S.C. 3001 et seq.);

(xx) the Public Health Service Act (42 U.S.C. 201 et seq.);

(xxi) the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.);

(xxii) the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.);

(xxiii) section 212 of the Second Chance Act (Public Law 110–199);

(xxiv) the Special Olympics Sport and Empowerment Act of 2004 (42 U.S.C. 15001 note);

(xxv) section 1404A of the Victims of Crime Act of 1984 (42 U.S.C. 10603a);

(xxvi) the Wagner-Peyser Act (29 U.S.C. 49 et seq.); and

(xxvii) the Workforce Innovation and Opportunity Act (29 U.S.C. 3101); or

(B) a program, activity, or service designated by an applicable Secretary under subsection (d).

(3) **ESEA DEFINITIONS.**—The terms “elementary school”, “local educational agency”, and “secondary school” have the meanings given the terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(c) **OFFERING PROGRAMS IN SCHOOLS.**—An applicable Secretary who has administrative responsibility under Federal law for any covered HELP program shall allow funds for the covered HELP program to be used to provide the authorized program, activities, or services at a public elementary school or secondary school, notwithstanding any provision of the law authorizing the covered HELP program or any other provision of law, if—

(1) the Secretary determines that such use—

(A) furthers the purpose of the covered HELP program;

(B) serves the population designated to be served by the covered HELP program, as determined by the Secretary; and

(C) is beneficial to the children served by the school and the families of such students; and

(2) the school at which the program, activities, or services will be offered—

(A) believes that the program is beneficial to the children served by the school and the families of such students and would not endanger the safety of the students; and

(B) provides the Secretary with an assurance demonstrating that the requirement of subparagraph (A) is met and that the school has consulted with the local educational agency serving the school regarding the provision of the program, activities, or services.

(d) **USE IN OTHER PROGRAMS.**—An applicable Secretary may designate a program under such Secretary’s authority to be included as a covered HELP program if—

(1) the applicable Secretary—

(A) determines that expanding the program, or the activities or services offered through the program, to be offered through

schools would benefit the population to be served by the program and be consistent with the purposes of this Act; and

(B) determines, in consultation with the Secretary of Education, that providing such program, activities, or services at a public elementary school or secondary school would benefit the students attending the school and the families of such students; and

(2) the applicable Secretary notifies Congress of the Secretary’s determination not less than 60 days before the applicable Secretary carries out subsection (b) with respect to the program.

**SA 2115.** Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of part B of title X, insert the following:

**SEC. \_\_\_\_\_. COMPTROLLER GENERAL STUDY ON INCREASING EFFECTIVENESS OF EXISTING SERVICES AND PROGRAMS INTENDED TO BENEFIT CHILDREN.**

Not later than 2 years after the date of the enactment of this Act, the Comptroller General shall provide to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives a report that includes—

(1) a description and assessment of the existing federally funded services and programs across all agencies that have a purpose or are intended to benefit or serve children, including—

(A) the purposes, goals, and organizational and administrative structure of such services and programs at the Federal, State, and local level; and

(B) methods of delivery and implementation; and

(2) recommendations to increase the effectiveness, coordination, and integration of such services and programs, across agencies and levels of government, in order to leverage existing resources and better and more comprehensively serve children.

**SA 2116.** Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

After section 3005, insert the following:

**SEC. 3006. REPORT ON IDENTIFICATION OF ENGLISH LEARNERS IN EARLY CHILDHOOD.**

Not later than 1 year after the date of enactment of this Act, the Secretary of Education, in collaboration with the Secretary of Health and Human Services and the National Academy of Sciences, shall provide a written report to the authorizing committees containing information about—

(1) how federally funded early childhood education programs identify students as English learners; and

(2) the extent to which the transition between early childhood education and elementary school can be strengthened for English learners, including recommendations for improving the quality and delivery of early

childhood education programs in order to help early childhood English learners achieve a level of English language proficiency such that those children can be transitioned from English learner programs and services.

**SA 2117.** Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 111, between lines 24 and 25, insert the following:

“(2) TESTING TRANSPARENCY.—

“(A) IN GENERAL.—Subject to subparagraph (B), each local educational agency that receives funds under this part shall make widely available through public means, including by posting in a clear, concise, and easily accessible manner on the local educational agency’s website and, to the extent practicable, on the website of each school served by the local educational agency, for each grade served by the local educational agency or school, information on each assessment required by the State to comply with section 1111, other assessments required by the State, and assessments required districtwide by the local educational agency, including—

“(i) the subject matter assessed;

“(ii) the purpose for which the assessment is designed and used;

“(iii) the source of the requirement for the assessment;

“(iv) the amount of time students will spend taking the assessment, and the schedule and calendar for the assessment; and

“(v) the time and format for disseminating results.

“(B) LEA THAT DOES NOT OPERATE A WEBSITE.—In the case of a local educational agency that does not operate a website, such local educational agency shall determine how to make the information described in subparagraph (A) widely available, such as through distribution of that information to the media, through public agencies, or directly to parents.

**SA 2118.** Mr. KAINÉ (for himself, Mr. PORTMAN, and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 56, strike lines 9 through 12 and insert the following:

“(aa) student readiness to enter postsecondary education or the workforce without the need for postsecondary remediation, which may include—

“(AA) measures that integrate preparation for postsecondary education and the workforce, including performance in coursework sequences that integrate rigorous academics, work-based learning, and career and technical education;

“(BB) measures of a high-quality and accelerated academic program as determined appropriate by the State, which may include the percentage of students who participate in a State-approved career and technical program of study as described in section

122(c)(1)(A) of the Carl D. Perkins Career and Technical Education Act of 2006 and measures of technical skill attainment and placement described in section 113(b) of such Act and reported by the State in a manner consistent with section 113(c) of such Act, or other substantially similar measures;

“(CC) student performance on assessments aligned with the expectations for first-year postsecondary education success;

“(DD) student performance on admissions tests for postsecondary education;

“(EE) student performance on assessments of career readiness and acquisition of industry-recognized credentials that meet the quality criteria established by the State under section 123(a) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102);

“(FF) student enrollment rates in postsecondary education;

“(GG) measures of student remediation in postsecondary education; and

“(HH) measures of student credit accumulation in postsecondary education;

On page 57, line 14, strike “; and” and insert “, which may include participation and performance in Advanced Placement, International Baccalaureate, dual enrollment, and early college high school programs; and”.

**SA 2119.** Mr. GARDNER (for himself, Mr. CARPER, Mr. COONS, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 19, line 22, insert “public charter school representatives (if applicable),” before “specialized”.

On page 95, line 12, insert “public charter school representatives (if applicable),” after “leaders,”.

**SA 2120.** Ms. WARREN (for herself and Mr. GARDNER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 75, strike line 1 and all that follows through line 4 on page 76 and insert the following:

“(iii) TECHNICAL ASSISTANCE.—Upon request by a State or local educational agency, the Secretary shall provide technical assistance to States and local educational agencies in collecting, cross-tabulating, or disaggregating data in order to meet the requirements of this paragraph.

“(C) MINIMUM REQUIREMENTS.—Each State report card required under this subsection shall include the following information:

“(i) A clear and concise description of the State’s accountability system under subsection (b)(3), including the goals for all students and for each of the categories of students, as defined in subsection (b)(3)(A), the indicators used in the accountability system to evaluate school performance described in subsection (b)(3)(B), and the weights of the indicators used in the accountability system to evaluate school performance.

“(ii) Information on student achievement on the academic assessments described in subsection (b)(2) at each level of achievement, as determined by the State under subsection (b)(1), for all students and disaggregated and cross-tabulated in accordance with the following:

“(I) Such information shall be disaggregated by each category of students described in subsection (b)(2)(B)(xi), homeless status, and status as a child in foster care and, within each category of students described in subsection (b)(2)(B)(xi), cross-tabulated by—

“(aa) each major racial and ethnic group, gender, English proficiency, and children with or without disabilities; and

“(bb) any other category of students that the State chooses to include.

“(II) The disaggregation or cross-tabulation for a category described in sub clause (I) shall not be required in a case in which the number of students in the category is insufficient to yield statistically reliable information or the results of such disaggregation or cross-tabulation would reveal personally identifiable information about an individual student.

“(iii) For all students and disaggregated by each category of students described in subsection (b)(2)(B)(xi), the percentage of students assessed and not assessed.

“(iv)(I) For all students, and disaggregated and cross-tabulated in accordance with subclauses (II) and (III)—

“(aa) information on the performance on the other academic indicator under subsection (b)(3)(B)(ii)(II)(aa) used by the State in the State accountability system; and

“(bb) high school graduation rates, including 4-year adjusted cohort graduation rates and, at the State’s discretion, extended-year adjusted cohort graduation rates.

“(II) The information described in sub clause (I) shall be disaggregated by each of the categories of students, as defined in subsection (b)(3)(A), and, within each such disaggregation category, cross-tabulated by—

“(aa) each major racial and ethnic group, gender, English proficiency, and children with or without disabilities; and

“(bb) any other category of students that the State chooses to include.

“(III) The disaggregation or cross-tabulation for a category described in sub clause (II) shall not be required in a case in which the number of students in the category is insufficient to yield statistically reliable information or the results of such disaggregation or cross-tabulation would reveal personally identifiable information about an individual student.

On page 89, between lines 5 and 6, insert the following:

“(5) CROSS-TABULATION PROVISIONS.—

“(A) CROSS-TABULATION DATA NOT USED FOR ACCOUNTABILITY.—Nothing in this subsection shall be construed to require groups of students obtained by cross-tabulating data under this subsection to be considered categories of students under subsection (b)(3)(A) for purposes of the State accountability system under subsection (b)(3) or section 1114.

“(B) CROSS-TABULATED DATA IMPLEMENTATION.—Information obtained by cross-tabulating data under this subsection shall be widely accessible to the public in accordance with paragraph (1)(B)(i)(III) and, upon request, by any additional public means that the State determines.

**SA 2121.** Mr. HELLER (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed to



amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 800, between lines 17 and 18, insert the following:

**SEC. 9115A. CONSULTATION WITH THE GOVERNOR.**

Subpart 2 of part F of title IX (20 U.S.C. 7901 et seq.), as amended by sections 4001(3), 9114, and 9115, and redesignated by section 9106(1), is further amended by adding at the end the following:

**"SEC. 9540. CONSULTATION WITH THE GOVERNOR.**

"(a) IN GENERAL.—A State educational agency shall consult in a timely and meaningful manner with the Governor, or appropriate officials from the Governor's office, in the development of State plans under titles I and II and section 9302.

"(b) TIMING.—The consultation described in subsection (a) shall include meetings of officials from the State educational agency and the Governor's office and shall occur—

"(1) during the development of such plan; and

"(2) prior to submission of the plan to the Secretary.

"(c) JOINT SIGNATURE AUTHORITY.—A Governor shall have 30 days prior to the State educational agency submitting the State plan under title I or II or section 9302 to the Secretary to sign such plan. If the Governor has not signed the plan within 30 days of delivery by the State educational agency to the Governor, the State educational agency shall submit the plan to the Secretary without such signature."

**AUTHORITY FOR COMMITTEES TO MEET**

**COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY**

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on July 7, 2015, at 3 p.m., in room SR-328A of the Russell Senate Office Building, to conduct a hearing entitled "Highly Pathogenic Avian Influenza: The Impact on the U.S. Poultry Sector and Protecting U.S. Poultry Flocks."

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON ARMED SERVICES**

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on July 7, 2015, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION**

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on July 7, 2015, at 1:30 p.m., in room SR-253 of the Russell Senate Office Build-

ing to conduct a hearing entitled "Technologies Transforming Transportation: Is the Government Keeping Up?"

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON ENERGY AND NATURAL RESOURCES**

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on July 7, 2015, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS**

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor and Pensions be authorized to meet during the session of the Senate on July 7, 2015, at 2 p.m., in room SD-430 of the Dirksen Senate Office Building, to conduct a hearing entitled "Small Business Health Care Challenges and Opportunities."

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS**

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on July 7, 2015, at 10 a.m. to conduct a hearing entitled "The 2014 Humanitarian Crisis at Our Border: A Review of the Government's Response to Unaccompanied Minors One Year Later."

The PRESIDING OFFICER. Without objection, it is so ordered.

**SELECT COMMITTEE ON INTELLIGENCE**

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 7, 2015, at 3 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

**PRIVILEGES OF THE FLOOR**

Mrs. MURRAY. Mr. President, with that, I ask unanimous consent that Leslie Clithero, a detailee from the U.S. Department of Education; Shruti Shah, a detailee from the U.S. Department of Labor; and Okey Enyia, a fellow in my Health, Education, Labor and Pensions Committee office, be granted floor privileges for the remainder of this Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that Stephen Townsend, a fellow in my office, be granted floor privileges for the consideration of this bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

**NOTICE: REGISTRATION OF MASS MAILINGS**

The filing date for the 2015 second quarter Mass Mailing report is Monday, July 27, 2015. An electronic option is now available on Webster that will allow forms to be submitted via a fillable pdf document. If your office did no mass mailings during this period, please submit a form that states "none."

Mass mailing registrations, or negative reports can be submitted electronically or delivered to the Senate Office of Public Records, 232 Hart Building, Washington, D.C. 20510-7116.

The Senate Office of Public Records will be open from 9:00 a.m. to 6:00 p.m. For further information, please contact the Senate Office of Public Records at (202) 224-0322.

**DEPARTMENT OF THE INTERIOR TRIBAL SELF-GOVERNANCE ACT OF 2015**

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 102, S. 286.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 286) to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. McCONNELL. I ask unanimous consent that amendment No. 1471 be agreed to, the bill, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 1471) in the nature of a substitute was agreed to.

(The amendment is printed in the RECORD of June 2, 2015, under "Text of Amendments.")

The bill (S. 286), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

**ORDERS FOR WEDNESDAY, JULY 8, 2015**

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Wednesday, July 8; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate resume consideration of S. 1177; and, finally, that the Senate recess from 12:30 p.m. until 2:15 p.m. to



allow for the weekly conference meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

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#### PROGRAM

Mr. McCONNELL. Senators should expect votes in the morning in relation to the Every Child Achieves bill prior to the noon hour recess.

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#### ORDER FOR ADJOURNMENT

Mr. McCONNELL. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator COTTON.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCONNELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. COTTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

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#### NUCLEAR NEGOTIATIONS WITH IRAN

Mr. COTTON. Mr. President, today, on July 7, we have seen yet another ex-

tension of the nuclear negotiations with Iran—a terrorist-sponsoring, anti-American, outlaw regime with the blood of hundreds of Americans on its hands, from Lebanon, to Iraq, to Afghanistan. This extension is yet another folly. Yet the President and the Secretary of State act as if it is cost free. These extensions are not cost free.

First, Iran repeatedly violates the interim agreements—for example, by enriching uranium beyond specified limits or exporting more oil than allowed.

Second, we have repeatedly taught Iran a very dangerous lesson, which is that the window for diplomacy never ends with this President and the United States. They can get extension after extension after extension, and we will grant concession after concession after concession.

Just 3 months ago, Iran reneged on its commitments to send its uranium stockpiles overseas and to close its underground fortified military bunker. Now, again, they have taken that lesson and introduced a new demand into these negotiations. They are now demanding that the West lift its arms embargo on conventional arms to Iran at a time when Iran is destabilizing the entire Middle East and that we lift sanctions on their ballistic missile program, which was explicitly ruled off the negotiating table at the beginning of these negotiations.

Well, here is my proposal: If Iran wants to introduce new terms to the debate at this late hour, the U.S. Gov-

ernment should leave the table. We should break off the negotiations, and we should say to Iran: If you want to introduce new terms, you will release American hostages within 24 hours. Bob Levinson, Amir Hekmati, Saeed Abedini, and Jason Rezaian will be released within 24 hours or the negotiations are over, we will reimpose sanctions, the U.S. Congress will impose new sanctions.

It is a disgrace that we are letting Iran add new terms to the negotiations at this late hour when four Americans are still held hostage by the Government of Iran.

Mr. President, I yield the floor.

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#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. The Senate stands adjourned until 10 a.m. tomorrow morning.

Thereupon, the Senate, at 6:54 p.m., adjourned until Wednesday, July 8, 2015, at 10 a.m.

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#### CONFIRMATION

Executive nomination confirmed by the Senate July 7, 2015:

##### THE JUDICIARY

KARA FARNANDEZ STOLL, OF VIRGINIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FEDERAL CIRCUIT.

## HOUSE OF REPRESENTATIVES—Tuesday, July 7, 2015

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. ABRAHAM).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
July 7, 2015.

I hereby appoint the Honorable RALPH LEE ABRAHAM to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,  
*Speaker of the House of Representatives.*

### PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Loving and gracious God, we give You thanks for giving us another day.

As the Members of this assembly return from days away celebrating our Nation's birth, grant them safe journey. May they return ready to assume a difficult work which must be done.

We pray for the needs of the Nation, the world, and all of creation. Bless those who seek to honor You and serve each other and all Americans in this House through their public service.

May the words and deeds of this place reflect an earnest desire for justice, and may men and women in government build on the tradition of equity and truth that represents the noblest heritage of our people.

May Your blessing, O God, be with us this day and every day to come, and may all we do be done for Your greater honor and glory.

Amen.

### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Michigan (Mr. KILDEE) come forward and lead the House in the Pledge of Allegiance.

Mr. KILDEE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### U.S. SOCCER TEAM WINS WORLD CUP

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, on July 17, 2011, the United States Women's soccer team lost to Japan in the World Cup title match. It was a crushing defeat, one that motivated the Women's National Team.

The World Cup is every 4 years, and the rematch this Sunday was one for the history books. Scoring the most goals in any World Cup final game, the United States Women's National Team earned their third World Cup championship. That is unprecedented.

Just 16 minutes into the game, the U.S. center midfielder scored her third goal of the game. It was the hat trick seen around the world.

The roar of the announcers echoed in living rooms across America. Twenty-five million people cheered on the USA, and a new American hero, Carli Lloyd, became a household name.

The United States defeated Japan 5-2, as the Red, White, and Blue proudly waved over the field in Vancouver, Canada.

Congratulations to the 2015 Women's National Team and to Coach Jill Ellis. The team motto, "She Believes," made believers of the whole world.

And that is just the way it is.

Mr. Speaker, I insert the names of all of the players, their hometowns, and their jersey numbers into the RECORD.

#### 2015 US WOMEN'S NATIONAL SOCCER TEAM

Shannon Box—Redondo Beach, CA—7; Morgan Brian—St. Simons Island, GA—14; Lori Chalupny—St. Louis, MO—16; Whitney Engen—Rolling Hills Estates, CA—6; Ashlyn Harris—Satellite Beach, FL—18; Tobin Heath—Basking Ridge, NJ—17; Lauren Holiday—Indianapolis, IN—12; Julie Johnston—Mesa, AZ—19; Meghan Klingenberg—Gibsonia, PA—22; Ali Krieger—Dumfries, VA—11; Sydney Leroux—Scottsdale, AZ—2; Carli Lloyd—Delran, NJ—10; Alex Morgan—Diamond Bar, CA—13; Alyssa Naeher—Bridgepoint, CT—21; Kelley O'Hara—Fayetteville, GA—5; Heather O'Reilly—East Brunswick, NJ—9; Christen Press—Palos Verdes Estates, CA—23; Christie Rampone—Point Pleasant, NJ—3; Megan Rapinoe—Redding, CA—15; Amy Rodriguez—Lake Forest, CA—8; Becky Sauerbrunn—St. Louis, MO—4; Hope Solo—Richland, WA—1; Abby Wambach—Rochester, NY—20.

### HIGHWAY AND TRANSIT TRUST FUND EXPIRES

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, at the end of this month, the highway and transit trust fund will expire, which would be devastating to our country's competitiveness and threaten 660,000 American jobs and thousands of projects to rebuild America's roads, rails, and bridges. We can't let this happen, not during the middle of the summer construction season for sure.

That is why Congress, Democrats and Republicans, really have to work together in a bipartisan fashion to pass a plan to invest in our Nation's infrastructure, our roads, our rails, and our bridges.

Right now, as a percentage of GDP, China is spending 10 times what we are on infrastructure. They are investing in their future.

Meanwhile, here at home, we can't even act to extend the highway trust fund, let alone adopt a 21st century plan that invests in our future, invests in America, and rebuilds this Nation in a way that puts people to work and makes us more competitive. How are we supposed to compete with China if we can't even rebuild our own roads and bridges?

We need to act together. Mr. Speaker, the time has long passed. Let's act today.

### APPRECIATING THE FLYING TIGERS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, I am grateful to recognize the Flying Tigers, a courageous group of volunteer pilots of World War II who carried out strategic air support missions to protect the citizens of the Republic of China. This elite group became the 14th Air Force and included my father, First Lieutenant Hugh de Veaux Wilson.

Through the leadership of General Claire Chennault, the Flying Tigers achieved impressive victories, destroying 296 enemy aircraft, stopping the invaders, and saving millions of Chinese lives.

America is always appreciative to the Republic of China military who rescued most of the crews after 15 U.S. planes crashed into China following the Doolittle Raid in 1942. This raid was formed in my hometown of Springdale at Columbia Army Air Base in South Carolina.

I have visited President Jiang Zemin at the Presidential compound in Beijing on a delegation led by Congressman Curt Weldon. Upon hearing of my father's Flying Tiger service, President Jiang Zemin interrupted the meeting to announce his view that, because of the Flying Tigers, "the American military is revered in China."

In conclusion, God bless our troops, and may the President by his actions never forget September the 11th in the global war on terrorism.

#### MARRIAGE EQUALITY

(Mr. TAKANO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TAKANO. Mr. Speaker, I rise today to enter the following words into the CONGRESSIONAL RECORD:

"No union is more profound than marriage, for it embodies the highest ideals of love, fidelity, devotion, sacrifice, and family. In forming a marital union, two people become something greater than once they were.

"As some of the petitioners in these cases demonstrate, marriage embodies a love that may endure even past death. It would misunderstand these men and women to say they disrespect the idea of marriage.

"Their plea is that they do respect it, respect it so deeply that they seek to find its fulfillment for themselves. Their hope is not to be condemned to live in loneliness, excluded from one of civilization's oldest institutions.

"They ask for equal dignity in the eyes of the law. The Constitution grants them that right. The judgment of the Court of Appeals for the Sixth Circuit is reversed.

"It is so ordered."

These words, Mr. Speaker, were written by Supreme Court Justice Anthony Kennedy in his *Obergefell v. Hodges* ruling, and they embody what the LGBT community has pursued for decades: equality under the law.

#### HONORING MINNESOTA'S PHIL HOUSLEY

(Mr. EMMER of Minnesota asked and was given permission to address the House for 1 minute.)

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to congratulate my friend and Minnesota's own, Phil Housley, on his recent induction into the Hockey Hall of Fame.

Phil Housley is a true Minnesotan. Born and raised in the state of hockey, he graduated from South St. Paul High School in 1982.

Phil was drafted by the Buffalo Sabres right out of high school and spent 21 years playing in the National Hockey League for eight different teams.

Phil is a seven-time all-star and the highest scoring U.S.-born defenseman

in NHL history. He also helped Team USA win a silver medal in the 2002 Olympics.

Phil played his last professional game in 2003, but his hockey career did not end there. He is currently working as the assistant coach for the Nashville Predators.

Phil was born to compete at the highest level, and he is being recognized with the highest honor his sport can grant: induction into the Hockey Hall of Fame.

Congratulations, Phil. You deserve it.

#### FAMILIES IMPACTED BY OPIATE ABUSE

(Mr. KENNEDY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KENNEDY. Mr. Speaker, yesterday I spent part of my day with a number of families from Taunton, Massachusetts, a city in my district that has been tragically impacted by opiate abuse.

Of the families that were there, one young man stood out. Cory was an honor student from Taunton High School. He was a starting pitcher for the baseball team when a pitching injury sidelined him and forced him into surgery. After 12 bouts in rehab, he ended up overdosing on heroin and today continues to suffer brain damage from that overdose.

Mr. Speaker, these stories have become far too common, not just across Taunton and across our Commonwealth in Massachusetts, but around our country.

This is why I rise today to recognize the tremendous work of my colleague, Congressman WHITFIELD, and his work in introducing with me the National All Schedules Prescription Electronic Reporting Act, as well as our colleague Congresswoman SUSAN BROOKS, who has introduced the Heroin and Prescription Opioid Abuse Prevention, Education, and Enforcement Act.

Mr. Speaker, there is no silver bullet to these challenges. Together, this body, piece by piece, can help craft the legislation that we need to get this epidemic under wraps.

#### SANCTUARY CITIES COST INNOCENT LIVES

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, dangerous policies have deadly consequences. We were reminded of this last week when a young woman in San Francisco, Kate Steinle, was tragically murdered by an illegal immigrant who should have been deported long ago.

Unknown to many Americans, cities across the Nation, like San Francisco,

have declared that they will be a sanctuary for illegal immigrants. They refuse to cooperate with Federal immigration authorities in violation of Federal law. And victims like Kate Steinle pay the ultimate price.

This administration, regrettably, has condoned sanctuary cities and has done nothing to make them abide by Federal immigration laws.

In this case, the killer had been ordered deported five times and charged with seven previous felonies but had been released instead.

If this administration and local officials in sanctuary cities care about the safety of the American people, they should work to secure our borders and uphold, not undermine, our immigration laws.

#### JORDAN DEFENSE COOPERATION ACT OF 2015

(Ms. GRANGER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. GRANGER. Mr. Speaker, as an original cosponsor of the United States Jordan Defense Cooperation Act of 2015, I rise in strong support of this bill.

Jordan is a vital and loyal partner in the Middle East. Under King Abdullah's strong leadership, Jordan continues to play a critical role in advancing peace and stability in the region and in the ongoing campaign to defeat ISIL.

Jordan is a leader in the fight against Islamic extremism, conducting airstrikes, training partner nations and rebel forces, and supplying allies.

Due to the unrest in the region and the hosting of more than 700,000 Syrian refugees, Jordan's economy faces ongoing economic and security needs.

As chairwoman of the State, Foreign Operations, and Related Programs Appropriations Subcommittee, I fought to ensure that the Jordanians have the support they need to address these many challenges.

The United States must continue to provide assistance Jordan needs to ensure its success in coalition operations, including strengthening the borders with Iraq and Syria. It is important for both their security and ours.

This support is a key component of the U.S. efforts to keep terrorism in check, create stability in the Middle East, and protect the American people. This assistance should not be delayed because of unnecessary bureaucracy. Such a valued partner deserves and needs our assistance immediately.

This resolution allows Jordan to be treated as if it were a member of the NATO-plus group of countries, which makes them eligible to receive special treatment for the transfer of U.S. defense articles and services.

This important bill must be enacted. I urge my colleagues to vote "yes."

□ 1415

LONG-TERM INFRASTRUCTURE  
PLAN

(Mr. CONNOLLY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONNOLLY. Mr. Speaker, this Congress must come up with a long-term infrastructure plan, and it must do it this month before the highway trust fund expires.

No great country can stay great without investing in its infrastructure. Throughout history, great leaders of both parties have understood there is a return on that investment. George Washington understood the need for internal improvements; so did Henry Clay. In the middle of the Civil War, Abraham Lincoln and this Congress invested in the transcontinental railroad.

They had the vision to understand we were making decisions for future generations, and if we don't, China, India, Japan, and our competitors will. They are making the decisions we are not making. They are advancing while we are retreating in critical infrastructure investment.

The American people deserve better from this Congress.

ANNOUNCEMENT BY THE SPEAKER  
PRO TEMPORE

The SPEAKER pro tempore (Mr. POE of Texas). Pursuant to clause 4 of rule I, the following enrolled bills were signed by Speaker pro tempore THORNBERRY on Friday, June 26, 2015:

H.R. 893, to require the Secretary of the Treasury to mint coins in commemoration of the centennial of Boys Town, and for other purposes;

H.R. 1295, to extend the African Growth and Opportunity Act, the Generalized System of Preferences, the preferential duty treatment program for Haiti, and for other purposes.

ANNOUNCEMENT BY THE SPEAKER  
PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

UNITED STATES-JORDAN DEFENSE  
COOPERATION ACT OF 2015

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 907) to improve defense cooperation between the United States and the Hashemite Kingdom of Jordan, as amended.

The Clerk read the title of the bill.  
The text of the bill is as follows:

H.R. 907

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. SHORT TITLE.

This Act may be cited as the "United States-Jordan Defense Cooperation Act of 2015".

## SEC. 2. FINDINGS.

Congress makes the following findings:

(1) As of January 22, 2015, the United States Government has provided \$3,046,343,000 in assistance to the Syria humanitarian response, of which nearly \$467,000,000 has been to the Hashemite Kingdom of Jordan.

(2) As of January 2015, according to the United Nations High Commissioner for Refugees (UNHCR), there are 621,937 registered Syrian refugees in Jordan and 83.8 percent of those refugees live outside refugee camps.

(3) In 2000, the United States and Jordan signed a free-trade agreement that went into force in 2001.

(4) In 1996, the United States granted Jordan major non-NATO ally status.

(5) Jordan is suffering from the Syrian refugee crisis and the threat of the Islamic State of Iraq and the Levant (ISIL).

(6) The Government of Jordan was elected as a non-permanent member of the United Nations Security Council beginning in January 2014 and terminating in December 2015.

(7) Enhanced support for defense cooperation with Jordan is important to the national security of the United States, including through creation of a status in law for Jordan similar to the countries in the North Atlantic Treaty Organization, Japan, Australia, the Republic of Korea, Israel, and New Zealand, with respect to consideration by Congress of foreign military sales to Jordan.

(8) The Colorado National Guard's relationship with the Jordanian military provides a significant benefit to both the United States and Jordan.

(9) Jordanian pilot Moaz al-Kasasbeh was brutally murdered by ISIL.

(10) On February 3, 2015, Secretary of State John Kerry and Jordanian Foreign Minister Nasser Judeh signed a new Memorandum of Understanding that reflects the intention to increase United States assistance to the Government of Jordan from \$660,000,000 to \$1,000,000,000 per year for the years 2015 through 2017.

## SEC. 3. STATEMENT OF POLICY.

It should be the policy of the United States to support the Hashemite Kingdom of Jordan in its response to the Syrian refugee crisis, provide necessary assistance to alleviate the domestic burden to provide basic needs for the assimilated Syrian refugees, cooperate with Jordan to combat the terrorist threat from the Islamic State of Iraq and the Levant (ISIL) or other terrorist organizations, and help secure the border between Jordan and its neighbors Syria and Iraq.

## SEC. 4. SENSE OF CONGRESS.

It is the sense of Congress that expeditious consideration of certifications of letters of offer to sell defense articles, defense services, design and construction services, and major defense equipment to the Hashemite Kingdom of Jordan under section 36(b) of the Arms Export Control Act (22 U.S.C. 2776(b)) is fully consistent with United States security and foreign policy interests and the objectives of world peace and security.

## SEC. 5. ENHANCED DEFENSE COOPERATION.

(a) IN GENERAL.—For the 3-year period beginning on the date of the enactment of this

Act, the Hashemite Kingdom of Jordan shall be treated as if it were a country listed in the provisions of law described in subsection (b) for purposes of applying and administering such provisions of law.

(b) PROVISIONS OF LAW.—The provisions of law described in this subsection are the following provisions of the Arms Export Control Act:

(1) Subsections (b)(2), (d)(2)(B), (d)(3)(A)(i), and (d)(5) of section 3 (22 U.S.C. 2753).

(2) Subsections (e)(2)(A), (h)(1)(A), (h)(2) of section 21 (22 U.S.C. 2761).

(3) Subsections (b)(1), (b)(2), (b)(6), (c), and (d)(2)(A) of section 36 (22 U.S.C. 2776).

(4) Section 62(c)(1) (22 U.S.C. 2796a(c)(1)).

(5) Section 63(a)(2) (22 U.S.C. 2796b(a)(2)).

## SEC. 6. MEMORANDUM OF UNDERSTANDING.

The Secretary of State is authorized, subject to the availability of appropriations, to enter into a Memorandum of Understanding with the Hashemite Kingdom of Jordan to increase economic support funds, military cooperation, including joint military exercises, personnel exchanges, support for international peacekeeping missions, and enhanced strategic dialogue.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from Virginia (Mr. CONNOLLY) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

## GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to submit statements or extraneous materials for the RECORD on this measure.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 907, which is before us, is a simple, straightforward, commonsense bill that not only helps secure U.S. national security interests, but also the security interests of one of our closest allies in the Middle East, the Hashemite Kingdom of Jordan.

This bill will give Jordan the ability to buy defense articles, defense services, and major defense equipment under the Arms Export Control Act, as long as any sale is fully consistent with United States security and foreign policy interests and objectives.

The bill also supports the Hashemite Kingdom of Jordan in its response to the Syrian refugee crisis to help alleviate the domestic burden to provide basic needs for the assimilated Syrian refugees, and the bill also calls for greater cooperation with Jordan to fight the terrorist threat from the Islamic State of Iraq and the Levant—ISIL—or any other terrorist organization.

Late last year, Mr. Speaker, I introduced this bill after leading a congressional delegation to Jordan. We traveled to Jordan to see how the people of Jordan were dealing with the strains

put on them from the humanitarian crisis developing in Syria.

The King of Jordan had taken in somewhere in the neighborhood of 1 million refugees, despite the toll it has taken on his country's infrastructure and resources; but despite the added pressures the Kingdom was facing from the refugee crisis, the King told us that one of the most pressing issues he was facing was the encroachment of ISIL toward his borders.

He stressed that he was willing to help lead the fight against ISIL, but he just did not have sufficient military equipment with which to do so.

I understand how important the stability and security of Jordan is not just for the region, but also for another strong ally of ours, the democratic Jewish State of Israel. It made sense that, in order to maintain the fragile stability in some of the countries in the region, we would need to help bolster the capabilities of our friends who are committed to defeating this radical extremist threat.

We marked up the bill in November of last year, but simply ran out of time at the end of the Congress. I reintroduced the bill again this year, alongside Mr. TED DEUTCH of Florida, the ranking member of the Middle East and North Africa Subcommittee; KAY GRANGER, chairman of the State, Foreign Operations, and Related Programs Appropriations Subcommittee; and NITA LOWEY, ranking member of the State, Foreign Operations, and Related Programs Appropriations Subcommittee.

I thank Chairman ROYCE and Ranking Member ENGEL because it is through their leadership that we were able to pass the bill out of the Foreign Affairs Committee unanimously this past April.

Mr. Speaker, in Jordan, the U.S. could not ask for a more committed partner in the fight against ISIL. King Abdullah is committed to that fight. He understands the urgency and need to address ISIL head on, and he has shown that he is willing to take the necessary measures to defeat these extremists, but he needs more resources to fight ISIL. He needs these resources to protect the security of his people.

Congress must do everything that we can to help our friends defend themselves and defeat this scourge of terror. I urge my colleagues to support this important bill.

Mr. Speaker, I reserve the balance of my time.

Mr. CONNOLLY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise to support H.R. 907, the U.S.-Jordan Defense Cooperation Act of 2015. As the Middle East has become more unstable and as ISIS continues to terrorize the people of Syria, Iraq, and its neighbors, Jordan remains resolute. While ISIS threatens its borders and terrorizes its people, Jordan has fought back.

When Jordan Air Force pilot Captain al-Kasasbeh was brutally murdered—burned alive in a cage, Mr. Speaker—Jordan did not shrink; it did not retreat. Instead, it took even a more active role in airstrikes against the ISIS threat.

The Syrian civil war and instability created by ISIS has placed a tremendous pressure on the country of Jordan. Jordan has absorbed 620,000 Syrian refugees during this crisis. Its healthcare and educational systems are under severe strain as a result.

The United States has provided over \$460 million in response, on top of the over \$1 billion in bilateral foreign assistance Jordan received last year. In February, the U.S. and Jordanian Governments signed a memorandum of understanding outlining the intention to provide Jordan with \$1 billion per year for the next 3 years. This agreement and this legislation seek to ensure that Jordan is able to defend itself in the wake of these severe threats.

For the next 3 years, the bill would treat Jordan as a NATO member in how weapons sales and maintenance, manufacturing licensing agreements, and technical assistance are considered and notified to this Congress. The bill also authorizes a MOU with Jordan to increase economic and military assistance, as well as joint military operations.

The U.S.-Jordanian relationship is mutually beneficial. Now, more than ever, Jordan needs U.S. support. We need strong Jordanian resolve in the face of the threat against ISIS. I urge my colleagues to support this legislation.

Mr. Speaker, I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, we have no further speakers, and I reserve the balance of my time.

Mr. CONNOLLY. Mr. Speaker, let me close by noting that this bill is crucial because it shows that, if given proper assistance, the region can stand up for itself. This measure does not put U.S. boots on the ground. U.S. support and leadership is appreciated, of course, but Jordan is seeking to defend itself with our help.

We have had many solemn conversations in this body and on this floor about issues of war and peace. This bill demonstrates U.S. leadership in preparing others to fight their own battles, and that is an important strategy as we move forward. This legislation is consistent with that principle.

I urge my colleagues to give this their full support, and I yield back the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

I thank my good friend, the gentleman from Virginia, for his comments. I know that it comes from great experience. I believe that he also

served as a staff member on the Foreign Relations Committee in the Senate. That has definitely helped him form his opinions and expertise.

Mr. CONNOLLY. Will the gentleman yield?

Ms. ROS-LEHTINEN. I yield to the gentleman from Virginia.

Mr. CONNOLLY. I am just amazed that my friend from Florida would be in possession of such intricate knowledge. I thank her for acknowledging it.

Ms. ROS-LEHTINEN. Reclaiming my time, this bill could not come at a more important time, Mr. Speaker.

In March, I was honored to join Speaker BOEHNER on a congressional trip to Jordan in order to discuss the growing threat to that region. I had previously gone there on my own CODEL. Now, going back in March, I see how ISIL has created an even greater threat to the Hashemite Kingdom of Jordan and the refugee crisis continues to build up for the Kingdom of Jordan.

We expressed our appreciation to His Majesty for his steadfast commitment, to support his efforts to fight this ISIL threat, and help him with the burden of the refugees.

The King reiterated again his commitment to defeating ISIL and the need for more assistance from the international community. We told him that we would do what we could to ensure that he had all of the tools needed to win this fight against ISIL.

Since the coalition campaign against ISIL began, Mr. Speaker, the terror group has made great gains in Iraq and Syria. It has expanded its influence across the globe to places like Libya, Tunisia, Sinai, Europe, and even here in the United States.

Congress needs to do our part. We need to step up. We need to show our allies that we are committed to help them. They are taking the fight to ISIL. Let's help them with these tools. We need to show ISIL and all of our enemies that we will stand by our allies. We will stand by our friends and help them do what is necessary—all that is necessary—to defeat terror and to defeat radical extremism.

I urge my colleagues to support this vital, important bill and support our key ally, the Hashemite Kingdom of Jordan. I would like to thank Mr. ROYCE and Mr. ENGEL again for their leadership, as well as Mr. DEUTCH, Ms. GRANGER, and Mrs. LOWEY.

Mr. Speaker, I yield back the balance of my time.

Mrs. LOWEY. Mr. Speaker, I rise in strong support of H.R. 907, U.S.-Jordan Defense Cooperation Act of 2015.

The United States has no stronger partner in the Arab world than Jordan, and His Majesty King Abdullah II continues to be a pioneer in bolstering moderate political voices both in Jordan and throughout the Muslim world.

During such a tumultuous time in the region, with the rise of ISIL and the unprecedented

humanitarian needs of millions of refugees, stability and security in Jordan remain vital to our own interests.

That is why this legislation is so important. It would help strengthen military and economic ties between our two countries.

As the Ranking Member of the House Appropriations Subcommittee on State and Foreign Operations, I remain committed to our strategic partnership with Jordan, and I will continue to work as hard as possible to promote stability, economic growth, and prosperity for the Jordanian people.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill, H.R. 907, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### VETERAN'S I.D. CARD ACT

Mr. ABRAHAM. Madam Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 91) to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to issue, upon request, veteran identification cards to certain veterans.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Veterans Identification Card Act 2015".

#### SEC. 2. VETERANS IDENTIFICATION CARD.

(a) FINDINGS.—Congress makes the following findings:

(1) Effective on the day before the date of the enactment of this Act, veteran identification cards were issued to veterans who have either completed the statutory time-in-service requirement for retirement from the Armed Forces or who have received a medical-related discharge from the Armed Forces.

(2) Effective on the day before the date of the enactment of this Act, a veteran who served a minimum obligated time in service, but who did not meet the criteria described in paragraph (1), did not receive a means of identifying the veteran's status as a veteran other than using the Department of Defense form DD-214 discharge papers of the veteran.

(3) Goods, services, and promotional activities are often offered by public and private institutions to veterans who demonstrate proof of service in the military, but it is impractical for a veteran to always carry Department of Defense form DD-214 discharge papers to demonstrate such proof.

(4) A general purpose veteran identification card made available to veterans would be useful to demonstrate the status of the veterans without having to carry and use official Department of Defense form DD-214 discharge papers.

(5) On the day before the date of the enactment of this Act, the Department of Veterans Affairs had the infrastructure in place across

the United States to produce photographic identification cards and accept a small payment to cover the cost of these cards.

(b) PROVISION OF VETERAN IDENTIFICATION CARDS.—Chapter 57 of title 38, United States Code, is amended by adding after section 5705 the following new section:

#### "§5706. Veterans identification card

"(a) IN GENERAL.—The Secretary of Veterans Affairs shall issue an identification card described in subsection (b) to each veteran who—

"(1) requests such card;

"(2) presents a copy of Department of Defense form DD-214 or other official document from the official military personnel file of the veteran that describes the service of the veteran; and

"(3) pays the fee under subsection (c)(1).

"(b) IDENTIFICATION CARD.—An identification card described in this subsection is a card issued to a veteran that—

"(1) displays a photograph of the veteran;

"(2) displays the name of the veteran;

"(3) explains that such card is not proof of any benefits to which the veteran is entitled to;

"(4) contains an identification number that is not a social security number; and

"(5) serves as proof that such veteran—

"(A) served in the Armed Forces; and

"(B) has a Department of Defense form DD-214 or other official document in the official military personnel file of the veteran that describes the service of the veteran.

"(c) COSTS OF CARD.—(1) The Secretary shall charge a fee to each veteran who receives an identification card issued under this section, including a replacement identification card.

"(2)(A) The fee charged under paragraph (1) shall equal such amount as the Secretary determines is necessary to issue an identification card under this section.

"(B) In determining the amount of the fee under subparagraph (A), the Secretary shall ensure that the total amount of fees collected under paragraph (1) equals an amount necessary to carry out this section, including costs related to any additional equipment or personnel required to carry out this section.

"(C) The Secretary shall review and reassess the determination under subparagraph (A) during each five-year period in which the Secretary issues an identification card under this section.

"(3) Amounts collected under this subsection shall be deposited in an account of the Department available to carry out this section. Amounts so deposited shall be—

"(A) merged with amounts in such account;

"(B) available in such amounts as may be provided in appropriation Acts; and

"(C) subject to the same conditions and limitations as amounts otherwise in such account.

"(d) EFFECT OF CARD ON BENEFITS.—(1) An identification card issued under this section shall not serve as proof of any benefits that the veteran may be entitled to under this title.

"(2) A veteran who is issued an identification card under this section shall not be entitled to any benefits under this title by reason of possessing such card.

"(e) ADMINISTRATIVE MEASURES.—(1) The Secretary shall ensure that any information collected or used with respect to an identification card issued under this section is appropriately secured.

"(2) The Secretary may determine any appropriate procedures with respect to issuing a replacement identification card.

"(3) In carrying out this section, the Secretary shall coordinate with the National Personnel Records Center.

"(4) The Secretary may conduct such outreach to advertise the identification card under this section as the Secretary considers appropriate.

"(f) CONSTRUCTION.—This section shall not be construed to affect identification cards other-

wise provided by the Secretary to veterans enrolled in the health care system established under section 1705(a) of this title."

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 5705 the following new item:

"5706. Veterans identification card."

(d) EFFECTIVE DATE.—The amendments made by this Act shall take effect on the date that is 60 days after the date of the enactment of this Act.

The SPEAKER pro tempore (Ms. ROS-LEHTINEN). Pursuant to the rule, the gentleman from Louisiana (Mr. ABRAHAM) and the gentleman from California (Mr. TAKANO) each will control 20 minutes.

The Chair recognizes the gentleman from Louisiana.

#### GENERAL LEAVE

Mr. ABRAHAM. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and add extraneous material on the Senate amendment to H.R. 91.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

□ 1430

Mr. ABRAHAM. Madam Speaker, I yield myself as much time as I may consume.

Madam Speaker, many businesses show their gratitude to our Nation's servicemembers and veterans by offering special discounts on goods and services to those who have served our Nation in uniform.

Unfortunately, unless a servicemember is a qualified military retiree, DOD does not issue an official ID card as proof of service. That means that millions of veterans cannot easily provide evidence of their service.

This bill, as amended, would change that by directing the Secretary of Veterans Affairs to issue a veteran's ID card that would display the veteran's name and photograph to any veteran who requests such a card, as long as the veteran is not entitled to military retired pay, nor enrolled in the VA healthcare system.

This card would give those who served in the Armed Forces a convenient way to prove that they are veterans, for the purpose of receiving the promotions and discounts offered by many businesses around the country.

The bill, as amended, would also require the Secretary to determine a fee to be charged that would cover all costs of producing the cards and managing the program. The bill also specifies that the card does not entitle the holder to any VA benefits.

H.R. 91 passed the House by a vote of 402-0 on May 18. The Senate passed it by unanimous consent on June 22, with an amendment that would authorize VA to provide this card to any person who meets the statutory definition of a veteran.

Under current law, a veteran is defined as “a person who served in the active military, naval, or air service and who was discharged or released therefrom under conditions other than dishonorable.”

I thank my colleague Mr. BUCHANAN for his efforts on this commonsense legislation.

Madam Speaker, I reserve the balance of my time.

Mr. TAKANO. Madam Speaker, I yield myself such time as I may consume.

H.R. 91 passed the House 402-0, as my good friend mentioned, in May. It was amended by the Senate and passed 2 weeks ago. Today, we are taking up the Senate amendment to H.R. 91. This measure will assist veterans in proving that they are indeed veterans.

In most instances, a veteran must be enrolled with the VA to receive a VA ID card or utilize their DD-214 to prove their military service, which may contain personal health information.

Veterans who retire from the armed services are issued a Department of Defense ID card that serves this purpose. However, the majority of servicemembers do not retire in service, leaving millions of veterans sometimes challenged to provide proof of their honorable military service.

Extending the option of a veterans ID is a simple way to resolve this issue and honor America's veterans.

Madam Speaker, I reserve the balance of my time.

Mr. ABRAHAM. Madam Speaker, I yield 2 minutes to the gentleman from Florida (Mr. BUCHANAN).

Mr. BUCHANAN. Madam Speaker, I thank the chairman for yielding.

Madam Speaker, today is a good day for our Nation's veterans.

My legislation will allow all veterans to receive official ID cards through the VA. No longer will veterans be forced to carry around documents that contain sensitive information that puts them at needless risk of identity theft, and it does all this at no cost to the taxpayer.

Madam Speaker, this bill is a prime example of what can be accomplished when we put partisanship aside and the needs of our country first.

Thank you, and God bless our men and women in uniform.

Mr. TAKANO. Madam Speaker, I join Vietnam Veterans of America, the Association of the U.S. Navy, American Veterans, and others in wholehearted support of the Senate amendment to H.R. 91, the Veterans I.D. Card Act of 2015.

I ask my colleagues to join me in supporting this legislation.

Madam Speaker, I yield back the balance of my time.

Mr. ABRAHAM. Madam Speaker, once again, I encourage all Members to support the Senate amendment to H.R. 91, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Louisiana (Mr. ABRAHAM) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 91.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ABRAHAM. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

#### LAND MANAGEMENT WORKFORCE FLEXIBILITY ACT

Mr. CARTER of Georgia. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1531) to amend title 5, United States Code, to provide a pathway for temporary seasonal employees in Federal land management agencies to compete for vacant permanent positions under internal merit promotion procedures, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1531

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Land Management Workforce Flexibility Act”.

#### SEC. 2. PERSONNEL FLEXIBILITIES RELATING TO LAND MANAGEMENT AGENCIES.

(a) IN GENERAL.—Subpart I of part III of title 5, United States Code, is amended by inserting after chapter 95 the following:

#### “CHAPTER 96—PERSONNEL FLEXIBILITIES RELATING TO LAND MANAGEMENT AGENCIES

“Sec.

“9601. Definitions.

“9602. Competitive service; time-limited appointments.

#### “§ 9601. Definitions

“For purposes of this chapter—

“(1) the term ‘land management agency’ means—

“(A) the Forest Service of the Department of Agriculture;

“(B) the Bureau of Land Management of the Department of the Interior;

“(C) the National Park Service of the Department of the Interior;

“(D) the Fish and Wildlife Service of the Department of the Interior;

“(E) the Bureau of Indian Affairs of the Department of the Interior; and

“(F) the Bureau of Reclamation of the Department of the Interior; and

“(2) the term ‘time-limited appointment’ includes a temporary appointment and a term appointment, as defined by the Office of Personnel Management.

#### “§ 9602. Competitive service; time-limited appointments

“(a) Notwithstanding chapter 33 or any other provision of law relating to the examination, certification, and appointment of individuals in the competitive service, an em-

ployee of a land management agency serving under a time-limited appointment in the competitive service is eligible to compete for a permanent appointment in the competitive service at any land management agency or any other agency (as defined in section 101 of title 31) under the internal merit promotion procedures of the applicable agency if—

“(1) the employee was appointed initially under open, competitive examination under subchapter I of chapter 33 to the time-limited appointment;

“(2) the employee has served under 1 or more time-limited appointments by a land management agency for a period or periods totaling more than 24 months without a break of 2 or more years; and

“(3) the employee's performance has been at an acceptable level of performance throughout the period or periods (as the case may be) referred to in paragraph (2).

“(b) In determining the eligibility of a time-limited employee under this section to be examined for or appointed in the competitive service, the Office of Personnel Management or other examining agency shall waive requirements as to age, unless the requirement is essential to the performance of the duties of the position.

“(c) An individual appointed under this section—

“(1) becomes a career-conditional employee, unless the employee has otherwise completed the service requirements for career tenure; and

“(2) acquires competitive status upon appointment.

“(d) A former employee of a land management agency who served under a time-limited appointment and who otherwise meets the requirements of this section shall be deemed a time-limited employee for purposes of this section if—

“(1) such employee applies for a position covered by this section within the period of 2 years after the most recent date of separation; and

“(2) such employee's most recent separation was for reasons other than misconduct or performance.

“(e) The Office of Personnel Management shall prescribe such regulations as may be necessary to carry out this section.”.

(b) CLERICAL AMENDMENT.—The analysis for part III of title 5, United States Code, is amended by inserting after the item for chapter 95 the following:

#### “96. Personnel flexibilities relating to land management agencies ..... 9601”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. CARTER) and the gentleman from Virginia (Mr. CONNOLLY) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

#### GENERAL LEAVE

Mr. CARTER of Georgia. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. CARTER of Georgia. Madam Speaker, I yield myself such time as I may consume.



Madam Speaker, I rise today in support of H.R. 1531, introduced by our colleague from Virginia (Mr. CONNOLLY). The Land Management Workforce Flexibility Act allows certain temporary workers to compete for full-time positions when vacancies arise.

Many of the Federal Government's firefighters work on a temporary basis and gain valuable experience as they return year after year to battle Western wildfires. Current law prevents these experienced employees from competing for full-time jobs under internal merit promotion procedures.

This commonsense bill will allow Federal land agencies to fully consider the applications of experienced workers when they identify the need for a full-time employee.

Covered agencies include the Forest Service, the Bureau of Land Management, the National Park Service, the U.S. Fish and Wildlife Service, the Bureau of Indian Affairs, and the Bureau of Reclamation.

The bill does not change the total number of Federal jobs available or the salaries paid to Federal employees; rather, it expands the pool of individuals eligible for Federal land management positions.

Of course, the bill does impose a few conditions to be eligible to compete for a full-time position, including length of service and adherence to performance standards.

I urge support for this bipartisan legislation, and I reserve the balance of my time.

Mr. CONNOLLY. Madam Speaker, I yield myself such time as I may consume.

I thank my friend from Georgia (Mr. CARTER) for being here today on the floor.

Madam Speaker, obviously, I rise in strong support of our bipartisan Land Management Workforce Flexibility Act. I want to take a moment to recognize our colleagues, Congressman DON YOUNG of Alaska and Congressman ROB BISHOP of Utah, two of this Chamber's most dedicated advocates for the men and women who comprise America's hard-working temporary civil service, particularly our Nation's courageous temporary seasonal wildland firefighters.

It was an honor to join my esteemed colleagues, who have each served as chairman of the House Natural Resources Committee, to develop and introduce this good government legislation. The spirit of bipartisanship that went into creating it is reflected in the equal number of Democratic and Republican cosponsors.

Further, I was pleased that the entire Committee on Oversight and Government Reform joined us in unanimously supporting this much-needed reform to remove arbitrary barriers that prevent talented, long-term temporary seasonal employees from just competing

for vacant permanent positions, as my friend from Georgia described.

As the committee noted favorably in reporting the bill, our legislation will improve government effectiveness by enhancing the quality of the pool of applicants for Federal positions.

Our commonsense legislation provides long-serving, temporary seasonal wildland firefighters and other seasonal employees with the same career advancement opportunities available to all other Federal employees.

Specifically, the Land Management Workforce Flexibility Act authorizes qualifying land management agency employees serving under time-limited appointments to compete for vacant permanent positions under internal merit promotion procedures, just as any permanent Federal employee is eligible to do.

Our bill is deficit neutral, as my friend from Georgia indicated, because it only strengthens the pool of individuals eligible to compete for vacant Federal permanent positions. It does not create new positions.

As the nonpartisan Congressional Budget Office noted, "CBO estimates that implementing the legislation would have no significant effect on the Federal budget. Enacting the bill would not affect direct spending or revenues because our bipartisan bill would," to quote CBO, "not change the total number of Federal jobs available."

As many of my colleagues understand, particularly those Members who represent Western constituencies in America, many Federal land management employees, including wildland firefighters, are often hired under temporary appointments that amount to less than 6 months or 1,040 hours. These individuals, so often called temporary appointments, repeatedly are extended on an annual basis.

As Congressman STEPHEN LYNCH, my friend from Massachusetts, the former chairman of the Federal Workforce Subcommittee, observed at a 2010 hearing: "Oftentimes, seasonal temporary employees have worked in the same capacity year after year, decade after decade."

Despite those years of service and putting themselves often in harm's way, career advancement and opportunities are severely limited. It is difficult to overstate the adverse impact the unfair policy of precluding their ability to compete for the same jobs as full-time Federal employees has on Americans serving under term-limited appointments since many agencies utilize merit promotion to competitively fill nonentry-level jobs.

Indeed, bipartisan concerns have been raised over a status quo where, no matter how long an individual may serve under a term-limited appointment, even one that is originally obtained under open, competitive exam-

ination, he or she never can acquire the status that would enable him or her to compete for vacant permanent positions.

For example, a former chairman of the House Civil Service Subcommittee addressed the illogical inequity of this position at a 1993 hearing, stating:

Furthermore, there needs to be better access for all temporary employees, not just term employees, to apply for permanent positions within the Federal Government. It is simply unfair that, after years of employment, a temporary employee applying for a permanent position job is no better off than someone off the street applying for a job. Agencies could save large sums of money on education and training by hiring more temporary employees for permanent positions.

At the same hearing, former Congressman Dan Burton submitted a statement for the RECORD, expressing the view: "One of the best things we can do for temporary employees is to increase their opportunities to compete for permanent positions."

The current barrier to competition placed on our Nation's temporary seasonal employees demoralizes the dedicated and courageous corps of temporary civil servants that serve in land management agencies, and it contributes to increased attrition and, ultimately, leads to higher training costs and a less-experienced and capable workforce.

As the devastating 2014 California wildfires demonstrated, our country cannot afford to degrade its wildland firefighting and emergency response capabilities that put themselves in harm's way. Our bipartisan bill is consistent with the Office of Personnel Management's support for the concept.

In closing, I strongly urge all my colleagues to support this bipartisan Land Management Workforce Flexibility Act.

Madam Speaker, I yield back the balance of my time.

□ 1445

Mr. CARTER of Georgia. Madam Speaker, I urge adoption of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. CARTER) that the House suspend the rules and pass the bill, H.R. 1531.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

DEPARTMENT OF THE INTERIOR,  
ENVIRONMENT, AND RELATED  
AGENCIES APPROPRIATIONS  
ACT, 2016

GENERAL LEAVE

Mr. CALVERT. Mr. Speaker, I ask unanimous consent that all Members

may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 2822 and that I may include tabular material on the same.

The SPEAKER pro tempore (Mr. CARTER of Georgia). Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 333 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2822.

Will the gentlewoman from Florida (Ms. ROS-LEHTINEN) kindly take the chair.

□ 1446

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2822) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, with Ms. ROS-LEHTINEN (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Thursday, June 25, 2015, an amendment offered by the gentleman from Michigan (Mr. BENISHEK) had been disposed of, and the bill had been read through page 76, line 4.

Mr. CALVERT. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Madam Chair, I would encourage Members who have striking amendments to come to the floor immediately.

I yield back the balance of my time. The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

#### CAPITAL IMPROVEMENT AND MAINTENANCE (INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Forest Service, not otherwise provided for, \$357,363,000, to remain available until expended, for construction, capital improvement, maintenance and acquisition of buildings and other facilities and infrastructure; and for construction, reconstruction, decommissioning of roads that are no longer needed, including unauthorized roads that are not part of the transportation system, and maintenance of forest roads and trails by the Forest Service as authorized by 16 U.S.C. 532-538 and 23 U.S.C. 101 and 205: *Provided*, That \$40,000,000 shall be designated for urgently needed road decommissioning, road and trail repair and maintenance and associated activities, and removal of fish passage barriers, especially in areas where Forest Service roads may be contributing to water quality problems in streams and water bodies which support threatened, endangered, or sensitive species or community water sources: *Provided fur-*

*ther*, That funds becoming available in fiscal year 2016 under the Act of March 4, 1913 (16 U.S.C. 501) shall be transferred to the General Fund of the Treasury and shall not be available for transfer or obligation for any other purpose unless the funds are appropriated: *Provided further*, That of the funds provided for decommissioning of roads, up to \$14,743,000 may be transferred to the "National Forest System" to support the Integrated Resource Restoration pilot program.

#### LAND ACQUISITION

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, (16 U.S.C. 4601-4 et seq.), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the Forest Service, \$20,000,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

#### AMENDMENT OFFERED BY MR. POE OF TEXAS

Mr. POE of Texas. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 77, line 14, after the dollar amount, insert "(reduced by \$1,000,000)(increased by \$1,000,000)".

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. POE of Texas. Madam Chair, this amendment takes \$1 million out of the Forest Service land acquisition account and then, for technical reasons, inserts it back into the same account with the intent to identify unused land for potential sale.

The United States Federal Government currently owns around 640 million acres of land. That is just a number. But that is 27 percent of the landmass in the United States, owned by Uncle Sam. That is the same size as all of Western Europe, if you can imagine that, that being 27 percent of the United States landmass. The Forest Service alone owns over 230 million acres of this Federal land.

This amendment is very simple. All it does is to have the Federal Government examine the land that it has in its possession for the potential sale back to Americans so that Americans can own America.

We are not talking about National Forests. We are not talking about the Grand Canyon. We are talking about unused land that is owned by the Federal Government.

It will have the Federal Government go through that land—27 percent of the landmass in the country—and decide whether some of that might actually be better to be in the possession and the property of Americans so that, if Americans then own the land, that land in some State—like Utah—can then be developed by Americans, and then those people can pay taxes on the land that would go to the State of

Utah, for example. Right now the land is unused. It is not able to be productive.

So that is what this amendment would do: have the Forest Service study the possibility of selling some of that unused land back to the United States.

I yield to the gentleman from California.

Mr. CALVERT. Madam Chair, I urge the adoption of the gentleman's amendment.

Mr. POE of Texas. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. POE).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

#### ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

For acquisition of lands within the exterior boundaries of the Cache, Uinta, and Wasatch National Forests, Utah; the Toiyabe National Forest, Nevada; and the Angeles, San Bernardino, Sequoia, and Cleveland National Forests, California, as authorized by law, \$950,000, to be derived from forest receipts.

#### ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

For acquisition of lands, such sums, to be derived from funds deposited by State, county, or municipal governments, public school districts, or other public school authorities, and for authorized expenditures from funds deposited by non-Federal parties pursuant to Land Sale and Exchange Acts, pursuant to the Act of December 4, 1967 (16 U.S.C. 484a), to remain available until expended (16 U.S.C. 4601-516-617a, 555a; Public Law 96-586; Public Law 76-589, 76-591; and Public Law 78-310).

#### RANGE BETTERMENT FUND

For necessary expenses of range rehabilitation, protection, and improvement, 50 percent of all moneys received during the prior fiscal year, as fees for grazing domestic livestock on lands in National Forests in the 16 Western States, pursuant to section 401(b)(1) of Public Law 94-579, to remain available until expended, of which not to exceed 6 percent shall be available for administrative expenses associated with on-the-ground range rehabilitation, protection, and improvements.

#### GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

For expenses authorized by 16 U.S.C. 1643(b), \$45,000, to remain available until expended, to be derived from the fund established pursuant to the above Act.

#### MANAGEMENT OF NATIONAL FOREST LANDS FOR SUSTAINANCE USES

For necessary expenses of the Forest Service to manage Federal lands in Alaska for subsistence uses under title VIII of the Alaska National Interest Lands Conservation Act (Public Law 96-487), \$2,441,000, to remain available until expended.

#### WILDLAND FIRE MANAGEMENT

#### (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for forest fire suppression activities on National Forest System lands, for emergency fire suppression on or adjacent to such lands or other lands

under fire protection agreement, hazardous fuels management on or adjacent to such lands, emergency rehabilitation of burned-over National Forest System lands and water, and for State and volunteer fire assistance, \$2,373,078,000, to remain available until expended: *Provided*, That such funds including unobligated balances under this heading, are available for repayment of advances from other appropriations accounts previously transferred for such purposes: *Provided further*, That such funds shall be available to reimburse State and other co-operating entities for services provided in response to wildfire and other emergencies or disasters to the extent such reimbursements by the Forest Service for non-fire emergencies are fully repaid by the responsible emergency management agency: *Provided further*, That, notwithstanding any other provision of law, \$6,914,000 of funds appropriated under this appropriation shall be available for the Forest Service in support of fire science research authorized by the Joint Fire Science Program, including all Forest Service authorities for the use of funds, such as contracts, grants, research joint venture agreements, and cooperative agreements: *Provided further*, That all authorities for the use of funds, including the use of contracts, grants, and cooperative agreements, available to execute the Forest and Rangeland Research appropriation, are also available in the utilization of these funds for Fire Science Research: *Provided further*, That funds provided shall be available for emergency rehabilitation and restoration, hazardous fuels management activities, support to Federal emergency response, and wildfire suppression activities of the Forest Service: *Provided further*, That of the funds provided, \$361,749,000 is for hazardous fuels management activities, \$19,795,000 is for research activities and to make competitive research grants pursuant to the Forest and Rangeland Renewable Resources Research Act, (16 U.S.C. 1641 et seq.), \$78,000,000 is for State fire assistance, and \$13,000,000 is for volunteer fire assistance under section 10 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2106): *Provided further*, That amounts in this paragraph may be transferred to the "National Forest System", and "Forest and Rangeland Research" accounts to fund forest and rangeland research, the Joint Fire Science Program, vegetation and watershed management, heritage site rehabilitation, and wildlife and fish habitat management and restoration: *Provided further*, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: *Provided further*, That up to \$15,000,000 of the funds provided herein may be used by the Secretary of Agriculture to enter into procurement contracts or cooperative agreements or to issue grants for hazardous fuels management activities and for training or monitoring associated with such hazardous fuels management activities on Federal land or on non-Federal land if the Secretary determines such activities implement a community wildfire protection plan (or equivalent) and benefit resources on Federal land: *Provided further*, That funds made available to implement the Community Forest Restoration Act, Public Law 106-393, title VI, shall be available for use on non-Federal lands in accordance with authorities made available to the Forest Service under the

"State and Private Forestry" appropriation: *Provided further*, That the Secretary of the Interior and the Secretary of Agriculture may authorize the transfer of funds appropriated for wildland fire management, in an aggregate amount not to exceed \$50,000,000, between the Departments when such transfers would facilitate and expedite wildland fire management programs and projects: *Provided further*, That of the funds provided for hazardous fuels management, not to exceed \$5,000,000 may be used to make grants, using any authorities available to the Forest Service under the "State and Private Forestry" appropriation, for the purpose of creating incentives for increased use of biomass from National Forest System lands: *Provided further*, That funds designated for wildfire suppression, including funds transferred from the "FLAME Wildfire Suppression Reserve Fund", shall be assessed for cost pools on the same basis as such assessments are calculated against other agency programs: *Provided further*, That of the funds for hazardous fuels management, up to \$28,077,000 may be transferred to the "National Forest System" to support the Integrated Resource Restoration pilot program.

AMENDMENT OFFERED BY MR. POLIS

Mr. POLIS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 79, line 17, after the dollar amount, insert "(increased by \$1,000,000) (decreased by \$1,000,000)".

Mr. CALVERT. Madam Chairman, I reserve a point of order.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 333, the gentleman from Colorado and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Madam Chair, we still see approximately 3,000 deaths, 17,000 injuries, and \$3 billion spent annually as a result of wildfires across the country.

In many ways, wildfires lack parity with nearly every other natural disaster and are hugely underfunded when it comes to mitigation, prevention, and suppression.

Despite the fact the fires often occur in rural communities with smaller populations, wildfires demand intensive resources, equipment, and infrastructure.

The Volunteer Fire Assistance grant program is critical to moving the needle on wildfire management and supporting the men and women who serve in our volunteer fire agencies, including in my district in Colorado. Though this grant program is small and oriented towards lesser trafficked communities, its impact is incredible.

The Volunteer Fire Assistance program provides matching funds to volunteer fire departments protecting communities with 10,000 or fewer resi-

dents to purchase equipment and training for use in wildland fire suppression.

Volunteer fire departments provide nearly 80 percent of the initial attack on wildfires across the United States, but, unfortunately, these volunteer fire departments frequently lack the financial resources. And \$1 million makes an enormous difference for our volunteer fire departments across the country.

Unfortunately, in recent years, Federal funding for volunteer fire departments to prepare for wildland fire suppression has dwindled. VFA has seen funding reduced from \$16 million in FY 2010 to \$15.6 million in 2011 and approximately \$13 million in FY 2012-2015.

Additionally, the Rural Fire Assistance program, which has historically been funded at \$7 to \$10 million per year and provided matching grants to fire departments that agreed to assist in responding to wildland fires on Federal lands, hasn't been funded since FY 2010.

I reserve the balance of my time.

Mr. CALVERT. Madam Chair, I withdraw my reservation of a point of order.

The Acting CHAIR. The reservation of the point of order is withdrawn.

Mr. POLIS. Madam Chair, Federal support is critical to ensure volunteer fire departments are able to safely and effectively respond to wildland fires.

The bipartisan amendment I offer today with my colleagues, Representatives RUIZ of California and PETER KING of New York, would help ensure that we have stronger support for our volunteer fire departments across our country.

I urge my colleagues to support this amendment that has been supported by the Congressional Fire Service Institute, the International Association of Fire Chiefs, and National Volunteer Fire Council.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. POLIS).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

FLAME WILDFIRE SUPPRESSION RESERVE FUND  
(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for large fire suppression operations of the Department of Agriculture and as a reserve fund for suppression and Federal emergency response activities, \$315,000,000, to remain available until expended: *Provided*, That such amounts are only available for transfer to the "Wildland Fire Management" account following a declaration by the Secretary in accordance with section 502 of the FLAME Act of 2009 (43 U.S.C. 1748a).

ADMINISTRATIVE PROVISIONS, FOREST SERVICE  
(INCLUDING TRANSFERS OF FUNDS)

Appropriations to the Forest Service for the current fiscal year shall be available for: (1) purchase of passenger motor vehicles; acquisition of passenger motor vehicles from excess sources, and hire of such vehicles; purchase, lease, operation, maintenance, and acquisition of aircraft to maintain the operable fleet for use in Forest Service wildland fire programs and other Forest Service programs; notwithstanding other provisions of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft; (2) services pursuant to 7 U.S.C. 2225, and not to exceed \$100,000 for employment under 5 U.S.C. 3109; (3) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (4) acquisition of land, waters, and interests therein pursuant to 7 U.S.C. 428a; (5) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, and 558a note); (6) the cost of uniforms as authorized by 5 U.S.C. 5901-5902; and (7) for debt collection contracts in accordance with 31 U.S.C. 3718(c).

Any appropriations or funds available to the Forest Service may be transferred to the Wildland Fire Management appropriation for forest firefighting, emergency rehabilitation of burned-over or damaged lands or waters under its jurisdiction, and fire preparedness due to severe burning conditions upon the Secretary's notification of the House and Senate Committees on Appropriations that all fire suppression funds appropriated under the headings "Wildland Fire Management" and "FLAME Wildfire Suppression Reserve Fund" will be obligated within 30 days: *Provided*, That all funds used pursuant to this paragraph must be replenished by a supplemental appropriation which must be requested as promptly as possible.

Funds appropriated to the Forest Service shall be available for assistance to or through the Agency for International Development in connection with forest and rangeland research, technical information, and assistance in foreign countries, and shall be available to support forestry and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with U.S., private, and international organizations. The Forest Service, acting for the International Program, may sign direct funding agreements with foreign governments and institutions as well as other domestic agencies (including the U.S. Agency for International Development, the Department of State, and the Millennium Challenge Corporation), U.S. private sector firms, institutions and organizations to provide technical assistance and training programs overseas on forestry and rangeland management.

Funds appropriated to the Forest Service shall be available for expenditure or transfer to the Department of the Interior, Bureau of Land Management, for removal, preparation, and adoption of excess wild horses and burros from National Forest System lands, and for the performance of cadastral surveys to designate the boundaries of such lands.

None of the funds made available to the Forest Service in this Act or any other Act with respect to any fiscal year shall be subject to transfer under the provisions of section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257), section 442 of Public Law 106-224 (7 U.S.C. 7772), or section 10417(b) of Public Law 107-107 (7 U.S.C. 8316(b)).

None of the funds available to the Forest Service may be reprogrammed without the

advance approval of the House and Senate Committees on Appropriations in accordance with the reprogramming procedures contained in the report accompanying this Act.

Not more than \$82,000,000 of funds available to the Forest Service shall be transferred to the Working Capital Fund of the Department of Agriculture and not more than \$14,500,000 of funds available to the Forest Service shall be transferred to the Department of Agriculture for Department Reimbursable Programs, commonly referred to as Greenbook charges. Nothing in this paragraph shall prohibit or limit the use of reimbursable agreements requested by the Forest Service in order to obtain services from the Department of Agriculture's National Information Technology Center and the Department of Agriculture's International Technology Service.

Of the funds available to the Forest Service, up to \$5,000,000 shall be available for priority projects within the scope of the approved budget, which shall be carried out by the Youth Conservation Corps and shall be carried out under the authority of the Public Lands Corps Act of 1993, Public Law 103-82, as amended by Public Lands Corps Healthy Forests Restoration Act of 2005, Public Law 109-154.

Of the funds available to the Forest Service, \$4,000 is available to the Chief of the Forest Service for official reception and representation expenses.

Pursuant to sections 405(b) and 410(b) of Public Law 101-593, of the funds available to the Forest Service, up to \$3,000,000 may be advanced in a lump sum to the National Forest Foundation to aid conservation partnership projects in support of the Forest Service mission, without regard to when the Foundation incurs expenses, for projects on or benefitting National Forest System lands or related to Forest Service programs: *Provided*, That of the Federal funds made available to the Foundation, no more than \$300,000 shall be available for administrative expenses: *Provided further*, That the Foundation shall obtain, by the end of the period of Federal financial assistance, private contributions to match on at least one-for-one basis funds made available by the Forest Service: *Provided further*, That the Foundation may transfer Federal funds to a Federal or a non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds.

Pursuant to section 2(b)(2) of Public Law 98-244, up to \$3,000,000 of the funds available to the Forest Service may be advanced to the National Fish and Wildlife Foundation in a lump sum to aid cost-share conservation projects, without regard to when expenses are incurred, on or benefitting National Forest System lands or related to Forest Service programs: *Provided*, That such funds shall be matched on at least a one-for-one basis by the Foundation or its sub-recipients: *Provided further*, That the Foundation may transfer Federal funds to a Federal or non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds.

Funds appropriated to the Forest Service shall be available for interactions with and providing technical assistance to rural communities and natural resource-based businesses for sustainable rural development purposes.

Funds appropriated to the Forest Service shall be available for payments to counties within the Columbia River Gorge National Scenic Area, pursuant to section 14(c)(1) and (2), and section 16(a)(2) of Public Law 99-663.

Any funds appropriated to the Forest Service may be used to meet the non-Federal share requirement in section 502(c) of the Older Americans Act of 1965 (42 U.S.C. 3056(c)(2)).

Funds available to the Forest Service, not to exceed \$55,000,000, shall be assessed for the purpose of performing fire, administrative and other facilities maintenance and decommissioning. Such assessments shall occur using a square foot rate charged on the same basis the agency uses to assess programs for payment of rent, utilities, and other support services.

Notwithstanding any other provision of law, any appropriations or funds available to the Forest Service not to exceed \$500,000 may be used to reimburse the Office of the General Counsel (OGC), Department of Agriculture, for travel and related expenses incurred as a result of OGC assistance or participation requested by the Forest Service at meetings, training sessions, management reviews, land purchase negotiations and similar nonlitigation-related matters. Future budget justifications for both the Forest Service and the Department of Agriculture should clearly display the sums previously transferred and the requested funding transfers.

An eligible individual who is employed in any project funded under title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.) and administered by the Forest Service shall be considered to be a Federal employee for purposes of chapter 171 of title 28, United States Code.

#### DEPARTMENT OF HEALTH AND HUMAN SERVICES

##### INDIAN HEALTH SERVICE

##### INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination and Education Assistance Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to the Indian Health Service, \$4,321,539,000, together with payments received during the fiscal year pursuant to 42 U.S.C. 238(b) and 238b, for services furnished by the Indian Health Service: *Provided*, That funds made available to tribes and tribal organizations through contracts, grant agreements, or any other agreements or compacts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), shall be deemed to be obligated at the time of the grant or contract award and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further*, That, \$935,726,000 for Purchased/Referred Care, including \$51,500,000 for the Indian Catastrophic Health Emergency Fund, shall remain available until expended: *Provided further*, That, of the funds provided, up to \$36,000,000 shall remain available until expended for implementation of the loan repayment program under section 108 of the Indian Health Care Improvement Act: *Provided further*, That the amounts collected by the Federal Government as authorized by sections 104 and 108 of the Indian Health Care Improvement Act (25 U.S.C. 1613a and 1616a) during the preceding fiscal year for breach of contracts shall be deposited to the Fund authorized by section 108A of the Act (25 U.S.C. 1616a-1) and shall remain available until expended and, notwithstanding section 108A(c) of the Act (25 U.S.C. 1616a-1(c)), funds shall be available to make new awards under the loan repayment and scholarship programs under sections 104 and 108 of the Act (25

U.S.C. 1613a and 1616a): *Provided further*, That funds provided in this Act may be used for annual contracts and grants that fall within 2 fiscal years, provided the total obligation is recorded in the year the funds are appropriated: *Provided further*, That the amounts collected by the Secretary of Health and Human Services under the authority of title IV of the Indian Health Care Improvement Act shall remain available until expended for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act, except for those related to the planning, design, or construction of new facilities: *Provided further*, That funding contained herein for scholarship programs under the Indian Health Care Improvement Act (25 U.S.C. 1613) shall remain available until expended: *Provided further*, That amounts received by tribes and tribal organizations under title IV of the Indian Health Care Improvement Act shall be reported and accounted for and available to the receiving tribes and tribal organizations until expended: *Provided further*, That the Bureau of Indian Affairs may collect from the Indian Health Service, tribes and tribal organizations operating health facilities pursuant to Public Law 93-638, such individually identifiable health information relating to disabled children as may be necessary for the purpose of carrying out its functions under the Individuals with Disabilities Education Act (20 U.S.C. 1400, et seq.): *Provided further*, That the Indian Health Care Improvement Fund may be used, as needed, to carry out activities typically funded under the Indian Health Facilities account: *Provided further*, That \$717,970,000 shall be for payments to Indian tribes and tribal organizations for contract support costs associated with contracts, grants, self-governance compacts, or annual funding agreements between the Indian Health Service and an Indian tribe or tribal organization pursuant to the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) prior to or during fiscal year 2016, and shall remain available until expended.

#### INDIAN HEALTH FACILITIES

For construction, repair, maintenance, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites, purchase and erection of modular buildings, and purchases of trailers; and for provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Determination Act, and the Indian Health Care Improvement Act, and for expenses necessary to carry out such Acts and titles II and III of the Public Health Service Act with respect to environmental health and facilities support activities of the Indian Health Service, \$466,329,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, funds appropriated for the planning, design, construction, renovation or expansion of health facilities for the benefit of an Indian tribe or tribes may be used to purchase land on which such facilities will be located: *Provided further*, That not to exceed \$500,000 may be used by the Indian Health Service to purchase TRANSAM equipment from the Department of Defense for distribution to the Indian Health Service and tribal facilities: *Provided further*, That none of the funds appropriated to the Indian Health Service may be used for sanitation facilities construction for new homes funded with grants by the

housing programs of the United States Department of Housing and Urban Development: *Provided further*, That not to exceed \$2,700,000 from this account and the "Indian Health Services" account may be used by the Indian Health Service to obtain ambulances for the Indian Health Service and tribal facilities in conjunction with an existing interagency agreement between the Indian Health Service and the General Services Administration: *Provided further*, That not to exceed \$500,000 may be placed in a Demolition Fund, to remain available until expended, and be used by the Indian Health Service for the demolition of Federal buildings.

#### ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE

Appropriations provided in this Act to the Indian Health Service shall be available for services as authorized by 5 U.S.C. 3109 at rates not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376; hire of passenger motor vehicles and aircraft; purchase of medical equipment; purchase of reprints; purchase, renovation and erection of modular buildings and renovation of existing facilities; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; uniforms or allowances therefor as authorized by 5 U.S.C. 5901-5902; and for expenses of attendance at meetings that relate to the functions or activities of the Indian Health Service: *Provided*, That in accordance with the provisions of the Indian Health Care Improvement Act, non-Indian patients may be extended health care at all tribally administered or Indian Health Service facilities, subject to charges, and the proceeds along with funds recovered under the Federal Medical Care Recovery Act (42 U.S.C. 2651-2653) shall be credited to the account of the facility providing the service and shall be available without fiscal year limitation: *Provided further*, That notwithstanding any other law or regulation, funds transferred from the Department of Housing and Urban Development to the Indian Health Service shall be administered under Public Law 86-121, the Indian Sanitation Facilities Act and Public Law 93-638: *Provided further*, That funds appropriated to the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation: *Provided further*, That none of the funds made available to the Indian Health Service in this Act shall be used for any assessments or charges by the Department of Health and Human Services unless identified in the budget justification and provided in this Act, or approved by the House and Senate Committees on Appropriations through the reprogramming process: *Provided further*, That notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant, or agreement authorized by title I or title V of the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), may be deobligated and reobligated to a self-determination contract under title I, or a self-governance agreement under title V of such Act and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further*, That none of the funds made available to the Indian Health Service in this Act shall be used to implement the final rule published in the Federal Register on September 16, 1987, by the Department of Health

and Human Services, relating to the eligibility for the health care services of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the increased costs associated with the proposed final rule, and such request has been included in an appropriations Act and enacted into law: *Provided further*, That with respect to functions transferred by the Indian Health Service to tribes or tribal organizations, the Indian Health Service is authorized to provide goods and services to those entities on a reimbursable basis, including payments in advance with subsequent adjustment, and the reimbursements received therefrom, along with the funds received from those entities pursuant to the Indian Self-Determination Act, may be credited to the same or subsequent appropriation account from which the funds were originally derived, with such amounts to remain available until expended: *Provided further*, That reimbursements for training, technical assistance, or services provided by the Indian Health Service will contain total costs, including direct, administrative, and overhead associated with the provision of goods, services, or technical assistance: *Provided further*, That the appropriation structure for the Indian Health Service may not be altered without advance notification to the House and Senate Committees on Appropriations: *Provided further*, That the Indian Health Service shall develop a strategic plan for the Urban Indian Health program in consultation with urban Indians and the National Academy of Public Administration, and shall publish such plan not later than one year after the date of enactment of this Act.

#### NATIONAL INSTITUTES OF HEALTH

##### NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For necessary expenses for the National Institute of Environmental Health Sciences in carrying out activities set forth in section 311(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9660(a)) and section 126(g) of the Superfund Amendments and Reauthorization Act of 1986, \$77,349,000.

##### AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

##### TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH

For necessary expenses for the Agency for Toxic Substances and Disease Registry (ATSDR) in carrying out activities set forth in sections 104(i) and 111(c)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) and section 3019 of the Solid Waste Disposal Act, \$74,691,000, of which up to \$1,000 per eligible employee of the Agency for Toxic Substances and Disease Registry shall remain available until expended for Individual Learning Accounts: *Provided*, That notwithstanding any other provision of law, in lieu of performing a health assessment under section 104(i)(6) of CERCLA, the Administrator of ATSDR may conduct other appropriate health studies, evaluations, or activities, including, without limitation, biomedical testing, clinical evaluations, medical monitoring, and referral to accredited healthcare providers: *Provided further*, That in performing any such health assessment or health study, evaluation, or activity, the Administrator of ATSDR shall not be bound by the deadlines in section 104(i)(6)(A) of CERCLA: *Provided further*, That none of the funds appropriated under this heading shall be available for ATSDR to issue in excess of 40 toxicological profiles

pursuant to section 104(i) of CERCLA during fiscal year 2016, and existing profiles may be updated as necessary.

#### OTHER RELATED AGENCIES

##### EXECUTIVE OFFICE OF THE PRESIDENT COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

For necessary expenses to continue functions assigned to the Council on Environmental Quality and Office of Environmental Quality pursuant to the National Environmental Policy Act of 1969, the Environmental Quality Improvement Act of 1970, and Reorganization Plan No. 1 of 1977, and not to exceed \$750 for official reception and representation expenses, \$3,000,000: *Provided*, That notwithstanding section 202 of the National Environmental Policy Act of 1970, the Council shall consist of one member, appointed by the President, by and with the advice and consent of the Senate, serving as chairman and exercising all powers, functions, and duties of the Council.

##### CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

#### SALARIES AND EXPENSES

For necessary expenses in carrying out activities pursuant to section 112(r)(6) of the Clean Air Act, including hire of passenger vehicles, uniforms or allowances therefor, as authorized by 5 U.S.C. 5901-5902, and for services authorized by 5 U.S.C. 3109 but at rates for individuals not to exceed the per diem equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376, \$11,000,000: *Provided*, That the Chemical Safety and Hazard Investigation Board (Board) shall have not more than three career Senior Executive Service positions: *Provided further*, That notwithstanding any other provision of law, the individual appointed to the position of Inspector General of the Environmental Protection Agency (EPA) shall, by virtue of such appointment, also hold the position of Inspector General of the Board: *Provided further*, That notwithstanding any other provision of law, the Inspector General of the Board shall utilize personnel of the Office of Inspector General of EPA in performing the duties of the Inspector General of the Board, and shall not appoint any individuals to positions within the Board.

##### OFFICE OF NAVAJO AND HOPÍ INDIAN RELOCATION

#### SALARIES AND EXPENSES (INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93-531, \$7,341,000, to remain available until expended: *Provided*, That funds provided in this or any other appropriations Act are to be used to relocate eligible individuals and groups including evictees from District 6, Hopi-partitioned lands residents, those in significantly substandard housing, and all others certified as eligible and not included in the preceding categories: *Provided further*, That none of the funds contained in this or any other Act may be used by the Office of Navajo and Hopi Indian Relocation to evict any single Navajo or Navajo family who, as of November 30, 1985, was physically domiciled on the lands partitioned to the Hopi Tribe unless a new or replacement home is provided for such household: *Provided further*, That no relocatee will be provided with more than one new or replacement home: *Provided further*, That the Office shall relocate any certified eligible relocatees who have selected and received an approved homesite on the Navajo reservation or selected a replacement residence off the

Navajo reservation or on the land acquired pursuant to 25 U.S.C. 640d-10: *Provided further*, That \$200,000 shall be transferred to the Office of Inspector General of the Department of the Interior, to remain available until expended, for audits and investigations of the Office of Navajo and Hopi Indian Relocation, consistent with the Inspector General Act of 1978 (5 U.S.C. App.).

##### INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT PAYMENT TO THE INSTITUTE

For payment to the Institute of American Indian and Alaska Native Culture and Arts Development, as authorized by title XV of Public Law 99-498 (20 U.S.C. 56 part A), \$9,469,000, to remain available until September 30, 2017.

#### SMITHSONIAN INSTITUTION SALARIES AND EXPENSES

For necessary expenses of the Smithsonian Institution, as authorized by law, including research in the fields of art, science, and history; development, preservation, and documentation of the National Collections; presentation of public exhibits and performances; collection, preparation, dissemination, and exchange of information and publications; conduct of education, training, and museum assistance programs; maintenance, alteration, operation, lease agreements of no more than 30 years, and protection of buildings, facilities, and approaches; not to exceed \$100,000 for services as authorized by 5 U.S.C. 3109; and purchase, rental, repair, and cleaning of uniforms for employees, \$680,422,000, to remain available until September 30, 2017, except as otherwise provided herein; of which not to exceed \$47,522,000 for the instrumentation program, collections acquisition, exhibition reinstallation, the National Museum of African American History and Culture, and the repatriation of skeletal remains program shall remain available until expended; and including such funds as may be necessary to support American overseas research centers: *Provided*, That funds appropriated herein are available for advance payments to independent contractors performing research services or participating in official Smithsonian presentations.

#### FACILITIES CAPITAL

For necessary expenses of repair, revitalization, and alteration of facilities owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), and for construction, including necessary personnel, \$139,119,000, to remain available until expended, of which not to exceed \$10,000 shall be for services as authorized by 5 U.S.C. 3109.

#### NATIONAL GALLERY OF ART SALARIES AND EXPENSES

For the upkeep and operations of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards, and uniforms, or allowances therefor, for other employees as authorized by law (5 U.S.C. 5901-

5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, alteration, improvement, and repair of buildings, approaches, and grounds; and purchase of services for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper, \$119,500,000, to remain available until September 30, 2017, of which not to exceed \$3,578,000 for the special exhibition program shall remain available until expended.

#### REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

For necessary expenses of repair, restoration and renovation of buildings, grounds and facilities owned or occupied by the National Gallery of Art, by contract or otherwise, for operating lease agreements of no more than 10 years, with no extensions or renewals beyond the 10 years, that address space needs created by the ongoing renovations in the Master Facilities Plan, as authorized, \$19,000,000, to remain available until expended: *Provided*, That contracts awarded for environmental systems, protection systems, and exterior repair or renovation of buildings of the National Gallery of Art may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

#### JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

#### OPERATIONS AND MAINTENANCE

For necessary expenses for the operation, maintenance and security of the John F. Kennedy Center for the Performing Arts, \$21,660,000.

#### CAPITAL REPAIR AND RESTORATION

For necessary expenses for capital repair and restoration of the existing features of the building and site of the John F. Kennedy Center for the Performing Arts, \$11,140,000, to remain available until expended.

#### WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

#### SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions of the Woodrow Wilson Memorial Act of 1968 (82 Stat. 1356) including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, \$10,420,000, to remain available until September 30, 2017.

#### NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

#### NATIONAL ENDOWMENT FOR THE ARTS

#### GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, \$146,021,000 shall be available to the National Endowment for the Arts for the support of projects and productions in the arts, including arts education and public outreach activities, through assistance to organizations and individuals pursuant to section 5 of the Act, for program support, and for administering the functions of the Act, to remain available until expended.

#### NATIONAL ENDOWMENT FOR THE HUMANITIES

#### GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, \$146,021,000 to remain available until expended, of which \$135,121,000 shall be available for support of activities in the humanities, pursuant to section 7(c) of the Act and for administering the



functions of the Act; and \$10,900,000 shall be available to carry out the matching grants program pursuant to section 10(a)(2) of the Act, including \$8,500,000 for the purposes of section 7(h): *Provided*, That appropriations for carrying out section 10(a)(2) shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, devises of money, and other property accepted by the chairman or by grantees of the National Endowment for the Humanities under the provisions of sections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

#### ADMINISTRATIVE PROVISIONS

None of the funds appropriated to the National Foundation on the Arts and the Humanities may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided*, That none of the funds appropriated to the National Foundation on the Arts and the Humanities may be used for official reception and representation expenses: *Provided further*, That funds from nonappropriated sources may be used as necessary for official reception and representation expenses: *Provided further*, That the Chairperson of the National Endowment for the Arts may approve grants of up to \$10,000, if in the aggregate the amount of such grants does not exceed 5 percent of the sums appropriated for grantmaking purposes per year: *Provided further*, That such small grant actions are taken pursuant to the terms of an expressed and direct delegation of authority from the National Council on the Arts to the Chairperson.

#### COMMISSION OF FINE ARTS

##### SALARIES AND EXPENSES

For expenses of the Commission of Fine Arts under Chapter 91 of title 40, United States Code, \$2,524,000: *Provided*, That the Commission is authorized to charge fees to cover the full costs of its publications, and such fees shall be credited to this account as an offsetting collection, to remain available until expended without further appropriation: *Provided further*, That the Commission is authorized to accept gifts, including objects, papers, artwork, drawings and artifacts, that pertain to the history and design of the Nation's Capital or the history and activities of the Commission of Fine Arts, for the purpose of artistic display, study or education.

#### NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law 99-190 (20 U.S.C. 956a), \$2,000,000.

#### ADVISORY COUNCIL ON HISTORIC PRESERVATION

##### SALARIES AND EXPENSES

For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89-665), \$6,080,000.

#### NATIONAL CAPITAL PLANNING COMMISSION

##### SALARIES AND EXPENSES

For necessary expenses of the National Capital Planning Commission under chapter 87 of title 40, United States Code, including services as authorized by 5 U.S.C. 3109, \$7,948,000: *Provided*, That one-quarter of 1 percent of the funds provided under this heading may be used for official reception and representational expenses associated with hosting international visitors engaged in the planning and physical development of world capitals.

#### UNITED STATES HOLOCAUST MEMORIAL MUSEUM

##### HOLOCAUST MEMORIAL MUSEUM

For expenses of the Holocaust Memorial Museum, as authorized by Public Law 106-292 (36 U.S.C. 2301-2310), \$52,385,000, of which \$865,000 shall remain available until September 30, 2018, for the Museum's equipment replacement program; and of which \$2,200,000 for the Museum's repair and rehabilitation program and \$1,264,000 for the Museum's outreach initiatives program shall remain available until expended.

#### TITLE IV—GENERAL PROVISIONS

##### (INCLUDING TRANSFERS OF FUNDS)

##### RESTRICTION ON USE OF FUNDS

SEC. 401. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which Congressional action is not complete other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

##### OBLIGATION OF APPROPRIATIONS

SEC. 402. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

##### DISCLOSURE OF ADMINISTRATIVE EXPENSES

SEC. 403. The amount and basis of estimated overhead charges, deductions, reserves or holdbacks, including working capital fund and cost pool charges, from programs, projects, activities and subactivities to support government-wide, departmental, agency, or bureau administrative functions or headquarters, regional, or central operations shall be presented in annual budget justifications and subject to approval by the Committees on Appropriations of the House of Representatives and the Senate. Changes to such estimates shall be presented to the Committees on Appropriations for approval.

##### MINING APPLICATIONS

SEC. 404. (a) LIMITATION OF FUNDS.—None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accept or process applications for a patent for any mining or mill site claim located under the general mining laws.

(b) EXCEPTIONS.—Subsection (a) shall not apply if the Secretary of the Interior determines that, for the claim concerned (1) a patent application was filed with the Secretary on or before September 30, 1994; and (2) all requirements established under sections 2325 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30) for vein or lode claims, sections 2329, 2330, 2331, and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and section 2337 of the Revised Statutes (30 U.S.C. 42) for mill site claims, as the case may be, were fully complied with by the applicant by that date.

(c) REPORT.—On September 30, 2017, the Secretary of the Interior shall file with the House and Senate Committees on Appropriations and the Committee on Natural Resources of the House and the Committee on Energy and Natural Resources of the Senate a report on actions taken by the Department under the plan submitted pursuant to section 314(c) of the Department of the Interior and Related Agencies Appropriations Act, 1997 (Public Law 104-208).

(d) MINERAL EXAMINATIONS.—In order to process patent applications in a timely and responsible manner, upon the request of a

patent applicant, the Secretary of the Interior shall allow the applicant to fund a qualified third-party contractor to be selected by the Director of the Bureau of Land Management to conduct a mineral examination of the mining claims or mill sites contained in a patent application as set forth in subsection (b). The Bureau of Land Management shall have the sole responsibility to choose and pay the third-party contractor in accordance with the standard procedures employed by the Bureau of Land Management in the retention of third-party contractors.

##### CONTRACT SUPPORT COSTS, PRIOR YEAR

##### LIMITATION

SEC. 405. Sections 405 and 406 of division F of the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113-235) shall continue in effect in fiscal year 2016.

##### CONTRACT SUPPORT COSTS, FISCAL YEAR 2016

##### LIMITATION

SEC. 406. Amounts provided by this Act for fiscal year 2016 under the headings "Department of Health and Human Services, Indian Health Service, Indian Health Services" and "Department of the Interior, Bureau of Indian Affairs and Bureau of Indian Education, Operation of Indian Programs" are the only amounts available for contract support costs arising out of self-determination or self-governance contracts, grants, compacts, or annual funding agreements for fiscal year 2016 with the Bureau of Indian Affairs or the Indian Health Service: *Provided*, That such amounts provided by this Act are not available for payment of claims for contract support costs for prior years, or for repayments of payments for settlements or judgments awarding contract support costs for prior years.

##### FOREST MANAGEMENT PLANS

SEC. 407. The Secretary of Agriculture shall not be considered to be in violation of subparagraph 6(f)(5)(A) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604(f)(5)(A)) solely because more than 15 years have passed without revision of the plan for a unit of the National Forest System. Nothing in this section exempts the Secretary from any other requirement of the Forest and Rangeland Renewable Resources Planning Act (16 U.S.C. 1600 et seq.) or any other law: *Provided*, That if the Secretary is not acting expeditiously and in good faith, within the funding available, to revise a plan for a unit of the National Forest System, this section shall be void with respect to such plan and a court of proper jurisdiction may order completion of the plan on an accelerated basis.

##### PROHIBITION WITHIN NATIONAL MONUMENTS

SEC. 408. No funds provided in this Act may be expended to conduct preleasing, leasing and related activities under either the Mineral Leasing Act (30 U.S.C. 181 et seq.) or the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) within the boundaries of a National Monument established pursuant to the Act of June 8, 1906 (16 U.S.C. 431 et seq.) as such boundary existed on January 20, 2001, except where such activities are allowed under the Presidential proclamation establishing such monument.

##### LIMITATION ON TAKINGS

SEC. 409. Unless otherwise provided herein, no funds appropriated in this Act for the acquisition of lands or interests in lands may be expended for the filing of declarations of taking or complaints in condemnation without the approval of the House and Senate Committees on Appropriations: *Provided*, That this provision shall not apply to funds



appropriated to implement the Everglades National Park Protection and Expansion Act of 1989, or to funds appropriated for Federal assistance to the State of Florida to acquire lands for Everglades restoration purposes.

#### TIMBER SALE REQUIREMENTS

SEC. 410. No timber sale in Alaska's Region 10 shall be advertised if the indicated rate is deficit (defined as the value of the timber is not sufficient to cover all logging and stumpage costs and provide a normal profit and risk allowance under the Forest Service's appraisal process) when appraised using a residual value appraisal. The western red cedar timber from those sales which is surplus to the needs of the domestic processors in Alaska, shall be made available to domestic processors in the contiguous 48 United States at prevailing domestic prices. All additional western red cedar volume not sold to Alaska or contiguous 48 United States domestic processors may be exported to foreign markets at the election of the timber sale holder. All Alaska yellow cedar may be sold at prevailing export prices at the election of the timber sale holder.

#### PROHIBITION ON NO-BID CONTRACTS

SEC. 411. None of the funds appropriated or otherwise made available by this Act to executive branch agencies may be used to enter into any Federal contract unless such contract is entered into in accordance with the requirements of chapter 33 of title 41, United States Code, or chapter 137 of title 10, United States Code, and the Federal Acquisition Regulation, unless—

(1) Federal law specifically authorizes a contract to be entered into without regard for these requirements, including formula grants for States, or federally recognized Indian tribes; or

(2) such contract is authorized by the Indian Self-Determination and Education Assistance Act (Public Law 93-638, 25 U.S.C. 450 et seq.) or by any other Federal laws that specifically authorize a contract within an Indian tribe as defined in section 4(e) of that Act (25 U.S.C. 450b(e)); or

(3) such contract was awarded prior to the date of enactment of this Act.

#### POSTING OF REPORTS

SEC. 412. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

#### NATIONAL ENDOWMENT FOR THE ARTS GRANT GUIDELINES

SEC. 413. Of the funds provided to the National Endowment for the Arts—

(1) The Chairperson shall only award a grant to an individual if such grant is awarded to such individual for a literature fellowship, National Heritage Fellowship, or American Jazz Masters Fellowship.

(2) The Chairperson shall establish procedures to ensure that no funding provided through a grant, except a grant made to a

State or local arts agency, or regional group, may be used to make a grant to any other organization or individual to conduct activity independent of the direct grant recipient. Nothing in this subsection shall prohibit payments made in exchange for goods and services.

(3) No grant shall be used for seasonal support to a group, unless the application is specific to the contents of the season, including identified programs or projects.

#### NATIONAL ENDOWMENT FOR THE ARTS PROGRAM PRIORITIES

SEC. 414. (a) In providing services or awarding financial assistance under the National Foundation on the Arts and the Humanities Act of 1965 from funds appropriated under this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that serve underserved populations.

(b) In this section:

(1) The term "underserved population" means a population of individuals, including urban minorities, who have historically been outside the purview of arts and humanities programs due to factors such as a high incidence of income below the poverty line or to geographic isolation.

(2) The term "poverty line" means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved.

(c) In providing services and awarding financial assistance under the National Foundation on the Arts and Humanities Act of 1965 with funds appropriated by this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that will encourage public knowledge, education, understanding, and appreciation of the arts.

(d) With funds appropriated by this Act to carry out section 5 of the National Foundation on the Arts and Humanities Act of 1965—

(1) the Chairperson shall establish a grant category for projects, productions, workshops, or programs that are of national impact or availability or are able to tour several States;

(2) the Chairperson shall not make grants exceeding 15 percent, in the aggregate, of such funds to any single State, excluding grants made under the authority of paragraph (1);

(3) the Chairperson shall report to the Congress annually and by State, on grants awarded by the Chairperson in each grant category under section 5 of such Act; and

(4) the Chairperson shall encourage the use of grants to improve and support community-based music performance and education.

#### STATUS OF BALANCES OF APPROPRIATIONS

SEC. 415. The Department of the Interior, the Environmental Protection Agency, the Forest Service, and the Indian Health Service shall provide the Committees on Appropriations of the House of Representatives and Senate quarterly reports on the status of balances of appropriations including all uncommitted, committed, and unobligated funds in each program and activity.

#### REPORT ON USE OF CLIMATE CHANGE FUNDS

SEC. 416. Not later than 120 days after the date on which the President's fiscal year 2017

budget request is submitted to the Congress, the President shall submit a comprehensive report to the Committees on Appropriations of the House of Representatives and the Senate describing in detail all Federal agency funding, domestic and international, for climate change programs, projects, and activities in fiscal years 2015 and 2016, including an accounting of funding by agency with each agency identifying climate change programs, projects, and activities and associated costs by line item as presented in the President's Budget Appendix, and including citations and linkages where practicable to each strategic plan that is driving funding within each climate change program, project, and activity listed in the report.

□ 1500

#### AMENDMENT OFFERED BY MR. GRIJALVA

Mr. GRIJALVA. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Strike section 416.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GRIJALVA. Madam Chair, the overwhelming scientific consensus is that climate change is real. Leaders of the communities of faith, such as His Holiness the Pope, are now urging us to take this issue very seriously.

No matter how often the fossil fuel industry whispers that we have nothing to worry about, no matter how much manufactured science they gin up to create doubt, climate change is real.

We should have begun assessing the costs of climate change decades ago, but we did not. The legislation before us today would require a report on climate change expenditures. But the purpose of this section is not to assess the impacts of climate change; the purpose is to root out climate funding in the budget, so that next year's Interior bill can prohibit that spending.

Madam Chair, the report requirement as written is not only pointless, it is counterproductive. The Obama administration is open about responding to climate change. Most of their climate expenditures are clearly labeled and can be discovered by simply reading their budget request. For the remainder, I would be happy to write the President asking him to list these programs, and I suspect he would be pleased to answer.

As written, this reporting requirement is a waste of time. We should be instead asking the administration to report back to us on the costs of climate change to our health, our environment, and our economy.

Earlier this week, the White House issued a report showing that its efforts to reduce air pollution and climate change—efforts opposed by House Republicans, I might add—would provide billions of dollars in health benefits

and save hundreds of thousands of lives.

A report also out this week from the National Park Service showed that \$90 billion of National Park resources are at risk from sea level rise caused by global warming, and we all know about the historic drought in California and the lingering costs of recovery from Superstorm Sandy.

A full assessment of all the costs of inaction would help inform the Congress and the American people about what steps we must take immediately to ensure that climate change does not bring our country to its knees. Unfortunately, this bill does not ask for that assessment.

Instead, Madam Chair, the section my amendment would strike would undertake some kind of witch hunt to root out the meager funding we have in place to respond to this challenge. To support this section is to deny climate change.

I would tell my colleagues, all the constituent services you provide, all the money you can raise, the votes you cast, and the laws you pass will amount to nothing if you are on the wrong side of history on climate change. Climate deniers will join a long list of political figures who failed to respond to the most serious challenge of their time and so are labeled as failures for all time.

Therefore, I urge a "yes" vote on this amendment to strike the reporting language in the bill, and I yield back the balance of my time.

Mr. CALVERT. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Madam Chair, this provision shouldn't be controversial. The language has been included in our enacted bills on a bipartisan basis since 2010. The language simply requires that programs and activities dedicated to climate change are reported in a transparent way so the American people know what we are spending their tax dollars on.

With so many climate change programs being initiated, it is important to know what is being done across the government to avoid redundancy, and there is certainly a significant amount of redundancy in some of these climate change studies. It is in the bill so the committee can have the information it needs to provide critical oversight.

Madam Chair, I urge my colleagues to join me in opposing this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA).

The amendment was rejected.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

#### PROHIBITION ON USE OF FUNDS

SEC. 417. Notwithstanding any other provision of law, none of the funds made available in this Act or any other Act may be used to promulgate or implement any regulation requiring the issuance of permits under title V of the Clean Air Act (42 U.S.C. 7661 et seq.) for carbon dioxide, nitrous oxide, water vapor, or methane emissions resulting from biological processes associated with livestock production.

#### GREENHOUSE GAS REPORTING RESTRICTIONS

SEC. 418. Notwithstanding any other provision of law, none of the funds made available in this or any other Act may be used to implement any provision in a rule, if that provision requires mandatory reporting of greenhouse gas emissions from manure management systems.

#### RECREATION FEE

SEC. 419. Section 810 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6809) is amended by striking "10 years after the date of the enactment of this Act" and inserting "on September 30, 2017".

#### MODIFICATION OF AUTHORITIES

SEC. 420. (a) Section 8162(m)(3) of the Department of Defense Appropriations Act, 2000 (40 U.S.C. 8903 note; Public Law 106-79) is amended by striking "September 30, 2015" and inserting "September 30, 2016".

(b) For fiscal year 2016, the authority provided by the provisos under the heading "Dwight D. Eisenhower Memorial Commission—Capital Construction" in division E of Public Law 112-74 shall not be in effect.

#### FUNDING PROHIBITION

SEC. 421. None of the funds made available by this or any other Act may be used to regulate the lead content of ammunition, ammunition components, or fishing tackle under the Toxic Substances Control Act (15 U.S.C. 2601 et seq.) or any other law.

#### WATERS OF THE UNITED STATES

SEC. 422. None of the funds made available in this Act or any other Act for any fiscal year may be used to develop, adopt, implement, administer, or enforce any change to the regulations and guidance in effect on October 1, 2012, pertaining to the definition of waters under the jurisdiction of the Federal Water Pollution Control Act (33 U.S.C. 1251, et seq.), including the provisions of the rules dated November 13, 1986, and August 25, 1993, relating to said jurisdiction, and the guidance documents dated January 15, 2003, and December 2, 2008, relating to said jurisdiction.

#### AMENDMENT NO. 12 OFFERED BY MRS. LAWRENCE

Mrs. LAWRENCE. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 422.

The Acting CHAIR. Pursuant to House Resolution 333, the gentlewoman from Michigan and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Michigan.

Mrs. LAWRENCE. Madam Chair, I rise today to offer an amendment that would strike section 422 from the underlying bill. In doing so, this amendment would allow the EPA and the Army to implement the waters of the United States rule. This rule will en-

sure protection for the Nation's public health and aquatic resources and will clarify the scope of the waters of the United States protected under this law.

Unfortunately, Republicans continue to undermine efforts to protect the Great Lakes as well as other critical water bodies around the Nation. We cannot afford to delay years of work by the EPA and the Army Corps of Engineers that would enhance the protection of our Nation's aquatic resources and public health.

Madam Chair, I urge my colleagues to support my amendment, and I reserve the balance of my time.

□ 1515

Mr. CALVERT. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Madam Chair, it comes as no surprise that I rise in opposition to this amendment.

In 2006, the Supreme Court determined the EPA and the Corps of Engineers did not have the authority to regulate nonnavigable waters under the Clean Water Act.

I am certain the EPA's final rule violates that. From day one, the EPA claimed that they were not expanding the waters under their jurisdiction, but we now know that those permits will be required and that the final rule is worse than proposed.

Twenty-seven States have now filed lawsuits challenging the legality of EPA's rule, so the Agency again finds itself on shaky legal ground, both on process and substance.

The language in the bill protects the authority of the States by preventing the EPA from implementing its regulation and expanding its jurisdiction. The language needs to stay in, so I urge a "no" vote on the amendment.

I yield such time as he may consume to the gentleman from Idaho (Mr. SIMPSON).

Mr. SIMPSON. Madam Chair, I thank the gentleman for yielding.

I rise in opposition to this amendment.

The language is in there for a very good reason. Everybody assumes that the waters are not covered under the Clean Water Act, that being the navigable waters. That is a definition they came up with somehow—I don't know—but that they are unregulated waters.

They are not unregulated waters. They are regulated by the States. When the court said, "Navigable waters is kind of an elusive term, so maybe you ought to redefine it," the EPA said, "Okay, we will just regulate all the waters," and that is what they did with this. They have gone way beyond whatever the intent of the Clean Water Act was.

I will tell you most resource groups, most agricultural groups, every body

else disagrees with what the EPA has done on this new rule that they are writing. The fact that they have expanded their authority into areas far beyond what was intended in the Clean Water Act, I think, goes beyond the pale and goes beyond what Congress originally intended under the Clean Water Act.

We are not talking about leaving waters unregulated; they are just being regulated by the States, and they need to start over in writing this rule.

Mr. CALVERT. Madam Chair, I reserve the balance of my time.

Mrs. LAWRENCE. Madam Chair, can you tell me how much time I have remaining?

The Acting CHAIR. The gentlewoman from Michigan has 4 minutes remaining.

Mrs. LAWRENCE. Madam Chair, I yield 2 minutes to the gentlewoman from Minnesota (Ms. MCCOLLUM), my colleague.

Ms. MCCOLLUM. Madam Chair, I thank my colleague.

I rise to support the Lawrence amendment to strike the section prohibiting the new rule on the Federal jurisdiction of the waters of the United States.

A few weeks ago, the Obama administration issued a final rule that clarifies the limits of Federal authority under the Clean Water Act. It does this by reducing red tape and providing more certainty for the regulated community.

Instead of confusion in case-by-case determinations about where waters are covered, the rule says physical, measurable boundaries for the first time about where clean water coverage begins and ends.

The rule does not expand the waters covered. In fact, it will actually reduce the scope of waters protected by the Clean Water Act.

Additionally, the rule does not create any new permitting requirements for agriculture. It maintains all previous exemptions and exclusions.

The rule ensures that the waters protected under the Clean Water Act are more precisely defined and predictably measured, making permitting less costly, easier, and faster for business and industry.

Prohibiting the EPA from implementing the rule will only perpetrate confusion in the jurisdiction of the water.

This harmful rider should be struck; therefore, I urge my colleagues to support the Lawrence amendment.

Mr. CALVERT. Madam Chair, I yield to the gentleman from Arizona (Mr. GOSAR).

Mr. GOSAR. Madam Chair, I strongly oppose the gentlewoman's amendment as it seeks to strip a commonsense provision included in the base bill that will protect the American people from the EPA's new waters of the U.S. regulation, commonly referred to as WOTUS.

WOTUS is a terrible Agency proposal that will have disastrous effects and economic consequences for agriculture, small business, property owners, municipalities, and other water users throughout the country.

This job-killing, overreaching water grab being imposed by Washington bureaucrats is a dream killer for future generations and local economies. The EPA claims this new regulation was shaped by public input; yet we recently learned that the EPA used taxpayer dollars to unleash a propaganda campaign in an attempt to rally comments and support for this WOTUS regulation, despite the Anti-Lobbying Act which bans such actions.

Furthermore, States and local governments that have traditionally managed these waterways and activities were not included in drafting the WOTUS regulation. The Agency failed to comply with the Regulatory Flexibility Act as required by Federal law and consider the new impact that the WOTUS regulations would have on small businesses.

The EPA claims this rule is grounded in law; yet this overreaching regulation contradicts prior Supreme Court decisions by expanding Agency control over 60 percent of our country's streams and millions of acres of wetlands that were previously nonjurisdictional.

Despite claiming the WOTUS rule reduces Agency jurisdiction, the final regulation imposes new regulations for navigable waters and their tributaries, potholes, ditches, bays, and even waters that are next to rivers and lakes.

The new WOTUS regulation has been built on a foundation of pseudoscience, deception, and lawlessness. This overreach is so extreme that 24 Members of the President's own party joined Members in the House in passing legislation in May calling for the formal withdrawal of the new WOTUS regulation.

For these reasons and more, I strongly oppose the gentlewoman's amendment and urge its defeat.

Mr. CALVERT. Madam Chair, I urge opposition to this amendment, and I yield back the balance of my time.

Mrs. LAWRENCE. Madam Chair, I would really urge my colleagues to support this amendment.

The rule does not create any new permitting requirements for the agriculture and maintains all previous exemptions and exclusions. The rule ensures that waters protected under the Clean Water Act are more precisely defined and particularly determine making permitting less costly, easier, and faster for business and industry.

I yield back the balance of my time.

Ms. EDWARDS. Madam Chair, I think the American public must be quite confused about what we are currently debating in this Chamber.

The amendment I rise in strong support of strikes section 422 which prevents funds from

being used to "develop, adopt, implement, administer or enforce any change . . . pertaining to the definition of waters under the jurisdiction" of the Clean Water Act (CWA).

I would like to remind the other side that, thanks to the Clean Water Act, billions of pounds of pollution have been kept out of our rivers, and the number of waters that now meet clean water goals nationwide has actually doubled with direct benefits for drinking water, public health, recreation, and wildlife.

This is especially true for my home State of Maryland that is within the six-State Chesapeake Bay Watershed.

The Chesapeake Bay Watershed is fed by 110,000 miles of creeks, rivers, and streams; covers 64,000 square miles; includes over 11,500 miles of shorelines; contains 150 major rivers and streams; and is home to over 17 million people.

And this watershed's land-to-water ratio is 14–1, the largest of any coastal water body in the world.

Several of its tributaries, including the Anacostia, the Patuxent, Potomac, and Severn Rivers flow through the Fourth Congressional District. 70 percent of Marylanders get our drinking water from sources that rely on headwater or seasonal streams.

Nationwide, 117 million people, or over a third of the total population, get our water from these waters.

However, due to the two Supreme Court decisions, there is, in fact, widespread confusion as to what falls under the protection of the Clean Water Act.

That is precisely why the Obama administration finalized their rule clarifying the limits of Federal jurisdiction under the Act on May 27, 2015.

The agencies finalized the clean water protection rule after over a year of public outreach on their then proposed rule at a scale unprecedented in the history of the Clean Water Act, as well as countless congressional hearings.

Madam Chair, supporters of this provision have complained about the confusion in the litigation.

That is precisely why we needed to get through the final rulemaking, which has been years in the making.

That is what the Supreme Court instructed the Federal Government to do 14 years ago with the 2001 SWANCC decision and, subsequently, the 2006 Rapanos case.

Along with those Supreme Court decisions, the Bush administration followed the exact same process in issuing two guidance documents in 2003 and 2008.

Up until the final rule issued just over a month ago, they remained in force.

It is, in fact, these two Bush-era guidance documents that have compounded the confusion, uncertainty, and increased compliance costs faced by our constituents—opponents and proponents alike—who all just say they want clarity.

You don't actually have to take my word for it.

In fact, let me quote from the comments made by the American Farm Bureau Federation, something I don't do all that often: "With no clear regulatory definitions to guide their determinations, what has emerged is a hodgepodge of ad hoc and inconsistent jurisdictional theories."

Those are the words of the American Farm Bureau Federation.

We all agree that it is confusing.

That is why it was so important that this administration finish what the Bush administration started and failed to do, and that is publish a final rule that gives stakeholders the clarity they have been seeking for 14 years.

Madam Chair, despite nearly universal calls for increased clarity and certainty from certain stakeholders, my colleagues have made it a priority to prohibit the implementation of the final clean water rulemaking entirely.

It is really clear that what they want to do is stop these agencies from doing their jobs at all—no new rules and no clean water, what a shame for our natural resources, our public health, and our environment.

I urge my colleagues to support the Quigley-Edwards amendment to strike this harmful and shameful provision.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Michigan (Mrs. LAWRENCE).

The amendment was rejected.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

#### STREAM BUFFER

SEC. 423. None of the funds made available by this Act may be used to develop, carry out, or implement (1) any guidance, policy, or directive to reinterpret or change the historic interpretation of 30 C.F.R. 816.57, which was promulgated on June 30, 1983 by the Office of Surface Mining Reclamation and Enforcement of the Department of the Interior (48 Fed. Reg. 30312); or (2) proposed regulations or supporting materials described in the Federal Register notice published on June 18, 2010 (75 Fed. Reg. 34667) by the Office of Surface Mining Reclamation and Enforcement of the Department of the Interior.

#### AMENDMENT OFFERED BY MR. GRIJALVA

Mr. GRIJALVA. Madam Chair, I rise to offer an amendment.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Beginning at page 122, line 23, strike section 423.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GRIJALVA. Madam Chair, my amendment would allow the Office of Surface Mining Reclamation and Enforcement to continue to develop regulations designed to protect communities and the environment from the devastating effects of mountaintop removal mining.

If you have seen a picture of a mountaintop removal mining site, you get an idea of how destructive this process is. Companies literally blast the tops off of mountains, scoop out the coal, and dump what used to be the mountaintop into the valley below. The scars on the landscape are unmistakable, as are the piles of rock filling in what used to be mountain valleys and streams.

What you don't see in the picture is the health impacts on the people living nearby, although those are just as real and just as terrible. People who live near mountaintop mining sites have higher rates of lung cancer, heart disease, kidney disease, birth defects, hypertension, and other health related problems.

Despite some confusion in the Natural Resources Committee just last month, these results are statistically corrected for rates of smoking, obesity, and other factors.

A paper in the journal *Science* a few years ago, one of the preeminent scientific journals in the world, pointed out that mountaintop removal mining with valley fills "revealed serious environmental impacts that mitigation practices cannot successfully address," that "water emerges from the base of valley fills containing a variety of solutes toxic and damaging to biota," and "recovery of biodiversity in mining waste-impacted streams has not been documented."

Under our laws governing surface coal mining, streams are supposed to be protected; but the existing regulations, which are over 30 years old, have done a poor job of doing just that. Over 2,000 miles of streams have been buried by mountaintop removal mining, and countless more have been polluted by toxic mine runoff. Wildlife habitat is destroyed; fish are killed, and the people in the area suffer.

That is why the administration has been working for years on a new rule that would do a better job of protecting streams. It has taken longer than I would like for them to propose this rule, and the process has certainly not gone as smoothly as it could have.

The majority uses the snags in the process to argue that there shouldn't be a rule at all. Never mind that their own partisan investigation delayed this rule for years without uncovering any evidence of political misconduct.

The majority also claims that this rule will cause huge job losses, but the draft rule hasn't even been published yet, so we can't possibly know the impacts, and the Director of the Office of Surface Mining says the job losses will be minor at best.

Even if the majority does not believe him—and I suspect they might not—they should wait until the draft rule comes out and there can be independent analysis of the impacts, not just wild exaggerations that the mining industry will produce, but real, independent analysis.

If they are still not happy with the rule at that point, we can hold hearings. We can try to pass constructive laws that protect the environment and human health and workers all at the same time.

A partisan rider in this bill that completely stops the ability of the administration to work on this stream buffer

rule to provide badly needed protections to Appalachian communities is the wrong way to go.

It has nothing to do with managing spending. In fact, it would just result in the waste of all the money that was required to get to this very point.

The rider is bad policy; it is bad for the environment, and it is bad for public health and the health of the people living near these mines.

I urge my colleagues to support my amendment that would allow the stream protection rule to see the light of day.

Madam Chair, I yield back the balance of my time.

Mr. CALVERT. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Madam Chair, in 2008, the Office of Surface Mining finalized revisions to the stream zone buffer rule in an open and transparent manner. After taking office, the Obama administration put a hold on the rule and is currently writing a new rule.

The administration's approach under the new rule has been anything but collaborative and inclusive, and many States feel they have been shut out of the process. When Chairman ROGERS required advanced analysis on job impacts, his request was ignored.

The American people expect more openness and transparency from their government, and that is why this funding prohibition must remain in the base bill.

I strongly urge my colleagues to vote "no" and reject this amendment.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GRIJALVA. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

The Clerk will read.

The Clerk read as follows:

#### HUNTING, FISHING, AND RECREATIONAL SHOOTING ON FEDERAL LAND

SEC. 424. (a) LIMITATION ON USE OF FUNDS.—None of the funds made available by this or any other Act for any fiscal year may be used to prohibit the use of or access to Federal land (as such term is defined in section 3 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6502)) for hunting, fishing, or recreational shooting if such use or access—

(1) was not prohibited on such Federal land as of January 1, 2013; and

(2) was conducted in compliance with the resource management plan (as defined in section 101 of such Act (16 U.S.C. 6511)) applicable to such Federal land as of January 1, 2013.

(b) TEMPORARY CLOSURES ALLOWED.—Notwithstanding subsection (a), the Secretary of the Interior or the Secretary of Agriculture may temporarily close, for a period not to exceed 30 days, Federal land managed by the Secretary to hunting, fishing, or recreational shooting if the Secretary determines that the temporary closure is necessary to accommodate a special event or for public safety reasons. The Secretary may extend a temporary closure for one additional 90-day period only if the Secretary determines the extension is necessary because of extraordinary weather conditions or for public safety reasons.

(c) AUTHORITY OF STATES.—Nothing in this section shall be construed as affecting the authority, jurisdiction, or responsibility of the several States to manage, control, or regulate fish and resident wildlife under State law or regulations.

#### LIMITATION ON USE OF FUNDS FOR NATIONAL OCEAN POLICY

SEC. 425. None of the funds made available by this Act may be used to further implementation of the coastal and marine spatial planning and ecosystem-based management components of the National Ocean Policy developed under Executive Order 13547.

#### AMENDMENT OFFERED BY MS. TSONGAS

Ms. TSONGAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Beginning at page 124, line 17, strike section 425.

The Acting CHAIR. Pursuant to House Resolution 333, the gentlewoman from Massachusetts and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Massachusetts.

Ms. TSONGAS. Madam Chair, nearly 3 years ago, Superstorm Sandy caught millions of coastal residents by surprise and cost billions of dollars in economic damage. Unfortunately, the weather is not all that has become more extreme over the past several years.

I am disappointed that this misguided and misinformed language to block implementation of the National Ocean Policy keeps coming back, just like the recurrent coastal flooding being caused by sea level rise, and my amendment would strike that language.

□ 1530

It shows a lack of respect for science and a lack of appreciation for the magnitude and complexity of the governance challenges we face.

It seems some Members of Congress do not want to see government succeed even when government's failure to respond to a disaster, to predict a drought, or to properly manage a fishery can devastate the communities they represent.

When you disavow words like "precaution," "preparedness," and "planning," you stop being conservative and start being reckless.

Conservatives always say they want to run government like a business.

Well, would you invest in a business with different departments that don't talk to each other? Would you invest in a business that is not responsive to its shareholders? Would you invest in a business with no business plan?

That is essentially what the National Ocean Policy is, a business plan for the oceans that seeks to maximize the benefits for shareholders, all the American people.

The policy is a win-win-win for economic growth, public safety, and environmental protection. I urge you to vote "yes" on my amendment to protect the National Ocean Policy.

I reserve the balance of my time.

Mr. CALVERT. Madam Chair, I rise in opposition to the gentlewoman's amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Madam Chair, I have operated a business. Ever since this administration created the National Ocean Policy through executive order, the subcommittee has asked the CEQ, the DOI, and the EPA to provide an estimate of the impact of the Policy on their budgets, and we have yet to receive a substantial answer.

The so-called report we were provided last year was fewer than three pages long. Clearly, this failed to outline expenditures supporting the administration's National Ocean Policy.

Our job here is to pay the bills. When we ask how much does the National Ocean Policy cost, we expect to get an answer. We need an answer so that proper congressional oversight can be conducted.

I want to point out that this language was included in the House fiscal year 2016 Energy and Water Appropriations bill. There are concerns about the costs and all of the unknowns related to this policy in multiple jurisdictions.

The bottom line is, if this administration wants the funds to implement the National Ocean Policy, then tell us how much it is going to cost the taxpayer. I urge my colleagues to join me in opposing this amendment.

Madam Chair, I reserve the balance of my time.

Ms. TSONGAS. Madam Chair, I yield 2 minutes to the gentlewoman from Minnesota (Ms. MCCOLLUM), my colleague.

Ms. MCCOLLUM. I thank the gentlewoman.

Madam Chair, Congress has enacted numerous laws that manage the ocean and coastal issues across 11 of the 15 Cabinet-level departments and four independent agencies across the Federal Government. As my colleague from Massachusetts pointed out, why wouldn't we want these folks to be working together?

Clearly, what the President is trying to do is to just have an action that lets the independent bipartisan commission

move forward, including the U.S. Commission on Ocean Policy, which was appointed entirely by President George W. Bush.

The National Ocean Policy is a means by which the Federal agencies can sort through all of the tangles of uncoordinated governance and can bring some common sense to the chaos. Wouldn't we want that?

If my colleagues have a problem with what government can do on ocean management, then they have a problem with laws that are enacted by Congress, not with the National Ocean Policy or with the President's executive order, because what the President is doing through the National Ocean Policy is following a well-established Presidential tradition of using an executive order to supervise and guide agencies under the President's charge as they execute existing laws passed by Congress.

Let us let this agency get to work. Let us find out how we could be more effective with our agencies working together.

Mr. CALVERT. Madam Chair, I yield such time as he may consume to the gentleman from Texas (Mr. FLORES).

Mr. FLORES. I thank Chairman CALVERT for his work on this bill.

Madam Chair, I want to set the record straight. In the year 2000, Congress did pass a bill during the 106th Congress to create an ocean commission to review and to make recommendations.

Yes, President Bush did appoint persons to that commission. They did make those recommendations, and those recommendations were submitted to Congress.

Since then, those recommendations have been reviewed by the 108th, the 109th, the 110th, and the 111th Congresses, and each of those Congresses decided that no action should be taken.

What happened here is the President decided to go into the Article I powers, which are reserved for Congress, and to do what Congress does not intend to have done, which is to have an ocean zoning commission built from dozens of agencies.

They have never asked for an appropriations for this activity, and there is no lawful basis for the activity to exist. The President's executive order is basically violating the statutes that have been passed by Congress, and it is also violating the Constitution.

The language that is in the appropriations bill should remain as it is. Congress has voted seven times on this language, and it has passed all seven times on a bipartisan basis. The other side is that of basically trying to undo what Congress has said it wants to do seven times on a bipartisan basis.

Ms. TSONGAS. Madam Chair, I yield 1 minute to the gentleman from Virginia (Mr. BEYER), my colleague.

Mr. BEYER. Madam Chair, I rise in support of this amendment, which

would allow for the implementation of the National Ocean Policy.

Plain and simple, coordinated ocean planning makes common sense and is a good economic policy for our coastal communities. It allows for a comprehensive mapping of existing ocean uses that helps to identify and resolve conflicts between stakeholders before they play out in specific permitting processes.

In Virginia, this process has been crucial to preserving public access to the ocean, to sustain economic growth, to address marine debris, to create migration corridors for marine mammals, and to support promising new ocean industries, such as wind power and marine aquaculture.

In fact, I am proud to note that Virginia was recently selected by BOEM to be the first State in the Nation to receive a wind energy research lease in Federal waters. This rider would eliminate language that would undermine regional collaborative efforts to manage existing and future ocean policy challenges.

Let's not roll back the valuable work and resources that many States, industries, and communities have already devoted to implementing this policy. I urge my colleagues to support this amendment.

Mr. CALVERT. Madam Chair, I yield such time as he may consume to the gentleman from Texas (Mr. FLORES).

Mr. FLORES. I thank Chairman CALVERT.

Madam Chair, again, I want to set the record straight. We are not against ocean planning, as it makes perfect sense, but only insofar as Congress has explicitly authorized those activities.

Congress has not allowed the President to do what he is trying to do by executive fiat. There are 67 groups, which include fishing, agricultural, farming, energy, and other industries, that are concerned about the impact of this Federal overreach. Again, it is an unconstitutional Federal overreach, and I would urge my colleagues to vote "no" on the amendment.

Ms. TSONGAS. Madam Chair, I do appreciate that my colleague across the aisle has said that it does make perfect sense to have an ocean policy. The ocean policy is a business plan for the oceans that seeks to maximize the benefits for all of its shareholders, the American people.

I certainly know that we in Massachusetts have a great appreciation for the complex task it seeks to undertake in order to protect that which we value most, the ocean off our coast.

I yield back the balance of my time.

Mr. CALVERT. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Massachusetts (Ms. TSONGAS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. TSONGAS. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Massachusetts will be postponed.

The Clerk will read.

The Clerk read as follows:

#### LEAD TEST KIT

SEC. 426. None of the funds made available by this Act may be used to implement or enforce regulations under subpart E of part 745 of title 40, Code of Federal Regulations (commonly referred to as the "Lead; Renovation, Repair, and Painting Rule"), or any subsequent amendments to such regulations, until the Administrator of the Environmental Protection Agency publicizes Environmental Protection Agency recognition of a commercially available lead test kit that meets both criteria under section 745.88(c) of title 40, Code of Federal Regulations.

#### FINANCIAL ASSURANCE

SEC. 427. None of the funds made available by this Act may be used to develop, propose, finalize, implement, enforce, or administer any regulation that would establish new financial responsibility requirements pursuant to section 108(b) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9608(b)).

#### GHG NSPS

SEC. 428. None of the funds made available by this Act shall be used to propose, finalize, implement, or enforce—

(1) any standard of performance under section 111(b) of the Clean Air Act (42 U.S.C. 7411(b)) for any new fossil fuel-fired electricity utility generating unit if the Administrator of the Environmental Protection Agency's determination that a technology is adequately demonstrated includes consideration of one or more facilities for which assistance is provided (including any tax credit) under subtitle A of title IV of the Energy Policy Act of 2005 (42 U.S.C. 15961 et seq.) or section 48A of the Internal Revenue Code of 1986;

(2) any regulation or guidance under section 111(b) of the Clean Air Act (42 U.S.C. 7411(b)) establishing any standard of performance for emissions of any greenhouse gas from any modified or reconstructed source that is a fossil fuel-fired electric utility generating unit; or

(3) any regulation or guidance under section 111(d) of the Clean Air Act (42 U.S.C. 7411(d)) that applies to the emission of any greenhouse gas by an existing source that is a fossil fuel-fired electric utility generating unit.

#### DEFINITION OF FILL MATERIAL

SEC. 429. None of the funds made available in this Act or any other Act may be used by the Environmental Protection Agency to develop, adopt, implement, administer, or enforce any change to the regulations in effect on October 1, 2012, pertaining to the definitions of the terms "fill material" or "discharge of fill material" for the purposes of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

#### AMENDMENT OFFERED BY MR. BEYER

Mr. BEYER. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Strike section 429.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Virginia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. BEYER. Madam Chair, I rise in support of this amendment.

The amendment strikes a rider that would prevent the Environmental Protection Agency from updating regulations pertaining to the definitions of the terms "fill material" or "discharge of fill material" for purposes of the Clean Water Act.

Presently, the Army Corps of Engineers issues a section 404 permit if the fill material discharged into a water body raises the bottom elevation of that water body or converts the area to dry land.

The current rule allows mining waste to be dumped into the rivers and streams without an appropriate environmental review process.

Given repeated instances of mining activities resulting in lakes and streams devoid of fish or aquatic life, downstream water users are rightly concerned that the section 404 process fails to protect them from the discharge of hazardous substances.

The Clean Water Act section 404 guidelines are not well suited for evaluating the environmental effects of discharging hazardous waste, such as mining refuse and similar materials, into a water body or a wetland.

The rider that this amendment strikes would block the EPA from making necessary modifications to these guidelines. This rider is a preemptive strike against protecting our drinking water, and it allows mining companies' interests to trump the protection of the health of our citizens.

We should not short-circuit regular order through the appropriations process. We should not preclude the Corps or the EPA from considering any regulatory changes to the current definition and permit process. I urge my colleagues to support the amendment to strike this language from the bill.

I reserve the balance of my time.

Mr. CALVERT. Madam Chair, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Madam Chair, this language simply maintains the status quo regarding the definition of "fill material" for the purposes of the Clean Water Act.

The existing definition was put in place through a rule-making initiated by the Clinton administration and finalized by the Bush administration. That rule harmonized the definitions on the books of the Corps and the EPA so that both agencies were working with the same definition.

Any attempts to redefine this important definition could significantly negatively impact the ability of all earth-



moving industries, road and highway construction, and private and commercial enterprises to obtain vital Clean Water Act section 404 permits.

Changing the definition of “fill material” could result in the loss of up to 375,000 high-paying mining jobs and jeopardize over 1 million jobs that are dependent upon the economic output generated by these operations.

For these reasons, I support the underlying language and oppose this amendment.

I reserve the balance of my time.

Mr. BEYER. Madam Chair, I respect the chairman's objections to this, but I would like to point out that all that this amendment does in striking the section is allow the EPA to consider future changes to the “fill” definitions.

Clearly, the work begun in the Clinton administration and finalized in the George W. Bush administration were the best possible actions at the time.

In the meantime, we have discovered that, unfortunately, much mining waste and refuse are ending up in mining streams and rivers, and it has severely affected the health of those people.

We are not attempting to eliminate mining jobs or to even impact earth moving. It is only reasonable to make sure that our Environmental Protection Agency has the latitude and the freedom to evolve future definitions so as to best protect the health of our citizens.

I yield back the balance of my time.

□ 1545

Mr. CALVERT. I oppose this amendment. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. BEYER).

The amendment was rejected.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

#### CONTRACTING AUTHORITIES

SEC. 430. Section 412 of division E of Public Law 112-74 is amended by striking “fiscal year 2015,” and inserting “fiscal year 2017.”.

#### CHESAPEAKE BAY INITIATIVE

SEC. 431. Section 502(c) of the Chesapeake Bay Initiative Act of 1998 (Public Law 105-312; 16 U.S.C. 461 note) is amended by striking “2015” and inserting “2017”.

#### EXTENSION OF GRAZING PERMITS

SEC. 432. The terms and conditions of section 325 of Public Law 108-108 (117 Stat. 1307), regarding grazing permits issued by the Forest Service on any lands not subject to administration under section 402 of the Federal Lands Policy and Management Act (43 U.S.C. 1752), shall remain in effect for fiscal year 2016.

#### AVAILABILITY OF VACANT GRAZING ALLOTMENTS

SEC. 433. The Secretary of the Interior, with respect to public lands administered by the Bureau of Land Management, and the Secretary of Agriculture, with respect to the National Forest System lands, shall make

vacant grazing allotments available to a holder of a grazing permit or lease issued by either Secretary if the lands covered by the permit or lease or other grazing lands used by the holder of the permit or lease are unusable because of drought or wildfire, as determined by the Secretary concerned. The terms and conditions contained in a permit or lease made available pursuant to this section shall be the same as the terms and conditions of the most recent permit or lease that was applicable to the vacant grazing allotment made available. Section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) shall not apply with respect to any Federal agency action under this section.

#### AMENDMENT OFFERED BY MR. GRIJALVA

Mr. GRIJALVA. Madam Chair, I offer an amendment to strike section 433.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Strike section 433.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GRIJALVA. Madam Chair, I offer my amendment to strike section 433 regarding the availability of vacant grazing allotments and waiving one of our key environmental laws.

While grazing on our public lands is an important part of our Nation's culture and economy, this section of the appropriations bill is redundant and unnecessary. The BLM and Forest Service already have the authority to transfer permits when grazing lands are deemed unusable.

Furthermore, this section would have the effect of waiving section 102 of the National Environmental Policy Act, or NEPA. NEPA is one of our Nation's bedrock environmental laws, serving to establish policies to protect our air, water, and our natural resources. Section 102 of NEPA contains key provisions to make sure that Federal agencies act according to the spirit and letter of the law.

By stating that section 102 shall not apply to agency actions, this bill is, in essence, waiving NEPA and putting our public lands at risk. Our Federal agencies did not ask for a NEPA waiver, and Congress should not be in the business of dictating to professional land managers when they should or should not have the flexibility to use NEPA in making land management decisions.

Allowing section 433 to be included in the appropriations bill could have unintended consequences for our public lands and environment, particularly when conditions on the ground change. In this time of climate change, drought, and wildfire, it is vital that agencies have the tools and the flexibility to conduct adequate environmental reviews.

In the face of these challenges, why should grazers get to jump to the front

of the line for new land? What about land for species and recovery and habitat that are displaced by climate change or recreational demands and interests?

Congress has tasked the BLM with managing our public lands for multiple uses. I welcome the belated recognition by my Republican colleagues that climate change is impacting these lands, but this provision would waive the balancing process found in NEPA and mandate that grazing gets to trump other uses when lands are destroyed by fire or drought.

Section 433 benefits one special interest above all others, and I urge my colleagues to join me in supporting to strike this section from the bill.

I reserve the balance of my time.

Mr. SIMPSON. Madam Chair, I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Madam Chair, I rise in opposition to the gentleman's amendment. The amendment would strike a commonsense provision—repeat, commonsense provision—in this bill that allows the Bureau of Land Management and the Forest Service to make available vacant grazing allotments when a rancher is forced off his or her existing allotment due to drought or wildfire.

It is not that they jump to the front of the line and have special provisions because of this. The fact is, if you don't exclude the NEPA process, it can take 3 months, 6 months—guess what? Cows and sheep don't go on a diet for 3 months or 6 months. They actually need to put these cows and sheep somewhere, and vacant allotments is what they look for.

The gentleman says that this is redundant, that they can already do that. Well, if they can already do it, then what the heck? Why is he opposed to this provision?

Unfortunately, drought and catastrophic wildfires are all too common in the West. Ranchers shouldn't be further penalized when they lose their allotments due to natural disasters. The provision provides some flexibility to the Bureau of Land Management and Forest Service to help in these circumstances.

It doesn't say, “You will provide these vacant allotments.” It says, “You may.” It is not a must. We are trying to give the Bureau of Land Management and the Forest Service the flexibility to use vacant allotments when circumstances are required.

I urge my colleagues to reject this amendment.

I reserve the balance of my time.

Mr. GRIJALVA. Madam Chair, I yield 2 minutes to the gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. Madam Chair, I rise in support of the Grijalva amendment. As has been pointed out, BLM already



has the authority to make vacant grazing allotments available for permittees on a discretionary basis where the permittee is adversely impacted by wildfire or drought, but unlike the discretionary basis on which the BLM currently makes these allotments, this rider would exempt the National Environmental Policy Act, a NEPA review.

On page 127, line 25, it reads "with respect to" the National Forest System lands, "shall"—not may—"shall make vacant," and so what the BLM currently can do is they can conduct a NEPA review in areas where they think they have concerns and they can ensure that the land, health standards, and resources are not going to be compromised because the BLM has a role to play in protecting these lands for grazing potential in the future so that they are not harmed or overgrazed.

To me, it makes common sense that the rider should not exempt the BLM from a regulatory requirement to issue a decision and conduct an administrative review, which they currently can choose to do or choose not to do based on the information that they have. Any grazing that is mandated by this rider is likely also to find itself caught up by hearings and delays and appeals and judicial review.

I urge my colleagues to support the amendment to strike the unnecessary rider and to leave the discretion in place so it continues to be the National Forest System lands may be made vacant.

Mr. SIMPSON. Madam Chair, I would ask my colleagues just one thing. If you are a rancher and you have had one of these catastrophic wildfires come through—and they come through frequently, unfortunately—and they have wiped out your grazing allotment, what do you tell your cows? What do you tell your sheep? What do they eat for the next several months as you go through the NEPA process? This is giving some flexibility to the Forest Service and to the BLM.

I know we can all say: Oh, gee, they can make arrangements and do it otherwise and so forth.

This is just a commonsense provision, frankly, and we haven't had any problem with it with the time that it has been in existence. I think it should stay in existence, and that is why the chairman has included it in this bill.

I reserve the balance of my time.

Mr. GRIJALVA. Madam Chair, the redundancy comes from the fact that that flexibility has existed in BLM and Forest Service; it has existed for years. The situations of wildfires have occurred, and they have been handled.

It is an unnecessary NEPA waiver. It is a redundant amendment, addition to it. The NEPA waiver in the writing says it is not optional. It says "shall."

I urge Members to support my amendment striking section 433.

I yield back the balance of my time.

Mr. SIMPSON. Madam Chair, this language has been in the bill since 2003. It hasn't caused any problems. It has fed a lot of cows. I think it is a good provision in the bill, and we should defeat this amendment. It is a bad amendment. Vote against it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GRIJALVA. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

The Clerk will read.

The Clerk read as follows:

#### PROTECTION OF WATER RIGHTS

SEC. 434. None of the funds made available in this or any other Act may be used to condition the issuance, renewal, amendment, or extension of any permit, approval, license, lease, allotment, easement, right-of-way, or other land use or occupancy agreement on the transfer of any water right, including sole and joint ownership, directly to the United States, or any impairment of title, in whole or in part, granted or otherwise recognized under State law, by Federal or State adjudication, decree, or other judgment, or pursuant to any interstate water compact. Additionally, none of the funds made available in this or any other Act may be used to require any water user to apply for or acquire a water right in the name of the United States under State law as a condition of the issuance, renewal, amendment, or extension of any permit, approval, license, lease, allotment, easement, right-of-way, or other land use or occupancy agreement.

#### LIMITATION ON STATUS CHANGES

SEC. 435. None of the funds made available by this Act shall be used to propose, finalize, implement, or enforce any regulation or guidance under Section 612 of the Clean Air Act (42 U.S.C. 7671k) that changes the status from acceptable to unacceptable for purposes of the Significant New Alternatives Policy (SNAP) program of any hydrofluorocarbon used as a refrigerant or in foam blowing agents, applications or uses. Nothing in this section shall prevent EPA from approving new materials, applications or uses as acceptable under the SNAP program.

#### USE OF AMERICAN IRON AND STEEL

SEC. 436. (a)(1) None of the funds made available by a State water pollution control revolving fund as authorized by section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12) shall be used for a project for the construction, alteration, maintenance, or repair of a public water system or treatment works unless all of the iron and steel products used in the project are produced in the United States.

(2) In this section, the term "iron and steel" products means the following products made primarily of iron or steel: lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, and construction materials.

(b) Subsection (a) shall not apply in any case or category of cases in which the Ad-

ministrator of the Environmental Protection Agency (in this section referred to as the "Administrator") finds that—

(1) applying subsection (a) would be inconsistent with the public interest;

(2) iron and steel products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

(3) inclusion of iron and steel products produced in the United States will increase the cost of the overall project by more than 25 percent.

(c) If the Administrator receives a request for a waiver under this section, the Administrator shall make available to the public on an informal basis a copy of the request and information available to the Administrator concerning the request, and shall allow for informal public input on the request for at least 15 days prior to making a finding based on the request. The Administrator shall make the request and accompanying information available by electronic means, including on the official public Internet Web site of the Environmental Protection Agency.

(d) This section shall be applied in a manner consistent with United States obligations under international agreements.

(e) The Administrator may retain up to 0.25 percent of the funds appropriated in this Act for the Clean and Drinking Water State Revolving Funds for carrying out the provisions described in subsection (a)(1) for management and oversight of the requirements of this section.

#### SOCIAL COST OF CARBON

SEC. 437. None of the funds made available by this or any other Act shall be used for the social cost of carbon (SCC) to be incorporated into any rulemaking or guidance document until a new Interagency Working Group (IWG) revises the estimates using the discount rates and the domestic-only limitation on benefits estimates in accordance with Executive Order 12866 and OMB Circular A-4 as of January 1, 2015: *Provided*, That such IWG shall provide to the public all documents, models, and assumptions used in developing the SCC and solicit public comment prior to finalizing any revised estimates.

#### AMENDMENT OFFERED BY MR. POLIS

Mr. POLIS. Madam Chair, I have an amendment at the desk to strike section 437.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Strike section 437.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Colorado and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Madam Speaker, my amendment, which I offer along with Mr. LOWENTHAL and Mr. PETERS, would simply remove one of the so-called policy riders from this bill. It is a particularly dangerous policy rider.

What my amendment would do is it would strip the bill of a harmful and unrelated restriction that actually would prohibit Federal agencies from assessing the social cost of carbon, meaning Federal agencies would not be able to look at the monetized impact, the actual costs of climate change.

They would be forced to deliberately have a blindfold and not be allowed to consider climate change in their planning, just like American businesses do, like States do, like municipalities do, but the Federal Government would be prohibited from even looking at the costs of climate change.

According to a recent poll undertaken by Stanford University, 81 percent of American people have looked at the science and agree that climate change is at least in part caused by humans; 74 percent of Americans believe the Federal Government should be working hard to combat climate change, and 71 percent of the American people expect that they will be hurt personally or impacted by climate change.

Madam Speaker, climate change is not some fallacy. It is not some evil plot by leftwing or rightwing extremists. It is simply science. Climate change is what major corporations like Coca-Cola and Nike have called an economically disruptive force that needs to be addressed.

Acting on climate change is what the most high profile religious leader on the planet has called a moral imperative, an economic imperative, a moral imperative. It is what the Department of Defense has called an "immediate risk to U.S. national security."

I would ask my colleagues on the other side to adopt this amendment so that we don't ignore the calls of business, Defense, religious leaders—among thousands of others—to ensure that the Federal Government operates with its eyes wide open and not with ideological blinders, simply because we don't want to see the truth of what is occurring with regard to climate change.

I reserve the balance of my time.

Mr. CALVERT. Madam Chair, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Madam Chair, I have long been concerned with how EPA conducts its cost-benefit analysis to justify its rulemaking. This is something that the committee has discussed with EPA on a number of occasions, and the Supreme Court recently ruled that EPA's approach to examining costs and their regulation was flawed.

The administration's revised estimates for the social cost of carbon help justify on paper larger benefits from reducing carbon emissions in any proposed rule. If the administration can inflate the price tag so that the benefits always exceed the costs, the administration can goldplate requirement regulations from any department or any agency.

Section 437 says that the administration should convene a working group to revise the estimates in a more transparent manner and to make that information available to the public.

I oppose the gentleman's amendment, and I urge my colleagues to vote "no." I reserve the balance of my time.

□ 1600

Mr. POLIS. Mr. Chairman, what this amendment addresses is not simply the creation of some commission or a nuanced look into how cost-benefit analyses are done. It actually would ensure that the costs of climate change are able to be considered in decision-making.

The answer to the concerns that my colleague raised from the other side would be a surgical approach, not to remove the authority to look at the cost of climate change, which is what this language does and what my amendment would fix.

This rider is really about the deep ideologically driven agenda of climate deniers and is a terrible waste of both Federal and taxpayer money to allow its passage because it will lead to poor decisionmaking by the Federal Government.

Companies are planning for climate change. Municipalities and States are planning for climate change. We need to look at the monetized costs with regard to climate change of new rules and regulations.

Instead of spending our time here focusing on how to impact and better understand climate change, we have this opportunity to ensure that that is a factor in future decisionmaking, rather than prohibiting agencies from even considering it in the cost of climate change.

Blocking proposals and silencing discussion isn't indicative of leadership, Mr. Chair. It is indicative of fear of the truth.

I urge my colleagues to consider that and support my and my colleague's amendment.

I yield back the balance of my time.

Mr. CALVERT. Mr. Chairman, just in closing, I would rise in opposition to this amendment.

I would urge my colleagues to vote "no."

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR (Mr. POE of Texas). The question is on the amendment offered by the gentleman from Colorado (Mr. POLIS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. POLIS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado will be postponed.

The Clerk will read.

The Clerk read as follows:

LIMITATION ON USE OF FUNDS

SEC. 438. None of the funds made available by this Act may be used by the Adminis-

trator of the Environmental Protection Agency to propose, promulgate, implement, administer, or enforce a national primary or secondary ambient air quality standard for ozone that is lower than the standard established under section 50.15 of title 40, Code of Federal Regulations (as in effect on July 2, 2014), until at least 85 percent of the counties that were nonattainment areas under that standard as of July 2, 2014, achieve full compliance with that standard.

AMENDMENT OFFERED BY MR. YOHO

Mr. YOHO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 132, beginning on line 9, strike "until at least 85 percent of the counties that were nonattainment areas under that standard as of July 2, 2014, achieve full compliance with that standard".

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. YOHO. Mr. Chairman, I would like to thank Chairman CALVERT, along with the ranking member, for the work he and the committee have done.

My amendment prevents the EPA from using any funds in the bill to change ozone regulations, regardless of whether or not all counties meet the 2008 standards.

As of 2012 and based on the 2008 ozone standards as designated by the EPA, 24 mainland States were in attainment, including my home State of Florida. An additional four States had either partial attainment or whole counties had marginal attainment.

What I find most interesting is the areas of our Nation that have consistently been designated as nonattainment by the EPA. This includes most of California, parts of Texas, and the mid-Atlantic States. These counties have had nearly 20 years to change their policies and abide by the ozone standards.

Under the newly proposed standards, a fair amount of the country would be designated as nonattainment areas. Why should the remainder of the country be subject to new standards when parts of the country have yet to meet the 2008 or even 2009 standards?

Making this change will have serious economic implications on the States and counties that have already proactively worked to reduce their emissions, all at a time when the Nation is still recovering from one of the worst economic recessions of our lifetime.

Furthermore, I would like to remind my colleagues of the recent Supreme Court decision, *Michigan, et al., v. Environmental Protection Agency*. At the heart of the case was whether or not the EPA took care to include the potential cost to power plants when proposing new regulations, and that estimated cost is \$9.6 billion and a burden

on the American taxpayers. The Supreme Court held that the EPA interpreted U.S. Code 7412 “unreasonably when it deemed cost irrelevant to the decision.”

I would like to say that this is the exception and not the rule when it comes to the EPA, but that simply is not the truth. The EPA has made its de facto policy to implement unreasonable regulations with no regard to the larger impact it will have on the economy and taxpayers and the environment.

I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I claim the time in opposition to this amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. This amendment would reverse section 438 to block the EPA from making critical updates to its ozone standard. The amendment makes an already bad policy rider in this bill even worse.

This amendment, however, would completely prohibit the EPA from updating the standard, short-circuiting both current law and the judicial process, while putting millions of Americans' health at risk.

Ozone is the main component in smog, and it has been scientifically proven to aggravate lung disease, increase frequency and severity of asthma attacks, and reduce lung function.

We hear about those opportunities all the time that we are given now when the ozone is too high in the air to stay inside. Young children shouldn't be out, and people with heart disease and lung disease should stay indoors.

The Clean Air Act requires the EPA to review its ozone standard every 5 years to reflect the most up-to-date science on ozone and its impacts on public health.

The EPA, in fact, is under a court order to issue its final rules by October of this year. The EPA's update to its ozone standard is based on strong scientific evidence, including over 1,000 scientific studies that show the harmful effect of ozone on human health and the need for higher standards.

The EPA estimates the benefit of updated standards of 70 parts per billion will yield the health benefits of \$13 billion each year.

On its merits, this amendment is shortsighted and reactionary, and it is a backdoor amendment to completely gut the Clean Air Act.

Prohibiting the EPA's ability to update ozone standards is reckless, and it is out of touch with what Americans want, and that is clear air. The EPA's update is firmly rooted in science and ensures health and protections for the American people.

I reserve the balance of my time.

Mr. YOHO. Mr. Chairman, ozone comes from many different sources.

Yes, it is true that it comes from hydrocarbons. When the UV light hits it, it does do that. It also comes from the oceans. It comes from the swamps. It comes from just nature itself.

Ozone by itself is not always bad because it is used industrially. It disinfects laundry. It disinfects water in place of chlorine. It deodorizes the air. It kills bacteria on food and contact surfaces. It sanitizes swimming pools. The list goes on and on and on.

Yes, there have been reports of it causing respiratory problems, but that is also associated with spores and molds and things like that.

I think ozone, at this time—especially when you look at the rulings from 1997 and 2008, those standards—I don't think we should move forward at this time, with our Nation in the economic recovery, to put new standards on all of the Nation when yet a large portion of the Nation is still not under compliance.

I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I yield to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Mr. Chairman, I probably live in the most regulated air quality area in the United States, southern California.

In southern California, our population continues to grow; yet we have been able to make significant air quality improvements within the South Coast Air Quality Management District.

The committee set a level at 85 percent of the communities so that the marginal nonattainment communities could have the opportunity to achieve compliance with the 2008 standards before further updates are considered.

This amendment would prevent EPA from lowering the ozone standard below the 2008 levels. This amendment would prevent further updates to the ozone standard for an indefinite and undetermined timeframe, and that is certainly not the committee's intent.

We need to make progress in clean air in areas that folks want to see cleaner air, but at the same time making sure that technology is there in order to do that. This was, I think, compromise language that the underlying bill has that works to move us forward, but at the same time not stopping us from obtaining cleaner air in the future.

I am in opposition to this amendment.

I thank the gentlewoman for yielding to me.

Ms. MCCOLLUM. Mr. Chairman, I reserve the balance of my time.

Mr. YOHO. Mr. Chairman, I would just like to reiterate that ozone is incriminated a lot of times when I think we ought to look at particulate matter in dusty environments or in urban areas where airflow in apartment buildings may not be like it should be.

Ozone is used as an alternative to chlorine for bleaching wood, paper products, and things like that. Many hospitals around the world use large ozone generators to decontaminate operating rooms between surgeries. It is used in industry all the time.

I just ask people to support this amendment, so we don't have more overreaching regulations from the EPA.

I yield back the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, the EPA's update is firmly rooted in science and ensures the health and protections for the American people. We have a responsibility to protect the millions of Americans affected by ozone pollution.

For that reason, I urge my colleagues to oppose this amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. YOHO).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. YOHO. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT OFFERED BY MS. EDWARDS

Ms. EDWARDS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Strike section 438.

The Acting CHAIR. Pursuant to House Resolution 333, the gentlewoman from Maryland and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Maryland.

Ms. EDWARDS. Mr. Chairman, I rise to offer an amendment to strike section 438.

Section 438 would prohibit any funds in this Act from being used to even propose a national ozone standard that is less than that currently in law until at least 85 percent of the counties across the country that do not currently meet that standard achieve full compliance.

Now, the current ozone standard under title 40 is 75 parts per billion; but, Mr. Chair, we had a series of hearings in our House Science Committee earlier this year where we heard strong testimony from scientists at State pollution control agencies and physicians at hospitals all telling us that the current standard is not in line with the current science.

The Clean Air Scientific Advisory Committee declared as far back as 2008 that they believe that the current standard of 75 parts per billion is insufficient to protect public health. In fact,

right now, the ozone standard can mislead people to believe that the air, in fact, is safe to breathe when it is not.

Studies conducted by the American Lung Association have shown more than 4 out of every 10 people in the United States live in places where ozone levels often make it dangerous to breathe.

The current standard rates, what we now know to be very dangerous air quality, as code yellow or moderate. This can lead those who are particularly at risk of ozone-related illness, such as children and senior citizens, to unwittingly be exposed to harmful levels of ozone. This has the potential to impact millions of people in every State across the Nation.

Just look at my own home State of Maryland. There are 145,000 children with pediatric asthma. Over 430,000 adults have asthma. Mr. Chairman, 246,000 people in my State have chronic obstructive pulmonary disease or COPD, and 367,000 people in our State have cardiovascular disease that is related to ozone.

The Clean Air Scientific Advisory Committee recommends that, in order to protect the public health, the EPA set the primary ozone standard between 60 and 70 parts per billion. In November of last year, the EPA did exactly what it is supposed to do.

It looked at the strong scientific evidence showing the health risks of ozone, and it issued a proposed rule to lower the ozone standard from 75 parts per billion to a standard within the range of 65 to 70 parts per billion.

□ 1615

Setting that standard begins a 2-year process designed to identify areas with too much ozone. Once those areas are identified, State and local governments can craft plans tailored to their areas using cost-effective approaches.

This new standard, based on the most current science, will help to provide a framework for these plans, which, in turn, will help our States continue along the path to clean air. And yet, here we are, and this provision that I am providing to strike would stop the EPA from even proposing a standard of 70 parts per billion.

This is the responsibility of the EPA. This new standard would protect Americans' health and our environment. In addition, an analysis conducted by the EPA shows that, though the annual cost of the proposed standard of 70 parts per billion might be around \$3.9 billion, the health benefits are estimated to reach between \$6.4 billion and \$13 billion annually.

Mr. Chairman, ground level ozone is harmful to the public health. It contributes to asthma attacks, decreased lung function, respiratory infection, and even death. Breathing ozone is dangerous for everyone, but particularly for children, for the elderly and

people of all ages who have lung diseases.

We need to allow the EPA—in fact, empower the EPA—to follow the science and create minimum standards necessary to protect public health. I urge my colleagues to protect these vulnerable populations as well as clean air for every American, and vote “yes” on this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. JENKINS of West Virginia. Mr. Chairman, I claim time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. JENKINS of West Virginia. Mr. Chairman, I rise in clear opposition to this amendment.

The language that was adopted in the full committee was carefully crafted. It simply allows a majority of nonattainment counties to achieve attainment status before the EPA moves the goalposts.

In nonattainment areas, the EPA's proposed ozone standards would stifle economic growth and cost jobs and revenue. Just last week, the Supreme Court admonished the EPA for ignoring the costs of its regulations. The costs involved would be devastating to our economy. Even the EPA admitted it would cost \$15 billion a year. Other studies have estimated that costs could be as high as \$140 billion a year.

In West Virginia, in my State, it would mean \$2 billion in compliance costs, 10,000 lost jobs, and more fees for residents even to operate their vehicles.

It would have significant impacts on agriculture, manufacturing, and the energy industry. Federal highway funds could be frozen and permits for infrastructure could be held up.

I am hopeful that some of our colleagues across the aisle will recognize the impact this will have on each of our districts.

Mr. Chairman, I reserve the balance of my time.

Ms. EDWARDS. Mr. Chairman, here we have heard again the exaggerated claims about implementation, so let's get to the facts.

The first fact, the scientists tell us that this is a standard that we need to protect the public health. The second fact, the EPA estimates that the cost might be around \$3.9 billion.

But let's look at the health benefits, because those are costing us currently.

The health benefits are estimated to reach between \$6.4 and \$13 billion, and that means that there is a ripple effect when we invest in making sure that we implement a standard that protects the public health, and it has a benefit on the public health.

So, Mr. Chairman, there is an argument here for the EPA to simply do its job, the job that it was charged to do by taxpayers, and that is to protect the public health, to give us clean air, and

to make sure that we have ozone standards that in fact meet our responsibility.

The EPA is doing its job. Let's stop Congress from keeping the EPA from keeping our air clean.

I yield back the balance of my time.

Mr. JENKINS of West Virginia. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. OLSON).

Mr. OLSON. Mr. Chairman, I thank the gentleman from West Virginia (Mr. JENKINS) for the time and for including commonsense language in the bill that is now being debated.

In 2008, EPA set a strict ozone rule that was stuck in legal limbo for years. From big cities to small towns, over 200 counties are still in nonattainment.

Yet, before we finish that job, EPA wants to move the goalposts. They have issued new ozone rules that are so strict they can't be achieved with our current technology. All of America will be hit hard with job losses.

This bill simply includes a pause button on new EPA rules until we can finish the job and reach our current mandates.

I urge my colleagues to oppose the Edwards amendment and strip this language from this bill.

Mr. JENKINS of West Virginia. Mr. Chairman, I yield 1½ minutes to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Mr. Chairman, I thank the gentleman for yielding.

As mentioned earlier, I live in one of the most, maybe the most, regulated air districts in the United States, and I am a strong advocate for clean air. My district has achieved some of the largest emission reductions in the country.

However, EPA continues to dig the hole deeper as my district continues to try to work its way out of nonattainment. So EPA and the States need to use the resources we provided in the bill to play catch-up on a statutory obligation to help communities implement the 2008 standard.

Remember, just last April, EPA finalized the rule for the 2008 standards. When 85 percent of the communities can achieve the latest standards, then EPA should consider whether or not revisions are necessary.

I will remind my colleagues that the Clean Air Act only directs EPA to review the standards every 5 years. It does not require that EPA revise the standard.

I urge my colleagues to oppose this amendment, and I thank the gentleman for yielding me time.

Mr. JENKINS of West Virginia. Mr. Chairman, once again, this is a sincere effort to try to set a benchmark and not have the EPA moving the goalposts that will have such economic devastation, billions of dollars in cost, and I encourage a “no” vote on this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Maryland (Ms. EDWARDS).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Ms. EDWARDS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Maryland will be postponed.

AMENDMENT OFFERED BY MR. LOWENTHAL

Mr. LOWENTHAL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 132, line 5, strike "primary or".

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. LOWENTHAL. Mr. Chair, according to the American Lung Association's 2015 State of the Air Report, the Los Angeles metropolitan area, which includes both my district and also the Appropriations Subcommittee chair's district, that metropolitan area is the number one in the country for ozone pollution.

But ozone pollution is not just a southern California problem. The report shows that more than 40 percent of the United States' population lives in areas with unhealthy levels of ozone. Large cities like Houston and less populated areas like northwest Ohio also make the list.

Power plants, motor vehicles, and chemical solvents contribute to the majority of nitrous oxides and volatile organic compounds, NO<sub>x</sub> and VOCs, which react with each other on hot, sunny days to produce ground level ozone.

The American Lung Association has pointed out that because hot, sunny days produce the most ozone, climate change is increasing the number of unhealthy ozone level days. We are all familiar with those "high ozone level" warnings that happen on really hot, sunny days, and unfortunately, they are becoming more and more common due to global warming.

Ground level ozone interacts with lung tissue, can cause major problems for children, the elderly, and anyone with lung disease. Ozone is known to aggravate health problems such as asthma, and it is also linked to low birth rates, cardiovascular problems, and premature death.

Given the grave consequences and the widespread problem of ozone pollution, I am glad that EPA is moving forward with updates to its national standards for ozone pollution.

Members of the medical and health communities have been calling for a

long time for updates of this standard in order to protect the public health. The current standard of 75 parts per billion is outdated and does not adequately protect public health, which is what the EPA is required to do under the Clean Air Act. Thousands of hospital visits and premature deaths and up to a million missed schooldays can be prevented just by strengthening this standard.

But instead of trusting health professionals, some in Congress have decided to protect the financial interests of the polluters. The reckless legislative rider in section 438 of this appropriations bill blocks the EPA from updating or even proposing scientifically-based standards for ozone to the detriment of the health of at least 40 percent of the U.S. population.

I urge my colleagues to vote to remove this polluter protecting section from the bill, to support the Edwards amendment, and allow the EPA to move forward with doing what they are required to do by law, and that is protect the public health.

Mr. Chairman, I reserve the balance of my time.

Mr. CALVERT. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chairman, Mr. JENKINS included the language in the full committee bill that, I think, came to a reasonable compromise. As the gentleman is aware, many communities cannot reach the old standard, the 2008 standard, that is now the law, and so this just gives the communities throughout the country that cannot get to attainment additional time to develop the technologies before we go to a new standard.

I would remind the gentleman that it was just last April that we came to a determination on the 2008 standard, and the administration already is talking about a new standard that most of the Nation cannot reach in the short term. So this gives a brief, little bit of time to allow these communities to improve their technologies and to be able to meet a new standard down the road.

So I would oppose the gentleman's amendment and support the underlying bill.

Mr. Chairman, I reserve the balance of my time.

Mr. LOWENTHAL. Mr. Chairman, let's just talk about why we need to change the standard.

I understand and appreciate that reaching that standard is going to take some work, but remember, the air, by saying that we don't need to do this because the air is cleaner than it was 30 years ago, for example, does nothing to put current air quality in context. Just because the air is cleaner than it used

to be doesn't mean that it is completely healthy.

My district is a great example of this. L.A. County has reduced its ground ozone by 5 days since 2009, and I am proud of that, but it doesn't mean our air is healthy. We still experienced 217 days of unhealthy ozone level days last year.

We need to take into account current pollution levels. We need to use the best science available to determine what standards are needed to get our ozone pollution below those unhealthy levels. That is why we are doing this, to get the ozone below unhealthy levels. That is what EPA is doing, and we shouldn't block their efforts because we think that the air is cleaner or it is difficult to reach.

□ 1630

The savings in public health will far outweigh the costs to polluting industries. If the EPA would implement a standard of just 70 parts per billion, the cost of implementation is estimated to be about \$3.9 billion, but the savings in public health costs are estimated to be anywhere from \$6.4 to \$13 billion. That is a net savings of \$2.5 to \$9 billion. If you reduce the standard even lower, to 65 parts per billion, the savings are even greater, from \$4 to \$23 billion in public health costs.

Ground ozone pollution costs billions of dollars in healthcare expenses around the country. We have a chance to save taxpayers a lot of money.

I yield back the balance of my time.

Mr. CALVERT. Mr. Chair, I appreciate the gentleman's efforts on trying to clean the ozone out of the South Coast Air Quality Management District. We have to suffer the ozone that is being blown from L.A./Long Beach over into the Inland Empire. Certainly the ports of L.A. and Long Beach, the trains emit a lot of ozone and a lot of pollutants that end up in the Inland Empire, so we want to clean that air up.

As you know, we can't meet the 2008 standards at this time. We are doing everything we can to meet those standards, but until these communities can get the technology to meet the existing standard, we shouldn't impose a new standard that could cause grave economic harm to the communities.

With that, I would say "no" to this amendment and move on.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. LOWENTHAL).

The amendment was rejected.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

HYDRAULIC FRACTURING

SEC. 439. None of the funds made available by this or any other Act may be used to implement, administer, or enforce the final

rule entitled "Hydraulic Fracturing on Federal and Indian Lands" as published in the Federal Register on March 26, 2015 and March 30, 2015 (80 Fed. Reg. 16127 and 16577, respectively).

AMENDMENT OFFERED BY MR. CARTWRIGHT

Mr. CARTWRIGHT. Mr. Chair, I rise to offer an amendment on behalf of myself and the gentleman from California (Mr. LOWENTHAL), which I do intend to withdraw.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 132, line 14, strike "or any other".

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Pennsylvania and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. CARTWRIGHT. Mr. Chair, the Bureau of Land Management is currently working toward implementation of a rule that would modernize horribly outdated oil and gas regulations on Federal land. My amendment would strike a section of this bill that would halt this important work.

What we have to do is to allow the BLM to proceed with them implementing this rule to provide a national baseline to protect our environment, our water, and our Federal lands from hazardous contamination.

Since the 1980s, the scale and impacts associated with the oil and gas industry have grown dramatically, but BLM's fracking regulations have not kept pace. In March of 2015, the BLM finalized a modest, commonsense rule to update its 30-year-old fracking regulations.

With these updates, the BLM is taking responsible steps to improve well integrity, reduce the impact of toxic wastewater, and increase transparency around chemicals used in the fracking process.

Importantly, these new regulations will not impact States that already have robust fracking regulations and will simply offer a regulatory baseline for the States that do not have current fracking regulations.

Notably, in 2013, there were still 19 States with operating fracking wells that had absolutely no hydraulic fracturing regulations in place.

Right now over 90 percent of the more than 2,500 oil and gas wells drilled every year on federally managed lands use hydraulic fracturing.

Just this month the EPA released a draft report that concludes that there are above- and below-ground mechanisms by which hazardous hydraulic fracturing chemicals have the potential to impact drinking water resources.

Because of this, the Federal Government really has to take the necessary steps to ensure that toxic, cancer-causing fracking chemicals do not contaminate America's water supply, Amer-

ica's streams, America's rivers, and America's lakes.

As many of you know, the fracking fluids injected into oil and gas wells contain thousands of chemicals, many of which can harm humans and the environment.

In fact, the EPA identified over 1,000 different chemicals that have been used during the hydraulic fracturing process, with an estimated 9,100 gallons of chemicals used for each well.

Due in large part to fracking loopholes and outdated oil and gas regulations, fracking chemical spills and water contaminations have occurred.

In my home State of Pennsylvania, for example, there were nearly 600 documented cases of wastewater and chemical spills in 2013 alone.

In fact, the EPA estimates that there are as many as 12 chemical spills for every 100 oil and gas wells in the State of Pennsylvania. And I need to remind the House that there are almost 8,000 active gas wells operating in Pennsylvania right now. So that is a lot of spills.

Chemical and wastewater spills associated with fracking operations harm the environment, and it has been found to contaminate surface water. The EPA's draft study found that 8 percent of studied wastewater spills polluted surface or groundwater.

Thankfully, the BLM's rule will help prevent fracking chemicals and wastewater from contaminating water bodies.

It does so by validating the integrity of fracking wells and increasing the standards for storage and recovery of waste fluid. This rule will require companies publicly to disclose the chemicals being pumped into public lands.

While I am concerned that the BLM fracking rule does not go far enough in some areas, simply stopping the rule in its tracks is just irresponsible.

I am not opposed to fracking. I believe we have to utilize our natural resources, but we need to do so in a careful and responsible manner.

There are bad actors in the oil and gas business just like there are some bad actors in every area, actors that cut corners and don't drill and frack properly and safely.

The States, unfortunately, don't have all the expertise and resources to properly manage this exploding industry. The rule will set a relatively low bar but one that ensures a baseline across the country to protect our public lands.

I urge you to support my amendment to allow the BLM to implement a rule that will prevent fracking chemical contamination and keep our Nation's water supply pristine and something Americans can be proud of.

Mr. Chair, I ask unanimous consent to withdraw this amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT NO. 13 OFFERED BY MRS. LAWRENCE

Mrs. LAWRENCE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 439.

The Acting CHAIR. Pursuant to House Resolution 333, the gentlewoman from Michigan and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Michigan.

Mrs. LAWRENCE. Mr. Chairman, I rise today to offer an amendment that would strike section 439 from the underlying bill. In doing so, this amendment would allow the Bureau of Land Management to implement standards to support safe and responsible fracking operations on public and Native American lands.

More than 1.5 million public comments were submitted in a transparent process to regulate fracking on 750 million acres of public and Indian lands. More than 100,000 oil and gas wells are situated on these lands.

This amendment will ensure that the BLM's rule is fully implemented so that fracking for oil and gas continues but with full regard to public health and the environment. I urge my colleagues to support this amendment.

And I reserve the balance of my time.

Mr. CALVERT. Mr. Chair, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. I understand the BLM needed to update its regulation related to fracking on Federal and Indian lands. BLM regulations are 25, 30 years old.

However, the States have been doing the same thing over the last number of years. Unfortunately, BLM's rule is duplicative of existing State regulation.

It forces companies to drill into a double compliance scheme. It also costs them more time, and it significantly lengthens the time in which it takes time to get to a permit.

None of this is necessary, which is why we adopted this provision during the committee's markup of this bill.

I certainly urge my colleagues to oppose this amendment.

I yield such time as he may consume to the gentleman from Texas (Mr. FLORES).

Mr. FLORES. I thank Chairman CALVERT for his hard work on this section of the appropriations bill.

Mr. Chair, I rise in strong opposition to the amendment. American consumers have benefited from low energy prices, thanks to the American energy revolution and technological advancements in hydraulic fracturing and horizontal drilling.



For decades, hydraulic fracturing has been successfully regulated by the States. In 2013, the House passed on a bipartisan basis legislation which I co-authored with the gentleman from Texas (Mr. CUELLAR) from the other side of the aisle, and that legislation would stop the BLM from pursuing duplicative and burdensome hydraulic fracturing regulations.

Unfortunately, the BLM didn't listen to what Congress said, and it continued down a path to impose additional red tape on American energy development and to further drive down energy production on energy lands while State and private production continues to experience record growth in a safe and efficient manner.

This has always been a solution in search of a problem, particularly when the EPA and the Department of Energy have each agreed that hydraulic fracturing is being conducted safely right now.

Even the courts agree that there are problems with the BLM's rules, as evidenced by the recent stay granted by the U.S. District Court of Wyoming to stop the BLM from moving forward with their overreaching regulatory activity.

This amendment is bad for jobs. It would increase energy costs and would limit economic opportunity for hard-working families, particularly those at the bottom end of the income tables. So it hurts those that are struggling to get by today with higher energy costs.

I want to thank the gentleman from Oklahoma (Mr. COLE) for his work on including this provision during markup, as well as Chairman CALVERT for his support on stopping this regulatory overreach.

I strongly urge my colleagues to oppose this amendment.

Mrs. LAWRENCE. Mr. Chair, I yield such time as she may consume to the gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. Mr. Chair, this amendment before us would strike the policy rider that prohibits the Bureau of Land Management from implementing a uniform national standard for hydraulic fracturing on public lands, on Federal lands.

Such standards are necessary to ensure the operations on public and tribal lands are safe and that they are conducted in an environmentally responsible way. This only affects Federal lands and tribal lands.

Now, of the 32 States with the potential for oil and gas development on federally managed mineral resources, only slightly more than half of them have rules in place that even address hydraulic fracturing, and those that do have rules in place vary greatly in their requirements.

As you can see, there is no consistency in the rules. There is no guarantee that there are good quality rules

put in place. And we are talking about making sure that, on Federal leases, on Federal lands, that we have a national standard.

The BLM continues to offer millions of public lands up for renewable energy production, and that is why it is absolutely critical that they have the confidence and the transparency and the safety and environmental protections that are put in place on these Federal lands.

Prior to the issuance of a hydraulic fracturing rule, the BLM rules on oil and gas operation were updated over 30 years ago, 30 years ago. They had not kept pace with the significant technology advancements in hydraulic fracturing techniques and the tremendous increase of its use.

As part of this implementation rule, the BLM office is in the process of meeting with their State counterparts—they are working with them—undertaking a State-by-State comparison of regulatory requirements in order to identify opportunities for variances and to establish memorandums of understanding between the States that will realize efficiencies and allow for successful implementation of the rule. So we should be allowing BLM to coordinate with the States and ensure that hydraulic fracturing activities are being carried out safely and effectively when Federal leases are involved.

I urge my colleagues to support the amendment.

□ 1645

Mr. CALVERT. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Wyoming (Mrs. LUMMIS).

Mrs. LUMMIS. Mr. Chairman, my State of Wyoming is the largest on-shore producer of oil and gas from Federal land. The reason our Wyoming court stayed the Federal BLM's rules is because Wyoming has been regulating fracking through its oil and gas commission from the beginning. There has never been one documented case of drinking water being contaminated. Furthermore, the way that BLM land lays with private land and State land is they are all interspersed; yet, underground, because of horizontal drilling, the drilling transcends from State land to private land to Federal land, and back and forth. Those wells are unitized so the production can be allocated among the various owners of private, State, and Federal land. You can't have two layers of surfaces State ownership regulation when the drilling is occurring going back and forth among State, private, and Federal lands.

Wyoming has handled its fracking regulations responsibly. It was the first in the Nation to do so. I strongly urge you leave it in the hands of States who do it best.

Mr. CALVERT. I yield the balance of my time to the gentleman from Texas (Mr. FLORES).

Mr. FLORES. Mr. Chairman, in response to some of the comments that were never made, I would like to offer five points.

Number one is BLM doesn't have the statutory authority to do the actions that they tried to. The Federal Court was right in granting an injunction. The EPA and the Department of Energy have both said that hydraulic fracturing is safe, and that is evidenced by the safe and efficient production of much more oil and gas on private and State lands while Federal production is going down.

Again, this is a solution in search of a problem. So I would urge all my colleagues to vote "no."

Mr. CALVERT. Mr. Chairman, I yield back the balance of my time.

Mrs. LAWRENCE. Mr. Chairman, I want to say congratulations to the State of Wyoming. That is exactly why we need this amendment. We want those same regulations on a national level. Mr. Chairman, 16 to 17 States have no regulation. Wyoming has gotten it right.

This amendment will ensure that the BLM rule is fully implemented so that fracking for oil and gas continues, but with full regard to the public health and the environment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Michigan (Mrs. LAWRENCE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. LAWRENCE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Michigan will be postponed.

The Clerk will read.

The Clerk read as follows:

#### SPENDING REDUCTION ACCOUNT

SEC. 440. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of proposed new budget authority is \$0.

#### AMENDMENT OFFERED BY MR. YOUNG OF ALASKA

Mr. YOUNG of Alaska. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS TO IMPLEMENT THE REVISED COMPREHENSIVE CONSERVATION PLAN FOR THE ARCTIC NATIONAL WILDLIFE REFUGE, ALASKA

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to implement the Revised Comprehensive Conservation Plan for the Arctic National Wildlife Refuge,



Alaska published in the Federal Register on January 27, 2015 (80 Fed Reg. 4303).

Mr. YOUNG of Alaska (during the reading). Mr. Chair, I ask unanimous consent that the amendment be considered as read.

The Acting CHAIR. Is there objection to the request of the gentleman from Alaska?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Alaska and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Chairman, I rise to offer an amendment.

I want to thank Mr. CALVERT and his committee for the work they have done on this legislation, and I support the underlying bill. The administration has left no alternative to the people of Alaska and to those with an interest in our national energy policy.

This spring, under this President, the Department of the Interior published the management plan for the Arctic National Wildlife Refuge to recommend the entirety of the area be designated as wilderness. This would include the 1002 area that was set aside by Congress for potential development in the future, an area that holds 10 billion barrels of oil, at the minimum, and probably 37 trillion cubic feet of natural gas.

My amendment would ensure that no funding can be spent implementing this recommendation. The impact of this recommendation should not be overlooked, as the recommendation requires immediate management of the entire area as wilderness—unilaterally undermining the role of Congress through a de facto wilderness designation.

This action violates the Statehood Compact, which was founded on ensuring the development of subsurface resources for the economic well-being of this Nation. This action also violates the Alaska National Interest Lands Conservation Act, which established more than 100 million acres of conservation areas. And in recognition of the enormity of the acreage being locked up, the act drew a line guaranteeing that no more conservation areas can be created without an act of Congress—our role.

There is no need for additional wilderness areas in ANWR, given 92 percent of the refuge is already closed to development.

Mr. Chairman, Alaska holds 53 percent of Federal wilderness areas in the Nation, and that is not enough for this administration. You think about that a moment. The administration's plan immediately raises another administrative, bureaucratic wall to oil and gas development. This is a betrayal to the Alaskan people and, I believe, to this Nation and to this Congress. This plan

by the administration handcuffs my State from providing for itself and pushes us to be more dependent on Federal funds.

This is not just an assault on Alaska. This is another example of executive overreach by this administration undermining the role of Congress. This is our role, not this administration's. I don't care whose administration it is; when the President oversteps his bounds, we should take and accept our responsibility. And this is the law he cannot do, but he says "I can do it."

By the way, Mr. Chairman, this was an example, I think, of this whole Department of the Interior. Between EPA and the Department of the Interior, they are trying to cripple this Nation, trying to cripple my State, against the law. This is very specific in ANILCA. If you don't believe me, go back and read it.

Mr. Chairman, I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, this amendment offered by my friend from Alaska would prohibit any Federal funds from being used to implement the administration's revised comprehensive conservation plan to better sustain and manage the entire Arctic National Wildlife Refuge.

Mr. Chairman, attaching this rider to the Interior Appropriations bill would be a mistake. The coastal plain of the Arctic refuge is one of the few remaining places in our Nation that remains pristine and undisturbed. It provides critical protection for thousands of species—caribou, polar bear, and gray wolves, just to name a few—and they desperately need this important habitat. Roughly 20 million acres managed by U.S. Fish and Wildlife Service are some of the best and last undisturbed natural areas in this Nation.

I understand that the gentleman from Alaska feels strongly about this issue, and he has been a great advocate for his State for decades; but on this important issue, we deeply disagree.

Mr. Chairman, earlier this year, the Interior Department released an updated conservation plan to better manage the Arctic National Wildlife Refuge, and the President took that opportunity to call on Congress to pass legislation designating the coastal plain as a wilderness, an even greater level of protection for this incredible area. The protected area encompasses a wide range of Arctic and subarctic ecosystems. There are unadulterated landforms, and there are native flora and fauna. The refuge has an incredible biological integrity, natural diversity, and environmental health.

I understand that there are differences of opinion how to manage this

land and that legislation designated in this area as wilderness may not get very far in this Congress. But I want to commend the President for his leadership on this issue, and I would hope that the legislative process could play out and that we not adopt this rider onto this bill because this issue is just far too important.

Lastly, Mr. Chairman, I would be remiss if I did not point out one more obvious truth: the President will not sign a bill loaded up with antienvironmental riders just like this one. So we only make the path for the bill harder by including it.

Mr. Chairman, I hope my colleagues will join me in opposing it, and I yield back the balance of my time.

Mr. YOUNG of Alaska. I appreciate the comments from the gentlewoman.

I would suggest, respectfully, we should follow the law. We have given up the responsibility in this Congress to the President—not just this President, other Presidents. It is clear in the law nothing more than 5,000 acres can be withdrawn and put in the wilderness, without the okay of the Congress, in Alaska. No more clause. It stands for no more.

Now, we have a President that says "up yours" to the Congress. That is not the way to run this business. We have a responsibility as Congressmen to do our job. And when he goes against the law through executive order, that is against this Constitution of America.

Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. I thank the gentleman for yielding.

Mr. Chairman, I certainly would urge the adoption of the gentleman's amendment, and I support his amendment.

Mr. YOUNG of Alaska. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alaska (Mr. YOUNG).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GRIJALVA

Mr. GRIJALVA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, add the following new section:

SEC. \_\_\_\_ None of the funds made available by this Act may be used in contravention of Executive Order 13007, entitled "Indian Sacred Sites".

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GRIJALVA. Mr. Chairman, my amendment would ensure that cultural and sacred sites of Indian and Alaska

Native tribes are protected by mandating that none of the funds in this bill can be used in contravention of Executive Order 13007.

Executive Order 13007, issued by President Clinton in 1996, requires Federal agencies to accommodate access to and ceremonial use of Indian sacred sites and, more importantly, to avoid adversely affecting the physical integrity of such sacred sites.

Far too often, Indian sacred sites are an afterthought during the Federal Government land management process. When negotiating land swaps and when constructing other management decisions, the voice of Indian Country with regard to sacred sites is ignored. But this is not just land to the Native people. These are cultural and spiritual areas that are part of the tribe's history and its living legacy. These are places where their ancestors lived, prayed, hunted, gathered, fought, and died. They are part and parcel of tribal identity, and it is our duty to ensure they are preserved and protected.

Mr. CALVERT. Will the gentleman yield?

Mr. GRIJALVA. I yield to the gentleman from California.

Mr. CALVERT. Mr. Chairman, I am happy to accept the gentleman's amendment.

The Department of the Interior tells me they are already in compliance with the executive order. There is no question that providing Indian tribes with access to their sacred sites is the right thing to do, so I would be more than happy to accept the gentleman's amendment.

Mr. GRIJALVA. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. I thank the gentleman.

Mr. Chairman, I rise in support of the gentleman's amendment. The gentleman's amendment will ensure that this important executive order is respected in such a way that it has my wholehearted support in protecting the liberty and religious rights of Native American Indians.

Mr. GRIJALVA. Mr. Chairman, I thank the ranking member, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. POLIQUIN

Mr. POLIQUIN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to implement or enforce section 63.7570(b)(2) of title 40,

Code of Federal Regulations (as in effect on the date of enactment of this Act).

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Maine and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maine.

Mr. POLIQUIN. Mr. Chairman, Maine is home to the most skilled paper makers in the world. Our hardworking men and women manufacture paper products that we use every day. Our paper makers are also some of the best stewards of the environment. They know that we need healthy forests to make the high quality wood products sold around the globe.

□ 1700

When trees are harvested to make paper, the branches and the bark can be left behind to be decomposed; or they can be burned to generate energy to run the machinery to make paper.

Either way, the carbon from this biomass is returned to the environment as part of the natural carbon cycle. What a great idea—instead of ending up in a landfill, this green, renewable energy fuels our economy and creates jobs.

Now, our Sappi paper mill in Skowhegan, Maine, burns biomass to make some of the finest quality paper in the world. In doing so, it directly employs 800 hard-working Mainers. In addition, loggers and truckers who produce and transport this biomass also earn paychecks for their families.

Unfortunately, the Environmental Protection Agency is attacking this renewable method to power our businesses and to create jobs. All of us who have sat around a campfire have seen that wet wood, branches, and grass emit a darker smoke. However, the same carbon is being recycled through the environment. It is just a slightly different color.

The EPA wants to impose stricter emission standards on companies that burn wet wood, branches, and bark instead of dumping them into a landfill. That just doesn't make sense.

Mr. Chairman, the EPA is trying to force our Skowhegan mill to spend millions of additional dollars on special smokestack equipment because wet biomass burns darker. The mill owners have worked diligently with the regional EPA office in Boston and the Maine Department of Environmental Protection to put in place a common-sense emissions monitoring system that reflects the burning of biomass. Sadly, the EPA headquarters right here in Washington rejected their sensible solution.

Mr. Chairman, this is not fair, and this is not right. Those 800 hard-working paper makers at the Sappi mill deserve an EPA that works for them, not against them.

Now, our paper mill in Maine could very well be a different mill in Michi-

gan, Minnesota, or Georgia that also uses green American biomass energy.

America should keep her energy dollars and jobs here at home and not ship them to the Middle East. Our businesses need that energy to keep our manufacturing jobs right here in America and not send them to China. This is a national security issue, as well as a jobs issue, Mr. Chairman.

Mr. Chairman, I ask my House Republicans and Democrats today to support my simple, commonsense bill. Passing it will stop the EPA from unfairly penalizing employers who use green, renewable American biomass energy.

My amendment prohibits the EPA from reaching beyond some of the biomass emission rules already being enforced by the regional EPA offices and the State environmental authorities.

Let's show the American people today that Congress supports a domestic energy source that is good for the environment, creates jobs, and keeps us safer here at home.

Mr. CALVERT. Will the gentleman yield?

Mr. POLIQUIN. I yield to the gentleman from California.

Mr. CALVERT. I suspect this issue is not just limited to your State, and I hope this language will help bring EPA to the table so that everyone can find a path forward for this issue that is important for the country.

Certainly, I have no objection to this amendment. In fact, I support it.

Mr. POLIQUIN. Thank you very much, Mr. Chairman. I appreciate it.

Mr. Chairman, I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, it is a blanket block to the EPA from fully implementing and enforcing air toxic standards for boilers and incinerators.

Among other things, there are boilers that burn natural gas, coal, wood, oil, and other fuel to produce steam, and the steam does produce electricity or provide heat, and incinerators burn waste to dispose of it. These boilers and incinerators have the potential of releasing very toxic pollutants such as mercury, lead, dioxin, and other pollutants that are linked to health effects.

In 2011, after a robust public process, including three public hearings and responding to thousands of public comments, the EPA finalized standards to reduce toxic emissions for existing new boilers and commercial industrial solid waste incinerators and sewage sludge incinerators.

Now, among other things, the rule requires emissions to just meet certain standards. It is a measurement of air pollution based on the degree of which light is blocked by the pollutant from the smokestack.

The rule also allows the EPA to approve alternative opacity limits under certain circumstances, so there is flexibility within the rule.

Now, the local paper mills in the representative State are exceeding or they are expected to exceed the standard in the EPA's final rule, so to better fit their circumstances, they want an alternate opinion. That is the issue that the EPA is looking at right now. The EPA is looking at this right now. They heard the concerns; they are looking at it.

Strangely, this amendment would not really address that issue. Instead, it would block the EPA from ever approving an alternative limit or implementing or enforcing an alternative limit that had already been improved.

I rise because this amendment, unfortunately, just does not make any sense to me that we would not keep the dialogue moving forward. The EPA has the responsibility of making sure that standards of emissions with mercury and lead and other toxic pollutants are not dangerous to public health, especially to children. We know statistically now that up to 8,100 premature deaths, 5,100 heart attacks, and 52 asthma attacks are all worked into reducing the emissions, to lower those numbers.

We need to stand with the EPA air toxic standards and allow them to achieve their intended benefits and to work with industry where it makes sense, and we can have industry move forward but still protect the public health, just not scrap the parts that industry dislikes.

I urge my colleagues to oppose this amendment because it would keep the EPA from doing what it is doing right now, and that is to work with industry, oddly enough, to create a win-win for industry and a win-win for public health.

I yield back the balance of my time.

Mr. POLIQUIN. Mr. Chairman, I would strongly disagree with my colleague on the other side of the aisle.

Those of us or those who have visited our great State know that we have a pristine natural environment. It is part of our brand, Mr. Chairman. It is something that we protect and will continue to protect at all costs.

However, as a freshman legislator, I have been here for 6 months, and what I have learned in those 6 months is that we have almost a fourth branch of government, and that is these regulators that regulate every part of our life, whether we are trying to make paper or what have you and trying to provide work for our families.

Mr. Chairman, I support this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Maine (Mr. POLIQUIN).

The amendment was agreed to.

#### AMENDMENT OFFERED BY MR. POLIS

Mr. POLIS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. 441. None of the funds made available by this Act may be used in contravention of section 102(a)(1) of Public Law 94-579 (43 U.S.C. 1701(a)(1)).

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Colorado and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Mr. Chairman, with this amendment, this body has the opportunity to say loudly and clearly: Let's keep our public lands public.

Public lands are a massive economic generator and are important to our health and welfare as Americans. They are beautiful, and they are healing. I recently got to hear from a veteran in Eagle County, and part of his recovery process is the time he spends outdoors on our public lands. They are also practical. They help ensure for water quality and maintain the critical aspects of rural life like farming, ranching, grazing, and logging.

Public lands are where our hunters and fishermen go to enjoy the outdoors. They are where skiers, hikers, bikers, and motorists experience activities that are impossible in other places and are invaluable to their quality of life.

Outdoor enthusiasts utilize those areas. It is a vast economic driver as well. In fact, over \$646 billion is generated economically through our public lands, and visiting our public lands supports over 6 million jobs, including many in my district and many in our great State of Colorado.

When recently polled across six western States, the American people said with 96 percent support—with unheard of levels of support—that protecting public lands for future generations is one of their top priorities and that, above and apart from any other, they see the maintenance for access of outdoor activities on our public lands as a critical focus of our Federal Government.

States don't have the resources or expertise to suddenly take on the responsibilities for our Federal lands, nor do State governments even want that authority, Mr. Chairman.

Selling these lands outright to private owners or purveyors would undoubtedly lead to loss of access to these majestic, treasured spaces and, at the same time, would destroy jobs across the West and other areas that are blessed to have public lands; yet there has been attempt after attempt to transfer our most precious public spaces to the States or to private ownership or to sell them at wholesale.

Mr. Chairman, the sportsmen don't want this. The hikers, bikers, campers, skiers, and motorized activists that make up the areas surrounding those held by the Federal Government do not want their land taken away—our land taken away.

Those concerned with environmental well-being, water quality, and public health that depends on the stewardship of our public lands do not want our public lands taken away.

It is lost to me, Mr. Chairman—and perhaps my colleagues on the other side of the aisle can speak to this—exactly who is impacted by and who does touch and enjoy and rely on our public lands and actually does want to see them taken away.

I would pose this inquiry, and I reserve the balance of my time.

Mr. CALVERT. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chairman, this would just make it difficult and impossible for Federal agencies to dispose or willingly or equitably exchange or convey lands to States, local governments, private landowners, and others.

I just may point out the Federal Government currently can't manage its existing land, which is over 640 million acres or approximately 3 out of every 10 acres in the United States.

I urge my colleagues to vote against this amendment, and I yield back the balance of my time.

Mr. POLIS. Mr. Chairman, all my amendment does is ensure that none of the funds made available to this act can be used in contravention to the law of the land. My amendment wouldn't do anything to undermine current authority of congressionally and administratively driven land exchanges. In fact, I brought several before this body and have seen several signed into law.

My district is 62 percent Federal land, and we always have various exchanges, purchases, and sales. Of course, those are consistent with the law, which allows the funds to be used under this bill.

I am a strong believer in the ability of our Federal Government and Congress to make choices wisely in a thorough public and transparent process, which we do in this body.

What my amendment would do instead is prohibit the use of funds in this bill to pursue any additional extra legal ways to turn our Federal land over to private owners. It would prohibit Federal dollars from being used to support, for instance, a commission around finding avenues to turn all Federal lands over to private ownership.

These kinds of ventures are fiscally wasteful and counterproductive and wholly unwanted by the American people who rely and derive spiritual support, health, and jobs from our public lands.

I urge my colleagues to reflect upon who exactly we are working for and what our goal is with regard to our public lands.

I strongly support ensuring that all the provisions of this appropriations bill are limited to the full pursuit of section 102(a)(1) of Public Law 94-579 with regard to our public lands and that none of this money, which is what this amendment will do, can be diverted to privatize our public lands.

I yield back the balance of my time.

□ 1715

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. POLIS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. POLIS. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado will be postponed.

AMENDMENT OFFERED BY MR. GOSAR

Mr. GOSAR. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS TO TREAT THE SONORAN DESERT TORTOISE AS AN ENDANGERED SPECIES OR THREATENED SPECIES

SEC. \_\_\_\_ None of the funds made available by this Act may be used by the United States Fish and Wildlife Service to treat the Sonoran desert tortoise as an endangered species or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chairman, I rise to offer a commonsense amendment to the Interior, Environment, and Related Agencies Appropriations Act.

My amendment will protect education, grazing, agriculture, energy, housing interests, as well as assist with preventing dangerous wildfires by blocking the Fish and Wildlife Service from listing the Sonoran desert tortoise as an endangered or threatened species. A listing decision for the Sonoran desert tortoise is expected this fiscal year.

Of the potential 26.8 million acres that will likely be designated for critical habitat due to such a listing, 15 million acres are located in the United States, and nearly 4.5 million acres are State trust land.

State trust land revenues, which are currently enjoyed by 13 beneficiaries, of which K-12 education is the largest

proportional share of those moneys, will be severely impacted.

If the Sonoran desert tortoise is listed, these acres of trust land will become less valuable for investment as they are burdened with a federal regulatory nexus. Without this amendment, schools that have already undergone significant budget cuts will see even less money flowing into their educational coffers.

The Sonoran desert tortoise is also of substantial concern to many different types of industry, as its habitat falls within urban development corridors as well as on rural and agricultural landscapes.

Listing the species as threatened or endangered will negatively impact commercial, housing and energy developers as well as the agriculture and grazing industries.

Specifically, a listing would be detrimental for 273 different grazing allotments and would jeopardize nearly 6 million acres used for livestock grazing.

Mining will also suffer, as the BLM listed 9,675 new mining claims from 1990 to 2002, 36 percent of which fall within the Sonoran desert tortoise's habitat.

Any ground and vegetation-disturbing activities, including fire suppression activities and restorative treatments, would also be negatively impacted by a listing decision for the species.

Solar energy would also likely be harmed, as large solar projects on desert floors are considered a potential threat to the Sonoran desert tortoise.

My amendment will also encourage significant voluntary efforts and financial contributions for the Sonoran desert tortoise to continue, many of which are already underway at the local level.

Important local conservation efforts began for the species in 2010, and a Candidate Conservation Agreement was recently signed by 15 different agencies in February.

Should the Sonoran desert tortoise become listed, these voluntary efforts and moneys will dissipate as local property owners, ranchers, and developers will no longer have any incentive to work with the Federal and State wildlife management agencies on conservation efforts for the species.

My amendment is supported by the Public Lands Council, the National Cattlemen's Beef Association, Americans for Limited Government, the Arizona Cattlemen's Association, the Arizona Farm Bureau, the Arizona Mining Association, the Home Builders Association of Central Arizona, and numerous other organizations that are strongly opposed to this listing.

I thank the chair and the ranking member for their tireless efforts to produce this bill.

Mr. Chairman, I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I claim the time in opposition to this amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, this amendment would do two things. First, it would prohibit the Fish and Wildlife Service from treating the Sonoran desert tortoise as threatened or endangered under the Endangered Species Act. Secondly, it would restrict the Service from offering any of the critical protections to preserve the species.

The Sonoran desert tortoise is an iconic species. It has been part of the Sonoran Desert ecosystem for over 150,000 years. In 2010, the Fish and Wildlife Service found that the listing for the Sonoran desert tortoise was warranted, but it was precluded because it needed to address other higher priorities.

So last December the Service announced that it was working on a proposed listing determination that is expected to be published within the year.

This amendment, if it were to pass, would stop the Fish and Wildlife Service's efforts and block the Service from meeting a court-ordered deadline to make this listing determination. In other words, they would put the U.S. Fish and Wildlife Service at odds with what the court has requested them to do. This amendment has no place in the appropriations process, nor does it have any place in this legislative process.

Let's just think about the Endangered Species Act for a minute. It has been one of our most effective and important environmental laws, and it is supported by over 85 percent of Americans.

There has been no law that has been more important in preventing the extinction of wildlife, but some Members of this body seem determined to undermine the law by placing harmful policy riders on this bill.

From my count, as of right now, there are at least 10 species that are at risk of losing the Endangered Species Act protections in this bill.

What type of conservation legacy are we leaving for future generations? That is why I oppose the amendment, and I urge my colleagues to oppose it as well.

I yield back the balance of my time.

Mr. GOSAR. Mr. Chairman, the Sonoran desert tortoise is part of a growing problem involving large settlements with the environmental groups who sue the Fish and Wildlife Service's regulatory protections with regard to a large number of different wildlife and plant species.

These multi-district litigation settlements, commonly known as "sue and settle tactics," force the Fish and Wildlife Service to make listing decisions on several hundred species, often with little or no scientific data supporting these listings and without public input to this process.

This possible listing is a result of a lawsuit filed by a few special interest groups aimed at stifling development and has nothing to do with the tortoise.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. TSONGAS

Ms. TSONGAS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS TO IMPLEMENT OR ENFORCE SPECIFIC SECTIONS

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to implement or enforce section 117, 121, or 122 of this Act.

The Acting CHAIR. Pursuant to House Resolution 333, the gentlewoman from Massachusetts and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Massachusetts.

Ms. TSONGAS. Mr. Chairman, my amendment, which I offer with Mr. BEYER of Virginia, would strike three policy riders related to the Endangered Species Act from the underlying bill, those concerning the greater sage-grouse, the northern long-eared bat, and the gray wolf. I want to focus my remarks on the greater sage-grouse.

The language in this bill that seeks to block an Endangered Species Act listing of the bird is unnecessary and is completely inappropriate, putting both the species and the historic quintessentially American sagebrush steppe landscape at risk.

In 1901, Mark Twain described the sagebrush steppe as a "forest in exquisite miniature." At one point, as many as 16 million greater sage-grouse called the sagebrush sea home. Settlers traveling west said that flocks of sage-grouse "blackened the sky." Today the population has been reduced to as few as 200,000 birds.

Right now there are unprecedented and proactive partnerships throughout the West which are working to conserve sagebrush habitat, to encourage predictability for economic development, and to prevent the listing of the greater sage-grouse as endangered or threatened under the Endangered Species Act.

Federal agencies, States, sportsmen, ranchers, farmers, and conservationists have all come together in this effort. In fact, the 10 land management plans released by the Interior Department last month are based on plans developed by the States, not one size fits all, but individual plans to suit each State's individual needs. This is all the result of a concerted collaboration.

The Fish and Wildlife Service and the States themselves agree that, as long

as these partnerships continue, it is likely that the greater sage-grouse will not be listed as endangered or threatened under the Endangered Species Act.

Rather than helping communities, the rider in this bill creates uncertainty and only undermines the immense coordinated progress already underway. I urge my colleagues to vote "yes" on the amendment.

I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, I will talk about the three different provisions to this amendment. Let me first talk about the sage-grouse.

The sage-grouse provision in this bill is meant to give the Fish and Wildlife Service time to make a determination of whether there ought to be a listing or not. The court has ordered them to make a determination by, I think, September 30. We are trying to give them the time necessary.

This is going to affect 11 Western States. It is not going to affect Massachusetts, by the way, but it is going to affect 11 Western States substantially.

They have recently put out their resource management plans to the States. There is a period in which the States have a chance to interact with the Federal agency and raise their complaints and so forth about what the problems are with their resource management plans.

We are trying to give the Fish and Wildlife Service and the States—the 11 Western States, by the way, not Massachusetts—the time to come up with a plan so that we don't list this bird.

The Fish and Wildlife Service and the States—everybody, essentially—agree we don't want sage-grouse listed. The States have made incredible progress and have made incredible sacrifices.

The State of Wyoming has taken, I want to say, millions of acres which have potential resources off the table in order to protect the sage-grouse. So we have taken extraordinary efforts to make sure that we don't list this bird.

As far as the wolves are concerned, the fact is that the Fish and Wildlife Service delisted the wolves. It was not us. We didn't want to go against science. We are not going against science. We aren't trying to make any species become extinct.

It was the Fish and Wildlife Service in their use of science that delisted the wolves. But guess what. Some people weren't happy with that; so, they took them to court. And now we are in a court case. The same thing happened in Idaho and in Montana.

This language doesn't take a species off the endangered species list. Some people think we are trying to delist species, and we are not. We are going back to the decision made by the Fish

and Wildlife Service to delist the wolves in the Great Lakes and in the State of Wyoming.

I think, if you want to talk about the cost and if you want to complain about what is going on here, you really ought to complain to the plaintiffs who are causing all of this hassle with wolves when the States have done exactly what they were supposed to do.

The wolf populations in the Great Lakes particularly have exploded. In Idaho and Montana, they have exploded. In Wyoming, they have exploded. That is why the Fish and Wildlife Service delisted them.

This amendment is contrary to every bit of science that there is that deals with endangered species. So I would urge my colleagues to reject this amendment even though it doesn't affect Massachusetts.

I reserve the balance of my time.

Ms. TSONGAS. Mr. Chairman, I would like to first comment that Massachusetts, at one time, was home to the Heath Hen, which is the greater sage-grouse's cousin.

Because at that time we did not have an Endangered Species Act, that Heath Hen is now, unfortunately, extinct. So we have learned an important lesson about the great role the Endangered Species Act does play to protect some of our remarkable species.

I yield 2 minutes to the gentleman from Virginia (Mr. BEYER), my colleague.

Mr. BEYER. I thank the gentlewoman.

Mr. Chairman, despite what you may hear from some Members of Congress, gray wolves have not recovered. In a test by the Fish and Wildlife Service to remove them from the Endangered Species Act, protections for wolves have failed time and again.

Why? It is because scientific experts have shown and the courts have confirmed that the best available science does not justify the removal of all ESA protections for gray wolves at this time.

In fact, the only instance in which wolves have been delisted has been through the unprecedented and unfortunate congressional action in 2011 to remove protections from wolves in the Northern Rocky Mountains.

These wolves are now endlessly persecuted by hunters and ranchers despite the positive effects they have on the ecosystem and the minimal toll they take on livestock.

□ 1730

Wolf-related tourism around Yellowstone generates more than \$35 million annually for local economies, and recovery in the Pacific Northwest is only beginning.

This amendment would prevent Congress from directing the Fish and Wildlife Service to reissue the delisting of wolves in the western Great Lakes and

Wyoming. Now is not the time for Congress to declare open season on one of America's most iconic wild animals. Science, not politics, should guide these delisting decisions.

By the way, wolves are not in Massachusetts, they are not in Virginia, and they never will be as long as we do not continue our efforts to protect wolves and allow them to occupy the old territories they did a few hundred years ago.

This amendment would also allow the Fish and Wildlife Service to move forward with steps to protect the northern long-eared bat. Over the past decade, populations of the bat have declined 98 percent, mostly because of the deadly effects of white-nose syndrome. As a result, Fish and Wildlife Service recently listed the bat as a threatened species. While scientists and wildlife managers work to fight the spread of white-nose syndrome, it is important to ensure that the remaining bat populations are safe from other threats.

The interim rule currently in effect governing taking of the bat is incredibly flexible and was developed in close coordination with industry stakeholders, particularly the timber industry, to ensure that economic activity is not negatively impacted.

The final rule is expected to be similarly flexible. The language in this bill will only serve as a delay tactic, causing additional uncertainty for businesses and property owners, and this amendment would effectively strike these unnecessary sections from the bill.

Mr. SIMPSON. Mr. Chair, how much time do I have remaining?

The Acting CHAIR. The gentleman from Idaho has 2 minutes remaining.

Mr. SIMPSON. Mr. Chair, I thank the gentleman. I appreciate the gentleman's comments. I do have some gray wolves in Idaho, Montana, Wyoming, and other places that we will be happy to ship to you if you like. In fact, we didn't have any in Idaho until Fish and Wildlife Service decided that they were going to reintroduce them in Idaho.

When you say the minimal take that it has on cattle, wildlife, and other types of things, there were gray wolves in Idaho that one sheep rancher lost over 300 head of sheep in one night to some wolves. That ends his business, essentially. So it is not a minimal take. If you look at the calf-to-cow ratio of elk and deer in Idaho, the numbers have been down substantially, particularly with elk because, guess what, they like elk, even though we were told that they will go after deer and not elk. Wolves, I guess, like elk better than they do deer.

The gentleman says we need to depend on science, not Congress. Congress never delisted a species. We didn't delist the gray wolves in Idaho and Montana. It was the Fish and Wildlife Service using science. When you

say the gray wolves have not recovered, where is your science? Where do you get that? Where does that statement come from? Fish and Wildlife Service that has done the investigations said yes, they have. So do we just not trust them?

It is you people proposing this amendment that are going against science. We are just trying to make sure that the science is protected, and politics doesn't enter. We appreciate the people of Virginia and the people of Massachusetts trying to make sure that the wolves are healthy in Idaho. I can guarantee you they are. They are not persecuted, as you said. Yes, they are hunted, but anybody who believed we were going to introduce wolves into Idaho or Montana where they hadn't been for a number of years and you weren't going to have to maintain population controls of them was living in a fantasyland.

Yes, we do have hunting seasons for wolves, as we do almost all species, but we have to maintain a certain population, and if that population isn't maintained, guess what. Fish and Wildlife takes over, and they go back on the endangered list. So it is not Congress that is making these decisions. It is Fish and Wildlife Service.

I urge my colleagues to reject this amendment.

I yield back the balance of my time.

Ms. TSONGAS. Mr. Chairman, I just want to reiterate that the riders in the underlying bill will do nothing to help our native species but, instead, only serve to cause uncertainty and delay, undermining all the concerted effort by many stakeholders, all seeking to avoid a listing, particularly with the sage-grouse.

I urge my colleagues to support this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Massachusetts (Ms. TSONGAS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. TSONGAS. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Massachusetts will be postponed.

AMENDMENT OFFERED BY MR. GOSAR

Mr. GOSAR. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used for the United Nations Environment Programme.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman

from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chairman, I rise to offer one final amendment to the Department of the Interior, Environment, and Related Agencies Appropriations Act.

The amendment is simple. It prohibits the EPA from providing funding to the United Nations Environment Programme. The United Nations Environment Programme, or UNEP—I would call it inept—has a history of taking unusual and extreme policy positions, including advocating for population control.

The United Nations is typically funded in the State Department's budget under contributions to international organizations, or CIL. The funds appropriated by this act are meant to be used domestically, not as a slush fund to give to programs at the United Nations.

I will quickly highlight some of the names of the UNEP initiatives that the EPA spent millions of dollars on. One is to promote environmental sound management worldwide. Another one is UNEP Regional Program, Climate Benefits, Asia Pacific. There is even one called Russian Federation Support to the National Program of Action for the Protection of the Arctic. This last one is money that goes specifically to the Russian cause.

I will read from the EPA's own Web site the description of this program:

This project centers on protection of the Arctic environment in Russia.

This work will cover three broad areas:

Number one, implementation of Russia's national plan of action for protection of the Arctic marine environment from anthropogenic pollution;

Number two, hazardous chemical management;

And, three, climate change mitigation adaptation and awareness.

So let me get this straight. In addition to the billions we contribute to the United Nations through the CIO account, the EPA is funneling millions of tax dollars to this United Nations program, which then gives the money to Russia, who then uses it to implement a Russian national plan and for climate change mitigation, adaptation, and awareness.

U.S. taxpayers, do I need to say anything further why we need to stop this? Let's keep the United States Environmental Protection Agency focused on issues within the United States. Our favorite out-of-control agency need not be concerned with the Asia-Pacific region or with Russia.

I urge my colleagues to adopt this commonsense amendment that is endorsed by the Americans for Limited Government, the Eagle Forum, the Taxpayers Protection Alliance, the Council for Citizens Against Government Waste, and the Yavapai County Board of Supervisors.

I thank the chairman and ranking member for their tireless efforts in producing this bill.

I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chair, this amendment would prohibit any agency from using funds for the United Nations Environment Programme. Funds for the U.N. are primarily provided through the State, Foreign Operations, and Related Programs Subcommittee. The EPA administers about \$500,000 of international grants, not the millions or the billions that were referred to in this particular bill. So I strongly oppose the amendment.

I understand, as I said earlier, there is a small amount of funding administered for the U.N. Environment Programme in this bill. The primary source of funding for the international programs, I want to stress again, is in the State, Foreign Operations, and Related Programs bill, not this bill.

So this amendment seeks to solve a problem that really doesn't exist in this bill, but jurisdictional questions aside, we must be an international partner with respect to the environment. Engagement with the international community allows us to share and learn best practices on how to manage toxic substances; international engagement helps set international standards to help our products compete globally; and, more importantly, pollution knows no boundaries. It does not respect international borders.

In the 1970s and 1980s, acid rain was a problem both in the United States and Canada, and through domestic legislation and international work with Canada, we have reduced the amount of acid rain that falls upon the United States and Canada. Now, right now in my home State of Minnesota, we are under a high pollution warning. The culprit is, sadly, a series of forest fires that are raging to the north border of us in Saskatchewan. Now, if we are going to be committed to clean air and clean water on the Canadian-U.S. border, we must be engaged both here at home and abroad.

So as a proud Minnesotan and a proud Member of the United States Congress, I urge my colleagues to reject this amendment and to work together in partnership.

I reserve the balance of my time.

Mr. GOSAR. Let's set the record straight. CRS, hardly a partisan effort, since 2003 reports they spent over \$6 million in foreign agencies in this very fund. Imagine that. The facts are only convenient when they help us on our side.

If we are going to have a discussion about this, let's put it in the State Department budget and let's talk about

it, but let's not hide it in the EPA. Let's keep the EPA's budget and dealings right here in the United States where they belong. They hardly have a track record of success here in the States.

I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I would like to stress again that, in this bill, there is \$500,000. And I would also like to stress, when it comes to regulating waters in the Great Lakes, our tributary rivers and basins on the northern border—and I am sure the same thing, I can't speak with as much eloquence as to what is happening on our southern border—we need to have these international interlocutors. I would appreciate the opportunity for my State and for the Great Lakes States to be able to continue the strong partnership with our Canadian partners.

I yield back the balance of my time.

Mr. GOSAR. Mr. Chair, with an over \$18 trillion debt, when is enough enough? If we are going to talk about foreign expenditures of dollars, let's put it in the State Department budget and make sure we have an open and honest conversation, but it does not belong here. We have to start concentrating on what is important to the United States, not Russia. I guess that is Putin's kind of game is that we clean up his messes for him.

I ask everybody to adopt this legislation.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GRIJALVA

Mr. GRIJALVA. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS WITH RESPECT TO IVORY

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to implement or enforce section 120 of this Act.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GRIJALVA. Mr. Chairman, at the inception of the debate and discussion regarding this appropriations bill, I indicated I would offer an amendment to prevent language in the bill from driving the extinction of the African elephants.

I expect the administration to release its proposed ivory rule this month, and it deserves the support of every Member of this Chamber. This rider that is currently in the language of the bill is another unfounded attack

on an endangered species that our Nation's top scientific experts have concluded will go extinct without the protection of the Endangered Species Act, under which this rule is being promulgated.

I mentioned in my previous statement the U.S. Fish and Wildlife Service recently destroyed a one-ton stockpile of illegal elephant ivory, most of it seized in Philadelphia from an antique dealer named Victor Gordon.

Gordon imported and sold ivory from freshly killed African elephants in violation of U.S. law and the laws of the countries where the elephants were poached, and the ivory was stolen. The ivory was doctored so that it looked old enough to pass through a loophole in the law. All of this ivory is illegal. All of it is nearly impossible to distinguish from antique ivory, and anyone who bought it from Gordon and resells it or buys it from a new owner is contributing to the ongoing slaughter of elephants and the criminal trafficking of ivory that supports organized crime and terrorism.

The only way to keep U.S. citizens from being involved in this elephant poaching and trafficking crisis is to eliminate the commercial import, export, and trade of African elephant ivory in our country. Ending the commercial ivory trade will set an example for China and other countries to follow, but they will not act until we do.

□ 1745

Ending the trade will not take away personal possessions, nor will it bar the movement of musical instruments or museum pieces; but to save elephants, we have to eliminate the value of ivory.

Sadly, this rider is just another example of House Republicans driving the extinction of wildlife one species at a time.

Please join me in voting "yes" on this amendment, and I reserve the balance of my time.

Mr. CALVERT. I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chairman, I appreciate my colleague's thoughtful comments regarding crisis levels of poaching and wildlife trafficking and the need to do something about it. This is a deadly serious matter with national security implications. That is why this bill has increased funding by \$15 million since fiscal year 2013 in order to fight wildlife poachers and traffickers.

Without question, Republicans do not want to see elephants go extinct; but when the Fish and Wildlife Service made the unilateral determination to ban the trade and transport of products containing ivory that have been in the United States legally for years, we



heard from orchestra musicians, art museums, wildlife conservation organizations, collectors of fine antiques from chess pieces to pool cues to firearms, and nearly everyone in every organization in between.

They are united in support for elephants, but they are also united in their opposition to new Federal restrictions on products that contain ivory legally obtained. The reality is family heirlooms and rare musical instruments didn't cause the problem, and the Fish and Wildlife Service should be acknowledging as much.

This bill keeps the status quo, allowing for continued legal trade and transport so that collectors, musicians, and others can get on with their lives until the Fish and Wildlife Service writes a rule that reflects the legitimate concerns of law-abiding U.S. citizens.

The administration is rumored to be just days away from publishing a revised rule to address most of these concerns. If that is the case and if the revised rule solves the problem, then there will be no need for this provision in the final conference report later in the year.

In any case, I remain fully committed to working with my colleagues on both sides of the aisle to find a reasonable solution moving forward. In the meantime, I must oppose this amendment, and I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. BEYER).

Mr. BEYER. I thank the gentleman for yielding, and I also thank the chairman for his comments.

Mr. Chairman, I am proud to speak in support of Mr. GRIJALVA's amendment. The U.S. is the world's second largest market for ivory. Only China has a greater demand.

In February of last year, President Obama announced a ban on the commercial trade of elephant ivory. This ban is the best way to ensure that U.S. markets do not contribute to the further decline of African elephants in the wild.

The African elephant population has declined by an estimated 50 percent over the last 40 years, with approximately 35,000 elephants poached every year. That amounts to one elephant poached every 15 minutes.

The Fish and Wildlife Service has been undertaking a series of administrative actions, including a proposed rule in order to implement the ban. Section 120 would prevent the Fish and Wildlife Service from implementing this rule and other policies necessary to crack down on the domestic illegal ivory market.

I cannot understand why we would not do everything possible to stop the illegal slaughter of African elephants.

I urge my colleagues to support Mr. GRIJALVA's amendment, which would

prevent section 120 from being enacted. We must allow the FWS to continue its efforts to prevent the extinction of the African elephant.

Mr. CALVERT. Mr. Chairman, I urge my colleagues to oppose this amendment, and I yield back the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I yield the balance of my time to the gentleman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. Mr. Chairman, if we are going to stop the slaughter of African elephants, we need to stop the illegal trade in ivory.

This rider has nothing to do with the unprecedented poaching crisis, and it ignores the impact of the illegal ivory trade within the United States and the way that it is impacting the African elephants' survival.

The rider also undermines the United States' ability to push other countries with significant ivory markets—like China, Vietnam, and Thailand—to take stronger actions to restrict ivory trade.

In fact, according to a recent Washington Post article, China has signaled that its actions to further restrict ivory trade were contingent on what the United States does to regulate our domestic trade.

It is in the national interest of the United States to combat wildlife trafficking and to ensure that we don't contribute to the growing global demand for elephant ivory, which is also funding terrorism around the world.

We need to come up with a responsible set of regulations that protect elephants, while making accommodations to allow certain activities to continue that do not pose a threat to elephants.

I urge my colleagues to support the Grijalva amendment.

Mr. GRIJALVA. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GRIJALVA. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT OFFERED BY MR. SMITH OF TEXAS

Mr. SMITH of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

SEC. \_\_\_\_ Of the funds provided for "Environmental Protection Agency—Environmental Programs and Management", not

more than \$1,713,500 may be available for the Immediate Office of the Administrator and not more than \$3,581,500 may be available for the Office of Congressional and Intergovernmental Relations and the aggregate amount otherwise provided under such heading is reduced by \$2,735,000.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. SMITH of Texas. Mr. Chairman, I offer this amendment together with my colleagues and fellow committee chairmen, Mr. CONAWAY from Texas and Mr. CHAFFETZ from Utah.

The amendment addresses the Environmental Protection Agency's continuing pattern of obstruction and delay in response to congressional oversight.

Since January 2014, the EPA has proposed or finalized new, far-reaching rules that impact almost every aspect of the American economy. These rules involve major expansions of Federal authority, massive costs to the economy, and are based on secret science that the EPA keeps hidden from external review or scrutiny.

Congress has a constitutional responsibility to perform rigorous oversight of the executive branch. However, as chairman of the Committee on Science, Space, and Technology, nearly every request for information I make to EPA is greeted with repeated delays, partial responses, or outright refusals to cooperate.

Earlier this year, the committee was forced to issue a subpoena to obtain information related to Administrator Gina McCarthy's deletion of almost 6,000 text messages sent and received on her official Agency mobile device. She claimed that all but one was personal.

Most recently, the committee requested information and documents related to the EPA's development of the waters of the U.S. rule and the Agency's inappropriate lobbying of and collaboration with outside organizations to generate grassroots support.

The EPA again failed to provide the requested documents. The committee was forced to notice its intention to issue a subpoena.

However, producing documents in bits and pieces after months or years of delay are not the actions of an open and transparent administration. They are the actions of an Agency and administration that has something to hide.

It is clear that the EPA does not see its job as facilitating transparency and oversight. It seems to believe its mission is to delay, obstruct, and otherwise attempt to stonewall any attempt by Congress to fulfill its constitutional oversight obligation on behalf of the American people.

Congress should not support such an agency. We are taking further action

with this amendment to reduce funding for EPA's offices. The EPA must refocus its efforts on transparency and cooperation with Congress and the American people. At that point, we could consider restoring their funding.

I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. This amendment clearly is a Republican attempt to cut funding from the Environmental Protection Agency. As an agency that protects the air we all breathe, protects the water we drink, the fish we eat, it means that the EPA works every day to protect the health of every American.

This amendment is clearly an attack against the administration for work that they have been doing to enforce those protections.

It is entirely counterproductive to complain about a lack of timely response from the EPA and then turn around and slash the very funding that allows the EPA Administrator and Agency staff to respond to our concerns.

Crippling cuts to the office of congressional relations will not only make it more difficult for Members of Congress to get our questions answered—and those of our constituents—by slashing the office of intergovernmental agency affairs, this amendment would make it harder for State and local officials to gather the information they need to protect their communities.

I don't really believe we want to tell the EPA that they should cut back on meeting and getting recommendations from local government advisory committees or tell our elected officials at a State level that they are going to have even a harder time getting a hold of someone at the EPA to help them form agreements to address their priority needs.

Our States have a responsibility with the EPA for protecting public health and the environment, and this amendment would undermine those partnerships. This amendment would make it more difficult for the people's representatives at the Federal, State, and local level to reach out and get support and answers from the EPA in order to protect the health of their constituents.

I urge my colleagues to join me in opposing these cuts, and I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I yield the balance of my time to the gentleman from Utah (Mr. CHAFFETZ), the chairman of the Oversight and Government Reform Committee.

Mr. CHAFFETZ. Mr. Chairman, I thank Mr. SMITH of Texas and Mr. CON-

WAY of Texas for their good work on this.

In the year 2015, five letters were sent to the EPA from the Oversight and Government Reform Committee regarding the waters of the United States rulemaking. All went unanswered until the Science Committee threatened to subpoena.

Probably what is the most egregious and most offensive to us is even when we do bipartisan work—in a bipartisan letter, we asked the EPA to provide a response to a request concerning collections of use of fees and fines—and even when we do it in a bipartisan way, those go unresponded to. They failed to even provide a staff briefing on the collection and use of fines and penalties, despite repeated requests.

We hear on the floor: Well, you can't take away their money, then they won't be able to respond.

With the money, they don't respond, so they obviously don't need the money if they are not going to respond—even when we do so in a very professional, bipartisan way, asking legitimate questions about the use of these funds and how this Agency works.

In the year 2013, requests were filed for information regarding actions of a previous Administrator, among other document requests. Responses were inadequate, and a subpoena was filed.

The EPA only began searching for the documents 6 months after a subpoena was issued, 6 months after this happened. This is just not tolerable. There needs to be consequences for this. They obviously don't need these funds if they are going to be so unresponsive even when we do so in a bipartisan way.

I would urge the passage of the Smith amendment. I think it is a good amendment. It is a responsible way to move forward. I appreciate the good work the Appropriations Committee has done in their support and their work. I, again, thank Mr. SMITH for his leadership on this issue.

Mr. SMITH of Texas. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. SMITH).

The amendment was agreed to.

□ 1800

AMENDMENT OFFERED BY MR. HUFFMAN

Mr. HUFFMAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. \_\_\_\_ None of the funds made available by this Act may be used to enter into a new contract or agreement or to administer a portion of an existing contract or agreement with a concessioner, a cooperating association, or any other entity that provides for the sale in any facility within a unit of the National Park System of a non-educational item that depicts a Confederate flag on it.

Mr. HUFFMAN. Mr. Chair, that is not the revised amendment at the desk.

The Acting CHAIR. Does the gentleman ask unanimous consent to withdraw this amendment?

Mr. HUFFMAN. If it can be substituted with the proper amendment, yes.

Mr. CALVERT. Mr. Chair, I reserve a point of order on this amendment.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

Mr. HUFFMAN. Mr. Chair, you should have the proper amendment now.

AMENDMENT OFFERED BY MR. HUFFMAN

Mr. HUFFMAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. \_\_\_\_ None of the funds made available by this Act may be used to enter into a new contract or agreement or to administer a portion of an existing contract or agreement with a concessioner, a cooperating association, or any other entity that provides for the sale in any facility within a unit of the National Park System of an item with a Confederate flag as a stand-alone feature.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. HUFFMAN. Mr. Chairman, the tragic shooting in Charleston, South Carolina, has forced a national conversation about symbols like the Confederate battle flag that represent racism, slavery, and division.

Now, like you, I applaud leaders in South Carolina and other Southern States, both Democrat and Republican, who have called on their States to end the display of the Confederate flag on government property, including State houses and license plates. With the consideration of the Interior Appropriations bill, this House now has an opportunity to add its voice by ending the promotion of the cruel, racist legacy of the Confederacy.

The National Park Service has asked its gift shops, bookstores, and other concessionaires to voluntarily end the sale of standalone items, such as flags, pins, and belt buckles that contain imagery of the Confederate flag. While many concessionaires have agreed to do this, I am dismayed by reports that some will continue to sell items with Confederate flag imagery. This amendment to the Interior Appropriations bill would end these sales. It would prevent the National Park Service from allowing the continued promotion of the Confederacy through these symbols.

Major American retailers like Walmart, Amazon, and eBay are already taking their own steps to ban

sales of this type of merchandise, and we now have an obligation to ensure that the Federal agencies that we oversee act with the same moral clarity.

Mr. Chairman, with that, I reserve the balance of my time.

Mr. CALVERT. Mr. Chair, I claim the time in opposition to the amendment, although I am not opposed to the amendment.

The Acting CHAIR (Mr. CARTER of Georgia). Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. CALVERT. The language now in this amendment is consistent with the National Park Service policy, and I would support this language as you presently have it drafted. I would urge its adoption.

I yield back the balance of my time.

Mr. HUFFMAN. I yield 2 minutes to the gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. Mr. Chairman, I rise in support of the gentleman's amendment.

This amendment, as Chairman CALVERT pointed out, is consistent with the recent National Park Service actions to further limit the display of the Confederate flag in units of the National Park system.

Previous National Park Service policy had already provided that the Confederate flag would not be flown alone for many park flagpoles.

On June 25, Park Director Jon Jarvis further requested that the Confederate flag sale items be removed from the National Park bookstores and gift shops. This also follows a decision by several large national retailers, including Walmart, Amazon, and Sears, to stop selling items with Confederate flags on them.

I agree with these decisions and commend those involved for their prompt action.

While in certain and very limited instances it may be appropriate in national parks to display an image of the Confederate flag in its historical context, a general display or sale of Confederate flags is inappropriate and divisive.

I support limiting their use, and I rise in support of the amendment.

Mr. HUFFMAN. Mr. Chairman, I respectfully request an "aye" vote.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. HUFFMAN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. COLLINS OF GEORGIA

Mr. COLLINS of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to reduce or terminate any of the propagation programs listed in the March, 2013, National Fish Hatchery System Strategic Hatchery and Workforce Planning Report.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Georgia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. COLLINS of Georgia. Mr. Chairman, I rise today to offer an amendment that recognizes and supports the important role of fish hatcheries nationwide.

Before I get to the amendment, I want to thank you, Mr. CALVERT, for the hard work of the committee and your recognition of the importance of fish hatcheries already there. I also want to thank my friend from Arkansas (Mr. CRAWFORD) for cosponsoring this amendment.

My amendment prohibits funds in the bill from being used to reduce or terminate any of the existing propagation programs listed in the March 2013 National Fish Hatchery System Strategic Hatchery and Workforce Planning Report.

This report raised serious concerns that the Fish and Wildlife Service view hatcheries, and particularly mitigation hatcheries, as a low priority program. Personally, I believe that stocking the tailwaters, streams, lakes, and rivers of America should be a higher priority. Hatcheries provide an important service, including providing our Nation's anglers with the recreational enjoyment and opportunities to catch fish; and they can be particularly vital to economic growth in rural areas, including northeast Georgia.

The importance of our Nation's hatcheries is obvious when you look at the Chattahoochee National Forest Fish Hatchery. This hatchery is located back home in Georgia's Ninth Congressional District. It stocks the tailwaters of multiple projects for the Army Corps of Engineers and the Tennessee Valley Authority with rainbow trout for the enjoyment of 160,000 anglers per year. Without this facility, the tailwaters would be barren.

The Chattahoochee National Fish Hatchery is a critical economic driver in the quiet mountain town of Suches, Georgia, and the surrounding community. This rural town in Fannin County doesn't have any major stores or banks, but it does have the hatchery. The hatchery has generated over \$30 million in total economic input on just \$740,000 in investment. It has a \$40 return on investment for every dollar spent and provides enjoyment to many, many people.

The Chattahoochee National Fish Hatchery plays an integral role in the sustainability of businesses and communities in northeast Georgia. From providing environmental education and

public outreach opportunities to visitors, school groups, and various other organizations to facilitating recreational opportunities, northeast Georgia would not be the same without this facility.

The work at the hatchery in Suches is one example of the importance of propagation programs at national fish hatcheries nationwide. These hatcheries are job creators and economic growth engines. They provide critical services to rural America and play an important educational role. They support anglers with recreational services and responsibly stock the rivers to keep the habitats in order. Despite this, however, the Department of Fish and Wildlife places propagation programs, including those in the Chattahoochee National Fish Hatchery, among the lowest of their funding priorities.

My amendment simply ensures that funds to the Fish and Wildlife Service are consistent with the agency's mission and statutory responsibility.

Mr. CALVERT. Will the gentleman yield?

Mr. COLLINS of Georgia. I yield to the gentleman from California.

Mr. CALVERT. Mr. Chair, I want the gentleman from Georgia to know that I support his amendment and would urge its adoption.

Mr. COLLINS of Georgia. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. COLLINS).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BEYER

Mr. BEYER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS IN CONTRAVENTION OF EXECUTIVE ORDERS REGARDING CLIMATE CHANGE

SEC. \_\_\_\_\_. None of the funds made available by this Act may be expended in contravention of Executive Order 13514 of October 5, 2009 or Executive Order 13653 of November 1, 2013.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Virginia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. BEYER. Mr. Chairman, I yield myself such time as I may consume.

The sum of the harmful consequences of global climate change is the existential crisis of our generation and, perhaps, of our century.

Global temperature changes are already causing prolonged droughts, extreme weather events, and rising sea levels. Tens of millions of people, especially the poorest and the most vulnerable among us, are at risk unless we

act to reverse the disastrous effects of climate change.

Our best scientists and our Pope are warning us that unless carbon emissions are dramatically cut, we will see ever rising sea levels, ever more extreme weather, and ever worsening public health, poor air quality, the spread of tropical diseases, lung and heart and heat stress illnesses, and death.

Several weeks ago, the EPA issued a comprehensive report quantifying the economic costs of a changing climate across 20 sectors of the American economy. Among the findings, the report found that, by 2100, mitigating greenhouse global gas emissions could avoid 12,000 deaths per year that are associated with extreme temperatures in just 49 U.S. cities compared to a future with no emission reductions.

The estimated damages to coastal property from sea level rise and storm surge in the contiguous U.S. are \$5 trillion through the year 2100 in a future without carbon emissions.

The Department of the Interior also recently released a report revealing that over \$40 billion of National Park infrastructure and historic and cultural resources could be at risk due to sea level rise caused by climate change.

Taking acts to address climate change is particularly crucial in urban districts that border waterways, like mine, where we are already seeing environmental effects. Now is the time when the U.S. should be deepening its commitment to reducing climate change pollution.

Federal agency actions, including those of the agencies named in this bill, have major impacts on our contributions and reactions to global warming. It is imperative, then, that these agencies maintain mindfulness of those impacts and that they seek to avoid actions that add significant amounts of carbon pollution to the atmosphere or actions that put people and property in the vulnerable position with respect to climate change.

For that reason, Mr. Chairman, I am offering an amendment to ensure that no funds are spent on activities that are not in compliance with the President's 2009 executive order on greenhouse gas emissions and energy efficiency and the 2013 executive order on climate change adaptation.

These orders require agencies to take global warming into account when making decisions and will save taxpayer dollars while making our communities safer and cleaner.

Our agencies need to be climate smart, because making our Federal investments and actions climate smart reduces our fiscal exposure to the impacts of climate change.

It is the right thing to do to run an efficient and effective government. It is the right thing to do to return the

highest value to the American taxpayer.

It is simple: smarter investments up front mean we can reduce future costs. Communities across the Nation are thinking this way. We need to ensure that the same is true for the Federal Government.

I urge a "yes" vote on this amendment to ensure that Federal agencies are operating in the manner that accounts for climate change.

I urge my colleagues to vote "yes" on the amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. CALVERT. Mr. Chair, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chair, earlier, we debated whether or not to continue a bipartisan reporting requirement in the bill on climate change expenditures. My colleague on the other side of the aisle wanted to remove the requirements, which would have reduced transparency. Now he wants to ensure that funds are being expended on climate and efficiency executive orders issued by the President. So I am left to wonder whether my colleagues would prefer to know if funds are spent on these programs or not.

Regardless, this amendment is simply unnecessary. The President did not consult Congress on these executive orders, so, if anything, we should defund the programs until Congress can have an appropriate policy debate.

I see no reason to include this language, and I urge my colleagues to vote "no."

With that, I reserve the balance of my time.

Mr. BEYER. Mr. Chair, how much time do I have remaining?

The Acting CHAIR. The gentleman from Virginia has 2 minutes remaining.

Mr. BEYER. Mr. Chair, I yield 2 minutes to my colleague from California (Mr. HUFFMAN).

Mr. HUFFMAN. Mr. Chairman, I support this amendment which will ensure that no funds are spent on activities that are not in compliance with the President's executive order on greenhouse gas emissions and energy efficiency and the 2013 executive order on climate change adaptation.

These orders require agencies to simply take global warming into account when making decisions. This will save taxpayers lots of money while making our communities safer and cleaner.

Fighting climate change has to be regarded as the biggest imperative of our time.

□ 1815

My State of California has stepped up to this issue and taken important bold steps to confront it, including passing

Assembly Bill 32, the world's most aggressive greenhouse gas reduction policy. At the Federal level, President Obama's efforts, through these orders, are critical steps toward reducing greenhouse gas emissions and addressing climate change.

Ensuring compliance with these measures is the least we can do on this critical issue; and, frankly, we should be doing much more. So I urge my colleagues to support the gentleman from Virginia's (Mr. BEYER) amendment and continue this effort to combat climate change.

Mr. BEYER. Mr. Chair, I yield back the balance of my time.

Mr. CALVERT. Mr. Chair, I ask my colleagues to oppose this amendment

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. BEYER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BEYER. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

#### AMENDMENT NO. 6 OFFERED BY MRS. BLACKBURN

Mrs. BLACKBURN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

#### ACROSS-THE-BOARD REDUCTION

SEC. \_\_\_\_\_. Each amount made available by this Act is hereby reduced by 1 percent.

The Acting CHAIR. Pursuant to House Resolution 333, the gentlewoman from Tennessee and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Tennessee.

Mrs. BLACKBURN. Mr. Chairman, I want to begin by thanking the committee for the excellent job that they have done under Chairman CALVERT's leadership with bringing this appropriations bill in under budget. It is \$3 billion below the President's request. There is still \$30.17 billion in proposed funding in this bill.

I come before you today to offer an amendment that I regularly offer to these appropriations bills, which is a 1 percent across-the-board spending cut. Let's go in and let's take one more penny out of every dollar and use that to bolster the good work that our committee has done.

You know, one of the things that I like about this bill is there is a 9 percent reduction in the EPA budget compared to last year. We all know we need to rein in the EPA. We are all for clean air, clean water, clean environment.

We have different ways of getting there.

The burdensome regulations that are out there negatively impact—they negatively impact our communities. But we know there is more work that we have to do on this \$30 billion budget.

My amendment would reduce the discretionary budget authority by \$292 million and would reduce outlays by \$193 million.

Now, I know that this is not a popular amendment with a lot of those who feel like we have cut, cut, cut and we can't cut any more.

I disagree with that. I think that you can look at the GAO reports and the inspector general reports and see there is plenty of room to cut. We just recently went into the last 4 years of inspector general reports. Guess what. We found \$165 million of identified waste in the Department of the Interior.

It is time to engage our rank-and-file employees in our Federal Government, to make them a team and a partner with us as we work on this issue of getting our budget right-sized.

With that, Mr. Chairman, I reserve the balance of my time.

Mr. CALVERT. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. While I commend my colleague for her consistent work to protect taxpayer dollars, this is not an approach I can support.

While the President may have proposed a budget that exceeds this bill, the increases were paid for with proposals and gimmicks that would never be enacted. This bill makes tough choices within an allocation that adheres to current law.

While difficult trade-offs had to be made, the bill in its current form balances our needs. These trade-offs were carefully weighed for their respective impacts and are responsible.

We prioritize funding for fire suppression, PILT, and meeting our moral obligations in Indian Country, yet the gentlewoman's amendment proposes an across-the-board cut on every one of those programs.

This amendment makes no distinction between where we need to be spending to invest in energy independence and where we need to limit spending to meet our deficit reduction goals.

And, I may point out, the spending problem is not within these discretionary appropriation bills, which we are debating at the present time. It exists primarily in entitlement spending.

So I hope we can spend as much energy on the entitlement side of the budget as we are on the discretionary side of the budget. If so, we would fix our budget problems.

I urge my colleagues to vote "no" on this amendment.

I yield such time as she may consume to the gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. I thank the chairman for yielding me the time.

Mr. Chair, this amendment I strongly oppose. It institutes a 1 percent across-the-board cut.

A few interesting things about the Interior bill. This bill before us today is \$2 billion, \$2 billion below 2010-enacted levels. And when you adjust this bill for inflation, it is at 2005 levels.

This amendment indiscriminately cuts programs without any thought to the merit of the program that is contained in this bill.

For instance, this would result in fewer patients being able to be seen at the Indian Health Service; fewer safety inspectors ensuring accidents do not occur; deferred maintenance on our Nation's drinking water and sanitation infrastructure, which is already underfunded in this bill.

More generally, investments in our environmental infrastructure and public lands will just be halted, and associated jobs would be lost with it.

As I said earlier, this bill is already underfunded, underfunded. When adjusted for inflation, it is at 2005 levels. This amendment would not encourage agencies to do more with less. It would simply force agencies and our constituents to do less with less.

So I urge Members to oppose this amendment.

Mrs. BLACKBURN. Mr. Chairman, just a couple of comments.

Underfunded? No. We are overspent in this town. We have \$18 trillion worth of debt, and it is time to get a handle on that.

Moral obligations? How about the moral obligation to our children and grandchildren?

Admiral Mullen has said the greatest threat to our Nation's security is our Nation's debt.

Let's put the focus on our priorities: keeping our sovereignty and keeping our Nation safe and secure.

This is something we do for our children. It is something we can do for our national security. A penny on a dollar to get this spending under control.

Our approach? Guess what. State and local government use this all the time. They can't go print money and run up debt.

When I was in the State Senate in Tennessee, what did we do? We didn't go home until we balanced the budget because we had an obligation to get it done right the first time, before we walked out the door.

And I do hope that we will put attention on our entitlements. But that is no excuse for not addressing what is in front of us today. To not address what is in front of us today is to kick the can down the road.

I have a lot of constituents who aren't making and taking home as

much as they were in 2005. They think we should reduce Federal spending even more, reduce the Federal workforce even more, because government is getting too expensive to afford.

Let's engage Federal employees in this process. It has worked for the States. It will work for the Federal Government. Let's get our fiscal house in order. A good place to start is right here with this amendment that would save another \$193 million in outlays and \$292 million in discretionary budget authority.

I yield back the balance of my time.

Mr. CALVERT. Mr. Chairman, the last point. I appreciate the gentlewoman's concern about the deficit that we have.

When I came here 24 years ago, 40 percent of our expenditures were on the entitlement side of the budget. Today it is over 60 percent, over 60 percent. So we need to attack that side of the budget line.

If we placed as much energy on entitlement spending as we have on discretionary, not only would the budget be balanced, but we would be moving toward paying off our national debt.

With that, I reluctantly oppose the gentlewoman's amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mrs. BLACKBURN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Tennessee will be postponed.

Mr. CALVERT. Mr. Chairman, I move that the Committee do now rise. The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HECK of Nevada) having assumed the chair, Mr. CARTER of Georgia, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2822) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, had come to no resolution thereon.

#### MOTION TO PERMIT CLOSED CONFERENCE MEETINGS ON H.R. 1735, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2016

Mr. THORNBERRY. Mr. Speaker, pursuant to clause 12 of rule XXII, I move that meetings of the conference between the House and Senate on H.R. 1735 may be closed to the public at such times as classified national security information may be broached, provided

that any sitting Member of Congress shall be entitled to attend any meeting of the conference.

The SPEAKER pro tempore. Pursuant to clause 12 of rule XXII, the motion is not debatable, and the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to authorize closure of conference meetings will be followed by a 5-minute vote on the motion to suspend the rules and concur in the Senate amendment to H.R. 91.

The vote was taken by electronic device, and there were—yeas 402, nays 12, not voting 19, as follows:

[Roll No. 390]

YEAS—402

Abraham	Conyers	Graves (LA)
Adams	Cook	Graves (MO)
Aderholt	Cooper	Grayson
Aguilar	Costa	Green, Al
Allen	Costello (PA)	Green, Gene
Amodei	Courtney	Griffith
Ashford	Cramer	Grijalva
Babin	Crawford	Grothman
Barletta	Crenshaw	Guinta
Barr	Crowley	Guthrie
Barton	Cuellar	Hahn
Bass	Cummings	Hanna
Beatty	Curbelo (FL)	Hardy
Becerra	Davis (CA)	Harper
Benishek	Davis, Rodney	Hartzler
Bera	DeGette	Hastings
Beyer	Delaney	Heck (NV)
Bilirakis	DeLauro	Heck (WA)
Bishop (GA)	DelBene	Hensarling
Bishop (MI)	Denham	Hice, Jody B.
Bishop (UT)	Dent	Hill
Black	DeSantis	Himes
Blackburn	DeSaulnier	Holding
Blum	DesJarlais	Honda
Bonomici	Diaz-Balart	Hoyer
Bost	Dingell	Hudson
Boustany	Doggett	Huelskamp
Boyle, Brendan	Dold	Huffman
F.	Donovan	Huizenga (MI)
Brady (PA)	Doyle, Michael	Hultgren
Brady (TX)	F.	Hunter
Brat	Duckworth	Hurd (TX)
Bridenstine	Duffy	Hurt (VA)
Brooks (AL)	Duncan (SC)	Israel
Brooks (IN)	Duncan (TN)	Issa
Brownley (CA)	Edwards	Jackson Lee
Buchanan	Ellmers (NC)	Jeffries
Buck	Emmer (MN)	Jenkins (KS)
Burgess	Engel	Jenkins (WV)
Bustos	Eshoo	Johnson (GA)
Butterfield	Esty	Johnson (OH)
Byrne	Farenthold	Johnson, E. B.
Calvert	Farr	Johnson, Sam
Capps	Fattah	Jolly
Capuano	Fincher	Jordan
Cárdenas	Fitzpatrick	Joyce
Carney	Fleischmann	Kaptur
Carson (IN)	Fleming	Katko
Carter (GA)	Flores	Keating
Carter (TX)	Forbes	Kelly (IL)
Cartwright	Fortenberry	Kelly (MS)
Castor (FL)	Foster	Kelly (PA)
Castro (TX)	Fox	Kennedy
Chabot	Frankel (FL)	Kildee
Chaffetz	Franks (AZ)	Kilmer
Chu, Judy	Frelinghuysen	Kind
Cicilline	Fudge	King (IA)
Clark (MA)	Gabbard	King (NY)
Clawson (FL)	Gallego	Kinzing (IL)
Clay	Garamendi	Kirkpatrick
Cleaver	Garrett	Kline
Clyburn	Gibbs	Knight
Coffman	Gibson	Kuster
Cohen	Gohmert	Labrador
Cole	Goodlatte	LaMalfa
Collins (GA)	Gosar	Lamborn
Collins (NY)	Gowdy	Lance
Comstock	Graham	Langevin
Conaway	Granger	Larsen (WA)
Connolly	Graves (GA)	Larson (CT)

Latta	Palmer	Simpson
Lawrence	Pascrell	Sinema
Lee	Paulsen	Sires
Levin	Payne	Slaughter
Lieu, Ted	Pearce	Smith (MO)
Lipinski	Pelosi	Smith (NE)
LoBiondo	Perlmutter	Smith (NJ)
Loeb sack	Perry	Smith (TX)
Long	Peters	Smith (WA)
Loudermilk	Pingree	Speier
Love	Pittenger	Stefanik
Lowenthal	Pitts	Stewart
Lowe y	Pocan	Stivers
Lucas	Poe (TX)	Stutzman
Luetkemeyer	Poliquin	Swalwell (CA)
Lujan Grisham	Polis	Takai
(NM)	Pompeo	Takano
Luján, Ben Ray	Posey	Thompson (CA)
(NM)	Price (NC)	Thompson (MS)
Lynch	Price, Tom	Thompson (PA)
MacArthur	Quigley	Thornberry
Maloney, Sean	Rangel	Tiberi
Marchant	Ratcliffe	Tipton
Marino	Reed	Titus
Matsui	Reichert	Tonko
McCarthy	Renacci	Torres
McCaul	Ribble	Trotter
McClintock	Rice (NY)	Tsongas
McCollum	Rice (SC)	Turner
McDermott	Richmond	Upton
McGovern	Rigell	Valadao
McHenry	Roby	Van Hollen
McKinley	Roe (TN)	Vargas
McMorris	Rogers (AL)	Veasey
Rodgers	Rogers (KY)	Vela
McNerney	Rohrabacher	Velázquez
McSally	Rokita	Visclosky
Meadows	Ros-Lehtinen	Wagner
Meehan	Roskam	Walberg
Meeks	Ross	Walden
Meng	Rothfus	Walker
Messer	Rouzer	Walorski
Mica	Roybal-Allard	Walters, Mimi
Miller (MI)	Royce	Walz
Moolenaar	Ruiz	Wasserman
Mooney (WV)	Ruppersberger	Schultz
Moore	Russell	Webster (FL)
Moulton	Ryan (OH)	Wenstrup
Mullin	Ryan (WI)	Westerman
Mulvaney	Salmon	Westmoreland
Murphy (FL)	Sánchez, Linda	Whitfield
Murphy (PA)	T.	Williams
Nadler	Sarbanes	Wilson (FL)
Napolitano	Scalise	Wilson (SC)
Neal	Schiff	Wittman
Neugebauer	Schrader	Womack
Newhouse	Schweikert	Woodall
Noem	Scott (VA)	Yarmuth
Nolan	Scott, Austin	Yoder
Norcross	Scott, David	Yoho
Nugent	Sensenbrenner	Young (AK)
Nunes	Serrano	Young (IA)
O'Rourke	Sessions	Young (IN)
Olson	Sewell (AL)	Zeldin
Palazzo	Sherman	Zinke
Pallone	Shimkus	
	Shuster	

NAYS—12

Amash	Harris	Massie
Blumenauer	Herrera Beutler	Sanford
DeFazio	Jones	Watson Coleman
Ellison	Lummis	Welch

NOT VOTING—19

Brown (FL)	Higgins	Rooney (FL)
Bucshon	Hinojosa	Rush
Clarke (NY)	Lofgren	Sanchez, Loretta
Culberson	Maloney,	Schakowsky
Davis, Danny	Carolyn	Waters, Maxine
Deutch	Miller (FL)	Weber (TX)
Gutiérrez	Peterson	

□ 1855

Mr. ELLISON, Mrs. WATSON COLEMAN, Messrs. BLUMENAUER and SANFORD, and Mrs. LUMMIS changed their vote from “yea” to “nay.”

Messrs. REED and COLE, Ms. BASS, and Mr. SAM JOHNSON of Texas changed their vote from “nay” to “yea.”

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### VETERAN'S I.D. CARD ACT

The SPEAKER pro tempore (Mr. CARTER of Georgia). The unfinished business is the vote on the motion to suspend the rules and concur in the Senate amendment to the bill (H.R. 91) to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to issue, upon request, veteran identification cards to certain veterans, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Louisiana (Mr. ABRAHAM) that the House suspend the rules and concur in the Senate amendment.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 411, nays 0, not voting 22, as follows:

[Roll No. 391]

YEAS—411

Abraham	Chu, Judy	Ellison
Adams	Cicilline	Ellmers (NC)
Aderholt	Clark (MA)	Emmer (MN)
Aguilar	Clawson (FL)	Engel
Allen	Clay	Eshoo
Amash	Cleaver	Esty
Babin	Clyburn	Farenthold
Barletta	Coffman	Farr
Barr	Cohen	Fattah
Barton	Cole	Fincher
Bass	Collins (GA)	Fitzpatrick
Beatty	Collins (NY)	Fleischmann
Becerra	Comstock	Fleming
Benishek	Conaway	Flores
Bera	Connolly	Forbes
Beyer	Conyers	Fortenberry
Bilirakis	Cook	Foster
Bishop (GA)	Cooper	Fox
Bishop (MI)	Costa	Frankel (FL)
Bishop (UT)	Costello (PA)	Franks (AZ)
Black	Courtney	Frelinghuysen
Blackburn	Cramer	Fudge
Blum	Crawford	Gabbard
Blumenauer	Crenshaw	Gallego
Bonomici	Crowley	Garamendi
Bost	Cuellar	Garrett
Boustany	Cummings	Gibbs
Brady (PA)	Curbelo (FL)	Gibson
Brady (TX)	Davis (CA)	Gohmert
Bridenstine	Davis, Rodney	Goodlatte
Brooks (AL)	DeFazio	Gosar
Brooks (IN)	DeGette	Gowdy
Brownley (CA)	Delaney	Graham
Buchanan	DeLauro	Granger
Buck	DelBene	Graves (GA)
Burgess	Denham	Graves (LA)
Bustos	Dent	Graves (MO)
Butterfield	DeSantis	Grayson
Byrne	DeSaulnier	Green, Al
Calvert	DesJarlais	Green, Gene
Capps	Diaz-Balart	Griffith
Capuano	Dingell	Grijalva
Cárdenas	Doggett	Grothman
Carney	Dold	Guinta
Carson (IN)	Donovan	Guthrie
Carter (GA)	Doyle, Michael	Hahn
Carter (TX)	F.	Hanna
Cartwright	Duckworth	Hardy
Castor (FL)	Duffy	Harper
Castro (TX)	Duncan (SC)	Harris
Chabot	Duncan (TN)	Hartzler
Chaffetz	Edwards	Hastings

Heck (NV) McCollum  
 Heck (WA) McDermott  
 Hensarling McGovern  
 Herrera Beutler McHenry  
 Hice, Jody B. McKinley  
 Hill McMorris  
 Himes Rodgers  
 Holding McNerney  
 Honda McSally  
 Hoyer Meadows  
 Hudson Meehan  
 Huelskamp Meeks  
 Huffman Meng  
 Huizenga (MI) Messer  
 Hultgren Mica  
 Hunter Miller (MI)  
 Hurd (TX) Moolenaar  
 Hurt (VA) Mooney (WV)  
 Israel Moore  
 Issa Moulton  
 Jackson Lee Mullin  
 Jeffries Mulvaney  
 Jenkins (KS) Murphy (FL)  
 Jenkins (WV) Murphy (PA)  
 Johnson (GA) Nadler  
 Johnson (OH) Napolitano  
 Johnson, E. B. Neal  
 Johnson, Sam Neugebauer  
 Jolly Newhouse  
 Jones Noem  
 Jordan Nolan  
 Joyce Norcross  
 Kaptur Nugent  
 Katko Nunes  
 Keating O'Rourke  
 Kelly (IL) Olson  
 Kelly (MS) Palazzo  
 Kelly (PA) Pallone  
 Kennedy Palmer  
 Kildee Pascarell  
 Kilmer Paulsen  
 Kind Payne  
 King (IA) Pearce  
 King (NY) Pelosi  
 Kinzinger (IL) Perlmutter  
 Kirkpatrick Perry  
 Kline Peters  
 Knight Pingree  
 Kuster Pittenger  
 Labrador Pitts  
 LaMalfa Pocan  
 Lamborn Poe (TX)  
 Lance Poliquin  
 Langevin Polis  
 Larsen (WA) Pompeo  
 Larson (CT) Posey  
 Latta Price (NC)  
 Lawrence Price, Tom  
 Lee Quigley  
 Levin Rangel  
 Lewis Ratcliffe  
 Lieu, Ted Reed  
 Lipinski Reichert  
 LoBiondo Renacci  
 Loeb sack Ribble  
 Long Rice (NY)  
 Loudermilk Rice (SC)  
 Love Richmond  
 Lowenthal Rigell  
 Lowey Roby  
 Lucas Roe (TN)  
 Luetkemeyer Rogers (AL)  
 Lujan Grisham Rogers (KY)  
 (NM) Rohrabacher  
 Lujan, Ben Ray Rokita  
 (NM) Ros-Lehtinen  
 Lummis Roskam  
 Lynch Ross  
 MacArthur Rothfus  
 Maloney, Sean Rouzer  
 Marchant Roybal-Allard  
 Marino Royce  
 Massie Ruiz  
 Matsui Ruppertsberger  
 McCarthy Russell  
 McCaul Ryan (OH)  
 McClintock Ryan (WI)

Salmon  
 Sánchez, Linda T.  
 Sanford  
 Sarbanes  
 Scalise  
 Schiff  
 Schrader  
 Schweikert  
 Scott (VA)  
 Scott, Austin  
 Scott, David  
 Sensenbrenner  
 Serrano  
 Sessions  
 Sewell (AL)  
 Sherman  
 Shimkus  
 Shuster  
 Simpson  
 Sinema  
 Sires  
 Slaughter  
 Smith (MO)  
 Smith (NE)  
 Smith (NJ)  
 Smith (TX)  
 Smith (WA)  
 Speier  
 Stefanik  
 Stewart  
 Stivers  
 Stutzman  
 Swallow (CA)  
 Takai  
 Takano  
 Thompson (CA)  
 Thompson (MS)  
 Thompson (PA)  
 Thornberry  
 Tiberi  
 Tipton  
 Titus  
 Tonko  
 Torres  
 Trott  
 Tsongas  
 Turner  
 Upton  
 Valadao  
 Van Hollen  
 Vargas  
 Veasey  
 Vela  
 Velázquez  
 Visclosky  
 Wagner  
 Walberg  
 Walden  
 Walker  
 Walorski  
 Walters, Mimi  
 Walz  
 Wasserman  
 Schultz  
 Waters, Maxine  
 Watson Coleman  
 Weber (TX)  
 Webster (FL)  
 Welch  
 Wenstrup  
 Westmoreland  
 Whitfield  
 Williams  
 Wilson (FL)  
 Wilson (SC)  
 Wittman  
 Womack  
 Woodall  
 Yarmuth  
 Yoder  
 Yoho  
 Young (AK)  
 Young (IA)  
 Young (IN)  
 Zeldin  
 Zinke

Peterson  
 Rooney (FL)  
 Rush  
 Sanchez, Loretta  
 Schakowsky  
 Westerman

□ 1906

So (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. WESTERMAN. Mr. Speaker, on rollcall No. 391, I was in the chamber and my vote did not register. Had I been present, I would have voted "yea."

## PERSONAL EXPLANATION

Ms. SCHAKOWSKY. Mr. Speaker, I was unable to vote today on the motion to close portions of the conference report on H.R. 1735 and the Senate amendment to H.R. 91 because I was attending the funeral of a dear friend in Chicago. Had I been present, I would have voted "yea" on both.

## PERSONAL EXPLANATION

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent for the following votes on July 7, 2015. Had I been present, I would have voted "yea" on rollcall votes 390 and 391.

## PERSONAL EXPLANATION

Mr. MILLER of Florida. Mr. Speaker, due to being unavoidably detained, I missed the following rollcall votes: No. 390 and No. 391 on July 7, 2015.

If present, I would have voted: rollcall vote No. 390—Authorizing conferees to close meetings for H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, "aye," rollcall vote No. 391—on motion to suspend the rules and concur in the Senate amendment to H.R. 91—Veterans I.D. Card Act of 2015, "aye."

## REPORT ON RESOLUTION PROVIDING FOR FURTHER CONSIDERATION OF H.R. 5, STUDENT SUCCESS ACT, AND PROVIDING FOR CONSIDERATION OF H.R. 2647, RESILIENT FEDERAL FORESTS ACT OF 2015

Mr. NEWHOUSE, from the Committee on Rules, submitted a privileged report (Rept. No. 114-192) on the resolution (H. Res. 347) providing for further consideration of the bill (H.R. 5) to support State and local accountability for public education, protect State and local authority, inform parents of the performance of their children's schools, and for other purposes, and providing for consideration of the bill (H.R. 2647) to expedite under the National Environmental Policy Act and improve forest management activities in units of the National Forest System derived from the public domain, on public lands under the jurisdiction of the Bureau of Land Management, and on tribal lands to return resilience to overgrown, fire-prone for-

ested lands, and for other purposes, which was referred to the House Calendar and ordered to be printed.

## DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

The SPEAKER pro tempore (Mr. ROUZER). Pursuant to House Resolution 333 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2822.

Will the gentleman from Minnesota (Mr. EMMER) kindly take the chair.

□ 1910

## IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2822) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, with Mr. EMMER of Minnesota (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 6, printed in the CONGRESSIONAL RECORD, offered by the gentleman from Tennessee (Mrs. BLACKBURN), had been postponed, and the bill had been read through page 132, line 24.

## AMENDMENT OFFERED BY MR. GALLEGO

Mr. GALLEGO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. 441. None of the funds made available by this Act may be used to issue a grazing permit or lease in contravention of section 4110.1 or 4130.1-1(b) of title 43, Code of Federal Regulations.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GALLEGO. Mr. Chairman, I rise to offer an amendment that will reaffirm Congress' support for the enforcement of grazing fees on public lands.

Grazing on public lands is a privilege, not a right, and it is critical that individual ranchers who use these lands abide by the law and pay their fair share.

My commonsense amendment simply confirms that grazing permits or leases should not be issued to anyone who does not comply with BLM regulations. My amendment does not penalize people for forgetting to repair a fence or for forgetting to make a payment once or twice.

## NOT VOTING—22

Amodiei  
 Ashford  
 Boyle, Brendan F.  
 Brat  
 Brown (FL)  
 Bucshon  
 Clarke (NY)  
 Culberson  
 Davis, Danny  
 Deutch  
 Gutiérrez  
 Higgins  
 Hinojosa  
 Lofgren  
 Maloney,  
 Carolyn  
 Miller (FL)



Rather, this amendment ensures that egregious violations of grazing regulations are not going to be allowed to happen under the taxpayers' watch, as there are American taxpayers who work every day to ensure that all of their regulations are met.

Mr. Chairman, revenues from grazing fees go toward the management, maintenance, and improvement of public rangeland. The vast majority of ranchers understands how important these efforts are and pay their fees on time, but some ranchers are outright refusing to pay their grazing fees.

One particular rancher, who is well known to the media, has been more than \$1 million in arrears since 1993. He has ignored the executive and judicial branches of our government, expanding his herds further onto our lands without permission.

Unauthorized grazing, such as in this case, has the potential to destroy habitat for protected species and to damage public property. In addition, he has instigated volatile situations that has put the lives of local and Federal Government officials at risk.

Unbelievably, some in this body have actually applauded these dangerous actions. That is simply irresponsible. Mr. Chairman, I strongly suspect that, if anyone in my congressional district in Phoenix forcibly resisted paying the Federal Government more than \$1 million, he or she would be in handcuffs instead of on television or meeting with potential Presidential candidates.

□ 1915

Ultimately, however, this amendment is about more than one man. It is about upholding the basic principles that our laws should be applied fairly to everyone who lives in this country and uses its public lands.

Mr. Chairman, we must ensure that egregious violations of grazing regulations are not financed by the American taxpayer. To that end, I hope all Members will support this critical amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GALLEGOS).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. PEARCE

Mr. PEARCE. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ None of the funds made available by this Act may be used to increase the rate of any royalty required to be paid to the United States for oil and gas produced on Federal land, or to prepare or publish a proposed rule relating to such an increase.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman

from New Mexico and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Mexico.

Mr. PEARCE. Mr. Chair, Washington recently issued the advanced notice of rulemaking in which they declared they were going to consider raising the royalty rates on oil and gas production on Federal land. Now, there is several reasons that we would want to consider that before we implemented it, and so our amendment simply says let's stop the process.

First of all, what it does is it is going to drive the royalty rates up on Federal lands. It will be one more impediment to producing the oil and gas that fuels this Nation's economy.

Secondly, small businesses, small independent producers are already under pressure to try to just stay in business, and it would increase their operating costs. For a small State like ours, rural States, the small businesses, these local producers are sources of prosperity that are desperately missing from the rural parts of the country.

If we are going to have an economy that is healthy, if we are going to have an economy that provides jobs for the future, then we need energy that is both affordable and a predictable supply. Nothing is better than producing our own. When we have to import oil from other nations, some of those nations are unstable politically. Some just don't like us as a country; and so why not produce our own energy, providing our own jobs and providing revenues to the Federal Government?

Anytime you increase taxes on a given item, then you are going to see less of that item, and oil and gas is no exception. Let's let the department think about this just a bit more before we rush into a royalty rate which will decrease America's energy supply and make us more dependent on foreign oil.

I reserve the balance of my time.

Ms. PINGREE. Mr. Chair, I claim the time in opposition to this amendment.

The Acting CHAIR. The gentleman from Maine is recognized for 5 minutes.

Ms. PINGREE. Mr. Chair, the amendment would prohibit the Bureau of Land Management from using its legal authorities to modernize its royalty rate structure, which would result in less revenue to the Treasury.

The Department of the Interior's oil and gas royalties have been the subject of repeated study by the Government Accountability Office and other entities for many years. In 2008, the GAO said the United States could be foregoing billions of dollars in revenue from the production of Federal oil and gas resources due to the lack of price flexibility in royalty rates and the inability to change the fiscal terms on existing leases. In 2013, the GAO issued another report that noted concern that the Department of the Interior had not

taken the steps to change the onshore royalty rate regulations.

Modernizing the Bureau of Land Management's rate structures can provide critical flexibility, especially given the dramatic growth of oil development on public and tribal lands, where production has increased in each of the past 6 years and combined production was up 81 percent in 2004 versus 2008.

It seems to me that it is critical that the Department of the Interior is ensuring that the public is receiving a fair return from the production of oil and gas from Federal leases. This amendment would guarantee a sweetheart deal for Big Oil companies at the expense of the American taxpayer.

I urge my colleagues to oppose this amendment.

I reserve the balance of my time.

Mr. PEARCE. Mr. Chair, I would like to thank my cosponsors on this amendment: Mr. TIPTON, Mr. CRAMER, Mr. LAMBORN, and Mr. ZINKE. I appreciate their presence here.

The gentlewoman raises a significant question whether or not revenues would increase or decrease. We have got a couple of charts here showing exactly what is happening.

First of all, the average number of leases that the BLM issued during each administration, we can see back in the Reagan administration the highest level. It decreases down to—you can see the relative position of the Obama administration. If the administration were really interested in revenues, it seems like they would be producing the permits at a little faster rate.

Then this chart shows the oil production; the increase in oil production in blue is shown here on private lands while the decrease in oil production on the public lands is being shown in the red.

Again, if the administration were very interested, it seems like they would modernize not the royalty rate, but the way in which they approve these wells. Sometimes, wells go for 6 months or a year without being permitted, where States can offer 30-day processing of the permits.

The same is happening with natural gas. Again, we just see the blue on private lands where natural gas production is increasing, dramatic decreases in production of natural gas on Federal lands. Again, it looks like, if the agency were worried about the revenues, they would seek to modernize and update their procedures first.

I yield to the chairman of the committee.

Mr. CALVERT. Mr. Chair, I thank the gentleman for yielding.

Mr. Chair, I thank the gentleman for this amendment. I think it is a good amendment. I certainly understand his concern.

I would urge my colleagues to support the gentleman's amendment.

Mr. PEARCE. I reserve the balance of my time.

Ms. PINGREE. Mr. Chair, I yield 2 minutes to the gentleman from California (Mr. LOWENTHAL).

Mr. LOWENTHAL. Mr. Chair, I rise in opposition to the amendment. The Bureau of Land Management has only just begun the process of examining whether royalty rates and rentals for oil and gas leases on public lands should be increased. That process should be allowed to continue.

GAO recently found that, based upon the results of a number of studies, the U.S. Government receives one of the lowest government takes, commonly understood to be the total revenue, as a percentage of the value of oil and natural gas produced in the entire world.

For example, royalty rates on public land are at 12.5 percent, considerably less than the royalty rates even on State lands, which range from a low of 16.67 percent to 25 percent-plus. These low royalty rates cheat the American taxpayers and keep them from receiving a fair return for the extraction of their oil and gas resources.

However, rental rates are even worse. To secure very valuable mineral rights, sometimes worth hundreds of millions of dollars, companies only have to bid a minimum, and I repeat, a minimum of \$2 an acre upfront to win the lease and then \$1.50 per acre each year to keep the lease. That is right, a rental of \$1.50 per acre per year. This low price was last set by Congress in the 1980s and has not been adjusted since.

This can and should change. Oil companies, some of which generate billions of dollars per quarter in profits, should pay their fair share to the American people for the development of the Nation's public resources. Imagine if your rent had not increased since Ronald Reagan was President or if the local grocery store had not raised their prices since 1987.

The Acting CHAIR. The time of the gentleman has expired.

Ms. PINGREE. I yield the gentleman an additional 30 seconds.

Mr. LOWENTHAL. This scenario may sound too good to be true, but in fact, that is exactly the sweetheart deal that we are currently giving oil and gas industries, a sweetheart deal that should end. All Americans must deal with the unavoidable reality of inflation; so why shouldn't oil and gas companies?

It is long past time for the BLM to assess better ways for the public to receive their fair share. Blocking the BLM from doing that is fiscally irresponsible, a giveaway to the oil and gas companies.

Ms. PINGREE. I reserve the balance of my time.

Mr. PEARCE. Mr. Chair, may I inquire how much time I have remaining?

The Acting CHAIR. The gentleman from New Mexico has 1 minute remaining, and the gentleman from Maine has 1 minute remaining.

Mr. PEARCE. Mr. Chair, the assumption that the royalty rates are abnormally low in the United States simply ignores the fact that we have lease sales on top of the royalties. Many countries fail to have those.

The United States has the most extreme environmental regulations, so the regulatory burden gladly borne by the oil companies is an additional cost that many nations do not have. In addition, we have got income taxes paid by the companies, and many countries don't charge that on top of the royalty.

What we are hearing from our friends on the other side of the aisle about the sweetheart deals, I think, take a look and see actually how much the oil and gas companies are paying. In our State, they have contributed to two of the largest permanent funds in the world held by our State. I think oil and gas companies are paying their fair share by a lot.

What other industry is paying truck drivers \$100,000 a year to drive a truck for a contractor? I think that those sorts of computations are simply ignored by the GAO.

Again, I would urge Members to support this amendment.

Mr. Chairman, I yield back the balance of my time.

Ms. PINGREE. Mr. Chair, in spite of the arguments that my colleague from New Mexico has made, I still say this amendment, in my opinion, doesn't pass the straight face test.

I can't imagine my constituents thinking that we should make things any easier for the oil and gas companies or that we should be giving away the opportunity to earn taxpayer revenue on our Federal lands.

The Federal onshore royalty rate has not been increased since 1920. That is 95 years. The offshore royalty rate is 18.75 percent; yet the onshore rates have been stuck at 12.5 percent for 95 years. Where is the equity in that?

As far as I am concerned, I think it is time for the American taxpayers to get a fair return on the use of public resources, especially from some of the most profitable companies in the world. I urge my colleagues to oppose this amendment.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Mexico (Mr. PEARCE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. PINGREE. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Mexico will be postponed.

AMENDMENT OFFERED BY MR. HUFFMAN

Mr. HUFFMAN. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to implement National Park Service Director's Order 61 as it pertains to allowing a grave in any Federal cemetery to be decorated with a Confederate flag.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

□ 1930

Mr. HUFFMAN. Mr. Chair, I yield myself such time as I may consume.

I appreciate very much the bipartisan support and passage of my earlier amendment, which would end the practice of concessionaires in our national parks selling Confederate flags and memorabilia of the Confederacy.

We now, with this Interior Appropriations bill, have a second opportunity to speak on this very important national debate that we are having regarding symbols of the Confederacy. This additional amendment will end the practice of allowing groups to display Confederate flags on federally managed cemeteries.

The American Civil War was fought, in Abraham Lincoln's words, to "save the last best hope of Earth." We can honor that history without celebrating the Confederate flag and all of the dreadful things that it symbolizes.

I request an "aye" of my colleagues, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. HUFFMAN).

The amendment was agreed to.

AMENDMENT NO. 9 OFFERED BY MR. WALBERG

Mr. WALBERG. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON FUNDS

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used by the Environmental Protection Agency to lobby in contravention of section 1913 of title 18, United States Code, on behalf of the proposed rule entitled "Definition of 'Waters of the United States' Under the Clean Water Act" (79 Fed. Reg. 22188; April 21, 2014).

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Michigan and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. WALBERG. Mr. Chairman, my amendment tells the Environmental Protection Agency to follow the law and clearly establishes the view of Congress that the EPA cannot lobby on behalf of the waters of the U.S. rule, in violation of the Anti-Lobbying Act.

Over the past few years, the EPA has been pushing the limits of its statutory authority to the issue of the waters of the U.S. rule. Now, we have learned that, as part of their efforts to regulate every pond, stream, and ditch in America, the EPA may have violated the Anti-Lobbying Act to garner public comments in support of the proposed rule, even though the Department of Justice has consistently stated that the act prohibits Federal agencies from engaging in substantial grassroots lobbying.

In fact, The New York Times recently reported:

In a campaign that tests the limits of Federal lobbying law, the Agency orchestrated a drive to counter political opposition from Republicans and enlist public support in concert with liberal environmental groups and a grassroots organization aligned with President Obama.

The New York Times went on to say as well:

The most contentious part of the EPA's campaign was deploying Thunderclap, a social media tool that spread the Agency's message to hundreds of thousands of people, a "virtual flash mob," in the words of Travis Loop, the head of communications for EPA's water division.

Mr. Chairman, this is unseemly. The EPA Administrator later used the skewed results as evidence of public support before Congress.

For this reason, my amendment is needed to make clear that the EPA shall not violate the Anti-Lobbying Act while pursuing the completion of the waters of the U.S.

I respectfully urge all my colleagues to support my amendment.

Mr. CALVERT. Will the gentleman yield?

Mr. WALBERG. I yield to the gentleman from California.

Mr. CALVERT. I thank the gentleman for yielding.

I agree with the gentleman and with The New York Times that this is why the underlying bill reduces funding for certain offices within EPA that were responsible for these questionable actions.

Therefore, this language is complementary to the approach the committee has already taken in the bill, and I urge an "aye" vote on the amendment.

Mr. WALBERG. I reserve the balance of my time.

Ms. PINGREE. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from Maine is recognized for 5 minutes.

Ms. PINGREE. The gentleman's amendment would prohibit funds in the act from being used to lobby on the

waters of the U.S. There is an existing prohibition on lobbying that applies to all Federal employees that has been in place since 1919, so this is an unnecessary and redundant amendment.

I would remind my colleagues that Federal employees are not prohibited from providing information to Congress on legislation, policies, or programs. There must be an open dialogue between the legislative and executive branches to ensure that laws are being implemented appropriately and programs achieve their intended goals.

We should not and cannot operate in an information vacuum. We don't need to add extraneous, redundant provisions to a bill that is already overburdened with harmful legislative riders.

I urge my colleagues to oppose the amendment, and I reserve the balance of my time.

Mr. WALBERG. Mr. Chairman, I thank the gentlewoman for her comments.

It is the law, and that is all I am trying to substantiate, but I have read to you not from an organ of the conservative Republican Party side, but from The New York Times.

They also went on to say:

The architect of the EPA's new public outreach strategy is Thomas Reynolds, a former Obama campaign aide who was appointed in 2013 as an associate administrator.

He said this in relationship to flash mob tactics and the lobbying efforts:

We are just borrowing new methods that have proven themselves as being effective.

Mr. Chairman, it may be effective, but it is unseemly that EPA, an agency of the Federal Government, would violate the law in lobbying and trying then to show Congress through trumped up evidence that they have produced through lobbying the private sector that they have support for the waters of the U.S. rule.

Mr. Chairman, that is why I think we need to establish it here very clearly in this appropriations bill.

I reserve the balance of my time.

Ms. PINGREE. Mr. Chairman, I oppose this amendment, and I yield back the balance of my time.

Mr. WALBERG. Mr. Chairman, I urge support, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. WALBERG). The amendment was agreed to.

AMENDMENT OFFERED BY MR. PETERS

Mr. PETERS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to enforce section 435 of this Act.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman

from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. PETERS. Mr. Chairman, my amendment would not allow any funds to enforce section 435 of this bill, which is another harmful policy rider that limits the ability of our environmental agencies to take action to improve public health and fight the root causes of climate change.

This section blocks the EPA's ongoing efforts to regulate hydrofluorocarbons, or HFCs, which is the wrong approach. HFCs are factory-made gases used in air conditioning and refrigeration and are up to 10,000 times more potent than carbon dioxide. This potency has led to HFCs being referred to as a superpollutant. Unless we act now, United States emissions are expected to double by 2020 and triple by 2030.

While not as abundant as carbon dioxide, superpollutants, also known as short-lived climate pollutants—including HFCs, methane, and black carbon—have contributed up to 40 percent of observed global warming.

By limiting the EPA's authority under the Clean Water Act to propose, finalize, or enforce any regulation or guidance regarding HFCs, we undercut their ability to protect public health and demonstrate American leadership in emission reductions.

The EPA's Significant New Alternatives Policy Program, or SNAP, requires us to evaluate substitutes for superpollutants like HFCs that are harming public health and our environment. Through SNAP, we can ensure a more smooth transition to safer alternatives for our country's industrial sector.

Within the last week, EPA finalized a new rule on HFCs that the Environmental Investigation Agency estimates will avoid superpollutant emissions equal to the annual greenhouse gas emissions of more than 21 million cars by 2030. It will allow heavy users of HFCs, including supermarkets, which are the largest source of HFC emissions, to continue developing cleaner alternatives.

As we continue international negotiations to phase down HFCs, the United States should be a leader in reducing the use of HFCs and other superpollutants. The standard set by EPA will drive U.S. and international innovation and market development of low-emission and energy-efficient refrigeration, air conditioning, foam-blowing agents, and aerosol technologies.

These innovations will actually get at one of the root causes of climate change before we are forced to react to increasingly extreme weather and sea level rise.

American industry has already begun creating alternatives that both have a

lower emissions profile and are more energy efficient than current HFCs, and last September, we saw major companies—including Coca-Cola, Carrier, DuPont, Honeywell, PepsiCo, and other industry leaders—commit to voluntarily reducing harmful HFC emissions.

My amendment simply bars funding to enforce section 435 of this bill so we can instead continue with existing rules and move our country's global leadership in finding innovative solutions to reducing emissions forward. We should not be handcuffing the important work being done at EPA to reduce superpollutants.

I ask my colleagues to support the amendment, and I reserve the balance of my time.

Mr. CALVERT. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. The committee still has concerns about the costs, technology requirements, and compliance periods in the final rule. It is not clear why EPA divided some categories into subcategories and provided different deadlines for similar products.

The EPA clearly chose winners and losers. For the losers, the timetables remain unworkable. Manufacturers need time to implement engineering and technology changes and address new risk and safety challenges. Historic experience with the Montreal Protocol indicates that manufacturers need approximately 6-plus years to successfully transition between new materials.

This new rule will particularly be hard on small businesses. The large businesses that the gentleman mentioned have the resources and the technologies available to them to comply quicker. These smaller businesses will find it very difficult to comply with DOE's energy conservation standards.

EPA's proposal is not being driven by a statutory mandate, so the committee believes additional time is warranted. The EPA left critical decisions regarding energy, efficiency, and system performance up to the manufacturers; and they need time to get this right.

I urge my colleagues to vote "no" on this amendment, and I reserve the balance of my time.

Mr. PETERS. Mr. Chairman, I appreciate very much the constructive comments by my colleague, the gentleman from California. I would just suggest this is not the way to deal with these issues, but rather to address them via policy approach.

Section 435 of this bill will just take out the legs from all work we would do on HFCs and superpollutants, and it is just too broad a brush to paint with.

I urge a "yes" vote on this amendment, and I yield back the balance of my time.

Mr. CALVERT. I urge opposition to this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. PETERS).

The amendment was rejected.

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AMENDMENT NO. 30 OFFERED BY MR. WALDEN

Mr. WALDEN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following new section:

#### RESOURCE MANAGEMENT PLANS

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to complete or implement the revision of the resource management plans for the Coos Bay, Eugene, Medford, Roseburg, or Salem Districts of the Bureau of Land Management or the Klamath Falls Field Office of the Lakeview District of the Bureau of Land Management proposed in the Bureau of Land Management Notice of Availability of the Draft Resource Management Plan Revisions and Draft Environmental Impact Statement for Western Oregon published in the Federal Register on April 24, 2015 (80 Fed. Reg. 23046).

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Oregon and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. WALDEN. Mr. Chairman, the past several decades have been really hard on Oregon's forested communities as timber harvest from Federal lands dropped more than 90 percent because of, in part, litigation, lack of management, government regulation.

Across the State, we have lost more than 300 forest product mills. They have closed. We have lost more than 30,000 forest-related jobs. This has left our communities in really bad shape, nearing bankruptcy in some cases in our counties, high poverty rates in our communities. Unemployment rates are high in these forested areas and, of course, we face, without active management, these enormous forest fires that contribute massively to the carbon buildup.

Recently, the BLM released a proposed update to their two-decade, 20-year-old management plan in western Oregon. The vast majority of the forests covered by these plans are what are called O&C lands, which are managed by a very unique Federal statute called the O&C Act. That law calls for sustainable timber production and revenue to local counties. It is different than the other forest laws.

Now, despite that clear mandate in Federal law, the BLM's proposal would allow for harvesting on about 22 percent is all, 22 percent of the land base. It would lock up the remainder in various reserves.

Oregon's forested counties, some of which have more than 70 percent of their land controlled by the Federal Government, rely on receipts from Federal timber projects to fund basic needs like law enforcement, schools, and other essential services. Unfortunately, under BLM's proposal, these counties would receive an estimated 27 percent is all of their historical average receipt—27 percent.

Now, while the BLM's proposed plans fall far short of meeting these communities' needs, it seems the agency is determined to push forward anyway with these plans.

In a bipartisan effort, the entire Oregon Congressional Delegation requested a 120-day extension of the comment period so that the counties and other interested parties have time to thoroughly review the more than 1,500 pages of analysis and provide some useful input and comment.

Apparently, the BLM isn't interested in that input, since I understand they will be rejecting our request and moving forward with their plan under their current timeline. That is really disappointing. You see, these local communities are most affected by the management changes on the Federal land that surrounds them, and the BLM, I wish, would care more about their input than a self-imposed deadline likely out of some office back here.

This amendment would simply delay the BLM's implementation of these proposed plans. That would give more time for our counties and interested parties to thoroughly review the more than 1,500 pages of analysis. It would also give the agency time to consider additional alternatives that better incorporate the clear mandates of the O&C Act.

I want to quote, Mr. Chairman, from the Portland Oregonian. This is the statewide newspaper that probably leans a little more to the left. They said: "Minimally, BLM needs to extend its comment period and develop more alternatives to be considered. But it is unlikely to develop any alternative that would be acceptable to the industry, counties and environmental advocates. Congress, not a government agency, needs to step up and help solve this long-festering problem."

Mr. Chairman, with Oregon's wildfire season well off to a terrible start, we need time to review these plans, get active management on these forestlands, and by passing this amendment, we will give the taxpayers, the people who live there, a better opportunity to weigh in. So I urge support.

I yield such time as he may consume to the gentleman from California (Mr. CALVERT), the chairman of the committee.

Mr. CALVERT. Mr. Chairman, I thank the gentleman for offering the amendment and yielding me time.

I appreciate the concerns that he brings to us today. It is troubling that

the Bureau of Land Management has proposed land use plans that appear to contradict its multiple-use mandate. So with that, I would happily accept his amendment.

Mr. WALDEN. Mr. Chairman, I reserve the balance of my time.

Ms. PINGREE. Mr. Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The Chair recognizes the gentlewoman from Maine for 5 minutes.

Ms. PINGREE. Mr. Chair, I appreciate the concerns raised by the gentleman from Oregon, but this amendment would prohibit the Bureau of Land Management from completing or implementing updates to certain resource management plans in western Oregon.

These updated plans cover 2.5 million acres of land that play an important role in the social, economic, and ecological well-being of western Oregon, as well as to the American public generally. The plans determine how BLM-administered lands will be managed to further the recovery of threatened and endangered species, provide for clean water, restore fire-adapted ecosystems, produce a sustained yield of timber products, and coordinate land management of surrounding tribal land.

The amendment would suspend the BLM's authority to implement a new resource management plan in western Oregon. As a result, the BLM would be forced to rely on a 20-year-old outdated plan that doesn't incorporate significant new information. For example, the old plan does not include important conservation activities, such as the northern spotted owl recovery plan. The amendment would block one of the most comprehensive and detailed landscape plans that the BLM has ever developed and would ignore significant public input. The public has a right to engage in the management decisions of their Federal lands.

Mr. Chairman, I reserve the balance of my time.

Mr. WALDEN. Mr. Chairman, I would suggest that the spotted owl is covered by their planning process today in some measure because it certainly contributed to the downfall of our communities, absent this plan.

Look, all we are asking for is time for people to have a better chance to review what this Federal agency, after 20 years, has finally come up with—1,500 pages. I think they should have a chance, as do my colleagues, including Mr. SCHRADER, a member of your party, supporting this amendment. So it is a bipartisan Oregon approach that I would hope my colleague from Maine would share that we need to do better managing America's Federal forests.

Turn on the TV. They are going up in flames right now. I don't like that for the habitat. I don't like that for the communities. I don't like that for what the firefighters have to face.

I think we can do better. Most observers in the State think we can do better, and I would encourage my colleagues on both sides of the aisle to support this amendment.

Mr. Chairman, I yield back the balance of my time.

Ms. PINGREE. Mr. Chairman, again, I just want to say I appreciate the concerns that the gentleman from Oregon has raised, and other Members from Oregon who share those concerns. I thought it was important to address some of the considerations and concerns that we have with this amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oregon (Mr. WALDEN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. LOWENTHAL

Mr. LOWENTHAL. Mr. Chairman, I rise to offer an amendment to require companies to follow the law if they want to export crude oil from the United States.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS TO ISSUE ANY NEW FEDERAL OIL AND GAS LEASES AND DRILLING PERMITS

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to issue any new Federal oil and gas lease or drilling permit to any person that does not commit to following Department of Commerce regulations regarding the requirement of obtaining a license for exporting crude oil.

Mr. CALVERT. Mr. Chairman, I reserve a point of order.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 333, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. LOWENTHAL. Mr. Chairman, as I mentioned, I offer this amendment to require companies to follow the law if they want to export crude oil from the United States.

I want to make it clear. This amendment is not about whether we should lift the crude oil export ban altogether. That is a debate for a different time and a different bill. This is about those narrow cases where companies are currently able to export crude oil in limited quantities but are also choosing not to follow the rules.

Last summer, the Commerce Department ruled that two companies could export very light crude oil, called condensate, after it had been lightly processed. That decision meant that those companies would not need to obtain a license to export crude oil even though licenses are required for all other crude oil exports.

Because of that ruling, which I believe was inappropriate, another company decided that they, too, would begin exporting their own light crude oil without even asking the Commerce Department for a decision first, let alone try to get a license.

Since then, exports have skyrocketed. From January 2010 until June 2014, when the Commerce Department made that ruling, we exported about 97,000 barrels of crude oil a day, mostly to Canada. Since that day in June of 2014, our oil exports have quadrupled to an average of over 400,000 barrels a day, hitting all-time record levels, with more and more of that crude oil going to Europe and to Asia.

I don't think we should be exporting so much of our domestic oil when we are still importing roughly 7 million barrels every day. We may be the world's number one oil producer, but we are still the world's number one oil importer.

If we want to change that, we shouldn't be letting oil companies simply ship American crude oil anywhere in the world that they want to. We should certainly also not let them ignore existing laws and regulations in order to do so. First and foremost, oil produced in America, particularly oil from America's public lands that belong to the American people, should remain in this country for the benefit of the American people.

If we are going to allow these companies to export oil, they must follow the law. They simply can't take matters into their own hands and decide whether they need or do not need a license before shipping this oil all over the world.

My amendment is a simple, common-sense solution to this problem. It simply states, if you are going to drill on public land, you must follow the legal process for getting an export license if you want to ship that oil elsewhere.

This is not an onerous restriction. It only applies to public land, only requires companies to commit to following the existing process for getting a license with the Department of Commerce. That way, the Commerce Department can evaluate these options on a case-by-case basis to determine if they are in the national interest.

The concept of exporting American crude oil is too important to let the companies make that call on their own.

Mr. Chair, I ask unanimous consent to withdraw this amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from California?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

□ 2000

VACATING DEMAND FOR RECORDED VOTE ON  
AMENDMENT OFFERED BY MR. YOHO

Mr. YOHO. Mr. Chair, I ask unanimous consent that the request for a recorded vote on my amendment be withdrawn to the end that the amendment stand disposed of by the voice vote thereon.

The Acting CHAIR. The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

The Acting CHAIR. Without objection, the request for a recorded vote is withdrawn. Accordingly, the noes have it, and the amendment is not adopted. There was no objection.

## AMENDMENT OFFERED BY MR. HARDY

Mr. HARDY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. 441. None of the funds made available by this Act may be used to make a Presidential declaration by public proclamation of a national monument under chapter 3203 of title 54, United States Code in the counties of Mohave and Coconino in the State of Arizona, in the counties of Modoc and Siskiyou in the State of California, in the counties of Chaffee, Moffat, and Park in the State of Colorado, in the counties of Lincoln, Clark, and Nye in the State of Nevada, in the county of Otero in the State of New Mexico, in the counties of Jackson, Josephine and, Malheur in the State of Oregon, or in the counties of Wayne, Garfield, and Kane in the State of Utah.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Nevada and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Nevada.

Mr. HARDY. Mr. Chairman, I rise today to offer an amendment with my good friends from Arizona, California, Colorado, New Mexico, Oregon, and Utah to prohibit public land management agencies in this bill from making declarations under the Antiquities Act in counties where there is significant local opposition.

Mr. Chairman, I would like to begin by stating my strong support for our Nation's public lands. As an active hunter and an outdoorsman, I marvel at the beauty of our landscapes, our unique flora, and the abundant animal species that roam our terrain.

With that being said, I also come from Nevada, a State where roughly 85 percent of the land is controlled by the Federal Government.

Addressing this concentration of land use decisionmaking power in the hands of Washington bureaucrats has been one of the strong motivating factors during my time in this body, as I am sure that it has been for many of my colleagues in the Western States.

While this concentration is certainly a topic that should be addressed by the

authorizing committees, I believe that we can and should take an important step here today.

A recent prominent example demonstrating the need for this amendment is the administration's draft proclamation to establish the Basin and Range National Monument on more than 700,000 acres of land in Lincoln and Nye Counties in my district.

Not only is the sheer size of the proposed monument staggering, being nearly as large as many of the Eastern States, it also poses some significant risks, both local and national in scope.

Nevada's economy was one of the hardest hit by the Great Recession, and far too many in our State are still struggling to get by. Nevada's rural county economies are particularly sensitive, and any decision that restricts ranching, recreation, and types of land use activities should have much of the local input as possible.

Earlier this year I spoke on the floor of the House about the national security implications of designating the Basin and Range, given that most of the acreage in the proposed monument falls directly under the airspace of the Nevada Test and Training Range, one of the most heavily used military operating areas, or MOAs, in the United States. Establishing this monument could drastically impair vital ground-based training activities tied to the NTTR.

Mr. Chairman, I yield 1 minute to my colleague from Arizona (Mr. GOSAR).

Mr. GOSAR. Mr. Chairman, in my home State of Arizona, a few special interest groups have been pushing the President to unilaterally designate a massive new 1.7-million-acre national monument in the Grand Canyon watershed.

Twenty-six Members of Congress have joined me in opposing this misguided effort, and there is significant local opposition.

Here is a sample of those resolutions, and I would like to share a few of their comments here:

"The creation of a national monument by Presidential declaration does not allow for input from local communities . . . and could result in negative impacts for . . . grazing, hunting, water development and forest restoration . . . which would result in negative economic and public health impacts to the City of Williams.

"The Arizona Game and Fish Commission is concerned that the potential monument . . . will impede proactive and effective management of wildlife populations and habitats . . . and may result in reduced hunter opportunities and loss of revenues that directly support conservation and local communities."

I could provide several more examples but will stop there.

I urge the adoption of the amendment.

Mr. HARDY. Mr. Chairman, I now ask how much time I have remaining.

The Acting CHAIR. The gentleman from Nevada has 1½ minutes remaining.

Mr. HARDY. I yield 1 minute to my distinguished colleague from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. Mr. Chairman, this Antiquities Act was passed over a century ago in 1906, when four States weren't even in the Union at that time. They were still territories.

There are absolutely no environmental laws that we had at that particular time protecting anything. Yet, this act was not used by every President. In fact, most Presidents never used it. Ronald Reagan never used it. Most Presidents only used it one time.

It was changed, starting with the Jimmy Carter administration, so that no longer is this act that was supposed to protect antiquities—thus, the name the Antiquities Act—used to protect antiquities. It was used as a political weapon and abused as a political weapon. The saddest part is there is absolutely no input that has to be guaranteed by this act.

In fact, the vast majority of monuments that were created through this Antiquities Act, there was no public input whatsoever. Any public input that took place was purely by accident, purely by coincidence.

The people in the counties that are designated in this amendment need to have the right to have some input in how land decisions are used that area. That is what this amendment does.

Give them the chance to be heard because, under the present Antiquities Act, they are not heard.

Mr. GRIJALVA. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. GRIJALVA. Mr. Chairman, this amendment would place uncalled-for restrictions and undercut any President from using their authority under the Antiquities Act to establish a national monument, an authority, I should add, that has been available to Presidents for 100 years.

The Antiquities Act is an important tool that enables the President to protect and strengthen America's heritage. Since Theodore Roosevelt first designated the national monument Devil's Tower in Wyoming, 16 Presidents from both parties have used the Antiquities Act to protect more than 160 of America's best known and loved landscapes. Only three Presidents have not.

National monuments tell the story of the American people. Out of 460 national monuments and national parks, 113 reflect the diverse community that makes up our Nation. Nineteen recognize the achievements of the Latino community, twenty-six of the African

American community, and eight for women.

It should be noted that an important factor in the designation process is the First Americans, the Native Americans, their legacy, their heritage, and their cultural and historic resources on the land.

But with the Antiquities Act, the lack of diversity reflected in our public units, whether it is parks or national monuments, is changing.

President Obama has been using the Antiquities Act to diversify the story of public lands with new designations such as the Cesar Chavez National Monument in Keene, California, which he recently designated.

Since the beginning of his administration, the President used this authority to create national monuments that recognize the contributions of Africa Americans and other diverse voices in this country.

The Center for American Progress published a report that found that 33 percent of presidential designations are inclusive of the American people, compared to only 20 percent of the designations done by Congress.

America's public places are becoming more inclusive, more representative of all Americans because of the Antiquities Act. This amendment would jeopardize that progress. I urge its defeat.

I reserve the balance of my time.

Mr. HARDY. How much time remains, Mr. Chairman?

The Acting CHAIR. The gentleman from Nevada has 30 seconds remaining. The gentleman from Arizona has 3 minutes remaining.

Mr. GRIJALVA. Mr. Chairman, let me point out some obvious points.

This amendment, as I said earlier, would undermine conservation of public lands and stall efforts to ensure that our public places tell the very important diverse story of America and be representative of all Americans.

Development and conservation—to say that this would deny jobs and opportunities to particular regions is not true.

Over 9 million acres are available right now under energy leases from the Obama administration compared to—those were added to it—only 4.1 million acres that are now land that is protected.

Since its enactment in 1906, 16 Presidents have used it. 160 of America's best known landscapes have been preserved. National monuments designated under the Antiquities Act are comprised of existing Federal lands only. No new lands are added to the Federal estate by these designations.

National monument designations have better reflected the complexity—and Presidents have used that—of our Nation, ensuring that the voices of a changing and diverse community, which is this country, is told as we change and as we go forward.

I would urge a “no” vote. Undercutting an authority that existed for 100 years that has brought benefit to the Nation, enhanced the cultural, historic, and conservation ethics of this Nation should be preserved.

With that, I urge a “no” vote amendment. It is unneeded, restrictive, and goes against a tradition and an authority that has existed in this country for 100 years.

I hope this effort is not about who is President at this time, but it is an authority that has been with us for 100 years.

I yield back the balance of my time.

Mr. HARDY. Mr. Chairman, in closing, I would just like to reiterate to my colleagues that voting for this amendment is a vote for empowering the communities and the local stakeholders most affected by the monument designations.

Doing so will increase transparency, allow local input, and provide improved management of our public lands. It will fulfill the responsibility to ensure these communities have a legitimate voice in the process.

I strongly urge a “yes” vote.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Nevada (Mr. HARDY).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. MCCOLLUM. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Nevada will be postponed.

#### AMENDMENT OFFERED BY MR. ENGEL

Mr. ENGEL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ None of the funds made available by this Act may be used by the Department of the Interior, the Environmental Protection Agency, or any other Federal agency to lease or purchase new light duty vehicles for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from New York and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. ENGEL. Mr. Chairman, on May 24, 2011, President Obama issued a memorandum on Federal fleet performance that required that all new light-duty vehicles in the Federal fleet to be alternative fuel vehicles, such as hybrid, electric, natural gas, or biofuel by December 31, 2015.

My amendment echoes the President's memorandum by prohibiting

funds in this act from being used to lease or purchase new light-duty vehicles unless that purchase is made in accord with the President's memorandum.

I have submitted identical amendments to 18 different appropriations bills over the past few years, and every time they have been accepted by both the majority and the minority. I hope my amendment will receive similar support today.

Global oil prices are down. We no longer pay \$147 per barrel. But despite increased production here in the United States, the global price of oil is still largely determined by OPEC.

Spikes in oil prices have profound repercussions for our economy. The primary reason is that our cars and trucks run only on petroleum.

□ 2015

We can change that with alternative technologies that exist today. The Federal Government operates the largest fleet of light-duty vehicles in America, over 633,000 vehicles. Almost 35,000 of these vehicles are within the jurisdiction of this bill.

Mr. Chairman, when I was in Brazil a few years ago, I saw how they diversified their fuel use. People there can drive to a gas station and choose whether to fill their vehicle with gasoline or with ethanol. They make their choice based on cost or whatever criteria they deem important.

I want the same choice for American consumers. That is why I am also proposing a bill this Congress, a bipartisan bill, as I have done many times in the past, which will provide for cars built in America to be able to run on a fuel instead of or in addition to gasoline. It is virtually very inexpensive, under \$100 per car; and if they do it in Brazil, we can do it here.

In conclusion, Mr. Chairman, expanding the role these alternative technologies play in our transportation economy will help break the leverage that foreign government controlled oil companies hold over Americans. It will increase our Nation's domestic security and protect consumers.

Mr. Chairman, I ask that my colleagues support the Engel amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. ENGEL).

The amendment was agreed to.

#### AMENDMENT OFFERED BY MR. BYRNE

Mr. BYRNE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ None of the funds made available by this Act may be used to propose or develop legislation to redirect funds allocated



under section 105(a)(2)(A) of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note).

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Alabama and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. BYRNE. Mr. Chairman, my straightforward amendment would prohibit any effort to redirect funds allocated under the Gulf of Mexico Energy Security Act, also referred to as GOMESA.

GOMESA was passed in 2006 and created a revenue sharing agreement for offshore oil revenue between the Federal Government and four States in the Gulf of Mexico: Texas, Louisiana, Mississippi, and my home State of Alabama.

Under GOMESA, 37.5 percent of the revenues generated from selected oil and gas lease sales in the Outer Continental Shelf of the Gulf of Mexico is returned to these Gulf States. There is a reason the law was structured this way.

These Gulf States not only provide the lion's share of the infrastructure and workforce for the industry in the Gulf of Mexico; we also have inherent environmental and economic risks. The BP oil spill 5 years ago should tell us all what that means.

Unfortunately, Mr. Chairman, in his budget proposal this year, President Obama has recommended that the Bureau of Ocean Energy Management, under the Department of the Interior, redirect the distribution of expanded revenue payments expected to start in 2018 for the Gulf of Mexico oil and gas leases away from the Gulf Coast and instead be spent all around the country.

Not only does this proposal directly contradict the current Federal statute, it vastly undermines the purpose of the law, to keep revenues from these lease sales in the States that supply the workforce and have the inherent risk of a potential environmental and economic disaster.

My amendment today is simple, to protect the clearly defined statute and prevent the President from using these revenue sharing agreements as a slush fund for politically driven environmental projects across the country.

Regardless of whether you are from a Gulf Coast State or not, I would urge my colleagues to vote in favor of this important amendment to protect the rule of law to support our coastal communities.

Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. CALVERT), the chairman.

Mr. CALVERT. Mr. Chairman, I thank the gentleman for yielding, and I would urge adoption of the gentleman's amendment.

Mr. BYRNE. Mr. Chairman, I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chair, I claim the time in opposition to express a few concerns.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chair, this amendment is an overreaction to a policy proposal in the administration's—in the administration's—2016 budget request.

The President's budget requested to propose to direct funds currently allocated to payments to States and shift them more towards Federal programs that serve the Nation more broadly.

Now, this is a proposal that the President suggested in his budget, and it wasn't included in this bill because the Appropriations Committee just flat out rejected it. This is an appropriations process. That is what it is. It is a process.

The administration submitted a proposal. The committee evaluated it. It had the power to accept it or reject it. The proposal lay with the committee as to what to do. As I said, the committee rejected it.

This amendment would unnecessarily stifle any proposals to amend current formula, which is unnecessary because Congress would need to enact legislation before any changes could be made to the formula.

The Department of the Interior doesn't have the authority to change the formula through rulemaking or other administrative action. Basically, this amendment would prohibit the Department from even suggesting an idea for Congress to consider.

I just wanted to claim the time in opposition, Mr. Chair, just to say I really think this amendment—although it appears that the majority is going to take it and I am not going to ask for a vote or anything on it—is just really, in my opinion, political overreach.

Mr. Chair, I yield back the balance of my time.

Mr. BYRNE. Mr. Chairman, I wish that these sorts of amendments were unnecessary, but the way this administration plays fast and loose with its interpretation of the law, particularly through these administrative agencies, I am afraid it is necessary to protect a law passed by this Congress in 2006 in recognition of the inherent risk that these four Gulf States have produced so much energy for this country have, and without it, we will have an agency that will take the laws that exist—even this appropriations bill—and interpret it the way they want to, and this amendment makes it very clear they can't do that, that these four coastal States will retain control over these moneys as it was enacted by this Congress in 2006.

Mr. Chairman, I respect the gentleman's point of view. I wish it were

unnecessary, but given the behavior of this administration through these administrative agencies, I am afraid it is necessary.

Mr. Chairman, I ask for the Members to support this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alabama (Mr. BYRNE).

The amendment was agreed to.

AMENDMENT NO. 34 OFFERED BY MR. GRAYSON

Mr. GRAYSON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to enter into a contract with any offeror or any of its principals if the offeror certifies, pursuant to the Federal Acquisition Regulation, that the offeror or any of its principals—

(1) within a three-year period preceding this offer has been convicted of or had a civil judgment rendered against it for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) contract or subcontract; violation of Federal or State antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, violating Federal criminal tax laws, or receiving stolen property; or

(2) are presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated in paragraph (1); or

(3) within a three-year period preceding this offer, has been notified of any delinquent Federal taxes in an amount that exceeds \$3,000 for which the liability remains unsatisfied.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. GRAYSON. Mr. Chair, this amendment is identical to other amendments that have been inserted by voice vote into every appropriations bill considered under an open rule during the 113th and 114th Congresses.

My amendment expands the list of parties with whom the Federal Government is prohibited from contracting due to serious misconduct on the part of the contractor.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. GRAYSON).

The amendment was agreed to.

AMENDMENT NO. 39 OFFERED BY MR. ZINKE

Mr. ZINKE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS WITH RESPECT TO VALUATION OF COAL

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to finalize, implement, or enforce subparts F and J of part 1206 of the proposed rule by the Department of the Interior entitled "Consolidated Federal Oil & Gas and Federal & Indian Coal Valuation Reform" and dated January 6, 2015 (80 Fed. Reg. 608).

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Montana and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Montana.

Mr. ZINKE. Mr. Chairman, I rise today in support of economic opportunity for local communities across the Nation.

In my home State of Montana, the Crow Nation suffers from unemployment rates as high as 50 percent, despite having over \$1 billion in coal reserves. Similar situations play out in communities across America. This administration has waged a war against coal. In the words of Crow Chairman Old Coyote: "A war on coal is a war on the Crow people."

Republicans and Democrats agree; we all want clean air and water and affordable power. Thankfully, advances in technology have made it possible to have both, making it possible to use our vast resources of clean coal to power American homes and manufacturers and put Americans back to work. We can't power the American economy on pixie dust and hope; it takes innovation and investment in areas like clean coal.

Unfortunately, Mr. Chairman, this administration is fighting a more aggressive war against American coal than they are against ISIS. We all know of countless attempts to kill coal with regulations, cap-and-trade, and carbon taxes.

Now, the most recent attempt is by the Department of the Interior. The DOI is planning to change how coal on Federal lands and reservations is valued, creating an unpredictable and unstable market that threatens the livelihoods of our local communities and tribes.

When oil, gas, and coal resources are sold, local communities receive tax revenues and royalties to help fund everything from education to infrastructure. However, this administration's one-size-fits-all plan puts funding in jeopardy; places heavier burdens on States and local governments; and also stifles innovation, investment, and job creation.

The national labor participation is the lowest it has been in the past 30 years. Wages are stagnant; the cost of living is going up, and energy prices for home heating and manufacturing are skyrocketing. Our communities simply can't afford another Federal assault on our economy.

These jobs are real, Mr. Chairman. I have been to the Rosebud Mine in Colstrip where union jobs earn their paychecks to provide for their families. This is not just a couple hundred jobs in Montana. There are thousands more like them in Kentucky, West Virginia, Utah, and beyond.

Whether the coal is mined in Montana or turned into electricity to build cars in Michigan, coal is a critical part of our American economy. Again, I am reminded of the words of Chairman Old Coyote: "For the Crow people, there are no jobs that compare to a coal job—the wages and benefits exceed anything else that is available."

Mr. Chairman, I urge my colleagues to join me in fighting for American workers and American jobs by supporting my amendment to block funding for the Obama administration to continue their war on coal.

I yield such time as he may consume to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Mr. Chairman, I thank the gentleman for yielding, and I urge the adoption of the gentleman's amendment.

It is a good amendment.

Mr. ZINKE. Mr. Chairman, I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chair, I rise in strong opposition to this amendment which would deny the American public, especially Native Americans, a fair return for the use of their coal resources.

The current coal valuation regulations have been in effect since 1989. A lot has happened in the intervening 26 years since these regulations were last updated. It has now been nearly 3 years since it was first reported that coal companies were skirting Federal royalty payments by selling coal to sister companies in order to value exported coal at low domestic prices rather than the much higher prices these sister companies were selling the exported coal for in overseas markets.

Now, while there has been a boom for Western coal companies, it has meant the Federal Government and Western States—where we share 50–50 of the royalties—have forgone hundreds of millions of dollars that are rightly due the American people.

These coal royalty valuations especially hurt Native Americans who depend on these royalties for their income. The proposed regulations were a response to States such as Wyoming pleading with the Department of the Interior: Do not allow coal producers to create affiliates to reduce the royalties paid.

This amendment offers Members a stark contrast. Do they want to side

with the coal industry which has been gaming the existing royalty system? Or do they stand with the American public, especially Native Americans, in seeing that coal is fairly priced and that the royalties due Western States, tribes, and the Federal Government are paid?

I, for one, will stand with the American people and especially my Native American brothers and sisters to make sure that they are treated fairly.

Mr. Chair, I reserve the balance of my time.

Mr. ZINKE. Mr. Chairman, how much time is remaining?

The Acting CHAIR. The gentleman from Montana has 2 minutes remaining.

Mr. ZINKE. Mr. Chairman, I yield 1<sup>3</sup>/<sub>4</sub> minutes to the gentleman from Colorado (Mr. LAMBORN).

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Mr. LAMBORN. Mr. Chairman, I thank the gentleman from Montana for yielding.

Mr. Chairman, current Federal coal valuation rules have provided stable and significant royalty revenue to State, tribal, and Federal governments. Despite this tract record, the Department of the Interior has carelessly proposed to modify the valuation of Federal and Indian coal by granting the Office of Natural Resources Revenue new authority to deem sales, potentially disallow costs, and use the default rule to assert arbitrary values for royalty purposes.

These broad new authorities come without clear or transparent guidelines for regulators and regulated parties alike, setting the stage for inconsistent valuation and protracted litigation. Furthermore, the arbitrary regulatory environment created by this rule could jeopardize affordable and reliable energy production, American jobs, and crucial revenue for State, Federal, and tribal governments.

For these reasons, I encourage my colleagues to support this amendment and to stop funding for this new rule until the Department of the Interior can demonstrate the need, if there is any—and I am skeptical—to radically alter the way royalties are accessed on Federal coal.

Mr. ZINKE. Mr. Chairman, as the sole Representative of the great State of Montana, I do represent, and am proud to represent, the Crows, the Northern Cheyenne, the Assiniboiné Sioux, and our American Indian tribes and great nations and understand the value of having a prosperous economy.

With that, Mr. Chairman, I would like the support of all Members.

The Acting CHAIR. The time of the gentleman has expired.

Ms. MCCOLLUM. Mr. Chairman, I want to repeat, it has now been nearly 3 years since it was first reported. Coal companies were skirting Federal royalty payments by selling coal to sister

companies in order to value exported coal at low domestic prices rather than the much higher prices these sister companies were selling the exported coal for in overseas markets.

It is our job—it is our job—to see that coal is fairly priced and that the royalties due to Western States, tribes, and the Federal Government are paid.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Montana (Mr. ZINKE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. MCCOLLUM. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Montana will be postponed.

#### AMENDMENT OFFERED BY MR. NORCROSS

Mr. NORCROSS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

#### REVISION OF DOLLAR AMOUNTS

SEC. \_\_\_\_\_. The amounts otherwise provided by this Act are revised by reducing the amount made available for "Department of the Interior—Office of the Secretary—Departmental Operations" for payments in lieu of taxes under chapter 69 of title 31, United States Code, and increasing the aggregate amount made available for "Environmental Protection Agency—Hazardous Substance Superfund", by \$22,884,840.

Mr. CALVERT. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 333, the gentleman from New Jersey and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. NORCROSS. Mr. Chairman, I yield myself such time as I may consume.

This is a very simple amendment that would increase funding for the Superfund with the intention the money go specifically to the cleanup program account. Superfund cleanup is right for the environment and certainly right for the U.S. economy, which is right for the U.S.

I come from New Jersey, the Garden State. We have great tomatoes, corn, and it is blueberry season. But what we also have, particularly in the southern half of the State, is a history of heavy industry.

New Jersey found out the hard way that you just can't take those resources after they are finished and dump them into the backyard. We have more than 200 sites in New Jersey list-

ed as being in serious violation of at least one of four Federal environmental laws. The company offenders, they are gone, and left the constituents, my constituents, holding the bags.

My predecessor, Representative Jim Florio, back in the early eighties, was the author of the Superfund bill. He had the vision of what we have to do to protect our citizens.

I just want to tell a quick story, two of them.

The first one is one site, \$1 billion, and it is about a quarter of a mile from where I live. It is the Welsbach & General Gas Mantle in Gloucester City, New Jersey. As part of that process of making gas mantles almost a half century ago, radium, the substance that was used to make it glow brighter, was dumped throughout the city. This material is now sitting there. Radium has a half-life of 1,600 years—1,600 years. The process started in 1996, and it is about two-thirds finished. There is no company to go back to.

The second story is Sherwin Williams in Gibbsboro, which was a gorgeous spot. But as we all know, years ago, that lead paint is now in the water system and impacting that area horribly. The site includes Kirkwood Lake. The soil under the lake is contaminated. They can't use the lake.

These are two very simple stories. I have 15 Superfund sites in my district—15.

It is our responsibility to protect our citizens. There are no companies to go back to. That is why I offer this simple amendment. The damage is already done, and we must continue to protect our citizens by funding this amendment correctly.

I want to thank the chairman, with the understanding that this amendment will be ruled out of order.

Mr. Chairman, I ask unanimous consent to withdraw my amendment with the hope that we continue to work on this important issue in a very bipartisan way to protect our citizens.

The Acting CHAIR. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

#### AMENDMENT OFFERED BY MR. JOLLY

Mr. JOLLY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to research, investigate, or study offshore drilling in the Eastern Gulf of Mexico Planning Area.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. JOLLY. Mr. Chairman, I yield myself such time as I may consume.

As a nation, we continually strive to achieve both energy independence, as well as protect the environment, our critical habitats, and the quality of life in communities like Pinellas County, Florida, that I have the opportunity to represent.

One way we strike that balance is represented in how we currently manage the Gulf of Mexico when it comes to oil drilling. Under a 2006 act, we allow for drilling exploration in the central and western Gulf off the coast of Texas and Louisiana and other States, but we have a ban that protects the State of Florida. That ban currently protects the State of Florida with a drilling ban of about 125 miles or, in some cases, 235 miles.

This ban has been in place for 32 years through the operations of the Appropriations Committee. And while the current statute allows for the ban through 2022, year after year, those on the other side of this debate, very respectfully, attempt to erode that ban.

The truth is we don't need any additional drilling in the eastern Gulf of Florida to achieve energy independence. There are nearly 1,000 active leaseholds in the central and western Gulf. There are probably nearly 3,000 more available. And to change the ban is just something that we don't need.

This amendment is very simple. It says none of the funds may be used to study, prepare for, research, investigate any increased offshore oil drilling in the eastern Gulf contemplating the expiration of a ban in 2022.

I am pleased to be joined in offering this amendment by my colleague from Bonita Springs, Mr. CLAWSON; my colleague from Tallahassee, Ms. GRAHAM; and my colleague from Jupiter, Mr. MURPHY.

With that, Mr. Chairman, I reserve the balance of my time.

Mr. CALVERT. Mr. Chairman, I rise in reluctant opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chairman, as in the case of a number of offshore-related amendments that we will deal with today, the Interior Appropriations bill is not the appropriate venue, though I do understand it has been used in the past.

I understand this amendment dovetails with the current congressional moratorium, and the Department of the Interior has no intention of acting in a manner that is contrary to congressional intent. The Department is focused on the next 5-year oil and gas leasing plan, which is limited to 2017–2022, so many departmental activities in fiscal year 2016 are already limited

in scope through 2022. If my colleagues wish to see the moratorium extended beyond 2022, then they should work with the appropriate authorizing committees.

With that, I would oppose the amendment, and urge a “no” vote.

I reserve the balance of my time.

Mr. JOLLY. Mr. Chairman, I appreciate the chairman’s understanding of the interest of those in the State of Florida and the current debate currently from those on the other side that wish to actually lift the ban. It is important that, as a delegation, we have the opportunity to have this debate.

I yield 2 minutes to the gentleman from Florida (Mr. CLAWSON), my colleague from Bonita Springs.

Mr. CLAWSON of Florida. Mr. Chairman, I start by thanking Representative JOLLY for his leadership and persistence on this issue—it is so important to my district—and to the chairman for allowing disagreement. Disagreement allows learning, and we appreciate your leadership in this regard.

I speak in full support of Representative JOLLY’s amendment. I base my support on the enormous all-time high, proven reserves elsewhere in our country and a conviction that we can focus in areas other than the Gulf.

The private sector definitely needs cheap oil, and our businesses, our manufacturing companies, cannot be successful without low energy prices. I know it, because I lived it.

But let’s drill where drilling makes sense. And to us, it doesn’t make sense to drill in the eastern Gulf of Mexico. The recent BP settlement, the highest such settlement ever, is evidence that the economic and environmental risk of drilling in the Gulf greatly offset any potential returns.

For those of us who live, work, or have business in the Gulf, we were told that an oil disaster could never happen, and then it happened. Fool me once, shame on you; fool me twice, shame on me.

I say it is not worth the risk. I say let’s do everything we can to never have more drilling in the eastern Gulf.

Mr. JOLLY. Mr. Chairman, I reserve the balance of my time.

Mr. CALVERT. Mr. Chairman, I would just say that, again, I am in reluctant opposition to this amendment. This should be dealt with in the authorizing committees.

I yield back the balance of my time.

Mr. JOLLY. Mr. Chairman, I would close by offering my colleagues there is authorizing legislation that would extend the ban past the year 2022.

This language simply says a ban is a ban. And while there is a ban on activities on drilling and the like, this simply says that no planning may occur for post-2022 drilling.

With that, I would urge a “yea” vote, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. JOLLY).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GARAMENDI

Mr. GARAMENDI. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

None of the funds made available by this Act may be used in contravention of Executive Order 13693.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

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Mr. GARAMENDI. Mr. Chairman, I think I will start this discussion with the words of a rather influential individual: Pope Francis. In his recent encyclical, he wrote: “If present trends continue, this century may well witness extraordinary climate change and an unprecedented destruction of ecosystems, with serious consequences for all of us.” That is Pope Francis.

In this legislation, the appropriation bill, there are numerous efforts to deny the reality of climate change. And, specifically, what I want to deal with on this amendment is Executive Order No. 13693: Planning for Federal Sustainability in the Next Decade.

The intention of this amendment is to support the Federal Government’s efforts to reduce greenhouse gas emissions by 40 percent over the next decade relative to 2008.

This bill will save taxpayers money—about \$18 billion—in avoided energy costs, and it will increase the share of electricity the Federal Government consumes from renewable resources by up to 30 percent. Twenty-six million metric tons of greenhouse gases would be eliminated.

So why in the face of all of the scientific evidence and why in the face of the reality that the climate is, indeed, changing, when we have throughout the State of California and around the Nation local governments planning for the eventually, not the reality, of higher sea levels, would we put forth a bill that would prohibit the Federal Government from planning for climate change?

Let me just cite some of the ways in which the current legislation, this proposal, deals with it:

It prohibits Federal funds for any rulemaking or guidance with regard to the social cost of climate change.

It prohibits the EPA from limiting carbon pollution from new and renovated power plants, and there has been much discussion about that on the floor today.

It prohibits the funding to update and revise the EPA’s ozone standards.

It prohibits the funding for any change to the status of HFCs. These are fluorocarbons.

It also prohibits the reporting detailing the Federal funding for domestic and international climate change programs. This is denial, denial, denial about what is really happening.

My amendment would simply say that there is no money to carry out these provisions in the current bill. It is really time for all of us here to recognize that there is a serious challenge, and it is one that Pope Francis points out so clearly.

I reserve the balance of my time.

Mr. CALVERT. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chairman, climate change is winning the amendment contest tonight. We have had a number of amendments on that subject.

Earlier we debated whether or not to continue a bipartisan reporting requirement in the bill on climate change expenditures.

My colleagues on the other side of the aisle wanted to remove that requirement, which would have reduced transparency. Now my friend wants to ensure that funds are being expended on climate and efficiency executive orders issued by the President.

So I am left to wonder whether my colleagues would prefer to know if the funds are spent on these programs or not.

Regardless, this amendment is certainly unnecessary. The President did not consult Congress on these executive orders. If anything, we should defund these programs until Congress can have an appropriate policy debate. I see no reason to include this language, and I urge my colleagues to vote “no.”

I reserve the balance of my time.

Mr. GARAMENDI. Mr. Chairman, the executive order by the President is very straightforward. It basically says that the Federal Government shall reduce greenhouse gases, and he is using his appropriate authority as the administrative agent of our government to find ways to do that.

Certain goals are set in the executive order, for example, reducing greenhouse gases by 40 percent over the next decade. What could be wrong with that when you save \$18 billion in the process and create more opportunities for renewable energy by up to 30 percent?

Why would we pass a bill in this appropriation bill that would go in exactly the opposite direction, one that would actually create greater greenhouse gases and lead more directly and more imminently to the climate crisis?

I fail to understand why we would want to take up a piece of legislation

that has so many provisions in it that deny the reality of climate change, that puts this government on the course to spend more money on programs that actually create a crisis that will be extraordinarily expensive.

I ask for an “aye” vote on this amendment, which would maintain the President’s executive order and keep America on a path that all the world should carry out.

Pay attention to what Pope Francis said: “If present trends continue, this century may well witness extraordinary climate change and an unprecedented destruction of ecosystems, with serious consequences for all of us.”

This is not something we should deny. This is something we should, in fact, pay attention to, and we ought to be able to maintain the President’s executive order.

I yield back the balance of my time.  
Mr. CALVERT. Mr. Chairman, the President did make his unilateral determination in an executive order. We have an opportunity to vote “no” on this amendment, and I urge a “no” vote.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. GARAMENDI).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GARAMENDI. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

#### AMENDMENT OFFERED BY MR. CRAWFORD

Mr. CRAWFORD. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used by the Administrator of the Environmental Protection Agency to enforce the requirements of part 112 of title 40, Code of Federal Regulations, with respect to any farm (as that term is defined in section 112.2 of such title).

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Arkansas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arkansas.

Mr. CRAWFORD. Mr. Chairman, I offer this amendment in defense of agricultural producers across our Nation who are facing the heavy hand of EPA regulations.

The EPA’s Spill Prevention, Control, and Countermeasure rule for on-farm fuel storage requires farmers and ranchers to make costly infrastructure improvements to their oil storage fa-

cilities to reduce the possibility of an oil spill.

These regulations fail to take into account the relative risk of oil spills on farms, and they do not factor in the simple fact that family farmers are already careful stewards of our land and water. No one has more at stake in the health of their land than those who work on the ground from which they derive their livelihoods.

The USDA itself discovered little evidence of oil spills on farms and determined in a recent study that more than 99 percent of farmers have never experienced a spill.

To require that all of our producers make a significant investment to prevent such an unlikely event seems out of touch with reality and disregards the already overwhelming number of safeguards our farmers already employ.

My amendment would restrict the EPA’s ability to enforce SPCC regulations on farms so that farmers and ranchers can go about their business of producing food and fiber without having to worry about unnecessary compliance costs and red tape.

On three separate occasions, the House unanimously passed my bipartisan legislation, the FUELS Act, which rolled back these same SPCC regulations on farms. I urge my colleagues to again support our farmers and ranchers by supporting this amendment.

Mr. CALVERT. Will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from California.

Mr. CALVERT. Mr. Chairman, I would urge the adoption of the gentleman’s amendment.

Mr. CRAWFORD. Mr. Chairman, I yield back the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, this amendment would stop the EPA from requiring farms to submit a plan on how they will prevent oil from entering navigable waters.

I come from Minnesota; so, this seems like a pretty commonsense requirement to me. If a facility has large amounts of oil, it should tell the agency responsible for an inland oil spill cleanup how it will prevent an environmental disaster.

Why shouldn’t the holder of gallons of oil have a plan even if it is an agriculture business? It should have a plan. And there are criteria to make sure that a facility truly should be subject to the Spill Prevention, Control, and Countermeasure rule.

It has to meet three criteria. It must be nontransported. It must have an aggregate aboveground storage capacity greater than 1,320 gallons or a completely buried storage capacity greater

than 42,000 gallons. We are talking about a lot of oil.

The third point is that there must be a reasonable expectation that, if something were to go wrong and if there were a discharge, it would go into navigable waters of the United States or of adjoining shorelines.

In other words, if there is an accident and if there is water nearby, you would need to have a plan in place so that not only would oil not seep in and ruin your land, but that it would not flow into waters past the boundaries of your water and just keep polluting.

The preparation of the SPCC plan is the responsibility of a facility owner or operator or it can be prepared by an engineer or a consultant, but it must be certified by a registered professional engineer.

Let’s just think about it. You have 42,000 gallons of oil stored underground, and you have 1,320 gallons of oil above. All this does is say you need to have an emergency plan if, when that accident would occur—and it can occur—there would be the possibility of having that oil go into navigable waters and spread onto other property owners’ land or State land or Federal land.

I think these sound like reasonable requirements. It is a small step to help work with the farmer to prevent an environmental disaster that would most likely end up being cleaned up with taxpayers’ funds.

I always think you should hope for the best, but you always need to have a plan just in case something goes wrong. This rule requirement makes sure that these facilities that meet these criteria have a plan in place.

I yield back the balance of my time.

The Acting CHAIR (Mr. RODNEY DAVIS of Illinois). The question is on the amendment offered by the gentleman from Arkansas (Mr. CRAWFORD).

The amendment was agreed to.

#### AMENDMENT OFFERED BY MR. JEFFRIES

Mr. JEFFRIES. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

#### LIMITATION ON USE OF FUNDS

SEC. \_\_\_\_\_. None of the funds made available to the National Park Service by this Act may be used for the purchase or display of a confederate flag with the exception of specific circumstances where the flags provide historical context as described in the National Park Service memorandum entitled “Immediate Action Required, No Reply Needed: Confederate Flags” and dated June 24, 2015.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from New York and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. JEFFRIES. Mr. Chairman, this amendment would prohibit the use of funds made available to the National Park Service by this Act for the purchase or display of a Confederate flag with the exception of specific circumstances when such flags provide historical context as set forth by the National Park Service in their memo to all park superintendents, dated June 24, 2015.

□ 2100

The National Park Service has jurisdiction over operation of the National Park System, associated sites such as national heritage areas, and various State grant accounts.

In light of recent events, the display of the Confederate flag has been at the forefront of discussion throughout our Nation. This amendment is consistent with a bipartisan effort across the country to promote harmony and not division in this great Nation.

On June 17, we were all shocked by the heinous massacre that took the lives of nine God-fearing African American churchgoers in Charleston, South Carolina. This act of domestic terror was carried out by an individual who idolized the Confederate flag and harbored racist beliefs, calling for a return to the human subjugation of others on the basis of race.

Unfortunately, that same Confederate flag flew on the grounds of the State capitol amidst the funeral of a State senator and dedicated pastor who taught that we are all God's children at the historic Emanuel AME Church.

We have come a long way in America, but we still have a long way to go in our march toward a more perfect Union. The cancer of racial hatred continues to adversely impact our society, and people of good will must unite to eradicate it. Limiting the use of Federal funds connected to the purchase or display of the Confederate flag is an important step in that direction.

Earlier today, lawmakers in South Carolina from both sides of the aisle came together to support removing the Confederate battle flag from their State capitol grounds. This evening, the United States House of Representatives has the opportunity to further limit the public display of this divisive symbol that is so closely associated with defense of the institution of slavery.

I thank the chairman and the ranking member for their consideration. For the aforementioned reasons, I urge my colleagues to support the amendment.

I yield to the distinguished gentleman from Minnesota.

Ms. MCCOLLUM. Mr. Chairman, I am very happy that this opportunity has been presented for us to have a discussion on the House floor and the National Park Service doing the right thing about the removal of this symbol of what has become racist hate speech.

I thank the gentleman for bringing forward the amendment, and I rise in support of it.

Mr. JEFFRIES. I thank the distinguished gentlewoman for her support.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. JEFFRIES).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SMITH OF TEXAS

Mr. SMITH of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used by the Environmental Protection Agency to propose, finalize, implement, or revise any regulation in which the research data relied on to support such action is subject to OMB Circular A-110 and is withheld in contravention of the Freedom of Information Act as prescribed under OMB Circular A-110 or if the Science Advisory Board of the Environmental Protection Agency fails to provide scientific advice as may be requested on such regulation to the Congress in contravention of section 4365 of title 42, United States Code.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. SMITH of Texas. Mr. Chairman, this amendment reflects the core principles of two bills passed by the House earlier this year with bipartisan support. They are H.R. 1029, the EPA Science Advisory Board Reform Act, and H.R. 1030, the Secret Science Reform Act.

I am pleased to be joined by the Committee on Science, Space, and Technology's former Subcommittee on Environment chairman, Representative DAVID SCHWEIKERT, who sponsored the original version of the Secret Science bill in 2014.

The amendment simply requires the Environmental Protection Agency to base its regulations on publicly available data that can be verified. Why would the administration want to hide this information from the American people? We must make sure that Federal regulations are based on science that is available for independent review.

Many Americans are unaware that some of the EPA's most expensive and burdensome regulations, such as its proposed climate and ozone rules, are based on underlying data that not even the EPA has seen.

This amendment ensures that the decisions that affect every American are based on independently verified, unbiased, scientific research instead of on secret data that is hidden from the American people. That is called the scientific method.

This amendment also ensures that the EPA Science Advisory Board is able to provide meaningful, balanced, and independent assessments of the science behind the EPA regulations. The EPA frequently undermines the SAB's independence and prevents it from being able to provide advice to Congress. As a result, the valuable advice these experts can provide is often ignored or silenced.

The public's right to know must be protected in a democracy. This amendment ensures that happens. The EPA has a responsibility to be open and transparent with the people it serves and whose money it uses.

Anyone who supports government transparency and accountability should be able to support this amendment. It helps EPA and the Obama administration keep their promise to be open and honest with the American people.

Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. CALVERT), the Appropriations subcommittee chairman.

Mr. CALVERT. Mr. Chair, I thank the gentleman. I certainly rise in support of this amendment. Having chaired that subcommittee for 6 years and knowing the good work of that subcommittee, I think the intent of the language aligns with the two authorizing bills passed by the House Committee on Science, Space, and Technology earlier this year. I certainly voted for them both times.

I think it is a good amendment, so I urge an "aye" vote.

Mr. SMITH of Texas. Mr. Chairman, I thank the chairman for his comments. I very much appreciate his support.

I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I claim time in opposition.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, the gentleman's amendment seeks to stop the Environmental Protection Agency from issuing regulations through two different mechanisms.

The first one would prevent the EPA from issuing regulations if supporting research data is withheld under the Freedom of Information Act.

Second, it would withhold regulations if the Agency's Science Advisory Board does not provide the requested advice and information to Congress.

I would just like to take a moment to address each one of these issues fully. Last year, for example, the EPA received 10,500 FOIA requests—Freedom of Information requests—or an average of 40 per workday.

These requests required nearly \$11 million—\$11 million—in personnel costs to process; yet the EPA receives less than \$1 million to collect fees for these requests. They get \$11 million in personnel costs to process; yet they get

less than \$1 million to collect the fees for these requests. You can simply do the math.

There are only nine allowable exemptions under the law that would prevent the EPA from complying with FOIA requests in the first place. These exemptions range from classified national defense, foreign relations information, to confidential business information and matters of personal privacy, things which we discuss in this room all the time.

The amendment is simply another attempt to stop the EPA from issuing regulations, many of which are required by law and are designed to improve human health and the environment.

Now, that was in regards to the first point about EPA issuing regulations on the Freedom of Information Act, lack of funding available to do it, and then they are following the laws with the nine exemptions.

Now, with regard to the Science Advisory Board, let me remind my colleagues that these boards are comprised of nearly four dozen experts from academia. For example, there are academics from the University of Texas Health Science Center in Houston, Texas; the Environmental Systems and Research Institute in Redlands, California; and from the University of Minnesota, my home State.

Now, in my opinion, it is very disingenuous to suggest that this Advisory Board's subject matter of experts would withhold information to Congress. I urge my colleagues to oppose this amendment, which simply puts two more roadblocks in the EPA regulations.

I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I yield myself 15 seconds simply to point out that this amendment does not prevent the EPA from issuing any regulations.

In fact, it doesn't take a position on regulations. It simply says that the underlying data that the EPA is using to justify regulations needs to be made public. I don't know who could oppose transparency and honesty by this administration.

I reserve the balance of my time.

Ms. MCCOLLUM. I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I yield the balance of my time to the gentleman from Arizona (Mr. SCHWEIKERT), who as I mentioned a while ago is a former chairman of the Subcommittee on Energy of the Committee on Science, Space, and Technology and is now a member of the Committee on Financial Services.

Mr. SCHWEIKERT. Mr. Chairman, may I inquire into the remaining time on our side?

The Acting CHAIR. The gentleman from Texas has 45 seconds remaining.

Mr. SCHWEIKERT. Mr. Chair, in this 45 seconds, I want to walk through a

couple mechanical things really quickly. First off, this amendment is based on the OMB's circular that actually said this data is supposed to be public.

Number two, the release of data, if you are making rules, does not pre-assume that the reg is too tough, too little, too soft. What it means is, if you are going to be doing public policy—public policy—doesn't the public deserve access to public data because there is lots of smart people out there on the left and the right or just academia that should have this information, this raw data, to decide are we doing it the most rational, the most powerful way?

Mr. SMITH of Texas. Mr. Chairman, I yield back the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I would like to once again reiterate there are only nine allowable exemptions under this law that would prevent the EPA from complying with FOIA requests.

These exemptions range from classified national defense, foreign relations information, confidential business information, and matters of personal privacy.

Once again, Mr. Chair, I urge my colleagues to oppose this amendment, which simply works to put roadblocks in front of the EPA ever being able to issue a regulation.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. SMITH).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. SPEIER

Ms. SPEIER. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

#### LIMITATION ON USE OF FUNDS

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to implement, administer, or enforce the final rule following the Supplemental Environmental Impact Statement for the Dog Management Plan (Plan/SEIS), Golden Gate National Recreation Area (GGNRA), California (78 Fed. Reg. 55094; September 9, 2013).

Mr. CALVERT. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 333, the gentlewoman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

□ 2115

Ms. SPEIER. Mr. Chairman, "Ruff." That is what my dog Buddy says when he wants to go out for a walk, and that is what dogs throughout the bay area

have been accustomed to doing in the Golden Gate National Recreation Area for decades.

I, like them, believe that the GGNRA should be able to afford the opportunity for people to recreate, whether one wants to watch a bird, ride a horse, walk a path, or climb a hill. Some of these uses are incompatible, but that doesn't mean we should ban them. That means that we should create opportunity for all.

In San Mateo County, in my district, the GGNRA is proposing zero off-leash dog areas, closing down one site that has been in operation for over many decades.

For 40 years, people and their dogs have been welcome at the beaches and trails of the GGNRA, which comprises 80,000 acres across San Francisco, Marin, and San Mateo Counties. This public land provides much-needed recreational space in the densely populated bay area.

Today, that access is at risk. The National Park Service is trying to dramatically change how it manages recreational areas in the bay area by turning the majority of open space in the GGNRA into what are called controlled zones, where visitor access and activities could be highly restricted. Public use could be denied for longstanding activities in the GGNRA, like hiking, surfing, bike riding, horseback riding, and dog walking.

The bay area is densely populated, and open space is precious. For many, the GGNRA is the only option for time outdoors.

My amendment would slow the National Park Service's regulatory overreach and ensure that people in the bay area continue to have recreational access to these urban parks.

People and nature aren't incompatible. We can be good stewards and also allow those in the GGNRA to have access to this very beautiful area.

I ask for an "aye" vote, Mr. Chairman, and I reserve the balance of my time.

#### POINT OF ORDER

Mr. CALVERT. Mr. Chairman, I insist on my point of order.

The Acting CHAIR. The gentleman will state his point of order.

Mr. CALVERT. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and, therefore, violates clause 2 of rule XXI.

The rule states in pertinent part:

"An amendment to a general appropriations bill shall not be in order if changing existing law."

The amendment requires a new determination.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

If not, the Chair will rule.



The Chair finds that this amendment includes language requiring a new determination as to whether a rule “follows” a specified Environmental Impact Statement.

The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

AMENDMENT OFFERED BY MR. RICE OF SOUTH CAROLINA

Mr. RICE of South Carolina. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS FOR OFFSHORE OIL AND GAS LEASING

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to issue any oil and gas lease under the 2017–2022 Outer Continental Shelf Oil and Gas Leasing Program unless the Secretary of the Interior has entered into revenue sharing agreement with each affected State.

Mr. CALVERT. Mr. Chairman, I reserve a point of order.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 333, the gentleman from South Carolina and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. RICE of South Carolina. Mr. Chairman, my amendment withholds funding for permitting of offshore oil exploration until the Secretary of the Interior reaches revenue-sharing agreements with coastal States.

The Bureau of Ocean Energy Management’s 2017–2022 Outer Continental Shelf Oil and Gas Leasing Program opens the mid- and south Atlantic regions to oil and gas development after several decades of being off-limits.

While advanced drilling techniques and spill response have made environmentally safe access to oil and gas reserves in the Atlantic possible, coastal States should consider and prepare for impacts that offshore energy development present.

Sharing of revenues with coastal States will help address the risk and responsibilities that States and coastal counties assume with offshore energy development. These revenues would help State governments expand coastal management and conservation, build necessary infrastructure, fund emergency preparation and response, and expand public service to support the influx of new industry and workforce.

Involving the coastal infrastructure and management will add to the overall economic well-being of the coastal communities. Before our coastal States agree to share in the burden of offshore drilling, we ought to ensure that our

coastal States are able to share in the economic blessings of such drilling.

My amendment would prohibit funding for implementation of BOEM’s plan until the Secretary of the Interior enters into a revenue sharing agreement with the States affected.

While it may not be possible this evening to adopt my amendment for coastal States, as we move forward with energy exploration off our coastlines, please be mindful of revenue sharing.

Because I understand my amendment is subject to a point of order, I plan to withdraw this amendment. But before I withdraw my amendment, I ask for the chairman’s consideration to assist in development of revenue sharing agreements to compensate the coastal States and help them to mitigate risk.

Mr. CALVERT. Will the gentleman yield?

Mr. RICE of South Carolina. I yield to the gentleman from California.

Mr. CALVERT. I would be happy to work with the gentleman in the future to see if there is a methodology where we can move your idea forward and see if we can’t get the Federal Government and States to cooperate to their mutual, I think, benefit on this issue.

Mr. RICE of South Carolina. Reclaiming my time, I appreciate the chairman’s consideration.

I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT NO. 23 OFFERED BY MR. GARAMENDI

Mr. GARAMENDI. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following new section:

PROHIBITION ON TRANSFER OF FIRE PREPAREDNESS FUNDS

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to transfer funds made available by this Act for fire preparedness activities to the Wildland Fire Management appropriation for fire suppression activities.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. GARAMENDI. Mr. Chairman, I am trying to figure out where to start with this, because we are making progress. I guess the purpose of this amendment is to give this whole process a swift kick so we can actually do something that is absolutely necessary.

The chairman of the Appropriations Subcommittee really has it correct.

And I want to read the language of the appropriations bill, which I happen to agree with this evening, but not the result.

In 7 of the last 10 years, the Forest Service and the Department of the Interior have exceeded their wildland fire suppression budgets despite being fully funded at the 10-year suppression average for such costs.

Fire seasons have grown longer and more destructive, putting people, communities, and ecosystems at greater risk. Fire borrowing has now become routine rather than extraordinary. Borrowing from nonfire accounts to pay suppression costs results in the Forest Service and Department of the Interior having fewer resources for forest management activities, including hazardous fuels management and other proven efforts, to improve overall forest health and reduce the risk of catastrophic wildland fires.

Mr. Chairman of the subcommittee, you have it right. You and your committee staff have done the right analysis but haven’t completed the follow-through to achieve that goal.

I see our good friend from Idaho standing nearby, and he has a very, very fine bill to deal with this. It would basically create two separate accounts. Now, understanding the necessity of proper order and being out of order, which sometimes I am, I am not proposing that we adopt the good gentleman from Idaho’s bill in this bill, but I have got a different idea. I am going to take this idea from my Republican colleagues who have created so many fiscal crises, otherwise known as cliffs, to create one.

Basically, what I am doing here with this amendment is saying you can’t borrow from other accounts, and when you run out of money, my goodness, we have a crisis. We will have to then adopt my good friend from Idaho’s legislation and solve the problem once and for all.

So that is what this amendment does. It says you can’t borrow from other accounts to fight wildfires, which means that we are going to have to come to grips with the reality of our funding crisis—where we cannot get ahead of the wildland fires, where there is a necessity for us to spend money on protecting the forests and forest health, thinning and other kinds of things, firebreaks and the like, so we don’t just burn down all the forests to get around with the proper management. This is what you call kicking the issue into gear.

I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. I understand what the gentleman is trying to do, and we are on the same page, actually, in ultimately what we want to accomplish with this.

The fact is that we appropriate money—the Interior Subcommittee has done it for several years now, and Chairman CALVERT has done it in this

bill—where, under the FLAME Act, we fund the 10-year average of what it costs to fight wildfires. Unfortunately, I think it is in 8 of the last 10 years we have exceeded that 10-year average. Consequently, when money runs out for fighting wildfires, what the Forest Service does is borrow that money from other accounts.

We sometimes complain that the Forest Service doesn't go out and do the thinning that is necessary or do the restoration that is necessary or do the trail maintenance that is necessary. The reason they can't do it is because we have borrowed all the money to fight wildfires, and we are trying to prevent that wildfire borrowing.

It is one thing to try to prevent it in a manner that will address the problem and another to just say you just can't borrow, because I would hate to be in the situation where we run up against a fire year where we are going to exceed the 10-year average, we run out of firefighting money, and there is no way to get the resources in order to fund the fires that are occurring in the latter part of the year. This would put pressure on for Congress to probably do something.

As you know, there is a challenge with the Budget Committee that we have been working with in trying to address this issue.

There is some language, as I understand it, in the Senate Interior bill dealing with the wildfire-fighting costs and how we handle that. There is some language in a bill that will be before us I think this week, the Healthy Forest bill out of the Resources Committee.

I think more and more people are starting to realize that we have got to address this problem. There is absolutely no reason that wildfires should not be treated as other natural disasters are—hurricanes, tornadoes, earthquakes, and other things. But for some reason, we treat wildfires differently, and that doesn't make a lot of sense to me.

So we have had various proposals. I have talked with the administration, with the Department of the Interior, with the Forest Service, and with many other people, trying to come to a resolution on this, and there are many people on both the Republican and the Democratic side of the aisle that are trying to address this.

I am hopeful that we are inching ever closer, because you know things don't move as quickly as we like oftentimes in Congress. We are moving, inching closer, I would hope, to finding the solution to this. There are different ideas out there about how to go about doing exactly what the gentleman from California, myself, and the chairman all want to do, and that is quit the fire borrowing so that the Forest Service can do the job that we appropriate the money for them to do.

Given that this could create some real problems, I appreciate what the gentleman is trying to do, but I would have to oppose the amendment.

I reserve the balance of my time.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. The Chair would remind Members not to traffic the well.

Mr. GARAMENDI. My good friend from Idaho has it right. His bill ought to become law. And you did find a way to fund it: the same way we fund hurricanes, tornadoes, earthquakes, and the like—out of FEMA.

□ 2130

Good bill—by the way, I am a co-author of it. Thank you very much. Only you can prevent forest fires. How many times have we seen Smokey the Bear? Congress can help.

I want to congratulate and I really want to thank my colleagues on the other side of the aisle because you are in a position to lead on this. This amendment is in a position to cause action. That is all it is.

Would we have a disaster? We are going to have a fire disaster; there is no doubt about it.

Would we have a financing disaster? Probably, but we can solve it—we can solve it both with legislation, and then we can solve it with a piece of legislation moving through this House that would reach back to the FEMA money, where we always stack a huge stash of money for the eventuality of a disaster. We would reach back and say: Okay. That is how we are going to do it going forward.

I think it is about time for me to yield. I probably don't have much more time, but I am kind of stirring the pot here. I am trying to kick this into gear, and I am delighted to work with the good language that the chairman of the committee has put into the bill.

Had I the time, I would read, once again, your analysis of the problem and also your analysis of the solution. That is found in, this year, H.R. 167, a fine piece of legislation by an outstanding gentleman from Idaho.

Mr. Chairman, I yield back the balance of my time.

Mr. SIMPSON. I thank the gentleman for his comments and his help on trying to get us to a resolution on this. I am sure, working together, we can solve this problem eventually.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. GARAMENDI).

The amendment was rejected.

AMENDMENT OFFERED BY MR. NEWHOUSE

Mr. NEWHOUSE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS TO TREAT GRAY WOLVES IN WASHINGTON, OREGON, AND UTAH AS ENDANGERED SPECIES OR THREATENED SPECIES

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used by the Department of Interior or the United States Fish and Wildlife Service to treat any gray wolf (*Canis lupus*) in Washington, Oregon, or Utah as an endangered species or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Washington and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. NEWHOUSE. Mr. Chairman, I rise today to offer an amendment that would prohibit the Department of the Interior and the U.S. Fish and Wildlife Service from using funds to continue listing the gray wolf under the Endangered Species Act in the States of Washington, Oregon, and Utah.

Mr. Chairman, this is a very serious issue of extreme importance to my home State of Washington, where the gray wolf is listed in the western two-thirds of the State, but is delisted in the eastern third. This fragmented listing means that there are no geographic barriers to prevent the wolves from traveling between listed and delisted areas, posing a risk to people living, farming, and ranching in the region.

Unfortunately, this issue should already have been settled. In June of 2013, the U.S. Fish and Wildlife Service published a proposed rule to remove the gray wolf from the list of endangered and threatened wildlife under the Endangered Species Act.

The Fish and Wildlife Service made this determination after evaluating this "classification status of gray wolves currently listed in the contiguous United States" and found the "best available science and commercial information indicates that the currently listed entity is not a valid species under the Act."

On June 30 of this year, the Service released its response to a petition seeking to reclassify all gray wolves in the U.S. as a threatened species under ESA. In its response, the Fish and Wildlife Service states that it determined there was not substantial information to indicate that such a reclassification was warranted, and as a result, the Fish and Wildlife Service will take no further action on the petition.

Furthermore, the statutory purpose of ESA is to recover a species to the point where it is no longer considered endangered or threatened. The gray wolf is currently found in nearly 50 countries around the world, and the wolf specialist group of the International Union for Conservation of Nature has placed the species in the category of "least concern globally" for risk of extinction.

Mr. Chairman, the proposed rule and other examples I have cited clearly

show that a full delisting of the gray wolf is long overdue. Since wolves were first placed under ESA, uncontrolled and unmanaged growth of gray wolf populations has resulted in devastating impacts on hunting and ranching, as well as tragic losses to historically strong and healthy livestock and wildlife populations.

Mr. Chairman, the gray wolf population has grown substantially across its range and is now considered to be recovered; therefore, it does not merit protection under the Endangered Species Act.

The Pacific Northwest States are fully qualified to responsibly manage their gray wolf populations and are better suited than the Federal Government to meet the needs of local communities, ranchers, livestock, and wildlife populations.

My amendment today is simple. It would take steps that the Fish and Wildlife Service has already said are necessary and are supported by the best available scientific evidence and data. I urge my colleagues to support this commonsense amendment, and I urge its adoption.

Mr. Chairman, I yield 1½ minutes to my colleague from eastern Washington, Congresswoman CATHY MCMORRIS RODGERS.

Mrs. MCMORRIS RODGERS. Mr. Chairman, I thank my colleague, Representative NEWHOUSE, for yielding and for his leadership on this important issue.

Four years ago, when the Federal Government delisted wolves in a portion of the Western United States, what was left behind was a growing wolf population and a confusing checkboard of regulations.

Wolves do not know regulatory boundaries. When a single forest is divided between two different management plans, local leaders', farmers', and other stakeholders' hands are tied when protecting themselves from a wolf threat and often face unnecessary repercussions.

Washington State proposed a wolf conservation and management plan, but is unable to fully implement it with Federal protections lingering in the western two-thirds of the State.

Our local leaders can manage the resources and wildlife in our State more effectively and efficiently than the Federal Government; but if we want to empower them to protect herds of livestock, people, and lands from other possible threats of wolves, we need a consistent framework for the entire State, not just sections.

For this reason, I strongly support this amendment and urge my colleagues to do the same.

Mr. NEWHOUSE. Mr. Chairman, I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I claim time in opposition to this amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. This amendment is yet another attack on a vulnerable icon American species, the gray wolf. The gray wolf is a keystone species that plays a vital role in keeping our ecosystems healthy.

It is also an animal that many Native American cultures feel a kinship bond with. I heard from many tribal leaders that the protections afforded under the Endangered Species Act for gray wolves are the only way that they have been able to keep wolf hunts out of their tribal reservation boundaries.

Now, I understand many of my colleagues have very strong views about listings and delistings affecting their States, but the Endangered Species Act exists to offer necessary protections and ensure a species' survival, which the majority of our constituents strongly support. This is the same law that successfully restored another iconic American species, the bald eagle.

This amendment restricts the Department of the Interior's ability to implement the Endangered Species Act. However, it does not alter the protections for the endangered wolves in these States.

Regardless of one's position on species protection, the amendment is very problematic. The restrictions will ultimately hurt farmers, ranchers, landowners and businessowners.

Here is why: under this amendment, the Fish and Wildlife Service would not be able to offer exemptions or permits for incidental killings of wolves to landowners, ranchers, and other parties who might be in need of them; however, the prohibition against accidental kills or takes would still remain and would still be legally enforceable.

Thus, this constitutes that States would either have to stop any activity—any activity—that led to the taking of a wolf, or they would be vulnerable to a lawsuit or heavy penalties. Simply put, this amendment is bad for wolves; it is bad for our ecosystem; it is bad for business, and it is bad for our constituents.

Mr. SIMPSON. Will the gentlewoman yield?

Ms. MCCOLLUM. I yield to the gentleman from Idaho.

Mr. SIMPSON. I just wanted to explain the situation that we find ourselves in.

I am sympathetic with what the gentleman is doing, and when we actually passed language 4 years ago on the wolves in Idaho and Montana, we thought about what happened to the wolves that go into Washington and Oregon and Nevada and Utah and so forth; and we thought about including those in the general delisting. Well, we didn't delist them; the Fish and Wildlife Service did.

We found it created several problems. One, those States didn't have State management plans, which is the case today with most of them because we discussed this, or I discussed this issue earlier with the Fish and Wildlife Service.

What their plan is and what they would like to do is, currently, they support the language that is in the bill that reinstates their delisting in Wyoming and the Great Lakes. Those States have State management plans that have been approved by Fish and Wildlife Service.

If you include the other States that are included in this that don't have the State management plans, then Fish and Wildlife has to oppose what we are doing.

I believe that what their goal is, is to get this language passed dealing with Wyoming, the Great Lakes, and then do a wider, rangewide delisting once those States have State management plans that have been adopted by the Fish and Wildlife Service, and this amendment may undermine that.

This is something that we need to discuss, I think. I am not opposing the gentleman's amendment, but it is something that I think we need to discuss between now and conference so that we get a plan and to make sure that we are not undermining what I think we all want, and that is the ultimate delisting of the gray wolves that have met the standard.

Ms. MCCOLLUM. Reclaiming my time, Mr. Chairman, as I said earlier, I understand that my colleagues have strong views about this, pro and con, about the listing and delisting; but this amendment is very, very problematic. For that reason, I can't support it.

The gentleman from Idaho is correct. This has so many unintended consequences that I feel very strongly—very strongly—about not supporting this amendment for that reason.

Mr. Chairman, I yield back the balance of my time.

Mr. NEWHOUSE. Mr. Chairman, with the few seconds I have left, I would certainly thank the gentleman from Idaho, as well as the lady from Minnesota, for sharing their concerns.

I certainly look forward to working with my colleagues. I would urge support and look forward to a continuing effort to move this to a conclusion that we can all accept.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. NEWHOUSE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. MCCOLLUM. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by

the gentleman from Washington will be postponed.

□ 2145

AMENDMENT OFFERED BY MR. GARAMENDI

Mr. GARAMENDI. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS

None of the funds made available by this Act for California drought response or relief may be used by the Administrator of the Environmental Protection Agency or the Secretary of the Interior in contravention of implementation of Division 26.7 of the California Water Code (the Water Quality, Supply, and Infrastructure Improvement Act of 2014), as approved by the voters of California in California Proposition 1 (2014).

Mr. SIMPSON. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 333, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. GARAMENDI. Mr. Chairman, despite the potential for a point of order and the amendment being out of order, it really, really is a good policy. While it may not come to a vote on this House floor, it certainly ought to come to the attention of the appropriators and the administration that we have got a pretty serious drought in the West. It does affect California, Arizona, Oregon, probably parts of Idaho, and on into New Mexico.

California voters last November passed a \$7 billion water bond that deals with the long-term issues of the water supply in California and some of the immediate challenges that the California drought has brought to the 30-plus million citizens of the State.

This amendment would direct the Department of the Interior, the EPA, the Department of Agriculture, and the Department of Defense to focus the money that it would be spending in California under any circumstance, to focus that money on assisting, augmenting, advancing, and supplementing those programs that the State of California is undertaking to address the drought using the bond act money.

That is a great idea, that instead of spending the money on things that are not immediately relevant, that are not immediately necessary and do not immediately help those citizens of California, those communities, those agencies in the State that are suffering from the drought, rather to spend the money on those programs. That is it.

It doesn't call for any additional money. It doesn't really cause long-term problems to our appropriation

processes, but, rather, it says, hey, we have got a problem. Let's focus on the problem, and let's coordinate with the State of California in solving the problem. That is it, pretty simple stuff.

Unfortunately, I guess we may have a point of order, and this rather important concept won't be in the legislation.

However, I do think that the administration is aware, and they are beginning to focus appropriately on the drought in California. And I would hope in other States, just as we are suggesting they do here, that they, the administration and the Federal Government, focus the money that it would otherwise be spending in the State of California and in these other States on projects that the local governments, the State governments in those States are undertaking to address the drought—pretty basic.

So that I might challenge the point of order, I will reserve the balance of my time.

POINT OF ORDER

Mr. SIMPSON. Mr. Chairman, I insist on my point of order and make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and, therefore, violates clause 2 of rule XXI.

The rule states in pertinent part:

"An amendment to a general appropriations bill shall not be in order if changing existing law."

The amendment requires a new determination, and I ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

Mr. GARAMENDI. Mr. Chairman, my good friend from Idaho was so right and is now so wrong. But that is the way it is. When you have got the votes, you have got the votes.

Nevertheless, this is really a very, very good program. I would encourage all of us—and particularly the administration—to follow along the policies here; and I would point out that they are.

So I challenge the point of order and would ask for a ruling of the Chair.

The Acting CHAIR. The Chair will rule.

The Chair finds that this amendment includes language requiring a new determination of whether certain actions will contravene a specified State law.

The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

AMENDMENT OFFERED BY MR. NEWHOUSE

Mr. NEWHOUSE. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used by the Administrator of the Environmental Protection Agency to issue any regulation under the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.) that applies to an animal feeding operation, including a concentrated animal feeding operation and a large concentrated animal feeding operation, as such terms are defined in section 122.23 of title 40, Code of Federal Regulations.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Washington and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. NEWHOUSE. Mr. Chair, I rise today to offer an amendment on an issue that is critical to livestock producers not just in my State and in my district, but across the whole country.

Last year, a group of folks in my area, environmental activists, sued several dairies in the Yakima Valley in Washington State, claiming that the dairies were responsible for "open dumping" under the Resources Conservation and Recovery Act of 1976—or, as it is most commonly referred to, RCRA—because of manure storage and management issues on their farms.

The big issue is what law the activists were suing the dairies under. There are many laws and regulations, both at the State and Federal level, which are appropriate mechanisms for protecting and ensuring our Nation's waters are kept clean, but the problem I see is that RCRA is not one of them.

RCRA was a law designed to govern solid wastes and prevent open dumping. The major application of this law is regulating landfills. It was never intended to regulate animal waste. In fact, the EPA, in its initial 1979 regulations for RCRA, expressed that the law "does not apply to agricultural waste, including manure and crop residue, returned to the soil as fertilizers or soil conditioners."

I don't know how much clearer we can get that manure storage and handling were not intended to be governed under this law. Unfortunately, though, a Federal judge in Spokane, Washington, agreed with the group and stretched the definition of "solid waste" to apply to manure nitrates, contrary to the law and Federal regulatory code, and held the dairies responsible for open dumping because of how they stored and handled animal waste.

Mr. Chair, my amendment does nothing to prevent EPA from enforcing the current regulations under RCRA. It does nothing to change the Clean Water Act rulemakings, nor does it prevent EPA from issuing or enforcing Clean Water Act regulations. All my amendment does is prevent EPA from issuing and expanding new regulations under RCRA that would reflect the interpretation of this current law.

Mr. Chair, no one is saying that livestock producers—like every American—don't share in the responsibility of good stewardship of our environment and our resources. They certainly do. But there are appropriate laws and regulations intended to govern this, and there are ones that are not appropriate for this purpose.

Simply piling additional layers of regulation on producers and giving activists new litigation tools to target our Nation's farmers and ranchers is not what Congress had in mind when passing the Resources Conservation and Recovery Act. We, as Congress, have a responsibility to make that clarification, and that is what I am seeking to do with this amendment.

I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, I would be better able to comment on this amendment if the gentleman had shared a copy. In this day and age, I am glad we are allowed to bring an iPad on the floor.

Mr. Chairman, I would ask the gentleman from Washington when he decided upon this amendment. Has it been in the last 20 minutes, or was it 2 hours ago?

I yield to the gentleman from Washington.

Mr. NEWHOUSE. It was, let's see, more like 6 hours ago that it was in the hopper.

Ms. MCCOLLUM. Reclaiming my time, Mr. Chairman, I thank the gentleman.

The headlines are, groundbreaking rule in Washington State on this dairy case. And it is, "Dairy Pollution Threatens Washington Valley's Water." This was a big enough story, in fact, that it was even reprinted by the Minneapolis Star Tribune. It was the first time that the Federal Resources Conservation Recovery Act was used to consider ways in which land and water had to be protected.

So, Mr. Chairman, just because I didn't have an opportunity to really delve into this and find out more about it—and what the amendment does is it just totally stops funds to be issued under this regulation to animal feeding operations—I am going to oppose it because it also includes large concentrated animal feeding operations. And I do come from a farming State, so I do know the difference between a small farm, a small hog farmer, and a lagoon, and large dairy farms and small dairy farms. So with that, I oppose this amendment.

I reserve the balance of my time.

Mr. NEWHOUSE. Mr. Chairman, I am not questioning the good lady's credentials from the farming State of Minnesota. But certainly given time, as

this process moves forward, she will become intimately familiar with this law as it is being interpreted. It is already happening in other parts of the country, and I would offer this amendment to help preclude the wrongful use of the law and ask my colleagues for strong consideration.

I yield back the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I will just read into the RECORD from January 15, 2015, Spokane, Washington:

A Federal judge has ruled that a large industrial dairy in eastern Washington has polluted drinking water through its application, storage, and management of manure in a case that could set precedents across the Nation.

U.S. District Judge Thomas O. Rice of Spokane ruled Wednesday that the pollution posed an "imminent and substantial endangerment" to the environment and to people who drink the water.

Rice wrote that he "could come to no other conclusion than that the dairy's operations are contributing to the high levels of nitrate that are currently contaminating—and will continue to contaminate . . . the underlying groundwater."

"Any attempt to diminish the dairy's contribution to the nitrate contamination is disingenuous, at best," Rice wrote in the 111-page opinion, in which he granted partial summary judgment in favor of environmental groups that sued the dairy.

These environmental groups are people who are looking out for their drinking water. So, Mr. Chairman, I rise in strong opposition to this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. NEWHOUSE).

The amendment was agreed to.

□ 2200

AMENDMENT OFFERED BY MS. JACKSON LEE

Ms. JACKSON LEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill before the short title, insert the following:

LIMITATION ON USE OF FUNDS

SEC. \_\_\_\_ . None of the funds made available in this Act may be used to eliminate the Urban Wildlife Refuge Partnership.

The Acting CHAIR. Pursuant to House Resolution 333, the gentlewoman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Chairman, let me thank the committee, both the staff and the gentlewoman from Minnesota, the gentleman from California, and the gentleman from Idaho who are now managing this appropriations bill.

I call this the good health appropriations for the quality of life of many Americans, both urban and rural. I ask my colleagues to consider my amendment, which deals with the urban reforestation program. I live close and

personal to both urban areas and rural areas in my congressional district.

Given close to 80 percent of the population of the conterminous United States lives in an urban area, the benefits provided by urban forests touch most U.S. citizens. My amendment specifically reinforces the importance of urban reforestation, as well as preserves our ability to return urban areas to healthy and safe living environments for our children.

I offered these amendments in years past. I know it from a real-time experience. Over the last couple of years, when the drought hit Houston and many other areas in Texas, millions of trees were lost. Millions of trees were lost.

Today, now, we face the large and very challenging effort of trying to reforest parks like Memorial Park, MacGregor Park, and many parks in the northeast part of my district. In the past 30 years alone, we have lost 30 percent of all of our urban trees, a loss of over 600 million trees.

I have certainly seen neighborhoods in Houston benefit from urban reforestation. In fact, many Members will remember that throughout our careers, we have been involved in planting of trees. There are major efforts throughout our community.

I want to cite, for example, those who have worked in Houston, Texas, doing the reforestation work: Houston Wilderness, Student Conservation Association, the Buffalo Bayou Partnership, the Greater East End Management District, Houston Parks and Recreation Department, and Texas Parks & Wildlife Department, along with many civic clubs of which I have had the privilege of working with.

Several years ago, American Forests, a leading conservation group, estimated that the tree-covered loss in the greater Washington metropolitan area from 1973 to 1997 resulted in an additional 540 million cubic feet of storm water runoff annually, which would have taken more than 1 billion in storm water control facilities to manage.

We know that the green effect in the middle of the city can have a beneficial effect on a community's health, both physically and psychologically. A healthy 32-foot-tall ash tree can produce about 260 pounds of oxygen annually.

Trees help reduce pollution. Trees help combat the effects of greenhouse gases. Trees help cool down the overall city environment by shading asphalt, concrete, and metal surfaces. Buildings and paving in city centers create a heat island effect. A mature tree canopy reduces air temperatures by about 5 to 10 degrees.

Let me give a personal story on the importance of reforestation. A few years ago, I helped create a memorial plaza for a Martin Luther King monument in MacGregor Park. There was a

tree of life that was presented to that park by Martin Luther King's father.

In the course of urban development, that tree had to be moved. It caused an emotional uprising in our community. Ovide Duncantell tied himself to the tree.

Ultimately, we resolved that the tree had to be moved, and that tree was potentially a tree that would die. With the right kind of nurturing and reforestation and treatment by the foresters who came, that tree is now a shining example of a unified community.

I ask my colleagues to support the Jackson Lee amendment to ensure that our programs dealing with urban reforestation continue.

Mr. Chair, thank you for this opportunity to speak in support of my amendment to H.R. 2822, the Interior and Environment Appropriations Act of 2016 and to commend Chairman CALVERT and Ranking Member MCCOLLUM for their leadership in shepherding this bill through the legislative process.

Among other agencies, this legislation funds the U.S. Forest Service, the National Park System, and the Smithsonian Institution, which operates our national museums including the National Zoo.

Mr. Chair, my amendment is simple but it sends a very important message from the Congress of the United States.

The Jackson Lee amendment emphasizes the importance of urban forests, and preserves our ability to return urban areas to healthy and safe living environments for our children.

Identical amendments were offered and accepted in the Interior and Environment Appropriations Acts for Fiscal Year 2008 (H.R. 2643) and Fiscal Year 2007 (H.R. 5386), and were adopted by voice vote.

Mr. Chair, surveys indicate that some urban forests are in serious danger.

In the past 30 years alone, we have lost 30% of all our urban trees—a loss of over 600 million trees.

Eighty percent (80%) of the American population lives in the dense quarters of a city.

Reforestation programs return a tool of nature to a concrete area that can help to remove air pollution, filter out chemicals and agricultural waste in water, and save communities millions of dollars in storm water management costs.

I have certainly seen neighborhoods in Houston benefit from urban reforestation.

In addition, havens of green in the middle of a city can have beneficial effects on a community's health, both physical and psychological, as well as increase property value of surrounding real estate.

Reforestation of cities is an innovative way of combating urban sprawl and/or deterioration.

Mr. Chair, a real commitment to enhancing our environment involves both the protection of existing natural resources and active support for restoration and improvement projects.

Several years ago, American Forests, a leading conservation group, estimated that the tree cover lost in the greater Washington metropolitan area from 1973 to 1997 resulted in an additional 540 million cubic feet of storm

water runoff annually, which would have taken more than \$1 billion in storm water control facilities to manage.

Trees breathe in carbon dioxide, and produce oxygen.

People breathe in oxygen and exhale carbon dioxide.

A typical person consumes about 38 lb of oxygen per year.

A healthy tree, say a 32 ft tall ash tree, can produce about 260 lb of oxygen annually—two trees supply the oxygen needs of a person for a year.

Trees help reduce pollution by capturing particulates like dust and pollen with their leaves.

A mature tree absorbs from 120 to 240 lbs of the small particles and gases of air pollution.

Trees help combat the effects of "greenhouse" gases, the increased carbon dioxide produced from burning fossil fuels that is causing our atmosphere to "heat up."

Trees help cool down the overall city environment by shading asphalt, concrete and metal surfaces.

Buildings and paving in city centers create a heat-island effect.

A mature tree canopy reduces air temperatures by about 5–10 degrees Fahrenheit.

A 25 foot tree reduces annual heating and cooling costs of a typical residence by 8 to 12 percent, producing an average annual savings of \$120 per American household.

Proper tree plantings around buildings can slow winter winds, and reduce annual energy use for home heating by 4–22%.

Mr. Chair, trees play a vital role in making our cities more sustainable and more livable.

The Jackson Lee amendment simply provides for continued support to programs that reforest our urban areas.

For all these reasons, Mr. Chair, I urge adoption of the Jackson Lee amendment and thank Chairman CALVERT and Ranking Member MCCOLLUM for their courtesies, consideration, and very fine work in putting together this legislation.

Mr. Chair, I yield to the gentlewoman from Minnesota (Ms. MCCOLLUM), the ranking member of the Appropriations Subcommittee on the Interior, Environment, and Related Agencies.

Ms. MCCOLLUM. Mr. Chairman, I rise in support of the Jackson Lee amendment.

It was very interesting to learn more about what your goals and objectives are, and I think it is very worthy of our consideration.

Ms. JACKSON LEE. Mr. Chairman, let me conclude by simply saying what a great difference life will be in many urban areas with our commitment to reforestation of urban areas and creating more opportunities for trees to grow in those areas.

I ask for support of the Jackson Lee amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. YODER

Mr. YODER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS TO IMPLEMENT OR ENFORCE THREATENED SPECIES LISTING OF THE LESSER PRAIRIE CHICKEN

SEC. \_\_\_\_\_. None of the funds made available by this Act shall be used to implement or enforce the threatened species listing of the lesser prairie chicken under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Kansas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Kansas.

Mr. YODER. Mr. Chairman, my amendment today would prohibit further waste of Federal funds from being used to enforce the unnecessary listing of the lesser prairie chicken as a threatened species under the Endangered Species Act.

Now, this listing has Americans crying foul in Kansas and all across the country over the burden it places on farmers, ranchers, and agriculture producers. This misguided listing comes at a time when the lesser prairie chicken is actually becoming the greater prairie chicken, in some respects, gaining in population significantly each of the last several years.

Less than 1 week ago, a new population count for the lesser prairie chicken was released, and it shows a 25 percent increase in the species population over the last year. That follows a 20 percent increase from the year before.

What is to account for all this? Is it the listing on the endangered species list? No—these population increases, according to experts, are attributed to improved habitat conditions, as a result of increased rainfall to an area that had previously been experiencing one of the worst droughts since the infamous Dust Bowl.

Now, not a single drop of this rainfall can be attributed to the central planners in Washington, D.C., nor can this listing have any effect on making it rain in places like Kansas.

We need to let State and local municipalities and States work together to create these conservation plans to help produce the populations we need for the lesser prairie chicken.

In fact, five States with habitat areas—Kansas, Oklahoma, Texas, New Mexico, and Colorado—already have a locally driven, areawide plan in place known as the lesser prairie chicken rangewide conservation plan. It has broad stakeholder support to conserve and replenish the lesser prairie chicken population.

Now, we have an opportunity today, as Democrats and Republicans, to flock together, to break out of our shells, to work with States and localities and delist the lesser prairie chicken.

Keeping it in place makes it harder on hard-working farmers to grow crops and feed our Nation, and it makes it harder for energy producers to produce renewable or traditional energy.

All of that increases the cost at the grocery store or at the pump for average everyday working Americans. This cost of the listing is having little to no impact; this is while the cost of this listing has little to no impact on the ever-growing population.

That growth is coming from States and localities working hand in hand with farmers and producers; yet, as these ineffective Federal burdens go up, so does the cost of doing business in America. Now, that is truly something to crow about.

Let's work together. Let's let States recoup and conserve and grow the lesser prairie chicken populations, and let's pass this amendment.

Mr. Chairman, I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chair, this amendment would prohibit the Fish and Wildlife Service from implementing or enforcing threatened species listing of the lesser prairie chicken under the Endangered Species Act and would restrict the Fish and Wildlife Service from offering any critical protections to preserve the species.

This amendment is harmful and misguided and maybe a little scrambled, as in some eggs. Once the species is listed under the Endangered Species Act, the role of Fish and Wildlife is primarily permissive, helping parties comply with the act as they carry out their activities.

Under this amendment, all the Endangered Species Act prohibitions would still apply. They would still apply, the Endangered Species Act prohibitions, but landowners would have no avenue to comply with them.

The U.S. Fish and Wildlife Service would be barred from issuing permits or exemptions. This means landowners, industry, and other parties who might need to take the lesser prairie chicken incidentally to do their otherwise lawful activities, such as oil and gas development, would be vulnerable to a citizens lawsuit.

Additionally, this amendment would halt an innovative plan to conserve the lesser prairie chicken. In 2014, Fish and Wildlife, in partnership with States and local stakeholders, began the implementation of a lesser prairie chicken rangewide conservation plan. That encouraged participants to gain in

proactive and voluntary conservation activities, promoting lesser prairie chicken conservation.

The plan describes a locally controlled and an innovative approach for maintaining the State's authority to conserve the species and allows for economic development to continue in a seamless manner. It sounds like a win-win to me, with Fish and Wildlife partnering with local partners and with the State.

This plan prevents significant regulatory delays in obtaining taking permits, disruption to economic activities vital to the State and national interests, and little incentive for conservation habitat on prairie lands.

Sadly, the gentleman's amendment would undermine this plan that local folks and the State came up with to be more collaborative in a conservation effort. This amendment would create uncertainty for landowners, making them vulnerable, as I said earlier, to lawsuits.

We should be supporting the Fish and Wildlife Service in its efforts to work with local community leaders and to work with the States, not blocking the agency for doing their job.

I urge my colleagues to oppose this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. YODER. Mr. Chairman, at this time, I yield 1½ minutes to the gentleman from western Kansas (Mr. HUELSKAMP), my friend and colleague.

Mr. HUELSKAMP. Mr. Chairman, I am pleased to cosponsor this common-sense amendment as we work to stop the Federal Government from enforcing the ill-advised listing of the lesser prairie chicken.

As a fifth-generation farmer and possibly the only Member on the floor who has actually seen the real-life bird on a family farm that we are talking about, I am strongly opposed to this listing.

As was mentioned, this listing occurred during a massive, historical multiyear drought in my home area in my region and State, which obviously limits habitat growth and reduces the numbers of prairie chickens.

The best solution is for it to rain; and that, it has. Thank you, Lord, though I fully expect the U.S. Fish and Wildlife Service to take credit for the resulting increase in the lesser prairie chicken population.

For the last 4 years, I have heard from farmers, ranchers, homebuilders, energy producers, and other small businesses concerned about what this listing would do to our rural economy. Our farmers and ranchers are in a state of uncertainty as to whether certain farming and conservation practices, like we have in my own farm, will result in fines or perhaps even jail time. Many energy producers have stopped drilling new wells for fear of risking the consequences of the listing.

Unless Congress does something and does it soon, this threat to our rural economy will probably continue forever. In 40 years of the Endangered Species Act, more than 1,350 species have been listed as endangered, but only 24 have been delisted, and that is just 1.7 percent—not very successful, Mr. Chairman.

I appreciate the opportunity to share these concerns with you, and I encourage my colleagues to support this amendment, support our farmers and ranchers, and support common sense.

Mr. YODER. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Kansas has 1 minute remaining.

Mr. YODER. Mr. Chair, I yield 1 minute to the gentleman from California (Mr. CALVERT), the chairman of the committee.

Mr. CALVERT. Mr. Chairman, I am sympathetic to the gentleman's concerns, particularly because my home State of California probably has more than its fair share of endangered species problem.

The Endangered Species Act hinges upon the principle that, if a species is listed, that it will be recovered and management will return to the States. This push by the States is the reality we see playing out. Bats, wolves, greater sage-grouse, delta smelt, the list goes on and on and on.

It should come as no surprise, then, to see the States pushing back through their elected Representatives in the legislative branch in an effort to bring the Endangered Species Act back into balance.

I would support this amendment.

Mr. YODER. Mr. Chair, I yield back the balance of my time.

Ms. MCCOLLUM. Mr. Chair, I understand that there is a concern with the listings; and I hear that very loud and clear from my colleagues.

The problem with the way that these amendments have been drafted, particularly in line with this amendment, again, all the Endangered Species Act prohibitions would still apply.

Landowners would have no avenue to comply with because they wouldn't have a partner in the Fish and Wildlife because Fish and Wildlife would be barred from issuing any permits or any exemptions.

Clearly, it means landowners, industries, and other parties who might need to take a lesser prairie chicken incidentally to their otherwise lawful activities will be vulnerable to a lawsuit. Additionally, this amendment will halt any innovation plan to conserve the lesser prairie chicken.

The gentleman's amendment, by undermining collaborative efforts and, I believe, with an amendment that creates uncertainty for landowners making them vulnerable to lawsuits, should be an amendment that should be opposed.



Mr. Chairman, I oppose this amendment, and I yield back the balance of my time.

□ 2215

The Acting CHAIR. The question is on the amendment offered by the gentleman from Kansas (Mr. YODER).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. JACKSON LEE

Ms. JACKSON LEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS

SEC. \_\_\_\_\_. None of the funds made available in this Act may be used to limit outreach programs administered by the Smithsonian Institution.

The Acting CHAIR. Pursuant to House Resolution 333, the gentlewoman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Chairman, again, let me offer my appreciation to the gentlewoman from Minnesota, the gentleman from California, and their staff who have worked with us.

Let me remind my colleagues that just a few days ago, I offered this amendment dealing with museums and dealing with my concern for the funding and the Smithsonian, to provide for the Nation's museum.

Let me also say to my colleagues that I have offered this amendment in the past because I have a particular interest in the museums of America and their ability to do outreach. I imagine I am not alone standing here amongst appropriators to again say and call for the end of sequestration to be able to provide the appropriators and to provide the people of America the full funding to address these quality of life issues from the various lands and Federal parks and, as well, the historic trails, of which I will talk about, but museums, urban reforestation, all elements of the beauty of this Nation. And I frankly believe that museums, likewise, are that form of beauty.

My amendment specifically says: "None of the funds made available in this Act may be used to limit outreach programs administered by the Smithsonian Institution."

In order to fulfill the Smithsonian's mission, the increase and diffusion of knowledge, the Smithsonian seeks to serve an even greater audience by bringing the Smithsonian to enclaves of communities who otherwise would be deprived of the vast amounts of cultural history offered by the Smithsonian.

Our museums of the Nation are in trouble. The Smithsonian has a beautiful array of museums that are here that millions of Americans have the

opportunity to visit. But the outreach program serves millions of Americans, thousands of communities, and hundreds of institutions in all 50 States through loans of objects, traveling exhibitions, and sharing of educational resources via publications, lectures and presentations, training programs, and Web sites.

Allow me to mention just a few in my own district:

The Holocaust Museum, unique in its presentation of a horrible time in history, but it also serves as a very unifying entity in our community;

The Children's Museum, as one of the original board members and founders, now the Children's Museum is one of the major children's museums in the Nation. But again, it needs the impact of the outreach of the Smithsonian;

And then, of course, the Museum of African American Culture, headed by a dear friend, but also a champion of holding this museum together, and that is John Guess. He needs a fuller embrace by the Smithsonian, including its expertise, its experts, its Ph.D.s, traveling efforts, and again, its encouragement of corporate communities to recognize the value of participating in museums.

The Smithsonian's outreach activities include the Smithsonian Institution traveling exhibition, the Smithsonian Center for Education and Museum Studies, National Science Resources Center, the Smithsonian Institution Press, the Office of Fellowships, and the Smithsonian Associates.

Who are we if we do not value preserving those items that tell the varied and diverse history of America, the good history of America, the history that is unifying and purposeful in citing us as a country that recognizes our wonderful diversity?

So I ask my colleagues to support this amendment that deals specifically with allowing the outreach to the kinds of museums that really need the help of the Smithsonian.

The Smithsonian, in concluding, Mr. Chairman, is very important to urban areas and rural areas alike, and its ability or its affiliation is to build a strong national network of museums and educational organizations in order to establish active and engaging relationships with communities throughout the country.

Again, allow me to salute, in particular, John Guess, with the Museum of African American Culture in Houston. He has literally put that museum together, along with his board members.

The Smithsonian—I hope they are hearing me as I am talking on the floor of the House—we need your help in Houston, Texas. We probably need your help in Washington State, in California, Minnesota, New York, and beyond to preserve and help these small museums throughout the Nation.

I ask my colleagues to support not only this amendment, but the museums of this Nation.

And I say to Mr. CALVERT, we had discussed this before. This amendment now is a placeholder, hopefully, for our discussion going forward dealing with the preservation of our museums.

Let me thank Mr. CALVERT, Mr. SIMPSON, and Ms. MCCOLLUM.

I yield back the balance of my time.

Mr. Chair, thank you for this opportunity to speak in support of my amendment to H.R. 2822, the "Interior and Environment Appropriations Act of 2016."

Let me also thank Chairman CALVERT and Ranking Member MCCOLLUM for their leadership in shepherding this bill to the floor.

Among other agencies, this legislation funds the Smithsonian Institution, which operates our national museums, including the Air and Space Museum; the Museum of African Art; the Museum of the American Indian; and the National Portrait Gallery.

The Smithsonian also operates another national treasure: the National Zoo.

Mr. Chair, my amendment is simple but it sends a very important message from the Congress of the United States.

The Jackson Lee Amendment simply provides that:

"Sec. \_\_\_\_\_. None of the funds made available in this Act may be used to limit outreach programs administered by the Smithsonian Institution."

This amendment is identical to an amendment I offered to the Interior and Environment Appropriations Act for FY2008 (H.R. 2643) that was approved by voice vote on June 26, 2007.

Mr. Chair, the Smithsonian's outreach programs bring Smithsonian scholars in art, history and science out of "the nation's attic" and into their own backyard.

Each year, millions of Americans visit the Smithsonian in Washington, D.C.

But in order to fulfill the Smithsonian's mission, "the increase and diffusion of knowledge," the Smithsonian seeks to serve an even greater audience by bringing the Smithsonian to enclaves of communities who otherwise would be deprived of the vast amount of cultural history offered by the Smithsonian.

The Smithsonian's outreach programs serve millions of Americans, thousands of communities, and hundreds of institutions in all 50 states, through loans of objects, traveling exhibitions, and sharing of educational resources via publications, lectures and presentations, training programs, and websites.

Smithsonian outreach programs work in close cooperation with Smithsonian museums and research centers, as well as with 144 affiliate institutions and others across the nation.

The Smithsonian's outreach activities support community-based cultural and educational organizations around the country.

They ensure a vital, recurring, and high-impact Smithsonian presence in all 50 states through the provision of traveling exhibitions and a network of affiliations.

Smithsonian outreach programs increase connections between the Institution and targeted audiences (African American, Asian American, Latino, Native American, and new

American) and provide kindergarten through college-age museum education and outreach opportunities.

These outreach programs enhance K–12 science education programs, facilitate the Smithsonian's scholarly interactions with students and scholars at universities, museums, and other research institutions; and disseminate results related to the research and collections strengths of the Institution.

The programs that provide the critical mass of Smithsonian outreach activity are:

1. the Smithsonian Institution Traveling Exhibition Services (SITES);
2. the Smithsonian Affiliations, the Smithsonian Center for Education and Museum Studies (SCEMS);
3. National Science Resources Center (NSRC);
4. the Smithsonian Institution Press (SIP);
5. the Office of Fellowships (OF); and
6. the Smithsonian Associates (TSA), which receives no federal funding.

To achieve the goal of increasing public engagement, SITES directs some of its federal resources to develop Smithsonian Across America: A Celebration of National Pride.

This "mobile museum," which will feature Smithsonian artifacts from the most iconic (presidential portraits, historical American flags, Civil War records, astronaut uniforms, etc.) to the simplest items of everyday life (family quilts, prairie schoolhouse furnishings, historical lunch boxes, multilingual store front and street signs, etc.), has been a long-standing organizational priority of the Smithsonian.

SITES "mobile museum" is the only traveling exhibit format able to guarantee audience growth and expanded geographic distribution during sustained periods of economic retrenchment, but also because it is imperative for the many exhibitors nationwide who are struggling financially yet eager to participate in Smithsonian outreach.

For communities still struggling to fully recover from the economic downturn, the ability of museums to present temporary exhibitions, the "mobile museum" promises to answer an ever-growing demand for Smithsonian shows in the field.

A single, conventional SITES exhibit can reach a maximum of 12 locations over a two- to three-year period.

In contrast, a "mobile museum" exhibit can visit up to three venues per week in the course of only one year, at no cost to the host institution or community.

The net result is an increase by 150 in the number of outreach locations to which SITES shows can travel annually.

And in addition to its flexibility in making short-term stops in cities and towns from coast-to-coast, a "mobile museum" has the advantage of being able to frequent the very locations where people live, work, and take part in leisure time activities.

By establishing an exhibit presence in settings like these, SITES will not only increase its annual visitor participation by 1 million, but also advance a key Smithsonian performance objective: to develop exhibit approaches that address diverse audiences, including population groups not always affiliated with mainstream cultural institutions.

SITES also will be the public exhibitions' face of the Smithsonian's National Museum of

African American History and Culture, as that new Museum comes online.

Providing national access to projects that will introduce the American public to the Museum's mission, SITES in FY 2008 will tour such stirring exhibitions as NASA ART: 50 Years of Exploration; 381 Days: The Montgomery Bus Boycott Story; Beyond: Visions of Planetary Landscapes; The Way We Worked: Photographs from the National Archives; and More Than Words: Illustrated Letters from the Smithsonian's Archives of American Art.

To meet the growing demand among smaller community and ethnic museums for an exhibition celebrating the Latino experience, SITES provided a scaled-down version of the National Museum of American History's 4,000-square-foot exhibition about legendary entertainer Celia Cruz.

Two 1,500-square-foot exhibitions, one about Crow Indian history and the other on basket traditions, will give Smithsonian visitors beyond Washington a taste of the Institution's critically acclaimed National Museum of the American Indian.

Two more exhibits, "In Plane View" and "Earth from Space," provided visitors an opportunity to experience the Smithsonian's recently opened, expansive National Air and Space Museum Udvar-Hazy Center.

For almost 30 years, The Smithsonian Associates—the highly regarded educational arm of the Smithsonian Institution—has arranged Scholars in the Schools programs.

Through this tremendously successful and well-received educational outreach program, the Smithsonian shares its staff—hundreds of experts in art, history and science—with the national community at a local level.

The mission of Smithsonian Affiliations is to build a strong national network of museums and educational organizations in order to establish active and engaging relationships with communities throughout the country.

There are currently 138 affiliates located in the United States, Puerto Rico, and Panama.

By working with museums of diverse subject areas and scholarly disciplines, both emerging and well-established, Smithsonian Affiliations is building partnerships through which audiences and visitors everywhere will be able to share in the great wealth of the Smithsonian while building capacity and expertise in local communities.

The National Science Resources Center (NSRC) strives to increase the number of ethnically diverse students participating in effective science programs based on NSRC products and services.

The Center develops and implements a national outreach strategy that will increase the number of school districts (currently more than 800) that are implementing NSRC K–8 programs.

The NSRC is striving to further enhance its program activity with a newly developed scientific outreach program introducing communities and school districts to science through literacy initiatives.

In addition, through the building of the multicultural Alliance Initiative, the Smithsonian's outreach programs seek to develop new approaches to enable the public to gain access to Smithsonian collections, research, education, and public programs that reflect the di-

versity of the American people, including underserved audiences of ethnic populations and persons with disabilities.

For all these reasons, Mr. Chair, I urge adoption of my amendment and thank Chairman CALVERT and Ranking Member MCCOLLUM for their courtesies, consideration, and very fine work in putting together this excellent legislation.

The Acting CHAIR. The question is on the amendment offered by the gentlemanwoman from Texas (Ms. JACKSON LEE).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ROTHFUS

Mr. ROTHFUS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used by the Director of the National Park Service to implement, administer, or enforce Policy Memorandum 11-03 or to approve a request by a park superintendent to eliminate the sale in National Parks of water in disposable plastic bottles.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Pennsylvania and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. ROTHFUS. Mr. Chairman, I yield myself such time as I may consume.

This summer, thousands of Americans will load the kids into the car and set out on a trip to visit one of our country's historic national parks.

Whether it is to see the stunning valleys of the Grand Canyon or the towering stone faces etched into Mt. Rushmore, tens of millions of families arrive at national park destinations each year.

As some may know, the National Park Service has implemented a policy allowing parks to ban the sale of bottled water, and only bottled water, at park concessions. I understand that the Park Service is concerned about waste left behind by visitors. We all agree that protecting our national parks is a laudable goal. However, banning the sale of bottled water is not the best way to go about it.

In blocking the sale of bottled water at our parks, we are depriving millions of Americans access to a healthy and necessary beverage that park visitors rely on. This is especially true in the hot summer months.

Families who don't own expensive camping equipment and aren't experienced hikers and climbers will be surprised to find out that they can't buy their child a bottle of water at one of our national parks. Nineteen national parks have adopted or plan to adopt a bottled water ban. This includes the Grand Canyon National Park. Temperatures at the Grand Canyon just this week will top 100 degrees. Visitors

who may have forgotten or have run out of water could be put at risk of dehydration.

Banning bottled water defies common sense. Even the Park Service admits that the ban "could affect visitor safety" and "eliminates the healthiest choice for bottled drinks, leaving sugary drinks as a primary alternative."

The policy runs counter to the Park Service's own Healthy Parks Healthy People initiative, which urges visitors to make healthy food choices because, remember, bottled water, and only bottled water, is banned from being sold at concessions.

Some argue that the ban is necessary to reduce waste. But the National Park Service has confirmed that participating parks haven't been able to determine if the policy works. To start, we know parks don't separately analyze recycled waste visitors leave behind. Parks simply can't say whether the ban has worked.

It is also worth noting that studies conducted on similar water bans show that they aren't effective in reducing waste. A study in the *American Journal of Public Health* found the bottled water bans on college campuses had unintended consequences. Eliminating bottled water did not, in fact, reduce waste, but actually led to a spike in sales and increased shipments of packaged beverages.

Mr. Chairman, we all support efforts to protect our parks. All we ask today is that the National Park Service carefully consider its policies.

I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, I would like to work with the gentleman on this issue because I think he raises some concerns which do need to be addressed.

I would just kind of like to set the picture about what is currently going on right now. There are 407 units in the National Park system, and only 19 of them—19 of them—have elected to eliminate the sale of water in disposable plastic bottles.

It is important to note that in the National Park system units, including these 19, visitors are still free to bring water in with them and use water in disposable plastic bottles. They are not banned from bringing in their own water.

The use of these disposable water bottles has had a significant environmental impact on the National Park system units. That is why I would like to work with the gentleman and figure out what we need to do about waste reduction in our parks and if this was part of the Park's overall system on it, and the sugary drinks that the gen-

tleman referred to, if those bottles are also a potential problem, or how do we educate and work with families and hikers and vacationers and visitors to our national parks about not leaving this waste out in the open.

Another example, in Grand Canyon Park, disposable bottles compromise nearly 20 percent of the Grand Canyon's waste stream and 30 percent of the park's recyclables.

So before eliminating bottle water sales, the National Park system units were required to undertake an extensive review process considering 14 different factors before seeking approval from the regional director. This extensive review process included rigorous impact analysis, including assessment of the effects on visitors' health and safety.

Once approved, these park units are required to maintain an extensive public education program that provides readily available designed water bottle refilling stations. And in many places that I visited recently, I have seen both the ability to purchase as well as refill, at our national parks, water bottles.

So as a leader in conservation, the National Park Service encourages recycling in the reduction of plastic disposable water bottles. My concern would be we wouldn't want your amendment—and I will speak for myself. I don't want to be part of undercutting any of those efforts to encourage recycling in the reduction of disposable water bottles.

I would also be concerned that the park system eliminated water sales without having a viable alternative, as the gentleman pointed out, but that does not appear to be the case here. As I noted earlier, there is an extensive review process, and these park units are required to offer readily available free water refilling stations. Plus, people are still free to bring in water themselves.

I would very much like to work with the gentleman and the chairman to see if there are any refinements or if there is anything that we need to know more about what the National Park system's policy on plastic water bottles is. But I do not support an outright prohibition on the National Park Service to be able to carry out a policy that encourages the reuse and the reduction of plastic water bottles in our parks and in our Nation.

I reserve the balance of my time.

Mr. ROTHFUS. Mr. Chairman, may I inquire how much time is remaining?

The Acting CHAIR. The gentleman from Pennsylvania has 2½ minutes remaining.

Mr. ROTHFUS. Mr. Chairman, at this time, I yield 2 minutes to the gentleman from North Carolina (Mrs. ELLMERS).

Mrs. ELLMERS of North Carolina. Mr. Chairman, I rise today in support of my colleague from Pennsylvania's amendment.

As a nurse, I know the key component of staying healthy is being hydrated and drinking plenty of water. However, if you were to be in one of our Nation's parks, you might find this difficult.

Why?

Because the National Park Service allows individual parks to ban bottled water from their premises. Yet, in those same parks, someone can still purchase soda and other bottled beverages.

□ 2230

Mr. Chairman, this ban is misguided. While it was created in an attempt to reduce litter in the parks, it has, instead, served as a primary example of intrusive government overreach—something this country certainly needs less of and something my constituents sent me here to Washington to prevent.

According to the National Park's Sustainable Practices report, parks that have implemented this ban are not actually reporting any useful data on recycling by type. In other words, they don't know if this ban is effectively working or not. Preserving the beauty of our parks is a noble goal and is something we should all care about, but it should not come at the expense of consumer choice.

Mr. Chairman, we should support freedom; we should support the beauty of our parks; and we should support good, healthy lifestyles for every American. However, the current ban in place does none of the above. I urge my colleagues to support this common-sense measure as it stops this ineffective ban.

Ms. MCCOLLUM. Mr. Chairman, to the speakers and to the chairman of the subcommittee, I hear the concerns. If there are concerns to be addressed, I want to be a partner in that, but I also don't want to be part in party of walking back—reducing waste in our streams and not in any way, shape or form, adding to the costs of Park Service rangers and volunteers in their having to go out and clean up plastic bottles, plastic water caps, and other such things.

I am sincere in my efforts in saying I would like very much to work with my colleagues on this issue, but I did not hear anybody saying that they wanted to work back. So, at this point, I will oppose the amendment.

I yield back the balance of my time.

Mr. ROTHFUS. Mr. Chairman, I urge my colleagues to support this amendment for the convenience of consumers and also in light of the fact that studies show that it is not having an impact.

I yield the balance of my time to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Mr. Chairman, I am more than happy to work with my good friend from Minnesota as we move this process forward.

As you know, we talked about this in the budget process with the National Park Service earlier in the year. We, obviously, don't want to discourage people from drinking water. We want them to stay hydrated. There are also people who work in the bottled water industry, and I think it is a noble industry. We want to encourage people to drink more water. It is not just about bottled water. It is about jobs and about the people who bottle that water.

I will work together with the gentlewoman from Minnesota, and we will not deny people water in our national parks. I support this amendment.

Mr. ROTHFUS. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. ROTHFUS).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. JACKSON LEE

Ms. JACKSON LEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of bill, before the short title, add the following new section:

SEC. \_\_\_\_\_. None of the funds made available by this Act for the "DEPARTMENT OF INTERIOR—NATIONAL PARK SERVICE—NATIONAL RECREATION AND PRESERVATION" may be used in contravention of section 320101 of title 54, United States Code.

The Acting CHAIR. Pursuant to House Resolution 333, the gentlewoman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Chairman, I rise with my appreciation to the managers of this bill and their staffs; but I also want to thank them for the very civil discussion that occurred earlier by two of my colleagues who offered amendments regarding the exhibition of Civil War artifacts, or the rebel flag, and I thank them for their courtesy in those amendments of those individuals.

I also make a statement on the floor that I look forward to the opportunity given to us by the leadership of this House to have a full discussion on various entities that did not unify but divide, and I think a civil debate on this is warranted in this House as we watched the very moving and very honest debate that took place in South Carolina.

My amendment, however, is one that, I hope, is embracing and is a show of unity about what America stands for, and that is the National Heritage Area-Corridor designation. I just want to show this map, and I am certainly quite pleased that a number of these National Heritage Areas do exist. There are 49 of them—none in the State of Texas, none but possibly one in Minnesota, maybe one between Ari-

zona and California, but very few in the West, including in the State of Idaho, and I can name a number of other States.

My amendment is to highlight the value of these national trails. This is particularly important because this tells the story of America. 16 U.S. Code 461 provides that: "It is declared that it is a national policy to preserve for public use historic sites, buildings, and objects of national significance for the inspiration and benefit of the people of the United States." Again, I want to emphasize that—the inspiration.

Texas has, starting in Galveston, history referring to the Emancipation Proclamation. We commemorate something called Juneteenth, and out of Juneteenth was the time when Captain Granger came to the shores of Galveston, in Texas, and announced that the slaves had been freed. However, there are a number of other historic sites following the trail from Galveston through Houston to include Emancipation Park, MacGregor Park, and then sites going up through Austin.

We really understand that this idea of historic trails can create an economic impact. For example, in 2012, a nationally respected consulting firm completed a comprehensive economic impact of six national historic sites in the northeast region that also included an extrapolation of the economic benefit of all 49 NHAs. It was \$12.9 billion.

The study quantified the economic impact of the individual NHAs and based it upon a case study approach and found that the economic impact of three National Historic Areas in Arizona, Massachusetts, and Pennsylvania showed: in Massachusetts, \$153.8 million in economic impact, 1,832 jobs, and generates \$14.3 million in tax revenue; in Pennsylvania, \$21.2 million in economic impact, 314 jobs, and generates \$1.5 million in tax revenue; in the Yuma Crossing National Heritage Area in Arizona, \$22.7 million in economic impact, supports 277 jobs, and generates \$1.3 million in tax revenue.

This is, Mr. Chairman, an important and very vital part of America's history, and as we approach the anniversary of this legislation that was created in 1966, I think it is important to reinforce the ability for these particular sites. We need to increase the ability for feasibility studies; we need the support of legislative action and designation; and we need to be able to introduce people to the importance of these sites.

Let me make very quick mention of the emancipation part. In 1872, in Houston, four former slaves raised \$800. That would be part of it, but I would just simply say that this is a very important part of America's history.

I ask my colleagues to support the creation of a national heritage site across America by supporting the Jackson Lee amendment so that we

can expand the 49 sites to other States that do not have one single site, and Texas is one of them.

Mr. Chair, Thank you for this opportunity to speak in support of the Jackson Lee amendment and to commend Chairman CALVERT and Ranking Member MCCOLLUM for their leadership in shepherding this bill to floor.

Among other agencies, this legislation funds the U.S. Forest Service, the National Park System, and the Smithsonian Institution.

Most Americans do not know that this bill also funds a very special program, the National Recreation and Preservation.

Mr. Chair, the Jackson Lee Amendment is simple but it sends a very important message from the Congress of the United States.

The Jackson Lee Amendment provides:

SEC. \_\_\_\_\_. None of the funds made available by this Act for the "DEPARTMENT OF THE INTERIOR—NATIONAL PARK SERVICE—NATIONAL RECREATION AND PRESERVATION" may be used in contravention of section 461 of title 16, United States Code.

And 16 U.S. Code 461 provides that:

It is declared that it is a national policy to preserve for public use historic sites, buildings, and objects of national significance for the inspiration and benefit of the people of the United States.

This is important, especially as it relates to National Heritage Areas (NHAs).

NHAs both preserve our national heritage and provide economic benefits to communities and regions through their commitments to heritage conservation and economic development.

Through public-private partnerships, NHA entities support historic preservation, natural resource conservation, recreation, heritage tourism, and educational projects.

Leveraging funds and long-term support for projects, NHA partnerships generate increased economic impact for regions in which they are located.

In 2012, a nationally respected consulting firm (Tripp Umbach) completed a comprehensive economic impact study of six NHA sites in the Northeast Region that also included an extrapolation of the economic benefit of all 49 NHA sites on the national economy.

The annual economic impact was estimated to be 12.9 billion.

The economic activity supports approximately 148,000 jobs and generates \$1.2 billion annually in Federal revenues from sources such as employee compensation, proprietor income, indirect business tax, households, and corporation.

The study quantified the economic impacts of individual NHAs based upon a case study approach and found that the economic impact of the three National Historic Areas in Arizona, Massachusetts, and Pennsylvania showed:

1. Essex National Heritage Area (MA) generates \$153.8 million in economic impact, supports 1,832 jobs, and generates \$14.3 million in tax revenue.

2. Oil Region National Heritage Area (PA) generates \$21.2 million in economic impact, supports 314 jobs, and generates \$1.5 million tax revenue; and

3. Yuma Crossing National Heritage Area (AZ) \$22.7 million in economic impact, supports 277 jobs, and generates \$1.3 million in tax revenue.

Mr. Chair, as I said there are 49 NHA across the nation but, surprisingly, none in my state of Texas.

We hope to rectify this in the not too distant future.

Texas is the largest and second most populous state in the nation and has a unique story in American history with its diverse geographic landscape, natural resources, and population.

From Galveston's port, East Texas' farms and forestry, and the Buffalo Soldiers, Texas has a rich multi-cultured heritage and history.

To honor Texas' heritage, I will be working with my colleagues to establish a National Heritage Area Corridor designation that stretches across historically significant and landmark sites from Galveston to Houston and East Texas into Central Texas.

This cultural corridor would focus on historic, cultural and natural sites, as well as roadways, businesses, residential and farm districts that unite Texas' rich heritage from the first settlers to modern times.

Mr. Chair, as we approach the anniversary of the passage of the 1966 National Historic Preservation Act, we want to preserve and unite the legacy stories of some of our state's most revered sites.

Currently underway in Houston is the revitalization of the historic Emancipation Park, a pivotal site in the state's social and cultural development and African American legacy.

The future Emancipation Park, if brought to fruition and designated as a part of a National Heritage Corridor, represents a unique opportunity to tell a comprehensive story about the great State of Texas.

To conclude, National Heritage Areas (NHAs) are both a good investment and national treasure providing economic benefits to communities and regions through their commitment to heritage conservation and economic development.

For all these reasons, Mr. Chair, I urge adoption of the Jackson Lee Amendment.

I thank Chairman CALVERT and Ranking Member MCCOLLUM for their work in putting together this legislation.

#### THE CREATION OF A NATIONAL HERITAGE CORRIDOR FOR EMANCIPATION PARK AND SURROUNDING HISTORIC SITES IN TEXAS:

##### I.) Why a National Heritage Corridor:

1. Opportunity to share the unique story of Emancipation Park

In 1872, four former slaves raised \$800.00 to purchase 10 acres of land as a gathering place to celebrate their new found freedom. This land has played a prominent role in America's rich cultural heritage, from slavery, to the false hopes of Emancipation, a safe haven under Jim Crow, a site for mobilization and activism during the Civil Rights movement and will now serve as a local, national and international destination for many years to come for all people for the discussion of modern day race relations and for the celebration and exploration of African American history and culture.

2. Link Related Historical Sites to create the Heritage Corridor

From the Slave Ships landing in Galveston, to slaves traveling into Ft. Bend and Harris County, up the Brazos into Washington County and from East Texas into Central Texas.

3. Provides Opportunities for Access to Federal Funding for the Region

4. Serves as a Catalyst for Economic Development

##### 5. Encourages Tourism in the Region

Emancipation Park can serve as the Welcoming Center and the Conservancy can provide the oversight for the NHC

##### 6. Raises the Profile of the Project for the Capital Campaign

Ms. JACKSON LEE. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The amendment was agreed to.

##### AMENDMENT NO. 7 OFFERED BY MR. WEBER OF TEXAS

Mr. WEBER of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

##### LIMITATION ON USE OF FUNDS

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used in contravention of Section 321(a) of the Clean Air Act (42 U.S.C. 7621(a)).

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. WEBER of Texas. Mr. Chairman, I rise to offer a commonsense amendment to the Interior and EPA Appropriations bill which, I hope, all Members can and will support.

First, I would like to commend Chairman CALVERT for his work on this legislation and for including critical provisions to prevent the EPA from moving forward on crippling new regulations on our economy.

Mr. Chairman, since 2009, our job creators have faced an onslaught of regulations from the EPA even as Congress has consistently reduced the Agency's budget year after year. The EPA has proposed a regulation to lower the national ozone standard, which is largely based on shaky scientific data and could cost our economy billions of dollars a year. The EPA has also proposed new regulations on new and existing power plants that could substantially increase energy prices for hard-working families and small businesses.

The Agency has cited its authority to regulate under the Clean Air Act as the basis for many of these decisions. However, when it comes to evaluating how its regulations impact American jobs, the Agency has failed to follow the law. Section 321(a) of the Clean Air Act clearly states: "The Administrator shall conduct continuing evaluations of potential loss or shifts of employment."

Last year, the EPA was sued because of its failure to comply with this provision. Additionally, we heard testimony last month before the Science, Space, and Technology Committee that further reinforced the EPA's failure to

evaluate employment impacts as Congress has directed under section 321(a).

It is unacceptable for the EPA Administrators to cherry-pick the law based on their own ideological agenda. That is why I have introduced this amendment, which would ensure that the EPA abides by the law and conducts ongoing evaluations of just how their actions impact jobs in America. I urge the adoption of this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. WEBER).

The amendment was agreed to.

##### AMENDMENT OFFERED BY MR. MURPHY OF FLORIDA

Mr. MURPHY of Florida. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

##### LIMITATION ON USE OF FUNDS TO CARRY OUT SEISMIC AIRGUN TESTING OR SURVEYS OFF COAST OF FLORIDA

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to carry out seismic airgun testing or seismic airgun surveys in the Eastern Gulf of Mexico Outer Continental Shelf Planning Area, the Straits of Florida Outer Continental Shelf Planning Area, or the South Atlantic Outer Continental Shelf Planning Area located within the exclusive economic zone (as defined in section 107 of title 46, United States Code) bordering the State of Florida.

Mr. MURPHY of Florida (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. MURPHY of Florida. Mr. Chairman, I rise to offer the Murphy, Castor, Jolly, Posey, Clawson, Graham, DeSantis, Ros-Lehtinen, Grayson, Buchanan, Hastings, Wilson amendment to block the use of seismic airgun testing off of Florida's coast.

As you can see from the list of co-sponsors, offshore drilling is not a partisan issue in our State but an economic issue. Florida is a unique place that depends on healthy beaches, clean waters, and a safeguarded environment. The seismic testing that the administration has proposed puts all of these things at risk.

First, seismic airgun testing can be harmful to undersea mammals like endangered whale species and dolphins, disrupting their ability to communicate and navigate. It can also have negative effects on sea turtles, such as the loggerhead sea turtle, that have

key nesting grounds along the Treasure Coast and Palm Beaches in the district that I am so proud to represent. This testing practice can also disrupt fish migratory patterns that could have significant impacts on fishermen in Florida.

□ 2245

Second, seismic airgun testing is the first step in the wrong direction to opening our pristine shores to offshore drilling and to the threat of devastating oil spills. Florida has more coastline than any other continental State in the United States, and our economy depends on healthy beaches.

I was proud when former Governor Jeb Bush and Florida's congressional delegation actually came together and fought to block drilling off Florida's coast, and now I am proud to join my many Florida colleagues to block this administration from putting special interests over the economic and environmental needs of our State.

Whatever your party, Floridians protect their environmental treasures at all costs. As residents on the Gulf Coast are too well aware—and as I have seen firsthand myself—oil spills can devastate our environment and our economy up and down the coast. Twenty cities throughout Florida have passed resolutions proactively banning seismic testing because they know it is a rotten deal for our State.

I urge my colleagues to support this amendment.

I reserve the balance of my time.

Mr. CALVERT. Mr. Chair, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chairman, this administration has already developed the most restrictive policies for the use of seismic airguns for offshore exploration to date. We do not need to place a moratorium on the use.

Further, the Eastern Gulf of Mexico Planning Area is more than 125 miles off the Florida coast, and the South Atlantic Planning Area also affects Georgia and South Carolina. So the amendment affects many other States other than his own. Also, the Department of the Interior has already classified the Straits of Florida as a low resource potential or low support for potential new listing. As such, I urge my colleagues to vote "no."

I reserve the balance of my time.

Mr. MURPHY of Florida. Mr. Chairman, I certainly do appreciate the chairman's hard work on this bill, and many Members of Congress who are supporting this in a bipartisan manner. In Florida, it is pretty clear to see, based on the cosponsors of this bill, that this isn't a partisan issue.

I would like to remind the chairman that regardless of how far offshore this

is, what really matters is the infrastructure onshore. You could talk about these sites, it doesn't matter how far offshore. The fact is, you are going to have to have infrastructure there onshore that really starts to impede with our economy, whether that is the beaches, whether that is the tourism, whether that is the fishing industry. So there is a lot more to it. But I do respect the chairman's hard work on this bill.

I yield back the balance of my time.

Mr. CALVERT. Mr. Chair, I urge opposition to the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. MURPHY).

The amendment was rejected.

AMENDMENT OFFERED BY MRS. NOEM

Mrs. NOEM. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS TO CLOSE OR MOVE FISHERIES ARCHIVES

SEC. 441. None of the funds made available by this Act may be used to close or move the D.C. Booth Historic National Fish Hatchery and Archives.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from South Dakota and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Dakota.

Mrs. NOEM. Mr. Chairman, today I rise to offer an amendment to prevent the Fish and Wildlife Service from closing fish hatcheries across the United States. I want to thank the chairman and his staff for all their dedication and for preventing the closure of these hatcheries in the underlying bill. My amendment only clarifies their language to ensure that it prevents closure of hatcheries and archives, which operate a little bit differently within the hatchery system.

For example, the D.C. Booth Historic National Fish Hatchery and Archives has been a cornerstone of the community in Spearfish, South Dakota, with over 150,000 visitors annually. It was originally established in 1896 to introduce and maintain trout in the Black Hills of South Dakota, but it is much more than a fish hatchery. It is home to an 1800's era museum, a 1910 railroad car, priceless artifacts, and educational opportunities for children. Moving these items would cost taxpayers, which doesn't make any sense, given the tens of thousands of volunteer hours and private funds that are leveraged to run this hatchery.

I want to thank the chairman for working with me to preserve these hatcheries and archives that are certainly of cultural significance. I urge my colleagues to support this amendment to prevent their closure.

I yield to the chairman.

Mr. CALVERT. I thank the gentlewoman for yielding to me.

Mr. Chairman, I rise in support of the gentlewoman's amendment. This amendment is consistent with policy agreed to last year in the conference on a bipartisan basis. Fishing is a national pastime, to which the national fish hatchery plays an important role.

Therefore, I support the gentlewoman's amendment, and I urge an "aye" vote.

Mrs. NOEM. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from South Dakota (Mrs. NOEM).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ROUZER

Mr. ROUZER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to implement, administer, or enforce the rule entitled "Standards of Performance for New Residential Wood Heaters, New Residential Hydronic Heaters and Forced-Air Furnaces" published by the Environmental Protection Agency in the Federal Register on March 16, 2015 (80 Fed. Reg. 13671 et seq.).

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from North Carolina and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. ROUZER. Mr. Chairman, in early March 2015, the Environmental Protection Agency published the final rule establishing excessive new standards for wood heaters. This onerous rule is a classic example of bureaucratic overreach that has become all too common at the EPA. Manufacturers in my district, as well as consumers, are very concerned about the negative impacts of these new standards.

According to press reports, 10 percent of U.S. households still choose to burn wood to keep energy costs as low as possible. The number of households that rely on wood as their primary heating source rose by nearly one-third from the year 2005 to 2012.

This new rule is of particular concern for rural residents all across this country. Because of this new rule, the cost of manufacturing wood heaters would increase substantially, making them unaffordable for many.

It is no secret that costs from additional regulations are always passed down to the consumers. Several States, in fact, have expressed their concern on this matter. Wisconsin, Missouri, Michigan, Virginia, and my home State of North Carolina have all introduced or passed legislation that prohibits their respective environmental agencies from enforcing this burdensome, unnecessary regulation.



In defense of all the fine Americans who want to purchase wood heaters, my amendment to the Department of the Interior, Environment, and Related Agencies Appropriations Act prohibits any funds from being used to implement, administer, or enforce these new, unnecessary, and costly standards. Simply put, the Federal Government has no business telling private citizens how they should heat their homes or their businesses. After all, this is America. If an individual or family wants to heat their home or business using a wood stove or furnace, they should be able to do so without paying through the nose.

Mr. Chairman, I would like to thank Congressmen WALTER JONES, MARKWAYNE MULLIN, ROD BLUM, MARK MEADOWS, MIKE BISHOP, SEAN DUFFY, and THOMAS MASSIE for their support on this amendment.

I yield 1½ minutes to the gentleman from Kentucky (Mr. MASSIE), my colleague and friend.

Mr. MASSIE. Mr. Chairman, I thank the gentleman from North Carolina for his leadership on this issue and for yielding the time to me.

First, the administration went after coal. Now it is coming after wood heat. In March, the EPA finalized a new rule to regulate the type of wood burning stoves and boilers that you can buy, forcing millions of middle class Americans to pay more to heat their homes.

That is why I am cosponsoring this legislation, to stop the administration from enforcing new prohibitions on a renewable, abundant, and, dare I say, carbon-neutral method of heating our homes that has been with us for centuries. If it passes, our amendment to the EPA funding bill will prohibit the Federal Government from using taxpayer money to enforce crippling regulations on wood burning heating appliances.

As the price of electricity skyrockets due to the President's promise to bankrupt the coal industry, wood heat is a viable alternative for millions of Americans. Unfortunately, it seems like this administration would rather see people turn to the government for public assistance with their heating bills than to allow them an affordable means of self-sufficiency.

Mr. Chairman, this is a State issue. The Federal Government should not be regulating wood burning appliances. I urge my colleagues to support this amendment.

Mr. ROUZER. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. CALVERT), the chairman of the subcommittee.

Mr. CALVERT. Mr. Chairman, I just rise in support of the amendment. I know the State of North Carolina opposed the rule and passed the legislation a few months ago to block these EPA regulations. I suspect it is not the only State that may have these con-

cerns. Let's let the market drive manufacturers toward producing lower emission wood heaters.

I support the gentleman's amendment and urge an "aye" vote. I hope that everybody who supports this amendment would also vote for the bill for final passage.

Mr. ROUZER. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. ROUZER).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. MASSIE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from North Carolina will be postponed.

#### AMENDMENT OFFERED BY MR. HUDSON

Mr. HUDSON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

#### LIMITATION ON USE OF FUNDS TO REMOVE OIL AND GAS LEASE SALE 260 FROM LEASING PROGRAM

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to remove oil and gas lease sale 260 from the Draft Proposed Outer Continental Shelf (OCS) Oil and Gas Leasing Program for 2017-2022.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from North Carolina and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. HUDSON. Mr. Chairman, I rise tonight to offer an amendment that prohibits the administration from blocking the proposed Atlantic lease sale from the Department of the Interior's draft proposed plan for offshore oil and gas development.

As cochairman of the Atlantic Offshore Energy Caucus, I have been fighting to advance an all-of-the-above energy strategy that gets North Carolina into the energy business.

□ 2300

I was pleased when the administration recently heeded calls from Members of Congress—as well as our fine Governor, Pat McCrory, and other State leaders—when they announced a proposal to open up the Atlantic to offshore natural gas and oil exploration.

I welcome the proposal as one of the many steps that must be taken to unlock our natural resources, create jobs, and boost our economy.

The problem is we now face bureaucratic hoops and an uphill rulemaking process that could take the Atlantic lease sale completely off the table. In

fact, Secretary Sally Jewell testified recently that she could not guarantee the Atlantic lease would stay in the plan once it is finalized.

For years, there has been bipartisan support for an offshore lease sale off the Atlantic Coast. One was even scheduled off the coast of Virginia, but later blocked by this administration.

North Carolina has incredible potential for energy jobs, and I won't let this opportunity slip through our fingers.

Mr. Chairman, my amendment is critical to provide certainty to North Carolina and unleash jobs and lower energy prices. Our economy is sputtering along, and too many folks back home are struggling to find jobs. Opening up the Atlantic to oil has the potential to support more than 55,000 jobs in our State and contribute nearly \$3 billion in new revenue.

For that reason, I urge my colleagues to support this amendment.

I yield to the gentleman from California (Mr. CALVERT), the chairman.

Mr. CALVERT. I am not going to oppose the amendment. I certainly appreciate what the gentleman is trying to accomplish and generally agree that this administration has placed way too many restrictions on drilling, both onshore and offshore.

These restrictions have delayed the permitting process and slowed economic growth in your State and many other States around the Union. Various groups have used that to their advantage.

I agree that more certainty is needed in the leasing and permitting process. What I am afraid of is this might lead to a precedent for preempting the Department of the Interior's decision-making under any President, and may lead to other amendments and kind of opening Pandora's box, and Members doing specific amendments that are off their particular States.

Saying that, as we move this process forward, I am not going to oppose the amendment, but I just have some concerns we can talk about as we move this process along.

We both want the same outcome. I just want to make sure that we make sure this works in an orderly fashion.

Mr. HUDSON. I thank the chairman for his comments, and I appreciate his leadership on this issue.

Mr. Chairman, I reserve the balance of my time.

Ms. PINGREE. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Maine is recognized for 5 minutes.

Ms. PINGREE. This amendment would mandate that the Bureau of Ocean Energy Management include the South and mid-Atlantic area of the Outer Continental Shelf, otherwise known as sale 260 in the 2017-2022 lease sale schedule.

The amendment would undermine the Bureau's fundamental mission to



manage the development of offshore resources in an environmentally and economically responsible manner.

The Atlantic Outer Continental Shelf is a frontier area, and the decision to include sale 260 in the 2017–2022 5-year leasing schedule should be informed by sound science, using the best available data.

The Bureau is required by law to consider the environmental impacts of leasing decisions, and this includes a comprehensive programmatic environmental impact statement, which has not yet been completed for the Atlantic Outer Continental Shelf.

In fact, the most current geological and geophysical data on the oil and gas resources in this area was collected in the 1970s and 1980s. That is really ancient by today's scientific standards.

Without the collection and analysis of new information, input from State Governors and other Federal agencies, and consideration of critical economic analyses, the decision to include sale 260 in the 2017–2022 program is premature and runs counter to the thoughtful and deliberative process established by Congress through the Outer Continental Shelf Lands Act.

This amendment would violate multiple environmental statutes, including NEPA, the Marine Mammal Protection Act, the Endangered Species Act, and the Coastal Zone Management Act.

The amendment undermines environmental protection required by law. Therefore, I oppose the amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. HUDSON. Mr. Chairman, I appreciate my colleague's comments on the subject.

The reason we need this step is to guarantee that the folks in North Carolina get a shot at these jobs. We are talking about 55,000 jobs and potentially as much as \$3 billion in economic development in our State.

Frankly, it has been frustrating how hard it has been to get this process moved forward. If you look at the proposed lease sale, the sale is allowed in the fourth year of the 5-year period. Only one sale is even allowed. An artificial buffer of 50 miles was inserted into the sale.

We are getting one sale late in the 5-year period, with a 50-mile buffer, when the old seismic shows that most of that oil and gas is around 25 miles out.

The "yes" that we got from the administration and the fact this process is even moving forward is good news for North Carolina and the other States on the Atlantic Coast; but it is certainly not, in my opinion, an appropriate response to the potential we have got there.

I agree with the gentlewoman when she said the seismic is old; the seismic was done in the late seventies, but this administration has called for new seismic mapping. I am looking forward to

that because, again, we want to use good science.

We have given one opportunity pretty far out in the fourth year of a 5-year period, and I am afraid we are going to lose that because, if you look at the history under this administration, there was a lease sale proposed in Virginia and that was taken away.

I think, to guarantee that we get at least some shot at unlocking this potential off the coast of getting the American sources of energy into the pipeline, getting North Carolinians to work in these energy jobs, I think it is important we have this amendment. I would urge my colleagues to support this.

Mr. Chairman, I yield back the balance of my time.

Ms. PINGREE. Mr. Chair, I certainly appreciate the gentleman from North Carolina and his concerns about jobs for his home State, but as a Member of Congress who also represents the coastal State of Maine, I know the deep concerns that people have about the potential dangers of offshore oil drilling and the possible dangers to the fisheries, marine mammals, and a whole variety of other things. The reason we have this process is it is critically important to our State.

Mr. Chairman, I continue to oppose this amendment, and I yield back the balance of my time.

The Acting CHAIR (Mr. LOUDERMILK). The question is on the amendment offered by the gentleman from North Carolina (Mr. HUDSON).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. PINGREE. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from North Carolina will be postponed.

AMENDMENT OFFERED BY MR. HUDSON

Mr. HUDSON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used by the Environmental Protection Agency to issue, implement, administer, or enforce any regulation of particulate matter emissions from residential barbecues.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from North Carolina and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. HUDSON. Mr. Chairman, I rise tonight to offer an amendment that would prohibit the EPA from regulating particulate matter emissions from residential barbecues.

As you may recall, last August, the EPA issued a grant to "perform research and develop preventative technology that will reduce fine particulate emissions from residential barbecues."

The EPA gets a lot of things wrong, especially with this preposterous study. For one thing, "barbecue" is a term us southerners use to talk about the best pork in North Carolina or a community pig picking.

What they are proposing is reducing emissions from residential propane grills, which means they want to stop you and me from grilling outside on our own property. By the way, propane is one of the most clean and efficient sources of energy out there.

Regulations that waste our time, money, and resources are bad as it is, but they are trying to go as far as restricting our personal freedom.

Mr. Chairman, this grant was met with staunch opposition from conservatives and other outdoor enthusiasts like myself. If this isn't part of EPA's larger goal of regulating grill emissions, then it begs the question why they are wasting our hard-earned tax dollars on this mind-boggling study in the first place.

We have seen overreaches by the EPA time and time again, from their flawed waters of the USA regulation to their disastrous clean power plan that is cap-and-trade by fiat to their new ground level ozone regulations that would have a catastrophic impact on manufacturing in this country; but now, they are studying limiting emissions from residential grills. Enough is enough.

Mr. Chairman, it is summer, and it is grilling season. I urge my colleagues to support this amendment.

Mr. Chairman, I reserve the balance of my time.

Ms. PINGREE. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Maine is recognized for 5 minutes.

Ms. PINGREE. Mr. Chairman, I appreciate the concerns of the Member from North Carolina, and I will give him credit. They have better barbecue than my home State. We have got you beat on lobsters, but that is how it goes.

I want to say I think this argument is somewhat cynical and a little too suspicious of our government; perhaps Republicans have gotten too far down this road.

My understanding is this summer, a conservative media outlet ran a sensationalized story about EPA's regulatory overreach. The story claimed that EPA has its eyes on pollution from backyard barbecues. The problem with the story and this amendment is that it is based on a false premise and a mischaracterization of important work.

EPA operates a successful and innovative grant program that encourages

students around the Nation to design solutions for a sustainable future. It is called People, Prosperity, and the Planet Student Design Competition for Sustainability. Its purpose is to foster innovation, not to create regulations.

The EPA awarded one of these design grants to a group of University of California students working to design a system to make barbecues burn cleaner and be better for the environment. The students received \$15,000 from the EPA for the idea. In addition, the university has said the idea has potential for global application.

Mr. Chair, in many developing nations, women hunch over traditional cook stoves for hours a day, breathing in toxic smoke. Exposure to this household air pollution is responsible for low birth weights, childhood pneumonia, and more than 4 million premature deaths each year.

The availability of cleaner cooking technologies could literally be lifesaving for many of these women and children. Instead of attacking the EPA for these innovative grants, we should be applauding them.

Mr. Chairman, I reserve the balance of my time.

Mr. HUDSON. Mr. Chairman, I thank the gentlewoman for her kind comments about North Carolina barbecue. I do admit the lobster rolls in Maine are pretty good. Maybe we can work out some kind of exchange.

The gentlewoman is right. I am guilty as charged. I am cynical and suspicious of the Federal Government, particularly the EPA, when you look at the some of the things they are spending our tax dollars on and some of the rules they are proposing.

Let's get serious. We are talking about a \$15 million grant to study the emissions of a propane grill in your backyard.

Now, we all are concerned about toxic smoke in homes and living conditions of individuals—the example that was mentioned—but we are talking about a propane gas grill in your backyard. The EPA has no business regulating that. They have spent \$15 million of our tax money to form a study, which is the first step in a rulemaking process.

I think this Chamber needs to say loud and clear to the EPA: focus on the job that the gentlewoman described, focus on the real issues and the mission of the EPA, and keep your hands off our grills in our backyards.

Mr. Chairman, I yield back the balance of my time.

Ms. PINGREE. Mr. Chair, I am happy to have an exchange—North Carolina barbecue, Maine lobster. It is probably a pretty fair exchange.

I just want to clarify. It is \$15,000, not \$15 million that the EPA spent working on this innovation.

I understand your concerns, and I appreciate the points that you brought up.

Mr. Chairman, I continue to oppose the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. HUDSON).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. FITZPATRICK

Mr. FITZPATRICK. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

#### FOREST LEGACY PROGRAM

SEC. \_\_\_\_\_. For “Department of Agriculture—Forest Service—State and Private Forestry” for the Forest Legacy program, as authorized by section 1217 of Title XII of the Food, Agriculture, Conservation and Trade Act of 1990 (16 U.S.C. 2103c), there is hereby appropriated, and the amount otherwise provided for “Department of the Interior—Bureau of Land Management—Management of Lands and Resources” is reduced by, \$5,985,000.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Pennsylvania and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

□ 2315

Mr. FITZPATRICK. Mr. Chairman, I intend to offer and then withdraw this amendment which will make it easier for land preservation efforts, including under the Federal Forest Legacy Program.

During my time as a local official in Pennsylvania as a Bucks County commissioner, I was proud to lead local efforts to preserve the beauty of the countryside and the Bucks County landscape, while advancing smarter development initiatives to reclaim brownfields through commonsense conservation efforts.

Along with a task force for that purpose, our community was able to expend approximately \$100 million for the preservation of farmland, parkland, and critical natural areas, close to about 15,000 acres in our one county preserved.

Now, as a strong advocate for land preservation in Congress, I continue to be a supporter of vital conservation programs, including the United States Forest Service's Forest Legacy Program.

My amendment today would reallocate \$5.9 million from the Bureau of Land Management, Management of Lands and Resources, to the Forest Legacy Program for the purpose of fully funding two additional preservation projects.

The Forest Legacy Program is a Federal program that supports and encourages State and private efforts to protect environmentally sensitive forestlands. The program helps the

States develop and carry out their forest conservation plans, while encouraging and supporting acquisition of conservation easements without removing the property from private ownership.

Most conservation easements restrict development, require sustainable forestry practices, and protect other values.

The additional funding my amendment provides will allow for the protection of 4,000 acres of Pennsylvania forests in the Northeast Connection.

Mr. Chairman, the Northeast Connection is a collaboration between the Pennsylvania Department of Conservation and Natural Resources and three groups of over 150 families to conserve more than 4,000 contiguous forest acres which serve as a natural bridge between the 84,000-acre Delaware State Forest, which is managed by the Commonwealth of Pennsylvania, and the 77,000-acre Delaware Water Gap National Recreation Area, managed by the National Park Service.

I believe this project is a crucial objective to preserving Pennsylvania's and our Nation's natural resources and beauty.

Again, I want to thank the chairman for his hard work on the underlying bill. I look forward to working with the chairman on robust funding for this program.

Mr. CALVERT. Will the gentleman yield?

Mr. FITZPATRICK. I yield to the gentleman from California.

Mr. CALVERT. I certainly appreciate the gentleman yielding me time, and I appreciate the gentleman's willingness to work with us.

We support the Forest Legacy Program, and I pledge to you we will continue to work with you and other supporters of the program as we move this process along.

Mr. FITZPATRICK. I thank the chairman for his desire to provide additional resources, if possible, to the Forest Legacy Program. It is a great program for our Nation, well utilized by States and local communities and private landowners. I look forward to working with the chairman.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. THOMPSON OF PENNSYLVANIA

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS TO TREAT NORTHERN LONG-EARED BAT AS ENDANGERED SPECIES

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used by the United States Fish and Wildlife Service or any other agency of the Department of the Interior to treat the northern long-eared bat as an endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Pennsylvania and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, the U.S. Fish and Wildlife Service has released a final 4(d) rule listing the northern long-eared bat as “threatened” under the Endangered Species Act.

While certain colonies of the species of bat have seen dramatic population losses in recent years, Fish and Wildlife has repeatedly asserted that the underlying fundamental cause is a fungal disease known as the white-nose syndrome.

White-nose syndrome does not directly kill or harm these bats. Rather, it wakes them out of hibernation, resulting in the bats burning through stored fat and leaving their hibernacula in search of food when none is often found or available.

I am pleased that the underlying legislation contains funding for white-nose syndrome research. Bats play a critical role in the ecosystem, and more needs to be done in order to restore colonies devastated by white-nose.

However, as we allow for necessary habitat conservation, we must also ensure that activities occurring in the bats’ range are not unreasonably or unnecessarily impacted as a result of the Endangered Species Act listing.

Specifically, such a listing could have great impacts on forest management, forest products, agriculture, energy production, mining, and commercial development. Because this species of bat is found in 38 States and Washington, D.C., a listing under the Endangered Species Act would have significant impacts through this enormous geographical range.

My amendment is simple. It merely prohibits the Department of the Interior, for a period of 1 year, from considering any new rules beyond the final 4(d) rule or any action to treat the northern long-eared bat as endangered, which is the most restrictive form of ESA listing.

The intention is to ensure reasonable land use within the bats’ range while Fish and Wildlife continues to research and work with the States on finding treatments for white-nose syndrome.

I urge my colleagues to vote “yes” on this amendment, and I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I claim the time in opposition to this amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, this amendment would prohibit the Fish and Wildlife Service from treating the northern long-eared bat as endangered under the Endangered Species Act.

Fish and Wildlife Service listed the northern long-eared bat as threatened—threatened—with an interim rule in April of this year. Since the bat was listed as threatened and not endangered, this amendment would have no effect on the Service’s implementation of the rule.

Even though the amendment has no practical effect, I strongly oppose its intent, which runs counter to the fundamental principle that science should govern our determinations under our environmental laws.

Bats are critically important to the ecosystem, and a study published in Science magazine found the value of pest control services provided by insect-eating bats in the United States ranges from the low of \$3.7 billion to the high of \$53 billion a year.

Additionally, researchers warn that notable economic losses to North American agriculture could occur in the next 4 to 5 years as a result of emerging threats to bat populations. Bats play an important role in our economy when it comes to eliminating pests.

The primary factor threatening the northern long-eared bat is a functional disease called white-nose syndrome, as has been mentioned. However, because this disease has reduced populations of the bat, human activities that might not have been significant in the past are now having a greater effect.

It is appropriate that Fish and Wildlife Service is taking steps to protect the species, but we should be supporting the Fish and Wildlife Service in its efforts. We should be supporting them, not blocking the agency from doing its job.

So I rise in opposition to this amendment, and I reserve the balance of my time.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I thank the gentlewoman for her perspectives. Certainly, a number of those points I agree with—the value of the bats—as chairman of the Conservation and Forestry Subcommittee. In agriculture, bats serve a very important purpose.

I also agree with her premise, although I think her interpretation of what the science is is somewhat misguided. The science is extremely important, and the science has shown, in fact, the agency responsible for oversight on the Endangered Species Act has publicly acknowledged, that any job-crushing restrictions on industries

related to habitat under an endangered listing with these bats will not help the northern long-eared bats. The threat really is going to an endangered listing which would do that.

I would agree that the Fish and Wildlife Service needs resources and, quite frankly, they are getting those. Just last week they released \$1 million toward studying the white-nose syndrome. Within this underlying bill, I believe there is an amount of \$10 million to study the white-nose syndrome. It is a fungus. It is not habitat, and it is not the industries that work within those habitats.

And so, quite frankly, we need to give the Fish and Wildlife Service what they need, and that is the support that they have already, that they released last week through many grants throughout many States, and the underlying \$10 million in this underlying bill.

I would just ask for support of my amendment, and I yield back the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I read from the amendment:

None of the funds made available by this Act may be used by Fish and Wildlife or any other service or agency in the Department of the Interior to treat the northern long-eared bat as an endangered species.

Well, first off, I reiterate again, it is listed as threatened, not as endangered. And this amendment doesn’t even address the role the Forest Service would still have. So this is a poorly constructed amendment.

We need to be very, very careful and very thoughtful when we write these amendments and make sure that we not only give Fish and Wildlife the tools that they need, that when something is threatened and not endangered, whether it is the Forest Service, Interior, or whether it is U.S. Fish and Wildlife, we need to let them do their job based on the science.

Mr. Chairman, I do not support the amendment, and I yield back the balance of my time.

Mr. COLLINS of Georgia. Mr. Chair, this amendment is critically important. The designation of the Northern Long Eared Bat as threatened has had a significant impact on the Ninth District of Georgia, despite the fact that the only evidence it is there is a geo-tagged dot on a map.

These bats are listed as threatened because White Nose Syndrome has led to a drastic decline in their population. Humans don’t cause White Nose Syndrome but they are being penalized for it. There are some counties in my district where the bat has never been seen, but because they’re in the bat’s “range” they are subject to burdensome restrictions.

A construction project for a new interchange in my home, Hall County, was delayed because of the need to survey for the bat.

What’s worse, even if no bats are found during the preconstruction bat survey, Fish and Wildlife Service requires a clearing restriction in construction contracts for prime-building

months if certain factors contributing to a quality bat habitat are present. These types of restrictions increase prices and create unnecessary and burdensome delays on important infrastructure projects. Similar restrictions can also negatively affect other sectors such as forestry, ranching, and utilities.

The underlying bill takes important steps to address the problematic requirements associated with the bat's status as a threatened species. This amendment goes the extra step to prevent the current situation from getting even worse by prohibiting the use of funds to list the Northern Long Eared Bat as endangered.

I urge my colleagues to support this amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. THOMPSON).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. LAMBORN

Mr. LAMBORN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act shall be used to implement or enforce the threatened species listing of the Preble's meadow jumping mouse under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Colorado and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. LAMBORN. Mr. Chairman, I yield myself as much time as I may consume.

The Preble's meadow jumping mouse is a tiny rodent with a body approximately 3 inches long, with a 4- to 6-inch tail and large hind feet adapted for jumping. This largely nocturnal mouse lives primarily in streamside ecosystems along the foothills of southeastern Wyoming south to Colorado Springs in my district, along the front range of Colorado. To evade predators, the mouse can jump like a miniature kangaroo, up to 18 inches high, using its 6-inch-long whiplike tail as a rudder to switch directions in midair.

But the little acrobat's most famous feat was its leap onto the Endangered Species list in May 1998, a move that has hindered development in moist meadows and streamside areas from Colorado Springs, Colorado, to Laramie, Wyoming.

Among many projects that have been affected: the Jeffco Parkway southeast of Rocky Flats, an expansion of Chatfield Reservoir, and housing developments in El Paso County along tributaries of Monument Creek. Builders, landowners, and local governments in affected areas have incurred hundreds of millions of dollars in added costs because of the mouse. Protecting the

mouse has even been placed ahead of protecting human life, and let me explain why that is the case.

On September 11, 2013, Colorado experienced a major flood event which damaged or destroyed thousands of homes, important infrastructure, and public works projects. And while Colorado has come a long way in rebuilding, there remains a lot of work to be done.

As a result of the Preble's mouse's listing as an endangered species, many restoration projects were delayed as Colorado sought a waiver. In fact, FEMA was so concerned that they sent out a notice that stated, "legally required review may cause some delay in projects undertaken in the Preble's mouse habitat."

□ 2330

It goes on to warn that "local officials who proceed with projects without adhering to environmental laws risk fines and could lose Federal funding for their projects." While a waiver was eventually granted, the fact remains that the scientific evidence does not justify these delays or the millions of taxpayer dollars that go toward protecting a rodent that is actually part of a larger group that roams throughout half of the North American continent.

Several recent scientific studies have concluded that the Preble's mouse does not warrant protection because it isn't a subspecies at all and is actually part of the Bear Lodge jumping mouse population. Even the scientist that originally classified this mouse as a subspecies has since recanted his work.

Moreover, the Preble's mouse has a low conservation priority score, meaning the hundreds of millions of dollars already spent on protection efforts could have been better spent on other, more fragile species or other uses to accomplish good.

The threats that development and transportation allegedly pose to the mouse have been greatly overstated. Ample regulations already in place minimize the impact of development on this species.

My amendment would correct the injustice that has been caused by an inaccurate listing of the Preble's meadow jumping mouse and refocus the U.S. Fish and Wildlife Service's efforts on species that have been thoroughly scientifically vetted and that actually should come under the Endangered Species Act.

Mr. Chairman, I encourage my colleagues to support this amendment, and I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I claim the time in opposition to this amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, this amendment would prohibit Fish and

Wildlife Service from treating the Preble's meadow jumping mouse as threatened or endangered under the Endangered Species Act and would restrict, again, the Fish and Wildlife Service from offering any of the critical protections to preserve the species.

This amendment is in addition to a growing list of anti-Endangered Species Act provisions, and it makes one wonder if—for the number of people here who are opposing the work that Fish and Wildlife is doing under the Endangered Species Act—if the intent isn't just to do away with the entire act.

Last year, Fish and Wildlife reviewed two petitions to delist the Preble's meadow jumping mouse and determined that protections under the Endangered Species were still necessary.

Voting for this amendment might undo a lot of work that was done that is well on its way to having this mouse removed from the endangered species list because this amendment ignores the determination and short-circuits the statutory process informed by science.

I would certainly think that a rider on this bill is not the place to have a robust debate about how close we are maybe with Fish and Wildlife being able to delist this mouse and, by putting this language in the bill, that it undoes a lot of potentially good work.

It throws out, with this amendment, the carefully science-based work, as I said, that the Fish and Wildlife Service has worked towards and chips away at the very foundation of the Endangered Species Act, which makes me wonder, as I said earlier, if the intent of many of the amendments being offered is not only to chip away but to do away with the Endangered Species Act.

Mr. Chair, I reserve the balance of my time.

Mr. LAMBORN. Mr. Chairman, all I will say in response is that this is a subspecies—actually, it is not even a species or subspecies. It should have never been listed in the first place.

The science shows that it is actually part of the Bear Lodge jumping mouse population. For that reason, it shouldn't even be on the list in the first place.

Mr. Chairman, I yield back the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, to the gentleman's remarks, this is not the place—as a rider on the environmental appropriations bill—to be having these thoughtful discussions. If that is what needs to take place, this is not the bill to be doing it on. I mean, we have an authorizing committee. They can hear things on it; and you can have a robust, full, transparent discussion and bring all the scientists in.

Let me close with this: I would be really remiss if I did not remind my colleagues that the Endangered Species Act, in fact, did rescue the bald eagle.

The bald eagle's recovery is an American success story because we were united in the belief that this was the symbol of our Nation and was worth protecting for the continuing benefit of future generations.

It feels like we have lost sight of being able to do that today, especially with the lack of transparency and full debate that takes place with all these riders being offered on an authorization bill.

Congress needs to give serious consideration of what kind of conservation legacy we are leaving for our children, and our children will want us to do a better job than just to put riders onto an appropriations bill. I urge my colleagues to oppose this amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. LAMBORN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. LAMBORN

Mr. LAMBORN. Mr. Chairman, I have one other amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to implement or enforce the threatened species or endangered species listing of any plant or wildlife that has not undergone a review as required by section 4(c)(2) of the Endangered Species Act of 1973 (16 U.S.C. 1533(c)(2) et seq.).

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Colorado and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. LAMBORN. Mr. Chair, I yield myself such time as I may consume.

Mr. Chairman, my amendment is straightforward. It simply ensures that the U.S. Fish and Wildlife Service has to follow section 4(c)(2) of the Endangered Species Act by conducting a review of all threatened and endangered plants and wildlife at least once every 5 years. It prohibits any funds in the bill from being used to implement or enforce the listing of any plant or wildlife that has not undergone the review as required by law.

Under the Endangered Species Act, the purpose of a 5-year review is to ensure that threatened and endangered species have the appropriate level of protection. The reviews assess each threatened and endangered species to determine whether its status has changed since the time of its listing or its last status review and whether it should be removed from the list, delisted; reclassified from endangered to threatened, downlisted; reclassified from threatened to endangered, uplisted; or maintain its current classification. You can find all this on the

Web site of the U.S. Fish and Wildlife Service.

Because the Endangered Species Act grants extensive protection to a species, including harsh penalties for landowners and other citizens, it makes sense to verify if a plant or animal should be on the list in the first place.

Despite this commonsense requirement, the U.S. Fish and Wildlife Service has acknowledged that it has neglected its responsibility to conduct the required reviews for hundreds of listed species.

For example, in Florida alone, it was found that 77 species out of a total of 124 protected species in that State were overdue for a 5-year review. In other words, the government had not followed the law for a staggering 62 percent of species in that State.

In California, the U.S. Fish and Wildlife Service acknowledged that it had failed to follow the law for roughly two-thirds of the State's species listed under the Endangered Species Act and was forced by the courts to conduct the required reviews of 194 species.

By enforcing the 5-year review, which is in current law, my amendment will ensure that the U.S. Fish and Wildlife Service is using the best available scientific information in implementing its responsibilities under the Endangered Species Act, including incorporating new information through public comment and assessing ongoing conservation efforts. These are things we should all be in agreement with.

I encourage my colleagues to join me in ensuring that the U.S. Fish and Wildlife Service follows the Endangered Species Act, that we do not provide money in this bill that would violate current law.

Mr. Chairman, I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I claim the time in opposition to this amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, this amendment, again, would prohibit the Fish and Wildlife Service from implementing or enforcing the Endangered Species Act listing for any species that has not undergone a review. This amendment joins a growing list of anti-Endangered Species Act provisions.

The amendment would block the listing of any species that does not receive status review by Fish and Wildlife Service every 5 years. Fish and Wildlife Service is required to do a 5-year review every 5 years after a species is listed. However, with over 1,500 domestic listed species, that would amount to over 300 status reviews every year.

Why hasn't Fish and Wildlife done it? Well, it is because we—Congress—do not provide Fish and Wildlife Service with enough resources to complete such a large task.

Follow the law? They would love to. In fact, this bill that we are considering right now includes a 50 percent—a 50 percent—cut in the listing program. Now, how can they follow the law when Congress doesn't put any tools in the toolbox allowing them to do their job?

I really have to wonder if this House is prepared to appropriate the millions of dollars that would be needed to meet the requirement of this amendment.

Fish and Wildlife Service already follows a transparent, science-based listing process. This amendment only seeks to undermine the Endangered Species Act because there is not enough money in here that Congress provides Fish and Wildlife to do the job in the fashion that Congress has asked it to do.

In order to list a species under the Endangered Species Act, the Fish and Wildlife Service follows a strict legal process known as a rulemaking procedure. The first step in assessing the status of the species is the Fish and Wildlife Service publishes a notice of reviews that identify the species that is believed to meet the definition of threatened or endangered. The species are candidates.

Now, these notices of review then, the Fish and Wildlife Service goes out and seeks biological information to complete the status of the reviews for the candidate species; then the Fish and Wildlife Service publishes those notices in the Federal Register so the process is transparent to the public.

As you can see, the Fish and Wildlife Service follows an open, transparent policy that adequately reviews the species prior to listing. This amendment would exploit a 5-year review backlog that has been caused in part by this Congress' unwillingness to provide adequate funding in order to attack the endangered species list. Let's be transparent about that.

The Endangered Species Act exists to offer necessary protections to ensure species survival. Quite frankly, the majority of our constituents support that. Let's make sure that science and species management practices continue to dictate species listings, not Congress; and let's figure out a way to come together, as the gentleman said, to give Fish and Wildlife the tools that they need in order that they can follow the laws that Congress has requested them to follow and not do a smoke and mirror show about how Fish and Wildlife is refusing to follow the law.

They can only do what they are able to do with the dollars that Congress appropriates to them.

Mr. Chairman, I reserve the balance of my time.

Mr. LAMBORN. Mr. Chairman, I am glad that my colleague from Minnesota acknowledged that it is required under the law for Fish and Wildlife Service to do these 5-year reviews. I thank her for admitting that.

Their budget is approximately \$1.4 billion, and they are able to prioritize within that \$1.4 billion where they spend their resources. It is not Congress' fault. They just haven't made it a priority. They should make it a priority to follow the law. They can do these few hundred reviews every year out of \$1.4 billion, I am sure.

I would ask my colleagues to support this amendment. Let's require this agency to follow the laws that are on the books.

Mr. Chairman, I yield back the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I want to be really clear. This bill now includes a 50 percent cut to the listing program. The listing program is money that Congress puts in it to do the reviews. Congress cut it by 50 percent.

They can't just transfer money around. We have handcuffed and tied up the Fish and Wildlife Service by the amount of funding that Congress gives them to do their job.

They don't wake up in the morning and say: We don't want to follow the law.

They wake up in the morning, and they see how much Congress has appropriated them.

Mr. LAMBORN. Will the gentleman yield?

Ms. MCCOLLUM. I yield to the gentleman from Colorado.

Mr. LAMBORN. I just want to point out that what you are talking about would be in the future. I am talking about the current status of them not following the law by doing the reviews.

Ms. MCCOLLUM. Reclaiming my time, they do not have the funding.

□ 2345

Congress has not given them the funding in the listing program to do their job. Congress needs to be held accountable for the 300 listings not being able to be done every year because Congress has failed to give them the money to do the laws that Congress passed.

With that, Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. LAMBORN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GOODLATTE

Mr. GOODLATTE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ None of the funds made available by this Act may be used by the Environmental Protection Agency to take any of the actions described as a "backstop" in the December 29, 2009, letter from EPA's Regional Administrator to the States in the Watershed and the District of Columbia in response to the development or implementation of a State's watershed implementation and referred to in enclosure B of such letter.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Virginia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my amendment simply prohibits the EPA from using the Chesapeake Bay total maximum daily load and the Watershed Implementation Plans to take over States' water quality strategies, protecting the 10th Amendment rights of States across the Nation from the heavy hand of the EPA. This amendment makes it clear that Congress intended for the Clean Water Act to be State led, not subject to the whims of politicians and bureaucrats in Washington, D.C.

Over the last several years, the EPA has implemented a total maximum daily load plan for the Chesapeake Bay watershed which strictly limits the amount of nutrients that can enter the Chesapeake Bay. While a laudable goal and one I support in principle, through its implementation, the EPA has basically given every State in the watershed an ultimatum—either the State does exactly what the EPA says, or it faces the threat of an EPA takeover of their water quality programs. In some cases, the EPA will even rewrite the States' water quality plans if they disagree with the States' decisions.

Mr. Chairman, I want to make it perfectly clear that this amendment would not stop the EPA from working with the States to restore the Chesapeake Bay, nor would it in any way undermine the cleanup efforts already underway. I repeat, our amendment does not stop the TMDL or watershed implementation plans from moving forward, and it does not prevent the EPA from working cooperatively with the States to help restore the Chesapeake Bay.

This amendment is very carefully crafted to address the 10th Amendment federalism issues that the EPA is encroaching upon and does not address the States' laudable goals of continuing to improve the health of the Chesapeake Bay.

The States should be able to use any resources the EPA may have available to help develop and implement a strategy to restore the Bay. This amendment only stops the ability of the EPA to step in and take over a State's plan—again, ensuring states' rights remain intact and not usurped by the EPA.

Mr. Chairman, the Bay is a national treasure, and I want to see it restored. But we know that in order to achieve this goal, the States and the EPA must work together. The EPA cannot be allowed to railroad the States and micro-manage the process.

With this amendment, we are simply telling the EPA to respect the impor-

tant role States play in implementing the Clean Water Act and help prevent another Federal power grab by the administration.

Mr. Chairman, I am pleased to yield to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. I thank the gentleman for yielding.

Mr. Chairman, I certainly agree with the amendment, and I urge adoption of the gentleman's amendment.

Mr. GOODLATTE. Mr. Chairman, I thank the gentleman, and I reserve the balance of my time.

Ms. EDWARDS. Mr. Chairman, I seek time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Maryland is recognized for 5 minutes.

Ms. EDWARDS. Mr. Chairman, here we go again, yet another fix in search of a problem.

Mr. Chairman, I rise in opposition to Mr. GOODLATTE's amendment. It would deliberately undermine the crucial work that is already being done to rehabilitate the Chesapeake Bay. It would also undermine the historic Federal-State partnership that has done so much already to improve the quality of the Bay and its surroundings.

Mr. Chairman, the Chesapeake Bay is a national treasure. It is the Nation's largest estuary. It benefits all Americans, and especially those living in the six States that comprise the Bay watershed: Maryland, Virginia, West Virginia, Delaware, Pennsylvania, New York, and the District of Columbia.

The States in the Chesapeake Bay watershed, including the gentleman's own home State of Virginia, have been working together for over 40 years to clean up the Bay. And guess what, Mr. Chairman? It is working.

The Chesapeake Bay Program's most recent interim report shows that tremendous progress has been made. States are meeting the pollution reduction goals in their plans. In fact, some are exceeding them. Studies show that so-called "dead zones" are shrinking, and key populations such as oysters are starting to rebound.

Under the Chesapeake Clean Water Blueprint, States develop and implement their own pollution reduction plans. The EPA set up an initial framework, but the details of how each State chooses to reach the targets, in fact, are State-driven and State-implemented. My own home State of Maryland has created a plan to reduce its nitrogen levels by 46 percent, phosphorus by 48 percent, and sediment by 28 percent below the benchmark 1985 levels.

Of course, each of the Bay watershed States depends on the other States to implement these plans simultaneously and in good faith. After all, Mr. Chairman, watersheds don't stop at the State borders, and the kind of go-it-alone approach that seems to be advocated by the majority has never



worked for environmental issues, and it will not work to preserve and to save the Chesapeake Bay.

Failure, for example, by one State to do its part threatens the work and hundreds of millions of dollars that all the other States have invested in their plans. I don't want to see Maryland's work jeopardized because another State in the watershed doesn't meet its responsibilities. And only the EPA can stand as the arbiter to make sure that that is true.

So, Mr. Chairman, as a safety measure against that kind of bad faith by one of the partners, the EPA has backstop actions that it can take to ensure that the other States' investments are preserved. These backstop actions are not new authorities, but they are existing authorities that the EPA can use to make the needed pollution reductions. That has been part of the partnership for 40 years.

In fact, just yesterday, the U.S. Third Circuit Court of Appeals in Philadelphia unanimously affirmed the EPA's authority to place restrictions on wastewater treatment and runoff by farms and construction. The EPA places limits on the amount of nitrogen, phosphorus, and sediment that are allowed in the watershed and, thus, into the Bay. This is known as the total maximum daily load, or TMDL, of chemical runoff that the Bay's watershed can handle while still meeting water quality standards.

The court in its decision strongly affirmed that "the States and EPA could, working together, best allocate the benefits and burdens of lowering pollution." It is, in fact, an acknowledgment that this is a partnership that requires the full participation of the Environmental Protection Agency.

Mr. Chairman, the goal of the partnership is not just an environmental one. According to a peer-reviewed report by the Chesapeake Bay Foundation, the economic impact of full implementation of the Clean Water Blueprint is more than \$22 billion annually. Yet this amendment by one of Virginia's own Members actually threatens that partnership by barring the EPA from using funds to take any backstop actions. It would allow one State to break its agreement and cease implementing the plan.

With that, Mr. Chairman, I would urge a "no" vote on this amendment.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. GOODLATTE. Mr. Chairman, may I ask how much time is remaining on each side.

The Acting CHAIR. The gentleman from Virginia has 2½ minutes remaining, and the gentlewoman from Maryland's time has expired.

Mr. GOODLATTE. Mr. Chairman, at this time, I yield 1 minute to the gentleman from Pennsylvania (Mr. THOMPSON), the chairman of the pertinent

subcommittee in the Agriculture Committee.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I rise in support of Mr. GOODLATTE's amendment.

Since 2009, I have been hearing directly from my constituents—many of who are small farmers—about the significant challenges and costs of the Chesapeake Bay total maximum daily load mandate. These significant concerns also extend to the State and local governments because of the billions of dollars in direct costs and new regulatory burdens that TMDL imposes. No doubt the Chesapeake Bay is a national treasure, but it is quickly becoming the national treasury with all these costs and taxes upon our States and local municipalities.

The Agriculture Committee's Conservation and Forestry Subcommittee, which I have the honor of chairing, has also heard directly from the stakeholders over the past few Congresses.

While each and every one of these witnesses wholeheartedly supports the restoration of the Chesapeake Bay, there remains great concern over the lack of consistent models, the heavy-handed approach of TMDL, and the lack of needed flexibility while implementing the WIPs. This amendment is needed in order to allow for that flexibility at the State and local levels.

Pennsylvania has been very innovative in our efforts to do our part with the Bay restoration, and that innovation will continue into the future.

The Acting CHAIR. The time of the gentleman has expired.

Mr. GOODLATTE. Mr. Chairman, I am pleased to yield the gentleman an additional 30 seconds.

Mr. THOMPSON of Pennsylvania. I thank the chairman.

However, rather than acting punitively, EPA must work collaboratively with the States.

Mr. Chairman, I strongly support this amendment, and I urge my colleagues to vote "yes."

Mr. GOODLATTE. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, I want to thank the gentleman from Pennsylvania. He is quite right. This is very costly for the States. The State of Virginia has estimated a cost of over \$16 billion to comply with the backstop requirements of the EPA. That is just one of the six States.

Secondly, the EPA has been asked repeatedly, including in hearings conducted by the gentleman from Pennsylvania in his subcommittee and at my request and the request of others, to do a cost-benefit analysis to show us that the multi-tens of billions of dollars that these six States will collectively spend will be reflected in improvements to the quality of the Chesapeake Bay. They have never provided that cost-benefit analysis.

Finally, Mr. Chairman, I would say to the gentlewoman from Maryland,

she also is quite right that tremendous progress has been made in improving the health of the Chesapeake Bay, but almost all of it prior to the President taking his pen and signing the executive order that contains this backstop language that we need to stop and return the power to the State and local governments.

Sedimentation, phosphorus, and nitrogen are all down more than 40 percent—sedimentation more than 50 percent going into the Bay. The Bay is improving in its health because of the work done by the States. They should have the authority to do this without having the EPA hold a gun to their head.

Mr. Chairman, that is why this amendment should be passed, and I urge my colleagues to support it.

Mr. VAN HOLLEN. Mr. Chair, I thank Ms. MCCOLLUM for her work on this bill and to BOBBY SCOTT and DON BEYER for joining me in this effort. I rise in opposition to this amendment.

Just yesterday, the 3rd Circuit Court of Appeals upheld EPA authority to set Chesapeake Bay pollution limits, which have led to the best cleanup progress in over 25 years. For the Bay, as with so many other waters across the country, the Clean Water Act backstop is critical to ensure that states are meeting their commitments.

In Maryland, we have cities working to manage stormwater and farmers implementing best management practices to stop runoff. But for all our efforts, we will never have a clean and healthy Bay if pollution runs downstream from Pennsylvania, New York, or West Virginia.

With our enormous watershed, encompassing 64,000 square miles, six States, and D.C., everyone must do their fair share. And to do that is through the Clean Water Act's Federal backstop. I strongly oppose this amendment and urge my colleagues to do the same.

Mr. SCOTT of Virginia. Mr. Chair, I rise in opposition to the amendment offered by my colleague that would, in essence, prohibit the EPA from spending any funds to ensure that states fulfill their obligations under the Clean Water Act to help clean up the Chesapeake Bay. If passed into law, this amendment would endanger the progress we have made in restoring the Chesapeake Bay Watershed and would put in jeopardy not only the Chesapeake Bay itself, but also critical economic contributions that the Bay provides.

When I was in the Virginia House of Delegates, I was part of a joint Virginia-Maryland legislative task force that first recommended the creation of a multi-state commission to address Bay issues. In our report filed in 1980, we recommended "the need for improved coordination of Bay-wide management to meet the long-term needs of the people of both Maryland and Virginia" and found that this was not an issue that Maryland and Virginia alone could solve.

Cleaning up the Bay required the cooperation of all states in the watershed. In 1983, Chesapeake Bay Watershed states signed the first Chesapeake Bay agreement to coordinate



their efforts on this issue, and in 2010 the EPA set pollution limits to reduce pollution, nutrients, and sediment flowing into the Bay.

As a result of these efforts, the quality of the Chesapeake Bay has been significantly improved and states continue to invest millions of dollars in their Chesapeake Clean Water Blueprint Plans. Just yesterday, a unanimous decision was issued by the Third Circuit Court of Appeals affirming the authority of the EPA under the Clean Water Act to set limits on pollution in the Chesapeake Bay Watershed. In the decision, the Court wrote that cleaning up the Chesapeake Bay “will require sacrifice . . . but that is a consequence of the tremendous effort it will take to restore health to the bay.”

I agree with the Court’s assessment: cleaning up the Bay will take tremendous efforts and coordination between all six states in the Chesapeake Bay Watershed and the District of Columbia, and participating states should have the certainty that other states can be trusted to fulfill their obligations to help clean up the Bay.

I believe that instead of offering amendments to undermine these efforts, we should be investing even more resources to ensure that they are successful. I urge my colleagues to reject this amendment.

Mr. BEYER. Mr. Chair, I rise in opposition to the Goodlatte amendment. The Goodlatte amendment removes the federal backstops which ensure that states meet their responsibilities under the Clean Water Act to restore the Chesapeake Bay.

The Chesapeake Bay is a critical part of Virginia and we are already starting to see the results of successful Bay cleanup efforts. Virginia oysters are booming—last year the harvest was up 25% and passed the 500,000 bushel-mark. That is why Virginia is committed to working with EPA and other Bay states to clean up the Chesapeake. There have been hundreds of millions of dollars invested in this effort and federal backstops play an important role to ensure that all states do their share.

But this amendment puts our investments and progress at serious risk. This amendment suggests that it would preserve the rights of the states to write their own water quality plans. But the Commonwealth of Virginia already wrote its own water quality plan and the Total Maximum Daily Load submission was accepted by EPA. So in Virginia, this is simply not a problem. So to me, this amendment looks like an answer in search of a problem. A problem we do not have in Virginia.

But what this amendment does do is this. It creates a BIG problem for Virginia because it would allow upstream states off the hook. It would allow upstream states to stop their cleanup with no consequences. In Virginia, we would feel—and see—real consequences. We could see increases in dirty water flowing downstream, reversing all of our hard work.

If upstream states stop their cleanups, Virginia would need to double the work and more—and we would still not have a clean Bay. The fact is that this amendment would absolutely undermine the cleanup efforts already underway. It puts at risk future environmental and economic benefits that Virginia would accrue with a cleaner, healthier bay such as more abundant seafood, tourism,

recreation, and improved quality of life. As the state at the bottom of the bay watershed, Virginia’s success in restoring our part of the Bay is dependent upon what the other states do, or don’t do.

This amendment would ensure that other states would write the future of Virginia’s waters and the future of our Bay. That is why I am working with my colleagues CHRIS VAN HOLLEN and BOBBY SCOTT to raise awareness of the dangers of this amendment.

I urge my colleagues to vote NO. It takes away our clean water future and our clean water investments. This amendment is bad for Virginia and bad for the future health of the Chesapeake Bay.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. GOODLATTE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. EDWARDS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Maryland will be postponed.

AMENDMENT OFFERED BY MRS. BLACK

Mrs. BLACK. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used by the Environmental Protection Agency to finalize, implement, administer, or enforce section 1037.601(a)(1) of title 40, Code of Federal Regulations, as proposed to be revised under the proposed rule entitled “Greenhouse Gas Emissions and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles - Phase 2” signed by the Administrator of the Environmental Protection Agency on June 19, 2015 (Docket No. EPA-HQ-OAR-2014-0827), or any rule of the same substance, with respect to glider kits and glider vehicles (as defined in section 1037.801 of title 40, Code of Federal Regulations, as proposed to be revised under such proposed rule).

The Acting CHAIR. Pursuant to House Resolution 333, the gentlewoman from Tennessee and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Tennessee.

□ 0000

Mrs. BLACK. Mr. Chairman, I rise today to offer an amendment to protect Tennessee workers and small manufacturing businesses from the EPA’s latest overreach.

Last month, the EPA released its Phase 2 fuel-efficiency and emissions standards for new medium- and heavy-duty trucks.

While many in the trucking industry are not opposed to this rule as a whole, one section in the proposal wrongly applies these new standards to what is known as glider kits.

I recently toured a business in my district that manufactures these kits.

For those who don’t know, a glider kit is a group of truck parts that can include a brand-new frame, cab, or axles, but does not include an engine or transmission.

Since a glider kit is less expensive than buying a new truck and can extend the working life of a truck, businesses and drivers with damaged or older vehicles may choose to purchase one of these kits instead of buying a completely new vehicle.

Unfortunately, the EPA is proposing to apply the new Phase 2 standards to glider kits, even though the gliders are not really new vehicles.

Mr. Chairman, this directly impacts my district where we have glider kits being manufactured and purchased by companies in places like Byrdstown, Sparta, and Jamestown, communities that are already struggling with an above average unemployment and would see job opportunities put further out of reach if this misguided rule goes into effect.

It is also unclear whether the EPA even has the authority to regulate replacement parts like gliders in the first place.

Once more, while the EPA’s stated goal with Phase 2 is to reduce greenhouse gas emissions, the Agency has not studied the emissions impact of remanufactured engines and gliders compared to new vehicles.

Mr. Chairman, if the EPA is going to promulgate rules that raise costs and hurt jobs in districts like mine, the least they could do is to have a few facts prepared to back them up.

Under this ill-advised rule, businesses and drivers that wish to use glider kits would be effectively forced to buy a completely new vehicle instead. Reducing glider sales would also end up limiting consumer choice in the marketplace.

That is why my amendment protects businesses, jobs, and consumers by prohibiting the EPA from moving forward with this Phase 2 standard on glider kits.

To be clear, this amendment would not—would not—bar the EPA from implementing the whole Phase 2 rule for new medium- and heavy-duty trucks. It would simply clarify that glider kits and glider vehicles are not new trucks as the EPA wrongly claims.

I urge my colleagues to support this commonsense amendment to help support American manufacturing and stop the EPA from attempting to shut down the glider industry.

Mr. CALVERT. Will the gentlewoman yield?

Mrs. BLACK. I yield to the gentleman from California.

Mr. CALVERT. Mr. Chairman, I thank the gentlewoman for yielding.

It is my understanding that the proposed rule is supported broadly by many in the trucking manufacturing industry, so for that reason, I support her amendment.

However, as with any rule, there are some specifics that we need to iron out. I would like to work with my colleague and with EPA to see if we can't resolve those specifics between now and the final rule.

In the meantime, I support including language in the Interior bill, and I urge Members to vote "yes" on this amendment.

Mrs. BLACK. Mr. Chairman, I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, I am hopeful that the discussion that the subcommittee chair and the author of the amendment might prove something better than what this amendment is currently in front of us, but what I have to work on is what is currently in front of me.

Just over 2 weeks ago, the Environmental Protection Agency and the National Highway Safety Traffic Administration issued proposed fuel efficiency standards for medium- and heavy-duty trucks required by the Energy Independence and Security Act.

This amendment would prohibit the EPA from finalizing, implementing, and administering or enforcing this proposed rule or any future rules—so this is where I am concerned about the way this amendment is moving forward—with respect to glider vehicles.

These new standards were designed to improve fuel efficiency, cut carbon pollution, and reduce the impacts of climate change. To be specific, these standards are expected to lower CO<sub>2</sub> emissions by roughly 1 billion metric tons, cut fuel costs by \$170 million, and reduce oil consumption up to 1.8 billion barrels over the lifetime if a vehicle is sold under this program.

Heavy trucks account for 5 percent of the vehicles on the road; yet they create 20 percent of the greenhouse gas emissions created by all transportation sectors.

We know from my colleagues that this amendment does not actually suspend all aspects of the new rule. As it was pointed out, it simply carves out an exemption for one particular industry, an industry that produces what has been called, today, glider vehicles.

As has been pointed out, glider vehicles are heavy-duty vehicles that replace older remanufactured engines on new truck chassis. These engines date back to 2001 or older, and they have emissions that are 20 to 40 times higher than today's clean diesel engines.

In essence, this amendment would allow an entire segment of the truck manufacturing industry to simply avoid compliance with the new criteria pollutant standards that are in the rule. These are engines that will con-

tinue to emit greenhouse gases, slow down our progress, and reduce the impacts of climate change.

In short, this amendment creates a loophole that you could drive a truck through by allowing dirty engines to continue to pollute our environment.

Mr. Chairman, I urge my colleagues to oppose this amendment, and I yield back the balance of my time.

Mrs. BLACK. Mr. Chairman, I want to once again reiterate that this is a very narrow amendment. It does not apply to new trucks, as the EPA rule indicates.

I also want to reiterate one more time that they have not studied the emissions impact of these remanufactured engines and the gliders compared to new vehicles, so we would like to have that information as well.

I also want to add that the military also uses glider kits, and this rule would not apply to them. Once again, we are putting into place something where we say this is what the government can do, but this is what the private sector can do.

Mr. Chairman, I urge my colleagues to support this commonsense amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACK).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MICA

Mr. MICA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. 441. None of the funds made available by this Act may be used to implement Alternative A, Alternative C, or Alternative D, described in the Final General Management Plan and Environmental Impact Statement for Castillo de San Marcos National Monument in St. Augustine, Florida, for the educational center authorized by Public Law 108-480 nor shall funds be expended for a new General Management Plan other than the General Management Plan approved by record of decision published in the Federal Register September 10, 2007.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. MICA. Mr. Chairman, every year, nearly 1.5 million visitors come to the Castillo de San Marcos and Fort Matanzas National Monuments in America's oldest city, St. Augustine, Florida.

Way back some 11 years ago, in December of 2004, I passed legislation authorizing a visitors center for Castillo de San Marcos, which was signed into law. The Castillo fortress is the largest intact Spanish fortress in the conti-

nental United States, with construction that was completed in 1695.

After the authorization was signed into law, significant, thorough, costly, and time-consuming studies and reports were completed after many reviews, hearings, and public forums.

Then in 2007, 3 years later, the National Park Service came up with a final general management plan. This plan developed four alternatives. One was to do nothing; that was A. Two others, C and D, were to possibly build on land that will no longer be available that was going to be made available by the State and the city. That leaves one alternative. Now, this is a very simple, clarifying amendment.

Alternative B is the one that we would like funds spent on. Here, we are saying no funds shall be spent to do nothing; no funds will be spent or wasted to go towards a project that isn't going to happen.

This is a simple, clarifying, limiting amendment. It would specifically limit funds from being expended on any alternative, except for B, which is in the plan, been in the plan. It doesn't say that we have to do another plan; why spend more taxpayer moneys to do another plan? That is all it says.

It is a simple thing to get us moving to proceed with the final design without further cost and further delaying the process. A visitors center at Castillo is long overdue, and it is overdue on St. Augustine's 450th founding anniversary, so I urge its passage.

Mr. CALVERT. Will the gentleman yield?

Mr. MICA. I yield to the gentleman from California.

Mr. CALVERT. Mr. Chairman, I certainly appreciate the gentleman from Florida raising this issue. I always learn new facts when we have these debates. I didn't know that St. Augustine was the Nation's oldest city. I always thought it was Santa Fe, New Mexico.

Mr. MICA. Some people are under the misconception of Williamsburg.

Mr. CALVERT. I know; but I have learned something today.

I certainly commend the gentleman's longstanding interest in this. I know you have been working on this for a number of years. The Castillo de San Marcos National Monument in St. Augustine needs a new visitors center.

I certainly look forward to working with you as we move this issue forward, and we certainly have no objection to this amendment.

Mr. MICA. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. MICA).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BURGESS

Mr. BURGESS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title) insert the following new section:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used by the Administrator of the Environmental Protection Agency to hire or pay the salary of any officer or employee of the Environmental Protection Agency under subsection (f) or (g) of section 207 of the Public Health Service Act (42 U.S.C. 209) who is not already receiving pay under either such subsection on the date of enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BURGESS. Mr. Chairman, I thank the subcommittee chairman for his indulgence at this late hour.

Mr. Chairman, this is an issue that has been under investigation by the Subcommittee on Oversight and Investigations on the Energy and Commerce Committee for over the last 6 years.

In 2006, without consultation from the Energy and Commerce Committee, there was included a provision in the annual Interior, EPA appropriations bill that allowed the Environmental Protection Agency to begin using a special pay program that was explicitly and exclusively authorized for use by the Public Health Service administration under the Department of Health and Human Services.

This special pay mechanism allows a government employee to leave the normal GS pay scale and receive nearly uncapped compensation, upwards of \$200,000 to \$300,000 per year.

This special provision was intended to be used only in unique circumstances where, perhaps, leaders of the healthcare industry would not be able to work for the Federal Government because of pay considerations if they did not have access to these higher salaries.

This justification cannot be used for anyone at the Environmental Protection Agency. Indeed, some of the employees that the Environmental Protection Agency pays under title 42, the part of the U.S. Code that allows for this special pay, were previous government workers and were merely moved to this special pay scale because they wanted additional money.

□ 0015

The EPA claims that, because the Environmental Protection Agency is a health organization, it may use this statute to pay special hires, and this, in fact, has endured for several years. Originally, the Environmental Protection Agency was granted only a handful of slots to fill with title 42 hires. That number is now over 50. The cost to taxpayers for these 50 employees is in the tens of millions of dollars.

This amendment would prevent the Environmental Protection Agency

from hiring any new employees under title 42 or from transferring current employees from the GS pay scale to title 42. It would not affect current employees being paid by this provision. It would give the Energy and Commerce Committee, the authorizing committee, the time it needs to address whether the Environmental Protection Agency truly deserves this special pay consideration. The General Accountability Office looked into the abuse of title 42 several years ago and found numerous problems with the implementation of the program. Why we would allow this problematic pay structure to be advanced by the EPA is, in fact, mysterious.

In multiple hearings in the Energy and Commerce Committee, both Administrator Lisa Jackson and current Administrator Gina McCarthy refused to give specifics regarding this program. A Freedom of Information Act request sent to my office by the EPA union, the American Federation of Government Employees, showed that title 42 hires at the EPA are actually sowing the seeds of discontent amongst workers, with the union asking the Congress to stop this unfair hiring technique.

Both former Energy and Commerce Committee Chairman BARTON and I have introduced legislation further clarifying that the Public Health Services Act, written for the Department of Health and Human Services, does not permit the Environmental Protection Agency to use its language to hire employees under a special pay structure. This amendment prevents further abuses of the program, and I urge its adoption.

I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, the EPA is one of several government agencies that uses a special authority to hire Federal employees with specific scientific research credentials. In fact, when the Republicans were the majority party in 2006, they started this program. The EPA didn't start this program on its own. Congress started it in 2006 under a Republican majority. The National Institutes of Health uses title 42 money and authority to attract top-tier scientists in their fields to do important research.

We have been listening to many hours this evening of many of my Republican colleagues criticizing the EPA's scientific conclusions. So now it amazes me that the gentleman wants to reduce the Agency's ability to hire the top scientists. Further, the National Academy of Sciences has favorably reported to the committee that the EPA is effectively utilizing its title 42 authority. If a scientist retires or

moves on, the Agency would no longer be able to attract a suitable replacement if this amendment were to pass.

For those who think the EPA doesn't have adequate scientific basis for its regulations, they should be with me, and they should clearly vote against this amendment. We should be doing more to ensure that our environmental policies are being set by the best and the brightest. This amendment would ensure that the EPA can't recruit new scientists using its limited title 42 authority, which was given to them, to the EPA, in 2006 by a Republican Congress.

I yield back the balance of my time.

Mr. BURGESS. Mr. Chairman, I urge support of the amendment. It is clear that this program does need the scrutiny of the authorizing committee. We are prepared to do that if this amendment passes.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. BURGESS).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WESTMORELAND

Mr. WESTMORELAND. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to pay legal fees pursuant to a settlement in any case, in which the Federal Government is a party, that arises under—

(1) the Clean Air Act (42 U.S.C. 7401 et seq.);

(2) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); or

(3) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Georgia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. WESTMORELAND. Mr. Chairman, the United States is facing a crisis of executive overreach, and nowhere else is this more true than with the Environmental Protection Agency. The EPA's escalation of sue and settle cases to change the law through Federal court rulings threatens our economy and the ability to create jobs, not to mention bypassing the normal rule-making process. By operating hand in hand with radical environmental groups that are willing participants in these types of actions, the EPA's use of sue and settle not only endangers the economy but also our constitutional separation of powers.

Here is how it works:

An organization sues the EPA or an agency such as the U.S. Fish and Wildlife, demanding that the agency apply the law in a new, unintended, and expanded way that increases the agency's

jurisdiction. The agency, rather than defending the law, enters into a consent decree with the party who filed the original lawsuit. A judge then signs the consent decree without significant review since the two disputing parties are in agreement. Suddenly, the agency has new, expansive powers to wield against job creators in the form of a legally binding settlement that creates rules and priorities outside of the normal rulemaking process. Between 2009 and 2012, the EPA chose not to defend itself in over 60 of these lawsuits from special interest advocacy groups. Those 60 lawsuits resulted in settlement agreements and in the EPA's publishing more than 100 new regulations.

Also included in these legally binding settlements are requirements that U.S. taxpayers must pay for the attorneys of the organization that initiated the action. According to a 2011 GAO report, between 1995 and 2010, three large environmental activist groups, like the Sierra Club, received almost \$6 million in attorneys' fees alone. An example of sue and settle occurred with a start-up, shutdown, and malfunction rule. This was in response to a sue and settle agreement the EPA made with the Sierra Club in 2011.

As noted by Louisiana Senator DAVID VITTER in a letter to EPA Administrator Gina McCarthy in 2013:

Instead of defending the EPA's own regulations and the SSM provisions in the EPA-approved air programs of 39 States, the EPA simply agreed to include an obligation to respond to the petition in the settlement of an entirely separate lawsuit.

Sue and settle is made possible because, under the Clean Air Act, the Clean Water Act, and the Endangered Species Act, potential litigants are given broad standing to go to court because Congress has defined causes of action under these laws. Under my amendment, no funds can be used to pay legal fees under any settlement regarding any case arising under the three acts I mentioned—period, case closed, end of story. Litigants can still sue, but they will no longer be financially rewarded by the American taxpayer for their efforts.

I am hopeful that my colleagues on both sides of the aisle will support this amendment to reduce the secretive transfer of U.S. taxpayer dollars to other organizations. By restricting Federal agencies from having the ability to pay attorneys' fees, we will not only reduce Federal spending but also reduce the incentive for these self-interest groups to continue suing the Federal Government and taking American taxpayer dollars that could be used to reduce our Federal deficit.

It is inexcusable to require taxpayers to pay the legal bills of environmental groups to collude with the EPA in order to expand the Agency's abilities. This is one way Congress can fight the expansion of executive powers by this

administration and its most out-of-control agency. With this amendment, Congress can ensure taxpayers are protected from funding the legal efforts of environmental advocacy organizations and from arming the EPA with draconian enforcement powers.

I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I rise in strong opposition to this amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, the Equal Access to Justice Act is the law of the land. Within limits, it does allow for the Federal payment of legal fees to individuals and small businesses and nonprofits that are the prevailing parties in actions against Federal agencies unless the agency is able to show that the action was substantially justified or a special circumstance existed to make the award unjust. This law helps to deter government misconduct, and it encourages all parties, not just those with resources, to hire legal counsel to assert their rights.

I know that my colleagues, including my colleagues on the other side of the aisle, will agree with me that the ability to challenge Federal actions is the most important tool for ensuring government accountability. The Clean Air Act, the Federal Water Pollution Control Act, and the Endangered Species Act are also the law of the land, and these laws have contributed greatly to the protection and improvement of public health in this country. A study by a nonpartisan environmental law institute found that the Equal Access to Justice Act has been cost-effective and only applies to meritorious litigation, and existing legal safeguards and the independent discretion of Federal judges will continue to ensure its prudent application. There are safeguards in place so that this can't be misused.

Moreover, the claim that large environmental groups are getting rich on attorneys' fees is not supported by available evidence. The 2011 GAO study, which was just referenced and was at the request of the House Republicans, brought cases against the EPA. They found that most of those suits were brought by trade associations and private companies and that attorneys' fees were only awarded about 8 percent of the time; and among the environmental plaintiffs, the majority of those cases were brought by local groups rather than by national groups.

It is completely unfair to target these important environmental safeguards for removal from the protection of the Equal Access to Justice Act. More importantly, this amendment would have serious consequences for public health. In order for our Nation's environmental safeguards to work properly and ensure the protection of public health, citizens, including those

with limited means, must have the ability to challenge Federal actions. This amendment is clearly designed to make it more difficult for regular citizens to ensure the accountability of the Federal Government. I urge my colleagues to defeat this amendment.

I reserve the balance of my time.

Mr. WESTMORELAND. Mr. Chairman, this does not prevent anybody from suing. This stops the EPA from this sue and settle—what I would call “scam”—where it allows the groups or companies or whatever to come in and sue and allow them—I mentioned there were 60 different cases—the ability to make 100 new rulings that did not go through the normal rulemaking procedure but were done by court rulings.

I think it is appropriate that we not allow taxpayer dollars to be spent on these attorneys' fees that are being used to do this—to promote the Environmental Protection Agency. Rather than going through the regular rulemaking process, it is doing it by a court ruling.

I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, the Equal Access to Justice Act is the law of the land. It allows for the Federal payment of legal fees, within limits, to individuals and small businesses and nonprofits which are the prevailing parties in actions against the Federal Government.

Again, we should be mindful of the 2011 GAO study that said, in cases brought against the EPA, it found that most suits were brought by trade associations and private companies and that attorneys' fees were only awarded in about 8 percent of the cases.

Citizens need to be able to hold their government accountable. They need to be able to petition their government, and that means a citizen with limited means. If that citizen wins and if the judge decides that it is just to award the costs, then that is the law of the land, which I support. Private citizens, regular citizens—citizens without means—can ensure that there is full accountability of the Federal Government to them. I urge my colleagues to defeat this amendment.

I yield back the balance of my time.

□ 0030

Mr. WESTMORELAND. As I would like to repeat, Mr. Chairman, this does not keep anybody from suing. The intent of this amendment is to keep the EPA from creating rules by judicial bodies rather than a normal rulemaking procedure.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. WESTMORELAND).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. MCCOLLUM. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT OFFERED BY MR. ROKITA

Mr. ROKITA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR (Mr. GRAVES of Louisiana). The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following new section:

ENFORCEMENT OF THE ENDANGERED SPECIES ACT REGARDING CERTAIN MUSSELS

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used by the United States Fish and Wildlife Service to enforce the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) with respect to the Clubshell, Fanshell, Rabbitsfoot, Rayed Bean, Sheepnose, or Snuffbox mussels.

The CHAIR. Pursuant to House Resolution 333, the gentleman from Indiana and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. ROKITA. Mr. Chairman, I want to thank Chairman CALVERT for managing the time tonight and for getting us to this point.

By my calculation, it has been 5 years since we have been able to have these kind of debates on the floor of the House, and here we are, at 12:30 at night.

Speaking for myself, I have listened to the entire debate here tonight on the floor, starting with votes after 6:30. Mr. Chairman, I was struck by the amount of amendments having to do with the Endangered Species Act, number one; and, number two, having to deal with the lists, whether threatened or endangered lists of Endangered Species Act.

Clearly—and I would agree with the gentlewoman on the other side of the aisle on this—reform and major reform of the Endangered Species Act is needed. That will take some time. That discussion has been ongoing.

It is nothing that hasn't already started in this Congress or in previous Congresses. I look forward to being a part of that solution in a very constructive way.

What about the near term? We have people, human constituents who are really suffering; and that is what my amendment, Mr. Chairman, is about tonight. Summer is a big time for any industry that depends on tourism to survive. I offer this amendment out of concern for two lake communities in my district.

Just last year, during the height of the summer's busy tourist season, the United States Fish and Wildlife Service required that the Northern Indiana Public Service Company, locally

known as NIPSCO, release more water into the Tippecanoe River from Lake Freeman to protect a bed of endangered freshwater mussels that live further down the Tippecanoe River, all under the guise of the Endangered Species Act.

As a result, in a matter of days, water levels on Lake Freeman dropped dramatically. I have visited with local residents near Lake Freeman multiple times and have seen the lake in person. Growing up during the summers, I spent my time on the sister lake, Lake Shafer.

Many who live and work near the lake discovered, to their surprise, their boats were stuck, businesses were in jeopardy, and home values were going down; but more than that, stumps were rising out of the water, and personal health and safety were also in jeopardy as a result.

Now, I immediately contacted Fish and Wildlife, and I want to applaud them for their responsiveness and NIPSCO for working together. We created a technical assistance letter, otherwise known as a TAL. It is my estimation that that is going to have some effect. Again, I appreciate the reasonableness of all involved.

The current plan there is a temporary fix, and really, we ought to be able to do more. Now, currently, Fish and Wildlife receives funding to enforce the Endangered Species Act, which protects six species of mussels that live in the river, as the Clerk mentioned as he read the amendment.

The Endangered Species Act gives the highest priority to protected and listed species, and there is little anyone can do in terms of exceptions or exemptions or even any kind of balancing test to make sure that there is not a solution that could be a win-win. It is a very draconian law—strict compliance, no balancing test, no room for discretion or creative solution. That is where this reform is needed.

The statute, like I said, provides no balancing test for weighing the economic harms, and the Supreme Court of this land has refused to allow us or even lower courts to construct their own test, us as citizens. Compliance with this law, as currently written, requires diverting water from Lake Freeman to the Tippecanoe River to balance water levels, despite consideration of the economic impact and human safety.

In essence, my amendment limits the funding mechanism Fish and Wildlife would be able to use to enforce the Endangered Species Act with respect to these six types of mussels and eliminates the financial repercussions for failing to enforce the law.

Speaking firsthand with residents, lowering these water levels in Lake Freeman negatively affects the community and small businesses that rely on the tourists who enjoy the lake and

the steady water level. Lower water levels also pose dangerous swimming conditions to both boaters and swimmers as formerly underwater tree stumps breach the water. This is unnecessary and a preventable hazard to those who use the lake and, again, in a win-win way.

It is all because of this draconian law that, although well intended, is badly in need of reform so that its practical effect can be overhauled and any of its misguided applications halted.

Hoosiers, like myself, are just as concerned for the environment as they are for their incomes and family recreation. It is not about anti-environmentalism, but they believe, like I said, there is a win-win solution here, if only the law would allow such a solution to exist. In the meantime, we ought to defund Fish and Wildlife's ability to enforce this law as it is written.

While I value nature and seek to protect endangered animals, the reward of protecting the mussel does not outweigh the economic damage done to this community or the personal safety or health of my human constituents.

The CHAIR. The time of the gentleman has expired.

Ms. MCCOLLUM. Mr. Chairman, I claim time in opposition to this amendment.

The CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, this amendment would, once again, prevent Fish and Wildlife Service from enforcing the Endangered Species Act with respect to six different species of mussel and would restrict the Fish and Wildlife Service from offering any of the critical protections to preserve these species.

This amendment is harmful and, in my opinion, misguided. Once a species is listed under the Endangered Species Act, it is a role of Fish and Wildlife Service—is primarily permissive, helping parties comply with the act as they carry out their activities, the TAL that the gentleman referred to.

Under this amendment, all the Endangered Species Act prohibitions would still apply, but developers and landowners would have no avenue to comply with them. There could be no TAL. The Fish and Wildlife Service would be barred from issuing permits or exemptions.

This means landowners and industry and other parties who might need to take any of these six species of mussels would be vulnerable to a citizens suit. Additionally, this amendment would halt Fish and Wildlife Service enforcement of the Endangered Species Act, which has no effect on other Federal agencies that are funded outside of this bill.

The Endangered Species Act mandates that all Federal departments and agencies conserve listed species and

use their authorities in furthering the purpose of this act.

Section 7 of the Endangered Species Act stipulates that any Federal agency that carries out, permits, licenses, funds, or otherwise authorizes activities that may affect all listed species must consult with the Fish and Wildlife Service to ensure that its actions are not likely to jeopardize the continued existence of any listed species.

This amendment would stop—stop—section 7 consultation requirements for Federal agencies; rather, it would prohibit Fish and Wildlife from completing these consultations. That means a bridge or a highway project permitted or funded through the Federal Highway Administration or power projects permitted by the Department of Energy would be vulnerable to delays and stoppages and other potential lawsuits.

This amendment, in my opinion, is an all-out assault on the Endangered Species Act. In one fell swoop, it would block protections for six different species that are currently listed as threatened or endangered; but, regardless of one's position on the Endangered Species Act, it is just a bad amendment.

The gentleman's amendment will create uncertainty for developers, landowners, leaving them vulnerable to lawsuits. I don't think that was the gentleman's original intention, but that is the effect it will have because it will block section 7 consultations, gumming up permitting processing across the Federal Government, delaying projects, and adversely impacting the economy.

The amendment is bad for the environment. It is bad for the economy. It is bad for business. It is bad for the highways and energy projects. It is just bad for this bill. I urge my colleagues to reject this amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR (Mr. LOUDERMILK). The question is on the amendment offered by the gentleman from Indiana (Mr. ROKITA).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. LAMALFA

Mr. LAMALFA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS FOR ATTORNEY FEES

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to pay attorney fees in a civil suit under section 11(g) of the Endangered Species Act of 1973 (16 U.S.C. 1540(g)) pursuant to a court order that states such fees were calculated at an hourly rate in excess of \$125 per hour.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. LAMALFA. Mr. Chairman, I am pleased to express my support for the good work Chairman CALVERT and the subcommittee have done on this bill.

This amendment, which I offered with my colleagues Representatives BILL HUIZENGA and BILL FLORES, aligns attorney fee award limits for Endangered Species Act lawsuits with award limits for other lawsuits against the Federal Government established by the Equal Access to Justice Act.

The Equal Access to Justice Act generally limits the hourly rate for awards of fees to prevailing attorneys to a reasonable \$125 per hour. However, no such fee cap exists under the Endangered Species Act. As a result, ESA litigants are being awarded sums, in many cases, in excess of \$600 per hour.

The Equal Access to Justice Act was not intended as an extraordinary access to taxpayer dollars for environmental attorneys. Indeed, we heard one of my colleagues a minute ago talk about sue and settle.

According to the GAO, the Department of the Interior paid out over \$27 million in attorney fees between 2001 and 2010; \$21 million of those payments were for Endangered Species Act lawsuits. Many of them settled with no court order, finding the litigants to have prevailed on the merits of the case—no finding.

Mr. Chairman, it is time we close this loophole that enables excessive payouts to groups that have made a business of suing the Federal Government. There is simply no reason that one sort of lawsuit, a type commonly undertaken by entities solely engaged in continuous litigation against the government, should be paid more than any other.

Representative HUIZENGA sponsored a measure addressing this issue last session, which was passed by the Committee on Natural Resources. I urge your support, which would be very much appreciated, including by people like my daughter whose birthday it is tonight, so they would have a chance to be in business and not have these extraordinarily high fees.

Mr. Chairman, I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I claim the time in opposition to this amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, the gentleman's amendment would prohibit funds in the act from being used to pay attorney fees in excess of \$125 per hour for the Endangered Species Act civil suits.

Now, perhaps the gentleman is not aware that the Equal Access to Justice Act caps attorney fees at \$125 per hour unless the court—the court—deter-

mines that an increase in the cost of living or special factors, such as the limited availability of qualified attorneys for the proceedings involved, justifies the higher fee.

□ 0045

So it would be the court that would determine that. But the fee is capped at \$125 an hour. This is unnecessary and it is a redundant amendment. Attorney fees for the Endangered Species Act cases, as I said, are already capped at \$125 per hour, unless special criteria are stipulated by the Equal Access Justice Court.

This amendment would effectively change that implementation of the Equal Access Justice Act for one specific policy area: the Endangered Species Act.

Again, higher attorney fees are only permitted in cases where specific criteria under the Endangered Species Act are met. At best, this amendment is redundant; at worst, it is a backdoor attempt to undermine the Endangered Species Act protections and make access to justice a lot less equal.

In closing, Mr. Chair, we don't need any extraneous, redundant provisions to a bill that is already overburdened with harmful legislative riders. So I urge my colleagues to oppose this amendment, and I yield back the balance of my time.

Mr. LAMALFA. I appreciate the comments by my colleague from Minnesota here, but it has been very unequal already, with many, many cases being paid out at \$600, \$700 per hour. So this amendment seeks to actually put that cap on there. There will still be the ability for a court, in extraordinary circumstances, to make the decision of whether it should be higher.

But I am glad I am not in the position, like my colleague from Minnesota, of defending \$600 or \$700 an hour for attorney fees for more frivolous environmental lawsuits that make it difficult to farm, ranch, mine, and do timber operations which are desperately needed, especially with the conditions we have in California, with our forests as well as the drought situation and trying to get work done to address that.

So when the people watch what goes on here, they need to be cognizant that there are those in the government that would rather pay to \$600 to \$700 per hour for more frivolous environmental lawsuits while they suffer from drought or burning forests.

With that, I think that this amendment is very much in order because we see that these limits aren't being followed at all under the \$125 limit.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. LAMALFA).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.



Ms. MCCOLLUM. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT OFFERED BY MR. GRAVES OF LOUISIANA

Mr. GRAVES of Louisiana. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, insert after the last section (preceding the short title), the following:

SEC. \_\_\_\_\_. None of the funds provided in this Act may be used in contravention of 33 U.S.C. 1319 with respect to a permit issued or required to be issued to the U.S. Army Corps of Engineers pursuant to 33 U.S.C. 1344 for discharges of dredged or fill material impacting wetlands.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Louisiana and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. GRAVES of Louisiana. Mr. Chairman, Americans are tired of two standards: a standard whereby private citizens are treated one way and a standard whereby the Federal Government treats themselves in an entirely different way.

Nothing is more apparent in this situation than where the U.S. Army Corps of Engineers grants themselves one way of complying with wetlands regulations, yet they impose an entirely different standard upon our private citizens.

The U.S. Army Corps of Engineers and the EPA go out and purport to be defenders of wetlands; good stewards of our wetlands. Yet the greatest cause of wetlands loss in the United States is actually caused by historic current and future actions of the U.S. Army Corps of Engineers.

In our home State of Louisiana, we have lost over 1,900 square miles of our coast, and the majority of that land loss has been caused by the management or the mismanagement by the U.S. Army Corps of Engineers of our coastal resources and the river resources, particularly the Mississippi River.

Mr. Chairman, what this amendment does is it simply requires that the U.S. Army Corps of Engineers comply with the same standards as anything else. If there are permits required, they have to get them. If there are mitigation requirements, they have to get them. They can no longer mismanage our coastal resources.

This isn't a parochial. This is an issue whereby the Nation truly benefits from this. This is the area where fishery production occurs, energy production occurs. We literally power this Na-

tion's economy and we feed American families.

So this wetlands loss that we are experiencing actually increases the vulnerability of our coastal communities in south Louisiana and increases the demands upon FEMA and other agencies in response to disasters.

I reserve the balance of my time.

Mr. CALVERT. Will the gentleman yield?

Mr. GRAVES of Louisiana. I yield to the gentleman from California.

Mr. CALVERT. I urge adoption of the gentleman's amendment.

Mr. GRAVES of Louisiana. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. GRAVES).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. PERRY

Mr. PERRY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

Sec. \_\_\_\_\_. None of the funds made available by this Act may be used on an unmanned aircraft system or to operate any such system owned by the Department of the Interior for the performance of surveying, mapping, or collecting remote sensing data.

Mr. PERRY (during the reading). Mr. Chair, I ask unanimous consent to dispense with the reading.

The Acting CHAIR. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Pennsylvania and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. PERRY. I yield myself such time as I may consume.

I thank the chairman of the committee for allowing me to offer this amendment. It prevents the Department of the Interior from competing with our local job creators in the use of UAS—unmanned aerial systems—for land surveying, mapping, imaging, and remote sensing data activities.

There is concern that agencies like the USGS and the Bureau of Land Management are acquiring the UAS and utilizing them on projects that can be accomplished by the private sector. We have no problem with them using them. We have no problem with them using them for forest fires and those types of things, for emergency situations, but where local businesses can do this work, we think that it is unfair for the government to take that work away.

Having the Department compete with local employers results in a loss of business for private geospatial firms

under contract to other Federal mapping agencies. The government is actually getting a leg up on the private market by obtaining Certificates of Authorization, or COAs, and performing services with UAS that are otherwise commercial in nature.

Current law and regulation permits private citizens and firms to operate UAS for a hobby. However, there is no effective enforcement to prevent government abuse of such authority for commercial purposes.

The fact that government agencies can operate a UAS while the private sector cannot as freely or timely gain airspace access has created and uneven playing field. Allowing the Department of the Interior to compete with the free market use of UAS is not only poor stewardship of taxpayer money and inefficient use of resources, but results in the government duplicating and directly competing with private enterprise.

This is a \$73 million marketplace, Mr. Chairman. It drives more than \$1 trillion in economic activity. More than 500,000 American jobs are related to the collection, storage, and dissemination of imagery and geospatial data. Another 5.3 million citizens utilize such data. As much as 90 percent of the government information has a geospatial information component. Up to 80 percent of the information managed by business is connected to a specific location. The geospatial marketplace is identified by the Department of Labor as one of just 14 high gross sectors in the United States workforce.

With that, I urge support of this amendment, and I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. The Department of the Interior and the U.S. Geological Survey have been using unmanned aircraft to complement conventional satellite-based remote sensing. Using remote sensing via unmanned aircraft did make sense. It allows for the rapid collection of data and allows for the Department to get a closer look at natural disasters as they develop.

The Department and the USGS are using unmanned aircraft to monitor the spread of wildfires, monitor riverbank erosion, detect and locate coal steam fires, conduct waterfall surveys, and inspect abandoned mines.

It is clearly evident to everyone that this technology offers a real public safety benefit. So it makes no sense to hamstring the Department when the technology can save lives and the survey can monitor dangerous natural events.

Now, the way that the amendment is written—and I am all for the private sector being able to do things, and that



is in your new amendment, that the private sector is not affected by this amendment—if the private sector currently isn't operating in this space looking at abandoned mines or looking at wildfires and we need to do something right away, your amendment would prohibit the Federal Government from using equipment it would have and be able to launch up and look at something in real time.

I don't think that was the total intention of your amendment. But because even though you worked in the redraft to make sure that you protected contractors—and I am glad you did that—I don't know where that leaves us in times of emergency when there isn't a contractor available, because you haven't allowed prohibition.

For that reason, Mr. Chair, I oppose the amendment, and I reserve the balance of my time.

Mr. PERRY. I appreciate the gentlewoman's comments.

First of all, I did state that fire observation would not be included. Indeed, it is not written in the amendment. It is very specific. So for emergency purposes, if need be, the Department of the Interior still can use, whether it uses its own or DHS' or one of the other myriad agencies that have the vehicles, it still has the ability to do that.

But I would also remind the gentlewoman that there are plenty of ambulance services and other emergency services for contract hire out there in our communities that perform emergency services every hour of the day, every day of the year. That fact notwithstanding, the private industry does provide all the other things that the agency is currently embarking on on its own and leaving the private sector out.

A friend just called me today and asked me, because I am a helicopter pilot in the Army, if we could put his air-conditioning unit on a roof. I said, "Absolutely not." The Army doesn't do what the civilian world does for good reason. We want the civilians out there doing those things. We don't want to compete as the Federal Government.

But in this case, the Department of the Interior is competing directly, and will continue to do if allowed to do so, unless prohibited. They can write contracts, and they can have somebody on call. If there is an emergency situation, they can have a contractor on call to do that, and they should.

I reserve the balance of my time.

Ms. MCCOLLUM. I thank the gentleman.

I think that this is a great discussion we are having, but I don't think the discussion necessarily belongs on the appropriations bill. It belongs in the policy committee so that all the questions that I have and the concerns that you have can be addressed and thoughtfully written into a piece of legislation.

There are just some places in rural parts of the United States—and I come from a State that is both urban, suburban, and very rural, up on the north shore—where private contractors just don't go or the ability of getting a hold of one isn't there, and sometimes you have to have some Federal redundancy in the system to get out there and do that.

You also have used a couple of terms and descriptions that I don't have any statutory language in front of me. So where I think the gentleman might have a very good idea, bills that we are working on in the appropriations process, when we start getting into writing technical policy or trying to figure out the new wave of what new legislation should look like—and you have a great proponent; I hear him all the time in the Defense subcommittee—the chairman of the subcommittee says the Federal Government shouldn't be doing what the private sector can do. We should not be doing this legislation for the reasons I mentioned, that we just don't have all the facts in front of it, and it is not the role of the Interior Appropriations bill to do policy.

So I am going to continue to object to the amendment at this time, but I look forward to, in a policy situation, working with the gentleman.

I yield back the balance of my time.

Mr. PERRY. Again, I appreciate the gentlewoman's reservations and opposition for the reasons so stated. I respect them, but I feel this is the correct place to limit in the appropriations, to make sure that the private sector can compete effectively and is allowed to do so and doesn't have to compete against the Federal Government with all the provisions it has at its hand to undermine their ability to be effective and competitive.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. PERRY).

The amendment was agreed to.

□ 0100

Mr. CALVERT. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PERRY) having assumed the chair, Mr. LOUDERMILK, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2822) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, had come to no resolution thereon.

## HOUSE BILLS APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates he had approved and signed bills of the following titles:

May 19, 2015:

H.R. 2252. An Act to clarify the effective date of certain provisions of the Border Patrol Agent Pay Reform Act of 2014, and for other purposes.

May 22, 2015:

H.R. 606. An Act to amend the Internal Revenue Code of 1986 to exclude certain compensation received by public safety officers and their dependents from gross income.

H.R. 651. An Act to designate the facility of the United States Postal Service located at 820 Elmwood Avenue in Providence, Rhode Island, as the "Sister Ann Keefe Post Office".

H.R. 1075. An Act to designate the United States Customs and Border Protection Port of Entry located at First Street and Pan American Avenue in Douglas, Arizona, as the "Raul Hector Castro Port of Entry".

H.R. 1191. An Act to provide for congressional review and oversight of agreements relating to Iraq's nuclear program, and for other purposes.

H.R. 2496. An Act to extend the authorization for the replacement of the existing Department of Veterans Affairs Medical Center in Denver, Colorado, to make certain improvements in the Veterans Access, Choice, and Accountability Act of 2014, and for other purposes.

May 29, 2015:

H.R. 1690. An Act to designate the United States courthouse located at 700 Grant Street in Pittsburgh, Pennsylvania, as the "Joseph F. Weis Jr. United States Courthouse".

H.R. 2353. An Act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

June 2, 2015:

H.R. 2048. An Act to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.

June 29, 2015:

H.R. 1295. An Act to extend the African Growth and Opportunity Act, the Generalized System of Preferences, the preferential duty treatment program for Haiti, and for other purposes.

H.R. 2146. An Act to amend the Internal Revenue Code of 1966 to allow Federal law enforcement officers, firefighters, and air traffic controllers to make penalty-free withdrawals from governmental plans after age 50, and for other purposes.

## SENATE BILLS APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates he had approved and signed bills of the following titles:

May 19, 2015:

S. 665. An Act to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty,

is missing in connection with the officer's official duties, or an imminent and credible threat that an individual intends to cause the serious injury or death of a law enforcement officer is received, and for other purposes.

May 22, 2015:

S. 1124. An Act to amend the Workforce Innovation and Opportunity Act to improve the Act.

May 29, 2015:

S. 178. An Act to provide justice for the victims of trafficking.

June 12, 2015:

S. 802. An Act to authorize the Secretary of State and the Administrator of the United States Agency for International Development to provide assistance to support the rights of women and girls in developing countries, and for other purposes.

June 15, 2015:

S. 1568. An Act to extend the authorization to carry out the replacement of the existing medical center of the Department of Veterans Affairs in Denver, Colorado, to authorize transfers of amounts to carry out the replacement of such medical center, and for other purposes.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DANNY K. DAVIS of Illinois (at the request of Ms. PELOSI) for today.

#### ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker pro tempore, Mr. THORNBERRY, on Friday, June 26, 2015.

H.R. 893. An act to require the Secretary of the Treasury to mint coins in commemoration of the centennial of Boys Town, and for other purposes.

H.R. 1295. An act to extend the African Growth and Opportunity Act, the Generalized System of Preferences, and preferential duty treatment program for Haiti, and for other purposes.

#### BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on June 24, 2015, she presented to the President of the United States, for his approval, the following bills:

H.R. 2146. To amend the Internal Revenue Code of 1986 to allow Federal law enforcement officers, firefighters, and air traffic controllers to make penalty-free withdrawals from governmental plans after age 50, and for other purposes.

H.R. 615. To amend the Homeland Security Act of 2002 to require the Under Secretary for Management of the Department of Homeland Security to take administrative action to achieve and maintain interoperable communications capabilities among the components of the Department of Homeland Security, and for other purposes.

Karen L. Haas, Clerk of the House, reported that on June 26, 2015, she presented to the President of the United

States, for his approval, the following bills:

H.R. 1295. To extend the African Growth and Opportunity Act, the Generalized System of Preferences, the preferential duty treatment program for Haiti, and for other purposes.

H.R. 893. To require the Secretary of the Treasury to mint coins in commemoration of the centennial of Boys Town, and for other purposes.

H.R. 533. To revoke the charter of incorporation of the Miami Tribe of Oklahoma at the request of that tribe, and for other purposes.

#### ADJOURNMENT

Mr. CALVERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 2 minutes a.m.), under its previous order, the House adjourned until today, Wednesday, July 8, 2015, at 10 a.m. for morning-hour debate.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1981. A letter from the Program Manager, BioPreferred Program, DM/OPPM/EMD, Department of Agriculture, transmitting the Department's final rule — Voluntary Labeling Program for Biobased Products (RIN: 0599-AA22) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1982. A letter from the Under Secretary of Defense, Acquisition, Technology, and Logistics, Department of Defense, transmitting a letter on the expected submission date of the report on inventory of activities performed during the preceding fiscal year pursuant to contracts for services for or on behalf of the Department of Defense, pursuant to 10 U.S.C. 2330a; to the Committee on Armed Services.

1983. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter authorizing three officers to wear the insignia of the grade of rear admiral or rear admiral (lower half), as indicated, in accordance with 10 U.S.C. 777; to the Committee on Armed Services.

1984. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Ronnie D. Hawkins, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

1985. A letter from the Director, Defense Procurement and Acquisition Policy, OUSD (AT&L) DPAP/DARS, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Defense Contractors Outside the United States — Subpart Relocation (DFARS Case 2015-D015) (RIN: 0750-AI55) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

1986. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General

Stephen L. Hoog, United States Air Force, and his advancement to the grade of lieutenant general; to the Committee on Armed Services.

1987. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter authorizing three officers on an enclosed list to wear the insignia of the grade of major general, as indicated, pursuant to 10 U.S.C. 777; to the Committee on Armed Services.

1988. A letter from the Director, Defense Procurement and Acquisition Policy, OUSD (AT&L) DPAP/DARS, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Clauses with Alternates-Prescriptions and Clause Prefaces (DFARS Case 2015-D016) (RIN: 0750-AI57) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

1989. A letter from the Director, Defense Procurement and Acquisition Policy, OUSD (AT&L) DPAP/DARS, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Allowability of Legal Costs for Whistleblower Proceedings (DFARS Case 2013-D022) (RIN: 0750-AI04) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

1990. A letter from the Director, Defense Procurement and Acquisition Policy, OUSD (AT&L) DPAP/DARS, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Inflation Adjustment of Acquisition-Related Thresholds (DFARS Case 2014-D025) (RIN: 0750-AI43) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

1991. A letter from the Chairman and President, Export-Import Bank, transmitting the "Report to the U.S. Congress on Global Export Credit Competition" for the period covering January 1, 2014, through December 31, 2014, pursuant to Sec. 8A of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

1992. A letter from the Assistant Secretary, Energy Efficiency and Renewable Energy, Department of Energy, transmitting the "Barriers to Industrial Energy Efficiency" report, pursuant to the American Energy Manufacturing Technical Corrections Act, Pub. L. 112-210; to the Committee on Energy and Commerce.

1993. A letter from the Administrator, Energy Information Administration, Department of Energy, transmitting the report entitled "The Availability and Price of Petroleum and Petroleum Products Produced in Countries Other Than Iran", pursuant to Sec. 1245(d)(4)(A) of the National Defense Authorization Act for Fiscal Year 2012; to the Committee on Energy and Commerce.

1994. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Test Procedures for Packaged Terminal Air Conditioners and Packaged Terminal Heat Pumps [Docket No.: EERE-2012-BT-TP-0032] (RIN: 1904-AD19) received July 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

1995. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the "Health

Profession Opportunity Grants Program and Evaluation Portfolio Interim Report to Congress", pursuant to Sec. 5507 of the Patient Protection and Affordable Care Act, Pub. L. 111-148; to the Committee on Energy and Commerce.

1996. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Infant Formula: The Addition of Minimum and Maximum Levels of Selenium to Infant Formula and Related Labeling Requirements [Docket No.: FDA-2013-N-0067] received June 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1997. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Veterinary Feed Directive; Correction [Docket No.: FDA-2010-N-0155] (RIN: 0910-AG95) received June 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1998. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's withdrawal of direct final rule — Approval and Promulgation of Implementation Plans; Texas; Revision to Control Volatile Organic Compound Emissions from Storage Tanks and Transport Vessels [EPA-R06-OAR-2011-0079; FRL-9929-69-Region 6] received June 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

1999. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Modification of Significant New Uses of Certain Chemical Substances [EPA-HQ-OPPT-2014-0649; FRL-9928-93] (RIN: 2070-AB27) received June 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2000. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Technical Amendments to the Hazardous and Solid Waste Management System; Disposal of Coal Combustion Residuals from Electric Utilities — Correction of the Effective Date [EPA-HQ-RCRA-2015-0331; FRL-9928-44-OSWER] (RIN: 2050-AE81) received June 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2001. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Implementation Plans; Mississippi; Memphis, TN-MS-AR Emissions Inventory for the 2008 8-Hour Ozone Standard [EPA-R04-OAR-2015-0247; FRL-9929-84-Region 4] received June 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2002. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval of Air Quality Implementation Plans; Sheboygan County, Wisconsin 8-Hour Ozone Nonattainment Area; Reasonable Further Progress Plan [EPA-R05-OAR-2015-0075; FRL-9929-73-Region 5] received June 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2003. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's withdrawal of direct final rule — Approval of Alabama's Request to Relax the Federal Reid Vapor Pressure Gasoline Volatility Standard for Birmingham, Alabama [EPA-HQ-OAR-2014-0905; FRL-9929-91-OAR] (RIN: 2060-AS58) received June 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2004. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Alabama's Request to Relax the Federal Reid Vapor Pressure Gasoline Volatility Standard for Birmingham, Alabama [EPA-HQ-OAR-2014-0905; FRL-9929-90-OAR] (RIN: 2060-AS58) received June 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2005. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Cuprous oxide; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2014-0865; FRL-9929-51] received June 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2006. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Arkansas; Prevention of Significant Deterioration; Greenhouse Gas Plantwide Applicability Limit Permitting Revisions [EPA-R06-OAR-2014-0378; FRL-9929-81-Region 6] received June 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2007. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Performance Specification 18 — Performance Specifications and Test Procedures for Hydrogen Chloride Continuous Emission Monitoring Systems at Stationary Sources [EPA-HQ-OAR-2013-0696; FRL-9929-25-OAR] (RIN: 2060-AR81) received June 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2008. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Prohexadione calcium; Pesticide Tolerances [EPA-HQ-OPP-2014-0346; FRL-9927-25] received June 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2009. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revising Underground Storage Tank Regulations — Revisions to Existing Requirements and New Requirements for Secondary Containment and Operator Training [EPA-HQ-UST-2011-0301; FRL-9913-64-OSWER] (RIN: 2050-AG46) received June 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2010. A letter from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Lifeline and Link Up Reform [WC Docket No.: 11-42] re-

ceived June 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2011. A letter from the Deputy Chief, Public Safety and Homeland Security — CCR, Federal Communications Commission, transmitting the Commission's final rule — Review of the Emergency Alert System [EB Docket No.: 04-296] received June 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2012. A letter from the Secretary, Department of Commerce, transmitting a report certifying that the export of the listed item to the People's Republic of China is not detrimental to the U.S. space launch industry, pursuant to Sec. 1512 of the Strom Thurmond National Defense Authorization Act for FY 1999 (Pub. L. 105-261), as amended by Sec. 146 of the Omnibus Consolidated and Emergency Supplemental Appropriations Act for FY 1999 (Pub. L. 105-277), and the President's September 29, 2009 delegation of authority (74 Fed. Reg. 50,913 (Oct. 2, 2009)); to the Committee on Foreign Affairs.

2013. A letter from the Secretary, Department of the Treasury, transmitting pursuant to Sec. 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and Sec. 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to transnational criminal organizations that was declared in Executive Order 13581 of July 24, 2011; to the Committee on Foreign Affairs.

2014. A letter from the Secretary, Department of the Treasury, transmitting as required by Sec. 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and Sec. 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to the former Liberian regime of Charles Taylor that was declared in Executive Order 13348 of July 22, 2004; to the Committee on Foreign Affairs.

2015. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-91, "Access to Contraceptives Amendment Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(1); to the Committee on Oversight and Government Reform.

2016. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-90, "Healthy Hearts of Babies Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(1); to the Committee on Oversight and Government Reform.

2017. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-94, "Fiscal Year 2015 Second Revised Budget Request Temporary Adjustment Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(1); to the Committee on Oversight and Government Reform.

2018. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-92, "Medical Marijuana Cultivation Center Exception Temporary Amendment Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(1); to the Committee on Oversight and Government Reform.

2019. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-93, "Youth Employment and Work Readiness Training Temporary Amendment Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(1); to the Committee on Oversight and Government Reform.

2020. A letter from the Associate General Counsel for General Law, Office of the General Counsel, Department of Homeland Security, transmitting two reports pursuant to

the Federal Vacancies Reform Act of 1998, Pub. L. 105-277; to the Committee on Oversight and Government Reform.

2021. A letter from the President and Chief Executive Officer, Federal Home Loan Bank of Indianapolis, transmitting the Federal Home Loan Bank of Indianapolis 2014 management report and financial statements, pursuant to the Chief Financial Officers Act of 1990, Pub. L. 101-576; to the Committee on Oversight and Government Reform.

2022. A letter from the Senior Vice President and Chief Financial Officer, Potomac Electric Power Company, transmitting a copy of the Balance Sheet of Potomac Electric Power Company as of December 31, 2014, pursuant to D.C. Code Ann. Sec. 34-1113 (2001); to the Committee on Oversight and Government Reform.

2023. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Greenland Turbot in the Aleutian Islands Subarea of the Bering Sea and Aleutian Islands Management Area [Docket No.: 141021887-5172-02] (RIN: 0648-XD920) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2024. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final specifications — Pacific Island Fisheries; 2014-15 Annual Catch Limits and Accountability Measures; Main Hawaiian Islands Deep 7 Bottomfish [Docket No.: 140113035-5475-02] (RIN: 0648-XD082) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2025. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries Off West Coast States; the Highly Migratory Species Fishery; Closure [Docket No.: 031125294-4091-02] (RIN: 0648-XD945) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2026. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; 2015-2016 Biennial Specifications and Management Measures; Inseason Adjustments [Docket No.: 140904754-5188-02] (RIN: 0648-BF08) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2027. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Groupers Fishery Off the Southern Atlantic States; Amendment 29 [Docket No.: 141107936-5399-02] (RIN: 0648-BE55) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2028. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — International Fisheries; Western and Central Pacific Fisheries for Highly

Migratory Species; Closure of Purse Seine Fishery in the ELAPS in 2015 [Docket No.: 150406346-5346-01] (RIN: 0648-XD972) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2029. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2015 Recreational Accountability Measure and Closure for Bluefin Tilefish in the South Atlantic Region [Docket No.: 140501394-5279-02] (RIN: 0648-XD962) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2030. A letter from the Assistant Administrator for Fisheries, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Groundfish Fishery; Framework Adjustment 53 [Docket No.: 150105004-5355-01] (RIN: 0648-BE75) received July 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

2031. A letter from the Principal Deputy Assistant Secretary, Policy, Management and Budget, Office of the Secretary, Department of the Interior, transmitting a report summary for FY 2015 of the Payments in Lieu of Taxes program, pursuant to the Payments in Lieu of Taxes Act, 31 U.S.C. 6901-6907, as amended; to the Committee on Natural Resources.

2032. A letter from the Director, Administrative Office of the United States Courts, transmitting a letter containing the Web site address for the calendar year 2014 report on bankruptcy statistics mandated by the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, 28 U.S.C. 159(b); to the Committee on the Judiciary.

2033. A letter from the Director, Administrative Office of the United States Courts, transmitting the annual report to Congress concerning intercepted wire, oral, or electronic communications as required by Title III of the Omnibus Crime Control and Safe Streets Act of 1968, Pub. L. 90-351 Sec. 802, and codified at 18 U.S.C. Sec. 2519(3); to the Committee on the Judiciary.

2034. A letter from the Staff Director, Commission on Civil Rights, transmitting a copy of the charter for the U.S. Commission on Civil Rights state advisory committees, pursuant to the Federal Advisory Committee Act, 41 C.F.R. Sec. 102-3.70; to the Committee on the Judiciary.

2035. A letter from the Auditor, Congressional Medal of Honor Society, transmitting the annual financial report of the Congressional Medal of Honor Society of the United States of America for calendar year 2014, pursuant to Pub. L. 88-504 and 36 U.S.C. 1101; to the Committee on the Judiciary.

2036. A letter from the Staff Director, United States Sentencing Commission, transmitting the "2014 Annual Report and Sourcebook of Federal Sentencing Statistics", pursuant to 28 U.S.C. 994(w)(3) and 997; to the Committee on the Judiciary.

2037. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D Airspace; Jupiter, FL [Docket No.: FAA-2015-0794; Airspace Docket No.: 15-ASO-5] received

June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2038. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bell Helicopter Textron Canada Limited [Docket No.: FAA-2013-0489; Directorate Identifier 2008-SW-003-AD; Amendment 39-18175; AD 2015-12-02] (RIN: 2120-AA64) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2039. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; ATR-GIE Avions de Transport Regional Airplanes [Docket No.: FAA-2014-0568; Directorate Identifier 2014-NM-075-AD; Amendment 39-18166; AD 2015-11-03] (RIN: 2120-AA64) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2040. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Agusta S.p.A. Helicopters [Docket No.: FAA-2015-1936; Directorate Identifier 2014-SW-005-AD; Amendment 39-18170; AD 2015-11-07] (RIN: 2120-AA64) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2041. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Agusta S.p.A. (Agusta) Helicopters [Docket No.: FAA-2015-1937; Directorate Identifier 2014-SW-067-AD; Amendment 39-18171; AD 2015-11-08] (RIN: 2120-AA64) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2042. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters (Previously Eurocopter France) Helicopters [Docket No.: FAA-2014-0464; Directorate Identifier 2014-SW-002-AD; Amendment 39-18169; AD 2015-11-06] (RIN: 2120-AA64) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2043. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2014-0342; Directorate Identifier 2014-NM-007-AD; Amendment 39-18168; AD 2015-11-05] (RIN: 2120-AA64) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2044. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2014-0756; Directorate Identifier 2014-NM-103-AD; Amendment 39-18167; AD 2015-11-04] (RIN: 2120-AA64) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2045. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-

2014-0584; Directorate Identifier 2014-NM-092-AD; Amendment 39-18158; AD 2015-10-03] (RIN: 2120-AA64) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2046. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca S.A. Turboshaft Engines [Docket No.: FAA-2013-1003; Directorate Identifier 2013-NE-33-AD; Amendment 39-18163; AD 2015-10-07] (RIN: 2120-AA64) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2047. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Zodiac Seats France (formerly Sisma Aero Seat) Passenger Seat Assemblies [Docket No.: FAA-2015-1282; Directorate Identifier 2015-NM-007-AD; Amendment 39-18157; AD 2015-10-02] (RIN: 2120-AA64) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2048. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Lycoming Engines Reciprocating Engines (Type Certificate previously held by Textron Lycoming Division, AVCO Corporation) [Docket No.: FAA-2014-0940; Directorate Identifier 2014-NE-15-AD; Amendment 39-18162; AD 2015-10-06] (RIN: 2120-AA64) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2049. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Slingsby Aviation Ltd. Airplanes [Docket No.: FAA-2015-1737; Directorate Identifier 2015-CE-014-AD; Amendment 39-18164; AD 2015-11-01] (RIN: 2120-AA64) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2050. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; International Aero Engines AG Turbofan Engines [Docket No.: FAA-2009-1100; Directorate Identifier 2009-NE-37-AD; Amendment 39-18159; AD 2015-10-04] (RIN: 2120-AA64) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2051. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters (previously Eurocopter France) Helicopters [Docket No.: FAA-2015-1570; Directorate Identifier 2014-SW-054-AD; Amendment 39-18161; AD 2015-10-05] (RIN: 2120-AA64) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2052. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revocation of Class E Airspace; Lexington, TN [Docket No.: FAA-2014-0969; Airspace Docket No.: 14-ASO-20] received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2053. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and E Airspace; Clarksburg, WV [Docket No.: FAA-2014-1003; Airspace Docket No.: 14-AEA-9] received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2054. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Minor New Source Review Requirements [EPA-R03-OAR-2015-0225; FRL-9930-08-Region 3] received June 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2055. A letter from the Clerk of the House of Representatives, transmitting annual compilation of financial disclosure statements of the members of the board of the Office of Congressional Ethics for the period between January 1, 2014 and December 31, 2014, pursuant to Clause 3 of House Rule XXVI; (H. Doc. No. 114-46); to the Committee on Ethics and ordered to be printed.

2056. A letter from the Director, National Legislative Division, American Legion, transmitting the consolidated financial statements of the American Legion as of December 31, 2014 and 2013 with supplemental data; to the Committee on Veterans' Affairs.

2057. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report to Congress concerning emigration laws and policies of Azerbaijan, Kazakhstan, Tajikistan, and Uzbekistan, pursuant to Secs. 402(a) and 409(a) of Title IV of the Trade Act of 1974, as amended ("the Jackson-Vanik Amendment"); to the Committee on Ways and Means.

2058. A letter from the Assistant Secretary for Legislation, Office of the Secretary, Department of Health and Human Services, transmitting the Elder Justice Coordinating Council 2012-2014 Report to Congress, pursuant to Title XX of the Social Security Act, Subtitle B, the Elder Justice Act of 2009; to the Committee on Ways and Means.

2059. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the "Report to Congress on the Administration, Cost and Impact of the Quality Improvement Organization Program for Medicare Beneficiaries for Fiscal Year 2012", pursuant to Sec. 1161 of the Social Security Act; jointly to the Committees on Energy and Commerce and Ways and Means.

2060. A letter from the Board Members, Railroad Retirement Board, transmitting the 2015 annual report on the financial status of the railroad unemployment insurance system, pursuant to Pub. L. 100-647, Sec. 7105; jointly to the Committees on Ways and Means and Transportation and Infrastructure.

2061. A letter from the Board Members, Railroad Retirement Board, transmitting the 26th actuarial valuation of the railroad retirement system, pursuant to Sec. 22 of the Railroad Retirement Act of 1974 and Pub. L. 98-76, Sec. 502; jointly to the Committees on Ways and Means and Transportation and Infrastructure.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mr. UPTON: Committee on Energy and Commerce. H.R. 6. A bill to accelerate the discovery, development, and delivery of 21st century cures, and for other purposes; with an amendment (Rept. 114-190, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 2256. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to submit an annual report on the Veterans Health Administration and the furnishing of hospital care, medical services, and nursing home care by the Department of Veterans Affairs; with an amendment (Rept. 114-191). Referred to the Committee of the Whole House on the state of the Union.

Mr. NEWHOUSE: Committee on Rules. House Resolution 347. Resolution providing for further consideration of the bill (H.R. 5) to support State and local accountability for public education, protect State and local authority, inform parents of the performance of their children's schools, and for other purposes, and providing for consideration of the bill (H.R. 2647) to expedite under the National Environmental Policy Act and improve forest management activities in units of the National Forest System derived from the public domain, on public lands under the jurisdiction of the Bureau of Land Management, and on tribal lands to return resilience to overgrown, fire-prone forested lands, and for other purposes (Rept. 114-192). Referred to the House calendar.

#### DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Ways and Means discharged from further consideration. H.R. 6 referred to the Committee of the Whole House on the state of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. TROTT (for himself, Mr. GOODLATTE, Mr. CONYERS, and Mr. MARINO):

H.R. 2947. A bill to amend title 11 of the United States Code in order to facilitate the resolution of an insolvent financial institution in bankruptcy; to the Committee on the Judiciary.

By Mr. THOMPSON of California (for himself, Mr. HARPER, Mrs. BLACK, and Mr. WELCH):

H.R. 2948. A bill to amend title XVIII of the Social Security Act to provide for an incremental expansion of telehealth coverage under the Medicare program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCHENRY (for himself and Mr. BUTTERFIELD):

H.R. 2949. A bill to exclude payments from State eugenics compensation programs from consideration in determining eligibility for, or the amount of, Federal public benefits; to the Committee on Oversight and Government Reform.

By Mr. TAKAI:

H.R. 2950. A bill to amend the Small Business Act to streamline and clarify small

business contracting opportunities, and for other purposes; to the Committee on Small Business.

By Mr. FARENTHOLD:

H.R. 2951. A bill to prohibit foreign assistance to countries that do not prohibit shark finning in the territorial waters of the country or the importation, sale, or possession of shark fins obtained as a result of shark finning; to the Committee on Foreign Affairs.

By Mr. BOUSTANY:

H.R. 2952. A bill to provide payments to States for increasing the employment, job retention, and earnings of former TANF recipients; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 2953. A bill to expand the Moving to Work and Rental Assistance demonstration programs of the Department of Housing and Urban Development, and for other purposes; to the Committee on Financial Services.

By Mr. CRAWFORD (for himself, Mr. WESTERMAN, Mr. WOMACK, and Mr. HILL):

H.R. 2954. A bill to designate the Federal building located at 617 Walnut Street in Helena, Arkansas, as the "Jacob Trieber Federal Building, United States Post Office, and United States Court House"; to the Committee on Transportation and Infrastructure.

By Mr. DEUTCH:

H.R. 2955. A bill to amend the Violent Crime Control and Law Enforcement Act of 1994 to expand the cause of action relating to the pattern or practice of conduct by a governmental authority that deprives a person of rights protected by the Constitution to such conduct relating to adults as well as juveniles; to the Committee on the Judiciary.

By Mr. GROTHMAN:

H.R. 2956. A bill to amend the Internal Revenue Code of 1986 to limit the earned income tax credit to citizens and lawful permanent residents and to require a valid social security number to claim the refundable portion of the child tax credit; to the Committee on Ways and Means.

By Mr. KIND (for himself and Mr. WITTMAN):

H.R. 2957. A bill to reauthorize the Neotropical Migratory Bird Conservation Act; to the Committee on Natural Resources.

By Mrs. KIRKPATRICK:

H.R. 2958. A bill to fulfill the United States Government's trust responsibility to serve the higher education needs of the Navajo people and to clarify, unify, and modernize prior Diné College legislation; to the Committee on Education and the Workforce.

By Mrs. NOEM:

H.R. 2959. A bill to prevent States from counting certain expenditures as State spending to reduce TANF work requirements; to the Committee on Ways and Means.

By Mr. POLIS (for himself and Mr. YOUNG of Iowa):

H.R. 2960. A bill to amend the Elementary and Secondary Education Act of 1965 to aid gifted and talented and high-ability learners by empowering the Nation's teachers, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TONKO (for himself and Mr. MCKINLEY):

H.R. 2961. A bill to establish a research, development, and technology demonstration

program to improve the efficiency of gas turbines used in combined cycle and simple cycle power generation systems; to the Committee on Science, Space, and Technology.

By Mr. SMITH of Nebraska:

H.J. Res. 59. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Army Corps of Engineers and the Environmental Protection Agency relating to the definition of "waters of the United States" under the Clean Water Act; to the Committee on Transportation and Infrastructure.

By Mr. CICILLINE (for himself, Mr. SIRE, Mr. ENGEL, Mr. ROYCE, Mr. DEUTCH, Mr. LOWENTHAL, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. DESJARLAIS, Mr. ISRAEL, Mr. WILSON of South Carolina, Ms. SLAUGHTER, Ms. FRANKEL of Florida, Mr. MARINO, Mr. RIBBLE, Mr. CONNOLLY, Mr. MCGOVERN, Mr. BURGESS, Mr. KINZINGER of Illinois, Mrs. ELLMERS of North Carolina, Mr. DUNCAN of South Carolina, Mr. ROKITA, Mr. REED, Mr. BLUMENAUER, Mr. WEBER of Texas, Mr. POE of Texas, Mr. YOHIO, Mr. MEEKS, Ms. BASS, Mr. AL GREEN of Texas, Ms. ROSELEHTINEN, Mr. LANGEVIN, Mr. KEATING, Ms. KAPTUR, and Mr. CARNEY):

H. Res. 348. A resolution supporting the right of the people of Ukraine to freely elect their government and determine their future; to the Committee on Foreign Affairs.

### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. TROTT:

H.R. 2947.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3 of the United States Constitution, in that the legislation exercises legislative power granted to Congress by that clause "to regulate Commerce with foreign Nations, and among the several States, and with Indian tribes;" Article I, Section 8, clause 4 of the United States Constitution, in that the legislation exercises legislative power granted to Congress by that clause "to establish . . . uniform Laws on the subject of Bankruptcies throughout the United States;" Article I, Section 8, clause 9 of the United States Constitution, in that the legislation exercises legislative power granted to Congress by that clause "to constitute Tribunals inferior to the Supreme Court;" Article I, Section 8, clause 18 of the United States Constitution, in that the legislation exercises legislative power granted to Congress by that clause "to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof;" and, Article III of the United States Constitution, in that the legislation defines or affects powers of the Judiciary that are subject to legislation by Congress.

By Mr. THOMPSON of California:

H.R. 2948.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 6

The Congress shall have Power . . . to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. MCHENRY:

H.R. 2949.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have the Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. TAKAI:

H.R. 2950.

Congress has the power to enact this legislation pursuant to the following:

Section 1, Article VIII of the United States Constitution

By Mr. FARENTHOLD:

H.R. 2951.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. BOUSTANY:

H.R. 2952.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to "provide for the common Defence and general Welfare of the United States."

By Mr. CARNEY:

H.R. 2953.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power \* \* \* To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

Article I, Section 8, Clause 3

The Congress shall have Power \* \* \* To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. CRAWFORD:

H.R. 2954.

Congress has the power to enact this legislation pursuant to the following:

Article III, Section 1, which gives Congress the authority to "ordain and establish" courts inferior to the Supreme Court.

By Mr. DEUTCH:

H.R. 2955.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the U.S. Constitution and Clause 18 of Section 8 of Article I of the U.S. Constitution.

By Mr. GROTHMAN:

H.R. 2956.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. KIND:

H.R. 2957.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8.

By Mrs. KIRKPATRICK:

H.R. 2958.



Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 (18) To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mrs. NOEM:

H.R. 2959.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution: to provide for the common Defense and general Welfare of the United States

By Mr. POLIS:

H.R. 2960.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of US Constitution, to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. TONKO:

H.R. 2961.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1,

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives

By Mr. SMITH of Nebraska:

H.J. Res. 59.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution, specifically Clause 3 (related to regulation of commerce among the several states.)

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 20: Mr. AGUILAR.

H.R. 136: Ms. ROYBAL-ALLARD and Mr. ROYCE.

H.R. 140: Mr. WOODALL.

H.R. 156: Mr. GOSAR and Mr. PITTENGER.

H.R. 210: Mr. DUNCAN of Tennessee.

H.R. 213: Mr. PEARCE, Mr. PITTS, and Mr. PETERSON.

H.R. 244: Mr. BROOKS of Alabama and Mr. ABRAHAM.

H.R. 282: Mr. HARPER and Mr. MOULTON.

H.R. 343: Mr. JOHNSON of Ohio.

H.R. 353: Mr. LANCE.

H.R. 356: Ms. BORDALLO, Mrs. DINGELL, Mr. CARTWRIGHT, and Mr. MOULTON.

H.R. 358: Ms. NORTON, Mr. VEASEY, Mr. RUSSELL, Mrs. RADEWAGEN, Mrs. CAPPS, Mr. MCGOVERN, Mrs. COMSTOCK, Mr. FORTENBERRY, and Ms. JUDY CHU of California.

H.R. 376: Mr. ISRAEL.

H.R. 411: Ms. WILSON of Florida and Ms. WASSERMAN SCHULTZ.

H.R. 423: Mr. MARINO and Mr. CHABOT.

H.R. 427: Mr. HUDD of Texas.

H.R. 430: Mr. AGUILAR.

H.R. 448: Mr. KILDEE and Mr. HIGGINS.

H.R. 475: Mr. JONES.

H.R. 540: Ms. SCHAKOWSKY, Mr. COLE, Ms. MOORE, and Mr. BRIDENSTINE.

H.R. 546: Mr. BRENDAN F. BOYLE of Pennsylvania and Mr. MOULTON.

H.R. 563: Mr. AL GREEN of Texas, Mr. DESAULNIER, and Mr. PETERSON.

H.R. 592: Mr. DESANTIS, Ms. TSONGAS, Mr. NUGENT, Mr. WALDEN, Mr. NEWHOUSE, Mr. SCHIFF, Ms. MOORE, and Mr. SCOTT of Virginia.

H.R. 605: Ms. JENKINS of Kansas.

H.R. 607: Mr. CÁRDENAS.

H.R. 612: Mrs. LOVE and Mr. CARTER of Georgia.

H.R. 619: Ms. TSONGAS.

H.R. 632: Mr. JOHNSON of Ohio.

H.R. 649: Mr. PERLMUTTER and Ms. MOORE.

H.R. 653: Mr. MESSER.

H.R. 662: Mr. TAKAI.

H.R. 667: Mr. MURPHY of Florida.

H.R. 671: Mr. KENNEDY.

H.R. 672: Mr. PALAZZO.

H.R. 675: Mr. JONES.

H.R. 680: Mr. LARSEN of Washington.

H.R. 684: Mr. DEFAZIO.

H.R. 700: Ms. MOORE and Mr. POCAN.

H.R. 702: Mr. HUDSON, Mr. RATCLIFFE, Mr. BENISHEK, Ms. GRANGER, and Mr. GUTHRIE.

H.R. 731: Ms. MCSALLY.

H.R. 746: Ms. VELÁZQUEZ, Mrs. WATSON COLEMAN, and Mr. TAKANO.

H.R. 757: Mr. STEWART.

H.R. 759: Mr. CICILLINE.

H.R. 775: Mr. MILLER of Florida and Mr. GIBBS.

H.R. 784: Ms. MATSUI.

H.R. 793: Mr. ABRAHAM.

H.R. 800: Mr. YOUNG of Iowa.

H.R. 815: Mr. WITTMAN.

H.R. 816: Mr. GRAVES of Louisiana, Mr. FLEMING, and Mr. DESJARLAIS.

H.R. 822: Mr. PETERSON and Mr. GRAVES of Missouri.

H.R. 840: Ms. WILSON of Florida.

H.R. 846: Ms. KAPTUR, Ms. LINDA T. SÁNCHEZ of California, and Mr. GUTIÉRREZ.

H.R. 858: Ms. SLAUGHTER.

H.R. 865: Mr. CRAMER.

H.R. 869: Mr. SMITH of Washington.

H.R. 879: Ms. GRANGER, Mr. JODY B. HICE of Georgia, Mr. MILLER of Florida, Mr. MEADOWS, Mr. JENKINS of West Virginia, Mr. CHAFFETZ, Mr. FRANKS of Arizona, Mr. COLLINS of Georgia, and Mr. WILLIAMS.

H.R. 907: Mr. LAMBORN and Mr. KLINE.

H.R. 915: Mr. LYNCH and Ms. ESHOO.

H.R. 921: Ms. SINEMA.

H.R. 923: Mr. CARTER of Texas.

H.R. 969: Mr. DESAULNIER and Mr. BARR.

H.R. 985: Mr. SARBANES, Ms. KUSTER, Mr. CALVERT, Mr. MULLIN, and Mr. HIGGINS.

H.R. 989: Mr. RYAN of Ohio.

H.R. 990: Mr. HUFFMAN.

H.R. 997: Mr. FLEMING.

H.R. 1073: Mrs. HARTZLER.

H.R. 1091: Mr. CURBELO of Florida.

H.R. 1148: Mr. MCKINLEY.

H.R. 1151: Mr. REED and Mr. ABRAHAM.

H.R. 1188: Mr. YOUNG of Alaska.

H.R. 1197: Ms. BASS and Mr. KILDEE.

H.R. 1209: Mr. DESJARLAIS, Mr. FATTAH, Mrs. BROOKS of Indiana, and Mr. KILMER.

H.R. 1211: Mr. THOMPSON of Mississippi and Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 1218: Mr. BLUMENAUER and Mr. BARLETTA.

H.R. 1221: Mr. SHIMKUS, Mr. ROE of Tennessee, Mr. FOSTER, Mr. CONNOLLY, and Ms. TSONGAS.

H.R. 1232: Ms. DELAULO.

H.R. 1233: Mrs. BROOKS of Indiana.

H.R. 1247: Mr. LOWENTHAL.

H.R. 1248: Mr. CRAWFORD.

H.R. 1274: Ms. VELÁZQUEZ.

H.R. 1283: Ms. NORTON and Ms. SLAUGHTER.

H.R. 1299: Mr. ROONEY of Florida and Mr. JOYCE.

H.R. 1300: Mr. DELANEY.

H.R. 1310: Mr. PASCRELL.

H.R. 1312: Mr. MCGOVERN, Mr. JOHNSON of Georgia, Ms. MATSUI, Mr. HECK of Nevada, Mr. BLUMENAUER, Mr. FINCHER, Ms. DUCKWORTH, and Mr. KILDEE.

H.R. 1321: Mr. DEFAZIO and Mrs. NAPOLITANO.

H.R. 1336: Mr. TIBERI.

H.R. 1338: Mr. THORNBERRY and Mr. LIPINSKI.

H.R. 1342: Miss RICE of New York, Ms. CLARKE of New York, Mr. FITZPATRICK, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. THOMPSON of Pennsylvania, and Mr. CARSON of Indiana.

H.R. 1344: Mr. BURGESS.

H.R. 1354: Mr. CICILLINE.

H.R. 1384: Mr. CARNEY and Mr. GUTHRIE.

H.R. 1434: Ms. SEWELL of Alabama.

H.R. 1462: Mr. SEAN PATRICK MALONEY of New York, Mr. CÁRDENAS, Mr. LOEBACK, Mr. MATSUI, and Mr. KILMER.

H.R. 1466: Mr. HONDA.

H.R. 1467: Mr. RENACCI.

H.R. 1475: Mr. ISRAEL, Mr. STIVERS, Ms. MCSALLY, and Ms. NORTON.

H.R. 1479: Ms. JENKINS of Kansas, Mr. YODER, and Mr. TOM PRICE of Georgia.

H.R. 1514: Mrs. BUSTOS.

H.R. 1516: Mr. SMITH of Missouri, Mrs. NAPOLITANO, and Mrs. KIRKPATRICK.

H.R. 1523: Mr. MULVANEY, Mr. DUNCAN of Tennessee, Mr. CRAMER, Mr. PEARCE, Mr. ROSS, Mr. ABRAHAM, Mr. MESSER, and Ms. STEFANIK.

H.R. 1526: Mr. AMODEI.

H.R. 1533: Mr. FOSTER.

H.R. 1550: Mr. STIVERS.

H.R. 1552: Ms. MENG and Mr. LIPINSKI.

H.R. 1555: Mr. AMODEI and Mr. CHAFFETZ.

H.R. 1559: Mr. FORBES, Mr. LARSEN of Washington, Ms. KELLY of Illinois, Ms. WASSERMAN SCHULTZ, Mrs. DINGELL, Mr. GALLEGOS, and Ms. JACKSON LEE.

H.R. 1566: Mr. GRAVES of Missouri.

H.R. 1567: Ms. ROS-LEHTINEN, Ms. KELLY of Illinois, Mr. FOSTER, Mr. NEAL, and Mr. POLIS.

H.R. 1571: Mr. YOUNG of Iowa and Ms. MATSUI.

H.R. 1598: Ms. LEE.

H.R. 1610: Mr. CRAWFORD.

H.R. 1611: Mr. PETERSON, Mr. HINOJOSA, and Mr. LOEBACK.

H.R. 1624: Mr. YOUNG of Indiana, Mr. THOMPSON of California, Mr. WALDEN, and Mrs. BLACK.

H.R. 1632: Mr. MACARTHUR.

H.R. 1635: Mr. GRAVES of Louisiana.

H.R. 1643: Mr. HASTINGS.

H.R. 1671: Mr. WESTMORELAND and Mr. BILIRAKIS.

H.R. 1684: Ms. PINGREE.

H.R. 1694: Mr. FLORES and Mr. FORTENBERRY.

H.R. 1708: Mr. BLUMENAUER.

H.R. 1714: Mrs. BEATTY.

H.R. 1718: Mr. GOODLATTE.

H.R. 1726: Mr. JOHNSON of Georgia, Mr. WALDEN, and Mr. COSTELLO of Pennsylvania.

H.R. 1728: Mrs. BEATTY, Ms. WILSON of Florida, Mr. PALLONE, and Ms. SPEIER.

H.R. 1737: Mrs. BROOKS of Indiana, Mr. TAKAI, Mr. KATKO, Mr. COSTA, Mr. GROTHMAN, and Mr. JORDAN.

H.R. 1752: Mr. BROOKS of Alabama and Mr. WALDEN.

H.R. 1763: Mr. ELLISON, Mr. FOSTER and Mr. CICILLINE.

H.R. 1768: Mr. BISHOP of Utah.

H.R. 1769: Mr. POSEY, Mr. NEAL, Mr. CARNEY, Ms. BROWNLEY of California, Mr. ROUZER, and Mr. SMITH of New Jersey.

H.R. 1779: Ms. DELBENE.

H.R. 1786: Ms. WILSON of Florida, Mr. CARSON of Indiana, Mr. CICILLINE, Mr. SARBANES, Ms. SPEIER, and Mr. KENNEDY.



- H.R. 1836: Mr. MULVANEY.  
H.R. 1854: Mr. JEFFRIES, Mr. QUIGLEY, and Mr. KENNEDY.  
H.R. 1855: Mr. MURPHY of Florida and Mr. COHEN.  
H.R. 1861: Ms. SINEMA.  
H.R. 1887: Miss RICE of New York.  
H.R. 1901: Mr. MURPHY of Pennsylvania, Mr. BRIDENSTINE, Mr. BROOKS of Alabama, and Mr. BARR.  
H.R. 1910: Ms. LEE.  
H.R. 1919: Mr. RUIZ, Mr. JOHNSON of Georgia, Mr. LIPINSKI, Mr. BEYER, Mr. GOWDY, and Mr. BOUSTANY.  
H.R. 1933: Mr. WELCH and Mr. RYAN of Ohio.  
H.R. 1940: Mr. YOHIO and Mr. MURPHY of Florida.  
H.R. 1953: Mr. FLEMING.  
H.R. 1961: Mr. KILMER.  
H.R. 1964: Mr. ROSS.  
H.R. 1974: Mr. ELLISON.  
H.R. 1977: Mr. ISRAEL.  
H.R. 1978: Mr. KILMER.  
H.R. 1994: Mr. BARR and Mr. GARRETT.  
H.R. 2030: Mr. GUTIÉRREZ.  
H.R. 2050: Ms. CLARKE of New York and Mr. TAKAI.  
H.R. 2061: Mr. DUNCAN of Tennessee, Mr. FORBES, Mr. PERLMUTTER, Mr. COFFMAN, and Mr. DANNY K. DAVIS of Illinois.  
H.R. 2067: Mr. WELCH and Mr. TED LIEU of California.  
H.R. 2076: Ms. LEE.  
H.R. 2096: Mr. WALZ.  
H.R. 2125: Mr. AGUILAR.  
H.R. 2133: Mr. JONES.  
H.R. 2140: Mr. MCCAUL and Mr. POSEY.  
H.R. 2141: Mr. YOUNG of Iowa.  
H.R. 2156: Mr. VEASEY, Mr. KING of Iowa, and Mr. WESTERMAN.  
H.R. 2191: Mr. HONDA.  
H.R. 2201: Mr. CARNEY.  
H.R. 2211: Ms. FOX.  
H.R. 2237: Mr. COFFMAN.  
H.R. 2253: Mrs. KIRKPATRICK.  
H.R. 2257: Mr. DELANEY.  
H.R. 2280: Ms. SCHAKOWSKY.  
H.R. 2283: Ms. CLARK of Massachusetts, Mr. COURTNEY, Ms. DEGETTE, Mr. DESAULNIER, Mr. DEUTCH, Mr. GRIJALVA, Mr. HONDA, Mr. LEVIN, Mr. MEEKS, and Ms. SPEIER.  
H.R. 2287: Mr. BARR and Mr. DAVID SCOTT of Georgia.  
H.R. 2290: Mr. ROE of Tennessee.  
H.R. 2295: Mr. THOMPSON of Pennsylvania.  
H.R. 2302: Mr. TED LIEU of California.  
H.R. 2315: Ms. JENKINS of Kansas, Mr. HECK of Nevada, Mr. WELCH, Mr. CHABOT, Ms. GRANGER, Ms. SINEMA, Mr. BROOKS of Alabama, Mr. RATCLIFFE, Mr. FLEMING, Mr. VEASEY, Mrs. KIRKPATRICK, Mrs. BLACKBURN, Ms. ESHOO, Mr. FRANKS of Arizona, Mr. DUNCAN of South Carolina, Mr. COHEN, Mr. KELLY of Pennsylvania, and Mr. FRELINGHUYSEN.  
H.R. 2329: Mr. SMITH of Texas.  
H.R. 2342: Ms. JUDY CHU of California.  
H.R. 2380: Ms. PINGREE and Mr. GUTIÉRREZ.  
H.R. 2400: Mr. EMMER of Minnesota.  
H.R. 2403: Mr. ROKITA, Mr. MACARTHUR, and Mr. CONNOLLY.  
H.R. 2404: Mr. JOYCE, Mr. VEASEY, Mr. LANGEVIN, Mr. BILIRAKIS, Mr. COSTELLO of Pennsylvania, Mr. CUMMINGS, and Mr. KILMER.  
H.R. 2410: Mr. SCHIFF, Mrs. BEATTY, Ms. BASS, and Mr. RICHMOND.  
H.R. 2429: Ms. WILSON of Florida.  
H.R. 2460: Miss RICE of New York, Mr. ISRAEL, and Ms. MENG.  
H.R. 2461: Mr. HASTINGS.  
H.R. 2477: Mr. WILSON of South Carolina.  
H.R. 2493: Ms. KAPTUR, Ms. SCHAKOWSKY, Mrs. LOWEY, Ms. VELÁZQUEZ, and Mr. GUTIÉRREZ.  
H.R. 2494: Mr. KILMER, Mr. TED LIEU of California, Ms. MCSALLY, Mr. COLLINS of New York, Mr. TROTT, and Mr. MEADOWS.  
H.R. 2498: Mr. PETERS.  
H.R. 2520: Ms. MCCOLLUM and Mr. GUTHRIE.  
H.R. 2530: Mr. SERRANO, Mr. POCAN, and Mr. BLUMENAUER.  
H.R. 2540: Ms. WILSON of Florida, Mrs. ELLMERS of North Carolina, Mr. ENGEL, and Mr. LOESACK.  
H.R. 2602: Ms. WILSON of Florida, Ms. ESHOO, Mr. MCGOVERN, and Mr. LEWIS.  
H.R. 2607: Mr. REED.  
H.R. 2615: Mr. BRADY of Pennsylvania, Ms. MAXINE WATERS of California, Ms. ADAMS, Mr. COHEN, Mrs. CAROLYN B. MALONEY of New York, Mr. HINOJOSA, Mr. ENGEL, and Ms. DUCKWORTH.  
H.R. 2627: Mr. COLLINS of New York and Ms. FUDGE.  
H.R. 2643: Mr. OLSON, Mr. SESSIONS, and Mr. COLE.  
H.R. 2646: Mr. BARLETTA, Mr. WALZ, Mr. THOMPSON of Mississippi, Ms. BROWN of Florida, and Mr. JOYCE.  
H.R. 2669: Mrs. ELLMERS of North Carolina and Mr. BEN RAY LUJÁN of New Mexico.  
H.R. 2680: Mr. AL GREEN of Texas.  
H.R. 2689: Mr. SCHIFF.  
H.R. 2698: Mr. RIBBLE.  
H.R. 2704: Mr. LOWENTHAL.  
H.R. 2716: Mr. JORDAN, Mr. COLLINS of Georgia, Mr. FRANKS of Arizona, and Mr. LOUDERMILK.  
H.R. 2719: Mr. POCAN and Ms. SLAUGHTER.  
H.R. 2722: Mr. JOYCE.  
H.R. 2726: Ms. CASTOR of Florida, Ms. JACKSON LEE, Ms. EDWARDS, Mr. BROOKS of Alabama, Mr. LAMBORN, Mr. ROGERS of Alabama, Ms. SEWELL of Alabama, Mr. ADERHOLT, Mr. COFFMAN, and Mr. BYRNE.  
H.R. 2734: Ms. BROWNLEY of California.  
H.R. 2737: Mrs. RADEWAGEN, Mr. FITZPATRICK, Mr. COFFMAN, Mr. KILMER, and Ms. JUDY CHU of California.  
H.R. 2738: Ms. KAPTUR.  
H.R. 2739: Mr. FRELINGHUYSEN and Ms. LOFGREN.  
H.R. 2740: Mr. SARBANES.  
H.R. 2742: Ms. MOORE and Mr. TAKANO.  
H.R. 2752: Mr. COLE, Ms. SLAUGHTER, and Miss RICE of New York.  
H.R. 2761: Mr. COLE.  
H.R. 2762: Ms. KAPTUR.  
H.R. 2773: Ms. EDWARDS, Ms. KAPTUR, Mr. POLIS, and Mrs. NAPOLITANO.  
H.R. 2775: Mr. RENACCI, Mr. VEASEY, and Mr. PETERS.  
H.R. 2777: Mr. BLUM.  
H.R. 2788: Mr. PAULSEN.  
H.R. 2794: Ms. MENG.  
H.R. 2798: Mr. POCAN, Mr. CÁRDENAS, and Mr. CARSON of Indiana.  
H.R. 2799: Mr. RANGEL.  
H.R. 2802: Mr. FLORES, Mr. SCALISE, Mr. FORBES, Mr. FLEISCHMANN, Mr. POSEY, Mr. ROE of Tennessee, Mr. ROHRBACHER, Mr. MESSER, Mr. MURPHY of Pennsylvania, Mr. ABRAHAM, Mr. CALVERT, Mr. STUTZMAN, Mr. WITTMAN, Mr. RATCLIFFE, Mr. ROGERS of Alabama, Mr. BURGESS, Mr. WENSTRUP, and Mr. DUNCAN of Tennessee.  
H.R. 2805: Mrs. COMSTOCK.  
H.R. 2810: Mr. JOYCE.  
H.R. 2811: Ms. MICHELLE LUJAN GRISHAM of New Mexico and Ms. PINGREE.  
H.R. 2820: Mr. ROSKAM, Mr. HARRIS, Mr. DEFazio, and Mr. ADERHOLT.  
H.R. 2835: Mr. KATKO.  
H.R. 2836: Ms. LINDA T. SÁNCHEZ of California, Mr. GRIJALVA, and Ms. MICHELLE LUJAN GRISHAM of New Mexico.  
H.R. 2838: Mr. CRAMER.  
H.R. 2847: Mr. DOLD.  
H.R. 2866: Mr. TAKANO, Mr. QUIGLEY, Mr. ENGEL, and Ms. DELBENE.  
H.R. 2867: Ms. WILSON of Florida, Mr. TAKAI, Mr. LARSON of Connecticut, Mr. SIRES, Mr. CICILLINE, Mrs. NAPOLITANO, and Mr. LEVIN.  
H.R. 2871: Mr. JOHNSON of Georgia, Mr. FARR, Ms. SLAUGHTER, Mr. HASTINGS, and Mr. MCGOVERN.  
H.R. 2875: Mr. CARSON of Indiana and Ms. SLAUGHTER.  
H.R. 2894: Mrs. RADEWAGEN.  
H.R. 2897: Mr. GRIJALVA.  
H.R. 2902: Mr. CURBELO of Florida, Ms. SINEMA, Mr. VAN HOLLEN, Ms. MCCOLLUM, Mr. HINOJOSA, Mr. CÁRDENAS, Mrs. DAVIS of California, Mr. CONNOLLY, Mrs. NAPOLITANO, Mrs. KIRKPATRICK, Ms. DELBENE, Mr. GUTIÉRREZ, Mr. SCHIFF, Ms. MATSUI, Ms. PINGREE, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. JACKSON LEE, Mr. SMITH of Washington, Mr. BEN RAY LUJÁN of New Mexico, Mr. BRENDAN F. BOYLE of Pennsylvania, Miss RICE of New York, Mr. MURPHY of Florida, Mr. PASCRELL, and Mr. CARSON of Indiana.  
H.R. 2903: Mr. KILMER.  
H.R. 2906: Mr. GRIJALVA.  
H.R. 2909: Mr. GRAVES of Missouri.  
H.R. 2915: Ms. JACKSON LEE.  
H.R. 2916: Ms. BONAMICI, Ms. JUDY CHU of California, Ms. HAHN, Mr. ENGEL, Mr. MCGOVERN, and Ms. BROWNLEY of California.  
H.R. 2917: Mr. ENGEL and Mr. MCGOVERN.  
H.R. 2919: Mr. BUCK.  
H.R. 2920: Ms. HAHN, Ms. TSONGAS, Ms. SLAUGHTER, Mr. CONNOLLY, Mr. RANGEL, Ms. NORTON, Ms. FRANKEL of Florida, Mr. CONYERS, Ms. CLARK of Massachusetts, Mr. CAPUANO, Mr. VAN HOLLEN, Mr. CARTWRIGHT, Mr. GRIJALVA, Ms. CLARKE of New York, Mr. DELANEY, Mr. SIRES, and Mr. JONES.  
H.R. 2922: Mr. WILSON of South Carolina, Mr. POE of Texas, Mr. SMITH of New Jersey, Mr. KELLY of Pennsylvania, and Mr. HIGGINS.  
H.R. 2927: Ms. ROS-LEHTINEN, Mr. HARDY, Mr. CURBELO of Florida, Mr. COFFMAN, and Mr. DIAZ-BALART.  
H.R. 2934: Mr. STEWART.  
H.R. 2937: Mr. HECK of Nevada, Mr. MESSER, and Mr. COSTELLO of Pennsylvania.  
H.R. 2938: Mr. KILMER.  
H.R. 2939: Ms. CLARK of Massachusetts.  
H.R. 2942: Mr. HUNTER, Mr. BROOKS of Alabama, Mr. DUNCAN of Tennessee, Mr. FLEMING, Mr. SESSIONS, Mr. MULVANEY, and Mr. WEBER of Texas.  
H.J. Res. 1: Mr. SESSIONS, Mr. HUDSON, and Ms. MCSALLY.  
H.J. Res. 2: Mr. SESSIONS, Mr. JOYCE, Mr. HUDSON, Mr. CALVERT, and Mr. FITZPATRICK.  
H.J. Res. 32: Mr. COLLINS of Georgia.  
H.J. Res. 50: Mr. JORDAN.  
H.J. Res. 52: Mr. POLIS, Mr. DOGGETT, Ms. ESHOO, and Ms. SINEMA.  
H. Con. Res. 17: Mr. MEEKS, Mr. NEWHOUSE, and Mr. STUTZMAN.  
H. Con. Res. 19: Mr. THOMPSON of California and Ms. JENKINS of Kansas.  
H. Con. Res. 49: Mr. MILLER of Florida and Ms. ESTY.  
H. Con. Res. 53: Mrs. LOWEY.  
H. Con. Res. 56: Mr. COSTELLO of Pennsylvania.  
H. Con. Res. 59: Mr. ENGEL, Mr. GRIJALVA, and Mr. MCGOVERN.  
H. Res. 12: Mr. THOMPSON of Mississippi.  
H. Res. 17: Mr. FLORES.  
H. Res. 112: Ms. TSONGAS.  
H. Res. 147: Ms. JUDY CHU of California and Mr. CONNOLLY.  
H. Res. 193: Mr. HUNTER.  
H. Res. 209: Mr. SHERMAN and Mr. WOMACK.  
H. Res. 210: Mr. YOUNG of Iowa, Mr. HIMES, and Mr. POCAN.

H. Res. 230: Ms. MCSALLY, Mrs. HARTZLER, Mrs. MCMORRIS RODGERS, Mr. JEFFRIES, Ms. SPEIER, and Mrs. BLACK.

H. Res. 236: Mr. CARNEY.

H. Res. 270: Mr. CLAWSON of Florida, Mr. MILLER of Florida, Mr. COSTELLO of Pennsylvania, Mr. JOHNSON of Ohio, Mr. JORDAN, and Mr. HENSARLING.

H. Res. 279: Mr. JEFFRIES.

H. Res. 289: Mr. HASTINGS, Ms. KELLY of Illinois, Mr. CICILLINE, Ms. JUDY CHU of California, Mr. RUSH, Mr. ELLISON, Ms. EDWARDS, and Mr. HONDA.

H. Res. 290: Mr. GOWDY.

H. Res. 291: Ms. CLARKE of New York, Mr. THOMPSON of Mississippi, Ms. JACKSON LEE, Mr. PIERLUISI, Mr. BRADY of Pennsylvania, Ms. MAXINE WATERS of California, Ms. ADAMS, Mr. COHEN, Mrs. CAROLYN B. MALONEY of New York, Mr. HINOJOSA, Mr. ENGEL, and Ms. DUCKWORTH.

H. Res. 293: Mr. CLAWSON of Florida, Mr. WEBER of Texas, Mr. GRAYSON, and Mr. ISRAEL.

H. Res. 310: Mr. AL GREEN of Texas, Ms. ESTY, Mr. GENE GREEN of Texas, Mr. HANNA, Mr. CURBELO of Florida, Mr. DESJARLAIS, Ms. ESHOO, Ms. JUDY CHU of California, Mr. BEYER, Mrs. LOWEY, Mr. DANNY K. DAVIS of Illinois, Mr. TONKO, Mr. VAN HOLLEN, and Mr. POLIS.

H. Res. 318: Mr. FLEMING, Mr. ZELDIN, Mr. ROSKAM, Mrs. BROOKS of Indiana, and Mr. MCKINLEY.

## CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. BISHOP OF UTAH

The amendment I filed for H.R. 2647, the Resilient Federal Forests Act of 2015, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. POLIS

The amendment to be offered by Representative POLIS or a designee to H.R. 2647 the Resilient Federal Forests Act of 2015, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

## PETITIONS, ETC.

Under clause 3 of rule XII,

15. The SPEAKER presented a petition of Mr. Gregory D. Watson, Austin, Texas, relative to requesting the enactment of legislation by Congress to create a new \$25 denomination of United States paper currency bearing the likeness of former Member of Congress Jeannette Rankin of Montana on the front of that new denomination and mandating that the image of Alexander Hamilton remain intact on the existing \$10 American paper currency denomination; which was referred to the Committee on Financial Services.

## AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2822

OFFERED BY: MS. TSONGAS

AMENDMENT No. 40: At the end of the bill (before the short title), insert the following:

## LIMITATION ON USE OF FUNDS TO IMPLEMENT OR ENFORCE SPECIFIC SECTIONS

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to implement or enforce section 117, 121, or 122.

H.R. 2822

OFFERED BY: MR. ROUZER

AMENDMENT No. 41: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to implement, administer, or enforce the rule entitled "Standards of Performance for New Residential Wood Heaters, New Residential Hydronic Heaters and Forced-Air Furnaces" published by the Environmental Protection Agency in the Federal Register on March 16, 2015 (80 Fed. Reg. 13671 et seq.).

H.R. 2822

OFFERED BY: MS. EDWARDS

AMENDMENT No. 42: Strike section 438.

H.R. 2822

OFFERED BY: MS. CASTOR OF FLORIDA

AMENDMENT No. 43: At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS TO CONSIDER A PETITION TO RECLASSIFY THE WEST INDIAN MANATEE

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to consider a petition to reclassify the West Indian manatee from an endangered species to a threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

H.R. 2822

OFFERED BY: MS. CASTOR OF FLORIDA

AMENDMENT No. 44: At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS TO CARRY OUT OUTER CONTINENTAL SHELF OIL AND GAS LEASE SALE 226

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to carry out oil and gas lease sale 226 for the Eastern Gulf of Mexico Outer Continental Shelf Planning Area.

H.R. 2822

OFFERED BY: MR. ENGEL

AMENDMENT No. 45: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used by the Department of the Interior, the Environmental Protection Agency, or any other Federal agency to lease or purchase new light duty vehicles for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

H.R. 2822

OFFERED BY: MR. PEARCE

AMENDMENT No. 46: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to increase the rate of any royalty required to be paid to the United States for oil and gas produced on Federal land, or to prepare or publish a proposed rule relating to such an increase.

H.R. 2822

OFFERED BY: MS. SPEIER

AMENDMENT No. 47: At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to implement, administer, or enforce the final rule following

the Supplemental Environmental Impact Statement for the Dog Management Plan (Plan/SEIS), Golden Gate National Recreation Area (GGNRA), California (78 Fed. Reg. 55094; September 9, 2013).

H.R. 2822

OFFERED BY: MR. GOODLATTE

AMENDMENT No. 48: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used by the Environmental Protection Agency to take any of the backstop actions referred to in enclosure B of the December 29, 2009, letter from EPA's Regional Administration to the States in the Watershed and the District of Columbia in response to the development or implementation of a State's watershed implementation plan.

H.R. 2822

OFFERED BY: MR. YODER

AMENDMENT No. 49: At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS TO IMPLEMENT OR ENFORCE THREATENED SPECIES LISTING OF THE LESSER PRAIRIE CHICKEN

SEC. \_\_\_\_\_. None of the funds made available by this Act shall be used to implement or enforce the threatened species listing of the lesser prairie chicken under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

H.R. 2822

OFFERED BY: MR. GARAMENDI

AMENDMENT No. 50: At the end of the bill (before the short title), insert the following:

None of the funds made available by this Act may be used in contravention of Executive Order 13693.

H.R. 2822

OFFERED BY: MR. GARAMENDI

AMENDMENT No. 51: At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS

None of the funds made available by this Act for California drought response or relief may be used by the Administrator of the Environmental Protection Agency or the Secretary of the Interior in contravention of implementation of Division 26.7 of the California Water Code (the Water Quality, Supply, and Infrastructure Improvement Act of 2014), as approved by the voters of California in California Proposition 1 (2014).

H.R. 2822

OFFERED BY: MR. JEFFRIES

AMENDMENT No. 52: At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS

SEC. \_\_\_\_\_. None of the funds made available to the National Park Service by this Act may be used for the purchase or display of a confederate flag with the exception of specific circumstances where the flags provide historical context as described in the National Park Service memorandum entitled "Immediate Action Required, No Reply Needed: Confederate Flags" and dated June 24, 2015.

H.R. 2822

OFFERED BY: MRS. NOEM

AMENDMENT No. 53: At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS TO CLOSE OR MOVE FISHERIES ARCHIVES

SEC. 441. None of the funds made available by this Act may be used to close or move the D.C. Booth Historic National Fish Hatchery and Archives.

H.R. 2822

OFFERED BY: MR. NEWHOUSE

AMENDMENT NO. 54: At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS TO TREAT GRAY WOLVES IN WASHINGTON, OREGON, AND UTAH AS ENDANGERED SPECIES OR THREATENED SPECIES

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used by the Department of Interior or the United States Fish and Wildlife Service to treat any gray wolf (*Canis lupus*) in Washington, Oregon, or Utah as an endangered species or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

H.R. 2822

OFFERED BY: MR. HUFFMAN

AMENDMENT NO. 55: At the end of the bill, before the short title, insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to enter into a new contract or agreement or to administer a portion of an existing contract or agreement with a concessioner, a cooperating association, or any other entity that provides for the sale in any facility within a unit of the National Park System of a non-educational item that depicts a Confederate flag on it.

H.R. 2822

OFFERED BY: MR. HUFFMAN

AMENDMENT NO. 56: At the end of the bill, before the short title, insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to permit, authorize, or allow any grave in any Federal cemetery to be decorated with a Confederate flag.

H.R. 2822

OFFERED BY: MR. GALLEG0

AMENDMENT NO. 57: At the end of the bill, before the short title, insert the following:

SEC. 441. None of the funds made available by this Act may be used to issue a grazing permit or lease in contravention of section 4110.1 or 4130.1-1(b) of title 43, Code of Federal Regulations.

H.R. 2822

OFFERED BY: MR. BURGESS

AMENDMENT NO. 58: At the end of the bill (before the short title) insert the following new section:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used by the Administrator of the Environmental Protection Agency to hire or pay the salary of any officer or employee of the Environmental Protection Agency under subsection (f) or (g) of section 207 of the Public Health Service Act (42 U.S.C. 209) who is not already receiving pay under either such subsection on the date of enactment of this Act.

H.R. 2822

OFFERED BY: MR. LAMALFA

AMENDMENT NO. 59: At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS FOR ATTORNEY FEES

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to pay attorney fees in a civil suit under section 11(g) of the Endangered Species Act of 1973 (16 U.S.C. 1540(g)) pursuant to a court order that states such fees were calculated at an hourly rate in excess of \$125 per hour.

H.R. 2822

OFFERED BY: MR. NEWHOUSE

AMENDMENT NO. 60: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used by the Administrator of the Environmental Protection

Agency to issue any regulation under the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.) that applies to an animal feeding operation, including a concentrated animal feeding operation and a large concentrated animal feeding operation, as such terms are defined in section 122.23 of title 40, Code of Federal Regulations.

H.R. 2822

OFFERED BY: MR. ROKITA

AMENDMENT NO. 61: At the end of the bill (before the short title), insert the following new section:

ENFORCEMENT OF THE ENDANGERED SPECIES ACT REGARDING CERTAIN MUSSELS

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used by the United States Fish and Wildlife Service to enforce the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) with respect to the Clubshell, Fanshell, Rabbitsfoot, Rayed Bean, Sheepnose, or Snuffbox mussels.

H.R. 2822

OFFERED BY: MR. WESTMORELAND

AMENDMENT NO. 62: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to pay legal fees pursuant to a settlement in any case, in which the Federal Government is a party, that arises under—

(1) the Clean Air Act (42 U.S.C. 7401 et seq.);

(2) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); or

(3) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

## EXTENSIONS OF REMARKS

HONORING THE CARNEGIE LIBRARY IN HOBART, INDIANA, THE HOBART HISTORICAL SOCIETY, AND THE HOBART GARDEN CLUB

**HON. PETER J. VISCLOSKY**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure that I stand before you today to recognize the centennial anniversary of the Carnegie Library in Hobart, Indiana, the 50th anniversary of the Hobart Historical Society, and the 85th anniversary of the Hobart Garden Club. In honor of these momentous occasions, the Hobart Historical Society hosted a centennial celebration on Wednesday, July 1, 2015. During the celebration, a dedication ceremony took place for the Blue Star Memorial Garden, which was planted in honor of the men and women who have served or are currently serving in our nation's armed forces.

The Carnegie Library was erected in 1915 with the aid of philanthropist and businessman Andrew Carnegie. Over the course of 46 years, Carnegie built 1,689 libraries across the United States, 164 of which were constructed in Indiana. The Hobart location remained a library until 1968, at which time it became a museum, serving as a hub for the Hobart Historical Society's preservation efforts. In 1982, the library-turned-museum was registered as a National Historic Landmark.

The Hobart Historical Society, which was originally established 50 years ago, continues to educate, promote, and preserve the past for future generations. Not only does the society preserve the Carnegie Library and educate citizens about the rich history of the area, it also assists members of the community with genealogical research and planning events. Throughout the years, the historical society has given countless tours of the museum, continually engaging all members of the community.

For 85 years, the Hobart Garden Club has actively educated and engaged Northwest Indiana residents who have an interest in gardening, landscape design, horticultural improvement, and youth education. The club is known for their efforts to protect and conserve the natural resources of Northwest Indiana. For their remarkable efforts to promote environmental responsibility and education among members of the community, young and old, the Hobart Garden Club is worthy of the highest praise.

Mr. Speaker, I ask you and my other distinguished colleagues to join me in honoring the Hobart Historical Society on its 50th anniversary and the Hobart Garden Club on its 85th anniversary, and in congratulating the members of the community on the centennial anniversary of the Carnegie Library. The pas-

sionate dedication and service of the members of these organizations is to be commended, and Northwest Indiana is both grateful and proud to have had their support for so many years.

RECOGNIZING PARTICIPANTS IN THE SUNY BUFFALO STATE CHALLENGE

**HON. BRIAN HIGGINS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mr. HIGGINS. Mr. Speaker, I stand before you today to recognize and acknowledge, my alma mater, SUNY Buffalo State. On June 29th, the university hosted the 5th annual Buffalo State Challenge awards luncheon, in Assembly Hall of the Campbell Student Union. The Buffalo State Challenge program serves high school students from public schools in Buffalo, throughout their four years of high school. This college prep initiative inspires success through the process of goal setting, to effect higher academic achievement and ultimately graduation from high school. This year's luncheon recognized the success of Buffalo State Challenge participants past and present.

At its height, the Buffalo State Challenge served more than 125 high school students, most of them from McKinley High School, in my hometown of Buffalo, NY. The program challenges students to graduate from high school with an 85 or higher average. Those who do so, with requisite SAT scores, are awarded a scholarship for four consecutive years of enrollment at the college. Participants from McKinley's class of 2015 represent the second consecutive graduating cohort since the program's inception in 2010. This year's awards luncheon also recognized the successes of previous participants in a feature titled "Where are they now?" This segment highlighted the successful outcomes of students who have entered college and the world of work since graduating from high school. Many parents, grandparents, aunts, uncles, and siblings were in attendance to celebrate this year's honorees.

The luncheon also included the presence of special guests such as the President of SUNY Buffalo State, Dr. Katherine S. Conway-Turner and Vice President of Student Affairs, Dr. Hal D. Payne. Additionally key representatives from campus offices such as: Enrollment Management, Admissions, the Alumni Affairs Office, the Dean of Students, the Upward Bound Program, the Student Support Services Program, and Government Relations.

As the Representative of the 26th Congressional District, I am proud to recognize the ongoing contributions of SUNY Buffalo State in cultivating a brighter future for high school stu-

dents, through the continued success of the Buffalo State Challenge program. Please help me in congratulating this year's award recipients: Odalys Oritz, Ali Alshuaibi, Johnny Jackson, Destiny Simmons, Crystal Lewis McClary, Kyra King, Tionna Colbert, Tymon Turner, Kayla Cheney, Asia Lindsey, Jonathan Waller, Alaysia McKinnis, Tarlisa Bolden, Emery Campfield, Jordy Richiez, Ahmed Abdo and Carlton Bess. To all of these outstanding students: congratulations on your successful participation in the Buffalo State Challenge Program and best wishes for success as you continue to pursue your educational, professional and personal goals.

IN RECOGNITION OF THE 70TH ANNIVERSARY OF BILL AND BARBARA KEITH

**HON. WILLIAM R. KEATING**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mr. KEATING. Mr. Speaker, I rise today in recognition of Bill and Barbara Keith, who celebrate their 70th wedding anniversary on June 29th.

When Bill and Barbara were married in 1945, Bill had just returned from World War II. Barbara describes their two year courtship as a simple one that started when Bill was on leave from the Navy in 1943. They would go bowling, go to see a movie, or go out for dinner. For two years, they continued to write to each other until Bill was discharged in March of 1945. They were married in Scituate and lived in Boston until 1952 when the couple moved to Bill's childhood home in Marshfield.

Bill and Barbara soon began to grow their family. Bill—hard-working, dedicated, and quiet—held four jobs in order to support the family. This included being head custodian for over 20 years at Martinson Elementary School as well as custodian at Ventress Library and Trinity Episcopal Church. He was also a machinist at the Hingham Naval Ammunition Depot. Barbara became known in the community as the person to call if a child needed a place to stay during a family emergency. She started Steeple Preschool at Trinity Episcopal Church in Marshfield Hills with one of her friends. Over the years, Bill and Barbara's family has grown to include six children, two foster children, twenty grandchildren, eighteen great-grandchildren and five great-great-grandchildren.

Mr. Speaker, I am proud to honor Bill and Barbara Keith on this joyous occasion. I ask that my colleagues join me in wishing them and their family many more years of happiness.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

CELEBRATING THE GOLDEN ANNIVERSARY OF MR. AND MRS. JIM AND BETTY HELD'S OWNERSHIP OF THE STONE HILL WINERY COMPANY

**HON. BLAINE LUETKEMEYER**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in celebrating the Golden Anniversary of Mr. and Mrs. Jim and Betty Held's ownership of the Stone Hill Winery Company. Stone Hill Winery continues to be one of Missouri's most pre-eminent businesses, and has received numerous accolades throughout the Helds' 50 years of ownership. Today, the winery farms seven vineyards and purchases grapes from five independent growers in the state; thus, producing more than 250,000 gallons of Missouri grown wine and contributing over \$7 million to the state's economy each year.

The story of the Stone Hill Wine Company begins in 1847, when it was founded by Mr. Michael Poeschel. The winery quickly grew in popularity and size, and soon became the second largest winery in the United States. In the 1880's, Stone Hill's thriving business allowed Missouri to become the leading wine producing state in the nation. On December 28, 1901 an ornately decorated bottle of Stone Hill Wine Company "Pearl of Missouri" Extra Dry Champagne was used to christen the first USS *Missouri*, Battleship (BB-11).

Unfortunately, prohibition would soon take a hit on the state's wine production and Stone Hill; killing the thriving industry in Missouri. This despair would not last long. In 1961, after returning home from his service in the Navy, Jim Held planted a four acre vineyard of catwba grapes near Hermann, Missouri. Only four years later, Jim was asked by the then current owner of Stone Hill to reopen a winery on the property, and on July 5, 1965, the Held's officially reopened the Stone Hill Winery.

Since its reopening, the winery has restored the wine industry in Missouri. In 1969, Stone Hill Winery was placed on the National Register of Historic Places. Several years later, the Held's traveled to Washington, D.C. in 1982 to receive the award for Missouri's Small Business of the Year, presented by President Ronald Reagan. The awards did not end there, as the Held's received Hall of Fame recognition from the Missouri Division of Tourism and the Pioneer Award from the Missouri Grape and Wine Program. Additionally, the winery has been awarded the Missouri's Governor's Cup on nine occasions for producing the best wine in Missouri and has received three C.V. Riley Awards for the Best Missouri Norton, the official state grape of Missouri. In 2014, in honor of his accomplishments and revival of the Missouri Wine Industry, Jim was conferred an Honorary Doctor of Laws Degree from the University of Missouri, Columbia.

The Helds have come a long way since first reopening the Stone Hill Winery with only \$1,500 to their name. Jim and Betty's hard work and dedication have not only afforded enjoyment for Missourians, but provided jobs

across the state. Their award-winning winery has proven to be a staple to Missouri, and its wines continue to be enjoyed by individuals across the United States.

I ask you to join me in congratulating Mr. and Mrs. Held for the accomplishments throughout the years and celebrating their 50th Anniversary as owners of the Stone Hill Winery.

RECOGNIZING ELAINE WALDROP'S 25 YEARS OF SERVICE WITH THE DEPARTMENT OF VETERANS AFFAIRS

**HON. THOMAS J. ROONEY**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mr. ROONEY of Florida. Mr. Speaker, I would like to take this opportunity to recognize Ms. Elaine Waldrop, a dedicated professional with the Department of Veterans Affairs' Congressional Liaison Service on the occasion of her retirement. Elaine has been an exemplary public servant who has demonstrated the highest standards of professionalism on a daily basis. She has served for more than 25 years and her career in public service has been a testament to the importance of unselfish devotion. As Elaine embarks on a new chapter in life, it is my hope that she may recall with a deep sense of pride and accomplishment the outstanding contributions she has made to the Department of Veterans Affairs, the United States House of Representatives and the people of the United States of America. I would like to send her my best wishes for continued success in her future endeavors, and may her life be filled with health and happiness.

RECOGNIZING ANDREW C. WIKTOROWICZ

**HON. JULIA BROWNLEY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Ms. BROWNLEY of California. Mr. Speaker, today I rise to recognize Andrew C. Wiktorowicz, an outstanding leader and representative of the California Committee for the Employer Support of the Guard and Reserve (ESGR). During Mr. Wiktorowicz's two terms as Chairman of California's ESGR, his extensive expertise and unwavering leadership forwarded the organization's mission of promoting supportive work environments for servicemembers through outreach, recognition, and educational opportunities.

Mr. Wiktorowicz's exceptional leadership was instrumental in combining the Northern and Southern California committees into a single California Committee for the ESGR. Mr. Wiktorowicz managed a seamless transition and successfully integrated both regions to create the largest ESGR Committee in the United States. Under Mr. Wiktorowicz's direction, the California ESGR served an estimated 63,000 members of the National Guard Re-

serves and additionally supported over 600 military and employer events annually. Additionally, Mr. Wiktorowicz developed and implemented the highly effective Employment Initiative Program supporting over 5,000 Citizen Warriors and resulting in over 500 successful hires.

During Mr. Wiktorowicz's tenure, over 14,000 employers signed the ESGR Statement of Support and over 5,000 supervisors received the Employer Support Patriot Award. His selfless dedication to the committee and service members distinguished the ESGR as the premier military and employer volunteer establishment in the State of California. Mr. Wiktorowicz's efforts have been recognized nationally because of his strong Ombudsman Program, which effectively supports all California Guard and Reservists.

Mr. Wiktorowicz has been an amazing asset to both Ventura County and the State of California. Through his efforts on behalf of servicemembers and the working community, he has created an organization that for many is the backbone of their tenure in the California Guard and Reserves.

For these reasons, I would like to graciously thank Mr. Wiktorowicz for his steadfast commitment and dedication as the Chairman of the State of California's Employer Support of the Guard and Reserve. Mr. Wiktorowicz's work with the ESGR will continue to positively shape the experience for future generations of the California Guard and Reserves.

HONORING NEWLY NATURALIZED AMERICAN CITIZENS

**HON. PETER J. VISCLOSKY**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure and sincerity that I take this time to congratulate the individuals who took their oath of citizenship on July 4, 2015. In true patriotic fashion, on the day of our great Nation's celebration of independence, a naturalization ceremony took place, welcoming new citizens of the United States of America. This memorable occasion, coordinated by the League of Women Voters of the Calumet Area and presided over by Magistrate Judge Andrew Rodovich, was held at The Pavilion at Wolf Lake in Hammond, Indiana.

America is a country founded by immigrants. From its beginning, settlers have come from countries around the world to the United States in search of better lives for their families. The oath ceremony was a shining example of what is so great about the United States of America—that people from all over the world can come together and unite as members of a free, democratic nation. These individuals realize that nowhere else in the world offers a better opportunity for success than here in America.

On July 4, 2015, the following people, representing many nations throughout the world, took their oaths of citizenship in Hammond, Indiana: Guillermina Cornejo Campos, Emmanuel Thierry Mentor, Ruth Elizabeth Gallegos Pecina, Beatrice Nyambura Macharia, Geoffrey Macharia Gakuya, Javeed Ali Khan, Vika

Priscilia Boentaram, Mateusz Dembowski, Srinivasa Rao Ayinampudi, Jacqueline Zumazuma, Viviana Pacheco, Fatma Dafallah Widaatallah, Dorothy Wanjiro Njiru, Emilia Robles de Navarro, Erlinda Dimaala Miranda, Juan Andres Bermudez Aguirre, Karen Yanin Hernandez, Jose Abonce Belmonte, Fayzeh Mahmoud Altaweel, Priya Phani Ayinampudi, Maria Beatriz Becerra, Aaditya Ganapathy Chandramouli, Arlieta Bongcaras Dahlstrom, Gabriela Olimpia Dordea, Maria Yolanda Eulloqui, Sumoh Fomba, Negin Hosseini Goodrich, Daniela Guilhon de Alcantara Avellar, Wendy Hurtado-Krzeski, Abdelrazeq Odeh Issa, Tamam Yousef Khater, Biljana Kreski, Joaquin Martinez, Leoncio Larry Villavicencio Miranda, Sara L Mondragon, Jazmin Montoya, Cristina Navarrete, Aureliano Navarro, Tosin Precious Ogunfowokan, Mariceli Paz, Karla Nohemi Ramos, Xiao Bin Shao, Lama Sharif, Sook Hee Suh, Dong Yo Suh, Lily Ji Yun Suh, Maria Rosario Tirado, Ekaterina Alexeevna Vostrikova, Carmen Ramona Wilber, Victor Zepeda.

Though each individual has sought to become a citizen of the United States for his or her own reasons, be it for education, occupation, or to offer their loved ones better lives, each is inspired by the fact that the United States of America is, as Abraham Lincoln described it, a country "... of the people, by the people, and for the people." They realize that the United States is truly a free nation. By seeking American citizenship, they have made the decision that they want to live in a place where, as guaranteed by the First Amendment of the Bill of Rights, they can practice religion as they choose, speak their minds without fear of punishment, and assemble in peaceful protest should they choose to do so.

Mr. Speaker, I respectfully ask you and my other distinguished colleagues to join me in congratulating these individuals, who became citizens of the United States of America on July 4, 2015, the day of our Nation's independence. They, too, are American citizens, and they, too, are guaranteed the inalienable rights to life, liberty, and the pursuit of happiness. We, as a free and democratic nation, congratulate them and welcome them.

HONORING MR. BILL CONSIDINE,  
THE LONG-SERVING PRESIDENT  
AND CEO OF AKRON CHILDREN'S  
HOSPITAL

**HON. TIM RYAN**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mr. RYAN of Ohio. Mr. Speaker, today, I am very grateful for the opportunity to recognize the life work of Bill Considine, the long-serving President and CEO of Akron Children's Hospital.

Bill is celebrating thirty-five years as President of Akron Children's—making him the longest serving President of any children's hospital in the country and among the longest serving Presidents of any hospital in the nation. Under his leadership, Akron Children's Hospital has grown from an urban children's

hospital into a pediatric health system that serves twenty-seven counties in Ohio. It is consistently ranked among the top children's hospitals in the country and that success is without question the result of Bill's vision, commitment, and leadership.

Bill graduated from Archbishop Hoban High School in Akron. He received his undergraduate degree from the University of Akron and a master's degree in health science administration from The Ohio State University. In 1979, Bill assumed the role as president of Akron Children's Hospital reaffirming his devotion to his community. Under his leadership, Akron Children's has expanded the scope of children's healthcare services and is now the largest pediatric healthcare provider in northern Ohio serving more than 800,000 children each year. Today, the scope of pediatric healthcare services offered by Akron Children's Hospital are exceptional, including advanced cardiac care, intensive neonatal care, behavioral health, and even Ohio's first pediatric sports medicine center. Bill has been consistently recognized by numerous organizations for his visionary leadership at Akron Children's Hospital. Two special awards include his 2009 induction into the Northeast Ohio Business Hall of Fame and the 2011 Bert A. Polsky Humanitarian Award for his years of dedication to humanitarian causes in the greater Akron community.

Bill is a true public servant and a visionary leader. Our community is a better place to call home due to his years of service and commitment to helping children and their families. With sincerest gratitude, I honor Bill Considine for his selfless dedication to Akron Children's Hospital as well as his humanitarian efforts throughout Ohio. Mr. Speaker, I ask all of my colleagues to join me in extending a heartfelt thank you to an inspiring leader, Bill Considine.

RECOGNIZING THE HEROISM OF  
BEN ZION COLB

**HON. STEVE ISRAEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mr. ISRAEL. Mr. Speaker, I rise today to remember a true hero, Ben Zion Colb, and to thank him for his heroic efforts and great sacrifice in saving Jews in Poland during World War II. Ben Zion Colb went to great lengths to save his fellow Jews from extermination by the Nazis.

Ben Zion's brave endeavor began when he sent a courier to escort his then-fiancée, Clara Lieber, from Poland to Slovakia, where the deportation of Jews had been temporarily halted. After succeeding in bringing Clara to safety, he realized he could use the same method he used to smuggle Clara across the border to help other Jews escape from Poland. With the help of his friend Rabbi Michael Weissmandl and a network of couriers, he succeeded in bringing most likely over one thousand Jews across the border. Ben Zion largely focused on the rescue of children, who came to be known as "Ben Zion's Kinder." After the war,

Ben Zion and Clara eventually made their way to New York, where they raised three children. Ben Zion passed away in 1973, but his inspiring legacy still lives on.

I was fascinated to learn of the many documents that still exist, which detail the history of Ben Zion Colb's heroism. There are handwritten and typed papers with names of people who were rescued. Sometimes these papers include dates of birth, where these individuals were from, where they crossed the border and in some cases the actual day they crossed. I hope these documents will continue to assist in locating those individuals who were rescued by Ben Zion Colb and help bring together families and their diverse histories.

I want to properly recognize Ben Zion Colb's sacrifices and truly heroic efforts and to remind my colleagues that individuals such as Ben Zion serve as a reminder as to how one person can make a difference in the lives of many. Ben Zion Colb took it upon himself to save as many lives as possible during a time of great need and it is important that we strive to live by his example.

RECOGNIZING LOUIS "MILKMAN"  
PATTERSON FOR HIS OUT-  
STANDING COMMITMENT TO THE  
BUFFALO COMMUNITY

**HON. BRIAN HIGGINS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mr. HIGGINS. Mr. Speaker, I stand before you today to recognize and honor Mr. Louis Patterson for his engagement with the Buffalo community. Mr. Patterson has been a committed, well-loved and respected community member for over 50 years.

Born in Birmingham Alabama in 1945, Mr. Patterson moved to the Buffalo area in 1960 where he has remained ever since. Before retiring in 2013, Mr. Patterson worked for Upstate Dairy for 36 years where he would earn his affectionate nickname, "Milkman."

A constant presence in the Buffalo swing dance community, Mr. Patterson was and is admired by many as both a great man and a great dancer. He brings joy to those around him not only through his own dancing but also through his ardent support of other dancers and organizations in the community. He is a man who lives up to the adage that one should give more than one receives in its fullest sense.

Mr. Speaker, thank you for allowing me a few moments to honor and recognize Mr. Patterson. I ask that my colleagues join me in congratulating Mr. Patterson on an accomplished history of community engagement, and to commend him for the exemplary work he has done to enrich the communities of Western New York.

IS ACADEMIC FREEDOM THREAT-  
ENED BY CHINA'S INFLUENCE ON  
U.S. UNIVERSITIES?

**HON. CHRISTOPHER H. SMITH**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mr. SMITH of New Jersey. Mr. Speaker, I recently held a hearing that was the second in a series probing the question of whether maintaining access to China's lucrative education market undermines the very values that make American universities great, including academic freedom. The hearing was timely for three reasons: the growing number of satellite or branch campuses started by U.S. universities in China; the record numbers of Chinese students enrolling in U.S. universities and colleges in China each year, bringing with them nearly \$10 million a year in tuition and other spending; and the recent efforts by the Communist Party of China to regain ideological control over universities and academic research.

Official Chinese government decrees prohibit teaching and research in seven areas—the so-called “seven taboos:” universal values; press freedom; civil society; citizens' rights; criticism of the Party's past; neoliberal economics; and independence of the judiciary.

All of the “seven taboos” are criticized as “Western ideals.”

These taboos raise the question: Are U.S. colleges and universities compromising their images as bastions of free inquiry and academic freedom in exchange for China's education dollars?

Some may defend any concessions made as the cost of doing business in an authoritarian state such as China.

Maybe a university decides that it won't offer a class on human rights in China, maybe they won't invite a prominent dissident as a fellow or visiting lecturer, maybe they won't protest when a professor is denied a visa because his or her work is critical of a dictator. Maybe such compromises are rationalized as necessary to not offend a major donor or for the “greater good” of maintaining access.

If U.S. universities are only offering Chinese students and faculty a different name on their diploma or paycheck, is it worth the costs and compromises?

Perry Link, the eminent China scholar, argued during our first hearing, that the slow drip of self-censorship is the most pernicious threat to academic freedom and undermines both the recognized brands of major universities and their credibility.

Self-censorship may be the reason NYU terminated the fellowship of world class human rights activist and hero, Chen Guangcheng. As the NYU faculty said in their letter to the Board of Trustees, the circumstances surrounding the launch of NYU satellite campus in Shanghai and the ending of Chen's residence created a “public perception, accurate or otherwise, that NYU made commitments in order to operate in China.” Did NYU make any such commitments?

Let the record show that we invited NYU's President and faculty sixteen times to testify before this committee, without success. We

are very pleased that Jeffery Lehman, the Vice-Chancellor of NYU-Shanghai campus, joined us at our recent hearing.

On a personal note, I spent time with Chen when he first came to the United States. Though NYU offered him important sanctuary, he was treated very rudely at times, particularly when it was clear that he would not isolate himself on campus. NYU officials and others worked to cordon off access to Chen and to keep him away from Chinese dissidents and there was a belief, reported by Reuters and the Wall Street Journal, that Chen was too involved with anti-abortion activists, Republicans, and others.

We may never know if NYU experienced “persistent and direct pressure from China” to oust Chen from his NYU fellowship or whether they sought to isolate him in order to keep Chen's story out of the 2012 Presidential elections as Prof. Jerry Cohen has said in an interview at the time. Certainly there is some interest here as Hillary Clinton spent a whole chapter in her book detailing the events of Chen's escape and exile in the United States.

Or maybe there wasn't any pressure at all, just self-censorship to keep in Beijing's good graces during the final stages of opening the NYU-Shanghai campus.

We are not here to exclusively focus on the sad divorce of Chen Guangcheng and NYU. But his ousting raises the question: Is it possible to accept lucrative subsidies from the Chinese government, or other dictatorships for that matter, operate campuses on their territory and still preserve academic freedom and the other values that make Americans great?

The agreements they sign with the host government are often kept secret and real information about them can be hard to obtain.

Foreign educational partnerships are important endeavors—for students, collaborative research, cultural understanding, and maybe even for the host country in some sense. The U.S. model of higher education is the world's best. American faculty, fellowships, and exchange programs are effective global ambassadors. We must all seek to maintain that integrity. It is in the interests of the U.S. to do so, particularly when it comes to China.

Nevertheless, if U.S. colleges and universities are outsourcing academic control, faculty and student oversight, or curriculum to a foreign government can they really be “islands of freedom” in the midst of authoritarian states or dictatorships? Are they places where all students and faculty can enjoy the fundamental freedoms denied them in their own country?

The questions we asked are not abstract. The Chinese government and Communist Party are waging a persistent, intense and escalating campaign to suppress dissent, purge rivals from within the Party, and regain ideological control over the arts, media, and the universities.

This campaign is broader and more extensive than any other in the past twenty years. Targets include human rights defenders, the press, social media and the Internet, civil rights lawyers, Tibetans and Uyghurs, religious groups, NGOs, intellectuals and their students, and government officials, particularly those allied with former Chinese leader Jiang Zemin.

Chinese universities have been targeted as well, the recently issued Communist Party di-

rective “Document 30,” reinforces earlier warnings to purge “Western-inspired notions of media independence, human rights, and criticism of Mao [Zedong].

In a recent speech reported by the New York Times, President Xi urged university leaders to “keep a tight grip on . . . ideological work in higher education . . . never allow singing to a tune contrary to the party center, never allowing eating the Communist Party's food and then smashing the Communist Party's cooking pots.

Will anyone at NYU or Ft. Hays St or Johns Hopkins or Duke for that matter—be allowed to smash any cooking pots?

It's a serious question, because if your campuses are subsidized by the Chinese government, if your joint-educational partnerships are “majority-owned” by the Chinese government, aren't you eating the Communist Party's food and then subject to its rules, just like any Chinese university?

There are nine U.S. educational partnerships operating in China. New York University-Shanghai opened its doors to students in September 2013. Three other similar ventures have started since 2013: a Duke University campus in Kunshan, Jiangsu Province; a University of California-Berkeley School of Engineering research facility in the Pudong District of Shanghai; and a Kean University campus in Wenzhou in Zhejiang Province. In addition, since 2006, Fort Hays State University in Kansas, has partnered with Zhengzhou University/ SIAS International School, a U.S.-based educational non-governmental organization, to provide degrees for thousands of Chinese students.

China's National Plan for Medium and Long-term Education Reform and Development (2010–2020), issued in July 2010, provided Chinese partners with a strong incentive to enter into such ventures. The plan exhorted Chinese universities to become “world-class,” in part by establishing “international academic cooperation organizations” and setting up research and development bases with “high quality educational and scientific research institutions from overseas.” Among the attractions for U.S. universities entering into such ventures are generous funding from the Chinese government, typically covering all campus construction costs and some or all operating costs; revenue from full fee-paying Chinese students on China-based campuses, who may later become wealthy alumni donors; the potential for a higher profile in China translating into the recruitment of more full fee-paying Chinese students to home campuses in the United States; opportunities for new global research collaborations with Chinese scholars and universities; and, opportunities for American students to study abroad.

I have also initiated a GAO study to review the agreements of both satellite campuses in China and of Confucius Institutes in the U.S. I know some agreements are public, others are not. In fact, some schools made their agreements public after our last hearing. We are looking for complete transparency and will be asking all universities and colleges to make their agreements with the Chinese government public.

We need to know if universities and colleges who are starting satellite programs in



China—can be islands of freedom in China or in other parts of the world. We need to know what pressures are being placed on them to compromise fundamental freedoms, and what compromises, if any, were made to gain a small slice of the China educational market.

These are important questions. Can they be handled by the universities, their faculties, and trustees themselves or if there is something the U.S. Congress and or State Department can do to ensure academic freedom, and other fundamental freedoms are protected.

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IN RECOGNITION OF JUNE AS NATIONAL SCOLIOSIS AWARENESS MONTH

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**HON. WILLIAM R. KEATING**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mr. KEATING. Mr. Speaker, I rise today in recognition of National Scoliosis Awareness Month and to reaffirm our commitment to fighting a potentially debilitating medical condition that affects over 7 million Americans and 160,000 Bay State residents.

Each June, National Scoliosis Awareness Month brings together the diverse members of the scoliosis community—from physicians, patients, and families to private businesses committed to raising awareness about this spinal condition. To date, the cause of scoliosis remains unknown but quick diagnosis and early detection allows physicians to monitor the condition and, if necessary, begin treatment before serious complications, including chronic back pain and impacted heart and lung function would begin.

Approximately one out of every six children diagnosed with scoliosis requires continued treatment, and, in extreme cases, surgery. It is of paramount importance that early detection resources are available to local schools and physicians to ensure that children and their families are both screened and educated about the condition.

Further, while up to three percent of the American population is estimated to have scoliosis, the number of family and friends who are impacted by this condition numbers many millions more. With early detection and proper treatment, patients can live a healthy and active life. National Scoliosis Awareness Month promotes public awareness for this condition—elevating the visibility of scoliosis and empowering individuals whose lives have been touched by this condition.

Mr. Speaker, please join me in recognizing June as National Scoliosis Awareness Month by thanking organizations such as the National Scoliosis Foundation and the Scoliosis Research Society, as well as their many supporters, for their tireless efforts in raising awareness of scoliosis and promoting critical research on this condition.

CELEBRATING CAPE VERDEAN INDEPENDENCE DAY

**HON. DAVID N. CICILLINE**

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mr. CICILLINE. Mr. Speaker, I rise today to recognize the 40th anniversary of independence for the Republic of Cape Verde, or Cabo Verde, which was celebrated on Sunday, July 5th.

Uninhabited until its discovery by the Portuguese in the 15th century, Cape Verde grew into a thriving center of commerce by the time it achieved independence in 1975.

Today, the Republic of Cape Verde is a model democracy and friend to the United States.

My home state of Rhode Island is home to one of the largest Cape Verdean-American populations in the United States—with nearly 20,000 men, women, and children calling Rhode Island home today.

It is a privilege to serve on their behalf and represent their interests before Congress today.

I have also been fortunate to host Cape Verdean Prime Minister Jose Maria Neves for official visits to Rhode Island's First Congressional District and to discuss the work we can do together to strengthen the Cape Verdean community living in Rhode Island today.

I extend my best wishes to the people of Cape Verde for a joyous celebration of the 40th anniversary of their independence this month.

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IN RECOGNITION OF NATIONAL SUNGLASSES DAY

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**HON. MICHAEL C. BURGESS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mr. BURGESS. Mr. Speaker, I rise today to recognize National Sunglasses Day and to honor the sunglass manufacturers and suppliers throughout my Dallas Congressional District, the State of Texas and around the country. Texas and the Dallas area are home to a variety of optical industry leaders including 24 optical laboratories that manufacture prescription sun wear, 3 lens manufacturers that supply UV filtering lenses, and 6 sun wear frame suppliers. As a physician, I commend the sunglass industry and their trade association The Vision Council (TVC) for ongoing outreach campaigns to educate consumers regarding the damaging effects of ultraviolet (UV) rays to the eye and healthy vision.

In the case of eye protection, what you don't know can hurt you. When it comes to the human eye and the sun's rays, it's what we can't see that matters most. UV radiation that reaches the earth's surface, made up of two types of invisible rays, UVA and UVB, endangers an unprotected eye. The effects of long-term exposure can include cataracts, macular degeneration, abnormal growths on the eye's surface and even cancer of the eye. While everyone should shield their eyes from UV rays,

certain risk factors like age and eye color increase an individual's vulnerability to UV related eye disorders. Where you live and travel can also make a big difference in the level of UV exposure. Since UV damage can't be reversed, prevention through protection is key.

Later this summer, sunglass manufacturers and distributors from my home district in Texas and The Vision Council (TVC) will be convening a Capitol Hill briefing on the topic of UV danger and protecting your eye health. I encourage my colleagues to attend and applaud the sunglass community and The Vision Council for their leadership in promoting healthy vision.

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116TH BIRTHDAY OF MS. SUSANNAH MUSHATT JONES

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**HON. HAKEEM S. JEFFRIES**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mr. JEFFRIES. Mr. Speaker, I rise today in celebration of the 116th birthday of Ms. Susannah Mushatt Jones, who is affectionately called Miss Susie. Confirmed by Guinness World Records as the world's oldest living person, she is a beloved member of the Brooklyn community I am proud to represent in Congress. In recognition of her birthday, Miss Susie will be honored on July 7, 2015 at the Vandalia Senior Center in Brooklyn, NY. We revel not just the years since her birth, but the history she has witnessed in three separate centuries. From experiencing segregation in the South to being a first-hand witness of the Civil Rights movement in New York, we commemorate her birthday with awe and inspiration.

Miss Susie was born into a large, loving family on July 6, 1899 in Lowndes County, Alabama as the third of eleven children. In 1923 she moved to New York as part of the Great Migration of African Americans from the rural South to cities in the North, Midwest, and West. Miss Susie dedicated her professional pursuits to children, first as a school teacher and then as a childcare provider. At one point, she moved to Hollywood to work for a family in the film industry. During her time on the west coast, she enjoyed socializing with movie stars and attending movie premieres. She fondly remembers meeting Ronald Reagan, Clark Gable, and Cary Grant.

Family has always surrounded Miss Susie: she takes great delight in being an aunt to over 100 nieces and nephews. Throughout her life, she has brightened many lives with her positive attitude and infectious laugh. She resides in Vandalia Houses and was an active member of the Vandalia Houses Senior Center tenant patrol through her 100th birthday. Miss Susie credits her healthy lifestyle free of smoking and drinking for her longevity.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in celebrating Ms. Susannah Mushatt Jones on her 116th birthday.

IN RECOGNITION OF THE 40TH ANNIVERSARY OF CABO VERDE'S INDEPENDENCE

**HON. WILLIAM R. KEATING**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mr. KEATING. Mr. Speaker, I rise today in proud recognition of the historic 40th Anniversary of Cabo Verdean independence.

The history of Cabo Verde is as intricate and vibrant as the people themselves. First founded by the adventuresome European explorers of the fifteenth century, Cabo Verde became a critical trading post on the route from the coasts of Africa and bustling Mediterranean ports to the newly discovered lands across the Atlantic. The diverse residents of Cabo Verde lived under Portuguese rule until the establishment of a transitional government and first election of a National Assembly in 1975. To date, July 5 remains celebrated by the residents of Cabo Verde and their growing diaspora overseas as a day of independence.

I have the privilege of representing communities in Southeastern Massachusetts that boast strong ties to Cabo Verde and hosts the highest concentration of Cabo Verdean-Americans in the United States. The Cities of New Bedford and Fall River, in addition to Brockton and Boston, are some of the largest communities of Cabo Verdean descent in the country.

The Cabo Verdean community has played an integral role in molding the rich culture of Massachusetts as we know it today. This influence dates back to the height of the whaling industry in the 18th century, during which time Cabo Verdeans were universally respected for their skills as seamen and whale hunters—recognized across the world as honest, hard workers. They continue to uphold that reputation in Massachusetts, where many Cabo Verdean-Americans continue to work in the historic fishing and cranberry industries.

Today, the scenic archipelago of Cabo Verde enjoys political stability, democratic rule and substantial economic growth.

Mr. Speaker, I ask you to join me in honoring the 40th anniversary of Cabo Verde's independence and in recognizing the country's irreplaceable role in the international community.

TRIBUTE TO OARD-ROSS DRUG

**HON. DAVID YOUNG**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize Oard-Ross Drug of Council Bluffs, Iowa. Oard-Ross Drug has been operating at the same corner location since 1907. Mr. Joe Beraldi, the drug store's owner and pharmacist, has himself worked at the store for 75 years. Mr. Beraldi continues to enjoy working with the customers and does not enjoy golf, which, he explains, are the two main reasons he has no plans for retirement yet.

Mr. Beraldi was born and raised in Council Bluffs and began working at the store at age

14 while attending high school. He said he made deliveries on his bike for 10 cents an hour during that time. Today, Mr. Beraldi serves second and third generation customers at the drug store. This multi-generational customer loyalty is a testament to the great service provided by Mr. Beraldi and his staff. Currently, Mr. Beraldi works part-time at the store and has no intention of retiring. His son, Tony, also a pharmacist, has worked at Oard-Ross Drug for 29 years and now manages the store.

I commend Mr. Joe Beraldi, his son, Tony, and the staff at Oard-Ross Drug for their many years of dedicated service to Council Bluffs. I urge my colleagues in the House to join me in congratulating Oard-Ross Drug for this extraordinary occasion. I wish them all the best moving forward.

COMMEMORATING 46TH ANNIVERSARY OF THE APOLLO 11 MOON LANDING

**HON. SHEILA JACKSON LEE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Ms. JACKSON LEE. Mr. Speaker, forty six years ago, on July 20, 1969, millions of Americans and other people around the world, sat glued to their televisions and radios to witness a human being walk on the surface of the moon, one of the signal events in world history.

This astounding technological achievement could not have come at a better time because in July 1969, the United States was in need of a unifying event following the assassinations of President John F. Kennedy, Rev. Dr. Martin Luther King, Jr., and Senator Robert Kennedy, and Malcolm X, and social divisions resulting from America's involvement in the Vietnam War, a war that cost the nation dearly in blood and treasure.

In 1969, the world was still caught in the grip of the Cold War, divided by ideology, separated into opposing blocs of countries aligned with either the Soviet Union or the United States.

Today the world stands connected in a variety of ways unimaginable 46 years ago.

The step onto the surface of the moon by Neil Armstrong, left more than a mere foot print in the moon sand, it spurred a technological revolution that has resulted in many of the devices that help shape our lives today.

On September 29, 1962 at Rice University in Houston, Texas, President John F. Kennedy inspired the nation to accept the challenge of sending a man to the moon and bringing him safely home before the end of the decade.

President Kennedy said, "We choose to go to the moon in this decade and do the other things, not because they are easy, but because they are hard, because that goal will serve to organize and measure the best of our energies and skills, because that challenge is one that we are willing to accept, one we are unwilling to postpone, and one which we intend to win, and the others, too."

In July 1969, through the combined determination and efforts of the American people,

the United States made good on President Kennedy's prediction.

From the inspiration of a young President who challenged us to set our sights on the moon, scientists developed new materials, engineers manufactured innovative equipment, and factory workers assembled cutting edge transport crafts.

Together, Americans proved that by working together, toward a common purpose, there is nothing beyond our reach.

And let us not forget the crew of American heroes, who made President's Kennedy's promise a reality for the world, and whose courage and daring embodied the virtues and ideals of the American spirit: astronauts Neil Armstrong, Edwin "Buzz" Eugene Aldrin Jr., and Michael Collins.

The words spoken by Neil Armstrong when he stepped off Eagle 1 onto the surface of the moon perfectly captured the significance of that moment in human history: "This is one small step for a man, one giant leap for mankind."

This giant step forward in world history reflected the ground breaking research, development, inventions, and discoveries of thousands of Americans who successfully opened a new path in frontier of space exploration.

IN RECOGNITION OF DR. GILBERT "GIL" ERNEST ADAMI

**HON. MICHAEL C. BURGESS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mr. BURGESS. Mr. Speaker, I rise today to posthumously honor Dr. Gilbert Ernest Adami, who passed away on June 24, 2015 at the age of 92, leaving behind a proud legacy.

Dr. Adami was born September 2, 1922 in Winters, Texas to Ernest and Emma Adami. Even as a child, he knew his calling in life was to heal others. He graduated from Winters High School at age 16, and attended the University of Texas. At age 19, he was admitted to Tulane University School of Medicine, obtaining his medical degree at age 22. Dr. Adami entered the United States Navy in 1945 and after completing a residency in Los Angeles General Hospital, served at the Long Beach Naval Base in the V12 training program. He left California to complete a surgical residency at the Veterans Administration Hospital in McKinney, Texas. While performing surgery there, he met a surgical nurse, Lillian, who became the love of his life.

In 1951, Dr. Adami and Lillian married and moved to Denton, Texas, where he opened his surgical practice. Dr. Adami joined eight other physicians and developed Westgate Medical Center, which later became Denton Regional Medical Center, furthering his goal of expanding emergency services in Denton. In addition to managing his medical practice for over 50 years, Dr. Adami, with his wife's help, developed real estate, operated a ranch, and engaged in other entrepreneurial pursuits.

Dr. Adami attended Immaculate Conception Catholic Church and was a Charter Member of the local Chapter of the Knights of Columbus. He was also a great tennis player, pilot, and

loved being outdoors, especially with fellow hunters, sons, son-in-laws, and grandsons.

In 1998, the Denton County Medical Society awarded Dr. Adami the prestigious Gold-Headed Cane Award, honoring him as an outstanding physician who demonstrated the highest qualities of excellence, service, and selflessness in contributions to his family, the art and science of medicine, and to the community. He will be missed greatly. It was an honor and a privilege to represent Dr. Gilbert Ernest Adami in the U.S. House of Representatives and I extend my condolences to his family, friends, and the patients, nurses, doctors, and medical professionals who loved and respected him.

COMMENDING THE SUPREME COURT'S RULING IN TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS V. THE INCLUSIVE COMMUNITIES PROJECT

**HON. LOIS FRANKEL**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Ms. FRANKEL of Florida. Mr. Speaker, I rise today to commend the Supreme Court's ruling last month in Texas Department of Housing and Community Affairs v. The Inclusive Communities Project. The Justices ruled 5-4 that federal housing law allows people to challenge lending rules, zoning laws, and other housing practices that have a harmful impact on minority groups, even if there is no proof that companies or government agencies intended to discriminate.

Justice Anthony Kennedy wrote, "Much progress remains to be made in our nation's continuing struggle against racial isolation." He continued, "The Court acknowledges the Fair Housing Act's continuing role in moving the nation toward a more integrated society."

Housing is one of the backbones of the American economy and for many is integral to the American dream. No person should be shut out because of the color of their skin.

HONORING THE PUBLIC SERVICE OF MR. HAROLD DRINKWATER

**HON. CHELLIE PINGREE**

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Ms. PINGREE. Mr. Speaker, I would like to recognize a dedicated public servant and committed firefighter.

On August 6, 1955, Harold Drinkwater joined the Camden Fire Department, just after returning from the Korean War. His leadership and bravery served as inspirations to every member of the department, and he was soon promoted to Assistant Fire Chief. Nearly sixty years later, Harold continues to serve the Department.

I know that the Fire Department is deeply grateful for Harold's heroism and commitment to his community. When the Department received its most recent engine, Camden's fire-

fighters chose to honor Harold by placing his name on the truck. This summer, the Department plans to recognize him at their annual family picnic.

I wish Harold the best as he continues to serve the Town of Camden, and I thank him wholeheartedly for his many years of service to his town and to our nation.

RECOGNIZING THE LIFE AND WORK OF ANNE GAYLOR

**HON. MARK POCAN**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mr. POCAN. Mr. Speaker, I rise today to recognize a constituent who dedicated her life's work to advancing principles of justice and fairness in her community, her state, and her country.

Anne Nicol Gaylor began her life in a small town near Tomah, Wisconsin. After graduating high school at age 16 and earning a degree from University of Wisconsin-Madison, she became a businesswoman and editor at Middleton Times Tribune where she successfully transformed the publication into an award-winning weekly. Anne notably founded the Women's Medical Fund which has raised and donated nearly \$3 million to low-income women who lack access to healthcare services. Throughout her career, Anne remained involved with the Women's Medical Fund and was a tireless advocate for women's rights.

In 1976, Anne founded the Freedom from Religion Foundation, the nation's leading defender in the fight to protect and preserve the separation of church and state. This organization grew from a small group of committed individuals discussing the advancement of civil liberties into a major national organization with more than 23,000 members.

Throughout her retirement, she remained active in the Women's Medical Fund, dedicating her time to providing direct service to those in need. Thanks to her tireless leadership, Anne received a number of prestigious awards and recognitions, including the Humanist Heroine Award from the American Humanist Association, Wisconsin National Organization for Women's Feminist of the Year Award, and NARAL's Tiller Award. These outstanding achievements and recognitions are a testimony to Anne's resilient spirit and tireless advocacy on behalf of the issues closest to her heart.

Anne's commitment to community and work as an activist, feminist, and free-thinker have been invaluable to Wisconsin.

Mr. Speaker, it is with great honor that I recognize Ms. Anne Nicol Gaylor today.

HONORING THE SERVICE OF EULESS POLICE OFFICER MIKE DUFF

**HON. KENNY MARCHANT**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mr. MARCHANT. Mr. Speaker, I am honored to recognize retiring Corporal Mike Duff

for his 31 years of public service as a Euleless Police Officer for the City of Euleless, Texas.

Mike Duff joined the Euleless Police Department in 1983 where he was hired as a patrol officer. After serving four years in that capacity, Mike was transferred to the Criminal Investigation Division (CID). Mike's hard work in the CID was acknowledged in 1990 by the department when he was promoted to Corporal. In addition to his primary roles in the department, Mike has also served as a member of the Euleless Tactical Team.

Throughout his career, Mike Duff has been a training officer with the Euleless Police Department; furthermore, he has been assigned to local and federal drug task force agencies because of his outstanding police training and abilities.

As a committed law enforcer, Mike Duff has sought training and certification throughout his years of service. His achievements include Basic Police Certification in 1983, Intermediate Police Certification in 1987, Advanced Police Certification in 1993, and Masters Police Certification in 2004. Furthermore, Mike received his Police Officer Firearms Instructor Certificate in 2005 and his Field Training Officer Certification in 2004. He has received over 2,000 hours of in-service training during his 31-year career as a police officer.

Mike Duff's extensive experience and training in criminal investigation has been recognized on many occasions as a result of his contributions to the police department and community. He has received over 35 police commendations in which he was recognized for his professionalism and service to the community. Moreover, Mike has been nominated six times for Officer of the Year and was also selected for the Certificate of Merit in 2012, the Distinguished Service Award in 2006, and the Blackie Sustaie Award in 1996.

Outside the field of law enforcement, Mike Duff recently earned his associate degree in General Studies from Columbia College in 2014. He is married to his wife, Andrea, and they have one daughter named Lyndsey.

Mr. Speaker, on behalf of the 24th Congressional District of Texas, I ask all my distinguished colleagues to join me in thanking Mike Duff for his years of public service as a Euleless Police Officer.

IN RECOGNITION OF THE SESQUICENTENNIAL OF THE SECOND BAPTIST CHURCH OF ANN ARBOR

**HON. DEBBIE DINGELL**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mrs. DINGELL. Mr. Speaker, I rise today to recognize the Second Baptist Church of Ann Arbor for its sesquicentennial anniversary. Second Baptist has stood since 1865 as a symbol of the African American community of Ann Arbor. As this country has gone through a transformative journey to live up to its creed of "All men are created equal" for the past century and a half, the Second Baptist Church of Ann Arbor has been on a journey to perfect itself.

Second Baptist's journey began when it was chartered in 1865. The original congregation was led by Rev. Lewis and met in a small frame cottage overlooking the Huron River. They would later move into a new building in the heart of the segregated black residential community of the city in 1890. As Second Baptist grew, so did Ann Arbor's African American community. In the late 1910's and early 20's, the "Great Migrations" led to a large growth in the African American population in Washtenaw County. In the late 20's and 30's programs were inaugurated to help community members get through the Great Depression. In 1966 Rev. Emmett L. Green was chosen to lead Second Baptist through a new Civil Rights Era. Rev. Green was committed to Martin Luther King's inspired Social Gospel civil rights activism during his tenure as pastor.

Second Baptist is currently led by Rev. Dr. Stephen Daniels, who aims to help Second Baptist continue its tradition of building a church with Christ and His Gospel as its foundation. On its 150th year, Second Baptist pauses to reflect, to renew and to embrace the limitless possibilities that God has scripted for the coming seasons.

Mr. Speaker, I ask my colleagues to join me today to honor The Second Baptist Church of Ann Arbor for its sesquicentennial anniversary and its dedication to enriching the lives of the surrounding community.

H.R. 160, THE PROTECT MEDICAL  
INNOVATION ACT OF 2015

**HON. PATRICK MURPHY**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mr. MURPHY of Florida. Mr. Speaker, I support passage of H.R. 160, the Protect Medical Innovation Act of 2015.

While I strongly believe the bill should be paid for before becoming law, this bill is a great first step of furthering the promise of the Affordable Care Act, a law that will cover 32 million lives when fully implemented.

The Affordable Care Act has created jobs, lowered costs, and significantly expanded coverage, as it was designed to do. It did away with bans on preexisting conditions, allowed young adults to stay on their parents' plan, eliminated annual and lifetime limits, and is closing the Part D prescription drug donut hole. As the law continues to improve the lives and health security of the American people, I will look for ways to improve the law. No law is perfect. That is why I support the Protect Medical Innovation Act and have cosponsored other pieces of legislation designed to keep consumers from feeling the hit of unintended consequences. Congress should look for ways to create jobs, lower costs further, and encourage states to accept Medicaid expansion, which will cover an additional 800,000 working Floridians.

I am hopeful that with a strong vote in the House of Representatives, H.R. 160 will soon arrive at the President's desk, fully offset, to be signed into law.

HONORING MAJOR STEPHEN REICH  
AND THE HOME OF THE BRAVE  
QUILT PROJECT

**HON. ELIZABETH H. ESTY**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Ms. ESTY. Mr. Speaker, I rise today to honor the life of Major Stephen Reich and to recognize the compassionate work of the Home of the Brave Quilt Project.

Today, we recognize the history and importance of quilting in our society as a symbol of Americana. Quilting can tell stories through fabric and stitches when words fail. For hundreds of years, quilting has been used not only as a means of communication, but also as a sign of respect for fellow community members. In keeping with this tradition, the Home of the Brave Quilt Project has taken on the task of honoring our brave men, women, and families touched by war through the gift of a quilt.

Susan and Raymond Reich from Washington Depot, Connecticut, lost their son, Stephen, on June 28, 2005. Stephen graduated from the United States Military Academy in 1993. While studying at the Academy, he pitched for the baseball team. Two years into his military career, the Baltimore Orioles drafted the southpaw, and he played for their minor league affiliate team before the Army recalled him to finish his term. Choosing to answer the call of military service and relinquishing his pro baseball career, he returned to fight for our great country. Stephen was killed along with seven other Night Stalkers during a rescue operation to save a Navy SEAL team in Afghanistan; he was on his fourth tour of duty.

Shortly after Stephen died, his mother and father received a quilt in his honor. As a quilter by profession, Susan understood the significance of this act. Receiving the quilt helped her family heal and it provided them with comfort, knowing that others were thinking of them during their difficult time.

When Don Beld founded the Home of the Brave Quilt Project in July of 2004, his goal was to give families comfort in the best way he knew how. Since Don did not serve during the Vietnam War like many of his peers, he knew in his heart that he needed to serve America's families in some way. With this idea in mind, Don embarked on a project that would expand to 59 states and territories, honoring those who have died from injuries while on active duty in Iraq or Afghanistan. Each quilt is based on patterns originally designed by the United States Sanitary Commission during the Civil War era. To date, the Home of the Brave Quilt Project has delivered over 6,000 quilts to more than 5,000 families. They serve as a reminder that bravery will always be revered.

On Sunday, June 28, the Reich family marked the tenth anniversary of Stephen's death. I hope that the quilt they received continues to provide comfort and reminds their family that we, as a nation, hold them in our hearts.

THE CIVIL RIGHTS ACT OF 1964

**HON. SHEILA JACKSON LEE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Ms. JACKSON LEE. Mr. Speaker, I rise in strong support of the 51st anniversary of the Civil Rights Act of 1964, one of the consequential governmental actions since the issuance of the Emancipation Proclamation.

On July 2, 1964, President Lyndon B. Johnson signed the act that would profoundly change our country and brought about the greatest reduction in economic and social inequality among Americans in history.

Mr. Speaker, today it is difficult to imagine there once was a time in our country when blacks and whites could not eat together in public restaurants, use the same public restrooms, stay at the same hotels, or attend the same schools.

It is hard to believe today that just 51 years ago, discrimination on the ground of race was a legal and socially accepted practice.

The Civil Rights Act of 1964 changed that. The Civil Rights Act outlawed discrimination and segregation in employment, public accommodations, and education on the ground of race, gender, religion or national origin.

This act became the soil from which our country flourished; opportunities were bred and dreams were born.

This change did not happen overnight or by accident.

It took hard work and courage and an unwavering faith that America could live up to the true meaning of its creed.

With American leaders embodying faith and courage the Civil Rights Act signifies battles fought over many years that our champions finally won.

Leaders like the Rev. Dr. Martin Luther King, Jr., Whitney Young, Rosa Parks, and John Lewis are just a few of the many noble champions who took a stand for freedom and risked their lives to make real the promise of America for all Americans.

Today, 51 years later, we continue to preserve the rights and freedoms that so many fought for and could only dream of before the Civil Rights Act.

On the evening of June 11, 1963, President John F. Kennedy addressed the nation and uttered these words that would echo in history: "It ought to be possible for every American to enjoy the privileges of being American without regard to his race or his color. But this is not the case. We are confronted primarily with a moral issue. It is as old as the Scriptures and is as clear as the American Constitution. The heart of the question is whether all Americans are to be afforded equal rights and equal opportunities, whether we are going to treat our fellow Americans as we want to be treated. One hundred years of delay have passed since President Lincoln freed the slaves, yet their heirs, their grandsons, are not fully free. They are not yet freed from the bonds of injustice. They are not yet freed from social and economic oppression. And this Nation, for all its hopes and all its boasts, will not be fully free until all its citizens are free. Now the time has come for this Nation to fulfill its promise."

And a better country, we have become.

Although we have come a long way, we must not become complacent on the issues of civil rights.

Our nation is a growing melting pot, and we must continue to make sure American citizens, regardless of their religion, race, or gender, are granted the right to freedom and equality.

This nation prides itself on the abundance of individual freedom.

Through the Civil Rights Act of 1964, we have nurtured a land where every American citizen is born free, and with the opportunity to chase their own American dream.

Mr. Speaker, before signing the Civil Rights Act of 1964, President Lyndon Baines Johnson addressed the nation on the significance of the bill he was about to sign: "We believe that all men are created equal. Yet many are denied equal treatment. We believe that all men have certain unalienable rights. Yet many Americans do not enjoy those rights. We believe that all men are entitled to the blessings of liberty. Yet millions are being deprived of those blessings—not because of their own failures, but because of the color of their skin. The reasons are deeply imbedded in history and tradition and the nature of man. We can understand—without rancor or hatred—how this all happened. But it cannot continue. Our Constitution, the foundation of our Republic, forbids it. The principles of our freedom forbid it. Morality forbids it. And the law I will sign tonight forbids it."

Our fight for civil rights is not over.

Victories such as the Supreme Court decision on marriage equality do not overshadow the fact that those who identify as LGBT can get married on Monday, be fired by Friday, and be kicked out of their apartment by Sunday.

The fight is not over.

Mr. Speaker, we still have members of minority communities being killed based on the color of their skin and not the content of their character.

Our fight is not over.

Symbols of hate hang on government buildings in the form of a flag that inspires deplorable actions, leaving 9 dead after a church Bible study.

America's fight for civil rights is not over.

The Civil Rights Act of 1964 sought to fulfill the promise of the fourteenth amendment that "no state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

Fifty-one years ago we as a nation moved forward to accept that all American citizens have the same inalienable rights regardless of religion, race, or gender.

The language of the 14th Amendment and the Civil Rights Act of 1964 guarantees protection for all citizens' rights and it is our job as representatives of the people to make sure we continue to defend those rights.

Mr. Speaker, I am proud to acknowledge the progress we have made since the Civil Rights Act of 1964 and I pledge to continue fighting for all Americans so that we may keep the promises written in law by our founding fathers.

IN RECOGNITION OF JAMES W.  
(BILL) CURTIS

**HON. MIKE ROGERS**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mr. ROGERS of Alabama. Mr. Speaker, I ask for the House's attention today to recognize the retirement of James W. (Bill) Curtis from the East Alabama Regional Planning and Development Commission.

Mr. Curtis has served as the Executive Director of the Commission since November 1980. He has over 44 years of professional experience in the planning field and has worked for state, regional and local agencies.

Previously, he was the Principal Planner with the Jefferson County Office of Planning and Community Development in Birmingham, Alabama. Mr. Curtis also served as Planning Director for the South Central Alabama Development Commission in Montgomery, Alabama, and worked as a Planner for the states of Tennessee and South Carolina.

Mr. Curtis holds a Master of City Planning degree from Georgia Institute of Technology and a Bachelor of Science degree from the University of Georgia. He holds charter membership in the American Planning Association and the American Institute of Certified Planners, and has served as the President of the Alabama Chapter of the American Planning Association and President of the Alabama Association of Regional Councils.

In 1995, Mr. Curtis was named "Planner of the Year" by the Alabama Chapter of the American Planning Association, and in 2003, was named to the College of Fellows of the American Institute of Certified Planners.

Mr. Speaker, please join me in recognizing Mr. Curtis and congratulating him on his retirement.

HONORING THE MARRIAGE OF MR.  
AND MRS. BRYCE KAPPER

**HON. ROBERT J. DOLD**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mr. DOLD. Mr. Speaker, I rise today to recognize the marriage of Mr. Bryce Kapper and his wife, Brittany, née Mueller. Mr. and Mrs. Kapper were united in marriage Saturday June 27, 2015 at the First Congregational United Church of Christ in their hometown of Decatur, Illinois. The ceremony was officiated by the Reverend Dave Taylor and was followed by a reception at the Decatur Conference Center and Hotel. The bride is the daughter of Mr. and Mrs. Craig Mueller. The groom is the son of Mr. and Mrs. Kevin Kapper, better known by one of the attendees as "Mama and Papa Kapper."

Miss Tiffany Laramie served as Maid of Honor. Bridesmaids included Miss Rachael Clark, Miss Brittany Maxedon and Mrs. Becky Brewster. Mr. Scott Lietzow served as Best Man. Groomsman included Mr. Kyle Kapper, brother of the groom; Mr. Clint Mueller, brother of the bride; and Mr. Rick Barry.

The new Mr. and Mrs. Kapper are a wonderful match and their love for each other is evident to all they meet. I wish them all the best in this new and exciting chapter of their lives together.

TRIBUTE TO DR. STEVEN BASCOM

**HON. DAVID YOUNG**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to honor Dr. Steven Bascom, the recipient of the Patient Care Partner Award from the Iowa Pharmacy Association.

Dr. Bascom was presented with this award during the IPA Annual Meeting banquet on June 12, 2015. The IPA Patient Care Partner Award annually recognizes a physician or other health care provider in an Iowa community who works collaboratively with pharmacists to optimize the care of their patients. Dr. Bascom was nominated by DeeAnn Wedemeyer-Oleson, Director of Pharmacy at Guthrie County Hospital. He was instrumental in the adoption of the Admission Home Medication orders collaborative drug therapy management protocol used at GCH.

I applaud and congratulate Dr. Bascom for receiving this award. I am proud to represent him and his fellow doctors and pharmacists in Guthrie County in the United States Congress. I know that my colleagues in the House join me in congratulating Dr. Bascom and wishing him nothing but continued success in the future.

CONGRATULATIONS SKIP  
MARANEY

**HON. JOE WILSON**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mr. WILSON of South Carolina. Mr. Speaker, during the 54th Annual Roll Call Congressional Baseball Game for Charity on June 11th, there was recognition of Skip Maraney as this year's Hall of Fame Inductee.

Skip was properly recognized as a living legend institution of Capitol Hill. The following tribute was published in the game program.

ROLL CALL'S THE MAN WHO PIONEERED ROLL  
CALL'S SPORTS COVERAGE

(By David Meyers)

If Roll Call founder Sid Yudain was the Abner Doubleday of congressional baseball, Skip Maraney was his Shirley Povich.

Maraney spent most of the 1960's writing about congressional sports—baseball, obviously, but also basketball, softball, bowling, and bridge—for Roll Call. In fact, he was Roll Call's first, and seemingly only, sports columnist. For his dedication to the paper, the community and the game, Maraney is the 2015 inductee into the Roll Call Congressional Baseball Hall of Fame.

Maraney was working for the Clerk of the House in 1963, when he suggested to Yudaian that someone should write about all the sports teams featuring congressional staff (baseball was just getting going then). "He said, 'Ok, write it,'" Maraney recalls about the birth of Skip-along, which eventually expanded into an "around the Hill" beat and laid the groundwork for Roll Call's current coverage of life in and around the Capitol.

From his perch, Maraney watched the game rise from the ashes after Speaker Sam Rayburn, D-Texas, shut it down in 1958. In 1961, members of Congress took part in a home-run contest and the next year the event became an actual game, played prior to a Washington Senators home contest.

"Sid had the idea of turning it into a party. The game had hot dogs, cheerleaders," Maraney says. "Buses took everyone to the Stadium."

Not only was Maraney providing pre- and post-game coverage, he was also calling the game. During those years, he got to see some of the greats of congressional baseball history: Indiana Democratic Sen. Birch Bayh ("He was sensational!"); former major league pitcher Wilmer "Vinegar Bend" Mizell, R-N.C.; Massachusetts GOP Rep. Silvio Conte ("He batted with a cigar and came out on crutches one year. And hit a double.").

As the 1970s began, Maraney left the Clerk's office and gave up the sports beat for a job with the National Star Route Mail Contractors Association, where he remains as executive director. While he obviously enjoys his job, there are some things he had to leave behind. As Roll Call's sports and community columnist, "I got invited to everything."

#### HONORING JAMES PONCE

#### HON. LOIS FRANKEL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Ms. FRANKEL of Florida. Mr. Speaker, I rise to celebrate James Augustine Ponce of St. Augustine, Florida who turns 98 on July 19, 2015.

A native of St. Augustine, Florida, James Ponce was born on July 19, 1917. His relatives descended from the family of Juan Ponce de Leon.

Ponce grew up in the downtown area of St. Augustine, where his father owned R. Ponce Funeral Home. As a young boy he recalls his father burying American Tycoon, Henry Flagler, and other prominent figures of the community. In addition, Ponce has stated that his days at St. Joseph Academy afforded him the opportunity to learn about how Florida became a U.S. territory.

This early exposure to America's Oldest City cemented his passion for the rich history that Florida boasts. Since that introduction as a child, Ponce has dedicated his life to preserving and sharing the histories of St. Augustine, the Breakers, and Palm Beach. Ponce also proudly served his country in the Navy during World War II and the Marines during the Korean War. Since the 1950s, he has called Palm Beach County home. During his time at the Breakers Hotel and Resort, Ponce worked at the front desk and eventually retired as an assistant manager. As of now, he conducts weekly walking tours of the Breakers.

Ponce is the official historian of the Palm Beach Chamber of Commerce and has also served as the President of the Historical Society of Palm Beach.

Throughout his career and retirement, Ponce has been recognized for his vast historical knowledge. In 1996 the Palm Beach Town Council named him "Palm Beach's only two-legged, historical landmark." He is the recipient of the Providencia Award from the Palm Beach Country Convention and Visitors Bureau, which recognizes an individual or agency that contributes to the prosperity of the tourism industry in the county.

James Ponce is an exceptional man, and one whom I am proud to represent in Florida's 22nd District. I know I join with his family and friends in celebrating this wonderful occasion. I wish him good health and continued success in the coming years.

#### IN HONOR OF THE COMO HIGH SCHOOL, 1914-1971, 10TH ALL SCHOOL REUNION CELEBRATION

#### HON. MARC A. VEASEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mr. VEASEY. Mr. Speaker, I rise today to honor Como High School's 10th All School Reunion Celebration on July 2-5, 2015. This celebration is a milestone for the Como community as it recognizes its history and the impact Como High School had on its students.

From its inception, the Como community's location left its primarily black residents walled in with a physical barrier separating Como from the surrounding neighborhoods. This physical separation prompted its residents to meet the needs of the community through their own initiatives. In the fall of 1914, Como residents felt an urgent need for a formal school to educate the black youth of the community. During its first year, Como Elementary School housed 11 students and employed one teacher by the name of Ms. Lucinda Baker.

Unfortunately, after two years the school was closed due to low enrollment and did not reopen for its second term until 1917. The school was ultimately reestablished the following year in 1918, where Mrs. Pearl Walker Connor served as the head teacher.

After World War I, the Como community began to grow rapidly. As more people moved into the community there was a greater need for a bigger and better school building. Under the leadership of Mr. R. N. Riddles, the county superintendent, a building with two rooms was built on the southeast corners of Faron and Bonnell Streets.

During the time of expansion, Mrs. Gertrude Wilkerson-Starners was appointed head teacher with Mrs. Geneva Carrington serving as her assistant. Later Mrs. Jessie Raliegh and Mrs. A. Greenwood joined the staff and Mrs. M. L. Patterson came to the school as a teacher in 1931.

The men of the community initially supplied coal for heating and kept the grounds clean; but as the school began to grow, the need for custodial personnel became necessary. In 1933, Mr. John Atkins was hired as the first full time custodian.

Although no formal record exists, it is clear that the need for a high school naturally grew as the community had more students to educate. Additional teachers were added in 1935, and the school moved to occupy Libbey, Goodman, Horne and Hollaran Streets. In 1935, Mr. J. Martin Jacquet was hired as principal and served the institution for ten years with Mr. Oscar M. Williams succeeding him in 1946. The current building was erected in 1950 during Williams' tenure as principal. Mr. Wilbur H. Byrd served as Como High School's last principal from 1967 until the school's closure in 1971.

Como Elementary School and Como High School grew from humble beginnings to a 33 room ultra-modern structure that housed an industrial arts room, a gymnasium, a 500 person auditorium; a chemistry lab, homemaking laboratories, a library, men's and women's lounges, and a group of offices for the administrative staff.

Between 1914 and 1965, Como Elementary and Como High School's prestige increased as their academic excellence was recognized by the Southern Association of Colleges and Secondary Schools.

In 1971, the sudden shift to integrate schools forced Como High School to close despite its growth. Although school integration caused the original Como High School to close, Como Elementary School and Como Montessori Magnet School carry on its legacy of community, unity and pride.

After Como High School's closure the first annual school reunion was held in July 1983. Its subsequent reunions proved that the fond memories of the Como spirit remain in the hearts of former students and staff members forever.

#### HONORING THE RAVENSBRUCK ARCHIVE PROJECT

#### HON. TED LIEU

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mr. TED LIEU of California. Mr. Speaker, I rise today to honor the Ravensbruck Archive Project.

The Ravensbruck Concentration camp was the Nazi's largest and central internment camp for women and children during the Holocaust. Between 1939 and 1945, over 130,000 prisoners passed through Ravensbruck and its satellite camps.

The Ravensbruck Archive is an international archive that provides a critical link to the history of the Holocaust. Many of the documents in the Archive have been hidden for the past 70 years, but now because of the Ravensbruck Archive Project, the material will be translated, digitized, and shared with the world via the web and a world traveling exhibit. The Ravensbruck Archive Project will preserve and make accessible this important piece of history for generations to come.

The Ravensbruck Archive is housed at Lund University in Sweden. The Archive includes more than 500 handwritten interviews with Ravensbruck survivors, taken at the time of their liberation in 1946. The Archive contains

prisoners' notebooks, diaries, letters, poems, recipes, photographs, drawings, and official Nazi documents from the concentration camp such as lists of prisoners, block books, and transcripts of protocols and original documents from the Ravensbruck trial in Hamburg in 1946–1947.

Our community owes the Ravensbruck Archive Project and all those involved a debt of gratitude for their tireless hard work and dedication. I would especially like to commend my constituent, Robert Resnick, for his leadership in this Project. Mr. Resnick is the Chair of this important restoration endeavor.

I ask my colleagues to join me in recognizing the Ravensbruck Archive Project.

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TRIBUTE TO THE ANKENY HIGH  
SCHOOL GIRLS SOCCER TEAM

**HON. DAVID YOUNG**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate the Ankeny High School Girls Soccer Team for winning for the Iowa Girls 2A State Soccer Tournament.

I would like to congratulate each member of the Team:

Players: Mariah Anderson, Adrienne Beardsley, Morgan Bennett, Caroline Buelt, Molly Close, Lisa Dauterive, Jordan Enga, Ali Gibson, Kayla Heitz, Megan Henderson, Lizzy Humpall, Kelsey Laughman, Maddie Leever, Alexis Legg, Hannah McCann, Claire Netten, Aylssa Parker, Emily Schuhmacher, Jena Stevens, Tana Stevens, Kelsey Yarrow, and Taylor Young;

Coaches: Lacey Woolf, Chelsea Cline, Kristen Boyer, and Ashlee May; and

Managers: Sahara Adamson, Allie Roode, and Malorie Strong.

Mr. Speaker, the example set by these students and their coaches demonstrates the rewards of hard work, dedication, and perseverance. I am honored to represent them in the United States Congress. I know all of my colleagues in the House join me in congratulating these young ladies and the rest of the team for competing in this rigorous competition and wishing them all continued success.

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CONGRATULATING JIM TUDOR ON  
HIS RETIREMENT

**HON. TOM PRICE**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mr. TOM PRICE of Georgia. Mr. Speaker, today I would like to speak in honor of a good friend and policy advocate, Jim Tudor. Having known Jim for years, including back in my time in the Georgia State Senate, I know personally his hard work ethic and keen insight on public affairs.

Jim graduated from the University of Cincinnati in 1972 and spent two years in the Army. Having worked for Georgia Association

of Convenience Stores since January 1987, Jim has been recognized by James Magazine as one of the Top Ten Lobbyist or trade organizations for the last three years and has received various Pigeon Awards from the Pigeon Community. Jim is highly active in the community, including his church, the Covington Rotary, the Georgia Youth Assembly and the YMCA.

Mr. Speaker, Jim recently announced his retirement after 29 years of work at the Georgia Association of Convenience Stores. After having done such wonderful work for so long, I am sure it will be a distinct, but well-deserved, change of pace. Though the Association will miss him, I know how excited his wife Sarah, his four children, and five grandchildren must be. Jim looks forward to roaming the countryside with Sarah in their retro-style 2015 Mellow Yellow Winnebago. On behalf of the Sixth District of Georgia, I congratulate Jim and thank him for all he has done enriching our community.

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CONGRATULATING THE UNITED  
STATES WOMEN'S NATIONAL  
TEAM ON WINNING 2015 FIFA  
WORLD CUP

**HON. SHEILA JACKSON LEE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Ms. JACKSON LEE. Mr. Speaker, I rise today to congratulate the United States Women's National Team for their victory at the 2015 FIFA World Cup, their third championship, and first since the legendary 1999 championship team.

The teamwork, individual skills of the players, and sportsmanship displayed by these great athletes shined through as they moved through their bracket and then the knock-round and finally the epic championship game where they defeated the valiant and talented Japan National Team 5–2 in the highest scoring championship game in the history of the World Cup.

One nation. One team. Twenty three women. Twenty three girls who grew up to become role models for women and girls everywhere and captured the hearts of all Americans.

I would like to congratulate each and every one of these tremendous women for their dedication to the sport and to each other.

It is a matter of special pride to me and the constituents of the 18th Congressional District that three members of the remarkable Women's National Team come from Houston's local club, the Houston Dash: Meghan Klingenberg; Morgan Brian; and the tournament's top player and winner of the Golden Ball Award, Carli Lloyd.

As these women return to Houston this week, I know my constituents will be there cheering as hard as ever for their favorite players.

Meghan, Morgan, and Carli are an inspiration for the young women in my district—a district full of girls with the potential to succeed in sports, academics, and anything they set their minds to achieve.

The incredible victory of the 2015 Women's National Team is further proof that making the necessary investments to provide equal academic, athletic, and economic opportunities to girls and women yield substantial tangible and intangible dividends to our nation.

Mr. Speaker, women and girls are the biggest untapped resource in the world; in too many places they have been denied access to education, fair pay, and opportunities for so long—but that is changing.

After a weekend of celebration, I think it is safe to say that when women succeed, America succeeds.

And you know what? America can succeed much more.

Now, more than ever, I applaud the provisions like Title IX which have made it possible for girls to take part in sports and school activities.

However, there is more work to be done.

But today is a day to celebrate and salute the remarkable women athletes of the victorious 2015 National Women's Team which will live on in history as one of America's greatest team and in the achievements to come of girls and boys who were inspired by their devotion to their sport, their team, and to each other.

When girls succeed, women succeed. And when women succeed, America succeeds.

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THANKING ALLEN KING FOR HIS  
SERVICE TO THE HOUSE OF REP-  
RESENTATIVES

**HON. STENY H. HOYER**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mr. HOYER. Mr. Speaker, I rise to thank Allen King, a resident of Maryland's Fifth Congressional District, for his service to this House. He retired on June 30, 2015, after more than thirty years in various positions with the Office of the Chief Administrative Officer.

For the past twelve years, Allen has served as the Supervisor for the Central Receiving and Warehousing, Logistics, and Support Department. He began his career with the House with the Labor Department and Property Supply under the Clerk's office, and for many years he worked directly under Cosmo Quattrone and Tom Van Dyke in the Furnishings Department. Following a reorganization of the CAO, the Department was renamed Logistics and Support, where Allen worked with former Deputy CAO Walt Edwards and former Chief Logistics Officer Jerry Bennett.

Some of his most memorable experiences during his time working for the CAO include contributing to the setup for the Congressional Iran-Contra hearings in 1987 as well as the 2001 anthrax scare, when the House of Representatives had to convene in a temporary location. Allen and his team, along with other CAO staff, set up an alternate House chamber as well as temporary offices and provisions for Members and staff off campus.

One of Allen's favorite moments on the job occurred in 1981 when he witnessed a marching band performing through the halls of the Cannon House Office Building, in town for the



Inauguration of President Ronald Reagan. Allen was also on hand to witness the lying-in-state of President Reagan's casket in the Capitol Rotunda years later.

In retirement, Allen intends to enjoy more fishing and visits with old friends and co-workers. I congratulate him on his years of service, and I wish him and his family all the best as Allen begins a new chapter in his life. I ask my colleagues to join me in thanking Allen King for his distinguished service, contributions, and commitment to this House and to our country.

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HONORING PRO PHARMACY IN  
SOUTH SAINT PAUL

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**HON. BETTY McCOLLUM**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Ms. McCOLLUM. Mr. Speaker, today I rise to recognize the owner of PRO Pharmacy in South Saint Paul, Minnesota, Greg Schouweiler, along with his staff and customers, as this independent local business closes after decades of serving residents in my hometown and the surrounding community.

In 1923, Gericke's Pharmacy was established, providing health care to local residents. In November 1975, Greg Schouweiler purchased this neighborhood drugstore at Marie and Fifth Avenue and continued to meet health care needs for families in South St. Paul for generations.

Under Greg's ownership, for nearly 40 years, PRO Pharmacy truly grew into an important community resource, providing high-quality patient care and exceptional, friendly and dependable customer service to individuals and families. For the past five years, PRO Pharmacy was the only pharmacy in South Saint Paul, the sole independent pharmacy in the nearby area, and the sole pharmacy delivering prescriptions to patients in South Saint Paul, West Saint Paul, and Inver Grove Heights. PRO Pharmacy delivered between 400–500 prescriptions per day to Minnesota seniors and people with disabilities free of charge. This was an invaluable service for these customers and ensured that they received their prescriptions in a timely manner. During the past several years, it was an honor to work with PRO Pharmacy on behalf of Medicare beneficiaries to help them to continue to be able to get their prescriptions filled from their trusted neighborhood drugstore—PRO Pharmacy.

On June 15, 2015, PRO Pharmacy closed for the last time. The courteous, high quality service they have provided for many years will be missed. Therefore, Mr. Speaker, it is a privilege to rise to honor PRO Pharmacy in South Saint Paul, Minnesota after nearly four decades of putting customers first and serving the community.

IN MEMORY OF MARY LOU DEVIVO

**HON. JOE COURTNEY**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mr. COURTNEY. Mr. Speaker, today I rise with deep sadness to remember my friend and a pillar of the Windham region, Mary Lou DeVivo, who passed away last week. Mary Lou was an incredible woman, abound with endless energy and optimism and an unwavering commitment to the Windham community.

Mary Lou was the owner and President of the Willimantic Waste Paper Company, a local business her late beloved husband James ran with her for many years. After James's death in 1996, Mary Lou took the helm and grew the company further into a regional cornerstone, providing employment to many local residents and needed services to area businesses and households.

Mary Lou worked for many years as a pre-school and kindergarten teacher and believed fervently in the power of education to combat poverty. She graduated in 1960 from Willimantic State Teachers College with a degree in Education, and she later earned a degree in Religion from Holy Apostles College in Cromwell. Among her many accomplishments, Mary Lou will be remembered for launching the Windham Reads Program and serving as an unrelenting advocate for improving Windham Schools.

She was well known for her deep and wide commitment to local community organizations, including the Covenant Soup Kitchen, the Windham Library Board, Willimantic Co-Op, Willimantic Irish Club, Connecticut Eastern Railroad Museum, the Victorian Neighborhood Association, Windham Garden Club, and the Board for Saint Mary Saint Joseph School, among others. She was uniquely attuned to the needs of her community, and she never hesitated to get involved when her contributions would make a difference.

She was a woman of deep faith, and was heavily involved in St. Joseph's Parish in Windham, where she once served as Director of Religious Studies. She was a generous patron of that church, as well as St. Mary's and Sagrado Corazon De Jesus. Above all, Mary Lou will be remembered as an outgoing, friendly, feisty and strong-willed member of our community, and I will deeply miss her friendship. Windham will feel this loss greatly.

My heart goes out to her family and friends, especially her children Tom, Tim, Bridget, John, and Gina and her 14 grandchildren. I ask that my colleagues please rise to remember Mary Lou, a remarkable woman who will be missed profoundly by all who knew her.

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TRIBUTE TO CORUM'S FLOWERS

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**HON. DAVID YOUNG**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize Corum's Flowers of Council Bluffs, Iowa, for over 100 years in business.

Corum's Flowers has been "making special moments since 1910," a slogan written on a chalkboard in the storefront. Pam and Wayne Cyboron are the owners of Corum's Flowers. Pam is a second-generation florist, and her family business traces its roots back more than a century in Council Bluffs.

Pam remembers driving a delivery van for her parents when she was a student in high school. Today Pam and Wayne enjoy the support of over 15,000 customers, and the business has a reputation of great service. Pam said, "word-of-mouth is a big thing in this town." Corum's Flowers serves second and third generations of Council Bluffs families, the support of the community and their customer loyalty a testament to the great service they provide.

I commend Corum's Flowers and their staff for over 100 years of dedicated service to Council Bluffs and southwest Iowa. I urge my colleagues in the House to join me in congratulating Corum's Flowers for this extraordinary occasion. I wish them and all of their employees best wishes moving forward.

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IN RECOGNITION OF JIM HARDY

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**HON. JACKIE SPEIER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Ms. SPEIER. Mr. Speaker and members, I rise today to honor the departing City Manager of Foster City, Jim Hardy. He's had an extraordinary 34 years with the city, the last 21 years as City Manager. Jim leaves a legacy that is profound having joined the city just 10 years after it was incorporated. He is only the second City Manager ever hired by Foster City, following in the footsteps of his esteemed predecessor, Rick Wykoff.

It is not quite fair to say that Foster City sits on San Francisco Bay. It's more correct to say that our beautiful bay envelops Foster City, and offers its residents a lifestyle that is, as Jim Hardy says, paradise. Boating, fishing, parks second-to-none, and excellent schools that compare to any in this nation—this is Foster City. Jim Hardy's role in stabilizing and growing this community was pivotal.

The finances of the city and its predecessor agency were shaky for many years. Jim joined the city's staff as stability arrived, but the city and its councils have always made a strong balance sheet a top priority. As Jim has often noted, the city has wonderful public improvements but they are also on the bay, and they deteriorate rapidly. The roads need more care than most and the extensive pumping systems that fill and moderate Foster City's lagoons are expensive to maintain. The community rightfully deserves a first class police department, and all of these expenses have to be managed aggressively. Jim is the classic "man with the green eyeshade" who realizes that a community of sustained good living cannot exist unless the city's finances remain strong. As a consequence of his financial and community leadership, transformative public and private improvements have been accomplished during his years as City Manager.

The Vintage Park Overcrossing was completed in 1992. A corporation yard project was

finished in 1993. A lift station for water control purposes was finished in 1996. Upon entering Foster City, one is struck by its beautiful new library and civic center complex, completed in 1999 and 2003, respectively. The Leo J. Ryan Amphitheater was completed in 2004, a water main extension in 2006, a teen center in 2010, and the widening of two major roads in 2013. The Foster Square development was finished this year. These are just a few of the many physical manifestations of Jim's leadership.

However, the most important and enduring legacy of Jim is the way in which he created a cohesive team amongst city staff. Employees are encouraged to accept responsibility but to work as a team to meet the public's needs. As we know, public service can sometimes entail resolving contentious issues. Jim's decent, non-controversial approach to problem solving was a steady voice during many staff and council meetings.

Jim is not the only leader in the Hardy family. His wife, Luisa, is also retiring from her career and the two of them will be able to spend more time with their four adult children, all employed in challenging positions, and with the Hardy-family grandchildren. The airlines are going to be seeing a lot of Jim and Luisa as they make their way back and forth between Utah and the Bay Area over these next few years.

Mr. Speaker and members, one of the highest compliments that we can pay to anyone leaving public life is to say that they served with honor. Jim Hardy did so. He was honest and fair in his dealings with the public, patient with his councils and dutiful towards their directions, mindful of his employees and their needs and conscious of setting the highest personal standard of propriety. There are no statues erected or brilliant orchestral compositions written to commemorate the ending of a distinguished career in local government. However, there are fond memories. Jim leaves thousands of these as he exits public service. These fond memories are themselves a type of ode to a life well led, and as enduring as any statue that we might erect. Now is the time to say thank you to Jim Hardy, a man called father, grandfather, leader and friend.

#### HONORING BARBARA HARRIS

#### HON. LOIS FRANKEL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Ms. FRANKEL of Florida. Mr. Speaker, I rise today to celebrate Barbara Ann Poland Harris of West Palm Beach, Florida, who turned 84 years old on June 29th, 2015.

Barbara, who was born in Steubenville, Ohio, is a lifelong educator, member of the Alpha Xi Delta sorority, and loving mother of two sons. Barbara moved to Florida in 1954 to teach and coach basketball at St. Patrick's Catholic School in Miami Beach. She went on to teach at Watkin B. Duncan Middle School in 1965, where she taught until her retirement in 1995. While teaching at the middle school, Barbara was named teacher of the month, had a yearbook dedication in her name, and was a tennis coach and avid sports supporter.

After her retirement Barbara traveled extensively across Europe and Asia.

I am proud to represent Barbara in Florida's 22nd District. I join with her friends and family in celebrating her birthday. I wish her good health and continued success in the coming years.

#### COMMEMORATING THE 50TH ANNIVERSARY OF THE PASSAGE OF THE "OLDER AMERICANS ACT" OF 1965

#### HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Ms. JACKSON LEE. Mr. Speaker, I rise today to commemorate the 50th anniversary of the passage of the Older Americans Act of 1965.

Passed by the historic 89th Congress, the "Older Americans Act" was signed into law by President Lyndon Johnson on July 14, 1965 in response to the growing national consensus that the level of community social services available for older Americans was simply inadequate.

The original legislation established the authority for grants to states for community planning and other social services.

These services included funding for vital research and development of projects, and personnel training to assist our aging citizens.

This legislation authorized the creation of a wide array of programs through a national network of 56 state agencies that specialize in aging.

The legislation also led to the creation of 629 area agencies on aging, nearly 20,000 service providers, 244 Tribal organizations, and 2 Native Hawaiian organizations representing 400 Tribes throughout our country.

The Older Americans Act also assisted in the creation of community service employment for low-income elder Americans.

These community services included implementation of job training for our aging community; along with focusing on the protection of the rights of vulnerable Americans.

Every year, an estimated 2.1 million older Americans are victims of elder abuse, neglect, or exploitation.

In 2013 alone, over 4.2 million elder Americans were below the poverty level.

Today, an estimated 65.7 million Americans, or nearly 30 percent of the general population, provide care for an older adult, or someone living with illness or disability.

The Older Americans Act has led to the creation of vital programs such as the National Meals on Wheels of America, which provide meals to our ever growing elderly community.

According to the United States Census Bureau, 9 percent of the residents of my congressional district, which is centered in Houston, Texas, are over the age of 65.

These older citizens in the city of Houston utilize services provided by the Harris County Area Agency on Aging Family Caregiver Support Network.

Without the passage of significant legislation such as the "Older Americans Act" of 1965,

older American citizens throughout our country would never know of the positive impact that a professional caregiver can provide them.

Older women are more than likely to be living alone at the age of 75, and a caregiver will provide them the necessary assistance to live a healthy life in their own home.

The issues facing our seniors grow every day with the increasing pace of the world around us.

The services that the Older Americans Act generated have assisted countless elder Americans in the half century since the law was enacted.

Mr. Speaker, I am proud to commemorate the 50th anniversary of the passage of the "Older Americans Act" of 1965 and to recognize its remarkable contributions to the quality of life enjoyed by older Americans and in making our country a better and sweeter place to live.

#### OUR UNCONSCIONABLE NATIONAL DEBT

#### HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$18,151,981,262,337.43. We've added \$7,525,104,213,424.35 to our debt in 6 years. This is over \$7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

#### PERSONAL EXPLANATION

#### HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mr. GOODLATTE. Mr. Speaker, it recently has come to my attention that the last vote I intended to cast during the vote series on May 12, 2015, was not recorded. I would have recorded my vote as Yes on H.R. 2146, the Defending Public Safety Employees Retirement Act.

#### REMEMBERING THE LIFE OF MORRIE SANCHEZ

#### HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise to remember Morrie Sanchez, a longtime Angeleno, onetime union organizer, avid dancer, and family friend. Morrie passed away quietly on June 16, 2015, in Monrovia, California, at the age of 97.

Born on June 25, 1917, in Jerome, Arizona, to Victoria Balderamos and Angel Gonzalez,

Morrie was from an old California family whose roots in the state predated the Mexican Revolution and its becoming part of the United States. She had two sisters, Vera and Margarita.

Her grandfather, Zeferino Balderamos, was born in San Luis Obispo in the early 1800s, and her grandmother, Modesta Rodriguez, was from Sonora, Mexico.

When Morrie moved to Los Angeles, California, she lived and raised her three eldest daughters—Dolores, Rose Marie, and Carol—in the city's downtown core, in an area known as Bunker Hill. She later moved to Pico-Union, where she raised her youngest daughter, Sylvia.

Morrie was a stalwart of the International Ladies Garment Workers Union (ILGWU), serving as a union organizer, as a shop steward, and multiple terms as local chapter president between 1950 and the late 1980s.

A longtime community activist, Morrie worked diligently in many political campaigns. These included the first election of my father, former Congressman Edward R. Roybal, to his earlier position as the first Latino in the 20th century to be elected to the Los Angeles City Council.

For many years, she volunteered with the City of Hope and White Memorial Hospital, and with many other local nonprofit groups.

Morrie did not let retirement slow her down a bit. Instead, she used her "free time" to support senior citizen causes, and could often be seen dancing the afternoon away at one of the many local senior centers, including the International Institute in Boyle Heights, the Highland Park Senior Center, and Salazar Park in East Los Angeles.

In 1990, the International Institute named her "Mother of the Year." Morrie was the matriarch of six generations living in Southern California at the time of her death.

The Roybal family is fortunate to have known Morrie Sanchez as a supporter and friend.

She is survived by daughters Dolores Sanchez, Rose Marie Barron, Carol Limon, and Sylvia Sanchez; sons-in-law Jonathan Sanchez and Gilbert Limon; 17 grandchildren; 41 great-grandchildren; 29 great-great-grandchildren; and one great-great-great grandchild. She was laid to rest on June 25, 2015, at Calvary Cemetery in East Los Angeles.

TRIBUTE TO GORDON AND  
PATRICIA SCHOENING

**HON. DAVID YOUNG**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Gordon and Patricia Schoening of Glenwood, Iowa, on the very special occasion of their 70th wedding anniversary.

Gordon and Patricia's lifelong commitment to each other, their children Suzanne, Bruce, and Jodi, their seven grandchildren, and their six great-grandchildren embodies true Iowa values. I applaud this devoted couple on their 70th year together and I wish them many

more years of happiness. I know my colleagues in the House will join me in congratulating them on this momentous occasion. I wish them and their family all the best moving forward.

IN RECOGNITION OF THE LIFE OF  
AUBREY WILLIAM "BILL" FRENCH

**HON. DEBBIE DINGELL**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mrs. DINGELL. Mr. Speaker, I rise today to recognize the life and contributions of Mr. Aubrey William "Bill" French for his commitment to the betterment of Ypsilanti, MI, and service to his community. Bill French's passion for business stimulated the local economy and instilled a confidence in other entrepreneurs to invest in Washtenaw County.

Mr. French's business career started in 1972 when he and his wife, Sandee French, opened Aubree's Pizzeria in Depot Town. The business became the foundation for Depot Town and it has been a special establishment in Washtenaw County since 1972. Aubree's continues to operate after 43 years, and it has grown to include 8 separate locations.

Mr. French was known as a passionate restaurant owner who worked hard to develop a strong rapport with his staff. He helped his team develop a strong work ethic, and supported their academic and professional goals. His skills as a mentor not only developed a restaurant; he built a family.

In addition to being a restaurant owner, Mr. French was the first president of the Depot Downtown Development Authority, and served on the Ypsilanti Economic Development Corporation. For his service to his community, Mr. French received many awards throughout his life, such as the Small Business Person of the Year Award in 1994, and the Distinguished Service Award from the Ypsilanti Area Chamber of Commerce.

Mr. Speaker, I ask my colleagues to join me today to honor the memory of Mr. Aubrey William "Bill" French for his dedication to business, the City of Ypsilanti, and Washtenaw County.

RECOGNIZING BILL PRESS

**HON. ELEANOR HOLMES NORTON**

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Ms. NORTON. Mr. Speaker, I rise today to ask my colleagues to join me in recognizing Bill Press for his outstanding contributions to political commentary in the District of Columbia and across the country, and in congratulating him on the occasion of his 10th anniversary as host of the nationally syndicated The Bill Press Show, heard on the radio and seen on FreeSpeech TV. With offices located right here in Ward 6 of the nation's capital, Bill Press has remained consistent in informing Americans about our congressional legislation for statehood and voting rights, and D.C.'s fight to achieve equal citizenship.

Ten years ago, The Bill Press Show began as a nationally syndicated talk radio program. Today, the program is seen and heard nationally on radio, television, and on the internet. For more than four decades, Bill has made himself a go-to, reliable political pundit on radio and on television. Bill has covered both the Democratic and Republican national conventions in his time as host of The Bill Press Show and regularly covers the White House. As a former co-host of MSNBC's Buchanan and Press, CNN's Crossfire and The Spin Room, Bill Press built a national reputation for thought-provoking and humorous insights on American politics.

Bill Press is also the author of five books and writes a nationally syndicated newspaper column, distributed by Tribune Media Services. He is also a featured columnist for The Hill newspaper in Washington, D.C.

During Bill's storied career, he has received numerous awards for his work, including four Emmys and a Golden Mike Award. In 1992, the Associated Press named him Best Commentator of the Year.

Bill Press got experience many commentators lack when he chaired the California Democratic Party from 1993 to 1996 and served as chief of staff to California State Senator Peter Behr (R). He also served as director of the California Office of Planning and Research under Governor Jerry Brown.

Mr. Speaker, I ask my colleagues to join me commending Bill Press and his entire team at The Bill Press Show, including his Executive Producer, Peter Ogburn, and his business partner, Paul Woodhull for their 10 years of outstanding service to the field of political commentary and their continued commitment to providing information and analysis to the American people.

HONORING THE GREAT SALT BAY  
COMMUNITY SCHOOL IN  
DAMARISCOTTA, MAINE

**HON. CHELLIE PINGREE**

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Ms. PINGREE. Mr. Speaker, I'm proud to be from a state with a lasting tradition of supporting arts education. From Winslow Homer to Andrew Wyeth, Maine artists have long been recognized for their extraordinary talent. This is in no small part due to the emphasis that Maine schools have put on arts education. I'm so grateful for the many educators who have made teaching our youth about the arts a priority.

This year, the Great Salt Bay Community School in Damariscotta, Maine won the National Association of Music Merchants Foundation's SupportMusic Merit Award for the exceptional quality of its music program. They have led our state in arts education, and I am confident that their program serves as an inspiration to schools across the country that are looking to better educate their students about the arts.

Winning the SupportMusic Merit Award is a prestigious honor, and the entire Damariscotta community should be proud. This achievement

belongs to the administration, teachers, students, families, and town as a whole. I am so proud to have this excellent school in my district. This award is a testament to its teachers' dedication and commitment to their students as well as to the tremendous talent that is required to motivate and properly educate students about music.

It gives me great pleasure to offer the Great Salt Bay Community School—along with its teachers, staff and students—my sincerest congratulations on this prestigious award, and my best wishes for the years to come.

COMMEMORATING THE PASSAGE  
OF THE PRESIDENTIAL SUCCESSION ACT OF 1947

**HON. SHEILA JACKSON LEE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Ms. JACKSON LEE. Mr. Speaker, I rise today to commemorate the passage of the "Presidential Succession Act of 1947."

Passed by the 80th Congress, the "Presidential Succession Act" was signed into law by President Harry S. Truman on July 18, 1947, in response to the sudden death of Franklin Delano Roosevelt, the 32nd President of the United States.

The death of President Roosevelt was felt throughout the country, because FDR had held the office for over twelve years and seen the country through the Great Depression, the surprise attack by Japan on Pearl Harbor, and World War II.

When President Roosevelt died, Vice President Harry Truman was immediately sworn in as President; the position of Vice President remained vacant for the duration of the term, from April 1945 to January 1949.

President Truman prevailed upon the Congress to pass legislation that would correct the issue of a vacant Constitutional position within the Executive Branch.

The Presidential Succession Act established the line of succession to the office of President of the United States in the event that neither a President nor Vice President is able to discharge the powers and duties of the office.

The Presidential Succession Act places the Speaker of the House first and the President pro tempore second in the line of constitutional succession for our Chief Executive after the Vice President of the United States.

By creating this clear line of Constitutional succession for the Office of the President, Congress provided a mechanism to maintain continuity of executive branch operation through horrific national tragedies, like the one occurring on November 22, 1963 in Dallas, Texas, when President John F. Kennedy was assassinated, elevating at that moment Vice President Lyndon Johnson to the Office of the Presidency.

Another moment in our nation's history that exemplifies the wisdom of the Presidential Succession Act is the attempted assassination on March 30, 1981, of our 40th President, Ronald Reagan.

The aftermath of this attempted assassination of a sitting U.S. President was eased by

the well-known defined transition of duties set forth in the Presidential Succession Act.

Mr. Speaker, I am proud to commemorate the "Presidential Succession Act" of 1947 as an example of Congressional foresight in protecting the continuity of the Office of the Presidency during a national crisis.

TRIBUTE TO THE MEDICAL UNIVERSITY OF SOUTH CAROLINA AND THE SOUTH CAROLINA EDUCATIONAL TELEVISION NETWORK

**HON. JAMES E. CLYBURN**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mr. CLYBURN. Mr. Speaker, I rise today to offer my congratulations to the Medical University of South Carolina (MUSC) and South Carolina Educational Television (SCETV) for garnering a coveted bronze prize at the annual "Telly Awards" for their partnership documentary, "Zip Code." The Telly Awards honor the finest in film, video production, and web commercials for outstanding local, regional and cable television commercials and programs.

I applaud MUSC and SCETV on their efforts to present a program to South Carolina viewers offering viewpoints of doctors and community leaders that seek to change the way people think about health care. More specifically, this program focuses on a variety of health topics, from the food we eat to the water we drink to the air we breathe—all of which affect our daily lives and play a huge role in our health. According to statistics from the Centers for Disease Control, in South Carolina alone there are approximately one million people who lack access to healthy food. That's 20 percent of the state's population.

Through MUSC's Public Information and Community Outreach group, the "Zip Code" production paired two outstanding organizations who presented an in-depth look at the many causes of health disparities in our nation today. As stated in the program, "Health starts where we live, learn, work and play. In fact, some experts say the lifespan of a child is determined more by his or her zip code than their genetic code." "Zip Code" seeks to answer, "Why is there such a divide in the health of the American people?"

I would also like to personally thank my good friend David Rivers, the Director of the Public Information and Community Outreach department at MUSC, for his leadership in this project. His commitment and creativity have led to instructive and productive innovations.

Mr. Speaker, I ask that you and my colleagues join me in congratulating these two outstanding organizations on their efforts to bring attention to the important topic of the state of health in South Carolina.

HONORING UNITED STATES NAVY  
CAPTAIN ANDREW K.M. ROSA

**HON. ROBERT J. DOLD**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mr. DOLD. Mr. Speaker, I rise today to recognize the career and contributions of United States Navy Captain Andrew Rosa. I know I am not alone in my appreciation of Captain Rosa's service and dedication.

Throughout his career, Captain Rosa served in a variety of positions both here in the United States and overseas. As Mission Commander of Task Group 53.8—a Fifth Fleet antiterrorism-force protection task group—he was mobilized and deployed to the Persian Gulf in support of Operations Southern Watch and Enduring Freedom. His bravery and contributions to our nation's fight against terrorism are truly admirable.

Captain Rosa leaves a lasting legacy through his leadership and unwavering commitment to the protection of this country's ideals both at home and abroad. Mr. Speaker, it is my honor to express my gratitude to Captain Andrew Rosa for his thirty-four years of exemplary service.

IN RECOGNITION OF DR. WILLIAM  
L. DEAN

**HON. MIKE ROGERS**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mr. ROGERS of Alabama. Mr. Speaker, I ask for the House's attention today to recognize Dr. William L. Dean who will become Pastor Emeritus at First Baptist Church of Sylacauga in Sylacauga, Alabama.

Dr. Dean served as the senior pastor at First Baptist Church of Sylacauga from October 1972 until December 1994—pastoring this church longer than any other minister.

The event honoring Dr. Dean will take place at the First Baptist Church on Sunday, August 23, 2015 at 11:00 a.m.

Mr. Speaker, please join me in recognizing Dr. Dean and thanking him for his unwavering service and devotion to First Baptist Church Sylacauga.

TRIBUTE TO JOHN AND SUE VAN  
FOSSON

**HON. DAVID YOUNG**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor John and Sue Van Fossan of Clarinda, Iowa, on the very special occasion of their 60th wedding anniversary. John and Sue were married on June 24, 1955 in College Springs, Iowa.

John and Sue's lifelong commitment to each other, their children, Teresa, Julie, Robin, Bruce, and Betsy, as well as their grandchildren and great-grandchildren truly embodies our Iowa values. I applaud this devoted

couple on their 60th year together and I wish them many more. I know my colleagues in the House will join me in congratulating them on this momentous occasion. I wish them and their family all the best moving forward.

HONORING THE LIFE OF FLORIDA'S BELOVED, SENATOR DURELL "DOC" PEADEN, JR.

### HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mr. MILLER of Florida. Mr. Speaker, I rise to recognize the life and legacy of Northwest Florida's beloved Senator Durell "Doc" Peaden, Jr. Doc was a great friend and committed public servant who had an enormous impact on the lives of both his constituents in Northwest Florida and the state as a whole. His passing is mourned throughout the great State of Florida.

A proud Northwest Floridian, Doc was born August 24, 1945, in DeFuniak Springs. After obtaining his undergraduate degree from Tulane University, Doc went on to medical school, gaining his MD in 1973. He immediately returned to his home in Northwest Florida, and, as he often liked to say, he was a "country doctor" for decades, working tirelessly to care for the patients in and around his home in Okaloosa County. While practicing medicine, Doc also obtained his law degree.

In 1994, Doc Peaden began his distinguished career as an elected official when he won a seat in the Florida House of Representatives serving the people of the 5th District. Using his immense experience as a doctor, Doc quickly established himself as a leader in the state on health care issues, and during his time in the House, he helped lead efforts to expand medical education in the state by establishing a medical school at Florida State University. Having had the opportunity to serve with Doc in the Florida House, I know firsthand how hard he worked to ensure that the medical needs of our state were met.

After serving in the Florida House of Representatives, Doc continued his tremendous service to Northwest Florida in the Florida State Senate, where he served from 2000–2010. His tenure included a position as Chairman of the Health and Human Services Appropriations Committee, and he successfully championed many important health care related bills through the Florida Legislature, including legislation requiring greater reporting from physicians.

As a physician and a legislator, Doc was deeply committed to advancing the important issue of medical education to the forefront, and both during and after his time in the Legislature, he championed the construction of new medical schools around the state. He deeply understood how vital it is to ensure that rural Floridians have their medical needs met in their own community, and after leaving the Senate, he was instrumental in bringing a new dental school to DeFuniak Springs.

To some, Doc Peaden will be remembered as a caring physician, always going above and beyond the call to serve the needs of his patients; to others, he will be remembered as an exceptional elected official and champion of health care; to his friends and family, he will forever be remembered as a loving husband and father. His immense contributions to our community and our state will never be forgotten.

On behalf of the United States Congress, I am privileged to recognize the life of Senator Durell "Doc" Peaden, Jr. My wife Vicki and I extend our heartfelt prayers and condolences to his wife, Nancy; his children Durell III (Trey), Tyler, and Taylen; and the entire Peaden family.

HONORING MR. JOHN MOERLINS

### HON. LEE M. ZELDIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mr. ZELDIN. Mr. Speaker, I rise today to honor Mr. John Moerlins. It takes a special type of person to lead a life of serving his or her community; Mr. Moerlins was that type of person.

Mr. Moerlins selflessly served our great country during his early years in the United States Army and continued to serve his local community of Sound Beach, New York, through his work in federal and local agencies, and many local organizations. After serving in the Army, Mr. Moerlins came home to Long Island where he worked eighteen years as a letter carrier for the Glendale Post Office of the United States Postal Service and was a long-time member of the National Association of Letter Carriers. He later became Treasurer of the National Association of Retired Federal Employees.

Mr. Moerlins continued his life of service on a more local level as a valued resident of the Sound Beach Community on Long Island. He was a long-time member of the Sound Beach Civic Association, the Mt. Sinai Senior Citizens Club, and the Board of the Sound Beach Property Owners. He served as an usher in the St. Louis de Montfort R.C. Church, served on the Miller Place Board of Education, and was also extremely instrumental in the completion of many local projects. As a Veteran of the United States Armed Forces, it is fitting that Mr. Moerlins helped to secure funding to create the Sound Beach Veterans Memorial. Additionally, Mr. Moerlins was actively involved in the design of the children's park and the installation of the bus shelter in front of the post office in Sound Beach.

Mr. Moerlins passed away on December 15, 2011. In addition to serving his community, Mr. Moerlins was also a loving husband, father, and grandfather who is dearly missed by his family and friends. It is my hope that many will follow in the footsteps of Mr. Moerlins and give back to their country and community as graciously as he did. People like Mr. Moerlins help make our world a much better place.

Today, I thank John for his years of dedication and service to our country and community.

COMMEMORATING THE LIFE OF CARL D. "CHUBBY" PROFFITT, JR.

### HON. ROBERT HURT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2015*

Mr. HURT of Virginia. Mr. Speaker, I submit these remarks to commemorate the life of Carl D. "Chubby" Proffitt, Jr., of Charlottesville, Virginia, who passed away June 30, 2015 at age 96.

Mr. Proffitt began serving in the U.S. Army National Guard during the Great Depression to support his family. He was called to duty during Pearl Harbor and as a member of the Army's 29th Infantry Division, led his platoon on D-Day. Mr. Proffitt successfully guided thirty men in his landing craft safely on the beach through rounds of machine gun and artillery fire.

For his valor and service, he received three Purple Hearts, a Distinguished Service Cross, a Silver Star, two Bronze Stars, and numerous other awards. In 2013, I was honored to see Mr. Proffitt receive the French Legion of Honor for his service during World War II and participate in a ceremony honoring Mr. Proffitt in Charlottesville at the American Legion. He fondly remembered those he served with who did not return home and credited God for his safe return.

Mr. Proffitt was a tremendous family man—a husband of 64 years to wife Ollie, a father, grandfather, and great-grandfather. As a witness to such pivotal moments in our nation's history, he was honored to speak with student groups and those researching World War II. He was selected to lead the Pledge of Allegiance at the 2008 Naturalization Ceremony at Monticello which then-President George W. Bush attended. He was actively engaged with local recreational endeavors, particularly sports, leading the Charlottesville City Council to honor him in 2010 by dedicating fields at the McIntire Softball Complex in his name. Mr. Proffitt was remembered by Phil Grimm, the commander of American Legion Post 74, of which Proffitt was a lifetime member, as a humble, spirited leader: "He was so down-to-earth that you never realized you were in the presence of someone who had accomplished so much."

We remain forever grateful for Mr. Proffitt's bravery and sacrifices—may he rest in peace. On the day Carl D. "Chubby" Proffitt, Jr., is laid to rest, I ask that the members of this House of Representatives join me, the Proffitt family, and the community of Charlottesville, Virginia in honoring the memory of a great American hero.

## SENATE—Wednesday, July 8, 2015

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, Your mercies endure forever. You continue to protect us with Your loving kindness, putting our enemies to shame. Be a shield for our Senators, preparing them for every challenge and fortifying them for every adversity. Lord, use them to show forth all Your marvelous works, continuing to be their high tower in troubled times. May they not forget to serve all the people, including the oppressed, the marginalized, the lost, the lonely, the last, and the least. Inspire them to live lives that show Your goodness to our Nation and world.

We pray in Your great Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. COATS). The majority leader is recognized.

### EVERY CHILD ACHIEVES ACT

Mr. MCCONNELL. Mr. President, Republicans and Democrats have long agreed that the No Child Left Behind law is broken and needs to be fixed, but the Senate didn't do anything about it for 7 long years, missing its deadlines repeatedly.

The new majority in Congress thought it was time to change that dynamic. We thought it was time for bipartisan action instead. That is why we are taking up the Every Child Achieves Act today. It is bipartisan legislation drafted by a Republican former Education Secretary, Senator ALEXANDER, and a Democratic former preschool teacher, Senator MURRAY. It passed through committee with the support of every single Democrat and every single Republican.

Just think about it. From third rail to unanimous bipartisan support, now that is an impressive achievement. It shows how a functioning committee

process and a functioning Senate can, with hard work from Senators such as ALEXANDER and MURRAY, break through the gridlock. It is another encouraging sign for Americans who like what they are seeing from a new Congress that is back to work and back on their side.

The American people know education is an issue that touches almost every single person in our country. They know how critical it is to our children's future and many are upset with an education system in desperate need of reform.

Although No Child Left Behind was well intentioned and laid the ground work for important reform to our education system, it is now clear that some of its requirements have become unachievable. For instance, basically every school is now considered failing under the law, and because the law has become so broken, the administration has found ways to effectively dictate education policy from the executive branch. That is not the right approach for our kids. The White House shouldn't be trying to run your local school board.

The Every Child Achieves Act would put an end to that kind of control from thousands of miles away. It would do so by eliminating onerous Federal mandates and reining in the power of the executive branch so States cannot be coerced into adopting measures such as Common Core.

Instead of more Federal control, the bipartisan Every Child Achieves Act aims to empower teachers, parents, and students to improve education where they live. It would restore responsibility and accountability to States and local school districts. It would give them increased flexibility to design and implement their own education standards and programs. This bipartisan bill would also allow States to develop their own accountability models to include other measures beyond testing to determine student achievement and school quality and to determine the best ways to turn around underperforming schools.

Nothing out of Washington could ever solve all of our education challenges overnight, but the Every Child Achieves Act takes positive steps forward. It recognizes that your local school board shouldn't, in effect, be run from hundreds or even thousands of miles away. It recognizes that States and parents are going to know far more about the needs of their schools and their students than some detached bureaucrat in Washington. There are ideas both parties should support and,

in fact, there are ideas both parties just did support unanimously in committee.

If Senators have changes they would like to see in the bill, now is the time for colleagues to work with the bill managers to get their amendments moving. We already have several lined up.

This is a good debate for the country, so let's continue working cooperatively across the aisle to empower States and parents, instead of Federal bureaucrats, to enact the education policies that actually work for their students.

### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

### DEADLINES IGNORED

Mr. REID. Mr. President, one of the legendary Senators who recently retired from the Senate after many years in the House and the Senate, Tom Harkin, if he were here, would be on the floor taking issue with what the Republican leader just said.

Tom Harkin tried very hard to have a reauthorization of the elementary and secondary education bill. Why didn't he get it? Because Republicans blocked us from doing it. So it is nice that my friend the Republican leader comes and talks about all the great things being done in Congress now, but the fact is it could have been done many years ago had we had a little bit of cooperation from the Republicans.

The new Republican majority has ignored upcoming deadlines and neglected to address urgent problems facing our great country. I am saying that—and that is just an understatement. Instead, they have governed through a series of last-minute, manufactured crises that increase uncertainty and impose unnecessary and wasteful costs on our country. In just a few minutes, we are going to debate the education matter, as we should.

But as important as that is, it is extremely important we don't take our eye off the prize. And what is that? Because in just a few months, the government is going to run out of money. Unless we can reach a bipartisan budget agreement, our Nation will be faced with yet another ridiculous and damaging government shutdown.

Now, my Republican colleagues understand what I just said because they are the ones who created the last government shutdown. It was a crushing blow to our economy. Sadly, the only

reason we were able to reopen the government is because Democrats voted almost unanimously to reopen the government. Sadly, to just take one example, well over half of the Republicans, about two-thirds of the Republicans in the House, voted to keep the government closed. How about that.

So another government shutdown would be unacceptable. But remember, it has been done before—with joy—by my Republican colleagues. Sequestration is another thing they seem to like.

So having had that as a historical background, we ought to be able to get together, compromise, and reach a bipartisan solution for our country in a timely, responsible way. You would think so.

As happened here before we left for the July 4th recess, there was an effort made to move to the Defense appropriations bill, and that was stopped because we believe that what we need to fund more than defense is we need to fund the whole government. We stand ready to work with Republicans to reach a bipartisan solution. Unfortunately, it seems as if Republican leadership shows no interest in compromise. Democrats have urged them to come to the table now, and they have refused.

Unless we act now, we will be faced with another Republican-imposed crisis at the end of this fiscal year. This should be avoided, and it can be avoided. Don't just take my word for it. There are Republicans in the House who believe the time for games and brinkmanship should be over. The New York Times today reports that high-ranking Republicans in the House are calling for negotiations again now:

Senior House Appropriations Committee members, including the panel's chairman, Representative Harold Rogers of Kentucky, have already told Republican leaders that the time to negotiate a way out of the impasse is now, not in the shadow of a papal visit or a government shutdown on October 1.

There is also in this same article, in the last paragraph, something that is quite important.

"The reality is we still live in a divided government," Mr. Cole said.

He is one of the senior Members of the House Republican caucus.

"It's not as if the Democrats can be shut out. . . ."

And we proved that with a vote on the Democratic response to the efforts to move to Defense appropriations. Continuing:

"It's not as if the Democrats can be shut out, but they can't dictate to us any more than we can dictate to them. It's time to sit down and see if we can make a deal."

We can reach a deal.

So I urge Republicans to follow the leadership of Chairman ROGERS and long-time Representative COLE and work to get this process going now. Let's not wait yet another week. Cer-

tainly we shouldn't wait any longer. Let's move forward. Let's not wait until the last minute. Let's not risk another shutdown. Let's sit down and talk to each other and reach a bipartisan budget agreement on behalf of the American people. The President and his people would be happy to be engaged any time on this.

I certainly hope we can move forward and not have another repeat of what the Republicans did to this country just a short time ago and close it down.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### EVERY CHILD ACHIEVES ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1177, which the clerk will now report.

The senior assistant legislative clerk read as follows:

A bill (S. 1177) to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

Pending:

Alexander/Murray amendment No. 2089, in the nature of a substitute.

Alexander (for Fischer) amendment No. 2079 (to amendment No. 2089), to ensure local governance of education.

Murray (for Peters) amendment No. 2095 (to amendment No. 2089), to allow local educational agencies to use parent and family engagement funds for financial literacy activities.

Alexander (for Rounds/Udall) amendment No. 2078 (to amendment No. 2089), to require the Secretary of Education and the Secretary of the Interior to conduct a study regarding elementary and secondary education in rural or poverty areas of Indian country.

Murray (for Reed/Cochran) amendment No. 2085 (to amendment No. 2089), to amend the Elementary and Secondary Education Act of 1965 regarding school librarians and effective school library programs.

Murray (for Warner) amendment No. 2086 (to amendment No. 2089), to enable the use of certain State and local administrative funds for fiscal support teams.

Toomey amendment No. 2094 (to amendment No. 2089), to protect our children from convicted pedophiles, child molesters, and other sex offenders infiltrating our schools and from schools "passing the trash"—helping pedophiles obtain jobs at other schools.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, as the Democratic leader leaves the floor, I thank him again for his cooperation and that of Senator MURRAY of Washington in creating an environment in which we can move ahead on this bill. I greatly appreciate that and so do other Senators. That is demonstrated with the fact that we have had dozens of Senators who have come forward with amendments. Dozens of amendments have been agreed to, and Sen-

ator MURRAY and I will be recommending to the full Senate that we adopt those amendments soon.

I wish to take a moment to reflect on what we are doing in the Senate today. We spent a lot of time on national defense issues. The distinguished Senator who is presiding today is a member of our Intelligence Committee. He hears a great deal about ISIS, Iran, and the nuclear deal we might have and about what is going on in Syria and Lebanon, and we want to do our best to be strong militarily so we can defend ourselves in the world. We also want to be strong at home. We want to make sure we have a strong country.

Almost all of us agree that the single most important thing we can do to ensure our future is to make sure our children and our adults continue to develop their educational skills, that they learn what they need to know and be able to do.

I know in my home State of Tennessee we are trying to compete with the whole world. We are making cars, guns, trucks, all sorts of computers, and all sorts of manufactured goods that we sell not only in the United States, but we sell them around the world. You walk into the Nissan plant in Tennessee, which has 7,000 or 8,000 employees today, it is the largest auto plant in North America, the most efficient, and very important to our State. It has helped to raise our family incomes more than almost anything that has happened there. But 30 or 40 years ago, it would have had 20,000 or 25,000 employees; now it has 7,000 or 8,000. Every one of those employees has to have considerable skills. They have to learn statistics and algebra and to speak English well. They have to learn to work with one another. In other words, they have to do well in schools, and they have to do well in postsecondary education, which is a separate discussion.

So we are talking today on the Senate floor—and the House is talking tomorrow—about what we can do as the Congress to create an environment in which our children can succeed in schools. That is not always on the front pages in Washington, DC, but I can guarantee it is on the front pages at home. It is on the front pages in the rural areas of New Mexico, Indiana, and in the cities of New York and Tennessee because parents care about it, students care about it, and it is about our future.

The Federal Government has a limited role in elementary and secondary education. The bill we are debating today is called the Elementary and Secondary Education Act. It funds only about 4 percent of what the Nation spends on kindergarten through 12th grade. The Federal Government funds another 4 or 5 percent through different programs, but States and local governments fund about 90 percent of what goes on in the schools.



Not only is most of the funding action local, but so is most of the real work—most of the real work. We have 100,000 public schools. We have 50 million children in those schools and 3.5 million teachers. No one is wise enough to know what to do about helping a third grader learn in a native village in Alaska, in the mountains of Tennessee, and in the center of Harlem at the same time. The ones who are closest to the children have the most chance to make a difference. Now, does that mean we have nothing to do here about it? No, I don't think it does. I think education is a national concern. But that doesn't mean it has to be a Federal concern run from Washington and the U.S. Department of Education.

The first President Bush, in 1989, called all the Governors together and established national education goals in math, science, English, history, and geography. But he didn't pass a law about that. He just created a consensus about that, and then he led the country in that direction, first through America 2000, which works State by State and community by community toward those goals. That was in the early 1990s.

That was when we worked together to create higher standards for States. If you are going to have goals, you have to have standards. Where do you get those? Well, Governors worked together to create them—voluntary national standards. Then tests were developed to see how you were doing on the standards—voluntary tests. Then came more choices for parents and then more charter schools, which are public schools in which teachers have more freedom to serve the needs of children presented to them and parents have the opportunity to choose those. Those were the directions the States were going. The States were going in the direction of better teaching, higher standards, and real accountability.

Mainly because of the advantage of age, I happened to have been in the middle of all that. I was Governor when "A Nation at Risk" came out in 1983 and Terrel Bell, President Reagan's Secretary of Education, said if a foreign country had done to our schools what we had done, we would consider it an act of war. So Governors went to work on that.

In the mid-1980s, Governors worked together for a whole year to try to get better results, and then throughout the 1990s and then on into the last 10 or 15 years. Now, what has been different about the last 10 or 15 years is that the Federal Government has gotten more involved. In 2001, there was No Child Left Behind. The major contribution of No Child Left Behind was to say that we would like to know how the children are doing—all 50 million of them. So they each were to take a test, two in each year—third grade through the eighth grade, for example, and then

again in high school—in reading and math, and then they would take three science tests. Through their career, there were 17 tests.

The testimony before our education committee says those tests should take about 2 hours each. It is not a lot of time. That should be publicly reported, and then you disaggregate those tests by various groups so we can see if we are leaving children behind. Are we leaving the African-American kids behind? Are we leaving the White mountain kids behind? That is information that we need to know as a society.

The bipartisan legislation we are debating on the floor keeps those tests because we need to know those measures of achievement. But what our legislation does that is different is it says we are going to do something different about what we do about the results of those tests. We are going to restore that responsibility to the States, the classroom teachers, the school boards, and to the parents. That is where that belongs, and that has produced a remarkable consensus.

Newsweek magazine said this week that No Child Left Behind is the education law that everybody wants to fix—a remarkable consensus about that. And that is true. We hear it from everyone. But what is even more remarkable is that there is also a consensus about how to fix it. That emerged during our hearings this year, as Senator MURRAY, the Senator from Washington and the senior Democrat on our Senate committee that deals with education, looked at the last two Congresses—as I did—and she said: Well, you know, we haven't done so well. We have broken down the parts and differences. So why don't you and I write a bill—Senator MURRAY and I—and present it to our committee for consideration.

So we did that—a bipartisan bill. Now, our committee is not just any old committee, as the majority leader has said. It has on it some of the most liberal Democrats and some of the most conservative Republicans. So you would think we would have a hard time getting together, but we did pretty well. We listened to each other, and we adjusted our views. We considered a lot of amendments, and we adopted 29. When it came time to decide if we had done well enough to bring it to the floor, the vote was unanimous. Every single Senator voted for that.

So we are in a situation today where we have a chance to succeed. The House of Representatives, apparently, will vote tomorrow on No Child Left Behind—on their version of the bill. If things continue to proceed as they are today, we should finish our work next week. Senator MURRAY and I have stayed in touch with President Obama and Secretary Duncan, and we know that, in the end, if we get a result, we will need to have a Presidential signa-

ture. We want a result. We are not here to make a political statement. The lives of the children and the future of our country are too important for that. We are not here to play games. We can do that in other places. We are here to get a result and help move our country forward and do it together.

I see Senator MURRAY is here. So I will conclude my remarks and give her a chance to say whatever she might like to say. I will conclude with these thoughts. One of the questions we hear is: Are the States really prepared to accept this much responsibility?

Now, to a former Governor, such as I am, that is a strange question. I look up at Washington when I am home and I say: Are you prepared to accept all of this? I trust us. I trust the State much more than Washington. But it is a legitimate question. I would answer that, No. 1, States are better prepared today than they were 15 years ago.

I ask unanimous consent to have printed in the RECORD an op-ed from the Washington Post from last weekend written by Anne Holton, the Secretary of Education of Virginia.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, July 3, 2015]  
REVISING—NOT ELIMINATING—TESTS TO MAKE  
VA. SCHOOLS BETTER  
(By Anne Holton)

As the 12-year-old daughter of then-Gov. Linwood Holton Jr., I helped integrate our formerly racially divided public schools here in Virginia. I have spent much of my working life focused on children and families at the margin, with full appreciation of the crucial role education can and must play in helping young people escape poverty and become successful adults.

As Virginia's education secretary, I oversee one of the strongest public education systems in the nation. Our graduation rates are well above average, and we outperform most other states on the Nation's Report Card. A significant factor in our success has been the Standards of Learning (SOL) accountability system Virginia implemented in the 1990s. The rest of the nation followed in Virginia's footsteps when No Child Left Behind was signed into law in 2001. Virginia led again when we moved several years ago from assessing for minimum competency to our current college- and career-readiness standards, complete with rigorous, high-stakes testing.

Our successes have come with challenges. Parents, educators and students resoundingly tell us that our kids are over-tested and over-stressed. Eight- and 10-year-olds suffer through multi-hour tests that measure their endurance more than their learning. Barely verbal special education students whose individualized education plans are focused on independent living skills are instead drilled incessantly on a handful of facts for a modified SOL exam. Teachers are teaching to the tests. Students' and teachers' love of learning and teaching are sapped.

Most troublesome, Virginia's persistent achievement gaps for low-income students have barely budged. We have done a good job of identifying challenges but have been less successful in addressing them. An unintended consequence of our high-stakes approach is that it is now even harder to recruit and retain strong educators in our

high-poverty communities. Many of the best opt instead for schools where demographics guarantee better test scores; too often fine teachers leave the profession.

In Virginia, we are ready to lead the nation again. Last year, Gov. Terry McAuliffe (D) and our General Assembly took bipartisan action to reform the SOLs. We eliminated five end-of-course tests and created an SOL Innovation Committee to recommend further changes. This year—again with strong bipartisan support—we are moving to credit progress and growth more when we evaluate our schools.

The parents, educators, school board members, legislators and business leaders on the Innovation Committee are looking more broadly at what our graduates need for success as citizens and workers in the 21st century and at how we can best guide our schools toward those outcomes. Business leaders tell us they need students with skills such as oral communication, teamwork and problem-solving as much as substantive knowledge. As we work to grow and diversify our economy, our Innovation Committee is looking at how our schools can better meet those needs.

This approach will probably generate even bolder proposals. Strong accountability will continue to be a hallmark of our system, but we have faith that, as has been said, “Responsibility and delight can coexist.”

Students need congressional leaders to follow Virginia’s example of bipartisanship to enact common-sense changes to federal education laws now. Those changes should focus on enabling local and state educators to prepare every child for success as adults and inspire and encourage states. But they also should leave us sufficient flexibility to improve our accountability systems, reintroduce creativity into the classroom and better address persistent achievement gaps.

Thankfully, leaders on Capitol Hill are also hearing calls for reform. Sens. Lamar Alexander (R-Tenn.) and Patty Murray (D-Wash.) have co-sponsored legislation to reauthorize No Child Left Behind. Republicans and Democrats on the Senate Education Committee voted—unanimously—to send it to the full Senate for consideration; it is expected to be taken up soon. The same spirit of bipartisanship was demonstrated in the House recently when Reps. Bobby Scott (D-Va.) and Richard Hanna (R-N.Y.) introduced legislation to improve early learning. I encourage every member of Congress to set aside partisan concerns, find commonalities and take action this year to fix No Child Left Behind so that we can move all our children forward on the road to success.

Mr. ALEXANDER. Ms. Holton started out in a very prominent Republican family in Virginia, and she ended up in a very prominent Democratic family in Virginia. But as she points out in her remarks, their work in education is bipartisan. She makes the point about how much progress Virginia has made in terms of goals, standards, accountability, and testing. It is very impressive, and most States can say the same.

What has happened in the last 15 years is that Governors, school leaders, educators, and parents have worked together and created standards, tests, and now accountability systems. In other words, what do you do if things aren’t working out the way they should?

Second, we have seen the limits of the Federal Government trying to do it. I think President George W. Bush and President Obama deserve credit for looking at our Nation and seeing this is an urgent problem and wanting to do more from here. That is an understandable impulse. But there are limits to what you can do from here. We have seen that in the backlash to common core—the academic standard which was incentivized or mandated from Washington. We have seen that in the backlash to teacher evaluation defined in Washington.

The truth is that too much Washington involvement in setting standards in States and evaluating teachers in cities sets back teacher evaluation and higher standards, which to me are the holy grail of K-through-12 education. The path to higher standards, the path to better teaching, the path to real accountability is not through Washington, DC. It is through the States.

We can create an environment, we can make sure there is not discrimination, and we can send some money that will help low-income children. All those things we can do. But then we need to show some humility and recognize, as Carol Burris, Principal of the Year from New York, said: Moms and pops, teachers, and school board members cherish their children in their own communities, and you don’t really get that much wiser and smarter by flying to Washington and passing a law.

So this bill shows that humility. It shows a consensus. It is a good example of how the Senate can work together on an important issue. As I said, I am grateful to the majority leader for putting it on the floor. He had many choices, but he saw the importance of it. I am grateful to the Democratic leader for some work he has done behind the scenes to make it easier for us to succeed. I thank Senator REID for that. And I am especially grateful to Senator MURRAY for caring about children and her prestigious leadership on this.

We are moving well on amendments. I would encourage any Senator with another amendment to come to the floor quickly and let us know about it, because other Senators have—and Senator MURRAY and I have agreed on—a large number of amendments already that we are going to recommend the Senate adopt by consent. We will have a vote probably around noon. We will vote again this afternoon and again tomorrow morning. We want to finish as quickly as possible.

Hopefully, the House will succeed, and we will put our bills together and present the President with a bill he can sign, and we will fix No Child Left Behind, which is the bill Newsweek magazine said is the education law that everybody wants to fix.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, again, I really want to thank my colleague, the senior Senator from Tennessee, for working with me on this bipartisan bill. Senator ALEXANDER and I are both committed to fixing the current law known as No Child Left Behind.

I am glad we are having this very important debate on the Senate Floor. Nearly everyone agrees that No Child Left Behind is badly broken. As I have traveled around my home State of Washington over the past decade, I have heard from so many of my constituents—from teachers in the classroom to moms in the grocery store to tech company CEOs—that we have to fix this law.

Our bipartisan bill, the Every Child Achieves Act, is a good step in the right direction. It gives our States more flexibility while also including Federal guardrails to make sure all students do have access to a quality public education. I am looking forward to improving and strengthening this bill throughout the process on the Senate floor and beyond. I am going to continue working on helping our struggling schools get the resources they need, and I will be focused on making sure all our kids, especially our most vulnerable students, are able to learn and grow and thrive in the classroom.

This bill could not be more important for students across the country, and it is critical for the future of our Nation. When all students have the chance to learn, we strengthen our future workforce, our country grows stronger, and we empower the next generation of Americans to lead the world. So I am looking forward to getting to work and hopefully moving forward on fixing No Child Left Behind and making sure all of our students can learn regardless of where they live or how they learn or how much money their parents earn.

I join with Senator ALEXANDER in encouraging our colleagues to file their amendments so that we can continue making progress on this very important piece of legislation.

I yield the floor.

Mr. REID. Mr. President, Nevada is one of the largest States in the country—the 7th largest, to be exact—but we have just 17 school districts. By contrast, California, has over 1,000 school districts.

Among our 17 Nevada districts is the Clark County School District with over 300,000 students. It’s the Nation’s fifth largest district—where two-thirds of the students are minorities, and one-in-five students is an English-language learner.

For the past decade, Clark County School District has been one of the fastest growing districts in the Nation. In some years, Clark County was opening a new school every month to keep up with the growth.

But northwest of Las Vegas and Clark County is another one of our 17 districts—vast, rural Esmeralda County. Esmeralda County School District is huge, in terms of land. It covers almost 3,600 square miles, but has just four schools and about 80 students. And Esmeralda County is not unique in Nevada. There are other rural school districts in the State with schools that still have one teacher instructing multiple grades—much like the school I attended as a boy.

This diversity of Nevada's school districts makes the State a microcosm of our Nation. So I understand the issues that overcrowded, urban schools face; and I understand the challenges that rural schools must confront. More importantly, I understand that in order to improve education at every school in America, we need a comprehensive approach.

The reauthorization of the Elementary and Secondary Education Act that is before the Senate is a step in the right direction. This reauthorization has been a long time coming.

Congress last reauthorized ESEA with passage of the No Child Left Behind Act in 2001. That expired in 2007. Despite serious efforts to pass a reauthorization in 2011 and 2013 under former Senator Tom Harkin's leadership, we were not able to overcome real policy disagreements on the best way forward. But thanks to the hard and determined work of the chairman and ranking member of the Senate HELP Committee, we are able to begin work on the bipartisan Every Child Achieves Act.

I know it was not easy for the senior Senator from Washington or the senior Senator from Tennessee. I appreciate their efforts. Because of their work, almost 14 years after the last reauthorization, and 8 years after it expired, we finally have a bipartisan bill to strengthen our Nation's schools.

I have many concerns with current Federal education law. It has caused schools to spend too much time testing and preparing for tests. It has led many schools and districts to reduce or eliminate many subjects—such as social studies, music, the arts, and physical education—that are important parts of a well-rounded education. It has led to too many schools—many making real gains in student achievement—to be labeled as failing.

Despite these real flaws that need to be corrected, there are some aspects of current law we need to keep and improve upon. Schools, districts, and States must now make sure all students—including those with disabilities, or those not proficient in English—are making progress. We also have seen real gains in student achievement. Our Nation's high school graduation rate is the highest it has ever been and the achievement gap between minority students and white students is narrowing.

This bipartisan bill does build off some of these successes and addresses many of the flaws in current law. It maintains annual testing requirements, but includes provisions to consolidate tests—helping reduce the number of tests and amount of time students spend taking tests. It continues to require student achievement to be reported by groups of children, including by income, race, English-language proficiency, and for students with disabilities. It makes early childhood education a priority, with a new grant to improve early childhood education access and quality for low- and moderate-income families. It makes important changes to a grant program to help our lowest-performing schools. Most notably, this bipartisan agreement also does not include many of the proposals included in earlier draft bills that would dilute the effectiveness of title I dollars or allow States to reduce their support for education.

This bill is an important first step in strengthening our Nation's schools and ensuring that our children have a world class education. And it is a true compromise—with both sides making concessions to move forward.

We all agreed that improvements needed to be made to our country's education laws. Although Democrats and Republicans have vastly different approaches, through compromise, Senators MURRAY and ALEXANDER were able to craft a balanced bill.

That is not to say that this bill is perfect. We still have work to do. I know that many Senators will have ideas for improving this legislation. I, for one, think we can do more to ensure that our lowest-performing schools make progress, or that we can do more to address schools with persistently low graduation rates. I believe we can do more to expand early learning opportunities and to do more to protect students from bullying. I will also strongly oppose efforts to weaken public schools through voucher programs.

I look forward to a substantive debate on this important bill. After all, helping to ensure that every American child gets a quality education could be among the most important things that the Senate will do during this Congress.

Mrs. MURRAY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. HIRONO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. HIRONO. Mr. President, I rise today to urge my colleagues to support the Hirono-Heller amendment No. 2109, which deals with Asian American and

Pacific Islander, or AAPI, student data.

AAPIs are the fastest growing population in the United States, but it is important to highlight that we are not all the same. I know this from my personal experience.

Just a few months ago, I attended the White House state dinner for Japanese Prime Minister Abe. The next day, there was a nice photo in the Washington Post with a caption that said, "Senator MAZIE HIRONO and her guest"—except it wasn't me. It was actually my good friend Congresswoman DORIS MATSUI of California.

In my time in Congress, I have often been mistaken for other AAPI members. Just a few months ago, during the budget debate, when I was on the floor of the Senate, C-SPAN identified me as Senator Daniel K. Inouye. I have been mistaken for JUDY CHU, who is Chinese, and others. I may be the only AAPI in the Senate right now, but we are not all the same. We come from different places and have vastly different backgrounds that make us who we are today.

The same is true in education. Our current law and the Every Child Achieves Act use the broad "Asian Americans/Pacific Islander" category to cover all AAPIs. This AAPI group includes Chinese, Japanese, Vietnamese, Asian Indian, Filipino, Korean, Native Hawaiian, Samoan, and others.

When we look at averages, the AAPI group does very well overall, but in fact there is a model minority myth. The current AAPI category hides big achievement gaps between subgroups. For example, 72 percent of Asian Indian adults have a bachelor's degree or higher, but only 26 percent of Vietnamese adults do, and only 14 percent of Hmong adults do. This adult data comes from the 2010 census. But we don't have data on how AAPI children are doing.

The Hirono-Heller amendment is simple. Today, we already have public report cards on how students in different groups are doing. Parents can look up a school district online and see what percentage of its White or Hispanic students are scoring well in reading or math. With our amendment, districts with large populations of AAPI students will simply add a piece onto their report cards to show how AAPI subgroups are doing. Our amendment uses the same 11 categories as the census. Parents are familiar with it because they filled out the census information just a few years ago.

The Hirono-Heller amendment is a bipartisan compromise. Our amendment would only apply to large school districts with over 1,000 AAPI students. Let me be clear—not districts with 1,000 students total but districts with 1,000 AAPI students. Currently, that is only about 400 school districts out of

more than 16,000 school districts nationwide. Less than 3 percent of school districts would have to do anything at all. These districts should want to know how their students are doing so they can help all students succeed.

Currently, the following States would not be affected at all by our amendment: Delaware, Maine, Mississippi, Montana, New Hampshire, North Dakota, South Dakota, Vermont, West Virginia, and Wyoming.

I have heard concerns that adding this AAPI data would be overly burdensome. The bill we are considering today already adds new reporting on military-connected student achievement. Districts can update their data systems to add checkboxes for military-connected children and AAPI children at the same time. This is not overly burdensome. Just as we are adding a new field to cover military-connected students, adding new fields that include AAPI subgroups will be just upgrading the software schools use.

In fact, the Hawaii Department of Education, DOE, is a national leader in using AAPI data. Hawaii DOE collects AAPI data on student registration forms. They easily put the data in their computer systems, which all staff can access. Having AAPI subgroup data is helpful for Hawaii's school administrators and policymakers, who analyze achievement gaps in college and career readiness, set statewide strategy, and then hire staff and target extra help to the highest need students. Hawaii DOE also shares the data with the University of Hawaii system to collaborate on student outcomes, such as credit completion and reducing remedial ed.

Principals who learn that a certain AAPI subgroup is doing poorly in their own school can choose to hire more staff for outreach to that community or can partner with community groups on afterschool programs, et cetera. Teachers can spend more time on parent outreach to help high-need students in their classroom. That is why the Hirono-Heller amendment has the support of the National Association of Elementary School Principals, the National Association of Secondary School Principals, and the National Education Association.

Districts in North Carolina, California, Washington, and others are doing similar work. Other districts around the country can make the appropriate changes to their systems. There are automatic software updates for student data systems that can add new data fields.

It is important to share the data publicly. Community groups can highlight best practices among schools that serve their students well and encourage other schools to improve. Parents deserve to have this data, too.

In the coming days, we will be discussing traditional public schools, public charter schools, and private schools.

No matter where you stand on these issues, parents deserve to know how their schools are serving the needs of their kids so they can best help their children succeed.

Our amendment is endorsed also by school choice advocates such as the National Association of Public Charter Schools.

Just like current law in the broader ESEA bill we are discussing, there is no reporting if a subgroup is too small to maintain student privacy.

Our amendment was carefully crafted with the support of the National Coalition of Asians and Pacific Americans, the Mexican American Legal Defense and Education Fund, National Council of La Raza, the NAACP, and over 100 other civil rights, educators, and women's groups and the disability community. They worked together very closely on the language and agreed that data disaggregation for AAPI subgroups is a top priority.

AAPI groups across the country are making their choices heard by posting photos of why they are more than just a large Asian population. They are posting these pictures on Tumbler, Twitter, and Facebook. In fact, I saw one of those postings where students were holding up placards that say: I am AAPI, but I am also Japanese. I am AAPI, but I am also Korean.

Join them at hashtag "All Students Count."

I thank Senator HELLER and his staff for their support and hard work on this bipartisan compromise bill. I also thank Senator REID of Nevada, Senator BALDWIN, Senator BOXER, Senator CANTWELL, Senator CASEY, Senator FEINSTEIN, Senator FRANKEN, Senator MARKEY, and Senator SCHATZ for co-sponsoring my stand-alone bill, the All Students Count Act, which goes further than this amendment we will be voting on today.

I urge my colleagues to support this amendment because, in fact, all students count.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the time until 12 noon be equally divided between the two managers or their designees; further, that at 12 noon, the Senate vote on the following amendments, with no second-degree amendments in order to any of the amendments prior to the votes: Reed amendment No. 2085 on school libraries; Warner amendment No. 2086 on fiscal support teams; and Rounds amendment No. 2078 on education in Indian Country study.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. For the information of all Senators, we expect to need a rollcall vote on the Reed amendment, and the Warner and Rounds amendments will be adopted by voice vote.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BARRASSO. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### NUCLEAR AGREEMENT WITH IRAN

Mr. BARRASSO. Mr. President, the deadline for negotiators to strike a deal with Iran on its illicit nuclear program has been extended yet again. The deadline was June 30. It was postponed until Tuesday, and that was put off again for a few more days.

According to the Wall Street Journal, the chief negotiator said:

We are continuing to negotiate for the next couple of days. That does not mean we are extending our deadlines, we are interpreting [the deadline] in a flexible way.

What does that mean? You either have a deadline or you don't have a deadline.

By the end of the week, the White House could announce that it has struck a deal or it could say once again it needs more time. If there is a deal, Congress will need to look very closely and carefully at what it actually says.

There are some important things that I will be looking for in any agreement that is struck. First and foremost, any deal is going to have to dismantle Iran's nuclear weapons program. It is going to have to prevent Iran from ever developing a path to a nuclear weapon. It is going to have to ensure that Iran completely discloses its past work on nuclear weapons. Iran is also going to have to submit to an inspection and verification regime that is both extensive and long term—not just inspections when the Iranians want it, when they allow it, or where they say it can occur. That is the only way we can really confirm that Iran's promises are more than empty words.

America and other countries should not suspend sanctions until all of these conditions are met. So far, I have not seen much to indicate that our negotiators understand how important these goals are.

There appear to be a lot of questions that have not been resolved and a lot of foot-dragging by Iran to try to get additional concessions.

On Sunday, Secretary of State John Kerry said: "We're aiming to try to finish this in the timeframe that we've set out." Well, that timeframe was 7 months ago, in November of last year. The Obama administration said it had reached what it called an interim agreement in November of 2013, and it

said that it had a deadline of 1 year to reach a final agreement. That would have been November of 2014. When November 2014 came along, Iran got 6 more months to bully this administration into giving up even more ground.

The deadline has been pushed back time and time again. According to news reports today, it may be pushed back even further.

The Obama administration started negotiating with Iran more than 5 years ago. In 2009, President Obama said that we “will not continue to negotiate indefinitely” with Iran specifically. Secretary of State Hillary Clinton said that same year that the window of opportunity for Iran would “not remain open indefinitely.” I would love to know what their definition of the word “indefinitely” is.

I think these missed deadlines are embarrassing for the Obama administration. The administration’s willingness to keep extending the talks make it look desperate. You know what. The Iranians know it. That is a big problem.

Iran is now demanding that the arms embargo be lifted as part of the negotiations. This recent last-minute demand shows that Iran knows how desperately eager President Obama is for a deal, any deal. This issue was supposed to have been settled already. In April, the White House said that “important restrictions on conventional arms and ballistic missiles” will be a part of any final agreement. Now Iran is seeing that the President and Secretary Kerry are desperate for an agreement to build their legacy, so it is bringing up the arms embargo again.

According to news reports, our negotiators have been willing to make a lot of concessions to get any deal. There was an article recently in the Washington Post about the negotiations. The headline was “In final hours, Kerry says Iran talks can go either way.” The article said that negotiators have “a general feeling that they have come too far to fail.”

I want to be clear. Walking away from these negotiations without a deal is not a failure. Failure would be signing a bad deal. Failure would be lifting sanctions before Iran has shown that it has begun dismantling its nuclear program. Failure would be a deal that does not automatically reinstate sanctions if it turns out Iran is not complying with the deal. Failure would be a deal that allows any money Iran gets from sanctions relief to end up continuing to support terrorism, which Iran does. Failure would be a world that is a much more dangerous place for all of us.

So far it seems as if this administration is willing to make a deal at any cost. We have seen one point after another where the administration has apparently agreed to give the Iranians exactly whatever they want. The negotia-

tions went from initially being about stopping Iran’s nuclear program to now being an attempt to delay or to manage Iran’s nuclear program.

Even before the June 30 deadline passed, Senator MENENDEZ said: “For me, the trend lines of the Iran talks are deeply worrying; our red lines have turned into green lights.”

That is from a Democratic Senator. It was that kind of concern that led Congress—this Senate—to pass a law in May saying that Congress would be able to review any deal with Iran before the Obama administration could lift sanctions. Remember, the Obama administration fought that law—a law with a bipartisan, veto-proof majority in this body. The President didn’t want Congress or the American people to have any say at all. Actually, the White House said they were planning to go directly to the Security Council of the United Nations before going to the elected representatives of the people of the United States.

Any deal with Iran on its nuclear program would have a huge effect on our security, and the American people do get a say. If somehow the administration manages to strike a deal and it sends over all the necessary materials, Congress—if it is done today—will get 30 days to review it. That is time we can use to make sure it really is in our country’s best interest. If the administration can’t get us the full text of an agreement before this Friday, the timeline jumps up to 60 days to review it. That is what we said in the law we passed in a bipartisan way this spring.

If our negotiators can reach a deal with Iran, whenever that happens, Congress will use the time to look very closely at every word. If our negotiators can reach a deal with Iran, whenever that happens, Congress will make sure that we look at every word and know what is in it. The goal—the entire reason we are having these negotiations—is not just to get Iran to say yes to something; the goal initially was and should remain to stop Iran’s illicit nuclear program.

If the Obama administration allows Iran to continue with that program, the world will be less safe, less stable, and less secure. Any agreement our negotiators come up with must be accountable, must be enforceable, and must be verifiable. If that is not the case, then it is a bad deal, and the Obama administration must not strike a bad deal with Iran. This Nation and the world cannot afford that, and Congress cannot allow it.

Mr. President, I ask unanimous consent that the quorum call be equally divided.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BARRASSO. I thank the Presiding Officer, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BENNET. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. LANKFORD). Without objection, it is so ordered.

Mr. BENNET. Mr. President, we are here today to consider the Elementary and Secondary Education Act, the bill that has been known for years as No Child Left Behind. It is a bill the Congress was supposed to reauthorize more than 7 years ago.

When school kids come to visit me in my office here, I often ask them: What would happen if you showed up and were told that your homework was 7 or 8 years late? That is how long it has taken us to get to this place.

As the Presiding Officer may know, before I came to the Senate, I had the honor of being the superintendent of the Denver Public Schools district, which now has 95,000 children in it, 67 percent of whom qualify for free and reduced lunch.

I should note that we got some sad news in the last month or two. For the first time in our country’s history—for the first time in the history of the United States—over half of the children attending public schools in our country qualify for free and reduced lunch. That is due to two decades of stagnant middle-class family incomes and the effect of the worst recession since the Great Depression.

What people in Washington need to understand is that when it comes to education in this country right now, our kids don’t have a fair fight, especially our kids living in poverty. If you were born poor in the United States of America, you will have heard 30 million fewer words than your more affluent peers when you show up for kindergarten. Ask any kindergarten teacher in the country whether that makes a difference, and they will tell you it does.

What are we doing as a country to fill that gap? Not much. By the time kids get to elementary school—their early years—only one out of five is reading proficiently of the kids who were born poor and 20 percent are reading at grade level. Ask any middle or high school teacher whether that is going to make a difference when that child gets to middle school or high school.

Where does it end in the land of opportunity for kids who are born into poverty in this country? If you are born poor in the United States of America, your chances of getting a college degree, or the equivalent of a college degree, is 9 in 100, which means—in this global economy of ours—that every year becomes less and less forgiving to people who have less of an

education. And 91 out of 100 of our kids are going to be constrained to the margin of the economy and the margin of the democracy from the very outset.

There are 100 desks in this room. There are 100 chairs in this room. If we weren't the Senate but instead kids born into poverty in this country, not even those three rows of desks over there in that corner would represent people graduating from college. Everybody else in this room would not have the benefit of a college degree. We would never accept those odds for our own children. The people in the Senate would never ever accept those odds for our own children. If our kids faced the odds of showing up to kindergarten having heard 30 million fewer words than their peers and if you knew it was assured that your child had a 20-percent chance of reading at grade level when they got to elementary school, I guarantee you would leave this place. You would leave the Senate, and you would go home and address the problem.

But when it comes to public education—especially when it comes to our kids who are living in poverty in this country—we stop treating them as if they were our kids. We are treating them as if they were someone else's kids. We are leaving it to luck as to whether a kid can fill that 30-million-word gap.

I am sure the Presiding Officer knows this. There are entire cities in this country and rural areas in this country where school choice would be meaningless because there is not a good school to choose from. There is not a school in the neighborhood or in the city that anybody in this body would send their kid to. That is where we are.

Over the last decade or so, we made progress in many places across the country. The Denver Public Schools is one of those places. It is the fastest growing urban school district in the United States.

In 2005, the kids who attended Denver Public Schools were dead last in terms of student growth compared to any school district of any size in the State of Colorado. For the last 3 years Denver Public Schools has led the State in terms of its student growth, both for kids who receive free and reduced lunch and kids who do not receive free and reduced lunch. Thirty percent more kids graduated and went to college this year than in 2005.

Now, I am the first to say that we have a long, long way to go in Denver to make sure that the ZIP Code you are born into doesn't determine the educational outcome you get, but we are making substantial progress. And I say that if we could say as a country that every single urban school district since 2005 showed a 30-percent increase in kids going to college, we would be feeling a lot better about where we are headed.

There is a lot of debate in this body about what tax policy ought to be and whether we ought to think about redistributing wealth and who should pay what share of taxes. Some people view it as everything ought to be decided out there by the market. I understand that point of view. But if that is your point of view, you better be doing everything you can to be sure that every single kid in the country has an excellent shot at an education, because if you don't, then you are basically saying, if you have the bad luck to be born to a poor family in this country, you are on your own. You are on your own, and you have a 9-in-100 chance of getting a degree that is actually going to allow you to compete in the global economy.

One thing I know about kids who are born in this country, they don't get to pick who their parents are. They don't get to decide whether they are born into a ZIP Code that is going to fill that 30-million-word gap by the time they get to kindergarten or that is going to give them excellent school choices or that will allow them to go to college.

Today, while we are not talking about higher education, this is very much a part of this K-12 conundrum because college has become harder and harder to afford, even at a time when it is much more important for people to succeed.

I saw some data the other day that said that for the average cost of tuition in this country, the average cost of college, a family in the bottom quartile of income earners, after you account for student loans, grants, and student aid, would have to consume 85 percent of their income to afford 1 year of college; whereas, if you are in the top quartile, it will cost you 15 percent of your income. Is that fair? It didn't used to be this way. In the 1970s, it wasn't this way. In the 1970s, a Pell grant covered 76 percent of what it cost to go to the average college in this country. We are rolling up the carpet on the next generation of Americans, and I don't think it is fair. I don't think it is right.

We should be having a debate about the size and scope of government. I believe that. We should have that debate. But as we are having that debate, we should keep in mind that we have an obligation to fulfill to honor the obligation our parents and grandparents fulfilled for us, which is to make sure that if you were willing to work hard, if you were willing to study hard, that college was going to be something that was attainable and it wasn't going to strangle you in debt.

Too many families across Colorado are facing this challenge, and the saddest thing I hear in my town is when somebody comes and says: We can't afford to send our kids to the best college they got into. What a waste that is—what a waste for that student, what a

waste for our society. So there is more for us to do on college affordability.

But today we are talking about the Elementary and Secondary Education Act. I think we actually make substantial progress in this bill. I want to say how pleased I am with the leadership of Chairman ALEXANDER and the ranking member PATTY MURRAY. They have done an exceptional job of managing this bill through our committee.

We have a very diverse committee. We have the junior Senator from Vermont on the committee and we have the junior Senator from Kentucky on the committee, and because of Chairman ALEXANDER's leadership and the work and leadership of the ranking member Senator MURRAY, the bill actually passed out of the committee unanimously. Imagine that—around this place, where we can't even agree on how to publish a report or what time we should come to work, we have a committee in the U.S. Congress where Republicans and Democrats unanimously agreed on a bill. Let me tell you, it wasn't easy. If it were easy, we would have done it 8 years ago when we were supposed to do it—when our homework was due—but I suppose it is better late than never, and I am very pleased with the product.

There is more I would like to add, but I think—I know the teachers, principals, and school leaders across Colorado need us to fix No Child Left Behind, and I hope we can finally get it done this time.

This bill is a good starting point. It eliminates NCLB's one-size-fits-all approach to education, which we know will not work, and it re-empowers those who are closest to our kids to make the decisions that need to be made for their benefit. This bill includes many key elements. Importantly, it includes the requirement for annual assessment. I know testing is not popular. I have three kids in the Denver Public Schools. My three daughters go to those schools. I get an annual report on what the testing looks like. I believe we are overtesting our kids, but I don't think that is because of the Federal requirement.

I see the Senator from Tennessee.

Does the Senator want to speak?

Mr. ALEXANDER. Just listening.

Mr. BENNET. Thank you, Mr. Chairman.

I think there is a lot we can do to streamline those tests, but it is not the Federal requirement that is causing it, it is the way the Federal requirement works with State assessments and district assessments, and we have to do a better job. I also think we ought to think differently about the testing we are doing for teaching and learning, which needs to be continuous, ongoing, and inform a teacher's instruction and inform the principal's leadership at the school.



The testing that is done for accountability should be a lot less. We heard testimony from the superintendent of the Denver Public Schools, Tom Boasberg, who told us he thought that for accountability purposes, probably all we need is 4 hours a year in reading and math. I know the Bennet girls would settle for that. They would agree with that. They would do that deal. But until somebody comes up with a better way of measuring where kids are, we need the annual assessments. We have to have them because it is the only way you can show growth.

When No Child Left Behind started, it asked and answered a completely irrelevant question—a question that was so frustrating to the teachers I knew in the Denver Public Schools and to our principals. It asked: How did this year's fourth graders do compared to last year's fourth graders? This is a completely irrelevant question.

Today, because of the work that has been done in Colorado leading the way, States all over the country now measure the growth of kids. What we ask is, How did this year's sixth graders do compared to how they did as fifth graders, compared to how they did as fourth graders, and compared to everybody else in the State who has a statistically similar test history? Why is that important? Because it allows you to establish growth or show growth. Then one can actually evaluate how well a school is doing, because it used to be in No Child Left Behind, under adequate yearly progress—which asked that long question of how did this year's fourth graders do compared to last year's fourth graders—it used to be we measured what was called status: How proficient were the kids, how lucky were those kids. You might have a school where kids were proficient but were actually losing ground in terms of academic proficiency, and we were rewarding those schools. We were calling those schools blue ribbon schools. There were also schools in poorer parts of town where teachers were killing themselves, students were killing themselves, and they weren't proficient because they started so far behind, but they were getting more than a grade level or two grade levels of increased proficiency during the course of the year. Do you know what those schools were called under No Child Left Behind? Those schools were called failing schools. We called those teachers failing teachers. We called those students failing students, those who were achieving 2 years of growth. Their more affluent peers might have been losing ground, and we were saying they were winners. We have moved past that. This bill now acknowledges that. I wish this bill required growth—which it doesn't—but I believe States and districts will use growth to measure data.

The bill also continues to require that States and districts disaggregate

data so we can actually understand where kids are. That is really important. Before No Child Left Behind existed, we had absolutely no idea. Now we know. The hard truth is that kids of color in this country aren't doing nearly as well as Anglo kids in this country. Kids living in poverty aren't doing nearly as well as their middle-class or more affluent peers. We need to do better.

I run into people periodically who say to me that you can't fix it unless you fix poverty. You can't fix the education system unless you fix poverty. Don't tell kids in my city who are living in poverty that that is true. Outside of every one of our schools it says "school." It doesn't say "orphanage." It says "school." We need to make sure every one of those schools is delivering for every kid in our community, no matter where they come from. Otherwise, what is left of us? What is left of this land of opportunity?

Before No Child Left Behind existed, we had an impression, a vague sense of the inequities in our educational system. Now we understand how deep they are, how rooted they are, and we have to continue to build on the successes we have seen in high-quality schools working in poor neighborhoods that have actually delivered for kids all over the country.

This new bill—and I see the Senator from Texas is here and I will yield to him as soon as he is ready.

The new version of the Elementary and Secondary Education Act importantly empowers States to design their accountability systems, giving them more flexibility while ensuring that essential information is included. I think that is an important recognition, led by Chairman ALEXANDER, that there was a real overreach in No Child Left Behind.

As a former school superintendent, I can say I used to wonder all the time why Washington was so mean to our teachers and to our kids. What I have realized since coming here is that it is not that everybody here is mean. They mean well. But this place is the farthest place in the universe—I mean that literally, I don't mean that figuratively—this is the farthest place in the universe from a classroom in the Denver Public Schools or a classroom anywhere in this country, and I think No Child Left Behind in many ways was an overreach. The last thing I want to be told as a superintendent is how to do my work in Denver. I want to insist that we do the work. I want to insist that children all over this country have a chance, no matter what State they are born into, no matter what neighborhood they are born into, but I don't want people here telling people how to do that work. There is a distinction.

I have more to say about this, but I see my friend from Texas is here, so I

will yield to him. Before I do, I just congratulate the chairman of the committee who is here on the floor, Senator ALEXANDER from Tennessee, for his extraordinary leadership on this bill.

Again, I remind my colleagues who are listening to this, what a rare—rare—occurrence this is. This is a bill that passed unanimously out of the Health, Education, Labor and Pensions Committee, and that would not have happened without the leadership of Senator LAMAR ALEXANDER and Senator MURRAY, the Senator from Washington.

The PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Mr. President, I thank the Senator from Colorado for his graciousness. I come to the floor to speak about this important topic of early elementary education.

I recall that when President George W. Bush was Governor of Texas—of course, education was one of his biggest priorities both at the State and the national level when he became President. He had an interesting observation. He said the more you talk about education, the more people realize you actually care about it. So I actually think it is important to talk about it, that we think our way through this legislation and figure out what we can do to equip our children who are increasingly in a competitive environment, not only locally in our States and Nation but globally.

One of the real joys of the job of a U.S. Senator is getting to visit with students in our State, and I did so last week when I was back home. I met with a group of middle-school students in Amarillo, way up in the Texas Panhandle, at the tail end of a camp teaching students valuable skills in science, technology, engineering, and math, the so-called STEM fields. I was very impressed with what I saw. First of all, the instructors found out how to make this fun, which is an important element in this education because some of this stuff can be pretty dry and boring, if my memory serves me correctly. They were literally building robots, and then they presented their final projects to parents and teachers in a friendly competition. Needless to say, I wish I had that kind of instruction. Maybe I wouldn't have veered into the legal profession. I would have done something more productive in a field of science. I am saying that with a tongue planted firmly in cheek, of course. But I wish I had instructors who would have inspired me to learn more about those important topics by using these sorts of tools.

I also previously visited, for example, United High School in Laredo, where I was able to meet with high school students who were taking part in a first-of-its-kind program that teaches curriculum specific to the oil and gas industry in the region. Why is that? Well,



because the shale plays in Texas are the source—the reservoirs really—this huge volume of oil and natural gas is being produced from. Lo and behold, it is not just producing income for the people who are drilling those wells and completing them, it is creating a lot of jobs. What these students and the school districts, such as United High School in Laredo, have discovered is that this is really an opportunity for these students in high school to begin to learn some of the basics of petroleum engineering and other things that will prepare them for good, well-paying jobs later in life.

This program included internships, training, and dual-credit courses at a local community college. These students were going to high school, but they were actually getting college credit at the same time at the local community college. Of course, they were getting real-world skills that they need to succeed in a burgeoning industry once they graduate. Importantly, graduates from the program will have, as I said, access to high-paying, good jobs right out of high school, which, unfortunately, the history has been in Laredo, TX, in South Texas, that that hasn't always been the case.

So this is a very hopeful development, thanks to the innovation in the oil and gas industry and thanks to the foresight and the genius, really, of the local school district there in Laredo, TX.

This is a great example of how local communities and the economy can work to shape education and provide a win-win opportunity for students, local industries, and the greater community. United High School was able to create this program because it had the freedom and flexibility to develop its own curriculum with tailored input from local leaders, teachers, parents, and industry leaders—the people who create jobs and who are looking for people with discrete skills that they would then bring to the table to provide the workforce they need.

This groundbreaking program in Laredo was not thought up here in Washington, DC. It is a product of local ingenuity and a community response to the educational needs specific to its students. I think this type of mindset is very important in education because, as we have learned over the years, the bureaucracy in Washington can't tailor programs that will suit the needs of children in a wide variety of school districts across our States and across the country—not in Laredo, not in Amarillo, and not anywhere else in the country.

That is why I am happy this week that the Senate is considering legislation that will help return a large measure of the responsibility for our children's education to those closest to them—their parents, their teachers, the local school boards—and not so

much the Federal Government. The Federal Government does have an interest and we as Americans all have an interest in being able to compete in a global environment and in high standards, those that will cause our students to strive to attain skills that they can use to compete anywhere in the world. But in terms of its actual implementation, I am pleased that this legislation will push more of those decisions out of Washington and back home to local school districts and parents.

This legislation is, of course, called the Every Child Achieves Act. It provides a roadmap to ensure that our children receive and retain a quality education. By giving the responsibility for actually implementing programs that will help students achieve these high standards—it will give each State and the districts the flexibility they need to design and implement their education programs and systems.

This is really sort of another application of what Louis Brandeis called the “laboratories of democracy” when he was referring to the State government. I think he was referring to that important principle of our Constitution known as federalism, as ensconced in the 10th amendment in particular.

There is an irreplaceable role that the Federal Government plays in some aspects of our life. National security is perhaps the preeminent one. But there is a lot of benefit to getting some experiments at the State level, and then we can learn without imposing a one-size-fits-all approach from Washington, DC. What works best? Then we can then learn and be informed by those practices in a way that improves the result. I am thinking of criminal justice reform as another example in my State, where we were an early participant in prison reform, which now has formed some of the basis for bipartisan legislation that we are considering here in the Senate.

Because of the successful laboratory experiments back in Texas and Rhode Island and other States, we are now taking those best practices and those results and figuring out how we apply those to the benefit of other parts of the country.

Under this legislation, States such as Texas can decide how to use federally mandated test results to assess performance of students, schools, and teachers. This gives the States much needed relief from pressure to teach to the test—something I hear over and over again back home, that teachers are finding that rather than a program where they teach STEM subjects using robots and inspire young, creative minds to engage and learn the science they need in order to play these sorts of games in a competition with robots, teachers are finding themselves in a position of teaching to the test in sort of a mind-numbing process that nobody would find particularly inspiring. So

this takes some pressure from that teach-to-the-test mentality and also gives States additional freedom to provide students with a well-rounded education.

Put simply, with this legislation, States can decide for themselves what standards they need to adopt, and, importantly, this legislation limits the power of the Secretary of Education to ensure that the Federal Government cannot dictate, direct, or control State curriculum or standards.

How insulting is it to have the States come on bended knee to the Secretary of Education and ask: Will you please let us have a waiver so we can try this creative or innovative way of delivering an education to our students back home? How insulting is that and how contrary to the original scheme of our government as created by our Founders.

So this bill, which was unanimously passed out of committee—and I congratulate the chairman, Senator ALEXANDER, and the ranking member, Senator MURRAY, and all members of the Health, Education, Labor and Pensions Committee for voting out this bill unanimously. This is a great bipartisan process which has produced a very good product. It is also just one of more than 150 bills reported out of Senate committees so far this year—another sign that the Senate is back to work for the American people.

I look forward to continuing the great progress we have made in this Senate by getting real education reform passed soon.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

AMENDMENT NO. 2085

Mr. REED. Mr. President, I come to the floor today to urge all of my colleagues to support the Reed-Cochran amendment to encourage States and school districts to integrate school library programs into their plans for improving student academic achievement.

I would first like to thank Senator COCHRAN for his longstanding partnership in supporting school libraries. He has been a steadfast champion for ensuring that students have access to these vital resources.

Fifty years ago, when President Lyndon Johnson urged Congress to enact what would become the Elementary and Secondary Education Act, he specifically called for an investment in school libraries, saying that school libraries were simply “limping along” and insisting that we do better. Sadly, this “limping along” is still true for too many communities in our United States.

This spring, the Washington Post ran articles on the inequitable access to school libraries in public schools in our Nation's Capital, reporting that one school library in a wealthy part of

town had 28,000 books in a library that spanned two floors, while 12 miles away, in a school in a poorer part of the town, the school library had only 300 books along two walls. If that is not a stark example of one of the things we hope we can fix through this act, I cannot think of anything more direct and to the point.

Recently, noted author James Paterson made a pledge to help school libraries. More than 28,000 applications came in.

One librarian reported that school libraries in her State had not received any funding for three-quarters of a decade and that their collections and equipment were out of date and in disrepair. I suspect she is not alone in making such a report. We see this neglect despite the fact that evidence shows that effective school library programs, staffed by a certified school librarian, have a positive impact on student achievement.

While I would like to see a much more robust school library-focused initiative included in the reauthorization, along the lines of the bill I introduced with Senator COCHRAN, I am very pleased that the underlying bill includes an authorization for competitive grants to help high-need school districts strengthen and enhance effective library programs. However, we need to do more to encourage States and school districts to integrate school library programs into their overall instructional programs.

Effective school library programs are essential supports to educational success. If you understand how to use the library in school, that is not a skill that goes away; in fact, it will be a skill for the rest of your life that you will use time and time again, not only for your pleasure but for your progress and the progress of your family. Knowing how to find and use information is an essential skill for college, careers, and life in general. A good school library, staffed by a trained school librarian, is where students develop and hone those skills.

The Reed-Cochran amendment will encourage States and school districts to ensure that students have access to effective school library programs.

Once again, I thank my colleague, Senator COCHRAN.

I urge my colleagues to vote yes on this bipartisan amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

AMENDMENT NO. 2078

Mr. ROUNDS. Mr. President, I rise today to speak on my amendment to the Every Child Achieves Act, which is amendment No. 2078. I would like to thank Senator UDALL for joining me in supporting this important amendment.

Since my time working in the South Dakota State Legislature and also as Governor of South Dakota, education

in Indian Country has faced incredible obstacles, especially in rural and high-poverty areas. This is true not only in my State but across the entire Nation. Because of these barriers, 10 out of 13 Bureau of Indian Education high schools in South Dakota have graduation rates below 67 percent, and 6 of those schools have graduation rates at or below 40 percent. Meanwhile, the national high school graduation rate is 80 percent. These graduation rates must be changed, and my amendment will help lay a foundation to fix the systemic problems Indian Country faces.

To address these concerns as well as other States' concerns, an analysis needs to be conducted to more closely examine these educational downfalls. So today we are proposing an amendment to the Every Child Achieves Act that would direct the Departments of Interior and Education to both study and create strategies to address these challenges. This amendment is being supported by the National Indian Education Association, the Great Plains Tribal Chairman's Association, and the National Education Association.

According to the Congressional Budget Office, amendment No. 2078 will have no impact on Federal spending.

This amendment would require the Departments of Interior and Education to conduct a study in rural and poverty-stricken areas of Indian Country in order to identify Federal barriers that restrict tribes from implementing commonsense regional policies instead of a one-size-fits-all policy directed from Washington. It requires that they identify recruitment and retention options for teachers and school administrators and identify the limitations in the funding source and flexibility for schools that receive these funds. It would study and provide a strategy on how to increase high school graduation rates.

It is critical that we identify the limitations and barriers which tribal schools face and lay out a strategy to fix those problems. I hope my colleagues will join Senator UDALL and me in supporting this straightforward amendment to help our students in Indian Country.

I yield the floor.

Mr. BENNET. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BENNET. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENNET. Mr. President, while we wait on another colleague, I thought I would talk about another aspect of this bill that I think is very important.

For the first time in this country's history, finally, the Elementary and

Secondary Education Act is going to require districts to report actual per-pupil expenditures, which will shed light on extraordinary funding inequities in this country.

We are one of three countries in the OECD, because of the way we fund our public schools in the United States, that actually spends more money on more affluent kids than we do on kids living in poverty. That is not well understood, but that is a fact. That is the truth.

We need to be concerned with closing the achievement gap in the United States, because if we look at the academic outcomes for kids in this country and extrapolate those outcomes against the changing demographics in the United States, we are not going to like what we see in the middle of the 21st century if we don't make these changes. One would think, if anything, that we would be spending more money on kids living in poverty, coming from disadvantaged backgrounds than we do on kids coming from advantaged backgrounds. But we do the opposite in the United States, and the Congress, for decades, has looked the other way.

I believe we need to close this loophole. It is called the comparability loophole. We don't do that in this legislation, but at least the requirement where we move to reporting based on actual rather than average expenditures is an important step in the right direction.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, it is my understanding the Senate is still considering remarks with respect to the education legislation that is pending before the Senate.

The PRESIDING OFFICER. The Senator is correct.

AMENDMENT NO. 2085

Mr. COCHRAN. Mr. President, I am coming at this issue from a unique perspective. Both of my parents were schoolteachers. As I was growing up in Mississippi, my father was county superintendent of education of the largest public school system in Mississippi for several years. My mother was a mathematics educator, teacher. They had both earned graduate degrees as well as undergraduate degrees from colleges and universities in our State of Mississippi. My brother and I had the good fortune of growing up in this environment of learning and reading.

So I have to confess I am biased in support of legislation that helps to strengthen the capability of our Nation's teachers and school administrators in providing opportunities for not only reading but complex learning at early ages, which would have been surprising to those of that generation to look around and observe the great strides we are making in education throughout America.

Growing up with this perspective and my appreciation of the importance of good teachers in our schools makes me understand perhaps more than most the importance that education serves in the lives of students, their teachers, and their communities where they grow up.

When I was a student, I went to the library to check out a book. Now, there are all kinds of ways to get in touch with the written words. Today, our school librarians are more often specialists with education and specific training that help students learn how to access educational material in every manner in which education is available in an increasingly digital society. Children who know how to read and are comfortable using information technology are more likely to grow up with a capacity to learn throughout their lifetimes.

The amendment I have offered with my good friend, the senior Senator from Rhode Island, seeks to help equip school librarians to do an even better job. Our amendment would allow schools throughout the country to use Federal funds in the way they see fit to strengthen their libraries. My hope is that the use of these additional funds will improve education and literacy among children throughout America.

It is my understanding the bill managers support this amendment. I appreciate very much not only the good assistance and friendship of Senator REED but his help specifically with this legislation.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MIKULSKI. Mr. President, I come here today to speak about the bill pending before us, the Every Child Achieves Act. This is the successor to the No Child Left Behind Act, which is the successor to the reauthorization of the Elementary and Secondary Education Act.

Fifty years ago, in 1965, as part of Lyndon Johnson's wanting to end poverty in the United States of America and to lift people up, he asked Congress to pass the Elementary and Secondary Education Act. It was the first legislative act where the Federal Government was involved in education. Up until that time, education was thought of as the purview of the States and local districts. President Johnson agreed with that, as did the Congress, but at the same time they knew there were children living in the abysmal situation of poverty, and at a time of national prosperity he wanted to lift those children up.

Great legislation passed during the next 50 years ago, such as Head Start, which continues to be a hallmark of early intervention to help our children. Of course, programs such as Medicare were also passed at that time. But it was the Elementary and Secondary Education Act, and particularly title I, that would bring additional Federal resources to our local communities. Again, this was focused on helping poor children close the achievement gap and giving them the ability to fully participate in our society.

Well, that bill went on until 2001, when President Bush said he wanted to make sure that children were out of poverty. President George Bush said: I am a compassionate conservative. I am concerned about the soft bigotry of low expectations of poor children, particularly poor children of color, and we have to do something about it. That brought about the experiments that occurred in the States relating to metrics and so on for highly qualified teachers, using words such as "evidence-based," and we passed No Child Left Behind.

What happened, though, instead of helping poor children—we had many successes. We did face the fact that we did have low expectations. There was a soft bigotry. We agreed with the wonderful comments of Secretary Condoleezza Rice that were spoken at the Republican National Convention when she said that education is the civil rights issue of this time.

Now, what do we have here? We have a bipartisan effort led by Senators ALEXANDER and MURRAY to come up with yet one more reform of this historic legislative framework. I support their efforts. I want to salute their efforts. What they were able to do in this bill was to focus again on helping poor children achieve and supporting State and local governments not with intervention but with assistance in order to help.

We do know that one of the legacies of having metrics was that we so regulated our teachers to make teaching almost inflexible, and we started to race for the tests instead of racing for the top. I believe the efforts of Senators ALEXANDER and MURRAY deal with the mistakes of No Child Left Behind and move ahead to close that achievement gap.

I support the general framework of this legislation. I am proud of the additions I have made to this bill, one of which was to really make sure there were allowable uses for something called wraparound or integrated services. While we insisted there be highly qualified teachers in the classroom, the teachers cannot deal with poverty. They cannot deal with the fact that 30 percent of our children who come to school every day are homeless. They have no home. The school is their educational home. They need a social worker. They need a school nurse. The

mental health challenges of many of our children are astounding. So we were able to add that in.

The other thing is we were overlooking a national treasure. I was a big supporter of something called the Javits bill. Senator Javits of New York many years ago realized we had an overlooked treasure in our communities, and it was the gifted and talented children, children who are of exceptional educational capacity.

Again, coming back to the words of George Bush, there is that soft bigotry of low expectations. We often come with a latent bias that we don't believe poor children are smart. We don't believe—many times because of latent bias or overt bias—that they are capable of achieving. What I moved in this bill was, under title II, once again, acknowledgment that in poor schools with poor children, there are gifted and talented kids, many of whom have been identified by outstanding programs—in my own State, the Johns Hopkins school for gifted and talented children. We were able to put that in the bill.

I look forward to moving this bill forward because I believe we support our teachers, we once again deal with low-performing schools, and at the same time we provide administrative and local flexibility so that we minimize national mandates and maximize local achievement.

I salute Senators MURRAY and ALEXANDER. I know there are some amendments which will be pending, such as Burr to title I, which I will oppose because every county in my State loses money and will lose up to \$40 million.

I note that the hour of noon is arriving and that a vote will soon be underway. I look forward to supporting the bill, provided that the Burr amendment is not included.

I salute Senator ALEXANDER for his leadership and for encouraging bipartisan participation. I thank Senator MURRAY for her leadership and for including so many of these important reforms in our bill.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I thank the Senator from Maryland for her remarks, her contributions to our committee, her bipartisan leadership, and her effective leadership both in higher education and in elementary and secondary education.

I enjoyed listening to the remarks of the Senator from Colorado, the former Denver school superintendent, who has added so much to our committee.

I congratulate the Senator from Mississippi for his contribution to the amendment on which we are about to vote.

We will have one rollcall vote on the Reed-Cochran amendment, and then we will have two votes following that, which will be voice votes.

## VOTE ON AMENDMENT NO. 2085

The PRESIDING OFFICER (Mr. SASSE). Under the previous order, the question now occurs on amendment No. 2085, offered by the Senator from Washington, Mrs. MURRAY, for Mr. REED.

Mr. ALEXANDER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Maine (Mr. KING) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 222 Leg.]

## YEAS—98

Alexander	Fischer	Murray
Ayotte	Flake	Nelson
Baldwin	Franken	Paul
Barrasso	Gardner	Perdue
Bennet	Gillibrand	Peters
Blumenthal	Graham	Portman
Blunt	Grassley	Reed
Booker	Hatch	Reid
Boozman	Heinrich	Risch
Boxer	Heitkamp	Roberts
Brown	Heller	Rounds
Burr	Hirono	Sanders
Cantwell	Hoeben	Sasse
Capito	Inhofe	Schatz
Cardin	Isakson	Schumer
Carper	Johnson	Scott
Casey	Kaine	Sessions
Cassidy	Kirk	Shaheen
Coats	Klobuchar	Shelby
Cochran	Lankford	Stabenow
Collins	Leahy	Sullivan
Coons	Lee	Tester
Corker	Manchin	Thune
Cornyn	Markey	Tillis
Cotton	McCain	Toomey
Crapo	McCaskill	Udall
Cruz	McConnell	Vitter
Daines	Menendez	Warner
Donnelly	Merkley	Warren
Durbin	Mikulski	Whitehouse
Enzi	Moran	Wicker
Ernst	Murkowski	Wyden
Feinstein	Murphy	

## NOT VOTING—2

King                      Rubio

The amendment (No. 2085) was agreed to.

## VOTE ON AMENDMENT NO. 2086

The PRESIDING OFFICER. Under the previous order, the question now occurs on agreeing to amendment No. 2086, offered by the Senator from Washington, Mrs. MURRAY, for Mr. WARNER.

The amendment (No. 2086) was agreed to.

## VOTE ON AMENDMENT NO. 2078

The PRESIDING OFFICER. Under the previous order, the question now occurs on agreeing to amendment No. 2078, offered by the Senator from Tennessee, Mr. ALEXANDER, for Mr. ROUNDS.

The amendment (No. 2078) was agreed to.

## RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:48 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. SCOTT).

## EVERY CHILD ACHIEVES ACT OF 2015—Continued

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, I ask unanimous consent that the distinguished Senator from the State of Ohio, Mr. BROWN, be recognized at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

## TRAGEDY IN SOUTH CAROLINA

Mr. ISAKSON. Mr. President, before I make my remarks, I would like to commend the Presiding Officer and Senator GRAHAM and the people of the great State of South Carolina on the way they have handled the terrible tragedy that took place in their State.

I know time and again we have all heard on the floor of the Senate and in conversations we have had in private the amazing mercy and grace shown by the families of the victims of the terrible tragedy that took place, but equally as well the great way in which the elected officials in the State of South Carolina, led by the Presiding Officer and Senator GRAHAM, have caused a terrible event to be a learning experience for all of America and an example for the way in which tragedy should be dealt with. I want the Presiding Officer to know how much I personally appreciate it, but I know I speak on behalf of all of the people of Georgia as well.

Mr. President, I will speak briefly about two subjects.

Mr. President, I am one of the two people left in the Congress who had something to do with No Child Left Behind. The other one is JOHN BOEHNER, the Speaker of the House. I will never forget that night in 2001, in the basement of the Capitol, after the conference committee finally came to an agreement on No Child Left Behind—us talking about how proud we were of what we had done but more how we knew that if we did not get it fixed by the end of the sixth year, it would go from being a positive change in education to a negative.

It is now 13 years later. We have gone 7 years without a reauthorization. What became a good goal of meeting adequate yearly progress, setting standards for schools, and remediating schools that were in trouble has be-

come a bill where 80 percent of the school systems in America have to ask for waivers to even operate. It is a bill that no longer is doing what it was intended to do for the education of our children.

I commend Senator ALEXANDER and Senator MURRAY for the unbelievably good work they have done to bring the new reform of the ESEA to the floor of the Senate today. I participated in all the hearings, as did the Presiding Officer. The Presiding Officer knows what I know: that we brought about compromise and common sense. We created a bill that is good for children, good for educators, and good for America.

First and foremost, it gets us out of the national school board business, which is Chairman ALEXANDER's favorite statement for the Department of Education.

People forget that the U.S. Department of Education is not mentioned anywhere in the Constitution of the United States. It is mentioned in two places. One is in title I in the Civil Rights Act of the 1960s when we provided funds for free and reduced-price lunches for poor students to give them a leg up and second in 1978 when, in the Carter administration, we passed what was known as Public Law 94-192, which created special needs children benefits or what is known as the Individuals with Disabilities Act. Those are the only two places in statute that the Federal Government has a role. Senator MURRAY and Senator ALEXANDER have seen to it that we recognize that fact.

We enhance education where we are supposed to, but we turn it back over to the States, where it belongs and where it should be.

Secondly, one of the big buzzwords in bad brand labels that have taken place in education is Common Core. Common Core is a lot of things to a lot of people, but most importantly for many people it is a Federal mandate of standards, it is a homogenization of standards, and it is a mandate the American people do not like.

This bill ensures there will be no Common Core mandate by the Federal Government to the States and ensures local control of curriculum from beginning to end.

Then, as I said a minute ago, to ensure that it gives local control, it does away with the waiver business and puts all local school boards and State boards of education in control of their education.

On the question of testing, it does away with federally mandated tests and says to systems: You develop the test and the assessment mechanism yourself. We just want you to have standards that are made good for students to improve and grow their education. But we want to make sure that every student has the access they can to be tested well and improve. For example, we have done some creative

things in this bill, such as give assisted technology funding capability out of title I to handicapped children in title I qualifications so they can use assisted technology to take exams they otherwise could not take. A student with cerebral palsy, Duchenne, or many other diseases does not have the coordination ability to take a paper-and-pencil test; yet they can be bright, they can be a genius. Because of technology that has been developed in America, assisted technology can allow them to take that exam given the disabilities they have. It is only appropriate we authorize the use of title I funds to do that.

Most importantly, though, we keep the parent in control of their child's life by giving them the permission to opt out of any State test that is mandated where the State allows an opt out, which means the parent is in control of the testing, the State is in control of the assessment and the type of model that takes place, and the Federal Government is saying to the local schools and State boards of education: You take our children to the next level. We will assist you, but we are not going to govern you, we are not going to ruin you.

I commend Senator ALEXANDER and Senator MURRAY for bringing together a bipartisan approach to education reform that works. I thank the American Federation of Teachers, the national association of educators, the National Association of School Superintendents, and the National Governors Association. Every vested organization in education in the United States of America has endorsed this bill. They have because they know it is time for education to be enhanced and improved from the local level up. They know the benefits that may have come from No Child Left Behind have long since passed. We are now disaggregating, we are now measuring, and we are doing all the things we should have been doing all along. Let's take what is a good platform and make it even better to ensure that every child learns, every child progresses, and every child succeeds.

#### MILITARY CUTS

Mr. President, I want to make note of the announcement today by the Department of Defense on the dramatic cuts to our military—40,000 people over the next 2 years.

Mr. President, I am a pretty easy-going guy, but I am really angry. I am really mad. I know it is ironic to me—and it is one of the reasons I put a hold today on an appointment—but it is ironic, on the day we all learn by reading the newspaper, not by being advised by the Department of Defense, that we are going to lose 40,000 soldiers over the next 2 years—Georgia is going to lose 4,350 soldiers over the next 2 years. Nobody did the courtesy of calling us. But on the day when they did

not call us, they also send up for confirmation a legislative affairs official for the U.S. Department of Defense in the administration.

I have a hold on that person for one simple reason: I want to meet with them and to see to it that if they in fact do get in control of congressional liaison and congressional affairs, they make sure we are the first to find out, not the last to find out.

Our military is critically important to my State, as it is to the Presiding Officer's State. It is important that we know what the government's plans are, and it is important that we have a chance to have a say. I know the President does not like to use the legislative body very much. He would rather regulate and do Executive orders. But when you talk about our military and you talk about the investment in our military, every Member of this Senate, every Member of the House—all of us ought to be together with all our oars in the water rowing in the same direction, not in misdirection.

I want to make one note here. It is also ironic that last week the President for the first time went to the Pentagon to talk about the strategy in the Middle East, particularly with regard to ISIL. It took 18 months to go talk about a situation that has grown from being an irritant to a crisis. When we left Iraq and left all the equipment that we had there and left the Iraqis to fend for themselves, we created a vacuum. And what happened? In came ISIL. And now they are in 16 countries in the Levant and in the Middle East right now. We created a vacuum that they filled and are continuing to fill, and we are talking about reducing our manpower over the next 2 years to a point that we no longer can confront an enemy on two fronts; we are going to have a tough time doing it on one.

A vulnerable and a weak American defense and military allow and encourage people who might have nefarious goals and dreams to take advantage of America's weakness. We should be very careful about diminishing our resources and our military to levels that are not in the best interest of the American people or their security.

I want to ask the administration to be sure to give us information in advance rather than after the fact, to include us wherever possible in the decision, and to see to it that the Congress is once again a partner with the Commander in Chief and to see to it that we confront our enemies and have the manpower and the troops to do it.

I, for one, have thought for a long time that we should be doing more to confront ISIL in the Middle East. I think that is being borne out every day. Hopefully the President is coming to that realization as well. But whatever we do, we should not be telling the world we have problems but we are going to cut some more.

It is time we made an investment in the security and peace of our country and our military, and it is time we worked together—the President and Congress alike—to do what is right for America, its defense and its freedom and its liberty, which we just celebrated over the past weekend on July the 4th.

Mr. President, I yield back the remainder of my time and defer to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I always appreciate the words of Senator ISAKSON, who was the cochair of the Ethics Committee, where I served with him, and now on the Veterans' Affairs Committee, and I appreciate his work and Senator BLUMENTHAL's work on one of the most important committees in this Senate.

Mr. President, about a year and a half ago, on a cold January morning in Cleveland, where I live, at a Martin Luther King breakfast, I heard a speaker say: Your life expectancy is connected to your ZIP Code. Think about that. Whether you grow up in Columbus or Canton or Appalachia, whether you grow up in a city or a prosperous suburb or a low-income suburb or a small town or a rural area, so often your ZIP Code determines whether you have access to quality health care, to good education, to good jobs, and to the social support necessary to succeed. That is particularly true when it comes to education.

The quality of our children's education should not be determined by their ZIP Code. Too often that is the case. Teachers and schools in far too many cases lack the resources necessary to ensure students can grow and succeed.

Achievement gaps persist between economically disadvantaged students and their more advantaged peers. These gaps persist between Black students and White students, Latino students and White students. They persist between native and non-native English language speakers. They persist between students with disabilities and those without.

These achievement gaps inevitably, predictably almost always lead to opportunity gaps. We know education is the surest path to success—we say that around here ad nauseam—regardless of where you come from. That is why closing these gaps is vital to ensure children—all children—have the opportunity to succeed.

These achievement gaps are not caused by failings in our students. They are usually not caused by failings with our teachers. They are the result of policies that leave schools with massive resource gaps.

The U.S. Department of Education's Office of Civil Rights conducted a comprehensive survey of schools across the Nation.

Some of the results they found were appalling. Black, Latino, Native American, Native Alaskan students, as well as first-time English learners attend schools with much higher concentrations of inexperienced teachers. One in five high schools in this country lacks a school counselor. Around 20 percent of high schools do not offer more than one of the typical core courses for high school math and science, such as algebra I and II, geometry, biology, and chemistry.

We cannot call our country “the land of opportunity” while we fail—we, policymakers, communities, leaders, activists—while we fail to provide too many of our children with well-equipped schools.

The bipartisan opportunity dashboard of core resources amendment will help us close these gaps. It will strengthen transparency provisions in the Every Child Achieves Act so parents and taxpayers know how schools are performing on key measures of success—measures such as contact with effective teachers, access to advanced coursework, and availability of career and technical opportunities and counseling. It will ensure that States hold schools accountable when inequities exist.

Reporting is an important and helpful tool but surely not enough. If this new data shows persistent disparities, States and school districts need to take action. This amendment requires States to develop a plan to ensure that resources reach districts that are most in need. States will have flexibility to design these plans in a way that works for local communities. The amendment does not tell States how to address inequities; it just requires States to identify those disparities and work with communities to fix them in whatever way works for those communities in that State.

We must move beyond simply using test scores when we assess our schools. Tests are an important benchmark of success, but they are by no means the only one. To succeed in life and in school, students need access to dedicated literacy programs, to music and the arts, to advanced classes, to college and career counseling. We need to measure access to all of these opportunities, not only math and reading scores. Improving access to core resources will not close the achievement gap overnight, but it puts us on the right track.

Our amendment has the support of teachers and civil rights organizations. I want to thank Senators REED, KIRK, and BALDWIN for their bipartisan help and support in getting this amendment to this place.

I urge my colleagues to adopt this amendment to ensure that all children, regardless of their ZIP Code, have access to the core resources needed for a quality education.

Unfortunately, instead of strengthening our public education system, some of my colleagues want to, as we say around here, “voucherize” the public school system, privatize, spend resources elsewhere primarily. We have seen how so many of our public schools serving vulnerable populations are already in dire need of resources, yet vouchers would divert more of these resources away from public schools, reroute those resources to for-profit schools, in some cases, that simply are not accountable to the public.

Vouchers do not provide a real choice for the majority of students. They may cover some—but usually not all—of the tuition of private schools, meaning the students who need help the most often get little choice at all. Study after study shows that private school vouchers don’t improve student achievement. My State, by some rankings, is the next to worst—next to last in the country—in the quality of charter schools and the accountability of charter schools, in large part because there is a huge network of for-profit charter private schools in our State that simply have not served students that well.

That is why I urge my colleagues to vote against any proposal to voucherize our schools. Instead, we need to strengthen our public school system, which educates the vast majority of our children. That is why schools across the country, especially those with high concentrations of poverty, need more funding—not less. For 50 years, the Federal Government has helped level the playing field for students by directing funds to schools in areas that lack resources. Unfortunately, some of my colleagues are trying to dismantle this system by taking away funding from high-priority schools to more affluent schools, a bit of a reverse Robin Hood.

They call this proposal portability. But no matter what you call it and why you call it that, taking funding away from the schools that need it most and sending it to the schools that need it least is wrong. I will urge my colleagues to oppose this effort. In our country, all students should have access to a high-quality education, regardless of how much money their parents make, regardless of how much education their parents have, regardless of what ZIP Code they live in. We must invest Federal resources in schools and districts that need the most and where they can make the most difference.

I yield the floor.

**THE PRESIDING OFFICER.** The Senator from South Dakota.

**Mr. THUNE.** Mr. President, I do want to compliment the HELP Committee and Senator ALEXANDER, who chairs that committee, for the great work they have done in bringing the Every Child Achieves Act legislation to the floor of the Senate. This is long over-

due. Anybody who meets with school administrators, teacher groups, parents or school boards realizes that people for a long time have been looking for us to reauthorize the Elementary and Secondary Education Act and to make reforms that are important and that will return control and power to school districts, to parents, to teachers, and to administrators, rather than having it here centralized in Washington, DC.

So I am pleased that we can have this debate. I am encouraged by the discussion that has already been held and by the willingness of both sides to work together to allow amendments to be considered. This is an important issue—how we educate our children, equipping them, preparing them for the challenges that will be ahead of them. There is no more important task that we have. So to the degree that this legislation makes it more possible for our kids to learn at the very fastest rate possible, this is something that this Senate ought to be focused on.

I am hopeful that we will be able to get through the amendment process and be able to move this bill across the floor of the Senate and to the House, and hopefully, eventually, to the President’s desk. But I think it is also an example of what happens when you get people who are willing to open the Senate process up and allow legislation to be considered.

#### REPUBLICAN-LED SENATE

The Senate has now been under Republican control for a full 6 months. Those months have been some of the most productive that the Senate has seen in a long time. So far this year, the Republican-led Senate has passed more than 45 bipartisan bills, 22 of which have been signed into law by the President. Committees have been hard at work and have reported out more than 150 bills for floor consideration by the full Senate. In May, the Senate passed the first 10-year balanced budget resolution in over a decade—over a decade.

One reason the Senate has been so productive is because the Republican majority has been committed to ensuring that all Senators, whatever their party, have the opportunity to have their voices heard. Under Democratic leadership, not only Republicans but many rank-and-file Democrats were shut out of the legislative process in the Senate. As an example of that, the Democratic leadership allowed just 15 amendment rollcall votes in all of 2014—an entire year. That is barely more than one amendment vote per month here in the Senate.

Republicans, by contrast, had allowed 15 amendment rollcall votes by the time we had been in charge here for merely 3 weeks. In all, Republicans have allowed more than 136 amendment rollcall votes so far in 2015. That is not only more amendment rollcall votes

than in all of last year, but it is more amendment rollcall votes than the Senate took in 2013 and 2014 combined. We still have 6 months to go in 2015.

#### NUCLEAR AGREEMENT WITH IRAN

Mr. President, one of the most important bipartisan bills the Senate has passed this year is the Iran Nuclear Agreement Review Act. This legislation, which was signed into law in May by the President, ensures that the American people, through their representatives in Congress, will have a voice in any final agreement with Iran. Specifically, the law requires the President to submit any agreement with Iran to Congress for review and prevents him from waiving sanctions on Iran until the congressional review period is complete.

The bill also requires the President to evaluate Iran's compliance every 90 days. I am particularly glad that this legislation is in place because the negotiation process so far has given cause for deep concern. The primary purpose of any deal with Iran is to prevent Iran from acquiring a nuclear weapon. But the interim agreement the President unveiled in April casts serious doubt on the administration's determination to achieve that goal. The framework does not shut down a single nuclear facility in Iran. It does not destroy any single centrifuge in Iran. It does not stop research and development on Iran's centrifuges. It allows Iran to keep a substantial part of its existing stockpile of enriched uranium.

It is not surprising that Members of both parties are concerned about this agreement. Again and again during the process, Secretary Kerry and the President have seemed to forget that the goal of negotiations is not a deal for its own sake but a deal that will actually stop Iran from developing a nuclear weapon. Administration negotiators have repeatedly sacrificed American priorities for the sake of getting an agreement.

In the process, they have created a very real risk that the deal that finally emerges will be too weak to achieve its goal. A Washington Post editorial this week declared that any agreement with Iran that emerges from the current talks "will be, at best, an unsatisfying and risky compromise." That is from the Washington Post. The editorial board continues by saying:

Iran's emergence as a threshold nuclear power, with the ability to produce a weapon quickly, will not be prevented; it will be postponed by 10 to 15 years. In exchange, Tehran will reap hundreds of billions of dollars in sanctions relief it can use to revive its economy and fund the wars it is waging around the Middle East.

Again, that is a quote from the editorial in the Washington Post from yesterday. When Iran recently failed to comply with the provision of the interim nuclear agreement currently in place, the Obama administration, in

the words of the Post editorial, "chose to quietly accept it" and even "rush to Iran's defense."

Again that is the quote from the Washington Post editorial. This is an example of what the Post aptly describes as "a White House proclivity to respond to questions about Iran's performance by attacking those who raise them."

Well that is a deeply troubling response on the part of the White House, and it raises doubts about the President's commitment to achieving an agreement that will shut down Iran's nuclear program. The stakes could not be higher on this agreement. At issue is whether a tyrannical, oppressive regime that backs terrorists, has killed American soldiers, and has announced its intention of wiping Israel off the map will get access to the most apocalyptic weapons known to man.

Even as negotiations continue, Iran continues to advance its nuclear program. If Iran continues its research and development into more advanced centrifuges, the breakout period—the time needed to produce enough nuclear material for a bomb—could be weeks—weeks instead of months or years. If we fail to prevent Iran from acquiring a nuclear weapon, we will not only be facing a nuclear-armed Iran; we will be facing a nuclear arms race in the Middle East. That is what is at stake. Every Member of Congress obviously would like to see the President successfully conclude a deal to prevent Iran from developing a nuclear weapon. But the President needs to remember that a deal is only acceptable if it achieves that goal. We have heard the President say that he will walk away from a bad deal. But each time we reach a deadline, that deadline is extended.

As negotiations continue, it is essential that negotiators push for a strong final deal that includes rigorous inspection of Iranian sites and full disclosure of all Iranian weapons research to date. If the administration cannot secure a sufficiently strong deal, then it should step back from the negotiation table and reimpose the sanctions that were so successful in driving Iran to the table in the first place. No deal is better than a bad deal that will strengthen Iran's position in the Middle East and pave the way for the development of a nuclear weapon.

For a deal to be acceptable to the American people, it must be verifiable, it must be enforceable, and it must be accountable. It also needs to promote stability and security in the Middle East and around the world. Any deal that does not reach that threshold is a bad deal. I hope the President will listen to the American people and reject any agreement that falls short of that goal.

I yield the floor.

Mr. ALEXANDER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, today I am offering an amendment to the Every Child Achieves Act that would allow \$2,100 Federal scholarships to follow 11 million low-income children to any public or private accredited school of their parents' choice. This is a real answer to inequality in America, giving more children more opportunity to attend a better school.

The Scholarships for Kids Act will cost \$24 billion a year, paid for by redirecting 41 percent of the dollars now directly spent on Federal K-through-12 education programs. Often those dollars are diverted to wealthier schools. Scholarships for Kids would benefit only children of families that fit the Federal definition of poverty, which is about one-fifth of all school children—about 11 million a year.

Allowing Federal dollars to follow students has been a successful strategy in American education for over 70 years. Last year, \$31 billion in Federal Pell grants, and \$100 billion in loans followed students to public and private colleges. Since the GI bill began in 1944, these vouchers have helped create a marketplace of 6,000 autonomous higher education institutions, the best system of higher education in the world.

Our elementary and secondary education system is not performing as if it were the best in the world. U.S. 15-year-olds rank 28th in science and 36th in math. I believe one reason for this is that while more than 93 percent of Federal dollars spent for a higher education follows students to colleges of their choice, Federal dollars do not automatically follow K-through-12th-grade students to schools of their choice. Instead, that money is sent directly to schools. Local government monopolies run most schools and tell most students which schools to attend. There is little choice and no K-through-12 marketplace as there is in higher education.

Former Librarian of Congress Daniel Boorstin often wrote that American creativity is flourished during "fertile verges," times when citizens became more self-aware and creative.

In his book "Breakout," Newt Gingrich argues that society is on the edge of such an era and cites computer handbook writer Tim O'Reilly's suggestion for how the Internet could transform government. "The best way for government to operate," Mr. O'Reilly says, "is to figure out what kinds of things are enablers of society and make investments in those things. The



same way that Apple figured out, ‘if we turn the iPhone into a platform, outside developers would bring hundreds of thousands of applications to the table.’”

Already, 19 States have begun a variety of innovative programs supporting private school choice. Private organizations supplement those efforts. Allowing \$2,100 Federal scholarships to follow 11 million children would enable other school choice innovations in the same way developers rushed to provide applications for the iPhone platform.

Senator TIM SCOTT, the Presiding Officer today, has proposed the CHOICE Act, allowing \$11 billion other Federal dollars—dollars the Federal Government now spends through the program for children with disabilities—to follow those 6 million children to the schools their parents believe provide the best services. A student who is both low income and has a disability could benefit under both of the programs, especially when taken together with Senator SCOTT’s proposal, Scholarships for Kids constitutes the most ambitious proposal ever to use existing Federal dollars to enable States to expand school choice.

Under Scholarships for Kids, States would still govern pupil assignment, deciding, for example, whether parents could choose private schools. Schools chosen would have to be accredited. Federal civil rights rules would apply. The proposal does not affect the school lunch program. So Congress can assess the effectiveness of this new tool for innovation, there is an independent evaluation after 5 years.

In the late 1960s, Ted Sizer, then Harvard University’s education dean, suggested a \$5,000 scholarship in his Poor Children’s Bill of Rights. That is what he called it. In 1992, when I was the U.S. Education Secretary, President George H.W. Bush proposed a GI Bill for Kids, a half-billion-dollar Federal pilot program for States creating school choice opportunities. Yet despite its success in higher education, “voucher” remains a bad word among most of the K-through-12 education establishment, and the idea hasn’t spread rapidly.

Equal opportunity in America should mean that everyone has the same starting line. There would be no better way to help children move up from the back of the line than by allowing States to use Federal dollars to create 11 million new opportunities to choose a better school.

I thank the Presiding Officer, and I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. SHAHEEN. Mr. President, I am here to discuss the Every Child Achieves Act. I think it is significant that for the first time in more than a decade, the Senate is considering legislation to make significant changes to our Nation’s elementary and secondary education system, and this conversation is long overdue.

As a former teacher, I appreciate the challenges our schools have, and I am very much looking forward to the debate ahead. I want to applaud Senators ALEXANDER and MURRAY, the chair and ranking member of the Committee on Health, Education, Labor and Pensions, for reaching a compromise bill that passed out of their committee with strong unanimous bipartisan support.

Today, I want to focus on some of the provisions included in this bill that have to do with STEM education—science, technology, engineering, and math. This is an issue I have been working on for a number of years—really since I was Governor in the late 1990s in New Hampshire. We know the most critical jobs needed to compete in the global economy are in the STEM fields, but data consistently shows our American students are falling further and further behind in these subjects.

One of the other challenges is that we have an enormous gender gap in employment in these fields. Forty-eight percent of the workforce in this country are women. Yet only 24 percent of the jobs in STEM fields are held by women.

I had the opportunity last night to cohost a screening in the Capitol of an important new documentary called “Code: Debugging the Gender Gap.” This documentary tells a very powerful story about the lack of diversity in the technology industry, outlining the resulting cost to our society, and it explores strategies that would solve the problem.

Last night we had more than 150 people in attendance at the screening, which was cohosted by Representative SUSAN DAVIS from California. The creators of the movie were there, and U.S. Chief Technology Officer Megan Smith. What followed the documentary was even more impressive, and that was a lengthy and very passionate discussion about how much work we have to do on this front.

We need to give the next generation a stronger educational foundation in these topics, and, most important, we need to get them engaged and excited to be working in STEM fields. This effort is going to require student engagement inside and outside the classroom. It is critical our schools have the resources to offer STEM opportunities during the schoolday. But of course as most of us remember from our childhood, it is sometimes what happens

outside the classroom that is even more important than what happens inside the classroom if we are going to get kids excited about learning.

Afterschool programs allow students opportunities for more individualized instruction, for innovative experiences, and for opportunities to build their leadership skills. Afterschool programs can be especially successful in inspiring interest in groups that are traditionally underrepresented in STEM fields, such as young women, students of color, and students from low-income backgrounds.

So I especially appreciate Chairman ALEXANDER and Ranking Member MURRAY for working with me to include language from my Supporting Afterschool STEM Act, which is in the underlying bill and allows Federal grants to be used to support STEM-related afterschool activities.

This language will expand student access to high-quality, afterschool programs in STEM subjects. It will also promote mentorship opportunities and the building of partnerships with researchers and other professionals in these fields.

Again, one of the things we know about helping kids to stay in school, getting them excited, is that if they have a mentor, if they have someone who is really interested in what is going on in their lives, who is supporting them, then they are much more likely to be successful. These programs will give students firsthand experience to see what careers in the STEM subjects can look like.

Now, the Every Child Achieves Act also includes language based on a second STEM-related bill that I first introduced when I got to the Senate back in 2009—the Innovation Inspiration School Grant Program. This language would authorize Federal STEM education grants to support the participation of low-income students in related competitive extracurricular activities, such as robotics competition.

I am particularly excited about this because in New Hampshire, inventor Dean Kamen—also the inventor of the insulin pump and the Segway—founded a fantastic program called FIRST Robotics Competition. It is now wildly successful. Nationwide, we have nearly 100,000 high school students who compete. It is sort of an “Einstein meets Michael Jordan” kind of competition. Students have just 6 weeks to work in a team to design, construct, and program robots, and then they enter their robots in regional and championship competitions.

It is great fun to attend these events because kids are so excited about working with these robots and about the STEM subjects. They get excited about engineering, about science, about math, and technology, and you can see that in the students as they are building these robots. They are excited

about accomplishing their goals, about being creative. When there are last-minute problems with the robots, they have to work to adjust. But most of all, whether or not they win, you can see the pride they feel for themselves, for their teammates that comes from successfully accomplishing their task: building that robot and being successful in the competition.

You can't replicate this kind of experience in a classroom. So I am very pleased that support for programs such as FIRST are now included in the bill we are considering on the Senate floor. These are provisions that I think will take very important strides toward inspiring future generations of scientists and engineers, of mathematicians and experts dealing with technology.

Again, I thank Chairman ALEXANDER and Ranking Member MURRAY for their work on these issues and for producing a bill we are now debating on the floor that has such strong bipartisan support.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I want to thank the Senator from New Hampshire for her remarks and thank her especially for her contributions to the legislation and her persistent support for STEM education. She has been a champion. As a former Governor, she is a great help as we seek to remind ourselves that the path to real accountability, higher standards, and better teaching really runs through the States and local governments, where the creativity is and where people are closer to the children.

The PRESIDING OFFICER (Mr. TOOMEY). The Senator from Montana.

Mr. DAINES. Mr. President, I rise to speak about my amendment No. 2110.

As a fifth-generation Montanan and a product of Montana public schools and because my wife is an elementary school teacher and I am the father of four children, and one of my children has a degree in elementary education as well, I truly understand how important a first-rate education is to our kids' future.

As I meet with parents and educators across Montana, they frequently share concerns about the one-size-fits-all student performance and teacher qualification metrics that currently dictate Federal funding as part of No Child Left Behind. While well-intended, many of these metrics have proven difficult for schools—and particularly schools in rural areas—to achieve. The Federal funding tied to these policies has all too often forced States and school districts to adopt policies that may not best fit the students' and communities' unique needs.

As the Senate debates the Every Child Achieves Act to reform our Nation's education policies, one of my priorities will be fighting to increase local

control over academic standards and education policies and working to push back against burdensome Federal regulations that often place our schools in a straitjacket.

For example, the U.S. Department of Education has incentivized States to adopt common core standards by offering exemptions from No Child Left Behind regulations and making extra Federal education funds accessible through programs such as Race to the Top to States that adopt Common Core. Like many Montanans, I am deeply concerned that the Federal Government's obvious efforts to back States into adopting such programs is an inappropriate interference in educational policy decisions that should be made by States, parents, teachers, and local school boards because strengthening our education system is vitally important to our country's future.

If we are serious about wanting to make future generations as fortunate as ours, it is critical that we prepare our children to excel in a globally competitive economy. Our children should receive a well-rounded education that focuses on core subjects, such as reading, writing, science, and math, as well as technical and vocational disciplines and training in the arts.

A wealth of social data informs us that individuals who do not receive a quality education are disproportionately prone to have low incomes, suffer from poverty, and land in prison. It is clear that the Federal Government's one-size-fits-none approach simply isn't working.

By increasing local control of our schools and lessening the influence of Washington bureaucrats, we can provide States with the flexibility needed to meet the unique needs of our students and the unique needs of our States as well as our communities.

Just last year, the New York Times did an assessment of the "health and wealth" of every county in the Nation—every county. We might expect folks living in Silicon Valley to be doing fairly well or perhaps see the suburbs of New York City thriving. What shocked me was seeing that 6 of the Nation's top 10 wealthiest counties surround Washington, DC. This sends a pretty clear message about where Washington's priorities really are.

During the recession, while millions of Americans were struggling to make ends meet amidst layoffs and economic instability, Washington, DC, thrived. The Federal Government poured millions of dollars into new Federal buildings, and salaries kept growing. The average Federal bureaucrat in the Department of Education in Washington, DC, makes \$107,000 a year.

It is time we stopped building bureaucratic DC kingdoms and returned those dollars to the classrooms. That is why I am asking for support of the Academic Partnerships Lead Us to Suc-

cess—or A-PLUS—amendment to the Every Child Achieves Act. This measure will help expand local control of our schools and return Federal education dollars to where they belong—closer to the classroom. By shifting control back to the States, individual and effective solutions can be created to address the multitude of unique challenges facing schools across the country. Through these laboratories of democracy, Americans can watch and learn how students can benefit when innovative reforms are implemented at the local level.

My amendment would give States greater flexibility in allocating Federal education funding and ensuring academic achievement in their schools. With A-PLUS, States would be freed from Washington's unworkable teacher standards, States would be freed from Washington-knows-best performance metrics, and States would be freed from Washington's failed testing requirements. Should this amendment be adopted, States would need to adhere to all civil rights laws. They have to work toward advancing educational opportunities for disadvantaged children as well, of course.

States would be held accountable by parents and teachers, though, because a bright light would shine directly on the decisions made by State capitals and local school districts. With freedom from Federal mandates come more responsibility, more transparency, and more accountability on the issues.

It would also reduce the administrative and compliance burdens on State and local education agencies and ensure greater public transparency in student academic achievement and the use of Federal education funds.

Increasing educational opportunities in Montana and across the country isn't going to happen through Federal mandates or these one-size-fits-nobody regulations. We need to empower our States, our local school boards, our teachers, and our parents to work together to develop solutions that best fit our kids' unique needs. As a father of four—and every parent knows this—I know that each one of my children is very unique. And that is precisely what my A-PLUS amendment does.

Washington is the problem. We are ground zero. The problem is here in Washington, DC, and we have the solutions in Montana and in our States across the country.

The A-PLUS amendment goes a long way toward returning the responsibility for our kids' education closer to home and reduces the influence of the Federal Government over our classrooms.

I thank Senators GRASSLEY, CRUZ, VITTER, JOHNSON, LEE, LANKFORD, BLUNT, CRAPO, RUBIO, and GARDNER for cosponsoring my A-PLUS amendment. I ask my other Senate colleagues to join us in empowering our schools to

serve their students, not a bunch of DC bureaucrats, and to support this important amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

#### DISTRIBUTION OF WEALTH

Mr. SANDERS. Mr. President, as someone who travels around this country, I am always amazed by the huge disconnect that exists between what we do here in Congress and what the American people want us to do. The simple truth, as poll after poll has shown, is that Congress is way out of touch as to where the American people are. Let me give a few examples before I get to the thrust of my remarks.

Many of my Republican colleagues are still talking about cutting Social Security—a disastrous idea—but according to a recent NBC News/Wall Street Journal poll, by a 3-to-1 margin the American people want us to expand Social Security benefits, not cut them. How out of touch can one be?

About 2 weeks ago, the same poll told us that while there is virtually no Republican in the Senate who is prepared to support raising the minimum wage to \$10.10 an hour, what the American people want by a pretty solid majority is not to raise the minimum wage to \$10.10 an hour but to raise the minimum wage to \$15 an hour—something that is occurring now in Los Angeles, Seattle, and other places around the country.

Tragically, this Congress is way out of touch with the American people on issue after issue, and it is high time we started to get our act together and to respond to the needs—the pressing needs—of the American people.

Between 1985 and 2013, there was a huge redistribution of wealth in America. I know my Republican colleagues get very nervous when people talk about wealth distribution. Well, guess what, over the last 30 years we have had a huge degree of distribution of wealth in America. Unfortunately, that redistribution went in the wrong direction. That redistribution, to the tune of trillions of dollars, went from the pockets of the middle-class and working families of our country into the hands of the top one-tenth of 1 percent. So if we want to understand economics in the last 30 years, the middle class shrank and one-tenth of 1 percent doubled the percentage of wealth they own.

Today the United States has more wealth and income inequality than any other major industrialized country on Earth. The top one-tenth of 1 percent now owns 22 percent of all the wealth in this country, while the bottom 90 percent owns 22.8 percent. In other words, the top one-tenth of 1 percent owns almost as much wealth as the bottom 90 percent, and the trend is toward more and more wealth and income inequality. That is the economic reality we are looking at now.

But let me talk for a moment about another reality which saddens me very much and which we cannot continue to ignore. We are the wealthiest country in the history of the world. Yet we have the highest rate of childhood poverty of any major industrialized nation on Earth, with almost 20 percent of our kids living in poverty.

In recent years we have seen a proliferation of millionaires and billionaires in this country. Yet over 50 percent of the children in our public schools are so low-income that they are eligible for the free or reduced-price School Lunch Program.

As a result of the collapse of the American middle class over the last 40 years, men and women in this country are working longer and longer hours in order to cobble together enough income to sustain their families. Yet while over 85 percent of male workers are working more than 40 hours a week and over 66 percent of working women are working more than 40 hours a week, we have a dysfunctional childcare system which denies millions of working families the ability to secure high-quality and affordable childcare.

Last week I spoke to a woman who lives right here in Washington, DC, and she told me that to get her 1-year-old child into quality daycare here in the Nation's Capital, she and her husband are spending close to \$30,000 a year for one child. DC childcare is probably more expensive than other parts of the country, but millions of parents are struggling with childcare bills of \$15,000, \$20,000 or \$25,000 a year when their income is \$30,000, \$40,000 or \$50,000 a year. If you have two young kids, I don't know how you manage.

The truth of the matter is that while working families are desperately trying to find quality childcare at an affordable cost, we are turning our backs on those families. The result is that millions of children in this country are not receiving the quality childcare or early education they need when the psychologists tell us that ages 0 to 4 are the most important years of a human being's life in terms of intellectual and emotional development.

What sense is it that we ignore the needs of millions of working families and their children? What sense is it to tell working moms and dads that they cannot get the quality and affordable childcare they need? What sense is it to send many children into kindergarten and first grade already far, far behind where they should be intellectually because they had inadequate childcare?

This is not what a great country is supposed to be about. When we talk about the future of America, we cannot be talking about turning our backs on the children of this country. That is why we should be doing in this country what nations all over the world have done, and that is to invest in our kids

and move toward a universal pre-K education system for all of our children.

I am glad that the Elementary and Secondary Educating Act is on the floor right now for debate. I want to thank Senator MURRAY and Senator ALEXANDER for their hard work on this important bill. In Vermont and around this country—and I have had town meetings on this issue in Vermont where hundreds of teachers, parents, and kids come out—they understand that No Child Left Behind has failed, and what we are doing now begins to address that failure and move us in a very different direction.

When we talk about the needs of young people—something we very rarely do—we should understand that it is not just that we have a dysfunctional childcare and pre-K system which must be significantly improved, it is not just that No Child Left Behind must be reformed, and it is not just that a college education is now unaffordable for millions of working-class and low-income families. All of those are terribly important issues that we must address. But I hope very much there is another issue that we will finally start to pay attention to. This country, this Senate, and the House of Representatives must come to grips with the fact that today in America we have a horrendous, horrendous level of youth unemployment in this country. This is an issue that gets virtually no discussion at all. This is an issue of crisis proportions that we are not addressing. For the future of this country, not to mention for the future lives of millions of our young people, we cannot continue to sweep the issue of youth unemployment under the rug.

Last month the Economic Policy Institute released a new study about the level of youth unemployment in this country. What they found should concern every Member of the Congress and, in fact, every person in our country. The Economic Policy Institute analyzed census data on unemployment among young people who are jobless—who have no jobs—those who are working part time when they want to work full time, and those who have given up looking for work altogether. This is what they found. From April 2014 to March 2015—a 1-year period—the average real unemployment rate for young, White high school graduates between the ages of 17 and 20 was 33.8 percent. The jobless rate for Hispanics in the same age group was 36.1 percent. Unbelievably, the average real unemployment rate for Black high school graduates and those who dropped out of high school was 51.3 percent.

I ask unanimous consent to have printed in the RECORD the EPI's findings.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Working Economics Blog,  
Economic Policy Institute, June 8, 2015]  
YOUNG BLACK HIGH SCHOOL GRADS FACE  
ASTONISHING UNDEREMPLOYMENT  
(By Alyssa Davis)

Last week, I wrote about how high school graduates will face significant economic challenges when they graduate this spring. High school graduates almost always experience higher levels of unemployment and lower wages than their counterparts with a college degree, and their labor market difficulties were particularly exacerbated by the Great Recession. Despite officially ending in June 2009, the recession left millions unemployed for prolonged spells, with recent workforce entrants such as young high school grads being particularly vulnerable.

Underemployment is one of the major problems that young workers currently face. Approximately 19.5 percent of young high school graduates (those ages 17–20) are unemployed and about 37.0 percent are underemployed. For young college graduates (those ages 21–24) the unemployment rate is 7.2 percent and the underemployment rate is 14.9 percent. Our measure of underemployment is the U-6 measure from the BLS, which includes not only unemployed workers but also those who are part-time for economic reasons and those who are marginally attached to the labor force.

When we look at the underemployment data by race, we often see an even worse situation. As shown in the charts below, 23.0 percent of young black college graduates are currently underemployed, compared with 22.4 percent of young Hispanic college grads and 12.9 percent of white college grads. And as elevated as these rates are, the picture is bleakest for young high school graduates, who are majority of young workers.

51.3 percent of young black high school graduates are underemployed, compared with 36.1 percent of young Hispanic high school grads and 33.8 percent of white high school grads. This means a significant share of young high school graduates in all racial groups either want a job or have a job that does not provide the hours they need. A majority of young black high school graduates wish they could work more but can't because of weak job opportunities.

While there has been real progress in healing the damage inflicted on the labor market by the Great Recession, these underemployment rates among young high school graduates remain quite elevated relative to pre-recession levels. In order to correct these high rates, we need to prioritize low rates of unemployment and boost aggregate demand for workers. Last week, Senator Bernie Sanders and Representative John Conyers introduced the Employ Young Americans Now Act to help young Americans find pathways to employment. This bill is a necessary first step to putting young high school graduates back to work and to put our economy on the road to full employment.

Mr. SANDERS. Mr. President, today in our country over 5½ million young people have either dropped out of high school or have graduated high school and do not have jobs. It is no great secret to anyone that without work, without education, and without hope people get into trouble. They get into destructive activity or self-destructive activity. The result of all of that is that, tragically, here in the United States today we have more people in jail than any other country on Earth.

We have more people in jail than in the authoritarian Communist country of China, with a population over three times our population. Today the United States represents 4 percent of the world's population. Yet we have 22 percent of the world's prisoners. Incredibly, over 3 percent of our country's population is under some form of correctional control. According to the NAACP, from 1980 to 2012, the number of people incarcerated in America quadrupled from roughly 500,000 to over 2 million people.

A study published in the journal *Crime & Delinquency* found—this is really quite unbelievable and quite tragic—that almost half of Black males in the United States are arrested by the age of 23. If current trends continue, one in four Black males born today can expect to spend time in prison during his lifetime. This is an unspeakable tragedy. It is something we cannot continue to ignore. But this crisis is not just the destruction of human life. It is also very, very costly to the taxpayers of our country. Locking people up in jail is a very expensive proposition.

In America we now spend nearly \$200 billion on public safety, including \$70 billion a year on correctional facilities. It is beyond comprehension that we as a nation have not focused attention on the fact that millions of young people are unable to find work and begin their adult lives in a productive way. We cannot continue to turn our backs on this national tragedy.

Let me be very clear. I think I speak for the vast majority of people in this country and I hope the majority of Members in the Senate. It makes a lot more sense for us to be investing in jobs and in education than to be spending billions of dollars on jails and incarceration. We have to start creating the situation where our kids can leave school and lead productive lives and not have them arrested and incarcerated.

I have introduced legislation along with Representative JOHN CONYERS in the House that would provide \$5.5 billion in immediate funding to States and cities throughout this country to employ 1 million young Americans between the ages of 16 and 24 and to provide job training opportunities to young adults.

Some people may say \$5.5 billion is a lot of money. It is. But it is a lot less expensive to provide jobs and education to our young people than to lock them up and to destroy their lives.

As we debate ESEA—again, I want to thank Senator MURRAY and Senator ALEXANDER for their important work—I want this issue to be on the table. I intend to offer an amendment that says that in this country we are going to put our young people to work and we are going to get them an education rather than lock them up.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, since our Nation's founding, the idea of a strong public education for every child has been part of the fabric of America. In the late 1770s, Thomas Jefferson introduced a bill in Virginia that outlined his plan for public schooling. At the time he wrote: "By far the most important bill in our whole code is that for the diffusion of knowledge among the people."

Jefferson knew that educating children would strengthen our country. That is still true today. Today a good education can provide a ticket to the middle class. When all students have the chance to learn, we strengthen our future workforce and our economy. But nearly everyone today agrees that the current education law—No Child Left Behind—is badly broken.

The bipartisan bill we are debating on the floor today—the Every Child Achieves Act—is a strong step in the right direction to finally fix that law, and it will help continue our Nation's tradition of making sure all students have access to a quality public education.

Some of our colleagues on the other side of the aisle are interested in voucherizing the public school system. Instead of investing in our public school system, they want to send Federal resources to private schools. That would be a major step backward. Vouchers undermine the basic goals of public education by allowing funding that is designated for our most at-risk students to be rerouted to private schools. I urge my colleagues to oppose any attempt to use Federal education funds for private school vouchers.

I strongly oppose vouchers for several reasons. For one, vouchers divert much-needed resources away from our public schools and reroute them to private and religious schools. Today public schools across our country, and particularly those schools with high concentrations of students in poverty, need more funding, not less. We can't afford to send scarce Federal resources away from our public schools to benefit private schools.

Secondly, vouchers would send Federal taxpayer dollars to private schools that are in no way accountable to the public. Proposals to create vouchers do not require private schools to adopt strong academic standards or provide students with disabilities the same services they have in public schools. Unlike public schools, private schools do not need to serve all of our students. There is no guarantee that private schools would make sure students have access to State-licensed teachers, and they would not administer the same assessments as public schools, which would diminish our accountability of Federal tax dollars.

I can tell you, as a former school board member, when people in my community were unhappy with how their taxpayer dollars were spent, they would find me in the grocery store, at the school board meeting or call me at home at night. But if Federal tax dollars go to private schools, there is no elected official that a public citizen can call and say: I don't like how you are spending our tax dollars, and I want you to look at this.

Many of our colleagues today demand evidence and accountability in other programs. I hope they do it in education as well. Some of my colleagues on the other side of the aisle like to argue that vouchers create options for students and families. Well, that might be true for students of more affluent families, but vouchers don't provide a real choice for the overwhelming majority of students. Vouchers might cover some but usually not all of the tuition of a private school. In some cases a voucher would make just a small dent in the full cost of a private school. That would enable students from more affluent families the ability to afford private schools because they personally have the means to make up the difference. But students from low-income backgrounds would still be priced out of that choice.

Vouchers only provide the illusion of choice to students from low-income backgrounds, and it is those low-income students who ultimately lose out when funds are siphoned away from the public schools that they attend. Perhaps the most important reason I oppose private-school vouchers is because they do not improve student achievement. Study after study has shown that vouchers do not pay out for students or for taxpayers.

In 2012 researchers compared students enrolled in Milwaukee's voucher program compared with students in Milwaukee's public schools. The researchers found little evidence that the voucher program increased the achievement of participating students.

The District of Columbia's voucher program has gone through four congressionally mandated studies from the Department of Education. Each of those studies concluded that the program did not significantly improve reading or math achievement, and that program came at the cost of funding that could have helped improve local public schools.

There are a number of reasons to oppose any amendment that redirects Federal funds to private schools. Public schools already have to deal with scarce Federal resources. This would exasperate the problem. Private schools would not be accountable for the Federal taxpayer dollars they get. Vouchers do very little to expand choices for low-income families. Finally, as I said, studies have shown that vouchers do not increase student achievement.

An amendment to allow public funds—taxpayer dollars—to flow to private schools would be a step in the wrong direction. I strongly urge our colleagues to oppose any amendment that works to voucherize any of our Federal dollars.

I believe that real improvement in student achievement comes when our teachers and school leaders have the resources they need to help our students succeed. We have to work together to strengthen our public school system, not dismantle it.

I hope we can continue our bipartisan work together—we have done well—to help ensure all students have access to a quality public education regardless of where they live or how they learn or how much money they make. That should be our mission.

I thank the Presiding Officer, and I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I come to the floor to speak about an amendment that I am offering with Senator KIRK, Senator BROWN, and Senator BALDWIN, which would establish an accountability mechanism for student access to the core resources necessary for learning.

First, I wish to thank Senators KIRK, BROWN, BALDWIN, and others for helping with this very important matter.

More than 60 years after the landmark decision of *Brown v. Board of Education*, one of the greatest challenges still facing this Nation is stemming the tide of rising inequality. We have seen the rich—in fact, really the very rich—get richer while middle-class and low-income families have lost ground. We see disparities in opportunities starting at birth and growing over a lifetime. With more than one in five school-age children living in families in poverty and roughly half of our public school population eligible for free or reduced-priced lunches because they come from low-income families, we cannot afford nor should we tolerate a public education system that fails to provide the resources and opportunities for the children who need them the most.

When President Johnson signed the Elementary and Secondary Education Act into law 50 years ago, he described education as the “only valid passport from poverty.” He noted:

From our very beginnings as a nation, we have felt a fierce commitment to the ideal of education for everyone. It fixed itself into our democratic creed.

I believe this amendment will help us stay true to that ideal. There are other amendments we will consider that, frankly, will do just the opposite, such as those that would divert scarce resources from public schools to private schools through vouchers or so-called portability amendments that Senator MURRAY so eloquently spoke about.

Rather than transferring resources away from our public education system, the passport to opportunity in our country, we should be doing more to ensure they have adequate resources. We have to do work to achieve real equity in educational opportunity.

Survey data from the Department of Education's Office of Civil Rights showed troubling disparities, such as the fact that Black, Latino, American Indian, Native Alaskan students, and English learners attend schools with higher concentrations of inexperienced teachers. In fact, nationwide one in five high schools lacks a school counselor, and between 10 and 25 percent of high schools across the Nation do not offer more than one of the core courses in the typical sequence of high school math and science, such as algebra I and II, geometry, biology, and chemistry. Their curricula are very limited, and, indeed, perhaps inadequate.

The Education Law Center reports that a majority of States have unfair funding systems with flat or regressive funding distribution. For these reasons, I introduced the Core Opportunity Resources for Equity and Excellence Act, or the CORE Act. Senators BROWN and BALDWIN were my cosponsors. This bill would establish an accountability mechanism for resource equity. This was the first education bill introduced in this Congress, and we are very proud of that.

Holding our educational system accountable for both results and resources is paramount. The No Child Left Behind Act looked at results, outcomes, testing, and measurement. What it failed to grasp is that we need resources also. We need the inputs. The Every Child Achieves Act, the legislation we are discussing today, includes important transparency on resource equity. I thank Senators ALEXANDER and MURRAY for that. It requires States to report on key measures of school quality beyond student achievement on statewide assessments, including student access to experienced and effective educators, access to rigorous and advanced course work, availability of career and technical educational opportunities, and safe and healthy school learning environments. However, reporting alone will not ensure that students get the resources they need and deserve. I commend the reporting. I think it is a necessary but not quite sufficient measure.

I am pleased to offer this opportunity dashboard of core resources amendment with Senators KIRK, BALDWIN, and BROWN. This amendment has the support of dozens of national organizations.

Specifically, our amendment will require States to develop and report on measures of access to critical education resources, identify disparities in access for districts, schools, and student subgroups, develop plans with

school districts to address disparities in access to critical educational resources, and include the opportunity dashboard of core resources on the State report card so everyone will know where the resources are, where they are going, and how we are making our commitment to an equitable and excellent education for every American child.

This amendment has bipartisan support, and, more importantly, broad support in the communities across the Nation. I urge my colleagues to support it when it comes to the floor for a vote.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, this week the Senate is considering the Elementary and Secondary Education Act. As we have heard from the previous speakers, the issues that are involved in this decision really go to the heart of America and its future.

Public education is the avenue to opportunity for most children in America, and if that avenue is blocked or if it is inadequate, that child will suffer, the family will suffer, and the Nation will suffer. There is hardly a bigger, more important assignment that could come our way than to consider elementary and secondary education.

We are fortunate that we have two good leaders on this issue—two of the best in this Senate, Senator LAMAR ALEXANDER and Senator PATTY MURRAY. Senator ALEXANDER is a Republican from Tennessee and a former Secretary of Education. He takes this job and assignment very seriously, and I have spoken to him many times about these issues. My colleague, friend, and fellow leader on the Democratic side, Senator MURRAY of Washington, and Senator ALEXANDER have done an extraordinary bipartisan job of bringing this measure to the floor. That is not to say that I agree with every provision nor that any Senator does, but to have this reported unanimously from committee by both political parties with the political climate we have in Washington is nothing short of amazing.

We find ourselves on the floor debating the specifics of the Every Child Achieves Act. I am glad this bill maintains Impact Aid assistance for districts such as North Chicago in my home State of Illinois, which is a neighbor to the Great Lakes naval training station.

The bill also preserves the universally agreed upon triumph of No Child Left Behind—to disaggregate data among subgroups of students.

I remember back in 2002, when we passed No Child Left Behind, I was relatively new to the Senate, and I sat back there. Directly behind me was a Senator from Minnesota named Paul Wellstone. To say that Senator Paul

Wellstone hated No Child Left Behind is an understatement. Every time I got up and appeared to be supporting it, he would be behind me whispering: Senator DURBIN, this is a mistake. Don't you vote for this. You will be sorry. Well, I voted for it.

As I reflect on it, many good things happened, but a lot of things happened that we didn't expect to happen. We had testing, and I think testing is an important part of metrics and measurement to see whether the students are actually progressing. But some parts of the bill went overboard by disqualifying schools and saying they were not up to the job because their test scores didn't hit certain numbers. Teachers would complain to me that they went through all of this education and had experience in teaching, but now they were just teaching to the test. They lost the thrill of being teachers and that diminished them in their ability to help the children.

We also know what happened when it came to some of the other aspects of this bill. Some of the States started dumbing down their State standards so schools would pass the test. It wasn't a pretty sight. It is time to rewrite this broken bill, and the bill that we have before us attempts to do just that.

No Child Left Behind made important advances in how we ensure that all children are being served by public education. As we debate the Every Child Achieves Act this week, we must resist the urge to go too far the other way. What happened with No Child Left Behind was a political curiosity. Here was a new Republican President, George W. Bush, appealing to a Democratic Congress to give the Federal Government more control when it came to K-12 education. That was really a new approach, and it is one that, frankly, surprised many of us. As a result, No Child Left Behind went in directions and to degrees that many of us did not expect. Now we are getting a pushback from those who say it went too far. The pendulum is about to swing back in the other direction. This bill allows States to develop their own State education plan, set their own achievement goals, and hold themselves accountable. Every Child Achieves does not require States to identify low-performing schools or take meaningful actions to provide additional support when the schools are consistently not serving their students. Without these protections, students of color and low-income students could easily be left behind. There are reasonable, commonsense improvements that should be made to this bill to enhance accountability. We can have federally required accountability and intervention without federally prescribed accountability and intervention.

Let me also say a word about vouchers. The Senator from Washington just spoke about vouchers. I asked her when

No Child Left Behind was written and she told me 2002, and I think it was somewhere around that period when we passed the DC vouchers system. We are members of the Senate Appropriations Committee. It was Senator DeWine of Ohio who offered the DC voucher system as an amendment on an appropriations bill. I offered three amendments to his proposal. He proposed that Federal tax dollars be given to individual parents in DC to choose the school they wish, even if it was a private or religious school—not charter schools per se but so-called DC opportunity or voucher schools. I offered three amendments in committee to his proposal.

Here is what they were: First amendment, every teacher in a DC voucher school had to have a college degree. The amendment was defeated. The Republican majority said, no, we don't want to limit the creativity here of these new teachers in voucher schools. The second amendment I offered said the students who attend the voucher schools will take the same tests as the students attending DC Public Schools so we can compare how they are doing. That amendment was also defeated by the majority in the Appropriations Committee. They didn't want to be held to the same standards of testing and achievement. The third one was the most shocking. I said any building used for a DC voucher school had to pass the fire safety code in the District of Columbia. That, too, was defeated.

Years later, I sent staff out to take photos of some of the DC voucher schools. It was depressing. Many of these schools were just schools in name only. They weren't real schools. When we held a hearing before the Appropriations Committee, they couldn't even explain what standards they were teaching to. Is that the kind of system we want to set up nationally and put our tax dollars towards? Is that where families want to send their children? So I agree with Senator MURRAY. Before we start talking about voucher schools, let's focus on our first responsibility; that is, public education.

I also want to talk about an amendment that may be offered by Senator BURR of North Carolina on Title I formulas. Title I is the single largest source of Federal funding for elementary and secondary education. It helps States and school districts address poverty and the needs of low-income students. This was the inspiration for the Federal Government to make a massive investment and commitment to education in the 1960s, and the reason behind it was because we saw the gross disparities in school districts from State to State and from district to district. We believed then, as I believe now, that kids from poor families don't have a fighting chance if they don't have the chance of a good education. Title I was designed to send those dollars to help those school districts educate those children.



Now, the amendment that is proposed by the Senator from North Carolina, Mr. BURR, would devastate low-income students in my home State of Illinois. It would reduce Illinois's title I share by an estimated \$180 million a year. That is a 28-percent reduction in Federal assistance in my State of Illinois to help poor, low-income, and minority students—a 28-percent reduction. Chicago public schools alone would lose \$68 million. I just have to say for the record, they are struggling even today to meet their budget needs and their pension requirements. This kind of cut would be devastating.

I think about the violence in the great city of Chicago and many other cities as well. I think about the responsibility of the Chicago public school system which educates almost 400,000 students. A \$70 million cut to Chicago would mean that these kids in low-income families would struggle and many would not succeed in achieving a good education. Is that the best we can do? I think it is a mistake.

I have to serve notice on my colleagues. I don't know what procedural tools are available to us, but when it comes to an amendment that takes that kind of money away from critically important school districts in my State, I am going to use every tool in the box to stop this from coming to the floor and passing. There is just too much at stake. I hope my colleagues will join me in this effort to stop this as well.

Finally, let me talk about an issue that is near and dear to all of us and especially to the Presiding Officer—criminal background checks. In the State of Illinois, if you want to be a teacher—before you can even be a student teacher—you have to go through a criminal background check. What does that consist of? Being fingerprinted and having your fingerprints and personal information turned over to our State police and the FBI. We take this very seriously in Illinois, and we are not the only State. There are many States that do exactly the same thing. We don't want anyone in the classroom, anyone in an unsupervised situation with small children around, who is going to be a danger to those children, period.

There are two proposals before us. One is being offered by the Senator from Pennsylvania, and it is a criminal background approach which I cannot support. The reason I cannot support it is because it imposes new Federal criminal background check standards in addition to what I just described in Illinois. We already have fingerprinting and a criminal background check that goes to the State registry of crime as well as the FBI, which provides the basic information you need to know as to whether this potential teacher has anything in their background that is worrisome or would disqualify that

teacher. It is already being done. The amendment being offered by the Senator from Pennsylvania says now we are going to make sure they go through a second check, a federally mandated criminal background check, which sends the school districts in Illinois to the same agencies I just described; in other words, a second check which under Illinois law would be at the expense of the school district—that goes to the State police, the FBI, and others. Come on. Why would we waste our money—precious Federal money that we need for education—in duplicating background checks? It makes no sense whatsoever.

So I commend the Senator from Pennsylvania for being concerned about this. There isn't a parent or grandparent alive who doesn't share his concern, but let's not impose an additional Federal mandate on States that are already doing a professional job. If States say we have a background check in place that conforms to what the standards are in Washington, why should they have to do it a second time?

Senator WHITEHOUSE of Rhode Island makes that proposal. He has an alternative amendment. He proposes that the State background checks meet a list of Federal compliance requirements, while explicitly ensuring that states would not need to duplicate background checks for current employees who have already met these requirements and have been cleared. I think that is better. That eliminates the duplication and eliminates the wasted dollars on a second, unnecessary duplicative background check.

I might add that the Senator from Pennsylvania and the Senator from Rhode Island addressed the concern about mistakes. If there is a name sent in by mistake and a potential teacher is disqualified and it turns out the information is erroneous, there is a due process provision in Senator TOOMEY's bill and one that I think is more complete in the bill offered by Senator WHITEHOUSE.

It wasn't that many years ago, our colleagues may remember, that our colleague Senator Ted Kennedy ended up on a no-fly list. He kept saying: Why am I on a no-fly list? It was a mistake. It was a government mistake that identified him as a danger to the country. Mistakes can be made. There needs to be a due process requirement in here so those accused of something that they are not guilty of have a chance to have their day to tell their story as best they can.

The bottom line is that this bill is one of the most important we will consider. I thank the chairman and ranking member for the time they put into this, and I thank them for their bipartisan efforts. There will be some disagreements on the amendments before us, but I think we are all in common

agreement. If we don't get this right, many of the other things we do don't mean much.

If we don't provide that avenue of opportunity to kids from lower-income, impoverished families, they are not likely to enjoy life as they might with a good education and realize the American dream. This is our step in the right direction. I hope we can make it even stronger as we consider amendments.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. I thank the Senator from Illinois for his remarks. I was thinking, as he was talking about Senator Kennedy, whom we all loved, I think the mistake was that he was on a Republican no-fly list. That was the mistake. But he loved telling that story and enjoyed it very much. It is nice to be reminded of him today because he was chairman of this committee that is producing the fix for No Child Left Behind.

He would make, in my view, the most outrageous liberal speeches from the back of the Senate, and then he would come to the front of the Senate and would work out a good bipartisan agreement and get a good piece of legislation. He set a wonderful example for us, and it is nice to be reminded of him.

Mr. President, Senator MURRAY and I have conferred, and I ask unanimous consent that the time until 4:30 p.m. today be equally divided between the two managers or their designees and that it be in order to call up the following amendments: Hirono amendment No. 2109, Tester amendment No. 2107, Alexander amendment No. 2139, Murray amendment No. 2124, Bennet amendment No. 2115; further, that at 4:30 p.m. today, the Senate vote on the above amendments in the order listed, with no second-degree amendments in order to any of the amendments prior to the votes and that the Alexander amendment No. 2139 be subject to a 60-affirmative-vote threshold for adoption; and that there be 2 minutes of debate equally divided between the votes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. For the information of all Senators, we expect a roll-call vote on three of these amendments and that the rest will be adopted by voice vote.

PRESIDING OFFICER. The Senator from Nevada.

Mr. HELLER. Mr. President, I rise in support of amendment No. 2109, just mentioned by the chairman, the Hirono-Heller amendment which addresses Asian-Pacific and Pacific Islander student data.

In my home State of Nevada, as in many of my colleagues' home States, the AAPI population is one of the fastest growing. I can give you an example



of that according to census data. Nevada's AAPI or Asian-Pacific and Pacific Islander population grew by 116 percent between 2000 and 2010. Now, even though this AAPI group represents students who come from a variety of different backgrounds—Chinese, Filipino, Vietnamese, Korean—current law and the Every Child Achieves Act uses a broad “Asian-Pacific Islander” category when reporting on student achievement. Basically, if you are registering as a student, you have one category—one bubble—called Asian-Pacific Islander, regardless of whether you are Chinese, Filipino, Vietnamese, Korean. It doesn't matter. It is a single bubble. As a result of this single bubble, this student population as a whole seems to perform well, but the broad AAPI category hides big achievement gaps between subgroups. The current census data gives us this evidence.

According to the 2010 census, 72 percent of Asian Indian adults have bachelor degrees or higher; whereas, only 26 percent of Vietnamese adults do. Steps should be taken to help close these achievement gaps and create an environment where all students can succeed. This is critical to ensuring that our Nation's children are preparing to attend college or enter the workforce. That is why the Hirono-Heller amendment is so important.

Our amendment simply requires school districts with large populations of AAPI students to show how these subgroups are performing. This amendment would also apply in large school districts with over 1,000 AAPI students. This represents less than 3 percent of the school districts nationwide. In fact, 11 States would not be affected at all by the Hirono-Heller amendment. It is also important to note that this amendment would only be used for public reporting purposes. It would not require accountability measures or intervention at any level.

The bottom line is that having this kind of subgroup data available equips parents and local officials with the necessary information to determine how their students are doing and how to better support students who need the most help. Isn't that what these school districts are all about, which is to try to identify those students and to better support students of those who need help.

As a father of four and grandparent of two, I think parents should have access to this kind of data, to know how schools are serving these children in these specific subgroups, so they can make the right choice for their children. School choice advocates agree, charter school advocates agree, and the truth is that school districts across the Nation are already collecting and reporting this aggregated AAPI student data. In fact, just this morning, I sat down with several school superintendents from all across my home State

who told me that access to this type of data would be extremely helpful in their districts.

Principals and teachers also understand the value of this subgroup data and how it reveals groups of students who need assistance that would otherwise be missed by looking at the broader AAPI category. That is why this amendment is also supported by the National Association of Elementary School Principals, it is why this amendment is supported by the National Association of Secondary School Principals, and why it is supported by the National Education Association. I am proud our amendment is also supported by over 100 AAPI, Latino, and African-American civil rights groups, educators, women's groups, and the disability community.

These groups agree with Senator HIRONO and me that AAPI subgroup disaggregation is a top priority. I thank Senator HIRONO for her leadership on this issue and her dedication to serving the needs of all of our communities. I would also like to thank Chairman ALEXANDER and ranking member Senator MURRAY for their efforts to not only put together a bipartisan bill but also to move forward with an open amendment process during this debate.

I encourage all of my colleagues to vote in support of the Hirono-Heller amendment to ensure that parents have choice and that school administrators alike are able to target students who need the most help.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, over the weekend, we all cheered on the women's national soccer team as they beat Japan 5 to 2 in the World Cup. Their teamwork and the skills they displayed on the field were years in the making. Many of the players on the women's national team developed their skills and a love for soccer while attending their public schools growing up.

In fact, before midfielder Carli Lloyd shattered records in the World Cup finals on Saturday, she was the star of the Delran High School soccer team in New Jersey. Unfortunately, not all young girls have the same opportunities today as young boys do to participate in school sports. In our Nation's schools, all girls should have equal opportunities to pursue athletics, whether they just want to help their high school team have a winning season or whether they dream of one day playing in the World Cup final.

Today, I am offering an amendment to help close the opportunity gap in sports between young men and women. Back in 1972, Congress passed what is known as title IX. That is the law that bans discrimination in education on the basis of gender. This law applies to

all educational opportunities that have had a huge impact on opening opportunities for young women to play sports.

For the first time, schools were required to provide equal opportunity to girls and boys to play organized sports, and they were required to provide equal benefits and services, like coaches and courts and playing fields. Title IX has truly changed our country for the better. The number of women and girls whose lives it touches is growing every single day. I have seen that firsthand in my own family. When I went to school, the atmosphere was a lot different than it is today. Back then, I could participate in just a very few sports, and it was simply unheard of for women athletes to receive athletic scholarships.

Now, 15 years later, it was amazing to watch my own daughter choose to play soccer, learning to be a part of a team and cheering each other on and learning how to be gracious in victory and in defeat. The differences between my daughter's generation and my own could not be more stark.

Today, more young women than ever are playing sports, but inequality still exists and girls don't have the same opportunities to play sports as boys. In fact, if you add up all of the missed opportunities across the country, young women have 1.3 million fewer chances today to play sports in high school compared to boys. That is according to the National Federation of High School Associations. So the amendment I am offering that we will be voting on shortly will help ensure that schools simply report information about school sports in elementary, middle, and high school.

I thank Senator MIKULSKI, who has been a champion for title IX, for working with me on this amendment. Under our amendment, schools would report on both access to girls organized sports and the funding for girls sports. For the first time, schools would need to show the public, show all of us, what they spend on travel expenses and equipment and uniforms for both boys and girls sports teams. This information will simply help us shine a light on the persistent inequalities in sports between men and women.

Playing sports isn't just good for a single sports season, it has a positive effect on and off the field. According to the National Collegiate Athletic Association, when young women play sports, they are more likely to have higher grades, and they are more likely to graduate from high school than non-athletes. Research also shows that girls who have opportunities to play sports have lower risk of obesity later in life, lower incidence of depression, and more positive body image than nonathletes.

Congress can help ensure that girls all over our country have the chance not only to improve their athletic ability but also to develop valuable skills

like teamwork and discipline and self-confidence. Those skills lead to success on and off the playing field.

I urge our colleagues to vote for this important amendment. Let's give young women and girls equal opportunity in sports. So many girls across the country spent this week dreaming of one day being one of those women champions they saw on television last weekend. Let's make sure they know Congress has their back.

I yield the floor.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Tennessee.

AMENDMENT NO. 2139 TO AMENDMENT NO. 2089  
(Purpose: To allow States to let Federal funds for the education of disadvantaged children follow low-income children to the accredited or otherwise State-approved public school, private school, or supplemental educational services program they attend)

Mr. ALEXANDER. Mr. President, I ask to set aside the pending amendment in order to call up amendment No. 2139.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Tennessee [Mr. ALEXANDER] proposes an amendment numbered 2139 to amendment No. 2089.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under "Text of Amendments.")

AMENDMENT NOS. 2109, 2107, 2124, AND 2115 TO  
AMENDMENT NO. 2089

Mrs. MURRAY. Mr. President, I ask unanimous consent to call up Hirono amendment No. 2109, Tester amendment No. 2107, Murray amendment No. 2124, and Bennet amendment No. 2115, as provided for under the previous order, and ask that they be reported by number.

The PRESIDING OFFICER. Without objection, the clerk will report the amendments by number.

The senior assistant legislative clerk read as follows:

The Senator from Washington [Mrs. MURRAY] proposes amendments for other Senators numbered 2109, 2107, 2124, and 2115 to amendment No. 2089.

The amendments are as follows:

AMENDMENT NO. 2109 TO AMENDMENT NO. 2089  
(Purpose: To amend section 1111(b)(2)(B)(xi) to provide for additional disaggregation for local educational agencies with a total of not less than 1,000 Asian and Native Hawaiian or Pacific Islander students)

On page 43, between lines 5 and 6, insert the following:

"(VI) for local educational agencies with not less than 1,000 total Asian and Native Hawaiian/Pacific Islander students, the same race response categories as the decennial census of the population; and

AMENDMENT NO. 2107 TO AMENDMENT NO. 2089  
(Purpose: To restore sections of the Elementary and Secondary Education Act of 1965)

On page 654, strike lines 7 through 10.  
On page 683, lines 16 and 17, strike "7132, as redesignated by section 7001(2)," and insert "7135".

On page 683, line 18, strike "7132" and insert "7135".

AMENDMENT NO. 2124 TO AMENDMENT NO. 2089  
(Purpose: To require schools to collect and report data on interscholastic sports)

On page 82, between lines 23 and 24, insert the following:

"(xviii) In the case of each coeducational school in the State that receives assistance under this part—

"(I) a listing of the school's interscholastic sports teams that participated in athletic competition;

"(II) for each such team—

"(aa) the total number of male and female participants, disaggregated by gender and race;

"(bb) the season in which the team competed, whether the team participated in postseason competition, and the total number of competitive events scheduled;

"(cc) the total expenditures from all sources, including expenditures for travel, uniforms, facilities, and publicity for competitions; and

"(dd) the total number of coaches, trainers, and medical personnel, and for each such individual an identification of such individual's employment status, and duties other than providing coaching, training, or medical services; and

"(III) the average annual salary of the head coaches of boys' interscholastic sports teams, across all offered sports, and the average annual salary of the head coaches of girls' interscholastic sports teams, across all offered sports.

AMENDMENT NO. 2115 TO AMENDMENT NO. 2089  
(Purpose: To provide for a study on increasing the effectiveness of existing services and programs intended to benefit children)

At the end of part B of title X, insert the following:

**SEC. \_\_\_\_ . COMPTROLLER GENERAL STUDY ON INCREASING EFFECTIVENESS OF EXISTING SERVICES AND PROGRAMS INTENDED TO BENEFIT CHILDREN.**

Not later than 2 years after the date of the enactment of this Act, the Comptroller General shall provide to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives a report that includes—

(1) a description and assessment of the existing federally funded services and programs across all agencies that have a purpose or are intended to benefit or serve children, including—

(A) the purposes, goals, and organizational and administrative structure of such services and programs at the Federal, State, and local level; and

(B) methods of delivery and implementation; and

(2) recommendations to increase the effectiveness, coordination, and integration of such services and programs, across agencies and levels of government, in order to leverage existing resources and better and more comprehensively serve children.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, it is fitting and appropriate, although it

was not coordinated, that I follow on to the comments of the distinguished Senator from Washington State, the ranking member of the committee, as she was talking about the importance of the amendment about young women and athletic opportunities for them on an equal basis.

(The further remarks of Mr. MENENDEZ are printed in today's RECORD under Morning Business.)

Mr. MENENDEZ. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. TOOMEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2094

Mr. TOOMEY. Mr. President, I rise to speak on amendment No. 2094, which is based on legislation I have introduced with Senator MANCHIN called the Protecting Students from Sexual and Violent Predators Act. This has bipartisan support. This is a commonsense amendment that will protect children from child molesters and predators infiltrating our schools.

We all know the overwhelming majority of school employees would never harm a child in any way, but we also know pedophiles know where the children are. They are in the schools. So schools can be a magnet for the very people we need to keep out of our schools. I have been fighting this for some time now—over a year and a half—since the legislation was first introduced. I am not going to stop fighting this.

There are a lot of good reasons to make this fight happen, to secure the protections for our school kids from these predators. For me, the reasons begin with the three children I have, who are 15, 14, and 5 years old. When I put one of my children on a school bus in the morning, I have every right to believe I am sending my child to an environment where they are as safe as they can possibly be, and so does every other parent in Pennsylvania and every other parent across the country. We in Congress have the obligation to make sure we are doing all we can to make sure they will in fact be in the safest possible environment. Sadly, we know that is just not always the case.

The motivation and the inspiration for this legislation that Senator MANCHIN and I introduced is a horrendous story about a little boy named Jeremy Bell, and that story begins, sadly, at a school in Delaware County, PA, where one of the teachers was repeatedly molesting young boys, raping one of the boys.

The administrators of the school figured out what was going on. They reported it to authorities, but the authorities were never convinced they

had enough evidence to mount a strong case. They couldn't confidently charge the predator. So the school decided they would dismiss this teacher for sexually abusing his students, but shockingly, appallingly, they gave him a letter of recommendation to make sure he could become someone else's problem.

Well, given that he was a pedophile and a predator, he surely did become someone else's problem. He went to West Virginia, became a teacher—based in part on the recommendation he got—and rose, in fact, to the level of being a school principal. Along the way, of course, he continued to attack and abuse young boys, finally raping and killing young Jeremy Bell.

Well, justice eventually caught up with that monster. He is serving the rest of his life in jail, as he should, but it was too late for Jeremy Bell.

The sad truth is this is not as isolated an incident as we would like to think and as it should be. In fact, last year there were 459 arrests of school employees for sexual misconduct with the kids they are supposed to be taking care of. So far this year we are on track to have even more arrests than last year. Keep in mind that these are the cases where the evidence is so clear the prosecution is confident in making an arrest and pressing charges. How many more cases are out there where we just don't have enough certainty to actually make the arrest and press the charges? There are many more.

So Senator MANCHIN and I decided we would introduce legislation that would take an important step towards the goal of protecting our kids. Our legislation has two big categories, two big features that together would go a long way toward ensuring greater security for our kids.

One is a Federal standard for criminal background checks. Let me just respond to the comments made by the Senator from Illinois just a few minutes ago, suggesting that somehow my legislation requires a duplicative background check. That is factually and simply incorrect. There is no duplication. There is no redundancy. What we do in our legislation is to establish a Federal standard and say that all of the major criminal databases must be checked, but we don't ask anyone to check it twice. I don't know how that idea occurred. The checks are a sensible way to make sure nobody slips through the cracks.

We do require there be a periodic review, at the frequency established by the States, so we make sure we are checking up on school employees periodically. That is not a redundancy.

The second fundamental aspect of our legislation, after the criminal background checks, is that we would prohibit the practice of knowingly recommending for hire a predator, a violent abuser, a pedophile. This, unfortu-

nately, has its own name. This practice is called passing the trash. That recommendation was exactly what allowed Jeremy Bell's killer to get a job as a teacher so that he could prey on Jeremy Bell. Our legislation would forbid that.

Both of these protections have broad bipartisan support. The House of Representatives, by the way, unanimously passed a bill that is virtually identical just in the last Congress. And just last fall the House and Senate combined, by a combined vote of 523 to 1, adopted the Child Care and Development Block Grant Act, which has the same language. It has the same provisions to protect children in childcare centers from these kinds of predators. I fully support that protection for very young kids. I just fail to see why we shouldn't provide the same level of security and protection for slightly older kids. That is what this is about.

So in addition to the bipartisan support, our legislation has been endorsed by many, many groups—child protection groups, law enforcement groups, prosecutors, the American Academy of Pediatrics, the Pennsylvania School Board Association. There is very broad support for this because it makes sense.

Let me go a little bit more into detail about these two aspects.

First, there is the criminal background check. Let's be clear. Every State does some kind of criminal background check on hiring for schools. The problem is many are woefully inadequate. In some cases they miss entire databases, and so they miss convictions.

For instance, some States check only their State database. They do not check the Federal database so they do not know about the criminal convicted two States over who moved into their State postconviction.

Another fact is that many States don't require background checks for their contractors. In our legislation, if you are an adult who has unsupervised contact with kids—whether you are a bus driver, a sports coach or the janitor in the school—you have to have the background check. Some States don't require that.

We establish a Federal standard so that we are protecting all kids uniformly. So this whole background check component is what I consider the first part of the bill.

The second part, which is really a distinct part but still every bit as crucial, is this prohibition against passing the trash that I alluded to earlier. This is a provision that would have perhaps prevented the murder of Jeremy Bell. We simply say if a school wishes to receive Federal funds, it has to ban this practice.

This is so appalling—the idea that someone would knowingly recommend for hire a predator who is preying on

children. It is so appalling that it is hard to believe it happens, but the fact is it does. Sometimes it happens across State lines, and there is nothing any State can do about the laws of a different State. This absolutely calls for a Federal solution.

For example, recently in Las Vegas, NV, a kindergarten teacher was arrested for kidnapping a 16-year-old girl and infecting her with a sexually transmitted disease. That same teacher, it turns out, had molested six children—fourth and fifth graders—just several years before in Los Angeles, CA. Now, the Los Angeles school district knew about the allegations. In fact, not only did they know about the allegations, but they were so concerned that when a lawsuit was filed against them they recommended settling.

The Nevada school district specifically asked if there had been any criminal concerns regarding the teacher who was a candidate for a job, and the Los Angeles school district not only hid the truth but provided three references for the teacher. I think that makes it abundantly clear that this is a problem that transcends State lines. There is nothing Nevada could have done about the dishonesty and the deceit of the people in the Los Angeles school district who allowed this to happen.

Let me sum this up. The Toomey-Manchin bill offers a simple proposition. It says if a school district wants to use Federal tax dollars, it has to make sure those dollars are not being used to pay pedophiles' salaries.

I don't think that is an unreasonable demand. To do that, it says there are two components. One is that you perform a criminal background check that is rigorous enough to catch people who have criminal backgrounds and a prohibition against passing the trash.

Now, we have run into opposition on this, as you know. In fact, there was a letter signed by a number of organizations led by the National Education Association, the Nation's largest teachers union group. The basic thrust of the argument in the letter is that it is unfair to exclude even a convicted admitted child abuser from being a schoolteacher. Here is the quote from the letter: "Individuals who have been convicted of crimes and have completed their sentences should not be unnecessarily subjected to additional punishment because of these convictions."

Under this logic, an admitted convicted child molester can finish their prison term, walk out of a prison, go across the street to a school and be hired to be a first grade teacher. That is ridiculous. Our kids are not part of some social experiment to see how often convicted child molesters will repeat their crimes. I am not going to tolerate or risk trapping small children in a classroom with a convicted child rapist. That is unbelievable.

We have a national sex offender registry for exactly this reason. As a society, we understand these people commit these crimes serially. Even after serving a prison sentence, very often they go right back to their old ways. So I think it is perfectly acceptable—in fact, it is incumbent upon us—to say that when someone has been convicted of this type of crime they are disqualified from being left in unsupervised contact with children.

The same letter from the National Education Association endorsed an alternative amendment that has been proposed by Senator WHITEHOUSE. He has proposed an alternative to my amendment, and I find it troublesome because, among other problems, the Whitehouse amendment actually would weaken the protections in existing State laws.

There are 44 States that currently have a category of criminal conviction which precludes a person from ever being hired to teach in a school or to have unsupervised contact with kids. What Senator WHITEHOUSE would do in his legislation is to require every State to give these individuals the legal right to challenge their being blocked from being hired. That does not exist in 45 States right now.

So you have to ask yourself: What possible purpose could there be for mandating that States create these minitrials, some little judicial mechanism to challenge the notion that they should be precluded from a job based on their prior conviction for child abuse? The only purpose would be to get an exemption so they could be hired. Well, I am shocked Senator WHITEHOUSE would propose legislation that would weaken the existing protections we have in 45 States, but that is what he does.

I would point out that in the case of the Child Care and Development Block Grant Act—which passed 523 to 1 and was supported by every Democrat in the House and the Senate, by the way, the one vote being for unrelated reasons—that language that protected kids did not have this mechanism of creating a quasi-judicial entity so that convicted child abusers could nevertheless be hired. So if it wasn't a good idea then, when we were passing legislation that pertains to daycares, it is not a good idea now. So I hope we will oppose the Whitehouse amendment.

I just want to underscore that there is urgency to this problem. Last year alone there were 459 teachers arrested for sexual abuse or misbehavior with the children they are supposed to be taking care of. We are on path so far, in the 6 months into this new calendar year, to have far more arrests than we had last year. Every one of these stories is not a statistic. Every one of these stories is a huge personal tragedy—a shattered life, a stolen childhood, often a family torn apart by grief

and misery. How many more of these kinds of arrests are we going to tolerate before we establish a better system for preventing this from happening in the first place?

I think it is time for no more excuses. The House of Representatives has already passed this legislation unanimously. All we need to do is pass this amendment on this bill, and it will find its way to the President's desk. It will be signed, and kids across America will be more secure.

I urge my colleagues to support the Toomey-Manchin amendment—Protecting Students from Sexual and Violent Predators Act.

I yield the floor.

Mr. ALEXANDER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. HIRONO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. HIRONO. Mr. President, I ask unanimous consent to speak for 1 minute on the Hirono-Heller amendment.

The PRESIDING OFFICER. The Senator has the time.

#### AMENDMENT NO. 2109

Ms. HIRONO. Mr. President, I urge my colleagues to support the Hirono-Heller amendment No. 2109.

The current AAPI—American Asian Pacific Islander—category hides huge achievement gaps among subgroups, i.e., Chinese, Filipino, Vietnamese, Japanese, et cetera. With better subgroup data, teachers, parents, policymakers, and community organizations will know where they can target support to the students who need the help most.

Our amendment only applies to districts with over 1,000 AAPI students. We are not talking about 1,000 students but 1,000 AAPI students, which means fewer than 3 percent of school districts nationwide would be affected. That is about 400 out of over 16,000 school districts. Currently, Delaware, Maine, Mississippi, Montana, New Hampshire, North Dakota, South Dakota, Vermont, West Virginia, and Wyoming have no districts that would be affected.

Our amendment is endorsed by over 100 groups, including teachers, principals, school choice and charter school groups, not to mention a coalition of AAPI, Latino, African American, women's, and disability rights groups.

This is not an onerous requirement on school districts. They already have the capacity to collect this kind of what we call disaggregated data, which will enable all of our schools to help the kids who need the help the most.

The PRESIDING OFFICER. The Senator's time has expired.

Ms. HIRONO. I urge my colleagues to support this amendment.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I oppose the amendment. Instead of lessening the national school board, this would make it more intrusive. This amendment would say that instead of schools reporting the academic results of five major racial groups, they would do it by country of origin. There are 196 countries of origin. So if we apply the same thinking to White, Hispanic, Black, Native American, we would have an amazing mandate from Washington to States about this amount of data.

The Senator's argument should be made to a local school board, which may do this if it wishes, or to a State board, which may make these aggregations if it wishes, but this should not be a Washington mandate to increase from 5 to 16 the number of countries mandated under Asian American and Pacific Islander and to set a precedent for country-of-origin reports for 196 countries.

I urge a "no" vote.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2109.

Mr. ALEXANDER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Maine (Mr. KING) and the Senator from Michigan (Ms. STABENOW) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 47, nays 50, as follows:

[Rollcall Vote No. 223 Leg.]

#### YEAS—47

Baldwin	Gillibrand	Murray
Bennet	Heinrich	Nelson
Blumenthal	Heitkamp	Peters
Booker	Heller	Reed
Boxer	Hirono	Reid
Brown	Kaine	Sanders
Cantwell	Kirk	Schatz
Cardin	Klobuchar	Schumer
Carper	Leahy	Shaheen
Casey	Manchin	Tester
Coons	Markey	Udall
Donnelly	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden
Gardner	Murphy	

#### NAYS—50

Alexander	Burr	Collins
Ayotte	Capito	Corker
Barrasso	Cassidy	Cornyn
Blunt	Coats	Cotton
Boozman	Cochran	Crapo

Cruz	Johnson	Rounds
Daines	Lankford	Sasse
Enzi	Lee	Scott
Ernst	McCain	Sessions
Fischer	McConnell	Shelby
Flake	Moran	Sullivan
Graham	Murkowski	Thune
Grassley	Paul	Tillis
Hatch	Perdue	Toomey
Hoeven	Portman	Vitter
Inhofe	Risch	Wicker
Isakson	Roberts	

## NOT VOTING—3

King	Rubio	Stabenow
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The amendment (No. 2109) was rejected.

## AMENDMENT NO. 2107

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes equally divided prior to a vote on amendment No. 2107, offered by the Senator from Washington, Mrs. MURRAY, for Mr. TESTER.

The Senator from Montana.

Mr. TESTER. Mr. President, I urge my colleagues to support amendment No. 2107 to restore four title VII grant programs that were removed from the Every Child Achieves Act. These initiatives will help Native American students who are too often forgotten in the debate about improving education in America. Restoring these initiatives will help students in Indian Country develop the tools they need to succeed.

The bottom line is that this authorizes programs that were removed from ESEA. These programs help Native American kids succeed, and they need all the help they can get. These programs have never been funded. This is an authorization bill. If we put it in, these programs will continue to be authorized and we can fight about funding later, but to take them out of an authorization bill means these programs are dead, and I think it would be a disservice to Indian Country.

I would appreciate a “yes” vote on amendment No. 2107.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I urge a “no” vote. These programs have not been funded for 20 years for a good reason. It is because the money for these programs can come through other programs, such as the Workforce Innovation Act.

This bipartisan bill consolidates 49 programs that were authorized or funded through No Child Left Behind. This would take us in the direction of more Federal programs, not fewer.

I urge a “no” vote so that we can reduce the amount of Federal programs from Washington to the States, and let’s use the existing dollars that we have to help Indians, Native Americans, and Alaska’s native education programs. That is the most effective way to do it.

I urge a “no” vote.

I ask unanimous consent that the votes following the first vote in this series—that means this vote and the next vote—be 10 minutes in length.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is on agreeing to amendment No. 2107.

Mr. CORKER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Maine (Mr. KING) and the Senator from Michigan (Ms. STABENOW) are necessarily absent.

The PRESIDING OFFICER (Mr. LEE). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 56, nays 41, as follows:

[Rollcall Vote No. 224 Leg.]

## YEAS—56

Baldwin	Gardner	Murray
Barrasso	Gillibrand	Nelson
Bennet	Heinrich	Peters
Blumenthal	Heitkamp	Reed
Booker	Heller	Reid
Boxer	Hirono	Risch
Brown	Hoeven	Sanders
Cantwell	Kaine	Schatz
Cardin	Klobuchar	Schumer
Carper	Leahy	Shaheen
Casey	Markey	Sullivan
Cooms	McCain	Tester
Crapo	McCaskill	Thune
Daines	Menendez	Udall
Donnelly	Merkley	Warner
Durbin	Mikulski	Warren
Enzi	Moran	Whitehouse
Feinstein	Murkowski	Wyden
Franken	Murphy	

## NAYS—41

Alexander	Ernst	Paul
Ayotte	Fischer	Perdue
Blunt	Flake	Portman
Boozman	Graham	Roberts
Burr	Grassley	Rounds
Capito	Hatch	Sasse
Cassidy	Inhofe	Scott
Coats	Isakson	Sessions
Cochran	Johnson	Shelby
Collins	Kirk	Tillis
Corker	Lankford	Toomey
Cornyn	Lee	Vitter
Cotton	Manchin	Wicker
Cruz	McConnell	

## NOT VOTING—3

King	Rubio	Stabenow
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The amendment (No. 2107) was agreed to.

## AMENDMENT NO. 2139

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote on amendment No. 2139, offered by the Senator from Tennessee, Mr. ALEXANDER.

The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, if you really want to solve inequality in America by giving children an opportunity to attend a better school, vote yes because that would give any State the opportunity to take 89 Federal programs, consolidate them into \$2,100

scholarships, and give one of those scholarships to every low-income child in the State—that is 20 percent of the children—for that child to decide which school they would attend. It might be public; it might be private. We would be using the same policy that we used with colleges and universities. The money follows the child to the school that the parent decides that child should attend. This is not a mandate; this is an opportunity. The schools would have to be accredited.

If you really want to create equality in America by giving every child an opportunity to be at the same starting line, let the State decide to give a \$2,100 scholarship to follow a low-income child to the school that the family decides the student should attend, public or private.

I urge a “yes” vote.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, this amendment would retreat on our fundamental commitment to make sure that every child has access to a quality education, and it would do it by consolidating almost every K–12 education program we have and turning that funding into a public or private school voucher. It would cut programs for STEM, for literacy, for afterschool—priorities that are important to Members across the aisle, and it would dismantle the important bipartisan work we have done to fix this badly broken No Child Left Behind law in a way that works for parents, teachers, and students. It ignores the research on the impact of concentrated poverty on student achievement and allows States to move Federal resources from our highest needs schools and districts to more affluent ones and to unaccountable private schools.

I know my colleague from Tennessee understands this is a nonstarter for me, and I really urge my colleagues to oppose this amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2139.

Mr. ALEXANDER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Maine (Mr. KING) and the Senator from Michigan (Ms. STABENOW) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 45, nays 52, as follows:

[Rollcall Vote No. 225 Leg.]

## YEAS—45

Alexander	Ernst	Perdue
Barrasso	Flake	Portman
Blunt	Gardner	Risch
Boozman	Graham	Roberts
Burr	Grassley	Rounds
Cassidy	Hatch	Sasse
Coats	Hoeven	Scott
Cochran	Inhofe	Sessions
Corker	Isakson	Shelby
Cornyn	Johnson	Sullivan
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Cruz	McCain	Toomey
Daines	McConnell	Vitter
Enzi	Paul	Wicker

## NAYS—52

Ayotte	Franken	Murphy
Baldwin	Gillibrand	Murray
Bennet	Heinrich	Nelson
Blumenthal	Heitkamp	Peters
Booker	Heller	Reed
Boxer	Hirono	Reid
Brown	Kaine	Sanders
Cantwell	Kirk	Schatz
Capito	Klobuchar	Schumer
Cardin	Leahy	Shaheen
Carper	Manchin	Tester
Casey	Markey	Udall
Collins	McCaskill	Warner
Coons	Menendez	Warren
Donnelly	Merkley	Whitehouse
Durbin	Mikulski	Wyden
Feinstein	Moran	
Fischer	Murkowski	

## NOT VOTING—3

King	Rubio	Stabenow
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The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

## VOTE ON AMENDMENT NO. 2124

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes equally divided prior to a vote on amendment No. 2124, offered by the Senator from Washington, Mrs. MURRAY.

The Senator from Washington.

Mrs. MURRAY. I yield back all time.

The PRESIDING OFFICER. Without objection, all time is yielded back.

The question occurs on agreeing to the amendment.

The amendment (No. 2124) was agreed to.

## VOTE ON AMENDMENT NO. 2115

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes equally divided prior to a vote on amendment No. 2115, offered by the Senator from Washington, Mrs. MURRAY, for Mr. BENNET.

Mrs. MURRAY. I yield back all time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question occurs on agreeing to the amendment.

The amendment (No. 2115) was agreed to.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, this has been a very good day. I appreciate Senators coming to the floor. It has been interesting to hear Senators' differing opinions on some issues, but there is a consensus that runs through this debate, and it runs through the

Democratic side as well as the Republican side, which is that we have a consensus about the need to fix No Child Left Behind and we have a consensus about how to do it.

I thank the senior Democrat on the education committee, Senator MURRAY, for her excellent work, and I thank the majority leader and the Democratic leader, who have created an environment here where we can get quite a bit done.

We have continued during the day to agree to a large number of amendments. We have pretty well worked through some of the more contentious amendments we have had to deal with. We expect to have more amendments tomorrow morning before lunch, although it probably will be later tonight, even in the morning, before we have an agreement on how to do that. So we will continue to work toward that.

Let me see if the Senator from Washington has any comments she would like to make.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Let me say to the Senator from Tennessee that his work on this has been really great. We are working hard on both sides of the aisle to get a bill to the President, and this is part of that process. I concur with him that we are working through this, and our hope is to get up some more amendments tomorrow morning. We should be able to announce that later tonight or tomorrow morning.

Again, I thank the chairman of the committee.

## MORNING BUSINESS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Alabama.

## SANCTUARY CITIES

Mr. SESSIONS. Mr. President, I first want to thank Senator ALEXANDER, and I have a few remarks to make about sanctuary cities and how they threaten the safety of our country.

I am cosponsoring Senator COTTON's amendment to this bill that would withhold Federal law enforcement funds to sanctuary jurisdictions. The amendment, based largely on the provisions of the Michael Davis, Jr. and Danny Oliver in Honor of State and Local Law Enforcement Act, which we introduced a few weeks ago, ensures that jurisdictions that choose to endanger their communities and the public at large by adopting these reckless policies receive no Federal law enforcement funding.

It is a fundamental principle of law enforcement that individuals who are tried in one jurisdiction and who also face charges in other jurisdictions are held and turned over to the next jurisdiction before being released because it becomes an extremely dangerous problem if they are released before charges are disposed of in another jurisdiction. That is being violated deliberately and openly by a number of cities in the country as an act of defiance and disrespect for those traditions of courtesy between Federal and State jurisdictions and even county and city jurisdictions.

Congress has an obligation to ensure that limited taxpayer dollars are not given to those cities and counties that refuse to cooperate with basic Federal law enforcement efforts to remove criminal aliens from the country.

I would like to take a few moments to talk about the life of Kate Steinle. Kate was a 32-year-old young woman who grew up approximately 40 miles east of San Francisco in Pleasanton, CA. She graduated from Amador Valley High School and California Polytechnic State University. She worked as a sales representative for a medical device equipment company and was precisely the type of person every parent aspires for their child to become. Kate's family described her as "loving, smart and beautiful." Kate's brother said that "she was the most wonderful, loving, caring person." Kate's friends described her as an "amazing, very compassionate person" with an infectious smile and the kind of friend who was always there.

Last Wednesday, Kate had plans to visit her brother and his wife in Pleasanton with the hopes of learning whether she would soon have a new niece or nephew. Before leaving, she spent some time with her father strolling around San Francisco and taking pictures at Pier 14—one of the busiest and most popular tourist destinations in the city.

While on Pier 14 and in broad daylight, Kate was shot to death by an illegal alien. Kate's mother, Liz Sullivan, described the horrific encounter to the San Francisco Chronicle, explaining that Kate just kept saying, "Dad, help me, help me." Kate's father performed CPR until the paramedics arrived and took her to the hospital, where she fought for her life but ultimately passed away.

Her death was at the hands of Francisco Sanchez, an illegal alien with seven felony convictions who had been deported to Mexico at least six separate times, most recently in 2009. According to information obtained by my office, this individual's criminal history includes multiple criminal convictions and lengthy Federal and State prison sentences dating back to 1991, including felony heroin possession, felony manufacture of narcotics, revoked

probation, and at least four convictions for illegal reentry after deportation, among others.

In an interview with local media, this individual admitted to shooting Kate. In the same interview, the individual stated that he repeatedly returned to San Francisco because he knew San Francisco was a sanctuary city where he would not be pursued by immigration officials.

Make no mistake—in essence, that is what a sanctuary city is. Not only do they not honor detainees—the basic law enforcement requirement between jurisdictions—but they send a signal that “No matter whether you are legal or illegal, you are safe in our city, and we will do nothing to facilitate your apprehension for violations of law.”

Despite this extensive criminal history of approximately six prior deportations and no obligation to release this individual to local custody in San Francisco—a jurisdiction that is known to release illegal immigrants back into the public—Federal authorities turned this individual over to San Francisco on March 26.

I question whether the Federal Government should have ever turned him over to San Francisco. Perhaps they should have deported him on the spot. But, courtesy says, San Francisco indicated they had another criminal charge and they turned him over. The charge apparently was for distribution of a controlled substance. On April 15, for reasons which at this point are unclear, this individual was released from San Francisco County Jail—an action that led directly to the death of Kate Steinle on July 1.

So San Francisco filed a detainer with the Bureau of Prisons, which had this individual in custody, and the Bureau of Prisons dutifully—according to, it appears, normal procedures—turned him over to San Francisco for processing of San Francisco’s criminal charge. Then, the U.S. Immigration and Customs Enforcement, doing its job, filed their detainer with San Francisco in effect saying: San Francisco, when you finish handling this case, he is ours to be deported. Being a sanctuary city, however, San Francisco did not honor it.

Notably, within the same 24-hour period, across the country in another sanctuary jurisdiction—Laredo, TX—Angelica Martinez was brutally murdered with a hammer by her husband, Juan Francisco De Luna Vasquez, an illegal alien. He had been deported from the United States four times. Local police said this was the third violent encounter between this couple and that Vasquez had also had a previous driving-while-intoxicated charge and a charge for evading arrest. As a sanctuary city, Laredo refused to even tell the Department of Homeland Security of the arrest and denied Homeland Security the ability to file a detainer

with their jurisdiction. They just denied it.

These cases, colleagues, highlight the tragic and completely avoidable consequences of sanctuary jurisdiction policies. Indeed, if not for sanctuary cities and the Obama administration’s continued destruction in other areas of immigration enforcement, Kate and others surely would be alive today. Her death could have been prevented, but the extreme open borders ideology that rejects even the deportation of criminals—that is, people who commit crimes other than the crime of entering the country illegally—led to her death, as it has led to the death of many others.

Although sanctuary jurisdictions are not a recent development, they have been allowed to flourish under this administration. Let me repeat that. This administration has allowed sanctuary cities to flourish. On a few occasions, officials in the government have complained, once about Chicago, Cook County, but no action was ever taken to pressure Cook County to change. The administration has not only refused to stop cities from acting in this way but has emboldened them with this systematic dismantling of immigration enforcement.

In fact, while this administration has taken legal action against State and local jurisdictions that have simply attempted to help the Federal Government enforce our immigration laws, they sued them to block their efforts to enforce the law or help the Federal Government enforce the law—States and counties which have never attempted to deport people, but they have taken efforts when they capture somebody for a crime or for a DUI and find out they are illegally in the country—they would like to be able to turn them over to the Federal Government in some fashion so they can be deported.

This has been resisted by the Federal Government, unfortunately. In 2010, the Federal Government openly announced it would not undertake any legal action against sanctuary jurisdictions for refusing to cooperate with the enforcement of our immigration laws. Thus, while it had the time and resources to sue States like Arizona and litigate such cases all the way to the Supreme Court, this administration has not spent a dime to take similar actions against sanctuary jurisdictions around the country, and the administration was well aware of the dangers posed by these policies.

Former ICE Executive Associate Director of Enforcement and Removal Operations Gary Mead said that sanctuary cities—and in particular Cook County, IL—were “an accident waiting to happen.” That was obviously a sound prediction, and we have seen the tragic results.

Not only has the government failed to stand up to sanctuary jurisdictions,

but two days ago—the White House is now claiming that if Congress had just passed the Gang of 8 bill, the comprehensive amnesty bill, then this would never have happened. But the Gang of 8 bill the President pushed so hard for would have dramatically increased incidents of criminal alien violence, officially legalizing dangerous offenders while handcuffing immigration officers from doing their jobs. Law enforcement professionals told us the Gang of 8 bill would have undermined the rule of law in America, not strengthened it. These are the people who know.

Chris Crane and Ken Palinkas, presidents of the National ICE Council that represents all ICE officers, and the USCIS union, respectively—these two leaders of these two important organizations issued a statement on behalf of their officers—the key officers who enforce immigration law in America. This is what our Federal law officers had to say about the President’s idea that the Gang of 8 bill would fix these kinds of problems:

The [Gang of Eight] proposal will make Americans less safe and it will ensure more illegal immigration—especially visa overstays—in the future. It provides legalization for thousands of dangerous criminals while making it more difficult for our officers to identify public safety and national security threats. . . .

They go on to say:

The legislation was guided from the beginning by anti-enforcement special interests and, should it become law, will have the desired effects of these groups: Blocking immigration enforcement. . . .

They go on to say:

[It is an] anti-public safety bill and an anti-law enforcement bill.

Imagine if the country’s chief law enforcement officer—that is, the President of the United States—had spent that year trying to end sanctuary cities and deport criminal aliens and enforce the laws of the United States instead of trying to empower open borders activists and fighting against law enforcement and refusing to enforce whole sections of plain law through his Executive amnesty what could have been done to end unlawfulness in this country and turn this country around.

Just to show how deep the disagreement was between the Federal law officers and their supervisors—their politically-appointed supervisors—they actually filed a lawsuit in Federal court contending that their superiors were ordering them to violate their oath to enforce the laws of the United States. They sought relief in the Federal court. The district judge found merit in their claims, but ruled against them on a procedural issue. That case is now before the United States Court of Appeals for the Fifth Circuit.

It is an incredible spectacle that law enforcement officers were suing their supervisors—the political appointees of



the President—because they were being ordered to violate the plain law they had sworn to uphold.

It is time to get our priorities straight. We need immigration reform all right but reform that serves the interests of the American people—not international corporations, not anti-enforcement zealots, not the open borders lobby. They don't get to dictate to America how laws should be enforced. Immigration reform should mean improving immigration controls, not further weakening or eliminating them.

Just yesterday it was reported that a six-time deported illegal alien in Arizona was charged in a felony hit-and-run of a mother and her two young children who were seriously injured in the crash—six times deported, he returns.

When they return, do they not go to jail? Are we just going to continue to deport them time after time with no real consequence?

Mr. President, 121 homicides have been committed by aliens who were released from ICE custody over the last few years. People who were released after being held by Immigration and Customs Enforcement officers, illegally here—not deported but were released—have murdered 121 people.

So over 170,000 criminal aliens with final orders of removal are walking our streets. ICE releases tens of thousands of criminal aliens every year into our communities. The policies of this administration have effectively nullified law in a host of areas. That is plain fact.

I have talked to the officers personally. I know what the policies are. I know the effects of these policies are exactly what the administration wanted, exactly what the special interests wanted, exactly what the ACLU wanted, exactly what La Raza wanted. That is what they have been asking for. That is what this administration has delivered.

Now, when a murder occurs which becomes national news, they say that it is not our fault; it is Congress's fault.

These actions have effectively nullified plain law. George Washington University Law Professor Jonathan Turley—who supported President Obama's reelection—has documented that. These are facts. The number of acceptable crimes committed by illegal aliens is zero.

Congress must take action now to protect all Americans, including the millions of dutiful immigrants who are in our country, many of them in high-crime areas, to protect them from criminal gangs and violent offenders.

Just recently, I, along with Senators VITTER, PERDUE, COTTON, INHOFE, and BOOZMAN, introduced the Michael Davis, Jr. and Danny Oliver in Honor of State and Local Law Enforcement Act, a bill named for two sheriff's deputies in California who were murdered by an

illegal alien with an extensive criminal record, and, I thought, three deportations. Talking to the widows of these officers recently, I am told that he may have been deported four times—and had an extensive criminal record.

So this bill is a companion to the House bill introduced earlier this year by the chairman of the House Subcommittee on Immigration and Border Security TREY GOWDY. It is a good bill.

Our bill is similar. In addition to enhancing cooperation with States and local law enforcement and eliminating loopholes that allow criminal aliens to obtain immigration benefits, this bill would constitute a clear, strong, and responsible response to sanctuary jurisdictions and other government actions. Specifically, it would withhold Federal funding from sanctuary jurisdictions that do not cooperate with the enforcement of Federal immigration laws or do not honor Federal immigration detainers, provide immunity to jurisdictions that honor detainers and hold aliens until ICE can pick them up, and provide a general sense of Congress that “the Department of Homeland Security has probable cause to believe that an alien is inadmissible or deportable when it issues a detainer” for an alien. That would clear up one of the loopholes being cited here to excuse some of these actions.

By the way, I believe it is 300 sanctuary cities and counties in the country out of 17,000 or so law enforcement jurisdictions. Some of them are quite large cities: Chicago, San Francisco, Los Angeles.

The passage of these sections alone could do more to combat sanctuary jurisdictions and protect the people of those communities and really the country from criminal aliens than what this administration has accomplished in the 7 years or so it has been in office.

It is time for Congress to make its first item of business the immediate passage of legislation to cut off Federal law enforcement moneys to sanctuary cities. Not one more parent should lose a son or daughter because American cities are harboring criminals. In any State—like mine, I was attorney general of Alabama—one jurisdiction is prosecuting a person for a crime, and when that is completed and another one has a warrant against them, they file a detainer. When you are finished with the criminal, he is sent back, whether he is acquitted or whether he is convicted. This is basic law enforcement. It goes on in every jurisdiction in this country.

The Federal Government holds people for State jurisdictions and the State jurisdictions hold people for the Federal Government. I was a Federal prosecutor for 12 years. It is done all the time. It is shocking to me—absolutely shocking—that a great city of the United States of America would

not honor a detainer by the U.S. Government.

The Immigration and Customs Enforcement officers should not second-guess why it is issued or not. It is up to that jurisdiction to try or acquit or treat responsibly the person they are now prepared to release to them. To ignore that is a breach of the most fundamental relationships between Federal law enforcement, and it is done for political reasons by political mayors, generally, and city councils to try to win votes, I suppose. It has no principle in fact.

I am also calling on Congress to move toward a series of measures, whether as stand-alone bills, in appropriations measures or in any other planned legislation, to establish immigration reforms that serve the interests of all lawful residents of the United States living here today. These are some things we need to do:

End the release of criminal aliens from Federal custody. We cannot just let them go after having been convicted of a crime. They need to be deported. The law says they shall be deported. It has been ignored.

Cut off visas to foreign countries that will not repatriate their aliens. It is an absolute outrage that countries like China refuse to take back people who are lawfully deported by the United States. Yet they want us to give visas to them. We should cut off funding. We should cut off their visas until they agree to promptly take back these individuals. That is the whole basis of international visa law. All nations know that. Most nations take their nationals back promptly. This refusal by these countries backs up our system, costs us millions of dollars in housing, and all kinds of other additional problems. It needs to end. We can end it just like that if the President would take action. The law requires it. The President doesn't really need a law to fix that one.

Suspend visas to countries with high overstay rates. Some of these countries have this huge number that get a visa and never return home and they reach these higher rates. We don't have to keep giving visas to countries whose residents don't return like they are supposed to and at the time they are supposed to.

We need to close the asylum loopholes and eliminate fraud. This is a huge issue and can be greatly abused. We need to end the catch and release at the border with mandatory detention and repatriation for illegal border crossers. This administration has ended Operation Streamline, which is a very effective policy. It started during the Bush administration and was continued for a while under President Obama. Now they have undermined that.

We need to protect the work site with E-Verify. If a person can't establish they are here lawfully with a lawful Social Security number, they don't need to be employed.

We need to curtail an oversupply of foreign work visas to protect American jobs first. The only immigration measures politicians should be discussing today are those that protect Americans, that protect American security and safety and American jobs and American communities. More than enough has been done for the special interests. They have had their day. They had their day too long.

Whether we are talking about employees at Walt Disney in Florida, unemployed construction workers in California or truck drivers in North Dakota, it is time for the needs of Americans who are out of work to come first. We don't have enough jobs for Americans. We don't need to bring in more foreign workers.

The PRESIDING OFFICER (Mr. PERDUE. The Senator's time has expired.

Mr. SESSIONS. I am sorry, Mr. President. I ask unanimous consent for one additional minute to wrap up.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. There is no more basic need than ensuring that all Americans live in a safe, secure, and peaceful community. I believe the legislation I have offered will take us in that direction. It is sound. It is responsible. It is consistent with American law. It is well within all of the constitutional requirements. I hope my colleagues will be able to study it as time goes by and pass it into law.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. I ask unanimous consent to speak for up to 20 minutes in morning business.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, I expect I will take less than the 20 minutes, just to reassure you, but I want to reserve that much time.

#### CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, this is the 105th time I have come to the Senate floor to urge my colleagues to wake up to the reality of climate change. I know the Presiding Officer is a veteran of several of these speeches. For far too long, far too many of us in this Chamber have simply dismissed the evidence of climate change. They have ignored the sober warnings of scientists, generals, of doctors, of economists, even of big company CEOs that these risks are real. The warnings are clear: If we continue on our present path, we will leave our children and

grandchildren with a world very different from our own and not for the better.

By denying the science, dismissing the risks or simply by their silence, Senate Republicans have effectively pledged allegiance to the fossil fuel companies—companies that make a lot of money polluting the atmosphere with carbon emissions and that spend big on politics.

Outside this Chamber, however, the American people want action. Americans overwhelmingly favor limits on greenhouse gases and getting more electricity from renewables. It is happening across the country. It is definitely true in Rhode Island, my home State, but it is not just Rhode Islanders.

Over this past recess, I went to Tennessee. I found that people in the Volunteer State see the effects, they see the risks, and they see the opportunities that come with climate change.

In Knoxville, I met with Mayor Madeline Rogero, and I heard about the great work she is doing. Knoxville is making their infrastructure more resilient to flooding and storms and working to reduce its greenhouse gas emissions, partnering with local utilities and citizens groups. Greenhouse gas emissions from the city's operations were down 12 percent in 2014, compared to 2005. Their goal is to make it to 20 percent.

Mayor Rogero told me about the risks climate change poses in Eastern Tennessee: changes in the Smoky Mountains parks nearby, programs like Round It Up that help people with utility bills getting hammered by earlier, hotter summer weather. She told me Knoxville wasn't alone. Even little Ducktown, TN, built a 28-kilowatt solar array.

I visited Oak Ridge National Laboratory, which is researching how climate change will affect Tennessee and the United States and the rest of the world. Let me tell you, they are not doubting climate change at Oak Ridge. They are planning for it. They are modeling warming up to 18 degrees Fahrenheit in the vast boreal forest regions of the Northern Hemisphere.

They are concerned about the phony science being propagated by the fossil fuel industry front groups—what I have called the parallel science designed to look like science without actually being peer-reviewed or meeting the standards—and they are saddened to see the public taken in and Congress stalled. They have a brilliant animation of industrial-era carbon emissions climate. If I could use a monitor instead of this piece of cardboard I would show it to you, but I can't. So you will have to find it. You can go to my website where I have a link: [whitehouse.senate.gov/climatechange](http://whitehouse.senate.gov/climatechange).

One employee at Oak Ridge, a Tennessean who had grown up nearby, told

me about the recent trouble with fire ants. The fire ant is an invasive species from South America that can deliver a nasty sting. She said growing up she had never seen them—not a worry. Now she has to worry about a swarm of them getting on her children. Normally, cold nights and winter freezes limit the range of the fire ant. But this invasive species has moved north into Tennessee with the warming temperatures.

For those colleagues who believe the only values that matter are those that can be monetized, the USDA estimates that U.S. losses to the invasive fire ant are almost \$6 billion a year.

Fire ants aren't the only invasive pests that benefit from warmer nights and winters. The threat of the invading emerald ash borer and the Asian longhorned beetle means that campers visiting Tennessee can't bring their own firewood into the Great Smoky Mountains National Park anymore. As of March 1, only heat-treated firewood is allowed, certified by the USDA or the State.

Climate change threatens the Great Smoky Mountains with much more than invasive species. The national park may lose up to 17 percent of the mammals that presently live there as climate change shifts their habitat and changes the composition of the forest.

The Tennessee Wildlife Resource Agency says that "Tennessee's wildlife and natural resources face a serious threat from climate change." The agency did a comprehensive assessment of the potential effects climate change would have on the State's wildlife. These are some of its key findings:

Tennessee's forests are expected to undergo changes in forest growth and composition. . . . [S]ome high elevation forest types will be dramatically impacted or lost entirely; brook trout populations are expected to decline; migratory songbirds may alter their ranges, with some species disappearing from Tennessee altogether; and larger floods and longer droughts could cause increased erosion, reduced water supply, and the spread of invasive species.

Meeting with local environmental leaders and advocates at the Southern Alliance for Clean Energy, I learned that air quality is another significant problem for the Volunteer State, especially in Eastern Tennessee.

Here is a map I got from them showing the counties that still get a D or an F for air quality: Sullivan County, D; Knox County, D; Loudon County, D; Jefferson County, D; Sevier County, F; Blount County, F; Hamilton County, which has Chattanooga in it, F; Cannon County, D; Wilson County, F; Williamson County, F; Shelby County, F.

If you fix the carbon pollution from the coal plants, you will fix a lot of these air quality problems, too, and these air quality problems in the famous Great Smoky Mountains. They were smoky enough, I guess, to begin with. This is not helping.

I also learned of the threats posed by flooding from storms. In May 2010, a massive storm rolled over Tennessee and caused \$1.5 billion damage in Nashville alone. FEMA declared disaster areas in 30 counties and more than 60,000 families received Federal aid. Precipitation has measurably increased in parts of Tennessee during the last century, and as climate change continues, heavy rains and extreme weather are expected to increase. For fishermen, in addition to the warming of the stream water, streams that are blown out by extreme rains are bad for trout fishing.

In Tennessee I also saw great hope for climate action. Mayor Rogero is working with Oak Ridge National Laboratory to design a climate change sustainability plan for Knoxville and the area around it, including the lab campus. The laboratory is also a leading research center for advanced nuclear technology, including small modular reactors that could help unlock low-carbon energy with reduced risk of accidents or proliferation.

Tennessee is ripe with wind and solar potential, and the famous Tennessee Valley Authority, after a slow start, is getting around to renewables investments and supporting distributed generation. The TVA has learned from things such as having to derate powerplants on the Tennessee River because the river grew too warm to cool the thermal load of the plant and seeing giant demand sways from 12,000 to 35,000 megawatts.

I met with University of Tennessee professors who are helping the TVA make the move. The University of Tennessee has entire programs on climate change. They are not denying it. They have professors such as Dean Rivkin at the College of Law, Mary English at the Howard Baker Center, and John Nolt, recently the head of the faculty senate, who has written on the moral importance of counting climate casualties. By the way, Professor Nolt cites studies showing global deaths from the consequences of climate change every year in the range of 140,000, 300,000 and 400,000. But why should we care?

Private companies get it in Tennessee. I heard a lot about Wampler's Farm Sausage, headquartered in Lenoir City, which has invested in solar and biomass energy production to cut down on energy bills and provide stability to its business. For them it is about business and the environment. The company sees consumer demand ahead for sustainably produced products. In the words of company president Ted Wampler, Jr., "being green is going to sell sausage."

I had a nice dinner with lovely people from the Knoxville Garden Club. Some had come to Congress for the annual garden club trip to urge Congress to take action. They see in their garden the changes that are reflected in the

USDA plant hardiness zone for Knoxville shifting in their very lifetimes.

A highlight of the trip was the annual meeting of the Outdoor Writers Association of America. I was invited by the executive director, Tom Sadtler, and joined a panel with Dr. Cameron Wake from the University of New Hampshire, Hal Herring from Field & Stream magazine, and Todd Tanner, the president of Conservation Hawks. I urge anybody who is listening to this to take 10 minutes and look at the fly fishing clip "Cold Waters" on the Conservation Hawk's Web site. It is called [co2ldwaters.org](http://co2ldwaters.org), but the trick is there is a "2" in the middle. The Web site is [co2ldwaters.org](http://co2ldwaters.org). One thing was crystal clear from our panel and from the discussion that followed, and that is this: Real outdoorsmen don't deny climate change. If you don't believe me, believe legendary outdoorsman Yvon Chouinard. Look at the clip at [co2ldwaters.org](http://co2ldwaters.org).

If we in this Chamber could wake up and stop denying this problem, we could do a lot to help. Real legislative action, such as a price on carbon, could unlock energy innovation and it could make the fat-cat, politician-buying polluters actually compete fair and square on a level playing field with clean energy. Of course they would rather not. They would rather pollute the world and rig the politics to rig the competition so they can keep polluting for free.

If you think from my comments that I am mad about the disgraceful political conduct of the oil and coal barons, well, you are right; I am. It is sickening. It is a disgrace. And no, it is not good enough to say just enough good things about climate change to get through a cocktail party at Davos, while you keep your corporate money flowing to the U.S. Chamber of Commerce, the American Petroleum Institute, and other denial front groups to stop progress at all costs. You can't have it both ways. I will know the Big Oil CEOs are serious when they publicly tell the Wall Street Journal editorial page that it is OK to knock off the climate denial.

What I would like is to take their high-priced lobbyists, to take their slippery lawyers, to take their paid-for bogus scientists and put them all up in the high country for a week with Yvon Chouinard or someone like him who really loves and knows the country they are wrecking. It just might be good for their souls.

Senator SCHATZ and I have a bill to level the energy playing field by levying a carbon fee on fossil fuel emissions. In our bill every nickel collected goes back to the American people, and most of it goes back through cutting taxes. When it is time for Republicans to break free of this filthy grip the fossil fuel industry has, we will be there. We will be there, and we will be wait-

ing. Take a look at our bill. It would be a win-win-win for the American people, and it aligns with what so many Republicans outside of Congress are saying about the correct solution to the climate problem.

I hope my Republican colleagues, particularly my friends from Tennessee, take a close look at it. Both Senators from Tennessee recognize human-caused climate change. The senior Senator, our friend who has just done such a masterful job of bringing this elementary and secondary education bill to the floor and steering it so far through this process, is a renowned champion of clean energy research and of electric vehicles.

Tennessee's junior Senator said in 2009, when cap-and-trade ideas were swirling:

I wish we would just talk about a carbon tax, 100 percent of which would be returned to the American people. So there's no net dollars that would come out of the American people's pockets.

Gentlemen, that is our bill. I am open to this discussion any time, but let's please not wait too long. As they know at Oak Ridge, as they know in the mayor's offices in Knoxville and Ducktown, as they know at the University of Tennessee, and as the rangers know up in the Great Smoky Mountains, time's a wasting, and we need to wake up.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MILLENNIUM COMPACTS FOR REGIONAL ECONOMIC INTEGRATION ACT

Mr. CARDIN. Mr. President, I wish to speak about the successes of the Millennium Challenge Corporation, or MCC, which is one of the U.S. Government's newest and most potent resources in the war against global poverty.

MCC was founded by a bipartisan act of Congress in 2004 as a new way to deliver foreign assistance. While the U.S. Agency for International Development, USAID, remains a critical tool for working with countries in need, MCC was given a very specific and focused goal: to reduce poverty through economic growth. The countries receiving MCC grants would be partners with a strong say in how their money would be spent. And, countries would need to compete for MCC dollars—only the best governed countries that performed better than their peers on matters of economic freedom, ruling justly, and investing in their people, would be worthy of MCC funding.

The MCC model is working. Countries are taking a hard look at their problems and poring over their performance scorecards so that they can become MCC-eligible. Academics have confirmed that the so-called “MCC Effect”—MCC’s ability to incentivize significant policy reforms from countries seeking a compact—is real and meaningful.

MCC countries are reforming in vital ways to be part of MCC. Ghana, for example, is reforming its entire power sector in order to receive MCC assistance. In Lesotho, women were fundamentally unequal citizens, unable to open a bank account without a man’s permission. MCC made the Lesotho partnership contingent upon removing those barriers, and women now enjoy economic freedoms unavailable to them before.

With 11 years under its belt and a proven record of success, the MCC is looking towards the future and assessing how it can amplify its already significant effects on fighting poverty. One way we can do that is to give MCC the flexibility to coordinate its work on a regional basis. That is why I introduced S. 1605, the Millennium Compacts for Regional Economic Integration Act, or the M-CORE Act, along with Senators FLAKE, COONS, and ISAKSON on June 18, 2015. The M-CORE Act would enable MCC to establish concurrent compacts in eligible developing countries, enhancing their ability to promote economic growth and cross-border engagement between and among nations. Through the greater regional economic collaboration that MCC regional compacts will achieve, countries can address deficiencies in communications, transportation, and energy networks. MCC’s bilateral compacts have increased access to reliable power, built highway corridors, and improved business climates, thereby promoting economic growth and cross-border engagement within MCC partner countries.

Regional investments can have an even greater rate of return. In Central America, for example, MCC’s work on road infrastructure could have had an even greater impact if the roads connected across borders. And in Africa, neighboring countries could collaborate on a regional power pool, connect land-locked countries to transportation infrastructure, or address other policy, institutional, and logistical challenges that hamper economic growth and development.

MCC has, by mandate, always focused on economic analysis and rigorous data; and its approach to regional investments has been no exception. MCC’s extensive analysis has concluded that a regional approach to poverty reduction, under the right circumstances, can present opportunities to take advantage of higher rates of return on investment and larger scale reductions in poverty.

In short, MCC regional investments have the potential to greatly enhance economic growth in well-governed regions of the developing world. I urge my Senate colleagues to join me in supporting this commonsense legislation.

#### REMEMBERING LINDA NORRIS

Mr. CRAPO. Mr. President, today I wish to honor the life of Linda Norris, a beloved former member of both my State and Washington, DC, staff who passed away recently. Linda was the very first member of Team Crapo and has left a lasting legacy in my office as well as in her adopted State of Idaho.

Linda retired from the Senate nearly 7 years ago after providing 18 years of service to Idahoans. Linda was the first staff member to join my congressional campaign as a member of my first House campaign staff. She was prominent and pivotal in my campaign and quickly became one of the most reliable and intuitive staff members. Linda then became my first regional director in Twin Falls, ID, serving throughout my service in the U.S. House of Representatives and into my service in the U.S. Senate. As State Director of Constituent Services, she established high constituent service standards, ones that are still used in my office, and she advocated strongly for military families and veterans. Her friendly nature, southern charm, and quick intellect helped defuse potential conflicts, and she represented the House and Senate offices with the utmost professionalism.

Whether she was working in Idaho or Washington, DC, her priority was to serve the people of Idaho, which she carried out with the utmost care and diligence. Her lasting legacy will be her influence over domestic violence awareness and prevention. More than 20 years ago, she arranged for me to visit a local shelter for abused children. The visit inspired an immovable commitment to increase awareness of domestic violence and to advocate for solutions and assistance for victims in every possible circumstance. Her interest and advocacy in this matter also spurred her into action when she recognized the need for training public servants who worked on public lands in how to handle domestic violence situations that arise when people are on public lands, not in their homes. With my strong support, she worked with the appropriate individuals within the U.S. Forest Service to initiate programs to train employees on domestic violence prevention. This remarkable achievement might be enough to most people, but Linda was a force that continued to search for ways to improve the lives of others.

She touched the lives of many Idaho military families and youth. As an Army wife herself, Linda had a per-

sonal understanding of military families. This experience gave her empathy to advocate effectively and attentively on behalf of Idaho military members, veterans, and their families. Linda also instituted and guided my military academy nomination process, helping countless Idaho youth on their path to success.

She was observant, inspired, tactful, and hard-working. Linda helped highlight the unrecognized good deeds of fellow Idahoans by suggesting I create two awards: the Spirit of Idaho for volunteers, and the Spirit of Freedom for veterans and those who work with veterans. These awards recognize the extraordinary efforts of Idahoans and the service of veterans and volunteers serving veterans. She also helped achieve hard-sought land access and conservation policies. Linda was a nurse by training and profession, which is consistent with her gift for helping and caring for people, a behavior she demonstrated repeatedly. The legacy that she left upon her retirement remains today in the Crapo office.

Since news of her unexpected passing has reached my staff and former staff members, remembrances of Linda have poured in. I would like to share a few with you:

“Linda was a singular individual who set the pace for constituent services in Idaho. She cared for individuals and families, not ‘cases’. Her approach influenced me and how I set up succeeding constituent services operations. Her zealous care for people has been emulated and has resulted in thousands of Idahoans getting the help they deserve from their government.”

“Linda was truly an amazing, generous, and gracious lady. She truly was beautiful both inside and out. Linda made me feel so welcome on my first trip to Idaho. She joked with people that she introduced me to that I was from way, way Southern Idaho. We decided that Lava Hot Springs would be my adopted hometown. Really being from Louisiana, I loved that Linda and I shared strong Southern roots, and great wacky stories.”

“She has that southern mixture of sweetness and sass with an underlying spirit and determination that was always apparent.”

Beyond her professional accomplishments, Linda was a great friend. Not only did she pay attention to my professional needs, but she also recognized when some personal time was needed. Many times when I was working in her region, she built in time in the schedule for a much needed clothes shopping trip, a visit to the eye doctor, or just some down time with my family. My wife, family, and I have all been blessed with her friendship. Linda will be missed beyond measure, and I extend deep condolences to family and friends. Thank you for your service, Linda. Rest in peace, dear friend.

# RECOGNIZING CANDLE-LITE COMPANY ON ITS 175TH ANNIVERSARY

Mr. PORTMAN. Mr. President, today I wish to honor Candle-lite Company—the oldest continually operating candle company in the United States—as it celebrates its 175th anniversary.

Candle-lite Company was founded in 1840 by Thomas Emery, who traveled door-to-door selling candles in Cincinnati, OH. His venture continued to grow and eventually his son, Thomas Jr., joined the business. Candle-lite's products were manufactured in various locations in the Cincinnati area before manufacturing was moved to its current location in Leesburg, OH, in 1952.

Today, Candle-lite's 1 million-square-foot manufacturing and distribution facility in Leesburg employs over 600 Ohioans annually and the corporate headquarters in Blue Ash employs 70.

I congratulate Candle-lite and its employees in making its first 175 years a success and extend my best wishes for the next 175 years.

## ADDITIONAL STATEMENTS

### TRIBUTE TO RUTH GRIFFIN

• Ms. AYOTTE. Mr. President, today I wish to honor one of New Hampshire's most revered and accomplished leaders, Ruth Lewin Griffin, as she celebrates her 90th birthday.

Born in Fall River, MA, Ruth moved to Portsmouth, NH, at a young age and continues to reside there today. Most notably, she served as executive councilor for the third district of New Hampshire for 20 years. As a testament to her continued commitment to the Granite State, Ruth currently serves as chairman of the Portsmouth Housing Authority.

But Ruth's career of service began long before her time on the executive council. After graduating from Portsmouth High School, Ruth went on to pursue a degree from Wentworth Hospital School of Nursing. Using the skills she learned as a registered nurse, she dove headfirst into a career as a public servant, holding office as a State senator and State representative and serving on the Portsmouth Police Commission and board of education. She also served as a delegate to two Constitutional Conventions and as a Republican national committeewoman. Ruth has earned well-deserved praise for her service to our State, including being named one of New Hampshire's Ten Most Powerful Women for 6 years in a row, and most recently, she received the 2015 Granite State Legacy Award, which honors dedication to the State, its people, and way of life.

In addition to her tremendous service to New Hampshire, Ruth has been blessed with a wonderful family, including the late John Griffin, five chil-

dren, five grandchildren, and two great-grandsons. Four generations of the Griffin family have lived on their family farm, raising sheep, chickens, and other livestock. As the matriarch of the family, Ruth strives to teach her family members the values she learned on the farm—hard work, humility, and perseverance. She will often tell you, invoking her family motto, that she lives her life “by courage, not by cunning.”

Ruth embodies the spirit of a true New Hampshire leader. Her life is marked by her dedicated service and her devotion to making New Hampshire a better place to live and work. I had the privilege of serving alongside Ruth in the Governor's office and the attorney general's office and will be forever grateful for her wisdom, guidance, and mentorship. I am very proud to recognize and celebrate Ruth's birthday and her extraordinary contributions to the State. I wish Ruth and her family the best on this very special day and for many more years of health and happiness.●

### REMEMBERING LAURA MYERS

• Mr. HELLER. Mr. President, today, we honor the life and legacy of Laura Myers, whose passing signifies a great loss to Nevada. I send my condolences and prayers to her family and friends during this time of hardship. Laura was an incredible person, committed to bringing joy to those around her through humanitarian service and fair-and-balanced news to residents across Nevada. She truly represented the best of journalistic excellence. She will be sorely missed by the entire Nevada family.

Laura was born on August 26, 1961, in Las Vegas. She spent the majority of her childhood in northern Nevada, where she received her education and graduated from the University of Nevada, Reno. She began her journalism career with the Reno Gazette-Journal in 1984 and took her first step in political coverage, reporting the Nevada Legislature, in 1987. She was then hired in 1988 by the Associated Press to cover news in Carson City and later in the San Francisco and San Jose, CA, areas.

Over the next 20 years, Laura pursued both her humanitarian and journalistic passion, leaving and returning to the AP several times and working with Habitat for Humanity in Uganda, Mongolia, and New York, alongside her day job throughout the 1990s and 2000s. Laura's first departure from the AP was in 1992 after she joined the Peace Corps, where she spent time working to help a remote village in Togo, West Africa. In 1995, Laura worked with the American Refugee Committee, managing logistics at a refugee camp in the Congo. Immediately after, she accepted another job offer from the AP with a position covering politics, foreign af-

fairs, the military, and national security in Washington, DC.

In 2003, Laura left the AP and fulfilled her passion for movies, studying at the New York Film Academy. Afterwards, in 2006, Laura spent 10 months in North Africa and the Middle East as a management consultant for Arabic- and French-language newspapers. After filling another position with the AP in 2007, Laura worked for Food for All of Washington. From 1988 to 2008, her extraordinary hard work and good character maintained a good relationship with the AP, continuously preserving an opportunity to return. In 2009, after committing time to teaching English to adults in Egypt, Laura returned to Nevada and was hired as the Las Vegas Review-Journal's political reporter in 2010. Her final years were spent bringing unforgettable political coverage to the Las Vegas community.

Throughout her 30 years in Nevada journalism, Laura strived to travel the world and achieve a greater understanding of her surroundings. She sought to transcribe and bring an accurate picture of her findings to her readers. Her insatiable appetite to uncover important news stories and bring Nevadans pertinent political information made her the incredible journalist that she was. She embodied the Battle Born spirit of determination, fearlessness, confidence, and resilience. She was a fierce competitor, bringing out the absolute best of Nevada journalism. I worked with Laura for many years and have seen firsthand her unwavering dedication to her trade. Our relationship operated under an open-door policy, and I am grateful for everything she has done.

I extend my deepest sympathies to her family. We will always remember Laura for her invaluable contribution to the local community and for her compassion that touched so many lives around the globe. Her legacy of kindness, dedication, and true drive will echo on for years to come in Nevada journalism.

Laura fought to bring Nevada only the most accurate journalism. Even in her final weeks, her dedication to those around her never faltered. I am honored to commend her for her hard work and invaluable contribution to the Silver State. Today, I join the Las Vegas community and citizens of the Silver State to celebrate the life of an upstanding Nevadan and friend, Laura Myers.●

### TRIBUTE TO DAVID SAMRICK

• Mr. PETERS. Mr. President, I wish to recognize Mr. David Samrick on the occasion of his recognition as the 2014 Service Center Executive of the Year by Metal Center News. Mr. Samrick has worked at Mill Steel since 1965, and was named president in 1976 after his father stepped back from day-to-day

management of the family's company. Under his leadership, Mill Steel has grown from a single-location in Grand Rapids, MI into the 23rd largest service center organization selling flat-rolled steel from Canada to the gulf coast. I appreciate the opportunity to recognize Mr. Samrick's success as a business leader, as well as the contributions he has made to communities throughout western Michigan.

Mr. Samrick is the heart and soul of Mill Steel, the company founded by his parents in 1959. Its success is a testament to Mr. Samrick's team-building skills and his confidence in the company's leadership. Each member of the six-person leadership team has equity in the company, and all share the responsibility of directing its operations. The team reflects a diversity which is unique in the steel industry, a reflection of Mr. Samrick's belief in attracting the best talent available regardless of age or gender. An example of the breadth and diversity of experience at Mill Steel is the fact that—when you include Mr. Samrick—the company's leadership team includes individuals born in the 1940s, 50s, 60s, 70s and 80s.

The success of Mr. Samrick's approach to management is evident in Mill Steel's track record, especially during the past 5 years. The company's revenue first crossed the \$100 million mark in the early 2000s. In 2010, Mill Steel expanded outside the Midwest with the purchase of the former Coated Steel facility in Birmingham, AL. Last year, it added a facility at the Port of Indiana to its holdings. This has allowed Mill Steel to become a prominent player in the flat-roll steel market from Toronto to Texas. It anticipates 700,000 tons of flat-rolled steel will pass through the doors of Mill Steel next year, with revenue expected to exceed \$600 million in 2015.

Mill Steel's success is due in no small part to the company's hard work and the loyalty displayed between it and its clients. Mr. Samrick's patient and trusting leadership has helped Mill Steel remain flexible during economic downturns. This flexibility is also illustrated in the company's commitment to technology and service. In particular, the company's Rapid Response program allows it to regularly prepare and ship an order within 4 hours of being received. Mr. Samrick's trust in his team allows Mill Steel to address the dynamic needs of its customers, encouraging loyalty and trust across the board.

Mr. Samrick's successful approach to leadership is not only rooted in his confidence in the leadership and staff of Mill Steel; it reflects his love for his family and a desire to lead a balanced lifestyle. Mr. Samrick is devoted to his wife, two children and five grandchildren. He also embraces a culture of philanthropy, demonstrated by his role as a national leader on the American

Israel Public Affairs Committee, and his longtime commitment to Big Brothers and Big Sisters of Western Michigan and its parent organization, D.A. Blodgett St. John's of Michigan.

For almost 20 years, Mill Steel has led the fundraising efforts of Big Brothers and Big Sisters of Western Michigan. The company took leadership of the organization's annual golf outing in 1996. Since that time, the event has raised nearly \$1.7 million, helping match 11,000 children with mentors. The annual golf outing culminates in a dinner where the Harry Samrick Scholarship, named in honor of Mr. Samrick's father, is awarded. It is one of the many ways Mr. Samrick and Mill Steel supports children, including services projects at group homes and visits to children hospitals.

Again, I would like to congratulate Mr. David Samrick on being recognized as the 2014 Service Center Executive of the Year by Metal Center News. I applaud Mr. Samrick's success, as well as his dedication to his family and community. I am confident his leadership will continue to shape the future of Mill Steel and communities throughout western Michigan.●

#### RECOGNIZING HASPEL

● Mr. VITTER. Mr. President, small businesses can often influence American culture and provide rich traditions that we celebrate for decades to come. Born out of the unique features of their hometowns, these businesses have become an important part of our history. The "Throwback Thursday" Small Business of the Week, Haspel of New Orleans, LA has created an all-American brand of clothing that has supported domestic enterprise and manufacturing.

In 1909, Joseph Haspel Sr. created his namesake seersucker brand to help Louisianians cope with the Mighty Mississippi's heat and humidity. Haspel recognized the need for versatile, lightweight clothing that could be worn during both the summer days and evenings. He based the puckered cloth off of a similar design used by workers in India, where the fabric was originally used to make overalls and laboring clothes. Haspel soon realized that a wide variety of folks could benefit from the innovative design—not simply just the day laborers for which the design was initially intended. From here, the seersucker business suit was born and quickly became a popular icon of the southern gentleman, worn at jazz concerts and cocktail parties alike. The style spread farther north and eventually solidified its place as an emblem of sophistication, having outfitted nearly every President since Calvin Coolidge. Haspel is now in its fourth generation as a family-owned business and continues to provide lightweight and stylish clothing across the country.

Joseph Haspel centered his brand on the unique culture of New Orleans and southern Louisiana. In addition to providing a cloth that would help people stay cool throughout the summer, he was committed to crafting clothes that were enjoyable to wear. To demonstrate his wash-and-wear fabric, Haspel supposedly jumped into the Atlantic Ocean in his suit, hung it up to dry, and wore it to an event later that evening. His commitment to durable, comfortable clothing has attracted loyal customers for over 100 years. This wash-and-wear material is used today for everything from suits to shorts.

Congratulations again to Haspel for being selected as the "Throwback Thursday" Small Business of the Week. Thank you for your continued embodiment of Louisiana culture and dedication to 100 percent made-in-America quality clothing.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

#### MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

##### ENROLLED BILLS SIGNED

Under the order of the Senate of January 6, 2015, the Secretary of the Senate, on June 26, 2015, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. THORNBERRY) has signed the following enrolled bills:

H.R. 893. An act to require the Secretary of the Treasury to mint coins in commemoration of the centennial of Boys Town, and for other purposes.

H.R. 1295. An act to extend the African Growth and Opportunity Act, the Generalized System of Preferences, the preferential duty treatment program for Haiti, and for other purposes.

Under the authority of the order of the Senate of January 6, 2015, the enrolled bills were signed on June 26, 2015, during the adjournment of the Senate, by the President pro tempore (Mr. HATCH).

#### MESSAGES FROM THE HOUSE

At 11:39 a.m., a message from the House of Representatives, delivered by



Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate.

H.R. 907. An act to improve defense cooperation between the United States and the Hashemite Kingdom of Jordan.

H.R. 1531. An act to amend title 5, United States Code, to provide a pathway for temporary seasonal employees in Federal land management agencies to compete for vacant permanent positions under internal merit promotion procedures, and for other purposes.

The message also announced that the House has agreed to the amendment of the Senate to the bill (H.R. 91) to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to issue, upon request, veteran identification cards to certain veterans.

#### ENROLLED BILL SIGNED

At 2:36 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 91. An act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to issue, upon request, veteran identification cards to certain veterans.

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 907. An act to improve defense cooperation between the United States and the Hashemite Kingdom of Jordan; to the Committee on Foreign Relations.

H.R. 1531. An act to amend title 5, United States Code, to provide a pathway for temporary seasonal employees in Federal land management agencies to compete for vacant permanent positions under internal merit promotion procedures, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2576. An act to modernize the Toxic Substances Control Act, and for other purposes.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2124. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Prohexadione calcium; Pesticide Tolerances" (FRL No. 9927-25) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2125. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Cuprous oxide; Exemption From the Requirement of a Tolerance" (FRL No. 9929-51) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2126. A communication from the Program Manager of the BioPreferred Program, Office of Procurement and Property Management, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Guidelines for Designating Biobased Products for Federal Procurement" (RIN0599-AA23) received in the Office of the President of the Senate on June 24, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2127. A communication from the Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Defining Larger Participants of the Automobile Financing Market and Defining Certain Automobile Leasing Activity as a Financial Product or Service" (RIN3170-AA46) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-2128. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to transnational criminal organizations that was declared in Executive Order 13581 of July 24, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2129. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64) (Docket No. FEMA-2015-0001)) received in the Office of the President of the Senate on June 25, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-2130. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Greenland Turbot in the Aleutian Islands Subarea of the of the Bering Sea and Aleutian Islands Management Area" (RIN0648-XD920) received in the Office of the President of the Senate on June 24, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2131. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14-114); to the Committee on Foreign Relations.

EC-2132. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, an annual report relative to the implementation of the Age Discrimination Act of 1975 for fiscal year 2014; to the Committee on Health, Education, Labor, and Pensions.

EC-2133. A communication from the General Counsel, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Allocation of Assets in Single-Employer Plans; Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Pay-

ing Benefits" (29 CFR Parts 4022 and 4044) received in the Office of the President of the Senate on June 25, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC-2134. A communication from the Board of Trustees, National Railroad Retirement Board, transmitting, pursuant to law, the 2015 annual report on the financial status of the railroad unemployment insurance system; to the Committee on Health, Education, Labor, and Pensions.

EC-2135. A communication from the Railroad Retirement Board, transmitting, pursuant to law, a report entitled "Twenty-Sixth Actuarial Valuation of the Assets and Liabilities Under the Railroad Retirement Acts as of December 31, 2013"; to the Committee on Health, Education, Labor, and Pensions.

EC-2136. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revising Underground Storage Tank Regulations—Revisions to Existing Requirements and New Requirements for Secondary Containment and Operator Training" ((RIN2050-AG46) (FRL No. 9913-64-OSWER)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2015; to the Committee on Environment and Public Works.

EC-2137. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Performance Specification 18—Performance Specifications and Test Procedures for Hydrogen Chloride Continuous Emission Monitoring Systems and Stationary Sources" ((RIN2060-AR81) (FRL No. 9929-25-OAR)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2015; to the Committee on Environment and Public Works.

EC-2138. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of Alabama's Request to Relax the Federal Reid Vapor Pressure Gasoline Volatility Standard for Birmingham, Alabama" ((RIN2060-AS58) (FRL No. 9929-91-OAR)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2015; to the Committee on Environment and Public Works.

EC-2139. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of Alabama's Request to Relax the Federal Reid Vapor Pressure Gasoline Volatility Standard for Birmingham, Alabama" ((RIN2060-AS58) (FRL No. 9929-90-OAR)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2015; to the Committee on Environment and Public Works.

EC-2140. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Technical Amendments to the Hazardous and Solid Waste Management System; Disposal of Coal Combustion Residuals from Electric Utilities—Correction of the Effective Date" ((RIN2050-AE81) (FRL No. 9928-44-OSWER)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2015; to the Committee on Environment and Public Works.

EC-2141. A communication from the Director of the Regulatory Management Division,



Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of Air Quality Implementation Plans; Sheboygan County, Wisconsin 8-Hour Ozone Nonattainment Area; Reasonable Further Progress Plan" (FRL No. 9929-73-Region 5) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2015; to the Committee on Environment and Public Works.

EC-2142. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Texas; Revision to Control Organic Compound Emissions From Storage Tanks and Transport Vessels" (FRL No. 9929-69-Region 6) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2015; to the Committee on Environment and Public Works.

EC-2143. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Mississippi; Memphis TN-MS-AR Emissions Inventory for the 2008 8-Hour Ozone Standard" (FRL No. 9929-84-Region 4) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2015; to the Committee on Environment and Public Works.

EC-2144. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Arkansas; Prevention of Significant Deterioration; Greenhouse Gas Plantwide Applicability Limit Permitting Revisions" (FRL No. 9929-81-Region 6) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2015; to the Committee on Environment and Public Works.

EC-2145. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Maryland; Minor New Source Review Requirements" (FRL No. 9930-08-Region 3) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2015; to the Committee on Environment and Public Works.

EC-2146. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Modification of Significant New Uses of Certain Chemical Substances" ((RIN2070-AB27) (FRL No. 9928-93)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2015; to the Committee on Environment and Public Works.

EC-2147. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Plan for Expanding Data in the Annual Comprehensive Error Rate Testing (CERT) Report"; to the Committee on Finance.

EC-2148. A communication from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Extension of Effective Date for Temporary Pilot Program Setting the Time

and Place for a Hearing Before an Administrative Law Judge" (RIN0960-AH75) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2015; to the Committee on Finance.

EC-2149. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates" (Notice 2015-42) received in the Office of the President of the Senate on June 24, 2015; to the Committee on Finance.

EC-2150. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Elder Justice Coordinating Council 2012-2014 Report to Congress"; to the Committee on Finance.

EC-2151. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the Office's annual report on Federal agencies' use of the Physicians' Comparability Allowance (PCA) program; to the Committee on Homeland Security and Governmental Affairs.

EC-2152. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled "Review of District of Columbia's Compliance with the Recommendations of the Task Force on Emergency Medical Services (The Rosenbaum Task Force)"; to the Committee on Homeland Security and Governmental Affairs.

EC-2153. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled "ANC 8D Financial Operations Were Not Fully Compliant with Law"; to the Committee on Homeland Security and Governmental Affairs.

EC-2154. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, an annual report to Congress concerning intercepted wire, oral, or electronic communications; to the Committee on the Judiciary.

EC-2155. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, three (3) reports relative to vacancies in the Department of Justice, received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2015; to the Committee on the Judiciary.

EC-2156. A communication from the Staff Director of the United States Commission on Civil Rights, transmitting, pursuant to law, a report relative to the United States Commission on Civil Rights renewing the charter of its federal advisory committee; to the Committee on the Judiciary.

EC-2157. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, a report entitled "2014 Report of Statistics Required by the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005"; to the Committee on the Judiciary.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. COCHRAN, from the Committee on Appropriations:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals from the Concurrent resolution for Fiscal Year 2016" (Rept. No. 114-78).

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HOEVEN (for himself and Mr. KING):

S. 1715. A bill to require the Secretary of the Treasury to mint coins in commemoration of the 400th anniversary of the arrival of the Pilgrims; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. BALDWIN (for herself, Mr. BOOKER, Mr. BROWN, Ms. HIRONO, Mr. MURPHY, Mr. LEAHY, Mr. DURBIN, Mr. HEINRICH, Mr. CARDIN, Ms. STABENOW, Mr. MARKEY, and Mr. WHITEHOUSE):

S. 1716. A bill to provide access to higher education for the students of the United States; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BROWN (for himself, Mr. PORTMAN, Mrs. MCCASKILL, Mr. BOOZEMAN, Mr. VITTER, and Mr. COTTON):

S. 1717. A bill to amend title 46, United States Code, to exempt old vessels that only operate within inland waterways from the fire-retardant materials requirement if the owners of such vessels make annual structural alterations to at least 10 percent of the areas of the vessels that are not constructed of fire-retardant materials; to the Committee on Commerce, Science, and Transportation.

By Mr. ROBERTS:

S. 1718. A bill to provide for the repeal of certain provisions of the Patient Protection and Affordable Care Act that have the effect of rationing health care; to the Committee on Finance.

By Ms. COLLINS (for herself, Ms. BALDWIN, Ms. AYOTTE, Mr. BENNET, and Ms. MIKULSKI):

S. 1719. A bill to provide for the establishment and maintenance of a National Family Caregiving Strategy, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. SHAHEEN (for herself, Ms. MIKULSKI, and Mr. CARDIN):

S. 1720. A bill to require the Secretary of the Treasury to redesign \$10 Federal reserve notes so as to include a likeness of Harriet Tubman, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BLUMENTHAL (for himself and Mr. MCCAIN):

S. 1721. A bill to require the Secretary of Defense and the Secretary of Veterans Affairs to establish a joint uniform formulary with respect to systemic pain and psychotropic drugs that are critical for the transition of an individual from receiving health care services furnished by the Secretary of Defense to health care services furnished by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ROUNDS:

S. 1722. A bill to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to repeal certain additional disclosure requirements, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BLUMENTHAL (for himself and Mr. GRAHAM):

S. Res. 217. A resolution designating October 8, 2015, as "National Hydrogen and Fuel Cell Day"; to the Committee on the Judiciary.

By Mr. MENENDEZ (for himself, Ms. COLLINS, Mr. BROWN, Mr. RUBIO, Mr. BOOKER, Mr. MCCAIN, Mr. SCHUMER, Mr. TOOMEY, Mr. WARNER, Mr. PERDUE, Mrs. SHAHEEN, Ms. MURKOWSKI, Ms. MIKULSKI, Ms. AYOTTE, Mr. MARKEY, Mr. MORAN, Mr. CARPER, Mr. THUNE, Mrs. MCCASKILL, Ms. HIRONO, Mr. BENNET, Mr. KAINE, Mr. KING, Mrs. MURRAY, Ms. KLOBUCHAR, Mrs. GILLIBRAND, Mr. DURBIN, Mr. CASEY, Ms. CANTWELL, Mr. PETERS, Ms. WARREN, Mrs. FEINSTEIN, Mr. TESTER, and Mr. WYDEN):

S. Res. 218. A resolution congratulating the United States Women's National Team for winning the 2015 FIFA World Cup; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 149

At the request of Mr. HATCH, the names of the Senator from South Carolina (Mr. GRAHAM) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 149, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices.

S. 198

At the request of Mr. DURBIN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 198, a bill to amend the Internal Revenue Code of 1986 to modify the rules relating to inverted corporations.

S. 280

At the request of Mr. PORTMAN, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 280, a bill to improve the efficiency, management, and inter-agency coordination of the Federal permitting process through reforms overseen by the Director of the Office of Management and Budget, and for other purposes.

S. 311

At the request of Mr. CASEY, the names of the Senator from Oregon (Mr. MERKLEY), the Senator from West Virginia (Mr. MANCHIN), the Senator from Missouri (Mrs. MCCASKILL), the Senator from California (Mrs. BOXER), the Senator from California (Mrs. FEINSTEIN), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Hawaii (Ms. HIRONO), the Senator from North Dakota (Ms. HEITKAMP) and the Senator from Virginia (Mr. KAINE) were added as cosponsors of S. 311, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 358

At the request of Mrs. SHAHEEN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S.

358, a bill to amend title 10, United States Code, to ensure that women members of the Armed Forces and their families have access to the contraception they need in order to promote the health and readiness of all members of the Armed Forces, and for other purposes.

S. 436

At the request of Mr. MENENDEZ, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 436, a bill to promote youth athletic safety and for other purposes.

S. 491

At the request of Ms. KLOBUCHAR, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 491, a bill to lift the trade embargo on Cuba.

S. 578

At the request of Mr. SCHUMER, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 578, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 598

At the request of Mr. CARDIN, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 598, a bill to improve the understanding of, and promote access to treatment for, chronic kidney disease, and for other purposes.

S. 677

At the request of Mrs. BOXER, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 677, a bill to prohibit the application of certain restrictive eligibility requirements to foreign non-governmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961.

S. 681

At the request of Mrs. GILLIBRAND, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 681, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 683

At the request of Mr. BOOKER, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 683, a bill to extend the principle of federalism to State drug policy, provide access to medical marijuana, and enable research into the medicinal properties of marijuana.

S. 757

At the request of Mr. NELSON, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 757, a bill to modify the prohibition on recognition by United States

courts of certain rights relating to certain marks, trade names, or commercial names.

S. 766

At the request of Mr. HOEVEN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 766, a bill to limit the retrieval of data from vehicle event data recorders, and for other purposes.

S. 786

At the request of Mrs. GILLIBRAND, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 786, a bill to provide paid and family medical leave benefits to certain individuals, and for other purposes.

S. 812

At the request of Mr. MORAN, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 812, a bill to enhance the ability of community financial institutions to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes.

S. 861

At the request of Mr. CARPER, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 861, a bill to amend titles XVIII and XIX of the Social Security Act to curb waste, fraud, and abuse in the Medicare and Medicaid programs.

S. 878

At the request of Mr. SANDERS, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 878, a bill to establish a State residential building energy efficiency upgrades loan pilot program.

S. 1020

At the request of Mr. VITTER, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 1020, a bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services, and for other purposes.

S. 1148

At the request of Mr. NELSON, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 1148, a bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes.

S. 1169

At the request of Mr. GRASSLEY, the names of the Senator from Texas (Mr. CORNYN) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 1169, a bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

S. 1246

At the request of Ms. STABENOW, the names of the Senator from Wisconsin (Ms. BALDWIN) and the Senator from

Georgia (Mr. ISAKSON) were added as cosponsors of S. 1246, a bill to amend the Internal Revenue Code of 1986 to revise the definition of municipal solid waste for purposes of the renewable electricity production credit.

S. 1300

At the request of Mrs. FEINSTEIN, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 1300, a bill to amend the section 221 of the Immigration and Nationality Act to provide relief for adoptive families from immigrant visa fees in certain situations.

S. 1324

At the request of Mrs. CAPITO, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 1324, a bill to require the Administrator of the Environmental Protection Agency to fulfill certain requirements before regulating standards of performance for new, modified, and reconstructed fossil fuel-fired electric utility generating units, and for other purposes.

S. 1383

At the request of Mr. PERDUE, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1383, a bill to amend the Consumer Financial Protection Act of 2010 to subject the Bureau of Consumer Financial Protection to the regular appropriations process, and for other purposes.

S. 1428

At the request of Mr. BARRASSO, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 1428, a bill to amend the USEC Privatization Act to require the Secretary of Energy to issue a long-term Federal excess uranium inventory management plan, and for other purposes.

S. 1458

At the request of Mr. COATS, the names of the Senator from Kansas (Mr. MORAN), the Senator from Nevada (Mr. HELLER), the Senator from Arkansas (Mr. COTTON) and the Senator from Alaska (Mr. SULLIVAN) were added as cosponsors of S. 1458, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to ensure scientific transparency in the development of environmental regulations and for other purposes.

S. 1519

At the request of Mr. GARDNER, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 1519, a bill to amend the Labor Management Relations Act, 1947 to address slowdowns, strikes, and lock-outs occurring at ports in the United States, and for other purposes.

S. 1526

At the request of Mr. PORTMAN, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 1526, a bill to amend title 10 and title 41, United States Code, to

improve the manner in which Federal contracts for construction and design services are awarded, to prohibit the use of reverse auctions for design and construction services procurements, to amend title 31 and 41, United States Code, to improve the payment protections available to construction contractors, subcontractors, and suppliers for work performed, and for other purposes.

S. 1554

At the request of Mr. CARDIN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1554, a bill to amend the Federal Water Pollution Control Act and to direct the Secretary of the Interior to conduct a study with respect to stormwater runoff from oil and gas operations, and for other purposes.

S. 1562

At the request of Mr. WYDEN, the names of the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from New Hampshire (Ms. AYOTTE), the Senator from Colorado (Mr. BENNET) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. 1562, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 1567

At the request of Mr. PETERS, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1567, a bill to amend title 10, United States Code, to provide for a review of the characterization or terms of discharge from the Armed Forces of individuals with mental health disorders alleged to affect terms of discharge.

S. 1598

At the request of Mr. LEE, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1598, a bill to prevent discriminatory treatment of any person on the basis of views held with respect to marriage.

S. 1603

At the request of Mr. FLAKE, the names of the Senator from North Carolina (Mr. TILLIS) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of S. 1603, a bill to actively recruit members of the Armed Forces who are separating from military service to serve as Customs and Border Protection Officers.

S. 1632

At the request of Ms. COLLINS, the names of the Senator from West Virginia (Mrs. CAPITO) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 1632, a bill to require a regional strategy to address the threat posed by Boko Haram.

S. 1660

At the request of Mr. ROBERTS, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1660, a bill to amend the Internal Revenue Code of 1986 to modify and make permanent bonus depreciation.

S. 1682

At the request of Mr. KIRK, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 1682, a bill to extend the Iran Sanctions Act of 1996 and to require the Secretary of the Treasury to report on the use by Iran of funds made available through sanctions relief.

S. 1704

At the request of Mr. BARRASSO, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 1704, a bill to amend the Indian Tribal Justice Act to secure urgent resources vital to Indian victims of crime, and for other purposes.

S. RES. 211

At the request of Mr. CARDIN, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. Res. 211, a resolution expressing the sense of the Senate regarding Srebrenica.

AMENDMENT NO. 1744

At the request of Mrs. FEINSTEIN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of amendment No. 1744 proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2096

At the request of Mr. KAINE, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of amendment No. 2096 intended to be proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

AMENDMENT NO. 2109

At the request of Ms. HIRONO, the names of the Senator from Nevada (Mr. REID), the Senator from Massachusetts (Mr. MARKEY), the Senator from Washington (Ms. CANTWELL) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of amendment No. 2109 proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

AMENDMENT NO. 2110

At the request of Mr. DAINES, the names of the Senator from Florida (Mr. RUBIO) and the Senator from Colorado (Mr. GARDNER) were added as cosponsors of amendment No. 2110 intended to be proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

AMENDMENT NO. 2119

At the request of Mr. GARDNER, the names of the Senator from Arizona (Mr. MCCAIN), the Senator from Arizona (Mr. FLAKE) and the Senator from

Texas (Mr. CORNYN) were added as cosponsors of amendment No. 2119 intended to be proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself, Ms. BALDWIN, Ms. AYOTTE, Mr. BENNET, and Ms. MIKULSKI):

S. 1719. A bill to provide for the establishment and maintenance of a National Family Caregiving Strategy, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Ms. COLLINS. Mr. President, I rise today to introduce legislation with my colleague from Wisconsin, Senator BALDWIN, to require the Secretary of Health and Human Services to develop a national strategy to recognize and support the more than 40 million family caregivers in the United States.

The U.S. population is aging. According to Census Bureau projections, 21 percent of our population will be 65 and older by 2040, up from just under 14 percent in 2012.

Every day, 10,000 baby boomers turn 65 years old, and as many as 90 percent of them have one or more chronic health conditions. Americans 85 and older—our oldest old—are the fastest growing segment of our population. This is the population that is most at risk of multiple and interacting health problems that can lead to disability and the need for round-the-clock care.

At the very time that our population is aging and the need for care and support is increasing, declining birthrates mean that the population of professional and informal caregivers is shrinking. Today, there are seven potential caregivers for each person over 80 and at the highest risk of requiring long-term care. By 2030, there will be four, and by 2050, the number drops to fewer than three. As a consequence, in the future, more people will have to rely on fewer caregivers.

Families will likely continue to be the most important source of support for people with long-term care needs. We must do more to support the 43 million family caregivers in the United States who, in 2009, provided an estimated \$450 billion in uncompensated long-term care. This is an increase from \$375 billion just 2 years earlier, and more than double the value of all paid long-term care.

Family caregivers provide tremendous value, but they also face many challenges. While the typical caregiver is a 49-year old woman who takes care of an older relative, 34 percent of family caregivers are aged 65 or older. Nearly one in ten is 75 or older.

Many of these caregivers are putting their own health at risk, since caregivers experience high levels of stress and have a greater incidence of chronic conditions like heart disease, cancer and depression.

Most family caregivers are employed and struggle to balance their work and caregiving responsibilities. Nearly seven in ten caregivers report making sacrifices in the workplace because of their caregiving responsibilities. They face financial hardships if they must reduce their hours, change jobs, or leave the workforce entirely because of caregiving demands. Family caregivers age 50 and older who leave the workforce to care for a parent lose, on average, nearly \$304,000 in wages and benefits over their lifetime.

I am therefore introducing legislation with my colleague from Wisconsin to require the Secretary of Health and Human Services to develop a national strategy to recognize and support family caregivers. Titled the Recognize, Assist, Include, Support, and Engage, or RAISE Family Caregivers Act, the legislation is based on a recommendation of the bipartisan Commission on Long Term Care. It is modeled after a law that I co-authored in 2010 with then-Senator Evan Bayh that created a coordinated strategic national plan to combat Alzheimer's disease.

The RAISE Family Caregivers Act directs the Secretary of Health and Human Services to establish a National Family Caregiving Project to develop and sustain a national strategy to support family caregivers. The bill would create a Family Caregiving Advisory Council composed of relevant Federal agencies and non-federal members. It would include representatives of family caregivers, older adults with long-term care needs, individuals with disabilities, employers, health and social service providers, advocates for family caregivers, state and local officials, and others with expertise in family caregiving.

The Advisory Council would be charged with making recommendations to the Secretary. The strategy and plan would be updated annually to reflect new developments. The plan would include an initial inventory and assessment of federally-funded caregiver efforts. It would then identify specific actions that government, communities, employers, providers, and others can take to support family caregivers.

The Project would be funded from existing funding appropriated for the Department of Health and Human Services. No new funding is authorized. Like the National Alzheimer's Project Act, it would sunset in fifteen years.

Family caregivers are an invaluable resource to our aging society. Chances are that, sooner or later, we will all either be family caregivers or someone who needs one. The RAISE Family

Caregivers Act will launch a coordinated, national strategic plan that will help us to leverage our resources, promote innovation and promising practices, and provide our nation's family caregivers with much-needed recognition and support. Our bipartisan legislation has been endorsed by AARP. I urge all of our colleagues to join us as cosponsors.

Mr. President, I ask unanimous consent that a letter of support be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

AARP,

Washington, DC, July 8, 2015.

Hon. SUSAN COLLINS,  
U.S. Senate, Washington, DC.  
Hon. TAMMY BALDWIN,  
U.S. Senate, Washington, DC.

DEAR SENATORS COLLINS AND BALDWIN: AARP is very pleased to endorse the Recognize, Assist, Include, Support, and Engage (RAISE) Family Caregivers Act. Thank you for your efforts to work on a bipartisan basis to support family caregivers. Most of us are, have been, or will be a family caregiver or will need help to live independently. This is an ageless and nonpartisan issue.

Family caregivers are the backbone of services and supports in this country. They help make it possible for older adults and people with disabilities to live independently in their homes and communities. There are about 40 million family caregivers currently caring for adults. In 2009, family caregivers provided an estimated \$450 billion in unpaid care to adults who needed help with daily activities such as bathing, dressing, meal preparation, and transportation, more than total Medicaid spending that year. Our country relies on the contributions family caregivers make and should recognize and support them. Family caregivers take on physical, emotional, and financial challenges in their caregiving roles.

The RAISE Family Caregivers Act would require the development of a national strategy to support family caregivers. The bill would create an advisory body to bring together relevant federal agencies and others from the private and public sectors to advise and make recommendations. The strategy would identify specific actions that government, communities, providers, employers, and others can take to recognize and support family caregivers and be updated annually.

By supporting family caregivers, we can help people stay at home where they want to be, helping to delay or prevent more costly nursing home care and unnecessary hospitalizations, and saving taxpayer dollars. We appreciate your bipartisan leadership and are committed to working with you to pass the RAISE Family Caregivers Act this year. If you have any questions, please feel free to contact me, or have your staff contact Rhonda Richards on our Government Affairs staff at (202) 434-3770 or rrichards@aarp.org.

Sincerely,

JOYCE A. ROGERS,  
Senior Vice President,  
Government Affairs.

## SUBMITTED RESOLUTIONS

## SENATE RESOLUTION 217—DESIGNATING OCTOBER 8, 2015, AS “NATIONAL HYDROGEN AND FUEL CELL DAY”

Mr. BLUMENTHAL (for himself and Mr. GRAHAM) submitted the following resolution; which was referred to the Committee on the Judiciary:

## S. RES. 217

Whereas hydrogen, which has an atomic mass of 1.008, is the most abundant chemical substance in the universe;

Whereas the United States is a world leader in the development and deployment of fuel cell and hydrogen technologies;

Whereas hydrogen fuel cells played an instrumental role in the United States space program, helping the United States achieve the mission of landing a man on the moon;

Whereas private industry, Federal and State governments, national laboratories, and universities continue to improve fuel cell and hydrogen technologies to address our most pressing energy, environmental, and economic issues;

Whereas fuel cells utilizing hydrogen and hydrogen-rich fuels to generate electricity are clean, efficient, resilient technologies being sold for stationary and backup power, zero-emission light duty motor vehicles and buses, industrial vehicles, and portable power;

Whereas stationary fuel cells are being placed in service for continuous and backup power to provide business and energy consumers with reliable power in the event of grid outages;

Whereas stationary fuel cells can help reduce water use compared to traditional power generation technologies;

Whereas fuel cell electric light duty motor vehicles and buses that utilize hydrogen can completely replicate the experience of internal combustion vehicles including comparable range and refueling times;

Whereas hydrogen fuel cell industrial vehicles are being deployed at logistical hubs and warehouses across the country and are also being exported to facilities in Europe and Asia;

Whereas hydrogen is a non-toxic gas that can be derived from a variety of domestically-available traditional and renewable resources, including solar, wind, biogas and the abundant supply of natural gas in the United States;

Whereas hydrogen and fuel cells can store energy to help enhance the grid and maximize opportunities to deploy renewable energy;

Whereas the United States currently produces and uses more than 11,000,000 metric tons of hydrogen per year; and

Whereas engineers and safety code and standard professionals have developed consensus-based protocols for safe delivery, handling, and use of hydrogen: Now, therefore, be it

*Resolved*, That the Senate designate October 8, 2015, as “National Hydrogen and Fuel Cell Day”.

## SENATE RESOLUTION 218—CONGRATULATING THE UNITED STATES WOMEN’S NATIONAL TEAM FOR WINNING THE 2015 FIFA WORLD CUP

Mr. MENENDEZ (for himself, Ms. COLLINS, Mr. BROWN, Mr. RUBIO, Mr. BOOKER, Mr. MCCAIN, Mr. SCHUMER, Mr. TOOMEY, Mr. WARNER, Mr. PERDUE, Mrs. SHAHEEN, Ms. MURKOWSKI, Ms. MIKULSKI, Ms. AYOTTE, Mr. MARKEY, Mr. MORAN, Mr. CARPER, Mr. THUNE, Mrs. MCCASKILL, Ms. HIRONO, Mr. BENNET, Mr. KAINE, Mr. KING, Mrs. MURRAY, Ms. KLOBUCHAR, Mrs. GILLIBRAND, Mr. DURBIN, Mr. CASEY, Ms. CANTWELL, Mr. PETERS, Ms. WARREN, Mrs. FEINSTEIN, Mr. TESTER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

## S. RES. 218

Whereas on July 5, 2015, in Vancouver, Canada, the United States Women’s National Team won the FIFA Women’s World Cup;

Whereas during the FIFA World Cup the United States Women’s National Team finished first in its group before eliminating teams representing the Republic of Colombia, the People’s Republic of China, and the Federal Republic of Germany in the knockout stages to reach the final;

Whereas the United States secured a resounding 5 to 2 victory over Japan in the highest scoring Women’s World Cup Final in history, which included the fastest hat trick in World Cup history by Carli Lloyd by the 16th minute of the game;

Whereas the run of the United States Women’s National Team in the 2015 World Cup included a record-tying 540 consecutive minutes without conceding a goal;

Whereas the United States Women’s National Team became the first team to win the FIFA Women’s World Cup 3 times;

Whereas all 23 players on the roster should be congratulated, including captains Christie Rampone and Abby Wambach, Golden Ball winner Carli Lloyd, Golden Glove winner Hope Solo, as well as Shannon Boxx, Morgan Brian, Lori Chalupny, Whitney Engen, Ashlyn Harris, Tobin Heath, Lauren Holiday, Julie Johnston, Meghan Klingenberg, Ali Krieger, Sydney Leroux, Alex Morgan, Alyssa Naehar, Kelley O’Hara, Heather O’Reilly, Christen Press, Megan Rapinoe, Amy Rodriguez, and Becky Sauerbrunn;

Whereas head coach Jill Ellis displayed extraordinary leadership, adjusting the team’s starting lineup as the FIFA Women’s World Cup progressed in order to promote teamwork and capitalize on the talents of each player; and

Whereas dedicated fans, including a group of supporters known as the American Outlaws, and citizens across the United States showed their unmitigated support for the United States Women’s National Team as the team competed in Canada, and can now celebrate because the United States women are world champions again:

Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the United States Women’s National Team for winning the 2015 FIFA Women’s World Cup through teamwork and determination;

(2) recognizes the achievements of all of the players, coaches, and staff who contributed to the FIFA World Cup winning team; and

(3) celebrates the contributions of the millions of fans across the Nation who cheered

the United States Women’s National Team to victory, and made the players the best supported team in the world.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 2122. Ms. STABENOW submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table.

SA 2123. Mr. UDALL (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2124. Mrs. MURRAY (for herself, Ms. MIKULSKI, Mrs. SHAHEEN, Ms. BALDWIN, and Mrs. BOXER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra.

SA 2125. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2126. Mr. COONS (for himself and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2127. Mr. COONS (for himself, Mr. RUBIO, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2128. Mr. KAINE (for himself, Ms. AYOTTE, Mr. WHITEHOUSE, Mr. CASEY, Mr. WARNER, and Mrs. BOXER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2129. Mr. TESTER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2130. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2131. Mr. CASEY (for himself, Mr. ISAKSON, and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2132. Mr. SCOTT (for himself, Mr. CRUZ, Mr. LEE, Mr. RUBIO, Mr. SASSE, and Mr. VITTER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2133. Mr. SCOTT (for himself, Mr. CRUZ, Mr. RUBIO, and Mr. VITTER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2177. Mr. SANDERS submitted an amendment intended to be proposed to



amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 2122.** Ms. STABENOW submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

#### SEC. 1020. EARLY PELL PROMISE ACT.

(a) **SHORT TITLE.**—This section may be cited as the “Early Pell Promise Act”.

(b) **EARLY FEDERAL PELL GRANT COMMITMENT PROGRAM.**—Subpart 1 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a et seq.) is amended by adding at the end the following:

#### “SEC. 401B. EARLY FEDERAL PELL GRANT COMMITMENT PROGRAM.

“(a) **PROGRAM AUTHORITY.**—The Secretary is authorized to carry out an Early Federal Pell Grant Commitment Program (referred to in this section as the ‘Program’) under which the Secretary shall—

“(1) award grants to State educational agencies to pay the administrative expenses incurred in participating in the Program; and

“(2) make a commitment to award Federal Pell Grants to eligible students in accordance with this section.

“(b) **PROGRAM REQUIREMENTS.**—The Program shall meet the following requirements:

“(1) **ELIGIBLE STUDENTS.**—

“(A) **IN GENERAL.**—A student shall be eligible to receive a commitment from the Secretary to receive a Federal Pell Grant early in the student’s academic career if the student—

“(i) is in 8th grade; and

“(ii) is eligible for a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.).

“(2) **FEDERAL PELL GRANT COMMITMENT.**—

“(A) **IN GENERAL.**—Except as provided in subparagraph (B), each eligible student who participates in the Program shall receive a commitment from the Secretary to receive a Federal Pell Grant during the first 2 academic years that the student is in attendance at an institution of higher education as an undergraduate student, if the student—

“(i) applies for Federal financial aid (via the FAFSA) during the student’s senior year of secondary school and during the succeeding academic year; and

“(ii) enrolls at such institution of higher education—

“(I) not later than 3 years after such student receives a secondary school diploma or its recognized equivalent; or

“(II) if such student becomes a member of the Armed Forces, not later than 3 years after such student is discharged, separated, or released from the Armed Forces.

“(B) **EXCEPTION TO COMMITMENT.**—If an eligible student receives a commitment from the Secretary to receive a Federal Pell Grant during the first 2 academic years that the student is in attendance at an institution of higher education as an undergraduate student and the student applies for Federal financial aid (via the FAFSA) during the student’s senior year of secondary school or

during the succeeding academic year, and the expected family contribution of the student for either of such years is more than 2 times the threshold amount for Federal Pell Grant eligibility for such year, then such student shall not receive a Federal Pell Grant under this section for the succeeding academic year. Such student shall continue to be eligible for any other Federal student financial aid for which the student is otherwise eligible.

“(3) **APPLICABILITY OF FEDERAL PELL GRANT REQUIREMENTS.**—The requirements of section 401 shall apply to Federal Pell Grants awarded pursuant to this section, except that with respect to each eligible student who participates in the Program and is not subject the exception under paragraph (2)(B), the amount of each such eligible student’s Federal Pell Grant only shall be calculated by deeming such student to have an expected family contribution equal to zero.

“(c) **STATE EDUCATIONAL AGENCY APPLICATIONS.**—

“(1) **IN GENERAL.**—Each State educational agency desiring to participate in the Program shall submit an application to the Secretary at such time and in such manner as the Secretary may require.

“(2) **CONTENTS.**—Each application shall include—

“(A) a description of the proposed targeted information campaign for the Program and a copy of the plan described in subsection (e)(2);

“(B) an assurance that the State educational agency will fully cooperate with the ongoing evaluation of the Program; and

“(C) such other information as the Secretary may require.

“(d) **EVALUATION.**—

“(1) **IN GENERAL.**—From amounts appropriated under subsection (f) for a fiscal year, the Secretary shall reserve not more than \$1,000,000 to award a grant or contract to an organization outside the Department for an independent evaluation of the impact of the Program.

“(2) **COMPETITIVE BASIS.**—The grant or contract shall be awarded on a competitive basis.

“(3) **MATTERS EVALUATED.**—The evaluation described in this subsection shall consider metrics established by the Secretary that emphasize college access and success, encouraging low-income students to pursue higher education, and the cost effectiveness of the program.

“(4) **DISSEMINATION.**—The findings of the evaluation shall be widely disseminated to the public by the organization conducting the evaluation as well as by the Secretary.

“(e) **TARGETED INFORMATION CAMPAIGN.**—

“(1) **IN GENERAL.**—Each State educational agency receiving a grant under this section shall, in cooperation with the participating local educational agencies within the State and the Secretary, develop a targeted information campaign for the Program.

“(2) **PLAN.**—Each State educational agency receiving a grant under this section shall include in the application submitted under subsection (c) a written plan for their proposed targeted information campaign. The plan shall include the following:

“(A) **OUTREACH.**—Outreach to students and their families, at a minimum, at the beginning and end of each academic year.

“(B) **DISTRIBUTION.**—How the State educational agency plans to provide the outreach described in subparagraph (A) and to provide the information described in subparagraph (C).

“(C) **INFORMATION.**—The annual provision by the State educational agency to all stu-

dents and families participating in the Program of information regarding—

“(i) the estimated statewide average higher education institution cost data for each academic year, which cost data shall be disaggregated by—

“(I) type of institution, including—

“(aa) 2-year public colleges;

“(bb) 4-year public colleges;

“(cc) 4-year private colleges; and

“(dd) private, for-profit colleges;

“(II) component, including—

“(aa) tuition and fees; and

“(bb) room and board;

“(ii) Federal Pell Grants, including—

“(I) the maximum Federal Pell Grant for each academic year;

“(II) when and how to apply for a Federal Pell Grant; and

“(III) what the application process for a Federal Pell Grant requires;

“(iii) State-specific college savings programs;

“(iv) State-based financial aid, including State-based merit aid; and

“(v) Federal financial aid available to students, including eligibility criteria for the Federal financial aid and an explanation of the Federal financial aid programs.

“(3) **ANNUAL INFORMATION.**—The information described in paragraph (2)(C) shall be provided to eligible students annually for the duration of the students’ participation in the Program.

“(4) **RESERVATION.**—Each State educational agency receiving a grant under this section shall reserve \$200,000 of the grant funds received each fiscal year to carry out the targeted information campaign described in this subsection.

“(f) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section such sums as may be necessary.”.

**SA 2123.** Mr. UDALL (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

After section 9102, insert the following:

#### SEC. \_\_\_\_\_. RESERVATIONS FOR BUREAU OF INDIAN EDUCATION.

Part A of title IX (20 U.S.C. 7801 et seq.) is amended by adding at the end the following:

#### “SEC. 9104. RESERVATIONS FOR BUREAU OF INDIAN EDUCATION.

“(a) **BIE RESERVATIONS FOR FORMULA-BASED EDUCATION PROGRAMS.**—

“(1) **IN GENERAL.**—The Secretary shall ensure that any formula-based education program provides a reservation, in the amount described in paragraph (2), for the Bureau of Indian Education to be used in accordance with paragraph (3) on behalf of the schools or programs, as applicable, operated or funded by the Bureau of Indian Education.

“(2) **AMOUNT OF RESERVATION.**—

“(A) **INCREASING BIE RESERVATIONS OF LESS THAN 0.5 PERCENT.**—In the case of a formula-based education program that requires by law (including any regulation) reservation of program funds for the Bureau of Indian Education in an amount less than 0.5 percent of the total amount available to carry out the formula-based education program for a fiscal year, the Secretary shall increase the amount of such reservation to 0.5 percent of such total amount for such year.



“(B) MAINTAINING BIE RESERVATIONS EQUAL TO OR GREATER THAN 0.5 PERCENT.—In the case of a formula-based education program that requires by law (including any regulation) a reservation of program funds for the Bureau of Indian Education in an amount equal to or greater than 0.5 percent of the total amount available to carry out the formula-based education program for a fiscal year, the Secretary shall reserve the amount of funds required by such law for the Bureau for such year.

“(C) ESTABLISHING BIE RESERVATIONS FOR OTHER FORMULA-BASED EDUCATION PROGRAMS.—In the case of a formula-based education program for which no funds are provided or reserved by law (including any regulation) by the Secretary for the Bureau of Indian Education or for schools operated or funded by the Bureau, the Secretary shall reserve 0.5 percent of the total amount available to carry out the formula-based education program for the Bureau of Indian Education.

“(3) USE OF RESERVED FUNDS.—The Bureau of Indian Education shall use any funds reserved under a formula-based education program for the purposes and uses provided under such program.

“(b) REQUIREMENTS FOR COMPETITIVE EDUCATION PROGRAMS.—

“(1) IN GENERAL.—With respect to any competitive education program, the Secretary shall deem the Bureau of Indian Education to be a State or State educational agency, as applicable, for purposes of applying for and receiving a grant, contract, or other assistance under the program, and shall allow the Bureau to use funds provided under the competitive education program to carry out the purposes and activities and services provided by the program for the schools or programs, as applicable, operated or funded by the Bureau.

“(2) TECHNICAL ASSISTANCE.—For each competitive education program, the Secretary may reserve not more than 0.5 percent of the total amount appropriated for the program for a fiscal year for technical assistance or capacity-building to assist the Bureau of Indian Education, and schools or programs operated or funded by the Bureau of Indian Education, in building the capacity and expertise needed to compete and qualify for assistance under the program.

“(3) NONAPPLICABILITY OF CERTAIN PROVISIONS.—Notwithstanding any other provision of law, the Bureau of Indian Education, when applying for or receiving a grant, contract, or assistance under a competitive education program, shall not be subject to any provision of the program that requires grant recipients to contribute funds toward the costs of the grant program.

“(c) DEFINITIONS.—In this section:

“(1) FORMULA-BASED EDUCATION PROGRAM.—The term ‘formula-based education program’ means any program administered by the Secretary under this Act that—

“(A) awards grants, contracts, or other assistance relating to early childhood, elementary, or secondary education to States or State educational agencies; and

“(B) allocates the program funds by statutory or regulatory formula.

“(2) COMPETITIVE EDUCATION PROGRAM.—The term ‘competitive education program’ means any program administered by the Secretary under this Act that—

“(A) awards grants, contracts, or other assistance relating to early childhood, elementary, or secondary education to States or State educational agencies on a competitive basis; and

“(B) does not contain any type of reservation of funds for the Bureau of Indian Education or the schools operated or funded by the Bureau of Indian Education.

“(d) RELATIONSHIP TO OTHER LAWS.—In the event of a conflict between this section and any law regarding a formula-based education program or competitive education program, this section shall control.”.

**SA 2124.** Mrs. MURRAY (for herself, Ms. MIKULSKI, Mrs. SHAHEEN, Ms. BALDWIN, and Mrs. BOXER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; as follows:

On page 82, between lines 23 and 24, insert the following:

“(xviii) In the case of each coeducational school in the State that receives assistance under this part—

“(I) a listing of the school’s interscholastic sports teams that participated in athletic competition;

“(II) for each such team—

“(aa) the total number of male and female participants, disaggregated by gender and race;

“(bb) the season in which the team competed, whether the team participated in postseason competition, and the total number of competitive events scheduled;

“(cc) the total expenditures from all sources, including expenditures for travel, uniforms, facilities, and publicity for competitions; and

“(dd) the total number of coaches, trainers, and medical personnel, and for each such individual an identification of such individual’s employment status, and duties other than providing coaching, training, or medical services; and

“(III) the average annual salary of the head coaches of boys’ interscholastic sports teams, across all offered sports, and the average annual salary of the head coaches of girls’ interscholastic sports teams, across all offered sports.

**SA 2125.** Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 69, strike lines 16 and 17 and insert the following:

(N) how the State educational agency will support multiple postsecondary and career pathways aligned with workforce and economic needs of the State; and

(O) any other information on how the

**SA 2126.** Mr. COONS (for himself and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

## **PART C—AMERICAN DREAM ACCOUNTS**

### **SEC. 10301. SHORT TITLE.**

This part may be cited as the “American Dream Accounts Act”.

### **SEC. 10302. FINDINGS.**

Congress finds the following:

(1) Only 9.8 out of every 100 individuals from low-income families will graduate from an institution of higher education before reaching the age of 24.

(2) Lack of knowledge about how to apply to, and pay for, an institution of higher education is a barrier for many low-income students and students who would be in the first generation in their families to attend an institution of higher education.

(3) According to Public Agenda, most young adults give secondary school counselors fair or poor ratings for advice about attending an institution of higher education, including advice about how to decide what institution of higher education to attend, how to pay for higher education, what careers to pursue, and how to apply to an institution of higher education.

(4) More than 1,700,000 students fail to file the Free Application for Federal Student Aid (FAFSA), and about one-third of such students would qualify for a Federal Pell Grant.

(5) During the last 2 decades, costs of attending institutions of higher education have increased dramatically, but need-based financial aid has not kept pace with such increasing costs.

(6) In the 1990–1991 school year, the maximum Federal Pell Grant covered 45 percent of the average cost of attendance at a public 4-year institution of higher education (including tuition, fees, room, and board), but in the 2010–2011 school year, the maximum Federal Pell Grant covered only 34 percent of such cost.

(7) Parental and youth college savings are strong predictors of a youth’s expectations about attendance at an institution of higher education.

(8) Only 32 percent of parents who earn less than \$35,000 a year are saving for their child’s education at an institution of higher education.

(9) According to the Center for Social Development, “wilt” occurs when a young person who expects to graduate from a 4-year institution of higher education has not yet attended such institution by the ages of 19 to 22.

(10) Children who have savings dedicated for attendance at an institution of higher education are 4 times more likely to attend a 4-year institution of higher education and avoid “wilt”.

### **SEC. 10303. DEFINITIONS.**

In this part:

(1) AMERICAN DREAM ACCOUNT.—The term “American Dream Account” means a personal online account for low-income students that monitors higher education readiness and includes a college savings account.

(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means the Committee on Health, Education, Labor, and Pensions, the Committee on Appropriations, and the Committee on Finance of the Senate, and the Committee on Education and the Workforce, the Committee on Appropriations, and the Committee on Ways and Means of the House of Representatives, as well as any other Committee of the Senate or House of Representatives that the Secretary determines appropriate.

(3) CHARTER SCHOOL.—The term “charter school” has the meaning given such term in

section 5110 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7221i).

(4) **COLLEGE SAVINGS ACCOUNT.**—The term “college savings account” means a trust created or organized exclusively for the purpose of paying the qualified expenses of only an individual who, when the trust is created or organized, has not obtained 18 years of age, if the written governing instrument creating the trust contains the following requirements:

(A) The trustee is a Federally insured financial institution, or a State insured financial institution if a Federally insured financial institution is not available.

(B) The assets of the trust will be invested in accordance with the direction of the individual or of a parent or guardian of the individual, after consultation with the entity providing the initial contribution to the trust or, if applicable, a matching or other contribution for the individual.

(C) The assets of the trust will not be commingled with other property except in a common trust fund or common investment fund.

(D) Any amount in the trust that is attributable to an account seed or matched deposit may be paid or distributed from the trust only for the purpose of paying qualified expenses of the individual.

(5) **DUAL OR CONCURRENT ENROLLMENT PROGRAM.**—The term “dual or concurrent enrollment program” means a program of study—

(A) provided by an institution of higher education through which a student who has not graduated from high school with a regular high school diploma (as defined in section 200.19(b)(1)(iv) of title 34, Code of Federal Regulations, as such section was in effect on November 28, 2008) is able to earn postsecondary credit; and

(B) that shall consist of not less than 2 postsecondary credit-bearing courses and support and academic services that help a student persist and complete such courses.

(6) **EARLY COLLEGE HIGH SCHOOL PROGRAM.**—The term “early college high school program” means a formal partnership between at least 1 local educational agency and at least 1 institution of higher education that allows participants, who are primarily low-income students, to simultaneously complete requirements toward earning a regular high school diploma (as defined in section 200.19(b)(1)(iv) of title 34, Code of Federal Regulations, as such section was in effect on November 28, 2008) and earn not less than 12 transferable credits as part of an organized course of study toward a postsecondary degree or credential.

(7) **ELIGIBLE ENTITY.**—The term “eligible entity” means—

(A) a State educational agency;

(B) a local educational agency, including a charter school that operates as its own local educational agency;

(C) a charter management organization or charter school authorizer;

(D) an institution of higher education or a Tribal College or University;

(E) a nonprofit organization;

(F) an entity with demonstrated experience in educational savings or in assisting low-income students to prepare for, and attend, an institution of higher education;

(G) a consortium of 2 or more of the entities described in subparagraphs (A) through (F); or

(H) a consortium of 1 or more of the entities described in subparagraphs (A) through (F) and a public school, a charter school, a school operated by the Bureau of Indian Affairs, or a tribally controlled school.

(8) **INSTITUTION OF HIGHER EDUCATION.**—The term “institution of higher education” has the meaning given such term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(9) **LOCAL EDUCATIONAL AGENCY.**—The term “local educational agency” has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(10) **LOW-INCOME STUDENT.**—The term “low-income student” means a student who is eligible to receive a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.).

(11) **PARENT.**—The term “parent” has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(12) **QUALIFIED EXPENSES.**—The term “qualified expenses” means, with respect to an individual, expenses that—

(A) are incurred after the individual receives a secondary school diploma or its recognized equivalent; and

(B) are associated with attending an institution of higher education, including—

(i) tuition and fees;

(ii) room and board;

(iii) textbooks;

(iv) supplies and equipment; and

(v) Internet access.

(13) **SECRETARY.**—The term “Secretary” means the Secretary of Education.

(14) **STATE EDUCATIONAL AGENCY.**—The term “State educational agency” has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(15) **TRIBAL COLLEGE OR UNIVERSITY.**—The term “Tribal College or University” has the meaning given such term in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)).

(16) **TRIBALLY CONTROLLED SCHOOL.**—The term “tribally controlled school” has the meaning given such term in section 5212 of the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2511).

#### SEC. 10304. GRANT PROGRAM.

(a) **PROGRAM AUTHORIZED.**—The Secretary is authorized to award grants, on a competitive basis, to eligible entities to enable such eligible entities to establish and administer American Dream Accounts for a group of low-income students.

(b) **RESERVATION.**—From the amounts appropriated each fiscal year to carry out this part, the Secretary shall reserve not more than 5 percent of such amount to carry out the evaluation activities described in section 10307.

(c) **DURATION.**—A grant awarded under this part shall be for a period of not more than 3 years. The Secretary may extend such grant for an additional 2-year period if the Secretary determines that the eligible entity has demonstrated significant progress, based on the factors described in section 10305(b)(11).

#### SEC. 10305. APPLICATIONS; PRIORITY.

(a) **IN GENERAL.**—Each eligible entity desiring a grant under this part shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(b) **CONTENTS.**—At a minimum, the application described in subsection (a) shall include the following:

(1) A description of the characteristics of a group of not less than 30 low-income public school students who—

(A) are, at the time of the application, attending a grade not higher than grade 9; and

(B) will, under the grant, receive an American Dream Account.

(2) A description of how the eligible entity will engage, and provide support (such as tutoring and mentoring for students, and training for teachers and other stakeholders) either online or in person, to—

(A) the students in the group described in paragraph (1);

(B) the family members and teachers of such students; and

(C) other stakeholders such as school administrators and school counselors.

(3) An identification of partners who will assist the eligible entity in establishing and sustaining American Dream Accounts.

(4) A description of what experience the eligible entity or the partners of the eligible entity have in managing college savings accounts, preparing low-income students for postsecondary education, managing online systems, and teaching financial literacy.

(5) A demonstration that the eligible entity has sufficient resources to provide an initial deposit into the college savings account portion of each American Dream Account.

(6) A description of how the eligible entity will help increase the value of the college savings account portion of each American Dream Account, such as by providing matching funds or incentives for academic achievement.

(7) A description of how the eligible entity will notify each participating student in the group described in paragraph (1), on a semi-annual basis, of the current balance and status of the college savings account portion of the American Dream Account of the student.

(8) A plan that describes how the eligible entity will monitor participating students in the group described in paragraph (1) to ensure that the American Dream Account of each student will be maintained if a student in such group changes schools before graduating from secondary school.

(9) A plan that describes how the American Dream Accounts will be managed for not less than 1 year after a majority of the students in the group described in paragraph (1) graduate from secondary school.

(10) A description of how the eligible entity will encourage students in the group described in paragraph (1) who fail to graduate from secondary school to continue their education.

(11) A description of how the eligible entity will evaluate the grant program, including by collecting, as applicable, the following data about the students in the group described in paragraph (1) during the grant period, or until the time of graduation from a secondary school, whichever comes first, and, if sufficient grant funds are available, after the grant period:

(A) Attendance rates.

(B) Progress reports.

(C) Grades and course selections.

(D) The student graduation rate, as defined as the percentage of students who graduate from secondary school with a regular diploma in the standard number of years.

(E) Rates of student completion of the Free Application for Federal Student Aid described in section 483 of the Higher Education Act of 1965 (20 U.S.C. 1090).

(F) Rates of enrollment in an institution of higher education.

(G) Rates of completion at an institution of higher education.

(12) A description of what will happen to the funds in the college savings account portion of the American Dream Accounts that

are dedicated to participating students described in paragraph (1) who have not matriculated at an institution of higher education at the time of the conclusion of the period of American Dream Account management described in paragraph (9), including how the eligible entity will give students this information.

(13) A description of how the eligible entity will ensure that participating students described in paragraph (1) will have access to the Internet.

(14) A description of how the eligible entity will take into consideration how funds in the college savings account portion of American Dream Accounts will affect participating families' eligibility for public assistance.

(c) **PRIORITY.**—In awarding grants under this part, the Secretary shall give priority to applications from eligible entities that—

(1) are described in subparagraph (G) or (H) of section 10303(7);

(2) serve the largest number of low-income students;

(3) in the case of an eligible entity described in subparagraph (A) or (B) of section 10303(7), provide opportunities for participating students described in subsection (b)(1) to participate in a dual or concurrent enrollment program or early college high school program at no cost to the student or the student's family; or

(4) as of the time of application, have been awarded a grant under chapter 2 of subpart 2 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a–21 et seq.) (commonly referred to as the “GEAR UP program”).

#### **SEC. 10306. AUTHORIZED ACTIVITIES.**

(a) **IN GENERAL.**—An eligible entity that receives a grant under this part shall use such grant funds to establish an American Dream Account for each participating student described in section 10305(b)(1), that will be used to—

(1) open a college savings account for such student;

(2) monitor the progress of such student online, which—

(A) shall include monitoring student data relating to—

(i) grades and course selections;

(ii) progress reports; and

(iii) attendance and disciplinary records; and

(B) may also include monitoring student data relating to a broad range of information, provided by teachers and family members, related to postsecondary education readiness, access, and completion;

(3) provide opportunities for such students, either online or in person, to learn about financial literacy, including by—

(A) assisting such students in financial planning for enrollment in an institution of higher education;

(B) assisting such students in identifying and applying for financial aid (such as loans, grants, and scholarships) for an institution of higher education; and

(C) enhancing student understanding of consumer, economic, and personal finance concepts;

(4) provide opportunities for such students, either online or in person, to learn about preparing for enrollment in an institution of higher education, including by providing instruction to students about—

(A) choosing the appropriate courses to prepare for postsecondary education;

(B) applying to an institution of higher education;

(C) building a student portfolio, which may be used when applying to an institution of higher education;

(D) selecting an institution of higher education;

(E) choosing a major for the student's postsecondary program of education or a career path; and

(F) adapting to life at an institution of higher education; and

(5) provide opportunities for such students, either online or in person, to identify skills or interests, including career interests.

(b) **ACCESS TO AMERICAN DREAM ACCOUNT.**—

(1) **IN GENERAL.**—Subject to paragraphs (3) and (4), and in accordance with applicable Federal laws and regulations relating to privacy of information and the privacy of children, an eligible entity that receives a grant under this part shall allow vested stakeholders, as described in paragraph (2), to have secure access, through an Internet website, to an American Dream Account.

(2) **VESTED STAKEHOLDERS.**—The vested stakeholders that an eligible entity shall permit to access an American Dream Account are individuals (such as the student's teachers, school counselors, school administrators, or other individuals) that are designated, in accordance with section 444 of the General Education Provisions Act (20 U.S.C. 1232g, commonly known as the “Family Educational Rights and Privacy Act of 1974”), by the parent of a participating student in whose name such American Dream Account is held, as having permission to access the account. A student's parent may withdraw such designation from an individual at any time.

(3) **EXCEPTION FOR COLLEGE SAVINGS ACCOUNT.**—An eligible entity that receives a grant under this part shall not be required to give vested stakeholders, as described in paragraph (2), access to the college savings account portion of a student's American Dream Account.

(4) **ADULT STUDENTS.**—Notwithstanding paragraphs (1), (2), and (3), if a participating student is age 18 or older, an eligible entity that receives a grant under this part shall not provide access to such participating student's American Dream Account without the student's consent, in accordance with section 444 of the General Education Provisions Act (20 U.S.C. 1232g, commonly known as the “Family Educational Rights and Privacy Act of 1974”).

(5) **INPUT OF STUDENT INFORMATION.**—Student data collected pursuant to subsection (a)(2)(A) shall be entered into an American Dream Account only by a school administrator or the designee of such administrator.

(c) **PROHIBITION ON USE OF STUDENT INFORMATION.**—An eligible entity that receives a grant under this part shall not use any student-level information or data for the purpose of soliciting, advertising, or marketing any financial or non-financial consumer product or service that is offered by such eligible entity, or on behalf of any other person.

(d) **PROHIBITION ON THE USE OF GRANT FUNDS.**—An eligible entity shall not use grant funds provided under this part to provide any deposits into a college savings account portion of a student's American Dream Account.

#### **SEC. 10307. REPORTS AND EVALUATIONS.**

(a) **IN GENERAL.**—Not later than 1 year after the Secretary has disbursed grants under this part, and annually thereafter until each grant disbursed under this part has ended, the Secretary shall prepare and submit a report to the appropriate committees of Congress, which shall include an evaluation of the effectiveness of the grant program established under this part.

(b) **CONTENTS.**—The report described in subsection (a) shall—

(1) list the grants that have been awarded under section 10304(a);

(2) include the number of students who have an American Dream Account established through a grant awarded under section 10304(a);

(3) provide data (including the interest accrued on college savings accounts that are part of an American Dream Account) in the aggregate, regarding students who have an American Dream Account established through a grant awarded under section 10304(a), as compared to similarly situated students who do not have an American Dream Account;

(4) identify best practices developed by the eligible entities receiving grants under this part;

(5) identify any issues related to student privacy and stakeholder accessibility to American Dream Accounts;

(6) provide feedback from participating students and the parents of such students about the grant program, including—

(A) the impact of the program;

(B) aspects of the program that are successful;

(C) aspects of the program that are not successful; and

(D) any other data required by the Secretary; and

(7) provide recommendations for expanding the American Dream Accounts program.

#### **SEC. 10308. ELIGIBILITY TO RECEIVE FEDERAL STUDENT FINANCIAL AID.**

Notwithstanding any other provision of law, any funds that are in the college savings account portion of a student's American Dream Account shall not affect such student's eligibility to receive Federal student financial aid, including any Federal student financial aid under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), and shall not be considered in determining the amount of any such Federal student aid.

#### **SEC. 10309. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated to carry out this part such sums as may be necessary for fiscal year 2016 and each of the 4 succeeding fiscal years.

**SA 2127.** Mr. COONS (for himself, Mr. RUBIO, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

#### **PART C—AMERICAN DREAM ACCOUNTS**

##### **SEC. 10301. SHORT TITLE.**

This part may be cited as the “American Dream Accounts Act”.

##### **SEC. 10302. FINDINGS.**

Congress finds the following:

(1) Only 9.8 out of every 100 individuals from low-income families will graduate from an institution of higher education before reaching the age of 24.

(2) Lack of knowledge about how to apply to, and pay for, an institution of higher education is a barrier for many low-income students and students who would be in the first generation in their families to attend an institution of higher education.

(3) According to Public Agenda, most young adults give secondary school counselors fair or poor ratings for advice about attending an institution of higher education, including advice about how to decide what institution of higher education to attend, how to pay for higher education, what careers to pursue, and how to apply to an institution of higher education.

(4) More than 1,700,000 students fail to file the Free Application for Federal Student Aid (FAFSA), and about one-third of such students would qualify for a Federal Pell Grant.

(5) During the last 2 decades, costs of attending institutions of higher education have increased dramatically, but need-based financial aid has not kept pace with such increasing costs.

(6) In the 1990-1991 school year, the maximum Federal Pell Grant covered 45 percent of the average cost of attendance at a public 4-year institution of higher education (including tuition, fees, room, and board), but in the 2010-2011 school year, the maximum Federal Pell Grant covered only 34 percent of such cost.

(7) Parental and youth college savings are strong predictors of a youth's expectations about attendance at an institution of higher education.

(8) Only 32 percent of parents who earn less than \$35,000 a year are saving for their child's education at an institution of higher education.

(9) According to the Center for Social Development, "wilt" occurs when a young person who expects to graduate from a 4-year institution of higher education has not yet attended such institution by the ages of 19 to 22.

(10) Children who have savings dedicated for attendance at an institution of higher education are 4 times more likely to attend a 4-year institution of higher education and avoid "wilt".

#### SEC. 10303. DEFINITIONS.

In this part:

(1) **AMERICAN DREAM ACCOUNT.**—The term "American Dream Account" means a personal online account for low-income students that monitors higher education readiness and includes a college savings account.

(2) **APPROPRIATE COMMITTEES OF CONGRESS.**—The term "appropriate committees of Congress" means the Committee on Health, Education, Labor, and Pensions, the Committee on Appropriations, and the Committee on Finance of the Senate, and the Committee on Education and the Workforce, the Committee on Appropriations, and the Committee on Ways and Means of the House of Representatives, as well as any other Committee of the Senate or House of Representatives that the Secretary determines appropriate.

(3) **CHARTER SCHOOL.**—The term "charter school" has the meaning given such term in section 5110 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7221i).

(4) **COLLEGE SAVINGS ACCOUNT.**—The term "college savings account" means a trust created or organized exclusively for the purpose of paying the qualified expenses of only an individual who, when the trust is created or organized, has not obtained 18 years of age, if the written governing instrument creating the trust contains the following requirements:

(A) The trustee is a Federally insured financial institution, or a State insured financial institution if a Federally insured financial institution is not available.

(B) The assets of the trust will be invested in accordance with the direction of the individual or of a parent or guardian of the individual, after consultation with the entity providing the initial contribution to the trust or, if applicable, a matching or other contribution for the individual.

(C) The assets of the trust will not be commingled with other property except in a common trust fund or common investment fund.

(D) Any amount in the trust that is attributable to an account seed or matched deposit may be paid or distributed from the trust only for the purpose of paying qualified expenses of the individual.

(5) **DUAL OR CONCURRENT ENROLLMENT PROGRAM.**—The term "dual or concurrent enrollment program" means a program of study—

(A) provided by an institution of higher education through which a student who has not graduated from high school with a regular high school diploma (as defined in section 200.19(b)(1)(iv) of title 34, Code of Federal Regulations, as such section was in effect on November 28, 2008) is able to earn postsecondary credit; and

(B) that shall consist of not less than 2 postsecondary credit-bearing courses and support and academic services that help a student persist and complete such courses.

(6) **EARLY COLLEGE HIGH SCHOOL PROGRAM.**—The term "early college high school program" means a formal partnership between at least 1 local educational agency and at least 1 institution of higher education that allows participants, who are primarily low-income students, to simultaneously complete requirements toward earning a regular high school diploma (as defined in section 200.19(b)(1)(iv) of title 34, Code of Federal Regulations, as such section was in effect on November 28, 2008) and earn not less than 12 transferable credits as part of an organized course of study toward a postsecondary degree or credential.

(7) **ELIGIBLE ENTITY.**—The term "eligible entity" means—

(A) a State educational agency;

(B) a local educational agency, including a charter school that operates as its own local educational agency;

(C) a charter management organization or charter school authorizer;

(D) an institution of higher education or a Tribal College or University;

(E) a nonprofit organization;

(F) an entity with demonstrated experience in educational savings or in assisting low-income students to prepare for, and attend, an institution of higher education;

(G) a consortium of 2 or more of the entities described in subparagraphs (A) through (F); or

(H) a consortium of 1 or more of the entities described in subparagraphs (A) through (F) and a public school, a charter school, a school operated by the Bureau of Indian Affairs, or a tribally controlled school.

(8) **INSTITUTION OF HIGHER EDUCATION.**—The term "institution of higher education" has the meaning given such term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(9) **LOCAL EDUCATIONAL AGENCY.**—The term "local educational agency" has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(10) **LOW-INCOME STUDENT.**—The term "low-income student" means a student who is eligible to receive a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.).

(11) **PARENT.**—The term "parent" has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(12) **QUALIFIED EXPENSES.**—The term "qualified expenses" means, with respect to an individual, expenses that—

(A) are incurred after the individual receives a secondary school diploma or its recognized equivalent; and

(B) are associated with attending an institution of higher education, including—

(i) tuition and fees;

(ii) room and board;

(iii) textbooks;

(iv) supplies and equipment; and

(v) Internet access.

(13) **SECRETARY.**—The term "Secretary" means the Secretary of Education.

(14) **STATE EDUCATIONAL AGENCY.**—The term "State educational agency" has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(15) **TRIBAL COLLEGE OR UNIVERSITY.**—The term "Tribal College or University" has the meaning given such term in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)).

(16) **TRIBALLY CONTROLLED SCHOOL.**—The term "tribally controlled school" has the meaning given such term in section 5212 of the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2511).

#### SEC. 10304. GRANT PROGRAM.

(a) **PROGRAM AUTHORIZED.**—The Secretary shall establish a pilot program and award 10 grants to eligible entities to enable such eligible entities to establish and administer American Dream Accounts for a group of low-income students.

(b) **RESERVATION.**—From the amounts appropriated each fiscal year to carry out this part, the Secretary shall reserve not more than 5 percent of such amount to carry out the evaluation activities described in section 10307.

(c) **DURATION.**—A grant awarded under this part shall be for a period of not more than 3 years. The Secretary may extend such grant for an additional 2-year period if the Secretary determines that the eligible entity has demonstrated significant progress, based on the factors described in section 10305(b)(11).

#### SEC. 10305. APPLICATIONS; PRIORITY.

(a) **IN GENERAL.**—Each eligible entity desiring a grant under this part shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(b) **CONTENTS.**—At a minimum, the application described in subsection (a) shall include the following:

(1) A description of the characteristics of a group of not less than 30 low-income public school students who—

(A) are, at the time of the application, attending a grade not higher than grade 9; and

(B) will, under the grant, receive an American Dream Account.

(2) A description of how the eligible entity will engage, and provide support (such as tutoring and mentoring for students, and training for teachers and other stakeholders) either online or in person, to—

(A) the students in the group described in paragraph (1);

(B) the family members and teachers of such students; and

(C) other stakeholders such as school administrators and school counselors.

(3) An identification of partners who will assist the eligible entity in establishing and sustaining American Dream Accounts.

(4) A description of what experience the eligible entity or the partners of the eligible entity have in managing college savings accounts, preparing low-income students for postsecondary education, managing online systems, and teaching financial literacy.

(5) A demonstration that the eligible entity has sufficient resources to provide an initial deposit into the college savings account portion of each American Dream Account.

(6) A description of how the eligible entity will help increase the value of the college savings account portion of each American Dream Account, such as by providing matching funds or incentives for academic achievement.

(7) A description of how the eligible entity will notify each participating student in the group described in paragraph (1), on a semi-annual basis, of the current balance and status of the college savings account portion of the American Dream Account of the student.

(8) A plan that describes how the eligible entity will monitor participating students in the group described in paragraph (1) to ensure that the American Dream Account of each student will be maintained if a student in such group changes schools before graduating from secondary school.

(9) A plan that describes how the American Dream Accounts will be managed for not less than 1 year after a majority of the students in the group described in paragraph (1) graduate from secondary school.

(10) A description of how the eligible entity will encourage students in the group described in paragraph (1) who fail to graduate from secondary school to continue their education.

(11) A description of how the eligible entity will evaluate the grant program, including by collecting, as applicable, the following data about the students in the group described in paragraph (1) during the grant period, or until the time of graduation from a secondary school, whichever comes first, and, if sufficient grant funds are available, after the grant period:

(A) Attendance rates.

(B) Progress reports.

(C) Grades and course selections.

(D) The student graduation rate, as defined as the percentage of students who graduate from secondary school with a regular diploma in the standard number of years.

(E) Rates of student completion of the Free Application for Federal Student Aid described in section 483 of the Higher Education Act of 1965 (20 U.S.C. 1090).

(F) Rates of enrollment in an institution of higher education.

(G) Rates of completion at an institution of higher education.

(12) A description of what will happen to the funds in the college savings account portion of the American Dream Accounts that are dedicated to participating students described in paragraph (1) who have not matriculated at an institution of higher education at the time of the conclusion of the period of American Dream Account management described in paragraph (9), including how the eligible entity will give students this information.

(13) A description of how the eligible entity will ensure that participating students described in paragraph (1) will have access to the Internet.

(14) A description of how the eligible entity will take into consideration how funds in the college savings account portion of American Dream Accounts will affect participating families' eligibility for public assistance.

(c) **PRIORITY.**—In awarding grants under this part, the Secretary shall give priority to applications from eligible entities that—

(1) are described in subparagraph (G) or (H) of section 10303(7);

(2) serve the largest number of low-income students;

(3) in the case of an eligible entity described in subparagraph (A) or (B) of section 10303(7), provide opportunities for participating students described in subsection (b)(1) to participate in a dual or concurrent enrollment program or early college high school program at no cost to the student or the student's family; or

(4) as of the time of application, have been awarded a grant under chapter 2 of subpart 2 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a–21 et seq.) (commonly referred to as the “GEAR UP program”).

#### **SEC. 10306. AUTHORIZED ACTIVITIES.**

(a) **IN GENERAL.**—An eligible entity that receives a grant under this part shall use such grant funds to establish an American Dream Account for each participating student described in section 10305(b)(1), that will be used to—

(1) open a college savings account for such student;

(2) monitor the progress of such student online, which—

(A) shall include monitoring student data relating to—

(i) grades and course selections;

(ii) progress reports; and

(iii) attendance and disciplinary records; and

(B) may also include monitoring student data relating to a broad range of information, provided by teachers and family members, related to postsecondary education readiness, access, and completion;

(3) provide opportunities for such students, either online or in person, to learn about financial literacy, including by—

(A) assisting such students in financial planning for enrollment in an institution of higher education;

(B) assisting such students in identifying and applying for financial aid (such as loans, grants, and scholarships) for an institution of higher education; and

(C) enhancing student understanding of consumer, economic, and personal finance concepts;

(4) provide opportunities for such students, either online or in person, to learn about preparing for enrollment in an institution of higher education, including by providing instruction to students about—

(A) choosing the appropriate courses to prepare for postsecondary education;

(B) applying to an institution of higher education;

(C) building a student portfolio, which may be used when applying to an institution of higher education;

(D) selecting an institution of higher education;

(E) choosing a major for the student's postsecondary program of education or a career path; and

(F) adapting to life at an institution of higher education; and

(5) provide opportunities for such students, either online or in person, to identify skills or interests, including career interests.

(b) **ACCESS TO AMERICAN DREAM ACCOUNT.**—

(1) **IN GENERAL.**—Subject to paragraphs (3) and (4), and in accordance with applicable Federal laws and regulations relating to privacy of information and the privacy of children, an eligible entity that receives a grant

under this part shall allow vested stakeholders, as described in paragraph (2), to have secure access, through an Internet website, to an American Dream Account.

(2) **VESTED STAKEHOLDERS.**—The vested stakeholders that an eligible entity shall permit to access an American Dream Account are individuals (such as the student's teachers, school counselors, school administrators, or other individuals) that are designated, in accordance with section 444 of the General Education Provisions Act (20 U.S.C. 1232g, commonly known as the “Family Educational Rights and Privacy Act of 1974”), by the parent of a participating student in whose name such American Dream Account is held, as having permission to access the account. A student's parent may withdraw such designation from an individual at any time.

(3) **EXCEPTION FOR COLLEGE SAVINGS ACCOUNT.**—An eligible entity that receives a grant under this part shall not be required to give vested stakeholders, as described in paragraph (2), access to the college savings account portion of a student's American Dream Account.

(4) **ADULT STUDENTS.**—Notwithstanding paragraphs (1), (2), and (3), if a participating student is age 18 or older, an eligible entity that receives a grant under this part shall not provide access to such participating student's American Dream Account without the student's consent, in accordance with section 444 of the General Education Provisions Act (20 U.S.C. 1232g, commonly known as the “Family Educational Rights and Privacy Act of 1974”).

(5) **INPUT OF STUDENT INFORMATION.**—Student data collected pursuant to subsection (a)(2)(A) shall be entered into an American Dream Account only by a school administrator or the designee of such administrator.

(c) **PROHIBITION ON USE OF STUDENT INFORMATION.**—An eligible entity that receives a grant under this part shall not use any student-level information or data for the purpose of soliciting, advertising, or marketing any financial or non-financial consumer product or service that is offered by such eligible entity, or on behalf of any other person.

(d) **PROHIBITION ON THE USE OF GRANT FUNDS.**—An eligible entity shall not use grant funds provided under this part to provide any initial deposits into a college savings account portion of a student's American Dream Account.

#### **SEC. 10307. REPORTS AND EVALUATIONS.**

(a) **IN GENERAL.**—Not later than 1 year after the Secretary has disbursed grants under this part, and annually thereafter until each grant disbursed under this part has ended, the Secretary shall prepare and submit a report to the appropriate committees of Congress, which shall include an evaluation of the effectiveness of the grant program established under this part.

(b) **CONTENTS.**—The report described in subsection (a) shall—

(1) list the grants that have been awarded under section 10304(a);

(2) include the number of students who have an American Dream Account established through a grant awarded under section 10304(a);

(3) provide data (including the interest accrued on college savings accounts that are part of an American Dream Account) in the aggregate, regarding students who have an American Dream Account established through a grant awarded under section 10304(a), as compared to similarly situated students who do not have an American Dream Account;

(4) identify best practices developed by the eligible entities receiving grants under this part;

(5) identify any issues related to student privacy and stakeholder accessibility to American Dream Accounts;

(6) provide feedback from participating students and the parents of such students about the grant program, including—

(A) the impact of the program;

(B) aspects of the program that are successful;

(C) aspects of the program that are not successful; and

(D) any other data required by the Secretary; and

(7) provide recommendations for expanding the American Dream Accounts program.

**SEC. 10308. ELIGIBILITY TO RECEIVE FEDERAL STUDENT FINANCIAL AID.**

Notwithstanding any other provision of law, any funds that are in the college savings account portion of a student's American Dream Account shall not affect such student's eligibility to receive Federal student financial aid, including any Federal student financial aid under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), and shall not be considered in determining the amount of any such Federal student aid.

**SEC. 10309. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated to carry out this part such sums as may be necessary for fiscal year 2016 and each of the 4 succeeding fiscal years.

**SA 2128.** Mr. Kaine (for himself, Ms. Ayotte, Mr. Whitehouse, Mr. Casey, Mr. Warner, and Mrs. Boxer) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. Alexander (for himself and Mrs. Murray) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

After section 5010, insert the following:

**SEC. 5011. MIDDLE SCHOOL TECHNICAL EDUCATION PROGRAM.**

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part I, as added by section 5010, the following:

**“PART J—MIDDLE SCHOOL TECHNICAL EDUCATION PROGRAM**

**“SEC. 5951. PURPOSE; DEFINITIONS.**

“(a) **PURPOSE.**—The purpose of this part is to support the development of middle school career exploration programs linked to career and technical education programs of study.

“(b) **DEFINITIONS.**—In this part:

“(1) **CAREER AND TECHNICAL EDUCATION EXPLORATION PROGRAM.**—The term ‘career and technical education exploration program’ means a program that is developed through an organized, systemic framework and is designed to aid students in making informed plans and decisions about future education and career opportunities and enrollment in career and technical education programs of study.

“(2) **ELIGIBLE PARTNERSHIP.**—The term ‘eligible partnership’ means an entity that—

“(A) shall include—

“(i) not less than 1 local educational agency that receives funding under section 131 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2351), or an area career and technical education school or educational service agency described in such section;

“(ii) not less than 1 eligible institution that receives funding under section 132 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2352); and

“(iii) not less than 1 representative of either a local or regional business, industry, nonprofit organization, or apprenticeship program; and

“(B) may include other representatives of the community, including representatives of parents’ organizations, labor organizations, nonprofit organizations, employers, and representatives of local workforce development boards (established under subtitle A of title I of the Workforce Innovation and Opportunity Act).

**“SEC. 5952. CAREER EXPLORATION PROGRAM DEVELOPMENT GRANTS.**

“(a) **AUTHORIZATION.**—The Secretary shall create a pilot program to support the establishment of career and technical education exploration programs. In carrying out the pilot program, the Secretary shall award grants to eligible partnerships to enable the eligible partnerships to develop middle school career and technical education exploration programs that are aligned with career and technical education programs of study described in section 122(c)(1)(A) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2342(c)(1)(A)).

“(b) **GRANT DURATION.**—Grants awarded under this part shall be for a period of not more than 4 years.

“(c) **APPLICATION.**—An eligible partnership seeking a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require. Each application shall include—

“(1) a description of the partner entities comprising the eligible partnership, the roles and responsibilities of each partner, and a demonstration of each partner's capacity to support the program;

“(2) a description of how the eligible partnership will use grant funds to carry out each of the activities described under subsection (e);

“(3) a description of how the middle school career and technical education exploration program aligns to regional economies and local emerging workforce needs;

“(4) a description of how the new middle school career and technical education exploration program is linked to—

“(A) 1 or more career and technical education programs of study offered by the agency or school described in section 5951(b)(2)(A)(i); and

“(B) 1 or more career and technical education programs of study offered by the postsecondary institution described in section 5951(b)(2)(A)(ii);

“(5) a description of the students that will be served by the middle school career and technical education exploration program;

“(6) a description of how the middle school career and technical education exploration program funded by the grant will be replicable;

“(7) a description of how the eligible partnership will disseminate information about best practices resulting from the middle school career and technical education exploration program to similar career and technical education programs of study, including such programs in urban and rural areas;

“(8) a description of how the middle school career and technical education exploration program will be implemented;

“(9) a description of how the middle school career and technical education exploration program will provide accessibility to stu-

dents, especially economically disadvantaged, low-performing, and urban and rural students; and

“(10) a description of how the eligible partnership will carry out the evaluation required under subsection (f).

**“(d) SELECTION OF GRANTEES.—**

“(1) **IN GENERAL.**—The Secretary shall determine, based on the peer review process described in paragraph (3) and subject to the requirement in paragraph (4), which eligible partnership applicants shall receive funding under this part, and the amount of the grant funding under this part that each selected eligible partnership will receive.

“(2) **GRANT AMOUNTS.**—In determining the amount of each grant awarded under this part, the Secretary shall—

“(A) ensure that all grants are of sufficient size, scope, and quality to be effective; and

“(B) take into account the total amount of funds available for all grants under this part and the types of activities proposed to be carried out by the eligible partnership.

**“(3) PEER REVIEW PROCESS.—**

“(A) **ESTABLISHMENT OF PEER REVIEW COMMITTEE.**—The Secretary shall convene a peer review committee to review applications for grants under this part and to make recommendations to the Secretary regarding the selection of grantees.

“(B) **MEMBERS OF THE PEER REVIEW COMMITTEE.**—The peer review committee shall include the following members:

“(i) Educators who have experience implementing career and technical education programs and career exploration programs.

“(ii) Experts in the field of career and technical education.

“(4) **RURAL OR SMALL LOCAL EDUCATIONAL AGENCIES.**—The Secretary shall set aside not less than 5 percent of the funds made available to award grants under this part to award grants to eligible partnerships that include rural or small local educational agencies, as defined by the Secretary.

“(e) **USE OF FUNDS.**—Each eligible partnership receiving a grant under this section shall use grant funds to develop and implement a middle school career and technical education exploration program that—

“(1) shall—

“(A) include introductory courses or experiential activities, such as student apprenticeships or other work-based learning methods and project-based learning experiences;

“(B) include the implementation of a plan that demonstrates the transition from the middle school career and technical education exploration program to a career and technical education program of study that is offered by the entity described in section 5951(b)(2)(A)(i);

“(C) include programs and activities related to the development of individualized graduation and career plans for students; and

“(D) offer career guidance and academic counseling that—

“(i) provides information about postsecondary education and career options; and

“(ii) provides participating students with readily available career and labor market information, such as information about employment sectors, educational requirements, information on workforce supply and demand, and other information on careers that are aligned to State or local economic priorities; and

“(2) may include expanded learning time activities that—

“(A) focus on career exploration, including apprenticeships and internships;

“(B) are available to all students in a middle school; and



“(C) take place during a time that is outside of the standard hours of enrollment for students that are served by the local educational agency.

“(F) EVALUATIONS AND REPORT.—

“(1) EVALUATION.—

“(A) IN GENERAL.—Each eligible partnership that receives a grant under this part shall collect appropriate data or otherwise document through records (in a manner that complies with section 444 of the General Education Provisions Act (20 U.S.C. 1232g), commonly known as the ‘Family Educational Rights and Privacy Act of 1974’, and other applicable Federal and State privacy laws) the information necessary to conduct an evaluation of grant activities, including an evaluation of—

“(i) the extent of student participation in the middle school career and technical education exploration program carried out under this part;

“(ii) the impact of the middle school career and technical education exploration program carried out under this part on the students’ transition to, or planned participation in, career and technical programs of study (as described in section 122(c)(1)(A) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2342(c)(1)(A))); and

“(iii) any other measurable outcomes specified by the Secretary.

“(B) RESOURCES OF THE ELIGIBLE PARTNERSHIP.—The evaluation described in this paragraph shall reflect the resources and capacity of the local educational agency, area career and technical education school, or educational service agency that is part of the eligible partnership in a manner determined by the Secretary.

“(2) REPORT.—The eligible partnership shall prepare and submit to the Secretary a report containing the results of the evaluation described in paragraph (1).”.

**SA 2129.** Mr. TESTER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 38, beginning on line 15, strike “be administered—” and all that follows through line 19, and insert “be administered not less than one time, during—”

“(aa) grades 3 through 5;

“(bb) grades 6 through 9; and

“(cc) grades 10 through 12; and”.

**SA 2130.** Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 69, between lines 16 and 17, insert the following:

“(N) if applicable, whether the State conducts periodic assessments of the condition of elementary school and secondary school facilities in the State, which may include an assessment of the age of the facility and the state of repair of the facility;

**SA 2131.** Mr. CASEY (for himself, Mr. ISAKSON, and Ms. WARREN) submitted

an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 39 line 15, insert “, such as interoperability with and ability to use assistive technology,” after “accommodations”.

**SA 2132.** Mr. SCOTT (for himself, Mr. CRUZ, Mr. LEE, Mr. RUBIO, Mr. SASSE, and Mr. VITTER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

After section 1010, insert the following:

**SEC. 1011. FUNDS TO FOLLOW THE LOW-INCOME CHILD STATE OPTION.**

Subpart 2 of part A of title I is amended by inserting after section 1122 the following:

**“SEC. 1123. FUNDS TO FOLLOW THE LOW-INCOME CHILD STATE OPTION.**

“(a) FUNDS FOLLOW THE LOW-INCOME CHILD.—Notwithstanding any other provisions in this title requiring a State to reserve or distribute funds, a State may, in accordance with and as permitted by State law, distribute funds under this subpart among the local educational agencies in the State based on the number of eligible children enrolled in the public schools operated by each local educational agency and the number of eligible children within each local educational agency’s geographical area whose parents elect to send their child to a private school, for the purposes of ensuring that funding under this subpart follows low-income children to the public school they attend and that payments will be made to the parents of eligible children who choose to enroll their eligible children in private schools.

“(b) ELIGIBLE CHILD.—

“(1) DEFINITION.—In this section, the term ‘eligible child’ means a child aged 5 to 17, inclusive from a family with an income below the poverty level on the basis of the most recent satisfactory data published by the Department of Commerce.

“(2) CRITERIA OF POVERTY.—In determining the families with incomes below the poverty level for the purposes of this section, a State educational agency shall use the criteria of poverty used by the Census Bureau in compiling the most recent decennial census, as the criteria have been updated by increases in the Consumer Price Index for All Urban Consumers, published by the Bureau of Labor Statistics.

“(c) IDENTIFICATION OF ELIGIBLE CHILDREN; ALLOCATION AND DISTRIBUTION OF FUNDS.—

“(1) IDENTIFICATION OF ELIGIBLE CHILDREN.—On an annual basis, on a date to be determined by the State educational agency, each local educational agency shall inform the State educational agency of the number of eligible children enrolled in public schools served by the local educational agency and the number of eligible children within each local educational agency’s geographical area whose parents elect to send their child to a private school.

“(2) AMOUNT OF PAYMENT.—

“(A) IN GENERAL.—Subject to subparagraph (B), the amount of payment for each eligible

child described in this section shall be equal to—

“(i) the total amount allotted to the State under this subpart; divided by

“(ii) the total number of eligible children in the State identified under paragraph (1).

“(B) LIMITATION.—In the case of a payment made to the parents of an eligible child who elects to attend a private school, the amount of the payment described in subparagraph (A) for each eligible child shall not exceed the cost for tuition, fees, and transportation for the eligible child to attend the private school.

“(3) ALLOCATION TO LOCAL EDUCATIONAL AGENCIES.—Based on the identification of eligible children in paragraph (1), the State educational agency shall provide to a local educational agency an amount equal to the product of—

“(A) the amount available for each eligible child in the State, as determined in paragraph (2); multiplied by

“(B) the number of eligible children identified by the local educational agency under paragraph (1).

“(4) DISTRIBUTION TO SCHOOLS.—From amounts allocated under paragraph (3) and notwithstanding any provisions in this title requiring a local educational agency to reserve funds, each local educational agency that receives funds under such paragraph shall distribute a portion of such funds to the public schools served by the local educational agency, which amount shall—

“(A) be based on the number of eligible children enrolled in such schools and included in the count submitted under paragraph (1); and

“(B) be distributed in a manner that would, in the absence of such Federal funds, supplement the funds made available from non-Federal resources for the education of pupils participating in programs under this part, and not to supplant such funds (in accordance with the method of determination described in section 1117).

“(5) DISTRIBUTION TO PARENTS.—

“(A) IN GENERAL.—From the amounts allocated under paragraph (3) and notwithstanding any provisions in this title requiring a local educational agency to reserve funds, each local educational agency that receives funds under such paragraph shall distribute a portion of such funds, in an amount equal to the amount described in paragraph (2), to the parents of each eligible child within the local educational agency’s geographical area who elect to send their child to a private school and whose child is included in the count of such eligible children under paragraph (1), which amount shall be distributed in a manner so as to ensure that such payments will be used for the payment of tuition, fees, and transportation expenses (if any).

“(B) RESERVATION.—A local educational agency described in this paragraph may reserve not more than 1 percent of the funds available for distribution under subparagraph (A) to pay administrative costs associated with carrying out the activities described in such subparagraph.

“(d) TECHNICAL ASSISTANCE.—The Secretary, in consultation with the Secretary of Commerce, shall provide technical assistance to the State educational agencies that choose to allocate grant funds in accordance with subsection (a), for the purpose of assisting local educational agencies and schools in such States to determine an accurate methodology to identify the number of eligible children under subsection (c)(1).

“(e) RULE OF CONSTRUCTION.—Payments to parents under this subsection (c)(5) shall be



considered assistance to the eligible child and shall not be considered assistance to the school that enrolls the eligible child. The amount of any payment under this section shall not be treated as income of the child or his or her parents for purposes of Federal tax laws or for determining eligibility for any other Federal program.

“(f) REQUIREMENTS FOR PARTICIPATING PRIVATE SCHOOLS.—A private school that enrolls eligible children whose parents receive funds under this section—

“(1) shall be accredited, licensed, or otherwise operating in accordance with State law;

“(2) shall ensure that the amount of any tuition or fees charged by the school to an eligible child whose parents receive funds from a local educational agency through a distribution under this section does not exceed the amount of tuition or fees that the school charges to students whose parents do not receive such funds;

“(3) shall be academically accountable to the parent for meeting the educational needs of the student; and

“(4) shall not discriminate against eligible children on the basis of race, color, national origin, or sex, except that—

“(A) the prohibition of sex discrimination shall not apply to a participating school that is operated by, supervised by, controlled by, or connected to a religious organization to the extent that the application of such prohibition is inconsistent with the religious tenets or beliefs of the school; and

“(B) notwithstanding this paragraph or any other provision of law, a parent may choose, and a school may offer, a single-sex school, class, or activity.

“(g) PROHIBITIONS ON CONTROL OF PARTICIPATING PRIVATE SCHOOLS.—Notwithstanding any other provision of law, a private school that enrolls eligible children whose parents receive funds under this section—

“(1) may be a school that is operated by, supervised by, controlled by, or connected to, a religious organization to exercise its right in matters of employment consistent with title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.), including the exemptions in that title; and

“(2) consistent with the First Amendment of the Constitution of the United States, shall not—

“(A) be required to make any change in the school's teaching mission;

“(B) be required to remove religious art, icons, scriptures, or other symbols; or

“(C) be precluded from retaining religious terms in its name, selecting its board members on a religious basis, or including religious references in its mission statements and other chartering or governing documents.

“(h) EVALUATION.—Every 2 years, the Secretary shall conduct an evaluation of eligible children whose parents receive funds under this section, which shall include an evaluation of—

“(1) 4-year adjusted cohort graduation rates; and

“(2) parental satisfaction regarding the relevant activities carried out under this section.

“(i) REQUESTS FOR DATA AND INFORMATION.—Each school that enrolls eligible children whose parents receive funds under this section shall comply with all requests for data and information regarding evaluations conducted under subsection (h).

“(j) RULES OF CONDUCT AND OTHER SCHOOL POLICIES.—A school that enrolls eligible children whose parents receive funds under this section may require such children to abide

by any rules of conduct and other requirements applicable to all other students at the school.

“(k) REPORT TO PARENTS.—

“(1) IN GENERAL.—Each school that enrolls eligible children whose parents receive funds under this section shall report, at least once during the school year, to such parents on—

“(A) their child's academic achievement, as measured by a comparison with—

“(i) the aggregate academic achievement of other students at the school who are eligible children whose parents receive funds under this section and who are in the same grade or level, as appropriate; and

“(ii) the aggregate academic achievement of the student's peers at the school who are in the same grade or level, as appropriate; and

“(B) the safety of the school, including the incidence of school violence, student suspensions, and student expulsions.

“(2) PROHIBITION ON DISCLOSURE OF PERSONAL INFORMATION.—No report under this subsection may contain any personally identifiable information, except that a student's parent may receive a report containing personally identifiable information relating to their own child.”.

**SA 2133.** Mr. SCOTT (for himself, Mr. CRUZ, Mr. RUBIO, and Mr. VITTER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

After part A of title X, insert the following:

#### **PART B—EDUCATION PORTABILITY FOR INDIVIDUALS WITH DISABILITIES**

##### **SEC. 10201. PURPOSE.**

The purpose of this part is to provide options to States to innovate and improve the education of children with disabilities by expanding the choices for students and parents under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).

##### **SEC. 10202. AMENDMENTS TO THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT.**

(a) CHILDREN ENROLLED IN PRIVATE SCHOOLS BY THEIR PARENTS.—Section 612(a)(10)(A) of the Individuals with Disabilities Education Act (20 U.S.C. 1412(a)(10)(A)) is amended by adding at the end the following:

“(viii) PARENT OPTION PROGRAM.—If a State has established a program that meets the requirements of section 663(c)(11) (whether statewide or in limited areas of the State) and that allows a parent of a child described in section 663(c)(11)(A) to use public funds, or private funds in accordance with 663(c)(11)(B)(ii), to pay some or all of the costs of attendance at a private school—

“(I) funds allocated to the State under section 611 may be used by the State to supplement such public or private funds, if the Federal funds are distributed to parents who make a genuine independent choice as to the appropriate school for their child, except that in no case shall the amount of Federal funds provided under this subclause to a parent of a child with a disability for a year exceed the total amount of tuition, fees, and transportation costs for the child for the year;

“(II) the authorization of a parent to exercise this option fulfills the State's obligation

under paragraph (1) with respect to the child during the period in which the child is enrolled in the selected school; and

“(III) a selected school accepting such funds shall not be required to carry out any of the requirements of this title with respect to such child.”.

(b) RESEARCH AND INNOVATION TO IMPROVE SERVICES AND RESULTS FOR CHILDREN WITH DISABILITIES.—Section 663(c) of the Individuals with Disabilities Education Act (20 U.S.C. 1463(c)) is amended—

(1) in paragraph (9), by striking “and” after the semicolon;

(2) in paragraph (10), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(11) supporting the post-award planning and design, and the initial implementation (which may include costs for informing the community, acquiring necessary equipment and supplies, and other initial operational costs), during a period of not more than 3 years, of State programs that allow the parent of a child with a disability to make a genuine independent choice of the appropriate public or private school for their child, if the program—

“(A) requires that the child be a child who has received an initial evaluation described in section 614(a) and has been identified as a child with a disability, in accordance with part B;

“(B)(i) permits the parent to receive from the State funds to be used to pay some or all of the costs of attendance at the selected school (which may include tuition, fees, and transportation costs); or

“(ii) permits persons to receive a State tax credit for donations to an entity that provides funds to parents of eligible students described in subparagraph (A), to be used by the parents to pay some or all of the costs of attendance at the selected school (which may include tuition, fees, and transportation costs);

“(C) prohibits any school that agrees to participate in the program from discriminating against eligible students on the basis of race, color, national origin, or sex, except that—

“(i) the prohibition of sex discrimination shall not apply to a participating school that is operated by, supervised by, controlled by, or connected to a religious organization to the extent that the application of such prohibition is inconsistent with the religious tenets or beliefs of the school; and

“(ii) notwithstanding this subparagraph or any other provision of law, a parent may choose, and a school may offer, a single-sex school, class, or activity;

“(D) notwithstanding any other provision of law, allows any school participating in the program that is operated by, supervised by, controlled by, or connected to, a religious organization to exercise its right in matters of employment consistent with title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.), including the exemptions in that title;

“(E) allows a school to participate in the program without, consistent with the First Amendment of the Constitution of the United States—

“(i) necessitating any change in the participating school's teaching mission;

“(ii) requiring any private participating school to remove religious art, icons, scriptures, or other symbols; or

“(iii) precluding any private participating school from retaining religious terms in its name, selecting its board members on a religious basis, or including religious references in its mission statements and other chartering or governing documents; and

“(F) requires a participating school selected for a child with a disability to be—

“(i) accredited, licensed, or otherwise operating in accordance with State law; and

“(ii) academically accountable to the parent for meeting the educational needs of the student.”.

**SA 2134.** Mr. SCOTT (for himself, Mr. CRUZ, Mr. HATCH, Mr. RUBIO, and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end, add the following:

#### **TITLE XI—CHOICE ACT**

##### **SECTION 11001. SHORT TITLE.**

This title may be cited as the “Creating Hope and Opportunity for Individuals and Communities through Education Act” or the “CHOICE Act”.

##### **PART A—IMPROVING THE SCHOLARSHIPS FOR OPPORTUNITY AND RESULTS ACT**

##### **SEC. 11101. PURPOSE.**

The purpose of this part is to amend the Scholarships for Opportunity and Results Act (Public Law 112–10, 125 Stat. 199) in order to improve provisions concerning opportunity scholarships available for low-income students in the District of Columbia.

##### **SEC. 11102. IMPROVEMENTS TO THE SCHOLARSHIPS FOR OPPORTUNITY AND RESULTS ACT.**

(a) **CARRYOVER AMOUNTS.**—Section 3014 of division C of the Department of Defense and Full-Year Continuing Appropriations Act, 2011 (Public Law 112–10, 125 Stat. 212) is amended by adding at the end the following:

“(c) **CARRYOVER AMOUNTS.**—

“(1) **IN GENERAL.**—Amounts appropriated under this section shall remain available until expended.

“(2) **USE OF CARRYOVER AMOUNTS.**—Of the funds appropriated under this section that are unobligated, are not expended in the fiscal year for which such funds are appropriated, and are not necessary for the continuation of the scholarships already awarded, the Secretary shall, for the subsequent fiscal year—

“(A) use 2 percent of such funds to carry out outreach and parental education and assistance activities described in section 3007(c) that are in addition to any such activities carried out by an eligible entity under such section; and

“(B) use the remaining amount of such funds to provide opportunity scholarships to eligible students who have not previously received such a scholarship.”.

(b) **CLARIFICATION IN STUDENT ELIGIBILITY.**—Section 3013(3) of division C of the Department of Defense and Full-Year Continuing Appropriations Act, 2011 (Public Law 112–10, 125 Stat. 211) is amended, in the matter preceding subparagraph (A), by inserting “, is enrolled, or will be enrolled for the next school year, in a public or private elementary school or secondary school,” after “District of Columbia”.

##### **PART B—EDUCATION PORTABILITY FOR INDIVIDUALS WITH DISABILITIES**

##### **SEC. 11201. PURPOSE.**

The purpose of this part is to provide options to States to innovate and improve the education of children with disabilities by expanding the choices for students and parents under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).

##### **SEC. 11202. AMENDMENTS TO THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT.**

(a) **CHILDREN ENROLLED IN PRIVATE SCHOOLS BY THEIR PARENTS.**—Section 612(a)(10)(A) of the Individuals with Disabilities Education Act (20 U.S.C. 1412(a)(10)(A)) is amended by adding at the end the following:

“(viii) **PARENT OPTION PROGRAM.**—If a State has established a program that meets the requirements of section 663(c)(11) (whether statewide or in limited areas of the State) and that allows a parent of a child described in section 663(c)(11)(A) to use public funds, or private funds in accordance with 663(c)(11)(B)(ii), to pay some or all of the costs of attendance at a private school—

“(I) funds allocated to the State under section 611 may be used by the State to supplement such public or private funds, if the Federal funds are distributed to parents who make a genuine independent choice as to the appropriate school for their child, except that in no case shall the amount of Federal funds provided under this subclause to a parent of a child with a disability for a year exceed the total amount of tuition, fees, and transportation costs for the child for the year;

“(II) the authorization of a parent to exercise this option fulfills the State’s obligation under paragraph (1) with respect to the child during the period in which the child is enrolled in the selected school; and

“(III) a selected school accepting such funds shall not be required to carry out any of the requirements of this title with respect to such child.”.

(b) **RESEARCH AND INNOVATION TO IMPROVE SERVICES AND RESULTS FOR CHILDREN WITH DISABILITIES.**—Section 663(c) of the Individuals with Disabilities Education Act (20 U.S.C. 1463(c)) is amended—

(1) in paragraph (9), by striking “and” after the semicolon;

(2) in paragraph (10), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(11) supporting the post-award planning and design, and the initial implementation (which may include costs for informing the community, acquiring necessary equipment and supplies, and other initial operational costs), during a period of not more than 3 years, of State programs that allow the parent of a child with a disability to make a genuine independent choice of the appropriate public or private school for their child, if the program—

“(A) requires that the child be a child who has received an initial evaluation described in section 614(a) and has been identified as a child with a disability, in accordance with part B;

“(B)(i) permits the parent to receive from the State funds to be used to pay some or all of the costs of attendance at the selected school (which may include tuition, fees, and transportation costs); or

“(ii) permits persons to receive a State tax credit for donations to an entity that provides funds to parents of eligible students described in subparagraph (A), to be used by the parents to pay some or all of the costs of attendance at the selected school (which may include tuition, fees, and transportation costs);

“(C) prohibits any school that agrees to participate in the program from discriminating against eligible students on the basis of race, color, national origin, or sex, except that—

“(i) the prohibition of sex discrimination shall not apply to a participating school that

is operated by, supervised by, controlled by, or connected to a religious organization to the extent that the application of such prohibition is inconsistent with the religious tenets or beliefs of the school; and

“(ii) notwithstanding this subparagraph or any other provision of law, a parent may choose, and a school may offer, a single-sex school, class, or activity;

“(D) notwithstanding any other provision of law, allows any school participating in the program that is operated by, supervised by, controlled by, or connected to, a religious organization to exercise its right in matters of employment consistent with title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.), including the exemptions in that title;

“(E) allows a school to participate in the program without, consistent with the First Amendment of the Constitution of the United States—

“(i) necessitating any change in the participating school’s teaching mission;

“(ii) requiring any private participating school to remove religious art, icons, scriptures, or other symbols; or

“(iii) precluding any private participating school from retaining religious terms in its name, selecting its board members on a religious basis, or including religious references in its mission statements and other chartering or governing documents; and

“(F) requires a participating school selected for a child with a disability to be—

“(i) accredited, licensed, or otherwise operating in accordance with State law; and

“(ii) academically accountable to the parent for meeting the educational needs of the student.”.

##### **PART C—MILITARY SCHOLARSHIPS**

##### **SEC. 11301. PURPOSE.**

The purpose of this part is to ensure high-quality education for children of military personnel who live on military installations and thus have less freedom to exercise school choice for their children, in order to improve the ability of the Armed Forces to retain such military personnel.

##### **SEC. 11302. MILITARY SCHOLARSHIP PROGRAM.**

(a) **DEFINITIONS.**—In this section:

(1) **ESEA DEFINITIONS.**—The terms “child”, “elementary school”, “secondary school”, and “local educational agency” have the meanings given the terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(2) **ELIGIBLE MILITARY STUDENT.**—The term “eligible military student” means a child who—

(A) is a military dependent student;

(B) lives on a military installation selected to participate in the program under subsection (b)(2); and

(C) chooses to attend a participating school, rather than a school otherwise assigned to the child.

(3) **MILITARY DEPENDENT STUDENT.**—The term “military dependent student” has the meaning given the term in section 572(e) of the National Defense Authorization Act for Fiscal Year 2006 (20 U.S.C. 7703b(e)).

(4) **PARTICIPATING SCHOOL.**—The term “participating school” means a public or private elementary school or secondary school that—

(A) accepts scholarship funds provided under this section on behalf of an eligible military student for the costs of tuition, fees, or transportation of the eligible military student; and

(B) is accredited, licensed, or otherwise operating in accordance with State law.

(5) **SECRETARY.**—The term “Secretary” means the Secretary of Defense.

## (b) PROGRAM AUTHORIZED.—

(1) IN GENERAL.—From amounts made available under subsection (g) and beginning for the first full school year following the date of enactment of this part, the Secretary shall carry out a 5-year pilot program to award scholarships to enable eligible military students to attend the public or private elementary schools or secondary schools selected by the eligible military students' parents.

## (2) SCOPE OF PROGRAM.—

(A) IN GENERAL.—The Secretary shall select not less than 5 military installations to participate in the pilot program described in paragraph (1). In making such selection, the Secretary shall choose military installations where eligible military students would most benefit from expanded educational options.

(B) INELIGIBILITY.—A military installation that provides, on its premises, education for all elementary school and secondary school grade levels through one or more Department of Defense dependents' schools shall not be eligible for participation in the program.

## (3) AMOUNT OF SCHOLARSHIPS.—

(A) IN GENERAL.—The annual amount of each scholarship awarded to an eligible military student under this section shall not exceed the lesser of—

(i) the cost of tuition, fees, and transportation associated with attending the participating school selected by the parents of the student; or

(ii) (I) in the case of an eligible military student attending elementary school—

(aa) \$8,000 for the first full school year following the date of enactment of this part; or

(bb) the amount determined under subparagraph (B) for each school year following such first full school year; or

(II) in the case of an eligible military student attending secondary school—

(aa) \$12,000 for the first full school year following the date of enactment of this part; or

(bb) the amount determined under subparagraph (B) for each school year following such first full school year.

(B) ADJUSTMENT FOR INFLATION.—For each school year after the first full school year following the date of enactment of this part, the amounts specified in subclauses (I) and (II) of subparagraph (A)(i) shall be adjusted to reflect changes for the 12-month period ending the preceding June in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.

(4) PAYMENTS TO PARENTS.—The Secretary shall make scholarship payments under this section to the parent of the eligible military student in a manner that ensures such payments will be used for the payment of tuition, fees, and transportation expenses (if any) in accordance with this section.

## (c) SELECTION OF SCHOLARSHIPS RECIPIENTS.—

(1) RANDOM SELECTION.—If more eligible military students apply for scholarships under the program under this section than the Secretary can accommodate, the Secretary shall select the scholarship recipients through a random selection process from students who submitted applications by the application deadline specified by the Secretary.

## (2) CONTINUED ELIGIBILITY.—

(A) IN GENERAL.—An individual who is selected to receive a scholarship under the program under this section shall continue to receive a scholarship for each year of the program until the individual—

(i) graduates from secondary school or elects to no longer participate in the program;

(ii) exceeds the maximum age for which the State in which the student lives provides a free public education; or

(iii) is no longer an eligible military student.

## (B) CONTINUED PARTICIPATION FOR MILITARY TRANSFERS.—

(1) TRANSFER TO PRIVATE NON-MILITARY HOUSING.—Notwithstanding subparagraph (A)(iii), an individual receiving a scholarship under this section for a school year who meets the requirements of subparagraphs (A) and (C) of subsection (a)(2) and whose family, during such school year, moves into private non-military housing that is not considered to be part of the military installation, shall continue to receive the scholarship for use at the participating school for the remaining portion of the school year.

(2) TRANSFER TO A DIFFERENT MILITARY INSTALLATION.—Notwithstanding subparagraph (A)(iii), an individual receiving a scholarship under this section for a school year whose family is transferred to a different military installation shall no longer be eligible to receive such scholarship beginning on the date of the transfer. Such individual may apply to participate in any program offered under this section for the new military installation for a subsequent school year, if such individual qualifies as an eligible military student for such school year.

## (d) NONDISCRIMINATION AND OTHER PROVISIONS.—

(1) NON-DISCRIMINATION.—A participating school shall not discriminate against program participants or applicants on the basis of race, color, national origin, or sex.

## (2) APPLICABILITY AND SINGLE-SEX SCHOOLS, CLASSES, OR ACTIVITIES.—

(A) IN GENERAL.—Notwithstanding any other provision of law, the prohibition of sex discrimination in paragraph (1) shall not apply to a participating school that is operated by, supervised by, controlled by, or connected to a religious organization to the extent that the application of paragraph (1) is inconsistent with the religious tenets or beliefs of the school.

(B) SINGLE-SEX SCHOOLS, CLASSES, OR ACTIVITIES.—Notwithstanding paragraph (1) or any other provision of law, a parent may choose, and a participating school may offer, a single-sex school, class, or activity.

(3) CHILDREN WITH DISABILITIES.—Nothing in this section may be construed to alter or modify the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).

(4) RULES OF CONDUCT AND OTHER SCHOOL POLICIES.—A participating school, including the schools described in subsection (e), may require eligible students to abide by any rules of conduct and other requirements applicable to all other students at the school.

## (e) RELIGIOUSLY AFFILIATED SCHOOLS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, a participating school that is operated by, supervised by, controlled by, or connected to, a religious organization may exercise its right in matters of employment consistent with title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.), including the exemptions in that title.

(2) MAINTENANCE OF PURPOSE.—Notwithstanding any other provision of law, funds made available under this title to eligible military students that are received by a participating school, as a result of their parents' choice, shall not, consistent with the First Amendment of the Constitution of the United States—

(A) necessitate any change in the participating school's teaching mission;

(B) require any private participating school to remove religious art, icons, scriptures, or other symbols; or

(C) preclude any private participating school from retaining religious terms in its name, selecting its board members on a religious basis, or including religious references in its mission statements and other chartering or governing documents.

## (f) REPORTS.—

(1) ANNUAL REPORTS.—Not later than July 30 of the year following the year of the date of enactment of this part, and each subsequent year through the year in which the final report is submitted under paragraph (2), the Secretary shall prepare and submit to Congress an interim report on the scholarships awarded under the pilot program under this section that includes the content described in paragraph (3) for the applicable school year of the report.

(2) FINAL REPORT.—Not later than 90 days after the end of the pilot program under this section, the Secretary shall prepare and submit to Congress a report on the scholarships awarded under the program that includes the content described in paragraph (3) for each school year of the program.

(3) CONTENT.—Each annual report under paragraph (1) and the final report under paragraph (2) shall contain—

(A) the number of applicants for scholarships under this section;

(B) the number, and the average dollar amount, of scholarships awarded;

(C) the number of participating schools;

(D) the number of elementary school students receiving scholarships under this section and the number of secondary school students receiving such scholarships; and

(E) the results of a survey, conducted by the Secretary, regarding parental satisfaction with the scholarship program under this section.

(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2016 through 2020.

(h) OFFSET IN DEPARTMENT OF EDUCATION SALARIES.—Notwithstanding any other provision of law, for fiscal year 2016 and each of the 4 succeeding fiscal years, the Secretary of Education shall return to the Treasury \$10,000,000 of the amounts made available to the Secretary for salaries and expenses of the Department of Education for such year.

**SA 2135.** Mrs. GILLIBRAND (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

Beginning on page 270, strike line 18 and all that follows through line 16 on page 273 and insert the following:

“(b) STATE ALLOTMENTS.—

“(1) HOLD HARMLESS.—

“(A) IN GENERAL.—Subject to paragraph (2), from the funds appropriated under section 2003(a) for a fiscal year that remain after the Secretary makes the reservations under subsection (a), the Secretary shall allot to each State an amount equal to the total amount that such State received for fiscal year 2001 under—

“(i) section 2202(b) of this Act (as in effect on the day before the date of enactment of the No Child Left Behind Act of 2001); and

“(ii) section 306 of the Department of Education Appropriations Act, 2001 (as enacted into law by section 1(a)(1) of Public Law 106-554).

“(B) RATABLE REDUCTION.—If the funds described in subparagraph (A) are insufficient to pay the full amounts that all States are eligible to receive under subparagraph (A) for any fiscal year, the Secretary shall ratably reduce those amounts for the fiscal year.

“(2) ALLOTMENT OF ADDITIONAL FUNDS.—

“(A) IN GENERAL.—Subject to subparagraph (B), for any fiscal year for which the funds appropriated under section 2003(a) and not reserved under subsection (a) exceed the total amount required to make allotments under paragraph (1), the Secretary shall allot to each State the sum of—

“(i) an amount that bears the same relationship to 20 percent of the excess amount as the number of individuals age 5 through 17 in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined; and

“(ii) an amount that bears the same relationship to 80 percent of the excess amount as the number of individuals age 5 through 17 from families with incomes below the poverty line in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined.

“(B) EXCEPTION.—No State receiving an allotment under subparagraph (A) may receive less than one-half of 1 percent of the total excess amount allotted under such subparagraph for a fiscal year.

“(3) REALLOTMENT.—If any State does not apply for an allotment under this subsection for any fiscal year, the Secretary shall reallocate the amount of the allotment to the remaining States in accordance with this subsection.

**SA 2136.** Mr. MURPHY submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 630, between lines 4 and 5, insert the following:

**SEC. 5011. PROMISE NEIGHBORHOODS.**

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part I, as added by section 5010, the following:

**“PART J—PROMISE NEIGHBORHOODS**

**“SEC. 5910. SHORT TITLE.**

“This part may be cited as the ‘Promise Neighborhoods Act of 2015’.

**“SEC. 5911. PURPOSE.**

“The purpose of this part is to significantly improve the academic and developmental outcomes of children living in our Nation’s most distressed communities from birth through college and career entry, including ensuring school readiness, high school graduation, and college and career readiness for such children, through the use of data-driven decisionmaking and access to a community-based continuum of high-quality services, beginning at birth.

**“SEC. 5912. DEFINITIONS.**

“In this part:

“(1) CHILD.—The term ‘child’ means an individual from birth through age 21.

“(2) COLLEGE AND CAREER READINESS.—The term ‘college and career readiness’ means the level of preparation a student needs in order to meet the challenging State academic standards under section 1111(b)(1).

“(3) COMMUNITY OF PRACTICE.—The term ‘community of practice’ means a group of entities that interact regularly to share best practices to address 1 or more persistent problems, or improve practice with respect to such problems, in 1 or more neighborhoods.

“(4) COMPREHENSIVE SCHOOL READINESS ASSESSMENT.—The term ‘comprehensive school readiness assessment’ means an objective tool that—

“(A) screens for school readiness across domains, including language, cognitive, physical, motor, sensory, and social-emotional domains, and through a developmental screening; and

“(B) may also include other sources of information, such as child observations by parents and others, verbal and written reports, child work samples (for children aged 3 to 5), and health and developmental histories.

“(5) DEVELOPMENTAL SCREENING.—The term ‘developmental screening’ means the use of a standardized tool to identify a child who may be at risk of a developmental delay or disorder.

“(6) EXPANDED LEARNING TIME.—The term ‘expanded learning time’ means the activities and programs described in subparagraphs (A) and (B) of section 4201(b)(1).

“(7) FAMILY AND COMMUNITY ENGAGEMENT.—The term ‘family and community engagement’ means the process of engaging family and community members in education meaningfully and at all stages of the planning, implementation, and school and neighborhood improvement process, including, at a minimum—

“(A) disseminating a clear definition of the neighborhood to the members of the neighborhood;

“(B) ensuring representative participation by the members of such neighborhood in the planning and implementation of the activities of each grant awarded under this part;

“(C) regular engagement by the eligible entity and the partners of the eligible entity with family members and community partners;

“(D) the provision of strategies and practices to assist family and community members in actively supporting student achievement and child development; and

“(E) collaboration with institutions of higher education, workforce development centers, and employers to align expectations and programming with college and career readiness.

“(8) FAMILY AND STUDENT SUPPORTS.—The term ‘family and student supports’ includes—

“(A) health programs (including both mental health and physical health services);

“(B) school, public, and child-safety programs;

“(C) programs that improve family stability;

“(D) workforce development programs (including those that meet local business needs, such as internships and externships);

“(E) social service programs;

“(F) legal aid programs;

“(G) financial literacy education programs;

“(H) adult education and family literacy programs;

“(I) parent, family, and community engagement programs; and

“(J) programs that increase access to learning technology and enhance the digital literacy skills of students.

“(9) FAMILY MEMBER.—The term ‘family member’ means a parent, relative, or other adult who is responsible for the education, care, and well-being of a child.

“(10) INTEGRATED STUDENT SUPPORTS.—The term ‘integrated student supports’ means wraparound services, supports, and community resources, which shall be offered through a site coordinator for at-risk students, that have been shown by evidence-based research—

“(A) to increase academic achievement and engagement;

“(B) to support positive child development; and

“(C) to increase student preparedness for success in college and the workforce.

“(11) NEIGHBORHOOD.—The term ‘neighborhood’ means a defined geographical area in which there are multiple signs of distress, demonstrated by indicators of need, including poverty, childhood obesity rates, academic failure, and rates of juvenile delinquency, adjudication, or incarceration.

“(12) PIPELINE SERVICES.—The term ‘pipeline services’ means a continuum of supports and services for children from birth through college entry, college success, and career attainment, including, at a minimum, strategies to address through services or programs (including integrated student supports) the following:

“(A) Prenatal education and support for expectant parents.

“(B) High-quality early learning opportunities.

“(C) High-quality schools and out-of-school-time programs and strategies.

“(D) Support for a child’s transition to elementary school, including the administration of a comprehensive school readiness assessment.

“(E) Support for a child’s transition from elementary school to middle school, from middle school to high school, and from high school into and through college and into the workforce.

“(F) Family and community engagement.

“(G) Family and student supports.

“(H) Activities that support college and career readiness, including coordination between such activities, such as—

“(i) assistance with college admissions, financial aid, and scholarship applications, especially for low-income and low-achieving students; and

“(ii) career preparation services and supports.

“(I) Neighborhood-based support for college-age students who have attended the schools in the pipeline, or students who are members of the community, facilitating their continued connection to the community and success in college and the workforce.

**“SEC. 5913. PROGRAM AUTHORIZED.**

“(a) IN GENERAL.—

“(1) PROGRAM AUTHORIZED.—From amounts appropriated to carry out this part, the Secretary shall award grants, on a competitive basis, to eligible entities to implement a comprehensive, evidence-based continuum of coordinated services and supports that engages community partners to improve academic achievement, student development, and college and career readiness, measured by common outcomes, by carrying out the

activities described in section 5916 in neighborhoods with high concentrations of low-income individuals and persistently low-achieving schools or schools with an achievement gap.

“(2) SUFFICIENT SIZE AND SCOPE.—Each grant awarded under this part shall be of sufficient size and scope to allow the eligible entity to carry out the purpose of this part.

“(b) DURATION.—A grant awarded under this part shall be for a period of not more than 5 years.

“(c) CONTINUED FUNDING.—Continued funding of a grant under this part, including a grant renewed under subsection (b)(2), after the third year of the grant period shall be contingent on the eligible entity’s progress toward meeting the performance metrics described in section 5918(a).

“(d) MATCHING REQUIREMENT.—

“(1) IN GENERAL.—Each eligible entity receiving a grant under this part shall contribute matching funds in an amount equal to not less than 100 percent of the amount of the grant. Such matching funds shall come from Federal, State, local, and private sources.

“(2) PRIVATE SOURCES.—The Secretary—

“(A) shall require that a portion of the matching funds come from private sources; and

“(B) may allow the use of in-kind donations to satisfy the matching funds requirement.

“(3) ADJUSTMENT.—The Secretary may adjust the matching funds requirement for applicants that demonstrate high need, including applicants from rural areas or applicant that wish to provide services on tribal lands.

“(e) FINANCIAL HARDSHIP WAIVER.—

“(1) IN GENERAL.—The Secretary may waive or reduce, on a case-by-case basis, the matching requirement described in subsection (d), for a period of 1 year at a time, if the eligible entity demonstrates significant financial hardship.

“(2) PRIVATE SOURCES WAIVER.—The Secretary may waive or reduce, on a case-by-case basis, the requirement described in subsection (d) that a portion of matching funds come from private sources if the eligible entity demonstrates an inability to access such funds in the State.

#### “SEC. 5914. ELIGIBLE ENTITIES.

“In this part, the term ‘eligible entity’ means—

“(1) an institution of higher education, as defined in section 102 of the Higher Education Act of 1965;

“(2) an Indian tribe or tribal organization, as defined under section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b); or

“(3) not less than 1 nonprofit entity working in coordination with not less than 1 of the following entities:

“(A) A high-need local educational agency.

“(B) A charter school funded by the Bureau of Indian Education that is not a local educational agency, except that such school shall not be the fiscal agent for the eligible entity partnership.

“(C) An institution of higher education, as defined in section 102 of the Higher Education Act of 1965.

“(D) The office of a chief elected official of a unit of local government.

“(E) An Indian tribe or tribal organization, as defined under section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

#### “SEC. 5915. APPLICATION REQUIREMENTS.

“(a) IN GENERAL.—An eligible entity desiring a grant under this part shall submit an

application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

“(b) CONTENTS OF APPLICATION.—At a minimum, an application described in subsection (a) shall include the following:

“(1) A plan to significantly improve the academic outcomes of children living in a neighborhood that is served by the eligible entity, by providing pipeline services that address the needs of children in the neighborhood, as identified by the needs analysis described in paragraph (4) and supported by evidence-based practices.

“(2) A description of the neighborhood that the eligible entity will serve.

“(3) Measurable annual goals for the outcomes of the grant, including—

“(A) performance goals, in accordance with the metrics described in section 5918(a), for each year of the grant; and

“(B) projected participation rates and any plans to expand the number of children served or the neighborhood proposed to be served by the grant program.

“(4) An analysis of the needs and assets of the neighborhood identified in paragraph (2), including—

“(A) a description of the process through which the needs analysis was produced, including a description of how parents, family, and community members were engaged in such analysis;

“(B) an analysis of community assets, including programs already provided from Federal and non-Federal sources, within, or accessible to, the neighborhood, including, at a minimum—

“(i) early learning programs, including high-quality child care, Early Head Start programs, Head Start programs, and pre-kindergarten programs;

“(ii) the availability of healthy food options and opportunities for physical activity;

“(iii) existing family and student supports;

“(iv) locally owned businesses and employers; and

“(v) institutions of higher education;

“(C) evidence of successful collaboration within the neighborhood;

“(D) the steps that the eligible entity is taking, at the time of the application, to address the needs identified in the needs analysis; and

“(E) any barriers the eligible entity, public agencies, and other community-based organizations have faced in meeting such needs.

“(5) A description of the data used to identify the pipeline services to be provided, including data regarding—

“(A) school readiness;

“(B) academic achievement and college and career readiness;

“(C) graduation rates;

“(D) health indicators;

“(E) rates of enrollment, remediation, persistence, and completion at institutions of higher education, as available; and

“(F) conditions for learning, including school climate surveys, discipline rates, and student attendance and incident data.

“(6) A description of the process used to develop the application, including the involvement of family and community members.

“(7) An estimate of—

“(A) the number of children, by age, who will be served by each pipeline service; and

“(B) for each age group, the percentage of children (of such age group), within the neighborhood, who the eligible entity proposes to serve, disaggregated by each service, and the goals for increasing such percentage over time.

“(8) A description of how the pipeline services will facilitate the coordination of the following activities:

“(A) Providing high-quality early learning opportunities for children, beginning prenatally and extending through grade 3, by—

“(i) supporting high-quality early learning opportunities that provide children with access to programs that support the cognitive and developmental skills, including social and emotional skills, needed for success in elementary school;

“(ii) providing for opportunities, through parenting classes, baby academies, home visits, family and community engagement, or other evidence-based strategies, for families and expectant parents to—

“(I) acquire the skills to promote early learning, development, and health and safety, including learning about child development and positive discipline strategies (such as through the use of technology and public media programming);

“(II) learn about the role of families and expectant parents in their child’s education; and

“(III) become informed about educational opportunities for their children, including differences in quality among early learning opportunities;

“(iii) ensuring successful transitions between early learning programs and elementary school, including through the establishment of memoranda of understanding between early learning providers and local educational agencies serving young children and families;

“(iv) ensuring appropriate screening, diagnostic assessments, and referrals for children with disabilities, developmental delays, or other special needs, consistent with the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), where applicable;

“(v) improving the early learning workforce in the community, including through—

“(I) investments in the recruitment, retention, distribution, and support of high-quality professionals, especially those with certification and experience in child development;

“(II) the provision of high-quality teacher preparation and professional development; or

“(III) the use of joint professional development for early learning providers and elementary school teachers and administrators; and

“(vi) enhancing data systems and data sharing among the eligible entity, partners, early learning providers, schools, and local educational agencies operating in the neighborhood.

“(B) Supporting, enhancing, operating, or expanding rigorous and comprehensive education reforms designed to significantly improve educational outcomes for children in early learning programs through grade 12, which may include—

“(i) operating schools or working in close collaboration with local schools to provide high-quality academic programs, curricula, and integrated student supports;

“(ii) providing expanded learning time, which may include the integration and use of arts education in such learning time; and

“(iii) providing programs and activities that ensure that students—

“(I) are prepared for the college admissions, scholarship, and financial aid application processes; and

“(II) graduate college and career ready.

“(C) Supporting access to a healthy lifestyle, which may include—

“(i) the provision of high-quality and nutritious meals;

“(ii) access to programs that promote physical activity, physical education, and fitness; and

“(iii) education to promote a healthy lifestyle and positive body image.

“(D) Providing social, health, and mental health services and supports, including referrals for essential care and preventative screenings, for children, family, and community members, which may include—

“(i) dental services;

“(ii) vision care; and

“(iii) speech, language, and auditory screenings and referrals.

“(E) Supporting students and family members as the students transition from early learning programs into elementary school, from elementary school to middle school, from middle school to high school, from high school into and through college and into the workforce, including through evidence-based strategies to address challenges that students may face as they transition, such as the following:

“(i) Early college high schools.

“(ii) Dual enrollment programs.

“(iii) Career academies.

“(iv) Counseling and support services.

“(v) Dropout prevention and recovery strategies.

“(vi) Collaboration with the juvenile justice system and reentry counseling for adjudicated youth.

“(vii) Advanced Placement or International Baccalaureate courses.

“(viii) Teen parent classrooms.

“(ix) Graduation and career coaches.

“(9) A description of the strategies that will be used to provide pipeline services (including a description of the process used to identify such strategies and the outcomes expected and a description of which programs and services will be provided to children, family members, community members, and children not attending schools or programs operated by the eligible entity or its partner providers) to support the purpose of this part.

“(10) An explanation of the process the eligible entity will use to establish and maintain family and community engagement.

“(11) An explanation of how the eligible entity will continuously evaluate and improve the continuum of high-quality pipeline services, including—

“(A) a description of the metrics, consistent with section 5918(a), that will be used to inform each component of the pipeline; and

“(B) the processes for using data to improve instruction, optimize integrated student supports, provide for continuous program improvement, and hold staff and partner organizations accountable.

“(12) An identification of the fiscal agent, which may be any entity described in section 5914 (not including paragraph (2) of such section).

“(13) A list of the non-Federal sources of funding that the eligible entity will secure to comply with the matching funds requirement described in section 5913(d), in addition to other programs from which the eligible entity has already secured funding, including programs funded by the Department or programs of the Department of Health and Human Services, the Department of Housing and Urban Development, the Department of Justice, or the Department of Labor.

“(c) MEMORANDUM OF UNDERSTANDING.—An eligible entity, as part of the application described in this section, shall submit a preliminary memorandum of understanding, signed by each partner entity or agency. The

preliminary memorandum of understanding shall describe, at a minimum—

“(1) each partner’s financial and programmatic commitment with respect to the strategies described in the application, including an identification of the fiscal agent;

“(2) each partner’s long-term commitment to providing pipeline services that, at a minimum, accounts for the cost of supporting the continuum of supports and services (including a plan for how to support services and activities after grant funds are no longer available) and potential changes in local government;

“(3) each partner’s mission and the plan that will govern the work that the partners do together;

“(4) each partner’s long-term commitment to supporting the continuum of supports and services through data collection, monitoring, reporting, and sharing; and

“(5) each partner’s commitment to ensure sound fiscal management and controls, including evidence of a system of supports and personnel.

#### “SEC. 5916. USE OF FUNDS.

“(a) IN GENERAL.—Each eligible entity that receives a grant under this part shall use the grant funds to—

“(1) support planning activities to develop and implement pipeline services;

“(2) implement the pipeline services, as described in the application under section 5915; and

“(3) continuously evaluate the success of the program and improve the program based on data and outcomes.

#### “(b) SPECIAL RULES.—

“(1) FUNDS FOR PIPELINE SERVICES.—Each eligible entity that receives a grant under this part, for the first and second year of the grant, shall use not less than 50 percent of the grant funds to carry out the activities described in subsection (a)(1).

“(2) OPERATIONAL FLEXIBILITY.—Each eligible entity that operates a school in a neighborhood served by a grant program under this part shall provide such school with the operational flexibility, including autonomy over staff, time, and budget, needed to effectively carry out the activities described in the application under section 5915.

“(3) LIMITATION ON USE OF FUNDS FOR EARLY CHILDHOOD EDUCATION PROGRAMS.—Funds under this part that are used to improve early childhood education programs shall not be used to carry out any of the following activities:

“(A) Assessments that provide rewards or sanctions for individual children or teachers.

“(B) A single assessment that is used as the primary or sole method for assessing program effectiveness.

“(C) Evaluating children, other than for the purposes of improving instruction, classroom environment, professional development, or parent and family engagement, or program improvement.

#### “SEC. 5917. REPORT AND PUBLICLY AVAILABLE DATA.

“(a) REPORT.—Each eligible entity that receives a grant under this part shall prepare and submit an annual report to the Secretary, which shall include—

“(1) information about the number and percentage of children in the neighborhood who are served by the grant program, including a description of the number and percentage of children accessing each support or service offered as part of the pipeline services;

“(2) information relating to the performance metrics described in section 5918(a); and

“(3) other indicators that may be required by the Secretary, in consultation with the

Director of the Institute of Education Sciences.

“(b) PUBLICLY AVAILABLE DATA.—Each eligible entity that receives a grant under this part shall make publicly available, including through electronic means, the information described in subsection (a). To the extent practicable, such information shall be provided in a form and language accessible to parents and families in the neighborhood, and such information shall be a part of state-wide longitudinal data systems.

#### “SEC. 5918. PERFORMANCE ACCOUNTABILITY AND EVALUATION.

“(a) PERFORMANCE METRICS.—Each eligible entity that receives a grant under this part shall collect data on performance indicators of pipeline services and family and student supports and report the results to the Secretary, who shall use the results as a consideration in continuing grants after the third year and in awarding grant renewals. The indicators shall, at a minimum, include the following:

“(1) Evidence of increasing qualifications for staff in early care and education programs attended by children in the neighborhood.

“(2) With respect to the children served by the grant—

“(A) the percentage of children who are ready for kindergarten, as measured by a comprehensive developmental screening instrument;

“(B) the percentage of school-age children proficient in core academic subjects;

“(C) evidence of narrowing student achievement gaps among the categories described in section 1111(b)(2)(B)(xi);

“(D) the percentage of children who are reading at grade level by the end of grade 3;

“(E) the percentage of children who successfully transition from grade 8 to grade 9;

“(F) for each school year during the grant period, the percentage of students in pre-kindergarten, elementary school, and secondary school who miss more than 10 percent of school days for any reason, excused or unexcused, and the number and percentage of students who are suspended or expelled for any reason, starting in prekindergarten;

“(G) the percentage of children who graduate with a high school diploma;

“(H) the percentage of children who enter postsecondary education and remain after 1 year;

“(I) the percentage of children who are healthy, as measured by a child-health index that includes cognitive, nutritional, physical, social, mental-health, and emotional domains;

“(J) the percentage of children who feel safe, as measured by a school climate survey;

“(K) rates of student mobility and homelessness;

“(L) opportunities for family members of children to receive education and job training; and

“(M) the percentage of children who have digital literacy skills and access to broadband internet and a connected computing device at home and at school.

“(b) EVALUATION.—The Secretary shall evaluate the implementation and impact of the activities funded under this part, in accordance with section 9601.

#### “SEC. 5919. NATIONAL ACTIVITIES.

“From the amounts appropriated to carry out this part for a fiscal year, in addition to the amounts that may be reserved in accordance with section 9601, the Secretary may reserve not more than 8 percent for national activities, which may include—

“(1) research on the activities carried out under this part;

“(2) identification and dissemination of best practices, including through support for a community of practice;

“(3) technical assistance, including assistance relating to family and community engagement and outreach to potential partner organizations;

“(4) professional development, including development of materials related to professional development; and

“(5) other activities consistent with the purpose of this part.

**“SEC. 5920. AUTHORIZATION OF APPROPRIATIONS.**

“There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.”.

**SA 2137.** Mr. PORTMAN (for himself and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 69, between lines 16 and 17, insert the following:

“(N) how the State educational agency will demonstrate a coordinated plan to seamlessly transition students from secondary school into postsecondary education or careers without remediation, including a description of the specific transition activities that the State educational agency will carry out, such as providing students with access to early college high school or dual or concurrent enrollment opportunities;

On page 106, line 3, insert “early college high school or” after “access to”.

On page 314, between lines 21 and 22, insert the following:

“(C) providing teachers, principals, and other school leaders with professional development activities that enhance or enable the provision of postsecondary coursework through dual or concurrent enrollment and early college high school settings across a local educational agency.

**SA 2138.** Ms. KLOBUCHAR (for herself and Mr. HOEVEN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 370, between lines 18 and 19, insert the following:

“(3) STEM-FOCUSED SPECIALTY SCHOOL.—The term ‘STEM-focused specialty school’ means a school, or a dedicated program within a school, that engages students in rigorous, relevant, and integrated learning experiences focused on science, technology, engineering, and mathematics, which include authentic school-wide research.

On page 382, line 12, strike the period and insert the following: “; and

“(viii) support the creation and enhancement of STEM-focused specialty schools that improve student academic achievement in science, technology, engineering, and mathematics, including computer science, and prepare more students to be ready for postsecondary education and careers in such subjects.

Beginning on page 384, strike line 3 and all that follows through line 23 on page 384 and insert the following:

“(c) EVALUATION AND MANAGEMENT.—The Secretary shall—

“(1) acting through the Director of the Institute of Education Sciences, and in consultation with the Director of the National Science Foundation—

“(A) evaluate the implementation and impact of the activities supported under this part, including progress measured by the metrics established under subsection (a); and

“(B) identify best practices to improve instruction in science, technology, engineering, and mathematics subjects;

“(2) disseminate, in consultation with the National Science Foundation, research on best practices to improve instruction in science, technology, engineering, and mathematics subjects;

“(3) ensure that the Department is taking appropriate action to—

“(A) identify all activities being supported under this part; and

“(B) avoid unnecessary duplication of efforts between the activities being supported under this part and other programmatic activities supported by the Department or by other Federal agencies; and

“(4) develop a rigorous system to—

“(A) identify the science, technology, engineering, and mathematics education-specific needs of States and stakeholders receiving funds through subgrants under this part;

“(B) make public and widely disseminate programmatic activities relating to science, technology, engineering, and mathematics that are supported by the Department or by other Federal agencies; and

“(C) develop plans for aligning the programmatic activities supported by the Department and other Federal agencies with the State and stakeholder needs.

**SA 2139.** Mr. ALEXANDER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; as follows:

On page 185, between lines 18 and 19, insert the following:

**SEC. 1011A. SCHOLARSHIPS FOR KIDS PROGRAM.**

(a) IN GENERAL.—Part A of title I (20 U.S.C. 6301 et seq.) is amended by adding at the end the following:

**“Subpart 3—Scholarships for Kids Program**

**“SEC. 1131. PURPOSE.**

“The purpose of this subpart is to improve the academic achievement of the disadvantaged by encouraging State efforts to expand the educational choices available to low-income students.

**“SEC. 1132. SCHOLARSHIPS FOR KIDS PROGRAM.**

(a) DEFINITIONS.—In this section:

“(1) ELIGIBLE CHILD.—

“(A) IN GENERAL.—The term ‘eligible child’ means a child residing in a participating State who—

“(i) is not older than 21;

“(ii) is entitled to a free public education through grade 12; and

“(iii)(I) is from a family with an income below the poverty level; or

“(II) is a child described in subparagraph (B).

“(B) EXCEPTION FOR CONTINUING ELIGIBILITY.—A participating State may elect to serve a child as an eligible child under an approved program under this section if—

“(i) such child was an eligible child described in subparagraph (A) during the previous fiscal year;

“(ii) such child is from a family with an income that is not greater than 200 percent of the poverty level on the basis of the most recent satisfactory data published by the Department of Commerce for the preceding year; and

“(iii) the State educational agency has determined that the child qualifies for continuing eligibility, as defined by the participating State in its declaration of intent under subsection (d).

“(C) CRITERIA OF POVERTY.—In determining if a family has an income below the poverty level for purposes of this section, a State shall use the poverty threshold, for the most recently completed calendar year, most recently published by the Bureau of the Census.

“(2) PARTICIPATING STATE.—The term ‘participating State’ means a State whose declaration of intent to exercise the State option for a Scholarships for Kids program is approved by the Secretary as described in subsection (d).

“(3) STATE.—The term ‘State’ means each of the several States of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

“(4) SUPPLEMENTAL EDUCATIONAL SERVICES PROGRAM.—The term ‘supplemental educational services program’ means a program providing tutoring and other supplemental academic enrichment services that are—

“(A) in addition to instruction provided during the school day; and

“(B) are of high-quality, evidence-based, and specifically designed to increase the academic achievement of eligible children, as determined by the State.

“(b) SCHOLARSHIPS FOR KIDS PROGRAM AUTHORIZED.—

“(1) IN GENERAL.—Notwithstanding any other provision of law and to the extent permitted under State law, a participating State may use the funds made available under subpart 2 to carry out a Scholarships for Kids program in accordance with subsection (c).

“(2) INAPPLICABILITY OF OTHER REQUIREMENTS.—Notwithstanding any other provision of law, a participating State carrying out a Scholarships for Kids program that meets the requirements of this section, and the local educational agencies in such State, shall not be required to meet any other requirements under this Act or any other law, except as provided in paragraph (3), in order to receive funds under subpart 2.

“(3) ACADEMIC STANDARDS, ACADEMIC ASSESSMENTS, AND REPORTING ON PERFORMANCE DISAGGREGATED BY STUDENT SUBGROUP.—A participating State carrying out a Scholarships for Kids program that meets the requirements of this section, and the local educational agencies in such State, shall comply with paragraphs (1) and (2) of subsection (b), and subsection (d), of section 1111, and with the requirements of subpart 2 of part F of title IX (except for section 9521).

“(c) USE OF FUNDS.—

“(1) STUDENT GRANTS.—

“(A) IN GENERAL.—Each participating State shall use the funds made available under section 1122 and not reserved under paragraph (2) or (3) to carry out a Scholarships for Kids program, under which the State shall—

“(i) establish a per-pupil amount for the grants under this section, based on the number of eligible children in the State, as described in subparagraph (B); and



“(ii) make a grant available on behalf of each eligible child, in the amount determined under such subparagraph, that the parents of the eligible child may use for any of the following purposes, as allowed by State law:

“(I) To supplement the budget of any public school the eligible child is able to attend without fees.

“(II) To pay for all, or a portion, of any fees required to attend another public school in the participating State.

“(III) To pay for all, or a portion, of the tuition and fees required to attend an accredited or otherwise State-approved private school.

“(IV) To pay for all, or a portion, of the fees required to participate in a State-approved supplemental educational services program.

“(B) CALCULATION OF GRANT AMOUNTS.—Each participating State shall calculate the amount of the grant to be awarded to each eligible child for each fiscal year by dividing the allocation to the participating State under this subpart remaining after the participating State reserves any funds under paragraph (2) or (3), by the total number of eligible children, as determined by the participating State.

“(2) ADMINISTRATIVE EXPENSES.—A participating State may reserve not more than 3 percent of its allocation under section 1122 for administrative costs associated with carrying out the participating State's duties and functions under this section, including—

“(A) certifying the eligibility of children living in the participating State;

“(B) disseminating information to parents of eligible children about public schools, private schools, and programs of supplemental educational services that are available to eligible children in the participating State;

“(C) paying the costs of administering any tests required to be administered to eligible children participating in the program; and

“(D) providing subgrants to local educational agencies in the participating State for any of these purposes.

“(3) TRANSPORTATION FOR ELIGIBLE CHILDREN.—A participating State may reserve not more than 2 percent of its allocation under section 1122 to provide transportation for eligible children to the public school, private school, or supplemental educational services program the eligible children attend in accordance with paragraph (1)(A)(ii).

“(d) STATE DECLARATION OF INTENT.—

“(1) IN GENERAL.—In order to carry out a Scholarships for Kids program under this section, a State educational agency shall submit a declaration of intent to exercise the State option for a Scholarships for Kids program to the Secretary that satisfies the requirements of this subsection.

“(2) CONTENTS.—Each declaration of intent submitted under paragraph (1) shall provide the following:

“(A) A description of the program to be administered under this section, including the per-student amount calculated under subsection (c)(1)(B) that will follow each eligible child to the school or supplemental educational services program the eligible child attends.

“(B) An assurance that funds made available under this section will be spent in accordance with the requirements of this section.

“(C)(i) An assurance that the State will provide a parent of each eligible child within the State who receives or is offered a grant under this section with the option to use grant funds for 1 (or more than 1 if the par-

ent so chooses) of any of the following, as allowed by State law:

“(I) To supplement the budget of any public school the eligible child is able to attend without fees.

“(II) To pay for all, or a portion, of any fees required to attend another public school in the participating State.

“(III) To pay for all, or a portion, of the tuition and fees to attend an accredited or otherwise State-approved private school.

“(IV) To pay for all, or a portion, of the fees required to participate in a supplemental educational services program.

“(i) A description of the procedures the State will implement to carry out the requirements of clause (i), including any accreditation or other method by which the State will approve private schools and providers of supplemental educational services programs to accept grant funds under this section.

“(D) An assurance that the State will publish, in a widely read or distributed medium, an annual report that contains—

“(i) the number of students, schools, and providers of programs of supplemental educational services that participated in the program assisted under this section;

“(ii) information regarding the academic progress of students receiving a grant under this section in meeting challenging State academic standards under section 1111(b)(1), if the State requires that students receiving a grant participate in the academic assessments administered under section 1111(b)(2); and

“(iii) such other information as the State may require.

“(E) A description of how the State will define continuing eligibility with respect to children who have participated in the State's Scholarships for Kids program for the preceding year, in accordance with subsection (a)(1)(B).

“(F) An assurance that the State will assist each local educational agency, public school, and participating private school affected by the State declaration of intent to meet the requirements of this section.

“(G) An assurance that the State will use Federal funds awarded as grants to eligible children under this section to supplement any funds from non-Federal sources that would, in the absence of such Federal funds, be made available to such students or to the schools or programs of supplemental educational services the students attend, and not to supplant such funds.

“(H) An assurance that the State will comply with the requirements of paragraphs (1) and (2) of subsection (b), and subsection (d), of section 1111.

“(I) An assurance that the State will participate in biennial State academic assessments in grades 4 and 8 in reading and mathematics under the National Assessment of Educational Progress carried out under section 303(b)(3) of the National Assessment of Educational Progress Authorization Act if the Secretary pays the costs of administering such assessments.

“(3) REVIEW AND APPROVAL BY THE SECRETARY.—

“(A) IN GENERAL.—The Secretary shall—

“(i) establish a process to review the declarations of intent received from States under this subsection; and

“(ii) by not later than 30 days after the submission of a State declaration of intent, approve the State declaration or, if the Secretary clearly demonstrates that the State declaration of intent does not meet the requirements of this subsection, carry out the requirements of paragraph (4).

“(B) STANDARD AND NATURE OF REVIEW.—The Secretary shall conduct a good faith review of State declarations of intent in their totality and in deference to State and local judgments, with the goal of promoting parental choice.

“(4) STATE DECLARATION OF INTENT DETERMINATION, DEMONSTRATION, AND REVISION.—If the Secretary determines that a State declaration of intent does not meet the requirements of this subsection, the Secretary shall, prior to disapproving the declaration of intent—

“(A) immediately notify the State of the determination;

“(B) provide to the State a detailed description of the specific requirements of this subsection that the Secretary determined were not met in the declaration of intent;

“(C) offer the State an opportunity to revise and resubmit its declaration of intent within 30 days of the determination;

“(D) provide technical assistance, upon request of the State, in order to assist the State in meeting the requirements of this subsection; and

“(E) provide an opportunity for a public hearing not later than 30 days after receiving from the State a revised declaration of intent, with public notice provided not less than 15 days before the hearing.

“(5) STATE DECLARATION OF INTENT DISAPPROVAL.—The Secretary shall have the authority to disapprove a State declaration of intent if—

“(A) the State has been notified and offered an opportunity to revise and resubmit the declaration of intent with technical assistance, in accordance with paragraph (4); and

“(B)(i) the State does not submit a revised declaration of intent; or

“(ii) the State submits a revised declaration of intent that the Secretary determines, after an opportunity for a hearing conducted in accordance with paragraph (4)(E), does not meet the requirements of this subsection.

“(6) RECOGNITION BY OPERATION OF LAW.—If the Secretary fails to take action on a declaration of intent submitted by a State within the time specified in paragraph (3)(A)(ii), the declaration of intent, as submitted, shall be deemed to be approved.

“(7) LIMITATIONS.—The Secretary shall not have the authority to require a State, as a condition of approval of the State declaration of intent under this subsection, to—

“(A) submit any standards for academic content or student academic achievement for review or approval;

“(B) enter into a voluntary partnership with another State to develop and implement academic assessments, challenging State academic standards, and accountability systems;

“(C) include in, or delete from, such a declaration of intent any criterion that specifies, describes, or prescribes any standard or measure that the State uses to establish, implement, or improve—

“(i) the challenging State academic standards;

“(ii) assessments;

“(iii) State accountability systems;

“(iv) systems that measure student growth;

“(v) measures of other academic indicators; or

“(vi) teacher and principal evaluation systems; or

“(D) require the collection, publication, or transmission to the Department of individual student data that is not expressly required to be collected under this Act.

“(e) ACCOUNTABILITY FOR ACADEMIC PROGRESS.—A participating State may require each eligible child receiving a grant under this section to take academic assessments implemented by the State educational agency under section 1111(b)(2) or an alternative assessment approved by the State educational agency of the participating State, if the participating State pays any costs associated with administering the assessment.

“(f) NONDISCRIMINATION AND OTHER REQUIREMENTS FOR SCHOOLS AND PROVIDERS OF SUPPLEMENTAL EDUCATIONAL SERVICES PROGRAMS.—

“(1) NONDISCRIMINATION.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), a school or provider of a supplemental educational services program that participates in a program under this section by accepting grant funds under this section on behalf of an eligible child under this section shall agree to not discriminate against program participants or applicants on the basis of race, color, national origin, religion, or sex.

“(B) EXCEPTIONS.—

“(i) IN GENERAL.—Notwithstanding any other provision of law, the prohibition of sex discrimination in subparagraph (A) shall not apply to a participating school that is operated by, supervised by, controlled by, or connected to a religious organization to the extent that the application of subparagraph (A) is inconsistent with the religious tenets or beliefs of the school.

“(ii) SINGLE-SEX SCHOOL, CLASS, OR ACTIVITY.—Notwithstanding subparagraph (A) or any other provision of law, a parent may choose, and a school may offer, a single-sex school, class, or activity.

“(C) APPLICABILITY.—Section 909 of the Education Amendments of 1972 (20 U.S.C. 1688) shall apply to this section as if such section 909 were part of this section.

“(2) CHILDREN WITH DISABILITIES.—Nothing in this section shall be construed to alter or modify the Individuals with Disabilities Education Act.

“(3) RULES OF CONDUCT AND OTHER SCHOOL POLICIES.—A participating school or provider of supplemental educational services may require eligible children attending the school or receiving the services, respectively, to abide by any rules of conduct or other requirements applicable to all other students served by the school or the provider of supplemental educational services.

“(4) RELIGIOUSLY AFFILIATED SCHOOLS AND PROVIDERS OF SUPPLEMENTAL EDUCATIONAL SERVICES.—

“(A) IN GENERAL.—Notwithstanding any other provision of law, a school or provider of supplemental educational services participating in a program under this section that is operated by, supervised by, controlled by, or connected to, a religious organization may exercise its right in matters of employment consistent with title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e-1 et seq.), including the exemptions in such title.

“(B) MAINTENANCE OF PURPOSE.—Notwithstanding any other provision of law, funds made available under this section to eligible students that are received by a participating school or supplemental educational services provider, as a result of their parents' choice, shall not, consistent with the first amendment of the Constitution of the United States—

“(i) necessitate any change in the participating school's teaching mission;

“(ii) require any participating school to remove religious art, icons, scriptures, or other symbols; or

“(iii) preclude any participating school from retaining religious terms in its name, selecting its board members on a religious basis, or including religious references in its mission statements and other chartering or governing documents.

“(g) NATIONAL PROGRAM ASSESSMENT.—

“(1) IN GENERAL.—The Secretary, acting through the Director of the Institute of Education Sciences, shall carry out a national assessment of activities carried out with Federal funds under this section in order—

“(A) to determine the effectiveness of this section in achieving the purposes of this section; and

“(B) to provide timely information to the President, Congress, the States, local educational agencies, and the public on how to implement this section more effectively, including recommendations for legislative and administrative action that can achieve the purposes of this section more effectively.

“(2) SCOPE OF ASSESSMENT.—The national assessment shall assess activities supported under this section, including—

“(A) the implementation of programs assisted under this section by participating States and the impact of such programs on improving the academic achievement of low-income children to meet the challenging State academic standards adopted by the participating States under section 1111(b)(1), based on the State academic assessments adopted under section 1111(b)(2), to the extent applicable;

“(B) the types of programs and services in participating States that have demonstrated the greatest effectiveness in helping low-income students reach the challenging State academic standards developed by the participating States; and

“(C) the effectiveness of States, local educational agencies, schools, and other recipients of assistance under this section in achieving the purposes of this section, by—

“(i) improving the academic achievement of low-income children and their performance on State assessments, where applicable, as compared with other children; and

“(ii) improving the participation of parents of low-income children in the education of their children.

“(3) SOURCES OF INFORMATION AND DATA COLLECTION.—

“(A) IN GENERAL.—In conducting the assessment under this subsection, the Secretary shall—

“(i) analyze existing data from States required for reports under this Act and the Individuals with Disabilities Education Act, and summarize major findings from such reports; and

“(ii) analyze data from the National Assessment of Educational Progress carried out under section 303(b)(2) of the National Assessment of Educational Progress Authorization Act.

“(B) SPECIAL RULE.—The information and data used to prepare the assessment, as described in subparagraph (A), shall be derived from existing State and local reporting requirements and data sources. Nothing in this paragraph shall be construed as authorizing, requiring, or allowing any additional reporting requirements, data elements, or information to be reported to the Secretary not otherwise explicitly authorized by any other Federal law.

“(4) REPORTS.—

“(A) INTERIM REPORT.—Not later than 3 years after the date of enactment of the Every Child Achieves Act of 2015, the Secretary shall transmit to the President, the Committee on Education and the Workforce

of the House of Representatives, and the Committee on Health, Education, Labor, and Pensions of the Senate, an interim report on the national assessment conducted under this subsection.

“(B) FINAL REPORT.—Not later than 5 years after the date of enactment of the Every Child Achieves Act of 2015, the Secretary shall transmit to the President, the Committee on Education and the Workforce of the House of Representatives, and the Committee on Health, Education, Labor, and Pensions of the Senate, a final report on the national assessment conducted under this subsection.

“(h) PROHIBITION AGAINST FEDERAL MANDATES, DIRECTION, OR CONTROL.—Nothing in this subsection shall be construed to authorize the Secretary or any other officer or employee of the Federal Government to mandate, direct, control, or exercise any direction or supervision over the instructional content or materials, curriculum, program of instruction, challenging State academic standards, or academic assessments of a State, local educational agency, elementary school or secondary school, or provider of supplemental educational services.”

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1002 (20 U.S.C. 6302), as amended by section 1002 of this Act, is further amended to read as follows:

**“SEC. 1002. AUTHORIZATION OF APPROPRIATIONS.**

“For the purpose of carrying out part A, there are authorized to be appropriated \$23,837,351,000 for fiscal year 2016 and each of the 5 succeeding fiscal years.”

(c) PROGRAM CONSOLIDATION.—

(1) CONSOLIDATION OF CERTAIN FEDERAL EDUCATION PROGRAMS.—The following provisions are repealed:

(A) Section 1003 and parts B, C, D, and E of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.).

(B) Titles II, III, IV, V, VI, and VII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6601 et seq., 6801 et seq., 7101 et seq., 7301 et seq., 7401 et seq.).

(C) Clauses (iii) and (iv) of section 105(f)(1)(B) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921d(f)(1)(B)(iii) and (iv)).

(D) The Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.).

(E) Subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.).

(F) The Educational Technical Assistance Act of 2002 (20 U.S.C. 9601 et seq.).

(G) Part A of title II of the Higher Education Act of 1965 (20 U.S.C. 1022 et seq.).

(H) Sections 402B and 402C of the Higher Education Act of 1965 (20 U.S.C. 1070a-12, 1070a-13).

(I) Section 410 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7630).

(J) Section 1417(j) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3152(j)).

(K) Section 401 of the Patient Protection and Affordable Care Act (42 U.S.C. 280h-4 note).

(L) Section 9 of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n).

(M) Section 399Z-1 of the Public Health Service Act (42 U.S.C. 280h-5).

(N) Sections 14005, 14006, and 14007 of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 282).

(2) EFFECTIVE DATE.—Paragraph (1) shall take effect on October 1, 2016.

## (3) ADDITIONAL CONFORMING AMENDMENTS.—

(A) IN GENERAL.—After consultation with the appropriate committees of Congress and the Director of the Office of Management and Budget, each applicable Secretary shall prepare recommended legislation containing technical and conforming amendments to reflect the changes made by this section.

(B) SUBMISSION TO CONGRESS.—Not later than 6 months after the date of enactment of this Act, each applicable Secretary shall submit the recommended legislation referred to under subparagraph (A) to the appropriate committees of Congress.

(C) DEFINITION OF APPLICABLE SECRETARY.—For purposes of this section, the term “applicable Secretary” means a Secretary with authority over a program or provision of law described in paragraph (1).

**SA 2140.** Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of part B of title X, add the following:

**SEC. 10234. REPEAL OF DUPLICATIVE INSPECTION AND GRADING PROGRAM.**

(a) FOOD, CONSERVATION, AND ENERGY ACT OF 2008.—Effective June 18, 2008, section 11016 of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 2130) is repealed.

(b) AGRICULTURAL ACT OF 2014.—Effective February 7, 2014, section 12106 of the Agricultural Act of 2014 (Public Law 113-79; 128 Stat. 981) is repealed.

(c) APPLICATION.—The Federal Meat Inspection Act (21 U.S.C. 601 et seq.) and the Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.) shall be applied and administered as if the provisions of law struck by this section had not been enacted.

**SA 2141.** Mr. BENNET (for himself and Ms. AYOTTE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 622, line 18, insert “such as through entities administering shared services,” after “strategies.”

On page 624, line 9, insert “which may include the use of shared services models” after “time in program”.

**SA 2142.** Mr. BLUMENTHAL (for himself, Mr. MURPHY, and Ms. CANTWELL) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 267, between lines 17 and 18, insert the following:

“(2) SOCIAL AND EMOTIONAL LEARNING.—The term ‘social and emotional learning’ means the process through which children and

adults acquire the knowledge, attitudes, and skills associated with the core areas of social and emotional competency, including—

“(A) self-awareness and self-management to achieve school and life success, such as—

“(i) identifying and recognizing strengths, needs, emotions, values, and self-efficacy;

“(ii) emotion regulation, including impulse control and stress management;

“(iii) self-motivation and discipline; and

“(iv) goal setting and organizational skills;

“(B) social awareness and interpersonal skills to establish and maintain positive relationships, such as perspective taking and respect for others, communication, working cooperatively, negotiation, conflict management, and help-seeking; and

“(C) decisionmaking skills and responsible behaviors in personal, academic, and community contexts, such as situational analysis, problem solving, reflection, and personal, social, and ethical responsibility.

“(3) SOCIAL AND EMOTIONAL LEARNING PROGRAMMING.—The term ‘social and emotional learning programming’ refers to evidence-based classroom instruction and schoolwide activities and initiatives that—

“(A) integrate social and emotional learning into the school curriculum;

“(B) provide systematic instruction whereby social and emotional skills are taught, modeled, practiced, and applied so that students use the skills as part of the students’ daily behavior;

“(C) teach students to apply social and emotional skills to—

“(i) prevent specific problem behaviors such as substance use, violence, bullying, and school failure; and

“(ii) promote positive behaviors in class, school, and community activities; and

“(D) establish safe and caring learning environments that foster student participation, engagement, and connection to learning, the school, and the community.”

On page 281, between lines 9 and 10, insert the following:

“(IV) programs that supplement, not supplant training for teachers, principals, other school leaders, or specialized instructional support personnel in practices that have demonstrated effectiveness in improving student achievement, attainment, behavior, and school climate through addressing the social and emotional development needs of students, such as through social and emotional learning programming.”

On page 302, between lines 17 and 18, insert the following:

“(vi) address the social and emotional development needs of students to improve student achievement, attainment, behavior, and school climate such as through social and emotional learning programming.”

**SA 2143.** Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of title X, insert the following:

**PART C—PROTECTING STUDENT ATHLETES FROM CONCUSSIONS****SECTION 10301. SHORT TITLE.**

This part may be cited as the “Protecting Student Athletes from Concussions Act of 2015”.

**SEC. 10302. MINIMUM STATE REQUIREMENTS.**

(a) MINIMUM REQUIREMENTS.—Each State that receives funds under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) and does not meet the requirements described in this section, as of the date of enactment of this part, shall, not later than the last day of the fifth full fiscal year after the date of enactment of this part (referred to in this part as the “compliance deadline”), enact legislation or issue regulations establishing the following minimum requirements:

(1) LOCAL EDUCATIONAL AGENCY CONCUSSION SAFETY AND MANAGEMENT PLAN.—Each local educational agency in the State, in consultation with members of the community in which such agency is located, shall develop and implement a standard plan for concussion safety and management that—

(A) educates students, parents, and school personnel about concussions, through activities such as—

(i) training school personnel, including coaches, teachers, athletic trainers, related services personnel, and school nurses, on concussion safety and management, including training on the prevention, recognition, and academic consequences of concussions and response to concussions; and

(ii) using, maintaining, and disseminating to students and parents—

(I) release forms and other appropriate forms for reporting and record keeping;

(II) treatment plans; and

(III) concussion prevention and post-injury observation and monitoring fact sheets;

(B) encourages supports, where feasible, for a student recovering from a concussion (regardless of whether or not the concussion occurred during school-sponsored activities, during school hours, on school property, or during an athletic activity), such as—

(i) guiding the student in resuming participation in athletic activity and academic activities with the help of a multi-disciplinary concussion management team, which may include—

(I) a health care professional, the parents of such student, a school nurse, relevant related services personnel, and other relevant school personnel; and

(II) an individual who is assigned by a public school to oversee and manage the recovery of such student; and

(ii) providing appropriate academic accommodations aimed at progressively reintroducing cognitive demands on the student; and

(C) encourages the use of best practices designed to ensure, with respect to concussions, the uniformity of safety standards, treatment, and management, such as—

(i) disseminating information on concussion safety and management to the public; and

(ii) applying uniform best practice standards for concussion safety and management to all students enrolled in public schools.

(2) POSTING OF INFORMATION ON CONCUSSIONS.—Each public elementary school and each public secondary school shall post on school grounds, in a manner that is visible to students and school personnel, and make publicly available on the school website, information on concussions that—

(A) is based on peer-reviewed scientific evidence (such as information made available by the Centers for Disease Control and Prevention);

(B) shall include information on—

(i) the risks posed by sustaining a concussion;

(ii) the actions a student should take in response to sustaining a concussion, including the notification of school personnel; and

(iii) the signs and symptoms of a concussion; and

(C) may include information on—

(i) the definition of a concussion;

(ii) the means available to the student to reduce the incidence or recurrence of a concussion; and

(iii) the effects of a concussion on academic learning and performance.

(3) **RESPONSE TO CONCUSSION.**—If an individual designated from among school personnel for purposes of this part, one of whom shall attend every school-sponsored athletic activity, suspects that a student has sustained a concussion (regardless of whether or not the concussion occurred during school-sponsored activities, during school hours, on school property, or during an athletic activity)—

(A) the student shall be—

(i) immediately removed from participation in a school-sponsored athletic activity; and

(ii) prohibited from returning to participate in a school-sponsored athletic activity on the day such student is removed from participation; and

(B) the designated individual shall report to the parent or guardian of such student—

(i) any information that the designated school employee is aware of regarding the date, time, and type of the injury suffered by such student (regardless of where, when, or how a concussion may have occurred); and

(ii) any actions taken to treat such student.

(4) **RETURN TO ATHLETICS.**—If a student has sustained a concussion (regardless of whether or not the concussion occurred during school-sponsored activities, during school hours, on school property, or during an athletic activity), before such student resumes participation in school-sponsored athletic activities, the school shall receive a written release from a health care professional, that—

(A) states that the student is capable of resuming participation in such activities; and

(B) may require the student to follow a plan designed to aid the student in recovering and resuming participation in such activities in a manner that—

(i) is coordinated, as appropriate, with periods of cognitive and physical rest while symptoms of a concussion persist; and

(ii) reintroduces cognitive and physical demands on such student on a progressive basis only as such increases in exertion do not cause the reemergence or worsening of symptoms of a concussion.

(b) **NONCOMPLIANCE.**—

(1) **FIRST YEAR.**—If a State described in subsection (a) fails to comply with subsection (a) by the compliance deadline, the Secretary of Education shall reduce by 5 percent the amount of funds the State receives under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) for the first fiscal year following the compliance deadline.

(2) **SUCCEEDING YEARS.**—If the State fails to so comply by the last day of any fiscal year following the compliance deadline, the Secretary of Education shall reduce by 10 percent the amount of funds the State receives under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) for the following fiscal year.

(3) **NOTIFICATION OF NONCOMPLIANCE.**—Prior to reducing any funds that a State receives under the Elementary and Secondary Edu-

cation Act of 1965 (20 U.S.C. 6301 et seq.) in accordance with this subsection, the Secretary of Education shall provide a written notification of the intended reduction of funds to the State and to the appropriate committees of Congress.

#### **SEC. 10303. RULE OF CONSTRUCTION.**

Nothing in this part shall be construed to affect civil or criminal liability under Federal or State law.

#### **SEC. 10304. DEFINITIONS.**

In this part:

(1) **CONCUSSION.**—The term “concussion” means a type of mild traumatic brain injury that—

(A) is caused by a blow, jolt, or motion to the head or body that causes the brain to move rapidly in the skull;

(B) disrupts normal brain functioning and alters the mental state of the individual, causing the individual to experience—

(i) any period of observed or self-reported—

(I) transient confusion, disorientation, or impaired consciousness;

(II) dysfunction of memory around the time of injury; or

(III) loss of consciousness lasting less than 30 minutes; or

(ii) any 1 of 4 types of symptoms, including—

(I) physical symptoms, such as headache, fatigue, or dizziness;

(II) cognitive symptoms, such as memory disturbance or slowed thinking;

(III) emotional symptoms, such as irritability or sadness; or

(IV) difficulty sleeping; and

(C) can occur—

(i) with or without the loss of consciousness; and

(ii) during participation in any organized sport or recreational activity.

(2) **HEALTH CARE PROFESSIONAL.**—The term “health care professional”—

(A) means an individual who has been trained in diagnosis and management of traumatic brain injury in a pediatric population; and

(B) includes a physician (M.D. or D.O.), certified athletic trainer, or physical therapist who is registered, licensed, certified, or otherwise statutorily recognized by the State to provide such diagnosis and management.

(3) **LOCAL EDUCATIONAL AGENCY; STATE.**—The terms “local educational agency” and “State” have the meanings given such terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(4) **RELATED SERVICES PERSONNEL.**—The term “related services personnel” means individuals who provide related services, as defined under section 602 of the Individuals with Disabilities Education Act (20 U.S.C. 1401).

(5) **SCHOOL-SPONSORED ATHLETIC ACTIVITY.**—The term “school-sponsored athletic activity” means—

(A) any physical education class or program of a school;

(B) any athletic activity authorized during the school day on school grounds that is not an instructional activity;

(C) any extra-curricular sports team, club, or league organized by a school on or off school grounds; and

(D) any recess activity.

**SA 2144.** Mr. WICKER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Edu-

cation Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of part B of title X, add the following:

#### **SEC. 10202. RESOURCES FOR IMPROVED SCIENCE EDUCATION.**

(a) **IN GENERAL.**—The Administrator of the Environmental Protection Agency and the Administrator of the National Oceanic and Atmospheric Administration shall provide States and local educational agencies with balanced, objective resources on climate theory to promote improved science education for students in kindergarten through grade 12, including materials regarding—

(1) the natural causes and cycles of climate change;

(2) the uncertainties inherent in climate modeling; and

(3) the myriad factors that influence the climate of the Earth.

(b) **RESOURCES.**—The resources provided under subsection (a) shall be—

(1) in addition to any climate theory resources the Administrator of the Environmental Protection Agency or the Administrator of the National Oceanic and Atmospheric Administration are providing to States or local educational agencies on the day before the date of enactment of this Act; and

(2) made available to promote open classroom discussion that builds student skills in scientific reasoning, critical thinking, and independent thought.

**SA 2145.** Ms. AYOTTE (for herself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 430, between lines 6 and 7, insert the following:

“(ix) designing and implementing evidence-based mental health awareness training programs for the purposes of—

“(I) recognizing the signs and symptoms of mental illness;

“(II) providing education to school personnel regarding resources available in the community for students with mental illnesses and other relevant resources relating to mental health; or

“(III) providing education to school personnel regarding the safe de-escalation of crisis situations involving a student with a mental illness; and

**SA 2146.** Mr. COTTON (for himself, Mr. SESSIONS, and Mr. CRUZ) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of part B of title X, add the following:

#### **SEC. 10204. SANCTUARY CITIES.**

(a) **SANCTUARY CITY DEFINED.**—In this section, the term “sanctuary city” means a State or a political subdivision of a State that has in effect a statute, policy, or practice that prohibits law enforcement officers

of the State, or of the political subdivision, from assisting or cooperating with Federal immigration law enforcement in the course of carrying out the officers' routine law enforcement duties.

(b) **INELIGIBILITY FOR FUNDS AND GRANTS.**—

(1) **IN GENERAL.**—A sanctuary city shall not be eligible to receive, for a minimum period of at least 1 year—

(A) any of the funds that would otherwise be allocated to the State or political subdivision under section 241(i) of the Immigration and Nationality Act (8 U.S.C. 1231(i)) or the 'Cops on the Beat' program under part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd et seq.); or

(B) any other law enforcement or Department of Homeland Security grant.

(2) **TERMINATION OF INELIGIBILITY.**—A jurisdiction that is found to be a sanctuary city shall only become eligible to receive funds or grants under paragraph (1) after the Attorney General certifies that the jurisdiction is no longer a sanctuary city.

(c) **ANNUAL DETERMINATION AND REPORT.**—

(1) **ANNUAL DETERMINATION.**—Not later than March 1 of each year, the Secretary of Homeland Security shall determine which States or political subdivisions of a State are sanctuary cities and shall report to Congress such determinations.

(2) **REPORTS.**—The Attorney General shall issue a report concerning the compliance of any particular State or political subdivision of a State at the request of the Committee on the Judiciary of the Senate or the Committee on the Judiciary of the House of Representatives.

(d) **REALLOCATION.**—Any funds that are not allocated to a sanctuary city, due to the jurisdiction's designation as a sanctuary city, shall be reallocated to States and political subdivisions of States that are not sanctuary cities.

(e) **CONSTRUCTION.**—Nothing in this section may be construed to require law enforcement officials from a State or a political subdivision of a State to report or arrest victims or witnesses of a criminal offense.

(f) **EFFECTIVE DATE.**—This section shall take effect on the date of the enactment of this Act.

**SA 2147.** Mr. PORTMAN (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 422, line 22, insert "recovery support services," after "referral."

On page 439, line 16, insert "recovery support services," after "mentoring."

**SA 2148.** Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 70, line 3, strike the period and insert the following: ";

"(iii) use funds under this part to implement statewide efforts to expand and rep-

licate highly performing, low-income charter schools, magnet schools, and traditional public schools.

**SA 2149.** Mr. UDALL submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 799, between lines 17 and 18, insert the following:

**SEC. 9114A. APPLICATION FOR COMPETITIVE GRANTS FROM THE BUREAU OF INDIAN EDUCATION.**

Subpart 2 of part F of title IX (20 U.S.C. 7901 et seq.), as amended by sections 4001(3) and 9114 and redesignated by section 9106(1), is further amended by adding at the end the following:

**"SEC. 9539. APPLICATION FOR COMPETITIVE GRANTS FROM THE BUREAU OF INDIAN EDUCATION.**

"(a) **IN GENERAL.**—Notwithstanding any other provision of this Act and subject to subsection (b), the Bureau of Indian Education may apply for, and carry out, any grant program awarded on a competitive basis under this Act, as appropriate, on behalf of the schools and the Indian children that the Bureau serves, and shall not be subject to any provision of the program that requires grant recipients to contribute funds toward the costs of the grant program.

"(b) **LIMITATION.**—In the case of any competitive grant program described in subsection (a) that also provides a reservation of funds to the Bureau of Indian Education, the Bureau shall not, for any fiscal year, receive both a grant and a reservation under the competitive grant program."

**SA 2150.** Mrs. FEINSTEIN (for herself, Mr. CORNYN, and Mr. GARDNER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 403, strike line 15 and insert the following:

"(B) intensified instruction, which may include linguistically responsive materials; and

"(C) bilingual paraprofessionals, which may include interpreters and translators.

**SA 2151.** Mr. CARPER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 287, between lines 8 and 9, insert the following:

"(J) A description of actions the State will take to improve preparation programs and strengthen support for principals and other school leaders based on the needs of the State, as identified by the State educational agency.

**SA 2152.** Mr. CASEY (for himself, Mrs. MURRAY, Ms. HIRONO, Mr. DURBIN, Mr. MURPHY, Mr. HEINRICH, Ms. BALDWIN, Mr. UDALL, Mr. SCHATZ, Ms. MIKULSKI, Mr. FRANKEN, Mr. MARKEY, Mr. WHITEHOUSE, Mrs. GILLIBRAND, Mr. WYDEN, Mr. COONS, Ms. WARREN, Ms. CANTWELL, Mr. SCHUMER, Mrs. SHAHEEN, and Mr. SANDERS) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

**PART C—UNIVERSAL PREKINDERGARTEN**

**Subpart A—Prekindergarten Access**

**SEC. 10300. SHORT TITLE.**

This part may be cited as the "Strong Start for America's Children Act of 2015".

**SEC. 10301. PURPOSES.**

The purposes of this subpart are to—

(1) establish a Federal-State partnership to provide access to high-quality public prekindergarten programs for all children from low-income and moderate-income families to ensure that they enter kindergarten prepared for success;

(2) broaden participation in such programs to include children from additional middle-class families;

(3) promote access to high-quality kindergarten, and high-quality early childhood education programs and settings for children; and

(4) increase access to appropriate supports so children with disabilities and other children who need specialized supports can fully participate in high-quality early education programs.

**SEC. 10302. DEFINITIONS.**

In this subpart:

(1) **CHILD WITH A DISABILITY.**—The term "child with a disability" means—

(A) a child with a disability, as defined in section 602 of the Individuals with Disabilities Education Act (20 U.S.C. 1401); or

(B) an infant or toddler with a disability, as defined in section 632 of the Individuals with Disabilities Education Act (20 U.S.C. 1432).

(2) **COMPREHENSIVE EARLY LEARNING ASSESSMENT SYSTEM.**—The term "comprehensive early learning assessment system"—

(A) means a coordinated and comprehensive system of multiple assessments, each of which is valid and reliable for its specified purpose and for the population with which it will be used, that—

(i) organizes information about the process and context of young children's learning and development to help early childhood educators make informed instructional and programmatic decisions; and

(ii) conforms to the recommendations of the National Research Council reports on early childhood; and

(B) includes, at a minimum—

(i) child screening measures to identify children who may need follow-up services to address developmental, learning, or health needs in, at a minimum, areas of physical health, behavioral health, oral health, child development, vision, and hearing;

(ii) child formative assessments;

(iii) measures of environmental quality; and

(iv) measures of the quality of adult-child interactions.

(3) **DUAL LANGUAGE LEARNER.**—The term “dual language learner” means an individual who is limited English proficient.

(4) **EARLY CHILDHOOD EDUCATION PROGRAM.**—The term “early childhood education program” has the meaning given the term under section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

(5) **ELEMENTARY SCHOOL.**—The term “elementary school” has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(6) **ELIGIBILITY DETERMINATION DATE.**—The term “eligibility determination date” means the date used to determine eligibility for public elementary school in the community in which the eligible local entity involved is located.

(7) **ELIGIBLE LOCAL ENTITY.**—The term “eligible local entity” means—

(A) a local educational agency, including a charter school or a charter management organization that acts as a local educational agency, or an educational service agency in partnership with a local educational agency;

(B) an entity (including a Head Start program or licensed child care setting) that carries out, administers, or supports an early childhood education program; or

(C) a consortium of entities described in subparagraph (A) or (B).

(8) **FULL-DAY.**—The term “full-day” means a day that is—

(A) equivalent to a full school day at the public elementary schools in a State; and

(B) not less than 5 hours a day.

(9) **GOVERNOR.**—The term “Governor” means the chief executive officer of a State.

(10) **HIGH-QUALITY PREKINDERGARTEN PROGRAM.**—The term “high-quality prekindergarten program” means a prekindergarten program supported by an eligible local entity that includes, at a minimum, the following elements based on nationally recognized standards:

(A) Serves children who—

(i) are age 4 or children who are age 3 or 4, by the eligibility determination date (including children who turn age 5 while attending the program); or

(ii) have attained the legal age for State-funded prekindergarten.

(B) Requires high qualifications for staff, including that teachers meet the requirements of 1 of the following clauses:

(i) The teacher has a bachelor’s degree in early childhood education or a related field with coursework that demonstrates competence in early childhood education.

(ii) The teacher—

(I) has a bachelor’s degree in any field;

(II) has demonstrated knowledge of early childhood education by passing a State-approved assessment in early childhood education;

(III) while employed as a teacher in the prekindergarten program, is engaged in ongoing professional development in early childhood education for not less than 2 years; and

(IV) not more than 4 years after starting employment as a teacher in the prekindergarten program, enrolls in and completes a State-approved educator preparation program in which the teacher receives training and support in early childhood education.

(iii) The teacher has bachelor’s degree with a credential, license, or endorsement that demonstrates competence in early childhood education.

(C) Maintains an evidence-based maximum class size.

(D) Maintains an evidence-based child to instructional staff ratio.

(E) Offers a full-day program.

(F) Provides developmentally appropriate learning environments and evidence-based curricula that are aligned with the State’s early learning and development standards described in section 10305(1).

(G) Offers instructional staff salaries comparable to kindergarten through grade 12 teaching staff.

(H) Provides for ongoing monitoring and program evaluation to ensure continuous improvement.

(I) Offers accessible comprehensive services for children that include, at a minimum—

(i) screenings for vision, hearing, dental, health (including mental health), and development (including early literacy and math skill development) and referrals, and assistance obtaining services, when appropriate;

(ii) family engagement opportunities that take into account home language, such as parent conferences (including parent input about their child’s development) and support services, such as parent education, home visiting, and family literacy services;

(iii) nutrition services, including nutritious meals and snack options aligned with requirements set by the most recent Child and Adult Care Food Program guidelines promulgated by the Department of Agriculture as well as regular, age-appropriate, nutrition education for children and their families;

(iv) programs in coordination with local educational agencies and entities providing services and supports authorized under part B and part C of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.; 1431 et seq.) to ensure the full participation of children with disabilities;

(v) physical activity programs aligned with evidence-based guidelines, such as those recommended by the Institute of Medicine, and which take into account and accommodate children with disabilities;

(vi) additional support services, as appropriate, based on the findings of the community assessment, as described in section 10311(b)(4); and

(vii) on-site coordination, to the maximum extent practicable.

(J) Provides high-quality professional development for all staff, including regular in-classroom observation for teachers and teacher assistants by individuals trained in such observation and which may include evidence-based coaching.

(K) Meets the education performance standards in effect under section 641A(a)(1)(B) of the Head Start Act (42 U.S.C. 9836a(a)(1)(B)).

(L) Maintains evidence-based health and safety standards.

(M) Maintains disciplinary policies that do not include expulsion or suspension of participating children, except as a last resort in extraordinary circumstances where—

(i) there is a determination of a serious safety threat; and

(ii) policies are in place to provide appropriate alternative early educational services to expelled or suspended children while they are out of school.

(11) **HOMELESS CHILD.**—The term “homeless child” means a child or youth described in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)).

(12) **INDIAN TRIBE; TRIBAL ORGANIZATION.**—The terms “Indian tribe” and “tribal organization” have the meanings given the terms in 658P of the Child Care and Development Block Grant of 1990 (42 U.S.C. 9858n).

(13) **INSTITUTION OF HIGHER EDUCATION.**—The term “institution of higher education”

has the meaning given the term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).

(14) **LIMITED ENGLISH PROFICIENT.**—The term “limited English proficient” has the meaning given the term in section 637 of the Head Start Act (42 U.S.C. 9832).

(15) **LOCAL EDUCATIONAL AGENCY; STATE EDUCATIONAL AGENCY; EDUCATIONAL SERVICE AGENCY.**—The terms “local educational agency”, “State educational agency”, and “educational service agency” have the meanings given the terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(16) **MIGRATORY CHILD.**—The term “migratory child” has the meaning given the term in section 1309 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6399).

(17) **OUTLYING AREA.**—The term “outlying area” means each of the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the Republic of Palau, the Federated States of Micronesia, and the Republic of the Marshall Islands.

(18) **POVERTY LINE.**—The term “poverty line” means the official poverty line (as defined by the Office of Management and Budget)—

(A) adjusted to reflect the percentage change in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor for the most recent 12-month period or other interval for which the data are available; and

(B) applicable to a family of the size involved.

(19) **SECONDARY SCHOOL.**—The term “secondary school” has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(20) **SECRETARY.**—The term “Secretary” means the Secretary of Education.

(21) **STATE.**—Except as otherwise provided in this subpart, the term “State” means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and each of the outlying areas.

(22) **STATE ADVISORY COUNCIL ON EARLY CHILDHOOD EDUCATION AND CARE.**—The term “State Advisory Council on Early Childhood Education and Care” means the State Advisory Council on Early Childhood Education and Care established under section 642B(b) of the Head Start Act (42 U.S.C. 9837b(b)).

#### SEC. 10303. PROGRAM AUTHORIZATION.

From amounts made available to carry out this subpart, the Secretary, in consultation with the Secretary of Health and Human Services, shall award grants to States to implement high-quality prekindergarten programs, consistent with the purposes of this subpart described in section 10301. For each fiscal year, the funds provided under a grant to a State shall equal the allotment determined for the State under section 10304.

#### SEC. 10304. ALLOTMENTS AND RESERVATIONS OF FUNDS.

(a) **RESERVATION.**—From the amount made available each fiscal year to carry out this subpart, the Secretary shall—

(1) reserve not less than 1 percent and not more than 2 percent for payments to Indian tribes and tribal organizations;

(2) reserve one-half of 1 percent for the outlying areas to be distributed among the outlying areas on the basis of their relative need, as determined by the Secretary in accordance with the purposes of this subpart;

(3) reserve one-half of 1 percent for eligible local entities that serve children in families who are engaged in migrant or seasonal agricultural labor; and



(4) reserve not more than 1 percent or \$30,000,000, whichever amount is less, for national activities, including administration, technical assistance, and evaluation.

(b) ALLOTMENTS.—

(1) IN GENERAL.—From the amount made available each fiscal year to carry out this subpart and not reserved under subsection (a), the Secretary shall make allotments to States in accordance with paragraph (2) that have submitted an approved application.

(2) ALLOTMENT AMOUNT.—

(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall allot the amount made available under paragraph (1) for a fiscal year among the States in proportion to the number of children who are age 4 who reside within the State and are from families with incomes at or below 200 percent of the poverty line for the most recent year for which satisfactory data are available, compared to the number of such children who reside in all such States for that fiscal year.

(B) MINIMUM ALLOTMENT AMOUNT.—No State receiving an allotment under subparagraph (A) may receive less than one-half of 1 percent of the total amount allotted under such subparagraph.

(3) REALLOTMENT AND CARRY OVER.—

(A) IN GENERAL.—If one or more States do not receive an allotment under this subsection for any fiscal year, the Secretary may use the amount of the allotment for that State or States, in such amounts as the Secretary determines appropriate, for either or both of the following:

(i) To increase the allotments of States with approved applications for the fiscal year, consistent with subparagraph (B).

(ii) To carry over the funds to the next fiscal year.

(B) REALLOTMENT.—In increasing allotments under subparagraph (A)(i), the Secretary shall allot to each State with an approved application an amount that bears the same relationship to the total amount to be allotted under subparagraph (A)(i), as the amount the State received under paragraph (2) for that fiscal year bears to the amount that all States received under paragraph (2) for that fiscal year.

(4) STATE.—For purposes of this subsection, the term “State” means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

(c) FLEXIBILITY.—The Secretary may make minimal adjustments to allotments under subsection (b), which shall neither lead to a significant increase or decrease in a State's allotment determined under subsection (b), based on a set of factors, such as the level of program participation and the estimated cost of the activities specified in the State plan under section 10306(2).

**SEC. 10305. STATE ELIGIBILITY CRITERIA.**

A State is eligible to receive a grant under this subpart if the State demonstrates to the Secretary that the State—

(1) has established or will establish early learning and development standards that—

(A) describe what children from birth to kindergarten entry should know and be able to do;

(B) are universally designed and developmentally, culturally, and linguistically appropriate;

(C) are aligned with the State's challenging academic content standards and challenging student academic achievement standards, as adopted under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(1)); and

(D) cover all of the essential domains of school readiness, which address—

(i) physical well-being and motor development;

(ii) social and emotional development;

(iii) approaches to learning, including creative arts expression;

(iv) developmentally appropriate oral and written language and literacy development; and

(v) cognition and general knowledge, including early mathematics and early scientific development;

(2) has the ability or will develop the ability to link prekindergarten data with State elementary school and secondary school data for the purpose of collecting longitudinal information for all children participating in the State's high-quality prekindergarten program and any other federally funded early childhood program that will remain with the child through the child's public education through grade 12;

(3) offers State-funded kindergarten for children who are eligible children for that service in the State; and

(4) has established a State Advisory Council on Early Childhood Education and Care.

**SEC. 10306. STATE APPLICATIONS.**

To receive a grant under this subpart, the Governor of a State, in consultation with the Indian tribes and tribal organizations in the State, if any, shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require. At a minimum, each such application shall include—

(1) an assurance that the State—

(A) will coordinate with and continue to participate in the programs authorized under section 619 and part C of the Individuals with Disabilities Education Act (20 U.S.C. 1419; 1431 et seq.), the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), and the maternal, infant, and early childhood home visiting programs funded under section 511 of the Social Security Act (42 U.S.C. 711) for the duration of the grant;

(B) will designate a State-level entity (such as an agency or joint interagency office), selected by the Governor, for the administration of the grant, which shall coordinate and consult with the State educational agency if the entity is not the State educational agency; and

(C) will establish, or certify the existence of, program standards for all State prekindergarten programs consistent with the definition of a high-quality prekindergarten program under section 10302;

(2) a description of the State's plan to—

(A) use funds received under this subpart and the State's matching funds to provide high-quality prekindergarten programs, in accordance with section 10307(d), with open enrollment for all children in the State who—

(i) are described in section 10302(10)(A); and

(ii) are from families with incomes at or below 200 percent of the poverty line;

(B) develop or enhance a system for monitoring eligible local entities that are receiving funds under this subpart for compliance with quality standards developed by the State and to provide program improvement support, which may be accomplished through the use of a State-developed system for quality rating and improvement;

(C) if applicable, expand participation in the State's high-quality prekindergarten programs to children from families with incomes above 200 percent of the poverty line;

(D) carry out the State's comprehensive early learning assessment system, or how the State plans to develop such a system, ensuring that any assessments are culturally,

developmentally, and age-appropriate and consistent with the recommendations from the study on Developmental Outcomes and Assessments for Young Children by the National Academy of Sciences, consistent with section 649(j) of the Head Start Act (42 U.S.C. 9844);

(E) develop, implement, and make publicly available the performance measures and targets described in section 10309;

(F) increase the number of teachers with bachelor's degrees in early childhood education, or with bachelor's degrees in another closely related field and specialized training and demonstrated competency in early childhood education, including how institutions of higher education will support increasing the number of teachers with such degrees and training, including through the use of assessments of prior learning, knowledge, and skills to facilitate and expedite attainment of such degrees;

(G) coordinate and integrate the activities funded under this subpart with Federal, State, and local services and programs that support early childhood education and care, including programs supported under this subpart, the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), the Head Start Act (42 U.S.C. 9831 et seq.), the Community Services Block Grant Act (42 U.S.C. 9901 et seq.), the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), the temporary assistance for needy families program under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), the Race to the Top program under section 14006 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5), federally funded early literacy programs, the maternal, infant, and early childhood home visiting programs funded under section 511 of the Social Security Act (42 U.S.C. 711), health improvements to child care funded under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), the program under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.), the innovation fund program under section 14007 of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5), programs authorized under part E of title IV of the Social Security Act (42 U.S.C. 670 et seq.), the Fostering Connections to Success and Increasing Adoptions Act of 2008 (Public Law 110-351), grants for infant and toddler care through Early Head Start-Child Care Partnerships funded under the heading “CHILDREN AND FAMILIES SERVICES PROGRAMS” under the heading ADMINISTRATION FOR CHILDREN AND FAMILIES in title II of division H of the Department of Health and Human Services Appropriations Act, 2014 (Public Law 113-76; 128 Stat. 377-378), the preschool development grants program funded under the heading “INNOVATION AND IMPROVEMENT” in title III of division G of the Department of Education Appropriations Act, 2015 (Public Law 113-235; 128 Stat. 2496), and any other Federal, State, or local early childhood education programs used in the State;

(H) award subgrants to eligible local entities, and in awarding such subgrants, facilitate a delivery system of high-quality prekindergarten programs that includes diverse providers, such as providers in community-based, public school, and private settings, and consider the system's impact on options for families;

(I) in the case of a State that does not have a State-determined funding mechanism for prekindergarten, use objective criteria in



awarding subgrants to eligible local entities that will implement high-quality prekindergarten programs, including actions the State will take to ensure that eligible local entities will coordinate with local educational agencies or other early learning providers, as appropriate, to carry out activities to provide children served under this subpart with a successful transition from preschool into kindergarten, which activities shall include—

(i) aligning curricular objectives and instruction;

(ii) providing staff professional development, including opportunities for joint-professional development on early learning and kindergarten through grade 3 standards, assessments, and curricula;

(iii) coordinating family engagement and support services; and

(iv) encouraging the shared use of facilities and transportation, as appropriate;

(J) use the State early learning and development standards described in section 10305(1) to address the needs of dual language learners, including by incorporating benchmarks related to English language development;

(K) identify barriers, and propose solutions to overcome such barriers, which may include seeking assistance under section 10316, in the State to effectively use and integrate Federal, State, and local public funds and private funds for early childhood education that are available to the State on the date on which the application is submitted;

(L) support articulation agreements (as defined in section 486A of the Higher Education Act of 1965 (20 U.S.C. 1093a)) between public 2-year and public 4-year institutions of higher education and other credit-bearing professional development in the State for early childhood teacher preparation programs and closely related fields;

(M) ensure that the higher education programs in the State have the capacity to prepare a workforce to provide high-quality prekindergarten programs;

(N) support workforce development, including State and local policies that support prekindergarten instructional staff's ability to earn a degree, certification, or other specializations or qualifications, including policies on leave, substitutes, and child care services, including non-traditional hour child care;

(O) hold eligible local entities accountable for use of funds;

(P) ensure that the State's early learning and development standards are integrated into the instructional and programmatic practices of high-quality prekindergarten programs and related programs and services, such as those provided to children under section 619 and part C of the Individuals with Disabilities Education Act (20 U.S.C. 1419 and 1431 et seq.);

(Q) increase the number of children in the State who are enrolled in high-quality kindergarten programs and carry out a strategy to implement such a plan;

(R) coordinate the State's activities supported by grants under this subpart with activities in State plans required under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), the Head Start Act (42 U.S.C. 9831 et seq.), the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), and the Adult Education and Family Literacy Act (29 U.S.C. 3271 et seq.);

(S) encourage eligible local entities to coordinate with community-based learning re-

sources, such as libraries, arts and arts education programs, appropriate media programs, family literacy programs, public parks and recreation programs, museums, nutrition education programs, and programs supported by the Corporation for National and Community Service;

(T) work with eligible local entities, in consultation with elementary school principals, to ensure that high-quality prekindergarten programs have sufficient and appropriate facilities to meet the needs of children eligible for prekindergarten;

(U) support local early childhood coordinating entities, such as local early childhood councils, if applicable, and help such entities to coordinate early childhood education programs with high-quality prekindergarten programs to ensure effective and efficient delivery of early childhood education program services;

(V) support shared services administering entities, if applicable;

(W) ensure that the provision of high-quality prekindergarten programs will not lead to a diminution in the quality or supply of services for infants and toddlers or disrupt the care of infants and toddlers in the geographic area served by the eligible local entity, which may include demonstrating that the State will direct funds to provide high-quality early childhood education and care to infants and toddlers in accordance with section 10307(d); and

(X) encourage or promote socioeconomic, racial, and ethnic diversity in the classrooms of high-quality prekindergarten programs, as applicable; and

(3) an inventory of the State's higher education programs that prepare individuals for work in a high-quality prekindergarten program, including—

(A) certification programs;

(B) associate degree programs;

(C) baccalaureate degree programs;

(D) masters degree programs; and

(E) other programs that lead to a specialization in early childhood education, or a related field.

#### SEC. 10307. STATE USE OF FUNDS.

(a) RESERVATION FOR QUALITY IMPROVEMENT ACTIVITIES.—

(1) IN GENERAL.—A State that receives a grant under this subpart may reserve, for not more than the first 4 years such State receives such a grant, not more than 20 percent of the grant funds for quality improvement activities that support the elements of high-quality prekindergarten programs. Such quality improvement activities may include supporting teachers, center directors, and principals in a State's high-quality prekindergarten program, licensed or regulated child care, or Head Start programs to enable such teachers, principals, or directors to earn a baccalaureate degree in early childhood education, or a closely related field, through activities which may include—

(A) expanding or establishing scholarships, counseling, and compensation initiatives to cover the cost of tuition, fees, materials, transportation, and release time for such teachers;

(B) providing ongoing professional development opportunities, including regular in-classroom observation by individuals trained in such observation, for such teachers, directors, principals, and teachers assistants to enable such teachers, directors, principals, and teachers assistants to carry out the elements of high-quality prekindergarten programs, which may include activities that address—

(i) promoting children's development across all of the essential domains of early learning and development;

(ii) developmentally appropriate curricula and teacher-child interaction;

(iii) effective family engagement;

(iv) providing culturally competent instruction;

(v) working with a diversity of children and families, including children with disabilities and dual language learners;

(vi) childhood nutrition and physical education programs;

(vii) supporting the implementation of evidence-based curricula;

(viii) social and emotional development; and

(ix) incorporating age-appropriate strategies of positive behavioral interventions and supports; and

(C) providing families with increased opportunities to learn how best to support their children's physical, cognitive, social, and emotional development during the first 5 years of life.

(2) NOT SUBJECT TO MATCHING.—The amount reserved under paragraph (1) shall not be subject to the matching requirements under section 10310.

(3) COORDINATION.—A State that reserves an amount under paragraph (1) shall coordinate the use of such amount with activities funded under section 658G of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858e) and the Head Start Act (42 U.S.C. 9831 et seq.).

(4) CONSTRUCTION.—A State may not use funds reserved under this subsection to meet the requirement described in 10302(10)(G).

(b) SUBGRANTS FOR HIGH-QUALITY PREKINDERGARTEN PROGRAMS.—A State that receives a grant under this subpart shall award subgrants of sufficient size to eligible local entities to enable such eligible local entities to implement high-quality prekindergarten programs for children who—

(1) are described in section 10302(10)(A);

(2) reside within the State; and

(3) are from families with incomes at or below 200 percent of the poverty line.

(c) ADMINISTRATION.—A State that receives a grant under this subpart may reserve not more than 1 percent of the grant funds for administration of the grant, and may use part of that reservation for the maintenance of the State Advisory Council on Early Childhood Education and Care.

(d) EARLY CHILDHOOD EDUCATION AND CARE PROGRAMS FOR INFANTS AND TODDLERS.—

(1) USE OF ALLOTMENT FOR INFANTS AND TODDLERS.—An eligible State may apply to use, and the appropriate Secretary may grant permission for the State to use, not more than 15 percent of the funds made available through a grant received under this subpart to award subgrants to early childhood education programs to provide, consistent with the State's early learning and development guidelines for infants and toddlers, high-quality early childhood education and care to infants and toddlers who reside within the State and are from families with incomes at or below 200 percent of the poverty line.

(2) APPLICATION.—To be eligible to use the grant funds as described in paragraph (1), the State shall submit an application to the appropriate Secretary at such time, in such manner, and containing such information as the Secretary may require. Such application shall, at a minimum, include a description of how the State will—

(A) designate a lead agency which shall administer such funds;

(B) ensure that such lead agency, in coordination with the State's Advisory Council on Early Childhood Education and Care, will collaborate with other agencies in administering programs supported under this subsection for infants and toddlers in order to obtain input about the appropriate use of such funds and ensure coordination with programs for infants and toddlers funded under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), the Head Start Act (42 U.S.C. 9831 et seq.) (including any Early Learning Quality Partnerships established in the State under section 645B of the Head Start Act, as added by section 202), the Race to the Top program under section 14006 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5), the maternal, infant, and early childhood home visiting programs funded under section 511 of the Social Security Act (42 U.S.C. 711), part C of the Individuals with Disabilities Education Act (20 U.S.C. 1431 et seq.), and grants for infant and toddler care through Early Head Start-Child Care Partnerships funded under the heading "CHILDREN AND FAMILIES SERVICES PROGRAMS" under the heading ADMINISTRATION FOR CHILDREN AND FAMILIES in title II of division H of the Department of Health and Human Services Appropriations Act, 2014 (Public Law 113-76; 128 Stat. 377-378);

(C) ensure that infants and toddlers who benefit from amounts made available under this subsection will transition to and have the opportunity to participate in a high-quality prekindergarten program supported under this subpart;

(D) in awarding subgrants, give preference to early childhood education programs that have a written formal plan with baseline data, benchmarks, and timetables to increase access to and full participation in high-quality prekindergarten programs for children who need additional support, including children with developmental delays or disabilities, children who are dual language learners, homeless children, children who are in foster care, children of migrant families, children eligible for a free or reduced-price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), or children in the child welfare system; and

(E) give priority to activities carried out under this subsection that will increase access to high-quality early childhood education programs for infants and toddlers in local areas with significant concentrations of low-income families that do not currently benefit from such programs.

(3) **ELIGIBLE PROVIDERS.**—A State may use the grant funds as described in paragraph (1) to serve infants and toddlers only by working with early childhood education program providers that—

(A) offer full-day, full-year care, or otherwise meet the needs of working families; and

(B) meet high-quality standards, such as—

(i) Early Head Start program performance standards under the Head Start Act (42 U.S.C. 9831 et seq.); or

(ii) high-quality, demonstrated, valid, and reliable program standards that have been established through a national entity that accredits early childhood education programs.

(4) **FEDERAL ADMINISTRATION.**—

(A) **IN GENERAL.**—The Secretary shall bear responsibility for obligating and disbursing funds to support activities under this subsection and ensuring compliance with applicable laws and administrative requirements, subject to paragraph (3).

(B) **INTERAGENCY AGREEMENT.**—The Secretary of Education and the Secretary of

Health and Human Services shall jointly administer activities supported under this subsection on such terms as such Secretaries shall set forth in an interagency agreement. The Secretary of Health and Human Services shall be responsible for any final approval of a State's application under this subsection that addresses the use of funds designated for services to infants and toddlers.

(C) **APPROPRIATE SECRETARY.**—In this subsection, the term "appropriate Secretary" used with respect to a function, means the Secretary designated for that function under the interagency agreement.

#### **SEC. 10308. ADDITIONAL PREKINDERGARTEN SERVICES.**

(a) **PREKINDERGARTEN FOR 3-YEAR-OLDS.**—Each State that certifies to the Secretary that the State provides universally available, voluntary, high-quality prekindergarten programs for 4-year-old children who reside within the State and are from families with incomes at or below 200 percent of the poverty line may use the State's allocation under section 10304(b) to provide high-quality prekindergarten programs for 3-year-old children who reside within the State and are from families with incomes at or below 200 percent of the poverty line.

(b) **SUBGRANTS.**—In each State that has a city, county, or local educational agency that provides universally available high-quality prekindergarten programs for 4-year-old children who reside within the State and are from families with incomes at or below 200 percent of the poverty line the State may use amounts from the State's allocation under section 10304(b) to award subgrants to eligible local entities to enable such eligible local entities to provide high-quality prekindergarten programs for 3-year-old children who are from families with incomes at or below 200 percent of the poverty line and who reside in such city, county, or local educational agency.

#### **SEC. 10309. PERFORMANCE MEASURES AND TARGETS.**

(a) **IN GENERAL.**—A State that receives a grant under this subpart shall develop, implement, and make publicly available the performance measures and targets for the activities carried out with grant funds. Such measures shall, at a minimum, track the State's progress in—

(1) increasing school readiness across all domains for all categories of children, as described in section 10313(b)(7), including children with disabilities and dual language learners;

(2) narrowing school readiness gaps between minority and nonminority children, and low-income children and more advantaged children, in preparation for kindergarten entry;

(3) decreasing the number of years that children receive special education and related services as described in part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.);

(4) increasing the number of programs meeting the criteria for high-quality prekindergarten programs across all types of local eligible entities, as defined by the State and in accordance with section 10302;

(5) decreasing the need for grade-to-grade retention in elementary school;

(6) if applicable, ensuring that high-quality prekindergarten programs do not experience instances of chronic absence among the children who participate in such programs;

(7) increasing the number and percentage of low-income children in high-quality early childhood education programs that receive financial support through funds provided under this subpart; and

(8) providing high-quality nutrition services, nutrition education, physical activity, and obesity prevention programs.

(b) **PROHIBITION OF MISDIAGNOSIS PRACTICES.**—A State shall not, in order to meet the performance measures and targets described in subsection (a), engage in practices or policies that will lead to the misdiagnosis or under-diagnosis of disabilities or developmental delays among children who are served through programs supported under this subpart.

#### **SEC. 10310. MATCHING REQUIREMENTS.**

(a) **MATCHING FUNDS.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), a State that receives a grant under this subpart shall provide matching funds from non-Federal sources, as described in subsection (c), in an amount equal to—

(A) 10 percent of the Federal funds provided under the grant in the first year of grant administration;

(B) 10 percent of the Federal funds provided under the grant in the second year of grant administration;

(C) 20 percent of the Federal funds provided under the grant in the third year of grant administration;

(D) 30 percent of the Federal funds provided under the grant in the fourth year of grant administration; and

(E) 40 percent of the Federal funds provided under the grant in the fifth year of grant administration.

(2) **REDUCED MATCH RATE.**—A State that meets the requirements under subsection (b) may provide matching funds from non-Federal sources at a reduced rate. The full reduced matching funds rate shall be in an amount equal to—

(A) 5 percent of the Federal funds provided under the grant in the first year of grant administration;

(B) 5 percent of the Federal funds provided under the grant in the second year of grant administration;

(C) 10 percent of the Federal funds provided under the grant in the third year of grant administration;

(D) 20 percent of the Federal funds provided under the grant in the fourth year of grant administration; and

(E) 30 percent of the Federal funds provided under the grant in the fifth year of grant administration.

(b) **REDUCED MATCH RATE ELIGIBILITY.**—A State that receives a grant under this subpart may provide matching funds from non-Federal sources at the full reduced rate under subsection (a)(2) if the State, across all publicly funded programs (including locally funded programs)—

(1)(A) offers enrollment in high-quality prekindergarten programs to not less than half of children in the State who are—

(i) age 4 on the eligibility determination date; and

(ii) from families with incomes at or below 200 percent of the poverty line; and

(B) has a plan for continuing to expand access to high-quality prekindergarten programs for such children in the State; and

(2) has a plan to expand access to high-quality prekindergarten programs to children from moderate income families whose income exceeds 200 percent of the poverty line.

(c) **NON-FEDERAL RESOURCES.**—

(1) **IN CASH.**—A State shall provide the matching funds under this section in cash with non-Federal resources which may include State funding, local funding, or contributions from philanthropy or other private sources, or a combination thereof.

(2) FUNDS TO BE CONSIDERED AS MATCHING FUNDS.—A State may include, as part of the State's matching funds under this section, not more than 10 percent of the amount of State or local funds designated for State or local prekindergarten programs or to supplement Head Start programs under the Head Start Act (42 U.S.C. 9831 et seq.) as of the date of enactment of this Act, but may not include any funds that are attributed as matching funds, as part of a non-Federal share, or as a maintenance of effort requirement, for any other Federal program.

(d) MAINTENANCE OF EFFORT.—

(1) IN GENERAL.—If a State reduces its combined fiscal effort per student or the aggregate expenditures within the State to support early childhood education programs for any fiscal year that a State receives a grant authorized under this subpart relative to the previous fiscal year, the Secretary shall reduce support for such State under this subpart by the same amount as the decline in State effort for such fiscal year.

(2) WAIVER.—The Secretary may waive the requirements of paragraph (1) if—

(A) the Secretary determines that a waiver would be appropriate due to a precipitous decline in the financial resources of a State as a result of unforeseen economic hardship or a natural disaster that has necessitated across-the-board reductions in State services, including early childhood education programs; or

(B) due to the circumstances of a State requiring reductions in specific programs, including early childhood education, if the State presents to the Secretary a justification and demonstration why other programs could not be reduced and how early childhood programs in the State will not be disproportionately harmed by such State action.

(e) SUPPLEMENT NOT SUPPLANT.—Grant funds received under this subpart shall be used to supplement and not supplant other Federal, State, and local public funds expended on public prekindergarten programs in the State.

**SEC. 10311. ELIGIBLE LOCAL ENTITY APPLICATIONS.**

(a) IN GENERAL.—An eligible local entity desiring to receive a subgrant under section 10307(b) shall submit an application to the State, at such time, in such manner, and containing such information as the State may reasonably require.

(b) CONTENTS.—Each application submitted under subsection (a) shall include the following:

(1) PARENT AND FAMILY ENGAGEMENT.—A description of how the eligible local entity plans to engage the parents and families of the children such entity serves and ensure that parents and families of eligible children, as described in clauses (i) and (ii) of section 10306(2)(A), are aware of the services provided by the eligible local entity, which shall include a plan to—

(A) carry out meaningful parent and family engagement, through the implementation and replication of evidence-based or promising practices and strategies, which shall be coordinated with parent and family engagement strategies supported under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), part A of title I and title V of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.; 7201 et seq.), and strategies in the Head Start Parent, Family, and Community Engagement Framework, if applicable, to—

(i) provide parents and family members with the skills and opportunities necessary

to become engaged and effective partners in their children's education, particularly the families of dual language learners and children with disabilities, which may include access to family literacy services;

(ii) improve child development; and

(iii) strengthen relationships among prekindergarten staff and parents and family members; and

(B) participate in community outreach to encourage families with eligible children to participate in the eligible local entity's high-quality prekindergarten program, including—

(i) homeless children;

(ii) dual language learners;

(iii) children in foster care;

(iv) children with disabilities; and

(v) migrant children.

(2) COORDINATION AND ALIGNMENT.—A description of how the eligible local entity will—

(A) coordinate, if applicable, the eligible local entity's activities with—

(i) Head Start agencies (consistent with section 642(e)(5) of the Head Start Act (42 U.S.C. 9837(e)(5))), if the local entity is not a Head Start agency;

(ii) local educational agencies, if the eligible local entity is not a local educational agency;

(iii) providers of services under part C of the Individuals with Disabilities Education Act (20 U.S.C. 1431 et seq.);

(iv) programs carried out under section 619 of the Individuals with Disabilities Education Act (20 U.S.C. 1419); and

(v) if feasible, other entities carrying out early childhood education programs and services within the area served by the local educational agency;

(B) develop a process to promote continuity of developmentally appropriate instructional programs and shared expectations with local elementary schools for children's learning and development as children transition to kindergarten;

(C) organize, if feasible, and participate in joint training, when available, including transition-related training for school staff and early childhood education program staff;

(D) establish comprehensive transition policies and procedures, with applicable elementary schools and principals, for the children served by the eligible local entity that support the school readiness of children transitioning to kindergarten, including the transfer of early childhood education program records, with parental consent;

(E) conduct outreach to parents, families, and elementary school teachers and principals to discuss the educational, developmental, and other needs of children entering kindergarten;

(F) help parents, including parents of children who are dual language learners, understand and engage with the instructional and other services provided by the kindergarten in which such child will enroll after participation in a high-quality prekindergarten program; and

(G) develop and implement a system to increase program participation of underserved populations of eligible children, especially homeless children, children eligible for a free or reduced-price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), parents of children who are dual language learners, and parents of children with disabilities.

(3) FULL PARTICIPATION OF ALL CHILDREN.—A description of how the eligible local entity will meet the diverse needs of children in the community to be served, including children

with disabilities, dual language learners, children who need additional support, children in the State foster care system, and homeless children. Such description shall demonstrate, at a minimum, how the entity plans to—

(A) ensure the eligible local entity's high-quality prekindergarten program is accessible and appropriate for children with disabilities and dual language learners;

(B) establish effective procedures for ensuring use of evidence-based practices in assessment and instruction, including use of data for progress monitoring of child performance and provision of technical assistance support for staff to ensure fidelity with evidence-based practices;

(C) establish effective procedures for timely referral of children with disabilities to entities authorized under part B and part C of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.; 1431 et seq.);

(D) ensure that the eligible local entity's high-quality prekindergarten program works with appropriate entities to address the elimination of barriers to immediate and continuous enrollment for homeless children; and

(E) ensure access to and continuity of enrollment in high-quality prekindergarten programs for migratory children, if applicable, and homeless children, including through policies and procedures that require—

(i) outreach to identify migratory children and homeless children;

(ii) immediate enrollment, including enrollment during the period of time when documents typically required for enrollment, including health and immunization records, proof of eligibility, and other documents, are obtained;

(iii) continuous enrollment and participation in the same high-quality prekindergarten program for a child, even if the child moves out of the program's service area, if that enrollment and participation are in the child's best interest, including by providing transportation when necessary;

(iv) professional development for high-quality prekindergarten program staff regarding migratory children and homelessness among families with young children; and

(v) in serving homeless children, collaboration with local educational agency liaisons designated under section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432(g)(1)(J)(ii)), and local homeless service providers.

(4) ACCESSIBLE COMPREHENSIVE SERVICES.—A description of how the eligible local entity plans to provide accessible comprehensive services, described in section 10302(10)(I), to the children the eligible local entity serves. Such description shall provide information on how the entity will—

(A) conduct a data-driven community assessment in coordination with members of the community, including parents and community organizations, or use a recently conducted data-driven assessment, which—

(i) may involve an external partner with expertise in conducting such needs analysis, to determine the most appropriate social or other support services to offer through the eligible local entity's on-site comprehensive services to children who participate in high-quality prekindergarten programs; and

(ii) shall consider the resources available at the school, local educational agency, and community levels to address the needs of the community and improve child outcomes; and

(B) have a coordinated system to facilitate the screening, referral, and provision of services related to health, nutrition, mental health, disability, and family support for children served by the eligible local entity.

(5) **WORKFORCE.**—A description of how the eligible local entity plans to support the instructional staff of such entity's high-quality prekindergarten program, which shall, at a minimum, include a plan to provide high-quality professional development, or facilitate the provision of high-quality professional development through an external partner with expertise and a demonstrated track record of success, based on scientifically valid research, that will improve the knowledge and skills of high-quality prekindergarten teachers and staff through activities, which may include—

(A) acquiring content knowledge and learning teaching strategies needed to provide effective instruction that addresses the State's early learning and development standards described under section 10305(1), including professional training to support the social and emotional development of children;

(B) enabling high-quality prekindergarten teachers and staff to pursue specialized training in early childhood development;

(C) enabling high-quality prekindergarten teachers and staff to acquire the knowledge and skills to provide instruction and appropriate language and support services to increase the English language skills of dual language learners;

(D) enabling high-quality prekindergarten teachers and staff to acquire the knowledge and skills to provide developmentally appropriate instruction for children with disabilities;

(E) promoting classroom management;

(F) providing high-quality induction and support for incoming high-quality prekindergarten teachers and staff in high-quality prekindergarten programs, including through the use of mentoring programs and coaching that have a demonstrated track record of success;

(G) promoting the acquisition of relevant credentials, including in ways that support career advancement through career ladders; and

(H) enabling high-quality prekindergarten teachers and staff to acquire the knowledge and skills to provide culturally competent instruction for children from diverse backgrounds.

#### **SEC. 10312. REQUIRED SUBGRANT ACTIVITIES.**

(a) **IN GENERAL.**—An eligible local entity that receives a subgrant under section 10307(b) shall use subgrant funds to implement the elements of a high-quality prekindergarten program for the children described in section 10307(b).

(b) **COORDINATION.**—

(1) **LOCAL EDUCATIONAL AGENCY PARTNERSHIPS WITH LOCAL EARLY CHILDHOOD EDUCATION PROGRAMS.**—A local educational agency that receives a subgrant under this subpart shall provide an assurance that the local educational agency will enter into strong partnerships with local early childhood education programs, including programs supported through the Head Start Act (42 U.S.C. 9831 et seq.).

(2) **ELIGIBLE LOCAL ENTITIES THAT ARE NOT LOCAL EDUCATIONAL AGENCIES.**—An eligible local entity that is not a local educational agency that receives a subgrant under this subpart shall provide an assurance that such entity will enter into strong partnerships with local educational agencies.

#### **SEC. 10313. REPORT AND EVALUATION.**

(a) **IN GENERAL.**—Each State that receives a grant under this subpart shall prepare an

annual report, in such manner and containing such information as the Secretary may reasonably require.

(b) **CONTENTS.**—A report prepared under subsection (a) shall contain, at a minimum—

(1) a description of the manner in which the State has used the funds made available through the grant and a report of the expenditures made with the funds;

(2) a summary of the State's progress toward providing access to high-quality prekindergarten programs for children eligible for such services, as determined by the State, from families with incomes at or below 200 percent of the poverty line, including the percentage of funds spent on children from families with incomes—

(A) at or below 100 percent of the poverty line;

(B) at or below between 101 and 150 percent of the poverty line; and

(C) at or below between 151 and 200 percent of the poverty line;

(3) an evaluation of the State's progress toward achieving the State's performance targets, described in section 10309;

(4) data on the number of high-quality prekindergarten program teachers and staff in the State (including teacher turnover rates and teacher compensation levels compared to teachers in elementary schools and secondary schools), according to the setting in which such teachers and staff work (which settings shall include, at a minimum, Head Start programs, public prekindergarten, and child care programs) who received training or education during the period of the grant and remained in the early childhood education program field;

(5) data on the kindergarten readiness of children in the State;

(6) a description of the State's progress in effectively using Federal, State, and local public funds and private funds, for early childhood education;

(7) the number and percentage of children in the State participating in high-quality prekindergarten programs, disaggregated by race, ethnicity, family income, child age, disability, whether the children are homeless children, and whether the children are dual language learners;

(8) data on the availability, affordability, and quality of infant and toddler care in the State;

(9) the number of operational minutes per week and per year for each eligible local entity that receives a subgrant;

(10) the local educational agency and zip code in which each eligible local entity that receives a subgrant operates;

(11) information, for each of the local educational agencies described in paragraph (10), on the percentage of the costs of the public early childhood education programs that is funded from Federal, from State, and from local sources, including the percentages from specific funding programs;

(12) data on the number and percentage of children in the State participating in public kindergarten programs, disaggregated by race, family income, child age, disability, whether the children are homeless children, and whether the children are dual language learners, with information on whether such programs are offered—

(A) for a full day; and

(B) at no cost to families;

(13) data on the number of individuals in the State who are supported with scholarships, if applicable, to meet the bachelor's degree requirement for high-quality prekindergarten programs, as defined in section 10302; and

(14) information on—

(A) the rates of expulsion, suspension, and similar disciplinary action, of children in the State participating in high-quality prekindergarten programs, disaggregated by race, ethnicity, family income, child age, and disability;

(B) the State's progress in establishing policies on effective behavior management strategies and training that promote positive social and emotional development to eliminate expulsions and suspensions of children participating in high-quality prekindergarten programs; and

(C) the State's policies on providing early learning services to children in the State participating in high-quality prekindergarten programs who have been suspended.

(c) **SUBMISSION.**—A State shall submit the annual report prepared under subsection (a), at the end of each fiscal year, to the Secretary, the Secretary of Health and Human Services, and the State Advisory Council on Early Childhood Education and Care.

(d) **COOPERATION.**—An eligible local entity that receives a subgrant under this subpart shall cooperate with all Federal and State efforts to evaluate the effectiveness of the program the entity implements with subgrant funds.

(e) **NATIONAL REPORT.**—The Secretary shall compile and summarize the annual State reports described under subsection (c) and shall prepare and submit an annual report to Congress that includes a summary of such State reports.

#### **SEC. 10314. PROHIBITION OF REQUIRED PARTICIPATION OR USE OF FUNDS FOR ASSESSMENTS.**

(a) **PROHIBITION ON REQUIRED PARTICIPATION.**—A State receiving a grant under this subpart shall not require any child to participate in any Federal, State, local, or private early childhood education program, including a high-quality prekindergarten program.

(b) **PROHIBITION ON USE OF FUNDS FOR ASSESSMENT.**—A State receiving a grant under this subpart and an eligible local entity receiving a subgrant under this subpart shall not use any grant or subgrant funds to carry out any of the following activities:

(1) An assessment that provides rewards or sanctions for individual children, teachers, or principals.

(2) An assessment that is used as the primary or sole method for assessing program effectiveness.

(3) Evaluating children, other than for the purposes of—

(A) improving instruction or the classroom environment;

(B) targeting professional development;

(C) determining the need for health, mental health, disability, or family support services;

(D) program evaluation for the purposes of program improvement and parent information; and

(E) improving parent and family engagement.

#### **SEC. 10315. COORDINATION WITH HEAD START PROGRAMS.**

(a) **INCREASED ACCESS FOR YOUNGER CHILDREN.**—Not later than 1 year after the date of enactment of this Act, the Secretary and the Secretary of Health and Human Services shall develop a process—

(1) for use in the event that Head Start programs funded under the Head Start Act (42 U.S.C. 9831 et seq.) operate in States or regions that have achieved sustained universal, voluntary access to 4-year-old children who reside within the State and who are

from families with incomes at or below 200 percent of the poverty line to high-quality prekindergarten programs; and

(2) for how such Head Start programs will begin converting slots for children who are age 4 on the eligibility determination date to children who are age 3 on the eligibility determination date, or, when appropriate, converting Head Start programs into Early Head Start programs to serve infants and toddlers.

(b) **COMMUNITY NEED AND RESOURCES.**—The process described in subsection (a) shall—

(1) be carried out on a case-by-case basis and shall ensure that sufficient resources and time are allocated for the development of such a process so that no child or cohort is excluded from currently available services; and

(2) ensure that any conversion shall be based on community need and not on the aggregate number of children served in a State or region that has achieved sustained, universal, voluntary access to high-quality prekindergarten programs.

(c) **PUBLIC COMMENT AND NOTICE.**—Not fewer than 90 days after the development of the proposed process described in subsection (a), the Secretary and the Secretary of Health and Human Services shall publish a notice describing such proposed process for conversion in the Federal Register providing at least 90 days for public comment. The Secretaries shall review and consider public comments prior to finalizing the process for conversion of Head Start slots and programs.

(d) **REPORTS TO CONGRESS.**—Concurrently with publishing a notice in the Federal Register as described in subsection (c), the Secretaries shall provide a report to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate that provides a detailed description of the proposed process described in subsection (a), including a description of the degree to which Head Start programs are providing State-funded high-quality prekindergarten programs as a result of the grant opportunity provided under this subpart in States where Head Start programs are eligible for conversion described in subsection (a).

#### **SEC. 10316. TECHNICAL ASSISTANCE IN PROGRAM ADMINISTRATION.**

In providing technical assistance to carry out activities under this subpart, the Secretary shall coordinate that technical assistance, in appropriate cases, with technical assistance provided by the Secretary of Health and Human Services to carry out the programs authorized under the Head Start Act (42 U.S.C. 9831 et seq.), the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), and the maternal, infant and early childhood home visiting programs assisted under section 511 of the Social Security Act (42 U.S.C. 711).

#### **SEC. 10317. AUTHORIZATION OF APPROPRIATIONS.**

To carry out this subpart, there are authorized to be appropriated, and there are appropriated—

- (1) \$1,300,000,000 for fiscal year 2016;
- (2) \$3,250,000,000 for fiscal year 2017;
- (3) \$5,780,000,000 for fiscal year 2018;
- (4) \$7,580,000,000 for fiscal year 2019; and
- (5) \$8,960,000,000 for fiscal year 2020.

#### **Subpart B—Prekindergarten Development Grants**

#### **SEC. 10321. PREKINDERGARTEN DEVELOPMENT GRANTS.**

(a) **IN GENERAL.**—The Secretary of Education, in consultation with the Secretary of

Health and Human Services, shall award competitive grants to States that wish to increase their capacity and build the infrastructure within the State to offer high-quality prekindergarten programs.

(b) **ELIGIBILITY OF STATES.**—A State that is not receiving funds under subpart A may compete for grant funds under this section if the State provides an assurance that the State will, through the support of grant funds awarded under this section, meet the eligibility requirements of section 10305 not later than 3 years after the date the State first receives grant funds under this section.

(c) **GRANT DURATION.**—The Secretary shall award grants under this section for a period of not more than 3 years. Such grants shall not be renewed.

(d) **APPLICATION.**—

(1) **IN GENERAL.**—A Governor, or chief executive officer of a State that desires to receive a grant under this section shall submit an application to the Secretary of Education at such time, in such manner, and accompanied by such information as the Secretary of Education may reasonably require, including, if applicable, a description of how the State plans to become eligible for grants under section 10305 by not later than 3 years after the date the State first receives grant funds under this section.

(2) **DEVELOPMENT OF STATE APPLICATION.**—In developing an application for a grant under this section, a State shall consult with the State Advisory Council on Early Childhood Education and Care and incorporate the Council's recommendations, where applicable.

(e) **MATCHING REQUIREMENT.**—

(1) **IN GENERAL.**—To be eligible to receive a grant under this section, a State shall contribute for the activities for which the grant was awarded non-Federal matching funds in an amount equal to not less than 20 percent of the amount of the grant.

(2) **NON-FEDERAL FUNDS.**—To satisfy the requirement of paragraph (1), a State may use—

(A) non-Federal resources in the form of State funding, local funding, or contributions from philanthropy or other private sources, or a combination of such resources; or

(B) in-kind contributions.

(3) **FINANCIAL HARDSHIP WAIVER.**—The Secretary may waive the requirement under paragraph (1) or reduce the amount of matching funds required under that paragraph for a State that has submitted an application for a grant under this subsection if the State demonstrates, in the application, a need for such a waiver or reduction due to extreme financial hardship, as determined by the Secretary.

(f) **SUBGRANTS.**—

(1) **IN GENERAL.**—A State awarded a grant under this section may use the grant funds to award subgrants to eligible local entities, as defined in section 10302, to carry out the activities under the grant.

(2) **SUBGRANTEES.**—An eligible local entity awarded a subgrant under paragraph (1) shall comply with the requirements of this section relating to grantees, as appropriate.

(g) **AUTHORIZATION OF APPROPRIATIONS.**—To carry out this section, there are authorized to be appropriated, and there are appropriated, \$750,000,000 for each of fiscal years 2016 through 2020.

#### **Subpart C—Early Learning Quality Partnerships**

#### **SEC. 10331. PURPOSES.**

The purposes of this part are to—

(1) increase the availability of, and access to, high-quality early childhood education

and care programming for infants and toddlers;

(2) support a higher quality of, and increase capacity for, such programming in both child care centers and family child care homes;

(3) encourage the provision of comprehensive, coordinated full-day services and supports for infants and toddlers; and

(4) increase access to appropriate supports so children with disabilities and other children who need specialized supports can fully participate in high-quality early education programs.

#### **SEC. 10332. EARLY LEARNING QUALITY PARTNERSHIPS.**

The Head Start Act is amended—

(1) by amending section 645A(e) (42 U.S.C. 9840a(e)) to read as follows:

“(e) **SELECTION OF GRANT RECIPIENTS.**—The Secretary shall award grants under this section on a competitive basis to applicants meeting the criteria in subsection (d) (giving priority to entities with a record of providing early, continuous, and comprehensive childhood development and family services and entities that agree to partner with a center-based or family child care provider to carry out the activities described in section 645B).”; and

(2) by inserting after section 645A the following:

#### **“SEC. 645B. EARLY LEARNING QUALITY PARTNERSHIPS.**

“(a) **IN GENERAL.**—The Secretary shall make grants to Early Head Start agencies to enable the Early Head Start agencies to form early learning quality partnerships by partnering with center-based or family child care providers, particularly those that receive support under the Child Care and Development Block Grant of 1990 (42 U.S.C. 9858 et seq.), that agree to meet the program performance standards described in section 641A(a)(1) and Early Head Start standards described in section 645A that are applicable to the ages of children served with funding and technical assistance from the Early Head Start agency.

“(b) **SELECTION OF GRANT RECIPIENTS.**—

“(1) **IN GENERAL.**—Except as provided in paragraphs (2) and (3), the Secretary shall award grants under this section in a manner consistent with section 645A(e).

“(2) **COMPETITIVE PRIORITY.**—In awarding grants under this section, the Secretary shall give priority to applicants—

“(A) that propose to create strong alignment of programs with maternal, infant, and early childhood home visiting programs assisted under section 511 of the Social Security Act (42 U.S.C. 711), State-funded prekindergarten programs, programs carried out under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), and other programs supported under this Act, to create a strong continuum of high-quality services for children from birth to school entry; and

“(B) that seek to work with child care providers across settings, including center-based and home-based programs.

“(3) **ALLOCATION.**—

“(A) **RESERVATION.**—From funds appropriated to carry out this section, the Secretary shall reserve—

“(i) not less than 3 percent of such funds for Indian Head Start programs that serve young children;

“(ii) not less than 4.5 percent for migrant and seasonal Head Start programs that serve young children; and

“(iii) not less than 0.2 percent for programs funded under clause (iv) or (v) of section 640(a)(2)(B).

“(B) ALLOCATION AMONG STATES.—The Secretary shall allocate funds appropriated to carry out this section and not reserved under subparagraph (A) among the States proportionally based on the number of young children from families whose income is below the poverty line residing in such States.

“(c) ELIGIBILITY OF CHILDREN.—Partnerships formed through assistance provided under this section may serve children through age 3, and the standards applied to children in subsection (a) shall be consistent with those applied to 3-year-old children under this subchapter.

“(d) PARTNERSHIPS.—An Early Head Start agency that receives a grant under this section shall—

“(1) enter into a contractual relationship with a center-based or family child care provider to raise the quality of such provider's programs so that the provider meets the program performance standards described in subsection (a) through activities that may include—

“(A) expanding the center-based or family child care provider's programs through financial support;

“(B) providing training, technical assistance, and support to the provider in order to help the provider meet the program performance standards, which may include supporting program and partner staff in earning a child development associate credential, associate's degree, or baccalaureate degree in early childhood education or a closely related field for working with infants and toddlers; and

“(C) blending funds received under the Child Care and Development Block Grant of 1990 (42 U.S.C. 9858 et seq.) and the Early Head Start program carried out under section 645A in order to provide high-quality child care, for a full day, that meets the program performance standards;

“(2) develop and implement a proposal to recruit and enter into a contract with a center-based or family child care provider, particularly a provider that serves children who receive assistance under the Child Care and Development Block Grant of 1990 (42 U.S.C. 9858 et seq.);

“(3) create a clear and realizable timeline to increase the quality and capacity of a center-based or family child care provider so that the provider meets the program performance standards described in subsection (a); and

“(4) align activities and services provided through funding under this section with the Head Start Child Outcomes Framework.

“(e) STANDARDS.—Prior to awarding grants under this section, the Secretary shall establish standards to ensure that the responsibility and expectations of the Early Head Start agency and the partner child care providers are clearly defined.

“(f) DESIGNATION RENEWAL.—A partner child care provider that receives assistance through a grant provided under this section shall be exempt, for a period of 18 months, from the designation renewal requirements under section 641(c).

“(g) SURVEY OF EARLY HEAD START AGENCIES AND REPORT TO CONGRESS.—Within one year of the effective date of this section, the Secretary shall conduct a survey of Early Head Start agencies to determine the extent of barriers to entering into early learning quality partnership agreements under this section on Early Head Start agencies and on child care providers, and submit this information, with suggested steps to overcome such barriers, in a report to the Committee on Education and the Workforce of the

House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate, including a detailed description of the degree to which Early Head Start agencies are utilizing the funds provided.

“(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

“(1) \$1,430,376,000 for fiscal year 2016; and

“(2) such sums as may be necessary for each of fiscal years 2017 through 2020.”.

#### **Subpart D—Authorization of Appropriations for the Education of Children With Disabilities**

##### **SEC. 10341. PRESCHOOL GRANTS.**

Section 619(j) of the Individuals with Disabilities Education Act (20 U.S.C. 1419(j)) is amended to read as follows:

“(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$418,000,000 for fiscal year 2016 and such sums as may be necessary for each succeeding fiscal year.”.

##### **SEC. 10342. INFANTS AND TODDLERS WITH DISABILITIES.**

Section 644 of the Individuals with Disabilities Education Act (20 U.S.C. 1444) is amended to read as follows:

##### **“SEC. 644. AUTHORIZATION OF APPROPRIATIONS.**

“For the purpose of carrying out this part, there are authorized to be appropriated \$508,000,000 for fiscal year 2016 and such sums as may be necessary for each succeeding fiscal year.”.

#### **Subpart E—Maternal, Infant, and Early Childhood Home Visiting Program**

##### **SEC. 10351. SENSE OF THE SENATE.**

It is the sense of the Senate that—

(1) from the prenatal period to the first day of kindergarten, children's development rapidly progresses at a pace exceeding that of any subsequent stage of life;

(2) as reported by the National Academy of Sciences in 2001, striking disparities exist in what children know and can do that are evident well before they enter kindergarten;

(3) such differences are strongly associated with social and economic circumstances, and they are predictive of subsequent academic performance;

(4) research has consistently demonstrated that investments in high-quality programs that serve infants and toddlers—

(A) better positions those children for success in elementary, secondary, and postsecondary education; and

(B) helps those children develop the critical physical, emotional, social, and cognitive skills that they will need for the rest of their lives;

(5) in 2011, there were 11,000,000 infants and toddlers living in the United States, and 49 percent of these children came from low-income families with incomes at or below 200 percent of the Federal poverty guidelines;

(6) the Maternal, Infant, and Early Childhood Home Visiting program (referred to as “MIECHV”) was authorized by Congress to facilitate collaboration and partnership at the Federal, State, and community levels to improve health and development outcomes for at-risk children, including those from low-income families, through evidence-based home visiting programs;

(7) MIECHV is an evidence-based policy initiative and the program's authorizing legislation requires that at least 75 percent of funds dedicated to the program must support programs to implement evidence-based home visiting models, which includes the home-based model of Early Head Start; and

(8) Congress should continue to provide resources to MIECHV to support the work of

States to help at-risk families voluntarily receive home visits from nurses and social workers to—

(A) promote maternal, infant, and child health;

(B) improve school readiness and achievement;

(C) prevent potential child abuse or neglect and injuries;

(D) support family economic self-sufficiency;

(E) reduce crime or domestic violence; and

(F) improve coordination or referrals for community resources and supports.

#### **Subpart F—Stop Corporate Inversions**

##### **SEC. 10361. MODIFICATIONS TO RULES RELATING TO INVERTED CORPORATIONS.**

(a) IN GENERAL.—Subsection (b) of section 7874 of the Internal Revenue Code of 1986 is amended to read as follows:

“(b) INVERTED CORPORATIONS TREATED AS DOMESTIC CORPORATIONS.—

“(1) IN GENERAL.—Notwithstanding section 7701(a)(4), a foreign corporation shall be treated for purposes of this title as a domestic corporation if—

“(A) such corporation would be a surrogate foreign corporation if subsection (a)(2) were applied by substituting ‘80 percent’ for ‘60 percent’; or

“(B) such corporation is an inverted domestic corporation.

“(2) INVERTED DOMESTIC CORPORATION.—For purposes of this subsection, a foreign corporation shall be treated as an inverted domestic corporation if, pursuant to a plan (or a series of related transactions)—

“(A) the entity completes after July 31, 2015, the direct or indirect acquisition of—

“(i) substantially all of the properties held directly or indirectly by a domestic corporation, or

“(ii) substantially all of the assets of, or substantially all of the properties constituting a trade or business of, a domestic partnership, and

“(B) after the acquisition, more than 50 percent of the stock (by vote or value) of the entity is held—

“(i) in the case of an acquisition with respect to a domestic corporation, by former shareholders of the domestic corporation by reason of holding stock in the domestic corporation, or

“(ii) in the case of an acquisition with respect to a domestic partnership, by former partners of the domestic partnership by reason of holding a capital or profits interest in the domestic partnership.

“(3) EXCEPTION FOR CORPORATIONS WITH SUBSTANTIAL BUSINESS ACTIVITIES IN FOREIGN COUNTRY OF ORGANIZATION.—A foreign corporation described in paragraph (2) shall not be treated as an inverted domestic corporation if after the acquisition the expanded affiliated group which includes the entity has substantial business activities in the foreign country in which or under the law of which the entity is created or organized when compared to the total business activities of such expanded affiliated group. For purposes of subsection (a)(2)(B)(iii) and the preceding sentence, the term ‘substantial business activities’ shall have the meaning given such term under regulations in effect on May 8, 2014, except that the Secretary may issue regulations increasing the threshold percent in any of the tests under such regulations for determining if business activities constitute substantial business activities for purposes of this paragraph.”.

(b) CONFORMING AMENDMENTS.—

(1) Clause (i) of section 7874(a)(2)(B) of such Code is amended by striking “after March 4,

2003,” and inserting “after March 4, 2003, and before August 1, 2015.”

(2) Subsection (c) of section 7874 of such Code is amended—

(A) in paragraph (2)—

(i) by striking subsection (a)(2)(B)(ii) and inserting “subsections (a)(2)(B)(ii) and (b)(2)(B)”, and

(ii) by inserting “or (b)(2)(A)” after “(a)(2)(B)(i)” in subparagraph (B),

(B) in paragraph (3), by inserting “or (b)(2)(B), as the case may be,” after “(a)(2)(B)(ii)”,

(C) in paragraph (5), by striking “subsection (a)(2)(B)(ii)” and inserting “subsections (a)(2)(B)(ii) and (b)(2)(B)”, and

(D) in paragraph (6), by inserting “or inverted domestic corporation, as the case may be,” after “surrogate foreign corporation”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after July 31, 2015.

(d) FUNDING.—Any increase in revenue attributable to the amendments made by this section shall be allocated to carrying out subparts A and B.

**SA 2153.** Mr. REID (for Mr. KING (for himself and Mrs. CAPITO)) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 630, between lines 4 and 5, insert the following:

**“PART J—DIGITAL LEARNING EQUITY  
DEMONSTRATION PROGRAM**

**“SEC. 5911. PURPOSES.**

“The purpose of this part is to support the development, implementation, and evaluation of innovative strategies and methods to improve out-of-school access to digital learning resources for eligible students in order to—

“(1) increase student participation in the classroom, including the ability to complete homework assignments and participate in innovative digital learning models;

“(2) improve student access to postsecondary education and workforce opportunities by increasing the ability of students to apply for employment, postsecondary education, and financial aid opportunities;

“(3) increase the education technology and digital learning resources options available to educators to support student learning by ensuring methods and resources used during the school day remain accessible during out-of-school hours;

“(4) increase student, educator, and parent engagement by facilitating greater communication and connection between school and home; and

“(5) increase the identification and dissemination of strategies to support students lacking out-of-school access to digital learning resources and the Internet, including underserved student populations and students in rural and remote geographic areas.

**“SEC. 5912. DEFINITIONS.**

“In this part:

“(1) ACCESS TECHNOLOGY.—The term ‘access technology’ means any service or device that provides out-of-school Internet access as its primary function and does not include a computer device.

“(2) DIGITAL LEARNING.—The term ‘digital learning’ means an educational practice that

effectively uses technology to strengthen a student’s learning experience within and outside of the classroom and at home, including—

“(A) interactive learning resources that engage students in academic content;

“(B) access to online databases and primary source documents;

“(C) the use of data, data analytics, and information to personalize learning and provide targeted supplementary instruction;

“(D) student collaboration with content experts, peers, and educators;

“(E) digital learning content, video, software, or simulations;

“(F) access to online courses; and

“(G) other resources that may be developed, as the Secretary may determine.

“(3) ELIGIBLE ENTITY.—The term ‘eligible entity’ means any of the following entities that serve a high-need school:

“(A) A local educational agency.

“(B) A State educational agency.

“(C) An educational service agency.

“(D) A consortium of State educational agencies, local educational agencies, or educational service agencies.

“(E) An Indian tribe or Indian organization.

“(F) A State educational agency, local educational agency, educational service agency, Indian tribe, or Indian organization, in partnership with—

“(i) a nonprofit foundation, corporation, institution, or association;

“(ii) a business;

“(iii) an after-school program or summer program;

“(iv) a library;

“(v) a community learning center; or

“(vi) other community or social services organizations, as the Secretary may determine.

“(4) ELIGIBLE STUDENT.—The term ‘eligible student’ means a student who lacks out-of-school Internet access and attends a high-need school serviced by an eligible entity.

“(5) HIGH-NEED SCHOOL.—The term ‘high-need school’ means a school served by an eligible entity that—

“(A) has a high percentage of students aged 5 through 17 who—

“(i) are in poverty, as counted in the most recent census data approved by the Secretary;

“(ii) are eligible for a free or reduced priced lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);

“(iii) are in families receiving assistance under the State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.); or

“(iv) are eligible to receive medical assistance under the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.);

“(B) has a high percentage of students who lack out-of-school Internet access;

“(C) is in need of improvement and or is among the State’s persistently lowest achieving schools; or

“(D) has significant gaps in achievement among the categories of students, as defined in section 1111(b)(3)(A).

“(6) OUT-OF-SCHOOL INTERNET ACCESS.—The term ‘out-of-school Internet access’ means a service provided to an eligible student for out-of-school use by wire or radio that provides the capability to transmit data to and receive data from all or substantially all Internet endpoints, including any capabilities that are incidental to and enable the operation of the communications service, with

a speed and capacity sufficient to enable the use of digital learning resources, but excluding—

“(A) dial-up Internet access service; or

“(B) Internet access service that is restricted by monthly data caps set lower than 1 gigabyte.

**“SEC. 5913. DEMONSTRATION GRANT PROGRAM AUTHORIZED.**

“(a) IN GENERAL.—The Secretary shall award grants to eligible entities, subject to meeting the application requirements in subsection (e), to develop, implement, and evaluate innovative strategies to increase out-of-school Internet access for eligible students.

“(b) DEMONSTRATION PERIOD.—Each eligible entity, in accordance with the application requirements in subsection (e), shall propose to the Secretary the period of time over which it desires to exercise demonstration authority, except that such period shall not exceed 2 years.

“(c) RURAL AREAS.—From the amounts appropriated under section 5915 for a fiscal year, the Secretary shall reserve not less than 35 percent for grants to eligible entities that propose to carry out the activities described in subsection (e)(1) in rural areas, as described in section 6211(b)(1)(A)(ii). The Secretary shall reduce the amount described in this subsection if the Secretary does not receive a sufficient number of applications that propose to carry out the activities described in subsection (e)(1) in rural areas that meet the requirements of subsection (e).

“(d) MATCHING FUNDS.—

“(1) IN GENERAL.—An eligible entity that is a State educational agency or includes a State educational agency, that receives a grant under this section shall provide matching funds, from non-Federal sources (which may be provided in cash or in-kind), in an amount equal to 10 percent of the amount of grant funds provided to the eligible entity to carry out the activities supported by the grant.

“(2) WAIVER.—The Secretary may waive the matching requirement under paragraph (1) for an eligible entity that demonstrates that such requirement imposes an undue financial hardship.

“(e) APPLICATION.—To receive a grant under this section, an eligible entity shall submit to the Secretary an application at such time and in such manner as the Secretary may reasonably require and containing the following:

“(1) A description of how the entity will—

“(A) increase student access to digital learning opportunities outside of the school day, which may include providing access technology for eligible students;

“(B) integrate the out-of-school use of the access technology into the school’s educational curriculum and objectives;

“(C) provide eligible students with the necessary training in digital literacy to ensure appropriate and effective use of the digital learning resources and access technology;

“(D) ensure parents, educators, and students are informed of appropriate use of the digital learning resources and access technology; and

“(E) have in place a policy that meets the same requirements as described in paragraphs (1) and (2) of section 9551.

“(2) A description of the eligible students who will be served, disaggregated by—

“(A) the categories of students, as defined in section 1111(b)(3)(A); and

“(B) homeless students and children or youth in foster care.



“(3) In the case of an eligible entity that wishes to award subgrants to local educational agencies or local educational agencies in partnership with the entities described in subparagraphs (A) through (F) of section 5912(3)—

“(A) a description of how the eligible entity will award such subgrants; and

“(B) an assurance that the eligible entity consulted with appropriate staff of participating local educational agencies and the entities described in subparagraphs (A) through (F) of section 5912(3), as applicable, in the development of the eligible entity’s application under this subsection.

“(4) A description of the process, activities, and measures that the eligible entity will use to evaluate the impact and effectiveness of the grant funds awarded under this part for eligible students, including measures of changes in—

“(A) the percentage of students who lack access to out-of-school Internet access;

“(B) student participation in the classroom, including the ability to complete homework and take part in innovative learning models;

“(C) student engagement, through such measures as attendance rates and chronic absenteeism;

“(D) student access to postsecondary education and workforce opportunities, including the ability to apply for employment, postsecondary education, and student financial aid programs; and

“(E) any other valid and reliable indicators of student, educator, or parent engagement or participation, as determined by the eligible entity.

“(5) A description of the way in which the eligible entity will solicit and collect meaningful feedback from participating students, educators, parents, and school administrators on the effectiveness of the demonstration program.

“(6) A description of how the eligible entity will procure the access technology and out-of-school Internet access necessary to carry out the demonstration program, including whether the entity will utilize bulk purchasing or other strategies that make efficient use of program funds.

“(7) If the applicant is a State educational agency or includes a State educational agency, an assurance that the applicant will provide matching funds as required under subsection (d).

“(f) USE OF FUNDS.—Each eligible entity receiving a grant under this part shall use the funds awarded to develop, implement, and evaluate strategies and methods used to increase student access to digital learning resources at home through such practices as—

“(1) providing a targeted distribution of access technology to eligible students;

“(2) educating and training students, parents, and educators about the appropriate use of access technology outside of the classroom; and

“(3) evaluating the effectiveness of the strategies and methods used under this part, through such means as student, educator, and parent surveys.

“(g) RESTRICTION.—Funds awarded under this part shall only be used to promote out-of-school access to digital learning resources for eligible students and shall not be used to address the networking needs of an entity that is eligible to receive support under the E-rate program.

“(h) RESERVATION FOR SUPPORT AND EVALUATION.—

“(1) IN GENERAL.—Each eligible entity that receives a grant under this section may re-

serve not more than 8 percent of the grant amount for each fiscal year to provide technical support to participating schools and for the purposes of conducting the evaluation described in section 5914.

“(2) EVALUATION.—Not less than 50 percent of any amount reserved under paragraph (1) shall be used for the purposes of conducting the evaluation described in section 5914.

“(i) NATIONAL ACTIVITIES.—From the amounts appropriated under section 5915, the Secretary may reserve not more than 1 percent for national activities to provide technical assistance and support grantees.

#### “SEC. 5914. EVALUATION.

“(a) IN GENERAL.—Consistent with the criteria outlined in paragraphs (4) and (5) of section 5913(e), the Secretary shall establish an evaluation template through which an eligible entity will record and submit the outcomes and participant feedback associated with the program carried out under this part.

“(b) SUBMISSION; DEADLINE.—Not later than 90 days after the termination of an eligible entity’s demonstration authority under this part, the eligible entity shall submit to the Secretary the results of the evaluation.

“(c) PROHIBITION.—Nothing in this section shall be construed to prohibit an eligible entity from recording and submitting additional data or indicators associated with the success of the program executed under the demonstration authority.

#### “SEC. 5915. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.”.

**SA 2154.** Mr. REID (for Mr. KING (for himself and Mrs. CAPITO)) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 264, between lines 11 and 12, insert the following:

#### **SEC. 1018. REPORT ON STUDENT HOME ACCESS TO DIGITAL LEARNING RESOURCES.**

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Director of the Institute of Education Sciences, in consultation with relevant Federal agencies, shall complete a national study on the educational trends and behaviors associated with access to digital learning resources outside of the classroom, which shall include analysis of extant data and new surveys about students and teachers that provide—

(1) a description of the various locations from which students access the Internet and digital learning resources outside of the classroom, including through an after-school or summer program, a library, and at home;

(2) a description of the various devices and technology through which students access the Internet and digital learning resources outside of the classroom, including through a computer or mobile device;

(3) data associated with the number of students who lack home Internet access, disaggregated by—

(A) each of the categories of students, as defined in section 1111(b)(3)(A) of the Elementary and Secondary Education Act of 1965;

(B) homeless students and children or youth in foster care; and

(C) students in geographically diverse areas, including urban, suburban, and rural areas;

(4) data associated with the barriers to students acquiring home Internet access;

(5) data associated with the proportion of educators who assign homework or implement innovative learning models that require or are substantially augmented by a student having home Internet access and the frequency of the need for such access;

(6) a description of the learning behaviors associated with students who lack home Internet access, including—

(A) student participation in the classroom, including the ability to complete homework and participate in innovative learning models;

(B) student engagement, through such measures as attendance rates and chronic absenteeism; and

(C) a student’s ability to apply for employment, postsecondary education, and financial aid programs;

(7) an analysis of the how a student’s lack of home Internet access impacts the instructional practice of educators, including—

(A) the extent to which educators alter instructional methods, resources, homework assignments, and curriculum in order to accommodate differing levels of home Internet access; and

(B) strategies employed by educators, school leaders, and administrators to address the differing levels of home Internet access among students; and

(8) a description of the ways in which State educational agencies, local educational agencies, schools, and other entities, including through partnerships, have developed effective means to provide students with Internet access outside of the school day.

(b) PUBLIC DISSEMINATION.—The Director of the Institute of Education Sciences shall widely disseminate the findings of the study under this section—

(1) in a timely fashion;

(2) in a form that is understandable, easily accessible, and publicly available and usable, or adaptable for use in, the improvement of educational practice;

(3) through electronic transfer and other means, such as posting, as available, to the website of the Institute of Education Sciences, or the Department of Education; and

(4) to all State educational agencies and other recipients of funds under part D of title IV of the Elementary and Secondary Education Act of 1965.

(c) DEFINITION OF DIGITAL LEARNING.—In this section, the term “digital learning”—

(1) has the meaning given the term in section 5702 of the Elementary and Secondary Education Act of 1965; and

(2) includes an educational practice that effectively uses technology to strengthen a student’s learning experience within and outside of the classroom and at home, which may include the use of digital learning content, video, software, and other resources that may be developed, as the Secretary of Education may determine.

**SA 2155.** Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every

child achieves; which was ordered to lie on the table; as follows:

At the end of title VII, insert the following:

**SEC. 7006. REPORT ON RESPONSES TO INDIAN STUDENT SUICIDES.**

(a) PREPARATION.—

(1) IN GENERAL.—The Secretary of Education, in coordination with the Secretary of the Interior and the Secretary of Health and Human Services, shall prepare a report on efforts to address outbreaks of suicides among elementary school and secondary school students (referred to in this section as “student suicides”) that occurred within 1 year prior to the date of enactment of this Act in Indian country (as defined in section 1151 of title 18, United States Code).

(2) CONTENTS.—The report shall include information on—

(A) the Federal response to the occurrence of high numbers of student suicides in Indian country (as so defined);

(B) a list of Federal resources available to prevent and respond to outbreaks of student suicides, including the availability and use of tele-behavioral health care;

(C) any barriers to timely implementation of programs or interagency collaboration regarding student suicides;

(D) interagency collaboration efforts to streamline access to programs regarding student suicides, including information on how the Department of Education, the Department of the Interior, and the Department of Health and Human Services work together on administration of such programs;

(E) recommendations to improve or consolidate resources or programs described in subparagraph (B) or (D); and

(F) feedback from Indian tribes to the Federal response described in subparagraph (A).

(b) SUBMISSION.—Not later than 90 days after the date of enactment of this Act, the Secretary of Education shall submit the report described in subsection (a) to the appropriate committees of Congress.

**SA 2156.** Mrs. CAPITO (for herself and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 82, between lines 23 and 24, insert the following:

“(xviii) for each high school in the State, and beginning with the report card released in 2017, the cohort rate (in the aggregate, and disaggregated for each category of students defined in subsection (b)(3)(A), except that such disaggregation shall not be required in a case in which the number of students is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student) at which students who graduate from the high school enroll, for the first academic year that begins after the students’ graduation—

“(I) in programs of public postsecondary education in the State; and

“(II) if data are available and to the extent practicable, in programs of private postsecondary education in the State or programs of postsecondary education outside the State;

“(xix) if available and to the extent practicable, for each high school in the State and

beginning with the report card released in 2018, the remediation rate (in the aggregate, and disaggregated for each category of students defined in subsection (b)(3)(A), except that such disaggregation shall not be required in a case in which the number of students is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student) for students who graduate from the high school at—

“(I) programs of postsecondary education in the State; and

“(II) programs of postsecondary education outside the State;

**SA 2157.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 615, between lines 22 and 23, insert the following:

“(3) RESERVATION FOR EVALUATION.—From the amounts appropriated under section 5903 for a fiscal year, the Secretary shall reserve one-half of 1 percent to conduct, in consultation with the Secretary of Health and Human Services, an evaluation to determine whether grants under this part are—

(A) improving efficiency in the use of Federal funds for early childhood education programs;

(B) improving coordination across Federal early childhood education programs; and

(C) increasing the availability of, and access to, high-quality early childhood education programs for eligible children.

**SA 2158.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

Strike section 5007.

**SA 2159.** Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

After section 4005, insert the following:

**SEC. 4006. FAMILY ENGAGEMENT IN EDUCATION PROGRAMS.**

Title IV (20 U.S.C. 7101 et seq.), as amended by sections 4001, 4004, and 4005, is further amended by adding at the end the following:

**“PART E—FAMILY ENGAGEMENT IN EDUCATION PROGRAMS**

**“SEC. 4501. PURPOSES.**

“The purposes of this part are the following:

“(1) To provide financial support to organizations to provide technical assistance and training to State and local educational agencies in the implementation and enhancement of systemic and effective family engagement policies, programs, and activities that lead

to improvements in student development and academic achievement.

“(2) To assist State educational agencies, local educational agencies, community-based organizations, schools, and educators in strengthening partnerships among parents, teachers, school leaders, administrators, and other school personnel in meeting the educational needs of children and fostering greater parental engagement.

“(3) To support State educational agencies, local educational agencies, schools, educators, and parents in developing and strengthening the relationship between parents and their children’s school in order to further the developmental progress of children.

“(4) To coordinate activities funded under this subpart with parent involvement initiatives funded under section 1115 and other provisions of this Act.

“(5) To assist the Secretary, State educational agencies, and local educational agencies in the coordination and integration of Federal, State, and local services and programs to engage families in education.

**“SEC. 4502. GRANTS AUTHORIZED.**

“(a) STATEWIDE FAMILY ENGAGEMENT CENTERS.—From the amount appropriated under section 4506, the Secretary is authorized to award grants for each fiscal year to statewide organizations (or consortia of such organizations), to establish Statewide Family Engagement Centers that provide comprehensive training and technical assistance to State educational agencies, local educational agencies, schools identified by State educational agencies and local educational agencies, organizations that support family-school partnerships, and other organizations that carry out, or carry out directly, parent education and family engagement in education programs.

“(b) MINIMUM AWARD.—In awarding grants under this section, the Secretary shall, to the extent practicable, ensure that a grant is awarded for a Statewide Family Engagement Center in an amount not less than \$500,000.

**“SEC. 4503. APPLICATIONS.**

“(a) SUBMISSIONS.—Each statewide organization, or a consortium of such organizations, that desires a grant under this subpart shall submit an application to the Secretary at such time, in such manner, and including the information described in subsection (b).

“(b) CONTENTS.—Each application submitted under subsection (a) shall include, at a minimum, the following:

“(1) A description of the applicant’s approach to family engagement in education.

“(2) A description of the support that the Statewide Family Engagement Center that will be operated by the applicant will have from the State educational agency and any partner organization outlining the commitment to work with the center.

“(3) A description of the applicant’s plan for building a statewide infrastructure for family engagement in education, that includes—

“(A) management and governance;

“(B) statewide leadership; or

“(C) systemic services for family engagement in education.

“(4) A description of the applicant’s demonstrated experience in providing training, information, and support to State educational agencies, local educational agencies, schools, educators, parents, and organizations on family engagement in education policies and practices that are effective for parents (including low-income parents) and families, English learners, minorities, parents of students with disabilities, parents of

homeless students, foster parents and students, and parents of migratory students, including evaluation results, reporting, or other data exhibiting such demonstrated experience.

“(5) A description of the steps the applicant will take to target services to low-income students and parents.

“(6) An assurance that the applicant will—  
“(A) establish a special advisory committee, the membership of which includes—

“(i) parents, who shall constitute a majority of the members of the special advisory committee;

“(ii) representatives of education professionals with expertise in improving services for disadvantaged children;

“(iii) representatives of local elementary schools and secondary schools, including students;

“(iv) representatives of the business community; and

“(v) representatives of State educational agencies and local educational agencies;

“(B) use not less than 65 percent of the funds received under this part in each fiscal year to serve local educational agencies, schools, and community-based organizations that serve high concentrations of disadvantaged students, including English learners, minorities, parents of students with disabilities, parents of homeless students, foster parents and students, and parents of migratory students;

“(C) operate a Statewide Family Engagement Center of sufficient size, scope, and quality to ensure that the Center is adequate to serve the State educational agency, local educational agencies, and community-based organizations;

“(D) ensure that the Statewide Family Engagement Center will retain staff with the requisite training and experience to serve parents in the State;

“(E) serve urban, suburban, and rural local educational agencies and schools;

“(F) work with—

“(i) other Statewide Family Engagement Centers assisted under this subpart; and

“(ii) parent training and information centers and community parent resource centers assisted under sections 671 and 672 of the Individuals with Disabilities Education Act;

“(G) use not less than 30 percent of the funds received under this part for each fiscal year to establish or expand technical assistance for evidence-based parent education programs;

“(H) provide assistance to State educational agencies and local educational agencies and community-based organizations that support family members in supporting student academic achievement;

“(I) work with State educational agencies, local educational agencies, schools, educators, and parents to determine parental needs and the best means for delivery of services to address such needs;

“(J) conduct sufficient outreach to assist parents, including parents who the applicant may have a difficult time engaging with a school or local educational agency; and

“(K) conduct outreach to low-income students and parents, including low-income students and parents who are not proficient in English.

#### “SEC. 4504. USES OF FUNDS.

“(a) IN GENERAL.—Grantees shall use grant funds received under this part, based on the needs determined under section 4503, to provide training and technical assistance to State educational agencies, local educational agencies, and organizations that support family-school partnerships, and ac-

tivities, services, and training for local educational agencies, school leaders, educators, and parents—

“(1) to assist parents in participating effectively in their children's education and to help their children meet State standards, such as assisting parents—

“(A) to engage in activities that will improve student academic achievement, including understanding how they can support learning in the classroom with activities at home and in afterschool and extracurricular programs;

“(B) to communicate effectively with their children, teachers, school leaders, counselors, administrators, and other school personnel;

“(C) to become active participants in the development, implementation, and review of school-parent compacts, family engagement in education policies, and school planning and improvement;

“(D) to participate in the design and provision of assistance to students who are not making academic progress;

“(E) to participate in State and local decisionmaking;

“(F) to train other parents; and

“(G) to help the parents learn and use technology applied in their children's education;

“(2) to develop and implement, in partnership with the State educational agency, statewide family engagement in education policy and systemic initiatives that will provide for a continuum of services to remove barriers for family engagement in education and support school reform efforts; and

“(3) to develop and implement parental involvement policies under this Act.

“(b) MATCHING FUNDS FOR GRANT RENEWAL.—For each fiscal year after the first fiscal year for which an organization or consortium receives assistance under this section, the organization or consortium shall demonstrate in the application that a portion of the services provided by the organization or consortium is supported through non-Federal contributions, which may be in cash or in-kind.

“(c) TECHNICAL ASSISTANCE.—The Secretary shall reserve not more than 2 percent of the funds appropriated under section 4506 to carry out this part to provide technical assistance, by competitive grant or contract, for the establishment, development, and coordination of Statewide Family Engagement Centers.

“(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit a Statewide Family Engagement Center from—

“(1) having its employees or agents meet with a parent at a site that is not on school grounds; or

“(2) working with another agency that serves children.

“(e) PARENTAL RIGHTS.—Notwithstanding any other provision of this section—

“(1) no person (including a parent who educates a child at home, a public school parent, or a private school parent) shall be required to participate in any program of parent education or developmental screening under this section; and

“(2) no program or center assisted under this section shall take any action that infringes in any manner on the right of parents to direct the education of their children.

#### “SEC. 4505. FAMILY ENGAGEMENT IN INDIAN SCHOOLS.

“The Secretary of the Interior, in consultation with the Secretary of Education, shall establish, or enter into contracts and

cooperative agreements with local tribes, tribal organizations, or Indian nonprofit parent organizations to establish and operate Family Engagement Centers.

#### “SEC. 4506. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this part such sums as may be necessary for fiscal years 2016 through 2021.”.

**SA 2160.** Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

#### **PART C—SAFE PLAY**

##### **SEC. 10301. SHORT TITLE.**

This part may be cited as the “Supporting Athletes, Families and Educators to Protect the Lives of Athletic Youth Act” or the “SAFE PLAY Act”.

##### **SEC. 10302. EDUCATION, AWARENESS, AND TRAINING ABOUT CHILDREN'S CARDIAC CONDITIONS TO INCREASE EARLY DIAGNOSIS AND PREVENT DEATH.**

Part P of title III of the Public Health Service Act (42 U.S.C. 280g et seq.) is amended by adding at the end the following:

##### **“SEC. 399V-6. MATERIALS AND EDUCATIONAL RESOURCES TO INCREASE AWARENESS OF CARDIOMYOPATHY AND OTHER HIGHER RISK CHILDHOOD CARDIAC CONDITIONS AMONG SCHOOL ADMINISTRATORS, EDUCATORS, COACHES, STUDENTS AND FAMILIES.**

“(a) MATERIALS AND RESOURCES.—Not later than 18 months after the date of enactment of the SAFE PLAY Act, the Secretary, acting through the Director of the Centers for Disease Control and Prevention (referred to in this section as the ‘Director’) and in consultation with national patient advocacy and health professional organizations experts in cardiac health, including all forms of cardiomyopathy, shall develop public education and awareness materials and resources to be disseminated to school administrators, educators, school health professionals, coaches, families, and other appropriate individuals. The materials and resources shall include—

“(1) information to increase education and awareness of high risk cardiac conditions and genetic heart rhythm abnormalities that may cause sudden cardiac arrest in children, adolescents, and young adults, including—

“(A) cardiomyopathy;

“(B) conditions such as long QT syndrome, Brugada syndrome, catecholaminergic polymorphic ventricular tachycardia, short QT syndrome, Wolff-Parkinson-White syndrome; and

“(C) other cardiac conditions, as determined by the Secretary;

“(2) sudden cardiac arrest and cardiomyopathy risk assessment worksheets to increase awareness of warning signs and symptoms of life-threatening cardiac conditions in order to prevent acute cardiac episodes and increase the likelihood of early detection and treatment;

“(3) information and training materials for emergency interventions such as cardiopulmonary resuscitation (referred to in this section and in section 399V-7 as ‘CPR’) and ways to obtain certification in CPR delivery;

“(4) guidelines and training materials for the proper placement and use of life-saving

emergency equipment such as automatic external defibrillators (referred to in this section and section 399V-7 as ‘AED’) and ways to obtain certification on AED usage; and

“(5) recommendations for how schools, childcare centers, and local youth athletic organizations can develop and implement cardiac emergency response plans, including recommendations about how a local educational agency (as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)) can apply such response plans to all students enrolled in the public schools served by such local educational agency.

“(b) DEVELOPMENT OF MATERIALS AND RESOURCES.—The Secretary, acting through the Director, shall develop and update, as necessary and appropriate, the materials and resources described in subsection (a) and, in support of such effort, the Secretary is encouraged to establish an advisory panel that includes the following members:

“(1) Representatives from national patient advocacy organizations, including—

“(A) not less than 1 organization dedicated to pediatrics;

“(B) not less than 1 organization dedicated to school-based wellness;

“(C) not less than 1 organization dedicated to cardiac research, health, and awareness; and

“(D) not less than 1 organization dedicated to advocacy and support for individuals with cognitive impairments or developmental disabilities.

“(2) Representatives of medical professional societies, including pediatrics, cardiology, emergency medicine, and sports medicine.

“(3) A representative of the Centers for Disease Control and Prevention.

“(4) Representatives of other relevant Federal agencies.

“(5) Representatives of schools, such as administrators, educators, sports coaches, and nurses.

“(c) DISSEMINATION OF MATERIALS AND RESOURCES.—Not later than 30 months after the date of enactment of the SAFE PLAY Act, the Secretary, acting through the Director, shall disseminate the materials and resources described in subsection (a) in accordance with the following:

“(1) DISTRIBUTION BY STATE EDUCATIONAL AGENCIES.—The Secretary shall make available such written materials and resources to State educational agencies (as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)) to distribute—

“(A) to school administrators, educators, school health professionals, coaches, and parents, guardians, or other caregivers, the cardiomyopathy education and awareness materials and resources described in subsection (a);

“(B) to parents, guardians, or other caregivers, the cardiomyopathy and sudden cardiac arrest risk assessment worksheets described in subsection (a)(2);

“(C) to school administrators, school health professionals, and coaches—

“(i) the information and training materials described in subsection (a)(3); and

“(ii) the guidelines and training materials described in subsection (a)(4); and

“(D) to school administrators, educators, coaches, and youth sports organizations, the recommendations described in subsection (a)(5).

“(2) DISSEMINATION TO HEALTH DEPARTMENTS AND PROFESSIONALS.—The Secretary shall make available such materials and re-

sources to State and local health departments, pediatricians, hospitals, and other health professionals, such as nurses and first responders.

“(3) DISSEMINATION OF INFORMATION THROUGH THE INTERNET.—

“(A) CDC.—

“(i) IN GENERAL.—The Secretary, acting through the Director, shall post the materials and resources developed under subsection (a) on the public Internet website of the Centers for Disease Control and Prevention.

“(ii) MAINTENANCE OF INFORMATION.—The Director shall maintain on such Internet website such additional and updated information regarding the resources and materials under subsection (a) as necessary to ensure such information reflects the latest standards.

“(B) STATE EDUCATIONAL AGENCIES.—State educational agencies are encouraged to create Internet webpages dedicated to disseminating the information and resources developed under subsection (a) to the general public, with an emphasis on targeting dissemination to families of students and students.

“(4) ACCESSIBILITY OF INFORMATION.—The information regarding the resources and materials under subsection (a) shall be made available in a format and in a manner that is readily accessible to individuals with cognitive and sensory impairments.

“(d) REPORT TO CONGRESS.—Not later than 3 years after the date of the enactment of this section, and annually thereafter, the Secretary shall submit to Congress a report identifying the steps taken to increase public education and awareness of higher risk cardiac conditions that may lead to sudden cardiac arrest.

“(e) DEFINITIONS.—In this section:

“(1) SCHOOL ADMINISTRATORS.—The term ‘school administrator’ means a principal, director, manager, or other supervisor or leader within an elementary school or secondary school (as such terms are defined under section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)), State-based early education program, or childcare center.

“(2) SCHOOLS.—The term ‘school’ means an early education program, childcare center, or elementary school or secondary school (as such terms are so defined) that is not an Internet- or computer-based community school.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal years 2016 through 2021.

#### **“SEC. 399V-7. GRANTS TO PROVIDE FOR CARDIAC TRAINING AND EQUIPMENT IN PUBLIC ELEMENTARY, MIDDLE, AND SECONDARY SCHOOLS.**

“(a) AUTHORITY TO MAKE GRANTS.—The Secretary, in consultation with the Secretary of Education, shall award grants to eligible local educational agencies—

“(1) to enable such local educational agencies to purchase AEDs and implement nationally recognized CPR and AED training courses; or

“(2) to enable such local educational agencies to award funding to eligible schools that are served by the local educational agency to purchase AEDs and implement nationally recognized CPR and AED training courses.

“(b) USE OF FUNDS.—An eligible local educational agency receiving a grant under this section, or an eligible school receiving grant funds under this section through an eligible local educational agency, shall use the grant funds—

“(1) to pay a nationally recognized training organization, such as the American Heart Association, the American Red Cross, or the National Safety Council, for instructional, material, and equipment expenses associated with the training necessary to receive CPR and AED certification in accordance with the materials and resources developed under section 399V-6(a)(3); or

“(2) if the local educational agency or an eligible school served by such agency meets the conditions described under subsection (c)(2), to purchase AED devices for eligible schools and pay the costs associated with obtaining the certifications necessary to meet the guidelines established in section 399V-6(a)(4).

“(c) GRANT ELIGIBILITY.—

“(1) APPLICATION.—To be eligible to receive a grant under this section, a local educational agency shall submit an application to the Secretary at such time, in such manner, and containing such information and certifications as such Secretary may reasonably require.

“(2) AED TRAINING AND ALLOCATION.—To be eligible to use grant funds to purchase AED devices as described in subsection (b)(2), an eligible local educational agency shall demonstrate to the Secretary that such local educational agency or an eligible school served by such agency has or intends to implement an AED training program in conjunction with a CPR training program and has or intends to implement an emergency cardiac response plan as of the date of the submission of the grant application.

“(d) PRIORITY OF AWARD.—The Secretary shall award grants under this section to eligible local educational agencies based on 1 or more of the following priorities:

“(1) A demonstrated need for initiating a CPR or AED training program in an eligible school or a community served by an eligible school, which may include—

“(A) schools that do not already have an automated AED on school grounds;

“(B) schools in which there are a significant number of students on school grounds during a typical day, as determined by the Secretary;

“(C) schools for which the average time required for emergency medical services (as defined in section 330J(f)) to reach the school is greater than the average time required for emergency medical services to reach other public facilities in the community; and

“(D) schools that have not received funds under the Rural Access to Emergency Devices Act (42 U.S.C. 254c note).

“(2) A demonstrated need for continued support of an existing CPR or AED training program in an eligible school or a community served by an eligible school.

“(3) A demonstrated need for expanding an existing CPR or AED training program by adding training in the use of an AED.

“(4) Previously identified opportunities to encourage and foster partnerships with and among community organizations, including emergency medical service providers, fire and police departments, nonprofit organizations, public health organizations, parent-teacher associations, and local and regional youth sports organizations to aid in providing training in both CPR and AED usage and in obtaining AED equipment.

“(5) Recognized opportunities to maximize the use of funds provided under this section.

“(e) MATCHING FUNDS REQUIRED.—

“(1) IN GENERAL.—To be eligible to receive a grant under this section, an eligible local educational agency shall provide matching funds from non-Federal sources in an

amount equal to not less than 25 percent of the total grant amount.

“(2) **WAIVER.**—The Secretary may waive the requirement of paragraph (1) for an eligible local educational agency if the number of children counted under section 1124(c)(1)(A) of the Elementary and Secondary Education Act of 1965 for the local educational agency is 20 percent or more of the total number of children aged 5 to 17, inclusive, served by the eligible local educational agency.

“(f) **DEFINITIONS.**—In this section:

“(1) **ELIGIBLE LOCAL EDUCATIONAL AGENCY.**—The term ‘eligible local educational agency’ means a local educational agency, as defined in section 9101 of the Elementary and Secondary Education Act of 1965, that has established a plan to follow the guidelines and carry out the recommendations described under section 399V-6(a) regarding cardiac emergencies.

“(2) **ELIGIBLE SCHOOL.**—The term ‘eligible school’ means a public elementary, middle, or secondary school, including any public charter school that is considered a local educational agency under State law, and which is not an Internet- or computer-based community school.

“(g) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of the fiscal years 2016 through 2021.

**“SEC. 399V-8. REQUIREMENT TO INCLUDE CARDIAC CONDITIONS IN EXISTING RESEARCH AND INVESTIGATIONS.**

“The Director of the Centers for Disease Control and Prevention shall develop data collection methods, to be included in the School Health Policies and Practices Survey authorized under section 301, that are being carried out as of the date of enactment of the SAFE PLAY Act, to determine the degree to which school administrators, educators, school health professionals, coaches, families, and other appropriate individuals have an understanding of cardiac issues. Such data collection methods shall be designed to collect information about—

“(a) the ability to accurately identify early symptoms of a cardiac condition, such as cardiomyopathy, cardiac arrest, and sudden cardiac death;

“(b) the dissemination of training described in section 399V-6(a)(3) regarding the proper performance of cardiopulmonary resuscitation; and

“(c) the dissemination of guidelines and training described in section 399V-6(a)(4) regarding the placement and use of automatic external defibrillators.”.

**SEC. 10303. GUIDELINES FOR EMERGENCY ACTION PLANS FOR ATHLETICS.**

The Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, and in consultation with the Secretary of Education, shall work with stakeholder organizations to develop recommended guidelines for the development of emergency action plans for youth athletics. Such plans shall include the following:

(1) Identifying the characteristics of an athletic, medical, or health emergency.

(2) Procedures for accessing emergency communication equipment and contacting emergency personnel, including providing directions to the specific location of the athletic venue that is used by the youth athletic group or organization.

(3) Instructions for utilizing appropriate first-aid and cardiopulmonary resuscitation techniques and accessing and utilizing emergency equipment, such as an automatic external defibrillator.

**SEC. 10304. GUIDELINES FOR SAFE ENERGY DRINK USE BY YOUTH ATHLETES.**

(a) **DEVELOPMENT OF GUIDELINES.**—Not later than 2 years after the date of enactment of this Act, the Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs, in collaboration with the Director of the Centers for Disease Control and Prevention and other related Federal agencies, may—

(1) develop information about the ingredients used in energy drinks and the potential side effects of energy drink consumption; and

(2) recommend guidelines for the safe use of energy drink consumption by youth, including youth participating in athletic activities.

(b) **DISSEMINATION OF GUIDELINES.**—Not later than 6 months after any information or guidelines are developed under subsection (a), the Secretary of Education, in coordination with the Commissioner of Food and Drugs, shall disseminate such information and guidelines to school administrators, educators, school health professionals, coaches, families, and other appropriate individuals.

(c) **ENERGY DRINK DEFINED.**—In this section the term “energy drink” means a class of products in liquid form, marketed as either a dietary supplement or conventional food under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), for the stated purpose of providing the consumer with added physical or mental energy, and that contains each of the following:

(1) Caffeine.

(2) At least 1 of the following ingredients:

(A) Taurine.

(B) Guarana.

(C) Ginseng.

(D) B vitamins such as cobalamin, folic acid, pyridoxine, or niacin.

(E) Any other ingredient added for the express purpose of providing physical or mental energy, as determined during the development of guidelines in accordance with subsection (a).

(d) **PROHIBITION ON RESTRICTION OF MARKETING AND SALES OF ENERGY DRINKS.**—Nothing in this section shall be construed to provide the Commissioner of Food and Drugs with authority to regulate the marketing and sale of energy drinks, beyond such authority as such Commissioner has as of the date of enactment of this Act.

**SEC. 10305. RESEARCH RELATING TO YOUTH ATHLETIC SAFETY.**

(a) **EXPANSION OF CDC RESEARCH.**—Section 301 of the Public Health Service Act (42 U.S.C. 241) is amended by adding at the end the following:

“(f) The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall, to the extent practicable, expand, intensify, and coordinate the activities of the Centers for Disease Control and Prevention with respect to cardiac conditions, concussions, and heat-related illnesses among youth athletes.”.

(b) **REPORT TO CONGRESS.**—Not later than 6 years after the enactment of this Act, the Director of the Centers for Disease Control and Prevention and the Secretary of Education shall prepare and submit a joint report to Congress that includes information, with respect to the 5-year period beginning after the date of enactment of this Act, about—

(1) the number of youth fatalities that occur while a youth is participating in an athletic activity, and the cause of each of those deaths; and

(2) the number of catastrophic injuries sustained by a youth while the youth is partici-

pating in an athletic activity, and the cause of such injury.

Between sections 9115 and 9116, insert the following:

**SEC. 9115A. HEAT ADVISORY AND HEAT ACCLIMATIZATION GUIDELINES FOR SECONDARY SCHOOL ATHLETICS.**

Subpart 2 of part F of title IX (20 U.S.C. 7901 et seq.), as amended by sections 4001, 9114, and 9115, and redesignated by section 9106, is further amended by adding at the end the following:

**“SEC. 9539A. HEAT ADVISORY AND HEAT ACCLIMATIZATION PROCEDURES.**

“(a) **MATERIALS AND RESOURCES.**—The Secretary, in consultation with the Secretary of Health and Human Services and the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, shall develop public education and awareness materials and resources to be disseminated to school administrators, school health professionals, coaches, families, and other appropriate individuals. The materials and resources shall include—

“(1) information regarding the health risks associated with exposure to excessive heat and excessive humidity, as defined by the National Weather Service;

“(2) tips and recommendations on how to avoid heat-related illness, including proper hydration and access to the indoors or cooling stations; and

“(3) strategies for ‘heat-acclimatization’ that address the types and duration of athletic activities considered to be generally safe during periods of excessive heat.

“(b) **IMPLANTATION OF EXCESSIVE HEAT ACTION PLAN.**—Public schools shall develop an ‘excessive heat action plan’ to be used during all school-sponsored athletic activities that occur during periods of excessive heat and humidity. Such plan shall—

“(1) be in effect prior to full scale athletic participation by students, including any practices or scrimmages prior to the beginning of the school’s academic year; and

“(2) apply to days when an Excessive Heat Watch or Excessive Heat Warning or Advisory has been issued by the National Weather Service for the area in which the athletic event is to take place.”.

**SEC. 9115B. PREVENTION AND TREATMENT OF YOUTH ATHLETE CONCUSSIONS.**

Part F of title IX (20 U.S.C. 7881 et seq.), as amended by sections 2001 and 4001, and redesignated by section 9106, is further amended by adding at the end the following:

**“Subpart 7—State Requirements for the Prevention and Treatment of Concussions**

**“SEC. 9581. MINIMUM STATE REQUIREMENTS.**

“(a) **IN GENERAL.**—Beginning for fiscal year 2016, as a condition of receiving funds under title IV for a fiscal year, a State shall, not later than July 1 of the preceding fiscal year, certify to the Secretary in accordance with subsection (b) that the State has in effect and is enforcing a law or regulation that, at a minimum, establishes the following requirements:

“(1) **LOCAL EDUCATIONAL AGENCY CONCUSSION SAFETY AND MANAGEMENT PLAN.**—Each local educational agency in the State (including each public charter school that is considered a local educational agency under State law), in consultation with members of the community in which the local educational agency is located, and taking into consideration the guidelines of the Centers for Disease Control and Prevention’s Pediatric Mild Traumatic Brain Injury Guideline Workgroup, shall develop and implement a

standard plan for concussion safety and management for public schools served by the local educational agency that includes—

“(A) the education of students, school administrators, educators, coaches, youth sports organizations, parents, and school personnel about concussions, including—

“(i) training of school personnel on evidence-based concussion safety and management, including prevention, recognition, risk, academic consequences, and response for both initial and any subsequent concussions; and

“(ii) using, maintaining, and disseminating to students and parents release forms, treatment plans, observation, monitoring, and reporting forms, recordkeeping forms, and post-injury and prevention fact sheets about concussions;

“(B) supports for each student recovering from a concussion, including—

“(i) guiding the student in resuming participation in school-sponsored athletic activities and academic activities with the help of a multidisciplinary concussion management team, which shall include—

“(I) a health care professional, the parents of such student, and other relevant school personnel; and

“(II) an individual who is assigned by the public school in which the student is enrolled to oversee and manage the recovery of the student;

“(ii) providing appropriate academic accommodations aimed at progressively reintroducing cognitive demands on such student; and

“(iii) if the student’s symptoms of concussion persist for a substantial period of time—

“(I) evaluating the student in accordance with section 614 of the Individuals with Disabilities Education Act (20 U.S.C. 1414) to determine whether the student is eligible for services under part B of such Act (20 U.S.C. 1411 et seq.); or

“(II) evaluating whether the student is eligible for services under section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794); and

“(C) best practices, as defined by national neurological medical specialty and sports health organizations, designed to ensure, with respect to concussions, the uniformity of safety standards, treatment, and management, including—

“(i) disseminating information on concussion safety and management to the public; and

“(ii) applying best practice and uniform standards for concussion safety and management to all students enrolled in the public schools served by the local educational agency.

“(2) POSTING OF INFORMATION ON CONCUSSIONS.—Each public school in the State shall post on school grounds, in a manner that is visible to students and school personnel, and make publicly available on the school website, information on concussions that—

“(A) is based on peer-reviewed scientific evidence or consensus (such as information made available by the Centers for Disease Control and Prevention);

“(B) shall include—

“(i) the risks posed by sustaining a concussion or multiple concussions;

“(ii) the actions a student should take in response to sustaining a concussion, including the notification of school personnel; and

“(iii) the signs and symptoms of a concussion; and

“(C) may include—

“(i) the definition of a concussion under section 9582(1);

“(ii) the means available to the student to reduce the incidence or recurrence of a concussion; and

“(iii) the effects of a concussion on academic learning and performance.

“(3) RESPONSE TO A CONCUSSION.—If any school personnel of a public school in the State suspect that a student has sustained a concussion during a school-sponsored athletic activity or other school-sponsored activity—

“(A) the student shall be—

“(i) immediately removed from participation in such activity; and

“(ii) prohibited from resuming participation in school-sponsored athletic activities—

“(I) on the day the student sustained the concussion; and

“(II) until the day the student is capable of resuming such participation, according to the student’s written release, as described in paragraphs (4) and (5);

“(B) the school personnel shall report to the concussion management team described under paragraph (1)(B)(i)—

“(i) that the student may have sustained a concussion; and

“(ii) all available information with respect to the student’s injury; and

“(C) the concussion management team shall confirm and report to the parents of the student—

“(i) the type of injury, and the date and time of the injury, suffered by the student; and

“(ii) any actions that have been taken to treat the student.

“(4) RETURN TO ATHLETICS.—If a student enrolled in a public school in the State sustains a concussion, before the student resumes participation in school-sponsored athletic activities, the relevant school personnel shall receive a written release from a health care professional, that—

“(A) may require the student to follow a plan designed to aid the student in recovering and resuming participation in such activities in a manner that—

“(i) is coordinated, as appropriate, with periods of cognitive and physical rest while symptoms of a concussion persist; and

“(ii) reintroduces cognitive and physical demands on the student on a progressive basis so long as such increases in exertion do not cause the re-emergence or worsening of symptoms of a concussion; and

“(B) states that the student is capable of resuming participation in such activities once the student is asymptomatic.

“(5) RETURN TO ACADEMICS.—If a student enrolled in a public school in the State has sustained a concussion, the concussion management team (as described under paragraph (1)(B)(i)) of the school shall consult with and make recommendations to relevant school personnel and the student to ensure that the student is receiving the appropriate academic supports, including—

“(A) providing for periods of cognitive rest over the course of the school day;

“(B) providing modified academic assignments;

“(C) allowing for gradual reintroduction to cognitive demands; and

“(D) other appropriate academic accommodations or adjustments.

“(b) CERTIFICATION REQUIREMENT.—The certification required under subsection (a) shall be in writing and include a description of the law or regulation that meets the requirements of subsection (a).

#### “SEC. 9582. DEFINITIONS.

“In this subpart:

“(1) CONCUSSION.—The term ‘concussion’ means a type of mild traumatic brain injury that—

“(A) is caused by a blow, jolt, or motion to the head or body that causes the brain to move rapidly in the skull;

“(B) disrupts normal brain functioning and alters the physiological state of the individual, causing the individual to experience—

“(i) any period of observed or self-reported—

“(I) transient confusion, disorientation, or altered consciousness;

“(II) dysfunction of memory around the time of injury; or

“(III) disruptions in gait or balance; and

“(ii) symptoms that may include—

“(I) physical symptoms, such as headache, fatigue, or dizziness;

“(II) cognitive symptoms, such as memory disturbance or slowed thinking;

“(III) emotional symptoms, such as irritability or sadness; or

“(IV) difficulty sleeping; and

“(C) occurs—

“(i) with or without the loss of consciousness; and

“(ii) during participation—

“(I) in a school-sponsored athletic activity; or

“(II) in any other activity without regard to whether the activity takes place on school property or during the school day.

“(2) HEALTH CARE PROFESSIONAL.—The term ‘health care professional’ means a physician (including a medical doctor or doctor of osteopathic medicine), registered nurse, athletic trainer, physical therapist, neuropsychologist, or other qualified individual—

“(A) who is registered, licensed, certified, or otherwise statutorily recognized by the State to provide medical treatment; and

“(B) whose scope of practice and experience includes the diagnosis and management of traumatic brain injury among a pediatric population.

“(3) PARENT.—The term ‘parent’ means biological or adoptive parents or legal guardians, as determined by applicable State law.

“(4) PUBLIC SCHOOL.—The term ‘public school’ means an elementary school or secondary school (as such terms are so defined), including any public charter school that is considered a local educational agency under State law, and which is not an Internet- or computer-based community school.

“(5) SCHOOL PERSONNEL.—The term ‘school personnel’ has the meaning given such term in section 4151, except that such term includes coaches and athletic trainers.

“(6) SCHOOL-SPONSORED ATHLETIC ACTIVITY.—The term ‘school-sponsored athletic activity’ means—

“(A) any physical education class or program of a public school;

“(B) any athletic activity authorized by a public school that takes place during the school day on the school’s property;

“(C) any activity of an extracurricular sports team, club, or league organized by a public school; and

“(D) any recess activity of a public school.”

**SA 2161.** Mr. KIRK (for himself, Mr. REED, Ms. BALDWIN, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure

that every child achieves; which was ordered to lie on the table; as follows:

On page 69, between lines 16 and 17, insert the following:

“(N) how the State will measure and report on indicators of student access to critical educational resources and identify disparities in such resources (referred to for purposes of this Act as an ‘Opportunity Dashboard of Core Resources’) for each local educational agency and each public school in the State in a manner that—

“(i) provides data on each indicator, for all students and disaggregated by each of the categories of students, as defined in subsection (b)(3)(A); and

“(ii) is based on the indicators described in clauses (v), (vii), (x), (xiii), and (xiv) of subsection (d)(1)(C) and not less than 3 of the following:

“(I) access to qualified paraprofessionals, and specialized instructional support personnel, who are certified or licensed by the State;

“(II) availability of health and wellness programs;

“(III) availability of dedicated school library programs and modern instructional materials and school facilities;

“(IV) enrollment in early childhood education programs and full-day, 5-day-a-week kindergarten; and

“(V) availability of core academic subject courses;

“(O) how the State will develop plans with local educational agencies, including a timeline with annual benchmarks, to address disparities identified under subparagraph (N) and, if a local educational agency does not achieve the applicable annual benchmarks for two consecutive years, how the State will allocate resources and supports to such local educational agency based on the identified needs;

On page 82, between lines 23 and 24, insert the following:

“(xviii) Information on the indicators of student access to critical educational resources selected by the State, as described in subsection (c)(1)(N), for all students and disaggregated by each of the categories of students, as defined in subsection (b)(3)(A), for each local educational agency and each school in the State and by the categories described in clause (vii).

On page 115, after line 25, add the following:

“(3) RESOURCE, SUPPORT, AND PROGRAM AVAILABILITY.—A local educational agency that receives funds under this part shall notify the parents of each student attending any school receiving funds under this part that the parents may request, and the agency will provide the parents on request (and in a timely manner), information regarding the availability of critical educational resources, supports, and programs, as described in the State plan in accordance with section 1111(c)(1)(N).

**SA 2162.** Mr. LEE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 52, strike line 3 and all that follows through line 9 and insert the following:

“(K) PARENTAL NOTIFICATION AND OPT-OUT.—

“(i) NOTIFICATION.—Each State receiving funds under this part shall ensure that the parents of each child in the State who are scheduled to take an assessment described in this paragraph during the academic year are notified, at the beginning of that academic year, about any such assessment that their child is scheduled to take and the following information about each such assessment:

“(I) The dates when the assessment will take place.

“(II) The subject of the assessment.

“(III) Any additional information that the State believes will best inform parents regarding the assessment their child is scheduled to take.

“(ii) DELAYED OR CHANGED ASSESSMENT INFORMATION.—If any of the information described in clause (i) is not available at the beginning of the academic school year, or if the initial information provided at that time is changed, the State shall ensure that a subsequent notification is provided to parents not less than 14 days prior to the scheduled assessment, which shall include any new or changed information.

“(iii) OPT-OUT.—

“(I) IN GENERAL.—Notwithstanding the requirement described in section 1111(b)(3)(B)(vi), or any other provision of law, upon the request of the parent of a child made in accordance with subclause (II), and for any reason or no reason at all stated by the parent, a State shall allow the child to opt out of the assessments described in this paragraph. Such an opt-out, or any action related to that opt-out, may not be used by the Secretary, the State, any State or local agency, or any school leader or employee as the basis for any corrective action, penalty, or other consequence against the parent, the child, any school leader or employee, or the school.

“(II) FORM OF PARENTAL OPT-OUT REQUEST.—Unless a State has implemented an alternative process for parents to opt out of assessments as described in this subparagraph, a parent shall request to have their child opt out of an assessment by submitting such request to their child’s school in writing.

“(iv) APPLICABILITY.—The requirements relating to notification and opt-out in this subparagraph shall only apply to federally mandated assessments. A State may implement separate requirements for notification and opt-out relating to State and locally mandated assessments.”

On page 58, on line 21, after “paragraph (2)” insert “(except that such 95 percent requirements shall exclude any student who, pursuant to paragraph (2)(K), opts out of an assessment)”.

**SA 2163.** Mr. LEE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

After section 9115, insert the following:

#### **SEC. 9116. RULE OF CONSTRUCTION REGARDING TRAVEL TO AND FROM SCHOOL.**

Subpart 2 of part F of title IX (20 U.S.C. 7901 et seq.), as amended by sections, 9114 and 9115, and redesignated by section 9601, is further amended by adding at the end the following:

#### **“SEC. 9539A. RULE OF CONSTRUCTION REGARDING TRAVEL TO AND FROM SCHOOL.**

“Nothing in this Act shall authorize the Secretary to, or shall be construed to—

“(1) prohibit a child from traveling to and from school on foot or by car, bus, or bike when the parent of the child has given permission; or

“(2) expose a parent to civil or criminal charges for allowing their child to responsibly and safely travel to and from school by a means the parent believes is age appropriate.”

**SA 2164.** Mr. ISAKSON submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 44, strike lines 19 through 25.

On page 47, lines 19 through 21, strike “, consistent with the 1 percent limitation of clause (i)(I)”.

**SA 2165.** Mr. ISAKSON submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 58, line 19, insert “(excluding students whose parent opts the student out of assessments under paragraph (2) in accordance with a State or local educational agency policy, procedure, or parental right regarding student participation in any mandated assessments for the student)” after “students.”

**SA 2166.** Mr. BROWN (for himself, Mr. CASEY, and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

After part B of title X, insert the following:

#### **PART C—AMERICORPS SCHOOL TURNAROUND**

##### **SEC. 10301. SHORT TITLE.**

This part may be cited as the “AmeriCorps School Turnaround Act of 2015”

##### **SEC. 10302. FINDINGS AND PURPOSES.**

(a) FINDINGS.—Congress finds the following:

(1) Students are most successful when they have personal, attentive support.

(2) Turning schools around requires collaboration among teachers, administrators, counselors, business leaders, the philanthropic sector, and community members.

(3) National service provides valuable support to elementary schools and secondary schools and has a record for improving student academic achievement.

(b) PURPOSES.—The purposes of this part are to—

(1) strengthen and accelerate interventions in the lowest-performing elementary schools and secondary schools;



(2) provide financial support to eligible entities that serve low-performing schools;

(3) significantly improve outcomes for students in persistently low-performing schools by—

(A) providing opportunities for academic enrichment;

(B) extending learning time; and

(C) providing individual support for students; and

(4) improve high school graduation rates and college readiness for the most disadvantaged students.

#### SEC. 10303. DEFINITIONS.

In this part:

(1) **CHIEF EXECUTIVE OFFICER.**—The term “Chief Executive Officer” means the Chief Executive Officer of the Corporation for National and Community Service appointed under section 193 of the National and Community Service Act of 1990 (42 U.S.C. 12651c).

(2) **ELIGIBLE ENTITY.**—The term “eligible entity” means—

(A) an elementary school or secondary school; or

(B) any of the following entities that serve low-performing schools:

(i) Public or private nonprofit organizations, including faith-based and other community organizations.

(ii) Local educational agencies.

(iii) Institutions of higher education.

(iv) Government entities within States.

(v) Indian Tribes.

(vi) Labor organizations.

(3) **LOW-PERFORMING SCHOOL.**—The term “low-performing school” means an elementary school or secondary school that is identified under section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316).

(4) **NATIONAL SERVICE PARTICIPANT.**—The term “national service participant” means an individual described under part III of the National and Community Service Act of 1990 (42 U.S.C. 12591 et seq.).

(5) **SCHOOL TURNAROUND CORPS PROJECT.**—The term “School Turnaround Corps project” means a project carried out by an eligible entity that is a permissible use of funds for a grant under this part.

(6) **SECRETARY.**—The term “Secretary” means the Secretary of Education.

#### SEC. 10304. INTERAGENCY AGREEMENT FOR SCHOOL TURNAROUND GRANTS.

(a) **INTERAGENCY AGREEMENT.**—

(1) **IN GENERAL.**—The Chief Executive Officer shall enter into an interagency agreement with the Secretary similar to an interagency agreement described in section 121(b)(1) of the National and Community Service Act of 1990 (42 U.S.C. 12571(b)(1)) regarding the grant program described in section 10305, except that funds appropriated under this part may be used as if for the purposes for which funds may be provided through grants under section 121(a) of the National and Community Service Act of 1990 (42 U.S.C. 12571(a)).

(2) **AMENDMENT TO THE NCSA.**—Section 121(b) of such Act (42 U.S.C. 12571(b)) is amended by adding at the end the following:

“(6) **SCHOOL TURNAROUND GRANT INTERAGENCY AGREEMENT.**—Notwithstanding paragraph (1), the Corporation shall enter into an interagency agreement similar to an interagency agreement described in paragraph (1) with the Secretary of Education under this subsection regarding the school turnaround grant program described in section 10305 of the AmeriCorps School Turnaround Act of 2015.”.

(b) **APPROVED NATIONAL SERVICE POSITIONS.**—

(1) **IN GENERAL.**—The Chief Executive Officer shall approve positions for School Turnaround Corps projects as approved national service positions in accordance with subtitle C of title I of the National and Community Service Act of 1990 (42 U.S.C. 12571 et seq.).

(2) **DISTRIBUTION OF ASSISTANCE AND APPROVED POSITIONS UNAFFECTED.**—Nothing in this part shall be construed to affect the distribution of assistance or approved national service positions under section 129 of the National and Community Service Act of 1990 (42 U.S.C. 12581).

(c) **TREATMENT OF FUNDS APPROPRIATED.**—

(1) **NATIONAL SERVICE TRUST.**—For purposes of section 145(a)(1) of the National and Community Service Act of 1990 (42 U.S.C. 12601(a)(1)), a portion of the funds appropriated under this part, as determined by the Chief Executive Officer based on the number of participants selected for School Turnaround Corps projects, shall be treated as funds made available to carry out subtitle D of title I of the National and Community Service Act of 1990 (42 U.S.C. 12601 et seq.).

(2) **INVESTMENT OF TRUST FUNDS.**—For purposes of subsection (b) of section 145 of the National and Community Service Act of 1990 (42 U.S.C. 12601), a portion of the funds appropriated under this part, as determined by the Chief Executive Officer based on the number of participants selected for School Turnaround Corps projects, shall be treated as if appropriated to the Trust established under such section.

(3) **RESERVE ACCOUNT.**—For purposes of section 149(b)(1)(B)(ii) of the National and Community Service Act of 1990 (42 U.S.C. 12606(b)(1)(B)(ii)), a portion of the funds appropriated under this part, as determined by the Chief Executive Officer based on the number of participants selected for School Turnaround Corps projects, shall be treated as funds appropriated for the fiscal year involved under section 501 of the National and Community Service Act of 1990 (42 U.S.C. 12681) and made available to carry out subtitle C or D of title I of such Act (42 U.S.C. 12571 et seq.; 42 U.S.C. 12601 et seq.).

(4) **AUDITS.**—For purposes of section 149(c) of the National and Community Service Act of 1990 (42 U.S.C. 12606(c)), funds appropriated under this part shall be treated as appropriated funds for approved national service positions.

#### SEC. 10305. SCHOOL TURNAROUND GRANT PROGRAM.

(a) **IN GENERAL.**—From amounts made available under this part after the reservation described in subsection (b), the Chief Executive Officer, in consultation with the Secretary, shall award grants, on a competitive basis, to eligible entities to enable such eligible entities—

(1) to improve the academic achievement of elementary school and secondary school students; and

(2) to select national service participants and engage such participants’ in School Turnaround Corps projects.

(b) **AMOUNTS RESERVED.**—The Chief Executive Officer shall reserve not less than 1 percent, and not more than 2 percent, of the amount appropriated to carry out this part for each fiscal year to award grants under this part to Indian tribes and organizations serving tribal populations.

(c) **PRIORITY.**—In making grants under this part, the Chief Executive Officer, in consultation with the Secretary—

(1) shall give priority to eligible entities that will serve significant populations of low-income students; and

(2) may give priority to eligible entities that—

(A) are located in low-income communities;

(B) will serve communities with significant populations of families with limited English proficiency;

(C) will place national service participants in urban or rural areas; or

(D) will increase the ability of educators to provide appropriate services and coordinate activities with State and local systems providing services under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.) for children with developmental delays or disabilities, including such children in the child welfare system of the State.

(d) **USE OF FUNDS.**—

(1) **IN GENERAL.**—An eligible entity that receives a grant under this section shall use the funds made available through the grant to carry out 1 or more of the activities described in paragraphs (2) through (6), and shall engage national service participants to carry out such activities.

(2) **INCREASING HIGH-QUALITY, INDIVIDUALIZED LEARNING TIME.**—Improving the quality and frequency of individualized learning time provided to elementary school and secondary school students by providing individualized support, which may include increasing postsecondary education enrollment rates through postsecondary education preparation counseling assistance, including assistance with completing the Free Application for Federal Student Aid (FAFSA) and applications for institutions of higher education, and educating students and their families about financial literacy for postsecondary education.

(3) **OUT-OF-SCHOOL AND EXTENDED LEARNING PROGRAMS.**—Increasing personalized, out-of-school and extended learning programs provided to elementary school and secondary school students by engaging national service participants to serve as—

(A) tutors who provide individualized, academic support outside of the standard school day; and

(B) family resource mentors who connect the student, family, and school in an open conversation about the student’s academic situation.

(4) **COLLEGE AND CAREER READINESS AND GRADUATION COACHES.**—The provision of individual graduation, postsecondary education, and career preparation guidance and assistance by college or career planning advisors.

(5) **SCHOOLWIDE ACTIVITIES.**—Carrying out schoolwide activities, including—

(A) establishing a school culture and environment that improves school safety, attendance, and discipline and addressing other non-academic factors that impact student achievement, such as students’ social, emotional, and health needs; and

(B) carrying out activities to increase graduation rates, such as early warning systems, credit-recovery programs, and re-engagement strategies.

(6) **ACCELERATING READING AND MATHEMATICS KNOWLEDGE AND SKILLS.**—The provision of activities to accelerate students’ acquisition of reading and mathematics knowledge and skills.

#### SEC. 10306. ANNUAL REPORT.

(a) **IN GENERAL.**—As a condition on receipt of any funds for a program under this part, each grantee shall agree to submit an annual report at such time, in such manner, and containing such information as the Chief Executive Officer, in consultation with the Secretary, may require.

(b) **CONTENT.**—At a minimum, each annual report under this subsection shall describe—

(1) the degree to which progress has been made toward meeting the annual benchmarks and long-term goals and objectives described in the grant recipient's application; and

(2) demographic data about low-performing schools, including the number of low-income and minority students, served in each program.

**SEC. 10307. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated to carry out this part \$25,000,000 for fiscal year 2016, and such sums as may be necessary for each of the 5 succeeding fiscal years.

**SA 2167.** Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of title V, insert the following:

**SEC. 5011. IMPROVING EDUCATION FACILITIES.**

Title V (20 U.S.C. 7201 et seq.), as amended by section 5010, is further amended by adding at the end the following:

**"PART J—SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS, CAREER, AND TECHNICAL FACILITIES**

**"SEC. 5911. DEFINITIONS.**

"In this part:

"(1) **CAREER AND TECHNICAL EDUCATION.**—The term 'career and technical education' has the meaning given the term in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006.

"(2) **COMMUNITY COLLEGE.**—The term 'community college' means—

"(A) a junior or community college, as that term is defined in section 312(f) of the Higher Education Act of 1965; or

"(B) an institution of higher education (as defined in section 101 of such Act) that awards a significant number of degrees and certificates, as determined by the Secretary, that are not—

"(i) baccalaureate degrees (or an equivalent); or

"(ii) master's, professional, or other advanced degrees.

"(3) **ELIGIBLE ENTITY.**—The term 'eligible entity' means a local educational agency, community college, or other entity determined appropriate by the Secretary.

"(4) **QUALIFIED PROJECT.**—The term 'qualified project'—

"(A) means the modernization, renovation, or repair of a facility that will be used to improve the quality and availability of science, technology, engineering, mathematics, or career and technical education instruction to public elementary school or secondary school, or community college, students, and that may include—

"(i) improving the energy efficiency of the facility;

"(ii) improving the cost-effectiveness of the facility in delivering quality education;

"(iii) improving student, faculty, and staff health and safety at the facility;

"(iv) improving, installing, or upgrading educational technology infrastructure;

"(v) retrofitting an existing building for career and technical education purposes; and

"(vi) a one-time repair of serviceable equipment at the facility, or replacement of equipment at the facility that is at the end of its serviceable lifespan, that will be used to further educational outcomes; and

"(B) does not include new construction or the payment of routine maintenance costs.

**"SEC. 5912. SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS, CAREER, AND TECHNICAL FACILITIES IMPROVEMENT.**

"(a) **PROGRAM AUTHORIZED.**—From amounts appropriated under subsection (g), the Secretary shall carry out a program to improve science, technology, engineering, mathematics, or career and technical education facilities by—

"(1) awarding grants to eligible entities to enable the eligible entities to carry out qualified projects;

"(2) guaranteeing loans made to eligible entities for qualified projects; or

"(3) making payments of interest on bonds, loans, or other financial instruments (other than a refinancing) that are issued to eligible entities for qualified projects.

"(b) **APPLICATION.**—An eligible entity that desires to receive a grant, loan guarantee, or payment of interest under this part shall submit an application to the Secretary at such a time, in such a manner, and containing such information as the Secretary may require. The application shall include—

"(1) a detailed description of the qualified project;

"(2) in the case of a qualified project described in section 5911(4)(A)(vi), a description of the educational outcomes to be furthered by the one-time repair of serviceable equipment or replacement of equipment;

"(3) an indication as to whether the eligible entity prefers to receive a grant, loan guarantee, or payment of interest;

"(4) a description of the need for the qualified project;

"(5) a description of how the eligible entity will ensure that the qualified project will be adequately maintained;

"(6) an identification of any public elementary school or secondary school or community college that will benefit from the qualified project;

"(7) a description of how the qualified project will improve instruction and educational outcomes at the facility, including any opportunities to integrate project activities within the curriculum of such school or community college;

"(8) a description of how the facility supported by the qualified project will be used for providing educational services in science, technology, engineering, mathematics, or career and technical education;

"(9) a description of how the eligible entity will ensure that the modernization, renovation, or repair supported by the qualified project meets Leadership in Energy and Environmental Design (LEED) building rating standards, Energy Star standards, Collaborative for High Performance Schools (CHPS) criteria, Green Building Initiative environmental design and rating standards (Green Globes), the Living Building Challenge certification standards, or equivalent standards adopted by entities with jurisdiction over or related to the eligible entity;

"(10) a description of the fiscal capacity of the eligible entity;

"(11) the percentage of students enrolled in the public elementary school or secondary school or community college to be served by the qualified project who are from low-income families;

"(12) in the case of a qualified project at a facility that is used by students in a secondary school, the secondary school graduation rates; and

"(13) such additional information and assurances as the Secretary may require.

"(c) **PRIORITY.**—In making awards under this part, the Secretary shall use not less than a total of 25 percent of the funds appropriated under subsection (g) to eligible entities for qualified projects to benefit—

"(1) public elementary schools or secondary schools served by high-need local educational agencies, as described in section 2202(b)(2)(A); or

"(2) community colleges serving a substantial number of rural students, as determined by the Secretary.

"(d) **SUPPLEMENT NOT SUPPLANT.**—Funds made available under this part shall be used to supplement, and not supplant, other Federal and State funds available to carry out the activities supported under this part.

"(e) **TECHNICAL ASSISTANCE AND ADMINISTRATIVE COSTS.**—The Secretary may reserve not more than 3 percent of funds appropriated under subsection (g) for the administrative costs of this part and to provide technical assistance to community colleges and local educational agencies concerning best practices in school facility renovation, repair, and modernization.

"(f) **REPORTING REQUIREMENTS.**—Not later than 1 year after funds are appropriated to carry out this part, and every 2 years thereafter, the Secretary shall prepare and submit to the appropriate committees of Congress a report on the effect of the qualified projects supported under this part on improving academic achievement.

"(g) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021."

**SA 2168.** Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 630, between lines 4 and 5, insert the following:

**"PART J—SCHOOL FACILITIES**

**"SEC. 5910. GRANTS FOR SCHOOL REPAIR, RENOVATION, AND CONSTRUCTION.**

"(a) **DEFINITIONS.**—In this section:

"(1) **CHARTER SCHOOL.**—The term 'charter school' has the meaning given the term in section 5110.

"(2) **CHPS CRITERIA.**—The term 'CHPS Criteria' means the green building rating criteria developed by the Collaborative for High Performance Schools.

"(3) **EARLY LEARNING FACILITY.**—The term 'early learning facility' means a public facility that—

"(A) serves children who are not yet in kindergarten; and

"(B) is under the jurisdiction of a local educational agency.

"(4) **ENERGY STAR.**—The term 'Energy Star' means the Energy Star program of the Department of Energy and the Environmental Protection Agency.

"(5) **GREEN GLOBES.**—The term 'Green Globes' means the Green Building Initiative environmental design and rating system.

"(6) **HIGH-NEED LOCAL EDUCATIONAL AGENCY.**—The term 'high-need local educational agency' has the meaning given the term in section 2201(b)(2).

"(7) **LEED GREEN BUILDING RATING SYSTEM.**—The term 'LEED Green Building Rating System' means the United States Green

Building Council Leadership in Energy and Environmental Design green building rating system.

“(8) LIVING BUILDING CHALLENGE.—The term ‘Living Building Challenge’ means the Living Building Challenge building certification program.

“(9) PUBLIC SCHOOL FACILITY.—The term ‘public school facility’ means a public elementary or secondary school facility, including a public charter school facility or an existing facility planned for adaptive reuse as a public charter school facility.

“(10) RURAL LOCAL EDUCATIONAL AGENCY.—The term ‘rural local educational agency’ means a local educational agency that meets the eligibility requirements under—

“(A) section 6211(b) for participation in the program described in subpart 1 of part B of title VI; or

“(B) section 6221(b)(1) for participation in the program described in subpart 2 of part B of title VI.

“(11) STATE.—The term ‘State’ means each of the several states of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

“(12) STATE ENTITY.—The term ‘State entity’ has the meaning given the term in section 5103.

“(b) ALLOCATION OF FUNDS.—

“(1) RESERVATIONS.—From the funds appropriated under subsection (i) for a fiscal year, the Secretary shall reserve 1 percent to provide assistance to the outlying areas and for payments to the Secretary of the Interior to provide assistance to schools funded by the Bureau of Indian Education. Funds allocated under this paragraph shall be reserved by the Secretary for distribution among the outlying areas and the Secretary of the Interior on the basis of their relative need for public elementary school and secondary school repair, renovation, and construction, as determined by the Secretary.

“(2) ALLOCATION TO STATE EDUCATIONAL AGENCIES.—From the funds appropriated under subsection (i) for a fiscal year that are not reserved under paragraph (1) for the fiscal year, the Secretary shall allocate to each State educational agency serving a State an amount that bears the same relation to the funds as the amount the State received under part A of title I for the fiscal year preceding the fiscal year for which the determination is made bears to the amount all States received under such part for such preceding fiscal year, except that no such State educational agency shall receive less than 0.5 percent of the amount allocated under this subsection.

“(c) WITHIN-STATE DISTRIBUTIONS.—

“(1) ADMINISTRATIVE AND OTHER COSTS.—

“(A) STATE EDUCATIONAL AGENCY ADMINISTRATION AND OTHER COSTS.—Except as provided in subparagraph (D), each State educational agency may reserve not more than 1 percent of the State educational agency’s allocation under subsection (b) for the purposes of administering the distribution of grants under this subsection and awarding grants under subparagraph (C)(v).

“(B) REQUIRED USES.—The State educational agency shall use a portion of the funds reserved under subparagraph (A)—

“(i) to provide technical assistance to local educational agencies; and

“(ii) to establish or support a State-level database of public school facility inventory, condition, design, and utilization, which shall include for each school facility—

“(I) the age of the facility;

“(II) the total square footage of the facility that is used for academic or technical classroom instruction; and

“(III) the year of the last major renovation of the facility.

“(C) PERMISSIBLE USES.—The State educational agency may use a portion of the funds reserved under subparagraph (A) for—

“(i) developing a statewide public school educational facility master plan;

“(ii) developing policies, procedures, and standards for high-quality, energy efficient public school facilities;

“(iii) supporting interagency collaboration that will lead to broad community use of public school facilities, and school-based services for students served by high-need local educational agencies or rural local educational agencies;

“(iv) helping to defray the cost of issuing State bonds to finance public elementary school and secondary school repair, renovation, and construction; and

“(v) awarding grants to State-operated or State-supported schools, such as a State school for the deaf or for the blind, to enable such schools to carry out school repair, renovation, and construction activities in accordance with subsection (d).

“(D) STATE ENTITY ADMINISTRATION AND OTHER COSTS.—If the State educational agency transfers funds to a State entity described in paragraph (2)(A), the State educational agency shall transfer to such State entity not less than 75 percent of the amount reserved under subparagraph (A) for the purpose of carrying out the activities described in subparagraph (C).

“(2) DISTRIBUTION OF COMPETITIVE SCHOOL REPAIR, RENOVATION, AND CONSTRUCTION GRANTS TO LOCAL EDUCATIONAL AGENCIES.—

“(A) IN GENERAL.—Of the funds allocated to a State educational agency under subsection (b) that are not reserved under paragraph (1), the State educational agency shall distribute 100 percent of such funds to local educational agencies or, if the State educational agency is not responsible for the financing of public school facilities, the State educational agency shall transfer such funds to the State entity responsible for the financing of public school facilities for distribution by such State entity to local educational agencies in accordance with this paragraph, to be used, consistent with subsection (d), for public elementary school or secondary school repair, renovation, and construction.

“(B) COMPETITIVE GRANTS TO LOCAL EDUCATIONAL AGENCIES.—The State educational agency or State entity shall carry out a program to award grants, on a competitive basis, to local educational agencies for public elementary school or secondary school repair, renovation, and construction. Of the total amount available for distribution to local educational agencies under this paragraph, the State educational agency or State entity, shall, in carrying out the grant competition—

“(i) award to high-need local educational agencies, in the aggregate, not less than an amount which bears the same relationship to such total amount as the aggregate amount such high-need local educational agencies received under part A of title I for the fiscal year preceding the fiscal year for which the determination is made bears to the aggregate amount received for such preceding fiscal year under such part by all local educational agencies in the State;

“(ii) award to rural local educational agencies in the State, in the aggregate, not less than an amount which bears the same relationship to such total amount as the aggregate amount such rural local educational agencies received under part A of title I for the fiscal year preceding the fiscal year for

which the determination is made bears to the aggregate amount received for such preceding fiscal year under such part by all local educational agencies in the State; and

“(iii) award the remaining funds to local educational agencies in the State that did not receive a grant award under clause (i) or (ii), including to high-need local educational agencies and rural local educational agencies that did not receive a grant award under clause (i) or (ii).

“(C) CRITERIA FOR AWARDING GRANTS.—In awarding competitive grants under this paragraph, a State educational agency or State entity shall take into account the following criteria:

“(i) PERCENTAGE OF POOR CHILDREN.—The percentage of children served by the local educational agency who are between 5 to 17 years of age, inclusive, and who are from families with incomes below the poverty line.

“(ii) NEED FOR SCHOOL REPAIR, RENOVATION, AND CONSTRUCTION.—The need of a local educational agency for school repair, renovation, and construction, as demonstrated by the condition of the public school facilities of the local educational agency or the local educational agency’s need for such facilities.

“(iii) GREEN SCHOOLS.—The extent to which a local educational agency will make use, in the repair, renovation, or construction to be undertaken, of green practices that are certified, verified, or consistent with any applicable provisions of—

“(I) the LEED Green Building Rating System;

“(II) Energy Star;

“(III) the CHPS Criteria;

“(IV) the Living Building Challenge;

“(V) Green Globes; or

“(VI) an equivalent program adopted by the State or another jurisdiction with authority over the local educational agency.

“(iv) FISCAL CAPACITY.—The fiscal capacity of a local educational agency to meet the needs of the local educational agency for repair, renovation, and construction of public school facilities without assistance under this section, including the ability of the local educational agency to raise funds through the use of local bonding capacity and otherwise.

“(v) LIKELIHOOD OF MAINTAINING THE FACILITY.—The likelihood that a local educational agency will maintain, in good condition, any public school facility whose repair, renovation, or construction is assisted under this section.

“(vi) CHARTER SCHOOL EQUITABLE ACCESS TO FUNDING.—In the case of a local educational agency that proposes to fund a repair, renovation, or construction project for a public charter school, the extent to which the public charter school lacks access to funding for school repair, renovation, and construction through the financing methods available to other public schools or local educational agencies in the State.

“(D) MATCHING REQUIREMENT.—

“(i) IN GENERAL.—A State educational agency or State entity shall require local educational agencies to match funds awarded under this paragraph.

“(ii) MATCH AMOUNT.—The amount of a match described in clause (i) may be established by using a sliding scale that takes into account the relative poverty of the population served by the local educational agency.

“(d) RULES APPLICABLE TO SCHOOL REPAIR, RENOVATION, AND CONSTRUCTION.—With respect to funds made available under this section that are used for school repair, renovation, and construction, the following rules shall apply:

“(1) PERMISSIBLE USES OF FUNDS.—School repair, renovation, and construction shall be limited to 1 or more of the following:

“(A) Upgrades, repair, construction, or replacement of public elementary school or secondary school building systems or components to improve the quality of education and ensure the health and safety of students and staff, including—

“(i) repairing, replacing, or constructing early learning facilities at public elementary schools (including renovation of existing facilities to serve children under 5 years of age);

“(ii) repairing, replacing, or installing roofs, windows, doors, electrical wiring, plumbing systems, or sewage systems;

“(iii) repairing, replacing, or installing heating, ventilation, or air conditioning systems (including insulation); and

“(iv) bringing such public schools into compliance with fire and safety codes.

“(B) Public school facilities modifications necessary to render public school facilities accessible in order to comply with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).

“(C) Improvements to the environmental conditions of public elementary school or secondary school sites, including asbestos abatement or removal, and the reduction or elimination of human exposure to lead-based paint, mold, or mildew.

“(D) Measures designed to reduce or eliminate human exposure to classroom noise and environmental noise pollution.

“(E) Modifications necessary to reduce the consumption of electricity, natural gas, oil, water, coal, or land.

“(F) Upgrades or installations of educational technology infrastructure to ensure that students have access to up-to-date educational technology.

“(G) Measures that will broaden or improve the use of public elementary school or secondary school buildings and grounds by the community in order to improve educational outcomes.

“(2) IMPERMISSIBLE USES OF FUNDS.—No funds received under this section may be used for—

“(A) payment of maintenance costs in connection with any projects constructed in whole or part with Federal funds provided under this section;

“(B) purchase or upgrade of vehicles;

“(C) improvement or construction of stand-alone facilities whose purpose is not the education of children, including central office administration or operations or logistical support facilities;

“(D) purchase of information technology hardware, including computers, monitors, or printers;

“(E) stadiums or other facilities primarily used for athletic contests or exhibitions or other events for which admission is charged to the general public; or

“(F) purchase of carbon offsets.

“(3) SUPPLEMENT, NOT SUPPLANT.—A local educational agency or State-operated or State-supported school shall use Federal funds subject to this subsection only to supplement the amount of funds that would, in the absence of such Federal funds, be made available from non-Federal sources for school repair, renovation, and construction.

“(e) QUALIFIED BIDDERS; COMPETITION.—Each local educational agency that receives funds under subsection (c)(2) shall ensure that, if the local educational agency carries out repair, renovation, or construction through a contract, any such contract process ensures the maximum number of qualified bidders, including small, minority, and women-owned businesses, through full and open competition.

“(f) PUBLIC COMMENT.—Each local educational agency receiving funds under subsection (c)(2)—

“(1) shall provide an opportunity for public comment, and ensure that parents, educators, and all other interested members of the community in which the school to be assisted is located have the opportunity to consult, on the use of the funds received under such subsection;

“(2) shall provide the public with adequate and efficient notice of the opportunity described in paragraph (1) in a widely read and distributed medium; and

“(3) shall provide the opportunity described in paragraph (1) in accordance with any applicable State and local law specifying how the comments may be received and how the comments may be reviewed by any member of the public.

“(g) REPORTING.—

“(1) LOCAL REPORTING.—Each local educational agency receiving funds under subsection (c)(2) shall submit a report to the State educational agency, at such time as the State educational agency may require, describing the use of such funds for school repair, renovation, and construction.

“(2) STATE REPORTING.—Each State educational agency receiving funds under subsection (b) shall submit to the Secretary, at such time as the Secretary may require, a report on the use of funds received under this section and made available to local educational agencies (and, if applicable, to State-operated or State-sponsored schools) for school repair, renovation, and construction.

“(h) REALLOCATION.—If a State educational agency does not apply for an allocation of funds under subsection (b) for a fiscal year, or does not use the State educational agency's entire allocation for such fiscal year, then the Secretary may reallocate the amount of the State educational agency's allocation (or the remainder thereof, as the case may be) for such fiscal year to the remaining State educational agencies in accordance with subsection (b).

“(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$1,000,000,000 for fiscal year 2016, and such sums as may be necessary for each of fiscal years 2017 through 2021.

#### “SEC. 5911. NATIONAL CENTER FOR EDUCATION STATISTICS STUDY.

“(a) IN GENERAL.—The Commissioner of the National Center for Education Statistics shall conduct a study of the condition of public school facilities in the United States.

“(b) ESTIMATES AND MEASURES.—In conducting the study, the Commissioner of the National Center for Education Statistics shall—

“(1) estimate the costs needed to repair and renovate all public elementary schools and secondary schools in the United States to good overall condition; and

“(2) measure recent expenditures of Federal, State, local, and private funds for public elementary school and secondary school repair, renovation, and construction costs in the United States.

“(c) ANALYSIS.—In conducting the study, the Commissioner of the National Center for

Education Statistics shall examine trends in expenditures of Federal, State, local, and private funds since fiscal year 2001 for repair, renovation, and construction activities for public elementary schools and secondary schools in the United States, including examining the differences between the types of schools assisted, and the types of repair, renovation, and construction activities conducted, with those expenditures.

“(d) REPORT.—The Commissioner of the National Center for Education Statistics shall prepare and submit to Congress a report containing the results of the study.”

**SA 2169.** Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 76, line 13, insert “and for purposes of subclause (II), homeless status and status as a child in foster care,” after “(b)(3)(A),”.

**SA 2170.** Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 623, strike line 8 and insert the following:

“(14) a description of how the State will support, through the use of professional development, early childhood education programs that maintain disciplinary policies that do not include expulsion or suspension of participating children, except as a last resort in extraordinary circumstances where—

“(A) there is a determination of a serious safety threat; and

“(B) policies are in place to provide appropriate alternative early educational services to expelled or suspended children while they are out of school; and”.

**SA 2171.** Ms. HEITKAMP submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 492, after line 22, insert the following:

#### **SEC. 4006. GRANTS FOR THE INTEGRATION OF SCHOOLS AND MENTAL HEALTH SYSTEMS.**

Title IV (20 U.S.C. 7101 et seq.), as amended by sections 4001, 4004, and 4005, is further amended by adding at the end the following:

#### **“PART E—GRANTS TO IMPROVE THE MENTAL HEALTH OF CHILDREN**

#### **“SEC. 4501. GRANTS FOR THE INTEGRATION OF SCHOOLS AND MENTAL HEALTH SYSTEMS.**

“(a) AUTHORIZATION.—The Secretary is authorized to award grants to, or enter into contracts or cooperative agreements with, State educational agencies, local educational agencies, Indian tribes or their tribal education agency, a school operated by

the Bureau of Indian Education, or a Regional Corporation (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602)) for the purpose of increasing student access to quality mental health care and support by developing innovative programs to link local school systems with local mental health systems, such as those under the Indian Health Service.

“(b) DURATION.—With respect to a grant, contract, or cooperative agreement awarded or entered into under this section, the period during which payments under such grant, contract or agreement are made to the recipient may not exceed 5 years.

“(c) USE OF FUNDS.—An entity that receives a grant, contract, or cooperative agreement under this section shall use amounts made available through such grant, contract, or cooperative agreement for the following:

“(1) To enhance, improve, or develop collaborative efforts between school-based service systems and mental health service systems to provide, enhance, or improve prevention, diagnosis, and treatment services to students.

“(2) To enhance the availability of crisis intervention services and conflict resolution practices, such as those focused on decreasing rates of bullying, teen dating violence, suicide, trauma, and human trafficking (defined as an act or practice described in paragraph (9) or (10) of section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102)), as well as provide appropriate referrals for students potentially in need of mental health services, and ongoing mental health services.

“(3) To provide training and professional development for the school personnel and mental health professionals who will participate in the program carried out under this section.

“(4) To provide technical assistance and consultation to school systems and mental health agencies as well as to families participating in the program carried out under this section.

“(5) To provide linguistically appropriate and culturally competent services.

“(6) To evaluate the effectiveness of the program carried out under this section in increasing student access to quality mental health services, and make recommendations to the Secretary about the sustainability of the program.

“(7) To engage and utilize expertise provided by institutions of higher education, such as a Tribal College or University, as defined in section 316(b) of the Higher Education Act of 1965.

“(d) APPLICATIONS.—To be eligible to receive a grant, contract, or cooperative agreement under this section, an entity described in subsection (a) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require, such as the following:

“(1) A description of the program to be funded under the grant, contract, or cooperative agreement.

“(2) A description of how such program will increase access to quality mental health services for students.

“(3) A description of how the applicant will establish a crisis intervention program or conflict resolution practices, or both, that provide immediate mental health services to the school community as necessary.

“(4) An assurance that—

“(A) persons providing services under the grant, contract, or cooperative agreement

are adequately trained to provide such services;

“(B) the services will be provided in accordance with subsection (c);

“(C) teachers, administrators, parents or guardians, representatives of local Indian tribes, and other school personnel are aware of the program; and

“(D) parents or guardians of students participating in services under this section will be engaged and involved in the design and implementation of the services.

“(5) An assurance that the applicant will support and integrate existing school-based services with the program in order to provide appropriate mental health services for students.

“(6) An assurance that the applicant will establish a program that will support students and the school in improving the school climate in order to support an environment conducive to learning.

“(e) INTERAGENCY AGREEMENTS.—

“(1) DESIGNATION OF LEAD AGENCY.—A recipient of a grant, contract, or cooperative agreement under this section shall designate a lead agency to direct the establishment of an interagency agreement among local educational agencies, juvenile justice authorities, mental health agencies, and other relevant entities in the State, in collaboration with local entities, such as Indian tribes.

“(2) CONTENTS.—The interagency agreement shall ensure the provision of the services described in subsection (c), specifying with respect to each agency, authority, or entity—

“(A) the financial responsibility for the services;

“(B) the conditions and terms of responsibility for the services, including quality, accountability, and coordination of the services; and

“(C) the conditions and terms of reimbursement among the agencies, authorities, or entities that are parties to the interagency agreement, including procedures for dispute resolution.

“(f) EVALUATION.—The Secretary shall evaluate each program carried out under this section and shall disseminate the findings with respect to each such evaluation to appropriate public, tribal, and private entities.

“(g) DISTRIBUTION OF AWARDS.—The Secretary shall ensure that grants, contracts, and cooperative agreements awarded or entered into under this section are equitably distributed among the geographical regions of the United States and among tribal, urban, suburban, and rural populations.

“(h) RULE OF CONSTRUCTION.—Nothing in this section shall be construed—

“(1) to prohibit an entity involved with a program carried out under this section from reporting a crime that is committed by a student to appropriate authorities; or

“(2) to prevent State and tribal law enforcement and judicial authorities from exercising their responsibilities with regard to the application of Federal, tribal, and State law to crimes committed by a student.

“(i) SUPPLEMENT, NOT SUPPLANT.—Any services provided through programs carried out under this section shall supplement, and not supplant, existing mental health services, including any services required to be provided under the Individuals with Disabilities Education Act.

“(j) CONSULTATION WITH INDIAN TRIBES.—In carrying out subsection (a), the Secretary shall, in a timely manner, meaningfully consult, engage, and cooperate with Indian tribes and their representatives to ensure notice of eligibility.

“(k) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal years 2016 through 2021.”.

**SA 2172.** Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 101, between lines 16 and 17, insert the following:

“(11) how the local education agency will implement strategies to facilitate effective transitions for students from middle school to high school and from high school to postsecondary education, including a description of the specific transition activities the local education agency will take, such as providing students with access to dual or concurrent enrollment opportunities that enable students during high school to earn postsecondary credit or an industry-recognized credential that meets any quality standards required by the State or utilizing comprehensive career counseling to identify student interests and skills;

“(12) if determined appropriate by the local education agency, how such agency will support programs that promote integrated academic and career and technical education content through coordinated instructional strategies, which may incorporate experiential learning opportunities.”.

On page 714, line 21, insert “career and technical education,” after “music.”.

On page 595, after line 21, add the following:

#### **“PART J—CAREER AND TECHNICAL EDUCATION EXPLORATION PROGRAMS**

##### **“SEC. 5910. SHORT TITLE.**

“This part may be cited as the ‘Building Understanding, Investment, Learning, and Direction Career and Technical Education Act of 2015’ or the ‘BUILD Career and Technical Education Act of 2015’.

##### **“SEC. 5911. FINDINGS.**

“Congress finds the following:

“(1) The average high school graduation rate for students concentrating in career and technical education programs is 93 percent.

“(2) Students at schools with highly integrated rigorous academic and career and technical education programs have significantly higher achievement in reading, mathematics, and science than do students at schools with less integrated programs.

“(3) Four out of 5 graduates of secondary-level career and technical education programs who pursued postsecondary education after secondary school had earned a credential or were still enrolled in postsecondary education 2 years later.

“(4) Eighty percent of students taking a college preparatory academic curriculum with rigorous career and technical education programs met college and career readiness goals, compared to only 63 percent of students taking the same academic core who did not experience rigorous career and technical education programs.

##### **“SEC. 5912. PILOT GRANT PROGRAM TO SUPPORT CAREER AND TECHNICAL EDUCATION EXPLORATION PROGRAM IN MIDDLE SCHOOLS AND HIGH SCHOOLS.**

“(a) PURPOSES.—The purposes of this part are the following:

“(1) To provide students with opportunities to participate in career and technical education exploration programs and to provide information on available career and technical education programs and their impact on college and career readiness.

“(2) To expand professional growth of, and career opportunities for, students through career and technical education exploration programs.

“(3) To enhance collaboration between education providers and employers.

“(4) To develop or enhance career and technical education exploration programs with ties to a career and technical education program of study.

“(5) To evaluate students' participation in coordinated middle school and high school career and technical education exploration programs.

“(b) DEFINITION OF CAREER AND TECHNICAL EDUCATION EXPLORATION PROGRAM.—In this part, the term ‘career and technical education exploration program’ means a course or series of courses that provides experiential learning opportunities in 1 or more programs of study (including after school and during the summer), as appropriate, and the opportunity to connect experiential learning to education and career pathways that is offered to middle school students or high school students, or both.

“(c) AUTHORIZATION OF GRANT PROGRAM.—

“(1) IN GENERAL.—The Secretary shall award grants to local educational agencies to support career and technical education exploration programs.

“(2) GRANT DURATION.—Grants awarded under this part shall be 2 years in duration.

“(3) DISTRICT CAPACITY TAKEN INTO ACCOUNT.—In awarding grants under paragraph (1), the Secretary shall take into account the resources and capacity of each local educational agency that applies for a grant.

“(d) APPLICATIONS.—A local educational agency that desires to receive a grant under this part shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require.

“(e) PRIORITY.—In awarding grants under this part, the Secretary shall give priority to grant proposals that—

“(1) demonstrate—

“(A) that a partnership among the local educational agency and business, industry, labor, or institutions of higher education, where appropriate to the grant project, exists and will participate in carrying out grant activities under this part;

“(B) innovative and sustainable design;

“(C) a curriculum aligned with State diploma requirements;

“(D) a focus on preparing students, including special populations and nontraditional students, with opportunities to explore careers and skills required for jobs in their State and that provide high wages and are in demand;

“(E) a method of evaluating success; and

“(F) that the programs to be assisted with grant funds are not receiving assistance under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.); and

“(2) include an assurance that—

“(A) the local educational agency will fund the operational costs of the activities described in this part after the grant period expires; and

“(B) if the local educational agency charges a fee to participate in the after school and summer components of the career and technical education exploration program

to be carried out by the agency, the agency will implement such fee on a sliding scale according to income and established in a manner that makes participation financially feasible for all students.

“(f) USES OF FUNDS.—

“(1) IN GENERAL.—A local educational agency that receives a grant under this part shall use the grant funds to carry out any of the following:

“(A) Leasing, purchasing, upgrading, or adapting equipment related to the content of career and technical education exploration program activities.

“(B) Program director, instructor, or other staff expenses to coordinate or implement program activities.

“(C) Consultation services with a direct alignment to the program goals.

“(D) Support of professional development programs aligned to the program goals.

“(E) Minor remodeling, if any, necessary to accommodate new equipment obtained pursuant to subparagraph (A).

“(F) Evaluating the access to career and technical education exploration programs and the impact such programs have on the transition to career and technical programs of study (as described in section 122(c)(1)(A) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2342(c)(1)(A))), or other postsecondary programs of study, high school completion, and the number of students who earn an industry-recognized credential, associate's degree, bachelor's degree, or other career and technical education related postsecondary credit in addition to a high school diploma.

“(2) USE AND OWNERSHIP OF MATERIALS OR EQUIPMENT.—Any materials or equipment purchased with grant funds awarded under this part shall be the property of the local educational agency.

“(3) ADMINISTRATIVE COSTS.—A local educational agency that receives a grant under this part may use not more than 5 percent of the grant funds for administrative costs associated with carrying out activities under this part.

“(g) EVALUATIONS.—

“(1) IN GENERAL.—A local educational agency that receives a grant under this part shall develop an evaluation plan of grant activities that shall include an evaluation of specific outcomes, described in paragraph (2), and progress toward meeting such outcomes within the timeline of the grant that shall be measurable through collection of appropriate data or documented through other records. Such evaluation shall reflect the resources and capacity of the local educational agency.

“(2) OUTCOMES.—The specific outcomes shall clearly address the following areas:

“(A) The extent of student participation in career and technical education exploration programs.

“(B) Improved rigor in technical or academic content aligned to diploma requirements and industry recognized technical standards.

“(C) Improved alignment between career and technical education and other courses, including core academic subjects.

“(D) The impact such programs have on the transition to career and technical programs of study (as described in section 122(c)(1)(A) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2342(c)(1)(A))) and other postsecondary programs of study.

“(3) SUBMISSION TO THE DEPARTMENT.—A local educational agency that receives a grant under this part shall submit evalua-

tions conducted under this subsection to the Secretary.

“(h) SUPPLEMENT NOT SUPPLANT.—Funds received under this part shall be used to supplement, and not supplant, funds that would otherwise be used for activities authorized under this part.

“(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this part such sums as may be necessary.”.

**SA 2173.** Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 306, after line 23, add the following:

“(V) conducting, and publicly reporting the results of, an annual assessment of educator support and working conditions that—

“(i) evaluates supports for teachers, leaders, and other school personnel, such as—

“(I) teacher and principal perceptions of availability of high-quality professional development and instructional materials;

“(II) timely availability of data on student academic achievement and growth;

“(III) the presence of high-quality instructional leadership; and

“(IV) opportunities for professional growth, such as career ladders and mentoring and induction programs;

“(ii) evaluates working conditions for teachers, leaders and other school personnel, such as—

“(I) school climate;

“(II) school safety;

“(III) class size;

“(IV) availability and use of common planning time and opportunities to collaborate; and

“(V) community engagement;

“(iii) is developed with teachers, leaders, other school personnel, parents, students, and the community; and

“(iv) includes the development and implementation, with the groups described in clause (iii), of a plan to address the results of the assessment described in this subparagraph, which shall be publicly reported; and

**SA 2174.** Ms. HEITKAMP (for herself, Mr. THUNE, Ms. STABENOW, and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of the bill, insert the following:

**SEC. 1020. EQUITY IN EDUCATIONAL LAND-GRANT STATUS ACT OF 1994 AND SMITH-LEVER ACT.**

(a) EQUITY IN EDUCATIONAL LAND-GRANT STATUS ACT OF 1994.—Section 533 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103-382) is amended in subsection (a)(2)(A)(ii) by striking “(as added by section 534(b)(1) of this part)” and inserting “(7 U.S.C. 343(b)(3)) and for programs for children, youth, and families at risk and for Federally recognized Tribes implemented under section 3(d) of such Act (7 U.S.C. 343(d))”.



(b) SMITH-LEVER ACT.—Section 3(d) of the Act of May 8, 1914 (commonly known as the “Smith-Lever Act”; 7 U.S.C. 343(d)), is amended in the second sentence by inserting “and in the case of programs for children, youth, and families at risk and for Federally recognized Tribes, the 1994 Institutions (as defined in section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103-382)),” before “may compete for”.

**SA 2175.** Mr. MARKEY submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of part B of title X, add the following:

**SEC. 10204. CLIMATE SCIENCE INSTRUCTION.**

(a) FINDINGS.—Congress finds that—

(1) carbon pollution is accumulating in the atmosphere, causing global temperatures to rise at a rate that poses a significant threat to the economy and security of the United States, to public health and welfare, and to the global environment;

(2) climate change is already impacting the United States with sea level rise, ocean acidification, and more frequent or intense extreme weather events, such as heat waves, heavy rainfalls, droughts, floods, and wildfires;

(3) the scientific evidence for human-induced climate change is overwhelming and undeniable, as demonstrated by statements from the National Academy of Sciences, the National Climate Assessment, and numerous other science professional organizations in the United States;

(4) the United States has a responsibility to children and future generations of the United States to reduce the harmful effects of climate change;

(5) providing clear and scientifically accurate information about climate change, in a variety of forms, can increase climate literacy and encourage individuals and communities to take action;

(6) the actions of a single nation cannot solve the climate crisis, so solutions that address both mitigation and adaptation must involve developed and developing nations around the world;

(7) education about climate change is important to ensure that the future generation of leaders is well-informed about the issues facing our planet in order to make decisions based on science and fact;

(8) the facts and reality of climate change are under attack by those who disagree with the overwhelming consensus of scientific agreement regarding the reality of climate change and the human role in causing climate to change; and

(9) challenges to accurate presentation of climate science in classrooms have been proposed in legislatures and school boards across the Nation.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that instruction in climate science is important for all students and should not be prohibited by any unit of State or local government.

**SA 2176.** Mr. MARKEY submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MUR-

RAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

**SEC. 5011. CLIMATE CHANGE EDUCATION.**

(a) SHORT TITLE.—This section may be cited as the “Climate Change Education Act”.

(b) FINDINGS.—Congress finds that—

(1) carbon pollution is accumulating in the atmosphere, causing global temperatures to rise at a rate that poses a significant threat to the economy and security of the United States, to public health and welfare, and to the global environment;

(2) climate change is already impacting the United States with sea level rise, ocean acidification, and more frequent or intense extreme weather events such as heat waves, heavy rainfalls, droughts, floods, and wildfires;

(3) the scientific evidence for human-induced climate change is overwhelming and undeniable as demonstrated by statements from the National Academy of Sciences, the National Climate Assessment, and numerous other science professional organizations in the United States;

(4) the United States has a responsibility to children and future generations of the United States to address the harmful effects of climate change;

(5) providing clear information about climate change, in a variety of forms, can encourage individuals and communities to take action;

(6) the actions of a single nation cannot solve the climate crisis, so solutions that address both mitigation and adaptation must involve developed and developing nations around the world;

(7) investing in the development of innovative clean energy and energy efficiency technologies will—

(A) enhance the global leadership and competitiveness of the United States; and

(B) create and sustain short and long term job growth;

(8) implementation of measures that promote energy efficiency, conservation, and renewable energy will greatly reduce human impact on the environment; and

(9) education about climate change is important to ensure the future generation of leaders is well-informed about the challenges facing our planet in order to make decisions based on science and fact.

(c) AMENDMENT TO ESEA.—Title V of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7201 et seq.), as amended by section 5010, is further amended by adding at the end the following:

**“PART J—CLIMATE CHANGE EDUCATION**

**“SEC. 5911. CLIMATE CHANGE EDUCATION PROGRAM.**

“(a) PURPOSE.—The purpose of this section is to—

“(1) broaden the understanding of human induced climate change, possible long and short-term consequences, and potential solutions;

“(2) provide learning opportunities in climate science education for all students through grade 12, including those of diverse cultural and linguistic backgrounds;

“(3) emphasize actionable information to help students understand how to utilize new technologies and programs related to energy conservation, clean energy, and carbon pollution reduction; and

“(4) inform the public of impacts to human health and safety as a result of climate change.

“(b) GRANTS AUTHORIZED.—The Secretary, in consultation with the National Oceanic and Atmospheric Administration, the Environmental Protection Agency, and the Department of Energy, shall establish a competitive grant program to provide grants to States to—

“(1) develop or improve climate science curriculum and supplementary educational materials for grades kindergarten through grade 12;

“(2) initiate, develop, expand, or implement statewide plans and programs for climate change education, including relevant teacher training and professional development and multidisciplinary studies to ensure that students graduate from high school climate literate; or

“(3) create State green school building standards or policies.

“(c) APPLICATION.—A State desiring to receive a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

“(d) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this section, and annually thereafter, the Secretary shall transmit to Congress a report that evaluates the scientific merits, educational effectiveness, and broader impacts of activities under this section.

“(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary.”.

**SA 2177.** Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of title X, insert the following:

**PART C—EMPLOYING YOUNG AMERICANS**

**Subpart 1—Youth Jobs**

**SEC. 10301. SHORT TITLE.**

This subpart may be cited as the “Employ Young Americans Now Act”.

**SEC. 10302. ESTABLISHMENT OF EMPLOY YOUNG AMERICANS FUND.**

(a) ESTABLISHMENT.—There is established in the Treasury of the United States an account that shall be known as the Employ Young Americans Fund (referred to in this subpart as the “Fund”).

(b) DEPOSITS INTO THE FUND.—Out of any amounts in the Treasury not otherwise appropriated, there is appropriated \$5,500,000,000 for fiscal year 2016, which shall be paid to the Fund, to be used by the Secretary of Labor to carry out this subpart.

(c) AVAILABILITY OF FUNDS.—Of the amounts available to the Fund under subsection (b), the Secretary of Labor shall—

(1) allot \$4,000,000,000 in accordance with section 10303 to provide summer and year-round employment opportunities to low-income youth; and

(2) award \$1,500,000,000 in allotments and competitive grants in accordance with section 10304 to local entities to carry out work-based training and other work-related and educational strategies and activities of demonstrated effectiveness to unemployed, low-



income young adults and low-income youth to provide the skills and assistance needed to obtain employment.

(d) PERIOD OF AVAILABILITY.—The amounts appropriated under this subpart shall be available for obligation by the Secretary of Labor, and shall be available for expenditure by grantees (including subgrantees), until expended.

**SEC. 10303. SUMMER EMPLOYMENT AND YEAR-ROUND EMPLOYMENT OPPORTUNITIES FOR LOW-INCOME YOUTH.**

(a) IN GENERAL.—From the funds available under section 10302(c)(1), the Secretary of Labor shall make an allotment under subsection (c) to each State that has a modification to a State plan (referred to in this section as a “State plan modification”) (or other State request for funds specified in guidance under subsection (b)) approved under subsection (d), and recipient under section 166(c) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3221(c)) (referred to in this section as a “Native American grantee”), that meets the requirements of this section, for the purpose of providing summer employment and year-round employment opportunities to low-income youth.

(b) GUIDANCE AND APPLICATION OF REQUIREMENTS.—

(1) GUIDANCE.—Not later than 20 days after the date of enactment of this Act, the Secretary of Labor shall issue guidance regarding the implementation of this section.

(2) PROCEDURES.—Such guidance shall, consistent with this section, include procedures for—

(A) the submission and approval of State plan modifications, for such other forms of requests for funds by the State as may be identified in such guidance, for modifications to local plans (referred to individually in this section as a “local plan modification”), or for such other forms of requests for funds by local areas as may be identified in such guidance, that promote the expeditious and effective implementation of the activities authorized under this section; and

(B) the allotment and allocation of funds, including reallocation and reallocation of such funds, that promote such implementation.

(3) REQUIREMENTS.—Except as otherwise provided in the guidance described in paragraph (1) and in this section and other provisions of this subpart, the funds provided for activities under this section shall be administered in accordance with the provisions of subtitles A, B, and E of title I of the Workforce Innovation and Opportunity Act (29 U.S.C. 3111 et seq., 3151 et seq., 3241 et seq.) relating to youth activities.

(c) STATE ALLOTMENTS.—

(1) IN GENERAL.—Using the funds described in subsection (a), the Secretary of Labor shall allot to each State the total of the amounts assigned to the State under subparagraphs (A) and (B) of paragraph (2).

(2) ASSIGNMENTS TO STATES.—

(A) MINIMUM AMOUNTS.—Using funds described in subsection (a), the Secretary of Labor shall assign to each State an amount equal to ½ of 1 percent of such funds.

(B) FORMULA AMOUNTS.—The Secretary of Labor shall assign the remainder of the funds described in subsection (a) among the States by assigning—

(i) 33¼ percent on the basis of the relative number of individuals in the civilian labor force who are not younger than 16 but younger than 25 in each State, compared to the total number of individuals in the civilian labor force who are not younger than 16 but younger than 25 in all States;

(ii) 33¼ percent on the basis of the relative number of unemployed individuals in each State, compared to the total number of unemployed individuals in all States; and

(iii) 33¼ percent on the basis of the relative number of disadvantaged young adults and youth in each State, compared to the total number of disadvantaged young adults and youth in all States.

(3) REALLOTMENT.—If the Governor of a State does not submit a State plan modification or other State request for funds specified in guidance under subsection (b) by the date specified in subsection (d)(2)(A), or a State does not receive approval of such State plan modification or request, the amount the State would have been eligible to receive pursuant to paragraph (2) shall be transferred within the Fund and added to the amounts available for competitive grants under sections 2(c)(2) and 4(b)(2).

(4) DEFINITIONS.—For purposes of paragraph (2), the term “disadvantaged young adult or youth” means an individual who is not younger than 16 but is younger than 25 who received an income, or is a member of a family that received a total family income, that, in relation to family size, does not exceed the higher of—

(A) the poverty line; or

(B) 70 percent of the lower living standard income level.

(d) STATE PLAN MODIFICATION.—

(1) IN GENERAL.—For a State to be eligible to receive an allotment of funds under subsection (c), the Governor of the State shall submit to the Secretary of Labor a State plan modification, or other State request for funds specified in guidance under subsection (b), in such form and containing such information as the Secretary may require. At a minimum, such State plan modification or request shall include—

(A) a description of the strategies and activities to be carried out to provide summer employment opportunities and year-round employment opportunities, including linkages to training and educational activities, consistent with subsection (f);

(B) a description of the requirements the State will apply relating to the eligibility of low-income youth, consistent with section 10302(4), for summer employment opportunities and year-round employment opportunities, which requirements may include criteria to target assistance to particular categories of such low-income youth, such as youth with disabilities, consistent with subsection (f);

(C) a description of the performance outcomes to be achieved by the State through the activities carried out under this section and the processes the State will use to track performance, consistent with guidance provided by the Secretary of Labor regarding such outcomes and processes and with section 10305(b);

(D) a description of the timelines for implementation of the strategies and activities described in subparagraph (A), and the number of low-income youth expected to be placed in summer employment opportunities, and year-round employment opportunities, respectively, by quarter;

(E) assurances that the State will report such information, relating to fiscal, performance, and other matters, as the Secretary may require and as the Secretary determines is necessary to effectively monitor the activities carried out under this section;

(F) assurances that the State will ensure compliance with the requirements, restrictions, labor standards, and other provisions described in section 10305(a); and

(G) if a local board and chief elected official in the State will provide employment opportunities with the link to training and educational activities described in subsection (f)(2)(B), a description of how the training and educational activities will lead to the industry-recognized credential involved.

(2) SUBMISSION AND APPROVAL OF STATE PLAN MODIFICATION OR REQUEST.—

(A) SUBMISSION.—

(i) IN GENERAL.—The Governor shall submit the State plan modification or other State request for funds specified in guidance under subsection (b) to the Secretary of Labor not later than 30 days after the issuance of such guidance.

(ii) PROCESS.—The Secretary shall—

(I) make copies of the State plan modification or request available to the public on the Web site of the Department of Labor and through other electronic means, on the date on which the Governor submits the State plan modification or request under this section;

(II) allow members of the public, including representatives of business, representatives of labor organizations, and representatives of educational institutions, to submit to the Secretary comments on the State plan modification or request, during a comment period beginning on the submission date and ending 60 days after the submission date; and

(III) include with the notification of approval or disapproval of the State plan modification or request, submitted to the Governor under subparagraph (B), any such comments that represent disagreement with the plan modification or request.

(B) APPROVAL.—The Secretary of Labor shall approve the State plan modification or request submitted under subparagraph (A) not later than 90 days after the submission date, unless the Secretary determines that the plan or request is inconsistent with the requirements of this section. If the Secretary has not made a determination with that 90-day period, the plan or request shall be considered to be approved. If the plan or request is disapproved, the Secretary may provide a reasonable period of time in which the plan or request may be amended and resubmitted for approval. If the plan or request is approved, the Secretary shall allot funds to the State under subsection (c) within 90 days after such approval.

(3) MODIFICATIONS TO STATE PLAN OR REQUEST.—The Governor may submit further modifications to a State plan modification or other State request for funds specified under subsection (b), consistent with the requirements of this section.

(e) WITHIN-STATE ALLOCATION AND ADMINISTRATION.—

(1) IN GENERAL.—Of the funds allotted to the State under subsection (c), the Governor—

(A) may reserve not more than 5 percent of the funds for administration and technical assistance; and

(B) shall allocate the remainder of the funds among local areas within the State in accordance with clauses (i), (ii), and (iii) of subsection (c)(2)(B), except that for purposes of such allocation references to a State in subsection (c)(2)(B) shall be deemed to be references to a local area and references to all States shall be deemed to be references to all local areas in the State involved.

(2) LOCAL PLAN.—

(A) SUBMISSION.—In order to receive an allocation under paragraph (1)(B), the local board, in partnership with the chief elected

official for the local area involved, shall submit to the Governor a local plan modification, or such other request for funds by local areas as may be specified in guidance under subsection (b), not later than 30 days after the submission by the State of the State plan modification or other State request for funds specified in guidance under subsection (b), describing the strategies and activities to be carried out under this section.

(B) **APPROVAL.**—The Governor shall approve the local plan modification or other local request for funds submitted under subparagraph (A) not later than 30 days after the submission date, unless the Governor determines that the plan or request is inconsistent with requirements of this section. If the Governor has not made a determination within that 30-day period, the plan shall be considered to be approved. If the plan or request is disapproved, the Governor may provide a reasonable period of time in which the plan or request may be amended and resubmitted for approval. If the plan or request is approved, the Governor shall allocate funds to the local area within 30 days after such approval.

(3) **REALLOCATION.**—If a local board and chief elected official do not submit a local plan modification (or other local request for funds specified in guidance under subsection (b)) by the date specified in paragraph (2), or the Governor disapproves a local plan modification (or other local request), the amount the local area would have been eligible to receive pursuant to the formula under paragraph (1)(B) shall be allocated to local areas that receive approval of their local plan modifications or local requests for funds under paragraph (2). Each such local area shall receive a share of the total amount available for reallocation under this paragraph, in accordance with the area's share of the total amount allocated under paragraph (1)(B) to such local areas.

(f) **USE OF FUNDS.**—

(1) **IN GENERAL.**—The funds made available under this section shall be used—

(A) to provide summer employment opportunities for low-income youth, with direct linkages to academic and occupational learning, and may be used to provide supportive services, such as transportation or child care, that is necessary to enable the participation of such youth in the opportunities; and

(B) to provide year-round employment opportunities, which may be combined with other activities authorized under section 129 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3164), to low-income youth.

(2) **PROGRAM PRIORITIES.**—In administering the funds under this section, the local board and chief elected official shall give priority to—

(A) identifying employment opportunities that are—

(i) in emerging or in-demand occupations in the local area; or

(ii) in the public or nonprofit sector and meet community needs; and

(B) linking participants in year-round employment opportunities to training and educational activities that will provide such participants an industry-recognized certificate or credential (referred to in this subpart as an “industry-recognized credential”).

(3) **ADMINISTRATION.**—Not more than 5 percent of the funds allocated to a local area under this section may be used for the costs of administration of this section.

(4) **PERFORMANCE ACCOUNTABILITY.**—For activities funded under this section, in lieu of

meeting the requirements described in (before July 1, 2016) section 136 of the Workforce Investment Act of 1998 (29 U.S.C. 2871) and (after June 30, 2016) section 116 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3141), States and local areas shall provide such reports as the Secretary of Labor may require regarding the performance outcomes described in section 10305(b)(5).

**SEC. 10304. WORK-BASED EMPLOYMENT STRATEGIES AND ACTIVITIES OF DEMONSTRATED EFFECTIVENESS.**

(a) **IN GENERAL.**—From the funds available under section 10302(c)(2), the Secretary of Labor shall make allotments to States, and award grants to eligible entities, under subsection (b) to carry out work-based strategies and activities of demonstrated effectiveness.

(b) **ALLOTMENTS AND GRANTS.**—

(1) **ALLOTMENTS TO STATES FOR GRANTS.**—

(A) **ALLOTMENTS.**—Using funds described in subsection (a), the Secretary of Labor shall allot to each State an amount equal to ½ of 1 percent of such funds.

(B) **GRANTS TO ELIGIBLE ENTITIES.**—The State shall use the funds to award grants, on a competitive basis, to eligible entities in the State.

(2) **DIRECT GRANTS TO ELIGIBLE ENTITIES.**—Using the funds described in subsection (a) that are not allotted under paragraph (1), the Secretary of Labor shall award grants on a competitive basis to eligible entities.

(c) **ELIGIBLE ENTITY.**—To be eligible to receive a grant under this section, an entity—

(1) shall include—

(A) a partnership involving a chief elected official and the local board for the local area involved (which may include a partnership with such elected officials and boards and State elected officials and State boards, in the region and in the State); or

(B) an entity eligible to apply for a grant, contract, or agreement under section 166 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3221); and

(2) may include, in combination with a partnership or entity described in paragraph (1)—

(A) employers or employer associations;

(B) adult education providers or postsecondary educational institutions, including community colleges;

(C) community-based organizations;

(D) joint labor-management committees;

(E) work-related intermediaries;

(F) labor organizations that sponsor training or employment upgrade programs; and

(G) other appropriate organizations.

(d) **APPLICATION.**—To be eligible to receive a grant under this section, an entity shall submit to the Secretary of Labor (or to the State, if applying for a grant under subsection (b)(1)(B)) an application at such time, in such manner, and containing such information as the Secretary may require. At a minimum, the application shall—

(1) describe the strategies and activities of demonstrated effectiveness that the eligible entity will carry out to provide unemployed, low-income young adults and low-income youth with skills that will lead to employment upon completion of participation in such activities;

(2) describe the requirements that will apply relating to the eligibility of unemployed, low-income young adults and low-income youth, consistent with section 10302, for activities carried out under this section, which requirements may include criteria to target assistance to particular categories of such adults and youth, such as individuals with disabilities or individuals who have ex-

hausted all rights to unemployment compensation;

(3) describe how the strategies and activities will address the needs of the target populations identified in paragraph (2) and the needs of employers in the local area;

(4) describe the expected outcomes to be achieved by implementing the strategies and activities;

(5) provide evidence that the funds provided through the grant will be expended expeditiously and efficiently to implement the strategies and activities;

(6) describe how the strategies and activities will be coordinated with other Federal, State and local programs providing employment, education and supportive activities;

(7) provide evidence of employer commitment to participate in the activities funded under this section, including identification of anticipated occupational and skill needs;

(8) provide assurances that the eligible entity will report such information relating to fiscal, performance, and other matters, as the Secretary of Labor may require and as the Secretary determines is necessary to effectively monitor the activities carried out under this section;

(9) provide assurances that the eligible entity will ensure compliance with the requirements, restrictions, labor standards, and other provisions described in section 10305(a); and

(10) if the entity will provide activities described in subsection (f)(4), a description of how the activities will lead to the industry-recognized credentials involved.

(e) **PRIORITY IN AWARDS.**—In awarding grants under this section, the Secretary of Labor (or a State, under subsection (b)(1)(B)) shall give priority to applications submitted by eligible entities from areas of high poverty and high unemployment, as defined by the Secretary, such as Public Use Microdata Areas designated by the Bureau of the Census.

(f) **USE OF FUNDS.**—An entity that receives a grant under this section shall use the funds made available through the grant to support work-based strategies and activities of demonstrated effectiveness that are designed to provide unemployed, low-income young adults and low-income youth with skills that will lead to employment as part of or upon completion of participation in such activities. Such strategies and activities may include—

(1) on-the-job training, registered apprenticeship programs, or other programs that combine work with skills development;

(2) sector-based training programs that have been designed to meet the specific requirements of an employer or group of employers in that sector and for which employers are committed to hiring individuals upon successful completion of the training;

(3) training that supports an industry sector or an employer-based or labor-management committee industry partnership and that includes a significant work-experience component;

(4) activities that lead to the acquisition of industry-recognized credentials in a field identified by the State or local area as a growth sector or in-demand industry in which there are likely to be significant job opportunities in the short term;

(5) activities that provide connections to immediate work opportunities, including subsidized employment opportunities, or summer employment opportunities for youth, that include concurrent skills training and other supports;

(6) activities offered through career academies that provide students with the academic preparation and training, such as paid internships and concurrent enrollment in community colleges or other postsecondary institutions, needed to pursue a career pathway that leads to postsecondary credentials and in-demand jobs; and

(7) adult basic education and integrated basic education and training for low-skilled individuals who are not younger than 16 but are younger than 25, hosted at community colleges or at other sites, to prepare individuals for jobs that are in demand in a local area.

(g) **COORDINATION OF FEDERAL ADMINISTRATION.**—The Secretary of Labor shall administer this section in coordination with the Secretary of Education, the Secretary of Health and Human Services, and other appropriate agency heads, to ensure the effective implementation of this section.

#### SEC. 10305. GENERAL REQUIREMENTS.

(a) **LABOR STANDARDS AND PROTECTIONS.**—Activities provided with funds made available under this subpart shall be subject to the requirements and restrictions, including the labor standards, described in section 181 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3241) and the non-discrimination provisions of section 188 of such Act (29 U.S.C. 3248), in addition to other applicable Federal laws.

(b) **REPORTING.**—The Secretary of Labor may require the reporting of information relating to fiscal, performance and other matters that the Secretary determines is necessary to effectively monitor the activities carried out with funds provided under this subpart. At a minimum, recipients of grants (including recipients of subgrants) under this subpart shall provide information relating to—

(1) the number of individuals participating in activities with funds provided under this subpart and the number of such individuals who have completed such participation;

(2) the expenditures of funds provided under this subpart;

(3) the number of jobs created pursuant to the activities carried out under this subpart;

(4) the demographic characteristics of individuals participating in activities under this subpart; and

(5) the performance outcomes for individuals participating in activities under this subpart, including—

(A) for low-income youth participating in summer employment activities under sections 3 and 4, performance on indicators consisting of—

(i) work readiness skill attainment using an employer validated checklist; and

(ii) placement in or return to secondary or postsecondary education or training, or entry into unsubsidized employment;

(B) for low-income youth participating in year-round employment activities under section 10303 or in activities under section 10304, performance on indicators consisting of—

(i) placement in or return to postsecondary education;

(ii) attainment of a secondary school diploma or its recognized equivalent;

(iii) attainment of an industry-recognized credential; and

(iv) entry into, retention in, and earnings in, unsubsidized employment; and

(C) for unemployed, low-income young adults participating in activities under section 10304, performance on indicators consisting of—

(i) entry into, retention in, and earnings in, unsubsidized employment; and

(ii) attainment of an industry-recognized credential.

(c) **ACTIVITIES REQUIRED TO BE ADDITIONAL.**—Funds provided under this subpart shall only be used for activities that are in addition to activities that would otherwise be available in the State or local area in the absence of such funds.

(d) **ADDITIONAL REQUIREMENTS.**—The Secretary of Labor may establish such additional requirements as the Secretary determines may be necessary to ensure fiscal integrity, effective monitoring, and the appropriate and prompt implementation of the activities under this subpart.

(e) **REPORT OF INFORMATION AND EVALUATIONS TO CONGRESS AND THE PUBLIC.**—The Secretary of Labor shall provide to the appropriate committees of Congress and make available to the public the information reported pursuant to subsection (b).

#### SEC. 10306. DEFINITIONS.

In this subpart:

(1) **CHIEF ELECTED OFFICIAL.**—The term “chief elected official” means the chief elected executive officer of a unit of local government in a local area or in the case in which such an area includes more than one unit of general government, the individuals designated under an agreement described in section 107(c)(1)(B) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3122(c)(1)(B)).

(2) **LOCAL AREA.**—The term “local area” has the meaning given the term in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

(3) **LOCAL BOARD.**—The term “local board” has the meaning given the term in section 3 of the Workforce Innovation and Opportunity Act.

(4) **LOCAL PLAN.**—The term “local plan”—

(A) means a local plan approved, before July 1, 2016, under section 118 of the Workforce Investment Act of 1998 (29 U.S.C. 2833); and

(B) after June 30, 2016, means a local plan as defined in section 3 of the Workforce Innovation and Opportunity Act.

(5) **LOW-INCOME YOUTH.**—The term “low-income youth” means an individual who—

(A) is not younger than 16 but is younger than 25;

(B) meets the definition of a low-income individual provided in section 3(36) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102(36)), except that—

(i) States and local areas, subject to approval in the applicable State plans and local plans, may increase the income level specified in subparagraph (B)(i) of such section to an amount not in excess of 200 percent of the poverty line for purposes of determining eligibility for participation in activities under section 10303; and

(ii) eligible entities described in section 10304(c), subject to approval in the applicable applications for funds, may make such an increase for purposes of determining eligibility for participation in activities under section 10304; and

(C) is in one or more of the categories specified in subparagraph (B)(iii) or (C)(iv) of section 129(a)(1) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3164(a)(1)).

(6) **POVERTY LINE.**—The term “poverty line” means a poverty line as defined in section 673 of the Community Services Block Grant Act (42 U.S.C. 9902), applicable to a family of the size involved.

(7) **REGISTERED APPRENTICESHIP PROGRAM.**—The term “registered apprenticeship program” means an apprenticeship program registered under the Act of August 16, 1937 (com-

monly known as the “National Apprenticeship Act”; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.).

(8) **STATE.**—The term “State” means each of the several States of the United States, and the District of Columbia.

(9) **STATE PLAN.**—The term “State plan” means a State plan approved—

(A) before July 1, 2016, under section 112 of the Workforce Investment Act of 1998 (29 U.S.C. 2822); or

(B) after June 30, 2016, under section 102 or 103 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3112, 3113).

(10) **UNEMPLOYED, LOW-INCOME YOUNG ADULT.**—The term “unemployed, low-income young adult” means an individual who—

(A) is not younger than 18 but is younger than 35;

(B) is without employment and is seeking assistance under this subpart to obtain employment; and

(C) meets the definition of a low-income individual specified in section 3(36) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102(36)), except that eligible entities described in section 10304(c), subject to approval in the applicable applications for funds, may increase the income level specified in subparagraph (B)(i) of such section 3(36) to an amount not in excess of 200 percent of the poverty line for purposes of determining eligibility for participation in activities under section 10304.

#### Subpart 2—Carried Interest Fairness

##### SEC. 10311. SHORT TITLE; ETC.

(a) **SHORT TITLE.**—This subpart may be cited as the “Carried Interest Fairness Act of 2015”.

(b) **AMENDMENT OF 1986 CODE.**—Except as otherwise expressly provided, whenever in this subpart an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

##### SEC. 10312. PARTNERSHIP INTERESTS TRANSFERRED IN CONNECTION WITH PERFORMANCE OF SERVICES.

(a) **MODIFICATION TO ELECTION TO INCLUDE PARTNERSHIP INTEREST IN GROSS INCOME IN YEAR OF TRANSFER.**—Subsection (c) of section 83 is amended by redesignating paragraph (4) as paragraph (5) and by inserting after paragraph (3) the following new paragraph:

“(4) **PARTNERSHIP INTERESTS.**—Except as provided by the Secretary—

“(A) **IN GENERAL.**—In the case of any transfer of an interest in a partnership in connection with the provision of services to (or for the benefit of) such partnership—

“(i) the fair market value of such interest shall be treated for purposes of this section as being equal to the amount of the distribution which the partner would receive if the partnership sold (at the time of the transfer) all of its assets at fair market value and distributed the proceeds of such sale (reduced by the liabilities of the partnership) to its partners in liquidation of the partnership, and

“(ii) the person receiving such interest shall be treated as having made the election under subsection (b)(1) unless such person makes an election under this paragraph to have such subsection not apply.

“(B) **ELECTION.**—The election under subparagraph (A)(ii) shall be made under rules similar to the rules of subsection (b)(2).”.

(b) **EFFECTIVE DATE.**—The amendments made by this section shall apply to interests in partnerships transferred after the date of the enactment of this Act.

**SEC. 10313. SPECIAL RULES FOR PARTNERS PROVIDING INVESTMENT MANAGEMENT SERVICES TO PARTNERSHIPS.**

(a) IN GENERAL.—Part I of subchapter K of chapter 1 is amended by adding at the end the following new section:

**“SEC. 710. SPECIAL RULES FOR PARTNERS PROVIDING INVESTMENT MANAGEMENT SERVICES TO PARTNERSHIPS.**

“(a) TREATMENT OF DISTRIBUTIVE SHARE OF PARTNERSHIP ITEMS.—For purposes of this title, in the case of an investment services partnership interest—

“(1) IN GENERAL.—Notwithstanding section 702(b)—

“(A) an amount equal to the net capital gain with respect to such interest for any partnership taxable year shall be treated as ordinary income, and

“(B) subject to the limitation of paragraph (2), an amount equal to the net capital loss with respect to such interest for any partnership taxable year shall be treated as an ordinary loss.

“(2) RECHARACTERIZATION OF LOSSES LIMITED TO RECHARACTERIZED GAINS.—The amount treated as ordinary loss under paragraph (1)(B) for any taxable year shall not exceed the excess (if any) of—

“(A) the aggregate amount treated as ordinary income under paragraph (1)(A) with respect to the investment services partnership interest for all preceding partnership taxable years to which this section applies, over

“(B) the aggregate amount treated as ordinary loss under paragraph (1)(B) with respect to such interest for all preceding partnership taxable years to which this section applies.

“(3) ALLOCATION TO ITEMS OF GAIN AND LOSS.—

“(A) NET CAPITAL GAIN.—The amount treated as ordinary income under paragraph (1)(A) shall be allocated ratably among the items of long-term capital gain taken into account in determining such net capital gain.

“(B) NET CAPITAL LOSS.—The amount treated as ordinary loss under paragraph (1)(B) shall be allocated ratably among the items of long-term capital loss and short-term capital loss taken into account in determining such net capital loss.

“(4) TERMS RELATING TO CAPITAL GAINS AND LOSSES.—For purposes of this section—

“(A) IN GENERAL.—Net capital gain, long-term capital gain, and long-term capital loss, with respect to any investment services partnership interest for any taxable year, shall be determined under section 1222, except that such section shall be applied—

“(i) without regard to the recharacterization of any item as ordinary income or ordinary loss under this section,

“(ii) by only taking into account items of gain and loss taken into account by the holder of such interest under section 702 (other than subsection (a)(9) thereof) with respect to such interest for such taxable year, and

“(iii) by treating property which is taken into account in determining gains and losses to which section 1231 applies as capital assets held for more than 1 year.

“(B) NET CAPITAL LOSS.—The term ‘net capital loss’ means the excess of the losses from sales or exchanges of capital assets over the gains from such sales or exchanges. Rules similar to the rules of clauses (i) through (iii) of subparagraph (A) shall apply for purposes of the preceding sentence.

“(5) SPECIAL RULE FOR DIVIDENDS.—Any dividend allocated with respect to any investment services partnership interest shall not be treated as qualified dividend income for purposes of section 1(h).

“(6) SPECIAL RULE FOR QUALIFIED SMALL BUSINESS STOCK.—Section 1202 shall not

apply to any gain from the sale or exchange of qualified small business stock (as defined in section 1202(c)) allocated with respect to any investment services partnership interest.

“(b) DISPOSITIONS OF PARTNERSHIP INTERESTS.—

“(1) GAIN.—

“(A) IN GENERAL.—Any gain on the disposition of an investment services partnership interest shall be—

“(i) treated as ordinary income, and

“(ii) recognized notwithstanding any other provision of this subtitle.

“(B) GIFT AND TRANSFERS AT DEATH.—In the case of a disposition of an investment services partnership interest by gift or by reason of death of the taxpayer—

“(i) subparagraph (A) shall not apply,

“(ii) such interest shall be treated as an investment services partnership interest in the hands of the person acquiring such interest, and

“(iii) any amount that would have been treated as ordinary income under this subsection had the decedent sold such interest immediately before death shall be treated as an item of income in respect of a decedent under section 691.

“(2) LOSS.—Any loss on the disposition of an investment services partnership interest shall be treated as an ordinary loss to the extent of the excess (if any) of—

“(A) the aggregate amount treated as ordinary income under subsection (a) with respect to such interest for all partnership taxable years to which this section applies, over

“(B) the aggregate amount treated as ordinary loss under subsection (a) with respect to such interest for all partnership taxable years to which this section applies.

“(3) ELECTION WITH RESPECT TO CERTAIN EXCHANGES.—Paragraph (1)(A)(ii) shall not apply to the contribution of an investment services partnership interest to a partnership in exchange for an interest in such partnership if—

“(A) the taxpayer makes an irrevocable election to treat the partnership interest received in the exchange as an investment services partnership interest, and

“(B) the taxpayer agrees to comply with such reporting and recordkeeping requirements as the Secretary may prescribe.

“(4) DISTRIBUTIONS OF PARTNERSHIP PROPERTY.—

“(A) IN GENERAL.—In the case of any distribution of property by a partnership with respect to any investment services partnership interest held by a partner, the partner receiving such property shall recognize gain equal to the excess (if any) of—

“(i) the fair market value of such property at the time of such distribution, over

“(ii) the adjusted basis of such property in the hands of such partner (determined without regard to subparagraph (C)).

“(B) TREATMENT OF GAIN AS ORDINARY INCOME.—Any gain recognized by such partner under subparagraph (A) shall be treated as ordinary income to the same extent and in the same manner as the increase in such partner's distributive share of the taxable income of the partnership would be treated under subsection (a) if, immediately prior to the distribution, the partnership had sold the distributed property at fair market value and all of the gain from such disposition were allocated to such partner. For purposes of applying subsection (a)(2), any gain treated as ordinary income under this subparagraph shall be treated as an amount treated as ordinary income under subsection (a)(1)(A).

“(C) ADJUSTMENT OF BASIS.—In the case of a distribution to which subparagraph (A) applies, the basis of the distributed property in the hands of the distributee partner shall be the fair market value of such property.

“(D) SPECIAL RULES WITH RESPECT TO MERGERS, DIVISIONS, AND TECHNICAL TERMINATIONS.—In the case of a taxpayer which satisfies requirements similar to the requirements of subparagraphs (A) and (B) of paragraph (3), this paragraph and paragraph (1)(A)(ii) shall not apply to the distribution of a partnership interest if such distribution is in connection with a contribution (or deemed contribution) of any property of the partnership to which section 721 applies pursuant to a transaction described in paragraph (1)(B) or (2) of section 708(b).

“(c) INVESTMENT SERVICES PARTNERSHIP INTEREST.—For purposes of this section—

“(1) IN GENERAL.—The term ‘investment services partnership interest’ means any interest in an investment partnership acquired or held by any person in connection with the conduct of a trade or business described in paragraph (2) by such person (or any person related to such person). An interest in an investment partnership held by any person—

“(A) shall not be treated as an investment services partnership interest for any period before the first date on which it is so held in connection with such a trade or business,

“(B) shall not cease to be an investment services partnership interest merely because such person holds such interest other than in connection with such a trade or business, and

“(C) shall be treated as an investment services partnership interest if acquired from a related person in whose hands such interest was an investment services partnership interest.

“(2) BUSINESSES TO WHICH THIS SECTION APPLIES.—A trade or business is described in this paragraph if such trade or business primarily involves the performance of any of the following services with respect to assets held (directly or indirectly) by one or more investment partnerships referred to in paragraph (1):

“(A) Advising as to the advisability of investing in, purchasing, or selling any specified asset.

“(B) Managing, acquiring, or disposing of any specified asset.

“(C) Arranging financing with respect to acquiring specified assets.

“(D) Any activity in support of any service described in subparagraphs (A) through (C).

“(3) INVESTMENT PARTNERSHIP.—

“(A) IN GENERAL.—The term ‘investment partnership’ means any partnership if, at the end of any two consecutive calendar quarters ending after the date of enactment of this section—

“(i) substantially all of the assets of the partnership are specified assets (determined without regard to any section 197 intangible within the meaning of section 197(d)), and

“(ii) less than 75 percent of the capital of the partnership is attributable to qualified capital interests which constitute property held in connection with a trade or business of the owner of such interest.

“(B) LOOK-THROUGH OF CERTAIN WHOLLY OWNED ENTITIES FOR PURPOSES OF DETERMINING ASSETS OF THE PARTNERSHIP.—

“(i) IN GENERAL.—For purposes of determining the assets of a partnership under subparagraph (A)(i)—

“(I) any interest in a specified entity shall not be treated as an asset of such partnership, and

“(II) such partnership shall be treated as holding its proportionate share of each of the assets of such specified entity.

“(ii) SPECIFIED ENTITY.—For purposes of clause (i), the term ‘specified entity’ means, with respect to any partnership (hereafter referred to as the upper-tier partnership), any person which engages in the same trade or business as the upper-tier partnership and is—

“(I) a partnership all of the capital and profits interests of which are held directly or indirectly by the upper-tier partnership, or

“(II) a foreign corporation which does not engage in a trade or business in the United States and all of the stock of which is held directly or indirectly by the upper-tier partnership.

“(C) SPECIAL RULES FOR DETERMINING IF PROPERTY HELD IN CONNECTION WITH TRADE OR BUSINESS.—

“(i) IN GENERAL.—Except as otherwise provided by the Secretary, solely for purposes of determining whether any interest in a partnership constitutes property held in connection with a trade or business under subparagraph (A)(ii)—

“(I) a trade or business of any person closely related to the owner of such interest shall be treated as a trade or business of such owner,

“(II) such interest shall be treated as held by a person in connection with a trade or business during any taxable year if such interest was so held by such person during any 3 taxable years preceding such taxable year, and

“(III) paragraph (5)(B) shall not apply.

“(ii) CLOSELY RELATED PERSONS.—For purposes of clause (i)(I), a person shall be treated as closely related to another person if, taking into account the rules of section 267(c), the relationship between such persons is described in—

“(I) paragraph (1) or (9) of section 267(b), or

“(II) section 267(b)(4), but solely in the case of a trust with respect to which each current beneficiary is the grantor or a person whose relationship to the grantor is described in paragraph (1) or (9) of section 267(b).

“(D) ANTIABUSE RULES.—The Secretary may issue regulations or other guidance which prevent the avoidance of the purposes of subparagraph (A), including regulations or other guidance which treat convertible and contingent debt (and other debt having the attributes of equity) as a capital interest in the partnership.

“(E) CONTROLLED GROUPS OF ENTITIES.—

“(i) IN GENERAL.—In the case of a controlled group of entities, if an interest in the partnership received in exchange for a contribution to the capital of the partnership by any member of such controlled group would (in the hands of such member) constitute property held in connection with a trade or business, then any interest in such partnership held by any member of such group shall be treated for purposes of subparagraph (A) as constituting (in the hands of such member) property held in connection with a trade or business.

“(ii) CONTROLLED GROUP OF ENTITIES.—For purposes of clause (i), the term ‘controlled group of entities’ means a controlled group of corporations as defined in section 1563(a)(1), applied without regard to subsections (a)(4) and (b)(2) of section 1563. A partnership or any other entity (other than a corporation) shall be treated as a member of a controlled group of entities if such entity is controlled (within the meaning of section 954(d)(3)) by members of such group (including any entity treated as a member of such group by reason of this sentence).

“(F) SPECIAL RULE FOR CORPORATIONS.—For purposes of this paragraph, in the case of a corporation, the determination of whether property is held in connection with a trade or business shall be determined as if the taxpayer were an individual.

“(4) SPECIFIED ASSET.—The term ‘specified asset’ means securities (as defined in section 475(c)(2) without regard to the last sentence thereof), real estate held for rental or investment, interests in partnerships, commodities (as defined in section 475(e)(2)), cash or cash equivalents, or options or derivative contracts with respect to any of the foregoing.

“(5) RELATED PERSONS.—

“(A) IN GENERAL.—A person shall be treated as related to another person if the relationship between such persons is described in section 267(b) or 707(b).

“(B) ATTRIBUTION OF PARTNER SERVICES.—Any service described in paragraph (2) which is provided by a partner of a partnership shall be treated as also provided by such partnership.

“(d) EXCEPTION FOR CERTAIN CAPITAL INTERESTS.—

“(1) IN GENERAL.—In the case of any portion of an investment services partnership interest which is a qualified capital interest, all items of gain and loss (and any dividends) which are allocated to such qualified capital interest shall not be taken into account under subsection (a) if—

“(A) allocations of items are made by the partnership to such qualified capital interest in the same manner as such allocations are made to other qualified capital interests held by partners who do not provide any services described in subsection (c)(2) and who are not related to the partner holding the qualified capital interest, and

“(B) the allocations made to such other interests are significant compared to the allocations made to such qualified capital interest.

“(2) AUTHORITY TO PROVIDE EXCEPTIONS TO ALLOCATION REQUIREMENTS.—To the extent provided by the Secretary in regulations or other guidance—

“(A) ALLOCATIONS TO PORTION OF QUALIFIED CAPITAL INTEREST.—Paragraph (1) may be applied separately with respect to a portion of a qualified capital interest.

“(B) NO OR INSIGNIFICANT ALLOCATIONS TO NONSERVICE PROVIDERS.—In any case in which the requirements of paragraph (1)(B) are not satisfied, items of gain and loss (and any dividends) shall not be taken into account under subsection (a) to the extent that such items are properly allocable under such regulations or other guidance to qualified capital interests.

“(C) ALLOCATIONS TO SERVICE PROVIDERS’ QUALIFIED CAPITAL INTERESTS WHICH ARE LESS THAN OTHER ALLOCATIONS.—Allocations shall not be treated as failing to meet the requirement of paragraph (1)(A) merely because the allocations to the qualified capital interest represent a lower return than the allocations made to the other qualified capital interests referred to in such paragraph.

“(3) SPECIAL RULE FOR CHANGES IN SERVICES AND CAPITAL CONTRIBUTIONS.—In the case of an interest in a partnership which was not an investment services partnership interest and which, by reason of a change in the services with respect to assets held (directly or indirectly) by the partnership or by reason of a change in the capital contributions to such partnership, becomes an investment services partnership interest, the qualified capital interest of the holder of such partnership interest immediately after such change shall not, for purposes of this subsection, be less

than the fair market value of such interest (determined immediately before such change).

“(4) SPECIAL RULE FOR TIERED PARTNERSHIPS.—Except as otherwise provided by the Secretary, in the case of tiered partnerships, all items which are allocated in a manner which meets the requirements of paragraph (1) to qualified capital interests in a lower-tier partnership shall retain such character to the extent allocated on the basis of qualified capital interests in any upper-tier partnership.

“(5) EXCEPTION FOR NO-SELF-CHARGED CARRY AND MANAGEMENT FEE PROVISIONS.—Except as otherwise provided by the Secretary, an interest shall not fail to be treated as satisfying the requirement of paragraph (1)(A) merely because the allocations made by the partnership to such interest do not reflect the cost of services described in subsection (c)(2) which are provided (directly or indirectly) to the partnership by the holder of such interest (or a related person).

“(6) SPECIAL RULE FOR DISPOSITIONS.—In the case of any investment services partnership interest any portion of which is a qualified capital interest, subsection (b) shall not apply to so much of any gain or loss as bears the same proportion to the entire amount of such gain or loss as—

“(A) the distributive share of gain or loss that would have been allocated to the qualified capital interest (consistent with the requirements of paragraph (1)) if the partnership had sold all of its assets at fair market value immediately before the disposition, bears to

“(B) the distributive share of gain or loss that would have been so allocated to the investment services partnership interest of which such qualified capital interest is a part.

“(7) QUALIFIED CAPITAL INTEREST.—For purposes of this section—

“(A) IN GENERAL.—The term ‘qualified capital interest’ means so much of a partner’s interest in the capital of the partnership as is attributable to—

“(i) the fair market value of any money or other property contributed to the partnership in exchange for such interest (determined without regard to section 752(a)),

“(ii) any amounts which have been included in gross income under section 83 with respect to the transfer of such interest, and

“(iii) the excess (if any) of—

“(I) any items of income and gain taken into account under section 702 with respect to such interest, over

“(II) any items of deduction and loss so taken into account.

“(B) ADJUSTMENT TO QUALIFIED CAPITAL INTEREST.—

“(i) DISTRIBUTIONS AND LOSSES.—The qualified capital interest shall be reduced by distributions from the partnership with respect to such interest and by the excess (if any) of the amount described in subparagraph (A)(iii)(II) over the amount described in subparagraph (A)(iii)(I).

“(ii) SPECIAL RULE FOR CONTRIBUTIONS OF PROPERTY.—In the case of any contribution of property described in subparagraph (A)(i) with respect to which the fair market value of such property is not equal to the adjusted basis of such property immediately before such contribution, proper adjustments shall be made to the qualified capital interest to take into account such difference consistent with such regulations or other guidance as the Secretary may provide.

“(C) TECHNICAL TERMINATIONS, ETC., DISREGARDED.—No increase or decrease in the

qualified capital interest of any partner shall result from a termination, merger, consolidation, or division described in section 708, or any similar transaction.

“(8) TREATMENT OF CERTAIN LOANS.—

“(A) PROCEEDS OF PARTNERSHIP LOANS NOT TREATED AS QUALIFIED CAPITAL INTEREST OF SERVICE PROVIDING PARTNERS.—For purposes of this subsection, an investment services partnership interest shall not be treated as a qualified capital interest to the extent that such interest is acquired in connection with the proceeds of any loan or other advance made or guaranteed, directly or indirectly, by any other partner or the partnership (or any person related to any such other partner or the partnership). The preceding sentence shall not apply to the extent the loan or other advance is repaid before the date of the enactment of this section unless such repayment is made with the proceeds of a loan or other advance described in the preceding sentence.

“(B) REDUCTION IN ALLOCATIONS TO QUALIFIED CAPITAL INTERESTS FOR LOANS FROM NON-SERVICE-PROVIDING PARTNERS TO THE PARTNERSHIP.—For purposes of this subsection, any loan or other advance to the partnership made or guaranteed, directly or indirectly, by a partner not providing services described in subsection (c)(2) to the partnership (or any person related to such partner) shall be taken into account in determining the qualified capital interests of the partners in the partnership.

“(9) SPECIAL RULE FOR QUALIFIED FAMILY PARTNERSHIPS.—

“(A) IN GENERAL.—In the case of any specified family partnership interest, paragraph (1)(A) shall be applied without regard to the phrase ‘and who are not related to the partner holding the qualified capital interest’.

“(B) SPECIFIED FAMILY PARTNERSHIP INTEREST.—For purposes of this paragraph, the term ‘specified family partnership interest’ means any investment services partnership interest if—

“(i) such interest is an interest in a qualified family partnership,

“(ii) such interest is held by a natural person or by a trust with respect to which each beneficiary is a grantor or a person whose relationship to the grantor is described in section 267(b)(1), and

“(iii) all other interests in such qualified family partnership with respect to which significant allocations are made (within the meaning of paragraph (1)(B) and in comparison to the allocations made to the interest described in clause (ii)) are held by persons who—

“(I) are related to the natural person or trust referred to in clause (ii), or

“(II) provide services described in subsection (c)(2).

“(C) QUALIFIED FAMILY PARTNERSHIP.—For purposes of this paragraph, the term ‘qualified family partnership’ means any partnership if—

“(i) all of the capital and profits interests of such partnership are held by—

“(I) specified family members,

“(II) any person closely related (within the meaning of subsection (c)(3)(C)(iii)) to a specified family member, or

“(III) any other person (not described in subclause (I) or (II)) if such interest is an investment services partnership interest with respect to such person, and

“(ii) such partnership does not hold itself out to the public as an investment advisor.

“(D) SPECIFIED FAMILY MEMBERS.—For purposes of subparagraph (C), individuals shall be treated as specified family members if

such individuals would be treated as one person under the rules of section 1361(c)(1) if the applicable date (within the meaning of subparagraph (B)(iii) thereof) were the latest of—

“(i) the date of the establishment of the partnership,

“(ii) the earliest date that the common ancestor holds a capital or profits interest in the partnership, or

“(iii) the date of the enactment of this section.

“(e) OTHER INCOME AND GAIN IN CONNECTION WITH INVESTMENT MANAGEMENT SERVICES.—

“(1) IN GENERAL.—If—

“(A) a person performs (directly or indirectly) investment management services for any investment entity,

“(B) such person holds (directly or indirectly) a disqualified interest with respect to such entity, and

“(C) the value of such interest (or payments thereunder) is substantially related to the amount of income or gain (whether or not realized) from the assets with respect to which the investment management services are performed,

any income or gain with respect to such interest shall be treated as ordinary income. Rules similar to the rules of subsections (a)(5) and (d) shall apply for purposes of this subsection.

“(2) DEFINITIONS.—For purposes of this subsection—

“(A) DISQUALIFIED INTEREST.—

“(i) IN GENERAL.—The term ‘disqualified interest’ means, with respect to any investment entity—

“(I) any interest in such entity other than indebtedness,

“(II) convertible or contingent debt of such entity,

“(III) any option or other right to acquire property described in subclause (I) or (II), and

“(IV) any derivative instrument entered into (directly or indirectly) with such entity or any investor in such entity.

“(ii) EXCEPTIONS.—Such term shall not include—

“(I) a partnership interest,

“(II) except as provided by the Secretary, any interest in a taxable corporation, and

“(III) except as provided by the Secretary, stock in an S corporation.

“(B) TAXABLE CORPORATION.—The term ‘taxable corporation’ means—

“(i) a domestic C corporation, or

“(ii) a foreign corporation substantially all of the income of which is—

“(I) effectively connected with the conduct of a trade or business in the United States, or

“(II) subject to a comprehensive foreign income tax (as defined in section 457A(d)(2)).

“(C) INVESTMENT MANAGEMENT SERVICES.—The term ‘investment management services’ means a substantial quantity of any of the services described in subsection (c)(2).

“(D) INVESTMENT ENTITY.—The term ‘investment entity’ means any entity which, if it were a partnership, would be an investment partnership.

“(f) EXCEPTION FOR DOMESTIC C CORPORATIONS.—Except as otherwise provided by the Secretary, in the case of a domestic C corporation—

“(1) subsections (a) and (b) shall not apply to any item allocated to such corporation with respect to any investment services partnership interest (or to any gain or loss with respect to the disposition of such an interest), and

“(2) subsection (e) shall not apply.

“(g) REGULATIONS.—The Secretary shall prescribe such regulations or other guidance as is necessary or appropriate to carry out the purposes of this section, including regulations or other guidance to—

“(1) require such reporting and record-keeping by any person in such manner and at such time as the Secretary may prescribe for purposes of enabling the partnership to meet the requirements of section 6031 with respect to any item described in section 702(a)(9),

“(2) provide modifications to the application of this section (including treating related persons as not related to one another) to the extent such modification is consistent with the purposes of this section,

“(3) prevent the avoidance of the purposes of this section (including through the use of qualified family partnerships), and

“(4) coordinate this section with the other provisions of this title.

“(h) CROSS REFERENCE.—For 40-percent penalty on certain underpayments due to the avoidance of this section, see section 6662.”.

(b) APPLICATION OF SECTION 751 TO INDIRECT DISPOSITIONS OF INVESTMENT SERVICES PARTNERSHIP INTERESTS.—

(1) IN GENERAL.—Subsection (a) of section 751 is amended by striking “or” at the end of paragraph (1), by inserting “or” at the end of paragraph (2), and by inserting after paragraph (2) the following new paragraph:

“(3) investment services partnership interests held by the partnership.”.

(2) CERTAIN DISTRIBUTIONS TREATED AS SALES OR EXCHANGES.—Subparagraph (A) of section 751(b)(1) is amended by striking “or” at the end of clause (i), by inserting “or” at the end of clause (ii), and by inserting after clause (ii) the following new clause:

“(iii) investment services partnership interests held by the partnership.”.

(3) APPLICATION OF SPECIAL RULES IN THE CASE OF TIERED PARTNERSHIPS.—Subsection (f) of section 751 is amended—

(A) by striking “or” at the end of paragraph (1), by inserting “or” at the end of paragraph (2), and by inserting after paragraph (2) the following new paragraph:

“(3) an investment services partnership interest held by the partnership,” and

(B) by striking “partner,” and inserting “partner (other than a partnership in which it holds an investment services partnership interest).”.

(4) INVESTMENT SERVICES PARTNERSHIP INTERESTS; QUALIFIED CAPITAL INTERESTS.—Section 751 is amended by adding at the end the following new subsection:

“(g) INVESTMENT SERVICES PARTNERSHIP INTERESTS.—For purposes of this section—

“(1) IN GENERAL.—The term ‘investment services partnership interest’ has the meaning given such term by section 710(c).

“(2) ADJUSTMENTS FOR QUALIFIED CAPITAL INTERESTS.—The amount to which subsection (a) applies by reason of paragraph (3) thereof shall not include so much of such amount as is attributable to any portion of the investment services partnership interest which is a qualified capital interest (determined under rules similar to the rules of section 710(d)).

“(3) EXCEPTION FOR PUBLICLY TRADED PARTNERSHIPS.—Except as otherwise provided by the Secretary, in the case of an exchange of an interest in a publicly traded partnership (as defined in section 7704) to which subsection (a) applies—

“(A) this section shall be applied without regard to subsections (a)(3), (b)(1)(A)(iii), and (f)(3), and

“(B) such partnership shall be treated as owning its proportionate share of the property of any other partnership in which it is a partner.

“(4) RECOGNITION OF GAINS.—Any gain with respect to which subsection (a) applies by reason of paragraph (3) thereof shall be recognized notwithstanding any other provision of this title.

“(5) COORDINATION WITH INVENTORY ITEMS.—An investment services partnership interest held by the partnership shall not be treated as an inventory item of the partnership.

“(6) PREVENTION OF DOUBLE COUNTING.—Under regulations or other guidance prescribed by the Secretary, subsection (a)(3) shall not apply with respect to any amount to which section 710 applies.

“(7) VALUATION METHODS.—The Secretary shall prescribe regulations or other guidance which provide the acceptable methods for valuing investment services partnership interests for purposes of this section.”.

(c) TREATMENT FOR PURPOSES OF SECTION 7704.—Subsection (d) of section 7704 is amended by adding at the end the following new paragraph:

“(6) INCOME FROM CERTAIN CARRIED INTERESTS NOT QUALIFIED.—

“(A) IN GENERAL.—Specified carried interest income shall not be treated as qualifying income.

“(B) SPECIFIED CARRIED INTEREST INCOME.—For purposes of this paragraph—

“(i) IN GENERAL.—The term ‘specified carried interest income’ means—

“(I) any item of income or gain allocated to an investment services partnership interest (as defined in section 710(c)) held by the partnership,

“(II) any gain on the disposition of an investment services partnership interest (as so defined) or a partnership interest to which (in the hands of the partnership) section 751 applies, and

“(III) any income or gain taken into account by the partnership under subsection (b)(4) or (e) of section 710.

“(ii) EXCEPTION FOR QUALIFIED CAPITAL INTERESTS.—A rule similar to the rule of section 710(d) shall apply for purposes of clause (i).

“(C) COORDINATION WITH OTHER PROVISIONS.—Subparagraph (A) shall not apply to any item described in paragraph (1)(E) (or so much of paragraph (1)(F) as relates to paragraph (1)(E)).

“(D) SPECIAL RULES FOR CERTAIN PARTNERSHIPS.—

“(i) CERTAIN PARTNERSHIPS OWNED BY REAL ESTATE INVESTMENT TRUSTS.—Subparagraph (A) shall not apply in the case of a partnership which meets each of the following requirements:

“(I) Such partnership is treated as publicly traded under this section solely by reason of interests in such partnership being convertible into interests in a real estate investment trust which is publicly traded.

“(II) Fifty percent or more of the capital and profits interests of such partnership are owned, directly or indirectly, at all times during the taxable year by such real estate investment trust (determined with the application of section 267(c)).

“(III) Such partnership meets the requirements of paragraphs (2), (3), and (4) of section 856(c).

“(ii) CERTAIN PARTNERSHIPS OWNING OTHER PUBLICLY TRADED PARTNERSHIPS.—Subparagraph (A) shall not apply in the case of a partnership which meets each of the following requirements:

“(I) Substantially all of the assets of such partnership consist of interests in one or more publicly traded partnerships (determined without regard to subsection (b)(2)).

“(II) Substantially all of the income of such partnership is ordinary income or sec-

tion 1231 gain (as defined in section 1231(a)(3)).

“(E) TRANSITIONAL RULE.—Subparagraph (A) shall not apply to any taxable year of the partnership beginning before the date which is 10 years after the date of the enactment of this paragraph.”.

(d) IMPOSITION OF PENALTY ON UNDERPAYMENTS.—

(1) IN GENERAL.—Subsection (b) of section 6662 is amended by inserting after paragraph (7) the following new paragraph:

“(8) The application of section 710(e) or the regulations or other guidance prescribed under section 710(g) to prevent the avoidance of the purposes of section 710.”.

(2) AMOUNT OF PENALTY.—

(A) IN GENERAL.—Section 6662 is amended by adding at the end the following new subsection:

“(k) INCREASE IN PENALTY IN CASE OF PROPERTY TRANSFERRED FOR INVESTMENT MANAGEMENT SERVICES.—In the case of any portion of an underpayment to which this section applies by reason of subsection (b)(8), subsection (a) shall be applied with respect to such portion by substituting ‘40 percent’ for ‘20 percent’.”.

(B) CONFORMING AMENDMENT.—Subparagraph (B) of section 6662A(e)(2) is amended by striking “or (i)” and inserting “, (i), or (k)”.

(3) SPECIAL RULES FOR APPLICATION OF REASONABLE CAUSE EXCEPTION.—Subsection (c) of section 6664 is amended—

(A) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively;

(B) by striking “paragraph (3)” in paragraph (5)(A), as so redesignated, and inserting “paragraph (4)”; and

(C) by inserting after paragraph (2) the following new paragraph:

“(3) SPECIAL RULE FOR UNDERPAYMENTS ATTRIBUTABLE TO INVESTMENT MANAGEMENT SERVICES.—

“(A) IN GENERAL.—Paragraph (1) shall not apply to any portion of an underpayment to which section 6662 applies by reason of subsection (b)(8) unless—

“(i) the relevant facts affecting the tax treatment of the item are adequately disclosed,

“(ii) there is or was substantial authority for such treatment, and

“(iii) the taxpayer reasonably believed that such treatment was more likely than not the proper treatment.

“(B) RULES RELATING TO REASONABLE BELIEF.—Rules similar to the rules of subsection (d)(3) shall apply for purposes of subparagraph (A)(iii).”.

(e) INCOME AND LOSS FROM INVESTMENT SERVICES PARTNERSHIP INTERESTS TAKEN INTO ACCOUNT IN DETERMINING NET EARNINGS FROM SELF-EMPLOYMENT.—

(1) INTERNAL REVENUE CODE.—

(A) IN GENERAL.—Section 1402(a) is amended by striking “and” at the end of paragraph (16), by striking the period at the end of paragraph (17) and inserting “; and”, and by inserting after paragraph (17) the following new paragraph:

“(18) notwithstanding the preceding provisions of this subsection, in the case of any individual engaged in the trade or business of providing services described in section 710(c)(2) with respect to any entity, investment services partnership income or loss (as defined in subsection (m)) of such individual with respect to such entity shall be taken into account in determining the net earnings from self-employment of such individual.”.

(B) INVESTMENT SERVICES PARTNERSHIP INCOME OR LOSS.—Section 1402 is amended by adding at the end the following new subsection:

“(m) INVESTMENT SERVICES PARTNERSHIP INCOME OR LOSS.—For purposes of subsection (a)—

“(1) IN GENERAL.—The term ‘investment services partnership income or loss’ means, with respect to any investment services partnership interest (as defined in section 710(c)) or disqualified interest (as defined in section 710(e)), the net of—

“(A) the amounts treated as ordinary income or ordinary loss under subsections (b) and (e) of section 710 with respect to such interest,

“(B) all items of income, gain, loss, and deduction allocated to such interest, and

“(C) the amounts treated as realized from the sale or exchange of property other than a capital asset under section 751 with respect to such interest.

“(2) EXCEPTION FOR QUALIFIED CAPITAL INTERESTS.—A rule similar to the rule of section 710(d) shall apply for purposes of applying paragraph (1)(B).”.

(2) SOCIAL SECURITY ACT.—Section 211(a) of the Social Security Act is amended by striking “and” at the end of paragraph (15), by striking the period at the end of paragraph (16) and inserting “; and”, and by inserting after paragraph (16) the following new paragraph:

“(17) Notwithstanding the preceding provisions of this subsection, in the case of any individual engaged in the trade or business of providing services described in section 710(c)(2) of the Internal Revenue Code of 1986 with respect to any entity, investment services partnership income or loss (as defined in section 1402(m) of such Code) shall be taken into account in determining the net earnings from self-employment of such individual.”.

(f) SEPARATE ACCOUNTING BY PARTNER.—Section 702(a) is amended by striking “and” at the end of paragraph (7), by striking the period at the end of paragraph (8) and inserting “; and”, and by inserting after paragraph (8) the following:

“(9) any amount treated as ordinary income or loss under subsection (a), (b), or (e) of section 710.”.

(g) CONFORMING AMENDMENTS.—

(1) Subsection (d) of section 731 is amended by inserting “section 710(b)(4) (relating to distributions of partnership property),” after “to the extent otherwise provided by”.

(2) Section 741 is amended by inserting “or section 710 (relating to special rules for partners providing investment management services to partnerships)” before the period at the end.

(3) The table of sections for part I of subchapter K of chapter 1 is amended by adding at the end the following new item:

“Sec. 710. Special rules for partners providing investment management services to partnerships.”.

(h) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to taxable years ending after the date of the enactment of this Act.

(2) PARTNERSHIP TAXABLE YEARS WHICH INCLUDE EFFECTIVE DATE.—In applying section 710(a) of the Internal Revenue Code of 1986 (as added by this section) in the case of any partnership taxable year which includes the date of the enactment of this Act, the amount of the net capital gain referred to in such section shall be treated as being the lesser of the net capital gain for the entire partnership taxable year or the net capital gain determined by only taking into account items attributable to the portion of the partnership taxable year which is after such date.



(3) DISPOSITIONS OF PARTNERSHIP INTERESTS.—

(A) IN GENERAL.—Section 710(b) of such Code (as added by this section) shall apply to dispositions and distributions after the date of the enactment of this Act.

(B) INDIRECT DISPOSITIONS.—The amendments made by subsection (b) shall apply to transactions after the date of the enactment of this Act.

(4) OTHER INCOME AND GAIN IN CONNECTION WITH INVESTMENT MANAGEMENT SERVICES.—Section 710(e) of such Code (as added by this section) shall take effect on the date of the enactment of this Act.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Wednesday, July 8, 2015, at 10 a.m., to conduct a hearing entitled “The Role of the Financial Stability Board in the U.S. Regulatory Framework.”

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on July 8, 2015, at 10 a.m., in room SD-406 of the Dirksen Senate Office Building, to conduct a hearing entitled “Road to Paris: Examining the President’s International Climate Agenda and Implications for Domestic Environmental Policy.”

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON FOREIGN RELATIONS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 8, 2015, at 5 p.m., to conduct a hearing entitled “Department of Defense Maritime Activities and Engagement in the South China Sea.”

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on July 8, 2015, at 10 a.m., to conduct a hearing entitled “Stopping an Avian Influenza Threat to Animal and Public Health.”

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON INDIAN AFFAIRS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Com-

mittee on Indian Affairs be authorized to meet during the session of the Senate on July 8, 2015, in room SD-628 of the Dirksen Senate Office Building, at 2:15 p.m., to conduct a hearing entitled “A Path Forward: Trust Modernization and Reform for Indian Lands.”

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON THE JUDICIARY

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on July 8, 2015, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “Going Dark: Encryption, Technology, and the Balance Between Public Safety and Privacy.”

The PRESIDING OFFICER. Without objection, it is so ordered.

##### SELECT COMMITTEE ON INTELLIGENCE

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 8, 2015, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### SUBCOMMITTEE ON CRIME AND TERRORISM

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on the Judiciary; Subcommittee on Crime and Terrorism, be authorized to meet during the session of the Senate on July 8, 2015, at 2:15 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “Cyber Crime: Modernizing our Legal Framework for the Information Age.”

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PRIVILEGES OF THE FLOOR

Mr. BENNET. Mr. President, I ask unanimous consent that Jessica Bowen, a fellow in my office, have floor privileges for the remainder of this session.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### THE CALENDAR

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar Nos. 128, 129, 130, and 131 en bloc.

There being no objection, the Senate proceeded to consider the bills en bloc.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the bills be read a third time and passed, the motions to reconsider be considered made and laid upon the table, and that any statements related to the bills be printed in the RECORD, all en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SERGEANT FIRST CLASS WILLIAM B. WOODS, JR. POST OFFICE

The bill (H.R. 728) to designate the facility of the United States Postal Service located at 7050 Highway BB in Cedar Hill, Missouri, as the “Sergeant First Class William B. Woods, Jr. Post Office,” was ordered to a third reading, was read the third time, and passed.

#### FLORESVILLE VETERANS POST OFFICE BUILDING

The bill (H.R. 891) to designate the facility of the United States Postal Service located at 141 Paloma Drive in Floresville, Texas, as the “Floresville Veterans Post Office Building” was ordered to a third reading, was read the third time, and passed.

#### SERGEANT FIRST CLASS DANIEL M. FERGUSON POST OFFICE

The bill (H.R. 1326) to designate the facility of the United States Postal Service located at 2000 Mulford Road in Mulberry, Florida, as the “Sergeant First Class Daniel M. Ferguson Post Office,” was ordered to a third reading, was read the third time, and passed.

#### HERMAN BADILLO POST OFFICE BUILDING

The bill (H.R. 1350) to designate the facility of the United States Postal Service located at 442 East 167th Street in Bronx, New York, as the “Herman Badillo Post Office Building,” was ordered to a third reading, was read the third time, and passed.

#### WISHING HIS HOLINESS THE 14TH DALAI LAMA A HAPPY 80TH BIRTHDAY ON JULY 6, 2015

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 200 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 200) wishing His Holiness the 14th Dalai Lama a happy 80th birthday on July 6, 2015, and recognizing the outstanding contributions His Holiness has made to the promotion of nonviolence, human rights, interfaith dialogue, environmental awareness, and democracy.

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 200) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of June 11, 2015, under "Submitted Resolutions.")

#### CONGRATULATING THE UNITED STATES WOMEN'S NATIONAL TEAM FOR WINNING THE 2015 FIFA WORLD CUP

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 218, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 218) congratulating the United States Women's National Team for winning the 2015 FIFA World Cup.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MENENDEZ. Mr. President, I rise as the coauthor, with Senator COLLINS, of this Senate resolution to honor and congratulate an extraordinary team on an extraordinary accomplishment. The U.S. women's national soccer team and their triumphant 5-to-2 victory over Japan at the 2015 FIFA World Cup final was an extraordinary accomplishment and a great victory for them, for the United States, for women's soccer, and women's sports.

These inspiring athletes have spent the past months captivating audiences around the globe with their determination, tenacity, and sheer grit. It started with our national team winning the so-called group of death against Australia, Sweden, and Nigeria. They went on to beat powerhouse teams Colombia, China, and Germany on the way to the final.

All along the way, they tied a World Cup record by playing 540 consecutive minutes without conceding a single goal. In the final, our national team came up strong, scoring four goals in the first 16 minutes, including three goals from New Jersey's own Carli Lloyd. Fellow New Jerseyan Tobin Heath would add another goal, and the team cruised to a resounding 5-to-2 victory. All in all, in the entire tournament, our women's national team never lost a game.

We are all proud of them. I am especially proud of fellow New Jerseyans Christie Rampone, Heather O'Reilly, Tobin Heath, and Golden Ball winner Carli Lloyd. But more than pride, we look to this team for inspiration. The women's World Cup final was the most watched soccer game in American history. The final game had my stepchildren Jana, who is an avid player and a big women's soccer fan, and her

brother Sonny, who was rooting the team on—they were both riveted at what these women players were accomplishing. This game showed them what hard work and determination can do.

For Jana and every young girl who aspires to be the best, this victory makes her dreams seem within reach. Just as the 1999 U.S. World Cup team motivated an entire generation to pursue their dreams, I am certain the performance of this team will do the same and push this generation to dream bigger, work harder, and achieve even more than they have ever imagined.

I congratulate our champions. I look forward to the adoption of the resolution.

Mr. DURBIN. Mr. President, I want to recognize the 2015 United States Women's National Soccer Team. Sunday night, our athletes brought home their third World Cup championship and continued the excellence that we have come to know from the team. Four of the woman's national team players—Shannon Boxx, Julie Johnston, Lori Chalupny, and Christen Press—are also on Chicago's National Women's Soccer League team, the Red Stars.

More than 22 million Americans watched Team USA—including a crowd of thousands gathering in Lincoln Park in Chicago to watch the match on the big screens and cheer the U.S. women to victory. This was not an easy road for the United States team. Their mettle was tested against the best teams in the world, including No. 1 ranked Germany in the semifinal.

These 23 athletes displayed the best qualities of champions: depth, confidence, selflessness, athleticism, and unconquerable spirit. With a decisive 5-2 victory over Japan, the U.S. Women's National Team showed the world that this is what legacy looks like.

We will forever remember when this team of athletes brought the Nation to its feet, yelling, "I believe, I believe that we will win." And they did.

Mr. President, I congratulate all the players, coaches, and staff of the 2015 U.S. women's national soccer team.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 218) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

#### ORDERS FOR THURSDAY, JULY 9, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the

Senate completes its business today, it adjourn until 9:30 a.m. tomorrow, Thursday, July 9; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; finally, that following leader remarks, the Senate resume consideration of S. 1177.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROGRAM

Mr. MCCONNELL. Mr. President, Chairman ALEXANDER and Ranking Member MURRAY intend to set up further amendment votes tomorrow before lunch, so Senators should expect a series of votes around 11:30 a.m. tomorrow.

#### ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator BLUMENTHAL.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### EVERY CHILD ACHIEVES ACT

Mr. BLUMENTHAL. Mr. President, I want to thank all of my colleagues for their hard work that has brought us to this point on the bipartisan Every Child Achieves Act. My friend and colleague from Tennessee, Chairman ALEXANDER, and my great colleague, Ranking Member MURRAY, of the HELP Committee have worked tirelessly to bring this bill to the floor. I salute them for finding many points of agreement that unite us in a very bipartisan way in forming our approach to high-stakes testing—an issue that has bedeviled this body and our Nation for many years—and requiring increased data collection and reporting, expanding access to early childhood education, increases in authorization of funding, and finally, after 13 years, reauthorizing the Elementary and Secondary Education Act.

This bill is by no means perfect. Few measures approved by the Congress are. We work to come as close to perfection as possible. But, as the saying goes, we cannot let the perfect be the

enemy of the good. This bill is a good bill. I personally would like to see some of the accountability provisions of the bill strengthened, ensuring that schools have real incentives to make reform.

I have some very serious qualms about a proposal that would change the formula for allocating title I funding in a way that would take funding away from certain districts in Connecticut and other States that serve low-income children.

I am hoping that three of the amendments I have written will make this legislation stronger.

First, I am pleased to say that an amendment that I had led to make sure schools and districts understand their responsibility under title IX was adopted in the underlying bill. I thank Chairman ALEXANDER and Ranking Member MURRAY for their commitment on this important title IX provision that makes the bill better and guarantees that title IX will be enforced.

A lot of people think title IX affects only athletic programs. In fact, it actually covers all forms of gender-based discrimination in schools, including sexual harassment and assault, bullying, the needs of pregnant and parenting students, female participation in the STEM field, and a lot more. All kinds of discrimination are covered by title IX.

This landmark measure in our Federal law requires every school to designate an employee to serve as a title IX coordinator, helping students and staff to understand their rights and their obligations. Unfortunately, a lot of schools currently fail to designate such a coordinator.

In Connecticut, my friend Bill Howe has provided vitally important statewide title IX compliance training for years, but I know he often found it very difficult to secure funding for his efforts and was sometimes forced to dip into his own pocket to keep these programs going. Bill Howe is a hero in Connecticut for maintaining and sustaining a title IX training program.

My amendment will give States the resources they need to ensure their schools are protecting and promoting gender equity. No longer will Bill Howe be forced to make that funding out of his own pocket—Connecticut will have it as well.

I am proud to join with Senator AYOTTE in championing an amendment that will provide critical training and resources to help educators recognize and respond to the earliest signs of mental illness. This provision is really key because school personnel frequently see young people in many different situations, and therefore they are among the best positioned to see young people who are at risk of serious mental illness and identify those risk signs and provide mental health services at critical times before those illnesses become more serious.

We know from our tragic and horrific experience—we in Connecticut know better than most—that violence and emergency situations can happen anywhere, including at the youngest ages in elementary and secondary schools. Resources must be made available for people to help deescalate crisis situations. These funds will help diffuse those crises before they occur or while they occur by providing critical mental health services.

Training programs are important for teaching school professionals how to safely deescalate a crisis, recognize the signs and symptoms of mental illness, and refer people to appropriate mental health service providers at the early stages of mental illness, reducing the number of crisis situations.

Some of the programs already in place provide models of what kind of training will be funded. They have proven immensely successful. They are profoundly important, and they can serve as models for other schools. Some of those models are in Connecticut—training and education in helping to diffuse and resolve crises and provide for treating mental illness.

Third, I am perhaps most proud to offer the Jesse Lewis Empowering Educators Act. I am proud to offer the Jesse Lewis Empowering Educators Act because I think it reflects an advance in education that truly embodies the spirit and legacy of Jesse Lewis himself—a brave young boy who had emotional intelligence way beyond his years and who was a victim of the unspeakable, unimaginable, horrific tragedy that occurred in Newtown. I thank my colleagues, Senators MURPHY and CANTWELL, for cosponsoring it.

Jesse was one of the children who lost their lives in the Sandy Hook tragedy. In those painful, aching days after Sandy Hook, I sat in the living room of Scarlet Lewis, Jesse's mom, and I saw firsthand through Jesse's own words and photos the awe-inspiring courage and caring of this boy—his empathy and resilience and the compassion he demonstrated repeatedly throughout his all-too-brief life.

This amendment is directly shaped by the Sandy Hook Advisory Commission's final report, which highlights the importance of integrating social and emotional learning concepts into our schools. The commission noted that social-emotional learning is an integral part of education because students must learn coping skills, such as how to identify and name feelings and emotions such as frustration, anger, sadness, and how to use their problem-solving skills to manage those difficult emotional and potentially conflictual situations.

Resolving conflict means understanding the reasons for it. Social intelligence is the means to do it, and training teachers in how to teach it is one of the great missions we need to make sure our schools serve.

As much as the commission's work, this amendment really is formed by Scarlet Lewis and Jesse. His example of emotional and social learning, of intelligence in that sense, provides an example of what we should seek to emulate in our schools—demonstrating caring and concern for others, maintaining positive relationships, and making responsible decisions and resolving conflicts effectively. All of these are teachable and learnable skills. In fact, they are essential to learn for participating and contributing to society. The only question is, Where are young people going to learn them? If they do not learn them at home, they need to be taught in our schools.

If students are surrounded by educators who understand these concepts and who have the right tools and training to teach them, these students can learn to demonstrate what intelligence and emotional intelligence means in practical, everyday terms—how it can make people happier and make the people around those young people happier. Demonstrating the kinds of emotional gifts and intelligence that Jesse had innately is itself a gift that can be taught, and we have an obligation to teach it.

Social and emotional learning is a strategy that is strongly grounded in academic research. Numerous studies and reports, including the great work being done at the Yale Center for Emotional Intelligence, have found that students who exhibit these skills not only perform better academically but are less likely to engage in problematic behavior, such as alcohol and drug use, violence, truancy, and bullying. It makes perfect common sense. Students who have that emotional intelligence better adjust and avoid the pitfalls of substance abuse, violence, bullying, and conflict with fellow students.

We have an obligation to adopt social-emotional learning as part of the curricula of our schools and to make sure teachers are trained in how to impart and inculcate those great talents and gifts that are so important to the happiness of the young people who come through their classrooms, and I am hopeful this amendment will become part of this bill.

My amendments recognize that education is not only about reading, writing, and arithmetic, but learning requires an environment and a culture that cares for each student and prepares each person as an individual and as a healthy, involved member of a larger community. I think that will be a legacy we can leave through this bill, and I hope we will.

I thank the Presiding Officer, and I yield the floor.

## ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. The Senate stands adjourned until 9:30 a.m. tomorrow morning.

Thereupon, the Senate, at 7:18 p.m., adjourned until Thursday, July 9, 2015, at 9:30 a.m.

## NOMINATIONS

Executive nominations received by the Senate:

### SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

ANTHONY G. COLLINS, OF NEW YORK, TO BE A MEMBER OF THE ADVISORY BOARD OF THE SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION, VICE WILLIAM L. WILSON.

### DEPARTMENT OF DEFENSE

BRAD R. CARSON, OF OKLAHOMA, TO BE UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS, VICE JESSICA GARFOLA WRIGHT, RESIGNED.

### DEPARTMENT OF STATE

MARI CARMEN APONTE, OF THE DISTRICT OF COLUMBIA, TO BE PERMANENT REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE ORGANIZATION OF AMERICAN STATES, WITH THE RANK OF AMBASSADOR.

PETER WILLIAM BODDE, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO LIBYA.

CATHERINE EBERT-GRAY, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE INDEPENDENT STATE OF PAPUA NEW GUINEA, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE SOLOMON ISLANDS AND AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF VANUATU.

DENNIS B. HANKINS, OF MINNESOTA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF GUINEA.

G. KATHLEEN HILL, OF COLORADO, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MALTA.

ELISABETH I. MILLARD, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF TAJIKISTAN.

### MERIT SYSTEMS PROTECTION BOARD

MARK PHILIP COHEN, OF MARYLAND, TO BE A MEMBER OF THE MERIT SYSTEMS PROTECTION BOARD FOR THE TERM OF SEVEN YEARS EXPIRING MARCH 1, 2021, VICE ANNE MARIE WAGNER, TERM EXPIRED.

### IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

#### *To be lieutenant colonel*

NICHOLAS R. CABANO  
BARBARA CLOUTIER  
THOMAS H. EDWARDS  
MICHAEL D. HANSEN  
ERIN J. HAVERLY  
GREGORY S. LAUGHLIN  
JAMES W. PRATT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

#### *To be lieutenant colonel*

KIMBERLY D. BRENDA  
TED T. CHAPMAN  
ANDREW D. CONTRERAS  
MICHAEL A. DAVIDSON  
LORIE L. FIKE  
CHRISTOPHER A. FLAUGH  
NICHELLE A. JOHNSON  
JAMES J. JONES  
DAVID LARRES  
DUSTIN S. MARTIN  
MAE H. MIRANDA  
JOHNNY W. PAUL

JULIE C. RYLANDER  
JAMES R. SCHMID  
ENRIQUE V. SMITHFORBES  
ZACK T. SOLOMON  
CARRIE A. STORER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

#### *To be lieutenant colonel*

ERIC J. ANSORGE  
JUSTIN AVERY  
AMY M. BIRD  
MERBIN CARATTINI  
TELLIS L. CARR  
ANNETTE M. CARTER  
JOHN D. CARTER  
LAKISHIA T. CHEEFUS  
RICKEY CHRISTOPHER  
CHRISTOPHER M. CHUNG  
SIDNEY M. COBB  
MICHAEL M. COE  
MICHELLE COLACICCOMAYHUGH  
KYMBERLY A. DEBEAUCLAIR  
MICHAEL R. DEVRIES  
ERICA R. DIJOSEPH  
CHARLES A. DITUSA  
LUCINDA DUNCAN  
LIQVORI L. ETHERIDGE  
YUN H. FAN  
CHADWICK FLETCHER  
BRIAN T. FREIDLINE  
DAVID L. GLAD  
TAMMY D. GLASCOE  
BRYAN T. GNADE  
ALEJANDRO GONZALES  
MICHELLE J. GRADNIGO  
ANDREW R. GREGORY  
BRENT W. GRUVER  
JIAN GUAN  
CASEY E. HAINES  
VANESA D. HAMARD  
TIFFANY N. HEADY  
THWANA F. JOHNSON  
DONALD C. JOHNSTON  
ALAN A. JONES  
NICOS KARASAVVA  
PAUL J. KASSEBAUM  
ALEXANDER K. KAYATANI  
TODD M. KIJEK  
CHRISTOPHER W. KISS  
MELISSA LECCESE  
JASON D. LING  
HERBERT LORFELS  
ROBERT G. LOWEN  
CLAUDIA S. LUNA  
JAMES C. MAKER  
DAVID R. MALDONADOLOPEZ  
DAMIAN G. MCCABE  
HARRY MCDONALD, JR.  
RICHARD B. MCNEMEE, JR.  
MARILYN M. MUELLER  
JITTAWADEE MURPHY  
ALFRED H. NADER III  
CLAUDIA G. NOYOLA  
JAMES A. NUCE  
MARCO A. OCHOA  
MARILYN V. OFIELD  
CHRISTOPHER J. OLIVER  
CHRISTIAN K. OLSON  
TRAVIS D. PAMENTER  
ANTHONY W. PATTERSON  
LORENZA L. PETERSON  
LALINI PILLAY  
JOSE M. PIZARROMATOS  
PAUL R. ROLEY  
ANDREW T. SCHNAUBELT  
STEPHANIE A. SIDO  
TRACY C. SMALLBROWN  
ROSE L. SMYTH  
SUSAN L. SPIAK  
VEASNA T. SREY  
KIRSTEN F. SWANSON  
MATTHEW T. SWINGHOLM  
TERESA M. TERRY  
SABRINA R. THWEATT  
WILLIAM A. TUDOR, JR.  
SORAYA TURNER  
JOLANDA L. WALKER  
DAVID V. WALSH  
FRED K. WEIGEL  
MARC R. WELDE  
MICHAEL S. WHIDDON  
WILLIAM D. WHITAKER  
RACHEL J. WIENKE  
EMILE K. WIJNANS  
ROBERT V. WILLIAMS  
GREGORY C. WILSON  
D010288  
D011713

THE FOLLOWING NAMED OFFICERS FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

#### *To be major*

LAURA M. HUDSON

### IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 5721:

#### *To be lieutenant commander*

CHRISTOPHER N. ANDREWS  
GLEN A. BARNETT  
RYAN L. BROOKS  
MATTHEW A. BURMESTER  
CHRISTOPHER D. CARAWAY  
PATRICK C. CASHIN  
STEPHEN L. CLAGETT  
PAUL M. DANOS  
EDWARD J. DAVIS, JR.  
TIMOTHY D. ERICKSON  
STEVEN E. GREY, JR.  
CHARLES R. HALL  
ROGER A. HART  
RYAN C. LANGHAM  
ANDREW J. LAWRENCE  
JOSHUA E. LISTER  
JOSHUA LUDWIG  
TIMOTHY S. MARSHALL  
BRIAN D. MAXFIELD  
RYAN M. P. MCCABE  
TIMOTHY L. MERRICK  
GREGORY A. MISCHLER  
GWENDOLYN H. MURPHY  
JONATHAN S. OVREN  
CHARLES C. POGUE  
SHANE H. PRICE  
RYAN W. ROBERTSON  
CHRISTOPHER A. ROMNEK  
MARK G. ROSTEDT  
ALEXANDER M. SAYERS  
MICHAEL A. SCHENK  
DUSTIN T. SMITH  
JAMES P. STEBBINS  
DEREK A. SUTTON  
JOSHUA D. THOMPSON

#### *To be lieutenant colonel*

JOHN L. AMENT  
MARIA O. P. ANGELES  
SARAH R. BELLINGER  
DAVID E. BENNETT

JOSHUA P. THURMAN  
JOSHUA H. TILEY  
CHRISTOPHER R. TOCKEY  
BRIAN L. TRIBBITT  
JON K. TURNIPSEED  
NICHOLAS A. TUUK  
NICHOLAS J. VANDYKE

#### IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 211(A)(2):

#### *To be lieutenant commander*

STEPHEN R. BIRD

#### FOREIGN SERVICE

THE FOLLOWING NAMED PERSONS OF THE DEPARTMENT OF STATE FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED.

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS ONE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

JASON DOUGLAS KALBFLEISCH, OF ALASKA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS TWO, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

ARLENE RENEE BARILEC, OF NEW YORK  
MARLAINA R. CASEY, OF THE DISTRICT OF COLUMBIA  
PHATHANIE S. CHAPMAN, OF VIRGINIA  
REBECCA SCHWALBACH DALEY, OF VIRGINIA  
LISA A. DERRICKSON, OF ALASKA  
REBECCA EDWARDS, OF VIRGINIA  
PATRICK FENNING, OF VIRGINIA  
FADI A. HADDAD, OF FLORIDA  
ALBERT JOHN JANEK III, OF VIRGINIA  
DAVID H. LIBOFF, OF FLORIDA  
GWENDOLYN LLEWELLYN, OF VIRGINIA  
DALEY C. O'NEIL, OF FLORIDA  
CHRISTOPHER W. VOLCIAK, OF PENNSYLVANIA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS THREE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

LIDIA AVAKIAN, OF VIRGINIA  
CARRIE LYNN BASNIGHT, OF FLORIDA  
KARLA C. BROWN, OF CALIFORNIA  
TABATHA L. FAIRCLOUGH, OF THE DISTRICT OF COLUMBIA  
KWANG H. KIM, OF FLORIDA  
KEIJI D. TURNER, OF WYOMING

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS FOUR, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

NISHA ABRAHAM, OF TEXAS  
MICHAEL KEITH AGNER, JR., OF FLORIDA  
MEGAN AHEARN, OF PENNSYLVANIA  
MAROOF P. AHMED, OF FLORIDA  
NADIA SHAIRZAY AHMED, OF VIRGINIA  
DRU ALEJANDRO, OF FLORIDA  
BRIAN DAVID ASCHER, OF FLORIDA  
RACHEL ATWOOD MENDIOLA, OF NORTH DAKOTA  
OSCAR D. AVILA, OF FLORIDA  
KALA CARRUTHERS AZAR, OF VIRGINIA  
ANDREW C. BAKER, OF CALIFORNIA  
ANNA L. BALOGH, OF MASSACHUSETTS  
FRANCESCO CARLO BARBACCI, OF VIRGINIA  
ANDREW BARWIG, OF COLORADO  
NICOLE C. BAYER, OF CALIFORNIA  
CALEB DANIEL BECKER, OF TEXAS  
BRANISLAVA BELL, OF NORTH CAROLINA  
ANNIKA R. BETANCOURT, OF CONNECTICUT  
SHAILAJA BISTA, OF GEORGIA  
D. JAMES BJORKMAN, OF VERMONT  
BRIDGET BLAGOVESKI-TRAZOFF, OF NEW YORK  
RICHMOND PAUL BLAKE, OF PENNSYLVANIA  
SEAN DANIEL BODA, OF FLORIDA  
MATTHEW ANTHONY BOULLIOUN, OF CALIFORNIA  
MICHAEL DAVIDSON BOVEN, OF MICHIGAN  
ROYCE MELBERT BRANCH II, OF TEXAS  
BRIAN JAMES BREUHAUS, OF NEW YORK  
LASEAN WADE BROWN, OF GEORGIA  
CAROLINE R. BUDDENHAGEN, OF FLORIDA  
KEVIN J. BURGINKLE, OF VIRGINIA  
LAURA ALLISON BURNS, OF FLORIDA  
ANDREW GEORGE BURY III, OF VIRGINIA  
JOHN W. BUSH II, OF FLORIDA  
YANCY W. CARUTHERS, OF MISSOURI  
JEFFREY PHILIP CERNYAR, OF TEXAS  
DEAN I. CHANG, OF PENNSYLVANIA  
GRACE WOORI CHOI, OF CALIFORNIA  
YUSHIN CHOI, OF CALIFORNIA  
ROGER VINCENT CHUANG, OF CALIFORNIA  
D. MARKO CIMBALJEVICH, OF INDIANA  
SHOSHAUNA A. CLARK, OF COLORADO  
VANESSA D. COLON, OF TEXAS  
NATHAN J. COOPER, OF CALIFORNIA  
JESSI MARIE COPELAND, OF VIRGINIA  
JULIA HARTT KENTNOR CORBY, OF ARIZONA  
ELISE S. CRANE, OF COLORADO  
REID MILLER CREEDON, OF MICHIGAN  
CATHERINE CROFT, OF WASHINGTON  
CHAD SPENCER CRYDER, OF INDIANA  
CHANSONETTA C. CUMMINGS, OF VIRGINIA  
DAVID JUDE CUMMINGS, OF COLORADO  
ANDREW A. DAEGNE, OF TEXAS

EDWARD FRANCIS DANOWITZ III, OF GEORGIA  
CYNTHIA C. DAVILA, OF CALIFORNIA  
STEWART E. DAVIS, OF THE DISTRICT OF COLUMBIA  
JENNIFER L. DENHARD, OF FLORIDA  
ANDREW R. DEVLIN, OF VIRGINIA  
DAISY A. DIX, OF VIRGINIA  
ANDREW HARRINGTON DOEHLER, OF MARYLAND  
CHRISTY S. DOHERTY, OF VIRGINIA  
KIRK EDWARD DONAHOE, OF PENNSYLVANIA  
CLARE E. DOWDLE, OF THE DISTRICT OF COLUMBIA  
RICHARD L. DUBOIS III, OF KANSAS  
MICHAEL DUBRAY, OF CALIFORNIA  
KARL DUCKWORTH, OF PENNSYLVANIA  
ANDREW WEBER DUFF, OF VIRGINIA  
SUSAN L. DUNATHAN, OF WASHINGTON  
ANNA DUPONT, OF NEW YORK  
SANDRA L. DUPUY, OF FLORIDA  
JOEL DYLHOFF, OF ILLINOIS  
DERRICK EDUARD ECKARDT, OF INDIANA  
TIMOTHY R. EDGE, OF CALIFORNIA  
WREN S. ELHAI, OF VIRGINIA  
CHRISTOPHER CHARLES ELLIS, OF OREGON  
MARY K. FANOUS, OF FLORIDA  
CHRISTOPHER R. FARLOW, OF FLORIDA  
JESSICA T. FARMER, OF MAINE  
MICHAEL JARED FELDMAN, OF MARYLAND  
JAMES P. FELDMAYER, OF VIRGINIA  
DANIEL D. FENECH, OF TEXAS  
BETH RUSHFORD FERNALD, OF NEW HAMPSHIRE  
LIAM E. FITZGERALD, OF VIRGINIA  
SHARYN C. FITZGERALD, OF VIRGINIA  
ROBERT WILLIAM FOLLEY, OF WISCONSIN  
AMIRA A. FOUD, OF CALIFORNIA  
SACHA FRAITURE, OF MARYLAND  
DAVID FREITAS, OF CALIFORNIA  
WILLIAM DAVID TUNGETT FROST, OF KENTUCKY  
GREGORY ROBERT GAEDE, OF CALIFORNIA  
JASON HOWARD GALLIAN, OF UTAH  
EDUARDO GARCIA, OF TEXAS  
LAUREN M. GIBSON, OF MARYLAND  
BRIAN A. GILLESPIE, OF TENNESSEE  
DARROW SLADE GODESKI MERTON, OF NEW YORK  
KESHAV GOPINATH, OF CALIFORNIA  
KAM J. GORDON, OF UTAH  
NICHOLAS GRAY, OF WISCONSIN  
LUKE S. GREICIUS, OF NEW YORK  
KAY TRENHOLME HAIRSTON, OF VIRGINIA  
ALEXANDER FERRELL HALL, OF WASHINGTON  
JOHN RICHARD HALL, OF TEXAS  
HAMMAD BASSAM HAMMAD, OF CALIFORNIA  
JEFFREY HANLEY, OF PENNSYLVANIA  
MICHAEL HARKER, OF NORTH CAROLINA  
BRENDAN J. HARLEY, OF PENNSYLVANIA  
MARY K. HARRINGTON, OF NEW HAMPSHIRE  
JENNIFER ANNE-MARIE HARWOOD, OF MARYLAND  
KARLENE M. HENNINGER FRELICH, OF FLORIDA  
YASMEEN HIBRAWI, OF CALIFORNIA  
CARLTON JEROME HICKS, OF VIRGINIA  
CHRISTIANA MICHELLE HOLLIS, OF FLORIDA  
REID STEVENSON HOWELL, OF OREGON  
MAIETA HOWZE, OF NEW YORK  
RICHARD DANIEL HUGHES, OF NEW YORK  
JONATHAN HWANG, OF CALIFORNIA  
ADAEEZE J. IGWE, OF TEXAS  
KUMI T. IKEDA, OF CALIFORNIA  
AMIRAH TAREK ISMAIL, OF VIRGINIA  
AARON THEODORE JACKSON, OF CALIFORNIA  
DANIEL ALEXANDER JACOBS-NHAN, OF GEORGIA  
JESSICA LYNN JARCEV, OF WASHINGTON  
JOSANDA EVELYN JINNETTE, OF TEXAS  
ELVIN JOHN, OF TEXAS  
DOUGLAS MAYES JOHNSON, OF ARIZONA  
NADINE FARID JOHNSON, OF WASHINGTON  
ALLISON BARR JONES, OF MAINE  
BRITT JAMISON JONES, OF NORTH CAROLINA  
DAVID JOSAR, OF PENNSYLVANIA  
JAMES JOSEPH KANIA, OF NEW JERSEY  
ASHOK KAUL, OF NEVADA  
KAMILAH MARESSA KEITH, OF GEORGIA  
PHILIP R. KERN, OF WYOMING  
AAMER ALAM KHAN, OF NEW JERSEY  
UZMA FATIMAH KHAN, OF NORTH CAROLINA  
MIRA J. KIM, OF ILLINOIS  
CHELSEA M. KINSMAN, OF NEW YORK  
JENNIFER S. KLARMAN, OF FLORIDA  
JOHN C. KNETTLES, OF WASHINGTON  
AHMED KOKON, OF NEW YORK  
JAN JERRY KRASNÝ, OF FLORIDA  
KAREN ANN KUZIS MEYER, OF WASHINGTON  
VALERIE A. LABOY, OF TEXAS  
BORCHEN LAI, OF THE DISTRICT OF COLUMBIA  
JEFFREY R. LAKSHAS, OF WASHINGTON  
JIN-FONG YASUO LAM, OF FLORIDA  
MATTHEW COURTNEY LAMM, OF WASHINGTON  
RENEE LYNN LARIVIERE, OF VERMONT  
BENJAMIN ISAAC LAZARUS, OF NORTH CAROLINA  
BENET JUHYON LEE, OF WASHINGTON  
DANIEL K. LEE, OF CALIFORNIA  
SCOTT T. LEO, OF CONNECTICUT  
KRISTINA LESZCZAK, OF THE DISTRICT OF COLUMBIA  
STEVE DAVIS LEU, OF CALIFORNIA  
KUAN-WEN LIAO, OF NEW YORK  
SHANNON LIBURD, OF NEW YORK  
JOSEPH KUO LIN, OF CALIFORNIA  
DAVID LINFIELD, OF FLORIDA  
ALLISON WERNER LISTERMAN, OF NORTH CAROLINA  
PETER ALBERT LOSSAU, OF FLORIDA  
MY LU, OF CALIFORNIA  
JACLYN LUO, OF TEXAS  
JENNIFER L. MAATTA, OF WASHINGTON  
EWAN JOHN MACDOUGALL, OF NEW YORK  
DANIEL P. MADAR, OF SOUTH CAROLINA

MATTHEW A. MALONE, OF MARYLAND  
CRISTOPH ALEXIS MARK, OF CALIFORNIA  
DAN MARK, OF WASHINGTON  
DOREEN VAILLANCOURT MARONEY, OF MARYLAND  
THOMAS PATRICK MAROTTA, OF FLORIDA  
TRACY MARTIN, OF NEW YORK  
CATHERINE LIND MATHES, OF KANSAS  
BRIAN AARON MATTYS, OF NEW YORK  
PAUL A. MCDERMOTT, OF TEXAS  
KRISTINE R. MCELWEE, OF OREGON  
KARL W. MCNAMARA, OF SOUTH DAKOTA  
DAVID MCWILLIAMS, OF TEXAS  
KRISTIN ASHLEY MENCER, OF TENNESSEE  
SAUL MERCADO, OF NEW YORK  
SHANNON M. MERLO, OF VIRGINIA  
LITAH NICOLE MILLER, OF MISSOURI  
RYAN S. MILLER, OF OHIO  
CHAD GREGORY MINER, OF LOUISIANA  
KYLE JOHN MISSBACH, OF TEXAS  
MICHAEL JOHN MITCHELL, OF MINNESOTA  
CHARLES L. MONTGOMERY, OF CALIFORNIA  
EVAN MORRISEY, OF WASHINGTON  
AMAL MOUSSAOUI HAYNES, OF NEW YORK  
SCOTT E. MURPHY, OF VIRGINIA  
NINA MURRAY, OF NEBRASKA  
KERRIE ANN NANNI, OF TEXAS  
JOSEPH JOHN NARUS, OF OREGON  
CRISTINA MARIE NARVAEZ, OF FLORIDA  
WILLIAM E. O'BRYAN, OF NEBRASKA  
RACHEL OREOLUWA OKUNUBI, OF THE DISTRICT OF COLUMBIA  
AMBER M. OLIVA, OF ALASKA  
DAVID TODD PANETTI, OF MINNESOTA  
JASON LEE PARK, OF NEW JERSEY  
JOO WEON JOHN PARK, OF VIRGINIA  
TYLER J. PARTRIDGE, OF ARIZONA  
LEONARD K. PAYNE IV, OF FLORIDA  
CASSANDRA J. PAYTON, OF FLORIDA  
MIGUEL S. PENIX, OF NORTH CAROLINA  
AMY PETERSEN, OF TEXAS  
NATALIE L. PETERSON, OF OHIO  
SHANNON ELISABETH PETRY, OF TEXAS  
ROBERT MATTHEW PICKETT, OF OREGON  
BRANDON NOBLE PIERCE, OF FLORIDA  
MATTHEW COLE PIERSON, OF VIRGINIA  
LISA N. PODOLNY, OF FLORIDA  
KEVIN C. PRICE, OF VIRGINIA  
LAURA QUINN, OF NEW YORK  
HEDAYAT KHALIL RAFIQZAD, OF VIRGINIA  
CHRISTOPHER RAINS, OF CALIFORNIA  
AMANJIT RAMESH, OF VIRGINIA  
SHANKAR RAO, OF CALIFORNIA  
KEDENARD MADEILLE RAYMOND, OF MARYLAND  
JUSTIN REID, OF CALIFORNIA  
JAMES PATRICK REIDY, OF TEXAS  
REBECCA RESNIK, OF MARYLAND  
SALINA RICO, OF CALIFORNIA  
ARMANDO DIEGO RIVERA, OF ARIZONA  
JOHN TIMOTHY ROBBINS, OF TEXAS  
KAHINA MILDRANA ROBINSON, OF CALIFORNIA  
THAD W. ROSS, OF IDAHO  
JOHN RUNKLE, OF WASHINGTON  
RAOUL A. RUSSELL, OF TENNESSEE  
WILLIAM C. SANDS, OF TEXAS  
SCOTT R. SANFORD, OF WYOMING  
JOHN DAVID SARRAF, OF PENNSYLVANIA  
BRIAN J. SAWICH, OF NEW HAMPSHIRE  
JOANNA M. SCHENKE, OF TEXAS  
MIRIAM S. SCHIVE, OF MARYLAND  
STEPHANIE LAURA SCHMID, OF THE DISTRICT OF COLUMBIA  
CURTIS L. SCHMUCKER, OF FLORIDA  
GARY SCHUMANN, OF FLORIDA  
MATTHEW WILLIAM SCRANTON, OF DELAWARE  
JAMES JONAS SHEA, OF MARYLAND  
MARY ANN SHEPHERD, OF COLORADO  
TIMOTHY SHRIVER, OF IOWA  
JEFFREY HANCOCK SILLIN, OF THE DISTRICT OF COLUMBIA  
JOAN LOUISE SIMON BARTHOLOMAUS, OF WASHINGTON  
KRISTEN MICHELLE EDIANN SMART, OF THE DISTRICT OF COLUMBIA  
BENJAMIN J. SMITH, OF ARIZONA  
CHRISTOPHER FREDERIC SMITH, OF TEXAS  
MARISSA L. SMITH, OF ARIZONA  
RACHEL ELIZABETH SMITH, OF CALIFORNIA  
SEAN ROBERT SMITH, OF PENNSYLVANIA  
THERESA ANN CARPENTER SONDJO, OF MARYLAND  
LACHLYN M. SOPER, OF TEXAS  
JULIANA AURELIA SPAVEN, OF THE DISTRICT OF COLUMBIA  
SILVIA FREYRE SPRING, OF MARYLAND  
PAUL A. ST. PIERRE II, OF TENNESSEE  
EVAN ROBERT STANLEY, OF FLORIDA  
ANDREW STAPLES, OF WASHINGTON  
ADAM T. STEVENS, OF CONNECTICUT  
JACOB DARYL STEVENS, OF WASHINGTON  
KARYN M. STOVALL, OF ILLINOIS  
LUCIA BAJZER STRALEY, OF MINNESOTA  
ELISABETH CORBIN STRATTON, OF THE DISTRICT OF COLUMBIA  
TRACY M. STRAUCH, OF VIRGINIA  
MARY M. STREETZEL, OF FLORIDA  
AKASH R. SURI, OF CALIFORNIA  
SARAH HOWE SWATZBURG, OF NEVADA  
CODY W. SWYER, OF CALIFORNIA  
KAREN TANG, OF VIRGINIA  
SHAWN TENBRINK, OF OHIO  
JOHN THOMPSON, OF TEXAS  
SEAN ANDREW THOMPSON, OF WASHINGTON  
BRIAN ANDREW TIMM-BROCK, OF MARYLAND  
LESLIE M. TOKIWA, OF CALIFORNIA

GREGORY VINSON TOLLE, OF VIRGINIA  
 J. BARRETT TRAVIS, OF TEXAS  
 AARON CHAUNCEY TRUAX, OF NEW HAMPSHIRE  
 CAITLIN JANE TUMULTY, OF MASSACHUSETTS  
 NICHOLAS TYNER, OF MASSACHUSETTS  
 DAVID MARK URBIA, OF MINNESOTA  
 ANNE M. VASQUEZ, OF FLORIDA  
 KARINA A. VERAS, OF NEW YORK  
 CHARLES F. VETTER, OF TEXAS  
 VANJA VUKOTA, OF FLORIDA  
 CYNTHIA H. WANG, OF CALIFORNIA  
 RONALD P. WARD, OF FLORIDA  
 JEFFREY M. WARNER, OF NEVADA  
 EILEEN WEDEL, OF FLORIDA  
 REBECCA WEIDNER, OF VIRGINIA  
 NELSON H. WEN, OF TEXAS  
 KEITH E. WEST, OF FLORIDA  
 ELIZABETH ANNE WEWERKA, OF FLORIDA  
 EMILY BUTLER WHITE, OF CALIFORNIA  
 ZAINABU ZAWADI WILLIAMS, OF MARYLAND  
 ERIC MICHAEL WILSON, OF THE DISTRICT OF COLUMBIA  
 ANDREW G. WINKELMAN, OF NORTH CAROLINA  
 COURTNEY J. WOODS, OF ARKANSAS  
 STALLION EASE YANG, OF CALIFORNIA  
 HYUN YOON, OF FLORIDA  
 DENISE ROSALIND ZAVRAS, OF THE DISTRICT OF COLUMBIA

LU ZHOU, OF CALIFORNIA  
 MICHELLE ZIA, OF VIRGINIA  
 RAFAELA ZUIDEMA-BLOMFELD, OF PENNSYLVANIA

THE FOLLOWING NAMED PERSON OF THE DEPARTMENT OF STATE FOR APPOINTMENT AS A FOREIGN SERVICE OFFICER OF THE CLASS STATED:

FOREIGN SERVICE OFFICER OF CLASS FOUR, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA, EFFECTIVE JULY 6, 2010:

DERRIN RAY SMITH, OF FLORIDA

THE FOLLOWING NAMED CAREER MEMBER OF THE FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION WITHIN THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER-COUNSELOR:

STUART MACKENZIE HATCHER, OF VIRGINIA

THE FOLLOWING NAMED MEMBERS OF THE FOREIGN SERVICE TO BE CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

JENNIFER ANN AMOS, OF TEXAS  
 JENNIFER ANDERSON, OF ALASKA  
 PATRICK B. BAETJER, OF VIRGINIA  
 LAUREN ELIZABETH BARROW, OF FLORIDA  
 JOHN CONNOR BIBA, OF VIRGINIA  
 RANDALL E. BROWN, OF TEXAS

DAVID LUKE BRUNS, OF FLORIDA  
 MATTHEW THOMAS CALVIN, OF COLORADO  
 LEROY A. CAMPBELL, OF VIRGINIA  
 DANA LYNN CANDELL, OF VIRGINIA  
 MICHAEL P. CASSIN, OF VIRGINIA  
 JEFFREY LOUIS CHRISTY, OF VIRGINIA  
 MARLYNN P. CIAVOLA, OF VIRGINIA  
 APRIL L. CONWAY, OF GEORGIA  
 MICHAEL L. COOK, OF VIRGINIA  
 RUSSELL JAMES CORNELIA, OF MASSACHUSETTS  
 JENNIFER M. CROSSON, OF VIRGINIA  
 JASON T. CUMMINGS, OF VIRGINIA  
 COURTNEY LYNN DE ANGELIS, OF THE DISTRICT OF COLUMBIA  
 BLAKE NATHANIEL EBER, OF VIRGINIA  
 HOLLY TAING EBHARDT, OF VIRGINIA  
 NURIT SIVAN EINIK, OF THE DISTRICT OF COLUMBIA  
 PAUL DAVID JO ELY, OF OREGON  
 HEATHER NALLEY FARRELL, OF VIRGINIA  
 WILLIAM TROY FARRIS, OF VIRGINIA  
 ANNA T. FEATHER, OF NEVADA  
 MICHAEL STEPHEN FLETCHER, OF VIRGINIA  
 OWEN PATRICK FLETCHER, OF MARYLAND  
 WILLIAM WEST FOLLMER, OF MARYLAND  
 EVAN FOX, OF VIRGINIA  
 LLOYD DUNGAN FREEMAN, OF TENNESSEE  
 HENRY YU-HANG FUNG, OF FLORIDA  
 SEAN C. GARRETT, OF VIRGINIA  
 STEPHANIE GIACOLETTI-STEGALL, OF UTAH  
 JENNIFER LYNNE GOOD, OF VIRGINIA  
 TIMOTHY MICHAEL HAGERTY, OF VIRGINIA  
 KATHERINE ANN HARBIN, OF MISSOURI  
 KATHERINE D. HARMON, OF VIRGINIA  
 RICHARD BARNEY HATCH, OF VIRGINIA  
 MARY E. HAWKINS, OF MARYLAND  
 RICHARD EDWARD HEATER, OF NEW YORK  
 ROSEMARY NOTTOLI HIGGINS, OF ILLINOIS  
 SEAN D. HILL, OF VIRGINIA  
 KEVIN LEE HUTTENBACH, OF VIRGINIA  
 JEFFRY ALAN JACKSON, OF CONNECTICUT  
 KENNETH EDWARD JENSEN, OF THE DISTRICT OF COLUMBIA  
 WILLIAM G. JOHNSON, OF CALIFORNIA  
 OLIVIA R. JORJANI, OF VIRGINIA  
 JOSHUA WESLEY PRICE KAMP, OF NEW YORK  
 JOHN HERMAN KAY, OF VIRGINIA  
 KENDRA J. KILLMER, OF VIRGINIA  
 JAMES PETER KLAPPS, JR., OF VIRGINIA  
 NOAH ADAM KLINGER, OF NEW YORK  
 CYNTHIA B. KNUTSEN, OF VIRGINIA  
 OLENA ANNA KRAWCIW, OF VIRGINIA  
 KEVIN C. KREPLIN, OF ARIZONA  
 ABIGAIL CAROLINE LACKMAN, OF THE DISTRICT OF COLUMBIA  
 KELLY STERLING LAURITZEN, OF TEXAS  
 SCOTT SUNGWON LEE, OF MARYLAND  
 CARY O. LEWIN, OF VIRGINIA  
 MEGHAN LUCKETT, OF MICHIGAN

LAURA ALLISON MACARTHUR, OF CALIFORNIA  
 ANGELA EVE MALONEY, OF MARYLAND  
 CAROLINE JESSICA MANN, OF ILLINOIS  
 RICHARD WILLIAM MATTON, JR., OF VIRGINIA  
 KEVIN WENG-YEW MAYNER, OF GEORGIA  
 JERRY P. MAYO, OF VIRGINIA  
 RYAN THOMAS MCCLELLAN, OF VIRGINIA  
 JOHNNY MEYER, OF VIRGINIA  
 PAUL DAVID MIGNANO, OF NEW YORK  
 MONICA A. MIRELES, OF VIRGINIA  
 DAVID CARLTON MORRISON, OF IOWA  
 JAMES RICHARD NUTTALL, OF VIRGINIA  
 JOHN THOMAS OCH, OF VIRGINIA  
 ALEX OLIVIA O'MALLEY, OF VIRGINIA  
 PATRICK JOSEPH PERRIELLO, JR., OF NEW YORK  
 NICHOLAS A. PSYHOS, OF VIRGINIA  
 BELLA A. REID, OF VIRGINIA  
 SCOTT ANDREW RISNER, OF THE DISTRICT OF COLUMBIA  
 ANGELIA DELOIS ROBERTSON, OF FLORIDA  
 JUSTIN J. RONNING, OF VIRGINIA  
 ADAM LELAND SCHICK, OF WASHINGTON  
 CATHERINE ROSE SEAGRAVES, OF OKLAHOMA  
 CHAD JOSEPH SLANEY, OF VIRGINIA  
 ELIZABETH M. SMITH, OF NEW YORK  
 NICHOLAS MATHEW SMITH, OF VIRGINIA  
 SHANE SPELLMAN, OF MISSOURI  
 FREDRIC NICHOLAS STOKES, OF CONNECTICUT  
 TINA S. SULEIMAN, OF VIRGINIA  
 SHRAVAN SURENDRA, OF VIRGINIA  
 MICHAEL PATRICK SYKES, OF THE DISTRICT OF COLUMBIA  
 KYLE LEWIS TADKEN, OF VIRGINIA  
 JESSICA L. TESORIERO, OF VIRGINIA  
 KAYLA RICHELLE THOMAS, OF VIRGINIA  
 DEVON VAN DYNE, OF WASHINGTON  
 CHRISTOPHER L. VASQUEZ, OF THE DISTRICT OF COLUMBIA  
 KRISTEN ELAINE VATT, OF ARIZONA  
 ERIC THOMAS VOGEL, OF TEXAS  
 REBECCA WALL, OF THE DISTRICT OF COLUMBIA  
 JENNIFER DERNAY WHALEN, OF LOUISIANA  
 HOLLY ROTHE WIELKOSZEWSKI, OF VIRGINIA

## WITHDRAWAL

Executive Message transmitted by the President to the Senate on July 8, 2015 withdrawing from further Senate consideration the following nomination:

AIR FORCE NOMINATION OF BRIG. GEN. ROBERT N. POLUMBO, TO BE MAJOR GENERAL, WHICH WAS SENT TO THE SENATE ON APRIL 20, 2015.

## HOUSE OF REPRESENTATIVES—Wednesday, July 8, 2015

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. HOLDING).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
July 8, 2015.

I hereby appoint the Honorable GEORGE HOLDING to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,  
*Speaker of the House of Representatives.*

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

### DOES THE U.S. HAVE A PLAN TO DEFEAT ISIS?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, the President “avoids the battle, complains, and misses opportunities.” Those were the words of Leon Panetta, President Obama’s former Secretary of Defense and CIA Director, in 2011.

At the time, Panetta, along with military commanders and the Joint Chiefs of Staff, recommended that the United States leave 24,000 troops in Iraq to prevent that country from falling apart and becoming chaotic. According to Panetta, the administration was “so eager to rid itself of Iraq that it was willing to withdraw rather than lock in arrangements that would preserve American influence and our interests.”

So the President ignored the advice of his own Secretary of Defense and top commanders and pulled troops out of Iraq in 2011. The timing, just before the 2012 Presidential election, to me, appeared to be based on the politics of political convenience, not our own national interests.

In any event, what is taking place today in 2015? Enter the Islamic State, ISIS. ISIS took advantage of the power vacuum left by America’s absence. So today ISIS is stronger than ever, spreading its reign of terror throughout the region.

ISIS practices religious genocide against people that don’t agree with it. They have redefined the term “barbarian” to an all new low. They rape, pillage, loot, behead, and burn those in this ISIS war against the world’s people.

ISIS not only controls a massive amount of territory in the Middle East, it also controls the minds of thousands of foreign fighters, many from the United States. It is a sophisticated criminal enterprise that uses any and all ways to recruit, fundraise, and spread terror. It even uses American social media companies to promote its cause. Through American companies like Twitter, ISIS is instantly and freely spreading its cancer of Islamic extremism to teenagers, recruiting them to join the jihad and then launch attacks on the streets of America.

Since the President announced his campaign against ISIS, we have seen embarrassing results. Even the President admitted that the United States did not have a complete strategy.

The ISIS terror has been going on for over a year and we don’t have a plan to defeat them? This doesn’t make a whole lot of sense.

The United States must answer this question: Is ISIS a national security threat to us? If the answer is yes, then we must defeat them; and Congress needs to weigh in on this and make this decision.

If we decide that ISIS is a national security threat, then, of course, we need strategy, a complete strategy. The administration’s plan so far is to train mercenaries to fight ISIS. However, just this week, Secretary of Defense Carter admitted that the United States has trained, get this, 60 so-called moderate Syrian rebels to fight ISIS—just 60.

The \$500 million program that was supposed to fund 3,000 fighters before the end of 2015 has trained 60. So if I do my math correctly, Mr. Speaker, we are spending about \$8 million per fighter right now. That is abysmal. That is no way to fight and win a war against terror.

Also, there are more Americans fighting with ISIS rebels than we have trained fighters to fight against ISIS. Meanwhile in Iraq, just 8,800 fighters

have been trained to fight ISIS compared to the goal of 24,000.

This administration’s strategy to defeat ISIS seems to be in chaos. Even the Kurds want to do their own fighting, and they have asked us for military support. Our allies want to send direct aid to the Kurds, but the administration won’t let them do that. They have to send it through Baghdad for some reason.

It is time for the administration to stop being indecisively weak and do the obvious. It needs to lead in this war against ISIS, and it needs to listen to the commanders.

The United States needs to act and have a plan to defeat this determined, well-financed enemy. It is a terrorist enterprise that is at war with us.

And that is just the way it is.

### TRANS-PACIFIC PARTNERSHIP

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, last month Congress dealt with a trade package that centered on trade promotion authority; and those actions, while important, were really just the beginning of a very long process.

Many important provisions of the Trans-Pacific Partnership, the TPP, are still unresolved. There is a meeting at the end of this month in Hawaii where the finance ministers of 12 countries come together in an attempt to resolve these final questions.

As I pointed out in my last meeting with the President, while I think trade promotion authority is important and worthy of support, that support does not imply support for the Trans-Pacific Partnership.

Indeed, because of the protections we built into the trade promotion authority, it sets an appropriately high standard for approval. Everybody in America will have several months to examine the proposal if an agreement is reached to see if it measures up before the treaty can even be voted on by Congress.

I am hopeful that we can use this time to clarify and refine areas, for example, the investor state dispute process. While the United States’ investor state protections for public health and consumers are stronger than for most countries and are separate from the foreign investor state models that are being used by the United States Chamber of Commerce to promote the interests of Big Tobacco to undercut efforts



to discourage smoking, there is still room for us to improve and clarify the American model, and we should do so.

Another important area deals with trade enforcement. Agreements that look good on paper, if they are not enforceable or enforced, are essentially meaningless. It is extremely important for the administration to demonstrate its commitment to enforcement.

We are trying to help with legislation that I have introduced in the House that we have been able to get in part of the Senate package that would create a trade enforcement fund dedicated to help make sure agreements are enforced.

Another step the administration could take immediately is to deal with disturbing actions in Peru that seem to undercut commitments that were made in the existing Peru free trade agreement dealing with illegal logging. It appears that Peru has backtracked on its commitments and that illegally harvested timber is finding its way into international markets and, indeed, into the United States. It would be a simple act for the administration to take that would demonstrate its commitment to strong enforcement by starting with Peru right now.

Another area that I am working on deals with access to medicines. It appears that the TPP draft falls short on incentives for affordability and consumer protections and the trade promotion authority objective to "ensure that trade agreements foster innovation and promote access to medicines." We need some work here.

The May 10 agreement that was struck in 2007, which I was pleased to participate in, struck the right balance, creating incentives for innovation in pharmaceutical research and access to timely and affordable medicine for developing countries. This was achieved in part by requiring changes to provisions dealing with patent linkage where it looks like TPP is moving in the wrong direction.

The TPP includes new provisions which, while not addressed in the May 10 agreement, are inconsistent with its spirit and its intent of ensuring timely access to affordable medicines in developing countries. For example, with biologic medicines, it appears the United States is seeking both patent linkage and 12 years of data exclusivity for all countries. The former would require a change in U.S. law, and the latter would prevent America from changing our laws to lower the exclusivity period, as has been proposed in the President's own budget proposal. The combination of these two would have enormous cost implications both at home and abroad.

These are examples where I am working to make sure the final agreement measures up to the criteria we have established in the trade promotion authority.

I urge the administration and my colleagues to be clear about our intent and our expectations in order for any final agreement to be worthy of broad support.

#### BACKPACK BUDDIES

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. MOONEY) for 5 minutes.

Mr. MOONEY of West Virginia. Mr. Speaker, last week I had the pleasure of meeting with Doug Erwin. Doug is an extraordinary member of our West Virginia community who started the charitable organization called Backpack Buddies.

In the summer, Backpack Buddies gives meal supplements to children in elementary, middle, and high schools who received free or reduced lunches during the school year. Oftentimes, the meal that they receive at school is the only food that they eat all day.

Doug became concerned about what these children did for food during the summer. That is when Doug started Backpack Buddies.

For the last 3 years, communities in my district in the great State of West Virginia have come together to raise money to provide food to these children so they can get the extra help they need during the summer. Backpack Buddies is serving, now, over 1,600 children in Putnam, Boone, Cabell, and Kanawha Counties this summer.

I would like to thank Doug, the business leaders in our community, and the volunteers who help make Backpack Buddies possible.

#### WAR ON COAL

Mr. MOONEY of West Virginia. On a separate issue, Mr. Speaker, several weeks ago, President Obama sent two of his top cronies in his war on coal, Interior Secretary Sally Jewell and Office of Surface Mining Director Joseph Pizarchik, to my home State of West Virginia.

The apparent purpose of their visit was to seek input for a new Obama regulation that is estimated to kill 80,000 coal jobs, but their rule had already been submitted for final review. They are not interested in hearing from West Virginians about the impact of their policies. Instead, they are checking a box.

It is clear that nothing will stop this President from trying to implement his radical environmental agenda, and I will continue to do everything in my power to fight back on behalf of all West Virginians. That is why, this year, I introduced H.R. 1644, the STREAM Act, which will stop the President's antimining regulations. I also included a provision in the House budget resolution that calls for defunding that regulation, and I will work with the appropriators to make sure it is not funded.

I hope my colleagues in this Chamber will join me in this fight.

#### CAMPAIGN FINANCE

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. SCHIFF) for 5 minutes.

Mr. SCHIFF. Mr. Speaker, since the Supreme Court decision in *Citizens United*, we have seen a massive wave of secret spending in our political system. There was over \$100 million in dark, unregulated, and anonymous money spent in the 2014 midterm election cycle; and with the Presidential race right around the corner, that number is expected to balloon to over \$600 million.

While the problem is easy to identify, the solution is far more difficult to achieve. Reluctantly, I have concluded that it is necessary to amend our Constitution to address a long line of case law that began before *Citizens United* and prevents the Congress from meaningfully regulating campaign expenditures. The constitutional amendment must not only overturn *Citizens United*, but the Arizona Free Enterprise Club's Freedom Club PAC v. Bennett decision, which struck down an Arizona law that allowed public financing of a candidate if their opponent exceeded certain spending limits.

The amendment is simple. It would allow Congress to set reasonable limits on expenditures and allow States to set up public financing for candidates if they choose to do so.

□ 1015

I first ran for Congress in 2000, in a campaign that turned out to be the most expensive in U.S. history and helped propel new campaign finance reform. It was this first-hand experience which convinced me that our elections have increasingly come to be polluted by ever-increasing amounts of unregulated outside spending.

Millions of dollars in soft money, spending that avoided limits because of misguided legal distinctions between contributions to a candidate and independent expenditures in support of a candidate, plagued that 2000 race and almost every major Federal race since.

On my very first day in Congress, I cosponsored the McCain-Feingold Bipartisan Campaign Finance Reform Act, which attempted to ban soft money expenditures and allowed for public financing of campaigns. The bill passed, and for a brief window, the campaign finance system became more transparent and limited. That was, sadly, short lived.

With *Citizens United*, the Supreme Court struck down decades of restrictions on corporate campaign spending and freed corporations to spend unlimited funds to run campaign advertisements.

The court has also allowed wealthy individuals and groups to spend with

impunity, with only a theoretical restriction that they do not coordinate with campaigns, but the reality is that the FEC has dismissed 29 cases in which super-PACs were suspected of illegally coordinating with candidates without even investigating the claims.

Frustrating as it is for a candidate to contend with attacks by super-PACs or soft money, as I was, disclosure laws at least allow us to alert voters to the special interest which is behind those expenditures. Candidates being drowned out in attacks paid for by dark money, however, don't have that luxury.

Groups who raise dark money do so by exploiting IRS regulations, designating them "social welfare nonprofits," which allow them to operate tax exempt and raise unlimited money completely anonymously.

Nothing about funneling millions in secret dollars to support campaigns could be construed to be in the interest of social welfare—nothing. Social welfare nonprofits are supposed to limit their political activity, but IRS audits, even of groups that spend vast amounts of their time and budget in support of candidates, are extremely rare.

Investigations into complaints of abuse can take years, at which point an election will long be over, the damage done.

The Supreme Court has overturned decades of legal precedent, the regulatory process is at a standstill, and still, we watch billions pour into campaigns and in increasingly anonymous fashion.

Sadly, we are left with one option, a constitutional amendment that allows Congress to set reasonable limits on both donations and expenditures and shines the light of day on both.

#### IRAN

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. Mr. Speaker, I rise today to join my colleagues to express a deep concern about the ongoing negotiations with Iran over the country's nuclear capabilities.

As many of my colleagues have noted on the floor of this House, preventing Iran from obtaining a nuclear weapon is critical to securing peace in the region and protecting U.S. interests, including our close ally Israel.

It was good to hear Secretary Kerry's recent commitment not "to shave anywhere at the margins in order to just get an agreement" and to work for an agreement that will pass scrutiny. However, media reports from the negotiations in Vienna indicate that Iran has tried to renegotiate the previously released framework and continues to demand further concessions from international negotiators.

Among the latest demands from Tehran is that all United Nations sanctions against the country, including the ban on the import or export of conventional arms, be lifted as part of any deal.

Well, I have a response to that demand: unacceptable. Lifting the arms embargo would serve only to further destabilize the Middle East and accelerate Iran's arming of Shiite militias.

The Iranians have also sought to keep hidden Iran's current and previous efforts to gain nuclear weapons capability. How can the international community know with certainty that Iran is complying with an agreement to reduce significantly its enrichment activities if the full extent of these activities is kept secret?

It defies logic that such a request should be made and makes far less sense for such a request to be given any serious consideration.

Likewise, demands to limit IAEA inspectors to select sites, to install absurd bureaucratic processes to access additional sites, and to prohibit altogether inspections of so-called military sites should be fully rejected.

Ultimately, it is critical that any deal prevents Iran from gaining nuclear weapons capabilities and ensures that international inspectors can validate their adherence to an agreement's negotiated terms. If Iran cannot negotiate in good faith, then perhaps it is time to leave the negotiating table altogether.

#### STRONG STEM EDUCATION POLICY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Connecticut (Mr. COURTNEY) for 5 minutes.

Mr. COURTNEY. Mr. Speaker, in a few short hours, we are going to be voting in this Chamber on a rewrite of the Elementary and Secondary Education Act, which is long overdue.

It has been 13 years since the No Child Left Behind Act was passed, and many educators and probably all Members have heard a lot of the clumsy and unworkable provisions that need a rewrite. More importantly, there are other reasons why it is time for a new law for our K-12 system.

Educating our children is a dynamic process, and everything from technology in the classroom, as well as the workforce needs of our national economy, have drastically changed in the last 13 years.

Clearly, as a nation, we need to use this rewrite of Federal education law as an opportunity to equip our Nation, and particularly our children and grandchildren, with the tools they need to succeed.

One area which we all know needs updating and strengthening is the area of STEM education—science, technology, engineering, and math. Employers all

across the country are desperate to try and find incoming young people into our workforce who have these skills to succeed.

The good news is, in the last 13 years, STEM occupations have grown three times faster than non-STEM occupations. In addition, the average income is two times higher in terms of the wages of STEM-educated workers compared to non-STEM. That is the good news.

The bad news is that only 16 percent of graduating high school seniors are interested in STEM. If you drill down deeper, young girls and young minorities are woefully underrepresented in the single digits.

Clearly, we need to move stronger as a nation in the area of STEM. If you look globally, China is producing 23 percent of the world's STEM degree graduates—the U.S., only 10 percent.

Mr. Speaker, if you go back 58 years ago, our 34th President, Dwight Eisenhower, confronted a similar moment of crisis in terms of our education system.

In October 1957, the Soviet Union launched the Sputnik satellite, which shocked our Nation. We realized we were falling behind and that we needed to step up our game in terms of our educational and research system. This Republican President led the charge to pass the National Defense Education Act in 1958, which boosted and set a national goal, a national priority, for science and research across our country.

At the time that he signed the bill in 1958, he said that, in both education and research, we needed to redouble our exertions, which will be necessary on the part of all Americans if we are to rise to the demands of our times.

He also noted that this bill, the National Defense Education Act, back in 1958, would "do much to strengthen our American system of education so it can meet the broad and increasing demands imposed upon it by considerations of basic national security."

Fast forward 57 years, we now have a national STEM education coalition made up of employers like Microsoft, the National Association of Manufacturers, and the American Farm Bureau, who have come together with a core set of principles on how we can today, in 2015, boost teachers with these hard science degrees in our elementary and high schools, how we can drill down and encourage, again, underrepresented groups such as young girls and minorities to get involved and engaged in education.

We came forward on the Education and the Workforce Committee with an amendment supported by the STEM coalition, and it was rejected on a party-line vote by the Republican majority, who said that the national government had no business being involved in local

and State education policy. That is totally unacceptable in terms of the challenges that our Nation faces today.

Unfortunately, the Rules Committee rejected our amendment from even being voted on today as part of the update of the No Child Left Behind bill.

Again, it is the ultimate measuring stick of the failure of this bill to address the needs our Nation faces in terms of K-12 education policy. We should follow the example of this gentleman. He understood that at times, we have to rise up as a full nation.

We can't rely on one local wealthy school district to invest in science and technology and engineering and math and leave behind other populations in this country because, as a nation, we need to come together to address and succeed and face this challenge. It will bring good things in terms of higher income and more growth for our country if we embrace these types of policies.

The good news is that the Republican chairman of the Senate Education Committee did embrace the STEM education coalition provisions, and they have put it in their bill.

Today, unfortunately, we are going to go do this exercise, this theater of passing a bill which woefully fails the test in terms of what our Nation faces today, but hopefully, later in the process, a conference committee will come together, and we will follow the example of Dwight Eisenhower and our bipartisan coalition of the 1950s to allow this Nation to have the tools to succeed.

We need to pass strong STEM education policy for our young children.

#### 513TH AIR CONTROL GROUP DEPLOYMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oklahoma (Mr. BRIDENSTINE) for 5 minutes.

Mr. BRIDENSTINE. Mr. Speaker, I rise to salute more than 40 citizen airmen of the 513th Air Control Group deploying to Southwest Asia this month in support of Operation Inherent Resolve in Iraq and Syria and also continuing operations in Afghanistan.

The 513th is the Nation's only Reserve unit flying the E-3 AWACS aircraft. I am proud that the 513th is based at Tinker Air Force Base in my home State of Oklahoma, and it is commanded by Colonel David W. Robertson.

I flew the Navy version of the AWACS, the E-2 Hawkeye, both on Active Duty and as a reservist. The AWACS is the Air Force's "quarterback in the sky," calling the plays and managing the fight from an airborne platform.

I know firsthand that the AWACS is absolutely essential to projecting air power. Without it, our forces would be like an orchestra with no conductor.

Mr. Speaker, we just celebrated yet another year of independence. We should remember that our war of independence was fought almost exclusively by citizen warriors, ordinary citizens who put their lives on hold and at risk, many of them giving the ultimate sacrifice for our independence.

The 513th continues our great citizen warrior tradition. Among the citizen airmen deploying are Realtors, IT specialists, and even a pastor. We should recognize that this is a voluntary assignment. These reservists have raised their hands and answered the call voluntarily, when less than 1 percent of our fellow citizens serve in the military.

Mr. Speaker, the 513th demonstrates the value of our military's Reserve component and National Guardsmen. Looking across the 513th, you will find skill standards, capabilities, and operational readiness rates equal to or better than the Active component.

When I was in the Reserves flying the E-2 Hawkeye, I can tell you that the amount of talent that we held in the Reserve component was amazing. It was very clear that these folks had the confidence, the capability, and the institutional knowledge to carry on the tradition of excellence that was in the Navy when they moved to the Reserves.

The amount of talent and skills is also true with the Air Force. We saw it when you think about the fighter squadrons that fought in the opening days of the war in Afghanistan. The Reserve fighter squadron was the one that had the highest percentage of bombs on target.

The Reserve and the Air National Guard are critical to our Nation's military readiness. It is important to retain and even expand the reserve component size, missions, and capabilities.

Finally, Mr. Speaker, while I rise to give a special thanks to the 513th reservists deploying to Southwest Asia, let me also mention this unit's other recent accomplishments.

To say that the 513th is in high demand would be a huge understatement. In the past 6 months, the 513th has controlled training missions for over 200 fighters and bombers, supported critical flight tests, managed air operation center support in Germany, and controlled eight large-force exercises, including Felix Virgo in Louisiana, Northern Edge in Alaska, and CHUMEX in Florida.

Mr. Speaker, let me conclude by once again recognizing the citizen airmen of the 513th Air Control Group from Tinker Air Force Base.

Texas (Ms. EDDIE BERNICE JOHNSON) for 5 minutes.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in opposition to the current version of H.R. 5, the House Republican bill which seeks to reauthorize the Elementary and Secondary Education Act, and encourage my colleagues to adopt the Democratic substitute offered by Ranking Member BOBBY SCOTT.

Let me start by reading you a quote that truly strikes me as telling of where we have come from and where we find ourselves today. On May 22, 1964, at the University of Michigan, President Lyndon Baines Johnson remarked:

In many places, classrooms are overcrowded and curricula are outdated. Most of our qualified teachers are underpaid, and many of our paid teachers are underqualified. So we must give every child a place to sit and a teacher to learn from. Poverty is not a bar for learning, and learning must often escape from poverty.

President Johnson went on to say:

But more classrooms and more teachers are just not enough. We must seek an educational system which grows in excellence as it grows in size. This means better training for our teachers. It means preparing our youth to enjoy their hours of leisure as well as their hours of labor. It means exploring new techniques of teaching, to find new ways to stimulate the love of learning and the capacity for creation.

Let's just take a moment to let that sink in.

Those were words read in 1964, during President Johnson's Great Society Speech. Almost every single point in President Johnson's remarks has direct import of the perils our education system faces today.

Teachers are still underpaid, and in so many areas, underqualified. Classroom sizes are increasing, and the quality of education is continuing to deteriorate.

Hunger and poverty continue to afflict our inner-city students in an alarmingly disproportionate rate, and disparity of resources and access to a quality education seems, at times, to continue expanding. The achievement gap between our most impoverished students remains inextricably tied to the wealth gap, and the numbers are discouraging.

Instead of moving forward by improving on and implementing lessons learned from the failed policies of No Child Left Behind, H.R. 5 guts the core intent of the original Elementary and Secondary Education Act of 1965.

H.R. 5 is like a blast from the past and fails our students and their families in a myriad of ways. Among some of the most egregious provisions in this proposed iteration of ESEA, H.R. 5 includes the concept of portability for title I funds.

Sold and messaged as a promotion of choice, portability instead adversely affects students who are in schools and

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from

districts with the highest concentration of poverty and need. In short, portability is a ruse, one that takes resources from, rather than gives to our most underserved and needy children.

Additionally, as the ranking member of the Science, Space, and Technology Committee, and a longtime advocate of STEM—science, technology, mathematics, and engineering—education, I was alarmed by the utter and complete exclusion of any reference to STEM education within this base text.

We should be retooling our education system to fit the needs of our ever-evolving globalized economy, not running back to the factory-style education that doesn't provide our children with the skills they need to compete.

Education is the ladder to opportunity and central to keeping alive the American Dream. We must fight to ensure that every single child, regardless of their background, is given the opportunity to reach their God-given potential.

No matter what race—Black, White, Hispanic, Asian, or Native American—rich, poor, immigrant or not, we must remain steadfast in our dedication to equality and the equity of opportunity.

I strongly urge my colleagues to take this bill back to the drawing board and make sure that education in America is reflective of our principles as a nation. I urge my colleagues to make sure that we protect the American Dream and keep America the land of equal opportunity.

If you work hard and play by the rules, everyone deserves a fair shot and a fair shake at a fulfilling life. The ZIP Code you grow up in should not determine the life you live.

#### NATIONAL DAIRY MONTH

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, although we have recently entered into July, I rise today in recognition of National Dairy Month, which has taken place every June since 1937.

As I travel across Pennsylvania and throughout the Pennsylvania Fifth Congressional District, I am always inspired by our farmers and our farm families. They work hard. They work 7 days a week. Their work is arduous, and the challenges of running a farm are never ending.

Mr. Speaker, farming isn't just a business to these hardworking folks; it is the fabric of rural America. The Commonwealth's history is rooted in agriculture, and the dairy industry continues to be the largest sector of this industry.

Most, about 99 percent of our dairy farms in Pennsylvania, are family-

owned and operated, and our average herd size is about 72 head.

The Commonwealth's robust dairy industry produces 10 billion pounds of milk annually, and that number continues to surge. In fact, Pennsylvania ranks fifth in the Nation when it comes to dairy production.

Mr. Speaker, I rise today in support of National Dairy Month, in support of our dairy farmers and farm families, and to also say thank you to all of these folks for providing us with food and fiber.

#### CONGRESS MUST REAUTHORIZE THE ELEMENTARY AND SECONDARY EDUCATION ACT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Ohio (Ms. FUDGE) for 5 minutes.

Ms. FUDGE. Mr. Speaker, today we find ourselves on the House floor yet again debating H.R. 5. After several months of delay, the majority party has yet to realize that this bill is not in the best interest of America's children.

We all agree that Congress must reauthorize a strong Elementary and Secondary Education Act. H.R. 5 does not meet the test.

Any reauthorization must ensure that education is properly funded at the State and Federal level for all of America's children; that all students have access to a well-rounded education, which includes subjects like physical education, music, and the arts; and that students are annually assessed, which allows for parents and teachers to measure students' progress.

H.R. 5 does none of these things. Instead, it fails our students, our teachers, and our families. The bill drastically reduces education funding, eliminates and weakens protections for disabled students, fails to provide a well-rounded education for all students, and generally makes it more difficult to educate those for whom the act was designed to protect.

The bill turns title I funding into a block grant. The program would disproportionately harm disadvantaged and low-income students. Schools across the country, including some in my own congressional district, rely on these funds to help ensure children are given a fair chance to meet State academic standards.

H.R. 5 also allows title I dollars to become portable, which would divert much-needed funds from the highest need poverty schools and districts.

H.R. 5 removes requirements that States ensure students graduate from high school college and career ready. The bill focuses primarily on math and reading assessments, without providing any programmatic support for literacy, for STEM, and for other subjects that provide a well-rounded curriculum. It eliminates wraparound support serv-

ices, which are very important to needy students. It eliminates after-school, family engagement, physical, dental, and mental health programs.

This year, we commemorate the 50th anniversary of the Elementary and Secondary Education Act. The bill, essentially a civil rights law, reaffirmed that every child has the right to an equal opportunity for a quality education.

However, H.R. 5 undermines the law's original intent, turning back the clock on equity and accountability in American public education and ignores the needs of America's most vulnerable students. H.R. 5 is a step backward in our country's education system. This legislation fails our students and their families.

America deserves better.

#### REAUTHORIZE THE LAND AND WATER CONSERVATION FUND

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. COSTELLO) for 5 minutes.

Mr. COSTELLO of Pennsylvania. Mr. Speaker, this week the House will be considering the appropriations bill for the Department of the Interior for the upcoming fiscal year.

I rise today to express my support for a robust and continued funding for and the permanent reauthorization of the Land and Water Conservation Fund.

Over this past Independence Day weekend, I was particularly reminded of how so many of us enjoy the natural wonders of our hometowns and communities, from picnics at playgrounds, baseball games on municipal recreational fields, honoring our heritage and celebrating our independence with fireworks, music and parades at local historic sites and parks.

That is part of why the Land and Water Conservation Fund is so important. It helps our communities protect critical lands by providing State and local governments with necessary funding and flexibility to develop and improve lands for public access and recreational enjoyment. It is part of highlighting the heritage and character in my district in southeastern Pennsylvania.

My home State of Pennsylvania has received approximately \$295 million in the past five decades from the Land and Conservation Water Fund. It has protected places with national significance, such as Gettysburg National Military Park, Valley Forge National Historical Park, and John Heinz Wildlife Refuge.

In addition, in my congressional district, we can thank the Land and Water Conservation Fund for helping fund the building of the Birdsboro Waters Forest Legacy project, protecting critical woodlands at the East Coventry Wineberry Estates, expanding

Shaw's Bridge in East Bradford Township, and enhancing Pottstown Borough Memorial Park with a new dog park, pavilions, restrooms, ball fields, and walking trails.

Mr. Speaker, one thing that was apparent this past weekend was just how integral our public lands and outdoor recreation areas are to our heritage, civic identity, and local community.

I believe the Land and Water Conservation Fund is one of our most important conservation programs and an excellent example of a bipartisan commitment to safeguarding natural resources, promoting our cultural heritage, and expanding recreational opportunities not just for a moment in time, but for future generations as well.

I also believe it is a program that allows our local communities to dream big about how to best go about enhancing their communities for their residents.

As an original cosponsor of H.R. 1814, which would permanently reauthorize the Land and Water Conservation Fund, I am looking forward to working with my colleagues in an effort to help communities across this country create lasting legacies of public access to the cultural and recreational opportunities identified by officials in their local communities as being worthy of funding for future projects.

#### STUDENT SUCCESS ACT FAILS STUDENTS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Alabama (Ms. SEWELL) for 5 minutes.

Ms. SEWELL of Alabama. Mr. Speaker, today I rise to express my strong opposition to H.R. 5, the so-called Student Success Act. I am deeply disappointed in the majority for bringing such an economically careless and socially egregious bill to the floor today.

If passed, H.R. 5 would take more than \$7 million from the highest need schools in my home State of Alabama. It is really an abomination that this body would do this to our constituents and do this to our students.

H.R. 5 abandons the Federal Government's historic role in elementary and secondary education. Furthermore, this bill neglects our sacred responsibility to ensure that all children, irrespective of race, class, disability, or socioeconomic class, are given the opportunity to attain a high quality education.

Each of us in this body has the opportunity to send our own children to the finest K-12 institutions in this country, but our privilege isn't universal, and we shouldn't legislate as if it is.

In the Seventh Congressional District of Alabama, that privilege, the ability to send our children to the private schools or public schools of choice, is nearly nonexistent.

□ 1045

More than 70 percent of the public school students in my district receive free or reduced lunch, and they live in families that live below the poverty line. And of the 26 school districts that serve my constituents, only two of them have a poverty rate that is less than 56 percent.

The Elementary and Secondary Education Act was first written in recognition of the impact that concentrated poverty has on a school system's ability to adequately support the educational programs needed to serve vulnerable communities.

But H.R. 5 would strip the ESEA of the protections for these students by diverting title I funds. This approach is backwards, and our children deserve better. If I were grading this bill, I would definitely give it an F.

As a proud product of Selma High School, this is deeply personal to me. Today more than 90 percent of the Selma High School students in my district, from my old high school, receive free and reduced lunch. Under H.R. 5, this school would lose nearly 20 percent of its Federal funding.

The greatest opportunity that we can give any child is a quality education. This is why I cannot support this bill, which diverts title I funds from 92 percent of the schools in my district. This would further tilt the playing field against poor kids.

These children belong to all of us. Unfortunately, this bill is proof that somewhere along the line we have abandoned the most sacred American principle, that all children—I mean all children—are our children.

We cannot deny that a rising tide lifts all boats. The economic and social costs of refusing to accept these facts are steep.

When President Johnson signed the Elementary and Secondary Education Act in 1964, he stated, "As President of the United States, I believe deeply no law I have signed or will ever sign means more to the future of America than this bill." President Johnson was right then, and he is right now.

To promote our educational progress, we must replace No Child Left Behind with a strong bipartisan bill, one that advances what works and improves upon what does not. Unfortunately, this bill does neither.

I urge this body to oppose this reckless bill, H.R. 5. Our children deserve better. Our constituents deserve better. This Nation deserves better.

#### KELO V. NEW LONDON

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. REED) for 5 minutes.

Mr. REED. Mr. Speaker, I rise this morning to highlight an issue that I believe we must pay closer attention to in this Chamber and in this Congress.

You see, on June 23, Mr. Speaker, we marked the tenth anniversary of an important Supreme Court case. That case was *Kelo v. New London*.

Now, the title of the case really means nothing. But I point to Susette Kelo, who I have here depicted in this picture. She was the plaintiff in that case. And what happened in that case was this, Mr. Speaker, a real tragedy:

She was told by her government that they were going to take her home and give it to another private owner for development. You heard me right, Mr. Speaker. She was told that her home was going to be taken by our government because they were picking the winners and losers because they felt they knew best how to utilize her property and give it to another private owner to develop it the way that private owner wanted to do.

Well, Mr. Speaker, Susette Kelo stood up. She fought this fight. She was told by her friends, she was told by her real estate agents, she was told by her lawyers: Just roll over. The government always wins, and they are going to win this battle.

But she fought it all the way to the Supreme Court. And what happened, however, is that that advice from her friends and from her real estate agent and her lawyers came true. The government won.

But that day we all lost, as American citizens. Because here is what happened after that case. She lost her home. And this is a picture of her property—well, no longer her property—but that property, as it exists today. They demolished her home. They took her property. She lost her piece of the American Dream. And the result of it is a vacant lot that sits in New London.

Mr. Speaker, I highlight this case today because it reminds us of an issue that we must fight for, and that is a fundamental freedom that we all enjoy as American citizens, to own and to use our property.

It is something that is fundamental to our U.S. Constitution. It is something fundamental to us as American citizens. And it is time for us to unite, as Republicans and Democrats, and say enough is enough. We must push back on Big Government. We must stand with individuals.

This land belongs to them, not our government. And that is something that I am afraid that started 10 years ago and continues to this day with actions of Big Government day in and day out, where government regulations, government overreach—local, Federal, State level—act in a way that takes away these fundamental property rights that so many have fought for.

So in Congress I have led the fight. I formed the Private Property Rights Caucus, with Members from Maine to Alabama to California. I have sponsored and authored the Defense of

Property Rights Act to say enough is enough. We are going to stand with individuals, and we are going to fight this Big Government overreach.

Mr. Speaker, these hard-fought rights have come at the expense of so many, the blood of those who fought to preserve our freedoms, the blood of our Founding Fathers and the vision they set forth in our Constitution. And this Kelo case was a moment in time at a drop of a gavel when those fundamental rights were threatened and lost.

So I stand today and ask my colleagues and all of the people across America to stand with us, to stand with me, to make sure we coordinate our efforts to make sure that our fundamental property rights are protected and individuals like Susette Kelo are rewarded for her bravery in taking the fight.

Though she may have lost that battle, I stand with her to win this war to protect our fundamental property rights that so many have fought for over the years.

#### STUDENT SUCCESS ACT FALLS SHORT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. ADAMS) for 5 minutes.

Ms. ADAMS. Mr. Speaker, today I rise in opposition to H.R. 5.

Education is a civil right. And when the Elementary and Secondary Education Act was passed in 1965, its purpose was to ensure access to a quality education for our neediest students that are often low income and minority.

We can all agree that ESEA reauthorization is long overdue. However, the proposal put forth by Republicans falls short and makes a bad situation worse.

Each day that No Child Left Behind is law is one more day that we are, in fact, leaving children behind.

H.R. 5 is not the answer. Voting for this bill means voting against our students, our teachers, and our schools. A vote for H.R. 5 is a vote to take money from our poorest and most at-risk students. It is a vote to erase the educational gains we have made over the past 50 years. It is a vote to deny many of our students a chance at real success.

It is time to wake up. It is time to vote "no" on H.R. 5.

Congress passed ESEA 50 years ago with the intent of protecting our students by providing quality and equal education. Today, instead of putting forth a bipartisan bill that moves us closer to equal and quality education for every child, Republicans have introduced a bill to roll back the hands of time and undo our progress.

H.R. 5 turns its back on some of our most vulnerable student populations.

It lacks the accountability measures to ensure student success.

A report from the Southern Education Foundation found that more than 50 percent of our public school students live in poverty. Title I has always been the main source of Federal funding for our country's poorest students.

H.R. 5 would reverse this long-standing practice and, instead, remove money from our school districts with the greatest need, diluting their ability to meaningfully fund programs that serve low-income students.

At a time when 40 percent of college students take remedial courses and employers continue to complain of inadequate preparation for high school graduates, we must ensure that all students are college ready and are career ready. H.R. 5 allows States to lower standards that lead to students graduating unprepared.

So how can we expect our students to compete in a global economy when they aren't prepared? We need to invest in the future of our children, support our teachers and our principals, ensure the success of our neediest students.

And that is why I am proud to support the amendment of the gentleman from Virginia (Mr. SCOTT), and I thank him for his leadership in challenging H.R. 5.

This amendment reaffirms the Federal Government's proper role in education, addressing many of the problems that surround No Child Left Behind.

Students in low-income families already have obvious disadvantages. This amendment prioritizes early education to help our students start out strong. It puts protections in place against bullying, and it supports the physical, mental, and emotional stability of students. It gets rid of AYP and also makes important investments in STEM education.

Education should be an issue that unites us, not divides us. The Scott amendment is exactly what our schools and our students and our teachers need.

I urge my colleagues to vote for the Scott amendment and not for H.R. 5 because H.R. 5 fails on all accounts. It fails our neediest students. It fails to invest in our teachers and principals. And it fails to prepare students for college and careers and to address the core principles of Federal education policies.

H.R. 5 deserves an F. I urge my colleagues to join me in opposing it.

#### CONGRATULATING THE U.S. WOMEN'S WORLD CUP SOCCER TEAM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. OLSON) for 5 minutes.

Mr. OLSON. Mr. Speaker, this past Sunday, the day after our Independ-

ence Day, the U.S. women's World Cup team gave us the best fireworks show ever. They lit up the team that beat them 4 years ago in the World Cup, Japan.

We scored in the third minute, the fifth minute, the 14th minute, and the 16th minute. 4-0 in 16 minutes. We had gone over 5½ hours without giving up a goal. Japan was done.

Our women won every game because they left their egos in the locker room. When they jogged onto that field, they were a team full of love, love of soccer, love of America, and love of each other, their teammates.

The best example of that love was a small blue arm band. It is worn by our team captain. If you missed this band's journey through our victory on Sunday, I will recount it for you.

It was on Christie Rampone's left arm as her gold medal was placed around her neck. It was her second gold medal in a World Cup match. She is closer to my age than all of her teammates. Sunday was her last World Cup game.

She got that blue band from Abby Wombach, the greatest woman soccer player in American history. That is her picture beside me. Abby has scored 23 goals in World Cup matches, but she had only had a silver medal from World Cup matches, never a gold. She knew that was changing when she jogged onto that field in the 79th minute of play.

□ 1100

She also knew that, like Christie, this was her last World Cup match. A teammate stopped Abby before she entered the game. Team Captain Carli Lloyd stopped her idol, Abby, to make sure Abby's uniform was complete. There was a problem that Carli had to fix up, so she helped Abby by putting that blue armband on her left sleeve as our team captain.

Carli plays pro soccer in my hometown of Houston, Texas, and we Texans believe bigger is always better. While Carli has been a Texan for a few months, she knows how to go big, real big. She scored a hat trick—three goals—in the first 16 minutes.

Mr. Speaker, the 2015 women's World Cup gold medalists gave us a priceless gift: the joy of being alive, feeling American pride surge through your veins, having that breath—that short breath of excitement—or having that extra heartbeat, knowing that you are alive.

America thanks our gold medal winners, our America's World Cup champions of 2015.

#### PUERTO RICO'S POLITICAL STAGNATION AND ITS ECONOMIC CRISIS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Puerto Rico (Mr. PIERLUISI) for 5 minutes.

Mr. PIERLUISI. Mr. Speaker, the U.S. territory of Puerto Rico, home to 3.5 million American citizens, stands at a crossroads. The Governor recently announced that Puerto Rico cannot pay all of its debts. The Governor's comments were not constructive because they lacked precision.

Puerto Rico's total debt is about \$72 billion, and the structure of this debt is complex. About 17 entities in Puerto Rico have bonds outstanding, from the central government to public corporations. The terms, source of repayment, and the level of legal protection for each bond varies.

For instance, bonds issued by the central government received priority payment under the Puerto Rico Constitution, which was authorized and approved by Congress. Accordingly, when the Governor asserted that Puerto Rico cannot pay its debts, the sweeping nature of his comments raised many practical and legal questions and generated considerable anxiety.

Mr. Speaker, the crisis in Puerto Rico is real, and it must be confronted with composure, competence, and candor. To this end, I want to articulate a simple truth, but one that is often overlooked: namely, the challenges we face are structural in nature and, therefore, require structural solutions, at both the Puerto Rico and the Federal level.

Within Puerto Rico, more discipline by the territory government is imperative. We must learn to live within our means. Puerto Rico's political leaders have shown the capacity to develop sound strategies, but have not always demonstrated the same ability to effectively execute those strategies. Performance, not planning, is the problem. We can do better, and for the sake of our constituents, we must do better.

Mr. Speaker, honest self-appraisal and self-criticism are essential, but cannot be limited to Puerto Rico. If the American public is under the impression that Puerto Rico is solely to blame for this crisis, it is profoundly mistaken.

The source of the problem in Puerto Rico is not its people, who are talented and hard-working, nor is it our political leaders, who are no better or worse than their counterparts in other U.S. jurisdictions who at times also overpromise and underdeliver; instead, the root cause of the problem is our political status, which has given rise to a system of severe and entrenched inequality that makes it exceptionally difficult to succeed and exceptionally easy to fail.

The direct link between Puerto Rico's political status and its economic problems was explored at a recent congressional hearing. The hearing served to underscore that there are more American citizens in Puerto Rico than in 21 States, that they serve in the U.S. military in large numbers, but that

they cannot vote for President or Senators and have only one nonvoting Delegate in this House.

The hearing highlighted that, as a territory, Puerto Rico can be and often is treated worse than the States under Federal laws, from Medicaid to the earned income tax credit to chapter 9 of the Bankruptcy Code. To compensate for the deficiency in Federal economic support, the Puerto Rico Government has borrowed heavily, which explains the excessive debt.

In recent years, 250,000 island residents have moved to the States, and these numbers are only growing. Once in the States, they are entitled to full voting rights and equal treatment under the law, rights they were denied in Puerto Rico.

Mr. Speaker, this is an intolerable situation. My constituents have tolerated it for too long, and they will tolerate it no longer. They voted for statehood in a local referendum in 2012, and they will vote for statehood again in even greater numbers in a Federal referendum in 2017.

My message to my colleagues is simple. If you give us the same rights and responsibilities as our fellow American citizens and let us rise or fall on our merits, we will rise; but, if you continue to treat us like second-class citizens, don't profess to be surprised when we fall.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 6 minutes a.m.), the House stood in recess.

□ 1200

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

#### PRAYER

Reverend Shane Hall, First Southern Baptist Church, Del City, Oklahoma, offered the following prayer:

Holy and awesome God,

We give You thanks today for every good gift, for we know that every good gift comes from You.

We give You thanks today for the United States of America and the freedoms found within her borders.

We give You thanks today for the men and women of this Congress whom You have placed in positions of leadership in our Nation

May You give them wisdom, which can only come from You, to legislate in such a way that the laws of this Nation might conform to Your will.

Impart within each of us a desire to seek You in all things pertaining to life

and eternal life. May we love You, our God, with all of our heart, soul, strength, and mind; and may we love our neighbor as ourselves.

For it is in the name of Jesus we pray.

Amen.

#### THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. WILSON of South Carolina. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. WILSON of South Carolina. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

#### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Minnesota (Mr. EMMER) come forward and lead the House in the Pledge of Allegiance.

Mr. EMMER of Minnesota led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

#### WELCOMING REVEREND SHANE HALL

The SPEAKER. Without objection, the gentleman from Oklahoma (Mr. RUSSELL) is recognized for 1 minute.

There was no objection.

Mr. RUSSELL. Mr. Speaker, it is my honor and privilege today to have with us to provide the opening prayer my pastor and good friend, Shane Hall, from Del City, Oklahoma.

Although Shane was born in Brook, Indiana, he actually grew up in Burns Flat, Oklahoma. He is a graduate of Oklahoma Baptist University, with a secondary in education. He also got a master's of divinity with biblical languages from the New Orleans Baptist Theological Seminary.

He has pastored a half-dozen churches in Oklahoma and Louisiana, and he is currently the pastor of my home church, First Southern Baptist Church of Del City, Oklahoma.

He also serves on the executive committee of the entire Southern Baptist



Convention, and he is a member of the Baptist General Convention of Oklahoma board of directors.

His wife, Misty, and his two daughters, Macy and Mallory, are wonderful people that, if you are ever in Oklahoma, I encourage you to attend services and get to know them.

Thank you for allowing us to make his introduction this morning.

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#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE.

The SPEAKER pro tempore (Mr. DUNCAN of Tennessee). The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

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#### HONORING THE LIFE OF TINO TRUJILLO

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, today, I rise to honor the life of Tino Trujillo. Tino was a well-known community leader in Plano and Dallas. My wife, Shirley, and I had the privilege of calling him and his late wife, Janie, friends.

Tino was a special person in our hometown. He immigrated to California in 1952 and became a proud American citizen, serving in the United States Army at Fort Hood. In 1975, he found his way to North Texas where he opened his first restaurant.

He loved to serve people, not only with good Mexican food, but giving back to the community that he loved. In fact, he was a founding trustee of Collin College, and he served for nearly 30 years.

Tino was soft-spoken, kindhearted, and he will be greatly missed in Plano and Texas.

America would be a better place with more folks like him.

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#### SONS OF ITALY

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, I rise today to honor the members of Forum Lodge 391 of the Order Sons of Italy, which later this month is celebrating its centennial anniversary as a civic organization in Newport, Rhode Island.

Originally known to members by the name La Loggia Progresso e Civiltà, Forum Lodge 391 has worked to promote and celebrate Italian heritage and culture on Aquidneck Island since it was founded on July 4, 1915. Over the years, it has established itself as a Rhode Island institution by hosting numerous community and cultural events for all to enjoy.

Most notably, Lodge 391's Anna M. Ripa Memorial Scholarship opens doorways to opportunity each year for Italian American high school seniors in Rhode Island who demonstrate success in the classroom and prepare a written essay on their cultural heritage.

I congratulate President Shirley Ripa and the men and women of Forum Lodge 391 of the Order Sons of Italy on this important milestone, and I extend my best wishes on their centennial celebration on July 23.

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#### CRAFT BREWERS ARE CREATING AMERICAN JOBS

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, over the past few years, we have seen small brewers in Minnesota and around the country continue to meet the needs of a public that is growing in its appreciation for craft beverages.

At the same time, these brewers are burdened by out-of-date regulations and high taxes that make it difficult for them to grow their businesses and play an increasingly greater role in their local economy.

That is why I have introduced the Craft Beverage Modernization and Tax Reform Act with my colleague, RON KIND from Wisconsin, to modernize the Tax Code and streamline regulations for these small businesses.

These small breweries are a true example of the American dream. Many start out as hobbyists in the basement or in the garage, and they grow to be successful while, at the same time, creating jobs and creating a quality product.

Mr. Speaker, we need to make sure we embrace the potential this industry has, and that means modernizing our tax rules and our Tax Code to ensure that these small employers continue to grow.

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#### SYMBOLS OF HATE IN OUR NATION

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, many of us have not spoken on the floor of the House on the horrific tragedy that occurred in Mother Emanuel Baptist church, our respect for our colleague from South Carolina; our respect for our assistant leader, JIM CLYBURN; and our respect for the families that have buried their dead over the last week. Many of us joined the President in Charleston, South Carolina, for the funeral of Reverend Dr. Pinckney.

Today, I rise to ask this body, reflecting on two amendments that were offered last night regarding the Confederate flag that were voted on by voice

vote in the Interior bill, but I ask today the leadership to allow this House to look at three legislative initiatives that have been offered by Members based upon the Walker III v. Texas Division, Sons of Confederate Veterans case.

I want my colleagues to know that the Supreme Court, including Justice Clarence Thomas, ruled that government speech did not warrant the utilization of the rebel flag.

Finally, let me read to you the words about senator Pinckney. This is warranted. The President said:

My liberty depends on you being free, too. History must be a manual for how to avoid repeating the mistakes of the past, how to break the cycle, a roadway toward a better world. He knew that the path of grace involves an open mind but, more importantly, an open heart.

We need to debate on the floor of the House the symbols of hate in this Nation, and we need to do it now. I ask my colleagues, Republicans and Democrats, to join us in the legislative initiatives we have for this to be placed on the floor of the House for all of us to stand and debate what is positive about America.

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#### FAMILY, CAREER AND COMMUNITY LEADERS OF AMERICA

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, today, I introduced a bipartisan resolution with my friend and colleague from Rhode Island, Mr. JIM LANGEVIN, to recognize the Family, Career and Community Leaders of America on their 70th anniversary.

Family, Career and Community Leaders of America is a national career and technical student organization that promotes personal growth, leadership development, and career preparation opportunities for students in family and consumer science education.

Since the program was launched 70 years ago to this day, more than 10 million students have participated and gained the knowledge, skills, and credentials needed to secure careers in growing, high-demand fields. I was pleased to welcome FCCL students from Forest County, Pennsylvania, today.

Mr. Speaker, as co-chair of the bipartisan Congressional Career and Technical Education Caucus, I ask my friends to get behind this bipartisan resolution to support the goals and ideals of Family, Career and Community Leaders of America.

Now, more than ever, our young people need assurances that the skills they attain will lead to good-paying, family-sustaining jobs, and career and technical education programming can make those assurances.

## HIGHWAY TRUST FUND

(Mr. MICHAEL F. DOYLE of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, for far too long, Republicans in Congress have kept our Nation stuck in neutral, while our highways, bridges, and transit systems crumble around us. They keep riding the clutch with these short-term patches to keep the highway trust fund solvent for another couple of months.

You could say that we are in a big race and the road ahead is long. We can't keep stopping for gas every 5 minutes, and we have got to stop scrounging under the seats and the floormats for enough change to buy a gallon here and a gallon there.

America's been in the lead, but now, we are just inching along. If we don't get back on track soon, we are going to be left in the dust by our foreign competitors. In the next few months alone, more than 600,000 American jobs are at risk.

Mr. Speaker, congressional Republicans are in the driver's seat, so they need to start driving like pros. It is time for Congress to do their job and pass a long-term plan to pay for much-needed investments in our roads, rails, and bridges.

I say: "Fill her up with hi-test."

## OUTRAGEOUS IRAN NUCLEAR DEAL

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, President Obama's nuclear negotiations with Iran pose significant threats to American families. Already, the President has conceded too much. An agreement that does not clearly prohibit the development of nuclear weapons threatens American families and our closest allies, such as Israel.

Now, as the negotiation deadline has been further extended, it is clear that President Obama is willing to grant more concessions to this murderous regime whose program of developing intercontinental ballistic missiles puts America as a target.

I am grateful that Congress passed the Iran Nuclear Agreement Review Act, giving Congress a voice in the final deal. I urge the President to change course with this oppressive regime that promotes death to America, death to Israel.

It is not too late to prevent a legacy of appeasement and avoid being remembered as a new Neville Chamberlain, establishing nuclear weapons across the Middle East.

In conclusion, God bless our troops, and may the President by his actions never forget September the 11th in the global war on terrorism.

## OPPOSING STUDENT SUCCESS ACT

(Mr. HINOJOSA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HINOJOSA. Mr. Speaker, I rise in strong opposition to H.R. 5, a misguided bill which denies America's children access to high-quality education.

Today, greater numbers of economically disadvantaged children are entering our public schools. For example, in my State of Texas, of the 5 million students enrolled in public schools in 2014 statewide, more than 3 million would be adversely impacted if we vote to pass H.R. 5.

This Republican bill abandons the Federal Government's historic commitment to educating disadvantaged populations. H.R. 5 block grants vital Federal programs, such as title I of the education code targeted for English language learners, migrant children, neglected and delinquent youth, and Native American education.

The bill allows States and districts to siphon away these Federal funds and use them for other purposes because of the proposed changes in the intent of the many education programs passed many years ago—50 years ago to be exact—under the leadership of President Lyndon Baines Johnson.

H.R. 5 would provide inadequate funding and move backward on equity and accountability, harming the education of our Nation's children.

I respectfully urge Members of Congress on both sides of the aisle to vote "no" on final passage today.

□ 1215

## A NAVY MAN

(Mr. EMMER of Minnesota asked and was given permission to address the House for 1 minute.)

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to celebrate one of my own. As of today, my son, Joe, is officially a member of the United States Navy.

My wife, Jacquie, and I are the proud parents of seven children. Last month, Joe, our fifth child, graduated high school and now is off to serve his country.

Today, as Joe leaves for basic, he knows that hard days lie ahead. He understands that he will have to listen and learn and, when the time comes, lead.

Like millions of brave and selfless Americans before him, Joe has taken an oath to serve his Nation and to protect the freedoms we hold dear.

My wife and I are so proud of Joe, and we are humbled by his chosen path.

So to Joe and his fellow recruits, we honor and thank you for your service, and we wish you fair winds and safe seas.

Joe, we will pray for you, and we look forward to seeing your transformation from citizen to sailor. We love you.

## WEAR RED WEDNESDAYS

(Ms. WILSON of Florida asked and was given permission to address the House for 1 minute.)

Ms. WILSON of Florida. Mr. Speaker, today we wear red to bring back our girls.

Boko Haram has heeded ISIS' call for increased violence and a so-called Month of Disaster in a rapid string of egregious acts of violence. A brutal spate of bombings and shootings has ripped through the country, killing at least 300 people in the past week alone.

Mr. Speaker, Boko Haram's unyielding thirst for violence and unflinching disregard for human life cannot go unchecked.

Later this month, when Nigerian President Buhari visits the White House to discuss the fight against Boko Haram with President Barack Obama, he must know that we here in Congress are committed to giving the Government of Nigeria the support it needs to defeat Boko Haram.

Mr. Speaker, I urge my colleagues to join me in cosponsoring H. Res. 147, as amended, to help the Nigerian Government bring back our girls and defeat Boko Haram for good.

Mr. Speaker, don't forget to tweet, tweet, tweet bring back our girls, #bringbackourgirls, #joinrepwilson, #bringbackourgirls. Tweet, tweet, tweet.

## LET'S FIX OUR PARKS, NOT ADD MORE

(Mr. SMITH of Nebraska asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Nebraska. Mr. Speaker, I rise today to express concern about continued acquisition of private lands by the Federal Government.

The Federal Government currently owns about 30 percent of the land in our country but is unable to properly maintain this land, as evidenced by the Park Service's staggering \$11.5 billion backlog of maintenance projects, yet the Federal Government continues to spend limited taxpayer dollars and resources on more land. For example, many of my constituents are facing a push by the government to take over historically private land.

A June 30 New York Times article, entitled, "Let's Fix Our Parks, Not Add More," further illustrates the scope of this problem, criticizing the administration's decision to add seven new parks to the system.

I urge my colleagues to oppose future land purchases and instead focus the Interior Department's attention on

properly maintaining existing Federal lands to ensure access for generations to come.

#### EXPORT-IMPORT BANK REAUTHORIZATION

(Mr. GALLEGRO asked and was given permission to address the House for 1 minute.)

Mr. GALLEGRO. Mr. Speaker, I rise today to highlight an issue that deserves our immediate attention: the Republican leadership's failure to bring the reauthorization of the Export-Import Bank to the House floor for a vote.

The Ex-Im Bank plays a critical role in our economy, opening international markets to U.S. businesses by facilitating the sale of American goods and services overseas. The Bank evens the playing field for American companies, enabling them to compete based on the quality of their products, not on the financing term they can offer.

Allowing the Bank's authorization to expire will have real-world consequences, Mr. Speaker. If we don't act, American businesses that employ tens of thousands of our workers will struggle to survive in this competitive global marketplace.

There is no question that there are enough votes in both the House and the Senate to pass the Ex-Im Bank reauthorization at this point on a bipartisan basis.

Mr. Speaker, for the sake of American businesses and workers, the Republican leadership needs to stop playing to their out-of-touch base and start acting in the best interests of the American people by reauthorizing the Ex-Im Bank immediately.

#### HIGHLIGHTING THE VITAL ROLE OF FORT POLK, LOUISIANA

(Mr. BOUSTANY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOUSTANY. Mr. Speaker, I rise to highlight the vital role Fort Polk, Louisiana, plays in our Nation's strategic defense and to urge the U.S. Army to spare it from any cuts.

Fort Polk houses the Army's primary Joint Readiness Training Center, the Nation's premier combat training center.

Fort Polk is also home to the 3rd Battalion, 10th Mountain Division, Fort Polk's lone brigade combat team, a highly mobile, lethal, and flexible combat unit. This team was recognized as a superior brigade combat team, awarding it the Meritorious Unit Citation for its efforts in Operation Iraqi Freedom.

Any cuts to this award-winning unit would deal a devastating blow to the post, its surrounding communities, and Louisiana as a whole. The local community and State have invested money

and donated land, demonstrating their commitment to this imperative post.

As the Army announces its troop realignment, Louisiana stands together to support the 3rd Battalion, 10th Mountain Division brigade combat team, the Fort Polk community, and the military excellence they represent.

#### PASS HIGHWAY TRANSPORTATION FUNDING

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, on July 31, the highway and transit trust fund will expire.

So what does the expiration of the trust fund mean to America, to American families?

It means the potential loss of over 600,000 jobs. It means the cancellation of major infrastructure projects. In fact, I heard this morning that five States have already canceled or delayed major projects because of Congress' lack of ability to do its work.

My home State of Michigan, we know more than anyplace that if we invest in our roads and bridges and rails, we grow our economy.

Other nations, instead of planning months ahead, are planning years ahead and building infrastructure. China, for example, is spending 10 times what we are as a percentage of their GDP on infrastructure.

Meanwhile, back in May, instead of thinking about the decades to come and hundreds of thousands of jobs, this Congress passed a 2-month extension, a self-imposed, manmade crisis, governing crisis to crisis on every big issue that we deal with.

We can't let this happen. This Congress needs to do its job. We need to come together in a bipartisan way—we can do it—and pass an extension of the highway trust fund that invests in America and puts American workers back to work rebuilding this country.

If we don't do this, we cannot expect our economy to grow. Congress has to act.

#### JOE'S BBQ IN FANNIN COUNTY, GEORGIA

(Mr. COLLINS of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COLLINS of Georgia. Mr. Speaker, in the Ninth District of Georgia, there is something we like, and that is barbecue. Especially our office, our staff, and our interns know this well, and especially my ag intern, Casey, from Georgia, because we now can ascribe to Trip Advisory's latest pick of the Nation's best barbecue. And I am proud to announce Joe's BBQ was named number one barbecue in the country.

Joe's is located 90 miles north of Atlanta in Blue Ridge and was founded just 3 years ago by a former mortgage salesman, Joe Ray. Mr. Ray moved to Blue Ridge, Georgia, 10 years ago to pursue his career in mortgage banking, but he ended up doing barbecue. He calls it beginner's luck, but I think it is turning into a legacy and a tradition in north Georgia. You see, customers travel from hundreds of miles to experience the secret recipe at Joe's BBQ, and it has been named number one as proof of the fruits of their labor.

So now we have many coming to northeast Georgia to experience what we in the Ninth District always knew: the best barbecue is in north Georgia, the greatest place in world. And I just want to invite everybody to Joe's BBQ in Blue Ridge.

#### HUMANITARIAN CRISIS IN YEMEN

(Mrs. DINGELL asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. DINGELL. Mr. Speaker, I rise to bring to the attention of my colleagues a humanitarian crisis in Yemen. My district is home to many Yemenis who are deeply concerned, and many families have been in my office in total desperation and tears. This week, 45 civilians were killed after an airstrike hit a marketplace north of Aden.

Of real concern is the current outbreak of dengue fever. The World Health Organization estimates there are at least 3,000 cases of dengue fever in Yemen right now, and other groups are estimating it is twice that.

My constituents have family members who are suffering and have no access to medications, doctors, hospitals or, in many cases, even clean water. We must show U.S. leadership to help contain this outbreak.

Today I sent a letter to Secretary Kerry asking about plans the State Department is undertaking to combat this problem. I hope my colleagues will join me in a bipartisan manner to support real concrete action that is needed to help the Yemenis who are sick, desperate, and in critical need of assistance and leadership.

#### HONORING GRANITE STATE COMMUNITY LEADER DON MOORE

(Mr. GUINTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUINTA. Mr. Speaker, I rise today to honor a selfless Granite Stater who is paving the way for our mental health community and was recently awarded the Portsmouth Rotary Club's Humanitarian Award.

In 2014, Don Moore founded Seacoast Pathways in Portsmouth, New Hampshire, with the goals of providing those

with mental illness resources to find a stable place to live, find a job, and opportunities for members to develop talents and interests to stay engaged in our community.

For far too long, the topic of mental health has been regarded as taboo and carries with it an undeserved stigma. People like Don Moore are changing this negative perception and bringing about positive change for our communities.

In fact, the successes of the clubhouse model used by Seacoast Pathways are borrowed from another successful clubhouse in Manchester, New Hampshire, called Granite Pathways. This spring, I had the privilege of visiting both, meeting with their staffs and clubhouse members.

Seacoast Pathways' commitment to creating a community where members can reach their goals of work, education, and stable housing are absolutely commendable, and it is because of the selfless and dedicated folks like Don that our State remains a shining example of best practices in this area.

On behalf of the entire Granite State, congratulations to Don on receiving a well-deserved honor, and for working tirelessly on behalf of the mental health community.

#### HONORING THE LIFE OF KEVIN JOSEPH SUTHERLAND

(Mr. HIMES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HIMES. Mr. Speaker, 4 days ago, on July 4, a young man was murdered just a mile from here in broad daylight on a crowded subway. That young man was Kevin Joseph Sutherland, 24 years old. He was my campaign volunteer, my intern, and my friend.

Maybe that is unremarkable. Violence seems to be a part of who we are and all too present with us.

But I want to tell this House that Kevin was in Washington because he believed in the best of us, each one of us. He believed that we could come together. He believed that we could set aside our petty prejudices. He believed that we could bring our voices together in this Chamber and make a better world.

I think there is a chance that 20 years from now Kevin might have served in this Chamber. Now, that is not going to happen. But Kevin's spirit of openness, of optimism, of possibility, that spirit must live on in this Chamber and in our hearts.

Thank you, Kevin.

#### HONORING PRIVATE WILLIAM LONG AND PRIVATE QUINTON EZEAGWULA

(Mr. HILL asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. HILL. Mr. Speaker, I rise today to pay tribute to two courageous young men, Army Private William "Andy" Long and Private Quinton "EZ" Ezeagwula.

On June 1, 2009, these soldiers were the target of a terrorist attack at a military recruiting station in my hometown of Little Rock, Arkansas, which, tragically, Andy Long did not survive.

Last Wednesday, in an emotional ceremony at the Arkansas State Capitol and after a wait of 6 years, these two soldiers were finally awarded the Purple Heart Medals they deserved.

I was privileged to be present as EZ and the family of Andy Long received the recognition they deserve for their sacrifice to our Nation.

Andy's father, Daris Long, put it best at the ceremony when he stated that this was never just about Purple Hearts. "It was about accurately identifying what really happened in Little Rock and at Fort Hood. These acts were not simply a drive-by shooting or workplace violence. They were terrorist attacks on our servicemembers in our own land."

I am truly appreciative of the work of our entire congressional delegation, both past and present, whose tireless efforts over the past 6 years ensured the sacrifice of these young men has been fully recognized and honored.

□ 1230

#### HONORING CHRISTINE RATH UPON HER RETIREMENT

(Ms. KUSTER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KUSTER. Mr. Speaker, today I rise to honor one of New Hampshire's best and brightest educators upon her retirement.

Christine Rath has served as superintendent of the Concord School District for 15 years, helping to maintain the high standards of public education in Concord, New Hampshire. I am a proud product of Concord's public schools; so, they hold a special place in my heart.

Chris started her teaching career right here in Washington, D.C., in the 1960s as a member of President Johnson's Teacher Corps, designed to help educate low-income students in cities all across this country. That is where she met her husband Tom Rath, another community leader who has made many positive contributions to the Granite State over the years.

After they moved to New Hampshire, she taught in Goffstown, worked in Concord's Second Start alternative education program, and eventually became the principal of Rundlett Middle

School in Concord. Chris has spent decades working to provide excellent education and support to students of all ages across the Granite State.

Our young people are our Nation's greatest resource, and it is absolutely essential that they have the tools they need to follow their dreams and meet the challenges of the 21st century.

Chris sets an extraordinary example for young educators who hope to change the lives of their students through commitment and creativity. I applaud her impressive service to the students, the city of Concord, and to the Granite State.

#### IMMIGRATION

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, just last week an American woman was shot and killed by an illegal immigrant while walking through a tourist-friendly area of San Francisco with her father.

She was killed for no reason by an illegal immigrant convicted of seven felonies who had been previously deported five times and was released by the San Francisco Police Department again over the objections of Federal immigration authorities.

This is sadly not the first time this has happened. Several years ago a father and his two sons were killed by an illegal immigrant felon who, again, San Francisco refused to detain for Federal immigration authorities.

The evidence is clear. Sanctuary city laws make our cities less safe and endanger Americans. Despite liberal claims to the contrary, this refusal to enforce immigration laws means that dangerous criminals with no regard for our laws are walking our streets.

In California alone, over 10,000 immigration detainer requests were declined; 10,000 known criminals were released in violation of Federal law.

Mr. Speaker, it is time for the House to act to ensure that the Federal Government does not aid cities who refuse to enforce our Nation's laws. That would be comprehensive immigration reform we can all understand.

#### SAFE CLIMATE CAUCUS

(Mr. TONKO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TONKO. Mr. Speaker, even though many in Congress still refuse to admit that climate change is a very real problem, the administration has been leading action on what has become one of the most important issues of our generation.

This week the White House announced a new initiative to increase

access to solar energy, especially in low- and moderate-income communities. This is a critical step to reducing our carbon footprint and showing the world that we are, indeed, ready to lead by example when it comes to clean energy innovation.

The initiative expands training and education for jobs in the solar industry and is a partnership with the private sector to increase diversity in a new “green collar” workforce. Access to clean, reliable energy results in good-paying jobs, cleaner air, and an opportunity for our innovators and entrepreneurs to grow our economy.

As a member of the Safe Climate Caucus and a co-chair of the Sustainable Energy and Environment Coalition, I applaud and support the administration’s announcement this week and will continue to press for broader climate action in this Congress.

#### IN MEMORY OF RAPHAEL “RAFE” SAGARIN

(Ms. MCSALLY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MCSALLY. Mr. Speaker, I rise today to honor the life of Dr. Raphael “Rafe” Sagarin, a world-renowned scientist and University of Arizona professor who died tragically a few weeks ago.

Rafe was passionate about the world’s oceans and applying the lessons of our natural world to solving modern challenges. He earned widespread recognition for theorizing that governments could learn national defense techniques by studying how animals adapt to threats they face in the wild.

During his lifetime, Rafe authored three books and nearly two dozen scholarly articles and book chapters. At the time of his death, he was leading a University of Arizona project called Biosphere 2 that involved creating a functional model of the Gulf of California in the Sonoran Desert.

I was fortunate enough to meet Rafe earlier this year and hear him describe with trademark enthusiasm his work studying adaptable security systems in southern Arizona. I am also currently reading his insightful book on the subject.

Rafe will be missed by so many around the world, but his contagious spirit and groundbreaking contributions over many years will have lasting impacts.

Rest in peace, Rafe.

#### CLEAN WATER AND SAFE DRINKING WATER STATE REVOLVING FUNDS

(Mr. MCNERNEY asked and was given permission to address the House for 1 minute.)

Mr. MCNERNEY. Mr. Speaker, during a severe drought crisis, such as the one

now in California, we must focus on solutions that create water and maintain a clean water supply. That is why I am stressing how crucial the Clean Water and Safe Drinking Water State Revolving Funds are.

Clean and safe water is essential for our homes, farms, and businesses. These funds help finance projects that treat domestic sewage, capture stormwater run-off, and deliver drinking water to homes and businesses. SFR programs are the only low-cost loans available for many small- and medium-sized communities to finance clean water infrastructure.

Every dollar that we invest in water infrastructure comes back to our economy six times over. Cutting the SFR programs will have a crippling effect on our communities’ abilities to meet water needs.

Republicans say they support drought relief. But, in reality, they have cut desperately needed funds for both these programs, a 23 percent cut in the House Interior, Environment, and Related Agencies Appropriations bill being debated today.

Congress must provide necessary funding to maintain our Nation’s aging water infrastructure. Our communities depend upon it.

#### OPPOSING THE STUDENT SUCCESS ACT

(Mr. TAKANO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TAKANO. Mr. Speaker, I rise today to oppose H.R. 5, also known as the Student Success Act. The Federal Government has played a key role in funding our education for 40 years; 40 years, Mr. Speaker.

We know how effective title I is when it is properly funded. We know low-income children and English language learners are negatively impacted when education funding is block-granted or made portable.

H.R. 5 does all these things: It locks in cuts to title I funding, block-grants many of the funding streams dedicated to specific at-risk populations, and it allows these funds to be diverted away from the districts and schools that need them most.

The Elementary and Secondary Education Act is meant to promote opportunity, Mr. Speaker, not take it away. I urge all my colleagues to oppose H.R. 5.

And while Ranking Member SCOTT’s substitute amendment is an improvement over the current law and I will be supporting it, I still have serious concerns about our Nation’s emphasis on standardized testing. We cannot continue to use standardized test scores to punish teachers and schools.

#### OPPOSING THE STUDENT SUCCESS ACT

(Mrs. CAPPS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPPS. Mr. Speaker, I rise today as well in strong opposition to H.R. 5, the so-called Student Success Act.

There should be no question that education in this country is a right, not a privilege. Every student deserves the opportunity to succeed, and that opportunity begins with equal access to high-quality education.

But this bill severely undercuts our public schools. It slashes funding and takes away critical resources from students with the greatest needs. It eliminates key protections for students with disabilities. It guts support for vital afterschool programs.

And on the Central Coast of California, where I am from, our high school graduation rates have continuously improved over the past 5 years, exceeding statewide averages.

We must build upon these successes, not turn the clock backwards by dismantling equity and accountability standards. We must instead continue to move forward, deliver the promise of a great education and the opportunity for a bright future. Sadly, this bill only takes away that promise.

I urge my colleagues to vote “no” on H.R. 5.

#### PASTOR BERNYCE CLAUSEL

(Ms. GRAHAM asked and was given permission to address the House for 1 minute.)

Ms. GRAHAM. Mr. Speaker, today I rise to honor the late Bernyce Clausel, who passed away at the age of 98 last week. She was a civil rights leader in Tallahassee who participated in the bus boycotts of 1956. She was a devout Christian who, with her husband, founded Calvary Baptist Church in 1958. And later she became the church’s pastor, one of the first women to do so in Tallahassee.

She was a fixture at town hall meetings and charity drives, and she was always there to help those in need. We lost a true north Florida hero, but I am so thankful that we had her for so long.

May God bless Pastor Bernyce Clausel, and may He bless each of us with the strength and dedication to serve our communities as well as she did.

#### PROVIDING FOR FURTHER CONSIDERATION OF H.R. 5, STUDENT SUCCESS ACT, AND PROVIDING FOR CONSIDERATION OF H.R. 2647, RESILIENT FEDERAL FORESTS ACT OF 2015

Mr. NEWHOUSE. Mr. Speaker, by direction of the Committee on Rules, I

call up House Resolution 347 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 347

*Resolved*, That during further consideration of the bill (H.R. 5) to support State and local accountability for public education, protect State and local authority, inform parents of the performance of their children's schools, and for other purposes, pursuant to House Resolution 125, it shall be in order to consider the further amendments printed in part A of the report of the Committee on Rules accompanying this resolution as though they were the last further amendments printed in part B of House Report 114-29.

SEC. 2. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2647) to expedite under the National Environmental Policy Act and improve forest management activities in units of the National Forest System derived from the public domain, on public lands under the jurisdiction of the Bureau of Land Management, and on tribal lands to return resilience to overgrown, fire-prone forested lands, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and amendments specified in this section and shall not exceed one hour equally divided among and controlled by the chair and ranking minority member of the Committee on Agriculture and the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendments in the nature of a substitute recommended by the Committees on Agriculture and Natural Resources now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-21 modified by the amendment printed in part B of the report of the Committee on Rules accompanying this resolution. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part C of the report of the Committee on Rules. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments

thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Washington is recognized for 1 hour.

Mr. NEWHOUSE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my good friend, the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

□ 1245

GENERAL LEAVE

Mr. NEWHOUSE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. NEWHOUSE. Mr. Speaker, on Tuesday, the Rules Committee met and reported a House rule, House Resolution 347, providing for consideration of two important pieces of legislation for which I am honored to be able to bring forward for consideration by this legislative body: H.R. 2647, the Resilient Federal Forests Act of 2015, and H.R. 5, the Student Success Act.

The rule provides for consideration of H.R. 2647 under a structured rule with four amendments made in order, a majority of which were offered by our Democratic colleague Members of the House. The rule also provides for further consideration of H.R. 5 under a structured rule with four additional amendments that were made in order.

Mr. Speaker, this rule provides for consideration of H.R. 2647, the Resilient Federal Forests Act of 2015, a bill that is critically important to my district in central Washington State which is, unfortunately, once again facing another devastating wildfire season.

This bipartisan, comprehensive legislation is aimed at expediting and improving forest management activities in Federal forests. It builds upon many legislative concepts introduced in this and in previous Congresses to address disastrous consequences of catastrophic wildfire, insect and disease infestations, and other threats to our Nation's forests.

H.R. 2647 would return resilience to the overgrown, fire-prone forests that encompass a great deal of land in the Western United States. It would dramatically improve the health and resiliency of our Federal forests and rangelands by simplifying environmental process requirements, curtailing project planning times, and reducing the cost of implementing forest management projects, all while still ensuring robust protection of the environment.

Mr. Speaker, just last year, my district in central Washington endured the Carlton Complex fire, the largest wildfire in our State's history, which was responsible for the destruction of over 300 homes and businesses. This devastating, catastrophic wildfire crippled many parts of my district, and many of my constituents are still trying to recover; yet it seems, as soon as we start to move past one major wildfire, another is immediately on our doorstep, literally.

Almost 10 days ago, new fires broke out in Washington State in cities like Wenatchee and Quincy and counties, including Benton, Chelan, Grant, Adams and Douglas, immediately spreading and some requiring Washington State fire mobilization resources to keep them from escalating. As the West continues to face severe drought conditions, the threat of wildfire will only continue to worsen.

In order to begin to prevent and address these fires, we need to reform the way we prepare for, respond to, and fund wildfire response and mitigation efforts. We cannot continue to limp from one devastating fire season to the next, leaving little to no time, and even less funding, available for reforestation, rehabilitation, and overall forest management.

This bill addresses those shortcomings by providing new methods of funding, which will tackle the problem of fire borrowing. It also includes tools the Forest Service can implement immediately to treat thousands of acres of forest land at a lower cost.

Earlier this year, the House Natural Resources Committee's Subcommittee on Federal Lands, of which I am a member, held a hearing on this bill. One of the witnesses testifying was U.S. Forest Service Chief Tom Tidwell.

In his opening comments, Chief Tidwell remarked that "the Forest Service is encouraged by many of the goals outlined within" the bill and "welcomes legislation that incentivizes collaboration and expands the toolset that we can use to complete critical work on our Nation's forests without over-riding environmental laws."

I believe these comments reflect the bipartisan nature in which the legislation was drafted and highlights the necessity of the reforms we are considering here today.

Mr. Speaker, it should also be noted that, because of the reforms and streamlined authorities in this bill, there will be an increase in acres of treated land, all at no additional costs to taxpayers. This legislation is essential and desperately needed to change the current path of forest management on public lands, which is outdated, unsustainable, and dangerous.

This rule also provides for further consideration of H.R. 5, the Student Success Act, an education reform bill that reduces the Federal Government's

footprint and restores local control over education by eliminating wasteful and duplicative Federal programs and replacing them with guidelines that maintain both high-performance expectations and appropriate levels of funding.

This legislation provides local governments with the flexibility necessary to develop appropriate strategies with which to serve their students, parents, and communities.

The Elementary and Secondary Education Act, known as No Child Left Behind, has been due for reauthorization since 2007. Because it has not been reauthorized, the administration has been free to circumvent Congress and impose its own vision of education reform on the country, resulting in unprecedented intervention in local education issues.

The Student Success Act addresses this overreach by streamlining and eliminating more than 70 elementary and secondary education programs that have been deemed ineffective and instead promotes a more focused, efficient, and appropriate Federal law in the Nation's education system.

H.R. 5 will eliminate the current one-size-fits-all Federal accountability requirement and replace it with State-determined accountability systems designed to maintain high expectation for our Nation's schools. Additionally, the bill supports and encourages parental engagement in their children's education by helping parents to enroll their children in charter schools and allowing title I funds to follow low-income children to the school of their parents' choice.

Mr. Speaker, a well-educated workforce is imperative to the health and vitality of both our Nation's children and our economy. The Student Success Act will benefit students, parents, teachers, and school administrators by returning responsibility for student achievement to the States and local communities while maintaining high standards and expectations for our Nation's students, teachers, and schools.

Mr. Speaker, this is a good, straightforward rule, allowing for consideration of two critical pieces of legislation that will help protect our rural communities, provide much-needed reforms to our education system, and ensure that we are prepared to respond to devastating and catastrophic wildfires that have plagued many areas of our country.

Mr. Speaker, I support the rule's adoption; I urge my colleagues to support both the rule and the underlying bill, and I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume, and I thank the gentleman from Washington for yielding me the customary 30 minutes.

Mr. Speaker, this morning, I got to meet with one of the superintendents

from my district, Bruce Messinger, superintendent of the Boulder Valley School District. Bruce told me, as so many others have over the previous years, how the outdated policies under No Child Left Behind stifle innovation and burden teachers and principals with a culture of overtesting.

I remember a lot of these concerns well because I served on our State Board of Education in Colorado from 2000 to 2006, when we were originally implementing No Child Left Behind; and just as we are now frustrated, we were then frustrated with the lack of flexibility, the fact that solutions were coming out of Washington rather than honoring our local accountability system in how we were able to make things work locally, and a formula, adequate yearly progress, that we knew wouldn't work.

We knew that we wouldn't have 100 percent proficiency in all subgroups within a decade. We knew we needed reasonable goals to look at student achievement growth rather than the 1-year picture. Since that time, there has been additional discretion given through a policy of waivers that have been given in many States, including my home State of Colorado, but I think we can all agree that it is past time to reauthorize and replace No Child Left Behind with a Federal education policy that makes sense.

Unfortunately, Mr. Speaker, the bill before us today is not that policy that makes sense. One need go no further than the very beginning of the bill in the sense of Congress section on page 7, just to see some of the Tea Party paranoia that underpins a lot of this bill.

It starts out on page 7 as a finding of Congress saying that the Secretary of Education, through three separate initiatives, has created a system of waivers and grants that influence, incentivize, and coerce State educational agencies into implementing common national curriculum programs of instruction and assessments for elementary and secondary education, which is just patently false.

First of all, I believe this is a reference—incorrect of course—to the Common Core standards. Now, first of all, standards are different from curriculum. Standards are certainly different from programs of instruction which stem from curriculum, and standards are different from assessments.

Common Core was an effort of the States to create college- and career-ready standards. What the Federal Government and Secretary Duncan have attempted to do is say States need to have college- and career-ready standards.

We can't define success downwards and say that kids are passing the test because it is a low test, it is an insufficient test. Whether States want to do it through Common Core or other

mechanisms and other types of standards, they are welcome to do it.

Now, none of that—and the most factually erroneous part—none of that has to do with curriculum or program of instruction. Those are entirely developed at the local level. Standards and the grade level expectations are one thing, as anybody involved with education knows; curriculum is another.

This bill starts with a false premise. It starts with a premise that somehow Washington is trying to run local school districts. That has never been the case, nor should it be the case. If that is the beginning of the essence of our cooperation, I think we can work together on a bill that empowers teachers, empowers local school districts, and empowers States with an accountability system that makes sense and the resources they need to meet the learning needs of all students.

Now, more than a decade has passed since Congress has authorized No Child Left Behind. While again, there are some good intentions in this bill, and there is some good language—which is also reflected in our Democratic substitute—it is far outweighed by some of the unintended consequences of the harmful language which will hurt students that is in this bill.

Now, Mr. Speaker, let me give a little refresher on how we got here. In early February, Chairman KLINE introduced this bill. The bill was introduced without input or buy-in from Democrats, and it was drafted with zero committee hearings on ESEA.

The bill immediately went to markup and was passed along partisan lines. The bill resembles a bill last session that passed this Chamber with zero Democratic votes. This bill is actually worse from my perspective and the perspective of Democrats, for a number of reasons that I will get into, than the bill that attracted zero Democratic support last session.

This bill was brought before the House in February. It was then pulled. Look, everybody can agree that this is a bad bill. Teachers say it is a bad bill; principals say it is a bad bill; parents say it is a bad bill; the civil rights community says it is a bad bill; disabilities advocates say it is a bad bill, and the business community and the chamber do not support this bill.

I think—and I am sure they will mention it—the only group that we can even find that supports this bill are superintendents. I am sure they will find a few more. We will have an enormous record of disability groups, civil rights groups, teachers groups, and many others that oppose this bill for a number of reasons, and those reasons are correct.

If it looks bad, if it looks like a duck, it walks like a duck, and it quacks like a duck, it really is a duck. It is hard to bring together the business community, the civil rights community, and



teachers unions around anything; and to bring them around saying that this bill will result in less educational opportunities for American kids really is a crowning achievement.

We need a bill that prepares the next generation of our workforce with the skills they need to succeed.

□ 1300

We need an ESEA reauthorization that helps improve American competitiveness in the global economy. We need a bill that expects the best of teachers and gives teachers the respect that they deserve as a profession. We need a bill that cares about students with special needs and gives them the support they need. We need a bill that allows for innovation in our schools. We need a bill that protects lesbian, gay, bisexual, and transgender students from discrimination and bullying; and yet both times that I offered an amendment to include the Student Non-Discrimination Act, it was not allowed in the Rules Committee. And we need a bill that ensures that every child in America has access to a world-class education, regardless of their ZIP Code, their race, their background, their socioeconomic class, or their sexual orientation.

The Democratic substitute that Mr. SCOTT has offered and will be debated and voted on is a strong step forward and reflects many of these priorities. It would have been wise for Chairman KLINE and the sponsors of the bill to take a closer look at Mr. SCOTT's Democratic substitute and to have considered many of those provisions in the underlying bill.

Now, I do want to point out a few of the good provisions in the bill, all of which are also reflected in the Democratic substitute and are generally reflected in some of the language being debated in the Senate as well.

As the founder of a public charter school network called the New America School, I understand how the freedom to innovate and flexibility to pursue a unique mission can help public charter schools achieve the highest levels of success.

The New America School has campuses in two States—Colorado and New Mexico—serving over 2,000 students from 40 countries. Just a few years ago, I was honored to speak at its Colorado graduation, and it was moving to hear the tales of some of the immigrant students who were served by this school.

There is excellent language around the charter school title V programs in both the Democratic substitute and nearly identical language in the underlying bill that ups the bar on charter schools and makes sure that the districts and States have best policies surrounding accountability for charter schools and makes sure that successful charter school models can replicate and expand to serve more students.

I am also pleased that two of my amendments to H.R. 5 were made in order and have already passed the House in the previous debate in February. One of my amendments encouraged collaboration among charter schools and traditional public schools, and another amendment allowed funds to be used for open educational resources to help save districts and students money on textbooks and other programs. These resources that are open source, which are licensed but free to use, can reduce the burden of overtesting and can help reduce costs in education.

Now, there is not a lot more to say with regard to the positive provisions of this bill, but I want to talk about one of its biggest shortcomings and, namely, getting accountability right.

We can all agree that No Child Left Behind did not get accountability right, but the answer is to move forward and improve upon and make accountability work, not to take a step backward, which is what this bill does, by having a misguided set of principles defining performance targets and accountability.

In fact, if this bill were to become law, States would not be required to set performance targets based on student growth, proficiency, or graduation rates. The bill doesn't define low-performing schools, nor does it establish any parameters for intervention when we know a school isn't working.

One of the most compelling things that we can do here in Washington is equip local superintendents with the toolbox they need to help turn around persistently failing schools, and this bill fails to do that.

Mr. Speaker, we should provide schools with more flexibility to design school improvement programs that No Child Left Behind does, but we should not provide schools with the option to do nothing and allow dropout factories to continue to exist, elementary schools where we know that kids are falling further and further behind every year.

No child should be trapped in a failing school with no recourse. We need to fix accountability, not step away from it. This bill constitutes the Federal Government throwing up its arms and letting States define success downward to make themselves look good while leaving more students behind.

This problem is compounded by another amendment that was not even previously discussed that has now been allowed under this rule, namely, the Salmon amendment, 129, which is universally opposed by civil rights groups from the NAACP to La Raza to the Urban League to LULAC to the Education Trust.

The Salmon amendment assumes that disadvantaged students aren't capable of high achievement, perpetuating low expectations that are pro-

jected on students of color, poor students, immigrant students, students with disabilities, and others.

This amendment effectively gives in to those political pressures which we all feel that work against disadvantaged students, that work against them at the district level because often their parents are not enfranchised members of the community or voting in school board races or serving on the board that work against them at the State level because they are up against the special interests and, yes, work against them here even in Washington.

This body needs to stand up for disadvantaged communities, needs to stand up for African Americans, Latinos, immigrant communities, those students with disabilities and ensure that any deficiency in the quality of instruction for disadvantaged communities is not swept under the rug as the Salmon amendment would do.

I strongly encourage my colleagues on both sides of the aisle to reject the Salmon amendment.

While No Child Left Behind certainly had its flaws, it did move us forward in continuing to serve low-income and minority students, English language learners and students with disabilities.

H.R. 5 is a step backwards. Even without the Salmon amendment, it excludes students with disabilities from school accountability systems. The bill eliminates the 1 percent cap on alternate assessments based on alternative achievement standards.

Now, again, there is a real-world problem to be solved. There are some kids with learning disabilities so severe that they can't be given a test for accountability purposes. And that 1 percent number is an arbitrary number. You can argue it should be half a percent, you can argue it should be 1½ percent. That is a very legitimate discussion to have. And I would be fully open, as many of my colleagues were, to figuring out what that number is.

The answer is not to eliminate that number and effectively allow a State that might serve 12 percent of a population with students with disabilities to say none of those students will be tested; none of those students with individual education plans, none of those students who might be dyslexic will be looked at in terms of how they are learning.

Do you know what? My father was dyslexic, and it took him until fifth grade to learn to read. But under provisions of this bill, he might never have learned to read because he and millions of other Americans with disabilities would be completely swept under the rug with the elimination of the cap.

This bill also fails to invest in our Nation's teachers. In February, I introduced the Great Teaching and Leading for Great Schools Act, which would advance a new definition of professional development based on research and best practices.

Professional development doesn't have to simply be hiring someone to lecture teachers for a few hours while they are all bored. In fact, there is better proven, data-proven ways that can help advance teaching and learning in schools, including collaborative peer networks, feedback from teachers and principals, tying data in to ensure that our professional development opportunities work. Unfortunately, H.R. 5 eliminates any requirement that ensures quality professional development for teachers.

Now, let me talk about one of the most concerning provisions in this bill to Democrats, including myself, and it has an innocuous name. It is called title I portability. It sounds like a good concept. It says that Federal aid for students of poverty would follow the student.

Now, that sounds good, again, just as that finding that somehow the Federal Government should never do these programs of destruction in national curriculum sounds good. But again, it is devoid of facts.

Let me tell you what the effect of this provision would do. What this provision would do is it would shift millions of dollars from schools that serve our most at-risk kids to schools that serve wealthier children.

The Center for American Progress recently released a report that broke down exactly what the language would mean for high-need schools in each State. In Colorado alone, schools that serve students of poverty would lose over \$8 million of funding.

So again, let's talk about how this works.

There is a threshold in each school district for schools that receive title I free and reduced lunch services. They are focused on the schools that serve the largest pockets of poverty.

In a school district like Boulder Valley School District whose superintendent was in to meet with me earlier today, they offer title I services in their schools that have about 40 percent or more free and reduced lunch kids. That allows them to focus on the eight or nine schools that have the highest need in what is overall a fairly prosperous school district.

If this provision were passed, resources would be diverted out of those schools that are in our neediest communities to the schools that are in our wealthiest communities.

As our ranking member has said and probably will say again, what problem is it you are trying to solve by shifting resources from poor schools to wealthy schools? While, again, it is a noble concept, and if there were a way to hold harmless or provide additional support for schools that serve at-risk kids, there might be some basis of discussion with myself and Members on my side of the aisle; but to simply say that we are going to shift tens or hundreds of mil-

lions of dollars from schools that serve kids in communities of poverty to wealthier schools, under any possible accountability metric, I guarantee you, will only increase the already persistent learning gap that exists between communities of poverty and prosperous communities, and is exactly the wrong way to go with regard to how we target our Federal resources to make the biggest difference in the lives of Americans who deserve access to quality public education.

I reserve the balance of my time.

Mr. NEWHOUSE. Mr. Speaker, I yield myself such time as I may consume.

I appreciate my colleague on the other side of the aisle's enthusiasm on this issue. This is an important topic, something that we have been discussing and debating for many, many years and will continue to, because all of us want to do right by the children in our school districts. They are our future. We have an equal amount of enthusiasm on our side of the aisle.

At this time, I am very pleased to yield 2 minutes to the good gentleman from Louisiana (Mr. SCALISE), our majority whip.

Mr. SCALISE. Mr. Speaker, I thank the gentleman for yielding.

I rise in support not only of the rule, but of the underlying legislation with reforms that are included not only in the bill, but in the amendments that are coming forward in this rule.

I first want to commend Chairman KLINE and his staff for working over the last few months with many members of our Conference that had some real issues they wanted to see addressed in the bill. I want to talk about a few of those, specifically, the Salmon amendment that this rule makes in order that brings forward the ability for parents to opt out of testing in a way that doesn't impact the local school system.

This comes down to a question of whether or not you trust parents to make the right decisions for their children in making real reforms that give parents more control, getting Washington out of those decisions and allowing local innovation to move forward, and allowing parents to make those decisions about what is best for their children. So the Salmon amendment does that. I strongly support it, and I know Chairman KLINE supports it as well.

I want to also point out the Rokita-Grothman amendment. This is an amendment, again, that Chairman KLINE worked very closely with a number of our members on to bring forward to reduce the timeframe of the authorization. Instead of a 6-year authorization, it would be a 4-year authorization to give an opportunity to let the next administration put their own prints on what they want to see in terms of education reform while allowing these other reforms to move forward. That is

an amendment that Chairman KLINE supports, as I do, and, hopefully, gets added to the bill.

The third amendment I want to talk about is the Zeldin amendment. This is an amendment that gets the Federal Government out of Common Core, not only financially, but also taking the ability away from the Secretary of the Department to use things like Common Core as a bludgeon when they are determining whether or not to approve waivers. So I think it is very important to get the Federal Government out of those decisions of Common Core, and that is what the Zeldin amendment does.

And then, finally, the Walker amendment, allowing a vote on A-PLUS, is something that I support, and I am glad that that is in the rule as well.

So many good reforms, not only with the amendments, but with the underlying bill, to give parents more control and get the Federal Government out of those decisions, really good legislation to advance conservative causes in letting innovation happen at the local level.

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. WILSON), the ranking member of the Education and the Workforce Subcommittee on Workforce Protections.

Ms. WILSON of Florida. Mr. Speaker, as a former teacher, elementary school principal, and school board member, I know firsthand that No Child Left Behind is in need of serious improvement. Improvements must take substantial steps towards fulfilling the promises made by ESEA, those simple, yet powerful, promises that are at the heart of this civil rights law, promises made to all American children.

H.R. 5 ignores these promises and endangers the educational gains made in the 50 years since ESEA was passed. H.R. 5 threatens to thrust us back to a time when the right to quality education was merely an intangible promise for disadvantaged children. It ignores the promises at the heart of this civil rights law.

We must take substantial steps towards fulfilling the promises made by ESEA. H.R. 5 ignores the promise to value every child by allowing States and school districts to redirect funds away from the schools and the children most in need. They call it portability. H.R. 5 ignores the promise that every child counts by using vague and undefined accountability measures and failing to provide Federal guardrails for student achievement.

□ 1315

H.R. 5 ignores the promise that every child deserves a quality education, and it does so by failing to address our excessive dependence on deeply problematic standardized tests. We need to move toward more balanced forms of

assessment that effectively measure diverse kinds of success in teaching and learning.

Mr. Speaker, I have spent decades working to understand how children learn, and I can tell you this—that this bill fails to meet the very promises that are essential for educating our children and that are at the heart of the ESEA. I strongly urge all of my colleagues to vote against this bill of unfulfilled promises.

Mr. NEWHOUSE. Mr. Speaker, I yield 3 minutes to the gentlewoman from North Carolina (Ms. FOXX), someone who really embodies something that I have seen in this Congress on both sides of the aisle since my becoming a Member, people who dedicate their lives to different fields. Congresswoman FOXX is a colleague and a member of the Rules Committee who has dedicated her life to education.

Ms. FOXX. I thank my colleague from Washington for yielding and for his kind comments.

Mr. Speaker, today's debate on education and the Student Success Act is a crucial one for our future.

Over the last five decades, the Federal Government's role in education has increased dramatically. The Department of Education currently runs more than 80 K–12 education programs, many of which are duplicative or ineffective.

As a school board member in North Carolina, I saw how the vast reporting requirements for these Federal programs tie the hands of State and local school education leaders.

My colleagues on the House Education and the Workforce Committee and I have been working on the Student Success Act to make common-sense changes to update Federal law, addressing the concerns raised following No Child Left Behind.

Our legislation is centered on four principles: reducing the Federal footprint in education, empowering parents, supporting effective teachers, and restoring local control.

H.R. 5, the Student Success Act, will also streamline the Department of Education's bureaucracy by eliminating more than 65 duplicative and ineffective Federal education programs, cutting through the bureaucratic red tape that is stifling innovation in the classroom, granting States and school districts the authority to use Federal education funds as they believe will best meet the unique needs of their students.

Additionally, this legislation will take definitive steps to limit the Secretary's authority by prohibiting him or her from coercing States into adopting academic standards like the Common Core.

If we would like to reduce the Federal Government's role in education, we must act. In the absence of congressional action, President Obama and his

Education Department have taken unprecedented steps to regulate education.

Beginning in 2011, the Obama administration began offering States temporary waivers from No Child Left Behind's onerous burden in exchange for granting the Secretary of Education complete discretion to coerce States into enacting the President's preferred education reforms.

The Student Success Act provides an important opportunity to stop President Obama's overreach into State and local education debates through his waiver scheme.

Mr. Speaker, our children deserve better. It is time to acknowledge more Federal intrusion cannot address the challenges facing schools. That is the promise of the Student Success Act: a reduced Federal role, focused on restoring authority and control to parents, teachers, States, and communities on how our children are educated.

I urge my colleagues to support the rule and the underlying bill.

Mr. POLIS. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. POCAN), a member of the Committee on Education and the Workforce.

Mr. POCAN. Mr. Speaker, on the 50th anniversary of the Elementary and Secondary Education Act, now more than ever we must ensure that every kid has access to a great school. It shouldn't matter who your parents are, what ZIP code you live in, or how many zeros are at the end of your bank account.

H.R. 5 breaks the promise made 50 years ago to help all kids get a good public education and to recognize the challenges faced by kids living in poverty.

Republicans will have the opportunity to make their bad bill even worse by allowing an amendment to come to the floor today which essentially turns all of ESEA into a block grant, allowing States to use Federal resources for any educational purpose, meaning States can redirect Federal funds towards taxpayer-funded vouchers for private and religious schools.

That has been a failed experiment in Wisconsin, and that strips money away from public schools and hurts kids everywhere. I urge a "no" vote on H.R. 5, a bad bill that could likely get even worse today.

Mr. NEWHOUSE. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. ALLEN), a fellow freshman.

Mr. ALLEN. I thank the gentleman for yielding.

Mr. Speaker, the debate before this floor today is who knows best how to educate our children.

I rise today to speak about H.R. 5, the Student Success Act. This is legislation that I believe goes a long way in getting the Federal Government out of the way of our schools and teachers

and putting education back in the right hands by restoring local control.

As a member of the Education and the Workforce Committee, I have spent several hours debating and marking up this legislation. I have also visited several schools in my district and have spoken with parents, teachers, and administrators about the challenges they are facing.

What I heard across the board was that top-down regulations from Washington are burdening our teachers with seemingly endless compliance requirements.

Our educators should have the ability to focus on the individual needs of their students and their classes. Instead, our current system is forcing them to spend time filling out paperwork and meeting this one-size-fits-all requirement.

That is exactly why H.R. 5 is important legislation that I urge my colleagues to support today. This bill replaces the current accountability system that says Washington knows what is best for our students, and it replaces it with a system that gives States and school districts the responsibility for measuring the success of their schools. Through bottom-up reforms, it restores local control and gives our educators more freedom to innovate.

I have personally seen in my district how students and communities benefit from local innovation in schools. We have one such example in my district that does not get \$1 of Federal funding, and it takes children who are discarded by the public school system and makes successful students from this group. I am very proud of what this school has accomplished.

H.R. 5 empowers parents, just like at this school, with more information to hold schools accountable for effective teaching, and it expands opportunities to send their children to a school that best meets their needs. It also gets rid of almost 70 unnecessary Federal programs and, instead, creates a block grant that provides money to the States.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NEWHOUSE. I yield the gentleman an additional 30 seconds.

Mr. ALLEN. Under H.R. 5, States are protected from being coerced into adopting Common Core by the Department of Education, and they have the right to opt out of any program under the law.

Mr. Speaker, all of these are significant and needed steps to put the responsibility of education back where it belongs, and that is with the States, local school districts, parents, and the educators, as they know what is best. I urge my colleagues to support H.R. 5.

Mr. POLIS. Mr. Speaker, I yield 4 minutes to the gentleman from Virginia (Mr. SCOTT), the distinguished ranking member of the Committee on Education and the Workforce.

Mr. SCOTT of Virginia. I thank the gentleman for yielding.

Mr. Speaker, more than 60 years ago, in *Brown vs. Board of Education*, the Supreme Court talked about the value of education when it said that, these days, it is doubtful that any child may reasonably be expected to succeed in life if denied the opportunity of an education. Such an opportunity where the State has undertaken to provide it is a right which must be made available to all on equal terms.

The fact is that equal educational opportunities were not and still are not always available in low-income areas, basically, for two reasons. First, we fund education through the real estate tax, virtually guaranteeing that wealthy areas will have more resources; and just with the give and take in politics, you know that low-income areas will generally get the short end of the stick.

In 1965, we enacted the Elementary and Secondary Education Act to recognize the disparities in funding. It addresses “the special educational needs of children of low-income families and the impact that concentrations of low-income families have on the ability of local educational agencies to support adequate educational programs.”

While public education would remain fundamentally a local issue through ESEA, the government recognized that, without Federal oversight and support, districts would not address these inequities.

In the last reauthorization, better known as No Child Left Behind, in addition to money, Congress required States to identify and address achievement gaps.

Because of that work, the education of our children has been much improved, as high school dropout rates are at historic lows, as the long-term scores on the national tests have gone up, and as the achievement gaps for racial and ethnic minorities have actually been closing, but the gap between rich and poor has actually been going up.

Mr. Speaker, with that background, the House has put forth its vision of the reauthorization of the ESEA, the Student Success Act. It violates the original purpose of ESEA, first, by reducing the funding, but also by changing the funding formula to take money from low-income areas and to give it to wealthy areas.

For example, Los Angeles, with 70 percent poverty, would lose about a quarter of its funding while Beverly Hills, with virtually no poverty, would pick up about 30 percent in additional funding under that new formula.

This rule enables amendments that, if adopted in the bill, will significantly reduce the ability of States to determine academic achievement gaps.

Now, I recognize that everybody is mad at having to take tests, and we ad-

dress that in the bill by auditing the number of tests, making sure that there are as few as possible and that they are used for purposes which are validated.

The bill significantly scales back the ability of States to identify achievement gaps and then scales back their requirement to do anything about it.

These are the major flaws in H.R. 5: less funding, less ability to determine the achievement gaps, and then no requirement to do anything about it.

There are other problems with the bill, for example, block granting programs that will end up underfunding bilingual education, afterschool programs, STEM, arts education, and others. These vital programs will certainly do worse.

Mr. Speaker, for these reasons, we should both defeat the rule. And if the rule passes, we should defeat the bill.

Mr. NEWHOUSE. Mr. Speaker, I am very pleased to yield 2 minutes to the gentlewoman from New York (Ms. STEFANIK), another freshman colleague.

Ms. STEFANIK. Mr. Speaker, I rise in strong support of the rule and of the underlying bill.

We have a chance today to help put our K-12 education system back on track, helping students all across this country.

Over the past 6 months, I have traveled in my district to listen to the concerns of teachers, administrators, parents, and students.

One of the most common themes I hear is that there is too much confusion coming from Washington and that those who know what is best—our educators and parents—are not getting a say in our children’s futures.

Local school districts understand the unique needs of their students far better than any bureaucrat in Washington ever will.

From No Child Left Behind, Race to the Top, and waivers, the Department of Education has sent so many mixed signals that it is impossible for teachers and administrators to focus on what is needed most, flexibility to help students learn and succeed. This is why I am a strong supporter of H.R. 5.

I commend Chairman JOHN KLINE and Subcommittee Chairman TODD ROKITA for putting forward legislation that ensures that students and schools are put first. Accountability will now be placed where it should have been all along, with States and local school districts.

Labeling half of all schools in the United States as failing has caused the Department of Education to become far too overreaching in defining accountability as they continue to shift the metrics on what is considered satisfactory.

Mr. Speaker, H.R. 5 empowers parents and students by giving them access to information about local schools in order to hold them accountable.

In addition, this bill eliminates 65 duplicative and underperforming programs and consolidates the money into a new grant program for local school districts. This money can be spent by districts to meet their unique needs.

Funding for title I remains robust in the bill, and students and parents retain the ability to make the best educational decisions for them by providing access to charter schools and magnet schools.

□ 1330

Particularly important for my constituents in New York is language in H.R. 5 that prevents the Secretary of Education from forcing States to implement Common Core.

I urge all Members to vote “aye” on the rule and to support the underlying bill.

Mr. POLIS. Mr. Speaker, I yield 1½ minutes to the gentlewoman from California (Mrs. DAVIS), a member of the Committee on Education and the Workforce.

Mrs. DAVIS of California. Mr. Speaker, here we go again, back to the same bill we debated earlier this year that continues to embrace the idea that less Federal oversight over Federal dollars is what we need to transform K-12 education.

The opposition seems to believe that removing Federal standards would help local leaders make tough decisions. That is absolutely wrong. It actually makes it harder.

For 9 years, I served on a school board in a large urban school district, and I remember agonizing over the decision to move money from one high-needs school to another. In the end, it was the law and safeguards around title I that helped direct us to make sure the money went to the students that required the greatest assistance. This changes that.

Mr. Speaker, what we need is a Federal law that gives guidance to local school board members that must deal with thousands of competing interests every single day and which enables local leaders ultimately to make the right decision.

Mr. Speaker, today represents a missed opportunity. We need a 21st century education system that makes investment in all our Nation’s children. That and only that will help our Nation compete in the global economy. Today’s reauthorization of ESEA not only misses the mark, but actually moves us in the wrong direction.

I urge a “no” vote on the rule, a “no” vote on final passage and also on the Salmon amendment.

Mr. NEWHOUSE. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana (Mr. ROKITA), the chairman of the Subcommittee on Early Childhood, Elementary, and Secondary Education.

Mr. ROKITA. Mr. Speaker, I thank the leadership, the gentleman from

Washington, and the members of the Committee on Rules for bringing this rule to the floor. I think it is a good rule. I urge a "yes" vote on it and the underlying bill, which I am hopeful and pleased we are going to get to today.

In response to some of the last speakers, first of all, let me associate myself with the remarks of Ms. STEFANIK from New York. She is right on. This is exactly the kind of policy and law that we need in this country at this particular time because it puts the trust and the personal responsibility back in the hands of the people where it belongs; and that is our parents, our teachers, our school principals, and superintendents.

How arrogant for anyone to think that we here in Washington know better how to raise our children than those children's parents, working hand in hand, side by side, with that child's teacher and school leaders.

This bill is needed. It is right on point. It is needed for the 21st century, and I want to address some of the misinformation that might be out there.

First of all, I want to be very clear, Mr. Speaker, that the civil rights protections, which I agree with my friend, the ranking member of the Committee on Education and the Workforce, are very, very important—critical. That is all kept here. That language remains because it is essential.

Secondly, we mandate disaggregated data so that we can see from a holistic, collective standpoint how our children of whatever ethnic background are doing. That is very important. That is kept. Title I is there. There is some more portability, but we think that is a good thing because choice in this subject is a good thing.

Finally, Mr. Speaker, I would say that this isn't about money. Federal spending in education has gone up 300 percent since the Federal Government got involved in this business, and test results are flat. It is not about money. It is about leadership.

The best way to empower leaders is to give them the tools that they need so that they can help our children grow and compete in the 21st century world and win. That is exactly what the Student Success Act does. It trusts teachers and parents over Washington bureaucrats.

Mr. Speaker, I ask for full support from this House for the rule and for the underlying legislation.

Mr. POLIS. Mr. Speaker, I yield 1½ minutes to the gentleman from Arizona (Mr. GALLEGO).

Mr. GALLEGO. Mr. Speaker, I rise today in opposition to the rule which would allow for consideration of H.R. 5, a harmful bill that abandons our commitment to ensuring all children in my home State of Arizona and across the country are afforded quality education that prepares them for success.

We can all agree that every child deserves a fair shot by giving them and

their teachers the tools they need; but the reality is millions of kids face additional barriers that require targeted resources. Unfortunately, this bill turns its back on these kids by block granting all funding for English language learners, migrant students, and at-risk students and lets the funding be spent elsewhere.

What is more, it eliminates requirements that schools improve the education of English language learners each year. By removing accountability for the achievement and learning gains of Latinos and English language learners, this bill ignores the real needs of kids and families across our communities.

Mr. Speaker, a Latino child in Phoenix deserves every resource he or she needs to succeed. That is why I strongly support the Democratic substitute amendment to H.R. 5 offered by my colleague Congressman SCOTT. This alternative recognizes the needs of Latino students and ensures proper oversight that we know is necessary.

I urge all my colleagues to oppose H.R. 5 and its dangerous provisions for Latino students.

Mr. NEWHOUSE. Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, when he first signed into law the Elementary and Secondary Education Act, President Lyndon B. Johnson greatly advanced both education and civil rights.

Now, here, 50 years later, the need for Federal support for our schools remains very real, but Republicans celebrate the anniversary by effectively repealing the civil rights portion, Title I, of this act.

In February, Republicans began consideration of this bill and then suspended it because so many of their Members did not think it was extreme enough in cutting aid to our schools. Since then, the Senate has come together in a bipartisan, though lacking, approach, but a better approach that recognizes the need for civil rights and public education.

Just as it did previously on immigration reform, the House has rejected that bipartisan approach and has jumped off the right end with a more extreme antieducation attitude.

In a few weeks, bright-faced young schoolchildren will put on their backpacks and head off to school. As their number increases, this bill actually cuts the purchasing power available to our schools to meet those growing needs.

Most importantly, Republicans would encourage the States to divert aid from the schools with the greatest need and to actually use Federal dollars to replace what the States are already spending on education.

Not only does the bill shortchange our schools and our students, it also

eliminates dedicated funding for important programs like STEM—science, technology, engineering, and math education. These STEM skills are driving innovation.

It is silent on support for our youngest Americans, as schools across the country recognize that brain research supports having pre-K through 12 education. We need not only accountability but funding. This bill should be rejected. We cannot shut the door on these students.

Mr. NEWHOUSE. Mr. Speaker, I yield 2 minutes to the good gentleman from California (Mr. LAMALFA).

Mr. LAMALFA. Mr. Speaker, passage of this measure will restore responsible management to our forests after decades of Federal neglect. My district includes seven national forests which have suffered from increasingly devastating forest fires caused by overgrown, mismanaged forests and has been economically hobbled by restrictions on forest management.

Last year, in just one of my counties, just three forest fires burned 200,000 acres. Our rural communities, public lands, and environment are being destroyed by this neglect.

This measure will return active management to our forests by increasing flexibility; cutting red tape; and, most importantly, acting to manage forests before fires occur, not afterwards. Streamlining the review process means that forest management can occur when it is actually needed to address dangerous conditions, not after years of legal roadblocks.

Allowing categorical exclusions for postfire salvage and rehabilitation hastens forest recovery and prevents fuel buildup that can contribute to the next future fire. Expanding local involvement in forest management will improve the data available for planning and respect local priorities.

In light of Forest Service surveys finding that over 12 million Sierra Nevada trees have died in the last year, we cannot afford to wait another year.

Mr. Speaker, it is imperative that we act today before our forests have passed beyond any point where they can be restored to good forest health.

Mr. POLIS. I would like to inquire how much time remains on both sides.

The SPEAKER pro tempore (Mr. ALLEN). The gentleman from Colorado has 2½ minutes remaining. The gentleman from Washington has 8 minutes remaining.

Mr. POLIS. Mr. Speaker, I yield myself the balance of my time to close.

Instead of engaging in partisan fights on so important an issue that, in essence, is about our future as a Nation and future generations, we should find common ground. Education is a civil right. All students deserve the opportunity of a world class, high-quality education.

This very week, the Senate is discussing their own version of ESEA reauthorization. Now, while nothing is

perfect, their bill reflects the bipartisan spirit that would improve this bill if it was allowed in this body.

Members of the Tri-Caucus and leaders of the New Democrat Coalition have sent letters to the chairman and ranking member of the Subcommittee on Health, Employment, Labor, and Pensions with a number of suggestions for their bill, but at least there is a bipartisan attempt to help prepare our Nation's kids for our future.

ESEA is one of the most significant pieces of legislation this body will consider. It is a bill about our future. Members of this body are eager to improve this bill and pass a reauthorized version to finally replace No Child Left Behind.

No child should have to attend a failing school, and ZIP Code and race should never determine the quality of an education that a child receives. I think that is something, hopefully, we can agree on as a core principle.

Unfortunately, the bill before us retreats from our promise to our Nation's students. H.R. 5 would bring us back to a time with no accountability standards, where students with disabilities are swept under the rug.

It would divert money from the schools and kids that need it the most; and with the Salmon amendment, it would sweep minority students, students with disabilities, new immigrant students, and low-income students under the rug, as they were in the past. Now that they have emerged, we must ensure that they meet all the learning needs for all students.

Mr. Speaker, we are shortchanging our Nation's kids by not being thoughtful and deliberate with this issue. It is rare that a bill would unite the business community, teachers, school boards, and many others in opposition, but H.R. 5 does this.

The bill's sponsors had 133 days to give students and our country a bill that they deserve.

□ 1345

It is a shame that they didn't take better advantage of that opportunity.

I encourage my colleagues to vote "no" on the rule; "no" on the bill; "no" on the Salmon amendment; and "yes" on the Democratic substitute, which was thoughtfully put together to ensure that America's next generation is prepared to carry on our legacy of global leadership and to put food on their tables as aspiring members of our great country.

Mr. Speaker, I yield back the balance of my time.

Mr. NEWHOUSE. Mr. Speaker, I yield myself such time as I may consume.

As you can tell, due to the number of colleagues from both sides of the aisle speaking today, these are critically important issues we are considering, important to the economic well-being of our country, as well as to the health of

our forest lands and the safety of rural communities.

Reforming our education system and the way we combat wildfires and manage our forests is of the highest priority, and I urge my colleagues to support this rule, as well as both of the underlying bills.

This rule provides for consideration of H.R. 2647, the Resilient Federal Forests Act of 2015, a bipartisan, comprehensive bill aimed at expediting and improving forest management activities in Federal forests.

This critical piece of legislation would address the disastrous consequences of catastrophic wildfire and would return resilience to our overgrown, fire-prone forests by dramatically improving the health of our Federal forests and rangelands.

My district, as well as many other areas around the country, continue to face the threat of catastrophic wildfire, which is made worse by the continuing drought conditions and the poor management and maintenance of forests on our Federal lands.

We must begin to take steps to prevent and address these fires, which this bill does by reforming the way we prepare, respond to, and fund wildfire response and mitigation efforts.

Mr. Speaker, we cannot continue on this current path, where we limp from one devastating fire to the next, unable to break the cycle of destructive fire seasons due to ineffective funding mechanisms, insufficient forest maintenance, and a burdensome Federal permitting and review process.

This bill addresses these shortcomings by tackling the problem of fire borrowing, simplifying environmental process requirements, reducing project planning times, and lowering the cost of implementing forest management projects, all while ensuring robust environmental protections.

Mr. Speaker, because of the reforms and streamlined authorities in this bill, there will be an increase in acres of treated land, which will come at no additional cost to our taxpayers. This legislation is essential and desperately needed to change the outdated, unsustainable, and ultimately dangerous system of forest management on Federal lands.

This rule also provides for further consideration of H.R. 5, the Student Success Act, a reform of our Nation's education system which reduces the Federal Government's footprint in State and local issues and restores control over education back to those on the ground who are best qualified to make the decisions affecting their students, parents, teachers, and communities.

Mr. Speaker, a well-educated workforce is imperative to the health and vitality of both our Nation's children and our economy. The Student Success Act empowers parents, local commu-

nities, and State governments to lead the way in fixing America's broken educational system.

H.R. 5 will benefit students, parents, teachers, and school administrators by returning responsibility for student achievement to the States and local communities, while maintaining high standards and expectations for our Nation's students, teachers, and schools.

This is a good, straightforward rule, Mr. Speaker, allowing for consideration of two critical pieces of legislation that will help protect our rural communities, provide much-needed reforms to our education system, and ensure that we are prepared to respond to the devastating and catastrophic wildfires that have plagued many areas of our country. I support the rule's adoption, and I urge my colleagues also to support both the rule and the underlying bills.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POLIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 242, nays 185, not voting 6, as follows:

[Roll No. 392]

YEAS—242

Abraham	Crenshaw	Harper
Aderholt	Curbelo (FL)	Harris
Allen	Davis, Rodney	Hartzler
Amash	Denham	Heck (NV)
Amodel	Dent	Hensarling
Babin	DeSantis	Herrera Beutler
Barletta	DesJarlais	Hice, Jody B.
Barr	Diaz-Balart	Hill
Barton	Dold	Holding
Benishek	Donovan	Hudson
Bilirakis	Duffy	Huelskamp
Bishop (MI)	Duncan (SC)	Huizenga (MI)
Bishop (UT)	Duncan (TN)	Hultgren
Blackburn	Ellmers (NC)	Hunter
Blum	Emmer (MN)	Hurd (TX)
Bost	Farenthold	Hurt (VA)
Boustany	Fincher	Issa
Brady (TX)	Fitzpatrick	Jenkins (KS)
Brat	Fleischmann	Jenkins (WV)
Bridenstine	Fleming	Johnson (OH)
Brooks (AL)	Flores	Johnson, Sam
Brooks (IN)	Forbes	Jolly
Buchanan	Fortenberry	Jones
Buck	Fox	Jordan
Bucshon	Franks (AZ)	Joyce
Burgess	Frelinghuysen	Katko
Byrne	Garrett	Kelly (MS)
Calvert	Gibbs	Kelly (PA)
Carter (GA)	Gibson	King (IA)
Carter (TX)	Gohmert	King (NY)
Chabot	Goodlatte	Kinzing (IL)
Chaffetz	Gosar	Kline
Clawson (FL)	Gowdy	Knight
Coffman	Granger	Labrador
Cole	Graves (GA)	LaMalfa
Collins (GA)	Graves (LA)	Lamborn
Collins (NY)	Graves (MO)	Lance
Comstock	Griffith	Latta
Conaway	Grothman	LoBiondo
Cook	Guinta	Long
Costello (PA)	Guthrie	Loudermilk
Cramer	Hanna	Love
Crawford	Hardy	Lucas

Luetkemeyer  
Lummis  
MacArthur  
Marchant  
Marino  
Massie  
McCarthy  
McCaul  
McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Meehan  
Messer  
Mica  
Miller (MI)  
Moolenaar  
Mooney (WV)  
Mullin  
Mulvaney  
Murphy (PA)  
Neugebauer  
Newhouse  
Noem  
Nugent  
Nunes  
Olson  
Palazzo  
Palmer  
Paulsen  
Pearce  
Perry  
Pittenger  
Pitts  
Poe (TX)

Poliquin  
Pompeo  
Posey  
Price, Tom  
Ratcliffe  
Reed  
Reichert  
Renacci  
Ribble  
Rice (SC)  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney (FL)  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Rouzer  
Royce  
Russell  
Ryan (WI)  
Salmon  
Sanford  
Scalise  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (MO)  
Smith (NE)

Smith (NJ)  
Smith (TX)  
Stefanik  
Stewart  
Stivers  
Stutzman  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Trott  
Turner  
Upton  
Valadao  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Westmoreland  
Whitfield  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Young (IN)  
Zeldin  
Zinke

Sires  
Slaughter  
Smith (WA)  
Speier  
Swalwell (CA)  
Takai  
Takano  
Thompson (CA)  
Thompson (MS)

Titus  
Tonko  
Torres  
Tsongas  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez

Visclosky  
Walz  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Welch  
Wilson (FL)  
Yarmuth

## NOT VOTING—6

Aguilar  
Black  
Culberson  
Deutch  
Lofgren  
Miller (FL)

□ 1418

Messrs. DOYLE, SIREs, and HIMES changed their vote from “yea” to “nay.”

Messrs. FITZPATRICK, FRELING-HUYSEN, DUFFY, STEFANIK, MULLIN, YOHO, BRIDENSTINE, TIBERI, YOUNG of Alaska, ROGERS of Alabama, and TIPTON changed their vote from “nay” to “yea.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## SEVENTH ANNUAL CONGRESSIONAL WOMEN'S SOFTBALL GAME

(Ms. WASSERMAN SCHULTZ asked and was given permission to address the House for 1 minute.)

Ms. WASSERMAN SCHULTZ. Mr. Speaker, today I rise to celebrate the congressional version of the Women's World Cup Soccer team, the softball version.

I am here with my colleagues on both sides of the aisle, my teammates, my sisters who played valiantly in the 7th Annual Congressional Women's Softball Game.

Congratulations to the women Members of Congress who beat the press in a shutout game, defending our title in back-to-back victories as Congressional Women's Softball Game Champions.

I want to thank my teammates on both sides of the aisle. They have become my sisters and my friends throughout the whole season.

It is always so amazing to think about what we do over 3 months with the incredibly busy schedules that so many of us have, coming out to practice at 7:00 in the morning, two or three times a week. We did not have a smaller turnout for practice than 10 Members at each practice at 7:00 in the morning. And our hard work paid off.

This is a game that, I know, many of you know is near and dear to my heart.

I know that many of you know this. It bears repeating just because of the reason that we play this game. I was diagnosed with breast cancer 7½ years ago, and today I am cancer free at 41 years old.

It is really timely for us to be able to focus some attention on breast cancer in young women, given the USPSTF recommendations and the discussions

that we are having around making sure that we pay attention and help young women focus on their breast health. That is what this game is all about.

We are so proud to tell you that since we started this game 7 years ago, we have raised about \$700,000 for the Young Survival Coalition. \$200,000 of that was this game.

Without the leadership and dedication of our board of directors and our organizing committee, this game and the money we raise would not have been possible.

I want to specifically thank our board president, Kate Yglesias Houghton, and all the members of board: Atalie Ebersole, Natalie Buchanan, Tori Barnes, and Kristen Buckler. Also, a huge thank you to the members of the organizing committee: Jill Agostino, Sean Bartlett, Gary Caruso, Kayla Dunlap, Katharine Emerson, Ben Gerdes, Jenna Glazer, Kathryn Hamm, Erika Kelly, Jim Kiley, and Dana Paikowsky. A special shout-out to EDDIE PERLMUTTER, who was one of our assistant coaches, and to our cheerleaders.

With that, Mr. Speaker, I yield to the gentlewoman from Alabama (Mrs. ROBY), who for the second time this month and for the second time in the last couple of weeks is actually standing next to me.

Mrs. ROBY. Mr. Speaker, I would like to associate myself with the gentlewoman from Florida's remarks.

I also would like to thank all of our colleagues here in this Chamber today that have not only come out and supported us, but also supported the Young Survivors Coalition as well.

Mr. Speaker, I would like to thank the survivors. Each member of this team played either in memory of or on behalf of someone who is currently struggling with the fight with cancer.

So I would just say to mine, Rhonda McCall Walker, Mr. Speaker, who came from Alabama and attended the game, along with so many others, that we support these individuals. This is a really incredible thing that the Members of Congress do.

Mr. Speaker, to the Bad News Babes, I would just say we are on it for next year, too. So keep your guard up.

I would like to also recognize the gentlewoman from Florida (Ms. CASTOR), who is the MVP. She played an incredible game. And “most improved” is the gentlewoman from Arizona, KYRSTEN SINEMA.

## DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

The SPEAKER pro tempore. Pursuant to House Resolution 333 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2822.

## NAYS—185

Adams  
Ashford  
Bass  
Beatty  
Becerra  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Bonamici  
Boyle, Brendan F.  
Brady (PA)  
Brown (FL)  
Brownley (CA)  
Bustos  
Butterfield  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly  
Conyers  
Cooper  
Costa  
Courtney  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
DeSaulnier  
Dingell  
Doggett  
Doyle, Michael F.  
Duckworth  
Edwards

Ellison  
Engel  
Eshoo  
Esty  
Farr  
Fattah  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Garamendi  
Graham  
Grayson  
Green, Al  
Green, Gene  
Grijalva  
Gutiérrez  
Hahn  
Hastings  
Heck (WA)  
Higgins  
Himes  
Hinojosa  
Honda  
Hoyer  
Huffman  
Israel  
Jackson Lee  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Keating  
Kelly (IL)  
Kennedy  
Kildee  
Kilmer  
Kind  
Kirkpatrick  
Kuster  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Lee  
Levin  
Lewis  
Lieu, Ted  
Lipinski  
Loeb sack  
Lowenthal  
Lowey  
Lujan Grisham (NM)

Luján, Ben Ray (NM)  
Lynch  
Maloney, Carolyn  
Maloney, Sean  
Matsui  
McCollum  
McDermott  
McGovern  
McNerney  
Meeks  
Meng  
Moore  
Moulton  
Murphy (FL)  
Nadler  
Napolitano  
Neal  
Nolan  
Norcross  
O'Rourke  
Pallone  
Pascarell  
Payne  
Pelosi  
Perlmutter  
Peters  
Peterson  
Pingree  
Pocan  
Polis  
Price (NC)  
Quigley  
Rangel  
Rice (NY)  
Richmond  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez, Linda T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schradner  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Sherman  
Sinema



Will the gentleman from Georgia (Mr. COLLINS) kindly take the chair.

□ 1426

# IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2822) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, with Mr. COLLINS of Georgia (Acting Chair) in the chair.

The Acting CHAIR. When the Committee of the whole rose earlier today, an amendment offered by the gentleman from Pennsylvania (Mr. PERRY) had been disposed of, and the bill had been read through page 132, line 24.

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment by Mr. GARAMENDI of California.

Amendment by Mrs. CAPPS of California.

Amendment by Mr. SABLON of the Northern Mariana Islands.

Amendment by Ms. CASTOR of Florida.

Amendment by Mr. GRIJALVA of Arizona.

Amendment by Ms. TSONGAS of Massachusetts.

Amendment by Mr. GRIJALVA of Arizona.

Amendment by Mr. POLIS of Colorado.

Amendment by Ms. EDWARDS of Maryland.

Amendment No. 13 by Mrs. LAWRENCE of Michigan.

Amendment by Mr. POLIS of Colorado.

Amendment by Ms. TSONGAS of Massachusetts.

Amendment by Mr. GRIJALVA of Arizona.

Amendment by Mr. BEYER of Virginia.

Amendment No. 6 by Mrs. BLACKBURN of Tennessee.

Amendment by Mr. PEARCE of New Mexico.

Amendment by Mr. HARDY of Nevada.

The Chair will reduce to 2 minutes the time for any electronic vote in this series.

## AMENDMENT OFFERED BY MR. GARAMENDI

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. GARAMENDI) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 181, noes 244, not voting 8, as follows:

[Roll No. 393]

AYES—181

Adams	Gabbard	Moulton
Aguilar	Gallego	Murphy (FL)
Ashford	Garamendi	Nadler
Bass	Grayson	Napolitano
Beatty	Griffith	Neal
Becerra	Grijalva	Nolan
Benish	Gutiérrez	Norcross
Bera	Hahn	Pallone
Beyer	Hastings	Pascarella
Bishop (GA)	Heck (WA)	Payne
Blumenauer	Herrera Beutler	Pelosi
Bonamici	Higgins	Peters
Boyle, Brendan F.	Himes	Pingree
Brady (PA)	Hinojosa	Pocan
Brown (FL)	Honda	Poliquin
Brownley (CA)	Hoyer	Polis
Bustos	Huffman	Price (NC)
Butterfield	Israel	Quigley
Capps	Jackson Lee	Rice (NY)
Capuano	Jeffries	Roybal-Allard
Cárdenas	Johnson (GA)	Ruiz
Carney	Johnson, E. B.	Ruppersberger
Carson (IN)	Jolly	Rush
Cartwright	Jones	Ryan (OH)
Castor (FL)	Kaptur	Sanchez, Linda T.
Castro (TX)	Katko	Sanchez, Loretta
Chu, Judy	Keating	Sanford
Cicilline	Kelly (IL)	Sarbanes
Clark (MA)	Kelly (PA)	Schakowsky
Clarke (NY)	Kennedy	Schiff
Clay	Kildee	Scott (VA)
Clyburn	Kilmer	Scott, David
Cohen	Kind	Serrano
Connolly	Kirkpatrick	Sewell (AL)
Conyers	Kuster	Sherman
Costa	Langevin	Sinema
Courtney	Larson (CT)	Sires
Crowley	Lawrence	Slaughter
Cummings	Lee	Smith (WA)
Davis (CA)	Levin	Swalwell (CA)
Davis, Danny	Lewis	Takai
DeFazio	Lieu, Ted	Takano
DeLaney	Lipinski	Thompson (CA)
DeLauro	LoBiondo	Thompson (MS)
DelBene	Loeb	Titus
Denham	Lowenthal	Tonko
DeSaulnier	Lowe	Torres
Dingell	Lynch	Tsongas
Doggett	Maloney	Van Hollen
Doyle, Michael F.	Malone, Sean	Vargas
Duckworth	Massie	Veasey
Edwards	Matsui	Vela
Ellison	McDermott	Velázquez
Eshoo	McGovern	Walz
Esty	McKinley	Wasserman
Farr	McNerney	Schultz
Fattah	Meeks	Waters, Maxine
Foster	Meng	Watson Coleman
Frankel (FL)	Miller (MI)	Welch
Fudge	Mooney (WV)	Wilson (FL)
	Moore	Zeldin

NOES—244

Abraham	Brady (TX)	Cole
Aderholt	Brat	Collins (GA)
Allen	Bridenstine	Collins (NY)
Amash	Brooks (AL)	Comstock
Amodei	Brooks (IN)	Conaway
Babin	Buchanan	Cook
Barletta	Buck	Cooper
Barr	Bucshon	Costello (PA)
Barton	Burgess	Cramer
Bilirakis	Byrne	Crawford
Bishop (MI)	Calvert	Crenshaw
Bishop (UT)	Carter (GA)	Cuellar
Black	Carter (TX)	Curbelo (FL)
Blackburn	Chabot	Davis, Rodney
Blum	Chaffetz	DeGette
Bost	Clawson (FL)	Dent
Boustany	Coffman	DeSantis

DesJarlais	Knight	Roe (TN)
Diaz-Balart	Labrador	Rogers (AL)
Dold	LaMalfa	Rogers (KY)
Donovan	Lamborn	Rohrabacher
Duffy	Lance	Rokita
Duncan (SC)	Larsen (WA)	Rooney (FL)
Duncan (TN)	Latta	Ros-Lehtinen
Ellmers (NC)	Long	Roskam
Emmer (MN)	Loudermilk	Ross
Farenthold	Love	Rothfus
Fincher	Lucas	Rouzer
Fitzpatrick	Luetkemeyer	Royce
Fleischmann	Lujan Grisham	Russell
Fleming	(NM)	Ryan (WI)
Flores	Luján, Ben Ray	Salmon
Forbes	(NM)	Scalise
Fortenberry	Lummis	Schradner
Fox	MacArthur	Schweikert
Franks (AZ)	Marchant	Scott, Austin
Frelinghuysen	Marino	Sensenbrenner
Garrett	McCarthy	Sessions
Gibbs	McCaul	Shimkus
Gibson	McClintock	Shuster
Gohmert	McCollum	Simpson
Goodlatte	McHenry	Smith (MO)
Gosar	McMorris	Smith (NE)
Gowdy	Rodgers	Smith (NJ)
Graham	McSally	Smith (TX)
Granger	Meadows	Stefanik
Graves (GA)	Meehan	Stewart
Graves (LA)	Messer	Stivers
Graves (MO)	Mica	Stutzman
Green, Al	Moolenaar	Thompson (PA)
Green, Gene	Mullin	Thornberry
Grothman	Mulvaney	Tiberi
Guinta	Murphy (PA)	Tipton
Guthrie	Neugebauer	Trott
Hanna	Newhouse	Turner
Hardy	Noem	Upton
Harper	Nugent	Valadao
Harris	Nunes	Visclosky
Hartzer	O'Rourke	Wagner
Heck (NV)	Olson	Walberg
Hensarling	Palazzo	Walden
Hice, Jody B.	Palmer	Walker
Hill	Paulsen	Walorski
Holding	Pearce	Walters, Mimi
Hudson	Perlmutter	Weber (TX)
Huelskamp	Perry	Webster (FL)
Huizenga (MI)	Peterson	Westerman
Hultgren	Pittenger	Westmoreland
Hunter	Pitts	Whitfield
Hurd (TX)	Poe (TX)	Williams
Hurt (VA)	Pompeo	Wilson (SC)
Issa	Posney	Wittman
Jenkins (KS)	Price, Tom	Womack
Jenkins (WV)	Rangel	Woodall
Johnson (OH)	Ratcliffe	Yoder
Johnson, Sam	Reed	Yoho
Jordan	Reichert	Young (AK)
Joyce	Renacci	Young (IA)
Kelly (MS)	Ribble	Young (IN)
King (IA)	Rice (SC)	Zinke
King (NY)	Richmond	
Kinzinger (IL)	Rigell	
Kline	Roby	

NOT VOTING—8

Cleaver	Engel	Speier
Culberson	Lofgren	Yarmuth
Deutch	Miller (FL)	

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1429

So the amendment was rejected.

The result of the vote was announced as above recorded.

## AMENDMENT OFFERED BY MRS. CAPPS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Mrs. CAPPS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 184, noes 243, not voting 6, as follows:

[Roll No. 394]

## AYES—184

Adams	Gabbard	Nadler
Aguilar	Gallego	Napolitano
Ashford	Garamendi	Neal
Bass	Graham	Nolan
Beatty	Grayson	Norcross
Becerra	Green, Al	O'Rourke
Benishkek	Green, Gene	Pallone
Bera	Grijalva	Pascrell
Beyer	Gutiérrez	Payne
Bishop (GA)	Hahn	Pelosi
Blumenauer	Hastings	Perlmutter
Bonamici	Heck (WA)	Peters
Boyle, Brendan	Herrera Beutler	Peterson
F.	Higgins	Pingree
Brady (PA)	Himes	Pocan
Brown (FL)	Hinojosa	Polis
Brownley (CA)	Honda	Price (NC)
Bustos	Hoyer	Quigley
Butterfield	Huffman	Rice (NY)
Capps	Israel	Roybal-Allard
Capuano	Jackson Lee	Ruiz
Cardenas	Jeffries	Ruppersberger
Carney	Johnson (GA)	Rush
Carson (IN)	Johnson, E. B.	Ryan (OH)
Cartwright	Jones	Sánchez, Linda
Castor (FL)	Kaptur	T.
Castro (TX)	Keating	Sanchez, Loretta
Chu, Judy	Kelly (IL)	Sanford
Ciçilline	Kennedy	Sarbanes
Clark (MA)	Kildee	Schakowsky
Clarke (NY)	Kilmer	Schiff
Clay	Kind	Scott (VA)
Cleaver	Kirkpatrick	Scott, David
Clyburn	Kuster	Serrano
Cohen	Langevin	Sewell (AL)
Connolly	Larson (CT)	Sherman
Conyers	Lawrence	Sinema
Courtney	Lee	Sires
Crowley	Levin	Slaughter
Cummings	Lewis	Smith (WA)
Davis (CA)	Lieu, Ted	Speier
Davis, Danny	Lipinski	Swalwell (CA)
DeFazio	LoBiondo	Takai
DeGette	Loeb	Takano
Delaney	Lowenthal	Thompson (CA)
DeLauro	Lowe	Thompson (MS)
DelBene	Lujan Grisham	Titus
DeSaulnier	(NM)	Tonko
Dingell	Luján, Ben Ray	Torres
Doggett	(NM)	Tsongas
Dold	Lynch	Van Hollen
Doyle, Michael	Maloney,	Vargas
F.	Carolyn	Veasey
Duckworth	Maloney, Sean	Vela
Edwards	Matsui	Velázquez
Ellison	McCollum	Visclosky
Engel	McDermott	Walz
Eshoo	McGovern	Wasserman
Esty	McNerney	Schultz
Farr	Meeks	Waters, Maxine
Fattah	Meng	Watson Coleman
Foster	Moore	Welch
Frankel (FL)	Moulton	Wilson (FL)
Fudge	Murphy (FL)	

## NOES—243

Abraham	Black	Burgess
Aderholt	Blum	Byrne
Allen	Bost	Calvert
Amash	Boustany	Carter (GA)
Amodel	Brady (TX)	Carter (TX)
Babin	Brat	Chabot
Barletta	Bridenstine	Chaffetz
Barr	Brooks (AL)	Clawson (FL)
Barton	Brooks (IN)	Coffman
Bilirakis	Buchanan	Cole
Bishop (MI)	Buck	Collins (GA)
Bishop (UT)	Bucshon	Collins (NY)

Comstock	Johnson, Sam	Rice (SC)
Conaway	Jolly	Richmond
Cook	Jordan	Rigell
Cooper	Joyce	Roby
Costa	Katko	Roe (TN)
Costello (PA)	Kelly (MS)	Rogers (AL)
Cramer	Kelly (PA)	Rogers (KY)
Crawford	King (IA)	Rohrabacher
Crenshaw	King (NY)	Rokita
Cuellar	Kinzing (IL)	Rooney (FL)
Curbelo (FL)	Kline	Ros-Lehtinen
Davis, Rodney	Knight	Roskam
Denham	Labrador	Ross
Dent	LaMalfa	Rothfus
DeSantis	Lamborn	Rouzer
DesJarlais	Lance	Royce
Diaz-Balart	Larsen (WA)	Russell
Donovan	Latta	Ryan (WI)
Duffy	Long	Salmon
Duncan (SC)	Loudermilk	Scalise
Duncan (TN)	Love	Schrader
Elmiers (NC)	Lucas	Schweikert
Emmer (MN)	Luetkemeyer	Scott, Austin
Farenthold	Lummis	Sensenbrenner
Fincher	MacArthur	Sessions
Fitzpatrick	Marchant	Shimkus
Fleischmann	Marino	Shuster
Fleming	Massie	Simpson
Flores	McCarthy	Smith (MO)
Forbes	McCaul	Smith (NE)
Fortenberry	McClintock	Smith (NJ)
Fox	McHenry	Smith (TX)
Franks (AZ)	McKinley	Stefanik
Frelinghuysen	McMorris	Stewart
Garrett	Rodgers	Stivers
Gibbs	McSally	Stutzman
Gibson	Meadows	Thompson (PA)
Gohmert	Meehan	Thornberry
Goodlatte	Messer	Tiberi
Gosar	Mica	Tipton
Govdy	Miller (MI)	Trott
Granger	Mooleenaar	Turner
Graves (GA)	Mooney (WV)	Upton
Graves (LA)	Mullin	Valadao
Graves (MO)	Mulvaney	Wagner
Griffith	Murphy (PA)	Walberg
Grothman	Neugebauer	Walden
Guinta	Newhouse	Walker
Guthrie	Noem	Walorski
Hanna	Nugent	Walters, Mimi
Hardy	Nunes	Weber (TX)
Harper	Olson	Webster (FL)
Harris	Palazzo	Wenstrup
Hartzler	Palmer	Westerman
Heck (NV)	Paulsen	Westmoreland
Hensarling	Pearce	Whitfield
Hice, Jody B.	Perry	Williams
Hill	Pittenger	Wilson (SC)
Holding	Pitts	Wittman
Hudson	Poe (TX)	Womack
Huelskamp	Poliquin	Woodall
Huizenga (MI)	Pompeo	Yoder
Hultgren	Posey	Yoho
Hunter	Price, Tom	Young (AK)
Hurd (TX)	Rangel	Young (IA)
Hurt (VA)	Ratcliffe	Young (IN)
Issa	Reed	Zeldin
Jenkins (KS)	Reichert	Zinke
Jenkins (WV)	Renacci	
Johnson (OH)	Ribble	

## NOT VOTING—6

Blackburn	Deutch	Miller (FL)
Culberson	Lofgren	Yarmuth

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1433

So the amendment was rejected.

The result of the vote was announced as above recorded.

## AMENDMENT OFFERED BY MR. SABLAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from the Northern Mariana Islands (Mr. SABLAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 183, noes 245, not voting 5, as follows:

[Roll No. 395]

## AYES—183

Adams	Fattah	Norcross
Aguilar	Foster	O'Rourke
Ashford	Frankel (FL)	Pallone
Bass	Fudge	Pascrell
Beatty	Gabbard	Payne
Becerra	Gallego	Pelosi
Bera	Garamendi	Perlmutter
Bishop (GA)	Gibson	Peterson
Bishop (UT)	Grayson	Pingree
Blumenauer	Green, Al	Pocan
Bonamici	Green, Gene	Price (NC)
Boyle, Brendan	Grijalva	Quigley
F.	Gutiérrez	Rangel
Brady (PA)	Hahn	Rice (NY)
Brown (FL)	Hastings	Richmond
Brownley (CA)	Heck (WA)	Ros-Lehtinen
Bustos	Higgins	Roybal-Allard
Butterfield	Himes	Ruiz
Capps	Hinojosa	Ruppersberger
Capuano	Honda	Ryan (OH)
Cardenas	Hoyer	Sánchez, Linda
Carney	Huffman	T.
Carson (IN)	Israel	Sanchez, Loretta
Cartwright	Jackson Lee	Sarbanes
Castor (FL)	Jeffries	Schakowsky
Castro (TX)	Johnson (GA)	Schiff
Chu, Judy	Johnson, E. B.	Schrader
Ciçilline	Jones	Scott (VA)
Clark (MA)	Kelly (IL)	Scott, David
Clarke (NY)	Kennedy	Serrano
Clay	Kildee	Sewell (AL)
Cleaver	Kilmer	Sherman
Clyburn	Kind	Sinema
Cohen	Kuster	Sires
Connolly	Langevin	Slaughter
Conyers	Larson (CT)	Smith (WA)
Cooper	Lawrence	Speier
Costa	Lee	Swalwell (CA)
Courtney	Levin	Takai
Crowley	Lewis	Takano
Cuellar	Lieu, Ted	Thompson (CA)
Cummings	Lipinski	Thompson (MS)
Curbelo (FL)	Loeb	Titus
Davis (CA)	Lowenthal	Tonko
Davis, Danny	Lowe	Torres
DeFazio	Lynch	Tsongas
DeGette	Maloney,	Van Hollen
Delaney	Carolyn	Vargas
DeLauro	Maloney, Sean	Veasey
DelBene	Matsui	Vela
Denham	McCollum	Velázquez
DeSaulnier	McDermott	Visclosky
Dingell	McGovern	Walz
Doggett	McNerney	Wasserman
Doyle, Michael	Meeks	Schultz
F.	Meng	Waters, Maxine
Duckworth	Moore	Watson Coleman
Edwards	Moulton	Welch
Ellison	Murphy (FL)	Wilson (FL)
Engel	Nadler	Yarmuth
Eshoo	Napolitano	Young (AK)
Esty	Neal	Zinke
Farr	Nolan	

## NOES—245

Abraham	Beyer	Bridenstine
Aderholt	Bilirakis	Brooks (AL)
Allen	Bishop (MI)	Brooks (IN)
Amash	Black	Buchanan
Amodel	Blackburn	Buck
Babin	Blum	Bucshon
Barletta	Bost	Burgess
Barr	Boustany	Byrne
Barton	Brady (TX)	Calvert
Benishkek	Brat	Carter (GA)

Carter (TX)	Jenkins (WV)	Posey
Chabot	Johnson (OH)	Price, Tom
Chaffetz	Johnson, Sam	Ratcliffe
Clawson (FL)	Jolly	Reed
Coffman	Jordan	Reichert
Cole	Joyce	Renacci
Collins (GA)	Katko	Ribble
Collins (NY)	Keating	Rice (SC)
Comstock	Kelly (MS)	Rigell
Conaway	Kelly (PA)	Roby
Cook	King (IA)	Roe (TN)
Costello (PA)	King (NY)	Rogers (AL)
Cramer	Kinzinger (IL)	Rogers (KY)
Crawford	Kirkpatrick	Rohrabacher
Crenshaw	Kline	Rokita
Davis, Rodney	Knight	Rooney (FL)
Dent	Labrador	Roskam
DeSantis	LaMalfa	Ross
DesJarlais	Lamborn	Rothfus
Diaz-Balart	Lance	Rouzer
Dold	Larsen (WA)	Royce
Donovan	Latta	Rush
Duffy	LoBiondo	Russell
Duncan (SC)	Long	Ryan (WI)
Duncan (TN)	Loudermilk	Salmon
Ellmers (NC)	Love	Sanford
Emmer (MN)	Lucas	Scalise
Farenthold	Luetkemeyer	Schweikert
Fincher	Lujan Grisham	Scott, Austin
Fitzpatrick	(NM)	Sensenbrenner
Fleischmann	Lujan, Ben Ray	Sessions
Fleming	(NM)	Shimkus
Flores	Lummis	Shuster
Forbes	MacArthur	Simpson
Fortenberry	Marchant	Smith (MO)
Fox	Marino	Smith (NE)
Franks (AZ)	Massie	Smith (NJ)
Frelinghuysen	McCarthy	Smith (TX)
Garrett	McCaul	Stefanik
Gibbs	McClintock	Stewart
Gohmert	McHenry	Stivers
Goodlatte	McKinley	Stutzman
Gosar	McMorris	Thompson (PA)
Gowdy	Rodgers	Thornberry
Graham	McSally	Tiberi
Granger	Meadows	Tipton
Graves (GA)	Meehan	Trott
Graves (LA)	Messer	Turner
Graves (MO)	Mica	Upton
Griffith	Miller (MI)	Valadao
Grothman	Moolenaar	Wagner
Guinta	Mooney (WV)	Walberg
Guthrie	Mullin	Walden
Hanna	Mulvaney	Walker
Hardy	Murphy (PA)	Walorski
Harper	Neugebauer	Walters, Mimi
Harris	Newhouse	Weber (TX)
Hartzler	Noem	Webster (FL)
Heck (NV)	Nugent	Wenstrup
Hensarling	Nunes	Westerman
Herrera Beutler	Olson	Westmoreland
Hice, Jody B.	Palazzo	Whitfield
Hill	Palmer	Williams
Holding	Paulsen	Wilson (SC)
Hudson	Pearce	Wittman
Huelskamp	Perry	Woodall
Huizenga (MI)	Peters	Yoder
Hultgren	Pittenger	Yoho
Hunter	Pitts	Young (AK)
Hurd (TX)	Poe (TX)	Young (IA)
Hurt (VA)	Poliquin	Young (IN)
Issa	Polis	Zinke
Jenkins (KS)	Pompeo	

## NOT VOTING—5

Culberson	Kaptur	Miller (FL)
Deutch	Lofgren	

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1436

So the amendment was rejected.

The result of the vote was announced  
as above recorded.

## AMENDMENT OFFERED BY MS. CASTOR

The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on the amendment offered by the  
gentlewoman from Florida (Ms. CAS-  
TOR) on which further proceedings were

postponed and on which the noes pre-  
vailed by voice vote.

The Clerk will redesignate the  
amendment.

The Clerk redesignated the amend-  
ment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote  
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-  
minute vote.

The vote was taken by electronic de-  
vice, and there were—ayes 188, noes 239,  
not voting 6, as follows:

[Roll No. 396]

## AYES—188

Adams	Frankel (FL)	Neal
Aguilar	Fudge	Nolan
Ashford	Gabbard	Norcross
Barletta	Gallego	O'Rourke
Bass	Garamendi	Pallone
Beatty	Gibson	Pascarell
Becerra	Graham	Payne
Bera	Grayson	Pelosi
Beyer	Green, Al	Perlmutter
Bishop (GA)	Green, Gene	Pingree
Blumenauer	Grijalva	Pocan
Bonamici	Gutiérrez	Price (NC)
Boyle, Brendan	Hahn	Quigley
F.	Hastings	Rangel
Brady (PA)	Heck (WA)	Reichert
Brown (FL)	Higgins	Rice (NY)
Brownley (CA)	Himes	Richmond
Bustos	Hinojosa	Roybal-Allard
Butterfield	Honda	Ruiz
Capps	Hoyer	Ruppersberger
Capuano	Huffman	Rush
Cárdenas	Israel	Ryan (OH)
Carney	Jackson Lee	Sanchez, Linda
Carson (IN)	Jeffries	T.
Cartwright	Johnson, E. B.	Sanchez, Loretta
Castor (FL)	Jones	Sarbanes
Castro (TX)	Kaptur	Schakowsky
Chu, Judy	Keating	Schiff
Cicilline	Kelly (IL)	Schrader
Clark (MA)	Kennedy	Scott (VA)
Clarke (NY)	Kildee	Scott, David
Cleaver	Kilmer	Serrano
Clyburn	Kind	Sewell (AL)
Cohen	Kirkpatrick	Sherman
Congolly	Kuster	Sinema
Conyers	Langevin	Sires
Cooper	Larsen (WA)	Slaughter
Costa	Larson (CT)	Smith (NJ)
Courtney	Lawrence	Smith (WA)
Crowley	Lee	Speier
Cuellar	Levin	Swalwell (CA)
Cummings	Lewis	Takai
Curbelo (FL)	Lieu, Ted	Takano
Davis (CA)	Lipinski	Thompson (CA)
Davis, Danny	Loeb sack	Thompson (MS)
DeFazio	Lowenthal	Titus
DeGette	Lowe	Tonko
Delaney	Lynch	Torres
DeLauro	Maloney,	Tsongas
DelBene	Carolyn	Van Hollen
DeSaulnier	Maloney, Sean	Vargas
Dingell	Matsui	Veasey
Doggett	McCollum	Vela
Dold	McDermott	Velázquez
Doyle, Michael	McGovern	Visclosky
F.	McMorris	Walz
Duckworth	Rodgers	Wasserman
Edwards	McNerney	Schultz
Ellison	Meeks	Waters, Maxine
Engel	Meng	Watson Coleman
Eshoo	Moore	Welch
Farr	Moulton	Wilson (FL)
Fattah	Murphy (FL)	Yarmuth
Fleming	Nadler	Zeldin
Foster	Napolitano	

## NOES—239

Abraham	Barr	Black
Aderholt	Barton	Blackburn
Allen	Benishak	Blum
Amash	Billirakis	Bost
Amodei	Bishop (MI)	Boustany
Babin	Bishop (UT)	Brady (TX)

Brat	Huelskamp	Polis
Bridenstine	Huizenga (MI)	Pompeo
Brooks (AL)	Hultgren	Pompeo
Brooks (IN)	Hunter	Posey
Buchanan	Hurd (TX)	Price, Tom
Buck	Hurt (VA)	Ratcliffe
Bucshon	Issa	Reed
Burgess	Jenkins (KS)	Renacci
Byrne	Jenkins (WV)	Ribble
Calvert	Johnson (OH)	Rice (SC)
Carter (GA)	Johnson, Sam	Rigell
Carter (TX)	Jolly	Roby
Chabot	Jordan	Roe (TN)
Chaffetz	Joyce	Rogers (AL)
Clawson (FL)	Katko	Rogers (KY)
Coffman	Kelly (MS)	Rohrabacher
Cole	Kelly (PA)	Rokita
Collins (GA)	King (IA)	Rooney (FL)
Collins (NY)	King (NY)	Ros-Lehtinen
Comstock	Kinzinger (IL)	Roskam
Conaway	Kline	Ross
Cook	Knight	Rothfus
Costello (PA)	Labrador	Rouzer
Cramer	LaMalfa	Royce
Crawford	Lamborn	Russell
Crenshaw	Lance	Ryan (WI)
Davis, Rodney	Latta	Salmon
Denham	LoBiondo	Sanford
Dent	Long	Scalise
DeSantis	Loudermilk	Schweikert
DesJarlais	Love	Scott, Austin
Diaz-Balart	Lucas	Sensenbrenner
Donovan	Luetkemeyer	Sessions
Duffy	Lujan Grisham	Shimkus
Duncan (SC)	(NM)	Shuster
Duncan (TN)	Lujan, Ben Ray	Simpson
Ellmers (NC)	(NM)	Smith (MO)
Emmer (MN)	Lummis	Smith (NE)
Esty	MacArthur	Smith (TX)
Farenthold	Marchant	Stefanik
Fincher	Marino	Stewart
Fitzpatrick	Massie	Stivers
Fleischmann	McCarthy	Stutzman
Flores	McCaul	Thompson (PA)
Forbes	McClintock	Thornberry
Fortenberry	McHenry	Tiberi
Fox	McKinley	Tipton
Franks (AZ)	McSally	Trott
Frelinghuysen	Meadows	Turner
Garrett	Meehan	Upton
Gibbs	Messer	Valadao
Gohmert	Mica	Wagner
Goodlatte	Miller (MI)	Walberg
Gosar	Moolenaar	Walden
Gowdy	Mooney (WV)	Walker
Granger	Mullin	Walorski
Graves (GA)	Mulvaney	Walters, Mimi
Graves (LA)	Murphy (PA)	Weber (TX)
Graves (MO)	Neugebauer	Webster (FL)
Griffith	Newhouse	Wenstrup
Grothman	Noem	Westerman
Guinta	Nugent	Westmoreland
Guthrie	Nunes	Whitfield
Hanna	Olson	Williams
Hardy	Palazzo	Wilson (SC)
Harper	Palmer	Wittman
Harris	Paulsen	Woodall
Hartzler	Pearce	Yoder
Heck (NV)	Perry	Yoho
Hensarling	Peters	Young (AK)
Herrera Beutler	Peterson	Young (IA)
Hice, Jody B.	Pittenger	Young (IN)
Hill	Pitts	Zinke
Holding	Poe (TX)	
Hudson	Poliquin	

## NOT VOTING—6

Clay	Deutch	Lofgren
Culberson	Johnson (GA)	Miller (FL)

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1439

So the amendment was rejected.

The result of the vote was announced  
as above recorded.

## AMENDMENT OFFERED BY MR. GRIJALVA

The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on the amendment offered by the

gentleman from Arizona (Mr. GRIJALVA) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 189, noes 239, not voting 5, as follows:

[Roll No. 397]

#### AYES—189

Adams	Gallego	Neal
Aguilar	Garamendi	Nolan
Ashford	Gibson	Norcross
Bass	Graham	O'Rourke
Beatty	Grayson	Pallone
Becerra	Green, Al	Pascarell
Bera	Green, Gene	Payne
Beyer	Grijalva	Pelosi
Bishop (GA)	Gutiérrez	Perlmutter
Blumenauer	Hahn	Peters
Bonamici	Hastings	Pingree
Boyle, Brendan	Heck (WA)	Pocan
F.	Herrera Beutler	Polis
Brady (PA)	Higgins	Price (NC)
Brown (FL)	Himes	Quigley
Brownley (CA)	Hinojosa	Rangel
Bustos	Honda	Reichert
Butterfield	Hoyer	Rice (NY)
Capps	Huffman	Richmond
Capuano	Israel	Roybal-Allard
Cárdenas	Jackson Lee	Ruiz
Carney	Jeffries	Ruppersberger
Carson (IN)	Johnson (GA)	Ryan (OH)
Cartwright	Johnson, E. B.	Sánchez, Linda
Castor (FL)	Kaptur	T.
Castro (TX)	Keating	Sanchez, Loretta
Chu, Judy	Kelly (IL)	Sarbanes
Cicilline	Kennedy	Schakowsky
Clark (MA)	Kildeer	Schiff
Clarke (NY)	Kilmer	Schrader
Clay	Kind	Scott (VA)
Cleaver	Kirkpatrick	Scott, David
Clyburn	Kuster	Serrano
Cohen	Langevin	Sewell (AL)
Connolly	Larsen (WA)	Sherman
Conyers	Larson (CT)	Sinema
Cooper	Lawrence	Sires
Courtney	Lee	Slaughter
Crowley	Levin	Smith (WA)
Cummings	Lewis	Speier
Curbeo (FL)	Lieu, Ted	Stefanik
Davis (CA)	Lipinski	Swalwell (CA)
Davis, Danny	LoBiondo	Takai
DeFazio	Loebach	Takano
DeGette	Lowenthal	Thompson (CA)
Delaney	Lowey	Thompson (MS)
DeLauro	Lujan Grisham	Titus
DelBene	(NM)	Tonko
DeSaulnier	Luján, Ben Ray	Torres
Dingell	(NM)	Tsongas
Doggett	Lynch	Van Hollen
Dold	Maloney,	Vargas
Doyle, Michael	Carolyn	Veasey
F.	Maloney, Sean	Vela
Duckworth	Matsui	Velázquez
Edwards	McCollum	Visclosky
Ellison	McDermott	Walz
Engel	McGovern	Wasserman
Eshoo	McNerney	Schultz
Esty	Meeks	Waters, Maxine
Farr	Meng	Watson Coleman
Fattah	Moore	Welch
Foster	Moulton	Wilson (FL)
Frankel (FL)	Murphy (FL)	Yarmuth
Fudge	Nadler	
Gabbard	Napolitano	

#### NOES—239

Abraham	Allen	Amodei
Aderholt	Amash	Babin

Barletta	Hardy	Pittenger
Barr	Harper	Pitts
Barton	Harris	Poe (TX)
Benishek	Hartzler	Poliquin
Bilirakis	Heck (NV)	Pompeo
Bishop (MI)	Hensarling	Posey
Bishop (UT)	Hice, Jody B.	Price, Tom
Black	Hill	Ratcliffe
Blackburn	Holding	Reed
Blum	Hudson	Renacci
Bost	Huelskamp	Ribble
Boustany	Huizenga (MI)	Rice (SC)
Brady (TX)	Hultgren	Rigell
Brat	Hunter	Roby
Bridenstine	Hurd (TX)	Roe (TN)
Brooks (AL)	Hurt (VA)	Rogers (AL)
Brooks (IN)	Issa	Rogers (KY)
Buchanan	Jenkins (KS)	Rohrabacher
Buck	Jenkins (WV)	Rokita
Bucshon	Johnson (OH)	Rooney (FL)
Burgess	Johnson, Sam	Ros-Lehtinen
Byrne	Jolly	Roskam
Calvert	Jones	Ross
Carter (GA)	Jordan	Rothfus
Carter (TX)	Joyce	Rouzer
Chabot	Katko	Royce
Chaffetz	Kelly (MS)	Russell
Clawson (FL)	Kelly (PA)	Ryan (WI)
Coffman	King (IA)	Salmon
Cole	King (NY)	Sanford
Collins (GA)	Kinzinger (IL)	Scalise
Collins (NY)	Kline	Schweikert
Comstock	Knight	Scott, Austin
Conaway	Labrador	Sensenbrenner
Cook	LaMalfa	Sessions
Costa	Lamborn	Shimkus
Costello (PA)	Lance	Shuster
Cramer	Latta	Simpson
Crawford	Long	Sinema
Crenshaw	Loudermilk	Smith (MO)
Cuellar	Love	Smith (NE)
Davis, Rodney	Lucas	Smith (TX)
Denham	Luetkemeyer	Stefanik
Dent	Lummis	Stewart
DeSantis	MacArthur	Stivers
DesJarlais	Marchant	Stutzman
Diaz-Balart	Marino	Thompson (PA)
Donovan	Massie	Thornberry
Duncan (SC)	McCarthy	Tiberi
Duncan (TN)	McCaul	Tipton
Elmers (NC)	McClintock	Trott
Emmer (MN)	McHenry	Turner
Farenthold	McKinley	Upton
Fincher	McMorris	Valadao
Fitzpatrick	Rodgers	Wagner
Fleischmann	McSally	Walberg
Fleming	Meadows	Walden
Flores	Meehan	Walker
Forbes	Messer	Walorski
Fortenberry	Mica	Walters, Mimi
Fox	Miller (MI)	Weber (TX)
Franks (AZ)	Moolenaar	Webster (FL)
Frelinghuysen	Mooney (WV)	Wenstrup
Garrett	Mullin	Westerman
Gibbs	Mulvaney	Westmoreland
Gohmert	Murphy (PA)	Whitfield
Goodlatte	Neugebauer	Williams
Gosar	Newhouse	Wilson (SC)
Gowdy	Noem	Wittman
Granger	Nugent	Womack
Graves (GA)	Nunes	Woodall
Graves (LA)	Olson	Yoder
Graves (MO)	Palazzo	Yoho
Griffith	Palmer	Young (AK)
Grothman	Paulsen	Young (IA)
Guinta	Pearce	Young (IN)
Guthrie	Perry	Zeldin
Hanna	Peterson	Zinke

#### NOT VOTING—5

Culberson	Duffy	Miller (FL)
Deutch	Loftgren	

#### ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1442

So the amendment was rejected. The result of the vote was announced as above recorded.

#### AMENDMENT OFFERED BY MS. TSONGAS

The Acting CHAIR. The unfinished business is the demand for a recorded

vote on the amendment offered by the gentlewoman from Massachusetts (Ms. TSONGAS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 191, noes 238, not voting 4, as follows:

[Roll No. 398]

#### AYES—191

Adams	Gabbard	Neal
Aguilar	Gallego	Nolan
Ashford	Garamendi	Norcross
Bass	Graham	O'Rourke
Beatty	Grayson	Pallone
Becerra	Green, Al	Pascarell
Bera	Green, Gene	Payne
Beyer	Grijalva	Pelosi
Bishop (GA)	Guinta	Perlmutter
Blumenauer	Gutiérrez	Peters
Bonamici	Hahn	Peterson
Boyle, Brendan	Hanna	Pingree
F.	Hastings	Pocan
Brady (PA)	Heck (WA)	Polis
Brown (FL)	Higgins	Price (NC)
Brownley (CA)	Himes	Quigley
Bustos	Hinojosa	Rangel
Butterfield	Honda	Rice (NY)
Capps	Hoyer	Richmond
Capuano	Huffman	Roybal-Allard
Cárdenas	Israel	Ruiz
Carney	Jackson Lee	Ruppersberger
Carson (IN)	Jeffries	Rush
Cartwright	Johnson (GA)	Ryan (OH)
Castor (FL)	Johnson, E. B.	Sánchez, Linda
Castro (TX)	Kaptur	T.
Chu, Judy	Keating	Sanchez, Loretta
Cicilline	Kelly (IL)	Sarbanes
Clark (MA)	Kennedy	Schakowsky
Clarke (NY)	Kildeer	Schiff
Clay	Kilmer	Schrader
Cleaver	Kind	Scott (VA)
Clyburn	Kirkpatrick	Scott, David
Cohen	Kuster	Serrano
Connolly	Langevin	Sewell (AL)
Conyers	Larsen (WA)	Sherman
Cooper	Larson (CT)	Sinema
Costa	Lawrence	Sires
Courtney	Lee	Slaughter
Crowley	Levin	Smith (WA)
Cuellar	Lewis	Speier
Cummings	Lieu, Ted	Stefanik
Davis (CA)	Lipinski	Swalwell (CA)
Davis, Danny	Loebach	Takai
DeFazio	Lowenthal	Takano
DeGette	Lowey	Thompson (CA)
Delaney	Lujan Grisham	Thompson (MS)
DeLauro	(NM)	Titus
DelBene	Luján, Ben Ray	Tonko
DeSaulnier	(NM)	Torres
Dingell	Lynch	Tsongas
Doggett	Maloney,	Van Hollen
Dold	Carolyn	Vargas
Doyle, Michael	Maloney, Sean	Veasey
F.	Matsui	Vela
Duckworth	McCollum	Velázquez
Edwards	McDermott	Visclosky
Ellison	McGovern	Walz
Engel	McNerney	Wasserman
Eshoo	Meeks	Schultz
Esty	Meng	Waters, Maxine
Farr	Moore	Watson Coleman
Fattah	Moulton	Welch
Foster	Murphy (FL)	Wilson (FL)
Frankel (FL)	Nadler	Yarmuth
Fudge	Napolitano	Zeldin

## NOES—238

Abraham	Griffith	Pearce
Aderholt	Grothman	Perry
Allen	Guthrie	Pittenger
Amash	Hardy	Pitts
Amodei	Harper	Poe (TX)
Babin	Harris	Poliquin
Barletta	Hartzler	Pompeo
Barr	Heck (NV)	Posey
Barton	Hensarling	Price, Tom
Benishek	Herrera Beutler	Ratcliffe
Bilirakis	Hice, Jody B.	Reed
Bishop (MI)	Hill	Reichert
Bishop (UT)	Holding	Renacci
Black	Hudson	Ribble
Blackburn	Huelskamp	Rice (SC)
Blum	Huizenga (MI)	Rigell
Bost	Hultgren	Roby
Boustany	Hunter	Roe (TN)
Brady (TX)	Hurd (TX)	Rogers (AL)
Brat	Hurt (VA)	Rogers (KY)
Bridenstine	Issa	Rohrabacher
Brooks (AL)	Jenkins (KS)	Rokita
Brooks (IN)	Jenkins (WV)	Rooney (FL)
Buchanan	Johnson (OH)	Ros-Lehtinen
Buck	Johnson, Sam	Roskam
Bucshon	Jolly	Ross
Burgess	Jones	Rothfus
Byrne	Jordan	Rouzer
Calvert	Joyce	Royce
Carter (GA)	Katko	Russell
Carter (TX)	Kelly (MS)	Ryan (WI)
Chabot	Kelly (PA)	Salmon
Chaffetz	King (IA)	Sanford
Clawson (FL)	King (NY)	Scalise
Coffman	Kinzingler (IL)	Schweikert
Cole	Kline	Scott, Austin
Collins (GA)	Knight	Sensenbrenner
Collins (NY)	Labrador	Sessions
Comstock	LaMalfa	Shimkus
Conaway	Lamborn	Shuster
Cook	Lance	Simpson
Costello (PA)	Latta	Smith (MO)
Cramer	LoBiondo	Smith (NE)
Crawford	Long	Smith (NJ)
Crenshaw	Loudermilk	Smith (TX)
Curbelo (FL)	Love	Stewart
Davis, Rodney	Lucas	Stivers
Denham	Luetkemeyer	Stutzman
Dent	Lummis	Thompson (PA)
DeSantis	MacArthur	Thornberry
DesJarlais	Marchant	Tiberi
Diaz-Balart	Marino	Tipton
Donovan	Massie	Trott
Duffy	McCarthy	Turner
Duncan (SC)	McCaul	Upton
Duncan (TN)	McClintock	Valadao
Ellmers (NC)	McHenry	Wagner
Emmer (MN)	McKinley	Walberg
Farenthold	McMorris	Walden
Fincher	Rodgers	Walker
Fitzpatrick	McSally	Walorski
Fleischmann	Meadows	Walters, Mimi
Fleming	Meehan	Weber (TX)
Flores	Messer	Webster (FL)
Forbes	Mica	Wenstrup
Fortenberry	Miller (MI)	Westerman
Fox	Moolenaar	Westmoreland
Franks (AZ)	Mooney (WV)	Whitfield
Frelinghuysen	Mullin	Williams
Garrett	Mulvaney	Wilson (SC)
Gibbs	Murphy (PA)	Wittman
Gibson	Neugebauer	Womack
Gohmert	Newhouse	Woodall
Goodlatte	Noem	Yoder
Gosar	Nugent	Yoho
Gowdy	Nunes	Young (AK)
Granger	Olson	Young (IA)
Graves (GA)	Palazzo	Young (IN)
Graves (LA)	Palmer	Zinke
Graves (MO)	Paulsen	

## NOT VOTING—4

Culberson	Lofgren
Deutch	Miller (FL)

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1446

So the amendment was rejected.

The result of the vote was announced  
as above recorded.

## AMENDMENT OFFERED BY MR. GRIJALVA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 178, noes 251, not voting 4, as follows:

[Roll No. 399]

## AYES—178

Adams	Fudge	Neal
Aguilar	Gabbard	Nolan
Bass	Gallego	Norcross
Beatty	Garamendi	O'Rourke
Becerra	Graham	Pallone
Bera	Grayson	Pascrell
Beyer	Green, Al	Payne
Bishop (GA)	Green, Gene	Pelosi
Blumenauer	Grijalva	Peters
Bonamici	Gutiérrez	Pingree
Boyle, Brendan	Hahn	Pocan
F.	Hastings	Polis
Brady (PA)	Heck (WA)	Price (NC)
Brown (FL)	Higgins	Quigley
Brownley (CA)	Himes	Rangel
Bustos	Hinojosa	Rice (NY)
Butterfield	Honda	Richmond
Capps	Hoyer	Roybal-Allard
Capuano	Huffman	Ruiz
Cárdenas	Israel	Ruppersberger
Carney	Jackson Lee	Rush
Carson (IN)	Jeffries	Ryan (OH)
Cartwright	Johnson (GA)	Sánchez, Linda
Castor (FL)	Johnson, E. B.	T.
Castro (TX)	Kaptur	Sanchez, Loretta
Chu, Judy	Keating	Sarbanes
Cicilline	Kelly (IL)	Schakowsky
Clark (MA)	Kennedy	Schiff
Clarke (NY)	Kildee	Schrader
Clay	Kilmer	Scott (VA)
Cleaver	Kind	Scott, David
Clyburn	Kirkpatrick	Serrano
Cohen	Kuster	Sewell (AL)
Connolly	Langevin	Sherman
Conyers	Larsen (WA)	Sires
Cooper	Larson (CT)	Slaughter
Courtney	Lawrence	Smith (WA)
Crowley	Lee	Speier
Cummings	Levin	Swalwell (CA)
Davis (CA)	Lewis	Takai
Davis, Danny	Lieu, Ted	Takano
DeFazio	Lipinski	Thompson (CA)
DeGette	Loeb sack	Thompson (MS)
Delaney	Lowenthal	Titus
DeLauro	Lowe	Tonko
DelBene	Lynch	Torres
DeSaulnier	Maloney,	Tsongas
Dingell	Carolyn	Van Hollen
Doggett	Maloney, Sean	Vargas
Doyle, Michael	Matsui	Veasey
F.	McCollum	Vela
Duckworth	McDermott	Velázquez
Edwards	McGovern	Visclosky
Ellison	McNerney	Walz
Engel	Meeks	Wasserman
Eshoo	Meng	Schultz
Esty	Moore	Waters, Maxine
Farr	Moulton	Watson Coleman
Fattah	Murphy (FL)	Welch
Foster	Nadler	Wilson (FL)
Frankel (FL)	Napolitano	Yarmuth

## NOES—251

Abraham	Allen	Amodei
Aderholt	Amash	Ashford

Babin	Hardy	Perry
Barletta	Harper	Peterson
Barr	Harris	Pittenger
Barton	Hartzler	Pitts
Benishek	Heck (NV)	Poe (TX)
Bilirakis	Hensarling	Poliquin
Bishop (MI)	Herrera Beutler	Pompeo
Bishop (UT)	Hice, Jody B.	Posey
Black	Hill	Price, Tom
Blackburn	Holding	Ratcliffe
Blum	Hudson	Reed
Bost	Huelskamp	Reichert
Boustany	Huizenga (MI)	Renacci
Brady (TX)	Hultgren	Ribble
Brat	Hunter	Rice (SC)
Bridenstine	Hurd (TX)	Rigell
Brooks (AL)	Hurt (VA)	Roby
Brooks (IN)	Issa	Roe (TN)
Buchanan	Jenkins (KS)	Rogers (AL)
Buck	Jenkins (WV)	Rogers (KY)
Bucshon	Johnson (OH)	Rohrabacher
Burgess	Johnson, Sam	Rokita
Byrne	Jolly	Rooney (FL)
Calvert	Jones	Ros-Lehtinen
Carter (GA)	Jordan	Roskam
Carter (TX)	Joyce	Ross
Chabot	Katko	Rothfus
Chaffetz	Kelly (MS)	Rouzer
Clawson (FL)	Kelly (PA)	Royce
Coffman	King (IA)	Russell
Cole	King (NY)	Ryan (WI)
Collins (GA)	Kinzingler (IL)	Salmon
Collins (NY)	Kline	Sanford
Comstock	Knight	Scalise
Conaway	Labrador	Schweikert
Cook	LaMalfa	Scott, Austin
Costa	Lamborn	Sensenbrenner
Costello (PA)	Lance	Sessions
Cramer	Latta	Shimkus
Crawford	LoBiondo	Shuster
Crenshaw	Long	Simpson
Cuellar	Loudermilk	Sinema
Curbelo (FL)	Love	Smith (MO)
Davis, Rodney	Lucas	Smith (NE)
Denham	Luetkemeyer	Smith (NJ)
Dent	Lujan Grisham	Smith (TX)
DeSantis	(NM)	Stefanik
DesJarlais	Luján, Ben Ray	Stewart
Diaz-Balart	(NM)	Stivers
Dold	Lummis	Stutzman
Donovan	MacArthur	Thompson (PA)
Duffy	Marchant	Thornberry
Duncan (SC)	Marino	Tiberi
Duncan (TN)	Massie	Tipton
Ellmers (NC)	McCarthy	Trott
Emmer (MN)	McCaul	Turner
Farenthold	McClintock	Upton
Fincher	McHenry	Valadao
Fitzpatrick	McKinley	Wagner
Fleischmann	McMorris	Walberg
Fleming	Rodgers	Walden
Flores	McSally	Walker
Forbes	Meadows	Walorski
Fortenberry	Meehan	Walters, Mimi
Fox	Messer	Weber (TX)
Franks (AZ)	Mica	Webster (FL)
Frelinghuysen	Miller (MI)	Wenstrup
Garrett	Moolenaar	Westerman
Gibbs	Mooney (WV)	Westmoreland
Gibson	Mullin	Whitfield
Gohmert	Mulvaney	Williams
Goodlatte	Murphy (PA)	Wilson (SC)
Gosar	Neugebauer	Wittman
Gowdy	Newhouse	Womack
Granger	Noem	Woodall
Graves (GA)	Nugent	Yoder
Graves (LA)	Nunes	Yoho
Graves (MO)	Olson	Young (AK)
	Palazzo	Young (IA)
	Palmer	Young (IN)
	Paulsen	Zeldin
	Pearce	Zinke
	Perlmutter	

## NOT VOTING—4

Culberson	Lofgren
Deutch	Miller (FL)

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1449

So the amendment was rejected.

The result of the vote was announced as above recorded.

## AMENDMENT OFFERED BY MR. POLIS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. POLIS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 186, noes 243, not voting 4, as follows:

[Roll No. 400]

## AYES—186

Adams	Fattah	Moore
Aguilar	Foster	Moulton
Ashford	Frankel (FL)	Murphy (FL)
Bass	Fudge	Nadler
Beatty	Gabbard	Napolitano
Becerra	Gallo	Neal
Bera	Garamendi	Nolan
Beyer	Gibson	Norcross
Bishop (GA)	Graham	O'Rourke
Blumenauer	Grayson	Pallone
Bonamici	Green, Al	Pascarell
Boyle, Brendan F.	Grijalva	Payne
Brady (PA)	Gutiérrez	Pelosi
Brown (FL)	Hahn	Perlmutter
Brownley (CA)	Hanna	Peters
Bustos	Hastings	Pingree
Butterfield	Heck (WA)	Pocan
Capps	Higgins	Polis
Capuano	Himes	Price (NC)
Cárdenas	Honda	Quigley
Carney	Hoyer	Rangel
Carson (IN)	Huffman	Rice (NY)
Cartwright	Israel	Richmond
Castor (FL)	Jackson Lee	Ros-Lehtinen
Castro (TX)	Jeffries	Roybal-Allard
Chu, Judy	Johnson (GA)	Ruiz
Cicilline	Johnson, E. B.	Ruppersberger
Clark (MA)	Kaptur	Rush
Clarke (NY)	Keating	Ryan (OH)
Clay	Kelly (IL)	Sánchez, Linda T.
Cleaver	Kennedy	Sanchez, Loretta
Clyburn	Kildee	Sarbanes
Cohen	Kilmer	Schakowsky
Connolly	Kind	Schiff
Conyers	Langevin	Schrader
Cooper	Larsen (WA)	Scott (VA)
Costa	Larson (CT)	Scott, David
Courtney	Lawrence	Serrano
Crowley	Lee	Sewell (AL)
Cummings	Levin	Sherman
Curbelo (FL)	Lewis	Sinema
Davis (CA)	Lieu, Ted	Sires
Davis, Danny	Lipinski	Slaughter
DeFazio	Loeb	Smith (WA)
DeGette	Lowenthal	Speier
Delaney	Lowe	Swalwell (CA)
DeLauro	Lujan Grisham	Takai
DelBene	(NM)	Takano
DeSaulnier	Lujan, Ben Ray	Thompson (CA)
Dingell	(NM)	Thompson (MS)
Doggett	Lynch	Titus
Dold	Maloney	Tonko
Doyle, Michael F.	Carolyn	Torres
Duckworth	Maloney, Sean	Tsongas
Edwards	Matsui	Van Hollen
Ellison	McCollum	Vargas
Engel	McDermott	Veasey
Eshoo	McGovern	Vela
Esty	McNerney	Velázquez
Farr	Meeks	Visclosky
	Meng	Walz

Wasserman  
Schultz  
Waters, Maxine

Watson Coleman  
Welch  
Wilson (FL)

## NOES—243

Abraham	Guinta	Perry
Aderholt	Guthrie	Peterson
Allen	Hardy	Pittenger
Amash	Harper	Pitts
Amodei	Harris	Poe (TX)
Babin	Hartzler	Poliquin
Barletta	Heck (NV)	Pompeo
Barr	Hensarling	Posey
Barton	Herrera Beutler	Price, Tom
Benishek	Hice, Jody B.	Ratcliffe
Bilirakis	Hill	Reed
Bishop (MI)	Hinojosa	Reichert
Bishop (UT)	Holding	Renacci
Black	Hudson	Ribble
Blackburn	Huelskamp	Rice (SC)
Blum	Huizenga (MI)	Rigell
Bost	Hultgren	Roby
Boustany	Hunter	Roe (TN)
Brady (TX)	Hurd (TX)	Rogers (AL)
Brat	Hurt (VA)	Rogers (KY)
Bridenstine	Issa	Rohrabacher
Brooks (AL)	Jenkins (KS)	Rokita
Brooks (IN)	Jenkins (WV)	Rooney (FL)
Buchanan	Johnson (OH)	Roskam
Buck	Johnson, Sam	Ross
Bucshon	Jolly	Rothfus
Burgess	Jones	Rouzer
Byrne	Jordan	Royce
Calvert	Joyce	Russell
Carter (GA)	Katko	Ryan (WI)
Carter (TX)	Kelly (MS)	Salmon
Chabot	Kelly (PA)	Sanford
Chaffetz	King (IA)	Scalise
Clawson (FL)	King (NY)	Schweikert
Coffman	Kinzinger (IL)	Scott, Austin
Cole	Kirkpatrick	Sensenbrenner
Collins (GA)	Kline	Sessions
Collins (NY)	Knight	Shimkus
Comstock	Labrador	Shuster
Conaway	LaMalfa	Simpson
Cook	Lamborn	Smith (MO)
Costello (PA)	Lance	Smith (NE)
Cramer	Latta	Smith (NJ)
Crawford	LoBiondo	Smith (TX)
Crenshaw	Long	Stefanik
Cuellar	Loudermilk	Stewart
Davis, Rodney	Love	Stivers
Denham	Lucas	Stutzman
Dent	Luetkemeyer	Thompson (PA)
DeSantis	Lummis	Thornberry
DesJarlais	MacArthur	Tiberi
Diaz-Balart	Marchant	Tipton
Donovan	Marino	Trott
Duffy	Massie	Turner
Duncan (SC)	McCarthy	Upton
Duncan (TN)	McCaul	Valadao
Ellmers (NC)	McClintock	Wagner
Emmer (MN)	McHenry	Walberg
Farenthold	McKinley	Walden
Fincher	McMorris	Walker
Fitzpatrick	Rodgers	Walorski
Fleischmann	McSally	Walters, Mimi
Fleming	Meadows	Weber (TX)
Flores	Meehan	Webster (FL)
Forbes	Messer	Wenstrup
Fortenberry	Mica	Westerman
Fox	Miller (MI)	Westmoreland
Franks (AZ)	Moolenaar	Whitfield
Frelinghuysen	Mooney (WV)	Williams
Garrett	Mullin	Wilson (SC)
Gibbs	Mulvaney	Wittman
Gohmert	Murphy (PA)	Womack
Goodlatte	Neugebauer	Woodall
Gosar	Newhouse	Yoder
Gowdy	Noem	Yoho
Granger	Nugent	Young (AK)
Graves (GA)	Nunes	Young (IA)
Graves (LA)	Olson	Young (IN)
Graves (MO)	Palazzo	Zeldin
Green, Gene	Palmer	Zinke
Griffith	Paulsen	
Grothman	Pearce	

## NOT VOTING—4

Culberson  
Deutch  
Lofgren  
Miller (FL)

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1453

So the amendment was rejected.

The result of the vote was announced as above recorded.

## AMENDMENT OFFERED BY MS. EDWARDS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Maryland (Ms. EDWARDS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 180, noes 249, not voting 4, as follows:

[Roll No. 401]

## AYES—180

Adams	Fattah	McNerney
Aguilar	Foster	Meeks
Bass	Frankel (FL)	Meng
Beatty	Fudge	Moore
Becerra	Gabbard	Moulton
Bera	Gallo	Murphy (FL)
Beyer	Garamendi	Nadler
Bishop (GA)	Graham	Napolitano
Blumenauer	Grayson	Neal
Bonamici	Green, Al	Nolan
Boyle, Brendan F.	Green, Gene	Norcross
Brady (PA)	Grijalva	O'Rourke
Brown (FL)	Gutiérrez	Pallone
Brownley (CA)	Hahn	Pascarell
Bustos	Hastings	Payne
Butterfield	Heck (WA)	Pelosi
Capps	Higgins	Perlmutter
Capuano	Himes	Peters
Cárdenas	Hinojosa	Pingree
Carney	Honda	Pocan
Carson (IN)	Hoyer	Polis
Cartwright	Huffman	Price (NC)
Castor (FL)	Israel	Quigley
Castro (TX)	Jackson Lee	Rangel
Chu, Judy	Jeffries	Rice (NY)
Cicilline	Johnson (GA)	Richmond
Clark (MA)	Johnson, E. B.	Roybal-Allard
Clarke (NY)	Kaptur	Ruiz
Clay	Keating	Ruppersberger
Cleaver	Kelly (IL)	Rush
Clyburn	Kennedy	Ryan (OH)
Cohen	Kildee	Sánchez, Linda T.
Connolly	Kilmer	Sanchez, Loretta
Conyers	Kind	Sarbanes
Cooper	Kuster	Schakowsky
Costa	Langevin	Schiff
Courtney	Larsen (WA)	Schrader
Crowley	Larson (CT)	Scott (VA)
Cummings	Lawrence	Scott, David
Davis (CA)	Lee	Serrano
Davis, Danny	Levin	Sherman
DeFazio	Lewis	Sires
DeGette	Lieu, Ted	Slaughter
Delaney	Lipinski	Smith (WA)
DeLauro	Loeb	Speier
DelBene	Lowenthal	Swalwell (CA)
DeSaulnier	Lowe	Takai
Dingell	Lujan Grisham	Takano
Doggett	(NM)	Thompson (CA)
Doyle, Michael F.	Luján, Ben Ray	Thompson (MS)
Duckworth	(NM)	Titus
Edwards	Lynch	Tonko
Ellison	Maloney	Torres
Engel	Carolyn	Tsongas
Eshoo	Maloney, Sean	Van Hollen
Esty	Matsui	Vargas
Farr	McCollum	Veasey
	McDermott	Vela
	McGovern	

Velázquez  
Visclosky  
Walz

Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman

Welch  
Wilson (FL)  
Yarmuth

## NOES—249

Abraham  
Aderholt  
Allen  
Amash  
Amodel  
Ashford  
Babin  
Barletta  
Barr  
Barton  
Benishkek  
Bilirakis  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Bost  
Boustany  
Brady (TX)  
Brat  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Buchanan  
Buck  
Bucshon  
Burgess  
Byrne  
Calvert  
Carter (GA)  
Carter (TX)  
Chabot  
Chaffetz  
Clawson (FL)  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comstock  
Conaway  
Cook  
Costello (PA)  
Cramer  
Crawford  
Crenshaw  
Cuellar  
Curbelo (FL)  
Davis, Rodney  
Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Dold  
Donovan  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers (NC)  
Emmer (MN)  
Farenthold  
Fincher  
Fitzpatrick  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Garrett  
Gibbs  
Gibson  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Griffith

Grothman  
Guinta  
Guthrie  
Hanna  
Hardy  
Harper  
Harris  
Hartzler  
Heck (NV)  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Hill  
Holding  
Hudson  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurd (TX)  
Hurt (VA)  
Issa  
Jenkins (KS)  
Jenkins (WV)  
Johnson (OH)  
Johnson, Sam  
Jolly  
Jones  
Jordan  
Joyce  
Katko  
Kelly (MS)  
Kelly (PA)  
King (IA)  
King (NY)  
Kinzinger (IL)  
Kirkpatrick  
Kline  
Knight  
Labrador  
LaMalfa  
Lamborn  
Lance  
Latta  
LoBiondo  
Long  
Loudermilk  
Love  
Lucas  
Luetkemeyer  
Lummis  
MacArthur  
Marchant  
Marino  
Massie  
McCarthy  
McCaul  
McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Meehan  
Messer  
Mica  
Miller (MI)  
Moolenaar  
Mooney (WV)  
Mullin  
Mulvaney  
Murphy (PA)  
Neugebauer  
Newhouse  
Noem  
Nugent  
Nunes  
Olson  
Palazzo  
Palmer  
Paulsen  
Pearce  
Perry

Peterson  
Pittenger  
Pitts  
Poe (TX)  
Poliquin  
Pompeo  
Posey  
Price, Tom  
Ratcliffe  
Reed  
Reichert  
Renacci  
Ribble  
Rice (SC)  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney (FL)  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Rouzer  
Royce  
Russell  
Ryan (WI)  
Salmon  
Sanford  
Scalise  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Sewell (AL)  
Shimkus  
Shuster  
Simpson  
Sinema  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Stefanik  
Stewart  
Stivers  
Stutzman  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Trott  
Turner  
Upton  
Valadao  
Wagner  
Walberg  
Walder  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Westmoreland  
Whitfield  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Young (IN)  
Zeldin  
Zinke

## NOT VOTING—4

Culberson  
Deutch

Lofgren  
Miller (FL)

ANNOUNCEMENT BY THE ACTING CHAIR  
The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1456

So the amendment was rejected.  
The result of the vote was announced  
as above recorded.

AMENDMENT NO. 13 OFFERED BY MRS. LAWRENCE

The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on the amendment offered by the  
gentlewoman from Michigan (Mrs.  
LAWRENCE) on which further pro-  
ceedings were postponed and on which  
the noes prevailed by voice vote.

The Clerk will redesignate the  
amendment.

The Clerk redesignated the amend-  
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote  
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-  
minute vote.

The vote was taken by electronic de-  
vice, and there were—ayes 179, noes 250,  
not voting 4, as follows:

[Roll No. 402]

AYES—179

Adams  
Aguiar  
Bass  
Beatty  
Becerra  
Bera  
Beyer  
Blumenauer  
Bonamici  
Boyle, Brendan  
F.  
Brady (PA)  
Brown (FL)  
Brownley (CA)  
Bustos  
Grijalva  
Gutiérrez  
Hahn  
Hastings  
Heck (WA)  
Higgins  
Himes  
Hinojosa  
Honda  
Hoyer  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly  
Conyers  
Cooper  
Costa  
Courtney  
Crowley  
Cummings  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
DeSaulnier  
Dingell  
Doggett  
Doyle, Michael  
F.  
Duckworth  
Edwards  
Ellison  
Engel

Eshoo  
Esty  
Farr  
Fattah  
Poster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Garamendi  
Gibson  
Graham  
Grayson  
Green, Al  
Grijalva  
Gutiérrez  
Neal  
Nolan  
Norcross  
O'Rourke  
Pallone  
Pascarell  
Payne  
Pelosi  
Perlmutter  
Peters  
Pingree  
Pocan  
Polis  
Price (NC)  
Quigley  
Rangel  
Rice (NY)  
Richmond  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schrader  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Sherman  
Sires  
Slaughter  
Smith (WA)  
Speier  
Swalwell (CA)

Takai  
Takano  
Thompson (CA)  
Thompson (MS)  
Titus  
Tonko  
Torres

Tsongas  
Van Hollen  
Vargas  
Veasey  
Velázquez  
Visclosky  
Walz

Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Welch  
Wilson (FL)  
Yarmuth

## NOES—250

Abraham  
Aderholt  
Allen  
Amash  
Amodel  
Ashford  
Babin  
Barletta  
Barr  
Barton  
Benishkek  
Bilirakis  
Bishop (GA)  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Bost  
Boustany  
Brady (TX)  
Brat  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Buchanan  
Buck  
Bucshon  
Burgess  
Byrne  
Calvert  
Carter (GA)  
Carter (TX)  
Chabot  
Chaffetz  
Clawson (FL)  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comstock  
Conaway  
Cook  
Costello (PA)  
Cramer  
Crawford  
Crenshaw  
Cuellar  
Curbelo (FL)  
Davis, Rodney  
Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Dold  
Donovan  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers (NC)  
Emmer (MN)  
Farenthold  
Fincher  
Fitzpatrick  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Garrett  
Gibbs  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Green, Gene

Perry  
Grothman  
Pittenger  
Pitts  
Poe (TX)  
Poliquin  
Pompeo  
Posey  
Price, Tom  
Ratcliffe  
Reed  
Reichert  
Renacci  
Ribble  
Rice (SC)  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney (FL)  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Rouzer  
Royce  
Russell  
Ryan (WI)  
Salmon  
Sanford  
Scalise  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Sinema  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Stefanik  
Stewart  
Stivers  
Stutzman  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Trott  
Turner  
Upton  
Valadao  
Vela  
Wagner  
Walberg  
Walder  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Westmoreland  
Whitfield  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Young (IN)  
Zeldin  
Zinke



## NOT VOTING—4

Culberson Lofgren  
Deutch Miller (FL)

ANNOUNCEMENT BY THE ACTING CHAIR  
The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1459

So the amendment was rejected.  
The result of the vote was announced  
as above recorded.

## AMENDMENT OFFERED BY MR. POLIS

The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on the amendment offered by the  
gentleman from Colorado (Mr. POLIS)  
on which further proceedings were  
postponed and on which the noes pre-  
vailed by voice vote.

The Clerk will redesignate the  
amendment.

The Clerk redesignated the amend-  
ment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote  
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-  
minute vote.

The vote was taken by electronic de-  
vice, and there were—ayes 192, noes 237,  
not voting 4, as follows:

[Roll No. 403]

## AYES—192

Adams	DeSaulnier	Kuster
Aguilar	Dingell	Langevin
Ashford	Doggett	Larsen (WA)
Bass	Doyle, Michael	Larson (CT)
Beatty	F.	Lawrence
Becerra	Duckworth	Lee
Bera	Edwards	Levin
Beyer	Ellison	Lewis
Bishop (GA)	Engel	Lieu, Ted
Blumenauer	Eshoo	Lipinski
Bonamici	Esty	Loebsack
Boyle, Brendan	Farr	Lowenthal
F.	Fattah	Lowe
Brady (PA)	Fitzpatrick	Lujan Grisham
Brown (FL)	Fortenberry	(NM)
Brownley (CA)	Foster	Lujan, Ben Ray
Bustos	Frankel (FL)	(NM)
Butterfield	Fudge	Lynch
Capps	Gabbard	Maloney,
Capuano	Galleo	Carolyn
Cárdenas	Garamendi	Maloney, Sean
Carney	Gibson	Matsui
Carson (IN)	Graham	McCollum
Cartwright	Grayson	McDermott
Castor (FL)	Green, Al	McGovern
Castro (TX)	Green, Gene	McNerney
Chu, Judy	Grijalva	Meehan
Cicilline	Gutiérrez	Meeks
Clark (MA)	Hahn	Meng
Clarke (NY)	Hastings	Moore
Clay	Heck (WA)	Moulton
Cleaver	Higgins	Murphy (FL)
Clyburn	Himes	Nadler
Cohen	Hinojosa	Napolitano
Connolly	Honda	Neal
Conyers	Hoyer	Nolan
Cooper	Huffman	Norcross
Costa	Israel	O'Rourke
Costello (PA)	Jackson Lee	Pallone
Courtney	Jeffries	Pascarell
Crowley	Johnson (GA)	Payne
Cuellar	Johnson, E. B.	Pelosi
Cummings	Kaptur	Perlmutter
Davis (CA)	Keating	Peters
Davis, Danny	Kelly (IL)	Pingree
DeFazio	Kennedy	Pocan
DeGette	Kildee	Polis
Delaney	Kilmer	Price (NC)
DeLauro	Kind	Quigley
DelBene	Kirkpatrick	Rangel

Ribble  
Rice (NY)  
Richmond  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Scott (VA)  
Scott, David  
Serrano

Abraham  
Aderholt  
Allen  
Amash  
Amodei  
Babin  
Barletta  
Barr  
Barton  
Benishak  
Bilirakis  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Bost  
Boustany  
Brady (TX)  
Brat  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Buchanan  
Buck  
Bucshon  
Burgess  
Byrne  
Calvert  
Carter (GA)  
Carter (TX)  
Chabot  
Chaffetz  
Clawson (FL)  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comstock  
Conaway  
Cook  
Cramer  
Crawford  
Crenshaw  
Curbelo (FL)  
Davis, Rodney  
Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Dold  
Donovan  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers (NC)  
Emmer (MN)  
Farenthold  
Fincher  
Fleischmann  
Fleming  
Flores  
Forbes  
Foxy  
Francis (AZ)  
Frelinghuysen  
Garrett  
Gibbs  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (LA)

## NOES—237

Graves (MO)  
Griffith  
Grothman  
Guinta  
Guthrie  
Hanna  
Hardy  
Harper  
Harris  
Hartzler  
Heck (NV)  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Hill  
Holding  
Hudson  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurd (TX)  
Hurt (VA)  
Issa  
Jenkins (KS)  
Jenkins (WV)  
Johnson (OH)  
Johnson, Sam  
Jolly  
Jones  
Jordan  
Joyce  
Katko  
Kelly (MS)  
Kelly (PA)  
King (IA)  
King (NY)  
Kinzinger (IL)  
Kline  
Knight  
Labrador  
LaMalfa  
Lamborn  
Lance  
Latta  
LoBiondo  
Lummis  
Long  
Loudermilk  
Love  
Lucas  
Luetkemeyer  
Lummis  
MacArthur  
Marchant  
Marino  
Massie  
McCarthy  
McCaul  
McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Messer  
Mica  
Miller (MI)  
Moolenaar  
Mooney (WV)  
Mullin  
Mulvaney  
Murphy (PA)  
Neugebauer  
Newhouse  
Noem

Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Walz  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Welch  
Wilson (FL)  
Titus  
Yarmuth  
Zeldin  
Zinke

Williams  
Wilson (SC)  
Wittman  
Yoho  
Young (AK)

## NOT VOTING—4

Culberson Lofgren  
Deutch Miller (FL)

ANNOUNCEMENT BY THE ACTING CHAIR  
The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1503

So the amendment was rejected.  
The result of the vote was announced  
as above recorded.

## AMENDMENT OFFERED BY MS. TSONGAS

The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on the amendment offered by the  
gentlewoman from Massachusetts (Ms.  
TSONGAS) on which further proceedings  
were postponed and on which the noes  
prevailed by voice vote.

The Clerk will redesignate the  
amendment.

The Clerk redesignated the amend-  
ment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote  
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-  
minute vote.

The vote was taken by electronic de-  
vice, and there were—ayes 186, noes 243,  
not voting 4, as follows:

[Roll No. 404]

## AYES—186

Adams	DeGette	Kaptur
Aguilar	Delaney	Katko
Bass	DeLauro	Keating
Beatty	DelBene	Kelly (IL)
Becerra	DeSaulnier	Kennedy
Bera	Dingell	Kildee
Beyer	Doggett	Kilmer
Bishop (GA)	Dold	Kuster
Blumenauer	Doyle, Michael	Langevin
Bonamici	F.	Larsen (WA)
Boyle, Brendan	Duckworth	Larson (CT)
F.	Edwards	Lawrence
Brady (PA)	Ellison	Lee
Brown (FL)	Engel	Levin
Brownley (CA)	Eshoo	Lewis
Buchanan	Esty	Lieu, Ted
Bustos	Farr	Lipinski
Butterfield	Fattah	Loebsack
Capps	Fitzpatrick	Lowenthal
Capuano	Foster	Lowe
Cárdenas	Frankel (FL)	Lujan Grisham
Carney	Fudge	(NM)
Carson (IN)	Gabbard	Lujan, Ben Ray
Cartwright	Galleo	(NM)
Castor (FL)	Garamendi	Lynch
Castro (TX)	Graham	Maloney,
Chu, Judy	Grayson	Carolyn
Cicilline	Green, Al	Maloney, Sean
Clark (MA)	Green, Gene	Matsui
Clarke (NY)	Grijalva	McCollum
Clay	Gutiérrez	McDermott
Cleaver	Hahn	McGovern
Clyburn	Hanna	McNerney
Cohen	Hastings	Meehan
Connolly	Heck (WA)	Meeks
Conyers	Higgins	Meng
Cooper	Himes	Moore
Costa	Hinojosa	Moulton
Costello (PA)	Honda	Murphy (FL)
Courtney	Hoyer	Nadler
Crowley	Huffman	Napolitano
Cummings	Israel	Neal
Curbelo (FL)	Jackson Lee	Norcross
Davis (CA)	Jeffries	O'Rourke
Davis, Danny	Johnson (GA)	Pallone
DeFazio	Johnson, E. B.	Pascarell

Payne Sánchez, Linda  
Pelosi T.  
Perlmutter Sanchez, Loretta  
Peters Sarbanes  
Pingree Schakowsky  
Pocan Schiff  
Polis Scott (VA)  
Price (NC) Scott, David  
Quigley Serrano  
Rangel Sewell (AL)  
Rice (NY) Sherman  
Richmond Sinema  
Ros-Lehtinen Sires  
Roybal-Allard Slaughter  
Ruiz Smith (WA)  
Ruppersberger Speier  
Rush Swalwell (CA)  
Ryan (OH) Takai  
Takano

## NOES—243

Abraham Granger  
Aderholt Graves (GA)  
Allen Graves (LA)  
Amash Graves (MO)  
Amodei Griffith  
Ashford Grothman  
Babin Guinta  
Barletta Guthrie  
Barr Hardy  
Barton Harper  
Benishek Harris  
Bilirakis Hartzler  
Bishop (MI) Heck (NV)  
Bishop (UT) Hensarling  
Black Herrera Beutler  
Blackburn Hice, Jody B.  
Blum Hill  
Bost Holding  
Boustany Hudson  
Brady (TX) Huelskamp  
Brat Huizenga (MI)  
Bridenstine Hultgren  
Brooks (AL) Hunter  
Brooks (IN) Hurd (TX)  
Buck Hurt (VA)  
Bucshon Issa  
Burgess Jenkins (KS)  
Byrne Jenkins (WV)  
Calvert Johnson (OH)  
Carter (GA) Johnson, Sam  
Carter (TX) Jolly  
Chabot Jones  
Chaffetz Jordan  
Clawson (FL) Joyce  
Coffman Kelly (MS)  
Cole Kelly (PA)  
Collins (GA) Kind  
Collins (NY) King (IA)  
Comstock King (NY)  
Conaway Kinzinger (IL)  
Cook Kirkpatrick  
Cramer Kline  
Crawford Knight  
Crenshaw Labrador  
Cuellar LaMalfa  
Davis, Rodney Lamborn  
Denham Lance  
Dent Latta  
DeSantis LoBiondo  
DesJarlais Long  
Diaz-Balart Loudermilk  
Donovan Love  
Duffy Lucas  
Duncan (SC) Luetkemeyer  
Duncan (TN) Lummis  
Ellmers (NC) MacArthur  
Emmer (MN) Marchant  
Farenthold Marino  
Fincher Massie  
Fleischmann McCarthy  
Fleming McCaul  
Flores McClintock  
Forbes McHenry  
Fortenberry McKinley  
Foxy McMorris  
Franks (AZ) Rodgers  
Frelinghuysen McSally  
Garrett Meadows  
Gibbs Messer  
Gibson Mica  
Gohmert Miller (MI)  
Goodlatte Moolenaar  
Gosar Mooney (WV)  
Gowdy Mullin

Thompson (CA)  
Thompson (MS)  
Titus  
Tonko  
Torres  
Tsongas  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Wilson (FL)  
Yarmuth

Walorski  
Walters, Mimi  
Walz  
Weber (TX)  
Webster (FL)  
Welch  
Wenstrup  
Westerman  
Westmoreland  
Whitfield  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder

## NOT VOTING—4

Culberson  
Deutch  
Lofgren  
Miller (FL)  
ANNOUNCEMENT BY THE ACTING CHAIR  
The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1506

So the amendment was rejected.  
The result of the vote was announced  
as above recorded.

Stated for:

Mr. WELCH. Mr. Chair, I would like to include an extension of the record indicating that I inadvertently voted “no” on rollcall 404. I intended to vote “aye.”

## AMENDMENT OFFERED BY MR. GRIJALVA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 183, noes 244, not voting 6, as follows:

[Roll No. 405]

## AYES—183

Adams  
Agullar  
Bass  
Beatty  
Becerra  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Bonamici  
Boyle, Brendan  
F.  
Brady (PA)  
Brown (FL)  
Brownley (CA)  
Buchanan  
Bustos  
Butterfield  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Cleaver  
Walberg  
Cohen  
Connolly

Grijalva  
Gutiérrez  
Hahn  
Hastings  
Heck (WA)  
Higgins  
Himes  
Hinojosa  
Honda  
Hoyer  
Huffman  
Israel  
Jackson Lee  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Keating  
Kelly (IL)  
Kennedy  
Kildee  
Kilmer  
Kind  
King (NY)  
Kirkpatrick  
Kuster  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Lee  
Levin  
Lewis  
Lieu, Ted  
Lipinski

Loeb sack  
Lowenthal  
Lowey  
Lujan Grisham  
(NM)  
Luján, Ben Ray  
(NM)  
Lynch  
Maloney,  
Carolyn  
Maloney, Sean  
Matsui  
McCollum  
McDermott  
McGovern  
McNerney  
Meeks  
Meng  
Moore  
Moulton  
Murphy (FL)  
Nadler  
Napolitano  
Neal  
Nolan  
Norcross  
O'Rourke  
Pallone  
Pascrell

Payne  
Pelosi  
Perlmutter  
Peters  
Pingree  
Pocan  
Polis  
Price (NC)  
Quigley  
Rangel  
Rice (NY)  
Richmond  
Roskam  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Sherman

## NOES—244

Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Garrett  
Gibbs  
Gibson  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Graham  
Granger  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Green, Gene  
Griffith  
Grothman  
Guinta  
Guthrie  
Hanna  
Hardy  
Harper  
Harris  
Hartzler  
Heck (NV)  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Hill  
Holding  
Hudson  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurd (TX)  
Hurt (VA)  
Issa  
Jenkins (KS)  
Jenkins (WV)  
Johnson (OH)  
Johnson, Sam  
Jolly  
Jones  
Jordan  
Joyce  
Katko  
Kelly (MS)  
Kelly (PA)  
King (IA)  
Kinzinger (IL)  
Kline  
Knight  
Labrador  
LaMalfa  
Lamborn  
Lance  
Latta  
LoBiondo  
Long  
Loudermilk  
Love

Lucas  
Luetkemeyer  
Lummis  
MacArthur  
Marchant  
Marino  
Massie  
McCarthy  
McCaul  
McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Meehan  
Messer  
Mica  
Miller (MI)  
Moolenaar  
Mooney (WV)  
Mullin  
Mulvaney  
Murphy (PA)  
Neugebauer  
Newhouse  
Noem  
Nugent  
Nunes  
Olson  
Palazzo  
Palmer  
Paulsen  
Pearce  
Perry  
Peterson  
Pittenger  
Pitts  
Poe (TX)  
Poliquin  
Pompeo  
Posey  
Price, Tom  
Ratcliffe  
Reed  
Reichert  
Renacci  
Ribble  
Rice (SC)  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney (FL)  
Ros-Lehtinen  
Ross  
Rothfus  
Rouzer  
Russell

Ryan (WI)	Stivers	Weber (TX)	DeSaulnier	Langevin	Rice (NY)	Marchant	Posey	Stewart
Salmon	Stutzman	Webster (FL)	Dingell	Larsen (WA)	Richmond	Marino	Price, Tom	Stivers
Sanford	Thompson (CA)	Wenstrup	Doggett	Larson (CT)	Ros-Lehtinen	Massie	Ratcliffe	Stutzman
Scalise	Thompson (PA)	Westerman	Dold	Lawrence	Roybal-Allard	McCarthy	Reed	Thompson (PA)
Schrader	Thornberry	Westmoreland	Doyle, Michael	Lee	Ruiz	McCaul	Renacci	Thornberry
Schweikert	Tiberi	Williams	F.	Levin	Ruppersberger	McClintock	Ribble	Tiberi
Scott, Austin	Tipton	Wilson (SC)	Duckworth	Lewis	Rush	McHenry	Rice (SC)	Tipton
Sensenbrenner	Trott	Wittman	Edwards	Lieu, Ted	Ryan (OH)	McKinley	Rigell	Trott
Sessions	Turner	Womack	Ellison	Lipinski	Sánchez, Linda	McMorris	Roby	Turner
Shimkus	Upton	Woodall	Engel	Loeb sack	T.	Rodgers	Roe (TN)	Upton
Shuster	Valadao	Yoder	Eshoo	Lowenthal	Sanchez, Loretta	McSally	Rogers (AL)	Valadao
Simpson	Wagner	Yoho	Esty	Lowe	Sarbanes	Meadows	Rogers (KY)	Wagner
Smith (MO)	Walberg	Young (AK)	Farr	Lujan Grisham	Schakowsky	Messer	Rohrabacher	Walberg
Smith (NE)	Walden	Young (IA)	Fattah	(NM)	Schiff	Mica	Rokita	Walden
Smith (NJ)	Walker	Young (IN)	Foster	Luján, Ben Ray	Schrader	Miller (MI)	Rooney (FL)	Walker
Smith (TX)	Walorski	Zeldin	Frankel (FL)	(NM)	Scott (VA)	Moolenaar	Roskam	Walorski
Stefanik	Walters, Mimi	Zinke	Fudge	Lynch	Scott, David	Mooney (WV)	Ross	Walters, Mimi
Stewart	Walz		Gabbard	Maloney,	Serrano	Mullin	Rothfus	Weber (TX)
			Gallego	Carolyn		Mulvaney	Rouzer	Webster (FL)
			Garamendi	Maloney, Sean		Murphy (PA)	Royce	Wenstrup
Culberson	Deutch	Lofgren	Gibson	Matsui	Sewell (AL)	Neugebauer	Russell	Westerman
Denham	Duncan (SC)	Miller (FL)	Graham	McCollum	Sherman	Newhouse	Ryan (WI)	Westmoreland
			Grayson	McDermott	Sires	Noem	Salmon	Whitfield
			Green, Al	McGovern	Slaughter	Nugent	Sanford	Williams
			Green, Gene	McNerney	Smith (WA)	Nunes	Scalise	Wilson (SC)
			Grijalva	Meehan	Speier	Olson	Schweikert	Wittman
			Gutiérrez	Meeks	Stefanik	Palazzo	Scott, Austin	Womack
			Hahn	Meng	Swalwell (CA)	Palmer	Sensenbrenner	Woodall
			Hastings	Moore	Takai	Paulsen	Sessions	Yoder
			Heck (WA)	Moulton	Takano	Pearce	Shimkus	Yoho
			Higgins	Murphy (FL)	Thompson (CA)	Perry	Shuster	Young (AK)
			Himes	Nadler	Thompson (MS)	Peterson	Simpson	Young (IA)
			Hinojosa	Napolitano	Titus	Pittenger	Sinema	Young (IN)
			Honda	Neal	Tonko	Pitts	Smith (MO)	Zeldin
			Hoyer	Nolan	Torres	Poe (TX)	Smith (NE)	
			Huffman	Norcross	Tsongas	Poliquin	Smith (NJ)	
			Israel	O'Rourke	Van Hollen	Pompeo	Smith (TX)	
			Jackson Lee	Pallone	Vargas			
			Jeffries	Pascrell	Veasey			
			Johnson (GA)	Payne	Vela			
			Johnson, E. B.	Pelosi	Velázquez			
			Kaptur	Perlmutter	Visclosky			
			Katko	Peters	Walz			
			Keating	Pingree	Wasserman			
			Kelly (IL)	Pocan	Schultz			
			Kennedy	Polis	Waters, Maxine			
			Kildee	Price (NC)	Watson Coleman			
			Kilmer	Quigley	Welch			
			Kind	Rangel	Wilson (FL)			
			Kuster	Reichert	Yarmuth			

## NOT VOTING—6

Culberson	Deutch	Lofgren
Denham	Duncan (SC)	Miller (FL)

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1509

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. BISHOP of Georgia. Mr. Chair, during rollcall vote No. 405, I mistakenly voted “yes” when I should have voted “no.”

Mr. CUELLAR. Mr. Chair, during rollcall vote No. 405 on H.R. 2822, I mistakenly recorded my vote as “yea” when I should have voted “nay.”

Mr. BISHOP of Georgia. Mr. Chair, during rollcall vote No. 405 on H.R. 2822, I mistakenly recorded my vote as “yea” when I should have voted “nay.”

## AMENDMENT OFFERED BY MR. BEYER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. BEYER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 189, noes 237, not voting 7, as follows:

[Roll No. 406]

AYES—189

Adams	Bustos	Cohen
Aguilar	Butterfield	Connolly
Ashford	Capps	Conyers
Bass	Capuano	Cooper
Beatty	Cardenas	Costa
Becerra	Carney	Courtney
Bera	Cartwright	Crowley
Beyer	Castor (FL)	Cummings
Bishop (GA)	Castro (TX)	Curbelo (FL)
Blumenauer	Chu, Judy	Davis (CA)
Bonamici	Cicilline	Davis, Danny
Boyle, Brendan	Clark (MA)	DeFazio
F.	Clarke (NY)	DeGette
Brady (PA)	Clay	Delaney
Brown (FL)	Cleaver	DeLauro
Brownley (CA)	Clyburn	DelBene

Abraham	Crenshaw	Heck (NV)
Aderholt	Cuellar	Hensarling
Allen	Davis, Rodney	Herrera Beutler
Amash	Denham	Hice, Jody B.
Amodei	Dent	Hill
Babin	DeSantis	Holding
Barletta	DesJarlais	Hudson
Barr	Diaz-Balart	Huelskamp
Barton	Donovan	Huizenga (MI)
Benishek	Duffy	Hultgren
Bilirakis	Duncan (SC)	Hunter
Bishop (MI)	Duncan (TN)	Hurd (TX)
Bishop (UT)	Ellmers (NC)	Hurt (VA)
Black	Emmer (MN)	Issa
Blackburn	Farenthold	Jenkins (KS)
Blum	Fincher	Jenkins (WV)
Bost	Fitzpatrick	Johnson (OH)
Boustany	Fleischmann	Johnson, Sam
Brady (TX)	Fleming	Jolly
Brat	Flores	Jones
Bridenstine	Forbes	Jordan
Brooks (AL)	Fortenberry	Joyce
Brooks (IN)	Foxo	Kelly (MS)
Buchanan	Franks (AZ)	Kelly (PA)
Buck	Frelinghuysen	King (IA)
Bucshon	Garrett	King (NY)
Burgess	Gibbs	Kinzinger (IL)
Byrne	Gohmert	Kirkpatrick
Calvert	Goodlatte	Kline
Carter (TX)	Gosar	Knight
Chabot	Gowdy	Labrador
Chaffetz	Granger	LaMalfa
Clawson (FL)	Graves (GA)	Lamborn
Coffman	Graves (LA)	Lance
Cole	Graves (MO)	Latta
Collins (GA)	Griffith	LoBiondo
Collins (NY)	Grothman	Long
Comstock	Guinta	Loudermilk
Conaway	Guthrie	Love
Cook	Hanna	Lucas
Costello (PA)	Hardy	Luetkemeyer
Cramer	Harper	Lummis
Crawford	Hartzler	MacArthur

## NOES—237

## NOT VOTING—7

Carson (IN)	Deutch	Miller (FL)
Carter (GA)	Harris	
Culberson	Lofgren	

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1512

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. CARSON of Indiana. Mr. Chair, on rollcall No. 406, had I been present, I would have voted “yes.”

Stated against:

Mr. CARTER of Georgia. Mr. Chair, on rollcall No. 406 I was unavoidably detained. Had I been present, I would have voted “no.”

## AMENDMENT NO. 6 OFFERED BY MRS. BLACKBURN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 168, noes 258, not voting 7, as follows:

[Roll No. 407]

## AYES—168

Allen	Guthrie	Paulsen
Amash	Hardy	Perry
Babin	Harper	Pittenger
Barr	Harris	Pitts
Barton	Hartzler	Poe (TX)
Bilirakis	Hensarling	Poliquin
Bishop (MI)	Hice, Jody B.	Pompeo
Black	Hill	Posey
Blackburn	Holding	Price, Tom
Blum	Hudson	Ratcliffe
Brady (TX)	Huelskamp	Ribble
Brat	Huizenga (MI)	Rice (SC)
Bridenstine	Hultgren	Roe (TN)
Brooks (AL)	Hunter	Rogers (AL)
Brooks (IN)	Hurd (TX)	Rohrabacher
Buchanan	Hurt (VA)	Rokita
Buck	Issa	Rothfus
Bucshon	Jenkins (KS)	Rouzer
Burgess	Johnson (OH)	Royce
Byrne	Johnson, Sam	Russell
Carter (GA)	Jones	Ryan (WI)
Carter (TX)	Jordan	Salmon
Chabot	Kelly (MS)	Sanford
Chaffetz	King (IA)	Scalise
Clawson (FL)	Kline	Schweikert
Coffman	Knight	Scott, Austin
Collins (GA)	Labrador	Sensenbrenner
Collins (NY)	LaMalfa	Sessions
Conaway	Lamborn	Shuster
Cook	Lance	Smith (MO)
Cooper	Latta	Smith (NE)
Crawford	Long	Smith (TX)
DeSantis	Loudermilk	Stewart
DesJarlais	Love	Stutzman
Duncan (SC)	Lucas	Thornberry
Duncan (TN)	Luetkemeyer	Tiberi
Farenthold	Lummis	Tipton
Fincher	Marchant	Upton
Fleischmann	Massie	Wagner
Fleming	McCarthy	Walberg
Flores	McCaul	Walker
Forbes	McClintock	Walorski
Fox	McHenry	Walters, Mimi
Franks (AZ)	McMorris	Weber (TX)
Garrett	Rodgers	Westerman
Gibbs	Meadows	Williams
Gohmert	Messer	Wilson (SC)
Goodlatte	Mica	Wittman
Gosar	Miller (MI)	Woodall
Gowdy	Moolenaar	Yoder
Granger	Mullin	Yoho
Graves (GA)	Mulvaney	Young (IA)
Graves (LA)	Murphy (PA)	Young (IN)
Graves (MO)	Neugebauer	Zinke
Griffith	Olson	
Grothman	Palazzo	
Guinta	Palmer	

## NOES—258

Abraham	Castor (FL)	Diaz-Balart
Adams	Castro (TX)	Dingell
Aderholt	Chu, Judy	Doggett
Aguilar	Cicilline	Dold
Amodei	Clark (MA)	Donovan
Ashford	Clarke (NY)	Doyle, Michael
Barletta	Clay	F.
Bass	Cleaver	Duckworth
Beatty	Clyburn	Duffy
Becerra	Cohen	Edwards
Benishek	Cole	Ellison
Bera	Comstock	Ellmers (NC)
Beyer	Connolly	Emmer (MN)
Bishop (GA)	Conyers	Engel
Bishop (UT)	Costa	Eshoo
Blumenauer	Costello (PA)	Esty
Bonamici	Courtney	Farr
Bost	Crenshaw	Fattah
Boustany	Crowley	Fitzpatrick
Boyle, Brendan	Cuellar	Fortenberry
F.	Cummings	Foster
Brady (PA)	Curbelo (FL)	Frankel (FL)
Brown (FL)	Davis (CA)	Frelinghuysen
Brownley (CA)	Davis, Danny	Fudge
Bustos	Davis, Rodney	Gabbard
Butterfield	DeFazio	Gallego
Calvert	DeGette	Garamendi
Capps	Delaney	Gibson
Capuano	DeLauro	Graham
Cárdenas	DelBene	Grayson
Carney	Denham	Green, Al
Carson (IN)	Dent	Green, Gene
Cartwright	DeSaulnier	Grijalva

Gutiérrez	Marino	Sánchez, Linda
Hahn	Matsui	T.
Hanna	McCollum	Sanchez, Loretta
Hastings	McDermott	Sarbanes
Heck (NV)	McGovern	Schakowsky
Heck (WA)	McKinley	Schiff
Herrera Beutler	McNerney	Schrader
Higgins	McSally	Scott (VA)
Himes	Meehan	Scott, David
Hinojosa	Meeks	Serrano
Honda	Meng	Sewell (AL)
Hoyer	Mooney (WV)	Sherman
Huffman	Moore	Shimkus
Israel	Moulton	Sinema
Jackson Lee	Murphy (FL)	Sires
Jeffries	Nadler	Slaughter
Jenkins (WV)	Napolitano	Smith (NJ)
Johnson (GA)	Neal	Smith (WA)
Johnson, E. B.	Newhouse	Speier
Jolly	Noem	Stefanik
Joyce	Nolan	Stivers
Kaptur	Norcross	Swalwell (CA)
Katko	Nugent	Takai
Keating	Nunes	Takano
Kelly (IL)	O'Rourke	Thompson (CA)
Kelly (PA)	Pallone	Thompson (MS)
Kennedy	Payne	Thompson (PA)
Kildee	Pearce	Titus
Kilmer	Pelosi	Tonko
Kind	Perlmutter	Torres
King (NY)	Peters	Trott
Kinzinger (IL)	Peterson	Tsongas
Kirkpatrick	Pingree	Turner
Kuster	Pocan	Valadao
Langevin	Polis	Van Hollen
Larsen (WA)	Price (NC)	Vargas
Larson (CT)	Quigley	Veasey
Lawrence	Rangel	Vela
Lee	Reed	Velázquez
Levin	Reichert	Visclosky
Lewis	Renacci	Walden
Lieu, Ted	Rice (NY)	Walz
Lipinski	Richmond	Wasserman
LoBiondo	Rigell	Schultz
Loeb sack	Roby	Waters, Maxine
Lowenthal	Rogers (KY)	Watson Coleman
Lowe	Rooney (FL)	Webster (FL)
Lujan Grisham	Ros-Lehtinen	Welch
(NM)	Roskam	Westmoreland
Luján, Ben Ray	Ross	Whitfield
(NM)	Roybal-Allard	Wilson (FL)
Lynch	Ruiz	Womack
MacArthur	Ruppersberger	Yarmuth
Maloney,	Rush	Young (AK)
Carolyn	Ryan (OH)	Zeldin
Maloney, Sean		

## NOT VOTING—7

ANNOUNCEMENT BY THE ACTING CHAIR  
The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1515

So the amendment was rejected.  
The result of the vote was announced  
as above recorded.  
Stated against:  
Mr. PASCRELL. Mr. Chair, on rollcall No. 407, had I been present, I would have voted "no."

## AMENDMENT OFFERED BY MR. PEARCE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Mexico (Mr. PEARCE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 231, noes 198, not voting 4, as follows:

[Roll No. 408]

## AYES—231

Abraham	Hardy	Poe (TX)
Aderholt	Harper	Poliquin
Allen	Harris	Pompeo
Amash	Hartzler	Posey
Amodei	Heck (NV)	Price, Tom
Babin	Hensarling	Ratcliffe
Barletta	Hice, Jody B.	Reichert
Barr	Hill	Renacci
Barton	Holding	Ribble
Benishek	Hudson	Rice (SC)
Bilirakis	Huelskamp	Rigell
Bishop (MI)	Huizenga (MI)	Roby
Bishop (UT)	Hultgren	Roe (TN)
Black	Hunter	Rogers (AL)
Blackburn	Hurd (TX)	Rogers (KY)
Blum	Hurt (VA)	Rohrabacher
Bost	Issa	Rokita
Boustany	Jenkins (KS)	Rooney (FL)
Brady (TX)	Jenkins (WV)	Ros-Lehtinen
Brat	Johnson (OH)	Roskam
Bridenstine	Johnson, Sam	Ross
Brooks (AL)	Jolly	Rothfus
Brooks (IN)	Jordan	Rouzer
Buck	Joyce	Royce
Bucshon	Katko	Russell
Burgess	Kelly (MS)	Ryan (WI)
Byrne	Kelly (PA)	Salmon
Calvert	King (IA)	Scalise
Carter (GA)	King (NY)	Schweikert
Carter (TX)	Kinzinger (IL)	Scott, Austin
Chabot	Kline	Sensenbrenner
Chaffetz	Knight	Sessions
Clawson (FL)	Labrador	Shimkus
Coffman	LaMalfa	Shuster
Cole	Lamborn	Simpson
Collins (GA)	Lance	Sinema
Collins (NY)	Latta	Smith (MO)
Comstock	LoBiondo	Smith (NE)
Conaway	Long	Smith (NJ)
Cook	Loudermilk	Smith (TX)
Costello (PA)	Love	Stefanik
Cramer	Lucas	Stewart
Crawford	Luetkemeyer	Stivers
Crenshaw	Lummis	Stutzman
Curbelo (FL)	MacArthur	Thompson (PA)
Davis, Rodney	Marchant	Thornberry
Dent	Marino	Tiberi
DeSantis	Massie	Tipton
DesJarlais	McCarthy	Trott
Diaz-Balart	McCaul	Turner
Dold	McClintock	Upton
Donovan	McHenry	Valadao
Duffy	McKinley	Wagner
Duncan (SC)	McMorris	Walberg
Duncan (TN)	Rodgers	Walden
Emmer (MN)	McSally	Walker
Farenthold	Meadows	Walorski
Fincher	Meehan	Walters, Mimi
Fleischmann	Messer	Weber (TX)
Fleming	Mica	Webster (FL)
Flores	Miller (MI)	Westerman
Forbes	Moolenaar	Whitfield
Fox	Mooney (WV)	Williams
Franks (AZ)	Mullin	Wilson (SC)
Frelinghuysen	Mulvaney	Wittman
Garrett	Murphy (PA)	Womack
Gibbs	Neugebauer	Woodall
Gohmert	Newhouse	Yoder
Goodlatte	Noem	Yoho
Gosar	Nugent	Young (AK)
Gowdy	Nunes	Young (IA)
Granger	Olson	Young (IN)
Graves (GA)	Palazzo	Zeldin
Graves (LA)	Paulsen	
Graves (MO)	Pearce	
Grothman	Perry	
Guinta	Pittenger	
Guthrie	Pitts	

## NOES—198

Adams	Beatty	Bishop (GA)
Aguilar	Becerra	Blumenauer
Ashford	Bera	Bonamici
Bass	Beyer	

Boyle, Brendan F.  
 Brady (PA)  
 Brown (FL)  
 Brownley (CA)  
 Buchanan  
 Bustos  
 Butterfield  
 Capps  
 Capuano  
 Cárdenas  
 Carney  
 Carson (IN)  
 Cartwright  
 Castor (FL)  
 Castro (TX)  
 Chu, Judy  
 Cicilline  
 Clark (MA)  
 Clarke (NY)  
 Clay  
 Cleaver  
 Clyburn  
 Cohen  
 Connolly  
 Conyers  
 Cooper  
 Costa  
 Courtney  
 Crowley  
 Cuellar  
 Cummings  
 Davis (CA)  
 Davis, Danny  
 DeFazio  
 DeGette  
 Delaney  
 DeLauro  
 DelBene  
 Denham  
 DeSaulnier  
 Dingell  
 Doggett  
 Doyle, Michael F.  
 Duckworth  
 Edwards  
 Ellison  
 Ellmers (NC)  
 Engel  
 Eshoo  
 Esty  
 Farr  
 Fattah  
 Fitzpatrick  
 Fortenberry  
 Foster  
 Frankel (FL)  
 Fudge  
 Gabbard  
 Gallego  
 Garamendi  
 Gibson  
 Graham  
 Grayson

## NOT VOTING—4

Culberson  
 Deutch

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
 There is 1 minute remaining.

□ 1518

So the amendment was agreed to.

The result of the vote was announced as above recorded.

## AMENDMENT OFFERED BY MR. HARDY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Nevada (Mr. HARDY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

Norcross  
 O'Rourke  
 Pallone  
 Palmer  
 Pascrell  
 Payne  
 Pelosi  
 Perlmutter  
 Peters  
 Peterson  
 Pingree  
 Pocan  
 Polis  
 Price (NC)  
 Quigley  
 Rangel  
 Reed  
 Rice (NY)  
 Richmond  
 Roybal-Allard  
 Ruiz  
 Ruppertsberger  
 Rush  
 Ryan (OH)  
 Sánchez, Linda T.  
 Sanchez, Loretta  
 Sanford  
 Sarbanes  
 Schakowsky  
 Schiff  
 Schrader  
 Scott (VA)  
 Scott, David  
 Serrano  
 Sewell (AL)  
 Sherman  
 Sires  
 Slaughter  
 Smith (WA)  
 Speier  
 Swalwell (CA)  
 Takai  
 Takano  
 Thompson (CA)  
 Thompson (MS)  
 Titus  
 Tonko  
 Torres  
 Tsongas  
 Van Hollen  
 Vargas  
 Veasey  
 Vela  
 Velázquez  
 Visclosky  
 Walz  
 Wasserman  
 Schultz  
 Waters, Maxine  
 Watson Coleman  
 Welch  
 Wilson (FL)  
 Yarmuth

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 222, noes 206, not voting 5, as follows:

[Roll No. 409]

AYES—222

Abraham  
 Aderholt  
 Allen  
 Amodei  
 Babin  
 Barletta  
 Barr  
 Barton  
 Benishek  
 Bilirakis  
 Bishop (MI)  
 Bishop (UT)  
 Black  
 Blackburn  
 Blum  
 Bost  
 Boustany  
 Brady (TX)  
 Brat  
 Bridenstine  
 Brooks (AL)  
 Brooks (IN)  
 Buchanan  
 Buck  
 Buchson  
 Burgess  
 Byrne  
 Calvert  
 Carter (GA)  
 Carter (TX)  
 Chabot  
 Chaffetz  
 Clawson (FL)  
 Coffman  
 Cole  
 Collins (GA)  
 Collins (NY)  
 Comstock  
 Conaway  
 Cook  
 Cramer  
 Crawford  
 Crenshaw  
 Denham  
 DeSantis  
 DesJarlais  
 Diaz-Balart  
 Duffy  
 Duncan (SC)  
 Duncan (TN)  
 Ellmers (NC)  
 Emmer (MN)  
 Farenthold  
 Fincher  
 Fleischmann  
 Fleming  
 Flores  
 Forbes  
 Foxx  
 Franks (AZ)  
 Frelinghuysen  
 Garrett  
 Gibbs  
 Gohmert  
 Goodlatte  
 Gosar  
 Gowdy  
 Granger  
 Graves (GA)  
 Graves (LA)  
 Graves (MO)  
 Griffith  
 Grothman  
 Guinta  
 Guthrie

NOES—206

Adams  
 Aguilar  
 Amash  
 Ashford

Poliquin  
 Pompeo  
 Posey  
 Price, Tom  
 Ratcliffe  
 Reed  
 Reichert  
 Renacci  
 Ribble  
 Rice (SC)  
 Rigell  
 Roby  
 Roe (TN)  
 Rogers (AL)  
 Rogers (KY)  
 Rohrabacher  
 Rokita  
 Rooney (FL)  
 Roskam  
 Ross  
 Rothfus  
 Rouzer  
 Royce  
 Russell  
 Ryan (WI)  
 Salmon  
 Sanford  
 Scalise  
 Schrader  
 Schweikert  
 Scott, Austin  
 Sensenbrenner  
 Sessions  
 Shimkus  
 Shuster  
 Simpson  
 Smith (MO)  
 Smith (NE)  
 Smith (TX)  
 Stewart  
 Stivers  
 Thompson (PA)  
 Thornberry  
 Tiberi  
 Tipton  
 Trott  
 Turner  
 Upton  
 Valadao  
 Wagner  
 Walberg  
 Walden  
 Walker  
 Walorski  
 Walters, Mimi  
 Weber (TX)  
 Webster (FL)  
 Wenstrup  
 Westerman  
 Westmoreland  
 Whitfield  
 Williams  
 Wilson (SC)  
 Wittman  
 Womack  
 Woodall  
 Yoder  
 Yoho  
 Young (AK)  
 Young (IA)  
 Young (IN)  
 Zinke

Bass  
 Beatty  
 Becerra  
 Bera

Boyle, Brendan F.  
 Brady (PA)  
 Brown (FL)  
 Brownley (CA)  
 Bustos  
 Butterfield  
 Capps  
 Capuano  
 Cárdenas  
 Carney  
 Carson (IN)  
 Cartwright  
 Castor (FL)  
 Castro (TX)  
 Chu, Judy  
 Cicilline  
 Clark (MA)  
 Clarke (NY)  
 Clay  
 Cleaver  
 Clyburn  
 Cohen  
 Connolly  
 Conyers  
 Cooper  
 Costa  
 Costello (PA)  
 Courtney  
 Crowley  
 Cuellar  
 Cummings  
 Curbelo (FL)  
 Davis (CA)  
 Davis, Danny  
 Davis, Rodney  
 DeFazio  
 DeGette  
 Delaney  
 DeLauro  
 DelBene  
 Dent  
 DeSaulnier  
 Dingell  
 Doggett  
 Dold  
 Donovan  
 Doyle, Michael F.  
 Duckworth  
 Edwards  
 Ellison  
 Engel  
 Eshoo  
 Esty  
 Farr  
 Fattah  
 Fitzpatrick  
 Fortenberry  
 Foster  
 Frankel (FL)  
 Fudge  
 Gabbard  
 Gallego  
 Garamendi  
 Gibson  
 Graham

Grayson  
 Green, Al  
 Green, Gene  
 Grijalva  
 Gutiérrez  
 Hahn  
 Hastings  
 Heck (WA)  
 Higgins  
 Himes  
 Hinojosa  
 Honda  
 Hoyer  
 Huffman  
 Israel  
 Jackson Lee  
 Jeffries  
 Johnson (GA)  
 Johnson, E. B.  
 Kaptur  
 Katko  
 Keating  
 Kelly (IL)  
 Kennedy  
 Kildee  
 Kilmer  
 Kind  
 King (NY)  
 Kinzinger (IL)  
 Kirkpatrick  
 Kuster  
 Labrador  
 Lance  
 Langevin  
 Larsen (WA)  
 Larson (CT)  
 Lawrence  
 Lee  
 Levin  
 Lewis  
 Lieu, Ted  
 Lipinski  
 LoBiondo  
 Loeb sack  
 Lowenthal  
 Lujan Grisham (NM)  
 Luján, Ben Ray (NM)  
 Lynch  
 Maloney  
 Carolyn  
 Maloney, Sean  
 Matsui  
 McCollum  
 McDermott  
 McGovern  
 McNeerney  
 Meeks  
 Meng  
 Moore  
 Moulton  
 Murphy (FL)  
 Nadler  
 Napolitano

## NOT VOTING—5

Culberson  
 Deutch

Lofgren  
 Miller (FL)  
 Stutzman

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
 There is 1 minute remaining.

□ 1522

So the amendment was agreed to.

The result of the vote was announced as above recorded.

## PERSONAL EXPLANATION

Mr. MILLER of Florida. Mr. Chair, due to being unavoidably detained, I missed the following rollcall votes: No. 392—No. 409 on July 8, 2015 (today).

If present, I would have voted: rollcall vote No. 392—On Agreeing to the Resolution, Providing for further consideration of H.R. 5, the

Student Success Act and H.R. 2647, the Resilient Federal Forests Act of 2015, "aye;" rollcall vote No. 393—On Agreeing to the Amendment, First Garamendi of California Amendment to H.R. 2822, "nay;" rollcall vote No. 394—On Agreeing to the Amendment, Capps of California Amendment to H.R. 2822, "nay;" rollcall vote No. 395—On Agreeing to the Amendment, Sablan of Northern Mariana Islands Amendment to H.R. 2822, "nay;" rollcall vote No. 396—On Agreeing to the Amendment, Castor of Florida Amendment to H.R. 2822, "nay;" rollcall vote No. 397—On Agreeing to the Amendment, First Grijalva of Arizona Amendment to H.R. 2822, "nay;" rollcall vote No. 398—On agreeing to the Amendment, First Tsongas of Massachusetts Amendment to H.R. 2822, "nay;" rollcall vote No. 399—On Agreeing to the Amendment, Second Grijalva of Arizona Amendment to H.R. 2822, "nay;" rollcall vote No. 400—On Agreeing to the Amendment, First Polis of Colorado Amendment to H.R. 2822, "nay;" rollcall vote No. 401—On Agreeing to the Amendment, Edwards of Maryland Amendment to H.R. 2822, "nay;" rollcall No. 402—On agreeing to the Amendment, Lawrence of Michigan Amendment No. 13 to H.R. 2822, "nay;" rollcall vote No. 403—On Agreeing to the Amendment, Second Polis of Colorado Amendment to H.R. 2822, "nay;" rollcall vote No. 404—On Agreeing to the Amendment, Second Tsongas of Massachusetts Amendment to H.R. 2822, "nay;" rollcall vote No. 405—On Agreeing to the Amendment, Third Grijalva of Arizona Amendment to H.R. 2822, "nay;" rollcall vote No. 406—On Agreeing to the Amendment, Beyer of Virginia Amendment to H.R. 2822, "nay;" rollcall vote No. 407—On Agreeing to the Amendment, Blackburn of Tennessee Amendment No. 6 to H.R. 2822, "aye;" rollcall vote No. 408—On Agreeing to the Amendment, Pearce of New Mexico Amendment No. 13 to H.R. 2822, "aye;" rollcall vote No. 409—On Agreeing to the Amendment, Hardy of Nevada Amendment to H.R. 2822, "aye."

Mr. CALVERT. Mr. Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs. BLACK) having assumed the chair, Mr. COLLINS of Georgia, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2822) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, had come to no resolution thereon.

#### MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 286. An act to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes, and for other purposes.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

#### CALLING FOR SUBSTANTIVE DIALOGUE TO ADDRESS TIBETAN GRIEVANCES AND SECURE NEGOTIATED AGREEMENT FOR TIBETAN PEOPLE

Mr. SMITH of New Jersey. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 337) calling for substantive dialogue, without preconditions, in order to address Tibetan grievances and secure a negotiated agreement for the Tibetan people, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

#### H. RES. 337

Whereas Tibet is the center of Tibetan Buddhism, and His Holiness the Dalai Lama is the most revered figure in Tibetan Buddhism worldwide;

Whereas the Chinese response to the Tibetan Uprising in 1959 led to the exile of Tenzin Gyatso, His Holiness the 14th Dalai Lama, Tibet's spiritual and temporal leader;

Whereas His Holiness the 14th Dalai Lama, who on July 6, 2015, celebrates his 80th birthday, has for over 50 years in exile significantly advanced greater understanding, tolerance, harmony and respect among the religious faiths of the world;

Whereas His Holiness the 14th Dalai Lama has led the effort to preserve the rich cultural, religious, historical and linguistic heritage of the Tibetan people while at the same time promoting the safeguarding of other endangered cultures throughout the world;

Whereas His Holiness the 14th Dalai Lama has personally promoted democratic self-government for Tibetans in exile and in 2011 turned over political authority to the democratically elected leadership of the Central Tibetan Administration;

Whereas His Holiness the 14th Dalai Lama has been greatly concerned by the state of the Tibetan environment and the exploitation of its natural resources, including fresh water—as rivers originating in the Tibetan plateau support one-third of the world's population—and has promoted environmental awareness in the region;

Whereas His Holiness the 14th Dalai Lama was awarded the Nobel Peace Prize in 1989 in recognition of his efforts to seek a peaceful resolution to the situation in Tibet, and to promote non-violent methods for resolving conflict;

Whereas His Holiness the 14th Dalai Lama was awarded the Congressional Gold Medal in 2007 in recognition of his promotion of democracy, freedom, and peace for the Tibetan people; his efforts to preserve the cultural, religious, and linguistic heritage of the Tibetan people; his promotion of non-violence;

and his contributions to global religious understanding, human rights, and ecology;

Whereas His Holiness the 14th Dalai Lama, as the spiritual leader of Tibetan Buddhism, publicly presented in 2011 the religious process which Tibetan Buddhists should follow regarding his reincarnation;

Whereas the Chinese central government has attempted to interfere with the reincarnation process and the practice of Tibetan Buddhist religious traditions; and Chinese officials assert that the failure to secure Beijing's approval on the Dalai Lama's reincarnation would make the process "illegal";

Whereas in the words of Party official Zhu Weiqun, "Decision-making power over the reincarnation of the Dalai Lama and over the end or survival of his lineage, resides with the central government of China.";

Whereas the Department of State's International Religious Freedom Report for 2013 noted that in Tibetan areas of China "[r]epression was severe and increased around politically sensitive events and religious anniversaries," and "[o]fficial interference in the practice of Tibetan Buddhist religious traditions continued to generate profound grievances";

Whereas the Department of State has designated China as a "country of particular concern" (CPC) for religious freedom since 1999, and in its 2013 human rights report details that "under the banner of maintaining social stability and combating separatism, the [Chinese] government has engaged in the severe repression of Tibet's unique religious, cultural, and linguistic heritage by, among other means, strictly curtailing the civil rights of China's ethnic Tibetan population, including the freedoms of speech, religion, association, assembly, and movement";

Whereas access to Tibetan areas of China for United States officials, journalists, and other United States citizens, is restricted by the Government of the People's Republic of China, obscuring the full impact of the Chinese Government's policies, including the disappearance of Tibetans who sought to share information about human rights abuses on the Tibetan Plateau;

Whereas the Department of State's 2014 Report on Tibet Negotiations noted that "The Dalai Lama's representatives and Chinese officials have not met directly since the ninth round of dialogue in January 2010.";

Whereas, on March 10, 2015, the elected Tibetan leader Sikyong Dr. Lobsang Sangay publicly stated "The Envoys of His Holiness the Dalai Lama are ready to engage in dialogue with their Chinese counterpart any time and any place.";

Whereas it is the objective of the United States Government, consistent across administrations of different political parties and as articulated in the Tibetan Policy Act of 2002 (subtitle B of title VI of Public Law 107-228; 22 U.S.C. 6901 note) to promote dialogue between the Government of the People's Republic of China and the Dalai Lama or his representatives to reach a negotiated agreement on Tibet;

Whereas China may be considering convening a Sixth Tibet Work Forum to set policy on Tibet for the next five years or so, with the last such work forum having been held in 2010; and

Whereas the American people have a long-held concern for and interest in the plight of the Tibetan people: Now, therefore, be it

Resolved, That the House of Representatives—

(1) calls on the United States Government to fully implement sections 613(a) and 621(c) of the Tibetan Policy Act of 2002 by strongly

encouraging representatives of the Government of the People's Republic of China and His Holiness the Dalai Lama to hold substantive dialogue, in keeping with the Tibetan Policy Act of 2002 and without preconditions, in order to address Tibetan grievances and secure a negotiated agreement for the Tibetan people;

(2) calls on the United States Government to fully implement section 618 of the Tibetan Policy Act of 2002 in regard to the establishment of an office in Lhasa, Tibet, to monitor political, economic and cultural developments in Tibet, and to provide consular protection and citizen services;

(3) urges the United States Government—

(A) to consistently raise Tibetan human rights and political and religious freedom concerns at the United States-China Strategic and Economic Dialogue and other high-level bilateral meetings;

(B) and the Special Coordinator for Tibetan Issues to offer their assistance to China in its preparations for a potential future Sixth Tibet Work Form; and

(C) to call for the immediate and unconditional release of Tibetan political prisoners, including Gedhun Choekyi Nyima, the 11th Panchen Lama, who was taken into custody by the Chinese authorities and has been missing since 1995, Tenzin Delek Rinpoche, and Khenpo Kartse (Khenpo Karma Tsewang);

(4) calls on the United States Government to underscore that government interference in the Tibetan reincarnation process is a violation of the internationally recognized right to religious freedom and to highlight the fact that other countries besides China have long Tibetan Buddhist traditions, and that matters related to reincarnations in Tibetan Buddhism are of keen interest to Tibetan Buddhist populations worldwide;

(5) calls on the United States Government to recognize and increase global public awareness and monitoring of the upcoming electoral process through which the Tibetan people in exile will choose the next democratically elected leader of the Central Tibetan Administration, the Sikyong;

(6) calls on the United States Government to fully implement section 616(b) of the Tibetan Policy Act of 2002 by using its voice and vote to encourage development organizations and agencies to design and implement development projects that fully comply with the Tibet Project Principles;

(7) calls on United States and international governments, organizations, and civil society to renew and reinforce initiatives to promote the preservation of the distinct religious, cultural, linguistic, and national identity of the Tibetan people;

(8) calls on the Government of the People's Republic of China to allow unrestricted access to the Tibetan areas of China to United States officials, journalists, and other United States citizens;

(9) affirms the Dalai Lama's desire for a negotiated agreement for the Tibetan people, and urges the Chinese government to enter into negotiations with the Dalai Lama and his representatives; and

(10) reaffirms the unwavering friendship between the people of the United States and the people of Tibet.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

#### GENERAL LEAVE

Mr. SMITH of New Jersey. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to submit statements or extraneous materials for the RECORD on this measure.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SMITH of New Jersey. I yield myself such time as I may consume.

Madam Speaker, I rise in strong support of House Resolution 337, calling for substantive dialogue without preconditions to help secure a negotiated agreement for the Tibetan people. I want to thank the gentleman from New York (Mr. ENGEL), my friend and colleague, for his leadership in introducing this bipartisan resolution.

This week, Madam Speaker, when so many voices around the world are joined in wishing his holiness the Dalai Lama a happy 80th birthday, it is a fitting time to recommit ourselves to Congress' longstanding support for the fundamental rights of the people of Tibet, because the situation in Tibet has never been more bleak. Those basic rights involve fundamental and foundational rights of freedom of religion.

The recent State Department Human Rights Report offered a withering criticism of the Chinese Government's oversight of Tibet and Tibetan areas in China. It said:

The government engaged in severe repression of Tibet's religious, cultural, and religious heritage by, among other means, strictly curtailing the civil rights of China's Tibetan population, including the rights of the freedom of speech, religion, association, assembly, and movement.

Unfortunately, the regime's interference extends even to the most elemental aspects of Tibetan Buddhist practice. This year marks the 20th anniversary of the disappearance of the Panchen Lama, who was detained by Chinese Government officials back in 1995 when he was a young child. Zhu Weiqun, a top Communist official dealing with ethnic and religious affairs, has claimed, "decisionmaking power over the reincarnation of the Dalai Lama and over the end or survival of his lineage resides with the central Government of China."

Sadly, we know that Tibetans have used self-immolations as a protest against religious and political oversight by the Chinese Government. There have been 134 self-immolations since 2009. The numbers are decreasing because of heavy security and punishments that target family members and entire villages. It is difficult to fathom the despair and the desperation felt by Tibetans who take this last act of defiance. The Chinese Government has blamed the Dalai Lama and "foreign forces" for self-immolations instead of

looking at how their own despicable policies created such deep grievances.

Madam Speaker, the Tibetan people want to be free to practice their unique faith and to live by the dictates of their faith. This freedom is denied to them. The Chinese Government expanded its efforts last year to transform Tibetan Buddhism into a state-managed institution. They sought to undermine the devotion of the Tibetan people to the Dalai Lama and control the process of selecting Buddhist leaders. The Chinese Government wants a Tibetan Buddhism that is attractive to tourists and which allows the Communist Party to manage its affairs.

□ 1530

The U.N. Special Rapporteur on religion recently criticized China's efforts to control Tibetan Buddhism and the process of selecting leaders. He said:

The Chinese Government is destroying the autonomy of religious communities . . . creating schisms and pitting people against each other in order to exercise control.

This is exactly what the Chinese Government has done to other religious groups, including Catholics, Protestants, Muslims, and the Falun Gong. When the faithful don't fall in line, they are jailed.

Madam Speaker, the Congressional-Executive Commission on China, of which I serve as chairman, has a prisoner database that contains records on 617 Tibetan political and religious prisoners. Forty-four percent of those detained are monks, nuns, and religious teachers. Almost all were imprisoned since 2008.

Unfortunately, our ability to get accurate information in real time about this situation in Tibet is complicated by restrictions on access to Tibetan areas by United States officials, journalists, and other U.S. citizens. This has frustrated U.S. consular officers' ability to provide services to American citizens.

In October 2013, the Chinese Government delayed access for over 48 hours during an emergency situation involving a bus accident that ultimately resulted in the deaths of three U.S. citizens and injuries to others.

As the Chinese Government pushes for new consulates and official facilities in the United States, our government must insist on an official presence in Lhasa, which is called for in section 618 of the Tibetan Policy Act, which became law in the year 2002.

The Dalai Lama is recognized internationally for his commitment to peaceful and nonviolent conflict resolution. The recipient of the 1989 Nobel Peace Prize and a Congressional Gold Medal winner in 2007, he has made clear his willingness to engage in dialogue with Chinese counterparts at any time, at any place, and without any preconditions.

Unfortunately, this commitment to peaceful dialogue is not reciprocal, and



Chinese officials have not met directly with his representatives in over 5 years. This is the longest break since the dialogue—or so-called dialogue—started in 2002.

Indeed, a Chinese Government white paper on Tibet published this April states that China will “only talk with private representatives of the Dalai Lama” to discuss “the future of the Dalai Lama” and how he can “gain the forgiveness of the central government and the Chinese people.”

That is outrageous. Instead of asking for the Dalai Lama’s forgiveness for the decades of brutal repression, the Chinese Government demands that he ask the government of China for forgiveness.

This is unfortunate and highly counterproductive. If China’s goal is to build a “harmonious society” in Tibet, which they love to tout, it cannot be done without the Dalai Lama. He is the spiritual leader of the Tibetan people. His views are widely shared throughout Tibetan society, and he can be a constructive partner with China in addressing continuing tensions and deep-seated grievances.

In light of this, the resolution before us calls for fuller implementation of existing U.S. law in support of direct dialogue between Chinese officials and the Dalai Lama; it calls for an official U.S. presence in Lhasa and urges our government to ensure that religious rights and religious freedom issues are consistently raised in the U.S.-China Strategic and Economic Dialogue and other high-level meetings.

It has many, many other provisions which I know the prime sponsor will elaborate.

Madam Speaker, I reserve the balance of my time.

Mr. ENGEL. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in strong support of H. Res. 337, and I yield 1 minute to the gentlewoman from California (Ms. PELOSI), our leader and one of the greatest champions of Tibet’s struggle for freedom.

Ms. PELOSI. Madam Speaker, I thank the gentleman for yielding, and I commend him for being a champion on human rights throughout the world.

I am pleased to associate myself with the remarks of Chairman SMITH, and I thank him for his courageous, long-term dedication to human rights throughout the world and the recognition that what is happening in Tibet is a challenge to the conscience of our country and to the world.

I thank him for enumerating some of the concerns that we have, and I know that our distinguished ranking member will talk about some of what is contained in the resolution. I thank them both for their leadership.

Madam Speaker, I rise today in support of the resolution and in celebration of the 80th birthday of His Holiness

the Dalai Lama, whose spiritual wisdom and friendship have been inspiring and uplifting to many Tibetans, Americans, and people throughout the world.

His Holiness the Dalai Lama is a transcendent presence on the international stage. As a compassionate religious leader, astute diplomat, and an undaunted believer in the power of nonviolence, the Dalai Lama has earned the respect of people from many nations, many backgrounds, and many faith traditions.

American Presidents and the American people have been inspired by His Holiness, who describes himself as a simple monk, “no more, no less.” Those American Presidents began with Franklin Roosevelt, who sent His Holiness the Dalai Lama a watch with the phases of the Moon on it for his birthday when he was a little boy.

How prescient it was of President Roosevelt because His Holiness would not only be a religious figure, but one who related so positively to science and its mysteries.

To Tibetan Buddhists, His Holiness is the earthly manifestation of the living Buddha. To them and the international community, he is the spiritual leader of the Tibetan people. To millions of believers and admirers, he is a source of wisdom and compassion. To young people, His Holiness is a positive example of how to make the world a better place.

As our colleague mentioned, the Chinese Government has refused to meet with him. They are afraid to meet with him; they consider him a threat, and that is so unnecessary. They accuse him of being for independence when he has said for decades now that he is for autonomy for Tibet.

The Chinese Government has brutally repressed Tibet’s unique religious, cultural, and linguistic heritage. The Chinese Government’s oppression of the Tibetan people and the Chinese Communist Party’s vitriolic campaign against the Dalai Lama continues, which, again, challenges us all to speak out.

Again, the situation in Tibet is a challenge to the conscience of the world. If freedom-loving people do not speak out against oppression in Tibet, then we have lost all moral authority to speak out on behalf of human rights anywhere in the world.

If it is a big country with whom we have big commercial interests, like China, it deters us from using our voices in support of human rights. How then can we turn to smaller, less economically significant countries and say, “But for you, the standard is different?”

The Congress must continue to stand with the Tibetan people and stand with His Holiness the Dalai Lama to ensure that Tibetan children are free to learn their language, practice their faith,

and honor their culture as they live in peace.

Perhaps one of the most remarkable achievements of His Holiness is his profound and unbreakable connection with the people of Tibet. He has won the Nobel Peace Prize, as was indicated; and we honored him with a Congressional Gold Medal in 2007. At that time, it was an honor for all of us that President George W. Bush and Mrs. Bush attended that gold medal ceremony.

An 80th birthday is a significant milestone in any culture, none more so than in Tibet. This is a moment to celebrate; yet on his birthday, July 6, Tibetans were still not even allowed to utter the Dalai Lama’s name.

In the Dalai Lama’s homeland, more than 140 Tibetans have self-immolated to protest oppression by the Chinese Government and the Chinese Communist Party’s vitriolic campaign against the exiled Tibetan religious; yet the people of Tibet persevere. They persevere in peace. The nonviolent nature of the Tibetan struggle should serve as an inspiration to a world riven by conflict and devastating acts of violence.

During his long life, the Dalai Lama has shown that harmony between peoples is based on freedom of expression, the freedom and courage to speak the truth and treat others with mutual respect and dignity.

I just recall one incident when I was visiting His Holiness in India at Dharamsala. He had lamas come from all over to visit with our bipartisan congressional delegation who were visiting him there.

After people got up and talked about all the oppression and the campaign against the Tibetans that was happening at that time, I got up to speak following that, and I said that we, in Congress, must act; we must act in terms of legislation to support the people of Tibet.

I said so in a very forceful way because it was so sad to hear the stories of what was happening in Tibet, and I was so strong in my reaction to it. His Holiness followed me in the program, and he said: “I pray that we can rid NANCY of her negative attitudes.”

Anyway, there is no better way to honor the Dalai Lama on his 80th birthday than by standing with him and the Tibetan people, vowing to keep their cause alive.

As we wish His Holiness a peaceful and joyous birthday, we must rededicate ourselves to the cause of peace in the world and peace in our lives.

Mr. SMITH of New Jersey. Madam Speaker, I reserve the balance of my time.

Mr. ENGEL. Madam Speaker, I yield myself such time as I may consume.

I rise in strong support of H. Res. 337. I am proud to have offered this resolution that calls for the Chinese Government to sit down with Tibet’s leaders

without preconditions, listen to their grievances, and work toward an agreement that guarantees the rights and security of the Tibetan people.

It also marks, as the Democratic leader pointed out, the 80th birthday of the spiritual leader of the Tibetan people, His Holiness, the 14th Dalai Lama.

I have had the privilege to meet His Holiness, who is truly a remarkable man, such a gentle spirit driven from within by incredible strength and courage, a person of such humor and kindness whose life has been marked by struggle and setback.

I first met him here in Washington many years ago. When you meet him, no matter your faith or background, you cannot help but feel the bond of common humanity and be drawn into his cause and the cause of the Tibetan people; indeed, many in Congress have gotten behind this effort.

Let me, again, especially thank Leader PELOSI. There has been no greater champion in Congress for the Tibetan struggle for freedom. For years, she has held a light to the challenges the Tibetan people face in preserving their unique culture, language, and religion. I am honored that she is cosponsoring this resolution.

Let me also thank Asia Subcommittee Chairman MATT SALMON, and co-chairmen of the Tom Lantos Human Rights Commission, Representative JIM MCGOVERN and Representative JOSEPH PITTS, for supporting this measure. I thank my friend Mr. SMITH of New Jersey as well.

Since 1951, the people of Tibet have lived under the shadow of the People's Republic of China, without guarantees of even the most basic rights and with no say in deciding Tibet's future. The Dalai Lama has described the cultural genocide the Tibetan people have endured, forced assimilation and loss of language and cultural identity.

Today, as human rights conditions for the Tibetan people deteriorate and continue to deteriorate, as more monasteries come under government control, as more people are arrested, the desperation of the Tibetan people grows.

Tragically, more than 140 Tibetans have burned themselves alive in protest of growing oppression; yet the Chinese authorities have not changed course. Despite talk of mutual respect and social harmony, the reality in Tibet tells a very, very different story.

Today, we look to the example set by the Dalai Lama and call for meaningful change for the Tibetan people. The Dalai Lama's life has been a peaceful journey toward a better future for his people. It is in that spirit that we call on the Chinese Government to negotiate without preconditions.

His Holiness has shown that democratic institutions can thrive alongside spiritual leadership. It is in that spirit that we urge the Chinese Government

not to involve itself in the spiritual succession process for the next Dalai Lama, should there be one.

The Dalai Lama has championed freedom of expression and freedom of conscience to promote mutual understanding and harmony. It is in this spirit that this resolution calls on China to allow unrestricted access to officials, journalists, and other American citizens.

Let's not forget the United States has an obligation to hold up these freedoms as well. That is why this measure also calls on our own government to press the issues of human rights, political rights, and religious rights at the highest levels of the Chinese Government and to call for the immediate release of Tibetan political prisoners.

Throughout his life, the Dalai Lama has worked for a peaceful path forward for the Tibetan people. We are grateful for his example and his wisdom. With this resolution, we urge China's leaders to do the right thing for Tibet.

I enthusiastically support this resolution; I urge my colleagues to do the same, and I reserve the balance of my time.

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Mr. SMITH of New Jersey. Madam Speaker, I continue to reserve the balance of my time.

Mr. ENGEL. Madam Speaker, it is now my pleasure to yield 4 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), the co-chair of the Tom Lantos Human Rights Commission and a longtime supporter of the Dalai Lama and of Tibet.

Mr. MCGOVERN. Madam Speaker, I want to thank the gentleman from New York (Mr. ENGEL) for yielding me the time and for his leadership on this issue and on so many other issues.

I also want to thank Chairman ROYCE; Subcommittee Chairman SALMON; my friend and fellow co-chair of the Tom Lantos Human Rights Commission, Congressman JOE PITTS; as well as my colleague from New Jersey, Congressman SMITH, for working in such a bipartisan way to bring this resolution to the House floor during this week when we are all celebrating the 80th birthday of His Holiness, the Dalai Lama.

I especially want to thank Democratic Leader PELOSI for her many years of leadership and support of the Tibetan people. She is a true champion in the struggle to protect their basic human rights and autonomy.

We are all here because we care about the fundamental human rights of Tibetans, including the right to worship as they choose and to enjoy and protect their culture. But we may be running out of time to guarantee those rights.

As we celebrate the 80th birthday of Tenzin Gyatso, the 14th Dalai Lama, the Chinese Government has recently

asserted its right to approve his successor. The very continuation of the ancient line of Tibetan spiritual leadership and reincarnation is in question.

Next Tuesday, on July 14, the Tom Lantos Human Rights Commission will hold a hearing on the situation in Tibet with the aim of identifying new, creative ideas to advance the basic human rights of Tibetans and to ensure Tibetan autonomy.

I share the concerns of my colleagues that the situation in Tibet is dire.

Since 2009, more than 130 Tibetans inside China have taken the unimaginable step of setting themselves on fire. At least 112 are believed to have died. Some chose self-immolation to protest Chinese Government policies, others, to call for the return of the Dalai Lama. In response, Chinese authorities have intensified official reprisals.

Surely the people of Tibet must wonder whether anyone is hearing their desperate cries. With this resolution, we are attempting to send a clear message back to Tibet that, yes, we hear you. You are not alone.

Regrettably, the human rights abuses in Tibet are neither new nor unknown. On the contrary, Tibet is a very sensitive issue in U.S.-China relations. U.S. policy is supposed to be guided by the Tibetan Policy Act of 2002, which encourages dialogue between the Chinese Government and representatives of the Dalai Lama, but Chinese intransigence has closed down dialogue since 2010.

China also severely restricts access to Tibet and Tibetan regions, especially for U.S. journalists, officials, and citizens, even though, I might add, Chinese citizens and officials enjoy unrestricted access here in the United States.

In April, the Chinese Government issued a new white paper on Tibet, with its own unbelievable version of history and an unprecedented demand that the Dalai Lama publicly state that Tibet has been an integral part of China since antiquity as a precondition for improving relations with China.

Madam Speaker, we need to be doing something different. We need to have the guts to take some action. Everyone in the world says how much they admire the Dalai Lama. Every head of state, every international organization all declare how much they care about Tibet and worry about Tibetan human rights abuses, but things have only gotten worse. We must all come together now to change the status quo, to change the game the Chinese Government has been playing for so many decades.

The situation is urgent. It can wait no longer. And shame on all of us if we stand by with empty words and continue to watch the people of Tibet suffer and their culture, religion, and way of life be exterminated day by day, year by year, until nothing is left.

So I thank my colleagues for bringing this urgent matter to the attention of Congress, and I urge all my colleagues to support H. Res. 337.

Mr. SMITH of New Jersey. Madam Speaker, I yield such time as he may consume to the distinguished gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. What happens when the United States remains silent? What happens is repression and torture and the expansion of dictatorship, and, in the end, it makes the United States vulnerable.

We have sat back and permitted the Chinese to take whatever course they want to suppress the people of Tibet for over three decades now. And has it made Tibet any better, the people any freer that we haven't put any demands on the Communist Party in Beijing?

Has it made war less likely between the United States?

Has there been any more, because we have given them such elbow room, that the Chinese dictators in Beijing have decided to move on and treat their people a little bit better?

No. What has happened is there has been a growing repression and a growing chance of an altercation, an international altercation between China and its neighbors and, yes, the United States.

It is time we stand up for the people of the world who are fighting, struggling for their freedom, knowing that is what will make us secure, and nowhere is that more clear than in Tibet.

The people of Tibet are not Chinese people who are just reunited by the Communist Chinese with the motherland in China. It has been a distinct culture for centuries. And it wasn't until long after the Communist Chinese had taken over the rest of China that they invaded Tibet and subjugated its people.

The Dalai Lama is the spiritual leader, but also a symbolic force for freedom of religion and humanitarianism in this world.

We, as Americans, need to make sure that we are on the side of the Dalai Lama and the people of Tibet and in no way could our actions be interpreted, our silence be interpreted to be acquiescence to the repression that the people of Tibet have been experiencing these last three and four decades.

I rise in support of H. Res. 337, and I thank my colleagues for the leadership that they have provided on this issue. Let's make sure America stands tall, stands strong, and stands with the people of Tibet and other people seeking their freedom.

Mr. ENGEL. Madam Speaker, I yield myself such time as I may consume to close.

I urge my colleagues to support H. Res. 337. I think everyone who spoke made excellent points, and we are all of one mind. This is the right thing to do.

We should support this resolution to honor the deep humility, respect, and peace that the Dalai Lama represents to us and to people around the world. We should support this resolution to underscore our friendship and commitment to the Tibetan people and to all people who are oppressed and deprived of their basic rights.

Let me say that again, and to all people who are oppressed and deprived of their basic rights.

And we should support this resolution on behalf of the Chinese people themselves, the growing number of people inside China who understand China itself will be more prosperous and more successful when their government chooses to be genuinely open and respectful of all peoples and cultures.

I urge my colleagues to support H. Res. 337, and I yield back the balance of my time.

Mr. SMITH of New Jersey. Madam Speaker, I yield myself the balance of my time. I want to again thank my good friend and colleague ELIOT ENGEL for his excellent resolution. It is a bipartisan resolution.

I want to also thank Leader PELOSI for her eloquence on the floor today and for her love and respect that she has conveyed for decades to the Dalai Lama and the people of Tibet.

This is a bipartisan resolution. It shows, I think, that we are absolutely united, and I think that is an important message to send at this critical juncture.

I also want to point out to my colleagues that China really is a place where much is never as it seems to be. People who take trips there, go on tours there, even Members of Congress who travel there come away with a Potemkin village viewpoint of what is happening, especially when torture and other degrading acts and cruelty is routinely visited upon and imposed upon people that the Chinese Government deems to be of lesser value.

We see it with the Falun Gong. We see it with underground Christians. We see it with the Uighurs. And we see it in Tibet, where there has been a systematic effort to eradicate the culture of Tibet. It is genocide. They even used forced abortion as a way of genocide to kill the children of Tibetan mothers.

Years ago I held a hearing in the mid-1990s, and it was on torture in the People's Republic of China. And let us not forget, Chinese law proscribes torture. It prohibits torture. It is all a nice paper promise. It doesn't mean anything.

They have also signed the convention against torture, the U.N. convention, and they love to ballyhoo that when they are at international fora and when their people travel here to the United States.

But let's not forget, as well, that China took out a reservation to the U.N. Convention Against Torture, Arti-

cle 20, that exempts it from accepting any investigation about abuses. So the only one who will investigate China is the Chinese Government itself. They will not allow the International Committee of the Red Cross. They will not allow U.S. representatives and other bilateral or, I should say, multilateral organizations to come in and investigate allegations of torture.

Back in the early 1990s, again, I held this hearing, one of many. I have held 53 hearings on human rights abuses in China over the years. But this one we had six people, all of whom had been tortured with impunity by the Chinese Government.

Palden Gyatso, who is a Buddhist monk, came to the Rayburn Building, tried to go through the security there and was stopped. He was stopped because he brought with him some of the implements of torture that are used routinely by the Chinese Government—cattle prods and other hideous instruments that are put under the arms and elsewhere to cause horrific damage and pain to the victim—and he described in detail at the hearing what he personally went through.

Regrettably, that continues to this day. The State Department's report on human rights recently released reminds us that electric shocks, exposure to cold, and severe beatings, as well as extreme physical labor, are routinely used against Tibetans and Tibetan Buddhists, in particular, just like they were against Palden Gyatso years ago.

So it has not changed. It has actually gotten worse. And again, this resolution brings the light and scrutiny that is so necessary to these hideous practices.

So again, I urge my colleagues to support it, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the resolution, H. Res. 337, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

#### EXPRESSING SENSE OF HOUSE REGARDING SREBRENICA

Mr. SMITH of New Jersey. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 310) expressing the sense of the House of Representatives regarding Srebrenica.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

#### H. RES. 310

Whereas July 2015 will mark 20 years since the genocide at Srebrenica in Bosnia and Herzegovina;

Whereas beginning in April 1992, aggression and ethnic cleansing perpetrated by Bosnian Serb forces resulted in a massive influx of Bosniaks seeking protection in Srebrenica and its environs, which the United Nations Security Council designated a “safe area” within the Srebrenica enclave in Resolution 819 on April 16, 1993, under the protection of the United Nations Protection Force (UNPROFOR);

Whereas the UNPROFOR presence in Srebrenica consisted of a Dutch peacekeeping battalion, with representatives of the United Nations High Commissioner for Refugees, the International Committee of the Red Cross, and the humanitarian medical aid agency Medecins Sans Frontieres (Doctors Without Borders) helping to provide humanitarian relief to the displaced population living in conditions of massive overcrowding, destitution, and disease;

Whereas early in 1995, an intensified blockade of the enclave by Bosnian Serb forces deprived the entire population of humanitarian aid and outside communication and contact, and effectively reduced the ability of the Dutch peacekeeping battalion to deter aggression or otherwise respond effectively to a deteriorating situation;

Whereas beginning on July 6, 1995, Bosnian Serb forces attacked UNPROFOR outposts, seized control of the isolated enclave, held captured Dutch soldiers hostage and, after skirmishes with local defenders, took control of the town of Srebrenica on July 11, 1995;

Whereas an estimated one-third of the population of Srebrenica at the time, including a relatively small number of soldiers, attempted to pass through the lines of Bosnian Serb forces to the relative safety of Bosnian-government controlled territory, but many were killed by patrols and ambushes;

Whereas the remaining population sought protection with the Dutch peacekeeping battalion at its headquarters in the village of Potocari north of Srebrenica, but many of these individuals were with seeming randomness seized by Bosnian Serb forces to be beaten, raped, or executed;

Whereas Bosnian Serb forces deported women, children, and the elderly in buses, but held over 8,000 primarily Bosniak men and boys at collection points and sites in northeastern Bosnia and Herzegovina under their control, and then summarily executed these captives and buried them in mass graves;

Whereas Bosnian Serb forces, hoping to conceal evidence of the massacre at Srebrenica, subsequently moved corpses from initial mass grave sites to many secondary sites scattered throughout parts of eastern Bosnia and Herzegovina under their control;

Whereas the International Commission for Missing Persons (ICMP) deserves recognition for its assistance to the relevant institutions in Bosnia and Herzegovina in accounting for close to 90 percent of those individuals reported missing from Srebrenica, despite active attempts to conceal evidence of the massacre, through the careful excavation of mass graves sites and subsequent DNA analysis which confirmed the true extent of the massacre;

Whereas the massacre at Srebrenica was among the worst of many atrocities to occur in the conflict in Bosnia and Herzegovina from April 1992 to November 1995, during which the policies of aggression and ethnic cleansing pursued by Bosnian Serb forces with the direct support of the Serbian regime of Slobodan Milosevic and its followers

ultimately led to the displacement of more than 2,000,000 people, more than 100,000 killed, tens of thousands raped or otherwise tortured and abused, including at concentration camps in the Prijedor area, with the innocent civilians of Sarajevo and other urban centers repeatedly subjected to traumatic shelling and sniper attacks;

Whereas in addition to being the primary victims at Srebrenica, individuals with Bosniak heritage comprise the vast majority of the victims during the conflict in Bosnia and Herzegovina as a whole, especially among the civilian population;

Whereas Article 2 of the Convention on the Prevention and Punishment of the Crime of Genocide defines genocide as “any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (a) killing members of the group; (b) causing serious bodily or mental harm to members of the group; (c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) imposing measures intended to prevent births within the group; and (e) forcibly transferring children of the group to another group”;

Whereas, on May 25, 1993, the United Nations Security Council adopted Resolution 827 establishing the International Criminal Tribunal for the former Yugoslavia (ICTY), based in The Hague, the Netherlands, and charging the ICTY with responsibility for investigating and prosecuting individuals suspected of committing war crimes, genocide, crimes against humanity and grave breaches of the 1949 Geneva Conventions on the territory of the former Yugoslavia since 1991;

Whereas the ICTY, along with courts in Bosnia and Herzegovina as well as in Serbia, have indicted and in most cases convicted approximately three dozen individuals at various levels of responsibility for grave breaches of the 1949 Geneva Conventions, violations of the laws or customs of war, crimes against humanity, genocide, and complicity in genocide associated with the massacre at Srebrenica, most notably Radovan Karadzic and Ratko Mladic whose trials are ongoing;

Whereas both the ICTY and the International Court of Justice (ICJ) have ruled that the actions of Bosnian Serb forces in Srebrenica in July 1995 constitute genocide;

Whereas House Resolution 199, passed on June 27, 2005, expressed the sense of the House of Representatives that the aggression and ethnic cleansing committed by Serb forces in Bosnia and Herzegovina meets the terms defining genocide according to the 1949 Genocide Convention;

Whereas the United Nations has largely acknowledged its failure to fulfill its responsibility to take actions and make decisions that could have deterred the assault on Srebrenica and prevented the subsequent genocide from occurring;

Whereas some prominent Serbian and Bosnian Serb officials, among others, have denied or at least refused to acknowledge that the massacre at Srebrenica constituted a genocide, or have sought otherwise to trivialize the extent and importance of the massacre; and

Whereas the international community, including the United States, has continued to provide personnel and resources, including through direct military intervention, to prevent further aggression and ethnic cleansing, to negotiate the General Framework Agreement for Peace in Bosnia and Herzegovina (initialed in Dayton, Ohio, on November 21,

1995, and signed in Paris on December 14, 1995), and to help ensure its fullest implementation, including cooperation with the International Criminal Tribunal for the former Yugoslavia as well as reconciliation among all of Bosnia and Herzegovina's citizens: Now, therefore, be it

Resolved, That the House of Representatives—

(1) affirms that the policies of aggression and ethnic cleansing as implemented by Serb forces in Bosnia and Herzegovina from 1992 to 1995 meet the terms defining the crime of genocide in Article 2 of the Convention on the Prevention and Punishment of the Crime of Genocide;

(2) condemns statements that deny or question that the massacre at Srebrenica constituted a genocide;

(3) urges the Atrocities Prevention Board, a United States interagency committee established by the Administration in 2012, to study the lessons of Srebrenica and issue informed guidance on how to prevent similar incidents from recurring in the future, paying particular regard to troubled countries including but not limited to Syria, the Central African Republic and Burundi;

(4) encourages the United States to maintain and reaffirm its policy of supporting the independence and territorial integrity of Bosnia and Herzegovina, peace and stability in southeastern Europe as a whole, and the right of all people living in the region, regardless of national, racial, ethnic or religious background, to return to their homes and enjoy the benefits of democratic institutions, the rule of law, and economic opportunity, as well as to know the fate of missing relatives and friends;

(5) recognizes the achievement of the International Commission for Missing Persons (ICMP) in accounting for those missing in conflicts or natural disasters around the world and believes that the ICMP deserves justified recognition for its assistance to Bosnia and Herzegovina and its relevant institutions in accounting for approximately ninety percent of those reported missing after the Srebrenica massacre and seventy percent of those reported missing during the whole of the conflict in Bosnia and Herzegovina;

(6) welcomes the arrest and transfer to the International Criminal Tribunal for the former Yugoslavia (ICTY) of all persons indicted for war crimes, crimes against humanity, genocide and grave breaches of the 1949 Geneva Conventions, particularly those of Radovan Karadzic and Ratko Mladic, which has helped strengthen peace and encouraged reconciliation between the countries of the region and their citizens;

(7) asserts that it is in the national interest of the United States that those individuals who are responsible for these crimes and breaches should continue to be held accountable for their actions, and that the work of the ICTY therefore warrants continued support until all trials and appeals have been completed; and

(8) honors the thousands of innocent people killed or executed at Srebrenica in Bosnia and Herzegovina in July 1995, along with all individuals who were victimized during the conflict and genocide in Bosnia and Herzegovina from 1992 to 1995, as well as foreign nationals, including United States citizens, and those individuals in Serbia, Bosnia and Herzegovina, and other countries of the region who risked and in some cases lost their lives during their brave defense of human rights and fundamental freedoms, and advocacy of respect for ethnic identity without discrimination.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. SMITH of New Jersey. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to submit statements and extraneous materials for the RECORD on this measure.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SMITH of New Jersey. I yield myself such time as I may consume.

Madam Speaker, this week, the world pauses to remember and reflect on the Srebrenica genocide, horrific acts of brutality, wanton cruelty, and mass murder committed in Srebrenica beginning July 11, 20 years ago.

This week, we pause to honor those brave Bosniaks who suffered and died, victims of genocide. This week, the people in the United States and men and women of goodwill throughout the world again extend our deepest condolences and respect to the mothers and surviving family members who have endured unspeakable sorrow and loss that time will never abate. And this week, the international community must recommit itself to justice, once and for all, for those who perpetrated these heinous crimes.

Today, Ratko Mladic and Radovan Karadzic are incarcerated, awaiting final disposition of their cases before the International Tribunal for the former Yugoslavia for multiple counts of genocide, crimes against humanity, and violations of laws and customs of war.

Twenty years ago, Madam Speaker, an estimated 8,000 people were systematically slaughtered by Bosnian Serb soldiers in the United Nations-designated "safe haven" area of Srebrenica. They killed Muslim women and children, but especially sought out and murdered adult males in that area.

□ 1600

These brutal killings were not committed in battle. They were committed against people who were unarmed and helpless and who had been repeatedly assured by Dutch peacekeepers that they would not be harmed if they surrendered.

The evidence is overwhelming that the executions were committed with the specific intention of destroying the Bosnian Muslim population of that area. This intention is the central element in the crime of genocide.

The U.N. peacekeeping forces in Srebrenica were charged with enforcing Security Council Resolution 836, which had pledged to defend the safe areas

with "all necessary means, including the use of force."

But when the moment of truth came, the U.N. forces offered only token resistance to the Serb offensive. Their military and political commanders had redefined their primary mission not as the protection of the people of Srebrenica, but as the safety of the U.N. forces themselves.

When Bosnian Serb Commander Ratko Mladic threatened violence against the blue-helmeted soldiers, here is the way one of those soldiers described the reaction. And I quote him: "Everybody got a fright. You could easily get killed in such an operation. As far as I knew, we had not been sent to Srebrenica to defend the enclave, but, rather, as some kind of spruced-up observers."

So that is what the peacekeepers became: observers to genocide. Soon they became something more than observers: enablers.

On July 13, the Dutch blue-helmet battalion handed Bosnian Muslims who had sought safety within the U.N. compound over to the Serbs. They watched as the men were separated from the women and children, a process which was already well known in Bosnia—it was at the time—as a sign that the men were in imminent danger of being executed. These men were never heard from again.

At one congressional hearing I chaired in March of 1998—and I had six of them—Hasan Nuhanovic, the indigenous translator working for the U.N. peacekeepers in Srebrenica, testified.

He was there in the room. Hasan lost his family in the genocide. He was there when Mladic and the commanders of the Dutch peacekeepers talked about the terms.

Here is what he told my panel, in part:

"On July 12, the day before the fall of Srebrenica, the Bosnian Serb Army commander, General Ratko Mladic, requested a meeting with the Dutchbat commander, Lieutenant Colonel Karemans, and local representatives of Srebrenica in the nearby town of Bratunac outside the enclave . . . During the meeting, Mladic assured the Dutch and local delegation that no harm would come to the refugees in Potocari . . .

"Upon returning to the camp, three local representatives are ordered by Dutchbat deputy commander, Major Franken, to prepare a list of all males, all men and boys between the ages of 16 and 65 among the refugees inside and outside the camp. The list of the males among the 6,000 inside the camp was completed the same day . . .

"On July 13, the Dutch ordered 6,000 refugees out of the Potocari camp. The Serbs were waiting at the gate, separating all males from the women and children. Major Franken stated that all the males whose names were on the list

would be safe . . . I watched my parents and my brother being handed over to the Serbs at the gate. None of them have been seen since.

"I want to explain here that the people hoped that the Dutch were going to protect them, the U.N. peacekeeping troops and all other members of all other organization who were present in Srebrenica who were inside the camp, the people hoped that they would be protected, but the Dutch soldiers and officer gave no other option to the refugees but to leave. So the refugees inside were told to leave without any other choice. My family was told on the evening of 13 July that they should leave. About 6 p.m., there were no more refugees inside the camp.

"I don't know if this is the topic of the meeting or hearing, but the same night the Dutch soldiers had a party inside the camp because they received two or three trucks full of beer and cigarettes. They played music while I was sitting, not knowing what happened to my family."

As he went on to say later, they had all been slaughtered.

In July of 2007, Madam Speaker, I visited Srebrenica, where, together with my good friends President Haris Silajdzic and the Grand Mufti of Bosnia, Reis Ceric, I spoke at a solemn memorial service and witnessed the interment of hundreds of wooden coffins of newly discovered victims of the genocide.

It was a deeply moving experience to see 12 years then after the genocide—now it is 20 years—families still grieving loved ones whose bodies were being identified, often miles from the killing sites, as Serb forces, trying to hide the evidence of their crimes, moved the bodies of their victims.

For the record, 10 years ago—in 2005—the House of Representatives overwhelmingly passed H. Res. 199, which I authored, which clearly and unambiguously condemned the Srebrenica massacre for what it was: genocide.

That resolution was a landmark in the recognition of the Srebrenica massacre as a genocide. Two years later the verdict of the International Court of Justice found the same, in confirming the ruling of the International Criminal Tribunal for the former Yugoslavia.

Today the international community is nearly unanimous when it proclaims that the Srebrenica massacre was a genocide. The resolution today, of course, supports that as well.

Astonishingly, Madam Speaker, there are some genocide deniers. That is why this resolution condemns statements that deny that the massacre at Srebrenica constituted genocide. Just last weekend Milorad Dodik, the president of Republika Srpska, asserted that the Srebrenica genocide is a lie.

Madam Speaker, just as it is doing in Ukraine, Russia is utilizing misinformation and historical revisionism in

an attempt to destabilize Bosnia and the Balkan region. Today Russia vetoed a British U.N. Security Council resolution that reaffirms that Srebrenica was a genocide.

Russia has encouraged Serbia itself to protest the resolution and emboldened genocide denialism in the Republika Srpska, one of Bosnia's two constituent entities.

Madam Speaker, this resolution also encourages the administration to fulfill other neglected responsibilities. In particular, it urges the Atrocities Prevention Board to study the lessons of Srebrenica and issue informed guidance on how to prevent similar incidents from recurring in the future.

As you may know, the Atrocities Prevention Board is a U.S. interagency committee established by the administration in 2012 to flag potential atrocities. However, since its creation, the board has been marked by inaction and a complete lack of transparency.

This is unacceptable, especially as conflicts with disturbing parallels to Bosnia before the genocide continue to fester in Syria, the Central African Republic, Burma, and in Burundi.

Africa, in particular, would stand to benefit from a more active board. The conflict in Burundi is currently at a tipping point, and it absolutely needs attention.

Madam Speaker, despite the need for much greater atrocities prevention in U.S. policy, there have been many promising developments in the Balkan region, and this needs to be underscored.

In particular, I would note that Serbia today is not the Serbia of the Slobodan Milosevic era. That era was marked by nationalist aggression against neighboring countries and peoples, as well as considerable repression at home.

One of those who testified at one of my hearings on Serbia, Curuvija, a great young leader, was murdered on the second day after our bombing began by Serbian people. And the persons who did that have now been held to account. So what has happened there—thankfully, there have now been significant changes in Serbia.

I want to thank my colleagues. I do hope we will have a strong show of support for this resolution.

I reserve the balance of my time.

Mr. ENGEL. Madam Speaker, I yield myself such time as I may consume.

I rise in support of H. Res. 310.

I am the lead sponsor of this resolution. And I remember 20 years ago being in this Chamber when that massacre happened. It is hard to believe that it has been 20 years since the Srebrenica genocide, and it certainly was a genocide.

During the Bosnian war, the United Nations declared the area around this small town a safe zone. On the eve of the massacre, tens of thousands of dis-

placed Bosniak civilians had gathered under the protection of the U.N. in what they thought was a safe zone.

They all rushed to that place, only to be slaughtered a little while later. But the 400 U.N. peacekeepers could put up scarce resistance to the army of the Republika Srpska, whose leaders were bent on wiping out the Bosniak population.

Over the next few days, men and boys were lined up and mowed down by machine guns. Children were murdered in front of their mothers. Women and girls were raped and beaten, as onlookers stood powerless to intervene. Bulldozers piled bodies into mass graves.

I remember that happened in our lifetime. It is hard to believe.

When the killing had ended, more than 8,000 Bosniaks—mostly men and boys—had lost their lives in one of the bloodiest episodes on European soil since World War II.

This resolution tells their tragic story. It praises the efforts to hold the guilty accountable. It demands that those efforts continue. It underscores solidarity with the victims and calls for a reconciliation that will one day see the lies, hatred, and violence of the past replaced by true friendship and community.

This resolution tells the truth about what happened because telling the truth—however painful—is the starting point for healing to begin.

We remember the Srebrenica genocide to honor the victims and to remind ourselves of the costs of indifference, of what can happen when we say, well, that is somebody else's problem.

As this region of Europe heals—I have just come back from the Balkans—and charts a course toward a brighter future, I hope the lessons of this tragedy will be a guide for the United States and for countries around the world fighting against tyranny and oppression.

Today there was a disgrace that happened at the United Nations. Unfortunately, there are many disgraces that happen at the United Nations.

Two international courts have called the slaughter of Bosnian Serbs of some 8,000 Muslim men and boys who had sought refuge in what was supposed to be a U.N.-protected site genocide.

Now, what happened today at the U.N.? Russia vetoed a U.N. resolution calling Srebrenica a genocide. It passed the Security Council. Russia vetoed it.

You would think that a veto would be used for something of substance, not a resolution. This resolution has substance, but you would not think that Russia or any country would veto it.

Let me see what this defeated resolution stated. It stated that acceptance of "the tragic events at Srebrenica as genocide is a prerequisite for reconciliation" and "condemns denial of this genocide as hindering efforts towards reconciliation."

The vote was ten countries in favor; Russia casting a veto; and four abstentions: China, Nigeria, Angola, and Venezuela.

The British Ambassador after the vote said that Britain was outraged by Russia's veto. And he said Russia's actions tarnish the memory of all those who died in the Srebrenica genocide. Russia will have to justify its behavior to the families of over 8,000 people murdered in the worst atrocity in Europe since the second World War.

"This is a defeat of justice," said Camil Durakovic, the mayor of Srebrenica. He added that the veto means that the U.N. is not recognizing a decision by its own judicial branch, the International Court of Justice, which has declared the tragedy a genocide. "The world has lost. The world, and especially Serbia, will have to face the truth sooner or later."

Our Ambassador Samantha Powell, who was a 24-year-old journalist in Bosnia at the time of the Srebrenica massacre, told the Council that, "For all of the brutality of a horrific war, this was a singular horror. It was genocide, a fact now proven again and again by international tribunals."

"Today's vote mattered," Power said. "It mattered hugely to the families of the victims of the Srebrenica genocide. Russia's veto is heart-breaking for those families, and it is a further stain on this Council's record."

I read that into the RECORD because I think it is important to notice the actions of Russia. We see their actions in Ukraine. We see their actions at the U.N. And we see the actions of the U.N., itself. And it really is a shame.

So, again, we remember this genocide to honor its victims. It is not somebody else's problem. It is all of our problems.

□ 1615

In order to prevent it from happening in the future, we have to accurately recall what happened in the past.

I urge my colleagues to support this resolution, and I reserve the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. ROYCE), the distinguished chairman of the full Foreign Affairs Committee and a great leader on human rights.

Mr. ROYCE. Mr. Speaker, I appreciate Mr. SMITH of New Jersey for bringing this bill up and keeping this atrocity and the lessons that it means for us today in front of this body, and as always, I appreciate Mr. ENGEL's cooperation in seeing this resolution move to the floor.

I appreciate the powerful stories that were shared by Mr. ENGEL and by Mr. SMITH today in terms of what happened on that day 20 years ago this month as Bosnian Serb forces transformed what

was supposed to be a U.N. safe haven for refugees into what became an extermination camp.

On that July day, 8,000 men and boys were massacred. As they shared with you, Serb forces compiled detailed lists of those targeted for killing. They separated families, and they drove those young Muslim men to various fields where they were summarily executed.

The International Criminal Tribunal for the former Yugoslavia ruled that this act was an act of genocide—and rightly so. We do not know the names of many of these victims, as these killers took extensive measures to cover their crimes. As a result, families have never found their missing relatives, and experts continue to uncover and identify remains at the scenes of these mass killings.

Former United Nations Secretary-General Kofi Annan has said that this tragedy will “haunt the United Nations forever.” Although it occurred 20 years ago, this massacre continues to hinder progress towards peace in this troubled region. For while Serbia’s President has apologized for crimes committed, he and other Serbian officials still refuse to admit the true extent of the brutality.

Mr. Speaker, today’s resolution encourages Serbian authorities to publicly acknowledge the genocide that occurred, which would constitute a major step forward in restoring relations with its neighbor.

This resolution also reaffirms U.S. policy to oppose mass atrocities in the strongest terms whenever and wherever they occur; but of course, the Srebrenica genocide, along with others in Rwanda, Cambodia, and Darfur, are stark reminders that simply saying “never again” will never be enough. Action is needed, and it is demanded as, around the world, violent conflicts threaten to erupt once more into genocidal campaigns.

I will name some right now. Ongoing abuses against the Rohingya Muslim population in Burma have caused human rights advocates to sound the alarm over a “grave risk of additional mass atrocities and even genocide.” Unable to claim citizenship in Burma or elsewhere and under constant threat of violence, many have called the Rohingya Muslims “the most persecuted minority in the world,” leading thousands upon thousands to flee their homes in overloaded boats. That is why I helped lead the effort last Congress to pass H. Res. 418, calling for an end to the persecution of the Rohingya people.

In Sri Lanka, anti-Muslim riots broke out last June killing four and injuring dozens more. Acting with impunity under the Rajapaksa government, extremist forces destroyed mosques and Muslim businesses, displacing thousands.

Under the Sirisena government, however, we have an opportunity to press

for positive change and inclusivity in the newly elected government there in Sri Lanka.

Extremist groups are similarly targeting minority communities in Syria, the Central African Republic, and Burundi. While we absolutely must remember past atrocities, we are charged with doing all we can to stop today’s violence. I don’t want future Congresses having to memorialize atrocities from our era now.

Again, Mr. Speaker, I thank the gentleman from New Jersey, Mr. CHRIS SMITH, for introducing this timely and important resolution; and, again, I thank Mr. ENGEL.

I encourage my colleagues to join me in supporting this.

Mr. ENGEL. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I commend my friend from New Jersey (Mr. SMITH) for his leadership on this important resolution, and I am gratified that we held this timely debate ahead of the solemn commemorations that will take place in Srebrenica and around the world this weekend.

I thank our chairman for his leadership, Chairman ROYCE, as usual. It shows that we worked again together on the Foreign Affairs Committee in a very bipartisan manner. This transcends everything. This is genocide, and these resolutions are very, very important.

Now, Mr. Speaker, let’s think about this. The chairman said something that really jostled my mind. I pointed out where a U.N. resolution was vetoed today by Russia. These men who were massacred in a genocide went to what they were told was a United Nations safe haven.

For this to happen under the auspices of the United Nations and then for Russia to veto a United Nations resolution commemorating solemn, solemn 20 years, it is just an absolute disgrace and irony; and it is one of the reasons that the United Nations has trouble because of the hypocrisy, once again, that we see in that body.

By passing this resolution, we put the House solidly on record honoring the thousands of innocent people killed at Srebrenica and all those who suffered during the Bosnian war. We stand alongside those who risked and continued to risk life and limb to defend the human rights of all people.

Mr. Speaker, I urge my colleagues to support this resolution unanimously, and I yield back the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I just want to finally say a very special thanks to Majority Leader KEVIN MCCARTHY for arranging for this bill to come to the floor and of course to the Speaker, to ED ROYCE, our distinguished chairman, and the

ranking member for their strong support and cosponsorship of this resolution. It is bipartisan, and I think we are sending a clear and unambiguous message to the world, again, that Srebrenica was a genocide.

We must hold those to account who committed these atrocities. At least two of the major perpetrators, hopefully, will soon get justice, one at the end of this year and Mladic probably by 2017. The wheels of justice do turn slowly, but they are jailed right now. Above all, I think we need to pray for the victims.

Mr. Speaker, we need to pray for the loved ones who continue to suffer unspeakable agony. I do hope the American people and all of us in the House and in this town will—especially as this remembrance comes around beginning on July 11—keep these people who have suffered so much in our prayers.

Mr. Speaker, I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in support of H. Res. 310, expressing the sense of the House of Representatives regarding Srebrenica. As a co-chair of the Congressional Caucus on Bosnia, I believe it is crucial to distinguish the Srebrenica massacres as genocide while honoring the thousands of innocent people who were killed in July twenty years ago.

In the early 1990s, following Bosnia and Herzegovina’s declaration of national sovereignty, Bosnian Serb forces attacked Eastern Bosnia in order to unify and secure Serb territory. During this struggle for control, those Bosnian Serb forces, also called the Army of Republika Srpska committed crimes of ethnic cleansing of the non-Serb population. Approximately 8,000 Bosnian men and boys were systematically executed in 1995.

The situation in Bosnia and Herzegovina during this time was a failure on behalf of the international community. In 1999, UN Secretary-General Kofi Annan acknowledged that the global community needed to accept responsibility for the ethnic cleansing campaign in Bosnia and Herzegovina that killed thousands of unarmed civilians in a town designated as a “safe area.”

For many years now, I have called on the United Nations to recognize Srebrenica as a genocide. Yesterday, I learned that Russia blocked the latest effort by the United Kingdom to recognize the Srebrenica massacres as a genocide, calling it “not constructive, confrontational, and politically-motivated.” I am disappointed that the UN is unable to formally recognize Europe’s worst atrocity since World War II.

Although the global community cannot and will not distinguish Srebrenica as genocide, I applaud my fellow Bosnia Caucus co-chair, Congressman CHRIS SMITH, for introducing this important resolution. While the UN’s hands are tied, I am proud that the United States continues to be Bosnia and Herzegovina’s greatest friend and ally. I urge my colleagues to support Bosnia and Herzegovina by voting in favor of this resolution.



The SPEAKER pro tempore (Mr. WALKER). The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the resolution, H. Res. 310.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

## STUDENT SUCCESS ACT

### GENERAL LEAVE

Mr. KLINE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 125 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 5.

Will the gentleman from Kansas (Mr. YODER) kindly take the chair.

□ 1624

### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 5) to support State and local accountability for public education, protect State and local authority, inform parents of the performance of their children's schools, and for other purposes, with Mr. YODER (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Friday, February 27, 2015, a request for a recorded vote on amendment No. 44 printed in part B of House Report 114-29 offered by the gentleman from Virginia (Mr. SCOTT) had been postponed.

Pursuant to House Resolution 347, it shall be in order to consider the further amendments printed in part A of House Report 114-192 as if such amendments had been printed in part B of House Report 114-29. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

### AMENDMENT NO. 45 OFFERED BY MR. ROKITA

The Acting CHAIR. It is now in order to consider amendment No. 45 printed in part A of House Report 114-192.

Mr. ROKITA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, lines 4, 7, 16, 20, and 24, strike “2021” and insert “2019”.

Page 6, lines 4, 10, 16, 21, and 25, strike “2021” and insert “2019”.

Page 7, line 4, strike “2021” and insert “2019”.

Page 94, line 18, strike “2021” and insert “2019”.

Page 450, line 19 and 23, strike “2021” and insert “2019”.

Page 461, line 17, strike “2021” and insert “2019”.

Page 484, line 11, strike “2021” and insert “2019”.

Page 619, line 7, strike “2021” and insert “2019”.

The Acting CHAIR. Pursuant to House Resolution 347, the gentleman from Indiana (Mr. ROKITA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. ROKITA. Mr. Chairman, my amendment is simple. It shortens authorization of the act from 6 years to 4 years. I am very thankful for the leadership of the gentleman from Wisconsin (Mr. GROTHMAN) for his work in leading this effort.

Mr. Chairman, it is the role of Congress to conduct oversight of Federal programs and regularly revisit the results of taxpayer investments. We began a process to replace No Child Left Behind 4 years ago, and our goal from the beginning has always been to roll back the Federal Government's authority over K-12 schools and return to State and local education leaders the responsibility and opportunity to deliver a quality education to their students.

Now, the Student Success Act is a strong conservative proposal that reflects our shared principles for reducing the Federal role, restoring local control, and empowering individuals, not government bureaucrats. Reducing the authorization to 4 years will give Congress and the next administration a chance to ensure that these bold reforms are actually working as intended.

Mr. Chairman, I encourage my colleagues to support this commonsense amendment to the underlying bill, and I reserve the balance of my time.

Mr. POLIS. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. POLIS. Mr. Chairman, I had the opportunity to serve on our State Board of Education in Colorado from 2001 to 2007, so this was during the implementation phase of No Child Left Behind.

Now, we knew at the time many of the flaws we are hoping to address through ESEA reauthorization today,

but it took several years just to get up to the point where we had the tests, we had the standards, and we complied with it.

Education is a major public enterprise. In fact, it is the largest public enterprise at the State and local level. One of the frustrations that I have heard a lot of in the last few years—and it has really amplified the frustration about testing—is the fact that the ball has been moving, the testing has been changed.

My State of Colorado, which is fairly typical, moved from one test, the CSAP, to a temporary test, the TCAP, and then finally a third test, all in a period of 4 years.

What we need to do—and this is something that we will hear from education stakeholders as varied as teachers, school boards, and principals—is stop moving the ball.

We know it is not going to be perfect. Let's give it a little bit of time to work. Now, this bill is far from perfect, which is why I oppose the underlying bill; but whatever set of rules you set in place, I feel it is important to allow the rulemaking, the State laws, to catch up, which takes a period of time, a period of years.

I think the longer reauthorization, through 2021, rather than reducing it to 4 years, is absolutely in the interests of ensuring that whatever law we come up with can be implemented more effectively at the State and local level.

Not only is it frustrating for districts and teachers to chase a constantly moving ball, it detracts from their most important effort, which is to educate the next generation of Americans.

Mr. Chairman, I reserve the balance of my time.

Mr. ROKITA. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota, Chairman KLINE, the chairman of the full Education and Workforce Committee. He has been a leader in the area of working on these issues for a lot more than 4 years.

Mr. KLINE. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I just wanted to take literally a few seconds to say I understand the gentleman's purpose here. I think this improves the bill.

I support the amendment, and I urge my colleagues to vote for it.

Mr. POLIS. Mr. Chairman, I yield such time as he may consume to the gentleman from Virginia (Mr. SCOTT), the ranking member.

□ 1630

Mr. SCOTT of Virginia. Mr. Chairman, I rise in support of the amendment.

As the gentleman from Colorado has indicated, if you have a good bill, you should have as long an authorization as possible. It allows for better planning and the other things he mentioned.

But this is a bad bill. The funding formula takes from the poor and gives

to the rich. It eliminates the responsibility to actually do something about the achievement gaps. I just believe the quicker we can get back to it, the better. So if you want to shorten the authorization so that the pain inflicted on this bill is shorter, I am for it.

Mr. ROKITA. Mr. Chairman, I thank the gentleman for supporting the amendment. The reasons he is supporting are completely wrong. We have increased Federal spending, as the gentleman knows, on education over 300 percent since the Federal Government has been involved. And guess what, Mr. Chairman, the results have been flat-lined.

This bill does anything but take from the poor and give to the rich. In fact, it ensures that civil rights are protected and that children, whatever socioeconomic background, aren't left behind, but they have the opportunity to succeed in the 21st century and win.

Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Indiana has 3¼ minutes remaining.

Mr. ROKITA. I yield such time as he may consume to the gentleman from Wisconsin (Mr. GROTHMAN), who is new to this Congress but is already making this mark. He has coauthored this amendment with me.

Mr. GROTHMAN. Mr. Chairman, well, one of the many reasons that this is a good bill is that it recognizes that the Federal Government is taking too much control over education in this country.

One of the reasons the Federal Government should not get involved in many, many things is they are not very nimble. When they make a mistake, rather than turning something around—you know, if a school board makes a mistake, they may come back in a meeting 2 weeks later and undo the mistake they made. When the Federal Government makes a mistake, it can take 15 or 20 years, if ever, to admit they made a mistake.

Now, when the original No Child Left Behind bill passed, I used to meet with school superintendents a couple times a month. They knew within months that that bill was horribly flawed.

Chairman KLINE has worked very hard on this bill. It is a very good bill, but it is still a very big, complicated bill. And I am sure within months, years, a couple of years, local superintendents will report changes they want to have made.

I think this is a very good amendment because, even though it doesn't assure us that we are going to revisit this in 4 years any more than the original No Child Left Behind we were sure we were going to revisit in 7 years, I think it reminds Congress that at least in a 4-year period you ought to be looking at it, see what your local superintendents think, see what your local

schoolteachers think, and see if it can be improved. And, of course, it is going to be able to be improved in 4 years. So that is the reason for the amendment.

I mean, if you told anybody back home we are passing a law and we don't anticipate even looking at it again for 4 years, I think they would think that is highly unusual. That defines one of the reasons why we shouldn't get the Federal Government involved in a wide variety of things.

Mr. ROKITA. Mr. Chairman, I yield back the balance of my time.

Mr. POLIS. Mr. Chairman, of course you can look at a bill during its period of initial authorization. There are routinely cleanup bills that move through this body.

And I wish—I wish—the No Child Left Behind had a cleanup bill in 2002 or in 2003 or in 2004, all during its initial period of authorization, but President Bush closed the doors on even the changes that I think that we could have had broad consensus that we needed to pass.

But of course whatever comes out of this ESEA process, if we can agree on cleanup things and unintended consequences 2 years, 3 years out, let's do them.

Look, the answer is not to move the ball. It leads to the spinning of the wheels for a period of years. And rather than working on educating kids, people are working on complying with an ever-changing matrix of Federal, State, and local law.

There is a lot that happens after we pass a law in this body. It goes to Federal rulemaking, input from various constituencies, final rules. It goes to States who might change their policies, State Boards of Education, State commissioners. It goes down to districts, busy superintendents who are worried about bus schedules, who are worried about opening new schools, have to worry about recommending to their boards the new policies that will comply with our new Federal law.

It takes a lot of time. It might take 2 years, 3 years before it finally reaches those policy implementation levels on the ground at a local level. And guess what, if this amendment becomes law and the authorization period is only 4 years, they might finally—finally—start complying with this law only to find that there is a future Congress, a future President that moves the ball once again and starts the whole cycle of spinning wheels all over again.

We need to make sure that whatever we do in this body, that we give time for a thoughtful implementation of it at the State and local level that doesn't detract from the core mission that the men and women who teach in our classrooms, the men and women who volunteer on school boards, the professionals who serve as superintendents commit their lives to in terms of educating kids.

So we need to move forward with a longer reauthorization. If there are cleanup matters that we can agree on during that authorization period, we should by no means preclude them from the discussion until the end of this authorization. That was one of the problems with No Child Left Behind, that this body never had a follow-up discussion.

I urge my colleagues to vote "no," and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Indiana (Mr. ROKITA).

The amendment was agreed to.

AMENDMENT NO. 46 OFFERED BY MR. WALKER

The Acting CHAIR. It is now in order to consider amendment No. 46 printed in part A of House Report 114-192.

Mr. WALKER. Mr. Chairman, I offer an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 580, line 24, strike the closing quotation mark and second period.

Page 580, after line 24, insert the following:

**"PART G—A PLUS ACT**

**"SECTION 6701. SHORT TITLE; PURPOSE; DEFINITIONS.**

"(a) SHORT TITLE.—This part may be cited as the "Academic Partnerships Lead Us to Success Act" or the "A PLUS Act".

"(b) PURPOSE.—The purposes of this part are as follows:

"(1) To give States and local communities added flexibility to determine how to improve academic achievement and implement education reforms.

"(2) To reduce the administrative costs and compliance burden of Federal education programs in order to focus Federal resources on improving academic achievement.

"(3) To ensure that States and communities are accountable to the public for advancing the academic achievement of all students, especially disadvantaged children.

"(c) DEFINITIONS.—In this part:

"(1) ACCOUNTABILITY.—The term 'accountability' means that public schools are answerable to parents and other taxpayers for the use of public funds and shall report student progress to parents and taxpayers regularly.

"(2) DECLARATION OF INTENT.—The term 'declaration of intent' means a decision by a State, as determined by State Authorizing Officials or by referendum, to assume full management responsibility for the expenditure of Federal funds for certain eligible programs for the purpose of advancing, on a more comprehensive and effective basis, the educational policy of such State.

"(3) STATE.—The term 'State' has the meaning given such term in section 1122(e).

"(4) STATE AUTHORIZING OFFICIALS.—The term 'State Authorizing Officials' means the State officials who shall authorize the submission of a declaration of intent, and any amendments thereto, on behalf of the State. Such officials shall include not less than 2 of the following:

"(A) The governor of the State.

"(B) The highest elected education official of the State, if any.

"(C) The legislature of the State.

"(5) STATE DESIGNATED OFFICER.—The term 'State Designated Officer' means the person

designated by the State Authorizing Officials to submit to the Secretary, on behalf of the State, a declaration of intent, and any amendments thereto, and to function as the point-of-contact for the State for the Secretary and others relating to any responsibilities arising under this part.

**“SEC. 6702. DECLARATION OF INTENT.”**

“(a) IN GENERAL.—Each State is authorized to submit to the Secretary a declaration of intent permitting the State to receive Federal funds on a consolidated basis to manage the expenditure of such funds to advance the educational policy of the State.

“(b) PROGRAMS ELIGIBLE FOR CONSOLIDATION AND PERMISSIBLE USE OF FUNDS.—

“(1) SCOPE.—A State may choose to include within the scope of the State's declaration of intent any program for which Congress makes funds available to the State if the program is for a purpose described in this Act. A State may not include any program funded pursuant to the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).

“(2) USES OF FUNDS.—Funds made available to a State pursuant to a declaration of intent under this part shall be used for any educational purpose permitted by State law of the State submitting a declaration of intent.

“(3) REMOVAL OF FISCAL AND ACCOUNTING BARRIERS.—Each State educational agency that operates under a declaration of intent under this part shall modify or eliminate State fiscal and accounting barriers that prevent local educational agencies and schools from easily consolidating funds from other Federal, State, and local sources in order to improve educational opportunities and reduce unnecessary fiscal and accounting requirements.

“(c) CONTENTS OF DECLARATION.—Each declaration of intent shall contain—

“(1) a list of eligible programs that are subject to the declaration of intent;

“(2) an assurance that the submission of the declaration of intent has been authorized by the State Authorizing Officials, specifying the identity of the State Designated Officer;

“(3) the duration of the declaration of intent;

“(4) an assurance that the State will use fiscal control and fund accounting procedures;

“(5) an assurance that the State will meet the requirements of applicable Federal civil rights laws in carrying out the declaration of intent and in consolidating and using the funds under the declaration of intent;

“(6) an assurance that in implementing the declaration of intent the State will seek to advance educational opportunities for the disadvantaged;

“(7) a description of the plan for maintaining direct accountability to parents and other citizens of the State; and

“(8) an assurance that in implementing the declaration of intent, the State will seek to use Federal funds to supplement, rather than supplant, State education funding.

“(d) DURATION.—The duration of the declaration of intent shall not exceed 5 years.

“(e) REVIEW AND RECOGNITION BY THE SECRETARY.—

“(1) IN GENERAL.—The Secretary shall review the declaration of intent received from the State Designated Officer not more than 60 days after the date of receipt of such declaration, and shall recognize such declaration of intent unless the declaration of intent fails to meet the requirements under subsection (c).

“(2) RECOGNITION BY OPERATION OF LAW.—If the Secretary fails to take action within the time specified in paragraph (1), the declaration of intent, as submitted, shall be deemed to be approved.

“(f) AMENDMENT TO DECLARATION OF INTENT.—

“(1) IN GENERAL.—The State Authorizing Officials may direct the State Designated Officer to submit amendments to a declaration of intent that is in effect. Such amendments shall be submitted to the Secretary and considered by the Secretary in accordance with subsection (e).

“(2) AMENDMENTS AUTHORIZED.—A declaration of intent that is in effect may be amended to—

“(A) expand the scope of such declaration of intent to encompass additional eligible programs;

“(B) reduce the scope of such declaration of intent by excluding coverage of a Federal program included in the original declaration of intent;

“(C) modify the duration of such declaration of intent; or

“(D) achieve such other modifications as the State Authorizing Officials deem appropriate.

“(3) EFFECTIVE DATE.—The amendment shall specify an effective date. Such effective date shall provide adequate time to assure full compliance with Federal program requirements relating to an eligible program that has been removed from the coverage of the declaration of intent by the proposed amendment.

“(4) TREATMENT OF PROGRAM FUNDS WITHDRAWN FROM DECLARATION OF INTENT.—Beginning on the effective date of an amendment executed under paragraph (2)(B), each program requirement of each program removed from the declaration of intent shall apply to the State's use of funds made available under the program.

**“SEC. 6703. TRANSPARENCY FOR RESULTS OF PUBLIC EDUCATION.”**

“(a) IN GENERAL.—Each State operating under a declaration of intent under this part shall inform parents and the general public regarding the student achievement assessment system, demonstrating student progress relative to the State's determination of student proficiency, as described in paragraph (2), for the purpose of public accountability to parents and taxpayers.

“(b) ACCOUNTABILITY SYSTEM.—The State shall determine and establish an accountability system to ensure accountability under this part.

“(c) REPORT ON STUDENT PROGRESS.—Not later than 1 year after the effective date of the declaration of intent, and annually thereafter, a State shall disseminate widely to parents and the general public a report that describes student progress. The report shall include—

“(1) student performance data disaggregated in the same manner as data are disaggregated under section 1111(b)(3)(A); and

“(2) a description of how the State has used Federal funds to improve academic achievement, reduce achievement disparities between various student groups, and improve educational opportunities for the disadvantaged.

**“SEC. 6704. ADMINISTRATIVE EXPENSES.”**

“(a) IN GENERAL.—Except as provided in subsection (b), the amount that a State with a declaration of intent may expend for administrative expenses shall be limited to 1 percent of the aggregate amount of Federal funds made available to the State through

the eligible programs included within the scope of such declaration of intent.

“(b) STATES NOT CONSOLIDATING FUNDS UNDER PART A OF TITLE I.—If the declaration of intent does not include within its scope part A of title I, the amount spent by the State on administrative expenses shall be limited to 3 percent of the aggregate amount of Federal funds made available to the State pursuant to such declaration of intent.

**“SEC. 6705. EQUITABLE PARTICIPATION OF PRIVATE SCHOOLS.”**

“Each State consolidating and using funds pursuant to a declaration of intent under this part shall provide for the participation of private school children and teachers in the activities assisted under the declaration of intent in the same manner as participation is provided to private school children and teachers under section 9501.”

The Acting CHAIR. Pursuant to House Resolution 347, the gentleman from North Carolina (Mr. WALKER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. WALKER. Mr. Chairman, I am introducing the Academic Partnerships Lead Us to Success, or the A-PLUS, Act.

When most of us come to Washington, one of the promises or one of the things that we try and do best is to return as much power or, should I say, decisionmaking back to the States and back to the people.

I believe the A-PLUS Act does that. It allows the States to opt out of as many as 80 different Federal programs, returning that opportunity. Some may say that No Child Left Behind, that it allows the opt out, and it does; but what it doesn't do, it doesn't allow the States to opt out of the mandates and still keep their Federal funding. That is why we believe this is a crucial amendment.

I yield such time as he may consume to the gentleman from Florida (Mr. DESANTIS), my distinguished friend.

Mr. DESANTIS. Mr. Chairman, I thank my friend from North Carolina.

I am happy to cosponsor this amendment. I think of this amendment in terms of Common Core because we have had a lot of controversy over Common Core. A lot of parents are upset about it, and they say: Look, this was the Federal Government getting involved in education, and people support it.

Congress said: Wait a minute. The Federal Government never mandated Common Core. That never happened.

And, you know, that is true.

But what did happen was the Federal Government had a huge amount of money under President Obama's race to the top, and they said: Hey, States—and this is during the recession and States needed the money—here is some money, but you have got to do what we want you to do.

And so they conditioned that funding and really coerced a lot of States into adopting something like Common Core.

And so I think what the A-PLUS does is it says: Okay. The Federal Government has gotten involved in K-12 education. I don't think it has been very successful from the very beginning, but if you are going to be providing money, at least give the State the ability to take that money and use it as they see fit to try and innovate and to try to do things that will improve the academic performance of their kids. But don't condition the funding on following specific formulas that Washington knows best.

I think this really empowers States. I think this is something that will empower local communities and, I think, ultimately will be better off as a matter of K-12 education. So I thank my friend from North Carolina for offering it.

Mr. SCOTT of Virginia. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SCOTT of Virginia. Mr. Chairman, I rise in opposition to the amendment.

The amendment would literally let States just take the money and run with no assurance that the billions of Federal dollars actually benefit the populations of students that ESEA was intended to serve: low-income, minority students who do not speak English, students with disabilities.

The original purpose of ESEA was to address the special educational needs of children of low-income families and the impact that concentrations of low-income families have on the ability of local educational agencies to support adequate educational programs.

Subsequently, we added a requirement that you identify and address achievement gaps. That is the purpose of the law. If you just opt out and take it as a block grant, you don't have to address the problems that the money is designed to cure.

The underlying bill violates the original purpose of the original ESEA, and this amendment just makes it worse.

I reserve the balance of my time.

Mr. WALKER. Mr. Chairman, I request how much time is remaining.

The Acting CHAIR. The gentleman from North Carolina has 2¾ minutes remaining.

Mr. WALKER. Mr. Chairman, who better to address these problems than parents, States, and local school boards.

Let's talk about specifically what the A-PLUS Act does.

One, it restores education decision-making to State and local leaders who are better positioned to make informed decisions about the needs of their local school communities. It allows States to consolidate funding for any and all programs that are authorized under the ESEA, and it also reduces bureaucracy

and increases transparency of student outcomes by redirecting accountability to parents and taxpayers, not Washington.

Fundamentally, I believe that government is more accountable, almost always, the more local, and it becomes more effective.

Mr. Chairman, I yield back the balance of my time.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado (Mr. POLIS).

Mr. POLIS. Mr. Chairman, there is a great potential for cooperation between Democrats and Republicans, as has historically been, with regard to education; and that lies in, of course, enhancing flexibility in freeing teachers and principals and districts from some of the bureaucratic constraints that they have that distract from their ability to maximize education.

But along with that increased flexibility needs to come accountability; otherwise, we wind up with the worst of both worlds. And just like No Child Left Behind erred too far in the direction of not enough flexibility with too much in the wrong kind of accountability, so, too, must we be careful not to err in the direction of too much flexibility without accountability.

It is important to make sure that as we increase the ways and the manner that States and districts have to free up local innovation at the classroom level, at the school level, at the district level, we need to make sure and reiterate what our goals are here.

How do we make sure that all students are learning? How do we make sure that schools are serving students with disabilities under IDEA? How do we make sure that districts and States are committed to closing the achievement gap between students of color and White students, even in local jurisdictions that might not have that political will intrinsically? That is the Federal promise. That is the promise and the reason behind ESEA and our efforts to improve education across these United States.

To turn it over to the States effectively makes the referee a player on the field. We need to have an objective look. The same people who are concerned with deciding exactly how monies are spent cannot objectively weigh whether it is working or whether it is not. That is just human nature.

We need to make sure that if States have additional flexibility in grants—something I think that we can certainly work together on—if they have that flexibility, we need to make sure there is an objective standard under which what they are doing with that flexibility is determined to work or not to work. And if it doesn't work, we need to encourage those States to move in a different direction. If it does work, we can increase our efforts to support them.

So again, there is a general premise here that can be worked on, but the underlying amendment would be extremely detrimental to public education.

Mr. SCOTT of Virginia. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman has 2 minutes remaining.

Mr. SCOTT of Virginia. Mr. Chairman, I reserve the balance of my time.

The Acting CHAIR. The gentleman from North Carolina yielded back the balance of his time. Did the gentleman intend to reserve?

Mr. WALKER. Yes.

The Acting CHAIR. Does the gentleman ask for unanimous consent to reclaim his 2 minutes of time?

Mr. WALKER. He yielded back 2 minutes to me. Is that correct?

The Acting CHAIR. Does the gentleman ask for unanimous consent?

Mr. WALKER. Yes.

The Acting CHAIR. Without objection, the gentleman from North Carolina may reclaim his 2 minutes of time.

There was no objection.

#### PARLIAMENTARY INQUIRY

Mr. POLIS. Mr. Chairman, a point of parliamentary inquiry.

The Acting CHAIR. The gentleman will state his parliamentary inquiry.

Mr. POLIS. Mr. Chairman, to be clear, the gentleman was not yielded time from the gentleman from Virginia.

The Acting CHAIR. The gentleman is correct.

Mr. POLIS. The gentleman was granted his own time, which erroneously he had yielded back to the Chair.

The Acting CHAIR. The gentleman from Colorado is correct.

The Chair recognizes the gentleman from North Carolina.

Mr. WALKER. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from North Carolina has 2 minutes remaining. The gentleman from Virginia has 2 minutes remaining.

Mr. WALKER. Mr. Chairman, a lot of this is talk. And with due respect to my friend from Colorado, I hear the point. But I would say a lot of that is we are hearing "we, we this, we this, we the Federal, we this." It really should be "we the people at the State," "we the people at the local level."

It is important that we get some of the power that we like to monger up here among us in this House to return it back to the States, to return it back to the individual school boards.

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Who best knows to make these decisions other than these parents and these school boards? We talk about accountability. As Dr. Phil would say, "How has that been working for us the last 40 years?"

We need to get the accountability back to where it goes, where it should have been from the very beginning, and that is to the State level and to the local people, to the parents and the school boards.

Mr. Chairman, I yield back the balance of my time.

Mr. SCOTT of Virginia. Mr. Chairman, the ESEA passed in 1965 because States and localities were not equitably funding the schools. The ESEA required the money to be spent primarily in the areas with a concentration of low-income families. If this amendment passes, we can reasonably assume that they will go back to the way they were doing it.

This makes a bad bill even worse. So I would hope that we would defeat the amendment and keep the requirement that the States, in using the money, address the fiscal inequalities and achievement gaps.

With this amendment, there are no requirements that they do anything, and we can reasonably assume that they would go back to doing the things they were doing to begin with before the ESEA passed. I would hope we would defeat this amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. WALKER).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. SCOTT of Virginia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from North Carolina will be postponed.

AMENDMENT NO. 47 OFFERED BY MR. SALMON

The Acting CHAIR. It is now in order to consider amendment No. 47 printed in part A of House Report 114-192.

Mr. SALMON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 31, line 3, strike “(3)(B)(ii)(II)” and insert “(3)(B)(ii)(II), except that States shall allow the parent of a student to opt such student out of the assessments required under this paragraph for any reason and shall not include such students in calculating the participation rate under this clause”.

The Acting CHAIR. Pursuant to House Resolution 347, the gentleman from Arizona (Mr. SALMON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. SALMON. Mr. Chairman, I first want to thank Chairman KLINE and Representative ROKITA of the House Committee on Education and the

Workforce for working with me on this important amendment, which is to ensure that parents have more authority and power over their children's educations.

My amendment is very, very simple. It would allow any parent to opt his child out of high-stakes testing, and it would protect schools from being punished by the Federal Department of Education if parents opted to take their children out of these tests.

Since the 2001 reauthorization of the Elementary and Secondary Education Act, called No Child Left Behind, the Federal Government has placed increasing importance on academic assessments in K-12 education.

Assessments are important and even necessary to understand and measure a child's academic progress. However, academic assessments have become an overutilized metric to evaluate everything from the quality of a teacher to the strength of a particular program.

Because of this frenzied obsession with high-stakes testing, more and more time is being usurped from actual classroom learning. It was reported that the testing for a student in the 11th grade could take up to 27 days, a total of 15 percent of the entire school year, and a lot of the teachers complain about having to teach to the test. In fact, I think that is why the NEA has come out in support of this amendment.

Parents are becoming increasingly fed up with such constant and onerous testing requirements, and so are the teachers. While some States currently allow parents to opt their students out of assessments, there exists a simultaneous obligation on schools of a 95 percent participation rate in school assessments.

If schools don't meet these requirements, they risk enforcement measures from the Department of Education, which, at worst, could include losing access to Federal funding. These factors create a strange environment of conflicting interests for students, parents, and schools.

My amendment would ease a school's fear of penalties by directing that opted-out students not be counted among the 95 percent participation requirement while giving parents due power over their children's educations.

I urge my colleagues to join me in supporting this important amendment, which returns the power back to where it should be, with the parents.

I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SCOTT of Virginia. Mr. Chairman, it is one thing to keep a light on problems like achievement gaps, as the underlying bill does, but it kind of sweeps everything under the rug.

Before the participation threshold of 95 percent, only one State actually as-

essed 95 percent of students with disabilities, and it was not unusual for low-achieving students to suddenly have field trips on testing day. If you are not measuring the achievement gap, you can't deal with the achievement gap.

We need to make sure that enough students test, which is 95 percent, so that we can actually identify the achievement gaps and do something about it. Parents do have the right to opt out, but when the dust settles, at least 95 percent will have had to have taken the test.

We have situations now in which, if you eliminate that requirement, school systems can encourage people not to show up on testing day. They can have field trips on testing day and can manipulate the data so that, if only half of the students are taking the test and if you make sure that it is the good students who are taking the test, your scores all of a sudden will go up.

The requirement that 95 percent get tested means you have meaningful data so that you can find out what the problem is, and then you can deal with it.

I reserve the balance of my time.

Mr. SALMON. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota (Mr. KLINE), the chairman of the full committee.

Mr. KLINE. I thank the gentleman for offering this amendment.

Mr. Chairman, the gentleman is expressing a concern here of parents, not of schoolteachers and principals who want to put together field trips. There is a great deal of anxiety on the part of some parents, and this is giving them some power.

I support the gentleman's amendment, and I encourage my colleagues to support it.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona (Mr. GRIJALVA).

Mr. GRIJALVA. I thank the ranking member.

Mr. Chairman, I rise in opposition to the underlying legislation and to the Salmon amendment.

Once again, we are considering legislation that does nothing to improve equity in our public education system, assuring and ensuring that resources are focused on student populations that have been historically marginalized, primarily children of color, English language learners, children with disabilities, and poor kids. The lessons from No Child Left Behind are plentiful, some good that need improvement and some that need to be eliminated from a reauthorization.

This amendment, along with the underlying legislation, continues to dismantle and remove the ESEA's significant mission, to deal with the issue of poverty in this country, marginalized communities, and kids who are not achieving.

Mr. Chairman, I ask my colleagues to oppose H.R. 5 and this amendment. The

current bill fails to provide all of our communities with equitable educations.

Portability eliminates a maintenance of effort, block grants don't address charter school accountability, and it eliminates provisions to protect English learners in this country. With this amendment, we eliminate the Nation's responsibility to be accountable and to ensure that all children get an education.

I am astounded by the historical amnesia that goes on when we have these discussions. The ESEA was formed for a purpose: to improve and to create equity and opportunity for children who didn't have it.

We have not reached a stage in this country when we can say that States can take care of this. We can go back to those vestiges, as the ranking member said, in which there was no equality, there was no opportunity, and tell the States, "You can do what you want with this Federal money. And, by discretion, if you don't educate all of your children, that is okay. And if, by discretion, we can't hold anybody accountable for his lack of education, that is okay."

That is the message we are going back to, and I urge a "no" vote.

Mr. SALMON. Mr. Chairman, I take serious umbrage with the arrogance that purveys this city in that we are the font of all knowledge. In fact, I lovingly joke with my constituents when I go back and say, "I am from Washington, D.C., and I am here to help you." It always draws a loud amount of laughter because everybody knows that that is not the way things really are.

If we can't trust our parents, who have the biggest vested interest in whether or not their children succeed in education, if we can't trust the teachers, if we can't trust the local school boards, whose members also have to run for election, then we might as well just fold up and go home.

I have a lot more confidence in parents, in teachers, in our local school boards, than I do in some nameless, faceless bureaucrat here in Washington, D.C. I say we put the power back where it should be: in the hands of parents and teachers and local school boards.

I yield back the balance of my time.

Mr. SCOTT of Virginia. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman has 1½ minutes remaining.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 1 minute to the gentleman from Colorado (Mr. POLIS).

Mr. POLIS. I thank the ranking member.

Mr. Chairman, one parent recently wrote me that she prefers that students with special needs be required to take tests. In her words, "The tests gave us the data we needed to see where my son needed additional support."

I rise in opposition to Mr. SALMON's amendment.

Before No Child Left Behind was passed, schools across the country would systemically excluded students from tests in an effort to inflate a school's overall performance and sweep deficiencies and discrimination under the rug.

This amendment, which would allow students to opt out of tests and allow those students to be omitted from the testing threshold, would make it easier to, once again, exclude historically marginalized students from accountability systems.

There would be almost no way of knowing which students truly opted out, which were pushed out, and which students stayed at home at their schools' suggestion or traveled on an optional field trip.

In my home State of Colorado, a similar provision was brought up in the State legislature, and over 400 business and community leaders strongly publicly opposed the bill and succeeded in defeating it.

In order to close achievement gaps, we need data on every student, regardless of race, background, or disability. This kind of policy allows the very data we need the most on the most needy kids to be swept under the rug.

For that reason, I strongly urge a "no" vote on this amendment.

Mr. SCOTT of Virginia. Mr. Chairman, I yield myself the balance of my time.

If this amendment passes, school systems will have an incentive to address achievement gaps not by the hard work that it takes to close the achievement gaps, but by just manipulating the data. That is wrong, and this amendment ought to be defeated.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. SALMON).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. SALMON. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

#### AMENDMENT NO. 48 OFFERED BY MR. POLIS

The Acting CHAIR. It is now in order to consider amendment No. 48 printed in part A of House Report 114-192.

Mr. POLIS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 112 and insert the following:

#### SEC. 112. STATE PLANS.

Section 1111 (20 U.S.C. 6311) is amended to read as follows:

#### "SEC. 1111. STATE PLANS.

"(a) PLANS REQUIRED.—

"(1) IN GENERAL.—For any State desiring to receive a grant under this part, the State educational agency shall submit to the Secretary a plan, developed by the State educational agency, in consultation with representatives of local educational agencies, teachers, school leaders, specialized instructional support personnel, early childhood education providers, parents, community organizations, communities representing underserved populations, and Indian tribes, that satisfies the requirements of this section, and that is coordinated with other programs of this Act, the Individuals with Disabilities Education Act, the Carl D. Perkins Career and Technical Education Act of 2006, the Head Start Act, the Adult Education and Family Literacy Act, and the McKinney-Vento Homeless Assistance Act.

"(2) CONSOLIDATED PLAN.—A State plan submitted under paragraph (1) may be submitted as a part of a consolidated plan under section 9302.

"(b) COLLEGE AND CAREER READY CONTENT STANDARDS, ASSESSMENTS, AND ACHIEVEMENT STANDARDS.—

"(1) GENERAL REQUIREMENTS.—Each State plan shall include evidence that the State's college and career ready content standards, assessments, and achievement standards under this subsection are—

"(A) vertically aligned from kindergarten through grade 12; and

"(B) developed and implemented to ensure that proficiency in the content standards will signify that a student is on-track to graduate prepared for—

"(i) according to written affirmation from the State's public institutions of higher education, placement in credit-bearing, non-remedial courses at the 2-and 4-year public institutions of higher education in the State; and

"(ii) success on relevant State career and technical education standards.

"(2) COLLEGE AND CAREER READY CONTENT STANDARDS.—

"(A) IN GENERAL.—Each State plan shall demonstrate that, not later than the 2015-2016 school year the State educational agency will adopt and implement high-quality, college and career ready content standards that comply with this paragraph.

"(B) SUBJECTS.—The State educational agency shall have such high-quality, academic content standards for students in kindergarten through grade 12 for, at a minimum, English language arts, math, and science.

"(C) ELEMENTS.—College and career ready content standards under this paragraph shall—

"(i) be developed through participation in a State-led process that engages—

"(I) kindergarten through-grade-12 education experts (including teachers and educational leaders); and

"(II) representatives of institutions of higher education, the business community, and the early learning community;

"(ii) be rigorous, internationally benchmarked, and evidence-based, requiring students to demonstrate the ability to think critically, solve problems, and communicate effectively;

"(iii) be either—

"(I) validated, including through written affirmation from the State's public institutions of higher education, to ensure that proficiency in the content standards will signify that a student is on-track to graduate prepared for—

"(aa) placement in credit-bearing, non-remedial courses at the 2-and 4-year public



institutions of higher education in the State; and

“(bb) success on relevant State career and technical education standards; or

“(II) State-developed and voluntarily adopted by a significant number of States;

“(iv) for standards from kindergarten through grade 3, reflect progression in how children develop and learn the requisite skills and content from earlier grades (including preschool) to later grades; and

“(v) apply to all schools and students in the State.

“(D) ENGLISH LANGUAGE PROFICIENCY STANDARDS.—Each State educational agency shall develop and implement statewide, high-quality English language proficiency standards that—

“(i) are aligned with the State’s academic content standards;

“(ii) reflect the academic language that is required for success on the State educational agency’s academic content assessments;

“(iii) predict success on the applicable grade level English language arts content assessment;

“(iv) ensure proficiency in each of the domains of speaking, listening, reading, and writing in the appropriate amount of time; and

“(v) address the different proficiency levels of English learners.

“(E) EARLY LEARNING STANDARDS.—The State educational agency shall, in collaboration with the State agencies responsible for overseeing early care and education programs and the State early care and education advisory council, develop and implement early learning standards across all major domains of development for preschoolers that—

“(i) demonstrate alignment with the State academic content standards;

“(ii) are implemented through dissemination, training, and other means to applicable early care and education programs;

“(iii) reflect research and evidence-based developmental and learning expectations;

“(iv) inform teaching practices and professional development and services; and

“(v) for preschool age children, appropriately assist in the transition to kindergarten.

“(F) ASSURANCE.—Each State plan shall include an assurance that the State has implemented the same content standards for all students in the same grade and does not have a policy of using different content standards for any student subgroup.

“(3) HIGH-QUALITY ASSESSMENTS.—

“(A) IN GENERAL.—Each State plan shall demonstrate that the State educational agency will adopt and implement high-quality assessments in English language arts, math, and science not later than the 2016–2017 school year that comply with this paragraph.

“(B) ELEMENTS.—Such assessments shall—

“(i) be valid, reliable, appropriate, and of adequate technical quality for each purpose required under this Act, and be consistent with relevant, nationally recognized professional and technical standards;

“(ii) measure the knowledge and skills necessary to demonstrate proficiency in the academic content standards under paragraph (2) for the grade in which the student is enrolled;

“(iii) be developed as part of a system of assessments providing data (including individual student achievement data and individual student growth data), that shall be used to improve teaching, learning, and program outcomes;

“(iv) be used in determining the performance of each local educational agency and school in the State in accordance with the State’s accountability system under subsection (c);

“(v) provide an accurate measure of—

“(I) student achievement at all levels of student performance; and

“(II) student academic growth;

“(vi) allow for complex demonstrations or applications of knowledge and skills including the ability to think critically, solve problems, and communicate effectively;

“(vii) be accessible for all students, including students with disabilities and English learners, by—

“(I) incorporating principles of universal design as defined by section 3(a) of the Assistive Technology Act of 1998 (29 U.S.C. 3002(a)); and

“(II) being interoperable when using any digital assessment, such as computer-based and online assessments;

“(viii) provide for accommodations, including for computer-based and online assessments, for students with disabilities and English learners to provide a valid and reliable measure of such students’ achievement;

“(ix) produce individual student interpretive, descriptive, and diagnostic reports that allow parents, teachers, and school leaders to understand and address the specific academic needs of students, and include information regarding achievement on academic assessments, and that are provided to parents, teachers, and school leaders, as soon as is practicable after the assessment is given, in an understandable and uniform format, and to the extent practicable, in a language that parents can understand; and

“(x) may be partially delivered in the form of portfolios, projects, or extended performance tasks as long as such assessments meet the requirements of this subsection.

“(C) ADMINISTRATION.—Such assessments shall—

“(i) be administered to all students, including all subgroups described in subsection (c)(3)(A), in the same grade level for each content area assessed, except as provided under subparagraph (E), through—

“(I) a single summative assessment each school year; or

“(II) multiple statewide assessments over the course of the school year that result in a single summative score that provides valid, reliable, and transparent information on student achievement for each tested content area in each grade level;

“(ii) for English language arts and math—

“(I) be administered annually, at a minimum, for students in grade 3 through grade 8; and

“(II) be administered at least once, but not earlier than 11th grade for students in grades 9 through grade 12; and

“(iii) for science, be administered at least once during grades 3 through 5, grades 6 through 8, and grades 9 through 12.

“(D) NATIVE LANGUAGE ASSESSMENTS.—Each State educational agency with at least 10,000 English learners, at least 25 percent of which speak the same language that is not English, shall adopt and implement native language assessments for that language consistent with State law. Such assessments shall be for students—

“(i) for whom the academic assessment in the student’s native language would likely yield more accurate and reliable information about such student’s content knowledge;

“(ii) who are literate in the native language and have received formal education in such language; or

“(iii) who are enrolled in a bilingual or dual language program and the native language assessment is consistent with such program’s language of instruction.

“(E) ALTERNATE ASSESSMENTS FOR STUDENTS WITH THE MOST SIGNIFICANT COGNITIVE DISABILITIES.—In the case of a State educational agency that adopts alternate achievement standards for students with the most significant cognitive disabilities described in paragraph (4)(D), the State shall adopt and implement high-quality statewide alternate assessments aligned to such alternate achievement standards that meet the requirements of subparagraphs (B) and (C), so long as the State ensures that in the State the total number of students in each grade level assessed in each subject does not exceed the cap established under subsection (c)(3)(E)(iii)(II).

“(F) ENGLISH LANGUAGE PROFICIENCY ASSESSMENTS.—Each State educational agency shall adopt and implement statewide English language proficiency assessments that—

“(i) are administered annually and aligned with the State’s English language proficiency standards and academic content standards;

“(ii) are accessible, valid, and reliable;

“(iii) measure proficiency in reading, listening, speaking, and writing in English both individually and collectively;

“(iv) assess progress and growth on language and content acquisition; and

“(v) allow for the local educational agency to retest a student in the individual domain areas that the student did not pass, unless the student is newly entering a school in the State, or is in the third, fifth, or eighth grades.

“(G) SPECIAL RULE WITH RESPECT TO BUREAU FUNDED SCHOOLS.—In determining the assessments to be used by each school operated or funded by the Department of the Interior’s Bureau of Indian Education receiving funds under this part, the following shall apply:

“(i) Each such school that is accredited by the State in which it is operating shall use the assessments the State has developed and implemented to meet the requirements of this section, or such other appropriate assessment as approved by the Secretary of the Interior.

“(ii) Each such school that is accredited by a regional accrediting organization shall adopt an appropriate assessment, in consultation with and with the approval of, the Secretary of the Interior and consistent with assessments adopted by other schools in the same State or region, that meets the requirements of this section.

“(iii) Each such school that is accredited by a tribal accrediting agency or tribal division of education shall use an assessment developed by such agency or division, except that the Secretary of the Interior shall ensure that such assessment meets the requirements of this section.

“(H) ASSURANCE.—Each State plan shall include an assurance that the State educational agency will take steps to ensure that the State assessment system, which includes all statewide assessments and local assessments is coordinated and streamlined to eliminate duplication of assessment purposes, practices, and use.

“(I) ACCOMMODATIONS.—Each State plan shall—

“(i) describe the accommodations for English learners and students with disabilities on the assessments used by the State which may include accommodations such as text-to-speech technology or read aloud, braille, large print, calculator, speech-to-



text technology or scribe, extended time, and frequent breaks;

“(ii) include evidence of the effectiveness of such accommodations in maintaining valid results for the appropriate population; and

“(iii) include evidence that such accommodations do not change the construct intended to be measured by the assessment or the meaning of the resulting scores.

“(J) ADAPTIVE ASSESSMENTS.—In the case of a State educational agency that develops and administers computer adaptive assessments, such assessments shall meet the requirements of this paragraph, and must measure, at a minimum, each student's academic proficiency against the State's content standards as described in paragraph (2) for the grade in which the student is enrolled.

“(4) COLLEGE AND CAREER READY ACHIEVEMENT AND GROWTH STANDARDS.—

“(A) IN GENERAL.—Each State plan shall demonstrate that the State will adopt and implement college and career ready achievement standards in English language arts, math, and science by the 2015–2016 school year that comply with this paragraph.

“(B) ELEMENTS.—Such academic achievement standards shall establish at a minimum, 3 levels of student achievement that describe how well a student is demonstrating proficiency in the State's academic content standards that differentiate levels of performance to—

“(i) describe 2 levels of high achievement (on-target and advanced) that indicate, at a minimum, that a student is proficient in the academic content standards under paragraph (3); and

“(ii) describe a third level of achievement (catch-up) that provides information about the progress of a student toward becoming proficient in the academic content standards under paragraph (2) as measured by the performance on assessments under paragraph (3).

“(C) VERTICAL ALIGNMENT.—Such achievement standards are vertically aligned to ensure a student who achieves at the on-target or advanced levels under subparagraph (B)(i) signifies that student is on-track to graduate prepared for—

“(i) placement in credit-bearing, non-remedial courses at the 2- and 4-year public institutions of higher education in the State; and

“(ii) success on relevant State career and technical education standards.

“(D) ALTERNATE ACHIEVEMENT STANDARDS.—If a State educational agency adopts alternate achievement standards for students with the most significant cognitive disabilities, such academic achievement standards shall establish, at a minimum, 3 levels of student achievement that describe how well a student is demonstrating proficiency in the State's academic content standards that—

“(i) are aligned to the State's college and career ready content standards under paragraph (2);

“(ii) are vertically aligned to ensure that a student who achieves at the on-target or advanced level under clause (v)(I) signifies that the student is on-track to access a postsecondary education or competitive integrated employment;

“(ii) reflect concepts and skills that students should know and understand for each grade;

“(iv) are supported by evidence-based learning progressions to age and grade-level performance; and

“(v) establish, at a minimum—

“(I) 2 levels of high achievement (on-target and advanced) that indicate, at a minimum, that a student with the most significant cognitive disabilities is proficient in the academic content standards under paragraph (2) as measured by the performance on assessments under paragraph (3)(E); and

“(II) a third level of achievement (catch-up) that provides information about the progress of a student with the most significant cognitive disabilities toward becoming proficient in the academic content standards under paragraph (2) as measured by the performance on assessments under paragraph (3)(E).

“(E) STUDENT GROWTH STANDARDS.—Each State plan shall demonstrate that the State will adopt and implement student growth standards for students in the assessed grades that comply with this subparagraph, as follows:

“(i) ON-TARGET AND ADVANCED LEVELS.—For a student who is achieving at the on-target or advanced level of achievement, the student growth standard is not less than the rate of academic growth necessary for the student to remain at that level of student achievement for not less than 3 years.

“(ii) CATCH-UP LEVEL.—For a student who is achieving at the catch-up level of achievement, the student growth standard is not less than the rate of academic growth necessary for the student to achieve an on-target level of achievement within 3 or 4 years, as determined by the State.

“(F) PROHIBITION.—A State may not establish alternate or modified achievement standards for any subgroup of students, except as provided under subparagraph (D).

“(5) RULE OF CONSTRUCTION.—Nothing in paragraph (3) shall be construed to prescribe the use of the academic assessments established pursuant to such paragraph for student promotion or graduation purposes.

“(c) ACCOUNTABILITY AND SCHOOL IMPROVEMENT SYSTEM.—The State plan shall demonstrate that not later than the 2016–2017 school year, the State educational agency, in consultation with representatives of local educational agencies, teachers, school leaders, parents, community organizations, communities representing underserved populations and Indian tribes, has developed a single statewide accountability and school improvement system (in this subsection known as the ‘accountability system’) that ensures all students have the knowledge and skills to successfully enter the workforce or postsecondary education without the need for remediation by complying with this subsection as follows:

“(i) ELEMENTS.—Each State accountability system shall, at a minimum—

“(A) annually measure academic achievement for all students, including each subgroup described in paragraph (3)(A), in each public school, including each charter school, in the State, including—

“(i) student academic achievement in accordance with the academic achievement standards described in subsection (b)(4);

“(ii) student growth in accordance with the student growth standards described in subsection (b)(4)(E); and

“(iii) graduation rates in diploma granting schools;

“(B) set clear performance and growth targets in accordance with paragraph (2) to improve the academic achievement of all students as measured under subparagraph (A) of this paragraph and to close achievement gaps so that all students graduate ready for postsecondary education and the workforce;

“(C) establish equity indicators to diagnose school challenges and measure school progress within the improvement system described in section 1116, including factors to measure, for all students and each subgroup described in paragraph (3)(A)—

“(i) academic learning, such as—

“(I) percentage of students successfully completing rigorous coursework that aligns with college and career ready standards described under subsection (b)(2) such as dual enrollment, Advanced Placement (AP) or International Baccalaureate (IB) courses;

“(II) percentage of students enrolled in arts courses;

“(III) student success on State or local educational agency end-of course examinations; and

“(IV) student success on performance-based assessments that are valid, reliable and comparable across a local educational agency and meet the requirements of paragraph (3)(B);

“(ii) student engagement, such as—

“(I) student attendance rates;

“(II) student discipline data, including suspension and expulsion rates;

“(III) incidents of bullying and harassment; and

“(IV) surveys of student engagement and satisfaction;

“(iii) student advancement, such as—

“(I) student on-time promotion rates;

“(II) on-time credit accumulation rates;

“(III) course failure rates; and

“(IV) post-secondary and workforce entry rates;

“(iv) student health and wellness;

“(v) student access to instructional quality, such as—

“(I) number of qualified teachers and paraprofessionals;

“(II) number of specialized instructional support personnel;

“(III) instructional personnel attendance, vacancies, and turnover; and

“(IV) rates of effective teachers and principals, as determined by the State or local educational agency;

“(vi) school climate and conditions for student success, such as—

“(I) the availability of up-to-date instructional materials, technology, and supplies;

“(II) measures of school safety; and

“(III) the condition of school facilities; including accounting for well-equipped instructional spaces; and

“(vii) family and community engagement in education;

“(D) annually differentiate performance and condition of schools based on—

“(i) the achievement measured under subparagraph (A);

“(ii) whether the school meets the performance and growth targets set under paragraph (2); and

“(iii) to a lesser extent, data on the State-established equity indicators, as described in subparagraph (C); and

“(E) identify using the differentiation described in subparagraph (D), for the purposes under section 1116—

“(i) high priority schools that—

“(I) according to the State-established parameters described in 1116(a)(2), have the lowest performance in the local educational agency and the State using current and prior year academic achievement, growth, and graduation rate data as described in subparagraph (A) and data on the state-established equity indicators described in subparagraph (C); or

“(II) as of the date of enactment of the Student Success Act, have been identified under 1003(g); and

“(ii) schools in need of support that have not met one or more of the performance targets set under paragraph (2) for any subgroup described in paragraph (3)(A) in the same grade level and subject, for two consecutive years; and

“(iii) reward schools that have—

“(I) the highest performance in the State for all students and student subgroups described in paragraph (3)(A); or

“(II) made the most progress over at least the most recent 2-year period in the State in increasing student academic achievement and graduation rates for all students and student subgroups described in paragraph (3)(A); and

“(III) made significant progress in overcoming school challenges identified using the State-established equity indicators, as described in subparagraph (C).

“(2) GOALS AND TARGETS.—

“(A) IN GENERAL.—Each State educational agency shall establish goals and targets for the State accountability and school improvement system that comply with this paragraph. Such targets shall be established separately for all elementary school and secondary school students, economically disadvantaged students, students from major racial and ethnic groups, students with disabilities, and English learners and expect accelerated academic gains from subgroups who are the farthest away from college and career-readiness as determined by annual academic achievement measures described in paragraph (1)(A).

“(B) ACHIEVEMENT GOALS.—Each State educational agency shall set multi-year goals that are consistent with the academic and growth achievement standards under subsection (b)(4) to ensure that all students graduate prepared to enter the workforce or postsecondary education without the need for remediation.

“(C) PERFORMANCE TARGETS.—Each State educational agency shall set ambitious, but achievable annual performance targets separately for each subgroup of students described in paragraph (3)(A), for local educational agencies and schools, for each grade level and in English language arts and math that reflect the progress required for all students and each subgroup of students described in paragraph (3)(A) to meet the State-determined goals as required under subparagraph (B), as approved by the Secretary.

“(D) GROWTH TARGETS.—Each State educational agency shall set ambitious but achievable growth targets that—

“(i) assist the State in achieving the academic achievement goals described in subparagraph (B); and

“(ii) include targets that ensure all students, including subgroups of students described in paragraph (3)(A), meet the growth standards described in subsection (b)(4)(E).

“(E) GRADUATION RATE GOALS AND TARGETS.—

“(i) GRADUATION RATE GOALS.—Each State educational agency shall set a graduation rate goal of not less than 90 percent.

“(ii) GRADUATION RATE TARGETS.—Each State educational agency shall establish graduation rate targets which shall not be less rigorous than the targets approved under section 200.19 of title 34, Code of Federal Regulations (or a successor regulation).

“(iii) EXTENDED-YEAR GRADUATION RATE TARGETS.—In the case of a State that chooses to use an extended year graduation rate in the accountability and school improvement system described under this subsection, the State shall set extended year graduation

rate targets that are more rigorous than the targets set under clause (ii) and, if applicable, are not less rigorous than the targets approved under section 200.19 of title 34, Code of Federal Regulations (or a successor regulation).

“(3) FAIR ACCOUNTABILITY.—Each State educational agency shall establish fair and appropriate policies and practices, as a component of the accountability system established under this subsection, to measure school, local educational agency, and State performance under the accountability system that, at a minimum, comply with this paragraph as follows:

“(A) DISAGGREGATE.—Each State educational agency shall disaggregate student achievement data in a manner that complies with the State's group size requirements under subparagraph (B) for the school's, local educational agency's, and the State's performance on its goals and performance targets established under paragraph (2), by each content area and each grade level for which such goals and targets are established, and, if applicable, by improvement indicators described in paragraph (1)(D) for each of the following groups:

“(i) All public elementary and secondary school students.

“(ii) Economically disadvantaged students.

“(iii) Students from major racial and ethnic groups.

“(iv) Students with disabilities.

“(v) English learners.

“(B) SUBGROUP SIZE.—Each State educational agency shall establish group size requirements for performance measurement and reporting under the accountability system that—

“(i) is the same for all subgroups described in subparagraph (A);

“(ii) does not exceed 15 students;

“(iii) yields statistically reliable information; and

“(iv) does not reveal personally identifiable information about an individual student.

“(C) PARTICIPATION.—Each State educational agency shall ensure that—

“(i) not less than 95 percent of the students in each subgroup described subparagraph (A) take the State's assessments under subsection (b)(2); and

“(ii) any school or local educational agency that does not comply with the requirement described in clause (i) of this subparagraph may not be considered to have met its goals or performance targets under paragraph (2).

“(D) AVERAGING.—Each State educational agency may average achievement data with the year immediately preceding that school year for the purpose of determining whether schools, local educational agencies, and the State have met their performance targets under paragraph (2).

“(E) STUDENTS WITH THE MOST SIGNIFICANT COGNITIVE DISABILITIES.—

“(i) IN GENERAL.—In calculating the percentage of students scoring at the on-target levels of achievement and the graduation rate for the purpose of determining whether schools, local educational agencies, and the State have met their performance targets under paragraph (2), a State shall include all students with disabilities, even those students with the most significant cognitive disabilities, and—

“(I) may include the on-target and advanced scores of students with the most significant cognitive disabilities taking alternate assessments under subsection (b)(3)(E) provided that the number and percentage of

such students who score at the on-target or advanced level on such alternate assessments at the local educational agency and the State levels, respectively, does not exceed the cap established by the Secretary under clause (iii) in the grades assessed and subjects used under the accountability system established under this subsection; and

“(II) may include students with the most significant cognitive disabilities, who are assessed using alternate assessments described in subsection (b)(3)(E) and who receive a State-defined standards-based alternate diploma aligned with alternate achievement standards described in subparagraph (4)(D) and with completion of the student's right to a free and appropriate public education under the Individuals with Disabilities Education Act, as graduating with a regular secondary school diploma, provided that the number and percentage of those students who receive a State-defined standards-based alternate diploma at the local educational agency and the State levels, respectively, does not exceed the cap established by the Secretary under clause (iii).

“(ii) STATE REQUIREMENTS.—If the number and percentage of students taking alternate assessments or receiving a State-defined standards-based alternate diploma exceeds the cap under clause (iii) at the local educational agency or State level, the State educational agency, in determining whether the local educational agency or State, respectively, has met its performance targets under paragraph (2), shall—

“(I) include all students with the most significant cognitive disabilities;

“(II) count at the catch-up level of achievement or as not graduating such students who exceed the cap;

“(III) include such students at the catch-up level of achievement or as not graduating in each applicable subgroup at the school, local educational agency, and State level; and

“(IV) ensure that parents are informed of the actual academic achievement levels and graduation status of their children with the most significant cognitive disabilities.

“(iii) SECRETARIAL DUTIES.—The Secretary shall establish a cap for the purposes of this subparagraph which—

“(I) shall be based on the most recently available data on—

“(aa) the incidence of students with the most significant cognitive disabilities;

“(bb) the participation rates, including by disability category, on alternate assessments using alternate achievement standards pursuant to subsection (b)(3)(E);

“(cc) the percentage of students, including by disability category, scoring at each achievement level on such alternate assessments; and

“(dd) other factors the Secretary deems necessary; and

“(II) may not exceed 1 percent of all students in the combined grades assessed.

“(4) TRANSITION PROVISIONS.—

“(A) IN GENERAL.—The Secretary shall take such steps as necessary to provide for the orderly transition to the new accountability and school improvement systems required under this subsection from prior accountability and school improvement systems in existence on the day before the date of enactment of the Student Success Act.

“(B) TRANSITION.—To enable the successful transition described in this paragraph, each State educational agency receiving funds under this part shall—

“(i) administer assessments that were in existence on the day before the date of enactment of the Student Success Act and beginning not later than the 2014-2015 school

year, administer high-quality assessments described in subsection (b)(3);

“(ii) report student performance on the assessments described in subparagraph (I), consistent with the requirements under this title;

“(iii) set a new baseline for performance targets, as described in paragraph (2)(C) and (2)(D), once new high-quality assessments described in subsection (b)(3) are implemented;

“(iv) implement the accountability and school improvement requirements of sections 1111 and 1116, except—

“(I) the State shall not be required to identify new persistently low achieving schools or schools in need of improvement under section 1116 for 1 year after high-quality assessments described in subsection (b)(3) have been implemented; and

“(II) shall continue to implement school improvement requirements of section 1116 in persistently low achieving schools and schools in need of improvement that were identified as such in the year prior to implementation of new high-quality assessments; and

“(v) assist local educational agencies in providing training and professional development on the implementation of new college and career ready standards and high-quality assessments.

“(C) END OF TRANSITION.—The transition described in this paragraph shall be completed by no later than 2 years from the date of enactment of the Student Success Act.

“(d) OTHER PROVISIONS TO SUPPORT TEACHING AND LEARNING.—Each State plan shall contain the following:

“(1) DESCRIPTIONS.—A description of—

“(A) how the State educational agency will carry out the responsibilities of the State under section 1116;

“(B) a plan to identify and reduce inequities in the allocation of State and local resources, including personnel and nonpersonnel resources, between schools that are receiving funds under this title and schools that are not receiving such funds under this title, consistent with the requirements in section 1120A, including—

“(i) a description of how the State will support local educational agencies in meeting the requirements of section 1120A; and

“(ii) a description of how the State will support local educational agencies to align plans under subparagraph (A), efforts to improve educator supports and working conditions described in section 2112(b)(3), and efforts to improve the equitable distribution of teachers and principals described in section 2112(b)(5), with efforts to improve the equitable allocation of resources as described in this subsection;

“(C) how the State educational agency will ensure that the results of the State assessments described in subsection (b)(3) and the school identifications described in subsection (c)(1), respectively, will be provided to local educational agencies, schools, teachers, and parents promptly, but not later than before the beginning of the school year following the school year in which such assessments, other indicators, or evaluations are taken or completed, and in a manner that is clear and easy to understand;

“(D) how the State educational agency will meet the diverse learning needs of students by—

“(i) identifying and addressing State-level barriers to implementation of universal design for learning, as described in section 5429(b)(21), and multi-tier system of supports; and

“(ii) developing and making available to local educational agencies technical assist-

ance for implementing universal design for learning, as described in section 5429(b)(21), and multi-tier system of supports;

“(E) for a State educational agency that adopts alternate achievement standards for students with the most significant cognitive disabilities under subsection (b)(4)(D)—

“(i) the clear and appropriate guidelines for individualized education program teams to apply in determining when a student's significant cognitive disability justifies alternate assessment based on alternate achievement standards, which shall include guidelines to ensure—

“(I) students with the most significant cognitive disabilities have access to the general education curriculum for the grade in which the student is enrolled;

“(II) participation in an alternate assessment does not influence a student's placement in the least restrictive environment;

“(III) determinations are made separately for each subject and are re-determined each year during the annual individualized education program team meeting;

“(IV) the student's mode of communication has been identified and accommodated to the extent possible; and

“(V) parents of such students give informed consent that—

“(aa) their child's achievement be based on alternate achievement standards; and

“(bb) if applicable, that participation in such assessments precludes the student from completing the requirements for a regular secondary school diploma; and

“(ii) the procedures the State educational agency will use to ensure and monitor that individualized education program teams implement the requirements of clause (i); and

“(iii) the plan to disseminate information on and promote use of appropriate accommodations to increase the number of students with the most significant cognitive disabilities who are assessed using achievement standards described in subparagraphs (B) and (C) of subsection (b)(4);

“(F) how the State educational agency will meet the needs of English learners, including—

“(i) the method for identifying an English learner that shall be used by all local educational agencies in the State;

“(ii) the entrance and exit requirements for students enrolled in limited English proficient classes, which shall—

“(I) be based on rigorous English language standards; and

“(II) prepare such students to successfully complete the State's assessments; and

“(iii) timelines and targets for moving students from the lowest levels of English language proficiency to the State-defined English proficient level, including an assurance that—

“(I) such targets will be based on student's initial language proficiency level when first identified as limited English proficient and grade; and

“(II) such timelines will ensure students achieve English proficiency by 18 years of age, unless the State has obtained prior approval by the Secretary;

“(G) how the State educational agency will assist local educational agencies in improving instruction in all core academic subjects;

“(H) how the State educational agency will develop and improve the capacity of local educational agencies to use technology to improve instruction; and

“(I) how any State educational agency with a charter school law will support high-quality public charter schools that receive funds under this title by—

“(i) ensuring the quality of the authorized public chartering agencies in the State by establishing—

“(I) a system of periodic evaluation and certification of public chartering agencies using nationally-recognized professional standards; or

“(II) a statewide, independent chartering agency that meets nationally-recognized professional standards;

“(ii) including in the procedure established pursuant to clause (i) requirements for—

“(I) the annual filing and public reporting of independently audited financial statements including disclosure of amount and duration of any nonpublic financial and in-kind contributions of support, by each public chartering agency, for each school authorized by such agency, and by each local educational agency and the State;

“(II) the adoption and enforcement of school employee compensation and conflict of interest guidelines for all schools authorized, which shall include disclosure of executive pay and affiliated parties with financial interest in the management operations, or contractual obligations of the school;

“(III) a legally binding charter or performance contract between each charter school and the school's authorized public chartering agency that—

“(aa) describes the rights, duties, and remedies of the school and the public chartering agency; and

“(bb) bases charter renewal and revocation decisions on an agreed-to school accountability plan which includes financial and organizational indicators, with significant weight given to the student achievement on the achievement goals, performance targets, and growth targets established pursuant to subparagraphs (B), (C), and (D) of subsection (c)(2), respectively, for each student subgroup described in subsection (c)(3)(A), as well as

“(iii) developing and implementing, in consultation and coordination with local educational agencies, a system of intervention, revocation, or closure for charter schools and public chartering agencies failing to meet the requirements and standards described in clauses (i) and (ii), which, at a minimum provides for—

“(I) initial and regular review, not less than once every 3 years, of each public chartering agency; and

“(II) intervention, revocation, or closure of any charter school identified for school improvement under section 1116.

“(2) ASSURANCES.—Assurances that—

“(A) the State educational agency will participate in biennial State academic assessments of 4th, 8th, and 12th grade reading, mathematics, and science under the National Assessment of Educational Progress carried out under section 303(b)(2) of the National Assessment of Educational Progress Authorization Act, if the Secretary pays the costs of administering such assessments;

“(B) the State educational agency will—

“(i) notify local educational agencies and the public of the content and student academic achievement standards and academic assessments developed under this section, and of the authority to operate schoolwide programs; and

“(ii) fulfill the State educational agency's responsibilities regarding local educational agency and school improvement under section 1116;

“(C) the State educational agency will encourage local educational agencies to consolidate funds from other Federal, State, and

local sources for school improvement activities under 1116 and for schoolwide programs under section 1114;

“(D) the State educational agency has modified or eliminated State fiscal and accounting barriers so that schools can easily consolidate funds from other Federal, State, and local sources for schoolwide programs under section 1114;

“(E) that State educational agency will coordinate data collection efforts to fulfill the requirements of this Act and reduce the duplication of data collection to the extent practicable;

“(F) the State educational agency will provide the least restrictive and burdensome regulations for local educational agencies and individual schools participating in a program assisted under this part;

“(G) the State educational agency will inform local educational agencies in the State of the local educational agency’s authority—

“(i) to transfer funds under title VI;

“(ii) to obtain waivers under part D of title IX; and

“(iii) if the State is an Ed-Flex Partnership State, to obtain waivers under the Education Flexibility Partnership Act of 1999;

“(H) the State educational agency will work with other agencies, including educational service agencies or other local consortia and comprehensive centers established under the Educational Technical Assistance Act of 2002, and institutions to provide professional development and technical assistance to local educational agencies and schools;

“(I) the State educational agency will ensure that local educational agencies in the State comply with the requirements of subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11117); and

“(J) the State educational agency has engaged in timely and meaningful consultation with representatives of Indian tribes located in the State in the development of the State plan to serve local educational agencies under its jurisdiction in order to—

“(i) improve the coordination of activities under this Act;

“(ii) meet the purpose of this title; and

“(iii) meet the unique cultural, language, and educational needs of Indian students.

“(e) FAMILY ENGAGEMENT.—Each State plan shall include a plan for strengthening family engagement in education. Each such plan shall, at a minimum, include—

“(1) a description of the State’s criteria and schedule for review and approval of local educational agency engagement policies and practices pursuant to section 1112(e)(3);

“(2) a description of the State’s system and process for assessing local educational agency implementation of section 1118 responsibilities;

“(3) a description of the State’s criteria for identifying local educational agencies that would benefit from training and support related to family engagement in education;

“(4) a description of the State’s statewide system of capacity-building and technical assistance for local educational agencies and schools on effectively implementing family engagement in education practices and policies to increase student achievement;

“(5) an assurance that the State will refer to Statewide Family Engagement Centers, as described in section 5702, those local educational agencies that would benefit from training and support related to family engagement in education; and

“(6) a description of the relationship between the State educational agency and Statewide Family Engagement Centers, par-

ent training and information centers, and community parent resource centers in the State established under sections 671 and 672 of the Individuals with Disabilities Education Act.

“(f) PEER REVIEW AND SECRETARIAL APPROVAL.—

“(1) SECRETARIAL DUTIES.—The Secretary shall—

“(A) establish a peer-review process to assist in the review of State plans;

“(B) appoint individuals to the peer-review process who are representative of parents, teachers, State educational agencies, local educational agencies, and experts and who are familiar with educational standards, assessments, accountability, the needs of low-performing schools, and other educational needs of students;

“(C) approve a State plan within 120 days of its submission unless the Secretary determines that the plan does not meet the requirements of this section;

“(D) if the Secretary determines that the State plan does not meet the requirements of this section immediately notify the State of such determination and the reasons for such determination;

“(E) not decline to approve a State’s plan before—

“(i) offering the State an opportunity to revise its plan;

“(ii) providing technical assistance in order to assist the State to meet the requirements of this section; and

“(iii) providing a hearing; and

“(F) have the authority to disapprove a State plan for not meeting the requirements of this part, but shall not have the authority to require a State, as a condition of approval of the State plan, to include in, or delete from, such plan one or more specific elements of the State’s academic content standards or to use specific academic assessment instruments or items.

“(2) STATE REVISIONS.—A State plan shall be revised by the State educational agency if the revision is necessary to satisfy the requirements of this section.

“(3) PUBLIC REVIEW.—Notifications under this subsection shall be made available to the public through the website of the Department, including—

“(A) State plans submitted or resubmitted by a State;

“(B) peer review comments;

“(C) State plan determinations by the Secretary, including approvals or disapprovals;

“(D) amendments or changes to State plans; and

“(E) hearings.

“(g) DURATION OF THE PLAN.—

“(1) IN GENERAL.—Each State plan shall—

“(A) remain in effect for the duration of the State’s participation under this part or 4 years, whichever is shorter; and

“(B) be periodically reviewed and revised as necessary by the State educational agency to reflect changes in the State’s strategies and programs under this part, including information on the progress the State has made in fulfilling the requirements of this section.

“(2) RENEWAL.—A State educational agency that desires to continue participation under this part shall submit a renewed plan every 4 years, including information on progress the State has made in—

“(A) implementing college- and career-ready content and achievement standards and high-quality assessments described in paragraph (b);

“(B) meeting its goals and performance targets described in subsection (c)(2); and

“(C) improving the capacity and skills of teachers and principals as described in section 2112.

“(2) ADDITIONAL INFORMATION.—If significant changes are made to a State’s plan, such as the adoption of new State academic content standards and State student achievement standards, new academic assessments, or new performance goals or target, growth goals or targets, or graduation rate goals or targets, such information shall be submitted to the Secretary for approval.

“(h) FAILURE TO MEET REQUIREMENTS.—If a State fails to meet any of the requirements of this section, the Secretary may withhold funds for State administration under this part until the Secretary determines that the State has fulfilled those requirements.

“(i) REPORTS.—

“(1) ANNUAL STATE REPORT CARD.—

“(A) IN GENERAL.—A State that receives assistance under this part shall prepare and disseminate an annual State report card. Such dissemination shall include, at a minimum, publicly posting the report card on the home page of the State educational agency’s website.

“(B) IMPLEMENTATION.—The State report card shall be—

“(i) concise; and

“(ii) presented in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand.

“(C) REQUIRED INFORMATION.—The State shall include in its annual State report card—

“(i) information, in the aggregate, and disaggregated and cross-tabulated by the same major groups as the decennial census of the population, ethnicity, gender, disability status, migrant status, English proficiency, and status as economically disadvantaged, except that such disaggregation and cross-tabulation shall not be required in a case in which the number of students in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student on—

“(I) student achievement at each achievement level on the State academic assessments described in subsection (b)(3), including the most recent 2-year trend;

“(II) student growth on the State academic assessments described in subsection (b)(3), including the most recent 2-year trend;

“(III) the four-year adjusted cohort rate, the extended-year graduation rate (where applicable), and the graduation rate by type of diploma, including the most recent 2-year trend;

“(IV) the State established equity indicators under subsection (c)(1)(C);

“(V) the percentage of students who did not take the State assessments; and

“(VI) the most recent 2-year trend in student achievement and student growth in each subject area and for each grade level, for which assessments under this section are required;

“(ii) information that provides a comparison between the actual achievement levels and growth of each group of students described in subsection (c)(3)(A) and the performance targets and growth targets in subsection (c)(2) for each such group of students on each of the academic assessments and for graduation rates required under this part;

“(iii) if a State adopts alternate achievement standards for students with the most significant cognitive disabilities, the number and percentage of students taking the alternate assessments and information on student

achievement at each achievement level and student growth, by grade and subject;

“(iv) the number of students who are English learners, and the performance of such students, on the State’s English language proficiency assessments, including the students’ attainment of, and progress toward, higher levels of English language proficiency;

“(v) information on the performance of local educational agencies in the State regarding school improvement, including the number and names of each school identified for school improvement under section 1116 and information on the outcomes of the equity indicators outlined in section 1111(c)(1)(C);

“(vi) the professional qualifications of teachers in the State, the percentage of such teachers teaching with emergency or provisional credentials, and the percentage of classes in the State not taught by qualified teachers, in the aggregate and disaggregated by high-poverty compared to low-poverty schools which, for the purpose of this clause, means schools in the top quartile of poverty and the bottom quartile of poverty in the State;

“(vii) information on teacher effectiveness, as determined by the State, in the aggregate and disaggregated by high-poverty compared to low-poverty schools which, for the purpose of this clause, means schools in the top quartile of poverty and the bottom quartile of poverty in the State;

“(viii) a clear and concise description of the State’s accountability system, including a description of the criteria by which the State educational agency evaluates school performance, and the criteria that the State educational agency has established, consistent with subsection (c), to determine the status of schools with respect to school improvement; and

“(ix) outcomes related to quality charter authorizing standards as described in subsection (d)(1)(I), including, at a minimum, annual filing as described in subsection (d)(1)(I)(ii)(I).

“(2) ANNUAL LOCAL EDUCATIONAL AGENCY REPORT CARDS.—

“(A) REPORT CARDS.—A local educational agency that receives assistance under this part shall prepare and disseminate an annual local educational agency report card.

“(B) MINIMUM REQUIREMENTS.—The State educational agency shall ensure that each local educational agency collects appropriate data and includes in the local educational agency’s annual report the information described in paragraph (1)(C) as applied to the local educational agency and each school served by the local educational agency, and—

“(i) in the case of a local educational agency—

“(I) the number and percentage of schools identified for school improvement under section 1116 and how long the schools have been so identified; and

“(II) information that shows how students served by the local educational agency achieved on the statewide academic assessment compared to students in the State as a whole;

“(III) per-pupil expenditures from Federal, State, and local sources, including personnel and nonpersonnel resources, for each school in the local educational agency, consistent with the requirements under section 1120A;

“(IV) the number and percentage of secondary school students who have been removed from the 4-year adjusted cohort by leaver code, and the number and percentage

of students from each adjusted cohort that have been enrolled in high school for more than 4 years but have not graduated with a regular diploma; and

“(V) information on the number of military-connected students (students who are a dependent of a member of the Armed Forces, including reserve components thereof) served by the local educational agency and how such military-dependent students achieved on the statewide academic assessment compared to all students served by the local educational agency; and

“(i) in the case of a school—

“(I) whether the school has been identified for school improvement; and

“(II) information that shows how the school’s students achievement on the statewide academic assessments and other improvement indicators compared to students in the local educational agency and the State as a whole.

“(C) OTHER INFORMATION.—A local educational agency may include in its annual local educational agency report card any other appropriate information, whether or not such information is included in the annual State report card.

“(D) DATA.—A local educational agency or school shall only include in its annual local educational agency report card data that are sufficient to yield statistically reliable information, as determined by the State, and that do not reveal personally identifiable information about an individual student.

“(E) PUBLIC DISSEMINATION.—The local educational agency shall publicly disseminate the report cards described in this paragraph to all schools in the school district served by the local educational agency and to all parents of students attending those schools in an accessible, understandable, and uniform format and, to the extent practicable, provided in a language that the parents can understand, and make the information widely available through public means, such as posting on the Internet, distribution to the media, and distribution through public agencies.

“(3) PREEXISTING REPORT CARDS.—A State educational agency or local educational agency that was providing public report cards on the performance of students, schools, local educational agencies, or the State prior to the date of enactment of the Student Success Act may use those report cards for the purpose of this subsection, so long as any such report card is modified, as may be needed, to contain the information required by this subsection.

“(4) COST REDUCTION.—Each State educational agency and local educational agency receiving assistance under this part shall, wherever possible, take steps to reduce data collection costs and duplication of effort by obtaining the information required under this subsection through existing data collection efforts.

“(5) ANNUAL STATE REPORT TO THE SECRETARY.—Each State educational agency receiving assistance under this part shall report annually to the Secretary, and make widely available within the State—

“(A) information on the State’s progress in developing and implementing

“(i) the college and career ready standards described in subsection (b)(2);

“(ii) the academic assessments described in subsection (b)(3); and

“(iii) the accountability and school improvement system described in subsection (c); and

“(B) the annual State report card under paragraph (1).

“(6) REPORT TO CONGRESS.—The Secretary shall transmit annually to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report that provides national and State-level data on the information collected under paragraph (5).

“(7) PARENTS RIGHT-TO-KNOW.—

“(A) ACHIEVEMENT INFORMATION.—At the beginning of each school year, a school that receives funds under this subpart shall provide to each individual parent—

“(i) information on the level of achievement and growth of the parent’s child on each of the State academic assessments and, as appropriate, other improvement indicators adopted in accordance with this subpart; and

“(ii) timely notice that the parent’s child has been assigned, or has been taught for four or more consecutive weeks by, a teacher who is not qualified or has been found to be ineffective, as determined by the State or local educational agency.

“(B) QUALIFICATIONS.—At the beginning of each school year, a local educational agency that receives funds under this part shall notify the parents of each student attending any school receiving funds under this part, information regarding the professional qualifications of the student’s classroom teachers, including, at a minimum, the following:

“(i) Whether the teacher has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.

“(ii) Whether the teacher is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived.

“(iii) Whether the teacher is currently enrolled in an alternative certification program.

“(iv) Whether the child is provided services by paraprofessionals or specialized instructional support personnel and, if so, their qualifications.

“(C) FORMAT.—The notice and information provided to parents under this paragraph shall be in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand.

“(j) PRIVACY.—Information collected under this section shall be collected and disseminated in a manner that protects the privacy of individuals.

“(k) TECHNICAL ASSISTANCE.—The Secretary shall provide a State educational agency, at the State educational agency’s request, technical assistance in meeting the requirements of this section, including the provision of advice by experts in the development of college and career ready standards, high-quality academic assessments, and goals and targets that are valid and reliable, and other relevant areas.

“(l) VOLUNTARY PARTNERSHIPS.—A State may enter into a voluntary partnership with another State to develop and implement the academic assessments and standards required under this section.

“(m) DEFINITIONS.—In this section:

“(1) ADJUSTED COHORT; EXTENDED-YEAR; ENTERING COHORT; TRANSFERRED INTO; TRANSFERRED OUT.—

“(A) ADJUSTED COHORT.—Subject to subparagraph (D)(ii) through (G), the term ‘adjusted cohort’ means the difference of—

“(i) the sum of—

“(I) the entering cohort; plus

“(II) any students that transferred into the cohort in any of grades 9 through 12; minus

“(ii) any students that are removed from the cohort as described in subparagraph (E).

“(B) EXTENDED YEAR.—The term ‘extended year’ when used with respect to a graduation rate, means the fifth or sixth year after the school year in which the entering cohort, as described in subparagraph (C), is established for the purpose of calculating the adjusted cohort.

“(C) ENTERING COHORT.—The term ‘entering cohort’ means the number of first-time 9th graders enrolled in a secondary school 1 month after the start of the secondary school’s academic year.

“(D) TRANSFERRED INTO.—The term ‘transferred into’ when used with respect to a secondary school student, means a student who—

“(i) was a first-time 9th grader during the same school year as the entering cohort; and

“(ii) enrolls after the entering cohort is calculated as described in subparagraph (B).

“(E) TRANSFERRED OUT.—

“(i) IN GENERAL.—The term ‘transferred out’ when used with respect to a secondary school student, means a student who the secondary school or local educational agency has confirmed has transferred to another—

“(I) school from which the student is expected to receive a regular secondary school diploma; or

“(II) educational program from which the student is expected to receive a regular secondary school diploma.

“(ii) CONFIRMATION REQUIREMENTS.—

“(I) DOCUMENTATION REQUIRED.—The confirmation of a student’s transfer to another school or educational program described in clause (i) requires documentation from the receiving school or program that the student enrolled in the receiving school or program.

“(II) LACK OF CONFIRMATION.—A student who was enrolled, but for whom there is no confirmation of the student having transferred out, shall remain in the cohort as a non-graduate for reporting and accountability purposes under this section.

“(iii) PROGRAMS NOT PROVIDING CREDIT.—A student enrolled in a GED or other alternative educational program that does not issue or provide credit toward the issuance of a regular secondary school diploma shall not be considered transferred out.

“(F) COHORT REMOVAL.—To remove a student from a cohort, a school or local educational agency shall require documentation to confirm that the student has transferred out, emigrated to another country, or is deceased.

“(G) TREATMENT OF OTHER LEAVERS AND WITHDRAWALS.—A student who was retained in a grade, enrolled in a GED program, aged out of a secondary school or secondary school program, or left secondary school for any other reason, including expulsion, shall not be considered transferred out, and shall remain in the adjusted cohort.

“(H) SPECIAL RULE.—For those secondary schools that start after grade 9, the entering cohort shall be calculated 1 month after the start of the secondary school’s academic year in the earliest secondary school grade at the secondary school.

“(2) 4-YEAR ADJUSTED COHORT GRADUATION RATE.—The term ‘4-year adjusted cohort graduation rate’ means the percent obtained by calculating the product of—

“(A) the result of—

“(i) the number of students who—

“(I) formed the adjusted cohort 4 years earlier; and

“(II) graduate in 4 years or less with a regular secondary school diploma; divided by

“(ii) the number of students who formed the adjusted cohort for that year’s graduating class 4 years earlier; multiplied by

“(B) 100.

“(3) EXTENDED-YEAR GRADUATION RATE.—The term ‘extended-year graduation rate’ for a school year is defined as the percent obtained by calculating the product of the result of—

“(A) the sum of—

“(i) the number of students who—

“(I) form the adjusted cohort for that year’s graduating class; and

“(II) graduate in an extended year with a regular secondary school diploma; or

“(III) graduate before exceeding the age for eligibility for a free appropriate public education (as defined in section 602 of the Individuals with Disabilities Education Act) under State law; divided by

“(ii) the result of—

“(I) the number of students who form the adjusted cohort for that year’s graduating class; plus

“(II) the number of students who transferred in during the extended year defined in paragraph (1)(B), minus

“(III) students who transferred out, emigrated, or died during the extended year defined in paragraph (1)(B); multiplied by

“(B) 100.

“(4) LEAVER CODE.—The term ‘leaver code’ means a number or series of numbers and letters assigned to a categorical reason for why a student left the high school from which she or he is enrolled without having earned a regular high school diploma, except that—

“(A) an individual student with either a duplicative code or whom has not been assigned a leaver code shall not be removed from the cohort assigned for the purpose of calculating the adjusted cohort graduation rate; and

“(B) the number of students with either a duplicative leaver code or who have not been assigned a leaver code shall be included in reporting requirements for the leaver code.

“(5) MULTI-TIER SYSTEM OF SUPPORTS.—The term ‘multi-tier system of supports’ means a comprehensive system of differentiated supports that includes evidence-based instruction, universal screening, progress monitoring, formative assessment, and research-based interventions matched to student needs, and educational decision-making using student outcome data.

“(6) GRADUATION RATE.—The term ‘graduation rate’ means a 4-year adjusted cohort graduation rate and the extended-year graduation rate.

“(7) REGULAR SECONDARY SCHOOL DIPLOMA.—

“(A) The term ‘regular secondary school diploma’ means standard secondary school diploma awarded to the preponderance of students in the State that is fully aligned with the State’s college and career ready achievement standards as described under subsection (b)(4), or a higher diploma. Such term shall not include GED’s, certificates of attendance, or any lesser diploma awards.

“(B) If a State adopts different paths to the regular secondary school diploma, such different paths shall—

“(i) be available to all students in the State;

“(ii) be equally rigorous in their requirements; and

“(iii) signify that a student is prepared for college or a career without the need for remediation.”.

Strike section 117 and insert the following:

**SEC. 117. ACADEMIC ASSESSMENT AND LOCAL EDUCATIONAL AGENCY AND SCHOOL IMPROVEMENT; SCHOOL SUPPORT AND RECOGNITION.**

Section 1116 (20 U.S.C. 6316) is amended to read as follows:

**“SEC. 1116. SCHOOL IMPROVEMENT.**

“(a) LOCAL REVIEW.—

“(1) IN GENERAL.—Each local educational agency receiving funds under this part shall—

“(A) use the State academic assessments, including measures of student growth and graduation rates, and data on the state-established equity indicators described in section 1111(c)(1)(C) to review, annually, the progress of each school served under this part, and consistent with the parameters described in paragraph (2), to determine whether the school is—

“(i) meeting performance targets, growth targets, and graduation rate targets established under section 1111(c)(2); and

“(ii) making progress to address school challenges identified using the state-established equity indicators described in section 1111(c)(1)(C);

“(B) based on the review conducted under subparagraph (A), determine whether a school served under this part is—

“(i) in need of support as described under section 1111(c)(1)(E)(ii); or

“(ii) a high priority school that meets the State-established parameters under paragraph (2);

“(C) publicize and disseminate the results of the local annual review described in subparagraph (A) to parents, teachers, principals, schools, and the community so that the teachers, principals, other staff, and schools can continually refine, in an instructionally useful manner, the program of instruction to help all children served under this part meet the college and career ready achievement standards established under section 1111(b); and

“(D) use the equity indicators established under section 1111(c)(1)(C) to diagnose school challenges and measure school progress in carrying out the school improvement activities under this section.

“(2) HIGH PRIORITY SCHOOLS.—The State educational agency shall establish parameters, consistent with section 1111(c)(1)(E)(i), to assist local educational agencies in identifying high priority schools within the local educational agency that—

“(A) for elementary schools—

“(i) shall use student achievement on the assessments required under section 1111(b)(3), including prior year data;

“(ii) shall use student growth data on the assessments under section 1111(b)(3), including prior year data; and

“(iii) shall use, to a lesser extent than each of the parameters established in clauses (i) and (ii), data on the equity indicators established under section 1111(c)(1)(C); and

“(B) for secondary schools—

“(i) shall use student achievement on the assessments required under section 1111(b)(3), including prior year data;

“(ii) shall use student growth data on the assessments under section 1111(b)(3), including prior year data;

“(iii) shall use graduation rate data, including prior year data; and

“(iv) shall use, to a lesser extent than each of the parameters established in clauses (i) through (iii), data on the equity indicators established under section 1111(c)(1)(C); or

“(v) shall include schools with 4-year adjusted cohort graduation rates below 67 percent as high priority schools.

“(b) SCHOOL IMPROVEMENT.—

“(1) IN GENERAL.—Each school served under this part determined to be a school in need of support pursuant to section 1111(c)(1)(C)(ii) or a high-priority school pursuant to 1111(c)(1)(C)(i), shall form a school improvement team described in paragraph (2) to develop and implement a school improvement plan described in paragraph (3) to improve educational outcomes for all students and address existing resource inequities.

“(2) SCHOOL IMPROVEMENT TEAM.—

“(A) IN GENERAL.—Each school described in paragraph (1) shall form a school improvement team, which shall include school leaders, teachers, parents, community members, and specialized instructional support personnel.

“(B) SCHOOLS IN NEED OF SUPPORT.—Each school improvement team for a school in need of support may include an external partner and representatives of the local educational agency and the State educational agency.

“(C) HIGH-PRIORITY SCHOOLS.—Each school improvement team for a high-priority school shall include an external partner and representatives of the local educational agency and the State educational agency.

“(3) SCHOOL IMPROVEMENT PLAN.—

“(A) IN GENERAL.—A school improvement team shall develop, implement, and make publicly available a school improvement plan that uses information available under the accountability and school improvement system established under section 1111(c), data available under the early warning indicator system established under subsection (c)(5), data on the improvement indicators established under section 1111(c)(1)(D), and other relevant data to identify—

“(i) each area in which the school needs support for improvement;

“(ii) the type of support required;

“(iii) how the school plans to use comprehensive, evidence-based strategies to address such needs;

“(iv) how the school will measure progress in addressing such needs using the goals and targets and improvement indicators established under paragraphs (2) and (1)(D) of section 1111(c), respectively, and identify which of the goals and targets are not currently being met by the school; and

“(v) how the school will review its progress and make adjustments and corrections to ensure continuous improvement.

“(B) PLANNING PERIOD.—The school improvement team may use a planning period, which shall not be longer than one school year to develop and prepare to implement the school improvement plan.

“(C) PLAN REQUIREMENTS.—Each school improvement plan shall describe the following:

“(i) PLANNING AND PREPARATION.—The activities during the planning period, including—

“(I) the preparation activities conducted to effectively implement the budgeting, staffing, curriculum, and instruction changes described in the plan; and

“(II) how the school improvement team engaged parents and community organizations.

“(ii) TARGETS.—The performance, growth, and graduation rate targets that contributed to the school's status as a school in need of support or high-priority school, and the school challenges identified by the school improvement indicators under section 1111(c)(1)(D).

“(iii) EVIDENCE-BASED, SCHOOL IMPROVEMENT STRATEGIES.—Evidence-based, school improvement strategies to address the factors and challenges described in clause (ii),

to improve instruction, including in all core academic subjects, to improve the achievement of all students and address the needs of students identified at the catch-up level of achievement.

“(iv) NEEDS AND CAPACITY ANALYSIS.—A description and analysis of the school's ability and the resources necessary to implement the evidence-based, school improvement strategies identified under clause (iii), including an analysis of—

“(I) staffing resources, such as the number, experience, training level, effectiveness as determined by the State or local educational agency, responsibilities, and stability of existing administrative, instructional, and non-instructional staff;

“(II) budget resources, including how Federal, State, and local funds are being spent for instruction and operations to determine how existing resources can be aligned and used to support improvement;

“(III) the school curriculum;

“(IV) the use of time, such as the school's schedule and use of additional learning time; and

“(V) any additional resources and staff necessary to effectively implement the school improvement activities identified in the school improvement plan.

“(v) IDENTIFYING ROLES.—The roles and responsibilities of the State educational agency, the local educational agency, the school and, if applicable, the external partner in the school improvement activities, including providing interventions, support, and resources necessary to implement improvements.

“(vi) PLAN FOR EVALUATION.—The plan for continuous evaluation of the evidence-based, school improvement strategies, including implementation of and fidelity to the school improvement plan, that includes at least quarterly reviews of the effectiveness of such activities.

“(D) ADDITIONAL REQUIREMENTS FOR HIGH-PRIORITY SCHOOLS.—For a persistently-low achieving school, the school improvement plan shall, in addition to the requirements described in subparagraph (B), describe how the school will—

“(i) address school-wide factors to improve student achievement, including—

“(I) establishing high expectations for all students, which at a minimum, align with the achievement standards and growth standards under section 1111(b)(4);

“(II) improving school climate, including student attendance and school discipline, through the use of school-wide positive behavioral supports and interventions and other evidence based approaches to improving school climate;

“(III) ensuring that the staff charged with implementing the school improvement plan are engaged in the plan and the school turnaround effort;

“(IV) establishing clear—

“(aa) benchmarks for implementation of the plan; and

“(bb) targets for improvement on the equity indicators under section 1111(c)(1)(C);

“(ii) organize the school to improve teaching and learning, including through—

“(I) strategic use of time, such as—

“(aa) establishing common planning time for teachers and interdisciplinary teams who share common groups of students;

“(bb) redesigning the school calendar year or day, such as through block scheduling, summer learning programs, or increasing the number of hours or days, in order to create additional learning time; or

“(cc) creating a flexible school period to address specific student academic needs and

interests such as credit recovery, electives, enrichment activities, or service learning; and

“(II) alignment of resources to improvement goals, such as through ensuring that students in transition grades are taught by teachers prepared to meet their specific learning needs;

“(iii) increase teacher and school leader effectiveness, as determined by the State or local educational agency, including through—

“(I) demonstrating the principal has the skills, capacity, and record of success to significantly improve student achievement and lead a school turnaround, which may include replacing the principal;

“(II) screening all existing staff at the school, with the leadership team, through a process that ensures a rigorous and fair review of their applications;

“(III) improving the recruitment and retention of qualified and effective teachers and principals, as determined by the State or local educational agency, to work in the school;

“(IV) professional development activities that respond to student and school-wide needs aligned with the school improvement plan, such as—

“(aa) training teachers, leaders, and administrators together with staff from schools making achievement goals and performance targets under the accountability system under section 1111(c) that serve similar populations and in such schools;

“(bb) establishing peer learning and coaching among teachers; or

“(cc) facilitating collaboration, including through professional communities across subject area and interdisciplinary groups and similar schools;

“(V) appropriately identifying teachers for each grade and course; and

“(VI) the development of effective leadership structures, supports, and clear decision making processes, such as through developing distributive leadership and leadership teams;

“(iv) improve curriculum and instruction, including through—

“(I) demonstrating the relevance of the curriculum and learning for all students, including instruction in all core academic subjects, and may include the use of online course-work as long as such course-work meets standards of quality and best practices for online education;

“(II) increasing access to rigorous and advanced course-work, including adoption and implementation of a college- and career-ready curriculum, and evidence-based, engaging instructional materials aligned with such a curriculum, for all students;

“(III) increasing access to contextualized learning opportunities aligned with readiness for postsecondary education and the workforce, such as providing—

“(aa) work-based, project-based, and service-learning opportunities; or

“(bb) a high-quality, college preparatory curriculum in the context of a rigorous career and technical education core;

“(IV) regularly collecting and using data to inform instruction, such as—

“(aa) through use of formative assessments;

“(bb) creating and using common grading rubrics; or

“(cc) identifying effective instructional approaches to meet student needs; and

“(V) emphasizing core skills instruction, such as literacy, across content areas;



“(v) provide students with academic and social support to address individual student learning needs, including through—

“(I) ensuring access to services and expertise of specialized instructional support personnel;

“(II) supporting students at the catch-up level of achievement who need intensive intervention;

“(III) increasing personalization of the school experience through learning structures that facilitate the development of student and staff relationships;

“(IV) offering extended-learning, credit recovery, mentoring, or tutoring options of sufficient scale to meet student needs;

“(V) providing evidence-based, accelerated learning for students with academic skill levels below grade level;

“(VI) coordinating and increasing access to integrated services, such as providing specialized instructional support personnel;

“(VII) providing transitional support between grade-spans, including postsecondary planning.

“(VIII) meeting the diverse learning needs of all students through strategies such as a multi-tier system of supports and universal design for learning, as described in section 5429(b)(21); and

“(IX) engaging families and community partners, including community-based organizations, organizations representing underserved populations, Indian tribes (as appropriate), organizations assisting parent involvement, institutions of higher education, and businesses, in school improvement activities through evidence-based strategies.

“(E) SUBMISSION AND APPROVAL.—The school improvement team shall submit the school improvement plan to the local educational agency or the State educational agency, as determined by the State educational agency based on the local educational agency's ability to effectively monitor and support the school improvement activities. Upon receiving the plan, the local educational agency or the State educational agency, as appropriate, shall—

“(i) establish a peer review process to assist with review of the school improvement plan; and

“(ii) promptly review the plan, work with the school improvement team as necessary, and approve the plan if the plan meets the requirements of this paragraph.

“(F) REVISION OF PLAN.—A school improvement team may revise the school improvement plan as additional information and data is available.

“(G) IMPLEMENTATION.—A school with the support and assistance of the local educational agency shall implement the school improvement plan expeditiously, but not later than the beginning of the next full school year after identification for improvement.

“(4) EVALUATION OF SCHOOL IMPROVEMENT.—

“(A) IN GENERAL.—

“(i) REVIEW.—The State educational agency or local educational agency, as determined by the State in accordance with paragraph (3)(D) shall, annually, review data with respect to each school in need of support and each high-priority school to set clear benchmarks for progress, to guide adjustments and corrections, to evaluate whether the supports and interventions identified within the school improvement plan are effective and the school is meeting the targets for improvement established under its such plan, and to specify what actions ensue for schools not making progress.

“(ii) DATA.—In carrying out the annual review under clause (i), the school, the local

educational agency, or State educational agency shall measure progress on—

“(I) student achievement, student growth, and graduation rates against the goals and targets established under section 1111(c)(2); and

“(II) improvement indicators as established under section 1111(c)(1)(D).

“(B) SCHOOLS IN NEED OF SUPPORT.—If, after 3 years of implementing its school improvement plan, a school in need of support does not meet the goals and targets under section 1111(c)(2) that were identified under the school improvement plan as not being met by the school and the improvement indicators established under section 1111(c)(1)(D), then—

“(i) the local educational agency shall evaluate school performance and other data, and provide intensive assistance to that school in order to improve the effectiveness of the interventions; and

“(ii) the State educational agency or the local educational agency, as determined by the State, shall determine whether the school shall partner with an external partner—

“(I) to revise the school improvement plan; and

“(II) to improve, and as appropriate, revise, school improvement strategies that meet the requirements of paragraph (3)(B)(iii).

“(C) HIGH-PRIORITY SCHOOLS.—If, after 3 years of implementing its school improvement plan, a high-priority school does not demonstrate progress on the goals and targets under section 1111(c)(2) that were identified under the school improvement plan as not being met by the school or the equity indicators established under section 1111(c)(1)(C), then—

“(i) the local educational agency, in collaboration with the State educational agency, shall determine actionable next steps which may include school closure, replacement, or State take-over of such school, shall provide all students enrolled with new high-quality educational options;

“(ii) the local educational agency, and as appropriate the State educational agency, shall develop and implement a plan to assist with any resulting transition of the school under clause (i) that—

“(I) is developed in consultation with parents and the community;

“(II) addresses the needs of the students at the school by considering strategies such as—

“(aa) opening a new school;

“(bb) graduating out current students and closing the school in stages; and

“(cc) enrolling the students who attended the school in other schools in the local educational agency that are higher achieving, provided the other schools are within reasonable proximity to the closed school and ensures receiving schools have the capacity to enroll incoming students; and

“(III) provides information about high-quality educational options and transition and support services to students who attended that school and their parents.

“(D) PERSISTENTLY LOW ACHIEVING SCHOOL.—If, after 5 years of implementing its school improvement plan, a persistently low achieving school does not demonstrate progress on the goals and targets under section 1111(c)(2) that were identified under the school improvement plan, then the local educational agency, in collaboration with the State educational agency, shall determine actionable next steps, which may include school closure, replacement, or State take-

over of such school, and shall provide all students with enrolled new high-quality educational options, as described in subparagraph (C).

“(c) LOCAL EDUCATIONAL AGENCY RESPONSIBILITIES.—A local educational agency served by this part, in supporting the schools identified as a school in need of support or a high-priority school served by the agency, shall—

“(1) address resource inequities to improve student achievement by—

“(A) targeting resources and support to those schools identified as high priority or as in need of support, including additional resources and staff necessary to implement the school improvement plan, as described in subsection (b)(3)(C)(iv)(V), and

“(B) ensuring the local educational agency budget calendar is aligned with school staff and budgeting needs;

“(2) address local educational agency-wide factors to improve student achievement by—

“(A) supporting the use of data to improve teaching and learning through—

“(i) improving longitudinal data systems;

“(ii) regularly analyzing and disseminating usable data to educators, parents, and students;

“(iii) building the data and assessment literacy of teachers and principals; and

“(iv) evaluating at kindergarten entry the kindergarten readiness of children and addressing the educational and development needs determined by such evaluation;

“(B) addressing school transition needs of the local educational agency by—

“(i) using kindergarten readiness data to consider improving access to high-quality early education opportunities; and

“(ii) providing targeted research-based interventions to middle schools that feed into high schools identified for school improvement under this section;

“(C) supporting human capital systems that ensure there is a sufficient pool of qualified and effective teachers and school leaders, as determined by the State or local educational agency, to work in schools served by the local educational agency;

“(D) developing support for school improvement plans among key stakeholders such as parents and families, community groups representing underserved populations, Indian tribes (as appropriate), educators, and teachers;

“(E) carrying out administrative duties under this section, including evaluation for school improvement and technical assistance for schools; and

“(F) coordinating activities under this section with other relevant State and local agencies, as appropriate;

“(3) supporting professional development activities for teachers, school leaders, and specialized instructional support personnel aligned to school improvement activities;

“(4) address curriculum and instruction factors to improve student achievement by—

“(A) ensuring curriculum alignment with the State's early learning standards and postsecondary education programs;

“(B) providing academically rigorous education options such as—

“(i) effective dropout prevention, credit and dropout recovery and recuperative education programs for disconnected youth and students who are not making sufficient progress to graduate high school in the standard number of years or who have dropped out of high school;

“(ii) providing students with postsecondary learning opportunities, such as through access to a relevant curriculum or

course of study that enables a student to earn a secondary school diploma and—

“(I) an associate’s degree; or  
“(II) not more than 2 years of transferable credit toward a postsecondary degree or credential;

“(iii) integrating rigorous academic education with career training, including training that leads to postsecondary credentials for students;

“(iv) increasing access to Advanced Placement or International Baccalaureate courses and examinations; or

“(v) developing and utilizing innovative, high quality distance learning strategies to improve student academic achievement; and

“(C) considering how technology can be used to support school improvement activities;

“(5) address student support factors to improve student achievement by—

“(A) establishing an early warning indicator system to identify students who are at risk of dropping out of high school and to guide preventive and recuperative school improvement strategies, including—

“(i) identifying and analyzing the academic risk factors that most reliably predict dropouts by using longitudinal data of past cohorts of students;

“(ii) identifying specific indicators of student progress and performance, such as attendance, academic performance in core courses, and credit accumulation, to guide decision making;

“(iii) identifying or developing a mechanism for regularly collecting and analyzing data about the impact of interventions on the indicators of student progress and performance; and

“(iv) analyzing academic indicators to determine whether students are on track to graduate secondary school in the standard numbers of years; and

“(B) identifying and implementing strategies for pairing academic support with integrated student services and case-managed interventions for students requiring intensive supports which may include partnerships with other external partners;

“(6) promote family outreach and engagement in school improvement activities, including those required by section 1118, to improve student achievement;

“(7) for each school identified for school improvement, ensure the provision of technical assistance as the school develops and implements the school improvement plan throughout the plan’s duration; and

“(8) identify school improvement strategies that are consistently improving student outcomes and disseminate those strategies so that all schools can implement them.

“(d) STATE EDUCATIONAL AGENCY RESPONSIBILITIES.—A State educational agency served by this part, in supporting schools identified as a school in need of support or a high-priority school and the local educational agencies serving such schools, shall—

“(1) assess and address local capacity constraints to ensure that its local educational agencies can meet the requirements of this section;

“(2) target resources and support to those schools in the State that are identified as a school in need of support or a high-priority school and to local educational agencies serving such schools, including additional resources necessary to implement the school improvement plan as described in subsection (b)(3)(C)(iv)(V);

“(3) provide support and technical assistance, including assistance to school leaders,

teachers, and other staff, to assist local educational agencies and schools in using data to support school equity and in addressing the equity indicators described in section 1111(c)(1)(C);

“(4) identify school improvement strategies that are consistently improving student outcomes and disseminate those strategies so that all schools can implement them;

“(5) leverage resources from other funding sources, such as school improvement funds, technology funds, and professional development funds to support school improvement activities;

“(6) provide a statewide system of support, including regional support services, to improve teaching, learning, and student outcomes;

“(7) assist local educational agencies in developing early warning indicator systems;

“(8) with respect to schools that will work with external partners to improve student achievement—

“(A) develop and apply objective criteria to potential external partners that are based on a demonstrated record of effectiveness in school improvement;

“(B) maintain an updated list of approved external partners across the State;

“(C) develop, implement, and publicly report on standards and techniques for monitoring the quality and effectiveness of the services offered by approved external partners, and for withdrawing approval from external partners that fail to improve high-priority schools; and

“(D) may identify external partners as approved, consistent with the requirements under paragraph (7), who agree to provide services on the basis of receiving payments only when student achievement has increased at an appropriate level as determined by the State educational agency and school improvement team under subsection (b)(2); and

“(9) carry out administrative duties under this section, including providing monitoring and technical assistance to local educational agencies and schools.

“(e) RULES OF CONSTRUCTION.—Nothing in this section shall be construed—

“(1) to alter or otherwise affect the rights, remedies, and procedures afforded school or local educational agency employees under Federal, State, or local laws (including applicable regulations or court orders) or under the terms of collective bargaining agreements, memoranda of understanding, or other agreements between such employees and their employers;

“(2) to require a child to participate in an early learning program; or

“(3) to deny entry to kindergarten for any individual if the individual is legally eligible, as defined by State or local law.

“(f) DEFINITION.—In this section, the term ‘external partner’ means an entity—

“(1) that is an organization such as a non-profit organization, community-based organization, local education fund, service organization, educational service agency, or institution of higher education; and

“(2) that has demonstrated expertise, effectiveness, and a record of success in providing evidence-based strategies and targeted support such as data analysis, professional development, or provision of nonacademic support and integrated student services to local educational agencies, schools, or students that leads to improved teaching, learning, and outcomes for students.”.

The Acting CHAIR. Pursuant to House Resolution 347, the gentleman from Colorado (Mr. POLIS) and a Mem-

ber opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Mr. Chairman, No Child Left Behind’s metrics are outdated and rigid. On that we agree. But H.R. 5 in its current form abandons provisions that are crucial to ensuring equal educational opportunities for all of our Nation’s students.

My amendment advances a more comprehensive and effective vision of accountability at the school district and State levels.

This new language expects States to set college- and career-ready standards rather than to allow them to dumb down their standards in order to inflate their results.

It also requires States to set performance growth and graduation rate targets that ensure that schools improve every year for all subgroups, including for students with disabilities.

One of the major deficiencies in H.R. 5 and one of the reasons that all of the advocacy groups for students with learning disabilities oppose the bill is it effectively removes the accountability we have for students with disabilities to ensure that they continue to learn.

There is currently a 1 percent cap on the students with the most severe disabilities who are not tested. H.R. 5 would eliminate the 1 percent cap on alternative assessments based on alternative achievement standards and would remove it altogether, allowing, ultimately, schools and States to decide not to have any accountability for those students who need programs that meet their learning needs the most.

□ 1700

The Democratic substitute amendment upholds our Nation’s civil rights and equity responsibilities to ensure that all students receive a high-quality education.

It reinstates the 1 percent cap on alternative assessments for students with disabilities. It makes sure that accountability is a meaningful word and takes meaningful steps toward getting accountability right, rather than allowing discrimination and bad choices to continue to result in an increasing achievement gap across our country.

This amendment is also reflected in the Democratic substitute and would make sure that we have an accountability system that prepares our students for the jobs and the workforce of the 21st century and to move on to higher education.

Absent including this language or the Democratic substitute in the final passage of the bill, the bill in its current form would be a step backward, a step to lower standards, a step to reduce accountability, and a step to allow deficiencies to be swept under the rug, as they once were.

I reserve the balance of my time.

Mr. KLINE. Mr. Chairman, I claim time in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Minnesota is recognized for 5 minutes.

Mr. KLINE. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. ZELDIN).

Mr. ZELDIN. Mr. Chairman, I rise in opposition to this amendment.

My daughters just completed third grade, and I strongly support higher standards for them and their generation, but we need to set up our children to succeed, not fail. We need to stop federally mandated overtesting in our schools.

This amendment would be a giant leap backwards for education reform. Rather than reforming the failed policies of No Child Left Behind, this amendment embraces the most problematic portions, continuing to obsess over federally mandated performance standards and using that to measure teacher performance.

What is most insulting is that this proposal is so flawed that the sponsor needs to leverage Federal money to lure cash-strapped States to buy in because the proposal doesn't stand on its own merits.

Our schools need greater flexibility and local control. This amendment would do the exact opposite, which is why I strongly oppose its passage and encourage all my colleagues to do the same.

Mr. POLIS. Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. SCOTT), the ranking member on the committee.

Mr. SCOTT of Virginia. Mr. Chairman, the present law only requires that States identify achievement gaps and prescribes exactly what has to be done to address the achievement gaps.

Unfortunately, the one-size-fits-all prescription has often failed to effectively address the achievement gaps. The underlying bill goes overboard by eliminating any requirement that something gets done. The gentleman's amendment reinstates the requirement that something be done, but directs the States to develop their own locally tailored response to achievement gaps. This approach is much more likely to be effective and will be part of the Democratic substitute that will be voted on shortly.

Mr. Chairman, before we leave the bill, I would like to thank many members of our staff that have worked on this bill since January. They have spent days and nights and weekends working on the bill, and I would like to acknowledge them and their work today.

Denise Forte, Jacque Chevalier, Christian Haines, Ashlyn Holeyfield, Arika Trim, Tina Hone, Tylease Alli, Kiara Pesante, and Brian Kennedy all

worked very hard on this bill and deserve significant recognition.

Mr. KLINE. Mr. Chairman, I yield 1 minute to the gentlewoman from Utah (Mrs. LOVE).

Mrs. LOVE. Mr. Chairman, I rise in opposition to this amendment. As a mayor and mainly as a mother—I have three children in public schools—I have found that the best solutions are found at the most local level.

This amendment puts a larger footprint in the hands of the Federal Government and gives more power to the Federal Government, instead of our local agencies. I believe that the best people to teach our students are the people at the local level. I trust teachers and parents to make decisions for students.

I made a promise that I was going to do everything I can to put the decision-making back into the hands of people, not into the hands of the Federal Government. I believe that this amendment actually puts it into the hands of the Federal Government and gives us a big step backwards.

I believe that we, as people, when we are given more options, we can make better decisions; and when we make better decisions, we can do that at a local level and not at a Federal level. I ask that we vote against this amendment. I stand in opposition of this amendment.

Mr. POLIS. Mr. Chair, I would like to inquire as to how much time remains.

The Acting CHAIR. The gentleman from Colorado has 1¾ minutes remaining. The gentleman from Minnesota has 2¾ minutes remaining.

Mr. POLIS. Mr. Chairman, the gentlewoman from Utah talked about decisions and implementation at the local level. On that, we agree. What this amendment is about is accountability metrics under whether we look at those decisions that are made locally and driven locally and by the State work or don't work.

We want to allow the flexibility to get things right and close the achievement gap but not the flexibility to continue to ignore persistent gaps in our education system that continue to poorly serve too many low-income students and minority students.

Given that my amendment is included in its entirety in the Democratic substitute upon which we will be voting, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

#### ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 114-29 and part A of House Report 114-192

on which further proceedings were postponed, in the following order:

Amendments printed in part B of House Report 114-29:

Amendment No. 30 by Mr. ZELDIN of New York.

Amendment No. 31 by Mr. HURD of Texas.

Amendment No. 32 by Mr. GRAYSON of Florida.

Amendment No. 33 by Ms. WILSON of Florida.

Amendment No. 35 by Mr. CARSON of Indiana.

Amendment No. 39 by Ms. BROWNLEY of California.

Amendment No. 40 by Mr. LOEBACK of Iowa.

Amendment No. 41 by Mr. POLIS of Colorado.

Amendment No. 43 by Mr. THOMPSON of Mississippi.

Amendments printed in part A of House Report 114-192:

Amendment No. 46 by Mr. WALKER of North Carolina.

Amendment No. 47 by Mr. SALMON of Arizona.

Amendment No. 44 printed in part B of House Report 114-29 by Mr. SCOTT of Virginia.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

#### AMENDMENT NO. 30 OFFERED BY MR. ZELDIN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. ZELDIN) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 373, noes 57, not voting 3, as follows:

[Roll No. 410]

#### AYES—373

Abraham	Blum	Carney
Adams	Bonamici	Carter (GA)
Aderholt	Bost	Carter (TX)
Aguilar	Boustany	Cartwright
Allen	Boyle, Brendan	Castor (FL)
Amash	F.	Castro (TX)
Amodei	Brady (TX)	Chabot
Ashford	Brat	Chaffetz
Babin	Bridenstine	Cicilline
Barletta	Brooks (AL)	Clarke (NY)
Barr	Brooks (IN)	Clawson (FL)
Barton	Brown (FL)	Clyburn
Bass	Brownley (CA)	Coffman
Beatty	Buchanan	Cole
Becerra	Buck	Collins (GA)
Benishek	Bucshon	Collins (NY)
Bera	Burgess	Comstock
Bilirakis	Bustos	Conaway
Bishop (GA)	Butterfield	Connolly
Bishop (MI)	Byrne	Cook
Bishop (UT)	Calvert	Cooper
Black	Capuano	Costa
Blackburn	Cárdenas	Costello (PA)

Courtney	Jenkins (KS)	Pearce	Waters, Maxine	Whitfield	Yoho	Amodei	Donovan	Katko
Cramer	Jenkins (WV)	Pelosi	Watson Coleman	Williams	Young (AK)	Ashford	Doyle, Michael	Keating
Crawford	Johnson (OH)	Perlmutter	Weber (TX)	Wilson (FL)	Young (IA)	Babin	F.	Kelly (IL)
Crenshaw	Johnson, E. B.	Perry	Webster (FL)	Wilson (SC)	Young (IN)	Barletta	Duckworth	Kelly (MS)
Crowley	Johnson, Sam	Peters	Welch	Wittman	Zeldin	Barr	Duffy	Kelly (PA)
Cuellar	Jolly	Peterson	Wenstrup	Womack	Zinke	Barton	Duncan (SC)	Kennedy
Curbelo (FL)	Jones	Pittenger	Westerman	Woodall		Bass	Duncan (TN)	Kildee
Davis (CA)	Jordan	Pitts	Westmoreland	Yoder		Beatty	Edwards	Kilmer
Davis, Danny	Joyce	Poe (TX)				Becerra	Ellison	Kind
Davis, Rodney	Kaptur	Poliquin				Benishek	Ellmers (NC)	King (IA)
DeFazio	Katko	Polis				Bera	Emmer (MN)	King (NY)
DeGette	Keating	Pompeo	Beyer	Grijalva	Pocan	Beyer	Engel	Kinziger (IL)
Delaney	Kelly (IL)	Posey	Brady (PA)	Himes	Price (NC)	Bilirakis	Eshoo	Kirkpatrick
DeLauro	Kelly (MS)	Price, Tom	Capps	Hinojosa	Rangel	Bishop (GA)	Esty	Kline
DelBene	Kelly (PA)	Quigley	Carson (IN)	Rush	Ruiz	Bishop (MI)	Farenthold	Knight
Denham	Kennedy	Ratcliffe	Chu, Judy	Johnson (GA)	Rush	Bishop (UT)	Farr	Kuster
Dent	Kilmer	Reed	Clark (MA)	Kildee	Ryan (OH)	Black	Labrador	Fattah
DeSantis	Kind	Reichert	Clay	Kuster	Sarbanes	Blackburn	Fincher	LaMalfa
DesJarlais	King (IA)	Renacci	Cleaver	Lowenthal	Schrader	Blum	Fitzpatrick	Lamborn
Diaz-Balart	King (NY)	Ribble	Cohen	Lujan Grisham	Sherman	Blumenauer	Fleischmann	Lance
Doggett	Kinzinger (IL)	Rice (NY)	Conyers	(NM)	Sinema	Bonamici	Fleming	Langevin
Dold	Kirkpatrick	Rice (SC)	Cummings	McCollum	Sires	Bost	Flores	Larsen (WA)
Donovan	Kline	Richmond	DeSaulnier	McDermott	Takai	Boustany	Forbes	Larson (CT)
Doyle, Michael	Knight	Rigell	Dingell	Napolitano	Takano	Boyle, Brendan	Fortenberry	Latta
F.	Labrador	Roby	Edwards	Neal	Torres	F.	Foster	Lawrence
Duckworth	LaMalfa	Roe (TN)	Ellison	Nolan	Van Hollen	Brady (PA)	Fox	Lee
Duffy	Lamborn	Rogers (AL)	Farr	O'Rourke	Walz	Brady (TX)	Frankel (FL)	Levin
Duncan (SC)	Lance	Rogers (KY)	Fattah	Pascarell	Wasserman	Brat	Franks (AZ)	Lewis
Duncan (TN)	Langevin	Rohrabacher	Foster	Payne	Schultz	Bridenstine	Frelinghuysen	Lipinski
Ellmers (NC)	Larsen (WA)	Rokita	Gallego	Pingree	Yarmuth	Brooks (AL)	Fudge	LoBiondo
Emmer (MN)	Larson (CT)	Rooney (FL)				Brooks (IN)	Gabbard	Loeb
Engel	Latta	Ros-Lehtinen				Brown (FL)	Gallego	Long
Eshoo	Lawrence	Roskam	Culberson	Deutch	Lofgren	Brownley (CA)	Garamendi	Loudermilk
Esty	Lee	Ross				Buchanan	Garrett	Love
Farenthold	Levin	Rothfus				Bucshon	Gibbs	Lowenthal
Fincher	Lewis	Rouzer				Burgess	Gibson	Lowe
Fitzpatrick	Lieu, Ted	Roybal-Allard				Bustos	Gohmert	Lucas
Fleischmann	Lipinski	Royce				Butterfield	Goodlatte	Luetkemeyer
Fleming	LoBiondo	Ruppersberger				Byrne	Gosar	Lujan Grisham
Flores	Loeb	Russell				Calvert	Gowdy	(NM)
Forbes	Long	Ryan (WI)				Capps	Graham	Lujan, Ben Ray
Fortenberry	Loudermilk	Salmon				Capuano	Granger	(NM)
Fox	Love	Sánchez, Linda				Cárdenas	Graves (GA)	Lummis
Frankel (FL)	Lowey	T.				Carney	Graves (LA)	Lynch
Franks (AZ)	Lucas	Sanchez, Loretta				Carson (IN)	Graves (MO)	MacArthur
Frelinghuysen	Luetkemeyer	Sanford				Carter (GA)	Grayson	Maloney,
Fudge	Luján, Ben Ray	Scalise				Carter (TX)	Green, Al	Carolyn
Gabbard	(NM)	Schakowsky				Cartwright	Green, Gene	Maloney, Sean
Garamendi	Lummis	Schiff				Castor (FL)	Griffith	Marchant
Garrett	Lynch	Schweikert				Castro (TX)	Grijalva	Marino
Gibbs	MacArthur	Scott (VA)				Chabot	Grothman	Massie
Gibson	Maloney,	Scott, Austin				Chaffetz	Guinta	Matsui
Gohmert	Carolyn	Scott, David				Chu, Judy	Guthrie	McCarthy
Goodlatte	Maloney, Sean	Sensenbrenner				Cielline	Gutiérrez	McCaul
Gosar	Marchant	Serrano				Clark (MA)	Hahn	McClintock
Gowdy	Marino	Sessions				Clarke (NY)	Hanna	McCollum
Graham	Massie	Sewell (AL)				Clawson (FL)	Hardy	McDermott
Granger	Matsui	Shimkus				Clay	Harper	McGovern
Graves (GA)	McCarthy	Shuster				Cleaver	Harris	McHenry
Graves (LA)	McCaul	Simpson				Clyburn	Hartzler	McKinley
Graves (MO)	McClintock	Slaughter				Coffman	Hastings	McMorris
Grayson	McGovern	Smith (MO)				Cohen	Heck (NV)	Rodgers
Green, Al	McHenry	Smith (NE)				Cole	Heck (WA)	McNerney
Green, Gene	McKinley	Smith (NJ)				Collins (GA)	Hensarling	McSally
Griffith	McMorris	Smith (TX)				Collins (NY)	Herrera Beutler	Meadows
Grothman	Rodgers	Smith (WA)				Comstock	Hice, Jody B.	Meehan
Guinta	McNerney	Speier				Conaway	Higgins	Meeks
Guthrie	McSally	Stefanik				Connolly	Hill	Meng
Hahn	Meadows	Stewart				Cook	Himes	Messer
Hanna	Meehan	Stivers				Cooper	Hinojosa	Mica
Hardy	Meeks	Stutzman				Costa	Holding	Miller (FL)
Harper	Meng	Swalwell (CA)				Costello (PA)	Honda	Miller (MI)
Harris	Messer	Thompson (CA)				Courtney	Hoyer	Moolenaar
Hartzler	Mica	Thompson (MS)				Cramer	Hudson	Mooney (WV)
Hastings	Miller (FL)	Thompson (PA)				Crawford	Huelskamp	Moore
Heck (NV)	Miller (MI)	Thornberry				Crenshaw	Huffman	Moulton
Heck (WA)	Mooney (WV)	Tiberi				Crowley	Huizenga (MI)	Mullin
Hensarling	Moore	Tipton				Cuellar	Hultgren	Mulvaney
Herrera Beutler	Moulton	Titus				Cummings	Hunter	Murphy (FL)
Hice, Jody B.	Mullin	Tonko				Curbelo (FL)	Hurt (TX)	Murphy (PA)
Higgins	Mulvaney	Trott				Davis (CA)	Hurt (VA)	Nadler
Hill	Murphy (FL)	Tsongas				Davis, Danny	Israel	Napolitano
Holding	Murphy (PA)	Turner				DeFazio	Issa	Neal
Hoyer	Nadler	Upton				DeGette	Jackson Lee	Neugebauer
Hudson	Neugebauer	Valadao				Delaney	Jeffries	Newhouse
Huelskamp	Newhouse	Vargas				DeLauro	Jenkins (KS)	Noem
Huffman	Noem	Veasey				DelBene	Jenkins (WV)	Nolan
Huizenga (MI)	Norcross	Vela				Denham	Johnson (GA)	Norcross
Hultgren	Nugent	Velázquez				Dent	Johnson (OH)	Nugent
Hunter	Nunes	Visclosky				DeSantis	Johnson, E. B.	Nunes
Hurd (TX)	Olson	Wagner				DeSaulnier	Johnson, Sam	O'Rourke
Hurt (VA)	Palazzo	Walberg				DesJarlais	Jolly	Olson
Israel	Pallone	Walden				Diaz-Balart	Jones	Palazzo
Issa	Palmer	Walker				Dingell	Jordan	Pallone
Jackson Lee	Paulsen	Walorski				Doggett	Joyce	Palmer
Jeffries		Walters, Mimi				Dold	Kaptur	Pascarell

## NOES—57

## NOT VOTING—3

## □ 1743

Messrs. GRIJALVA, McDERMOTT, CUMMINGS, NEAL, TAKAI, and COHEN changed their vote from “aye” to “no.”

Ms. FUDGE, Messrs. GOHMERT, KEATING, HIGGINS, LABRADOR, AGUILAR, SWALWELL of California, Miles. ESHOO, BASS, Messrs. CICILLINE, LANGEVIN, LEVIN, LEWIS, BERA, Miles. MAXINE WATERS of California, VELÁZQUEZ, Mr. SERRANO, Mrs. BEATTY, Messrs. CROWLEY, NORCROSS, VARGAS, SCHAKOWSKY, CUELLAR, McGOVERN, BECERRA, TONKO, Miles. SLAUGHTER, DUCKWORTH, and Mr. CONNOLLY changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

## AMENDMENT NO. 31 OFFERED BY MR. HURD

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. HURD) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 424, noes 2, not voting 7, as follows:

[Roll No. 411]

## AYES—424

Abraham	Aderholt	Allen
Adams	Aguilar	Amash

Paulsen  
Payne  
Pearce  
Pelosi  
Perlmutter  
Perry  
Peters  
Peterson  
Pingree  
Pittenger  
Pitts  
Pocan  
Poe (TX)  
Poliquin  
Polis  
Pompeo  
Posey  
Price (NC)  
Price, Tom  
Quigley  
Rangel  
Ratcliffe  
Reed  
Reichert  
Renacci  
Ribble  
Rice (NY)  
Rice (SC)  
Richmond  
Rigell  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney (FL)  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Rouzer  
Roybal-Allard  
Royce  
Ruiz  
Ruppersberger

Rush  
Russell  
Ryan (OH)  
Ryan (WI)  
Salmon  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sanford  
Sarbanes  
Scalise  
Schakowsky  
Schiff  
Schrader  
Schweikert  
Scott (VA)  
Scott, Austin  
Scott, David  
Sensenbrenner  
Serrano  
Sessions  
Sewell (AL)  
Sherman  
Shimkus  
Shuster  
Simpson  
Sinema  
Sires  
Slaughter  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Speier  
Stefanik  
Stewart  
Stivers  
Swalwell (CA)  
Takai  
Takano  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tiberi

Tipton  
Titus  
Tonko  
Torres  
Trott  
Tsongas  
Turner  
Upton  
Valadao  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Walz  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Weber (TX)  
Webster (FL)  
Welch  
Wenstrup  
Westerman  
Westmoreland  
Whitfield  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yarmuth  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Young (IN)  
Zeldin  
Zinke

## NOES—2

Conyers Wilson (FL)

## NOT VOTING—7

Buck Deutch Stutzman  
Culberson Lieu, Ted  
Davis, Rodney Lofgren

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1743

So the amendment was agreed to.

The result of the vote was announced  
as above recorded.

Stated for:

Mr. RODNEY DAVIS of Illinois. Mr. Chair,  
on rollcall No. 411, I was unavoidably de-  
tained. Had I been present, I would have  
voted “yes.”

Ms. WILSON of Florida. Mr. Chair, during  
rollcall vote No. 411 on H.R. 5, I mistakenly  
recorded my vote as “no” when I should have  
voted “yes.”

## AMENDMENT NO. 32 OFFERED BY MR. GRAYSON

The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on the amendment offered by the  
gentleman from Florida (Mr. GRAYSON)  
on which further proceedings were  
postponed and on which the noes pre-  
vailed by voice vote.

The Clerk will redesignate the  
amendment.

The Clerk redesignated the amend-  
ment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote  
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-  
minute vote.

The vote was taken by electronic de-  
vice, and there were—ayes 199, noes 228,  
not voting 6, as follows:

[Roll No. 412]

## AYES—199

Adams Fitzpatrick Moulton  
Aguilar Foster Murphy (FL)  
Ashford Frankel (FL) Nadler  
Bass Fudge Napolitano  
Beatty Gabbard Neal  
Becerra Gallego Nolan  
Bera Garamendi Norcross  
Beyer Garrett O'Rourke  
Bishop (GA) Graham Pallone  
Bishop (UT) Grayson Pascarell  
Blumenauer Green, Al Pelosi  
Bonamici Green, Gene Perlmutter  
Boyle, Brendan Grijalva Peters  
F. Gutierrez Pingree  
Brady (PA) Hahn Pocan  
Brown (FL) Hastings Polis  
Brownley (CA) Heck (WA) Price (NC)  
Bustos Higgins Quigley  
Butterfield Himes Rangel  
Capps Hinojosa Rice (NY)  
Capuano Honda Richmond  
Cárdenas Hoyer Rogers (AL)  
Carney Huffman Ros-Lehtinen  
Carson (IN) Israel Ross  
Cartwright Jackson Lee Roybal-Allard  
Castor (FL) Jeffries Ruiz  
Castro (TX) Johnson (GA) Ruppersberger  
Chu, Judy Johnson, E. B. Rush  
Cicilline Jones Ryan (OH)  
Clark (MA) Kaptur Sánchez, Linda  
Clarke (NY) Keating T.  
Clay Kelly (IL) Sanchez, Loretta  
Cleaver Kennedy Sarbanes  
Clyburn Kildee Schakowsky  
Cohen Kilmer Schiff  
Connolly Kind Scott (VA)  
Conyers Kirkpatrick Scott, David  
Cooper Kuster Serrano  
Costa Lance Sewell (AL)  
Costello (PA) Langevin Sherman  
Courtney Larsen (WA) Sinema  
Crowley Larson (CT) Sires  
Lawrence Cummings Slaughter  
Lee Curbelo (FL) Speier  
Levin Swalwell (CA)  
Lewis Lieu, Ted Takai  
Lieu, Ted Lipinski Takano  
LoBiondo LoBiondo Thompson (CA)  
Loebbeck Loebbeck Thompson (MS)  
Lowenthal Lowenthal Titus  
Lowey Lowey Tonko  
Lujan Grisham Lujan Grisham Torres  
(NM) (NM)  
Lujan, Ben Ray Lujan, Ben Ray Tsongas  
(NM) (NM) Van Hollen  
DeSaulnier Vargas  
Dingell MacArthur Veasey  
Doggett Maloney, Carolyn  
Doyle, Michael F. Maloney, Sean  
Duckworth Matsui  
Edwards McCollum  
Ellison McDermott  
Ellmers (NC) McGovern  
Engel McNerney  
Eshoo Meeks  
Esty Meng  
Farr Miller (MI)  
Fattah Moore

## NOES—228

Blackburn  
Blum  
Bost  
Boustany  
Brady (TX)  
Brat  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Buchanan  
Buck  
Bucshon  
Burgess  
Byrne  
Calvert  
Carter (GA)  
Carter (TX)  
Chabot  
Chaffetz  
Clawson (FL)  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comstock  
Conaway

Cook  
Cramer  
Crawford  
Crenshaw  
DeSantis  
DesJarlais  
Diaz-Balart  
Dold  
Donovan  
Duffy  
Duncan (SC)  
Duncan (TN)  
Emmer (MN)  
Farenthold  
Fincher  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gibbs  
Gibson  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Grothman  
Guinta  
Guthrie  
Hanna  
Hardy  
Harper  
Harris  
Hartzler  
Heck (NV)  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Hill  
Holding  
Hudson  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurd (TX)  
Hurt (VA)  
Issa  
Jenkins (KS)  
Jenkins (WV)  
Johnson (OH)  
Johnson, Sam  
Jolly  
Jordan  
Joyce  
Katko  
Kelly (MS)  
Kelly (PA)  
King (IA)  
King (NY)  
Kinzinger (IL)  
Kline  
Knight  
Labrador  
LaMalfa  
Lamborn  
Latta  
Long  
Loudermilk  
Love  
Lucas  
Luetkemeyer  
Lummis  
Lynch  
Marchant  
Marino  
Massie  
McCarthy  
McCaul  
McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Meehan  
Messer  
Mica  
Miller (FL)  
Moonen  
Mooney (WV)  
Mullin  
Mulvaney  
Murphy (PA)  
Neugebauer  
Newhouse  
Noem  
Nugent  
Nunes  
Olson  
Palazzo  
Palmer  
Paulsen  
Payne  
Pearce  
Perry  
Peterson  
Pittenger  
Pitts  
Poe (TX)  
Poliquin  
Pompeo  
Posey  
Price, Tom  
Ratcliffe  
Reed  
Reichert  
Renacci  
Ribble  
Rice (SC)  
Rigell  
Roby  
Roe (TN)  
Rohrabacher  
Rokita  
Rooney (FL)  
Roskam  
Rothfus  
Rouzer  
Royce  
Russell  
Ryan (WI)  
Salmon  
Sanford  
Scalise  
Schrader  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Stefanik  
Stewart  
Stutzman  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Trott  
Turner  
Upton  
Valadao  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Westmoreland  
Whitfield  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (IA)  
Young (IN)  
Zeldin  
Zinke

## NOT VOTING—6

Culberson Griffith  
Deutch Lofgren Rogers (KY)  
Stivers

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1746

So the amendment was rejected.

The result of the vote was announced  
as above recorded.

## AMENDMENT NO. 33 OFFERED BY MS. WILSON OF FLORIDA

The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on the amendment offered by the  
gentlewoman from Florida (Ms. WIL-  
SON) on which further proceedings were  
postponed and on which the noes pre-  
vailed by voice vote.

The Clerk will redesignate the  
amendment.

The Clerk redesignated the amend-  
ment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 192, noes 237, not voting 4, as follows:

[Roll No. 413]

## AYES—192

Adams	Gabbard	Nolan
Aguilar	Gallego	Norcross
Ashford	Garamendi	O'Rourke
Bass	Graham	Pallone
Beatty	Grayson	Pascarella
Becerra	Green, Al	Payne
Bera	Green, Gene	Pelosi
Beyer	Grijalva	Perlmutter
Bishop (GA)	Gutiérrez	Peters
Blumenauer	Hahn	Peterson
Bonamici	Hastings	Pingree
Boyle, Brendan	Heck (WA)	Pocan
F.	Higgins	Polis
Brady (PA)	Himes	Price (NC)
Brown (FL)	Hinojosa	Quigley
Brownley (CA)	Honda	Rangel
Bustos	Hoyer	Rice (NY)
Butterfield	Huffman	Richmond
Capps	Israel	Ros-Lehtinen
Capuano	Jackson Lee	Roybal-Allard
Cárdenas	Jeffries	Ruiz
Carney	Johnson (GA)	Ruppersberger
Carson (IN)	Johnson, E. B.	Rush
Cartwright	Kaptur	Ryan (OH)
Castor (FL)	Keating	Sánchez, Linda
Castro (TX)	Kelly (IL)	T.
Chu, Judy	Kennedy	Sanchez, Loretta
Cicilline	Kildee	Sarbanes
Clark (MA)	Kilmer	Schakowsky
Clarke (NY)	Kind	Schiff
Clay	Kirkpatrick	Schrader
Cleaver	Kuster	Scott (VA)
Clyburn	Langevin	Scott, David
Cohen	Larsen (WA)	Serrano
Connolly	Larson (CT)	Sewell (AL)
Conyers	Lawrence	Sherman
Cooper	Lee	Sinema
Costa	Levin	Sires
Costello (PA)	Lewis	Slaughter
Courtney	Lieu, Ted	Smith (WA)
Crowley	Lipinski	Speier
Cuellar	LoBiondo	Swalwell (CA)
Cummings	Loebach	Takano
Curbeo (FL)	Lowenthal	Thompson (CA)
Davis (CA)	Lowey	Thompson (MS)
Davis, Danny	Lujan Grisham	Titus
DeFazio	(NM)	Tonko
DeGette	Luján, Ben Ray	Torres
Delaney	(NM)	Tsongas
DeLauro	Lynch	Van Hollen
DelBene	Maloney,	Vargas
DeSaulnier	Carolyn	Veasey
Dingell	Maloney, Sean	Vela
Doggett	Matsui	Velázquez
Doyle, Michael	McCollum	Visclosky
F.	McDermott	Walz
Duckworth	McGovern	Wasserman
Edwards	McNerney	Schultz
Ellison	McSally	Waters, Maxine
Engel	Meeks	Watson Coleman
Eshoo	Meng	Welch
Esty	Moore	Wilson (FL)
Farr	Moulton	Yarmuth
Fattah	Murphy (FL)	
Foster	Nadler	
Frankel (FL)	Napolitano	
Fudge	Neal	

## NOES—237

Abraham	Bishop (UT)	Bucshon
Aderholt	Black	Burgess
Allen	Blackburn	Byrne
Amash	Blum	Calvert
Amodei	Bost	Carter (GA)
Babin	Boustany	Carter (TX)
Barletta	Brady (TX)	Chabot
Barr	Brat	Chaffetz
Barton	Bridenstine	Clawson (FL)
Benishek	Brooks (AL)	Coffman
Bilirakis	Brooks (IN)	Cole
Bishop (MI)	Buchanan	Collins (GA)

Collins (NY)	Johnson, Sam	Ribble
Comstock	Jolly	Rice (SC)
Conaway	Jones	Rigell
Cook	Jordan	Roby
Cramer	Joyce	Roe (TN)
Crawford	Katko	Rogers (AL)
Crenshaw	Kelly (MS)	Rogers (KY)
Davis, Rodney	Kelly (PA)	Rohrabacher
Denham	King (IA)	Rokita
Dent	King (NY)	Rooney (FL)
DeSantis	Kinzing (IL)	Roskam
DesJarlais	Kline	Ross
Diaz-Balart	Knight	Rothfus
Dold	Labrador	Rouzer
Donovan	LaMalfa	Royce
Duffy	Lamborn	Russell
Duncan (SC)	Lance	Ryan (WI)
Duncan (TN)	Latta	Salmon
Elmiers (NC)	Long	Sanford
Emmer (MN)	Loudermilk	Scalise
Farenthold	Love	Schweikert
Fincher	Lucas	Scott, Austin
Fitzpatrick	Luetkemeyer	Sensenbrenner
Fleischmann	Lummis	Sessions
Fleming	MacArthur	Shimkus
Flores	Marchant	Shuster
Forbes	Marino	Smith (MO)
Fortenberry	Massie	Smith (NE)
Fox	McCarthy	Smith (NJ)
Franks (AZ)	McCaul	Smith (TX)
Frelinghuysen	McClintock	Stefanik
Garrett	McHenry	Stewart
Gibbs	McKinley	Stivers
Gibson	McMorris	Stutzman
Gohmert	Rodgers	Thompson (PA)
Goodlatte	Meadows	Tiberi
Gosar	Meehan	Tipton
Gowdy	Messer	Trott
Granger	Mica	Turner
Graves (GA)	Miller (FL)	Upton
Graves (LA)	Miller (MI)	Valadao
Graves (MO)	Mooleenaar	Wagner
Griffith	Mooney (WV)	Walberg
Grothman	Mullin	Walden
Guinta	Mulvaney	Walker
Guthrie	Murphy (PA)	Walorski
Hanna	Neugebauer	Walters, Mimi
Hardy	Newhouse	Weber (TX)
Harper	Noem	Webster (FL)
Harris	Nugent	Wenstrup
Hartzler	Nunes	Westerman
Heck (NV)	Olson	Westmoreland
Hensarling	Palazzo	Whitfield
Herrera Beutler	Palmer	Williams
Hice, Jody B.	Paulsen	Wilson (SC)
Hill	Pearce	Wittman
Holding	Perry	Womack
Hudson	Pittenger	Woodall
Huelskamp	Pitts	Yoder
Huizenga (MI)	Poe (TX)	Yoho
Hultgren	Poliquin	Young (AK)
Hunter	Pompeo	Young (IA)
Hurd (TX)	Posey	Young (IN)
Hurt (VA)	Price, Tom	Zeldin
Issa	Ratcliffe	Zinke
Jenkins (KS)	Reed	
Jenkins (WV)	Reichert	
Johnson (OH)	Renacci	

## NOT VOTING—4

ANNOUNCEMENT BY THE ACTING CHAIR  
The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1750

So the amendment was rejected.  
The result of the vote was announced  
as above recorded.

AMENDMENT NO. 35 OFFERED BY MR. CARSON OF  
INDIANA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Indiana (Mr. CARSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 186, noes 245, not voting 2, as follows:

[Roll No. 414]

## AYES—186

Adams	Fudge	Neal
Aguilar	Gabbard	Nolan
Ashford	Gallego	Norcross
Bass	Garamendi	O'Rourke
Beatty	Graham	Pallone
Becerra	Grayson	Pascarella
Bera	Green, Al	Payne
Beyer	Green, Gene	Pelosi
Bishop (GA)	Grijalva	Perlmutter
Blumenauer	Gutiérrez	Peters
Bonamici	Hahn	Pingree
Boyle, Brendan	Hastings	Pocan
F.	Heck (WA)	Polis
Brady (PA)	Higgins	Price (NC)
Brown (FL)	Himes	Quigley
Brownley (CA)	Hinojosa	Rangel
Bustos	Honda	Rice (NY)
Butterfield	Hoyer	Richmond
Capps	Huffman	Roybal-Allard
Capuano	Israel	Ruiz
Cárdenas	Jackson Lee	Ruppersberger
Carney	Jeffries	Rush
Carson (IN)	Johnson (GA)	Ryan (OH)
Cartwright	Johnson, E. B.	Sánchez, Linda
Castor (FL)	Kaptur	T.
Castro (TX)	Keating	Sanchez, Loretta
Chu, Judy	Kelly (IL)	Sarbanes
Cicilline	Kennedy	Schakowsky
Clark (MA)	Kildee	Schiff
Clarke (NY)	Kilmer	Schrader
Clay	Kind	Scott (VA)
Cleaver	Kirkpatrick	Scott, David
Clyburn	Kuster	Serrano
Cohen	Langevin	Sewell (AL)
Connolly	Larsen (WA)	Sherman
Conyers	Larson (CT)	Sinema
Cooper	Lawrence	Sires
Costa	Lee	Slaughter
Courtney	Levin	Smith (WA)
Crowley	Lewis	Speier
Cuellar	Lieu, Ted	Swalwell (CA)
Cummings	Lipinski	Takano
Davis (CA)	Loebach	Thompson (CA)
Davis, Danny	Lowenthal	Thompson (MS)
DeFazio	Lowey	Titus
DeGette	Lujan Grisham	Tonko
Delaney	(NM)	Torres
DeLauro	Luján, Ben Ray	Tsongas
DelBene	(NM)	Van Hollen
DeSaulnier	Lynch	Vargas
Deutch	Maloney,	Veasey
Dingell	Maloney, Sean	Vela
Doggett	Carolyn	Velázquez
Doyle, Michael	Matsui	Visclosky
F.	McCollum	Walz
Duckworth	McDermott	Wasserman
Edwards	McGovern	Schultz
Ellison	McNerney	Waters, Maxine
Engel	Meeks	Watson Coleman
Eshoo	Meng	Welch
Esty	Moore	Wilson (FL)
Farr	Moulton	Yarmuth
Fattah	Murphy (FL)	
Foster	Nadler	
Frankel (FL)	Napolitano	

## NOES—245

Abraham	Bishop (MI)	Brooks (IN)
Aderholt	Bishop (UT)	Buchanan
Allen	Black	Buck
Amash	Blackburn	Bucshon
Amodei	Blum	Burgess
Babin	Bost	Byrne
Barletta	Boustany	Calvert
Barr	Brady (TX)	Carter (GA)
Barton	Brat	Carter (TX)
Benishek	Bridenstine	Chabot
Bilirakis	Brooks (AL)	Chaffetz

Clawson (FL) Jenkins (KS) Reed  
Coffman Jenkins (WV) Reichert  
Cole Johnson (OH) Renacci  
Collins (GA) Johnson, Sam Ribble  
Collins (NY) Jolly Rice (SC)  
Comstock Jones Rigell  
Conaway Jordan Roby  
Cook Joyce Roe (TN)  
Costello (PA) Katko Rogers (AL)  
Cramer Kelly (MS) Rogers (KY)  
Crawford Kelly (PA) Rohrabacher  
Crenshaw King (IA) Rokita  
Curbelo (FL) King (NY) Rooney (FL)  
Davis, Rodney Kinzinger (IL) Ros-Lehtinen  
Denham Kline Roskam  
Dent Knight Ross  
DeSantis Labrador Rothfus  
DesJarlais LaMalfa Rouzer  
Diaz-Balart Lamborn Royce  
Dold Lance Russell  
Donovan Latta Ryan (WI)  
Duffy LoBiondo Salmon  
Duncan (SC) Long Sanford  
Duncan (TN) Loudermilk Scalise  
Ellmers (NC) Love Schweikert  
Emmer (MN) Lucas Scott, Austin  
Farenthold Luetkemeyer Sensenbrenner  
Fincher Lummis Sessions  
Fitzpatrick MacArthur Shimkus  
Fleischmann Marchant Shuster  
Fleming Marino Simpson  
Flores Massie Smith (MO)  
Forbes McCarthy Smith (NE)  
Fortenberry McCaul Smith (NJ)  
Foxy McClintock Smith (TX)  
Franks (AZ) McHenry Stefanik  
Frelinghuysen McKinley Stewart  
Garrett McMorris Stivers  
Gibbs Rodgers Stutzman  
Gibson McSally Thompson (PA)  
Gohmert Meadows Thornberry  
Goodlatte Meehan Tiberi  
Gosar Messer Tipton  
Gowdy Mica Trott  
Granger Miller (FL) Turner  
Graves (GA) Miller (MI) Upton  
Graves (LA) Moolenaar Valadao  
Graves (MO) Mooney (WV) Wagner  
Griffith Mullin Walberg  
Grothman Mulvaney Walden  
Guinta Murphy (PA) Walker  
Guthrie Neugebauer Walorski  
Hanna Newhouse Walters, Mimi  
Hardy Noem Weber (TX)  
Harper Nugent Webster (FL)  
Harris Nunes Wenstrup  
Hartzler Olson Westerman  
Heck (NV) Palazzo Westmoreland  
Hensarling Palmer Whitfield  
Herrera Beutler Paulsen Williams  
Hice, Jody B. Pearce Wilson (SC)  
Hill Perry Wittman  
Holding Peterson Womack  
Hudson Pittenger Woodall  
Huelskamp Pitts Yoder  
Huizenga (MI) Poe (TX) Yoho  
Hultgren Poliquin Young (AK)  
Hunter Pompeo Young (IA)  
Hurd (TX) Posey Young (IN)  
Hurt (VA) Price, Tom Zeldin  
Issa Ratcliffe Zinke

## NOT VOTING—2

Culberson Lofgren

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1754

Mr. COSTELLO of Pennsylvania  
changed his vote from “aye” to “no.”  
So the amendment was rejected.

The result of the vote was announced  
as above recorded.

AMENDMENT NO. 39 OFFERED BY MS. BROWNLEY  
OF CALIFORNIA

The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on the amendment offered by the  
gentlewoman from California (Ms.  
BROWNLEY) on which further pro-

ceedings were postponed and on which  
the noes prevailed by voice vote.

The Clerk will redesignate the  
amendment.

The Clerk redesignated the amend-  
ment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote  
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-  
minute vote.

The vote was taken by electronic de-  
vice, and there were—ayes 191, noes 239,  
not voting 3, as follows:

[Roll No. 415]

## AYES—191

Adams Gabbard Nadler  
Aguilar Gallego Napolitano  
Ashford Garamendi Neal  
Bass Gibson Nolan  
Beatty Graham Norcross  
Becerra Grayson O'Rourke  
Bera Green, Al Pallone  
Beyer Green, Gene Pascarell  
Bishop (GA) Grijalva Payne  
Blumenauer Gutiérrez Pelosi  
Bonamici Hahn Perlmutter  
Boyle, Brendan Hastings  
F. Heck (WA) Pingree  
Brady (PA) Higgins Pocan  
Brown (FL) Himes Polis  
Brownley (CA) Hinojosa Price (NC)  
Bustos Honda Quigley  
Butterfield Hoyer Rangel  
Capps Huffman Rice (NY)  
Capuano Israel Richmond  
Cárdenas Jackson Lee Ros-Lehtinen  
Carney Jeffries Roybal-Allard  
Carson (IN) Johnson (GA) Ruiz  
Cartwright Johnson, E. B. Ruppersberger  
Castor (FL) Kaptur Rush  
Castro (TX) Katko Ryan (OH)  
Chu, Judy Keating Sánchez, Linda  
Ciilline Kelly (IL) T.  
Kennedy Sanchez, Loretta  
Kildee Sarbanes  
Kilmer Schakowsky  
Kind Schiff  
Kirkpatrick Schrader  
Kuster Scott (VA)  
Langevin Scott, David  
Larsen (WA) Serrano  
Larsen (CT) Sewell (AL)  
Lawrence Sherman  
Lee Sinema  
Levin Sires  
Lewis Slaughter  
Lieu, Ted Smith (WA)  
Lipinski Speier  
Loeb sack Swallow (CA)  
Lowenthal Takai  
Lowe Takano  
Lujan Grisham Thompson (CA)  
(NM) Thompson (MS)  
Luján, Ben Ray Titus  
(NM) Torres  
Lynch Tonko  
Maloney, Carolyn  
Carolyn  
Maloney, Sean  
Marchant  
Matsui  
McCollum  
McDermott  
McGovern  
McNerney  
McSally  
Meeks  
Meng  
Moore  
Moulton  
Murphy (FL)  
Fudge

## NOES—239

Abraham Babin Bilirakis  
Aderholt Barletta Bishop (MI)  
Allen Barr Bishop (UT)  
Amash Barton Black  
Amodei Benishek Blackburn

Blum Hensarling Poe (TX)  
Bost Herrera Beutler Poliquin  
Boustany Hice, Jody B. Pompeo  
Brady (TX) Hill Posey  
Brat Holding Price, Tom  
Bridenstine Hudson Ratcliffe  
Brooks (AL) Huelskamp Reed  
Brooks (IN) Huizenga (MI) Reichert  
Buchanan Hultgren Renacci  
Buck Hunter Ribble  
Bucshon Hurd (TX) Rice (SC)  
Burgess Hurt (VA) Rigell  
Byrne Issa Roby  
Calvert Jenkins (KS) Roe (TN)  
Carter (GA) Jenkins (WV) Rogers (AL)  
Carter (TX) Johnson (OH) Rogers (KY)  
Chabot Johnson, Sam Rohrabacher  
Chaffetz Jolly Rokita  
Clawson (FL) Jones Rooney (FL)  
Coffman Jordan Roskam  
Cole Joyce Ross  
Collins (GA) Kelly (MS) Rothfus  
Collins (NY) Kelly (PA) Rouzer  
Comstock King (IA) Royce  
Conaway King (NY) Russell  
Cook Kinzinger (IL) Ryan (WI)  
Costello (PA) Kline Salmon  
Cramer Knight Sanford  
Crawford Labrador Scalise  
Crenshaw LaMalfa Schweikert  
Curbelo (FL) Lamborn Scott, Austin  
Davis, Rodney Lance Sensenbrenner  
Denham Latta Sessions  
Dent LoBiondo Shimkus  
DeSantis Long Shuster  
DesJarlais Loudermilk Simpson  
Diaz-Balart Love Smith (MO)  
Dold Lucas Smith (NE)  
Donovan Luetkemeyer Smith (NJ)  
Duffy Lummis Smith (TX)  
Duncan (SC) MacArthur Stefanik  
Duncan (TN) Marino Stewart  
Ellmers (NC) Massie Stivers  
Emmer (MN) McCarthy Stutzman  
Farenthold McCaul Thompson (PA)  
Fincher McClintock Thornberry  
Fitzpatrick McHenry Tiberi  
Fleischmann McKinley Tipton  
Fleming McMorris Trott  
Flores Rodgers Turner  
Forbes Meadows Upton  
Fortenberry Meehan Valadao  
Foxy Messer Wagner  
Franks (AZ) Mica Walberg  
Frelinghuysen Miller (FL) Walker  
Garrett Miller (MI) Walorski  
Gibbs Moolenaar Walters, Mimi  
Gohmert Mooney (WV) Weber (TX)  
Goodlatte Mullin Webster (FL)  
Gosar Mulvaney Wenstrup  
Gowdy Murphy (PA) Westerman  
Granger Neugebauer Whitfield  
Graves (GA) Newhouse Williams  
Graves (LA) Noem Wilson (SC)  
Graves (MO) Nugent Wittman  
Griffith Nunes Womack  
Grothman Olson Woodall  
Guinta Palazzo Yoder  
Guthrie Palmer Yoho  
Hanna Paulsen Young (IA)  
Hardy Pearce Young (IN)  
Harper Perry Zeldin  
Harris Peterson Zinke  
Hartzler Pittenger  
Heck (NV) Pitts

## NOT VOTING—3

Culberson Lofgren Westmoreland

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1757

So the amendment was rejected.

The result of the vote was announced  
as above recorded.

## AMENDMENT NO. 40 OFFERED BY MR. LOEBSACK

The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on the amendment offered by the  
gentleman from Iowa (Mr. LOEBSACK)  
on which further proceedings were



postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

# RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 218, noes 213, not voting 2, as follows:

[Roll No. 416]

AYES—218

Adams	Gabbard	Moulton
Aguilar	Gallego	Murphy (FL)
Ashford	Garamendi	Nadler
Bass	Gibson	Napolitano
Beatty	Graham	Neal
Becerra	Grayson	Nolan
Bera	Green, Al	Norcross
Beyer	Green, Gene	O'Rourke
Bishop (GA)	Griffith	Pallone
Blum	Grijalva	Pascarell
Blumenauer	Gutiérrez	Payne
Bonamici	Hahn	Pearce
Bost	Hanna	Pelosi
Boyle, Brendan F.	Hastings	Perlmutter
Brady (PA)	Heck (WA)	Peters
Brown (FL)	Herrera Beutler	Peterson
Brownley (CA)	Higgins	Pingree
Burgess	Himes	Pocan
Bustos	Hinojosa	Polis
Butterfield	Honda	Price (NC)
Capps	Hoyer	Quigley
Capuano	Huffman	Rangel
Cardenas	Israel	Reichert
Carney	Jackson Lee	Rice (NY)
Carson (IN)	Jeffries	Richmond
Cartwright	Jenkins (WV)	Rooney (FL)
Castor (FL)	Johnson (GA)	Roybal-Allard
Castro (TX)	Johnson, E. B.	Ruiz
Chu, Judy	Kaptur	Ruppersberger
Cicilline	Katko	Rush
Clark (MA)	Keating	Ryan (OH)
Clarke (NY)	Kelly (IL)	Sánchez, Linda T.
Clay	Kennedy	Sanchez, Loretta
Cleaver	Kildee	Sarbanes
Clyburn	Kilmer	Schakowsky
Cohen	Kind	Schiff
Connolly	Kirkpatrick	Schrader
Conyers	Kuster	Scott (VA)
Cooper	Langevin	Scott, David
Costa	Larsen (WA)	Serrano
Costello (PA)	Larson (CT)	Sewell (AL)
Courtney	Lawrence	Sherman
Crowley	Lee	Simpson
Cuellar	Levin	Sinema
Cummings	Lewis	Sires
Davis (CA)	Lieu, Ted	Slaughter
Davis, Danny	Lipinski	Smith (WA)
Davis, Rodney	LoBiondo	Speier
DeFazio	Loeb sack	Swell (CA)
DeGette	Lowenthal	Takai
Delaney	Lowey	Takano
DeLauro	Lucas	Thompson (CA)
DelBene	Lujan Grisham	Thompson (MS)
Dent	(NM)	Thompson (PA)
DeSaulnier	Luján, Ben Ray	Titus
Deutch	(NM)	Tonko
Dingell	Lynch	Torres
Doggett	Maloney,	Tsongas
Doyle, Michael F.	Carolyn	Van Hollen
Duckworth	Maloney, Sean	Vargas
Edwards	Marino	Veasey
Ellison	Matsui	Vela
Engel	McCollum	Velázquez
Eshoo	McDermott	Visclosky
Esty	McGovern	Walz
Farr	McKinley	Wasserman
Fattah	McNerney	Schultz
Fitzpatrick	McSally	Waters, Maxine
Foster	Meeks	Watson Coleman
Frankel (FL)	Meng	Welch
Fudge	Mooney (WV)	
	Moore	

Whitfield  
Wilson (FL)

Yarmuth  
Young (AK)

Young (IA)  
Zinke

NOES—213

Abraham	Grothman	Perry
Aderholt	Guinta	Pittenger
Allen	Guthrie	Pitts
Amash	Hardy	Poe (TX)
Amodei	Harper	Poliquin
Babin	Harris	Pompeo
Barletta	Hartzler	Posey
Barr	Heck (NV)	Price, Tom
Barton	Hensarling	Ratcliffe
Benishek	Hice, Jody B.	Reed
Bilirakis	Hill	Renacci
Bishop (MI)	Holding	Ribble
Bishop (UT)	Hudson	Rice (SC)
Black	Huelskamp	Rigell
Blackburn	Huizenga (MI)	Roby
Boustany	Hultgren	Roe (TN)
Brady (TX)	Hunter	Rogers (AL)
Brat	Hurd (TX)	Rogers (KY)
Bridenstine	Hurt (VA)	Rohrabacher
Brooks (AL)	Issa	Rokita
Brooks (IN)	Jenkins (KS)	Ros-Lehtinen
Buchanan	Johnson (OH)	Roskam
Buck	Johnson, Sam	Ross
Bucshon	Jolly	Rothfus
Byrne	Jones	Rouzer
Calvert	Jordan	Royce
Carter (GA)	Joyce	Russell
Carter (TX)	Kelly (MS)	Ryan (WI)
Chabot	Kelly (PA)	Salmon
Chaffetz	King (IA)	Sanford
Clawson (FL)	King (NY)	Scalise
Coffman	Kinzinger (IL)	Schweikert
Cole	Kline	Scott, Austin
Collins (GA)	Knight	Sensenbrenner
Collins (NY)	Labrador	Sessions
Comstock	LaMalfa	Shimkus
Pocan	Lamborn	Shuster
Cook	Lance	Smith (MO)
Cramer	Latta	Smith (NE)
Crawford	Long	Smith (NJ)
Crenshaw	Loudermilk	Smith (TX)
Curbelo (FL)	Love	Stewart
Denham	Luetkemeyer	Stutzman
DeSantis	Lummis	Thornberry
DesJarlais	MacArthur	Tiberi
Diaz-Balart	Marchant	Tipton
Dold	Massie	Trott
Donovan	McCarthy	Turner
Duffy	McCaul	Upton
Duncan (SC)	McClintock	Valadao
Duncan (TN)	McHenry	Wagner
Ellmers (NC)	McMorris	Walberg
Emmer (MN)	Rodgers	Walden
Farenthold	Meadows	Walker
Fincher	Meehan	Walorski
Fleischmann	Messer	Walters, Mimi
Fleming	Mica	Weber (TX)
Flores	Miller (FL)	Webster (FL)
Forbes	Miller (MI)	Wenstrup
Fortenberry	Mooleenaar	Westerman
Fox	Mullin	Westmoreland
Franks (AZ)	Mulvaney	Williams
Frelinghuysen	Murphy (PA)	Wilson (SC)
Garrett	Neugebauer	Wittman
Gibbs	Newhouse	Womack
Gohmert	Noem	Woodall
Goodlatte	Nugent	Yoder
Gosar	Nunes	Yoho
Gowdy	Olson	Young (IN)
Granger	Palazzo	Zeldin
Graves (GA)	Palmer	
Graves (LA)	Paulsen	

NOT VOTING—2

Culberson  
Lofgren

ANNOUNCEMENT BY THE ACTING CHAIR  
The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1801

Mr. YOUNG of Iowa changed his vote from “no” to “aye.”  
So the amendment was agreed to.  
The result of the vote was announced as above recorded.

AMENDMENT NO. 41 OFFERED BY MR. POLIS

The Acting CHAIR. The unfinished business is the demand for a recorded

vote on the amendment offered by the gentleman from Colorado (Mr. POLIS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

# RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 205, noes 224, not voting 4, as follows:

[Roll No. 417]

AYES—205

Adams	Foster	Meng
Aguilar	Frankel (FL)	Miller (MI)
Ashford	Fudge	Moore
Bass	Gabbard	Moulton
Beatty	Gallego	Murphy (FL)
Becerra	Garamendi	Nadler
Bera	Gibson	Napolitano
Beyer	Graham	Neal
Bishop (GA)	Grayson	Nolan
Blumenauer	Green, Al	Norcross
Bonamici	Green, Gene	O'Rourke
Boyle, Brendan F.	Grijalva	Pallone
Brady (PA)	Gutiérrez	Pascarell
Brown (FL)	Hahn	Pelosi
Brownley (CA)	Hanna	Perlmutter
Bustos	Hastings	Peters
Butterfield	Heck (WA)	Peterson
Capps	Higgins	Pingree
Capuano	Himes	Pocan
Cardenas	Hinojosa	Polis
Carney	Honda	Price (NC)
Carson (IN)	Hoyer	Quigley
Cartwright	Huffman	Rangel
Castor (FL)	Israel	Rice (NY)
Castro (TX)	Jackson Lee	Richmond
Chu, Judy	Jeffries	Ros-Lehtinen
Cicilline	Jenkins (WV)	Roybal-Allard
Clark (MA)	Johnson (GA)	Ruiz
Clarke (NY)	Johnson, E. B.	Ruppersberger
Clay	Kaptur	Rush
Cleaver	Katko	Ryan (OH)
Clyburn	Keating	Sánchez, Linda T.
Cohen	Kelly (IL)	Sanchez, Loretta
Connolly	Kennedy	Sarbanes
Conyers	Kildee	Schakowsky
Cooper	Kilmer	Schiff
Costa	Kind	Schrader
Costello (PA)	King (NY)	Scott (VA)
Courtney	Kirkpatrick	Scott, David
Crowley	Kuster	Serrano
Cuellar	Langevin	Sewell (AL)
Cummings	Larsen (WA)	Sherman
Davis (CA)	Larson (CT)	Sinema
Davis, Danny	Lawrence	Sires
Davis, Rodney	Lee	Slaughter
DeFazio	Levin	Smith (WA)
DeGette	Lewis	Speier
Delaney	Lieu, Ted	Swell (CA)
DeLauro	Lipinski	Takai
DelBene	LoBiondo	Takano
Dent	Loeb sack	Thompson (CA)
DeSaulnier	Lowenthal	Thompson (MS)
Deutch	Lowey	Titus
Dingell	Lujan Grisham	Tonko
Doggett	(NM)	Torres
Doyle, Michael F.	Luján, Ben Ray	Tsongas
Duckworth	(NM)	Van Hollen
Edwards	Lynch	Vargas
Ellison	Maloney,	Veasey
Engel	Carolyn	Vela
Eshoo	Maloney, Sean	Velázquez
Esty	Matsui	Visclosky
Farr	McCollum	Walz
Fattah	McDermott	Wasserman
Fitzpatrick	McGovern	Schultz
Foster	McKinley	
Frankel (FL)	McNerney	
Fudge	McSally	
	Meeks	

Waters, Maxine  
Watson Coleman

Welch  
Wilson (FL)

Yarmuth  
Zeldin

AMENDMENT NO. 43 OFFERED BY MR. THOMPSON  
OF MISSISSIPPI

Velázquez  
Visclosky  
Walz

Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman

Welch  
Wilson (FL)  
Yarmuth

## NOES—224

Abraham  
Aderholt  
Allen  
Amash  
Amodei  
Babin  
Barletta  
Barr  
Barton  
Benishkek  
Bilirakis  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Bost  
Boustany  
Brady (TX)  
Brat  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Buchanan  
Buck  
Bucshon  
Burgess  
Byrne  
Calvert  
Carter (GA)  
Carter (TX)  
Chabot  
Chaffetz  
Clawson (FL)  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comstock  
Conaway  
Cook  
Cramer  
Crawford  
Crenshaw  
Denham  
DeSantis  
DesJarlais  
Diaz-Balart  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers (NC)  
Emmer (MN)  
Farenthold  
Fincher  
Fitzpatrick  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Garrett  
Gibbs  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Griffith

Grothman  
Guinta  
Guthrie  
Hanna  
Hardy  
Harper  
Harris  
Hartzler  
Heck (NV)  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Hill  
Holding  
Hudson  
Huizenga (MI)  
Hultgren  
Hunter  
Hurd (TX)  
Issa  
Jenkins (KS)  
Johnson (OH)  
Johnson, Sam  
Jolly  
Jones  
Jordan  
Joyce  
Kelly (MS)  
Kelly (PA)  
King (IA)  
Kinzinger (IL)  
Kline  
Knight  
Labrador  
LaMalfa  
Lamborn  
Lance  
Latta  
Long  
Loudermilk  
Love  
Lucas  
Luetkemeyer  
Lummis  
MacArthur  
Marchant  
Marino  
Massie  
McCarthy  
McCaul  
McClintock  
McHenry  
McMorris  
Rodgers  
Meadows  
Meehan  
Messer  
Mica  
Miller (FL)  
Moolenaar  
Mooney (WV)  
Mullin  
Mulvaney  
Murphy (PA)  
Neugebauer  
Newhouse  
Noem  
Nugent  
Nunes  
Olson  
Palazzo  
Palmer  
Paulsen  
Pearce  
Perry  
Pittenger

Pitts  
Poe (TX)  
Poliquin  
Pompeo  
Posey  
Price, Tom  
Ratcliffe  
Reed  
Reichert  
Renacci  
Ribble  
Rice (SC)  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney (FL)  
Roskam  
Ross  
Rothfus  
Rouzer  
Royce  
Russell  
Ryan (WI)  
Salmon  
Sanford  
Scalise  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Stefanik  
Stewart  
Stivers  
Stutzman  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Trott  
Turner  
Upton  
Valadao  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Westerman  
Whitfield  
Williams  
Wilson (SC)  
Wittman  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IN)  
Zinke

## NOT VOTING—4

Culberson  
Huelskamp

Hurt (VA)  
Lofgren

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1804

So the amendment was rejected.

The result of the vote was announced  
as above recorded.

The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on the amendment offered by the  
gentleman from Mississippi (Mr.  
THOMPSON) on which further pro-  
ceedings were postponed and on which  
the noes prevailed by voice vote.

The Clerk will redesignate the  
amendment.

The Clerk redesignated the amend-  
ment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote  
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-  
minute vote.

The vote was taken by electronic de-  
vice, and there were—ayes 189, noes 241,  
not voting 3, as follows:

[Roll No. 418]

## AYES—189

Adams  
Aguilar  
Ashford  
Bass  
Beatty  
Becerra  
Bera  
Beyer  
Bishop (GA)  
Bishop (MI)  
Blumenauer  
Bonamici  
Boyle, Brendan  
F.  
Brady (PA)  
Brown (FL)  
Brownley (CA)  
Bustos  
Butterfield  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly  
Conyers  
Cooper  
Costa  
Courtney  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DeBene  
DeSaulnier  
Deutch  
Dingell  
Doggett  
Doyle, Michael  
F.  
Duckworth  
Edwards  
Ellison  
Engel  
Eshoo  
Esty

Farr  
Fattah  
Meeks  
Meng  
Moore  
Moulton  
Murphy (FL)  
Nadler  
Napolitano  
Neal  
Nolan  
Norcross  
O'Rourke  
Pallone  
Pascarell  
Payne  
Pelosi  
Perlmutter  
Peters  
Peterson  
Pingree  
Pocan  
Polis  
Price (NC)  
Quigley  
Rangel  
Rice (NY)  
Richmond  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schrader  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Sherman  
Sinema  
Sires  
Slaughter  
Smith (WA)  
Speier  
Swalwell (CA)  
Takai  
Takano  
Thompson (CA)  
Thompson (MS)  
Titus  
Tonko  
Torres  
Tsongas  
Van Hollen  
Vargas  
Veasey  
Vela

McNerney  
Moore  
Moulton  
Murphy (FL)  
Nadler  
Napolitano  
Neal  
Nolan  
Norcross  
O'Rourke  
Pallone  
Pascarell  
Payne  
Pelosi  
Perlmutter  
Peters  
Peterson  
Pingree  
Pocan  
Polis  
Price (NC)  
Quigley  
Rangel  
Rice (NY)  
Richmond  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schrader  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Sherman  
Sinema  
Sires  
Slaughter  
Smith (WA)  
Speier  
Swalwell (CA)  
Takai  
Takano  
Thompson (CA)  
Thompson (MS)  
Titus  
Tonko  
Torres  
Tsongas  
Van Hollen  
Vargas  
Veasey  
Vela

Abraham  
Aderholt  
Allen  
Amash  
Amodei  
Babin  
Barletta  
Barr  
Barton  
Benishkek  
Bilirakis  
Bishop (UT)  
Black  
Blackburn  
Blum  
Bost  
Boustany  
Brady (TX)  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Buchanan  
Buck  
Bucshon  
Burgess  
Byrne  
Calvert  
Carter (GA)  
Carter (TX)  
Chabot  
Chaffetz  
Clawson (FL)  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comstock  
Conaway  
Cook  
Costello (PA)  
Cramer  
Crawford  
Crenshaw  
Curbelo (FL)  
Davis, Rodney  
Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Dold  
Donovan  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers (NC)  
Emmer (MN)  
Farenthold  
Fincher  
Fitzpatrick  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Garrett  
Gibbs  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Griffith  
Grothman

## NOES—241

Guinta  
Guthrie  
Hanna  
Hardy  
Harper  
Harris  
Hartzler  
Heck (NV)  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Hill  
Holding  
Hudson  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurd (TX)  
Hurt (VA)  
Issa  
Jenkins (KS)  
Jenkins (WV)  
Johnson (OH)  
Johnson, Sam  
Jolly  
Jones  
Jordan  
Joyce  
Katko  
Kelly (MS)  
Kelly (PA)  
King (IA)  
King (NY)  
Kinzinger (IL)  
Kline  
Knight  
Labrador  
LaMalfa  
Lamborn  
Lance  
Latta  
LoBiondo  
Long  
Loudermilk  
Love  
Lucas  
Luetkemeyer  
Lummis  
MacArthur  
Marchant  
Marino  
Massie  
McCarthy  
McCaul  
McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Meehan  
Messer  
Mica  
Miller (FL)  
Miller (MI)  
Moolenaar  
Mooney (WV)  
Mullin  
Mulvaney  
Murphy (PA)  
Neugebauer  
Newhouse  
Noem  
Nugent  
Nunes  
Olson  
Palazzo  
Palmer  
Paulsen

Pearce  
Perry  
Pittenger  
Pitts  
Poe (TX)  
Poliquin  
Pompeo  
Posey  
Price, Tom  
Ratcliffe  
Reed  
Reichert  
Renacci  
Ribble  
Rice (SC)  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney (FL)  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Rouzer  
Royce  
Russell  
Ryan (WI)  
Salmon  
Sanford  
Scalise  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Stefanik  
Stewart  
Stutzman  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Trott  
Turner  
Upton  
Valadao  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Westerman  
Whitfield  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Young (IN)  
Zeldin  
Zinke

## NOT VOTING—3

Culberson  
Lofgren  
Stivers

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1808

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 46 OFFERED BY MR. WALKER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from North Carolina (Mr. WALKER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 195, noes 235, not voting 3, as follows:

[Roll No. 419]

AYES—195

Abraham	Gohmert	Mica
Aderholt	Goodlatte	Miller (FL)
Allen	Gosar	Moolenaar
Amash	Gowdy	Mooney (WV)
Amodei	Granger	Mullin
Babin	Graves (GA)	Mulvaney
Barletta	Graves (LA)	Neugebauer
Barr	Griffith	Newhouse
Barton	Grothman	Noem
Bilirakis	Guinta	Nugent
Bishop (MI)	Guthrie	Nunes
Bishop (UT)	Harper	Olson
Black	Harris	Palazzo
Blackburn	Hartzler	Palmer
Blum	Hensarling	Paulsen
Boustany	Hice, Jody B.	Pearce
Brady (TX)	Hill	Perry
Brat	Holding	Pittenger
Bridenstine	Hudson	Pitts
Brooks (AL)	Huelskamp	Poe (TX)
Brooks (IN)	Huizenga (MI)	Pompeo
Buck	Hultgren	Posey
Bucshon	Hunter	Price, Tom
Burgess	Hurd (TX)	Ratcliffe
Byrne	Hurt (VA)	Renacci
Calvert	Issa	Ribble
Carter (GA)	Jenkins (KS)	Rice (SC)
Carter (TX)	Jenkins (WV)	Rigell
Chabot	Johnson (OH)	Roby
Chaffetz	Johnson, Sam	Roe (TN)
Clawson (FL)	Jolly	Rogers (AL)
Coffman	Jones	Rohrabacher
Collins (GA)	Jordan	Rooney (FL)
Collins (NY)	Joyce	Roskam
Comstock	Kelly (MS)	Ross
Conaway	Kelly (PA)	Rothfus
Cook	King (IA)	Rouzer
Cramer	Kinzinger (IL)	Royce
Crawford	Labrador	Ryan (WI)
Crenshaw	LaMalfa	Salmon
DeSantis	Lamborn	Sanford
DesJarlais	Latta	Scalise
Diaz-Balart	Long	Schweikert
Duffy	Loudermilk	Scott, Austin
Duncan (SC)	Love	Sensenbrenner
Duncan (TN)	Luetkemeyer	Sessions
Ellmers (NC)	Lummis	Shimkus
Emmer (MN)	Marchant	Smith (MO)
Farenthold	Marino	Smith (NE)
Fincher	Massie	Smith (NJ)
Fleischmann	McCarthy	Smith (TX)
Fleming	McCaul	Stewart
Flores	McClintock	Stivers
Forbes	McHenry	Stutzman
Fortenberry	McMorris	Thornberry
Franks (AZ)	Rodgers	Tiberi
Frelinghuysen	McSally	Tipton
Garrett	Meadows	Trott
Gibbs	Messer	Wagner

Walberg  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup

Westerman  
Westmoreland  
Williams  
Wittman  
Womack  
Woodall  
Yoder

NOES—235

Adams  
Aguilar  
Ashford  
Bass  
Beatty  
Becerra  
Benishek  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Bonamici  
Bost  
Boyle, Brendan F.

Brady (PA)  
Brown (FL)  
Brownley (CA)  
Buchanan  
Bustos  
Butterfield  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Cole  
Connolly  
Conyers  
Cooper  
Costa  
Costello (PA)  
Courtney  
Crowley  
Cummings  
Curbelo (FL)  
Davis (CA)  
Davis, Danny  
Davis, Rodney  
DeFazio  
DeGette  
Delaney  
DeLauro  
DeBene  
Denham  
Dent  
DeSaulnier  
Doyle, Michael F.

Duckworth  
Edwards  
Ellison  
Engel  
Eshoo  
Esty  
Farr  
Fattah  
Fitzpatrick  
Foster  
Fox  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Garamendi

Gibson  
Graham  
Graves (MO)  
Grayson  
Green, Al  
Green, Gene  
Grijalva  
Gutiérrez  
Hahn  
Hanna  
Hardy  
Hastings  
Heck (NV)  
Heck (WA)  
Herrera Beutler  
Higgins  
Himes  
Hinojosa  
Honda  
Hoyer  
Huffman  
Israel  
Jackson Lee  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Katko  
Keating  
Kelly (IL)  
Kennedy  
Kildee  
Kilmer  
Kind  
King (NY)  
Kirkpatrick  
Kline  
Knight  
Kuster  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Lee  
Levin  
Lewis  
Lieu, Ted  
Lipinski  
LoBiondo  
Loebsock  
Lowenthal  
Lowey  
Lucas  
Lujan Grisham  
(NM)  
Luján, Ben Ray  
(NM)  
Lynch  
MacArthur  
Maloney,  
Carolyn  
Maloney, Sean  
Matsui  
McCollum  
McDermott  
McGovern  
McKinley  
McNerney  
Meehan  
Meeks  
Meng  
Miller (MI)  
Moulton  
Murphy (FL)  
Murphy (PA)  
Nadler  
Napolitano  
Neal  
Nolan

Yoho  
Young (IA)  
Young (IN)  
Zeldin  
Zinke

Norcross  
O'Rourke  
Pallone  
Pascrell  
Payne  
Pelosi  
Perlmutter  
Peters  
Peterson  
Pingree  
Pocan  
Poliquin  
Polis  
Price (NC)  
Quigley  
Rangel  
Reed  
Reichert  
Rice (NY)  
Richmond  
Rogers (KY)  
Rokita  
Ros-Lehtinen  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Russell  
Ryan (OH)  
Sanchez, Linda T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schrader  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Sherman  
Shuster  
Simpson  
Sinema  
Sires  
Slaughter  
Smith (WA)  
Speier  
Stefanik  
Swalwell (CA)  
Takai  
Takano  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Titus  
Tonko  
Torres  
Tsongas  
Turner  
Upton  
Valadao  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Walden  
Walz  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Welch  
Whitfield  
Wilson (FL)  
Wilson (SC)  
Yarmuth  
Young (AK)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1811

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. POLIQUIN. Mr. Chair, on rollcall No. 419, I mistakenly voted “no” on the Walker Amendment. I should have and would have voted “yes.”

Mr. CUELLAR. Mr. Chair, on rollcall No. 419, had I been present, I would have voted “yes.”

AMENDMENT NO. 47 OFFERED BY MR. SALMON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. SALMON) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 251, noes 178, not voting 4, as follows:

[Roll No. 420]

AYES—251

Abraham	Crawford	Hardy
Aderholt	Crenshaw	Harper
Allen	Davis, Rodney	Harris
Amash	DeFazio	Hartzler
Amodei	DeLauro	Heck (NV)
Babin	Denham	Hensarling
Barr	Dent	Herrera Beutler
Barton	DeSantis	Hice, Jody B.
Benishek	DesJarlais	Hill
Bilirakis	Diaz-Balart	Holding
Bishop (MI)	Dold	Hudson
Bishop (UT)	Donovan	Huelskamp
Black	Duffy	Huizenga (MI)
Blackburn	Duncan (SC)	Hultgren
Blum	Duncan (TN)	Hunter
Bost	Ellison	Hurd (TX)
Boustany	Emmer (MN)	Hurt (VA)
Brady (TX)	Farenthold	Issa
Brat	Fincher	Jenkins (KS)
Bridenstine	Fitzpatrick	Jenkins (WV)
Brooks (AL)	Fleischmann	Johnson (OH)
Brooks (IN)	Fleming	Johnson, Sam
Buchanan	Flores	Jolly
Buck	Forbes	Jones
Bucshon	Fortenberry	Jordan
Burgess	Fox	Joyce
Byrne	Franks (AZ)	Katko
Calvert	Frelinghuysen	Kelly (MS)
Capuano	Garrett	King (IA)
Carter (GA)	Gibbs	King (NY)
Carter (TX)	Gibson	Kinzinger (IL)
Chabot	Gohmert	Kirkpatrick
Chaffetz	Goodlatte	Kline
Clawson (FL)	Gosar	Knight
Coffman	Gowdy	Labrador
Cohen	Graham	LaMalfa
Cole	Granger	Lamborn
Collins (GA)	Graves (GA)	Lance
Collins (NY)	Graves (LA)	Latta
Comstock	Graves (MO)	LoBiondo
Conaway	Grayson	Long
Cook	Grothman	Loudermilk
Costello (PA)	Guinta	Love
Cramer	Guthrie	Lowey

NOT VOTING—3

Cuellar  
Culberson  
Lofgren

Lucas  
Luetkemeyer  
Lujan Grisham (NM)  
Luján, Ben Ray (NM)  
Lummis  
Maloney, Sean  
Marchant  
Marino  
Massie  
McCarthy  
McCaul  
McClintock  
McCollum  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Meehan  
Messer  
Mica  
Miller (FL)  
Miller (MI)  
Moolenaar  
Mooney (WV)  
Mullin  
Mulvaney  
Murphy (FL)  
Murphy (PA)  
Neugebauer  
Newhouse  
Noem  
Nunes  
Olson  
Palazzo  
Palmer  
Paulsen  
Pearce

## NOES—178

Adams  
Aguilar  
Ashford  
Barletta  
Bass  
Beatty  
Becerra  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Bonamici  
Boyle, Brendan F.  
Brady (PA)  
Brown (FL)  
Brownley (CA)  
Bustos  
Butterfield  
Capps  
Cárdenas  
Carney  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Cleave  
Clyburn  
Connolly  
Conyers  
Cooper  
Costa  
Courtney  
Crowley  
Cuellar  
Cummings  
Curbelo (FL)  
Davis (CA)  
Davis, Danny  
DeGette  
Delaney  
DelBene  
DeSaulnier  
Deutch  
Dingell  
Doggett

Perry  
Peterson  
Pittenger  
Pitts  
Poe (TX)  
Poliquin  
Pompeo  
Posey  
Price, Tom  
Ratcliffe  
Reed  
Reichert  
Renacci  
Ribble  
Rice (NY)  
Rice (SC)  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney (FL)  
Roskam  
Ross  
Rothfus  
Rouzer  
Royce  
Russell  
Ryan (OH)  
Ryan (WI)  
Salmon  
Sanford  
Scalise  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster

Simpson  
Sires  
Smith (MO)  
Smith (NJ)  
Smith (TX)  
Stefanik  
Stewart  
Stivers  
Stutzman  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Trott  
Upton  
Valadao  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Waters, Maxine  
Weber (TX)  
Webster (FL)  
Westerman  
Westmoreland  
Whitfield  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Young (IN)  
Zeldin  
Zinke

Sinema  
Slaughter  
Smith (WA)  
Speier  
Swalwell (CA)  
Takai  
Takano  
Thompson (CA)  
Thompson (MS)  
Titus

Culberson  
Israel

Tonko  
Torres  
Tsongas  
Turner  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky

## NOT VOTING—4

Lofgren  
Smith (NE)

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1814

So the amendment was agreed to.  
The result of the vote was announced as above recorded.

Stated for:

Mr. WENSTRUP. Mr. Chair, on rollcall No. 420, I mistakenly voted “no” on the Salmon Amendment. I meant to vote “yes.”

## AMENDMENT NO. 44 OFFERED BY MR. SCOTT OF VIRGINIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. SCOTT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 187, noes 244, not voting 2, as follows:

[Roll No. 421]

## AYES—187

Adams  
Aguilar  
Ashford  
Bass  
Beatty  
Becerra  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Bonamici  
Boyle, Brendan F.  
Brady (PA)  
Brown (FL)  
Brownley (CA)  
Bustos  
Butterfield  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Cleave  
Clyburn  
Cohen

Connolly  
Conyers  
Cooper  
Costa  
Courtney  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DeBene  
DeSaulnier  
Deutsch  
Dingell  
Doggett  
Doyle, Michael F.  
Edwards  
Ellison  
Engel  
Eshoo  
Esty  
Farr  
Fattah  
Frankel (FL)  
Fudge  
Gabbard  
Gallego

Walz  
Wasserman  
Schultz  
Watson Coleman  
Welch  
Wenstrup  
Wilson (FL)  
Yarmuth  
Lee  
Levin  
Lewis  
Lieu, Ted  
Lipinski  
Loebsack  
Lowenthal  
Lowey  
Lujan Grisham (NM)  
Luján, Ben Ray (NM)  
Lynch  
Maloney,  
Carolyn  
Maloney, Sean  
Matsui  
McCollum  
McDermott  
McGovern  
McNerney  
Meeks  
Meng  
Moore  
Moulton  
Murphy (FL)  
Nadler  
Napolitano  
Neal  
Nolan  
Norcross

O'Rourke  
Pallone  
Pascrell  
Payne  
Pelosi  
Perlmutter  
Peters  
Peterson  
Pingree  
Pocan  
Polis  
Price (NC)  
Quigley  
Rangel  
Rice (NY)  
Richmond  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez, Linda T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schrader  
Scott (VA)  
Scott, David  
Serrano

## NOES—244

Abraham  
Aderholt  
Fleming  
Allen  
Amash  
Amodel  
Babin  
Barletta  
Barr  
Barton  
Benishek  
Billakis  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Bost  
Boustany  
Brady (TX)  
Brat  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Buchanan  
Buck  
Bucshon  
Burgess  
Byrne  
Calvert  
Heck (NV)  
Carter (GA)  
Carter (TX)  
Chabot  
Chaffetz  
Clawson (FL)  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comstock  
Conaway  
Cook  
Costello (PA)  
Cramer  
Crawford  
Crenshaw  
Curbelo (FL)  
Davis, Rodney  
Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Dold  
Donovan  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers (NC)  
Emmer (MN)  
Farenthold  
Fincher  
Fitzpatrick

Fleischmann  
Flores  
Forbes  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Garrett  
Gibbs  
Gibson  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Griffith  
Grothman  
Guinta  
Guthrie  
Hanna  
Hardy  
Harper  
Harris  
Hartzler  
Heck (NV)  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Hill  
Holding  
Hudson  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurd (TX)  
Hurt (VA)  
Issa  
Jenkins (KS)  
Jenkins (WV)  
Johnson (OH)  
Johnson, Sam  
Jolly  
Jones  
Jordan  
Joyce  
Katko  
Kelly (MS)  
Kelly (PA)  
King (IA)  
King (NY)  
Kinzinger (IL)  
Kline  
Knight  
Labrador  
LaMalfa  
Lamborn  
Lance

Latta  
LoBiondo  
Long  
Loudermilk  
Love  
Lucas  
Luetkemeyer  
Lummis  
MacArthur  
Marchant  
Marino  
Massie  
McCarthy  
McCaul  
McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Meehan  
Messer  
Mica  
Miller (FL)  
Miller (MI)  
Moolenaar  
Mooney (WV)  
Mullin  
Mulvaney  
Murphy (PA)  
Neugebauer  
Newhouse  
Noem  
Nugent  
Nunes  
Olson  
Palazzo  
Palmer  
Paulsen  
Pearce  
Perry  
Pittenger  
Pitts  
Poe (TX)  
Poliquin  
Pompeo  
Posey  
Price, Tom  
Ratcliffe  
Reed  
Reichert  
Renacci  
Ribble  
Rice (SC)  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita

Rooney (FL)	Smith (NE)	Walters, Mimi
Ros-Lehtinen	Smith (NJ)	Weber (TX)
Roskam	Smith (TX)	Webster (FL)
Ross	Stefanik	Wenstrup
Rothfus	Stewart	Westerman
Rouzer	Stivers	Westmoreland
Royce	Stutzman	Whitfield
Russell	Thompson (PA)	Williams
Ryan (WI)	Thornberry	Wilson (SC)
Salmon	Tiberi	Wittman
Sanford	Tipton	Womack
Scalise	Trott	Woodall
Schweikert	Turner	Yoder
Scott, Austin	Upton	Yoho
Sensenbrenner	Valadao	Young (AK)
Sessions	Wagner	Young (IA)
Shimkus	Walberg	Young (IN)
Shuster	Walden	Zeldin
Simpson	Walker	Zinke
Smith (MO)	Walorski	

## NOT VOTING—2

Culberson Lofgren

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1819

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. There being no further amendments under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOMACK) having assumed the chair, Mr. YODER, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5) to support State and local accountability for public education, protect State and local authority, inform parents of the performance of their children's schools, and for other purposes, and, pursuant to House Resolution 125, he reported the bill, as amended by that resolution, back to the House with sundry further amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any further amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

## MOTION TO RECOMMIT

Ms. ESTY. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. ESTY. I am in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Esty moves to recommit the bill H.R. 5 to the Committee on Education and the Workforce with instructions to report the same back to the House forthwith with the following amendment:

Page 25, after line 14, insert the following:

“(F) GUARANTEEING EDUCATIONAL OPPORTUNITIES FOR CHILDREN WITH DISABILITIES, INCLUDING STUDENTS WITH AUTISM, DOWN SYNDROME, AND OTHER DISABILITIES.—Each State plan shall demonstrate that the development and adoption of the academic content standards and academic achievement standards under this paragraph does not—

“(i) result in lower academic standards for children with disabilities than the standards adopted for students without disabilities;

“(ii) deny students with disabilities, including students with the most significant cognitive disabilities, access to a regular secondary school diploma;

“(iii) deny any parent the right to give informed consent before determining whether to apply alternate achievement standards to the assessment of his or her child or any relevant information needed to make such determination;

“(iv) otherwise lower expectations or academic achievement for students with disabilities, including students with the most significant cognitive disabilities; or

“(v) deny educational opportunities for students or any subgroup of students described in section 1111(b)(3)(B)(ii)(II), including racial and ethnic minority students who are identified for special education services at a rate disproportionately higher than their peers.”.

Add at the end the following:

**SEC. 802. PROTECTING CHILDREN WITH DISABILITIES FROM ABUSIVE SECLUSION AND RESTRAINT PRACTICES.**

(a) PURPOSE.— The purpose of this section is to ensure a safe learning environment and to protect each elementary and secondary school student from physical or mental abuse, aversive behavioral interventions that compromise student health and safety, or any physical restraint or seclusion when there is no imminent threat of physical injury or in a manner otherwise inconsistent with the purposes of the Elementary and Secondary Education Act of 1965 (21 U.S.C. 6301 et seq.).

(b) REGULATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Education shall promulgate regulations providing, at minimum, that school personnel shall be prohibited from imposing on any elementary or secondary school student the following:

- (1) Mechanical restraints.
- (2) Chemical restraints.
- (3) Physical restraint or physical escort that restricts breathing.
- (4) Aversive behavioral interventions that compromise health and safety such as excessive pain, use of heat or cold, spraying bleach infused water in faces, and depriving students of food and bathroom access for hours on end.

Ms. ESTY (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Connecticut?

There was no objection.

Mr. KLINE. Mr. Speaker, I reserve a point of order.

The SPEAKER pro tempore. A point of order is reserved.

The gentlewoman from Connecticut is recognized for 5 minutes.

Ms. ESTY. Mr. Speaker, this is the final amendment to the bill which will not kill the bill or send it back to com-

mittee. If adopted, the bill will immediately proceed to final passage as amended.

Mr. Speaker, I rise today with serious concerns.

Today, we are voting on a bill that guts education funding; fails to provide adequate support for our hard-working teachers; and turns our back on our schools, our communities, and our children.

Mr. Speaker, today, we are not fixing No Child Left Behind, which has long needed to be fixed, but instead, we are moving in the wrong direction. As a room parent, as a PTA mom, I strongly believe that every child deserves the opportunity for a quality education, and every child deserves to be treated with dignity and respect.

The amendment I am offering today provides us the opportunity to live up to those goals. My amendment would guarantee continued funding for the Individuals with Disabilities Education Act, known as IDEA.

Just today, I met with school superintendents from Connecticut who emphasize the critical role of Federal funding for IDEA, which provides important support for students with autism and cognitive disabilities, and my amendment would protect children with disabilities from abusive seclusion and restraint practices.

Last year, I met with a group of students from the FOCUS Center for Autism in Canton, Connecticut, in my district. They were incredible students, who bravely advocated for themselves and bluntly talked about the challenges they face in the classroom.

According to the Centers for Disease Control, 1 in 68 American children is now on the autism spectrum, a tenfold increase in the last 40 years. In Connecticut, too many students, particularly students who are on the autism spectrum, face unnecessary and dangerous seclusion and restraint.

According to the Connecticut State Department of Education and the Office of the Child Advocate, there were 35,000 incidents of children being restrained or placed in seclusion last school year. Over 80 percent of these children were boys; the majority of them children of color, many of them were in elementary school—even as young as preschool—and many of them were on the autism spectrum.

Earlier this year, the Office of the Child Advocate in Connecticut released a report showing that, in the last 3 years, more than 1,300 Connecticut schoolchildren were injured during such restraint or seclusion. Nationwide, the nonpartisan Government Accountability Office found hundreds of cases of alleged child abuse, including at least 20, that is 20 deaths of children related to the use of these harmful methods during the last two decades.

These stories are truly horrific: a 7-year-old dying after being held face

down for hours by school staff, 5-year-olds with broken arms and bloody noses after being tied to chairs with bungee cords and duct tape by their teacher, and a 13-year-old who hung himself in the seclusion room after prolonged confinement.

This is absolutely unacceptable. While Congress surely should not micromanage discipline in local schools, we should—we should—step up to set standards to ensure that all our children are safe, and we should fully fund IDEA to ensure support for all children with disabilities.

Now, let me be clear. Many teachers do an outstanding job in what can often be a challenging classroom environment. Having children with disabilities in the classroom can be a rewarding experience for the child and for their classmates.

Children with learning disabilities will learn and excel with the right support. It is just not acceptable to say that we don't have enough time or enough money to provide that support.

Today, let's fully fund IDEA, support special education and services for all children with disabilities, and restrict the dangerous practices of seclusion and restraint. We can do better; we must do better for our children.

I ask all House Members to join me to vote for this amendment, and I yield back the balance of my time.

Mr. KLINE. Mr. Speaker, I withdraw my reservation of a point of order.

The SPEAKER pro tempore. The reservation of the point of order is withdrawn.

Mr. KLINE. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Minnesota is recognized for 5 minutes.

Mr. KLINE. Mr. Speaker, we know this is a procedural attempt, a usual procedural attempt, at the eleventh hour to derail this legislation. It is unfortunate because the American people have waited long enough for Congress to fix the problems plaguing our elementary and secondary education system.

My colleagues, because it has been months since we have debated the underlying bill and the challenge we face, I want to remind my colleagues of what is at stake here.

It has been more than 7 years since No Child Left Behind expired—7 years. That means, for 7 years, this Congress has failed to meet its basic responsibility to replace the law. Each year we fail to act is another year States are tied to flawed policies and students are trapped in failing schools. No Child Left Behind continues as the law.

Education is a deeply personal issue for many Americans. It is a topic discussed around kitchen tables, whether it is a child's report card, a change taking place in a local school district, or perhaps even policy changes being debated by Federal officials.

We were reminded of this reality just a few months ago.

□ 1830

In February, we were making progress in advancing the Student Success Act, and we witnessed just how frustrated the American people are with the Federal role in K-12 education and how that frustration has grown worse under this administration.

Rather than work with Congress to replace the law, the Obama administration has spent years imposing its agenda on schools through pet projects and conditional waivers.

Just listen to the national debate raging over Common Core and you will quickly learn about the backlash against the Federal Government that has taken place under this administration.

Because of this administration's unprecedented overreach, public anxiety and opposition to Federal intrusion is greater than it has ever been. The simple fact that Congress was considering changes to the law led countless individuals to speak out and raise concerns.

Unfortunately, some of those concerns were based on misinformation, but they ultimately stem from a strong skepticism about the Federal role in education, a skepticism that I and many others share.

Teachers, principals, parents, and education leaders desperately want Congress to replace No Child Left Behind, but they are not just concerned with getting rid of a bad law, they also deeply care about what replaces it. The public response we witnessed earlier this year made that clear. We are here today because we are listening to the American people.

The Student Success Act is a strong proposal to replace No Child Left Behind. It would eliminate dozens of ineffective and duplicative programs, repeal Federal mandates dictating State spending, teacher quality, accountability, and school improvement, and provide parents vital support to hold schools accountable and rescue children from underperforming schools.

Throughout this legislative process, we have adopted bipartisan improvements to the bill, thanks to the work of both Republican and Democrat Members. Now it is time to move forward.

We have an urgent responsibility to replace a flawed law with bold solutions that will help provide every child in every school an excellent education. That responsibility grows more urgent each day.

I urge my colleagues to vote "no" on the motion to recommit and to vote "yes" on the Student Success Act.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

#### RECORDED VOTE

Ms. ESTY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by 5-minute votes on the passage of the bill, if ordered, and agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—ayes 185, noes 244, not voting 4, as follows:

[Roll No. 422]

#### AYES—185

Adams	Frankel (FL)	Napolitano
Aguilar	Fudge	Neal
Ashford	Gabbard	Nolan
Bass	Gallego	Norcross
Beatty	Garamendi	O'Rourke
Becerra	Graham	Pallone
Bera	Grayson	Pascarell
Beyer	Green, Al	Payne
Bishop (GA)	Green, Gene	Pelosi
Blumenauer	Grijalva	Perlmutter
Bonamici	Hahn	Peters
Boyle, Brendan	Hastings	Peterson
F.	Heck (WA)	Pingree
Brady (PA)	Higgins	Pocan
Brown (FL)	Himes	Polis
Brownley (CA)	Hinojosa	Price (NC)
Bustos	Honda	Quigley
Butterfield	Hoyer	Rangel
Capps	Huffman	Rice (NY)
Capuano	Israel	Richmond
Cárdenas	Jackson Lee	Roybal-Allard
Carney	Jeffries	Ruiz
Carson (IN)	Johnson (GA)	Ruppersberger
Cartwright	Johnson, E. B.	Rush
Castor (FL)	Kaptur	Ryan (OH)
Castro (TX)	Keating	Sánchez, Linda
Chu, Judy	Kelly (IL)	T.
Cicilline	Kennedy	Sanchez, Loretta
Clark (MA)	Kildee	Sarbanes
Clarke (NY)	Kilmer	Schakowsky
Clay	Kind	Schiff
Cleaver	Kirkpatrick	Schrader
Clyburn	Kuster	Scott (VA)
Cohen	Langevin	Scott, David
Connolly	Larsen (WA)	Serrano
Conyers	Larson (CT)	Sewell (AL)
Cooper	Lawrence	Sinema
Costa	Lee	Sires
Courtney	Levin	Slaughter
Crowley	Lewis	Smith (WA)
Cuellar	Lieu, Ted	Speier
Cummings	Lipinski	Swalwell (CA)
Davis (CA)	Loebach	Takai
Davis, Danny	Lowenthal	Takano
DeFazio	Lowe	Thompson (CA)
DeGette	Lujan Grisham	Thompson (MS)
Delaney	(NM)	Titus
DeLauro	Luján, Ben Ray	Tonko
DelBene	(NM)	Torres
DeSaulnier	Lynch	Tsongas
Deutch	Maloney,	Van Hollen
Dingell	Carolyn	Vargas
Doggett	Maloney, Sean	Veasey
Doyle, Michael	Matsui	Vela
F.	McCollum	Velázquez
Duckworth	McDermott	Visclosky
Edwards	McGovern	Walz
Ellison	McNerney	Wasserman
Engel	Meeks	Schultz
Eshoo	Meng	Waters, Maxine
Esty	Moore	Watson Coleman
Farr	Moulton	Welch
Fattah	Murphy (FL)	Wilson (FL)
Foster	Nadler	Yarmuth

## NOES—244

Abraham	Grothman	Pearce
Aderholt	Guinta	Perry
Allen	Guthrie	Pittenger
Amash	Hanna	Pitts
Amodei	Hardy	Poe (TX)
Babin	Harper	Poliquin
Barletta	Harris	Pompeo
Barr	Hartzler	Posey
Barton	Heck (NV)	Price, Tom
Benishek	Hensarling	Ratcliffe
Bilirakis	Herrera Beutler	Reed
Bishop (MI)	Hice, Jody B.	Reichert
Bishop (UT)	Hill	Renacci
Black	Holding	Ribble
Blackburn	Hudson	Rice (SC)
Blum	Huelskamp	Rigell
Bost	Huizenga (MI)	Roby
Boustany	Hultgren	Roe (TN)
Brady (TX)	Hunter	Rogers (AL)
Brat	Hurd (TX)	Rogers (KY)
Bridenstine	Hurt (VA)	Rohrabacher
Brooks (AL)	Issa	Rokita
Brooks (IN)	Jenkins (KS)	Rooney (FL)
Buchanan	Jenkins (WV)	Ros-Lehtinen
Buck	Johnson (OH)	Roskam
Bucshon	Johnson, Sam	Ross
Burgess	Jolly	Rothfus
Byrne	Jones	Rouzer
Calvert	Jordan	Royce
Carter (GA)	Joyce	Russell
Carter (TX)	Katko	Ryan (WI)
Chabot	Kelly (MS)	Salmon
Chaffetz	Kelly (PA)	Sanford
Clawson (FL)	King (IA)	Scalise
Coffman	King (NY)	Schweikert
Cole	Kinzinger (IL)	Scott, Austin
Collins (GA)	Kline	Sensenbrenner
Collins (NY)	Knight	Sessions
Comstock	Labrador	Shimkus
Conaway	LaMalfa	Shuster
Cook	Lamborn	Simpson
Costello (PA)	Lance	Smith (MO)
Cramer	Latta	Smith (NE)
Crawford	LoBiondo	Smith (NJ)
Crenshaw	Long	Smith (TX)
Curbelo (FL)	Loudermilk	Stefanik
Davis, Rodney	Love	Stewart
Denham	Lucas	Stivers
Dent	Luetkemeyer	Stutzman
DeSantis	Lummis	Thompson (PA)
DesJarlais	MacArthur	Thornberry
Diaz-Balart	Marchant	Tiberi
Dold	Marino	Tipton
Donovan	Massie	Trott
Duffy	McCarthy	Turner
Duncan (SC)	McCaul	Upton
Duncan (TN)	McClintock	Valadao
Ellmers (NC)	McHenry	Wagner
Emmer (MN)	McKinley	Walberg
Farenthold	McMorris	Walden
Fincher	Rodgers	Walker
Fitzpatrick	McSally	Walorski
Fleischmann	Meadows	Walters, Mimi
Fleming	Meehan	Weber (TX)
Flores	Messer	Webster (FL)
Forbes	Mica	Weststrup
Fortenberry	Miller (FL)	Westerman
Fox	Miller (MI)	Westmoreland
Franks (AZ)	Moolenaar	Whitfield
Frelinghuysen	Mooney (WV)	Williams
Garrett	Mullin	Wilson (SC)
Gibbs	Mulvaney	Wittman
Gibson	Murphy (PA)	Womack
Gohmert	Neugebauer	Woodall
Goodlatte	Newhouse	Yoder
Gosar	Noem	Young (AK)
Gowdy	Nugent	Young (IA)
Granger	Nunes	Young (IN)
Graves (GA)	Olson	Zeldin
Graves (LA)	Palazzo	Zinke
Graves (MO)	Palmer	
Griffith	Paulsen	

## NOT VOTING—4

Culberson	Lofgren
Gutiérrez	Sherman

□ 1838

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. SHERMAN. Mr. Speaker, on rollcall No. 422, had I been present, I would have voted “yes.”

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

## RECORDED VOTE

Mr. SCOTT of Virginia. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 218, noes 213, not voting 3, as follows:

[Roll No. 423]

## AYES—218

Abraham	Graves (GA)	Nunes
Aderholt	Griffith	Olson
Allen	Grothman	Palazzo
Amodei	Guinta	Palmer
Babin	Guthrie	Paulsen
Barletta	Hanna	Pearce
Barr	Hardy	Perry
Barton	Harper	Pittenger
Benishek	Harris	Pitts
Bilirakis	Hartzler	Poe (TX)
Bishop (MI)	Heck (NV)	Poliquin
Bishop (UT)	Hensarling	Pompeo
Black	Herrera Beutler	Posey
Blackburn	Hill	Price, Tom
Blum	Holding	Ratcliffe
Boehner	Hudson	Reed
Bost	Huizenga (MI)	Reichert
Boustany	Hultgren	Renacci
Brady (TX)	Hunter	Ribble
Brat	Hurd (TX)	Rice (SC)
Bridenstine	Hurt (VA)	Rigell
Brooks (IN)	Issa	Roby
Buchanan	Jenkins (KS)	Roe (TN)
Bucshon	Jenkins (WV)	Rogers (AL)
Burgess	Johnson (OH)	Rogers (KY)
Byrne	Johnson, Sam	Rokita
Calvert	Jolly	Rooney (FL)
Carter (GA)	Katko	Ros-Lehtinen
Carter (TX)	Kelly (MS)	Roskam
Chabot	Kelly (PA)	Ross
Chaffetz	King (IA)	Rouzer
Coffman	King (NY)	Royce
Cole	Kinzinger (IL)	Russell
Collins (GA)	Kline	Ryan (WI)
Collins (NY)	Knight	Salmon
Comstock	Labrador	Scalise
Conaway	LaMalfa	Schweikert
Cook	Lamborn	Scott, Austin
Costello (PA)	Lance	Sessions
Cramer	Latta	Shimkus
Crawford	Long	Shuster
Crenshaw	Loudermilk	Simpson
Curbelo (FL)	Love	Smith (MO)
Davis, Rodney	Lucas	Smith (NE)
Denham	Luetkemeyer	Smith (NJ)
Dent	Lummis	Smith (TX)
Diaz-Balart	MacArthur	Stefanik
Dold	Marchant	Stewart
Donovan	Marino	Stivers
Duffy	McCarthy	Thompson (PA)
Duncan (SC)	McCaul	Thornberry
Duncan (TN)	McClintock	Tiberi
Ellmers (NC)	McHenry	Tipton
Emmer (MN)	McKinley	Trott
Farenthold	McMorris	Turner
Fincher	Rodgers	Upton
Fitzpatrick	McSally	Valadao
Fleischmann	Meehan	Wagner
Flores	Messer	Walberg
Forbes	Mica	Walden
Fortenberry	Miller (MI)	Walker
Fox	Moolenaar	Walorski
Franks (AZ)	Mooney (WV)	Walters, Mimi
Frelinghuysen	Mullin	Weber (TX)
Garrett	Mulvaney	Webster (FL)
Gibbs	Murphy (PA)	Westerman
Goodlatte	Neugebauer	Westmoreland
Gosar	Newhouse	Whitfield
Gowdy	Noem	Williams
Granger	Nugent	Wilson (SC)

Wittman
Womack
Woodall

Yoder
Young (AK)
Young (IA)

Young (IN)
Zeldin
Zinke

## NOES—213

Adams	Gallego	Nadler
Aguilar	Garamendi	Napolitano
Amash	Gibson	Neal
Ashford	Gohmert	Nolan
Bass	Graham	Norcross
Beatty	Graves (LA)	O'Rourke
Becerra	Graves (MO)	Pallone
Bera	Grayson	Pascarell
Beyer	Green, Al	Payne
Bishop (GA)	Green, Gene	Pelosi
Blumenauer	Grijalva	Perlmutter
Bonamici	Gutiérrez	Peters
Boyle, Brendan	Hahn	Peterson
F.	Hastings	Pingree
Brady (PA)	Heck (WA)	Pocan
Brooks (AL)	Hice, Jody B.	Polis
Brown (FL)	Higgins	Price (NC)
Brownley (CA)	Himes	Quigley
Buck	Hinojosa	Rangel
Bustos	Honda	Rice (NY)
Butterfield	Hoyer	Richmond
Capps	Huelskamp	Rohrabacher
Capuano	Huffman	Rothfus
Cárdenas	Israel	Roybal-Allard
Carney	Jackson Lee	Ruiz
Carson (IN)	Jeffries	Ruppersberger
Cartwright	Johnson (GA)	Rush
Castor (FL)	Johnson, E. B.	Ryan (OH)
Castro (TX)	Jones	Sánchez, Linda
Chu, Judy	Jordan	T.
Ciçilline	Joyce	Sanchez, Loretta
Clark (MA)	Kaptur	Sanford
Clarke (NY)	Keating	Sarbanes
Clawson (FL)	Kelly (IL)	Schakowsky
Clay	Kennedy	Schiff
Cleaver	Kildee	Schrader
Clyburn	Kilmer	Scott (VA)
Cohen	Kind	Scott, David
Connolly	Kirkpatrick	Sensenbrenner
Conyers	Kuster	Serrano
Cooper	Langevin	Sewell (AL)
Costa	Larsen (WA)	Sinema
Courtney	Larson (CT)	Sires
Crowley	Lawrence	Lee
Cuellar	Lee	Levin
Cummings	Levin	Lewis
Davis (CA)	Lewis	Lieu, Ted
Davis, Danny	Lieu, Ted	Lipinski
DeFazio	Lipinski	LoBiondo
DeGette	LoBiondo	Loeb
Delaney	Loeb	Lowenthal
DeLauro	Lowenthal	Lowe
DelBene	Lowe	Lujan Grisham
DeSantis	Lujan Grisham	(NM)
DeSaulnier	(NM)	Luján, Ben Ray
DesJarlais	Luján, Ben Ray	(NM)
Deutch	(NM)	Lynch
Dingell	Lynch	Maloney,
Doggett	Maloney,	Carolyn
Doyle, Michael	Carolyn	Maloney, Sean
F.	Maloney, Sean	Massie
Duckworth	Massie	Matsui
Edwards	Matsui	McCollum
Ellison	McCollum	McDermott
Engel	McDermott	McGovern
Eshoo	McGovern	McNerney
Esty	McNerney	Meadows
Farr	Meadows	Meeks
Fattah	Meeks	Meng
Fleming	Meng	Miller (FL)
Foster	Miller (FL)	Moore
Frankel (FL)	Moore	Moulton
Fudge	Moulton	Murphy (FL)
Gabbard	Murphy (FL)	Yoho

## NOT VOTING—3

Culberson	Lofgren	Sherman
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□ 1848

Mr. ROGERS of Alabama changed his vote from “no” to “aye.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:



Mr. SHERMAN. Mr. Speaker, on rollcall No. 423, had I been present, I would have voted "no."

### THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

### DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

#### GENERAL LEAVE

Mr. CALVERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 2822.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 333 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2822.

Will the gentleman from Illinois (Mr. HULTGREN) kindly take the chair.

□ 1855

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2822) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, with Mr. HULTGREN (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, an amendment offered by the gentleman from Nevada (Mr. HARDY) had been disposed of, and the bill had been read through page 132, line 24.

#### AMENDMENT OFFERED BY MR. ELLISON

Mr. ELLISON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ None of the funds made available in this Act may be used to enter into a contract with any person whose disclosures of a proceeding with a disposition listed in section 2313(c)(1) of title 41, United States Code, in the Federal Awardee Performance and Integrity Information System include the term

"Fair Labor Standards Act" and such disposition is listed as "willful" or "repeated".

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Minnesota and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. ELLISON. Mr. Chairman, before I discuss my amendment, which is to prevent wage theft from violators who commit acts that are repeated and willful and to stop such actors from partaking of Federal procurement in this bill, I would like to set the table just a little bit.

In 1980, Mr. Chair, CEO-to-worker pay ratio for Fortune 500 companies was 20 to 1. Today it is 204 to 1, according to Bloomberg. At the same time, the buying power of the minimum wage is now less than it was in the 1960s.

The Economic Policy Institute found that, in total, the average low-wage worker loses a stunning \$2,634 per year in unpaid wages, representing about 15 percent of their earned income. It is particularly egregious in the fast-food sector. A recent study by Hart Research of fast-food workers found that about 89 percent reported some form of wage theft.

Lastly, in this case, I would like to point out, Mr. Chair, that the recent report by the Committee on Health, Education, Labor, and Pensions of the U.S. Senate revealed that 32 percent of the largest Department of Labor penalties for wage theft were levied against Federal contractors.

As I bring this amendment before the body today, Mr. Chairman, it is simply to recognize that the hard work and the work that workers do who work for Federal contractors must be recognized. We are not debating today over increasing or decreasing the minimum wage. We are just saying the people who work hard ought to get the money that they earned.

I would hope that everyone in this body would be willing to say wage theft is not okay. No hard-working American should ever have to worry that her employer will refuse to pay her when she works overtime or take money out of her paycheck, especially if she works for a Federal contractor.

This practice, as I mentioned already, is called wage theft. Right now, Federal contractors who violate the Fair Labor Standards Act are still allowed to apply for Federal contracts.

□ 1900

This amendment seeks to ensure that funds may not be used to enter into a contract with a government contractor that willfully or repeatedly violates the Fair Labor Standards Act—willfully or repeatedly.

It is important, Mr. Chairman, to point out that it is not easy to get a violation. You have got to work at it.

There is a database called the FAPISS database, to begin with, in

which contractors have to report all their violations. Just because a wage and hour complaint comes to your door, it doesn't necessarily mean you get a violation. In order to get a violation in the database, you have to have a criminal conviction, a civil proceeding with a finding of fault, or an administrative proceeding with a finding of fault or a penalty of \$5,000 or more or damages of \$100,000 or more. You have got to really work at it. In other words, if you are found to owe back wages and you agree to pay them, there is not going to be a case for you to have to report.

This amendment ensures that those in violation of the law do not get taxpayer support. And we should reward good actors.

I reserve the balance of my time.

Mr. CALVERT. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. The amendment doesn't recognize the suspension and debarment process that is already in place for Federal contractors. It does not provide exceptions for critical, urgent, or compelling needs or allow for the consideration of mitigating factors.

I am concerned that this amendment would impose strict legal triggers and take away the ability for Federal agencies to investigate and determine appropriate remedies. I am also concerned that it would deny the due process that the current suspension and debarment system provides. And finally, this is an issue that should be thoroughly vetted through the authorization process, not through the appropriation process.

I would urge a "no" vote on this amendment, and I reserve the balance of my time.

Mr. ELLISON. I yield 1 minute to the gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. Mr. Chair, I rise in support of the amendment from the gentleman from Minnesota.

Every worker is entitled to receive pay for the hours they work; however, there are employers that refuse to pay for overtime, make their employees work off the clock, or refuse to pay minimum wage. At the very least, we should take steps to ensure that these employers don't receive new Federal contracts.

This amendment would ensure that lawbreaking contractors don't get rewarded for stealing from their employees.

I support this amendment, and I ask for an "aye" vote.

Mr. CALVERT. I would just, again, oppose this amendment. I urge my colleagues to vote "no" on this amendment, and I yield back the balance of my time.

Mr. ELLISON. Members, this has nothing to do with debarment. Debarment is a quasi-judicial process in which evidence is gathered and findings are made. This is saying that, after somebody has been found to engage in repeated and willful violations of the Fair Labor Standards Act, such persons are not the kind of people we want to reward through our procurement system. This is totally different from debarment.

What it is really saying is it reflects our values as a body and reflects our value of the dignity of work and that a dollar earned is a dollar that must be paid. And we should never be the kind of body that says: "Commit willful violations all you want; take workers' money away; you can still get another contract if you please." That is not the kind of body that we are, and I urge a "yes" vote on the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. ELLISON).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. ELLISON. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Minnesota will be postponed.

#### AMENDMENT OFFERED BY MR. BUCK

Mr. BUCK. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

#### STUDY

SEC. \_\_\_\_\_. Of the amounts made available by this Act to pay retention bonuses to Senior Executive Service personnel at the Environmental Protection Agency, not more than \$50,000 shall be made available to be used by the Department of the Interior to conduct a study on whether *Agricola Americus* should be classified as an endangered species.

Mr. CALVERT. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 333, the gentleman from Colorado and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. BUCK. Mr. Chair, my amendment appropriates up to \$50,000 from the retention bonuses of Senior Executive Service personnel at the EPA to conduct a study of whether *Agricola Americus*, the American farmer, should be classified as an endangered species.

This money should be used to determine whether there is crucial habitat that is essential for the conservation of

the species and acting in accordance with 16 U.S.C. chapter 35 if such a finding is made.

The Federal Government is no stranger to using its regulatory powers to interfere in important national issues, so it came as a surprise when I discovered that the Federal Government had overlooked the most endangered species in America.

The Fish and Wildlife Service has been so thorough in designating animals as endangered all around farms, but for some reason hasn't seen the plight of the American farmer.

Paul Harvey recognized, in 1978, that God made *Agricola Americus* with a unique set of characteristics essential to our Nation, so I am troubled that the number of farmers in America has steadily declined over the last six decades.

Not only has the number of American farmers shrunk, but so has the number of farms. Those lost have mainly been family farms, passed down through generations of hard work and built up with years of sweat equity. They have faced numerous manmade obstacles that interfere with their environment and encroach on their natural territory. They have been subject to the ravages of wolves released by the very agency that should be tasked with protecting this essential American species.

Yet the Department of the Interior does not have a monopoly on society's invasion of the American farmer and the habitat. Family farms have been destroyed by the death tax, regulated out of business by FDA and EPA mandates, and forced to dump crops by outdated government programs that even now are being struck down by the Supreme Court.

How much more of this regulatory onslaught can the *Agricola Americus* take before we recognize the harm of our actions and work to make sure that we are not complicit in its disappearance? We cannot leave the farmer alone in the eye of this regulatory storm.

I reserve the balance of my time.

#### POINT OF ORDER

Mr. CALVERT. Mr. Chairman, I make a point of order against the amendment because it provides an appropriation for an unauthorized program and, therefore, violates clause 2 of rule XXI. Clause 2 of rule XXI states in pertinent part:

"An appropriation may not be in order as an amendment for an expenditure not previously authorized by law."

Mr. Chairman, the amendment proposes to appropriate funds. The amendment, therefore, violates clause 2 of rule XXI.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

Mr. BUCK. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

#### AMENDMENT OFFERED BY MR. BUCK

Mr. BUCK. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available in this Act may be used to pay the salaries and expenses of personnel or any other entity to negotiate or conclude a settlement with the Federal Government that includes terms requiring the defendant to donate or contribute funds to an organization or individual.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Colorado and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. BUCK. Mr. Chair, my amendment bars the EPA and the Department of the Interior and any of its agencies from requiring mandatory donations to third-party groups as part of any settlement agreements the agencies enter into.

In agencies across the government, settlement funds are being funneled to third-party groups, contravening congressional budget authority. A recent investigation by the House Judiciary and Financial Services Committees found as much as half a billion dollars had been diverted by the Department of Justice to third parties as a result of these settlements in the past year. This is inexcusable, and it is not unique to the Department of Justice.

The Department of the Interior, the Environmental Protection Agency, and the U.S. Fish and Wildlife Service routinely sue and then enter into settlements with businesses and individuals who are then forced to make donations to third-party groups.

This is all made possible because community service is expressly allowed as a condition of probation by the United States Criminal Code. In addition, the United States sentencing guidelines allow community service where it is reasonably designed to repair the harm caused by the offense. This results in settlement funds being directed to supposed "community service" groups. This is a practice that must be brought to an end.

As Thomas Jefferson once wrote:

To compel a man to furnish contributions of money for the propagation of opinions which he disbelieves and abhors is sinful and tyrannical.

In this case, businesses and individuals are being sued by the government for violating environmental regulations, and then as part of the settlement, they have to make payments to

the environmental organizations that engage in advocacy supporting the regulations. This power grab is abhorrent.

Please support my amendment and stop these agencies from funneling court settlement funds to radical environmentalists.

I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. The fact is that this is a very broadly written amendment that would prevent the Federal Government from requiring polluters to pay for cleanup costs. Specifically, I would point out that the EPA is involved in numerous consent decree negotiations that result in payments to the Federal Government by responsible parties.

The ability of the Federal Government to recoup these funds from polluters is an essential part of maintaining good environmental policy and protecting public health and protecting taxpayers, not polluters. For example, some Superfund sites that the EPA may spend Superfund trust moneys up front to initiate the cleanup of a potential responsible party are not yet identified or the cleanup order or settlement agreement with the identified parties is not yet finalized.

In the event that the EPA does expend Superfund moneys at a site with veritable parties, reimbursements may be included in the terms of any settlement agreement that may be entered into with the parties. However, this amendment would prevent the EPA from receiving such reimbursements from the responsible parties in such an instance.

There are also times when defendants in settlement negotiations seek payments to third parties rather than the Federal Government. One such example is the settlement negotiations that followed the catastrophe at the Deepwater Horizon spill in the Gulf of Mexico.

As part of the criminal settlements that BP and Transocean reached with the Federal Government, the National Fish and Wildlife Foundation, a congressionally chartered nonprofit, received the funds to undertake the projects to help remedy the harm that occurred in the Gulf of Mexico—something I would agree all needed to happen—yet under this amendment, those payments would have been prohibited. It would be completely irresponsible.

This amendment is bad for the taxpayer, bad for public policy, and very bad for the environment.

I reserve the balance of my time.

Mr. BUCK. I yield back the balance of my time.

Ms. MCCOLLUM. Mr. Chair, once again, voting for this amendment and having it move forward would be com-

pletely irresponsible. This amendment is bad public policy, bad for environment, and it is bad for the taxpayer. I urge defeat of this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. BUCK).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BUCK

Mr. BUCK. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ None of the funds made available by this Act may be used to pay a Federal employee for any period of time during which such employee is using official time under section 7131 of title 5, United States Code.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Colorado and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. BUCK. Mr. Chair, my amendment would prohibit paying any Federal employee for the time spent not working for the taxpayers but working for a third party, a labor union. This practice is known as "official time."

□ 1915

Unlike any other type of third-party organization, labor unions have been granted the privilege of being able to have taxpayer-funded employees do their business on duty time, instead of doing the taxpayers' work.

Like any other type of private entity, labor unions should pay for their own employees to work for them. The taxpayers should not be picking up the tab for this practice.

According to the U.S. Office of Personnel Management, this practice costs taxpayers approximately \$156 million per year. That is assuming that the agencies are correctly reporting the amounts spent, and there have been indications that this number actually underreports the total cost.

In some instances, we are not talking about just a few minutes here and there for an agency employee who is a union official to confer with management about a workplace issue. Sometimes, the agency employee is actually working full time for the labor union, all the while being paid by the taxpayers for this union work.

For instance, the IRS has more than 200 employees working full time for labor unions; the VA has over 250 employees working full time for labor unions—this at a time when there is a significant backlog of cases to be processed.

One of these employees doesn't even work in a VA facility but, instead, works remotely from a private office in D.C.

The EPA, while not having as many personnel on full-time official time as some agencies, still pays over \$1.6 million just for those personnel who are working full time for their union.

Some agencies, such as the Department of Transportation, have numerous employees making over \$170,000 per year, while working full time for the union. This is more than almost all Federal employees make, higher than the salaries of many Senate-confirmed Assistant Secretaries.

My amendment would not prohibit this practice, but would make certain that the right party pays for this work, the labor union. It is not right to force our taxpayers to pay the bill to subsidize these private organizations any more than it would be right to force them to subsidize other private organizations such as the National Rifle Association or the Sierra Club.

Like any business, labor unions should pay the cost for their own employees, not taxpayers.

Mr. Chairman, I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chair, I rise in strong opposition to this amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, this amendment clearly would serve no purpose but to erode collective bargaining rights for civil service employees and may violate collective bargaining agreements negotiated between workers and these agencies.

Federal unions are legally required to provide representation to all members of bargaining units, whether or not those workers elect to pay voluntary union dues. Representation for employees working their way through the administrative procedures is a cost-effective process for administering and adjudicating agency policies.

The alternative for official time is for the government agencies to pay for costly third-party attorney and arbitration fees. Eliminating official time would increase costs, and it would increase more time and effort for agencies to work out any conflicts with employees. That drives up the cost for taxpayers.

Official time is essential to maintaining workplace safety. Union representation uses official time to set procedures to protect employees from on-the-job hazards. Official time is used to allow employees to participate in work groups with management teams to improve the process and improve performance outcomes.

Under current law, official time may not be used to solicit membership, may not be used to conduct internal union meetings, may not be used to elect union officers, may not be used to engage in any partisan activities, and the notion that official time is used for any of these purposes is false.

I urge a “no” vote on the amendment, and I reserve the balance of my time.

Mr. BUCK. Mr. Chairman, I yield back the balance of my time.

Ms. MCCOLLUM. Mr. Chair, once again, this amendment would serve no purpose but to erode the collective bargaining rights of civil service Federal employees, hard-working Americans.

For that reason, I urge a “no” vote, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. BUCK).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. MCCOLLUM. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado will be postponed.

Mr. CALVERT. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chairman, I yield to the gentlewoman from American Samoa (Mrs. RADEWAGEN) for the purpose of a colloquy.

Mrs. RADEWAGEN. Mr. Chair, I would like to commend Chairman CALVERT, Ranking Member MCCOLLUM, and the Appropriations Committee staff for their efforts in bringing this important bill to the floor.

I would also like to congratulate Chairman CALVERT on his leadership in overseeing this measure and his continued success as chairman of the subcommittee.

I want to take this opportunity to highlight just a small portion of the needs and shortfalls that the territories are facing. In particular, I want to bring to your attention some of the funding issues facing American Samoa.

Each year, the Office of Insular Affairs provides grant funds to American Samoa for the operation of local government, including the judiciary, Department of Education, and the local hospital. The purpose of this program is to fund the difference between budget needs and local revenues.

Mr. Chairman, the world has changed much since the inception of this program to assist American Samoa government operations, and additional needs have arisen.

Local revenues have remained relatively constant; the infrastructure has become dated and in disrepair, and outside influences, particularly China, have begun to make inroads into the region with the development of a port in the neighboring independent Samoa and future plans for a naval base in the same area.

We have also seen a dramatic spike in world conflict since the inception of

the program. This increased military activity by both friendly and hostile nations has simultaneously created the need for increased border security, an element severely lacking in American Samoa and one not funded under the current parameters of the program.

American Samoa is also facing severe infrastructure deficiency, which has caused undue hardship to both our people and businesses that rely upon our roads, airport, and port.

In fact, the recent decision by the NOAA National Weather Service to terminate weather observation service in American Samoa, which our local airport relies upon for flight operations, has prompted the need for the construction of a tower at Pago Pago International Airport. This facility would serve as a standard control tower and would also contain the weather monitoring service after NOAA ceases operations in American Samoa.

Mr. Chairman, my home district was devastated by a tsunami on September 29, 2009, that killed many of our people. I was there at the time. If it hadn't been for the fact that I had a scheduled meeting at that very time and was already awake, I could have been killed by the wave. We lost our tuna cannery the day after the tsunami, which was half of our private sector employment.

We also are suffering from the prolonged recession here in the States and suffered another setback with the recent longshoremen's strike that exposed just how dependent we are on outside resources.

Chairman CALVERT, I encourage the committee that, when considering funding levels for the territories, to keep in mind our economic and geographic isolation and the extreme disparity in opportunities for growth between these regions and the States.

Mr. Chairman, I look forward to working with the committee to increase funding for the territories which will help alleviate the many issues we are facing.

Mr. CALVERT. As someone who has always had the utmost respect for our fellow countrymen from the territories, I look forward to working with the gentlewoman from American Samoa, and I want to thank her for her efforts to inform the committee on the issues of the insular areas.

I am well aware of just how dedicated to our country the people of American Samoa are, as displayed by their extremely high rate of enlistment in our Nation's Armed Forces.

Your membership in this body is highly valued, and the appointment as vice chairman of the Indian, Insular, and Alaska Native Affairs Subcommittee as a first-term member is a testament to the perspective and leadership you bring to Congress.

Through your leadership, your people are well respected and have found themselves a champion for their cause.

Mrs. RADEWAGEN. At a time when we are faced with the need to reduce funding in many areas of government, I thank the committee for preserving the budgetary assistance to American Samoa.

I want to thank the chairman for his kind words and continued leadership, and I look forward to working with him to ensure that the territories are given the same opportunity as the States.

Mr. CALVERT. Mr. Chairman, I yield back the balance of my time.

AMENDMENT OFFERED BY MR. GROTHMAN

Mr. GROTHMAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this act may be used to regulate the location of the placement of a monitor of pollutants under the clean air act in any county provided such county has at least one monitor.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Wisconsin and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. GROTHMAN. Mr. Chairman, right now, the Environmental Protection Agency makes the determination whether a county is what they call a nonattainment zone based on readings, the amount of ozone that various monitors come up with. If you are a nonattainment zone, it results in problems for both individuals and business.

Individuals in counties in my area have two problems. First of all, if you are nonattainment, you might have to have gasoline that is probably a little bit inferior in quality, as well as more expensive.

I always think the price of gasoline is an important thing because it doesn't matter; either wealthy or poor, it is something you have to be able to afford. If you are knocking up your price of gasoline by 5 or 10 cents a year, that can be a very damaging thing for someone who doesn't have that great a salary.

Secondly, if you are a nonattainment zone, every car has to be checked for emissions. Maybe there are some wealthy environmentalists that it is no big deal—if their car fails the emissions test, they can afford to spend another \$900 on a catalytic converter or something wildly more expensive. For somebody not well off, it maybe puts you in a position which you have to buy a whole new car.

It is another problem for businesses. Manufacturing is very important to this country. If you crack down on a business and say that you have to do different things to affect the amount of ozone that may be emitted from your

factory, it can be very cost prohibitive and put American business at a competitive disadvantage.

These determinations are made by air monitors. In every county, the amount of ozone that is detected by these monitors may vary greatly from one part of the county to another part of the county.

It is our opinion that sometimes in the past, in my district, if you put an air monitor right on Lake Michigan, due to the effect the sun has on the water, you might get disproportionately high readings and wind up having to put your individuals and businesses in a situation which they are in non-attainment.

This is particularly onerous because, sometimes, whether or not you have a high ozone rating or not has nothing whatsoever to do with anything that is going on within your county.

My district, for example, is maybe 70 miles from Chicago, where most of the pollutants come from; so here you are, stuck trying to make your air cleaner and cleaner, and there is very little you can do to affect it anyway.

In any event, it seems fair that you should be able to put an air monitor anywhere within that county. You shouldn't have a situation in which, in the past, an air monitor was placed at an area where you got a disproportionately high reading.

The purpose of this amendment is to say that the Environmental Protection Agency, that I am sure has a budget tight as a drum, should not have to waste any time worrying about where that air monitor is and where we are determining whether or not we have an ozone problem in a county.

Mr. Chairman, I reserve the balance of my time.

□ 1930

Ms. PINGREE. Mr. Chair, I claim the time in opposition to this amendment.

The Acting CHAIR. The gentlewoman from Maine is recognized for 5 minutes.

Ms. PINGREE. Mr. Chair, the amendment offered by the gentleman from Wisconsin would prohibit funds for regulating the location of air monitors in counties.

The Clean Air Act requires every State to establish a network of air monitoring stations for criteria pollutants, using criteria set by the EPA for their location and operation.

EPA's ambient air monitoring network assessment guidance provides States and counties with information about the assessment of technical aspects of ambient air monitoring networks. The guidance is designed to be flexible and expandable. It does not dictate specific locations for placement for air monitors.

The amendment would block EPA oversight of air quality monitoring, making possible a scenario in which counties could game the system by lo-

cating monitors in places that show the lowest amount of pollution rather than where they get the best representative data.

Let us look no further than today's paper to understand why we need to ensure the proper collection of air quality data.

A headline in the Wisconsin Ag Connection reads: Canadian Wildfires Prompt State to Issue Air Quality Notice.

The article reports that the Department of Natural Resources has issued an air quality notice for all 72 Wisconsin counties this week. State air quality monitors are recording elevated concentrations of fine particles at several locations around the State, particularly across northern and western Wisconsin.

And some sites are recording values in the "unhealthy for sensitive" category, which includes children, elderly people, individuals with respiratory and cardiac problems, and people engaged in strenuous activities for prolonged periods of time.

This amendment would stop a transparent, science-based process to locate monitors where they will provide the most useful information about air quality.

Mr. Chairman, I don't think it is appropriate to dictate a nationwide moratorium on air quality monitoring in response to what appears to be a local issue perhaps in the gentleman's State of Wisconsin.

This amendment is harmful to local governments that depend on EPA's technical expertise when determining the best location for an air monitor placement. I urge my colleagues to oppose the amendment.

I reserve the balance of my time.

Mr. GROTHMAN. Mr. Chair, first of all, the gentlewoman from Maine makes a point not about this amendment specifically, but about the overall program.

And that is you have a situation right now in which, apparently, the Department of Natural Resources is making a determination that we have unsafe air based upon fires that are hundreds of miles away that the local people can't do anything about.

Secondly, the gentlewoman says it is tying the hands of local units of government. That is not true. Under this amendment, the local units of government have more flexibility.

The question is can the Federal Government tie the hands of local units of government, which they shouldn't be able to do.

So it is a good amendment. I think it is something that is going to, in the long term, benefit American business and, even more, benefit American individuals, particularly poor people, who don't have a lot of extra money, are stuck spending a lot more money on their cars because of determinations

made by Federal bureaucrats in far-away cities who probably have enough money to be able to afford to deal with these problems anyway.

I yield back the balance of my time.

Ms. PINGREE. Mr. Chair, I will just reiterate the points I made before and urge a "no" vote.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Mr. GROTHMAN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GROTHMAN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Wisconsin will be postponed.

AMENDMENT OFFERED BY MR. SANFORD

Mr. SANFORD. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS FOR OIL AND GAS LEASE SALE 260 IN LEASING PROGRAM

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used for oil and gas lease sale 260 included in the Draft Proposed Outer Continental Shelf (OCS) Oil and Gas Leasing Program for 2017-2022 (DPP), or in any subsequent proposed or final iteration of such Program.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from South Carolina and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. SANFORD. Mr. Chair, I rise in utter respect for my colleague from California and his colleagues and the Interior bill that they created and all the good that it does.

This is, in essence, just a very small refining amendment that, as was described in the reading, would simply prohibit the Department of the Interior from moving forward on sales within block 260. I think that this is important for a number of different reasons that I will enumerate.

But I want to be clear. This is not an amendment about a belief in there being dangers with regard to technology that is used and employed offshore. I have been quite impressed in all the studies I have done in the technological advancements that have taken place.

Nor is it an amendment about the belief that we shouldn't be using fossil fuels. I think that fossil fuels are very important in the mix with regard to energy independence in this country.

What this amendment is simply about is the age-old notion that Washington doesn't always know best, that

the Founding Fathers were really deliberate in their belief in this notion of Federalism; that they divided power not only laterally, but vertically; that there was a Federal Government, but there was also a State and a local government; and those municipalities or those States should have a voice, too.

It is about recognizing that there is a difference between comment and control. And what municipalities, what people back home in South Carolina along the coast, are saying is: We want to have more than just a comment. We want to have control over our destiny in the way that the coast develops.

For that reason, nine communities in my district alone as well as 65 communities up and down the eastern seaboard have added comments, saying: We want to push the pause button here.

And, indeed, that is all this amendment does. It says: Let's pause so that we can do a cost-benefit analysis going forward. I think that this is important, given the large context.

You know, we are talking about 4 percent of the oil reserves within the Continental U.S. We are talking about a 5-month supply. These communities are saying a 5-month supply versus a lifetime impact in a place like Saint Helena Sound.

If you look at the ACE Basin, it has been nationally recognized as a treasure. It is about 250,000 acres on the coast of South Carolina. The Federal Government put a lot of money into preserving it, as did State and private interests.

And what people are saying is: Given the amount of industrialization that has to take place to support the offshore rigs, do you bring those pipes and that supply in through a place like Saint Helena Sound?

Again, what people have said along the coast of South Carolina is: Let's pause and reflect on that. And that is what this amendment does.

With that, I reserve the balance of my time.

Mr. CALVERT. Mr. Chair, I must rise in reluctant opposition to this amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chairman, this amendment is the mirror opposite, as the gentleman knows, of the Hudson amendment that is currently pending via a rollcall vote.

The Hudson amendment would allow lease 260 to move forward under the Department of the Interior's next 5-year offshore leasing plan for 2017 through 2022.

The Sanford amendment would prevent lease 260 from moving forward under the next 5-year plan. And given the competing amendments, I must oppose this amendment, since we accepted the other amendment last night.

So I would ask for a "no" vote on this amendment.

I reserve the balance of my time.

Mr. SANFORD. Mr. Chair, again, I respect the Solomon's wisdom that would be required by the chairman and others on the committee in dividing the different interests, and that is why I think the Founding Fathers had it right.

They said that, ultimately, nobody in Washington can have Solomon's wisdom when you talk about local perspective and local interests, that there was a real value to local voice, those nine communities.

If you think about Saint Helena Sound as the example that I just cited, the little town south of there, Beaufort, drew up a resolution, and the county and the city council moved forward, saying: We don't want to move forward with this.

The little town to the east, Edisto Beach, moved forward with the resolution citing the same. The larger town to the north, Charleston, did the same.

Those local inputs, those local people, have said: We have seen what might or might not come here. We think it is worthy of a pause. Again, that is all this amendment does.

It doesn't say: We will forever not have offshore drilling in sale 260.

What it says is: For the next 5 years, why don't we allow for more public input and more voice, given the fact that there are lifetime impacts and really long-lasting impacts in certain pristine and/or developed areas along the coast of South Carolina or other coastal areas along the block of 260.

I reserve the balance of my time.

Mr. CALVERT. Mr. Chair, I will just restate my opposition to this amendment. And I would hope that the gentleman could work with his colleagues in South Carolina and work all this out. But I must oppose the amendment.

I yield back the balance of my time.

Ms. PINGREE. Will the gentleman yield?

Mr. SANFORD. I yield to the gentleman from Maine.

Ms. PINGREE. Mr. Chair, I just wanted to rise in support of the amendment offered by the gentleman from South Carolina.

I was here last night and had a chance to speak against the Hudson amendment for the very reasons that he is articulating.

Coming from Maine and being from a State where people take very seriously our waterfronts, our fisheries, our livelihood that we make on the water, there are deep concerns about the challenges that might come up with oil and gas leases.

And I think everyone in many coastal States wants to just make sure we go through the most thorough process possible. So I heartily support the concerns that he is raising, and I support this amendment.

Mr. SANFORD. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. SANFORD).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. SANFORD. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from South Carolina will be postponed.

Ms. MCCOLLUM. Mr. Chair, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chair, there are many of us here in Congress who want to build a better America, a stronger America, a healthier America. And there are many of us here who are willing to work and fight to move our country in that direction forward, which is the direction the American people want to go.

For most Americans, for families and communities all across this country, protecting the air we breathe and the water we drink is an essential role of government. The American people expect Congress to protect the public's health from polluters who are all too willing to reap larger and larger profits as they pump poison into our air and water.

We hear all too often the cries of "burdensome regulation" from those who defend the polluters. But rarely do we hear the cries of "burdensome asthma" or "burdensome cancer" from average Americans who all too often suffer in silence when they are sick because the air, water, or land they need has been poisoned.

My Republican colleagues are very content to cut funding and place riders on the enforcement of environmental standards to make life easier for the polluters.

But what about the families and the communities put at risk? What about the children who are at risk because avoiding environmental regulations to pump up profits is more important than public health?

The role of the Environmental Protection Agency is to protect the public, to protect our health, to protect our water, to protect our air, to protect our land from polluters who are all too willing to cut corners, enabling them to reap larger profits.

Investing in environmental regulation to protect the American people is a government function that is not burdensome. It is essential.

□ 1945

We should all want to protect the public's health and the vital role that the Environmental Protection Agency plays on behalf of the American people,

but this bill fails to protect the American people. It fails to protect the public's health, and it fails to provide the tools necessary to hold polluters accountable for poisoning our air, our water, and our land. If this bill ever finds its way to the President's desk, President Obama will veto it.

Mr. Chairman, this is an important bill, and the investments we make together in this Interior-Environmental Appropriations bill speak to our values as a nation. We are the stewards of a bounty of resources, the inheritors of a nation of natural treasures; and there are 300 million Americans who depend on this Congress to ensure those resources, including our clean air and clean water, are protected.

Sadly, Mr. Chairman, very sadly, this bill lets them down. So I will urge my colleagues at the end of the day to vote against final passage, and I yield back the balance of my time.

AMENDMENT OFFERED BY MR. PALMER

Mr. PALMER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. (a) LIMITATION ON USE OF FUNDS.—None of the funds made available by this Act may be used for grants under title VII, subtitle G of the Energy Policy Act of 2005.

(b) CORRESPONDING REDUCTION IN FUNDS.—The aggregate amount otherwise provided by this Act for "Environmental Protection Agency-State and Tribal Assistance Grants", and the amount provided under such heading for grants under title VII, subtitle G of the Energy Policy Act of 2005, are each hereby reduced by \$50,000,000.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Alabama and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. PALMER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my amendment limits the funding of the EPA's Diesel Emissions Reduction Program. The Diesel Emissions Reduction Program is part of the National Clean Diesel Campaign. This grant program was created in 2005 as a short-term effort to assist States and local government to meet new diesel emissions standards for older diesel engines.

According to the Obama administration, the overall impact of the program has been marginal. Currently, there are 14 grant and loan programs at the Department of Energy, the Department of Transportation, and the U.S. Environmental Protection Agency, plus three tax activities that have as a goal reducing mobile source diesel emissions. In addition, each of the 14 programs, according to the GAO, overlaps with at least one other program in the specific activities they fund, the program

goals, or the eligible recipients of funding.

GAO also identified several instances of duplication where more than one program provided grant funding to the same recipient for the same type of activities. One example identified by GAO showed a nonprofit organization received \$1.1 million from EPA's Diesel Emissions Reduction Act program to install emission reduction and idle reduction technologies on 1,700 trucks, as well as \$5.6 million from a State infrastructure bank established under DOT's program to equip trucks and truck fleets with emissions control and idle reduction devices—essentially the same thing.

Mr. Chairman, the Federal Government has become so large, it is impossible to grasp its true size and scope to pay for its cost. With the country facing unprecedented levels of debt, taxpayers expect the Federal Government to run more efficiently, guarding against careless waste of precious resources. It is essential that Congress, the administration, and Federal agencies do everything in their power to cut spending, reduce duplication, and rein in waste, fraud, and abuse. My amendment does just that, and it would have an annual savings of \$50 million.

Mr. Chairman, I reserve the balance of my time.

Mr. CALVERT. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I know a lot about the DERA program, obviously, from southern California, probably the most controlled air quality area in the United States, and there are a lot of things in EPA that don't work. There are a lot of things that EPA does to regulate, to create paperwork, and to create headaches for small- and large-business people. We have included a great number of policy provisions to address this EPA regulatory overreach in this bill. We have cut the EPA budget dramatically, as the gentlewoman just referred to. However, I believe this specific amendment targets a program that actually yields great benefits.

Many counties across the Nation are currently in nonattainment with EPA's existing standards for the particulate matter and ozone. We are not talking about the standards that are being talked about. We are talking about the standards that were put in place in 2008.

In many instances, these counties have been in nonattainment for years, and those communities need help to improve their air quality. The Diesel Emission Reduction Program, or DERA, is a proven, cost-effective program that provides grants to States to

retrofit old diesel engines. So it is a program that supports manufacturing jobs while reducing pollution.

Another benefit is that these grants are highly leveraged, producing \$13 of economic benefit for every Federal grant dollar. Today's newer engines produce 90 percent—let me say that again—90 percent less toxic emissions than the older diesel engines. Remember, I have experience with trucks, and these independent truck drivers, those who have those trucks, get a lot of miles out of those trucks, sometimes well over a million miles off a truck. However, only 30 percent of the trucks and heavy-duty vehicles have transitioned to cleaner technologies, typically because especially these small truck companies just can't afford to get this new technology. We need to follow the science and accelerate the replacement of older engines with these new, clean engines, which, by the way, get better mileage and, at the same time, clean up the air considerably.

This is a program that is actually working. We have seen significant—I know the Obama administration doesn't like this program. They don't like programs that actually work. They want to get rid of the programs that work and have money be put into these esoteric climate change studies and so forth and so on, and I can tell the gentleman, from experience, that this had significant impacts in the South Coast Air Quality District where I live in, an area that has probably been impacted with all the problems of air quality more than any other region in the United States of America.

Mr. Chairman, I strongly urge Members to vote "no" on the gentleman's amendment, and I reserve the balance of my time.

Mr. PALMER. Mr. Chairman, I thank my distinguished colleague from California for his remarks, and I yield myself such time as I may consume.

Mr. Chairman, since 1984, the EPA has lowered the amount of pollutants from diesel engines by more than 98 percent. Since 1980, despite the fact that the gross domestic product has grown by over 460 percent, vehicle miles have increased by 94 percent, the population has grown 38 percent, energy production 32 percent, emissions have gone down 50 percent. In regard to the impact of these programs, you have 14 programs that the GAO has identified as overlapping. It will do little harm to the overall effort for air quality to eliminate one program that is clearly a duplication in several instances identified by the GAO.

In addition, Mr. Chairman, in regard to air quality, while air quality has improved dramatically—emissions are down 50 percent since 1980—respiratory illnesses such as asthma have gone up, and that is largely a byproduct of income. So I would commend to you that



we need to reduce the number of regulations, the cost of regulations, to allow more economic activity and provide better job opportunities for people, which will have a direct impact on their overall welfare, including their health.

Mr. Chairman, I reserve the balance of my time.

Mr. CALVERT. Mr. Chairman, I yield myself such time as I may consume, and I thank the gentleman.

Again, Mr. Chairman, I think this is a program that has worked, continues to work, and has had significant improvement in my area in California and, I know, throughout the United States, where we have a program that actually does work.

Mr. Chairman, I yield such time as she may consume to the gentlewoman from Minnesota (Ms. MCCOLLUM), my ranking member, who has a couple of comments.

Ms. MCCOLLUM. Mr. Chairman, I rise in support of the gentleman from California's opposition to this amendment.

It has been used in my State and States all over to improve air quality, and, yes, pollutants have been cut. But as I just pointed out, Mr. Chairman, we still have a long way to go before we can turn to our children and say that we did everything we could to make sure that respiratory illness is decreased and that the air quality in this country is better.

So I strongly oppose this amendment, and I thank the gentleman from California for his opposition to it as well.

Mr. CALVERT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I have one point because asthma has been brought up.

When I was chairman of the Environment Committee a number of years ago, we had done significant studies on the increase in asthma. The gentleman is correct on income levels.

The lower income folks are suffering from asthma at greater numbers primarily because of indoor pollution. One of the reasons, if we can get into the specifics of why that has occurred, is because we have carpets now and drapes and we don't use linoleum and so forth that we used to have, and so we have the growth of indoor air pollution, and kids don't get outside as much as they used to.

So I think we sometimes blame other factors for asthma, and sometimes the other factors are more to blame. But this program, DERA, is a program that works, continues to work; and I know it has in my area, and I know it has in other areas throughout the United States.

So, Mr. Chairman, I oppose this amendment, and I yield back the balance of my time.

Mr. PALMER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would just like to again point out that it was a study from the University of California, Los Angeles that pointed out that children from low-income households suffer disproportionately from asthma, and as we continue to overregulate our economy and reduce the economic opportunities for people, we are going to continue to see these high rates of respiratory illnesses.

My final point is that we are not eliminating this clean diesel program. We are eliminating one program out of 14.

Mr. Chairman, I urge my colleagues to vote "yes" on this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alabama (Mr. PALMER).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. PALMER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Alabama will be postponed.

#### AMENDMENT OFFERED BY MR. PALMER

Mr. PALMER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used by the Environmental Protection Agency to carry out the powers granted under section 3063 of title 18, United States Code.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Alabama and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. PALMER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the Environmental Protection Agency spends more than \$45 million a year to fund a criminal enforcement division that employs almost 200 armed Federal agents. These agents have been involved in a number of troubling raids in Alaska, Idaho, Wyoming, Montana, Massachusetts, North Carolina, and in my own State of Alabama.

In Alaska, EPA agents wearing flak jackets and carrying M-16s showed up to review paperwork at a family-owned mining operation. In North Carolina, armed EPA agents visited Larry Keller after he sent an email to the regional administrator. In my home State of Alabama, armed EPA agents took over two waste treatment facilities in Dothan, Alabama. These agents were posted at each entrance to the plant and recorded identification information of all those going in and going out.

Mr. Chairman, more than 70 Federal departments now employ armed personnel, most of which most Americans would never associate with law enforcement. These agencies include the EPA, the National Oceanic and Atmospheric Administration, the Federal Reserve Board, and the National Institutes of Health.

Mr. Chairman, my amendment would prohibit funding for these activities at EPA. I urge my colleagues to support it, and I reserve the balance of my time.

Mr. CALVERT. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I understand that we have taken a lot of shots at the EPA for their overreach, and I am one of them; however, this amendment reaches just a little too far. We may not always agree on where it is appropriate to draw the line on environmental laws and regulations. Some think standards are too stringent; others will say they are not tough enough. That is a fair policy debate, and we have it.

Back in 1968 when the Environmental Protection Agency was created, we had rivers that would light on fire. We had air that was so thick, back when I played football, you couldn't see the other goalposts on the other end of the football field. So we have made a lot of gains.

□ 2000

At the same time, as it has been discussed, I think the EPA has gone way too far. We get to the point where we start regulating smaller and smaller numbers and making it very difficult; for instance, when we start talking about 70 parts per billion versus 60 parts per billion, we have gone a long ways.

However, we do know that no matter where the line is ultimately drawn, there are individuals out there that are willingly and knowingly trying to find ways around the law. As such, EPA needs to have the ability to look into criminal activity, whether it is illegal dumping of waste, which unfortunately happens; negligent dumping of toxics or oil, which unfortunately happens; and the illegal transportation or importation of products from other countries by those who would choose to ignore U.S. law.

We can debate the laws and what is appropriate, but we can't give criminals a free pass to ignore the law or the laws that are on the books.

Again, I'm sorry. I must oppose the amendment and strongly urge my colleagues to do the same.

I reserve the balance of my time.

Mr. PALMER. Mr. Chairman, with all due respect to my colleague from

California, no one is in favor of allowing criminals to commit crimes at any level of the Federal Government or any part of the country.

I do think it should be troubling to every Member of this body that we have gone over the line in regard to becoming what could be viewed as a police state.

In regard to the raid on the Dothan wastewater treatment facility, that is a city facility; that is the Federal Government sending armed agents in full body armor with weapons to a municipal facility. I would beg the question: What was the threat assessment?

This is going on in other parts of the country as well, and I think we have a responsibility to draw a line where law enforcement is involved. If there is a threat assessment that would indicate the need to have armed officers assist the EPA in an investigation or a raid, there is ample law enforcement available to do that.

In that regard, I think this is an area where the EPA has overreached in respect to their responsibilities as regulators of the environment.

I reserve the balance of my time.

Mr. CALVERT. Mr. Chairman, this is an important debate. I recognize that we have had Federal agencies that have had overreach and have done things that go beyond their training and possibly should be done by other agencies. I won't disagree with that; but doing this in an appropriation bill is not the right place to do this.

The authorizers should have this debate, and we shouldn't be making these determinations with an appropriations bill which just broadly states that we are going to get rid of a whole swath of law enforcement, whether they are good or bad. It doesn't determine that because we can't do that in this type of legislative process.

Mr. Chairman, I yield to the gentleman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. Mr. Chair, if I may inquire how much time is remaining so I don't consume all the gentleman's time?

The Acting CHAIR. The gentleman from California has 45 seconds remaining.

Ms. MCCOLLUM. Mr. Chairman, I will just be short and sweet. I support the gentleman from California's strong objection to this amendment and would encourage people not to vote for it.

Let me conclude with this: an EPA law enforcement official deserves the right to come home to their families safe at night, and so they should have the tools that they need in order to do that.

Mr. CALVERT. Mr. Chair, I oppose this amendment.

I yield back the balance of my time.

Mr. PALMER. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Alabama has 2¼ minutes remaining.

Mr. PALMER. Mr. Chairman, I appreciate the gentlewoman from Minnesota's response. I, too, agree that every Federal official deserves to be able to go home safe and sound to their family.

That, though, does not address the specific issue here in regard to what is going on with the EPA. If there is a need for armed intervention with a business or, in this case, with a municipality, there should be a clear threat assessment. There isn't any. There was no reason for anyone to think that they needed to go in, in full body armor, with weapons drawn.

I think that that is part of what is going on here that a lot of American citizens are concerned about, is the overreach of the government and particularly in regard to 70 Federal agencies having armed agents in their employment.

I agree with the gentleman from California; this needs to be a broader discussion. In that regard, I think we should have that.

In respect to my amendment, I think we need to divert this funding away from this armed agency that the EPA is deploying, I think, without proper course.

In that regard, I urge my colleagues to vote "yes" on this.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alabama (Mr. PALMER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. PALMER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Alabama will be postponed.

Mr. CALVERT. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. RODNEY DAVIS of Illinois) having assumed the chair, Mr. HULTGREN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2822) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, had come to no resolution thereon.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 6, 21ST CENTURY CURES ACT

Mr. BURGESS, from the Committee on Rules, submitted a privileged report (Rept. No. 114-193) on the resolution (H. Res. 350) providing for consideration of

the bill (H.R. 6) to accelerate the discovery, development, and delivery of 21st century cures, and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

The SPEAKER pro tempore. Pursuant to House Resolution 333 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2822.

Will the gentleman from Illinois (Mr. HULTGREN) kindly resume the chair.

□ 2009

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2822) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, with Mr. HULTGREN (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on an amendment offered by the gentleman from Alabama (Mr. PALMER) had been postponed, and the bill had been read through page 132, line 24.

Mr. CALVERT. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chairman, I want to thank Chairman ROGERS for his leadership and support. Under his guidance, the Appropriations Committee is again setting the standard for getting things done in the House. This is the seventh of the appropriation bills that have come to the floor that we, hopefully, will be able to pass tomorrow.

I also want to thank my good friend and Ranking Member MCCOLLUM for her partnership and work on this bill. Finally, I want to thank each of our committee members for their efforts and their collegiality. It continues to be the hallmark of our subcommittee's deliberations.

Even though we may have differences of opinion within this bill, I greatly appreciate the members' constructive contributions, and I mean that sincerely. The committee has made some very difficult choices in preparing this bill.

As reported by the Appropriations Committee, the fiscal year 2016 Interior Appropriations bill is funded at \$30.17 billion, which is \$246 million below the fiscal year 2015 enacted level and \$3 billion below the budget request. We have

made a sincere effort to prioritize the needs within our 302(b) allocation.

I would like to point out some of the highlights of the bill. Again, this year, the committee has provided robust wildland fire funding, fire suppression accounts. The Department of the Interior and Forest Service are fully funded at the 10-year average level. The hazardous fuel program was increased by \$75 million to \$526 million in fiscal year 2015 enacted, and that increase has been maintained in this bill.

The bill also continues critical investments in Indian Country, a non-partisan priority of this committee. Building upon the bipartisan work, former subcommittee chairman MIKE SIMPSON, Jim Moran, Norm Dicks, and, certainly, my friend Ms. MCCOLLUM, the bill continues to make investments in education, public safety, and health programs in Indian Country.

Overall funding for the Indian Health Service has increased by \$145 million or 3 percent, while funding for the Bureau of Indian Affairs and Bureau of Indian Education is increased by \$165 million or 6 percent from fiscal year 2015 levels, the largest percentage increase in this bill.

The bill provides full funding for fiscal year 2016 for payments in lieu of taxes, or the PILT program. PILT payments are made to 49 of the 50 States, as well as the District of Columbia, Guam, the U.S. Virgin Islands, and the commonwealth of Puerto Rico.

The bill provides \$2.7 billion for the National Park Service, included more than \$60 million in new funding relating to the centennial of the National Park Service.

We have also addressed a number of priorities within the Fish and Wildlife Service accounts. The bill funds popular cost-shared grant programs above fiscal year 2015 enacted levels. It also provides for additional funds to combat international wildlife trafficking, protects fish hatcheries from cuts and closures, continues funding to fight invasive species, and reduces the backlog of species that are recovered but not yet delisted.

The bill provides \$248 million for the land and water conservation fund, programs that enjoy broad bipartisan support. Some Members would prefer more funding; others would prefer less funding for LWCF. We have attempted to forge a middle ground that begins to return an emphasis of the LWCF to its original intent of recreation in the States and local acquisitions.

Overall, funding for EPA was reduced by \$718 million or 9 percent from fiscal year 2015 enacted levels.

Members of the Great Lakes region will be pleased to know that the Great Lakes restoration initiative is maintained at fiscal year 2015 enacted level of \$300 million. Rural water technical assistance grants and many categorical grants, including radon grants, are

level funded at the fiscal year 2015 enacted level.

Again, this year, there is a great deal of concern over a number of regulatory actions being pursued by EPA, which we have discussed over the last day and the absence of legislation without clear congressional direction.

For this reason, the bill includes a number of provisions to stop unnecessary and damaging regulatory overreach by the agency.

□ 2015

I would like to address the Endangered Species Act. We have had a number of amendments over the last day about this subject. Certainly, this committee has no interest in interfering with science or in letting any species go extinct, but we are concerned about Federal regulatory actions lacking in basic fairness and common sense. The provisions in this bill address problems created by the ESA—not by science but by court orders—that drain limited agency resources and force departments to cut corners to meet arbitrary deadlines.

Nowhere is this more evident than with the sage-grouse. States are rightfully concerned that a listing or unnecessary restricted Federal land use plans will jeopardize existing conservation partnerships with States and private landowners. These partnerships are necessary to save both sagebrush ecosystems and local economies. So long as sage-grouse are not under imminent threat of extinction, cooperative conservation must be given a chance to work.

The Acting CHAIR. The time of the gentleman has expired.

Mr. CALVERT. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chairman, as I mentioned, so long as sage-grouse are not under imminent threat of extinction, cooperative conservation must be given a chance to work. That is why this bill maintains a 1-year delay in any decision to list the sage-grouse along with full funding to implement conservation efforts.

House consideration of this bill is the next step in a long legislative process. I hope, over the coming months, we will come together, as we do each year, to find common ground. In that spirit, I look forward to continuing to work with Ms. MCCOLLUM and Members of the House on both sides of the aisle. As this bill moves forward, hopefully, the Senate will act on a bill soon, and we will be able to get back to regular order, which is, I think, the hope for both sides.

In closing, I want to thank the staffs on both sides for their hard work on this bill. On the minority side, I would like to thank Rick Healy, Rita Culp,

Joe Carlile, as well as Rebecca Taylor. They played an integral role in the process, and their efforts are very much appreciated. On the majority side, I would like to thank subcommittee staff Kristin Richmond, Jackie Kilroy, Betsy Bina, Jason Gray, Darren Benjamin, and Dave LesStrang. On my personal staff, I would also like to thank Ian Foley, Rebecca Keightley, Alexandra Berenter, and Tricia Evans for their great work.

Mr. Chairman, this is a good bill, and I have enjoyed the debate over the last couple of days.

One thing I also want to talk about under my 5 minutes is on the wildfire and hazardous fuel management program. It was mentioned earlier in the debate that we are attempting to work out an agreement on both sides so that we can move Mr. SIMPSON's language forward in his hazardous wildfire bill, H.R. 167. We are looking for cosponsors of the bill, and we hope to get more support for that bill as we move this process forward.

As I mentioned earlier, we did fund the bill to the 10-year average, but this is still not going to be sufficient if we have the significant wildfire year that we expect. A catastrophic fire can literally burn through any amounts of money that we may have set aside, and it causes disruptions within the Department of the Interior and the Department of Forestry in how they manage those accounts, which we also discussed, which is not good management on our part. So I would hope we can move ahead with Mr. SIMPSON's bill as quickly as possible.

We also discussed the Endangered Species Act, and we continue to talk about the States and the difficulties that they are having in working with the Fish and Wildlife Service and with other agencies in trying to work out their State plans that deal with these significant issues. As we look at our sage-grouse strategy, we have 11 States involved in this program. We are doing everything we can to have a cooperative program with private landowners, the State land, and the Federal land to make sure that we continue to have sage-grouse. We want to make sure that the sage-grouse persists, and that is why we funded both the BLM and the Fish and Wildlife Service to the requested amounts in order to make sure that we have the resources available to do that.

Mr. Chairman, I yield to the gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I want to congratulate the chairman of the subcommittee, who has done a yeoman's job of shepherding this appropriations bill through this House.

I would like to thank the ranking member, Ms. MCCOLLUM, for her efforts.

I sat in that chair last night where you are, Mr. Chairman, and presided over many different amendments. There was much discussion on a wide variety of issues, but it is what we came here to do in this institution—to debate the issues and to work in a process that I call our constitutional appropriations process. If we are to regain the power of the purse here in the House, we ought to be able to work through the appropriations process that so many hard-working colleagues of mine, like Chairman CALVERT, have put so much effort into.

The Acting CHAIR. The time of the gentleman has expired.

Mr. CALVERT. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. I yield to the gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, this is an opportunity for us to begin the process, once again, of prioritizing how Washington spends money, which I remember not too long ago was the way Washington spent money, Mr. Chairman, when Washington was not nearly as broken. We have an opportunity to come here to the floor to debate the issues and to get an up-or-down vote. When our amendments may not pass, that doesn't mean that we shouldn't regain the power that Congress has been given in our Constitution, and that is by supporting great bills like this.

I congratulate the chairman. I look forward to supporting his bill. I had a great time in presiding over the debate yesterday, and I look forward to continuing to work with the chairman in the future.

Mr. CALVERT. I thank the gentleman.

Mr. Chairman, next week, we will be having other bills in front of us. We are looking forward to having the Financial Services bill on the floor next week, and I believe we will have other appropriations bills for the balance of the month. As we get back to regular order, we want to have all 12 bills brought to the floor and debated. The chairman has done a great job of moving this committee back to its historic importance in this institution, and we appreciate your continued support in that process.

As I mentioned on the Forest Service funding allocations, we are continuing to work to make sure that moneys are available to fund Forest Service research and development and to make sure that the analysis and inventory program continues to be funded. The forests, we recognize, are a renewable resource. Domestically produced timber supports local communities and the U.S. industry, especially in the West. It also helps reduce fuel loads in our na-

tional forests. This is greatly needed, especially now, because these fires are burning hotter, fire seasons are growing longer, and more communities are at risk.

Our forests need to be managed, Mr. Chairman. The Forest Service estimates that up to 2 million acres of land need to be actively managed. In the Rocky Mountains alone, 45 million acres have been affected by the bark beetle. We have seen results of the bark beetle back in my area of southern California where thousands of acres have been devastated by this beetle that attacks weakened trees, which certainly exposes a problem to wildfire conditions. Once those wildfires start, then those fires quickly become catastrophic as we have seen just recently in a fire in the San Bernardino National Forest.

We were fortunate that the 2014 fire season was well below the normal with just 87 percent of the 10-year average. We are praying that that is going to occur in the 2015 fire season, but we can't be sure. Most people believe that that is not going to occur and that, because of the drought, especially in the West, we could have catastrophic conditions and that we could have wildfires that can certainly grow out of control.

Mr. Chairman, 2 percent of the wildfires cost more money than the other 98 percent, so that is why we need to continue to invest resources wisely and to make sure that we get rid of hazardous materials, that we manage our forests properly in order for us not to have these catastrophic fires. These figures are combined with the fact that California, my home State, suffers through this exceptional drought. Other parts of the country, including Minnesota, have the potential for above normal wildfire activity in the next few months, and that is extremely, extremely worrisome.

I would like to talk a little bit about the Land and Water Conservation Fund. I know we would have liked to have appropriated more money for the Land and Water Conservation Fund, but we are acting under these allocations, and we were just restricted on what we could do. Yet what we wanted to do was to focus back to the original intent of the Land and Water Conservation Fund, which was recreation and State and local acquisitions. In this bill, the administration is directed to prioritize limited Federal acquisitions in which opportunities for recreation and local and State congressional support are the strongest.

The Acting CHAIR. The time of the gentleman has expired.

Mr. CALVERT. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. (Mr. RODNEY DAVIS of Illinois). The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chairman, we extend the authority of recreation fee

programs; we prohibit the Interior from administratively creating new wilderness areas; we provide the full funding of \$452 million for payments in lieu of taxes, which is extremely important to almost every State in the Union; and we increase the forest products account by \$16 million so that the Forest Service can increase timber harvests.

We lost a lot of the timber operations in the West after the issue with the spotted owl. After that 20-year experiment that most people realize was a failure, we now have forests that have become overgrown, especially in the West, and we have poorly managed some of those forests. We need to go back and thin those forests out. There are two ways to thin a forest, Mr. Chairman. Either God does it, or we allow for good timbering operations that are done in a new scientific manner that help clear out that forest in a healthy way, that bring back animals that sometimes have abandoned the region because of overgrowth—operations that make for a healthier forest in the long run.

These are good goals. We want to work with the Department of Forestry to make sure that they continue to make progress on this, and we will continue to do that.

Mr. Chairman, I yield back the balance of my time.

AMENDMENT OFFERED BY MR. CALVERT

Mr. CALVERT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. Notwithstanding any other provision of this Act, none of the funds made available by this Act may be used to prohibit the display of the flag of the United States or the POW/MIA flag, or the decoration of graves with flags in the National Park Service national cemeteries as provided in National Park Service Director's Order No. 61 or to contravene the National Park Service memorandum dated June 24, 2015, with the subject line containing the words "Immediate Action Required, No Reply Needed" with respect to sales items.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

□ 2030

Mr. CALVERT. This amendment will codify existing National Park Service policy and directives with regard to the declaration of cemeteries and concession sales. I urge adoption of my amendment.

Ms. MCCOLLUM. Mr. Chair, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chair, I rise in strong opposition to this amendment. I am actually quite surprised that we find ourselves here tonight attempting to overturn the National Park Service recent policy changes to stop allowing the Confederate flag to be displayed or sold in national parks.

Mr. Chair, just yesterday, this House passed amendment after amendment supporting the removal of the symbol of racism from our national parks, which are visited every day by Americans and foreign visitors of every race.

We have read about the divisive tactics happening in the South Carolina statehouse as they debate the removal of the Confederate flag after the murder of nine Black parishioners.

I never thought that the U.S. House of Representatives would join those who would want to see this flag flown by passing an amendment to ensure the continuing flying of the Confederate flag. I strongly urge every Member to stand with the citizens of all races and to remove this symbol of hatred from our National Park Service.

I reserve the balance of my time.

Mr. CALVERT. Mr. Chair, I urge adoption of the amendment.

I yield back the balance of my time.

Ms. MCCOLLUM. Mr. Chair, I want to restate: On June 25 when National Park Service Director Jon Jarvis requested that Confederate flag sales be removed from national park bookstores and gift shops, he also followed a decision by several large national retailers—Walmart, Amazon, and Sears—to stop selling items with Confederate flags on them, and I agreed with these decisions. I commend those for their prompt action.

While in certain and very limited circumstances, it might be appropriate in a national park to display the image of the Confederate flag in a historical context—and I say that as a social studies teacher—the general display or sale of Confederate flag items is inappropriate and divisive. I support limiting their use.

I strongly oppose this amendment, which is an attempt to negate amendments which were approved yesterday without any opposition to limit the displaying of the Confederate flag, and so we should make sure that we uphold what this House stood for yesterday, which is to say no to racism, which is to say no to hate speech.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. CALVERT).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. MCCOLLUM. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by

the gentleman from California will be postponed.

Ms. MCCOLLUM. Mr. Chair, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chair, as we prepare to finish consideration of H.R. 2822, I want to take this opportunity to congratulate my subcommittee chairman, KEN CALVERT, for getting this bill to this point.

It has not been an easy process, as we just realized a few moments ago. We have had to consider nearly twice as many amendments as any other appropriations bill taken up in the House this year.

While I have not agreed with a considerable number of the amendments that have been made to the bill, I do appreciate that the chairman and I have been able to disagree when necessary without ever being disagreeable. My working relationship with Chairman CALVERT has been first rate. I appreciate the hard work and effort he has put into the bill.

Let me also express my sincere thanks to the committee staff on both sides of the aisle, as well as the personal staff in both of our respective offices for their work on the bill. They put in long hours to smooth a way for consideration of this bill, and I appreciate their efforts.

Once again, I want to say that we have had a good working relationship, Mr. Chair, but I cannot hide my surprise and my outrage that we find ourselves here tonight attempting to overturn the National Park Service recent policy change to stop allowing the Confederate flag to be displayed or sold at our national parks.

Mr. CALVERT. Will the gentleman yield?

Ms. MCCOLLUM. I yield to the gentleman from California.

Mr. CALVERT. Mr. Chair, I just want to say that I enjoyed and continue to enjoy working with the gentlewoman as we move this process forward and appreciate her courtesy and kindness.

As I say, we will continue to work at this process as we move ahead.

Ms. MCCOLLUM. Mr. Chair, I yield back the balance of my time.

Ms. SEWELL of Alabama. Mr. Chair, today I rise in strong opposition to senseless Republican attempts to allow Confederate flags to be displayed and sold in national parks and cemeteries. The Confederate flag throughout history has been a symbol of extreme hatred, deliberate malice, and continued segregation. Any attempt by Congress to uphold and profit from such an image is completely reprehensible.

Recently, states across the country have done the right thing and removed the Confederate flag from their State Capitol grounds, including my home state of Alabama. In fact, on July 9th South Carolina lawmakers voted to ensure that this contentious symbol is re-

moved from its state capitol grounds. It is unconscionable to think that while South Carolina's legislature was working until the early hours of the morning fighting for the removal of the Confederate flag, my Republican colleagues were attempting to undo efforts by the House to prohibit the Confederate flag from being sold and displayed at our national parks and federal cemeteries.

The Confederate flag is a part of America's past and that is where it should stay. Removing the Confederate flag does not detract from America's rich history in any way, but instead is recognition of the fact that this flag represents hatred not heritage, treason not pride. In order for us to come together as a nation, it is necessary to remove the vestiges of the past that connect racism and segregation.

The preamble to the Constitution reads "We the people", making it evident that America is supposed to be one cohesive nation. As Members of Congress we have the responsibility to ensure that our actions reflect the will of the people. The Confederate flag does nothing but continue to divide this great country. Let's stand behind our nation's purpose, that all men are created equal, by prohibiting the selling and displaying of the Confederate flag at national parks and federal cemeteries.

I urge my colleagues to stand with me and reject this amendment.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

This Act may be cited as the "Department of the Interior, Environment, and Related Agencies Appropriations Act, 2016".

Mr. CALVERT. Mr. Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. POLIQUIN) having assumed the chair, Mr. RODNEY DAVIS of Illinois, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2822) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, had come to no resolution thereon.

#### AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 5, STUDENT SUCCESS ACT

Mr. CURBELO of Florida. Mr. Speaker, I ask unanimous consent that the Clerk be authorized to make technical corrections in the engrossment of H.R. 5, to include corrections in section numbers, section headings, cross references, punctuation, and indentation, and to make any other technical and conforming change necessary to reflect the actions of the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

# NUCLEAR NEGOTIATIONS WITH IRAN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentlewoman from Florida (Ms. ROS-LEHTINEN) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Ms. ROS-LEHTINEN. I ask unanimous consent, Mr. Speaker, that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the topic of our Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to thank all of my colleagues who are here tonight at this late hour to talk about the weak negotiations that are taking place in Vienna on the nuclear deal with Iran.

We have a number of distinguished speakers tonight who will address this looming topic that is of great urgency.

Let me begin by yielding to the gentleman from Ohio (Mr. JOHNSON).

Mr. JOHNSON of Ohio. Mr. Speaker, I thank my colleague for yielding.

Trusting that Iran, the world's largest state sponsor of terrorism, has suddenly had a change of heart in its decades-long quest to obtain a nuclear weapon is just simply naive at best.

Legislation that was signed into law in May would allow Congress to review and vote on any deal that the administration makes with Iran. Those I represent believe Congress should have the final say on any deal, and I couldn't agree more.

America's national security, as well as global security, will be jeopardized if the administration gets this wrong. We must ensure it doesn't. The stakes are simply too high.

If Iran is actually serious about re-engaging with the global community, they cannot continue to hold American citizens as political prisoners or harass and provoke U.S. Navy ships in international waters.

Iran should stop provoking direct military confrontation, immediately release all detained U.S. citizens, and provide any information it possesses regarding any U.S. citizens that have disappeared within its borders.

The fact that the Iranian regime won't even do these basic actions indicates to me that counting on them to honor commitments they make around a negotiating table can't be taken seriously.

Ms. ROS-LEHTINEN. Mr. Chair, I thank Mr. JOHNSON for his comments. I think he highlighted the basic problems that we have in dealing with a rogue regime like Iran that cannot be trusted, that has not been dealing with us in a straight manner. I thank the gentleman very much for his leadership on this issue.

Mr. Speaker, at this time, I yield to the gentleman from Illinois (Mr. RODNEY DAVIS) to address this threat as well.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to voice my concerns over the potential deal regarding Iran's nuclear program, and I stand here thanking my colleague from the great State of Florida for putting this Special Order together on such a very important and timely issue.

I want to read a quote:

They will freeze and then dismantle their nuclear program. Our other allies will be better protected. The entire world will be safer as we slow the spread of nuclear weapons. The United States and international inspectors will carefully monitor them to make sure it keeps its commitments.

Sound familiar, Mr. Speaker? That is what President Clinton told the American people about the North Korean nuclear deal in 1994. Today, North Korea has anywhere from 10 to 20 nuclear weapons in their arsenal, and that number is expected to grow to 50 in the next 5 years.

Now, we are hearing this same type of posturing from this administration about the Iran negotiations. The United States seems destined to repeat history, unwilling to hold their ground, and granting Iran extension after extension and concession after concession.

As a strong supporter of increasing sanctions against Iran, which brought Iran to the negotiating table in the first place, it is common sense that additional sanctions could even put more pressure on them when they are already hurting from the low price of their most prized commodity, oil.

Nobody believes Iran when they say their nuclear infrastructure is in place for peaceful purposes. If that were the case, they would have no need to enrich uranium past 3.5 percent. Iran has a record filled with lies, deceit, sponsored terrorism, human rights violations, and the list goes on and on.

Just as North Korea couldn't be trusted two decades ago, neither should Iran today. Mr. Speaker, a nuclear Iran is not only a grave danger to American interests, but to Israel—our strongest ally in the Middle East—and our many allies throughout the world.

Of course, the world would be a much safer place if Iran were to neutralize their nuclear production facilities, if they would allow inspections at any time, if they would disclose all military implications of their nuclear program, or if Iran were to demonstrate a better record on human rights.

□ 2045

Unfortunately, these are just what-ifs that have failed to happen today and I am afraid will never happen under this proposed deal.

Mr. Speaker, this is a bad deal.

Ms. ROS-LEHTINEN. Mr. DAVIS, I quite agree with you.

The more we know about this deal, Mr. Speaker, the more we know it is a weak, dangerous, bad deal.

Thank you, Mr. DAVIS, for sharing your insight with us.

I yield to Mr. LANCE of New Jersey, who has long been speaking about the dangers of a nuclear Iran.

Mr. LANCE. Mr. Speaker, I congratulate the distinguished gentlewoman from Florida for her magnificent service regarding the foreign policy of this country and her continued expertise that is of benefit to the entire Nation.

In the coming days, the American people and those of us in Congress will be able to scrutinize an anticipated agreement between Iran and the P5+1 countries and Iran's nuclear weapons program.

Congress will debate and consider the administration's proposal, and I will be looking to ensure that any agreement achieves the paramount goal that Iran will never get nuclear weapons.

A nuclear Iran would fundamentally change the international dynamic and put the United States and our allies, including Israel, in extreme peril. The balance of power in the world would slip away from those who have given blood and treasure in the fight for freedom and justice, while rewarding the perpetrators of some of the most heinous crimes against humanity.

The principle of peace through deterrence would be compromised and the Nuclear Nonproliferation Treaty would be a footnote in history as rival and regional powers race to acquire their own nuclear weapons. A nuclear arms race will be yet another element of unpredictability in the world's most volatile region.

I do not oppose any agreement; I oppose a bad agreement. Sanctions brought Iran to the table, and sanctions will keep Iran there. Any deal that needlessly surrenders that valuable leverage in the name of taking Iran's word is a bad agreement. There is simply not the trust that state sponsors of terror will suddenly and uncharacteristically prove to be honest.

As Ronald Reagan famously said, "Trust, but verify." That was true then; it is as true now as then. It is certainly true regarding Iran.

A successful nuclear agreement must include tangible Iranian concessions. Steps to dismantle its nuclear infrastructure, a commitment to a robust inspections regime, and a cease to its dubious terror-related activities must be included in any agreement.

The entire world will be watching, not only the 315 million people of this country, but certainly the people in the Middle East, which is extremely dangerous.

This matter of great consequence will have far-reaching ramifications, and certainly, I hope that the President, the Secretary of State, and the

administration will heed the bipartisan concerns that exist here in Congress.

The President reluctantly signed the legislation that reached his desk. That was an expression of the will of the American people through elected Representatives here and in the other House of Congress, overwhelming in its nature; and certainly, I hope that the President and Secretary of State and the administration will recognize that the American people are deeply concerned about what appears to be the parameters of an agreement.

There is still time to reach a better agreement. Let me repeat, no agreement is superior to a bad agreement, as Prime Minister Netanyahu stated in this Chamber this spring.

I hope that Iran will come meaningfully to the table. I hope that Iran will cease its terrorist activities across the globe. I hope Iran will recognize that, if it were to achieve nuclear weapons, it would be the beginning of a situation with unintended consequences for the Middle East, the most dangerous part of the world; terrible consequences for our friend and ally, a country that believes in democracy, Israel; terrible consequences for other Arab nations, including Saudi Arabia, Egypt, and places beyond that; and that we want to live in peace with the Iranian people.

The Iranian people are a great people, a talented people, a well-educated people; and certainly, I hope that the people of Iran recognize that it is not in their best interest that their leaders develop nuclear weapons.

Again, I commend with every breath I take the superb work of the gentlewoman from Florida. I am pleased to be able to join with her and with others this evening to caution that we must ensure a strong agreement and, if that is not possible, then no agreement at all.

Ms. ROS-LEHTINEN. Thank you very much, Mr. LANCE. May it be so; from your words to God's ears, may we get this strong deal that can truly be verified.

Mr. Speaker, I yield to the gentleman from Florida (Mr. CURBELO), my colleague, a man with whom I have had the honor of talking about this issue, the danger that a nuclear Iran imposes for the stability of the world, not just for Israel, not just for the neighborhood, and not just for the United States.

Thank you, Mr. CURBELO, for your leadership on this issue.

Mr. CURBELO of Florida. Mr. Speaker, I want to begin by thanking my colleague for her steadfast leadership on this issue, but really on all issues having to do with foreign relations in this Chamber for so many years. She has set the example and a very high bar for all of us who serve in this Chamber.

Mr. Speaker, I want to start by reiterating just how serious the security

threat Iran is to the United States and to our allies.

As my colleagues have expressed here, Iran can never attain nuclear capabilities. Any deal reached must ensure that the Iranian regime completely abandons its nuclear ambitions and dismantles its nuclear infrastructure.

It is absolutely critical that the Obama administration be unyielding when dealing with Iran. Additional concessions are simply not an option. A weak deal that gives the regime an opening to obtain nuclear weapons down the road is not good for the United States or its allies, especially Israel. It isn't good for the entire world.

Even while nuclear negotiations between the P5+1 and Iran took place, Supreme Leader Ayatollah Khamenei openly supported the destruction of Israel and supported Hamas' attacks against Israel from Gaza. He also boasted Iranian technology was being used by Hamas to attack Israel and openly called for all Palestinians in the West Bank to join Hamas in Gaza in an armed rebellion against Israel, promising to arm those who participated.

We cannot continue to view Iran's nuclear program as existing in a vacuum. It would be irresponsible to ignore the regime's continued support for terrorism, its pursuit of ballistic missiles, and its failure to comply with the International Atomic Energy Agency.

Moving forward, several things must be present in an acceptable deal, including a robust inspection regime and the resolution of issues of past and present concern. Only then could a deal even begin to be considered as acceptable.

Snapback sanctions relief could be difficult to implement and is not in the best interests of the United States. We must protect the sanctions infrastructure that this body put in place rather than rely on reactive tactics if the Iranian regime does not comply with the terms of the agreement.

Mr. Speaker, when it comes to an agreement with Iran, we need to ask ourselves: Does this agreement prevent Iran from achieving nuclear capabilities and keep the United States and its allies safe? Anything other than that is totally unacceptable.

The central question here, Mr. Speaker, is: What kind of a world do we want to live in? What kind of a world do we want for our children, for our grandchildren, for our families?

A world in which the most radical terrorist regime acquires nuclear weapons—whether it is in 2 years, in 5 years, in 10 years, or in 15 years—is totally unacceptable. This is a government that, again, has pledged to annihilate the only democracy in the Middle East, our best ally in the world, the country that stands with us no matter what, our friends in Israel.

Some in this administration have unjustly criticized Prime Minister Netanyahu. For what? It is for simply wanting his country to survive and his people to live in peace and security.

This is the same government that when the Ayatollah sent their representative—then Mr. Ahmadinejad—to Cuba in 2007, he pledged that, together with Cuba's dictators and the rest of their rogue allies throughout the world, they would bring the United States to its knees. I know my colleague recalls that.

What kind of a world do we want to live in? It is still not too late to walk away from this table and to tell the mullahs that they will never acquire nuclear weapons as long as the United States is the greatest superpower in the world and a beacon for democracy, for peace, and for opportunity for all people.

I, once again, thank my colleague for this special opportunity to highlight an issue that is of vital importance for the entire Nation and for the entire world.

Ms. ROS-LEHTINEN. Mr. CURBELO, you certainly have been a leader in this fight.

It is interesting that you should bring up the dangerous clown, Khamenei, because he has been replaced by an equally murderous, sadistic thug, Rouhani; but now, the international community likes to call him the "moderate" leader, where they have had more executions in Iran under the so-called moderate than ever.

The "Death to America," "Death to Israel" chants continue, just as they continued during Ahmadinejad's time. Whether it is Ahmadinejad, whether it is a moderate Rouhani, it is a Supreme Leader who calls the shots.

Nothing in Iran, sadly, has changed. They are calling for the destruction of our ally, and they are calling for destruction of this great country.

Mr. Speaker, I yield to the gentleman from Georgia (Mr. COLLINS).

Mr. COLLINS of Georgia. Mr. Speaker, I want to thank Ms. ROS-LEHTINEN, who was chairwoman when I was on the Foreign Affairs Committee. She has stepped up and always been a voice, especially in this area. I also want to thank Mr. CURBELO and also Mr. DAVIS.

For a moment, I want to just stop here, and let's put some things in perspective. It has been said over and over—but we are going to talk about this—a bad deal is worse than no deal. I am going to say it again. A bad deal is worse than no deal.

A deal the U.S. and the rest of the international community can accept should be one in which Iran is no longer a nuclear threat. At what point did we forget this, Mr. President? At what point did we lay down and decide that a nuclear Iran, if it is 20 years from now, is better than what a nuclear Iran is now? Mr. President, you



have got to listen to what you are saying.

Israeli Prime Minister Netanyahu explained to President Obama that the Joint Comprehensive Plan of Action “threatens the survival of the State of Israel.” It threatens the survival of the State of Israel.

I believe that Congress should not be party to any agreement that fails to protect the vital interest of Israel and other allies in the region. That is why I voted “no” on the Iran Nuclear Agreement Review Act.

I am not in disagreement with Congress providing oversight of a final comprehensive deal, but a horrible deal isn’t something Congress should even have to consider.

I have previously stated and will say again that I have always made the security of our strongest ally in the Middle East a priority and will not support any deal that allows Iran the opportunity to develop a nuclear weapon.

Though a final deal has not been yet announced, we know, based off the details of the JCPOA announced in April, of the potential for a bad deal. Under the framework announced in April, Iran will be able to maintain over 6,000 centrifuges they possess. Of the 6,000 centrifuges, 5,000 of those will continue to enrich uranium.

□ 2100

Five thousand, what part of not having a nuclear Iran are we kidding ourselves here with?

And then his wonderful snap back provisions. I am one of those that said we shouldn’t have a snap back. They should have never gone away in the process.

Why are we talking about snap back provisions when this body has clearly spoken that the sanctions should stay and, if anything, they should get tighter? But we are now talking about snap back provisions. What a world we live in.

If they don’t fulfill their commitment, sanctions will magically snap back. When I read that, it just amazes me, Mr. Speaker, that if they don’t keep their commitments—why do we believe they are going to keep any commitments?

This is just an amazing thought to me. It took several years of U.S. pressuring for our European allies before they started seriously enforcing the U.N. Security Council sanctions currently in place.

While a U.S. President can unilaterally reinstitute sanctions that were previously waived, the European Union has to receive support from all 28 members for reimposition of former sanctions. Think about that. That is something we ought to talk about.

A similar scenario could be observed at the U.N. Security Council. A unanimous vote by all 15 U.S. Security Council members in the affirmative would

be needed for sanctions to be put back in place.

How many of us in this room tonight, and how many of you who may be thinking about this, actually believe that will actually happen? Do you believe that would? I don’t.

China and Russia, both permanent members of the U.N. Security Council, have the most to gain from having unfettered access to Iranian markets. It has been widely reported that Russia is moving forward with the selling of S-300s, the antiaircraft weapon, to Iran. Such a weapon system makes the potential for Israeli or American airstrikes against Iranian nukes just that much more difficult to carry out.

Russia, whose own economy is hurting as a result of the sanctions, is looking to diversify its investments in other economies that show strong potential for growth. China is always looking for new sources of energy, and with the elimination of international sanctions, Iran will have the ability to sell more oil on the international market.

Then there is the issue of possible military dimensions. To receive an accurate picture of Iran’s nuclear capabilities, it is imperative to know how close they got to developing or have gotten to developing a nuclear weapon. It is only after we can determine if Iran ever developed a nuclear warhead or triggering mechanism that the international community can actually know Iran’s breakout time. Iran’s PMDs must be made known to the international community prior—prior to any permanent sanction relief being instituted.

You know, this pending bad deal makes the region and the greater national community worse off.

What I have heard in this Chamber tonight is very disturbing. What I have heard from leaders in this administration is even more disturbing. They have willingly determined, in my mind, to throw Israel under the bus and, I believe, maybe for a peace prize.

Mr. Kerry, maybe you didn’t make a mark in the Senate. Mr. Kerry, maybe you didn’t make a mark as Secretary of State. Maybe you are looking for a peace prize. Your peace prize should be come home now and walk away from a bad deal. If you want to be recognized in the world for standing up for what is right, then walk away from a bad deal.

No one wants Iran to have a nuclear weapon. They are not capable of handling one. They are the biggest suppliers to terrorism around the world. And yet we are talking about talking to a country that says just recently, just in the last 2 days, their leader has said it is now time for us to spout hatred at the Zionists.

And we are negotiating with them?

They don’t want to say Israel has even a right to exist, and we are sitting at the table with them? We want to let

5,000 centrifuges keep spinning and keep spinning and keep spinning and keep spinning, and we are going to negotiate with them?

You do not negotiate with unstable people, Mr. Speaker. You negotiate with people who want to live in the bonds of a civil society, in a civil world, and Iran’s leadership is not that person.

We are fooling ourselves. This administration has become just completely tunnel-visioned toward legacy. When you have a domestic agenda that has been as terrible as this administration, I don’t blame you for looking overseas. But your domestic agenda is no comparison to the failure of a foreign policy, when world leaders ask what is America’s role because they don’t even know.

Tonight I hope the crescendo of voices in this Chamber reaches across the ocean to Vienna. The last words I would like Secretary Kerry to hear before he sits down with the Iranians are “a bad deal is worse than no deal.”

“Death to America,” not shouted on the streets here in Washington, not shouted on the streets in New York City or San Francisco or Atlanta. It was shouted in the Parliament of Iran just recently, when they said we are not going to allow inspections. And we are sitting down to negotiate with them?

“Death to America”? And we are sitting down negotiating with them as if they are reasonable people?

Have we lost our focus? Have we lost our vision of being the shining light to the world for freedom and hope, and decided that it is much better off, maybe for our political world, or maybe our personal achievements, to sit down with a government that says Israel should not even have the right to exist, and if we could, we would annihilate them tomorrow?

We are going to continue funding those who have lobbed bombs on innocent men and women in Israel and who will sit down at a negotiating table and say: We are not going to allow you to inspect wherever you want; we are going to keep what we want to keep.

And, by the way, even the administration’s own belief is we are going to keep 5,000 spinning, centrifuges spinning, 5,000 spinning.

You know what? Some have said time is Iran’s friend. I agree. As long as they can keep our Secretary of State at that table, those centrifuges spin. As long as they keep us tied up debating this in this administration, the centrifuges spin. As long as we keep doing this, the centrifuges spin.

It is time to put sanctions back in place because they are spinning. It is time to tighten the screws on Iran because those centrifuges are spinning. It is time for us not to let up because the centrifuges are spinning.

And I do not want to see a world in which my children grow up and the

people in Israel grow up knowing that Iran has a bomb when they are ready to take them out in a certain notice.

Tonight is important. Tonight is important.

Mr. President, I pray that you listen. I don't think you will.

Mr. Secretary, maybe you are looking for a peace prize. How about winning a prize in the hearts of the freedom-loving people all across the world and walking away from a bad deal?

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

Ms. ROS-LEHTINEN. Thank you very much, Mr. COLLINS. I think you laid it out in a thoughtful manner. No deal is better than a bad deal.

Mr. Speaker, I yield to the gentleman from New York (Mr. ZELDIN).

Mr. ZELDIN. Mr. Speaker, I thank the gentlewoman from Florida for her leadership on this important issue, your leadership with America's foreign policy. I know that my constituents all the way up in New York are more secure and free due to your work through the years here in the Halls of Congress. I thank you for your leadership.

This past weekend we celebrated the Fourth of July, 239 years since America declared its independence. What makes America great is what we stand for: freedom and liberty.

And then there is Iran, the world's largest state sponsor of terror, a nation overthrowing foreign governments, unjustly imprisoning United States citizens, including a United States Marine.

Iran blows up mock U.S. warships, develops ICBMs. They pledge to wipe Israel off the map. And in their streets, in their halls, they are chanting, "Death to America."

And none of what I just described is even part of the negotiations. Think about that.

The President says the only alternative to whatever deal he presents us with is war. I reject that. The deal the President is finalizing may actually pave the path to more instability in the Middle East and a nuclear arms race triggered in the region.

Will the agreement be accurately translated between both languages?

If the President presents Americans with a version in English and the Iranians are interpreting any different terms refuting our interpretation of that agreement in English, then there is no agreement. There is no meeting of the minds.

Will Iran continue spinning centrifuges, enriching uranium and maintaining any of their nuclear infrastructure?

Will weapons inspectors have unfettered access to Iran's nuclear infrastructure? Honestly, I doubt it.

I believe that we are propping up the wrong regime in Iran.

Six years ago, the Green Revolution, millions of Iranians took to the streets

protesting after an undemocratic election. The economy in Iran was doing better at that time than it is today. Oil, twice the value as today.

The President said that what was going on in Iran was none of our business, and look where we are today.

I unapologetically love my country, and I am proud to be an American. As elected officials who took an oath to protect and defend our Constitution, we have a responsibility to protect our country.

We must fight on behalf of our great Nation, which generations before us have fought and sacrificed so much to protect. And that is how we celebrate another 239 years of American exceptionalism.

The President, when sitting down at the negotiating table, inherits the goodwill of generations, centuries of men and women who have come before them that sacrificed so much to make America the greatest Nation in the world. When someone says they want to run to be President of the United States, with that, you inherit all of that goodwill, all of that American exceptionalism.

And when sitting at the table, you have no business trying to equalize yourself with the person you are negotiating with. That isn't your goodwill to expend.

It is important for American greatness to grow. And I am concerned that we are on pace to enter into a bad deal with Iran.

Here, with the leadership of colleagues like the gentlewoman from Florida, who I am very grateful for putting together this Special Order tonight, and other colleagues, like the gentleman from Florida, who will be speaking right after me, there is so much passion amongst my colleagues for wanting to do the right thing to protect our Nation, understanding that it is a fundamental basic that the United States strengthens our relationships with our allies and treats our enemies for exactly who they are.

I used the analogy a couple of weeks ago of playing Texas Hold'em, and the President inherits pocket aces every time he sits down at the table. The Iranians may inherit the 7-2 off suit, the worst hand that you could possibly have in poker.

The President, for whatever reason, as a negotiating style, will offer to switch hands. We saw it in Cuba, where dozens of good-faith concessions were made asking for nothing in return. Why is that?

For one, the President isn't a very good negotiator. He still has a year and a half left on his second term in office, and I want him to strengthen his hand. He has it. He inherits it. That is what comes with being the President of the United States. That is what he signed up for.

And what did we sign up for here in the Halls of Congress? To hold this

President's feet to the fire if he chooses to sign a bad deal with Iran.

I thank, again, the gentlewoman from Florida for her leadership. I am looking forward to hearing Mr. YOHO and his passionate words to follow.

And I would encourage the President and Secretary Kerry, the leaders of the Obama administration, to do the right thing. Take a walk, strengthen your hand, and don't sell out America's goodwill.

Ms. ROS-LEHTINEN. Thank you so much to the gentleman from New York.

Mr. Speaker, I yield to my colleague from Florida, Dr. YOHO.

□ 2115

Mr. YOHO. Mr. Speaker, I appreciate my very dear colleague from Florida for bringing this very important topic to light. This is something the American people need to weigh in on; and this is something, as you heard the passion tonight, the people talking about how this is not a good deal. This is not a good deal for anybody but Iran.

I would like to do a chronological anthology of Iran's nuclear weapons program. If you go back 30 years ago, they were working on gaining the technology and the material to develop nuclear weapons.

John Bolton, in his book "Surrender is Not an Option," talked about the cat-and-mouse game that Iran had played over the last 30 years of saying, No, we are not developing nuclear weapons; and they wouldn't allow the inspectors in.

The U.N. had resolutions and sanctions, and eventually, the IAEA inspectors—the International Atomic Energy Agency—was allowed to come in. They caught Iran redhanded, developing nuclear weapons.

They apologized. They said: I am sorry. You are right. We were bad. We are not going to do it again.

Then it started over again and then over again and over again. For 30 years, we have been playing the cat-and-mouse game. It hasn't gone away. Their mission is to get nuclear weapons.

When I look at George Bush, when he put sanctions in the 2000s on Iran to say enough is enough, the sanctions were in place, and they started. To President Obama's credit, he tightened them up, and it put more pressure on Iran, and then it brought them to the negotiation table.

When you negotiate on a deal—any deal—there should be mutual benefits to both sides. At the end of this, you will see there is no benefit to America, to the Middle East, and to world peace because, when those negotiations started, as my colleague from New York (Mr. ZELDIN) brought up, there was no negotiation to release our four American hostages.

If you think that the sanctions were bad enough to put Iran in this great

economic tragedy or pressure that was just crippling Iran and they couldn't do anything and they came to the table to release the sanctions so that they could move on, but during that time period—this is what the American people need to know—during that time period, Iran was extending their arm and their reach into the Western Hemisphere through Bolivia, through Venezuela; and they were funding their terrorist arm, Hezbollah, that caused two terrorist attacks in Argentina in the nineties that was responsible for over 100 deaths and over 300 injured people—Iran was doing this at the time when the sanctions were on them, and they were supposed to be under this great economic stress—but they were doing that because they were funneling money through Venezuela and getting money for fuel plus armaments that they were selling. During this time, when we think our sanctions are working, Iran is working against us.

I have been here in the House for 2½ years, and I sit on the Committee on Foreign Affairs. During those 2½ years, we have had experts come in, over and over again, telling us about the threat of Iran creating new clear weapons.

Over and over again, they said that Iran would have enough nuclear-enriched material to have enough material within 6 months to a year to have five to six atomic bombs. That was over 2 years ago, so one could only reasonably expect that Iran has enough material for five to six nuclear bombs.

This was backed up by Henry Kissinger and George Shultz in *The Wall Street Journal* editorial about 3 months ago, that they claim that Iran was about 2½ months to 3 months from having nuclear material.

Then we moved down to the negotiation. The negotiation was started—if people will go back and research the news—from the administration, from John Kerry. He said negotiations have started and that the whole purpose was Iran cannot and will not be permitted to have a nuclear weapon. Now, we are just going to delay them for 10 years.

As my colleague from Georgia (Mr. COLLINS) brought up, the snapback, if they break any part of this deal, there is going to be snapback. I mean, you have got to be from another planet to think that that is going to happen because we are going to rely on China and Russia to say: Yes, we are with you.

Russia has already sold \$800 million worth of antimissile defense systems. In addition, during this period, when Iran had all these tough sanctions blocking their economy, Iran has been developing an ICBM program.

An ICBM program stands for an intercontinental ballistic missile system. That is not for their neighbors. That is for Europe. That is for the United States. It is for people way outside of Iran. They have done this with the economic sanctions.

In addition, there is evidence that they have detonated a trigger device for a nuclear weapon. They have gone through expensive remediation, covering up the site, covering up the soil, paying it, and not allowing our inspectors to go in there and inspect that—the IAEA inspectors that we are supposed to depend on to prove that what they are doing is for peaceful purposes.

Then I look at what Iran has done over the years, when we have been in the Middle East, with our brave young men and women in the Middle East, fighting for security for this country and for the neighbors in the Middle East. Seventy percent of the wounds to our soldiers have come from IEDs. Ninety percent of those IEDs were created by Iran.

Then, as we talked about in this nuclear negotiation, Iran has got to be limited to the amount of centrifuges for their peaceful nuclear program.

Now, get this, for a peaceful nuclear program, you need tens of thousands of centrifuges to produce nuclear material to run nuclear reactors; yet, in this deal, we are only limiting them to 5,000 centrifuges. You only need a few thousand centrifuges to create nuclear weapons. It just doesn't match up.

As we talked about, in a negotiation, there should be a mutual benefit. I see no benefit for America.

Again, talking to the experts in Foreign Affairs, I asked them this question: With our negotiation with Iran, where we have given into everything and we have got nothing—keep in mind, we are supposedly the lone superpower of the world—when you go into a negotiation like this and you are operating from a level of weakness and not strength, how does that affect us around the world community?

The experts told me that it has weakened America's standing in the world. It has weakened our negotiation power in the world. It has weakened and threatened our security in the Western Hemisphere.

I agree with Mr. COLLINS. I hope the President is listening, but I am sure he is not; I hope Mr. Kerry is listening, but I am sure he is not, but I hope this message gets to them—that, if they are going to negotiate for America, they should negotiate from a point of strength, a point for what is right, not just for our country, but for the Middle East and for the rest of the world because, if America is not strong and if we do not stand strong, there is not a secure world.

I thank my colleague from Florida for bringing this up because this is a debate the American people need to hear. I hope they put pressure on the people in charge of this and bring this negotiation—as they have said over and over again, a bad deal they will not stand for—this is a bad deal, and this is something they need to walk away from.

We, in the House of Representatives, need to block this in any way that we can. I will not, I shall not, and I cannot support this because what I see is we are trying to prevent that which we can't, instead of preparing for that which will be.

Ms. ROS-LEHTINEN. I thank you, Dr. YOHO, and I think you laid out the chronology of the long timetable of the deceit that Iran has been dealing with in terms of their nuclear program.

I thank all of my colleagues, Mr. Speaker, who joined tonight's Special Order to discuss Iran's nuclear negotiations that are going on in Vienna as we speak. After missing deadline after deadline and allowing for extension after extension, we are now hearing that these negotiations may be open-ended.

It is our job in Congress to conduct proper oversight on any proposed deal and to reject any deal that is not in the best interests of our national security or the security and stability of the entire region.

As current law stipulates, if a deal is submitted for congressional review before tomorrow, then Congress only has a 30-day review period. However, if this deal is submitted after tomorrow, we will have 60 days to review the terms of the agreement.

Why should the administration fear an additional 30 days of review? If this deal is so good, as the administration keeps telling us, then it should be strong enough to stand up to congressional review and congressional scrutiny; but the administration knows just how weak this deal will be.

Mr. Speaker, let's review, as my colleagues have done, how far back we have slid from conditions that we placed on Iran when we started and how much the P5+1 countries have caved through its concessions to this rogue and dangerous regime.

Let's start with this: there are six United Nations Security Council resolutions against Iran and its nuclear program. Each one of those resolutions puts restrictions on Iran and calls for a complete stop on uranium enrichment, a complete stop.

The Supreme Leader argued that it had a right to enrich under the non-proliferation treaty, the NPT, to which it is a signatory, but of course, all of these alleged rights should have been forfeited once it was discovered that Iran had been in violation of the non-proliferation treaty and other international obligations for decades because it has been operating a covert nuclear program; yet the P5+1 countries inexplicably ceded the so-called right to Iran.

In fact, in 2009, the President clearly stated: "Iran must comply with U.N. Security Council resolutions and make clear it is willing to meet its responsibilities as a member of the community of nations."

That ended up not being true, as the President has caved on that commitment. The President has repeatedly stated in the past that Iran doesn't need to have a fortified underground facility in Fordo, a heavy water reactor in Arak, or some of the other advanced centrifuges that they currently possess in order to have a peaceful nuclear program; yet where are we now?

Well, Iran will maintain Fordo and its capacity to produce and store heavy water while continuing to not just operate advanced centrifuges, Mr. Speaker, but to also test and conduct research and development on them as well—how far we have moved those goalposts.

There is also a serious and dangerous issue of the possible military dimensions, PMD, and Iran's past nuclear activity.

Just 3 weeks ago, Secretary Kerry confirmed what we long suspected, that disclosure of past nuclear activity is no longer a must-have for this administration in this nuclear deal.

How would any agreement that doesn't demand that Iran at least come clean about the extent of its program going to be a good deal, Mr. Speaker? Don't forget that the Supreme Leader has also repeatedly stated that Iran's military sites would not be accessible to international inspectors.

Let's not forget one of the most important things here, the ultimate gift we have given Iran. This deal will help legitimize this rogue regime that will not only allow Iran to be viewed as a responsible nation, but it is no longer going to be the pariah state. We are going to say it is a trusted member of the international community, and we have done that. We have granted that legitimacy with these conversations.

Also, the reports indicate—and I don't hear any words to the contrary—that Iran may receive a \$50 billion signing bonus, as if this is the NFL draft, a signing bonus which it will then use to support terror, which it will use to foment instability, which it will use to stoke sectarian tensions, which it will use to continue to threaten Israel, which it will continue to undermine U.S. national security interests.

□ 2130

Mr. Speaker, that is what their signing bonus will do. That is what sanctions relief will do. If the United States is willing to overlook all of these transgressions, all of these crimes, and negotiate a deal with Iran without pressing for changes in its actions, then it will be seen as an endorsement of those actions.

Mr. Speaker, we have every indication that we are not going to get what any of us would remotely consider to be even a halfway good deal. The requirements for a good deal went out the window when the negotiators al-

lowed Iran to maintain its entire nuclear infrastructure and continue to enrich uranium.

It is our obligation, then, to conduct our proper oversight and review and reject any nuclear deal that we feel is not in the best interests of our U.S. national security. If we do that, we must move swiftly to reimpose any sanctions that have been suspended, any sanctions that have been waived against the regime, and to ensure that all sanctions are fully and vigorously enforced. Then we must move to enact additional sanctions on the regime until it meets its international obligations and abandons its pursuit of an illicit nuclear weapons program. Once upon a time, that was the goal.

From the very beginning, Mr. Speaker, I have been saying that Iran is following the North Korean playbook: offering to negotiate in return for concessions but never delivering on anything tangible, only to break off when they no longer need what we have been giving them.

I wrote this op-ed on October 19, 2012, "Ros-Lehtinen: Obama Still Trying to Sweet-Talk Iran Out of Building the Bomb," and I was talking about the North Korea deal and how that dovetails with the Iranian deal. I wrote of the dangers of the Obama administration's naive view that if we keep talking, if we keep engaging with this rogue regime, then Iran will stop its drive for nuclear capability.

I stated then, and I believe now, that this is what we are witnessing today, Mr. Speaker, that the Iranians will give the impression that a deal will be likely only to then pull away, that Iran benefits from dragging out the negotiations as long as possible because, as Mr. COLLINS of Georgia said, the centrifuges are still spinning, and they want to provide its nuclear program extra time in order to convince the world that an agreement is possible, leaving the administration and the EU to quietly ease sanctions enough to revive the stagnant Iranian economy that had been on the brink of collapse thanks to the sanctions that Congress placed on them; because that was the intent and the purpose and the objective of the sanctions, not to get them to negotiate, but to collapse their economy so that they could not pour money into their terrorist activities and their covert nuclear program.

But what we are seeing now is the administration and other P5+1 countries will allow the terms of the JPOA and, thus, the easing of sanctions to continue to be in place despite having overextended several deadlines. Iran never had any intention of coming to a real agreement, and we would be foolhardy to believe that it does now, not when it is already getting everything it wants. Why should they concede anything now?

Mr. Speaker, the only way that Iran will say yes to a deal is if it is so bad

and so weak that Iran would be stupid and silly to walk away from it. Yet that is precisely what we are looking at right now, Mr. Speaker. Either Iran keeps dangling an agreement in front of the P5+1 and continues to get more sanctions relief, or the P5+1 completely and utterly capitulates to Iranian demands.

So it is incumbent upon us, Mr. Speaker, to reject any deal that we view to be weak, any deal that we perceive to be a bad deal, any deal that is not in the interests of our U.S. national security interests.

We must also continue to push back on this false binary notion that tells you that it is either this deal—no matter how bad it is—or going to war. That has been a fundamental misunderstanding of the purpose of the Iranian sanctions themselves. The fact that some believe that Iranian sanctions were designed only to get Iran to the negotiation table could not be further from the truth. The Iranian sanctions were designed to force the region to abandon completely its nuclear weapons ambitions, to give up its enrichment, and to dismantle its nuclear program.

I should know, Mr. Speaker, because I am the author of several Iran sanctions bills, including the toughest set of sanctions against this terrible regime that are currently on the books right now. Sanctions, I might remind my colleagues and the American people, that the Obama administration fought us every step of the way or until it was clear that the administration could not stop our sanctions from becoming law, and then they said, Okay, we will accept them. So there is an alternative to these misguided talks.

That is how I am going to conclude my Special Order tonight, Mr. Speaker. We must abandon these talks that are just patently a farce. We immediately reinstate all sanctions against Iran that have been eased, that have been waived, that have been lifted, and that have been ignored by the Obama administration and enact even tougher sanctions on the regime.

We were on the brink until Iran received the lifeline that it needed. We gave it to them, and now we are the ones dangling on it as Iran's economy is being brought back to life because of sanctions relief, and the regime has been gaining concession after concession while never once making any change that would substantially and significantly set back its nuclear ambitions.

So, Mr. Speaker, in the end, I will conclude with this: Reinstating and strengthening these sanctions, coupled with the credible threat that all options are on the table, including the military option, could act as the deterrent, but only if Iran recognizes that we are in a position of strength. That is why it is important that this body

speak up. That is why it is important that we reject any deal we find to be insufficient, but we must also not let billions of dollars flow to the Iranian regime. We must start passing legislation that would impose tougher sanctions.

This is a matter of utmost concern to our national security. I urge my colleagues to remain engaged on this issue.

Mr. Speaker, I yield back the balance of my time.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CULBERSON (at the request of Mr. MCCARTHY) for July 7 and today on account of a family obligation.

#### ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 91. An act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to issue, upon request, veteran identification cards to certain veterans.

#### ADJOURNMENT

Ms. ROS-LEHTINEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 37 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, July 9, 2015, at 10 a.m. for morning-hour debate.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2062. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule — Importation of Beef From a Region in Argentina [Docket No.: APHIS-2014-0032] (RIN: 0579-AD92) received July 7, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Agriculture.

2063. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule — Importation of Beef From a Region in Brazil [Docket No.: APHIS-2009-0017] (RIN: 0579-AD41) received July 7, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Agriculture.

2064. A letter from the Program Manager, BioPreferred Program, Office of Procurement and Property Management, Department of Agriculture, transmitting the Department's final rule — Guidelines for Designating Biobased Products for Federal Pro-

curement (RIN: 0599-AA23) received July 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Agriculture.

2065. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Prohibition on Contracting with Inverted Domestic Corporations — Representation and Notification [FAC 2005-83; FAR Case 2015-006; Item II; Docket No.: 2015-0006, Sequence No.: 1] (RIN: 9000-AM85) received July 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Armed Services.

2066. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Prohibition on Contracting with Inverted Domestic Corporations [FAC 2005-83; FAR Case 2014-017; Item V; ; Docket No.: 2014-0017, Sequence No.: 1] (RIN: 9000-AM70) received July 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Armed Services.

2067. A letter from the Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's final rule — Defining Larger Participants of the Automobile Financing Market and Defining Certain Automobile Leasing Activity as a Financial Product or Service [Docket No.: CFPB-2014-0024] (RIN: 3170-AA46) received July 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Financial Services.

2068. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility; Maine: Alna, Town of Lincoln County [Docket ID: FEMA-2015-0001] [Internal Agency Docket No.: FEMA-8387] received July 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Financial Services.

2069. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the 35th Annual Report to Congress on the Implementation of the Age Discrimination Act of 1975 (the Age Act) for Fiscal Year 2014, pursuant to Sec. 308(b) of the Age Act; to the Committee on Education and the Workforce.

2070. A letter from the General Counsel, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Allocation of Assets in Single-Employer Plans; Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits received July 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Education and the Workforce.

2071. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of the General Counsel, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Test Procedures for Conventional Ovens [Docket No.: EERE-2012-BT-TP-0013] (RIN: 1904-AC71) received July 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2072. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting a report entitled "Review of Federal Drug Regulations with Regard to Medical Gases", pursuant to

Sec. 1112(a)(2) of the Food and Drug Administration Safety and Innovation Act of 2012, Pub. L. 112-144; to the Committee on Energy and Commerce.

2073. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Revocation of General Safety Test Regulations That Are Duplicative of Requirements in Biologics License Applications [Docket No.: FDA-2014-N-1110] received July 7, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2074. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Polychlorinated Biphenyls (PCBs): Revisions to Manifesting Regulations; Item Number [EPA-HQ-RCRA-2011-0524; FRL-9929-92-OSWER] received July 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2075. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Modification of Significant New Uses of Certain Chemical Substances [EPA-HQ-OPPT-2014-0649; FRL-9928-93] (RIN: 2070-AB27) received July 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2076. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Revisions to the California State Implementation Plan, Feather River Air Quality Management District [EPA-R09-OAR-2015-0164; FRL-9927-76-Region 9] received July 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2077. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Butte County Air Quality Management District [EPA-R09-OAR-2015-0037; FRL-9928-50-Region 9] received July 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2078. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — S-metolachlor; Pesticide Tolerances [EPA-HQ-OPP-2014-0284; FRL-9927-85] received July 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2079. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Nebraska; Update to Materials Incorporated by Reference [EPA-R07-OAR-2015-0106; FRL-9926-49-Region 7] received July 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2080. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Kansas; Update to Materials Incorporated by Reference [EPA-R07-OAR-2015-0104; FRL-

9926-48-Region 7] received July 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2081. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Emissions Standards for Hazardous Air Pollutants for Mineral Wool Production and Wool Fiberglass Manufacturing [EPA-HQ-OAR-2010-1041 and EPA-HQ-OAR-2010-1042; FRL-9928-71-OAR] (RIN: 2060-AQ90) received July 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2082. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Revised Exhibit Submission Requirements for Commission Hearings [Docket No.: RM15-5-000; Order No.: 811] received July 7, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2083. A letter from the Director, International Cooperation, Acquisition, Technology, and Logistics, Office of the Under Secretary of Defense, Department of Defense, transmitting notification of the Department of Defense's intent to sign the agreement between the Department of Defense of the United States of America and the Ministry of Defense of the Kingdom of Spain for Research, Development, Test, Evaluation, and Prototyping Projects, pursuant to Sec. 27(f) of the Arms Export Control Act and Executive Order 13637, Transmittal No. 01-15; to the Committee on Foreign Affairs.

2084. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a letter regarding commitments in the Joint Plan of Action, pursuant to the National Defense Authorization Act for Fiscal Year 2012 Secs. 1245(d)(5) and 1245(d)(1); to the Committee on Foreign Affairs.

2085. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, pursuant to Sec. 36(c) of the Arms Export Control Act, Transmittal No.: DDTC 14-114; to the Committee on Foreign Affairs.

2086. A letter from the Assistant Director for Regulatory Affairs, Office of Foreign Assets Control, Department of the Treasury, transmitting the Department's final rule — Venezuela Sanctions Regulations received July 7, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Foreign Affairs.

2087. A letter from the Senior Vice President and Chief Financial Officer, Federal Home Loan Bank of Dallas, transmitting the Federal Home Loan Bank of Dallas 2014 management report and financial statements, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

2088. A letter from the Human Resources Specialist, Drug Enforcement Administration, Department of Justice, transmitting three reports pursuant to the Federal Vacancies Reform Act of 1998, Pub. L. 105-277; to the Committee on Oversight and Government Reform.

2089. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's small entity compliance guide — Federal Acquisition Regulation; Federal Acquisition Circular 2005-83; Small Entity Compliance Guide [Docket No.: FAR 2015-0051; Sequence No.: 3] received July

2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Oversight and Government Reform.

2090. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Technical Amendments [FAC 2005-83; Item VII; Docket No.: 2015-0052, Sequence No.: 2] received July 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Oversight and Government Reform.

2091. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Permanent Authority for Use of Simplified Acquisition Procedures for Certain Commercial Items [FAC 2005-83; FAR Case 2015-010; Item VI; Docket No.: 2015-0010, Sequence No.: 1] (RIN: 9000-AN06) received July 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Oversight and Government Reform.

2092. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Clarification on Justification for Urgent Noncompetitive Awards Exceeding One Year [FAC 2005-83; FAR Case 2014-020; Item IV; Docket No.: 2014-0020, Sequence No.: 1] (RIN: 9000-AM86) received July 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Oversight and Government Reform.

2093. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Update to Product and Service Codes [FAC 2005-83; FAR Case 2015-008; Item III; Docket No.: 2015-0008, Sequence No.: 1] (RIN: 9000-AN08) received July 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Oversight and Government Reform.

2094. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's summary presentation of final rules — Federal Acquisition Regulation; Federal Acquisition Circular 2005-83; Introduction [Docket No.: FAR 2015-0051; Sequence No.: 3] received July 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Oversight and Government Reform.

2095. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Inflation Adjustment of Acquisition-Related Thresholds [FAC 2005-83; FAR Case 2014-022; Item I; Docket No.: 2014-0022, Sequence No.: 1] (RIN: 9000-AM80) received July 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Oversight and Government Reform.

2096. A letter from the Director, Office of Personnel Management, transmitting the Office's report on Federal agencies' use of the physicians' comparability allowance program, pursuant to 5 U.S.C. 5948(j) and Executive Order 12109; to the Committee on Oversight and Government Reform.

2097. A letter from the Chairwoman, Vice Chair, and Commissioner, United States

Election Assistance Commission, transmitting the 2014 Election Assistance Commission's (EAC) Election Administration and Voting Survey (EAVS) Comprehensive Report; to the Committee on House Administration.

2098. A letter from the Assistant Administrator for Procurement, Office of Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule — NASA FAR Supplement Regulatory Review No. 3 (RIN: 2700-AE19) received July 7, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Science, Space, and Technology.

2099. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Clarifications to the Requirement in the Treasury Regulations Under Sec. 501(r)(4) that a Hospital Facility's Financial Assistance Policy Include a List of Providers [Notice 2015-46] received July 7, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

2100. A letter from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting the Administration's final rule — Extension of Effective Date for Temporary Pilot Program Setting the Time and Place for a Hearing Before an Administrative Law Judge [Docket No.: SSA-2015-0010] (RIN: 0960-AH75) received July 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

2101. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting a report entitled "Plan for Expanding Data in the Annual Comprehensive Error Rate Testing (CERT) Report", pursuant to Sec. 517 of the Medicare Access and CHIP Reauthorization Act of 2015, Pub. L. 114-10; jointly to the Committees on Energy and Commerce and Ways and Means.

2102. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting a report entitled "The Medicare Secondary Payer Commercial Repayment Center in Fiscal Year 2014", pursuant to Sec. 1893(h) of the Social Security Act; jointly to the Committees on Energy and Commerce and Ways and Means.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BURGESS: Committee on Rules. House Resolution 350. Resolution providing for consideration of the bill (H.R. 6) to accelerate the discovery, development, and delivery of 21st century cures, and for other purposes (Rept. 114-193). Referred to the House Calendar.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SCOTT of Virginia (for himself, Mr. HINOJOSA, Mr. CLYBURN, Mr. BUTTERFIELD, Ms. JUDY CHU of California, Ms. LINDA T. SANCHEZ of California, Ms. ADAMS, Mr. MOULTON, Mr.



TAKANO, Mr. GRIJALVA, Mr. RICHMOND, Ms. BROWN of Florida, Mr. DANNY K. DAVIS of Illinois, Mr. BLUMENAUER, Ms. BONAMICI, Ms. BORDALLO, Mr. BRENDAN F. BOYLE of Pennsylvania, Mrs. CAPPS, Mr. CICILLINE, Ms. CLARK of Massachusetts, Mr. CONYERS, Mr. DESAULNIER, Ms. EDWARDS, Ms. ESHOO, Mr. FATTAH, Ms. FUDGE, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. GUTIÉRREZ, Ms. HAHN, Mr. HONDA, Mr. JEFFRIES, Mr. KENNEDY, Mr. KILMER, Mr. KIND, Mr. LARSON of Connecticut, Ms. LEE, Mr. LEVIN, Mr. LEWIS, Mr. TED LIEU of California, Mr. BEN RAY LUJÁN of New Mexico, Mr. MCDERMOTT, Mr. MCGOVERN, Ms. MOORE, Mrs. NAPOLITANO, Mr. NORCROSS, Ms. NORTON, Ms. PLASKETT, Mr. POCAN, Mr. RANGEL, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. SABLAN, Ms. LORETTA SANCHEZ of California, Mr. SCHIFF, Mr. SERRANO, Mr. SWALWELL of California, Mr. TAKAI, Mrs. TORRES, Mr. VAN HOLLEN, Ms. WILSON of Florida, Mr. YARMUTH, Mr. BEYER, Mr. PASCRELL, Mr. DELANEY, and Mr. KEATING):

H.R. 2962. A bill to provide greater access to higher education for America's students; to the Committee on Education and the Workforce.

By Mr. PASCRELL (for himself, Mr. LARSON of Connecticut, Mr. NEAL, Mr. BECERRA, Mr. KIND, Mr. ISRAEL, Ms. BROWNLEY of California, Mr. TAKANO, Mr. CARTWRIGHT, Ms. ESTY, Mr. SWALWELL of California, Ms. NORTON, Mr. HIGGINS, and Mr. BRADY of Pennsylvania):

H.R. 2963. A bill to amend the Internal Revenue Code of 1986 to encourage domestic insourcing and discourage foreign outsourcing; to the Committee on Ways and Means.

By Mrs. BLACKBURN:

H.R. 2964. A bill to provide for enhanced Federal, State, and local assistance in the enforcement of the immigration laws, to amend the Immigration and Nationality Act, to authorize appropriations to carry out the State Criminal Alien Assistance Program, and for other purposes; to the Committee on the Judiciary.

By Mr. WALBERG (for himself, Mr. MOLENAAR, Mr. RIBBLE, Mr. BENISHEK, and Mr. BISHOP of Michigan):

H.R. 2965. A bill to amend the Individuals with Disabilities Education Act to provide certain exceptions to the maintenance of effort requirement for local educational agencies, and for other purposes; to the Committee on Education and the Workforce.

By Mr. SMITH of Missouri (for himself and Mrs. NOEM):

H.R. 2966. A bill to amend the purposes of TANF to include reducing poverty by increasing employment entry, retention, and advancement; to the Committee on Ways and Means.

By Mr. YOUNG of Indiana:

H.R. 2967. A bill to develop a database of projects that are proven or promising in terms of moving welfare recipients into work; to the Committee on Ways and Means.

By Mr. YOUNG of Indiana:

H.R. 2968. A bill to provide for the conduct of demonstration projects to provide coordinated case management services for TANF recipients; to the Committee on Ways and Means.

By Mr. HOLDING:

H.R. 2969. A bill to eliminate the separate participation rate for 2-parent families re-

ceiving TANF assistance; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KIND (for himself, Mr. NEAL, Mr. RANGEL, Mr. PASCRELL, Mr. LARSON of Connecticut, Mr. MCDERMOTT, Mr. DANNY K. DAVIS of Illinois, and Mr. LEVIN):

H.R. 2970. A bill to amend the Internal Revenue Code of 1986 to reduce the rate of tax on domestic manufacturing income to 20 percent; to the Committee on Ways and Means.

By Mr. RICE of South Carolina:

H.R. 2971. A bill to amend the Internal Revenue Code of 1986 to bring certainty to the funding of the Highway Trust Fund, and for other purposes; to the Committee on Ways and Means.

By Ms. LEE (for herself, Ms. SCHAKOWSKY, Ms. DEGETTE, Ms. SLAUGHTER, Ms. NORTON, Ms. MOORE, Ms. WASSERMAN SCHULTZ, Mr. GRIJALVA, Ms. JUDY CHU of California, Mr. ELLISON, Mr. HONDA, Mr. FARR, Mr. CONYERS, Mr. QUIGLEY, Mr. GALLEGO, Ms. CLARKE of New York, Mr. BLUMENAUER, Mr. MCDERMOTT, Mr. CÁRDENAS, Mr. TED LIEU of California, Mr. NADLER, Ms. DELAURO, Ms. JACKSON LEE, Mr. JOHNSON of Georgia, Mr. SWALWELL of California, Mrs. WATSON COLEMAN, Ms. BROWN of Florida, Ms. MCCOLLUM, Mr. BEYER, Mr. DEUTCH, Ms. LINDA T. SANCHEZ of California, Ms. FUDGE, Ms. BONAMICI, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KENNEDY, Ms. CLARK of Massachusetts, Mrs. LAWRENCE, Mr. RYAN of Ohio, Ms. CASTOR of Florida, Mr. DESAULNIER, Mr. GUTIÉRREZ, Mr. ISRAEL, Ms. KELLY of Illinois, Ms. FRANKEL of Florida, Mrs. LOWEY, Ms. PINGREE, Mr. RANGEL, Mr. TONKO, Mr. ENGEL, Mr. CAPUANO, Ms. BASS, Mr. CUMMINGS, Ms. WILSON of Florida, Mr. VAN HOLLEN, Mrs. CAROLYN B. MALONEY of New York, Mr. PRICE of North Carolina, Mr. SERRANO, Mr. POCAN, Mr. CONNOLLY, Ms. EDWARDS, Mr. SCHIFF, Ms. SPEIER, Mr. O'ROURKE, Mr. PALLONE, Ms. ADAMS, Mr. WELCH, Mr. NORCROSS, Mr. COHEN, Ms. BROWNLEY of California, Mr. KILMER, and Ms. MICHELLE LUJAN GRISHAM of New Mexico):

H.R. 2972. A bill to ensure affordable abortion coverage and care for every woman, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BLACK:

H.R. 2973. A bill to amend the Internal Revenue Code of 1986 to require for purposes of education tax credit that the student be lawfully present and that the taxpayer provide the social security number of the student and the employer identification number of the educational institution, and for other purposes; to the Committee on Ways and Means.

By Ms. BROWNLEY of California (for herself and Mr. BENISHEK):

H.R. 2974. A bill to amend the Veterans Access, Choice, and Accountability Act of 2014 to increase the duration of follow-up care

provided under the Veterans Choice Program; to the Committee on Veterans' Affairs.

By Ms. BROWNLEY of California (for herself and Mr. DESAULNIER):

H.R. 2975. A bill to amend title 38, United States Code, to ensure that the Secretary of Veterans Affairs repays the misused benefits of veterans with fiduciaries; to the Committee on Veterans' Affairs.

By Mrs. CAPPS (for herself, Mr. BEYER, Ms. DELBENE, Ms. EDWARDS, Mr. FARR, Mr. HINOJOSA, Ms. JACKSON LEE, Ms. LEE, Mr. LOWENTHAL, Ms. MCCOLLUM, Mr. MURPHY of Florida, Ms. NORTON, Mr. SMITH of Washington, Mr. LARSEN of Washington, Mr. LEVIN, Mr. POCAN, Mr. THOMPSON of California, Ms. TSONGAS, Mr. BERA, Mr. GRAYSON, Mr. DESAULNIER, Mr. GRIJALVA, Ms. PINGREE, Mr. ENGEL, and Mr. HONDA):

H.R. 2976. A bill to replace references to "wives" and "husbands" in Federal law with references to "spouses", and for other purposes; to the Committee on the Judiciary.

By Mr. CICILLINE (for himself, Mr. NADLER, Mr. CONYERS, Mr. TAKANO, Ms. JUDY CHU of California, Ms. JACKSON LEE, Mr. CARSON of Indiana, Mr. CAPUANO, Mr. JOHNSON of Georgia, Mr. GARAMENDI, Mr. DESAULNIER, and Mr. GRAYSON):

H.R. 2977. A bill to ensure the privacy and security of sensitive personal information, to prevent and mitigate identity theft, to provide notice of security breaches involving sensitive personal information, and to enhance law enforcement assistance and other protections against security breaches, fraudulent access, and misuse of personal information; to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, Financial Services, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DANNY K. DAVIS of Illinois (for himself, Mr. SHIMKUS, Ms. BASS, Mrs. BEATTY, Mr. BISHOP of Georgia, Ms. BORDALLO, Mr. BRADY of Pennsylvania, Ms. BROWN of Florida, Mr. BUTTERFIELD, Mr. CÁRDENAS, Mr. CARSON of Indiana, Mr. CARTWRIGHT, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. COHEN, Mr. CONYERS, Mr. CROWLEY, Mr. CUMMINGS, Mrs. DAVIS of California, Ms. EDWARDS, Mr. ELLISON, Mr. FARR, Mr. FATTAH, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. GUTIÉRREZ, Mr. HASTINGS, Mr. HIGGINS, Mr. HINOJOSA, Mr. HONDA, Ms. JENKINS of Kansas, Mr. JOHNSON of Georgia, Mr. KEATING, Mrs. KIRKPATRICK, Ms. KUSTER, Mr. LANGEVIN, Mrs. LAWRENCE, Mr. LEWIS, Mr. LIPINSKI, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. LYNCH, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MEEKS, Ms. MOORE, Mr. NADLER, Ms. NORTON, Mr. POCAN, Mr. QUIGLEY, Mr. RANGEL, Mr. ROYCE, Mr. RUSH, Mr. SCOTT of Virginia, Mr. SMITH of Washington, Mr. THOMPSON of Mississippi, Mr. THOMPSON of California, Mrs. WATSON COLEMAN, Mr. WELCH, and Mrs. BUSTOS):

H.R. 2978. A bill to require the Treasury to mint coins in commemoration of the Sesquicentennial Anniversary of the adoption of the Thirteenth Amendment to the United States Constitution, which officially marked



the abolishment of slavery in the United States; to the Committee on Financial Services, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DUCKWORTH (for herself, Mr. ELLISON, Mrs. LAWRENCE, Mr. ISRAEL, Mr. TAKAI, Mr. HINOJOSA, Ms. NORTON, Ms. SLAUGHTER, Mr. CAPUANO, Mr. CICILLINE, Ms. KELLY of Illinois, Mr. KILDEE, Ms. JUDY CHU of California, and Ms. MICHELLE LUJAN GRISHAM of New Mexico):

H.R. 2979. A bill to allow the Bureau of Consumer Financial Protection to provide greater protection to servicemembers; to the Committee on Financial Services.

By Mr. FOSTER (for himself and Mr. CRAMER):

H.R. 2980. A bill to require the Secretary of the Treasury to mint coins in commemoration of the 400th anniversary of arrival of the Pilgrims; to the Committee on Financial Services.

By Mr. HUELSKAMP:

H.R. 2981. A bill to amend title 38, United States Code, to provide that congressional testimony by Department of Veterans Affairs employees is official duty, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HUFFMAN (for himself and Mr. HECK of Washington):

H.R. 2982. A bill to amend title I of the National Housing Act to modify premium charges and the dollar amount limitation on loans for financing alterations, repairs, and improvements to, or conversion of, existing structures, including energy efficiency or water conserving home improvements, and for other purposes; to the Committee on Financial Services.

By Mr. HUFFMAN (for himself, Mr. FARR, Mr. MCNERNEY, Mr. DESAULNIER, Mr. THOMPSON of California, Mr. HONDA, Mr. LOWENTHAL, Ms. ESHOO, Mr. GARAMENDI, Mr. TAKAI, Mr. DEFazio, Mr. CARDENAS, Mrs. CAPPS, Mr. PETERS, Mr. SWALWELL of California, Ms. LOFGREN, Ms. SPEIER, Mr. O'ROURKE, Ms. LEE, Mr. BERA, Mrs. TORRES, Ms. LINDA T. SANCHEZ of California, Mr. GRIJALVA, Ms. LORETTA SANCHEZ of California, Mr. BLUMENAUER, Ms. PINGREE, Mr. PERLMUTTER, Ms. TITUS, Ms. MATSUI, Mrs. NAPOLITANO, Mr. RUIZ, Mrs. DAVIS of California, and Ms. BROWNLEY of California):

H.R. 2983. A bill to provide drought assistance and improved water supply reliability to the State of California, other western States, and the Nation; to the Committee on Natural Resources, and in addition to the Committees on the Budget, Science, Space, and Technology, Transportation and Infrastructure, Energy and Commerce, the Judiciary, Ways and Means, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KENNEDY (for himself, Mr. NEAL, Mr. MULLIN, Mr. KINZINGER of Illinois, Mr. LANGEVIN, Mr. MOULTON, Mr. KEATING, Mr. LYNCH, Ms. CLARK of Massachusetts, Mr. WELCH, Ms. KUSTER, Ms. PINGREE, Mr. CICILLINE, Mr. MCGOVERN, Mr. CAPUANO, and Ms. TSONGAS):

H.R. 2984. A bill to amend the Federal Power Act to provide that any inaction by

the Federal Energy Regulatory Commission that allows a rate change to go into effect shall be treated as an order by the Commission for purposes of rehearing and court review; to the Committee on Energy and Commerce.

By Mr. LYNCH:

H.R. 2985. A bill to require Federal law enforcement agencies to report to Congress serious crimes, authorized as well as unauthorized, committed by their confidential informants; to the Committee on the Judiciary.

By Mr. LYNCH:

H.R. 2986. A bill to amend title 28, United States Code, with respect to certain tort claims arising out of the criminal misconduct of confidential informants, and for other purposes; to the Committee on the Judiciary.

By Mr. MEEKS (for himself, Mr. KING of New York, Mrs. CAROLYN B. MALONEY of New York, and Mr. LUETKEMEYER):

H.R. 2987. A bill to amend the Financial Stability Act of 2010 to clarify the treatment of certain debt and equity instruments of smaller institutions for purposes of capital requirements, and for other purposes; to the Committee on Financial Services.

By Ms. MOORE (for herself, Mr. PRICE of North Carolina, Ms. LEE, Mr. GRIJALVA, and Mr. POCAN):

H.R. 2988. A bill to amend the Elementary and Secondary Education Act of 1965 to establish a grant program to fund additional school social workers and retain school social workers already employed in high-need local educational agencies; to the Committee on Education and the Workforce.

By Mr. ROONEY of Florida (for himself, Mr. CAPUANO, Mr. MCCAUL, Ms. LEE, and Mr. FORTENBERRY):

H.R. 2989. A bill to encourage the warring parties of South Sudan to resolve their conflict peacefully, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THOMPSON of Pennsylvania (for himself and Mr. LANGEVIN):

H. Res. 349. A resolution supporting the goals and ideals of Family, Career and Community Leaders of America; to the Committee on Education and the Workforce.

By Ms. HERRERA BEUTLER (for herself, Mr. LARSEN of Washington, Mr. NEWHOUSE, Mr. REICHERT, and Mrs. MCMORRIS RODGERS):

H. Res. 351. A resolution expressing the sense of the House of Representatives regarding hydroelectric power; to the Committee on Energy and Commerce.

By Mr. PITTS (for himself and Mr. MCGOVERN):

H. Res. 352. A resolution expressing support for the designation of a "Prisoners of Conscience Day"; to the Committee on Foreign Affairs.

By Mr. TAKANO (for himself, Mrs. NAPOLITANO, Mr. SHERMAN, Mr. SWALWELL of California, Mr. DESAULNIER, Mr. THOMPSON of California, Mr. SCHIFF, Mr. CARDENAS, Ms. LOFGREN, Mr. HONDA, Mrs. TORRES, Mr. AGUILAR, Mr. LANGEVIN, Mr. LOWENTHAL, Mr. FARR, Mr. RUIZ, and Mr. MCGOVERN):

H. Res. 353. A resolution honoring the accomplishments and legacy of Juan Felipe Herrera; to the Committee on House Administration.

## CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. SCOTT of Virginia:

H.R. 2962.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mr. PASCRELL:

H.R. 2963.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 of the United States Constitution.

By Mrs. BLACKBURN:

H.R. 2964.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 "necessary and proper" clause.

By Mr. WALBERG:

H.R. 2965.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes;

Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. SMITH of Missouri:

H.R. 2966.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to "provide for the common Defense and general Welfare of the United States."

By Mr. YOUNG of Indiana:

H.R. 2967.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to "provide for the common Defence and general Welfare of the United States."

By Mr. YOUNG of Indiana:

H.R. 2968.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to "provide for the common Defence and general Welfare of the United States."

By Mr. HOLDING:

H.R. 2969.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to "provide for the common Defence and general Welfare of the United States."

By Mr. KIND:

H.R. 2970.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 7, Clause 1

"All Bills for raising Revenue shall originate in the House of Representatives"

By Mr. RICE of South Carolina:

H.R. 2971.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have the Power To lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts and provide for the common

By Ms. LEE:

H.R. 2972.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mrs. BLACK:

H.R. 2973.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have the Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Ms. BROWNLEY of California:

H.R. 2974.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Ms. BROWNLEY of California:

H.R. 2975.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mrs. CAPPS:

H.R. 2976.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of section 8 of article I of the Constitution and section 5 of Amendment XIV to the Constitution.

By Mr. CICILLINE:

H.R. 2977.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. DANNY K. DAVIS of Illinois:

H.R. 2978.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 5

The Congress shall have Power to coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures.

By Ms. DUCKWORTH:

H.R. 2979.

Congress has the power to enact this legislation pursuant to the following:

"The constitutional authority of Congress to enact this legislation is provided by Article I, section 8, clause 18 of the United States Constitution which gives Congress the authority to "make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mr. FOSTER:

H.R. 2980.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8. "The Congress shall have the power . . . to coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;"

By Mr. HUELSKAMP:

H.R. 2981.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Mr. HUFFMAN:

H.R. 2982.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or office thereof.

By Mr. HUFFMAN:

H.R. 2983.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have power to lay and collect taxes, duties, impost and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, impost and excises shall be uniform throughout the United States.

Article I, Section 8, Clause 3: To regulate commerce with foreign nations, and among the several states, and with the Indian tribes

Article I, Section 8, Clause 18: To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof

Article I, Section 9, Clause 7: No money shall be drawn from the treasury, but in consequence of appropriations made by law; and a regular statement and account of receipts and expenditures of all public money shall be published from time to time.

By Mr. KENNEDY:

H.R. 2984.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8—to provide for the general welfare, and to regulate commerce among the states.

By Mr. LYNCH:

H.R. 2985.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. LYNCH:

H.R. 2986.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. MEEKS:

H.R. 2987.

Congress has the power to enact this legislation pursuant to the following:

According to Article I Section 8 of the U.S. Constitution, "The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Governance of the United States, or in any Department or Office thereof." Under Article 1 Section 8 clauses 2 and 5 of the Constitution, Congress possesses the authority to "borrow Money on the credit of the United States," and "coin money, regulate the value thereof, and of foreign coin, and fix the standards of weights and measures". Given the Congressional authorities enumerated above, I submit the attached legislation.

By Ms. MOORE:

H.R. 2988.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. ROONEY of Florida:

H.R. 2989.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8—to regulate commerce with foreign nations, & among the several states, and with indian tribes; to make all laws which shall be necessary & proper for carrying into execution the foregoing powers—

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 167: Mr. COURTNEY and Mr. MOULTON.  
H.R. 169: Mr. COHEN.  
H.R. 210: Mr. ALLEN.  
H.R. 213: Mr. MICHAEL F. DOYLE of Pennsylvania.

H.R. 251: Mr. CICILLINE.

H.R. 291: Mr. CARTWRIGHT.

H.R. 318: Ms. ROYBAL-ALLARD.

H.R. 320: Mr. HONDA.

H.R. 348: Mr. MESSER.

H.R. 353: Mr. PERRY and Mr. KIND.

H.R. 423: Mr. STIVERS.

H.R. 456: Mr. WALKER.

H.R. 465: Mr. BURGESS, Mr. SMITH of Nebraska, and Mr. HARRIS.

H.R. 508: Ms. PINGREE.

H.R. 510: Mr. KELLY of Pennsylvania.

H.R. 540: Mr. RUSSELL and Mr. LUCAS.

H.R. 556: Ms. TSONGAS and Ms. BROWNLEY of California.

H.R. 602: Ms. JENKINS of Kansas and Mr. LAMBORN.

H.R. 625: Ms. KUSTER.

H.R. 680: Mr. THOMPSON of California.

H.R. 692: Mrs. WAGNER, Mr. COLLINS of Georgia, Mr. GOSAR, Mr. ROSKAM, Mr. KELLY of Pennsylvania, Mr. LATTI, Mr. NEUGEBAUER, Mr. LUETKEMEYER, and Mr. WALBERG.

H.R. 699: Mr. AL GREEN of Texas.

H.R. 700: Mr. VEASEY and Mr. LARSEN of Washington.

H.R. 703: Mr. CHABOT, Mr. BROOKS of Alabama, Mr. CULBERSON, and Mr. WILLIAMS.

H.R. 704: Mr. JONES.

H.R. 748: Mr. BILIRAKIS.

H.R. 767: Mr. THOMPSON of Mississippi.

H.R. 768: Mr. VEASEY.

H.R. 771: Mr. JEFFRIES.

H.R. 785: Mr. MCGOVERN.

H.R. 799: Mr. COLLINS of New York.

H.R. 824: Mr. HARRIS.

H.R. 840: Ms. CLARKE of New York.

H.R. 842: Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 879: Mr. ROE of Tennessee.

H.R. 885: Mr. LARSON of Connecticut.

H.R. 953: Mr. CICILLINE and Mr. LANCE.

H.R. 969: Mr. SMITH of New Jersey.

H.R. 985: Mrs. CAPPS, Mr. CARTER of Texas, and Mr. PETERS

H.R. 986: Mr. TOM PRICE of Georgia.

H.R. 997: Mr. BILIRAKIS.

H.R. 1002: Mr. EMMER of Minnesota, Mr. HASTINGS, Ms. GRAHAM, Mr. MOOLENAAR, and Mr. RENACCI.

H.R. 1027: Mr. COHEN and Ms. VELÁZQUEZ.

H.R. 1086: Mrs. BLACKBURN.

H.R. 1087: Mr. LARSON of Connecticut.

H.R. 1089: Mr. POCAN.

H.R. 1094: Mr. MURPHY of Pennsylvania, Mr. LAMALFA, Mr. BABIN, Mr. MULLIN, Mr. MEADOWS, Mr. PEARCE, Mr. WALKER, Mr. BROOKS of Alabama, Mr. BARLETTA, Mr. DOLD, Mr. ABRAHAM, Mr. YODER, Mr. ROE of Tennessee, Mr. STUTZMAN, Mr. RODNEY DAVIS of Illinois, Mr. ROKITA, and Mr. SAM JOHNSON of Texas.

H.R. 1100: Mr. WALKER, Mr. CARSON of Indiana, Mr. WILSON of South Carolina, and Mr. KATKO.

H.R. 1112: Ms. SCHAKOWSKY, Mr. LYNCH, and Mr. NOLAN.

- H.R. 1130: Mr. HONDA and Miss RICE of New York.  
H.R. 1148: Mr. YODER.  
H.R. 1174: Mr. AUSTIN SCOTT of Georgia, Mr. YOUNG of Iowa, Mr. GENE GREEN of Texas, and Mr. PIERLUISI.  
H.R. 1178: Mr. WELCH, Mr. TONKO, and Mr. LANCE.  
H.R. 1197: Mr. O'ROURKE.  
H.R. 1215: Mr. BYRNE.  
H.R. 1270: Mr. ROE of Tennessee, Mr. GRAVES of Missouri, Mr. JONES, Mr. ROTHFUS, Mr. FLORES, Mr. KELLY of Pennsylvania, and Mr. RENACCI.  
H.R. 1288: Mr. RUPPERSBERGER, Mr. ROSS, Mr. WALKER, Mr. GOWDY, Mr. DEUTCH, Mr. PETERSON, Ms. BROWN of Florida, Mr. LARSEN of Washington, Mr. YOUNG of Alaska, Mr. FARENTHOLD, Mr. TAKAI, Mr. VARGAS, Mr. MASSIE, Mr. TED LIEU of California, and Ms. ADAMS.  
H.R. 1299: Mr. MEADOWS.  
H.R. 1301: Mr. KLINE.  
H.R. 1378: Mr. HONDA.  
H.R. 1427: Mr. VEASEY, Ms. TSONGAS, Mrs. BEATTY, Mr. ASHFORD, Mr. ROONEY of Florida, and Ms. MICHELLE LUJAN GRISHAM of New Mexico.  
H.R. 1448: Ms. BROWN of Florida.  
H.R. 1475: Mr. GIBSON and Ms. KUSTER.  
H.R. 1478: Mr. CRAMER.  
H.R. 1479: Mr. SMITH of Nebraska.  
H.R. 1528: Mr. BOST.  
H.R. 1559: Mr. VEASEY, Mr. VALADAO, and Mr. SENSENBRENNER.  
H.R. 1600: Mrs. NAPOLITANO.  
H.R. 1604: Mr. MURPHY of Pennsylvania.  
H.R. 1610: Mr. MOULTON.  
H.R. 1625: Mr. LANCE.  
H.R. 1627: Mrs. BLACKBURN.  
H.R. 1655: Mr. YOUNG of Iowa and Mrs. BEATTY.  
H.R. 1671: Mr. TOM PRICE of Georgia.  
H.R. 1683: Ms. WILSON of Florida.  
H.R. 1684: Mr. ZELDIN.  
H.R. 1686: Mr. PETERSON and Mr. LANGEVIN.  
H.R. 1688: Mr. KILDEE and Mrs. BUSTOS.  
H.R. 1717: Mr. NADLER, Mrs. DINGELL, and Ms. MICHELLE LUJAN GRISHAM of New Mexico.  
H.R. 1733: Ms. SLAUGHTER and Mrs. NAPOLITANO.  
H.R. 1737: Mr. PETERSON, Mrs. TORRES, and Ms. WASSERMAN SCHULTZ.  
H.R. 1814: Mr. AGUILAR, Mr. SIREs, Mr. DEFazio, Ms. ESTY, Ms. WILSON of Florida, Mrs. TORRES, and Mr. BERA.  
H.R. 1836: Mr. WILSON of South Carolina.  
H.R. 1853: Ms. DELBENE, Mr. QUIGLEY, Mr. HARRIS, Mr. MILLER of Florida, Ms. JUDY CHU of California, and Mr. RUSSELL.  
H.R. 1861: Mr. HULTGREN.  
H.R. 1884: Mr. DONOVAN.  
H.R. 1921: Mr. TROTT.  
H.R. 1926: Ms. MCCOLLUM.  
H.R. 1942: Mr. SANFORD and Mr. ZELDIN.  
H.R. 1969: Mrs. BUSTOS and Ms. SINEMA.  
H.R. 1977: Ms. ADAMS.  
H.R. 1986: Mr. WESTERMAN.  
H.R. 2005: Ms. TITUS.  
H.R. 2009: Mr. FRANKS of Arizona.  
H.R. 2016: Mr. TED LIEU of California.  
H.R. 2030: Mr. RANGEL.  
H.R. 2041: Mrs. BROOKS of Indiana.  
H.R. 2083: Ms. CLARKE of New York and Mr. CARSON of Indiana.  
H.R. 2110: Mr. PETERS.  
H.R. 2130: Mr. RATCLIFFE.  
H.R. 2138: Mrs. WAGNER.  
H.R. 2221: Mr. HULTGREN.  
H.R. 2259: Mr. RATCLIFFE.  
H.R. 2285: Mr. KATKO.  
H.R. 2287: Mrs. BUSTOS.  
H.R. 2293: Mr. CURBELO of Florida, Ms. SLAUGHTER, Mrs. NAPOLITANO, Ms. MOORE, and Mr. TAKANO.  
H.R. 2302: Mr. AL GREEN of Texas.  
H.R. 2304: Mr. PETERS.  
H.R. 2315: Mr. CARTER of Georgia, Mr. LANCE, and Ms. HERRERA BEUTLER.  
H.R. 2335: Ms. CLARK of Massachusetts.  
H.R. 2342: Mr. HECK of Washington.  
H.R. 2355: Mr. LEVIN and Ms. TITUS.  
H.R. 2361: Mr. PETERS.  
H.R. 2398: Mr. SENSENBRENNER.  
H.R. 2403: Ms. SEWELL of Alabama.  
H.R. 2404: Mr. COHEN.  
H.R. 2407: Mr. COLLINS of New York, Mr. BARR, and Mr. ROONEY of Florida.  
H.R. 2410: Ms. ADAMS and Mrs. CAPPs.  
H.R. 2429: Ms. LEE, Ms. BONAMICI, and Mr. COHEN.  
H.R. 2441: Ms. KUSTER.  
H.R. 2449: Mr. KEATING, Mr. DESAULNIER, Mr. ISRAEL, Ms. LOFGREN, Mr. SMITH of Washington, Mr. LANGEVIN, Mr. LARSEN of Washington, Mr. HIMES, Mr. LARSON of Connecticut, and Ms. MOORE.  
H.R. 2450: Mr. MURPHY of Florida.  
H.R. 2466: Mr. DESANTIS and Mr. BILIRAKIS.  
H.R. 2500: Mr. PERLMUTTER.  
H.R. 2520: Mr. HARRIS.  
H.R. 2521: Ms. LOFGREN, Mr. JEFFRIES, and Mr. BLUMENAUER.  
H.R. 2526: Mr. BENISHEK.  
H.R. 2551: Mr. TROTT.  
H.R. 2557: Mr. MCKINLEY.  
H.R. 2590: Mr. ZELDIN, Mr. TONKO, and Mr. SEAN PATRICK MALONEY of New York.  
H.R. 2604: Mr. CICILLINE.  
H.R. 2606: Mr. HURT of Virginia.  
H.R. 2610: Ms. KUSTER.  
H.R. 2646: Mr. LOWENTHAL, Mr. MULLIN, Mr. BERA, Mr. LAMALFA, and Mr. COLLINS of New York.  
H.R. 2653: Mr. MEADOWS, Mr. HARPER, and Ms. FOXx.  
H.R. 2654: Ms. JUDY CHU of California, Mr. O'ROURKE, and Mr. NORCROSS.  
H.R. 2658: Mr. ISRAEL.  
H.R. 2659: Mr. PERLMUTTER.  
H.R. 2675: Mr. GROTHMAN and Mr. BUCK.  
H.R. 2698: Mr. SHIMKUS and Mr. KING of Iowa.  
H.R. 2713: Mr. GRIJALVA, Mr. CAPUANO, Mrs. TORRES, Mr. RANGEL, and Mr. CONYERS.  
H.R. 2742: Mr. POCAN and Mr. BEYER.  
H.R. 2749: Mr. GOSAR.  
H.R. 2752: Mrs. BUSTOS.  
H.R. 2769: Mr. HILL.  
H.R. 2799: Mr. COLLINS of New York.  
H.R. 2800: Mrs. WAGNER.  
H.R. 2802: Mr. LAMALFA, Mr. WESTERMAN, Mr. BRADY of Texas, Mr. BARTON, Mr. BISHOP of Michigan, Mr. TOM PRICE of Georgia, Mr. PERRY, Mr. WALKER, Mr. MOOLENAAR, Mrs. ROBY, and Mr. GOODLATTE.  
H.R. 2805: Mr. CARNEY and Miss RICE of New York.  
H.R. 2811: Mr. KILMER.  
H.R. 2815: Mr. GRAYSON.  
H.R. 2817: Mr. FORTENBERRY.  
H.R. 2824: Mr. HASTINGS and Mr. GRIJALVA.  
H.R. 2849: Ms. SLAUGHTER and Ms. BROWNLEY of California.  
H.R. 2850: Mr. CARSON of Indiana, Mr. POCAN, Mr. DOLD, and Mr. HIMES.  
H.R. 2863: Ms. FRANKEL of Florida and Mr. DEUTCH.  
H.R. 2866: Ms. FRANKEL of Florida, Mr. VEASEY, and Ms. TITUS.  
H.R. 2867: Mr. POLIS, Mr. SERRANO, and Ms. DELBENE.  
H.R. 2878: Mr. HUELSKAMP.  
H.R. 2903: Mr. NOLAN.  
H.R. 2905: Mr. SANFORD, Mr. PEARCE, Mr. GOHMERT, Mr. FLEMING, Mr. BROOKS of Alabama, Mr. HUNTER, Mr. POSEY, Mr. PITTS, Mr. SALMON, Mr. JODY B. HICE of Georgia, Mr. BYRNE, and Mr. MESSER.  
H.R. 2909: Ms. BROWNLEY of California.  
H.R. 2920: Mr. DEFazio, Ms. SPEIER, Ms. DELBENE, Mr. TONKO, Mr. COHEN, Ms. EDWARDS, Mr. LANCE, Mr. MCGOVERN, Mr. LANGEVIN, and Ms. BORDALLO.  
H.R. 2937: Mr. KATKO, Mr. BARLETTA, and Mr. KLINE.  
H.R. 2941: Mr. ABRAHAM.  
H.J. Res. 9: Mr. KING of Iowa and Mr. BOUTSTANY.  
H.J. Res. 14: Mr. BRAT.  
H.J. Res. 22: Mr. NEAL and Mr. POLIS.  
H.J. Res. 55: Mr. GUTHRIE and Mr. GRIFFITH.  
H. Con. Res. 17: Mr. WEBER of Texas.  
H. Con. Res. 40: Mr. CONNOLLY, Ms. BASS, Mr. COOPER, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. NAPOLITANO, Mr. SABLAN, Mr. CÁRDENAS, Mr. TAKANO, Mr. DEUTCH, Mr. CAPUANO, Mr. KELLY of Pennsylvania, Ms. JUDY CHU of California, and Ms. FRANKEL of Florida.  
H. Con. Res. 50: Ms. GABBARD and Mr. MCGOVERN.  
H. Con. Res. 57: Ms. ESTY.  
H. Res. 24: Mr. JOHNSON of Ohio.  
H. Res. 112: Mrs. BUSTOS.  
H. Res. 235: Mr. JEFFRIES.  
H. Res. 282: Mr. VEASEY.  
H. Res. 293: Mr. DESANTIS.  
H. Res. 294: Mr. SIREs, Ms. CLARK of Massachusetts, Ms. BROWN of Florida, Mr. QUIGLEY, Ms. SCHAKOWSKY, Ms. CLARKE of New York, and Mr. VARGAS.  
H. Res. 310: Ms. ROS-LEHTINEN and Mr. TED LIEU of California.  
H. Res. 337: Ms. FRANKEL of Florida.  
H. Res. 344: Mr. VAN HOLLEN.

## EXTENSIONS OF REMARKS

IN RECOGNITION OF MR. NICK MANGANARO ON HIS 90TH BIRTHDAY

**HON. LOU BARLETTA**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 8, 2015*

Mr. BARLETTA. Mr. Speaker, it is my honor to recognize Mr. Nick Manganaro as he celebrates his 90th birthday. Nick began working at Medico Industries at the young age of 13, and he has continually served my local community in his duties at the company's Hanover Township facility.

The son of Italian immigrants, Nick was born on May 23, 1925, and graduated from Pittston High School in 1943. He proudly went on to serve in the Navy during WWII and was stationed in Panama. Upon returning to Pittston in 1946, Nick immediately resumed his work at Medico Electric Motor Company.

To this day, Nick is still employed by Medico Industries, where he has worked for 77 years. His work ethic is unparalleled. A wearer of many hats, Nick has worked on the rigging crew, operated cranes, drove tractor trailers, and maneuvered all of the construction equipment. Within the company, Nick is considered to be a father figure to many employees, always willing to provide support and guidance to those in need. He is admired by his coworkers and customers for his bright attitude, modest demeanor, and dedication to the company.

Though he cannot perform all the job functions he once could, Nick continues to work seven days per week—a habit that is indicative of his tireless, hard-working character. He still lives at the Manganaro family homestead, where he resides next door to his sister, Maria Capolarella Montante. The two have one living brother, Joe Manganaro. Outside of work, Nick is a member of St. Rocco's Parish in Pittston, and is a life-long member of the San Cataldo Society in Pittston, a social organization that is united in celebrating its member's Italian heritage, familial values, and religious principles.

Mr. Speaker, I am pleased to recognize Mr. Nick Manganaro on this important milestone, and I admire his diligent work ethic and sense of commitment. I thank Nick for his service to our country and community, and I hope that he will celebrate this year in the company of his family and friends.

COMMEMORATING THE 50TH ANNIVERSARY OF THE NATIONAL NEGRO GOLF ASSOCIATION

**HON. MARCIA L. FUDGE**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 8, 2015*

Ms. FUDGE. Mr. Speaker, I rise today to mark the 50th Anniversary of the National Negro Golf Association (NNGA) and to recognize the organization for its efforts to increase interest in the game, particularly among African American communities.

Sports often reflect the racial and social trends in the larger American society; and perhaps no game illustrates the gradual progression in race relations quite as clearly as golf.

Nearly 50 years ago, a small group of black students gathered in Lebanon, Pennsylvania to establish the NNGA. Its history would become part of the greater ongoing struggle to overcome a legacy of social exclusion. While NNGA's mission focuses on recreation, it has become an agent for social change.

Today, NNGA has grown to over 200 members in seven chapters, including a chapter in the 11th Congressional District of Ohio, my home district. Its interest in diversity and inclusion has inspired the association to raise hundreds of thousands of dollars for the United Negro College Fund and has helped professional African American golfers further their careers in this once exclusive sport.

Over the course of its history, the fraternal spirit of the NNGA membership has positively impacted the lives of its members and future generations of young golfers. Happy 50th Anniversary to the National Negro Golf Association.

CONGRATULATING BRIGADIER GENERAL KRISTIN K. FRENCH ON HER RETIREMENT

**HON. CHERI BUSTOS**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 8, 2015*

Mrs. BUSTOS. Mr. Speaker, I rise today to congratulate Brigadier General Kristin K. French on her retirement from her long and heroic service in the U.S. Armed Forces.

Completing her studies at the historic grounds of West Point Military Academy in 1986, Brig. Gen. French would later go on to complete two masters degrees in Logistics Management and Strategic Studies. After serving all over the world in operations such as Operation Desert Fox in Kuwait, Operation Joint Endeavor in Croatia, Operation Iraqi Freedom in Iraq and Operation Enduring Freedom in Afghanistan, she assumed command of the Joint Munitions and Lethality Life Cycle

Management Command and Joint Munitions Command at the Rock Island Arsenal in Rock Island, Illinois in July of 2013.

A highly decorated officer, her awards include the Defense Superior Service Medal, Legion of Merit, Bronze Star Medal, Defense Meritorious Service Medal, Joint Service Commendation Medal, Army Commendation Medal and the Army Achievement Medal. Brig. Gen. French is married to Lieutenant Colonel Rick French, and together they have a daughter and a son.

Mr. Speaker, I would like to thank Brigadier General Kristin French for her dedicated service in the Armed Forces, bravely protecting and defending American citizens. I congratulate her on her well-earned retirement after nearly 30 years of service, and I wish her and her family the very best the future has to offer.

CONGRATULATING CURT FRYE

**HON. ADRIAN SMITH**

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 8, 2015*

Mr. SMITH of Nebraska. Mr. Speaker, I rise today to congratulate Curt Frye of Wayne, Nebraska, on his recent retirement after 30 years of service to the students and faculty at Wayne State College.

Mr. Frye taught for 18 years in Nebraska public schools before becoming Associate Dean of Students at Wayne State in 1985. In the years following, he served in numerous roles including Dean of Students, Vice President of Student Affairs, and Interim President before being named President in 2011.

Having served at the college longer than any of his predecessors, Mr. Frye is known for his dedication to seeing Wayne State students succeed. I had the opportunity earlier this year to visit the College Center in South Sioux City, a unique partnership established under Mr. Frye's leadership to provide a high-quality, affordable education to more students in the region. Despite his retirement, Mr. Frye's vision and tireless work for the college he loves will continue to benefit Wayne State students for years to come.

On behalf of the people of Nebraska's Third District, I thank Mr. Frye for his decades of service to Nebraska education and congratulate him and his wife Dianne on the start of this new chapter in their lives.

RECOGNIZING LESLIE VELEZ AND DANIEL HENRY

**HON. KEN BUCK**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 8, 2015*

Mr. BUCK. Mr. Speaker, I rise today to recognize Leslie Velez and Daniel Henry for their

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

hard work and dedication to the people of Colorado's Fourth District as interns in my Washington, DC office for the Spring 2015 session of Congress.

The work of this young man and woman has been exemplary and I know they both have bright futures. They served as tour guides, interacted with constituents, and learned a great deal about our nation's legislative process. I was glad to be able to offer this educational opportunity to these two and look forward to seeing them build their careers in public service.

Both of our interns have made plans to continue their work next year with various organizations in Washington. I am certain they will succeed in their new roles and wish them all the best in their future endeavors. Mr. Speaker, it is an honor to recognize Leslie Velez and Daniel Henry for their service this spring.

#### DECADES OF COMPASSION

### HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 8, 2015*

Mr. OLSON. Mr. Speaker, I rise today to recognize Mrs. Avadele Short of Katy, Texas for receiving an Award of Distinction for her 34 years of dedicated service to the Memorial Hermann Katy Hospital.

Mrs. Short and her husband were two of the founders of the Memorial Hermann Katy Volunteer Auxiliary when the hospital opened its doors in 1981. Since then, Mrs. Short has given more than 9,000 hours of her time to the Katy community and is the only remaining original member of the Auxiliary. With her help, the volunteer program has expanded from 45 original members to 145 members today. Now 91, Mrs. Short still volunteers twice a week and brings smiles to all the patients and the entire hospital staff. Hospital staff and patients alike agree, it would not be the same place without her care and compassion.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Mrs. Avadele Short for more than three decades of volunteer service to the Memorial Hermann Katy Hospital. Thank you for all that you have done for our community.

#### CONGRATULATING MADDY PETICOLAS

### HON. RODNEY DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 8, 2015*

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to congratulate my constituent, Maddy Petcolas of Godfrey, Illinois, on achieving the Congressional Award Silver Medal.

The Congressional Award recognizes individuals for excellence in four areas: voluntary public service, personal development, physical fitness, and expedition. During her time at Principia High School, Maddy participated in a

number of activities that helped to improve her community.

Maddy spent over two hundred hours volunteering at a local day camp, staffing events and led hikes for children. She also grew in her faith of Christian Science by reading "Prose Works", written by Mary Baker Eddy, a founder of the Church of Christ, Scientist. Additionally, as a ukulele player, Maddy worked to improve her memorization and sight reading skills.

She also spent many hours playing for her club soccer team, and began running to increase speed and confidence as a player. She climbed a 14,000 foot mountain and completed a ropes course during her time on a yurt campground where she was also in charge of meals.

In all these things, Maddy demonstrated determination in improving both herself and her community. Whether it was through volunteering, personal development, physical fitness, or expedition, Maddy impacted the lives of many and I am proud to represent individuals like her in my district.

Congratulations on earning the Congressional Award Silver Medal, Maddy.

#### HONORING MR. JOSÉ DUEÑAS

### HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 8, 2015*

Ms. LEE. Mr. Speaker, I rise today to honor the extraordinary life of Mr. José Dueñas, former President and CEO of the Alameda County Hispanic Chamber of Commerce. Known throughout the Bay Area as a fervent Latino community leader, Mr. Dueñas has left an undeniable mark on our community. With his passing on June 20, 2015, we look to honor the outstanding quality of his life's work.

Born in Mexico City, Mexico on February 24, 1952, Mr. Dueñas was raised in Oakland, California where he graduated from Fremont High School. He later attended California State University, Hayward and St. Mary's College of California. Upon receiving his Bachelor's Degree in Engineering, Mr. Dueñas went on to pursue a career in public service to develop and promote opportunities for the greater Bay Area community.

During the earlier stages of his professional career, Mr. Dueñas' determination and hard work led him to become a senior manager for the Port of Oakland, the fourth largest port in North America. Shortly after, he was chosen to lead the Bay Area World Trade Center as Chief Executive Officer where he coordinated trade missions to over 40 different countries.

Afterwards, the Alameda County Hispanic Chamber of Commerce (ACHCC) hired Mr. Dueñas to represent and provide assistance to over 18,000 Hispanic owned firms. As President and Chief Executive Officer at ACHCC, he led the charge of building a sustainable economic and financial foundation for Latino businesses to grow and prosper in the Bay Area. During his tenure, he also helped create a Latino Political Action Committee to help promote Latino candidates and address key issues facing the Latino community and communities of color.

Furthermore, Mr. Dueñas also ran his own company, Global 8 Partners, which focuses on international trade, government affairs and Hispanic business marketing. He is survived by his two children, Nicolas and Annalisa, three sisters and one brother.

I will always remember José's resiliency, his charisma, and passion for serving his community. Some of my most memorable moments with José were traveling to Mexico and Africa on the trade missions he helped organize. He truly understood the importance of international trade to the Bay Area, and he shared his knowledge with policy makers and the private sector to help spur economic growth and create jobs. His larger than life spirit will live forever and will continue to give us hope for the future. I will be forever grateful for his wise counsel and friendship.

Today, California's 13th Congressional District salutes an outstanding individual and leader, Mr. José Dueñas. Mr. Dueñas' contributions have truly impacted countless lives throughout the Bay Area. I join all of Mr. Dueñas' loved ones in celebrating his incredible life and offer my most sincere condolences.

#### PEARLAND ISD SECONDARY TEACHER OF THE YEAR—MELISSA WARD

### HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 8, 2015*

Mr. OLSON. Mr. Speaker, I rise today to congratulate Melissa Ward of Pearland's Dawson High School for being named Pearland Independent School District's 2015 Secondary Teacher of the Year.

Ms. Ward has always had a gift and talent for teaching. After receiving degrees in both sociology and psychology, she sought a career where she could help people and found a passion for teaching. In addition to her classroom excellence, Ms. Ward also coaches girls' cross country, track and field, and basketball. She often takes time out of her day to attend her students' cheer, band, or sporting events. She has also implemented the Student Training in Teacher Leadership Program, which provides mentoring for students who are considering teaching for a career at Dawson High School. Her dedication to Dawson High School doesn't stop.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Melissa Ward for winning the Pearland Independent School District's 2015 Secondary Teacher of the Year Award.

#### HONORING THE COUNTY OF NAPA'S IF GIVEN A CHANCE PROGRAM

### HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 8, 2015*

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor the valuable and tremendous work of the Napa County organization, If

Given A Chance. For two decades, this group has provided scholarships and resilient high school graduates to overcome extraordinary challenges and troubled pasts.

Since 1995, the If Given A Chance program has provided young people that have faced tremendous difficulties the opportunity to continue their education after high school and gain the work experience they need to succeed. With support from local businesses and philanthropic organizations, the program awards more than \$100,000 in scholarships, and graduates have gone on to get Masters and Ph.D. degrees at schools such as UCLA, UC Davis, and Stanford University.

If Given A Chance has supported hundreds of Napa Valley students in their efforts to pursue college and vocational education. The remarkable young people that participate in If Given A Chance have overcome gang affiliation, addiction, injury, abuse and disease, and this program provides them the opportunity to make a better life for themselves and their families. If Given A Chance is a testament to the significant and positive impact young people can have on their communities, and a true demonstration of the qualities that make our country great.

Many have worked tirelessly to ensure the success of If Given A Chance, and none more-so than Jim King, the program's founder. His legacy continues, and the board of directors has continued the tradition of exceptional work in support of Napa County's youth.

Mr. Speaker, If Given A Chance has helped to engage and support so many students in the Napa community. I celebrate them for devoting themselves to the success of the next generation and wish them good fortune in their next twenty years of service.

#### HONORING SCENTSABILITY MICRO-ENTERPRISE, INC.

### HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 8, 2015*

Mr. DEUTCH. Mr. Speaker, I rise today in honor of ScentsAbility Micro-Enterprise, Inc. as they are awarded the Platinum Business Award at this year's Connections luncheon, an annual awards ceremony sponsored by Career Source Broward and Palm Beach Counties. This award, presented by the South Florida Business Leadership Network, recognizes employers for disability-friendly practices and their commitment to training disabled Floridians for employment opportunities.

ScentsAbility has made it its mission to do exactly that. Under the guidance of ScentsAbility employees, disabled Floridians craft and sell homemade candles as well as learn important vocational and leadership skills that will allow them to succeed in a variety of workplace settings. ScentsAbility's care and commitment to this work has enabled countless Americans with special needs to live independently and with confidence. Too often, Americans with intellectual and physical disabilities are unable to find meaningful employment and earn a living. As a nation, it is important we recognize and enable organiza-

tions, such as ScentsAbility, that raise awareness of these critical issues and prioritize the diverse needs of our community.

It is with great pleasure that I honor ScentsAbility and its director, Ms. Bonnie Schmidt.

#### IN HONOR OF THE GREATER TOMBALL AREA CHAMBER OF COMMERCE

### HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 8, 2015*

Mr. BRADY of Texas. Mr. Speaker, I stand today to honor the 50th anniversary of The Greater Tomball Area Chamber of Commerce of Tomball, Texas.

There is no doubt that the Tomball area is experiencing exciting economic growth. The area, once known for agriculture, oil, and the railroad is now a bustling corridor home to tech start-ups and manufacturing firms. Throughout this growth, one thing has stayed constant—the Greater Tomball Area Chamber of Commerce's small town friendliness.

Although the Chamber was not formally incorporated until 1965, it was first organized in the 1920s when a group of local businessmen identifying themselves as the chamber sent a telegram to a Marshall, Texas doctor to entice him to move to the area.

Built upon a mission to provide resources and foster relationships that empower businesses to prosper, the Greater Tomball Area Chamber of Commerce is truly the model of excellence for all Chambers.

The Tomball Chamber's great success is due in no small part to the local business leaders who over the years have worked so hard to make Tomball the great community it is today.

Those men and women have been supported by a tremendous group of Chamber executives including Pete Still, Doris Johnson, Diane Holland and Bruce Hillegeist.

I had the privilege of working firsthand with Diane and Bruce as a chamber executive myself in nearby Montgomery County. Diane not only led the Tomball Chamber for 20 years but was the first woman to hold the post of Chairman of the Board of the Texas Chamber of Commerce Executives. Bruce, who currently serves as the Tomball Chamber's President, held that same post in 2010 and is widely respected for his vision, energy, and leadership.

Continually advocating on behalf of its members, the Chamber was a driving force in the creation of the Tomball Tollway which has brought much needed relief from congested roadways.

Additionally, the Chamber was a key player in bringing the community college to the Tomball community. Now known as Lone Star College—Tomball, the college has become an integral part of the Tomball economic infrastructure with an enrollment of over 12,000 students.

Today, I want all of America to join with us in celebrating 50 years of excellence. I cannot wait to see what the future holds for the Greater Tomball Area Chamber of Commerce.

#### PEARLAND ISD ELEMENTARY SCHOOL TEACHER OF THE YEAR—TAMMY NORMAN

### HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 8, 2015*

Mr. OLSON. Mr. Speaker, I rise today to congratulate Tammy Norman of Pearland's Rogers Middle School for being named Pearland Independent School District's 2015 Elementary Teacher of the Year.

Throughout her childhood, Ms. Norman was inspired and encouraged by her teachers. Today, she strives to have the same effect on her students by helping them grow academically and being a positive influence. Ms. Norman creates an engaging learning environment by supplementing her lessons with technology, humor, and fun activities. Ms. Norman is truly making a lasting impact on the lives of her students.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Ms. Norman for being named Pearland ISD's 2015 Elementary Teacher of the Year.

#### ANTHONY JOSEPH NARUTOWICZ

### HON. C. A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 8, 2015*

Mr. RUPPERSBERGER. Mr. Speaker, I rise before you today to honor the life and legacy of Anthony Joseph "Tony" Narutowicz, a local business owner, U.S. veteran and active community leader, who passed on October 14, 2014, at the age of 81.

A life-long resident of Baltimore County, Mr. Narutowicz attended Saint Joseph Academy in McSherrystown, Pennsylvania, Leonard Hall Academy in Leonardtown, Maryland, and Mount Saint Joseph High School in Baltimore. He served in the U.S. Merchant Marines for two years before joining the Army for another two years during the Korean War as a corporal.

Mr. Narutowicz worked several jobs before landing in the family business, a tavern and package store called Mickey's of Edgemere, in 1963. He was eventually named president of the company and managed it until his retirement in 2001. Among his many claims to fame, he once successfully fought two armed robbers outside a local bank.

An extremely active and loyal Democratic leader, Mr. Narutowicz was a founding member of the Baltimore County Seal Democratic Club, serving several terms as president. He also served on the Democratic State Central Committee from 1991 to 1998 in addition to launching his own bid for the Maryland House of Delegates.

A prominent business owner, Mr. Narutowicz sat on the Board of Directors at Bay-Vanguard Federal Savings and Loans for 25 years. He also donated time as a member of the Edgemere-Millers Island Businessmen's Association for a decade.

Giving back to his community was always a top priority for Mr. Narutowicz. An active parishioner at St. Luke Catholic Church, he was

an avid supporter of church and community programs that benefitted children and worked for many years as treasurer of a charity golf tournament to provide scholarships for local high school students. He was also a member of the Independent Order of Odd Fellows North Point Lodge 4, an organization that operates under the principles of friendship, love and truth.

A dedicated family man, he was married to Verna Moore Narutowicz for an incredible 53 years. Together, the couple had four daughters, seven grandchildren and one great-grandchild.

Mr. Speaker, I ask that you join with me today to honor the life and memory of Mr. Tony Narutowicz. He was a valued member of the Baltimore County Community who will be sorely missed but never forgotten.

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RECOGNIZING WARREN E. MOTTS  
AND THE MOTTS MILITARY MU-  
SEUM

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**HON. STEVE STIVERS**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 8, 2015*

Mr. STIVERS. Mr. Speaker, I rise today to recognize Warren E. Motts, the founder of the Motts Military Museum in Ohio. As a Colonel in the Ohio National Guard, I truly appreciate all that Warren has done to make the museum into what it is today.

In 1987, Groveport, Ohio native Warren Motts established the military museum in his family's residence in order to preserve the history of our armed forces. As new exhibits were added, the museum was later moved to a larger facility on nearly four acres of land.

After moving, the museum began receiving large donations from military families, which allowed for the acquisition of military vehicles, aircraft, and a World War II boat. In 2001, the museum had the funds to break ground on a new wing to add even more military artifacts. The new wing of the museum was completed in 2006 and items are still being added to this section of the museum.

Today, the Motts Military Museum has exhibits for the Revolutionary War, the Civil War, World War I, World War II, the Korean War, the Vietnam War, and Desert Storm. The museum also has some historical NASA artifacts, medals, and a POW exhibit.

It is a testament to Warren Motts' dedication that The Motts Military Museum has grown into an incredible facility for people all over Ohio to learn about the rich history of America's armed services. I thank Warren for all of his tremendous work in establishing this museum and ensuring it will continue to grow well into the future for our community and visitors to enjoy.

CONGRATULATING THE RAIN-  
WATER FAMILY AND THE CITY  
OF CARROLLTON FOR RAIN-  
WATER LANE

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**HON. KENNY MARCHANT**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 8, 2015*

Mr. MARCHANT. Mr. Speaker, I rise today in recognition of the city of Carrollton, Texas, located in my Congressional district, for renaming Jamestown Lane to Rainwater Lane in commemoration of the Rainwater family, who have resided in the area since 1855. This change, proposed April 7th, was approved by the city council on May 5th, and put into effect May 6th.

The Rainwaters are one of the oldest families in Carrollton, having lived there for over 150 years. Carrollton has a history of honoring important residents and families with street names, and continues that tradition with Rainwater Lane. The Rainwaters even worked on the plot of land where Carrollton City Hall is currently placed. It is a long deserved honor to name a street after one of the great Carrollton families. The newly renamed Rainwater Lane is located behind Carrollton City Hall right in the heart of Carrollton. As Carrollton mayor Matthew Marchant said on the subject, "The Rainwater family is a very key part of the history of the city of Carrollton and your legacy continues, even through today."

Mr. Speaker, on behalf of the 24th Congressional District of Texas, I ask all my distinguished colleagues to join me in honoring the Rainwater family and the city of Carrollton on this commemoration.

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PEARLAND ISD HIGH PRINCIPAL  
OF THE YEAR—DR. JENNIFER  
MORROW

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**HON. PETE OLSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 8, 2015*

Mr. OLSON. Mr. Speaker, I rise today to congratulate Dr. Jennifer Morrow of Pearland's Turner College and Career High School for being named Pearland Independent School District's 2015 Elementary and Secondary Principal of the Year.

Dr. Morrow has been working as principal at Turner College and Career High School since 2012. She has helped create educational programs that allow students to meet specific industry needs. Dr. Morrow shows the innovation and leadership that is deserving of this prestigious award.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Dr. Jennifer Morrow for being named Pearland ISD's Secondary Principal of the Year.

HONORING CARLI LLOYD OF  
DELTRAN

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**HON. THOMAS MacARTHUR**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 8, 2015*

Mr. MACARTHUR. Mr. Speaker, I rise today to acknowledge the outstanding performance and ultimate victory of the United States Women's National Team during the FIFA Women's World Cup.

On July 5, 2015, the women representing the United States of America soared to victory over Japan in the final game of the Women's World Cup. I would like to recognize the entire team for representing our country with a sweeping and courageous win.

I would like to congratulate Carli Lloyd, who grew up in Delran, New Jersey, for a truly heroic performance and the ultimate representation of her hometown in New Jersey's third Congressional district. Ms. Lloyd's brilliant play in the Women's World Cup concluded with the first hat trick in WWC Final history. Not only did Ms. Lloyd win the Golden Ball Award, but she inspired our country with her passion, leadership and fearless execution that led the United States Women's National Team to become the first team to win three FIFA Women's World Cup titles.

Carli Lloyd continues to represent New Jersey's third Congressional District with honor and distinction and I am proud to represent her in Congress.

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TRIBUTE TO PATRICK  
GULBRANSON

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**HON. DAVID YOUNG**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 8, 2015*

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to congratulate and recognize Patrick Gulbranson of Stuart, Iowa, as he has been named to Special Olympics Team USA and will represent the United States at the 2015 Special Olympics World Summer Games in Los Angeles, California.

The 2015 World Games, which will take place July 25th through August 2nd marks the 14th Special Olympics World Summer Games. Every two years, the world comes together for this event, a flagship event of the Special Olympics movement, which promotes equality, tolerance and acceptance through the power and joy of sport. This prominent world stage brings attention to the Special Olympics movement and the abilities of people with intellectual disabilities. Currently, more than 4.4 million Special Olympics athletes train and compete year-round in 170 nations across the globe.

Patrick is one among a 491-member delegation representing the United States in competition in 17 different sports. After earning a gold medal at the 2013 Special Olympics Iowa State Bowling Tournament, Patrick qualified to apply for his spot on Special Olympics Team USA bowling.

I commend Patrick for his dedication to the sport and I know that my colleagues in the



United States Congress will join me in congratulating him for qualifying to represent the Special Olympics Team USA at this year's World Summer Games. It is an honor to serve Iowans like Patrick, and I wish him the best of luck at the 2015 Special Olympics World Summer Games and in all his future endeavors.

COMMEMORATING THE 45TH ANNIVERSARY OF PRESIDENT RICHARD M. NIXON'S SPECIAL MESSAGE TO CONGRESS ON INDIAN AFFAIRS

**HON. TOM COLE**

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 8, 2015*

Mr. COLE. Mr. Speaker, I rise today to commemorate the 45th anniversary of President Richard M. Nixon's Special Message to Congress on Indian Affairs.

For nearly two hundred years, Federal Indian policy has veered from one failed policy to another. Past policies have included treaty-making, outright war and hostilities, land allotment, assimilation, and termination. On July 8, 1970, President Richard M. Nixon issued his Special Message to Congress on Indian Affairs. In the message, he acknowledged that the state of Federal Indian policy was wholly inadequate. President Nixon noted that the Indians were the most deprived group of Americans, ranking at the bottom of nearly every economic and social measurement. He related that, despite inconsistent and often hostile Federal treatment, the story of the American Indian was one of great struggle, but ultimately overcoming overwhelming challenges. He highlighted the long history of cultural contributions to American society which have become part of the American experience and spirit. He also noted the "record of enormous contributions Indians have made to this country, its art and culture, its strength and spirit, its sense of history, and its sense of purpose."

The President's Special Message was of particular importance because it called on Congress to repudiate and repeal the termination policy expressed in House Concurrent Resolution 108, and instead he promoted a policy that would allow Indian tribes to become part of the American fabric and participate in their communities across this great nation, at every level.

The President's message represented a fundamental change to how the United States engages Indian tribal governments and their people, proclaiming "the time has come to break decisively with the past and to create the conditions for a new era in which the Indian future is determined by Indian acts and Indian decisions." Since then, the United States Indian policy has become one of Indian Self-Determination, without Termination.

Congress responded to the Nixon Administration's initiative in 1975, by passing the Indian Self-Determination and Education Assistance Act, paving the way for the enactment in 1988 of the Tribal Self-Governance Program. As a result of these enactments, Indian tribes currently manage and administer one-half of all programs and services offered by the Bu-

reau of Indian Affairs and Indian Health Service.

In an effort to further develop a relationship of trust and confidence between the Federal government and Indian people, the President endorsed legislation to restore the Blue Lake lands to the Taos Pueblo Indians. Previously, the United States had appropriated the land for the purposes of creating a national forest. The Pueblo held the land sacred and necessary to express their religious faith. The message also proposed reforms to Indian education, encouraged investment, economic development and job creation in tribal communities, called for liberalizing land leases, and increasing support for Indian health.

Since then, Congress and the Executive Branch have collaborated to enact and implement statutes to improve Indian education, health, housing, sacred site protection, energy and economic development, and international trade and tourism. Every President since Nixon has embraced and implemented the policy of Indian Self-Determination. This policy is supported by the twin pillars of strong tribal governments and vigorous tribal economies, and continues to be the most successful Indian doctrine to date.

Mr. Speaker, I come before you now to commemorate President Richard M. Nixon's Special Message to Congress on Indian Affairs, affirm its support for the enduring truths contained therein, and call for the policy of Indian Self-Determination to be expanded and strengthened by this and future Congresses and Presidents.

ONE MILLION CHILDREN FED

**HON. PETE OLSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 8, 2015*

Mr. OLSON. Mr. Speaker, I rise today to congratulate Lunches of Love for serving its one millionth free lunch to the children of the Fort Bend County community.

Lunches of Love has been serving Fort Bend County since 2012 by providing nutritious lunches for children in need. On June 23, the organization handed out their millionth sack lunch and moved one step closer to ending childhood hunger. We are extremely proud of Lunches of Love's dedication to our children and are grateful for every volunteer who has helped them reach this milestone.

On behalf of the Twenty-Second Congressional District of Texas, thank you again to Lunches of Love for serving the children of Fort Bend County and helping to eradicate childhood hunger.

HONORING THE ST. HELENA  
NATIVE SONS HALL

**HON. MIKE THOMPSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 8, 2015*

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor the St. Helena chapter of

Native Sons of the Golden West, Parlor 53, on the occasion of the 100th anniversary of its meeting hall.

First opened on June 25, 1915, the St. Helena Native Sons Hall has hosted events and gatherings of all kinds and served as a valuable meeting space for the local community. Concerts, funerals, weddings, and auctions have been held within its walls. Once an old dance hall, the building was moved to its current location on Spring Street in St. Helena in 1915. A century later, the hall remains a cornerstone of the St. Helena community.

Founded in 1875, the Native Sons of the Golden West is one of the oldest fraternal service organizations in California. The organization was initially established to preserve the state's early history, including the events of the Gold Rush. Today, the Native Sons serve as a charitable organization and work to purchase, rehabilitate, and restore monuments from California's pioneer days. Sutter's Fort, the Franciscan Missions, and the Monterey Custom House were all preserved thanks to efforts of the Native Sons of the Golden West.

Mr. Speaker, it is my distinct pleasure to recognize the St. Helena chapter of the Native Sons of the Golden West for the 100th anniversary of its hall, and for many years of dedication to the local community. I wish them all the best on this historical occasion, and look forward to another century of service and celebration.

HONORING THE LIFE OF WILLIAM  
"BILL" ALFRED KINDRICKS

**HON. ZOE LOFGREN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 8, 2015*

Ms. LOFGREN. Mr. Speaker, I rise with my colleagues, Congressmembers ANNA ESHOO and MIKE HONDA, in memory of William "Bill" Alfred Kindricks, who passed away on June 8, 2015. Bill was a leader in our community both in his public work with San Francisco BART and Santa Clara Valley Transit Authority, and in his private life as an integral member of his church and mentor within the black community in Santa Clara County.

Bill Kindricks, born the youngest of four siblings on July 24, 1946, on the campus of Tuskegee University to Lewis and Salena Kindricks, grew up in Opelika, Alabama. He graduated from Alabama A&M University and the University of Virginia, Darden Graduate School of Business, and played professional football with the Cincinnati Bengals and Oakland Raiders.

For most of his life, Bill resided and was an active member of his community in San Jose. A devout man, Bill was baptized and attended church weekly throughout his life. During his career, Bill worked for General Motors and San Francisco Bay Area Rapid Transit (BART) and retired from the Santa Clara County Valley Transit Authority (VTA) after 23 years of dedicated service.

Until his passing, Bill was a nurturing, supportive leader and mentor in the 100 Black Men of America, Omega Psi Phi Fraternity, Inc., National Forum Black Public Administrators, Black Leadership Kitchen Cabinet of

Santa Clara County, and NAACP, among others. As the President of the Silicon Valley Chapter of 100 Black Men of America, Bill contributed to the development of hundreds of young adults. Compassionate and generous with his time, Bill was always available to selflessly help those in need.

Bill was a genuinely good human being. He bettered the lives of others with his magnanimous presence and spirit. Many loved and respected Bill, and his passing is mourned and deeply felt among those whose lives he has touched. Together with my colleagues, I want to express my sincerest condolences to Bill's family and fellow church members. Our hearts are with them in this time of sorrow. Along with Bill's family, friends, former colleagues and our community, we will miss him. We have been lucky to have him.

#### OUR UNCONSCIONABLE NATIONAL DEBT

#### HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 8, 2015*

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$18,151,950,433,860.76. We've added \$7,525,073,384,947.68 to our debt in 6 years. This is over \$7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

#### HONORING BRUNO SCHUSTEK

#### HON. BILL FOSTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 8, 2015*

Mr. FOSTER. Mr. Speaker, I rise today to recognize the dedication of the Schustek Pond in the Village of Willowbrook, Illinois.

On July 6, 1930, the wealthy heiress Mary "Merry" Fahrney decided to try her hand at skydiving for the first time without any prior training or a qualified instructor to assist her. Upon exiting the airplane her parachute became entangled on the plane's wing, leaving her helplessly suspended hundreds of feet above the ground for over two hours. Charles Geiger and Bruno Schustek witnessed Fahrney's predicament from the ground and decided to assist her. When he reached Fahrney's plane, Schustek climbed out of his own airplane, down a rope, and onto the wing of her aircraft freeing her parachute and allowing Merry to glide safely to the ground. Unfortunately, Schustek was unable to climb back into his plane and fell to his death.

Eighty-five years to the day after Bruno Schustek's death, the North American Spine Society unveiled a new plaque in his honor. Decades after his heroic act, Schustek's memory lives on thanks to Maria R. Traska, Joseph Kubal and Keith Yearman, amateur historians who discovered and publicized Schustek's

story. With the dedication of the Schustek Pond, his selfless actions will continue to inspire and remind us of his sacrifice.

#### PEARLAND ISD PRINCIPAL OF THE YEAR—SHARON BRADLEY

#### HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 8, 2015*

Mr. OLSON. Mr. Speaker, I rise today to congratulate Sharon Bradley of Pearland's Jamison Middle School for being named Pearland Independent School District's 2015 Elementary and Secondary Principal of the Year.

Ms. Bradley has served as principle of Jamison Middle School for ten years. Previously, she taught multiple different grade levels including as a junior high assistant principal. She developed a passion for helping to guide her students into becoming strong leaders through the school system. Ms. Bradley has demonstrated great leadership and dedication to her students and colleagues.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Sharon Bradley for winning the Pearland Independent School District's 2015 Elementary and Secondary Principal of the Year Award.

#### CELEBRATING STEFAN ROZENFELD

#### HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 8, 2015*

Mr. NADLER. Mr. Speaker, on July 12, 1940, six-year-old Stefan Rozenfeld arrived on the shores of the United States of America with his mother and father, after a long and perilous journey from Poland. This week, he will celebrate the 75th anniversary of his arrival.

His journey, albeit encompassing a narrative far too familiar for many American Jews, represents a remarkable story of survival and courage.

When they fled their native Poland in January 1940, Stefan Rozenfeld and his mother escaped certain death at the hands of the Nazis. Only weeks after they departed their home in Lodz, the Jews of Lodz were rounded up and crammed into a ghetto that served as a staging ground for deportations to Nazi extermination camps. The Rozenfelds made their way to Belgium, where they reunited with Stefan's father and secured American immigration visas. However, unable to obtain passage to the United States before the Nazi invasion of Belgium in May 1940, they narrowly evaded the Nazis once again, securing safety in France. But when France capitulated to the Nazis in June, 1940, the Rozenfelds were trapped. Denied entrance to their last two remaining hopes, Portugal and Spain, vulnerable and without anywhere else to turn, Stefan and his family seemed destined to fall into the Nazis' murderous hands.

Portugal, neutral throughout World War II, had closed its borders to Jewish refugees. It was only the actions taken by an exceedingly courageous diplomat, Aristides de Sousa Mendes, the Portuguese consul in Bordeaux, which permitted the Rozenfelds, along with tens of thousands of other refugees, to successfully flee the Nazis. Despite a government directive strictly prohibiting the issuing of visas to Jews, Sousa Mendes instructed his vice-consuls to issue Portuguese visas to anyone who petitioned for one, regardless of nationality or religion. Yet, in saving as many as 30,000 lives, Sousa Mendes sacrificed his own career and livelihood. Put on trial by the Portuguese government, the formerly high-ranking diplomat was convicted and forced into retirement, tarnishing his reputation and leaving him impoverished.

While Sousa Mendes was unjustly blacklisted and punished, the Rozenfelds were able to escape to Portugal and then to the United States, where they landed in Hoboken, New Jersey on July 12, 1940. Settling in Queens, New York, Stefan's father started a company that dubbed and translated foreign films for American audiences. The company became an important component of the American film industry, most notably dubbing the Vittorio De Sica film, "Two Women," which starred Sophia Loren. After graduating from Stuyvesant High School in downtown Manhattan and Perdue University in Indiana, Stefan joined his father's company. In 1958, he married Linda Schoengold, a childhood friend he had known since he was eight years old and with whom he had four children: Julie, Laurie, Paul, and Leah. After raising the children in New Rochelle, where Linda volunteered in the community and worked to encourage voter participation, Stefan and Linda today live in active retirement, yet make sure to return every summer to Pine Lake Park, where they first met. Stefan maintains his lifelong passion for classical music through his extensive collection of recordings and the series of concerts he and Linda host for friends. Despite having faced incredible adversity, the Rozenfeld family, with the help of the heroic Aristides de Sousa Mendes, survived and managed to thrive, embodying the very ethos of the American dream.

After Aristides de Sousa Mendes died in disgrace in 1954, his name was largely forgotten. Many of the refugees whose lives he had singlehandedly saved were scattered around the world. Yet after decades of hard work by his children, and with support from Congress, the Portuguese diplomat eventually came to be known internationally as a hero. Named by Israel in 1966 as Righteous Among the Nations, he would later be honored in his native Portugal, where Portugal's president Mario Soares declared him "Portugal's greatest hero of the twentieth century." In 2004, after reparations were paid to his family and his name restored, celebrations were held in over thirty nations to commemorate Sousa Mendes on the fiftieth anniversary of his death.

Aristides de Sousa Mendes recorded the names and visa numbers of the individuals he granted visas to in a ledger book which now lies in the Portuguese Foreign Ministry in Lisbon. I recently viewed images of Sousa Mendes' list, and, although to some it may appear only as names and numbers, to me it

represents promise and hope for the Jewish people and the heroism of one exceptionally brave man.

The story of the Rozenfelds' flight from Nazi persecution, the righteous actions taken by Aristides de Sousa Mendes, and the Rozenfelds' successful passage and settlement in America is important to recognize. I am deeply grateful for Sousa Mendes and his actions, which allowed Stefan and thousands of other refugees to escape the evils of the Nazis and live a life of freedom and promise. I am pleased to be able to share the story of the Rozenfelds' perseverance and courage, of Sousa Mendes' heroic actions, of a case of the United States fulfilling its role as a haven, affording refugees welcome and freedom, and of the refugees contributing their energy and industry to the United States, with the House of Representatives today.

I wish Stefan Rozenfeld and his family well as they celebrate this historic anniversary.

#### HONORING JAMES MONDO

#### HON. LOIS FRANKEL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 8, 2015*

Ms. FRANKEL of Florida. Mr. Speaker, I rise today to celebrate James Mondo of Ridge, New York who turned 100 years old on July 4, 2015.

James, who is commonly known as Jack but more affectionately known as "pop", was born in Brooklyn, New York. The youngest child of Italian Immigrants, Francis and Clara, James grew up with seven siblings. In 1933, he married Anna Brillante, and together the couple had twin girls Clara and Marie, and a son Francis. He served in the U.S. Army during World War II, as a part of Delta Company's 25th tank division in Germany from 1945 to 1946.

Following the war, James and Anna moved the family to Mineola, New York where he drove trucks for the National Biscuit Company for 30 years before retiring in 1978. He continued to serve his community as an American Legion Post chaplain for over 20 years and by becoming a fourth degree knight in the Knights of Columbus. A die hard Yankee fan, he had witnessed all 40 of their American League pennants and 27 World Champions and still cheers the team on today. James and Anna settled down in Ridge, New York, where they have resided to this day and enjoy seeing their 8 grandchildren, and 12 great grandchildren.

James is truly an exceptional man and I join with his friends and family in celebrating this wonderful milestone. I wish him good health and continued success in the coming years.

#### SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference.

This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, July 9, 2015 may be found in the Daily Digest of today's RECORD.

#### MEETINGS SCHEDULED

JULY 14

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the nominations of General Paul J. Selva, USAF, to be Vice Chairman of the Joint Chiefs of Staff, and General Darren W. McDew, USAF, to be commander of the U.S. Transportation Command.

SD-G50

10 a.m.

Committee on Commerce, Science, and Transportation  
Subcommittee on Space, Science, and Competitiveness

To hold hearings to examine unlocking the cures for America's most deadly diseases.

SR-253

Committee on Energy and Natural Resources

To hold an oversight hearing to examine islanded energy systems, focusing on energy and infrastructure challenges and opportunities in Alaska, Hawaii and the United States Territories.

SD-366

2:30 p.m.

Committee on Small Business and Entrepreneurship

To hold hearings to examine challenges and opportunities for small businesses engaged in energy development and energy intensive manufacturing.

SR-428A

Select Committee on Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

JULY 15

9:30 a.m.

Committee on Environment and Public Works

To hold hearings to examine the nominations of Kristen Marie Kulinowski, of New York, to be a Member of the Chemical Safety and Hazard Investigation Board for a term of five years, and Gregory Guy Nadeau, of Maine, to be Administrator of the Federal Highway Administration, Department of Transportation.

SD-406

10 a.m.

Committee on Banking, Housing, and Urban Affairs

To hold hearings to examine the Consumer Financial Protection Bureau's semi-annual report to Congress.

SD-538

Committee on Commerce, Science, and Transportation

Business meeting to consider pending calendar business.

SR-253

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine securing the border, focusing on understanding threats and strategies for the maritime border.

SD-342

2:15 p.m.

Committee on Indian Affairs

To hold an oversight hearing to examine juvenile justice in Indian Country, focusing on challenges and promising strategies.

SD-628

2:30 p.m.

Committee on Commerce, Science, and Transportation

Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security

To hold hearings to examine the governance and integrity of international soccer.

SR-253

Joint Economic Committee

To hold hearings to examine what lower labor force participation rates tell us about work opportunities and incentives.

SD-562

JULY 16

2 p.m.

Committee on Homeland Security and Governmental Affairs

Subcommittee on Regulatory Affairs and Federal Management

To hold hearings to examine the Office of Information and Regulatory Affairs's role in the regulatory process.

SD-342

2:30 p.m.

Select Committee on Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

2:45 p.m.

Committee on Energy and Natural Resources

Subcommittee on Public Lands, Forests, and Mining

To hold hearings to examine S. 132, to improve timber management on Oregon and California Railroad and Coos Bay Wagon Road grant land, S. 326, to amend the Healthy Forests Restoration Act of 2003 to provide cancellation ceilings for stewardship end result contracting projects, and S. 1691, to expedite and prioritize forest management activities to achieve ecosystem restoration objectives.

SD-366

AUGUST 4

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine the back-end of the nuclear fuel cycle and related legislation, including S. 854, to establish a new organization to manage nuclear waste, provide a consensual process for siting nuclear waste facilities, ensure adequate funding for managing nuclear waste.

SD-366

## HOUSE OF REPRESENTATIVES—Thursday, July 9, 2015

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. VALADAO).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
July 9, 2015.

I hereby appoint the Honorable DAVID G. VALADAO to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,  
*Speaker of the House of Representatives.*

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

### END-OF-LIFE CARE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. One of the most difficult and challenging situations any family faces is dealing with circumstances surrounding the end of life.

Earlier this week, NPR ran a fascinating story on a little-known fact that physicians die differently than the rest of us. They are more comfortable. They are more likely to spend their final days surrounded by loved ones. They seldom die in an ICU or even in a hospital setting. That is because doctors understand what works and what doesn't. Doctors are very clear about their wishes, and they choose quality of life and concern for their families as well as their own well-being.

I have been working in this area of end of life care for more than 6 years. The Ways and Means committee unanimously approved my legislation as part of the Affordable Care Act to provide greater support for families with that decision making process.

It did pass the committee unanimously as part of the Affordable Care

Act, even despite the furor of the 2009 lie of the year about death panels, on the strength of some of the most compelling testimony that was delivered not by expert witnesses, but by Members of the committee.

One of our Republican Members discussed how his mother didn't get the care that she needed at the end of her life. Another physician Member of the committee explained how he had these conversations repeatedly, but unfortunately they were often much later than they should have been. There wasn't adequate time for the family to prepare.

Well, there has been a sea change on this issue in part because of rising public awareness. Support for our bipartisan legislation, the Personalize Your Care Act, which I have worked on for years now with Dr. PHIL ROE, has made great strides forward.

We have had advocates like Dr. Bill Frist, former Republican leader of the Senate, who has spoken eloquently and written forcefully about the need to help families under these trying conditions.

The Reverend Billy Graham has written about how it is Christian responsibility to take this on for ourselves and spare our loved ones uncertainty.

Dr. Atul Gawande recently published a brilliant work, "Being Mortal," which quickly climbed to the top of the best seller list for The New York Times.

The Institute of Medicine has put out a seminal, over 600-page report about dying in America that talked about the problems and opportunities to provide more choices and protect people's wishes.

Yesterday was another important landmark where the administration published a proposed fee schedule for next year in which they have assigned an activity code with payment for advanced care planning.

Now, of course, this is merely a proposal and CMS is still seeking comment, but it is a historic step forward for a decision that will be finalized this fall. It is yet another indication that we can and will do a better job of meeting the needs of America's families under the most difficult of circumstances.

We will make sure Americans have all the information they need to make the right decisions for themselves and their family and then to assure that those decisions, whatever they may be, are honored and enforced.

Medicare will pay for thousands of expensive medical procedures, and now,

for the first time, the government is placing a value on this important conversation between a patient and their chosen medical professional.

Now it is the job of the rest of us to do our part to spare our loved ones. Who will speak for us if we are unable to speak for ourselves, and what will they say?

### PROPOSED FIDUCIARY STANDARDS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. JOLLY) for 5 minutes.

Mr. JOLLY. Mr. Speaker, most economists and financial advisers have recognized that families across the United States are headed toward a major retirement crisis. Studies have shown that a majority of households headed by someone aged 59 or younger are in danger of suffering from falling living standards in their retirement years.

And so the administration and this Congress should be advancing policies that make retirement counseling, savings advice, and investment services more accessible, not less. Retirement planning, savings counseling, and investment advice can improve the quality of life and economic stability of every American.

Yet recent actions by this administration, however well intended, will make these financial services less accessible and less affordable to those who are in most need of them by forever changing the rules regarding financial advising related to retirement accounts.

Mr. Speaker, for years the community of financial advisers, including those throughout Pinellas County and the Tampa Bay area that I have the privilege to represent, has been governed by what is known as the suitability standard; that is, a financial adviser is required to provide financial counseling and investment recommendations that are suitable for a client based upon that client's financial position and financial goals. The suitability standard requires advisers to act fairly in dealing with clients.

This suitability standard has served individual investors well for many years, creating a market for financial services for new and low dollar investors seeking basic investment services and thoughtful financial and retirement planning.

But the administration is now in the process of replacing that standard with

a new standard called the fiduciary standard. This new standard, under the guise of protecting investors, will actually have the opposite effect. The administration's proposed rule will ultimately reduce or, in some cases, eliminate financial counseling, products, and services to new and low dollar investors. The rule will result in the elimination of financial products that adequately compensate advisers for their services, and it will increase the cost of compliance on advisers who ultimately will need to pass on those costs to clients through a higher fee structure. And it will simply cause some advisers to cease serving many clients who are, in fact, in most need of financial services.

But worse, Mr. Speaker, the Department of Labor's new rule reflects the approach we continue to see from regulators throughout this administration, an arrogant and demeaning suggestion that industry throughout America is necessarily comprised of all bad actors, and unless these actors are forced to do so by this administration, they will no longer do right or do good but for the heavy hand of government and the heavy hand of this administration making them do so. It is a Washington-knows-best approach that communities across the country continue to reject.

My message today is a simple one: The administration can do better. Do not issue the proposed new fiduciary standard rule.

The Department received thousands of comments about the proposed rule and seemingly ignored them all.

Members of Congress from both sides of the aisle have sent letters to the Department of Labor expressing the negative impacts that this proposal would have on their communities, and we have begged the Department of Labor to revisit this rule and simply do better on behalf of the American people.

Congress has also taken action on its own and will continue to do so. Recently, the Appropriations Committee included provisions within their respective bills in the House and Senate to halt the administration from moving forward on this perhaps well-intended but completely wrong proposed rule. It was right that we did so.

The administration simply must do better. It starts with recognizing that the financial adviser industry is comprised of men and women across this country who provide a valuable contribution to individuals and couples seeking retirement guidance.

Then let's realize that transparency and sunlight can solve most concerns. But to instead impose a new legal standard that will only increase compliance cost, result in expensive and needless litigation and ever more trial attorney fees and will ultimately eliminate financial counseling to hundreds of thousands of families who need it most, well, Mr. Speaker, that is the wrong answer.

Let's keep the suitability standard. Let's trust financial advisers for the good service they provide. Let's strictly enforce the current law against the very small number of individuals who seek to take advantage of individual investors. Let's protect financial services for those who need them most. And let's revisit a rulemaking process that focuses only on transparency, ultimately providing consumers and clients with the information they need to make responsible investment decisions and to responsibly select a financial adviser that is right for them.

It is time that this administration begins trusting the American people.

#### IMMIGRATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. GUTIERREZ) for 5 minutes.

Mr. GUTIERREZ. Mr. Speaker, for the record, I am not Mexican, and I am not an immigrant. Given the rhetoric of one of the leading Republican candidates for President, it is important to point that out at the start before I am accused of being a criminal, a drug dealer, or a rapist.

To be fair, Donald Trump didn't say that all Latinos or all Mexicans are rapists, just that the vast majority of Mexican immigrants are rapists, drug dealers, and criminals. Clearly, if anyone has firsthand knowledge of Mexican immigrants working in the United States, it should be the owner of a hotel, casino, office buildings, or a clothing line. But Trump doesn't seem to be basing his opinions about Mexican immigrants on personal knowledge.

To justify his claims, Trump says that most of the women coming from Central America to the U.S. through Mexico and other countries report being sexually assaulted. On this point, he and I have some agreement. Women and children at the lowest rung of our economic and social ladder are incredibly vulnerable to sexual assault and rape. But the leap from saying that most undocumented women are vulnerable to assault and saying most undocumented men are rapists is, as he might say himself, huge.

The documentary on PBS Frontline, "Rape in the Fields," was a powerful expose on how immigrant women toiling in our fields are regularly the victims of rape and abuse because perpetrators recognize how vulnerable immigrant women are. They are afraid to talk to the police, afraid they will be deported, and afraid they will lose their children. And this fear to report crimes makes us all less safe.

Yes, the rape and abuse is sometimes perpetrated by other Latino immigrants, perhaps even Mexicans, but these crimes are also committed by men of all colors and national origins, including red, white, and blue Americans.

So when Donald Trump says on CNN, "Well, someone is doing the raping," as further evidence that we should be building a big wall so he can plaster his name on it and keep immigrants out, I think it is pretty clear The Donald misses the point.

The question is: How do we create an immigration system that protects us from criminals and that allows people to come with visas and not smugglers so that their work is honored, safe, protected by our labor laws? How do we make sure that these workers who contribute so much to America's economy are not afraid to dial 911 and report wage theft or assault when someone, anyone, is threatening them or their families?

Now, the anti-immigration wing of the Republican Party in this body and on the air is saying that Trump may have a point. After all, a beautiful, innocent woman was shot in cold blood by a Mexican immigrant in San Francisco just last week.

Why wasn't he deported? Why wasn't he held in jail the last time? And you will actually hear this on FOX News: Why is President Obama letting Mexicans kill beautiful young American women?

As the father of two daughters about the age of Kate Steinle, the young woman who was shot and killed, I pray every night that no one of any racial or ethnic background ever does my daughters harm, and I can only imagine the grief that her family is feeling.

When we have felons in Federal custody or State or local custody with warrants for drug crimes who are deported multiple times and come back, this Congress has not done its job, unfairly leaving States and localities to cope with decades of inaction on immigration, criminal justice, and a range of other issues. I have no sympathy for the man accused in this crime. Murderers should rot in hell.

So if we had a system that allowed people who have lived here a long time, contributed productively to American society, and who have children and other deep roots in the United States, what if we allowed them to come forward? What if we made them pay for their own criminal background checks, fingerprinted them, made them prove their identity, and check on them every so often to make sure that they are not gaming the system or committing crime?

What if we had a system where people came here legally in the first place, if they could prove their identity and that they had no criminal background?

I argue that such a system would allow us to reduce significantly the number of people who are in this country without legal status. It would shrink the size of communities where many people are undocumented, where people are afraid to call the police so that criminals find it easy to blend in

and not stick out. Such a system would allow us to concentrate our enforcement and deportation resources on real criminals who should be jailed and then thrown out and kept out.

□ 1015

I argue that such a system would make it harder for criminals to hide and easier for honest, hard-working folks to contribute to their communities without fear. Unfortunately, that is exactly the system that some Republicans have been fighting against.

When a hotel and casino owner gets on his high horse about Mexican immigrants, about crime, rape, and murder, let's think about who is standing between the United States—this country, the one that we love and we have sworn to protect—and a modern immigration system based on common sense, compassion, and, yes, the rule of law.

#### TIME FOR HEALTHCARE SOLUTIONS THAT LOWER COSTS AND EMPOWER PATIENTS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. Mr. Speaker, for the past 2 years, my email inbox, mailbox, and phone lines have been flooded with reports of canceled health insurance plans, soaring premiums, increased deductibles, and exasperated constituents trying to navigate the confusing Washington bureaucracy that is ObamaCare.

Members of Congress have to buy their health insurance on the ObamaCare exchanges along with millions of other Americans, and I experienced many of the same frustrations, including the nightmare of navigating a confusing, unfinished Web site.

Despite its central promise, the Affordable Care Act has proved to be anything but affordable for many North Carolinians, and the Supreme Court's recent decision in *King v. Burwell* doesn't change that fact.

House Republicans are continuing our efforts to minimize the damage caused by ObamaCare. We have passed legislation that would permanently repeal ObamaCare's 2.3 percent excise tax on medical devices, which has hindered innovation as well as restricted growth and job creation in an industry that has improved the quality of life of millions around the world.

We have voted to repeal the Independent Payment Advisory Board, which was created under the President's healthcare law and gives a panel of 15 unelected, unaccountable bureaucrats sweeping authority to slash Medicare payments to providers or eliminate payments for certain treatments and procedures altogether.

The House has passed legislation that would change ObamaCare's 30-hour def-

inition of full-time employment and restore the traditional 40-hour workweek. From adjunct professors to hourly workers, I have heard from constituents across North Carolina's Fifth District who have one thing in common: their hours are being reduced.

ObamaCare has placed an undue burden on employers and their employees by undermining the 40-hour workweek, which has long been the standard for full-time work.

We have voted to make it easier to hire veterans by exempting those who already have health insurance from being counted as full-time employees under the President's healthcare law. No employer should be penalized for hiring a veteran, and no veteran should be unemployed because of ObamaCare.

However, the best approach to solving the multitude of problems resulting from ObamaCare is to unite behind a complete repeal of the law and replace it with solutions that lower costs and empower patients to choose the care that is right for them.

I recently signed on as a cosponsor of H.R. 2653, the American Health Care Reform Act. This bill would repeal ObamaCare completely and allow a standard deduction for health insurance that treats individually purchased plans and employer-sponsored plans the same, making sure that all Americans receive the same tax benefits for health care.

H.R. 2653 would return decisions about healthcare and insurance coverage to patients. It is people, not government, who can best determine the coverage and services that meet their needs.

A government takeover of health care is not what Americans asked for and certainly not what we can afford.

#### STAND UP AGAINST RIGHT TO WORK LAWS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. QUIGLEY) for 5 minutes.

Mr. QUIGLEY. Mr. Speaker, Ronald Reagan once said: "Where free unions and collective bargaining are forbidden, freedom is lost."

When President Reagan made those remarks in 1980, he recognized then what many can't seem to understand now: efforts to undermine unions are an attack on workers' rights.

Unions have long been the foundation of our middle class and helped create the most competitive workforce in the world. The 40-hour workweek, minimum wage, sick leave, workers comp, overtime pay, and child labor laws are just a few of the basic labor rights that unions have championed over the years that many now take for granted; yet for all the good that unions have done to empower all workers across this country, there has been a recent revival in the war against them, and the

weapon of choice has been right to work laws.

Don't be fooled by the name. The only thing right to work laws do is unfairly allow free-riding workers to benefit from union-negotiated contracts without having to contribute their fair share in the fight. The laws do not, as many supporters complain, protect workers from being forced to become union members. In fact, Federal law already restricts this.

In union States, workers covered by union-negotiated contracts can only be required to pay for the cost of bargaining and not for any other union activities.

However, over the last few years, there has been an alarming increase in antiunion sentiment. Currently, half of our States have right to work laws, with Indiana, Michigan, and Wisconsin recently passing their own versions.

In my own home State of Illinois, Governor Rauner has made passing right to work a top priority. In fact, he is making this a cornerstone of his first-term legislative agenda.

The idea behind his right to work law is that by increasing the number of free-riding workers, unions will be forced to drastically reduce their budgets, weakening their ability to negotiate stronger contracts and defend the rights of American workers, but the evidence clearly shows how misguided this stance is and the attacks on organized labor truly are. For instance, research shows that 7 of the 10 States with the highest unemployment rates are right to work States.

On top of that, we know that even if half of the counties in Illinois adopt right to work laws, we would see the State's annual economic output shrink by \$1.5 billion, labor income fall by \$1.3 billion, and an increase in both racial and gender income inequality.

If right to work laws are not actually good for the economy, what are they good for? Right to work laws do a great job at harming hard-working middle class families, widening income inequality, and weakening unions. Right to work States have seen almost a 10 percent decline in unionization, which has undermined growth in wages and led to the deterioration in workplace safety.

In right to work States, wages for all workers, not just unionized workers, are over 3 percent lower than in non-right to work States. That is about \$1,500 less per year in the pockets of teachers, firefighters, nurses, and other hard-working Americans.

Furthermore, injuries and deaths in right to work States are much higher than in non-right to work States. In the high-risk environment of construction, where unions have played a fundamental role in demanding adequate safety standards, deaths are 34 percent higher in right to work States than in non-right to work States.

As you can see, right to work is not right for our country, not right for our States, and not right for our workers. Using right to work as a strategy to lower wages and attract more businesses is not a suitable and sustainable strategy.

Instead of focusing on attacking unions and middle class workers, Governors should focus on fixing broken budgets and investing in our schools, public safety programs, and transportation systems. That is the real recipe for economic success.

Let's stand up against right to work laws and stand up for the right to organize, the right to a safe job, and the right to a fair wage.

#### HONORING DR. PETER SCHRAMM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Ohio (Mr. GIBBS) for 5 minutes.

Mr. GIBBS. Mr. Speaker, I rise today to honor Dr. Peter Schramm of the Ashbrook Center at Ashland University in Ashland, Ohio. Earlier this week, the Ashbrook Center, supporters, and friends gathered to recognize Dr. Schramm for his years of service and to name the center's library in his honor.

Since 1987, Dr. Schramm has been teaching political science at Ashland; mentoring students; and shaping the minds of the next generation of teachers, lawyers, and political thinkers.

His story starts in Hungary, as a young boy living under the brutal Soviet regime. When he was 10, after the Communists crushed the Hungarian uprising in 1956, Peter's father decided it was time to leave Hungary and come to America. Peter asked his father why he chose America, and he was told: "We were born Americans but in the wrong place."

After leaving Hungary, the Schramm family found their way to California, thanks to an American dentist his father met shortly after World War II.

With just a few American dollars, Peter's family started a new life. His parents found work, and Peter and his sister went to school. Peter did not know English and had to learn along the way, with the help of his classmates.

Eventually, they saved enough money to open a restaurant. The whole family worked there. Peter continued his studies and worked through college. He studied history and graduated, taking a few years longer than usual because he was unaware he actually had to graduate. Peter was content to learn for the sake of learning. Years later, he once said: "I think it is true that human beings by nature desire to know."

His economic curiosity led him to Claremont for his master's and doctorate degrees. It was there that he studied the classics, focusing more on philosophy than history.

When he began teaching, Dr. Schramm insisted on an open discussion, encouraging and directing debates among his students. He once said: "A good education is a conversation."

He didn't want to lecture his students and believes that a classic liberal arts education should teach its students how to read, to analyze, and to explain and defend their beliefs.

The Ashbrook Center, where he served as executive director and senior fellow of the scholar program, states that their mission is to restore and strengthen the capacities of the American people for constitutional self-government. Having witnessed the corruption and horror of the Soviet rule, he was able to impress upon his students how important Ashbrook's missions and values are.

One of his most recent students and an intern in my office, James Coyne, told me: "Dr. Schramm has dedicated his life to preserving and perpetuating American greatness by teaching us what it means to be an American. The many of us he has taught will continue his work and honor his legacy by educating future generations on what makes America great."

Dr. Schramm, who is battling an aggressive illness, can be assured that the principles of self-government of free men with free minds and the values that our Founding Fathers cherished are alive and well in the generations of students he has taught.

On Monday evening, Dr. Schramm said that, despite his medical condition, no man has been happier than he has been.

Thank you, Dr. Schramm, for adopting America as your home and teaching so many young minds to keep the flame of freedom burning.

#### DARK PERIOD IN AMERICAN HISTORY

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. BUTTERFIELD) for 5 minutes.

Mr. BUTTERFIELD. Mr. Speaker, I rise to express the utter outrage of the Congressional Black Caucus regarding the Calvert amendment, scheduled for later this afternoon, which is an amendment to the Interior Appropriations bill.

That amendment would allow Confederate imagery to remain on graves on Federal lands. Don't Republicans understand that the Confederate battle flag is an insult to 40 million African Americans and to many other fair-minded Americans?

The Confederate battle flag, Mr. Speaker, is intended to defend a dark period of American history, a period when 4 million Blacks were held as slaves, held as property, as chattel, not as human beings. The slaves were bought and sold and mortgaged and gifted as chattel.

Mr. Speaker, this period of enslavement continued for more than 200 years and did not legally end until December 6, 1865.

Here is the history, Mr. Speaker. Following President Lincoln's election in November 1860, 12 Southern States ceded from the Union in response to their belief that President Lincoln would free the 4 million slaves. South Carolina was the first State to cede from the Union, on December 20, right after Lincoln's election.

These Southern States formed the Confederate States of America. They empowered a military, elected a President, adopted a constitution, and adopted a currency. They engaged in a brutal, brutal civil war with the Union. Thousands of lives were lost on both sides of the battle. The Confederate flag, Mr. Speaker, was their symbol; it was their flag.

The Southern States lost the war. The States then rejoined the Union. President Lincoln then proposed the 13th Amendment, legally ending slavery. That amendment, Mr. Speaker, passed this Congress on January 31, 1865, and finally was ratified by Georgia on December 6, 1865. During the period of ratification, President Lincoln was assassinated.

For the next 50-plus years, every Black person living in the South faced the possibility of lynching. More than 4,000 Blacks were lynched between 1890 and 1950, and 136 Black people were lynched in South Carolina.

There are some now who want to continue to honor slavery and to honor bigotry, and this House, Mr. Speaker, must not be complicit.

The horrific shooting in Charleston, South Carolina, was an example of a 21st century lynching.

□ 1030

The manifesto left by the Charleston killer stated:

I have no choice. I am not in the position to, alone, go into the ghetto and fight. I chose Charleston because it is the most historic city in my State, and at one time had the highest ratio of Blacks to Whites in the country.

He was right, 57 percent.

We have no skinheads, we have no real KKK, no one doing anything but talking on the Internet. Well, someone has to have the bravery to take it to the real world, and I guess that has to be me.

Mr. Speaker, bigotry continues to exist in this country. This Congress should not pass any legislation, today or any other day, that would embolden those who continue to hold racist beliefs.

The Calvert amendment—the Calvert amendment—is misguided, and it emboldens bigotry. I ask my colleagues, Democrat and Republican, respectfully, let's defeat the Calvert amendment this afternoon, and even if the gentleman would consider to withdraw his amendment and not put this House through this turmoil today.



# HELPING FAMILIES IN MENTAL HEALTH CRISIS ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. MURPHY) for 5 minutes.

Mr. MURPHY of Pennsylvania. Mr. Speaker, yesterday, in a terrible attack, over 200 people were killed across these United States. This headline should lead every TV news show, hit the front pages, and generate outrage from across the country, but it did not appear. This is not make-believe. The news is real, but no one reported it.

We lose more than 80,000 people a year now to suicide and drug addiction overdose. That is over 200 people a day. Where is the news?

Now, these are the sudden and tragic deaths. Then there are the slow-motion deaths which we can't even count, those who have a mental illness and ended up homeless, or have a co-occurring chronic illness, such as diabetes or heart disease, and face that slow-motion death sentence. In fact, people with serious mental illness tend to die 25 years earlier than their cohorts.

And then there are the mentally ill who are victims of attacks. Last week, The Washington Post revealed how, in the first 6 months of this year, a person who was in mental health crisis was shot and killed every 36 hours by police. The vast majority were armed, but, in most cases, the police officers who shot them were not responding to reports of a crime. More often, they were called by relatives, neighbors, or other bystanders, worried that a mentally fragile person was behaving erratically. The crisis built, and it ended in death.

Further, the mentally ill are more likely to be the victims of violence, robberies, beatings, rape, and other crimes. These individuals are also 10 times more likely to be in jail than in a hospital.

If you are a minority, chances are your mental health treatment comes in a prison, not in a community health center.

Have we become so numb we no longer notice? Are we so numb, we no longer care?

Tragically, government tries to help, but, frankly, it is a mess. The chaotic patchwork of current government programs and Federal laws make it impossible for those with severe psychosis, schizophrenia, and serious mental illness, to get meaningful care.

For example, when someone with serious mental illness is haunted by delirium and hallucinations and doesn't even know they are ill, they frequently stop taking their needed medication. They don't follow up on appointments and their health declines. Our Federal laws prevent a caregiver from getting their loved one to the next appointment or to follow up on their care.

We need to provide treatment before tragedy and get these individuals help

before their loved ones dial 911. The Helping Families in Mental Health Crisis Act, H.R. 2646, provides millions of families the tools needed for effective care.

H.R. 2646 empowers parents and caregivers to access care before the mental illness reaches the most severe stage. It fixes the shortage of inpatient beds, so patients in mental health crisis can get proper care, not be sent to a jail, not tied to an emergency room gurney, and not sent home.

It helps reach underserved and rural populations. It expands the mental health workforce. It drives evidence-based care. It provides alternatives to institutionalization. It integrates primary and behavior care.

It increases physician volunteerism, advances critical medical research, brings accountability to mental health and substance abuse parity, and it also provides crisis intervention grants for police officers and first responders. This training helps law enforcement officials recognize individuals who have a serious mental illness and learn how to properly intervene.

My bill eliminates wasteful and ineffective programs and directs money where it is needed most. It restructures the Federal mental health system to focus on serious mental illness rather than behavioral wellness and feel-good fads that yield no meaningful results yet cost taxpayers millions each year.

My bill elevates effective programs and helps communities adopt programs to stop the revolving door of mental health crisis, violence, incarceration, ER visits, and abandonment.

This bipartisan legislation, now with more than 50 cosponsors, marks a new dawn for mental health in America. I urge my colleagues to join me in this effort by cosponsoring the Helping Families in Mental Health Crisis Act, H.R. 2646. Let's no longer turn a blind eye and, instead, help those that need it the most.

Whether on the fast road or the slow road, the 200-plus deaths per day, the 80,000 deaths per year and unknown number of victims is far, far too many. Compassion calls us to act—and act now. The cost of delay is deadly. For those families who are suffering, how can we look them in the eye and defend our delays to act?

## CONFEDERATE FLAG AMENDMENTS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. HOYER) for 5 minutes.

Mr. HOYER. Mr. Speaker, there are days in this House when morality and the values of our country, as articulated in the Declaration of Independence and in the Constitution of our country, summon us to vote as Americans, as moral representatives, and as representatives of the values of our

country. Today is such a day, my colleagues.

Three Democratic amendments were adopted earlier in the consideration of the Interior bill that would end the practice of displaying or selling Confederate battle flags and flag merchandise in national parks and National Park Service cemeteries. Those amendments were adopted by voice vote. They reflect the strong consensus in this country and, hopefully, in this Congress, that a symbol of slavery, secession, segregation, and secession has no place in our national parks or in the cemeteries whose grounds have been hallowed by the veterans who rest there after having served and given their lives in defense of freedom and justice and the values of our country.

Unbelievably, however, Mr. Speaker, several hours ago, in the dark of night, the chairman of the Interior Subcommittee offered an amendment on this floor that would effectively strike those amendments which surely reflect the values to which all of us have risen our hand and sworn to protect.

Today, on the anniversary of the ratification of the 14th Amendment to our Constitution—how ironic that we would meet this vote on this day—which enshrined the principle of equality for all Americans, we have this shameful Confederate battle flag amendment on our floor.

This amendment would keep in place a policy that allows Confederate battle flags in our national parks and National Park Service cemeteries, a symbol, as my colleague JIM CLYBURN, the assistant leader and the chairman of the Congressional Black Caucus and an extraordinary Representative in South Carolina, said yesterday was so offensive and hurtful to so many millions of our fellow citizens and our fellow colleagues in this body.

Even in South Carolina today, where the Confederacy was born, that flag is being taken down from the State capitol grounds after both Republican-controlled houses of that State's assembly voted to remove it.

Certainly—certainly—on this day we ought not to see a Republican-led Congress move in the opposite direction. My colleagues, together, not as Republicans and Democrats, but as Americans deeply committed to the values of equality and justice and opportunity for all, we ought to remove that flag from our national parks, the cemeteries where our veterans rest and, I would say further, all public places. That includes the United States Capitol.

And I support my friend Representative THOMPSON's resolution that sits now in the House Administration Committee that would remove the flag of Mississippi, which contains the Confederate battle flag, until such time as Mississippians, as South Carolinians did yesterday, make a statement and remove that from their flag.

I urge my colleagues, my fellow Americans, the 434 of my colleagues that have raised their hand and sworn to protect and defend the Constitution of the United States of America, I urge my colleagues, let us do the right thing and reject this amendment and send a powerful message about what America truly represents: equality, justice, respect for one another, freedom for all.

Let us make America—every American—proud of us this day and reject the amendment adopted in the dead of night.

#### NEGOTIATIONS ON IRAN'S NUCLEAR CAPABILITY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Alabama (Mrs. ROBY) for 5 minutes.

Mrs. ROBY. Mr. Speaker, I rise today to talk about the negotiations taking place right now in Switzerland over Iran's nuclear capability. With all that has been going on lately, I fear not enough attention is being paid to what I believe is one of the most important issues facing our country right now.

Last week, the Obama administration quietly announced yet another deadline extension to the multilateral negotiations over Iran's nuclear capability, and this week, negotiators blew past that deadline once again.

Of course, the goal for the United States and our allies must be to prevent Iran from obtaining a nuclear weapon. However, recent reports out of Switzerland have raised concerns that our negotiators have already conceded too much on major points like uranium enrichment, economic sanctions relief, and inspection access.

Mr. Speaker, the very fact that we keep extending the deadline tells you all you need to know about the priorities at play for this administration. It seems that President Obama and Secretary Kerry are so concerned with striking a deal—any deal—that they are unwilling to walk away from a bad one as deadlines keep passing.

The Boston Globe reported that negotiators have spent their downtime speculating which movie stars would play them in a Hollywood movie about the Iran deal.

If this is true, Americans should be outraged. This is an extraordinarily important issue that will have an extraordinarily far-reaching effect on this country and the world for many years to come.

The fact is we have had extension after extension and concession after concession to the point that I am not sure a good deal is even possible at this point.

A few months ago, I traveled to the Middle East with the Speaker as part of his delegation to the region, and we visited countries that would be directly affected by dealing with a nuclear Iran—Israel, Jordan, Iraq, Saudi Arabia.

Our allies in the region are rightfully concerned that what is being brokered isn't good at all.

□ 1045

We cannot forget how high the stakes are here. If a bad deal is ratified, we aren't just talking about a nuclear armed Iran.

We are talking about setting in motion a nuclear race, a chain of events that could allow multiple countries in this very volatile region of the world wanting to become nuclear as well.

And after seeing the international community reward Iran's hostility and obstinance with a nuclear deal, who would blame them?

Mr. Speaker, I appreciate the leadership of my colleagues in this Chamber and in the Senate. And I agree with Senator CORKER, who is the chairman of the Senate Foreign Relations Committee, who wrote a letter to the President, "Walking away from a bad deal at this point would take courage, but it would be the best thing for the United States, the region, and the world."

We may not be able to control the outcome in Switzerland, but we can control how we respond if a bad deal is put forward.

This Congress can have the final say whether or not to lift sanctions in Iran. It can have the final say on the deal, itself, by way of a resolution of disapproval.

I believe Members of Congress must prepare to stand up and have the courage that it would take to stop a bad Iranian deal from happening. For some, this will take a lot of courage, but it is necessary.

We cannot allow President Obama and Secretary Kerry to put their desire for a legacy achievement above the best interests of this Nation and our allies.

#### CONFEDERATE BATTLE FLAG SYMBOLISM

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. JEFFRIES) for 5 minutes.

Mr. JEFFRIES. Mr. Speaker, had this Confederate battle flag prevailed in war 150 years ago, I would not be standing here today as a Member of the United States Congress. I would be here as a slave. Over the last 150 years, we have made tremendous progress in this country, but we still have a long way to go.

As the tragic events in Charleston, South Carolina, illustrated, when nine God-fearing, churchgoing African American citizens were killed by a White supremacist, there is much work that needs to be done to eradicate the cancer of racial hatred.

When Dylann Roof committed this act of domestic terror, his emblem was the Confederate battle flag.

Later on today we are going to have a vote on the legitimacy of this flag.

On Tuesday, it appeared that House Republicans were prepared to do the right thing in support of three amendments to prohibit the use of Federal funds for the purchase, sale, or display of the Confederate battle flag on National Park Service land.

But less than 24 hours later, House Republicans reversed course in the dead of night under cover of darkness to introduce an amendment supporting the Confederate battle flag, which is nothing more than a symbol of racial hatred and oppression.

There are some in this House who have made the argument that the Confederate battle flag is about heritage and tradition. I am perplexed.

What exactly is the tradition of the Confederate battle flag that we are supporting? Is it slavery? Rape? Kidnap? Treason? Genocide? Or all of the above.

The Confederate battle flag is nothing more than a symbol of racial hatred and oppression. And I stand here with chills next to it because the red in this flag is a painful reminder of the blood that was shed by Africans who were killed when attempted to be kidnapped and thrown into the institution of slavery.

The red on this flag is a painful reminder of the blood that was shed by millions of Africans who died during the Middle Passage when being transported from Africa to America.

The red on this flag is a painful reminder of the blood that was shed by African American slaves who were beaten, raped, lynched, and killed here in America as a result of the institution of slavery.

What exactly is the tradition the Confederate battle flag represents?

We were sent here as leaders to make decisions on the morality of America. And where we are, notwithstanding our painful history and the legacy of slavery, we have an opportunity today to make a definitive statement to be leaders, not individuals who cower in fear of some narrow-minded Americans who aren't aware that the South lost the war 150 years ago.

Let's choose racial progress over racial poison. Let's choose harmony over historic amnesia. Let's choose togetherness over treason. Let's come together not as Democrats or Republicans, not as Whites or Blacks, not as northerners or southerners.

Let's come together as Americans and vote down the Calvert amendment and relegate the Confederate battle flag to the dustbin of history, which is where it belongs.

#### WYOMING COUNTY, 2015 SADD NATIONAL CHAPTER OF THE YEAR

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. JENKINS) for 5 minutes.

Mr. JENKINS of West Virginia. Mr. Speaker, I rise today to honor the Wyoming County, West Virginia, chapter of Students Against Destructive Decisions, also known as SADD.

The Wyoming County chapter has been named the 2015 SADD National Chapter of the Year. Consisting of 300 members from six different schools, these Wyoming County students work hard to encourage young people to avoid underage drinking, drugs, and other destructive activities.

Wyoming County and the surrounding area, like many parts of our State and country, are limited in the number of youth programs and social services leading to temptations for many teenagers. SADD helps fill the void and is a positive force in helping students make positive life choices and avoid destructive decisions.

These students represent our State's values and demonstrate compassion, commitment, and courage through their work. I know they will take the skills they have learned in SADD and become the next generation of leaders in West Virginia.

I congratulate these students and teachers and thank them for making Wyoming County a better place to live.

#### CONFEDERATE FLAG AMENDMENT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Minnesota (Ms. MCCOLLUM) for 5 minutes.

Ms. MCCOLLUM. Mr. Speaker, as you pointed out, I am from Minnesota. Minnesota's Governor Ramsey was in Washington, D.C., shortly after the attack at Fort Sumter, and he was the first to offer up our support—1,000 Minnesotans—to keep our Union together.

Minnesota was at the Battle of Gettysburg. Our regiment suffered 82 percent in casualties, the greatest loss of any unit at Gettysburg on a single day.

So last night, when the Republican leadership put forward a last-minute amendment that would allow for the display and sale of the Confederate flag in our national parks, an amendment which we will vote on today that would allow this hateful symbol which evokes memories of racism and a painful period in our country's past to be displayed on public lands, I found myself shocked, outraged, and disappointed because the people in Minnesota sent me here to strive for what they strive for every day: to build a better, stronger America, an America in which we strive to give everyone hope and opportunity, that they too can pursue life, liberty, happiness, and justice.

So the flag that we are talking about is a symbol of a time when African Americans were enslaved, sold as human commodities. It had been used as a rallying cry throughout our history for those who wish to keep our country segregated.

And we saw again last month in Charleston this flag being used as a symbol for many who carry hatred in their hearts, a man who carried so much hatred that he took the lives of nine parishioners because he viewed this flag as a symbol of his beliefs.

This flag should be no point of pride for any American, and we should take this flag down.

Just 2 days ago, without opposition, as I had the honor of being ranking member as we were doing the Interior bill, this body voted to adopt amendments which would prevent the sale or display of Confederate flags in national parks.

Those amendments were simple, commonsense efforts to place into law standards that the National Park Service had put forward last month. It was a moment of great pride for me.

All those new standards would do was bring the Federal Government in line with decisions made by many private sector retailers: Amazon, Wal-Mart, Sears, Disney. And other national retailers have all made the decision to take down this flag because of its racist history.

Private businesses are rallying behind a commonsense decision to stop peddling hateful symbols. So why in heaven and Earth is the House of Representatives, the Republican Caucus, working to ensure that the Federal Government allows them to be sold?

For House Republicans, it appears perhaps the cost of getting the votes to pass the Department of the Interior, Environment, and Related Agencies Appropriations bill, which panders to polluters, is to wrap themselves in a banner of racism.

I think that is wrong, and I urge my colleagues to stand with people of great courage and great passion to say "no" to hate, "no" to racism, and "yes" to America.

I urge my colleagues to vote "no" on the Calvert amendment.

#### CLEAR LAW ENFORCEMENT FOR CRIMINAL ALIEN REMOVAL ACT OF 2015

The SPEAKER pro tempore (Mr. JENKINS of West Virginia). The Chair recognizes the gentlewoman from Tennessee (Mrs. BLACKBURN) for 5 minutes.

Mrs. BLACKBURN. Mr. Speaker, I come to the floor today to discuss H.R. 2964, the Clear Law Enforcement for Criminal Alien Removal Act.

This is a bill that I have had introduced every Congress since 2007. And we have many Members of this body, Mr. Speaker, who have joined as co-sponsors of this legislation.

What it would do specifically is this: It would ensure that State and local law enforcement officials have the tools necessary to help the Federal Government deport criminal illegal aliens from the United States.

□ 1100

My legislation would require the Department of Homeland Security, when a State or local law enforcement agency arrests an alien and requests DHS to take custody of that alien, to do a few specific things. Number one, they have to take the alien into Federal custody and incarceration within 48 hours and request that the State or municipality temporarily incarcerate the alien or transport the alien to Federal custody. This would allow them to remove this individual from the country and bar them from coming back.

Mr. Speaker, the bill also requires the DHS to train State and local police in enforcement of immigration laws, the Federal Government to reimburse local and State governments, and to withhold funds from sanctuary cities.

Now, we have heard a lot about these issues in the last few days, and one of the problems that we have is the sanctuary cities. Mr. Speaker, I have before my colleagues a map that was prepared by the Center for Immigration Studies. We now have in this country 200 sanctuary cities. I am reading from this map. More than 200 cities, counties, and States across the U.S. are considered sanctuary cities.

Now, what happens in these cities is they choose to work around and to circumvent or not to abide by Federal law when it comes to immigration policy. That is one of the reasons passing the CLEAR Act is so important, holding them accountable.

Also, reading from the map, I find it so interesting that the Department of Justice has never sued or taken any measure, including denying Federal funds, against the jurisdiction that is a sanctuary city. On the other hand, we know that the Department of Justice actually sued the State of Arizona for trying to strengthen its immigration laws.

Mr. Speaker, I would come to the floor today as we talk about dealing with the criminal illegal alien population and highlighting H.R. 2964. I would ask my colleagues: What does your vote record say about your actions? Are you strengthening Federal law and abiding by Federal law? Or do those actions strengthen sanctuary cities? Do they provide more accountability? Is that what you are providing through your vote actions? Or is it something that allows a violation of Federal law to continue?

I think it is imperative that we address the issue of criminal illegal aliens, that we address the issue of sanctuary cities; and, Mr. Speaker, I think that it is imperative that we move forward with passage of the CLEAR Act by this body. It is a simple bill.

I encourage my colleagues to read it. It is 21 pages, and you will find in there that it addresses these issues that are front and foremost in our minds this day.

## THE CONFEDERATE BATTLE FLAG

The SPEAKER pro tempore. The Chair recognizes the gentleman from South Carolina (Mr. CLYBURN) for 5 minutes.

Mr. CLYBURN. Mr. Speaker, I would like, first of all, to thank the Speaker of this House and the other Members who came to Charleston last month to help us with the ongoing ceremonies for Senator Clementa Pinckney.

I would also like to thank especially my colleagues—Senator TIM SCOTT, Senator LINDSEY GRAHAM, and Congressman MARK SANFORD—for joining with us as we stood with the Governor of South Carolina and called for removing the Confederate battle flag from the grounds of the statehouse.

This afternoon, at 4 o'clock, as a result of a very definitive vote early this morning of 94–20, the Governor is going to sign the bill, and tomorrow morning at 10 o'clock, the flag will be removed from the statehouse.

I regret that I am not going to be able to accept the Governor's invitation and be there this afternoon because, around 4 o'clock this afternoon, we are going to be voting here on this floor.

I understand there will be around 25 votes, and 24 of them, I might not feel all that bad about missing, but one of them, I cannot afford to miss because that one vote, the Calvert amendment, will reverse votes taken by this body to join with South Carolina, Alabama, and activities going on in Mississippi to get rid of any official application to this flag, the Confederate battle flag.

Now, I think it is important for us to point out that this is not the Confederate flag. The Confederacy had three flags. This was never one of them. This flag was the Confederate battle flag of the Army of Northern Virginia, Robert E. Lee's Army; and when Robert E. Lee surrendered at Appomattox, he asked all of his followers to furl this flag.

"Store it away," he said. "Put it in your attics." He refused to be buried in his Confederate uniform. His family refused to allow anyone dressed in the Confederate uniform to attend his funeral. Why? It is because Robert E. Lee said he considered this emblem to be a symbol of treason; yet, Mr. Speaker, Calvert puts up an amendment that we are going to vote on this afternoon to ask us to allow this flag to be sold and displayed in our national parks.

I was so proud when the decision was made by the National Park Service, Fort Sumter, a national park where the Civil War started off the coast of Charleston, South Carolina, they decided to take away all of these symbols; but the Calvert amendment is saying: No, don't take them away, put them back, and we are going to ratify the action to do so.

Mr. Speaker, I call upon all of my colleagues who come to this floor this afternoon to remember that it was on

this date in 1868 that South Carolina—where it all started—South Carolina was the State that gave the votes necessary to ratify the 14th Amendment.

To me, this was a very, very important amendment calling for due process and equal protection of the laws.

## A BAD DEAL WITH IRAN IS WORSE THAN NO DEAL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. BILIRAKIS) for 5 minutes.

Mr. BILIRAKIS. Mr. Speaker, in March, before a joint meeting of Congress, the Prime Minister of Israel, Benjamin Netanyahu, warned "history has placed us at a fateful crossroads."

As a world leader at the forefront of this crossroad, I believe America has a responsibility to prevent a nuclear Iran. An Iran with nuclear weapons capabilities would further exacerbate and destabilize the region and would certainly inspire an arms race among other nonnuclear nations.

The Obama administration's foreign policy missteps do not inspire confidence that the current negotiations will conclude any differently. After numerous delays, negotiations are veering further away from any type of reasonable agreement that would contain Iran's nuclear ambitions.

I do not trust this administration as it approaches the reversal of a half century of nuclear nonproliferation policy. As Chairman ROYCE stated over the weekend: "The Obama administration's fundamental misread of the Iranian regime is part of what makes this potential agreement so dangerous to our national security."

The sanctions relief numbers that are being reported now are staggering and would directly undercut years of democratic success. Sanctions are a vital tool when working to keep our citizens and allies out of harm's way.

In dealing with an aggressive state sponsor of terror, there should be no daylight between the position of Republicans and Democrats in Congress, nor Congress with the President or the United States with our allies.

Civilized nations must stand united against the destructive output from rogue regimes like Iran. As it stands now, the reported details of the deal will not dismantle the nuclear ambitions of the world's leading state sponsor of terrorism.

Mr. Speaker, if the past is any indication of the future, we can expect that Iran will continue to employ its stonewalling tactics, blocking any real transparency or inspections of its nuclear facilities.

Why isn't Iran answering questions asked 4 years ago by the International Atomic Energy Agency about their past activities? How can we trust a country that won't answer simple questions or allow scientists to be inter-

viewed? How can we set up a sanctions relief system that is based on trust and verification if the country has proven objectively incapable of trust and transparency?

We certainly cannot continue to overlook Iranian compliance failures as reported this week in *The Washington Post*, nor come anywhere close to lifting its successfully firm arms embargo. These negotiations will have long-term implications on every country on this planet.

I believe the United States has a responsibility to stand with Israel and other allies across the globe now more than ever. We must ensure our allies know they do not stand alone. With the current negotiations extended once again, it appears that the administration simply wants to get any agreement.

I believe it is a legacy item for the President, Mr. Speaker. This administration's willingness to ignore Iran's troublesome behavior throughout negotiations does not inspire confidence.

President Obama promised 7 years ago that he would not allow Iran to develop a nuclear weapon. He is failing to keep that promise to the American people and the rest of the world, in my opinion.

The stakes are too high. Negotiations are reaching a critical moment as we speak here today. This administration needs to understand one indisputable truth: a bad deal is worse than no deal.

## VIETNAM HUMAN RIGHTS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. LORETTA SANCHEZ) for 5 minutes.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, this year marks the 40th anniversary since the end of the Vietnam war and 20 years of normalized relations between the U.S. and Vietnam.

This week, our President hosted the General Secretary of the Vietnamese Communist Party, Nguyen Phu Trong, a political leader but not an official leader.

During that meeting, I know that the two leaders discussed more normalization of economic and military issues, and I know that President Obama brought up the issue of human rights; but I am going to say this: after 19 years in this Congress of fighting for human rights around the world, the Vietnamese Communist Government always promises, when economic issues are on the table, to do something better with respect to their human rights record, but they never follow through. In fact, it gets worse.

Today, Mr. Speaker, as the co-chair of the Congressional Caucus on Vietnam, I don't want to focus on what the economic implications are and the trade implications are that are going

on with respect to Vietnam, but I want to remind my colleagues about what is happening with respect to human rights in Vietnam.

□ 1115

Nguyen Dang Minh Man is currently serving a 9-year prison term after being charged with “attempting to overthrow the government” under article 79 of the constitution of that country. Her crime, she was arrested while taking photographs during a protest against Chinese encroachment of the Paracel and Spratly Islands.

Ho Duc Hoa, a community organizer and a contributing journalist for Vietnam Redemptorists’ News, is currently serving a 13-year prison sentence for defending human rights and promoting democracy. He has been charged with “attempting to overthrow the government.” He is currently suffering from harsh treatment in prison, including torture and denial to medical care, water, or adequate food.

Dang Xuan Dieu, another activist, is currently serving a 13-year sentence under article 79 in response to advocating for education—imagine this—for education for children living in poverty, for aid to people with disabilities, and for religious freedom in Vietnam. Mr. Dieu is also a victim of mistreatment and torture in the prison system.

Tran Huynh Duy Thuc, a human rights activist and entrepreneur, was also arrested for writing blogs that called for political reform and improved human rights in Vietnam. He only peacefully exercised his rights to freedom of expression; yet Thuc was charged of attempting to overthrow the government under article 79. He was sentenced to 16 years in prison and 5 years of house arrest.

These are just four of the so many people in prison in Vietnam.

The government of Vietnam continues to deny its citizens their rights to freedom of speech, to freedom of assembly, to freedom of the press, to freedom of religion. Although Vietnam strives to further its relations with the U.S., it does not grant human rights to its people.

I understand that President Obama has agreed to visit Vietnam in the near future, and I strongly urge that not only the President and the administration work on the issues of human rights with respect to the Vietnamese people, but that we in the Congress continue to push because, as we know, as Americans, people around the world look to us as the shining light of upholding democracy and human rights and freedom and liberty and freedom of the press and freedom of assembly.

#### IRAN NUCLEAR NEGOTIATIONS

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Jersey (Mr. FRELINGHUYSEN) for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Speaker, we are quickly approaching one of the most important deadlines in the recent history of the national security of the United States, the often postponed end of negotiations to halt Iran’s nuclear weapons program.

I support the goal of stopping Iran’s nuclear weapons ambitions forever, and I have grave fears that the United States is headed down a very dangerous path of concession and surrender to a terrorist regime that has had American blood on its hands since 1979, military and civilian.

Each and every day, we read new reports that Iranian leaders are systematically “moving the goalposts” on these important negotiations.

Let me cite just a few examples. First, any prudent agreement would allow “no notice” inspections of suspected—not just declared—Iranian nuclear weapon sites; yet the Iranian parliament has passed legislation banning inspections of their military installations.

Senior Iranian officials have also taken it further, declaring: “Not only will we not grant foreigners the permission to inspect our military sites, we will not even give them permission to think about such a subject.”

This attitude would make any agreement totally unverifiable.

Secondly, any worthwhile agreement would phase in sanctions relief as the regime proves, over time, that it is complying with all provisions; yet President Rouhani has declared: “We will not sign any deal unless sanctions are lifted on the same day.”

Why would we allow Iran to boost its staggering economy by providing an immediate capital infusion with which to support their relentless military, intelligence, and political efforts across the globe?

President Obama’s explanations have been nothing short of baffling. He told National Public Radio: “How, if at all, can you prevent Iran from using its new wealth over the next several years to support Bashar al-Assad of Syria, to support Hezbollah, adventures in Yemen, or elsewhere? I mean, there’s been no lessening of their support of Hezbollah or Assad during the course of the last 4 or 5 years, at a time when their economy has been doing terribly.”

Well, that is the point, Mr. President. The United States should not throw up its hands and actually allow the Iranian economy to be stimulated so they have even more money to solidify their place as the world’s leading state sponsor of terrorism.

Immediate sanctions relief will only provide more resources for them to use their elite Quds Force and their proxy militias in Iraq; dominate that country; and advance their goals in Syria, Yemen, and elsewhere.

Of course, they will have more motivation to do so. The tentative agree-

ment announced in April and everything we have heard and read since then seems to reinforce the lesson this administration is willing to give away much more in return for nothing in the way of changing their behavior. Once again, we must never forget that Iran has had American blood on its hands since 1979.

Iran has cheated before and is likely to cheat again; yet the administration makes concession after concession to Tehran, even as Iran spreads violence in Yemen, Syria, Iraq; threatens the safety of our troops in the Middle East; and develops new ICBMs that will put America in its “crosshairs.”

My colleagues, Iran’s nuclear weapons quest must be blocked indefinitely, including the verifiable dismantlement of its weapons infrastructure. They cannot be allowed to remain a “threshold nuclear weapons state,” only to join the “nuclear club” the moment the agreement lapses.

From where I stand and from what we know today, we must oppose this agreement. In fact, no deal is better than a bad deal.

Mr. Speaker, I yield to the gentleman from Texas (Ms. JACKSON LEE).

#### ENHANCEMENT OF UNITY IN AMERICA

Ms. JACKSON LEE. Mr. Speaker, let me thank the distinguished gentleman from New Jersey for his kindness.

Might I rise, really, to follow up to ask America to be unified and to be able to have a debate on the floor of the House on a resolution that I offered, H. Res. 342. To the gentleman from New Jersey, it says “the enhancement of unity in America.”

What it speaks to is for this body to go on the record for saying that divisive emblems and symbols—swastikas or a rebel flag, a fighting flag—does not even represent the flag that most people think it is—the Confederate flag, this is the rebel flag—to put all those away; to be able to educate our children about the excitement of how diverse we are; to be reminded of the history of Reconstruction—African Americans who are Senators and Congresspersons; to look at schools who now carry names of people who really might be considered treasonists; to be able to stand on the floor today or next week, as those in South Carolina did, in a civil way, so that our children will know that these symbols that divide are not history; and to be able to stand together and support the diversity of America.

That is what I stand for, and I stand with Houston, who is reconsidering many school names at this time.

#### TAKE DOWN THE CONFEDERATE FLAG

The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan (Mr. KILDEE) for 5 minutes.

Mr. KILDEE. Mr. Speaker, overnight, House Republicans have dramatically

and inexplicably reversed their position on taking down this terribly divisive symbol, the Confederate battle flag.

While they initially allowed House Democrats' amendments to remove this symbol from our national parks, late last night, they allowed an amendment on voice, which was challenged. I will be on the floor for a rollcall later today to keep—believe it or not—keep the Confederate flag as a symbol for sale and for display in America's national parks.

Of course, this morning's headlines, the scathing headlines, tell it all: "House GOP takes step back on Confederate flags."

Unbelievable—it is a shame. It is really a shame that House Republicans last night, very late last night, without warning, attempted to turn back important progress on taking down this terrible and divisive symbol.

This, of course, happens just weeks—days, literally—after nine Americans were slain in an historic Black church in Charleston, South Carolina. A terrible and tragic massacre committed by an evil individual, who wrapped himself in that very symbol, and celebrated the hate that it stood for.

I attended the funeral of Reverend Clementa Pinckney and, with other Members of Congress, grieved with that community in their pain. I saw that community asking themselves a question: Why, why does that hateful symbol, that flag, continue to fly over their State capitol?

On the same day that the South Carolina Legislature expressed the will of its people and the American people and voted overwhelmingly to take down this horrible symbol, on the same day that South Carolina voted to take down that hateful symbol, a Member of this House of Representatives came to this floor and offered an amendment to preserve that symbol in America's national parks—what a shame.

Amazon, Walmart, and Sears all have taken that symbol out of their stores and no longer sell it; but the Republican leadership allowed and would have allowed on voice vote an amendment to stand that would preserve the right to have that symbol sold in our national parks—what a shame.

I hope the American people are watching and paying attention to this because it is a moment of truth, I think, for this Congress. I hope and I pray that Democrats and Republicans—I know the feelings of the Democratic Caucus; we spoke about it this morning—but I hope will be joined by Republicans on the other side in turning back this awful amendment that would say horrible things about the progress that we hope that we had made just in the last few weeks.

I ask Americans to join us. Use social media, #takeitdown. Express yourself. Join with us in rejecting this horrible symbol of hate. Let's take it down.

#### THE CONFEDERATE FLAG, A SYMBOL OF PRIDE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Iowa (Mr. KING) for 5 minutes.

Mr. KING of Iowa. Mr. Speaker, I appreciate the opportunity to address you here on the floor of the House of Representatives and being recognized.

I have been listening to this debate over the last week or so, and it has troubled me considerably to watch divisions being driven between the American people over symbolism that has now been redefined by a lot of Members of the opposite party.

I regret, like all of us do in this country, the tragic and brutal and evil murders of the nine people in Charleston, South Carolina. I pray for them and their families. They stood up and showed us an example of faith that I think surpasses any that I have seen in my lifetime by forgiving the killer.

I am not to that point in my faith, Mr. Speaker, the least that I can tell, but that was very moving. They didn't want to see a division created, they wanted to heal, and they wanted to see Christ's love come out of Charleston.

Charleston is a wonderful and beautiful city, and I don't know where I would go to find nicer people if I couldn't go actually home, Mr. Speaker, so I couldn't say enough good about that.

I have listened to this rhetoric that has poured forth over these days. It appears to me that it is now being turned into something that is division, rather than unifying.

We unified in our grief with the people of South Carolina, the people of Charleston. Now, we are seeing the Confederate battle flag be put up as a symbol to be redefined as something different than is understood by the majority of the American people.

□ 1130

I grew up in the North, Mr. Speaker, and the Confederate flag always was a symbol of the pride of the South from where I grew up. My family and my predecessors and my ancestors were abolitionists, and they went to war to put an end to slavery.

Mr. Speaker, I have now in my hand a leather-bound New Testament Bible that was carried in the shirt pocket of my great uncle, John Richardson, and it is written inside here. It was presented to him on the eve of his departure for the war in July of 1862.

He walked home 3 years to the day with this Bible in his shirt pocket, it having protected him. It has fly specks on it from laying open by the campfire. It has verses that are written in it. I have found his picture, his musket, his bayonet, his belt buckle, and his ink file.

That is what is left of this man who committed himself to putting an end to slavery. Yet, his cousin, my five times

great-grandfather, was killed in that effort. Many gave their lives to put an end to slavery.

I was standing before the Lincoln Memorial, reading his second Inaugural Address, and I will read that into the RECORD, Mr. Speaker. This component is from Lincoln's second Inaugural Address of March 4, 1865, when he said:

Fondly do we hope—fervently do we pray—that this mighty scourge of war may speedily pass away. Yet, if God wills that it continue until all the wealth piled by the bondman's 250 years of unrequited toil shall be sunk and until every drop of blood drawn with the lash shall be paid by another drawn with the sword, as was said 3,000 years ago, so still it must be said: "The judgments of the Lord are true and righteous altogether."

Mr. Speaker, these are not disputed numbers. The numbers of Americans who were killed putting an end to slavery and saving the Union: 600,000.

Another number not disputed is the number of Black Africans who were brought to what is now the United States to be slaves: 600,000. I take you back to the words "until every drop of blood drawn with the lash shall be paid by another drawn with the sword . . . 'The judgments of the Lord are true and righteous altogether.'"

A huge price has been paid. It has been paid primarily by Caucasian Christians. There are many who stepped up because they profoundly believed that they needed to put an end to slavery.

This country has put this behind us. It has been through this brutal and bloody battle. We have come back together for the Reconstruction, and we have healed this country together. I regret deeply that we are watching this country be divided again over a symbol of a free country.

When I go to Germany and see that they have outlawed the swastika, I look at them and I think: We have a First Amendment. That can't happen here in the United States because we are open enough. We have to tolerate the desecration of Old Glory, the American flag.

Yet, we have people here on the floor who say they are offended by a symbol. They are the ones who are putting it up for all to see, and then they are saying that we should outlaw that so the American people don't have a chance to see our heritage.

Everything about America's history is not glorious. Everything about our history is not right in our judgment, looking back in hindsight, but none of us know what it was like for the people who lived during that time, in that era.

We can accept our history. We can be proud of our history. We can unify our country. We can grieve for those who were murdered, and we can preserve our First Amendment rights.

## SEMINAL MOMENTS IN TIME

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. AL GREEN) for 5 minutes.

Mr. AL GREEN of Texas. Mr. Speaker, there are seminal moments in time.

The bombing of Pearl Harbor was a seminal moment in time that will live in infamy. The crossing of the Edmund Pettus Bridge was a seminal moment in time that will live in history. It was a turning point in the civil rights/human rights movement.

There are seminal moments in time.

The House of Representatives confronts a seminal moment in time. Will we allow the healing to continue or will we try to roll back the clock?

There are seminal moments in time.

If we take this vote—and I hope that we will not, and there is an indication that we may not—the taking of the vote, in and of itself, can be a seminal moment in time.

A vote to legitimize the Confederate flag—the battle flag—would be a seminal moment in time for the United States House of Representatives—a flag that represents slavery, a flag that represents division.

We have come together in this country under a flag that represents unity, one that stands for liberty and justice for all, the flag of the United States of America. This is not that flag.

We confront seminal moments in time.

In South Carolina, the South Carolina Senate and House of Representatives stood tall when confronting a seminal moment in time, and the Confederate battle flag will be removed.

I was so proud to hear a relative, a descendant, of Jefferson Davis take to the floor of the House of Representatives in South Carolina and proclaim that the flag must come down.

Seminal moments in time.

We have our opportunity to do that which is right, to do what Dr. King talked about when he said that the arc of the moral universe is long, but it bends towards justice.

We can bend the arc of the moral universe toward justice or we can turn back the clock, understanding that this is a symbol that causes a lot of pain for a lot of people. This symbol would have prevented my having the opportunity to stand here if it had prevailed.

I call upon all people of goodwill to please do the righteous thing, not just the right thing—do the righteous thing.

How can you possibly vote for this after you saw the relatives of the nine who were killed stand in court before a judge and before the person who was the assailant—the person who actually killed people—and say, “I forgive you”? We have forgiven those who have fought to enslave us. We have forgiven.

I forgive you.

How could you possibly now decide that you will legitimize this symbol of

hatred, of slavery, of a bygone era of a time when people were not even proclaimed to be human beings in the minds of many?

So this is a great opportunity for this House of Representatives to answer the clarion call of justice and to do as Dr. King indicated, to bend the arc of the moral universe towards justice.

But it is also something else. It is an opportunity to see where we are.

There will be a moment in time beyond this time when someone will look back upon these moments and he will look to see where we stood.

Where did you stand when you had the chance to stand for righteousness? Where were you when you had an opportunity to vote to recognize justice as opposed to the injustice associated with this symbol?

C.A. Tindley was right. So I will leave you with these words:

Harder yet may be the fight; right may often yield to might. Wickedness awhile may seem to reign; Satan's cause may seem to gain. There is a God that rules above with the hand of power and a heart of love. When we are right, He will help us fight.

I stand against this symbol. I stand for the American flag. I stand for justice.

#### IS ISIS A NATIONAL SECURITY THREAT TO THE UNITED STATES?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, today the terrorist army of ISIS is stronger than ever. It maims, rapes, pillages, burns, and beheads in its zeal to commit religious genocide against anyone who disagrees with them.

ISIS controls and manipulates the minds of thousands of foreign fighters, including those who come from the United States. This is done arrogantly through American social media companies.

The U.S.' answer to the ISIS threat? Well, let's see what it is.

Part of the current U.S. strategy is to train foreign mercenaries to fight against ISIS. It has had a yearlong American budget of about \$500 million.

The program is to equally fund equipment and to train these so-called moderates from Syria to fight ISIS. I call them mercenaries.

However, the Secretary of Defense of the United States—Carter—admitted that, even after this 1 year of training, the United States has only trained 60—six, zero—of these moderate Syrian rebels.

If I do my math correctly, Mr. Speaker, we are spending about \$4 million apiece on these 60 fighters to go and fight, supposedly, ISIS.

This is embarrassingly pathetic. The greatest nation that has ever existed sees ISIS as such a threat that we are going to send 60 folks over to try to take care of them.

Ironically, there are more Americans who are fighting with ISIS than we have rebels who have been trained to fight against ISIS.

The United States obviously is not taking ISIS seriously. ISIS even mocks the United States and its 60 fighters on, once again, American social media.

There is more.

The President has recently admitted that the United States really doesn't even have a complete strategy against ISIS. Now, isn't that lovely?

The question is, Mr. Speaker: Is ISIS a national security threat to the United States? That is the question. That is the question that has to be answered by the administration and by Congress, and a decision needs to be made by the administration.

It is time for the administration to pick a horse and ride it. If ISIS is a threat, then we must have a plan to defeat them, then actively implement the plan, and defeat ISIS.

Mr. Speaker, the Commander in Chief needs to lead. He needs to command or ISIS will continue its reign of terror in the Middle East and in other parts of the world.

And that is just the way it is.

#### THE CONFEDERATE BATTLE FLAG

The SPEAKER pro tempore. The Chair recognizes the gentleman from Minnesota (Mr. ELLISON) for 5 minutes.

Mr. ELLISON. Mr. Speaker, if there is any doubt in the mind of any person as to what this Confederate battle flag stands for, I urge people not to listen to me. I urge you to listen to the secessionists themselves.

Here is a quote from the Declaration of the Immediate Causes Which Induce and Justify the Secession of South Carolina from the Federal Union.

It reads:

This sectional combination for the submersion of the Constitution has been aided in some of the States by elevating to citizenship persons who, by the supreme law of the land, are incapable of becoming citizens, and their votes have been used to inaugurate a new policy hostile to the South and the destruction of its beliefs and safety.

Those persons were Black people. That new policy that was hostile to the South was ending the enslavement of the millions of people based on their race.

Here is a quote from the Vice President of the Confederacy. I think he can speak authoritatively as to what other Confederate flags mean. Vice President Alexander Stephens said:

Our new government is founded upon exactly the opposite of the American idea. Its foundations are laid—its cornerstone rests—upon the great truth that the Negro is not equal to the White man, that slavery, subordination to the superior race, is his natural and normal condition.

That is what the Vice President of the Confederate States said under banners like this one as they were fighting



and offering the lives of their own children to maintain slavery.

□ 1145

This is what the flag represents.

I yield to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. I thank the gentleman for yielding.

Mr. Speaker, last night the South Carolina House of Representatives finally approved legislation to take down this symbol of hatred and bigotry and the darkest time in our Nation's history.

It is shameful that less than 24 hours after the State of South Carolina took this important step for progress and equality that the United States House of Representatives would consider an amendment that would allow the Confederate flag to be placed in National Park Service cemeteries.

Let's be clear. This amendment is a symbol of hate, and anyone who supports its being in a place of honor is imposing an insult on anyone who has experienced racism in their lives or believes in America's founding principles of equality, justice, and freedom.

150 years ago hundreds of thousands of brave soldiers died to save our Union and to defeat all the ugly beliefs that the Confederate battle flag represents.

Dr. Martin Luther King was fond of saying that the arc of the moral universe is long, but it bends toward justice. Our country has come far since the end of the Civil War, but returning this flag to a place of honor would undermine that progress. It is time to relegate this symbol of hate to the dustbin of history.

Take it down.

Mr. ELLISON. Mr. Speaker, I yield to the gentleman from California (Mr. SWALWELL).

Mr. SWALWELL of California. I thank the gentleman from Minnesota for leading on this issue.

It must be throwback Thursday, because just yesterday the South Carolina State House voted to take down the Confederate flag. However, today our House Republican colleagues want a bill, they want an amendment that will put that flag back up and allow people to salute that same flag across our country in our national parks.

It is time to finally, once and for all, take down an ugly flag that is nothing more than a tribute to an ugly past. Mr. Speaker, let's throw down this flag. Let's not throw back to an ugly part of our history.

#### RECESS

The SPEAKER pro tempore (Mr. POE of Texas). Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 47 minutes a.m.), the House stood in recess.

□ 1200

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

#### PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Loving God, we give You thanks for giving us another day.

In these most important days and debates here in the people's House, we beg You to send Your spirit of wisdom as the Members struggle to do the work that has been entrusted to them. Inspire them to work together with charity, and join their efforts to accomplish what our Nation needs to live into a prosperous and secure future.

In this week in the wake of celebrating the great blessings bestowed upon our Republic, please bless those men and women who serve our Nation in uniform wherever they may be.

Please keep all the Members of this Congress, and all who work for the people's House, in good health, that they might faithfully fulfill the great responsibility given them by the people of this great Nation.

Bless us this day and every day. May all that is done here be for Your greater honor and glory.

Amen.

#### THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

#### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Ohio (Mrs. BEATTY) come forward and lead the House in the Pledge of Allegiance.

Mrs. BEATTY led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

#### ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

#### FIGHTING FOR NEW HAMPSHIRE'S LAND, WATER, AND HERITAGE

(Mr. GUINTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUINTA. Mr. Speaker, I rise today in support of the Land and Water

Conservation Fund and its impact on both New Hampshire's natural resources and our access to hunting, fishing, and outdoor activities.

Established by Congress in 1965, the LWCF provides money to Federal, State, and local governments to purchase and preserve land, water, and wetlands for the benefit of all Americans.

As Granite Staters know, we are blessed to call one of the most pristine ecological environments in the Nation our home. From the seacoast region to the White Mountain National Forest to Lake Winnepesaukee, outdoor recreation and activities are a vital part of New Hampshire's First Congressional District's economy.

In fact, the Outdoor Industry Association found that active outdoor recreation generates \$4.2 billion annually in consumer spending in New Hampshire, supports nearly 50,000 jobs across the State, and produces \$293 million annually in State and local revenue. Furthermore, over 800,000 people hunt, fish, or watch wildlife in New Hampshire each year, spending over \$560 million on wildlife-related recreation.

It is no surprise that the LWCF is a critical part in maintaining and strengthening those numbers, while simultaneously preserving our beautiful State.

I urge my colleagues to join in support of this legislation.

#### CANCER DRUG COVERAGE PARITY ACT

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, this year, more than 1.5 million Americans will be diagnosed with cancer. Fortunately, innovative research has led to more effective and accessible treatments. However, insurance has not kept pace with the science, and cancer patients are paying the price.

Chemotherapy, previously administered only through injection, is now available for many types of cancer in pill form. Today, oral chemotherapy represents 35 percent of all new cancer drugs. However, copayments for oral chemo can be hundreds or thousands of dollars per month. As a result, it prevents patients from filling their prescriptions.

A cancer patient should never be forced to make a treatment decision based on finances. That is why I joined Congressman LEONARD LANCE to reintroduce the Cancer Drug Coverage Parity Act, which would require health insurance plans that cover traditional chemotherapy to provide no less favorable coverage for prescribed orally administered drugs.

I urge my colleagues to support this bipartisan effort to ensure cancer patients can receive the treatments their doctors prescribe.

## START REBUILDING AMERICA

(Mr. DUNCAN of Tennessee asked and was given permission to address the House for 1 minute.)

Mr. DUNCAN of Tennessee. Mr. Speaker, David Keene for 27 years headed the American Conservative Union and is now opinion editor of The Washington Times.

Last month he wrote that, as a result of our wars and attempts at nation building in the Middle East, there "is a generation of young Americans who have never known peace; a decade in which thousands of our best have died or been maimed with little to show for their sacrifices, our enemies have multiplied, and our national debt has skyrocketed."

Now we are about to spend \$82 billion in the OCO account for our unnecessary wars and nation building in Iraq and Afghanistan and other parts of the Middle East. This is over and above our regular defense budget. This 1-year, \$82 billion appropriation would more than pay for a 6-year highway bill, which everyone on both sides say they want.

Let's stop trying to foolishly rebuild the Middle East and start rebuilding America. Let's bring all those hundreds of thousands of jobs home.

## TAKE DOWN THE CONFEDERATE BATTLE FLAG

(Ms. LEE asked and was given permission to address the House for 1 minute.)

Ms. LEE. Mr. Speaker, I rise today in the strongest possible opposition to House Republican efforts to support hate through the promotion of the Confederate battle flag.

Make no mistake, the Confederate battle flag is a symbol of hate and racism. The Calvert amendment would allow for the display and sale of this symbol of hate at our national parks and Federal cemeteries. That is outrageous.

This flag speaks to one of the darkest moments in our Nation's history, and its display and sale in our national parks is simply unconscionable. Today, our Nation still grieves the tragedy in Charleston, and we remember the nine lives that were tragically cut short by a person whose sole goal was hate and division.

The South Carolina Legislature voted last night in a bipartisan way to take down the Confederate battle flag from the statehouse. Likewise, major retailers have removed this symbol of hate from their shelves. Yet my Republican colleagues want to return it to our national parks and Federal cemeteries. This is simply outrageous.

It is past time for our Nation to get serious about putting away not only these hateful symbols, but ensuring liberty and justice for all. It is past time to take it down.

## NATURAL GAS

(Mr. ROUZER asked and was given permission to address the House for 1 minute.)

Mr. ROUZER. Mr. Speaker, as a result of the shale energy revolution, America has moved from a posture of energy scarcity to one of energy abundance. This shift is helping to drive economic growth, environmental stewardship, and greater energy security. However, without the acceleration of natural gas infrastructure in all regions of the country, only a few will benefit.

A large interstate gas transmission project has been proposed to bring this affordable, reliable, and cleaner energy source to southeastern North Carolina, and with it the potential for economic growth in some of our State's most economically challenged and rural areas.

We are blessed with the natural resources and innovations in technology to be the energy capital of the world, which would drive economic growth to new heights. The Congress must put into place rational and predictable regulatory structures that create a more stable climate for the natural gas industry.

I urge my colleagues to support policy solutions that will lead to energy independence and economic growth for America.

## CONFEDERATE FLAG DOES NOT REPRESENT AMERICA

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, we have children to educate, and we have children to love and to have them to understand what America is all about. We are southerners and northerners. We come from the East and the West. We love our cooking, we love our culture, but we are Americans. So today I ask this body to allow us to debate this question to a resolution that enhances American unity.

The Supreme Court issued a statement in *Walker v. Sons of Confederate Veterans*, a Texas case. Before the Texas Department of Motor Vehicles, early on, as just a civilian, I argued against Confederate license plates. We won that case. The Supreme Court said that public speech that offends or oppresses is not allowed.

I am not talking about the flag on your car or your home, but I am saying that this rebel flag does not represent America, does not teach our children, and it does not heal. And I would offer to say that we are long overdue for a debate like that in the senate in South Carolina, to follow Reverend Pinckney's words that we have to know how to break the cycle and of a roadway toward a better world. He knew that a path of greatness involves an open

mind, but more importantly, an open heart.

I hope we can debate H. Res. 342, which enhances the unity of our country, not this flag.

## HONORING CHARLES "CHUCK" HARMON

(Mr. WENSTRUP asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WENSTRUP. Mr. Speaker, on July 14, Cincinnati will host the Major League Baseball All-Star Game, and I want to take the opportunity to recognize a famous Redleg, Charles "Chuck" Harmon, the first African American to play for the Cincinnati Reds.

Chuck Harmon paved the way for many African American major league baseball players, like fellow Redleg Frank Robinson, who credits Harmon as helping launch his career.

Mr. Harmon entered the 1954 season on April 17 as a right-handed infielder with the Reds. With a .242 batting average during his Reds career, he was also known as the fastest player on the team during his rookie season.

Ohio's Second District continues to celebrate Mr. Harmon's legacy by celebrating his career at the Great American Ball Park at the All-Star game 50 years after his first at bat, by renaming a street in his hometown of Golf Manor to Chuck Harmon Way, and by unveiling a statue for the Reds Urban Youth Academy in Roselawn.

Thank you, Chuck Harmon, for your pioneering contributions to breaking the color barrier in our Nation's pastime. Your accomplishments will forever be recognized by generations of Americans to come.

## TAKE DOWN THE CONFEDERATE FLAG

(Mr. CARTWRIGHT asked and was given permission to address the House for 1 minute.)

Mr. CARTWRIGHT. Mr. Speaker, I awoke this morning to find news that last night, in the wee hours, House Republican leadership advanced an amendment to allow the display of the Confederate battle flag in Federal cemeteries and to allow National Park Service agents to do business with gift shops that sell Confederate battle flags.

Mr. Speaker, at a time when South Carolina, itself the cradle of the Confederacy, has outlawed the flying of the Confederate battle flag on their statehouse grounds, at a time when all Americans were horrified at the slaughter of nine churchgoers by an individual motivated by that battle flag, at a time when everyone understands and acknowledges that it is a symbol of hate, we find the House Republican leadership wrapping itself in the Confederate battle flag. I object to this.

### ENSURING RELIGIOUS FREEDOM FOR HUMANITY

(Mr. HILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HILL. Mr. Speaker, early this year, I had the opportunity to meet with Ambassador David Saperstein, the U.S. Ambassador At Large for International Religious Freedom. He is tasked with leading America's fight against religious persecution throughout the world. This is a significant mandate, especially in the Middle East, where Christian, Jewish, and minority Muslim communities that have been settled in the same areas for millennia are being uprooted, subjugated, and murdered.

These aren't acts of geopolitical jockeying or even political domination. These are acts of pure, unadulterated evil perpetuated by those of dark and wicked souls.

Fundamental American values, among which are commitments to religious freedom and human rights, will always be the cornerstone of this Nation's foreign policy.

I am a proud cosponsor of H.R. 1150, the Frank Wolf International Religious Freedom Act, because now, more than ever, we need to ensure that former Congressman Frank Wolf's landmark legislation is updated for the 21st century to be able to give us the best tools to promote religious freedom around the globe.

I thank Ambassador Saperstein for his work.

□ 1215

### REMOVE CONFEDERATE FLAGS FROM OUR NATIONAL PARKS

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Mr. Speaker, I also rise to express my outrage that my Republican colleagues, in the darkness of the night, offered a surprise amendment to allow the Confederate battle flag to be displayed in our national parks and at Federal cemeteries. Just a couple of days ago, this body voted to remove the Confederate battle flag from our national parks.

My Republican colleagues are choosing to raise the Confederate battle flag again, despite growing opposition by Americans who recognize it as a disgraceful celebration of the war waged to prolong slavery in this country.

Yesterday, in a stunning sign of progress, South Carolina voted to take down that flag after 50 years of flying it at their State capitol. Why do some here continue to insist on defending this painful symbol of racism?

This is shameful. In the wake of the devastating murder of Senator Pinckney and the eight other churchgoers at

Emanuel AME, this is a new low for this Congress.

### 21ST CENTURY CURES ACT

(Mr. VALADAO asked and was given permission to address the House for 1 minute.)

Mr. VALADAO. Mr. Speaker, today, we have 10,000 known diseases, most of which are considered rare. However, we only have 500 cures for these diseases. Americans can do better than that, and today, we have that opportunity to do so.

We have a bill that will be heard here on the floor today, the 21st Century Cures Act, which I am proud to be a cosponsor of and thrilled to see that we actually have an opportunity to help so many people with increased funding so that we can help find some cures, help people—sometimes in our own family, people that we know, our friends—with some of the diseases and some of the things that we face.

Finally, today, with all the negative press that we have got, we have an opportunity to actually do something to be proud of, something that actually makes a difference for people in our own community.

Again, I ask that this House approve this bill.

### GOP CONFEDERATE FLAG AMENDMENT

(Mrs. BEATTY asked and was given permission to address the House for 1 minute.)

Mrs. BEATTY. Mr. Speaker, the hope of a secure, livable world lies within those who believe in justice and equality for all.

Democrats have worked in a bipartisan fashion to ban the display of Confederate flags in Federal cemeteries and barred National Park Services from doing business in gift shops that sell the Confederate flag.

Last night, Republicans rolled out an amendment that would resurrect the Confederate flag in our national parks. Mr. Speaker, I was appalled by these actions.

The tragic events in Charleston led to South Carolina's landmark vote last night to take down the Confederate flag from their statehouse. If South Carolina can act, certainly and surely, Congress can support our national parks in acting to don't sell that flag.

Mr. Speaker, these are America's parks, and they belong to all people. The Nation is watching. Don't go down in history as not standing up against violence and racism.

Mr. Speaker, I urge my colleagues to join me to ensure that we don't sell that flag, the Confederate flag.

### TAKE DOWN THE CONFEDERATE FLAG

(Mr. YARMUTH asked and was given permission to address the House for 1 minute.)

Mr. YARMUTH. Mr. Speaker, last night in the South Carolina Legislature, we saw Democrats and Republicans join together to take down the Confederate battle flag, many with tears in their eyes and still grieving the nine lives lost in Charleston.

While the people of South Carolina move one step past this terrible tragedy, many House Republicans want to take our Nation 150 years back.

We were scheduled to vote on the Interior Appropriations bill today. The bill was pulled because Members on the other side of the aisle objected to banning the display and sale of the Confederate flags at national park facilities.

For years, I have heard all the arguments from those who defend the display of the Confederate battle flag, but it is moral cowardice to ignore this flag's history of White supremacy and treason, to pretend it symbolizes anything other than a heritage of hate and human oppression.

The Confederate battle flag does not belong atop our State capitols, and it certainly should not be sold or displayed at our national parks. It belongs in a museum of shame, alongside the other relics of hate and division that tore our country apart.

### SHERIFF RALPH LAMB

(Ms. TITUS asked and was given permission to address the House for 1 minute.)

Ms. TITUS. Sheriff Ralph Lamb, who passed away on July 3, was one of those larger than life characters who dot the landscape and lore of the Old West.

A rancher from humble Mormon beginnings, he embodied the independent cowboy spirit. He was John Wayne, Wyatt Earp, and Dirty Harry all rolled into one. He was a rodeo rider. He inspired a TV series, and he changed the face and future of Las Vegas by cleaning up the streets and reining in the mob.

Sheriff Lamb wasn't afraid of the devil because he always had an angel on his shoulder. He cut a wide swath and cast a long shadow over Las Vegas when times were simpler, but the stakes were high.

Our community misses him; I miss him personally, and I look forward to reading George Knapp's biography on his amazing life.

### CONFEDERATE BATTLE FLAG

(Ms. SEWELL of Alabama asked and was given permission to address the House for 1 minute.)

Ms. SEWELL of Alabama. Mr. Speaker, I rise today to add my voice to this

discussion about the Confederate battle flag.

As a daughter of the South, a Representative from Alabama, a native of Selma, Alabama, I have to tell you I cannot believe, in 2015, we are talking about whether or not this body would allow on Federal grounds, Federal cemeteries, and Federal national parks the display, the selling of this Confederate battle flag.

There is no denying that our Constitution talks about "We, the people," and there is no denying that this Confederate flag is controversial. Some see it as heritage, and most see it as hated.

I can tell you one thing: we, the people, cannot allow on Federal grounds—we all pay taxes and are citizens of this great Nation—and to allow this flag to be sold and to be displayed on Federal land is unacceptable.

I really hope that, when I gathered together 100 Members of Congress in Selma for the 50th anniversary of the Selma to Montgomery march, it was not a kumbaya moment in Selma in March; rather, I hope that we will do what we promised this Nation we would do, and that is represent we, the people, by taking down this flag and not displaying it on any grounds.

#### PENNSYLVANIA OREO PLANT CLOSURE

(Mr. BRENDAN F. BOYLE of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, last week, many of us were proudly waving our flag, celebrating the Fourth of July, and also rooting on the successful women's soccer team in winning the World Cup.

Unfortunately, at the very same time we were doing that, displaying our patriotism, the company that makes Oreo cookies and Ritz crackers, two very well-known American brands, decided that, for the first time in 60 years, they would close their legendary Philadelphia plant in the heart of my district, laying off over 300 workers because they are shipping the jobs to Monterrey, Mexico.

Now, keep in mind, this is a company, Mondelez, that is in no way in financial disarray. In fact, their revenues last year topped \$50 billion. This plant that was closed is profitable, but not profitable enough.

But there is good news. I do congratulate their CEO, Ms. Irene Rosenfeld, who got a 50 percent pay increase in the last few months at the same very time over 300 workers from my district were getting laid off.

Mr. Speaker, it is not right. Say "no" to Oreo.

#### TAKE DOWN THE CONFEDERATE BATTLE FLAG

(Mr. PRICE of North Carolina asked and was given permission to address the House for 1 minute.)

Mr. PRICE of North Carolina. Mr. Speaker, we have just learned that the Interior Appropriations bill will be pulled from the floor today.

A number of Southern "irreconcilable" Republican Members apparently planned to vote against the bill, unless it permitted the display of the Confederate battle flag in our national parks and permitted vendors to sell Confederate souvenirs. This is unbelievable, and I say that as a Southern representative.

It is unbelievable, after the unspeakable tragedy in Charleston and the action in the South Carolina Legislature yesterday to remove the battle flag from South Carolina's Capitol grounds. But the House Republican leadership last night chose to accommodate the Southern Republican irreconcilables with an amendment, and now, they are pulling the Interior bill, lest the irreconcilables bring it down.

Mr. Speaker, we shouldn't have to debate whether a symbol of hatred and oppression in our Nation's darkest hour should be displayed on Federal lands. Is the Republican majority really that out of touch? Let us join together to take down that battle flag.

#### CONFEDERATE FLAG

(Ms. SCHAKOWSKY asked and was given permission to address the House for 1 minute.)

Ms. SCHAKOWSKY. Mr. Speaker, so I have heard that the Republicans have pulled their Interior Appropriations bill from the floor, and I sure hope it is because they have reconsidered their support for flying the Confederate battle flag, overturning an earlier decision of this very body by unanimous voice vote to take it down.

Last night, unbelievably, unforgivably, House Republicans acted to uphold the Confederate battle flag at the very moment that South Carolina was voting to take it down. House Republicans surreptitiously rushed to have National Park Service continue to sell this symbol of hate and to keep the Confederate flag flying on Federal lands.

Even worse, House Republicans tried to cloak this shady move by wrapping it in language about our American flag and the MIA-POW flag—how dare they.

Sears, Amazon, and many other retailers have stopped selling that symbol of hate, and that is what a Republican State Representative in South Carolina tearfully called it.

It is astonishing that the Republicans are so out of touch. We cannot allow this shameful decision to hold. Take down the flag.

#### NUCLEAR AGREEMENT WITH IRAN

(Mr. LIPINSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LIPINSKI. Mr. Speaker, a strong nuclear agreement that truly forestalls Iran's weapons breakout ability could be positive for regional and national security. However, I fear too many concessions are being made to secure a deal, and a bad deal will be worse than no deal at all.

We must remember Iran sponsors terrorism throughout the region. They are constantly provocative and a serious threat toward our ally Israel.

We all want to see the threat of war with Iran diminished and to disable their nuclear pursuits, but giving them too much to secure a rapid deal will only increase Iran's threat. That is why any agreement must have unassailable standards for inspections any time in any place.

Access to all background on their prior military nuclear research must also be in the agreement. The strictest limits on centrifuges and enrichments must be there. A breakout time of no less than 1 year and a phased performance-based sanctions relief and airtight snapback sanctions when Iran violates these standards must also be included. Anything less should be rejected.

#### CALVERT AMENDMENT

(Mr. LEWIS asked and was given permission to address the House for 1 minute.)

Mr. LEWIS. Mr. Speaker, 50 years ago, when we were beaten on the Edmund Pettus Bridge and attempted to march from Selma to Montgomery, there were officers of the law wearing the Confederate battle flag on their helmet.

When the Klan marched through our neighborhoods in Alabama, Georgia, and South Carolina, countless homes in Birmingham were bombed and burned. When they set fire to Black churches throughout the South, the Confederate battle flag was the symbol of their cruelty and injustice.

There is no way, but no way that the Federal Government should ever display this flag on any Federal site or sell it on Federal property. It is a symbol of division and a symbol of separation. It is a symbol of hate. It is a relic of our dark past.

We must defeat every attempt to return this flag to Federal properties.

□ 1230

#### SOUTH CAROLINA'S REMOVAL OF THE CONFEDERATE BATTLE FLAG

(Mr. CLYBURN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLYBURN. Mr. Speaker, following the horrific murder of nine of my constituents during their Bible study class at Mother Emanuel AME Church in Charleston, many Members of this body came to Charleston to help celebrate the life and legacy of Reverend Senator Clementa Pinckney.

I thank the Speaker of the House and the bipartisan delegation for coming, showing their concern.

And I thank the Governor of South Carolina for calling for the removal of the Confederate battle flag from the State house grounds.

At 4 o'clock this afternoon, she is going to sign the bill, which passed this morning around 1:30 a.m. by a vote of 94–20, to remove that flag from the State house grounds. Tomorrow morning at 10 o'clock, they will remove that flag.

I cannot believe that today we have been asked to condone a backward step. Why we in this body would do such is beyond me.

#### MOTION TO ADJOURN

Mr. CLYBURN. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion to adjourn offered by the gentleman from South Carolina (Mr. CLYBURN).

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

#### RECORDED VOTE

Mr. CLYBURN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 13, noes 402, not voting 18, as follows:

[Roll No. 424]

#### AYES—13

Bass	Doggett	Johnson (GA)
Blumenauer	Farr	Lee
Boyle, Brendan F.	Galleo	Schakowsky
Castro (TX)	Grijalva	Slaughter
	Jackson Lee	

#### NOES—402

Abraham	Boustany	Chu, Judy
Adams	Brady (TX)	Cicilline
Aderholt	Brat	Clark (MA)
Aguilar	Bridenstine	Clarke (NY)
Allen	Brooks (AL)	Clawson (FL)
Amash	Brooks (IN)	Clay
Ashford	Brownley (CA)	Cleaver
Babin	Buchanan	Clyburn
Barletta	Bucshon	Coffman
Barr	Burgess	Cohen
Barton	Bustos	Cole
Beatty	Butterfield	Collins (GA)
Becerra	Byrne	Collins (NY)
Benishek	Calvert	Comstock
Bera	Capps	Conaway
Beyer	Capuano	Connolly
Bilirakis	Cárdenas	Conyers
Bishop (GA)	Carney	Cook
Bishop (MI)	Carson (IN)	Cooper
Bishop (UT)	Carter (GA)	Costa
Black	Carter (TX)	Costello (PA)
Blackburn	Cartwright	Courtney
Blum	Castor (FL)	Cramer
Bonamici	Chabot	Crawford
Bost	Chaffetz	Crenshaw

Crowley	Israel	Nolan
Cuellar	Issa	Norcross
Culberson	Jeffries	Nugent
Cummings	Jenkins (KS)	Nunes
Curbelo (FL)	Jenkins (WV)	O'Rourke
Davis (CA)	Johnson (OH)	Olson
Davis, Danny	Johnson, E. B.	Palazzo
Davis, Rodney	Johnson, Sam	Pallone
DeFazio	Jolly	Palmer
DeGette	Jordan	Paulsen
Delaney	Joyce	Pearce
DeLauro	Kaptur	Pelosi
DelBene	Katko	Perlmutter
Denham	Keating	Perry
Dent	Kelly (IL)	Peterson
DeSantis	Kelly (MS)	Pingree
DeSaulnier	Kelly (PA)	Pittenger
DesJarlais	Kennedy	Pitts
Deutch	Kildee	Pocan
Diaz-Balart	Kilmer	Poe (TX)
Dingell	Kind	Poliquin
Dold	King (IA)	Polis
Donovan	King (NY)	Posey
Doyle, Michael F.	Kinzinger (IL)	Price (NC)
Duckworth	Kirkpatrick	Price, Tom
Duffy	Kline	Quigley
Duncan (SC)	Knight	Ratcliffe
Duncan (TN)	Kuster	Reed
Edwards	Labrador	Reichert
Ellison	LaMalfa	Renacci
Ellmers (NC)	Lamborn	Ribble
Emmer (MN)	Lance	Rice (NY)
Engel	Langevin	Rice (SC)
Eshoo	Larson (CT)	Richmond
Esty	Latta	Rigell
Farenthold	Lawrence	Roby
Fincher	Levin	Roe (TN)
Fitzpatrick	Lewis	Rogers (AL)
Fleischmann	Lieu, Ted	Rogers (KY)
Fleming	Lipinski	Rohrabacher
Flores	LoBiondo	Rokita
Fortenberry	Loeb sack	Rooney (FL)
Foster	Long	Ros-Lehtinen
Fox	Loudermilk	Roskam
Frankel (FL)	Love	Ross
Franks (AZ)	Lowenthal	Rothfus
Frelinghuysen	Lowe	Rouzer
Fudge	Lucas	Roybal-Allard
Gabbard	Luetkemeyer	Royce
Garamendi	Lujan Grisham	Ruiz
Garrett	(NM)	Ruppersberger
Gibbs	Luján, Ben Ray	Rush
Gohmert	(NM)	Russell
Goodlatte	Lummis	Ryan (OH)
Gosar	Lynch	Ryan (WI)
Gowdy	MacArthur	Salmon
Graham	Maloney,	Sánchez, Linda T.
Granger	Carolyn	Sanchez, Loretta
Graves (GA)	Maloney, Sean	Sanford
Graves (LA)	Marchant	Sarbanes
Graves (MO)	Marino	Scalise
Grayson	Massie	Schiff
Green, Al	Matsui	Schrader
Green, Gene	McCarthy	Schweikert
Griffith	McCaull	Scott (VA)
Grothman	McClintock	Scott, Austin
Guinta	McCollum	Scott, David
Guthrie	McDermott	Sensenbrenner
Gutiérrez	McGovern	Serrano
Hahn	McHenry	Sessions
Hanna	McKinley	Sewell (AL)
Hardy	McMorris	Sherman
Harper	Rodgers	Shimkus
Harris	McNerney	Shuster
Hartzler	McSally	Simpson
Heck (NV)	Meadows	Sinema
Heck (WA)	Meehan	Sires
Hensarling	Meeks	Smith (MO)
Herrera Beutler	Meng	Smith (NE)
Hice, Jody B.	Messer	Smith (NJ)
Higgins	Mica	Smith (TX)
Hill	Miller (MI)	Smith (WA)
Himes	Moolenaar	Speier
Hinojosa	Mooney (WV)	Stefanik
Holding	Moore	Stewart
Honda	Moulton	Stivers
Hoyer	Mullin	Stutzman
Hudson	Mulvaney	Swalwell (CA)
Huelskamp	Murphy (FL)	Takai
Huffman	Murphy (PA)	Takano
Huizenga (MI)	Nadler	Thompson (CA)
Hultgren	Napolitano	Thompson (MS)
Hunter	Neal	Thompson (PA)
Hurd (TX)	Neugebauer	Thornberry
Hurt (VA)	Newhouse	Tiberi
	Noem	

Tipton	Walberg	Williams
Titus	Walden	Wilson (FL)
Tonko	Walorski	Wilson (SC)
Torres	Walters, Mimi	Wittman
Trott	Walz	Womack
Tsongas	Wasserman	Woodall
Turner	Schultz	Yarmuth
Upton	Waters, Maxine	Yoder
Valadao	Watson Coleman	Yoho
Van Hollen	Weber (TX)	Young (AK)
Vargas	Webster (FL)	Young (IA)
Veasey	Welch	Young (IN)
Vela	Wenstrup	Zeldin
Velázquez	Westerman	Zinke
Visclosky	Westmoreland	
Wagner	Whitfield	

#### NOT VOTING—18

Amodei	Gibson	Pascarella
Brady (PA)	Hastings	Payne
Brown (FL)	Jones	Peters
Buck	Larsen (WA)	Pompeo
Fattah	Lofgren	Rangel
Forbes	Miller (FL)	Walker

□ 1313

Ms. ADAMS, Messrs. HIMES, MCKINLEY, WESTERMAN, Mrs. DAVIS of California, Ms. SINEMA, Ms. MAXINE WATERS of California, Messrs. MOULTON and MEEKS changed their vote from “aye” to “no.”

Ms. LEE changed her vote from “no” to “aye.”

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

#### RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Ms. PELOSI. Mr. Speaker, pursuant to rule IX, I rise in regard to a question of the privileges of the House, and I send to the desk a privileged resolution.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

#### H. RES. 355

Whereas, at 4 p.m. today, July 9th, the Governor of South Carolina will sign legislation to remove the display of the Confederate battle flag;

Whereas, on December 20, 1860, South Carolina became the first State to secede from the Union;

Whereas, on January 9, 1861, Mississippi seceded from the Union, stating in its ‘Declaration of Immediate Causes’ that ‘[o]ur position is thoroughly identified with the institution of slavery—the greatest material interest of the world.’;

Whereas, on February 9, 1861, the Confederate States of America was formed with a group of 11 States as a purported sovereign nation and with Jefferson Davis of Mississippi as its president;

Whereas, on March 11, 1861, the Confederate States of America adopted its own constitution;

Whereas, on April 12, 1861, the Confederate States of America fired shots upon Fort Sumter in Charleston, South Carolina, effectively beginning the Civil War;

Whereas, the United States did not recognize the Confederate States of America as a sovereign nation, but rather as a rebel insurrection, and took to military battle to bring the rogue states back into the Union;

Whereas, on April 9, 1865, General Robert E. Lee surrendered to General Ulysses S.

Grant at Appomattox Court House in Virginia, effectively, ending the Civil War and preserving the Union;

Whereas, during the Civil War, the Confederate States of America used the Navy Jack, Battle Flag, and other imagery as symbols of the Confederate armed forces;

Whereas, since the end of the Civil War, the Navy Jack, Confederate battle flag, and other imagery of the Confederacy have been appropriated by groups as symbols of hate, terror, intolerance, and as supportive of the institution of slavery;

Whereas, groups such as the Ku Klux Klan and other White supremacist groups utilize Confederate imagery to frighten, terrorize, and cause harm to groups of people toward whom they have hateful intent, including African-Americans, Hispanic-Americans, and Jewish Americans;

Whereas, many State and Federal political leaders, including United States Senators Thad Cochran and Roger Wicker, along with Mississippi House Speaker Philip Gunn and other State leaders, have spoken out and advocated for the removal of the imagery of the Confederacy on Mississippi's State flag;

Whereas, many Members of Congress, including Speaker John Boehner, support the removal of the Confederate flag from the grounds of South Carolina's capitol;

Whereas, Speaker John Boehner released a statement on the issue saying, 'I commend Governor Nikki Haley and other South Carolina leaders in their effort to remove the Confederate flag from Statehouse grounds. In his second inaugural address 150 years ago, and a month before his assassination, President Abraham Lincoln ended his speech with these powerful words, which are as meaningful today as when they were spoken on the East Front of the Capitol on March 4, 1865: 'With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us strive on to finish the work we are in, to bind up the nation's wounds, to care for him who shall have borne the battle and for his widow and his orphan, to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations.';

Whereas, the House of Representatives has several State flags with imagery of the Confederacy throughout its main structures and House office buildings;

Whereas, it is an uncontroverted fact that symbols of the Confederacy offend and insult many members of the general public who use the hallways of Congress each day;

Whereas, Congress has never permanently recognized in its hallways the symbols of sovereign nations with whom it has gone to war or rogue entities such as the Confederate States of America;

Whereas, continuing to display a symbol of hatred, oppression, and insurrection that nearly tore our Union apart and that is known to offend many groups throughout the country would irreparably damage the reputation of this august institution and offend the very dignity of the House of Representatives; and

Whereas, this impairment of the dignity of the House and its Members constitutes a violation under rule IX of the Rules of the House of Representatives of the One Hundred Fourteenth Congress: Now, therefore, be it

*Resolved*, That the Speaker of the House of Representatives shall remove any State flag containing any portion of the Confederate battle flag, other than a flag displayed by the office of a Member of the House, from any area within the House wing of the Capitol or any House office building, and shall

donate any such flag to the Library of Congress.

The SPEAKER pro tempore. The resolution presents a question of privilege.

#### MOTION TO REFER

Mr. MCCARTHY. Mr. Speaker, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will report the motion to refer.

The Clerk read as follows:

Mr. McCarthy moves that the resolution be referred to the Committee on House Administration.

The SPEAKER pro tempore. The gentleman from California is recognized for 1 hour.

Mr. MCCARTHY. Mr. Speaker, this resolution raises a number of important questions, and the House would be best served by committee action on this measure. Accordingly, I am moving to refer the resolution to the Committee on House Administration.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the motion to refer.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

#### RECORDED VOTE

Ms. PELOSI. Mr. Speaker, I ask for a recorded vote.

The SPEAKER pro tempore. Is the gentlewoman asking for a recorded vote on ordering the previous question?

Ms. PELOSI. I thought the motion was to refer it to committee.

The SPEAKER pro tempore. The Chair has not yet put that question.

The question is on ordering the previous question.

Ms. PELOSI. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentlewoman may state her parliamentary inquiry.

Ms. PELOSI. Mr. Speaker, I will stay where we are until the gentleman rules.

Mr. Speaker, I ask for a recorded vote.

The SPEAKER pro tempore. Is the gentlewoman asking for a recorded vote on ordering the previous question?

Ms. PELOSI. Yes.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the motion to refer.

The vote was taken by electronic device, and there were—ayes 238, noes 185, not voting 10, as follows:

[Roll No. 425]

AYES—238

Abraham  
Aderholt  
Allen

Amash  
Amodei  
Babin

Barletta  
Barr  
Barton

Benishek  
Bilirakis  
Bishop (MI)  
Black  
Blackburn  
Blum  
Bost  
Boustany  
Brady (TX)  
Brat  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Buchanan  
Buck  
Bucshon  
Burgess  
Byrne  
Calvert  
Carter (GA)  
Carter (TX)  
Chabot  
Chaffetz  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comstock  
Conaway  
Cook  
Costello (PA)  
Cramer  
Crawford  
Crenshaw  
Culberson  
Curbelo (FL)  
Davis, Rodney  
Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Dold  
Donovan  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers (NC)  
Emmer (MN)  
Farenthold  
Fincher  
Fitzpatrick  
Fleischmann  
Fleming  
Flores  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Garrett  
Gibbs  
Gibson  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Griffith  
Grothman  
Guinta  
Guthrie  
Hanna  
Hardy  
Harper

Harris  
Hartzler  
Heck (NV)  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Hill  
Holding  
Hudson  
Huelskamp  
Hultgren  
Hunter  
Hurd (TX)  
Hurt (VA)  
Issa  
Jenkins (KS)  
Jenkins (WV)  
Johnson (OH)  
Johnson, Sam  
Jolly  
Jones  
Jordan  
Joyce  
Katko  
Kelly (MS)  
Kelly (PA)  
King (IA)  
King (NY)  
Kinzinger (IL)  
Kline  
Knight  
Labrador  
LaMalfa  
Lance  
Latta  
LoBiondo  
Long  
Loudermilk  
Love  
Lucas  
Luetkemeyer  
Lummis  
MacArthur  
Marchant  
Marino  
Massie  
McCarthy  
McCaul  
McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Meehan  
Messer  
Mica  
Miller (MI)  
Moolenaar  
Mooney (WV)  
Mullin  
Mulvaney  
Murphy (PA)  
Neugebauer  
Newhouse  
Noem  
Nugent  
Nunes  
Olson  
Palazzo  
Palmer  
Paulsen  
Pearce  
Perry  
Pittenger  
Pitts

Poe (TX)  
Poliquin  
Pompeo  
Posey  
Price, Tom  
Ratcliffe  
Reed  
Reichert  
Renacci  
Ribble  
Rice (SC)  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney (FL)  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Rouzer  
Royce  
Russell  
Ryan (WI)  
Salmon  
Sanford  
Scalise  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Stefanik  
Stewart  
Stivers  
Stutzman  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Trott  
Turner  
Upton  
Valadao  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Westmoreland  
Whitfield  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Young (IN)  
Zeldin  
Zinke

#### NOES—185

Adams  
Aguilar  
Ashford  
Bass  
Beatty  
Becerra  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Bonamici  
Boyle, Brendan  
F.  
Brady (PA)  
Brown (FL)  
Brownley (CA)

Bustos  
Butterfield  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clawson (FL)  
Clay

Cleaver  
Clyburn  
Cohen  
Connolly  
Conyers  
Cooper  
Costa  
Courtney  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney

DeLauro	Kirkpatrick	Rangel	Coffman	Jenkins (KS)	Reed	Higgins	Maloney,	Sarbanes
DelBene	Kuster	Rice (NY)	Cole	Jenkins (WV)	Reichert	Himes	Carolyn	Schakowsky
DeSaulnier	Langevin	Richmond	Collins (GA)	Johnson (OH)	Renacci	Hinojosa	Maloney, Sean	Schiff
Deutch	Larsen (WA)	Roybal-Allard	Collins (NY)	Johnson, Sam	Ribble	Honda	Matsui	Schrader
Dingell	Larson (CT)	Ruiz	Comstock	Jolly	Rice (SC)	Hoyer	McCollum	Scott (VA)
Doggett	Lawrence	Ruppersberger	Conaway	Jones	Rigell	Huffman	McDermott	Scott, David
Doyle, Michael	Lee	Rush	Cook	Jordan	Roby	Israel	McGovern	Serrano
F.	Levin	Ryan (OH)	Costello (PA)	Joyce	Roe (TN)	Jackson Lee	McNerney	Sherman
Duckworth	Lewis	Sánchez, Linda	Cramer	Katko	Rogers (KY)	Jeffries	Meeks	Sinema
Edwards	Lieu, Ted	T.	Crawford	Kelly (MS)	Rohrabacher	Johnson (GA)	Meng	Sires
Ellison	Lipinski	Sanchez, Loretta	Crenshaw	Kelly (PA)	Rokita	Johnson, E. B.	Moore	Slaughter
Engel	Loeb sack	Sarbanes	Culberson	King (IA)	Rooney (FL)	Kaptur	Moulton	Smith (WA)
Eshoo	Lowenthal	Schakowsky	Curbelo (FL)	King (NY)	Ros-Lehtinen	Keating	Murphy (FL)	Speier
Esty	Lowe y	Schiff	Davis, Rodney	Kinzinger (IL)	Roskam	Kelly (IL)	Nadler	Swalwell (CA)
Farr	Lujan Grisham	Schrader	Denham	Kline	Ross	Kennedy	Napolitano	Takai
Fattah	(NM)	Scott (VA)	Dent	Knight	Rothfus	Kildee	Neal	Takano
Foster	Lujan, Ben Ray	Scott, David	DeSantis	Labrador	Rouzer	Kilmer	Nolan	Thompson (CA)
Frankel (FL)	(NM)	Serrano	DesJarlais	LaMalfa	Russell	Kind	Norcross	Thompson (MS)
Fudge	Lynch	Sewell (AL)	Diaz-Balart	Lamborn	Ryan (WI)	Kirkpatrick	O'Rourke	Titus
Gabbard	Maloney,	Sherman	Dold	Latta	Salmon	Kuster	Pallone	Tonko
Gallo	Carolyn	Sinema	Donovan	LoBiondo	Sanford	Langevin	Pascarell	Torres
Garamendi	Maloney, Sean	Sires	Duffy	Long	Scalise	Larsen (WA)	Pelosi	Tsongas
Graham	Matsui	Slaughter	Duncan (SC)	Loudermilk	Schweikert	Larson (CT)	Perlmutter	Van Hollen
Grayson	McCollum	Smith (WA)	Duncan (TN)	Love	Scott, Austin	Lawrence	Peterson	Vargas
Green, Al	McDermott	Speier	Ellmers (NC)	Lucas	Sensenbrenner	Lee	Pingree	Veasey
Green, Gene	McGovern	Swalwell (CA)	Emmer (MN)	Luetkemeyer	Sessions	Levin	Pocan	Vela
Grijalva	McNerney	Takai	Farenthold	Lummis	Shimkus	Lewis	Polis	Velázquez
Gutiérrez	Meeks	Takano	Fincher	MacArthur	Shuster	Lieu, Ted	Price (NC)	Quigley
Hahn	Meng	Thompson (CA)	Fitzpatrick	Marchant	Simpson	Lipinski	Quigley	Rangel
Heck (WA)	Moore	Thompson (MS)	Fleischmann	Marino	Smith (NE)	Loeb sack	Walz	Richmond
Higgins	Moulton	Titus	Fleming	Flores	Smith (NJ)	Lowenthal	Wasserman	Roybal-Allard
Himes	Murphy (FL)	Tonko	Flores	Fortenberry	Stefanik	Lowe y	Schultz	Ruiz
Hinojosa	Nadler	Torres	Fox	McCarthy	Stewart	Lujan Grisham	Ruppersberger	Rush
Honda	Napolitano	Tsongas	Franks (AZ)	McCaul	Stivers	(NM)	Ryan (OH)	Sanchez, Linda
Hoyer	Neal	Van Hollen	Frelinghuysen	McClintock	Stutzman	Lujan, Ben Ray	Welch	T.
Huffman	Nolan	Vargas	Gibbs	McHenry	Thompson (PA)	(NM)	Wilson (FL)	Yarmuth
Israel	Norcross	Veasey	Gibson	McKinley	Tiberi	Lynch		
Jackson Lee	O'Rourke	Vela	Gohmert	McMorris	Tipton	Castor (FL)	Graves (MO)	Rogers (AL)
Jeffries	Pallone	Velázquez	Goodlatte	Rodgers	Trott	Costa	Hastings	Sanchez, Loretta
Johnson (GA)	Pascarell	Visclosky	Gosar	McSally	Turner	Courtney	Lofgren	Sewell (AL)
Johnson, E. B.	Pelosi	Walz	Gowdy	Meadows	Messer	Deutch	Miller (FL)	Smith (MO)
Kaptur	Perlmutter	Wasserman	Granger	Meehan	Mica	Fattah	Payne	Smith (TX)
Keating	Peterson	Schultz	Graves (GA)	Mullin	Miller (MI)	Forbes	Peters	
Kelly (IL)	Pingree	Waters, Maxine	Graves (LA)	Mulvaney	Moolenaar	Graham	Rice (NY)	
Kennedy	Pocan	Watson Coleman	Griffith	Murphy (PA)	Mooney (WV)			
Kildee	Polis	Welch	Grothman	Murphy (PA)	Mullin			
Kilmer	Price (NC)	Wilson (FL)	Guthrie	Neugebauer	Mulvaney			
Kind	Quigley	Yarmuth	Hanna	Newhouse	Murphy (PA)			

## NOT VOTING—10

Bishop (UT)	Lamborn	Peters
Forbes	Lofgren	Smith (MO)
Hastings	Miller (FL)	
Huizenga (MI)	Payne	

## □ 1356

Ms. CHU changed her vote from “present” to “no.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the motion to refer.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

## RECORDED VOTE

Ms. PELOSI. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 238, noes 176, not voting 19, as follows:

[Roll No. 426]

## AYES—238

Abraham	Bishop (MI)	Brooks (IN)
Aderholt	Bishop (UT)	Buchanan
Allen	Black	Buck
Amash	Blackburn	Bucshon
Amodei	Blum	Burgess
Babin	Bost	Byrne
Barletta	Boustany	Calvert
Barr	Brady (TX)	Carter (GA)
Barton	Brat	Carter (TX)
Benishkek	Bridenstine	Chabot
Bilirakis	Brooks (AL)	Chaffetz

Adams	Castro (TX)	Dingell
Aguilar	Chu, Judy	Doggett
Ashford	Cicilline	Doyle, Michael
Bass	Clark (MA)	F.
Beatty	Clarke (NY)	Duckworth
Becerra	Clawson (FL)	Edwards
Bera	Clay	Ellison
Beyer	Cleaver	Engel
Bishop (GA)	Clyburn	Eshoo
Blumenauer	Cohen	Esty
Bonamici	Connolly	Farr
Boyle, Brendan	Conyers	Foster
F.	Cooper	Frankel (FL)
Brady (PA)	Crowley	Fudge
Brown (FL)	Cuellar	Gabbard
Brownley (CA)	Cummings	Gallo
Bustos	Davis (CA)	Garamendi
Butterfield	Davis, Danny	Grayson
Capps	DeFazio	Green, Al
Capuano	DeGette	Green, Gene
Cardenas	Delaney	Grijalva
Carney	DeLauro	Gutiérrez
Carson (IN)	DelBene	Hahn
Cartwright	DeSaulnier	Heck (WA)

## NOES—176

Dingell	Graves (MO)	Rogers (AL)
Doggett	Hastings	Sanchez, Loretta
Doyle, Michael	Lofgren	Sewell (AL)
F.	Miller (FL)	Smith (MO)
Duckworth	Payne	Smith (TX)
Edwards	Peters	
Ellison	Rice (NY)	
Engel		
Eshoo		
Esty		
Farr		
Foster		
Frankel (FL)		
Fudge		
Gabbard		
Gallo		
Garamendi		
Grayson		
Green, Al		
Green, Gene		
Grijalva		
Gutiérrez		
Hahn		
Heck (WA)		

## NOT VOTING—19

Castor (FL)	Graves (MO)	Rogers (AL)
Costa	Hastings	Sanchez, Loretta
Courtney	Lofgren	Sewell (AL)
Deutch	Miller (FL)	Smith (MO)
Fattah	Payne	Smith (TX)
Forbes	Peters	
Graham	Rice (NY)	

## □ 1404

Mrs. LOVE changed her vote from “present” to “aye.”

So the motion to refer was agreed to.

The result of the vote was announced as above recorded.

## PARLIAMENTARY INQUIRY

Ms. PELOSI. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore (Mr. COLLINS of New York). The gentleman will state her parliamentary inquiry.

Ms. PELOSI. Mr. Speaker, now that the House has voted to refer my privileged resolution to committee, can the Chair inform Members of the status of the Thompson of Mississippi resolution referred to the House Administration Committee, the same committee that we are referring today. That resolution was on the floor 2 weeks ago and referred to committee 2 weeks ago.

Can the Chair inform us of the status of it, especially in light of the action taken by the South Carolina Legislature and the Governor of South Carolina to take down the Confederate battle flag?

The SPEAKER pro tempore. The Chair cannot comment on pending committee proceedings.

Without objection, a motion to reconsider the motion to refer is laid on the table.

There was no objection.

Stated for:

Mr. ROGERS of Alabama. Mr. Speaker, on rollcall No. 426 I missed the vote, but would



have voted "yea" had I made it to the floor before was closed.

Stated against:

Ms. SEWELL of Alabama. Mr. Speaker, on rollcall No. 426 I would have voted "no" on this motion.

Mr. DEUTCH. Mr. Speaker, on rollcall No. 426, had I been present, I would have voted "no".

Ms. GRAHAM. Mr. Speaker, on rollcall No. 426, had I been present, I would have voted "no".

#### PERSONAL EXPLANATION

Mr. MILLER of Florida. Mr. Speaker, due to being unavoidably detained, I missed the following rollcall votes: No. 424—No. 426 on July 9, 2015 (today).

If present, I would have voted: rollcall vote No. 424—On Motion to Adjourn, "nay;" rollcall vote No. 425—Ordering the Previous Question on the Motion to Refer H. Res. 355, "aye;" rollcall vote No. 426—On Motion to Refer H. Res. 355, "aye."

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, July 9, 2015.

Hon. JOHN A. BOEHNER,  
*The Speaker, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on July 9, 2015 at 9:09 a.m.:

That the Senate passed without amendment H.R. 728.

That the Senate passed without amendment H.R. 891.

That the Senate passed without amendment H.R. 1326.

That the Senate passed without amendment H.R. 1350.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

#### PROVIDING FOR CONSIDERATION OF H.R. 6, 21ST CENTURY CURES ACT

Mr. BURGESS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 350 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### H. RES. 350

*Resolved*, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 6) to accelerate the discovery, development, and delivery of 21st century cures, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and

amendments specified in this resolution and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-22 shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. All points of order against provisions in the bill, as amended, are waived. No further amendment to the bill, as amended, shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such further amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such further amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 1 hour.

Mr. BURGESS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

#### GENERAL LEAVE

Mr. BURGESS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURGESS. Mr. Speaker, House Resolution 350 provides for a rule to consider a critical bill that will help millions of Americans and their families who are suffering from diseases for which there is no cure.

The rule provides for 1 hour of debate, equally divided between the majority and the minority of the Energy and Commerce Committee, and makes eight amendments from Members of both parties in order so that the House may fully debate the merits of this legislation.

As is custom, the minority is offered a final motion to recommit the bill prior to its passage.

I am pleased the House is considering this bipartisan legislation. The Energy and Commerce Committee has spent 14 months working to bring our healthcare innovation infrastructure into the 21st century.

Today, there are 10,000 known diseases or conditions, and we have got cures for 500. There is a gap between the innovation and how we regulate our therapies. It is not unheard of to have a company take 14 years and spend \$2 billion to bring a new device or drug to market.

Members held nearly 20 roundtables and events around the country to ensure that we involved patients, advocates, researchers, innovators, and investors that have firsthand experience and help understand the gaps in our current system.

H.R. 6 touches each step of the healthcare innovation process: discovery, development and delivery. This bill attempts to close the gap between the fast pace of innovation and our current, often burdensome regulatory process.

The bill provides exciting new tools to uncover the next generation of treatments and cures. H.R. 6 is, indeed, transformative—transformative of the way that doctors and researchers study diseases, develop treatments, and deliver care.

It encourages innovation. It fosters the use of data to further research. It modernizes clinical trials and takes steps toward the future of personalized medicine.

Not only does this bill take a major step forward in bringing more cures to patients, this bill addresses our Nation's ever-increasing healthcare spending. This bill establishes a temporary innovation fund which is fully offset, including permanently reforming our entitlement programs.

Beyond the budget window, these reforms in Medicare and Medicaid are established to yield at least \$7 billion in additional savings for taxpayers; but make no mistake. The biggest cost saver—the biggest cost saver—will be finding cures to some of America's most deadly and costly diseases.

I am thankful to have worked on many parts of this bill. The legislation contains five bills that I have introduced and other provisions that I helped with the authorship. I would like to take a minute to talk about a few of the sections where I have personally worked on them.

While thousands of Americans are affected by multiple sclerosis, Parkinson's, and other neurologic diseases, very little accurate information exists to assist those who research, treat, and provide care to those suffering from these diseases.

H.R. 6 actually includes H.R. 292, that I introduced, with Mr. VAN HOLLEN of Maryland, to advance research for neurologic diseases. H.R. 6 will

allow for surveillance systems for tracking key neurologic diseases, which may then be used to help us further understand these devastating diseases and deliver their cure.

We are improving patient access to needed treatments by supporting expedited approval for breakthrough therapies and actually making it easier to seek approval for new indications of approved therapies.

Currently, the Food and Drug Administration approved drugs may be only promoted for the approved indication, even if the sponsor determines that the drug is an effective treatment for another indication.

H.R. 6 includes another bill, H.R. 2415, which I introduced with Mr. ENGEL of New York, and would formally establish a program within the Food and Drug Administration, which would allow companies with approved drugs or biologics to submit clinical data summaries for consideration of a new indication.

This would reduce the time to approval and reduce resources required to approve new indications of drugs, drugs that have a well-established knowledge base and well-established safety information.

I introduced H.R. 293, with Representative DEFAZIO of Oregon, to protect continuing medical education, which plays a vital role in our healthcare system. This improves patient outcomes, facilitates medical innovation, and keeps our Nation's medical professionals up-to-date.

With the inclusion of this provision in H.R. 6, we will ensure that doctors continue to have access to these vital tools.

□ 1415

The provision simply enforces current law, which states that educational materials were explicitly excluded from reporting requirements in the Affordable Care Act.

Unfortunately, the Center for Medicare and Medicaid Services has acted in conflict with the law, but we correct that in H.R. 6 and ensure that physicians have access to materials and information to keep us informed and up to date on medical innovation. With its inclusion in H.R. 6, we will ensure that doctors continue to have access to these vital tools.

We ensure that Americans have access to their critical health information by identifying barriers to achieving fully interoperable health records.

Mr. Speaker, the United States taxpayer has spent well over \$30 billion to ensure that healthcare providers obtain an electronic record system. However, the investment has not resulted in access to information in those records and patients across the healthcare spectrum.

While we have seen widespread adoption of electronic health records, our

Nation continues to maintain a fragmented healthcare system, making it difficult to ensure the continuity for evidence-based care for patients.

The 21st Century Cures Act would finally set the United States on a path toward achieving a nationwide interoperable health information system. This will be transformative for research and for medical treatment.

Finally, along with Mr. McCAUL and Mr. BUTTERFIELD, we aid patients by requiring companies to clarify availability of expanded access programs.

Further, with the inclusion of H.R. 2414, which I introduced with Mr. SCHRADER of Oregon, we are requiring the Food and Drug Administration to issue guidance on the dissemination of up-to-date, truthful, scientific medical information about FDA-approved medications.

This legislation passed out of Energy and Commerce's Subcommittee on Health on May 19 on a voice vote, and it passed the full committee on May 21, 51-0, the second time in 3 years that the committee has had a 51-0 vote, the previous one being on the repeal of the sustainable growth rate formula.

I encourage all of my colleagues to vote "yes" on the rule and "yes" on the underlying bill. 21st Century Cures would not only deliver hope to the millions of American patients living with untreatable diseases, but it will help modernize and streamline the American healthcare system.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I want to thank the gentleman from Texas (Mr. BURGESS) for yielding me the customary 30 minutes.

Mr. Speaker, before I speak on this bill, I want to thank Leader PELOSI for leading today's efforts to hold House Republicans accountable for their divisive Confederate flag amendment.

You know, it is stunning to me that my Republican friends decided to refer the minority leader's resolution to committee so we could not have a debate.

The legislature in South Carolina could have a debate, but my Republican friends here in the House of Representatives ensured that we in Congress cannot have that debate.

And the fact is that Americans, I think, are ready to leave behind the discrimination and hate symbolized by the Confederate flag, but my friends on the other side of the aisle seem to have a different idea.

Last night House Republicans introduced an amendment to the Interior Appropriations bill that simply has no place on this House floor.

It would undo the successful Democratic amendment adopted by voice that would have barred the display of Confederate flags in Federal cemeteries and barred the National Park Service from doing business with gift shops that sell Confederate flag merchandise.

Simply put, while South Carolina voted this week to take the Confederate flag down, Republicans in Congress were ready to put it back up.

And even more troubling, House Republicans tried to sneak this amendment into the bill late last night, hoping that nobody would notice. We noticed. The American people noticed.

And I am ashamed that, in 2015, Congress would even consider a measure that seeks to perpetuate the hate and racism that the Confederate flag represents.

Now, my friends on the other side of the aisle, especially the leadership, seem to be in a little bit of disarray.

The Speaker of the House is trying to distance himself from the measure, notwithstanding that the Republican chairman of the House Appropriations Interior Subcommittee who offered the amendment said that he did so at the request of the Republican leadership.

The Confederate flag is a symbol of racism and a reminder of one of our Nation's darkest periods of division. It has no place in America's National Parks. Congress should not promote this symbol of hate.

And now is the time to come together. I am proud to join with my colleagues who are standing up today for all Americans united against hate.

I will be asking my colleagues to vote "no" on the previous question so that we can bring up the Pelosi resolution before all of us here and have that debate and have that vote. I hope my Republican friends will join with me.

I just want to say one final thing. The fact that the Interior Appropriations bill was pulled from consideration on this House floor by my Republican friends because they believed that, without this pro-Confederate flag amendment, that they could lose up to 100 of their own Members, is stunning to me.

It never ceases to amaze me. Just when I think that this institution can't sink any lower, then something like this happens.

So, Mr. Speaker, I would urge my colleagues to stand with me and vote against the previous question so we can actually have this debate, a debate I think the American people would want us to have.

Now, Mr. Speaker, on the underlying bill before us, H.R. 6, the 21st Century Cures Act, I just want to say that this is the product of bipartisan hearings, stakeholder meetings, drafts and redrafts.

I am proud to be a cosponsor of the version of H.R. 6 that was passed by the Energy and Commerce Committee by a vote of 51-0. A vote like that doesn't happen often, especially in this Congress.

I want to commend Chairman UPTON and Congresswoman DEGETTE for leading this initiative and tirelessly working to get H.R. 6 to the floor.

I think it represents the kind of investments that we should be making to help families stay healthy and to grow our economy.

It provides \$8.75 billion in mandatory funding over the next 5 years to the National Institutes of Health to spur scientific innovation and discovery by the country's premier medical researchers and scientists.

During the Clinton administration, Congress doubled the NIH budget and made a real commitment to keeping America on the front lines of scientific research. That investment led to exponential advances in medicine.

We should continue that progress by once again giving NIH the resources they need to make new advances in medicine. We shouldn't let our politics limit our ambition.

As Members of Congress, we were elected to be leaders, and this is an opportunity to ensure America continues to lead the way on new breakthroughs in health.

Now, I would have preferred to see the original \$10 billion in NIH funding that was included in the bill that passed out of the Energy and Commerce Committee, and I hope that we can increase NIH funding back to that level as the bill moves forward.

We know without a shadow of a doubt that basic medical research produces results. In fact, NIH-funded research at institutions like the University of Massachusetts Medical School in my hometown of Worcester has been the single greatest contributor to advances in health in human history.

Today the average American lives 6 years longer than in the 1970s largely because of pioneering NIH investments.

All across the country, NIH-supported researchers are forging a path toward treatment and cures for debilitating diseases that impact patients everywhere.

But their success depends upon us. Our decision to invest in NIH is imperative to their success in improving health for all Americans.

Just consider UMASS Medical School as one example. For years, UMASS has been in the forefront of medical innovation because of investments from NIH.

In 2006, Dr. Craig Mello received the Nobel Prize in medicine for his groundbreaking discovery of RNA silencing, which, in layman's terms, means shutting off bad cells.

UMASS has researchers working toward finding cures for AIDS, Down's Syndrome, and Lou Gehrig's disease. All of this is possible because of our investment in NIH.

But I hear over and over again from scientists and medical researchers that they worry about the uncertainty of NIH funding because of crazy things that we do, like sequestration. They worry about our commitment to advancing basic medical research.

Fewer and fewer research grants are being funded. Countries like China, India, and even Singapore are luring away the best and brightest American researchers because they are committing to making meaningful investments in medical research.

21st Century Cures helps to reverse that trend, but I worry it is not enough. I am pleased to see that H.R. 6 takes a number of steps to modernize clinical trials, improve how the Food and Drug Administration approves new drugs and devices, and encourages the development of next generation treatments through the use of precision medicine, which President Obama highlighted in his State of the Union speech.

Just last week we saw the approval of a major new drug that will improve the quality of life for more than 10,000 people living with cystic fibrosis. The investments included in 21st Century Cures will help us to make more of these kinds of groundbreaking advances a reality.

Mr. Speaker, for all of the bipartisan and positive aspects of this bill, I would be remiss if I didn't point out one glaring inconsistency.

Despite numerous hearings, round tables, and forms on this bill, a controversial policy rider that restricts access to abortion was added to the bill that came before the Rules Committee.

It is like the majority couldn't help themselves. They couldn't resist an opportunity to add a contentious rider to an otherwise bipartisan package to advance medical research.

I am pleased that the committee made in order an amendment offered by my friends BARBARA LEE, JAN SCHAKOWSKY, and YVETTE CLARKE to strike these controversial policy riders.

Unfortunately, the committee prohibited a number of other amendments from coming to the floor for debate. Out of the 36 amendments submitted for consideration, only eight will be considered on this floor during debate on this legislation.

Many of our colleagues came to the Rules Committee last night to testify on their amendments. They raised important issues and made suggestions as to how we can improve this legislation.

So while I support the underlying bill, I urge my colleagues to vote "no" on the rule, which prohibits debate on a number of amendments worthy of consideration.

I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. WALDEN), a member of the Energy and Commerce Committee.

Mr. WALDEN. Mr. Speaker, I want to thank the chairman of the committee, FRED UPTON, and DIANA DEGETTE for their great bipartisan work. And we all put a shoulder to the wheel here to get this done.

This is really big, 21st Century Cures. All of us have known someone afflicted

by deadly diseases. Most of us have seen people in our own families.

My mother passed away as the result of ovarian cancer. My sister-in-law had brain cancer. I lost a son to a congenital heart defect. My mother-in-law had rheumatoid arthritis from a very early age. My stepmother died of a stroke. We are all affected.

Investing in cures, investing in treatments, investing in innovation and doing it right here in America is the best step forward.

This legislation would modernize the Nation's biomedical innovation infrastructure and streamline the process for how drugs and medical devices are approved in order to get new treatments to patients and get it to them faster.

To do this, we solicited input from some of the best scientists in the world, including Dr. Brian Druker of OHSU, Oregon Health Sciences University, Knight Cancer Research Center, a true pioneer in the fight against cancer.

This initiative would give hope to countless Oregonians. Like my friend Linda Sindt, a close friend in southern Oregon, she lost her husband Duane to pancreatic cancer. She said this legislation will put us on a path to improved survival for pancreatic cancer.

Nancy Roach, a colon cancer advocate in my hometown of Hood River, praised the bill, saying, "Investing in 21st century science by boosting funding for the NIH makes sense."

Colton and Tiffany Allen are residents of Talent, Oregon. They said this bill will give hope, hope, to individuals like Colton, who struggles with ALS.

We owe it to people like Linda, Nancy, Colton, Tiffany, to our families, to all Americans and literally people around the globe to pass this legislation, to tackle these diseases that have no treatment or cure, to develop new innovative treatments, provide better health technology, and ultimately bring hope and better lives for all.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Ms. SLAUGHTER), the distinguished ranking member of the Committee on Rules.

Ms. SLAUGHTER. Mr. Speaker, this is a very important day for me, as a member of the Rules Committee. Rules, as you know, is the process committee. I want to spend my time discussing the process that has been going on here.

The process that rules have in the House is to really make certain that fairness is presented to all parties.

□ 1430

Whether you are a majority or a minority, you have your rights, but they have been trampled on and abused with increasing regularity under this majority, and we have two glaring examples of that just today. We have glaring examples every day, but let me bring up these two.

Mr. Speaker, this bill is critically important to all of us, and as everybody has spoken before makes it clear—and we all agree on the importance of putting more money into major research in the United States—we are falling behind other countries in finding the cures and the innovation for which we have been known for centuries. This is an important step that we are taking. This is a critically important bill, but process matters.

Mr. Speaker, after the committee had voted out this bill unanimously, major changes were made with no committee input at all. They include reduction of the amount of money that the committee had said would be put into the National Institutes of Health by \$1.025 billion, a very substantial sum.

They added some policy riders that literally made no sense. Why in the world would you put an abortion rider on a thing for medical research? As far as I know, the NIH and most medical universities doing this research do not perform abortion procedures. It was simply a way, again, to mollify people and make somebody think that, if they vote for this bill, they are doing something that is impossible to do. But like Alice in Wonderland, we are all trained here to try to believe six impossible things before breakfast because we are confronted with them daily.

Another one is that they changed the pay-fors, which is critically important to everything that we do.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. MCGOVERN. I yield the gentlewoman an additional 1 minute.

Ms. SLAUGHTER. So, Mr. Speaker, despite the importance of this bill, despite the fact that it came out of committee unanimously, despite the fact that so many people have worked on it, and despite the fact that good things were in it, the process was completely changed after it was over by rewriting major portions of it. That doesn't appear anywhere in the rules of the House.

Now, not only that, let's think about what happened here this morning. Last night on the Interior bill, which is an open rule, after the Democrat who was up, BETTY MCCOLLUM of Minnesota, had yielded back her time, after the time had been yielded on both sides and the vote had been taken, suddenly another amendment appears at the request, as Mr. MCGOVERN has said, of the Republican leadership. So they suddenly come up with this. Ms. MCCOLLUM was not informed in any way. She had absolutely no knowledge of what was going to happen. That may not break a specific rule of the House, but it sure does break etiquette. You do not come out onto the floor to try to fool people who are on the other side.

The SPEAKER pro tempore. The time of the gentlewoman has again expired.

Mr. MCGOVERN. Mr. Speaker, I yield the gentlewoman an additional 1 minute.

Ms. SLAUGHTER. Mr. Speaker, what happened here this morning, obviously, I think Mr. MCGOVERN has stated it precisely. Without the ability to have that amendment, without that crazy amendment, frankly, that resolution—as far as I am concerned, once you send them back to committee, you are sending them to interment—we will never see that one again. But they had to have that in order to get the votes to pass the bill. That is the kind of horse trading and all the things that go on here. After all the process and procedure that belongs to the Congress of the United States, and has for centuries, has been absolutely abused, as I said earlier, and trampled on on a regular basis, Mr. Speaker, it is time we stopped it. Nothing happened here today except to make this place look stupid.

I was born in a border State, in Kentucky. All my life I have lived there. I was educated there, and I was married there. I never saw a Confederate flag in all the years of my life. These battle flags that they are putting up appeared in the South after the civil rights legislation. They were the products of Strom Thurmond and the Dixiecrats. That is when they started to bloom all over. It is a symbol of pure hate and revenge or whatever else they want to call it. It needs to go.

The SPEAKER pro tempore. The time of the gentlewoman has again expired.

Mr. MCGOVERN. Mr. Speaker, I yield the gentlewoman an additional 10 seconds.

Ms. SLAUGHTER. It is the equivalent to my having the German Government flying the swastika over the Bundestag.

Mr. BURGESS. Mr. Speaker, at this time, I yield 1 minute to the gentleman from Florida (Mr. BILIRAKIS), a valuable member of the Energy and Commerce Committee.

Mr. BILIRAKIS. Mr. Speaker, I rise today in support of the rule for H.R. 6, the 21st Century Cures Act.

The 21st Century Cures Act is one of the best things Congress has done in a long time in my opinion. H.R. 6 is a holistic reform of how we can get cures and treatments to patients who need them. That is what this bill is all about, patients, our constituents, Mr. Speaker.

One provision I was particularly proud to author will establish a drug management program which prevents at-risk beneficiaries from abusing controlled substances. This program will help protect our seniors. It is a fix to Medicare part D, that is a program that is really desperately needed. This commonsense measure has been recommended by GAO and IG, and it is also recommended by CMS.

Mr. Speaker, it is utilized by private industry, TRICARE, and State Medicaid programs. This bill makes strides to prevent prescription drug abuse and promote a healthier America.

I urge support for the rule and the underlying bill as well.

Mr. MCGOVERN. Mr. Speaker, I yield 2½ minutes to the gentlewoman from California (Ms. MATSUI), a member of the Energy and Commerce Committee.

Ms. MATSUI. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I rise in support of the rule to consider the 21st Century Cures Act on the floor. On the Energy and Commerce Committee, we worked tirelessly with our colleagues on the other side of the aisle to get this bill to a place that we could all agree upon, a place where we provide new mandatory funding for NIH to do the critical research that is a foundation for cures, a place where we tweak FDA processes and provide FDA with additional resources to do the new things that will help get treatments and cures to patients faster.

As we worked together to find ways to accelerate innovation, patients with rare diseases have been at the forefront of our conversations. It is often more difficult to research and develop cures for rare disease patients due to their small populations. However, finding cures for rare diseases is not just of the utmost importance to the patients with those rare diseases and their families, it is important to all of us. You never know where a cure might come from, and often research and drug development on one disease may turn out to be fruitful for another.

Mr. Speaker, we all need to work together to advance cures and treatments. A provision of this bill would encourage public-private partnerships to foster better utilization of patient registries that generate important information on the natural history of diseases, especially rare diseases for which other types of research can be difficult.

I also applaud the efforts in this bill to advance the President's Precision Medicine Initiative to accelerate discoveries that are tailored to individual patients' needs.

The telehealth language in 21st Century Cures recognizes telehealth is the delivery of safe, effective, quality healthcare services by a healthcare provider using technology as the mode of delivery, and the interoperability provision makes great strides toward ensuring that our health IT systems can communicate amongst each other and with patients.

Mr. Speaker, I don't claim that this bill is perfect. Compromises have been made. I am disappointed that the amount of NIH funding has been recently reduced from \$10 billion to \$8.7 billion. I am also disappointed that policy riders, such as the Hyde amendment language, have been inserted

after we voted this out of committee, and I look forward to voting for the amendment offered by my colleagues BARBARA LEE, JAN SCHAKOWSKY, and YVETTE CLARKE to strike the policy riders language. With that, Mr. Speaker, I do, however, support the 21st Century Cures legislation.

Mr. BURGESS. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. MCCAUL), the chairman of the Homeland Security Committee.

Mr. MCCAUL. Mr. Speaker, I commend Dr. BURGESS and Chairman UPTON for a bill that is truly visionary that will actually save lives, something we can rarely say we do up here in this place, but I believe this will provide cures for the next century.

Mr. Speaker, there are two provisions I am very pleased to see in the bill. One is the Andrea Sloan CURE Act, which expands compassionate use to those who have life-threatening diseases and gives them greater access to lifesaving medications. Andrea is a friend of mine who, on her deathbed, asked me to try to make sure that this didn't happen to other people.

And finally, I am pleased to see the reauthorization of the Creating Hope Act, which has now led to the second childhood cancer drug approved since the 1980s and the first FDA-approved drug to treat high-risk neuroblastoma.

Mr. Speaker, I believe that with the passage of this bill we will see greater cures in the future, and we will not only save adults from cancers, but also children from this dreaded disease in the future.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. SPEIER), a member of the Armed Services Committee.

Ms. SPEIER. Mr. Speaker, I thank the gentleman from Massachusetts.

Mr. Speaker, coming out of committee, H.R. 6 was a bipartisan huge leap forward in our efforts to accelerate the development of lifesaving cures through medical research. Yet somehow, between the committee and the floor, the majority once again has tacked on antiabortion Hyde amendment language, which makes no sense at all.

It is like the Republicans are cheap stage magicians attracting our attention with the promise of critically needed medical advances, all the while stuffing the same old, flea-bitten Hyde provision rabbit into their hat. We are tired of this tedious stage show. NIH is already subject to the Hyde provisions in appropriation bills. This is just a way to continue politics as usual.

If H.R. 6 passes under a mantle of bipartisanship, they will pull out the rabbit, wave it around, and say, Look how amazing and wonderful we are.

I, for one, am sick of the House being run like a boardwalk magic show. Adding this type of language between open, transparent committee consideration

and open, transparent floor consideration makes a mockery of representative government. Adding an anti-abortion rider to bills in the dead of night through sleight of hand turns the substantive bipartisan work that is crafted in H.R. 6 into a pathetic imitation of cooperation.

Since the 114th Congress began, the House has taken 37 actions to restrict abortion access. While I don't agree with this paranoid focus on women's private and legal medical decisions, it is the majority's right to set the agenda; but I cannot stand by while these provisions are slipped into an otherwise excellent bill through underhanded maneuvers that run contrary to our democratic process. When similar provisions were slipped into a human trafficking bill, we said no. Why aren't we saying no today?

I am a cosponsor of the original version of H.R. 6, but I cannot let the people's House become the people's House of smoke and mirrors.

Mr. BURGESS. Mr. Speaker, I yield 1½ minutes to the gentleman from Tennessee (Mr. ROE), the chairman of the House Doctors Caucus.

Mr. ROE of Tennessee. Mr. Speaker, I stand before you today someone who, 45 years ago, graduated from medical school. My first pediatric rotation was at St. Jude Children's Hospital. At that time, a majority of all those children that I saw as a young medical student died of their disease. Today, almost 90 percent of those children live.

Back in the 1950s, we had a polio vaccine. It was developed with the help of government funding, and today that would be scored as a cost to the taxpayers. Does anyone think the prevention of polio was a cost to the taxpayers? It was one of the greatest miracles of the 20th century.

Just 4 short months ago, my wife died of stage 4 colon cancer. And I know right now that everyone in this Chamber who is listening and everyone who is outside watching this has had a close family member or a friend or a relative who has experienced something similar.

Mr. Speaker, it is time now we as a nation got serious about curing the major diseases, not treating the disease, but curing the major diseases that are affecting this country and affecting us personally. I am more passionate about this bill and excited about passing the 21st Century Cures bill than anything I have voted on since I have been in the Congress.

Mr. Speaker, I strongly encourage my colleagues to support this rule and the underlying bill.

Mr. MCGOVERN. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from Florida (Ms. CASTOR), a member of the Energy and Commerce Committee.

Ms. CASTOR of Florida. Mr. Speaker, I thank my friend, the gentleman from Massachusetts, for yielding the time.

Mr. Speaker, I rise to support the rule and in strong support of the 21st Century Cures bill that was voted unanimously, in a bipartisan fashion, out of my Energy and Commerce Committee.

□ 1445

America is the world leader in medical research, and we have got to work to keep it that way. That has been at risk lately because of congressional budget battles. The resources that our researchers need to find the cures and treatments of the future have been at risk. Our commitment to medical research has eroded over the years, but this 21st Century Cures bill would put us now on a stronger path forward.

I have advocated for more NIH research dollars for many years to boost our patients back home suffering from the debilitating diseases. I have offered amendments in the Budget Committee to shift money from discretionary to mandatory because it is mandatory in America that we respond and we research the cures of tomorrow, such as precision medicine like they are doing at the Moffitt Cancer Center in Tampa, Florida.

Now that we have mapped the human genome, we can find and provide precise cures and treatments to our neighbors and family members with cancer.

I am disappointed that the amount of money has been eroded. I am very disappointed that the Hyde rider was added at the last minute behind closed doors; it was not voted on in committee, but simply stated, this bill is too important not to pass it.

I would like to thank my colleague Chairman UPTON and my good friend DIANA DEGETTE from Colorado for leading the charge. We are firmly with you, and we are with the patients and the researchers in America that will benefit from this terrific piece of legislation.

Mr. BURGESS. Mr. Speaker, may I inquire to the time remaining?

The SPEAKER pro tempore. The gentleman from Texas has 17 minutes remaining. The gentleman from Massachusetts has 11 minutes remaining.

Mr. BURGESS. Mr. Speaker, I yield myself 30 seconds for the purpose of the introduction of my next speaker.

Mr. Speaker, it is really a great privilege to recognize the next speaker on our side, the chairman emeritus of the Energy and Commerce Committee. In fact, the last reauthorization for the National Institutes of Health occurred under JOE BARTON's watch, one of the last things we did at the waning hours of the 109th Congress.

Mr. Speaker, he did provide additional funding to the NIH; he provided an increase of 5 percent a year for the lifetime of that reauthorization. Unfortunately, it was never appropriated to that level after the Democrats took charge in the 110th Congress.

I yield 3 minutes to the gentleman from Texas (Mr. BARTON), the chairman emeritus of the Energy and Commerce Committee, for his observations.

Mr. BARTON. Mr. Speaker, I want to thank the Member from Texas for that generous introduction.

Mr. Speaker, 4 years ago, I went to then-Majority Leader Eric Cantor and committee chairman FRED UPTON and asked permission to create a task force, a bipartisan task force—equal numbers of Republicans and Democrats from the Energy and Commerce Committee and the Appropriations Committee—to work with outside groups and experts to see if there were not some ideas that we could put forward in legislation to improve the ability to find and implement cures for all the various diseases that afflict our Nation.

Mr. UPTON and Mr. Cantor approved that task force. We had a task force of 24 members. We had an outside group that included several Nobel prize winners, leaders from Johns Hopkins and MD Anderson, former directors of NIH and FDA. That morphed in the beginning of this Congress to a task force that DIANA DEGETTE and Chairman UPTON led themselves. That has led to a bipartisan bill that, as has been pointed out, came out of committee 51-0.

That is an amazingly extraordinarily positive accomplishment to have total unanimity in support of this type of a bill. We haven't reauthorized NIH since 2006, and that lapsed in 2009. This bill does that. We have taken every innovative idea in the medical community that makes any sense at all and put it into this bill.

We are increasing the authorization for spending for NIH. We have the innovation fund, which is a mandatory program for 5 years. It puts a little under \$2 billion a year that is offset; it is paid for; it does go away at the end of 5 years, but for 5 years, it is specifically going to innovation research that is a fast track to find the cures that are most applicable to the marketplace today.

This bill is a revolutionary bill. We need to pass it, Mr. Speaker. There are lots of problems. There are things that are not in the bill that I wanted in the bill, but this is a huge step forward. It rarely happens that Congress can work together to do something that is totally for the benefit of the American people. This is one of those times.

We need to vote for the rule, and then we need to vote for the bill, and we will move forward, united, to find the cures for the 21st century for all Americans and, really, to some extent, for all the world.

I thank the gentleman for the time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I am going to urge that we defeat the previous question. If we defeat the pre-

vious question, I will offer an amendment to the rule to allow for consideration of Leader PELOSI's resolution, which basically says that any State flag containing the Confederate battle flag would be prohibited from the House wing of the Capitol.

Given what the Republicans, our leadership, tried to do on the Interior Appropriations bill yesterday, I think this is especially timely. As I mentioned earlier, while South Carolina voted this week to take the Confederate flag down, Republicans in Congress appear ready to put it back up.

Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. LEWIS), the distinguished ranking member of the Ways and Means Subcommittee on Oversight.

Mr. LEWIS. Mr. Speaker, I want to thank my friend Mr. MCGOVERN for yielding.

Mr. Speaker, I must tell you, my heart is heavy. I am saddened by what has happened here in America. I thought that we have come much farther—much farther—along.

Growing up in rural Alabama, attending school in Nashville, Tennessee, now living in Georgia, I have seen the signs that said White and Colored—White men, Colored men, White women, Colored women, White waiting, Colored waiting.

During the sixties, during the height of the civil rights movement, we broke those signs down. They are gone. The only place that we will see those signs today will be in a book, in a museum, or on a video. If a descendant of Jefferson Davis could admit the Confederate battle flag is a symbol of hate and division, why can't we do it here? Why can't we move to the 21st century?

Racism is a disease. We must free ourselves of the way of hate, the way of violence, the way of division. We are not there yet. We have not yet created a beloved community where we respect the dignity and the worth of every human being.

We need to bring down the flag. The scars and stains of racism are still deeply and very embedded in every corner of American society. I don't want to see our little children—whether they are Black, White, Latino, Asian American, or Native American—growing up and seeing these signs of division, these signs of hate.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MCGOVERN. I yield the gentleman an additional 1 minute.

Mr. LEWIS. As a Nation and as a people, we can do better. We can lay down this heavy burden. It is too heavy to bear. Hate is too heavy a burden to bear. We need to not continue to plant these seeds in the minds of our people.

When I was marching across that bridge in Selma in 1965, I saw some of the law officers and sheriff deputies wearing on their helmet the Confed-

erate flag. I don't want to go back, and as a country, we cannot go back.

We must go forward and create a community that recognizes all of us as human beings, as citizens, for we are one people, one Nation; we all live in the same House, the American House.

Mr. BURGESS. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas (Mr. YODER).

Mr. YODER. Mr. Speaker, I rise today to join the chorus of Americans who are calling out for support and research and innovation to cure diseases that affect every family and neighborhood in America.

The rule that we have before us would allow us to debate the 21st Century Cures bill forwarded by the Energy and Commerce Committee on a unanimous, bipartisan vote.

What this bill would do would increase, by over \$8 billion, research over the next 5 years to be conducted by the National Institutes of Health. Each year, we spend over \$700 billion on care for seniors through Medicare; yet we spend just \$30 billion a year, roughly, annually, on curing or researching the cures for every disease that plagues our country: Alzheimer's, Parkinson's, cancer, heart disease, diabetes.

In all those diseases combined, we spend just \$30 billion a year on research; yet we spend trillions on health care. We know, each year, 600,000 people will die of cancer. We know, each year in the United States, 700,000 people will die of Alzheimer's. These are real people, real families that are in anguish over these and many other diseases.

It is not just a moral issue; it is an economic issue. By 2050, estimates are that our country will spend \$1.1 trillion annually to treat health care for people with Alzheimer's alone, over \$1 trillion annually; yet we spend just \$562 million a year researching a cure for Alzheimer's, a true definition of penny wise and pound foolish.

This 21st Century Cures bill increases our commitment to curing disease, as I said, by over \$8 billion over the next 5 years.

Each of us has a family member or a friend with a tragic story about one of these diseases. These diseases know no party affiliation; they don't know center of aisle versus the left or right side of the aisle. They know no State; they have no regional boundaries. They don't know the difference between mandatory and discretionary spending.

To cure these diseases is a moral imperative for these families, but to cure these diseases is also an economic imperative. If we cure one of these diseases, our investment will pay for itself a thousand times over. The CBO can't score that; the CBO can't make any recognition of that. This is a savings bill.

The SPEAKER pro tempore. The time of the gentleman has expired.



Mr. BURGESS. I yield the gentleman an additional 1 minute.

Mr. YODER. I have a 20-month-old daughter, and this isn't just about curing the disease for our generation; it is about curing the disease for her generation and every generation to follow.

Supporting the 21st Century Cures bill bends the cost curve on entitlements; it saves our country from going into bankruptcy, and it helps us balance our budget. These investments are not just necessary for our moral imperative to save lives, but they are also an economic imperative.

All those things together means we ought to have a robust, large vote in this House to pass this rule and to ensure that the 21st Century Cures bill goes forward.

I strongly support it, and I ask my colleagues to do the same.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Speaker, the Southern strategy was and is a Republican strategy of gaining political support for its political candidates by appealing to regional and racial tensions in this country based on the history of slavery, the history of the Civil War, racism, and segregation. That is a history that is indefensible, and so is the Confederate battle flag which represents those attitudes.

I call upon my fellow colleagues in the Republican Party to denounce this Southern strategy once and for all and to do what it takes to affirm the tide of this country, which is to do away with that symbol of oppression and racial animist, the Confederate battle flag.

Let's remove that flag from our national cemeteries, from our Park Service, places of purchasing memorabilia.

□ 1500

Mr. BURGESS. Mr. Speaker, I yield myself 1 minute.

We do have before us today a unique opportunity. We have an opportunity to lay the groundwork for the future. We have the way to lead in the 21st century in providing 21st century cures.

To be sure, we are providing additional funding to the National Institutes of Health and we are providing additional funding to the Food and Drug Administration, but we are also placing requirements upon those institutions.

We all know we have to do things faster, better, cheaper, smarter and that we have to do more with less. That is what the 21st Century Cures bill lays before us, and that is why this rule is so crucial and critical today and why I urge its passage.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO), the ranking member of the Appropriations Sub-

committee on Labor, Health and Human Services, Education, and Related Agencies.

Ms. DELAURO. Mr. Speaker, I rise in opposition to this rule and the underlying bill.

The bill provides for an increase of \$1.75 billion per year in the budget for the National Institutes of Health. I applaud all efforts to increase funding for the NIH.

I am a survivor of ovarian cancer, and I am alive today because of the grace of God and biomedical research. So I appreciate biomedical research.

Unfortunately, this increase is not nearly enough to restore the NIH's lost purchasing power. Since fiscal year 2010, the National Institutes of Health has seen its budget erode by about \$3.6 billion in real terms, an 11 percent cut. If we are serious about funding life-saving medical research, we must raise our level of ambition.

This bill also sets aside \$500 million of the increase to be spent in certain specified areas of research. I think that this is a wrong approach.

The people best placed to decide which scientific avenues are worth pursuing are scientists, not politicians. We should not substitute our judgment for theirs.

I am also concerned that the bill will lower standards for medical device approval at the Food and Drug Administration and create a new pathway for antibiotic approval that, in my view, involves less rigorous testing requirements. Again, I think that this is a wrong approach.

It is our duty to protect the public from potentially unsafe devices and drugs. We do not do that by reducing standards.

Finally, the majority is yet again using this bill as a vehicle for anti-choice Hyde amendment language. Since January, the majority and its counterpart in the other Chamber have sought to restrict access to abortion no fewer than 37 times.

The bottom line on this issue is that we need to trust women and that we need to trust the choices they make. We have to trust women. Politicians have no business meddling in those decisions.

For these reasons, I believe that we should reject this bill, and I urge a "no" vote.

Mr. BURGESS. Mr. Speaker, I yield myself 1 minute.

I would point out that once again reauthorization of the National Institutes of Health occurred in this Congress in the waning days of the 109th Congress in December of 2006.

Mr. BARTON reauthorized the NIH at a \$31 million base to increase by 5 percent per year. We were told at the time that that was not enough and, with biomedical inflation at 8.8 percent a year, that it was, in fact, a cut.

Mr. Speaker, in fact, what happened was then, of course, the Democrats

took control of the House and the Senate the following year, and they never appropriated the NIH to that 5 percent figure.

Now, this is not about Republicans and Democrats. This is about finding cures for the 21st century. The gentlewoman is correct in that we do direct some of the research dollars within the NIH.

You will recall, when the stimulus bill passed in 2009, \$10 billion went into the NIH right then to be spent that year.

We ended up filling up and filing paperwork from leftover projects, but we got very few deliverables out of that. This directs that research into high-risk, high-reward areas. We need the deliverables from the NIH.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentlewoman from Colorado (Ms. DEGETTE), the ranking member of the Energy and Commerce Subcommittee on Oversight and Investigations.

Ms. DEGETTE. Mr. Speaker, I rise today to give my thanks to FRED UPTON for recruiting me to help cosponsor this bill with him, and I give my thanks to all of our colleagues on both sides of the aisle for working together on finding cures from the lab into the clinics for so many diseases that we don't have any treatments for right now. This really is an extraordinary effort that we have made, and it really is Congress at its best.

I do want to mention that I was disappointed when, after the bill passed in the Energy and Commerce Committee 51-0, that in the manager's amendment the annual riders from the Labor-HHS bill were put into the bill. I think it is unnecessary, and I think that it distracts our attention from the important mission this bill brings.

I will be voting for the Lee amendment, but I would urge all of our colleagues, no matter how you vote on the amendments that are made in order in these rules, to please vote "yes" for the patients of America.

Mr. BURGESS. Mr. Speaker, I yield myself 1 minute.

This past weekend, in an op-ed piece that was published online, Mr. James Pinkerton wrote:

As Abraham Lincoln said a century and a half ago, the Federal Government should only be doing things that people can't do for themselves.

Medical cures are a great example of something people can't do for themselves at home. That is what we are about this afternoon, providing the rule to allow for the consideration for the cure of the 21st century.

It is an important rule, and the underlying bill is important. I urge all Members to support both the rule and the underlying bill.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE).



Ms. JACKSON LEE. I thank the gentleman from the great State of Massachusetts for yielding.

Mr. Speaker, this is an emotional time for many of us. This is an important bill. But we have just gone through an emotional time on this floor, again, raising up the ugliness of the rebel flag.

I stand again to try and educate both the public and our colleagues about the damage that this flag has done to so many, for under that flag many were killed in the name of slavery.

Interestingly, this is the 150th year of the elimination of slavery. I think about health care, and I spoke last evening about lupus, sickle cell anemia, and triple-negative breast cancer all falling discriminantly on minority populations. In life, there are still issues that face you because you are different.

I call upon this House to recognize that, although we have many issues to debate, when you pierce the heart of someone because you believe he is inferior or different—when you want to coddle and protect the rebel flag—I hope we will get to the point between now and next week, as I introduce H. Res. 342 as a privileged resolution to ban all signs of hate, that we will rise to be unified together and stand under the American flag.

Mr. BURGESS. Mr. Speaker, may I inquire as to the time remaining?

The SPEAKER pro tempore (Mr. WOMACK). The gentleman from Texas has 8½ minutes remaining, and the gentleman from Massachusetts has 2 minutes remaining.

Mr. BURGESS. Mr. Speaker, may I ask of the gentleman from Massachusetts if he has additional speakers?

Mr. MCGOVERN. Just I.

Mr. BURGESS. Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 30 seconds to the gentleman from Texas (Mr. VEASEY).

Mr. BURGESS. I yield 1 minute to the gentleman from Texas (Mr. VEASEY).

Mr. VEASEY. Mr. Speaker, I just wanted to speak about the importance of our acting now to do the right thing in regard to the Confederate flag.

Many of you may not know, but this year marks 100 years of the viewing and the premiere of the film that really sparked the re-emergence of the Confederate flag, "The Birth of a Nation." We know that film was bigger than "Star Wars" and "Jaws" and any major blockbuster motion picture.

That is what "The Birth of a Nation" was. It revived the Confederate flag. It made the Confederate flag the symbol of hate that it is today. It actually helped the re-emergence of the second Ku Klux Klan in this country. We know that that is what the Confederate flag ultimately stands for.

It doesn't have anything to do with the Civil War and with the battle, like

Mr. CLYBURN had pointed out earlier, because that was a completely different flag. It has to do with segregation and keeping us in the past.

We need to be able to move past it, Mr. Speaker. I would ask that my Republican colleagues do the right thing and join us in moving forward and in letting the past be the past.

Mr. BURGESS. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. UPTON), the chairman of the Energy and Commerce Committee and the author of the Cures legislation.

Mr. UPTON. Mr. Speaker, as we all know, we launched this bipartisan effort about a year and a half ago, and with tomorrow's House vote, we mark a very important milestone in our quest for 21st century cures, one step closer to the finish line.

There have been so many individuals throughout our 18-month journey who have helped us get to where we are today: patients across the country, advocates, researchers, innovators, experts, academics, regulators, some of the Nation's brightest minds, even Nobel Prize winners. To all, we say thank you.

Thank you, too, to the hard-working staff, again, on both sides of the aisle, who took the meetings, who did the research, who drafted the language, and who sat at the negotiating table for countless hours to help us develop this incredible product: Gary, Joan, Alexa, Clay, Paul, Josh, Robert, John, Carly, Katie, Adrianna, Graham, Sean, Noelle, Macey, Mark, Tom, Bits, Marty, Tim, Jeff, and Tiffany.

And to the Democratic staff, the staff of our Members, thank you all.

Thanks to the House legislative counsel and the CBO for your efforts and dedication in working through many, many weekends.

Thank you to the Members of both parties, who really did bring their best ideas, who partnered with one another to make their cases, and who delivered so many of the policies that we welcome today because we listened.

I also want to thank Chairman HAL ROGERS and his staff. The Appropriations Committee has been a critical partner in this effort for the last number of months, working with us and developing the right approach to achieve our shared goal of helping patients in a fiscally responsible way.

I especially want to highlight my partner, DIANA DEGETTE, in her effort from day one. She came to my district in Michigan, and I have traveled to Colorado. We have been on a number of road trips for Cures across the country, and I look forward to the next journey down Pennsylvania Avenue.

I also want to thank Chairman PITTS, Mr. PALLONE, and Mr. GREEN for their really strong partnership. We have made great strides, but our work continues, and we are not going to stop until the ink is dry.

I thank Chairman PETE SESSIONS, Dr. BURGESS, and members of the Rules Committee for making sure that this legislation has gotten to the floor in a timely fashion.

I also want to give a hearty thanks to a young boy named Max, the 6-year-old ambassador for Cures. Yes, although he is faced with the challenges of Noonan syndrome, he has been a little warrior in that effort.

He joined us when we had a 51-0 vote back on May 21 in the committee, and I am delighted that Max will be by our side tomorrow on the House floor for its final passage.

Helping Max and others like him is why we are here, and helping my friends Brooke and Brielle, which will be part of my general debate discussion, is why we are here.

With a resounding vote tomorrow, we will send a signal to the Senate loud and clear that the time for Cures 2015 is now.

I look forward to working with my Senate counterparts on both sides of the aisle to continue the momentum of getting this bill to the President's desk. We have a chance to do something big, and this is our time.

□ 1515

Mr. MCGOVERN. Mr. Speaker, I yield myself the balance of my time to close.

Mr. Speaker, the 21st Century Cures bill is a good bill. I want to thank Mr. UPTON and Ms. DEGETTE for working in a bipartisan way to come up with this product. It invests in NIH. It invests in lifesaving medical research. It makes it more possible that we will find cures to diseases like cancers and Alzheimer's and Parkinson's, diabetes, HIV, and so many other terrible diseases that afflict so many of our fellow citizens.

This is important stuff. Who knows, maybe we will even find a cure to this disease that resulted in so many in this House voting for the destructive sequestration initiative that, by the way, cut medical research and put off the day of some of these lifesaving cures. We need to do better than this, but this is an important start, an important step in the right direction, and I hope that my colleagues in a bipartisan way will support it.

Secondly, as I mentioned before, I want to urge my colleagues to vote against the previous question.

I ask unanimous consent to insert the text of the amendment I would offer in the RECORD if we defeat the previous question, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. If we defeat the previous question, we will bring up again the Pelosi resolution that my colleagues on the other side of the aisle chose not to debate. The reason why

this is important, the reason why we should do this is very simple: because it is the right thing to do. Every once in awhile we ought to come together in this Chamber and do the right thing. The Confederate flag is a symbol of hate; it is a symbol of division; it is a symbol of so many things that we all abhor. The time has come to follow some of the other States in this country and here in Congress do something the American people can be proud of.

I urge my colleagues to vote “no” and defeat the previous question. Vote “no” on the rule because it is restrictive.

I yield back the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield myself the balance of my time to close.

Mr. Speaker, this is a momentous bill that will be before us today. This is analogous to the time back in the 1970s when the National Cancer Institute was authorized by Congress in the Nixon administration. This is an opportunity to take that leap forward and perhaps deliver some of those cures that so many of our constituents have waited for for so long.

Mr. Speaker, we all value institutions and institutional knowledge and institutional learning, but, Mr. Speaker, we also acknowledge that there are times when we have got to be disruptive. There are times that you have to forget the past and move into the future, and this is one of those times. We are all familiar with the fact that, yeah, the neighborhood bookstore may be gone, but we can order stuff online from Amazon.

Disruptive technology is as important in medicine as it is anywhere else. This bill is paid for. This bill is offset. It sunsets in 5 years’ time. But, as I was reminded by my colleague, the gentleman from Maryland, Dr. ANDY HARRIS, a few days ago, while this bill is offset, while we are paying as we go for the increases for the National Institutes of Health and the FDA, what if—what if—one of those moonshots succeeds?

In May of 2012, Glen Campbell came and played a concert at the Library of Congress. This is him and his daughter Ashley. They were on the stage. Glen Campbell went public with the knowledge that he has Alzheimer’s disease. He struggled at several points during that concert. It was, in fact, amazing to watch him play his instrument. At times he couldn’t remember the words to the song, and Ashley would help him.

This is a shot where they did “Dueling Banjos”—very, very accomplished and skilled instrumental work that they both did on their instruments that they were playing. What if? What if we were to deliver that moonshot and provide that cure that would have prevented Glen Campbell from falling into the recesses of Alzheimer’s illness? What if that cure were within our

grasp? What is worse is what if that cure is on a shelf or in a test tube somewhere and we just haven’t quite gotten around to its evaluation? This is important stuff.

Glen Campbell narrated the soundtrack of my life as I was growing up, from Delight, Arkansas, a gentleman of our generation who was so important to so many of us as we were growing up, and he shared with us there on the stage his story and his daughter’s story. You can see his daughter Ashley looking at her dad. If we could preserve her ability to smile at her dad for a little longer, wouldn’t that be worth some of the fighting that we do here?

This bill is offset. This bill is paid for.

Mr. Speaker, today’s rule provides for consideration of this critical bill, a bill that will transform and advance the discovery, development, and delivery of treatments and cures.

I applaud all Members who have worked on this thoughtful piece of legislation, along with Energy and Commerce staff on both sides of the aisle. All members of the Committee on Energy and Commerce were asked to bring their ideas to the table, and we worked to include as many as we possibly could.

I want to express my sincere thanks to all the great attorneys at the Legislative Counsel who worked around the clock to deliver us the legislative language. I want to thank Chairman UPTON, Representative DEGETTE, as well as Chairman PITTS and Ranking Members PALLONE and GREEN for their leadership throughout.

I want to thank all of the staff who have worked so hard over the past year; really, literally, all hands were on deck. There is not one staffer of the Subcommittee on Health of the Committee on Energy and Commerce that does not have their fingerprints all over this bill. I certainly want to thank J.P. Paluskiewicz, Danielle Steele, and Lauren Fleming from my office, who have put in that additional effort to help deliver this product.

Mr. Speaker, this is an important piece of legislation in front of us today. We do, unfortunately, have a lot of distractions, but let us not be distracted from providing the tools for the next generation of doctors, a generation that will have more ability to alleviate human suffering than any generation of doctors has ever known because of our actions here on the floor of the House today.

Ms. SLAUGHTER. Mr. Speaker, I am the Ranking Member of the Rules Committee. Rules, as you know, is the process committee.

Whether you are a majority or a minority member, you have rights, but they have been trampled on and abused with increasing regularity under this majority, and we have two glaring examples of that just today.

Mr. Speaker, this bill is important to all of us, and we all agree on the importance of put-

ting more money into major research in the United States, we are falling behind other countries in finding the cures and the innovation for which we have been known for centuries. This is an important step that we are taking. This is a critically important bill, but process matters.

Mr. Speaker, after the Energy and Commerce Committee had voted out this bill unanimously, major changes were made with no committee input at all. They include a reduction of the amount of money that the committee had said would be put into the National Institutes of Health by \$1.250 billion, a very substantial sum.

They added some policy riders that literally made no sense. Why in the world would you put an abortion rider on a bill for medical research? As far as I know, the NIH and most medical universities doing this research do not perform abortion procedures. It was simply a way, again, to mollify members and make them vote for this bill.

Mr. Speaker, despite the importance of this bill, despite the fact that it came out of committee unanimously, despite the fact that so many people have worked on it, and despite the fact that good things were in it, the process was completely changed after it was over by rewriting major portions of it. That doesn’t appear anywhere in the rules of the House.

Now, let’s also think about what happened here last night during the debate on the Interior bill, which was considered under an open rule. After the Ranking Member, BETTY MCCOLLUM of Minnesota, had yielded back her time, a new amendment was offered at the request of Republican leadership in order to pick up enough votes to ensure final passage. This new amendment sought to undo two already adopted amendments that would restrict the display of the Confederate flags in National Park Service cemeteries. These amendments were initially noncontroversial—as they should have remained. In fact, they were adopted by voice vote. However, following a revolt by Members of the Republican Conference, Republican leadership offered this new amendment without any warning in order to gain more votes. In the end, the Majority pulled the entire bill in order to avoid taking a vote on their effort to place Confederate flags in U.S. cemeteries.

Mr. Speaker, and then this morning the Majority chose to send Leader PELOSI’s resolution to committee in order to avoid taking a vote on it. Her resolution would have required the removal of state flags containing the Confederate battle flag from the House wing of the Capitol, unless the flag is flown by an individual Member. Mr. MCGOVERN stated quite precisely that the resolution will die in committee—we will never see that one again. Unfortunately, that’s what happens here, but Mr. Speaker, it is time it was stopped.

I was born in a border State, in Kentucky. I lived there most of my life. I was educated there. I never saw a Confederate flag in all those years. These battle flags that they are putting up appeared in the South after the civil rights legislation. They were the products of Strom Thurmond and the Dixiecrats. That is when they started to bloom all over. It is a symbol of pure hate or fear. It needs to go.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 350 OFFERED BY  
MR. MCGOVERN OF MASSACHUSETTS

At the end of the resolution, add the following new sections:

SEC. 2. Immediately upon adoption of this resolution, it shall be in order to consider in the House the resolution (H. Res. 355) raising a question of the privileges of the House if called up by Representative Pelosi of California or her designee. All points of order against the resolution and against its consideration are waived. The previous question shall be considered as ordered on the resolution and preamble to adoption without intervening motion except one hour of debate equally divided and controlled by the proponent and the Majority Leader or his designee.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H. Res. 355.

THE VOTE ON THE PREVIOUS QUESTION: WHAT  
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives* (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's *Procedure in the U.S. House of Representatives*, the subchapter titled "Amending Special Rules" states: "a refusal

to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. BURGESS. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

RESILIENT FEDERAL FORESTS  
ACT OF 2015

GENERAL LEAVE

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous materials on the bill, H.R. 2647.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 347 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2647.

The Chair appoints the gentleman from North Carolina (Mr. HOLDING) to preside over the Committee of the Whole.

□ 1524

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2647) to expedite under the National Environmental Policy Act and improve forest management activities in units of the National Forest System derived from the public domain, on public lands under the jurisdiction of the Bureau of Land Management, and on tribal lands to return resilience to overgrown, fire-prone forested lands, and for other purposes, with Mr. HOLDING in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

General debate shall not exceed 1 hour equally divided among and controlled by the chair and ranking minority member of the Committee on Agriculture and the chair and ranking minority member of the Committee on Natural Resources.

The gentleman from Pennsylvania (Mr. THOMPSON), the gentleman from Minnesota (Mr. PETERSON), the gentleman from Utah (Mr. BISHOP), and the gentlewoman from Massachusetts (Ms. TSONGAS) each will control 15 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON).

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today in strong support and as an original cosponsor of H.R. 2647, the Resilient Federal Forests Act of 2015.

Since the inception of the National Forest System in 1905, the fundamental mission of the Forest Service has been to manage our Federal forests and grasslands to meet the needs of present and future generations. As a result, the Forest Service has played a critical role in rural America, partnering to produce timber, natural resources, and jobs, while sustaining the ecological health of the forests and surrounding watersheds.

National forests have been extremely successful in creating recreational and educational opportunities for millions of Americans. However, our forests are facing declining health and simply are not managed as well as they need to be due to numerous challenges that have grown over the past few decades.

Often unnecessary and prolonged planning processes limit the Service from effectively managing our forests. This also goes along with the constant litigation, or even the threat of litigation in some cases. Both of these situations keep boots in the office instead of in the forests and spend money on doing paperwork instead of work in the field.

The costs of suppressing and fighting wildfires has been a growing challenge for the Forest Service, with their fire costs increasing from 13 percent of the Forest Service budget in 1995 to approximately half of the annual budget today. This epidemic of declining health and catastrophic wildfires are in direct correlation to policies that have led to a dramatic decrease in managed acres. Timber harvests have drastically plummeted from almost 13 billion board feet in the late 1980s to only 3 billion board feet of timber in recent years. At the same time, the number of acres affected by the catastrophic wildfires has doubled from around 3 million acres during the second record timber harvest to 6 million acres now.

This bill reverses this cycle by ending the destructive fire borrowing problem that robs Peter to pay Paul, and it does so in a fiscally responsible manner, with the funds only made available for wildfire suppression. In my view, this legislation is the next step to build upon the groundwork laid by the 2014 farm bill and is an earnest attempt to give the Forest Service more authority and much-needed flexibility to deal with these challenges of process, funding, litigation, necessary timber harvesting, and much-needed management.

H.R. 2647 incentivizes and rewards collaborations with the private sector on management activities. It allows for State and third-party funding of projects. The bill reauthorizes the resource advisory committees, known as RACs, while returning county shares of forest receipts for long-term stewardship projects.

Perhaps most importantly, the bill provides commonsense categorical exclusions, or CEs, for certain Forest Service projects. These CEs are routine and have known impacts and will expedite the planning process to get projects up and running.

To conclude, this is a thoughtful piece of legislation that will do much to help the Forest Service to better do its job. I urge my colleagues to vote "yes."

I reserve the balance of my time.

Mr. PETERSON. Mr. Chair, I yield myself such time as I may consume.

I rise in support of H.R. 2647, the Resilient Federal Forests Act of 2015. This is a bipartisan piece of legislation that will address some of the burdensome regulations that have arisen from legal challenges and help get our forests actively managed the way we need.

For some time now we have been concerned about efforts undertaken by extreme environmental groups to twist laws to their liking. The so-called sue and settle strategy has led to policy changes decided by activists and bureaucrats. These policy changes often ignore congressional intent and fail to take into account constituent input and real facts on the ground. Additionally, this means a less transparent and less accountable regulatory process. H.R. 2647 will simplify forest management activities, thereby reducing some of this bad behavior.

The bill also includes an important budgetary fix to help address the rising cost of wildfires. Just this year, the wildfires have burned hundreds of thousands of acres and caused millions of dollars of damage.

□ 1530

H.R. 2647 will allow access for our land management agencies to the resources they need to fight wildfires without having to rob their other accounts. The current practice of fire borrowing leads to taking away re-

sources from productively managing our forests to keep them healthy and less prone to fire. This bill would end this practice and ensure that agencies have access to the needed resources to fight wildfire disasters all year.

Again, this is much-needed, bipartisan legislation that addresses many of the issues currently impacting forest management. I urge my colleagues to support H.R. 2647, and I reserve the balance of my time.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I yield 2 minutes to the gentleman from Louisiana (Mr. ABRAHAM).

Mr. ABRAHAM. Mr. Chairman, I want to thank my colleague from Arkansas (Mr. WESTERMAN) for introducing this bill and recognize the hard work done by the Agriculture and Natural Resources Committees to bring this important bill to the floor.

For too long, failure to properly manage our national forests had led to increased tree mortality from wildfires, droughts, insects, and disease. The Resilient Federal Forests Act gives the Forest Service and the Bureau of Land Management the tools needed to reverse this trend.

This bill will allow critical forest health projects to move forward by streamlining regulations, will give parishes and counties greater flexibility in how they use forestry revenues, and will ensure Federal agencies have increased access to fund in order to fight and prevent wildfires.

These reforms will put more Americans to work through increased management activities and timber production. It will give money back to our local community for infrastructure and education and will make our forested communities safer by reducing their vulnerability to wildfires.

In my home State of Louisiana, the Kisatchie National Forest covers 604,000 acres, with 382,500 of those acres in my district alone. In all, forestry and the forest products industries accounts for well over 18,000 jobs and over \$1 billion of income in my district.

The people of Louisiana know how valuable well-managed forests are to the health of our State and our economy. I would imagine forested communities throughout the country know this as well.

It is time we start being proactive instead of reactive when it comes to managing our national forests. The Resilient Federal Forests Act will put us back on track to realize the full potential of our forest resources.

I urge my colleagues to support this bill.

Mr. PETERSON. I reserve the balance of my time.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Michigan (Mr. BENISHEK), a member of the Conservation and Forestry Subcommittee.

Mr. BENISHEK. Mr. Chairman, I rise today in support of H.R. 2647, the Resilient Federal Forests Act of 2015.

I represent northern Michigan, which has over 20 million acres of Federal, State, and private forest land. Our forests are a vital part of the economy in northern Michigan that generate over \$16.3 billion per year and creates more than 77,000 jobs. In addition to forestry, the outdoor recreation industry also contributes \$18 billion to Michigan's economy and over 190,000 jobs to our State.

Healthy forests are vital to our way of life in northern Michigan. Like most in my district, I grew up exploring these forests, hunting, fishing, snowmobiling. It is a way of life for so many, not only for those who live up north, but for the millions who visit the forests every year from all around the country.

Sadly, many of our Federal forests are in a state of disrepair these days; they are overgrown, and especially in the Western United States, they are consumed by wildfire.

The Forest Service, which is entrusted with managing 10 percent of the continental United States land base, has identified approximately 58 million acres as being at high risk for catastrophic fire. Even worse, by conservative estimates, over 56 billion board feet of timber have simply burned away in wildfires on Forest Service lands over the last 10 years.

Over the past 10 years, over a billion dollars of timber rotted on the stump instead of being sold. Those revenues aren't available to the U.S. Treasury. The Forest Service couldn't use the funds to buy seedlings to replant our devastated national forests. We are literally allowing jobs for American families to burn away in our poorly managed Federal lands. Nothing about the current process is working.

H.R. 2647 takes some very simple steps to allow our forests to become healthier and better managed for the future. This bill would streamline timber harvesting on Federal forests in existing land use plans, while reducing the threat of frivolous lawsuits related to forest management.

The Acting CHAIR (Mr. WOMACK). The time of the gentleman has expired.

Mr. THOMPSON of Pennsylvania. I yield the gentleman an additional 1 minute.

Mr. BENISHEK. In addition, this legislation would allow States and Federal forests to react faster to catastrophic wildfire events, thereby reducing the future risk to public lands.

Finally, this legislation includes a number of collaborative processes for tribal, State, and private contracting, which will lead to healthier and better managed forests.

I understand that many of my friends here today may live in areas with a few forests or low risk of wildfire. I ask all

my colleagues here today, especially those not in heavily forested areas, to listen to your friends from forested districts.

Support this bipartisan, common-sense legislation and help improve the health of our forests.

The Acting CHAIR. The Committee will rise informally.

The Speaker pro tempore (Mr. DUNCAN of Tennessee) assumed the chair.

#### MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate insists upon its amendment to the bill (H.R. 1735) "An Act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes," agrees to a conference requested by the House on the disagreeing votes of the two Houses thereon, and appoints the following Members to be the conferees on the part of the Senate: Mr. MCCAIN, Mr. INHOFE, Mr. SESSIONS, Mr. WICKER, Ms. AYOTTE, Mrs. FISCHER, Mr. COTTON, Mr. ROUNDS, Mr. GRAHAM, Mr. REED (RI), Mr. NELSON, Mr. MANCHIN, Mrs. GILLIBRAND, Mr. DONNELLY, Ms. HIRONO, and Mr. KAINE.

The SPEAKER pro tempore. The Committee will resume its sitting.

#### RESILIENT FEDERAL FORESTS ACT OF 2015

The Committee resumed its sitting.

Mr. PETERSON. Mr. Chairman, I reserve the balance of my time.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. YOHIO).

Mr. YOHIO. I want to thank the chairmen—Mr. CONAWAY, Mr. THOMPSON, and Mr. BISHOP—for their leadership on this issue.

I stand here today in support of creating more jobs and improving the health of our Nation's forests through sustainable forest management.

H.R. 2647, the Resilient Federal Forests Act of 2015, is a bipartisan bill that will address the growing economic and environmental threats to the catastrophic wildfires. This piece of legislation is hugely important for my district and the entire southeastern region of the United States.

Florida is home to a multitude of national forests, including the Apalachicola, Osceola, and Ocala, which span more than 1.2 million acres in north central Florida. These forests supply over 10,000 acres per year for timber production, creating jobs, lumber products, pellet mills for green energy, and paper products.

This land also allows for recreational activities like equestrian and motor-

cycle trails and hunting and fishing. In addition, they produce roughly 600 billion gallons of fresh water, and that is all in my home State.

Due to a lack of proper forest management, the risk of catastrophic wildfires has increased dramatically. These emergencies draw critical funding away from the Bureau of Land Management accounts intended to prevent wildfires, thus creating a chronic problem that is only getting worse.

This bill ends that inefficiency by allowing FEMA to transfer funds to the Forest Service when these disasters occur, ensuring activities like prescribed burns and other management techniques are adequately funded.

This bill improves management practices, helps prevent wildfires, and should be supported by every Member in this Chamber.

Again, I commend Chairmen CONAWAY, THOMPSON, and BISHOP.

Mr. PETERSON. Mr. Chairman, I reserve the balance of my time.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. BARLETTA), chairman of the Transportation and Infrastructure Subcommittee on Economic Development, Public Buildings, and Emergency Management.

Mr. BARLETTA. Mr. Chairman, first, let me thank the chairmen of the Natural Resources and Agriculture Committees for working with our committee on title IX of the bill.

Title IX authorizes the President to declare a major disaster for wildfires on Federal lands and provide assistance to the Departments of the Interior and Agriculture for extraordinary wildfire suppression costs in excess of the 10-year average. These provisions protect FEMA's Disaster Relief Fund and preserve FEMA's wildfire assistance that is currently available to State, local, and tribal governments through the Stafford Act.

Because this provision was not included in the reported bill, a legislative history document has been developed to articulate the congressional intent for title IX, as well as how it is expected to be implemented.

Mr. Chairman, I will insert this legislative history document into the RECORD.

(Chairman Bill Shuster, Committee on Transportation and Infrastructure, July 9, 2015)

H.R. 2647: RESILIENT FEDERAL FORESTS ACT OF 2015, TITLE IX—MAJOR DISASTER FOR WILDFIRE ON FEDERAL LAND

#### LEGISLATIVE HISTORY

Definition of "Major Disaster": By bifurcating the definition of "Major Disaster" in the Stafford Act, the Committee preserves the existing definition, and the programs that flow therefrom, and adds an additional definition for "Major Disaster for Wildfire on Federal Land," for which a separate and distinct declaration, process and assistance have been established pursuant to the new

Title VIII of the Stafford Act. "Major Disaster for Wildfire on Federal Land" meets the definition "disaster relief" pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Request for Declaration of a Major Disaster for Wildfire on Federal Land: There are four distinct requirements that must be met before the President may issue a declaration for a major disaster for wildfire on federal land.

(1) Each request must be made in writing by the Secretary making the request on behalf of that Department.

(2) The requesting Secretary must certify that in that current fiscal year, the Department's wildfire suppression operations account received no less than an amount equal to the 10-year average. This amount cannot include any carry over from previous years and must include any rescissions or reductions. Also, future 10-year averages must take into account the total amount expended on wildfire suppression, including appropriations and assistance provided under Title VIII of the Stafford Act.

(3) The requesting Secretary must certify that all funds available for wildfire suppression operations will be obligated within 30 days and there are wildfires on federal lands continuing to burn that will require firefighting beyond the resources currently available.

(4) The requesting Secretary must request a specific amount which is the estimate of funds needed to address the current wildfires on federal lands.

The Committee does not intend for the respective Secretary to have to make a request for each fire they anticipate will exceed the wildfire suppression operations appropriations. As the definition for "Major Disaster for Wildfire on Federal Lands" includes "wildfire or wildfires", it is intended that the respective Secretary's request will include all known fires that will require extraordinary resources beyond those remaining in the wildfire suppression operations account of that specific federal land management agency. Each Secretary will make a request for the resources required by that particular department.

Assistance Available for a Major Disaster for Wildfire on Federal Land: The only assistance available for a declaration of a major disaster for wildfire on federal land is the transfer of available funds from a new account established for these purposes to the requesting Secretary in the amount requested.

The Committee intends for the funds appropriated into the new account established by the President for major disaster for wildfire on federal land assistance will be designated by Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

The declaration and assistance available for a major disaster for wildfire on federal lands are based on the existing major disaster declaration process delegated by the President to be administered by the FEMA Administrator. The Committee expects the process for a major disaster for wildfire on federal land will be managed in a similar manner through a delegation of the President's authority to the FEMA Administrator. Further, the Committee expects that the account established by the President for a major disaster for wildfire on federal land will be a dedicated sub-account of FEMA's Disaster Relief Fund. However, pursuant to the legislative language, none of these funds

can be comingled or transferred between these accounts.

Once assistance is transferred to the Department of the Interior or the Department of Agriculture, it is not required that the assistance be used only for those wildfires identified in the request. The assistance may be used for wildfires that begin after the declaration or were not identified in the request. Funds transferred may be used for all wildfire suppression operations eligible activities. The Committee anticipates these will be no year funds, available until exhausted.

It is entirely foreseeable that a wildfire that begins on or severely impacts federal lands requiring assistance under Title VIII of the Stafford Act could continue to grow, impacting state, local, tribal governments and certain non-profit properties and infrastructure. The provision of assistance under Title VIII of the Stafford Act in no way impacts the ability of state, local and tribal governments and certain non-profits to apply for assistance under FEMA's other disaster programs, if eligible, including the Fire Management Assistance Grant Program, an emergency declaration, or a traditional major disaster declaration.

**Prohibition on Transfers:** No longer can the Department of the Interior and the Department of Agriculture borrow from non-fire suppression accounts to fund the extraordinary needs of wildfire suppression operations.

#### SECTION-BY-SECTION

**Section 901. Wildfire on Federal Lands:** This section defines a major disaster for wildfire on federal lands.

**Section 902. Declaration of a Major Disaster for Wildfire on Federal Lands:** This section establishes the procedure for requesting a declaration of a major disaster for wildfire on federal lands and provides for assistance.

**Section 903. Prohibition on Transfers:** This section prohibits the transfer of funds between wildfire suppression accounts and other accounts not used to cover the cost of wildfire suppression operations.

Mr. BARLETTA. After watching the floodwaters of Hurricane Irene and Tropical Storm Lee destroy the homes and upset the lives of my constituents, my first priority has been to protect the programs that come to their aid, namely the disaster relief fund.

This is a program that helps families get back into their homes, businesses reopen their doors, and local municipalities clear the streets so that our communities can recover when the next big storm strikes.

I have seen the disaster relief fund provide assistance when it is needed most. Our constituents rely on Federal disaster assistance. It should not be jeopardized under any circumstances.

Again, let me thank Chairman BISHOP and Chairman CONAWAY for working with the Transportation and Infrastructure Committee.

Mr. PETERSON. Mr. Chairman, I reserve the balance of my time.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, can I inquire as to how much time remains?

The Acting CHAIR. The gentleman from Pennsylvania (Mr. THOMPSON) has 3 minutes remaining. The gentleman from Minnesota (Mr. PETERSON) has 13 minutes remaining.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I yield 2 minutes to the gentleman from Tennessee (Mr. DUNCAN).

Mr. DUNCAN of Tennessee. Mr. Chairman, I rise in strong support of this legislation, and I thank the gentleman from Pennsylvania for yielding me this time.

This bill, Mr. Chairman, will streamline the Forest Service planning, allowing for more forest thinning, reducing wildfire damage, and creating much stronger Federal forests. More national forest thinning means fewer forest fires.

I served for 22 years on the Natural Resources Committee. Several years ago, I was told that there were 6 billion board feet of dead and dying trees in the national forests; yet we were cutting less than 3 billion board feet a year. This was leading to a tremendous buildup of fuel on the floor of these forests, leading to millions more acres being burned because we weren't cutting enough trees.

In the late eighties, we were harvesting 10 to 11 billion board feet a year. We had 3 to 6 million acres lost to forest fires each year at that time. Now, we are harvesting a little over 1 billion board feet a year, and the acreage lost to forest fires has gone way up: 10 million acres lost in 2006, 9 million in 2011, and on and on and on. It is a shame.

Allowing this renewable resource to be used, everything made with wood—houses, all types of wood products, everything else made from wood—would be cheaper. This would help lower-income people most of all.

If we allow more trees to be cut, thousands of jobs could be created not just for loggers, but also in construction and in businesses making wood products. This also would help lower-income people most of all.

We shouldn't just let these forests burn. We should use them to help people. If you want more forest fires, vote against this bill, but if you want to help preserve our national forests and make them healthier and help the economy in the process, then you should vote for this bill.

This is a very moderate response to what has become a big and fast growing problem. We should not give in to extremists and oppose this bill. This is good legislation, and I commend Chairman PETERSON, Chairman CONAWAY, and Chairman THOMPSON for bringing this very intelligent, sensible legislation to the floor.

Mr. PETERSON. Mr. Chairman, I yield 5 minutes to the gentleman from Oregon (Mr. SCHRADER).

Mr. SCHRADER. Mr. Chairman, I would like to clear up some misconceptions about H.R. 2467 and take a little time to tell you what this bill really is and what it is not.

Contrary to a statement put out by the President and some of my col-

leagues on my side of the aisle, this is not a complete abrogation of environmental protections or NEPA process on our Federal lands.

This is a streamlined process for a very, very small portion of Federal forest land subject to catastrophic natural disasters and already subject to expensive collaborative, resource advisory committee, or wildfire protection plans—a very narrow subset of our Federal forests.

For the folks back East, I would like to remind them that, out West, forest land occupies a great chunk of our States.

□ 1545

Over half of my State of Oregon is Federal forestland. Most of that is managed by the Forest Service or the BLM.

Three-fourths of my State is distinctly rural, little access to this postrecession recovery. Frankly, indeed, these guys were in a recovery for the last 20, 30 years, when timber harvesting came to a screaming halt under our so-called forest plans. Their recovery, their prosperity, is irrevocably entwined with smarter, healthier forest policy that promotes resiliency, which this bill does, and sustainability, which this bill does.

This bill is narrowly crafted to build upon the growing trust, hopefully, between old environmental and timber adversaries by showing what can be done with good forest policy in a collaborative framework on our Federal forestlands.

Currently, dead, diseased, wildfire-subjected Federal forestland contributes millions of tons of carbon annually to our atmosphere. Rotting trees are carbon polluters. Burning forests are carbon polluters.

Our forests need to be cleaned up and made healthy again. If you care at all about climate change or the health of our Federal forests or, hopefully, the health of rural communities around America, you should be for this narrowly crafted bill to collaboratively build a sustainable forest policy.

I would like to reiterate that this bill only pertains to a narrow set of projects and lands, including areas affected by or likely to be affected by these natural disasters.

This only deals with lands subject to collaborative processes or under these federally sanctioned resource advisory committees already in place or covered by community wildfire protection plans. In other words, these are areas that already have had extensive proactive management discussions on these lands with community partners across the environmental and timber resource spectrum. This is exactly where a streamlined NEPA process should be placed.



Contrary to information you have received, this is not eliminating environmental impact statements. It does permit a small exclusion of 5,000 to 15,000 acres for a narrow type of project.

The Forest Service is currently spending hundreds of millions of dollars on NEPA compliance, the single biggest factor in limiting the amount of work the agency can get done on the ground.

It also has an innovative approach to restoring forests after a wildfire. No permanent roads are allowed to be built, current stream buffers stay in place unless the regional forester has a compelling reason to change them, and reforestation is required with an eye to creating more successional habitat, something our environmental community has wanted for a long time.

You can't accelerate the process here. Where are you going to do it? Didn't we accelerate the process a little after Sandy or Katrina?

You know, some of our colleagues, some of my citizens, several of my constituents out west are feeling that there is a lack of fairness in our disaster policy.

It is common practice for radical groups to file a litany of alleged grievances on any forest project that is suggested, mostly just to drag out the process and delay good forest policy they disagree with, at great taxpayer expense. Most of these claims are purely procedural.

We must reform this legal gotcha game by forcing these groups to focus on legitimate, substantive claims of impropriety that they feel they can win on. That is fair, and that is what this bonding proposal actually does.

Folks, for people in rural Oregon and rural America, they are being left behind. The timber economy was the major economy for these forested regions for decades. They are not seeing large companies, high-tech manufacturing moving into their remote areas. These are communities that have depended on our renewable natural resources for their livelihood.

Our forests are a catastrophe waiting to happen. They are much less diverse than they used to be. This drought is about the worst it has been out west in a long, long time. Our forests are tinderboxes waiting to burst aflame.

Let's begin to work collaboratively. Give local communities the tools they need and have to deal with and prevent these catastrophes, frankly, learn how to work together again to build healthier forests and healthier rural communities.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I reserve the balance of my time.

Mr. PETERSON. Mr. Chairman, I don't believe I have any additional speakers. I could yield time to the gentleman from Pennsylvania if he wishes.

Mr. THOMPSON of Pennsylvania. I have some additional speakers. That would be appreciated.

Mr. PETERSON. Mr. Chair, I ask unanimous consent to yield the balance of my time to the gentleman from Pennsylvania to finish out.

The Acting CHAIR. Without objection, the gentleman from Minnesota yields the balance of his time, which is 8 minutes, to the gentleman from Pennsylvania to control.

There was no objection.

Mr. THOMPSON of Pennsylvania. I thank the ranking member for his generosity and his leadership on the important issue of agriculture, and certainly on this bill as well.

Mr. Chairman, I yield 2 minutes to the gentleman from Alabama (Mr. BYRNE).

Mr. BYRNE. Mr. Chairman, thank you for your work on this critical legislation.

The Resilient Federal Forest Act is key if the Forest Service is to have the flexibility it needs to actively manage our Nation's Federal timberland.

Now, I come from a State where forestry is critically important to our economy and our ecosystem. In fact, forestry is a \$13 billion industry in Alabama. Thankfully, my State does not have a serious issue with wildfires due to our active forest management. That said, it does not mean that my area isn't impacted by the wildfire crisis.

The Forest Service and the Bureau of Land Management are forced to spend so much money fighting wildfires that they have to take money away from other nonfire accounts that, ironically, help prevent wildfires, like thinning and controlled burns.

Mr. Chairman, this bill just makes sense. By simplifying the environmental process requirements and reducing burdensome regulations that hinder active forest management on Federal timberland, we can help reduce wildfires and protect our Nation's forests.

So I want to thank the gentleman from Arkansas and others for their work on this bill and the continued leadership on behalf of our Nation's foresters.

Mr. Chairman, I urge my colleagues in this House to support this legislation, and I call on the Senate to act on this bill right away.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Oregon (Mr. WALDEN), an Eagle Scout.

Mr. WALDEN. Mr. Chairman, I want to thank the members of the committee on both sides, my colleagues on both sides of the aisle, for their great work on this legislation. This is really, really important.

My colleague from Oregon (Mr. SCHRADER) spoke eloquently about what our State faces and our rural communities face, and that is why this Resilient Federal Forests Act is so important to beginning to be a game changer, to getting us back into active

management of our Federal forestlands, to reducing the threat of wildfire, the cost of wildfire, the destruction of wildlife, and the incredible pollution from wildfire.

As we speak here today on the House floor, brave firefighters are still trying to contain the Corner Creek fire, which has already burned nearly 29,000 acres of forestland near Dayville, Oregon, in my district—29,000 acres already burned. And unfortunately, this fire season in the West has only just begun.

Among the many strong provisions in this bill are streamlining planning, reducing frivolous lawsuits, and speeding up the pace of forest management. Several in particular are helpful to our great State of Oregon.

For national forests in eastern Oregon, this legislation repeals the prohibition on harvesting trees over 21 inches in diameter. Now, there is no real ecological reason for this. It was a temporary measure put in place 20-some years ago, nearly. It remains today. It didn't make sense then, it doesn't make sense now, and it will be repealed.

This flawed one-size-fits-all rule illustrates, I think, just how broken the Federal forest management has become. So it greatly limits the flexibility forest managers have to do what is right for the health and ecosystem of the forests to make them more resilient, more fire tolerant.

This bill also includes legislation I wrote with my colleagues from Oregon, Representatives DeFazio and KURT SCHRADER, pertaining to Oregon's unique O&C Lands. It will cut costs, increase timber harvests and revenue to local counties.

The BLM is also directed to revise their flawed management plan proposals to consider the clear statutory mandate to manage these lands for sustainable timber production and revenue to the counties.

Finally, one look at the fires around the West makes clear that the status quo simply is not working for our forests, for our communities, or for the environment. We need to do better. This Resilient Federal Forests Act will do that. It will bring better and healthier forests and healthier communities.

I thank the committee for taking up this good piece of legislation and encourage my colleagues to approve it.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I yield 2 minutes to the gentleman from Montana (Mr. ZINKE).

Mr. ZINKE. Mr. Chairman, as a fifth generation Montanan, I grew up in timber country. Our mills and train yards were in full swing, and visitors from around the world flocked to see Glacier Park. Revenues from the timber industry were reinvested in the community, and conservation efforts of the Forest Service helped our timber harvest.

Building a strong tourist economy and a strong timber economy are not



mutually exclusive. That is why I support—strongly support—the Resilient Federal Forests Act of 2015. It does what it should do. It encourages local organizations to work together on collaborative projects that revitalize the economy. But not only that, it revitalizes our forests.

Think about it. As we debate this bill today, there are two wildfires in my home State of Montana, just a few miles from where I grew up. And as of today, more than 3.9 million acres across our Nation have burned in wildfires this year alone. That is larger than the entire State of Connecticut.

We are on track for more than double, if conditions don't improve. Just last week, the Forest Service, whom I visited, said we are in the perfect storm. In the words of the former Chief of the Forest Service, Chief Bosworth, we don't have a fire problem as much as we have a land management problem. That is why this bill is so important.

Last week, when traveling across my district, I toured the site of the Glacier Rim fire. This fire is burning the same ground that burned in 2003. I was told by people on the ground that the reason why this fire is burning is the Forest Service was not able to conduct a salvage operation for fear of lawsuits, among other reasons, and those lawsuits left standing timber which cannot be addressed by crews, which only can be addressed by helicopters, and that is a \$1 million project. And habitat, it is a member, a part of the core grizzly habitat. It has not burned once; it has burned twice in 15 years.

So we need more scientists in the woods and less lawyers, and I urge my colleagues to join me in a bipartisan effort to support this bill.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I yield 2 minutes to the gentleman from Nevada (Mr. AMODEI).

Mr. AMODEI. Mr. Chairman, I want to thank my colleagues from Pennsylvania and Utah and their committee work on this.

Management reduces catastrophic wildfire. In the high desert rangelands of Nevada, as well as the conifer forests of such mountain ranges as the Sierra Nevadas around Lake Tahoe, the Ruby Mountains around Elko, or the Toiyabes around Austin, Nevada, we have a 100-year resource there. Once it burns, it is 100 years before it comes back by the time you take into account those moisture regimens and everything affiliated with that. And then when you have years-long processes after it burns to get permission just to go after that, this is great legislation.

I want to thank my colleague from the Razorback State for his work on it and the other folks that have helped him.

One of the reasons that this is so important to our State is, in the last 20 years, just on BLM land, we have

burned between 6 and 7 million acres. And guess what. We are dealing with a thing called the sage-grouse listing, where they talk about loss and fragmentation of habitat. It is nobody's fault, mostly lightning-caused fires 40 miles from the end of the nearest dirt road—6 or 7 million acres to catastrophic wildland fire.

More management, more restoration, thinning of fuels, and also the ability to recognize that the funding for this is something that needs to be a FEMA-related thing rather than just through the normal budget process are all great ideas.

I want to thank my colleagues for their help. On behalf of the people of the Silver State, thank you very much.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I want to thank all my colleagues, Ranking Member PETERSON, who all spoke on this very important bill.

H.R. 2647 is a commonsense, bipartisan solution to start fixing a broken system.

Right now, miles of red tape and constant litigation, usually from groups that refuse to come to the table, are preventing our forests from receiving the active management they desperately need. This leads to more catastrophic wildfires and more money diverted from other priorities to fight fires.

This legislation will aid in reversing this cycle. It gives the agencies more flexibility to manage our Federal lands, which protects wildlife habitat and surrounding watersheds, spurs growth in the rural economy, and saves time and saves money.

I want to thank Mr. WESTERMAN for his leadership on this, Chairman CONAWAY, Chairman BISHOP, Ranking Member PETERSON.

I yield back the balance of my time.

□ 1600

The Acting CHAIR (Mr. HULTGREN). The gentleman from Utah is recognized for 15 minutes.

Mr. BISHOP of Utah. Mr. Chairman, I appreciate the opportunity of being here, talking about this significant bill that is going to increase and improve our status quo.

I yield 5 minutes to the gentleman from Arkansas (Mr. WESTERMAN), to begin our portion of this debate, who is the chief sponsor of this particular bill, who has a personal background, actually, having earned a degree in forestry even from the State of Arkansas.

Mr. WESTERMAN. Mr. Chairman, I rise today in support of H.R. 2647, the Resilient Federal Forests Act. This bipartisan legislation will give the Forest Service tools it needs to better manage our national forests.

As a professional forester, I see that our forests are in decline and lack resiliency.

President Teddy Roosevelt, who worked alongside a fellow Yale for-

ester, Gifford Pinchot, to create the U.S. Forest Service, are the two I would credit as the fathers of our national forest.

Roosevelt said, "The Nation behaves well if it treats the natural resources as assets which it must turn over to the next generation increased and not impaired in value."

We have problems with our current forest policy that is leaving one of our most treasured natural resources less resilient, decreased, and impaired in value.

It is not only our forests that suffer. Without forests that are healthy, we have poor water quality, poor air quality, less wildlife habitat, less biodiversity. My bill aims to fix these problems, and it aims to fix them through proactive and sound management.

First, our forests are living and dynamic, but we have a problem of delayed decisionmaking or, even worse, no decisionmaking at all. This bill incentivizes collaboration and speeds up the implementation of collaborative projects while safeguarding strong and timely environmental reviews.

We have a problem of not salvaging timber destroyed in catastrophic events, which makes the forest more dangerous, increases future wildfire problems, and makes it difficult for reforestation. This bill sets up requirements for salvage and reforestation. The Forest Service would have to implement greater reforestation in response to catastrophic events.

Typically, less than 3 percent of an area is reforested after a catastrophic event. This is unacceptable. My bill requires 75 percent reforestation within 5 years.

We have a problem in our rural communities that not only depend on our forests for their sustenance, but also provide emergency services, education, and support for the forests and residents who live near the forest.

As our forests are decreased and impaired in value, our forest communities immediately suffer and suffer even more in the future.

My bill gives counties flexibility in spending Secure Rural Schools funding and puts 25 percent of stewardship contracts into the county treasury for our schools and other public services.

There are other policy problems this legislation solves, but none are more important than problems caused by having to spend too much of our Forest Service budget for reactive fire suppression rather than on proactive sound management and fire prevention.

This bill ends the destructive practice of fire borrowing in a fiscally responsible manner. It creates a sub-account under the Stafford Act specifically for fighting wildfire.

I would like to thank Chairmen BISHOP, CONAWAY, and SHUSTER for their assistance with this critical bipartisan bill. Our national forests desperately need scientific management to become resilient again.

In the words of Roosevelt, I call on us to behave well, to treat our forest resources as assets that we will turn over to the next generation increased and not impaired in value.

I look forward to advancing this bill today and call on the Senate to act promptly to ease the burdens of the summer fire season.

The Acting CHAIR. The gentlewoman from Massachusetts is recognized for 15 minutes.

Ms. TSONGAS. Mr. Chairman, I yield myself such time as I may consume.

Our national forests are a public good that are tasked to provide multiple benefits to the American people. These include clean water, clean air, wildlife habitat, open space, as well as robust recreation and timber economies that provide jobs and partner with Federal land managers to improve forest health.

Everyone agrees that we must increase the pace of restoration work to limit the impacts of catastrophic wildfires and to improve the long-term health of our forests.

H.R. 2647 does contain some new thinking and potentially useful concepts that, if done right, could help the Forest Service achieve its long-term goal of healthy, sustainable forests.

For example, the bill provides incentives for collaboration, which has been identified as a priority by witnesses from both sides of the aisle.

It also proposes some creative ways to finance forest restoration projects developed through collaboration.

H.R. 2647 also offers a potential solution to the devastating impact of fire borrowing, the practice of transferring funds away from forest restoration projects for use in fighting wildfires.

Throughout the debate over forest policy and this particular bill, Democrats, including myself, have urged the majority to deal with how we pay for the largest and most catastrophic wildfires, which represent only 1 percent of wildfires, but consume 30 percent of the entire agency's firefighting budget.

I am glad that the majority acknowledges the urgent need to address the fact that over 50 percent of the Forest Service budget goes to fighting wildfires, squeezing out funds needed for all other critical Forest Service programs, most especially those that focus on forest health.

However, these helpful provisions do not offset the many serious concerns that I still have with this legislation, which was developed without any input from Natural Resources Committee Democrats.

In fact, when the Federal Lands Subcommittee held its hearing, the bill was still in draft form. This process even left the Forest Service without the opportunity to provide adequate or meaningful testimony.

Instead of working together on a bipartisan basis to improve the health of

our national forests, about which we all care, this bill irresponsibly chips away at the environmental safeguards of the National Environmental Policy Act and places tremendous burdens on American citizens seeking to participate in the public review process of Forest Service projects.

For example, H.R. 2647 would "categorically exclude" or exempt a wide range of timber and restoration projects from critical environmental analysis and public review. This means that thousands of acres of sensitive ecosystems would be much more vulnerable to degradation and damage.

The changes to the judicial review process raise serious constitutional concerns, eroding some of the bedrock principles of the American legal system that protect the basic rights of citizens to participate in the Federal decisionmaking process and to hold their government accountable.

If this legislation were to become law, a citizen challenging a Federal decision would be required to post a bond equal to the government's cost, expenses, and attorneys' fees.

If plaintiffs lose, the government is paid out of that bond. But if plaintiffs win—and by win, I mean a court has to rule in favor of plaintiffs on all causes of action—plaintiffs simply have their bond returned and are precluded from getting an award of attorneys' fees.

As our colleagues on the Judiciary Committee can attest, this provision flies directly in the face of American legal precedent.

Public lands, including our national forests, belong to all Americans. They are a public good. Bedrock environmental laws, like the National Environmental Policy Act, makes sure that the public voice is heard and that critical habitats are protected not only for species that rely on our national forests and grasslands, but also for American citizens who depend on these lands for their drinking water and economic livelihoods or simply to enjoy their treasured beauty.

I urge my colleagues to vote "no" on this legislation, and I reserve the balance of my time.

Mr. BISHOP of Utah. I reserve the balance of my time.

Ms. TSONGAS. Mr. Chair, I yield 3 minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. I thank the gentlewoman for yielding.

Mr. Chair, I have been working on forest policy for my entire tenure in Congress. I have some of the most productive and fabulous forest lands in the entire Federal system, both Forest Service and BLM lands, under a unique O&C management.

But here we are again headed into a very, very potentially bad fire season, June record heat, no precipitation. We had very little snowpack last winter, and the heavy fuels are already as dry as they get.

We have seen this before. The fires will break out. BLM and Forest Service can't stop fighting the fires. So they will borrow from other accounts, including fuel reduction to protect forest values and communities, forest health, and a myriad of other programs.

This happens year after year after year. It is time to end that, and this bill takes that first step in ending that practice of fire borrowing.

And that is of tremendous benefit to the resource agencies, the resources themselves, and our preparedness and capability of fighting fires. That alone gives this bill tremendous merit.

It deals with some other long-standing issues in Oregon. We adopted something called temporary eastside screens back in 1993, I believe, saying you couldn't cut any tree over 21 inches in diameter.

It makes no biological sense, and it makes no sense to the premier forest scientists in the world, Jerry Franklin and Norm Johnson.

You have nonnative fir trees that are growing there, because of repression of fire for the last 100 years, that are 100 years old. They are over 21 inches.

But they are growing in stands of ponderosas that are 200 years old, and they are going to kill the ponderosa stands, the native trees.

But the Forest Service can't go in and deal with that issue. With this legislation they finally can.

On our unique O&C lands, there is a provision of the Northwest Forest Plan called Survey and Manage, literally crawling around on the forest floor, looking for slugs, snails, calling for owls, and doing all these things 3 years in a row.

This, again, is not necessary, according to the premier scientists, and is incredibly expensive and time-consuming on the part of the Bureau of Land Management.

In fact, the Bureau of Land Management's new plans—each plan, no matter what the output level, would do away with that practice. So this bill does away with that practice, saving the BLM resources and moving ahead with better management.

There are a number of other issues that relate to these O&C lands. I want to thank Chairman BISHOP and Chairman MCCLINTOCK for working with myself, Mr. SCHRADER, and Mr. WALDEN in order to address these issues, extending the comment period, developing new management options.

BLM is refusing, despite the Oregon Delegation's bipartisan request to extend the comment period on these critical management plans. So that itself is also great merit.

There are provisions in the bill that I don't like and don't support.

We will be given an opportunity with the Polis amendment to deal with the bonding issue and the cost recovery issue, which I don't think belongs in this bill.

I have concerns about the magnitude of the CEs for fire recovery and salvage. But, on balance, the other parts of this bill are important to the point where the bill should receive support from people that care about the future of our forests.

Mr. Chair, I have been working on forestry issues for a long time—nearly 30 years. I represent a district with some of the most productive public timberlands in the entire world. I also represent a district that cares deeply—passionately—about the environment and our incredible national forests.

For 30 years I have been trying to find a middle ground on national forest policy—a balanced approach. I believe that having a healthy timber industry, good paying jobs in rural communities, and permanent protection for our nation's most iconic resources—like old growth trees and pristine rivers—are not and should not be mutually exclusive.

Do I think the bill before the House today is a perfect bill? Absolutely not. But when you are working on a contentious, complex, and often emotional issue like national forest policy—there is no such thing as a “perfect bill.”

The truth is our national forests are burning up at an alarming rate. They are dying from disease and bugs. Our land management agencies don't have the financial resources or tools to deal with existing threats let alone emerging threats, like climate change. The Federal Government spends billions of dollars every year to fight fires on public lands, rather than investing those dollars in forest health and resiliency to reduce wildfire risks.

Our rural and forested communities continue to suffer from double digit unemployment. Even the mills that have retrofitted to process small diameter logs are struggling to make it. And rural counties dependent on timber receipts are failing to keep violent criminals in jail, sheriff deputies on our roads, and kids and teachers in the classroom.

So, again, no. I don't think this is a perfect bill. But, Congress needs to do something to change the status quo for our forests and rural communities. We need to have this conversation and work together to find middle ground.

#### WILDFIRE FUNDING

And there are some good provisions in this bill. One of the most important provisions attempts to end “fire borrowing”—a top priority of mine when I was Ranking Member of the Natural Resources Committee and a remaining priority of mine as Ranking Member of the Transportation and Infrastructure Committee that has jurisdiction over FEMA.

Right now, when federal land managers exhaust congressionally appropriated dollars to fight fires, the agencies have to borrow money from other accounts. Often times those accounts fund the very activities—like thinning overstocked plantations, reducing hazardous fuels, or completing work in the Wildland Urban Interface—that can actually help reduce the risk of catastrophic wildfires! That's a terrible way to do business.

Catastrophic wildfires should be treated like other natural disasters and we should stop robbing Peter to pay Paul. The wildfire funding language in this bill—while not perfect—moves us in the right direction.

#### EASTSIDE SCREENS

This bill also includes provisions that will improve forest management in the Pacific Northwest. The bill would remove the unscientific and arbitrary “Eastside Screens” that prohibit the Forest Service from cutting any tree in Eastern Oregon and Eastern Washington that is larger than 21 inches in diameter.

Supporters of the Eastside Screens forget that the 21 inch rule was intended to provide interim protection for larger, older trees until scientifically based standards for old growth were established. Well, guess what? After more than two decades those standards have still not been established, handcuffing the Forest Service from carrying out common sense forest projects.

Today, even if there is a non-native, 22-inch diameter Douglas fir tree that is outcompeting and putting at risk a native, 200 year-old stand of ponderosa pine, you can't cut that fir. That would violate the Eastside Screens.

That doesn't make any sense. Yes, we need protection for old growth forests and I was the first to pass permanent, legislative protection for old growth in Western Oregon out of the House last year. But, those protections should be scientific and implementable.

#### O&C LANDS

The same goes for standards established more than 20 years ago, known as Survey and Manage, that literally has land management personnel on their hands and knees on the forest floor looking for liverworts, fungi, slugs, snails, mosses, and 300 other types of flora and fauna before any forest activity can take place. I am all for robust analysis and considering the impacts of human activity on rare and special species. But we also need to be responsible stewards of taxpayer dollars and aware of the consequences of over-analysis, lengthy delays, and not taking action.

The Bureau of Land Management (BLM) agrees with me. That's why all of the Resource Management Plan alternatives for Western Oregon would eliminate Survey and Manage.

Unfortunately, the BLM still has some work to do on the Resource Management Plans for the statutorily unique O&C Lands. Despite requests from most of the Oregon Congressional Delegation to extend the public comment period to analyze thousands of pages of documentation for the alternatives, the BLM decided not to award an extension.

I want to thank Chairman BISHOP and Chairman MCCLINTOCK for working with me, Rep. WALDEN, and Rep. SCHRADER to include language that would direct the BLM to consider additional alternatives for the O&C Lands—ranging from a sustained yield alternative to a carbon storage alternative—and to extend the public comment period by 180 days. These Resource Management Plans will govern management on the O&C Lands for years to come—perhaps decades—and we must get them right. Taking time to analyze new alternatives and giving the public more time to review and comment is absolutely crucial.

I also want to thank the respective Chairmen for incorporating the Public Domain lands within the O&C land base. These lands in Western Oregon are already managed in the same manner. Reclassifying the Public Domain lands as O&C Lands will improve man-

agement efficiency, provide clarity to the BLM, and create additional revenues for the O&C Counties.

But, as I mentioned, this bill isn't perfect. In fact, it includes a number of troubling provisions that should be completely eliminated or substantially modified before being signed into law.

#### PROVISIONS OF CONCERN

For example, the bill would allow categorical exclusions (CEs) for salvage logging projects up to 5,000 acres in size. That's 20 times larger than the current 250-acre size limitation for salvage logging CEs adopted by the Bush Administration. Unfortunately, the Committee adopted an amendment during markup that eliminated key restrictions on the construction of temporary roads within the salvage project area. These provisions are a non-starter.

The bill allows CEs for projects intended to create early successional habitat. I worked with the pre-eminent scientists in the world on pilot projects in Oregon with similar management goals. But for these projects to work and for there to be social buy-in, there need to be strong sideboards for such projects, like green tree retention requirements and old growth protection.

Language has been added that could exempt the application of herbicides from a full environmental impact statement when used to “improve, remove, or reduce the risk of wildfire.” I understand the Forest Service uses herbicides in limited circumstances to address noxious weeds and other threats through manual application. But such application should remain extremely limited, publicly transparent, and restricted to manual application instead of aerial application. There should be no ambiguity in this language and its intent, nor should it expand herbicide application on public lands.

This bill would make it harder for a person with a legitimate grievance against a federal land management agency to sue by requiring that person to post a bond covering the anticipated costs, expenses, and attorneys' fees of the government to defend the lawsuit. I understand you want to limit frivolous lawsuits or lawsuits from parties that don't meaningfully engage in the public process. But this isn't the way to do it. I will be voting for an amendment later today to strike the entire section.

Mr. Chair, this bill has some important, balanced provisions. It also has some controversial, unnecessary provisions. We know that this bill, in its current form, will not be signed by the president. But I want to keep this conversation moving forward and I want to work with my colleagues on both sides of the aisle, House and Senate, to do something meaningful for our rural communities and national forests. I will support this bill today with the understanding that this legislation still needs work, significant improvement, and further compromise.

Mr. BISHOP of Utah. Mr. Chair, I am pleased to yield 2 minutes to the gentleman from California (Mr. MCCLINTOCK), the chairman of the Subcommittee on Federal Lands, who has helped shepherd this bill through the committee process.

Mr. MCCLINTOCK. I thank the gentleman for yielding.

Mr. Chairman, excess timber comes out of the forest one way or another. It

is either carried out or its burned out, but it comes out.

Years ago, when we carried it out, we had healthy forests and a thriving economy. We managed our national forests according to well-established and time-tested forest management practices that prevented vegetation and wildlife from overgrowing the ability of the land to support it.

Revenues from the sale of excess timber provided for prosperous local economies and a steady stream of revenues to the Treasury which could, in turn, be used to further improve the public lands.

But 40 years ago, in the name of saving the environment, we consigned our national forests to a policy of benign neglect. And the results are all around us today, not only the impoverished mountain communities, but an utterly devastated environment.

□ 1615

Our forests are now dangerously overgrown. Trees that once had room to grow and thrive now fight for their lives in competition with other trees from the same ground. In this distressed condition, they fall victim to pestilence, disease, and catastrophic wildfire. My goodness, we can't even salvage dead timber anymore.

This legislation is the first step back towards sound, scientific management of our national forests. It streamlines fire and disease prevention programs. It expedites restoration of fire-damaged lands. It protects forest managers from frivolous lawsuits, and it does so without requiring new regulations, rules, planning, or mapping.

Mr. Chairman, the management of our public lands is the responsibility of Congress. The bromides of the environmental left have proven disastrous to the health of our forests, the preservation of our wildlife, and the welfare of our mountain communities.

This bill begins to reverse that damage and to usher in a new era of healthy and resilient forests and an economic renaissance for our mountain towns.

Ms. TSONGAS. I yield 4 minutes to my colleague from Arizona (Mr. GRIJALVA).

Mr. GRIJALVA. Mr. Chairman, I rise in opposition to H.R. 2647, the so-called Resilient Federal Forests Act of 2015.

Before I address the many concerns with the underlying bill, I must commend my colleagues on the other side of the aisle. They have finally taken a step toward addressing the 600-pound gorilla, that is, the enormous cost and impact of fire borrowing under the Forest Service budget.

I offered an amendment at a committee markup that would have required Congress to address the issue of fire borrowing before this bill could take effect, and we have been calling on House Republicans to address the

issue for years. My amendment was rejected, but I am glad it encouraged the sponsors of this legislation to address the cost of wildfires.

The newly added title IX is not a perfect solution, however. By amending the Stafford Act to include wildfires under the definition of natural disasters, this section creates a mechanism to address the very disastrous practice of fire borrowing.

There is a small hitch, nevertheless. Congress would still have to fund this new disaster relief fund, similar to the process for funding recovery from Superstorm Sandy, which did not go smoothly, to say the least. While this might be a positive step, it does not make H.R. 2647 a good bill.

With regard to title IX, the additional disaster relief fund, hopefully the majority will not rob Peter to pay Paul within the Forest budget in order to fund this disaster relief fund or leave title IX just as an empty hollow and useless gesture that never gets funded.

In the name of forest resiliency and health, H.R. 2647 undermines the NEPA process, discourages collaboration, distorts the intent of the Secure Rural Schools program, creates an extraordinary burden on citizens' access to the courts, and transforms the judicial review process.

This bill, quite frankly, is not about forest health. It is about increasing the numbers of trees removed from the forest.

The White House just communicated its strenuous opposition to H.R. 2647, and let me quote from that communication:

The administration strongly opposes H.R. 2647. The most important step Congress can take to increase the pace and scale of forest restoration and management of our national forests and the Department of the Interior lands is to fix the fire suppression funding and provide additional capacity for the Forest Service and Department of the Interior to manage the Nation's forests and other public lands. H.R. 2647 falls short of fixing the fire budget problem and contains other provisions that will undermine collaborative forest restoration, environmental safeguards, and public participation across the National Forest System and public lands.

Categorical inclusions that are part of title I are not the product of thoughtful consideration of the legislation. Instead, they pave the way for up to 8 square miles of clear cuts of old-growth trees with little or no environmental review.

Title II reduces to 3 months the time for environmental assessments and environmental impact statements for reforestation or salvage operations following a large-scale fire. The Forest Service testified that this time limit is unrealistic, encouraging snap judgments that can have horrible long-term consequences.

Title III strips away access to the courts that other speakers will speak

to as well. You know, think about the group that would dominate the collaborative decisionmaking without any judicial review.

The bill also eliminates the Equal Access to Justice Act for successful litigants and forces them to do a prebond, a one-sided bond requirement to limit, if not eliminate, citizen activism and public participation in a problem that they can help solve rather looking at this as a threat.

I urge a "no" vote on the legislation.

Mr. BISHOP of Utah. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. THOMPSON of Pennsylvania) having assumed the chair, Mr. HULTGREN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2647) to expedite under the National Environmental Policy Act and improve forest management activities in units of the National Forest System derived from the public domain, on public lands under the jurisdiction of the Bureau of Land Management, and on tribal lands to return resilience to overgrown, fire-prone forested lands, and for other purposes, had come to no resolution thereon.

#### REPORT ON H.R. 2995, FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2016

Mr. CRENSHAW, from the Committee on Appropriations, submitted a privileged report (Rept. No. 114-194) on the bill making appropriations for financial services and general government for the fiscal year ending September 30, 2016, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

#### RESILIENT FEDERAL FORESTS ACT OF 2015

The SPEAKER pro tempore. Pursuant to House Resolution 347 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2647.

Will the gentleman from Illinois (Mr. HULTGREN) kindly resume the chair.

□ 1622

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2647) to expedite under the National Environmental Policy Act and improve

forest management activities in units of the National Forest System derived from the public domain, on public lands under the jurisdiction of the Bureau of Land Management, and on tribal lands to return resilience to overgrown, fire-prone forested lands, and for other purposes, with Mr. HULTGREN (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, 12½ minutes remained in general debate.

The gentleman from Utah (Mr. BISHOP) has 9 minutes remaining, and the gentlewoman from Massachusetts (Ms. TSONGAS) has 3½ minutes remaining.

The Chair recognizes the gentleman from Utah.

Mr. BISHOP of Utah. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado (Mr. TIPTON), a former member of our committee, but someone whose district clearly knows the significance and impact of forestlands and how they should be maintained.

Mr. TIPTON. Mr. Chairman, the challenge that we face in the West is very obvious. Overgrown forests, bark beetle devastation, threat to our watersheds, threat to habitat, threat to public property that sensible people have long called for a solution to be able to have rendered.

I would like to be able to applaud the hard work of Chairman BISHOP, the committee, and particularly the gentleman from Arkansas (Mr. WESTERMAN) in putting commonsense pieces of legislation forward in H.R. 2647, the Resilient Federal Forests Act.

The concept of being proactive rather than being reactive, putting the health of our forests, protection of our watersheds, habitat for wildlife, and saving private property while bringing some control back to our States and our communities is long overdue.

Forward-looking and innovative legislation like the Resilient Federal Forests Act speaks to the very heart of responsible forest management. This is a piece of legislation, which is long overdue. We have seen the impact in pilot projects of healthy forests, the opportunity to be able to get the forests again in a healthy state, creating abundant ground cover and forage for our animals and protecting those watersheds.

This is a commonsense piece of legislation that I would like to encourage my colleagues to be able to support.

Ms. TSONGAS. I yield 2½ minutes to my colleague from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Chairman, impartial justice and access to the courts is a right guaranteed to every citizen in this country.

Across the street from this Chamber, Lady Justice sits blindfolded on the steps of the Supreme Court so we can

all be reminded that justice should be blind. Today, we are debating yet another Republican bill restricting access to the courts to only those with deep pockets.

H.R. 2647 continues the alarming trend of Republican-sponsored legislation that proposes to limit the average American's access to the courts so polluters that line the pockets of politicians with campaign contributions can continue to profit.

H.R. 2647 requires that a citizen post a bond prior to challenging the United States Government's forest management activities. This bond must cover all the defendant's anticipated cost, expenses, and attorney's fees to be paid if the defendant prevails. In the rare occasion plaintiffs are successful, they will only be able to recover the amount posted in the bond and only if they win exactly on all counts. The government, however, does not have to cover any of the plaintiff's costs.

Requiring the posting of a bond that could be as costly as tens of thousands of dollars undermines citizen access to the courts when a party believes the government failed to follow the law.

The individual consumer, nonprofit organizations, small business, or public interest groups do not have the financial ability to challenge large corporations or, more often, the Federal Government which citizens believe is harming their communities or environment. By allowing citizens to recover their reasonable legal fees when they file suit and win in court, you encourage Americans to participate in public discourse and to hold the government accountable.

Rollbacks to judicial review and imposition of attorney's fees upon plaintiffs, along with legislative interference with key judicial powers contemplated in H.R. 2647, cripple the ability of those concerned with environmental protection to seek representation and redress in the courts.

I urge my colleagues to vote "no" on this bill.

Mr. BISHOP of Utah. Mr. Chair, I reserve the balance of my time.

Ms. TSONGAS. May I inquire as to how much time I have left?

The Acting CHAIR. The gentlewoman from Massachusetts has 1¼ minutes remaining.

Ms. TSONGAS. Mr. Chair, I want to close by reiterating that, instead of working together on a bipartisan basis to improve the health of our national forests, this bill irresponsibly chips away at the environmental safeguards of the National Environmental Policy Act and places tremendous burdens, as we have just heard, on American citizens seeking to participate in the public review process of Forest Service programs.

I am glad that the majority acknowledges the urgent need to address fire borrowing, but we still have concerns

with this proposal and it in no way offsets the many other serious problems with this legislation developed without any input from committee Democrats or meaningful testimony from the Forest Service.

I urge my colleagues to vote "no."

I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I yield myself the balance of my time.

I appreciate the opportunity to present this bill. I also thank all the many people who have worked from three different committees on this: Chairman SHUSTER of the Transportation and Infrastructure Committee, Chairman CONAWAY of the Agriculture Committee, as well as those who work on the Natural Resources Committee. I am very grateful for the Democrats, Mr. SCHRADER and Mr. DEFazio, who have spoken here already in defense of this bill, and for their help and assistance in this.

As the former Chief of the Forest Service said, we don't have a fire problem in our Nation's forests. We have a land management problem, and it needs to be addressed quickly. That is exactly what the Westerman bill does. It addresses that problem. The status quo, flat out, is not working.

The Forest Service has recommended or recognized that we have at least 58 million acres that are in dire need of assistance right now but can easily be burned in this next fire season.

□ 1630

That is bigger than my home State of Utah, which is still the 11th largest State in the Nation.

If you add the higher-end estimates, then you add more acreage into that, which means you would add the State of Utah and Michigan. One-third of the entire forests we have are in danger of being destroyed if we do not do something immediately.

The Forest Service right now can only address the problem in 3 million acres; 58 is the minimum. That simply means it would take them over 20 years to address the problem. That is more than my lifetime is left here to try and solve this problem.

I realize that I was probably born at a greater distance from the apocalypse than most of the people here; but at the same time, in my lifetime, you can't solve the problem if we keep on with the status quo. That is why this bill is essential, and that is why I appreciate all the speakers who have gone on today saying why this is the perfect first step.

What is so good about it is, as soon as the President signs this thing, the Forest Service can immediately implement everything. These are practices and processes that they have at their disposal. They are ready to move forward with it. All we have to do is give them the tools to immediately do that.

Now, we realize some of the issues that are there. Funding is a significant

issue. Funding alone will not solve our problem, but we have addressed that; and I appreciate, once again, Chairman SHUSTER and subcommittee Chairman BARLETTA, who have come up with—from the Transportation and Infrastructure Committee—come up with a good funding mechanism so that we can address that issue and move us forward.

That, by itself, does not solve our problems. We have a land management issue at the same time. We have a problem with litigation, which basically stops the efforts of the Forest Service to do their job in their tracks.

As soon as they become sued, they have to stop moving forward on their program; they have to spend money to defend themselves in a lawsuit, or they have to try and go through efforts to try and cover themselves so they don't get sued in the first place. It does not work.

We have heard a lot of comments about the inability of being able to sue, as a poor private citizen doesn't have the right to sue if we pass our bill. That is ridiculous.

This only deals with areas that have been collaboratively worked on—that means where citizens actually got together and came up with a plan of action on their forest and, as they move forward to that, some special interests groups with a whole lot of deep pockets on their side stops them in their tracks by a lawsuit.

Those are the kinds of groups that are going to have to put up the bond. Those are the kind of groups who can no longer say: We are going to sue you on 25 different issues. We realize only three of them are going to be realistic, but we want you to take the time and effort to spend your Federal moneys to try and defend all those 25.

What we are saying is: Look, if you are going to sue on something, sue on something that is realistic. Don't put the entire world on there, and make sure that you are willing to cede on those particular issues, in those particular areas.

We also have in title I in there that simply says: You can still sue, but you can't get an injunction to stop our work while we go through frivolous lawsuit after frivolous lawsuit.

In the last two administrations, not counting this one, but two prior administrations, we have over 11,000 lawsuits that took place simply to stop the Forest Service from going forward. That has to be addressed. It has to be addressed. The Forest Service recognizes that, and that is why former Forest Service employees—as well as the current ones—realize, if we don't have some kind of litigation reform, we will not solve our problems with forest health.

We also have to give them the tools so they can move quickly on what they need to do. Categorical exclusion is not

something that is evil; it is actually something that is essential to move forward. They recognize that they need that tool. That is why I said, as soon as this bill is signed by the President, they can implement what they already know to do.

What we are asking them is to do an environmental review, but you don't have to do review after review after review. If you have done the review the first time, it is sufficient, and they have the wisdom and the ability to do that. Will that destroy our forests? Heavens, no.

What this will do is have the potential of actually saving our forests, being able to allow the Federal forest land to be as resilient, to be as well managed as the State and tribal forest lands are because, in State and tribal forest lands, they don't have to deal with a lot of the issues that stop them from actually solving their problems, but we do on the Federal forest system, unless we move forward.

That is why I appreciate all those who have spoken so far on the need of moving forward on this particular bill. We are in the beginning of a fire season that could be catastrophic. We have witnessed the results of wildfires in the past. We need to do something now, and we have to move forward.

This is a bill that is common sense. It was wonderful to have our hearings, listening to the group of people who are experts in this area, being excited about the opportunity of having the tools the Forest Service needs to do their job, having the funding the Forest Service needs to do their job, and also have the protection from frivolous lawsuits the Forest Service needs to do their job. We must give our Forest Service personnel the tools they need to be successful.

If we don't pass this bill because we want something perfect from on high to come down—first, if we don't pass this bill, we are going to have a devastating situation coming in our forest lands and in our Nation this coming year.

This is an essential step forward. Is it perfect? No. There is a whole lot more that we need to do, and we will still look forward to those issues; we will move forward on these issues, but what this does is move us forward in a significant way.

Does this bill destroy our bedrock environmental laws? Of course not—the last time I heard people talking about bedrock was talking about Wilma and Fred and Barney. I am sorry; those laws didn't save their pet dinosaurs back in those days, either.

We are not going to change anything; we are not going to move forward; we are not going to destroy what we have gained in the past, but what we are going to do is allow the Forest Service to do their job, something they are stopped from doing now because of pro-

cedural practices, because of litigation, because of lack of funding. All three of those are addressed in this particular piece of legislation.

It is a great piece of legislation, and it needs to go forward. I urge everyone in here to realize how we must make steps to move forward and pass this bill and get it over to the Senate and onto the President's desk so our Forest Service can do their jobs.

Mr. Chairman, I yield back the balance of my time.

Mr. CARSON of Indiana. Mr. Chair, I rise to discuss Title IX of H.R. 2647, the "Resilient Federal Forests Act of 2015."

Each year, several hundred small wildfires occur within the State of Indiana. Most of these fires are extinguished by our local fire departments. While the Hoosier State does not experience the devastating effects of wildfires that the West does, I understand and support the need to ensure that wildfires on Federal lands are treated similar to other major disasters so that they have access to funds outside the discretionary budget caps. It is important that the Department of the Interior and the Forest Service, which manages the Hoosier National Forest in southern Indiana, have access to sufficient funding to suppress wildfires on Federal lands whenever they occur.

Earlier this year, the Committee held a hearing and received testimony that made clear that wildfire funding is an issue that needs to be addressed. As the Ranking Member of the Subcommittee on Economic Development, Public Buildings, and Emergency Management, which has jurisdiction over the Robert T. Stafford Act Disaster Relief and Emergency Assistance Act (Stafford Act), I think it is appropriate to amend the Stafford Act to ensure similar treatment for wildfires on Federal lands.

Some may have concerns that amending the Stafford Act will afford the Department of the Interior and the Forest Service with access to programs and funds intended for other disasters. I agree that these agencies should not be eligible for other Stafford Act assistance programs nor should these agencies have access to funds provided to the Federal Emergency Management Agency for other types of major disasters. But I am confident that the Stafford Act may be amended to treat wildfires on Federal lands as a major disaster without affecting other programs and funding. It is simply a matter of establishing a dedicated funding stream specifically for wildfires on Federal lands to ensure that these agencies have access to funds outside the discretionary budget caps. It is my understanding that this is the intent of Title IX.

I appreciate Ranking Member DEFAZIO's interest and dedication to this issue. Moreover, I thank Chairman SHUSTER for trying to address this matter.

Mrs. McMORRIS RODGERS. Mr. Chair, I rise today to express support for the Resilient National Forests Act, and to thank Rep. BRUCE WESTERMAN of Arkansas for his work on this important issue.

Last summer my home state of Washington faced the largest wildfire in state history, burning hundreds of thousands of acres.



The amount of damage was unprecedented, but not entirely unexpected.

Decades of over-regulation and frivolous lawsuits have hindered forest management, and we've all paid the price.

In Eastern Washington, the Colville National Forest has been the economic engine for Ferry, Stevens, and Pend Oreille counties—providing jobs, energy, and recreational opportunities. Yet, mills have closed, jobs lost, and of the 945,410 million acres in the Colville National Forest, more than 300,000 are bug infested. This is unacceptable.

Currently, between one-quarter and one-third of all acres of national forest are at risk of catastrophic wildfire and only 2–3 percent are being treated each year. Dead, diseased, and ready-to-ignite timber is just sitting there, rotting away while the U.S. Forest Service and affected communities are powerless to remove it.

As we speak, there are fires burning across the Northwest—in Eastern Washington near my hometown in Stevens County, in the Blue Mountains in Asotin County, and nearby in Central Washington and Northern Idaho.

We have a responsibility to enact legislation that ensures wildfire fighting is properly funded and reduces the risk of future fires.

The Resilient National Forests Act is bipartisan, collaborative, and will produce the best possible outcome for all involved parties.

With this legislation, the Forest Service will have the tools they need to quickly remove dead trees and to effectively manage the forests in Eastern Washington, and across the country.

Mr. Chair, I ask this body join me in voting to keep our promise and preserve America's great resources for generations to come and call for the Senate to follow suit.

The Acting CHAIR. All time for general debate has expired.

In lieu of the amendments in the nature of a substitute recommended by the Committee on Agriculture and the Committee on Natural Resources, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–21, modified by the amendment printed in part B of House Report 114–192. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 2647

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Resilient Federal Forests Act of 2015”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

#### TITLE I—EXPEDITED ENVIRONMENTAL ANALYSIS AND AVAILABILITY OF CATEGORICAL EXCLUSIONS TO EXPEDITE FOREST MANAGEMENT ACTIVITIES

Sec. 101. Analysis of only two alternatives (action versus no action) in proposed collaborative forest management activities.

Sec. 102. Categorical exclusion to expedite certain critical response actions.

Sec. 103. Categorical exclusion to expedite salvage operations in response to catastrophic events.

Sec. 104. Categorical exclusion to meet forest plan goals for early successional forests.

Sec. 105. Clarification of existing categorical exclusion authority related to insect and disease infestation.

Sec. 106. Categorical exclusion to improve, restore, and reduce the risk of wildfire.

Sec. 107. Compliance with forest plan.

#### TITLE II—SALVAGE AND REFORESTATION IN RESPONSE TO CATASTROPHIC EVENTS

Sec. 201. Expedited salvage operations and reforestation activities following large-scale catastrophic events.

Sec. 202. Compliance with forest plan.

Sec. 203. Prohibition on restraining orders, preliminary injunctions, and injunctions pending appeal.

Sec. 204. Exclusion of certain lands.

#### TITLE III—COLLABORATIVE PROJECT LITIGATION REQUIREMENT

Sec. 301. Definitions.

Sec. 302. Bond requirement as part of legal challenge of certain forest management activities.

#### TITLE IV—SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT AMENDMENTS

Sec. 401. Use of reserved funds for title II projects on Federal land and certain non-Federal land.

Sec. 402. Resource advisory committees.

Sec. 403. Program for title II self-sustaining resource advisory committee projects.

Sec. 404. Additional authorized use of reserved funds for title III county projects.

#### TITLE V—STEWARDSHIP END RESULT CONTRACTING

Sec. 501. Cancellation ceilings for stewardship end result contracting projects.

Sec. 502. Excess offset value.

Sec. 503. Payment of portion of stewardship project revenues to county in which stewardship project occurs.

Sec. 504. Submission of existing annual report.

#### TITLE VI—ADDITIONAL FUNDING SOURCES FOR FOREST MANAGEMENT ACTIVITIES

Sec. 601. Definitions.

Sec. 602. Availability of stewardship project revenues and Collaborative Forest Landscape Restoration Fund to cover forest management activity planning costs.

Sec. 603. State-supported planning of forest management activities.

#### TITLE VII—TRIBAL FORESTRY PARTICIPATION AND PROTECTION

Sec. 701. Protection of tribal forest assets through use of stewardship end result contracting and other authorities.

Sec. 702. Management of Indian forest land authorized to include related National Forest System lands and public lands.

#### TITLE VIII—MISCELLANEOUS FOREST MANAGEMENT PROVISIONS

Sec. 801. Balancing short- and long-term effects of forest management activities in considering injunctive relief.

Sec. 802. Conditions on Forest Service road decommissioning.

Sec. 803. Prohibition on application of Eastside Screens requirements on National Forest System lands.

Sec. 804. Use of site-specific forest plan amendments for certain projects and activities.

Sec. 805. Knutson-Vandenberg Act modifications.

Sec. 806. Exclusion of certain National Forest System lands and public lands.

#### TITLE IX—MAJOR DISASTER FOR WILDFIRE ON FEDERAL LAND

Sec. 901. Wildfire on Federal lands.

Sec. 902. Declaration of a major disaster for wildfire on Federal lands.

Sec. 903. Prohibition on transfers.

#### SEC. 2. DEFINITIONS.

In titles I through VIII:

(1) **CATASTROPHIC EVENT.**—The term “catastrophic event” means any natural disaster (such as hurricane, tornado, windstorm, snow or ice storm, rain storm, high water, wind-driven water, tidal wave, earthquake, volcanic eruption, landslide, mudslide, drought, or insect or disease outbreak) or any fire, flood, or explosion, regardless of cause.

(2) **CATEGORICAL EXCLUSION.**—The term “categorical exclusion” refers to an exception to the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.) for a project or activity relating to the management of National Forest System lands or public lands.

(3) **COLLABORATIVE PROCESS.**—The term “collaborative process” refers to a process relating to the management of National Forest System lands or public lands by which a project or activity is developed and implemented by the Secretary concerned through collaboration with interested persons, as described in section 603(b)(1)(C) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591b(b)(1)(C)).

(4) **COMMUNITY WILDFIRE PROTECTION PLAN.**—The term “community wildfire protection plan” has the meaning given that term in section 101(3) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511(3)).

(5) **COOS BAY WAGON ROAD GRANT LANDS.**—The term “Coos Bay Wagon Road Grant lands” means the lands reconveyed to the United States pursuant to the first section of the Act of February 26, 1919 (40 Stat. 1179).

(6) **FOREST MANAGEMENT ACTIVITY.**—The term “forest management activity” means a project or activity carried out by the Secretary concerned on National Forest System lands or public lands in concert with the forest plan covering the lands.

(7) **FOREST PLAN.**—The term “forest plan” means—

(A) a land use plan prepared by the Bureau of Land Management for public lands pursuant to section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712); or

(B) a land and resource management plan prepared by the Forest Service for a unit of the National Forest System pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604).

(8) **LARGE-SCALE CATASTROPHIC EVENT.**—The term “large-scale catastrophic event” means a catastrophic event that adversely impacts at least 5,000 acres of reasonably contiguous National Forest System lands or public lands.

(9) **NATIONAL FOREST SYSTEM.**—The term “National Forest System” has the meaning given that term in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)).

(10) **OREGON AND CALIFORNIA RAILROAD GRANT LANDS.**—The term “Oregon and California Railroad Grant lands” means the following lands:

(A) All lands in the State of Oregon revested in the United States under the Act of June 9,



1916 (39 Stat. 218), that are administered by the Secretary of the Interior, acting through the Bureau of Land Management, pursuant to the first section of the Act of August 28, 1937 (43 U.S.C. 1181a).

(B) All lands in that State obtained by the Secretary of the Interior pursuant to the land exchanges authorized and directed by section 2 of the Act of June 24, 1954 (43 U.S.C. 1181h).

(C) All lands in that State acquired by the United States at any time and made subject to the provisions of title II of the Act of August 28, 1937 (43 U.S.C. 1181f).

(11) **PUBLIC LANDS.**—The term “public lands” has the meaning given that term in section 103(e) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702(e)), except that the term includes Coos Bay Wagon Road Grant lands and Oregon and California Railroad Grant lands.

(12) **REFORESTATION ACTIVITY.**—The term “reforestation activity” means a project or activity carried out by the Secretary concerned whose primary purpose is the reforestation of impacted lands following a large-scale catastrophic event. The term includes planting, evaluating and enhancing natural regeneration, clearing competing vegetation, and other activities related to reestablishment of forest species on the fire-impacted lands.

(13) **RESOURCE ADVISORY COMMITTEE.**—The term “resource advisory committee” has the meaning given that term in section 201(3) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7121(3)).

(14) **SALVAGE OPERATION.**—The term “salvage operation” means a forest management activity undertaken in response to a catastrophic event whose primary purpose—

(A) is to prevent wildfire as a result of the catastrophic event, or, if the catastrophic event was wildfire, to prevent a re-burn of the fire-impacted area;

(B) is to provide an opportunity for utilization of forest materials damaged as a result of the catastrophic event; or

(C) is to provide a funding source for reforestation and other restoration activities for the National Forest System lands or public lands impacted by the catastrophic event.

(15) **SECRETARY CONCERNED.**—The term “Secretary concerned” means—

(A) the Secretary of Agriculture, with respect to National Forest System lands; and

(B) the Secretary of the Interior, with respect to public lands.

## **TITLE I—EXPEDITED ENVIRONMENTAL ANALYSIS AND AVAILABILITY OF CATEGORICAL EXCLUSIONS TO EXPEDITE FOREST MANAGEMENT ACTIVITIES**

### **SEC. 101. ANALYSIS OF ONLY TWO ALTERNATIVES (ACTION VERSUS NO ACTION) IN PROPOSED COLLABORATIVE FOREST MANAGEMENT ACTIVITIES.**

(a) **APPLICATION TO CERTAIN ENVIRONMENTAL ASSESSMENTS AND ENVIRONMENTAL IMPACT STATEMENTS.**—This section shall apply whenever the Secretary concerned prepares an environmental assessment or an environmental impact statement pursuant to section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)) for a forest management activity that—

(1) is developed through a collaborative process;

(2) is proposed by a resource advisory committee; or

(3) is covered by a community wildfire protection plan.

(b) **CONSIDERATION OF ALTERNATIVES.**—In an environmental assessment or environmental impact statement described in subsection (a), the Secretary concerned shall study, develop, and describe only the following two alternatives:

(1) The forest management activity, as proposed pursuant to paragraph (1), (2), or (3) of subsection (a).

(2) The alternative of no action.

(c) **ELEMENTS OF NON-ACTION ALTERNATIVE.**—In the case of the alternative of no action, the Secretary concerned shall evaluate—

(1) the effect of no action on—

(A) forest health;

(B) habitat diversity;

(C) wildfire potential; and

(D) insect and disease potential; and

(2) the implications of a resulting decline in forest health, loss of habitat diversity, wildfire, or insect or disease infestation, given fire and insect and disease historic cycles, on—

(A) domestic water costs;

(B) wildlife habitat loss; and

(C) other economic and social factors.

### **SEC. 102. CATEGORICAL EXCLUSION TO EXPEDITE CERTAIN CRITICAL RESPONSE ACTIONS.**

(a) **AVAILABILITY OF CATEGORICAL EXCLUSION.**—A categorical exclusion is available to the Secretary concerned to develop and carry out a forest management activity on National Forest System lands or public lands when the primary purpose of the forest management activity is—

(1) to address an insect or disease infestation;

(2) to reduce hazardous fuel loads;

(3) to protect a municipal water source;

(4) to maintain, enhance, or modify critical habitat to protect it from catastrophic disturbances;

(5) to increase water yield; or

(6) any combination of the purposes specified in paragraphs (1) through (5).

(b) **ACREAGE LIMITATIONS.**—

(1) **IN GENERAL.**—Except in the case of a forest management activity described in paragraph (2), a forest management activity covered by the categorical exclusion granted by subsection (a) may not contain harvest units exceeding a total of 5,000 acres.

(2) **LARGER AREAS AUTHORIZED.**—A forest management activity covered by the categorical exclusion granted by subsection (a) may not contain harvest units exceeding a total of 15,000 acres if the forest management activity—

(A) is developed through a collaborative process;

(B) is proposed by a resource advisory committee; or

(C) is covered by a community wildfire protection plan.

### **SEC. 103. CATEGORICAL EXCLUSION TO EXPEDITE SALVAGE OPERATIONS IN RESPONSE TO CATASTROPHIC EVENTS.**

(a) **AVAILABILITY OF CATEGORICAL EXCLUSION.**—A categorical exclusion is available to the Secretary concerned to develop and carry out a salvage operation as part of the restoration of National Forest System lands or public lands following a catastrophic event.

(b) **ACREAGE LIMITATIONS.**—

(1) **IN GENERAL.**—A salvage operation covered by the categorical exclusion granted by subsection (a) may not contain harvest units exceeding a total of 5,000 acres.

(2) **HARVEST AREA.**—In addition to the limitation imposed by paragraph (1), the harvest units covered by the categorical exclusion granted by subsection (a) may not exceed one-third of the area impacted by the catastrophic event.

(c) **ADDITIONAL REQUIREMENTS.**—

(1) **ROAD BUILDING.**—A salvage operation covered by the categorical exclusion granted by subsection (a) may not include any new permanent roads. Temporary roads constructed as part of the salvage operation shall be retired before the end of the fifth fiscal year beginning after the completion of the salvage operation.

(2) **STREAM BUFFERS.**—A salvage operation covered by the categorical exclusion granted by

subsection (a) shall comply with the standards and guidelines for stream buffers contained in the applicable forest plan unless waived by the Regional Forester, in the case of National Forest System lands, or the State Director of the Bureau of Land Management, in the case of public lands.

(3) **REFORESTATION PLAN.**—A reforestation plan shall be developed under section 3 of the Act of June 9, 1930 (commonly known as the Knutson-Vandenberg Act; 16 U.S.C. 576b), as part of a salvage operation covered by the categorical exclusion granted by subsection (a).

### **SEC. 104. CATEGORICAL EXCLUSION TO MEET FOREST PLAN GOALS FOR EARLY SUCCESSIONAL FORESTS.**

(a) **AVAILABILITY OF CATEGORICAL EXCLUSION.**—A categorical exclusion is available to the Secretary concerned to develop and carry out a forest management activity on National Forest System lands or public lands when the primary purpose of the forest management activity is to modify, improve, enhance, or create early successional forests for wildlife habitat improvement and other purposes, consistent with the applicable forest plan.

(b) **PROJECT GOALS.**—To the maximum extent practicable, the Secretary concerned shall design a forest management activity under this section to meet early successional forest goals in such a manner so as to maximize production and regeneration of priority species, as identified in the forest plan and consistent with the capability of the activity site.

(c) **ACREAGE LIMITATIONS.**—A forest management activity covered by the categorical exclusion granted by subsection (a) may not contain harvest units exceeding a total of 5,000 acres.

### **SEC. 105. CLARIFICATION OF EXISTING CATEGORICAL EXCLUSION AUTHORITY RELATED TO INSECT AND DISEASE INFESTATION.**

Section 603(c)(2)(B) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591b(c)(2)(B)) is amended by striking “Fire Regime Groups I, II, or III” and inserting “Fire Regime I, Fire Regime II, Fire Regime III, or Fire Regime IV”.

### **SEC. 106. CATEGORICAL EXCLUSION TO IMPROVE, RESTORE, AND REDUCE THE RISK OF WILDFIRE.**

(a) **AVAILABILITY OF CATEGORICAL EXCLUSION.**—A categorical exclusion is available to the Secretary concerned to carry out a forest management activity described in subsection (c) on National Forest System Lands or public lands when the primary purpose of the activity is to improve, restore, or reduce the risk of wildfire on those lands.

(b) **ACREAGE LIMITATIONS.**—A forest management activity covered by the categorical exclusion granted by subsection (a) may not exceed 5,000 acres.

(c) **AUTHORIZED ACTIVITIES.**—The following activities may be carried out using a categorical exclusion granted by subsection (a):

(1) Removal of juniper trees, medusahead rye, conifer trees, piñon pine trees, cheatgrass, and other noxious or invasive weeds specified on Federal or State noxious weeds lists through late-season livestock grazing, targeted livestock grazing, prescribed burns, and mechanical treatments.

(2) Performance of hazardous fuels management.

(3) Creation of fuel and fire breaks.

(4) Modification of existing fences in order to distribute livestock and help improve wildlife habitat.

(5) Installation of erosion control devices.

(6) Construction of new and maintenance of permanent infrastructure, including stock ponds, water catchments, and water spring boxes used to benefit livestock and improve wildlife habitat.

(7) Performance of soil treatments, native and non-native seeding, and planting of and transplanting sagebrush, grass, forb, shrub, and other species.

(8) Use of herbicides, so long as the Secretary concerned determines that the activity is otherwise conducted consistently with agency procedures, including any forest plan applicable to the area covered by the activity.

(d) DEFINITIONS.—In this section:

(1) HAZARDOUS FUELS MANAGEMENT.—The term “hazardous fuels management” means any vegetation management activities that reduce the risk of wildfire.

(2) LATE-SEASON GRAZING.—The term “late-season grazing” means grazing activities that occur after both the invasive species and native perennial species have completed their current-year annual growth cycle until new plant growth begins to appear in the following year.

(3) TARGETED LIVESTOCK GRAZING.—The term “targeted livestock grazing” means grazing used for purposes of hazardous fuel reduction.

#### SEC. 107. COMPLIANCE WITH FOREST PLAN.

A forest management activity covered by a categorical exclusion granted by this title shall be conducted in a manner consistent with the forest plan applicable to the National Forest System land or public lands covered by the forest management activity.

### TITLE II—SALVAGE AND REFORESTATION IN RESPONSE TO CATASTROPHIC EVENTS

#### SEC. 201. EXPEDITED SALVAGE OPERATIONS AND REFORESTATION ACTIVITIES FOLLOWING LARGE-SCALE CATASTROPHIC EVENTS.

(a) EXPEDITED ENVIRONMENTAL ASSESSMENT.—Notwithstanding any other provision of law, any environmental assessment prepared by the Secretary concerned pursuant to section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)) for a salvage operation or reforestation activity proposed to be conducted on National Forest System lands or public lands adversely impacted by a large-scale catastrophic event shall be completed within three months after the conclusion of the catastrophic event.

(b) EXPEDITED IMPLEMENTATION AND COMPLETION.—In the case of reforestation activities conducted on National Forest System lands or public lands adversely impacted by a large-scale catastrophic event, the Secretary concerned shall achieve reforestation of at least 75 percent of the impacted lands during the five-year period following the conclusion of the catastrophic event.

(c) AVAILABILITY OF KNUTSON-VANDENBERG FUNDS.—Amounts in the special fund established pursuant to section 3 of the Act of June 9, 1930 (commonly known as the Knutson-Vandenberg Act; 16 U.S.C. 576b) shall be available to the Secretary of Agriculture for reforestation activities authorized by this title.

(d) TIMELINE FOR PUBLIC INPUT PROCESS.—Notwithstanding any other provision of law, in the case of a salvage operation or reforestation activity proposed to be conducted on National Forest System lands or public lands adversely impacted by a large-scale catastrophic event, the Secretary concerned shall allow 30 days for public scoping and comment, 15 days for filing an objection, and 15 days for the agency response to the filing of an objection. Upon completion of this process and expiration of the period specified in subsection (a), the Secretary concerned shall implement the project immediately.

#### SEC. 202. COMPLIANCE WITH FOREST PLAN.

A salvage operation or reforestation activity authorized by this title shall be conducted in a manner consistent with the forest plan applicable to the National Forest System lands or public lands covered by the salvage operation or reforestation activity.

#### SEC. 203. PROHIBITION ON RESTRAINING ORDERS, PRELIMINARY INJUNCTIONS, AND INJUNCTIONS PENDING APPEAL.

No restraining order, preliminary injunction, or injunction pending appeal shall be issued by any court of the United States with respect to any decision to prepare or conduct a salvage operation or reforestation activity in response to a large-scale catastrophic event. Section 705 of title 5, United States Code, shall not apply to any challenge to the salvage operation or reforestation activity.

#### SEC. 204. EXCLUSION OF CERTAIN LANDS.

In applying this title, the Secretary concerned may not carry out salvage operations or reforestation activities on National Forest System lands or public lands—

(1) that are included in the National Wilderness Preservation System;

(2) that are located within an inventoried roadless area unless the reforestation activity is consistent with the forest plan; or

(3) on which timber harvesting for any purpose is prohibited by statute.

### TITLE III—COLLABORATIVE PROJECT LITIGATION REQUIREMENT

#### SEC. 301. DEFINITIONS.

In this title:

(1) COSTS.—The term “costs” refers to the fees and costs described in section 1920 of title 28, United States Code.

(2) EXPENSES.—The term “expenses” includes the expenditures incurred by the staff of the Secretary concerned in preparing for and responding to a legal challenge to a collaborative forest management activity and in participating in litigation that challenges the forest management activity, including such staff time as may be used to prepare the administrative record, exhibits, declarations, and affidavits in connection with the litigation.

#### SEC. 302. BOND REQUIREMENT AS PART OF LEGAL CHALLENGE OF CERTAIN FOREST MANAGEMENT ACTIVITIES.

(a) BOND REQUIRED.—In the case of a forest management activity developed through a collaborative process or proposed by a resource advisory committee, any plaintiff or plaintiffs challenging the forest management activity shall be required to post a bond or other security equal to the anticipated costs, expenses, and attorneys fees of the Secretary concerned as defendant, as reasonably estimated by the Secretary concerned. All proceedings in the action shall be stayed until the required bond or security is provided.

(b) RECOVERY OF LITIGATION COSTS, EXPENSES, AND ATTORNEYS FEES.—

(1) MOTION FOR PAYMENT.—If the Secretary concerned prevails in an action challenging a forest management activity described in subsection (a), the Secretary concerned shall submit to the court a motion for payment, from the bond or other security posted under subsection (a) in such action, of the reasonable costs, expenses, and attorneys fees incurred by the Secretary concerned.

(2) MAXIMUM AMOUNT RECOVERED.—The amount of costs, expenses, and attorneys fees recovered by the Secretary concerned under paragraph (1) as a result of prevailing in an action challenging the forest management activity may not exceed the amount of the bond or other security posted under subsection (a) in such action.

(3) RETURN OF REMAINDER.—Any funds remaining from the bond or other security posted under subsection (a) after the payment of costs, expenses, and attorneys fees under paragraph (1) shall be returned to the plaintiff or plaintiffs that posted the bond or security in the action.

(c) RETURN OF BOND TO PREVAILING PLAINTIFF.—

(1) IN GENERAL.—If the plaintiff ultimately prevails on the merits in every action brought by the plaintiff challenging a forest management activity described in subsection (a), the court shall return to the plaintiff any bond or security provided by the plaintiff under subsection (a), plus interest from the date the bond or security was provided.

(2) ULTIMATELY PREVAILS ON THE MERITS.—In this subsection, the phrase “ultimately prevails on the merits” means, in a final enforceable judgment on the merits, a court rules in favor of the plaintiff on every cause of action in every action brought by the plaintiff challenging the forest management activity.

(d) EFFECT OF SETTLEMENT.—If a challenge to a forest management activity described in subsection (a) for which a bond or other security was provided by the plaintiff under such subsection is resolved by settlement between the Secretary concerned and the plaintiff, the settlement agreement shall provide for sharing the costs, expenses, and attorneys fees incurred by the parties.

(e) LIMITATION ON CERTAIN PAYMENTS.—Notwithstanding section 1304 of title 31, United States Code, no award may be made under section 2412 of title 28, United States Code, and no amounts may be obligated or expended from the Claims and Judgment Fund of the United States Treasury to pay any fees or other expenses under such sections to any plaintiff related to an action challenging a forest management activity described in subsection (a).

### TITLE IV—SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT AMENDMENTS

#### SEC. 401. USE OF RESERVED FUNDS FOR TITLE II PROJECTS ON FEDERAL LAND AND CERTAIN NON-FEDERAL LAND.

(a) REPEAL OF MERCHANTABLE TIMBER CONTRACTING PILOT PROGRAM.—Section 204(e) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7124(e)) is amended by striking paragraph (3).

(b) REQUIREMENTS FOR PROJECT FUNDS.—Section 204 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7124) is amended by striking subsection (f) and inserting the following new subsection:

“(f) REQUIREMENTS FOR PROJECT FUNDS.—

“(1) IN GENERAL.—Subject to paragraph (2), the Secretary concerned shall ensure that at least 50 percent of the project funds reserved by a participating county under section 102(d) shall be available only for projects that—

“(A) include the sale of timber or other forest products, reduce fire risks, or improve water supplies; and

“(B) implement stewardship objectives that enhance forest ecosystems or restore and improve land health and water quality.

“(2) APPLICABILITY.—The requirement in paragraph (1) shall apply only to project funds reserved by a participating county whose boundaries include Federal land that the Secretary concerned determines has been subject to a timber or other forest products program within 5 fiscal years before the fiscal year in which the funds are reserved.”.

#### SEC. 402. RESOURCE ADVISORY COMMITTEES.

(a) RECOGNITION OF RESOURCE ADVISORY COMMITTEES.—Section 205(a)(4) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7125(a)(4)) is amended by striking “2012” each place it appears and inserting “2020”.

(b) TEMPORARY REDUCTION IN COMPOSITION OF COMMITTEES.—Section 205(d) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7125(d)) is amended—

(1) in paragraph (1), by striking “Each” and inserting “Except during the period specified in paragraph (6), each”; and

(2) by adding at the end the following new paragraph:

“(6) TEMPORARY REDUCTION IN MINIMUM NUMBER OF MEMBERS.—

“(A) TEMPORARY REDUCTION.—During the period beginning on the date of the enactment of this paragraph and ending on September 30, 2020, a resource advisory committee established under this section may be comprised of 9 or more members, of which—

“(i) at least 3 shall be representative of interests described in subparagraph (A) of paragraph (2);

“(ii) at least 3 shall be representative of interests described in subparagraph (B) of paragraph (2); and

“(iii) at least 3 shall be representative of interests described in subparagraph (C) of paragraph (2).

“(B) ADDITIONAL REQUIREMENTS.—In appointing members of a resource advisory committee from the 3 categories described in paragraph (2), as provided in subparagraph (A), the Secretary concerned shall ensure balanced and broad representation in each category. In the case of a vacancy on a resource advisory committee, the vacancy shall be filled within 90 days after the date on which the vacancy occurred. Appointments to a new resource advisory committee shall be made within 90 days after the date on which the decision to form the new resource advisory committee was made.

“(C) CHARTER.—A charter for a resource advisory committee with 15 members that was filed on or before the date of the enactment of this paragraph shall be considered to be filed for a resource advisory committee described in this paragraph. The charter of a resource advisory committee shall be reapproved before the expiration of the existing charter of the resource advisory committee. In the case of a new resource advisory committee, the charter of the resource advisory committee shall be approved within 90 days after the date on which the decision to form the new resource advisory committee was made.”

(c) CONFORMING CHANGE TO PROJECT APPROVAL REQUIREMENTS.—Section 205(e)(3) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7125(e)(3)) is amended by adding at the end the following new sentence: “In the case of a resource advisory committee consisting of fewer than 15 members, as authorized by subsection (d)(6), a project may be proposed to the Secretary concerned upon approval by a majority of the members of the committee, including at least 1 member from each of the 3 categories described in subsection (d)(2).”

(d) EXPANDING LOCAL PARTICIPATION ON COMMITTEES.—Section 205(d) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7125(d)) is amended—

(1) in paragraph (3), by inserting before the period at the end the following: “, consistent with the requirements of paragraph (4)”; and

(2) by striking paragraph (4) and inserting the following new paragraph:

“(4) GEOGRAPHIC DISTRIBUTION.—The members of a resource advisory committee shall reside within the county or counties in which the committee has jurisdiction or an adjacent county.”

#### SEC. 403. PROGRAM FOR TITLE II SELF-SUSTAINING RESOURCE ADVISORY COMMITTEE PROJECTS.

(a) SELF-SUSTAINING RESOURCE ADVISORY COMMITTEE PROJECTS.—Title II of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7121 et seq.) is amended by adding at the end the following new section:

#### “SEC. 209. PROGRAM FOR SELF-SUSTAINING RESOURCE ADVISORY COMMITTEE PROJECTS.

“(a) RAC PROGRAM.—The Chief of the Forest Service shall conduct a program (to be known as

the ‘self-sustaining resource advisory committee program’ or ‘RAC program’) under which 10 resource advisory committees will propose projects authorized by subsection (c) to be carried out using project funds reserved by a participating county under section 102(d).

“(b) SELECTION OF PARTICIPATING RESOURCE ADVISORY COMMITTEES.—The selection of resource advisory committees to participate in the RAC program is in the sole discretion of the Chief of the Forest Service, except that, consistent with section 205(d)(6), a selected resource advisory committee must have a minimum of 6 members.

“(c) AUTHORIZED PROJECTS.—Notwithstanding the project purposes specified in sections 202(b), 203(c), and 204(a)(5), projects under the RAC program are intended to—

“(1) accomplish forest management objectives or support community development; and

“(2) generate receipts.

“(d) DEPOSIT AND AVAILABILITY OF REVENUES.—Any revenue generated by a project conducted under the RAC program, including any interest accrued from the revenues, shall be—

“(1) deposited in the special account in the Treasury established under section 102(d)(2)(A); and

“(2) available, in such amounts as may be provided in advance in appropriation Acts, for additional projects under the RAC program.

“(e) TERMINATION OF AUTHORITY.—

“(1) IN GENERAL.—The authority to initiate a project under the RAC program shall terminate on September 30, 2020.

“(2) DEPOSITS IN TREASURY.—Any funds available for projects under the RAC program and not obligated by September 30, 2021, shall be deposited in the Treasury of the United States.”

(b) EXCEPTION TO GENERAL RULE REGARDING TREATMENT OF RECEIPTS.—Section 403(b) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7153(b)) is amended by striking “All revenues” and inserting “Except as provided in section 209, all revenues”.

#### SEC. 404. ADDITIONAL AUTHORIZED USE OF RESERVED FUNDS FOR TITLE III COUNTY PROJECTS.

Section 302(a) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7142(a)) is amended—

(1) in paragraph (2)—

(A) by inserting “and law enforcement patrols” after “including firefighting”; and

(B) by striking “and” at the end;

(2) by redesignating paragraph (3) as paragraph (4); and

(3) by inserting after paragraph (2) the following new paragraph (3):

“(3) to cover training costs and equipment purchases directly related to the emergency services described in paragraph (2); and”

#### SEC. 405. TREATMENT AS SUPPLEMENTAL FUNDING.

Section 102 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112) is amended by adding at the end the following new subsection:

“(f) TREATMENT AS SUPPLEMENTAL FUNDING.—None of the funds made available to a beneficiary county or other political subdivision of a State under this Act shall be used in lieu of or to otherwise offset State funding sources for local schools, facilities, or educational purposes.”

#### TITLE V—STEWARDSHIP END RESULT CONTRACTING

##### SEC. 501. CANCELLATION CEILINGS FOR STEWARDSHIP END RESULT CONTRACTING PROJECTS.

(a) CANCELLATION CEILINGS.—Section 604 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c) is amended—

(1) by redesignating subsections (h) and (i) as subsections (i) and (j), respectively; and

(2) by inserting after subsection (g) the following new subsection (h):

“(h) CANCELLATION CEILINGS.—

“(1) IN GENERAL.—The Chief and the Director may obligate funds to cover any potential cancellation or termination costs for an agreement or contract under subsection (b) in stages that are economically or programmatically viable.

“(2) ADVANCE NOTICE TO CONGRESS OF CANCELLATION CEILING IN EXCESS OF \$25,000,000.—Not later than 30 days before entering into a multiyear agreement or contract under subsection (b) that includes a cancellation ceiling in excess of \$25,000,000, but does not include proposed funding for the costs of cancelling the agreement or contract up to such cancellation ceiling, the Chief or the Director, as the case may be, shall submit to the Committee on Energy and Natural Resources and the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Natural Resources and the Committee on Agriculture of the House of Representatives a written notice that includes—

“(A) the cancellation ceiling amounts proposed for each program year in the agreement or contract;

“(B) the reasons why such cancellation ceiling amounts were selected;

“(C) the extent to which the costs of contract cancellation are not included in the budget for the agreement or contract; and

“(D) an assessment of the financial risk of not including budgeting for the costs of agreement or contract cancellation.

“(3) TRANSMITTAL OF NOTICE TO OMB.—Not later than 14 days after the date on which written notice is provided under paragraph (2) with respect to an agreement or contract under subsection (b), the Chief or the Director, as the case may be, shall transmit a copy of the notice to the Director of the Office of Management and Budget.”

(b) RELATION TO OTHER LAWS.—Section 604(d)(5) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c(d)(5)) is amended by striking “, the Chief may” and inserting “and section 2(a)(1) of the Act of July 31, 1947 (commonly known as the Materials Act of 1947; 30 U.S.C. 602(a)(1)), the Chief and the Director may”.

##### SEC. 502. EXCESS OFFSET VALUE.

Section 604(g)(2) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c(g)(2)) is amended by striking subparagraphs (A) and (B) and inserting the following new subparagraphs:

“(A) use the excess to satisfy any outstanding liabilities for cancelled agreements or contracts; or

“(B) if there are no outstanding liabilities under subparagraph (A), apply the excess to other authorized stewardship projects.”

##### SEC. 503. PAYMENT OF PORTION OF STEWARDSHIP PROJECT REVENUES TO COUNTY IN WHICH STEWARDSHIP PROJECT OCCURS.

Section 604(e) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c(e)) is amended—

(1) in paragraph (2)(B), by inserting “subject to paragraph (3)(A),” before “shall”; and

(2) in paragraph (3)(A), by striking “services received by the Chief or the Director” and all that follows through the period at the end and

inserting the following: “services and in-kind resources received by the Chief or the Director under a stewardship contract project conducted under this section shall not be considered monies received from the National Forest System or the public lands, but any payments made by the contractor to the Chief or Director under the project shall be considered monies received from the National Forest System or the public lands.”.

#### **SEC. 504. SUBMISSION OF EXISTING ANNUAL REPORT.**

Subsection (j) of section 604 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c), as redesignated by section 501(a)(1), is amended by striking “report to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House of Representatives” and inserting “submit to the congressional committees specified in subsection (h)(2) a report”.

### **TITLE VI—ADDITIONAL FUNDING SOURCES FOR FOREST MANAGEMENT ACTIVITIES**

#### **SEC. 601. DEFINITIONS.**

In this title:

(1) **ELIGIBLE ENTITY.**—The term “eligible entity” means—

(A) a State or political subdivision of a State containing National Forest System lands or public lands;

(B) a publicly chartered utility serving one or more States or a political subdivision thereof;

(C) a rural electric company; and

(D) any other entity determined by the Secretary concerned to be appropriate for participation in the Fund.

(2) **FUND.**—The term “Fund” means the State-Supported Forest Management Fund established by section 603.

#### **SEC. 602. AVAILABILITY OF STEWARDSHIP PROJECT REVENUES AND COLLABORATIVE FOREST LANDSCAPE RESTORATION FUND TO COVER FOREST MANAGEMENT ACTIVITY PLANNING COSTS.**

(a) **AVAILABILITY OF STEWARDSHIP PROJECT REVENUES.**—Section 604(e)(2)(B) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c(e)(2)(B)), as amended by section 503, is further amended by striking “appropriation at the project site from which the monies are collected or at another project site.” and inserting the following: “appropriation—

“(i) at the project site from which the monies are collected or at another project site; and

“(ii) to cover not more than 25 percent of the cost of planning additional stewardship contracting projects.”.

(b) **AVAILABILITY OF COLLABORATIVE FOREST LANDSCAPE RESTORATION FUND.**—Section 4003(f)(1) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7303(f)(1)) is amended by striking “carrying out and” and inserting “planning, carrying out, and”.

#### **SEC. 603. STATE-SUPPORTED PLANNING OF FOREST MANAGEMENT ACTIVITIES.**

(a) **STATE-SUPPORTED FOREST MANAGEMENT FUND.**—There is established in the Treasury of the United States a fund, to be known as the “State-Supported Forest Management Fund”, to cover the cost of planning (especially related to compliance with section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2))), carrying out, and monitoring certain forest management activities on National Forest System lands or public lands.

(b) **CONTENTS.**—The State-Supported Forest Management Fund shall consist of such amounts as may be—

(1) contributed by an eligible entity for deposit in the Fund;

(2) appropriated to the Fund; or

(3) generated by forest management activities carried out using amounts in the Fund.

(c) **GEOGRAPHICAL AND USE LIMITATIONS.**—In making a contribution under subsection (b)(1), an eligible entity may—

(1) specify the National Forest System lands or public lands for which the contribution may be expended; and

(2) limit the types of forest management activities for which the contribution may be expended.

(d) **AUTHORIZED FOREST MANAGEMENT ACTIVITIES.**—In such amounts as may be provided in advance in appropriation Acts, the Secretary concerned may use the Fund to plan, carry out, and monitor a forest management activity that—

(1) is developed through a collaborative process;

(2) is proposed by a resource advisory committee; or

(3) is covered by a community wildfire protection plan.

(e) **IMPLEMENTATION METHODS.**—A forest management activity carried out using amounts in the Fund may be carried out using a contract or agreement under section 604 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c), the good neighbor authority provided by section 8206 of the Agricultural Act of 2014 (16 U.S.C. 2113a), a contract under section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a), or other authority available to the Secretary concerned, but revenues generated by the forest management activity shall be used to reimburse the Fund for planning costs covered using amounts in the Fund.

(f) **RELATION TO OTHER LAWS.**—

(1) **REVENUE SHARING.**—Subject to subsection (e), revenues generated by a forest management activity carried out using amounts from the Fund shall be considered monies received from the National Forest System.

(2) **KNUTSON-VANDERBERG ACT.**—The Act of June 9, 1930 (commonly known as the Knutson-Vanderberg Act; 16 U.S.C. 576 et seq.), shall apply to any forest management activity carried out using amounts in the Fund.

(g) **TERMINATION OF FUND.**—

(1) **TERMINATION.**—The Fund shall terminate 10 years after the date of the enactment of this Act.

(2) **EFFECT OF TERMINATION.**—Upon the termination of the Fund pursuant to paragraph (1) or pursuant to any other provision of law, unobligated contributions remaining in the Fund shall be returned to the eligible entity that made the contribution.

### **TITLE VII—TRIBAL FORESTRY PARTICIPATION AND PROTECTION**

#### **SEC. 701. PROTECTION OF TRIBAL FOREST ASSETS THROUGH USE OF STEWARDSHIP END RESULT CONTRACTING AND OTHER AUTHORITIES.**

(a) **PROMPT CONSIDERATION OF TRIBAL REQUESTS.**—Section 2(b) of the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a(b)) is amended—

(1) in paragraph (1), by striking “Not later than 120 days after the date on which an Indian tribe submits to the Secretary” and inserting “In response to the submission by an Indian tribe of”; and

(2) by adding at the end the following new paragraph:

“(4) **TIME PERIODS FOR CONSIDERATION.**—

“(A) **INITIAL RESPONSE.**—Not later than 120 days after the date on which the Secretary receives a tribal request under paragraph (1), the Secretary shall provide an initial response to the Indian tribe regarding—

“(i) whether the request may meet the selection criteria described in subsection (c); and

“(ii) the likelihood of the Secretary entering into an agreement or contract with the Indian tribe under paragraph (2) for activities described in paragraph (3).

“(B) **NOTICE OF DENIAL.**—Notice under subsection (d) of the denial of a tribal request under paragraph (1) shall be provided not later than one year after the date on which the Secretary received the request.

“(C) **COMPLETION.**—Not later than two years after the date on which the Secretary receives a tribal request under paragraph (1), other than a tribal request denied under subsection (d), the Secretary shall—

“(i) complete all environmental reviews necessary in connection with the agreement or contract and proposed activities under the agreement or contract; and

“(ii) enter into the agreement or contract with the Indian tribe under paragraph (2).”.

(b) **CONFORMING AND TECHNICAL AMENDMENTS.**—Section 2 of the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a) is amended—

(1) in subsections (b)(1) and (f)(1), by striking “section 347 of the Department of the Interior and Related Agencies Appropriations Act, 1999 (16 U.S.C. 2104 note; Public Law 105-277) (as amended by section 323 of the Department of the Interior and Related Agencies Appropriations Act, 2003 (117 Stat. 275))” and inserting “section 604 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c)”; and

(2) in subsection (d), by striking “subsection (b)(1), the Secretary may” and inserting “paragraphs (1) and (4)(B) of subsection (b), the Secretary shall”.

#### **SEC. 702. MANAGEMENT OF INDIAN FOREST LAND AUTHORIZED TO INCLUDE RELATED NATIONAL FOREST SYSTEM LANDS AND PUBLIC LANDS.**

Section 305 of the National Indian Forest Resources Management Act (25 U.S.C. 3104) is amended by adding at the end the following new subsection:

“(c) **INCLUSION OF CERTAIN NATIONAL FOREST SYSTEM LAND AND PUBLIC LAND.**—

“(1) **AUTHORITY.**—At the request of an Indian tribe, the Secretary concerned may treat Federal forest land as Indian forest land for purposes of planning and conducting forest land management activities under this section if the Federal forest land is located within, or mostly within, a geographic area that presents a feature or involves circumstances principally relevant to that Indian tribe, such as Federal forest land ceded to the United States by treaty, Federal forest land within the boundaries of a current or former reservation, or Federal forest land adjudicated to be tribal homelands.

“(2) **REQUIREMENTS.**—As part of the agreement to treat Federal forest land as Indian forest land under paragraph (1), the Secretary concerned and the Indian tribe making the request shall—

“(A) provide for continued public access applicable to the Federal forest land prior to the agreement, except that the Secretary concerned may limit or prohibit such access as needed;

“(B) continue sharing revenue generated by the Federal forest land with State and local governments either—

“(i) on the terms applicable to the Federal forest land prior to the agreement, including, where applicable, 25-percent payments or 50 percent payments; or

“(ii) at the option of the Indian tribe, on terms agreed upon by the Indian tribe, the Secretary concerned, and State and county governments participating in a revenue sharing agreement for the Federal forest land;

“(C) comply with applicable prohibitions on the export of unprocessed logs harvested from the Federal forest land;

“(D) recognize all right-of-way agreements in place on Federal forest land prior to commencement of tribal management activities; and

“(E) ensure that all commercial timber removed from the Federal forest land is sold on a competitive bid basis.

“(3) **LIMITATION.**—Treating Federal forest land as Indian forest land for purposes of planning and conducting management activities pursuant to paragraph (1) shall not be construed to designate the Federal forest land as Indian forest lands for any other purpose.

“(4) **DEFINITIONS.**—In this subsection:

“(A) **FEDERAL FOREST LAND.**—The term ‘Federal forest land’ means—

“(i) National Forest System lands; and

“(ii) public lands (as defined in section 103(e) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702(e))), including Coos Bay Wagon Road Grant lands reconveyed to the United States pursuant to the first section of the Act of February 26, 1919 (40 Stat. 1179), and Oregon and California Railroad Grant lands.

“(B) **SECRETARY CONCERNED.**—The term ‘Secretary concerned’ means—

“(i) the Secretary of Agriculture, with respect to the Federal forest land referred to in subparagraph (A)(i); and

“(ii) the Secretary of the Interior, with respect to the Federal forest land referred to in subparagraph (A)(ii).”.

#### **TITLE VIII—MISCELLANEOUS FOREST MANAGEMENT PROVISIONS**

##### **SEC. 801. BALANCING SHORT- AND LONG-TERM EFFECTS OF FOREST MANAGEMENT ACTIVITIES IN CONSIDERING INJUNCTIVE RELIEF.**

As part of its weighing the equities while considering any request for an injunction that applies to any agency action as part of a forest management activity under titles I through VIII, the court reviewing the agency action shall balance the impact to the ecosystem likely affected by the forest management activity of—

- (1) the short- and long-term effects of undertaking the agency action; against
- (2) the short- and long-term effects of not undertaking the action.

##### **SEC. 802. CONDITIONS ON FOREST SERVICE ROAD DECOMMISSIONING.**

(a) **CONSULTATION WITH AFFECTED COUNTY.**—Whenever any Forest Service defined maintenance level one or two system road within a designated high fire prone area of a unit of the National Forest System is considered for decommissioning, the Forest Supervisor of that unit of the National Forest System shall—

- (1) consult with the government of the county containing the road regarding the merits and possible consequences of decommissioning the road; and
- (2) solicit possible alternatives to decommissioning the road.

(b) **REGIONAL FORESTER APPROVAL.**—A Forest Service road described in subsection (a) may not be decommissioned without the advance approval of the Regional Forester.

##### **SEC. 803. PROHIBITION ON APPLICATION OF EASTSIDE SCREENS REQUIREMENTS ON NATIONAL FOREST SYSTEM LANDS.**

On and after the date of the enactment of this Act, the Secretary of Agriculture may not apply to National Forest System lands any of the amendments to forest plans adopted in the Decision Notice for the Revised Continuation of Interim Management Direction Establishing Riparian, Ecosystem and Wildlife Standards for Timber Sales (commonly known as the Eastside Screens requirements), including all preceding or associated versions of these amendments.

##### **SEC. 804. USE OF SITE-SPECIFIC FOREST PLAN AMENDMENTS FOR CERTAIN PROJECTS AND ACTIVITIES.**

If the Secretary concerned determines that, in order to conduct a project or carry out an activity implementing a forest plan, an amendment to the forest plan is required, the Secretary concerned shall execute such amendment as a non-significant plan amendment through the record

of decision or decision notice for the project or activity.

##### **SEC. 805. KNUTSON-VANDENBERG ACT MODIFICATIONS.**

(a) **DEPOSITS OF FUNDS FROM NATIONAL FOREST TIMBER PURCHASERS REQUIRED.**—Section 3(a) of the Act of June 9, 1930 (commonly known as the Knutson-Vandenberg Act; 16 U.S.C. 576b(a)), is amended by striking “The Secretary” and all that follows through “any purchaser” and inserting the following: “The Secretary of Agriculture shall require each purchaser”.

(b) **CONDITIONS ON USE OF DEPOSITS.**—Section 3 of the Act of June 9, 1930 (commonly known as the Knutson-Vandenberg Act; 16 U.S.C. 576b), is amended—

(1) by striking “Such deposits” and inserting the following:

“(b) Amounts deposited under subsection (a)”;

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting before subsection (d), as so redesignated, the following new subsection (c):

“(c)(1) Amounts in the special fund established pursuant to this section—

“(A) shall be used exclusively to implement activities authorized by subsection (a); and

“(B) may be used anywhere within the Forest Service Region from which the original deposits were collected.

“(2) The Secretary of Agriculture may not deduct overhead costs from the funds collected under subsection (a), except as needed to fund personnel of the responsible Ranger District for the planning and implementation of the activities authorized by subsection (a).”.

##### **SEC. 806. EXCLUSION OF CERTAIN NATIONAL FOREST SYSTEM LANDS AND PUBLIC LANDS.**

Unless specifically provided by a provision of titles I through VIII, the authorities provided by such titles do not apply with respect to any National Forest System lands or public lands—

- (1) that are included in the National Wilderness Preservation System;
- (2) that are located within an inventoried roadless area unless the forest management activity to be carried out under such authority is consistent with the forest plan applicable to the area; or
- (3) on which timber harvesting for any purpose is prohibited by statute.

##### **SEC. 807. APPLICATION OF NORTHWEST FOREST PLAN SURVEY AND MANAGE MITIGATION MEASURE STANDARD AND GUIDELINES.**

The Northwest Forest Plan Survey and Manage Mitigation Measure Standard and Guidelines shall not apply to any National Forest System lands or public lands.

##### **SEC. 808. MANAGEMENT OF BUREAU OF LAND MANAGEMENT LANDS IN WESTERN OREGON.**

(a) **GENERAL RULE.**—All of the public land managed by the Bureau of Land Management in the Salem District, Eugene District, Roseburg District, Coos Bay District, Medford District and the Klamath Resource Area of the Lakeview District in the State of Oregon shall hereafter be managed pursuant to title I of the Act of August 28, 1937 (43 U.S.C. 1181a through 1181e). Except as provided in subsection (b), all of the revenue produced from such land shall be deposited in the Treasury of the United States in the Oregon and California land-grant fund and be subject to the provisions of title II of the Act of August 28, 1937 (43 U.S.C. 1181f).

(b) **CERTAIN LANDS EXCLUDED.**—Subsection (a) does not apply to any revenue that is required to be deposited in the Coos Bay Wagon Road grant fund pursuant to sections 1 through 4 of the Act of May 24, 1939 (43 U.S.C. 1181–f through f-4).

##### **SEC. 809. BUREAU OF LAND MANAGEMENT RESOURCE MANAGEMENT PLANS.**

(a) **ADDITIONAL ANALYSIS AND ALTERNATIVES.**—To develop a full range of reasonable alternatives as required by the National Environmental Policy Act of 1969, the Secretary of the Interior shall develop and consider in detail a reference analysis and two additional alternatives as part of the revisions of the resource management plans for the Bureau of Land Management’s Salem, Eugene, Coos Bay, Roseburg, and Medford Districts and the Klamath Resource Area of the Lakeview District.

(b) **REFERENCE ANALYSIS.**—The reference analysis required by subsection (a) shall measure and assume the harvest of the annual growth net of natural mortality for all forested land in the planning area in order to determine the maximum sustained yield capacity of the forested land base and to establish a baseline by which the Secretary of the Interior shall measure incremental effects on the sustained yield capacity and environmental impacts from management prescriptions in all other alternatives.

(c) **ADDITIONAL ALTERNATIVES.**—

(1) **CARBON SEQUESTRATION ALTERNATIVE.**—The Secretary of the Interior shall develop and consider an additional alternative with the goal of maximizing the total carbon benefits from forest storage and wood product storage. To the extent practicable, the analysis shall consider—

(A) the future risks to forest carbon from wildfires, insects, and disease;

(B) the amount of carbon stored in products or in landfills;

(C) the life cycle benefits of harvested wood products compared to non-renewable products; and

(D) the energy produced from wood residues.

(2) **SUSTAINED YIELD ALTERNATIVE.**—The Secretary of the Interior shall develop and consider an additional alternative that produces the greater of 500 million board feet or the annual net growth on the acres classified as timberland, excluding any congressionally reserved areas. The projected harvest levels, as nearly as practicable, shall be distributed among the Districts referred to in subsection (a) in the same proportion as the maximum yield capacity of each such District bears to maximum yield capacity of the planning area as a whole.

(d) **ADDITIONAL ANALYSIS AND PUBLIC PARTICIPATION.**—The Secretary of the Interior shall publish the reference analysis and additional alternatives and analyze their environmental and economic consequences in a supplemental draft environmental impact statement. The draft environmental impact statement and supplemental draft environmental impact statement shall be made available for public comment for a period of not less than 180 days. The Secretary shall respond to any comments received before making a final decision between all alternatives.

(e) **RULE OF CONSTRUCTION.**—Nothing in this section shall affect the obligation of the Secretary of the Interior to manage the timberlands as required by the Act of August 28, 1937 (50 Stat. 874; 43 U.S.C. 1181a–1181j).

#### **TITLE IX—MAJOR DISASTER FOR WILDFIRE ON FEDERAL LAND**

##### **SEC. 901. WILDFIRE ON FEDERAL LANDS.**

Section 102(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)) is amended—

(1) by striking “(2)” and all that follows through “means” and inserting the following:

“(2) **MAJOR DISASTER.**—

“(A) **MAJOR DISASTER.**—The term ‘major disaster’ means”; and

(2) by adding at the end the following:

“(B) **MAJOR DISASTER FOR WILDFIRE ON FEDERAL LANDS.**—The term ‘major disaster for wildfire on Federal lands’ means any wildfire or wildfires, which in the determination of the

President under section 802 warrants assistance under section 803 to supplement the efforts and resources of the Department of the Interior or the Department of Agriculture—

“(i) on Federal lands; or

“(ii) on non-Federal lands pursuant to a fire protection agreement or cooperative agreement.”.

**SEC. 902. DECLARATION OF A MAJOR DISASTER FOR WILDFIRE ON FEDERAL LANDS.**

The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 et seq.) is amended by adding at the end the following:

**“TITLE VIII—MAJOR DISASTER FOR WILDFIRE ON FEDERAL LAND**

**“SEC. 801. DEFINITIONS.**

“As used in this title—

“(1) **FEDERAL LAND.**—The term ‘Federal land’ means—

“(A) any land under the jurisdiction of the Department of the Interior; and

“(B) any land under the jurisdiction of the United States Forest Service.

“(2) **FEDERAL LAND MANAGEMENT AGENCIES.**—The term ‘Federal land management agencies’ means—

“(A) the Bureau of Land Management;

“(B) the National Park Service;

“(C) the Bureau of Indian Affairs;

“(D) the United States Fish and Wildlife Service; and

“(E) the United States Forest Service.

“(3) **WILDFIRE SUPPRESSION OPERATIONS.**—The term ‘wildfire suppression operations’ means the emergency and unpredictable aspects of wildland firefighting, including support, response, emergency stabilization activities, and other emergency management activities of wildland firefighting on Federal lands (or on non-Federal lands pursuant to a fire protection agreement or cooperative agreement) by the Federal land management agencies covered by the wildfire suppression subactivity of the Wildland Fire Management account or the FLAME Wildfire Suppression Reserve Fund account of the Federal land management agencies.

**“SEC. 802. PROCEDURE FOR DECLARATION OF A MAJOR DISASTER FOR WILDFIRE ON FEDERAL LANDS.**

“(a) **IN GENERAL.**—The Secretary of the Interior or the Secretary of Agriculture may submit a request to the President consistent with the requirements of this title for a declaration by the President that a major disaster for wildfire on Federal lands exists.

“(b) **REQUIREMENTS.**—A request for a declaration by the President that a major disaster for wildfire on Federal lands exists shall—

“(1) be made in writing by the respective Secretary;

“(2) certify that the amount appropriated in the current fiscal year for wildfire suppression operations of the Federal land management agencies under the jurisdiction of the respective Secretary, net of any concurrently enacted rescissions of wildfire suppression funds, increases the total unobligated balance of amounts available for wildfire suppression by an amount equal to or greater than the average total costs incurred by the Federal land management agencies per year for wildfire suppression operations, including the suppression costs in excess of appropriated amounts, over the previous ten fiscal years;

“(3) certify that the amount available for wildfire suppression operations of the Federal land management agencies under the jurisdiction of the respective Secretary will be obligated not later than 30 days after such Secretary notifies the President that wildfire suppression funds will be exhausted to fund ongoing and anticipated wildfire suppression operations related to the wildfire on which the request for

the declaration of a major disaster for wildfire on Federal lands pursuant to this title is based; and

“(4) specify the amount required in the current fiscal year to fund wildfire suppression operations related to the wildfire on which the request for the declaration of a major disaster for wildfire on Federal lands pursuant to this title is based.

“(c) **DECLARATION.**—Based on the request of the respective Secretary under this title, the President may declare that a major disaster for wildfire on Federal lands exists.

**“SEC. 803. WILDFIRE ON FEDERAL LANDS ASSISTANCE.**

“(a) **IN GENERAL.**—In a major disaster for wildfire on Federal lands, the President may transfer funds, only from the account established pursuant to subsection (b), to the Secretary of the Interior or the Secretary of Agriculture to conduct wildfire suppression operations on Federal lands (and non-Federal lands pursuant to a fire protection agreement or cooperative agreement).

“(b) **WILDFIRE SUPPRESSION OPERATIONS ACCOUNT.**—The President shall establish a specific account for the assistance available pursuant to a declaration under section 802. Such account may only be used to fund assistance pursuant to this title.

“(c) **LIMITATION.**—

“(1) **LIMITATION OF TRANSFER.**—The assistance available pursuant to a declaration under section 802 is limited to the transfer of the amount requested pursuant to section 802(b)(4). The assistance available for transfer shall not exceed the amount contained in the wildfire suppression operations account established pursuant to subsection (b).

“(2) **TRANSFER OF FUNDS.**—Funds under this section shall be transferred from the wildfire suppression operations account to the wildfire suppression subactivity of the Wildland Fire Management Account.

“(d) **PROHIBITION OF OTHER TRANSFERS.**—Except as provided in this section, no funds may be transferred to or from the account established pursuant to subsection (b) to or from any other fund or account.

“(e) **REIMBURSEMENT FOR WILDFIRE SUPPRESSION OPERATIONS ON NON-FEDERAL LAND.**—If amounts transferred under subsection (c) are used to conduct wildfire suppression operations on non-Federal land, the respective Secretary shall—

“(1) secure reimbursement for the cost of such wildfire suppression operations conducted on the non-Federal land; and

“(2) transfer the amounts received as reimbursement to the wildfire suppression operations account established pursuant to subsection (b).

“(f) **ANNUAL ACCOUNTING AND REPORTING REQUIREMENTS.**—Not later than 90 days after the end of each fiscal year for which assistance is received pursuant to this section, the respective Secretary shall submit to the Committees on Agriculture, Appropriations, the Budget, Natural Resources, and Transportation and Infrastructure of the House of Representatives and the Committees on Agriculture, Nutrition, and Forestry, Appropriations, the Budget, Energy and Natural Resources, Homeland Security and Governmental Affairs, and Indian Affairs of the Senate, and make available to the public, a report that includes the following:

“(1) The risk-based factors that influenced management decisions regarding wildfire suppression operations of the Federal land management agencies under the jurisdiction of the Secretary concerned.

“(2) Specific discussion of a statistically significant sample of large fires, in which each fire is analyzed for cost drivers, effectiveness of risk management techniques, resulting positive or

negative impacts of fire on the landscape, impact of investments in preparedness, suggested corrective actions, and such other factors as the respective Secretary considers appropriate.

“(3) Total expenditures for wildfire suppression operations of the Federal land management agencies under the jurisdiction of the respective Secretary, broken out by fire sizes, cost, regional location, and such other factors as the such Secretary considers appropriate.

“(4) Lessons learned.

“(5) Such other matters as the respective Secretary considers appropriate.

“(g) **SAVINGS PROVISION.**—Nothing in this title shall limit the Secretary of the Interior, the Secretary of Agriculture, Indian tribe, or a State from receiving assistance through a declaration made by the President under this Act when the criteria for such declaration have been met.”.

**SEC. 903. PROHIBITION ON TRANSFERS.**

No funds may be transferred to or from the Federal land management agencies' wildfire suppression operations accounts referred to in section 801(3) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act to or from any account or subactivity of the Federal land management agencies, as defined in section 801(2) of such Act, that is not used to cover the cost of wildfire suppression operations.

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part C of House Report 114-192. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. POLIS

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part C of House Report 114-192.

Mr. POLIS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 203.

Strike title III.

The Acting CHAIR. Pursuant to House Resolution 347, the gentleman from Colorado (Mr. POLIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Mr. Chairman, my amendment would strike a harmful and politically driven provision on the underlying bill that has the effect of limiting stakeholder input and curbing equal access to justice, a core constitutional principle in our Republic, and effectively removes an important check we have on arbitrary actions by Presidents and administrations.

Absent my language, the underlying bill would hand President Obama a blank slate in determining how we run our Western lands. My bill will restore that balance and allow civil society



stakeholders and local residents to be able to challenge illegal Federal actions.

While I respect and appreciate the impetus for many parts of this bill and support them, particularly those aimed at incentivizing collaborative development management plans and fixing the flawed funding structure for wildfire response—very, very important in my district—the provision that I am striking in my amendment is truly a poison pill for many on my side of the aisle who care deeply about equal access to justice and many on the other side of the aisle who don't want to hand President Obama an unchecked control over Federal lands.

In districts like mine, which are made up of 62 percent Federal land, the Forest Service owns huge amounts of open space that we use, enjoy, is a driver of our tourism economy; we recreate as hikers, skiers, hunters, bikers; it is used commercially by loggers, utility providers, and many, many other groups.

I can attest to the fact that these groups, these stakeholders that I mentioned whose livelihood and enjoyment depend on these lands, are extremely valuable when it comes to providing practical, varied input into managing our Federal lands.

This bill, however, would discourage and limit the depth and diversity of public input by expediting the development of forest management plans while removing the legal venues that exist for protest after a management plan has been implemented, meaning not only does the provision, like the one I am trying to strike, cripple the transparency and effectiveness by limiting the form of expertise we have in planning our Federal lands, it also has the potential to repeal some critical rights, like the right to protest and legal recourse for potential wrongdoing.

The provisions I move to strike would effectively eliminate the ability of citizens, nonprofits, local residents, independent advocacy organizations, and others to file lawsuits against potentially illegal or improper forest management tools that the executive branch is using.

By creating a harmful bonding requirement, which would really exclude judicial access for everybody—except the very wealthiest corporations and people—and a prejudicial fee-shifting requirement that enables the government to act with impunity at the clear expense of the plaintiff, we really break down the core principle of equal access to justice, which is our right.

By prohibiting the courts from issuing any restraining orders, preliminary injunctions, or injunctions pending repeal in cases of postdisaster operations after broadly defined events, we are only compounding the damage.

Again, Mr. Chairman, my colleagues on the other side of the aisle's move to

block the court's ability to make sound, thoughtful, and transparent decisions if the executive branch acts illegally really will come at the expense of our local stakeholders for those of us who live in and around Federal land.

Mr. Chairman, I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Utah is recognized for 5 minutes.

Mr. BISHOP of Utah. Mr. Chairman, I think it is important to realize there is nothing, absolutely nothing in the base bill that prohibits any individual or group from filing a lawsuit.

What it does do is discourage frivolous lawsuits.

I yield 1 minute to the gentleman from Montana (Mr. ZINKE) to expand on that.

Mr. ZINKE. Mr. Chairman, I stand in opposition to the amendment. We have to reward collaboration and working together.

What this bill does not do is discourage NEPA. What it does do, though, is it brings people together to work together. That is what I was sent to Washington, D.C., to do; and that is what all of us were sent to do, is work together and move the ball up the field. It does not prevent anyone from filing a lawsuit.

What it does do, however, on frivolous lawsuits—and the numbers are clear. Between 1989 and 2008, over 1,125 lawsuits were submitted. Almost in every case, those lawsuits ended up costing the Forest Service that we are so concerned about the money they are spending—number one is forest fires; number two is litigation.

We want the same thing. We want more scientists, less lawyers in the woods, and healthy forests once again to be part of our country; yet what happens is the collaborative effort—and we made the definition of collaborative very vague so everyone can participate, everybody—it does not prevent anyone from suing.

What it does do is, if you are not going to be involved in the collaborative effort, if you are not going to spend the time and the resources, then you have to post a bond, and that bond only covers what the Forest Service would have to defend. We could have made it a lot aggressive, and we didn't.

Mr. Chairman, I stand in opposition.

Mr. POLIS. Mr. Chairman, I would like to inquire as to how much time remains on both sides.

The Acting CHAIR. The gentleman from Colorado has 1½ minutes remaining. The gentleman from Utah has 3¼ minutes remaining.

Mr. POLIS. Mr. Chairman, I yield 1 minute to the gentlwoman from Massachusetts (Ms. TSONGAS).

Ms. TSONGAS. Mr. Chairman, I thank Mr. POLIS.

As my colleague stated, title III would require anyone who challenges a

project on forest land in the Federal court system to put up a bond covering all litigation expenses of the government. Plaintiffs would only get their bond back if they prevailed on all their claim.

Further, it would not allow litigants to recover attorney's fees under the Equal Access to Justice Act. While my colleagues across the aisle have said it doesn't prevent anyone from coming forward, we do know that the impact would be that it would prevent any plaintiffs, except those large companies with deep pockets, from bringing lawsuits against these projects, essentially keeping out the average American citizen from having their voice heard.

I strongly support this amendment.

Mr. BISHOP of Utah. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. MCCLINTOCK).

□ 1645

Mr. MCCLINTOCK. Mr. Chairman, Eric Hoffer once said that every great cause becomes a movement, which becomes a business, which becomes a racket. That is what has happened with environmental litigation.

Through many hearings, we have discovered that most of the groups litigating collaborative projects sue just to raise money or to defeat necessary projects through delay. That is their right. No one begrudges them it.

But that does not include frivolous litigation designed solely to run out the clock on salvage projects or to nullify by delay the painstaking work of collaborative groups which often, in good faith, spend endless hours and considerable resources in negotiating a plan that is fair to all.

I oppose this amendment, and I urge my colleagues to do the same.

Mr. POLIS. Mr. Chairman, I have many of my constituents who are living in holdings on Federal lands. What happens if Federal land management policy changes their rights-of-way and makes it harder to access where they live? Where are they supposed to come up with the hundreds of thousands or millions of dollars that it would take to bond under this scenario to figure out whether what the Federal Government did was legal or not?

That is why we need to fix this, Mr. Chairman. And I urge my colleagues to support my amendment to defend the constitutional rights of families who live in and around Federal land.

I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I appreciate the chance to actually hear from the gentleman from California as well as from the gentleman from Montana.

You see, what happens and what has failed to be discussed here is this section only applies to whether it has been a collaborative process.

So real people, citizens, will spend years working together to develop a



collaborative project. And then too frequently outside fringe groups that don't live in the area, but that do have big pockets, wait for those projects to be announced.

Then they start to litigate, which has a chilling effect on any kind of collaborative work, and it makes the hundreds of hours that those citizens worked to come up with their projects simply moot.

That has happened in California. I have been there to see those projects that were stopped by frivolous lawsuits. It is the same thing that happens in Montana and in northern Idaho. In that particular district, of all of those lawsuits he mentioned, over 70 percent of those were stopped because of frivolous lawsuits.

Now, we are not stopping anyone from suing. What we are saying is you put up a bond if you are serious about it and you don't use this as a way of simply stopping a process that has been worked out by the citizens and the Forest Service at the same time. That is what this means, and that is what is going to be taken away.

That is why this is so essential and why this part has to be part of this bill. It has to move forward or our Forest Service does not have the tools it needs to preserve our forests and to protect our people and to protect our landscape.

This amendment cannot pass. It would destroy every effort of the Forest Service to actually move forward into the future. We oppose it. We oppose it vigorously and in all due respect.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. POLIS).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. POLIS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. TIPTON

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part C of House Report 114-192.

Mr. TIPTON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 33, after line 21, insert the following new section:

**SEC. 505. FIRE LIABILITY PROVISION.**

Section 604(d) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c(d)) is amended by adding at the end the following new paragraph:

“(8) MODIFICATION.—Upon the request of the contractor, a contract or agreement

under this section awarded before February 7, 2014, shall be modified by the Chief or Director to include the fire liability provisions described in paragraph (7).”.

The Acting CHAIR. Pursuant to House Resolution 347, the gentleman from Colorado (Mr. TIPTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. TIPTON. Mr. Chairman, Congress has previously authorized fire liability provisions for stewardship contracts. My amendment simply provides the same fire liability provisions for long-term stewardship contracts awarded by the Forest Service prior to February 7, 2014.

These contracts have valid concerns over their potential liability, and it is prohibitively expensive to obtain liability insurance to cover the costs of large forest fires.

The amendment provides these contractors with the same protections as all Federal timber sales and integrated resource timber purchasers and other integrated resource stewardship contracts that they already have. I urge my colleagues to support the amendment.

I reserve the balance of my time.

Ms. TSONGAS. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentlewoman from Massachusetts is recognized for 5 minutes.

Ms. TSONGAS. Mr. Chairman, I rise in opposition to this amendment, which would change the parameters of contracts that have already been awarded through a competitive bidding process.

Stewardship end result contracting is a critical tool used to achieve land management goals across our national forests and grasslands.

In addition to making the authority for stewardship contracting permanent, last year's farm bill directed the Forest Service to make the first liability provisions in integrated resource timber contracts equal to liability provisions typically found in timber sale contracts. Earlier this year the Forest Service issued rulemaking carrying out this directive.

This was a commonsense change, and I agree with the sponsors of this amendment that this is a worthwhile change. However, their amendment would retroactively extend the updated liability requirement to contracts that were awarded before the farm bill was signed into law.

The Forest Service would, therefore, have to modify existing contracts, which is not only a burden for the agency and the contract awardees, but it is unfair to companies that did not participate in the competitive bidding process because of their understanding of the fire liability requirements.

Congress should not change contracts that have already been awarded through the competitive bidding process. For that reason, I oppose the adoption of this amendment.

I reserve the balance of my time.

Mr. TIPTON. Mr. Chairman, we are talking about fairness. We just had an amendment that was presented by my colleague from Colorado that talked about fairness, and I think Chairman BISHOP spoke very eloquently in regards to allowing that process to be able to work through the private sector.

Yet, when we are talking about forest health, Mr. Chairman, wouldn't it be an appropriate thing to make sure that we have a level playing field when it comes to liability?

If we want to be able to get in and actually protect those forests, to be able to protect those watersheds, to be able to protect endangered species and the other wildlife in the forests, let's make sure that we have a process to be able to do that so that that liability is not going to become a liability to something that I believe we all share as common ground, and that is the health of our forests.

I yield back the balance of my time.

Ms. TSONGAS. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. TIPTON).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MS. MICHELLE LUJAN GRISHAM OF NEW MEXICO

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part C of House Report 114-192.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 44, after line 15, insert the following:  
**SEC. 703. TRIBAL FOREST MANAGEMENT DEMONSTRATION PROJECT.**

The Secretary of the Interior and the Secretary of Agriculture may carry out demonstration projects by which federally recognized Indian tribes or tribal organizations may contract to perform administrative, management, and other functions of programs of the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a et seq.) through contracts entered into under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

The Acting CHAIR. Pursuant to House Resolution 347, the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New Mexico.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Chairman, I rise in support of my amendment that allows the Forest Service to establish a pilot program to execute contracts with

tribes under the Indian Self-Determination and Education Assistance Act, known as 638 contracts. 638 contracts allow tribes to manage and implement Federal programs in Indian Country.

When I was the New Mexico Secretary of Health, I witnessed how successful and beneficial these contracts could be in efficiently delivering services to tribes and their members. Through these contracts, tribes operate hospitals, health clinics, mental health facilities, and a variety of other community health services.

Having tribes manage and operate programs in their communities not only recognizes tribal self-determination and self-governance, but it also helps ensure that tribal needs are being met through traditionally and culturally appropriate methods.

Although several agencies have the authority to execute 638 contracts, such as the Bureau of Land Management, the Bureau of Reclamation, the Bureau of Indian Affairs and Indian Health Services, the Forest Service does not currently have this authority. Several tribes have expressed to me that they would like to see the Forest Service have the authority.

Many of the pueblos in New Mexico have land in tribal forests that are adjacent to national forests, and we know that wildfires and pests can quickly affect entire regions, regardless of who owns the land.

In fact, the Las Conchas wildland fire, which is one of the largest wildfires in New Mexico's history, started on June 26, 2011, in the Santa Fe National Forest. It burned more than 156,000 acres in New Mexico, including land belonging to the Pueblos of Santa Clara, Ohkay Owingeh, San Ildefonso, Pojoaque, Jemez, Cochiti, and Kewa.

It is imperative that the Forest Service and tribes actively work together to co-manage forests. I urge Members to support my amendment, which will improve the Forest Service's ability to partner with tribes in order to work on projects that impact tribal lands and forests.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I claim the time in opposition, although I may not be in opposition to this particular amendment.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. BISHOP of Utah. Mr. Chairman, I would like to ask the gentlewoman from New Mexico, as this bill works its way through the process of ultimately being signed and implemented, if she would be willing to work with us to make sure this contracting authority in the future has no unintended consequences.

I yield to the gentlewoman for a response.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Chairman, absolutely. I appreciate that offer. Thank you.

Mr. BISHOP of Utah. I appreciate that.

Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. THOMPSON).

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I rise in support of this amendment. I want to thank the ranking member from the Conservation and Forestry Subcommittee for bringing this amendment forward.

This amendment obviously allows the Forest Service to create a pilot program that would execute contracts with tribes to perform administrative, management, and other functions of the program for the Tribal Forest Protection Act of 2004.

Allowing the Forest Service to execute contracts would recognize the government-to-government relationship that tribes have with the Federal Government, and it would be in line with the intent of the Tribal Forest Protection Act of working with tribes as partners.

I certainly would encourage my colleagues to support this amendment.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota (Mr. NOLAN).

Mr. NOLAN. Mr. Chairman, I want to particularly thank the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM) for yielding and for introducing this important amendment.

Mr. Chairman, there is an old saying that I know you have all heard, which is that the shadows of those who live on their land are the best protectors and the best stewards of that land.

My wife and I have had the good fortune to plant over 100,000 trees on our land, with the help of the kids, and I want you to know they are doing well.

I am supportive of this amendment because I think it is high time that the American Indians and the Alaska Natives, who are the first stewards of our lands, be allowed to better exercise their sovereignty and their self-determination in caring for the forests they have called home for untold centuries.

We already have 638 contracts that allow the tribes to manage Federal lands in Indian Country. This amendment simply adds a partnership with the U.S. Forest Service to that list.

By approving this measure, we help create jobs, protect our forests all across Indian Country, and we all become better stewards of our Nation's great resources.

I urge my colleagues to join us in support of this important amendment.

I want to again particularly thank Ms. LUJAN GRISHAM for her leadership on this important issue. I thank the chairman of the committee for his support of it as well. And I thank the gentleman from Pennsylvania (Mr. THOMPSON).

I urge my colleagues to adopt this amendment.

Mr. BISHOP of Utah. Mr. Chairman, may I inquire as to how much time is remaining?

The Acting CHAIR. The gentleman from Utah has 4 minutes remaining, and the gentlewoman from New Mexico has 1½ minutes remaining.

Mr. BISHOP of Utah. Mr. Chairman, I yield 1 minute to the gentleman from Arkansas (Mr. WESTERMAN), the sponsor of the bill.

Mr. WESTERMAN. Mr. Chairman, I rise in support of this amendment as it goes along with the collaborative efforts we are trying to include in the bill with tribal and State governments.

I just want to thank the gentlewoman for proposing this amendment, and I rise in full support of it.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Chairman, I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I support this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM).

The amendment was agreed to.

□ 1700

AMENDMENT NO. 4 OFFERED BY MR. KILMER

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part C of House Report 114-192.

Mr. KILMER. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title VIII, add the following new section:

**SEC. 807. LANDSCAPE-SCALE FOREST RESTORATION PROJECT.**

The Secretary of Agriculture shall develop and implement at least one landscape-scale forest restoration project that includes, as a defined purpose of the project, the generation of material that will be used to promote advanced wood products. The project shall be developed through a collaborative process.

The Acting CHAIR. Pursuant to House Resolution 347, the gentleman from Washington (Mr. KILMER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. KILMER. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, before I speak to this amendment, I actually wanted to start by expressing my appreciation to the chairman for his work on this important legislation.

I grew up in Port Angeles, Washington. I saw firsthand how a downturn in the timber industry impacted our region's economy and the livelihood of families who lived there. Those experiences were a major influence in my decision to pursue a career in economic

development and now in public service. It is a big reason I have been working on harvest issues that impact the region that I represent.

On the Olympic National Forest, I have been proud to help stand up a collaborative, bringing together a group of stakeholders from all across the spectrum to figure out how we can make real progress to rebuild the trust that we need to restore our forests and to promote harvest levels and to support our local communities.

We have begun to see some successes come out of that. I am sure committed to working to help take actions that lead to better outcomes for our forests and for the local economies that rely on them as an important asset.

I think the bill that is before us today is an honest effort to address the real challenges that are facing our Federal forests. Importantly, the underlying bill includes language that would make real progress toward ending the harmful practice of fire borrowing.

Now, I have got some concerns about this bill that are going to keep me from supporting it today, but I am very hopeful that this is just a first step in a process that leads to compromise legislation that we can send on to the President and get signed into law to help our forests and to help our communities. I would welcome the opportunity to be a part of that process.

Mr. Chair, the amendment that I have offered today is focused on an initiative that would support innovative wood products, including cross-laminated timber. CLT products offer increased use of responsibly harvested wood that could mean more jobs in rural areas of Washington State and all other States.

These are renewable resources, rather than steel or concrete, that would make our buildings greener. These new wood products are strong and fire resistant and may actually be safer in an earthquake than nonwood alternatives.

We can change the way our Nation constructs buildings by utilizing these new sturdy wood products. More importantly, we can lead the way on a global timber revolution that can bring lower costs, environmentally friendly building materials to market, providing more job opportunities in rural America.

My amendment is pretty simple. It would direct the Secretary of Agriculture to develop a significant forest restoration project with the goal of generating the kind of material we can use for these advanced wood products. I would urge my colleagues to support this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Chair, I claim time in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Utah is recognized for 5 minutes.

Mr. BISHOP of Utah. Mr. Chair, I yield 1 minute to the gentleman from Pennsylvania (Mr. THOMPSON).

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I actually rise in support of this amendment as chairman of the Subcommittee on Conservation and Forestry of the Committee on Agriculture.

It is consistent with the U.S. Forest Service's recognition of the important role that advanced wood products can play, particularly in building construction. New and innovative technologies are yielding building products that are greener, stronger, fire resistant, and even safer in response to earthquakes than nonwood alternatives.

The bottom line is, when it comes to good, healthy forest management, it is just not some of the barriers we are dealing with today in terms of harvesting; it is also about driving the market and increasing the value.

It is a three-legged stool for healthy forests. I am very pleased with the underlying bill. I think that is helping on step one. I think this amendment helps us in terms of pushing the market value and the value of timber, and it is certainly consistent with many of the steps that we took within the farm bill in terms of research for advanced wood products.

I just am very pleased to support this amendment.

Mr. KILMER. Mr. Chair, I yield 1 minute to the gentlewoman from Massachusetts (Ms. TSONGAS).

Ms. TSONGAS. Mr. Chair, I rise in support of this amendment. While it does nothing to address our underlying concerns with the bill, the promotion of advanced wood products is an important priority, and I commend my colleague from Washington, Mr. KILMER, for taking on this issue.

The amendment directs the Forest Service to establish a pilot project to promote the production of advanced wood products. Production of these products, like cross-laminated timber, or CLT, is a growing market with many practical applications. Growing this market here in the United States is an important economic development opportunity, and I thank Mr. KILMER for his efforts in promoting this opportunity.

Mr. BISHOP of Utah. I yield 1 minute to the gentleman from Arkansas (Mr. WESTERMAN), the sponsor of the bill.

Mr. WESTERMAN. Mr. Chairman, I rise in support of the concept of this amendment. The gentleman brings out a very important fact that we do need forest products to be able to utilize the resources coming off our forests in order to do healthy management.

There are many forest products that can be made from smaller diameter materials that are already out there. We have the science behind it. A landscapewide collaborative project that uses these lower value products would be a good thing to do.

I do challenge the gentleman to support the whole bill so that we could put this into practice, should it be passed, because it would be of benefit to the bill and to healthy forests across the country if such projects were implemented.

Mr. KILMER. Mr. Chair, I have no other speakers, so I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Chair, as we finish the last amendment to this very good bill, the gentleman from Washington full well knows how devastating it could be to his community if we do not pass this particular bill and wildfires actually attack his constituents and his area.

That is why it is extremely important—as we take this last opportunity to speak towards this bill and this particular amendment—to recognize that this is a bipartisan bill, bipartisan sponsorship, passed by a bipartisan vote in our committee, passed in a bipartisan vote in the Committee on Agriculture.

This is a good bill that will move us forward, and it is essential to move forward. I appreciate all the support we have had from both sides of the aisle moving this particular piece of legislation forward. I urge support of the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. KILMER).

The amendment was agreed to.

AMENDMENT NO. 1 OFFERED BY MR. POLIS

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, the unfinished business is the request for a recorded vote on amendment No. 1 printed in part C of House Report 114-192 offered by the gentleman from Colorado (Mr. POLIS) on which further proceedings were postponed and on which the yeas prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 181, noes 247, not voting 5, as follows:

[Roll No. 427]

AYES—181

Adams	Brown (FL)	Clarke (NY)
Aguilar	Brownley (CA)	Clay
Amash	Bustos	Cleaver
Ashford	Butterfield	Clyburn
Bass	Capps	Cohen
Beatty	Capuano	Connolly
Becerra	Cárdenas	Conyers
Bera	Carney	Cooper
Beyer	Carson (IN)	Courtney
Bishop (GA)	Cartwright	Crowley
Blumenauer	Castor (FL)	Cummings
Bonamici	Castro (TX)	Davis (CA)
Boyle, Brendan	Chu, Judy	Davis, Danny
F.	Cicilline	DeFazio
Brady (PA)	Clark (MA)	DeGette

Delaney  
DeLauro  
DelBene  
DeSaulnier  
Deutch  
Dingell  
Doggett  
Doyle, Michael F.  
Duckworth  
Edwards  
Ellison  
Engel  
Eshoo  
Esty  
Farr  
Fattah  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Garamendi  
Graham  
Grayson  
Green, Al  
Grijalva  
Gutiérrez  
Hahn  
Hastings  
Heck (WA)  
Higgins  
Himes  
Hinojosa  
Honda  
Hoyer  
Huffman  
Israel  
Jackson Lee  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Keating  
Kelly (IL)  
Kennedy  
Kildee  
Kilmer

Kind  
Kirkpatrick  
Kuster  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Lee  
Levin  
Lewis  
Lieu, Ted  
Lipinski  
Loeb sack  
Lowenthal  
Lowe y  
Lujan Grisham (NM)  
Luján, Ben Ray (NM)  
Lynch  
Maloney, Carolyn  
Maloney, Sean  
Matsui  
McCollum  
McDermott  
McGovern  
McNerney  
Meeks  
Meng  
Moore  
Moulton  
Murphy (FL)  
Nadler  
Napolitano  
Neal  
Nolan  
Norcross  
O'Rourke  
Pallone  
Pascarell  
Pelosi  
Perlmutter  
Pinegre  
Pocan  
Polis  
Price (NC)  
Quigley

## NOES—247

Abraham  
Aderholt  
Allen  
Amodei  
Babin  
Barletta  
Barr  
Barton  
Benishek  
Bilirakis  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Bost  
Boustany  
Brady (TX)  
Brat  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Buchanan  
Buck  
Bucshon  
Burgess  
Byrne  
Calvert  
Carter (GA)  
Carter (TX)  
Chabot  
Chaffetz  
Clawson (FL)  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comstock  
Conaway  
Cook  
Costa  
Costello (PA)  
Cramer  
Crawford  
Crenshaw

Rangel  
Rice (NY)  
Richmond  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez, Linda T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Sherman  
Sinema  
Sires  
Slaughter  
Smith (WA)  
Speier  
Swalwell (CA)  
Takai  
Takano  
Thompson (CA)  
Thompson (MS)  
Titus  
Tonko  
Torres  
Tsongas  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Walz  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Welch  
Wilson (FL)  
Yarmuth

Marchant  
Marino  
Massie  
McCarthy  
McCaul  
McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Meehan  
Messer  
Mica  
Miller (FL)  
Miller (MI)  
Moolenaar  
Mooney (WV)  
Mullin  
Mulvaney  
Murphy (PA)  
Neugebauer  
Newhouse  
Noem  
Nugent  
Nunes  
Olson  
Palazzo  
Palmer  
Paulsen  
Pearce  
Perry  
Peterson  
Pittenger  
Pitts  
Poe (TX)  
Poliquin

Cuellar  
Lofgren

Pompeo  
Posey  
Price, Tom  
Ratcliffe  
Reed  
Reichert  
Renacci  
Ribble  
Rice (SC)  
Rigell  
Roby  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney (FL)  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Rouzer  
Royce  
Russell  
Ryan (WI)  
Salmon  
Sanford  
Scalise  
Schrader  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)

## NOT VOTING—5

Payne  
Peters

Smith (TX)  
Stefanik  
Stewart  
Stivers  
Stutzman  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Trott  
Turner  
Upton  
Valadao  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Westmoreland  
Whitfield  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Young (IN)  
Zeldin  
Zinke

Roe (TN)

□ 1736

Messrs. CONAWAY, AMODEI, PAULSEN, MEEHAN, BRADY of TEXAS, and WALKER changed their vote from “aye” to “no.”

Messrs. HECK of Washington, GALLEGO, BUTTERFIELD, NADLER, CLAY, and ASHFORD changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. CUELLAR. Mr. Chair, on rollcall No. 427, had I been present, I would have voted “no.”

The Acting CHAIR (Mr. FLEISCHMANN). The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HULTGREN) having assumed the chair, Mr. FLEISCHMANN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2647) to expedite under the National Environmental Policy Act and improve forest management activities in units of the National Forest System derived from the public domain, on public lands under the jurisdiction of the Bureau of Land Management, and on tribal lands to return resilience to overgrown, fire-prone forested lands, and for other purposes, and, pursuant to House Resolution 347,

he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

## RECORDED VOTE

Ms. TSONGAS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 5-minute vote on passage of the bill will be followed by 5-minute votes on ordering the previous question on House Resolution 350, and adoption of House Resolution 350, if ordered.

The vote was taken by electronic device, and there were—ayes 262, noes 167, not voting 4, as follows:

[Roll No. 428]

## AYES—262

Abraham	Conaway	Gowdy
Aderholt	Cook	Graham
Allen	Costa	Granger
Amash	Costello (PA)	Graves (GA)
Amodei	Cramer	Graves (LA)
Ashford	Crawford	Graves (MO)
Babin	Crenshaw	Griffith
Barletta	Cuellar	Grothman
Barr	Culberson	Guinta
Barton	Curbelo (FL)	Guthrie
Benishek	Davis, Rodney	Hanna
Bera	DeFazio	Hardy
Bilirakis	Denham	Harper
Bishop (GA)	Dent	Harris
Bishop (MI)	DeSantis	Hartzler
Bishop (UT)	DesJarlais	Heck (NV)
Black	Diaz-Balart	Hensarling
Blackburn	Dold	Herrera Beutler
Blum	Donovan	Hice, Jody B.
Bost	Duffy	Hill
Boustany	Duncan (SC)	Hinojosa
Brady (TX)	Duncan (TN)	Holding
Brat	Ellmers (NC)	Hudson
Bridenstine	Emmer (MN)	Huelskamp
Brooks (AL)	Farenthold	Huizenga (MI)
Brooks (IN)	Fincher	Hultgren
Buchanan	Fitzpatrick	Hunter
Buck	Fleischmann	Hurd (TX)
Bucshon	Fleming	Hurt (VA)
Burgess	Flores	Issa
Byrne	Forbes	Jenkins (KS)
Calvert	Fortenberry	Jenkins (WV)
Carter (GA)	Fox	Johnson (OH)
Carter (TX)	Franks (AZ)	Johnson, Sam
Chabot	Frelinghuysen	Jolly
Chaffetz	Garamendi	Jones
Clawson (FL)	Garrett	Jordan
Coffman	Gibbs	Joyce
Cole	Gibson	Katko
Collins (GA)	Gohmert	Kelly (MS)
Collins (NY)	Goodlatte	Kelly (PA)
Comstock	Gosar	King (IA)

King (NY)	Nunes	Shimkus	Sarbanes	Swalwell (CA)	Vela	Graves (GA)	Marchant	Ross
Kinzinger (IL)	Olson	Shuster	Schakowsky	Takai	Velázquez	Graves (LA)	Marino	Rothfus
Kirkpatrick	Palazzo	Simpson	Schiff	Takano	Viscosky	Graves (MO)	Massie	Rouzer
Kline	Palmer	Sinema	Scott (VA)	Thompson (CA)	Wasserman	Griffith	McCarthy	Royce
Knight	Paulsen	Smith (MO)	Scott, David	Thompson (MS)	Schultz	Grothman	McCaul	Russell
Kuster	Pearce	Smith (NE)	Serrano	Tonko	Waters, Maxine	Guinta	McClintock	Ryan (WI)
Labrador	Perlmutter	Smith (NJ)	Sherman	Torres	Watson Coleman	Guthrie	McHenry	Salmon
LaMalfa	Perry	Smith (TX)	Sires	Tsongas	Welch	Hanna	McKinley	Sanford
Lamborn	Peterson	Stefanik	Slaughter	Van Hollen	Whitfield	Hardy	McMorris	Scalise
Lance	Pittenger	Stewart	Smith (WA)	Vargas	Wilson (FL)	Harper	Rodgers	Schweikert
Latta	Pitts	Stivers	Speier	Veasey	Yarmuth	Harris	McSally	Scott, Austin
LoBiondo	Poe (TX)	Stutzman				Hartzler	Meadows	Sensenbrenner
Long	Poliquin	Thompson (PA)				Heck (NV)	Meehan	Sessions
Loudermilk	Pompeo	Thornberry	Lofgren	Peters		Hensarling	Messer	Shimkus
Love	Posey	Tiberi	Payne	Roe (TN)		Herrera Beutler	Mica	Shuster
Lucas	Price, Tom	Tipton				Hice, Jody B.	Miller (FL)	Simpson
Luetkemeyer	Ratcliffe	Titus				Hill	Miller (MI)	Smith (MO)
Lummis	Reed	Trott				Holding	Moolenaar	Smith (NE)
MacArthur	Reichert	Turner				Hudson	Mooney (WV)	Smith (NJ)
Marchant	Renacci	Upton				Huelskamp	Mullin	Smith (TX)
Marino	Ribble	Valadao				Huizenga (MI)	Mulvaney	Stefanik
Massie	Rice (SC)	Wagner				Hultgren	Murphy (PA)	Stewart
McCarthy	Rigell	Walberg				Hunter	Neugebauer	Stivers
McCaul	Roby	Walden				Hurd (TX)	Newhouse	Stutzman
McClintock	Rogers (AL)	Walker				Hurt (VA)	Noem	Thompson (PA)
McHenry	Rogers (KY)	Walorski				Issa	Nugent	Thornberry
McKinley	Rohrabacher	Walters, Mimi				Jenkins (KS)	Nunes	Tiberi
McMorris	Rokita	Walz				Jenkins (WV)	Olson	Tipton
Rodgers	Rooney (FL)	Weber (TX)				Johnson (OH)	Palazzo	Trott
McSally	Ros-Lehtinen	Webster (FL)				Johnson, Sam	Palmer	Turner
Meadows	Roskam	Wenstrup				Jolly	Paulsen	Upton
Meehan	Ross	Westerman				Jones	Pearce	Valadao
Messer	Rothfus	Westmoreland				Jordan	Perry	Wagner
Mica	Rouzer	Williams				Joyce	Pittenger	Walberg
Miller (FL)	Royce	Wilson (SC)				Katko	Pitts	Walden
Miller (MI)	Russell	Wittman				Kelly (MS)	Poe (TX)	Walker
Moolenaar	Ryan (WI)	Womack				Kelly (PA)	Poliquin	Walorski
Mooney (WV)	Salmon	Woodall				King (IA)	Pompeo	Walters, Mimi
Mullin	Sanford	Yoder				King (NY)	Weber (TX)	Posey
Mulvaney	Scalise	Yoho				Kinzinger (IL)	Price, Tom	Webster (FL)
Murphy (PA)	Schrader	Young (AK)				Kline	Ratcliffe	Wenstrup
Neugebauer	Schweikert	Young (IA)				Knight	Reed	Westerman
Newhouse	Scott, Austin	Young (IN)				Labrador	Reichert	Westmoreland
Noem	Sensenbrenner	Zeldin				LaMalfa	Renacci	Whitfield
Nolan	Sessions	Zinke				Lamborn	Ribble	Williams
Nugent	Sewell (AL)					Lance	Rice (SC)	Wilson (SC)
						Latta	Rigell	Wittman
						LoBiondo	Roby	Womack
						Long	Rogers (AL)	Woodall
						Loudermilk	Rogers (KY)	Yoder
						Love	Rohrabacher	Young (AK)
						Lucas	Rokita	Young (IA)
						Luetkemeyer	Rooney (FL)	Young (IN)
						Lummis	Ros-Lehtinen	Zeldin
						MacArthur	Roskam	Zinke

## NOES—167

Adams	Doyle, Michael F.	Lieu, Ted
Aguilar	F.	Lipinski
Bass	Duckworth	Loebsack
Beatty	Edwards	Lowenthal
Becerra	Ellison	Lowey
Beyer	Engel	Lujan Grisham (NM)
Blumenauer	Eshoo	Luján, Ben Ray (NM)
Bonamici	Esty	Lynch
Boyle, Brendan F.	Farr	Maloney, Carolyn
Brady (PA)	Fattah	Maloney, Sean
Brown (FL)	Frankel (FL)	Matsui
Brownley (CA)	Fudge	McCollum
Bustos	Gabbard	McDermott
Butterfield	Gallego	McGovern
Capps	Grayson	McNerney
Capuano	Green, Al	Meeks
Cárdenas	Green, Gene	Meng
Carney	Grijalva	Moore
Carson (IN)	Gutiérrez	Moulton
Cartwright	Hahn	Murphy (FL)
Castor (FL)	Hastings	Nadler
Castro (TX)	Heck (WA)	Napolitano
Chu, Judy	Higgins	Neal
Cicilline	Himes	Norcross
Clark (MA)	Honda	O'Rourke
Clarke (NY)	Hoyer	Pallone
Clay	Huffman	Pascarell
Cleaver	Israel	Pelosi
Clyburn	Jackson Lee	Pingree
Cohen	Jeffries	Pocan
Connolly	Johnson (GA)	Polis
Conyers	Johnson, E. B.	Price (NC)
Cooper	Kaptur	Quigley
Courtney	Keating	Rangel
Crowley	Kelly (IL)	Rice (NY)
Cummings	Kennedy	Richmond
Davis (CA)	Kildee	Roybal-Allard
Davis, Danny	Kilmer	Ruiz
DeGette	Kind	Ruppersberger
Delaney	Langevin	Rush
DeLauro	Larsen (WA)	Ryan (OH)
DeBene	Larson (CT)	Sánchez, Linda T.
DeSaulnier	Lawrence	Buck
Deutch	Lee	Bucshon
Dingell	Levin	
Doggett	Lewis	

## NOT VOTING—4

□ 1745

So the bill was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: "A bill to expedite under the National Environmental Policy Act of 1969 and improve forest management activities on National Forest System lands, on public lands under the jurisdiction of the Bureau of Land Management, and on tribal lands to return resilience to overgrown, fire-prone forested lands, and for other purposes."

A motion to reconsider was laid on the table.

## PROVIDING FOR CONSIDERATION OF H.R. 6, 21ST CENTURY CURES ACT

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 350) providing for consideration of the bill (H.R. 6) to accelerate the discovery, development, and delivery of 21st century cures and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 242, nays 185, not voting 6, as follows:

[Roll No. 429]

## YEAS—242

Abraham	Burgess	Dold
Aderholt	Byrne	Donovan
Allen	Calvert	Duffy
Amash	Carter (GA)	Duncan (SC)
Amodei	Carter (TX)	Duncan (TN)
Babin	Chabot	Ellmers (NC)
Barletta	Chaffetz	Emmer (MN)
Barr	Clawson (FL)	Farenthold
Barton	Coffman	Fincher
Benishek	Cole	Fitzpatrick
Bilirakis	Collins (GA)	Fleischmann
Bishop (MI)	Collins (NY)	Fleming
Bishop (UT)	Comstock	Flores
Black	Conaway	Forbes
Blackburn	Cook	Fortenberry
Blum	Costello (PA)	Fox
Boustany	Cramer	Franks (AZ)
Brady (TX)	Crawford	Frelinghuysen
Brat	Crenshaw	Garrett
Bridenstine	Culberson	Gibbs
Brooks (AL)	Curbelo (FL)	Gibson
Brooks (IN)	Davis, Rodney	Gohmert
Buchanan	Denham	Goodlatte
Buck	Dent	Gosar
	DeSantis	Gowdy
	DesJarlais	Granger

## NAYS—185

Adams	Courtney	Hastings
Aguilar	Crowley	Heck (WA)
Ashford	Cuellar	Higgins
Bass	Cummings	Himes
Beatty	Davis (CA)	Hinojosa
Becerra	Davis, Danny	Honda
Bera	DeFazio	Hoyer
Beyer	DeGette	Huffman
Bishop (GA)	Delaney	Israel
Blumenauer	DeLauro	Jackson Lee
Bonamici	DeBene	Jeffries
Boyle, Brendan F.	DeSaulnier	Johnson (GA)
Brady (PA)	Deutch	Johnson, E. B.
Brown (FL)	Dingell	Kaptur
Brownley (CA)	Doggett	Keating
Bustos	Doyle, Michael F.	Kelly (IL)
Butterfield	Duckworth	Kennedy
Capps	Edwards	Kildee
Capuano	Ellison	Kilmer
Cárdenas	Engel	Kind
Carney	Eshoo	Kirkpatrick
Carson (IN)	Esty	Kuster
Cartwright	Farr	Langevin
Castor (FL)	Fattah	Larsen (WA)
Castro (TX)	Foster	Larson (CT)
Chu, Judy	Frankel (FL)	Lawrence
Cicilline	Fudge	Lee
Clark (MA)	Gabbard	Levin
Clarke (NY)	Gallego	Lewis
Clay	Garamendi	Lieu, Ted
Cleaver	Graham	Lipinski
Clyburn	Grayson	Loebsack
Cohen	Green, Al	Lowenthal
Connolly	Green, Gene	Lowey
Conyers	Grijalva	Lujan Grisham (NM)
Cooper	Gutiérrez	Luján, Ben Ray (NM)
Costa	Hahn	

Lynch  
Maloney,  
Carolyn  
Maloney, Sean  
Matsui  
McCollum  
McDermott  
McGovern  
McNerney  
Meeks  
Meng  
Moore  
Moulton  
Murphy (FL)  
Nadler  
Napolitano  
Neal  
Nolan  
Norcross  
O'Rourke  
Pallone  
Pascarell  
Pelosi  
Perlmutter  
Peterson  
Pingree

## NOT VOTING—6

Diaz-Balart  
Lofgren

□ 1753

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

## RECORDED VOTE

Mr. McGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 244, noes 183, not voting 6, as follows:

[Roll No. 430]

AYES—244

Abraham  
Aderholt  
Allen  
Amash  
Babin  
Bartletta  
Barr  
Barton  
Benishke  
Bilirakis  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Bost  
Boustany  
Brady (TX)  
Brat  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Buchanan  
Buck  
Bucshon  
Burgess  
Byrne  
Calvert  
Carter (GA)  
Carter (TX)  
Chabot  
Chaffetz  
Clawson (FL)  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comstock

Conaway  
Cook  
Cooper  
Costello (PA)  
Cramer  
Crawford  
Crenshaw  
Culberson  
Curbelo (FL)  
Davis, Rodney  
Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Dold  
Donovan  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers (NC)  
Emmer (MN)  
Farenthold  
Fincher  
Fitzpatrick  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxen  
Franks (AZ)  
Frelinghuysen  
Garrett  
Gibbs  
Gibson  
Gohmert  
Goodlatte

Slaughter  
Smith (WA)  
Speier  
Swalwell (CA)  
Takai  
Takano  
Thompson (CA)  
Thompson (MS)  
Titus  
Tonko  
Torres  
Tsongas  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Walz  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Welch  
Wilson (FL)  
Yarmuth

Roe (TN)  
Yoho

Kelly (MS)  
Kelly (PA)  
King (IA)  
King (NY)  
Kinzinger (IL)  
Kline  
Knight  
Labrador  
LaMalfa  
Lamborn  
Lance  
Latta  
LoBiondo  
Long  
Loudermilk  
Love  
Lucas  
Luetkemeyer  
Lummis  
MacArthur  
Marchant  
Marino  
Massie  
McCarthy  
McCauley  
McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Meehan  
Messer  
Mica  
Miller (FL)  
Miller (MI)  
Moolenaar  
Mooney (WV)  
Mullin  
Mulvaney  
Murphy (PA)  
Neugebauer  
Newhouse

Adams  
Aguilar  
Ashford  
Bass  
Beatty  
Becerra  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Bonamici  
Boyle, Brendan  
F.  
Brady (PA)  
Brown (FL)  
Brownley (CA)  
Bustos  
Butterfield  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly  
Conyers  
Costa  
Courtney  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DeBene  
DeSaulnier

Noem  
Nugent  
Nunes  
Olson  
Palazzo  
Palmer  
Paulsen  
Pearce  
Perry  
Pittenger  
Pitts  
Poe (TX)  
Poliquin  
Pompeo  
Posey  
Price, Tom  
Ratcliffe  
Reed  
Reichert  
Renacci  
Ribble  
Rice (SC)  
Rigell  
Roby  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney (FL)  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Rouzer  
Royce  
Russell  
Ryan (WI)  
Salmon  
Sanford  
Scalise  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions

## NOES—183

Deutch  
Dingell  
Doggett  
Doyle, Michael  
F.  
Duckworth  
Edwards  
Ellison  
Engel  
Eshoo  
Esty  
Farr  
Fattah  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Garamendi  
Graham  
Grayson  
Green, Al  
Green, Gene  
Grijalva  
Gutiérrez  
Hahn  
Hastings  
Heck (WA)  
Higgins  
Himes  
Hinojosa  
Honda  
Hoyer  
Huffman  
Israel  
Jackson Lee  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Keating  
Kelly (IL)  
Kennedy  
Kildee  
Kilmer  
Kind  
Kirkpatrick  
Kuster  
Langevin

Shimkus  
Shuster  
Simpson  
Sinema  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Stefanik  
Stewart  
Stivers  
Stutzman  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Trott  
Turner  
Upton  
Valadao  
Wagner  
Walberg  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Westmoreland  
Whitfield  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Young (IN)  
Zeldin  
Zinke

Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schrader  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)

Sherman  
Sires  
Slaughter  
Smith (WA)  
Speier  
Swalwell (CA)  
Takai  
Takano  
Thompson (CA)  
Thompson (MS)  
Titus  
Tonko  
Torres  
Tsongas  
Van Hollen

## NOT VOTING—6

Amodei  
Lofgren

Payne  
Peters

Roe (TN)  
Walden

□ 1801

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## 21ST CENTURY CURES ACT

## GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 6.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 350 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 6.

The Chair appoints the gentleman from Nevada (Mr. HARDY) to preside over the Committee of the Whole.

□ 1803

## IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 6) to accelerate the discovery, development, and delivery of 21st century cures, and for other purposes, with Mr. HARDY of Nevada in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Michigan (Mr. UPTON) and the gentleman from New Jersey (Mr. PALLONE) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. UPTON. Mr. Chairman, I include the Committee on Energy and Commerce exchange of letters with the Committee on Ways and Means and the Committee on Science, Space, and Technology.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,

Washington, DC, July 9, 2015.

Hon. FRED UPTON,  
Chairman, Committee on Energy and Commerce,  
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing concerning H.R. 6, the "21st Century Cures Act," which your Committee ordered reported on May 21, 2015.

H.R. 6 contains provisions within the Committee on Science, Space, and Technology's Rule X jurisdiction. As a result of your having consulted with the Committee and in order to expedite this bill for floor consideration, the Committee on Science, Space, and Technology will not seek a sequential referral. This is being done on the basis of our mutual understanding that doing so will in no way diminish or alter the jurisdiction of the Committee on Science, Space, and Technology with respect to the appointment of conferees, or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I would appreciate your response to this letter confirming this understanding, and would request that you include a copy of this letter and your response in the Congressional Record during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

LAMAR SMITH,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ENERGY AND COMMERCE,  
Washington, DC, July 9, 2015.

Hon. LAMAR SMITH,  
Chairman, Committee on Science, Space, and  
Technology, Washington, DC.

DEAR CHAIRMAN SMITH: Thank you for your letter concerning H.R. 6, the "21st Century Cures Act."

I appreciate your willingness to forgo seeking a sequential referral on H.R. 6 in order to expedite this bill for floor consideration. I agree that doing so will in no way diminish or alter the jurisdiction of the Committee on Science, Space, and Technology with respect to the appointment of conferees, or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I will include a copy of your letter and this response in the Congressional Record during the floor consideration of this bill.

Sincerely,

FRED UPTON,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON WAYS AND MEANS,  
Washington, DC, July 7, 2015.

Hon. FRED UPTON,  
Chairman, Committee on Energy and Commerce,  
Washington, DC.

DEAR CHAIRMAN UPTON: I am writing with respect to H.R. 6, the "21st Century Cures Act." As a result of your having consulted with us on provisions in H.R. 6 that fall within the Rule X jurisdiction of the Committee on Ways and Means, I agree to waive consideration of this bill so that it may proceed expeditiously to the House floor.

The Committee on Ways and Means takes this action with the mutual understanding that by forgoing consideration of H.R. 6 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and the Committee will be appropriately consulted and involved as

the bill or similar legislation moves forward so that we may address any remaining issues that fall within our Rule X jurisdiction. The Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for such request.

Finally, I would appreciate your response to this letter confirming this understanding, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration thereof.

Sincerely,

PAUL RYAN,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ENERGY AND COMMERCE,  
Washington, DC, July 9, 2015.

Hon. PAUL RYAN,  
Chairman, Committee on Ways and Means,  
Washington, DC

DEAR CHAIRMAN RYAN: Thank you for your letter with respect to H.R. 6, the "21st Century Cures Act." I appreciate your willingness to waive consideration of H.R. 6 so that it may proceed expeditiously to the House floor.

I agree that by forgoing consideration of H.R. 6 at this time, the Committee on Ways and Means does not waive any jurisdiction over the subject matter contained in this or similar legislation, and the Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that the Committee may address any remaining issues that fall within its Rule X jurisdiction. Further, I understand that the Committee reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and I will support such a request.

I will include a copy of your letter and this response in the Congressional Record during the floor consideration of this bill.

Sincerely,

FRED UPTON,  
Chairman.

Mr. UPTON. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. PITTS), the distinguished chairman of the Health Subcommittee.

Mr. PITTS. Mr. Chairman, I want to first commend Chairman UPTON, Ranking Member PALLONE, Congresswoman DEGETTE, and Ranking Member GENE GREEN of Texas for their outstanding support and leadership on this.

Mr. Chairman, I rise in strong support of H.R. 6, the 21st Century Cures Act, which will help advance the discovery, development, and delivery of new treatments and cures for patients and will foster private sector innovation here in the United States.

I have a whole list of people I would like to thank. I will provide that for the RECORD. I especially want to thank legislative counsel for their tireless efforts, the healthcare staff of the Congressional Budget Office, and the outstanding team on Energy and Commerce. They have been fantastic, working 24/7.

Mr. Chairman, H.R. 6 was reported from Energy and Commerce Committee by a vote of 51-0 and advances conservative and fiscal and regulatory re-

forms. Every dollar of advanced appropriations in the bill, which will sunset at the end of FY 2020, is offset by other permanent reforms, including billions of dollars in mandatory entitlement savings in Medicare and Medicaid.

This is no ordinary spending, like the kind we usually see in entitlement spending such as Social Security, Medicare, Medicaid, and ObamaCare. This mandatory spending is for 5 years only, and then it sunsets. This mandatory spending is fully paid for with mandatory spending cuts elsewhere that will not stop in 5 years, but are permanent reforms resulting in real savings. By comparison, the Ryan-Murray budget deal for healthcare savings yielded much less.

This innovative hybrid approach allows us to cut mandatory spending and use the savings to fund what would otherwise be a discretionary project, but in this case, it is a 5-year dedicated spending on medical research.

The Congressional Budget Office determined that H.R. 6 will reduce the deficit by \$500 million over the first 10 years and at least \$7 billion over the second decade. The funds provided to the NIH and FDA will be subject to explicit review and reprogramming through the annual appropriations process. Congress can review the dedicated funding and allocate it for specific initiatives.

Mr. Chairman, by modernizing clinical trials, eliminating duplicative administrative requirements, and perhaps, most importantly, making FDA less bureaucratic by advancing the voice and needs of patients in the drug and device approval process, H.R. 6 will make lasting, positive changes to the entire ecosystem of Cures. Over 250 patient groups have enthusiastically said "yes" and endorsed this legislation.

Mr. Chairman, I urge all of my colleagues to think of the patients and vote "aye" in support of H.R. 6.

Mr. PALLONE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, today the House is considering H.R. 6, the 21st Century Cures Act, legislation that will further encourage biomedical innovation and the development of new treatments and cures that will benefit millions.

More importantly, this legislation will ensure that our country remains on the forefront of medical innovation while maintaining the gold standard for approvals of medical products.

Mr. Chairman, this legislation is the product of numerous forums that occurred in Washington and around the Nation that heard directly from patients and advocacy groups about what innovations could make a difference in curing diseases.

It is a truly bipartisan initiative of the Energy and Commerce Committee, and I want to thank Chairman UPTON; Health Subcommittee chairman Mr. PITTS; Ranking Member GREEN; and



our sponsor on the Democratic side, Representative DIANA DEGETTE, for working together on this bill.

The legislation includes a number of policy proposals that are meant to advance the work that NIH and FDA are already doing to encourage innovation in medicine, and I want to highlight some of those.

First, it promotes and supports the best biomedical workforce in the world while also increasing the diversity of that workforce by requiring the NIH to ensure participation of scientists from underrepresented communities.

Second, it encourages the development of precision medicine and next generation treatments.

Third, it provides FDA with additional tools to make the drug approval process more efficient, such as streamlined data review and the use of biomarkers in clinical experience to ensure that new treatments can reach patients in a timely manner.

Fourth, it modernizes clinical trials and supports the inclusion of diverse populations in clinical research through the National Institute on Minority Health and Health Disparities.

Fifth, it facilitates the development of important antimicrobials and treatment for rare diseases and clarifies the regulatory pathway for software for medical applications at FDA.

Finally—although not finally—there are many, many more positive developments in this bill, but I do want to mention last, ensuring interoperability of our health system which will lead to better access to health information, coordinated care, and improved outcomes.

Most importantly, Mr. Chairman, 21st Century Cures also provides mandatory funding to both NIH and FDA to carry out the activities in this legislation, funding that is critically needed if Congress wants NIH and FDA to fund innovative ways to cure diseases.

However, I am concerned that the very goal this legislation set out to achieve to encourage biomedical innovation and the development of new treatments and cures is undermined somewhat by a reduction in funding for NIH from \$10 billion to \$8.75 billion.

This funding level, the larger one, the \$10 billion over 5 years in the original bill, enjoyed the unanimous support from the members of the Energy and Commerce Committee and the 230 Members of the House who were cosponsors of H.R. 6.

If Congress is truly committed to advancing and encouraging biomedical innovation, we must ensure that the Federal Government agencies we entrust with facilitating that goal have the resources to do so, and I hope that, at some point, as we move further, we can go back to the \$10 billion.

I would also urge my colleagues to reject any attempts to make the critical funding included in the legislation

for NIH and FDA discretionary. The NIH ensures the innovation fund was created to be a resource to both NIH, FDA, universities, and researchers, including those just beginning their careers.

Any efforts to make this funding discretionary threatens the commitment made in 21st Century Cures to encourage innovation.

I also want to express, Mr. Chairman, my disappointment over the inclusion of controversial policy riders on what was otherwise a strong bipartisan bill. This inclusion, added to the bill after unanimous passage out of the Energy and Commerce Committee, is a political distraction from the discussion we should be having on the underlying policy.

I hope that, tomorrow, my colleagues will join me in supporting Congresswoman LEE's amendment which will strike those troubling riders from the legislation.

Despite these concerns, I remain totally supportive of the 21st Century Cures Act, as I believe it does take significant steps towards enhancing how we discover and develop innovative new medical treatments in the United States.

Once again, I take great pride in the fact that we were able to do this on a bipartisan basis in our committee and report the bill out unanimously.

Mr. Chairman, I would urge a "yes" vote, and I reserve the balance of my time.

Mr. UPTON. Mr. Chairman, I yield 1 minute to the vice chair of the full committee, the gentlewoman from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Mr. Chairman, America really is at its best when we are facing challenges, and so many of the challenges that we face today are in the area of health care and healthcare delivery.

Right now, we know we have over 10,000 identified diseases. We only have cures for 500 of those. This is why we need to work to focus the NIH and the FDA on a cures strategy and do this through the legislation that is before us today. Indeed, it is bipartisan, and it carries different components of bipartisan legislation.

One is the SOFTWARE Act that Representative GREEN and I have worked on. Mr. Chairman, getting bureaucracy out of the way and allowing innovation is the goal of the SOFTWARE Act. It would codify the manner in which the FDA approaches health IT, including the wonderful apps that we use to help make us healthy.

The FDA is the agency charged with ensuring the safety and efficacy of drugs and medical devices, but data is not a drug or a device, and it makes no sense to regulate it as such. That is why we bring forward the SOFTWARE Act. We support the bill and encourage others to support it.

Mr. PALLONE. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. GENE GREEN), who is the ranking member of our Health Subcommittee.

□ 1815

Mr. GENE GREEN of Texas. Mr. Chairman, I rise in strong support of the bipartisan landmark legislation, H.R. 6, the 21st Century Cures Act.

Dozens of roundtables and hearings, thousands of responses from stakeholders, and countless hours went into crafting this bill. This legislation is the product of months of bipartisan collaboration with the administration and stakeholders. As a result, H.R. 6 is supported by more than 370 patient groups, physician groups, and research institutions across the country.

The investments and provisions in this bill will accelerate the development of new tools and treatments for the fight against diseases, which have a great cost to our economy and an even greater toll on the patients and families that suffer from them.

After more than a decade of cuts and stagnant budgets, the National Institutes of Health will receive \$8.75 billion, and it will not increase the deficit. This influx of investment will be put toward solving today's complex scientific problems and discovering the next generation of medical breakthroughs.

In addition to this much-needed funding for medical research, there are so many provisions in this package worthy of support. The 21st Century Cures Act will deliver hope and new treatments to Americans.

While some of the provisions are technical in nature, their real-world impact is not abstract. Patients and families deserve to have their elected officials respond to their needs, and that is what this bill does.

I want to thank Chairman UPTON, Congresswoman DEGETTE, Ranking Member PALLONE, and Chairman PITTS for their leadership, vision, and determination to speed the medical progress. This is an example of what our constituents want us to do: legislate and solve problems.

It was a privilege to be involved in this landmark effort, and I want to thank the staffs, legislative counsel, and the countless stakeholders who worked tirelessly to craft a bill that lives up to the promises of the 21st Century Cures initiative.

I strongly support H.R. 6 and urge my colleagues to do the same.

Mr. UPTON. Mr. Chairman, I yield 1 minute to the gentleman from Mississippi (Mr. HARPER).

Mr. HARPER. Mr. Chairman, I rise today to speak about the importance of tomorrow's vote on the 21st Century Cures initiative. This takes the necessary steps forward so that we can deliver safe, effective treatments much more efficiently and creatively across

America. This legislation would give NIH, along with the FDA, much-needed additional research dollars.

Specifically, imagine how a significant increase in funding could speed up treatments and cures for such debilitating diseases such as Alzheimer's and ALS. This legislation gives researchers a fighting chance in the hope of finding a cure for so many diseases and disorders. Investing in research today will pay dividends long into the future and will significantly reduce costs of treatment.

Give families hope. Vote "yes" on 21st Century Cures.

Mr. PALLONE. Mr. Chairman, I would ask my chairman to proceed with another Republican because the gentleman seems to have more people.

Mr. UPTON. I yield 1 minute to the gentleman from Illinois (Mr. SHIMKUS).

Mr. SHIMKUS. Mr. Chairman, I am here on the Democrat side, congratulating them for great work on 21st Century Cures.

I was involved in a couple pieces of the legislation that were added, one on antibiotic resistance and a lot on medical devices, because we need to reform the process. The bureaucracy is tough.

So, in streamlining these procedures, we are not questioning or addressing or harming individual safety, but what we are doing is making sure these devices get to where they need it in the quickest possible time.

This is just a small part of the great work of my friends on this side—I hope you don't mind me being over here—and the majority side in that it is a tribute to what we can do when we work together. I am proud to be part of this team.

Mr. PALLONE. I yield 5 minutes to the gentlewoman from Colorado (Ms. DEGETTE), the Democratic sponsor of the bill who has worked so hard to bring us to this day with this bill on the floor.

Ms. DEGETTE. Mr. Chairman, my father-in-law, Lino Lipinsky de Orlov Senior, was a true renaissance man. During World War II, he was a member of the Italian resistance, whose family sheltered Jews and Allied soldiers in their apartment. An artist by training, he made his way to this country with letters of introduction and became a world-renowned etcher and museum curator.

Most importantly, Lino Senior was a wonderful person. Kind to all and beloved by his family and friends, he reveled in life's small pleasures, creating whimsical drawings for his loved one's birthday cards and recounting tales of Italian youth, from idyllic summers on Capri to his escapades in the Resistance.

So, Mr. Chairman, it was more than a tragedy when in 1988, we lost Lino Senior to ALS, or Lou Gehrig's disease. ALS is a debilitating disease that weakens and atrophies muscles, leav-

ing those with the disease the inability to perform even the most mundane tasks, much less the ability to create great art.

Last week, at Craig Rehabilitation Hospital in Denver, I met a young man stricken with ALS who was already confined to a wheelchair. He was there to support our bill, the 21st Century Cures. But what struck me was, in the 25-plus years since we lost Lino Senior, there has been no cure. There has been no real treatment for patients who receive this diagnosis.

ALS has been well known and thoroughly evaluated for a long time—after all, it gets its nickname from one of the most popular athletes of the 1920s—but we have made virtually no progress in finding a cure. This is not for lack of trying.

The ALS community is incredibly active. Plenty of us in this Chamber and people all around the country took part in the ice bucket challenge last year. I thank FRED UPTON for a lot of things, but maybe the thing I should thank FRED for the most was giving me the opportunity to take the ice bucket challenge last year.

Thanks so much, FRED.

There is real hope, however, though, for ALS and for thousands of diseases for which we lack treatments and cures. Thanks to the mapping of the human genome and technological advances like electronic health records, researchers are poised to discover new breakthroughs that promise dramatic improvements for patients.

The bill before us today, 21st Century Cures, will ensure that the great promise of these developments is harnessed by our Nation's premiere research facilities, the National Institutes of Health, and the Food and Drug Administration.

21st Century Cures is a comprehensive bill which will encourage the development of new treatments and cures. It starts by making a major investment in research with the creation of a 5-year, \$8.75 billion innovation fund at the NIH. We create this fund to give the leaders the chance to plan strategically and to give longer term support to promising research projects. Ultimately, these investments will help produce new discoveries in the lab.

Cures then helps to take those discoveries and turn them into treatments for patients. We begin by modernizing clinical trials, including new efforts to ensure diverse populations participate in these research projects.

We allow centralized approval for clinical trials and adaptive trial designs to eliminate wasteful duplication of effort.

We include the patient perspective into every facet of discovering, developing, and delivering treatments, so that a conceptual breakthrough can be applied in practical ways.

We encourage new disease registries to pool information and help research-

ers drill into the data to find the unique and sometimes subtle needs of patient populations.

We help new scientists begin their careers in research so that great minds can tackle our biomedical challenges, and we will unlock the potential of modern technologies by facilitating safe data sharing and using digital medicine. We include many of the proposals in President Obama's precision medicine initiative as part of this.

With this bill, Mr. Chairman, we are going to make sure that in the 21st century, the pace of breakthroughs, treatments, and cures accelerates to meet the challenges of our time. A healthier world is coming, and I look forward to getting there as fast as we all can.

You know, we couldn't have done this without this team, and I want to take my minute to thank so many people who have helped with this. Ranking Member PALLONE's staff: Jeff, Tiffany, Kim, Arielle, Rachel, Eric, Waverly; Ranking Member GREEN's staff: Kristen; Chairman UPTON's staff: Gary, Clay, John, Paul, Carly, Katie, Adrianna, Robert, Josh, Joan, Bits, Mark, Sean, Noelle, Tom, Leighton—they are the majority; they have a lot more staff than we do—Chairman PITTS' staff: Heidi; Representative BURGESS' staff: JP and Daniel; my unbelievable and intrepid staff: Rachel, Elizabeth, Matt, Eleanor, Diana, Gambrel, Cole; my wonderful chief of staff who has been with me for 19 years; leg counsel.

Most of all, I want to thank my partner and compatriot, FRED UPTON. You have been fabulous, and I look forward to taking this over the finish line with you.

Mr. UPTON. Mr. Chairman, I yield 1 minute to the gentleman from Maryland (Mr. HARRIS), a member of the Appropriations Committee and a very valuable member as we put this package together.

Mr. HARRIS. Mr. Chairman, curing disease and suffering is something that even this Congress can agree on on both sides of the aisle. This is obvious from tonight's debate.

Preventative measures are important, but there are still diseases that we don't understand how to prevent, much less treat. And the purpose of the cure and innovation fund is, in fact, to accelerate the discovery.

Before I came here, I did research on diseases. Is there anyone in the country who doesn't believe that we will cure diseases like Alzheimer's or ALS? It is only a matter of time and the investments that we place in it. As the gentlewoman from Colorado stated, we have a lot of the pieces in place in order to create these tremendous new discoveries, and this bill gets us on the path.

There is going to be a lot of talk about cost on the floor, but the cost of

these diseases is not just measured in dollars. The cost is measured in families in ways that you can't measure in dollars.

Any family who treated a member with Alzheimer's disease, for instance, understands exactly what I mean by that.

Now, a lot of those costs are huge. Alzheimer's alone, for instance, is hundreds of billions of dollars in Medicare and Medicaid expenses over the next 10 years. If we can cure it, we can save those.

Mr. Chairman, it is time to invest in those cures. We simply can't afford not to.

Mr. UPTON. Mr. Chairman, I yield 1 minute to the gentleman from South Carolina (Mr. DUNCAN).

Mr. DUNCAN of South Carolina. Mr. Chairman, I lost my father April 14 of this year to Alzheimer's. It is a terrible disease. I watched how it affected him. I know that there are millions of Americans and American families that are dealing with Alzheimer's.

The 21st Century Cures Act will focus some resources so we can find a cure for Alzheimer's and we can find a cure for these diseases that are costing American taxpayers so much money.

I want to applaud the chairman, and I want to urge everyone to get behind the 21st Century Cures Act so we can find a cure for diseases like Alzheimer's in memory of my father, John Duncan.

Mr. PALLONE. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. RUSH), who is the ranking member of our Energy Subcommittee.

Mr. RUSH. Mr. Chairman, I rise in support of H.R. 6, the 21st Century Cures Act, and I want to thank Chairman UPTON, Ranking Member PALLONE, Ranking Member GREEN, and Ranking Member DEGETTE for their tireless work and commitment to this issue.

Mr. Chairman, this landmark piece of legislation will help modernize and personalize health care, encourage greater innovation, support research, and streamline the healthcare system to deliver better, faster cures to more and more patients.

Mr. Chairman, we might live in different regions, we might live in different times, we might be of different nationalities, we might even be of different faiths, but when it comes to the overall health of our Nation, we can surely put aside our differences and do the right thing for the American people.

I want to highlight two provisions of my bill, H.R. 2468, the Minority Inclusion in Clinical Trials Act of 2015, that were included in the 21st Century Cures Act.

The first provision will require the National Institute on Minority Health and Health Disparities to include, within its strategic plan for biomedical

research, ways to increase representation of underrepresented communities in clinical trials.

□ 1830

The second will ensure that it remains a priority at NIH to increase the inclusion rates of traditionally underrepresented communities within the future biomedical workforce.

The CHAIR. The time of the gentleman has expired.

Mr. PALLONE. Mr. Chairman, I yield the gentleman such time as he may consume.

Mr. RUSH. Simply put, Mr. Chairman, these provisions addressed persistent systemic and widespread disparities in health outcomes for minority communities.

As you know, many diseases, including cancer, heart disease, stroke, HIV/AIDS, diabetes, lupus, osteoporosis, asthma, sickle cell, and kidney diseases have been studied at length and still afflict minority populations in disturbing numbers and at disturbing rates.

Minorities are disproportionately underrepresented in clinical trials. There are many reasons attributed to this disproportionality, such as a lack of funding.

The chief culprit is that research professionals tend to work toward solutions for the cure of diseases to which they have personal connections and have personal experiences.

Mr. Chairman, I am so glad that the 21st Century Cures Act does address some of these critical issues. I rise in support of the 21st Century Cures Act, and I urge my colleagues on both sides of the aisle to vote in favor of H.R. 6.

Mr. UPTON. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. BILIRAKIS), a member of the Health Subcommittee.

Mr. BILIRAKIS. Mr. Chairman, I rise in support of the 21st Century Cures Act.

This bill represents meaningful reform for patients with rare or chronic conditions. I would like to highlight one provision I am so proud of, the OPEN Act.

There are 1 in 10 Americans who suffer from a rare disease. That is 10 percent of the country. Over 95 percent of these diseases have no treatments.

Patients like Candace and Laura from the Tampa Bay Area need FDA-approved safe and effective treatments. Laura has no treatment options, and Candace did her own research and took a medication off label and is now in remission.

The OPEN Act will incentivize major market drugs and combination drug products to be repurposed to treat rare diseases and put them on label.

The 30 million Americans with rare diseases need your "yes" vote. Vote for this bill. Vote for patients.

Mr. PALLONE. Mr. Chairman, I reserve the balance of my time.

Mr. UPTON. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. LANCE), a member of the Health Subcommittee.

Mr. LANCE. Mr. Chairman, this is the way Congress should work, in a bipartisan capacity. In my 5 years on the committee, this is the most significant piece of legislation to be voted out of the committee unanimously.

To those of us who are listening on C-SPAN this evening, this is what the American people demand of Congress, bipartisan cooperation.

This bill will save countless lives not only in this country, but across the globe. I am so pleased it includes language coauthored by Congresswoman ANNA ESHOO of California and me exempting future Food and Drug Administration user fees from sequestration.

I urge an extremely positive vote tomorrow. I hope that all of our colleagues will support this to indicate to the Senate of the United States that it should move forward as well so that the legislation can reach the desk of the President of the United States.

Mr. UPTON. Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. BUCSHON), a member of the Health Subcommittee.

Mr. BUCSHON. Mr. Chairman, I rise today in support of 21st Century Cures, an initiative that gives hope to patients and families who have battled or who will battle one of the 10,000 diseases with no known cures, like my good friend and mayor of Jasper, Indiana, Terry Seitz, who lost his wife and the mother of their two daughters, Ann Seitz, to ALS 5 years ago on Thanksgiving Day, the family's favorite holiday.

As Mayor Seitz put it, 21st Century Cures gives patients and their families the opportunity for hope and the ability to cope. These two things mean the world to those fighting a rare disease who face so much uncertainty about what the future may hold. 21st Century Cures turns hopelessness into hope.

Mr. Chairman, we have a real opportunity today to improve the lives of these patients across the country, and we need to seize it.

Mr. UPTON. Mr. Chairman, I yield 1 minute to the gentlewoman from North Carolina (Mrs. ELLMERS), a member of the Health Subcommittee.

Mrs. ELLMERS of North Carolina. Mr. Chairman, I rise today to shed light on why the nonpartisan 21st Century Cures Act is important for patients everywhere.

As a nurse and as part of our team working on this effort over the last year, I can relay that the 21st Century Cures Act is important because of people like my constituent back home, Ellie Helton.

Ellie was a beautiful, courageous constituent of mine. She loved peanut butter cups, the color pink, and most of all her family and her friends. At

about this time last year Ellie suffered from a ruptured brain aneurysm that took her life at the tender age of 14.

The 21st Century Cures Act legislation creates an accelerated process by which we discover and develop cures and treatments for patients like Ellie. This legislation is fully offset and will reduce the deficit by more than \$500 million over the first decade.

Mr. Chairman, I am so proud to be a Member of Congress who is working on this legislation with all of my colleagues, and I am so proud of our chairman, FRED UPTON, for the work that he has done. This is an incredible effort, and I am so proud to be a part of it.

Mr. PALLONE. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Mrs. CAPPS), who is also a healthcare professional.

Mrs. CAPPS. I thank my colleague for yielding.

Mr. Chairman, I rise today to speak on behalf of H.R. 6, the 21st Century Cures Act, and I salute the bipartisan authors of this bill.

I am a cosponsor of this legislation. I am proud of the many hours of work that members of the Energy and Commerce Committee have put in to find common ground. This is a real achievement. 21st Century Cures is a good bill. It has come a long way, but I lend my support with some reservations.

Despite bipartisan agreement in committee to provide robust funding for the research initiatives and policies in this bill, the bill before us shorts the NIH by over \$1 billion, and these funds are the very ones that are critical for cures.

It is important that we provide the necessary support that the NIH requires to continue to be the gold standard in research and development.

While we all agree that it is important to speed up research and clinical trials to get treatments to those in need, I want to reiterate my concerns that this focus on speed should not undercut the work that so many have done for years, including many of us here in Congress, to improve diversity in research and clinical trials.

While this bill does include my provision to encourage the inclusion of children and the elderly in clinical trials, more needs to be done to ensure that women and minorities are included as well. This is an effort I led during the FDA reauthorization, and it is one that must not be undercut by the Cures effort.

Finally, I must express my disappointment that once again the House majority has decided to add language to the bill that politicizes the bipartisan effort and attacks women's personal decisionmaking.

It is a distraction from the important work that we are trying to do here, and I strongly urge my colleagues on both sides of the aisle to support the amendment to strip it.

The 21st Century Cures initiative is such an important bipartisan effort to strengthen our medical research and treatment development. It could be stronger, and I stand willing to work with my colleagues to do just that.

Mr. UPTON. Mr. Chairman, I yield 1 minute to the gentleman from Missouri (Mr. LONG).

Mr. LONG. Mr. Chairman, what an accomplishment it is to have this historic legislation on the House floor.

I want to congratulate the chairman and my Energy and Commerce Committee colleagues for their hard work. We are much closer to moving American medical innovation into the 21st century. Part of that is to keep up with the ability to communicate in a modern way with patients.

As the chairman knows, I have worked very closely with him and his staff during this past year to draft language to update the Food and Drug Administration's oversight of healthcare information on the Internet, especially on social media.

Millions of people use the Internet to find critical health information on treatments and other health topics. Unfortunately, current FDA regulations do not help communicate accurate, meaningful information online about healthcare solutions, such as prescription drugs and medical devices.

There is enormous potential to improve American lives if we can get the FDA to write workable rules and guidance to communicate information where people's attention is focused.

After all, the FDA itself regularly turns to the Internet to announce its activities and inform the public, presumably in a safe and informative way.

I have legislation to do this, and I hope to continue working with the chairman to modernize healthcare communications and, thus, help improve the lives of all Americans.

I look forward to continuing to work with the chairman on the 21st Century Cures to make sure this monumental bill ultimately meets the President's pen and is signed into law.

Mr. UPTON. Mr. Chairman, I yield 1 minute to the gentleman from West Virginia (Mr. MCKINLEY).

Mr. MCKINLEY. Mr. Chairman, I rise today in favor of H.R. 6.

By encouraging innovation and providing more resources for groundbreaking research, we can provide a better future for our children and our grandchildren.

America has a rich history of scientific discovery, from putting a man on the Moon to finding a cure for polio. With the right focus, we can do the same in finding cures for devastating diseases, like cancer and Alzheimer's.

I want to thank Chairman UPTON for his commitment to making Alzheimer's one of the neurological diseases on which the CDC will collect data. 21st Century Cures will improve

the lives of all Americans by bringing research from the lab to our families.

I thank the chairman, the committee, and the staff for all of their dedicated work on this.

Mr. UPTON. Mr. Chairman, I yield 1 minute to the gentlewoman from Indiana (Mrs. BROOKS), a member of the Health Subcommittee.

Mrs. BROOKS of Indiana. Mr. Chairman, I rise today to express my wholehearted support for the 21st Century Cures initiative. This legislation will change lives, and it will save lives.

When Chairman UPTON and Congresswoman DEGETTE introduced this bipartisan initiative, they promised it would be different. They used words like "bold," "transformative," "profound," and "hope." They promised hope, and they promised to change lives. Thankfully, they have delivered on these promises and then some.

21st Century Cures will profoundly transform our Nation's ability to discover, develop, and deliver the cures of tomorrow. It will change and even save lives, lives like that of Fifth District constituent Teresa Altemeyer, who has a form of chronic leukemia.

21st Century Cures can make all of the difference. She recently told me, as one of the many hundreds of thousands of patients living with chronic lingering cancer, "I am always looking forward to the future for the next therapy that can either hold off my cancer or potentially cure it, and in the past the wait for these medications has been excruciatingly slow."

Tomorrow I will be missing the funeral of a dear friend, Judy Warren, who died on Sunday from pancreatic cancer. She would have wanted me to be here tomorrow, voting on this bill. It couldn't save her, but it can save Teresa and many others.

Mr. PALLONE. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa (Mr. LOEBSACK).

Mr. LOEBSACK. I thank the ranking member for yielding.

Mr. Chairman, this legislation, I believe, as Mr. LANCE stated, is proof that we can accomplish great things when we put aside partisanship and unite around a common goal.

To that end, I want to thank all of my wonderful colleagues here today who have worked on this thing for so long. I am new to the committee, and coming into this and being able to be a part of this is really a great honor for me.

□ 1845

I want to thank the chair and the ranking member also for my provision to extend and expand the prior authorization program for prior mobility devices in this bill, providing certainty to Medicare beneficiaries that these critical devices will, in fact, be covered.

I am also excited about the NIH innovation fund, which entails mandatory

funding, as was mentioned earlier, and will support scientists like those working at the University of Iowa.

As a result, we will have more groundbreaking advances like the University of Iowa researchers' discovery of a biomarker that could lead to early detection for the risk of preeclampsia in pregnant women, a discovery that could save countless lives.

While I am disappointed that the NIH funding was cut from \$10 billion to \$8.75 billion, I am hopeful that we can restore this amount as the process moves forward.

Finally, I am really happy that we finally have gotten to a point in this body, at least on this legislation, where we can think longer term and not just short term, not just about the costs for this program this year or even for the next 5 years, but think about all the savings that this will entail down the road as well, something that really happens far too often, I think, in this body and over in the Senate as well.

I thank my colleagues for their work on this issue. I am really very pleased to be a part of the process. Thank you for having me as a member of that committee and to be a part of the process.

Mr. UPTON. Mr. Chair, I yield 1 minute to the gentleman from New York (Mr. COLLINS), a member of the committee.

Mr. COLLINS of New York. Mr. Chair, I rise today in support of H.R. 6, the 21st Century Cures Act. This legislation will modernize and advance our healthcare system to help the millions of Americans battling rare diseases. It increases funding for NIH grants used by scientists at world class universities like those in my district in Buffalo and Rochester, New York.

H.R. 6 streamlines the drug approval process at the FDA, helping get new drugs to market faster. Patients are demanding a fresh approach to drug approval and biomedical research. This legislation provides America's medical innovators the guidance they need to lead a new age of medical innovations.

I want to thank Chairman UPTON and my colleagues on the Committee on Energy and Commerce for their dedication to this cause. I am proud of the work we have accomplished, and I am confident that this legislation accomplishes our goal of incentivizing innovation and defeating disease.

Mr. UPTON. Mr. Chair, I yield 1 minute to another gentleman from New York (Mr. GIBSON), who again had a very positive impact on the legislation that was bipartisan as a part of this bill.

Mr. GIBSON. Mr. Chairman, I rise in support of H.R. 6 on behalf of the many Americans who have been impacted by Lyme disease and other tickborne diseases. Lyme disease is rapidly becoming a public health scourge in the U.S. We simply need to do better at prevention, diagnosis, and treatment.

H.R. 6 includes the text of the Tick-Borne Disease Research Accountability and Transparency Act, which is a truly constituent-driven effort and represents a significant step forward in bringing solutions for our chronic Lyme sufferers.

I would like to thank the physicians, the patient advocates, and researchers that helped in this process, including Dr. Richard Horowitz, Pat Smith, David Roth, Jill and Ira Auerbach, Holly Ahern, Chris Fisk, and other Lyme advocates across the nation, including Representative CHRIS SMITH of New Jersey and my coauthor and friend, Representative JOE COURTNEY of Connecticut.

Finally, I would like to thank Chairman UPTON, Ranking Members PALLONE and DEGETTE, and their dedicated committee staff for working tirelessly to include members' input and manage an open, bipartisan process for this important legislation.

I urge my colleagues to support this bill.

Mr. PALLONE. Mr. Chairman, how much time remains on each side?

The CHAIR. The gentleman from New Jersey has 11 minutes remaining. The gentleman from Michigan has 14½ minutes remaining.

Mr. UPTON. Mr. Chair, I yield 1 minute to the gentleman from Georgia (Mr. ALLEN).

Mr. ALLEN. Mr. Chair, I rise today to support the 21st Century Cures Act and thank the chairman and the Committee on Energy and Commerce to keep America at the forefront of medical innovation by removing barriers that prevent development and delivery of life-improving therapies.

However, this is not only an issue of keeping America competitive; it is a moral issue. The greatest physician in history said in Matthew: "Whatever you did for one of the least of these brothers and sisters of mine, you did for me."

I want to share the story of Brennan Simkins, who was diagnosed with childhood cancer. Brennan has had over four bone marrow transplants. He is still living today, and he is the student of my wife, who is teaching him piano.

He is truly a miracle and a blessing to us, but he still requires medications. There are medications out there which are caught up in bureaucratic red tape. By passing this bill, we can help patients and families across the country, like Brennan Simkins, get access to the medicines of tomorrow.

The CHAIR. The time of the gentleman has expired.

Mr. UPTON. I yield the gentleman an additional 30 seconds.

Mr. ALLEN. I urge my colleagues to support H.R. 6.

Mr. PALLONE. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. AGUILAR).

Mr. AGUILAR. Mr. Chair, I appreciate the gentleman from New Jersey yielding some time.

Tomorrow, the House will vote on the 21st Century Cures Act, legislation that will advance medical research at the FDA and the NIH to lead new treatment for cures for countless people. This is necessary.

However, what is not necessary is the dangerous language that Republican leadership quietly tucked in the bill that blocks access to reproductive care. This is unacceptable.

As a member of the Pro-Choice Caucus, I oppose this and other attempts to expand restrictions on reproductive care. We cannot allow this type of antichoice language to keep appearing in what is otherwise important legislation.

Today, it is in legislation to further medical research. Before, it was in legislation to fund community health centers and to protect victims of trafficking. Allowing this policy to move forward will move women's health care backward. We cannot allow these attacks to continue.

Representatives LEE, CLARKE, and SCHAKOWSKY have offered an amendment to strike this destructive antichoice language. Today, I offer them my strong support.

I urge my colleagues to vote in favor of their amendment and to also insist that we need to stop injecting the Hyde language into parts of law it doesn't belong.

Mr. UPTON. Mr. Chair, I yield 1 minute to the gentlewoman from California (Mrs. MIMI WALTERS).

Mrs. MIMI WALTERS of California. Mr. Chair, I rise today in support of the 21st Century Cures Act. This bill is a bold proposal that would accelerate our scientists' ability to develop lifesaving cures. Our need for action is now. Currently, more than 10,000 known diseases exist in the world; however, we only have treatments for approximately 500.

In my district of southern California, 4-year-old Callan Mullins was born with a severe congenital heart defect. He has undergone four open heart surgeries, suffered numerous strokes, been diagnosed with cerebral palsy; and at the age of 3, doctors delivered the heartbreaking news that he had a brain tumor.

Callan is a fighter and a survivor, but his parents are still seeking answers and medical breakthroughs to ensure that he can live life to its fullest. The Cures Act would offer hope to the millions of Americans like Callan battling devastating illnesses.

I thank Chairman FRED UPTON for his tireless work on this bill. I urge my colleagues to stand with me as we pave the way for lifesaving treatments and cures.

Mr. PALLONE. Mr. Chairman, I yield myself the balance of my time to close.

Before conclusion of debate, Mr. Chairman, let me just take a minute to recognize Chairman UPTON and Representative DEGETTE for their steadfast dedication to this bill.

This bill would not have been possible without their work for so many years, beginning when they had these forums where they heard from patients and the advocacy groups around the country.

The process that they used to actually obtain information that became the basis for this bill was really unusual and was very, I would say, populist and grassroots in a way that I think I would like to see emulated in the future because it was so successful.

It is further proof, I think, also that when we want to work together to achieve great things, we are capable. I know it hasn't always been easy, and the staff has had to work around the clock and on weekends and during holidays since January, but this is a good bill that I am proud to support.

I just want to thank not only the members, but also the staff of Chairman UPTON and Chairman PITTS. That is Gary Andres, Clay Alspach, John Stone, Carly McWilliams, Paul Eddatel, Robert Horne, Joan Hillebrands, Katie Novaria, Adrianna Simonelli, and Heidi Stirrup.

Let me also thank Representative DEGETTE for her work, her staff as well: Lisa Cohen, Rachel Stauffer, and Elizabeth Farrar; Mr. GREEN's staff: Kristen O'Neill; and, of course, my staff: Jeff Carroll, Tiffany Guarascio, Kim Trzeciak, Eric Flamm, Rachel Pryor, Waverly Gordon, and Arielle Woronoff.

Let me just say this: Obviously, I urge support for this legislation. I hope that we get a huge vote, but I think the biggest satisfaction that I am going to get when this passes and we work to get it passed in the Senate and to the President's desk is that every Member of Congress knows that, when we go home, there are always events with various advocacy groups.

I think, of course, of the pancreatic cancer group because my mom died of pancreatic cancer about 5 years ago, 7 months after she was diagnosed, which is actually a long time. Many people die within 6 weeks or 2 months after diagnosis because the diagnosis takes so long and occurs too late, effectively.

You go to these various events that the groups have. Sometimes, it is a run; or it is a walk. DIANA DEGETTE mentioned ALS. I went to an ALS walk, I think, about 3 or 4 weeks ago.

The typical response—and I am thinking of this last ALS walk—is that someone will come up to you and say: Why aren't you doing enough to find a cure? Why aren't you spending more money? Why aren't you prioritizing this disease? Why is it so difficult to have a clinical trial or to get involved in a clinical trial?

For 20 years, most of the time, when somebody has brought that up, I haven't really had an easy response because, for many of the diseases, there hasn't been really much progress at all.

Now, the biggest satisfaction I am going to have—and I have already had it over the last few weeks—is when I go back and I go to one of these events and one of the patients or advocate representatives says to me: Well, what are you doing about this?

I will be able to say: Well, we have a bill called 21st Century Cures, and it does a lot of things that could make a difference in terms of what your concerns are.

That, to me, is the greatest satisfaction, really, of our being able to pass this bill tomorrow.

I would urge support on a bipartisan basis.

I yield back the balance of my time. Mr. UPTON. Mr. Chair, if I might ask, how much time do I have remaining?

The CHAIR. The gentleman from Michigan has 12½ minutes remaining.

Mr. UPTON. I yield myself the balance of the time to close. I won't use 12½ minutes, I don't think.

Mr. Chair, I appreciate you being here tonight and the Members, knowing that we are going to debate a number of amendments and vote on final passage tomorrow morning.

We have all thanked a lot of people here, a lot of great staff, terrific staff, a lot of good Members. I am not sure anyone has actually thanked the leadership on both sides.

I want to thank JOHN BOEHNER, the Speaker, not only for giving us H.R. 6, but his strong support all the way; KEVIN MCCARTHY, our majority leader; STEVE SCALISE, our whip; CATHY MCMORRIS RODGERS, our conference chair; and on the Democratic side, too, NANCY PELOSI, former Speaker, has been terrific; STENY HOYER has been in the trenches every day on this issue, came and participated in our very first roundtable more than a year ago to see this bill move forward. It is, indeed, a bipartisan bill.

Every one of us here, as we think about the 434 of us here in the House, every one of us has taken a different path to get here. We each represent diverse districts, and despite our differences geographically and politically, whether we have an R or a D next to our name, I daresay that there is one thread that indeed binds us all.

We are all here to improve the lives of our friends, our neighbors, and our family members at home.

□ 1900

This is Brooke and Brielle. I am in the middle. So look at just Brooke and Brielle. They and so many of our friends, neighbors, and family members are why we are here today. These two little girls from my district in Michi-

gan are bravely battling SMA. They are two of the brightest stars that I know.

Our 21st Century Cures effort seeks to capture just a sliver of the hope and optimism that countless patients like Brooke and Brielle exude, despite insurmountable odds.

A year and a half ago, we had an idea. We sat down, Republicans and Democrats, and it was time for Congress to do something positive to boost research and innovation and deliver real hope for more cures by expediting the approval of drugs and devices. That is what this bill does.

We traveled the country. We had probably 40 or 50 different roundtable and subcommittee hearings all over the place, and we appreciated Republican and Democratic participation. We visited with patients, researchers, innovators, and health experts from across the health spectrum. We listened, and we put pen to paper, and then we listened some more. And that is why we are here today.

There is not a single person in this Chamber or watching at home tonight who has not been touched by disease in some way, and it is about time that we actually do something about it.

So as we begin debate on this landmark bill, I can't help but think of the patients who are sitting across from their doctors right now about to get news that certainly is going to change their world.

It is not just the disease that makes them feel powerless and vulnerable. The very system designed to help them has not kept pace with scientific advances. They need the next generation of treatment and cures, but they don't have until the next generation to wait.

They aren't interested in debating why the timelines, the failure rates, the size and the costs of conducting clinical trials are at all-time highs. They know that, despite the promise of scientific breakthroughs, they can't get the therapy that might save them. That is why we need this bill.

We have all said too many early good-byes—too many—and we have seen families robbed of a parent that is never going to get to see their child's milestones, like not see them walk down the aisle, maybe not see a graduation, maybe not see a career, maybe not see them raise a family of their own, and we have seen children that are born without the gift of a future. Life is not always fair. We know that, but we have got to try and do better.

The last century and the century before it brought just remarkable medical breakthroughs. From x-rays and anesthesia to pacemakers and transplants, the tools to diagnose and treat patients have been transformed over and over and over again; yet for every single disease that we defeat, every condition we cure, there are thousands more still plaguing our people. Of the

10,000 known diseases, 7,000 of which are rare, there are treatments for only 500.

The history of health innovation is indeed remarkable, but now we have got our sights set on this bill, 21st Century Cures. The bill is about making sure that our laws, regulations, and resources keep pace with scientific advances.

So what does it take to vanquish a disease? Yes, often billions of dollars, millions of hours—that is for sure—thousands of researchers, and hundreds—maybe thousands—of failed attempts can go into the development of yet just one single treatment or cure. It is daunting, it seems impossible, but still, patients like Brooke and Brielle hold out hope.

They battle through pain, transcend physical limitations, and live lives filled with joy and optimism. Our brothers and sisters, moms and dads, grandparents and friends, they all keep faith in the future, in spite of suffering. This bill, the 21st Century Cures initiative, is for them. It is for those that we lost, those who grapple with sickness today, and those who will be diagnosed tomorrow.

In this, the greatest century in the world on the greatest country on the planet, Americans deserve a system that is second to none. We can and must do better. It is about hope—hope that the burden for patients and caregivers is less tomorrow than it was yesterday—and it is about time.

So as Brooke and Brielle always say with a smile and a sparkle in their eyes, “We can, and we will.” The time for 21st Century Cures is now.

Please join us, Republicans and Democrats, leaders on both sides of the aisle, for the patients that we want to solve these diseases for, by supporting this bill, by working with our colleagues in the Senate, but really listening to the voices that call for us to do something well. This is it, H.R. 6. Please vote for it tomorrow.

I yield back the balance of my time.

**Mrs. McMORRIS RODGERS.** Mr. Chair, I rise today in support of the 21st Century Cures Act. I thank Chairman UPTON and my colleagues on the Energy and Commerce Committee for all the work they’ve done advancing this important initiative.

For the past year and a half, we have been listening to experts and patients across the country detail how we can proactively address America’s growing health care needs and areas where cures and therapies are lacking.

The single best thing we can do? Make sure that our ultimate goal should not be to provide lifelong treatment, but to find life-saving cures.

It shouldn’t take 15 years and billions of dollars to maybe get a new medical innovation approved. We need to remove the unnecessary barriers between Americans and life-changing innovation.

This means prioritizing resources, cutting through red tape, and empowering scientists and researchers so they can discover, develop

and deliver medical breakthroughs. 21st Century Cures does this.

I’m proud to have authored six major provisions in the Cures package. These are bills that modernize HIPAA laws, accelerate the discovery of new cures, create research consortia to treat pediatric disorders, and bring our regulatory framework into the 21st century by embracing technologies that focus on patient-specific therapies and the potential for powerful indicators, like Biomarkers.

Mr. Chair, we have a unique opportunity here today. Today we are offering hope for the millions of Americans suffering from currently incurable and untreatable diseases.

Hope for the Eastern Washington dad with ALS who just wants to see his kids grow up.

Hope for the high school student with cancer waiting for the FDA to approve a clinical trial.

This is our chance to help foster an environment where innovation is accelerated, not stifled. Where discovery and high paying jobs are here in the United States, not abroad.

This is our chance to offer the promise of real solutions to the American people.

Mr. Chair, I ask my colleagues join me in taking advantage of this tremendous opportunity, and passing 21st Century Cures.

**Mr. WHITFIELD.** Mr. Chair, I rise today in support of H.R. 6, the 21st Century Cures Act, which will help uncover the next generation of ground-breaking cures and treatments for the thousands of diseases that currently have none. H.R. 6 will streamline the delivery process, enhance research and development, and modernize the regulatory system for approving drugs and medical devices. For patients, families, and loved ones affected by serious illnesses, this legislation offers real hope.

Last summer, I was fortunate to meet a young man named Scott Andrew Mosley who lives in my district in Henderson, Kentucky. Scott is 13 years old and was diagnosed with Duchenne’s Muscular Dystrophy (DMD) at the age of 6. DMD is a recessive X-linked form of muscular dystrophy, affecting around 1 in 3,600 boys, which results in muscle degeneration and premature death.

DMD begins in the legs and over time attacks all the muscles in the body. Young Scott became unable to walk at the age of 9 because of DMD, but has never complained about the hand he has been dealt. He offers encouraging smiles to everyone he meets, despite knowing he faces a disease without a cure. Last year, a group of gentlemen in the Henderson community rallied together and volunteered to remodel and refit Scott’s bedroom with his own shower and equipment necessary to transfer him from bed to bath. These gentlemen volunteered their time, talent, and money to help Scott and his family because it was the right thing to do.

Mr. Chair, as a Member of this esteemed body, I believe it is our duty and obligation to pass the 21st Century Cures Act so that people like Scott Mosley can have hope for a cure for DMD and so many other diseases. Many other Kentuckians and Americans across this country are also in need, and passing the 21st Century Cures Act will bring them hope, and it also is the right thing to do. My thoughts and prayers remain with Scott and the Mosley family, and I thank them for the opportunity to speak on their behalf.

**Ms. EDDIE BERNICE JOHNSON** of Texas. Mr. Chair, I rise in support of H.R. 6, the 21st Century Cures Act. Unanimously passed out of the House Energy and Commerce Committee with a 51–0 vote, the 21st Century Cures initiative will encourage innovation in biomedical research and development of new treatments.

With \$8.75 billion in mandatory funding over the next five years delivered to the newly created National Institutes of Health and Cures Innovation Fund and \$550 million for the Food and Drug Administration over the next five years, it is clear that Congress is committed to investing in health research. Developing a better system of funding towards high-risk high reward research and research by early stage investigators is crucial to finding better health outcomes. With a better focus on infectious disease, precision medicine, and biomarkers, I strongly believe that we will finally address these areas of unmet medical needs, which are often the most pervasive issues in our health system.

The modernization of clinical trials by supporting a more centralized system, moving to more adaptive clinical trial designs, and creating a national neurological disease surveillance system will help to develop better data and provide more patient success stories. The legislation also allows for better sharing of clinical trial information for researchers and scientists for more efficiency across the board. Also, the bill ensures that strategies will be developed to cast a wider net for clinical trials in order to increase minority representation.

Last October, I wrote a letter urging the White House to take into consideration UT-Southwestern’s existing particle therapy research infrastructure and expertise in leading cancer treatment research in the U.S. when selecting the planning grant award recipients. The planned center would serve as a research adjunct to an independently created and funded, sustainable clinical facility for particle beam radiation therapy. Currently, the planning grant includes pilot projects that will enable a research agenda in particle beam delivery systems, dosimetry, radiation biology, and/or translational pre-clinical studies.

Mr. Chair, the advanced planning grant the UT Southwestern Medical Center received in February 2015, is exactly the type of medical and technological advancement the DFW Metroplex and country needs and is the type of federal investment we need to continue to lead the world in state-of-the-art medical research. Not only is this grant a major advancement for STEM, it is a crucial step in the right direction for cancer research and those affected by cancer here in the United States.

This legislation provides new funding opportunities for innovative cancer treatment approaches such as the development of America’s first Heavy Ion Center for cancer therapy and would pave the way to keep America at the forefront of medical research and state-of-the-art cancer treatment.

While H.R. 6 contains many provisions regarding the biomedical research workforce, clinical trials, FDA improvements, I am most proud of the initiative’s provisions regarding mandatory funding for the NIH and FDA. I strongly believe that the Congress has not placed enough importance on scientific research and this is a way to get us back on



track. Investing in innovation will yield high rewards for the medical community, especially patients. I am proud to support H.R. 6, the 21st Century Cures Act.

Mr. BOUSTANY. Mr. Chair, I rise today to express opposition to H.R. 6, the 21st Century Cures Act.

As a doctor, I strongly support medical innovation and research. Over the course of my 30 years practicing medicine, I saw tremendous leaps and bounds in treatment that saved lives. I appreciate the hard work put into creatively attempting to modernize the health-care innovation infrastructure, specifically efforts to incorporate a patient perspective into the drug and device approval process, support advances in personalized medicine, and streamline clinical trials. However, I cannot support the sale of 64 million barrels of crude oil from the Strategic Petroleum Reserve being used to pay for these changes.

Over the past year, the price of oil has dropped from above \$100 per barrel to below \$50. Although the price of oil is currently at \$54 a barrel on the global markets, this is far from stable. I do not understand why Congress would agree to sell 64 million barrels from the Strategic Petroleum Reserve when the price is low, flooding the global oil marketplace, and likely causing the price to drop even further. This has the potential to cause havoc for our own domestic oil and gas industry.

The decline in oil prices is hurting the states that had benefited from the domestic oil-production boom in recent years. My home state of Louisiana ranked second in the U.S. in oil production and second in natural gas production in 2013, with more than 64,000 Louisianans employed in extraction, pipeline and refining industries. This industry matters to everyone in Louisiana.

According to the American Petroleum Institute the U.S. oil and natural gas industry supports more than 9 million jobs nationwide, supports over 7% of GDP, and contributes more than \$86 million to the Federal Treasury every day. Since oil prices began to drop, it has been widely reported that the oil and gas industry have been struggling to keep their employees on payroll. In April, the U.S. Bureau of Labor Statistics announced that Louisiana suffered a 3,300 job loss in the mining and logging sector. In June we saw two consecutive week losses in mining employment—that's the category that includes many oil and gas exploration and extraction jobs—have slipped below 100 in Louisiana.

I will not accept the false choice between supporting medical innovation and Louisiana oil and gas jobs. I believe it's irresponsible to flood the global market for petroleum with more product while Louisiana families are experiencing layoffs because of low global prices.

Many of my colleagues have stated that given the remarkable expansion of North American oil production, a reduction in the size of the reserve could be seen as responsible cost-effective public policy. I would disagree. Research shows that price spikes in transportation fuels is highly regressive, with most of the cost disproportionately hitting middle class and low-income groups. This vulnerability remains even though our work shows

that the U.S. and much of the Western hemisphere will largely separate from physical trade flows with Middle East producers in the next few years.

According to the U.S. Energy Information Agency (EIA), the U.S. economy will continue to rely upon petroleum for many years, and work by EPRINC and many other research groups demonstrates that we will remain vulnerable to severe economic damage from disruptions in petroleum supplies in the world oil market. The SPR remains an important strategic asset for protecting the U.S. economy and security interests from this vulnerability.

Selling barrels from the Strategic Petroleum Reserve should be done in a thoughtful and strategic manner when global prices are high, not as another coffer for Congress to raid at its convenience and at the expense of Louisiana's oil & gas industry.

Mr. UPTON. Mr. Chair, the following is my statement in its entirety:

We launched this effort a year-and-a-half ago. And with tomorrow's House vote, we mark an important milestone in our quest for 21st Century Cures—one step closer to the finish line.

There are so many individuals throughout our 18 month journey that helped get us to where we are today. Patients across the country. Advocates. Researchers. Innovators. Experts. Academics. Regulators. Some of the nation's brightest minds. To all we say thank you.

Thank you to the staff—on both sides of the aisle—who took the meetings, did the research, drafted the language, and sat at the negotiating table for countless hours to help us develop this incredible product. Gary Andres, Joan Hillebrands, Alexa Marrero, Clay Alspach, Paul Edattel, Josh Trent, Robert Horne, John Stone, Carly McWilliams, Katie Novaria, Adrianna Simonelli, Graham Pittman, Michelle Rosenberg, Traci Vitek, Sean Bonyun, Noelle Clemente, Macey Sevcik, Mark Ratner, Tom Wilbur, Bits Thomas, Marty Dannenfelser, Tim Patanki, Karen Christian, Peter Kielty, Jeff Carroll, Tiffany Guarascio, Lisa Cohen, Rachel Stauffer, Elizabeth Farrar, Matt Inzeo, Cole Leiter and all the Democratic staff, the staff of our members . . . thank you all. Thank you to House legislative counsel and the Congressional Budget Office for your efforts and dedication. Thank you to the members of both parties who brought their best ideas, partnered with one another to make their case, and delivered so many of the policies we welcome today.

I'd also like to thank HAL ROGERS and his staff. The Appropriations Committee has been a critical partner in this effort, working with us and developing the right approach to achieve our shared goal of helping patients in a fiscally responsible way.

I especially want to highlight my partner in this effort from day one, Ms. DEGETTE. She has been to Michigan, and I have travelled to Colorado—we have been on a number of road trips for Cures and I look forward to the next journey. I also want to thank Mr. PITTS, Mr. PALLONE, and Mr. GREEN for their partnership. We have made great strides but our work continues—and we won't stop until the ink is dry on the 21st Century Cures Act in the Oval Office.

I also want to give a hearty thank you to Max—a 6-year old ambassador for Cures. Although he is faced with the challenge of Noonan syndrome, he has been a little warrior in this effort. He joined us when we had our 51 to zero vote in the committee. And I am delighted Max will be by my side tomorrow on the floor for final passage.

Helping Max is why we're here. Helping my friends Brooke and Brielle is why we are here.

With a resounding vote, we will send a signal to the Senate—loud and clear—that the time is now for Cures 2015. I look forward to working with my Senate counterparts to continue the momentum and get 21st Century Cures to the president's desk.

We have a chance to do something big, and this is our time.

Vote yes.

Mr. BILIRAKIS. Mr. Chair, on a personal level, I have family members who have suffered with Parkinson's—I witness this debilitating disease through them. It is hard to see. Few things in America are truly ubiquitous—diseases, sadly, are one of those things.

In addition to the struggle chronic and rare disease patients face, physicians, researchers, clinicians, and medical device companies (among others) deal with an outdated and overly burdensome regulatory structure. These regulations stifle the development of new cures and treatments, whether they are drugs, biologics, or devices.

Given the reality, we have to ask: how can we get cures and treatments to the people who desperately need them?

That is the question the 21st Century Cures Initiative was created to answer. The 21st Century Cures Initiative is a bipartisan undertaking by members of the Energy and Commerce Committee to help our healthcare innovation infrastructure thrive and deliver more hope for all patients. This is a tremendous undertaking, and is much easier said than done.

It is about finding new ways to drive innovation. In addition to adequate funding and resources, we need to think critically about structural changes to streamline and modernize our health care system. We need to rethink what we have been doing and how we are doing it for the 21st Century.

This is what 21st Century Cures Initiative is giving us: an opportunity to address some of the structural barriers to new cures and promote new ways to incentivize developments. The 21st Century Cures Initiative has examined and seeks to accelerate the complete cycle of cures—from discovery to development to delivery and back again to discovery. This has resulted in the 21st Century Cures Act—a culmination of over a year's worth of engaging with patients, researchers, physicians, government, and private entities.

This year included numerous hearings and roundtables in Washington D.C. As legislators, we worked tirelessly to engage all stakeholders from across the spectrum. The only way we can answer the question—how do we get better cures and treatments?—is to work with everyone involved in the American health care system.

I am proud that I was able to have several provisions that were included in the final version of the Cures Act. These provisions will help to change the lives of patients in small to

larger ways. I want to take a moment and highlight some of the provisions and some of the people that helped shape the policy.

Rare diseases are not a rare problem. Nearly 30 million Americans—1 in every 10 people—are living with a rare disease.

That is why I introduced the OPEN Act—the Orphan Product Extensions Now Act. It was included as a provision of the 21st Century Cures Act.

My bipartisan bill has the potential to help millions of people by incentivizing the testing of mainstream drugs—or repurposing them—to treat rare diseases and pediatric cancers, and it was included as a major provision in the 21st Century Cures Act.

The OPEN Act would unlock a new world of potential treatments—it would put FDA-approved, safe, and effective treatments “on-label.”

Through the 21st Century Cures Act, Congress has a chance to come together to make a real difference in the lives of the 160 million Americans who suffer from a rare or chronic condition, as well as the family members and friends of all those afflicted.

The OPEN Act is one provision in the 21st Century Cures Act, but it is one I am proud to have authored, and one I believe will make a substantial difference in the lives of a lot of people.

I want to take this opportunity to thank all the people who helped make the OPEN Act a reality, and who fought for this legislation to be in the 21st Century Cures Act.

Julia Jenkins, Max Bronstein, Andy Russell, Harry Sporidis, Tim Perrin, everyone at the EveryLife Foundation for Rare Diseases, and the other 155 rare disease groups that supported the OPEN Act:

National MPS Society, With Purpose, National PKU Alliance, Taylor's Tale, RASopathies Network USA, Kids v Cancer, Let Them Be Little X2 Inc., Info and Resources for Idiopathic Pulmonary Hemorrhage (IPH-NET), Noah's Hope, Mary Payton's Miracle Foundation, Hope4Bridget Foundation, Batten Disease Support & Research Association, Cure Sanfilippo Foundation, Beyond Batten Disease Foundation, Drew's Hope Scientific Research Foundation, International Pemphigus and Pemphigoid Foundation (IPPF), Cure AHC, Autoinflammatory Alliance, MLD Foundation, Fabry Support & Information Group, Children's PKU Network, FMD Chat;

National Tay-Sachs & Allied Diseases Association (NTSAD), Little Miss Hannah Foundation, Rare Disease United Foundation, Global Genes Project, Fibromuscular Dysplasia Society of America (FMDSA), Lymphatic Malformation Institute, Mastocytosis Society, EB Research Partnership, BRBN Alliance, Jonah's Just Begun, Abigail Alliance for Better Access to Developmental Drugs, Hannah's Hope Fund, GNE Myopathy International, The Ryan Foundation, Organic Acidemia Association, Cardio-Facio-Cutaneous International, NGLY1.org, Gwendolyn Strong Foundation, POMC Island One boy an Ocean of friends, Gene Giraffe Project, International FOP Association, Aware of Angels;

CureCADASIL, GT23 FOUNDATION, Desmoid Tumor Research Foundation (DTRF), The Association for Glycogen Storage Disease, Gene Spotlight Inc., Amyloidosis Foundation, Hereditary Neuropathy Foundation, Relapsing Polychondritis,

Klippel-Feil Syndrome Freedom, CureDuchenne, Prader-Willi Syndrome Association, Bert's Big Adventure, Parent Project Muscular Dystrophy, Sarcoma Foundation of America, The Nicholas Conner Institute, Luck2Tuck Foundation, Team Sanfilippo Foundation, The Rally Foundation for Childhood Cancer Research, CARES Foundation, Inc., Help Extinguish Hunter Syndrome, Sephardic Health Organization for Referral & Education, Hunter Syndrome Research Coalition;

The Kortney Rose Foundation, Saving Case & Friends, Phelan-McDermid Syndrome Foundation, The Children's Medical Research Foundation, Inc., Cure SMA, Narcolepsy Network, Celiac Support Association, Caleb's Crusade Against Childhood Cancer, International Waldenström's Macroglobulinemia Foundation (IWMF), PKD Foundation, EDSers United Foundation, Choroideremia Research Foundation, Inc., Genetic Alliance, The Life Raft Group, The Will Luthcke Foundation, Angioma Alliance, Smashing Walnuts Foundation, Castleman Disease Collaborative Network/Castleman's Awareness & Research Effort, The GIST Cancer Awareness Foundation, The Truth 365, The Arms Wide Open Childhood Cancer Foundation, Sophia's Fund;

Journey4ACure, Princesses on a Mission, Inc., Noah's Light Foundation, Pediatric Cancer Foundation, West Virginia Kids Cancer Crusaders, Inc., Bear Necessities Cancer Foundation, A Kids' Brain Tumor Cure, RARE Science, Inc., ISMRD (the International Advocate for Glycoprotein Storage Diseases), Hermansky-Pudlak Syndrome Network Inc., Run4Rare, A-T Children's Project, The Global Foundation for Peroxisomal Disorders, The Adult Polyglucosan Body Disease Research Foundation (APBDRF), Alexa Nawrocki Pediatric Cancer Foundation, Beckwith-Wiedemann Children's Foundation International, The Brooke Healey Foundation, Talia's Legacy Children's Cancer Foundation, The Rare Childhood Cancer Advocacy Group, Alex's Army Childhood Cancer Foundation, The Catherine Elizabeth Blair Memorial Foundation, Stillbrave Childhood Cancer Foundation;

Cures Within Reach, ALL4Trey, Team Sabrina, Sofia's Hope, Inc., ALL4Trey, Delaine's Battle, Joey's Wings Foundation, The Bozeman 3, Team Ashley Bragg, Cole vs Cancer, Dominick One in a Million, Samuel Szabo Foundation, Wilms Tumor Survivor Group, Aiden's Army, Sofia's Hope, Inc., Mikey's Way Foundation, Team Serena, Supporting Our Cancer Kids, The Champ's Corner, Habitat for Hope, Ali's Angels Foundation, Gold Rush Cure Foundation;

Sickle Cell Warriors, Inc., The Rare Cancer Research Foundation, Carson Leslie Foundation, Amyloidosis Research Consortium, Pulmonary Fibrosis Advocates, The Coalition for Pulmonary Fibrosis, Myotonic Dystrophy Foundation, LMSarcoma Direct Research Foundation, BioPontis Alliance for Rare Diseases, Foundation for Ichthyosis & Related Skin Types, Inc., 5p-Society, The Santonio Holmes III & Long Foundation, National Fragile X Foundation, National Organization for Rare Disorders (NORD), OsteoPETrosis Society, Curing Retinal Blindness Foundation, The MAGIC Foundation, Cure HHT, DEFY Foundation, Chase After a Cure, DC Outreach Inc., Children's Cardiomyopathy Foundation, and the Bridget the Gap—SYNGAP Education and Research Foundation.

These groups' grassroots efforts were instrumental in the effort to get the OPEN Act in the 21st Century Cures Act.

I would like to thank all the participants of the two 21st Century Roundtables I held in my District in August of 2014. Your input was vital in the early stages of drafting the 21st Century Cures Act, and I will be forever appreciative:

Dr. Wayne Taylor, on behalf of the Leukemia and Lymphoma Society;

Mrs. Colleen Labbadia, on behalf of the Parent Project for Muscular Dystrophy (PPMD);

Ms. Patricia Stanco, MHS, on behalf of the ALS Association Florida Chapter;

Ms. Ashleigh Pike and Ms. Beth Pike—dysautonomia patient advocates;

Dr. Samantha Lindsay, on behalf of the Alpha-1 Foundation;

Ms. Janice Starling, on behalf of the American Association of Kidney Patients;

Mr. and Mrs. Michael and Gretchen Church, on behalf of the Parkinson's Action Network;

Dr. Clifton Gooch, FAAN, Professor and Chair, Department of Neurology, University of South Florida;

Dr. Dave Morgan, CEO and Director of USF's Byrd Alzheimer's Institute;

Dr. Richard Finkel, Chief Neurologist at Nemour's Children's Hospital;

Mr. Geary A. Havran, President of NDH Medical, Inc., and Chairman, Florida Medical Manufacturers Consortium (FMMC);

Ms. Lisa Novorska, CFO, Rochester Electro-Medical, Inc.;

Dr. Thomas Sellers, MPH., Center Director and Executive Vice President for Moffit Cancer Center;

Dr. Glen Hortin, Clinical Pathology Medical Director for the Southeast Region, for Quest Diagnostics.

Additionally, I want to thank Nick Manetto from PPMD and USAgainst Alzheimer's, Miriam O'Day from the Alpha-1 Foundation, John DeMuro from Moffitt, Monica Richter from USF, Jennifer Sheridan from PAN, Gary Dessatti, John Ray from FMMC, and Erin O'Malley and Virginia Biggar from USAgainstAlzheimer's.

I would also like to thank Candace Lerman, Laura Milford, and Max Schill. They are all rare disease patients and advocates who I have had the pleasure of meeting. Their in-person advocacy and their dedication to improve the lives of everyone with a rare disease is admirable. I am truly grateful to their contribution and support of this legislation.

I also want to recognize Noah Coughlan and Jonny Lee Miller. Noah is a young man who ran across the country—over 3,000 miles—three times to raise awareness for rare diseases. This is a feat achieved by very few, and is a tremendous physical feat demonstrating his dedication to this cause. Jonny Lee Miller is an actor and advocate who runs ultra-marathons to raise money and awareness for rare diseases.

To everyone else who was involved, supported the OPEN Act, tweeted about it, posted about it on Facebook, or advocated on behalf of the 30 million Americans with rare diseases, I sincerely thank you from the bottom of my heart.

Additionally, the 21st Century Cures Act includes another one of my bills, H.R. 2298, the Patient Safety and Prescription Drug Abuse Prevention Act. I began work on this bill three years ago, after a prescription drug abuse hearing. The problem was apparent, and a fix was desperately needed.

This provision will create a drug management program within Medicare to use the same tools used in Medicaid, TRICARE, and private insurance to deal with the growth in prescription drug abuse.

The Substance Abuse and Mental Health Administration (SAMHSA) estimates that there are 15.3 million Americans over the age of 12 that "used prescription drugs non-medically in the last year." USA Today reported that in 2012, the average number of seniors misusing or dependent on prescription pain relievers in the past year grew to an estimated 336,000, up from 132,000 a decade earlier, based on data from SAMHSA. Addiction does not recognize age, race, ethnicity, or income. Anyone could be susceptible including seniors.

The U.S. Department of Health and Human Services' Office of the Inspector General has recommended that Medicare have this type of a program. In a hearing, the Center for Medicare and Medicaid Services' Principal Deputy Administrator stated that they supported this policy, but needed a statutory change in the law to create such a program.

A change to the Medicare program is a herculean task. I want to thank some of the people that supported this provision and helped get this legislation over the finish line. Lindsay Berman from the Pew Charitable Trusts, Jerry Steffl, Jonathan Heafitz, Gary Kline, Sergio Santiviago, Richard Hoar, Heather Cutler, Nelson Bunn from the Major County Sheriffs Association, and Chuck DeWitt from the Major Cities Chiefs Association.

Mr. DEFAZIO. Mr. Chair, federal funding for biomedical research has been stagnant over the past several years, another victim of unwise and shortsighted sequestration and budget cuts that put deficit reduction before investments that can save lives.

With no increase to counter the effects of inflation and increased cost of research, NIH has lost 22 percent of its purchasing power over the last decade. NIH has been forced to cut or deny funding for thousands of promising studies that could hold the key to incredible breakthroughs.

We should do everything we can to bring cures to patients as quickly as possible. Far too many people suffer from rare, serious and deadly diseases, and its outrageous cures could be found except for the lack of funding. It's also important we make sure drugs are safe and actually do what they are intended to do. I have concerns with some of the proposed changes to FDA's approval process designed to speed drugs and devices to market. We need to be certain that the proposed changes will not subject patients to a high level of risk. I expect the Senate will review and fix those provisions when they take up the bill.

H.R. 6 does what Congress has been unable to do because the Republican majority refuses to understand a simple fact: Funding biomedical research, just like investing in our roads and bridges, is an investment, not wasteful spending.

Ms. JACKSON LEE. Mr. Chair, I rise in support of H.R. 6, the 21st Century Cures Act, a bipartisan piece of legislation that is vital to the future and health of our Nation's citizens and ecosystem.

This thoughtful legislation is the culmination of the hard work of my dedicated colleagues

who have sought out and engaged in public conversations with patients, innovators, providers, regulators and researchers about how to move advances in science and medicine into new therapies.

This outreach has garnered the critical input and support of more than 370 patient and physician groups, state and local organizations, cancer centers, and research and life sciences.

I'm proud to be one of the cosponsors of H.R. 6, which represents a new national effort to find treatment and cures for thousands of unknown and rare diseases.

Looking to the various policies this legislation aims to address, it is important to highlight the commendable objectives and that will not only accelerate the discovery, development and delivery of new treatments and cures for thousands of serious and rare diseases, but it will also open the doors of innovation and the growth of health care system by enhancing and enriching the medical field for all Americans.

The most ambitious action calls for \$10 billion in mandatory funding to be delivered over the next five years to the National Institutes of Health (NIH).

NIH is part of our nation's top ranked educational research institutions in the world.

In order to maintain our global competitiveness in the biomedical field, we must invest in the industries that guarantee economic prosperity for our current and future economies.

It has been estimated that every \$1 of NIH funding generates about \$2.21 in local economic growth, and, in 2012, NIH funded research supported an estimated 402,000 jobs all across the U.S.

The bill's funding for NIH would provide for an annual 3% increases in the NIH budget, which has been stagnant for the past few years and which desperately needs more funding to capitalize on emerging scientific insights.

This increased funding not only aims to continue the sustainability of our economy but it also supports our President's initiative to provide more resources to the biomedical field.

The 21st Century Cure Act supports the President's Precision Medicine Initiative, which would advance a new model of participant-centered research to accelerate biomedical discoveries and provide clinicians with new tools and therapies tailored to individual patients' needs.

The Obama Administration believes they can build on their progress in improving the drug development and approval process by: incorporating patients' voices into the Food and Drug Administration (FDA) decision-making; encouraging the development and qualification of reliable biomarkers to accelerate work on important new therapies; and reducing barriers to initiating medical device trials.

In furtherance of this initiative, H.R. 6 allows for the creation of an "Innovation Fund" through the National Institute of Health.

This "Innovation Fund" is a welcome effort because it promotes the maintenance of the best biomedical workforce in the world and help to increase the diversity of the biomedical workforce.

In particular, the \$2 billion provided for the Innovation Fund, will not only increase the

number of the research projects it supports but it also increases the cap for NIH's loan repayment programs.

This would include a repayment program for clinical scientists who do research in health disparities and for clinical scientist from disadvantaged backgrounds, from \$35,000 per year to \$50,000 per year plus a yearly inflation for adjustment.

With the support of H.R. 6, underrepresented communities and those with disadvantaged backgrounds from across the country can undoubtedly provide the future researchers and workers of the biomedical workforce.

The Journal on STEM Education reported in 2011 that only 8.34% of the STEM doctorates awarded in 2006 were given to underrepresented minorities, despite making up approximately 28% of the U.S. population.

Furthermore, GAO noted that while the percentage of underrepresented minorities nationwide increased from 13% to 19% from 1994 to 2003, the total number of STEM doctorates awarded to the same group dropped during this period from 8,335 to 7,310.

In response, the National Institute of General Medical Sciences (NIGMS) created the Minority Opportunities in Research (MORE) Division and similar academic intervention programs.

The MORE programs are comprised of four primary components: research experience, mentoring and advisement, supplemental instruction and workshops, and financial support.

In 2007, NIGMS' annual budget was \$1.9 billion, of which nearly \$126 million was spent on its MORE programs.

This amount includes the Minority Biomedical Research Support-Research Initiative for Scientific Enhancement (MBRS-RISE) program, the Minority Access to Research Careers (MARC), Post-baccalaureate Research Education Program (PREP), and the Bridges to the Baccalaureate and Bridges to the PhD programs.

The amount of funds dedicated to these programs reflects the commitment by the science and research community to the goals of the MORE Division in addressing this problem.

Increased funding set forth in H.R. 6 will only strengthen NIH's focus on diversifying the biomedical workforce by requiring NIH to focus on ensuring participation from scientists from underrepresented communities.

In addition to addressing the needs of underrepresented communities, H.R. 6 also calls for specific action to increase representation of racial minorities.

The 21st Century Cures Act acknowledges that there are disturbing statistics on the low numbers of African Americans, Hispanics and Native Americans pursuing academic qualification and participating in scientific research.

Under H.R. 6, the National Institute on Minority Health and Health Disparities will necessarily include strategies for increasing representation of minority communities in its strategic plan.

I am proud to say that H.R. 6 includes the Jackson Lee Amendment, which makes a good bill even better by ensuring that the national goals of finding and bringing more cures

and treatments to patients and strengthening the biomedical innovation ecosystem in the United States is aided by an expanding pool of diverse and talented medical researchers.

Specifically, the Jackson Lee Amendment provides: The Secretary of Health and Human Services shall conduct outreach to historically Black colleges and universities, Hispanic-serving institutions, Native American colleges, and rural colleges to ensure that health professionals from underrepresented populations are aware of research opportunities under this Act.

Many racial health disparities stem from lack of access to effective test, treatments and cures for illnesses that have devastating consequences for African American, Hispanic and Native American populations.

For example:

1. African-Americans represent 12% of the U.S. population but only 5% of clinical trial participants.

2. Hispanics make up 16% of the population but only 1% of clinical trial participants.

3. Women are under-represented in cardiovascular device trials, which have 67% male participation.

The most significant barriers limiting clinical participation are race, age, and sex of participants:

1. Women and minority patients are more difficult to recruit.

2. Women and minority physicians have less experience and are relatively more costly to engage.

3. Minority patients with limited English proficiency can require costly translation services. Physicians are the gateway to the patient.

Increasing diversity of those conducting research will have implications on the types of conditions that are researched and the participants in clinical trials that are seeking answers to illnesses like lupus, triple negative breast cancer, and sickle cell disease that can be difficult to detect, treat and cure.

Certain medical illnesses have been known to have higher prevalence in certain demographic groups, including type II diabetes, lupus, sickle cell anemia, and Triple Negative Breast Cancer for which African Americans are more than twice as likely to be diagnosed on average.

Lupus, triple negative breast cancer and sickle cell disease are of particular concern because they are often difficult to diagnose and disproportionately impact persons of color and especially women.

In particular, Lupus is a chronic, complex and prevalent autoimmune disease that affects more than 1.5 million Americans. Yet, Lupus is one of America's least recognized major diseases.

More than 90% of lupus sufferers are women, mostly young women between the ages of 15 to 44, and women of color are two to three times more at risk for lupus than Caucasians.

Triple negative breast cancer also disproportionately impacts younger women, African American women, Hispanic/Latina women, and women with a "BRCA<sub>1</sub>" genetic mutation, which is prevalent in Jewish women.

More than 30% of all breast cancer diagnoses in African American are of the triple negative variety, and African American women are far more susceptible to this dangerous subtype than white or Hispanic women.

Additionally, there are about 2 million people that carry the sickle cell trait and with about 100,000 having the disease.

According to the Centers for Disease Control and Prevention, sickle cell trait is common among African Americans and occurs in about 1 in 12, and sickle cell disease occurs in about 1 out of every 500 African-American births, compared to about 1 out of every 36,000 Hispanic-American births.

Treatments for Lupus, triple negative breast cancer and sickle cell disease are not progressing as quickly as desired by patients, researchers, and policy makers.

We must support the advancement of legislation that will allow for the remediation and end of health care disparities and the promotion of research parity for diseases such as lupus, triple negative breast cancer, sickle cell disease, and countless other rare and serious diseases.

Race and ethnicity have also been shown to affect the effectiveness of and response to certain drugs, such as anti-hypertensive therapies in the treatment of hypertension in African Americans and anti-depressants in Hispanics.

Increased diversity in research trials could help researchers find better, more precise ways to fight diseases that disproportionately impact certain populations, and may be important for the safe and effective use of new therapies.

As one of the most diverse cities in the country, Houston is the 4th largest city in the United States and the 5th most populated metropolitan area in the nation.

Houston is home to the largest medical complex in the world—the Texas Medical Center, which provides clinical health care, research and education at its 54 institutions.

The University of Houston, ranked number three out of all other colleges and universities in Texas, is an example of a premier institution that can produce students with advanced STEM degrees who would be able to join a progressing biomedical field.

Another important requirement of H.R. 6 is that it would require the National Institutes of Health to publicly report the number of children by race and gender who participate in NIH funded clinical trials.

This legislation would help ensure that children of all races are adequately represented in clinical trials and that we can determine the safety and effectiveness of drugs on children of all demographic backgrounds.

With 10,000 known diseases, 7,000 of which are rare, and treatments for only 500 of them—clear there is much work to do.

Medical research saves lives and improves the quality of life for millions of Americans because the government provides a steady and reliable commitment to basic research into cures for debilitating and deadly diseases.

Given the array of commendable initiatives, H.R. 6 is a necessary piece of legislation that will accelerate the discovery, development, and delivery of promising new treatments and cures for all patients while investing in our nation's ability to maintain the best and most diverse biomedical workforce in the world.

Mr. Chair, I call for the support of all of my colleagues in ensuring the passage of the important legislation.

Ms. SEWELL of Alabama. Mr. Chair, today, I stand in strong support of the 21st Century

Cures Act. This bipartisan bill gives our nation's best and brightest the tools they need to understand—and eventually defeat disease—and reauthorizes both the National Institutes of Health (NIH) and the Food and Drug Administration (FDA).

The 21st Century Cures Act has the potential to accelerate the discovery of drugs for life-threatening illnesses; repurpose drugs found ineffective for one condition and test them on another; promote an interoperable health system; enhance telehealth practices; and advance the development of more targeted, personalized treatments.

My district, the 7th Congressional District of Alabama, is home to the University of Alabama at Birmingham, the Southern Research Institute, and the University of Alabama. NIH funding is critical to the continuing vitality of these three leading institutions, as well as to the region.

The prospect of this act alone provides hope. Hope that cures can be discovered, hope that one day no diagnoses indicate inevitable ailment or death, and hope that one day treatments will yield more reward than risk.

Despite the potential of this bill, there are two amendments that threaten that hope and essentially aim to inhibit the health of several Americans. First, the Hyde Amendment has reared its ugly head yet again. It is a harmful and discriminatory bill that prevents women from making their own healthcare decisions. Further, it serves as a stark contradiction to efforts geared toward providing health positive resources for all.

Second, the Brat amendment aims to convert the federal funding of the NIH and the FDA from mandatory to discretionary. Such a transaction would stifle the progress both federal agencies have already made and will continue to make. It will singlehandedly reverse the trajectory of medical progress and halt further research efforts.

I am particularly supportive of the 21st Century Cures Act because of its inclusion of provisions for the pediatric and rare disease community. This bill will allow Children's of Alabama, ranked among the nation's best children's hospitals for six years in a row, to finally be able to participate in a national pediatric research network and therefore, save more lives.

With only 5 percent of rare diseases having an FDA-approved treatment, it would be a gross understatement to say our medical systems have failed to keep pace. Gabe Griffin from Birmingham and Houston Sides from Montgomery are two young Alabama boys who asked me to support the 21st Century Cures Act because it modernizes the FDA and spurs development of pediatric and rare disease treatments. Gabe and Houston have a rare and deadly muscle-wasting disorder called Duchenne Muscular Dystrophy. This disease takes the lives of children as young as 9 or 10. Very few children with this disease will ever reach the age of 25. But the 21st Century Cures Act provides hope for these families. It promotes 'precision medicine,' modernizes the clinical trial system, and expands access to investigational drugs.

Viruses and diseases will not wait for us to catch up; they will mutate, grow ever more virulent, and continue to impact our public

health. We need to leverage our investments to make potentially game-changing strides in treatment. We need 21st century solutions for 21st century threats.

An investment in health affects more than our physical well-being, and the 21st Century Cures Act reflects this. H.R. 6 is not only a health bill; it is a jobs bill. Our country has been the leader in both the medical device and biopharmaceutical industry for decades, helping us become the core of global medical innovation. This puts a target on our backs, as China and other countries have attempted to attempt to claim this role and thus, our jobs. U.S. medical device-related employment totals over 2 million jobs, and the U.S. biopharmaceutical industry is responsible for over 4 million U.S. jobs. NIH funding currently supports over 400,000 jobs at research institutions across the country, including jobs for young and upcoming scientists. Without this funding, our jobs are out there for the taking. Without this funding, the thousands of jobs in my district provided by the University of Alabama at Birmingham, the Southern Research Institute, and the University of Alabama are not safe. The policies in this legislation will help us fight off foreign competitors and allow us to continue innovating, so we can all protect medical jobs in our districts and add more.

We must get serious about addressing the unmet medical needs of the American people. I urge my colleagues not to deprive the American people of the cures they deserve. Vote against these poison pill amendments because when it comes to the health of our constituents, there is no place or time for partisan politics. I urge my colleagues to oppose the Brat amendment, support the Lee amendment and I urge them to support H.R. 6.

Mr. PITTS. Mr. Chair, I rise in strong support for H.R. 6, the 21st Century Cures Act which will help advance the discovery, development, and delivery of new treatments and cures for patients and will foster private sector innovation here in the U.S.

Arriving here today has been a long journey—full of lots of steps and some twists and turns along the way. I especially want to thank Legislative Counsel for their tireless efforts in helping translate our legislative aims into legislative language. They worked nights and weekends and were consummate professionals throughout the process. Specifically, I want to thank the following: Warren Burke, Ed Grossman, Jessica Shapiro, Michelle Vanek, and Jesse Cross.

I also want to thank the health care staff of the Congressional Budget Office for all their help in recent months. In addition to their role in estimating the budgetary effects of numerous policies in the bill, they were instrumental in helping us shape a number of proposals the Committee considered. I specifically want to thank Holly Harvey, Tom Bradley, Chad Chirico, and all their colleagues for their diligence and assistance through the process.

And I would be remiss if I did not again thank the outstanding team on Energy and Commerce, and most especially the Health team, led by Chief Health Counsel, Clay Alspach, supported by Josh Trent, Paul Edattel, John Stone, Robert Horne, Carly McWilliams, Michelle Rosenberg, Katie Novaria, Adrianna Simonelli, Traci Vitek and

Graham Pittman—without whose expertise, wisdom and counsel, this legislative work would not be possible.

H.R. 6 was reported from Energy and Commerce Committee by a vote of 51–0 and advances conservative fiscal and regulatory reforms. Every dollar of advanced appropriations in the bill (which will sunset at the end of FY 2020) is offset with other permanent reforms—including billions of dollars in mandatory entitlement savings in Medicare and Medicaid.

But this is no ordinary mandatory spending—like the kind we usually see in entitlement spending such as Social Security, Medicare, Medicaid and Obamacare. This mandatory spending is for five years only and then stops or sunsets. This mandatory spending is fully paid for with mandatory spending cuts elsewhere that will not stop in five years, but are permanent reforms resulting in real savings. By comparison, the Ryan-Murray budget deal for health care savings yielded much less.

This innovative hybrid approach allows us to cut mandatory spending (entitlement spending) and use the savings to fund what would otherwise be a discretionary project—but in this case is 5-year dedicated spending on medical research.

Congressional Budget Office determined that H.R. 6 will reduce the deficit by \$500 million over the first ten years, and at least another \$7 billion over the second decade.

The funds provided to the National Institutes for Health (NIH) and Food and Drug Administration (FDA) will be subject to explicit review and reprogramming through the annual appropriations process. Congress can review the dedicated funding and allocate it for specific initiatives.

Additionally, all the important policy riders that accompany federal funding through appropriations will be included—such as the Hyde Amendment and the Dickey-Wicker Amendment.

This bill also includes a policy that excludes authorized generics from Average Manufacturers' Price. This is a common sense policy from the President's budget proposal, intended to ensure the appropriate calculation of Medicaid brand name rebates paid by manufacturers. The policy is not intended to effect Medicaid programs' pharmacy reimbursements. Instead, the provision, which many states support, will result in an increase in manufacturer rebates under Medicaid and thus save money for states and the federal government.

H.R. 6 will help America to innovate its way out of our entitlement crisis. The regulatory reforms included in H.R. 6 will accelerate the pace of discovery, development and delivery of new treatments and cures, thereby providing significant health care savings to the federal budget that will only grow over time.

By modernizing clinical trials, eliminating duplicative administrative requirements, and perhaps most importantly, making FDA less bureaucratic by advancing the voice and needs of patients in the drug and device approval process—H.R. 6 will make lasting, positive changes to the entire ecosystem of Cures. Over 250 patient groups have enthusiastically said "yes" and endorsed Cures.

I urge all of my colleagues to think of the patients and vote "AYE" in support of H.R. 6.

Mrs. BLACKBURN. Mr. Chair, America has been at her best when facing great challenges.

Some of our greatest challenges today are in the area of healthcare.

With over 10,000 known diseases, only 500 have cures.

We need to embrace a national vision of improving lives, and of course, saving money, through a Cures Strategy.

Sepsis is one condition that will benefit from this legislation.

Sepsis is the body's response to an overwhelming infection.

Approximately 250,000 people die from sepsis every year in the U.S. and yet most people have never heard of it.

Sepsis is the #1 most expensive condition treated in U.S. hospitals and in FY11 the aggregate hospital cost for sepsis was more than \$20 billion.

This legislation comes too late for Katie McQuestion and Rory Staunton, both who succumbed to sepsis as vibrant, health young people.

But through the work that the CURES legislation will support, we can find ways to identify sepsis earlier and even find ways to prevent sepsis.

The 21st Century Cures legislation includes language that I have authored with my friend from Texas, Rep. GENE GREEN—the SOFTWARE act.

Getting bureaucracy out of the way and allowing innovation is the goal of SOFTWARE.

SOFTWARE will codify the manner in which FDA approaches health IT—including the wonderful apps that we all use to keep us healthy.

FDA is the agency charged with assuring the safety and efficacy of drugs and medical devices.

But data is not a drug or device and it makes no sense to regulate it as such.

However obvious that is, it hasn't stopped FDA from trying to make medical device law fit health IT.

We need to modernize the FDA authorities to reflect the new technology that is health IT.

SOFTWARE, as included in 21st Century Cures is an important first step in our efforts to modernize the FDA.

It is common sense legislation to provide opportunity for health IT to deliver on the promise of better health for all Americans.

I look forward to working with my colleagues in the Senate to bolster these efforts as SOFTWARE moves through the Senate.

For all the reasons I've outlined, the 21st Century Cures legislation is an important bill. But we must ensure that the new treatments, devices and drugs that will be created as a result of this legislation get to the people that need it the most. And some of the most needy are our nations seniors who get health care through Medicare.

Today, Medicare struggles with the adaption of new technology. Many seniors go years without access to the latest treatment options. We must change that. Congress receives great support from the Medicare Payment Advisory Commission (MedPAC) who offers recommendations and policy support to Congress to improve Medicare.

But as we are on the cusp of changing how health care is delivered, MedPAC could use

additional policy support including Commissioners that have real-world expertise in this area, and who understand the changes that need to be made in both Medicare payment and regulatory policies to make that happen. I've been pleased to support such candidates in the past, and will continue to do so in the future.

The CHAIR. All time for general debate has expired.

Mr. UPTON. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. THOMPSON of Pennsylvania) having assumed the chair, Mr. HARDY, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 6) to accelerate the discovery, development, and delivery of 21st century cures, and for other purposes, had come to no resolution thereon.

#### IRANIAN NUCLEAR AGREEMENT

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, on Tuesday, July 7, the Obama administration once again ignored a deadline for the Iranian Nuclear Agreement while failing to set a new date to conclude discussions on what could prove to be some of the most important diplomatic negotiations of our lifetimes.

In March of 2015, I joined 367 Members of the House in sending a letter to President Obama requesting that any agreement would be provided adequate congressional oversight and approval. This was a bipartisan effort because both Democrats and Republicans alike recognized the magnitude of the challenges we face in confronting the possibility of a nuclear Iran.

The United States must promote an agreement that first and foremost advances our national security and the security of our allies in the region. A clear indicator of future performance has always been past performance. Unfortunately, Iran has a decades-long history of obfuscation when it comes to their nuclear program.

Mr. Speaker, we must ensure that negotiations do not result in simply delaying Iran from obtaining a nuclear weapon for just a few short years but, rather, a strong deal that would prevent the current regime from ever obtaining a nuclear weapon.

Mr. Speaker, as talks continue into the weekend, I am hopeful that negotiators will remember that no deal is better than a bad deal.

#### CONGRESSIONAL PROGRESSIVE CAUCUS: CONFEDERATE FLAG

The SPEAKER pro tempore (Mr. HARDY). Under the Speaker's an-

nounced policy of January 6, 2015, the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) is recognized for 60 minutes as the designee of the minority leader.

Mrs. WATSON COLEMAN. Mr. Speaker, earlier today, the distinguished gentlewoman from California introduced a privileged resolution, not too different from the one my friend and colleague Mr. THOMPSON brought to the floor just last week. Mr. Speaker, that resolution called for the immediate removal of the Confederate battle flag from the Capitol grounds. And my colleagues across the aisle moved quickly to banish that resolution to die in committee.

Earlier today, the original home of the Confederacy argued, but agreed, that the Confederate flag and the history it represents belong in a museum. They decided that the flag should not serve as a bright, waving reminder of the discrimination and disparity of treatment for people of color that still lingers in communities across our country—hateful sentiments that resulted in the loss of nine lives at Emanuel AME Church in Charleston.

They decided that that flag should not hang high above the halls of State government, forcing all those who see it to wonder whether the emotions and ideology so closely tied to it are present in the hearts and minds of those who serve in that statehouse.

They decided that the flag had flown long enough, and that taking it down would be one small but critical step in healing the deep divisions present in their State.

They stood against the symbol of bigotry, they stood against years of complacency, and they stood for the principles of equality, justice, and unity for this Nation. They will take that flag down tomorrow.

But Republican leadership in this body refuses to do that. They took the path of cowardice and turned a blind eye to the struggles of generations of Americans. They used backhanded tactics last night to muddle the language of the Interior and Environment Appropriations bill, including language intended to satisfy Members who would rather see that flag fly.

The fallout from that language led to the disappearance of that bill from today's scheduled debate and resulted in the chairman of that subcommittee disowning the final product.

Leader PELOSI's resolution offered another opportunity for my colleagues across the aisle to stand on the right side of history, but they turned that chance down resoundingly.

Mr. Speaker, let's not mince words. While I stand with my brothers and sisters of the South, the Confederacy itself fell far below even common decency for fellow man, violating human rights and taking advantage of every part of the lives of the men and women

they enslaved, sometimes for profit and sometimes purely for pleasure.

The Confederacy used extreme violence and terrorism to subjugate millions purely on the basis of the color of their skin, and started the deadliest war ever to take place on U.S. soil to defend a disgraceful system. That flag is a symbol of the Confederacy's effort to keep that system intact. That is why, Mr. Speaker, before the holiday, I stood in this very spot on the floor to denounce the hate, bigotry, malice, discrimination, and division that the Confederate flag stands for.

But I also reminded my colleagues that a symbol, while significant, is only a stand-in for something far stronger. A symbol will never have the strength of a bullet fired from the barrel of a policeman's gun at an unarmed Black man because of ingrained bias. A symbol will never have the impact of a prison sentence that permanently prevents a young person from becoming a full-fledged member of society, a fate far more likely to befall a person of color. A symbol will never eradicate Black and Latino wealth like the predatory loan structures that put their homes underwater in a recession at rates that dwarfed their White peers.

But if we are not even willing to get rid of a symbol, as this body has so clearly expressed its disinterest in doing, how can we possibly move on to the real underlying problems, issues like education for young people, affordable housing, and access and training for jobs.

Removing a symbol is an easy thing to do, an easy thing that would have signaled one country, indivisible, with liberty and justice for all.

Today, Republican Members across the aisle did more than just stand up for that symbol of hate and that symbol of degradation. These Members treated me and those issues that are vitally important and extremely sensitive to me in a manner that was both disrespectful, insensitive, and very hurtful, Mr. Speaker.

□ 1915

Nonetheless, this will not go away. We will continue to raise this issue every day that it is needed, every week that it is needed, every month that it is needed, until my colleagues can recognize that a simple act of decency, the removal of this symbol of hate and disrespect and slavery, a mark on our history that needs to be removed.

Once we do that, Mr. Speaker, once we do that simple, little thing, and that is to stand together in taking down that ugly symbol that that flag represents, then we will be able to get on with the serious and important work that needs to be done to lift up this economy on behalf of all people.

That will be education for all people, and higher education that is affordable for all people, Mr. Speaker. It will be

affordable housing. It will be jobs and job training. It will be adequate preschool programs and afterschool programs. It will be recreation programs and character-building programs.

It will be safe communities. It will be equal opportunity for all because that is the country that we live in, and that is the reason that we have this Congress, and that is the reason that I am here.

I, for one, will not be silent on this issue until we see this change that the 21st century demands.

Mr. Speaker, I yield to the gentleman from California (Mr. BECERRA).

Mr. BECERRA. I thank the gentlewoman from New Jersey for yielding, and I stand with her and what she has just said.

Mr. Speaker, sometimes, we forget how privileged we are, the Members of Congress, who have a chance to stand in this hallowed Chamber. We are the representatives of the people. We get elected to speak for the American people. We get elected to act on behalf of the American people.

Very few Americans, throughout the history of our country, have had an opportunity to stand right here where we are today and say that we actually can get things done, not just for the American people, for the people of the world, because there has never been a democracy like the United States of America.

There has never been a country that has had an opportunity to do so much for so many, and there has never been a democracy that has a chance to prove to the world that we know how to get this done and do it right.

Mr. Speaker, as we stand here in this Chamber, we have to admit, we have to be prepared on behalf of the American people to stand up, to step up, to do what is right, and to do what the American people expect us to do.

Now, they know we have to speak for them, but they don't want us just to talk. The time to just talk on so many issues has come and gone.

Mr. Speaker, I think the American public would agree that the time to just talk about what to do about the Confederate battle flag has come and gone. The time to just talk about what to do about the Confederate battle flag came 150 years ago when the chance to heal was upon us.

As President Lincoln said in his second inaugural address: "With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us strive on to finish the work we are in, to bind up the nation's wounds."

If we needed to talk, Abraham Lincoln said it all. Lincoln wanted us to act, to move, to get things done for the American people.

The time to talk came after one after another Black church was suspiciously burned down throughout this country, and we knew something was going on.

That was the time to talk about what we needed to do.

The time to talk was before a man, driven by hate and animosity, on June 17, entered Mother Emanuel AME Church in Charleston, South Carolina, to carry out a vicious plan to start a race war—because we have seen these signs of danger growing for the disregard for life.

That would have been a time to talk and heal, before that man, crazed with hate, walked into Mother Emanuel Church; but, Mr. Speaker, after nine innocent, God-loving, God-fearing Americans were taken from their families, from their church where they were praying, from their country, the time to just talk is over.

It is time for us to step up. It is time for us to stand up because that is why we get elected, to do what the people expect us, on their behalf, to do.

320 million Americans cannot get up and say, It is time to remove the Confederate battle flag from any grounds where we reflect the governance of a democracy. They encharge us to do that, and the time to talk has ended.

When we see on the floor of the House, last night, an opportunity for the Congress to register itself and say, We hear you, America, you want us to act, and you want us to take down that Confederate battle flag in whatever symbolic way we can, including selling that symbol here in the Capitol, we had an opportunity.

In fact, we had an opportunity that was golden because it seemed like we had a bipartisan vote to do exactly that; but, in the dead of night, something happened. Some people decided to hide behind the dark cloud and change what we had just done.

When we take to the floor here, we may only be talking, but as my colleague from New Jersey said, we are going to do much more because the time to talk has just ended. It is time to act. It is time to step up.

We all have an opportunity. We all have an obligation to stand up.

Tomorrow morning, at 10, the Confederate battle flag will finally come down from above the South Carolina Capitol once and for all. Mr. Speaker, the Confederate battle flag has no place but a museum in the 21st century.

Let us all together, those of us privileged to be in this Chamber, along with our fellow Americans, forge a path forward as a Nation that celebrates our bright future, not our dark past. It is time to take the Confederate battle flag down. It is time for us to step up.

It is not a time to hide behind procedural motions, behind votes in the dead of night, and it certainly is not time for us to assemble a bipartisan group of Members to talk about what we need to do about the Confederate battle flag.

It is time to do the work of the people, and they want us to act. There

should be no doubt about it. The American people are speaking very forcefully. Don't just talk; act.

Mr. Speaker, I say with great pride, having served in this Chamber for many years, I believe the people's Representatives in the people's House are getting ready to act; and no act during the dead of night, no effort to derail this effort will succeed because the people have spoken and spoken in the words of the nine people who are no longer with us.

We do it with grace, but we will do it with power because we understand this is not a time to just talk; it is a time to act—and we will act.

I thank the gentlewoman for yielding.

Mrs. WATSON COLEMAN. Representative BECERRA, thank you so much for taking your time and being here with us today, and thank you so much for your eloquent words.

Mr. Speaker, I yield to the gentlewoman from California (Ms. HAHN).

Ms. HAHN. Mr. Speaker, I would like to also thank the gentlewoman from New Jersey for allowing me to add my voice to this discussion.

Certainly, all Americans were devastated by the brutal murder of nine people, including Senator Pinckney, while they were attending Wednesday night Bible study at Mother Emanuel AME Church in Charleston. Their killer was motivated by racism, bigotry, and even had pictures of himself displaying Confederate memorabilia.

The people of South Carolina and their political representatives have engaged in serious conversations about race, about healing, and how to deal with their State's history.

South Carolina's Governor signed a bill a few hours ago to take down that Confederate battle flag from the grounds of the State capitol where it has flown for 50 years, and as South Carolina was moving to take down that flag, some right here were moving in the opposite direction.

Earlier today, I took to this House floor to express my outrage that my friends on the other side of the aisle had offered a surprise amendment last night to allow the Confederate battle flag to be displayed in our national parks and at Federal cemeteries, just a couple of days after this body voted to remove that Confederate battle flag from our national parks.

Many of my colleagues, including those participating in this Special Order tonight, joined in speaking out; and as a result, I think we succeeded in stopping them from bringing that amendment to a vote.

We are here now because we recognize that it is not enough to keep the Confederate flag from being displayed or sold at national parks. Right now, here on the grounds of the United States Capitol, where we and our staffs work and visitors from all over come to



visit, the Confederate battle flag and other images of the Confederacy are still visible; and that, we believe now, is unacceptable.

I am proud to serve in the United States House of Representatives, which is known as the people's House; yet here in the hallways of our office buildings and elsewhere in the House of Representatives, including this side of the Capitol Building, there are State flags on display which include imagery of the Confederacy.

Many of the residents of the wonderfully diverse district which I represent in California and many other Americans from all across our country find these images offensive, insulting, painful, even threatening.

If we are to truly be representative of the people and if we want the people, all of the people of this great Nation, to feel welcome and comfortable here in the people's House, then we cannot continue to have divisive symbols associated with hatred, with bigotry and oppression on public display.

Therefore, let me add my voice to those of my colleagues in calling for the removal from the House of Representatives of any flag containing any portion of that Confederate battle flag.

Mrs. WATSON COLEMAN. I thank the gentlewoman from California for sharing her wisdom with us and her encouragement.

Mr. Speaker, I really am touched by what we experienced in Charleston, South Carolina, the kind of grace and mercy that the families of those who were felled by this domestic terrorist on the church in Charleston, South Carolina.

I know that, even in this Chamber, there are friends that I have across the aisle who would gladly vote with me and vote with my colleagues to remove that flag and that imagery and that symbolism from any of our government properties if they would simply be given the chance.

In honor and respect of the loss of life and the grace and mercy and the healing and forgiveness that was demonstrated by the families of those who lost their lives in Charleston, South Carolina, and in recognition of the courageous steps that the South Carolinians did in voting to take down that flag and for the Governor to sign that and to watch, tomorrow, when history is being made, to take down that flag, I pray that our House is given the opportunity to vote our conscience because I know that I have colleagues on the other side of the aisle that feel the same way that I do, that believe in the greatness of this country and that believe in justice and liberty for all and believe that those symbols that remind us of the mistakes that we have made belong in the annals of history, to be remembered, but never to be repeated.

Mr. Speaker, I yield back the balance of my time.

□ 1930

#### CONFEDERATE BATTLE FLAG

The SPEAKER pro tempore (Mr. BABIN). Under the Speaker's announced policy of January 6, 2015, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes as the designee of the majority leader.

Mr. KING of Iowa. Mr. Speaker, it is my privilege to be recognized by you and address you here on the floor of the United States House of Representatives, this great deliberative body.

#### GENERAL LEAVE

Mr. KING of Iowa. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. KING of Iowa. Mr. Speaker, I come to the floor tonight to take up a topic that I think is going to be of interest to all Americans, but I can't dive into that topic immediately without first referencing my reaction to these long days of debate that have taken place here in Congress about opening up a subject that had been put away by this country since about 1865.

I grew up as a Yankee well north of the Mason-Dixon line. I saw the Confederate flag in multiple applications. It always was a symbol of southern pride and regional patriotism and a symbol that said to them that the South was proud to be the South, but I never saw it as a racist symbol.

But it had drifted into a symbol of an artifact of history until such time now as it has been seized upon by those who are using it to divide America again.

I regret that they have gone through these days of this ritual of exorcising the Confederate flag. I regret that that has been brought up. And one would think that, if it was that offensive, that they would just let it drift back into history as a relic of history rather than try to resurrect it as a symbol of something that they can't seem to let go of.

But, for us, we are a country that every component of our history has not been as noble as we would like. Every country in the world has had difficulties along the way. We have risen above our difficulties, Mr. Speaker, and we have adjusted to them and have put them behind us.

But we cannot be eradicating or erasing the history of our country. It is important that we do keep it in front of us so that we can evaluate the lessons learned and move forward and make progress. That was the reconstruction era. That goes clear back to right after 1865, and I regret that those old wounds have been peeled open again.

It is ironic that the gentleman would talk about President Lincoln's second

Inaugural Address and binding up this Nation's wounds. They have been bound up. They have been healed up. And now they are open again, regrettably, Mr. Speaker. So I will package up that component of my response.

#### THE SUPREME COURT

Mr. KING of Iowa. I will now shift over to the topic that I came to the floor to address, and that is the topic of the Supreme Court from the marriage decision, the decisions that actually came down from the Supreme Court—I believe it was a week ago last Thursday and Friday.

On Thursday, there was a decision from the Supreme Court on *ObamaCare*, the *King v. Burwell* case, where the majority decision of the Supreme Court concluded that the law, as passed by the United States Congress, doesn't mean what it says.

It means instead, according to the majority of the Supreme Court, what they think the President would have liked to have had it said if he had actually been dictating the language there.

But we have to vote, Mr. Speaker, on the language that is in the bill, not the language that should have been in the head of the President and the Speaker of the House at the time.

That is why we have had a Supreme Court who, over the last generation, has been textualist. This has emerged from the Rehnquist court and should have survived and been enhanced under the Roberts court, that the law means what it says and the Constitution means what it says and, furthermore, it needs to mean what it was understood to mean at the time of ratification.

We do have a language that moves and changes and morphs along the way. And the language that is written into the Constitution, into the various amendments that are there and written into our laws, we can't simply say that because we have a different way we utilize language today, that somehow the people who ratified it had a meaning that conformed to the morphed language of the modern world. And I would have thought that Chief Justice Roberts would have been one of those who would have adhered to that.

I can think of times when the Court has said to this Congress: You may have intended one thing, but the language in the bill that you passed and was signed into law actually means something different. So you can either live with the decision of the Court or you can set about changing the language so that the language actually does what you intended it to do. It is a simple understanding of simple construction under the law in the Constitution.

An example, Mr. Speaker, would be the ban on partial birth abortion that passed here in this Congress in the nineties. It went before three Federal courts and then was appealed to the Supreme Court.

And the Supreme Court concluded that the ban on partial birth abortion that Congress had first passed was vague in its description of the act itself and that Congress didn't have findings that partial birth abortion was not necessary to save the life of the mother.

So it was struck down by the Supreme Court, and that means they sent it back to us. They said: Congress, fix that. And I got involved in that.

I want to tip my hat to Congressmen STEVE CHABOT of Ohio, who was the chairman of the Constitution Subcommittee at the time, and JIM SENBRENNER, the chair of the full Judiciary Committee. We held hearing after hearing. We rewrote the definition of "partial birth abortion" so that it was precise and clear and understandable, and we complied with the Court's directive.

In those hearings, we brought witnesses that put into the CONGRESSIONAL RECORD a mass of evidence that concluded that a partial birth abortion was never necessary to save the life of the mother. We did those things to conform to the directive of the Supreme Court because they read the text of the law.

But today we have a Supreme Court that concludes that—well, the text may say one thing, but we think the President would have preferred it to say something else. And so did most of the people, maybe, that voted to pass ObamaCare, that very partisan piece of legislation. Maybe they intended for it to say something else, too, but it didn't.

So the Supreme Court inserted the words "or Federal Government" into the statute that said an exchange established by the State. The Supreme Court essentially wrote into that "by State or Federal Government," alleging that the language was vague.

That is appalling to me, Mr. Speaker, to think that in the United States of America, a country ruled by the rule of law, that we could have a Supreme Court who—no one has a higher charge to read the language, to understand it, to call the balls and strikes, as the Chief Justice has said.

I think he forgot to say that you are supposed to also call whether it is fair or foul. Well, I think it is foul. It is a foul ball for the Supreme Court to think that they can change the language of the law.

If they sent it back here, Congress then had an obligation to adjust the policy to our intent from now, maybe not the intent at the time that it was passed, because those years have moved.

Then subsequent to that, the very next day, Friday—a week ago last Friday, as I recall—the Supreme Court came with a decision, a decision on same sex marriage. I have some experience with this, Mr. Speaker, and it falls along this line.

In 2009, the Iowa Supreme Court, in reading the mirror of our 14th Amendment, which is in our United States Constitution—and the mirror of it is written into the Iowa State Constitution—they concluded that same-sex marriage was the law of the land in Iowa. And their conclusion was that it fell underneath the equal protection and due process clauses of the 14th Amendment—the mirrored component of the 14th Amendment that was in our Iowa constitution.

There are 63 pages in the *Varnum v. Brien* decision in the Iowa case. I read that decision. I read all 63 pages. But not only that, I poked through it. I read it. I looked at the ceiling. I contemplated. I looked back down at the words. I tried to absorb the kind of legal rationale that would get you to the point where you could conclude that under equal protection or due process, that marriage really was between one adult and another entity, whatever sex or gender that entity might be. And they wrote that under the protection of the 14th Amendment, the Equal Protection Clause and due process, that, quote, homosexuals have a right to public affirmation, closed quote.

Mr. Speaker, I know of no place in law, I know of no place in society, I know of no place in history where there is an individual, let alone a group of people, a self-labeled group of people that have any claim to public affirmation, public approval conferred by the court. But that was the key to understanding this litigation that has moved forward since 2009.

It brings us into 2015. And we have a decision in the Supreme Court that commands all States, if they are going to recognize any marriage, to recognize same sex marriage and for all States to also provide the reciprocity of recognizing marriages that take place in other States, as those individuals may come through or move into their States. That is that right of reciprocity. It is in the Constitution, reciprocity.

But, Mr. Speaker, for the Supreme Court to essentially create a new right, a right to same sex marriage manufactured out of the 14th Amendment of the Constitution of the United States, that was ratified in 1868—and, by the way, it ties into this dialogue about the Confederate flag and all the rhetoric that we have had in this Congress all week long. It ties into it in this way:

The 13th and 14th Amendments to the Constitution were ratified in the aftermath of the Civil War. They were established, first, the 13th Amendment, to free the slaves because the people in the legislature at the time didn't believe that a clear statute that freed the slaves was going to actually have the impact that a constitutional amendment would. So they passed the 13th

Amendment to establish that there will be no slavery in the United States anywhere, ever.

The second was the 14th Amendment, the Equal Protection Clause and the Due Process Clause and the clause says that all persons born in the United States and subject to the jurisdiction thereof shall be American citizens. All of that to ensure not only that the freed slaves would be free and they would have equal access to all their rights of citizenship but that their children would also be citizens and that they would have equal protection under the law. That was the essence of the 14th Amendment.

We are asked to believe that somehow those who wrote and ratified the 14th Amendment in 1868 had secretly put some subtle language into it that they somehow knew we would discover in 2015 that says, there shall be same sex marriage in all of America, and the Supreme Court will find it, and they will impose it upon the rest of the country because they are the enlightened five of nine in black robes.

Well, the Supreme Court has had a terrible record, a terrible record on dealing with large domestic issues. In 1857, *Dred Scott*, they thought they could resolve the slavery issue. The Supreme Court was stacked in favor of the South. Five from the South and one from Pennsylvania that was sympathetic to slavery. They had a 6-3 operation going on. And they essentially declared that blacks could not be citizens, and they could not be free. They could not be citizens, and they could not be freed by States. And that if a slave owner owned a slave, they owned that slave in any State that that individual might go. That was the decision of *Dred Scott*.

They thought they had put the issue away. It came back to haunt this country over and over again. And it was part of the conflict that began in the next decade, within 1862, and that brought about the death of 600,000 Americans and split this country apart and it has taken years to put us back together. The *Dred Scott* decision.

Fast forward 100 years. They took prayer out of the public schools. We honored that decision. We stopped praying at least openly in our public schools. Now the question is: Can a football team without the coach kneel on the grass and pray before a ball game?

We are a First Amendment country. Freedom of religion. And we are dealing with this kind of assault on free religion because the Supreme Court in *Murray v. Curlett* in 1963 dumped that on us; 1973, *Roe v. Wade* and *Doe v. Bolton*. Then you have the *Lawrence v. Texas* decision.

□ 1945

And it goes on and on and on, Mr. Speaker. Up to this point, the domestic

life of America has been dramatically transformed by order of the Supreme Court, the people least connected to the will of the people. When they separate themselves from the text of the statute and the text in the understanding of the Constitution, we are in a place where the Supreme Court then has put themselves above the law, above the Constitution, and above the will of the people.

One of the people that understands that as well as anybody in this United States Congress is my friend from Texas, Mr. LOUIE GOHMERT, who speaks to us often in these Chambers. I know about his marriage, and I know about his conviction to the rule of law and the Constitution.

I yield to the gentleman from Texas, LOUIE GOHMERT.

Mr. GOHMERT. I am very grateful for my very dear friend—not just friend, but dear friend—from Iowa, and I am pleased that he would take the time to talk about this. He is making some great points.

The Dred Scott decision, if you really look at it, was decided by a majority who had great aspirations that the media was going to love what they did. Instead of looking at the words of the Constitution and applying those words, they were playing to the elite media, and the elite media was completely wrong. Slavery was the worst abomination and blot on this Nation's history, and it is tragic that the Supreme Court played an active role in that.

It is tragic that in the seventies, as you pointed out, from the sixties, the seventies, the Roe v. Wade, the Supreme Court has contributed to tens of millions of murders—tragic. But I guess as a former judge and a former chief justice, nothing infuriates me more than for a judge or justice to believe that they are completely above the law. I know what it is to recuse myself. I know what it is for judges who are friends of mine who had strong feelings about a case, but they knew that they would not be fair and impartial and so they had to recuse or disqualify themselves.

With regard to marriage, we had one Justice, Sonia Sotomayor, who has made comments indicating a massive question over her impartiality. But if you take two Justices about which there is no question, they were totally disqualified. They were very partial, and they were opinionated. Going into this opinion, they had long since made up their minds.

In fact, one columnist reported on the last marriage, a same-sex marriage, that Justice Ginsburg performed. She emphasized the word “Constitution” when she said, “I now pronounce these two men married by the powers vested in me by the Constitution of the United States.” That is a Justice who was completely disqualified.

Do you wonder, well, what actually disqualifies a judge? The law is very

clear about that, and Congress does have the authority to dictate the terms by which a judge may sit on the Supreme Court or may sit on a particular case. This law, 28 U.S.C. 455 (a) part—(b) gets into a number of different options—in (a) there is no option. This is an emphatic requirement for a Justice.

We know that Justice Kagan had performed a same-sex marriage before this opinion. So we had two Justices who, under the laws of the United States as allowed by the United States Constitution's clear reading, were disqualified. They were lawbreakers in order to dictate legislation on a social issue over which they have no authority by virtue of the Constitution and the 10th Amendment. Yet they violated the law, they violated the Constitution, and they violated their oath.

It is dishonorable to be a justice in any court and violate your oath, violate the law, and violate the Constitution. But the law is wanting to assure the American people that we are going to be so far above question that not only do you have to disqualify yourself if you are partial, you are biased, you are prejudiced in a case, but “if your impartiality might reasonably be questioned” is the language, then you have to. It is a “shall.” You shall disqualify yourself.

Mr. Speaker, two Justices violated the law, violated the Constitution, violated their oath, were dishonorable, and dictated law they have no business dictating.

There is just one final point I would like to make, and I brought this up on C-SPAN yesterday, but I have been giving it some thought. What would be a good way to really get a grip on what nature would indicate? And my friend knows I was there in Iowa with him after that ridiculous decision by the Iowa Supreme Court and the three judges that were up for retention that year were eliminated, as they should have been. But having read that Iowa decision back then, I was amazed that the Iowa Supreme Court said this is a no evidence matter.

We have different standards: substantial evidence, beyond a reasonable doubt, and preponderance of the evidence.

They said this is a no evidence issue. There is no evidence of any kind from any source to indicate a preference for marriage between a man and a woman as opposed to marriage between two men or two women.

I think it is a very important point to say, well, I would be willing to put up everything I will make for the rest of my life, that it would go in to a bet, because I have that much faith in what Moses said and what Jesus said.

Moses said that this is from God, that a marriage is when a man shall leave his father and mother and a woman leave her home and the two will become one flesh. That is a marriage.

Jesus repeated: You know the law. Moses give you the law. Here is the law.

And He repeated the very words of Moses, and then He added a line and said: What God has joined together, let no man pull apart.

So I have such faith in the words of Moses and Jesus, I would be willing to stake anything I make the rest of my life that my kids would otherwise get that we could take four couples of man and woman as Moses and Jesus said and find a place that we could place them where they are isolated but they have everything they need to live and have a good, full life, and then take another place, an island or such, and put four couples of men, all men that love each other, and put them in such an isolated island situation where they have everything they need to be comfortable and live, and then have an island where we have four couples of women that love each other, they are going to stay together. And then let's come back however many years you want to wait to come back, at least 25, and you could go 200 years, and let's go back and see what nature has to say about which couple it prefers to sustain a civilization. Which couple is preferred by nature? You and I believe nature is God, as the Founders did. Which one is preferred? And I am willing to bet everything that I make the rest of my life that in those situations where just nature has to take its course, the couples of man and woman will be the one that proliferates and continues to exist and live on to produce further generations.

Mr. Speaker, I think that is what the people of Iowa found so offensive that they had judges that were so completely ignorant of nature and nature's God that they could say that there is no evidence in nature or anywhere else to indicate a preference for a couple between a man and a woman.

I know people have raised issues, but you need to be able to see someone you love in the hospital, you bet. We ought to make sure State legislatures fix that problem. If you love somebody, they are your partner, you care about them and they care about you, you don't want to just stalk anybody you want, but if there is a mutual love, admiration, and respect, you ought to be able to see them in a hospital. You ought to be able to transfer property and leave property. We ought to be able to address those things in the law.

But when it comes to the building block for future generations and future civilizations, I can promise you that if it is not built on couples that are man and woman, as Moses and Jesus said, then that civilization will not endure. It is just the law of nature.

I love the people of Iowa. I love the fact that they came out and let it be known that these judges who were educated far beyond their intellectual capability needed to step down because

the people of Iowa could figure out that there was evidence to support marriage being between a man and a woman.

So I appreciate the time the gentleman has yielded to me. Thank you for continuing to stand for what is right, even when we have Supreme Court Justices that violate the law, the Constitution, and their oath.

Mr. KING of Iowa. Mr. Speaker, reclaiming my time, I thank the gentleman from Texas. I appreciate his presentation here tonight and the many times and many hours that he has spent on the floor. I also would say for the record that the gentleman from Texas, Judge LOUIE GOHMERT, who had the temptation to legislate as a judge and understood constitutionally how to go about that, resigned his seat as a judge and ran for the United States Congress because he is, at heart, a legislator with a deep respect and appreciation for the rule of law, the statutory construction, and the Constitution itself.

Congressman GOHMERT did come to Iowa and rode the judge bus. We traveled around from town to town and gave speech after speech. There were some folks to greet us there that weren't very happy with our presence. I don't think their mothers were very proud of them, Mr. Speaker, but I think Louie's mother can be very proud of him.

I look across the Midwest, in the heart of the heartland, and you can't think about the heart of the heartland without thinking of Kansas. I know the gentleman that represents the vast reaches of the western at least two-thirds of Kansas, if not more, has arrived here tonight, and he has demonstrated his faith and his commitment to family in a lot of ways. I have been able to see that.

Mr. Speaker, I am happy to yield to the gentleman from Kansas (Mr. HUELSKAMP).

Mr. HUELSKAMP. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I appreciate the opportunity to visit tonight about a very radical decision. I appreciate the discussion of my colleagues from Texas and Iowa outlining some of the background.

I was born in 1968, and what this Court would have us believe is that 100 years before I was born, somehow secretly written into this constitutional Amendment was language that invalidated laws in every State of the Union at that time. They want us to believe the authors of this constitutional Amendment, the 14th Amendment, violated their own State laws at the time and just didn't know it. That is silly. That is utter nonsense. And only if you lived in Washington, D.C., in some bubble and spent your weekends or your summers vacationing in Western Europe, not in western Kansas where I am from, could you dream up somehow the

Constitution dictated that you would overrule, override, undo—this is five unelected black robe attorneys that are going to dictate to 50 million Americans that you are wrong on the definition of marriage. You are wrong. 2,000 years of human history is wrong. The authors of the 14th Amendment were wrong, and 31 States are wrong. Let me go through that. We are talking about dozens and dozens of States that adopted by a vote of the people.

Again, let's roll back 2 years ago in the Winter decision. This same Court, the exact same Court, said: Do you know what? It is up to the States to decide.

They actually declared themselves wrong 2 years previous to that and set to deny the vote, the right to vote to short-circuit the democratic process. Now recognize, folks have strong opinions.

□ 2000

Even the President of the United States—President Obama and I both agree on this point; there are strong opinions on both sides, but what is happening here is the folks that can't win in the State of Kansas, can't win in 30 other States, have decided that they are going to try to find five people, five people to overrule 50 million.

Let me give you an example. My home State of Kansas, when we passed our Kansas marriage amendment, which I was proud to be the author of, 417,675 men and women voted to declare that marriage is only between a man and a woman. Five lawyers across the street said, You are all wrong—every one of them.

You go to the State of California, in 2008, 7,001,084 Californians were declared to be wrong by five people across the street, five people who have already fled town. They have left town. They won't even stay here; they don't even show up in public. They go behind closed doors, make up their mind, come out, and rule.

This is exactly what our Founders were afraid of with judicial tyranny of folks trying to dictate, to mandate, take their personal biases, and mandate them on California, mandate them—let me pick a State at random—the State of Maine, 300,848 folks in Maine. How about in Alaska? 152,965 people that these 5 people said were wrong.

Total across the entire Nation, there were 51,483,777 people that this court, these 5 people, not the entire court, 5 people decided you 51,483,777 people, you are wrong. Those five were wrong 2 years ago—or at least one of them was wrong. They changed their mind 2 years ago.

If you look at the Holy Father's latest encyclical that has been much discussed, it talks about the rule of law and how if you start violating laws that becomes a pattern—and here, we

have a pattern of this Court deciding to ignore the clear Constitution and decide to impose their biases.

As I understand, the dissent was frightening. This is not only imposing their biases against traditional marriage; these five people don't like marriage as 51 million Americans understand that.

In the dissent, it talked about not only that, they have opened the door to plural unions; and it is coming. They referenced a Court case. This is where this Court is headed, and it is totally out of step, not only with 51 million Americans, but with their own Court decision 2 years ago, but also with the whole idea of our Constitution, that somehow it is living and breathing and then five people.

I mean, this is the same margin by which we have had atrocious decisions throughout history of this country. You go not far from this—and my colleague from Iowa knows this—you go not far from here, you go down, I think it is a floor down, where you had a decision by the same U.S. Supreme Court, just a few different folks, decided certain people didn't have rights and made a decision, an atrocious decision. They were wrong. I think the Court is wrong today.

Again, the idea that somehow they know better is the elitism that I think is driving folks crazy, and it is not just on this issue. My colleague from Iowa has pointed out, again and again, it is concerns about immigration, it is concerns about education, it is concerns about spending, about overregulation where you have folks inside a bubble in Washington, D.C., they read every week.

Every day, I guess, they read the New York Times and think they are doing a great job; they read The Washington Post, but they don't read and listen to real Americans. Again, they travel and vacation in western Europe.

Many times, we see them using Court decisions in the arguments that have no basis not only in our jurisprudence, but in our history and are using that which is outside—I have never served in the U.S. Senate; I probably never will, and I have no desire to do that, but I have got to wonder, when each of these five that decided to overrule 51 million, did anybody ask them: Do you think you are smarter than the rest of America? Did anybody ask them?

Actually, when they did ask them, they said: We can't tell you how we are going to rule.

There is no doubt that at least four, perhaps five, of these judges, these attorneys, these lawyers made up their mind before they got the case and said: This is the decision. Here is what we want to reach. Here is the outcome. Let's make something up so we can at least claim there is an argument.

There is no logical argument; there is no legal argument. All there is, is the

utter power, the claim that we get to dictate what the rest of America will accept.

As a pro-life American as well, we have to go 42 years ago. A court tried to do the same thing. And at that time, in '73, and I am guessing January 24, 1973, I was a little tyke. Thank goodness I was born before the *Roe v. Wade* generation. I saw some of those folks run around today, claiming they were part of that generation.

Part of that generation, one-third of those are gone. At that time, the Court said they were going to impose abortion on all of America through all 9 months. Do you know what, they walked away and said: We got it all done.

What they found out is the American people are resilient. When they see outrageous decisions like this, it might take them weeks, it might take them months, it might take them a year, it might take them decades, but they will be pushing back. They will be pushing back and demanding that, when you put your thumb into the eye of 51 million Americans, you put your thumb in the eye of 2,000 years of history, you put your thumb in the eye of millions of millions of children that deserve a dad and a mom, a married dad and a mom, and say: Do you know what, you don't count; you don't count.

That is what this Court is saying. We spend billions of dollars every year trying to replace a mom and a dad. Here we are today because of five people across the street—again, five people deciding for the rest of us. This was not interpretation of the Constitution; this was just utter legal nonsense.

There are two ways to respond to this. One is a Federal marriage amendment. I have introduced that a couple sessions in a row. That is the way you amend the Constitution. The way the left amends the Constitution is they get five votes.

Folks have been worried about a constitutional convention; and I always joke that, well, they have one every time they issue a ruling. This one was a constitutional convention, utter legal fiction and nonsense. They know it; they all know this.

They are probably drinking cocktails tonight, laughing about our comments on the floor saying: Well, yeah, everybody knows that.

So we are just under some fiction. We are trying to figure out, okay, here is the decision we want; here is how we get there. A Federal marriage amendment is one option, but that is difficult.

A second one that we have to worry about—and it was noted in the oral arguments, it was noted in the opinion of the majority and the minority, because of this decision, mark my words, mark the words of the dissenters—is they will use this decision to attack religious liberties of Americans who still

believe, 51 million and plenty of others, that marriage is between a man and a woman.

They are not going to stop. Ten years ago, they said they would stop at civil unions. That was all they wanted; then, well, maybe want something else. Now, it is not only do they want marriage, the next one will be to say, if you disagree with me, you not only have to bake a cake, you have to participate in other ceremonies in other ways. It goes on and on.

That is why I have introduced, along with others, the First Amendment Defense Act, which I call upon those who believe in marriage, and even if you don't believe in marriage but believe in the supremacy of the American people rather than five attorneys, we bring that to the floor and defend the rights and liberties of Americans and the thousands, perhaps tens of thousands, perhaps millions of churches that say, Do you know what, we don't agree with that, and we will not have the Federal Government imposing their way—these five people.

Now, I am just one. We got 435 in this body, 100 in the other body, and the Court just said: Do you know what, that doesn't matter.

That is the definition of tyranny, and from tyranny, good things do not come. Our Founders understood that.

When you consolidate power—and as my colleague said: What difference does Congress make anymore?

The decision the day before suggested they get to rewrite the law, and the marriage decision was they get to rewrite the Constitution. This is a fundamental decision on the history of our country, the history of our Constitution, where the future goes, and the history for and the future for our children.

I appreciate my colleague from Iowa, his efforts for many years. I will not apologize on behalf of 417,675 Kansans who voted for marriage. If those five Justices are asking them to apologize, they will not. They will continue to defend God's lawful marriage, and they will do that proudly and will continue to defend the State, and our U.S. Congress should do the same.

I appreciate my colleague from Iowa's leadership. These are one of these things that it is not easy.

Congressman, I appreciate your leadership on this and not giving up for the right thing.

Mr. KING of Iowa. I thank the gentleman from Kansas, but I would ask if he will yield to a question before he retires.

You mention your constitutional amendment to preserve marriage between a man and a woman. I would ask if you would be prepared to, if you can, from memory, quote that into the RECORD here tonight.

Mr. HUELSKAMP. I am not prepared to quote it. I know what the vote was.

Mr. KING of Iowa. The essence of it, if you could?

Mr. HUELSKAMP. The essence is marriage is reserved between one man and one woman. It is a very simple definition, a very historical definition, and it was adopted by 417,675.

Do you know what was interesting? I never once told the State of Kansas that, if five people wanted it, that was the rule of law in Kansas—no. We had to go through an open process, have the debate, have the campaign, get it through the legislature.

We tried 2 years in a row; it didn't happen. Finally, in 2005, it got on the ballot. It went up. Everybody had their up and down American experiment of democracy and decided.

I will tell you at the time—and Steve understands this, my Congressman—that people said: We don't need to do that. The Court would never overrule that. There is nowhere that is in the Constitution.

It is very clear; marriage is between a man and a woman. That is the thing, marriage predates government. No matter what these five unelected lawyers appointed for life—with full benefits, I might add, and health care—outside of ObamaCare, that is another issue—no matter what they say, they are not changing what a marriage is.

Mr. KING of Iowa. I would like to reiterate this point that as you debated this in Kansas, I am one of the authors of the Iowa's Defense of Marriage Act. Ours says differently than I think all the other States.

All the other States say marriage is between one man and one woman. I insisted that the language say between one male and one female because I didn't want to be in a debate about what a man was and what a woman was.

I didn't know that, within the last couple of months, we would be having that debate nationally, but I think our debate is more specific—however, overruled by the Supreme Court of the State of Iowa.

I didn't get around to mentioning that we voted three of those justices off the bench, swept them off. There were only three up for retention ballot in 2010. We voted them all off of the bench.

I still ask this question, which is, as precise as our language is, I could not divine any right to same-sex marriage in the Constitution, not in the 14th Amendment, not in the Iowa Constitution that is mirrored to the 14th Amendment; but the Supreme Court found it anyway.

Is it beyond the realm of possibility that, if your amendment becomes incorporated into our Constitution that a more liberal court, or this Court itself, might find a way to rationalize their way around no matter how we write it?

Mr. HUELSKAMP. That is absolutely true. I mean, where can they end up?

Again, when it becomes an issue of bias, and our colleague from Texas talked about that, two justices that clearly demonstrated bias in the State of Kansas, that would be a basis for not ruling on the case and perhaps not even being on a court.

I mean, those are illegal. I am not an attorney, but we recognize that would be highly unethical in the State of Kansas, but apparently, that is the way you get things done nationally, to impose your will.

One thing that, again, I mention in passing that we can't forget is what this does for our children, what this does for our children by attempting to fundamentally destroy and redefine marriage.

I have been asked: Well, how does it affect your marriage?

When you make marriage anything, you devalue what really is marriage. The last thing we need to be doing in this society is devaluing families, devaluing marriage, and attacking the basis of our society. Our Founders understood that.

I don't know what these Justices, what their history was growing up, what led them to change their mind and impose that on the rest of America; but that is why our Founders said: Here is the Constitution. You can interpret it, but you shall go no further.

Mr. KING of Iowa. They understand that in Kansas, they understand that in Iowa, and I suspect they understand that in Florida.

As I look over, I see the gentleman from Florida—I am looking at two doctors here—the gentleman from Florida (Mr. YOHO).

I thank the gentleman from Kansas for coming down tonight, as well as the gentlemen from Florida and Texas, and the other folks that might show up.

Mr. Chairman, I am happy to yield to the gentleman from Florida (Mr. YOHO).

Mr. YOHO. Mr. Speaker, I thank my colleague from Iowa, Kansas, and Texas for coming down here to share your thoughts on this important item.

Mr. HUELSKAMP, you brought up about diluting the institution of marriage, and if we keep going down this path, it will be worth nothing.

If we keep diluting the value of our money, it is worth nothing; and if we keep diluting the value of the things that have made our society great, the nucleus family, if we keep doing that, it becomes more washed out.

□ 2015

Roughly 2 weeks ago the Supreme Court's 5-4 decision on *Obergefell v. Hodges* demonstrated yet again the highest court in the land legislating from the bench.

The ruling was disappointing not only for the fact that the court had not four States to redefine marriage, but even more so because it removes mil-

lions of American from the democratic process of choosing for themselves who and what defines marriage.

I personally and millions—you brought up 51 million—hold a traditional view of marriage between one man and one woman. And I am proud to say that I have been married to my wife Carolyn for over 40 years. God bless her because we know that is a tough job.

However, the Constitution grants people, the voters, the ability to decide whether or not to recognize same-sex marriage.

Chief Justice Roberts in his dissent made a valid point, which I am sure is shared by many Americans. He said those who founded our country would not recognize the majority's conception of the judicial role.

And then he continued: They certainly would not have been satisfied by a system empowering judges to override policies, judgments, so long as they do so after a quiet extensive discussion.

With this type of legislation from the bench, what is the point of the States' rights. I think that is what this gets down to because 30 States wanted to define and have the right, according to the 10th Amendment, that it is a State's rights issue.

If you live in that State and they decide what marriage is and you don't like it, you have the freedom to move or challenge us through the State system.

I think it is a sad day in America when we have to, as a country, redefine who we are as a Nation, we have to redefine what marriage is, an institution that has been around and ordained by God for over thousands of years, 2,000-years plus, to come down to this point in our society.

We have got a book that we have lived by, and I am going to hold this up for the viewers. This is, in total, the Declaration of Independence and the Constitution. And you can see it is a very thin book. It is not epic in volume, but, yet, it is an epic in ideology of what a nation stands for, a nation of laws.

We have the three branches of government. I have been up here for 2½ years, and what I hear over and over again is we are in a constitutional crisis.

And being in Congress for the last 2½ years, I see a lot of dysfunctionality. And if we don't do our job, you get other branches of government fulfilling that job and overstepping their boundaries.

I agree with Justice Antonin Scalia when he stated in his dissent: A system of government that makes the people subordinate to a committee of non-elected lawyers does not deserve to be called a democracy.

Wow. Those are powerful words. A system of government that makes the

people subordinate to a committee of nine unelected lawyers does not deserve to be called a democracy.

We cannot allow our Constitution to be eroded, and I will continue to fight for the States' rights and stop this continued Federal power grab.

I look at Justice Roberts, some of the dissension in his ruling, and Roberts forcibly criticized the majority: Sidestepping the democratic process and declaring that same-sex couples have the right to marry when, in his view, such a right has no basis in the Constitution. The court's decision, he complained, orders the transformation of a social institution that has formed the basis of human societies for millennia.

We are redefining that.

And then he goes on to the Kalahari bushmen and to the Han Chinese, the Carthaginians, and the Aztecs. Just who, Roberts laments, do we think we are?

The other three justices echoed Roberts' sentiment, sometimes in even more strident terms.

Justice Scalia characterized the decision as a judicial putsch and suggested that, before he signed on to an opinion like the majority, I would hide my head in a bag. This is from our Supreme Court justices.

I think it is a sad state of affairs that, in the three branches of government, that we are out of balance.

We, as Member of Congress, are the most powerful branch. It is the way our Founders set our country up. It is the longest living democracy and constitutional free republic in the world. The reason for that is the checks and balances.

I would like, Mr. Speaker, to say to you and to my colleagues that our three branches of government are seriously out of balance.

And at times during human history, when the government oversteps its boundaries, whether in total or in the different branches, and they overstep the boundaries of the Constitution, it is not only our duty, but it is our responsibility as Americans and as the people's House in the United States of Congress to stand up and rein in government and hold those other branches accountable.

I look forward to working with my colleagues on the House floor to make sure that we are the ones that stand up and say: Enough is enough. We have had enough.

Mr. KING of IOWA. Mr. Speaker, I thank the fine gentleman from Florida for his presentation, his understanding of this, and his conviction on constitutional issue after constitutional issue, including reminding us this is a constitutional republic that we live in.

I would like to now recognize the husband of Roxanne Babin, the gentleman from Texas whom I get to count as a good friend here in this Congress, who has stood up on principle time and again.

Mr. Speaker, I recognize that we have 8 minutes left in our time. So we will try to judge it accordingly.

I yield to the gentleman from Texas (Mr. BABIN).

Mr. BABIN. Mr. Speaker, I really appreciate the gentleman from Iowa and good friend. I appreciate recognizing my wife in the gallery as well.

I thank the gentleman for yielding time, and I thank him for his leadership on this very important issue.

Mr. Speaker, I stand here today deeply and bitterly disappointed and saddened by the recent actions of five unelected U.S. Supreme Court justices and their decision to defy the will of the American people and disregard the rule of law.

As a strong defender of traditional marriage and State sovereignty, I believe it is absolutely wrong that five unelected members of the U.S. Supreme Court overruled tens of millions of Americans, including many in my home State, the State of Texas, who voted to enact State statutes and State constitutional amendments to define marriage as between one man and one woman.

Under this ruling, five members of the Supreme Court invalidated the votes of over 50 million Americans. That is deeply disturbing and alarming. And the dissenting justices raised this very concern.

Traditional marriage has been under assault as courts and some state legislatures have sought to both redefine marriage as something other than between a man and a woman.

Most seriously, they are now taking action to penalize and discriminate against those who have religious and conscience convictions against the redefinition of marriage.

Over 30 States and tens of millions of Americans acted through the legislative and election process to keep marriage between one man and one woman within their respective States.

Unfortunately, various courts took it upon themselves to sidestep the democratic process and to silence those voices with their reprehensible activist decisions.

By circumventing the votes of American citizens, the Supreme Court's sweeping decision now sets the Government on a collision course with religious freedoms guaranteed in the First Amendment of the United States Constitution.

Americans with religious conviction will now be forced into a position of great uncertainty. If their religious beliefs conflict with same-sex marriage, they may lose their business license and they could be subjected to prosecution or even litigation.

Some are even calling for ending tax exemption status for any church or religious organization that opposes same-sex marriage. This is alarming and it demands action.

We have seen the attacks led by IRS bureaucrats like Lois Lerner on conservative groups in the past, and we can expect the same under these discussions. As elected leaders, we cannot and must not back down.

We have an obligation to fight for the religious protection of our constituencies against such judicial activism and the consequences that will come from it. I have met with local pastors in Texas over the past few weeks, and they are very, very concerned about this ruling.

Congress wants to take immediate action to restore each States' ability to determine their own marriage laws and to protect individuals and institutions with deeply held religious convictions regarding traditional marriage to ensure that they do not face discrimination because of these convictions.

As an unwavering advocate for protecting the traditional marriage, I strongly support and have cosponsored a constitutional amendment to define marriage as between one man and one woman.

We should also pass the First Amendment Defense Act to protect churches, Christian schools and colleges and business owners from being coerced by the government to act against their religious convictions in regards to acceptance of same-sex marriage.

In the 36th Congressional District of Texas, where I have spent my entire life, people are very distressed over the Supreme Court's redefinition of marriage and its impact on their ability to freely practice their faith. They realize, as do I, that, under the Supreme Court's decision, things are going to get worse as this collision course is set in motion.

We will see more lawsuits spring up that challenge the faith of average American families who hold their beliefs dearly, as well as their churches, schools, and charities.

Under such uncertainty, I stand in strong solidarity with my constituents, our local and State leaders, and the like-minded colleagues that I have had the great privilege of listening to tonight and having your time yielded to me. I serve with you folks in Congress that we will never back down on this issue.

I will work tirelessly on all fronts to defend traditional marriage and the protection of religious liberties granted under our U.S. Constitution.

Mr. KING of Iowa. Mr. Speaker, I thank the gentleman from Texas, and I appreciate very much his commitment to many causes, especially this cause.

I recognize the gentleman from California that has arrived, and I point out that we are down to 3 minutes.

I yield to the gentleman from California (Mr. LAMALFA) to hear what he might have to say about this topic.

Mr. LAMALFA. Mr. Speaker, I appreciate my colleague from Iowa. Thank you for a little bit of time on this.

It is indeed something I know a lot of people are grieving over with the Supreme Court decision, first on the morality issue.

Those of us that believe in the Bible, that believe in God, feel that the Bible is pretty clear on this subject of homosexuality and the application of marriage.

But even more so, beyond that, it is a choice. People can choose to follow that path of biblical values or they can choose not. They will make that decision, and they will be held accountable for that decision one way or the other.

So what I am looking at is that the court, in this ruling, has usurped the process of the American people in the legislative process and replaced it with the opinions of five court members.

Where that ruling was on Friday, the following Monday, the court upheld that the people would draw their own lines in Arizona and, by extension, California.

So the people's voice is heard on district lines as seen by the court, but the people's voice is ignored when California passed two different initiatives to uphold marriage.

So there is not even consistency on the court on what the Constitution is supposed to mean on the people's voice, and that is very troublesome.

It indicates to me that we are not far from a constitutional crisis with the way this court usurps the people's voice and the legislative process.

So I appreciate the time from the gentleman here tonight. Thank you for your leadership on this important issue.

Mr. KING of Iowa. Mr. Speaker, we have heard from a list of solid constitutionalists here this evening that are not only committed to their oath to support and defend the Constitution, but, also, each committed to their own marriage throughout these years that, if we added them up, it is well over a century of us together. Marilyn and I are 43 years.

I am steeped in the Constitution and the rule of law. I have great respect for the Supreme Court of United States, but I have greater respect for the supreme law of the land, which is the Constitution of the United States.

If the law doesn't mean what it says and if the Constitution can have divined within it certain rights that are imagined only by this court and not imagined by the people that ratified the very language that they are ruling upon, then what have we come to?

I believe that this decision, this *Obergefell v. Hodges* decision on marriage, right behind the decision of *King v. Burwell*—that, if the court continues down this path, Mr. Speaker, they will render our Constitution an artifact of history and this country will not respect a court that doesn't respect the language and the text of the Constitution.



□ 2030

We are here to reject and criticize the decision of the Supreme Court that imposes same-sex marriage on all of America and requires each of the States to recognize with reciprocity those marriages. That is a decision this Congress couldn't make for the American people, and it is a decision that should be left up to the States.

Mr. Speaker, I will submit that I am one who is prepared to support the simple elimination of civil marriage because this government has gotten into it so far that holy matrimony will not be protected from the further litigation in this Court unless we separate it from civil marriage itself.

The next litigation that comes will be that that sues our priests and our pastors to command them to conduct same-sex marriages at their altars, and that is where the First Amendment freedom of religion comes into conflict with the distorted view of the 14th Amendment which is part of this Obergefell, and that, Mr. Speaker, will be a constitutional crisis.

I yield back the balance of my time.

#### A MATTER OF HISTORY

The SPEAKER pro tempore (Mr. RUSSELL). Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, I heard earlier discussions from my friends—and I literally mean that, friends; I am not being sarcastic, they are friends—talking about the shootings. It sounds like they were certainly racist shootings in South Carolina when an evil man shot brothers and sisters of mine as fellow Christians.

Now there is this big race to go after the Confederate flag. So, Mr. Speaker, I saw this article by Daniel Greenfield and felt like this was worth noting, historically, information that Mr. Greenfield has published this month. Just touching on parts of the article—I started to say “he,” but it says “Daniel.” Maybe it is a man, maybe it isn't. I don't want to be biased based on a name.

But anyway, in his article he says, talking about President Obama: “When Obama condemned Christianity for the Crusades, only a thousand years too late, in attendance was the Foreign Minister of Sudan, a country that practices slavery and genocide. President Obama could have taken time out from his rigorous denunciation of the Middle Ages to speak truth to the emissary of a Muslim Brotherhood regime whose leader is wanted by the International Criminal Court for crimes against humanity, but our moral liberals spend too much time romanticizing actual slaver cultures.”

“It's a lot easier for our President to get in his million-dollar Cadillac with

5-inch thick bulletproof windows, a ride Boss Hogg could only envy”—Boss Hogg being a reference to the name of the show “Dukes of Hazzard”—“and chase down a couple of good ole boys than it is to condemn a culture that committed genocide in our own time, not in 1099, and that keeps slaves today, not in 1815.”

“Even while the Duke boys”—again, references to “Dukes of Hazzard”—“the Duke boys were chased through Georgia, President Obama appeared at an Iftar dinner, an event at which Muslims emulate Mohammed, who had more slaves than Robert E. Lee. There are no slaves in Arlington House today, but in the heartlands of Islam, from Saudi mansions to ISIS dungeons, there are still slaves, laboring, beaten, bought, sold, raped, and disposed of in Mohammed's name.”

“Slavery does not exist under the Confederate flag eagerly being pulled down. It does exist under the black and green flags of Islam rising over mosques in Iraq, Saudi Arabia, and America today.”

“In our incredibly tolerant culture, it has become politically incorrect to watch the General Lee”—talking about a car—“jump a fence or a barn, but paying tribute to the culture that sent the slaves here and that still practices slavery is the culturally sensitive thing to do. In 2015, slavery is no longer freedom, but it certainly is tolerance.”

The article goes on: “Slavery was an indigenous African and Middle Eastern practice, not to mention an indigenous practice in America among indigenous cultures.”

The author here is talking about, for those who don't understand indigenous cultures, he is talking about Native Americans. There were Native Americans that had slaves, just like in Africa and Middle Eastern practices.

The article goes on: “If justice demands that we pull down the Confederate flag everywhere, even from the top of the orange car sailing through the air in the freeze frame of an old television show, then what possible justification is there for all the faux Aztec knickknacks? Even the worst Southern plantation owners didn't tear out the hearts of their slaves on top of pyramids.”

This is a reference that obviously in history we understand Aztecs did pull out hearts of slaves that they sacrificed on top of pyramids.

Anyway, the article says: “The romanticization of Aztec brutality plays a crucial role in the mythology of Mexican nationalist groups like La Raza promoting the Reconquista of America today.”

I wasn't aware of that, but the article says: “Black nationalists romanticize the slave-holding civilization of Egypt despite the fact that the narrative of the liberation of the Hebrew slaves from bondage played a crucial role in

the end of slavery in America. The endless stories about the ‘Amazons’ of the African kingdom of Dahomey neatly fit into the leftist myth of a peaceful matriarchal Africa disrupted by European colonialism, but Dahomey ran on slavery.”

“The ‘Amazons’ helped capture slaves for the Atlantic slave trade. White and Black liberals are romanticizing the very culture that captured and sold their forefathers into slavery. ‘In Dahomey’, the first major mainstream Black musical was about African Americans moving to Dahomey. By then, the French had taken over old Dahomey and together with the British had put an end to the slave trade.”

“The French dismantled the ‘Amazons’ and freed many of Dahomey's slaves only for the idiot descendants of both groups to romanticize the last noble stand of Dahomey fighting for the right to export Black slaves to Cuba and condemn the European liberators who put a stop to that atrocity.”

“If we crack down on romanticizing Dixie, how can we possibly justify romanticizing Dahomey or the Aztecs or Mohammed?”

“If slavery and racism are wrong,” which clearly they are, the article says. “If slavery and racism are wrong, then they are wrong across the board . . . Dahomey and Mohammed had bought, sold, and killed enough Black lives to be frowned upon.”

“If we go back far enough in time, most cultures kept slaves. The Romans and Greeks certainly did. That's why the meaningful standard is not whether a culture ever had slaves, but whether it has slaves today. If we are going to eradicate the symbols of every culture that ever traded in slaves, there will be few cultural symbols that will escape unscathed. But the academics who insist on cultural relativism in 19th century Africa reject it in 19th century South Carolina, thereby revealing their own racism.”

“And so instead of fighting actual modern-day slavery in Africa and the Middle East, social justice warriors are swarming to invade Hazzard County.”

“Most of the cultures of the past that we admire, respect, and even romanticize had slaves, but when we look back at their achievements and even try to forge some connection to them, it does not have to mean an endorsement of their worst habits. This is a concept that liberals understood but that leftists reject.”

“The recent hysteria reminds us that the nuanced reason of the former has been replaced by the irrational, destructive impulses of the latter. The left is so obsessed with creating utopias of the future that, like the Taliban or ISIS, it destroys the relics of past societies that do not measure up to its impossible standards. And then it replaces them with imaginary utopias of the past that never existed.”

"As Ben Carson pointed out, we will not get rid of racism by banning the Confederate flag. Even when it is used at its worst by the likes of Dylann Storm Roof, it is a symptom, not the problem. Roof was not radicalized by the dead Confederacy, but by the racial tensions kicked off"—I am not sure I want to say that.

But, anyway, interesting take, but all of this talk about eliminating any references or uses of things that remind us of the horrors, the abomination that slavery was in the United States should be eliminated. That is what we are hearing.

And so, Mr. Speaker, in thinking about that—and the suggestion was made by my friend, another judge from Texas, Judge CARTER, so I had to go look it up. I think there is an entity that was so evil in supporting slavery, in fighting against civil rights, in fighting against the Christian brother that Martin Luther King, Jr., was, fighting against those who wanted equality that the Constitution guaranteed, we ought to look at those symbols, and we ought to look at what they stood for and perhaps ban any political organization from participating in Congress for upholding the abomination that slavery was to this country.

So I was able to get a copy of this platform, this political platform from 1856. This is the number one plank in the platform of this hideous political organization, and this is what they believed and they asserted.

□ 2045

I am reading from the number one plank in their party platform: "That Congress has no power under the Constitution, to interfere with or control the domestic institutions of the several States, and that such States are the sole and proper judges of everything appertaining to their own affairs, not prohibited by the Constitution"—then, here it goes—"that all efforts of the abolitionists, or others, made to induce Congress to interfere with questions of slavery, or to take incipient steps in relation thereto, are calculated to lead to the most alarming and dangerous consequences; and that all such efforts have an inevitable tendency to diminish the happiness of the people and endanger the stability and permanency of the Union, and ought not to be countenanced by any friend of our political institutions."

That was the official number one plank in this hideous political organization's platform from 1856.

They go on. Here is number three: "That by the uniform application of this Democratic principle to the organization of territories, and to the admission of new States, with or without domestic slavery, as they may elect—the equal rights, of all the States will be preserved intact."

They are saying they want to preserve slavery in any State that wants to have it.

They finish up by saying: "Resolved, That we recognize the right of the people of all the Territories, including Kansas and Nebraska, acting through the legally and fairly expressed will of a majority of actual residents, and whenever the number of their inhabitants justifies it, to form a constitution, with or without domestic slavery."

It sounds like something the Ku Klux Klan would have done. They are demanding that they have the right to have slavery, the worst abomination in the history of America, that even Thomas Jefferson put in his original draft of the Declaration of Independence that it was a horrible grievance against the King of England for allowing slavery, this horrible abomination, from ever starting in America.

Well, they didn't learn their lesson. This hideous political organization's platform in 1860 said they were adopting all the things that they had said in 1856 about the right to keep this heinous, offensive slavery intact.

They include this, though, additionally in their platform of 1860: "Resolved, That the enactment of the State Legislatures to defeat the faithful execution of the Fugitive Slave Law, are hostile in character, subversive of the Constitution, and revolutionary in their effect."

They want to make it clear that not only were they avid supporters of slavery in America, but that it was their right to own people in America. This disgusting political organization also found the fugitive slave law to be, as they say, hostile in character, subversive of the Constitution.

Again, this sounds like something from the Ku Klux Klan. Will we want the Ku Klux Klan participating here on the floor when this is their history? It is the worst abomination.

The horrors of slavery finally were overcome, largely by abolitionist churches and pastors, people who believed that it had to stop, that people couldn't be treating brothers and sisters in such a way.

It took the life work and even laying down of the life of Martin Luther King, Jr., to push us to the level where brothers and sisters, as he was in Christ, could treat brothers and sisters as equal people. That is where we should have been all along. It is where he was pushing us to be against the hideous type things from 1856 and 1860.

If we are going to eliminate everything that reminds us of a hideous past that supported slavery and the oppression, the horrors that slavery entailed—breaking up of families, molestations, the beatings, just the horrors—John Quincy Adams was right. God could not continue to bless America while we were treating brothers and sisters by putting them in chains and bondage.

He was right. So many abolitionists were right. Daniel Webster was right.

Republicans that stood up to these hideous political organizations were right. There should be no place for slavery in America.

If we are going to have a complete cleansing of this country of anything, any symbol, then this platform from the Democratic Party in 1856 and 1860—and it wasn't the Ku Klux Klan; it sounded like it, and there were a lot of Democrats who were members of the Ku Klux Klan. I don't know that you can find Republicans that were members of the Ku Klux Klan, but there were certainly plenty of Democrats that were.

I think it is time not for the Washington Redskins to change their name, but for the Democratic Party to change its name because all you have to do is go online and look up the history of the Democratic Party. It is one of oppressing African Americans. It is one of supporting slavery and the horrors that occurred in the United States, even up through the 20th century on into the 1860s.

I think we had a Democratic Senator who was a member of the Ku Klux Klan. I think he has got a lot of things named after him. I hope that my friends who will ultimately want to change the name of the Democratic Party because of its horrible history will also want to change the names of things that were named after somebody that was a big supporter of the Ku Klux Klan.

The fact is the families of the victims in Charleston, South Carolina—brothers and sisters in Christ, for those of us who are Christians—wow, did they send a powerful message. I didn't see or hear them demanding the Confederate flag be taken down. I heard them forgive the one—the evil, horrible person—that committed such a vile act on people at a prayer meeting, of all things.

They showed the kind of love Jesus showed, the kind of love that was embodied by Father Damien, whose statue is right down at the southern entrance of this building beneath us right now. The plaque on his statue—God forgive anybody who would ever want to change this, because it is so powerful—are the words of Jesus in John 15:13: "Greater love hath no man than this, that a man lay down his life for his friends."

Jesus did that; Father Damien did that; Martin Luther King, Jr., did that—many have so that we could have the freedoms we have today, many of our American military forces have, not just for your freedom, but freedom around the world.

Let's recognize the good with which we have been blessed. Let's stop the name calling, the race baiting, the division politics. Let's fuss and disagree over issues, but let's quit trying to tear this country apart because of things of the past in which not one person in this room would have taken part in.

Let's work together. Fuss, disagree, push for what we believe is best for the country, but let's stop the race baiting because, if we are really going to go there, we have got to end the Democratic Party. Its history is so interwoven with starting, keeping, trying to push slavery on beyond anything that it should have been through.

We don't need to end the Democratic Party. We just need to work together in the present. That doesn't mean we can't disagree. We do all the time. Let's stop the race baiting. Let's look at the example of the victims' families in Charleston, South Carolina, and say: Wow, there are incredible believers and followers of Jesus Christ. That is somebody we can emulate.

Mr. Speaker, I yield back the balance of my time.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PAYNE (at the request of Ms. PELOSI) for today on account of attending a funeral in district.

#### ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 728. An act to designate the facility of the United States Postal Service located at 7050 Highway BB in Cedar Hill, Missouri, as the "Sergeant First Class William B. Woods, Jr. Post Office".

H.R. 891. An act to designate the facility of the United States Postal Service located at 141 Paloma Drive in Floresville, Texas, as the "Floresville Veterans Post Office Building".

H.R. 1326. An act to designate the facility of the United States Postal Service located at 2000 Mulford Road in Mulberry, Florida, as the "Sergeant First Class Daniel M. Ferguson Post Office".

H.R. 1350. An act to designate the facility of the United States Postal Service located at 442 East 167th Street in Bronx, New York, as the "Herman Badillo Post Office Building".

#### BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on July 9, 2015, she presented to the President of the United States, for his approval, the following bills:

H.R. 91. To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to issue, upon request, veteran identification cards to certain veterans.

H.R. 891. To designate the facility of the United States Postal Service located at 141 Paloma Drive in Floresville, Texas, as the "Floresville Veterans Post Office Building".

H.R. 1326. To designate the facility of the United States Postal Service located at 2000 Mulford Road in Mulberry, Florida, as the

"Sergeant First Class Daniel M. Ferguson Post Office".

H.R. 1350. To designate the facility of the United States Postal Service located at 442 East 167th Street in Bronx, New York, as the "Herman Badillo Post Office Building".

H.R. 728. To designate the facility of the United States Postal Service located at 7050 Highway BB in Cedar Hill, Missouri, as the "Sergeant First Class William B. Woods, Jr. Post Office".

#### ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 56 minutes p.m.), the House adjourned until tomorrow, Friday, July 10, 2015, at 9 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2103. A letter from the Under Secretary, Acquisition, Technology, and Logistics, Department of Defense, transmitting the Department's Report to Congress entitled "Corrosion Policy and Oversight Budget Materials for FY 2016", pursuant to 10 U.S.C. 2228; to the Committee on Armed Services.

2104. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations (Tioga County, PA, et al.); [Docket ID: FEMA-2015-0001] received July 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Financial Services.

2105. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Clean Air Act Title V Operating Permit Program Revision; Pennsylvania [EPA-R03-OAR-2015-0119; FRL-9930-30-Region 3] received July 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2106. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Determination of Attainment of the 2006 24-Hour Fine Particulate Standard for the Liberty-Clairton Nonattainment Area [EPA-R03-OAR-2015-0175; FRL-9930-23-Region 3] received July 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2107. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Kansas; Update to Materials Incorporated by Reference [EPA-R07-OAR-2015-0104; FRL-9926-48-Region 7] received July 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2108. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Revisions to the California State Implementation Plan, South

Coast Air Quality Management District [EPA-R09-OAR-2015-0345; FRL-9929-58-Region 9] received July 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2109. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California SIP, Ventura & Eastern Kern Air Pollution Control Districts; Permit Exemptions [EPA-R09-OAR-2015-0082; FRL-9929-64-Region 9] received July 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2110. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, South Coast Air Quality Management District [EPA-R09-OAR-2014-0841; FRL-9929-60-Region 9] received July 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2111. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Preconstruction Requirements — Nonattainment New Source Review [EPA-R03-OAR-2014-0833; FRL-9930-31-Region 3] received July 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2112. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Redesignation Request and Associated Maintenance Plan for the Johnstown Nonattainment Area for the 1997 Annual and 2006 24-Hour Fine Particulate Matter Standard [EPA-R03-OAR-2014-0902; FRL-9930-24-Region 3] received July 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2113. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Findings of Failure to Submit a Section 110 State Implementation Plan for Interstate Transport for the 2008 National Ambient Air Quality Standards for Ozone [EPA-HQ-OAR-2012-0943; FRL-9930-25-OAR] received July 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2114. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Low Emissions Vehicle Program Revisions [EPA-R03-OAR-2015-0214; FRL-9930-35-Region 3] received July 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2115. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final amendments — National Emission Standards for Hazardous Air Pollutants for the Portland Cement Manufacturing Industry and Standards of Performance for Portland Cement Plants [EPA-HQ-OAR-2011-0817;

FRL-9927-62-OAR] (RIN: 2060-AQ93) received July 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2116. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Implementation Plans; New Mexico; Revisions to the Particulate Matter Less than 2.5 Micrometers (PM<sub>2.5</sub>) Prevention of Significant Deterioration (PSD) Permitting Program State Implementation Plan (SIP) [EPA-R06-OAR-2014-0626; FRL-9930-27-Region 6] received July 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2117. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Partial Approval and Partial Disapproval of Air Quality State Implementation Plans; Arizona; Infrastructure Requirements for Lead and Ozone [EPA-R09-OAR-2015-0297; FRL-9930-28-Region 9] received July 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2118. A letter from the Executive Director, Patient-Centered Outcomes Research Institute, transmitting the FY 2014 Annual Report of the Institute, pursuant to 42 U.S.C. 1320e; Public Law 111-148, Sec. 1181(d)(10); to the Committee on Energy and Commerce.

2119. A letter from the Assistant Legal Adviser, Office of Treaty Affairs, Department of State, transmitting a list of international agreements other than treaties entered into by the United States to be transmitted to Congress within sixty days, in accordance with the Case-Zablocki Act, 1 U.S.C. 112b; to the Committee on Foreign Affairs.

2120. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report by the Department on progress toward a negotiated solution of the Cyprus question covering the period of February 1, 2015 through March 31, 2015, pursuant to Sec. 620C(c) of the Foreign Assistance Act of 1961, as amended, and in accordance with Sec. 1(a)(6) of Executive Order 13313; to the Committee on Foreign Affairs.

2121. A letter from the Secretary, Department of the Treasury, transmitting pursuant to Sec. 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and Sec. 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to Lebanon that was declared in Executive Order 13441 of August 1, 2007; to the Committee on Foreign Affairs.

2122. A letter from the Secretary, American Battle Monuments Commission, transmitting the Commission's annual report prepared in accordance with Sec. 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. No. 107-174; to the Committee on Oversight and Government Reform.

2123. A letter from the Executive Analyst, Department of Health and Human Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998, Pub. L. 105-277; to the Committee on Oversight and Government Reform.

2124. A letter from the Chairman and President, Export-Import Bank, transmitting a copy of the semi-annual report to Congress from the Office of Inspector General of the Export-Import Bank of the United States for

the period ending March 31, 2015, pursuant to Sec. 5(b) of the Inspector General Act of 1978; to the Committee on Oversight and Government Reform.

2125. A letter from the Senior Vice President and Chief Financial Officer, Federal Home Loan Bank of San Francisco, transmitting the Federal Home Loan Bank of San Francisco's 2014 management report and financial statements, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

2126. A letter from the Executive Director, United States Consumer Product Safety Commission, transmitting the Commission's 2013 annual report to the President and Congress, pursuant to Sec. 27(j) of the Consumer Product Safety Act and Sec. 209 of the Consumer Product Safety Improvement Act of 2008; to the Committee on Oversight and Government Reform.

2127. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries [Docket No.: 120328229-4949-02] (RIN: 0648-XD973) received July 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

2128. A letter from the President, National Council on Radiation Protection and Measurements, transmitting the Council's 2014 annual report of an independent auditor, pursuant to 36 U.S.C. 10101(b)(1) and 150909; to the Committee on the Judiciary.

2129. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule — Microloan Program Expanded Eligibility and Other Program Changes [Docket No.: SBA-2013-0002] (RIN: 3245-AG53) received July 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Small Business.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CRENSHAW: Committee on Appropriations. H.R. 2995. A bill making appropriations for financial services and general government for the fiscal year ending September 30, 2016, and for other purposes (Rept. 114-194). Referred to the Committee of the Whole House on the state of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. DOLD:

H.R. 2990. A bill to provide for the conduct of demonstration projects to test the effectiveness of subsidized employment for TANF recipients; to the Committee on Ways and Means.

By Mr. RENACCI (for himself, Mr. TIBERI, Mr. RYAN of Ohio, and Mr. KILMER):

H.R. 2991. A bill to encourage States to engage more TANF recipients in activities leading to employment and self-sufficiency, and to simplify State administration of

TANF work requirements; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BROOKS of Indiana (for herself and Ms. HAHN):

H.R. 2992. A bill to award a Congressional Gold Medal, collectively, to the U.S. Merchant Marine of World War II, in recognition of their dedicated and vital service during World War II; to the Committee on Financial Services.

By Ms. MATSUI:

H.R. 2993. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize funding for water recycling projects in areas experiencing severe, extreme, or exceptional drought, and for other purposes; to the Committee on Natural Resources.

By Mr. THOMPSON of California (for himself, Mr. PERLMUTTER, Ms. TSONGAS, Mr. FATTAH, Ms. ESTY, Mr. YARMUTH, Mr. HIMES, Mr. SWALWELL of California, Ms. NORTON, Mr. VAN HOLLEN, Mrs. NAPOLITANO, Ms. CLARK of Massachusetts, Mr. BLUMENAUER, Mr. ELLISON, Ms. MATSUI, Ms. EDWARDS, Mr. QUIGLEY, Ms. LEE, and Mrs. CAPPS):

H.R. 2994. A bill to protect individuals by strengthening the Nation's mental health infrastructure, improving the understanding of violence, strengthening firearm prohibitions and protections for at-risk individuals, and improving and expanding the reporting of mental health records to the National Instant Criminal Background Check System; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HARDY:

H.R. 2996. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to establish wildfire on Federal lands as a major disaster; to the Committee on Transportation and Infrastructure.

By Mr. ROSS (for himself, Mr. CLEAVER, Mr. HIMES, and Mr. DELANEY):

H.R. 2997. A bill to authorize the Secretary of Housing and Urban Development to carry out a demonstration program to enter into budget-neutral, performance-based contracts for energy and water conservation improvements for multifamily residential units; to the Committee on Financial Services.

By Mr. FINCHER (for himself, Mr. STIVERS, Mr. TIBERI, Mr. ROE of Tennessee, Mr. FOSTER, Mr. ISRAEL, Mr. ROYCE, and Mrs. BLACKBURN):

H.R. 2998. A bill to reform uniformity and reciprocity among States that license insurance claims adjusters and to facilitate prompt and efficient adjusting of insurance claims, and for other purposes; to the Committee on Financial Services.

By Mr. TAKANO:

H.R. 2999. A bill to amend title 38, United States Code, to improve the authority of the Secretary of Veterans Affairs to suspend and remove employees of the Department of Veterans Affairs for performance or misconduct that is a threat to public health or safety; to the Committee on Veterans' Affairs.

By Mr. CARTWRIGHT (for himself, Mr. CUMMINGS, and Mr. HANNA):

H.R. 3000. A bill to require the Administrator for General Services to obtain an antivirus product to make available to Federal agencies in order to provide the product to individuals whose personally identifiable information may have been compromised; to the Committee on Oversight and Government Reform.

By Mr. WELCH (for himself, Mr. GIBSON, and Mr. CARTWRIGHT):

H.R. 3001. A bill to authorize certain long-term contracts for Federal purchases of energy; to the Committee on Energy and Commerce, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARLETTA:

H.R. 3002. A bill to prohibit the receipt of Federal financial assistance by sanctuary cities, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BUSTOS (for herself, Mrs. KIRKPATRICK, Ms. KELLY of Illinois, Ms. EDWARDS, and Mr. QUIGLEY):

H.R. 3003. A bill to amend the Internal Revenue Code of 1986 to allow the work opportunity credit for hiring individuals who are veterans or members of the Ready Reserve or National Guard, to make permanent the work opportunity credit, and to expand and make permanent the employer wage credit for employees who are active duty members of the uniformed services; to the Committee on Ways and Means.

By Mr. CLYBURN:

H.R. 3004. A bill to amend the Gullah/Geechee Cultural Heritage Act to extend the authorization for the Gullah/Geechee Cultural Heritage Corridor Commission; to the Committee on Natural Resources.

By Mr. DANNY K. DAVIS of Illinois (for himself and Mr. CARSON of Indiana):

H.R. 3005. A bill to amend title IV of the Social Security Act to ensure funding for grants to promote responsible fatherhood and strengthen low-income families, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FLEMING:

H.R. 3006. A bill to amend the Internal Revenue Code of 1986 to improve health savings accounts, and for other purposes; to the Committee on Ways and Means.

By Mr. GALLEGO (for himself, Ms. LEE, Ms. NORTON, Mr. VAN HOLLEN, Mr. CUMMINGS, Mr. WALZ, Mrs. BEATTY, Mr. CARTWRIGHT, Mr. SERRANO, Ms. SCHAKOWSKY, and Mr. CLAY):

H.R. 3007. A bill to amend title 38, United States Code, to prohibit the display of the Confederate battle flag in national cemeteries; to the Committee on Veterans' Affairs.

By Mr. HONDA (for himself and Mr. COLE):

H.R. 3008. A bill to authorize the Secretary of Education to award grants to promote

civic learning and engagement, and for other purposes; to the Committee on Education and the Workforce.

By Mr. HUNTER (for himself, Mr. SALMON, Mr. FRANKS of Arizona, Mr. BUCK, Mr. GROTHMAN, Mr. MICA, Mr. LAMALFA, Mr. DUNCAN of South Carolina, Mr. COLLINS of Georgia, Mr. BABIN, Mr. CALVERT, Mr. BENISHEK, Mr. JONES, Mr. WOODALL, Mr. GOSAR, Mr. YOHIO, and Mr. WEBER of Texas):

H.R. 3009. A bill to amend section 241(i) of the Immigration and Nationality Act to deny assistance under such section to a State or political subdivision of a State that prohibits its officials from taking certain actions with respect to immigration; to the Committee on the Judiciary.

By Mr. REICHERT:

H.R. 3010. A bill to prohibit assistance provided under the program of block grants to States for temporary assistance for needy families from being accessed through the use of an electronic benefit transfer card at any store that offers marijuana for sale; to the Committee on Ways and Means.

By Mr. SALMON (for himself, Mr. SESSIONS, Mr. WEBER of Texas, Mr. ZINKE, Mr. FRANKS of Arizona, Mr. BRIDENSTINE, Mr. LAMBORN, Mr. CLAWSON of Florida, Mr. ZELDIN, Mr. GOSAR, Mr. MCCLINTOCK, Mr. LAMALFA, Mr. MARINO, Mr. ROSS, Mr. CALVERT, Mr. JODY B. HICE of Georgia, Mr. BRAT, Mr. MARCHANT, Mr. BLUM, Mr. BROOKS of Alabama, Mr. BABIN, Mr. PALMER, Mr. JONES, and Mr. YOHIO):

H.R. 3011. A bill to amend the Immigration and Nationality Act to increase the penalties applicable to aliens who unlawfully reenter the United States after being removed; to the Committee on the Judiciary.

By Mr. SALMON (for himself, Mr. STUTZMAN, and Mr. GOSAR):

H.R. 3012. A bill to authorize the use of unapproved medical products by patients diagnosed with a terminal illness in accordance with State law, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SENSENBRENNER (for himself, Ms. MAXINE WATERS of California, and Mr. REED):

H.R. 3013. A bill to protect private property rights; to the Committee on the Judiciary.

By Mr. SESSIONS (for himself, Mr. WILLIAMS, Mr. GOHMERT, Mr. BARTON, Mr. SAM JOHNSON of Texas, Mr. ROONEY of Florida, Mr. FLORES, Mr. MARCHANT, Mr. STIVERS, Mr. WEBER of Texas, Mr. CULBERSON, Mr. OLSON, Mr. BABIN, Mr. BOUSTANY, Mr. WILSON of South Carolina, Mr. REICHERT, Mr. FINCHER, Mr. CRAWFORD, Mr. DUNCAN of South Carolina, Mr. BUCSHON, Mr. TOM PRICE of Georgia, Mr. HOLDING, Mrs. WAGNER, and Mr. ROTHFUS):

H.R. 3014. A bill to amend the Controlled Substances Act to authorize physicians, pursuant to an agreement with the Attorney General, to transport controlled substances from a practice setting to another practice setting or to a disaster area; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consider-

ation of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. WAGNER (for herself, Mr. GUTHRIE, Mr. BARR, Mr. MCKINLEY, Mr. GRAVES of Missouri, Mrs. HARTZLER, Mr. LONG, and Mr. ROGERS of Kentucky):

H.R. 3015. A bill to require the Administrator of the Environmental Protection Agency to primarily consider, and to separately report, the domestic benefits of any rule that addresses emissions of carbon dioxide from any existing source, new source, modified source, or reconstructed source that is an electric utility generating unit, in any such rule, and in the regulatory impact analysis for such rule, and for other purposes; to the Committee on Energy and Commerce.

By Mr. WENSTRUP (for himself, Mr. BENISHEK, Mr. ROE of Tennessee, Mr. ABRAHAM, Mr. RUIZ, and Ms. BROWNLEY of California):

H.R. 3016. A bill to amend title 38, United States Code, to clarify the role of podiatrists in the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. WILLIAMS:

H.R. 3017. A bill to amend the Internal Revenue Code of 1986 to make the maximum capital gains rate for individuals 15 percent; to the Committee on Ways and Means.

By Mr. SMITH of New Jersey (for himself, Mr. DEUTCH, Mrs. LOWEY, Mr. ENGEL, Ms. ROS-LEHTINEN, Ms. GRANGER, Mr. ISRAEL, and Mr. ROSKAM):

H. Res. 354. A resolution expressing the sense of the House of Representatives regarding the safety and security of Jewish communities in Europe; to the Committee on Foreign Affairs.

By Ms. PELOSI:

H. Res. 355. A resolution raising a question of the privileges of the House; to the Committee on House Administration.

By Mr. RYAN of Ohio (for himself and Mr. JOYCE):

H. Res. 356. A resolution expressing support for designation of May 30 as "National Bartter Syndrome Day"; to the Committee on Oversight and Government Reform.

## MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

71. The SPEAKER presented a memorial of the Senate of the State of Illinois, relative to Senate Resolution No. 618, urging Congress to reauthorize the Older Americans Act of 1965 without delay and with adequate funding to reflect the growing populations of Americans who benefit from the Act's programs and services; to the Committee on Education and the Workforce.

72. Also, a memorial of the Legislature of the State of Louisiana, relative to Senate Concurrent Resolution No. 94, urging the Congress of the United States to eliminate the current ban on crude oil exports; to the Committee on Foreign Affairs.

73. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 207, urging the United States Congress to take such actions as are necessary to regulate airline baggage fees and processes for consumers as it relates to transportation of passenger luggage and passenger delays resulting from lost, damaged, or delayed luggage; to the Committee on Transportation and Infrastructure.

74. Also, a memorial of the Senate of the State of Hawaii, relative to Senate Resolution No. 44, urging Congress and the President of the United States to support the passage of legislation to expedite family reunification for certain Filipino veterans of World War II; to the Committee on Veterans' Affairs.

75. Also, a memorial of the House of Representatives of the State of Louisiana, relative to House Resolution No. 102, urging the United States Congress to take such actions as are necessary to designate Grambling State University as an 1890 land-grant institution; jointly to the Committees on Agriculture and Education and the Workforce.

76. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 87, urging the Congress to take such actions as are necessary to amend the employer shared responsibility provisions of the Patient Protection and Affordable Care Act to eliminate penalties on school districts; jointly to the Committees on Energy and Commerce and Ways and Means.

### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. DOLD:

H.R. 2990.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to "provide for the common Defence and general Welfare of the United States

By Mr. RENACCI:

H.R. 2991.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to "provide for the common Defence and general Welfare of the United States."

By Mrs. BROOKS of Indiana:

H.R. 2992.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18, to make all laws which shall be necessary and proper for carrying into execution the foregoing powers.

By Ms. MATSUI:

H.R. 2993.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. THOMPSON of California:

H.R. 2994.

Congress has the power to enact this legislation pursuant to the following:

ARTICLE I, SECTION 8, CLAUSE 6

The Congress shall have Power . . . to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof

By Mr. CRENSHAW:

H.R. 2995.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of ar-

ticle I of the Constitution of the United States (the appropriation power), which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . ." In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . ." Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. HARDY:

H.R. 2996.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1 (relating to providing for the common defense and general welfare of the United States) and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress) and Article I, Section 10, Clause 3 (relating to interstate compacts).

By Mr. ROSS:

H.R. 2997.

Congress has the power to enact this legislation pursuant to the following:

Welfare Clause (Article I, Section 8, Clause 1); Commerce Clause (Article I, Section 8, Clause 3)

By Mr. FINCHER:

H.R. 2998.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. TAKANO:

H.R. 2999.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority on which this bill rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 14 of the United States Constitution.

By Mr. CARTWRIGHT:

H.R. 3000.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of the Constitution which states "Congress shall have the power "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof"

By Mr. WELCH:

H.R. 3001.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. BARLETTA:

H.R. 3002.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4 of the U.S. Constitution

By Mrs. BUSTOS:

H.R. 3003.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. CLYBURN:

H.R. 3004.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. DANNY K. DAVIS of Illinois:

H.R. 3005.

Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution and its subsequent amendments and further clarified and interpreted by the Supreme Court of the United States

By Mr. FLEMING:

H.R. 3006.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to Article I, Section 8, Clause I, Congress has the ability to lay and collect taxes and to provide for the general welfare of the United States, and Amendment XVI.

By Mr. GALLEGO:

H.R. 3007.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. HONDA:

H.R. 3008.

Congress has the power to enact this legislation pursuant to the following:

section 8 of article I of the Constitution

By Mr. HUNTER:

H.R. 3009.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. REICHERT:

H.R. 3010.

Congress has the power to enact this legislation pursuant to the following:

"The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States)."

By Mr. SALMON:

H.R. 3011.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 4—"To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States"

By Mr. SALMON:

H.R. 3012.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18—"To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. SENSENBRENNER:

H.R. 3013.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I

By Mr. SESSIONS:

H.R. 3014.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3. To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes

By Mrs. WAGNER:

H.R. 3015.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power \*\*\* To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. WENSTRUP:

H.R. 3016.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. WILLIAMS:

H.R. 3017.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 167: Mrs. LOWEY.  
H.R. 169: Mr. CRAWFORD.  
H.R. 213: Mr. GROTHMAN.  
H.R. 223: Mr. ISRAEL.  
H.R. 224: Mr. LOWENTHAL and Mrs. CAPPS.  
H.R. 225: Mr. FARR, Ms. SLAUGHTER, and Mr. LOWENTHAL.  
H.R. 226: Mr. VEASEY and Mr. LOWENTHAL.  
H.R. 303: Mr. SCHRADER, Mrs. NAPOLITANO, Mr. WILSON of South Carolina, Mr. KILDEE, Mr. BOUSTANY, Mr. BISHOP of Utah, and Mr. COHEN.  
H.R. 307: Mr. COHEN.  
H.R. 343: Mr. PETERSON.  
H.R. 379: Mr. RODNEY DAVIS of Illinois and Mr. McDERMOTT.  
H.R. 427: Mr. EMMER of Minnesota.  
H.R. 452: Mr. SALMON.  
H.R. 465: Mr. RODNEY DAVIS of Illinois.  
H.R. 482: Mr. COLE.  
H.R. 539: Mr. VEASEY and Ms. MATSUI.  
H.R. 551: Mrs. LAWRENCE, Mr. TED LIEU of California, Mr. HECK of Washington, and Mr. BLUMENAUER.  
H.R. 563: Mr. BRIDENSTINE, Ms. KUSTER, and Mr. CARTWRIGHT.  
H.R. 642: Mr. BARR.  
H.R. 662: Mr. GIBSON.  
H.R. 692: Mr. MCKINLEY, Mr. HULTGREN, Mr. DESJARLAIS, and Mr. LABRADOR.  
H.R. 699: Mr. GRIFFITH.  
H.R. 702: Mr. DAVID SCOTT of Georgia, Mr. JOHNSON of Ohio, Mr. MCHENRY, Mr. RYAN of Ohio, Mr. YOHIO, Mr. POSEY, Mr. COOK, Mr. KNIGHT, Mr. DENHAM, Mr. ROHRBACHER, Mr. ALLEN, Mr. NUGENT, Mr. AMODEI, and Mr. ROSS.  
H.R. 757: Mr. HASTINGS.  
H.R. 765: Mr. MCKINLEY, Mr. CULBERSON, Mr. FITZPATRICK, and Mr. REED.  
H.R. 789: Mr. POSEY.  
H.R. 814: Mr. THOMPSON of Pennsylvania.  
H.R. 836: Mr. DAVID SCOTT of Georgia, Ms. JENKINS of Kansas, Mr. DOLD, Mr. ROONEY of Florida, Mr. WALDEN, and Mr. THORNBERRY.

H.R. 879: Mr. HILL.

H.R. 911: Mr. VALADAO.

H.R. 913: Ms. EDWARDS.

H.R. 918: Mr. HARRIS.

H.R. 953: Mr. NOLAN.

H.R. 957: Mr. ROTHFUS.

H.R. 969: Mr. LYNCH and Mr. TAKAI.

H.R. 980: Mr. WITTMAN.

H.R. 985: Mr. KATKO, Mr. ROGERS of Kentucky, and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 1000: Mr. RANGEL and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 1027: Mr. FARR.

H.R. 1062: Mr. ROTHFUS.

H.R. 1130: Mr. CUMMINGS.

H.R. 1150: Mr. GUINTA, Mr. HUNTER, Mr. LOWENTHAL, Mr. OLSON, and Mr. COLLINS of New York.

H.R. 1171: Mr. PETERSON and Mrs. BUSTOS.

H.R. 1174: Ms. KELLY of Illinois.

H.R. 1185: Mr. COHEN.

H.R. 1192: Mr. VEASEY, Mr. COSTELLO of Pennsylvania, and Mrs. WATSON COLEMAN.

H.R. 1220: Mrs. BLACKBURN, Mr. BUCSHON, Mr. BEYER, Mr. O'ROURKE, Mr. MCCAUL, Mr. KIND, Mr. COSTELLO of Pennsylvania, Mr. ABRAHAM, and Ms. KELLY of Illinois.

H.R. 1222: Mr. CRAMER.

H.R. 1270: Mr. HECK of Nevada.

H.R. 1284: Ms. KUSTER.

H.R. 1288: Mr. PALLONE and Mr. BISHOP of Georgia.

H.R. 1299: Mr. FLORES.

H.R. 1301: Miss RICE of New York and Mr. PETERSON.

H.R. 1312: Mrs. BUSTOS and Mr. VALADAO.

H.R. 1323: Mr. RODNEY DAVIS of Illinois.

H.R. 1356: Mr. DESAULNIER, Mr. WILSON of South Carolina, Mr. BISHOP of Utah, and Mr. JOLLY.

H.R. 1369: Mrs. MILLER of Michigan.

H.R. 1375: Mr. HASTINGS.

H.R. 1384: Mr. JOLLY.

H.R. 1388: Mr. ROTHFUS and Mr. WOODALL.

H.R. 1399: Mr. VALADAO and Ms. ROSELEHTINEN.

H.R. 1427: Mr. ROTHFUS, Ms. TITUS, Mr. LARSEN of Washington, and Mr. NOLAN.

H.R. 1434: Mr. PAYNE and Mr. RUPPERSBERGER.

H.R. 1453: Mr. RIBBLE.

H.R. 1475: Mr. VALADAO and Mr. PETERSON.

H.R. 1490: Mr. COHEN.

H.R. 1516: Mr. ROTHFUS and Mr. WOODALL.

H.R. 1552: Mr. DESAULNIER.

H.R. 1553: Mr. ROTHFUS.

H.R. 1584: Mr. FORBES.

H.R. 1603: Mrs. WAGNER, Mrs. WALORSKI, and Mrs. MIMI WALTERS of California.

H.R. 1608: Mr. DESANTIS, Ms. JENKINS of Kansas, Mr. BLUM, Mr. SCOTT of Virginia, Mr. VEASEY, Mr. GRAVES of Louisiana, and Mr. GROTHMAN.

H.R. 1610: Mr. LABRADOR, Miss RICE of New York, Mr. SALMON, Ms. STEFANIK, Mrs. WAGNER, and Mr. KATKO.

H.R. 1625: Mr. PETERS.

H.R. 1671: Mr. POE of Texas.

H.R. 1677: Mr. YOUNG of Iowa.

H.R. 1714: Mr. LANCE.

H.R. 1726: Mr. BURGESS.

H.R. 1728: Mr. LYNCH.

H.R. 1736: Mr. ROKITA, Ms. KAPTUR, and Mr. CARSON of Indiana.

H.R. 1737: Mr. ROTHFUS and Mrs. WAGNER.

H.R. 1748: Mr. DENHAM, Ms. FRANKEL of Florida, and Mr. MURPHY of Florida.

H.R. 1752: Mr. FINCHER and Mr. YOUNG of Indiana.

H.R. 1784: Mr. RIBBLE.

H.R. 1786: Mr. KIND, Ms. EDWARDS, Mr. VEASEY, and Mr. MARINO.

H.R. 1801: Ms. KAPTUR.

H.R. 1817: Ms. JENKINS of Kansas.

H.R. 1836: Mr. GOWDY.

H.R. 1854: Mrs. MILLER of Michigan.

H.R. 1887: Mr. KING of New York.

H.R. 1953: Mr. WITTMAN.

H.R. 1988: Mr. CICILLINE.

H.R. 1994: Mr. WALBERG, Mrs. LUMMIS, and Mr. WEBSTER of Florida.

H.R. 1995: Mr. SMITH of Texas.

H.R. 2017: Mr. SHIMKUS.

H.R. 2026: Ms. SLAUGHTER and Mr. ADERHOLT.

H.R. 2043: Mr. GRIFFITH, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. ABRAHAM, Mr. KILMER, Mr. LOBIONDO, and Mr. GIBSON.

H.R. 2058: Mr. BARLETTA, Mr. SHIMKUS, and Mr. FLORES.

H.R. 2061: Mr. CONYERS and Mr. SESSIONS.

H.R. 2096: Ms. JENKINS of Kansas.

H.R. 2102: Mr. RANGEL, Ms. MCCOLLUM, Mrs. KIRKPATRICK, and Mr. NOLAN.

H.R. 2121: Mr. ROSS and Mr. DELANEY.

H.R. 2140: Mr. TROTT.

H.R. 2241: Mr. MEEKS and Mr. CRENSHAW.

H.R. 2281: Mr. CHAFFETZ.

H.R. 2287: Mr. ROTHFUS.

H.R. 2291: Ms. ESTY, Mr. SMITH of Washington, and Mr. CARTWRIGHT.

H.R. 2315: Mr. LOBIONDO, Mr. SESSIONS, Mr. PETERSON, and Mr. BLUM.

H.R. 2342: Mr. NOLAN and Ms. MCSALLY.

H.R. 2380: Mr. COHEN and Ms. EDWARDS.

H.R. 2382: Mr. ROTHFUS.

H.R. 2400: Mr. BOST, Mr. CHABOT, and Mr. SENSENBRENNER.

H.R. 2403: Mr. THOMPSON of Mississippi and Mr. GIBSON.

H.R. 2404: Mr. DESAULNIER and Mrs. WATSON COLEMAN.

H.R. 2405: Mr. NUNES.

H.R. 2406: Mr. MCCLINTOCK.

H.R. 2410: Mr. SWALWELL of California, Mr. McDERMOTT, and Mr. CÁRDENAS.

H.R. 2434: Mr. RUSSELL.

H.R. 2442: Mr. LANGEVIN.

H.R. 2490: Mr. ROTHFUS.

H.R. 2493: Ms. MATSUI, Ms. ADAMS, and Mr. JOLLY.

H.R. 2494: Mr. RUSSELL and Mr. BEYER.

H.R. 2502: Mr. BOUSTANY.

H.R. 2540: Mr. COLLINS of New York.

H.R. 2563: Mr. TAKANO.

H.R. 2602: Mr. GRIJALVA.

H.R. 2663: Mr. COSTA and Ms. LEE.

H.R. 2669: Mr. JOHNSON of Ohio, Mr. OLSON, and Mr. SEAN PATRICK MALONEY of New York.

H.R. 2698: Mr. WILLIAMS.

H.R. 2713: Mr. FARR, Ms. BORDALLO, and Ms. BROWN of Florida.

H.R. 2716: Mr. JONES, Mr. AUSTIN SCOTT of Georgia, Mr. MARCHANT, Mr. MCCAUL, Mr. HARRIS, and Mr. PALMER.

H.R. 2726: Mr. BRIDENSTINE, Mrs. WAGNER, Mr. THOMPSON of California, and Mr. WEBSTER of Florida.

H.R. 2739: Mr. WITTMAN and Mr. TONKO.

H.R. 2742: Mr. PETERSON.

H.R. 2752: Mr. PETERSON.

H.R. 2767: Mr. TED LIEU of California.

H.R. 2775: Mr. HARDY.

H.R. 2800: Mr. BISHOP of Michigan, Mrs. HARTZLER, Mrs. WALORSKI, and Mrs. BLACKBURN.

H.R. 2802: Mr. BARR, Mrs. LUMMIS, Mr. MULVANEY, Mr. RIBBLE, Mr. HULTGREN, Mr. CONAWAY, Mr. HOLDING, Mr. SCHWEIKERT, and Mr. HARDY.

H.R. 2849: Mr. DEFazio.

H.R. 2858: Mr. BLUMENAUER and Mr. FITZPATRICK.

H.R. 2887: Ms. WILSON of Florida, Mrs. TORRES, and Mr. PETERS.

H.R. 2896: Mr. FARENTHOLD.



- H.R. 2898: Mr. GOSAR.  
H.R. 2901: Mr. JOLLY.  
H.R. 2903: Mr. COLLINS of Georgia, Mr. BOST, Mr. ZINKE, Mr. GUINTA, Mr. VARGAS, and Mr. AMODEI.  
H.R. 2910: Mr. GOHMERT.  
H.R. 2920: Mr. SMITH of Washington.  
H.R. 2937: Mr. BILIRAKIS, Mr. HUDSON, and Mr. LANCE.  
H.R. 2939: Mr. VEASEY.  
H.R. 2940: Mr. DENHAM and Mr. KIND.
- H.R. 2942: Mr. LAMBORN, Mr. BABIN, Mr. CLAWSON of Florida, Mr. RIBBLE, Mr. GIBBS, Mr. LAMALFA, Mr. JOLLY, Mr. PALMER, Mr. BENISHEK, Mr. BLUM, and Mr. JONES.  
H.R. 2944: Mr. RIBBLE, Mr. VAN HOLLEN, Mr. DUNCAN of Tennessee, and Mr. PIERLUISI.  
H.R. 2972: Ms. HAHN, Mr. HUFFMAN, and Mr. LEWIS.  
H.R. 2976: Mr. SWALWELL of California.  
H.R. 2980: Mr. CARNEY and Mr. DOLD.  
H.J. Res. 22: Mr. SERRANO and Ms. CLARKE of New York.
- H. Con. Res. 19: Mr. PETERSON.  
H. Con. Res. 40: Mr. HONDA, Mr. ROSKAM, and Mr. MEEKS.  
H. Res. 56: Mr. VISCLOSKEY.  
H. Res. 207: Mr. HECK of Nevada, Mr. ZELDIN, Mr. CÁRDENAS, and Miss RICE of New York.  
H. Res. 294: Ms. ROYBAL-ALLARD.  
H. Res. 324: Mr. SHERMAN.  
H. Res. 348: Mr. LEVIN and Mr. COSTELLO of Pennsylvania.

**SENATE—Thursday, July 9, 2015**

The Senate met at 9:30 a.m. and was called to order by the Honorable MITCH MCCONNELL, a Senator from the Commonwealth of Kentucky.

**PRAYER**

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Spirit, keep us from being a nation that forgets You. Remind us that righteousness exalts any nation, but that sin deprives, degrades, and destroys, providing reproach to any people.

Arise, O God. Lift Your hands and lead our lawmakers to accomplish Your purposes. Use them to break the stranglehold of wickedness, providing deliverance for captives and freedom for the oppressed. In You, O God, we find refuge. May we not be brought to shame, for You can make even our enemies be at peace with us. Continue to guide us, strong Deliverer, for we are pilgrims in this land. We are weak, but You are mighty. Guide us with Your powerful hands.

Lord, we praise You for the courage of the South Carolina Legislature.

We pray in Your sovereign Name. Amen.

**PLEDGE OF ALLEGIANCE**

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

**APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE**

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, July 9, 2015.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MITCH MCCONNELL, a Senator from the Commonwealth of Kentucky, to perform the duties of the Chair.

ORRIN G. HATCH,  
President pro tempore.

Mr. MCCONNELL thereupon assumed the Chair as Acting President pro tempore.

**RECOGNITION OF THE MAJORITY LEADER**

The PRESIDING OFFICER (Mr. ALEXANDER). The majority leader is recognized.

**EVERY CHILD ACHIEVES ACT**

Mr. MCCONNELL. Mr. President, No Child Left Behind laid the groundwork for important reforms to our education system. But with its authorization expiring in 2007, and with the previous Senate majority failing to replace it with a serious proposal, many of the original requirements stayed in place anyway and gradually became unworkable.

This resulted in a lot of States getting tangled up in endless bureaucracy, reducing their ability to focus on boosting achievement and school performance. That was certainly true in the Commonwealth I represent. Kentucky was actually the first State to petition for some freedom from the law's requirements, and with that additional flexibility came better results.

Kentucky improved its graduation rate, climbing into the top 10 among all States. Kentucky increased the number of students who met statewide standards. Kentucky raised the percentage of students entering postsecondary education programs, increasing that number from about half to more than 68 percent in just a few years' time.

So this additional flexibility has been good for Kentucky but only to a point, because the White House began to tack on more and more requirements as a condition of continued relief from the original law's mandates, leaving many States in an untenable situation. This is how the White House was able to impose Common Core in many places that didn't necessarily want it. In a sense, the flexibility one hand gave, the other has continually taken away.

It is clear that temporary relief, strapped with other Federal mandates, is not a workable choice for States. This is why we need congressional action to replace the broken husks that remain of No Child Left Behind with reforms that build on the good ideas in the original law while doing away with the bad ones.

That is what the bipartisan Every Child Achieves Act before us would, in fact, achieve. It would grow the kind of flexibility we have seen work so well in States such as Kentucky, and it would stop Federal bureaucrats from imposing the kind of top-down, one-size-fits-all requirements that we all know threaten that progress.

Kentucky has already seen success with the limited and conditional flexibility granted to it so far. So just imagine what States such as Kentucky could achieve when fully empowered to do what is right for their students. This is how Kentucky education commissioner Terry Holliday put it in a letter he sent in support of this bill:

I can attest based on our experience that the waiver process is onerous and allows too many opportunities for federal intrusion into state responsibility for education. The long-term health of public education in the United States requires reauthorization and an end to the use of the waiver as a patch on an otherwise impractical system of requirements.

He is, of course, just right, and we have never been closer to achieving the kind of outcome our kids deserve. Many thought Washington could never solve this issue, but the bill before us was supported unanimously by Republicans and Democrats in committee. Members of both parties are having a chance now to offer and vote on amendments to the bill too. We had several amendment votes yesterday. I expect more today. If our colleagues from either side of the aisle have more ideas to offer, I would ask them to work with Senator ALEXANDER and Senator MURRAY to get them moving.

This is what a Senate that is back to work looks like. With continued bipartisan cooperation, this is a Senate that can prove the pundits wrong again by passing another important measure to help our country and our kids.

Remember, the House of Representatives already passed its own No Child Left Behind replacement just last night, as it has done repeatedly in years past. Now is the time for the Senate to finally get its act together after 7 years of missed deadlines on this issue. A new Senate majority believes that the time for action and bipartisan reform should be now, and with continued cooperation from our friends across the aisle, it will be.

**BURMA**

Mr. MCCONNELL. Mr. President, on an entirely different matter, a few weeks ago I came to the floor to discuss the importance of Burma's election this fall. I noted that its conduct would tell us a lot about the Burmese Government's commitment to the path of political reform. I said that demonstrating that commitment would be critical to reassuring Burma's friends abroad and that it could even have consequences for further normalization of relations with the United States, at least as it concerns the legislative branch.

So I urged Burmese officials to take every step to ensure an election that would be as free and fair as possible. Yet on June 25, the Burmese Government took a step backward from the path to more representative government.

Let me explain. There is little doubt that Burma's Constitution contains numerous flaws that need to be revised if the government is to be truly representative.

First, it unreasonably restricts who can be a candidate for President—a not so subtle attempt to bar the country's most popular opposition figure from ever standing for that office. But then it goes even further, ensuring an effective military veto over constitutional change—for instance, amendments about who can run for the Presidency—by requiring more than three-fourths parliamentary support in a legislature where the Constitution also reserves one-fourth of the seats for the military.

Let me say that again. The Constitution reserves one-fourth of the seats for the military and requires a three-fourths vote to amend the Constitution—completely jerry-rigged. It is obvious to see why things should change if Burma is to pursue a path of a more representative government.

Allowing appropriate constitutional fixes to pass through the Parliament would have said some very positive things about the Burmese Government's commitment to political reform. But when the measures were put to a vote on June 25, the government's allies exercised the very undemocratic power the Constitution grants them to stymie the reform.

This stands in stark contrast to the support for reform among elected Burmese lawmakers, which is likely higher than 80 percent. So among the people elected by the people, 80 percent favor the reform, and the 25 percent inserted into the process by the military guaranteed that no reform occurred. So even if the actual conduct of the election proves to be free and fair, it risks being something other than, certainly, the will of the people.

When the most popular figure in the country is precluded from being a candidate for the highest office in the land, and when approximately 80 percent of the people's chosen representatives are stymied by lawmakers who are not democratically elected, it raises fundamental questions about the balloting that is coming up this fall and about the Burmese Government's commitment to democracy. In fact, at this point it is unclear if the opposition NLD Party will even participate in this fall's election.

We knew that legal, economic, political, and constitutional development and reform would evolve in that country through fits and starts. This is only realistic, given the baseline from which

Burma was starting when Congress agreed to lift some of the sanctions.

Those of us who have followed Burma for a long time also know that, given its history, the military fears change, ethnic unrest, and the uncertainty that a more democratic government might bring. That is well acknowledged, but improving relations with the United States meant both sides would have to take some risks. This was a moment for the military to take another important step on its end, and it was a missed opportunity.

In light of the recent defeat of constitutional reform, I believe that steps such as including Burma in the Generalized System of Preferences Program should be put on hold until after this fall's election. Only after the ballots have been cast and counted in Burma can an appropriate evaluation be made about the pace of reform in the country and whether additional normalization of relations is warranted.

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. HELLER). The Democratic leader is recognized.

#### REPUBLICAN FILIBUSTERS

Mr. REID. Mr. President, first, I wish to take just a moment to praise the good work being done by the chairman and the ranking member of the HELP Committee. The senior Senator from Tennessee and the senior Senator from Washington have done a remarkably good job to bring this reauthorization to the floor.

Elementary and secondary education is so important, and we are not living up to the standards that we should have. It is important to remember that all of this could have been done a long time ago.

On the floor I mentioned yesterday that Senator Harkin—who I said was a legendary Senator who served here for six terms, plus a number of terms in the House of Representatives—for quite some time was chairman of the HELP Committee, and when he wasn't chairman, he served under the guidance and leadership of Senator Kennedy.

Yesterday I said that the Republican leader came to the floor and was boasting: Oh, we are getting this bill done. It is so great that things are working so well in the Senate.

I mentioned at that time—yesterday—that Senator Harkin tried to bring the bill to the floor. He sent me an email last night, and he said that he on two separate occasions—2011 and 2013—got a bill out of the committee. But what happened? It was blocked coming to the floor by the Republicans—the same group of people who are now boasting that things are working so well here.

Well, Mr. President, I think it is a shame that people come here to the floor and boast about the fact they have spent the last few Congresses trying to ruin Congress and the country. And they have done a pretty good job of it.

We are happy to be on this bill. And there is no motion to proceed, such as I had to do on virtually every bill we brought to the floor. But let's understand that historically. My friend the Republican leader is living in a dream world. In fact, it is fast becoming a theme of this 114th Congress—bringing up legislation that Republicans have blocked in the past. Senator STABENOW from Michigan calls it the filibuster makeup.

Look at the accomplishments about which my friend the Republican leader brags that he has gotten done this year:

Terrorism risk insurance. We would have done that at any time during the last Congress—at any time—and he knows it.

The Clay Hunt suicide prevention bill. That was a bill which was so easy to get done. It was blocked. The Republicans wouldn't let us move forward on it.

Appropriations for the Department of Homeland Security. We were prevented from doing that.

The human trafficking bill. We spent a lot of time on it in this Congress. We would have done that last Congress easily. We were prevented from doing so.

The repeal of Medicare's sustainable growth rate. We call it SGR. We would have done that at any time, Mr. President. There are no great shakes here. How did we get it done? It wasn't paid for. Why? Because it was a budget gimmick in the first place, during the Bush years.

So to hear my friend the Republican leader coming and boasting about all this stuff getting done, we could have done—most of it could have been done two Congresses ago. Certainly in the last Congress we should have gotten it done.

The extension of the Foreign Intelligence Surveillance Act—the PATRIOT Act. We knew it had to be done. We tried to get it done last Congress but couldn't get it done. We were prevented from doing so.

Now it is the same with the elementary and secondary education bill. I am glad we are on this and glad to complete this other stuff, but let's not try to rewrite history, Mr. President. These things could have been done easily had they not been filibustered here on the Senate floor. Any one of these bills would have easily passed in the last Congress, but every one of them was blocked by Republicans.

#### MANUFACTURED CRISES

Mr. REID. Mr. President, we hear the phrase "manufactured crisis" used a

lot here lately. Why? The Republican leader gives people plenty of reason to use the term. He has singlehandedly turned the entire appropriations process into a charade designed to manufacture yet another crisis.

Look no further than what Republicans are doing in the interior, environment appropriations bill. The Republican leader bragged yesterday—today is Thursday, so on Wednesday—that he and his colleagues have “lined the interior appropriations bill with every rider you can think of to push back against them.”

They have filled that legislation with so-called riders. What is a rider? It is an extraneous provision that has nothing to do with the purpose of the bill—in this instance, a funding bill. So they have filled that legislation, the interior appropriations bill, and other bills that have nothing to do with funding the government with things that are harmful to our country.

For example, in the appropriations bill dealing with the interior, Republicans have included language to permanently dismantle efforts to address climate change by blocking Federal enforcement of a nationwide policy to reduce carbon pollution from existing powerplants.

Climate change is very hurtful to our economy and hurtful to our country.

I was at an event at the White House two nights ago. The President said that if we don't do something about climate change by the year 2100, the seas will have increased by 16 feet. The State of Florida will basically be half underwater.

Prior to 2100, it is already getting bad. Talk to the two Senators from Virginia. Areas that are military installations are now covered with water most of the time. Talk to my friend the senior Senator from Florida, and he will tell you what is happening in Florida now. Talk to the Governor of New York, and he will tell you what happened with Sandy, the hurricane. It is going to happen again because we are doing nothing to prevent climate change from devastating our country. The Presiding Officer is from the State of Nevada, as am I. He knows that bears—not all bears but many bears are not even hibernating in the Sierras anymore because it is not cold enough. Talk to one of the Senators from New Hampshire. The moose are being devastated. Why? Because the cold weather is not killing the gnats, the fleas on the moose, and they are dying. About a third of them are dead.

So climate change is not serious? It is a serious issue. Of course it is.

Republicans have riders in this bill dealing with clean water. They have stuck in language to permanently block implementation of protections for streams and wetlands that have the greatest impact on our Nation's water quality.

Ozone pollution is another rider they slipped in there. They slipped in language to delay efforts to protect people from lung diseases and asthma, among other things.

Hazardous waste cleanup—now, this is unique. They stuck language in this bill affecting Superfund sites. This has been a great program. It has been a great program because people who devastate and pollute the land are asked to pay to clean it up. Republicans have stuck language in here to have the taxpayers clean this up and pay for it. That is stunning to me.

This is a perfect example of Republicans manufacturing a crisis. They have loaded up a necessary funding measure with dangerous provisions that have doomed these bills. Then when Democrats oppose it, the Republican leader will feign outrage and blame Democrats for its failure, hoping to score some type of political victory.

Republicans know an appropriations bill full of riders that roll back environmental protections will be stopped by us and vetoed by the President. This scripted performance is the definition of a manufactured crisis. And the Republican leader said as much last year in an interview with the Hill newspaper Politico. Here is what he said:

Obama needs to be challenged, and the best way to do that is through the funding process. He would have to make a decision on a given bill, whether there's more in it that he likes than dislikes. A good example is adding restrictions to regulations from the Environmental Protection Agency. Adding riders to spending bills would change the behavior of the bureaucracy.

He promised that last year, and he is a man of his word. He is ruining every one of these appropriations bills with these riders, in spite of more asthma, more heart disease, more cancer.

Instead of passing appropriations bills that keep our government open and funded, the Republican leader is more interested in making Democrats and Republicans not work together and having the President and Democrats very uncomfortable. Sadly, this is how Republicans are governing. This is how they pretend to lead our country. It is embarrassing. I believe it is. Look at the poll numbers to see what is happening. The Republican leader's numbers are the lowest they have ever been recorded.

It doesn't have to be this way. With the help of a handful of reasonable Republicans, we can sidestep this sham and pass meaningful legislation that averts another government shutdown. The first one was promoted and engineered by the Republicans.

I said yesterday and I repeat, Mr. President, to show how shameful that was, two-thirds of the Republicans in the House voted to keep the government closed. I mentioned yesterday how the Republican chairman of the House Committee on Appropriations, Congressman HAL ROGERS—whom peo-

ple call the Dean of the Kentucky delegation—is calling on his party to work with us Democrats on a long-term solution that avoids a government shutdown. We need Republicans like him here in the Senate.

In just a few months, the government will run out of money. It will have no more money on October 1. Unless we can reach a bipartisan budget agreement, our Nation will face another ridiculous and damaging government shutdown. So I urge my Republican friends—especially Republican leaders in both Houses—to listen to Chairman ROGERS and those other members of the Committee on Appropriations and work together. Put aside these non-serious games and get serious about keeping our government open. It is the only way Congress will avoid another manufactured crisis the Republican leader seems so desperately to desire.

#### WASHINGTON FOOTBALL TEAM NAME

Mr. REID. Mr. President, finally, yesterday the U.S. District Court for the Eastern District of Virginia affirmed what Native Americans have been saying for decades—the Washington football team name is disparaging. It is racist and morally objectionable, and it should be changed now.

U.S. District Court Judge Gerald Bruce Lee sustained the Patent and Trademark Office's decision that the Washington football team name should not be protected by a Federal trademark registration. That is good news. But how did the Redskins respond? Sorry to use that name. I made a mistake. How did the Washington football team respond? By saying: Well, our football team is worth a lot of money, and as part of that value, the Redskins name is worth some money.

I mean, does Daniel Snyder have enough money? I think so, without disparaging the group of Indians we have in Nevada—22 separate tribal entities in Nevada. They do not like this. Snyder tried a couple of things—bought them a car and thought they would back off and no longer object. They saw that one coming, and they said: No, you keep the car.

What the judge did yesterday is good news. The Federal Government should not protect a team or company that takes pride in hearing a racial slur every time their name is mentioned.

While the ruling is a step in the right direction, this battle is not over. Ultimately, the response will rest with the owner, Dan Snyder, a multibillionaire. The U.S. Government cannot change his team's name; only he can. For far too long, owner Snyder has tried to hide behind tradition, but yesterday's ruling makes clear that his franchise's name only fosters a tradition of racism, bigotry, and intolerance.

I admire so very much the Republican Governor of South Carolina. She

has all the conservative credentials anyone needs, and after that terrible incident at a church in her State, she said the Confederate flag is going to go. Yesterday, after a long debate, as I understand it, the South Carolina Legislature said no more public display of the flag. So tradition is not the name of the game. Fairness—not racism, not bigotry, not intolerance—is the game.

Dan Snyder should do the right thing and change the team's name. There is no place for that kind of tradition in the National Football League, and there is certainly no place for it in our great country.

Mr. President, I apologize to my friend the chairman of the committee for taking so much time.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. ROUNDS). Under the previous order, the leadership time is reserved.

#### EVERY CHILD ACHIEVES ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1177, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 1177) to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

Pending:

Alexander/Murray amendment No. 2089, in the nature of a substitute.

Alexander (for Fischer) amendment No. 2079 (to amendment No. 2089), to ensure local governance of education.

Murray (for Peters) amendment No. 2095 (to amendment No. 2089), to allow local educational agencies to use parent and family engagement funds for financial literacy activities.

Toomey amendment No. 2094 (to amendment No. 2089), to protect our children from convicted pedophiles, child molesters, and other sex offenders infiltrating our schools and from schools "passing the trash"—helping pedophiles obtain jobs at other schools.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, the Democratic leader and the Republican leader have created an environment in which we can succeed on this bill, and I am grateful to them for that. I listened to their remarks this morning about some things that have gone on in the past in the Senate. My late friend Alex Haley, the author of "Roots," used to say: Find the good and praise it. And so what I would like to do is thank the majority leader for putting the bill on the floor. Only he can do that and give us a chance to debate it. I thank the Democratic leader for creating an environment in which we can have a large number of amendments and succeed.

I thank the Senator from Washington, Mrs. PATTY MURRAY, who sug-

gested the way we proceed today. We fell into some partisan differences in the last two Congresses that made that impossible, and she has, as much as anybody, helped solve that problem.

We are making good progress. We have adopted a number of amendments. We voted on some others. Some have passed, and some have been defeated. People have had a chance to have their say. Senator MURRAY and I have received a large number of amendments—several dozen, actually, that Senators on both sides have offered—that we have agreed to recommend to the full Senate we adopt by consent.

In addition to that, we adopted 29 amendments in the committee consideration, and many of those were amendments from Democratic Members of the Senate. So I think most Senators—in fact, I haven't heard a single one say that they haven't had a chance to have their say on No Child Left Behind.

Yesterday, I put into the RECORD an op-ed from the Washington Post by the Virginia Secretary of Education Anne Holton, who made the argument that States, like Virginia, are well prepared to accept the responsibility for higher standards, better teaching, and real accountability. Over the last 15 years, that has happened in every State.

It reminds us that this bill we are debating only provides 4 percent of the dollars that pay for our 100,000 public schools in the country. We have some other money that the Federal Government spends—4 percent or 5 percent more—for those schools, but this bill spends 4 percent. Most of the money, most of the responsibility, most of the opportunity for success is with parents, classroom teachers, and others who are close to the children.

The consensus we have developed, the bipartisan consensus—again, with the bill Senator MURRAY and I put together and improved by our committee and now being improved on the floor—is that while we keep the important measures of the accountability, so we know what children in South Dakota and Tennessee and Washington State are learning and not learning, so we can tell if anyone is left behind, that we restore to States the responsibility for figuring out what to do about the tests. That has broad-scale support.

Superintendents were in town yesterday from all over the country; they told us that. Governors are calling us; they tell us that. The major teachers organizations in the country tell us we do not need, in effect, a national school board. Those decisions need to be made by teachers who cherish the children in their classroom and the parents who put them there and school board members who care for them and Governors and legislators who are closer to home. So this bill isn't easy to do, but because of that consensus, we are making good progress.

I will submit following my remarks an article from earlier this week from Newsweek entitled, "The Education Law Everyone Wants to Fix." The House of Representatives said it wants to fix it last night. The progress we are making suggests the Senate wants to fix it. We know all across the country Governors, legislators, teachers, school superintendents, and parents want to end the confusion and anxiety in the 100,000 public schools.

We will be having more votes, hopefully today just before lunch, and then we will continue with the bill.

Mr. President, I ask unanimous consent that following my remarks, the article from Newsweek entitled "The Education Law Everyone Wants to Fix" be printed in the RECORD.

On a different subject, which I will not elaborate on today, I wish to also include, following my remarks, an article I wrote for the Wall Street Journal yesterday about the cost of going to college. I think it is unfortunate that so many politicians and pundits say that Americans can't afford college when in fact most of them can. It is never easy, but it is important for them to know that for low-income Americans, for example, the first 2 years of college are free or nearly free at a community college; and there are many other ways colleges, universities, the Federal Government, and taxpayers try to make it easy for a larger number of Americans to go to college. That is a debate Senator MURRAY and I are already working on. We will bring the reauthorization of the higher education bill before the Senate hopefully later this year.

Mr. President, I ask unanimous consent that my op-ed from the Wall Street Journal be printed in the RECORD following my remarks.

Mr. President, there are a number of Senators who wish to come to the floor to speak today. I encourage any Senator who hasn't presented their amendment to go ahead and do that. I am hopeful that soon we will have an agreement to have a number of votes before lunch.

I yield the floor.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Newsweek, July 3, 2015]

#### THE EDUCATION LAW EVERYONE WANTS TO FIX (By Emily Cadei)

When it comes to setting standards for America's public schools, there's a remarkable degree of consensus: The system the federal government has in place—known as No Child Left Behind—doesn't work. Fixing it, however, is about to set off a new round of fierce political combat in Washington, D.C., and draw in 2016 candidates as well.

Both the House and Senate are set to debate the 2001 No Child Left Behind law next week. Passed with bipartisan support—including the unlikely pairing of President George W. Bush and Massachusetts liberal Sen. Ted Kennedy—it sought to set national

standards for school and student achievement, and mandated testing to make sure they were keeping up as well as funding incentives to keep schools on track.

But the goals that the 2001 law set turned out to be far too ambitious and, the chorus of critics say, too rigid. "Teaching to the test" is a refrain heard across the country. Test results have become an end-all, be-all, complain teachers and parents, Democrats and Republicans, alike.

No Child Left Behind "simplified all of school accountability to be a performance on a math test or a reading test," says Mary Kusler, director of government relations for the National Education Association, which lobbies on behalf of teachers and other education professionals. That, Kusler says, "has corrupted the education our children are receiving because it has reduced our schools to this reduce and punish system."

The two parties have very different visions for overhauling the law, however. Those in the middle, the House and Senate leaders that have drafted the legislation, are now faced with walking a tightrope between a measure that will win sufficient Republican support in the House but still get a signature from President Obama. That's no easy task—the law has technically been expired since 2007, but Congress has not been able to muster the political consensus to reauthorize it since then. It's still being implemented, though, because Congress continues to provide funding for the vast majority of its programs.

In the Senate, Tennessee Republican Lamar Alexander, a former Secretary of Education, and Washington Democrat Patty Murray have crafted a proposal that passed their Health, Education, Labor and Pensions Committee unanimously in April. Their legislation would maintain the testing regimen put in place by No Child Left Behind but give states more flexibility in how they use test results to measure performance. That's earned the hearty endorsement of teachers and groups like NBA, as well as business associations—which are usually on opposite sides of the education policy debate. In order to get Democrats on board, Alexander dropped one big Republican priority from the bill—a provision that would link federal funding for students from low-income areas to the individual child, rather than the school district in which they reside, which is how the system works now. Republicans argue this "portability" measure gives children and their families an opportunity to go to better schools but Democrats say it will just weaken already struggling schools. It's part of a broader fight over "school choice" and whether students can use public funds to go to the school they want—even private school—via things like vouchers. That, says Kusler, defeats the whole purpose of the law, which is aimed at improving low-performing schools and "serving historically underserved populations."

The House bill, sponsored by Minnesota Republican John Kline, includes the portability provision Republicans favor. That prompted a veto threat from the White House in February. But even with that provision, Kline's bill has had trouble winning conservative support. Republican leaders initially planned to hold a vote on it in late February but changed their minds at the last minute when it became apparent they didn't have enough GOP support. Members aligned with the Tea Party argue the overhaul still spends too much money and leaves too much power in the hands of the federal government. They're insisting on a vote on an

amendment that would give states the option of opting out of No Child Left Behind requirements entirely, a proposal known in shorthand as A-PLUS.

"There's just no conceivable way they can bring the Kline bill onto the floor without bringing up A-PLUS," says Dan Holler, spokesman for Heritage Action for America, the advocacy arm of the conservative Heritage Foundation. Holler's group came out in strong opposition to the bill in February and plans to continue to oppose it unless that provision is included in the House bill. He argues that the House needs to pass the most conservative bill possible, given that they'll then have to negotiate a final text with the Senate.

Given how toxic No Child Left Behind has become, 2016 candidates on the campaign trail are going to be hard-pressed to avoid the debate. There could be 100 amendments or more filed in the Senate, which means the four Republican senators running for president will have to weigh in on plenty of thorny questions surrounding education policy as it relates to race, inequality and states' rights.

Even those candidates who won't be voting, however, are bound to be questioned on the topic. Education policy has become a litmus test on the Right, with conservatives rallying against any attempts to nationalize what they believe should be state or local decisions. They've mainly focused on plans for a national curriculum, known as Common Core, which is not part of the No Child Left Behind law. But Common Core is indirectly linked, since states have adopted it to meet the testing and accountability standards that No Child Left Behind created.

Many Republican governors that initially embraced the Common Core standards, including 2016 long shots Chris Christie of New Jersey and Bobby Jindal of Louisiana, have backed away from them amidst the conservative backlash. Former Florida Gov. Jeb Bush is one of the few (along with Gov. John Kasich of Ohio) who has stood by Common Core. He also once offered the Obama administration support in its efforts to reauthorize No Child Left Behind, according to an email the website Buzzfeed published last month. Those education stands are a big reason for conservatives' simmering distrust of this son and brother of past presidents.

The teachers' unions, meanwhile, continue to hold tremendous sway in the Democratic primary, and their endorsements remain up for grabs in 2016. Dark horse candidate Martin O'Malley, the former governor of Maryland, is clearly eyeing that vote, and is scheduled to hold an education event followed by a meeting with the NBA of New Hampshire next week.

The presidential race also offers a rationale to conservative holdouts opposed to the No Child Left Behind reauthorization, which would be effective for as long as five years. With the possibility of a Republican sweeping into the White House, some argue it's best to stick to the status quo for now, and tackle a more ambitious overhaul once a more conservative president is in office (they hope).

But Kusler, for one, is hopeful that the pressure from all sides to fix an unworkable law will ultimately force a political compromise—opposed to kicking the can down the road further. "I am entirely optimistic that we will get this done. We have never been so close," she says. "We have created a perfect storm here."

[From the Wall Street Journal, July 6, 2015]

COLLEGE TOO EXPENSIVE? THAT'S A MYTH

(By Lamar Alexander)

Pell grants, state aid, modest loans and scholarships put a four-year public institution within the reach of most.

Paying for college never is easy, but it's easier than most people think. Yet some politicians and pundits say students can't afford a college education. That's wrong. Most of them can.

Public two-year colleges, for example, are free or nearly free for low-income students. Nationally, community college tuition and fees average \$3,300 per year, according to the College Board. The annual federal Pell grant for these students—which does not have to be paid back—also averages \$3,300.

At public four-year colleges, tuition and fees average about \$9,000. At the University of Tennessee, Knoxville, tuition and fees are \$11,800. One third of its students have a Pell grant (up to \$5,775 depending on financial need), and 98% of instate freshmen have a state Hope Scholarship, providing up to \$3,500 annually for freshmen and sophomores and up to \$4,500 for juniors or seniors. States run a variety of similar programs—\$11.2 billion in financial aid in 2013, 85% in the form of scholarships, according to the National Association of State Student Grant and Aid Programs.

The reality is that, for most students, a four-year public institution is also within financial reach.

What about really expensive private colleges? Across the country 15% of students attend private universities where tuition and fees average \$31,000, according to the College Board. Georgetown University costs even more: about \$50,000 a year. Its president, John DeGioia, told me how Georgetown—and many other so-called elite colleges—help make a degree affordable.

First, Georgetown determines what a family can afford to pay. It asks the student to borrow \$17,000 over four years and work 10–15 hours a week under its work-study program. Georgetown pays the remainder—at a total cost of about \$100 million a year.

Apart from grants, work and savings, there are federal student loans. We hear a lot of questions about these loans. Are taxpayers generous enough? Is borrowing for college a good investment? Are students borrowing too much?

An undergraduate today can get a federal loan of up to \$5,500 his first year. The annual loan limit rises to \$7,500 his junior and senior years. The fixed interest rate for new loans this year is, by law, 4.29%. A recent graduate may pay back the loan using no more than 10% of his disposable income. And if at that rate he doesn't pay it off in 20 years, taxpayers forgive the loan.

Are students borrowing too much? The College Board reports that a student who graduates from a four-year institution carries, on average, a debt of about \$27,000. This is about the same amount of the average new car loan, according to the information-services company Experian Automotive. The total amount of outstanding student loans is \$1.2 trillion. The total amount of auto loans outstanding in the U.S. is \$950 billion.

But a student loan is a lot better investment. Cars depreciate. College degrees appreciate. The College Board estimates that a four-year degree will increase an individual's lifetime earnings by \$1 million, on average.

What about the scary stories of students with \$100,000 or more in debt? These represent only 4% of all student loans, and 90% of the borrowers are doctors, lawyers, business school graduates and others who have earned graduate degrees.

About seven million federal student loan borrowers are in default, defined as failing to make a loan payment in at least nine months. That's about one in 10 of all outstanding federal student loans in default—although the Education Department says most of those loans eventually get paid back.

Here are five steps the federal government can take to make it easier for students to finance their college education:

Allow students to use Pell grants year-round, not only for the traditional fall and spring academic terms, to complete their degrees more rapidly.

Simplify the confusing 108-question federal student-aid application form and consolidate the nine loan repayment programs to two: a standard repayment program and one based on their income.

Change the laws and regulations that discourage colleges from counseling students against borrowing too much.

Require colleges to share in the risk of lending to students. This will ensure that they have some interest in encouraging students to borrow wisely, graduate on time, and be able to pay back what they owe.

Clear out the federal red tape that soaks up state dollars that could otherwise go to help reduce tuition. The Boston Consulting Group found that in one year Vanderbilt University spent a startling \$150 million complying with federal rules and regulations governing higher education, adding more than \$11,000 to the cost of each Vanderbilt student's \$43,000 in tuition. America's more than 6,000 colleges receive on average one new rule, regulation or guidance letter each workday from the Education Department.

It is vital that more Americans earn their college degrees, for their own benefit and that of the country. A report by Georgetown University's Center on Education in the Workforce tells us that if we don't, we'll fall short by five million workers with postsecondary education in five years.

Mr. ALEXANDER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, making sure our Nation's students get a quality education is critical for our ability—our country's ability—to lead the world in the years to come, and a good education can be a ticket to the middle class. It is also important for building an economy from the middle out, not just from the top down.

Of course, yesterday the House of Representatives passed their partisan bill to reauthorize the Nation's K-12 education bill. While that is another important step in the process to finally fix the badly broken No Child Left Behind law, I am disappointed that House Republicans have chosen to take a partisan approach in their bill that is unacceptable to Democrats and will never become law.

I appreciate the work that ranking member BOBBY SCOTT put into the House Democratic substitute. I am

looking forward to coming together with him as well as Chairman KLINE in a conference. I truly hope House Republicans will be ready to join ranking member BOBBY SCOTT and other House and Senate Democrats, Senate Republicans, and the administration as we work to get this done in a way that works for all students and families. I am looking forward to continuing that work here today in the Senate.

Again, I truly want to thank my colleague, the senior Senator from Tennessee, for working with me on our bipartisan bill, and I appreciate Chairman ALEXANDER's cooperation in working in a bipartisan way through this process. I join him this morning in encouraging our colleagues to file their amendments so we can continue making progress on this important piece of legislation.

Our bipartisan bill, the Every Child Achieves Act, is a good step in the right direction to fix No Child Left Behind. It gives our States more flexibility, while also including Federal guardrails to make sure all students have access to a quality public education. We are not done yet. I want to work to continue to improve and strengthen the bill.

One example, today we will talk about an amendment to help shine a light on inequalities in education that still exist in our country. I thank Senator WARREN for offering her amendment. I look forward to that discussion. That amendment will help States, districts, and schools better analyze student achievement data so they can help their students achieve. So I hope our colleagues will pass that amendment.

I am looking forward to getting started again today to work through this issue and a number of others we have, and I hope to continue to work in a bipartisan way to make sure all students have access to a quality education, again, regardless of where they live or how they learn or how much money they make.

I look forward to today's discussion. Again, I thank our colleagues on the other side of the aisle for working with us to fix this badly broken bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I wish to acknowledge the comments of the Senator from Washington. Before she was here, I commented on her leadership and on how the Democratic leader as well as the Republican leader have created an environment in which we can succeed. We govern a complex country such as ours by consensus, and I think the way we are doing things is a pretty good example of the way we can do that.

I am glad the House of Representatives acted. We have a process for this called conference. We haven't been

doing conferences much lately. But she and I both talked with Chairman KLINE and Representative SCOTT. If we should succeed next week, as I believe we will, why then we will have a conference with the House of Representatives, and we will develop a bill we hope the President will be comfortable signing. We are not here just to make a speech. We want to resolve this. As I said in the article I put in earlier, this is the education law everyone wants fixed. In our constitutional system of government, we don't fix it unless the House and Senate agree and the President signs it.

So that is our goal, and we are continuing to make steps, thanks to the leadership of Senator MURRAY and others.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the time until 11:30 a.m. today be equally divided between the two managers or their designees and that it be in order to call up the following amendments: Daines amendment No. 2110, Warren amendment No. 2120, Brown amendment No. 2099, Portman amendment No. 2147, Manchin amendment No. 2103, Kaine amendment No. 2096, Heller amendment No. 2121, Feinstein amendment No. 2087; that the Toomey amendment be modified with the changes at the desk; further, that at 11:30 a.m., the Senate vote in relation to the amendments in the order listed, with a vote in relation to the Toomey amendment, as modified, after disposition of the Brown amendment, with a 60-affirmative vote threshold for adoption of the Daines amendment, and with no second-degree amendments in order to any of the amendments prior to the votes; that there be 2 minutes equally divided prior to each vote, and that upon the disposition of the Feinstein amendment, the Senate vote in relation to the Fischer amendment No. 2079.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 2094), as modified, is as follows:

(Purpose: To ensure that States have policies or procedures that prohibit aiding or abetting of sexual abuse, and for other purposes)

At the end of title IX, add the following:

**SEC. \_\_\_\_ PROHIBITION ON AIDING AND ABETTING SEXUAL ABUSE.**

Subpart 2 of part F of title IX (20 U.S.C. 7901 et seq.), as amended by sections 4001(3) and 9114, and redesignated by section 9106(1), is further amended by adding at the end the following:



**"SEC. 9539. PROHIBITION ON AIDING AND ABETTING SEXUAL ABUSE.**

"(a) IN GENERAL.—A State, State educational agency, or local educational agency in the case of a local educational agency designated under State law, that receives Federal funds under this Act shall have laws, regulations, or policies that prohibit any person who is a school employee, contractor, or agent, or any State educational agency or local educational agency, from assisting a school employee, contractor, or agent in obtaining a new job, apart from the routine transmission of administrative and personnel files, if the person or agency knows, or recklessly disregards credible information indicating, that such school employee, contractor, or agent engaged in sexual misconduct regarding a minor in violation of the law.

"(b) EXCEPTION.—The requirements of subsection (a) shall not apply if the credible information provided in such subsection—

"(1)(A) has been properly reported to a law enforcement agency with jurisdiction over the alleged misconduct; and

"(B) has been properly reported to any other authorities as required by Federal, State, or local law, including title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) and the regulations implementing such title under part 106 of title 34, Code of Federal Regulations, or any succeeding regulations; and

"(2)(A) the case has been officially closed or the prosecutor with jurisdiction over the alleged misconduct has investigated the allegations and notified school officials that there is insufficient information to establish probable cause that the school employee, contractor, or agent engaged in sexual misconduct regarding a minor;

"(B) the school employee, contractor, or agent has been charged with, and exonerated of, the alleged misconduct; or

"(C) the case remains open but there have been no charges filed against, or indictment of, the school employee, contractor, or agent within 4 years of the date on which the information was reported to a law enforcement agency.

"(c) PROHIBITION.—The Secretary shall not have the authority to mandate, direct, or control the specific measures adopted by a State, State educational agency, or local educational agency under this section.

"(d) Construction.—Nothing in this section shall be construed to prevent a State from adopting, or to override a State law, regulation, or policy that provides, greater or additional protections to prohibit any person who is a school employee, contractor, or agent, or any State educational agency or local educational agency, from assisting a school employee who engaged in sexual misconduct regarding a minor in violation of the law in obtaining a new job."

Mr. ALEXANDER. Mr. President, for the information of Senators, we expect the first four amendments in this series to require rollcall votes, with the rest of the amendments being adopted by a voice vote.

I thank the Senator from Washington for working with us to create this agreement.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. TOOMEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2094, AS MODIFIED

Mr. TOOMEY. Mr. President, I wish to speak about my amendment, which is part of the unanimous consent agreement that was just agreed to. I have a number of thank yous I need to go through.

I will start by thanking the cosponsors of this amendment, starting with Senator MANCHIN, who has been with me in this battle for a very long time now. But I wish to thank the other cosponsors, including Senators MCCONNELL, ALEXANDER, COTTON, CAPITO, GARDNER, HELLER, INHOFE, JOHNSON, MCCAIN, ROBERTS, and VITTER.

I am on the floor of the Senate to explain to people what we have done and are going to vote on later today. I believe that this amendment is very constructive, and I am very optimistic and hopeful this will pass.

This amendment is based on a bill that I introduced with Senator MANCHIN over a year and a half ago, which was called the Protecting Students from Sexual and Violent Predators Act. I have spoken about this a number of times because I feel very strongly about this. The fact is that while the overwhelming majority of our school employees across America are wonderful people and some of the great role models of our lives, it is also a fact that there are predators in our schools. That is a sad fact, but it is true. We know this for many reasons, not the least of which is that last year alone there were 459 school employees arrested across America for sexual misconduct with the kids that they are supposed to be protecting.

So far this year we are on a path of arresting people at a rate that exceeds that of last year. We know this is a huge problem.

It came to my attention because of the absolutely horrific story of a young boy named Jeremy Bell. Sadly, that story began in Pennsylvania, where a teacher was molesting the students under his charge. He was molesting little boys. The school figured out what was going on and reported it to the authorities. But as much as they wanted to, the authorities were never able to assemble enough evidence to mount a prosecution. So the school did something despicable. What the school decided to do was to make this predator someone else's problem. So they wrote a letter of recommendation and said: You just leave, take this letter with you, and find employment elsewhere.

Well, this is a pedophile. This is a predator they did this for, and of course he left and became someone else's problem. He was hired in West Virginia as a schoolteacher. Eventually, he became principal, and of course, he serially molested the children in that school, finally culminating in the rape and murder of a little boy named Jeremy Bell.

The practice of sending a letter of recommendation on behalf of a known predator is so appalling that most of us can't imagine anyone would do it. But the sad truth is that it has happened so frequently that it even has a name. It is called passing the trash. In prosecution circles and in the circles of people who are advocates for children who are victims of these horrendous crimes, they know this all too well. Passing the trash is all too common a practice as a way for schools to make these predators someone else's problems.

Well, the initial amendment that I filed this bill, mirroring the legislation that Senator MANCHIN and I introduced, attempted to deal with this problem in two ways. One, in the first place, was to establish a thorough Federal standard for background checks for school employees, and the second was to have a prohibition against passing the trash—to make it illegal for someone to knowingly recommend for hire a sexual predator.

As for the first part, the background check part, we have had disagreements among ourselves as to how to do that and whether to do that. There have been deep disagreements, and despite many conversations with my colleagues, we have not been able to reach an agreement on how to proceed on that. I am disappointed that we have not reached an agreement, but I understand that we don't have the votes to pass that portion. So I have agreed to put that aside for now. I have not agreed to abandon this cause of establishing the most rigorous possible background checks, but we will have that fight another day and hopefully at a time when we have the votes to pass it.

What is really terrific news is that we have reached an agreement on the other part of our legislation, the part that prohibits this despicable, horrendous practice of passing the trash—the very action that enabled the predator to get the job that enabled him, in turn, to rape and kill young Jeremy Bell. Having reached this agreement, I am confident that we will be able to pass this amendment later today. If we do, it will be the first time that the Senate has established that this despicable practice will no longer be tolerated anywhere in the country.

This is a huge victory for America's children. It is as simple as that. When we pass this in the Senate, and when it eventually becomes law, which I am confident it will, the fact is our kids are going to be safer. There are a lot of States that already have some legislation that prohibits passing the trash within their State, but no State can force another State to forbid this practice from coming across the line and into their State. That is why this always needed a Federal response, and I am really thrilled that today I think we are going to have that Federal response.

I need to thank a lot of folks. I see my colleague from West Virginia has joined us, and I will start with him. Senator MANCHIN has been a great partner in this effort since we started over a year and a half ago. I am sure he will have something to add about this entire process.

I also wish to thank the chairman of the committee, Senator ALEXANDER, and Ranking Member MURRAY for all of the help they have provided in getting us to this place. In particular, I have to thank Senator ALEXANDER and his staff, together with my staff. I also have to mention Dimple Gupta, who has worked tirelessly on this issue.

We had many long and often difficult conversations. We started in what seemed like irreconcilable differences about this topic. But because we persisted and everybody approached this in a cooperative fashion, despite the stiff opposition that there was at times, we were able to find common ground.

I also need to acknowledge some outside groups that made it possible for us to find this common ground: the National Children's Alliance, the Association of Prosecuting Attorneys, many child advocate groups across Pennsylvania and across the country, law enforcement groups, and prosecutors. Even the American Academy of Pediatricians has been helpful in getting us here.

I will close with this: This is exactly the way the Senate is supposed to work. This is the way it is supposed to happen. As people who share a common vision, we all want to make sure our kids are in the safest possible environment when they go to school. We started with wildly different views about how to get there. When the Senate is working well, it works exactly as it is working now with regular order on the Senate floor, going through the committee process, and having a ranking member and a chairman who are willing to work with individual Members on their priorities. People came together to figure out where their common ground was, how to get this done, and how to put the interest of their constituents, the American people—and in this case our kids and grandkids—ahead of political considerations.

I am really thrilled that I think we have reached that point on this really important amendment. So I urge all of my colleagues to support this amendment. I hope it will have very broad support. I want to say thanks to all of the colleagues who helped to make this happen.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, first of all, let me say to my colleague, Senator TOOMEY from Pennsylvania, that I have enjoyed working with him on

many ventures, if you will, but this is one that is particularly gratifying now that we have finally come to an agreement. I think it is bipartisan all the way. I think it will pass. It makes all the sense in the world. It was Jeremy Bell from my State of West Virginia who was the victim of this tragic crime that could have been prevented if we had just known. That is what this is all about. As Senator TOOMEY has said, we are not going to give up on making sure we can find out who these perpetrators are, if they have a record we can follow and trace and keep them out of the school system before they ever begin their careers. That is a situation on which we will continue to be very vigilant.

Again, I thank Senator TOOMEY for his commitment and his hard work. His staff and our staff enjoyed working together. We will continue to work on many endeavors that will benefit most importantly the children of this great country of ours in our respective States.

I thank Senator ALEXANDER and Senator MURRAY for including my amendment—another amendment I will be speaking about—to promote volunteerism and community service. This is an issue about which I feel very strongly. I go all over the State of West Virginia and speak in different parts of the country, and I speak to young people and ask them if they feel as if they own the country.

I say: Do you have ownership? Do you believe this is your country?

They look at me very strangely. They really don't feel as though they have ownership.

I ask them: In the Constitution and in the preamble where it says a government of the people, by the people, and for the people, whom are we speaking about? It is you. It is your government. You own it. What have you done to invest in it? Are you taking care of it? Are you doing preventive maintenance?

I am often reminded of the five promises that were made, which were started by Colin Powell and his five promises committee. It is an idea that my wife and I, when I was Governor of West Virginia, endorsed. We have a five promise program that we still support in West Virginia.

The five promises are simply these:

Every child when they are born into this world should have a loving, caring adult in their life, somebody who unconditionally loves them. Sometimes, unfortunately, it is not always the biological parents or the biological family, but every child deserves to have unconditional love.

Second, every child must have a safe place where harm can't enter their life, where they know they will be kept safe. Every child deserves that.

Third, every child deserves a healthy start. We know that nutrition is important and basically the ability to pro-

vide good nutrition. Sometimes, because of economic conditions, the opportunity doesn't always exist. That is a responsibility we have as the greatest country on Earth, the superpower that we are. Every child should have a healthy start.

Fourth, every child should grow to earn a skill, learn a skill, be able to obtain a skill that will carry them to be a successful adult in life.

I will speak about the fifth promise in just a moment.

Giving back to our communities, contributing our time and services to improve our world—this is something everybody can do. We can't use the excuse of "I am sorry, my family is not wealthy enough for me to do something"—that is not an excuse—or "I am sorry, I live in a rural area where I just don't have that available to me." There is a need everywhere in the world. In every part of this great country, there is a need for people to give something back and do something to contribute, to reach out and help somebody of lesser means, or maybe they don't have any assistance whatsoever in their life. There is an opportunity for every person to give.

I learned from my grandparents. I watched them open up their home and make sure there was always a bed for a stranger, make sure there was always food, and make sure there were a few rules we had to live by. You couldn't swear when there were too many young children around, you couldn't drink, and you had to work and provide something. If that was the case, then my grandparents took care of you and they wanted to share with you. They are pretty simple rules to live by.

Unfortunately, true public service is not there. We for some reason have thought it was somebody else's responsibility to take care of—just offer a government program, a Federal or State program. What happened to reaching across the room, if you will, or reaching across your town or your community or your State to help people? Our world is different, but our commitment to our neighbors shouldn't be. That is one value that doesn't change. One person can still have a meaningful impact on another person's life. We know that.

My amendment with Senator SHAHEEN basically aims to counter this trend by giving every school the flexibility to use their Federal funding on programs that promote volunteerism and community service. That is all. It is optional. It is not mandatory. But if one believes that is such an intricate part of our responsibility as an educator, to make sure these young people have a chance to get into a food bank or a food pantry or a homeless shelter or a senior citizen opportunity to help people in need, or a nursing home—given that chance, they can use some of those resources they will have

through this updated bill we are about to pass, which I think is historical and much needed—this amendment will allow them to do that. That is all we have asked for.

I am very appreciative that both Chairman ALEXANDER and Ranking Member MURRAY have accepted this.

My amendment today is part of keeping General Powell's fifth promise. I spoke about the four promises. The fifth promise is this: Every child should grow to be a loving, caring adult and give something back. We can't teach that one. People have to earn that one. People have to learn that for themselves. Sometimes people are able to get it from where they live, the family they live with, the community around them. Sometimes people see it and they know it is the right thing to do. This is going to provide an opportunity in an educational setting to find one's lot in life, to be able to give something back, to be able to grow into a loving, caring adult. That is what this is all about.

So I believe very strongly in this amendment. I believe very strongly that it is going to help the youth of America to be able to be Americans and what is expected of us as Americans—to help one another.

I would say that an investment in community service pays off both for our students and our communities. In 2013, that 1 year, U.S. taxpayers invested \$1.7 billion in our national service programs that we have to date. The total social return on this investment is estimated to be \$6.5 billion—almost a 4-to-1 return in the value we receive back as a society. I don't think we can get a better return on an investment than having the youth of America being able to give something back and learn that fifth promise to be a caring, loving adult and be able to carry this tradition on.

With that, I appreciate very much the chairman and the ranking member accepting this amendment. I think it will greatly help the school systems of America to be able to be involved in volunteerism, without social media but truly hands on. So I think this is something we need. I am appreciative, and I thank my colleagues.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, I thank my colleague from West Virginia. He was just speaking about a need for us to support our young people. In essence, what he was saying is they can use their God-given abilities to be able to give back, and that is what the amendment I wish to speak to is all about.

I appreciate the fact that the chairman and ranking member have agreed to take a look at this amendment. In fact, my understanding is that Senator ALEXANDER is going to be offering this

amendment later. This amendment has to do with substance abuse. It has to do with our young people. Unfortunately, we are seeing a younger and younger age of first use of drugs. We are seeing also, unfortunately, more and more young people who struggle with addiction.

In the legislation and in the underlying law, there are provisions for prevention, and that is incredibly important. If we can get our young people not to go down this road, we can avoid some devastating consequences to them and to their future, to their families, and to their communities.

If we look at the use today, in my home State of Ohio—I was just home the day before yesterday at a conference on this issue of heroin use and prescription drug use by our young people. It is growing. It is a huge problem. The No. 1 cause of death now in Ohio is overdose from these drugs. It is no longer car accidents, as it has been in the past. We must focus on this issue, and the most effective way, of course, is through prevention and education, which I strongly support, and it is in the underlying bill.

What is not in the bill, though, is to provide support services for our young people should they be struggling with addiction. This is incredibly important. So the legislation I am offering along with Senator WHITEHOUSE simply provides recovery and support services for our young people who fall victim to the dangers of drugs. We have a responsibility to do this, in my view, again not just to focus, as the underlying legislation does, on drug prevention and early intervention but also to focus on providing these important recovery services to students in schools and communities so they could overcome their addiction and achieve their God-given abilities and again be productive members of society, which the Senator from Pennsylvania and the Senator from West Virginia were speaking about. I encourage my colleagues to support this amendment.

The second amendment I wish to speak about that I understand also may be offered later and included in a package—and I appreciate the chairman and ranking member taking a look at this—has to do with homeless youth. This is an amendment which basically enables us to streamline the current process, where it is very difficult to establish that somebody is homeless. In fact, under our current law, one has to go through quite a process with HUD, the Department of Housing and Urban Development. I am told there are sometimes up to maybe 10 or 12 different documents one has to go through. This streamlines the process and allows the counselors who are already in the schools to be able to make the determination to help get services to these kids.

Homeless youth in America is now at an alltime high. We are told that 1 in

45 children is homeless each year. By the way, that is 1.6 million children. So I hope this amendment, which is amendment No. 2087, to help homeless youth will also be one we will be able to take up here on the floor. Senator FEINSTEIN and I are offering it together. It is one that is bipartisan, and it is one that will help foster greater community collaboration between agencies and departments by streamlining the process and allowing these counselors who are already in the schools to get the training they need to be able to support these kids, to more quickly identify them and provide the services they need.

I thank my colleague from Montana for allowing me to speak about these two very important amendments. I thank Senator MURRAY and Senator ALEXANDER for giving this very serious consideration in the legislation. I hope these amendments can be adopted on a bipartisan basis.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

AMENDMENT NO. 2110 TO AMENDMENT NO. 2089

Mr. DAINES. Mr. President, I ask to set aside the pending amendment in order to call up amendment No. 2110.

The PRESIDING OFFICER. The amendment is set aside.

The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Montana [Mr. DAINES] proposes an amendment numbered 2110 to amendment No. 2089.

Mr. DAINES. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To allow a State to submit a declaration of intent to the Secretary of Education to combine certain funds to improve the academic achievement of students)

After part B of title X, insert the following:

#### **PART C—A PLUS ACT**

##### **SECTION 10301. SHORT TITLE; PURPOSE; DEFINITIONS.**

(a) **SHORT TITLE.**—This part may be cited as the “Academic Partnerships Lead Us to Success Act” or the “A PLUS Act”.

(b) **PURPOSE.**—The purposes of this part are as follows:

(1) To give States and local communities added flexibility to determine how to improve academic achievement and implement education reforms.

(2) To reduce the administrative costs and compliance burden of Federal education programs in order to focus Federal resources on improving academic achievement.

(3) To ensure that States and communities are accountable to the public for advancing the academic achievement of all students, especially disadvantaged children.

(c) **DEFINITIONS.**—

(1) **IN GENERAL.**—Except as otherwise provided, the terms used in this part have the meanings given the terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801 et seq.).

(2) OTHER TERMS.—In this part:

(A) ACCOUNTABILITY.—The term “accountability” means that public schools are answerable to parents and other taxpayers for the use of public funds and shall report student progress to parents and taxpayers regularly.

(B) DECLARATION OF INTENT.—The term “declaration of intent” means a decision by a State, as determined by State Authorizing Officials or by referendum, to assume full management responsibility for the expenditure of Federal funds for certain eligible programs for the purpose of advancing, on a more comprehensive and effective basis, the educational policy of such State.

(C) STATE.—The term “State” has the meaning given such term in section 1122(e) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6332(e)).

(D) STATE AUTHORIZING OFFICIALS.—The term “State Authorizing Officials” means the State officials who shall authorize the submission of a declaration of intent, and any amendments thereto, on behalf of the State. Such officials shall include not less than 2 of the following:

(i) The governor of the State.

(ii) The highest elected education official of the State, if any.

(iii) The legislature of the State.

(E) STATE DESIGNATED OFFICER.—The term “State Designated Officer” means the person designated by the State Authorizing Officials to submit to the Secretary, on behalf of the State, a declaration of intent, and any amendments thereto, and to function as the point-of-contact for the State for the Secretary and others relating to any responsibilities arising under this part.

#### SEC. 10302. DECLARATION OF INTENT.

(a) IN GENERAL.—Each State is authorized to submit to the Secretary a declaration of intent permitting the State to receive Federal funds on a consolidated basis to manage the expenditure of such funds to advance the educational policy of the State.

(b) PROGRAMS ELIGIBLE FOR CONSOLIDATION AND PERMISSIBLE USE OF FUNDS.—

(1) SCOPE.—A State may choose to include within the scope of the State’s declaration of intent any program for which Congress makes funds available to the State if the program is for a purpose described in the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301). A State may not include any program funded pursuant to the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).

(2) USES OF FUNDS.—Funds made available to a State pursuant to a declaration of intent under this part shall be used for any educational purpose permitted by State law of the State submitting a declaration of intent.

(3) REMOVAL OF FISCAL AND ACCOUNTING BARRIERS.—Each State educational agency that operates under a declaration of intent under this part shall modify or eliminate State fiscal and accounting barriers that prevent local educational agencies and schools from easily consolidating funds from other Federal, State, and local sources in order to improve educational opportunities and reduce unnecessary fiscal and accounting requirements.

(c) CONTENTS OF DECLARATION.—Each declaration of intent shall contain—

(1) a list of eligible programs that are subject to the declaration of intent;

(2) an assurance that the submission of the declaration of intent has been authorized by the State Authorizing Officials, specifying the identity of the State Designated Officer;

(3) the duration of the declaration of intent;

(4) an assurance that the State will use fiscal control and fund accounting procedures;

(5) an assurance that the State will meet the requirements of applicable Federal civil rights laws in carrying out the declaration of intent and in consolidating and using the funds under the declaration of intent;

(6) an assurance that in implementing the declaration of intent the State will seek to advance educational opportunities for the disadvantaged;

(7) a description of the plan for maintaining direct accountability to parents and other citizens of the State; and

(8) an assurance that in implementing the declaration of intent, the State will seek to use Federal funds to supplement, rather than supplant, State education funding.

(d) DURATION.—The duration of the declaration of intent shall not exceed 5 years.

(e) REVIEW AND RECOGNITION BY THE SECRETARY.—

(1) IN GENERAL.—The Secretary shall review the declaration of intent received from the State Designated Officer not more than 60 days after the date of receipt of such declaration, and shall recognize such declaration of intent unless the declaration of intent fails to meet the requirements under subsection (c).

(2) RECOGNITION BY OPERATION OF LAW.—If the Secretary fails to take action within the time specified in paragraph (1), the declaration of intent, as submitted, shall be deemed to be approved.

(f) AMENDMENT TO DECLARATION OF INTENT.—

(1) IN GENERAL.—The State Authorizing Officials may direct the State Designated Officer to submit amendments to a declaration of intent that is in effect. Such amendments shall be submitted to the Secretary and considered by the Secretary in accordance with subsection (e).

(2) AMENDMENTS AUTHORIZED.—A declaration of intent that is in effect may be amended to—

(A) expand the scope of such declaration of intent to encompass additional eligible programs;

(B) reduce the scope of such declaration of intent by excluding coverage of a Federal program included in the original declaration of intent;

(C) modify the duration of such declaration of intent; or

(D) achieve such other modifications as the State Authorizing Officials deem appropriate.

(3) EFFECTIVE DATE.—The amendment shall specify an effective date. Such effective date shall provide adequate time to assure full compliance with Federal program requirements relating to an eligible program that has been removed from the coverage of the declaration of intent by the proposed amendment.

(4) TREATMENT OF PROGRAM FUNDS WITHDRAWN FROM DECLARATION OF INTENT.—Beginning on the effective date of an amendment executed under paragraph (2)(B), each program requirement of each program removed from the declaration of intent shall apply to the State’s use of funds made available under the program.

#### SEC. 10303. TRANSPARENCY FOR RESULTS OF PUBLIC EDUCATION.

(a) IN GENERAL.—Each State operating under a declaration of intent under this part shall inform parents and the general public regarding the student achievement assessment system, demonstrating student

progress relative to the State’s determination of student proficiency, as described in paragraph (2), for the purpose of public accountability to parents and taxpayers.

(b) ACCOUNTABILITY SYSTEM.—The State shall determine and establish an accountability system to ensure accountability under this part.

(c) REPORT ON STUDENT PROGRESS.—Not later than 1 year after the effective date of the declaration of intent, and annually thereafter, a State shall disseminate widely to parents and the general public a report that describes student progress. The report shall include—

(1) student performance data disaggregated in the same manner as data are disaggregated under section 1111(b)(3)(A) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(3)(A)); and

(2) a description of how the State has used Federal funds to improve academic achievement, reduce achievement disparities between various student groups, and improve educational opportunities for the disadvantaged.

#### SEC. 10304. ADMINISTRATIVE EXPENSES.

(a) IN GENERAL.—Except as provided in subsection (b), the amount that a State with a declaration of intent may expend for administrative expenses shall be limited to 1 percent of the aggregate amount of Federal funds made available to the State through the eligible programs included within the scope of such declaration of intent.

(b) STATES NOT CONSOLIDATING FUNDS UNDER PART A OF TITLE I.—If the declaration of intent does not include within its scope part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.), the amount spent by the State on administrative expenses shall be limited to 3 percent of the aggregate amount of Federal funds made available to the State pursuant to such declaration of intent.

#### SEC. 10305. EQUITABLE PARTICIPATION OF PRIVATE SCHOOLS.

Each State consolidating and using funds pursuant to a declaration of intent under this part shall provide for the participation of private school children and teachers in the activities assisted under the declaration of intent in the same manner as participation is provided to private school children and teachers under section 9501 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7881).

Mr. DAINES. Mr. President, as a fifth-generation Montanan, a product of Montana public schools, a husband of an elementary school teacher, and the father of four children, including one of them who has a degree in elementary education, I understand how important a first-rate education is to our kids’ future.

As I meet with parents and educators across Montana, they frequently share concerns about the one-size-fits-all student performance and teacher qualification metrics that currently dictate Federal funding as part of No Child Left Behind. While well-intended, many of these metrics have proven difficult for schools in rural areas to achieve.

As the Senate debates the Every Child Achieves Act to reform our Nation’s education policies, one of my priorities will be fighting to increase local control over academic standards and

education policies and working to push back against burdensome Federal regulations that often place our schools in a straitjacket.

For example, the U.S. Department of Education has incentivized States to adopt common core standards by offering exemptions from No Child Left Behind regulations and making extra Federal education funds accessible through programs such as Race to the Top to States that adopt common core. However, as are many Montanans, I am deeply concerned that the Federal Government's obvious efforts to back States into adopting such programs is an inappropriate interference in education policy decisions that should be made by the States, should be made by the parents, by the teachers, and local school boards.

If we are serious about wanting to make future generations as fortunate as ours, it is critical that we prepare our children to excel in a globally competitive economy. Our children should receive a well-rounded education that focuses on core subjects, including reading, writing, science, and math, as well as technical and vocational disciplines and training in the arts.

It is clear that the Federal Government's one-size-fits-none approach isn't working. That is why I am introducing the academic partnerships lead us to success amendment, or A-PLUS for short. It is an amendment to the Every Child Achieves Act. I thank the chairman and the ranking member, Senator ALEXANDER and Senator MURRAY, for allowing a vote on this amendment today.

This measure will help expand local control of our schools and return Federal education dollars where they belong—closer to classrooms. With A-PLUS, the States should be freed and will be freed from Washington unworkable teacher standards. States would be free from Washington-knows-best performance metrics. States would be free from Washington's failed test requirements. States would be held accountable by parents and teachers because a bright light would shine directly on the decisions made by State capitals and local school districts.

With freedom from Federal mandates comes more responsibility, transparency, and accountability from the States. It would empower our States, our local schools, our teachers, and our parents to work together to develop solutions that best fit the unique needs of each child. The A-PLUS amendment goes a long way toward returning responsibility for our kids' education closer to home and reduces the influence of the Federal Government over our classrooms.

I thank Senators GRASSLEY, CRUZ, VITTER, JOHNSON, LEE, LANKFORD, BLUNT, CRAPO, RUBIO, and GARDNER for sponsoring my A-PLUS amendment, and I ask my other Senate colleagues

to join us in empowering our schools to serve our students, not DC bureaucrats, and support this important amendment.

I see my colleague Senator LEE of Utah is here, and I yield my time for his comments on this amendment.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. I thank the Senator.

Mr. President, the work the Senate is engaged in this week is long overdue. The last time the Elementary and Secondary Education Act was updated was 14 years ago. Congress gave the country No Child Left Behind, a policy that by all accounts has been a failure. That is why in 2012 the Obama administration began offering waivers to States, allowing them to opt out of the coercive and ineffective requirements that No Child Left Behind imposed on America's school districts and classrooms. But State and local school boards quickly learned, just as parents and teachers did, these so-called waivers didn't solve the fundamental problems created by No Child Left Behind; they further entrenched that problem. These weren't waivers in any meaningful sense because they came with a new set of strings attached that only reinforced the authority of Washington, DC, to micromanage the policies and the curriculum of classrooms all around the country. They did not give State and local policymakers the freedom and flexibility to use education funding in a way that would best meet the needs of students and truly empower every child to succeed. No. Instead, they forced teachers, school boards, and State officials to choose between the lesser of two evils—either, on one hand, abide by the Federal mandates of No Child Left Behind or, on the other hand, accept the Federal mandates prescribed by common core and Race to the Top.

The underlying bill we will vote on next week makes the same mistake, and unless it is amended, we can expect it in turn to have the same disappointing results. More kids will be trapped in failing schools, their opportunities in life predetermined by their parents' ZIP Code rather than their God-given talents and their own individual desire to learn and succeed. More teachers can be rewarded on the basis of the number of years they have been on the job rather than on the basis of the number of kids they have helped to graduate. And more parents will regrettably but understandably lose faith in the public education system, knowing it is designed to serve the ideological whims of Federal politicians and Federal bureaucrats instead of the educational needs of their children.

That is why I am here this morning to offer my support and to encourage my colleagues to offer their support for an amendment to the proposed reau-

thorization of the Elementary and Secondary Education Act, an amendment that would help us avoid the serious mistakes of the past.

The basic premise, the basic animating principle behind the bill before the Senate, as it now stands, and the basic premise, basic principle behind No Child Left Behind and common core is that when it comes to running the classroom, Washington bureaucrats and politicians know better than America's teachers, parents, and local school boards. The principle behind the A-PLUS amendment is essentially the opposite; that no one is in a better position to make decisions about a child's education than his or her parents, guardians, teachers, counselors, and principals. If you believe in this principle as I do—and as experience instructs all of us to do—then you must support the A-PLUS Act because it empowers every child's parents, guardians, teachers, counselors, and principals to make the greatest impact on their education and on their lives, and it would do so without eliminating any Federal mandates—coercive and ineffective though they may be—and would simply give States the choice to opt out of them, no strings attached.

Here is how the A-PLUS act works. If a State's legislators determine that the Federal Government's approach to education reform has not improved academic achievement in their State, they have an alternative. They can submit to the U.S. Department of Education a declaration of intent outlining their State-directed education reform initiatives. In States that choose to opt out, education officials will no longer have to spend all of their time complying with onerous one-size-fits-all Federal mandates. Instead, they will have the freedom and flexibility to listen and respond to the needs and recommendations of parents, teachers, principals, and school boards. They will be able to make their education funds go further by consolidating programs and funding sources, and they will be able to improve the educational opportunities to disadvantaged children by designing their State's policies to be more responsive and more targeted.

This amendment isn't about States' rights so much as it is about children's rights, such as the right to a good education. It would secure those rights by empowering America's teachers and parents to pursue innovative policies, such as charter schools and school vouchers and pay-for-success initiatives that have proven to be successful in classrooms all around the country.

The bill the Senate will vote on next week may be well-intentioned in its reauthorization of the Elementary and Secondary Education Act, but it misdiagnoses the problem of the status quo. Our education system needs to be reformed, not in spite of excessive Federal control but because of it. The A-

PLUS Act recognizes this fact, and it takes critical steps to rebuild our education policy around it.

I urge my colleagues to support the A-PLUS amendment. The success of America's children depends upon it.

I thank my friend and distinguished colleague from Montana and yield my time back to him.

The PRESIDING OFFICER. The Senator from Montana.

Mr. DAINES. I thank the Senator from Utah for his remarks and his insights to empower schools, parents, and States to have more control over their children's future through education. This measure will help expand local control of our schools. It will return Federal education dollars to where they belong; that is, close to the classrooms.

Just before I came down to the floor to speak, I was in my office with some high school students from Montana from communities like St. Regis, Hobson, Missoula, Clyde Park, Stevensville. They are the bright future of our State. As I chatted with them about this amendment, they, too, agreed that by shifting control back to the States, to the local school boards, to the parents, that individual and effective solutions can be created to address the multitude of unique challenges facing our schools and our students across the country. Through these laboratories of democracy, Americans can watch and learn how students can benefit when innovative reforms are implemented at the local level.

I thank my colleagues, and I urge my Senate colleagues to join us in empowering our schools to serve their students, not DC bureaucrats, and support this important amendment.

I yield back.

The PRESIDING OFFICER (Mrs. FISCHER). The Senator from Tennessee. AMENDMENTS NOS. 2147 AND 2121 TO AMENDMENT NO. 2089

Mr. ALEXANDER. Madam President, I ask to set aside the pending amendment to call up the following amendments en bloc: Portman amendment No. 2147 and Heller amendment No. 2121.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Tennessee [Mr. ALEXANDER] proposes amendments en bloc numbered 2147 and 2121 to amendment No. 2089.

Mr. ALEXANDER. Madam President, I ask unanimous consent that the reading of the amendments be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments are as follows:

#### AMENDMENT NO. 2147

(Purpose: To promote recovery support services for students)

On page 422, line 22, insert "recovery support services," after "referral."

On page 439, line 16, insert "recovery support services," after "mentoring."

#### AMENDMENT NO. 2121

(Purpose: To ensure timely and meaningful consultation between State educational agencies and Governors in the development of State plans under titles I and II and section 9302)

On page 800, between lines 17 and 18, insert the following:

#### SEC. 9115A. CONSULTATION WITH THE GOVERNOR.

Subpart 2 of part F of title IX (20 U.S.C. 7901 et seq.), as amended by sections 4001(3), 9114, and 9115, and redesignated by section 9106(1), is further amended by adding at the end the following:

#### "SEC. 9540. CONSULTATION WITH THE GOVERNOR.

"(a) IN GENERAL.—A State educational agency shall consult in a timely and meaningful manner with the Governor, or appropriate officials from the Governor's office, in the development of State plans under titles I and II and section 9302.

"(b) TIMING.—The consultation described in subsection (a) shall include meetings of officials from the State educational agency and the Governor's office and shall occur—

"(1) during the development of such plan; and

"(2) prior to submission of the plan to the Secretary.

"(c) JOINT SIGNATURE AUTHORITY.—A Governor shall have 30 days prior to the State educational agency submitting the State plan under title I or II or section 9302 to the Secretary to sign such plan. If the Governor has not signed the plan within 30 days of delivery by the State educational agency to the Governor, the State educational agency shall submit the plan to the Secretary without such signature."

The PRESIDING OFFICER. The Senator from Washington.

#### AMENDMENTS NOS. 2120, 2099, 2103, 2096, AND 2087 TO AMENDMENT NO. 2089

Mrs. MURRAY. Madam President, I ask to set aside the pending amendment in order to call up the following amendments en bloc as provided for under the previous order and ask that they be reported by number: Warren No. 2120, Brown No. 2099, Manchin No. 2103, Kaine No. 2096, and Feinstein No. 2087.

The PRESIDING OFFICER. The clerk will report the amendments by number.

The legislative clerk read as follows:

The Senator from Washington [Mrs. MURRAY] proposes amendments en bloc numbered 2120, 2099, 2103, 2096, and 2087 to amendment No. 2089.

The amendments are as follows:

#### AMENDMENT NO. 2120

(Purpose: To amend section 1111(d) of the Elementary and Secondary Education Act of 1965 regarding the cross-tabulation of student data)

On page 75, strike line 1 and all that follows through line 4 on page 76 and insert the following:

"(iii) TECHNICAL ASSISTANCE.—Upon request by a State or local educational agency, the Secretary shall provide technical assistance to States and local educational agencies in collecting, cross-tabulating, or disaggregating data in order to meet the requirements of this paragraph.

"(C) MINIMUM REQUIREMENTS.—Each State report card required under this subsection shall include the following information:

"(i) A clear and concise description of the State's accountability system under subsection (b)(3), including the goals for all students and for each of the categories of students, as defined in subsection (b)(3)(A), the indicators used in the accountability system to evaluate school performance described in subsection (b)(3)(B), and the weights of the indicators used in the accountability system to evaluate school performance.

"(ii) Information on student achievement on the academic assessments described in subsection (b)(2) at each level of achievement, as determined by the State under subsection (b)(1), for all students and disaggregated and cross-tabulated in accordance with the following:

"(I) Such information shall be disaggregated by each category of students described in subsection (b)(2)(B)(xi), homeless status, and status as a child in foster care and, within each category of students described in subsection (b)(2)(B)(xi), cross-tabulated by—

"(aa) each major racial and ethnic group, gender, English proficiency, and children with or without disabilities; and

"(bb) any other category of students that the State chooses to include.

"(II) The disaggregation or cross-tabulation for a category described in subclause (I) shall not be required in a case in which the number of students in the category is insufficient to yield statistically reliable information or the results of such disaggregation or cross-tabulation would reveal personally identifiable information about an individual student.

"(iii) For all students and disaggregated by each category of students described in subsection (b)(2)(B)(xi), the percentage of students assessed and not assessed.

"(iv)(I) For all students, and disaggregated and cross-tabulated in accordance with subclauses (II) and (III)—

"(aa) information on the performance on the other academic indicator under subsection (b)(3)(B)(ii)(II)(aa) used by the State in the State accountability system; and

"(bb) high school graduation rates, including 4-year adjusted cohort graduation rates and, at the State's discretion, extended-year adjusted cohort graduation rates.

"(II) The information described in subclause (I) shall be disaggregated by each of the categories of students, as defined in subsection (b)(3)(A), and, within each such disaggregation category, cross-tabulated by—

"(aa) each major racial and ethnic group, gender, English proficiency, and children with or without disabilities; and

"(bb) any other category of students that the State chooses to include.

"(III) The disaggregation or cross-tabulation for a category described in subclause (II) shall not be required in a case in which the number of students in the category is insufficient to yield statistically reliable information or the results of such disaggregation or cross-tabulation would reveal personally identifiable information about an individual student.

On page 89, between lines 5 and 6, insert the following:

#### "(5) CROSS-TABULATION PROVISIONS.—

"(A) CROSS-TABULATION DATA NOT USED FOR ACCOUNTABILITY.—Nothing in this subsection shall be construed to require groups of students obtained by cross-tabulating data under this subsection to be considered categories of students under subsection (b)(3)(A) for purposes of the State accountability system under subsection (b)(3) or section 1114.



“(B) CROSS-TABULATED DATA IMPLEMENTATION.—Information obtained by cross-tabulating data under this subsection shall be widely accessible to the public in accordance with paragraph (1)(B)(i)(III) and, upon request, by any additional public means that the State determines.

## AMENDMENT NO. 2099

(Purpose: To amend part A of title IV of the Elementary and Secondary Education Act of 1965 to allow funds provided under such part to be used for a site resource coordinator)

On page 447, between lines 16 and 17, insert the following:

“(X) designating a site resource coordinator at a school or local educational agency to provide a variety of services, such as—

“(i) establishing partnerships within the community to provide resources and support for schools;

“(ii) ensuring all service and community partners are aligned with the academic expectations of a community school in order to improve student success; and

“(iii) strengthening relationships between schools and communities; and

## AMENDMENT NO. 2103

(Purpose: To enable local educational agencies to use funds under part A of title IV of the Elementary and Secondary Education Act of 1965 for programs and activities that promote volunteerism and community service)

On page 444, strike line 2 and insert the following:

school; or

“(iii) promote volunteerism and community service;”.

## AMENDMENT NO. 2096

(Purpose: To add career and technical education as a core academic subject)

On page 759, line 3, insert “career and technical education,” after “music.”.

## AMENDMENT NO. 2087

(Purpose: To provide for additional means of certifying children, youth, parents, and families as homeless)

On page 813, line 8, insert before the semicolon the following: “, and provide training on the definitions of terms related to homelessness specified in sections 103, 401, and 725 to the personnel (including personnel of preschool and early childhood education programs provided through the local educational agency) and the liaison”.

On page 827, strike line 22 and insert the following:

“(E) CERTIFYING HOMELESS STATUS.—A local educational agency liaison or member of the personnel of a local educational agency who receives training described in subsection (f)(6) may certify a child or youth who is participating in a program provided by the local educational agency, or a parent or family of such a child or youth, who meets the eligibility requirements of this Act for a program or service authorized under title IV, as eligible for the program or service.”; and

Mrs. MURRAY. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WYDEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Oregon.

(The remarks of Mr. WYDEN pertaining to the introduction of S. 1740 are printed in today's RECORD under “Statements on Introduced Bills and Joint Resolutions.”)

Mr. WYDEN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## AMENDMENT NO. 2110

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate prior to a vote in relation to amendment No. 2110, offered by the Senator from Montana, Mr. DAINES, which is subject to a 60-affirmative-vote threshold for adoption.

The Senator from Montana.

Mr. DAINES. Madam President, the academic partnerships lead us to success amendment—also called A-PLUS—gives States greater flexibility in allocating Federal education funding and ensuring academic achievement. Here is what it does. States would be allowed to obtain Federal education funding in the form of block grants. States would submit a declaration of intent to the Department of Education to consolidate Federal education programs and funding and redirect sources toward State-directed education reform initiatives. What this does is allow State and local leaders to exercise greater control over the use of Federal education funds to address the needs of local students and target scarce resources to areas of highest need.

I ask my Senate colleagues to join me in empowering our schools to serve their students, not DC Democrats, and support this important amendment.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, this amendment is well-intentioned, unnecessary, won't pass, and undermines the bipartisan agreement we reached to try to move in exactly the direction the Senator from Montana suggested. In addition, the House of Representatives rejected it last night.

I recommend instead that my friends who want more local control of the

schools vote for our bipartisan agreement, which ends the common core mandate, ends waivers in 42 States, reverses the trend of national school boards, and which, in my opinion, would be the biggest step toward restoring local control to public schools in the last 25 years.

I urge a “no” vote on a well-intentioned, unnecessary idea which won't become law and which might help undermine the bipartisan proposal that has a very good chance of becoming law.

Madam President, I ask unanimous consent that the votes following the first vote in this series be 10 minutes in length.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment.

Mr. ALEXANDER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Maine (Mr. KING) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 44, nays 54, as follows:

## [Rollcall Vote No. 226 Leg.]

## YEAS—44

Ayotte	Flake	Perdue
Barrasso	Gardner	Risch
Blunt	Graham	Roberts
Boozman	Grassley	Rounds
Burr	Heller	Sasse
Cassidy	Hoeven	Scott
Coats	Inhofe	Sessions
Cornyn	Isakson	Shelby
Cotton	Johnson	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tillis
Daines	McCain	Toomey
Enzi	McConnell	Vitter
Ernst	Moran	Wicker
Fischer	Paul	

## NAYS—54

Alexander	Feinstein	Murphy
Baldwin	Franken	Murray
Bennet	Gillibrand	Nelson
Blumenthal	Hatch	Peters
Booker	Heinrich	Portman
Boxer	Heitkamp	Reed
Brown	Hirono	Reid
Cantwell	Kaine	Sanders
Capito	Kirk	Schatz
Cardin	Klobuchar	Schumer
Carper	Leahy	Shaheen
Casey	Manchin	Stabenow
Cochran	Markey	Tester
Collins	McCaskill	Udall
Coons	Menendez	Warner
Corker	Merkley	Warren
Donnelly	Mikulski	Whitehouse
Durbin	Murkowski	Wyden

## NOT VOTING—2

King  
Rubio

The PRESIDING OFFICER. Under the previous order requiring 60 votes



for the adoption of this amendment, the amendment is rejected.

The Senator from Tennessee.

AMENDMENT NO. 2120

Mr. ALEXANDER. Madam President, if I could have the attention of Senators, I ask unanimous consent that the order relating to the Warren amendment be vitiated and the amendment remain pending while Senator MURRAY and I work with Senator WARREN on the language in the bill.

So we won't be voting on the Warren amendment today, but it will remain pending. That leaves votes on two amendments: Senator BROWN's amendment and Senator TOOMEY's amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 2099

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 2099, offered by the Senator from Washington, Mrs. MURRAY, for Mr. BROWN.

The Senator from Washington.

Mrs. MURRAY. Madam President, I know Senator BROWN is on his way. But I just want to let Senators know that too often our Nation's students show up to school hungry or lacking adequate school supplies. Many of our teachers, as we know, are really struggling to provide students with an education, while they are also dealing with the compounding problems brought on by poverty.

Site resource coordinators, which this amendment addresses, operate through a community school model, are able to bolster the number of resources in schools, and increase the number of services offered to students and their families.

So what this amendment does is that it would further that goal by allowing title IV funds to be used for site coordinators.

I thank Senator BROWN for offering this amendment.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I remind Senators that this and the next vote are 10-minute votes.

The PRESIDING OFFICER. Who yields time?

Mr. ALEXANDER. I yield back the time.

Mrs. MURRAY. I yield back the time. The PRESIDING OFFICER. Is there objection?

Without objection, all time is yielded back.

The question occurs on agreeing to the amendment.

Mr. ALEXANDER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Maine (Mr. KING) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 227 Leg.]

YEAS—98

Alexander	Fischer	Murray
Ayotte	Flake	Nelson
Baldwin	Franken	Paul
Barrasso	Gardner	Perdue
Bennet	Gillibrand	Peters
Blumenthal	Graham	Portman
Blunt	Grassley	Reed
Booker	Hatch	Reid
Boozman	Heinrich	Risch
Boxer	Heitkamp	Roberts
Brown	Heller	Rounds
Burr	Hirono	Sanders
Cantwell	Hoeven	Sasse
Capito	Inhofe	Schatz
Cardin	Isakson	Schumer
Carper	Johnson	Scott
Casey	Kaine	Sessions
Cassidy	Kirk	Shaheen
Coats	Klobuchar	Shelby
Cochran	Lankford	Stabenow
Collins	Leahy	Sullivan
Coons	Lee	Tester
Corker	Manchin	Thune
Cornyn	Markey	Tillis
Cotton	McCain	Toomey
Crapo	McCaskill	Udall
Cruz	McConnell	Vitter
Daines	Menendez	Warner
Donnelly	Merkley	Warren
Durbin	Mikulski	Whitehouse
Enzi	Moran	Wicker
Ernst	Murkowski	Wyden
Feinstein	Murphy	

NOT VOTING—2

King Rubio

The amendment (No. 2099) was agreed to.

AMENDMENT NO. 2094, AS MODIFIED

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 2094, as modified, offered by the Senator from Pennsylvania, Mr. TOOMEY.

The Senator from Pennsylvania.

Mr. TOOMEY. Madam President, this amendment is really very simple. It is designed to protect children from sexual predators. We know we have a problem because every year we arrest hundreds of school employees across the country for the sexual abuse of children who are supposed to be in their care.

This measure will help that problem by a very simple requirement that States pass legislation to prohibit knowingly recommending for hire a teacher who has abused children. This is common sense.

I am very grateful to my colleagues for helping us get here, especially Senator MANCHIN. He has been a great partner in this effort for a long time now. I want to thank Senator ALEX-

ANDER and Senator MURRAY for their work in helping us find the common ground that could get to a great bipartisan solution for a real problem.

I yield to the Senator from West Virginia.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Madam President, I appreciate the hard work Senator TOOMEY has put in. Our staffs have worked together. I wish to thank Chairman ALEXANDER and Ranking Member MURRAY for their hard work on this. This young man from West Virginia, Jeremy Bell, was the victim of a crime that was preventable if we had known. We did not know. This person who basically was a predator was passed down to West Virginia without West Virginia having any knowledge at all. This will prevent this from happening anywhere in the country.

I urge all of my colleagues to please support this piece of legislation. This amendment is most reasonable. It will protect your children.

Mr. ALEXANDER. Madam President, I ask for 30 seconds for Senator MURRAY and me to make a brief comment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. I want to thank the Senator from Pennsylvania and the Senator from West Virginia for working with Senator MURRAY and me and others to come to a conclusion on this. They feel passionately about it. They have worked hard on it. They deserve credit for that. I am glad to be a co-sponsor of it, and I plan to vote for it.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, I join with the chairman in thanking the Senators from Pennsylvania and West Virginia and for working with our staffs to create this new version. I think this amendment gets at a real problem by ensuring that suspected abusers do not transfer to other States and districts. It is a positive step. I urge its adoption.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified.

Mr. MANCHIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Maine (Mr. KING) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 228 Leg.]

## YEAS—98

Alexander	Fischer	Murray
Ayotte	Flake	Nelson
Baldwin	Franken	Paul
Barrasso	Gardner	Perdue
Bennet	Gillibrand	Peters
Blumenthal	Graham	Portman
Blunt	Grassley	Reed
Booker	Hatch	Reid
Boozman	Heinrich	Risch
Boxer	Heitkamp	Roberts
Brown	Heller	Rounds
Burr	Hirono	Sanders
Cantwell	Hoeven	Sasse
Capito	Inhofe	Schatz
Cardin	Isakson	Schumer
Carper	Johnson	Scott
Casey	Kaine	Sessions
Cassidy	Kirk	Shaheen
Coats	Klobuchar	Shelby
Cochran	Lankford	Stabenow
Collins	Leahy	Sullivan
Coons	Lee	Tester
Corker	Manchin	Thune
Cornyn	Markey	Tillis
Cotton	McCain	Toomey
Crapo	McCasikill	Udall
Cruz	McConnell	Vitter
Daines	Menendez	Warner
Donnelly	Merkley	Warren
Durbin	Mikulski	Whitehouse
Enzi	Moran	Wicker
Ernst	Murkowski	Wyden
Feinstein	Murphy	

## NOT VOTING—2

King                      Rubio

The amendment (No. 2094), as modified, was agreed to.

## AMENDMENT NO. 2147

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate, equally divided, prior to a vote in relation to amendment No. 2147, offered by the Senator from Tennessee, Mr. ALEXANDER, for Mr. PORTMAN.

The Senator from Washington.

Mrs. MURRAY. Madam President, I ask unanimous consent that the Senator from Virginia be given 1 minute and the Senator from California be given 1 minute to speak prior to the five voice votes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Virginia.

## AMENDMENT NO. 2096

Mr. KAINE. Madam President, I rise to speak on amendment No. 2096.

CTE is a core academic subject. I grew up working in my dad's iron-working and welding shop. I ran a school that taught kids to be carpenters and welders in Honduras many years ago, and what I learned is that high-quality technical education is an important part of the educational spectrum. We downgraded it for a number of years, but there is a renaissance now.

What my amendment would do is it would go into the current Federal law and specify that career and technical education programs are core curricula. Originally, English, math, and science were. This bill broadens what is a core curriculum to include computer science and foreign languages. This amendment would make plain that

high-quality career and technical education is a core academic subject.

I wish to thank Senators AYOTTE, MERKLEY, SCOTT, BALDWIN, and WARNER as cosponsor. I also thank the chairman and ranking member for bringing this bipartisan bill to the floor.

This is commonsense and bipartisan. I hope it will pass.

The PRESIDING OFFICER. The Senator from California.

## AMENDMENT NO. 2087

Mrs. FEINSTEIN. Madam President, I rise to speak on amendment No. 2087. It is pretty simple what this amendment would do, and I present it on behalf of Senator PORTMAN and myself. It assures that homeless children have access to HUD housing.

Today, we have 1.3 million children homeless in this country. In my State, we have 310,000. The problem is getting a clear definition of an individual who is homeless. This bill would allow the appropriate authorities in a school to certify that a youngster is homeless, so we don't have a conflict between the HUD certification and the school certification. It is long overdue. I believe it will be helpful. I am very hopeful this amendment will pass with a very big vote.

I thank the Chair, and I thank Senator PORTMAN.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. I yield back our remaining debate time on the final amendments.

The PRESIDING OFFICER. All Democratic debate time is yielded back.

Mr. ALEXANDER. Madam President, I yield back all Republican time.

The PRESIDING OFFICER. All time is yielded back.

## VOTE ON AMENDMENT NO. 2147

The question is on agreeing to amendment No. 2147.

The amendment (No. 2147) was agreed to.

## VOTE ON AMENDMENT NO. 2103

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2103.

The amendment (No. 2103) was agreed to.

## VOTE ON AMENDMENT NO. 2096

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2096.

The amendment (No. 2096) was agreed to.

## VOTE ON AMENDMENT NO. 2121

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2121.

The amendment (No. 2121) was agreed to.

## VOTE ON AMENDMENT NO. 2087

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2087.

The amendment (No. 2087) was agreed to.

## VOTE ON AMENDMENT NO. 2079

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2079.

The amendment (No. 2079) was agreed to.

The PRESIDING OFFICER. The majority leader.

## NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2016

Mr. MCCONNELL. Madam President, I ask that the Chair lay before the Senate the House message accompanying H.R. 1735.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the House disagree to the amendment of the Senate to the bill (H.R. 1735) entitled "An Act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes," and ask a conference with the Senate on the disagreeing votes of the two Houses thereon.

## COMPOUND MOTION

Mr. MCCONNELL. I move to insist upon the Senate amendment, agree to the request by the House for a conference, and authorize the Presiding Officer to appoint conferees.

The PRESIDING OFFICER. The motion is pending.

## CLOTURE MOTION

Mr. MCCONNELL. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to insist upon the Senate amendment, agree to the request by the House for a conference, and authorize the Presiding Officer to appoint conferees with respect to H.R. 1735.

Mitch McConnell, John McCain, Richard C. Shelby, Jeff Flake, John Barrasso, John Cornyn, Mike Rounds, Jeff Sessions, Shelley Moore Capito, Lamar Alexander, Lindsey Graham, Joni Ernst, John Hoeven, Roger F. Wicker, Kelly Ayotte, Richard Burr, Thom Tillis.

## ORDER OF PROCEDURE

Mr. MCCONNELL. I ask unanimous consent that notwithstanding rule XXVIII, that the time until 1:45 p.m. today be divided between the managers or their designees and that at 1:45 p.m., all postcloture time be expired and that the Senate vote on the motion to invoke cloture on the motion to insist upon the Senate amendment, agree to

the request by the House for a conference, and authorize the Chair to appoint conferees with respect to H.R. 1735; further, if the compound motion is agreed to, Senator REED of Rhode Island or his designee be immediately recognized to offer a motion to instruct the conferees; and that there be 2 minutes of debate equally divided on that motion, and following the disposition of that motion, the Senate resume consideration of S. 1177.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Louisiana.

#### SANCTUARY CITIES

Mr. VITTER. Madam President, I rise to discuss the very significant issue of sanctuary cities.

Obviously, we have all been startled and saddened by the horrific murder in San Francisco that is a direct result of San Francisco's sanctuary city policy. As a result, I will be filing an amendment today on this bill to address sanctuary city policy.

This is not a new idea for me. It is not a new issue. I have had legislation on this topic since 2009. I have tried to get the attention of the U.S. Senate and the attention of others on this topic numerous times since then. I have only been able to get one vote on an appropriations bill. Unfortunately, my amendment to try to end sanctuary city policy around the country was tabled, with every Democrat, sadly, voting to table the amendment, except my then-Democratic colleague Senator Mary Landrieu.

I hope the very tragic murder of Kathryn Steinle in San Francisco—a wonderful 32-year-old woman—gets all of our attention and causes all of us to focus on this very serious issue. As we all know, her murderer was an illegal alien who was deported five times previously. As we all know, he was an illegal alien who was convicted of felonies seven times previously. As we all know, it is because of San Francisco's sanctuary city law, defying Federal law, that caused local police officials there not to cooperate with U.S. Immigration and Customs Enforcement officials to hold this dangerous criminal for further deportation proceedings.

Obviously, there are a lot of things wrong with our immigration system that this case illustrates. The fact that he could come back into the country so many times, having been deported, is a real red flag. But certainly this also underscores the truly dangerous nature of sanctuary cities policy.

Unfortunately, San Francisco is not alone in promoting this ridiculous policy. There are over 200 cities now that defy Federal law and provide this safe haven to illegal immigrants, including very dangerous illegal immigrants such as the murderer of Kathryn Steinle. For years, leaders in this city have argued that providing such a sanctuary

assists local law enforcement in doing their job. Really? Really? We are going to look at this case in San Francisco and keep up those ridiculous arguments? Let's get real. Let's call these policies to a halt. They are contrary to existing Federal law, but the problem is we have never put teeth in that existing Federal law. It is absolutely time we did so.

This horrible murder in San Francisco isn't the only one of its kind. Just last week, an 18-year-old girl and her 4-year-old son were found shot and burned in their car. Right now, the top suspect is the woman's boyfriend, an illegal immigrant who was deported in 2014, who illegally reentered the country. In my home State of Louisiana, we have identified serious felons who have been released from jail and are now free to roam in Louisiana. We know of these cases.

Now, I hope this recent incident in San Francisco does get some folks' attention. There is hopeful evidence about this. In a statement following the shooting, Hillary Clinton said that any city should listen to the Department of Homeland Security and fully cooperate with their law enforcement and deportation work. Even before the incident in a hearing before the House Oversight and Government Reform Committee, the Director of Immigration and Customs Enforcement Sarah Saldana described the adverse effects of sanctuary city policy. She said that a significant factor affecting efforts to deport illegal immigrants "has been the increase in state and local jurisdictions that are limiting their partnership, or wholly refusing to cooperate with ICE immigration enforcement efforts. . . . [I]n certain circumstances we believe such a lack of cooperation may increase the risk that dangerous criminals are returned to the streets, putting the public and our officers at greater risk."

Well, yes, we saw the direct result of that dangerous, reckless sanctuary city policy in San Francisco recently.

Right now there are nearly 170,000 convicted criminal aliens who have been ordered deported who remain at large in our country. The question for sanctuary cities is, Are they going to continue to protect those people or are they going to finally cooperate with immigration enforcement officials to do something about rounding up those people, not allowing them to roam on our streets?

We need to change our stance that allows sanctuary cities to get away with being accessories to murder. Let me repeat that. They are getting away with being accessories to murder, and we need to put an end to that.

My legislation, first introduced in 2009, would do that by putting real teeth in Federal law, which does not exist now. My amendment on this bill, which I will be filing today, would do

that by putting real teeth into Federal law, which does not exist now. We need to take this up and we need to do something to shut down over 200 sanctuary cities around the country that are clearly endangering the lives and well-being of American citizens.

I urge all of my colleagues to come together to support this commonsense policy. We need to act. The tragic events in San Francisco prove that we need to act.

Six years and waiting on this commonsense proposal from me and others is 6 years and waiting way too long. We need to act now. I urge all of our colleagues to join me and others in doing so.

Thank you, Madam President. I yield the floor.

The PRESIDING OFFICER (Mrs. ERNST). The Senator from Rhode Island.

Mr. REED. Madam President, as the Republican leader indicated pursuant to unanimous consent, I will shortly be offering a motion to instruct conferees on the fiscal year 2016 National Defense Authorization Act regarding the inappropriate use of overseas contingency operations funding in this bill.

The motion to instruct I am offering today directs the NDAA conferees to "insist that the final conference report fully fund the President's budget request for the Department of Defense, including \$534.3 billion in base budget funding and \$50.9 billion in Overseas Contingency Operations or OCO budget funding, thereby supporting the bipartisan view that the funding caps imposed by the Budget Control Act of 2011 should be eliminated or increased in proportionally equal amounts for the revised security and nonsecurity spending categories."

This motion to instruct is consistent with the President's fiscal year 2016 budget request for defense, which assumed a resolution to the Budget Control Act, or BCA, dilemma that we have been trying to address. If this BCA situation is resolved, we can remove the threat of sequestration on both the defense and domestic spending. Unfortunately, the bill had to rely upon a budgetary—and it has been described by many people—gimmick by transferring \$39 billion from the base budget request for enduring military requirements to the OCO budget, leaving a base budget that is just below BCA levels in order to avoid triggering sequestration.

In the absence of a resolution to the spending caps in the BCA, the administration has stated that any legislation that contributes to locking in massive cuts to nondefense departments and agencies—such as this one—will be subject to a veto.

Now one of my concerns is, when we use this device or gimmick this year, it will pave the way to use it next year and the following year and year after

that. So we will have this enduring imbalance between security spending in the Department of Defense and non-security spending in non-Defense Department agencies and a full range of governmental spending. Abusing OCO is completely contrary to the intent of BCA. The BCA was designed to impose proportionately equal cuts on defense and nondefense discretionary spending to force a bipartisan compromise. This approach unilaterally reneges on that bipartisan agreement.

OCO and emergency funding are outside the budget caps for a reason. They are for the costs of ongoing military operations and to respond to other unforeseen events like natural disasters. To suddenly ignore the true purpose of OCO and treat it as a budgetary device or slush fund to skirt the BCA is an unacceptable use for this important tool for our warfighters.

Just to highlight how this OCO gimmick skews defense spending, consider the amount of OCO in relation to the number of deployed troops. Most Americans have a very commonsense approach. If we have lots of troops engaged in operations overseas in Afghanistan, Iraq, and elsewhere, then we need lots of OCO funding as well. In 2008—the height of our nation's troops in Iraq and Afghanistan, over 187,000 troops deployed—we spent approximately \$1 million in OCO per troop. Under this bill, we would spend approximately \$9 million in OCO for each of our deployed troops in Iraq and Afghanistan.

Simply put, this approach, which circumvents the spirit of the law, is not fiscally responsible or an honest accounting nor is it consistent with the notion of why we created OCO in the first place, to support troops overseas engaged in overseas operations.

There is another point. True national security requires that non-DOD departments and agencies also receive relief from BCA caps. The Pentagon simply cannot meet the complex set of national security challenges without the help of other governmental departments and agencies, including State, Justice, and Homeland Security. In the Armed Services Committee, we heard testimony on the essential role of other government agencies in ensuring our national defense remains strong. The Department of Defense's share of the burden would surely grow if these agencies are not funded adequately.

The BCA caps are based on a misnomer that discretionary spending is neatly divided into security and non-security spending. Let's be clear, essential national security functions are performed by governmental agencies other than the Department of Defense. As retired Marine Corps General Mattis said, "If you don't fund the State Department fully, then I need to buy more ammunition."

With regard to the threat from the so-called Islamic State of Iraq and the

Levant, or ISIL, Secretary of Defense Carter told the Armed Services Committee on Tuesday that "the State Department, the Department of Homeland Security, other agencies that are critical to protecting us against ISIL and other threats, they need resources too. And so that's another reason why I appeal for an overall budget perspective. . . . I really appeal for that, not just for my own department, but for the rest of the national security establishment, I think it's critical."

According to a poll earlier this year, 83 percent of Americans think ISIL is the No. 1 threat to the United States. It is notable that of the administration's nine lines of effort to counter ISIL, only two, the security and intelligence efforts, reside within the responsibilities of the Department of Defense and intelligence community. The remaining seven elements for our counter-ISIL strategy rely heavily on our civilian departments and agencies.

For example, supporting effective governance in Iraq. We need our diplomatic as well as political experts at the State Department to engage with Sunni, Shia, Kurd, and minority communities in Iraq to promote reconciliation in Iraq and build political unity among the Iraqi people.

Building partner capacity. The coalition is building the capabilities and capacity of our foreign partners in the region to wage a long-term campaign against ISIL, much of what is being carried out by the State Department and USAID.

Disrupting ISIL's finances requires the State Department and Treasury Department to work with their foreign partners and the banking sector to ensure that our counter-ISIL sanctions regime is implemented and enforced.

Exposing ISIL's true nature. Our strategic communications campaign requires a truly whole-of-government effort, including the State Department, Voice of America, USAID, and others. The Republican approach to funding our strategic communications strategy is a part-of-government plan, not a whole-of-government plan, unless we recognize that we have to make adjustments in the BCA caps for every agency in the government.

Another aspect is disrupting the flow of foreign fighters. These foreign fighters are the lifeblood of ISIL. Yet the State Department and key components of the Department of Homeland Security are facing severe cuts, undermining ongoing work with partner nations to disrupt the flow of foreign fighters to Syria and Iraq and to protect our borders here at home.

The sixth line, protecting the homeland. The vast majority of the Department of Homeland Security falls under nonsecurity BCA caps. This further demonstrates that the Republican plan is a misnomer, a gimmick, and an effort to play a game of smoke and mir-

rors with the American people. They are very critical to our security here at home. Yet they are in that "non-defense" part of the budget.

Humanitarian support is critical. It is even more critical as you look at the papers and see there is a huge number of people coming out of Syria. Military commanders will routinely tell you that the efforts of the State Department, USAID, the Office of Foreign Disaster Assistance is critical to our campaign, none of which are considered security activities under the Budget Control Act.

Taken together, this proposal, which is embedded in the underlying legislation, could compromise our broader campaign against ISIL and deprive significant elements of our government of the resources we need to do the job of protecting the American people.

In another respect, adding funds to OCO does not solve and sometimes complicates the DOD's budgetary problems. Defense budgeting needs to be based on our long-term military strategy, which requires the DOD to focus at least 5 years into the future. A 1-year plus-up to OCO does not provide DOD with the certainty and stability it needs when building its 5-year budget. As General Dempsey, Chairman of the Joint Chiefs, testified, "We need to fix the base budget . . . we won't have the certainty we need" if there is a year-by-year OCO fix.

On Tuesday, Secretary of Defense Carter told the Armed Services Committee, "It's embarrassing that we cannot, in successive years now, pull ourselves together before an overall budget approach that allows us to do what we need to do, which is . . . program in a multiyear manner, not in a one-year-at-a-time manner."

Abuse of OCO in this massive way risks undermining support for a critical mechanism used to fund the increased costs of overseas conflicts. We have to have a disciplined system for estimating the cost and funding the employment of a trained and ready force.

The men and women of our military volunteer to protect and are overseas fighting for American ideals, including good education, economic opportunity, and safe communities. Efforts to support all of these goals will be hampered unless civilian departments and agencies also receive relief from BCA caps.

Our young men and women who are sacrificing their lives overseas, not just to defeat the enemy in the field but to give opportunity for hope and a chance here at home for their brothers and sisters, for their aunts and uncles. Our servicemembers and their families rely on many of the services provided by non-DOD departments, including veterans employment services, transition assistance, housing and homeless support provided by various civilian departments and agencies, impact aid to

local school districts administered by the Department of Education, the school lunch program provided by the Department of Agriculture, lifesaving medical research on issues such as traumatic brain injury, post-traumatic stress, and suicide prevention, supported by the National Institutes of Health, health care for retirees and disabled individuals under Medicare, Medicaid services for parents, including military parents and children with special needs. All of these programs that benefit directly men and women in uniform and their families would be restricted, and I don't think that is why they are risking their lives, to see these programs that are helpful to them unnecessarily cut back.

Our national security is also inherently tied to our economic security. The President underscored this point on Monday when he said:

The reason we have the best military in the world is, first and foremost, because we have got the best troops in history, but it's also because we've got a strong economy and we've got a well-educated population and we've got an incredible research operation and universities that allow us to create new products that then can be translated into our military superiority around the world. We shortchange those, we're going to be less secure.

The NDAA has been accused of not being a funding bill. So we don't have to worry about the budgetary complications. But indeed we do. The stated purpose of the bill is to authorize appropriations for fiscal year 2016 for military activities for the Department of Defense. It is one of the few bills we do every year to directly authorize appropriations. So it is intimately tied to the appropriations, to BCA, and to all of the issues I have talked about.

Indeed, we have said—and the committee has said repeatedly—that we are authorizing money. It is not just suggesting things to do but actually providing real money to the Department of Defense. If we do that, I think we have to do it in a way that does not use this OCO exception this year—and, unfortunately, in the years to come, if we let it happen this year—but that we are transparent, clear, and we put the money in the base budget and we move forward.

I think it is clearly within the scope of the conference. That is why I will be offering this motion to instruct. Everyone I talk to, on both sides of the aisle, with very rare exception, will make an individual strident pitch that we have to fix BCA, that this is not the best approach. I heard that this morning when we had General Dunford before the committee—on both sides of the aisle: These BCA caps are not the right way to fund our national defense and not the right way to fund other elements of government.

We can disagree on funding levels, but there seems to be a strong consensus that the BCA is not working for

the benefit of the American people and we have to fix it. Yet we are not fixing it in the legislation that is before us nor are we doing things to help leverage such a discussion and to help us to come together to do what we all claim we want to do, which is to remove those arbitrary caps, avoid sequestration, and contribute to a whole-government approach—not just to national security but to economic prosperity, to educational opportunity. All of that has to be done not by using these budgetary loopholes not designed for the purpose they are being used for but by sitting down and coming up with sensible legislation.

We did it before with the great work of Senator MURRAY and Congressman PAUL RYAN, and we have to do it again. So I will urge my colleagues to vote in favor, obviously, when this comes up—this motion to instruct—so we send the right message to our conference.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. May I ask, is the Senate in morning business?

The PRESIDING OFFICER. The Senate is on the message to accompany H.R. 1735.

Mr. COATS. Madam President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### WASTEFUL SPENDING

Mr. COATS. Madam President, I come down here every week, as the Presiding Officer knows. She is usually in the chair when I am here, listening to my "Waste of the Week". I am a little bit later this week than I normally am. But the issue of waste, fraud, and abuse in the Federal Government continues. We have covered a lot of ground on serious issues such as tax fraud and misplaced death records, to the more absurd, such as the federally funded rabbit massages and marketing support for pumpkin doughnuts. Each of those has a pricetag. That pricetag is paid for by the American taxpayer.

I am happy today to be able to announce that one of the items which I highlighted in a previous "Waste of the Week" speech has been addressed. In May, my 11th "Waste of the Week" speech examined ways to improve compliance measures for higher education tax benefits. I outlined how Congress can fix this problem to achieve \$576 million in taxpayer savings.

So that is a former "Waste of the Week". It is a great benefit to universities, colleges, and educational institutions across the country because previous laws required them to provide information even when those applying for the particular aid refused to provide certain information. It created a nightmare of paperwork and a nightmare of compliance for those colleges and universities.

So that provision that we brought forward was incorporated into law that has now been passed, signed by the President, and is operative. We not only have saved the taxpayer \$576 million, but we have provided universities relief from an unnecessary procedure that consumed an extraordinary amount of time.

Today I want to talk about software licenses. The Federal Government needs to purchase literally millions of these licenses. In order to get the IT, the information technology, working right you have to have the right equipment. In fact, the government spent \$80 billion last year on information technology, including these software licenses.

Now, the Office of Management and Budget and the 24 Federal agencies that are covered by the Chief Financial Officers Act of 1990 have very key roles and responsibilities for overseeing IT investment management. Federal law places responsibility for managing investment with the heads of these agencies and establishes chief information officers to advise and assist agency heads in carrying out this responsibility.

Now, there are two Executive orders that have been issued that provide information for these Federal agencies regarding the management of how they go about procuring and managing these software licenses. Executive Order No. 13103 specifies that agencies must adopt procedures to ensure that they are not using this computer software in violation of copyright laws.

Additionally, Executive Order No. 13589 states that agencies must ensure that they are not paying for unused or underutilized IT equipment, software, and services.

Now, the Government Accountability Office has conducted a study, an evaluation of how well this is being managed and implemented. What they found is that in many, many cases it is not happening. Specifically, the Government Accountability Office found that the Office of Management and Budget and the vast majority of Federal agencies lacked adequate policies for managing their software licenses. Of the 24 major Federal agencies that I mentioned before, only 2—only 2 out of 24—had comprehensive policies that included the establishment of clear roles and central oversight authority by managing enterprise software license agreements.

Only 2 out of 24 have lived up to their requirement to manage in the way that these executive orders have ordered. An additional 18 agencies had some type of policy in place, but the Government Accountability Office determined that this simply was not comprehensive enough and effective enough. Four agencies were found to have no policy at all. They totally ignored the mandates of the executive orders.

So these weaknesses in the system result from principally a lack of priority in establishing software license management. Now, this is kind of a technical thing. I certainly admit that I am not fully comprehensive in terms of how all of this IT stuff needs to work. But we hire people who are talented and have the skills necessary to oversee this kind of management. Now, the key here is that the result of not effectively managing this has racked up a cost estimated at \$10 billion over a 10-year period of time.

So this is just complying with the executive orders, complying with the procedures that are done by every business in America. But the Federal Government has not complied with the necessary steps to achieve the right kind of management and oversight, and that is costing the taxpayer up to \$10 billion. So today we add more to our ever-increasing amount of waste, fraud, and abuse that has been found within the Federal system, and we are moving toward our goal of \$100 billion.

There will be more "Wastes of the Week" in the future. We hope to reach that \$100 billion before we leave here for the August recess, with 3 more weeks before that happens. We are way ahead of schedule. We had hoped to reach the \$100 billion by the end of this Congress. But we have determined and found so many examples of waste, fraud, and abuse, that our gauge is climbing much faster than we thought it would.

Look, we have major fiscal problems in this country. It is going to take major decisions relative to how we structure how we spend taxpayers' money. We have had numerous efforts to deal with this in a macro way. All of those have come up short. While I was engaged in all of that before, I have turned my attention to this: Let's see at least if we cannot find savings for the taxpayer in the areas of waste, fraud, and abuse, and document it.

I am pleased, as I said at the beginning of my remarks, that one of those has just been implemented, saving the taxpayers \$576 million and saving our colleges and universities and institutions of higher education from a nightmare of paperwork and compliance requirements that they will no longer have to engage in. So we will continue. We will do serious issues. We will look at some absurd things that cause people to say: Why in the world would we ever spend that money in the first place? It is just not responsible leadership and governing.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COATS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COATS. Madam President, I ask unanimous consent that the remaining time under the current order be divided equally between both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COATS. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCAIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Madam President, I ask unanimous consent that the mandatory quorum call with respect to the compound motion to go to conference on H.R. 1735 be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Madam President, in just a few minutes, we are going to take a vote on a motion to instruct the conferees on the National Defense Authorization Act that would then basically—if these instructions were agreed to, would actually repeal the Budget Control Act passed by the Senate. It would be a direct repudiation of what—after many hours of debate, some amendments that were passed by the Senate and would, on an authorization bill, require budgetary and fiscal measures which are totally inappropriate.

Basically, the problem that my friends on the other side of the aisle have is that they want equal reductions. They want restoration of funding for both nondefense and defense that is forced by the Budget Control Act.

This legislation that is before the body, which is authorized according to the Budget Control Act—and if the instructions to the conferees were enacted, which is before the body now, that somehow we would then be able to repudiate the Budget Control Act which was passed and we would also be dealing with funding which has nothing to do with the authorization bill.

So my friends on the other side of the aisle have a problem with OCO—the overseas contingency operations—but they are trying to change it on an authorization bill. I wish my dear friends would look at the rules of the Senate. If they have a problem with funding, that is what the appropriations bills are all about.

I urge my colleagues to reject what is obviously an unworkable and unrealistic approach to a problem that I agree is a problem. Sequestration is harming our ability to defend this Nation. But in order to defend the Budget Act—to change the budget that was passed by a majority and now is part of what guided our appropriations bills—that is where their problems should lie.

I urge my colleagues to reject these instructions to the conferees which

would basically—I do not see a way that we could possibly confer with the House after passing these kinds of instructions. So I urge a "no" vote on Mr. REED's motion to instruct the conferees concerning H.R. 1735. Basically, we would have to take approximately \$38 billion worth of authorization out of the authorization bill. So I urge a "no" vote.

And I say to my friend and colleague, the Senator from Rhode Island, whom I respect and admire and whose friendship I value, on this issue we simply disagree.

Madam President, I yield the floor.

The PRESIDING OFFICER. All time has expired.

#### CLOTURE MOTION

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to insist upon the Senate amendment, agree to the request by the House for a conference, and authorize the Presiding Officer to appoint conferees with respect to H.R. 1735.

Mitch McConnell, John McCain, Richard C. Shelby, Jeff Flake, John Barrasso, John Cornyn, Mike Rounds, Jeff Sessions, Shelley Moore Capito, Lamar Alexander, Lindsey Graham, Joni Ernst, John Hoeven, Roger F. Wicker, Kelly Ayotte, Richard Burr, Thom Tillis.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to insist upon the Senate amendment, agree to the request by the House for a conference, and authorize the Presiding Officer to appoint conferees with respect to H.R. 1735 shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Kansas (Mr. MORAN), the Senator from Florida (Mr. RUBIO), and the Senator from Nebraska (Mr. SASSE).

Further, if present and voting, the Senator from Nebraska (Mr. SASSE) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Maine (Mr. KING) is necessarily absent.

I further announce that, if present and voting, the Senator from Maine (Mr. KING) would vote "yea."

The PRESIDING OFFICER (Mr. HOEVEN). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 81, nays 15, as follows:

[Rollcall Vote No. 229 Leg.]

## YEAS—81

Alexander	Enzi	Murphy
Ayotte	Ernst	Murray
Baldwin	Feinstein	Nelson
Barrasso	Fischer	Perdue
Bennet	Flake	Peters
Blumenthal	Gardner	Portman
Blunt	Graham	Reed
Boozman	Grassley	Risch
Boxer	Hatch	Roberts
Burr	Heinrich	Rounds
Cantwell	Heitkamp	Schatz
Capito	Heller	Schumer
Cardin	Hirono	Scott
Carper	Hoeben	Sessions
Casey	Inhofe	Shaheen
Cassidy	Isakson	Shelby
Coats	Johnson	Stabenow
Cochran	Kaine	Sullivan
Collins	Kirk	Tester
Coons	Klobuchar	Thune
Corker	Lankford	Tillis
Cornyn	Lee	Toomey
Cotton	McCain	Udall
Crapo	McCaskill	Vitter
Daines	McConnell	Warner
Donnelly	Mikulski	Whitehouse
Durbin	Murkowski	Wicker

## NAYS—15

Booker	Leahy	Paul
Brown	Manchin	Reid
Cruz	Markey	Sanders
Franken	Menendez	Warren
Gillibrand	Merkley	Wyden

## NOT VOTING—4

King	Rubio
Moran	Sasse

The PRESIDING OFFICER. On this vote, the yeas are 81, the nays are 15.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

## COMPOUND MOTION

The question now occurs on agreeing to the motion to insist upon the Senate amendment, agree to the request by the House for a conference, and authorize the Chair to appoint conferees with respect to H.R. 1735.

The motion is not debatable.

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Rhode Island.

## MOTION TO INSTRUCT CONFEREES

Mr. REED. Mr. President, I have a motion to instruct conferees which is at the desk, and I ask for its consideration.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED] moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on H.R. 1735 (the National Defense Authorization Act for Fiscal Year 2016) be instructed to insist that the final conference report fully fund the President's budget request for the Department of Defense, including \$534.3 billion in base budget funding and \$50.9 billion in Overseas Contingency Operations budget funding, thereby supporting the bipartisan view that the funding caps imposed by the Budget Control Act of 2011 should be eliminated or increased in proportionally equal amounts for the revised security and non-security spending categories.

The PRESIDING OFFICER. There is 2 minutes of debate equally divided on the motion.

The Senator from Rhode Island.

Mr. REED. Mr. President, this motion represents what we have heard from the Secretary of Defense and all of our uniformed leaders in the military who are saying that we should budget appropriately, put long-term defense needs in the base budget—\$534 billion—and reserve OCO for what it was intended to be—overseas operations. But because of the Budget Control Act, we are using OCO as the device to avoid real budgeting and giving the Department of Defense the real long-term resources it needs.

Not only does this represent what the Department of Defense desires, but it also represents what we need to defend the American people. We need more than just the Department of Defense. We need Homeland Security. We need the State Department. We need Treasury. We need everyone to defend this country.

This approach would begin the discussion and debate, I hope, to get relief from the BCA to move forward and to deal with the threats facing this country in a rational, logical way.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I would ask my colleagues to oppose this motion. We have had this discussion a number of times. This defeats the budget, and this isn't the appropriate place to rehash this or to try to do something different. Everything we have been working on has been based on this principle. Incidentally, those budget caps were signed by the President of the United States and said this was an allowable use without breaking the caps and causing sequester.

So we can fund defense, and defense needs to be defended and funded, and it will be under the principles that we have right now, and we can work on other methods as we work on this and other budgets. So I ask that we vote against this and not put this extra burden on the committee that doesn't really have the jurisdiction to do all that is being requested in this motion. We voted it down before. Let's vote it down again.

The PRESIDING OFFICER. The question is on agreeing to the motion to instruct conferees.

Mr. CARDIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Idaho (Mr. CRAPO), the Senator from Kansas (Mr. MORAN), and the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Maine (Mr. KING) is necessarily absent.

I further announce that, if present and voting, the Senator from Maine (Mr. KING) would vote "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 44, nays 52, as follows:

[Rollcall Vote No. 230 Leg.]

## YEAS—44

Baldwin	Gillibrand	Nelson
Bennet	Heinrich	Peters
Blumenthal	Heitkamp	Reed
Booker	Hirono	Reid
Boxer	Kaine	Schatz
Brown	Klobuchar	Schumer
Cantwell	Leahy	Shaheen
Cardin	Manchin	Stabenow
Carper	Markey	Tester
Casey	McCaskill	Udall
Coons	Menendez	Warner
Donnelly	Merkley	Warren
Durbin	Mikulski	Whitehouse
Feinstein	Murphy	Wyden
Franken	Murray	

## NAYS—52

Alexander	Fischer	Perdue
Ayotte	Flake	Portman
Barrasso	Gardner	Risch
Blunt	Graham	Roberts
Boozman	Grassley	Rounds
Burr	Hatch	Sanders
Capito	Heller	Sasse
Cassidy	Hoeben	Scott
Coats	Inhofe	Sessions
Cochran	Isakson	Shelby
Collins	Johnson	Sullivan
Corker	Kirk	Thune
Cornyn	Lankford	Tillis
Cotton	Lee	Toomey
Cruz	McCain	Vitter
Daines	McConnell	Wicker
Enzi	Murkowski	
Ernst	Paul	

## NOT VOTING—4

Crapo	Moran
King	Rubio

The motion was rejected.

The Presiding Officer appointed Mr. MCCAIN, Mr. INHOFE, Mr. SESSIONS, Mr. WICKER, Ms. AYOTTE, Mrs. FISCHER, Mr. COTTON, Mr. ROUNDS, Mr. GRAHAM, Mr. REED, Mr. NELSON, Mr. MANCHIN, Mrs. GILLIBRAND, Mr. DONNELLY, Ms. HIRONO, and Mr. KAINE conferees on the part of the Senate.

## EVERY CHILD ACHIEVES ACT OF 2015—Continued

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I rise today to talk about the important bill before us today, the Every Child Achieves Act, which reauthorizes the Elementary and Secondary Education Act and fixes No Child Left Behind.

I also rise today to talk about the reauthorization of the Export-Import Bank, which is also a very important matter for our country.

I thank Senators ALEXANDER and MURRAY for their great leadership in crafting a bipartisan bill that makes critical updates to No Child Left Behind that will help ensure that all students receive a quality education. They worked together from the very beginning on this important bill, and I think the results show how important it is.



I come to the floor to talk about three amendments in this bill. The Presiding Officer is a cosponsor on one of the amendments, which is about STEM education. I think we all know that in today's global economy, education is key to our economic prosperity. The Senator from North Dakota understands that because our two States, North Dakota and Minnesota, have some of the lowest unemployment rates in the country. We have exciting economies with technological jobs to fill. We are two States that make and invent products which we then export to the world. To keep doing that, America's next generation of innovators will have to be highly trained and highly skilled. We certainly see this in my State. According to the Minnesota High Tech Association, Minnesota will be home to nearly 200,000 technology jobs in the next decade. Part of this is getting young people engaged at an early age.

Today's high school students aren't just competing against students in Milwaukee and Miami, they are competing against students in Munich and Mumbai. If America is going to keep its spot atop the world's high-tech hierarchy, students in our country must receive the best training and education we can provide. That is why Senator HOEVEN and I are working to increase the emphasis on STEM education.

The Klobuchar-Hoeven amendment, modeled after our Innovate America Act, will expand STEM opportunities for more students by allowing school districts to use existing Federal STEM funding to create STEM specialty schools or to enhance existing STEM programs within the schools. Our provision will also ensure that the Department of Education is aligning STEM programs and resources with the needs of school districts and teachers. I understand that it is in the managers' package, and I thank the two leaders for that.

The second amendment is the improving teacher and principal retention. The Every Child Achieves Act includes important reforms to improve the quality of education for students in Indian Country. One challenge that schools serving Native Americans continue to confront is the high rate of teacher and principal turnover and the instability it causes. Turnover hurts school districts with the added cost of rehiring and retraining, and it hurts kids as teachers come and go.

One way to decrease teacher and principal turnover is to boost the professional development these teachers receive. Inadequate professional development and the lack of ongoing support are some of the key reasons why some of our best teachers are leaving. That is why Senator MURKOWSKI of Alaska and I have been pushing a provision to improve teacher and principal retention in schools serving American

Indian and Alaska Native students. Specifically, our amendment adds mentoring and teacher support programs, including instructional support from tribal elders and cultural experts, to improve the professional development that teachers and principals in Indian schools receive. This is also in the managers' package, and we appreciate that.

The next amendment deals with chronic absenteeism. We know students can't learn if they are not in school. When I was a prosecutor in Hennepin County, I developed a major truancy initiative to keep kids in school and out of the courtroom. My office worked closely with local schools on a faster, more effective response to truancy problems. That is why my provision in the Every Child Achieves Acts will provide professional development and training to schools to help ensure that teachers, principals, and other school leaders have the knowledge and skills necessary to address issues related to chronic absenteeism.

Truancy is sometimes called the kindergarten of crime because it is truly an early risk factor. I still remember looking at the files of serious juvenile offenders—ones who committed homicide and the like—and I realized the first indication that there was a real problem was truancy. It doesn't just hit in high school; it actually usually hits in sixth and seventh grade. The more we can do to put a focus on this, the better off we will be not only for public safety but, of course, for the kids' lives.

I again thank Senator MURRAY and Senator ALEXANDER for their tremendous work on this bill.

#### EXPORT-IMPORT BANK

Mr. President, the other issue, which is somewhat related, as we look at preparing kids for the current economy and the century we are in, is about jobs. It is about moving our economy along. Part of that is making sure we can compete globally not only with education efforts, which is what we are doing this week, but also with financing.

There are over eighty export-import-type banks in developed nations. China's bank currently funds things at nearly four times the amount that the United States does. Yet we are seriously now allowing the Export-Import Bank to lapse, and I strongly support reauthorizing the Bank.

I want to thank all of those involved, including Senators CANTWELL, KIRK, HEITKAMP, and GRAHAM, for their strong and impassioned leadership on this issue. I also wish to thank all of my colleagues who have spoken about the importance of this Bank.

Yesterday, a few of us met with the President and senior White House officials to discuss the importance of reauthorizing the Export-Import Bank. America needs to be, as I said, a coun-

try that thinks, that invents, that builds things, and that exports to nations. That means the bill we are working on this week, but it also means the financing so those businesses can keep going.

We had a vote here, as we all know, and 65 Senators supported reauthorizing the Ex-Im Bank, and in the House, 60 Republicans are cosponsoring a bill to do the same. We should get it done. We know that when 95 percent of the world's customers live outside of our borders, there is literally a world of opportunity out there for U.S. businesses. We all know that isn't just about Mexico and Canada. It is about the rest of the world, including Asia and the emerging economies in Africa. We can just go all over the world to see opportunities.

In my own State of Minnesota, the Ex-Im Bank has supported \$2 billion in exports and helped over 170 companies in the last 5 years alone. Every single year, as the Presiding Officer knows, I have been to all 87 counties in Minnesota so I am able to see firsthand these businesses. I may not be going there to talk about Ex-Im. I have rarely done that, although we have had a few Ex-Im events. I am so surprised when I go to businesses and they say: We have actually grown our exports to 15 percent or it is now 20 percent of our business, and we went to Ex-Im and got financing, and we went to the Foreign Commercial Service and got help. What we are really hurting by letting this lapse and not reauthorizing it are the small businesses.

In my State, 170 businesses used the services of Ex-Im in the last five years. They don't have an expert on Kazakhstan. They don't have a bank down the street in a small town of 3,000 people that is able to explain to them how to get that kind of financing. They rely on the expertise of Ex-Im and, most importantly, they rely on the credit of Ex-Im.

Look at this: Balzar, in Mountain Lake, MN, population of 2,000. As the Presiding Officer knows, we don't have many mountains in Minnesota, but we have a lot of lakes. So we call it Mountain Lake. This is a small business—74 people in a town of 2,000—that has relied on Ex-Im in the past decade to help export its products. Their exports have grown to about 15 percent of their total sales. They export from Canada to Kazakhstan, from Japan to Australia. They are exporting to South Africa.

Ralco, a small animal feed manufacturer in Marshall, is a third-generation family business with distribution to over 20 countries around the world.

Superior Industries in Morris, MN, is a manufacturer of bulk material processing and handling systems. There are 5,000 people in the town, and 500 people in Morris are employed at this company. That would be 10 percent of the

town. Thanks to the Ex-Im Bank, they are able to export to Canada, Australia, Russia, Argentina, Chile, Uruguay, and Brazil.

We know this is necessary for small businesses. We know this is important for our country to be on an even playing field. We don't want China to eat our lunch, but if we continue along this way and become the only developed Nation that doesn't have financing authority such as this, we will let them eat our lunch.

At the end of last month when the Ex-Im Bank expired, there were nearly 200 transactions totaling nearly \$9 billion in financing pending, and many businesses—90 percent of which are small businesses—are no longer able to use their export credit and insurance to its full extent. I have already talked to businesses that literally have been told: When we were trying to make a deal, our competitors on the other side that were trying to make the next deal said: They are not going to get financing. That country let their Ex-Im Bank expire. Go to a business from this country. Take our business because you know we have steady financing.

This cannot continue.

This is why this is a major priority of the U.S. Chamber of Commerce, a major priority for small business organizations around the country, and a major priority, most importantly, for the workers that work at these companies.

It is critical to move forward. We must reauthorize the Export-Import Bank and make sure our exporters are competing on a level playing field in this global market. We do it with education, thanks to the good work of Senator ALEXANDER and Senator MURRAY, but we also do it by making sure that our businesses have the financing tools they need to succeed.

I urge my colleagues to support the Ex-Im Bank and reauthorize this critical agency as soon as possible.

Thank you, Mr. President. I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I thank the Senator from Minnesota for her contributions to the legislation we are working on. She has been very focused on STEM education and has found creative ways to encourage that, and I thank her for it.

We are hoping within a few minutes to be able to agree by consent to a few bills and call up a few others. So what I would say to the Senator from Arkansas, through the Chair, is if he wouldn't mind going ahead with his remarks and, perhaps, if we are able to, I may ask him to yield for 60 seconds and allow us to do that and proceed with a unanimous consent request. But I don't want to delay the Senator any further with moving ahead with his remarks.

The PRESIDING OFFICER. The Senator from Arkansas.

#### SANCTUARY CITIES

Mr. COTTON. Mr. President, there are certain policies that should not be controversial. It should not be controversial to expect that the laws of this Nation be enforced—equally, fairly, and fully. It should not be controversial to expect local city governments to refrain from actively frustrating the enforcement of Federal law. It should not be controversial to say that an illegal immigrant and repeat felon who has been deported multiple times should not be set free to again threaten law-abiding Americans, much less be in possession of a weapon.

But in our current debate about immigration, these ideas are indeed controversial when, in fact, they should be matters of simple common sense.

I acknowledge that reasonable people can and do differ on issues such as border security and enforcement and the status of illegal immigrants present in our Nation. But we should not disagree about the importance of the rule of law and the need to protect the safety of the American people. That is why I have introduced an amendment that will withhold Federal immigration and law enforcement funds from any State or city that declares itself a sanctuary for illegal immigrants. If a city directs its law enforcement officers to frustrate Federal immigration law, it should not expect U.S. taxpayers to underwrite that effort.

Last week, a young woman, Kate Steinle, was murdered on a San Francisco pier popular with tourists while walking with her father. It was apparently a random crime, one committed by an illegal immigrant—Juan Francisco Lopez-Sanchez—with a long rap sheet. Lopez-Sanchez was in the United States despite having been deported five times previously, and he should have been deported a sixth time. Earlier this year, Lopez-Sanchez was in custody of Federal immigration authorities after he finished a Federal prison sentence, and was awaiting deportation after being designated an “enforcement priority.” Federal authorities handed him over to San Francisco first so he could face outstanding drug charges and requested that they be notified if San Francisco planned to release him.

San Francisco did in fact release him in April after dropping charges, but it never notified anyone. The city's government simply allowed Lopez-Sanchez to walk free. This is because San Francisco has proudly deemed itself a sanctuary city. It has passed city ordinances barring its officers from assisting the enforcement of immigration law, freeing itself of the most basic responsibility to cooperate with Federal immigration authorities to keep dangerous criminals off the streets and out of the country. Indeed, Lopez-Sanchez has admitted that he goes to San Francisco because it is a sanctuary city.

This is an outrage to anyone who respects law and order. One might think that it would draw a strong reaction from the Obama administration. The administration, after all, has unequivocally declared that the Constitution and our laws do “not permit the States to adopt their own immigration programs and policies, or to set themselves up as rival decisionmakers based on disagreement with the focus and scope of Federal enforcement.” That is a direct quote from the administration's legal brief to the Supreme Court arguing against an Arizona law designed to help Federal officers enforce immigration laws. One would think the administration would be at least as tough on sanctuary city laws that openly flout Federal immigration policies and endanger law-abiding citizens. Yet the administration has enabled—even encouraged—these sanctuary cities for years.

Americans have a right to expect that governments at the local, State, and national level will carry out their most basic duty to enforce the law and protect public safety. We should all be able to agree that a family enjoying a public space such as San Francisco's piers should not have to fear being shot dead. We should all be able to agree that criminals who should be deported under our laws should not be set free with impunity.

There should be no sanctuary for hardened criminals in this country.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. CASSIDY). The Senator from Tennessee.

AMENDMENTS NOS. 2083, 2092, 2108, 2119, 2131, AND 2138 TO AMENDMENT NO. 2089

Mr. ALEXANDER. Mr. President, Senator MURRAY and this Senator have a small package of amendments that have been cleared by both sides. I ask unanimous consent that the following amendments be called up, reported by number, and agreed to en bloc: Gardner No. 2083, McCaskill No. 2092, Gillibrand No. 2108, Gardner No. 2119, Casey No. 2131, and Klobuchar No. 2138.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the amendments en bloc.

The senior assistant legislative clerk read as follows:

The Senator from Tennessee [Mr. ALEXANDER], for Mr. GARDNER, proposes amendments numbered 2083 and 2119 to amendment No. 2089.

The Senator from Washington [Mrs. MURRAY], for others, proposes amendments numbered 2092, 2108, 2131, and 2138 to amendment No. 2089.

The amendments (Nos. 2083, 2092, 2108, 2119, 2131, and 2138) were agreed to, as follows:

#### AMENDMENT NO. 2083

(Purpose: To enable local educational agencies to use funds under part A of title I for dual or concurrent enrollment programs at eligible schools)

On page 145, between lines 17 and 18, insert the following:

“(e) USE FOR DUAL OR CONCURRENT ENROLLMENT PROGRAMS.—

“(1) IN GENERAL.—A local educational agency carrying out a schoolwide program or a targeted assistance school program under subsection (c) or (d) in a high school may use funds received under this part—

“(A) to carry out—

“(i) dual or concurrent enrollment programs for high school students, through which the students are enrolled in the high school and in postsecondary courses at an institution of higher education; or

“(ii) programs that allow a student to continue in a dual or concurrent enrollment program at a high school for the school year following the student's completion of grade 12; or

“(B) to provide training for teachers, and joint professional development for teachers in collaboration with career and technical educators and educators from institutions of higher education where appropriate, for the purpose of integrating rigorous academics in dual or concurrent enrollment programs.

“(2) FLEXIBILITY OF FUNDS.—A local educational agency using funds received under this part for a dual or concurrent program described in clause (i) or (ii) of paragraph (1)(A) may use such funds for any of the costs associated with such program, including the costs of—

“(A) tuition and fees, books, and required instructional materials for such program; and

“(B) transportation to and from such program.

“(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to impose on any State any requirement or rule regarding dual or concurrent enrollment programs that is inconsistent with State law.

#### AMENDMENT NO. 2092

(Purpose: Enabling States, as a consortium, to use certain grant funds to voluntarily develop a process that allows teachers who are licensed or certified in a participating State to teach in other participating States)

On page 284, between lines 11 and 12, insert the following:

“(xxi) Enabling States, as a consortium, to voluntarily develop a process that allows teachers who are licensed or certified in a participating State to teach in other participating States without completing additional licensure or certification requirements, except that nothing in this clause shall be construed to allow the Secretary to exercise any direction, supervision, or control over State teacher licensing or certification requirements.

#### AMENDMENT NO. 2108

(Purpose: To amend the program under part E of title II to ensure increased access to science, technology, engineering, and mathematics subject fields for underrepresented students, and for other purposes)

On page 369, strike lines 1 and 2 and insert the following:

“(2) improving student engagement in, and increasing student access to, such subjects, including for students from groups underrepresented in such subjects, such as female students, minority students, English learners, children with disabilities, and economically disadvantaged students;

Beginning on page 374, strike lines 17 through 22 and insert the following:

“(C) how the State's proposed project will ensure increased access for students who are members of groups underrepresented in science, technology, engineering, and mathe-

matics subject fields (which may include female students, minority students, English learners, children with disabilities, and economically disadvantaged students) to high-quality courses in 1 or more of the identified subjects; and

On page 375, strike lines 8 through 12 and insert the following:

“(1) Increasing access for students through grade 12 who are members of groups underrepresented in science, technology, engineering, and mathematics subject fields, such as female students, minority students, English learners, children with disabilities, and economically disadvantaged students, to high-quality courses in the identified subjects.

On page 377, between lines 22 and 23, insert the following:

“(iii) A description of how the eligible subgrantee will use funds provided under this subsection for services and activities to increase access for students who are members of groups underrepresented in science, technology, engineering, and mathematics subject fields, which may include female students, minority students, English learners, children with disabilities, and economically disadvantaged students, to high-quality courses in 1 or more of the State's identified subjects. Such activities and services may include after-school activities or other informal learning opportunities designed to encourage interest and develop skills in 1 or more of such subjects.

On page 381, between lines 4 and 5, insert the following:

“(iv) broaden student access to mentorship, tutoring, and after-school activities or other informal learning opportunities designed to encourage interest and develop skills in 1 or more of the State's identified subjects;

#### AMENDMENT NO. 2119

(Purpose: To include charter school representatives in the list of entities with whom a State and local educational agency shall consult in the development of plans under title I)

On page 19, line 22, insert “public charter school representatives (if applicable),” before “specialized”.

On page 95, line 12, insert “public charter school representatives (if applicable),” after “leaders.”

#### AMENDMENT NO. 2131

(Purpose: To improve the bill relating to appropriate accommodations for children with disabilities)

On page 39 line 15, insert “, such as interoperability with and ability to use assistive technology,” after “accommodations”.

#### AMENDMENT NO. 2138

(Purpose: To amend the Elementary and Secondary Education Act of 1965 relating to improving student academic achievement in science, technology, engineering, and mathematics)

On page 370, between lines 18 and 19, insert the following:

“(3) STEM-FOCUSED SPECIALTY SCHOOL.—The term ‘STEM-focused specialty school’ means a school, or a dedicated program within a school, that engages students in rigorous, relevant, and integrated learning experiences focused on science, technology, engineering, and mathematics, which include authentic school-wide research.

On page 382, line 12, strike the period and insert the following: “; and

“(viii) support the creation and enhancement of STEM-focused specialty schools that improve student academic achievement in

science, technology, engineering, and mathematics, including computer science, and prepare more students to be ready for postsecondary education and careers in such subjects.

Beginning on page 384, strike line 3 and all that follows through line 23 on page 384 and insert the following:

“(c) EVALUATION AND MANAGEMENT.—The Secretary shall—

“(1) acting through the Director of the Institute of Education Sciences, and in consultation with the Director of the National Science Foundation—

“(A) evaluate the implementation and impact of the activities supported under this part, including progress measured by the metrics established under subsection (a); and

“(B) identify best practices to improve instruction in science, technology, engineering, and mathematics subjects;

“(2) disseminate, in consultation with the National Science Foundation, research on best practices to improve instruction in science, technology, engineering, and mathematics subjects;

“(3) ensure that the Department is taking appropriate action to—

“(A) identify all activities being supported under this part; and

“(B) avoid unnecessary duplication of efforts between the activities being supported under this part and other programmatic activities supported by the Department or by other Federal agencies; and

“(4) develop a rigorous system to—

“(A) identify the science, technology, engineering, and mathematics education-specific needs of States and stakeholders receiving funds through subgrants under this part;

“(B) make public and widely disseminate programmatic activities relating to science, technology, engineering, and mathematics that are supported by the Department or by other Federal agencies; and

“(C) develop plans for aligning the programmatic activities supported by the Department and other Federal agencies with the State and stakeholder needs.

#### AMENDMENTS NOS. 2161, 2132, AND 2080 TO

#### AMENDMENT NO. 2089

Mr. ALEXANDER. Mr. President, I ask unanimous consent to set aside the pending amendment and call up the following amendments en bloc: Kirk No. 2161, Scott No. 2132, and Hatch No. 2080. And I further ask that Senator MURRAY be recognized to call up two other amendments.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk shall report the amendments en bloc.

The senior assistant legislative clerk read as follows:

The Senator from Tennessee [Mr. ALEXANDER], for others, proposes amendments numbered 2161, 2132, and 2080 to amendment No. 2089.

The amendments are as follows:

#### AMENDMENT NO. 2161

(Purpose: To ensure that States measure and report on indicators of student access to critical educational resources and identify disparities in such resources, and for other purposes)

On page 69, between lines 16 and 17, insert the following:

“(N) how the State will measure and report on indicators of student access to critical

educational resources and identify disparities in such resources (referred to for purposes of this Act as an 'Opportunity Dashboard of Core Resources') for each local educational agency and each public school in the State in a manner that—

“(i) provides data on each indicator, for all students and disaggregated by each of the categories of students, as defined in subsection (b)(3)(A); and

“(ii) is based on the indicators described in clauses (v), (vii), (x), (xiii), and (xiv) of subsection (d)(1)(C) and not less than 3 of the following:

“(I) access to qualified paraprofessionals, and specialized instructional support personnel, who are certified or licensed by the State;

“(II) availability of health and wellness programs;

“(III) availability of dedicated school library programs and modern instructional materials and school facilities;

“(IV) enrollment in early childhood education programs and full-day, 5-day-a-week kindergarten; and

“(V) availability of core academic subject courses;

“(O) how the State will develop plans with local educational agencies, including a timeline with annual benchmarks, to address disparities identified under subparagraph (N) and, if a local educational agency does not achieve the applicable annual benchmarks for two consecutive years, how the State will allocate resources and supports to such local educational agency based on the identified needs;

On page 82, between lines 23 and 24, insert the following:

“(xviii) Information on the indicators of student access to critical educational resources selected by the State, as described in subsection (c)(1)(N), for all students and disaggregated by each of the categories of students, as defined in subsection (b)(3)(A), for each local educational agency and each school in the State and by the categories described in clause (vii).

On page 115, after line 25, add the following:

“(3) RESOURCE, SUPPORT, AND PROGRAM AVAILABILITY.—A local educational agency that receives funds under this part shall notify the parents of each student attending any school receiving funds under this part that the parents may request, and the agency will provide the parents on request (and in a timely manner), information regarding the availability of critical educational resources, supports, and programs, as described in the State plan in accordance with section 1111(c)(1)(N).

#### AMENDMENT NO. 2132

(Purpose: To expand opportunity by allowing Title I funds to follow low-income children)

After section 1010, insert the following:

#### SEC. 1011. FUNDS TO FOLLOW THE LOW-INCOME CHILD STATE OPTION.

Subpart 2 of part A of title I is amended by inserting after section 1122 the following:

#### “SEC. 1123. FUNDS TO FOLLOW THE LOW-INCOME CHILD STATE OPTION.

“(a) FUNDS FOLLOW THE LOW-INCOME CHILD.—Notwithstanding any other provisions in this title requiring a State to reserve or distribute funds, a State may, in accordance with and as permitted by State law, distribute funds under this subpart among the local educational agencies in the State based on the number of eligible children enrolled in the public schools operated by each local educational agency and the

number of eligible children within each local educational agency's geographical area whose parents elect to send their child to a private school, for the purposes of ensuring that funding under this subpart follows low-income children to the public school they attend and that payments will be made to the parents of eligible children who choose to enroll their eligible children in private schools.

“(b) ELIGIBLE CHILD.—

“(1) DEFINITION.—In this section, the term ‘eligible child’ means a child aged 5 to 17, inclusive from a family with an income below the poverty level on the basis of the most recent satisfactory data published by the Department of Commerce.

“(2) CRITERIA OF POVERTY.—In determining the families with incomes below the poverty level for the purposes of this section, a State educational agency shall use the criteria of poverty used by the Census Bureau in compiling the most recent decennial census, as the criteria have been updated by increases in the Consumer Price Index for All Urban Consumers, published by the Bureau of Labor Statistics.

“(c) IDENTIFICATION OF ELIGIBLE CHILDREN; ALLOCATION AND DISTRIBUTION OF FUNDS.—

“(1) IDENTIFICATION OF ELIGIBLE CHILDREN.—On an annual basis, on a date to be determined by the State educational agency, each local educational agency shall inform the State educational agency of the number of eligible children enrolled in public schools served by the local educational agency and the number of eligible children within each local educational agency's geographical area whose parents elect to send their child to a private school.

“(2) AMOUNT OF PAYMENT.—

“(A) IN GENERAL.—Subject to subparagraph (B), the amount of payment for each eligible child described in this section shall be equal to—

“(i) the total amount allotted to the State under this subpart; divided by

“(ii) the total number of eligible children in the State identified under paragraph (1).

“(B) LIMITATION.—In the case of a payment made to the parents of an eligible child who elects to attend a private school, the amount of the payment described in subparagraph (A) for each eligible child shall not exceed the cost for tuition, fees, and transportation for the eligible child to attend the private school.

“(3) ALLOCATION TO LOCAL EDUCATIONAL AGENCIES.—Based on the identification of eligible children in paragraph (1), the State educational agency shall provide to a local educational agency an amount equal to the product of—

“(A) the amount available for each eligible child in the State, as determined in paragraph (2); multiplied by

“(B) the number of eligible children identified by the local educational agency under paragraph (1).

“(4) DISTRIBUTION TO SCHOOLS.—From amounts allocated under paragraph (3) and notwithstanding any provisions in this title requiring a local educational agency to reserve funds, each local educational agency that receives funds under such paragraph shall distribute a portion of such funds to the public schools served by the local educational agency, which amount shall—

“(A) be based on the number of eligible children enrolled in such schools and included in the count submitted under paragraph (1); and

“(B) be distributed in a manner that would, in the absence of such Federal funds, supplement the funds made available from

non-Federal resources for the education of pupils participating in programs under this part, and not to supplant such funds (in accordance with the method of determination described in section 1117).

“(5) DISTRIBUTION TO PARENTS.—

“(A) IN GENERAL.—From the amounts allocated under paragraph (3) and notwithstanding any provisions in this title requiring a local educational agency to reserve funds, each local educational agency that receives funds under such paragraph shall distribute a portion of such funds, in an amount equal to the amount described in paragraph (2), to the parents of each eligible child within the local educational agency's geographical area who elect to send their child to a private school and whose child is included in the count of such eligible children under paragraph (1), which amount shall be distributed in a manner so as to ensure that such payments will be used for the payment of tuition, fees, and transportation expenses (if any).

“(B) RESERVATION.—A local educational agency described in this paragraph may reserve not more than 1 percent of the funds available for distribution under subparagraph (A) to pay administrative costs associated with carrying out the activities described in such subparagraph.

“(d) TECHNICAL ASSISTANCE.—The Secretary, in consultation with the Secretary of Commerce, shall provide technical assistance to the State educational agencies that choose to allocate grant funds in accordance with subsection (a), for the purpose of assisting local educational agencies and schools in such States to determine an accurate methodology to identify the number of eligible children under subsection (c)(1).

“(e) RULE OF CONSTRUCTION.—Payments to parents under this subsection (c)(5) shall be considered assistance to the eligible child and shall not be considered assistance to the school that enrolls the eligible child. The amount of any payment under this section shall not be treated as income of the child or his or her parents for purposes of Federal tax laws or for determining eligibility for any other Federal program.

“(f) REQUIREMENTS FOR PARTICIPATING PRIVATE SCHOOLS.—A private school that enrolls eligible children whose parents receive funds under this section—

“(1) shall be accredited, licensed, or otherwise operating in accordance with State law;

“(2) shall ensure that the amount of any tuition or fees charged by the school to an eligible child whose parents receive funds from a local educational agency through a distribution under this section does not exceed the amount of tuition or fees that the school charges to students whose parents do not receive such funds;

“(3) shall be academically accountable to the parent for meeting the educational needs of the student; and

“(4) shall not discriminate against eligible children on the basis of race, color, national origin, or sex, except that—

“(A) the prohibition of sex discrimination shall not apply to a participating school that is operated by, supervised by, controlled by, or connected to a religious organization to the extent that the application of such prohibition is inconsistent with the religious tenets or beliefs of the school; and

“(B) notwithstanding this paragraph or any other provision of law, a parent may choose, and a school may offer, a single-sex school, class, or activity.

“(g) PROHIBITIONS ON CONTROL OF PARTICIPATING PRIVATE SCHOOLS.—Notwithstanding

any other provision of law, a private school that enrolls eligible children whose parents receive funds under this section—

“(1) may be a school that is operated by, supervised by, controlled by, or connected to, a religious organization to exercise its right in matters of employment consistent with title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.), including the exemptions in that title; and

“(2) consistent with the First Amendment of the Constitution of the United States, shall not—

“(A) be required to make any change in the school’s teaching mission;

“(B) be required to remove religious art, icons, scriptures, or other symbols; or

“(C) be precluded from retaining religious terms in its name, selecting its board members on a religious basis, or including religious references in its mission statements and other chartering or governing documents.

“(h) EVALUATION.—Every 2 years, the Secretary shall conduct an evaluation of eligible children whose parents receive funds under this section, which shall include an evaluation of—

“(1) 4-year adjusted cohort graduation rates; and

“(2) parental satisfaction regarding the relevant activities carried out under this section.

“(i) REQUESTS FOR DATA AND INFORMATION.—Each school that enrolls eligible children whose parents receive funds under this section shall comply with all requests for data and information regarding evaluations conducted under subsection (h).

“(j) RULES OF CONDUCT AND OTHER SCHOOL POLICIES.—A school that enrolls eligible children whose parents receive funds under this section may require such children to abide by any rules of conduct and other requirements applicable to all other students at the school.

“(k) REPORT TO PARENTS.—

“(1) IN GENERAL.—Each school that enrolls eligible children whose parents receive funds under this section shall report, at least once during the school year, to such parents on—

“(A) their child’s academic achievement, as measured by a comparison with—

“(i) the aggregate academic achievement of other students at the school who are eligible children whose parents receive funds under this section and who are in the same grade or level, as appropriate; and

“(ii) the aggregate academic achievement of the student’s peers at the school who are in the same grade or level, as appropriate; and

“(B) the safety of the school, including the incidence of school violence, student suspensions, and student expulsions.

“(2) PROHIBITION ON DISCLOSURE OF PERSONAL INFORMATION.—No report under this subsection may contain any personally identifiable information, except that a student’s parent may receive a report containing personally identifiable information relating to their own child.”.

#### AMENDMENT NO. 2080

(Purpose: To establish a committee on student privacy policy)

At the end of title I, add the following:

#### SEC. 1018. STUDENT PRIVACY POLICY COMMITTEE.

(a) ESTABLISHMENT OF A COMMITTEE ON STUDENT PRIVACY POLICY.—Not later than 60 days after the date of enactment of this Act, there is established a committee to be known as the “Student Privacy Policy Committee” (referred to in this section as the “Committee”).

(b) MEMBERSHIP.—

(1) COMPOSITION.—The Committee shall be composed of—

(A) 3 individuals appointed by the Secretary of Education;

(B) not less than 8 and not more than 13 individuals appointed by the Comptroller General of the United States, representing—

(i) experts in education data and student privacy;

(ii) educators and parents;

(iii) State and local government officials responsible for managing student information;

(iv) education technology leaders in the State or a local educational agency;

(v) experts with practical experience dealing with data privacy management at the State or local level;

(vi) experts with a background in academia or research in data privacy and education data; and

(vii) education technology providers and education data storage providers; and

(C) 4 members appointed by—

(i) the majority leader of the Senate;

(ii) the minority leader of the Senate;

(iii) the Speaker of the House of Representatives; and

(iv) the minority leader of the House of Representatives.

(D) CHAIRPERSON.—The Committee shall select a Chairperson from among its members.

(E) VACANCIES.—Any vacancy in the Committee shall not affect the powers of the Committee and shall be filled in the same manner as an initial appointment described in subparagraphs (A) through (C).

(c) MEETINGS.—The Committee shall hold, at the call of the Chairperson, not less than 5 meetings before completing the study required under subsection (e) and the report required under subsection (f).

(d) PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS.—Each member of the Committee shall serve without compensation in addition to any such compensation received for the member’s service as an officer or employee of the United States, if applicable.

(2) TRAVEL EXPENSES.—The members of the Committee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter 1 of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Committee.

(e) DUTIES OF THE COMMITTEE.—

(1) STUDY.—The Committee shall conduct a study on the effectiveness of Federal laws and enforcement mechanisms of—

(A) student privacy; and

(B) parental rights to student information.

(2) RECOMMENDATIONS.—Based on the findings of the study under paragraph (1), the Committee shall develop recommendations addressing issues of student privacy and parental rights and how to improve and enforce Federal laws regarding student privacy and parental rights, including recommendations that—

(A) provide or update standard definitions, if needed, for relevant terms related to student privacy, including—

(i) education record;

(ii) personally identifiable information;

(iii) aggregated, de-identified, or anonymized data;

(iv) third-party; and

(v) educational purpose;

(B) identify—

(i) which Federal laws should be updated; and

(ii) the appropriate Federal enforcement authority to execute the laws identified in clause (i);

(C) address the sharing of data in an increasingly technological world, including—

(i) evaluations of protections in place for student data when it is used for research purposes;

(ii) establishing best practices for any entity that is charged with handling, or that comes into contact with, student education records;

(iii) ensuring that identifiable data cannot be used to target students for advertising or marketing purposes; and

(iv) establishing best practices for data deletion and minimization;

(D) discuss transparency and parental access to personal student information by establishing best practices for—

(i) ensuring parental knowledge of any entity that stores or accesses their student’s information;

(ii) parents to amend, delete, or modify their student’s information; and

(iii) a central designee in a State or a political subdivision of a State who can oversee transparency and serve as a point of contact for interested parties;

(E) establish best practices for the local entities who handle student privacy, which may include professional development for those who come into contact with identifiable data; and

(F) discuss how to improve coordination between Federal and State laws.

(f) REPORT.—Not later than 270 days after the date of enactment of this Act, the Committee shall prepare and submit a report to the Secretary of Education and to Congress containing the findings of the study under subsection (e)(1) and the recommendations developed under subsection (e)(2).

The PRESIDING OFFICER. The Senator from Washington.

AMENDMENTS NOS. 2093 AND 2118 TO AMENDMENT NO. 2089

Mrs. MURRAY. Mr. President, I ask unanimous consent to set aside the pending amendment to call up the Franken amendment No. 2093 and the Kaine amendment No. 2118 en bloc.

The PRESIDING OFFICER. Without objection, the clerk shall report.

The senior assistant legislative clerk read as follows:

The Senator from Washington [Mrs. MURRAY], for others, proposes amendments numbered 2093 and 2118 to amendment No. 2089.

The amendments are as follows:

#### AMENDMENT NO. 2093

(Purpose: To end discrimination based on actual or perceived sexual orientation or gender identity in public schools.)

(The amendment is printed in the RECORD of July 7, 2015, under “Text of Amendments.”)

#### AMENDMENT NO. 2118

(Purpose: To amend the State accountability system under section 1113(b)(3) regarding the measures used to ensure that students are ready to enter postsecondary education or the workforce without the need for postsecondary remediation)

On page 56, strike lines 9 through 12 and insert the following:

“(aa) student readiness to enter postsecondary education or the workforce without the need for postsecondary remediation, which may include—

“(AA) measures that integrate preparation for postsecondary education and the workforce, including performance in coursework sequences that integrate rigorous academics, work-based learning, and career and technical education;

“(BB) measures of a high-quality and accelerated academic program as determined appropriate by the State, which may include the percentage of students who participate in a State-approved career and technical program of study as described in section 122(c)(1)(A) of the Carl D. Perkins Career and Technical Education Act of 2006 and measures of technical skill attainment and placement described in section 113(b) of such Act and reported by the State in a manner consistent with section 113(c) of such Act, or other substantially similar measures;

“(CC) student performance on assessments aligned with the expectations for first-year postsecondary education success;

“(DD) student performance on admissions tests for postsecondary education;

“(EE) student performance on assessments of career readiness and acquisition of industry-recognized credentials that meet the quality criteria established by the State under section 123(a) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102);

“(FF) student enrollment rates in postsecondary education;

“(GG) measures of student remediation in postsecondary education; and

“(HH) measures of student credit accumulation in postsecondary education;

On page 57, line 14, strike “; and” and insert “, which may include participation and performance in Advanced Placement, International Baccalaureate, dual enrollment, and early college high school programs; and”.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that at 5:30 p.m. on Monday, July 13, the Senate vote on the following amendments, with no second-degree amendments in order to any of the amendments prior to the votes: Hatch amendment No. 2080 and Kaine amendment No. 2118.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from North Dakota.

#### EVERY CHILD ACHIEVES ACT

Mr. HOEVEN. Mr. President, I thank Senators ALEXANDER and MURRAY for crafting this bipartisan proposal to reform and reauthorize the Elementary and Secondary Education Act, the main source of Federal aid for K-through-12 education.

The Every Child Achieves Act takes many important steps to return the authority of K-12 education back to the States and to the local school districts and directly to those who are best

equipped to understand and respond to what it takes to educate our students. Importantly, this bill empowers States to develop their own education accountability plans. Instead of a one-size-fits-all Federal mandate, this bill charges the States to work with teachers, school districts, Governors, parents, and other stakeholders to develop a State-led education plan for all students without interference from Washington.

The bill affirms that the Federal Government cannot dictate a State's specific academic standards, curriculum or assessment. I repeat. The bill affirms that the Federal Government cannot dictate State-specific academic standards, curriculum or assessments. It affirms local control and accountability while maintaining important achievement information to provide parents with information on how their children are performing as well as to help teachers target support to those who are struggling to meet State standards.

We also recognize that science, technology, engineering, and mathematics—or STEM—education continues to play an increasingly important role in preparing our students for the careers of tomorrow.

In North Dakota, STEM education prepares students to fulfill the workforce needs of our dynamic economy, from the high-tech industries in the east to the energy fields in the west. For example, we have one school district, the West Fargo school district, which has created a STEM center for students in grades 6, 7, and 8, and is doing an exceptional job of integrating STEM teaching into the classroom. This school district program started in 2009 with 150 students in the sixth and seventh grades. Since then, it has been expanded to serve eighth grade students as well. They have also created a STEM pathway program at the high school level. The approach focuses on project-based learning that connects their school work to solving real world problems through the engineering and design process.

When Senator KLOBUCHAR and I visited the school this spring, we witnessed students working hands-on with a wide range of technologies at cooperative lab stations, including drones and flight simulators. West Fargo students have received numerous awards and honors, placing first in the Nation in a lunar water recycling design competition sponsored by NASA to excelling in a number of Web page design and robotics competitions around the country.

This education is not just about teaching students more science, math or engineering. This approach reaches across subjects to promote problem solving, collaboration, communication, and critical thinking skills.

The Every Child Achieves Act includes a formula grant aimed at pro-

viding State resources to improve STEM education. The Improving STEM Instruction and Student Achievement Program provides grants to States to improve STEM instruction, student engagement, and increased student achievement in STEM subjects. Under this program, States have the ability to award subgrants to projects of their choice to serve high-need school districts or form partnerships with higher education institutions. States can also use these funds to recruit qualified teachers and instructional leaders in STEM subjects or to develop a STEM master teacher corps.

In recent years, North Dakota has chosen to award funds to projects that partner with our State's higher education institutions to provide professional development opportunities for K-12 math and science teachers.

I have worked with Senator KLOBUCHAR to craft amendment No. 2138. Our proposal will give States the option to award those funds to create or enhance a STEM-focused specialty school or a STEM program within a school.

STEM-focused specialty schools or STEM programs within a school are those that engage students in rigorous, relevant, and integrated-learning STEM experiences. Allowing funds to go toward a STEM program within a school will allow successful programs such as those occurring in our State to benefit. It will also encourage other school districts to begin their own programs.

So if a school district would like to better integrate STEM concepts into their teaching practices, this amendment allows those districts to submit a proposal to the State for resources to carry out that plan.

The Klobuchar-Hoeven amendment also requires the Education Secretary to identify STEM-specific needs of States and districts receiving funds and publicize information about those activities. The Secretary is then directed to align Federal STEM activities with State and district needs.

Finally, this amendment directs the U.S. Department of Education to avoid unnecessary duplication of STEM programmatic activities supported by the Department and other Federal agencies. This is important because there are so many disjointed STEM activities and programs throughout our government.

In a May 2015 report, the nonpartisan Congressional Research Service states that despite recent reductions in the number of Federal STEM programs, recent estimates suggest there are still between 105 and 254 STEM programs scattered throughout as many as 15 Federal agencies. These programs account for \$2.8 billion to \$3.4 billion in spending. These programs have their own distinct requirements and obligations that allow very little collaboration or coordination. We simply want



to ensure that States and schools are aware of the existing efforts underway to best utilize public resources.

In conclusion, we believe that this bipartisan amendment should be agreeable to both sides and will strengthen the Every Child Achieves Act. In fact, I have just been informed that both the chairman and the ranking member from the HELP Committee and the leaders on this Every Child Achieves Act have included our legislation in the manager's package with support from both sides of the aisle.

I want to thank both Senator LAMAR ALEXANDER from Tennessee, who is the chairman of the committee and the sponsor of the bill, as well as Senator PATTY MURRAY from Washington, who is the co-lead on this legislation, for their support of this STEM legislation.

With that, I yield the floor.

**THE PRESIDING OFFICER.** The Senator from Virginia.

Mr. KAINE. Mr. President, I also rise in support of the Every Child Achieves Act and the good work that is being done in a bipartisan way to move elementary and secondary education forward in this country. I applaud Senators ALEXANDER and MURRAY and all HELP Committee members and their staff for the good work that has been done on this bill, which is hugely important to our Nation's children but even more importantly to our economy and our global competitiveness. The fact that we are approaching this in a bipartisan manner creates a lot of hope and optimism.

I speak from a number of roles. I was well educated in public, private, and parochial schools myself. My three children have gone through the Richmond public school system, an urban public school system in Virginia, during the era of No Child Left Behind. So Federal education policy was coming home in their backpack, crumpled up at the end of every day. My wife and I have kind of lived through that with them. My wife is the current secretary of education in Virginia, with the responsibility of carrying out State and Federal education policy. In my own role, as an elected official—as mayor—education was our biggest expenditure, and I visited a school in our city every Tuesday morning. As Lieutenant Governor, in the State budget education was our biggest priority, and I visited schools in all 134 cities and counties in Virginia. Then, as Governor, I had the opportunity—the great opportunity—to work with our State, our teachers, our PTOs, and other educational stakeholders in the Virginia education system, which 50 years ago was one of the weakest in the United States, and I am proud to say is now one of the best in the United States.

I learned a lot as Governor when No Child Left Behind was being implemented in the schools of my State. I saw the good and the bad of No Child

Left Behind, and I certainly saw the reason that we need to improve it. That is what the Every Child Achieves Act does.

First, I will speak about the good things of No Child Left Behind. There are two notable good things that, frankly, are critically important we maintain. No Child Left Behind made us disaggregate student data so that we couldn't hide behind averages. Averages can be deceiving. Virginia average test scores are great, but that doesn't mean they are great everywhere in Virginia. So we had to dig in and look at whether minority students were performing well or whether rural students were performing well or urban students. No Child Left Behind helped us to do that and not hide behind averages but really make sure that groups of students were not falling behind either statewide or in the individual cities and counties.

The second thing No Child Left Behind did—which is pretty amazing—was that before No Child Left Behind there was not a standardized definition of graduation or dropout rates in this country. So if you wanted to know how your own city was doing or your own county was doing or your own State was doing, and if you wanted to compare that against anywhere else, you couldn't because everybody was using their own measure. Usually folks would try to fuzz up the data because they were afraid of being held accountable around graduation rates and dropout rates. No Child Left Behind, together with some pioneering work from the National Governors Association, ended up standardizing the definition of graduation and dropout rates, which enabled us to compare and compete with each other.

Not surprisingly, as President Obama discussed in the State of the Union in the early part of 2015, our graduation rates are better than they have ever been because now we can focus on them, we know who is doing well and who is not, and that sense of focus and competition is enabling us to move ahead.

But No Child Left Behind also had some unintended negative consequences. The intense focus on high-stakes testing, which is supposed to help you diagnose and then lead to educational strategies down the road—sometimes testing has become an end in itself rather than a means to an end: better student performance. That creates all kinds of stresses on students and teachers and parents.

Similarly, the focus on disaggregating student data which demonstrates that there are achievement gaps in certain communities, whether it be minority communities or rural or urban areas, has often had the perverse consequence, when coupled with high-stakes testing, of encouraging some of our best and brightest

teachers not to want to go into the schools where they are most needed. If they feel as if they will be punished because the test scores are not as high with poor kids, for example, then they will often choose not to go to those schools. That is clearly not what we meant to do with No Child Left Behind, but that has been one of its perverse consequences.

When I was Governor, I had a very funny—now it is funny; it was not funny at the time—argument with the Federal Department of Education. They absolutely insisted that jurisdictions in northern Virginia were administering certain tests wrong to students who don't speak English as their first language at home. Indeed, some of my cities and counties had a strategy of phasing students in. If they were coming from a background where they did not speak English at home, they would be tested in special ways for the first couple of years they were in the school system and then mainstreamed even in the way they were tested.

The Department of Education said: You cannot do that. You cannot do these tests differently.

What I would say to the Department of Education: Hey, let me show you the SAT scores of my Latino students. Let me show you how they are doing when they graduate, that they are some of the highest performing students in the country. Clearly, if you measure it by the outcomes, we are doing it the right way.

But the Department of Education said: Outcomes do not matter to us. We worry about the processes and the inputs and the way you provide the tests.

Well, outcomes should be important. Results should be important. Too often, No Child Left Behind was administered in a way where results did not matter. That is not what should happen.

I applaud Senators ALEXANDER and MURRAY for this bill because I believe the Every Child Achieves Act gives school districts and States the incentive to work for the success of all students but also the flexibility they need to close achievement gaps. The bill maintains critical annual testing requirements to allow us to track progress of students, while letting States set their own goals for improvement. The bill invests in early childhood education, which is critical to give States the authority to determine teacher qualifications in those areas. I am very glad this bill recognizes there are factors other than test scores that determine whether our students will be successful. I applaud this act. I cannot wait to vote for it.

I would like to comment on two amendments I have worked with my team and my staff member Karishma Merchant, who is superb, to put into this bill—some that are already in and some that I think are forthcoming or are in the process on the floor.



The first is the very important challenge of young people, age 16 to 24, who are in the most vulnerable time in their lives to being the victims of sexual assaults. A kid age 16 to 24—that is the most likely period in their life where they would be vulnerable to any kind of sexual assault or sexual misconduct. That is whether they are in school, college, the military, the workforce, or whether they are somewhere else.

We are spending a lot of time working on this issue, but this bill contains an amendment I proposed called the Teach Safe Relationships Act to help tackle this issue. Basically, under the amendment Senator MCCASKILL and I introduced in February, schools that are receiving title IV funds must report on how they are teaching safe relationship behaviors to students—communication, understanding what coercion is, understanding what consent is, understanding how to avoid pressure, understanding where to go for help. These are matters which we will teach to our students at a younger age so they can keep themselves safe.

I need to give praise on this one—the idea for this came from students at the University of Virginia. I went and visited with them about sexual assaults on campus in December. They told me: We wish we came to campus better prepared to deal with these issues.

I asked them: Well, don't you take sex education classes in high school?

They said: Yes, but the classes are about reproductive biology. There needs to be a little more about safe behavior and relationship strategies.

I thought, what a great idea. That led to the amendment. The amendment has now been incorporated. I praise the students at UVA who put this on my radar screen. I thank Senators ALEXANDER and MURRAY, who worked with me to incorporate this in the base bill. If we teach young kids the right strategies, whether they are in the military or on college campuses or in the workforce or anywhere else, our young students, 16 to 24, will be safer.

The second series of amendments—some have been included and others have been voted on—one today and one will be voted on on Monday night—are amendments dealing with career and technical education.

I was a principal of a school that taught kids to be welders and carpenters. I grew up the son of a guy who ran an iron-working shop. I am a huge believer in career and technical education. Every job in this country does not need the traditional 4-year bachelor's degree. In fact, there are many jobs in this country—and the unemployment rate is still too high—there are many jobs in this country that are going unfilled. We have to bring welders in on foreign visas and other important career and technical fields because we don't adequately promote and

celebrate career and technical education. This is similar to the previous speech about STEM.

I have formed a Career and Technical Education Caucus, together with Senators PORTMAN and BALDWIN. We introduced the Career Ready Act. Some portions have already been included in the bill, and another portion will be voted on on Monday night. But the idea is basically to make career and technical education every bit as front-and-center as college prep courses because we want our kids to graduate from high school both college- and career-ready. Career and technical education is an important part of that.

Earlier today, we passed an amendment to make clear that for Federal purposes, career and technical education is not elective, it is core curriculum, because it is core, important education. Nations around the world recognize it. We need to as well.

I have two additional amendments. We will consider one Monday night—the Career Ready Act, which clarifies and encourages but does not require the use of accountability indicators in State accountability plans to promote readiness for postsecondary education and career readiness. Forty-one States already do this. We will encourage more to do it if we pass the career-ready amendment.

Second, I have an amendment that I am still working on and hope to get in on the floor. It is bipartisan by introduction. Senator AYOTTE and I have this. It is to create a middle school career and technical exploration program called Middle STEP. Kids in the middle school years, if they get a broader exposure to the careers that are available to them, they will be better equipped to start picking curricular paths when they go to high school.

I am so passionate about the need for career and technical education because I lived it growing up in my dad's business and teaching kids in Honduras the value of career and technical fields.

Everywhere I go in this country, I have employers who tell me they need workers who are skilled, whether it is allied health professionals, such as EMTs, or culinary training or welding and iron-working training or computer coding. These career and technical fields that require some postsecondary education but not necessarily a 4-year college degree are paths to great livelihoods. We do not often emphasize them enough. This bill will help us do that.

I will close and say this: It has been 13 years since Congress reauthorized the Elementary and Secondary Education Act. It is time to update No Child Left Behind, and this is good work to do it.

President Kennedy said in a message to Congress in 1961—and these words still ring true:

Our progress as a nation can be no swifter than our progresses in education. Our re-

quirements for world leadership, our hopes for economic growth, and the demands of citizenship itself in an era such as this all require the maximum development of every young American's capacity.

That is almost a great 20th-century paraphrase of what a Virginian, Thomas Jefferson, said in the 1780s:

Progress in government and all else depends upon the broadest possible diffusion of knowledge among the general population.

Those words were true then. Senator Kennedy's words are true. Education is still the path to success for an individual or for a community and nation. We will advance the cause of education and the cause of success if we pass the Every Child Achieves Act.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I want to take this time to thank Senators ALEXANDER and MURRAY on the bill that is before our body, the Every Child Achieves Act. It is so important that we focus on this area of education.

Two important provisions I asked to be included have been included in the bill. I want to specifically talk about those and again thank both Senators for including those important initiatives in this important bill.

One of them is the reauthorization of afterschool programs—something I have worked on my entire life in Congress. It goes back a very long time. Another one is on e-cigarettes, which I believe are endangering our Nation's youth.

Senator MURKOWSKI was very instrumental in the committee, working with Senator MURRAY to make sure my bipartisan After School for America's Children Act was incorporated in the bill. I thank her.

In the Senate, I first introduced my afterschool bill in 1997. I worked with Senator Ensign at that time. The Federal Government at that time only funded small afterschool pilot programs. When we got to 2001, I saw an opportunity to take that pilot program and turn it into a real, funded authorization for afterschool programs. The bill we have on the floor today and next week will modernize that afterschool program. It is the 21st Century Community Learning Centers Program, which incorporates afterschool. It will help States support quality afterschool programs. It encourages parental engagement and involvement and ensures that afterschool activities complement the academic curriculum. Our kids don't stop learning just because the clock strikes 2 or 3 or 4; they keep learning. So the afterschool activities are very important.

Most important to me is that this bill preserves the stream of funding that is necessary to protect the afterschool programs because, to be quite honest, we have had a lot of issues with people trying to grab those funds and

use them for something else. Let me tell you why we cannot do that. We now serve more than 1.6 million children of working families every year through this afterschool program. That is progress. Think about 1.6 million children. Think about all of their parents and the relief it brings to them to know they have their children in a quality afterschool program.

But there are still 11.3 million children left unsupervised when the day ends. In other words, one in five children is unsupervised from 3 to 6 p.m. Those are the hours where juvenile crime peaks and risky behaviors are most likely to occur. Law enforcement and mayors have been telling us for years that afterschool programs reduce crime. It truly is a no-brainer. Our kids need a safe place to go after school. Our parents need to make sure their kids are safe after school because most parents work in today's world.

No matter what leading candidates for the Republican nomination say, today my understanding is Jeb Bush said our workers don't work hard enough. He said that our workers don't work hard enough. Just talk to the parents of these kids. They are working hard, sometimes multiple jobs. They need to know their kids are safe.

I want to talk about one student, Gerardo Rodriguez, who grew up in poverty in Los Angeles. He dealt with the threat of violence and the allure of gang life. While he was at Carson Middle School, he chose to join an afterschool program that was run by the Boys and Girls Club instead of a gang. Gerardo went to an afterschool program instead of joining a gang. In statistics, he would be told he was likely to be a dropout. Instead, he graduated from Carson High. In 2012, he obtained \$3,000 in college scholarships. He is in his second year at California State University, Long Beach, and he is majoring in engineering.

We need to save kids like this. Yes, the parents are working hard, many hours, and they need afterschool help. This bill helps those kids. I would like to do more for more children, but I am thankful we are preserving this program.

Our working families need to know their kids are safe because there are more than 28 million parents of school-age children who are employed, including 23 million who work full time. These parents miss an average of 5 days of work a year because they don't have afterschool care and their child gets sick. We all know that. We have all gone through that. Our children have gone through that. So it was 30 years ago when I started to work on this issue.

I again thank Senators ALEXANDER and MURRAY for preserving afterschool care for our children.

#### E-CIGARETTES

Mrs. BOXER. Mr. President, I also thank Senators ALEXANDER and MURRAY for including my provisions on a dangerous product that is gaining popularity among our children, e-cigarettes. The language in the bill allows schools to use their same Federal funding that goes toward alcohol, drug, and tobacco education to teach children about more novel tobacco products such as e-cigarettes.

According to the CDC, youth use of e-cigarettes has tripled in 1 year from 2013 to 2014. Let me tell you, our kids are not getting accurate information. There is advertising that is aimed at them that makes it sound like this is just a wonderful opportunity for them.

What are our children being exposed to? It is not just nicotine—clearly, e-cigarettes are a nicotine delivery system—but even more.

Now the Surgeon General has said nicotine has a negative impact on adolescent brain development. So for God's sake, let us stop our kids from being able to smoke e-cigarettes on campus. I have an amendment that would do just that, and I hope it will be unanimously accepted because these e-cigarettes also contain benzene, cadmium, formaldehyde, propylene glycol, and nanoparticles that are present in traditional cigarettes, according to the California Department of Health.

So we need the FDA to finalize their rule on e-cigarettes. But in the meantime, youth use is soaring. We finally are making progress on reducing smoking among teens, and yet this e-cigarette situation is out of control. That is why I am pleased that in this bill schools will be able to teach kids about the dangers of e-cigarettes.

In conclusion, again I thank the bill's managers for helping me get the afterschool language in, protecting our kids after school, getting some language in to make sure we can educate our kids against the dangers of a new nicotine delivery system called e-cigarettes, but I also have three more amendments that are pending and I hope will pass.

The first one I talked about was clarifying that a ban on smoking in schools includes all tobacco products such as e-cigarettes. The second amendment would prohibit advertising e-cigarettes to children. When you see this—I am sorry I didn't bring the charts to the floor—they are using cartoon characters, the same kind of thing that was done by the big tobacco companies. Big Tobacco is behind this, let's be clear. We don't need another epidemic that starts killing our people before we finally turn the corner on regular smoking.

#### COLLEGE CAMPUS SEXUAL ASSAULT

Mrs. BOXER. Mr. President, the last amendment I have is a different sub-

ject, and it deals with college campus sexual assault. It would simply say that every college campus should have a confidential, independent advocate to help sexual assault survivors every step of the way.

I am proud to say that my legislation has been voluntarily adopted by universities in my home State of California, including the University of California, the State college system, and the community college system, to the extent they can deal with it, because there is a lot of discretion in that particular group of colleges. But I haven't heard from the private colleges in California.

So all we are saying in this amendment is let's make sure every college campus that gets Federal funds sets up a confidential advocate for women—for men as well who are also victims of sexual assault—so that from the beginning of their complaint they have a friend, they have a confidant, and they have someone who knows their rights with them every step of the way. I would be so proud to see this included.

I thank the Presiding Officer for his endurance on this little talk.

#### 6-YEAR HIGHWAY BILL

Mrs. BOXER. Mr. President, next week I hear Senator MCCONNELL may be coming forward with a highway bill. I pray it is a 6-year bill. Republicans and Democrats voted one out of the EPW Committee—I am proud to say not one dissenting vote—a 6-year robust bill.

I hope we will fund it in a way that doesn't cut other jobs, while we are trying to create jobs in the transportation industry, but in fact looks at international tax reform, where we can actually help our businesses and have a tax system that is reformed. The funds that come in to us go to the highway trust fund so we can take care of those bridges that are falling done and insufficient—60,000 of them—the highways that need help, and the roads, 50 percent of which are in disrepair. We need help.

Our businesses need that help. They call for that help. They are the concrete people, the granite people. They are the general contractors, they are the engineers, our workers, and the construction workers. We still have 200,000 of them out of work since the great recession.

We need a 6-year highway bill. We need it now. We need it funded in a smart way that helps our economy keep on growing. So there is a lot of work ahead.

I wish to take this opportunity to say thank you to Senator ALEXANDER and Senator MURRAY—and a hopeful request to Senator MCCONNELL that the bill that comes to the floor on the highways is one which we can all embrace, and we can take care of this

great Nation because, I will tell you, there isn't a great nation on Earth that doesn't have an infrastructure to match.

You have to move goods, you have to move people, and if you can't do that, we simply can't keep up in this global economy.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. UDALL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### EVERY CHILD ACHIEVES ACT

Mr. UDALL. Mr. President, Nelson Mandela once said there can be no keener revelation of a society's soul than the way it treats its children.

Every child deserves a fair chance. If we fail at taking care of our children, we fail at everything else. So the stakes are high as we work to reform the No Child Left Behind Act. Too many children are left behind. The Every Child Achieves Act is a step forward.

I thank Senator ALEXANDER and Senator MURRAY for working so hard on this bill. It is bipartisan, and it is an opportunity for real progress in educating our children.

My dad used to say get it done, but get it done right. When we say "every child succeeds," we have to mean it—every child, including those in the poorest and most vulnerable communities. That is what we must do. This is the bill we must pass.

I am cautiously optimistic, but I would remind my colleagues, we cannot keep playing catchup. I have met with child well-being experts in New Mexico and across the Nation. They are very clear. Early intervention is key. For too many children, there are too many hurdles and too little hope. Our commitment has to begin early and has to stay the course.

In New Mexico, almost one in three children lives in poverty. One in five goes to bed hungry. We are ranked next to last in education, last in overall child well-being. That is absolutely unacceptable. The future of my State, for our children and for our economy, depends on changing it.

Earlier this year, I introduced the Saving Our Next Generation Act for full funding for programs that work, that work on a daily basis, work in our communities for critical prenatal care, and for Healthy Start and Head Start. Too little too late doesn't work. The result is wasted opportunity and continued failure. Children need to arrive at school ready to learn and able to realize their full potential.

That is why I also emphatically support Senator CASEY's strong start amendment for pre-K education for every child. Early learning is critical. Senator CASEY's amendment would expand and improve those opportunities for children from birth to age 5.

We need to ensure all students get the same opportunities. I have introduced an amendment that provides support for Native American schools. The Bureau of Indian Education functions as a State education agency and has 50,000 students in it, but it is not funded as one. It often loses out on grants and other Federal funding. We have to change that.

Both sides have worked to improve this bill. I am pleased it has several measures that I have long fought for. For example, healthy children are an investment in our future. Their health education should be a priority, not an afterthought. The bill includes my amendment to make health a core subject.

In addition, we know that too many students, especially in minority communities, are not graduating. In my State, one-fifth of high school students drop out every year. Many who drop out are teen parents. My amendment provides critical support to these students. We need to do all we can to help them stay in school and to raise healthy children while they do so.

The Every Child Achieves Act strengthens STEM education, financial literacy, rural school districts, and 21st century community learning centers. It ensures that tribal leaders can teach native languages in their schools—something I have long pushed for. It also supports vital school and community public-private partnerships. These are much needed reforms and will make a difference to children and families in my State.

Our goal is clear: to reach all students, especially those who need the most support to succeed in school.

In New Mexico, three out of four of our schools are title I schools. They face great challenges. Many students are low income. Many have special needs. We have to make sure they have the resources they need. This has to be a priority, and it starts with good teachers.

We aren't going to recruit great teachers—especially in schools with the greatest need—if we unfairly punish those teachers for poor student performance. There has to be flexibility, especially early on.

Our first obligation is to students—all students. We are accountable to them and their parents, and we need to keep applying pressure, while providing support, to States and school districts to ensure that truly no child is left behind. But we can't just test for failure; we need to plan for success. We should build on what works and leave behind what doesn't. But don't leave

behind good students or those teachers who dedicate their lives to helping them.

Now is the time for reform—to ensure that standards are strong and, if not met, efforts are in place to help those students, to make sure parents and teachers know how students are performing every year, and to give States and school districts the support to succeed.

Let's be clear. We face troubling and chronic achievement and opportunity gaps. Every school must address this and be held accountable. Now is the time to address resource inequities. Now is the time to invest in what works. Now is the time to make sure we are not taking resources away from students, schools, and districts with the greatest need. Parents deserve to know that when children fall behind, their schools will take action and that we have the resources to do so.

But it isn't just schools that must act. So must we act—the Congress, parents, and communities. We all have a stake in this, and we share the same goal—to protect at-risk students, to provide accountability for taxpayer funds, and to make sure that every child has a fair chance.

I want to again commend my colleagues on both sides of the aisle for bringing this legislation to the floor. Working together we can provide all students with the education they need.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROUNDS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 1722

Mr. ROUNDS. Mr. President, I rise to speak concerning the Dodd-Frank Act, which mandates the creation of 398 new rules. These rules are still in the process of being implemented, but already we have seen capital moving from productive uses to inefficient and unproductive uses as a result of this law. The end result is that every dollar going to comply with these rules is a dollar that can't be productively invested in our economy by providing loans or mortgages to customers or purchasing machines or, for that matter, hiring new employees. For example, at a recent Senate banking committee hearing, the comptroller for Regions Bank testified to us that the bank now employs more compliance employees than actual loan officers. This is not only bad for Regions Bank, it is harmful for our entire economy.

Unfortunately, we see examples of overregulation stemming from Washington way too often. Another example

of an unnecessary and redundant rule that costs businesses capital is the so-called pay ratio rule buried in section 953 of Dodd-Frank, and today I come to the Senate floor introducing legislation to repeal it, S. 1722. Pay ratio requires the Securities and Exchange Commission to promulgate a rule requiring companies to calculate the median salary of all their employees and then divide their CEO's pay by that number.

According to one prominent organization in support of this rule, the purpose of it is to "shame companies into lowering CEO pay." Forcing companies to move money from productive uses toward re-creating information that is already available so they can be shamed is a poor use of financial resources. In addition, it is also redundant. CEO pay is already public. If anyone is interested in finding the salary of a CEO of a public company, that information is easily available thanks to already existing disclosures. Also, both the Bureau of Labor Statistics and private economists already track the average salary for a wide variety of jobs. If we know the salary of a company's CEO and we know what their business does, we can already calculate a company's pay ratio. In fact, labor unions and private Web sites are already making these calculations.

Unfortunately, the result of the pay ratio rule is more than just an academic exercise; according to the SEC, companies will have to spend \$73 million per year to comply with this rule. And the U.S. Chamber of Commerce estimates the cost will be higher—as much as \$700 million per year or more. If we take those two numbers and split the difference, if we add them up and divide them, we get \$386 million per year as an average estimate just to comply with this one single rule.

Taking a look at this rule, let's use our own pay ratio test. In 2014, the Bureau of Labor Statistics calculated that the annual mean wage was \$47,230. If we divide \$386 million, which is the cost of complying with the pay ratio rule, by \$47,230, which is the mean annual wage for workers, we get the number 8,172. This means that on average we could pay 8,172 people their full salary for the amount of money it takes to comply with the pay ratio rule. Remember, this is only one of 398 such rules found within Dodd-Frank, a number of which have not even been implemented yet.

The money they would use to do this has to come from somewhere to pay for the new compliance systems required to follow this rule, taking away much needed capital from businesses that could otherwise invest money growing their business and creating job opportunities. It is a waste of time, effort, and money.

The legislation I introduced yesterday simply strikes this rule in Dodd-

Frank. It does nothing to change any other part of the law. Repealing the pay ratio rule would allow companies to find more productive uses for their time and money so they can invest in the future and create job opportunities.

I am committed to relieving Americans from this and other unnecessary and burdensome regulations during my time in the Senate. I encourage my colleagues to join me in this effort.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CASEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### EVERY CHILD ACHIEVES ACT

Mr. CASEY. Mr. President, I rise to speak on an amendment that has great significance for our country. It is about early learning. I will give you the formal name of the amendment so we have it for the record: Casey amendment No. 2152, the strong start for America's children amendment, which is an amendment to the Every Child Achieves Act that will establish a Federal-State partnership to provide access to high-quality and public pre-kindergarten education for low- and moderate-income families.

We have had a debate, especially over the last couple of days, about our commitment to basic education, so-called elementary and secondary education. As part of that, I think it is the time to finally, at long last, have a debate about early learning on the floor of the U.S. Senate. It has been a long time since that has happened.

I thank the folks who have made it possible for us to get to this point to consider an amendment like this and to have this debate about the larger legislation but also about this amendment, in particular. Senator ALEXANDER and Senator MURRAY were leading the effort to consider the Every Child Achieves Act, but also, in particular, I again salute Senator MURRAY for her many years, as you might call it, laboring in the vineyards of early learning, as she has done on so many other issues—since the first stage, she has been in the Senate working on early learning. I thank Senator HIRONO for her work on this issue as well, in proposing legislation which has come together now after a lot of years of work by a number of us in the Senate. We are grateful for their contribution.

I also ask unanimous consent to add Senator BOOKER as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CASEY. Mr. President, what this comes down to is something very fun-

damental. The basic link between learning and earning—if children learn more now or learn more when they are very young, they are going to earn a lot more down the road. They are going to do better in school. They are going to succeed in progressing in school in a way we would hope, no matter where they live and no matter what their circumstances, if we make the commitment to those children. Because of that success and progress and learning, they will learn more down the road. We know a more developed education leads to great success in school and also leads to a better job down the road.

This isn't simply a commitment to a child. It certainly is that first and foremost, but it is also a commitment to our long-term economic future. If you want higher wages and you want better jobs and you want a growing economy and you want America not only to compete in a world economy but outcompete and have the best workforce, the best workers in the world, we have to make sure we have the best education system. That starts long before a child gets to first or second grade and even starts before they get to kindergarten. That is why I refer to this as pre-K or prekindergarten education. If they learn more now, they will earn more later. We have to make sure we bear that in mind.

As we debate the appropriate role of the Federal Government to ensure that all students in the Nation graduate from high school prepared for college and career, we cannot forget about this basic piece of the puzzle that begins before that child enters kindergarten.

In the short term, students enter kindergarten more prepared and ready for elementary school if we pass legislation like the amendment I am proposing. Some studies have even shown high-quality early learning can help double a child's cognitive development. High quality and early learning can double a child's cognitive development.

In the long term, high-quality early learning—we want to emphasize "high quality." I didn't say just any program or any kind of curriculum. We will talk more about that later. High-quality early learning contributes to, among other things, No. 1, a reduction in the need for special education; No. 2, lower juvenile justice rates; No. 3, improved health outcomes; No. 4, increased high school graduation and college matriculation rates; and, No. 5, increased self-sufficiency in productivity among families. These aren't just assertions. These are the results of many years of study.

I will turn to the first chart for today. No. 1, high-quality early learning means children can earn as much as 25 percent more as adults. This is where early learning has a direct and substantial correlation to higher wages down the road. No. 2, early learning leads to healthier and more productive

lives. There is no question about that. Some of the best research on this has been done lately and should be part of the discussion. No. 3, high-quality early learning also leads to children who are less likely to commit a crime. All the data shows that over many years now. No. 4, high-quality early learning means children are more likely to graduate from high school.

We need to get that number up across the country. We hope that will lead to more young people finishing high school and getting higher education, but that doesn't always mean a 4-year degree. It might mean a 2-year degree. It might mean a community college. It might mean a technical school. They can't get to a community or technical school or any kind of higher education unless they graduate from high school. We want to make sure we have programs that do that. Kids learn more now and earn more later. That is the first reason to do this. It has a positive impact on that child and a substantially positive impact on the economy.

The other way to look at this is what would happen in the absence of this kind of commitment, which we don't have right now as a nation. I think it is a strategic imperative that we have a commitment to early learning. But what happens if we don't? We can spend upward of \$40,000 per inmate on incarceration, thousands of dollars on drug treatment and special education. Whatever the challenge is, those problems become worse the longer we don't make this commitment. That is one option.

The other option is to spend a fraction of that \$40,000 on high-quality preschool and give children the good and smart start they need in life. It is that old adage: An ounce of prevention is worth a pound of cure.

We often have the best testimony from folks in our home State. I want to read one of those pieces of testimony. This is a letter I received. I will not read the whole letter. I want to refer to a couple of individuals from Pennsylvania. Heather is from Southwestern Pennsylvania, and she wrote to us talking about her child. She is talking about the fact that her daughter is enrolled in a high-quality pre-K program. These are positive testimonials about the impact on the child and on the family. Heather, from southwestern Pennsylvania, wrote to us and told us that her daughter is enrolled in a high-quality pre-K program. These letters are positive testimonials that describe the impact this program has on a child and family.

Heather says in pertinent part:

My daughter has blossomed since starting the PA Pre-K Counts program . . . she loves it!! She sings us songs she learns daily and has made lots of friends daily she tells us how much she loves her school and her teachers!

It goes on from there.

Another letter from Dorie D., also from the southwestern corner of our State, out near Pittsburgh, says:

Our daughter has blossomed since starting the PA Pre-K Counts program. Having this program available to us has helped us see how our child learns best.

She goes on to say:

She is just so much more animated and open to learning now.

We get letters like these all the time about the positive impact of early learning. This is testimony from people who are directly affected by it.

One way to look at this is from the testimony of families. Another way to look at it is from the data. One of the best authorities is Dr. James Heckman, the Nobel Prize-winning economist who estimates that the return on high-quality early learning is as high as \$10 for every \$1 we invest. Another study of the Perry Preschool Project in Michigan showed a return of \$17 for every \$1 spent. So when you spend a buck on early learning, you get 17 bucks in return. This study has been on the record for many years, and unfortunately some elected officials haven't taken it to heart.

The data of return on investment is overwhelming and indisputable. So if we want to measure this in terms of dollars, there is all of the evidence in the world. I think the evidence and the testimony from parents is even more persuasive, but if we want to do a dollar comparison, there it is—17 bucks returned on 1 buck of investment in early learning.

The same research found that children who participated in high-quality early learning earned approximately 25 percent more per year than those who did not.

So study after study looking at full-day learning programs across the country have found a positive impact on the future earnings of participants, and in some cases the benefit just from increased wages could be as high as 3.5 percent per year. So this does have a direct correlation to wages. My strong start amendment would help more than 3 million American children have that opportunity for high-quality early learning, and it would give them access to those kinds of programs.

My home State of Pennsylvania has made strides in this direction at the State level. That is the good news. The bad news is that they have not made anywhere near the strides we need to make. We are nowhere near 50 percent of our children in these kinds of programs. So because of that, because of that void or that deficit, the number for Pennsylvania in terms of benefits is high. It is estimated that 93,930 children in the State of Pennsylvania could benefit from this amendment being enacted into law.

Mr. President, I ask unanimous consent that the document entitled "Five-Year Estimates of Federal Allotments

and the Number of Children Served By Casey Strong Start Amendment" be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FIVE-YEAR ESTIMATES OF FEDERAL ALLOTMENTS AND THE NUMBER OF CHILDREN SERVED BY CASEY STRONG START AMENDMENT

(funding in dollars)

State	Federal Allotment \$	Estimated Children Served
Alabama .....	429,922,966	51,804
Alaska .....	130,998,000	15,643
Arizona .....	656,508,117	80,170
Arkansas .....	315,518,722	34,630
California .....	3,139,171,848	356,816
Colorado .....	366,496,715	43,250
Connecticut .....	199,660,755	21,673
Delaware .....	130,998,000	15,789
District of Columbia .....	130,998,000	12,666
Florida .....	1,440,455,110	161,553
Georgia .....	917,616,106	101,756
Hawaii .....	130,998,000	16,099
Idaho .....	153,654,734	18,800
Illinois .....	961,484,302	108,064
Indiana .....	530,095,397	65,147
Iowa .....	241,549,933	26,707
Kansas .....	259,275,568	30,942
Kentucky .....	411,598,742	47,475
Louisiana .....	455,185,965	52,223
Maine .....	130,998,000	15,427
Maryland .....	361,451,446	40,378
Massachusetts .....	268,510,976	30,552
Michigan .....	704,261,046	82,020
Minnesota .....	344,519,863	41,581
Mississippi .....	341,868,957	42,015
Missouri .....	448,967,945	54,565
Montana .....	130,998,000	16,099
Nebraska .....	147,742,118	17,666
Nevada .....	252,190,201	30,808
New Hampshire .....	130,998,000	16,099
New Jersey .....	448,992,376	42,744
New Mexico .....	227,159,310	27,175
New York .....	1,234,026,608	137,136
North Carolina .....	872,086,515	101,598
North Dakota .....	130,998,000	16,099
Ohio .....	976,595,679	118,760
Oklahoma .....	323,544,733	34,739
Oregon .....	292,466,846	33,472
Pennsylvania .....	817,003,895	93,930
Puerto Rico .....	453,536,785	55,738
Rhode Island .....	130,998,000	16,035
South Carolina .....	514,947,370	61,478
South Dakota .....	130,998,000	16,099
Tennessee .....	585,849,905	68,313
Texas .....	2,670,071,687	299,902
Utah .....	283,952,191	34,897
Vermont .....	130,998,000	15,224
Virginia .....	461,782,685	53,967
Washington .....	511,392,470	60,180
West Virginia .....	150,649,562	15,676
Wisconsin .....	455,857,852	50,212
Wyoming .....	130,998,000	16,099
Total .....	26,199,600,001	3,017,891

Notes: Table prepared by the Congressional Research Service. Estimates were developed using assumptions and some may not be subject to change. Estimates of children served assume the cost of serving each child would be \$9,000 per child in every state.

Mr. CASEY. That is a list of the dollar amounts that States would receive under this. They have to choose to participate, but if they did, they would have not just the dollars for it but the children served. So my amendment would benefit 3 million children across the country and almost 94,000 children in Pennsylvania. In Ohio, 118,760 children would benefit from this program. Even a very large State that might not have the investment we would hope, a State such as Texas, has 299,902 children—let's just round it off and call it 300,000—who would benefit.

This chart shows the number of children who would benefit, and I believe it is long overdue that we made this commitment to our children.

The State would have to match, and that is why I mentioned it at the beginning. This is a Federal and State

partnership. And we know if that happens, the full-day preschool would be available for 4-year-olds—that is the age category we are focused on—from families earning 200 percent below the Federal poverty level. So if it is a family of four, 200 percent is a little less than \$49,000 of family income.

Earlier, I mentioned quality. We don't want to just have programs set up around the country—a Federal and State partnership and have a program. That would be nice, but it won't advance the goal of the best possible learning. We want high-quality programs. So we insist that the programs be ones that have teachers with high qualifications who are paid comparably to K-through-12 teachers. We would also insist that there be rigorous health and safety standards for these programs, such as small class sizes and low child-to-staff ratios, and instruction that is evidence-based and developmentally appropriate. We don't want to have just any curriculum; we want to have the best curriculum that is based on evidence that it works and also evidence-based comprehensive services for children.

This amendment acknowledges that high-quality pre-K programs should be inclusive of services for children with disabilities as well and recognizes the need for increased funding to specifically serve these children in early childhood.

There are other aspects of the program I do not have time to discuss right now, but I wanted to address an issue some people have brought to my attention. This program is a new commitment by the United States of America, and even folks who say this is a really good idea ask: How do you pay for it?

Well, we have a pay-for. There is a change to the Tax Code, which I think a lot of folks would support because of what we have seen over the last couple of years. To pay for this, we would put limits on the ability of American companies to invert and move their tax domicile overseas to reduce their tax liability. That is a long way of saying we would make it more difficult for companies to engage in this so-called inversion strategy which allows them, through a loophole, to pay less taxes because they move operations into a smaller company that is foreign owned. I believe we should make it more difficult for companies to do that. If they want to do that—I don't like when they do that, and not many people like it—we should at least make it a little more difficult. If we make it more difficult for companies to do what we hope they wouldn't, that will actually lead to a savings in revenue.

It would make a lot of sense for American companies that believe they should move overseas to help us pay for early learning. I think that makes all the sense in the world if we are com-

mitted to early learning and if we are committed to making sure we can pay for the program. The amendment itself is paid for by dealing with this loophole or dealing with part of an advantage companies have.

This amendment is supported by nearly 40 national organizations, from unions, to parent education and early learning groups, disability advocacy groups, and civil rights groups.

Mr. President, I ask unanimous consent to have the full list of endorsing organizations printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

List of Organizations Endorsing Casey Amendment #2152 to S. 1177—The Strong Start for America's Children Amendment

1. American Federation of State, County, and Municipal Employees
2. American Federation of Teachers
3. American Federation of School Administrators
4. Bazelon Center
5. Child Care Aware America
6. Center for American Progress Action Fund
7. Center for the Collaborative Classroom
8. Children's Defense Fund
9. Center for Law and Social Policy
10. Collaborative for Academic, Social, and Emotional Learning
11. Common Sense Kids Action
12. Easter Seals
13. Education Law Center
14. First Five Year's Fund
15. First Focus Campaign for Children
16. Leadership Conference on Civil and Human Rights
17. Learning Disabilities Association of America
18. National Association for the Advancement of Colored People
19. National Association for the Education of Young Children
20. National Association of Councils on Developmental Disabilities
21. National Association of Elementary School Principals
22. National Association of School Psychologists
23. National Association of State Directors of Special Education
24. National Black Child Development Institute
25. National Center for Families Learning
26. National Council of La Raza
27. National Urban League
28. National Women's Law Center
29. National Education Association
30. Nemours Children's Health System
31. Parents as Teachers
32. School Social Work Association of America
33. Service Employee International Union
34. Teach For America
35. Teaching Strategies
36. The Committee for Children
37. The National Down Syndrome Congress
38. Tourette Association of America
39. Zero to Three

Mr. CASEY. Just a couple of more points, and I will move on.

Even with these recent gains, according to one of the national groups that track this data, the National Institute of Early Education and Research, NIEER, shows that only 4 in 10 American 4-year-olds are enrolled in public

pre-K and fewer than 2 in 10 3-year-olds. Let's just focus on the 4-year-olds. Four in ten 4-year-olds are in these kinds of programs.

I don't know how we can compete and have the best workforce in the world and develop the highest skill level in the world for our future if we don't make a commitment to early learning. I don't know how else we can get there over time if we are going to continue to talk a good game about early learning. And to listen to the testimony of parents, CEOs, and business owners who come to us year after year, in addition to talking to us about taxation and other issues—they say: Please, please make an investment in early learning. Some of the biggest companies in Pennsylvania and some of the biggest companies in the world have come to us and said that. Whether it is a CEO or a parent or an educator, they all believe we have to finally, at long last, make a commitment to early learning as a nation because it is a strategic economic imperative.

Even in Pennsylvania, where I mentioned before that we made some strides over basically the last decade or 15 years, we rank 10th in the amount of State resources invested. That is kind of good news but not enough. Pennsylvania is still only able to serve less than 10 percent of all 3- and 4-year-olds in State funding for early learning.

I think that at the same time we can make the academic arguments—the arguments by parents and educators and CEOs—we also know that the national data and polling show it is something the American people support as well. The American people understand the vital importance of increasing investment in early learning.

A national poll conducted last year by the bipartisan team at Public Opinion Strategies and Hart Research showed that 64 percent of Americans believe we should be doing more to ensure that children start kindergarten ready to do their best.

Here is another way to summarize it. This chart shows voters who say we should be doing more to ensure that children start kindergarten ready to do their best, and virtually no one else says we should do less. Those who say we should do more to ensure our children start kindergarten ready to learn and ready to do their best—64 percent. Twenty-seven percent say we should do enough. We have to persuade some of those folks in green. Only 4 percent say we should do less. I don't know who those folks are. I hope I can meet them and talk to them. But the overwhelming majority of Americans say we need to do more to give children the opportunity to be prepared to learn and therefore to have a strong start in their education and down the road to literally earn more when they are working.

This support runs across all parties—55 percent of Republicans, 63 percent of



Independents, and 73 percent of Democrats.

When asked about a similar proposal to the one in my amendment, 7 in 10 Americans, including 67 percent of Republicans, support it. So it has overwhelming support.

I will end with the words of the folks who know the benefit of these programs already—some of the parents who wrote to us. There are two more letters I will cite.

The next testimonial is from Beth. She is from Washington County, PA. She expresses gratitude for the Pennsylvania pre-K program. She says:

My daughter has learned so much. Before the start of PA Pre-K Counts, she couldn't write any of her letters or even recognize them. She has improved so much since the first day of class. It has given her socialization with other kids her age.

She goes on to tell how much that means to her family and how much that means to her daughter.

Finally, Megan, who is from the other end of the State, southeastern Pennsylvania in Montgomery County, says in part that her son "came into this program shy and with very little verbal communication. He now talks nonstop and loves learning!"

I have only read brief excerpts from letters we have received.

Here is the point: If a child enters a program and by the end of that is curious about learning, that is a huge success. If a child enters a program not knowing her letters and by the end of that she is learning and achieving, that is something we can all be positive about.

The first letter I read talked about the way one mother's child was singing songs that she learns daily. Whatever it is, whether it is singing or learning letters or reading, these children are learning because of a good program. It didn't just happen by accident. It happened because they are in a high-quality program. It happened because in some communities they made the decision to invest in the future of that child and the future of our economy.

So let's take a step with this amendment to allow children to learn more now so they can earn more later and help us move into the future in a very positive direction for our children, for our families, and for our economy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Ms. BALDWIN. Mr. President, I rise to speak in strong support of an amendment to this underlying bill that addresses resource equity in our Nation's schools. I am proud to have worked across party lines to join my colleagues in supporting this bipartisan amendment, particularly to have worked with Senators KIRK, REED of Rhode Island, and BROWN on this measure. It is an improvement to the long-overdue reauthorization of the Elemen-

tary and Secondary Education Act that we have been debating over the course of this week.

The Every Child Achieves Act importantly focuses on ensuring that those students most in need have access to a high-quality education. It continues to ensure that title I funds flow to school districts where Federal support can make the greatest impact and the most difference. It requires States to report key information that will help us identify disparities such as per-pupil expenditures, school discipline, and teacher and educator quality. But I believe we must further strengthen those reporting requirements in order to fully ensure that the range of critical school resources—from quality teachers, to rigorous course work, to well-conditioned and equipped school facilities—is being equitably distributed among school districts in a given State. And we must require States to demonstrate how they will act to address disparities among schools.

Despite the advances we have seen since President Johnson signed the Elementary and Secondary Education Act into law 50 years ago, significant gaps in achievement and opportunity still exist. The U.S. Department of Education's Office of Civil Rights recently published data from a comprehensive survey of schools across the Nation that illustrated the magnitude of the problem. For example, the report describes how Black, Latino, American Indian, and Native Alaskan students and English learners attend schools with higher concentrations of inexperienced teachers.

Furthermore, nationwide, one in five high schools lacks a school counselor, and between 10 and 25 percent of high schools across the Nation do not offer more than one of the core courses in the typical sequence of high school math and science.

In my home State of Wisconsin, higher poverty and higher minority school districts remain more likely to have inexperienced teachers. The Department of Education has data that shows that, for example, in Milwaukee, where there are the most high-poverty and high-minority schools in our State, 8 percent of teachers are in their first year of teaching and 19 percent of teachers lack State certification. The State average is 5.6 percent for first-year teachers and 0.3 percent for those who lack certification.

As with the Nation, achievement gaps follow these disparities. According to data from the National Center for Education Statistics, there are startling differences in student proficiency and graduation rates both in Wisconsin and nationally. For example, the average math proficiency in low-performing schools in my home State is 12 percent. The average in all other schools in the State is 51 percent. That is a huge gap; it is a 40-percent gap.

There is also a 37-percent gap for reading and language arts proficiency and a 31-percent gap in graduation rates.

We cannot close those achievement gaps if we do not provide all students with equal access to core educational resources. That is why I am pleased to join Senators KIRK, REED, and BROWN in offering this opportunity dashboard of core resources amendment. This amendment requires each State to report what key educational resources are currently available in districts with the highest concentrations of minority students and students in poverty. Then it requires them to develop a plan to address the disparities that are shown to exist. It gives States flexibility to develop those plans and lay out a timetable with annual benchmarks for taking action, and it protects a parent's right to know about the critical educational resources that are available to his or her child.

As we work to reauthorize the Elementary and Secondary Education Act in its 50th year, we have yet to see its promise of equal access to educational opportunity fulfilled for all of America's students. As we look to the next half-century of supporting public education, it is critical that we take steps to ensure that all children have access to the educational resources that will help them succeed, regardless of race, ethnicity, or family income.

I understand there may be a vote on this amendment early next week. I certainly hope so. I urge my colleagues to support this very important bipartisan effort.

Thank you, Mr. President.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### EXPERIMENTS IN POLICY

Mr. CORNYN. Mr. President, when I return home to my State during our district work periods—the time when the Senate is not in session—as I get a chance to travel my State, as the Presiding Officer does in his, I always feel as though I learn something, and I appreciate a little bit more how different policies can have a different impact and produce different results.

As the distinguished Senator from Wisconsin was speaking about the importance of education, I couldn't help but think that we all agree with that, but we have maybe some differences on which policies actually produce a better result. I couldn't help but think a little bit about that last week as I was visiting some of the ranchers and folks in west Texas in the ag sector who



were very interested in what we were doing here in Washington on trade promotion authority, as we have worked with the President on a bipartisan basis to pass this structure by which the next big trade agreement—the Trans-Pacific Partnership—will be considered and voted on.

I do have a bias. I think experiments in policy are best conducted at the State level, not at the national level. We have seen, for example, as the Presiding Officer knows, a huge experiment in health care reform where, under the Affordable Care Act, one-sixth of our economy was effectively commandeered by the Federal Government in a one-size-fits-all approach. Of course, the results were much worse than even its most ardent opponents predicted. Many of the basic promises that were made in order to sell the Affordable Care Act simply aren't true. They haven't come to pass.

So I think it is helpful to do just the opposite. Rather than experiment at the national level with what kinds of policies actually work, let's try these at the State level. Indeed, on the matter of trade, I would say I come from a State that is the No. 1 exporting State in the country, and that is one reason why our economy grew last year—2014—at 5.2 percent. The economy across the United States grew at 2.2 percent. There are a lot of reasons for that difference, but don't we think it would make some people curious about whether there were actually policies or practices at the State level that produced a better result—a growing economy with rising wages and more jobs?

This isn't just me being proud of where I come from. I guess people are accustomed to Texans being proud of their State and bragging about it. That is just kind of who we are, and we accept that. But this is more than that. This is talking about the policies that actually work, that have been embraced and implemented here at the national level, once tested at the State level—we could actually see a better outcome for all of America.

For example, Texas farmers and ranchers know from our experience in Texas that trade is a good thing. As we begin to explain and explore the importance of trade promotion authority, the idea that we comprise roughly 5 percent of the world's population—in other words, 95 percent of the world's population is beyond our shores but we represent 20 percent of the world's purchasing power—why wouldn't we want to open up our goods and services and the things we grow and make to these markets abroad so that more people can buy the things we grow and raise and what we make?

I wish to speak about another innovation or at least another practice at the State level that has had an impact on the quality of education at the State level. As we continue the discus-

sion of the Every Child Achieves Act—legislation that will hopefully help improve the results for 50 million children—I am glad we will be bringing another tried-and-true example of what has happened at the State level to the national level.

I was happy to cosponsor with the senior Senator from Virginia an amendment which takes into account the commonsense purpose of encouraging the States to conduct efficiency reviews of school districts and campuses to make sure Federal dollars delivered to each classroom are spent as cost-effectively as possible. This amendment builds on an incredibly successful program in Texas—one that brings greater accountability to our schools and helps them discern how they can make each dollar go just a little bit further. This program is called the Financial Allocation Study for Texas, or FAST. It was developed by the Texas comptroller, Susan Combs—the immediate past comptroller of the State of Texas—to evaluate the operational efficiency of the school districts and campuses across our State. To do that, the comptroller uses data about school finances, school demographics, and academic performance from each school and campus around the State to help measure academic achievement relative to spending.

There is a broadly held fallacy that the quality of educational outputs is equal to how much money we put into it. In other words, if we want a better product—education—all we have to do is spend more money. I would say that is demonstrably false. There are many of our parochial schools that do an outstanding job of educating their students at a fraction of what our public schools do. So I think it is a fallacy to say that if we want more or better education, all we have to do is spend more money. There is a smarter, more efficient way to deal with that, and that is what the financial allocation study is designed to achieve—to measure academic achievement relative to spending.

As the senior Senator from Virginia explained earlier, this successful Texas model of a fiscally responsible education system caught his eye when he was Governor of Virginia, and fortunately he then implemented a similar program. In Virginia, the savings came from commonsense recommendations—again, as we did in Texas—things such as introducing software programs to improve bus routes, enhancing methods of facilities management, and encouraging best practices in hiring and personnel management.

While more States have adopted similar programs, these money-saving opportunities should be available to all school districts nationwide. So now, with the adoption of this amendment just yesterday and with the eventual passage of the Every Child Achieves

Act, we can make sure school districts all across the country are using their dollars for what they are really intended—classroom education—not stuck in the back office bureaucracy.

As many of us have already mentioned, the underlying legislation, the Every Child Achieves Act, is really about putting the responsibility for our children's education back in the hands of parents, local school districts, and teachers—the people who are actually closer to the issue, closer to the problems, and the ones who perhaps know more than any bureaucrat in Washington could ever hope to know about what actually works at the local level. It is also about flexibility, meaning it is up to individual States, not just the Federal Government, to determine how to achieve the best outcome for all of our students. Importantly, I should add, that flexibility translates into greater options for schools across the country by giving States additional freedom to create and replicate high-quality charter schools, for example, and giving more parents more choices, as I said, for their children's education.

I am very proud of the good progress we have made across a number of issues this year so far—passing the anti-human trafficking laws and finally cracking the code on how we pay physicians under Medicare adequately rather than temporarily patching that problem, as we have for so many years. We passed a budget for the first time since 2009 that balances in 10 years. And, yes, we worked with the President of the United States on a bipartisan basis to pass trade promotion authority. Next week, we will conclude this Every Child Achieves Act by reforming our early and elementary childhood education system to get more of the power, to get more of the authority out of Washington and back to parents, teachers, and the States, where it really belongs.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Mr. President, I ask unanimous consent to speak for up to 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### EVERY CHILD ACHIEVES ACT

Mr. FRANKEN. Mr. President, we have been living under No Child Left Behind, or NCLB, for 13 years. During that time, we have learned a lot about how NCLB works and a lot more about what doesn't work. Students, teachers, and parents across the country have been waiting a long time for us to fix this law.

As a member of the Senate Health, Education, Labor and Pensions Committee, I am proud to have worked on the legislation before us today and to have helped to get it this far. The

Every Child Achieves Act of 2015 builds a strong bipartisan foundation to reform our national education system, and I thank Chairman LAMAR ALEXANDER and Ranking Member PATTY MURRAY for their leadership on this bill.

Over the last 6 years, I have met with principals and teachers, students, parents, and school administrators in Minnesota. These conversations have helped me to develop my educational priorities to help improve our schools, our communities, and our Nation's future. I worked with colleagues on both sides of the aisle, including the esteemed Presiding Officer, to find common ground, and I am very pleased that many of my priorities to improve student outcomes and close the achievement gap are reflected in the legislation that is before us today.

During my conversations with parents and students, I often speak about children's mental health. At Mounds View school district in Minnesota, I met a single mother named Katie Johnson. She told me about her son, a 9-year-old boy whose behavior she just wasn't able to control. Because this school had a system in place—a mental health model in place—they were able to identify that he might have some mental health problems and get him access to community mental health services. He was diagnosed with ADHD and Asperger's. He was able to get the treatment he needed, and it turned him around. Katie told me that her son is now doing well in school and he had taken up Tae Kwon Do. Katie told me that her life had been out of control when she couldn't control her child. But she pointed to herself—and I will never forget this—she pointed to herself and said: "Now I am bulletproof. I can do anything."

Well, I said, let's do this. So I came here and introduced the Mental Health in Schools Act, and I am proud that over the last couple of years we have gotten \$100-plus million extra through the appropriations process for programs like the one in that bill.

I have worked hard to get provisions based on my Mental Health in Schools Act into the bill before us today. My provisions will allow schools that want to work with community-based mental health organizations and mental health providers to use Federal education funding to provide mental health screening, treatment, and referral services to their students by equipping school staff with the training and tools to identify what it looks like when a kid has a mental illness. Every adult in this school, from the lunch lady to the principal, from the schoolbus driver to the teacher, was trained to see what it looked like when a kid might have a serious mental health issue, and then they would refer to the professional in the school, the counselor or school psychologist.

One of the most common features of successful schools in disadvantaged communities is the presence of an effective school principal. This should come as no surprise. It is a matter of common sense to expect that a successful school or any successful organization would have a strong leader. Research shows that school leadership is one of the most critical components of improving student learning. Yet, despite its importance, the Federal Government has not devoted adequate attention or resources to improving the quality of principals in high-need schools. That is why I made sure that there is dedicated funding written into the base bill to create a pipeline of effective principals for high-need schools.

I had a roundtable a number of years ago. The roundtable was with principals from around the Twin Cities. A school had been turned around by a great principal. We started talking about testing. One of the principals referred to the NCLB test as "autopsies." I knew immediately what he meant. Schools had to administer an NCLB test toward the end of the year—toward the end of April—and the school and the teachers didn't get the results until late June, when the kids were out of school. So the teachers couldn't use the results of the tests to inform the instruction of their kids. I found out that was why in Minnesota schools were administering other tests in addition to the NCLB test. On top of that, they were giving computer adaptive tests. What are computer adaptive tests? Well, they are computers—meaning the teacher gets the results right away, so he or she can use the results of that test to inform the instruction of each child. They are adaptive, which means that if a child is getting everything right, the questions get harder; if they are getting things wrong, the questions get easier. This is much more descriptive of where the child is and you can pinpoint this. This informs the instruction.

These kinds of tests were not allowed in the original NCLB because they said that all tests had to be standardized—standardized, meaning having the same test for each child—but you get a much better assessment with computer adaptive tests. That is why I wrote an amendment with Senator JOHNNY ISAKSON of Georgia into the Every Child Achieves Act to allow States to use computer adaptive tests. Teachers will now be able to create lesson plans based on how each student performs, starting the next day. They use computer tests to more accurately measure student growth, which is something I believe in—measuring growth and not judging whether a kid meets or what percentage of kids meet some arbitrary performance standard or proficiency standard but instead whether the school is helping every kid grow.

The only thing I liked about No Child Left Behind was the name. Yet, every teacher started teaching to the middle—teaching to the kids who are just below or just above that artificial line of proficiency. That was a perverse incentive not to focus on the kid above the line or below the line. Every child achieves. That is what we are going for.

This amendment will go a long way toward improving the quality of assessments used in our schools and will give teachers and parents more accurate and timely information about how their kid is growing.

Another issue I hear about as I travel around Minnesota—this time from businesses—is that students graduating from our schools aren't ready to take on the jobs that are waiting for them. This is called the skills gap. It isn't just a problem in Minnesota; I would say it is a problem in every State. We have jobs now that are going unfilled because our graduates lack science, technology, engineering, and math, or STEM, skills. In fact, by 2018 Minnesota employers will have to fill over 180,000 STEM-related jobs.

So I wrote an amendment to provide funding to support partnerships between local schools, businesses, universities, and nonprofit organizations to improve student learning in STEM subjects. My amendment says that each State can choose how to spend and prioritize these funds, which can support a wide range of STEM activities, from in-depth teacher training, to engineering design competitions, to improving the diversity of the STEM workforce.

States can also use these funds to create a STEM Master Teacher Corps, which is based on my legislation called the STEM Master Teacher Corps. This will offer career-advancement opportunities and extra pay to exceptional STEM teachers and help them serve as mentors to less-accomplished teachers.

Today, it is getting harder and harder for students to pay for college. That is why the Presiding Officer, the good Senator from Louisiana, and I worked—and the way the cameras work, you can't see the Presiding Officer because I am talking; it is BILL CASSIDY of Louisiana—we worked together to help reduce the cost of college while kids are still in high school.

Our amendment provides funds to cover the costs of advanced placement and international baccalaureate exam fees for low-income students. When I did college affordability roundtables, I found students who had taken an AP course but were afraid to spend the money for the test in case they did not get the 3, 4 or 5, which gave them a credit. So this will help those students do that.

Our amendment also includes dual enrollment programs and early college high schools. In Minnesota, we call

them postsecondary educational opportunities. These are two other models that help students earn college credit while in high school, and by participating and succeeding in these programs, students can save a lot of money toward college by getting college credits.

The academic programs I have mentioned are critical to our children's success in school, but many kids also need additional support to help them succeed in school. For example, school counselors respond to a wide range of student needs, from dealing with the aftermath of traumatic events to school bullying, to the college admissions process and career advising. But we have a shortage of school counselors in this country.

Unfortunately, the ability of school counseling professionals to assess students is often hindered by a high student-to-counselor ratio, often two or three times the recommended amount. In Minnesota, we have 1 counselor for every 700 students. That is unacceptable. So I wrote a provision that addresses this critical need by authorizing the Elementary and Secondary School Counseling Program in the Every Child Achieves legislation.

Federal grants like this one will help States and districts address these high ratios between students and counselors and bring more trained professionals into schools. Another critical support for students is afterschool programs. Senator LISA MURKOWSKI from Alaska and I worked on an amendment together to fund 21st Century Community Learning Centers because these afterschool programs play a critical role in increasing student achievement, keeping students safe, and helping out working families.

There are over 100 21st Century Community Learning Centers across my State of Minnesota, and these centers provide high-quality afterschool activities to help address the physical, social, emotional, and academic needs of the students they serve. Senator MURKOWSKI and I worked on another amendment to help American Indian students. Our amendment would fund Native language immersion programs throughout Indian Country because language is critical to maintaining cultural heritage. Native students who are enrolled in language immersion programs have higher levels of student achievement, high school graduation rates, and college attendance rates than their Native American peers in traditional English-based schools.

Again, I am very pleased that with the help of my colleagues, I was able to include all of these amendments in the legislation we are considering today. These provisions will help hundreds of thousands of students throughout the country reach their full potential.

Lastly, I would like to speak in support of Senator PATTY MURRAY's and

Senator JOHNNY ISAKSON's early learning amendment that was included in the bill and Senator BOB CASEY's floor amendment called strong start for America, which also expands access to early childhood education. This is so important. The achievement gap between disadvantaged students and their peers is evident before they enter kindergarten.

Early childhood programs can help narrow this gap. In fact, high-quality early childhood education programs not only help prepare our children for school, study after study shows there is a tremendous return on investment in high-quality early childhood education, ranging from \$7 to \$16 for every \$1 spent. Kids who attend a high-quality early childhood program are less likely to be special ed kids or to need special education programs, less likely to be held back a grade. They have better health outcomes, the girls are less likely to get pregnant in adolescence, they are more likely to graduate high school, more likely to go to college and graduate from college and have a good job and pay taxes, and much less likely to go to prison.

I have been a big supporter of investing in early childhood programs for years because it is simply just common sense to do. That is why I support Senator CASEY's amendment. More generally, No Child Left Behind is long overdue for the right kind of reform. With the leadership of Chairman ALEXANDER and Ranking Member MURRAY, my colleagues and I on the HELP Committee have worked hard to incorporate the lessons we have learned from teachers, students, parents, and school administrators and put them into this legislation.

We have made tremendous progress on this bill, but we still have some work to do before it becomes law. We need to close the achievement gaps in this country. That means we should expect States to focus on all of their students, including low-income and minority students. At its core, the Elementary and Secondary Education Act, passed first in 1965, is a civil rights bill that was intended to improve equality and expand opportunity for disadvantaged students.

So I look forward to continuing to work with my colleagues to strengthen the accountability provisions in this bill. I urge my colleagues to support the Every Child Achieves Act of 2015 so we can keep working to support all of our Nation's students.

Finally, I want to flag something that is very important to me. I have a pending amendment to Every Child Achieves that I care an enormous amount about, the Student Non-discrimination Act, which will give LGBT—lesbian, gay, bisexual, and transgender students the protection they need and deserve in school. I will come back to the floor to discuss that amendment at length.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

#### OBAMACARE

Mr. HATCH. Mr. President, I rise to talk about an issue that will have serious negative consequences on the lives and the livelihoods of millions of Americans and threaten our already muddled and beleaguered health care system. Ever since the partisan and rushed passage of the so-called Affordable Care Act, I have come to the floor dozens of times to shine a light on the problems associated with this law and to call for a swift repeal and replacement.

I have not been alone. Many of my colleagues have been working to make this case as well. Truth be told, this has not been an altogether difficult case to make. Indeed, the data has repeatedly shown that ObamaCare, despite the many claims of its proponents, simply is not working. We have seen more evidence of this in just the past few days. For example, in a recent New York Times article, we all read about the dramatic proposed increases in health insurance premiums due to ObamaCare's expensive mandates and regulations.

Now, many plans are proposing rate increases that average 23 percent in Illinois, 25 percent in North Carolina, 31 percent in Oklahoma, 36 percent in Tennessee, and 54 percent in Minnesota. I don't know about the Presiding Officer, but my constituents find this unnerving. After all, one of the President's chief justifications for his health care law was that it would actually bring down the cost of health care. Once again, we are seeing that this is just another one of the many empty ObamaCare promises.

But even more frightening than these proposed rate increases are the root causes of the increases. In the recent New York Times article, Nathan T. Johns, the chief financial officer of Arches Health Plan, which operates in my home State of Utah, was quoted as saying: "Our enrollees generated 24 percent more claims than we thought they would when we set our 2014 rates."

This, according to Mr. Johns, led to a collection of just under \$40 million in premiums, while the company had to pay out more than \$56 million in claims for 2014. As a result, Arches Health Plan has proposed rate increases averaging 45 percent for 2016 in order to remain viable. Now, I know this was not at all the intention of my Democratic colleagues who voted for this bill, but it is because of this and a myriad of other unintended consequences that ObamaCare has consistently polled below 50 percent approval since the day it was signed into law.

Indeed, according to a compilation by Real Clear Politics, of the 405 polls collected since the law passed in March of

2010, 391 reported a majority of Americans opposing or having negative views toward ObamaCare. Unfortunately, President Obama seems to be disconnected from this reality. In a recent trip to Tennessee, the President called for consumers to put pressure on State insurance regulators to scrutinize the proposed rate increases. He then suggested that if commissioners do their job and actively review the rates, his "expectation is that they'll come in significantly lower than what's being requested."

But as Roy Vaughn, vice president of the Tennessee BlueCross plan stated:

There's not a lot of mystery to it. We lost a significant amount of money in the marketplace, \$141 million, because we were not very accurate in predicting the utilization of health care.

Yet President Obama fails to grasp the simple mathematics of the problem. He is not alone. In response to the President's call for scrutiny, the Tennessee insurance commissioner was quoted as saying she would ask "hard questions of companies we regulate to protect consumers." Forgive me, but I fail to understand what hard questions there are to ask. If I own a business that takes in \$100 million in revenue but pays out \$120 million in expenses, I will not be solvent for very long.

What is perhaps most disconcerting to me in all of this are the responses these patients get from officials in the Obama administration. For example, in response to concerns about those premium hikes, Health and Human Services Secretary Burwell recently argued that patients should not worry because there are tax subsidies available to help cover the cost. She also said they could simply shop for cheaper plans on the exchanges during the next open enrollment period.

Of course, in a world where insurance plans across the country are requesting rate increases of 26—well, 20, 30, 40, or even 50 percent or more, one has to wonder just how many cheaper plans will be available and how many sacrifices patients will have to make in their care in order to get significant savings. While many seem to believe the Affordable Care Act received a reprieve from the Supreme Court, I think we are actually witnessing a downward spiral of ObamaCare. I cannot help but question what supposed solutions my friends on the other side of the aisle will come up with next.

Anyone who is being honest and who is listening to the American people should recognize that ObamaCare needs to be replaced with real, patient-centered reforms that are designed not to control the marketplace but to actually reduce the costs for hard-working patients and taxpayers. I am a co-author of such a plan, which we have called the Patient CARE Act. This legislative proposal, which I have put forward along with Senator BURR and

Chairman FRED UPTON in the House, will reduce the cost of health care in this country without all of the expensive mandates and regulations that are causing these major increases in health insurance premiums.

I have talked about our proposal many times on the floor. I will continue to do so. I know there are other ideas out there, and I think we should consider and evaluate those as well. Put simply, I am willing to work with anyone on either side of the aisle to fix our Nation's health care system and to protect the American people from the negative consequences of this misguided law.

My hope is that more of our colleagues on the other side will eventually see what the majority of the American people have seen for more than 5 years: The problems with ObamaCare are not minor flaws that can be fixed with a little regulatory tinkering. They are fundamental flaws.

The only answer is real reform, which addresses the skyrocketing costs of health care in America.

With that, you can see that I am very, very concerned about ObamaCare and the fact that it is breaking America. It is not working. Costs are going up in a rapid basis. People are not being well served. The emergency rooms, which were supposed to be spared from all of this, are just full of Medicaid and Medicare patients who cannot find doctors now. Doctors are leaving the profession because of ObamaCare, in large measure, and we can't get help to those who really need the help because of the many restrictions in ObamaCare.

All I can say is that sooner or later we have to get off of our high horse, look at this, and look at it in a very effective, nonpartisan way, and either change it or get rid of it and replace it with something that will work much better and will be something the American people can live with.

There were approximately 35 million people who did not have health insurance before ObamaCare. That was a big issue. The President has cited that many times. Guess how many don't have insurance now with ObamaCare—how about 30, 35 million people.

So has this just been a big boondoggle so the President can take credit for something that doesn't work or are we going to do the thing that we all should as Members of Congress in the best interests of our citizens and change this bill and get one that really does work?

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. HEITKAMP. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### HONORING VIETNAM VETERANS AND NORTH DAKOTA'S SOLDIERS WHO LOST THEIR LIVES IN VIETNAM

Ms. HEITKAMP. Mr. President, once again we find ourselves on a Thursday afternoon doing some final business before everybody returns home to meet with their constituents and do that work. I must say how much I appreciate your kind words and your attention when we have been talking about those North Dakotans who were killed in action in Vietnam.

This week the Senate commemorated that 50-year anniversary, and I know there are so many Members who care deeply. I know the Presiding Officer is among those Members. So I thank the Presiding Officer for his attention and his appreciation for the sacrifices of the men who I talk about weekly.

I rise today to speak about the men from North Dakota who died while serving in the Vietnam war. We are currently in a 13-year commemoration period honoring the veterans of the Vietnam war. I had the privilege to learn from families of North Dakotans who died in the war about their loved ones—who their loved ones were and who they hoped they would be.

Before speaking today about some of the 198 North Dakotans who didn't return home from Vietnam, I publicly thank Dave Logosz for his service to our State and our Nation.

Dave is a Vietnam veteran from Dickinson. Dave had plans to become a mechanical engineer and enroll at Dickinson State University in art and engineering. After his first quarter, he decided to enroll in NDSU instead, but he was drafted before classes in Fargo began.

In 1969, he landed in Vietnam in the Army's 25th Infantry Division as a sniper. He says that his year in Vietnam was a long, tough one. He was injured more than once while serving there.

After David returned, he suffered from post-traumatic stress, but he didn't admit it until several years ago. He says the VA counseling that he has received has made a huge difference for him.

After his service in Vietnam, Dave worked for over two decades at the Dickinson plant until it closed, and then he worked for the North Dakota Department of Transportation. He says he is happily retired now.

Dave belongs to every veterans service organization he knows of. A few years ago, he and his wife hopped on Dave's Harley and rode from coast to coast on a veterans memorial bike ride. They ended their trip at the Vietnam Veterans Memorial wall in Washington, DC—among a total of over

68,000 motorcycles and 911,000 people who were there. There Dave saw for the first time the name of his fellow soldier, Carl Berger, also from North Dakota.

Dave was with Carl when he was killed in Vietnam, and Dave carried Carl off the battlefield. Dave said that the experience of seeing Carl's name and visiting the Vietnam Veterans Memorial wall was emotional and heartwarming, and it gave him an idea. To give something back to his own community, Dave decided to build a veterans memorial honoring all servicemembers from Stark County.

So 3 years ago, inspired by the Vietnam Veterans Memorial wall in Washington, DC, he began with his idea for a memorial in Dickinson. He expects to have the memorial completed this summer.

The city of Dickinson donated space for the memorial park, and the memorial will consist of concrete and Vermont granite, listing the names of every person from Stark County who has served in the military since the Civil War and will include space for future names.

The entire memorial is 100 feet in diameter, includes 14 granite benches, and hundreds of bricks that individuals can personalize. Local artist Linda Little sculpted a 6-foot-5-inch bronze statue of a soldier saluting the panels of names.

I really can't wait to see this memorial when it is completed and to thank Dave for his vision and hard work.

Now I wish to talk about Carl Berger and 10 other North Dakotans who gave the ultimate sacrifice during their service to our country.

CARL BERGER, JR.

Carl Berger, Jr., a native of Mandan, was born August 23, 1948. He served in the Army's 25th Infantry Division. Carl was 21 years old when he died on April 3, 1970.

Carl was the youngest of 13 children who grew up on the family farm. His nieces and nephews remember him as their fun-loving uncle. Growing up, Carl attended high school at the Richardton Abbey and played the French horn.

Carl's siblings remember having fun on their farm herding sheep and working together in the fields with the cattle and chickens. His sister Marian said that Carl was a genuine hard worker, and she is grateful that her children had an opportunity to know a man as wonderful as their Uncle Carl.

Carl was killed in Vietnam less than 2 months after starting his tour of duty.

The family cherishes the memories of that last Christmas they all spent together before Carl went to Vietnam. Carl's parents were devastated by his death, but they were also very proud of their son, who served their country. Carl's funeral was held during a bliz-

zard, but despite that bad weather, the church was full.

LAURENCE ZIETLOW

Laurence Zietlow, a native of New Salem, was born August 30, 1928. He served as a sergeant major in the Army. Laurence was 39 years old when he died on October 3, 1967.

Laurence's desire to join the Army was so strong that he enlisted before graduating from high school. During his graduation ceremony, his diploma was given to his mother, Sophie Zietlow.

Prior to serving in Vietnam, Laurence also spent tours of duty in Japan, Germany, and Korea. Laurence's sister Leone said that a lot of Laurence's friends have told her how great a guy he was and that he would have given the shirt off his back. Laurence's sister Helen told her local newspaper that he didn't talk about many experiences from Vietnam, but he did describe buying gifts for Vietnamese children living in orphanages.

Laurence was killed in Vietnam when a landmine exploded near him. He was recognized with several awards, including the Air Medal, the Military Merit Medal, the Gallantry Cross with Palm Medal, the Purple Heart, and the Bronze Star.

In addition to his mother and siblings, Laurence was survived by his three children: Larry, Terry, and Kristi.

KENNETH "KENNY" JOHNER

Kenneth "Kenny" Johner enlisted while living in Noonan, and he was born on December 29, 1946. He served in the Marine Corps' 3rd Marines, 3rd Marine Division. Kenny died on March 21, 1967. He was only 20 years old.

Kenny was the third of 15 children. He enlisted in the Marines right after graduating from Noonan High School. He and two of his brothers, Gene and Jerry, made North Dakota history as the first three brothers in the State to enlist in the Marines at the same time. Two other brothers, George and Brian, also joined the Marines later.

Their mom Helen says the oldest three boys were so close that one wouldn't even go to prom if the others didn't.

Regarding his service in Vietnam, Kenny told his mother many times, "God has a different plan for me. I am on a special mission and I won't be here very long."

In Vietnam, a few days before Kenny was scheduled to travel to Okinawa to meet his brother Gene for R&R, Kenny was wounded. About 3 weeks later, Kenny died from his wounds.

In appreciation for the sacrifices he made, Kenny's family has named a nephew and a grand-nephew after him.

RONALD "COOKIE" MCNEILL

Ronald "Cookie" McNeill was born March 29, 1949, and he was from Mott. He served in the Marine Corps' 1st Bat-

talion, 7th Marines, 1st Marine Division. He was 21 years old when he died on August 4, 1970.

Ronald was one of four children and everyone called him Cookie. He got the nickname Cookie as a baby because his older brother Rick couldn't say Ron, so he named him Cookie and the name stuck.

Rick said Ronald loved hunting and fishing, and Rick remembers the times the boys were playing hockey together on a nearby river and ended up with 11 stitches between the two of them.

Ronald joined the Marine Corps shortly after graduating from high school. He died less than 3 months after starting his tour of duty in Vietnam.

In addition to his siblings, Ronald left behind his wife Beverly and their son Barry.

DOUGLAS KLOSE

Douglas Klose was from Jamestown, and he was born June 14, 1947. He served in the Army's 1st Infantry Division. Douglas died on October 27, 1968. He was 21 years old.

Douglas—or Doug, as he was known by many—grew up on a dairy farm. He had five siblings. According to his sister Barbara, when he was young, Douglas walked around the yard picking up "treasures" and stored them in his pockets. Douglas's uncle gave him the nickname "Hunk of Junk" because he always had junk in his pockets.

Douglas's appreciation for his family farm extended into college. He attended NDSU and studied animal science. According to his adviser who always spoke highly of him, Douglas did very well in college.

His two sisters, Barbara and Renee, remember how soft-spoken and helpful Douglas was. Renee, the youngest in the family, was Douglas's pet. He always looked out for her and he was a very loving brother.

In his free time, Douglas liked to drive around in his father's 1962 Chevrolet Impala that had a high-performance engine. His brother Dean remembers that Doug and his brothers would race the car down the street, putting the other cars in Jamestown to shame.

Dean remembers Douglas being so strong he could lift a John Deere 620 tractor with the loader attached to it. For fun, Douglas used his extraordinary strength to compete in gymnastics.

Douglas had plans to start his own farm outside of Jamestown when he returned from Vietnam, but he was killed when a grenade exploded near him.

GREGORY LUNDE

Gregory Lunde was from Westhope. He was born December 8, 1946. He served in the Marine Corps' 1st Tank Battalion, 1st Marine Division. Gregory was 21 years old when he died on February 6, 1968.

Gregory had one sister, Toni. She said she called him Greg and that he

was always happy and clean and meticulous. She is thankful to him for caring for her after their mother died when Toni was 13.

After high school, Greg attended business school in Minneapolis to prepare himself to return to Westhope and help his father run a meatpacking plant.

Toni loved the care packages Gregory often sent her from Vietnam. He thought he was pretty funny when he mailed Toni a kimono and joked she would have to lose some weight to fit into it.

Gregory was killed in Vietnam when he was shot while riding on a tank.

#### GERALD "GERRY" KLEIN

Gerald "Gerry" Klein was born April 29, 1946. He was from Raleigh, ND. He served in the Army's 1st Infantry Division. Gerald died May 4, 1968, just days after he had turned 22 years old.

He was the oldest of five children, and his family and friends always called him Gerry. He grew up on the family's farm. His siblings said that while growing up, Gerald spent free time either working on the farm or on the family car.

While Gerald was home on leave, he became engaged to his girlfriend. After completing his service in Vietnam, he planned to live on the family farm with his future wife.

His brother Bob said that Gerald was a strong, brave man who wanted to be happy. His family appreciates the letters he sent them while serving.

The day he died, Gerald was injured but chose to continue fighting. Shortly after, he was shot and killed. He would have only had a very few weeks left of his service in Vietnam.

I want to thank the Bismarck High School 11th graders and Gerald's family who have shared with us these facts about Gerald's life.

#### FLORIAN KUSS

Florian Kuss was from Strasburg, and he was born December 28, 1946. Florian served in the Army's 196th Infantry Brigade, Americal Division. Florian died January 5, 1968, just days after he turned 21 years old.

There were seven children in his family. Florian's two brothers, Victor and Frank, also served their country in the military.

Florian grew up working on his family's farm, where they raised dairy cows, chickens, pigs, wheat, oats, corn, and alfalfa. Florian's plan after completing his service was to return to the family farm and continue his farming career.

His brother Art said the family appreciates the time Florian spent taking care of their sick father before Florian was drafted. Their father died less than a year after Florian was shot and killed in Vietnam.

Florian's sister Betty said Florian's death caused a hole in the family that will never be filled. They think about Florian all the time.

Florian was awarded the Purple Heart, the Good Conduct Medal, and the Bronze Star for Valor in recognition of his service and sacrifice.

#### DAREL LEETUN

Darel Leetun was from Hettinger, and he was born December 24, 1932. He served as a pilot in the Air Force. Darel was 33 years old when the plane he was flying was shot down on September 17, 1966.

Growing up, Darel enjoyed sports, 4-H, and spending summers at his aunt's farm near Fessenden. He was the oldest of four children, and his siblings appreciate how he cared for and supported them and their mother after their father died when they were all young.

Darel's family said he got along with people well and had great leadership skills. His sisters Janelle and Carol said Darel never put himself first.

Right after graduating from NDSU, Darel spent time teaching about agriculture in India. He then joined the Air Force and was stationed in England, Japan, and Vietnam.

In Vietnam, Darel completed nearly 100 flying missions before his plane was hit by ground fire and crashed. The Air Force presented Darel with many awards, including the Air Force Cross, in recognition for his extraordinary heroism that day. His Air Force Cross citation read, in part:

Captain Leetun led a mission of F-105 Thunderchiefs against a heavily defended high priority target near Hanoi. Undaunted by intense and accurate flak, deadly surface-to-air missiles, and hostile MiGs, Captain Leetun led his flight through this fierce environment to the crucial target.

On the bomb run, Captain Leetun's Thunderchief was hit by hostile fire, becoming a flaming torch and nearly uncontrollable; however, Captain Leetun remained in formation and delivered his high-explosive ordnance directly on target.

After bomb release, Captain Leetun's plane went out of control and was seen to crash approximately 10 miles from the target area.

Through his extraordinary heroism, superb airmanship, and aggressiveness in the face of hostile forces, Captain Leetun reflected the highest credit upon himself and the United States Air Force.

Over 39 years later, in 2005, Darel's remains were identified, and he was buried with full military honors at Arlington National Cemetery.

Darel's widow Janet, son Keith, and daughter Kerri have been honored to hear from airmen who flew with Darel who told the family that Darel was one of the best pilots they ever flew with.

Darel's son Keith was just 6 years old when his father died. But through providence, Keith has been connected to his father. He is especially grateful for the day in 1992, at a Virginia golf course, when he met his father's wingman from the final mission. That wingman's name is Mike Lanning. When Mike learned that Keith was Darel's son, Mike said:

Your dad was the heart and soul of the squadron. He was my mentor and best friend.

Mike and Darel's siblings have all told Keith that Darel was always going to bat for people until the day he died. Darel was not scheduled to fly that day but did so because another man couldn't.

Keith is currently writing a children's book highlighting how something as bad as his father's death could turn into something positive, such as learning about and telling inspiring stories of heroes.

#### RALPH MCCOWAN

Ralph McCowan was from Trenton. He was born April 26, 1948. He served in the Army's 41st Artillery Group. Ralph died April 3, 1968, a few weeks before he would have turned 20.

There were nine children in his family, and his father, brothers, sisters, uncles, and nephews also served our country in the military. Ralph's brother, Gene, said service to our country was deeply rooted in their family.

Ralph told his family he wanted to be a warrior and do his part. He was an unassuming man who had a love for horses and a love for people. Gene said Ralph had a short life but a good one.

Ralph served for 69 days in Vietnam before he was killed at his fire base camp. The family cherishes their memories of their last Christmas together in 1967.

#### VALARIAN LAWRENCE FINLEY

Valarian Lawrence Finley was born November 17, 1947. He was from Mandaree. He served in the Marine Corps' Kilo Company, 3rd Battalion, 5th Marines, 1st Marine Division. Valarian was 21 years old when he died in May of 1969.

Valarian was the third youngest of 13 children born to Louise and Evan Finley. Valarian's family and his friends called him Gus. He had plans to run a cattle ranch after returning home from Vietnam.

Valarian's siblings are grateful for Valarian's fellow marines reaching out to visit them about Valarian and his heroic death and how he saved their lives.

Valarian was killed 1 week before his tour of duty was scheduled to end, on his brother Bobby's high school graduation day.

Bobby also served in Vietnam. Bobby was drafted and served in Vietnam shortly after Valarian was killed. He is now suffering from cancer caused by exposure to Agent Orange in Vietnam.

Valarian was included in the 1969 Life Magazine feature titled "The Faces of the American Dead in Vietnam: One Week's Toll." That article listed 242 Americans killed in 1 week in connection with the conflict in Vietnam. Life Magazine published photos for almost all the men killed and wrote the following in that article:

More than we must know how many, we must know who. The faces of one week's dead, unknown but to families and friends, are suddenly recognized by all in this gallery of young American eyes.



My intentions for speaking about the North Dakotans killed in Vietnam are similar. We must know more than how many, we must know who.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

#### EVERY CHILD ACHIEVES ACT

Mr. WYDEN. Mr. President, this week we are having a particularly important debate. Fortunately, it is a bipartisan debate. Great credit is owed to Senator ALEXANDER and Senator MURRAY for their work on the Every Child Achieves Act. This bill is a significant piece of legislation because educational opportunity in America is a right which should start at birth and last a lifetime.

As a parent, I know that mothers and fathers want their kids to be able to climb the economic ladder throughout their lives. That effort begins with a top-flight education. In my view, the Every Child Achieves Act is a good step toward expanding opportunity for students nationwide. It is built around the proposition that each school, each district, and each community is different. So rather than resorting to the sort of one-size-fits-all policies, this legislation focuses on trying to build on smart ideas, ideas with real promise that are actually going to make a big difference in classrooms.

I am going to get to several amendments I want to highlight, but I wish to start by recognizing some vital components of the legislation I have strongly supported.

The most important proposal I have worked on is one that focuses on raising graduation rates. This is one of the major economic challenges in my home State and many other States across the country. In Oregon, more than 100 high schools with high rates of poverty are blocked from tapping into Federal resources that can help important programs—programs such as mentoring, before- and afterschool programs, programs where there is real evidence that they can make a difference in terms of helping these youngsters.

This is not an issue just in my State. There are more than 2,000 of these schools nationwide. Because these schools are in a very difficult spot when it comes to securing Federal resources, too often the students suffer, and, in my view, the lack of resources for these schools often contributes to sky-high dropout rates.

What I will discuss here briefly is how this proposal I have worked for is going to make the school improvement grants easier for middle and high schools to obtain and use to help these students, whom we want to see graduate and make their way to productive lives as citizens and workers.

If a failing school has 40 percent or more low-income students, it would be-

come eligible for assistance. These Federal dollars can be used, as I indicated, to fund programs that really work, such as extended learning programs, programs that would be available during the weekend or perhaps during the summer. The funds can be used to prevent dropouts and encourage students who have already dropped out to reenter the educational system. Schools can find other ways to help students stay at it and get through to graduation day. This will be a significant improvement over the status quo. What it does is provides support where it is needed most, and it will help us get more value out of scarce dollars to approach the challenge of helping students who are dropping out to get back in the system and graduate.

I am also pleased to see the inclusion of several provisions championed by my colleague Senator BOXER to create more opportunities for students to enroll in afterschool programs and summer learning programs. In today's economy, with so many families walking on an economic tightrope—parents working long hours, multiple jobs—the fact is, there can't always be a parent around at 3 in the afternoon when kids get out of school or during the summer months. Senator BOXER really took the initiative for the 21st Century Community Learning Centers Program and the After School for America's Children Act. Both of them are worthy of support because they go to bat for students by providing extra learning opportunities for children both after school and in the summer.

There are other key elements in this legislation, but the Senate ought to seize the opportunity in this debate to make some significant improvements. The Every Child Achieves Act can go a lot further to raise graduation rates. There are more than 1,200 high schools, serving more than 1.1 million kids, that are failing to graduate a third or more of their students each year. Too often, it is the minority youngsters who live in economic hardship who attend these schools.

Senator WARREN and I are on the same page with respect to the need to make it possible for more of the young people who go to these schools to get to graduation. Her amendment would help identify the struggling schools and provide some fresh approaches to help turn them around—a smart idea that I believe warrants bipartisan support.

Finally, I have just a couple other approaches that I think are particularly valuable in terms of this debate and particularly how we can use the machinery of the Federal Government to play a constructive role in terms of education at the local level.

Senator BOOKER and I have worked for an amendment that tries to help homeless children and foster youngsters graduate from high school. Once

again—and we can see it in kind of what undergirds my remarks here—the focus is on trying to create opportunity for young people who constantly are out there swimming upstream. The hurdles these youngsters face are obviously large. Many of them move frequently, constantly, from one place to another throughout their lives. As a result, it is hard for them to feel any connection to the school, to feel some sense of stability. What Senator BOOKER and I would seek to do is to make it easier for school districts and policymakers to try to help those school districts provide additional support for those youngsters who are homeless and those children who are in the foster care system.

Finally, Senator FRANKEN has offered an important proposal—the Student Non-Discrimination Act—that provides strongly needed protection for LGBT students. Schools ought to be safe and welcoming places that assist every child in getting ahead and thriving. If schools—particularly for the youngsters I have talked about in my remarks—aren't challenging enough, it is hard to imagine how much harder it gets for a youngster who faces harassment or discrimination because of their sexual orientation. The Franken amendment goes a long way to protect LGBT students and their friends at school and prevent them from feeling they have to skip class to avoid bullying.

In wrapping up, the kinds of proposals I have outlined—starting with the effort to try to prevent students from dropping out and getting up the graduation rates—this is all about helping students get ahead through education, to expand opportunities for these young people throughout their lives through education.

What the focus of the Senate ought to be is to make sure that no matter where a child lives or how much his or her parents earn or what obstacles they face—the message ought to be, here in the Senate, with every Democrat and every Republican, picking up on what Chairman ALEXANDER and Senator MURRAY have said, that this bill will help to drive home the principle that hard work in school leads to success. I believe the Every Child Achieves Act is a good step in that direction. I urge my colleagues to support these important amendments.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SASSE). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.



# RECOGNIZING THE 150TH ANNIVERSARY OF THE SECRET SERVICE

Mr. HATCH. Mr. President, I rise today to pay tribute to the U.S. Secret Service and to commemorate its 150th anniversary.

In 1865, Congress created the Secret Service to combat the production and distribution of counterfeit currency in post-Civil War America. At the time, currency counterfeiting was a fast-growing and serious threat to our Nation's financial and economic stability.

In 1901, following the assassination of President William McKinley, Congress further directed the Secret Service to take responsibility for the protection and safety of the President of the United States.

Today, 150 years after the Secret Service's founding, the men and women of the Secret Service continue to serve with quiet confidence across the United States and around the world as they protect our Nation against threats both foreign and domestic. From ensuring the security of the President, other senior government officials, and events of national significance, to protecting the integrity of our currency and investigating crimes against our financial system, the U.S. Secret Service plays a critical role in our Nation's safety and continued success. The contributions, sacrifices, and achievements of the Secret Service over the last 150 years have made the agency an indelible part of our Nation's identity.

The five points of the Secret Service star represent the Service's core values of duty, justice, courage, honesty, and loyalty. These values have been the Secret Service's foundation for the past century and one-half and will continue to be the foundation on which the Service's next 150 years—and the Nation's security—are grounded.

On this, the 150th anniversary of the U.S. Secret Service, I call upon my colleagues and upon all Americans to recognize the tremendous contributions the Secret Service has made to our Nation's safety and well-being. I also express my thanks to the thousands of dedicated Secret Service agents and employees who devote their time and energy to keeping our Nation, and our leaders, safe and secure.

## REMEMBERING PRESIDENT BOYD K. PACKER

Mr. HATCH. Mr. President, I rise today to honor the memory of President Boyd K. Packer—a man of integrity, kindness, courage, and candor whose commitment to Christ defined a lifetime of service. President Packer passed away peacefully in his home last week with his loving wife and children gathered at his bedside. Along with his family, I join millions of Christians worldwide in mourning the loss of a man who served faithfully for many years as the president of the

Quorum of the Twelve Apostles in the Church of Jesus Christ of Latter-day Saints. As an apostle, President Packer's teachings brought strength to the weary and hope to the hopeless. For those of us who mourn, we turn to these teachings to find peace amid the sadness of his passing.

Even as we grieve the loss of a leader, we celebrate the life of a friend. President Packer was a man whose selfless nature often masked his greatness, but not even his humility could hide a lifetime of achievement. From humble beginnings in Brigham City, UT, President Packer developed as a teacher and later as a leader in the Church of Jesus Christ of Latter-day Saints.

President Packer's upbringing was modest to say the least—his father was a service station operator and his mother was a homemaker. Raised against the backdrop of the Great Depression, he learned from an early age never to take anything for granted, especially the freedoms we enjoy as Americans.

President Packer would later defend those freedoms when he enlisted in the Army Air Corps during World War II. As a pilot serving in the Pacific Theater, President Packer flew dozens of dangerous missions and continued to serve after the war when he and his fellow soldiers worked to rebuild the shattered nation of Japan. Although President Packer dreamed of flying planes as a young boy, it was during his military service that he discovered his true life calling: to become a teacher.

When he returned to the United States, President Packer pursued that goal through his studies, eventually earning a doctorate in education administration from Brigham Young University. He quickly distinguished himself as an LDS Seminary teacher and later became the chief supervisor over the Church's seminary programs and Institutes of Religion. When President Packer was just 45 years old, he became an apostle—a calling he would serve in and magnify until the day he died. Even as an apostle, President Packer still saw himself as a teacher, and he endeavored to expound truth in simple ways that all could understand. The candor and clarity of his teachings touched the hearts of millions, as did President Packer's genuine love for those he served.

As a soldier and an educator, an administrator and an apostle, President Packer served in many different capacities throughout his life. But first and foremost, he served as a husband and a father. For President Packer, fatherhood was a sacred responsibility that took precedence over everything else. He was a father of 10, a grandfather of 60, and a great-grandfather of 103. Neither work nor church service could keep him from caring for those he loved most. President Packer always

set aside time for his family, and at every opportunity, he sought to educate his children and instill in them the anchor of faith—the same enduring faith that inspired all who heard his teachings.

President Packer's devotion to God was steady and unwavering, but just as sure and steadfast as his faith was his wife, Donna, his constant companion and able helpmeet who stood by his side for more than 67 years. In his final address to members of the LDS Church, President Packer expressed tender feelings for Donna:

When it comes to my wife, the mother of our children, I am without words. The feeling is so deep and the gratitude so powerful that I am left almost without expression . . . I am grateful for each moment I am with her side by side and for the promise the Lord has given that there will be no end.

I know Donna finds peace in that promise, and I pray that her family does too. May God's love might abide with them at this difficult time, and may His love be with all of us who mourn the passing of President Boyd K. Packer.

## FIFTY YEARS LATER, RECALLING THE VIETNAM WAR AND THOSE WHO FOUGHT IN IT

Mr. DURBIN. Mr. President, this week the United States held a special ceremony to commemorate one of the longest wars in our Nation's history—the Vietnam war. It was a ceremony to honor the men and women who served in that long and searing conflict, especially the more than 58,000 young Americans who did not come home from the battle.

The Congressional ceremony was held to commemorate what organizers, including the Department of Defense, call the 50th anniversary of the Vietnam war. The milestone is a little ambiguous. You see, it was 50 years ago, on March 9, 1965, that the first U.S. combat forces—3,500 members of the 9th Marine Expeditionary Brigade—arrived at the port city of Da Nang, in what was then the Republic of South Vietnam.

The arrival of those young Marines marked the beginning of a massive U.S. military buildup that lasted nearly a decade. But America's military presence in Vietnam actually began several years earlier, with the deployment of military advisors to assist the South Vietnamese armed forces.

All told, 9.2 million Americans served in uniform during the Vietnam war; 7.2 million Vietnam-era veterans are still with us, along with 9 million families of Vietnam-era veterans.

Most of the men who served in Vietnam came home to build successful careers and strong families. More than a few went on to serve in Congress and we have benefited greatly from their wisdom and continued commitment to duty.

I think of my friend, Senator JOHN MCCAIN, who endured unspeakable cruelty for years as a prisoner of war in North Vietnam. He could have been released from that hell years earlier but he refused to leave while other American servicemembers remained captive.

Senator MCCAIN has been a powerful voice in calling for America to honor our commitments under the Geneva Conventions to never use torture—to remain true to our word and our values even in war. I respect him deeply for his principled stand.

I think of other friends and former members of this Senate who served in Vietnam. Bob Kerrey, the former Governor and U.S. Senator from Nebraska, lost a leg while serving as a Navy SEAL in Vietnam. He was awarded the Congressional Medal of Honor.

Chuck Hagel, another Nebraskan, served as an Army sergeant in Vietnam alongside his brother Tom. He came home to build a successful business career, got elected twice to the U.S. Senate, and went on to serve as America's Secretary of Defense.

John Kerry was a diplomat's son—truly, a “fortunate son”—who served with distinction in Vietnam as a Navy lieutenant from 1966 to 1970. When he returned home, he became an eloquent voice among those calling for an end to the war in which he had fought. He went on to serve his State of Massachusetts as Lieutenant Governor and then represented his State for nearly 30 years in this Senate. He now represents our Nation's interest on the world stage as U.S. Secretary of State.

One of the bravest men I have ever met served in Vietnam and then served in this Senate. His name is Max Cleland. Max went to Vietnam as a 6-foot, 2-inch marine. One day in Vietnam he stepped on a landmine. The explosion ripped off both of his legs and one of his arms. Max Cleland went on to serve in the Veterans Administration under President Carter and later as a member of this Senate—an amazing man.

In all, more than 153,000 U.S. servicemembers were gravely wounded in Vietnam—wounded seriously enough to require hospitalization.

Others sacrificed even more; 58,220 American servicemembers were killed in action during the Vietnam war.

The Americans who died in Vietnam ranged in age from 6 years old to 62. Six in 10 were just 21 years old or younger. Their names are carved into that sacred slab of black marble, the Vietnam Veterans Memorial, on the National Mall in Washington, DC.

In the four decades since the end of the war, thousands more Vietnam veterans have died from physical and psychic injuries suffered in that war—dying from causes ranging from cancers caused by exposure to the deadly chemical defoliant Agent Orange, to the agonies of post-traumatic stress.

Fifteen years ago, Congress authorized the placement of a plaque near “The Wall” to honor these “men and women who served in the Vietnam War and later died as a result of their service.” We remember and honor their service, too.

Every American my age and a decade or so younger knows someone who died in Vietnam or a friend whose father, brother or husband never came home. These young men are still missed deeply by their families and friends and remembered by a grateful nation.

The city I grew up in, East St. Louis, IL lost 56 young men in Vietnam.

The City of Chicago lost 959 young men in the Vietnam war. Let me tell you about one of them: Marine Lance Corporal Mike Badsing. He was among those first 3,500 Marines who landed at Da Nang 50 years ago—a rifleman in the 3rd Marine Division, 1st Battalion, 9th Marines, C Company. The 1st Battalion suffered the highest casualty rate of any Marine battalion in any war—a grim distinction that led North Vietnam's Communist President Ho Chi Minh to call them “The Walking Dead.” The nickname stuck.

Mike Badsing attended St. Edward grammar school, where he played football, basketball, and “Chicago 16” softball. He was the youngest of five kids. One of his older sisters is a nun today.

He left Chicago for Vietnam on Christmas Eve 1964. About 10 months later, Sept. 6, 1965, his platoon came under fire and Lance Corporal Badsing was hit in the abdomen by a sniper shot, becoming the first Chicago-area Marine killed in combat in Vietnam.

He was buried in All Saints Cemetery in Des Plaines, IL. A half-century later, Marines still visit his grave, often drinking a few Old Style beers in their friend's memory.

My adopted hometown of Springfield, IL—also President Lincoln's adopted hometown—lost 40 young men in combat during the Vietnam war. Among them was an Army helicopter pilot named Captain Michael Davis O'Donnell.

Mike O'Donnell died on March 24, 1970, when a rescue helicopter he was piloting crashed in dense jungle in Cambodia, 14 miles over the Cambodia-Vietnam border. He had gone into Cambodia to rescue a Special Forces reconnaissance team that was about to be overrun by enemy soldiers. He and his crew had gotten all eight members of the Special Forces team safely on board and were taking off when their “Huey” helicopter was hit twice by enemy missiles. It was 1 week before President Nixon announced publicly that American forces were even in Cambodia.

All 12 men aboard Mike O'Donnell's Huey died, but it wasn't until 2001 that their remains were identified and returned. Today, they lie buried together at Arlington Cemetery.

Mike O'Donnell was 24 years old when he died. He was promoted posthumously to the rank of major.

In addition to being a soldier, Mike O'Donnell was a talented musician and a poet. During his life, he shared his poems with only a few close friends. After he died, soldiers in his unit found a notebook he kept, filled with 22 of his poems, which they saved and brought home.

Just as “In Flanders Fields” has become the unofficial homage to World War I, a poem by Michael Davis O'Donnell has become the unofficial poem of the Vietnam war. It begins with the words, “If you are able, save them a place inside of you.” Google that line and you will find nearly 75,000 hits.

Mike O'Donnell's poem was carried in combat by untold thousands of men who served in Vietnam. It was read at the dedication of “The Wall,” the national Vietnam War Memorial, in Washington, DC, and it is etched into many smaller Vietnam memorials across America.

Here is the whole poem:

If you are able,  
save them a place  
inside of you  
and save one backward glance  
when you are leaving  
for the places they can  
no longer go.  
Be not ashamed to say  
you loved them,  
though you may  
or may not have always.  
Take what they have left  
and what they have taught you  
with their dying  
and keep it with your own.  
And in that time  
when men decide and feel safe  
to call the war insane,  
take one moment to embrace  
those gentle heroes  
you left behind.

Captain Michael Davis O'Donnell  
1 January 1970  
Dak To, Vietnam

Less than 3 months after writing those words, Mike O'Donnell died.

Along with the 58,220 Americans who died there, the Vietnam war claimed the lives of more than one million Vietnamese men, women and children.

It is fitting, and it is overdue, for America to thank all of those who served and sacrificed so much in the Vietnam war. But we owe them more than speeches and ceremonies. As President Lincoln told us in his Second Inaugural Address, we have a solemn duty “to care for him who has borne the battle.”

Six years ago I asked my friend, then-Senator Hillary Clinton, if I could introduce a bill she had been working on before she moved on to a bigger and better gig. She agreed, and I introduced a bill creating what is now called the Veterans Caregiver Program, to help the families of U.S. servicemembers severely injured in Iraq and Afghanistan.

The program provides family caregivers of post 9/11 veterans who have suffered catastrophic injuries with training and a small stipend so they can care for their loved ones at home, rather than sending them to nursing homes. The program helps these families know that they are not alone and not forgotten.

Today, 20,000 veterans who served in Iraq and Afghanistan participate in the caregivers program. That is more than five times the number the VA originally estimated would sign up.

The Veterans Caregiver Program doesn't just help those families; it helps American taxpayers. Caring for severely injured veterans in the caregivers program costs the VA \$36,000 per veteran, per year. Compare that to the average \$332,000 per veteran, per year it costs the VA to care for these veterans in nursing homes.

When we started the caregivers program, we had to limit it to post-9/11 veterans and their families. But we know now that it works. It saves families and it saves taxpayers money.

When he chaired the Senate Veterans Affairs Committee, our colleague, Senator BERNIE SANDERS said repeatedly that we should expand the Veterans Caregivers Program. He was right.

So last March—nearly 50 years to the day after those first, young Marines landed in Da Nang—Senator BALDWIN and I introduced a bill to expand the program to U.S. veterans of all wars. Our bill is called the VA Family Caregivers Expansion and Improvement Act.

They were young once, but today the average Vietnam veteran is retired. Many still struggle with old wounds gained in service to our Nation.

As our Nation and this Congress thank them for their service 50 years ago, I hope that we can also work together in this Senate to provide Vietnam veterans the medical care and support that they and their families need today.

#### BUDGET SCOREKEEPING REPORT

Mr. ENZI. Mr. President, I wish to submit to the Senate the budget scorekeeping report for July 2015. The report compares current-law levels of spending and revenues with the amounts provided in the conference report to accompany S. Con. Res. 11, the budget resolution for fiscal year 2016. This information is necessary to determine whether budget points of order lie against pending legislation. It has been prepared by the Republican staff of the

Senate Budget Committee and the Congressional Budget Office, CBO, pursuant to section 308(b) of the Congressional Budget Act.

This is the first report I have made since adoption of the 2016 budget resolution on May 5, 2015. I will provide these reports periodically, generally one per work period. The information contained in this report is current through July 7, 2015.

Table 1 gives the amount by which each Senate authorizing committee exceeds or is below its allocation under the budget resolution. This information is used for enforcing committee allocations pursuant to section 302 of the Congressional Budget Act of 1974, CBA. For fiscal year 2015, which is still enforced under the deemed budget resolution from the Bipartisan Budget Act of 2013, BBA, Senate authorizing committees have increased direct spending outlays by \$7.8 billion more than the agreed-upon spending levels. Over the fiscal years 2016–2025 period, which is the entire period covered by S. Con. Res. 11, Senate authorizing committees have spent \$22 million more than the budget resolution calls for.

Table 2 gives the amount by which the Senate Committee on Appropriations exceeds or is below the statutory spending limits. This information is used to determine points of order related to the spending caps found in section 312 and section 314 of the CBA. While no appropriations bills have been enacted, subcommittees are charged with permanent and advanced appropriations that first become available for fiscal year 2016.

Table 3 gives the amount by which the Senate Committee on Appropriations exceeds or is below its allocation for Overseas Contingency Operations/Global War on Terrorism, OCO/GWOT, spending. This separate allocation for OCO/GWOT was established in section 3102 of S. Con. Res. 11, and is enforced using section 302 of the CBA. No bills providing funds with the OCO/GWOT designation have been enacted thus far for fiscal year 2016.

The budget resolution established two new points of order limiting the use of changes in mandatory programs in appropriations bills, CHIMPS. Tables 4 and 5 show compliance with fiscal year 2016 limits for overall CHIMPS and the Crime Victims Fund CHIMP, respectively. This information is used for determining points of order under section 3103 and section 3104, respectively. No bills have been enacted thus far for fiscal year 2016 that include CHIMPS.

In addition to the tables provided by the Senate Budget Committee Republican staff, I am submitting additional tables from CBO that I will use for enforcement of budget levels agreed to by the Congress.

Because legislation can still be enacted that would have an effect on fiscal year 2015, CBO provided a report for both fiscal year 2015 and fiscal year 2016. This information is used to enforce aggregate spending levels in budget resolutions under section 311 of the CBA. CBO's estimates show that current law levels of spending for fiscal year 2015 exceed the amounts in the deemed budget resolution enacted in the BBA by \$8.0 billion in budget authority and \$1.0 billion in outlays. Revenues are \$79.8 billion below the revenue floor for fiscal year 2015 set by the deemed budget resolution. As well, Social Security outlays are at the levels assumed for fiscal year 2015, while Social Security revenues are \$170 million above levels in the deemed budget.

For fiscal year 2016, CBO estimates that current law levels are below the budget resolution's allowable budget authority and outlay aggregates by \$886.0 billion and \$526.9 billion, respectively. The allowable spending room will be reduced as appropriations bills for fiscal year 2016 are enacted. Revenues are \$5 million above the level assumed in the budget resolution. Finally, Social Security outlays and revenues are at the levels assumed in the budget resolution for fiscal year 2016.

CBO's report also provides information needed to enforce the Senate's Pay-As-You-Go rule. The Senate's Pay-As-You-Go scorecard currently shows a balance of –\$470 million over the fiscal years 2015–2020 period and \$125 million over the fiscal years 2015–2025 period. Over the initial 6-year period, Congress has enacted legislation that would increase revenues by \$2.3 billion and increase outlays by \$1.9 billion. Over the 11-year period, Congress has enacted legislation that would reduce revenues by \$5.3 billion and decrease outlays by \$5.2 billion. The Senate's Pay-As-You-Go rule is enforced by section 201 of S. Con. Res. 21, the fiscal year 2008 budget resolution.

All years in the accompanying tables are fiscal years.

I ask unanimous consent that this statement and the accompanying tables be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TABLE 1. SENATE AUTHORIZING COMMITTEES—ENACTED DIRECT SPENDING ABOVE (+) OR BELOW (–) BUDGET RESOLUTIONS  
(In millions of dollars)

	2015	2016	2016–2020	2016–2025
Agriculture, Nutrition, and Forestry				
Budget Authority .....	254	0	0	0
Outlays .....	229	0	0	0
Armed Services				
Budget Authority .....	–15	0	0	0
Outlays .....	0	0	0	0
Banking, Housing, and Urban Affairs				
Budget Authority .....	121	0	0	0
Outlays .....	121	0	0	0
Commerce, Science, and Transportation				
Budget Authority .....	0	0	0	0
Outlays .....	0	0	0	0
Energy and Natural Resources				
Budget Authority .....	0	0	0	0
Outlays .....	–2	0	0	0
Environment and Public Works				
Budget Authority .....	0	0	0	0
Outlays .....	0	0	0	0
Finance				
Budget Authority .....	7,322	0	0	0
Outlays .....	7,288	0	0	0
Foreign Relations				
Budget Authority .....	–20	0	0	0
Outlays .....	–20	0	0	0
Homeland Security and Governmental Affairs				
Budget Authority .....	0	0	0	0
Outlays .....	0	0	0	0
Judiciary				
Budget Authority .....	0	0	1	2
Outlays .....	0	0	1	2
Health, Education, Labor, and Pensions				
Budget Authority .....	3	0	0	0
Outlays .....	1	0	0	0
Rules and Administration				
Budget Authority .....	0	0	0	0
Outlays .....	0	0	0	0
Intelligence				
Budget Authority .....	0	0	0	0
Outlays .....	0	0	0	0
Veterans' Affairs				
Budget Authority .....	0	0	0	0
Outlays .....	150	20	20	20
Indian Affairs				
Budget Authority .....	0	0	0	0
Outlays .....	0	0	0	0
Small Business				
Budget Authority .....	0	0	0	0
Outlays .....	0	0	0	0
Total				
Budget Authority .....	7,665	0	1	2
Outlays .....	7,767	20	21	22

TABLE 2. SENATE APPROPRIATIONS COMMITTEE—ENACTED REGULAR DISCRETIONARY APPROPRIATIONS<sup>1</sup>  
(Budget authority, in millions of dollars)

	2016	
	Security <sup>2</sup>	Nonsecurity <sup>2</sup>
Statutory Discretionary Limits	523,091	493,491
Amount Provided by Senate Appropriations Subcommittee		
Agriculture, Rural Development, and Related Agencies .....	0	9
Commerce, Justice, Science, and Related Agencies .....	0	0
Defense .....	41	0
Energy and Water Development .....	0	0
Financial Services and General Government .....	0	41
Homeland Security .....	0	9
Interior, Environment, and Related Agencies .....	0	0
Labor, Health and Human Services, Education and Related Agencies .....	0	24,678
Legislative Branch .....	0	0
Military Construction and Veterans Affairs, and Related Agencies .....	0	56,217
State Foreign Operations, and Related Programs .....	0	0
Transportation and Housing and Urban Development, and Related Agencies .....	0	4,400
Current Level Total .....	41	85,354
Total Enacted Above (+) or Below (–) Statutory Limits .....	–523,050	–408,137

<sup>1</sup> This table excludes spending pursuant to adjustments to the discretionary spending limits. These adjustments are allowed for certain purposes in section 251(b)(2) of BBEDCA.<sup>2</sup> Security spending is defined as spending in the National Defense budget function (050) and nonsecurity spending is defined as all other spending.TABLE 3. SENATE APPROPRIATIONS COMMITTEE—ENACTED OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM DISCRETIONARY APPROPRIATIONS  
(In millions of dollars)

	2016	
	BA	OT
OCO/GWOT Allocation <sup>1</sup> .....	96,287	48,798
Amount Provided by Senate Appropriations Subcommittee		
Agriculture, Rural Development, and Related Agencies .....	0	0
Commerce, Justice, Science, and Related Agencies .....	0	0
Defense .....	0	0
Energy and Water Development .....	0	0
Financial Services and General Government .....	0	0
Homeland Security .....	0	0
Interior, Environment, and Related Agencies .....	0	0
Labor, Health and Human Services, Education and Related Agencies .....	0	0
Legislative Branch .....	0	0
Military Construction and Veterans Affairs, and Related Agencies .....	0	0

TABLE 3. SENATE APPROPRIATIONS COMMITTEE—ENACTED OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM DISCRETIONARY APPROPRIATIONS—Continued  
(In millions of dollars)

	2016	
	BA	OT
State Foreign Operations, and Related Programs .....	0	0
Transportation and Housing and Urban Development, and Related Agencies .....	0	0
Current Level Total .....	0	0
Total OCO/GWOT Spending vs. Budget Resolution .....	– 96,287	– 48,798

BA = Budget Authority; OT = Outlays.

<sup>1</sup> This allocation may be adjusted by the Chairman of the Budget Committee to account for new information, pursuant to section 3102 of S. Con. Res. 11, the Concurrent Resolution of the Budget for Fiscal Year 2016.TABLE 4. SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAMS (CHIMPS)  
(Budget authority, millions of dollars)

	2016
CHIMPS Limit for Fiscal Year 2016 .....	19,100
Senate Appropriations Subcommittees	
Agriculture, Rural Development, and Related Agencies .....	0
Commerce, Justice, Science, and Related Agencies .....	0
Defense .....	0
Energy and Water Development .....	0
Financial Services and General Government .....	0
Homeland Security .....	0
Interior, Environment, and Related Agencies .....	0
Labor, Health and Human Services, Education and Related Agencies .....	0
Legislative Branch .....	0
Military Construction and Veterans Affairs, and Related Agencies .....	0
State Foreign Operations, and Related Programs .....	0
Transportation and Housing and Urban Development, and Related Agencies .....	0
Current Level Total .....	0
Total CHIMPS Above (+) or Below (–) Budget Resolution .....	– 19,100

TABLE 5. SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAM (CHIMP) TO THE CRIME VICTIMS FUND  
(Budget authority, millions of dollars)

	2016
Crime Victims Fund (CVF) CHIMP Limit for Fiscal Year 2016 .....	10,800
Senate Appropriations Subcommittees	
Agriculture, Rural Development, and Related Agencies .....	0
Commerce, Justice, Science, and Related Agencies .....	0
Defense .....	0
Energy and Water Development .....	0
Financial Services and General Government .....	0
Homeland Security .....	0
Interior, Environment, and Related Agencies .....	0
Labor, Health and Human Services, Education and Related Agencies .....	0
Legislative Branch .....	0
Military Construction and Veterans Affairs, and Related Agencies .....	0
State Foreign Operations, and Related Programs .....	0
Transportation and Housing and Urban Development, and Related Agencies .....	0
Current Level Total .....	0
Total CVF CHIMP Above (+) or Below (–) Budget Resolution .....	– 10,800

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, July 9, 2015.

Hon. MIKE ENZI,  
Chairman, Committee on the Budget,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report  
shows the effects of Congressional action on

the fiscal year 2015 budget and is current  
through July 7, 2015. This report is submitted  
under section 308(b) and in aid of section 311  
of the Congressional Budget Act, as amend-  
ed.

The estimates of budget authority, out-  
lays, and revenues are consistent with the  
allocations, aggregates, and other budgetary  
levels printed in the Congressional Record on

May 5, 2014, pursuant to section 116 of the Bi-  
partisan Budget Act (Public Law 113–67).

This is CBO's first current level report for  
fiscal year 2015.

Sincerely,

KEITH HALL,  
Director.

Enclosure.

TABLE 1. SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2015, AS OF JULY 7, 2015  
(In billions of dollars)

	Budget Resolution	Current Level	Current Level Over/Under (–) Resolution
On-Budget			
Budget Authority .....	3,026.4	3,034.4	8.0
Outlays .....	3,039.6	3,040.7	1.0
Revenues .....	2,533.4	2,453.6	– 79.8
Off-Budget			
Social Security Outlays <sup>a</sup> .....	736.6	736.6	0.0
Social Security Revenues .....	771.7	771.9	0.2

Source: Congressional Budget Office.

<sup>a</sup> Excludes administrative expenses from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund of the Social Security Administration, which are off-budget, but are appropriated annually.TABLE 2. SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2015, AS OF JULY 7, 2015  
(In millions of dollars)

	Budget Authority	Outlays	Revenues
Previously Enacted <sup>a</sup>			
Revenues .....	n.a.	n.a.	2,533,388

TABLE 2. SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2015, AS OF JULY 7, 2015—Continued  
(In millions of dollars)

	Budget Authority	Outlays	Revenues
Permanents and other spending legislation .....	1,877,558	1,802,360	n.a.
Appropriation legislation .....	0	508,261	n.a.
Offsetting receipts .....	-735,195	-734,481	n.a.
<b>Total, Previously Enacted .....</b>	<b>1,142,363</b>	<b>1,576,140</b>	<b>2,533,388</b>
Enacted Legislation <sup>b</sup>			
Lake Hill Administrative Site Affordable Housing Act (P.L. 113-141) .....	0	-2	0
Emergency Supplemental Appropriations Resolution, 2014 (P.L. 113-145) .....	0	75	0
Highway and Transportation Funding Act of 2014 (P.L. 113-159) .....	0	-15	2,590
Emergency Afghan Allies Extension Act of 2014 (P.L. 113-10) .....	5	5	6
Continuing Appropriations Resolution, 2015 (P.L. 113-164) <sup>c</sup> .....	-4,705	-180	0
Preventing Sex Trafficking and Strengthening Families Act (P.L. 113-183) .....	0	10	0
IMPACT Act of 2014 (P.L. 113-185) .....	22	22	0
Consolidated and Further Continuing Appropriations Act, 2015 (P.L. 113-235) .....	1,884,271	1,426,085	-178
To amend certain provisions of the FAA Modernization and Reform Act of 2012 (P.L. 113-243) .....	0	0	-28
Naval Vessel Transfer Act of 2013 (P.L. 113-276) .....	-20	-20	0
Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (P.L. 113-291) .....	-15	0	0
An act to amend the Internal Revenue Code of 1986 to extend certain expiring provisions and make technical corrections, to amend the Internal Revenue Code of 1986 to provide for the treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes (P.L. 113-295) .....	160	160	-81,177
Terrorism Risk Insurance Program Reauthorization Act of 2015 (P.L. 114-1) .....	121	121	1
Department of Homeland Security Appropriations Act, 2015 (P.L. 114-4) .....	47,763	27,534	0
Medicare Access and CHIP Reauthorization Act of 2015 (P.L. 114-10) .....	7,354	7,329	0
Construction Authorization and Choice Improvement Act (P.L. 114-19) .....	0	20	0
A bill to extend the authorization to carry out the replacement of the existing medical center of the Department of Veterans Affairs in Denver, Colorado, to authorize transfers of amounts to carry out the replacement of such medical center, and for other purposes (P.L. 114-25) .....	0	130	0
Trade Preferences Extension Act of 2015 (P.L. 114-27) .....	38	7	-1,051
<b>Total, Enacted Legislation .....</b>	<b>1,934,994</b>	<b>1,461,281</b>	<b>-79,837</b>
Entitlements and Mandatories:			
Budget resolution estimates of appropriated entitlements and other mandatory programs .....	-42,921	3,239	0
<b>Total Current Level <sup>d</sup> .....</b>	<b>3,034,436</b>	<b>3,040,660</b>	<b>2,453,551</b>
<b>Total Senate Resolution <sup>e</sup> .....</b>	<b>3,026,439</b>	<b>3,039,624</b>	<b>2,533,388</b>
<b>Current Level Over Senate Resolution .....</b>	<b>7,997</b>	<b>1,036</b>	<b>n.a.</b>
<b>Current Level Under Senate Resolution .....</b>	<b>n.a.</b>	<b>n.a.</b>	<b>79,837</b>

Source: Congressional Budget Office.

Notes: n.a. = not applicable; P.L. = Public Law.

<sup>a</sup> Includes the following acts that affect budget authority, outlays, or revenues, and were cleared by the Congress during the 2nd session of the 113th Congress but before publication in the Congressional Record of the statement of the allocations and aggregates pursuant to section 116 of the Bipartisan Budget Act of 2013 (P.L. 113-67): the Agricultural Act of 2014 (P.L. 113-79), the Homeowner Flood Insurance Affordability Act of 2014 (P.L. 113-89), the Gabriella Miller Kids First Research Act (P.L. 113-94), and the Cooperative and Small Employer Charity Pension Flexibility Act (P.L. 113-97).

<sup>b</sup> Pursuant to section 403(b) of S. Con. Res. 13, the Concurrent Resolution on the Budget for Fiscal Year 2010, amounts designated as an emergency requirement pursuant to section 403 of S. Con. Res. 13, shall not count for certain budgetary enforcement purposes. The amounts so designated for 2015, which are not included in the current level totals, are as follows:

	Budget Authority	Outlays	Revenues
Veteran's Access to Care through Choice, Accountability, and Transparency Act of 2014 (P.L. 113-146) .....	-1,331	6,619	-42

<sup>c</sup> Sections 136 and 137 of the Continuing Appropriations Resolution, 2015 (P.L. 113-164) provide \$88 million to respond to the Ebola virus, which is available until September 30, 2015. Section 139 rescinds funds from the Children's Health Insurance Program. Section 147 extended the authorization for the Export-Import Bank of the United States through June 30, 2015.

<sup>d</sup> For purposes of enforcing section 311 of the Congressional Budget Act in the Senate, the budget resolution does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level does not include these items.

<sup>e</sup> Periodically, the Senate Committee on the Budget revises the budgetary levels printed in the Congressional Record on May 5, 2014, pursuant to section 116 of the Bipartisan Budget Act of 2013 (Public Law 113-67):

	Budget Authority	Outlays	Revenues
Original Senate Resolution .....	2,939,993	3,004,163	2,533,388
Revisions:			
Adjustment for Disaster Designated Spending .....	100	43	0
Adjustment for Overseas Contingency Operations and Disaster Designated Spending .....	74,995	31,360	0
Adjustment for Emergency Designated Spending .....	0	75	0
Adjustment for the Consolidated and Further Continuing Appropriations Act, 2015 .....	11,351	3,983	0
<b>Revised Senate Resolution .....</b>	<b>3,026,439</b>	<b>3,039,624</b>	<b>2,533,388</b>

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, July 9, 2015.  
Hon. MIKE ENZI,  
Chairman, Committee on the Budget,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on

the fiscal year 2016 budget and is current through July 7, 2015. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S.

Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016.

This is CBO's first current level report for fiscal year 2016.

Sincerely,

KEITH HALL, *Director*.

Enclosure.

TABLE 1. SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2016, AS OF JULY 7, 2015

(In billions of dollars)

	Budget Resolution <sup>a</sup>	Current Level	Current Level Over/Under (—) Resolution
On-budget			
Budget Authority .....	3,032.8	2,146.7	-886.0
Outlays .....	3,091.3	2,564.4	-526.9
Revenues .....	2,676.0	2,676.0	0.0
Off-budget			
Social Security Outlays <sup>b</sup> .....	777.1	777.1	0.0
Social Security Revenues .....	794.0	794.0	0.0

Source: Congressional Budget Office.

<sup>a</sup> Excludes \$6.872 million in budget authority and \$344 million in outlays assumed in S. Con. Res. 11 for disaster-related spending that is not yet allocated to the Senate Committee on Appropriations.

<sup>b</sup> Excludes administrative expenses from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund of the Social Security Administration, which are off-budget, but are appropriated annually.

TABLE 2. SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2016, AS OF JULY 7, 2015

(In millions of dollars)

	Budget Authority	Outlays	Revenues
Previously Enacted <sup>a</sup>			
Revenues .....	n.a.	n.a.	2,676,733
Permanents and other spending legislation .....	1,968,496	1,902,345	n.a.
Appropriation legislation .....	0	500,825	n.a.
Offsetting receipts .....	-784,820	-784,879	n.a.
Total, Previously Enacted .....	1,183,676	1,618,291	2,676,733
Enacted Legislation:			
A bill to extend the authorization to carry out the replacement of the existing medical center of the Department of Veterans Affairs in Denver, Colorado, to authorize transfers of amounts to carry out the replacement of such medical center, and for other purposes (P.L. 114-25) .....	0	20	0
Defending Public Safety Employees' Retirement Act & Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (P.L. 114-26) .....	0	0	5
Trade Preferences Extension Act of 2015 (P.L. 114-27) .....	445	175	-766
Total, Enacted Legislation .....	445	195	-761
Entitlements and Mandatories:			
Budget resolution estimates of appropriated entitlements and other mandatory programs .....	962,619	945,910	0
Total Current Level <sup>b</sup> .....	2,146,740	2,564,396	2,675,972
Total Senate Resolution <sup>c</sup> .....	3,032,788	3,091,273	2,675,967
Current Level Over Senate Resolution .....	n.a.	n.a.	5
Current Level Under Senate Resolution .....	886,048	526,877	n.a.
Memorandum:			
Revenues, 2016-2025:			
Senate Current Level .....	n.a.	n.a.	32,233,094
Senate Resolution .....	n.a.	n.a.	32,233,099
Current Level Over Senate Resolution .....	n.a.	n.a.	n.a.
Current Level Under Senate Resolution .....	n.a.	n.a.	5

Source: Congressional Budget Office.

Notes: n.a. = not applicable, P.L. = Public Law.

<sup>a</sup> Includes the following acts that affect budget authority, outlays, or revenues, and were cleared by the Congress during this session, but before the adoption of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016: the Terrorism Risk Insurance Program Reauthorization Act of 2014 (P.L. 114-1); the Department of Homeland Security Appropriations Act, 2015 (P.L. 114-4), and the Medicare Access and CHIP Reauthorization Act of 2015 (P.L. 114-10).

<sup>b</sup> For purposes of enforcing section 311 of the Congressional Budget Act in the Senate, the resolution, as approved by the Senate, does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level does not include these items.

<sup>c</sup> Periodically, the Senate Committee on the Budget revises the budgetary levels in S. Con. Res. 11, pursuant to various provisions of the resolution. The Senate resolution total below excludes \$6,872 million in budget authority and \$344 million in outlays assumed in S. Con. Res. 11 for disaster-related spending that is not yet allocated to the Senate Committee on Appropriations:

	Budget Authority	Outlays	Revenues
Senate Resolution .....	3,032,343	3,091,098	2,676,733
Revisions:			
Pursuant to section 4311 of S. Con. Res. 11 .....	445	175	-766
Revised Senate Resolution .....	3,032,788	3,091,273	2,675,967

TABLE 3. SUMMARY OF THE SENATE PAY-AS-YOU-GO SCORECARD FOR THE 114TH CONGRESS—1ST SESSION, AS OF JULY 7, 2015

(In millions of dollars)

	2015-2020	2015-2025
Beginning Balance <sup>a</sup> .....	0	0
Enacted Legislation: <sup>b</sup>		
Iran Nuclear Agreement Review Act of 2015 (P.L. 114-17) <sup>c</sup> .....	n.e.	n.e.
Construction Authorization and Choice Improvement Act (P.L. 114-19) .....	20	20
Justice for Victims of Trafficking Act of 2015 (P.L. 114-22) .....	1	2
Uniting and Strengthening America by Fulfilling Rights and Ensuring Effective Discipline Over Monitoring Act of 2015 (P.L. 114-23) .....	*	*
To extend the authorization to carry out the replacement of the existing medical center of the Department of Veterans Affairs in Denver, Colorado (P.L. 114-25) .....	150	150
Defending Public Safety Employees' Retirement Act & Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (P.L. 114-26) .....	-1	5
Trade Preferences Extension Act of 2015 (P.L. 114-27) .....	-640	-52
Current Balance .....	-470	125
Memorandum:		
	2015-2020	2015-2025
Changes to Revenues .....	2,348	-5,328
Changes to Outlays .....	1,878	-5,203

Source: Congressional Budget Office.

Notes: n.e. = not able to estimate; P.L. = Public Law. \* = between -\$500,000 and \$500,000.

<sup>a</sup> Pursuant to S. Con. Res. 11, the Senate Pay-As-You-Go Scorecard was reset to zero.<sup>b</sup> The amounts shown represent the estimated impact of the public laws on the deficit. Negative numbers indicate an increase in the deficit; positive numbers indicate a decrease in the deficit.

<sup>c</sup> P.L. 114-17 could affect direct spending and revenues, but such impacts would depend on future actions of the President that CBO cannot predict. (<http://www.cbo.gov/sites/default/files/cbofiles/attachments/s615.pdf>)

## SOUTH SUDAN

Mr. CARDIN. Mr. President, today I wish to speak about the ongoing civil war in South Sudan. July 9 marks the fourth anniversary of South Sudan's independence. This should be a day of celebration, but it is instead a day marred by violence and suffering. For the last 19 months, hostilities between the government and the opposition have brought the world's newest country to the brink of ruin. Regional mediation efforts have failed, and the international community has yet to come

up with a viable plan to end the violence. Unless we jumpstart diplomatic efforts immediately, this conflict is destined to become another long-running war in Africa that is ignored by the rest of the world.

As some of my colleagues may know, ongoing political tensions between forces loyal to President Salva Kiir and forces loyal to former Vice President Riek Machar, coupled with preexisting ethnic tensions, erupted in violence on the night of December 15, 2013. Both sides in the conflict have committed

and continue to commit serious human rights violations. The nature and scale of the abuses in the first days, weeks, and months of the conflict prompted the African Union to establish a Commission of Inquiry in March of last year to investigate. However the Commission's report, while completed, has never been publicly released. We have seen the contents of a version of the report that was leaked in March and the findings are truly disturbing: indiscriminate killing of civilians, burning



and looting of hospitals and humanitarian assets, attacks on United Nations compounds, and rape on a massive scale. Similar findings have been reported separately by the U.N. and various human rights organizations.

Tragically, increased fighting this spring has been characterized by an even greater level of brutality. According to the United Nations Children's Fund, UNICEF, as many as 129 children were killed in May in Unity State alone—boys were castrated and left to bleed to death, girls as young as 8 years old were raped and killed, some children had their throats slit or were thrown into burning buildings by government-allied militia. This is in addition to the estimated 13,000 children being forcibly recruited to fight by government and opposition forces. The behavior of armed groups is beyond inhumane.

As a result of the war, 1.5 million people are internally displaced. More than 730,000 have crossed borders into Sudan, Ethiopia, Uganda, and Kenya as refugees. The number of people facing severe food insecurity has almost doubled since the start of the year from 2.5 million to an estimated 4.6 million people, including approximately 874,000 children under the age of 5.

The recent uptick in hostilities has made it extremely challenging for humanitarian organizations to reach populations in need. Aid workers continue to be harassed, detained, and abducted. The Government of South Sudan expelled the United Nations Deputy Special Representative and Humanitarian Coordinator Toby Lanzer in June. His expulsion comes at a time of increasing humanitarian need. The ruthless means through which troops are executing the war, the parliament's passage of an NGO law hinders the delivery of much needed services, the expulsion of the head of the U.N. humanitarian arm and obstruction of U.N. peacekeeping operations to protect civilians, and the refusal of the parties to engage in good-faith negotiations to end hostilities all paint a picture of two opposing sides that have very little regard for the needs or wellbeing of South Sudanese citizens.

In light of the gravity of the situation on the ground, we must urgently consider taking several steps: First, we should push for a United Nations arms embargo on South Sudan to stop the flow of arms to all warring factions. We may or may not be successful in convincing all of the Permanent Five members of the Security Council to agree with us on this, but we will never be successful if we don't make the attempt. On July 1, the United Nations Security Council imposed personal targeted sanctions on six South Sudanese generals it believes are fueling the fighting. I welcome this move, but I have doubts that this alone will prove a game changer. Strangling the supply

of arms and materiel of the actors on the ground could prove far more effective than sanctioning military leaders who don't travel outside the country or hold assets internationally.

Second, we must undertake a review of the military training and assistance we are providing to countries in the region to determine whether soldiers we have trained and equipment we have supplied are being used to either commit human rights abuses in South Sudan or prolong hostilities. We should also consider whether extra safeguards are warranted to ensure that U.S. security assistance is not being used to support the warring factions or otherwise contributing to the conflict.

Third, we must expand our investments in reconciliation efforts. USAID has joined with international partners and is doing a tremendous job on the humanitarian front. But our aid should, to the extent possible, be coupled with an increase in peace and reconciliation activities. The vicious nature of the attacks on civilians will make post-war, community-level reconstruction efforts and national healing enormously difficult. We cannot wait until the war is over to begin to bring people together. These programs should also include activities that support justice at the local level so that people who have borne the brunt of the violence can obtain some measure of closure.

Fourth, we must begin to look at how we put accountability mechanisms in place. During his trip to east Africa in May, Secretary Kerry announced \$5 million to support accountability efforts. I applaud this move, and am pleased to hear that we are supporting the collection of evidence of gross human rights violations and preserving records for use in the future. We must take each and every opportunity we can to make clear that the United States is committed to bringing human rights abusers to justice. However, we can do more. We should push regional actors to move forward with efforts to establish the parameters and modalities of a court or other transitional justice mechanism. Initiating such mechanisms now—rather than waiting for an end to the war—more adequately demonstrates the international community's commitment to justice for victims than empty statements on the importance of accountability.

Finally, I urge President Obama to convene a meeting with the Secretaries General of the Africa Union and United Nations while he is in Addis Ababa this month to discuss a way forward that involves those two bodies and members of the Troika. And these talks must involve key regional players who could prove spoilers to any process, including Sudan and Uganda.

The cost of this war has been astronomical. The U.N. Mission to South Sudan has cost over \$2 billion in the

past 2 years alone. The international community has provided nearly \$2.7 billion in humanitarian assistance. The United States alone has provided more than \$1.2 billion for those purposes. This is money that should have been invested in building a country that had already been devastated by decades of war with Sudan. However, the real tragedy is not the dollars lost—it is in the thousands of lives lost, the seeds sown of ethnic hatred and division and the squandering of an opportunity to build a nation that could provide a future to millions of people that were marginalized, attacked and abused by Khartoum. We must take action now to stop the war and prevent the deaths of thousands more South Sudanese.

#### TRIBUTE TO LIEUTENANT KATHRYN ELIZABETH ROSENBERG

Mr. MCCAIN. Mr. President, I wish to recognize and honor Lieutenant Kathryn Rosenberg, U.S. Navy, as she transfers from the Navy Office of Legislative Affairs.

A native of Pennsylvania, Lieutenant Rosenberg was commissioned an ensign through the Naval ROTC Program upon graduation from George Washington University in 2008.

Lieutenant Rosenberg, a surface warfare officer, has performed in a consistently outstanding manner under the most challenging of circumstances. Lieutenant Rosenberg served with distinction and gained extensive experience in the surface fleet during her first two sea tours. While assigned to the USS *Stockdale* (DDG 106) from June 2008 to November 2010, Lieutenant Rosenberg served as the pre-commissioning auxiliaries officer and combat information center officer while obtaining her surface warfare officer pin and engineering officer of the watch qualification. From March 2011 to December 2012, Lieutenant Rosenberg was assigned to the USS *Vicksburg* (CG 69), where she served as the fire control officer while qualifying as the anti-air warfare commander, force anti-air warfare commander, and force tactical action officer.

Since January 2013, Lieutenant Rosenberg has served as a Senate liaison officer in the Navy Office of Legislative Affairs. In this capacity, she has been a major asset to the Navy and Congress. Over the course of the last 2 years, Lieutenant Rosenberg has led 21 Congressional delegations to 36 different countries. She has escorted 54 Members of Congress and 36 personal and professional staff members. She has distinguished herself by going above and beyond the call of duty to facilitate and successfully execute each and every trip, despite any number of weather, aircraft, and diplomatic complications. Her leadership, energy, and integrity have ensured that numerous challenging Senate overseas trips have

been flawlessly executed, to include an arduous trip to Afghanistan.

This Chamber will feel Lieutenant Rosenberg's absence. I join many past and present Members of Congress in my gratitude and appreciation to Lieutenant Rosenberg for her outstanding leadership and her unwavering support of the missions of the U.S. Navy, the Senate Armed Services Committee, Senate Foreign Relations Committee, Senate Select Committee on Intelligence, and others. I wish Lieutenant Rosenberg "fair winds and following seas."

#### ACCREDITATION

Mr. ALEXANDER. Mr. President, I ask unanimous consent to have printed in the RECORD a copy of my remarks at the Senate Committee on Health, Education, Labor and Pensions hearing on "Reauthorizing the Higher Education Act: Evaluating Accreditation's Role in Ensuring Quality."

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### ACCREDITATION

We're here today to discuss our system for ensuring that colleges are giving students a good education. That's called accreditation.

Accreditation is a self-governing process that was created by colleges in the 1800s. The organizations they created were intended to help colleges distinguish themselves from high schools and later, to accredit one another.

At this time there was no federal involvement in higher education or accreditation, and right around the end of World War II, about 5% of the population had earned a college degree.

Accreditation however took on a new role in the 1950's. After the Korean War, Congress went looking for a way to ensure that the money spent for the GI Bill to help veterans go to college was being used at legitimate, quality institutions.

Congress had enough sense to know they couldn't do the job of evaluating the diversity of our colleges and universities themselves so they outsourced the task to accreditation. Accreditors became, as many like to say, "gatekeepers" to federal funds.

The Korean War G.I. Bill of 1952 first established this new responsibility—it said that veterans could only use their benefits at colleges that were accredited by an agency recognized by what was called the Commissioner of Education, and then after the Department of Education was created in 1979, the Secretary of Education.

The Higher Education Act of 1965 used this same idea when it created federal financial aid for non-veteran college students. Around this time, about 10% of the population had received a college degree.

However, the 1992 Higher Education Act Amendments were the first time the law said much about what standards accreditors needed to use when assessing quality at institutions of higher education.

Today, current law outlines 10 broad standards that federally recognized accreditors must have when reviewing colleges: student achievement; curriculum; faculty; facilities; fiscal and administrative capacity; student support services; recruiting and admissions

practices; measure of program length; student complaints; and compliance with Title IV program responsibility.

The law tells accreditors that they must measure student achievement, but it doesn't tell them how to do it.

Colleges and accreditors determine the specifics of the standards—not the Department of Education.

For the student achievement standard, colleges and universities define how they meet that standard based on their mission—the law specifically doesn't let the Department of Education regulate or define student achievement.

And in fact, in 2007, when the Department of Education tried to do that, Congress stopped it.

Still, Congress spends approximately \$33 billion for Pell grants each year, and taxpayers will lend over \$100 billion in loans this year that students have to pay back.

So we have a duty to make certain that students are spending that money at quality colleges and universities.

I believe there are two main concerns about accreditation:

First, is it ensuring quality?

And second, is the federal government guilty of getting in the way of accreditors doing their job?

The Task Force on Government Regulation of Higher Education, which was commissioned by a bipartisan group of senators on this committee, told us in a detailed report that federal rules and regulations on accreditors have turned the process into federal "micro-management."

In addressing these two concerns, I think we should look at five areas:

First, are accreditors doing enough to ensure that students are learning and receiving a quality education?

A recent survey commissioned by Inside Higher Ed found that 97% of chief academic officers at public colleges and universities believe their institution is "very or somewhat effective at preparing students for the workforce."

But a Gallup survey shows that business leaders aren't so sure—only one-third of American business leaders say that colleges and universities are graduating students with the skills and competencies their businesses need. Nearly a third of business leaders disagree, with 17% going as far as to say that they strongly disagree.

Second, would more competition and choice among accreditors be one way to improve quality?

Accreditation is one of the few areas in higher education without choice and competition. Today colleges and universities cannot choose which regional accrediting agency they'd like to use. If they could, would that drive quality?

Third, do federal rules and regulations force accreditors to spend too much time on issues other than quality?

Accreditation may now be "cops on the beat" for Department of Education rules and regulations unrelated to academic quality. Accreditors review fire codes, institutional finances (something the Department of Education already looks at) and whether a school is in compliance with Department rules for Title IV. To me, these don't seem to be an accreditor's job.

Fourth, do accreditors have the right tools and flexibility to deal with the many different institutions with many different needs and circumstances?

Some well-established institutions may not need to go through the same process as

everyone else, allowing accreditors to focus on those institutions that need the most help.

Finally, could the public benefit from more information about accreditation?

All the public learns from the accreditation process is whether a school is accredited or unaccredited. Even at comparable colleges, quality may vary dramatically, yet all institutions receive the same, blanket "accredited" stamp of approval. Seems to me that there could be more information provided to students, families or policymakers.

We'd better find a way to make accreditation work better.

There's really not another way to do this—to monitor quality. Because if accreditation doesn't do it, I can assure you that Congress can't. And the Department of Education certainly doesn't have the capacity or know-how.

They could hire a thousand bureaucrats to run around the country reviewing 6,000 colleges, but you can imagine what that would be like.

They're already trying to rate colleges, and no one is optimistic about their efforts—I think they'll collapse of their own weight.

So it's crucial that accrediting of our colleges improve.

Our witnesses have a variety of viewpoints on accreditation and I look forward to the discussion.

#### ADDITIONAL STATEMENTS

#### RECOGNIZING THE NORTHWEST ARKANSAS COUNCIL

● Mr. BOOZMAN. Mr. President, I want to recognize the hard work, dedication, and achievements of the Northwest Arkansas Council, which is celebrating its 25th anniversary. This organization helped transform Northwest Arkansas into an economic powerhouse. In 1990, business and community leaders created a cooperative regional business foundation with a focus on what is best for the region. Now, 25 years later, the council has strengthened partnerships and achieved many successes.

Early on, the council recognized the importance of expanding the region's infrastructure. It planted the seeds for development by pursuing the construction of a new regional airport, an interstate to connect western Arkansas, and a massive 2-ton water system to serve Benton and Washington Counties.

These priorities laid the foundation for the expansive growth and development of the region. Northwest Arkansas continues to flourish under the council's encouragement and vision. By focusing on the future and on mutually beneficial goals, the council is a leader in visualizing and promoting investments that meet the needs of citizens and local businesses. In recent years, the council's goals have expanded toward growing the region's workforce, including increasing the number of high school and college graduates and attracting top talent.

This unique partnership encourages communities throughout the region to think about long-term goals and creates a strategic plan to accomplish

them. What is impressive is that the council consistently achieves most of its goals, often ahead of schedule.

The council is a model for success. Economic development regions across Arkansas and throughout the country use the council as a model, with hopes of achieving similar success. The council has demonstrated the value of cooperation and collaboration, as well as the importance of keeping attention focused on common ground and shared interests.

I congratulate the Northwest Arkansas Council on its 25-year commitment to growth and development and for continuing to make the region better through infrastructure improvements, workforce development, and regional stewardship. I look forward to continuing to work with the Northwest Arkansas Council and seeing its future achievements.●

#### REMEMBERING SHERIFF RALPH LAMB

● Mr. HELLER. Mr. President, today we honor the life and legacy of former Clark County Sheriff Ralph Lamb, whose passing signifies a great loss to Nevada. I send my condolences and prayers to his wife Rae and all of Mr. Lamb's family in this time of mourning. He was a man committed to his family, his country, his State, and his community. Although he will be sorely missed, his legendary influence throughout the Silver State will continue on.

Mr. Lamb was born on April 10, 1927, in a small ranching community in Alamo. He was one of 11 children who helped on the family farm and worked in the local schoolhouse to support the family. At 11 years old, his father was killed in a rodeo accident, and he was taken in by his oldest brother Floyd Lamb. Mr. Lamb served in the Army during World War II in the Pacific Theater, later returning to Nevada. He became a Clark County deputy sheriff and soon after was named chief of detectives. In 1954, he left the Clark County Sheriff's Department to form a private detective agency.

It wasn't until 1958 that Mr. Lamb showed interest in returning to the department. He was named Clark County Sheriff in 1961 and served under this title for 18 years, an unprecedented amount of time that continues to be the longest anyone has held the job. His unwavering dedication to the department and the community will always be remembered.

Mr. Lamb truly strived to make the department the absolute best it could be. Throughout his tenure, organized crime was prevalent in the Las Vegas community. Mr. Lamb worked with the county commission to pass the "work card law," requiring anyone working in the gaming industry to be fingerprinted, photographed, and to no-

tify the sheriff if he or she moved jobs. This important piece of legislation helped significantly in fighting organized crime.

He was also a key contributor in transitioning the Clark County Sheriff's Department into a more sophisticated force and in helping in its consolidation with the Las Vegas Police Department, creating stability in the law enforcement community with the present Metropolitan Police Department, Metro. His administration created the city's first SWAT team and brought the Las Vegas metropolitan area a modern crime lab, including a mobile crime lab. Metro was one of the first police agencies to utilize semi-automatic pistols and in-car computers, all driven by the hard work of Mr. Lamb. His many accomplishments will benefit future Metro officers for years to come.

I extend my deepest sympathies to his family. We will always remember Mr. Lamb for his invaluable contributions to the local community. It is the brave men and women who serve in the local police department who keep our communities safe. These heroes selflessly put their lives on the line every day. Mr. Lamb's sacrifice and courage earn him a place among the outstanding men and women who have valiantly put their lives on the line to keep our communities safe, and his service will never be forgotten.

Mr. Lamb fought to maintain only the highest level of excellence for the Clark County Sheriff's Department. The Southern Nevada community remains safer because of Mr. Lamb. I am honored to commend him for his hard work and invaluable contributions to the Silver State. Today, I join the Las Vegas metropolitan community and citizens of the Silver State to celebrate the life of an upstanding Nevadan, Sheriff Ralph Lamb.●

#### RECOGNIZING HOTEL NEVADA'S 86TH ANNIVERSARY

● Mr. HELLER. Mr. President, today I wish to recognize the 86th anniversary of Hotel Nevada, a historic landmark and important piece of the Ely community. I am proud to honor this hotel that serves as a symbol of Nevada's history and continues to offer quality services to guests and locals alike.

The city of Ely was originally established as a stagecoach stop and post office along the Pony Express' Central Overland Route in 1870 and was designated the county seat in 1887. The city expanded its growth in 1906 when copper mining dominated the area. The necessity to accommodate numerous miners who worked in the area drove the development of the city and kindled the construction of many buildings. The Hotel Nevada was built during this time of the Prohibition era in 1929 and was deemed the tallest build-

ing in the State with six floors in the 1940s. It is one of a kind and continues to maintain its authenticity with its original structure, bringing a distinct rural West feel. I am grateful this remarkable site provides visitors and residents a glimpse into Nevada's past. It is truly a staple for the Ely community.

The hotel and gambling hall offers 67 updated rooms to guests. It also provides the only 24-hour restaurant and full-service hotel and casino in Ely. Since its opening, it has received many well-known guests, including Wayne Newton, Mickey Rooney, and Lyndon Johnson. Each time my wife and I travel to the city of Ely, we stay at the Hotel Nevada. I can say from first-hand experience Hotel Nevada offers an unparalleled historic experience to its guests. It gives me great pleasure to see this business celebrate 86 years of success.

Hotel Nevada has demonstrated professionalism, commitment to excellence, and true dedication to authenticity since its opening. After 86 years, it stands a true testament to the City of Ely. Today, I ask my colleagues to join me in recognizing Hotel Nevada on its 86th anniversary. ●

#### TRIBUTE TO DR. WILLIAM "BRIT" KIRWAN

● Ms. MIKULSKI. Mr. President, I wish to honor the extraordinary Dr. William "Brit" Kirwan, who recently left the post of chancellor of the University System of Maryland, USM. Not only am I honored to know him professionally, I am proud to call him a dear friend.

Dr. Kirwan will be greatly missed. He has devoted himself to higher education for the past 50 years. How amazing is that? Not only is he an accomplished individual, he also throws the coolest Derby parties. I love Dr. Kirwan, and I know Maryland loves Dr. Kirwan.

Prior to becoming chancellor of USM, Dr. Kirwan served as president of the Ohio State University for 4 years. Before that, he served as president of the University of Maryland, College Park, UMCP, for 10 years. Before becoming president of UMCP, he was a member of the University of Maryland faculty for 24 years—where he served as an assistant professor, department chair and Provost. Until last month, Dr. Kirwan served as the chancellor of USM for 13 years.

Under his leadership, USM roared into the 21st century. He led 11 universities, with more than 40,000 undergraduate and graduate students. He boosted graduation rates while winning lacrosse and basketball games. He made sure that no campus was left out or left behind. He made sure to support the University of Maryland flagship, our schools out in western Maryland

and on the Eastern Shore—Frostburg and Salisbury—and our Historically Black Colleges and Universities, HBCUs. He also worked to make sure our professional schools in downtown Baltimore remained strong. In fact, downtown Baltimore has some of the best medical, law, nursing and social work schools in the world. Students knew they could count on Dr. Kirwan. He made college more affordable by freezing tuition for 4 years. Even faculty knew they could count on him.

Dr. Kirwan has so many more accomplishments that it is difficult to know where to begin. Particularly, the accomplishments I am most proud of were the ones where we worked together. When Senator ALEXANDER and I worked together on the reauthorization of the Higher Education Act in 2008, we looked at two things: how can we make sure young people get a quality and affordable education, and how can colleges and universities control their costs. What emerged was the recognition that we needed to do something about burdensome regulations. That is why Senator ALEXANDER and I, along with Senators BENNET and BURR, created a task force to look at the issue of duplicative, burdensome higher education regulations.

Because of Dr. Kirwan's wealth and knowledge of higher education, I knew he was the right man for the job to lead this particular task force. What he was able to accomplish is astounding. The task force, under his leadership, put together a comprehensive report that identified the 10 most onerous regulations institutions of higher education were faced with. The report also provided recommendations on what Congress and the administration could do to streamline regulations. As a result of Dr. Kirwan's work, my colleagues in the Senate are using his recommendations to make sure our laws are about smart regulation, not strangulation.

While being a national leader in futuristic things like cyber technology, training the next generation of cyber warriors, making our economy stronger and our country safer, Dr. Kirwan helped change higher education. He helped change the world—literally changing the global economy. I would venture to say that we would not have Google if it were not for Dr. Kirwan. Now some of you may say: "Senator BARB, where does this come from?" Let me tell you a story.

Dr. Kirwan, is not only an able chancellor, he really is a gifted mathematician. And in his work as a mathematician, he had the opportunity to travel to conferences around the world. At one of those conferences in the 1970s, Dr. Kirwan met someone from the Soviet Union by the name of Dr. Michael Brin.

Then in 1974, Congress passed a little piece of legislation called Jackson-Vanik, which helped put pressure on

the Soviet Union to remove its emigration restrictions. When this happened, Dr. Brin reached out to Dr. Kirwan and said: "Do you think you can help me?" And boy, did Dr. Kirwan help him out.

Thanks to the work of Dr. Kirwan and the USM Board of Regents, not only could Dr. Brin get out of Russia, he was able to come to the University of Maryland. With him, Dr. Brin brought his son Sergey. Sergey was a brilliant little boy—some may even say a bit difficult. He was so smart that he was able to graduate from College Park in 1993 at the age of 17. From there, Sergey went on to Stanford where he worked out of one of those garages we all hear about.

Well, the rest is history. Sergey Brin, of course, is Google. And had it not been for Dr. Kirwan meeting Dr. Brin, Congress doing Jackson-Vanik, the University of Maryland providing a home for Dr. Brin, we would not have Google. I think that is a fabulous story that shows what good immigration policy can do, and also what a gifted, talented, and dedicated humanitarian Dr. Kirwan is.

Though he changed the world, what has never changed is the man himself. Dr. Kirwan is a man we admire, a man we respect, and a man we value. It is safe to say that Dr. Kirwan is a man we have such affection for, for his passion for education, for his deep concern and caring for our students. For Dr. Kirwan, it was never about building buildings, it was about building a future for our young people and for the great State of Maryland.

Dr. Kirwan, there will never be enough "thank yous" in the world but: thank you, thank you, thank you for your determination and dedication to making Maryland a better place. We will all miss you dearly but wish you much success in your retirement.●

#### RECOGNIZING SAFE HAVEN ENTERPRISES

● Mr. VITTER. Mr. President, small businesses are often on the forefront of innovation and safety. American entrepreneurs create and take advantage of opportunities to transform the ways in which we secure our property, aid in natural disasters, and protect our families. This week I would like to recognize Safe Haven Enterprises of Jennings, LA as Small Business of the Week.

In 1998, Alta Baker founded Safe Haven Enterprises, SHE, with the goal of providing strong buildings and mobile units that would protect folks and their property in times of disaster. Today, SHE has grown into an enterprise that produces 22 different types of structures ranging from office complexes to ballistic-resistant doors to first response units for natural disasters. In order to ensure that SHE's manufacturing can withstand various

environments, including hurricane-strength weather and direct RPG attacks, each product has been field tested since 2003, providing exceptional security and peace of mind for U.S. embassies, government facilities, offshore oil rigs, electric companies, and private homes in Louisiana and around the world. Most recently, SHE buildings have been tested in conflict areas in the Middle East—protecting scores of American military personnel and property.

Safe Haven Enterprises is located in a U.S. Small Business Administration Historically Underutilized Business Zone, or HUBZone, and has aided the local economy through the creation of high-quality, technical jobs in Southwest Louisiana. SHE president and CEO Alta Baker has received numerous recognitions, including the 2014 Women in Construction NYC's Outstanding Woman Business of the Year award and the 2010 U.S. Chamber of Commerce Faces of Trade Award. SHE also holds numerous certifications from institutions such as the U.S. Department of State, the U.S. Coast Guard, and the Canadian Standards Association certifications for many of its technical structures.

Congratulations again to Safe Haven Enterprises for being selected as Small Business of the Week. Thank you for your commitment to producing safe, reliable shelters for the greatest times of need.●

#### MESSAGE FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

#### MESSAGE FROM THE HOUSE

##### ENROLLED BILLS SIGNED

At 3:36 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 728. An act to designate the facility of the United States Postal Service located at 7050 Highway BB in Cedar Hill, Missouri, as the "Sergeant First Class William B. Woods, Jr. Post Office".

H.R. 891. An act to designate the facility of the United States Postal Service located at 141 Paloma Drive in Floresville, Texas, as the "Floresville Veterans Post Office Building".

H.R. 1326. An act to designate the facility of the United States Postal Service located at 2000 Mulford Road in Mulberry, Florida, as the "Sergeant First Class Daniel M. Ferguson Post Office".

H.R. 1350. An act to designate the facility of the United States Postal Service located at 442 East 167th Street in Bronx, New York, as the "Herman Badillo Post Office Building".

The enrolled bills were subsequently signed by the President pro tempore (Mr. HATCH).

#### ENROLLED BILL SIGNED

The President pro tempore (Mr. HATCH) announced that on today, July 9, 2015, he had signed the following enrolled bill, previously signed by the Speaker of the House:

H.R. 91. An act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to issue, upon request, veteran identification cards to certain veterans.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2158. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Importation of Beef From a Region in Argentina" ((RIN0579-AD92) (Docket No. APHIS-2014-0032)) received during adjournment of the Senate in the Office of the President of the Senate on July 6, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2159. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Importation of Beef From a Region in Brazil" ((RIN0579-AD41) (Docket No. APHIS-2009-0017)) received during adjournment of the Senate in the Office of the President of the Senate on July 6, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2160. A communication from the Program Manager of the BioPreferred Program, Office of Procurement and Property Management, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Voluntary Labeling Program for Biobased Products" (RIN0599-AA22) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2161. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report entitled "Report to Congress on Corrosion Policy and Oversight Budget Materials for Fiscal Year 2016"; to the Committee on Armed Services.

EC-2162. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Stephen L. Hoog, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-2163. A communication from the Acting Under Secretary of Defense (Personnel and

Readiness), transmitting the report of three (3) officers authorized to wear the insignia of the grade of major general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-2164. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Clauses With Alternates—Prescriptions and Clause Prefaces" ((RIN0750-AI57) (DFARS Case 2015-D016)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Armed Services.

EC-2165. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Defense Contractors Outside the United States—Subpart Relocation" ((RIN0750-AI55) (DFARS Case 2015-D015)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Armed Services.

EC-2166. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Allowability of Legal Costs for Whistleblower Proceedings" ((RIN0750-AI04) (DFARS Case 2013-D022)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Armed Services.

EC-2167. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Inflation Adjustment of Acquisition-Related Thresholds" ((RIN0750-AI43) (DFARS Case 2014-D025)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Armed Services.

EC-2168. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67) (Docket No. FEMA-2015-0001)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-2169. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13441 with respect to Lebanon; to the Committee on Banking, Housing, and Urban Affairs.

EC-2170. A communication from the Assistant Director for Regulatory Affairs, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Venezuela Sanctions Regulations" (31 CFR Parts 591) received in the Office of the President of the Senate on July 7, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-2171. A communication from the Senior Vice President and Chief Financial Officer, Federal Home Loan Bank of Dallas, transmitting, pursuant to law, the Bank's management report for fiscal year 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC-2172. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program: Test Procedures for Conventional Ovens" ((RIN1904-AC71) (Docket No. EERE-2012-BT-TP-0013)) received during adjournment of the Senate in the Office of the President of the Senate on July 6, 2015; to the Committee on Energy and Natural Resources.

EC-2173. A communication from the Administrator, U.S. Energy Information Administration, Department of Energy, transmitting, pursuant to law, a report entitled "The Availability and Price of Petroleum and Petroleum Products Produced in Countries Other Than Iran"; to the Committee on Energy and Natural Resources.

EC-2174. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program: Test Procedures for Packaged Terminal Air Conditioners and Packaged Terminal Heat Pumps" ((RIN1904-AD19) (Docket No. EERE-2012-BT-TP-0032)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Energy and Natural Resources.

EC-2175. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "The Medicare Secondary Payer Commercial Reimbursement Center in Fiscal Year 2014"; to the Committee on Finance.

EC-2176. A communication from the Inspector General, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Part D Plans Generally Include Drugs Commonly Used by Dual Eligibles: 2015"; to the Committee on Finance.

EC-2177. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Clarifications to the Requirement in the Treasury Regulations Under Section 501(r) (4) that a Hospital Facility's Financial Assistance Policy Include a List of Providers" (Notice 2015-46) received in the Office of the President of the Senate on July 7, 2015; to the Committee on Finance.

EC-2178. A communication from the Chairman, Medicare Payment Advisory Commission, transmitting, pursuant to law, a report entitled "Report to the Congress: Medicare and the Health Care Delivery System"; to the Committee on Finance.

EC-2179. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2015-0073-2015-0076); to the Committee on Foreign Relations.

EC-2180. A communication from the Executive Analyst, Office of the Secretary, Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary for Health, Department of Health and Human Services, received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the

Committee on Health, Education, Labor, and Pensions.

EC-2181. A communication from the Executive Analyst, Office of the Secretary, Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary for Health, Department of Health and Human Services, received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC-2182. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Infant Formula: The Addition of Minimum and Maximum Levels of Selenium to Infant Formula and Related Labeling Requirements" (Docket No. FDA-2013-N-0067) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC-2183. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Review of Federal Drug Regulations with Regard to Medical Gases"; to the Committee on Health, Education, Labor, and Pensions.

EC-2184. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Revocation of General Safety Test Regulations that are Duplicative of Requirements in Biologics License Applications" (Docket No. FDA-2014-N-1110) received during adjournment of the Senate in the Office of the President of the Senate on July 6, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC-2185. A joint communication from the Executive Director and the Chair of the Board of Governors, Patient-Centered Outcomes Research Institute (PCORI), transmitting, pursuant to law, the Institute's 2014 Annual Report; to the Committee on Health, Education, Labor, and Pensions.

EC-2186. A communication from the Director, National Legislative Commission, The American Legion, transmitting, pursuant to law, a report relative to the financial condition of The American Legion as of December 31, 2014 and 2013; to the Committee on the Judiciary.

EC-2187. A communication from the Deputy General Counsel, Office of Policy, Planning, and Liaison, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled "Microloan Program Expanded Eligibility and Other Program Changes" (RIN3245-AG53) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Small Business and Entrepreneurship.

EC-2188. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Technical Amendments" (FAC 2005-83) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-2189. A communication from the Senior Procurement Executive, Office of Acquisition

Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2005-83; Small Entity Compliance Guide" (FAC 2005-83) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-2190. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Clarification on Justification for Urgent Noncompetitive Awards Exceeding One Year" ((RIN9000-AM86) (FAC 2005-83)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-2191. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Prohibition on Contracting with Inverted Domestic Corporations" ((RIN9000-AM70) (FAC 2005-83)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-2192. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Permanent Authority for Use of Simplified Acquisition Procedures for Certain Commercial Items" ((RIN9000-AN06) (FAC 2005-83)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-2193. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Update to Product and Service Codes" ((RIN9000-AN08) (FAC 2005-83)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-2194. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Prohibition on Contracting with Inverted Domestic Corporations—Representation and Notification" ((RIN9000-AM85) (FAC 2005-83)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-2195. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Inflation Adjustment of Acquisition-Related Thresholds" ((RIN9000-AM80) (FAC 2005-83)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-2196. A communication from the Senior Procurement Executive, Office of Acquisition

Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2005-83; Introduction" (FAC 2005-83) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-2197. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, the Semiannual Report from the Office of the Inspector General for the period from October 1, 2014 through March 31, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-2198. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-92, "Medical Marijuana Cultivation Center Exception Temporary Amendment Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-2199. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-93, "Youth Employment and Work Readiness Training Temporary Amendment Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-2200. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-94, "Fiscal Year 2015 Second Revised Budget Request Temporary Adjustment Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-2201. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-90, "Healthy Hearts of Babies Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-2202. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-91, "Access to Contraceptives Amendment Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-2203. A communication from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled "NASA FAR Regulatory Review No. 3" (RIN2700-AE19) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2204. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Recreational Management Measures for the Summer Flounder, Scup, and Black Sea Bass Fisheries; Fishing Year 2015" (RIN0648-BE89) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2205. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries" (RIN0648-XD973)



received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2206. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Snapper-Grouper Fishery of the South Atlantic; 2015 Commercial Accountability Measure and Closure for the South Atlantic Lesser Amberjack, Almaco Jack, and Banded Rudderfish Complex" (RIN0648-XD988) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2207. A communication from the Deputy Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Review of the Emergency Alert System" ((FCC 15-60) (EB Docket No. 04-296)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2208. A communication from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Lifeline and Link Up Reform" ((RIN3060-AF85) (DA 15-398)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Commerce, Science, and Transportation.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. GRAHAM, from the Committee on Appropriations, without amendment:

S. 1725. An original bill making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2016, and for other purposes (Rept. No. 114-79).

By Mr. GRASSLEY, from the Committee on the Judiciary, without amendment:

S. 1300. A bill to amend the section 221 of the Immigration and Nationality Act to provide relief for adoptive families from immigrant visa fees in certain situations.

S. 1482. A bill to improve and reauthorize provisions relating to the application of the antitrust laws to the award of need-based educational aid.

## EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. GRASSLEY for the Committee on the Judiciary.

Luis Felipe Restrepo, of Pennsylvania, to be United States Circuit Judge for the Third Circuit.

Travis Randall McDonough, of Tennessee, to be United States District Judge for the Eastern District of Tennessee.

Waverly D. Crenshaw, Jr., of Tennessee, to be United States District Judge for the Middle District of Tennessee.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HEINRICH:

S. 1723. A bill to amend the Public Utility Regulatory Policies Act of 1978 to promote safe and reliable interconnection and net billing for community solar facilities; to the Committee on Energy and Natural Resources.

By Mr. HELLER (for himself, Mr. REID, Mrs. BOXER, and Mrs. FEINSTEIN):

S. 1724. A bill to provide for environmental restoration activities and forest management activities in the Lake Tahoe Basin, and for other purposes; to the Committee on Environment and Public Works.

By Mr. GRAHAM:

S. 1725. An original bill making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2016, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. MERKLEY (for himself, Mr. GARDNER, Mr. BENNET, Mr. PAUL, Mr. WYDEN, and Mrs. MURRAY):

S. 1726. A bill to create protections for depository institutions that provide financial services to marijuana-related businesses, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WYDEN:

S. 1727. A bill to rename the National Florence Crittenton Mission; to the Committee on the Judiciary.

By Mr. COATS:

S. 1728. A bill to amend the Internal Revenue Code of 1986 to provide equal access to declaratory judgments for organizations seeking tax-exempt status; to the Committee on Finance.

By Mr. FRANKEN (for himself and Mr. CASSIDY):

S. 1729. A bill to amend the State report card provisions of section 1111(h) of the Elementary and Secondary Education Act of 1965 to require the disaggregation of the educational outcomes of students with disabilities by disability category; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED (for himself, Mr. GRASSLEY, and Mr. LEAHY):

S. 1730. A bill to enhance civil penalties under the Federal securities laws, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. MURRAY (for herself and Ms. HIRONO):

S. 1731. A bill to amend title 38, United States Code, to waive the minimum period of continuous active duty in the Armed Forces for receipt of certain benefits for homeless veterans, to authorize the Secretary of Veterans Affairs to furnish such benefits to homeless veterans with discharges or releases from service in the Armed Forces with other than dishonorable conditions, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. THUNE (for himself, Mrs. FISCHER, and Mr. MORAN):

S. 1732. A bill to authorize elements of the Department of Transportation, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. SHAHEEN:

S. 1733. A bill to require the Secretary of Agriculture to establish a forest incentives

program to keep forests intact and sequester carbon on private forest land of the United States, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. KIRK:

S. 1734. A bill to authorize the Secretary of Transportation to waive the state of good repair certification requirement for participants in the pilot program for expedited project delivery; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. NELSON (for himself, Mr. SCHUMER, Mrs. BOXER, Mr. BLUMENTHAL, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. MARKEY, Mr. MENENDEZ, Mr. MURPHY, and Mr. WHITEHOUSE):

S. 1735. A bill to modernize the Undetectable Firearms Act of 1988; to the Committee on the Judiciary.

By Mr. CARPER (for himself, Ms. COLLINS, Mr. BOOKER, Mr. BROWN, Mr. CARDIN, Mr. COONS, Mr. KING, Mr. MENENDEZ, Mr. MARKEY, Ms. MIKULSKI, Mr. SCHATZ, Ms. WARREN, Mr. WHITEHOUSE, Mrs. GILLIBRAND, and Mr. REED):

S. 1736. A bill to amend the Internal Revenue Code of 1986 to provide for an investment tax credit related to the production of electricity from offshore wind; to the Committee on Finance.

By Ms. STABENOW (for herself, Mr. SCHUMER, Mr. WHITEHOUSE, Ms. WARREN, Mr. UDALL, Ms. BALDWIN, Mrs. SHAHEEN, Mr. FRANKEN, Mr. REED, Mr. MERKLEY, Mr. BLUMENTHAL, Mr. MARKEY, Ms. KLOBUCHAR, Mr. CARDIN, and Mr. PETERS):

S. 1737. A bill to provide an incentive for businesses to bring jobs back to America; to the Committee on Finance.

By Mr. BLUMENTHAL:

S. 1738. A bill to protect individuals by strengthening the Nation's mental health infrastructure, improving the understanding of violence, strengthening firearm prohibitions and protections for at-risk individuals, and improving and expanding the reporting of mental health records to the National Instant Criminal Background Check System; to the Committee on the Judiciary.

By Mr. BOOKER:

S. 1739. A bill to increase the minimum levels of financial responsibility for transporting property, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. WYDEN (for himself, Mr. SCHUMER, Ms. STABENOW, Ms. CANTWELL, Mr. NELSON, Mr. MENENDEZ, Mr. CARPER, Mr. CARDIN, Mr. BROWN, Mr. BENNET, Mr. CASEY, Mr. WARNER, Mr. REID, Ms. HIRONO, Mrs. GILLIBRAND, Mr. WHITEHOUSE, Mrs. MCCASKILL, Mr. MARKEY, Mr. SANDERS, Ms. WARREN, Mr. BLUMENTHAL, Ms. KLOBUCHAR, Mr. LEAHY, Mr. FRANKEN, Mr. MERKLEY, Mrs. BOXER, Mr. DURBIN, Mrs. SHAHEEN, Mr. MURPHY, Mr. HEINRICH, Mr. SCHATZ, Ms. BALDWIN, Mrs. MURRAY, Mr. COONS, Ms. MIKULSKI, Ms. HEITKAMP, Mr. TESTER, Mr. BOOKER, Mr. REED, Mr. Kaine, Mr. PETERS, Mr. DONNELLY, Mrs. FEINSTEIN, Mr. UDALL, Mr. KING, and Mr. MANCHIN):

S. 1740. A bill to amend the Internal Revenue Code of 1986 to clarify that all provisions shall apply to legally married same-sex couples in the same manner as other married couples, and for other purposes; to the Committee on Finance.



By Mr. GRAHAM (for himself, Mr. WICKER, and Mr. BROWN):

S. 1741. A bill to establish tire fuel efficiency minimum performance standards, improve tire registration, help consumers identify recalled tires, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. HEITKAMP (for herself, Mr. TESTER, Mrs. MCCASKILL, and Mr. PETERS):

S. 1742. A bill to improve the provision of postal services to rural areas of the United States; to the Committee on Homeland Security and Governmental Affairs.

By Mr. NELSON (for himself, Mr. BLUMENTHAL, and Mr. MARKEY):

S. 1743. A bill to provide greater transparency, accountability, and safety authority to the National Highway Traffic Safety Administration, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. PERDUE (for himself and Mr. ISAKSON):

S. 1744. A bill to authorize the sale of certain National Forest System land in the State of Georgia; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. TESTER:

S. 1745. A bill to provide grants to eligible entities to develop and maintain or improve and expand before school, afterschool, and summer school programs for Indian and Alaska Native students, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CARDIN (for himself, Ms. MIKULSKI, Mr. WARNER, and Mr. KAINE):

S. 1746. A bill to require the Office of Personnel Management to provide complementary, comprehensive identity protection coverage to all individuals whose personally identifiable information was compromised during recent data breaches at Federal agencies; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MENENDEZ (for himself and Mr. GRAHAM):

S. 1747. A bill to improve the enforcement of sanctions against the Government of North Korea, and for other purposes; to the Committee on Foreign Relations.

By Mrs. MURRAY (for herself, Ms. COLLINS, and Mr. DURBIN):

S. 1748. A bill to provide for improved investment in national transportation infrastructure; to the Committee on Commerce, Science, and Transportation.

By Mr. DONNELLY (for himself, Ms. HEITKAMP, and Mr. MANCHIN):

S.J. Res. 18. A joint resolution proposing a balanced budget amendment to the Constitution of the United States; to the Committee on the Judiciary.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ENZI (for himself, Mr. BARRASSO, Mr. CRAPO, Mr. RISCH, Ms. HEITKAMP, Mr. INHOFE, Mr. TESTER, Mr. ROUNDS, Mr. LANKFORD, Mr. THUNE, and Mr. HOEVEN):

S. Res. 219. A resolution designating July 25, 2015, as "National Day of the American Cowboy"; considered and agreed to.

By Ms. HEITKAMP (for herself and Mr. HOEVEN):

S. Res. 220. A resolution commemorating the 50th anniversary of the Medora Musical; considered and agreed to.

By Mr. GARDNER (for himself, Mr. BENNET, and Ms. CANTWELL):

S. Res. 221. A resolution recognizing the 100th anniversary of Rocky Mountain National Park; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 37

At the request of Ms. HIRONO, her name was added as a cosponsor of S. 37, a bill to amend the Elementary and Secondary Education Act of 1965 to provide for State accountability in the provision of access to the core resources for learning, and for other purposes.

S. 139

At the request of Mr. WYDEN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 139, a bill to permanently allow an exclusion under the Supplemental Security Income program and the Medicaid program for compensation provided to individuals who participate in clinical trials for rare diseases or conditions.

S. 183

At the request of Mr. BARRASSO, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 183, a bill to repeal the annual fee on health insurance providers enacted by the Patient Protection and Affordable Care Act.

S. 210

At the request of Mr. CASEY, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 210, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts paid by a spouse of a member of the Armed Forces for a new State license or certification required by reason of a permanent change in the duty station of such member to another State.

S. 313

At the request of Mr. GRASSLEY, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 313, a bill to amend title XVIII of the Social Security Act to add physical therapists to the list of providers allowed to utilize locum tenens arrangements under Medicare.

S. 357

At the request of Mr. FLAKE, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 357, a bill to amend title 11 of the United States Code to require the public disclosure by trusts established under section 524(g) of such title, of quarterly reports that contain detailed information regarding the receipt and disposition of claims for injuries based on exposure to asbestos, and for other purposes.

S. 439

At the request of Mr. FRANKEN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a co-

sponsor of S. 439, a bill to end discrimination based on actual or perceived sexual orientation or gender identity in public schools, and for other purposes.

S. 471

At the request of Mr. HELLER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 471, a bill to improve the provision of health care for women veterans by the Department of Veterans Affairs, and for other purposes.

S. 571

At the request of Mr. INHOFE, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 571, a bill to amend the Pilot's Bill of Rights to facilitate appeals and to apply to other certificates issued by the Federal Aviation Administration, to require the revision of the third class medical certification regulations issued by the Federal Aviation Administration, and for other purposes.

S. 681

At the request of Mrs. GILLIBRAND, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 681, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 697

At the request of Mr. UDALL, the names of the Senator from Rhode Island (Mr. REED), the Senator from Kansas (Mr. ROBERTS), the Senator from Minnesota (Mr. FRANKEN), the Senator from South Carolina (Mr. GRAHAM), and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 697, a bill to amend the Toxic Substances Control Act to reauthorize and modernize that Act, and for other purposes.

S. 743

At the request of Mr. BOOZMAN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 743, a bill to amend title 38, United States Code, to recognize the service in the reserve components of the Armed Forces of certain persons by honoring them with status as veterans under law, and for other purposes.

S. 746

At the request of Mr. WHITEHOUSE, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 746, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 884

At the request of Mr. BLUNT, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 884, a bill to improve access to emergency medical services, and for other purposes.

S. 979

At the request of Mr. NELSON, the name of the Senator from New York

(Mr. SCHUMER) was added as a cosponsor of S. 979, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 1038

At the request of Mr. RISCH, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 1038, a bill to clarify that no express or implied warranty is provided by reason of a disclosure relating to voluntary participation in the Energy Star program, and for other purposes.

S. 1085

At the request of Mrs. MURRAY, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 1085, a bill to expand eligibility for the program of comprehensive assistance for family caregivers of the Department of Veterans Affairs, to expand benefits available to participants under such program, to enhance special compensation for members of the uniformed services who require assistance in everyday life, and for other purposes.

S. 1090

At the request of Mr. BOOKER, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1090, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide eligibility for broadcasting facilities to receive certain disaster assistance, and for other purposes.

S. 1182

At the request of Mr. BLUNT, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1182, a bill to exempt application of JSA attribution rule in case of existing agreements.

S. 1190

At the request of Mrs. CAPITO, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1190, a bill to amend title XVIII of the Social Security Act to ensure equal access of Medicare beneficiaries to community pharmacies in underserved areas as network pharmacies under Medicare prescription drug coverage, and for other purposes.

S. 1300

At the request of Mrs. FEINSTEIN, the names of the Senator from Delaware (Mr. COONS) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 1300, a bill to amend the section 221 of the Immigration and Nationality Act to provide relief for adoptive families from immigrant visa fees in certain situations.

S. 1333

At the request of Mr. GARDNER, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cospon-

sor of S. 1333, a bill to amend the Controlled Substances Act to exclude cannabidiol and cannabidiol-rich plants from the definition of marijuana, and for other purposes.

S. 1458

At the request of Mr. COATS, the names of the Senator from Wyoming (Mr. BARRASSO), the Senator from Mississippi (Mr. WICKER) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 1458, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to ensure scientific transparency in the development of environmental regulations and for other purposes.

S. 1461

At the request of Mr. THUNE, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 1461, a bill to provide for the extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals through 2015.

S. 1495

At the request of Mr. TOOMEY, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 1495, a bill to curtail the use of changes in mandatory programs affecting the Crime Victims Fund to inflate spending.

S. 1509

At the request of Mr. CARPER, the names of the Senator from Minnesota (Mr. FRANKEN) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 1509, a bill to amend title XVIII of the Social Security Act to provide for the coordination of programs to prevent and treat obesity, and for other purposes.

S. 1540

At the request of Mrs. MCCASKILL, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 1540, a bill to improve the enforcement of prohibitions on robocalls, including fraudulent robocalls.

S. 1544

At the request of Mr. FLAKE, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 1544, a bill to rescind unused earmarks provided for the Department of Transportation, and for other purposes.

S. 1584

At the request of Mr. CASSIDY, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 1584, a bill to repeal the renewable fuel standard.

S. 1598

At the request of Mr. LEE, the names of the Senator from Indiana (Mr. COATS), the Senator from Mississippi (Mr. COCHRAN), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Alaska (Mr. SULLIVAN), the Senator

from Arkansas (Mr. BOOZMAN), the Senator from North Carolina (Mr. TILLIS), the Senator from North Carolina (Mr. BURR) and the Senator from Wyoming (Mr. BARRASSO) were added as cosponsors of S. 1598, a bill to prevent discriminatory treatment of any person on the basis of views held with respect to marriage.

S. 1670

At the request of Ms. KLOBUCHAR, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1670, a bill to amend the Torture Victims Relief Act of 1998 to authorize appropriations to provide assistance for domestic and foreign programs and centers for the treatment of victims of torture, and for other purposes.

S. 1672

At the request of Mrs. FISCHER, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1672, a bill to authorize States to enter into interstate compacts regarding Class A commercial driver's licenses.

S. 1714

At the request of Mr. MANCHIN, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 1714, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the Multiemployer Health Benefit Plan and the 1974 United Mine Workers of America Pension Plan, and for other purposes.

S. 1716

At the request of Ms. BALDWIN, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 1716, a bill to provide access to higher education for the students of the United States.

S. 1717

At the request of Mr. PORTMAN, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from Louisiana (Mr. CASSIDY) were added as cosponsors of S. 1717, a bill to amend title 46, United States Code, to exempt old vessels that only operate within inland waterways from the fire-retardant materials requirement if the owners of such vessels make annual structural alterations to at least 10 percent of the areas of the vessels that are not constructed of fire-retardant materials.

S. RES. 211

At the request of Mr. CARDIN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. Res. 211, a resolution expressing the sense of the Senate regarding Srebrenica.

AMENDMENT NO. 2093

At the request of Mr. FRANKEN, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Nevada (Mr. REID) were added as

cosponsors of amendment No. 2093 proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

#### AMENDMENT NO. 2094

At the request of Mr. TOOMEY, the names of the Senator from Nevada (Mr. HELLER), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Oklahoma (Mr. INHOFE), the Senator from Kentucky (Mr. McCONNELL), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Kansas (Mr. ROBERTS), the Senator from West Virginia (Mrs. CAPITO), the Senator from Colorado (Mr. BENNET) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of amendment No. 2094 proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

#### AMENDMENT NO. 2096

At the request of Mr. KAINE, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of amendment No. 2096 proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

#### AMENDMENT NO. 2110

At the request of Mr. SASSE, his name was added as a cosponsor of amendment No. 2110 proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

#### AMENDMENT NO. 2133

At the request of Mr. SCOTT, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of amendment No. 2133 intended to be proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

#### AMENDMENT NO. 2135

At the request of Mrs. GILLIBRAND, the names of the Senator from West Virginia (Mrs. CAPITO), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Pennsylvania (Mr. CASEY), the Senator from New York (Mr. SCHUMER), the Senator from Illinois (Mr. DURBIN) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of amendment No. 2135 intended to be proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

#### AMENDMENT NO. 2151

At the request of Mr. CARPER, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of amendment No. 2151 intended to be proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

#### AMENDMENT NO. 2152

At the request of Mr. CASEY, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of amendment No. 2152 intended to be proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

#### AMENDMENT NO. 2159

At the request of Mr. BENNET, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of amendment No. 2159 intended to be proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

#### AMENDMENT NO. 2166

At the request of Mr. BROWN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of amendment No. 2166 intended to be proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

#### AMENDMENT NO. 2167

At the request of Mr. SCHATZ, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of amendment No. 2167 intended to be proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

#### AMENDMENT NO. 2169

At the request of Mr. BOOKER, the names of the Senator from Iowa (Mr. GRASSLEY), the Senator from Oklahoma (Mr. INHOFE) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of amendment No. 2169 intended to be proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself, Mr. GRASSLEY, and Mr. LEAHY):

S. 1730. A bill to enhance civil penalties under the Federal securities laws, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Mr. President, the Stronger Enforcement of Civil Penalties Act, which I am pleased to be introducing today with Senator GRASSLEY and Senator LEAHY, will enhance the ability of securities regulators to protect investors and demand greater accountability from market players. Unfortunately, even after the financial crisis that crippled the economy, we continue to see calculated wrongdoing by some on Wall Street. Without the consequence of meaningful penalties to serve as an effective deterrent, I fear this disturbing culture of misconduct will persist.

The existing regime for securities law violations limits by statute the amount of penalties the Securities and Exchange Commission, SEC, can fine an institution or individual. During hearings I held in 2011 in the Securities, Insurance, and Investment Banking Subcommittee, I learned how this limitation significantly interferes with the SEC's ability to perform its enforcement duties. At that time, the agency had been criticized by a Federal judge for not obtaining a larger settlement against Citigroup, a major player in the financial crisis that settled with the SEC in an amount that was a fraction of the cost the bank had inflicted on investors. The SEC explained that the reason for the low settlement amount was a statutory prohibition from levying a larger penalty.

The bipartisan bill Senator GRASSLEY and I are introducing updates and strengthens the SEC's civil penalties statute. It aims to make potential and current offenders think twice before engaging in misconduct by increasing the maximum civil monetary penalties permitted by statute, directly linking the size of the maximum penalties to the amount of losses suffered by victims of a violation, and substantially raising the financial stakes for repeat offenders of our nation's securities laws.

Specifically, our bill would give the SEC more options to tailor penalties to the specific circumstances of a given violation. In addition to raising the per violation caps for severe, or "tier three," violations to \$1 million per offense for individuals and \$10 million per offense for entities, the bill would also give the SEC additional options to obtain greater penalties based on the ill-gotten gains of the violator or on the financial harm to investors.

Our bill also addresses the disconcerting trend of repeat offenders on Wall Street through two provisions. The first would allow the SEC to triple the penalty cap applicable to recidivists who have been held either criminally or civilly liable for securities fraud within the preceding five years. The second would allow the SEC to seek a civil penalty against those that violate existing federal court or SEC orders, an approach that would be more efficient, effective, and flexible than the current civil contempt remedy. These two changes would substantially improve the ability of the SEC's enforcement program to ratchet up penalties for recidivists.

More than half of all U.S. households own securities. They deserve a strong cop on the beat that has the tools it needs to go after fraudsters and pursue the difficult cases arising from our increasingly complex financial markets. The Stronger Enforcement of Civil Penalties Act will give the SEC more tools to demand meaningful accountability from Wall Street, which in turn

will increase transparency and confidence in our financial system. I urge our colleagues to support this important bipartisan legislation to enhance the SEC's ability to protect investors and crack down on fraud.

By Mrs. MURRAY (for herself and Ms. HIRONO):

S. 1731. A bill to amend title 38, United States Code, to waive the minimum period of continuous active duty in the Armed Forces for receipt of certain benefits for homeless veterans, to authorize the Secretary of Veterans Affairs to furnish such benefits to homeless veterans with discharges or releases from service in the Armed Forces with other than dishonorable conditions, and for other purposes; to the Committee on Veterans' Affairs.

Mrs. MURRAY. Mr. President, today I am introducing the Homeless Veterans Services Protection Act of 2015.

This legislation would ensure continued access to homeless services for some of our country's most vulnerable veterans who are currently at risk of losing these critical services.

The administration set the difficult but commendable goal of eliminating veteran homelessness. Through tremendous efforts at every level of government, and with the help of community groups, non-profits and the private sector, we have made major progress toward achieving that goal.

But we know we have a lot of work to do. Veterans are at greater risk of becoming homeless than non-veterans and on any given night as many as 50,000 veterans are homeless across the United States.

This is unacceptable.

Our veterans made great sacrifices while serving our country and our commitment to them is especially important. This commitment includes providing benefits, medical care, support, and assistance to prevent homelessness.

Two of our greatest tools are the Department of Veterans Affairs' Grant and Per Diem program and the Supportive Services for Veteran Families program through partnerships with homeless service providers around the country.

These important and successful programs assist very low-income veterans and their families who either live in permanent housing or are transitioning from homelessness. The programs help our veterans with rent, utilities, moving costs, outreach, case management, and obtaining benefits.

But last year, after a legal review of its policies, VA was forced to prepare for a change that would have cut off services to veterans who did not meet certain length of service or discharge requirements, changing policies that homeless service providers had followed for decades.

That would be a heartless, bureaucratic move that could have put thou-

sands of veterans on the streets—practically overnight. According to some of our leading veterans and homeless groups—including The American Legion, the National Alliance to End Homelessness the National Low Income Housing Coalition, and the National Coalition for Homeless Veterans—had the policy been enacted, VA would have had to stop serving about 15 percent of the homeless veteran population, and in certain urban areas up to 30 percent of homeless veterans would have been turned away.

The veterans community alerted me to this possible change—and while I am proud that we prevented these changes in the short-term—it is very concerning that a legal opinion could be issued at any time to undo all of that.

There is good reason to reverse this policy for good. A report from VA's Inspector General, issued just last week, shows how VA's unclear or outdated guidance hurts veterans, and how VA's proposed policy changes work against efforts to help homeless veterans.

As a senior member of the Senate Veterans' Affairs Committee and the daughter of a World War II veteran, I'm proud that the bill I have introduced today would permanently protect homeless veterans' access to housing and services.

This bill makes it clear that our country takes care of those who have served, and we don't allow bureaucracy to dictate who gets a roof over their head and who doesn't.

Many veterans struggle with mental illness, substance abuse, or simply finding a steady job—all factors that can lead to homelessness.

And veterans of the wars in Iraq and Afghanistan are increasingly becoming homeless—numbers that will continue to increase in the coming years unless help is available for them.

The idea that any of these veterans returning from service could become homeless because of these policies is unacceptable.

If we ever hope to end veteran homelessness we must do everything we can to reach this goal, and I want to make sure that VA's policies are moving us in that direction.

I don't just believe that the United States can do better; I believe we must do better for those who've sacrificed so much for our country.

Finally I would like to thank Senator HIRONO for cosponsoring this bill and being a champion of the men and women who have served our country.

By Mr. WYDEN (for himself, Mr. SCHUMER, Ms. STABENOW, Ms. CANTWELL, Mr. NELSON, Mr. MENENDEZ, Mr. CARPER, Mr. CARDIN, Mr. BROWN, Mr. BENNET, Mr. CASEY, Mr. WARNER, Mr. REID, Ms. HIRONO, Mrs. GILLIBRAND, Mr. WHITEHOUSE, Mrs. McCASKILL, Mr. MARKEY,

Mr. SANDERS, Ms. WARREN, Mr. BLUMENTHAL, Ms. KLOBUCHAR, Mr. LEAHY, Mr. FRANKEN, Mr. MERKLEY, Mrs. BOXER, Mr. DURBIN, Mrs. SHAHEEN, Mr. MURPHY, Mr. HEINRICH, Mr. SCHATZ, Ms. BALDWIN, Mrs. MURRAY, Mr. COONS, Ms. MIKULSKI, Ms. HEITKAMP, Mr. TESTER, Mr. BOOKER, Mr. REED, Mr. Kaine, Mr. PETERS, Mr. DONNELLY, Mrs. FEINSTEIN, Mr. UDALL, Mr. KING, and Mr. MANCHIN):

S. 1740. A bill to amend the Internal Revenue Code of 1986 to clarify that all provisions shall apply to legally married same-sex couples in the same manner as other married couples, and for other purposes; to the Committee on Finance.

Mr. WYDEN. Mr. President, 2 weeks ago, the Supreme Court handed down a wonderful decision recognizing that all Americans have the right to marry the man or woman they love. It was a triumphant movement in the march toward justice, one I was happy to celebrate at home with a group of Oregonians who were truly elated. In my remarks that morning, I said: Love won and there is more to be done.

So, today, along with 36 colleagues, I am introducing the Equal Dignity for Married Taxpayers Act of 2015. What this legislation does is it removes each gender-specific reference to marriage from the Tax Code. Now, in his opinion for the Court, Justice Kennedy pointed out the importance of providing equal dignity in the eyes of the law.

Our legislation enshrines that equal dignity and respect in our Nation's tax laws by recognizing a new dawn of liberty for all Americans. In my view, on a more symbolic level, this legislation is one way to help close the door on an era when too many of our laws denied equality to the LGBTQ community. In my view, this is a particularly important step in the march toward justice. It is a straightforward way to cement the recognition that all Americans share certain unalienable rights—among them, life, liberty, and the pursuit of happiness.

I was proud to vote against the Defense of Marriage Act in the Congress 20 years ago and fight measure 36 a decade ago in Oregon. I have always said—always said—that if you don't like gay marriage, don't get one. This is fundamentally an issue of justice and of liberty. I hope all Americans take pride in the wave of acceptance and equality that has rolled across our land and this decision embodies.

This legislation now has 36 cosponsors. My hope is this body will support this proposal on a bipartisan basis. I look forward to working with our colleagues to take this next step. It is a step toward the arc of justice—the arc of justice that says that all of us—all of us—have to be free. All of us should enjoy true and full equality for all

Americans. I am very pleased 36 colleagues are joining me in this proposal this morning. I hope the Senate will pass it expeditiously on a bipartisan basis.

By Mr. NELSON (for himself, Mr. BLUMENTHAL, and Mr. MARKEY):

S. 1743. A bill to provide greater transparency, accountability, and safety authority to the National Highway Traffic Safety Administration, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. NELSON. Mr. President, today, I am introducing the Motor Vehicle Safety Act of 2015. I introduce this bill with Senator BLUMENTHAL, the Ranking Member of the Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security, as well as Senator MARKEY, a valued Member of the Commerce Committee.

Takata airbags. GM ignition switches. Toyota unintended acceleration. By now, we all know the tragic stories: automakers and suppliers hiding dangerous defects for years right under the nose of a weak, under-resourced regulator. The result? Scores of deaths, hundreds of injuries, and millions of vehicles still under recall that are endangering lives both inside and outside the cars.

Every year, over 32,000 people die on our roadways—32,000 lives cut short, 32,000 families without a loved one. Car accidents are by far the top cause of accidental deaths. But it doesn't have to be this way. Congress can adopt practical solutions to help make cars safer and improve the recall process and, in turn, save lives. That is exactly what this legislation is designed to do—to take the lessons we have learned from exploding Takata airbags, defective GM ignition switches, and several other recent serious recalls to ensure that a company can never again hide a lethal defect from the public, to improve the way we recall dangerous cars, and to harness American innovation and ingenuity to make vehicles safer.

Many of the concepts in today's bill are not new. Indeed, many of the provisions in the bill have passed the Senate before with bipartisan support. The Motor Vehicle Safety Act of 2015 that Senators BLUMENTHAL, MARKEY, and I introduce today includes provisions from bills introduced by myself, Senators BLUMENTHAL, MARKEY, GILLIBRAND, SCHATZ, BOOKER, and former Chairman Rockefeller. Like the earlier bills, this legislation is predicated on improving four things: transparency, wrongdoer accountability, vehicle safety, and recall effectiveness.

First, government transparency. The Department of Transportation Inspector General identified several problems with how NHTSA processes early warning data. This bill seeks to help remedy

those problems and increase the transparency of the information the agency receives. For example, the bill would require NHTSA to upgrade its online databases to improve searchability and to consider early warning data when investigating potential safety defects. The bill would also require NHTSA to disclose information submitted by manufacturers to NHTSA through the Early Warning Reporting system unless the information is exempt under FOIA. Finally, motor vehicle and equipment manufacturers would have to automatically submit documentation that first alerted them to a fatality involving their vehicle or equipment to NHTSA's Early Warning Reporting database.

Second, wrongdoer accountability. The bill would remove the cap on NHTSA's civil penalty authority, which is currently at \$35 million. NHTSA's civil penalty authority must be bolstered to deter highly profitable corporations from violating safety laws. Otherwise, we get what we have now: companies treating NHTSA's civil penalties as a mere cost of doing business. Just look at the GM case, where the maximum \$35 million civil penalty represented less than 1/1000 of GM's quarterly revenues, which is over \$35 billion. In addition, the bill would impose criminal penalties on corporate executives who knowingly conceal the fact that their product poses a danger of death or serious injury. Corporate executives who hide serious dangers from the public shouldn't get off the hook.

Third, vehicle safety. The bill would authorize NHTSA to conduct new research and implement life-saving standards to make vehicles safer. For example, it would require large commercial trucks to have crash avoidance technologies, and it would improve car hoods and bumpers to reduce pedestrian fatalities and injuries. The legislation also would task NHTSA with evaluating whether technology exists to help prevent children from being left in hot cars. These changes just make sense, and they would save lives.

Lastly, recall effectiveness. The major lesson from the Takata, GM, and other defect debacles is that we need to improve the recall process so that unsafe vehicles get fixed as quickly as possible. This bill would do just that by improving NHTSA's recall authority, asking dealers to adopt commonsense practices, and exploring new ways to notify consumers of recalls. First, the Motor Vehicle Safety Act of 2015 would give NHTSA the authority to expedite recalls in the case of substantial likelihood of death or serious injury. Second, the legislation would ensure that used car dealers fix cars under recall before selling them. The fact that used car dealers can still sell vehicles under recall without bothering to fix them is appalling—several individuals who died

from exploding Takata airbags had purchased used cars that hadn't been fixed. My legislation would also require authorized dealers to check for open recalls when a car is brought in for any service—something that should already be very quick and doable for dealers. Third, the bill would create grant programs to allow states to participate in the recall notification process by notifying drivers of open recalls when the DMV sends registration renewals. Finally, NHTSA would have promulgate a rule requiring new vehicles have a warning feature—similar to tire pressure monitor or oil change light on the dashboard—that would notify consumers that their cars are subject to a safety recall. With innovations like backup cameras and connected cars, we've seen how technology improves safety. I am very excited about the possibility that technology can also ensure that a driver knows his or her car is under recall and, as a result, prevent injuries and deaths from safety defects.

The American public demands that we do something meaningful to keep them safe on the road. There will be more recalls in the future—it is inevitable. And the consequences can be deadly. But they don't have to be. Improving the recall process can and will save lives. I realize our bill may not get us to 100 percent completion of recalls or perfect motor vehicle safety, but I am confident that it would go a long way towards improving recall effectiveness, adding practical safety technologies to vehicles, and making Americans safer on our nation's roads and highways.

I want to thank my colleagues, Senators BLUMENTHAL and MARKEY, for helping me on this extremely important bill and for their dedication to making our roads safer.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1743

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS; REFERENCES.**

(a) **SHORT TITLE.**—This Act may be cited as the “Motor Vehicle Safety Act of 2015”.

(b) **TABLE OF CONTENTS.**—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents; references.

Sec. 2. Definition of Secretary.

**TITLE I—TRANSPARENCY AND ACCOUNTABILITY**

Sec. 101. Public availability of early warning data.

Sec. 102. Additional early warning reporting requirements.

Sec. 103. Improved National Highway Traffic Safety Administration vehicle safety databases.

Sec. 104. Corporate responsibility for NHTSA reports.

Sec. 105. Reports to Congress.

## TITLE II—ENHANCED SAFETY AUTHORITY AND CONSUMER PROTECTION

- Sec. 201. Civil penalties.
- Sec. 202. Criminal penalties.
- Sec. 203. Cooperation with foreign governments.
- Sec. 204. Imminent hazard authority.
- Sec. 205. Used passenger motor vehicle consumer protection.
- Sec. 206. Unattended children warning system.
- Sec. 207. Collision avoidance technologies.
- Sec. 208. Motor vehicle pedestrian protection.

## TITLE III—FUNDING

- Sec. 301. Authorization of appropriations.

## TITLE IV—RECALL PROCESS IMPROVEMENTS

- Sec. 401. Recall obligations under bankruptcy.
- Sec. 402. Dealer requirement to check for and remedy recall.
- Sec. 403. Application of remedies for defects and noncompliance.
- Sec. 404. Direct vehicle notification of recalls.
- Sec. 405. State notification of open safety recalls.
- Sec. 406. Recall completion pilot grant program.
- Sec. 407. Improvements to notification of defect or noncompliance.

(c) REFERENCES TO TITLE 49, UNITED STATES CODE.—Except as otherwise expressly provided, wherever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

## SEC. 2. DEFINITION OF SECRETARY.

In this Act, unless expressly provided otherwise, the term “Secretary” means the Secretary of Transportation.

## TITLE I—TRANSPARENCY AND ACCOUNTABILITY

### SEC. 101. PUBLIC AVAILABILITY OF EARLY WARNING DATA.

(a) REGULATIONS.—Not later than 2 years after the date of enactment of this Act, the Secretary shall promulgate regulations establishing categories of information provided to the Secretary under section 30166(m) of title 49, United States Code, as amended by section 102 of this Act, that must be made available to the public. The Secretary may establish categories of information that are exempt from public disclosure under section 552(b) of title 5, United States Code.

(b) CONSULTATION.—In conducting the rulemaking under subsection (a), the Secretary shall consult with the Director of the Office of Government Information Services within the National Archives and Records Administration and the Director of the Office of Information Policy of the Department of Justice.

(c) PRESUMPTION AND LIMITATION.—The Secretary shall promulgate the regulations with a presumption in favor of maximum public availability of information. In promulgating regulations under subsection (a), the following types of information shall presumptively not be eligible for protection under section 552(b) of title 5, United States Code:

- (1) Vehicle safety defect information related to incidents involving death or injury.
- (2) Aggregated numbers of property damage claims.
- (3) Aggregated numbers of consumer complaints related to potential vehicle defects.

(d) NULLIFICATION OF PRIOR REGULATIONS.—Beginning 2 years after the date of enactment of this Act, the regulations establishing early warning reporting class determinations in Appendix C of part 512 of title 49, Code of Federal Regulations, shall have no force or effect.

### SEC. 102. ADDITIONAL EARLY WARNING REPORTING REQUIREMENTS.

Section 30166(m) is amended—

(1) in paragraph (3)(C)—

(A) by striking “The manufacturer” and inserting the following:

“(i) IN GENERAL.—The manufacturer”; and

(B) by adding at the end the following:

“(ii) FATAL INCIDENTS.—If an incident described in clause (i) involves a fatality, the Secretary shall require the manufacturer to submit, as part of its incident report—

“(I) all initial claim or notice documents, as defined by the Secretary through regulation, except media reports, that notified the manufacturer of the incident;

“(II) any police reports or other documents, as defined by the Secretary through regulation, that relate to the initial claim or notice (except for documents that are protected by the attorney-client privilege or work product privileges that are not already publicly available), that describe or reconstruct the incident, and that are in the actual possession or control of the manufacturer at the time the incident report is submitted;

“(III) any amendments or supplements, as defined by the Secretary through regulation, to the initial claim or notice documents described in subclause (I), except for—

“(aa) medical documents and bills;

“(bb) property damage invoices or estimates; and

“(cc) documents related to damages; and

“(IV) any police reports or other documents described in subclause (II) that are obtained by the manufacturer after the submission of its incident report.”;

(2) in paragraph (4), by amending subparagraph (C) to read as follows:

“(C) DISCLOSURE.—

“(i) IN GENERAL.—The information provided to the Secretary under this subsection shall—

“(I) be disclosed publicly; and

“(II) be entered into the early warning reporting database in a manner specified by the Secretary through regulation that is searchable by manufacturer name, vehicle or equipment make and model name, model year, and reported system or component.

“(ii) INFORMATION DISCLOSURE REQUIREMENTS.—In administering this subparagraph, the Secretary shall—

“(I) presume in favor of maximum public availability of information;

“(II) require the publication of information on incidents involving death or injury; and

“(III) require the publication of numbers of property damage claims.”; and

(3) by adding at the end the following:

“(6) SECTION 552 OF TITLE 5.—Any requirement for the Secretary to publicly disclose information under this subsection shall be construed consistently with the requirements of section 552 of title 5.

“(7) USE OF EARLY WARNING REPORTS.—The Secretary shall consider information gathered under this subsection in proceedings described in sections 30118 and 30162.”.

### SEC. 103. IMPROVED NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION VEHICLE SAFETY DATABASES.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, and after public consultation, the Secretary shall

improve public accessibility to information on the National Highway Traffic Safety Administration’s publicly accessible vehicle safety databases—

(1) by improving organization and functionality, including design features such as drop-down menus, and allowing for data from all of the publicly accessible vehicle safety databases to be searched, sorted, aggregated, and downloaded in a manner—

(A) consistent with the public interest; and

(B) that facilitates easy use by consumers;

(2) by providing greater consistency in presentation of vehicle safety issues;

(3) by improving searchability about specific vehicles and issues through standardization of commonly used search terms and the integration of databases to enable all to be simultaneously searched using the same keyword search function; and

(4) by ensuring that all studies, investigation reports, inspection reports, incident reports, and other categories of materials, as specified through the rulemaking under section 101(a), be made publicly available in a manner that is searchable in databases by—

(A) manufacturer name, vehicle or equipment make and model name, and model year;

(B) reported system or component;

(C) number of injuries or fatalities; and

(D) any other element that the Secretary determines to be in the public interest.

(b) INVESTIGATION INFORMATION.—The Secretary shall—

(1) provide public notice of information requests to manufacturers issued under section 30166 of title 49, United States Code; and

(2) make such information requests, the manufacturer’s written responses to the information requests, and notice of any enforcement or other action taken as a result of the information requests—

(A) available to consumers on the Internet not later than 5 days after such notice is issued; and

(B) searchable by manufacturer name, vehicle or equipment make and model name, model year, system or component, and the type of inspection or investigation being conducted.

(c) SECTION 552 OF TITLE 5.—Any requirement for the Secretary to publicly disclose information under this section shall be construed consistently with the requirements of section 552 of title 5, United States Code.

### SEC. 104. CORPORATE RESPONSIBILITY FOR NHTSA REPORTS.

Section 30166(o) is amended—

(1) in paragraph (1), by striking “may” and inserting “shall”; and

(2) by adding at the end the following:

“(3) DEADLINE.—Not later than 1 year after the date of enactment of the Motor Vehicle Safety Act of 2015, the Secretary shall issue a final rule under paragraph (1).”.

### SEC. 105. REPORTS TO CONGRESS.

(a) ABILITY TO IDENTIFY AND INVESTIGATE VEHICLE SAFETY CONCERNS.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, and biennially thereafter for 6 years, the Inspector General of the Department of Transportation shall update the Inspector General’s report dated June 18, 2015 (ST-2015-063) on the pre-investigation processes used by the Office of Defects Investigation of the National Highway Traffic Safety Administration (referred to in this section as “NHTSA”) to collect and analyze vehicle safety data and to determine potential safety issues and whether those processes were sufficiently improved, including an assessment of—

(A) the sufficiency of NHTSA’s procedures and practices for collecting, verifying the accuracy and completeness of, analyzing, and



determining whether to further investigate potential safety issues described in consumer complaints and manufacturer submittals to the early warning report system;

(B) the number and type of requests for information made by NHTSA based on data received in the early warning reporting system and consumer complaints received;

(C) the number of safety defect investigations opened by NHTSA based on information reported to NHTSA through the early warning reporting system, consumer complaints, or other sources;

(D) the nature and vehicle defect category of each safety defect investigation described in subparagraph (C);

(E) the duration of each safety defect investigation described in subparagraph (C), including—

(i) the number of safety defect investigations described in subparagraph (C) that are subsequently closed without further action; and

(ii) the number and description of safety defect investigations described in subparagraph (C) that have been open for more than 1 year;

(F) the percentage of the safety defect investigations described in subparagraph (C) that result in a finding of a safety defect, recall, or service information campaign;

(G) the status and sufficiency of NHTSA's compliance with each recommendation designed to improve vehicle safety made by the Inspector General; and

(H) other information the Inspector General considers appropriate.

(2) REPORT.—

(A) IN GENERAL.—Not later than 30 days after the date that a report under paragraph (1) is complete, the Inspector General shall transmit the report to—

(i) the Committee on Commerce, Science, and Transportation of the Senate; and

(ii) the Committee on Energy and Commerce of the House of Representatives.

(B) PUBLIC.—The Inspector General shall make the report public as soon as practicable, but not later than 30 days after the date the report is transmitted under subparagraph (A).

(b) REPORT ON OPERATIONS OF THE COUNCIL FOR VEHICLE ELECTRONICS, VEHICLE SOFTWARE, AND EMERGING TECHNOLOGIES.—

(1) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Secretary shall prepare a report regarding the operations of the Council for Vehicle Electronics, Vehicle Software, and Emerging Technologies established under section 31401 of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 105 note). The report shall include information about the accomplishments of the Council, the role of the Council in integrating and aggregating expertise across NHTSA, and the priorities of the Council over the next 5 years.

(2) SUBMISSION OF REPORT.—The Secretary shall submit the report upon completion to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives.

## TITLE II—ENHANCED SAFETY AUTHORITY AND CONSUMER PROTECTION

### SEC. 201. CIVIL PENALTIES.

(a) IN GENERAL.—Section 30165(a) is amended—

(1) in paragraph (1)—

(A) in the first sentence—

(i) by inserting “or causes the violation of” after “violates”; and

(ii) by striking “\$5,000” and inserting “\$25,000”; and

(B) by striking the third sentence;

(2) in paragraph (2)—

(A) in subparagraph (A), by striking “\$10,000” and inserting “\$100,000”; and

(B) in subparagraph (B), by striking the second sentence; and

(3) in paragraph (3)—

(A) in the first sentence, by inserting “or causes the violation of” after “violates”; and

(B) in the second sentence, by striking “\$5,000” and inserting “\$25,000”; and

(C) by striking the third sentence.

(b) CONSTRUCTION.—Nothing in this section shall be construed as preventing the imposition of penalties under section 30165 of title 49, United States Code, prior to the issuance of a final rule under section 31203(b) of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 30165 note).

### SEC. 202. CRIMINAL PENALTIES.

(a) REPORTING STANDARDS.—

(1) IN GENERAL.—Part I of title 18, United States Code, is amended by inserting after chapter 101 the following:

#### “CHAPTER 101A—REPORTING STANDARDS

“Sec.

“2081. Definitions.

“2082. Failure to inform and warn.

“2083. Relationship to existing law.

#### “§ 2081. Definitions

“In this chapter—

“(1) the term ‘appropriate Federal agency’ means an agency with jurisdiction over a covered product, covered service, or business practice;

“(2) the term ‘business entity’ means a corporation, company, association, firm, partnership, sole proprietor, or other business entity;

“(3) the term ‘business practice’ means a method or practice of—

“(A) manufacturing, assembling, designing, researching, importing, or distributing a covered product;

“(B) conducting, providing, or preparing to provide a covered service; or

“(C) otherwise carrying out business operations relating to covered products or covered services;

“(4) the term ‘covered product’ means a product manufactured, assembled, designed, researched, imported, or distributed by a business entity that enters interstate commerce;

“(5) the term ‘covered service’ means a service conducted or provided by a business entity that enters interstate commerce;

“(6) the term ‘responsible corporate officer’ means a person who—

“(A) is an employer, director, or officer of a business entity;

“(B) has the responsibility and authority, by reason of his or her position in the business entity and in accordance with the rules or practice of the business entity, to acquire knowledge of any serious danger associated with a covered product (or component of a covered product), covered service, or business practice of the business entity; and

“(C) has the responsibility, by reason of his or her position in the business entity, to communicate information about the serious danger to—

“(i) an appropriate Federal agency;

“(ii) employees of the business entity; or

“(iii) individuals, other than employees of the business entity, who may be exposed to the serious danger;

“(7) the term ‘serious bodily injury’ means an impairment of the physical condition of an individual, including as a result of trauma, repetitive motion, or disease, that—

“(A) creates a substantial risk of death; or

“(B) causes—

“(i) serious permanent disfigurement;

“(ii) unconsciousness;

“(iii) extreme pain; or

“(iv) permanent or protracted loss or impairment of the function of any bodily member, organ, bodily system, or mental faculty;

“(8) the term ‘serious danger’ means a danger, not readily apparent to a reasonable person, that the normal or reasonably foreseeable use of, or the exposure of an individual to, a covered product, covered service, or business practice has an imminent risk of causing death or serious bodily injury to an individual; and

“(9) the term ‘warn affected employees’ means take reasonable steps to give, to each individual who is exposed or may be exposed to a serious danger in the course of work for a business entity, a description of the serious danger that is sufficient to make the individual aware of the serious danger.

#### “§ 2082. Failure to inform and warn

“(a) REQUIREMENT.—After acquiring actual knowledge of a serious danger associated with a covered product (or component of a covered product), covered service, or business practice of a business entity, a business entity and any responsible corporate officer with respect to the covered product, covered service, or business practice, shall—

“(1) as soon as practicable and not later than 24 hours after acquiring such knowledge, verbally inform an appropriate Federal agency of the serious danger, unless the business entity or responsible corporate officer has actual knowledge that an appropriate Federal agency has been so informed;

“(2) not later than 15 days after acquiring such knowledge, inform an appropriate Federal agency in writing of the serious danger;

“(3) as soon as practicable, but not later than 30 days after acquiring such knowledge, warn affected employees in writing, unless the business entity or responsible corporate officer has actual knowledge that affected employees have been so warned; and

“(4) as soon as practicable, but not later than 30 days after acquiring such knowledge, inform individuals, other than affected employees, who may be exposed to the serious danger of the serious danger if such individuals can reasonably be identified.

“(b) PENALTY.—

“(1) IN GENERAL.—Whoever knowingly violates subsection (a) shall be fined under this title, imprisoned for not more than 5 years, or both.

“(2) PROHIBITION OF PAYMENT BY BUSINESS ENTITIES.—If a final judgment is rendered and a fine is imposed on an individual under this subsection, the fine may not be paid, directly or indirectly, out of the assets of any business entity on behalf of the individual.

“(c) CIVIL ACTION TO PROTECT AGAINST RETALIATION.—

“(1) PROHIBITION.—It shall be unlawful to knowingly discriminate against any person in the terms or conditions of employment, in retention in employment, or in hiring because the person informed a Federal agency, warned employees, or informed other individuals of a serious danger associated with a covered product, covered service, or business practice, as required under this section.

“(2) ENFORCEMENT ACTION.—

“(A) IN GENERAL.—A person who alleges discharge or other discrimination by any person in violation of paragraph (1) may seek relief under paragraph (3), by—

“(i) filing a complaint with the Secretary of Labor; or

“(ii) if the Secretary has not issued a final decision within 180 days of the filing of the



complaint and there is no showing that such delay is due to the bad faith of the claimant, bringing an action at law or equity for de novo review in the appropriate district court of the United States, which shall have jurisdiction over such an action without regard to the amount in controversy.

“(B) PROCEDURE.—

“(i) IN GENERAL.—An action under subparagraph (A)(i) shall be governed under the rules and procedures set forth in section 42121(b) of title 49.

“(ii) EXCEPTION.—Notification made under section 42121(b)(1) of title 49 shall be made to the person named in the complaint and to the employer.

“(iii) BURDENS OF PROOF.—An action brought under subparagraph (A)(ii) shall be governed by the legal burdens of proof set forth in section 42121(b) of title 49.

“(iv) STATUTE OF LIMITATIONS.—An action under subparagraph (A) shall be commenced not later than 180 days after the date on which the violation occurs, or after the date on which the employee became aware of the violation.

“(v) JURY TRIAL.—A party to an action brought under subparagraph (A)(ii) shall be entitled to trial by jury.

“(3) REMEDIES.—

“(A) IN GENERAL.—An employee prevailing in any action under paragraph (2)(A) shall be entitled to all relief necessary to make the employee whole.

“(B) COMPENSATORY DAMAGES.—Relief for any action under subparagraph (A) shall include—

“(i) reinstatement with the same seniority status that the employee would have had, but for the discrimination;

“(ii) the amount of back pay, with interest; and

“(iii) compensation for any special damages sustained as a result of the discrimination, including litigation costs, expert witness fees, and reasonable attorney fees.

“(4) RIGHTS RETAINED BY EMPLOYEE.—Nothing in this subsection shall be deemed to diminish the rights, privileges, or remedies of any employee under any Federal or State law, or under any collective bargaining agreement.

“(5) NONENFORCEABILITY OF CERTAIN PROVISIONS WAIVING RIGHTS AND REMEDIES OR REQUIRING ARBITRATION OF DISPUTES.—

“(A) WAIVER OF RIGHTS AND REMEDIES.—The rights and remedies provided for in this subsection may not be waived by any agreement, policy form, or condition of employment, including by a predispute arbitration agreement.

“(B) PREDISPUTE ARBITRATION AGREEMENTS.—No predispute arbitration agreement shall be valid or enforceable, if the agreement requires arbitration of a dispute arising under this subsection.

“§ 2083. Relationship to existing law

“(a) RIGHTS TO INTERVENE.—Nothing in this chapter shall be construed to limit the right of any individual or group of individuals to initiate, intervene in, or otherwise participate in any proceeding before a regulatory agency or court, nor to relieve any regulatory agency, court, or other public body of any obligation, or affect its discretion to permit intervention or participation by an individual or a group or class of consumers, employees, or citizens in any proceeding or activity.

“(b) RULE OF CONSTRUCTION.—Nothing in this chapter shall be construed to—

“(1) increase the time period for informing of a serious danger or other harm under any other provision of law; or

“(2) limit or otherwise reduce the penalties for any violation of Federal or State law under any other provision of law.”.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for part I of title 18, United States Code, is amended by inserting after the item relating to chapter 101 the following:

“101A. Reporting standards ..... 2081”.

(3) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) shall take effect on the date that is 1 year after the date of enactment of this Act.

(b) PROHIBITION ON RENDERING SAFETY ELEMENTS INOPERATIVE.—Section 30122 is amended by amending subsection (b) to read as follows:

“(b) PROHIBITION.—

“(1) IN GENERAL.—Except as provided in paragraph (2), a person may not knowingly make inoperative any part of a device or element of design installed on or in a motor vehicle or motor vehicle equipment in compliance with an applicable motor vehicle safety standard prescribed under this chapter unless the person reasonably believes the vehicle or equipment will not be used (except for testing or a similar purpose during maintenance or repair) when the device or element is inoperative.

“(2) EXCEPTION.—The prohibition under paragraph (1) does not apply to a modification made by an individual to a motor vehicle or item of equipment owned or leased by that individual.”.

(c) CRIMINAL LIABILITY.—Section 30170 is amended by adding at the end the following:

“(c) CRIMINAL LIABILITY FOR TAMPERING WITH MOTOR VEHICLE SAFETY ELEMENTS.—Whoever knowing that he will endanger the safety of any person on board a motor vehicle or anyone who he believes will board the same, or with a reckless disregard for the safety of human life, violates section 30122(b) under this title shall be subject to criminal penalties under section 33(a) of title 18.”.

SEC. 203. COOPERATION WITH FOREIGN GOVERNMENTS.

(a) TITLE 49 AMENDMENT.—Section 30182(b) is amended—

(1) in paragraph (4), by striking “; and” and inserting a semicolon;

(2) in paragraph (5), by striking the period at the end and inserting “; and”; and

(3) by inserting after paragraph (5) the following:

“(6) enter into cooperative agreements (in coordination with the Department of State) and collaborative research and development agreements with foreign governments.”.

(b) TITLE 23 AMENDMENT.—Section 403 of title 23, United States Code, is amended—

(1) in subsection (b)(2)(C), by inserting “foreign government (in coordination with the Department of State),” after “institution,”; and

(2) in subsection (c)(1)(A), by inserting “foreign governments,” after “local governments.”.

SEC. 204. IMMINENT HAZARD AUTHORITY.

Section 30118(b) is amended—

(1) in paragraph (1), by striking “(1) The Secretary may” and inserting “(1) IN GENERAL.—Except as provided under paragraph (3), the Secretary may”;

(2) in paragraph (2), by inserting “ORDERS.—” before “If the Secretary”; and

(3) by adding after paragraph (2) the following:

“(3) IMMINENT HAZARDS.—

“(A) DECISIONS AND ORDERS.—If the Secretary makes an initial decision that a defect or noncompliance, or combination of both, under subsection (a) presents an imminent hazard, the Secretary—

“(i) shall notify the manufacturer of a motor vehicle or replacement equipment immediately under subsection (a); and

“(ii) shall order the manufacturer of the motor vehicle or replacement equipment to immediately—

“(I) give notification under section 30119 of this title to the owners, purchasers, and dealers of the vehicle or equipment of the imminent hazard; and

“(II) remedy the defect or noncompliance under section 30120 of this title;

“(iii) notwithstanding section 30119 or 30120, may order the time for notification, means of providing notification, earliest remedy date, and time the owner or purchaser has to present the motor vehicle or equipment, including a tire, for remedy; and

“(iv) may include in an order under this subparagraph any other terms or conditions that the Secretary determines necessary to abate the imminent hazard.

“(B) OPPORTUNITY FOR ADMINISTRATIVE REVIEW.—Subsequent to the issuance of an order under subparagraph (A), opportunity for administrative review shall be provided in accordance with section 554 of title 5, except that such review shall occur not later than 10 days after issuance of such order.

“(C) DEFINITION OF IMMINENT HAZARD.—In this paragraph, the term ‘imminent hazard’ means any condition which substantially increases the likelihood of serious injury or death if not remedied immediately.”.

SEC. 205. USED PASSENGER MOTOR VEHICLE CONSUMER PROTECTION.

(a) IN GENERAL.—Section 30120 is amended by adding at the end the following:

“(k) LIMITATION ON SALE OR LEASE OF USED PASSENGER MOTOR VEHICLES.—(1) A dealer may not sell or lease a used passenger motor vehicle until any defect or noncompliance determined under section 30118 with respect to the vehicle has been remedied.

“(2) Paragraph (1) shall not apply if—

“(A) the recall information regarding a used passenger motor vehicle was not accessible at the time of sale or lease using the means established by the Secretary under section 31301 of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 30166 note); or

“(B) notification of the defect or noncompliance is required under section 30118(b), but enforcement of the order is set aside in a civil action to which 30121(d) applies.

“(3) Notwithstanding section 30102(a)(1), in this subsection—

“(A) the term ‘dealer’ means a person that has sold at least 10 motor vehicles to 1 or more consumers during the most recent 12-month period; and

“(B) the term ‘used passenger motor vehicle’ means a motor vehicle that has previously been purchased other than for resale.

“(4) By rule, the Secretary may exempt the auctioning of a used passenger motor vehicle from the requirements under paragraph (1) to the extent that the exemption does not harm public safety.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) of this section shall take effect on the date that is 18 months after the date of enactment of this Act.

SEC. 206. UNATTENDED CHILDREN WARNING SYSTEM.

(a) SAFETY RESEARCH INITIATIVE.—Not later than 2 years after the date of enactment of this Act, the Secretary shall complete research into the development of performance requirements to warn a driver that a child or other unattended passenger remains in a rear seating position after a vehicle motor is disengaged.

(b) SPECIFICATIONS.—In completing the research under subsection (a), the Secretary shall consider performance requirements that—

(1) sense weight, the presence of a buckled seat belt, or other indications of the presence of a child or other passenger; and

(2) provide an alert to prevent hyperthermia and hypothermia that can result in death or severe injuries.

(c) RULEMAKING OR REPORT.—

(1) RULEMAKING.—Not later than 1 year after the date that the research under subsection (a) is complete, the Secretary shall initiate a rulemaking proceeding to issue a Federal motor vehicle safety standard if the Secretary determines that such a standard meets the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code. The Secretary shall complete the rulemaking and issue a final rule not later than 2 years after the date the rulemaking is initiated.

(2) REPORT.—If the Secretary determines that the standard described in subsection (a) does not meet the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code, the Secretary shall submit a report describing the reasons for not prescribing such a standard to—

(A) the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Energy and Commerce of the House of Representatives.

#### SEC. 207. COLLISION AVOIDANCE TECHNOLOGIES.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall initiate a rulemaking to establish a Federal motor vehicle safety standard requiring a motor vehicle with a gross vehicle weight rating greater than 26,000 pounds be equipped with crash avoidance and mitigation systems, such as forward collision automatic braking systems and lane departure warning systems.

(b) PERFORMANCE AND STANDARDS.—The regulations prescribed under subsection (a) shall establish performance requirements and standards to prevent collisions with moving vehicles, stopped vehicles, pedestrians, cyclists, and other road users.

(c) EFFECTIVE DATE.—The regulations prescribed by the Secretary under this section shall take effect 2 years after the date of publication of the final rule.

#### SEC. 208. MOTOR VEHICLE PEDESTRIAN PROTECTION.

Not later than 2 years after the date of the enactment of this Act, the Secretary, through the Administrator of the National Highway Traffic Safety Administration, shall issue a final rule that—

(1) establishes standards for the hood and bumper areas of motor vehicles, including passenger cars, multipurpose passenger vehicles, trucks, and buses with a gross vehicle weight rating of 4,536 kilograms (10,000 pounds) or less, in order to reduce the number of injuries and fatalities suffered by pedestrians who are struck by such vehicles; and

(2) considers the protection of vulnerable pedestrian populations, including children and older adults.

#### TITLE III—FUNDING

##### SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

Section 30104 is amended—

(1) by striking “\$98,313,500”; and

(2) by striking “this part in each fiscal year beginning in fiscal year 1999 and ending in fiscal year 2001.” and inserting the following: “this chapter and to carry out the Motor Vehicle Safety Act of 2015—

“(1) \$179,000,000 for fiscal year 2016;

“(2) \$187,055,000 for fiscal year 2017;

“(3) \$195,659,530 for fiscal year 2018;

“(4) \$204,268,549 for fiscal year 2019;

“(5) \$214,073,440 for fiscal year 2020; and

“(6) \$223,920,818 for fiscal year 2021.”.

#### TITLE IV—RECALL PROCESS IMPROVEMENTS

##### SEC. 401. RECALL OBLIGATIONS UNDER BANKRUPTCY.

Section 30120A is amended to read as follows:

##### “§30120A. Recall obligations and bankruptcy of a manufacturer

“Notwithstanding any provision of title 11, United States Code, a manufacturer’s duty to comply with section 30112, sections 30115 through 30121, and section 30166 of this title shall be enforceable against a manufacturer or a manufacturer’s successors-in-interest whether accomplished by merger or by acquisition of the manufacturer’s stock, the acquisition of all or substantially all of the manufacturer’s assets or a discrete product line, or confirmation of any plan of reorganization under section 1129 of title 11.”.

##### SEC. 402. DEALER REQUIREMENT TO CHECK FOR AND REMEDY RECALL.

Section 30120(f) is amended to read as follows:

“(f) DEALERS.—

“(1) FAIR REIMBURSEMENT TO DEALERS.—A manufacturer shall pay fair reimbursement to a dealer providing a remedy without charge under this section.

“(2) REQUIREMENTS.—Each time a defective or noncomplying motor vehicle is presented to a dealer by the owner of that motor vehicle for any service on that motor vehicle, the dealer shall—

“(A) inform the owner of the defect or noncompliance; and

“(B) with consent from the owner, remedy the defect or noncompliance without charge under this section.”.

##### SEC. 403. APPLICATION OF REMEDIES FOR DEFECTS AND NONCOMPLIANCE.

Section 30120(g)(1) is amended by striking “the motor vehicle or replacement equipment was bought by the first purchaser more than 10 calendar years, or”.

##### SEC. 404. DIRECT VEHICLE NOTIFICATION OF RECALLS.

(a) RULEMAKING.—Not later than 1 year after the date of enactment of this Act, the Secretary shall initiate a rulemaking for a regulation to require a warning system in each new motor vehicle to indicate to the operator in a conspicuous manner when the vehicle is subject to an open recall.

(b) FINAL RULE.—The Secretary shall prescribe final standards not later than 3 years after the date of enactment of this Act.

##### SEC. 405. STATE NOTIFICATION OF OPEN SAFETY RECALLS.

(a) GRANT PROGRAM.—Not later than 2 years after the date of enactment of this Act, the Secretary shall establish a grant program for States to notify registered motor vehicle owners of safety recalls issued by the manufacturers of those motor vehicles.

(b) ELIGIBILITY.—To be eligible for a grant, a State shall—

(1) submit an application in such form and manner as the Secretary prescribes;

(2) agree that when a motor vehicle owner registers the motor vehicle for use in that State, the State will—

(A) search the recall database maintained by the National Highway Traffic Safety Administration using the motor vehicle identification number;

(B) determine all safety recalls issued by the manufacturer of that motor vehicle that have not been completed; and

(C) notify the motor vehicle owner of the safety recalls described in subparagraph (B); and

(3) provide such other information or notification as the Secretary may require.

##### SEC. 406. RECALL COMPLETION PILOT GRANT PROGRAM.

(a) IN GENERAL.—The Secretary shall conduct a pilot program to evaluate the feasibility and effectiveness of a State process for increasing the recall completion rate for motor vehicles by requiring each owner or lessee of a motor vehicle to have repaired any open recall on that motor vehicle.

(b) GRANTS.—To carry out this program, the Secretary shall make a grant to a State to be used to implement the pilot program described in subsection (a) in accordance with the requirements under subsection (c).

(c) ELIGIBILITY.—To be eligible for a grant under this section, a State shall—

(1) submit an application in such form and manner as the Secretary prescribes;

(2) meet the requirements and provide notification of safety recalls to registered motor vehicle owners under the grant program described in section 405 of this Act;

(3) except as provided in subsection (d), agree to require, as a condition of motor vehicle registration, including renewal, that the motor vehicle owner or lessee complete all remedies for defects and noncompliance offered without charge by the manufacturer or a dealer under section 30120 of title 49, United States Code; and

(4) provide such other information or notification as the Secretary may require.

(d) EXCEPTION.—A State may exempt a motor vehicle owner or lessee from the requirement under subsection (c)(3) if—

(1) the recall occurred not earlier than 75 days prior to the registration or renewal date;

(2) the manufacturer, through a local dealership, has not provided the motor vehicle owner or lessee with a reasonable opportunity to complete any applicable safety recall remedy due to a shortage of necessary parts or qualified labor; or

(3) the motor vehicle owner or lessee states that the owner or lessee has had no reasonable opportunity to complete all applicable safety recall remedies, in which case the State may grant a temporary registration, of not more than 90 days, during which time the motor vehicle owner or lessee shall complete all applicable safety recall remedies for which the necessary parts and qualified labor are available.

(e) AWARD.—In selecting an applicant for award under this section, the Secretary shall consider the State’s methodology for—

(1) determining safety recalls on a motor vehicle;

(2) informing the owner or lessee of a motor vehicle of the safety recalls;

(3) requiring the owner or lessee of a motor vehicle to repair any safety recall prior to issuing any registration, approval, document, or certificate related to a motor vehicle registration renewal; and

(4) determining performance in increasing the safety recall completion rate.

(f) PERFORMANCE PERIOD.—A grant awarded under this section shall require a performance period for at least 2 years.

(g) REPORT.—Not later than 90 days after the completion of the performance period under subsection (f) and the obligations under the pilot program, the grantee shall

provide to the Secretary a report of performance containing such information as the Secretary considers necessary to evaluate the extent to which safety recalls have been remedied.

(h) EVALUATION.—Not later than 1 year after the date the Secretary receives the report under subsection (g), the Secretary shall evaluate the extent to which safety recalls identified under subsection (c) have been remedied.

#### SEC. 407. IMPROVEMENTS TO NOTIFICATION OF DEFECT OR NONCOMPLIANCE.

##### (a) IMPROVEMENTS TO NOTIFICATION.—

(1) IN GENERAL.—Not later than 270 days after the date of enactment of this Act, the Secretary shall prescribe a final rule revising the regulations under section 577.7 of title 49, Code of Federal Regulations, to include notification by electronic means in addition to notification by first class mail.

(2) DEFINITION OF ELECTRONIC MEANS.—In this subsection, the term “electronic means” includes electronic mail and may include such other means of electronic notification, such as social media or targeted online campaigns, as determined by the Secretary.

(b) NOTIFICATION BY ELECTRONIC MAIL.—Section 30118(c) is amended by inserting “or electronic mail” after “certified mail”.

#### SUBMITTED RESOLUTIONS

##### SENATE RESOLUTION 219—DESIGNATING JULY 25, 2015, AS “NATIONAL DAY OF THE AMERICAN COWBOY”

Mr. ENZI (for himself, Mr. BARRASSO, Mr. CRAPO, Mr. RISCH, Ms. HEITKAMP, Mr. INHOFE, Mr. TESTER, Mr. ROUNDS, Mr. LANKFORD, Mr. THUNE, and Mr. HOEVEN) submitted the following resolution; which was considered and agreed to:

S. RES. 219

Whereas pioneering men and women, recognized as “cowboys”, helped to establish the American West;

Whereas the cowboy embodies honesty, integrity, courage, compassion, respect, a strong work ethic, and patriotism;

Whereas the cowboy spirit exemplifies strength of character, sound family values, and good common sense;

Whereas the cowboy archetype transcends ethnicity, gender, geographic boundaries, and political affiliations;

Whereas the cowboy, who lives off the land and works to protect and enhance the environment, is an excellent steward of the land and its creatures;

Whereas cowboy traditions have been a part of American culture for generations;

Whereas the cowboy continues to be an important part of the economy through the work of many thousands of ranchers across the United States who contribute to the economic well-being of every State;

Whereas millions of fans watch professional and working ranch rodeo events annually, making rodeo one of the most-watched sports in the United States;

Whereas membership and participation in rodeo and other organizations that promote and encompass the livelihood of cowboys span every generation and transcend race and gender;

Whereas the cowboy is a central figure in literature, film, and music and occupies a central place in the public imagination;

Whereas the cowboy is an American icon; and

Whereas the ongoing contributions made by cowboys and cowgirls to their communities should be recognized and encouraged: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates July 25, 2015, as “National Day of the American Cowboy”; and

(2) encourages the people of the United States to observe the day with appropriate ceremonies and activities.

##### SENATE RESOLUTION 220—COMMEMORATING THE 50TH ANNIVERSARY OF THE MEDORA MUSICAL

Ms. HEITKAMP (for herself and Mr. HOEVEN) submitted the following resolution; which was considered and agreed to:

S. RES. 220

Whereas the Medora Musical, a nationally renowned musical production of Western American patriotism, held its first production on July 1, 1965, alongside what is now the Theodore Roosevelt National Park;

Whereas more than 3,500,000 guests have experienced the incredible tribute in the Medora Musical to Theodore Roosevelt and his life in the North Dakota Badlands;

Whereas the Burning Hills Amphitheater, which is home to the Medora Musical and overlooks the Little Missouri River Valley, seats as many as 2,900 guests each night and features the Burning Hills Singers, the Coal Diggers Band, and various comedy and variety acts;

Whereas thousands of performers audition to join the professional team of the Medora Musical and work alongside 300 annual employees representing 20 or more countries and more than 500 volunteers to create one of the finest attractions in North Dakota;

Whereas each summer, the Medora Musical runs an impressive season with a 2 hour show every night for 94 consecutive days;

Whereas the Theodore Roosevelt Medora Foundation, established in 1986 by philanthropist and entrepreneur Harold Schafer, has played a profound role in promoting North Dakota tourism and bringing families of all generations together;

Whereas the city of Medora, North Dakota, home to the Medora Musical and gateway to the Theodore Roosevelt National Park, hosts more than 250,000 visitors each year, and more than 600,000 tourists from around the world visit the park each year;

Whereas the Theodore Roosevelt Medora Foundation, which has invested more than \$30,000,000 in Medora, North Dakota, raised more than \$36,000,000 in donations from more than 3,700 contributors to preserve the history of Medora, North Dakota, and the values of President Theodore Roosevelt;

Whereas President Theodore Roosevelt, following his time in the Badlands near Medora, North Dakota, likened the wondrous appeal of the Badlands to a one-of-a-kind beauty found nowhere else in the world;

Whereas President Theodore Roosevelt often said he would not have been President had it not been for his experiences in North Dakota, and many of those experiences are preserved today through the Medora Musical, Theodore Roosevelt National Park, and the Theodore Roosevelt Medora Foundation; and

Whereas, on July 1, 2015, the Medora Musical celebrates its 50th anniversary: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the Medora Musical on its 50th anniversary;

(2) recognizes the remarkable talents and achievements of the many cast and crew members and volunteers of the Medora Musical who embody the true spirit of the patriotism and stewardship of the United States; and

(3) acknowledges the contributions of the Theodore Roosevelt Medora Foundation to preserving the life and legacy of President Theodore Roosevelt.

##### SENATE RESOLUTION 221—RECOGNIZING THE 100TH ANNIVERSARY OF ROCKY MOUNTAIN NATIONAL PARK

Mr. GARDNER (for himself, Mr. BENNET, and Ms. CANTWELL) submitted the following resolution; which was considered and agreed to:

S. RES. 221

Whereas in 1909, reflecting on the beauty of what would become Rocky Mountain National Park, park promoter, Enos Mills wrote, “In years to come when I am asleep beneath the pines, thousands of families will find rest and hope in this park”;

Whereas on January 26, 1915, President Woodrow Wilson signed into law the Act commonly known as the “Rocky Mountain National Park Act” (38 Stat. 798, chapter 19), which gave that land the special designation of a national park and preserved the land for the enjoyment of all people of the United States;

Whereas 2015 marks the 100th anniversary of the establishment of Rocky Mountain National Park;

Whereas Rocky Mountain National Park is not only a State treasure, but a national treasure that attracts more than 3,000,000 visitors each year, and benefits national, State, and local economies by generating millions of dollars in revenue;

Whereas Rocky Mountain National Park provides visitors with unparalleled opportunities to experience hundreds of miles of hiking trails, nearly 150 lakes, and scenic vistas including tundra and montane ecosystems;

Whereas on March 30, 2009, 95 percent of Rocky Mountain National Park was designated as wilderness and the park showcases the diverse natural beauty of these rugged mountains;

Whereas Rocky Mountain National Park has an average altitude higher than any other national park in the United States, with dozens of mountains higher than 12,000 feet in elevation, including Longs Peak, which stands at a massive 14,259 feet;

Whereas Rocky Mountain National Park remains an iconic Colorado landscape with significant cultural connections to Native Americans;

Whereas Rocky Mountain National Park protects 415 square miles of diverse ecosystems and is home to a wide array of wildlife, including bighorn sheep, bears, beavers, marmots, moose, mountain lions, and elk;

Whereas the National Park Service will continue the long tradition of preserving and protecting Rocky Mountain National Park for years to come, providing access to the wilderness and wildlife within Rocky Mountain National Park for generations of Americans; and

Whereas on September 4, 2015, the National Park Service intends to re-dedicate Rocky Mountain National Park for the next 100 years;

Now, therefore, be it  
*Resolved*, That the Senate—

(1) congratulates and celebrates Rocky Mountain National Park on the 100th anniversary of the establishment of the park;

(2) encourages all people of Colorado and of the United States to visit that unique national treasure; and

(3) declares September 4, 2015, as Rocky Mountain National Park Day.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 2178. Mr. COONS (for himself, Mr. BLUNT, and Mr. REED) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table.

SA 2179. Mr. CRAPO submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2180. Mr. CRUZ (for himself, Mr. LEE, and Mr. CRAPO) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2181. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2182. Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2183. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2184. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2185. Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2186. Mr. MURPHY submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2187. Mr. FRANKEN (for himself and Mr. CASSIDY) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2188. Ms. BALDWIN (for herself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2189. Ms. BALDWIN (for herself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2190. Ms. BALDWIN (for herself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2191. Mr. BOOKER (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2192. Mrs. BOXER (for herself, Mr. BLUMENTHAL, Mr. BROWN, Mr. MARKEY, Mr. MERKLEY, Mr. NELSON, Mr. SCHUMER, and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2193. Mrs. BOXER (for herself, Mr. BLUMENTHAL, Mr. BROWN, Mr. MARKEY, and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2194. Mr. ISAKSON (for himself and Ms. AYOTTE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2195. Mr. BLUNT (for himself, Mr. CARDIN, Ms. MIKULSKI, and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2196. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2197. Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2198. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2199. Mr. GRAHAM submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2200. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2201. Mr. ALEXANDER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2202. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2203. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2204. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2205. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2206. Mr. THUNE (for himself and Mrs. FISCHER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2207. Ms. MIKULSKI submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2208. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2209. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2210. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2211. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2212. Mr. BOOKER (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2213. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2214. Mr. MCCONNELL (for Mrs. FISCHER (for herself and Mr. NELSON)) proposed an amendment to the bill S. 1359, to allow manufacturers to meet warranty and labeling requirements for consumer products by displaying the terms of warranties on Internet websites, and for other purposes.

#### TEXT OF AMENDMENTS

**SA 2178.** Mr. COONS (for himself, Mr. BLUNT, and Mr. REED) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 170, strike lines 20 through 25, and insert the following:

“(A) IN GENERAL.—Each local educational agency shall reserve at least 1 percent of its allocation under subpart 2 to assist schools to carry out the activities described in this section, except that this subparagraph shall

not apply if 1 percent of such agency's allocation under subpart 2 for the fiscal year for which the determination is made is \$5,000 or less. Nothing in this subparagraph shall be construed to limit local educational agencies from reserving more than the 1 percent of its allocation under subpart 2 to assist schools to carry out activities described in this section.”;

**SA 2179.** Mr. CRAPO submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

**PART C—LOCAL LEADERSHIP IN EDUCATION**

**SEC. 10301. SHORT TITLE.**

This part may be cited as the “Local Leadership in Education Act”.

**SEC. 10302. PROHIBITIONS IN THE ELEMENTARY AND SECONDARY EDUCATION ACT.**

(a) **GENERAL PROHIBITIONS.**—Section 9527 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7907), as amended by section 9110, is further amended—

(1) by striking subsections (a) and (b) and inserting the following:

“(a) **GENERAL PROHIBITIONS.**—

“(1) **IN GENERAL.**—An officer or employee of the Federal Government shall not directly or indirectly, through grants, contracts, or other cooperative agreements under this Act (including waivers under section 9401)—

“(A) mandate, direct, or control a State, local educational agency, or school's academic standards, curriculum, program of instruction, or allocation of State or local resources;

“(B) mandate a State or any subdivision thereof to spend any funds or incur any costs not paid for under this Act;

“(C) incentivize a State, local educational agency, or school to adopt any specific academic standards or a specific curriculum or program of instruction, which shall include providing any priority, preference, or special consideration during an application process based on any specific academic standards, curriculum, or program of instruction;

“(D) make financial support available in a manner that is conditioned upon a State, local educational agency, or school's adoption of specific instructional content, academic standards, or curriculum, or on the administration of assessments or tests, even if such requirements are specified in this Act; or

“(E) mandate or require States to administer assessments or tests to students.

“(2) **RULE OF CONSTRUCTION.**—Nothing in this Act shall be construed to authorize an officer or employee of the Federal Government directly or indirectly, whether through grants, contracts, or other cooperative agreements under this Act (including waivers under section 9401), to do any activity prohibited under subsection (a).”;

(2) by redesignating subsection (c) as subsection (a); and

(3) by adding at the end the following:

“(b) **PROHIBITION ON ASSESSMENTS IN TITLE I.**—Part A of title I shall be carried out without regard to any requirement that a State carry out academic assessments or that local educational agencies, elementary schools, and secondary schools make adequate yearly progress.”.

(b) **PROHIBITION ON WAIVER CONDITIONS, REQUIREMENTS, OR PREFERENCES.**—Section 9401 (20 U.S.C. 7861), as amended by section 9105, is further amended by striking subsection (h) and inserting the following:

“(h) **PROHIBITION ON WAIVER CONDITIONS.**—

“(1) **IN GENERAL.**—The Secretary shall not establish as a condition for granting a waiver under this section—

“(A) the approval of academic standards by the Federal government; or

“(B) the administration of assessments or tests to students.

“(2) **EFFECT ON PREVIOUSLY ISSUED WAIVERS.**—

“(A) **IN GENERAL.**—Any requirement described in paragraph (1) that was required for a waiver provided to a State, local educational agency, Indian tribe, or school under this section before the date of enactment of the Local Leadership in Education Act shall be void and have no force of law.

“(B) **PROHIBITED ACTIONS.**—The Secretary shall not—

“(i) enforce any requirement that is void pursuant to subparagraph (A); and

“(ii) require the State, local educational agency, Indian tribe, or school to reapply for a waiver, or to agree to any other condition to replace any requirement that is void pursuant to subparagraph (A), until the end of the period of time specified under the waiver.

“(C) **NO EFFECT ON OTHER PROVISIONS.**—Any other provisions or requirements of a waiver provided under this section before the date of enactment of the Local Leadership in Education Act that are not affected by subparagraph (A) shall remain in effect for the period of time specified under the waiver.”.

**SEC. 10303. PROHIBITION IN THE GENERAL EDUCATION PROVISIONS ACT.**

Section 438 of the General Education Provisions Act (20 U.S.C. 1232a) is amended—

(1) by striking “No provision of any applicable program shall be construed to authorize any department, agency, officer, or employee of the United States to” and inserting “A department, agency, officer, or employee of the United States shall not”;

(2) by inserting “(including the development of curriculum)” after “over the curriculum”; and

(3) by striking “to” after “institution or school system, or”.

**SEC. 10304. PROHIBITION IN RACE TO THE TOP FUNDING.**

Title XIV of Division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) is amended by inserting after section 14007 the following:

**“SEC. 14007A. PROHIBITION ON ASSESSMENTS.**

“Notwithstanding any other provision of law, no funds provided under section 14006 of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5, 123 Stat. 283) shall be used to develop, pilot test, field test, implement, administer, or distribute any assessment or testing materials.”.

**SA 2180.** Mr. CRUZ (for himself, Mr. LEE, and Mr. CRAPO) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 28, between lines 6 and 7, insert the following:

“(vi) include in the plan a description of assessments referred to in paragraph (2), or

an accountability system referred to in paragraph (3), of subsection (b), nor may the Secretary require inclusion of a description of such assessments or system in a plan or application, or use inclusion of such assessments or system as a factor in awarding Federal funding, under any other provision of this Act; or

On page 28, line 7, strike “(vi)” and insert “(vii)”.

On page 36, strike line 18 and all that follows through line 25 on page 58, and insert the following:

“(2) **ASSESSMENTS.**—A State may include in the State plan a description of, and may implement, a set of high-quality statewide academic assessments.

“(3) **ACCOUNTABILITY.**—A State may include in the State plan a description of, and may implement, an accountability system.

On page 146, strike line 1 and all that follows through line 23, on page 166.

On page 183, between lines 6 and 7, insert the following

**SEC. 1008A. STATE-DETERMINED ASSESSMENTS AND ACCOUNTABILITY.**

After section 1118, as redesignated by section 1004(3), insert the following:

**“SEC. 1119. STATE-DETERMINED ASSESSMENTS AND ACCOUNTABILITY.**

“Notwithstanding any other provision of law, including any other provision of this Act, wherever in this Act a reference is made to assessments or accountability under this part, including a reference to a provision under paragraphs (2) or (3) of section 1111(b)—

“(1) in the case of a State that elects to implement assessments referred to in section 1111(b)(2), a reference to assessments under this part shall be deemed to be a reference to those assessments and shall be carried out to the extent practicable based on the State-determined assessments;

“(2) in the case of a State that elects to implement an accountability system referred to in section 1111(b)(3), a reference to accountability under this part shall be deemed to be a reference to accountability under that system, and shall be carried out to the extent practicable based on the State-determined accountability system; and

“(3) in the case of any State not described in paragraph (1) or (2), the reference shall have no effect.”.

On page 185, strike line 19 and all that follows through line 2 on page 228 and insert the following:

**SEC. 1012. REPEAL.**

Part B of title I (20 U.S.C. 6361 et seq.) is repealed.

**SA 2181.** Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 70, line 3, strike the period and insert the following: “; and

“(iii) use funds under this part to support efforts to expand and replicate successful practices from high-performing charter schools, magnet schools, and traditional public schools.

**SA 2182.** Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize

the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 469, line 22, strike “as well as” and insert “or encourage and develop skills that contribute to”.

**SA 2183.** Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 40, between lines 14 and 15, insert the following:

“(IV) the inclusion of students in programs that use a Native American language, including American Indian, Native Hawaiian, and Alaska Native languages, as the predominant medium language of instruction, including programs funded by the Bureau of Indian Education, who shall have the option to be assessed in a valid and reliable manner in the language of instruction and form most likely to yield accurate data on what such students know and can do in academic content areas, provided that these students are assessed in English in reading or language arts, even where such assessment is also administered in a Native American language;

**SA 2184.** Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 228, between lines 2 and 3, insert the following:

**“SEC. 1206. DEMONSTRATION OF NATIVE AMERICAN LANGUAGE MEDIUM EDUCATION.**

“(a) **PURPOSE.**—The purpose of this section is to demonstrate coordinated best practice in carrying out the educational purposes and provisions of the Native American Languages Act (25 U.S.C. 2901) in a variety of existing schools taught predominantly through the medium of Native American languages located on or near lands controlled by a Native American entity.

“(b) **AWARDING OF PROJECT.**—The Secretary shall award a grant to carry out a demonstration project under this section to an entity that meets the criteria described in subsection (c) and has the most experience in Native American language medium education.

“(c) **DEMONSTRATION PROJECT.**—The demonstration project shall—

“(1) include established schools or programs that have been in existence for not less than 10 years;

“(2) serve Alaska Natives, Native Hawaiians, and American Indians, with at least 1 example school or program from each of these Native categories assisted under this section;

“(3) include example classes in preschool, elementary school, intermediate school, and high school;

“(4) include a diversity of program types located in a variety of school types, including at least 1 example in each of a Bureau of

Indian Affairs school, a public school, a charter school, and a private school;

“(5) be for a period of 3 years with an extension for an additional 2 years at the discretion of the Secretary;

“(6) be visited in whole or in part by the Secretary and the Secretary of the Interior or their designees;

“(7) be lead and coordinated by an entity within a tribal, State, or private institution of higher education with a high level of experience in serving the needs of Native American language medium education at a variety of levels and circumstances on a State and national level; and

“(8) provide opportunities for participation of other tribal, State, and private institutions of higher education.

“(d) **WAIVERS.**—The Secretary may further the purpose of this section by waiving provisions of this Act that the Secretary determines appropriate and not in conflict with other Federal law.

“(e) **FUNDING.**—The Secretary may fund the demonstration project under this section with unspent funds from other provisions of this Act.

**SA 2185.** Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 630, between lines 4 and 5, insert the following:

**“PART J—INNOVATION SCHOOLS  
DEMONSTRATION AUTHORITY**

**“SEC. 5910. INNOVATION SCHOOLS.**

“(a) **PURPOSE.**—The purpose of the flexibility authority under this part is to provide local educational agencies with the flexibility to create locally-designed innovation schools in order to achieve increased autonomy and support for innovation schools.

“(b) **DEFINITIONS.**—In this part:

“(1) **ELIGIBLE ENTITY.**—The term ‘eligible entity’ means a local educational agency that receives a local flexibility agreement under this part.

“(2) **ELIGIBLE STATE EDUCATIONAL AGENCY.**—The term ‘eligible State educational agency’ means a State educational agency that has adopted policies or procedures that allow the development, consideration, and approval of innovation school plans, consistent with the provisions of this part.

“(3) **INNOVATION SCHOOL.**—The term ‘innovation school’ means a public school that—

“(A) is established for the purpose of generating enhanced opportunities for students to learn and achieve through increased educator and school-level professional autonomy and flexibility;

“(B) is a collaborative initiative enjoying strong buy-in, pursuant to subparagraphs (F) and (G) of subsection (f)(1), from key stakeholders, including parents, education employees, and representatives of such employees, where applicable;

“(C) ensures equitable access for all student populations;

“(D) operates with the same degree of transparency and is held to the same accountability standards applicable to other schools in the school district served by the local educational agency that serves the innovation school; and

“(E) is not a magnet school.

“(c) **AUTHORITY.**—

“(1) **IN GENERAL.**—Except as provided in paragraph (2), the Secretary is authorized to allow eligible State educational agencies to receive flexibility authority to provide local educational agencies with flexibility agreements if such eligible State educational agencies—

“(A) demonstrate that flexibility agreements are necessary for the successful operation of innovation schools; and

“(B) provide a description of any State or local rules, generally applicable to public schools, that will be waived, or otherwise not apply, to innovation schools.

“(2) **EXCEPTION.**—Flexibility authority and flexibility agreements shall not be granted under paragraph (1) with respect to any provision under part B of the Individuals with Disabilities Education Act, title VI of the Civil Rights Act of 1964, or section 504 of the Rehabilitation Act of 1973.

“(d) **SELECTION OF LOCAL EDUCATIONAL AGENCIES.**—Each eligible State educational agency receiving flexibility authority under subsection (c) shall, to the extent practicable and applicable, ensure that local flexibility agreements made with eligible entities—

“(1) prioritize local educational agencies that—

“(A) serve the largest numbers or percentages of students from low-income families; or

“(B) will use the provided flexibility for innovative strategies in schools identified as in need of intervention and support under section 1114; and

“(2) are geographically diverse, including provided to local educational agencies serving urban, suburban, or rural areas.

“(e) **STATE APPLICATIONS AND REQUIREMENTS.**—

“(1) **IN GENERAL.**—An eligible State educational agency desiring to receive flexibility authority under this part shall submit an application to the Secretary at such time and in such manner as the Secretary may require. The application shall include the following:

“(A) **DESCRIPTION OF PROGRAM.**—A description of the eligible State educational agency’s objectives in supporting innovation schools, and how the objectives of the program will be carried out, including—

“(i) a description of how the State educational agency will—

“(I) support the success of innovation schools;

“(II) inform local educational agencies, communities, and schools of the opportunity for local flexibility agreements under this part;

“(III) work with eligible entities to ensure that innovation schools access all Federal, State, and local funds such schools are eligible to receive;

“(IV) work with eligible entities to ensure that innovation schools receive waivers to all Federal, State, and local laws necessary to implement innovation schools’ innovation plans;

“(V) ensure each eligible entity works with innovation schools to ensure inclusion of all students and promote retention of students in the school; and

“(VI) share best and promising practices among innovation schools and other schools;

“(ii) a description of how the State educational agency will actively monitor each eligible entity in a local flexibility agreement to hold innovation schools accountable to ensure a high-quality education, including by approving, re-approving, and revoking the innovation plan and its attendant flexibility

based on the performance of the innovation school, in the areas of student achievement, student safety, financial management, and compliance with all applicable statutes; and

“(iii) a description of how the State educational agency will approve local flexibility agreements, including—

“(I) a description of the application each local educational agency desiring to enter into such a flexibility agreement will submit, which application shall include—

“(aa) the school innovation plan; and

“(bb) a description of the roles and responsibilities of local educational agencies and of any other organizations with which the local educational agency will partner to open innovation schools, including administrative and contractual roles and responsibilities; and

“(cc) a description of the quality controls that will be used by the local educational agency, such as a contract or performance agreement that includes a school’s performance in the State’s academic accountability system and impact on student achievement; and

“(dd) a description of the planned activities to be carried out under the flexibility agreement; and

“(ee) a description of waivers and other flexibility needed to implement the school innovation plan; and

“(II) a description of how the State educational agency will review applications from local educational agencies.

“(B) STATE ASSURANCES.—Assurances from the State educational agency that—

“(i) each eligible entity will ensure that innovation schools have a high degree of autonomy over budget and operations; and

“(ii) the State educational agency—

“(I) and each eligible entity entering into a local flexibility agreement under this section will ensure that each innovation school that receives funds under the entity’s program is meeting the requirements of this Act, part B of the Individuals with Disabilities Education Act, title VI of the Civil Rights Act of 1964, and section 504 of the Rehabilitation Act of 1973; and

“(II) will ensure that each eligible entity adequately monitors and provides adequate technical assistance to each innovation school in recruiting, enrolling, and meeting the needs of all students, including children with disabilities and English learners; and

“(iii) the State educational agency will ensure that the eligible entity will monitor innovation schools, including by—

“(I) using annual performance data, including graduation rates and student academic achievement data, as appropriate; and

“(II) if applicable, reviewing the schools’ independent, annual audits of financial statements conducted in accordance with generally accepted accounting principles, and ensuring any such audits are publically reported; and

“(III) holding innovation schools accountable to the academic, financial, and operational quality controls outlined in the innovation plan, such as through renewal, non-renewal, or revocation of the school’s innovation plan; and

“(iv) the State educational agency will ensure that, to the greatest extent possible, State and local rules, generally applicable to public schools, will be waived, or otherwise not apply, to the extent necessary, to innovation plans at each innovation school; and

“(v) eligible entities will ensure that each innovation school makes publicly available information to help parents make informed decisions about the education options available to their children, including information on the educational program, student support

services, and annual performance and enrollment data for students in the innovation school; and

“(vi) the State educational agency consulted with local educational agencies, schools, teachers, principals, other school leaders, and parents in developing the State application.

“(2) ADDITIONAL ELEMENTS.—The provisions of peer review, approval, determination, demonstration, revision, disapproval, limitations, public review, and additional information applicable to State plans under paragraphs (3), (4), (5), (6), (7), and (8)(B) of section 1111(a) shall apply in the same manner to State applications submitted under this subsection.

“(f) LOCAL EDUCATIONAL AGENCY APPLICATIONS AND REQUIREMENTS.—A local educational agency that desires to enter into a local flexibility agreement shall submit to the State educational agency such information that the State educational agency shall require, including—

“(1) the plans for all approved innovation schools to be served by the local educational agency, which shall include—

“(A) a statement of the innovations school’s mission and why designation as an innovation school would enhance the school’s ability to achieve its mission; and

“(B) a description of the innovations the public school would implement, which may include, innovations in school staffing, curriculum and assessment, class scheduling and size, use of financial and other resources, and faculty recruitment, employment, evaluation, compensation, and extracurricular activities; and

“(C) if the innovation school seeks to establish an advisory board, a description of—

“(i) the membership of the board (which may include representatives of teachers, parents, students, the local educational agency, the State educational agency, the business community, institutions of higher education, or other community representatives); and

“(ii) its responsibilities in designing and furthering the mission of the innovation school; and

“(iii) how the board will ensure coordination with the local educational agency and State educational agency; and

“(D) a listing of the programs, policies, or operational documents within the public school that would be affected by the public school’s identified innovations and the manner in which they would be affected, which shall include—

“(i) the research-based educational program the school would implement; and

“(ii) the length of school day and school year at the school; and

“(iii) the student engagement policies to be implemented at the school; and

“(iv) the school’s instruction and assessment plan; and

“(v) the school’s plan to use data, evaluation, and professional learning to improve student achievement; and

“(vi) the proposed budget for the school; and

“(vii) the proposed staffing plan or staff compensation model for the school; and

“(viii) the professional development needs of leaders and staff to implement the program and how those needs will be addressed; and

“(E) an identification of the improvements in academic performance that the school expects to achieve in implementing the innovations; and

“(F) evidence that a majority of the administrators employed at the public school support the request for designation as an innovation school;

“(G) evidence that not less than two-thirds of the regularly employed employees at the school vote by secret ballot to approve the school’s innovation school plan; and

“(H) evidence that the school has strong parental support, demonstrated in a manner determined appropriate by the State educational agency;

“(I) a description of any regulatory or policy requirements that would need to be waived for the public school to implement its identified innovations; and

“(J) any additional information required by the local educational agency in which the innovation plan would be implemented; and

“(2) a description of any rules or regulations that the local educational agency will waive in order to provide autonomy to the innovation schools and why waiving such regulations will benefit students; and

“(3) a description of any State regulations that the local educational agency seeks to waive in order to provide autonomy to innovation schools, and why waiving such regulations will benefit students; and

“(4) a description of the process that the local educational agency will use to regularly review the progress of innovation schools, including student performance and performance in the State’s accountability system and decide whether to revoke or continue the innovation school’s autonomy.

“(g) TEACHER CERTIFICATION REQUIREMENTS.—

“(1) IN GENERAL.—Notwithstanding any other provision of this part, except as provided under paragraph (2), not more than 5 percent of the teachers in an innovation school granted flexibility under this part may be unlicensed or uncertified at any one time. Such unlicensed or uncertified teachers shall become licensed or certified within 3 years of being hired.

“(2) STATE REQUIREMENTS.—Innovation schools located in a State with a more lenient teacher license or certification requirement than the requirement described in paragraph (1) may hire teachers in accordance with State teacher license or certification requirements.

“(h) REPORTING REQUIREMENTS AND ASSESSMENTS.—

“(1) REPORTING.—Each eligible State educational agency receiving the flexibility authority granted by the Secretary under this section shall submit to the Secretary, at the end of the third year of the demonstration period and at the end of any renewal period, a report that includes the following:

“(A) The number of students served by each innovation school under this part and, if applicable, the number of new students served during each year of the demonstration period, expressed as a total number and as a percentage of the students enrolled in the State and relevant local educational agencies.

“(B) The number of innovation schools served under this part.

“(C) An overview of the innovations implemented in the innovation schools and the innovation school zones in the districts of innovation.

“(D) An overview of the academic performance of the students served in innovation schools, including a comparison between the students’ academic performance before and since implementation of the innovations.

“(2) EVALUATION.—The Director of the Institute of Education Sciences (or a comparable, independent research organization) shall conduct an evaluation of the program under this part after year 3 and 5 of the program and every 2 years thereafter.



“(i) RULE OF CONSTRUCTION AND PROHIBITIONS.—

“(1) RULE OF CONSTRUCTION REGARDING EMPLOYMENT.—Nothing in this part shall be construed to alter or otherwise affect the rights, remedies, and procedures afforded school or school district employees under Federal, State or local laws (including applicable regulations or court orders) or under the terms of collective bargaining agreements, memoranda of understanding, or other agreements between such employees and their employers.

“(2) PROHIBITION ON FEDERAL INTERFERENCE WITH STATE AND LOCAL DECISIONS.—Nothing in this part shall be construed to permit the Secretary to establish any criterion that specifies, defines, or prescribes the terms governing innovation schools served under this part.

“(j) DURATION OF FLEXIBILITY DEMONSTRATION AUTHORITY AND AGREEMENTS.—

“(1) FLEXIBILITY DEMONSTRATION AUTHORITY.—Flexibility demonstration authority under this part shall be awarded for a period that shall not exceed 5 fiscal years, and may be renewed by the Secretary for 1 additional 2-year period.

“(2) LOCAL FLEXIBILITY AGREEMENTS.—Local flexibility agreements awarded by an eligible State educational agency under this part shall be for a period of not more than 5 years.”.

**SA 2186.** Mr. MURPHY submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 630, between lines 4 and 5, insert the following:

**SEC. 5011. PROMISE NEIGHBORHOODS.**

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part I, as added by section 5010, the following:

**“PART J—PROMISE NEIGHBORHOODS**

**“SEC. 5910. SHORT TITLE.**

“This part may be cited as the ‘Promise Neighborhoods Act of 2015’.

**“SEC. 5911. PURPOSE.**

“The purpose of this part is to significantly improve the academic and developmental outcomes of children living in our Nation’s most distressed communities, including ensuring school readiness, high school graduation, and college and career readiness for such children, and access to a community-based continuum of high-quality services.

**“SEC. 5912. PIPELINE SERVICES DEFINED.**

“In this part, the term ‘pipeline services’ means a continuum of supports and services for children from birth through college entry, college success, and career attainment, including, at a minimum, strategies to address through services or programs (including integrated student supports) the following:

“(1) High-quality early learning opportunities.

“(2) High-quality schools and out-of-school-time programs and strategies.

“(3) Support for a child’s transition to elementary school, support for a child’s transition from elementary school to middle school, from middle school to high school, and from high school into and through col-

lege and into the workforce, including any comprehensive readiness assessment as deemed necessary.

“(4) Family and community engagement.

“(5) Family and student supports, which may be provided within the school building.

“(6) Activities that support college and career readiness.

“(7) Community-based support for students who have attended the schools in the pipeline, or students who are members of the community, facilitating their continued connection to the community and success in college and the workforce.

**“SEC. 5913. PROGRAM AUTHORIZED.**

“(a) IN GENERAL.—

“(1) PROGRAM AUTHORIZED.—From amounts appropriated to carry out this part, the Secretary shall award grants, on a competitive basis, to eligible entities to implement a comprehensive, evidence-based continuum of coordinated services that meet the purpose of this part by carrying out the activities in neighborhoods with high concentrations of low-income individuals and multiple signs of distress, which may include poverty, childhood obesity rates, academic failure, and rates of juvenile delinquency, adjudication, or incarceration, and persistently low-achieving schools or schools with an achievement gap.

“(2) SUFFICIENT SIZE AND SCOPE.—Each grant awarded under this part shall be of sufficient size and scope to allow the eligible entity to carry out the purpose of this part.

“(b) DURATION.—A grant awarded under this part shall be for a period of not more than 5 years, and may be renewed for an additional period of not more than 5 years.

“(c) CONTINUED FUNDING.—Continued funding of a grant under this part, including a grant renewed under subsection (b), after the third year of the grant period shall be contingent on the eligible entity’s progress toward meeting the performance metrics described in section 5918(a).

“(d) MATCHING REQUIREMENT.—

“(1) IN GENERAL.—Each eligible entity receiving a grant under this part shall contribute matching funds in an amount equal to not less than 100 percent of the amount of the grant. Such matching funds shall come from Federal, State, local, and private sources.

“(2) PRIVATE SOURCES.—The Secretary shall require that a portion of the matching funds come from private sources, which may include in-kind donations.

“(3) ADJUSTMENT.—The Secretary may adjust the matching funds requirement for applicants that demonstrate high need, including applicants from rural areas or applicant that wish to provide services on tribal lands.

“(e) FINANCIAL HARDSHIP WAIVER.—The Secretary may waive or reduce, on a case-by-case basis, the matching requirement described in subsection (d), including the requirement for funds for private sources for a period of 1 year at a time, if the eligible entity demonstrates significant financial hardship.

“(f) RESERVATION FOR RURAL AREAS.—From the amounts appropriated to carry out this part for a fiscal year, the Secretary shall reserve not less than 20 percent for eligible entities that propose to carry out the activities described in section 5916 in rural areas. The Secretary shall reduce the amount described in the preceding sentence if the Secretary does not receive a sufficient number of applications that are deserving of a grant under this part for such purpose.

**“SEC. 5914. ELIGIBLE ENTITIES.**

“In this part, the term ‘eligible entity’ means—

“(1) an institution of higher education, as defined in section 102 of the Higher Education Act of 1965;

“(2) an Indian tribe or tribal organization, as defined under section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b); or

“(3) one or more nonprofit entities working in formal partnership with not less than 1 of the following entities:

“(A) A high-need local educational agency.

“(B) An institution of higher education, as defined in section 102 of the Higher Education Act of 1965.

“(C) The office of a chief elected official of a unit of local government.

“(D) An Indian tribe or tribal organization, as defined under section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

**“SEC. 5915. APPLICATION REQUIREMENTS.**

“(a) IN GENERAL.—An eligible entity desiring a grant under this part shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

“(b) CONTENTS OF APPLICATION.—At a minimum, an application described in subsection (a) shall include the following:

“(1) A plan to significantly improve the academic outcomes of children living in a neighborhood that is served by the eligible entity, by providing pipeline services that address the needs of children in the neighborhood, as identified by the needs analysis described in paragraph (4), and supported by evidence-based practices.

“(2) A description of the neighborhood that the eligible entity will serve.

“(3) Measurable annual goals for the outcomes of the grant, including performance goals, in accordance with the metrics described in section 5918(a), for each year of the grant.

“(4) An analysis of the needs and assets, including size and scope of population affected of the neighborhood identified in paragraph (1), including—

“(A) a description of the process through which the needs analysis was produced, including a description of how parents, family, and community members were engaged in such analysis;

“(B) an analysis of community assets and collaborative efforts, including programs already provided from Federal and non-Federal sources, within, or accessible to, the neighborhood, including, at a minimum, early learning, family and student supports, local businesses, and institutions of higher education;

“(C) the steps that the eligible entity is taking, at the time of the application, to address the needs identified in the needs analysis; and

“(D) any barriers the eligible entity, public agencies, and other community-based organizations have faced in meeting such needs.

“(5) A description of all data that the entity used to identify the pipeline services to be provided and how the eligible entity will collect data on children served by each pipeline service and increase the percentage of children served over time.

“(6) A description of the process used to develop the application, including the involvement of family and community members.

“(7) A description of how the pipeline services will facilitate the coordination of the following activities:

“(A) Providing high-quality early learning opportunities for children, including by providing opportunities for families and expectant parents to acquire the skills to promote

early learning and child development, and ensuring appropriate screening, diagnostic assessments, and referrals for children with disabilities and developmental delays, consistent with the Individuals with Disabilities Education Act, where applicable.

“(B) Supporting, enhancing, operating, or expanding rigorous and comprehensive evidence-based education reforms, which may include high-quality academic programs, expanded learning time, and programs and activities to prepare students for college admissions and success.

“(C) Supporting partnerships between schools and other community resources with an integrated focus on academics and other social, health, and familial supports.

“(D) Providing social, health, nutrition, and mental health services and supports, including referrals for essential healthcare and preventative screenings, for children, family, and community members, which may include services provided within the school building.

“(E) Supporting evidence-based programs that assist students through school transitions, which may include expanding access to college courses for and college enrollment aide or guidance, and other supports for at-risk youth.

“(8) A description of the strategies that will be used to provide pipeline services (including a description of which programs and services will be provided to children, family members, community members, and children not attending schools or programs operated by the eligible entity or its partner providers) to support the purpose of this part.

“(9) An explanation of the process the eligible entity will use to establish and maintain family and community engagement, including involving representative participation by the members of such neighborhood in the planning and implementation of the activities of each grant awarded under this part, and the provision of strategies and practices to assist family and community members in actively supporting student achievement and child development, providing services for students, families, and communities within the school building, and collaboration with institutions of higher education, workforce development centers, and employers to align expectations and programming with college and career readiness.

“(10) An explanation of how the eligible entity will continuously evaluate and improve the continuum of high-quality pipeline services to provide for continuous program improvement and potential expansion.

“(11) An identification of the fiscal agent, which may be any entity described in section 5914 (not including paragraph (2) of such section).

“(c) MEMORANDUM OF UNDERSTANDING.—An eligible entity, as part of the application described in this section, shall submit a preliminary memorandum of understanding, signed by each partner entity or agency. The preliminary memorandum of understanding shall describe, at a minimum—

“(1) each partner’s financial and programmatic commitment with respect to the strategies described in the application, including an identification of the fiscal agent;

“(2) each partner’s long-term commitment to providing pipeline services that, at a minimum, accounts for the cost of supporting the continuum of supports and services (including a plan for how to support services and activities after grant funds are no longer available) and potential changes in local government;

“(3) each partner’s mission and the plan that will govern the work that the partners do together;

“(4) each partner’s long-term commitment to supporting the continuum of supports and services through data collection, monitoring, reporting, and sharing; and

“(5) each partner’s commitment to ensure sound fiscal management and controls, including evidence of a system of supports and personnel.

**“SEC. 5916. USE OF FUNDS.**

“(a) IN GENERAL.—Each eligible entity that receives a grant under this part shall use the grant funds to—

“(1) support planning activities to develop and implement pipeline services;

“(2) implement the pipeline services, as described in the application under section 5915; and

“(3) continuously evaluate the success of the program and improve the program based on data and outcomes.

“(b) SPECIAL RULES.—

“(1) FUNDS FOR PIPELINE SERVICES.—Each eligible entity that receives a grant under this part, for the first and second year of the grant, shall use not less than 50 percent of the grant funds to carry out the activities described in subsection (a)(1).

“(2) OPERATIONAL FLEXIBILITY.—Each eligible entity that operates a school in a neighborhood served by a grant program under this part shall provide such school with the operational flexibility, including autonomy over staff, time, and budget, needed to effectively carry out the activities described in the application under section 5915.

“(3) LIMITATION ON USE OF FUNDS FOR EARLY CHILDHOOD EDUCATION PROGRAMS.—Funds under this part that are used to improve early childhood education programs shall not be used to carry out any of the following activities:

“(A) Assessments that provide rewards or sanctions for individual children or teachers.

“(B) A single assessment that is used as the primary or sole method for assessing program effectiveness.

“(C) Evaluating children, other than for the purposes of improving instruction, classroom environment, professional development, or parent and family engagement, or program improvement.

**“SEC. 5917. REPORT AND PUBLICLY AVAILABLE DATA.**

“(a) REPORT.—Each eligible entity that receives a grant under this part shall prepare and submit an annual report to the Secretary, which shall include—

“(1) information about the number and percentage of children in the neighborhood who are served by the grant program, including a description of the number and percentage of children accessing each support or service offered as part of the pipeline services; and

“(2) information relating to the performance metrics described in section 5918(a); and

“(b) PUBLICLY AVAILABLE DATA.—Each eligible entity that receives a grant under this part shall make publicly available, including through electronic means, the information described in subsection (a). To the extent practicable, such information shall be provided in a form and language accessible to parents and families in the neighborhood, and such information shall be a part of statewide longitudinal data systems.

**“SEC. 5918. PERFORMANCE ACCOUNTABILITY AND EVALUATION.**

“(a) PERFORMANCE METRICS.—Each eligible entity that receives a grant under this part shall collect data on performance indicators

of pipeline services and family and student supports and report the results to the Secretary, who shall use the results as a consideration in continuing grants after the third year and in awarding grant renewals. The indicators shall address the entity’s progress toward meeting the goals of this part to significantly improve the academic and developmental outcomes of children living in our Nation’s most distressed communities from birth through college and career entry, including ensuring school readiness, high school graduation, and college and career readiness for such children, through the use of data-driven decision making and access to a community-based continuum of high-quality services, beginning at birth.

“(b) EVALUATION.—The Secretary shall evaluate the implementation and impact of the activities funded under this part, in accordance with section 9601.

**“SEC. 5919. NATIONAL ACTIVITIES.**

“From the amounts appropriated to carry out this part for a fiscal year, in addition to the amounts that may be reserved in accordance with section 9601, the Secretary may reserve not more than 8 percent for national activities, which may include research, technical assistance, professional development, dissemination of best practices, and other activities consistent with the purposes of this part.

**“SEC. 5920. AUTHORIZATION OF APPROPRIATIONS.**

“There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.”

**SA 2187.** Mr. FRANKEN (for himself and Mr. CASSIDY) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 75, line 18, insert “disability category as described in subparagraphs (A)(i) and (if applicable for the State) (B)(i) of section 602(3) of the Individuals with Disabilities Education Act,” after “homeless status.”

**SA 2188.** Ms. BALDWIN (for herself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 69, between lines 12 and 13, insert the following:

“(M) how the State will ensure the unique needs of students at all levels of schooling are met, particularly students in the middle grades and high school, including how the State will work with local educational agencies to—

“(i) assist in the identification of middle grades and high school students who are at-risk of dropping out, such as through the continuous use of student data related to measures such as attendance, student suspensions, course performance, and, postsecondary credit accumulation that results in

actionable steps to inform and differentiate instruction and support;

“(ii) ensure effective student transitions from elementary school to middle grades and middle grades to high school, such as by aligning curriculum and supports or implementing personal academic plans to enable such students to stay on the path to graduation;

“(iii) ensure effective student transitions from high school to postsecondary education, such as through the establishment of partnerships between local educational agencies and institutions of higher education and providing students with choices for pathways to postsecondary education, which may include the integration of rigorous academics, career and technical education, and work-based learning;

“(iv) provide professional development to teachers, principals, other school leaders, and other school personnel in addressing the academic and developmental needs of such students; and

“(v) implement any other evidence-based strategies or activities that the State determines appropriate for addressing the unique needs of such students;

On page 69, line 13, strike “(M)” and insert “(N)”.

On page 69, line 17, strike “(N)” and insert “(O)”.

On page 772, between lines 14 and 15, insert the following:

“(47) MIDDLE GRADES.—The term middle grades means any of grades 5 through 8.”.

At the end of the bill, add the following:

**SEC. 1020. REPORT ON THE REDUCTION OF THE NUMBER AND PERCENTAGE OF STUDENTS WHO DROP OUT OF SCHOOL.**

Not later than 5 years after the date of enactment of this Act, the Director of the Institute of Education Sciences shall evaluate the impact of section 1111(c)(1)(M) on reducing the number and percentage of students who drop out of school.

**SA 2189.** Ms. BALDWIN (for herself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 630, between lines 4 and 5, insert the following:

**SEC. 5011. IMPROVING SECONDARY SCHOOLS.**

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part I, as added by section 5010, the following:

**“PART J—IMPROVING SECONDARY SCHOOLS**

**“SEC. 5910. PURPOSES.**

“The purposes of this part are to increase the number and percentage of students who—

“(1) successfully matriculate from middle school to high school;

“(2) graduate from high school college- and career-ready with the ability to use knowledge to solve complex problems, think critically, communicate effectively, collaborate with others, and develop academic mindsets;

“(3) earn college-level credit and postsecondary credentials, including industry-based credentials, such as through early college and dual enrollment while in high school;

“(4) successfully complete sequencing of coursework that integrates rigorous aca-

demics with career-based learning and real world workplace experiences; and

“(5) graduate from high school prepared to pursue postsecondary degrees in science, technology, engineering, and mathematics, particularly for student groups historically underrepresented in these fields.

**“SEC. 5911. DEFINITIONS.**

“In this part:

“(1) APPLIED LEARNING.—The term ‘applied learning’ means a strategy that engages students in opportunities to apply rigorous academic content aligned with college-level expectations to real world experience, through such means as project-based, work-based, or service-based learning, and develops students’ cognitive competencies and pertinent employability skills.

“(2) ATTRITION.—The term ‘attrition’ means the reduction in a school’s student population as a result of transfers or drop-outs and includes students who have been enrolled for a minimum of 3 weeks within the academic year.

“(3) CHRONICALLY ABSENT.—The term ‘chronically absent’, when used with respect to a student—

“(A) means a student who misses not less than 10 percent of the school days at a school; and

“(B) does not include any school days a student misses due to an in-school or out-of-school suspension, or for which a student was not enrolled at such school.

“(4) COMPETENCY-BASED LEARNING MODEL.—

“(A) IN GENERAL.—The term ‘competency-based learning model’ means an education model in which students advance academically based upon multiple demonstrations of competence in defined content-specific concepts and higher order skills, such as critical thinking and problem solving.

“(B) REQUIREMENTS.—In a competency-based learning model the following applies:

“(i) Competencies include explicit, measurable, and transferable learning objectives.

“(ii) Assessment is used to identify gaps in a student’s knowledge and to provide frequent and meaningful feedback on the student’s progression toward filling such gaps and moving on to higher levels of knowledge.

“(iii) Each student receives timely, differentiated support based on the student’s individual learning needs.

“(iv) Student agency is emphasized through transparency of goals and gaps in knowledge, and multiple means to close those gaps.

“(5) ELIGIBLE ENTITY.—The term ‘eligible entity’ means a local educational agency or a consortium of local educational agencies—

“(A) in partnership with—

“(i) 1 or more institutions of higher education; and

“(ii) 1 or more employers, which may be a nonprofit organization, community-based organization, State or local government agency, business, or an industry-related organization; and

“(B) that may include 1 or more external partners, such as a qualified intermediary.

“(6) ELIGIBLE HIGH SCHOOL.—The term ‘eligible high school’ means a high school that—

“(A) does not receive funding under section 1114(c);

“(B) serves a student population of which not less than 40 percent are from low-income families as determined by the local educational agency serving such school; and

“(C) has a 4-year adjusted cohort graduation rate for all students or for multiple subgroups of students at or below 67 percent, except in the case of a high school that, at the time of applying for the grant under this

part, is a new high school, as determined by the Secretary.

“(7) ELIGIBLE MIDDLE SCHOOL.—The term ‘eligible middle school’ means a middle school—

“(A) that does not receive funding under section 1114(c);

“(B) that serves a student population of which not less than 40 percent are from low-income families as determined by the local educational agency serving such school; and

“(C) from which a significant number or percentage of students go on to attend an eligible high school.

“(8) INDUSTRY-BASED CREDENTIAL.—The term ‘industry-based credential’ has the meaning given the term ‘recognized postsecondary credential’ in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

“(9) PERSONALIZED LEARNING.—The term ‘personalized learning’ means a learning environment that addresses students’ academic and non-academic needs and provides students with an individualized sequence of academic content, skill development, support services, and ensures that each student has an advisor designed to enable the student to achieve the student’s individual learning goals and ensure the student graduates on time and ready for college and a career by having developed skills and competencies, including the ability to think critically, solve complex or non-routine problems, evaluate arguments on the basis of evidence, and communicate effectively.

“(10) QUALIFIED INTERMEDIARY.—The term ‘qualified intermediary’ means an entity that has—

“(A) a demonstrated record of working on grant-related middle school and high school redesign activities; and

“(B) expertise in building and sustaining partnerships with entities such as employers, schools, community-based organizations, institutions of higher education, social service organizations, economic development organizations, and workforce systems to broker services, resources, and supports to youth and the organizations and systems that are designed to serve youth (including connecting employers to classrooms, designing and implementing contextualized pathways to postsecondary education and careers, developing integrated curricula, delivering professional development, and connecting students to internships and other work-based learning opportunities).

“(11) STUDENT-CENTERED LEARNING APPROACHES.—The term ‘student-centered learning approaches’ means instruction and curriculum that—

“(A) are—

“(i) based on personalized learning; and

“(ii) mastery oriented or based on competency-based learning models;

“(B) enable students to have supports to take increased responsibility over their education and develop self-regulation skills; and

“(C) are designed to foster the skills and dispositions students need to succeed in college, career, and citizenship, and the competencies described under paragraph (4).

“(12) TRANSFER RATE.—The term ‘transfer rate’ means the rate at which students transfer from one high school to another high school, or from one high school to another education setting, for a reason other than due to a change in primary residence, as verified through written documentation by the local educational agency serving the student at the time of the transfer.

**“SEC. 5912. GRANTS AUTHORIZED.**

“(a) PROGRAM AUTHORIZED.—

“(1) IN GENERAL.—The Secretary shall make grants to State educational agencies with approved State plans to achieve the purposes of this part.

“(2) COMPETITIVE BASIS.—For any fiscal year for which the amount appropriated under section 5916 is less than \$300,000,000, the Secretary shall award grants to State educational agencies under paragraph (1) on a competitive basis.

“(3) FORMULA BASIS.—For any fiscal year for which the amount appropriated under section 5916 is equal to or more than \$300,000,000, the Secretary shall award grants to State educational agencies from allotments made under subsection (b).

“(b) DETERMINATION OF ALLOTMENTS.—

“(1) RESERVATION OF FUNDS.—For any fiscal year for which the amount appropriated under section 5916 is equal to or more than \$300,000,000, the Secretary shall reserve, from the total amount appropriated under section 5916 for the fiscal year—

“(A) one half of 1 percent, which shall be awarded, on a competitive basis, by the Bureau of Indian Education for activities consistent with the purposes of this part; and

“(B) not more than 2.5 percent for national activities, including evaluation, dissemination of best practices, and technical assistance.

“(2) STATE ALLOTMENT.—For any fiscal year for which the amount appropriated under section 5916 is equal to or more than \$300,000,000, the Secretary shall allot to each State the sum of, from the total amount appropriated under section 5916 for a fiscal year and not reserved under paragraph (1)—

“(A) an amount that bears the same relationship to 50 percent of the sums being allotted as the percentage of students enrolled in high schools in which at least 50 percent of enrolled students are student from low-income families, as determined by the local educational agency pursuant to section 1113, in the State bears to the total of such percentages for all the States; and

“(B) an amount that bears the same relationship to 50 percent of the sums being allotted as the percentage of students enrolled in high schools in the State bears to the total of such percentages for all the States.

“(3) REALLOTMENT.—If any State does not apply for an allotment under this subsection for any fiscal year, the Secretary shall reallocate the amount of the allotment to the remaining States in accordance with this subsection.

“(c) STATE USE OF FUNDS.—

“(1) IN GENERAL.—A State educational agency awarded a grant under this section shall use not less than 95 percent of the grant funds to award subgrants to eligible entities under section 5914.

“(2) STATE ACTIVITIES.—A State educational agency may use not more than 5 percent of the grant funds for evaluation and capacity building activities, including training, technical assistance, professional development, and administrative costs of carrying out responsibilities under this part.

#### “SEC. 5913. STATE APPLICATION.

“(a) IN GENERAL.—In order to receive a grant for any fiscal year, a State shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

“(b) CONTENTS.—Each application submitted under subsection (a) shall include, at a minimum, the following:

“(1) A description of how the State educational agency will utilize funds reserved under section 5912(c)(2) for State activities.

“(2) A description of the procedures and criteria the State educational agency will use for reviewing applications and awarding funds to eligible entities on a competitive basis.

“(3) An assurance that subgrants awarded to eligible entities under section 5914 will be for a period of 5 years, conditional after 3 years on satisfactory progress on the leading performance indicators described in section 5914(b)(2)(G)(i), and renewable for 3 additional 1-year periods, based on satisfactory progress on the core indicators in section 5914(b)(2)(G)(ii).

“(4) An assurance that the State educational agency will allow eligible entities to utilize funds awarded under section 5914 for planning purposes for not more than 1 year after receiving a subgrant, and withhold subsequent allocations of subgrant funds if the State educational agency determines an eligible plan to be insufficient to effectively achieve the purpose of this part.

“(5) An assurance that funds appropriated to carry out this part will be used to supplement, and not supplant, other Federal, State, and local public funds expended to provide programs and activities authorized under this part and other similar programs.

“(6) A description of how the State educational agency will evaluate the effectiveness of programs and activities carried out under this part, including how performance on leading performance indicators described in section 5914(b)(2)(G)(i) and core indicators in section 5914(b)(2)(G)(ii) will be incorporated into the evaluation.

“(7) An articulation agreement that will be entered into with each institution of higher education that will receive funding under this part that requires credit earned as a result of the successful completion of a dual enrollment course funded under this part to be treated as credit earned at the institution in the same manner as such credit would otherwise be earned at such institution.

“(8) A description of the policies and strategies that will be implemented to improve school climate.

“(c) APPROVAL; DISAPPROVAL; NOTIFICATION; RESPONSE; FAILURE TO RESPOND.—The provisions of approval, disapproval, notification, response, and failure to respond applicable to State applications under subsections (b), (c), (d), (e), and (f) of section 4203 shall apply in the same manner to State applications submitted under this section.

#### “SEC. 5914. SUBGRANTS TO ELIGIBLE ENTITIES.

“(a) IN GENERAL.—A State that receives a grant under this part shall use the portion of the grant funds described under section 5912(c)(1) to award subgrants to eligible entities.

“(b) APPLICATION.—

“(1) IN GENERAL.—To be eligible to receive a subgrant under this part, an eligible entity shall submit an application to the State educational agency at such time, in such manner, and containing such information as the State educational agency may reasonably require.

“(2) CONTENTS.—Each application submitted under paragraph (1) shall include, at a minimum, the following:

“(A) A description of how the eligible entity will use funds awarded under this section to carry out the evidenced-based activities described in subsection (c) and provide personalized learning experiences, applied learning opportunities, and student-centered learning approaches, that are accessible to all students.

“(B) A description of the responsibilities to be carried out by each member of the eligible

entity and additional external partners or qualified intermediaries.

“(C) A description of how the eligible entity will sustain the activities proposed, including the availability of funds from non-Federal sources and coordination with other Federal, State, and local funds.

“(D) A description of the comprehensive needs assessment and capacity analysis of the eligible entity, eligible middle schools, and eligible high schools that will be served under the subgrant.

“(E) A plan to use current regional labor market information and engage employers and community-based organizations in the development of work-related learning opportunities, particularly those in STEM-related fields, including computer science, and other curriculum revisions under subsection (c).

“(F) A plan to address the needs of students with disabilities, English language learners, and students who are significantly over-aged and under-credited, in the activities under subsection (c).

“(G) The performance indicators and targets the eligible entity will use to assess the effectiveness of the activities implemented under this section disaggregated by the categories of students described in section 1111(b)(2)(B)(xi), including—

“(i) leading indicators, which may include—

“(I) annual, average attendance rates and the number and percentage of students who are chronically absent;

“(II) rates, including disproportionality, of expulsions, suspensions, school violence, harassment, and bullying (as defined under State or local laws or policies); and

“(III) annual student mobility rates, transfer rates, and attrition rates;

“(ii) core indicators, which may include—

“(I) graduation rates;

“(II) dropout recovery (re-entry) rates;

“(III) percentage of students who have on-time credit accumulation at the end of each grade, and whom are on track to graduate within 4 years, and the percentage of students failing a core subject course;

“(IV) percentage of students who successfully transitioned from 8th to 9th grade; and

“(V) student achievement data, including the percentage of students performing at a proficient level on State academic assessments required under section 1111(b)(2); and

“(iii) indicators of postsecondary education readiness, which may include—

“(I) percentage of students successfully completing rigorous postsecondary education courses while attending a secondary school, such as Advanced Placement or International Baccalaureate courses;

“(II) percentage of students who have on-time credit accumulation at the end of each grade or who have earned postsecondary education credit;

“(III) rates of workplace experience and other indicators of the acquisition of employability skills, including the number and percentage of students earning a recognized postsecondary credential, as defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102); and

“(IV) the number and percentage of students completing a registered apprenticeship program (as defined in section 171(b) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3226)).

“(c) REQUIRED USES OF FUNDS.—

“(1) DISTRICTWIDE REQUIRED USES OF FUNDS.—An eligible entity that receives a subgrant under this section shall use not less than 15 percent of the subgrant funds to—

“(A) implement an early warning indicator system in eligible middle schools and eligible

high schools to identify struggling students and create a system of timely and effective evidence-based and linguistically and culturally relevant interventions, by—

“(i) identifying and analyzing the academic risk factors that most reliably predict dropouts by using longitudinal data of past cohorts of students;

“(ii) identifying specific indicators of student progress and performance to determine whether students are on track to graduate secondary school in 4 years and to guide decision making, such as academic performance in core courses, postsecondary education credit accumulation, and attendance, including the percentage of students who are chronically absent;

“(iii) identifying or developing a mechanism for regularly collecting and analyzing data about the impact of interventions on the indicators of student progress and performance; and

“(iv) identifying and implementing strategies for pairing academic support with integrated student services and case-managed interventions for students requiring intensive supports which may include partnerships with other external partners;

“(B) provide support and credit recovery opportunities for students with disabilities, English learners, and students who are over-aged and under-credited, at secondary schools served by the eligible entity or other appropriate settings by offering activities;

“(C) provide dropout recovery or re-entry programs that are designed to encourage and support dropouts returning to an educational system, program, or institution following an extended absence in order to graduate college- and career-ready;

“(D) provide evidence-based middle school to high school transition programs and supports, including through curricula alignment and early high school programs that allow students to earn high school credit in middle school;

“(E) strengthen student transitions between schools by implementing a transition strategy based on data collection that monitors the transition between middle school and high school, and high school and postsecondary transitions, and encourages collaboration among elementary school, middle school, and high school grades; and

“(F) provide teachers, principals, other school leaders, non-instructional staff, students, and families with high-quality, easily accessible, and timely information, beginning in middle school, about—

“(i) secondary school graduation requirements;

“(ii) postsecondary education application processes;

“(iii) postsecondary education admissions processes and requirements, including requirements for pursuing postsecondary degrees in STEM-related subjects, including computer science;

“(iv) public financial aid and other available private scholarship and grant aid opportunities;

“(v) regional and national labor market information, including information about national and local STEM-related career opportunities, including in computer science; and

“(vi) other programs and services for increasing rates of college access and success for students from low-income families.

“(2) REQUIRED USE OF FUNDS IN ELIGIBLE MIDDLE SCHOOLS AND ELIGIBLE HIGH SCHOOLS.—An eligible entity that receives a subgrant under this section shall use the subgrant funds in eligible middle schools and eligible high schools to implement a com-

prehensive approach that will improve academic achievement and increase on-time grade and graduation completion by—

“(A) using early warning indicator and intervention systems described in paragraph (1)(A);

“(B) providing personalized learning and applied learning opportunities;

“(C) implementing organizational practices and school schedules that allow for collaborative teacher, principal, and other school leader participation, team teaching, and common instructional planning time, including across middle school and high school grades to facilitate effective teaching and learning and positive teacher-student interactions;

“(D) increasing the number of teachers certified in the subject area they are assigned to teach;

“(E) providing teachers, principals, and other school leaders with ongoing high-quality professional development, including through the use of professional learning communities and joint training for secondary teachers and postsecondary educators, coaching, and mentoring, that prepares teachers, principals, and other school leaders to—

“(i) address the academic challenges of students;

“(ii) understand the developmental needs of students and how to address those needs in an educational setting;

“(iii) implement data-driven interventions; and

“(iv) provide academic guidance to students in student-to-staff ratios that allows students to make informed decisions about academic options, including financial aid counseling for postsecondary education, so that students can graduate college and career ready; and

“(F) improving access to rigorous courses by—

“(i) in the case of an eligible middle school, providing all students with the prerequisite coursework necessary to prepare students for participation in rigorous and advanced coursework at the high school level, including in STEM-related areas of coursework, including computer science; and

“(ii) in the case of an eligible high school, providing all students pathways to earn at least 12 postsecondary education credits while in high school;

“(G) promoting the continuous use of student data that results in actionable steps to inform and differentiate instruction and support, including the use of timely data reports that measures attendance, course performance, postsecondary education credit accumulation, and other on-track indicators for all students;

“(H) providing ongoing mechanisms for strengthening family and community engagement;

“(I) providing college and career pathways through such activities as—

“(i) implementing a college- and career-ready curriculum that integrates rigorous academics, career and technical education, and work-based learning for high school students in high-skill, high-demand industries in collaboration with local and regional employers including in STEM-related subject areas, such as computer science, and work-based learning experiences;

“(ii) in the case of eligible high schools, providing dual enrollment, early college, or accelerated learning courses and postsecondary education credit-bearing advanced coursework opportunities, including opportunities to earn industry-based credentials

or other recognized postsecondary education credentials, including opportunities for secondary school students who over-age or under-credited and those who have dropped out of school; or

“(iii) designing curricula and sequences of courses, including in STEM-related subjects such as computer science, in collaboration with teachers from the eligible high school and faculty from the partner institution of higher education so that students may simultaneously earn credits toward a high school diploma and earn an associate degree or at least 12 transferable postsecondary education credits toward a postsecondary degree at no cost to students or their families;

“(J) strengthening the transition between middle school and high school and high school and postsecondary education through such activities as—

“(i) providing academic and career counseling, such as through low student-to-counselor ratios, that allow students to make informed decisions about academic and career options, including the use of current labor-market information for students, families, teachers, principals, and other school leaders;

“(ii) providing high-quality, age appropriate, college and career exploration opportunities, including college campus visits, work-related learning opportunities, particularly in high demand regional industry areas; and

“(iii) providing academic and support services;

“(K) making more strategic use of learning time, which may include the effective application of technology and redesigning or extending school calendars, flexible scheduling, implementation of competency-based learning models, and time for educators to carry out systemic reform, including the activities described under this part; and

“(L) providing integrated services to address the social, emotional, health, and behavioral needs of students.

“(d) SUPPLEMENT NOT SUPPLANT.—An eligible entity shall use Federal funds received under this section only to supplement the funds that would, in the absence of such Federal funds, be made available from other Federal and non-Federal sources for the activities described in this section, and not to supplant such funds.

#### “SEC. 5915. REPORTS.

“Each eligible entity receiving a subgrant under this part shall collect and report annually to the public and the State educational agency, and the State educational agency shall annually report to the Secretary, such information on the results of the activities assisted under the subgrant as the Secretary may reasonably require, including performance on the indicators described in section 5914(b)(2)(I) disaggregated by each of the categories of students, as defined in section 1111(b)(3)(A).

#### “SEC. 5916. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.”.

**SA 2190.** Ms. BALDWIN (for herself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every

child achieves; which was ordered to lie on the table; as follows:

On page 630, between lines 4 and 5, insert the following:

**“PART J—IMPROVING SECONDARY SCHOOLS**

**“SEC. 5910. PURPOSES.**

“The purposes of this part are to support student dropout prevention, intervention, and recovery and increase the number and percentage of students who—

“(1) successfully matriculate from middle school to high school;

“(2) graduate from high school college and career ready with the ability to use knowledge to solve complex problems, think critically, communicate effectively, collaborate with others, and develop academic mindsets;

“(3) successfully complete sequencing of coursework that integrates rigorous academics with career-based learning and workplace experiences, and earn college credit and postsecondary credentials, including industry-based credentials, such as through early college high school courses and dual or concurrent enrollment while in high school; and

“(4) graduate from high school prepared to pursue postsecondary degrees in science, technology, engineering, and mathematics (referred to in this part as ‘STEM’), particularly for student groups historically underrepresented in these fields.

**“SEC. 5911. DEFINITIONS.**

“In this part:

“(1) **ELIGIBLE ENTITY.**—The term ‘eligible entity’ means a State or local educational agency or a consortium of local educational agencies—

“(A) in partnership with—

“(i) 1 or more institutions of higher education; and

“(ii) 1 or more employers, which may be a nonprofit organization, community-based organization, State or local government agency, business, or an industry-related organization; and

“(B) that may include 1 or more external partners, such as a qualified intermediary.

“(2) **ELIGIBLE HIGH SCHOOL.**—The term ‘eligible high school’ means a high school that—

“(A) does not receive funding under section 1114(c);

“(B) serves a student population of which not less than 40 percent are from low-income families as determined by the local educational agency serving such school; and

“(C) has a 4-year adjusted cohort graduation rate for all students or for multiple subgroups of students at or below 67 percent, except in the case of a high school that, at the time of applying for the grant under this part, is a new high school, as determined by the Secretary.

“(3) **ELIGIBLE MIDDLE SCHOOL.**—The term ‘eligible middle school’ means a middle school—

“(A) that does not receive funding under section 1114(c);

“(B) that serves a student population of which not less than 40 percent are from low-income families as determined by the local educational agency serving such school; and

“(C) from which a significant number or percentage of students go on to attend an eligible high school.

**“SEC. 5912. GRANTS AUTHORIZED.**

“(a) **PROGRAM AUTHORIZED.**—The Secretary shall award grants to geographically and regionally diverse, including rural and remote areas, eligible entities to achieve the purposes of this part.

“(b) **GRANT DURATION.**—Grants awarded under this part shall be for a period of 5

years, including 1 year which may be used for planning purposes, and may be renewable based on performance on indicators described in section 5913(b)(5).

**“SEC. 5913. APPLICATIONS.**

“(a) **IN GENERAL.**—In order to receive a grant for any fiscal year, an eligible entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

“(b) **CONTENTS.**—Each application submitted under subsection (a) shall include, at a minimum, the following:

“(1) A description of how the eligible entity will use funds awarded under this section to carry out the evidenced-based activities described in subsection (c) and provide personalized learning experiences, applied learning opportunities, and student-centered learning approaches, that are accessible and developmentally appropriate to all students.

“(2) A description of how the eligible entity will sustain the activities proposed, including the availability of funds from non-Federal sources and coordination with other Federal, State, and local funds.

“(3) A plan to use current regional labor market information and engage employers and community-based organizations in the development of work-based learning opportunities, particularly those in STEM-related fields, including computer science, and other curriculum revisions under subsection (c).

“(4) A plan to address the needs of students with disabilities, English language learners, and students who are significantly over-aged and under-credited, in the activities under subsection (c).

“(5) The performance indicators and targets the eligible entity will use to assess the effectiveness of the activities implemented under this section disaggregated by the categories of students described in section 1111(b)(2)(B)(xi), including—

“(A) the number and percentage of students who successfully transitioned from 8th to 9th grade;

“(B) student achievement data, including the number and percentage of students performing at a proficient level on State academic assessments required under section 1111(b)(2);

“(C) the number and percentage of students earning credit toward a postsecondary education credential, an industry-based credential, or a postsecondary credential; and

“(D) the number and percentage of students who are on-track to graduate high school, high school graduation rates, and dropout recovery (re-entry) rates.

“(6) A description of the articulation agreement that will be entered into with each institution of higher education that will receive funding under this part that requires postsecondary credit earned as a result of the successful completion of a dual or concurrent enrollment course funded under this part to be treated as credit earned at the institution in the same manner as such credit would otherwise be earned at such institution.

“(c) **REQUIRED USES OF FUNDS.**—An eligible entity that receives a grant under this section shall use funds to—

“(1) provide college and career pathways through such activities as—

“(A) implementing a college- and career-ready curriculum that integrates rigorous academics, career and technical education, and work-based learning for high school, including in STEM-related subject areas, including computer science;

“(B) in the case of eligible high schools, providing dual or concurrent enrollment

courses, early college high school courses, or accelerated learning courses and other opportunities to earn transferable postsecondary education credit and industry-based credentials; and

“(C) designing curricula and sequences of courses so that students may simultaneously earn credits toward a high school diploma and earn an associate degree or at least 12 transferable postsecondary education credits toward a postsecondary degree at no cost to students or their families;

“(2) implement an early warning indicator system in eligible middle schools and eligible high schools to promote the continuous use of student data that results in actionable steps to inform and differentiate instruction and support and improve school climate, which may include the use of timely data reports that measures attendance, course performance, disciplinary actions, secondary and postsecondary education credit accumulation, and other on-track indicators for all students;

“(3) in the case of an eligible middle school, provide all students with the prerequisite coursework necessary to prepare students for participation in rigorous and advanced coursework at the high school level, including in STEM-related areas of coursework, including computer science;

“(4) provide credit recovery and dropout recovery programs;

“(5) provide evidence-based middle school to high school, and high school to postsecondary education, transition programs and supports; and

“(6) provide teachers, principals, and other school leaders with ongoing high-quality professional development to support the activities described under this subsection.

“(d) **SUPPLEMENT NOT SUPPLANT.**—An eligible entity shall use Federal funds received under this part only to supplement the funds that would, in the absence of such Federal funds, be made available from other Federal and non-Federal sources for the activities described in this section, and not to supplant such funds.

**“SEC. 5914. REPORTS.**

“Each eligible entity receiving a grant under this part shall collect and report annually to the public and the Secretary such information on the results of the activities assisted under the grant as the Secretary may reasonably require, including performance on the indicators described in section 5913(b)(5) disaggregated by each of the categories of students, as defined in section 1111(b)(3)(A).

**“SEC. 5915. AUTHORIZATION OF APPROPRIATIONS.**

“There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.”.

**SA 2191.** Mr. BOOKER (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 306, after line 23, add the following:

“(V) conducting, and publicly reporting the results of, an annual assessment of educator support and working conditions that—

“(i) evaluates supports for teachers, leaders, and other school personnel, such as—

“(I) teacher and principal perceptions of availability of high-quality professional development and instructional materials;

“(II) timely availability of data on student academic achievement and growth;

“(III) the presence of high-quality instructional leadership; and

“(IV) opportunities for professional growth, such as career ladders and mentoring and induction programs;

“(i) evaluates working conditions for teachers, leaders and other school personnel, such as—

“(I) school climate;

“(II) school safety;

“(III) class size;

“(IV) availability and use of common planning time and opportunities to collaborate; and

“(V) community engagement;

“(iii) is developed with teachers, leaders, other school personnel, parents, students, and the community; and

“(iv) includes the development and implementation of a plan with the groups described in clause (iii), that shall be publicly reported and shall include, at a minimum, annual benchmarks to address the results of the assessment described in this subparagraph; and

**SA 2192.** Mrs. BOXER (for herself, Mr. BLUMENTHAL, Mr. BROWN, Mr. MARKEY, Mr. MERKLEY, Mr. NELSON, Mr. SCHUMER, and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

**SEC. 1020. PROHIBITION ON MARKETING OF ELECTRONIC CIGARETTES TO CHILDREN.**

(a) ELECTRONIC CIGARETTE DEFINED.—

(1) IN GENERAL.—Except as provided in paragraph (2), in this section, the term “electronic cigarette” means any electronic device that delivers nicotine, flavor, or other chemicals via a vaporized solution to the user inhaling from the device, including any component, liquid, part, or accessory of such a device, whether or not sold separately.

(2) EXCEPTION.—In this section, the term “electronic cigarette” shall not include any product that—

(A) has been approved by the Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes; and

(B) is marketed and sold solely for a purpose approved as described in subparagraph (A).

(b) PROHIBITION.—

(1) IN GENERAL.—No person may advertise, promote, or market in commerce in a State described in paragraph (2) an electronic cigarette in a manner that—

(A) the person knows or should know is likely to contribute towards initiating or increasing the use of electronic cigarettes by children who are younger than 18 years of age; or

(B) the Federal Trade Commission determines, regardless of when or where the advertising, promotion, or marketing occurs, affects or appeals to children described in subparagraph (A).

(2) COVERED STATES.—A State described in this paragraph is a State in which the sale of

an electronic cigarette to a child who is younger than 18 years of age is prohibited by a provision of Federal or State law.

(c) ENFORCEMENT BY FEDERAL TRADE COMMISSION.—

(1) UNFAIR OR DECEPTIVE ACT OR PRACTICE.—A violation of subsection (b)(1) shall be treated as a violation of a rule defining an unfair or deceptive act or practice described under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(2) POWERS OF COMMISSION.—

(A) IN GENERAL.—The Federal Trade Commission shall enforce this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this section.

(B) PRIVILEGES AND IMMUNITIES.—Any person who violates this section shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

(C) RULEMAKING.—The Federal Trade Commission shall promulgate standards and rules to carry out this section in accordance with section 553 of title 5, United States Code.

(d) ENFORCEMENT BY STATES.—

(1) IN GENERAL.—In any case in which the attorney general of a State has reason to believe that an interest of the residents of the State has been or is threatened or adversely affected by the engagement of any person subject to subsection (b)(1) in a practice that violates such subsection, the attorney general of the State may, as *parens patriae*, bring a civil action on behalf of the residents of the State in an appropriate district court of the United States—

(A) to enjoin further violation of such subsection by such person;

(B) to compel compliance with such subsection;

(C) to obtain damages, restitution, or other compensation on behalf of such residents;

(D) to obtain such other relief as the court considers appropriate; or

(E) to obtain civil penalties in the amount determined under paragraph (2).

(2) CIVIL PENALTIES.—

(A) CALCULATION.—For purposes of imposing a civil penalty under paragraph (1)(E) with respect to a person who violates subsection (b)(1), the amount determined under this paragraph is the amount calculated by multiplying the number of days that the person is not in compliance with subsection (b)(1) by an amount not greater than \$16,000.

(B) ADJUSTMENT FOR INFLATION.—Beginning on the date on which the Bureau of Labor Statistics first publishes the Consumer Price Index after the date that is 1 year after the date of the enactment of this Act, and annually thereafter, the amounts specified in subparagraph (A) shall be increased by the percentage increase in the Consumer Price Index published on that date from the Consumer Price Index published the previous year.

(3) RIGHTS OF FEDERAL TRADE COMMISSION.—

(A) NOTICE TO FEDERAL TRADE COMMISSION.—

(i) IN GENERAL.—Except as provided in clause (iii), the attorney general of a State shall notify the Federal Trade Commission in writing that the attorney general intends to bring a civil action under paragraph (1) not later than 10 days before initiating the civil action.

(ii) CONTENTS.—The notification required by clause (i) with respect to a civil action

shall include a copy of the complaint to be filed to initiate the civil action.

(iii) EXCEPTION.—If it is not feasible for the attorney general of a State to provide the notification required by clause (i) before initiating a civil action under paragraph (1), the attorney general shall notify the Federal Trade Commission immediately upon instituting the civil action.

(B) INTERVENTION BY FEDERAL TRADE COMMISSION.—The Federal Trade Commission may—

(i) intervene in any civil action brought by the attorney general of a State under paragraph (1); and

(ii) upon intervening—

(I) be heard on all matters arising in the civil action; and

(II) file petitions for appeal of a decision in the civil action.

(4) INVESTIGATORY POWERS.—Nothing in this subsection may be construed to prevent the attorney general of a State from exercising the powers conferred on the attorney general by the laws of the State to conduct investigations, to administer oaths or affirmations, or to compel the attendance of witnesses or the production of documentary or other evidence.

(5) PREEMPTIVE ACTION BY FEDERAL TRADE COMMISSION.—If the Federal Trade Commission institutes a civil action or an administrative action with respect to a violation of subsection (b)(1), the attorney general of a State may not, during the pendency of such action, bring a civil action under paragraph (1) against any defendant named in the complaint of the Commission for the violation with respect to which the Commission instituted such action.

(6) VENUE; SERVICE OF PROCESS.—

(A) VENUE.—Any action brought under paragraph (1) may be brought in—

(i) the district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28, United States Code; or

(ii) another court of competent jurisdiction.

(B) SERVICE OF PROCESS.—In an action brought under paragraph (1), process may be served in any district in which the defendant—

(i) is an inhabitant; or

(ii) may be found.

(7) ACTIONS BY OTHER STATE OFFICIALS.—

(A) IN GENERAL.—In addition to civil actions brought by attorneys general under paragraph (1), any other officer of a State who is authorized by the State to do so may bring a civil action under paragraph (1), subject to the same requirements and limitations that apply under this subsection to civil actions brought by attorneys general.

(B) SAVINGS PROVISION.—Nothing in this subsection may be construed to prohibit an authorized official of a State from initiating or continuing any proceeding in a court of the State for a violation of any civil or criminal law of the State.

(e) CONSTRUCTION.—Nothing in this section shall be construed to limit or diminish the authority of the Food and Drug Administration to regulate the marketing of electronic cigarettes, including the marketing of electronic cigarettes to children.

(f) RELATION TO STATE LAW.—This section shall not be construed as superseding, altering, or affecting any provision of law of a State, except to the extent that such provision of law is inconsistent with the provisions of this section, and then only to the extent of the inconsistency.



**SA 2193.** Mrs. BOXER (for herself, Mr. BLUMENTHAL, Mr. BROWN, Mr. MARKEY, and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 783, between lines 11 and 12, insert the following:

(2) in section 9572 (as redesignated by section 4001(5)), by adding at the end the following:

“(6) SMOKING.—The term ‘smoking’ means the use of any tobacco or tobacco-derived product, including an electronic cigarette.”.

**SA 2194.** Mr. ISAKSON (for himself and Ms. AYOTTE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 110, strike lines 7 through 17 and insert the following:

“(1) INFORMATION FOR PARENTS. —

“(A) IN GENERAL.—At the beginning of each school year, a local educational agency that receives funds under this part shall notify the parents of each student attending any school receiving funds under this part that the parents may request, and the agency will provide the parents on request (and in a timely manner), information regarding any State or local educational agency policy, procedure, or parental right regarding student participation in any mandated assessments for that school year, in addition to information regarding the professional qualifications of the student’s classroom teachers, including at a minimum, the following:

**SA 2195.** Mr. BLUNT (for himself, Mr. CARDIN, Ms. MIKULSKI, and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 132, line 1, insert “school-based mental health programs,” after “counseling,”.

**SA 2196.** Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end, add the following:

#### SEC. 10202. SOS CAMPUS ACT.

(a) SHORT TITLE.—This section may be cited as the “Survivor Outreach and Support Campus Act” or the “SOS Campus Act”.

(b) INDEPENDENT ADVOCATE FOR CAMPUS SEXUAL ASSAULT PREVENTION AND RESPONSE.—Part B of title I of the Higher Edu-

cation Act of 1965 (20 U.S.C. 1011 et seq.) is amended by adding at the end the following:

#### “SEC. 124. INDEPENDENT ADVOCATE FOR CAMPUS SEXUAL ASSAULT PREVENTION AND RESPONSE.

“(a) ADVOCATE.—

“(1) IN GENERAL.—

“(A) DESIGNATION.—Each institution of higher education that receives Federal financial assistance under title IV shall designate an independent advocate for campus sexual assault prevention and response (referred to in this section as the ‘Advocate’) who shall be appointed based on experience and a demonstrated ability of the individual to effectively provide sexual assault victim services.

“(B) NOTIFICATION OF EXISTENCE OF AND INFORMATION FOR THE ADVOCATE.—Each employee of an institution described in subparagraph (A) who receives a report of sexual assault shall notify the victim of the existence of, contact information for, and services provided by the Advocate of the institution.

“(C) APPOINTMENT.—Not later than 180 days after the date of enactment of the Survivor Outreach and Support Campus Act, the Secretary shall prescribe regulations for institutions to follow in appointing Advocates under this section. At a minimum, each Advocate shall—

“(i) report to an individual outside the body responsible for investigating and adjudicating sexual assault complaints at the institution; and

“(ii) submit to such individual an annual report summarizing how the resources supplied to the advocate were used, including the number of male and female sexual assault victims assisted.

“(2) ROLE OF THE ADVOCATE.—In carrying out the responsibilities described in this section, the Advocate shall represent the interests of the student victim even when in conflict with the interests of the institution. The Advocate may not be disciplined, penalized, or otherwise retaliated against by the institution for representing the interest of the victim, in the event of a conflict of interest with the institution.

“(b) SEXUAL ASSAULT.—In this section, the term ‘sexual assault’ means penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim, including when the victim is incapable of giving consent.

“(c) RESPONSIBILITIES OF THE ADVOCATE.—Each Advocate shall carry out the following, regardless of whether the victim wishes the victim’s report to remain confidential:

“(1)(A) Ensure that victims of sexual assault at the institution receive, with the victim’s consent, the following sexual assault victim’s assistance services available 24 hours a day:

“(i) Information on how to report a campus sexual assault to law enforcement.

“(ii) Emergency medical care, including follow up medical care as requested.

“(iii) Medical forensic or evidentiary examinations.

“(B) Ensure that victims of sexual assault at the institution receive, with the victim’s consent, the following sexual assault victim’s assistance services:

“(i) Crisis intervention counseling and ongoing counseling.

“(ii) Information on the victim’s rights and referrals to additional support services.

“(iii) Information on legal services.

“(C) The services described in subparagraphs (A) and (B) may be provided either—

“(i) pursuant to a memorandum of understanding (that includes transportation serv-

ices), at a rape crisis center, legal organization, or other community-based organization located within a reasonable distance from the institution; or

“(ii) on the campus of the institution in consultation with a rape crisis center, legal organization, or other community-based organization.

“(D) A victim of sexual assault may not be disciplined, penalized, or otherwise retaliated against for reporting such assault to the Advocate.

“(2) Guide victims of sexual assault who request assistance through the reporting, counseling, administrative, medical and health, academic accommodations, or legal processes of the institution or local law enforcement.

“(3) Attend, at the request of the victim of sexual assault, any administrative or institution-based adjudication proceeding related to such assault as an advocate for the victim.

“(4) Maintain the privacy and confidentiality of the victim and any witness of such sexual assault, and shall not notify the institution or any other authority of the identity of the victim or any such witness or the alleged circumstances surrounding the reported sexual assault, unless otherwise required by the applicable laws in the State where such institution is located.

“(5) Conduct a public information campaign to inform the students enrolled at the institution of the existence of, contact information for, and services provided by the Advocate, including—

“(A) posting information—

“(i) on the website of the institution;

“(ii) in student orientation materials; and

“(iii) on posters displayed in dormitories, cafeterias, sports arenas, locker rooms, entertainment facilities, and classrooms; and

“(B) training coaches, faculty, school administrators, resident advisors, and other staff to provide information on the existence of, contact information for, and services provided by the Advocate.

“(d) CLERY ACT AND TITLE IX.—Nothing in this section shall alter or amend the rights, duties, and responsibilities under section 485(f) or title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) (also known as the Patsy Takemoto Mink Equal Opportunity in Education Act).”.

**SA 2197.** Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of part B of title X, add the following:

#### SEC. 10202. REPORT ON CYBERSECURITY EDUCATION.

(a) IN GENERAL.—Not later than June 1, 2016, the Secretary of Education shall submit to the Committee on Armed Services and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Armed Services and the Committee on Education and the Workforce of the House of Representatives, a report describing whether secondary and postsecondary education curricula are meeting the need of public and private sectors for cyberdefense. Such report shall include—

(1) an assessment of learning outcomes required for future cybersecurity professionals;

(2) an assessment of the shortfalls in current secondary and postsecondary education needed to develop cybersecurity professionals, and recommendations to address such shortfalls;

(3) an assessment of successful secondary and postsecondary programs that produce competent cybersecurity professionals;

(4) recommendations of subjects to be covered by elementary schools and secondary schools to better prepare students for postsecondary cybersecurity education; and

(5) an assessment of which additional resources the Secretary, State educational agencies, and local educational agencies may need to meet the recommendations described in paragraph (4).

(b) DEFINITIONS.—In this section, the terms “elementary school”, “local educational agency”, “secondary school”, and “State educational agency” have the meanings given such terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

**SA 2198.** Mr. LEE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 64, strike lines 1 through 14.

On page 126, strike lines 8 through 11.

On page 134, strike lines 10 through 15.

On page 137, strike lines 3 through 7.

Beginning on page 181, strike line 19 and all that follows through line 6 on page 183.

On page 292, lines 16 and 17, strike “, early childhood directors”.

On page 293, lines 8 and 9, strike “, children who are in early childhood education programs”.

On page 346, line 18, strike “early education” and insert “kindergarten”.

On page 346, lines 21 and 22, strike “State-designated early childhood education programs and”.

Beginning on page 349, strike line 21 and all that follows through line 2 on page 350.

On page 350, lines 5 and 6, strike “, or a State-designated early childhood education program”.

On page 350, lines 10 and 11, strike “(which may include State-designated early childhood education programs)”.

On page 352, line 17, strike “early childhood education” and insert “kindergarten”.

Beginning on page 353, strike “The State” on line 23 and all that follows through line 5 on page 354.

On page 357, lines 14 and 15, strike “early education” and insert “kindergarten”.

Beginning on page 358, strike line 7 and all that follows through line 4 on page 361.

On page 363, line 6, strike “early childhood education and”.

On page 364, lines 16 and 17, strike “early childhood education program staff”.

On page 388, line 9, strike “early childhood educators”.

On page 388, line 16, strike “early childhood educators”.

On page 390, lines 22 and 23, strike “, including those in early childhood settings”.

On page 400, lines 2 and 3, strike “, including early childhood education programs”.

On page 405, line 14, strike “, including early childhood educators”.

On page 416, strike lines 14 through 18 and insert the following:

“(6) as appropriate, to coordinate the transition of English learners from early childhood education programs, such as Head Start or State-run preschool programs, to elementary programs;

On page 423, lines 19 and 20, strike “, including children in early childhood education programs”.

On page 443, lines 8 and 9, strike “early childhood, elementary school,” and insert “elementary school”.

On page 448, line 18, strike “early childhood”.

On page 495, line 11, strike “early childhood, elementary school,” and insert “elementary school”.

On page 517, strike lines 16 through 19.

On page 519, strike lines 1 through 5.

On page 578, lines 6 and 7, strike “preschool and”.

On page 579, line 9, strike “Head Start providers”.

On page 579, lines 10 and 11, strike “, early childhood development personnel”.

On page 579, line 14, strike “preschool and”.

On page 580, line 7, strike “preschool and”. Beginning on page 609, strike line 22 and all that follows through line 4 on page 610.

Beginning on page 611, strike line 12 and all that follows through line 4 on page 630.

On page 668, strike lines 10 through 11.

On page 676, strike lines 1 through 8.

Beginning on page 706, strike line 3 and all that follows through line 5 on page 707.

On page 760, strike lines 1 through 4.

**SA 2199.** Mr. GRAHAM submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 306, after line 23, insert the following:

“(V) providing educator training to increase students’ entrepreneurship skills; and

**SA 2200.** Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of part B of title X, add the following:

#### SEC. \_\_\_\_ . ESTABLISHING A SPECIAL COMMITTEE ON CHILDREN.

(a) SPECIAL COMMITTEE ESTABLISHED.—

(1) IN GENERAL.—There is established a special committee of the Senate to be known as the Special Committee on Children (hereinafter in this section referred to as the “special committee”).

(2) MEMBERS.—The special committee shall consist of 19 members, including a chairman. The members and the chairman of the special committee shall be appointed in the same manner and at the same time as the members and chairman of a standing committee of the Senate.

(b) TREATED AS A STANDING COMMITTEE OF THE SENATE.—For purposes of paragraph 4 of rule XXV of the Standing Rules of the Senate, and for purposes of section 202 of the Legislative Reorganization Act of 1946 (2

U.S.C. 4301), the special committee shall be treated as a standing committee of the Senate.

(c) DUTY.—

(1) IN GENERAL.—It shall be the duty of the special committee to conduct a continuing study of any and all matters pertaining to children and their welfare, including—

(A) programs and services relating to the health, welfare, safety, housing, nutrition, education, economic stability, civil rights needs of children, and Federal programs and services that have a purpose of benefitting children or have the effect of benefitting children; and

(B) the effectiveness of such programs and services.

(2) LIMITATION.—No proposed legislation shall be referred to the special committee, and the special committee shall not have power to report by bill or otherwise have legislative jurisdiction.

(d) REPORT.—The special committee shall, from time to time (but not less than once a year), report to the Senate the results of the study conducted pursuant to subsection (c)(1), together with such recommendations as the special committee considers appropriate.

(e) AUTHORIZED ACTIVITIES.—The special committee, or any duly authorized subcommittee thereof, is authorized, in its discretion to—

(1) make investigations into any matter within its jurisdiction;

(2) make expenditures from the contingent fund of the Senate;

(3) employ personnel;

(4) hold hearings;

(5) sit and act at such places and times during the sessions, recesses, and adjourned periods of the Senate;

(6) require, by subpoena or otherwise, the attendance of such witnesses and the production of such books, papers, and documents, administer such oaths, take such testimony, procure such printing and binding, and make such other expenditures as it deems advisable;

(7) take depositions and other testimony;

(8) procure the service of individual consultants or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(9) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable basis the services of personnel of any such department or agency.

(f) POWER TO ADMINISTER OATHS.—The chairman of the special committee or any member thereof may administer oaths to witnesses.

(g) SUBPOENAS.—Subpoenas authorized by the special committee may be issued over the signature of the chairman, or any member of the special committee designated by the chairman, and may be served by any person designated by the chairman or the member signing the subpoena.

(h) QUORUM.—A majority of the members of the special committee, or any subcommittee thereof, shall constitute a quorum for the transaction of business, except that a lesser number, to be fixed by the committee, shall constitute a quorum for the purpose of taking sworn testimony.

(i) ENACTMENT.—This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate, and as such it is deemed a part of the rules of the Senate, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of the Senate to change the rules relating to the procedure of the Senate at any time, in the same manner, and to the same extent as in the case of any other rule of the Senate.

**SA 2201.** Mr. ALEXANDER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

Beginning on page 37, strike line 24 and all that follows through page 38, line 4, and insert the following:

“(iii) be used for purposes for which such assessments are valid and reliable, consistent with relevant, nationally recognized professional and technical testing standards, objectively measure academic achievement, knowledge, and skills, and be tests that do not evaluate or assess personal or family beliefs and attitudes, or publicly disclose personally identifiable information;

**SA 2202.** Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of part B of title X, add the following:

**SEC. 10204. DEPARTMENT OF EDUCATION SALARY CAP.**

Notwithstanding any other provision of law, the average salary of an employee of the Department of Education shall not be higher than the national average salary for a teacher, as determined by data from the National Center for Education Statistics.

**SA 2203.** Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of part B of title X, add the following:

**SEC. 102. FINDINGS AND SENSE OF THE SENATE.**

(a) FINDINGS.—Congress finds the following:

(1) The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2016 (S. 1695, 114th Congress) (referred to in this section as the “proposed appropriations Act”), as reported out of the Committee on Appropriations of the Senate on June 25, 2015, reduces investments in critical middle-class priorities by \$3,575,000,000, compared to the appropriation levels enacted for fiscal year 2015.

(2) The proposed appropriations Act reduces investments in critical middle-class priorities by \$13,231,000,000, compared to the Democratic funding alternative that is consistent with pre-sequester funding levels provided in the Budget Control Act of 2011 (Public Law 112-25; 125 Stat. 240).

(3) These funding cuts would bring Federal investments in programs under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) to their lowest levels since fiscal year 2002.

(4) Of the lowest-achieving 5 percent of schools that receive funds under part A of title I of such Act (20 U.S.C. 6311 et seq.), about two-thirds of students do not meet grade level standards.

(5) The proposed appropriations Act cuts funding for part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) by \$850,000,000, compared to the President’s fiscal year 2016 budget request and the Democratic funding alternative offered in the Committee on Appropriations of the Senate.

(6) Research consistently shows that high-quality early education is critical to the educational development of every child.

(7) The proposed appropriations Act provides no funding for preschool development grants, a cut of \$750,000,000 compared to the President’s fiscal year 2016 budget request and the Democratic funding alternative offered in Committee.

(8) The education funding cuts in the proposed appropriations Act are largely the result of the artificial and arbitrary spending caps triggered by the lack of a bipartisan budget agreement as envisioned by the Budget Control Act of 2011 (Public Law 112-25; 125 Stat. 240).

(9) Congress has previously provided relief from these cuts in the form of the Bipartisan Budget Act of 2013 (Public Law 113-67; 127 Stat. 1165), which provided relief from sequestration equally for defense and non-defense investments for fiscal years 2014 and 2015.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the fiscal and economic challenges of the United States are a top priority for Congress, and the deep, automatic budget cuts of sequestration remains an unreasonable and inadequate budgeting tool either to address the deficits and debt of the Nation or provide the resources needed to educate our children and grow the economy;

(2) this Act was supported unanimously in Committee;

(3) fulfilling the promise of this Act will require Congress to provide funding at levels above sequestration;

(4) Congress should immediately begin negotiations on a successor to the Bipartisan Budget Act of 2013 (Public Law 113-67; 127 Stat. 1165) that provides equal relief from sequestration for defense and nondefense investments, including education, for fiscal year 2016 and beyond; and

(5) for fiscal year 2016, Congress should provide \$18,554,875,000 for key programs under the Elementary and Secondary Education Act of 1965 and other education programs, as amended by this Act and consistent with the pre-sequester funding levels called for by the bipartisan Budget Control Act of 2011 (Public Law 112-25; 125 Stat. 240), including—

(A) programs under part A of title I of the Elementary and Secondary Education Act of 1965;

(B) the striving readers comprehensive literacy program under part E of title I of such Act, as such Act was in effect on the day before the date of enactment of this Act, or its successor;

(C) the 21st century community learning centers program under part B of title IV of the Elementary and Secondary Education Act of 1965;

(D) English language acquisition grants under title III of such Act;

(E) preschool development grants under title XIV of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 112-10); and

(F) investing in innovation grants under such title.

**SA 2204.** Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 63, line 3, insert “, including plans for engaging and supporting principals and other school leaders responsible for improving early childhood alignment with their elementary school, supporting teachers in understanding the transition between early learning to kindergarten, and increasing parent and community engagement” after “programs”.

On page 80, between lines 2 and 3, insert the following:

“(xviii) If the State uses funds under this part for preschool services, information that shows how children younger than the mandatory age of school entry are served directly by a local educational agency, or through contract or other collaboration with early childhood programs, including early childhood home visitation programs, as described under section 511 of the Social Security Act (42 U.S.C. 711), including—

“(I) the number of children served, disaggregated by income, race, and disability status;

“(II) a description of the services received; and

“(III) the amount the State spent using grant funds under this part on services for such children.

On page 80, line 3, strike “(xviii)” and insert “(xix)”.

On page 265, between lines 17 and 18, insert the following:

“(xiv) Supporting principals, other school leaders, teachers, teacher leaders, para-professionals, early childhood center directors, and other early childhood providers to participate in efforts to align State early learning guidelines with State academic and other standards, curriculum, and assessment practices from prekindergarten to the third grade and promote quality early learning experiences from birth through age 8.

On 265, line 18, strike “(xiv)” and insert “(xv)”.

Beginning on page 283, strike line 22 and all that follows through page 284, line 3, and insert the following: “leadership competencies of principals on instruction in the early grades, developmentally appropriate strategies to measure whether young children are progressing, and principals’ ability to support teachers, teacher leaders, early childhood educators, and other professionals in the school learning community to meet the needs of students through age 8, which may include providing joint professional learning and planning activities for school staff and educators in preschool programs that address the transition to elementary school, and promoting effective prekindergarten through grade 3 alignment;”.

**SA 2205.** Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 274, between lines 21 and 22, insert the following:

“(xi) increasing and improving opportunities for teachers to take on meaningful leadership roles and responsibilities for additional compensation without having to leave their role as teacher; and

On page 277, between lines 6 and 7, insert the following:

“(F) a description of how the local educational agency will increase and improve opportunities for meaningful teacher leadership in order to positively impact student achievement, build the capacity of teachers, and effectively negotiate or collaborate with principals, teachers and representatives of teachers, and local educational agency leaders.

On page 285, after line 25, insert the following:

“(O) providing additional compensation for teachers or making other systemic changes to create or enhance opportunities for meaningful teacher leadership, such as initiatives that include—

“(i) increased time for common planning, within and across content areas and grade levels;

“(ii) designated time for effective teachers to—

“(I) receive training on mentoring; and

“(II) plan and execute mentoring activities;

“(iii) career ladders and lattices, providing for additional pay for professional growth, which may include hybrid roles in which teachers lead from the classroom;

“(iv) teacher-designed and teacher-implemented professional development activities;

“(v) opportunities for experiential and professional learning, which may include observation;

“(vi) feedback mechanisms for continuous improvement of school environment and activities, including school working conditions and the social-emotional well-being of teachers;

“(vii) the development of policy collaboratively by teachers, and the representatives of teachers, and the leaders of the school, local educational agency, community, or State; and

“(viii) other innovative approaches to leverage teacher leadership; and

On page 296, between lines 4 and 5, insert the following:

“(F) training and supporting principals to identify, develop, and maintain school leadership teams, which shall include teacher leaders and others as designated by the principal, using various leadership models, except that such models shall not include forced or involuntary transfers; and

**SA 2206.** Mr. THUNE (for himself and Mrs. FISCHER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of part B of title X, add the following:

**SEC. —. CERTAIN EDUCATIONAL INSTITUTIONS EXEMPT FROM EMPLOYER HEALTH INSURANCE MANDATE.**

(a) EXEMPTION.—

(1) IN GENERAL.—Section 4980H(c)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(F) EXCEPTION FOR CERTAIN EDUCATIONAL INSTITUTIONS.—The term ‘applicable large employer’ shall not include—

“(i) any elementary school or secondary school (as such terms are defined in section 9101 of the Elementary and Secondary Education Act of 1965),

“(ii) any local educational agency or State educational agency (as such terms are defined in section 9101 of such Act), and

“(iii) any institution of higher education (as such term is defined in section 102 of the Higher Education Act of 1965).”.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to months beginning after December 31, 2014.

(b) STUDY OF IMPACT ON EDUCATION.—The Secretary of Education shall—

(1) study the impact of the employer health insurance mandate under section 4980H of the Internal Revenue Code of 1986 as in effect on the day before the date of enactment of this Act and the impact of such mandate as in effect on the day after the date of enactment of this Act on—

(A) in coordination with the national assessment of title I under section 1501 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6491), the ability of State educational agencies, local educational agencies, elementary schools, and secondary schools to meet the purposes of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.); and

(B) in coordination with the annual data collection conducted through the Integrated Postsecondary Education Data System described in section 132(i)(4) of the Higher Education Act of 1965 (20 U.S.C. 1015a(i)(4)), the ability of institutions of higher education to maintain academic programs; and

(2) not later than one year after the date of the enactment of this Act, submit separate written reports to Congress with respect to the studies conducted under subparagraphs (A) and (B) of paragraph (1).

**SA 2207.** Ms. MIKULSKI submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 630, between lines 4 and 5, insert the following:

**SEC. 5011. PERFORMANCE PARTNERSHIPS PILOT PROGRAM FOR DISCONNECTED YOUTH.**

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part I, as added by section 5010, the following:

**PART J—PERFORMANCE PARTNERSHIPS PILOT PROGRAM FOR DISCONNECTED YOUTH**

**SEC. 5911. PURPOSE; FINDINGS.**

(a) PURPOSE.—The purpose of this part is to authorize a performance partnerships pilot program for disconnected youth to promote coordination between Federal agencies in order to improve outcomes for disconnected youth in communities.

(b) FINDINGS.—Congress finds the following:

(1) Recent events in communities across the United States have illustrated, in part, the importance of improving opportunities, outcomes, and services for disconnected populations.

(2) One in 6 youth, nationwide, are not connected to the labor force.

(3) There are 2,500,000 children being raised by parents who were disconnected youth themselves.

(4) The United States has a responsibility to improve outcomes for disconnected youth by investing in innovative strategies to address the needs of disconnected populations.

(5) The Committee on Appropriations of the Senate has recognized the value in investing in such partnerships and has supported Performance Partnership Pilots for Disconnected Youth in recent appropriations bills for the Departments of Health, Human Services, and Education, and related agencies.

**SEC. 5912. PERFORMANCE PARTNERSHIPS PILOT PROGRAM.**

(a) DEFINITIONS.—In this section:

(1) DISCONNECTED YOUTH.—The term “disconnected youth” means an individual who—

(A) is between the ages 14 to 24, inclusive; and

(B)(i) is homeless, in foster care, or involved with the criminal justice system; or

(ii) is not working and not enrolled in an elementary school, secondary school, institution of higher education, or other educational institution.

(2) PARTICIPATING FEDERAL AGENCY.—The term “participating Federal agency” means the Department of Education, the Department of Health and Human Services, the Department of Labor, and the Corporation for National and Community Service, as appropriate based on the specific Performance Partnership Pilot involved.

(3) PERFORMANCE PARTNERSHIP PILOT.—The term “Performance Partnership Pilot” is a project that seeks to identify, through a demonstration, cost-effective strategies for providing services at the State, regional, or local level that—

(A) involve 2 or more Federal programs (administered by one or more Federal agencies)—

(i) which have related policy goals, and

(ii) at least one of which is administered (in whole or in part) by a State, local, or tribal government; and

(B) achieve better results for regions, communities, or specific at-risk populations through making better use of the budgetary resources that are available for supporting such programs.

(4) LEAD FEDERAL ADMINISTERING AGENCY.—The term “lead Federal administering agency” is the Federal agency, to be designated by the Director of the Office of Management and Budget (from among the participating Federal agencies that have statutory responsibility for the Federal discretionary funds that will be used in a Performance Partnership Pilot), that will enter into and administer the particular performance partnership agreement on behalf of that agency and the other participating Federal agencies.

(b) FLEXIBILITY OF FUNDS.—Participating Federal agencies may carry out not more than 10 Performance Partnership Pilots under this section. Each Performance Partnership Pilot shall—

(1) provide flexibility to the entities participating in the Performance Partnership Pilot with respect to discretionary funds under the authority of the participating Federal agencies, as specified in the performance partnership agreement;

(2) be designed to improve outcomes for disconnected youth, by increasing the rate at which disconnected youth achieve success in meeting educational, employment, or other key goals; and

(3) involve Federal programs targeted to disconnected youth, or designed to prevent

youth from disconnecting from school or work, that provide education, training, employment, and other related social services.

(c) **PERFORMANCE PARTNERSHIP AGREEMENTS.**—Federal agencies may use Federal funds, as authorized in subsection (b), to participate in a Performance Partnership Pilot only in accordance with the terms of a performance partnership agreement that—

(1) is entered into between—

(A) the head of the lead Federal administering agency, on behalf of all of the participating Federal agencies (subject to the head of the lead Federal administering agency having received from the heads of each of the other participating agencies their written concurrence for entering into the agreement), and

(B) the respective representatives of all of the State, local, or tribal governments that are participating in the agreement; and

(2) specifies, at a minimum, the following information:

(A) The length of the agreement (which shall not extend for more than 3 years after the date upon which the parties enter into the agreement).

(B) The Federal programs and federally funded services that are involved in the Performance Partnership Pilot.

(C) The Federal funds that are being used in the Performance Partnership Pilot (by the respective Federal account identifier, and the total amount from such account that is being used in the Performance Partnership Pilot) in accordance with subsection (b)(1), and any period of availability for obligation (by the Federal Government) of any such funds.

(D) The non-Federal funds that are involved in the Performance Partnership Pilot, by source (which may include private funds as well as governmental funds) and by amount.

(E) The State, local, or tribal programs that are involved in the Performance Partnership Pilot.

(F) The populations to be served by the Performance Partnership Pilot.

(G) The cost-effective Federal oversight procedures that will be used for the purpose of maintaining the necessary level of accountability for the use of the Federal discretionary funds.

(H) The cost-effective State, local, or tribal oversight procedures that will be used for the purpose of maintaining the necessary level of accountability for the use of the Federal discretionary funds.

(I) The outcome (or outcomes) that the Performance Partnership Pilot is designed to achieve.

(J) The appropriate, reliable, and objective outcome-measurement methodology that the Federal Government and the participating State, local, or tribal governments will use, in carrying out the Pilot, to determine whether the Performance Partnership Pilot is achieving, and has achieved, the specified outcomes that the Performance Partnership Pilot is designed to achieve.

(K) The statutory, regulatory, or administrative requirements related to Federal mandatory programs that are barriers to achieving improved outcomes of the Pilot.

(L) In cases where, during the course of the Performance Partnership Pilot, it is determined that the Performance Partnership Pilot is not achieving the specified outcomes that it is designed to achieve—

(i) the consequences that will result from such deficiencies with respect to the Federal discretionary funds that are being used in the Performance Partnership Pilot; and

(ii) the corrective actions that will be taken in order to increase the likelihood that the Performance Partnership Pilot, upon completion, will have achieved such specified outcomes.

(d) **AGENCY HEAD DETERMINATIONS.**—

(1) **IN GENERAL.**—A participating Federal agency may participate in a Performance Partnership Pilot (including by providing funds described in subsection (b)(1) that have been appropriated to such agency) only upon the written determination by the head of such agency that the agency's participation in such Performance Partnership Pilot—

(A) will not result in denying or restricting the eligibility of any individual for any of the services that (in whole or in part) are funded by the agency's programs and Federal discretionary funds that are involved in the Performance Partnership Pilot, and

(B) based on the best available information, will not otherwise adversely affect vulnerable populations that are the recipients of such services.

(2) **CONSIDERATION.**—In making the determination under paragraph (1), the head of a participating Federal agency may take into consideration the other Federal funds described in subsection (b)(1) that will be used in the Pilot as well as any non-Federal funds (including from private sources as well as governmental sources) that will be used in the Performance Partnership Pilot.

(e) **TRANSFER AUTHORITY.**—

(1) **IN GENERAL.**—For the purpose of carrying out the Performance Partnership Pilot in accordance with the performance partnership agreement, and subject to the written approval of the Director of the Office of Management and Budget, the head of each participating Federal agency may transfer the Federal funds described in subsection (b)(1) that are being used in the Pilot to an account of the lead Federal administering agency that includes other Federal discretionary funds that are being used in the Pilot. Subject to the waiver authority under subsection (f), such transferred funds shall remain available for the same purposes for which such funds were originally appropriated, except as provided in paragraph (2).

(2) **EXCEPTION.**—Funds transferred under paragraph (1) shall remain available for obligation by the Federal Government until the expiration of the period of availability for those Federal discretionary funds (which are being used in the Pilot) that have the longest period of availability, except that any such transferred funds shall not remain available beyond (which shall not extend for more than 3 years after the date upon which the parties enter into the performance partnership agreement).

(f) **WAIVER AUTHORITY.**—In connection with the participation by a Federal participating agency in a Performance Partnership Pilot, and subject to the other provisions of this section (including subsection (e)), the head of the Federal participating agency to which Federal funds described in subsection (b)(1) were appropriated may waive (in whole or in part) the application, solely to such discretionary funds that are being used in the Pilot, of any statutory, regulatory, or administrative requirement that such agency head—

(1) is otherwise authorized to waive (in accordance with the terms and conditions of such other authority), and

(2) is not otherwise authorized to waive, except that—

(A) the head of the agency shall not waive any requirement related to nondiscrimination, wage and labor standards, or allocation of funds to State and substate levels;

(B) the head of the agency shall issue, for any requirement described in this paragraph) a written determination, prior to granting the waiver, with respect to such discretionary funds that the granting of such waiver for purposes of the Performance Partnership Pilot—

(i) is consistent with both—

(I) the statutory purposes of the Federal program for which such discretionary funds were appropriated, and

(II) the other provisions of this section, including the written determination by the head of the agency issued under subsection (d);

(ii) is necessary to achieve the outcomes of the Performance Partnership Pilot as specified in the performance partnership agreement, and is no broader in scope than is necessary to achieve such outcomes; and

(iii) will result in either—

(I) realizing efficiencies by simplifying reporting burdens or reducing administrative barriers with respect to such discretionary funds, or

(II) increasing the ability of individuals to obtain access to services that are provided by such discretionary funds; and

(C) the head of the agency shall provide at least 60 days advance written notice to the Committee on Appropriations of the House of Representatives, the Committee on Appropriations of the Senate, and all other committees of jurisdiction in the House of Representatives and the Senate.

(g) **APPLICABILITY TO EXISTING PERFORMANCE PARTNERSHIP PILOTS.**—Nothing in this part shall be construed to apply to any Performance Partnership Pilot carried out under the authority of section 524 of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2015 (Public Law 113-325; 128 Stat. 2522) or section 526 of the Department of Labor, Health and Human Services, and Related Agencies Appropriations Act, 2014 (Public Law 113-76; 128 Stat. 413).

**SA 2208.** Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 72, between lines 19 and 20, insert the following:

“(L) assessments adopted pursuant to subsection (b) require students to spend on average less than 2 percent of the average instructional time taking such assessments (except in the case of assessments that are determined to be performance-based, competency-based, or to justify the additional time), where such calculation of time spent on such assessments shall not include any additional time spent taking assessments provided as an appropriate accommodation to children with disabilities or students with a disability who are provided accommodations under another Act;

**SA 2209.** Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 20, line 18, insert “, periodically review those strategies and the resulting data, use that information to continuously improve the strategies,” after “title”.

On page 69, between lines 12 and 13, insert the following:

“(M) how the State will periodically review and evaluate programs and activities under this part to assess progress toward improved student academic achievement, and how the State will use the results from such review or evaluation to refine and continuously improve such programs and activities;

On page 106, between lines 23 and 24, insert the following:

“(17) how the local educational agency will periodically review and evaluate programs and activities under this part to assess progress toward improved student academic achievement, and how the local educational agency will use the results from such review or evaluation to refine and continuously improve such programs and activities;

**SA 2210.** Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 52, between lines 9 and 10, insert the following:

“(L) LIMITATION ON ASSESSMENT TIME.—

“(i) IN GENERAL.—As a condition of receiving an allocation under this part for any fiscal year, each State shall—

“(I) set a limit on the aggregate amount of time devoted to the administration of assessments (including assessments adopted pursuant to this subsection, other assessments required by the State, and assessments required districtwide by the local educational agency) for each grade, expressed as a percentage of annual instructional hours; and

“(II) ensure that each local educational agency in the State will notify the parents of each student attending any school in the local educational agency, on an annual basis, whenever the limitation described in subclause (I) is exceeded.

“(ii) CHILDREN WITH DISABILITIES AND ENGLISH LEARNERS.—Nothing in clause (i) shall be construed to supersede the requirements of Federal law relating to assessments that apply specifically to children with disabilities or English learners.

**SA 2211.** Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 111, between lines 24 and 25, insert the following:

“(2) TESTING TRANSPARENCY.—

“(A) IN GENERAL.—Subject to subparagraph (B), each local educational agency that receives funds under this part shall make widely available through public means (including by posting in a clear, concise, and easily accessible manner on the local educational agency’s website and, to the extent practicable, on the website of each school served by the local educational agency) for each grade served by the local educational agency

or school, information on each assessment required by the State to comply with section 1111, other assessments required by the State, and to the extent such information is available and feasible to report, assessments required districtwide by the local educational agency, including—

“(i) the subject matter assessed;

“(ii) the purpose for which the assessment is designed and used;

“(iii) the source of the requirement for the assessment; and

“(iv) to the extent such information is available—

“(I) the amount of time students will spend taking the assessment, and the schedule and calendar for the assessment; and

“(II) the time and format for disseminating results.

“(B) LEA THAT DOES NOT OPERATE A WEBSITE.—In the case of a local educational agency that does not operate a website, such local educational agency shall determine how to make the information described in subparagraph (A) widely available, such as through distribution of that information to the media, through public agencies, or directly to parents.

**SA 2212.** Mr. BOOKER (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 306, after line 23, add the following:

“(V) conducting, and publicly reporting the results of, an annual assessment of educator support and working conditions that—

“(i) evaluates supports for teachers, leaders, and other school personnel, such as—

“(I) teacher and principal perceptions of availability of high-quality professional development and instructional materials;

“(II) timely availability of data on student academic achievement and growth;

“(III) the presence of high-quality instructional leadership; and

“(IV) opportunities for professional growth, such as career ladders and mentoring and induction programs;

“(ii) evaluates working conditions for teachers, leaders and other school personnel, such as—

“(I) school climate;

“(II) school safety;

“(III) class size;

“(IV) availability and use of common planning time and opportunities to collaborate; and

“(V) community engagement;

“(iii) is developed with teachers, leaders, other school personnel, parents, students, and the community; and

“(iv) includes the development and implementation, with the groups described in clause (iii), of a plan to address the results of the assessment described in this subparagraph, which shall be publicly reported; and

**SA 2213.** Mr. VITTER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every

child achieves; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### SEC. \_\_\_\_ . LIMITATION ON GRANTS TO SANCTUARY CITIES.

Section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373) is amended by adding at the end the following:

“(d) LIMITATION ON GRANTS TO SANCTUARY CITIES.—

“(1) SANCTUARY CITY DEFINED.—In this section, the term ‘sanctuary city’ means a State or a political subdivision of a State that has in effect a statute, resolution, directive, policy, or practice that—

“(A) prohibits, or in any way restricts, an officer or employee—

“(i) from sending to, or receiving from, the Department of Homeland Security information regarding the citizenship or immigration status of an individual; or

“(ii) from assisting or cooperating with Federal immigration law enforcement in the course of carrying out the officers’ routine law enforcement duties, including with respect to the issuance of federal detainers; or

“(B) is otherwise not in compliance with the requirements of subsection (a) or (b).

“(2) LIMITATION ON GRANTS.—A sanctuary city is not eligible to receive a grant under the Edward Byrne Memorial Justice Assistance Grant Program established pursuant to subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.).”.

**SA 2214.** Mr. MCCONNELL (for Mrs. FISCHER for herself and Mr. NELSON) proposed an amendment to the bill S. 1359, to allow manufacturers to meet warranty and labeling requirements for consumer products by displaying the terms of warranties on Internet websites, and for other purposes; as follows:

On page 3, line 21, strike “on” and insert “for”.

On page 4, line 1, insert “, through electronic or other means,” after “available”.

On page 4, line 3, strike “on” and insert “for”.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON ARMED SERVICES

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on July 9, 2015, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON FOREIGN RELATIONS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 9, 2015, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to



meet during the session of the Senate on July 9, 2015, at 10 a.m., to conduct a hearing entitled "Understanding America's Long-Term Fiscal Picture."

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMITTEE ON THE JUDICIARY

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on July 9, 2015, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SELECT COMMITTEE ON INTELLIGENCE

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 9, 2015, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that Amy Griffin, a fellow in Senator FRANKEN's office, be granted floor privileges during the remainder of this Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FRANKEN. Mr. President, I ask unanimous consent that Boris Granovskiy, a fellow in my office, be granted floor privileges for the remainder of the 114th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. HEITKAMP. Mr. President, I ask unanimous consent that Molly Johnson, an intern in my office, be granted floor privileges for the duration of today's session in the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. Mr. President, I ask unanimous consent that the following detailees, fellows, and interns on my Finance Committee staff be granted floor privileges for the remainder of the session: Sara Brundage, Jenni Greenlee, Daniel Hafner, Ernie Jolly, Jennifer Kay, Nolan Mayther, Alexandra Menardy, Tori Miller, J'Lill Mitchell, Nikesh Patel, Angelique Salizan, and Jay Weismuller.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### AMENDING THE UNITED STATES COTTON FUTURES ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2620, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2620) to amend the United States Cotton Futures Act to exclude certain

cotton futures contracts from coverage under such Act.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 2620) was ordered to a third reading, was read the third time, and passed.

#### UNITED STATES MERCHANT MARINE ACADEMY IMPROVEMENTS ACT OF 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 93, S. 143.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 143) to allow for improvements to the United States Merchant Marine Academy and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 143) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

#### S. 143

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "United States Merchant Marine Academy Improvements Act of 2015".

#### SEC. 2. MELVILLE HALL OF UNITED STATES MERCHANT MARINE ACADEMY.

(a) GIFT TO THE MERCHANT MARINE ACADEMY.—The Maritime Administrator may accept a gift of money from the Foundation under section 51315 of title 46, United States Code, for the purpose of renovating Melville Hall on the campus of the United States Merchant Marine Academy.

(b) COVERED GIFTS.—A gift described in this subsection is a gift under subsection (a) that the Maritime Administrator determines exceeds the sum of—

(1) the minimum amount that is sufficient to ensure the renovation of Melville Hall in accordance with the capital improvement plan of the United States Merchant Marine Academy that was in effect on the date of enactment of this Act; and

(2) 25 percent of the amount described in paragraph (1).

(c) OPERATION CONTRACTS.—Subject to subsection (d), in the case that the Maritime Administrator accepts a gift of money described in subsection (b), the Maritime Administrator may enter into a contract with the Foundation for the operation of Melville Hall to make available facilities for, among

other possible uses, official academy functions, third-party catering functions, and industry events and conferences.

(d) CONTRACT TERMS.—The contract described in subsection (c) shall be for such period and on such terms as the Maritime Administrator considers appropriate, including a provision, mutually agreeable to the Maritime Administrator and the Foundation, that—

(1) requires the Foundation—

(A) at the expense solely of the Foundation through the term of the contract to maintain Melville Hall in a condition that is as good as or better than the condition Melville Hall was in on the later of—

(i) the date that the renovation of Melville Hall was completed; or

(ii) the date that the Foundation accepted Melville Hall after it was tendered to the Foundation by the Maritime Administrator; and

(B) to deposit all proceeds from the operation of Melville Hall, after expenses necessary for the operation and maintenance of Melville Hall, into the account of the Regimental Affairs Non-Appropriated Fund Instrumentality or successor entity, to be used solely for the morale and welfare of the cadets of the United States Merchant Marine Academy; and

(2) prohibits the use of Melville Hall as lodging or an office by any person for more than 4 days in any calendar year other than—

(A) by the United States; or

(B) for the administration and operation of Melville Hall.

(e) DEFINITIONS.—In this section:

(1) CONTRACT.—The term "contract" includes any modification, extension, or renewal of the contract.

(2) FOUNDATION.—In this section, the term "Foundation" means the United States Merchant Marine Academy Alumni Association and Foundation, Inc.

(f) RULES OF CONSTRUCTION.—Nothing in this section may be construed under section 3105 of title 41, United States Code, as requiring the Maritime Administrator to award a contract for the operation of Melville Hall to the Foundation.

#### INTEGRATED PUBLIC ALERT AND WARNING SYSTEM MODERNIZATION ACT OF 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 132, S. 1180.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1180) to amend the Homeland Security Act of 2002 to direct the Administrator of the Federal Emergency Management Agency to modernize the integrated public alert and warning system of the United States, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with amendments, as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in *italic*.)



S. 1180

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Integrated Public Alert and Warning System Modernization Act of 2015”.

**SEC. 2. INTEGRATED PUBLIC ALERT AND WARNING SYSTEM MODERNIZATION.**

(a) IN GENERAL.—Title V of the Homeland Security Act of 2002 (6 U.S.C. 311 et seq.) is amended by adding at the end the following:

**“SEC. 526. INTEGRATED PUBLIC ALERT AND WARNING SYSTEM MODERNIZATION.**

“(a) IN GENERAL.—To provide timely and effective warnings regarding natural disasters, acts of terrorism, and other man-made disasters or threats to public safety, the Administrator shall—

“(1) modernize the integrated public alert and warning system of the United States (in this section referred to as the ‘public alert and warning system’) to help ensure that under all conditions the President and, except to the extent the public alert and warning system is in use by the President, Federal agencies and State, tribal, and local governments can alert and warn the civilian population in areas endangered by natural disasters, acts of terrorism, and other man-made disasters or threats to public safety; and

“(2) implement the public alert and warning system to disseminate timely and effective warnings regarding natural disasters, acts of terrorism, and other man-made disasters or threats to public safety.

“(b) IMPLEMENTATION REQUIREMENTS.—In carrying out subsection (a), the Administrator shall—

“(1) establish or adopt, as appropriate, common alerting and warning protocols, standards, terminology, and operating procedures for the public alert and warning system;

“(2) include in the public alert and warning system the capability to adapt the distribution and content of communications on the basis of geographic location, risks, and multiple communication systems and technologies, as appropriate and to the extent technically feasible;

“(3) include in the public alert and warning system the capability to alert, warn, and provide equivalent information to individuals with disabilities, individuals with access and functional needs, and individuals with limited-English proficiency, to the extent technically feasible;

“(4) ensure that training, tests, and exercises are conducted for the public alert and warning system, including by—

“(A) incorporating the public alert and warning system into other training and exercise programs of the Department, as appropriate;

“(B) establishing and integrating into the National Incident Management System a comprehensive and periodic training program to instruct and educate Federal, State, tribal, and local government officials in the use of the Common Alerting Protocol enabled Emergency Alert System; and

“(C) conducting, not less than once every 3 years, periodic nationwide tests of the public alert and warning system;

“(5) to the extent practicable, ensure that the public alert and warning system is resilient and secure and can withstand acts of terrorism and other external attacks;

“(6) conduct public education efforts so that State, tribal, and local governments, private entities, and the people of the United

States reasonably understand the functions of the public alert and warning system and how to access, use, and respond to information from the public alert and warning system through a general market awareness campaign;

“(7) consult, coordinate, and cooperate with the appropriate private sector entities and Federal, State, tribal, and local governmental authorities, including the Regional Administrators and emergency response providers;

“(8) consult and coordinate with the Federal Communications Commission, taking into account rules and regulations promulgated by the Federal Communications Commission; and

“(9) coordinate with and consider the recommendations of the Integrated Public Alert and Warning System Subcommittee established under section 2(b) of the Integrated Public Alert and Warning System Modernization Act of 2015.

“(c) SYSTEM REQUIREMENTS.—The public alert and warning system shall—

“(1) to the extent determined appropriate by the Administrator, incorporate multiple communications technologies;

“(2) be designed to adapt to, and incorporate, future technologies for communicating directly with the public;

“(3) to the extent technically feasible, be designed—

“(A) to provide alerts to the largest portion of the affected population feasible, including nonresident visitors and tourists, individuals with disabilities, individuals with access and functional needs, and individuals with limited-English proficiency; and

“(B) to improve the ability of remote areas to receive alerts;

“(4) promote local and regional public and private partnerships to enhance community preparedness and response;

“(5) provide redundant alert mechanisms where practicable so as to reach the greatest number of people; and

“(6) to the extent feasible, include a mechanism to ensure the protection of individual privacy.

“(d) USE OF SYSTEM.—Except to the extent necessary for testing the public alert and warning system, the public alert and warning system shall not be used to transmit a message that does not relate to a natural disaster, act of terrorism, or other man-made disaster or threat to public safety.

“(e) PERFORMANCE REPORTS.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Integrated Public Alert and Warning System Modernization Act of 2015, and annually thereafter through 2018, the Administrator shall make available on the public website of the Agency a performance report, which shall—

“(A) establish performance goals for the implementation of the public alert and warning system by the Agency;

“(B) describe the performance of the public alert and warning system, including—

“(i) the type of technology used for alerts and warnings issued under the system;

“(ii) the measures taken to alert, warn, and provide equivalent information to individuals with disabilities, individuals with access and function needs, and individuals with limited-English proficiency; and

“(iii) the training, tests, and exercises performed and the outcomes obtained by the Agency;

“(C) identify significant challenges to the effective operation of the public alert and warning system and any plans to address these challenges;

“(D) identify other necessary improvements to the system; and

“(E) provide an analysis comparing the performance of the public alert and warning system with the performance goals established under subparagraph (A).

“(2) CONGRESS.—The Administrator shall submit to the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives each report required under paragraph (1).”.

(b) INTEGRATED PUBLIC ALERT AND WARNING SYSTEM SUBCOMMITTEE.—

(1) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency (in this subsection referred to as the “Administrator”) shall establish a subcommittee to the National Advisory Council established under section 508 of the Homeland Security Act of 2002 (6 U.S.C. 318) to be known as the Integrated Public Alert and Warning System Subcommittee (in this subsection referred to as the “Subcommittee”).

(2) MEMBERSHIP.—Notwithstanding section 508(c) of the Homeland Security Act of 2002 (6 U.S.C. 318(c)), the Subcommittee shall be composed of the following members (or their designees):

(A) The Deputy Administrator for Protection and National Preparedness of the Federal Emergency Management Agency.

(B) The Chairman of the Federal Communications Commission.

(C) The Administrator of the National Oceanic and Atmospheric Administration of the Department of Commerce.

(D) The Assistant Secretary for Communications and Information of the Department of Commerce.

(E) The Under Secretary for Science and Technology of the Department of Homeland Security.

(F) The Under Secretary for the National Protection and Programs Directorate.

(G) The Director of Disability Integration and Coordination of the Federal Emergency Management Agency.

(H) The Chairperson of the National Council on Disability.

(I) Qualified individuals appointed by the Administrator as soon as practicable after the date of enactment of this Act from among the following:

(i) Representatives of State and local governments, representatives of emergency management agencies, and representatives of emergency response providers.

(ii) Representatives from federally recognized Indian tribes and national Indian organizations.

(iii) Individuals who have the requisite technical knowledge and expertise to serve on the Subcommittee, including representatives of—

(I) communications service providers;

(II) vendors, developers, and manufacturers of systems, facilities, equipment, and capabilities for the provision of communications services;

(III) third-party service bureaus;

(IV) the broadcasting industry, including public broadcasting;

(V) the commercial mobile radio service industry;

(VI) the cable industry;

(VII) the satellite industry;

(VIII) national organizations representing individuals with disabilities, the blind, deaf,

and hearing-loss communities, individuals with access and functional needs, and the elderly;

(IX) consumer or privacy advocates; and  
(X) organizations representing individuals with limited-English proficiency.

(iv) Qualified representatives of such other stakeholders and interested and affected parties as the Administrator considers appropriate.

(3) **CHAIRPERSON.**—The Deputy Administrator for Protection and National Preparedness of the Federal Emergency Management Agency shall serve as the Chairperson of the Subcommittee.

(4) **MEETINGS.**—

(A) **INITIAL MEETING.**—The initial meeting of the Subcommittee shall take place not later than 120 days after the date of enactment of this Act.

(B) **OTHER MEETINGS.**—After the initial meeting, the Subcommittee shall meet, at least annually, at the call of the Chairperson.

(5) **CONSULTATION WITH NONMEMBERS.**—The Subcommittee and the program offices for the integrated public alert and warning system for the United States shall consult with individuals and entities that are not represented on the Subcommittee to consider new and developing technologies that may be beneficial to the public alert and warning system, including—

(A) the Defense Advanced Research Projects Agency;

(B) entities engaged in federally funded research; and

(C) academic institutions engaged in relevant work and research.

(6) **RECOMMENDATIONS.**—The Subcommittee shall—

(A) develop recommendations for an integrated public alert and warning system; and

(B) in developing the recommendations under subparagraph (A), consider—

(i) recommendations for common alerting and warning protocols, standards, terminology, and operating procedures for the public alert and warning system; and

(ii) recommendations to provide for a public alert and warning system that—

(I) has the capability to adapt the distribution and content of communications on the basis of geographic location, risks, or personal user preferences, as appropriate;

(II) has the capability to alert and warn individuals with disabilities and individuals with limited-English proficiency;

(III) to the extent appropriate, incorporates multiple communications technologies;

(IV) is designed to adapt to, and incorporate, future technologies for communicating directly with the public;

(V) is designed to provide alerts to the largest portion of the affected population feasible, including nonresident visitors and tourists, and improve the ability of remote areas to receive alerts;

(VI) promotes local and regional public and private partnerships to enhance community preparedness and response; and

(VII) provides redundant alert mechanisms, if practicable, to reach the greatest number of people regardless of whether they have access to, or use, any specific medium of communication or any particular device.

(7) **REPORT.**—

(A) **SUBCOMMITTEE SUBMISSION.**—Not later than 1 year after the date of enactment of this Act, the Subcommittee shall submit to the National Advisory Council a report containing any recommendations required to be developed under paragraph (6) for approval by the National Advisory Council.

(B) **SUBMISSION BY NATIONAL ADVISORY COUNCIL.**—If the National Advisory Council approves the recommendations contained in the report submitted under subparagraph (A), the National Advisory Council shall submit the report to—

(i) the head of each agency represented on the Subcommittee;

(ii) the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate; and

(iii) the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives.

(8) **TERMINATION.**—The Subcommittee shall terminate not later than 3 years after the date of enactment of this Act.

(C) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this Act and the amendments made by this Act such sums as may be necessary for each of fiscal years 2016, 2017, and 2018.

(d) **LIMITATIONS ON STATUTORY CONSTRUCTION.**—

(1) **DEFINITION.**—In this subsection, the term “participating commercial mobile service provider” has the meaning given that term under section 10.10(f) of title 47, Code of Federal Regulations, as in effect on the date of enactment of this Act.

(2) **LIMITATIONS.**—Nothing in this Act, including an amendment made by this Act, shall be construed—

(A) to affect any authority—

(i) of the Department of Commerce;

(ii) of the Federal Communications Commission; or

(iii) provided under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.);

(B) to provide the Secretary of Homeland Security with authority to require any action by the Department of Commerce, the Federal Communications Commission, or any nongovernmental entity;

(C) to apply to, or to provide the Administrator of the Federal Emergency Management Agency with authority over, any participating commercial mobile service provider; [or]

(D) to alter in any way the wireless emergency alerts service established under the Warning, Alert, and Response Network Act (47 U.S.C. 1201 et seq.) or any related orders issued by the Federal Communications Commission after October 13, [2006.] 2006; or

(E) to provide the Federal Emergency Management Agency with authority to require a State or local jurisdiction to use the integrated public alert and warning system of the United States.

Mr. McCONNELL. I ask unanimous consent that the committee-reported amendments be agreed to, the bill, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendments were agreed to.

The bill (S. 1180), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1180

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. SHORT TITLE.

This Act may be cited as the “Integrated Public Alert and Warning System Modernization Act of 2015”.

## SEC. 2. INTEGRATED PUBLIC ALERT AND WARNING SYSTEM MODERNIZATION.

(a) **IN GENERAL.**—Title V of the Homeland Security Act of 2002 (6 U.S.C. 311 et seq.) is amended by adding at the end the following:

### “SEC. 526. INTEGRATED PUBLIC ALERT AND WARNING SYSTEM MODERNIZATION.

“(a) **IN GENERAL.**—To provide timely and effective warnings regarding natural disasters, acts of terrorism, and other man-made disasters or threats to public safety, the Administrator shall—

“(1) modernize the integrated public alert and warning system of the United States (in this section referred to as the ‘public alert and warning system’) to help ensure that under all conditions the President and, except to the extent the public alert and warning system is in use by the President, Federal agencies and State, tribal, and local governments can alert and warn the civilian population in areas endangered by natural disasters, acts of terrorism, and other man-made disasters or threats to public safety; and

“(2) implement the public alert and warning system to disseminate timely and effective warnings regarding natural disasters, acts of terrorism, and other man-made disasters or threats to public safety.

“(b) **IMPLEMENTATION REQUIREMENTS.**—In carrying out subsection (a), the Administrator shall—

“(1) establish or adopt, as appropriate, common alerting and warning protocols, standards, terminology, and operating procedures for the public alert and warning system;

“(2) include in the public alert and warning system the capability to adapt the distribution and content of communications on the basis of geographic location, risks, and multiple communication systems and technologies, as appropriate and to the extent technically feasible;

“(3) include in the public alert and warning system the capability to alert, warn, and provide equivalent information to individuals with disabilities, individuals with access and functional needs, and individuals with limited-English proficiency, to the extent technically feasible;

“(4) ensure that training, tests, and exercises are conducted for the public alert and warning system, including by—

“(A) incorporating the public alert and warning system into other training and exercise programs of the Department, as appropriate;

“(B) establishing and integrating into the National Incident Management System a comprehensive and periodic training program to instruct and educate Federal, State, tribal, and local government officials in the use of the Common Alerting Protocol enabled Emergency Alert System; and

“(C) conducting, not less than once every 3 years, periodic nationwide tests of the public alert and warning system;

“(5) to the extent practicable, ensure that the public alert and warning system is resilient and secure and can withstand acts of terrorism and other external attacks;

“(6) conduct public education efforts so that State, tribal, and local governments, private entities, and the people of the United States reasonably understand the functions of the public alert and warning system and

how to access, use, and respond to information from the public alert and warning system through a general market awareness campaign;

“(7) consult, coordinate, and cooperate with the appropriate private sector entities and Federal, State, tribal, and local governmental authorities, including the Regional Administrators and emergency response providers;

“(8) consult and coordinate with the Federal Communications Commission, taking into account rules and regulations promulgated by the Federal Communications Commission; and

“(9) coordinate with and consider the recommendations of the Integrated Public Alert and Warning System Subcommittee established under section 2(b) of the Integrated Public Alert and Warning System Modernization Act of 2015.

“(c) SYSTEM REQUIREMENTS.—The public alert and warning system shall—

“(1) to the extent determined appropriate by the Administrator, incorporate multiple communications technologies;

“(2) be designed to adapt to, and incorporate, future technologies for communicating directly with the public;

“(3) to the extent technically feasible, be designed—

“(A) to provide alerts to the largest portion of the affected population feasible, including nonresident visitors and tourists, individuals with disabilities, individuals with access and functional needs, and individuals with limited-English proficiency; and

“(B) to improve the ability of remote areas to receive alerts;

“(4) promote local and regional public and private partnerships to enhance community preparedness and response;

“(5) provide redundant alert mechanisms where practicable so as to reach the greatest number of people; and

“(6) to the extent feasible, include a mechanism to ensure the protection of individual privacy.

“(d) USE OF SYSTEM.—Except to the extent necessary for testing the public alert and warning system, the public alert and warning system shall not be used to transmit a message that does not relate to a natural disaster, act of terrorism, or other man-made disaster or threat to public safety.

“(e) PERFORMANCE REPORTS.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Integrated Public Alert and Warning System Modernization Act of 2015, and annually thereafter through 2018, the Administrator shall make available on the public website of the Agency a performance report, which shall—

“(A) establish performance goals for the implementation of the public alert and warning system by the Agency;

“(B) describe the performance of the public alert and warning system, including—

“(i) the type of technology used for alerts and warnings issued under the system;

“(ii) the measures taken to alert, warn, and provide equivalent information to individuals with disabilities, individuals with access and function needs, and individuals with limited-English proficiency; and

“(iii) the training, tests, and exercises performed and the outcomes obtained by the Agency;

“(C) identify significant challenges to the effective operation of the public alert and warning system and any plans to address these challenges;

“(D) identify other necessary improvements to the system; and

“(E) provide an analysis comparing the performance of the public alert and warning system with the performance goals established under subparagraph (A).

“(2) CONGRESS.—The Administrator shall submit to the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives each report required under paragraph (1).”

(b) INTEGRATED PUBLIC ALERT AND WARNING SYSTEM SUBCOMMITTEE.—

(1) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency (in this subsection referred to as the “Administrator”) shall establish a subcommittee to the National Advisory Council established under section 508 of the Homeland Security Act of 2002 (6 U.S.C. 318) to be known as the Integrated Public Alert and Warning System Subcommittee (in this subsection referred to as the “Subcommittee”).

(2) MEMBERSHIP.—Notwithstanding section 508(c) of the Homeland Security Act of 2002 (6 U.S.C. 318(c)), the Subcommittee shall be composed of the following members (or their designees):

(A) The Deputy Administrator for Protection and National Preparedness of the Federal Emergency Management Agency.

(B) The Chairman of the Federal Communications Commission.

(C) The Administrator of the National Oceanic and Atmospheric Administration of the Department of Commerce.

(D) The Assistant Secretary for Communications and Information of the Department of Commerce.

(E) The Under Secretary for Science and Technology of the Department of Homeland Security.

(F) The Under Secretary for the National Protection and Programs Directorate.

(G) The Director of Disability Integration and Coordination of the Federal Emergency Management Agency.

(H) The Chairperson of the National Council on Disability.

(I) Qualified individuals appointed by the Administrator as soon as practicable after the date of enactment of this Act from among the following:

(i) Representatives of State and local governments, representatives of emergency management agencies, and representatives of emergency response providers.

(ii) Representatives from federally recognized Indian tribes and national Indian organizations.

(iii) Individuals who have the requisite technical knowledge and expertise to serve on the Subcommittee, including representatives of—

(I) communications service providers;

(II) vendors, developers, and manufacturers of systems, facilities, equipment, and capabilities for the provision of communications services;

(III) third-party service bureaus;

(IV) the broadcasting industry, including public broadcasting;

(V) the commercial mobile radio service industry;

(VI) the cable industry;

(VII) the satellite industry;

(VIII) national organizations representing individuals with disabilities, the blind, deaf, and hearing-loss communities, individuals with access and functional needs, and the elderly;

(IX) consumer or privacy advocates; and  
(X) organizations representing individuals with limited-English proficiency.

(iv) Qualified representatives of such other stakeholders and interested and affected parties as the Administrator considers appropriate.

(3) CHAIRPERSON.—The Deputy Administrator for Protection and National Preparedness of the Federal Emergency Management Agency shall serve as the Chairperson of the Subcommittee.

(4) MEETINGS.—

(A) INITIAL MEETING.—The initial meeting of the Subcommittee shall take place not later than 120 days after the date of enactment of this Act.

(B) OTHER MEETINGS.—After the initial meeting, the Subcommittee shall meet, at least annually, at the call of the Chairperson.

(5) CONSULTATION WITH NONMEMBERS.—The Subcommittee and the program offices for the integrated public alert and warning system for the United States shall consult with individuals and entities that are not represented on the Subcommittee to consider new and developing technologies that may be beneficial to the public alert and warning system, including—

(A) the Defense Advanced Research Projects Agency;

(B) entities engaged in federally funded research; and

(C) academic institutions engaged in relevant work and research.

(6) RECOMMENDATIONS.—The Subcommittee shall—

(A) develop recommendations for an integrated public alert and warning system; and

(B) in developing the recommendations under subparagraph (A), consider—

(i) recommendations for common alerting and warning protocols, standards, terminology, and operating procedures for the public alert and warning system; and

(ii) recommendations to provide for a public alert and warning system that—

(I) has the capability to adapt the distribution and content of communications on the basis of geographic location, risks, or personal user preferences, as appropriate;

(II) has the capability to alert and warn individuals with disabilities and individuals with limited-English proficiency;

(III) to the extent appropriate, incorporates multiple communications technologies;

(IV) is designed to adapt to, and incorporate, future technologies for communicating directly with the public;

(V) is designed to provide alerts to the largest portion of the affected population feasible, including nonresident visitors and tourists, and improve the ability of remote areas to receive alerts;

(VI) promotes local and regional public and private partnerships to enhance community preparedness and response; and

(VII) provides redundant alert mechanisms, if practicable, to reach the greatest number of people regardless of whether they have access to, or use, any specific medium of communication or any particular device.

(7) REPORT.—

(A) SUBCOMMITTEE SUBMISSION.—Not later than 1 year after the date of enactment of this Act, the Subcommittee shall submit to the National Advisory Council a report containing any recommendations required to be developed under paragraph (6) for approval by the National Advisory Council.

(B) SUBMISSION BY NATIONAL ADVISORY COUNCIL.—If the National Advisory Council

approves the recommendations contained in the report submitted under subparagraph (A), the National Advisory Council shall submit the report to—

(i) the head of each agency represented on the Subcommittee;

(ii) the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate; and

(iii) the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives.

(8) **TERMINATION.**—The Subcommittee shall terminate not later than 3 years after the date of enactment of this Act.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this Act and the amendments made by this Act such sums as may be necessary for each of fiscal years 2016, 2017, and 2018.

(d) **LIMITATIONS ON STATUTORY CONSTRUCTION.**—

(1) **DEFINITION.**—In this subsection, the term “participating commercial mobile service provider” has the meaning given that term under section 10.10(f) of title 47, Code of Federal Regulations, as in effect on the date of enactment of this Act.

(2) **LIMITATIONS.**—Nothing in this Act, including an amendment made by this Act, shall be construed—

(A) to affect any authority—

(i) of the Department of Commerce;

(ii) of the Federal Communications Commission; or

(iii) provided under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.);

(B) to provide the Secretary of Homeland Security with authority to require any action by the Department of Commerce, the Federal Communications Commission, or any nongovernmental entity;

(C) to apply to, or to provide the Administrator of the Federal Emergency Management Agency with authority over, any participating commercial mobile service provider;

(D) to alter in any way the wireless emergency alerts service established under the Warning, Alert, and Response Network Act (47 U.S.C. 1201 et seq.) or any related orders issued by the Federal Communications Commission after October 13, 2006; or

(E) to provide the Federal Emergency Management Agency with authority to require a State or local jurisdiction to use the integrated public alert and warning system of the United States.

#### E-WARRANTY ACT OF 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 142, S. 1359.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1359) to allow manufacturers to meet warranty and labeling requirements for consumer products by displaying the terms of warranties on Internet websites, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Fisch-

er-Nelson amendment be agreed to; the bill, as amended, be read a third time and passed; and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2214) was agreed to, as follows:

(Purpose: To improve the bill)

On page 3, line 21, strike “on” and insert “for”.

On page 4, line 1, insert “, through electronic or other means,” after “available”.

On page 4, line 3, strike “on” and insert “for”.

The bill (S. 1359), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1359

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “E-Warranty Act of 2015”.

#### SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Many manufacturers and consumers prefer to have the option to provide or receive warranty information online.

(2) Modernizing warranty notification rules is necessary to allow the United States to continue to compete globally in manufacturing, trade, and the development of consumer products connected to the Internet.

(3) Allowing an electronic warranty option would expand consumer access to relevant consumer information in an environmentally friendly way, and would provide additional flexibility to manufacturers to meet their labeling and warranty requirements.

#### SEC. 3. ELECTRONIC DISPLAY OF TERMS OF WRITTEN WARRANTY FOR CONSUMER PRODUCTS.

(a) **IN GENERAL.**—Section 102(b) of the Magnuson-Moss Warranty—Federal Trade Commission Improvement Act (15 U.S.C. 2302(b)) is amended by adding at the end the following:

“(4)(A) Except as provided in subparagraph (B), the rules prescribed under this subsection shall allow for the satisfaction of all requirements concerning the availability of terms of a written warranty on a consumer product under this subsection by—

“(i) making available such terms in an accessible digital format on the Internet website of the manufacturer of the consumer product in a clear and conspicuous manner; and

“(ii) providing to the consumer (or prospective consumer) information with respect to how to obtain and review such terms by indicating on the product or product packaging or in the product manual—

“(I) the Internet website of the manufacturer where such terms can be obtained and reviewed; and

“(II) the phone number of the manufacturer, the postal mailing address of the manufacturer, or another reasonable non-Internet based means of contacting the manufacturer to obtain and review such terms.

“(B) With respect to any requirement that the terms of any written warranty for a consumer product be made available to the consumer (or prospective consumer) prior to sale of the product, in a case in which a consumer product is offered for sale in a retail

location, by catalog, or through door-to-door sales, subparagraph (A) shall only apply if the seller makes available, through electronic or other means, at the location of the sale to the consumer purchasing the consumer product the terms of the warranty for the consumer product before the purchase.”.

#### (b) REVISION OF RULES.—

(1) **IN GENERAL.**—Not later than 1 year after the date of the enactment of this Act, the Federal Trade Commission shall revise the rules prescribed under such section to comply with the requirements of paragraph (4) of such section, as added by subsection (a) of this section.

(2) **AUTHORITY TO WAIVE REQUIREMENT FOR ORAL PRESENTATION.**—In revising rules under paragraph (1), the Federal Trade Commission may waive the requirement of section 109(a) of such Act (15 U.S.C. 2309(a)) to give interested persons an opportunity for oral presentation if the Commission determines that giving interested persons such opportunity would interfere with the ability of the Commission to revise rules under paragraph (1) in a timely manner.

#### RESOLUTIONS SUBMITTED TODAY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate now proceed to the en bloc consideration of the following Senate resolutions, which were submitted earlier today: S. Res. 219, designating July 25, 2015, as “National Day of the American Cowboy”; S. Res. 220, commemorating the 50th Anniversary of the Medora Musical; and S. Res. 221, recognizing the 100th anniversary of Rocky Mountain National Park.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. MCCONNELL. I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be considered made and laid upon the table en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The resolutions, with their preambles, are printed in today’s RECORD under “Submitted Resolutions.”)

#### EVERY CHILD ACHIEVES ACT OF 2015

AMENDMENT NO. 2119, AS MODIFIED

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding the adoption of the Gardner amendment No. 2119, that the modification of the page and line numbers, which is at the desk, be made.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2119), as modified, is as follows:

On page 19, line 24, insert “public charter school representatives (if applicable),” before “specialized”.

On page 98, line 10, insert “public charter school representatives (if applicable),” after “leaders.”.

LETTER OF RESIGNATION FROM  
THE U.S. AIR FORCE ACADEMY  
BOARD OF VISITORS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the following letter of resignation from the U.S. Air Force Academy Board of Visitors be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,  
July 8, 2015.

Hon. JOSEPH R. BIDEN, JR.  
*Vice President of the United States, The White House, Washington, DC.*

DEAR MR. VICE PRESIDENT: I have been honored to serve as a member of the U.S. Air Force Academy Board of Visitors for the past four years. I have appreciated the opportunity to represent and advise one of the finest military academies in the world.

Serving as a member of the Board has been one of the great honors of my career. However, due to my increasingly demanding schedule, I regret that I must resign from my position. I am fully confident that your next appointee will be an outstanding person of character who embodies the values and ideals of the U.S. Air Force.

Again, thank you for the opportunity to serve the men and women of the Air Force Academy.

Sincerely,

LINDSEY O. GRAHAM,  
*U.S. Senator.*

ORDERS FOR MONDAY, JULY 13,  
2015

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m. on Monday, July 13; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate be in a period of

morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each; that lastly, following morning business, the Senate then resume consideration of S. 1177.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL MONDAY,  
JULY 13, 2015, AT 3 P.M.

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:34 p.m., adjourned until Monday, July 13, 2015, at 3 p.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

DARLENE MICHELE SOLTYS, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, VICE NATALIA COMBS GREENE, RETIRED.

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

*To be brigadier general*

COLONEL DAVID W. ASHLEY  
COLONEL JEREMY O. BAENEN  
COLONEL STEPHEN F. BAGGERLY  
COLONEL SAMUEL W. BLACK  
COLONEL CHRISTINE M. BURCKLE  
COLONEL DAVID B. BURG  
COLONEL JANUS D. BUTCHER  
COLONEL JOHN D. CAINE  
COLONEL CRAIG A. CAMPBELL  
COLONEL JOSEPH S. CHISOLM  
COLONEL FLOYD W. DUNSTAN  
COLONEL DOUGLAS A. FARNHAM  
COLONEL LAURIE M. FARRIS  
COLONEL JERRY L. FENWICK  
COLONEL DAWN M. FERRELL  
COLONEL DOUGLAS E. FICK  
COLONEL ARTHUR J. FLORU  
COLONEL DONALD A. FURLAND  
COLONEL TIMOTHY H. GAASCH  
COLONEL KERRY M. GENTRY

COLONEL JEROME M. GOUHIN  
COLONEL RANDY E. GREENWOOD  
COLONEL ROBERT J. GREY, JR.  
COLONEL EDITH M. GRUNWALD  
COLONEL GREGORY M. HENDERSON  
COLONEL ELIZABETH A. HILL  
COLONEL JOHN S. JOSEPH  
COLONEL JILL A. LANNAN  
COLONEL JAMES M. LEFAVOR  
COLONEL JEFFREY A. LEWIS  
COLONEL TIMOTHY T. LUNDERMAN  
COLONEL ERIC W. MANN  
COLONEL BETTY J. MARSHALL  
COLONEL SHERRIE L. MCCANDLESS  
COLONEL KEVIN T. MCMANAMAN  
COLONEL DAVID J. MEYER  
COLONEL ROBERT A. MEYER, JR.  
COLONEL STEVEN S. NORDHAUS  
COLONEL SCOTT W. NORMANDEAU  
COLONEL RICHARD C. OXNER, JR.  
COLONEL KIRK S. PIERCE  
COLONEL THERESA B. PRINCE  
COLONEL DAVID L. ROMUALD  
COLONEL EDWARD A. SAULEY III  
COLONEL KEITH A. SCHELL  
COLONEL BRIAN M. SIMPLER  
COLONEL CHARLES G. STEVENSON  
COLONEL BRADLEY A. SWANSON  
COLONEL DEAN A. TREMP  
COLONEL WILLIAM M. VALENTINE  
COLONEL RICHARD W. WEDAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be brigadier general*

COL. STEVEN A. SCHAICK

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be brigadier general*

COL. JEFFREY A. DOLL

DISCHARGED NOMINATION

The Senate Committee on Energy and Natural Resources was discharged from further consideration of the following nomination pursuant to the order of June 28, 1990 and the nomination was placed on the Executive Calendar:

\*MONICA C. REGALBUTO, OF ILLINOIS, TO BE AN ASSISTANT SECRETARY OF ENERGY (ENVIRONMENTAL MANAGEMENT).

\*Nominee has committed to respond to requests to appear and testify before any duly constituted committee of the Senate.

## EXTENSIONS OF REMARKS

RECOGNIZING THE DEDICATED SERVICE OF JOE VIOLANTE TO OUR GREAT NATION AND HER WARRIORS

**HON. JEFF MILLER**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 9, 2015*

Mr. MILLER of Florida. Mr. Speaker, on July 31, our Nation's veterans will lose one of their strongest advocates when Joe Violante retires as the National Legislative Director for the Disabled American Veterans at DAV's National Service and Legislative Headquarters here in Washington, DC.

A New Jersey native, Mr. Violante joined the Marine Corps in 1969. He served with the 2nd Battalion, 4th Marines and Battalion Landing Team 2/4 in Southeast Asia where he was injured. After being discharged in 1972 with the rank of sergeant, Mr. Violante received a bachelor's degree in history and political science from the University of New Mexico, and eventually earned his law degree from San Fernando Valley College of Law, in California. Following private practice in California, Mr. Violante began working as a VA Staff Attorney at the Board of Veterans' Appeals in 1985. But Joe felt he could better serve veterans by working for an organization that advocates for veterans.

Leaving the VA, Mr. Violante joined DAV's professional staff as Staff Counsel/Judicial Appeals Representative at the United States Court of Appeals for Veterans Claims in 1990. Following his time at the Board, Mr. Violante was appointed Legislative Counsel for DAV in 1992 and was later promoted to Deputy National Legislative Director in 1996 and Legislative Director in 1997. In addition to his work at DAV, Mr. Violante has served on numerous boards and committees.

Mr. Violante served as a member of the Board of the National Foundation for Women Legislators from 2001 to 2009 and a member of the Board of Governors of the Federal Circuit Bar Association from 2001 to 2004. Additionally, Mr. Violante co-hosted "Veterans' Forum," a local cable television program dedicated to veterans' issues from 1991 to 1994; chaired the Veterans Appeals' Committee and Legislative Committee of the Federal Circuit Bar Association from 1992 to 1996 and 1997 to 2001, respectively; was vice-chair of the American Bar Association Coordinating Committee on Veterans Benefits and Services from 1991 to 1994; and at-large member of the Board of Governors of the Veterans' Law Committee of the Federal Bar Association from 1992 to 1993.

Mr. Speaker, it would be a challenge to find someone who has done more as an advocate for veterans than Mr. Joe Violante. So, in the long-standing tradition of the Navy and Marine Corps, I wish Joe and his family fair winds and following seas. Bravo Zulu Marine.

IN HONOR OF MIKE ROOS

**HON. SAM FARR**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 9, 2015*

Mr. FARR. Mr. Speaker, I rise today to honor the long and distinguished public service career of our friend, Mr. Mike Roos. I had the great honor of working with Mike as colleagues in the California State Assembly along with several other current and former members of this House. I count myself fortunate to call him a good friend. After many years of public service, Mike is retiring from Mike Roos and Company, the public affairs firm that he founded in 1999, and turning to the next chapter of his life.

The firm that Mike shaped specializes in government relations, corporate issues management, media relations, and ballot measure campaigns. Prior to establishing Mike Roos and Company, Mike served as President and CEO of the Los Angeles Alliance for Restructuring Now, a coalition of business and civic leaders from the Los Angeles Area dedicated to implementing systemic reform and restructuring within the Los Angeles Unified School District. His significant efforts in this capacity have undoubtedly changed countless lives of children in the Los Angeles area for the better.

Mike's distinguished Assembly career began in 1977. He earned the love and respect of both his Democratic and Republican colleagues. His own caucus chose him Majority Floor Leader in his second term, a position he held until his 1987 election as Assembly Speaker Pro Tempore. He had the reputation as a genuine legislator—someone who used the power of lawmaking to make the lives of the People of California better. Perhaps his most well known achievement is the Mello Roos Community Facilities Act of 1982 and the Roberti-Roos Weapons Control Act of 1989. Mike authored the finest and strictest laws to date protecting the confidentiality of HIV patients, as well as the law creating the Alternative Test Sites Program, which established centers where individuals could receive free, anonymous testing for the AIDS antibody. He consistently fought for a better education for all, authoring legislation prohibiting sex discrimination in California's educational institutions.

Prior to his election to the State Assembly, Mike served as the Executive Director of the Coro Foundation, a leadership training program for future leaders in public service. Thanks to his substantial experience and insight, he continues to be a valuable consultant to civic and educational organizations, speaking on topics ranging from education reform to the legislative process in California politics.

Mr. Speaker, I know I speak for the whole House in thanking Mike for his years of service on behalf of the people of California. I

know he looks forward to spending more time with his family in this next chapter of his life, including his four daughters Shelby, Melissa, Catherine, and Caroline. I wish him nothing but success and happiness.

RECOGNIZING BRIAN NEWBY ON HIS PROMOTION TO THE RANK OF MAJOR GENERAL

**HON. KAY GRANGER**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 9, 2015*

Ms. GRANGER. Mr. Speaker, I rise today to honor Brian C. Newby on his promotion to the rank of Major General, United States Air Force.

I have known Major General Newby for many years and have the honor of calling him my friend. He is a man of integrity and kindness. He is the epitome of what a General should be.

Major General Newby was born in Dayton, Ohio, but attended Western Hills High School in Fort Worth. He was commissioned in 1983 as a distinguished graduate of the Air Force ROTC program at Texas Tech University and earned a law degree from the University of Texas Law School in 1986.

For more than 25 years he has been a true National Guardsman, serving his country while also working at senior positions in government and at a top legal firm.

He served as the Chief of Staff and Deputy Commander of the Texas Air National Guard before being promoted to Brigadier General.

Major General Newby also served as Chief of Staff to former Texas Governor Rick Perry and in that capacity co-chaired the State of Texas' recovery efforts following Hurricane Ike. He also served as the Governor's General Counsel before being appointed to serve as Chief of Staff.

He currently holds an Of Counsel position at Cantey Hanger, LLP of Fort Worth while also maintaining his own legal practice.

Major General Newby has been and continues to be an incredible public servant.

RECOGNIZING PAUL GROMOSIAK FOR HIS SUSTAINED COMMITMENT TO THE NIAGARA FALLS COMMUNITY

**HON. BRIAN HIGGINS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 9, 2015*

Mr. HIGGINS. Mr. Speaker, I stand before you today to recognize and honor Mr. Paul Gromosiak for his passionate support of and commitment to the City of Niagara Falls and

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Niagara Falls State Park. As a tribute to his hard work and dedication, a monument will be placed at Heritage Park commemorating his impact on the community.

As a committed life-long Western New Yorker, Mr. Gromosiak has inspired countless individuals who have come to visit the Niagara Falls State Park. He graduated from Niagara University with a B.S. in Chemistry and went on to receive a permanent certification in mathematics as well as in chemistry and general science from the State University of New York.

Mr. Gromosiak has spent countless hours walking the park and helping visitors learn more about the nation's oldest park. Moreover, he has authored numerous books about the place that means so much to him. In addition to being a well-respected historian, he is also an engaging teacher and a dedicated leader in the community. He worked as a chemistry teacher in the Niagara Falls School District as well as a chemist for both the Eastman Kodak Company and the Hooker Chemical Company.

Mr. Gromosiak is frequently interviewed by national and local media for his insight on the history and continued progress of Niagara Falls. In 1989, Mr. Gromosiak appeared on the CBS program "America Tonight" for a special segment on the environment surrounding Niagara Falls. He served as a guest columnist for The Buffalo News and The Niagara Gazette. Furthermore, he was consulted in 1993 by Canada's weekly news magazine MacLean's for information on the storied custom of honeymooning in the Falls. In 1997, he was featured in the PBS documentary "Fading in the Mist," speaking about efforts to maintain the natural environment of Niagara Falls. Mr. Gromosiak also contributed to a web page on the history of Niagara Falls.

Mr. Gromosiak has been an avid fighter for the City of Niagara Falls and has championed projects such as the Niagara Experience Center as well as the relocation of the Stone Chimney. His ideas have sparked interest in and made the region's history more accessible to the public, as exemplified by his emphasis on history as an experience.

Family and friends of Mr. Gromosiak can attend the event to unveil the monument in his honor. It takes place on Friday, July 10th at 11pm at Heritage Park on Main and Buffalo.

Mr. Speaker, thank you for allowing me a few moments to recognize Mr. Paul Gromosiak. I ask that my colleagues join me in congratulating Mr. Gromosiak for his vital influence on the City of Niagara Falls, the State Park, and the community. His outstanding impact is derived from a deep understanding of the region's rich history, an innovative vision for its future, and a passion for its success.

IN RECOGNITION OF THE 100TH ANNIVERSARY OF THE CAPE, ISLANDS AND SOUTHEAST MASSACHUSETTS CHAPTER OF THE AMERICAN RED CROSS

**HON. WILLIAM R. KEATING**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 2015

Mr. KEATING. Mr. Speaker, I rise today in recognition of the 100th anniversary of the

Cape, Islands and Southeast Massachusetts Chapter of the American Red Cross.

Established in 1915, this Chapter of the American Red Cross of Massachusetts has served as a lifeline within our community—responding to the needs of residents and visitors alike by providing food, shelter and other disaster assistance in emergencies, teaching life-saving skills, and organizing blood drives. The Cape, Islands, and Southeast Chapter reaches a population of more than 1.2 million people across Barnstable, Bristol, Plymouth, Nantucket and Dukes counties and saves millions more from suffering the harm or loss of a loved one.

The American Red Cross of Massachusetts has served as a pillar for our community through the world's most trying times and through local and regional challenges. During the First World War, the Red Cross notably sent nurses to treat recovering soldiers and undertook initiatives such as knitting over 90,000 pairs of socks and treating the sick infected with influenza during the height of the epidemic. In 1955 when Hurricanes Edna, Carol and Hazel hit Massachusetts the Chapter provided shelter and food services to over 200 people across Cape Cod. By 1991, the number of people it was able to provide shelter to had increased to 17,000. After the 9/11 terrorist attacks the Chapter's blood drives was inundated with willing volunteers that individuals were asked to return at a later date. Chapter volunteers responded once again when Hurricane Katrina struck the shores of the southern United States by sending volunteers down to the areas hardest hit. And, most recently, when tragedy struck closer to home at the Boston Marathon in 2013, Chapter volunteers were quick to become involved in relief efforts.

Furthermore, this Chapter has a global reach. Volunteers have gone on to serve in the International Red Cross across the globe, from war-torn Afghanistan to impoverished African nations. Chapter volunteers exemplify the Red Cross' mission to prevent and alleviate human suffering in the face of emergencies by mobilizing the power of volunteers and the generosity of donors. I am proud of the work they have done in Southeast Massachusetts and beyond.

Mr. Speaker, I ask my colleagues to join me in celebrating the 100th anniversary of the Cape, Islands and Southeast Massachusetts Chapter of the American Red Cross. I take comfort knowing that this Chapter will remain a vital humanitarian organization in not only the Commonwealth, but across the nation and the world, for generations to come.

TRIBUTE TO JERRY MATHIASSEN

**HON. DAVID YOUNG**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Mr. Jerry Mathiasen of Council Bluffs. Jerry was recently named the president and CEO of the Pottawattamie County Community Foundation (PCCF). He had previously served as the in-

terim president and CEO at PCCF before his most recent post. PCCF serves as a community builder within Council Bluffs and the surrounding area by leveraging partnerships and providing grants across the county to improve the lives of its citizens.

As a native of Council Bluffs, Jerry returned home after serving in the administration of Governor Terry Branstad for 14 years. Once home, he gave his time and talents to the Iowa West Foundation for almost 18 years. Jerry has had a long, successful career as a philanthropic leader and has earned the title of President and CEO of PCCF.

I applaud and congratulate Jerry for his recent promotion to President and CEO of PCCF. I am proud to represent him in the United States Congress and I know that my colleagues will join me in congratulating Jerry and wishing him nothing but continued success in the future.

PERSONAL EXPLANATION

**HON. ROBERT HURT**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 2015

Mr. HURT of Virginia. Mr. Speaker, I was not present for Roll Call vote #417 on House Amendment 64 to H.R. 5. Had I been present, I would have voted "no."

HONORING CHANCELLOR WILLIAM "BRIT" KIRWAN

**HON. ANDY HARRIS**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 2015

Mr. HARRIS. Mr. Speaker, I rise today to honor an outstanding educator and faithful public servant, Chancellor William "Brit" Kirwan, for his years of faithful dedication to the University System of Maryland. After 46 years as an exemplary advocate of educational excellence, Mr. Kirwan retired last month. I would like to thank him for his passion, dedication, and commitment to the students of Maryland. From his 24 years as a faculty member, to his decade serving as President of the University of Maryland, College Park, and on to his 12 year tenure as Chancellor of the Maryland University System, Chancellor Kirwan has touched and contributed to the lives of countless Marylanders. In addition to his stewardship of Maryland's institutions of higher education, Chancellor Kirwan has also been a national thought leader on a wide range of topics including innovation, academic transformation and higher education's role in economic development. Among others, Chancellor Kirwan has received the Carnegie Corporation Leadership Award, the Tech Council of Maryland's Lifetime Achievement Award in Education, the Regional Visionary Award from the Greater Baltimore Committee, and the Maryland Chamber of Commerce's Public Service Award. His achievements speak for themselves. Chancellor Kirwan's services have been greatly appreciated and



his efforts will be sorely missed. I congratulate Chancellor Kirwan on his many accomplishments and wish him all the best in his retirement. Mr. Speaker, I ask my colleagues to join me today in paying tribute to Chancellor William "Brit" Kirwan for his years of leadership and excellence in the education of Maryland's students.

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PERSONAL EXPLANATION

**HON. YVETTE D. CLARKE**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 9, 2015*

Ms. CLARKE of New York. Mr. Speaker, I was unavoidably detained in my district and missed recorded votes #390 through 391. Had I been present,

On Roll Call #390, Motion to Close Portions of the Conference on H.R. 1735—National Defense Authorization Act for Fiscal Year 2016, I would have voted YES;

On Roll Call #391, Concur in the Senate Amendment to H.R. 91—Veteran's I.D. Card Act, I would have voted YES.

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TRIBUTE TO KNAPP PROPERTIES INC.

**HON. DAVID YOUNG**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 9, 2015*

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Knapp Properties, Incorporated of Des Moines, Iowa. Knapp Properties was recently recognized for their outstanding commitment to business ethics by the Better Business Bureau (BBB) and presented with a 2015 Integrity Award.

The Better Business Bureau has been developing and administering self-regulation programs for the business community for the past 75 years. The Integrity Awards were established in 1993 to recognize exemplary businesses while promoting the BBB's mission of leadership in advancing marketplace trust.

Knapp Properties has lived up to these goals and strives to treat all of their associates with the same respect and integrity that they would expect in return. This attitude spreads throughout the entire organization from their President, Gary Neugent.

I applaud and congratulate Knapp Properties for earning this prestigious award. I am proud to represent them in the U.S. Congress and I know that my colleagues join me in congratulating Knapp Properties Inc. and wishing them nothing but continued success in the future.

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IRAN

**HON. ROD BLUM**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 9, 2015*

Mr. BLUM. Mr. Speaker, I appreciate the work of the Chairman and the Members of her subcommittee.

I rise today with grave concerns about this agreement that could very well lead to an increased likelihood of a nuclear Iran.

This outcome is unacceptable and the consequences would have harmful effects on our country and the region.

Simply put, we cannot trust a country that continues to sponsor and sanction terrorism against U.S. interests and actively promotes the destruction of our strongest ally in the Middle East—Israel.

The United States must limit opportunities for Iran to obtain nuclear weapons rather than providing avenues for the spread of such weapons.

A nuclear Iran will be very unlikely to respond to peaceful international intervention. By permitting Iran to obtain nuclear weapons capability—even after 10 years—we will increase the likelihood of future military action in the Middle East.

This will increase the burden on our already strained military and put the brave men and women of our armed forces at risk unnecessarily—while increasing the possibility of further destabilization in multiple countries in the Middle East.

Additionally, by lifting the sanctions on Iran and releasing the money held in accounts held abroad will we be promoting the further funding by Iran of terrorist activities and groups such as Hamas and the Taliban. Strengthening a regime well known for state sponsorship of terrorism goes against all reason.

Further, we can be sure that other countries are looking at this agreement with Iran as a bellwether of permissive activity. If one country in the region is allowed by the United States to obtain a nuclear weapon, surely others will look to follow suit.

It's my belief that Congress should step up the pressure and reject any agreement that does not meet our nation's strategic objectives. I am deeply concerned that the U.S., once a strong leader on the world stage, is now allowing ourselves to be duped and undercut by a country with an agenda of terror and instability rather than the peace and cooperation that developed nations seek.

I urge my colleagues to reject any agreement that diminishes the standing of the U.S. and does not completely cut off weaponized nuclear capabilities for Iran.

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RECOGNIZING RIGIDIZED METALS CORPORATION FOR ITS OUTSTANDING INNOVATION AND ITS PASSION FOR THE BUFFALO COMMUNITY

**HON. BRIAN HIGGINS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 9, 2015*

Mr. HIGGINS. Mr. Speaker, I stand before you today to recognize and honor Rigidized Metals Corporation as it celebrates its 75th Anniversary. Along with the dedicated team of Rigidized Metals, CEO Rick Smith has made significant contributions to metal technology while sustaining strong local ties. Rigidized Metals consistently seeks to improve both its product and the region, focusing on energy

and environmental sustainability as well as maintaining the highest quality product.

Since 1940, Rigidized Metals has been fostering collaboration, passion, and achievement both in its field and among its employees. The company continues to attend events such as trade shows to continue its improvement and discuss ways to further reduce cost, energy use, and environmental harm. Rigidized Metals manufactures, textures, and finished metals that are not only made of sixty-percent recycled material but that are also one-hundred-percent recyclable. Moreover, Rigidized Metals has received LEED Credits, which recognizes its leadership in energy and environmental design.

Besides their positive ecological impact, the company strives for durability, strength, and natural beauty in their products. From impact resistant railing overlooking Niagara Falls to scratch-resistant textured metal in the National Hockey League's locker room, Rigidized Metal's products are designed expertly to augment each unique environment, considering factors such as acoustics, shade and reflection. Its Cave of the Winds project in Niagara Falls required a unique curvature, lightweight structure, moisture resistance, and a textured depth. Another local project at the Burchfield Penny Art Center includes light and projector totems along the side of the institute, allowing for a new and public approach to viewing art.

The company does not shy from a challenge and is recognized for its national influence. A research collaboration with the University at Buffalo School of Architecture combines industry and academia to achieve a seemingly impossible vertical metal installation that opens up the field to further metal work opportunities.

Family and friends of the Rigidized Metals team will attend the anniversary celebration to commemorate its achievements and usher in a new era of innovation. It took place on Wednesday, July 8th at 4pm at 658 Ohio Street, where the newly remodeled transfer station was revealed. The revitalization of the station reflects Rigidized Metals work within the community as it reinvigorates historic landmarks rather than build new facilities. It now features a gallery showroom for products at a key location on Ohio Street, connecting the Inner and Outer Harbors.

Mr. Speaker, thank you for allowing me a few moments to recognize Rigidized Metal Corporation and my good friend Rick Smith on the occasion of the company's 75th Anniversary. Rick is the third generation president. The company was founded by his grandfather, Rick Smith, followed by his father, until Rick took the reins in 2000. I ask that my colleagues join me in congratulating the company for its leadership in quality, architectural design, sustainability, and commitment to community. Its exceptional impact resides in its pioneering technology, longstanding leadership, and passion for future success in Buffalo and beyond.

CELEBRATING THE SERVICE OF  
JOSHUA ZARKA

**HON. MARK MEADOWS**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 9, 2015*

Mr. MEADOWS. Mr. Speaker, I rise today to recognize the excellent work of Joshua Zarka. Since 2011, Josh has served as the Minister for Congressional Affairs at the Israeli Embassy in Washington, D.C. At the end of July, Josh will conclude his service at the Embassy and return to Israel for a new chapter in his career.

The United States has historically maintained a warm relationship with Israel. This friendship is built by those at the executive level, but nurtured by diplomatic staffs, such as Josh, who work tirelessly behind the scenes to further our countries' shared goals. In his role as a liaison to the United States Congress, Josh has worked with many of my colleagues and me to strengthen this relationship. Josh's energy and commitment to follow up on even the smallest details was evident each and every day.

Joshua Zarka serves as an example of how diplomacy should take place—friends first. His desire to serve Israel and the broader U.S.-Israel relationship is seldom seen and equal. He will be dearly missed, and I wish him well in his studies at the Israel National Defense College.

HONORING TONY J. JARAMILLO,  
SR.

**HON. MICHELLE LUJAN GRISHAM**

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 9, 2015*

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to join with family and friends in celebrating Tony J. Jaramillo, Sr.'s 87th birthday.

Tony was born July 14, 1928 in Socorro County to Juan and Flora Jaramillo—he was the eldest of eight children. When it came time to start high school, Tony received a scholarship to attend Lourdes High School in Albuquerque with the intent of becoming a priest. Ultimately, Tony decided not to stay at Lourdes and would later graduate from Socorro High School in 1947. Shortly after, in 1948, he married the love of his life, Gloria Jean Bowers and they started a family.

What drives Tony is his passion for politics, his selfless dedication to public service, and his resolve to ensure that the citizens of Socorro are living in a thriving community. He has held many elected offices during his lifetime, beginning with Justice of the Peace from 1966 through 1970; member of the Socorro School Board from 1966 through 1972; member of the Socorro City Council from 1970 through 1978; Mayor of Socorro from 1978 through 1986; and Socorro County Manager from 1986 through 1990. He has also been very involved in the Democratic Party, serving as the Democratic Party Chairman from 1972 to 1988 where he actively engaged the New Mexico Legislature.

As a businessman, Tony has been very successful. A licensed Real Estate Broker, he owned and operated a Property and Casualty Agency for many years and was the owner of La Fiesta Bakery and the Mountain Mail Newspaper. Many in Socorro remember his time as the manager of the local Loma Theater, a position he held for over 20 years. And, when he served as mayor, he made economic development a priority and brought the Industrial Park and new businesses to the city.

He and his wife, Gloria, raised eight children and they have many grandchildren and great grandchildren. I would like to extend a "Happy Birthday" to Tony J. Jaramillo, Sr., and thank him for his dedicated public service and for his efforts to create a vibrant community for the citizens of Socorro.

SPEECH OF MARYAM RAJAVI, THE  
ELECTED PRESIDENT OF THE  
NATIONAL COUNCIL OF RESISTANCE OF IRAN (NCR) IN 2015  
PARIS GRAND GATHERING OF  
THE IRANIAN RESISTANCE—13  
JUNE 2015

**HON. ROBERT PITTENGER**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 9, 2015*

Mr. PITTENGER. Mr. Speaker, I submit the following speech by Maryam Rajavi, the elected President of the National Council of Resistance of Iran (NRC).

In the name of God, In the name of Iran, In the name of Freedom, In the name of 120,000 shining stars, the blazing flames of honor and dignity who defied the religious tyranny, and In the name of all the unsung heroes and heroines who made the ultimate sacrifice so that others could live free; so that in the darkest hour of her history, Iran shines with stars, stands proud and cries out: "Down with the velayat-e faqih regime!"

VOICE AND MESSAGE OF IRAN'S GENUINE  
OWNERS

Elected representatives of nations around the globe, Honorable dignitaries, My fellow compatriots, here and all over Iran: I sincerely extend my gratitude to you all for joining this gathering. We have come here to convey to the world the voice and message of Iran's rightful owners, the Iranian people. Amid an unrelenting uproar over the Iranian regime's ominous nuclear program and three inhuman wars in the region, we have come to say that those who are speaking on behalf of Iran are in fact the enemies of Iran and all Iranians. The people of Iran neither want nuclear weapons, nor meddling in Iraq, Syria or Yemen, nor despotism, torture and shackles. The people of Iran are the tens of millions of enraged teachers, students, nurses and workers who demand freedom, democracy, jobs and livelihood.

They say: First, the velayat-e faqih regime has reached the end of the line. Second, the only way to end the violations of human rights in Iran, the nuclear impasse, the crises in the region, and the confrontation with ISIS and terrorism, is to topple the Caliph of regression and terrorism in Iran.

MAJOR CHANGE, A COMMON DEMAND

Look at Iran as it has risen up today. It is inflamed and seething despite nearly 1,800 executions during Hassan Rouhani's tenure:

The uprising in Mahabad and the protests in Sanandaj, Sardasht, Saqqez and Mariwan, reflect the courage and upheaval of Iranian Kurds in the face of crime and injustice. Successive demonstrations by teachers all across our nation echo the cries of those who have been ignored and have now risen up for the right to life and right to freedom; The daily strikes and sit-ins by workers resonate the outcries of starving families nationwide; Dozens of armed clashes involving young Baluchis, Kurds and Arabs reflect the fury of an enchained nation which has been denied of any means to protest; Hundreds of hunger strikes and protests by political prisoners, embody the perseverance of a nation that has defeated the mullahs even in torture chambers; The sit-ins of the mothers of death-row prisoners, the protests of Gonabadi and Ahl-e Haq dervishes, and the suffering of impoverished street vendors are the rumblings of a mountain about to erupt. Look at today's Iran. Do you see any Iranian not discontented or not wanting change?

The 15 million deprived and destitute citizens languishing in shanty towns in the suburbs, the 10 to 15 million young people who cannot find jobs and the millions of families feeling the heavy burden of high prices, all of them, feel the same pain and demand major change. So, I am speaking to you, my beloved countrymen and women across the nation. Your resistance, your struggle and your solidarity are stronger than any other force. Stand up to the ruling regime and create 1,000 Ashrafs, meaning 1,000 bastions of rebellion in Iran. Major uprisings will arise out of your protests. And the army of rebellion and liberation will be the harbinger of Iran's freedom for the world.

A DEFEATED NUCLEAR STRATEGY

Ladies and gentlemen: The nuclear program that projected the power of the velayat-e faqih regime for the past quarter century is now a source of the mullahs' weakness and impasse. Why did Khamenei acquiesce to the Geneva Accord, despite being only two to three months away from nuclear weapons capability? The answer is simple: Because he feared another eruption of uprisings; because his nuclear strategy has run aground; and because in the words of his foreign minister, the regime's strategic capacity has been eroded. This explains why the Geneva Accord destabilized the regime and the Lausanne Agreement destabilized it even further. Unlike Khomeini, who drank from the chalice of poison of ceasefire in the Iran-Iraq war in 1988, Khamenei could not agree to a comprehensive deal with the P5+1. He says, "I neither agree nor disagree." This means that his regime is at an impasse. The same situation prevails as pertains to the final, comprehensive agreement. Whether or not Khamenei agrees to it, the regime cannot escape the prospects of being overthrown.

WRAPPING UP THE BOMB-MAKING STRUCTURE

Unfortunately, western governments, the United States in particular, violated UN Security Council resolutions and offered major concessions, propelling the regime closer to the Bomb. I should therefore remind western governments that the Iranian people and Resistance will not accept any agreement that does not dismantle the regime's bomb-making infrastructure. UN Security Council resolutions must be implemented fully. Uranium enrichment must be halted completely. All suspect sites, military or otherwise must be inspected. And the regime must provide answers to the military dimensions of its nuclear project and make its nuclear experts available for IAEA questioning.

P5+1 Leaders: If you do not want a nuclear-armed fundamentalist regime, stop appeasing it. Do not bargain over the human rights of the Iranian people and recognize their organized Resistance which is striving for freedom. You are gravely mistaken in thinking that there is no solution. There is a solution for ending the mullahs' nuclear weapons program: regime change by the Iranian people and Resistance. As the Iranian Resistance's Leader Massoud Rajavi has declared, "Resistance against this regime is our duty and our inalienable right. We have been and will be at war with this regime. With or without enrichment, with and without nuclear weapons, and under any circumstances, the struggle for freedom is the inalienable right of the Iranian people."

#### FAILURES AND FLAWS OF VALI-E FAQIH

Ladies and gentlemen: The regime's critical situation can be seen in Khamenei's failures and in the erosion of his standing. Khamenei has failed to unify the ruling clique. His acquiescence to Rouhani's presidency reflects this failure. This failure, however, was initially neither because of international sanctions nor due to the economic crisis. The most important reason was the Resistance and the Iranian people's uprisings. Today, the regime's Supreme Leader and its President have faced off, bashing one another on a daily basis. The power struggle is reaching the final phase. Rafsanjani has openly called for dividing the power and authority of the Supreme Leader. For the first time, a rival faction has taken shape against Khamenei. The pro-Khamenei faction has significantly split and disintegrated. In other words, the body whose task is to preserve the regime in times of tension and turmoil is itself crumbling. Indeed, the ruling theocracy has rotted at its core. All signs point to the end of this decadent regime.

#### MULLAHS TRAPPED IN THREE WARS

Ladies and gentlemen: Today, the clerical regime has fallen into the trap of three regional wars, in which it can neither advance nor retreat. The bubble-like expansion of the ruling theocracy has put it in a perilous predicament. In Syria, what the mullahs built is teetering because it was erected on quicksand. Although the clerical regime has spent billions of dollars annually to prop up Bashar Assad, today the Syrian dictator is gasping for air. I hope that on victory day, Khamenei joins Assad before the International Criminal Court for the slaughter of 300,000 Syrian men, women and children. In Iraq, the clerical regime has lost its puppet government of Nouri al-Maliki. This is the beginning of the regime's demise not only in Iraq but also throughout the region. Although the regime continues to commit genocide against the Sunnis by the Quds Force that meddles in Iraq under the pretext of fighting the ISIS, these efforts will prove futile and will not restore the regime's losses. And in Yemen, Khamenei sought to take over the country to gain the upper hand during the nuclear talks and amid the regional crisis. It, however, turned the largest regional coalition against Tehran. When Bashar Assad is toppled or when the regime's forces are defeated in Iraq or in Yemen, the regime's entire front in the Middle East will collapse. This regime lacks the capability to advance in these three wars. On the other hand, if it retreats, it will implode. Such an impasse thus attests to the certainty of the overthrow of the velayat-e faqih regime.

#### NECESSARY EVICTION FROM THE ENTIRE REGION

Today, western and Arab world's policy makers stress that ISIS and Bashar Assad

are the two sides of the same coin. I add that the Caliph in Tehran is the godfather of both of them. The fact is that ISIS emerged out of the atrocities perpetrated by Bashar Assad and Maliki committed on orders from the clerical regime. I therefore call upon western governments to refrain from taking sides with the Tehran regime. In Iraq, do not collaborate with the regime's Revolutionary Guards Corps and the so-called Shiite militias who are a hundred times more dangerous than the other henchmen. The solution in Iraq is to evict the mullahs' regime forces, to empower Sunni power-sharing, and to arm the Sunni tribes. The solution in Syria is to evict the Iranian regime's forces and to support the people of Syria in overthrowing Assad's dictatorship. The solution in Yemen is to stand up to Tehran, as the Arab coalition has already done. This must be pursued until the regime is uprooted all across the region. Indeed, the solution is to evict the Iranian regime from the entire region and to topple the Caliph of regression and terrorism Iran.

#### AN ORGANIZED MOVEMENT

Ladies and gentlemen: When social conditions are ripe for change, there is no element more vital than the existence of an organized movement. This explains why the mullahs fear and attempt to destroy the People's Mojahedin (PMOI/MEK) and the National Council of Resistance of Iran. The mullahs have always considered the PMOI's presence in Iraq as an existential threat because they are the vanguard force in the fight against religious fascism. The PMOI and the NCRI hoisted the banner of peace in diametric opposition to Khomeini's persistence on prolonging the Iran-Iraq war. The PMOI formed the National Liberation Army. The PMOI and the NCR foiled the nefarious conspiracies of the Iranian regime and its appeasers, and nullified the unjust terrorist label by winning in more than 20 courts in the United States, Canada, the United Kingdom, and elsewhere in Europe. The PMOI and the National Council of Resistance discredited and terminated the 15-year-long case opened by the French Judiciary. They upheld the Iranian people's right to regime change.

#### TERMINATION OF PRISON CONDITIONS AND BLOCKADE OF CAMP LIBERTY

Dear friends: Over the past three decades, the mullahs have endeavored to annihilate this movement more than anything else. Their efforts include thousands of conspiracies and churning out allegations particularly against the Resistance Leader Massoud Rajavi. They have also fired 1,000 missiles at PMOI and National Liberation Army bases in 2000. We all recall that in an attempt to crack down on the June 2009 uprisings, the regime first attacked Camp Ashraf. Similarly, the morning after his defeat during the Presidential elections in 2013, Khamenei ordered a rocket attack on Camp Liberty. And two years ago, when he decided to sign the nuclear accord, he ordered that Ashraf residents be massacred. The mullahs' real aim is to annihilate the residents of Liberty or secure their surrender to the regime. This explains why the regime is hindering their relocation out of Iraq. On the other hand, by repeatedly violating international treaties and reneging on their written obligations toward the Ashrafis, the U.S. and the UN have in practice sided with the religious fascism ruling Iran. I once again call on the U.S. and the UN to take urgent action to protect the Camp Liberty residents and put an end to the medical and logistical siege of the camp and its prison-like conditions. If the United

States does not guarantee that the PMOI is protected against attacks by the terrorist Quds Force, it must, at least, return part of its member's personal arms for self-defense and protection purposes.

#### HOPE AND CAUSE

Dear friends: Change in Iran is within reach because not only has the regime rotted to the core, but Iranian society is also ready for change and path to that change has already been paved. This path has been opened and led by Massoud Rajavi and this is his great mandate. When he left the Shah's prison, Massoud asked: "How could anyone shackle and enchain a nation forever?" In pursuit of the ideal of freedom, Massoud Rajavi created a movement that has propelled Iran towards freedom. Yes, the national uprising of June 20, 1981, the National Council of Resistance and the National Liberation Army, Ashraf City and Camp Liberty, are all cornerstones that he shaped and inspired in order to secure freedom in Iran. The late Ayatollah Taleqani said that interrogators at Evin Prison feared Massoud Rajavi's name. Now, the ruling mullahs and their cohorts also fear both his name and his words because he has turned the forbidden word of "toppling the regime" into a major movement that has driven the religious fascism into an impasse. He has taught the vanguard generation of Iran that in the struggle against the velayat-e faqih's barbarism, the only gem blessed with an eternal spirit is one's commitment to an ideal, having faith, maintaining hope, being truthful, and making sacrifices. The PMOI, which just this year will celebrate its fiftieth anniversary, has advanced a struggle for a cause and ideal, without focusing on what they will themselves gain from it. Having an ideal means standing as resolute as a mountain, yet flowing as freely as a river, and gripping ever so tightly the banner of liberty despite all the storms and calamities. It means shedding all fears of both the length of the struggle and the enormous price it demands. This is the path that guides the ship of freedom toward the shores of salvation.

From the PMOI founder Mohammad Hanifnejad and his associates to young people who join our ranks every day, from the men who believe in the ideal of equality to the 1,000 vanguard women who form the PMOI's Central Council, they all have one thing in common. They have chosen the tradition of sacrificing themselves without expecting any reciprocity. They adhere to a tradition that has guided the actions of vanguards and pioneers of freedom since the beginnings of time; the tradition of embracing a fiery commitment and remaining faithful to the idea that this world is defined by change and not by destiny. Our Constitution is freedom, democracy and equality. With this ideal and this faith, we are determined to build a free and democratic society. A century ago, the Mojahedin of the Constitutional Movement sought to realize "justice, freedom, equality and unity." Afterwards, the great nationalist leader of Iran, Dr. Mohammad Mossadeq, rose up and said, "The aim is to ensure that people participate in every aspect of affairs, whether good or bad, and take over the affairs of the nation." Subsequently, the Fedayeen and the PMOI and other vanguard militants opened the path to overthrowing the Shah's dictatorship. And now, our Resistance—with a galaxy of fallen heroes and heroines from Ashraf Rajavi and Moussa Khiaabani to Sedigheh Mojaveri and Neda Hassani to Zohreh Ghaemi and Giti Givchian—has arisen to ensure freedom of choice for each and every one of our fellow

Iranians. We have rejected the ruling tyrannical regime. We have rejected forcible and misogynous religion. And we have rejected the Constitution of the velayat-e faqih. Our Constitution is freedom, democracy and equality. Our Constitution has not been drafted by the Assembly of Experts, a collection of criminals. It has been engraved in the hearts of each and every Iranian. And it will be drafted by elected representatives of the Iranian people in a Constituent Assembly. This Constitution is founded on a free, tolerant and advanced republic. It is founded on pluralism, separation of religion and state, women's equality and their active and equal participation in political leadership. We believe in equal rights for all ethnic and religious minorities and a society devoid of torture and executions. My fellow compatriots, who have gathered here, and my dear compatriots who are hearing me right now all across Iran, are you ready to expand the campaign for Iran's liberation and overthrow the velayat-e faqih regime? Indeed, to carry out this great responsibility, which will herald a glorious future, we pledge before Iran's history and nation that we are ready, ready, ready. Indeed, with the hope and faith in freedom, we have gone through half a century of struggle against two dictatorships. And we will continue with ever-greater hope and determination until freedom and democracy reign supreme in Iran. Yes, we can break the chains; And flow to the sea like a river; With a radiant cause, we can; Destroy the darkness of injustice; We can and we must sing in unison; In every breath, of Iran's freedom; No doubt, the future belongs to you; Hundreds of hails to you and your struggle.

May victory be yours!

#### TRIBUTE TO CHERYL BEAVER

##### HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 9, 2015*

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and to congratulate Cheryl Beaver of Clarinda, Iowa for being selected as the Educator of the Year by the Iowa Family and Consumer Sciences Educator Association. After attending Iowa State University, Cheryl worked for the Clarinda Community School District, where she has taught high school in Family Consumer Science (FCS) for the past 34 years. In addition to her teaching career, Cheryl has further invested in her students with her leadership of the Family, Career and Community Leaders of America (FCCLA) at the Clarinda High School and Clarinda Middle School.

Cheryl takes great pride in teaching life skills and promoting family life in her schools and community. She teaches valuable life skills in consumer resource management, family living, food and nutrition, culinary arts, interior design, human development, child development, and textiles and clothing. She has earned the respect and admiration of students by giving them the opportunities for personal growth, expanding their leadership potential and developing indispensable skills to serve their families, communities, and workplaces. Cheryl teaches with energy and integrity. She treats all of her students equally and cares for their personal growth. Cheryl is a positive role

model and has dedicated her life to improving her students' lives both in and outside of the classroom.

I commend Cheryl's leadership and her caring style because it will leave a lasting impact on many of her students. Cheryl is an Iowan who is making a great difference in the lives of her students and for that we are deeply proud. She has dedicated her life to helping and serving others and so it is with great honor that I recognize her today. I know my colleagues in the U.S. House of Representatives join me in honoring her accomplishments. I thank her for her service and wish her and her family all the best moving forward.

#### RECOGNIZING DAYTON RASMUSSEN, SAM ROSSINI, AND GARRETT WAITE OF THE WATERLOO BLACK HAWKS

##### HON. ROD BLUM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 9, 2015*

Mr. BLUM. Mr. Speaker, today I rise to acknowledge three players on the Waterloo Black Hawks, a United States Hockey League (USHL) team from my district, as they prepare to represent the United States in a prestigious international hockey tournament.

Goalie Dayton Rasmussen, defenseman Sam Rossini, and forward Garrett Waite were chosen to participate on the national team for the Ivan Hlinka Memorial Cup Tournament in the Czech Republic and Slovakia this August. The tournament, hosted by the Czech Ice Hockey Association and Slovak Ice Hockey Federation, serves as the premier hockey tournament for under-18 teams.

As the co-chair of the Congressional Slovak Caucus and a member of the Congressional Czech Caucus, I look forward to this international display of athletics in Slovakia and the Czech Republic. I am excited to watch these three Waterloo Black Hawks represent their country and hope they do so with the utmost dignity and class that reflects my constituents in Iowa. This type of international cultural exchange with our friends in Eastern Europe demonstrates the universal appeal of sportsmanship, competition, and international diplomacy that athletics can provide.

Congratulations to Dayton, Sam, and Garrett on their selection to the United States under-18 team and I wish them the best of luck in the tournament.

#### MR. MARK MOELLER— EMBODIMENT OF SERVICE

##### HON. JOHN RATCLIFFE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 9, 2015*

Mr. RATCLIFFE. Mr. Speaker, I submit the recognition of an outstanding public servant, leader, and family man, Rockwall Police Chief Mark Moeller. Chief Moeller plans to retire on July 17th after 38 years in law enforcement, the past 13 years serving as chief. He began

his career with the Dallas Police Department in 1977, where he worked in several divisions and held a variety of positions including detective, sergeant, and lieutenant. In 2002, he was appointed Chief of the Rockwall Police Department, where he brought his broad base of experience and wisdom to lead the Department through unprecedented growth and change. During that time, he tirelessly served the citizens of Rockwall and the surrounding area with the highest level of professionalism and integrity, and his community is forever grateful for his dedication.

When Chief Moeller began his tenure in Rockwall, the city had a population of 20,000 and 42 sworn officers. The city now supports 43,000 residents and has almost doubled the number of sworn officers to 79. Included among Chief Moeller's many accomplishments in Rockwall, he established a fully trained SWAT team and a police volunteer program, Citizens on Patrol. A career highlight was twice earning recognition from the Texas Police Chiefs Association, which requires meeting 166 standards.

Mark earned a Bachelor of Science in Criminal Justice Administration and a Master of Science in Human Relations and Business, and he is a graduate of the FBI National Academy. In retirement, he plans to travel with his wife of almost 36 years, Debbie, volunteer more with the First United Methodist Church, Helping Hands, and Habitat for Humanity. He and Debbie also plan to spend time with their two married children, Matt and Kimberly, and their four wonderful grandchildren. Chief Mark Moeller leaves behind a distinguished legacy, and the influence of his steadfast and progressive leadership will be felt for many years to come. I ask my colleagues to join me today in congratulating Mark Moeller, and wishing him all the best in this next chapter of life.

#### PERSONAL EXPLANATION

##### HON. BETO O'ROURKE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 9, 2015*

Mr. O'ROURKE. Mr. Speaker, during the roll call votes on Wednesday, July 8, 2015, I recorded an incorrect vote on an amendment that was offered to the Student Success Act.

On roll call number 410 to the Student Success Act, I intended to vote YES.

#### TRIBUTE TO RANDY CHAPMAN

##### HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 9, 2015*

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Mr. Randy Chapman of Sidney, Iowa, on his recent retirement as a Deputy with the Fremont County Sheriff's Department. For more than 20 years, Randy has served in law enforcement in Fremont County. Randy started his career as the Sidney Police Chief before joining the Fremont County Sheriff's Department

in 1994. He said helping people was the reason for becoming an officer and a deputy.

Randy said, "I got to take care of many issues and in the process I was able to help many county residents." He has seen many changes in the methods and procedures of being an effective law enforcement officer. Randy reflected, "being a native of the Sidney area has helped me perform my duties. People knew I was fair and that I did not play favorites. It has been a rewarding career."

Randy Chapman made a difference by helping and serving others. It is with great honor that I recognize him today. I know that my colleagues in the House join me in honoring his accomplishments. I thank him for his service to Fremont County, Iowa, and wish him and his family all the best moving forward.

RECOGNIZING MR. ROBERT GENE LAWSON

**HON. ED WHITFIELD**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 9, 2015*

Mr. WHITFIELD. Mr. Speaker, I rise today to recognize Mr. Robert Gene Lawson, a renowned professor who greatly contributed to law reform efforts and education in Kentucky. He retired on July 1 after 50 years of teaching at the University of Kentucky, College of Law. He advanced the lives of countless students through education and public service. A few of his students include U.S. Senate Majority Leader MITCH MCCONNELL, Governor Steve Beshear, U.S. Representative ANDY BARR, and most of the Kentucky Supreme Court. He was also one of my favorite professors, and I have a great deal of respect and admiration for him.

Professor Lawson was born in 1938 in a small coal mining community in West Virginia. His father, a coal miner, urged him to escape the coal camp through education, and Professor Lawson worked his way through tuition-free Berea College and then went on to receive a law degree from the University of Kentucky in 1963. He practiced law for two years and then accepted an invitation to teach at his alma mater in 1965. He served as the Dean of the College of Law from 1971–1973 and again from 1982–1988. Professor Lawson is a Member of the University of Kentucky, College of Law Hall of Fame, and University of Kentucky Hall of Distinguished Alumni.

In addition to his impressive teaching history, Professor Lawson has many other significant accomplishments that contributed to the Commonwealth of Kentucky. He was the principal drafter of Kentucky's Penal Code, and its rules of Courtroom Evidence, and led investigation into the Beverly Hills Supper Club fire in 1977 that killed 165 people in Northern Kentucky. Bob Lawson has tirelessly worked with the General Assembly to ensure that state jails and prisons are housing criminals and not people, such as the mentally ill and the addicted, who can be rehabilitated into productive members of society. Professor Lawson has written an important paper on criminal and evidence law, books that now occupy the shelves of law libraries and judicial chambers.

The University of Kentucky and the entire Commonwealth have surely benefitted from Professor Lawson's time and service. His legacy will carry on as his students continue to serve in the legal profession and public service, and I personally thank him for his years of honorable dedication and tutelage.

THE CLAIMS LICENSING ADVANCEMENT FOR INTERSTATE MATTERS ACT (CLAIM ACT)

**HON. STEPHEN LEE FINCHER**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 9, 2015*

Mr. FINCHER. Mr. Speaker, I rise today to introduce the Claims Licensing Advancement for Interstate Matters Act, known as the CLAIM Act to help consumers save millions of dollars in insurance costs and create more jobs.

Under current law, independent claims adjusters face a hodgepodge of inconsistent state regulations that only serve to delay the prompt adjustment of claims for natural disasters, accident victims, and other tragedies in life. Independent claims adjusters must take a license examination in each state in which they work. This requires adjusters to take time off from their job and travel to each state in which they seek a license. This is a costly burden on the claims adjusters, the companies that employ them, and ultimately, the consumer. Sadly, it is the consumer who currently pays for these costs in higher premiums.

Today, it is my pleasure to introduce a bill that would end this costly burden. The CLAIM Act would lead to a process that would provide independent claims adjusters licensing reciprocity so their home-state license is valid in any other state.

This legislation builds upon the success Congress has already had in encouraging states to coordinate licensing for agents and brokers, and appropriately expands that precedent to claims adjusters, who face many of the same licensing issues.

To be clear, the CLAIM Act does not create a new federal law and does not "federalize" the insurance industry. The CLAIM Act respects states' rights to continue to regulate insurance. The CLAIM Act would make sure that each state keeps its independence to adopt rules as they see fit and recognizes that state insurance regulators are best situated to address insurance licensing standards.

The goal of this bill is to streamline the claims adjustment process so that individual claims adjusters can respond in the fastest possible and most cost-effective manner possible. I look forward to further discussing the issues of uniformity and reciprocity and the CLAIM Act as we move forward in the Committee process.

OUR UNCONSCIONABLE NATIONAL DEBT

**HON. MIKE COFFMAN**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 9, 2015*

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$18,151,929,875,352.39. We've added \$7,525,052,826,439.31 to our debt in 6 years. This is over \$7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

TRIBUTE TO PELLA CORPORATION

**HON. DAVID YOUNG**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 9, 2015*

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate the Pella Corporation of Pella, Iowa. Pella Corporation has reached an important milestone this year and I join them in celebrating their 90th anniversary of providing window services to America.

Since its founding on February 6, 1925, Pella Corporation has strived to provide innovative products to meet the needs of their customers and has been determined to maintain excellence through even the toughest of times. They kept their doors open during the Great Depression, both World Wars, and the 2007–2009 recession. Even during these trying times, they have continued to care for their hardworking employees and the communities where their manufacturing facilities are located. They continue to strive for excellence in everything they do and provide a beacon of leadership not only in Pella, but in the entire state of Iowa.

It is with great honor that I recognize Pella Corporation and its hard working employees today for their hard work and perseverance. I also invite my colleagues in the House to join me in congratulating Pella Corporation on their 90th anniversary. I wish them nothing but continued success for another 90 years.

TRIBUTE TO THE ANCIENT AND ACCEPTED SCOTTISH RITE MASONSONS

**HON. JAMES E. CLYBURN**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 9, 2015*

Mr. CLYBURN. Mr. Speaker, I rise today to offer my congratulations to the Ancient and Accepted Scottish Rite Masons as they celebrate their 151 years of service.

The Scottish Rite Masons is a national organization of individuals that strive to enrich the lives of their members and enhance the communities in which they live. The Scottish Rites'

first Supreme Council was founded in Charleston, South Carolina in 1801, and a second Supreme Council was created in New York in 1806.

The Scottish Rite Masons' mission proclaims that they "emulate the principles of brotherly love, tolerance, charity and truth while actively embracing high social, moral and spiritual values including fellowship, compassion, and dedication to God, family and country."

They also produce a strategic plan that displays five objectives, including offering Masonic knowledge, establishing a public relations department, supporting philanthropic activities, providing a framework for effective leadership and providing financial stability for a long-term success of the Fraternity.

The Scottish Rite Masons have been instrumental in assisting youth in their academic pursuits and have made generous contributions to the American Heart Association, American Cancer Foundation, YMCA, NAACP and a myriad of other non-profit entities.

Mr. Speaker, The Ancient and Accepted Scottish Rite Masons have improved the lives of many and continue to make outstanding and a wide-range of contributions to our society. I ask that you and my colleagues join me in congratulating them on this celebration.

IN HONOR OF NATIONAL  
GASTROPARESIS AWARENESS  
MONTH

**HON. GWEN MOORE**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 9, 2015*

Ms. MOORE. Mr. Speaker, I rise today on behalf of Americans affected by gastroparesis, also known as delayed gastric emptying, in observance of National Gastroparesis Awareness Month in August.

Gastroparesis is a chronic medical condition where the stomach cannot empty properly in the absence of any observable blockage. Factors causing gastroparesis may include long-standing diabetes, complications from surgeries, or other illnesses, such as MS and Parkinson's disease.

Gastroparesis is relatively common, affecting an estimated 5 million Americans including thousands in my district in Milwaukee. While it can strike anyone at any age, gastroparesis is four times more likely to affect women than men.

Gastroparesis can be debilitating and sometimes life threatening. Symptoms (including nausea or vomiting, stomach fullness, inability to finish a meal, and others) usually occur during and after eating a normal sized meal and can result in problems, such as severe dehydration, difficulty managing blood glucose levels, obstruction, and malnutrition.

There is no cure for gastroparesis. Treatments like dietary measures, medications, procedures to maintain nutrition, and surgery can only reduce symptoms and related problems with the hope of maintaining quality of life.

Studies reveal a growing incidence of gastroparesis, as well as increasing rates of related hospitalizations and emergency room

visits. However, as gastroparesis is a poorly understood condition, delayed diagnosis, treatment, and management of the condition are frequent challenges faced by this patient population.

Gastroparesis creates a significant burden on individuals and families. It also places a burden of direct and indirect costs on the community, economy, and U.S. healthcare system.

I applaud the efforts of nonprofit groups like the International Foundation for Functional Gastrointestinal Disorders (IFFGD) from Milwaukee, as well as other patient organizations, to provide education and support that will help those affected by gastroparesis.

I urge my fellow colleagues to join me in recognizing August as National Gastroparesis Awareness Month in an effort to improve our understanding and awareness of this condition, as well as support increased research for effective treatments of people affected by gastroparesis.

IN MEMORY OF GERALDINE  
SIMMONS RUTLEDGE

**HON. DEBBIE DINGELL**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 9, 2015*

Mrs. DINGELL. Mr. Speaker, I rise today with a heavy heart to honor the life of Mrs. Geraldine Rutledge. Known affectionately as "Geri" to her friends and family, she was born on April 8, 1945, and passed peacefully on Thursday, July 2, 2015 at her home surrounded by her family and friends.

Mrs. Rutledge received her formal education in the Ecorse Public School system in Ecorse, Michigan. She continued her higher education at Tennessee State University in Nashville, Tennessee, where she earned an undergraduate degree in Elementary Education. She later received a graduate degree from Eastern Michigan University. Her teaching career spanned more than thirty years in the Willow Run Community Schools, and she retired in 2000 from Henry Ford Elementary School. During her tenure, she was an active member of the Michigan Education Association, served two consecutive terms as President of the local union, and touched the lives of countless children.

On Christmas Eve, 1967, she married her college sweetheart, State Representative David Rutledge, a dear friend of mine. They are the loving parents of Felicia and Marcus and together, they supported each other's endeavors in business and public service.

As an active member of the community, Mrs. Rutledge was a faithful member of the Second Baptist Church of Ypsilanti. She continually worked to strengthen her relationship with God through biblical studies and church attendance. She was also an active member of the Red Hat Society, and Alpha Kappa Alpha Sorority, Inc.

Mr. Speaker, I ask my colleagues to join me today to honor the life and memory of Mrs. Geraldine Rutledge. She lived a life worthy of recognition. As she makes her way to her heavenly home, may her family and friends take comfort in the memory of the love she

shared and the contributions she made to her community.

TRIBUTE TO CHILDREN'S CANCER  
CONNECTION

**HON. DAVID YOUNG**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 9, 2015*

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Children's Cancer Connection of Des Moines, Iowa. Children's Cancer Connection was recently recognized for their outstanding commitment to business ethics by the Better Business Bureau (BBB) and presented with a 2015 Integrity Award.

The Better Business Bureau has been developing and administering self-regulation programs for the business community for the past 75 years. The Integrity Awards were established in 1993 to recognize exemplary businesses while promoting the BBB's mission of leadership in advancing marketplace trust.

Children's Cancer Connection has lived up to these goals and provided excellent service since 1988 to children battling childhood cancer. They offer their service at little or no cost to the families dealing with this devastating disease and do not turn away patients because of their finances.

I applaud and congratulate Children's Cancer Connection for earning this prestigious award and for their dedicated service to our community. I am proud to represent them in the U.S. Congress and I know that my colleagues join me in congratulating Children's Cancer Connection and wishing them nothing but continued success in their future endeavors.

IN HONOR OF THE RETIREMENT  
OF CHANCELLOR WILLIAM  
ENGLISH "BRIT" KIRWAN

**HON. ELIJAH E. CUMMINGS**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 9, 2015*

Mr. CUMMINGS. Mr. Speaker, I rise today to congratulate Brit Kirwan, Chancellor of the University System of Maryland on his recent retirement. Dr. Kirwan has been a strong and inspirational leader of the university system in our great state, and we are sad to see him go.

Dr. Kirwan first left his mark on the University of Maryland when he served as an educator and instructor at our flagship campus in College Park for 25 years. When he left Maryland in 2002 to become President of the Ohio State University, he did so after having risen from an assistant professor in the mathematics department to department chair, provost, and eventually university president.

When Dr. Kirwan returned to Maryland in 2002, to become chancellor of the University System of Maryland he quickly set to work, helping to shift the focus of the system and create innovative ways to support student development. To do so he often used technology

and the unique resources of the state of Maryland and national capital region to do so. Since Dr. Kirwan became chancellor, enrollment has risen 24 percent and the number of students receiving bachelor's degrees has also grown significantly, by 36 percent.

When he retired on June 30, completing a proud career of public service, Dr. Kirwan had led significant improvements to our university system that will benefit both students and faculty for decades to come. Mr. Speaker, I would like to thank Dr. Kirwan for his dedicated service to our students and congratulate him on an impressive career. The entire Maryland congressional delegation is proud to have worked alongside him and we wish him well in his hard earned retirement.

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REMEMBERING THE LIFE OF  
VIVIAN E. JONES

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 9, 2015*

Mr. RANGEL. Mr. Speaker, today I rise with great sadness as I announce the passing of my longtime District Administrator, Vivian E. Jones. As I speak with profound sorrow, I ascend to celebrate a life well lived and to remember with fondness the accomplishments of a remarkable woman who, over her 45 years of service to me and this body, etched her name in the walls of Congress as one of its longest serving staff members.

Vivian's death on July 2, 2015, brought immense sorrow and loss to me, my staff, and to the countless constituents that counted on her assistance. The many who met and were touched by Vivian and her life's work can attest that she was equal parts strong mind and ample heart, a humble soul who cared deeply about the issues of the day and their impact on everyday people. And yet she was able to influence public decision making, develop activities of enormous impact and provide motivation, inspiration, and consolation to the younger members of my staff.

Vivian Jones goes back to my days at law-firm Weaver, Evans, Wingate & Wright. She was my administrative assistant when I first practiced law. Vivian became a part of my campaign staff in March of 1970, when I, then a young New York State Assemblyman, challenged the legendary Adam Clayton Powell, Jr. for the Congressional Seat.

Upon election to the Congress, she joined the Congressional Staff as my Executive Secretary. As a freshman Congressman, I was the beneficiary of Vivian's previous experience with secretarial and paralegal work. She immediately became responsible for my schedule and constituent services in the district office, which was all done without computers in those early days of my career in the House.

In 1975, Vivian succeeded Virginia Bell as the District Administrator (District Director). In her new role, Vivian's responsibilities expanded to the role of a Chief of Staff in the District. She managed the local district offices, directed work activities, supervised staff, and oversaw and coordinated activities in the different communities of the Congressional Dis-

trict. As a woman in this role in the 1970's and proceeding decades, she was quite an effective leader and powerful force in pushing my agenda forward in the district. She continued this role until January 1999, when Vivian relinquished her role, reducing her work load, and began working part-time.

Although only part-time, a loyal colleague, Vivian Jones, continued to coordinate my schedule in conjunction with the scheduler in Washington, DC. She handled all personnel matters pertaining to district staff, and prepared correspondences of varying complexity for my signature. Vivian continued to arrive at the office in the wee hours of the morning on her assigned days. As always, she remained committed to offering a sympathetic ear or to jump start a slow or reluctant bureaucracy for a constituent.

For over 50 years, Vivian's dynamic spirit and sense of purpose served me and all of her past colleagues as a motivation and driving force. She provided the people of the Congressional District incredible assistance over her many years of service to Congress and was a devoted friend to her colleagues and agency staff.

A simple speech from the floor of this sumptuous body will never ease the pain of losing such a precious soul. I can only hope that all of those whose lives were touched by her can take solace in knowing that all of her hard work, guidance, and care throughout the years exceeded all measures of selflessness and devotion to our country. As I stand here with my heart filled with grief, I honor her, not only for her courage, loyalty, faithfulness, and generosity, but also for her simply being a true embodiment of the vision and determination of women that have strengthened and transformed America. No one can ever replace such a precious human being. She is survived by her brother Neil Jones and her niece Joyce Rodriguez.

Mr. Speaker, rather than mourn her passing, I would hope that my colleagues join me in celebrating the life of our beloved Vivian Jones by remembering that she exemplified greatness in every way. She was, in life, a shining example of all the best in our land. There is no doubt that she will always be remembered for her extraordinary commitment, energy, wisdom, principle, and clear purpose which won the admiration of all those who were privileged to come to know her. As stated in Psalm 116:15, "Precious in the sight of the LORD is the death of his saints." In rest, may she find the peace we all seek.

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I PLEDGE ALLEGIANCE TO THE  
FLAG

**HON. LUCILLE ROYBAL-ALLARD**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 9, 2015*

Ms. ROYBAL-ALLARD. Mr. Speaker, each day, as we begin our work in Congress, we pledge allegiance to the flag of the United States of America, a flag that preserves our republic's promise of liberty and justice for all.

This is not the message of the Confederate battle flag. We all know this flag represents

hate, intolerance, and bigotry. Like the Nazi flag, the Confederate flag must be retired to history books and museums. It has no place in the public square.

Unconscionably, House Republicans are defending the Confederate flag by blocking Democratic efforts to remove this rebel flag from the U.S. Capitol grounds. This comes just hours after House Republicans offered an amendment to undo Democratic amendments that bar the display of the Confederate flag in federal cemeteries, and bar the National Park Service from doing business with gift shops selling Confederate flag merchandise.

It is a cold, cruel irony that just as South Carolina votes to finally remove the Confederate flag at their statehouse, House Republicans now seek to protect this symbol of hate at the federal level.

Let us remove the Confederate flag from the grounds of the U.S. Capitol. Doing so will honor our country and show respect for the flag of the United States of America, which is the symbol of freedom, justice, and democracy for all.

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TRIBUTE TO MIDWEST  
CONSTRUCTION & SUPPLY INC.

**HON. DAVID YOUNG**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 9, 2015*

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Midwest Construction & Supply Incorporated of Grimes, Iowa. Midwest Construction & Supply was recently recognized for their outstanding commitment to business ethics by the Better Business Bureau (BBB) and presented with a 2015 Integrity Award.

The Better Business Bureau has been developing and administering self-regulation programs for the business community for the past 75 years. The Integrity Awards were established in 1993 to recognize exemplary businesses while promoting the BBB's mission of leadership in advancing marketplace trust.

Midwest Construction & Supply has lived up to these goals and provided excellent service and customer satisfaction for 57 years and over three generations. This attitude spreads throughout the entire organization from their President, Kalliope Eaton.

I applaud and congratulate Midwest Construction & Supply Inc. for earning this prestigious award. I am proud to represent them in the U.S. Congress and I know that my colleagues join me in congratulating Midwest Construction & Supply Inc. and wishing them nothing but continued success in the future.

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HONORING COLONEL PETER  
AHERN ON HIS RETIREMENT

**HON. MARTHA MCSALLY**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 9, 2015*

Ms. MCSALLY. Mr. Speaker, I rise today to honor Colonel Peter Ahern on his many years



of service to our country, and to wish him well on his upcoming retirement.

Colonel Ahern received his Bachelor's Degree from St. Ambrose University and was commissioned through the Platoon Leaders Course program in May of 1986. In 2007, he received a Masters of Arts Degree in National Security and Strategic Studies from the National War College.

Colonel Ahern served 29 years in the Marine Corps. His assignments included, but were not limited to, serving as Company Commander, 1st Recruit Training Battalion, MCRD San Diego; Battery Commander, 1st Battalion, 11th Marines, 1st Marine Division; Future Operations Division (J35) United States Africa Command, Stuttgart, Germany; Commanding Officer Chemical Biological Incident Response Force (CBIRF), II Marine Expeditionary Force;

and culminating as Director, Strategic Initiatives Group (SIG), Headquarters Marine Corps.

Colonel Ahern participated in combat operations in Saudi Arabia and Kuwait (Operation Desert Shield/Desert Storm), Iraq (Operation Iraqi Freedom, OIF-II); and planning/advisory duties with the Ugandan Peoples Defense Force; and humanitarian assistance disaster relief operations in Japan (Operation TOMODACHI).

Colonel Ahern has received a number of awards over the course of his career, most notably the Defense Superior Service Medal, the Legion of Merit, the Meritorious Service Medal with three gold stars, the Navy Commendation Medal with two gold stars, the Joint Meritorious Achievement Medal, the Navy Achievement Medal, the Combat Action Rib-

bon, and the Navy-Marine Corps Expert Parachute Wings.

It's not an overstatement to say Colonel Ahern was one of the finest officers with whom I served. He and I were part of the initial cadre tasked to stand up Africa Command, and we worked closely on many security and humanitarian issues that arose anywhere on the continent. Colonel Ahern was an operationally-focused leader, a brilliant strategist, and utmost professional. He was instrumental to the success of Africa Command, not just while we served there, but long after he was reassigned as well.

I thank Colonel Ahern for his many years of service to our nation. It was a privilege to serve with him and call him a colleague, and I wish him all the best in his upcoming retirement.

## HOUSE OF REPRESENTATIVES—*Friday, July 10, 2015*

The House met at 9 a.m. and was called to order by the Speaker.

### PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

We give You thanks, O God, for giving us another day. Please help us to use it well.

We ask Your blessing upon this assembly and upon all to whom the authority of government is given. Help them to meet their responsibilities during these days, to attend to the immediate needs and concerns of the moment, all the while enlightened by the majesty of Your creation and Your eternal Spirit.

We give You thanks that we all can know and share the fruits of Your Spirit, especially in this time the virtue of tolerance and reconciliation, of justice and righteousness.

Watch over this House and cause Your blessing to be upon each Member that they might serve all the people in their home districts, those who voted for them and those who did not.

May all that is done within the people's House this day be for Your greater honor and glory.

Amen.

### THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. WOMACK. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. WOMACK. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from New York (Ms. STEFANIK)

come forward and lead the House in the Pledge of Allegiance.

Ms. STEFANIK led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

### EXPRESSING GRATITUDE TO THE REAGAN SISTERS

(Mr. WOMACK asked and was given permission to address the House for 1 minute.)

Mr. WOMACK. Mr. Speaker, they say that great things come in small packages, and that could not be more true of the Reagan sisters of Rogers, Arkansas. I rise today in gratitude to them.

Agnes Lytton, Mary Sue, and Betty Lynn Reagan were born and raised in northwest Arkansas and attended the University of Arkansas-Fayetteville.

While Agnes Lytton left Arkansas to pursue a career in library science, Mary Sue and Betty Lynn, who stood about 5 feet tall, were giants in the classroom, spending a combined 94 years teaching history and government to students in the Rogers School District.

Throughout their distinguished careers, both were decorated with countless awards and accolades, and in 1989 the city of Rogers named its newest school Reagan Elementary as a token of our appreciation for their dedication to our students and their faithful support of the community. As their former mayor, I can attest to both.

Although these most respected members of our community have passed on, they won't soon be forgotten, and now their legacies will live on at the U of A, as it was announced on Monday that the sisters, in a final tribute to northwest Arkansas education, designated a \$1.2 million estate gift to support the libraries of their alma mater.

I can say without hesitation that the Reagan sisters made northwest Arkansas a better place, and for that, we are eternally grateful.

### THE CONFEDERATE FLAG

(Mr. NADLER asked and was given permission to address the House for 1 minute.)

Mr. NADLER. Madam Speaker, we must not display the Confederate battle flag in any Federal park or cemetery or building. The Confederate flag represents racism, slavery, and treason, waging war against the United States, killing American soldiers.

We are told it represents the Southern heritage. It does represent part of the Southern, of the American heritage, a shameful part: the defense of slavery, of owning people body and soul, of the doctrine of racial superiority, and the practice of racial oppression.

Other countries and peoples have shameful parts of their heritages. Germany, for example, has a Nazi heritage. The Germans are properly ashamed of it. They prohibit, by law, the display of Nazi imagery. The First Amendment won't let us go that far, but we should not honor the shameful parts of our history.

As we continue the ongoing struggle to eradicate racism from American life, we must no longer honor racism and treason by allowing the Confederate flag on any Federal property.

### 21ST CENTURY CURES INITIATIVE

(Mr. COSTELLO of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COSTELLO of Pennsylvania. Madam Speaker, the 21st Century Cures initiative has a lot of positive measures to help medical innovation reach its full potential. I would like to focus on just one of the many reasons to support this legislation.

I had the pleasure of meeting with the family of Garrett Coyne, staunch advocates for cures for rare diseases. Garrett is a 5-year-old resident of Gilbertsville, who 10 months ago was diagnosed with a rare neurodegenerative disorder often called Batten disease. Garrett was born and developed normally, but since September the disease has left him legally blind and has greatly weakened his physical and mental abilities. Unfortunately, Batten disease presently has no treatment, no cure, and is not preventable.

While the road ahead for Garrett and his family is daunting, there is hope. It is because of provisions in the 21st Century bill that researchers will have the tools to work toward developing medical advancement for Batten disease.

By modernizing medical innovation and increasing NIH funding, a more promising future for patients, families,

and innovators is in front of us. I am supporting the 21st Century Cures bill for many reasons, but the main one is this effort to help children, like 5-year-old Garrett and other constituents in my district who are challenged daily with the struggles of a rare disease. I encourage my colleagues to join me.

#### THE CONFEDERATE FLAG BELONGS IN THE ASHBIN OF HISTORY

(Ms. WASSERMAN SCHULTZ asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WASSERMAN SCHULTZ. Madam Speaker, I rise today to condemn House Republicans' secretive attempt in the dead of Wednesday night to permit the display of the racist Confederate flag in national parks and cemeteries.

In the wake of the Charleston murders, our Nation is moving toward the removal of the flag from public places. Later today, the State of South Carolina will remove the flag from its capitol grounds. And yet, while this is happening, the Republican majority has sought to associate itself and this body with the racist legacy of the Confederate flag.

To add insult to injury, yesterday, when House Democrats tried to bring up a resolution removing any State flag displaying the Confederate battle flag from the Capitol except in very limited circumstances, the majority turned their backs and ignored the cries of millions of Americans who are calling for its permanent ban.

Republican leadership ought to be ashamed for associating themselves with this symbol of racism, hatred, and intolerance. This body should move swiftly to relegate the Confederate flag to museums and the ashbin of history.

#### BASIN AND RANGE NATIONAL MONUMENT

(Mr. HARDY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HARDY. Madam Speaker, what were you doing last night at midnight? If you were like me and most Americans, you were probably asleep.

But last night, while America was sleeping, the White House was busy. The White House was busy notifying the public, literally in the dark of the night, about the President's intentions to designate more than 700,000 acres of Lincoln and Nye Counties as the Basin and Range National Monument.

Madam Speaker, at 2 p.m. this afternoon, you won't see a debate on the floor of the House, the people's House, on the Basin and Range Monument. There will be no vote for Nevada's elected representatives, but there will

be a photo op to capture the exchange of political favor for one Nevadan. It will be a scene demonstrating that having friends in high places is more important than popular will of the people.

But legacy building in the twilight of one's career shouldn't be the driver for our Nation's public lands. According to press reports, it is said when asked about the heartfelt concerns of Nevadans who oppose the monument, the President responded: "I don't care. I want this done."

Madam Speaker, I do care.

#### LONG-TERM FUNDING WILL HELP THE NATION

(Mr. TED LIEU of California asked and was given permission to address the House for 1 minute.)

Mr. TED LIEU of California. Madam Speaker, when it comes to the highway trust fund, it feels like the movie "Groundhog Day" over and over again, where once again we are faced with the expiration of this important fund.

We know from a recent Department of Transportation report that 54 percent of our roads and highways are deemed to be poor, one in four bridges are structurally deficient, and we need to fund this highway trust fund at its full capacity, and we need to do it on a long-term basis. We can't continue to do it on a short-term basis. It is not helpful to our State and local governments. We can't get projects off the ground.

I request that the Republican majority put a bill on the floor that funds the highway trust fund on a long-term basis. And we know that this will help our Nation, because for every dollar we invest in infrastructure, we get over \$2 back in economic output.

#### MILITARY REDUCTIONS SEND THE WORST POSSIBLE MESSAGE TO OUR ADVERSARIES

(Mr. CARTER of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Texas. Madam Speaker, I have long opposed reductions in our military, and I continue to believe that our Nation should maintain a robust land force. The announcement to reduce the Army by 40,000 troops sends the worst possible message to our Nation's adversaries. Cuts that extend into heavy armored combat units go even further to weaken our national defense and put us at risk.

I am especially disappointed about the Army's plan to cut so heavily from Fort Hood and the State of Texas. The Army's decision to implement a roughly 9 percent reduction at the Great Place is outrageous. I have serious concerns about the logic and analysis that went into this decision to reduce so many troops from Texas.

Perhaps the most sickening part of the whole matter, however, is the damage these cuts will do to the soldiers and their families who will be asked to leave the Army after decades of sacrifice in time of war. In the coming days, I will be pressing the Army for clarification on their analysis and justification for their decisions.

This Nation can do better.

#### THE HIGHWAY TRUST FUND

(Mr. NORCROSS asked and was given permission to address the House for 1 minute.)

Mr. NORCROSS. Madam Speaker, here we are once again. I rise to ask my colleagues to pass a long-term—a long-term—reauthorization to the highway trust fund before it crashes into a dead end, to the very worst that can happen to America.

This is about the dysfunction of Washington. It is what everybody detests: the lack of predictability; we will just kick the can down the road a little bit further. This is exactly what hurts our economy. Nobody can plan for what is going to happen in the next few months, let alone the next few years.

This is our country. Don't shut it down. Don't put a sign that says, "Closed due to lack of construction."

This is killing our economy. This is killing jobs in America, and I ask for us to pass a long-term bill. I know in Washington long term might seem a day or two. We are just asking for 6 years, to give predictability so our highways are the best that they can be, that we can have our commerce.

#### NUCLEAR AGREEMENT WITH IRAN

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Madam Speaker, yesterday, Committee on Foreign Affairs Chairman ED ROYCE, with Ranking Member ELIOT ENGEL, conducted an informative hearing on the implications of the nuclear agreement with Iran.

The witnesses who provided enlightening testimony were the Honorable Stephen Rademaker, Dr. Michael Doran, Dr. Michael Makovsky, and Dr. Kenneth Pollack. Their varying opinions confirm my concerns, as expressed in a July 6 editorial from The Washington Post:

"If it is reached in the coming days, a nuclear deal with Iran will be, at best, an unsatisfying and risky compromise. Iran's emergence as a threshold nuclear power, with the ability to produce a weapon quickly, will not be prevented; it will be postponed by 10 to 15 years. In exchange, Tehran will reap hundreds of billions of dollars in sanctions relief it can use to revive its

economy and fund the wars it is waging around the Middle East.”

The President needs to change course and recognize that moral relativism is dangerous with opponents who promote “Death to America, Death to Israel.” The President can avoid a legacy of fanatics with nuclear warheads on ICBMs targeting American families.

In conclusion, God bless our troops, and the President, by his actions, must never forget September the 11th in the global war on terrorism.

□ 0915

## INFRASTRUCTURE

(Mrs. LAWRENCE asked and was given permission to address the House for 1 minute.)

Mrs. LAWRENCE. Madam Speaker, we are less than 3 weeks away from the expiration of the national highway trust fund, and we are, once again, talking about another extension.

The Michigan Infrastructure and Transportation Association estimates that Congress’ failure to come up with a long-term plan has cost State of Michigan taxpayers more than \$350 million. We have ample time and multiple plans to fix this problem. Which plan do you like?

We need to get to work. What about the Department of Transportation’s GROW America Act, which raises \$478 billion over 6 years? Or Michigan’s Getting Beyond Gridlock plan that raises \$410 billion over 6 years?

Republicans don’t want to raise taxes. Democrats don’t want to hurt the middle class or the lower-income families, but we must make those choices. We must take the vote, and we must keep our promise to America to fix our infrastructure. It is time to act.

## 21ST CENTURY CURES ACT

### GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material therein on H.R. 6.

The SPEAKER pro tempore (Mr. FITZPATRICK). Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 350 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 6.

Will the gentlewoman from North Carolina (Ms. FOXX) kindly retake the chair.

□ 0916

### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole

House on the state of the Union for the further consideration of the bill (H.R. 6) to accelerate the discovery, development, and delivery of 21st century cures, and for other purposes, with Ms. FOXX (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Thursday, July 9, 2015, all time for general debate had expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce, printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-22 is adopted.

The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the 5-minute rule and shall be considered as read.

The text of the bill, as amended, is as follows:

### H.R. 6

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE.*—This Act may be cited as the “21st Century Cures Act”.

(b) *TABLE OF CONTENTS.*—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. NIH and Cures Innovation Fund.

#### TITLE I—DISCOVERY

##### Subtitle A—National Institutes of Health Funding

Sec. 1001. National Institutes of Health reauthorization.

##### Subtitle B—National Institutes of Health Planning and Administration

Sec. 1021. NIH research strategic plan.

Sec. 1022. Increasing accountability at the National Institutes of Health.

Sec. 1023. Reducing administrative burdens of researchers.

Sec. 1024. Exemption for the National Institutes of Health from the Paperwork Reduction Act requirements.

Sec. 1025. NIH travel.

Sec. 1026. Other transactions authority.

Sec. 1027. NCATS phase IIB restriction.

Sec. 1028. High-risk, high-reward research.

Sec. 1029. Sense of Congress on increased inclusion of underrepresented communities in clinical trials.

##### Subtitle C—Supporting Young Emerging Scientists

Sec. 1041. Improvement of loan repayment programs of the National Institutes of Health.

Sec. 1042. Report.

##### Subtitle D—Capstone Grant Program

Sec. 1061. Capstone award.

##### Subtitle E—Promoting Pediatric Research Through the National Institutes of Health

Sec. 1081. National pediatric research network.

Sec. 1082. Global pediatric clinical study network sense of Congress.

Sec. 1083. Appropriate age groupings in clinical research.

*Subtitle F—Advancement of the National Institutes of Health Research and Data Access*  
Sec. 1101. Standardization of data in Clinical Trial Registry Data Bank on eligibility for clinical trials.

*Subtitle G—Facilitating Collaborative Research*  
Sec. 1121. Clinical trial data system.

Sec. 1122. National neurological diseases surveillance system.

Sec. 1123. Data on natural history of diseases.

Sec. 1124. Accessing, sharing, and using health data for research purposes.

##### Subtitle H—Council for 21st Century Cures

Sec. 1141. Council for 21st Century Cures.

#### TITLE II—DEVELOPMENT

##### Subtitle A—Patient-Focused Drug Development

Sec. 2001. Development and use of patient experience data to enhance structured risk-benefit assessment framework.

##### Subtitle B—Qualification and Use of Drug Development Tools

Sec. 2021. Qualification of drug development tools.

Sec. 2022. Accelerated approval development plan.

##### Subtitle C—FDA Advancement of Precision Medicine

Sec. 2041. Precision medicine guidance and other programs of Food and Drug Administration.

##### Subtitle D—Modern Trial Design and Evidence Development

Sec. 2061. Broader application of Bayesian statistics and adaptive trial designs.

Sec. 2062. Utilizing evidence from clinical experience.

Sec. 2063. Streamlined data review program.

##### Subtitle E—Expediting Patient Access

Sec. 2081. Sense of Congress.

Sec. 2082. Expanded access policy.

Sec. 2083. Finalizing draft guidance on expanded access.

##### Subtitle F—Facilitating Responsible Manufacturer Communications

Sec. 2101. Facilitating dissemination of health care economic information.

Sec. 2102. Facilitating responsible communication of scientific and medical developments.

##### Subtitle G—Antibiotic Drug Development

Sec. 2121. Approval of certain drugs for use in a limited population of patients.

Sec. 2122. Susceptibility test interpretive criteria for microorganisms.

Sec. 2123. Encouraging the development and use of DISARM drugs.

##### Subtitle H—Vaccine Access, Certainty, and Innovation

Sec. 2141. Timely review of vaccines by the Advisory Committee on Immunization Practices.

Sec. 2142. Review of processes and consistency of ACIP recommendations.

Sec. 2143. Meetings between CDC and vaccine developers.

##### Subtitle I—Orphan Product Extensions Now; Incentives for Certain Products for Limited Populations

Sec. 2151. Extension of exclusivity periods for a drug approved for a new indication for a rare disease or condition.

Sec. 2152. Reauthorization of rare pediatric disease priority review voucher incentive program.

##### Subtitle J—Domestic Manufacturing and Export Efficiencies

Sec. 2161. Grants for studying the process of continuous drug manufacturing.

Sec. 2162. Re-exportation among members of the European Economic Area.

Subtitle K—Enhancing Combination Products Review

Sec. 2181. Enhancing combination products review.

Subtitle L—Priority Review for Breakthrough Devices

Sec. 2201. Priority review for breakthrough devices.

Subtitle M—Medical Device Regulatory Process Improvements

Sec. 2221. Third-party quality system assessment.

Sec. 2222. Valid scientific evidence.

Sec. 2223. Training and oversight in least burdensome appropriate means concept.

Sec. 2224. Recognition of standards.

Sec. 2225. Easing regulatory burden with respect to certain class I and class II devices.

Sec. 2226. Advisory committee process.

Sec. 2227. Humanitarian device exemption application.

Sec. 2228. CLIA waiver study design guidance for in vitro diagnostics.

Subtitle N—Sensible Oversight for Technology Which Advances Regulatory Efficiency

Sec. 2241. Health software.

Sec. 2242. Applicability and inapplicability of regulation.

Sec. 2243. Exclusion from definition of device.

Subtitle O—Streamlining Clinical Trials

Sec. 2261. Protection of human subjects in research; applicability of rules.

Sec. 2262. Use of non-local institutional review boards for review of investigational device exemptions and human device exemptions.

Sec. 2263. Alteration or waiver of informed consent for clinical investigations.

Subtitle P—Improving Scientific Expertise and Outreach at FDA

Sec. 2281. Silvio O. Conte Senior Biomedical Research Service.

Sec. 2282. Enabling FDA scientific engagement.

Sec. 2283. Reagan-Udall Foundation for the Food and Drug Administration.

Sec. 2284. Collection of certain voluntary information exempted from Paperwork Reduction Act.

Sec. 2285. Hiring authority for scientific, technical, and professional personnel.

Subtitle Q—Exempting From Sequestration Certain User Fees

Sec. 2301. Exempting from sequestration certain user fees of Food and Drug Administration.

### TITLE III—DELIVERY

Subtitle A—Interoperability

Sec. 3001. Ensuring interoperability of health information technology.

Subtitle B—Telehealth

Sec. 3021. Telehealth services under the Medicare program.

Subtitle C—Encouraging Continuing Medical Education for Physicians

Sec. 3041. Exempting from manufacturer transparency reporting certain transfers used for educational purposes.

Subtitle D—Disposable Medical Technologies

Sec. 3061. Treatment of certain items and devices.

Subtitle E—Local Coverage Decision Reforms

Sec. 3081. Improvements in the Medicare local coverage determination (LCD) process.

Subtitle F—Medicare Pharmaceutical and Technology Ombudsman

Sec. 3101. Medicare pharmaceutical and technology ombudsman.

Subtitle G—Medicare Site-of-Service Price Transparency

Sec. 3121. Medicare site-of-service price transparency.

Subtitle H—Medicare Part D Patient Safety and Drug Abuse Prevention

Sec. 3141. Programs to prevent prescription drug abuse under Medicare parts C and D.

### TITLE IV—MEDICAID, MEDICARE, AND OTHER REFORMS

Subtitle A—Medicaid and Medicare Reforms

Sec. 4001. Limiting Federal Medicaid reimbursement to States for durable medical equipment (DME) to Medicare payment rates.

Sec. 4002. Excluding authorized generics from calculation of average manufacturer price.

Sec. 4003. Medicare payment incentive for the transition from traditional x-ray imaging to digital radiography and other Medicare imaging payment provision.

Sec. 4004. Treatment of infusion drugs furnished through durable medical equipment.

Sec. 4005. Extension and expansion of prior authorization for power mobility devices (PMDs) and accessories and prior authorization audit limitations.

Sec. 4006. Civil monetary penalties for violations related to grants, contracts, and other agreements.

Subtitle B—Other Reforms

Sec. 4041. SPR drawdown.

Subtitle C—Miscellaneous

Sec. 4061. Lyme disease and other tick-borne diseases.

### SEC. 2. NIH AND CURES INNOVATION FUND.

(a) ESTABLISHMENT.—There is hereby established in the Treasury of the United States a fund to be known as the NIH and Cures Innovation Fund.

(b) AMOUNTS MADE AVAILABLE TO FUND.—

(1) IN GENERAL.—There is authorized to be appropriated, and appropriated, to the NIH and Cures Innovation Fund, out of any funds in the Treasury not otherwise appropriated, \$1,860,000,000 for each of fiscal years 2016 through 2020. The amounts appropriated to the NIH and Cures Innovation Fund by the preceding sentence shall be in addition to any amounts otherwise made available to the Department of Health and Human Services.

(2) ALLOCATION OF AMOUNTS.—Of the amounts made available from the NIH and Cures Innovation Fund for a fiscal year—

(A) \$1,750,000,000 shall be for biomedical research of the National Institutes of Health under subsection (c)(1), of which—

(i) not less than \$500,000,000 shall be for the Accelerating Advancement Program under subsection (d)(2);

(ii) not less than 35 percent of such amounts remaining after subtracting the allocation for the Accelerating Advancement Program shall be for early stage investigators as defined in subsection (g);

(iii) not less than 20 percent of such amounts remaining after subtracting the allocation for the Accelerating Advancement Program shall be for high-risk, high-reward research under section 409K of the Public Health Service Act, as added by section 1028; and

(iv) not more than 10 percent of such amounts (without subtracting the allocation for the Ac-

celerating Advancement Program) shall be for intramural research; and

(B) \$110,000,000 shall be for carrying out the provisions listed in subsection (c)(2).

(3) INAPPLICABILITY OF CERTAIN PROVISIONS.—Amounts in the NIH and Cures Innovation Fund (including amounts made available to the National Institutes of Health) shall not be subject to—

(A) any transfer authority of the Secretary of Health and Human Services or the Director of the National Institutes of Health under sections 241, 402A(c), or 402A(d) of the Public Health Service Act (42 U.S.C. 238j, 282a(c) and (d)) or any other provision of law (other than this section); or

(B) the Nonrecurring expenses fund under section 223 of division G of the Consolidated Appropriations Act, 2008 (42 U.S.C. 3514a).

(c) AUTHORIZED USES.—

(1) NIH BIOMEDICAL RESEARCH.—Amounts in the NIH and Cures Innovation Fund that are allocated pursuant to subsection (b)(2)(A) may only be used for the purpose of conducting or supporting biomedical research (including basic, translational, and clinical research) through the following:

(A) Research in which—

(i) a principal investigator has a specific project or specific objectives; and

(ii) funding is tied to pursuit of such project or objectives.

(B) Research in which—

(i) a principal investigator has shown promise in biomedical research; and

(ii) funding is not tied to a specific project or specific objectives.

(C) Research to be carried out by an early stage investigator (as defined in subsection (g)).

(D) Research to be carried out by a small business concern (as defined in section 3 of the Small Business Act).

(E) The Accelerating Advancement Program under subsection (d)(2).

(F) Development and implementation of the strategic plan under subsection (d)(3).

(2) CURES DEVELOPMENT.—Amounts in the NIH and Cures Innovation Fund that are allocated pursuant to subsection (b)(2)(B) may only be used for the purpose of carrying out the following provisions:

(A) Section 229A of the Public Health Service Act, as added by section 1123 (relating to data on natural history of diseases).

(B) Section 2001 and the amendments made by such section (relating to development and use of patient experience data to enhance structured risk-benefit assessment framework).

(C) Section 2021 and the amendments made by such section (relating to qualification of drug development tools).

(D) Section 2062 and the amendments made by such section (relating to utilizing evidence from clinical experience).

(E) Section 2161 (relating to grants for studying the process of continuous drug manufacturing).

(F) Section 2201 and the amendments made by such section (relating to priority review for breakthrough devices).

(G) Section 2221 and the amendments made by such section (relating to third-party quality system assessments).

(H) Sections 2241, 2242, and 2243 and the amendments made by such sections (relating to health software).

(I) Section 513(j) of the Federal Food, Drug, and Cosmetic Act, as added by section 2223 (relating to training and oversight in least burdensome appropriate means concept).

(d) NIH INNOVATION FUND.—

(1) COORDINATION.—In conducting or supporting biomedical research pursuant to funds allocated pursuant to subsection (b)(2)(A), the

Secretary of Health and Human Services, acting through the Director of the National Institutes of Health, shall—

(A) ensure coordination among the national research institutes, the national centers, and other departments, agencies, and offices of the Federal Government; and

(B) minimize unnecessary duplication.

(2) **ACCELERATING ADVANCEMENT PROGRAM.**—The Director of the National Institutes of Health shall establish a program, to be known as the Accelerating Advancement Program, under which—

(A) the Director partners with national research institutes and national centers to accomplish important biomedical research objectives; and

(B) for every \$1 made available by the Director to a national research institute or national center for a research project, the institute or center makes \$1 available for such project from funds that are not derived from the NIH and Cures Innovation Fund.

(3) **STRATEGIC PLAN.**—

(A) **IN GENERAL.**—The Director of the National Institutes of Health shall ensure that scientifically based strategic planning is implemented in support of research priorities, including through development, use, and updating of a research strategic plan that—

(i) is designed to increase the efficient and effective focus of biomedical research in a manner that leverages the best scientific opportunities through a deliberative planning process;

(ii) identifies areas, to be known as strategic focus areas, in which the resources of the NIH and Cures Innovation Fund can contribute to the goals of expanding knowledge to address, and find more effective treatments for, unmet medical needs in the United States, including the areas of—

(I) biomarkers;

(II) precision medicine;

(III) infectious diseases, including pathogens listed as a qualifying pathogen under section 505E(f) of the Federal Food, Drug, and Cosmetic Act or listed or designated as a tropical disease under section 524 of such Act; and

(IV) antibiotics;

(iii) includes objectives for each such strategic focus area; and

(iv) ensures that basic research remains a priority.

(B) **UPDATES AND REVIEWS.**—The Director of the National Institutes of Health shall review and, as appropriate, update the research strategic plan under subparagraph (A) not less than every 18 months.

(e) **TRANSFER AUTHORITY.**—The Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives may provide for the transfer of funds in the NIH and Cures Innovation Fund for the purposes specified in subsection (c).

(f) **SUPPLEMENT, NOT SUPPLANT; LIMITATIONS.**—Funds appropriated by subsection (b)—

(1) shall be used to supplement, not supplant, amounts otherwise made available to the Department of Health and Human Services;

(2) are subject to the requirements and limitations of the most recently enacted regular or full-year continuing appropriation Act or resolution (as of the date of obligation) for programs of the National Institutes of Health or the Food and Drug Administration, as applicable; and

(3) notwithstanding any transfer authority in any appropriation Act, shall not be used for any purpose other than the purposes specified in subsection (c).

(g) **DEFINITION.**—In this subsection:

(1) The term “early stage investigator” means an investigator who—

(A) will be the principal investigator or the program director of the proposed research;

(B) has never been awarded, or has been awarded only once, a substantial, competing grant by the National Institutes of Health for independent research; and

(C) is within 10 years of having completed—

(i) the investigator’s terminal degree; or

(ii) a medical residency (or the equivalent).

(2) The terms “national center” and “national research institute” have the meanings given to those terms in section 401(g) of the Public Health Service Act (42 U.S.C. 281(g)).

## TITLE I—DISCOVERY

### Subtitle A—National Institutes of Health Funding

#### SEC. 1001. NATIONAL INSTITUTES OF HEALTH RE-AUTHORIZATION.

Section 402A(a)(1) of the Public Health Service Act (42 U.S.C. 282a(a)(1)) is amended—

(1) in subparagraph (B), by striking at the end “and”;

(2) in subparagraph (C), by striking at the end the period and inserting a semicolon; and

(3) by adding at the end the following new subparagraphs:

“(D) \$31,811,000,000 for fiscal year 2016;

“(E) \$33,331,000,000 for fiscal year 2017; and

“(F) \$34,851,000,000 for fiscal year 2018.”.

### Subtitle B—National Institutes of Health Planning and Administration

#### SEC. 1021. NIH RESEARCH STRATEGIC PLAN.

Section 402 of the Public Health Service Act (42 U.S.C. 282) is amended—

(1) in subsection (b), by amending paragraph (5) to read as follows:

“(5) shall ensure that scientifically based strategic planning is implemented in support of research priorities as determined by the agencies of the National Institutes of Health, including through development, use, and updating of the research strategic plan under subsection (m);”; and

(2) by adding at the end the following:

“(m) **RESEARCH STRATEGIC PLAN.**—

“(1) **FIVE-YEAR PLANS FOR BIOMEDICAL RESEARCH STRATEGY.**—

“(A) **IN GENERAL.**—For each successive five-year period beginning with the period of fiscal years 2016 through 2020, the Director of NIH, in consultation with the entities described in subparagraph (B), shall develop and maintain a biomedical research strategic plan that—

“(i) is designed to increase the efficient and effective focus of biomedical research in a manner that leverages the best scientific opportunities through a deliberative planning process;

“(ii) identifies areas, to be known as strategic focus areas, in which the resources of the National Institutes of Health can best contribute to the goal of expanding knowledge on human health in the United States through biomedical research; and

“(iii) includes objectives for each such strategic focus area.

“(B) **ENTITIES DESCRIBED.**—The entities described in this subparagraph are the directors of the national research institutes and national centers, researchers, patient advocacy groups, and industry leaders.

“(2) **USE OF PLAN.**—The Director of NIH and the directors of the national research institutes and national centers shall use the strategic plan—

“(A) to identify research opportunities; and

“(B) to develop individual strategic plans for the research activities of each of the national research institutes and national centers that—

“(i) have a common template; and

“(ii) identify strategic focus areas in which the resources of the national research institutes and national centers can best contribute to the goal of expanding knowledge on human health in the United States through biomedical research.

“(3) **CONTENTS OF PLANS.**—

“(A) **STRATEGIC FOCUS AREAS.**—The strategic focus areas identified pursuant to paragraph (1)(A)(ii) shall—

“(i) be identified in a manner that—

“(I) considers the return on investment to the United States public through the investments of the National Institutes of Health in biomedical research; and

“(II) contributes to expanding knowledge to improve the United States public’s health through biomedical research; and

“(ii) include overarching and trans-National Institutes of Health strategic focus areas, to be known as Mission Priority Focus Areas, which best serve the goals of preventing or eliminating the burden of a disease or condition and scientifically merit enhanced and focused research over the next 5 years.

“(B) **RARE AND PEDIATRIC DISEASES AND CONDITIONS.**—In developing and maintaining a strategic plan under this subsection, the Director of NIH shall ensure that rare and pediatric diseases and conditions remain a priority.

“(C) **WORKFORCE.**—In developing and maintaining a strategic plan under this subsection, the Director of NIH shall ensure that maintaining the biomedical workforce of the future, including the participation by scientists from groups traditionally underrepresented in the scientific workforce, remains a priority.

“(4) **INITIAL PLAN.**—Not later than 270 days after the date of enactment of this subsection, the Director of NIH and the directors of the national research institutes and national centers shall—

“(A) complete the initial strategic plan required by paragraphs (1) and (2); and

“(B) make such initial strategic plan publicly available on the website of the National Institutes of Health.

“(5) **REVIEW; UPDATES.**—

“(A) **PROGRESS REVIEWS.**—Not less than annually, the Director of NIH, in consultation with the directors of the national research institutes and national centers, shall conduct progress reviews for each strategic focus area identified under paragraph (1)(A)(ii).

“(B) **UPDATES.**—Not later than the end of the 5-year period covered by the initial strategic plan under this subsection, and every 5 years thereafter, the Director of NIH, in consultation with the directors of the national research institutes and national centers, stakeholders in the scientific field, advocates, and the public at large, shall—

“(i) conduct a review of the plan, including each strategic focus area identified under paragraph (2)(B); and

“(ii) update such plan in accordance with this section.”.

#### SEC. 1022. INCREASING ACCOUNTABILITY AT THE NATIONAL INSTITUTES OF HEALTH.

(a) **APPOINTMENT AND TERMS OF DIRECTORS OF NATIONAL RESEARCH INSTITUTES AND NATIONAL CENTERS.**—Subsection (a) of section 405 of the Public Health Service Act (42 U.S.C. 284) is amended to read as follows: “(a) **APPOINTMENT; TERMS.**—

“(1) **APPOINTMENT.**—The Director of the National Cancer Institute shall be appointed by the President and the directors of the other national research institutes, as well as the directors of the national centers, shall be appointed by the Director of NIH. The directors of the national research institutes, as well as national centers, shall report directly to the Director of NIH.

“(2) **TERMS.**—

“(A) **IN GENERAL.**—The term of office of a director of a national research institute or national center shall be 5 years.

“(B) **REMOVAL.**—The director of a national research institute or national center may be removed from office by the Director of NIH prior to the expiration of such director’s 5-year term.

“(C) REAPPOINTMENT.—At the end of the term of a director of a national research institute or national center, the director may be reappointed. There is no limit on the number of terms a director may serve.

“(D) VACANCIES.—If the office of a director of a national research institute or national center becomes vacant before the end of such director's term, the director appointed to fill the vacancy shall be appointed for a 5-year term starting on the date of such appointment.

“(E) TRANSITIONAL PROVISION.—Each director of a national research institute or national center serving on the date of enactment of the 21st Century Cures Act is deemed to be appointed for a 5-year term under this subsection starting on such date of enactment.”.

(b) COMPENSATION TO CONSULTANTS OR INDIVIDUAL SCIENTISTS.—Section 202 of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1993 (Public Law 102-394; 42 U.S.C. 238f note) is amended by striking “portable structures;” and all that follows and inserting “portable structures.”.

(c) REVIEW OF CERTAIN AWARDS BY DIRECTORS.—Section 405(b) of the Public Health Service Act (42 U.S.C. 284(b)) is amended by adding at the end the following:

“(3) Before an award is made by a national research institute or by a national center for a grant for a research program or project (commonly referred to as an ‘R-series grant’), other than an award constituting a noncompeting renewal of such grant, or a noncompeting administrative supplement to such grant, the director of such national research institute or national center—

“(A) shall review and approve the award; and

“(B) shall take into consideration—

“(i) the mission of the national research institute or national center and the scientific priorities identified in the strategic plan under section 402(m); and

“(ii) whether other agencies are funding programs or projects to accomplish the same goal.”.

(d) IOM STUDY ON DUPLICATION IN FEDERAL BIOMEDICAL RESEARCH.—The Secretary of Health and Human Services shall enter into an arrangement with the Institute of Medicine of the National Academies (or, if the Institute declines, another appropriate entity) under which the Institute (or other appropriate entity) not later than 2 years after the date of enactment of this Act will—

(1) complete a study on the extent to which biomedical research conducted or supported by Federal agencies is duplicative; and

(2) submit a report to the Congress on the results of such study, including recommendations on how to prevent such duplication.

#### SEC. 1023. REDUCING ADMINISTRATIVE BURDENS OF RESEARCHERS.

(a) PLAN PREPARATION AND IMPLEMENTATION OF MEASURES TO REDUCE ADMINISTRATIVE BURDENS.—The Director of the National Institutes of Health shall prepare a plan, including time frames, and implement measures to reduce the administrative burdens of researchers funded by the National Institutes of Health, taking into account the recommendations, evaluations, and plans researched by the following entities:

(1) The Scientific Management Review Board.

(2) The National Academy of Sciences.

(3) The 2007 and 2012 Faculty Burden Survey conducted by The Federal Demonstration Partnership.

(4) Relevant recommendations from the Research Business Models Working Group.

(b) REPORT.—Not later than two years after the date of enactment of this Act, the Director of the National Institutes of Health shall submit to Congress a report on the extent to which the Director has implemented measures pursuant to subsection (a).

#### SEC. 1024. EXEMPTION FOR THE NATIONAL INSTITUTES OF HEALTH FROM THE PAPERWORK REDUCTION ACT REQUIREMENTS.

Section 3518(c)(1) of title 44, United States Code, is amended—

(1) in subparagraph (C), by striking “; or” and inserting a semicolon;

(2) in subparagraph (D), by striking the period at the end and inserting “; or”; and

(3) by inserting at the end the following new subparagraph:

“(E) during the conduct of research by the National Institutes of Health.”.

#### SEC. 1025. NIH TRAVEL.

It is the sense of Congress that participation in or sponsorship of scientific conferences and meetings is essential to the mission of the National Institutes of Health.

#### SEC. 1026. OTHER TRANSACTIONS AUTHORITY.

Section 480 of the Public Health Service Act (42 U.S.C. 287a) is amended—

(1) in subsection (b), by striking “the appropriation of funds as described in subsection (g)” and inserting “the availability of funds as described in subsection (f)”;

(2) in subsection (e)(3), by amending subparagraph (C) to read as follows:

“(C) OTHER TRANSACTIONS AUTHORITY.—The Director of the Center shall have other transactions authority in entering into transactions to fund projects in accordance with the terms and conditions of this section.”;

(3) by striking subsection (f); and

(4) by redesignating subsection (g) as subsection (f).

#### SEC. 1027. NCATS PHASE IIB RESTRICTION.

Section 479 of the Public Health Service Act (42 U.S.C. 287) is amended—

(1) prior to making the amendments under paragraph (2), by striking “IIB” each place it appears and inserting “III”; and

(2) by striking “IIA” each place it appears and inserting “IIB”.

#### SEC. 1028. HIGH-RISK, HIGH-REWARD RESEARCH.

Part B of title IV of the Public Health Service Act (42 U.S.C. 284 et seq.) is amended by adding at the end the following:

##### “SEC. 409K. HIGH-RISK, HIGH-REWARD RESEARCH PROGRAM.

“The director of each national research institute shall, as appropriate—

“(1) establish programs to conduct or support research projects that pursue innovative approaches to major contemporary challenges in biomedical research that involve inherent high risk, but have the potential to lead to breakthroughs; and

“(2) set aside a specific percentage of funding, to be determined by the Director of NIH for each national research institute, for such projects.”.

#### SEC. 1029. SENSE OF CONGRESS ON INCREASED INCLUSION OF UNDERREPRESENTED COMMUNITIES IN CLINICAL TRIALS.

It is the sense of Congress that the National Institute on Minority Health and Health Disparities (NIMHD) should include within its strategic plan ways to increase representation of underrepresented communities in clinical trials.

##### Subtitle C—Supporting Young Emerging Scientists

#### SEC. 1041. IMPROVEMENT OF LOAN REPAYMENT PROGRAMS OF THE NATIONAL INSTITUTES OF HEALTH.

(a) IN GENERAL.—Part G of title IV of the Public Health Service (42 U.S.C. 288 et seq.) is amended—

(1) by redesignating the second section 487F (42 U.S.C. 288-6; relating to pediatric research loan repayment program) as section 487G; and

(2) by inserting after section 487G, as so redesignated, the following:

##### “SEC. 487H. LOAN REPAYMENT PROGRAM.

“(a) IN GENERAL.—The Secretary shall establish a program, based on workforce and scientific needs, of entering into contracts with qualified health professionals under which such health professionals agree to engage in research in consideration of the Federal Government agreeing to pay, for each year of engaging in such research, not more than \$50,000 of the principal and interest of the educational loans of such health professionals.

“(b) ADJUSTMENT FOR INFLATION.—Beginning with respect to fiscal year 2017, the Secretary may increase the maximum amount specified in subsection (a) by an amount that is determined by the Secretary, on an annual basis, to reflect inflation.

“(c) LIMITATION.—The Secretary may not enter into a contract with a health professional pursuant to subsection (a) unless such professional has a substantial amount of educational loans relative to income.

“(d) APPLICABILITY OF CERTAIN PROVISIONS REGARDING OBLIGATED SERVICE.—Except to the extent inconsistent with this section, the provisions of sections 338B, 338C, and 338E shall apply to the program established under this section to the same extent and in the same manner as such provisions apply to the National Health Service Corps Loan Repayment Program established under section 338B.

“(e) AVAILABILITY OF APPROPRIATIONS.—Amounts appropriated for a fiscal year for contracts under subsection (a) are authorized to remain available until the expiration of the second fiscal year beginning after the fiscal year for which the amounts were appropriated.”.

(b) UPDATE OF OTHER LOAN REPAYMENT PROGRAMS.—

(1) Section 4642-5(a) of the Public Health Service Act (42 U.S.C. 285t-2(a)) is amended—

(A) by striking “\$35,000” and inserting “\$50,000”; and

(B) by adding at the end the following new sentence: “Subsection (b) of section 487H shall apply with respect to the maximum amount specified in this subsection in the same manner as it applies to the maximum amount specified in subsection (a) of such section.”.

(2) Section 487A(a) of such Act (42 U.S.C. 288-1(a)) is amended—

(A) by striking “\$35,000” and inserting “\$50,000”; and

(B) by adding at the end the following new sentence: “Subsection (b) of section 487H shall apply with respect to the maximum amount specified in this subsection in the same manner as it applies to the maximum amount specified in subsection (a) of such section.”.

(3) Section 487B(a) of such Act (42 U.S.C. 288-2(a)) is amended—

(A) by striking “\$35,000” and inserting “\$50,000”; and

(B) by adding at the end the following new sentence: “Subsection (b) of section 487H shall apply with respect to the maximum amount specified in this subsection in the same manner as it applies to the maximum amount specified in such subsection (a) of such section.”.

(4) Section 487C(a)(1) of such Act (42 U.S.C. 288-3(a)(1)) is amended—

(A) by striking “\$35,000” and inserting “\$50,000”; and

(B) by adding at the end the following new sentence: “Subsection (b) of section 487H shall apply with respect to the maximum amount specified in this paragraph in the same manner as it applies to the maximum amount specified in such subsection (a) of such section.”.

(5) Section 487E(a)(1) of such Act (42 U.S.C. 288-5(a)(1)) is amended—

(A) by striking “\$35,000” and inserting “\$50,000”; and

(B) by adding at the end the following new sentence: “Subsection (b) of section 487H shall



apply with respect to the maximum amount specified in this paragraph in the same manner as it applies to the maximum amount specified in such subsection (a) of such section.”.

(6) Section 487F(a) of such Act (42 U.S.C. 288-5a(a)), as added by section 205 of Public Law 106-505, is amended—

(A) by striking “\$35,000” and inserting “\$50,000”; and

(B) by adding at the end the following new sentence: “Subsection (b) of section 487H shall apply with respect to the maximum amount specified in this subsection in the same manner as it applies to the maximum amount specified in such subsection (a) of such section.”.

(7) Section 487G of such Act (42 U.S.C. 288-6, as redesignated by subsection (a)(1)), is further amended—

(A) in subsection (a)(1), by striking “\$35,000” and inserting “\$50,000”; and

(B) in subsection (b), by adding at the end the following new sentence: “Subsection (b) of section 487H shall apply with respect to the maximum amount specified in subsection (a)(1) in the same manner as it applies to the maximum amount specified in such subsection (a) of such section.”.

#### SEC. 1042. REPORT.

Not later than 18 months after the date of the enactment of this Act, the Director of the National Institutes of Health shall submit to Congress a report on efforts of the National Institutes of Health to attract, retain, and develop emerging scientists.

#### Subtitle D—Capstone Grant Program

#### SEC. 1061. CAPSTONE AWARD.

Part G of title IV of the Public Health Service Act (42 U.S.C. 288 et seq.) is amended by adding at the end the following:

#### “SEC. 490. CAPSTONE AWARD.

“(a) IN GENERAL.—The Secretary may make awards (each of which, hereafter in this section, referred to as a ‘Capstone Award’) to support outstanding scientists who have been funded by the National Institutes of Health.

“(b) PURPOSE.—Capstone Awards shall be made to facilitate the successful transition or conclusion of research programs, or for other purposes, as determined by the Director of NIH, in consultation with the directors of the national research institutes and national centers.

“(c) DURATION AND AMOUNT.—The duration and amount of each Capstone Award shall be determined by the Director of NIH in consultation with the directors of the national research institutes and national centers.

“(d) LIMITATION.—Individuals who have received a Capstone Award shall not be eligible to have principle investigator status on subsequent awards from the National Institutes of Health.”.

#### Subtitle E—Promoting Pediatric Research Through the National Institutes of Health

#### SEC. 1081. NATIONAL PEDIATRIC RESEARCH NETWORK.

Section 409D(d) of the Public Health Service Act (42 U.S.C. 284h(d)) is amended—

(1) in paragraph (1)—

(A) by striking “in consultation with the Director of the Eunice Kennedy Shriver National Institute of Child Health and Human Development and in collaboration with other appropriate national research institutes and national centers that carry out activities involving pediatric research” and inserting “in collaboration with the national research institutes and national centers that carry out activities involving pediatric research”;

(B) by striking subparagraph (B);

(C) by striking “may be comprised of, as appropriate” and all that follows through “the pediatric research consortia” and inserting “may be comprised of, as appropriate, the pediatric research consortia”; and

(D) by striking “; or” at the end and inserting a period; and

(2) in paragraph (1), paragraph (2)(A), the first sentence of paragraph (2)(E), and paragraph (4), by striking “may” each place it appears and inserting “shall”.

#### SEC. 1082. GLOBAL PEDIATRIC CLINICAL STUDY NETWORK SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the National Institutes of Health should encourage a global pediatric clinical study network through the allocation of grants, contracts, or cooperative agreements to supplement the salaries of new and early investigators who participate in the global pediatric clinical study network;

(2) National Institutes of Health grants, contracts, or cooperative agreements should be awarded, solely for the purpose of supplementing the salaries of new and early investigators, to entities that participate in the global pediatric clinical study network;

(3) the Food and Drug Administration should engage the European Medicines Agency and other foreign regulatory entities during the formation of the global pediatric clinical study network to encourage their participation; and

(4) once a global pediatric clinical study network is established and becomes operational, the Food and Drug Administration should continue to engage the European Medicines Agency and other foreign regulatory entities to encourage and facilitate their participation in the network with the goal of enhancing the global reach of the network.

#### SEC. 1083. APPROPRIATE AGE GROUPINGS IN CLINICAL RESEARCH.

(a) INPUT FROM EXPERTS.—Not later than 180 days after the date of enactment of this Act, the Director of the National Institutes of Health shall convene a workshop of experts on pediatrics and experts on geriatrics to provide input on—

(1) appropriate age groupings to be included in research studies involving human subjects; and

(2) acceptable scientific justifications for excluding participants from a range of age groups from human subjects research studies.

(b) GUIDELINES.—Not later than 180 days after the conclusion of the workshop under subsection (a), the Director of the National Institutes of Health shall publish guidelines—

(1) addressing the consideration of age as an inclusion variable in research involving human subjects; and

(2) identifying criteria for justifications for any age-related exclusions in such research.

(c) PUBLIC AVAILABILITY OF FINDINGS AND CONCLUSIONS.—The Director of the National Institutes of Health shall—

(1) make the findings and conclusions resulting from the workshop under subsection (a) available to the public on the website of the National Institutes of Health; and

(2) not less than biennially, disclose to the public on such website the number of children included in research that is conducted or supported by the National Institutes of Health, disaggregated by developmentally appropriate age group, race, and gender.

#### Subtitle F—Advancement of the National Institutes of Health Research and Data Access

#### SEC. 1101. STANDARDIZATION OF DATA IN CLINICAL TRIAL REGISTRY DATA BANK ON ELIGIBILITY FOR CLINICAL TRIALS.

(a) STANDARDIZATION.—

(1) IN GENERAL.—Section 402(j) of the Public Health Service Act (42 U.S.C. 282(j)) is amended—

(A) by redesignating paragraph (7) as paragraph (8); and

(B) by inserting after paragraph (6) the following:

“(7) STANDARDIZATION.—The Director of NIH shall—

“(A) ensure that the registry and results data bank is easily used by the public;

“(B) ensure that entries in the registry and results data bank are easily compared;

“(C) ensure that information required to be submitted to the registry and results data bank, including recruitment information under paragraph (2)(A)(ii)(II), is submitted by persons and posted by the Director of NIH in a standardized format and includes at least—

“(i) the disease or indication being studied;

“(ii) inclusion criteria such as age, gender, diagnosis or diagnoses, laboratory values, or imaging results; and

“(iii) exclusion criteria such as specific diagnosis or diagnoses, laboratory values, or prohibited medications; and

“(D) to the extent possible, in carrying out this paragraph, make use of standard health care terminologies, such as the International Classification of Diseases or the Current Procedural Terminology, that facilitate electronic matching to data in electronic health records or other relevant health information technologies.”.

(2) CONFORMING AMENDMENT.—Clause (iv) of section 402(j)(2)(B) of the Public Health Service Act (42 U.S.C. 282(j)(2)(B)) is hereby stricken.

(b) CONSULTATION.—Not later than 90 days after the date of enactment of this Act, the Secretary of Health and Human Services shall consult with stakeholders (including patients, researchers, physicians, industry representatives, health information technology providers, the Food and Drug Administration, and standard setting organizations such as CDISC that have experience working with Federal agencies to standardize health data submissions) to receive advice on enhancements to the clinical trial registry data bank under section 402(j) of the Public Health Service Act (42 U.S.C. 282(j)) (including enhancements to usability, functionality, and search capability) that are necessary to implement paragraph (7) of section 402(j) of such Act, as added by subsection (a).

(c) APPLICABILITY.—Not later than 18 months after the date of enactment of this Act, the Secretary of Health and Human Services shall begin implementation of paragraph (7) of section 402(j) of the Public Health Service Act, as added by subsection (a).

#### Subtitle G—Facilitating Collaborative Research

#### SEC. 1121. CLINICAL TRIAL DATA SYSTEM.

(a) ESTABLISHMENT.—The Secretary, acting through the Commissioner of Food and Drugs and the Director of the National Institutes of Health, shall enter into a cooperative agreement, contract, or grant for a period of 7 years, to be known as the Clinical Trial Data System Agreement, with one or more eligible entities to implement a pilot program with respect to all clinical trial data obtained from qualified clinical trials for purposes of registered users conducting further research on such data.

(b) APPLICATION.—Eligible entities seeking to enter into a cooperative agreement, contract, or grant with the Secretary under this section shall submit to the Secretary an application in such time and manner, and containing such information, as the Secretary may require in accordance with this section. The Secretary shall not enter into a cooperative agreement, contract, or grant under this section with an eligible entity unless such entity submits an application including the following:

(1) A certification that the eligible entity is not currently and does not plan to be involved in sponsoring, operating, or participating in a clinical trial nor collaborating with another entity for the purposes of sponsoring, operating, or participating in a clinical trial.

(2) Information demonstrating that the eligible entity can compile clinical trial data in standardized formats using terminologies and standards that have been developed by recognized standards developing organizations with input from diverse stakeholder groups, and information demonstrating that the eligible entity can de-identify clinical trial data consistent with the requirements of section 164.514 of title 45, Code of Federal Regulations (or successor regulations).

(3) A description of the system the eligible entity will use to store and maintain such data, and information demonstrating that this system will comply with applicable standards and requirements for ensuring the security of the clinical trial data.

(4) A certification that the eligible entity will allow only registered users to access and use de-identified clinical trial data, gathered from qualified clinical trials, and that the eligible entity will allow each registered user to access and use such data only after such registered user agrees in writing to the terms described in (e)(4)(B), and such other carefully controlled contractual terms as may be defined by the Secretary.

(5) Evidence demonstrating the ability of the eligible entity to ensure that registered users disseminate the results of the research conducted in accordance with this section to interested parties to serve as a guide to future medical product development or scientific research.

(6) The plan of the eligible entity for securing funding for the activities it would conduct under the clinical trial data system agreement from governmental sources and private foundations, entities, and individuals.

(7) Evidence demonstrating a proven track record of—

(A) being a neutral third party in working with medical product manufacturers, academic institutions, and the Food and Drug Administration; and

(B) having the ability to protect confidential data.

(8) An agreement that the eligible entity will work with the Comptroller General of the United States for purposes of the study and report under subsection (d).

(c) **EXTENSION, EXPANSION, TERMINATION.**—The Secretary, acting through the Commissioner of Food and Drugs and the Director of the National Institutes of Health, upon the expiration of the 7-year period referred to in subsection (a), may extend (including permanently), expand, or terminate the pilot program established under such subsection, in whole or in part.

(d) **STUDY AND REPORT.**—

(1) **IN GENERAL.**—The Comptroller General of the United States shall conduct a study and issue a report to the Congress and the Secretary with respect to the pilot program established under subsection (a), not later than 6 years after the date on which the pilot program is established under subsection (a).

(2) **STUDY.**—The study under paragraph (1) shall—

(A) review the effectiveness of the pilot program established under subsection (a); and

(B) be designed to formulate recommendations on improvements to the program.

(3) **REPORT.**—The report under paragraph (1) shall contain at least the following information:

(A) The new discoveries, research inquiries, or clinical trials that have resulted from accessing clinical trial data under the pilot program established under subsection (a).

(B) The number of times scientists have accessed such data, disaggregated by research area and clinical trial phase.

(C) An analysis of whether the program has helped to reduce adverse events in clinical trials.

(D) An analysis of whether scientists have raised any concerns about the burden of having

to share data with the system established under the program and, if so, a description of such concerns.

(E) An analysis of privacy and data integrity practices used in the program.

(e) **DEFINITIONS.**—In this section:

(1) The term “eligible entity” means an entity that has experienced personnel with clinical and other technical expertise in the biomedical sciences and biomedical ethics and that is—

(A) an institution of higher education (as such term is defined in section 1001 of the Higher Education Act of 1965 (20 U.S.C. 1001)) or a consortium of such institutions; or

(B) an organization described in section 501(c)(3) of title 26 of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such title.

(2) The term “medical product” means a drug (as defined in section 201(g) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 331(g))), a device (as defined in section 201(h) of such Act (21 U.S.C. 331(h)), a biological product (as defined in section 351 of the Public Health Service Act (42 U.S.C. 262)), or any combination thereof.

(3) The term “qualified clinical trial” means a clinical trial sponsored solely by an agency of the Department of Health and Human Services with respect to a medical product—

(A) that—

(i) was approved or cleared under section 505, 510(k), or 515, or has an exemption for investigational use in effect under section 505 or 520(m), of the Federal Food, Drug, and Cosmetic Act (42 U.S.C. 301 et seq.); or

(ii) was licensed under section 351 of the Public Health Service Act (42 U.S.C. 262) or has an exemption for investigational use in effect under such section 351; or

(B) that is an investigational product for which the original development was discontinued and with respect to which—

(i) no additional work to support approval, licensure, or clearance of such medical product is being or is planned to be undertaken by the sponsor of the original development program, its successors, assigns, or collaborators; and

(ii) the sponsor of the original investigational development program has provided its consent to the Secretary for inclusion of data regarding such product in the system established under this section.

(4) The term “registered user” means a scientific or medical researcher who has—

(A) a legitimate biomedical research purpose for accessing information from the clinical trials data system and has appropriate qualifications to conduct such research; and

(B) agreed in writing not to transfer to any other person that is not a registered user de-identified clinical trial data from qualified clinical trials accessed through an eligible entity, use such data for reasons not specified in the research proposal, or seek to re-identify qualified clinical trial participants.

(5) The term “Secretary” means the Secretary of Health and Human Services.

#### **SEC. 1122. NATIONAL NEUROLOGICAL DISEASES SURVEILLANCE SYSTEM.**

Part P of title III of the Public Health Service Act (42 U.S.C. 280g et seq.) is amended by adding at the end the following:

#### **“SEC. 399V-6 SURVEILLANCE OF NEUROLOGICAL DISEASES.**

“(a) **IN GENERAL.**—The Secretary, acting through the Director of the Centers for Disease Control and Prevention and in coordination with other agencies as determined appropriate by the Secretary, shall—

“(1) enhance and expand infrastructure and activities to track the epidemiology of neurological diseases, including multiple sclerosis and Parkinson’s disease; and

“(2) incorporate information obtained through such activities into a statistically sound, scientifically credible, integrated surveillance system, to be known as the National Neurological Diseases Surveillance System.

“(b) **RESEARCH.**—The Secretary shall ensure that the National Neurological Diseases Surveillance System is designed in a manner that facilitates further research on neurological diseases.

“(c) **CONTENT.**—In carrying out subsection (a), the Secretary—

“(1) shall provide for the collection and storage of information on the incidence and prevalence of neurological diseases in the United States;

“(2) to the extent practicable, shall provide for the collection and storage of other available information on neurological diseases, such as information concerning—

“(A) demographics and other information associated or possibly associated with neurological diseases, such as age, race, ethnicity, sex, geographic location, and family history;

“(B) risk factors associated or possibly associated with neurological diseases, including genetic and environmental risk factors; and

“(C) diagnosis and progression markers;

“(3) may provide for the collection and storage of information relevant to analysis on neurological diseases, such as information concerning—

“(A) the epidemiology of the diseases;

“(B) the natural history of the diseases;

“(C) the prevention of the diseases;

“(D) the detection, management, and treatment approaches for the diseases; and

“(E) the development of outcomes measures; and

“(4) may address issues identified during the consultation process under subsection (d).

“(d) **CONSULTATION.**—In carrying out this section, the Secretary shall consult with individuals with appropriate expertise, including—

“(1) epidemiologists with experience in disease surveillance or registries;

“(2) representatives of national voluntary health associations that—

“(A) focus on neurological diseases, including multiple sclerosis and Parkinson’s disease; and

“(B) have demonstrated experience in research, care, or patient services;

“(3) health information technology experts or other information management specialists;

“(4) clinicians with expertise in neurological diseases; and

“(5) research scientists with experience conducting translational research or utilizing surveillance systems for scientific research purposes.

“(e) **GRANTS.**—The Secretary may award grants to, or enter into contracts or cooperative agreements with, public or private nonprofit entities to carry out activities under this section.

“(f) **COORDINATION WITH OTHER FEDERAL, STATE, AND LOCAL AGENCIES.**—Subject to subsection (h), the Secretary shall make information and analysis in the National Neurological Diseases Surveillance System available, as appropriate—

“(1) to Federal departments and agencies, such as the National Institutes of Health, the Food and Drug Administration, the Centers for Medicare & Medicaid Services, the Agency for Healthcare Research and Quality, the Department of Veterans Affairs, and the Department of Defense; and

“(2) to State and local agencies.

“(g) **PUBLIC ACCESS.**—Subject to subsection (h), the Secretary shall make information and analysis in the National Neurological Diseases Surveillance System available, as appropriate, to the public, including researchers.

“(h) **PRIVACY.**—The Secretary shall ensure that privacy and security protections applicable

to the National Neurological Diseases Surveillance System are at least as stringent as the privacy and security protections under HIPAA privacy and security law (as defined in section 3009(a)(2)).

“(i) **REPORT.**—Not later than 4 years after the date of the enactment of this section, the Secretary shall submit a report to the Congress concerning the implementation of this section. Such report shall include information on—

“(1) the development and maintenance of the National Neurological Diseases Surveillance System;

“(2) the type of information collected and stored in the System;

“(3) the use and availability of such information, including guidelines for such use; and

“(4) the use and coordination of databases that collect or maintain information on neurological diseases.

“(j) **DEFINITION.**—In this section, the term ‘national voluntary health association’ means a national nonprofit organization with chapters, other affiliated organizations, or networks in States throughout the United States.

“(k) **AUTHORIZATION OF APPROPRIATIONS.**—To carry out this section, there is authorized to be appropriated \$5,000,000 for each of fiscal years 2016 through 2020.”

**SEC. 1123. DATA ON NATURAL HISTORY OF DISEASES.**

(a) **SENSE OF CONGRESS.**—It is the sense of the Congress that studies on the natural history of diseases can help to facilitate and expedite the development of medical products for such diseases.

(b) **AUTHORITY.**—Part A of title II of the Public Health Service Act (42 U.S.C. 202 et seq.) is amended by adding at the end the following:

**“SEC. 229A. DATA ON NATURAL HISTORY OF DISEASES.**

“(a) **IN GENERAL.**—The Secretary, acting through the Commissioner of Food and Drugs, may, for the purposes described in subsection (b)—

“(1) participate in public-private partnerships engaged in one or more activities specified in subsection (c); and

“(2) award grants to patient advocacy groups or other organizations determined appropriate by the Secretary.

“(b) **PURPOSES DESCRIBED.**—The purposes described in this subsection are to establish or facilitate the collection, maintenance, analysis, and interpretation of data regarding the natural history of diseases, with a particular focus on rare diseases.

“(c) **ACTIVITIES OF PUBLIC-PRIVATE PARTNERSHIPS.**—The activities of public-private partnerships in which the Secretary may participate for purposes of this section include—

“(1) cooperating with other entities that sponsor or maintain disease registries, including disease registries and disease registry platforms for rare diseases;

“(2) developing or enhancing a secure information technology system that—

“(A) has the capacity to support data needs across a wide range of disease studies;

“(B) is easily modified as knowledge is gained during such studies; and

“(C) is capable of handling increasing amounts of data as more studies are carried out; and

“(3) providing advice to clinical researchers, patient advocacy groups, and other entities with respect to—

“(A) the design and conduct of disease studies;

“(B) the modification of any such ongoing studies; and

“(C) addressing associated patient privacy issues.

“(d) **AVAILABILITY OF DATA ON NATURAL HISTORY OF DISEASES.**—Data relating to the nat-

ural history of diseases obtained, aggregated, or otherwise maintained by a public-private partnership in which the Secretary participates under subsection (a) shall be made available, consistent with otherwise applicable Federal and State privacy laws, to the public (including patient advocacy groups, researchers, and drug developers) to help to facilitate and expedite medical product development programs.

“(e) **CONFIDENTIALITY.**—Notwithstanding subsection (d), nothing in this section authorizes the disclosure of any information that is a trade secret or commercial or financial information that is privileged or confidential and subject to section 552(b)(4) of title 5, United States Code, or section 1905 of title 18, United States Code.

“(f) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2016 through 2020.”

**SEC. 1124. ACCESSING, SHARING, AND USING HEALTH DATA FOR RESEARCH PURPOSES.**

(a) **IN GENERAL.**—(1) The HITECH Act (title XIII of division A of Public Law 111–5) is amended by adding at the end of subtitle D of such Act (42 U.S.C. 17921 et seq.) the following:

**“PART 4—ACCESSING, SHARING, AND USING HEALTH DATA FOR RESEARCH PURPOSES**

**“SEC. 13441. REFERENCES.**

“In this part:

“(1) **THE RULE.**—References to ‘the Rule’ refer to part 160 or part 164, as appropriate, of title 45, Code of Federal Regulations (or any successor regulation).

“(2) **PART 164.**—References to a specified section of ‘part 164’, refer to such specified section of part 164 of title 45, Code of Federal Regulations (or any successor section).

**“SEC. 13442. DEFINING HEALTH DATA RESEARCH AS PART OF HEALTH CARE OPERATIONS.**

“(a) **IN GENERAL.**—Subject to subsection (b), the Secretary shall revise or clarify the Rule to allow the use and disclosure of protected health information by a covered entity for research purposes, including studies whose purpose is to obtain generalizable knowledge, to be treated as the use and disclosure of such information for health care operations described in subparagraph (1) of the definition of health care operations in section 164.501 of part 164.

“(b) **MODIFICATIONS TO RULES FOR DISCLOSURES FOR HEALTH CARE OPERATIONS.**—In applying section 164.506 of part 164 to the disclosure of protected health information described in subsection (a)—

“(1) the Secretary shall revise or clarify the Rule so that the disclosure may be made by the covered entity to only—

“(A) another covered entity for health care operations (as defined in section 164.501 of part 164);

“(B) a business associate that has entered into a contract under section 164.504(e) of part 164 with a disclosing covered entity to perform health care operations; or

“(C) a business associate that has entered into a contract under section 164.504(e) of part 164 for the purpose of data aggregation (as defined in section 164.501 of part 164); and

“(2) the Secretary shall further revise or clarify the Rule so that the limitation specified by section 164.506(c)(4) of part 164 does not apply to disclosures that are described by subsection (a).

“(c) **RULE OF CONSTRUCTION.**—This section shall not be construed as prohibiting or restricting a use or disclosure of protected health information for research purposes that is otherwise permitted under part 164.

**“SEC. 13443. TREATING DISCLOSURES OF PROTECTED HEALTH INFORMATION FOR RESEARCH SIMILARLY TO DISCLOSURES OF SUCH INFORMATION FOR PUBLIC HEALTH PURPOSES.**

“(a) **REMUNERATION.**—The Secretary shall revise or clarify the Rule so that disclosures of protected health information for research purposes are not subject to the limitation on remuneration described in section 164.502(a)(5)(ii)(B)(2)(ii) of part 164.

“(b) **PERMITTED USES AND DISCLOSURES.**—The Secretary shall revise or clarify the Rule so that research activities, including comparative research activities, related to the quality, safety, or effectiveness of a product or activity that is regulated by the Food and Drug Administration are included as public health activities for purposes of which a covered entity may disclose protected health information to a person described in section 164.512(b)(1)(iii) of part 164.

**“SEC. 13444. PERMITTING REMOTE ACCESS TO PROTECTED HEALTH INFORMATION BY RESEARCHERS.**

“The Secretary shall revise or clarify the Rule so that subparagraph (B) of section 164.512(i)(1)(ii) of part 164 (prohibiting the removal of protected health information by a researcher) does not prohibit remote access to health information by a researcher so long as—

“(1) appropriate security and privacy safeguards are maintained by the covered entity and the researcher; and

“(2) the protected health information is not copied or otherwise retained by the researcher.

**“SEC. 13445. ALLOWING ONE-TIME AUTHORIZATION OF USE AND DISCLOSURE OF PROTECTED HEALTH INFORMATION FOR RESEARCH PURPOSES.**

“(a) **IN GENERAL.**—The Secretary shall revise or clarify the Rule to specify that an authorization for the use or disclosure of protected health information, with respect to an individual, for future research purposes shall be deemed to contain a sufficient description of the purpose of the use or disclosure if the authorization—

“(1) sufficiently describes the purposes such that it would be reasonable for the individual to expect that the protected health information could be used or disclosed for such future research;

“(2) either—

“(A) states that the authorization will expire on a particular date or on the occurrence of a particular event; or

“(B) states that the authorization will remain valid unless and until it is revoked by the individual; and

“(3) provides instruction to the individual on how to revoke such authorization at any time.

“(b) **REVOCATION OF AUTHORIZATION.**—The Secretary shall revise or clarify the Rule to specify that, if an individual revokes an authorization for future research purposes such as is described by subsection (a), the covered entity may not make any further uses or disclosures based on that authorization, except, as provided in paragraph (b)(5) of section 164.508 of part 164, to the extent that the covered entity has taken action in reliance on the authorization.”

(2) The table of sections in section 13001(b) of such Act is amended by adding at the end of the items relating to subtitle D the following new items:

**“PART 4—ACCESSING, SHARING, AND USING HEALTH DATA FOR RESEARCH PURPOSES**

“Sec. 13441. References.

“Sec. 13442. Defining health data research as part of health care operations.

“Sec. 13443. Treating disclosures of protected health information for research similarly to disclosures of such information for public health purposes.

“Sec. 13444. Permitting remote access to protected health information by researchers.

“Sec. 13445. Allowing one-time authorization of use and disclosure of protected health information for research purposes.”.

(b) **REVISION OF REGULATIONS.**—Not later than 12 months after the date of the enactment of this Act, the Secretary of Health and Human Services shall revise and clarify the provisions of title 45, Code of Federal Regulations, for consistency with part 4 of subtitle D of the HITECH Act, as added by subsection (a).

**Subtitle H—Council for 21st Century Cures**

**SEC. 1141. COUNCIL FOR 21ST CENTURY CURES.**

Title II of the Public Health Service Act (42 U.S.C. 202 et seq.) is amended by adding at the end the following:

**“PART E—COUNCIL FOR 21ST CENTURY CURES**

**“SEC. 281. ESTABLISHMENT.**

“A nonprofit corporation to be known as the Council for 21st Century Cures (referred to in this part as the ‘Council’) shall be established in accordance with this section. The Council shall be a public-private partnership headed by an Executive Director (referred to in this part as the ‘Executive Director’), appointed by the members of the Board of Directors. The Council shall not be an agency or instrumentality of the United States Government.

**“SEC. 281A. PURPOSE.**

“The purpose of the Council is to accelerate the discovery, development, and delivery in the United States of innovative cures, treatments, and preventive measures for patients.

**“SEC. 281B. DUTIES.**

“For the purpose described in section 281A, the Council shall—

“(1) foster collaboration and coordination among the entities that comprise the Council, including academia, government agencies, industry, health care payors and providers, patient advocates, and others engaged in the cycle of discovery, development, and delivery of life-saving and health-enhancing innovative interventions;

“(2) undertake communication and dissemination activities;

“(3) publish information on the activities funded under section 281D;

“(4) establish a strategic agenda for accelerating the discovery, development, and delivery in the United States of innovative cures, treatments, and preventive measures for patients;

“(5) identify gaps and opportunities within and across the discovery, development, and delivery cycle;

“(6) develop and propose recommendations based on the gaps and opportunities so identified;

“(7) facilitate the interoperability of the components of the discovery, development, and delivery cycle;

“(8) propose recommendations that will facilitate precompetitive collaboration;

“(9) identify opportunities to work with, but not duplicate the efforts of, nonprofit organizations and other public-private partnerships; and

“(10) identify opportunities for collaboration with organizations operating outside of the United States, such as the Innovative Medicines Initiative of the European Union.

**“SEC. 281C. ORGANIZATION; ADMINISTRATION.**

“(a) **BOARD OF DIRECTORS.**—

**“(1) ESTABLISHMENT.**—

“(A) **IN GENERAL.**—The Council shall have a Board of Directors (in this part referred to as the ‘Board of Directors’), which shall be composed of the ex officio members under subparagraph (B) and the appointed members under subparagraph (C). All members of the Board shall be voting members.

“(B) **EX OFFICIO MEMBERS.**—The ex officio members of the Board shall be the following individuals or their designees:

“(i) The Director of the National Institutes of Health.

“(ii) The Commissioner of Food and Drugs.

“(iii) The Administrator of the Centers for Medicare & Medicaid Services.

“(iv) The heads of five other Federal agencies deemed by the Secretary to be engaged in biomedical research and development.

“(C) **APPOINTED MEMBERS.**—The appointed members of the Board shall consist of 17 individuals, of whom—

“(i) 8 shall be appointed by the Comptroller General of the United States from a list of nominations submitted by leading trade associations—

“(I) 4 of whom shall be representatives of the biopharmaceutical industry;

“(II) 2 of whom shall be representatives of the medical device industry; and

“(III) 2 of whom shall be representatives of the information and digital technology industry; and

“(ii) 9 shall be appointed by the Comptroller General of the United States, after soliciting nominations—

“(I) 2 of whom shall be representatives of academic researchers;

“(II) 3 of whom shall be representatives of patients;

“(III) 2 of whom shall be representatives of health care providers; and

“(IV) 2 of whom shall be representatives of health care plans and insurers.

“(D) **CHAIR.**—The Chair of the Board shall be selected by the members of the Board by majority vote from among the members of the Board.

“(2) **TERMS AND VACANCIES.**—

“(A) **IN GENERAL.**—The term of office of each member of the Board appointed under paragraph (1)(C) shall be 5 years.

“(B) **VACANCY.**—Any vacancy in the membership of the Board—

“(i) shall not affect the power of the remaining members to execute the duties of the Board; and

“(ii) shall be filled by appointment by the appointed members described in paragraph (1)(C) by majority vote.

“(C) **PARTIAL TERM.**—If a member of the Board does not serve the full term applicable under subparagraph (A), the individual appointed under subparagraph (B) to fill the resulting vacancy shall be appointed for the remainder of the term of the predecessor of the individual.

“(3) **RESPONSIBILITIES.**—Not later than 90 days after the date on which the Council is incorporated and its Board of Directors is fully constituted, the Board of Directors shall establish bylaws and policies for the Council that—

“(A) are published in the Federal Register and available for public comment;

“(B) establish policies for the selection and, as applicable, appointment of—

“(i) the officers, employees, agents, and contractors of the Council; and

“(ii) the members of any committees of the Council;

“(C) establish policies, including ethical standards, for the conduct of programs and other activities under section 281D; and

“(D) establish specific duties of the Executive Director.

**“(4) MEETINGS.**—

“(A) **IN GENERAL.**—The Board of Directors shall—

“(i) meet on a quarterly basis; and

“(ii) submit to Congress, and make publicly available, the minutes of such meetings.

“(B) **AGENDA.**—The Board of Directors shall, not later than 3 months after the incorporation of the Council—

“(i) issue an agenda (in this part referred to as the ‘agenda’) outlining how the Council will achieve the purpose described in section 281A; and

“(ii) annually thereafter, in consultation with the Executive Director, review and update such agenda.

“(b) **APPOINTMENT AND INCORPORATION.**—Not later than 6 months after the date of enactment of the 21st Century Cures Act—

“(1) the Comptroller General of the United States shall appoint the appointed members of the Board of Directors under subsection (a)(1)(C); and

“(2) the ex officio members of the Board of Directors under subsection (a)(1)(B) shall serve as incorporators and shall take whatever actions are necessary to incorporate the Council.

“(c) **NONPROFIT STATUS.**—In carrying out this part, the Board of Directors shall establish such policies and bylaws, and the Executive Director shall carry out such activities, as may be necessary to ensure that the Council maintains status as an organization that—

“(1) is described in subsection (c)(3) of section 501 of the Internal Revenue Code of 1986; and

“(2) is, under subsection (a) of such section, exempt from taxation.

“(d) **EXECUTIVE DIRECTOR.**—The Executive Director shall—

“(1) be the chief executive officer of the Council; and

“(2) subject to the oversight of the Board of Directors, be responsible for the day-to-day management of the Council.

**“SEC. 281D. OPERATIONAL ACTIVITIES AND ASSISTANCE.**

“(a) **IN GENERAL.**—The Council shall establish a sufficient operational infrastructure to fulfill the duties specified in section 281B.

“(b) **PRIVATE SECTOR MATCHING FUNDS.**—The Council may accept financial or in-kind support from participating entities or private foundations or organizations when such support is deemed appropriate.

**“SEC. 281E. TERMINATION; REPORT.**

“(a) **IN GENERAL.**—The Council shall terminate on September 30, 2023.

“(b) **REPORT.**—Not later than one year after the date on which the Council is established and each year thereafter, the Executive Director shall submit to the appropriate congressional committees a report on the performance of the Council. In preparing such report, the Council shall consult with a nongovernmental consultant with appropriate expertise.

**“SEC. 281F. FUNDING.**

“For the each of fiscal years 2016 through 2023, there is authorized to be appropriated \$10,000,000 to the Council for purposes of carrying out the duties of the Council under this part.”.

**TITLE II—DEVELOPMENT**

**Subtitle A—Patient-Focused Drug Development**

**SEC. 2001. DEVELOPMENT AND USE OF PATIENT EXPERIENCE DATA TO ENHANCE STRUCTURED RISK-BENEFIT ASSESSMENT FRAMEWORK.**

(a) **IN GENERAL.**—Section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) is amended—

(1) in subsection (d), by striking “The Secretary shall implement” and all that follows through “premarket approval of a drug.”; and

(2) by adding at the end the following new subsections:

“(x) **STRUCTURED RISK-BENEFIT ASSESSMENT FRAMEWORK.**—

“(1) **IN GENERAL.**—The Secretary shall implement a structured risk-benefit assessment framework in the new drug approval process—

“(A) to facilitate the balanced consideration of benefits and risks; and

“(B) to develop and implement a consistent and systematic approach to the discussion of, regulatory decisionmaking with respect to, and the communication of, the benefits and risks of new drugs.

“(2) **RULE OF CONSTRUCTION.**—Nothing in paragraph (1) shall alter the criteria for evaluating an application for premarket approval of a drug.

“(y) **DEVELOPMENT AND USE OF PATIENT EXPERIENCE DATA TO ENHANCE STRUCTURED RISK-BENEFIT ASSESSMENT FRAMEWORK.**—

“(1) **IN GENERAL.**—Not later than two years after the date of the enactment of this subsection, the Secretary shall establish and implement processes under which—

“(A) an entity seeking to develop patient experience data may submit to the Secretary—

“(i) initial research concepts for feedback from the Secretary; and

“(ii) with respect to patient experience data collected by the entity, draft guidance documents, completed data, and summaries and analyses of such data;

“(B) the Secretary may request such an entity to submit such documents, data, and summaries and analyses; and

“(C) patient experience data may be developed and used to enhance the structured risk-benefit assessment framework under subsection (x).

“(2) **PATIENT EXPERIENCE DATA.**—In this subsection, the term ‘patient experience data’ means data collected by patients, parents, caregivers, patient advocacy organizations, disease research foundations, medical researchers, research sponsors, or other parties determined appropriate by the Secretary that is intended to facilitate or enhance the Secretary’s risk-benefit assessments, including information about the impact of a disease or a therapy on patients’ lives.”

(b) **GUIDANCE.**—

(1) **IN GENERAL.**—The Secretary of Health and Human Services shall publish guidance on the implementation of subsection (y) of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), as added by subsection (a). Such guidance shall include—

(A) with respect to draft guidance documents, data, or summaries and analyses submitted to the Secretary under paragraph (1)(A) of such subsection, guidance—

(i) specifying the timelines for the review of such documents, data, or summaries and analyses by the Secretary; and

(ii) on how the Secretary will use such documents, data, or summaries and analyses to update any guidance documents published under this subsection or publish new guidance;

(B) with respect to the collection and analysis of patient experience data (as defined in paragraph (2) of such subsection (y)), guidance on—

(i) methodological considerations for the collection of patient experience data, which may include structured approaches to gathering information on—

(I) the experience of a patient living with a particular disease;

(II) the burden of living with or managing the disease;

(III) the impact of the disease on daily life and long-term functioning; and

(IV) the effect of current therapeutic options on different aspects of the disease; and

(ii) the establishment and maintenance of registries designed to increase understanding of the natural history of a disease;

(C) methodological approaches that may be used to assess patients’ beliefs with respect to the benefits and risks in the management of the patient’s disease; and

(D) methodologies, standards, and potential experimental designs for patient-reported outcomes.

(2) **TIMING.**—Not later than 3 years after the date of the enactment of this Act, the Secretary of Health and Human Services shall issue draft guidance on the implementation of subsection (y) of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), as added by subsection (a). The Secretary shall issue final guidance on the implementation of such subsection not later than one year after the date on which the comment period for the draft guidance closes.

(3) **WORKSHOPS.**—

(A) **IN GENERAL.**—Not later than 6 months after the date of the enactment of this Act and once every 6 months during the following 12-month period, the Secretary of Health and Human Services shall convene a workshop to obtain input regarding methodologies for developing the guidance under paragraph (1), including the collection of patient experience data.

(B) **ATTENDEES.**—A workshop convened under this paragraph shall include—

(i) patients;

(ii) representatives from patient advocacy organizations, biopharmaceutical companies, and disease research foundations;

(iii) representatives of the reviewing divisions of the Food and Drug Administration; and

(iv) methodological experts with significant expertise in patient experience data.

(4) **PUBLIC MEETING.**—Not later than 90 days after the date on which the draft guidance is published under this subsection, the Secretary of Health and Human Services shall convene a public meeting to solicit input on the guidance.

#### **Subtitle B—Qualification and Use of Drug Development Tools**

### **SEC. 2021. QUALIFICATION OF DRUG DEVELOPMENT TOOLS.**

(a) **FINDINGS.**—Congress finds the following:

(1) Development of new drugs has become increasingly challenging and resource intensive.

(2) Development of drug development tools can benefit the availability of new medical therapies by helping to translate scientific discoveries into clinical applications.

(3) Biomedical research consortia (as defined in section 507(f) of the Federal Food, Drug, and Cosmetic Act, as added by subsection (c)) can play a valuable role in helping to develop and qualify drug development tools.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) Congress should promote and facilitate a collaborative effort among the biomedical research consortia described in subsection (a)(3)—

(A) to develop, through a transparent public process, data standards and scientific approaches to data collection accepted by the medical and clinical research community for purposes of qualifying drug development tools;

(B) to coordinate efforts toward developing and qualifying drug development tools in key therapeutic areas; and

(C) to encourage the development of accessible databases for collecting relevant drug development tool data for such purposes; and

(2) an entity seeking to qualify a drug development tool should be encouraged, in addition to consultation with the Secretary, to consult with biomedical research consortia and other individuals and entities with expert knowledge and insights that may assist the requestor and benefit the process for such qualification.

(c) **QUALIFICATION OF DRUG DEVELOPMENT TOOLS.**—Chapter V of the Federal Food, Drug, and Cosmetic Act is amended by inserting after section 506F the following new section:

### **“SEC. 507. QUALIFICATION OF DRUG DEVELOPMENT TOOLS.**

“(a) **PROCESS FOR QUALIFICATION.**—

“(1) **IN GENERAL.**—The Secretary shall establish a process for the qualification of drug development tools for a proposed context of use under which—

“(A)(i) a requestor initiates such process by submitting a letter of intent to the Secretary; and

“(ii) the Secretary accepts or declines to accept such letter of intent;

“(B)(i) if the Secretary accepts the letter of intent, a requestor submits a qualification plan to the Secretary; and

“(ii) the Secretary accepts or declines to accept the qualification plan; and

“(C)(i) if the Secretary accepts the qualification plan, the requestor submits to the Secretary a full qualification package;

“(ii) the Secretary determines whether to accept such qualification package for review; and

“(iii) if the Secretary accepts such qualification package for review, the Secretary conducts such review in accordance with this section.

“(2) **ACCEPTANCE AND REVIEW OF SUBMISSIONS.**—

“(A) **IN GENERAL.**—The succeeding provisions of this paragraph shall apply with respect to the treatment of a letter of intent, a qualification plan, or a full qualification package submitted under paragraph (1) (referred to in this paragraph as ‘qualification submissions’).

“(B) **ACCEPTANCE FACTORS; NONACCEPTANCE.**—The Secretary shall determine whether to accept a qualification submission based on factors which may include the scientific merit of the submission and the available resources of the Food and Drug Administration to review the qualification submission. A determination not to accept a submission under paragraph (1) shall not be construed as a final determination by the Secretary under this section regarding the qualification of a drug development tool for its proposed context of use.

“(C) **PRIORITIZATION OF QUALIFICATION REVIEW.**—The Secretary may prioritize the review of a full qualification package submitted under paragraph (1) with respect to a drug development tool, based on factors determined appropriate by the Secretary, including—

(i) as applicable, the severity, rarity, or prevalence of the disease or condition targeted by the drug development tool and the availability or lack of alternative treatments for such disease or condition; and

(ii) the identification, by the Secretary or by biomedical research consortia and other expert stakeholders, of such a drug development tool and its proposed context of use as a public health priority.

“(D) **ENGAGEMENT OF EXTERNAL EXPERTS.**—The Secretary may, for purposes of the review of qualification submissions, through the use of cooperative agreements, grants, or other appropriate mechanisms, consult with biomedical research consortia and may consider the recommendations of such consortia with respect to the review of any qualification plan submitted under paragraph (1) or the review of any full qualification package under paragraph (3).

“(3) **REVIEW OF FULL QUALIFICATION PACKAGE.**—The Secretary shall—

“(A) conduct a comprehensive review of a full qualification package accepted under paragraph (1)(C); and

“(B) determine whether the drug development tool at issue is qualified for its proposed context of use.

“(4) **QUALIFICATION.**—The Secretary shall determine whether a drug development tool is qualified for a proposed context of use based on the scientific merit of a full qualification package reviewed under paragraph (3).

“(b) **EFFECT OF QUALIFICATION.**—

“(1) *IN GENERAL.*—A drug development tool determined to be qualified under subsection (a)(4) for a proposed context of use specified by the requestor may be used by any person in such context of use for the purposes described in paragraph (2).

“(2) *USE OF A DRUG DEVELOPMENT TOOL.*—Subject to paragraph (3), a drug development tool qualified under this section may be used for—

“(A) supporting or obtaining approval or licensure (as applicable) of a drug or biological product (including in accordance with section 506(c)) under section 505 of this Act or section 351 of the Public Health Service Act; or

“(B) supporting the investigational use of a drug or biological product under section 505(i) of this Act or section 351(a)(3) of the Public Health Service Act.

“(3) *RESCISSION OR MODIFICATION.*—

“(A) *IN GENERAL.*—The Secretary may rescind or modify a determination under this section to qualify a drug development tool if the Secretary determines that the drug development tool is not appropriate for the proposed context of use specified by the requestor. Such a determination may be based on new information that calls into question the basis for such qualification.

“(B) *MEETING FOR REVIEW.*—If the Secretary rescinds or modifies under subparagraph (A) a determination to qualify a drug development tool, the requestor involved shall, on request, be granted a meeting with the Secretary to discuss the basis of the Secretary’s decision to rescind or modify the determination before the effective date of the rescission or modification.

“(c) *TRANSPARENCY.*—

“(1) *IN GENERAL.*—Subject to paragraph (3), the Secretary shall make publicly available, and update on at least a biannual basis, on the Internet website of the Food and Drug Administration the following:

“(A) Information with respect to each qualification submission under the qualification process under subsection (a), including—

“(i) the stage of the review process applicable to the submission;

“(ii) the date of the most recent change in stage status;

“(iii) whether the external scientific experts were utilized in the development of a qualification plan or the review of a full qualification package; and

“(iv) submissions from requestors under the qualification process under subsection (a), including any data and evidence contained in such submissions, and any updates to such submissions.

“(B) The Secretary’s formal written determinations in response to such qualification submissions.

“(C) Any rescissions or modifications under subsection (b)(3) of a determination to qualify a drug development tool.

“(D) Summary reviews that document conclusions and recommendations for determinations to qualify drug development tools under subsection (a).

“(E) A comprehensive list of—

“(i) all drug development tools qualified under subsection (a); and

“(ii) all surrogate endpoints which were the basis of approval or licensure (as applicable) of a drug or biological product (including in accordance with section 506(c)) under section 505 of this Act or section 351 of the Public Health Service Act.

“(2) *RELATION TO TRADE SECRETS ACT.*—Information made publicly available by the Secretary under paragraph (1) shall be considered a disclosure authorized by law for purposes of section 1905 of title 18, United States Code.

“(3) *APPLICABILITY.*—Nothing in this section shall be construed as authorizing the Secretary

to disclose any information contained in an application submitted under section 505 of this Act or section 351 of the Public Health Service Act that is confidential commercial or trade secret information subject to section 552(b)(4) of title 5, United States Code, or section 1905 of title 18, United States Code.

“(d) *RULE OF CONSTRUCTION.*—Nothing in this section shall be construed—

“(1) to alter the standards of evidence under subsection (c) or (d) of section 505, including the substantial evidence standard in such subsection (d), or under section 351 of the Public Health Service Act (as applicable); or

“(2) to limit the authority of the Secretary to approve or license products under this Act or the Public Health Service Act, as applicable (as in effect before the date of the enactment of the 21st Century Cures Act).

“(e) *DEFINITIONS.*—In this section:

“(1) *BIOMARKER.*—(A) The term ‘biomarker’ means a characteristic (such as a physiologic, pathologic, or anatomic characteristic or measurement) that is objectively measured and evaluated as an indicator of normal biologic processes, pathologic processes, or biological responses to a therapeutic intervention; and

“(B) such term includes a surrogate endpoint.

“(2) *BIOMEDICAL RESEARCH CONSORTIA.*—The term ‘biomedical research consortia’ means collaborative groups that may take the form of public-private partnerships and may include government agencies, institutions of higher education (as defined in section 101(a) of the Higher Education Act of 1965, patient advocacy groups, industry representatives, clinical and scientific experts, and other relevant entities and individuals.

“(3) *CLINICAL OUTCOME ASSESSMENT.*—(A) The term ‘clinical outcome assessment’ means a measurement of a patient’s symptoms, overall mental state, or the effects of a disease or condition on how the patient functions; and

“(B) such term includes a patient-reported outcome.

“(4) *CONTEXT OF USE.*—The term ‘context of use’ means, with respect to a drug development tool, the circumstances under which the drug development tool is to be used in drug development and regulatory review.

“(5) *DRUG DEVELOPMENT TOOL.*—The term ‘drug development tool’ includes—

“(A) a biomarker;

“(B) a clinical outcome assessment; and

“(C) any other method, material, or measure that the Secretary determines aids drug development and regulatory review for purposes of this section.

“(6) *PATIENT-REPORTED OUTCOME.*—The term ‘patient-reported outcome’ means a measurement based on a report from a patient regarding the status of the patient’s health condition without amendment or interpretation of the patient’s report by a clinician or any other person.

“(7) *QUALIFICATION.*—The terms ‘qualification’ and ‘qualified’ mean a determination by the Secretary that a drug development tool and its proposed context of use can be relied upon to have a specific interpretation and application in drug development and regulatory review under this Act.

“(8) *REQUESTOR.*—The term ‘requestor’ means an entity or entities, including a drug sponsor or a biomedical research consortia, seeking to qualify a drug development tool for a proposed context of use under this section.

“(9) *SURROGATE ENDPOINT.*—The term ‘surrogate endpoint’ means a marker, such as a laboratory measurement, radiographic image, physical sign, or other measure, that is not itself a direct measurement of clinical benefit, and—

“(A) is known to predict clinical benefit and could be used to support traditional approval of a drug or biological product; or

“(B) is reasonably likely to predict clinical benefit and could be used to support the accelerated approval of a drug or biological product in accordance with section 506(c).

“(f) *AUTHORIZATION OF APPROPRIATIONS.*—There are authorized to be appropriated to carry out this section, \$10,000,000 for each of fiscal years 2016 through 2020.”.

(d) *GUIDANCE.*—

(1) *IN GENERAL.*—The Secretary of Health and Human Services shall, in consultation with biomedical research consortia (as defined in subsection (f) of section 507 the Federal Food, Drug, and Cosmetic Act (as added by subsection (c))) and other interested parties through a collaborative public process, issue guidance to implement such section 507 that—

(A) provides a conceptual framework describing appropriate standards and scientific approaches to support the development of biomarkers delineated under the taxonomy established under paragraph (3);

(B) makes recommendations for demonstrating that a surrogate endpoint is reasonably likely to predict clinical benefit for the purpose of supporting the accelerated approval of a drug under section 506(c) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 356(c));

(C) with respect to the qualification process under such section 507—

(i) describes the requirements that entities seeking to qualify a drug development tool under such section shall observe when engaging in such process;

(ii) outlines reasonable timeframes for the Secretary’s review of letters, qualification plans, or full qualification packages submitted under such process; and

(iii) establishes a process by which such entities or the Secretary may consult with biomedical research consortia and other individuals and entities with expert knowledge and insights that may assist the Secretary in the review of qualification plans and full qualification submissions under such section; and

(D) includes such other information as the Secretary determines appropriate.

(2) *TIMING.*—Not later than 24 months after the date of the enactment of this Act, the Secretary of Health and Human Services shall issue draft guidance under paragraph (1) on the implementation of section 507 of the Federal Food, Drug, and Cosmetic Act (as added by subsection (c)). The Secretary shall issue final guidance on the implementation of such section not later than 6 months after the date on which the comment period for the draft guidance closes.

(3) *TAXONOMY.*—

(A) *IN GENERAL.*—For purposes of informing guidance under this subsection, the Secretary of Health and Human Services shall, in consultation with biomedical research consortia and other interested parties through a collaborative public process, establish a taxonomy for the classification of biomarkers (and related scientific concepts) for use in drug development.

(B) *PUBLIC AVAILABILITY.*—Not later than 12 months after the date of the enactment of this Act, the Secretary of Health and Human Services shall make such taxonomy publicly available in draft form for public comment. The Secretary shall finalize the taxonomy not later than 12 months after the close of the public comment period.

(e) *MEETING AND REPORT.*—

(1) *MEETING.*—Not later than 12 months after the date of the enactment of this Act, the Secretary of Health and Human Services shall convene a public meeting to describe and solicit public input regarding the qualification process under section 507 of the Federal Food, Drug, and Cosmetic Act, as added by subsection (c).

(2) *REPORT.*—Not later than 5 years after the date of the enactment of this Act, the Secretary



shall make publicly available on the Internet website of the Food and Drug Administration a report. Such report shall include, with respect to the qualification process under section 507 of the Federal Food, Drug, and Cosmetic Act, as added by subsection (c), information on—

(A) the number of requests submitted, as a letter of intent, for qualification of a drug development tool (as defined in subsection (f) of such section);

(B) the number of such requests accepted and determined to be eligible for submission of a qualification plan or full qualification package (as such terms are defined in such subsection), respectively;

(C) the number of such requests for which external scientific experts were utilized in the development of a qualification plan or review of a full qualification package; and

(D) the number of qualification plans and full qualification packages, respectively, submitted to the Secretary; and

(3) the drug development tools qualified through such qualification process, specified by type of tool, such as a biomarker or clinical outcome assessment (as such terms are defined in subsection (f) of such section 507).

#### **SEC. 2022. ACCELERATED APPROVAL DEVELOPMENT PLAN.**

(a) *IN GENERAL.*—Section 506 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 356) is amended by adding the following subsection:

“(g) **ACCELERATED APPROVAL DEVELOPMENT PLAN.**—

“(1) *IN GENERAL.*—In the case of a drug that the Secretary determines may be eligible for accelerated approval in accordance with subsection (c), the sponsor of such drug may request, at any time after the submission of an application for the investigation of the drug under section 505(i) of this Act or section 351(a)(3) of the Public Health Service Act, that the Secretary agree to an accelerated approval development plan described in paragraph (2).

“(2) *PLAN DESCRIBED.*—A plan described in this paragraph, with respect to a drug described in paragraph (1), is an accelerated approval development plan, which shall include agreement on—

“(A) the surrogate endpoint to be assessed under such plan;

“(B) the design of the study that will utilize the surrogate endpoint; and

“(C) the magnitude of the effect of the drug on the surrogate endpoint that is the subject of the agreement that would be sufficient to form the primary basis of a claim that the drug is effective.

“(3) *MODIFICATION; TERMINATION.*—The Secretary may require the sponsor of a drug that is the subject of an accelerated approval development plan to modify or terminate the plan if additional data or information indicates that—

“(A) the plan as originally agreed upon is no longer sufficient to demonstrate the safety and effectiveness of the drug involved; or

“(B) the drug is no longer eligible for accelerated approval under subsection (c).

“(4) *SPONSOR CONSULTATION.*—If the Secretary requires the modification or termination of an accelerated approval development plan under paragraph (3), the sponsor shall be granted a request for a meeting to discuss the basis of the Secretary's decision before the effective date of the modification or termination.

“(5) *DEFINITION.*—In this section, the term ‘accelerated approval development plan’ means a development plan agreed upon by the Secretary and the sponsor submitting the plan that contains study parameters for the use of a surrogate endpoint that—

“(A) is reasonably likely to predict clinical benefit; and

“(B) is intended to be the basis of the accelerated approval of a drug in accordance with subsection (c).”.

(b) *TECHNICAL AMENDMENTS.*—Section 506 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 356) is amended—

(1) by striking “(f) AWARENESS EFFORTS” and inserting “(e) AWARENESS EFFORTS”; and

(2) by striking “(e) CONSTRUCTION” and inserting “(f) CONSTRUCTION”.

#### **Subtitle C—FDA Advancement of Precision Medicine**

#### **SEC. 2041. PRECISION MEDICINE GUIDANCE AND OTHER PROGRAMS OF FOOD AND DRUG ADMINISTRATION.**

Chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351 et seq.) is amended by adding at the end the following:

#### **“Subchapter J—Precision Medicine**

#### **“SEC. 591. GENERAL AGENCY GUIDANCE ON PRECISION MEDICINE.**

“(a) *IN GENERAL.*—The Secretary shall issue and periodically update guidance to assist sponsors in the development of a precision drug or biological product. Such guidance shall—

“(1) define the term ‘precision drug or biological product’; and

“(2) address the topics described in subsection (b).

“(b) *CERTAIN ISSUES.*—The topics to be addressed by guidance under subsection (a) are—

“(1) the evidence needed to support the use of biomarkers (as defined in section 507(e)) that identify subsets of patients as likely responders to therapies in order to streamline the conduct of clinical trials;

“(2) recommendations for the design of studies to demonstrate the validity of a biomarker as a predictor of drug or biological product response;

“(3) the manner and extent to which a benefit-risk assessment may be affected when clinical trials are limited to patient population subsets that are identified using biomarkers;

“(4) the development of companion diagnostics in the context of a drug development program; and

“(5) considerations for developing biomarkers that inform prescribing decisions for a drug or biological product, and when information regarding a biomarker may be included in the approved prescription labeling for a precision drug or biological product.

“(c) *DATE CERTAIN FOR INITIAL GUIDANCE.*—The Secretary shall issue guidance under subsection (a) not later than 18 months after the date of the enactment of the 21st Century Cures Act.

#### **“SEC. 592. PRECISION MEDICINE REGARDING ORPHAN-DRUG AND EXPEDITED-APPROVAL PROGRAMS.**

“(a) *IN GENERAL.*—In the case of a precision drug or biological product that is the subject of an application submitted under section 505(b)(1), or section 351(a) of the Public Health Service Act, for the treatment of a serious or life-threatening disease or condition and has been designated under section 526 as a drug for a rare disease or condition, the Secretary may—

“(1) consistent with applicable standards for approval, rely upon data or information previously submitted by the sponsor of the precision drug or biological product, or another sponsor, provided that the sponsor of the precision drug or biological product has obtained a contractual right of reference to such other sponsor's data and information, in an application approved under section 505(c) or licensed under section 351(a) of the Public Health Service Act, as applicable—

“(A) for a different drug or biological product; or

“(B) for a different indication for such precision drug or biological product, in order to expedite clinical development for a precision drug or biological product that is using the same or similar approach as that used to support approval of the prior approved application or license, as appropriate; and

“(2) as appropriate, consider the application for approval of such precision drug or biological product to be eligible for expedited review and approval programs described in section 506, including accelerated approval in accordance with subsection (c) of such section.

“(b) *RULE OF CONSTRUCTION.*—Nothing in this section shall be construed to—

“(1) limit the authority of the Secretary to approve products pursuant to this Act and the Public Health Service Act as authorized prior to the date of enactment of this section; or

“(2) confer any new rights, beyond those authorized under this Act prior to enactment of this section, with respect to a sponsor's ability to reference information contained in another application submitted under section 505(b)(1) of this Act or section 351(a) of the Public Health Service Act.”.

#### **Subtitle D—Modern Trial Design and Evidence Development**

#### **SEC. 2061. BROADER APPLICATION OF BAYESIAN STATISTICS AND ADAPTIVE TRIAL DESIGNS.**

(a) *PROPOSALS FOR USE OF INNOVATIVE STATISTICAL METHODS IN CLINICAL PROTOCOLS FOR DRUGS AND BIOLOGICAL PRODUCTS.*—For purposes of assisting sponsors in incorporating adaptive trial design and Bayesian methods into proposed clinical protocols and applications for new drugs under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) and biological products under section 351 of the Public Health Service Act (42 U.S.C. 262), the Secretary shall conduct a public meeting and issue guidance in accordance with subsection (b).

(b) *GUIDANCE ADDRESSING USE OF ADAPTIVE TRIAL DESIGNS AND BAYESIAN METHODS.*—

(1) *IN GENERAL.*—The Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs (in this subsection referred to as the “Secretary”), shall—

(A) update and finalize the draft guidance addressing the use of adaptive trial design for drugs and biological products; and

(B) issue draft guidance on the use of Bayesian methods in the development and regulatory review and approval or licensure of drugs and biological products.

(2) *CONTENTS.*—The guidances under paragraph (1) shall address—

(A) the use of adaptive trial designs and Bayesian methods in clinical trials, including clinical trials proposed or submitted to help to satisfy the substantial evidence standard under section 505(d) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(d));

(B) how sponsors may obtain feedback from the Secretary on technical issues related to modeling and simulations prior to—

(i) completion of such modeling or simulations; or

(ii) the submission of resulting information to the Secretary;

(C) the types of quantitative and qualitative information that should be submitted for review; and

(D) recommended analysis methodologies.

(3) *PUBLIC MEETING.*—Prior to updating or developing the guidances required by paragraph (1), the Secretary shall consult with stakeholders, including representatives of regulated industry, academia, patient advocacy organizations, and disease research foundations, through a public meeting to be held not later than 1 year after the date of enactment of this Act.

(4) *SCHEDULE.*—The Secretary shall publish—

(A) the final guidance required by paragraph (1)(A) not later than 18 months after the date of the public meeting required by paragraph (3); and

(B) the guidance required by paragraph (1)(B) not later than 48 months after the date of the public meeting required by paragraph (3).



**SEC. 2062. UTILIZING EVIDENCE FROM CLINICAL EXPERIENCE.**

Chapter V of the Federal Food, Drug, and Cosmetic Act is amended by inserting after section 505E of such Act (21 U.S.C. 355f) the following:

**“SEC. 505F. UTILIZING EVIDENCE FROM CLINICAL EXPERIENCE.**

“(a) IN GENERAL.—The Secretary shall establish a program to evaluate the potential use of evidence from clinical experience—

“(1) to help to support the approval of a new indication for a drug approved under section 505(b); and

“(2) to help to support or satisfy postapproval study requirements.

“(b) EVIDENCE FROM CLINICAL EXPERIENCE DEFINED.—In this section, the term ‘evidence from clinical experience’ means data regarding the usage, or the potential benefits or risks, of a drug derived from sources other than randomized clinical trials, including from observational studies, registries, and therapeutic use.

“(c) PROGRAM FRAMEWORK.—

“(1) IN GENERAL.—Not later than 18 months after the date of enactment of this section, the Secretary shall establish a draft framework for implementation of the program under this section.

“(2) CONTENTS OF FRAMEWORK.—The framework shall include information describing—

“(A) the current sources of data developed through clinical experience, including ongoing safety surveillance, registry, claims, and patient-centered outcomes research activities;

“(B) the gaps in current data collection activities;

“(C) the current standards and methodologies for collection and analysis of data generated through clinical experience; and

“(D) the priority areas, remaining challenges, and potential pilot opportunities that the program established under this section will address.

“(3) CONSULTATION.—

“(A) IN GENERAL.—In developing the program framework under this subsection, the Secretary shall consult with regulated industry, academia, medical professional organizations, representatives of patient advocacy organizations, disease research foundations, and other interested parties.

“(B) PROCESS.—The consultation under subparagraph (A) may be carried out through approaches such as—

“(i) a public-private partnership with the entities described in such subparagraph in which the Secretary may participate; or

“(ii) a contract, grant, or other arrangement, as determined appropriate by the Secretary with such a partnership or an independent research organization.

“(d) PROGRAM IMPLEMENTATION.—The Secretary shall, not later than 24 months after the date of enactment of this section and in accordance with the framework established under subsection (c), implement the program to evaluate the potential use of evidence from clinical experience.

“(e) GUIDANCE FOR INDUSTRY.—The Secretary shall—

“(1) utilize the program established under subsection (a), its activities, and any subsequent pilots or written reports, to inform a guidance for industry on—

“(A) the circumstances under which sponsors of drugs and the Secretary may rely on evidence from clinical experience for the purposes described in subsection (a)(1) or (a)(2); and

“(B) the appropriate standards and methodologies for collection and analysis of evidence from clinical experience submitted for such purposes;

“(2) not later than 36 months after the date of enactment of this section, issue draft guidance for industry as described in paragraph (1); and

“(3) not later than 48 months after the date of enactment of this section, after providing an opportunity for public comment on the draft guidance, issue final guidance.

“(f) RULE OF CONSTRUCTION.—

“(1) Subject to paragraph (2), nothing in this section prohibits the Secretary from using evidence from clinical experience for purposes not specified in this section, provided the Secretary determines that sufficient basis exists for any such nonspecified use.

“(2) This section shall not be construed to alter—

“(A) the standards of evidence under—

“(i) subsection (c) or (d) of section 505, including the substantial evidence standard in such subsection (d); or

“(ii) section 351(a) of the Public Health Service Act; or

“(B) the Secretary’s authority to require postapproval studies or clinical trials, or the standards of evidence under which studies or trials are evaluated.

**“SEC. 505G. COLLECTING EVIDENCE FROM CLINICAL EXPERIENCE THROUGH TARGETED EXTENSIONS OF THE SENTINEL SYSTEM.**

“(a) IN GENERAL.—The Secretary shall, in parallel to implementing the program established under section 505F and in order to build capacity for utilizing the evidence from clinical experience described in that section, identify and execute pilot demonstrations to extend existing use of the Sentinel System surveillance infrastructure authorized under section 505(k).

“(b) PILOT DEMONSTRATIONS.—

“(1) IN GENERAL.—The Secretary—

“(A) shall design and implement pilot demonstrations to utilize data captured through the Sentinel System surveillance infrastructure authorized under section 505(k) for purposes of, as appropriate—

“(i) generating evidence from clinical experience to improve characterization or assessment of risks or benefits of a drug approved under section 505(c);

“(ii) protecting the public health; or

“(iii) advancing patient-centered care; and

“(B) may make strategic linkages with sources of complementary public health data and infrastructure the Secretary determines appropriate and necessary.

“(2) CONSULTATION.—In developing the pilot demonstrations under this subsection, the Secretary shall—

“(A) consult with regulated industry, academia, medical professional organizations, representatives of patient advocacy organizations, disease research foundations, and other interested parties through a public process; and

“(B) develop a framework to promote appropriate transparency and dialogue about research conducted under these pilot demonstrations, including by—

“(i) providing adequate notice to a sponsor of a drug approved under section 505 or section 351 of the Public Health Service Act of the Secretary’s intent to conduct analyses of such sponsor’s drug or drugs under these pilot demonstrations;

“(ii) providing adequate notice of the findings related to analyses described in clause (i) and an opportunity for the sponsor of such drug or drugs to comment on such findings; and

“(iii) ensuring the protection from public disclosure of any information that is a trade secret or confidential information subject to section 552(b)(4) of title 5, United States Code, or section 1905 of title 18, United States Code.

“(3) HIPAA PRIVACY RULE; HUMAN SUBJECT RESEARCH REGULATION.—The Secretary may deem such pilot demonstrations—

“(A) public health activities, for purposes of which a use or disclosure of protected health information would be permitted as described in

section 164.512(b)(1) of title 45, Code of Federal Regulations (or any successor regulation); and

“(B) outside the scope of ‘research’ as defined in section 46.102(d) of title 45, Code of Federal Regulations (or any successor regulation).

“(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$3,000,000 for each of fiscal years 2016 through 2020.”

**SEC. 2063. STREAMLINED DATA REVIEW PROGRAM.**

(a) IN GENERAL.—Chapter V of the Federal Food, Drug, and Cosmetic Act, as amended by section 2062, is further amended by inserting after section 505G of such Act the following:

**“SEC. 505H. STREAMLINED DATA REVIEW PROGRAM.**

“(a) IN GENERAL.—The Secretary shall establish a streamlined data review program under which a holder of an approved application submitted under section 505(b)(1) or under section 351(a) of the Public Health Service Act may, to support the approval or licensure (as applicable) of the use of the drug that is the subject of such approved application for a new qualified indication, submit qualified data summaries.

“(b) ELIGIBILITY.—In carrying out the streamlined data review program under subsection (a), the Secretary may authorize the holder of the approved application to include one or more qualified data summaries described in subsection (a) in a supplemental application if—

“(1) the drug has been approved under section 505(c) of this Act or licensed under section 351(a) of the Public Health Service Act for one or more indications, and such approval or licensure remains in effect;

“(2) the supplemental application is for approval or licensure (as applicable) under such section 505(c) or 351(a) of the use of the drug for a new qualified indication under such section 505(c) or 351(a);

“(3) there is an existing database acceptable to the Secretary regarding the safety of the drug developed for one or more indications of the drug approved under such section 505(c) or licensed under such section 351(a);

“(4) the supplemental application incorporates or supplements the data submitted in the application for approval or licensure referred to in paragraph (1); and

“(5) the full data sets used to develop the qualified data summaries are submitted, unless the Secretary determines that the full data sets are not required.

“(c) PUBLIC AVAILABILITY OF INFORMATION ON PROGRAM.—The Secretary shall post on the public website of the Food and Drug Administration and update annually—

“(1) the number of applications reviewed under the streamlined data review program;

“(2) the average time for completion of review under the streamlined data review program versus other review of applications for new indications; and

“(3) the number of applications reviewed under the streamlined data review program for which the Food and Drug Administration made use of full data sets in addition to the qualified data summary.

“(d) DEFINITIONS.—In this section:

“(1) The term ‘qualified indication’ means—

“(A) an indication for the treatment of cancer, as determined appropriate by the Secretary; or

“(B) such other types of indications as the Secretary determines to be subject to the streamlined data review program under this section.

“(2) The term ‘qualified data summary’ means a summary of clinical data intended to demonstrate safety and effectiveness with respect to a qualified indication for use of a drug.”

(b) SENSE OF CONGRESS.—It is the sense of Congress that the streamlined data review program under section 505H of the Federal Food,

Drug, and Cosmetic Act, as added by subsection (a), should enable the Food and Drug Administration to make approval decisions for certain supplemental applications based on qualified data summaries (as defined in such section 505H).

(c) **GUIDANCE; REGULATIONS.**—The Commissioner of Food and Drugs—

(1) shall—

(A) issue final guidance for implementation of the streamlined data review program established under section 505H of the Federal Food, Drug, and Cosmetic Act, as added by subsection (a), not later than 24 months after the date of enactment of this Act; and

(B) include in such guidance the process for expanding the types of indications to be subject to the streamlined data review program, as authorized by section 505H(c)(1)(B) of such Act; and

(2) in addition to issuing guidance under paragraph (1), may issue such regulations as may be necessary for implementation of the program.

#### **Subtitle E—Expediting Patient Access**

##### **SEC. 2081. SENSE OF CONGRESS.**

It is the sense of Congress that the Food and Drug Administration should continue to expedite the approval of drugs designated as breakthrough therapies pursuant to section 506(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(a)) by approving drugs so designated as early as possible in the clinical development process, regardless of the phase of development, provided that the Secretary of Health and Human Services determines that an application for such a drug meets the standards of evidence of safety and effectiveness under section 505 of such Act (21 U.S.C. 355), including the substantial evidence standard under subsection (d) of such section or under section 351(a) of the Public Health Service Act (42 U.S.C. 262(a)).

##### **SEC. 2082. EXPANDED ACCESS POLICY.**

Chapter V of the Federal Food, Drug, and Cosmetic Act is amended by inserting after section 561 (21 U.S.C. 360bbb) the following:

#### **“SEC. 561A. EXPANDED ACCESS POLICY REQUIRED FOR INVESTIGATIONAL DRUGS.**

“(a) **IN GENERAL.**—The manufacturer or distributor of one or more investigational drugs for the diagnosis, monitoring, or treatment of one or more serious diseases or conditions shall make publicly available the policy of the manufacturer or distributor on evaluating and responding to requests submitted under section 561(b) for provision of such a drug. A manufacturer or distributor may satisfy the requirement of the preceding sentence by posting such policy as generally applicable to all of such manufacturer's or distributor's investigational drugs.

“(b) **CONTENT OF POLICY.**—A policy described in subsection (a) shall include making publicly available—

“(1) contact information for the manufacturer or distributor to facilitate communication about requests described in subsection (a);

“(2) procedures for making such requests;

“(3) the general criteria the manufacturer or distributor will consider or use to approve such requests; and

“(4) the length of time the manufacturer or distributor anticipates will be necessary to acknowledge receipt of such requests.

“(c) **NO GUARANTEE OF ACCESS.**—The posting of policies by manufacturers and distributors under subsection (a) shall not serve as a guarantee of access to any specific investigational drug by any individual patient.

“(d) **REVISED POLICY.**—A manufacturer or distributor that has made a policy publicly available as required by this section may revise the policy at any time.

“(e) **APPLICATION.**—This section shall apply to a manufacturer or distributor with respect to an investigational drug beginning on the later of—

“(1) the date that is 60 days after the date of enactment of the 21st Century Cures Act; or

“(2) the first initiation of a phase 2 or phase 3 study (as such terms are defined in section 312.21(b) and (c) of title 21, Code of Federal Regulations (or any successor regulations)) with respect to such investigational new drug.”.

##### **SEC. 2083. FINALIZING DRAFT GUIDANCE ON EXPANDED ACCESS.**

(a) **IN GENERAL.**—Not later than 12 months after the date of enactment of this Act, the Secretary of Health and Human Services shall finalize the draft guidance entitled “Expanded Access to Investigational Drugs for Treatment Use—Qs & As” and dated May 2013.

(b) **CONTENTS.**—The final guidance referred to in subsection (a) shall clearly define how the Secretary of Health and Human Services interprets and uses adverse drug event data reported by investigators in the case of data reported from use under a request submitted under section 561(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb(b)).

#### **Subtitle F—Facilitating Responsible Manufacturer Communications**

##### **SEC. 2101. FACILITATING DISSEMINATION OF HEALTH CARE ECONOMIC INFORMATION.**

Section 502(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 352(a)) is amended—

(1) by striking “(a) If its” and inserting “(a)(1) If its”;

(2) by striking “a formulary committee, or other similar entity, in the course of the committee or the entity carrying out its responsibilities for the selection of drugs for managed care or other similar organizations” and inserting “a payor, formulary committee, or other similar entity with knowledge and expertise in the area of health care economic analysis, carrying out its responsibilities for the selection of drugs for coverage or reimbursement”;

(3) by striking “directly relates” and inserting “relates”;

(4) by striking “and is based on competent and reliable scientific evidence. The requirements set forth in section 505(a) or in section 351(a) of the Public Health Service Act shall not apply to health care economic information provided to such a committee or entity in accordance with this paragraph” and inserting “, is based on competent and reliable scientific evidence, and includes, where applicable, a conspicuous and prominent statement describing any material differences between the health care economic information and the labeling approved for the drug under section 505 or under section 351 of the Public Health Service Act. The requirements set forth in section 505(a) or in subsections (a) and (k) of section 351 of the Public Health Service Act shall not apply to health care economic information provided to such a payor, committee, or entity in accordance with this paragraph”;

(5) by striking “In this paragraph, the term” and all that follows and inserting the following:

“(2)(A) For purposes of this paragraph, the term ‘health care economic information’ means any analysis (including the clinical data, inputs, clinical or other assumptions, methods, results, and other components underlying or comprising the analysis) that identifies, measures, or describes the economic consequences, which may be based on the separate or aggregated clinical consequences of the represented health outcomes, of the use of a drug. Such analysis may be comparative to the use of another drug, to another health care intervention, or to no intervention.

“(B) Such term does not include any analysis that relates only to an indication that is not ap-

proved under section 505 or under section 351 of the Public Health Service Act for such drug.”.

##### **SEC. 2102. FACILITATING RESPONSIBLE COMMUNICATION OF SCIENTIFIC AND MEDICAL DEVELOPMENTS.**

(a) **GUIDANCE.**—Not later than 18 months after the date of enactment of this Act, the Secretary of Health and Human Services shall issue draft guidance on facilitating the responsible dissemination of truthful and nonmisleading scientific and medical information not included in the approved labeling of drugs and devices.

(b) **DEFINITION.**—In this section, the terms “drug” and “device” have the meaning given to such terms in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

#### **Subtitle G—Antibiotic Drug Development**

##### **SEC. 2121. APPROVAL OF CERTAIN DRUGS FOR USE IN A LIMITED POPULATION OF PATIENTS.**

(a) **PURPOSE.**—The purpose of this section is to help to expedite the development and availability of treatments for serious or life-threatening bacterial or fungal infections in patients with unmet needs, while maintaining safety and effectiveness standards for such treatments, taking into account the severity of the infection and the availability or lack of alternative treatments.

(b) **APPROVAL OF CERTAIN ANTIBACTERIAL AND ANTIFUNGAL DRUGS.**—Section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), as amended by section 2001, is further amended by adding at the end the following new subsection:

“(z) **APPROVAL OF CERTAIN ANTIBACTERIAL AND ANTIFUNGAL DRUGS FOR USE IN A LIMITED POPULATION OF PATIENTS.**—

“(1) **PROCESS.**—At the request of the sponsor of an antibacterial or antifungal drug that is intended to treat a serious or life-threatening infection, the Secretary—

“(A) may execute a written agreement with the sponsor on the process for developing data to support an application for approval of such drug, for use in a limited population of patients in accordance with this subsection;

“(B) shall proceed in accordance with this subsection only if a written agreement is reached under subparagraph (A);

“(C) shall provide the sponsor with an opportunity to request meetings under paragraph (2);

“(D) if a written agreement is reached under subparagraph (A), may approve the drug under this subsection for such use—

“(i) in a limited population of patients for which there is an unmet medical need;

“(ii) based on a streamlined development program; and

“(iii) only if the standards for approval under subsections (c) and (d) of this section or licensure under section 351 of the Public Health Service Act, as applicable, are met; and

“(E) in approving a drug in accordance with this subsection, subject to subparagraph (D)(iii), may rely upon—

“(i) traditional endpoints, alternate endpoints, or a combination of traditional and alternate endpoints, and, as appropriate, data sets of a limited size; and

“(ii)(I) additional data, including preclinical, pharmacologic, or pathophysiologic evidence;

“(II) nonclinical susceptibility and pharmacokinetic data;

“(III) data from phase 2 clinical trials; and

“(IV) such other confirmatory evidence as the Secretary determines appropriate to approve the drug.

“(2) **FORMAL MEETINGS.**—

“(A) **IN GENERAL.**—To help to expedite and facilitate the development and review of a drug for which a sponsor intends to request approval in accordance with this subsection, the Secretary may, at the request of the sponsor, conduct meetings that provide early consultation,

timely advice, and sufficient opportunities to develop an agreement described in paragraph (1)(A) and help the sponsor design and conduct a drug development program as efficiently as possible, including the following types of meetings:

“(i) An early consultation meeting.

“(ii) An assessment meeting.

“(iii) A postapproval meeting.

“(B) NO ALTERING OF GOALS.—Nothing in this paragraph shall be construed to alter agreed upon goals and procedures identified in the letters described in section 101(b) of the Prescription Drug User Fee Amendments of 2012.

“(C) BREAKTHROUGH THERAPIES.—In the case of a drug designated as a breakthrough therapy under section 506(a), the sponsor of such drug may elect to utilize meetings provided under such section with respect to such drug in lieu of meetings described in subparagraph (A).

“(3) LABELING REQUIREMENT.—The labeling of an antibacterial or antifungal drug approved in accordance with this subsection shall contain the statement ‘Limited Population’ in a prominent manner and adjacent to, and not more prominent than, the brand name of the product. The prescribing information for such antibacterial or antifungal drug required by section 201.57 of title 21, Code of Federal Regulations (or any successor regulation) shall also include the following statement: ‘This drug is indicated for use in a limited and specific population of patients.’.

“(4) PROMOTIONAL MATERIALS.—The provisions of section 506(c)(2)(B) shall apply with respect to approval in accordance with this subsection to the same extent and in the same manner as such provisions apply with respect to accelerated approval in accordance with section 506(c)(1).

“(5) TERMINATION OF REQUIREMENTS OR CONDITIONS.—If a drug is approved in accordance with this subsection for an indication in a limited population of patients and is subsequently approved or licensed under this section or section 351 of the Public Health Service Act, other than in accordance with this subsection, for—

“(A) the same indication and the same conditions of use, the Secretary shall remove any labeling requirements or postmarketing conditions that were made applicable to the drug under this subsection; or

“(B) a different indication or condition of use, the Secretary shall not apply the labeling requirements and postmarketing conditions that were made applicable to the drug under this subsection to the subsequent approval of the drug for such different indication or condition of use.

“(6) RELATION TO OTHER PROVISIONS.—Nothing in this subsection shall be construed to prohibit the approval of a drug for use in a limited population of patients in accordance with this subsection, in combination with—

“(A) an agreement on the design and size of a clinical trial pursuant to subparagraphs (B) and (C) of subsection (b)(5);

“(B) designation and treatment of the drug as a breakthrough therapy under section 506(a);

“(C) designation and treatment of the drug as a fast track product under section 506(b); or

“(D) accelerated approval of the drug in accordance with section 506(c).

“(7) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed—

“(A) to alter the standards of evidence under subsection (c) or (d) (including the substantial evidence standard in subsection (d));

“(B) to waive or otherwise preclude the application of requirements under subsection (o);

“(C) to otherwise, in any way, limit the authority of the Secretary to approve products pursuant to this Act and the Public Health Service Act as authorized prior to the date of enactment of this subsection; or

“(D) to restrict in any manner, the prescribing of antibiotics or other products by health care providers, or to otherwise limit or restrict the practice of health care.

“(8) EFFECTIVE IMMEDIATELY.—The Secretary shall have the authorities vested in the Secretary by this subsection beginning on the date of enactment of this subsection, irrespective of when and whether the Secretary promulgates final regulations or guidance.

“(9) DEFINITIONS.—In this subsection:

“(A) EARLY CONSULTATION MEETING.—The term ‘early consultation meeting’ means a pre-investigational new drug meeting or an end-of-phase-1 meeting that—

“(i) is conducted to review and reach a written agreement—

“(I) on the scope of the streamlined development plan for a drug for which a sponsor intends to request approval in accordance with this subsection; and

“(II) which, as appropriate, may include agreement on the design and size of necessary preclinical and clinical studies early in the development process, including clinical trials whose data are intended to form the primary basis for an effectiveness claim; and

“(ii) provides an opportunity to discuss expectations of the Secretary regarding studies or other information that the Secretary deems appropriate for purposes of applying paragraph (5), relating to the termination of labeling requirements or postmarketing conditions.

“(B) ASSESSMENT MEETING.—The term ‘assessment meeting’ means an end-of-phase 2 meeting, pre-new drug application meeting, or pre-biologics license application meeting conducted to resolve questions and issues raised during the course of clinical investigations, and details addressed in the written agreement regarding postapproval commitments or expansion of approved uses.

“(C) POSTAPPROVAL MEETING.—The term ‘postapproval meeting’ means a meeting following initial approval or licensure of the drug for use in a limited population, to discuss any issues identified by the Secretary or the sponsor regarding postapproval commitments or expansion of approved uses.”.

(c) GUIDANCE.—Not later than 18 months after the date of enactment of this Act, the Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs, shall issue draft guidance describing criteria, process, and other general considerations for demonstrating the safety and effectiveness of antibacterial and antifungal drugs to be approved for use in a limited population in accordance with section 505(z) of the Federal Food, Drug, and Cosmetic Act, as added by subsection (b).

(d) CONFORMING AMENDMENTS.—

(1) LICENSURE OF CERTAIN BIOLOGICAL PRODUCTS.—Section 351(j) of the Public Health Service Act (42 U.S.C. 262(j)) is amended—

(A) by striking “(j)” and inserting “(j)(1)”;

(B) by inserting “505(z),” after “505(p).”; and

(C) by adding at the end the following new paragraph:

“(2) In applying section 505(z) of the Federal Food, Drug, and Cosmetic Act to the licensure of biological products under this section—

“(A) references to an antibacterial or antifungal drug that is intended to treat a serious or life-threatening infection shall be construed to refer to a biological product intended to treat a serious or life-threatening bacterial or fungal infection; and

“(B) references to approval of a drug under section 505(c) of such Act shall be construed to refer to a licensure of a biological product under subsection (a) of this section.”.

(2) MISBRANDING.—Section 502 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 352) is amended by adding at the end the following new subsection:

“(dd) If it is a drug approved in accordance with section 505(z) and its labeling does not meet the requirements under paragraph (3) of such subsection, subject to paragraph (5) of such subsection.”.

(e) EVALUATION.—

(1) ASSESSMENT.—Not later than 48 months after the date of enactment of this Act, the Secretary of Health and Human Services shall publish for public comment an assessment of the program established under section 505(z) of the Federal Food, Drug, and Cosmetic Act, as added by subsection (b). Such assessment shall determine if the limited-use pathway established under such section 505(z) has improved or is likely to improve patient access to novel antibacterial or antifungal treatments and assess how the pathway could be expanded to cover products for serious or life-threatening diseases or conditions beyond bacterial and fungal infections.

(2) MEETING.—Not later than 90 days after the date of the publication of such assessment, the Secretary, acting through the Commissioner of Food and Drugs, shall hold a public meeting to discuss the findings of the assessment, during which public stakeholders may present their views on the success of the program established under section 505(z) of the Federal Food, Drug, and Cosmetic Act, as added by subsection (b), and the appropriateness of expanding such program.

(f) EXPANSION OF PROGRAM.—If the Secretary of Health and Human Services determines, based on the assessment under subsection (e)(1), evaluation of the assessment, and any other relevant information, that the public health would benefit from expansion of the limited-use pathway established under section 505(z) of the Federal Food, Drug, and Cosmetic Act (as added by subsection (b)) beyond the drugs approved in accordance with such section, the Secretary may expand such limited-use pathway in accordance with such a determination. The approval of any drugs under any such expansion shall be subject to the considerations and requirements described in such section 505(z) for purposes of expansion to other serious or life-threatening diseases or conditions.

(g) MONITORING.—The Public Health Service Act is amended by inserting after section 317T (42 U.S.C. 247b-22) the following:

“SEC. 317U. MONITORING ANTIBACTERIAL AND ANTIFUNGAL DRUG USE AND RESISTANCE.

“(a) MONITORING.—The Secretary shall use an appropriate monitoring system to monitor—

“(1) the use of antibacterial and antifungal drugs, including those receiving approval or licensure for a limited population pursuant to section 505(z) of the Federal Food, Drug, and Cosmetic Act; and

“(2) changes in bacterial and fungal resistance to drugs.

“(b) PUBLIC AVAILABILITY OF DATA.—The Secretary shall make summaries of the data derived from monitoring under this section publicly available for the purposes of—

“(1) improving the monitoring of important trends in antibacterial and antifungal resistance; and

“(2) ensuring appropriate stewardship of antibacterial and antifungal drugs, including those receiving approval or licensure for a limited population pursuant to section 505(z) of the Federal Food, Drug, and Cosmetic Act.”.

SEC. 212Z. SUSCEPTIBILITY TEST INTERPRETIVE CRITERIA FOR MICROORGANISMS.

(a) IN GENERAL.—Section 511 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360a) is amended to read as follows:

“SEC. 511. IDENTIFYING AND UPDATING SUSCEPTIBILITY TEST INTERPRETIVE CRITERIA FOR MICROORGANISMS.

“(a) PURPOSE; IDENTIFICATION OF CRITERIA.—

“(1) **PURPOSE.**—The purpose of this section is to provide the Secretary with an expedited, flexible method for—

“(A) clearance or premarket approval of antimicrobial susceptibility testing devices utilizing updated, recognized susceptibility test interpretive criteria to characterize the *in vitro* susceptibility of particular bacteria, fungi, or other microorganisms to antimicrobial drugs; and

“(B) providing public notice of the availability of recognized interpretive criteria to meet premarket submission requirements or other requirements under this Act for antimicrobial susceptibility testing devices.

“(2) **IN GENERAL.**—The Secretary shall identify appropriate susceptibility test interpretive criteria with respect to antimicrobial drugs—

“(A) if such criteria are available on the date of approval of the drug under section 505 of this Act or licensure of the drug under section 351 of the Public Health Service Act (as applicable), upon such approval or licensure; or

“(B) if such criteria are unavailable on such date, on the date on which such criteria are available for such drug.

“(3) **BASES FOR INITIAL IDENTIFICATION.**—The Secretary shall identify appropriate susceptibility test interpretive criteria under paragraph (2), based on the Secretary’s review of, to the extent available and relevant—

“(A) preclinical and clinical data, including pharmacokinetic, pharmacodynamic, and epidemiological data;

“(B) Bayesian and pharmacometric statistical methodologies; and

“(C) such other evidence and information as the Secretary considers appropriate.

“(b) **SUSCEPTIBILITY TEST INTERPRETIVE CRITERIA WEBSITE.**—

“(1) **IN GENERAL.**—Not later than 1 year after the date of the enactment of the 21st Century Cures Act, the Secretary shall establish, and maintain thereafter, on the website of the Food and Drug Administration, a dedicated website that contains a list of any appropriate new or updated susceptibility test interpretive criteria standards in accordance with paragraph (2) (referred to in this section as the ‘Interpretive Criteria Website’).

“(2) **LISTING OF SUSCEPTIBILITY TEST INTERPRETIVE CRITERIA STANDARDS.**—

“(A) **IN GENERAL.**—The list described in paragraph (1) shall consist of any new or updated susceptibility test interpretive criteria standards that are—

“(i) established by a nationally or internationally recognized standard development organization that—

“(I) establishes and maintains procedures to address potential conflicts of interest and ensure transparent decisionmaking;

“(II) holds open meetings to ensure that there is an opportunity for public input by interested parties, and establishes and maintains processes to ensure that such input is considered in decisionmaking; and

“(III) permits its standards to be made publicly available, through the National Library of Medicine or another similar source acceptable to the Secretary; and

“(ii) recognized in whole, or in part, by the Secretary under subsection (c).

“(B) **OTHER LIST.**—The Interpretive Criteria Website shall, in addition to the list described in subparagraph (A), include a list of interpretive criteria, if any, that the Secretary has determined to be appropriate with respect to legally marketed antimicrobial drugs, where—

“(i) the Secretary does not recognize, in whole or in part, an interpretive criteria standard described under subparagraph (A) otherwise applicable to such a drug;

“(ii) the Secretary withdraws under subsection (c)(1)(B) recognition of a standard, in

whole or in part, otherwise applicable to such a drug;

“(iii) the Secretary approves an application under section 505 of this Act or section 351 of the Public Health Service Act, as applicable, with respect to marketing of such a drug for which there are no relevant interpretive criteria included in a standard recognized by the Secretary under subsection (c); or

“(iv) because the characteristics of such a drug differ from other drugs with the same active ingredient, the interpretive criteria with respect to such drug—

“(I) differ from otherwise applicable interpretive criteria included in a standard listed under subparagraph (A) or interpretive criteria otherwise listed under this subparagraph; and

“(II) are determined by the Secretary to be appropriate for the drug.

“(C) **REQUIRED STATEMENTS OF LIMITATIONS OF INFORMATION.**—The Interpretive Criteria Website shall include the following:

“(i) A statement that—

“(I) the website provides information about the susceptibility of bacteria, fungi, or other microorganisms to a certain drug (or drugs); and

“(II) the safety and efficacy of the drug in treating clinical infections due to such bacteria, fungi, or other microorganisms may not have been established in adequate and well-controlled clinical trials and the clinical significance of such susceptibility information in such trials is unknown.

“(ii) A statement that directs health care practitioners to consult the approved product labeling for specific drugs to determine the uses for which the Food and Drug Administration has approved the product.

“(iii) Any other statement that the Secretary determines appropriate to adequately convey the limitations of the data supporting susceptibility test interpretive criteria standard listed on the website.

“(3) **NOTICE.**—Not later than the date on which the Interpretive Criteria Website is established, the Secretary shall publish a notice of that establishment in the Federal Register.

“(4) **INAPPLICABILITY OF MISBRANDING PROVISION.**—The inclusion in the approved labeling of an antimicrobial drug of a reference or hyperlink to the Interpretive Criteria Website, in and of itself, shall not cause the drug to be misbranded in violation of section 502, or the regulations promulgated thereunder.

“(5) **TRADE SECRETS AND CONFIDENTIAL INFORMATION.**—Nothing in this section shall be construed as authorizing the Secretary to disclose any information that is a trade secret or confidential information subject to section 552(b)(4) of title 5, United States Code.

“(c) **RECOGNITION OF SUSCEPTIBILITY TEST INTERPRETIVE CRITERIA FROM STANDARD DEVELOPMENT ORGANIZATIONS.**—

“(1) **IN GENERAL.**—Beginning on the date of the establishment of the Interpretive Criteria Website, and at least every 6 months thereafter, the Secretary shall—

“(A) evaluate any appropriate new or updated susceptibility test interpretive criteria standards established by a nationally or internationally recognized standard development or organization described in subsection (b)(2)(A)(i); and

“(B) publish on the public website of the Food and Drug Administration a notice—

“(i) withdrawing recognition of any different susceptibility test interpretive criteria standard, in whole or in part;

“(ii) recognizing the new or updated standards;

“(iii) recognizing one or more parts of the new or updated interpretive criteria specified in such a standard and declining to recognize the remainder of such standard; and

“(iv) making any necessary updates to the lists under subsection (b)(2).

“(2) **BASES FOR UPDATING INTERPRETIVE CRITERIA STANDARDS.**—In evaluating new or updated susceptibility test interpretive criteria standards under paragraph (1)(A), the Secretary may consider—

“(A) the Secretary’s determination that such a standard is not applicable to a particular drug because the characteristics of the drug differ from other drugs with the same active ingredient;

“(B) information provided by interested third parties, including public comment on the annual compilation of notices published under paragraph (3);

“(C) any bases used to identify susceptibility test interpretive criteria under subsection (a)(2); and

“(D) such other information or factors as the Secretary determines appropriate.

“(3) **ANNUAL COMPILATION OF NOTICES.**—Each year, the Secretary shall compile the notices published under paragraph (1)(B) and publish such compilation in the Federal Register and provide for public comment. If the Secretary receives comments, the Secretary shall review such comments and, if the Secretary determines appropriate, update pursuant to this subsection susceptibility test interpretive criteria standards—

“(A) recognized by the Secretary under this subsection; or

“(B) otherwise listed on the Interpretive Criteria Website under subsection (b)(2).

“(4) **RELATION TO SECTION 514(C).**—Any susceptibility test interpretive standard recognized under this subsection or any criteria otherwise listed under subsection (b)(2)(B) shall be deemed to be recognized as a standard by the Secretary under section 514(c)(1).

“(5) **VOLUNTARY USE OF INTERPRETIVE CRITERIA.**—Nothing in this section prohibits a person from seeking approval or clearance of a drug or device, or changes to the drug or the device, on the basis of susceptibility test interpretive criteria standards which differ from those recognized pursuant to paragraph (1).

“(d) **ANTIMICROBIAL DRUG LABELING.**—

“(1) **DRUGS MARKED PRIOR TO ESTABLISHMENT OF INTERPRETIVE CRITERIA WEBSITE.**—With respect to an antimicrobial drug lawfully introduced or delivered for introduction into interstate commerce for commercial distribution before the establishment of the Interpretive Criteria Website, a holder of an approved application under section 505 of this Act or section 351 of the Public Health Service Act, as applicable, for each such drug—

“(A) not later than 1 year after establishment of the Interpretive Criteria Website, shall submit to the Secretary a supplemental application for purposes of changing the drug’s labeling to substitute a reference or hyperlink to such Website for any susceptibility test interpretive criteria and related information; and

“(B) may begin distribution of the drug involved upon receipt by the Secretary of the supplemental application for such change.

“(2) **DRUGS MARKED SUBSEQUENT TO ESTABLISHMENT OF INTERPRETIVE CRITERIA WEBSITE.**—With respect to antimicrobial drugs lawfully introduced or delivered for introduction into interstate commerce for commercial distribution on or after the date of the establishment of the Interpretive Criteria Website, the labeling for such a drug shall include, in lieu of susceptibility test interpretive criteria and related information, a reference to such Website.

“(e) **SPECIAL CONDITION FOR MARKETING OF ANTIMICROBIAL SUSCEPTIBILITY TESTING DEVICES.**—

“(1) **IN GENERAL.**—Notwithstanding sections 501, 502, 510, 513, and 515, if the conditions specified in paragraph (2) are met (in addition to

other applicable provisions under this chapter) with respect to an antimicrobial susceptibility testing device described in subsection (f)(1), the Secretary may authorize the marketing of such device for a use described in such subsection.

“(2) CONDITIONS APPLICABLE TO ANTIMICROBIAL SUSCEPTIBILITY TESTING DEVICES.—The conditions specified in this paragraph are the following:

“(A) The device is used to make a determination of susceptibility using susceptibility test interpretive criteria that are—

“(i) included in a standard recognized by the Secretary under subsection (c); or

“(ii) otherwise listed on the Interpretive Criteria Website under subsection (b)(2).

“(B) The labeling of such device prominently and conspicuously—

“(i) includes a statement that—

“(I) the device provides information about the susceptibility of bacteria and fungi to certain drugs; and

“(II) the safety and efficacy of such drugs in treating clinical infections due to such bacteria or fungi may not have been established in adequate and well-controlled clinical trials and the clinical significance of such susceptibility information in those instances is unknown;

“(ii) includes a statement directing health care practitioners to consult the approved labeling for drugs tested using such a device, to determine the uses for which the Food and Drug Administration has approved such drugs; and

“(iii) includes any other statement the Secretary determines appropriate to adequately convey the limitations of the data supporting the interpretive criteria described in subparagraph (A).

“(f) DEFINITIONS.—In this section:

“(1) The term ‘antimicrobial susceptibility testing device’ means a device that utilizes susceptibility test interpretive criteria to determine and report the *in vitro* susceptibility of certain microorganisms to a drug (or drugs).

“(2) The term ‘qualified infectious disease product’ means a qualified infectious disease product designated under section 505E(d).

“(3) The term ‘susceptibility test interpretive criteria’ means—

“(A) one or more specific numerical values which characterize the susceptibility of bacteria or other microorganisms to the drug tested; and

“(B) related categorizations of such susceptibility, including categorization of the drug as susceptible, intermediate, resistant, or such other term as the Secretary determines appropriate.

“(4)(A) The term ‘antimicrobial drug’ means, subject to subparagraph (B), a systemic antibacterial or antifungal drug that—

“(i) is intended for human use in the treatment of a disease or condition caused by a bacterium or fungus;

“(ii) may include a qualified infectious disease product designated under section 505E(d); and

“(iii) is subject to section 503(b)(1).

“(B) If provided by the Secretary through regulations, such term may include—

“(i) drugs other than systemic antibacterial and antifungal drugs; and

“(ii) biological products (as such term is defined in section 351 of the Public Health Service Act) to the extent such products exhibit antimicrobial activity.

“(g) RULE OF CONSTRUCTION.—Nothing in this section shall be construed—

“(1) to alter the standards of evidence—

“(A) under subsection (c) or (d) of section 505, including the substantial evidence standard in section 505(d), or under section 351 of the Public Health Service Act (as applicable); or

“(B) with respect to marketing authorization for devices, under section 510, 513, or 515;

“(2) to apply with respect to any drug, device, or biological product, in any context other than—

“(A) an antimicrobial drug; or

“(B) an antimicrobial susceptibility testing device that uses susceptibility test interpretive criteria to characterize and report the *in vitro* susceptibility of certain bacteria, fungi, or other microorganisms to antimicrobial drugs in accordance with this section; or

“(3) unless specifically stated, to have any effect on authorities provided under other sections of this Act, including any regulations issued under such sections.”.

(b) CONFORMING AMENDMENTS.—

(1) REPEAL OF RELATED AUTHORITY.—Section 1111 of the Food and Drug Administration Amendments Act of 2007 (42 U.S.C. 247d–5a; relating to identification of clinically susceptible concentrations of antimicrobials) is repealed.

(2) CLERICAL AMENDMENT.—The table of contents in section 2 of the Food and Drug Administration Amendments Act of 2007 is amended by striking the item relating to section 1111.

(3) MISBRANDING.—Section 502 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 352), as amended by section 2121, is further amended by adding at the end the following:

“(ee) If it is an antimicrobial drug and its labeling fails to conform with the requirements under section 511(d).”.

(4) RECOGNITION OF INTERPRETIVE CRITERIA AS DEVICE STANDARD.—Section 514(c)(1)(A) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360d(c)(1)(A)) is amended by inserting after “the Secretary shall, by publication in the Federal Register” the following: “(or, with respect to susceptibility test interpretive criteria or standards recognized or otherwise listed under section 511, by posting on the Interpretive Criteria Website in accordance with such section)”.

(c) REPORT TO CONGRESS.—Not later than two years after the date of enactment of this Act, the Secretary of Health and Human Services shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate a report on the progress made in implementing section 511 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360a), as amended by this section.

(d) REQUESTS FOR UPDATES TO INTERPRETIVE CRITERIA WEBSITE.—Chapter 35 of title 44, United States Code, shall not apply to the collection of information from interested parties regarding the updating of lists under paragraph (2) of subsection (b) section 511 of the Federal Food, Drug, and Cosmetic Act (as amended by subsection (a)) and posted on the Interpretive Criteria Website established under paragraph (1) of such subsection (b).

(e) NO EFFECT ON HEALTH CARE PRACTICE.—Nothing in this subtitle (including the amendments made by this subtitle) shall be construed to restrict, in any manner, the prescribing or administering of antibiotics or other products by health care practitioners, or to limit the practice of health care.

## SEC. 2123. ENCOURAGING THE DEVELOPMENT AND USE OF DISARM DRUGS.

(a) ADDITIONAL PAYMENT FOR DISARM DRUGS UNDER MEDICARE.—

(1) IN GENERAL.—Section 1886(d)(5) of the Social Security Act (42 U.S.C. 1395ww(d)(5)) is amended by adding at the end the following new subparagraph:

“(M)(i) As part of the annual rulemaking conducted with respect to payment for subsection (d) hospitals for each fiscal year beginning with fiscal year 2018, the Secretary shall—

“(I) include a list of the DISARM drugs for such fiscal year; and

“(II) with respect to discharges by eligible hospitals that involve a drug so listed, provide for an additional payment to be made under this subsection in accordance with the provisions of this subparagraph.

“(ii) Additional payments may not be made for a drug under this subparagraph—

“(I) other than during the 5-fiscal-year period beginning with the fiscal year for which the drug is first included in the list described in clause (i)(I); and

“(II) with respect to which payment has ever been made pursuant to subparagraph (K).

“(iii) For purposes of this subparagraph, the term ‘DISARM drug’ means a product that is approved for use, or a product for which an indication is first approved for use, by the Food and Drug Administration on or after December 1, 2014, and that the Food and Drug Administration determines is an antimicrobial product (as defined in clause (iv)) and is intended to treat an infection—

“(I) for which there is an unmet medical need; and

“(II) which is associated with high rates of mortality or significant patient morbidity, as determined in consultation with the Director of the Centers for Disease Control and Prevention and the infectious disease professional community.

“(iv) For purposes of clause (iii), the term ‘antimicrobial product’ means a product that either—

“(I) is intended to treat an infection caused by, or likely to be caused by, a qualifying pathogen (as defined under section 505E(f) of the Federal Food, Drug, and Cosmetic Act); or

“(II) meets the definition of a qualified infectious disease product under section 505E(g) of the Federal Food, Drug, and Cosmetic Act.

Such determination may be revoked only upon a finding that the request for such determination contained an untrue statement of material fact.

“(v) For purposes of this subparagraph, the term ‘eligible hospital’ means a subsection (d) hospital that participates in the National Healthcare Safety Network of the Centers for Disease Control and Prevention (or, to the extent a similar surveillance system that includes reporting about antimicrobial drugs is determined by the Secretary to be available to such hospitals, such similar surveillance system as the Secretary may specify).

“(vi) Subject to the succeeding provisions of this subparagraph, the additional payment under this subparagraph, with respect to a drug, shall be in the amount provided for such drug under section 1847A.

“(vii) As part of the rulemaking referred to in clause (i) for each fiscal year, the Secretary shall estimate—

“(I) total add-on payments (as defined in subclause (I) of clause (ix)); and

“(II) total hospital payments (as defined in subclause (II) of such clause).

“(viii) If the total add-on payments estimated pursuant to clause (vii)(I) for a fiscal year exceed 0.02 percent of the total hospital payments estimated pursuant to clause (vii)(II) for such fiscal year, the Secretary shall reduce in a pro rata manner the amount of each additional payment under this subsection pursuant to this subparagraph for such fiscal year in order to ensure that the total add-on payments estimated for such fiscal year do not exceed 0.02 percent of the total hospital payments estimated for such fiscal year.

“(ix) In this subparagraph:

“(I) The term ‘total add-on payments’ means, with respect to a fiscal year, the total amount of the additional payments under this subsection pursuant to this subparagraph for discharges in such fiscal year without regard to the application of clause (viii).

“(II) The term ‘total hospital payments’ means, with respect to a fiscal year, the total amount of payments made under this subsection for all discharges in such fiscal year.”.

(2) CONFORMING AMENDMENTS.—

(A) NO DUPLICATIVE NTAP PAYMENTS.—Section 1886(d)(5)(K)(vi) of the Social Security Act (42 U.S.C. 1395w(d)(5)(K)(vi)) is amended by inserting “and if additional payment has never been made under this subsection pursuant to subparagraph (M) with respect to the service or technology” before the period at the end.

(B) ACCESS TO PRICE INFORMATION.—Section 1927(b)(3)(A) of the Social Security Act (42 U.S.C. 1396r-8(b)(3)(A)) is amended—

(i) in clause (ii)—

(I) by striking “for each” and inserting “, for each”; and

(II) by striking “and” at the end;

(ii) in clause (iii)—

(I) in subclause (II), by inserting “or under section 1886(d) pursuant to paragraph (5)(M) of such section,” after “1847A,”;

(II) in the matter following subclause (III), by striking “or 1881(b)(13)(A)(ii)” and inserting “, section 1881(b)(13)(A)(ii), or section 1886(d)(5)(M);” and

(III) by striking the period at the end and inserting “; and”; and

(iii) in clause (iv), by striking the semicolon at the end and inserting a period.

(b) STUDY AND REPORT ON REMOVING BARRIERS TO DEVELOPMENT OF DISARM DRUGS.—

(1) STUDY.—The Comptroller General of the United States shall, in consultation with the Director of the National Institutes of Health, the Commissioner of Food and Drugs, and the Director of the Centers for Disease Control and Prevention, conduct a study to—

(A) identify and examine the barriers that prevent the development of DISARM drugs, as defined in section 1886(d)(5)(M)(iii) of the Social Security Act (42 U.S.C. 1395w(d)(5)(M)(iii)), as added by subsection (a)(1); and

(B) develop recommendations for actions to be taken in order to overcome any barriers identified under subparagraph (A).

(2) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report on the study conducted under paragraph (1).

#### Subtitle H—Vaccine Access, Certainty, and Innovation

#### SEC. 2141. TIMELY REVIEW OF VACCINES BY THE ADVISORY COMMITTEE ON IMMUNIZATION PRACTICES.

Section 2102(a) of the Public Health Service Act (42 U.S.C. 300aa-2(a)) is amended by adding at the end the following:

“(10) ADVISORY COMMITTEE ON IMMUNIZATION PRACTICES.—

“(A) STANDARD PERIODS OF TIME FOR MAKING RECOMMENDATIONS.—Upon the licensure of any vaccine or any new indication for a vaccine, the Director of the Program shall direct the Advisory Committee on Immunization Practices, at its next regularly scheduled meeting, to consider the use of the vaccine.

“(B) EXPEDITED REVIEW PURSUANT TO REQUEST BY SPONSOR OR MANUFACTURER.—If the Advisory Committee does not make recommendations with respect to the use of a vaccine at the Advisory Committee’s first regularly scheduled meeting after the licensure of the vaccine or any new indication for the vaccine, the Advisory Committee, at the request of the sponsor of the vaccine, shall make such recommendations on an expedited basis.

“(C) EXPEDITED REVIEW FOR BREAKTHROUGH THERAPIES AND FOR USE DURING PUBLIC HEALTH EMERGENCIES.—If a vaccine is designated as a breakthrough therapy under section 506 of the Federal Food, Drug, and Cosmetic Act and is licensed under section 351 of this Act, the Advisory Committee shall make recommendations with respect to the use of the vaccine on an expedited basis.

“(D) DEFINITION.—In this paragraph, the terms ‘Advisory Committee on Immunization

Practices’ and ‘Advisory Committee’ mean the advisory committee on immunization practices established by the Secretary pursuant to section 222, acting through the Director of the Centers for Disease Control and Prevention.”.

#### SEC. 2142. REVIEW OF PROCESSES AND CONSISTENCY OF ACIP RECOMMENDATIONS.

(a) REVIEW.—The Director of the Centers for Disease Control and Prevention shall conduct a review of the process used by the Advisory Committee on Immunization Practices to evaluate consistency in formulating and issuing recommendations pertaining to vaccines.

(b) CONSIDERATIONS.—The review under subsection (a) shall include assessment of—

(1) the criteria used to evaluate new and existing vaccines;

(2) the Grading of Recommendations, Assessment, Development, and Evaluation (GRADE) approach to the review and analysis of scientific and economic data, including the scientific basis for such approach; and

(3) the extent to which the processes used by the working groups of the Advisory Committee on Immunization Practices are consistent among groups.

(c) STAKEHOLDERS.—In carrying out the review under subsection (a), the Director of the Centers for Disease Control and Prevention shall solicit input from vaccine stakeholders.

(d) REPORT.—Not later than 18 months after the date of enactment of this Act, the Director of the Centers for Disease Control and Prevention shall submit to the appropriate committees of the Congress and make publicly available a report on the results of the review under subsection (a), including recommendations on improving the consistency of the process described in such subsection.

(e) DEFINITION.—In this section, the term “Advisory Committee on Immunization Practices” means the advisory committee on immunization practices established by the Secretary of Health and Human Services pursuant to section 222 of the Public Health Service Act (42 U.S.C. 217a), acting through the Director of the Centers for Disease Control and Prevention.

#### SEC. 2143. MEETINGS BETWEEN CDC AND VACCINE DEVELOPERS.

Section 310 of the Public Health Service Act (42 U.S.C. 242o) is amended by adding at the end the following:

“(c)(1) In this subsection, the term ‘vaccine developer’ means a nongovernmental entity engaged in—

“(A)(i) the development of a vaccine with the intent to pursue licensing of the vaccine by the Food and Drug Administration; or

“(ii) the production of a vaccine licensed by the Food and Drug Administration; and

“(B) vaccine research.

“(2)(A) Upon the submission of a written request for a meeting by a vaccine developer, that includes a valid justification for the meeting, the Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall convene a meeting of representatives of the vaccine developer and experts from the Centers for Disease Control and Prevention in immunization programs, epidemiology, and other relevant areas at which the Director (or the Director’s designee), for the purpose of informing the vaccine developer’s understanding of public health needs and priorities, shall provide the perspectives of the Centers for Disease Control and Prevention and other relevant Federal agencies regarding—

“(i) public health needs, epidemiology, and implementation considerations with regard to a vaccine developer’s potential vaccine profile; and

“(ii) potential implications of such perspectives for the vaccine developer’s vaccine research and development planning.

“(B) In addition to the representatives specified in subparagraph (A), the Secretary may, with the agreement of the vaccine developer requesting a meeting under such subparagraph, include in such meeting representatives of—

“(i) the Food and Drug Administration; and

“(ii) the National Vaccine Program.

“(C) The Secretary shall convene a meeting requested with a valid justification under subparagraph (A) not later than 120 days after receipt of the request for the meeting.

“(3)(A) Upon the submission of a written request by a vaccine developer, the Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall provide to the vaccine developer any age-based or other demographically assessed disease epidemiological analyses or data that—

“(i) are specified in the request;

“(ii) have been published;

“(iii) have been performed by or are in the possession of the Centers;

“(iv) are not a trade secret or commercial or financial information that is privileged or confidential and subject to section 552(b)(4) of title 5, United States Code, or section 1905 of title 18, United States Code; and

“(v) do not contain individually identifiable information.

“(B) The Secretary shall provide analyses requested by a vaccine manufacturer under subparagraph (A) not later than 120 calendar days after receipt of the request for the analyses.

“(4) The Secretary shall promptly notify a vaccine developer if—

“(A) the Secretary becomes aware of any significant change to information that was—

“(i) shared by the Secretary with the vaccine developer during a meeting under paragraph (2); or

“(ii) provided by the Secretary to the vaccine developer in one or more analyses under paragraph (3); and

“(B) the change to such information may have implications for the vaccine developer’s vaccine research and development.”.

#### Subtitle I—Orphan Product Extensions Now; Incentives for Certain Products for Limited Populations

#### SEC. 2151. EXTENSION OF EXCLUSIVITY PERIODS FOR A DRUG APPROVED FOR A NEW INDICATION FOR A RARE DISEASE OR CONDITION.

(a) IN GENERAL.—Chapter V of the Federal Food, Drug, and Cosmetic Act, as amended by sections 2062 and 2063, is further amended by inserting after section 505H of such Act the following:

#### “SEC. 505I. EXTENSION OF EXCLUSIVITY PERIODS FOR A DRUG APPROVED FOR A NEW INDICATION FOR A RARE DISEASE OR CONDITION.

“(a) DESIGNATION.—

“(1) IN GENERAL.—The Secretary shall designate a drug as a drug approved for a new indication to prevent, diagnose, or treat a rare disease or condition for purposes of granting the extensions under subsection (b) if—

“(A) prior to approval of an application or supplemental application for the new indication, the drug was approved or licensed for marketing under section 505(c) of this Act or section 351(a) of the Public Health Service Act but was not so approved or licensed for the new indication;

“(B)(i) the sponsor of the approved or licensed drug files an application or a supplemental application for approval of the new indication for use of the drug to prevent, diagnose, or treat the rare disease or condition; and

“(ii) the Secretary approves the application or supplemental application; and

“(C) the application or supplemental application for the new indication contains the consent



of the applicant to notice being given by the Secretary under paragraph (4) respecting the designation of the drug.

“(2) REVOCATION OF DESIGNATION.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), a designation under paragraph (1) shall not be revoked for any reason.

“(B) EXCEPTION.—The Secretary may revoke a designation of a drug under paragraph (1) if the Secretary finds that the application or supplemental application resulting in such designation contained an untrue statement of material fact.

“(3) NOTIFICATION PRIOR TO DISCONTINUANCE OF PRODUCTION FOR SOLELY COMMERCIAL REASONS.—A designation of a drug under paragraph (1) shall be subject to the condition that the sponsor of the drug will notify the Secretary of any discontinuance of the production of the drug for solely commercial reasons at least one year before such discontinuance.

“(4) NOTICE TO PUBLIC.—Notice respecting the designation of a drug under paragraph (1) shall be made available to the public.

“(b) EXTENSION.—If the Secretary designates a drug as a drug approved for a new indication for a rare disease or condition, as described in subsection (a)(1)—

“(1)(A) the 4-, 5-, and 7½-year periods described in subsections (c)(3)(E)(ii) and (j)(5)(F)(ii) of section 505, the 3-year periods described in clauses (iii) and (iv) of subsection (c)(3)(E) and clauses (iii) and (iv) of subsection (j)(5)(F) of section 505, and the 7-year period described in section 527, as applicable, shall be extended by 6 months; or

“(B) the 4- and 12-year periods described in subparagraphs (A) and (B) of section 351(k)(7) of the Public Health Service Act and the 7-year period described in section 527, as applicable, shall be extended by 6 months; and

“(2)(A) if the drug is the subject of a listed patent for which a certification has been submitted under subsection (b)(2)(A)(ii) or (j)(2)(A)(vii)(I) of section 505 or a listed patent for which a certification has been submitted under subsections (b)(2)(A)(iii) or (j)(2)(A)(vii)(II) of section 505, the period during which an application may not be approved under section 505(c)(3) or section 505(j)(5)(B) shall be extended by a period of 6 months after the date the patent expires (including any patent extensions); or

“(B) if the drug is the subject of a listed patent for which a certification has been submitted under subsection (b)(2)(A)(iv) or (j)(2)(A)(vii)(IV) of section 505, and in the patent infringement litigation resulting from the certification the court determines that the patent is valid and would be infringed, the period during which an application may not be approved under section 505(c)(3) or section 505(j)(5)(B) shall be extended by a period of 6 months after the date the patent expires (including any patent extensions).

“(c) RELATION TO PEDIATRIC AND QUALIFIED INFECTIOUS DISEASE PRODUCT EXCLUSIVITY.—Any extension under subsection (b) of a period shall be in addition to any extension of the periods under sections 505A and 505E of this Act and section 351(m) of the Public Health Service Act, as applicable, with respect to the drug.

“(d) LIMITATIONS.—The extension described in subsection (b) shall not apply if the drug designated under subsection (a)(1) has previously received an extension by operation of subsection (b).

“(e) DEFINITION.—In this section, the term ‘rare disease or condition’ has the meaning given to such term in section 526(a)(2).”

(b) APPLICATION.—Section 505G of the Federal Food, Drug, and Cosmetic Act, as added by subsection (a), applies only with respect to a drug for which an application or supplemental application described in subsection (a)(1)(B)(i) of

such section 505G is first approved under section 505(c) of such Act (21 U.S.C. 355(c)) or section 351(a) of the Public Health Service Act (42 U.S.C. 262(a)) on or after the date of the enactment of this Act.

(c) CONFORMING AMENDMENTS.—

(1) RELATION TO PEDIATRIC EXCLUSIVITY FOR DRUGS.—Section 505A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355a) is amended—

(A) in subsection (b), by adding at the end the following:

“(3) RELATION TO EXCLUSIVITY FOR A DRUG APPROVED FOR A NEW INDICATION FOR A RARE DISEASE OR CONDITION.—Notwithstanding the references in paragraph (1) to the lengths of the exclusivity periods after application of pediatric exclusivity, the 6-month extensions described in paragraph (1) shall be in addition to any extensions under section 505G.”; and

(B) in subsection (c), by adding at the end the following:

“(3) RELATION TO EXCLUSIVITY FOR A DRUG APPROVED FOR A NEW INDICATION FOR A RARE DISEASE OR CONDITION.—Notwithstanding the references in paragraph (1) to the lengths of the exclusivity periods after application of pediatric exclusivity, the 6-month extensions described in paragraph (1) shall be in addition to any extensions under section 505G.”.

(2) RELATION TO EXCLUSIVITY FOR NEW QUALIFIED INFECTIOUS DISEASE PRODUCTS THAT ARE DRUGS.—Subsection (b) of section 505E of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355f) is amended—

(A) by amending the subsection heading to read as follows: “RELATION TO PEDIATRIC EXCLUSIVITY AND EXCLUSIVITY FOR A DRUG APPROVED FOR A NEW INDICATION FOR A RARE DISEASE OR CONDITION.—”; and

(B) by striking “any extension of the period under section 505A” and inserting “any extension of the periods under sections 505A and 505G, as applicable.”.

(3) RELATION TO PEDIATRIC EXCLUSIVITY FOR BIOLOGICAL PRODUCTS.—Section 351(m) of the Public Health Service Act (42 U.S.C. 262(m)) is amended by adding at the end the following:

“(5) RELATION TO EXCLUSIVITY FOR A BIOLOGICAL PRODUCT APPROVED FOR A NEW INDICATION FOR A RARE DISEASE OR CONDITION.—Notwithstanding the references in paragraphs (2)(A), (2)(B), (3)(A), and (3)(B) to the lengths of the exclusivity periods after application of pediatric exclusivity, the 6-month extensions described in such paragraphs shall be in addition to any extensions under section 505G.”.

#### SEC. 2152. REAUTHORIZATION OF RARE PEDIATRIC DISEASE PRIORITY REVIEW VOUCHER INCENTIVE PROGRAM.

(a) IN GENERAL.—Section 529 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360ff) is amended—

(1) in subsection (a)—

(A) in paragraph (3), by amending subparagraph (A) to read as follows:

“(A) The disease is a serious or life-threatening disease in which the serious or life-threatening manifestations primarily affect individuals aged from birth to 18 years, including age groups often called neonates, infants, children, and adolescents.”; and

(B) in paragraph (4)—

(i) in subparagraph (E), by striking “and” at the end;

(ii) in subparagraph (F), by striking the period at the end and inserting “; and”;

(iii) by adding at the end the following:

“(G) is for a drug or biological product for which a priority review voucher has not been issued under section 524 (relating to tropical disease products).”; and

(2) in subsection (b), by striking paragraph (5) and inserting the following:

“(5) TERMINATION OF AUTHORITY.—

“(A) IN GENERAL.—The Secretary may not award any priority review vouchers under paragraph (1) after December 31, 2018.

“(B) EXCEPTION.—Notwithstanding subparagraph (A), the sponsor of a drug that is designated under subsection (d) as a drug for a rare pediatric disease and that is the subject of a rare pediatric disease product application that is submitted during the period beginning on the date of enactment of the 21st Century Cures Act and ending the date specified in subparagraph (A) shall remain eligible to receive a priority review voucher under paragraph (1) irrespective of whether the rare pediatric disease product application with respect to such drug is approved after the end of such period.”.

(b) GAO STUDY AND REPORT.—

(1) STUDY.—The Comptroller General of the United States shall conduct a study on the effectiveness of awarding priority review vouchers under section 529 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360ff) in providing incentives for the development of drugs that treat or prevent rare pediatric diseases (as defined in subsection (a)(3) of such section) that would not otherwise have been developed. In conducting such study, the Comptroller General shall examine the following:

(A) The indications for which each drug for which a priority review voucher was awarded under such section 529 was approved under section 505 of such Act (21 U.S.C. 355) or section 351 of the Public Health Service Act (42 U.S.C. 262).

(B) Whether the priority review voucher impacted a sponsor's decision to invest in developing a drug to treat or prevent a rare pediatric disease.

(C) An analysis of the drugs that utilized such priority review vouchers, which shall include—

(i) the indications for which such drugs were approved under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) or section 351 of the Public Health Service Act (42 U.S.C. 262);

(ii) whether unmet medical needs were addressed through the approval of such drugs, including, for each such drug—

(I) if an alternative therapy was previously available to treat the indication; and

(II) the benefit or advantage the drug provided over another available therapy;

(iii) the number of patients potentially treated by such drugs;

(iv) the value of the priority review voucher if transferred; and

(v) the length of time between the date on which a priority review voucher was awarded and the date on which it was used.

(D) With respect to the priority review voucher program under section 529 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360ff)—

(i) the resources used by, and burden placed on, the Food and Drug Administration in implementing such program, including the effect of such program on the Food and Drug Administration's review of drugs for which a priority review voucher was not awarded or used;

(ii) the impact of the program on the public health as a result of the expedited review of applications for drugs that treat or prevent non-serious indications that are generally used by the broader public; and

(iii) alternative approaches to improving such program so that the program is appropriately targeted toward providing incentives for the development of clinically important drugs that—

(I) prevent or treat rare pediatric diseases; and

(II) would likely not otherwise have been developed to prevent or treat such diseases.

(2) REPORT.—Not later than December 31, 2017, the Comptroller General of the United



States shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate a report containing the results of the study of conducted under paragraph (1).

**Subtitle J—Domestic Manufacturing and Export Efficiencies**

**SEC. 2161. GRANTS FOR STUDYING THE PROCESS OF CONTINUOUS DRUG MANUFACTURING.**

(a) IN GENERAL.—The Commissioner of Food and Drugs may award grants to institutions of higher education and nonprofit organizations for the purpose of studying and recommending improvements to the process of continuous manufacturing of drugs and biological products and similar innovative monitoring and control techniques.

(b) DEFINITIONS.—In this section:

(1) The term “drug” has the meaning given to such term in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(2) The term “biological product” has the meaning given to such term in section 351(i) of the Public Health Service Act (42 U.S.C. 262(i)).

(3) The term “institution of higher education” has the meaning given to such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2016 through 2020.

**SEC. 2162. RE-EXPORTATION AMONG MEMBERS OF THE EUROPEAN ECONOMIC AREA.**

Section 1003 of the Controlled Substances Import and Export Act (21 U.S.C. 953) is amended—

(1) in subsection (f)—

(A) in paragraph (5)—

(i) by striking “(5)” and inserting “(5)(A)”; and

(ii) by inserting “, except that the controlled substance may be exported from the second country to another country that is a member of the European Economic Area” before the period at the end; and

(iii) by adding at the end the following:

“(B) Subsequent to any re-exportation described in subparagraph (A), a controlled substance may continue to be exported from any country that is a member of the European Economic Area to any other such country, provided that—

“(i) the conditions applicable with respect to the first country under paragraphs (1), (2), (3), (4), (6), and (7) are met by each subsequent country from which the controlled substance is exported pursuant to this paragraph; and

“(ii) the conditions applicable with respect to the second country under such paragraphs are met by each subsequent country to which the controlled substance is exported pursuant to this paragraph.”; and

(B) in paragraph (6)—

(i) by striking “(6)” and inserting “(6)(A)”; and

(ii) by adding at the end the following:

“(B) In the case of re-exportation among members of the European Economic Area, within 30 days after each re-exportation, the person who exported the controlled substance from the United States delivers to the Attorney General—

“(i) documentation certifying that such re-exportation has occurred; and

“(ii) information concerning the consignee, country, and product.”; and

(2) by adding at the end the following:

“(g) LIMITATION.—Subject to paragraphs (5) and (6) of subsection (f) in the case of any controlled substance in schedule I or II or any narcotic drug in schedule III or IV, the Attorney General shall not promulgate nor enforce any regulation, subregulatory guidance, or enforce-

ment policy which impedes re-exportation of any controlled substance among European Economic Area countries, including by promulgating or enforcing any requirement that—

“(1) re-exportation from the first country to the second country or re-exportation from the second country to another country occur within a specified period of time; or

“(2) information concerning the consignee, country, and product be provided prior to exportation of the controlled substance from the United States or prior to each re-exportation among members of the European Economic Area.”.

**Subtitle K—Enhancing Combination Products Review**

**SEC. 2181. ENHANCING COMBINATION PRODUCTS REVIEW.**

Section 503(g)(4)(C) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353(g)(4)(C)) is amended by adding at the end the following new clause:

“(iii) Not later than 18 months after the date of the enactment of the 21st Century Cures Act, the Secretary shall issue final guidance that describes the responsibilities of each agency center regarding its review of combination products. The Secretary shall, after soliciting public comment, review and update the guidance periodically.”.

**Subtitle L—Priority Review for Breakthrough Devices**

**SEC. 2201. PRIORITY REVIEW FOR BREAKTHROUGH DEVICES.**

(a) IN GENERAL.—Chapter V of the Federal Food, Drug, and Cosmetic Act is amended—

(1) in section 515(d)—

(A) by striking paragraph (5); and

(B) by redesignating paragraph (6) as paragraph (5); and

(2) by inserting after section 515A (21 U.S.C. 360e–1) the following:

**“SEC. 515B. PRIORITY REVIEW FOR BREAKTHROUGH DEVICES.**

“(a) IN GENERAL.—In order to provide for more effective treatment or diagnosis of life-threatening or irreversibly debilitating human diseases or conditions, the Secretary shall establish a program to provide priority review for devices—

“(1) representing breakthrough technologies;

“(2) for which no approved alternatives exist;

“(3) offering significant advantages over existing approved or cleared alternatives, including the potential to, compared to existing approved or cleared alternatives, reduce or eliminate the need for hospitalization, improve patient quality of life, facilitate patients’ ability to manage their own care (such as through self-directed personal assistance), or establish long-term clinical efficiencies; or

“(4) the availability of which is in the best interest of patients.

“(b) REQUEST FOR DESIGNATION.—A sponsor of a device may request that the Secretary designate the device for priority review under this section. Any such request for designation may be made at any time prior to the submission of an application under section 515(c), a petition for classification under section 513(f)(2), or a notification under section 510(k).

“(c) DESIGNATION PROCESS.—

“(1) IN GENERAL.—Not later than 60 calendar days after the receipt of a request under subsection (b), the Secretary shall determine whether the device that is the subject of the request meets the criteria described in subsection (a). If the Secretary determines that the device meets the criteria, the Secretary shall designate the device for priority review.

“(2) REVIEW.—Review of a request under subsection (b) shall be undertaken by a team that is composed of experienced staff and managers

of the Food and Drug Administration and is chaired by a senior manager.

“(3) DESIGNATION DETERMINATION.—A determination approving or denying a request under subsection (b) shall be considered a significant decision under section 517A and the Secretary shall provide a written, substantive summary of the basis for the determination in accordance with section 517A(a).

“(4) RECONSIDERATION.—

“(A) REQUEST FOR RECONSIDERATION.—Any person whose request under subsection (b) is denied may, within 30 days of the denial, request reconsideration of the denial in accordance with section 517A(b)—

“(i) based upon the submission of documents by such person; or

“(ii) based upon such documents and a meeting or teleconference.

“(B) RESPONSE.—Reconsideration of a designation determination under this paragraph shall be conducted in accordance with section 517A(b).

“(5) WITHDRAWAL.—If the Secretary approves a priority review designation for a device under this section, the Secretary may not withdraw the designation based on the fact that the criteria specified in subsection (a) are no longer met because of the subsequent clearance or approval of another device that was designated under—

“(A) this section; or

“(B) section 515(d)(5) (as in effect immediately prior to the enactment of the 21st Century Cures Act).

“(d) PRIORITY REVIEW.—

“(1) ACTIONS.—For purposes of expediting the development and review of devices designated under subsection (c), the Secretary shall—

“(A) assign a team of staff, including a team leader with appropriate subject matter expertise and experience, for each device for which a request is submitted under subsection (b);

“(B) provide for oversight of the team by senior agency personnel to facilitate the efficient development of the device and the efficient review of any submission described in subsection (b) for the device;

“(C) adopt an efficient process for timely dispute resolution;

“(D) provide for interactive communication with the sponsor of the device during the review process;

“(E) expedite the Secretary’s review of manufacturing and quality systems compliance, as applicable;

“(F) disclose to the sponsor in advance the topics of any consultation concerning the sponsor’s device that the Secretary intends to undertake with external experts or an advisory committee and provide the sponsor an opportunity to recommend such external experts;

“(G) for applications submitted under section 515(c), provide for advisory committee input, as the Secretary determines appropriate (including in response to the request of the sponsor); and

“(H) assign staff to be available within a reasonable time to address questions posed by institutional review committees concerning the conditions and clinical testing requirements applicable to the investigational use of the device pursuant to an exemption under section 520(g).

“(2) ADDITIONAL ACTIONS.—In addition to the actions described in paragraph (1), for purposes of expediting the development and review of devices designated under subsection (c), the Secretary, in collaboration with the device sponsor, may, as appropriate—

“(A) coordinate with the sponsor regarding early agreement on a data development plan;

“(B) take steps to ensure that the design of clinical trials is as efficient as practicable, such as through adoption of shorter or smaller clinical trials, application of surrogate endpoints,

and use of adaptive trial designs and Bayesian statistics, to the extent scientifically appropriate;

“(C) facilitate, to the extent scientifically appropriate, expedited and efficient development and review of the device through utilization of timely postmarket data collection, with regard to applications for approval under section 515(c); and

“(D) agree to clinical protocols that the Secretary will consider binding on the Secretary and the sponsor, subject to—

“(i) changes agreed to by the sponsor and the Secretary;

“(ii) changes that the Secretary determines are required to prevent an unreasonable risk to the public health; or

“(iii) the identification of a substantial scientific issue determined by the Secretary to be essential to the safety or effectiveness of the device involved.

“(e) **PRIORITY REVIEW GUIDANCE.**—

“(1) **CONTENT.**—The Secretary shall issue guidance on the implementation of this section. Such guidance shall include the following:

“(A) The process for a person to seek a priority review designation.

“(B) A template for requests under subsection (b).

“(C) The criteria the Secretary will use in evaluating a request for priority review.

“(D) The standards the Secretary will use in assigning a team of staff, including team leaders, to review devices designated for priority review, including any training required for such personnel on effective and efficient review.

“(2) **PROCESS.**—Prior to finalizing the guidance under paragraph (1), the Secretary shall propose such guidance for public comment.

“(f) **CONSTRUCTION.**—

“(1) **PURPOSE.**—This section is intended to encourage the Secretary and provide the Secretary sufficient authorities to apply efficient and flexible approaches to expedite the development of, and prioritize the agency's review of, devices that represent breakthrough technologies.

“(2) **CONSTRUCTION.**—Nothing in this section shall be construed to alter the criteria and standards for evaluating an application pursuant to section 515(c), a report and request for classification under section 513(f)(2), or a report under section 510(k), including the recognition of valid scientific evidence as described in section 513(a)(3)(B), and consideration of the least burdensome means of evaluating device effectiveness or demonstrating substantial equivalence between devices with differing technological characteristics, as applicable. Nothing in this section alters the authority of the Secretary to act on an application pursuant to section 515(d) before completion of an establishment inspection, as the Secretary deems appropriate.”.

(b) **CONFORMING AMENDMENT RELATED TO DESIGNATION DETERMINATIONS.**—Section 517A(a)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360g–1(a)(1)) is amended by inserting “a request for designation under section 515B,” after “an application under section 515.”.

#### **Subtitle M—Medical Device Regulatory Process Improvements**

### **SEC. 2221. THIRD-PARTY QUALITY SYSTEM ASSESSMENT.**

(a) **ESTABLISHMENT OF THIRD-PARTY QUALITY SYSTEM ASSESSMENT PROGRAM.**—Chapter V of the Federal Food, Drug, and Cosmetic Act is amended by inserting after section 524A (21 U.S.C. 360n–1) the following new section:

#### **“SEC. 524B. THIRD-PARTY QUALITY SYSTEM ASSESSMENT.**

“(a) **ACCREDITATION AND ASSESSMENT.**—

“(1) **IN GENERAL; CERTIFICATION OF DEVICE QUALITY SYSTEM.**—The Secretary shall, in accordance with this section, establish a third-party quality system assessment program—

“(A) to accredit persons to assess whether a requestor's quality system, including its design controls, can reasonably assure the safety and effectiveness of in-scope devices subject to device-related changes;

“(B) under which accredited persons shall (as applicable) certify that a requestor's quality system meets the criteria included in the guidance issued under paragraph (5) with respect to the in-scope devices at issue; and

“(C) under which the Secretary shall rely on such certifications for purposes of determining the safety and effectiveness (or as applicable, substantial equivalence) of in-scope devices subject to the device-related changes involved, in lieu of compliance with the following submission requirements:

“(i) A premarket notification.

“(ii) A thirty-day notice.

“(iii) A Special PMA supplement.

“(2) **DEFINITIONS.**—For purposes of this section—

“(A) the term ‘device-related changes’ means changes made by a requestor with respect to in-scope devices, which are—

“(i) changes to a device found to be substantially equivalent under sections 513(i) and 510(k) to a predicate device, that—

“(I) would otherwise be subject to a premarket notification; and

“(II) do not alter—

“(aa) the intended use of the changed device; or

“(bb) the fundamental scientific technology of such device;

“(ii) manufacturing changes subject to a 30-day notice;

“(iii) changes that qualify for a Special PMA Supplement; and

“(iv) such other changes relating to the devices or the device manufacturing process as the Secretary determines appropriate;

“(B) the term ‘in-scope device’ means a device within the scope of devices agreed to by the requestor and the accredited person for purposes of a request for certification under this section;

“(C) the term ‘premarket notification’ means a premarket notification under section 510(k);

“(D) the term ‘quality system’ means the methods used in, and the facilities and controls used for, the design, manufacture, packaging, labeling, storage, installation, and servicing of devices, as described in section 520(f);

“(E) the term ‘requestor’ means a device manufacturer that is seeking certification under this section of a quality system used by such manufacturer;

“(F) the term ‘Special PMA’ means a Special PMA supplement under section 814.39(d) of title 21, Code of Federal Regulations (or any successor regulations); and

“(G) the term ‘thirty-day notice’ means a notice described in section 515(d)(6).

“(3) **ACCREDITATION PROCESS; ACCREDITATION RENEWAL.**—Except as inconsistent with this section, the process and qualifications for accreditation of persons and renewal of such accreditation under section 704(g) shall apply with respect to accreditation of persons and renewal of such accreditation under this section.

“(4) **USE OF ACCREDITED PARTIES TO CONDUCT ASSESSMENTS.**—

“(A) **INITIATION OF ASSESSMENT SERVICES.**—

“(i) **DATE ASSESSMENTS AUTHORIZED.**—Beginning after the date on which the final guidance is issued under paragraph (5), an accredited person may conduct an assessment under this section.

“(ii) **INITIATION OF ASSESSMENTS.**—Use of one or more accredited persons to assess a requestor's quality system under this section with respect to in-scope devices shall be at the initiation of the person who registers and lists the devices at issue under section 510.

“(B) **COMPENSATION.**—Compensation for such accredited persons shall—

“(i) be determined by agreement between the accredited person and the person who engages the services of the accredited person; and

“(ii) be paid by the person who engages such services.

“(C) **ACCREDITED PERSON SELECTION.**—Each person who chooses to use an accredited person to assess a requestor's quality system, as described in this section, shall select the accredited person from a list of such persons published by the Secretary in accordance with section 704(g)(4).

“(5) **GUIDANCE; CRITERIA FOR CERTIFICATION.**—

“(A) **IN GENERAL.**—The criteria for certification of a quality system under this section shall be as specified by the Secretary in guidance issued under this paragraph.

“(B) **CONTENTS; CRITERIA.**—The guidance under this paragraph shall include specification of—

“(i) evaluative criteria to be used by an accredited person to assess and, as applicable, certify a requestor's quality system under this section with respect to in-scope devices; and

“(ii) criteria for accredited persons to apply for a waiver of, and exemptions from, the criteria under clause (i).

“(C) **TIMEFRAME FOR ISSUING GUIDANCE.**—The Secretary shall issue under this paragraph—

“(i) draft guidance not later than 12 months after the enactment of the 21st Century Cures Act; and

“(ii) final guidance not later than 12 months after issuance of the draft guidance under clause (i).

“(b) **USE OF THIRD-PARTY ASSESSMENT.**—

“(1) **ASSESSMENT SUMMARY; CERTIFICATION.**—

“(A) **SUBMISSION OF ASSESSMENT TO SECRETARY.**—An accredited person who assesses a requestor's quality system under subsection (a) shall submit to the Secretary a summary of the assessment—

“(i) within 30 days of the assessment; and

“(ii) which shall include (as applicable)—

“(I) the accredited person's certification that the requestor has satisfied the criteria specified in the guidance issued under subsection (a)(5) for quality system certification with respect to the in-scope devices at issue; and

“(II) any waivers or exemptions from such criteria applied by the accredited person.

“(B) **TREATMENT OF ASSESSMENTS.**—Subject to action by the Secretary under subparagraph (C), with respect to assessments which include a certification under this section—

“(i) the Secretary's review of the assessment summary shall be deemed complete on the day that is 30 days after the date on which the Secretary receives the summary under subparagraph (A); and

“(ii) the assessment summary and certification of the quality system of a requestor shall be deemed accepted by the Secretary on such 30th day.

“(C) **ACTIONS BY SECRETARY.**—

“(i) **IN GENERAL.**—Within 30 days of receiving an assessment summary and certification under subparagraph (A), the Secretary may, by written notice to the accredited person submitting such assessment certification, deem any such certification to be provisional beyond such 30-day period, suspended pending further review by the Secretary, or otherwise qualified or cancelled, based on the Secretary's determination that (as applicable)—

“(I) additional information is needed to support such certification;

“(II) such assessment or certification is unwarranted; or

“(III) such action with regard to the certification is otherwise justified according to such

factors and criteria as the Secretary finds appropriate.

“(ii) ACCEPTANCE OF CERTIFICATION.—If following action by the Secretary under clause (i) with respect to a certification, the Secretary determines that such certification is acceptable, the Secretary shall issue written notice to the applicable accredited person indicating such acceptance.

“(2) NOTIFICATIONS TO SECRETARY BY CERTIFIED REQUESTORS OR ACCREDITED PERSONS FOR PROGRAM EVALUATION PURPOSES.—

“(A) ANNUAL SUMMARY REPORT FOR DEVICE-RELATED CHANGES OTHERWISE SUBJECT TO PREMARKET NOTIFICATION.—A requestor whose quality system is certified under this section that effectuates device-related changes with respect to in-scope devices, without prior submission of a premarket notification, shall ensure that an annual summary report is submitted to the Secretary by the accredited person which—

“(i) describes the changes made to the in-scope device; and

“(ii) indicates the effective dates of such changes.

“(B) PERIODIC NOTIFICATION FOR MANUFACTURING CHANGES OTHERWISE SUBJECT TO THIRTY-DAY NOTICE.—A requestor whose quality system is certified under this section that effectuates device-related changes with respect to in-scope devices, without prior submission of a thirty-day notice, shall provide notification to the Secretary of such changes in the requestor's next periodic report under section 814.84(b) of title 21, Code of Federal Regulations (or any successor regulation). Such notification shall—

“(i) describe the changes made; and

“(ii) indicate the effective dates of such changes.

“(C) PERIODIC NOTIFICATION FOR DEVICE-RELATED CHANGES OTHERWISE SUBJECT TO SPECIAL PMA SUPPLEMENT.—A requestor whose quality system is certified under this section that effectuates device-related changes with respect to in-scope devices, without prior submission of a Special PMA Supplement, shall provide notification to the Secretary of such changes in the requestor's next periodic report under section 814.84(b) of title 21, Code of Federal Regulations (or any successor regulation). Such notification shall—

“(i) describe the changes made, including a full explanation of the basis for the changes; and

“(ii) indicate the effective dates of such changes.

“(D) USE OF NOTIFICATIONS FOR PROGRAM EVALUATION PURPOSES.—Information submitted to the Secretary under subparagraphs (A) through (C) shall be used by the Secretary for purposes of the program evaluation under subsection (d).

“(c) DURATION AND EFFECT OF CERTIFICATION.—A certification under this section—

“(1) shall remain in effect for a period of 2 years from the date such certification is accepted by the Secretary, subject to paragraph (6);

“(2) may be renewed through the process described in subsection (a)(3);

“(3) shall continue to apply with respect to device-related changes made during such 2-year period, provided the certification remains in effect, irrespective of whether such certification is renewed after such 2-year period;

“(4) shall have no effect on the need to comply with applicable submission requirements specified in subsection (a)(1)(C) with respect to any change pertaining to in-scope devices which is not a device-related change under subsection (a)(2);

“(5) shall have no effect on the authority of the Secretary to conduct an inspection or otherwise determine whether the requestor has complied with the applicable requirements of this Act; and

“(6) may be revoked by the Secretary upon a determination that the requestor's quality system no longer meets the criteria specified in the guidance issued under subsection (a)(5) with respect to the in-scope devices at issue.

“(d) NOTICE OF REVOCATION.—The Secretary shall provide written notification to the requestor of a revocation pursuant to subsection (c)(6) not later than 10 business days after the determination described in such subsection. Upon receipt of the written notification, the requestor shall satisfy the applicable submission requirements specified in subsection (a)(1)(C) for any device-related changes effectuated after the date of such determination. After such revocation, such requestor is eligible to seek re-certification under this section of its quality system.

“(e) PROGRAM EVALUATION; SUNSET.—

“(1) PROGRAM EVALUATION AND REPORT.—

“(A) EVALUATION.—The Secretary shall complete an evaluation of the third-party quality system assessment program under this section no later than January 31, 2021, based on—

“(i) analysis of information from a representative group of device manufacturers obtained from notifications provided by certified requestors or accredited persons under subsection (b)(2); and

“(ii) such other available information and data as the Secretary determines appropriate.

“(B) REPORT.—No later than 1 year after completing the evaluation under subparagraph (A), the Secretary shall issue a report of the evaluation's findings on the website of the Food and Drug Administration, which shall include the Secretary's recommendations with respect to continuation and as applicable expansion of the program under this section to encompass—

“(i) device submissions beyond those identified in subsection (a)(1)(C); and

“(ii) device changes beyond those described in subsection (a)(2)(A).

“(2) SUNSET.—This section shall cease to be effective October 1, 2022.

“(f) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the authority of the Secretary to request and review the complete assessment of a certified requestor under this section on a for-cause basis.”

(b) CONFORMING AMENDMENTS.—

(1) REQUIREMENTS FOR PREMARKET APPROVAL SUPPLEMENTS.—Section 515(d)(5)(A)(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360e(d)(5)(A)(i)), as redesignated by section 2201, is further amended by inserting “, subject to section 524B” after “that affects safety or effectiveness”.

(2) REQUIREMENTS FOR THIRTY-DAY NOTICE.—Section 515(d)(5)(A)(ii) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360e(d)(5)(A)(ii)), as redesignated by section 2201, is further amended by inserting “, subject to section 524B” after “the date on which the Secretary receives the notice”.

(3) REQUIREMENTS FOR PREMARKET NOTIFICATION; TECHNICAL CORRECTION TO REFERENCE TO SECTION 510(K).—Section 510(l) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360(l)) is amended by striking “of this subsection under subsection (m)” and inserting “of subsection (k) under subsection (m) or section 524B”.

(4) MISBRANDED DEVICES.—Section 502(t) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 352(t)) is amended by inserting “or 524B” after “section 519”.

#### SEC. 2222. VALID SCIENTIFIC EVIDENCE.

Section 513(a)(3)(B) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360c(a)(3)(B)) is amended—

(1) by redesignating clauses (i) and (ii) as subclauses (I) and (II), respectively;

(2) by striking “(B) If the Secretary” and inserting “(B)(i) If the Secretary”; and

(3) by adding at the end the following:

“(ii) For purposes of clause (i), valid scientific evidence may include—

“(I) evidence described in well-documented case histories, including registry data, that are collected and monitored under a protocol determined to be acceptable by the Secretary;

“(II) studies published in peer-reviewed journals; and

“(III) data collected in countries other than the United States so long as such data otherwise meet the criteria specified in this subparagraph.

“(iii) In the case of a study published in a peer-reviewed journal that is offered as valid scientific evidence for purposes of clause (i), the Secretary may request data underlying the study if—

“(I) the Secretary, in making such request, complies with the requirement of subparagraph (D)(ii) to consider the least burdensome appropriate means of evaluating device effectiveness or subsection (i)(1)(D) to consider the least burdensome means of determining substantial equivalence, as applicable;

“(II) the Secretary furnishes a written rationale for so requesting the underlying data together with such request; and

“(III) if the requested underlying data for such a study are unavailable, the Secretary shall consider such study to be part of the totality of the evidence with respect to the device, as the Secretary determines appropriate.”

#### SEC. 2223. TRAINING AND OVERSIGHT IN LEAST BURDENSOME APPROPRIATE MEANS CONCEPT.

(a) IN GENERAL.—Section 513 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360c) is amended by adding at the end the following:

“(j) TRAINING AND OVERSIGHT IN LEAST BURDENSOME APPROPRIATE MEANS CONCEPT.—

“(1) TRAINING.—Each employee of the Food and Drug Administration who is involved in the review of premarket submissions under section 515 or section 510(k), including supervisors, shall receive training regarding the meaning and implementation of the least burdensome appropriate means concept in the context of the use of that term in subsections (a)(3)(D) and (i)(1)(D) of this section and in section 515(c)(5).

“(2) GUIDANCE DOCUMENTS.—

“(A) DRAFT UPDATED GUIDANCE.—Not later than 12 months after the date of enactment of the 21st Century Cures Act, the Secretary shall issue a draft guidance document updating the October 4, 2002, guidance document entitled ‘The Least Burdensome Provision of the FDA Modernization Act of 1997: Concept and Principles; Final Guidance for FDA and Industry’.

“(B) MEETING OF STAKEHOLDERS.—In developing such draft guidance document, the Secretary shall convene a meeting of stakeholders to ensure a full record to support the publication of such document.

“(3) OMBUDSMAN AUDIT.—Not later than 18 months after the date of issuance of final version of the draft guidance under paragraph (2), the ombudsman for the organizational unit of the Food and Drug Administration responsible for the premarket review of devices shall—

“(A) conduct, or have conducted, an audit of the training described in paragraph (1); and

“(B) include in such audit interviews with a representative sample of persons from industry regarding their experience in the device premarket review process.”

(b) ADDITIONAL INFORMATION REGARDING PREMARKET APPLICATIONS.—Subsection (c) of section 515 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360e) is amended by adding at the end the following:

“(5)(A) Whenever the Secretary requests additional information from an applicant regarding an application under paragraph (1), the Secretary shall consider the least burdensome appropriate means necessary to demonstrate device

safety and effectiveness, and request information accordingly.

“(B) For purposes of subparagraph (A), the term ‘necessary’ means the minimum required information that would support a determination by the Secretary that an application provides a reasonable assurance of the safety and effectiveness of the device.

“(C) Nothing in this paragraph alters the standards for premarket approval of a device.”.

#### SEC. 2224. RECOGNITION OF STANDARDS.

Section 514(c) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360d(c)) is amended—

(1) in paragraph (1), by inserting after subparagraph (B) the following new subparagraphs:

“(C)(i) Any person may submit a request for recognition under subparagraph (A) of all or part of an appropriate standard established by a nationally or internationally recognized standard organization.

“(ii) Not later than 60 days after the Secretary receives such a request, the Secretary shall—

“(I) make a determination to recognize all, part, or none of the standard that is the subject of the request; and

“(II) issue to the person who submitted such request a response in writing that states the Secretary’s rationale for that determination, including the scientific, technical, regulatory, or other basis for such determination.

“(iii) The Secretary shall make a response issued under clause (ii)(II) publicly available, in such manner as the Secretary determines appropriate.

“(iv) The Secretary shall take such actions as may be necessary to implement all or part of a standard recognized under clause (i)(I), in accordance with subparagraph (A).

“(D) The Secretary shall make publicly available, in such manner as the Secretary determines appropriate, the rationale for recognition under subparagraph (A) of part of a standard, including the scientific, technical, regulatory, or other basis for such recognition.”; and

(2) by adding at the end the following new paragraphs:

“(4) TRAINING ON USE OF STANDARDS.—The Secretary shall provide to all employees of the Food and Drug Administration who review premarket submissions for devices periodic training on the concept and use of recognized standards for purposes of meeting a premarket submission requirement or other applicable requirement under this Act, including standards relevant to an employee’s area of device review.

“(5) GUIDANCE.—

“(A) DRAFT GUIDANCE.—The Secretary shall publish guidance identifying the principles for recognizing standards under this section. In publishing such guidance, the Secretary shall consider—

“(i) the experience with, and reliance on, a standard by other Federal regulatory authorities and the device industry; and

“(ii) whether recognition of a standard will promote harmonization among regulatory authorities in the regulation of devices.

“(B) TIMING.—The Secretary shall publish—

“(i) draft guidance under subparagraph (A) not later than 12 months after the date of the enactment of the 21st Century Cures Act; and

“(ii) final guidance not later than 12 months after the close of the public comment period for the draft guidance under clause (i).”.

#### SEC. 2225. EASING REGULATORY BURDEN WITH RESPECT TO CERTAIN CLASS I AND CLASS II DEVICES.

(a) CLASS I DEVICES.—Section 510(l) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360(l)) is amended—

(1) by striking “A report under subsection (k)” and inserting “(I) A report under subsection (k)”;

(2) by adding at the end the following new paragraph:

“(2) Not later than 120 days after the date of the enactment of the 21st Century Cures Act, the Secretary shall identify, through publication in the Federal Register, any type of class I device that the Secretary determines no longer requires a report under subsection (k) to provide reasonable assurance of safety and effectiveness. Upon such publication—

“(A) each type of class I device so identified shall be exempt from the requirement for a report under subsection (k); and

“(B) the classification regulation applicable to each such type of device shall be deemed amended to incorporate such exemption.”.

(b) CLASS II DEVICES.—Section 510(m) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360(m)) is amended—

(1) by striking paragraph (1) and inserting the following new paragraph: “(1) The Secretary shall—

“(A) not later than 60 days after the date of the enactment of the 21st Century Cures Act—

“(i) publish in the Federal Register a notice that contains a list of each type of class II device that the Secretary determines no longer requires a report under subsection (k) to provide reasonable assurance of safety and effectiveness; and

“(ii) provide for a period of not less than 60 days for public comment beginning on the date of the publication of such notice; and

“(B) not later than 180 days after the date of the enactment of 21st Century Cures Act, publish in the Federal Register a list representing the Secretary’s final determination with respect to the devices included in the list published under subparagraph (A).”;

(2) in paragraph (2)—

(A) by striking “1 day after the date of the publication of a list under this subsection,” and inserting “1 day after the date of publication of the final list under paragraph (1)(B).”; and

(B) by striking “30-day period” and inserting “60-day period.”; and

(3) by adding at the end the following new paragraph:

“(3) Upon the publication of the final list under paragraph (1)(B)—

“(A) each type of class II device so listed shall be exempt from the requirement for a report under subsection (k); and

“(B) the classification regulation applicable to each such type of device shall be deemed amended to incorporate such exemption.”.

#### SEC. 2226. ADVISORY COMMITTEE PROCESS.

(a) CLASSIFICATION PANELS.—Paragraph (5) of section 513(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360c(b)) is amended—

(1) by striking “(5)” and inserting “(5)(A)”;

(2) by adding at the end the following:

“(B) When a device is specifically the subject of review by a classification panel, the Secretary shall—

“(i) ensure that adequate expertise is represented on the classification panel to assess—

“(I) the disease or condition which the device is intended to cure, treat, mitigate, prevent, or diagnose; and

“(II) the technology of the device; and

“(ii) as part of the process to ensure adequate expertise under clause (i), give due consideration to the recommendations of the person whose premarket submission is subject to panel review on the expertise needed among the voting members of the panel.

“(C) For purposes of subparagraph (B)(ii), the term ‘adequate expertise’ means, with respect to the membership of the classification panel reviewing a premarket submission, that such membership includes—

“(i) two or more voting members, with a specialty or other expertise clinically relevant to the device under review; and

“(ii) at least one voting member who is knowledgeable about the technology of the device.”.

(b) PANEL REVIEW PROCESS.—Section 513(b)(6) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360c(b)(6)) is amended—

(1) in subparagraph (A)(iii), by inserting before the period at the end “, including by designating a representative who will be provided a time during the panel meeting to address the panel individually (or accompanied by experts selected by such representative) for the purpose of correcting misstatements of fact or providing clarifying information, subject to the discretion of the panel chairperson”; and

(2) by striking subparagraph (B) and inserting the following new subparagraph:

“(B)(i) Any meeting of a classification panel for a device that is specifically the subject of review shall—

“(I) provide adequate time for initial presentations by the person whose device is specifically the subject of a classification panel review and by the Secretary; and

“(II) encourage free and open participation by all interested persons.

“(ii) Following the initial presentations described in clause (i), the panel may—

“(I) pose questions to a designated representative described in subparagraph (A)(iii); and

“(II) consider the responses to such questions in the panel’s review of the device that is specifically the subject of review by the panel.”.

#### SEC. 2227. HUMANITARIAN DEVICE EXEMPTION APPLICATION.

(a) IN GENERAL.—Section 520(m) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360j) is amended—

(1) in paragraph (1) by striking “fewer than 4,000” and inserting “not more than 8,000”;

(2) in paragraph (2)(A) by striking “fewer than 4,000” and inserting “not more than 8,000”; and

(3) in paragraph (6)(A)(ii), by striking “4,000” and inserting “8,000”.

(b) GUIDANCE DOCUMENT ON PROBABLE BENEFIT.—Not later than 18 months after the date of enactment of this Act, the Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs, shall publish a draft guidance document that defines the criteria for establishing “probable benefit” as that term is used in section 520(m)(2)(C) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360j(m)(2)(C)).

#### SEC. 2228. CLIA WAIVER STUDY DESIGN GUIDANCE FOR IN VITRO DIAGNOSTICS.

(a) DRAFT REVISED GUIDANCE.—Not later than 12 months after the date of the enactment of this Act, the Secretary of Health and Human Services shall publish a draft guidance that—

(1) revises “Section V. Demonstrating Insignificant Risk of an Erroneous Result—‘Accuracy’” of the guidance entitled “Recommendations for Clinical Laboratory Improvement Amendments of 1988 (CLIA) Waiver Applications for Manufacturers of In Vitro Diagnostic Devices” and dated January 30, 2008; and

(2) includes guidance on the appropriate use of comparable performance between a waived user and a moderately complex laboratory user to demonstrate accuracy.

(b) FINAL REVISED GUIDANCE.—The Secretary of Health and Human Services shall finalize the draft guidance published under subsection (a) not later than 12 months after the comment period for such draft guidance closes.

#### Subtitle N—Sensible Oversight for Technology Which Advances Regulatory Efficiency

##### SEC. 2241. HEALTH SOFTWARE.

Section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321) is amended by adding at the end the following:

“(ss)(1) The term ‘health software’ means software that does not, through use of an in vitro

diagnostic device or signal acquisition system, acquire, process, or analyze an image or physiological signal, is not an accessory, is not an integral part of a device necessary to support the use of the device, is not used in the manufacture and transfusion of blood and blood components to assist in the prevention of disease in humans, and—

“(A) is intended for use for administrative or operational support or the processing and maintenance of financial records;

“(B) is intended for use in clinical, laboratory, or administrative workflow and related recordkeeping;

“(C)(i) is intended for use solely in the transfer, aggregation, conversion (in accordance with a present specification), storage, management, retrieval, or transmission of data or information;

“(ii) utilizes a connectivity software platform, electronic or electrical hardware, or a physical communications infrastructure; and

“(iii) is not intended for use—

“(I) in active patient monitoring; or

“(II) in controlling or altering the functions or parameters of a device that is connected to such software;

“(D) is intended for use to organize and present information for health or wellness education or for use in maintaining a healthy lifestyle, including medication adherence and health management tools;

“(E) is intended for use to analyze information to provide general health information that does not include patient-specific recommended options to consider in the prevention, diagnosis, treatment, cure, or mitigation of a particular disease or condition; or

“(F) is intended for use to analyze information to provide patient-specific recommended options to consider in the prevention, diagnosis, treatment, cure, or mitigation of a particular disease or condition.

“(2) The term ‘accessory’ means a product that—

“(A) is intended for use with one or more parent devices;

“(B) is intended to support, supplement, or augment the performance of one or more parent devices; and

“(C) shall be classified by the Secretary—

“(i) according to its intended use; and

“(ii) independently of any classification of any parent device with which it is used.”.

#### **SEC. 2242. APPLICABILITY AND INAPPLICABILITY OF REGULATION.**

Subchapter A of chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351 et seq.), as amended by section 2221(a), is further amended by adding at the end the following:

##### **“SEC. 524C. HEALTH SOFTWARE.**

“(a) **INAPPLICABILITY OF REGULATION TO HEALTH SOFTWARE.**—Except as provided in subsection (b), health software shall not be subject to regulation under this Act.

“(b) **EXCEPTION.**—

“(1) **IN GENERAL.**—Subsection (a) shall not apply with respect to a software product—

“(A) of a type described in subparagraph (F) of section 201(ss)(1); and

“(B) that the Secretary determines poses a significant risk to patient safety.

“(2) **CONSIDERATIONS.**—In making a determination under subparagraph (B) of paragraph (1) with respect to a product to which such paragraph applies, the Secretary shall consider the following:

“(A) The likelihood and severity of patient harm if the product were to not perform as intended.

“(B) The extent to which the product is intended to support the clinical judgment of a medical professional.

“(C) Whether there is a reasonable opportunity for a medical professional to review the

basis of the information or treatment recommendation provided by the product.

“(D) The intended user and user environment, such as whether a medical professional will use a software product of a type described in subparagraph (F) of section 201(ss)(1).

“(c) **DELEGATION.**—The Secretary shall delegate primary jurisdiction for regulating a software product determined under subsection (b) to be subject to regulation under this Act to the center at the Food and Drug Administration charged with regulating devices.

“(d) **REGULATION OF SOFTWARE.**—

“(1) **IN GENERAL.**—The Secretary shall review existing regulations and guidance regarding the regulation of software under this Act. The Secretary may implement a new framework for the regulation of software and shall, as appropriate, modify such regulations and guidance or issue new regulations or guidance.

“(2) **ISSUANCE BY ORDER.**—Notwithstanding subchapter II of chapter 5 of title 5, United States Code, the Secretary may modify or issue regulations for the regulation of software under this Act by administrative order published in the Federal Register following the publication of a proposed order.

“(3) **AREAS UNDER REVIEW.**—The review of existing regulations and guidance under paragraph (1) may include review of the following areas:

“(A) Classification of software.

“(B) Standards for development of software.

“(C) Standards for validation and verification of software.

“(D) Review of software.

“(E) Modifications to software.

“(F) Manufacturing of software.

“(G) Quality systems for software.

“(H) Labeling requirements for software.

“(I) Postmarketing requirements for reporting of adverse events.

“(4) **PROCESS FOR ISSUING PROPOSED REGULATIONS, ADMINISTRATIVE ORDER, AND GUIDANCE.**—Not later than 18 months after the date of enactment of this section, the Secretary shall consult with external stakeholders (including patients, industry, health care providers, academia, and government) to gather input before issuing regulations, an administrative order, and guidance under this subsection.

“(e) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed as providing the Secretary with the authority to regulate under this Act any health software product of the type described in subparagraph (F) of section 201(ss)(1) unless and until the Secretary has made a determination described in subsection (b)(1)(B) with respect to such product.”.

#### **SEC. 2243. EXCLUSION FROM DEFINITION OF DEVICE.**

Section 201(h) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321) is amended—

(1) in subparagraph (2), by striking “or” after “or other animals,”;

(2) in subparagraph (3), by striking “and” and inserting “or”; and

(3) by inserting after subparagraph (3) the following:

“(4) not health software (other than software determined to be a risk to patient safety under section 524B(b)), and”.

##### **Subtitle O—Streamlining Clinical Trials**

#### **SEC. 2261. PROTECTION OF HUMAN SUBJECTS IN RESEARCH; APPLICABILITY OF RULES.**

(a) **IN GENERAL.**—In order to simplify and facilitate compliance by researchers with applicable regulations for the protection of human subjects in research, the Secretary of Health and Human Services shall, to the extent possible and consistent with other statutory provisions, harmonize differences between the HHS Human Subject Regulations and the FDA Human Sub-

ject Regulations in accordance with subsection (b).

(b) **AVOIDING REGULATORY DUPLICATION AND UNNECESSARY DELAYS.**—

(1) **IN GENERAL.**—The Secretary shall—

(A) make such modifications to the provisions of the HHS Human Subject Regulations, the FDA Human Subject Regulations, and the vulnerable-populations rules as may be necessary—

(i) to reduce regulatory duplication and unnecessary delays;

(ii) to modernize such provisions in the context of multisite and cooperative research projects; and

(iii) to incorporate local considerations, community values, and mechanisms to protect vulnerable populations; and

(B) ensure that human subject research that is subject to the HHS Human Subject Regulations or to the FDA Human Subject Regulations may—

(i) use joint or shared review;

(ii) rely upon the review of—

(I) an independent institutional review board; or

(II) an institutional review board of an entity other than the sponsor of the research; or

(iii) use similar arrangements to avoid duplication of effort.

(2) **REGULATIONS AND GUIDANCE.**—Not later than 36 months after the date of enactment of this Act, the Secretary, acting through the relevant agencies and offices of the Department of Health and Human Services, including the Office for Human Research Protections and relevant agencies and offices of the Food and Drug Administration, shall issue such regulations and guidance and take such other actions as may be necessary to implement this section and help to facilitate the broader use of single, central, or lead institutional review boards. Such regulations and guidance shall clarify the requirements and policies relating to the following:

(A) Arrangements to avoid duplication described in paragraph (1)(A)(i), including—

(i) delineating the roles of institutional review boards in multisite or cooperative, multisite studies where one or more local institutional review boards are relied upon, or similar arrangements are used;

(ii) the risks and benefits to human subjects;

(iii) standardizing the informed consent and other processes and legal documents; and

(iv) incorporating community values through the use of local institutional review boards while continuing to use central or lead institutional review boards.

(B) Concerns about regulatory and legal liability contributing to decisions by the sponsors of research to rely on local institutional review boards for multisite research.

(3) **CONSULTATION.**—In issuing regulations or guidance under paragraph (2), the Secretary shall consult with stakeholders (including researchers, academic organizations, hospitals, institutional research boards, pharmaceutical, biotechnology and medical device developers, clinical research organizations, patient groups, and others).

(c) **TIMING.**—The Secretary shall complete the harmonization described in subsection (a) not later than 36 months after the date of enactment of this Act.

(d) **PROGRESS REPORT.**—Not later than 24 months after the date of enactment of this Act, the Secretary shall submit to Congress a report on the progress made toward completing such harmonization.

(e) **DRAFT NIH POLICY.**—Not later than 12 months after the date of enactment of this Act, the Secretary, acting through the Director of the National Institutes of Health, shall finalize the draft policy entitled “Draft NIH Policy on Use of a Single Institutional Review Board for Multi-Site Research”.

(f) DEFINITIONS.—

(1) HUMAN SUBJECT REGULATIONS.—In this section:

(A) FDA HUMAN SUBJECT REGULATIONS.—The term “FDA Human Subject Regulations” means the provisions of parts 50, 56, 312, and 812 of title 21, Code of Federal Regulations (or any successor regulations).

(B) HHS HUMAN SUBJECT REGULATIONS.—The term “HHS Human Subject Regulations” means the provisions of subpart A of part 46 of title 45, Code of Federal Regulations (or any successor regulations).

(C) VULNERABLE-POPULATIONS RULES.—The term “vulnerable-populations rules” —

(i) subject to clause (ii), means the provisions of subparts B through D of such part 46 (or any successor regulations); or

(ii) as applicable to research that is subject to the FDA Human Subject Regulations, means the provisions applicable to vulnerable populations under part 56 of such title 21 (or any successor regulations) and subpart D of part 50 of such title 21 (or any successor regulations).

(2) OTHER DEFINITIONS.—In this section:

(A) INSTITUTIONAL REVIEW BOARD.—The term “institutional review board” has the meaning that applies to the term “institutional review board” under the HHS Human Subject Regulations.

(B) LEAD INSTITUTIONAL REVIEW BOARD.—The term “lead institutional review board” means an institutional review board that otherwise meets the requirements of the HHS Human Subject Regulations and enters into a written agreement with an institution, another institutional review board, a sponsor, or a principal investigator to approve and oversee human subject research that is conducted at multiple locations. References to an institutional review board include an institutional review board that serves a single institution as well as a lead institutional review board.

**SEC. 2262. USE OF NON-LOCAL INSTITUTIONAL REVIEW BOARDS FOR REVIEW OF INVESTIGATIONAL DEVICE EXEMPTIONS AND HUMAN DEVICE EXEMPTIONS.**

(a) IN GENERAL.—Section 520 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360(j)) is amended—

(1) in subsection (g)(3)—

(A) by striking “local” each place it appears; and

(B) in subparagraph (A)(i), by striking “which has been”; and

(2) in subsection (m)(4)—

(A) by striking “local” each place it appears; and

(B) by striking subparagraph (A) and inserting the following new subparagraph:

“(A) in facilities in which clinical testing of devices is supervised by an institutional review committee established in accordance with the regulations of the Secretary, and”.

(b) REGULATIONS.—Not later than 12 months after the date of the enactment of this Act, the Secretary of Health and Human Services shall revise or issue such regulations or guidance as may be necessary to carry out the amendments made by subsection (a).

**SEC. 2263. ALTERATION OR WAIVER OF INFORMED CONSENT FOR CLINICAL INVESTIGATIONS.**

(a) DEVICES.—Section 520(g)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360(j)(3)) is amended—

(1) in subparagraph (D), by striking “except where subject to such conditions as the Secretary may prescribe, the investigator” and inserting the following: “except where, subject to such conditions as the Secretary may prescribe—

“(i) the proposed clinical testing poses no more than minimal risk to the human subject

and includes appropriate safeguards to protect the rights, safety, and welfare of the human subject; or

“(ii) the investigator”; and

(2) in the matter following subparagraph (D), by striking “subparagraph (D)” and inserting “subparagraph (D)(ii)”.

(b) DRUGS.—Section 505(i)(4) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i)(4)) is amended by striking “except where it is not feasible or it is contrary to the best interests of such human beings” and inserting “except where it is not feasible, it is contrary to the best interests of such human beings, or the proposed clinical testing poses no more than minimal risk to such human beings and includes appropriate safeguards as prescribed to protect the rights, safety, and welfare of such human beings”.

**Subtitle P—Improving Scientific Expertise and Outreach at FDA**

**SEC. 2281. SILVIO O. CONTE SENIOR BIOMEDICAL RESEARCH SERVICE.**

(a) HIRING AND RETENTION AUTHORITY.—Section 228 of the Public Health Service Act (42 U.S.C. 237) is amended—

(1) in the section heading, by inserting “AND BIOMEDICAL PRODUCT ASSESSMENT” after “RESEARCH”; and

(2) in subsection (a)(1), by striking “Silvio O. Conte Senior Biomedical Research Service, not to exceed 500 members” and inserting “Silvio O. Conte Senior Biomedical Research and Biomedical Product Assessment Service (in this section referred to as the ‘Service’), the purpose of which is to recruit and retain competitive and qualified scientific and technical experts outstanding in the field of biomedical research, clinical research evaluation, and biomedical product assessment”;

(3) by amending subsection (a)(2) to read as follows:

“(2) The authority established in paragraph (1) may not be construed to require the Secretary to reduce the number of employees serving under any other employment system in order to offset the number of members serving in the Service.”;

(4) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking “or clinical research evaluation” and inserting “, clinical research evaluation or biomedical product assessment”; and

(B) in paragraph (1), by inserting “or a master’s level degree in engineering, bioinformatics, or a related or emerging field,” after the comma;

(5) in subsection (d)(2), by striking “and shall not exceed the rate payable for level I of the Executive Schedule unless approved by the President under section 5377(d)(2) of title 5, United States Code” and inserting “and shall not exceed the rate payable for the President”;

(6) by striking subsection (e); and

(7) by redesignating subsections (f) and (g) as subsections (e) and (f), respectively.

(b) REPORT.—Not later than 3 years after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit, and publish on the website of the Department of Health and Human Services a report on the implementation of the amendments made by subsection (a), including whether the amendments have improved the ability of the Food and Drug Administration to hire and retain qualified experts to fulfill obligations specified under user fee agreements.

**SEC. 2282. ENABLING FDA SCIENTIFIC ENGAGEMENT.**

It is the sense of Congress that the participation in, or sponsorship of, scientific conferences and meetings is essential to the mission of the Food and Drug Administration.

**SEC. 2283. REAGAN-UDALL FOUNDATION FOR THE FOOD AND DRUG ADMINISTRATION.**

(a) BOARD OF DIRECTORS.—

(1) COMPOSITION AND SIZE.—Section 770(d)(1)(C) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379dd(d)(1)(C)) is amended—

(A) by redesignating clause (ii) as clause (iii);

(B) by inserting after clause (i) the following:

“(ii) ADDITIONAL MEMBERS.—The Board, through amendments to the bylaws of the Foundation, may provide that the number of voting members of the Board shall be a number (to be specified in such amendment) greater than 14. Any Board positions that are established by any such amendment shall be appointed (by majority vote) by the individuals who, as of the date of such amendment, are voting members of the Board and persons so appointed may represent any of the categories specified in subclauses (I) through (V) of clause (i), so long as no more than 30 percent of the total voting members of the Board (including members whose positions are established by such amendment) are representatives of the general pharmaceutical, device, food, cosmetic, and biotechnology industries.”; and

(C) in clause (iii)(I), as redesignated by subparagraph (A), by striking “The ex officio members shall ensure” and inserting “The ex officio members, acting pursuant to clause (i), and the Board, acting pursuant to clause (ii), shall ensure”.

(2) FEDERAL EMPLOYEES ALLOWED TO SERVE ON BOARD.—Clause (iii)(II) of section 770(d)(1)(C) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379dd(d)(1)(C)), as redesignated by paragraph (1)(A), is amended by adding at the end the following: “For purposes of this section, the term ‘employee of the Federal Government’ does not include a ‘special Government employee’, as that term is defined in section 202(a) of title 18, United States Code.”.

(3) STAGGERED TERMS.—Subparagraph (A) of section 770(d)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379dd(d)(3)) is amended to read as follows:

“(A) TERM.—The term of office of each member of the Board appointed under paragraph (1)(C)(i), and the term of office of any member of the Board whose position is established pursuant to paragraph (1)(C)(ii), shall be 4 years, except that—

“(i) the terms of offices for the members of the Board initially appointed under paragraph (1)(C)(i) shall expire on a staggered basis as determined by the ex officio members; and

“(ii) the terms of office for the persons initially appointed to positions established pursuant to paragraph (1)(C)(ii) may be made to expire on a staggered basis, as determined by the individuals who, as of the date of the amendment establishing such positions, are members of the Board.”.

(b) EXECUTIVE DIRECTOR COMPENSATION.—Section 770(g)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379dd(g)(2)) is amended by striking “but shall not be greater than the compensation of the Commissioner”.

(c) SEPARATION OF FUNDS.—Section 770(m) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379dd(m)) is amended by striking “are held in separate accounts from funds received from entities under subsection (i)” and inserting “are managed as individual programmatic funds under subsection (i), according to best accounting practices”.

**SEC. 2284. COLLECTION OF CERTAIN VOLUNTARY INFORMATION EXEMPTED FROM PAPERWORK REDUCTION ACT.**

Chapter VII of the Federal Food, Drug, and Cosmetic Act is amended by inserting after section 708 of such Act (21 U.S.C. 379) the following:

**“SEC. 708A. COLLECTION OF CERTAIN VOLUNTARY INFORMATION EXEMPTED FROM PAPERWORK REDUCTION ACT.**

“Chapter 35 of title 44, United States Code, shall not apply to the collection from patients,



industry, academia, and other stakeholders, of voluntary information such as through voluntary surveys or questionnaires, initiated by the Secretary.”.

**SEC. 2285. HIRING AUTHORITY FOR SCIENTIFIC, TECHNICAL, AND PROFESSIONAL PERSONNEL.**

(a) IN GENERAL.—The Federal Food, Drug, and Cosmetic Act is amended by inserting after section 714 (21 U.S.C. 379d–3) the following:

**“SEC. 714A. ADDITIONAL HIRING AUTHORITY.**

“(a) IN GENERAL.—The Secretary may, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, appoint qualified candidates to scientific, technical, or professional positions within the following centers of the Food and Drug Administration:

“(1) The Center for Drug Evaluation and Research.

“(2) The Center for Biologics Evaluation and Research.

“(3) The Center for Devices and Radiological Health.

Such positions shall be within the competitive service.

“(b) COMPENSATION.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, including any requirement with respect to General Schedule pay rates under subchapter III of chapter 53 of title 5, United States Code, and consistent with the requirements of paragraph (2), the Secretary may determine and fix—

“(A) the annual rate of pay of any individual appointed under subsection (a); and

“(B) for purposes of retaining qualified employees, the annual rate of pay for any highly qualified scientific, technical, or professional personnel appointed to a position at any of the centers listed under subsection (a) before the date of enactment of this section.

“(2) LIMITATION.—The annual rate of pay established pursuant to paragraph (1) may not exceed the annual rate of pay of the President.

“(c) REPORT.—

“(1) IN GENERAL.—Not later than September 30, 2021, the Secretary shall submit a report to Congress that examines the extent to which the authority to appoint and retain personnel under this section enhanced the Food and Drug Administration’s ability to meet the agency’s critical need for highly qualified individuals for scientific, technical, or professional positions.

“(2) RECOMMENDATIONS.—The report under paragraph (1) shall include the recommendations of the Secretary on—

“(A) whether the authority to appoint personnel under this section should be reauthorized; and

“(B) other personnel authorities that would help the Food and Drug Administration to better recruit and retain highly qualified individuals for scientific, technical, or professional positions in the agency’s medical product centers.”.

(b) RULE OF CONSTRUCTION.—The authority provided by section 714A of the Federal Food, Drug, and Cosmetic Act (as added by subsection (a)) shall not be construed to affect the authority provided under section 714 of such Act.

**Subtitle Q—Exempting From Sequestration Certain User Fees**

**SEC. 2301. EXEMPTING FROM SEQUESTRATION CERTAIN USER FEES OF FOOD AND DRUG ADMINISTRATION.**

The Balanced Budget and Emergency Deficit Control Act of 1985 is amended—

(1) in section 255(g)(1)(A) (2 U.S.C. 905(g)(1)(A)), by inserting after the item relating to “Financial Agent Services” the following new item:

“Food and Drug Administration, Salaries and Expenses, but only the portion of appropriations

under such account corresponding to fees collected under sections 736, 738, 740, 741, 744B, and 744H of the Federal Food, Drug, and Cosmetic Act (75–9911–0–1–554).”; and

(2) in section 256(h) (2 U.S.C. 906(h)), by adding at the end the following new paragraph:

“(5) Notwithstanding any other provision of law, this subsection shall not apply with respect to the portion of administrative expenses incurred by the Food and Drug Administration that are funded through fees collected under sections 736, 738, 740, 741, 744B, and 744H of the Federal Food, Drug, and Cosmetic Act.”.

**TITLE III—DELIVERY**

**Subtitle A—Interoperability**

**SEC. 3001. ENSURING INTEROPERABILITY OF HEALTH INFORMATION TECHNOLOGY.**

(a) INTEROPERABILITY STANDARDS.—

(1) IN GENERAL.—Subtitle A of title XXX of the Public Health Service Act (42 U.S.C. 300jj–11 et seq.) is amended by adding at the end the following new section:

**“SEC. 3010. ENSURING INTEROPERABILITY OF HEALTH INFORMATION TECHNOLOGY.**

“(a) INTEROPERABILITY.—In order for health information technology to be considered interoperable, such technology must satisfy the following criteria:

“(1) SECURE TRANSFER.—The technology allows the secure transfer of all electronically accessible health information to and from any and all health information technology for authorized use under applicable State or Federal law.

“(2) COMPLETE ACCESS TO HEALTH INFORMATION.—The technology allows for complete access, exchange, and use of all electronically accessible health information for authorized use under applicable State or Federal law without special effort by the requestor of such health information.

“(3) NO INFORMATION BLOCKING.—The technology is not configured, set up, or implemented to information block, as defined in section 3010A(d).

“(b) CATEGORIES FOR INTEROPERABILITY STANDARDS.—The categories described in this subsection, with respect to standards and the corresponding implementation specifications for determining if health information technology is interoperable, consistent with the criteria described in subsection (a), include at least categories of standards and implementation specifications with respect to the following:

“(1) Vocabulary and terminology.

“(2) Content and structure.

“(3) Transport.

“(4) Security.

“(5) Services.

“(6) Querying and requesting health information for access, exchange, and use.

“(c) ALLOWING FOR FLEXIBILITY.—A standard and implementation specification, with respect to such standard, that is determined under section 3001(c)(5)(D) to be compatible with baseline standards and implementation specifications (as defined in clause (ii) of such section) shall be treated as in compliance with this section.”.

(2) GUIDANCE.—Not later than January 1, 2017, the Secretary of Health and Human Services, in consultation with the National Coordinator of the Office of the National Coordinator for Health Information Technology, shall issue guidance with respect to the implementation of section 3010 of the Public Health Service Act, as added by paragraph (1), including with respect to defining and providing examples of authorized use under applicable State or Federal law of health information.

(b) IMPROVEMENTS TO RECOMMENDATION PROCESS.—

(1) HIT POLICY COMMITTEE TO INCORPORATE POLICIES FOR UPDATES TO INTEROPERABILITY

STANDARDS.—Section 3002 of the Public Health Service Act (42 U.S.C. 300jj–12) is amended—

(A) in subsection (a)—

(i) by striking “National Coordinator” and inserting “Secretary, in consultation with the National Coordinator,”; and

(ii) by adding at the end the following new sentence: “The HIT Policy Committee is authorized only to provide policy and priority recommendations to the Secretary and not authorized to otherwise affect the development or modification of any standard, implementation specification, or certification criterion under this title.”; and

(B) in subsection (b)(2)—

(i) in subparagraph (A), in the first sentence—

(I) by striking “The HIT Policy Committee” and inserting “Subject to subparagraph (D), the HIT Policy Committee”; and

(II) by inserting “(including the areas in which modifications and additions to interoperability standards and implementation specifications, with respect to such interoperability standards, under section 3010 are needed for the electronic access, exchange, and use of health information for purposes of adoption of such modifications and additions under section 3004)” after “section 3004”.

(ii) by adding at the end the following new subparagraph:

“(D) SPECIAL RULE RELATED TO INTEROPERABILITY.—Any recommendation made by the HIT Policy Committee on or after the date of the enactment of this subparagraph with respect to interoperability of health information technology shall be consistent with the criteria described in subsection (a) of section 3010.”.

(2) SUNSET OF HIT STANDARDS COMMITTEE.—Section 3003 of the Public Health Service Act (42 U.S.C. 300jj–13) is amended by adding at the end the following new subsection:

“(f) TERMINATION.—The HIT Standards Committee shall terminate on the date that is 90 days after the date of the enactment of this subsection.”.

(3) STANDARDS DEVELOPMENT ORGANIZATIONS.—Title XXX of the Public Health Service Act is amended by inserting after section 3003 the following new section:

**“SEC. 3003A. RECOMMENDATIONS FOR STANDARDS THROUGH CONTRACTS WITH STANDARDS DEVELOPMENT ORGANIZATIONS.**

“(a) CONTRACTS.—

“(1) IN GENERAL.—For purposes of activities conducted under this title, the Secretary shall enter into one or more contracts with health care standards development organizations accredited by the American National Standards Institute (or with the American National Standards Institute) to carry out, directly or through contracts with subcontractors, the duties described in subsection (b), as applicable.

“(2) TIMING FOR FIRST CONTRACT.—As soon as practicable after the date of the enactment of this section, the Secretary shall enter into the first contracts under paragraph (1).

“(3) PERIOD OF CONTRACT.—Each contract under paragraph (1) shall be for a period determined necessary by the Secretary, in consultation with the National Coordinator, to carry out the applicable duties described in subsection (b).

“(4) APPROPRIATE ENTITIES.—The Secretary shall ensure the most appropriate entities described in paragraph (1) are selected for each contract under such paragraph.

“(b) DUTIES.—

“(1) INITIAL CONTRACT.—The Secretary shall initially enter into one or more contracts under subsection (a)(1) with entities described in such subsection, under which the entities—

“(A) shall recommend to the Secretary—

“(i) for adoption under section 3004, an initial set of interoperability standards and implementation specifications, with respect to such standards, identified or, as appropriate, developed by



such entities that are consistent with the criteria described in subsection (a) of section 3010, and with respect to the categories described in subsection (b) of such section; and

“(ii) as applicable, for purposes of section 3001(c)(5)(D), methods to test if health information technology is compatible with health information technology that applies baseline standards and implementation specifications (as defined in clause (ii) of such section); and

“(B) may provide to the Secretary recommendations described in paragraph (2).

“(2) **SUBSEQUENT CONTRACTS.**—Under each subsequent contract entered into under this section with entities described in subsection (a)(1) pursuant to subsection (c), the entities shall recommend to the Secretary—

“(A) for adoption under section 3004 any standards (including interoperability standards), implementation specifications, and, to the extent necessary, certification criteria (and modifications, including additions, to such standards, specifications, and, to the extent necessary, criteria), which are in accordance with the criteria described in section 3010; and

“(B) as applicable, for purposes of section 3001(c)(5)(D), methods to test if health information technology is compatible with baseline standards and implementation specifications (as defined in clause (ii) of such section).

“(3) **SUBMISSION TO NIST.**—Under each contract with an entity under this section, the entity shall submit to the Director of the National Institute of Standards and Technology each recommendation submitted to the Secretary by such entity under this section.

“(4) **CONSULTATION.**—For the purposes of developing methods to test interoperability standards and implementation specifications with respect to such standards, the entities with a contract under this section may consult with the Director of the National Institute of Standards and Technology.

“(c) **MODIFICATIONS AND SUBSEQUENT CONTRACTS.**—

“(1) **IN GENERAL.**—The Secretary, in consultation with the National Coordinator, shall periodically conduct hearings to evaluate and review the standards, implementation specifications, and certification criteria adopted under section 3004 for purposes of determining if modifications, including any additions, are needed with respect to such standards, specifications, and criteria.

“(2) **CONTRACT TRIGGER.**—Based on the needs for standards, implementation specifications, and certification criteria (and modifications, including additions, to such standards, specifications, and criteria) under this title, as determined by the Secretary, with due consideration to section 3010(b) and in consultation with the National Coordinator, the Secretary shall, as needed, enter into contracts under subsection (a) to carry out the duties described in subsection (b)(2) in addition to any contract entered into to carry out the duties described in subsection (b)(1).

“(d) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated \$10,000,000 for contracts under subsection (a), to remain available until expended.”.

(4) **MODIFICATIONS TO ROLE OF THE NATIONAL COORDINATOR.**—Section 3001(c)(1)(A) of the Public Health Service Act (42 U.S.C. 300jj-11(c)(1)(A)) is amended by inserting “for recommendations made before the date of the enactment of the 21st Century Cures Act,” before “review and determine”.

(c) **ADOPTION.**—Section 3004 of the Public Health Service Act (42 U.S.C. 300jj-14) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting after “section 3001(c)” the following: “(or, subject to sub-

section (c), in the case of a standard, implementation specification, or criterion recommended on or after the date of the enactment of the 21st Century Cures Act, after the date of submission of the recommendation to the Secretary under section 3003A)”;

(B) in paragraph (2)(B), by striking “and the HIT Standards Committee”;

(2) in subsection (b)—

(A) in paragraph (3), by striking “with the schedule published under section 3003(b)(2)” and inserting “with subsection (d)”;

(B) by adding at the end the following new paragraph:

“(4) **LIMITATION.**—The Secretary may not adopt any policies, priorities, standards, implementation specifications, or certification criteria under this subsection or subsection (a) that are inconsistent with or duplicative of an interoperability standard or implementation specification with respect to such standard adopted under this section, in accordance with subsections (c) and (d). In the case of a standard, specification, or criterion that has been adopted under this section and is inconsistent or duplicative of such an interoperability standard or specification that is subsequently adopted under this section, such interoperability standard or specification shall supercede such other standard, specification, or criterion and such other standard, specification, or criterion shall no longer be considered adopted under this section beginning on the date that such interoperability standard or specification becomes effective.”; and

(3) by adding at the end the following new subsections:

“(c) **ADOPTION OF INITIAL INTEROPERABILITY STANDARDS AND IMPLEMENTATION SPECIFICATIONS.**—Notwithstanding the previous subsections of this section, the following shall apply in the case of the initial set of interoperability standards and implementation specifications with respect to such standards recommended under section 3003A:

“(1) **REVIEW OF STANDARDS.**—Not later than 90 days after the date of receipt of recommendations for such interoperability standards and implementation specifications, the Secretary, in consultation with the National Coordinator and representatives of other relevant Federal agencies, such as the National Institute of Standards and Technology, shall jointly review such standards and implementation specifications and shall determine whether or not to propose adoption of such standards and implementation specifications.

“(2) **DETERMINATION TO ADOPT.**—If, subject to subsection (d)(3), the Secretary determines—

“(A) to propose adoption of such standards and implementation specifications, the Secretary shall, by regulation under section 553 of title 5, United States Code, determine whether or not to adopt such standards and implementation specifications; or

“(B) not to propose adoption of such standards and implementation specifications, the Secretary shall notify the applicable entity with a contract under section 3003A in writing of such determination and the reasons for not proposing the adoption of the recommendation for such standards and implementation specifications.

“(3) **PUBLICATION.**—The Secretary shall provide for publication in the Federal Register of all determinations made by the Secretary under paragraph (1).

“(d) **RULES FOR ADOPTION.**—In the case of a standard (including interoperability standard), implementation specification, or certification criterion adopted under this section on or after the date of the enactment of the 21st Century Cures Act, the following shall apply:

“(1) **IN GENERAL.**—Except as provided in paragraphs (2) and (3), any such standard (including interoperability standard), implementation

specification, or certification criterion shall be a standard, specification, or criterion that has been recommended by the entities with which the Secretary has entered into a contract under section 3003A.

“(2) **SPECIAL RULE IF NO STANDARD, SPECIFICATION, OR CRITERION RECOMMENDED.**—If no standard, implementation specification, or, to the extent necessary, certification criterion is recommended under paragraph (1)—

“(A) in the case of interoperability standards and implementation specifications with respect to such standards, relating to a category described in section 3010(b)—

“(i) paragraph (1) shall not apply; and

“(ii) paragraph (4) shall apply; or

“(B) in the case of any other standard, implementation specification, or, to the extent necessary, certification criterion, relating to a policy or priority to carry out this title, as determined by the Secretary, in consultation with the National Coordinator—

“(i) paragraph (1) shall not apply; and

“(ii) paragraph (4) shall apply.

“(3) **AUTHORITY TO MODIFY IMPLEMENTATION SPECIFICATIONS.**—If, following public comment pursuant to subsection (c), the Secretary would propose adoption of interoperability standards recommended under section 3003A but for the implementation specifications, with respect to such standards, so recommended, the Secretary may modify such implementation specifications and adopt such standards and specifications in accordance with subsection (c)(2).

“(4) **EFFECTIVE DATE.**—In the case of a standard, implementation specification, or certification criterion for which there is a determination to adopt such standard, implementation specification, or certification criterion, such standard, implementation specification, or certification criterion shall be considered adopted under this section and shall be effective beginning on the date that is 12 months after the date of publication of the final rule to adopt such standard, implementation specification, or certification criterion.

“(5) **ASSISTANCE TO THE SECRETARY.**—In complying with the requirements of this subsection, the Secretary shall give due consideration to any recommendations of the National Committee on Vital and Health Statistics established under section 306(k), and shall consult with appropriate Federal and State agencies and private organizations. The Secretary shall publish in the Federal Register any recommendation of the National Committee on Vital and Health Statistics regarding the adoption of a standard, implementation specification, or certification criterion adopted pursuant to this paragraph shall be promulgated in accordance with the rulemaking procedures of subchapter III of chapter 5 of title 5, United States Code.

“(e) **ALLOWING FOR FLEXIBILITY THROUGH COMPATIBILITY WITH BASELINE STANDARDS AND IMPLEMENTATION SPECIFICATIONS.**—For purposes of this title, title XVIII of the Social Security Act, title XIX of such Act, and any other provision of law, a standard and implementation specification, with respect to such standard, that is determined under section 3001(c)(5)(D) to be compatible with baseline standards and implementation specifications (as defined in clause (ii) of such section) shall be treated as if such standard and specification were an interoperability standard and implementation specification, with respect to such interoperability standard, adopted under this section.”.

(d) **REPORTS AND NOTIFICATIONS.**—Section 3010 of the Public Health Service Act, as added by subsection (a), is amended by adding at the end the following new subsection:

“(c) DISSEMINATION OF INFORMATION.—

“(1) INITIAL SUMMARY REPORT.—Not later than July 1, 2017, the Secretary, after consultation with relevant stakeholders, shall submit to Congress and provide for publication in the Federal Register and the posting on the Internet website of the Office of the National Coordinator for Health Information Technology a report on the following:

“(A) The initial set of interoperability standards and implementation specifications adopted under section 3004(c).

“(B) The strategies for achieving widespread interoperability.

“(C) Any barriers that are preventing widespread interoperability.

“(D) The plan and milestones, including specific steps, to achieve widespread interoperability.

“(2) ONGOING PUBLICATION OF RECOMMENDATIONS.—The Secretary shall provide for publication in the Federal Register, and the posting on the Internet website of the Office of the National Coordinator for Health Information Technology, of all recommendations made under this section.”

(e) CERTIFICATION AND OTHER ENFORCEMENT PROVISIONS.—

(1) CERTIFICATION OF QUALIFIED ELECTRONIC HEALTH RECORDS.—

(A) IN GENERAL.—Section 3007(b) of the Public Health Service Act (42 U.S.C. 300jj–17(b)) is amended by striking “under section 3001(c)(3) to be in compliance with” and all that follows through the period at the end and inserting “under section 3001(c)(3)—

“(1) for certifications made before January 1, 2018, to be in compliance with applicable standards adopted under subsections (a) and (b) of section 3004; and

“(2) for certifications made on or after January 1, 2018, to be in compliance with applicable standards adopted under subsections (a) and (b) of section 3004 and to be interoperable in accordance with section 3010 and in compliance with interoperability standards adopted under section 3004.”

(B) REQUIREMENTS OF SECRETARY.—Section 3001(c)(5) of the Public Health Service Act (42 U.S.C. 300jj–11(c)(5)) is amended—

(i) in subparagraph (B), by inserting before the period at the end the following: “and, for certifications made on or after January 1, 2018, with respect to health information technology, additional criteria to establish that the technology is interoperable, in accordance with section 3010, and in compliance with interoperability standards and implementation specifications, with respect to such standards, adopted under section 3004”; and

(ii) by adding at the end the following new subparagraphs:

“(C) ENFORCEMENT; DECERTIFICATIONS.—

“(i) REQUIREMENTS.—Under any program kept or recognized under subparagraph (A), the Secretary shall ensure that any vendor of or other entity offering to health care providers (as defined in section 3010A(g)) qualified electronic health records seeking a certification of such records under such program on or after January 1, 2018, shall, as a condition of certification (and maintenance of certification) of such a record under such program—

“(I) provide to the Secretary an attestation—

“(aa) the entity has implemented interoperability standards and implementation specifications, with respect to such standards, adopted under section 3004 (including through application of subsection (e) of such section);

“(bb) that the entity, unless for a legitimate purpose specified by the Secretary, has not taken and will not take any action that constitutes information blocking (as defined in section 3010A(d)), with respect to such qualified electronic health records;

“(cc) that includes the pricing information described in clause (iii) for purposes of inclusion under subsection (f) of such information on the Internet website of the Department of Health and Human Services; that such information will be available on a public Internet website of such entity; and that the entity will voluntarily provide such information to customers prior to offering any qualified electronic health records or related product or service (including subsequent updates, add-ons, or additional products or services to be provided during the course of an on-going contract), prospective customers (such as persons who request or receive a quotation or estimate), and other persons who request such information;

“(dd) that the technology with respect to such records has published application programming interfaces, with respect to health information within such records, for search and indexing, semantic harmonization and vocabulary translation, and user interface applications;

“(ee) that the entity has successfully and rigorously tested the real world use of the record in the type of setting in which it would be marketed; and

“(ff) that the entity has in place data sharing programs or capabilities based on common data elements through such mechanisms as application programming interfaces without the requirement for vendor-specific interfaces;

“(II) publish application programming interfaces and associated documentation, with respect to health information within such records, for search and indexing, semantic harmonization and vocabulary translation, and user interface applications; and

“(III) demonstrate to the satisfaction of the Secretary that health information from such records are able to be exchanged, accessed, and used through the use of application programming interfaces without special effort, as authorized under applicable law.

“(ii) DECERTIFICATION.—Under any program kept or recognized under subparagraph (A), the Secretary shall ensure that beginning January 1, 2019, any qualified electronic health records that do not satisfy the certification criteria described in subparagraph (B) or with respect to which the vendor or other entity described in clause (i) does not satisfy the requirements under such clause (or is determined to be in violation of the terms of the attestation or other requirements under such clause) shall no longer be considered as certified under such program.

“(iii) PRICING INFORMATION.—For purposes of clause (i)(I)(cc), the pricing information described in this clause, with respect to a vendor of or other entity offering a qualified electronic health record, is the following:

“(I) Additional types of costs or fees (whether fixed, recurring, transaction based, or otherwise) imposed by the entity (or any third-party from whom the entity purchases, licenses, or obtains any technology, products, or services in connection with the qualified electronic health record) to purchase, license, implement, maintain, upgrade, use, or otherwise enable and support the use of capabilities to which such record is to be certified under this section; or in connection with any health information generated in the course of using any capability to which the record is to be so certified.

“(II) Limitations, whether by contract or otherwise, on the use of any capability to which the record is to be certified under this section for any purpose within the scope of the record's certification; or in connection with any health information generated in the course of using any capability to which the record is to be certified under this section.

“(III) Limitations, including technical or practical limitations of technology or its capabilities, that could prevent or impair the success-

ful implementation, configuration, customization, maintenance, support, or use of any capabilities to which the record is to be certified under this section; or that could prevent or limit the access, use, exchange, or portability of any health information generated in the course of using any capability to which the record is to be so certified.

“(D) FLEXIBILITY THROUGH COMPATIBILITY.—

“(i) IN GENERAL.—Under any program kept or recognized under subparagraph (A), the Secretary shall provide for a method and process by which a vendor of or other entity offering to health care providers (as defined in section 3010A(g)) qualified electronic health records seeking a certification of such records under such program on or after January 1, 2018, may demonstrate, using such mechanisms as a reference implementation model or other means, that the standards and implementation specifications applied by such entity with respect to such records are compatible with baseline standards and implementation specifications, including by demonstrating such records are able to transmit information that is compatible with qualified electronic health records that would receive such information and that apply the baseline standards and implementation specifications. Such a method and process shall ensure that any such entity using a standard or implementation specification other than a baseline standard or implementation specification demonstrates, through testing, compatibility with the baseline standard and implementation specification with respect to receiving information.

“(ii) BASELINE STANDARDS AND IMPLEMENTATION SPECIFICATIONS.—For purposes of clause (i), the term ‘baseline standards and implementation specifications’ means the interoperability standards and implementation specifications, with respect to such standards, adopted under section 3004 (without application of subsection (e) of such section).”

(2) ADDITIONAL ENFORCEMENT PROVISIONS UNDER THE PUBLIC HEALTH SERVICE ACT.—Subtitle A of title XXX of the Public Health Service Act (42 U.S.C. 300jj–11 et seq.), as amended by subsections (a)(1) and (d), is further amended by adding at the end the following new section:

“SEC. 3010A. ENFORCEMENT MECHANISMS.

“(a) INSPECTOR GENERAL AUTHORITY.—The Inspector General of the Department of Health and Human Services shall have the authority to investigate claims of—

“(1)(A) vendors of, or other entities offering to health care providers (as defined in subsection (g)), qualified electronic health records (as defined in section 3000(13)) being in violation of an attestation (whether providing false information at the time of such attestation or by act or practice conducted after such attestation) made under section 3001(c)(5)(C)(i)(I), with respect to the use of such records by a health care provider with respect to items and services furnished under the Medicare program under title XVIII of the Social Security Act or Medicaid program under title XIX of such Act; and

“(B) vendors of, or other entities offering to health care providers (as defined in subsection (g)), health information technology having engaged in information blocking (as defined in subsection (d)), unless for a legitimate purpose specified by the Secretary, with respect to the use of such technology by a health care provider with respect to items and services furnished under such a program;

“(2) health care providers having engaged in information blocking (as so defined), with respect to the use of health information technology with respect to items and services furnished under such a program, unless for a legitimate purpose specified by the Secretary; and

“(3) health information system providers (such as operators of health information exchanges, clinical data registries, and other systems that facilitate the exchange of information) having engaged in information blocking (as so defined), unless for a legitimate purpose specified by the Secretary, with respect to the use of health information technology with respect to items and services furnished under such a program.

“(b) INFORMATION SHARING PROVISIONS.—

“(1) IN GENERAL.—The National Coordinator may serve as a technical consultant to the Inspector General of the Department of Health and Human Services and the Federal Trade Commission for purposes of carrying out this section. As such technical consultant, the National Coordinator may, notwithstanding any other provision of law, share information related to claims or investigations under subsection (a) with the Federal Trade Commission for purposes of such investigations and shall share information with the Inspector General, as required by law.

“(2) PROTECTION FROM DISCLOSURE OF INFORMATION.—Any information that is received by the National Coordinator in connection with a claim or suggestion of possible information blocking and that could reasonably be expected to facilitate identification of the source of the information—

“(A) shall not be disclosed by the National Coordinator except as may be necessary to carry out the purpose of this section; and

“(B) shall be exempt from mandatory disclosure under section 552 of title 5, United States Code, as provided by subsection (b)(3) of such section.

Such information may be used by the Inspector General of the Department of Health and Human Services or Federal Trade Commission for reporting purposes to the extent that such information could not reasonably be expected to facilitate identification of the source of such information.

“(3) NON-APPLICATION OF PAPERWORK REDUCTION ACT.—Chapter 35 of title 44, United States Code (commonly referred to as the Paperwork Reduction Act of 1995) shall not apply to the National Coordinator or to the Office of the National Coordinator for Health Information Technology with respect to the collection of complaints relating to claims described in subsection (a).

“(4) STANDARDIZED PROCESS.—The National Coordinator shall implement a standardized process for the public to submit reports on claims of—

“(A) health information technology products of vendors (or other entities offering such products to health care providers (as defined in subsection (g)) not being interoperable or resulting in information blocking; or

“(B) actions by such entities, health care providers, or health information system providers that result in such technology not being interoperable or in information blocking with respect to such technology; and

“(C) any other act described in subsection (a). The standardized process shall provide for the collection of such information as the originating institution, location, type of transaction, system and version, timestamp, terminating institution, locations, system and version, failure notice, and other related information.

“(c) PENALTY.—

“(1) IN GENERAL.—Any person or entity described in paragraph (1), (2), or (3) of subsection (a) determined to have committed on or after January 1, 2018, an act described in such respective paragraph with respect to the use of a qualified electronic health record or health information technology, as applicable under such respective paragraph, with respect to items and

services furnished under the Medicare program under title XVIII of the Social Security Act or the Medicaid program under title XIX of such Act, shall be subject to a civil monetary penalty in such amount as determined appropriate by the Secretary through rulemaking.

“(2) APPLICATION.—Subject to paragraph (3), the provisions of section 1128A (other than subsections (a) and (b)) of such Act (42 U.S.C. 1320a–7a) shall apply to a civil money penalty applied under this subsection in the same manner as they apply to a civil money penalty or proceeding under subsection (a) of such section 1128A.

“(3) RECOVERY OF FUNDS.—Notwithstanding section 3302 of title 31, United States Code, or any other provision of law affecting the crediting of collections, the Inspector General of the Department of Health and Human Services may receive and retain for current use any amounts recovered under this subsection. In addition to amounts otherwise available to the Inspector General, funds received by the Inspector General under this paragraph shall be deposited, as an offsetting collection, to the credit of any appropriation available for purposes of carrying out this subsection and subsection (a) and shall be available without fiscal year limitation and without further appropriation.

“(d) INFORMATION BLOCKING.—

“(1) IN GENERAL.—For purposes of this section and section 3010, subject to paragraph (3), the term ‘information blocking’ means, with respect to the access, use, and exchange of qualified electronic health records and other health information technology, business, technical, and organizational practices, including practices described in paragraph (2), that—

“(A) prevent or materially discourage the access, exchange, or use of electronic health information; and

“(B) the actor knows or should know (as defined in section 1128A(i)(7) of the Social Security Act) are likely to interfere with the access, exchange, or use of electronic health information.

“(2) PRACTICES DESCRIBED.—For purposes of paragraph (1), the practices described in this paragraph shall include the following:

“(A) Contract terms, policies, or business or organizational practices that restrict authorized use under applicable State or Federal law of electronic health information or restrict the authorized exchange under applicable State or Federal law of such information for treatment and other permitted purposes under such applicable law, including transitions between certified EHR technologies.

“(B) Charging unreasonable prices or fees (such as for health information exchange, portability, interfaces, and full export of health information) that make accessing, exchanging, or using electronic health information cost prohibitive.

“(C) Developing or implementing health information technology in nonstandard ways that are likely to substantially increase the costs, complexity, or burden of sharing electronic health information, especially in cases in which relevant interoperability standards or methods to measure interoperability have been adopted by the Secretary.

“(D) Developing or implementing health information technology in ways that are likely to lock in users or electronic health information, such as not allowing for the full export of health information; lead to fraud, waste, or abuse; or impede innovations and advancements in health information access, exchange, and use, including health information technology-enabled care delivery.

“(3) EXCEPTIONS.—

“(A) IN GENERAL.—The term ‘information blocking’ shall not include practices that—

“(i) are required by applicable law; or

“(ii) that the Secretary, through regulation, identifies as necessary to protect patient safety, to maintain the privacy or security of individuals’ health information, or to promote competition and consumer welfare.

“(B) PROCESS.—For purposes of subparagraph (A)(ii), not later than 12 months after the date of the enactment of this section, the Secretary shall issue regulations following the notice and comment procedures of section 553 of title 5, United States Code, except that the Secretary may issue the first such regulation as an interim final regulation.

“(C) NO ENFORCEMENT BEFORE EXCEPTIONS IDENTIFIED.—The term ‘information blocking’ shall not include any practice or conduct occurring before the date that is 30 days after the date on which the first regulation (as described in subparagraph (B)) is issued under such subparagraph.

“(D) CONSULTATION.—To the extent that regulations issued under this paragraph define practices that are necessary to promote competition and consumer welfare, the Secretary may consult with the Federal Trade Commission in issuing such regulations.

“(E) APPLICATION.—The term ‘information blocking’, with respect to an individual or entity, shall not include an act or practice other than an act or practice committed by such individual or entity.

“(e) TREATMENT OF VENDORS WITH RESPECT TO PATIENT SAFETY ORGANIZATIONS.—In applying part C of title IX—

“(1) vendors shall be treated as a provider (as defined in section 921) for purposes of reporting requirements under such part, to the extent that such reports are related to attestation requirements under section 3001(c)(5)(C)(i)(I);

“(2) claims of information blocking described in subsection (a) shall be treated as a patient safety activity under such part for purposes of reporting requirements under such part; and

“(3) health care providers that are not members of patient safety organizations shall be treated in the same manner as health care providers that are such members for purposes of such reporting requirements with respect to claims of information blocking described in subsection (a).

“(f) RULEMAKING AND GUIDANCE.—

“(1) IN GENERAL.—Not later than 12 months after the date of the enactment of this section, the Secretary, in consultation with the National Coordinator and the Inspector General of the Department of Health and Human Services, shall, through rulemaking, implement the provisions of section 3001 of the 21st Century Cures Act, including amendments made by such section, relating to information blocking.

“(2) NON-DUPLICATION OF PENALTY STRUCTURES.—In carrying out paragraph (1), in determining the scope of penalties, assessments, or exclusions under such section 3001, including amendments made by such section, relating to information blocking, the Secretary shall ensure to the extent possible that such penalties, assessments, and exclusions do not duplicate penalty, assessment, and exclusion structures that would otherwise apply with respect to information blocking and the type of individual or entity involved as of the day before the date of the enactment of this section.

“(3) CLARIFICATION.—In carrying out paragraph (1), the Secretary shall ensure that health care providers are not penalized for actions of vendor of, and other entities offering to such providers, health information technology for the failure of such technology to meet requirements for such technology to be certified under this title.

“(4) GUIDANCE RELATING TO HIPAA.—Not later than January 1, 2017, the National Coordinator shall publish guidance to clarify the relationship of the provisions of the HIPAA privacy and

security law, as defined in section 3009(a)(2) to information blocking, including—

“(A) examples of how such provisions may result in information blocking; and

“(B) clarifying that a health care provider (as defined in subsection (g)) who discloses health information as allowed under applicable State and Federal law is not liable for unlawful actions, including breaches that occur in the custody of the recipient unless the disclosure proximately cause the breach.

“(g) HEALTH CARE PROVIDER DEFINED.—For purposes of this section, the term ‘health care provider’ means a provider of services under subsection (u) of section 1861 of the Social Security Act and a supplier under subsection (d) of such section.

“(h) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts made available under subsection (c)(3), there is authorized to be appropriated \$10,000,000 for fiscal year 2017 to carry out subsection (a), to remain available until expended.”.

(3) POSTINGS RELATING TO ENFORCEMENT ON HHS INTERNET WEBSITE.—Section 3001 of the Public Health Service Act (42 U.S.C. 300jj–11) is amended by adding at the end the following new subsection:

“(f) ENFORCEMENT INFORMATION POSTED ON HHS INTERNET WEBSITE.—

“(1) PRICING INFORMATION.—Not later than January 1, 2019, the National Coordinator shall post the information described in subsection (c)(5)(C)(I)(i)(cc) on the public Internet website of the Office of the National Coordinator for Health Information Technology in a manner that allows for comparison of functionality, price information, and other features among health information technology products that aids in making informed decisions for purchasing such a product.

“(2) ANNUAL POSTING.—For 2019 and each subsequent year, the Secretary shall post on the public Internet website of the Department of Health and Human Services a list of any qualified electronic health records with respect to which certification has been withdrawn under subsection (c)(5)(C)(ii) during such year and the vendor of or other entity offering to health care providers (as defined in section 3010A(g)) such qualified electronic health records.

“(3) PERIODIC REVIEW.—The Secretary shall periodically review and confirm that vendors of and other entities offering to health care providers (as defined in section 3010A(g)) qualified electronic health records have publicly published application programming interfaces and associated documentation as required by subsection (c)(5)(C)(i)(II) for purposes of certification and maintaining certification under any program kept or recognized under subsection (c)(5)(A).”.

(4) DEMONSTRATION REQUIRED FOR MEANINGFUL EHR USE UNDER MEDICARE.—

(A) ELIGIBLE PROFESSIONALS.—

(i) IN GENERAL.—Section 1848(o)(2)(A) of the Social Security Act (42 U.S.C. 1395w–4(o)(2)(A)) is amended by inserting after clause (iii) the following new clause:

“(iv) INTEROPERABILITY.—With respect to EHR reporting periods for payment years beginning with 2020, the eligible professional demonstrates to the satisfaction of the Secretary, in accordance with subparagraph (C)(i), that during such period the professional has not taken any action described in subsection (a)(2) of section 3010A of the Public Health Service Act, with respect to the use of any certified EHR technology.”.

(ii) HARDSHIP EXEMPTION IN CASE OF DECERTIFIED EHR.—Subparagraph (B) of section 1848(a)(7) of the Social Security Act (42 U.S.C. 1395w–4(a)(7)) is amended to read as follows:

“(B) SIGNIFICANT HARDSHIP EXCEPTION.—

“(i) IN GENERAL.—The Secretary may, on a case-by-case basis, exempt an eligible professional from the application of the payment adjustment under subparagraph (A) if the Secretary determines, subject to annual renewal, that compliance with the requirement for being a meaningful EHR user would result in a significant hardship, such as in the case of an eligible professional who practices in a rural area without sufficient Internet access.

“(ii) DECERTIFICATION.—The Secretary shall exempt an eligible professional from the application of the payment adjustment under subparagraph (A) if the Secretary determines that such professional was determined to not be a meaningful EHR user because the certified EHR technology used by such professional is decertified under section 3001(c)(5)(C) of the Public Health Service Act. An exemption under the previous sentence may be applied to an eligible professional only, subject to clause (iii), during the first payment year with respect to the first EHR reporting period to which such decertification applies.

“(iii) DURATION OF DECERTIFICATION.—

“(I) IN GENERAL.—Notwithstanding clause (iv)(I), in no case shall an exemption by reason of clause (ii) be for a period of less than 12 months.

“(II) EXTENSION.—An exemption under clause (ii) may be extended, on a case-by-case basis, for a period of an additional 12 months subject to the limitation described in clause (iv)(I).

“(iv) LIMITATION.—

“(I) IN GENERAL.—Subject to subclause (II), in no case may an eligible professional be granted an exemption under this subparagraph for more than 5 years.

“(II) EXCEPTION.—Subclause (I) shall not apply to an exemption by reason of clause (ii) to the extent necessary to satisfy clause (iii)(I).”.

(iii) FURTHER APPLICATION.—Section 1848(o)(2) of the Social Security Act (42 U.S.C. 1395w–4(o)(2)) is amended by adding at the end the following new subparagraph:

“(E) HARDSHIP EXEMPTION IN CASE OF DECERTIFIED EHR.—In the case of certified EHR technology used by an eligible professional that is decertified under section 3001(c)(5)(C), during the first payment year with respect to the first EHR reporting period to which such decertification applies, the Secretary shall not treat the professional as not being a meaningful EHR user solely because the technology used by such professional was so decertified. The treatment of a professional under the previous sentence shall be for a period of at least 12 months and may, on a case-by-case basis, be for a period of an additional 12 months.”.

(B) ELIGIBLE HOSPITALS.—

(i) IN GENERAL.—Section 1886(n)(3)(A) of the Social Security Act (42 U.S.C. 1395ww(n)(3)(A)) is amended by inserting after clause (iii) the following new clause:

“(iv) INTEROPERABILITY.—With respect to EHR reporting periods for payment years beginning with 2020, the hospital demonstrates to the satisfaction of the Secretary, in accordance with subparagraph (C)(i), that during such period the hospital has not taken any action described in subsection (a)(2) of section 3010A of the Public Health Service Act, with respect to the use of any certified EHR technology.”.

(ii) HARDSHIP EXEMPTION IN CASE OF DECERTIFIED EHR.—Subclause (II) of section 1886(b)(3)(B)(ix) of the Social Security Act (42 U.S.C. 1395ww(b)(3)(B)(ix)) is amended to read as follows:

“(II)(aa) The Secretary may, on a case-by-case basis, exempt a subsection (d) hospital from the application of subclause (I) with respect to a fiscal year if the Secretary determines, subject to annual renewal, that requiring such hospital to be a meaningful EHR user during such fiscal

year would result in a significant hardship, such as in the case of a hospital in a rural area without sufficient Internet access.

“(bb) The Secretary shall exempt a subsection (d) hospital from the application of subclause (I) with respect to a fiscal year if the Secretary determines that such hospital was determined to not be a meaningful EHR user because the certified EHR technology used by such hospital is decertified under section 3001(c)(5)(C) of the Public Health Service Act. An exemption under the previous sentence may be applied to a subsection (d) hospital only, subject to items (cc) and (dd), during the first payment year with respect to the first EHR reporting period to which such decertification applies.

“(cc) Notwithstanding item (ee), in no case shall an exemption by reason of item (bb) be for a period of less than 12 months.

“(dd) An exemption under item (bb) may, on a case-by-case basis, be extended for a period of an additional 12 months subject to the limitation described in item (ee).

“(ee) Subject to item (ff), in no case may a hospital be granted an exemption under this subclause for more than 5 years.

“(ff) Item (ee) shall not apply to an exemption by reason of item (bb) to the extent necessary to satisfy item (cc).”.

(C) DEMONSTRATION REQUIRED FOR MEANINGFUL EHR USE UNDER MEDICAID.—Section 1903(t)(2) of the Social Security Act (42 U.S.C. 1396b(t)(2)) is amended by adding at the end the following: “An eligible professional shall not qualify as a Medicaid provider under this subsection, with respect to a year beginning with 2020, unless such provider demonstrates to the Secretary, through means such as an attestation, that the provider has not taken any action described in subsection (a)(2) of section 3010A of the Public Health Service Act, with respect to the use of any certified EHR technology.”.

(5) GUIDANCE.—Not later than January 1, 2018, the Secretary of Health and Human Services shall issue guidance to further the voluntary transition of health care providers between different certified EHR technology (as defined in section 3000(1) of the Public Health Service Act (42 U.S.C. 300jj(1))) by removing disincentives to such transition, which may include applying to instances of such a transition the hardship exemption authority under section 1848(a)(7) of the Social Security Act (42 U.S.C. 1395w–4(a)(7)), section 1886(b)(3)(B)(ix) of such Act (42 U.S.C. 1395ww(b)(3)(B)(ix)), and other provisions of law in existence as of the date of the enactment of this Act. In developing such guidance, the Secretary may consult with the relevant Federal agencies.

(f) DEFINITIONS.—

(1) CERTIFIED EHR TECHNOLOGY.—Paragraph (1) of section 3000 of the Public Health Service Act (42 U.S.C. 300jj) is amended to read as follows:

“(1) CERTIFIED EHR TECHNOLOGY.—The term ‘certified EHR technology’ means a qualified electronic health record that is certified pursuant to section 3001(c)(5) as meeting the certification criteria defined in subparagraph (B) of such section that are applicable to the type of record involved (as determined by the Secretary, such as an ambulatory electronic health record for office-based physicians or an inpatient hospital electronic health record for hospitals) including, beginning January 1, 2018, with respect to which the vendor or other entity offering such technology is in compliance with the requirements under section 3001(c)(5)(C)(i).”.

(2) WIDESPREAD INTEROPERABILITY.—Section 3000 of the Public Health Service Act (42 U.S.C. 300jj) is amended by adding at the end the following new paragraph:

“(15) WIDESPREAD INTEROPERABILITY.—The term ‘widespread interoperability’ means that, on a nationwide basis—

“(A) health information technology is interoperable, in accordance with section 3010; and

“(B) such technology is employed by meaningful EHR users under the Medicare program under title XVIII of the Social Security Act and the Medicaid program under title XIX of such Act and by other clinicians and health care providers.”.

(g) CONFORMING AMENDMENTS.—

(1) VOLUNTARY USE OF STANDARDS.—Section 3006 of the Public Health Service Act (42 U.S.C. 300jj–16) is amended—

(A) in subsection (a)(1), by inserting “, including an interoperability standard or implementation specification, with respect to such interoperability standard, adopted under such section” after “section 3004”.

(B) in subsection (b), by inserting “, including the interoperability standards and implementation specifications, with respect to such interoperability standards, adopted under such section” after “section 3004”.

(2) HIPAA PRIVACY AND SECURITY LAW DEFINITION CORRECTION.—Section 3009(a)(2)(A) of the Public Health Service Act (42 U.S.C. 300jj–19(a)(2)(A)) is amended by striking “title IV” and inserting “title XIII”.

(3) COORDINATION OF FEDERAL ACTIVITIES.—Section 1311 of the HITECH Act is amended—

(A) in subsection (a), by inserting before the period at the end the following: “(and, beginning on January 1, 2018, that are also interoperable under section 3010 of such Act and in compliance with interoperability standards and implementation specifications, with respect to such interoperability standards, adopted under section 3004 of such Act)”; and

(B) in subsection (b), by inserting “(and, beginning on January 1, 2018, including an interoperability standard or implementation specification, with respect to such interoperability standard, adopted under section 3004 of such Act)” before “the President”.

(4) APPLICATION TO PRIVATE ENTITIES.—Section 1312 of the HITECH Act is amended by inserting before the period at the end the following: “(and, beginning on January 1, 2018, that are also interoperable under section 3010 of such Act and in compliance with interoperability standards and implementation specifications, with respect to such interoperability standards, adopted under section 3004 of such Act)”.

(5) NIST TESTING.—Section 13201 of the HITECH Act (42 U.S.C. 17911) is amended—

(A) in subsection (a), by inserting “(or, beginning January 1, 2018, in coordination with the entities with contracts under section 3003A, with respect to standards, and implementation specifications under section 3004)” before “, the Director”; and

(B) in subsection (b), by inserting “(or, beginning January 1, 2018, in coordination with the entities with contracts under section 3003A, with respect to standards and implementation specifications under section 3004)” before “, the Director”; and

(C) by adding at the end the following new subsection:

“(c) FUNDING.—For purposes of carrying out this section, in addition to any other funds made available to carry out this section, there is authorized to be appropriated \$15,000,000, to remain available until expended.”.

(6) COORDINATION WITH RECOMMENDATIONS FOR ACHIEVING WIDESPREAD EHR INTEROPERABILITY.—Section 106 of the Medicare Access and CHIP Reauthorization Act of 2015 (Public Law 114–10) is amended by striking subsection (b).’.

(h) PATIENT ENGAGEMENT AND EMPOWERMENT.—It is the sense of Congress that—

(1) if the strategic goals that Congress set forth in the HITECH Act are to be achieved,

interoperability is best achieved with individuals and authorized representatives having equal access to the health information of such individuals in electronic format;

(2) patients have the right to the entirety of the health information of such individuals, including such information contained in an electronic health record of such individuals;

(3) such right extends to both structured and unstructured data;

(4) such right extends to authorized representatives of the individual involved, such as care takers of such individual, family members of such individual, and guardians of such individual; and

(5) to further facilitate access of an individual to health information of such individual—

(A) health care providers should not have the ability to deny a request of the individual for access to the entirety of such health information of such individual;

(B) health care providers do not need the consent of individuals to share personal health information of such individuals with other covered entities, in compliance with the HIPAA privacy regulations promulgated pursuant to section 264(c) of the Health Insurance Portability and Accountability Act of 1996 for the purposes of supporting patient care, except in situations where consent is specifically required under such regulations, such as in cases related to the psychiatric records of the individual involved;

(C) mechanisms should be utilized that allow for the bidirectional exchange of information through such mechanisms as web portals, appointments, and prescription refills, for the purpose of patients partnering with providers to assist in managing health and care;

(D) mechanisms described in subparagraph (C) should allow for connecting individuals across the continuum of care;

(E) an individual has the right to access the health information of the individual without cost to the individual;

(F) mechanisms described in subparagraph (C) should allow for data of an individual generated by the individual to be integrated into such platforms as electronic health records;

(G) such access should be timely, in accordance with the HIPAA privacy regulations described in subparagraph (B), and take into account communications preferences of the individual involved;

(H) an individual should have the right to be confident that the data in the electronic health record of the individual pertains to such individual; and

(I) the right described in subparagraph (H) will promote safety and care coordination for individuals.

#### Subtitle B—Telehealth

#### SEC. 3021. TELEHEALTH SERVICES UNDER THE MEDICARE PROGRAM.

(a) PROVISION OF INFORMATION BY CENTERS FOR MEDICARE & MEDICAID SERVICES.—Not later than 1 year after the date of the enactment of this Act, the Administrator of the Centers for Medicare & Medicaid Services shall provide to the committees of jurisdiction of the House of Representatives and the Senate information on the following:

(1) The populations of Medicare beneficiaries, such as those who are dually eligible for the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) and the Medicaid program under title XIX of such Act (42 U.S.C. 1396 et seq.) and those with chronic conditions, whose care may be improved most in terms of quality and efficiency by the expansion, in a manner that meets or exceeds the existing in-person standard of care under the Medicare program under title XVIII of such Act, of telehealth services under section 1834(m)(4) of such Act (42 U.S.C. 1395m(m)(4)).

(2) Activities by the Center for Medicare and Medicaid Innovation which examine the use of telehealth services in models, projects, or initiatives funded through section 1115A of the Social Security Act (42 U.S.C. 1315a).

(3) The types of high volume services (and related diagnoses) under such title XVIII which might be suitable to the furnishing of services via telehealth.

(4) Barriers that might prevent the expansion of telehealth services under section 1834(m)(4) of the Social Security Act (42 U.S.C. 1395m(m)(4)) beyond such services that are in effect as of the date of the enactment of this Act.

(b) PROVISION OF INFORMATION BY MEDPAC.—Not later than March 15, 2017, the Medicare Payment Advisory Commission established under section 1805 of the Social Security Act (42 U.S.C. 1395b–6) shall, using quantitative and qualitative research methods, provide information to the committees of jurisdiction of the House of Representatives and the Senate that identifies—

(1) the telehealth services for which payment can be made, as of the date of the enactment of this Act, under the fee-for-service program under parts A and B of title XVIII of such Act;

(2) the telehealth services for which payment can be made, as of such date, under private health insurance plans;

(3) with respect to services identified under paragraph (2) but not under paragraph (1), ways in which payment for such services might be incorporated into such fee-for-service program (including any recommendations for ways to accomplish this incorporation).

(c) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) eligible originating sites should be expanded beyond those originating sites described in section 1834(m)(4)(C) of the Social Security Act (42 U.S.C. 1395m(m)(4)(C)); and

(2) any expansion of telehealth services under the Medicare program should—

(A) recognize that telemedicine is the delivery of safe, effective, quality health care services, by a health care provider, using technology as the mode of care delivery;

(B) meet or exceed the conditions of coverage and payment with respect to the Medicare program under title XVIII unless specifically address in subsequent statute, of such Act if the service were furnished in person, including standards of care; and

(C) involve clinically appropriate means to furnish such services.

#### Subtitle C—Encouraging Continuing Medical Education for Physicians

#### SEC. 3041. EXEMPTING FROM MANUFACTURER TRANSPARENCY REPORTING CERTAIN TRANSFERS USED FOR EDUCATIONAL PURPOSES.

(a) IN GENERAL.—Section 1128G(e)(10)(B) of the Social Security Act (42 U.S.C. 1320a–7h(e)(10)(B)) is amended—

(1) in clause (iii), by inserting “, including peer-reviewed journals, journal reprints, journal supplements, medical conference reports, and medical textbooks” after “patient use”; and

(2) by adding at the end the following new clause:

“(xiii) In the case of a covered recipient who is a physician, an indirect payment or transfer of value to the covered recipient—

“(I) for speaking at, or preparing educational materials for, an educational event for physicians or other health care professionals that does not commercially promote a covered drug, device, biological, or medical supply; or

“(II) that serves the sole purpose of providing the covered recipient with medical education, such as by providing the covered recipient with the tuition required to attend an educational event or with materials provided to physicians at an educational event.”.

(b) **EFFECTIVE DATE.**—The amendments made by this section shall apply with respect to transfers of value made on or after the date of the enactment of this Act.

**Subtitle D—Disposable Medical Technologies**  
**SEC. 3061. TREATMENT OF CERTAIN ITEMS AND DEVICES.**

(a) **IN GENERAL.**—Section 1834 of the Social Security Act (42 U.S.C. 1395m) is amended by adding at the end the following new subsection:

“(r) **PAYMENT FOR CERTAIN DISPOSABLE DEVICES.**—

“(1) **IN GENERAL.**—The Secretary shall make separate payment in the amount established under paragraph (3) to a home health agency for a device described in paragraph (2) when furnished to an individual who receives home health services for which payment is made under section 1895(b).

“(2) **DEVICE DESCRIBED.**—For purposes of paragraph (1), a device described in this paragraph is a disposable device for which, as of January 1, 2015, there is—

“(A) a Level I Healthcare Common Procedure Coding System (HCPCS) code for which the description for a professional service includes the furnishing of such device; and

“(B) a separate Level I HCPCS code for a professional service that uses durable medical equipment instead of such device.

“(3) **PAYMENT AMOUNT.**—The Secretary shall establish the separate payment amount for such a device such that such amount does not exceed the payment that would be made for the HCPCS code described in paragraph (2)(A) under section 1833(t) (relating to payment for covered OPD services).”

(b) **CONFORMING AMENDMENT.**—Section 1861(m)(5) of the Social Security Act (42 U.S.C. 1395a(m)(5)) is amended by inserting “and devices described in section 1834(r)(2)” after “durable medical equipment”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply to devices furnished on or after January 1, 2017.

**Subtitle E—Local Coverage Decision Reforms**  
**SEC. 3081. IMPROVEMENTS IN THE MEDICARE LOCAL COVERAGE DETERMINATION (LCD) PROCESS.**

(a) **IN GENERAL.**—Section 1862(l)(5) of the Social Security Act (42 U.S.C. 1395y(l)(5)) is amended by adding at the end the following new subparagraph:

“(D) **LOCAL COVERAGE DETERMINATIONS.**—The Secretary shall require each medicare administrative contractor that develops a local coverage determination to make available on the website of such contractor and on the Medicare website, at least 45 days before the effective date of such determination, the following information:

“(i) Such determination in its entirety.

“(ii) Where and when the proposed determination was first made public.

“(iii) Hyperlinks to the proposed determination and a response to comments submitted to the contractor with respect to such proposed determination.

“(iv) A summary of evidence that was considered by the contractor during the development of such determination and a list of the sources of such evidence.

“(v) An explanation of the rationale that supports such determination.”

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall apply with respect to local coverage determinations that are proposed or revised on or after the date that is 180 days after the date of the enactment of this Act.

**Subtitle F—Medicare Pharmaceutical and Technology Ombudsman**

**SEC. 3101. MEDICARE PHARMACEUTICAL AND TECHNOLOGY OMBUDSMAN.**

Section 1808(c) of the Social Security Act (42 U.S.C. 1395b-9(c)) is amended by adding at the end the following new paragraph:

“(4) **PHARMACEUTICAL AND TECHNOLOGY OMBUDSMAN.**—Not later than 12 months after the date of the enactment of this paragraph, the Secretary shall provide for a pharmaceutical and technology ombudsman within the Centers for Medicare & Medicaid Services who shall receive and respond to complaints, grievances, and requests that—

“(A) are from entities that manufacture pharmaceutical, biotechnology, medical device, or diagnostic products that are covered or for which coverage is being sought under this title; and

“(B) are with respect to coverage, coding, or payment under this title for such products.

The second sentence of paragraph (2) shall apply to this paragraph in the same manner as such sentence applies to paragraph (2).”

**Subtitle G—Medicare Site-of-Service Price Transparency**

**SEC. 3121. MEDICARE SITE-OF-SERVICE PRICE TRANSPARENCY.**

Section 1834 of the Social Security Act (42 U.S.C. 1395m), as amended by section 3061, is further amended by adding at the end the following new subsection:

“(s) **SITE-OF-SERVICE PRICE TRANSPARENCY.**—

“(1) **IN GENERAL.**—In order to facilitate price transparency with respect to items and services for which payment may be made either to a hospital outpatient department or to an ambulatory surgical center under this title, the Secretary shall, for 2017 and each year thereafter, make available to the public via a searchable website, with respect to an appropriate number of such items and services—

“(A) the estimated payment amount for the item or service under the outpatient department fee schedule under subsection (t) of section 1833 and the ambulatory surgical center payment system under subsection (i) of such section; and

“(B) the estimated amount of beneficiary liability applicable to the item or service.

“(2) **CALCULATION OF ESTIMATED BENEFICIARY LIABILITY.**—For purposes of paragraph (1)(B), the estimated amount of beneficiary liability, with respect to an item or service, is the amount for such item or service for which an individual who does not have coverage under a medicare supplemental policy certified under section 1882 or any other supplemental insurance coverage is responsible.

“(3) **IMPLEMENTATION.**—In carrying out this subsection, the Secretary—

“(A) shall include in the notice described in section 1804(a) a notification of the availability of the estimated amounts made available under paragraph (1); and

“(B) may utilize mechanisms in existence on the date of the enactment of this subsection, such as the portion of the website of the Centers for Medicare & Medicaid Services on which information comparing physician performance is posted (commonly referred to as the Physician Compare website), to make available such estimated amounts under such paragraph.

“(4) **FUNDING.**—For purposes of implementing this subsection, the Secretary shall provide for the transfer, from the Supplemental Medical Insurance Trust Fund under section 1841 to the Centers for Medicare & Medicaid Services Program Management Account, of \$6,000,000 for fiscal year 2015, to remain available until expended.”

**Subtitle H—Medicare Part D Patient Safety and Drug Abuse Prevention**

**SEC. 3141. PROGRAMS TO PREVENT PRESCRIPTION DRUG ABUSE UNDER MEDICARE PARTS C AND D.**

(a) **DRUG MANAGEMENT PROGRAM FOR AT-RISK BENEFICIARIES.**—

(1) **IN GENERAL.**—Section 1860D-4(c) of the Social Security Act (42 U.S.C. 1395w-10(c)) is amended by adding at the end the following:

“(5) **DRUG MANAGEMENT PROGRAM FOR AT-RISK BENEFICIARIES.**—

“(A) **AUTHORITY TO ESTABLISH.**—A PDP sponsor may establish a drug management program for at-risk beneficiaries under which, subject to subparagraph (B), the PDP sponsor may, in the case of an at-risk beneficiary for prescription drug abuse who is an enrollee in a prescription drug plan of such PDP sponsor, limit such beneficiary's access to coverage for frequently abused drugs under such plan to frequently abused drugs that are prescribed for such beneficiary by one or more prescribers selected under subparagraph (D), and dispensed for such beneficiary by one or more pharmacies selected under such subparagraph.

“(B) **REQUIREMENT FOR NOTICES.**—

“(i) **IN GENERAL.**—A PDP sponsor may not limit the access of an at-risk beneficiary for prescription drug abuse to coverage for frequently abused drugs under a prescription drug plan until such sponsor—

“(I) provides to the beneficiary an initial notice described in clause (ii) and a second notice described in clause (iii); and

“(II) verifies with the providers of the beneficiary that the beneficiary is an at-risk beneficiary for prescription drug abuse.

“(ii) **INITIAL NOTICE.**—An initial notice described in this clause is a notice that provides to the beneficiary—

“(I) notice that the PDP sponsor has identified the beneficiary as potentially being an at-risk beneficiary for prescription drug abuse;

“(II) information describing all State and Federal public health resources that are designed to address prescription drug abuse to which the beneficiary has access, including mental health services and other counseling services;

“(III) notice of, and information about, the right of the beneficiary to appeal such identification under subsection (h) and the option of an automatic escalation to external review;

“(IV) a request for the beneficiary to submit to the PDP sponsor preferences for which prescribers and pharmacies the beneficiary would prefer the PDP sponsor to select under subparagraph (D) in the case that the beneficiary is identified as an at-risk beneficiary for prescription drug abuse as described in clause (iii)(I);

“(V) an explanation of the meaning and consequences of the identification of the beneficiary as potentially being an at-risk beneficiary for prescription drug abuse, including an explanation of the drug management program established by the PDP sponsor pursuant to subparagraph (A);

“(VI) clear instructions that explain how the beneficiary can contact the PDP sponsor in order to submit to the PDP sponsor the preferences described in subclause (IV) and any other communications relating to the drug management program for at-risk beneficiaries established by the PDP sponsor; and

“(VII) contact information for other organizations that can provide the beneficiary with assistance regarding such drug management program (similar to the information provided by the Secretary in other standardized notices provided to part D eligible individuals enrolled in prescription drug plans under this part).

“(iii) **SECOND NOTICE.**—A second notice described in this clause is a notice that provides to the beneficiary notice—

“(I) that the PDP sponsor has identified the beneficiary as an at-risk beneficiary for prescription drug abuse;

“(II) that such beneficiary is subject to the requirements of the drug management program for at-risk beneficiaries established by such PDP sponsor for such plan;

“(III) of the prescriber (or prescribers) and pharmacy (or pharmacies) selected for such individual under subparagraph (D);

“(IV) of, and information about, the beneficiary's right to appeal such identification



under subsection (h) and the option of an automatic escalation to external review;

“(V) that the beneficiary can, in the case that the beneficiary has not previously submitted to the PDP sponsor preferences for which prescribers and pharmacies the beneficiary would prefer the PDP sponsor select under subparagraph (D), submit such preferences to the PDP sponsor; and

“(VI) that includes clear instructions that explain how the beneficiary can contact the PDP sponsor.

“(iv) TIMING OF NOTICES.—

“(I) IN GENERAL.—Subject to subclause (II), a second notice described in clause (iii) shall be provided to the beneficiary on a date that is not less than 60 days after an initial notice described in clause (ii) is provided to the beneficiary.

“(II) EXCEPTION.—In the case that the PDP sponsor, in conjunction with the Secretary, determines that concerns identified through rulemaking by the Secretary regarding the health or safety of the beneficiary or regarding significant drug diversion activities require the PDP sponsor to provide a second notice described in clause (iii) to the beneficiary on a date that is earlier than the date described in subclause (I), the PDP sponsor may provide such second notice on such earlier date.

“(C) AT-RISK BENEFICIARY FOR PRESCRIPTION DRUG ABUSE.—

“(i) IN GENERAL.—For purposes of this paragraph, the term ‘at-risk beneficiary for prescription drug abuse’ means a part D eligible individual who is not an exempted individual described in clause (ii) and—

“(I) who is identified as such an at-risk beneficiary through the use of clinical guidelines developed by the Secretary in consultation with PDP sponsors and other stakeholders described in section 3141(f)(2)(A) of the 21st Century Cures Act; or

“(II) with respect to whom the PDP sponsor of a prescription drug plan, upon enrolling such individual in such plan, received notice from the Secretary that such individual was identified under this paragraph to be an at-risk beneficiary for prescription drug abuse under the prescription drug plan in which such individual was most recently previously enrolled and such identification has not been terminated under subparagraph (F).

“(ii) EXEMPTED INDIVIDUAL DESCRIBED.—An exempted individual described in this clause is an individual who—

“(I) receives hospice care under this title;

“(II) is a resident of a long-term care facility, of an intermediate care facility for the mentally retarded, or of another facility for which frequently abused drugs are dispensed for residents through a contract with a single pharmacy; or

“(III) the Secretary elects to treat as an exempted individual for purposes of clause (i).

“(D) SELECTION OF PRESCRIBERS AND PHARMACIES.—

“(i) IN GENERAL.—With respect to each at-risk beneficiary for prescription drug abuse enrolled in a prescription drug plan offered by such sponsor, a PDP sponsor shall, based on the preferences submitted to the PDP sponsor by the beneficiary pursuant to clauses (ii)(IV) and (iii)(V) of subparagraph (B) (except as otherwise provided in this subparagraph), select—

“(I) one or more individuals who are authorized to prescribe frequently abused drugs (referred to in this paragraph as ‘prescribers’) who may write prescriptions for such drugs for such beneficiary; and

“(II) one or more pharmacies that may dispense such drugs to such beneficiary.

“(ii) REASONABLE ACCESS.—In making the selections under this subparagraph—

“(I) a PDP sponsor shall ensure that the beneficiary continues to have reasonable access to

frequently abused drugs (as defined in subparagraph (G)), taking into account geographic location, beneficiary preference, impact on costsharing, and reasonable travel time; and

“(II) a PDP sponsor shall ensure such access (including access to prescribers and pharmacies with respect to frequently abused drugs) in the case of individuals with multiple residences and in the case of natural disasters and similar emergency situations.

“(iii) BENEFICIARY PREFERENCES.—If an at-risk beneficiary for prescription drug abuse submits preferences for which in-network prescribers and pharmacies the beneficiary would prefer the PDP sponsor select in response to a notice under subparagraph (B), the PDP sponsor shall—

“(I) review such preferences;

“(II) select or change the selection of prescribers and pharmacies for the beneficiary based on such preferences; and

“(III) inform the beneficiary of such selection or change of selection.

“(iv) EXCEPTION REGARDING BENEFICIARY PREFERENCES.—In the case that the PDP sponsor determines that a change to the selection of prescriber or pharmacy under clause (iii)(II) by the PDP sponsor is contributing or would contribute to prescription drug abuse or drug diversion by the beneficiary, the PDP sponsor may change the selection of prescriber or pharmacy for the beneficiary without regard to the preferences of the beneficiary described in clause (iii).

“(v) CONFIRMATION.—Before selecting a prescriber (or prescribers) or pharmacy (or pharmacies) under this subparagraph, a PDP sponsor must request and receive confirmation from such a prescriber or pharmacy acknowledging and accepting that the beneficiary involved is in the drug management program for at-risk beneficiaries.

“(E) TERMINATIONS AND APPEALS.—The identification of an individual as an at-risk beneficiary for prescription drug abuse under this paragraph, a coverage determination made under a drug management program for at-risk beneficiaries, and the selection of prescriber or pharmacy under subparagraph (D) with respect to such individual shall be subject to reconsideration and appeal under subsection (h) and the option of an automatic escalation to external review to the extent provided by the Secretary.

“(F) TERMINATION OF IDENTIFICATION.—

“(i) IN GENERAL.—The Secretary shall develop standards for the termination of identification of an individual as an at-risk beneficiary for prescription drug abuse under this paragraph. Under such standards such identification shall terminate as of the earlier of—

“(I) the date the individual demonstrates that the individual is no longer likely, in the absence of the restrictions under this paragraph, to be an at-risk beneficiary for prescription drug abuse described in subparagraph (C)(i); and

“(II) the end of such maximum period of identification as the Secretary may specify.

“(ii) RULE OF CONSTRUCTION.—Nothing in clause (i) shall be construed as preventing a plan from identifying an individual as an at-risk beneficiary for prescription drug abuse under subparagraph (C)(i) after such termination on the basis of additional information on drug use occurring after the date of notice of such termination.

“(G) FREQUENTLY ABUSED DRUG.—For purposes of this subsection, the term ‘frequently abused drug’ means a drug that is a controlled substance that the Secretary determines to be frequently abused or diverted.

“(H) DATA DISCLOSURE.—In the case of an at-risk beneficiary for prescription drug abuse whose access to coverage for frequently abused drugs under a prescription drug plan has been

limited by a PDP sponsor under this paragraph, such PDP sponsor shall disclose data, including any necessary individually identifiable health information, in a form and manner specified by the Secretary, about the decision to impose such limitations and the limitations imposed by the sponsor under this part to other PDP sponsors that request such data.

“(I) EDUCATION.—The Secretary shall provide education to enrollees in prescription drug plans of PDP sponsors and providers regarding the drug management program for at-risk beneficiaries described in this paragraph, including education—

“(i) provided by medicare administrative contractors through the improper payment outreach and education program described in section 1874A(h); and

“(ii) through current education efforts (such as State health insurance assistance programs described in subsection (a)(1)(A) of section 119 of the Medicare Improvements for Patients and Providers Act of 2008 (42 U.S.C. 1395b–3 note)) and materials directed toward such enrollees.

“(J) APPLICATION UNDER MA-PD PLANS.—Pursuant to section 1860D–21(c)(1), the provisions of this paragraph apply under part D to MA organizations offering MA-PD plans to MA eligible individuals in the same manner as such provisions apply under this part to a PDP sponsor offering a prescription drug plan to a part D eligible individual.”

(2) INFORMATION FOR CONSUMERS.—Section 1860D–4(a)(1)(B) of the Social Security Act (42 U.S.C. 1395w–104(a)(1)(B)) is amended by adding at the end the following:

“(v) The drug management program for at-risk beneficiaries under subsection (c)(5).”

(b) UTILIZATION MANAGEMENT PROGRAMS.—Section 1860D–4(c) of the Social Security Act (42 U.S.C. 1395w–104(c)), as amended by subsection (a)(1), is further amended—

(1) in paragraph (1), by inserting after subparagraph (D) the following new subparagraph:

“(E) A utilization management tool to prevent drug abuse (as described in paragraph (6)(A)).”; and

(2) by adding at the end the following new paragraph:

“(6) UTILIZATION MANAGEMENT TOOL TO PREVENT DRUG ABUSE.—

“(A) IN GENERAL.—A tool described in this paragraph is any of the following:

“(i) A utilization tool designed to prevent the abuse of frequently abused drugs by individuals and to prevent the diversion of such drugs at pharmacies.

“(ii) Retrospective utilization review to identify—

“(I) individuals that receive frequently abused drugs at a frequency or in amounts that are not clinically appropriate; and

“(II) providers of services or suppliers that may facilitate the abuse or diversion of frequently abused drugs by beneficiaries.

“(iii) Consultation with the contractor described in subparagraph (B) to verify if an individual enrolling in a prescription drug plan offered by a PDP sponsor has been previously identified by another PDP sponsor as an individual described in clause (ii)(I).

“(B) REPORTING.—A PDP sponsor offering a prescription drug plan (and an MA organization offering an MA-PD plan) in a State shall submit to the Secretary and the Medicare drug integrity contractor with which the Secretary has entered into a contract under section 1893 with respect to such State a report, on a monthly basis, containing information on—

“(i) any provider of services or supplier described in subparagraph (A)(ii)(II) that is identified by such plan sponsor (or organization) during the 30-day period before such report is submitted; and



“(ii) the name and prescription records of individuals described in paragraph (5)(C).”.

(c) **EXPANDING ACTIVITIES OF MEDICARE DRUG INTEGRITY CONTRACTORS (MEDICS).**—

(1) **IN GENERAL.**—Section 1893 of the Social Security Act (42 U.S.C. 1395ddd) is amended by adding at the end the following new subsection:

“(j) **EXPANDING ACTIVITIES OF MEDICARE DRUG INTEGRITY CONTRACTORS (MEDICS).**—

“(1) **ACCESS TO INFORMATION.**—Under contracts entered into under this section with Medicare drug integrity contractors (including any successor entity to a Medicare drug integrity contractor), the Secretary shall authorize such contractors to directly accept prescription and necessary medical records from entities such as pharmacies, prescription drug plans, MA-PD plans, and physicians with respect to an individual in order for such contractors to provide information relevant to the determination of whether such individual is an at-risk beneficiary for prescription drug abuse, as defined in section 1860D-4(c)(5)(C).

“(2) **REQUIREMENT FOR ACKNOWLEDGMENT OF REFERRALS.**—If a PDP sponsor or MA organization refers information to a contractor described in paragraph (1) in order for such contractor to assist in the determination described in such paragraph, the contractor shall—

“(A) acknowledge to the sponsor or organization receipt of the referral; and

“(B) in the case that any PDP sponsor or MA organization contacts the contractor requesting to know the determination by the contractor of whether or not an individual has been determined to be an individual described such paragraph, shall inform such sponsor or organization of such determination on a date that is not later than 15 days after the date on which the sponsor or organization contacts the contractor.

“(3) **MAKING DATA AVAILABLE TO OTHER ENTITIES.**—

“(A) **IN GENERAL.**—For purposes of carrying out this subsection, subject to subparagraph (B), the Secretary shall authorize MEDICs to respond to requests for information from PDP sponsors and MA organizations, State prescription drug monitoring programs, and other entities delegated by such sponsors or organizations using available programs and systems in the effort to prevent fraud, waste, and abuse.

“(B) **HIPAA COMPLIANT INFORMATION ONLY.**—Information may only be disclosed by a MEDIC under subparagraph (A) if the disclosure of such information is permitted under the Federal regulations (concerning the privacy of individually identifiable health information) promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d-2 note).”.

(2) **OIG STUDY AND REPORT ON EFFECTIVENESS OF MEDICS.**—

(A) **STUDY.**—The Inspector General of the Department of Health and Human Services shall conduct a study on the effectiveness of Medicare drug integrity contractors with which the Secretary of Health and Human Services has entered into a contract under section 1893 of the Social Security Act (42 U.S.C. 1395ddd) in identifying, combating, and preventing fraud under the Medicare program, including under the authority provided under section 1893(j) of the Social Security Act, added by paragraph (1).

(B) **REPORT.**—Not later than 1 year after the date of the enactment of this Act, the Inspector General shall submit to Congress a report on the study conducted under subparagraph (A). Such report shall include such recommendations for improvements in the effectiveness of such contractors as the Inspector General determines appropriate.

(d) **TREATMENT OF CERTAIN COMPLAINTS FOR PURPOSES OF QUALITY OR PERFORMANCE ASSESSMENT.**—Section 1860D-42 of the Social Security Act (42 U.S.C. 1395w-152) is amended by adding at the end the following new subsection:

“(d) **TREATMENT OF CERTAIN COMPLAINTS FOR PURPOSES OF QUALITY OR PERFORMANCE ASSESSMENT.**—In conducting a quality or performance assessment of a PDP sponsor, the Secretary shall develop or utilize existing screening methods for reviewing and considering complaints that are received from enrollees in a prescription drug plan offered by such PDP sponsor and that are complaints regarding the lack of access by the individual to prescription drugs due to a drug management program for at-risk beneficiaries.”.

(e) **SENSE OF CONGRESS REGARDING USE OF TECHNOLOGY TOOLS TO COMBAT FRAUD.**—It is the sense of Congress that MA organizations and PDP sponsors should consider using e-prescribing and other health information technology tools to support combating fraud under MA-PD plans and prescription drug plans under parts C and D of the Medicare program.

(f) **EFFECTIVE DATE.**—

(1) **IN GENERAL.**—The amendments made by this section shall apply to prescription drug plans (and MA-PD plans) for plan years beginning more than 1 year after the date of the enactment of this Act.

(2) **STAKEHOLDER MEETINGS PRIOR TO EFFECTIVE DATE.**—

(A) **IN GENERAL.**—Not later than January 1, 2016, the Secretary of Health and Human Services shall convene stakeholders, including individuals entitled to benefits under part A of title XVIII of the Social Security Act or enrolled under part B of such title of such Act, advocacy groups representing such individuals, physicians, pharmacists, and other clinicians, retail pharmacies, plan sponsors, entities delegated by plan sponsors, and biopharmaceutical manufacturers for input regarding the topics described in subparagraph (B).

(B) **TOPICS DESCRIBED.**—The topics described in this subparagraph are the topics of—

(i) the anticipated impact of drug management programs for at-risk beneficiaries under paragraph (5) of section 1860D-4(c) of the Social Security Act (42 U.S.C. 1395w-104(c)) on cost-sharing and ensuring accessibility to prescription drugs for enrollees in prescription drug plans of PDP sponsors, and enrollees in MA-PD plans, who are at-risk beneficiaries for prescription drug abuse (as defined in subparagraph (C) of such paragraph);

(ii) the use of an expedited appeals process under which such an enrollee may appeal an identification of such enrollee as an at-risk beneficiary for prescription drug abuse under such paragraph (similar to the processes established under the Medicare Advantage program under part C of title XVIII of the Social Security Act that allow an automatic escalation to external review of claims submitted under such part);

(iii) the types of enrollees that should be treated as exempted individuals, as described in subparagraph (C)(ii) of such paragraph;

(iv) the manner in which terms and definitions in such paragraph should be applied, such as the use of clinical appropriateness in determining whether an enrollee is an at-risk beneficiary for prescription drug abuse as defined in subparagraph (C) of such paragraph;

(v) the information to be included in the notices described in subparagraph (B) of such paragraph and the standardization of such notices; and

(vi) with respect to a PDP sponsor (or Medicare Advantage organization) that establishes a drug management program for at-risk beneficiaries under such paragraph, the responsibilities of such PDP sponsor (or organization) with respect to the implementation of such program.

(g) **RULEMAKING.**—The Secretary of Health and Human Services shall promulgate regula-

tions based on the input gathered pursuant to subsection (f)(2)(A).

## **TITLE IV—MEDICAID, MEDICARE, AND OTHER REFORMS**

### **Subtitle A—Medicaid and Medicare Reforms**

#### **SEC. 4001. LIMITING FEDERAL MEDICAID REIMBURSEMENT TO STATES FOR DURABLE MEDICAL EQUIPMENT (DME) TO MEDICARE PAYMENT RATES.**

(a) **MEDICAID REIMBURSEMENT.**—

(1) **IN GENERAL.**—Section 1903(i) of the Social Security Act (42 U.S.C. 1396b(i)) is amended—

(A) in paragraph (25), by striking “or” at the end;

(B) in paragraph (26), by striking the period at the end and inserting “; or”; and

(C) by inserting after paragraph (26) the following new paragraph:

“(27) with respect to any amounts expended by the State on the basis of a fee schedule for items described in section 1861(n), as determined in the aggregate with respect to each class of such items as defined by the Secretary, in excess of the aggregate amount, if any, that would be paid for such items within such class on a fee-for-service basis under the program under part B of title XVIII, including, as applicable, under a competitive acquisition program under section 1847 in an area of the State.”.

(2) **EFFECTIVE DATE.**—The amendments made by this subsection shall be effective with respect to payments for items furnished on or after January 1, 2020.

(b) **MEDICARE OMBUDSMAN.**—Section 1808(c) of the Social Security Act (42 U.S.C. 1395b(c)), as amended by section 3101, is further amended by adding at the end the following new paragraph:

“(5) **MONITORING DME REIMBURSEMENT UNDER MEDICAID.**—The ombudsmen under each of paragraphs (1) and (4) shall evaluate the impact of the competitive acquisition program under section 1847, including as applied under section 1903(i)(27), on beneficiary health status and health outcomes.”.

#### **SEC. 4002. EXCLUDING AUTHORIZED GENERICS FROM CALCULATION OF AVERAGE MANUFACTURER PRICE.**

(a) **IN GENERAL.**—Subparagraph (C) of section 1927(k)(1) of the Social Security Act (42 U.S.C. 1396r-8(k)(1)) is amended—

(1) in the subparagraph heading, by striking “INCLUSION” and inserting “EXCLUSION”;

(2) by striking “a new drug application” and inserting “the manufacturer’s new drug application”; and

(3) by striking “inclusive” and inserting “exclusive”.

(b) **EFFECTIVE DATE.**—The amendments made by this section take effect on October 1, 2015.

#### **SEC. 4003. MEDICARE PAYMENT INCENTIVE FOR THE TRANSITION FROM TRADITIONAL X-RAY IMAGING TO DIGITAL RADIOGRAPHY AND OTHER MEDICARE IMAGING PAYMENT PROVISION.**

(a) **PHYSICIAN FEE SCHEDULE.**—

(1) **PAYMENT INCENTIVE FOR TRANSITION.**—

(A) **IN GENERAL.**—Section 1848(b) of the Social Security Act (42 U.S.C. 1395w-4(b)) is amended by adding at the end the following new paragraph:

“(9) **SPECIAL RULE TO INCENTIVIZE TRANSITION FROM TRADITIONAL X-RAY IMAGING TO DIGITAL RADIOGRAPHY.**—

“(A) **LIMITATION ON PAYMENT FOR FILM X-RAY IMAGING SERVICES.**—In the case of an imaging service (including the imaging portion of a service) that is an X-ray taken using film and that is furnished during 2017 or a subsequent year, the payment amount for the technical component (including the technical component portion of a global service) of such service that would otherwise be determined under this section (without application of this paragraph and before application of any other adjustment under

this section) for such year shall be reduced by 20 percent.

**“(B) PHASED-IN LIMITATION ON PAYMENT FOR COMPUTED RADIOGRAPHY IMAGING SERVICES.**—In the case of an imaging service (including the imaging portion of a service) that is an X-ray taken using computed radiography technology—

“(i) in the case of such a service furnished during 2018, 2019, 2020, 2021, or 2022, the payment amount for the technical component (including the technical component portion of a global service) of such service that would otherwise be determined under this section (without application of this paragraph and before application of any other adjustment under this section) for such year shall be reduced by 7 percent; and

“(ii) in the case of such a service furnished during 2023 or a subsequent year, the payment amount for the technical component (including the technical component portion of a global service) of such service that would otherwise be determined under this section (without application of this paragraph and before application of any other adjustment under this section) for such year shall be reduced by 10 percent.

**“(C) COMPUTED RADIOGRAPHY TECHNOLOGY DEFINED.**—For purposes of this paragraph, the term ‘computed radiography technology’ means cassette-based imaging which utilizes an imaging plate to create the image involved.

**“(D) IMPLEMENTATION.**—In order to implement this paragraph, the Secretary shall adopt appropriate mechanisms which may include use of modifiers.”.

**(B) EXEMPTION FROM BUDGET NEUTRALITY.**—Section 1848(c)(2)(B)(v) of the Social Security Act (42 U.S.C. 1395w-4(c)(2)(B)(v)) is amended by adding at the end the following new subclause:

**“(X) REDUCED EXPENDITURES ATTRIBUTABLE TO INCENTIVES TO TRANSITION TO DIGITAL RADIOGRAPHY.**—Effective for fee schedules established beginning with 2017, reduced expenditures attributable to subparagraph (A) of subsection (b)(9) and effective for fee schedules established beginning with 2018, reduced expenditures attributable to subparagraph (B) of such subsection.”.

**(2) ELIMINATION OF APPLICATION OF MULTIPLE PROCEDURE PAYMENT REDUCTION.**—

**(A) IN GENERAL.**—Section 1848(b)(4) of the Social Security Act (42 U.S.C. 1395w-4(b)(4)) is amended by adding at the end the following new subparagraph:

**“(E) ELIMINATION OF APPLICATION OF MULTIPLE PROCEDURE PAYMENT REDUCTION.**—

**“(i) IN GENERAL.**—For services furnished on or after January 1, 2017, the Secretary shall not apply a multiple procedure payment reduction to the professional component of imaging services unless the Secretary has published as part of a Medicare Physician Fee Schedule Proposed Rule the empirical analysis described in clause (ii) with tables made available on the website of the Centers for Medicare & Medicaid Services.

**“(ii) EMPIRICAL ANALYSIS DESCRIBED.**—The empirical analysis described in this clause is an analysis of the Resource-Based Relative Value Scale Data Manager information or other information that is used to determine what, if any, efficiencies exist within the professional component of imaging services when two or more studies are furnished to the same individual on the same day. Such empirical analysis shall include—

“(I) information detailing which physician work activities overlap and the reductions applicable to such overlap;

“(II) a discussion of the clinical aspects that informed the assignment of the reduction percentages described in subclause (i);

“(III) to the extent that such reductions are used for proposed payment reductions, an expla-

nation of how the percentage reductions for pre-service, intra-service, and post-service work were determined and calculated;

“(IV) other data used to determine a reduction; and

“(V) a demonstration that the Secretary has consulted with practicing radiologists to gain knowledge of how radiologists interpret studies of multiple body parts on the same individual on the same day.”.

**(B) CONFORMING AMENDMENT.**—Section 220(i) of the Protecting Access to Medicare Act of 2014 (42 U.S.C. 1395w-4 note) is repealed.

**(b) PAYMENT INCENTIVE FOR TRANSITION UNDER HOSPITAL OUTPATIENT PROSPECTIVE PAYMENT SYSTEM.**—Section 1833(t)(16) of the Social Security Act (42 U.S.C. 1395(t)(16)) is amended by adding at the end the following new subparagraph:

**“(F) PAYMENT INCENTIVE FOR THE TRANSITION FROM TRADITIONAL X-RAY IMAGING TO DIGITAL RADIOGRAPHY.**—Notwithstanding the previous provisions of this subsection:

**“(i) LIMITATION ON PAYMENT FOR FILM X-RAY IMAGING SERVICES.**—In the case of an imaging service that is an X-ray taken using film and that is furnished during 2017 or a subsequent year, the payment amount for such service (including the X-ray component of a packaged service) that would otherwise be determined under this section (without application of this paragraph and before application of any other adjustment under this subsection) for such year shall be reduced by 20 percent.

**“(ii) PHASED-IN LIMITATION ON PAYMENT FOR COMPUTED RADIOGRAPHY IMAGING SERVICES.**—In the case of an imaging service that is an X-ray taken using computed radiography technology (as defined in section 1848(b)(9)(C))—

“(I) in the case of such a service furnished during 2018, 2019, 2020, 2021, or 2022, the payment amount for such service (including the X-ray component of a packaged service) that would otherwise be determined under this section (without application of this paragraph and before application of any other adjustment under this subsection) for such year shall be reduced by 7 percent; and

“(II) in the case of such a service furnished during 2023 or a subsequent year, the payment amount for such service (including the X-ray component of a packaged service) that would otherwise be determined under this section (without application of this paragraph and before application of any other adjustment under this subsection) for such year shall be reduced by 10 percent.

**“(iii) APPLICATION WITHOUT REGARD TO BUDGET NEUTRALITY.**—The reductions made under this paragraph—

“(I) shall not be considered an adjustment under paragraph (2)(E); and

“(II) shall not be implemented in a budget neutral manner.

**“(iv) IMPLEMENTATION.**—In order to implement this subparagraph, the Secretary shall adopt appropriate mechanisms which may include use of modifiers.”.

#### **SEC. 4004. TREATMENT OF INFUSION DRUGS FURNISHED THROUGH DURABLE MEDICAL EQUIPMENT.**

Section 1842(o)(1) of the Social Security Act (42 U.S.C. 1395u(o)(1)) is amended—

(1) in subparagraph (C), by inserting “(and including a drug or biological described in subparagraph (D)(i) furnished on or after January 1, 2017)” after “2005”; and

(2) in subparagraph (D)—

(A) by striking “infusion drugs” and inserting “infusion drugs or biologicals” each place it appears; and

(B) in clause (i)—

(i) by striking “2004” and inserting “2004, and before January 1, 2017”; and

(ii) by striking “for such drug”.

#### **SEC. 4005. EXTENSION AND EXPANSION OF PRIOR AUTHORIZATION FOR POWER MOBILITY DEVICES (PMDs) AND ACCESSORIES AND PRIOR AUTHORIZATION AUDIT LIMITATIONS.**

Section 1834(a) of the Social Security Act (42 U.S.C. 1395m(a)) is amended—

(1) in paragraph (15), by adding at the end the following new subparagraph:

**“(D) LIMITATION ON AUDITS AFTER ADVANCE DETERMINATION.**—A claim for an item that has received a provisional affirmation under an advance determination under this paragraph or a prior authorization under paragraph (23) shall not be subject to review under section 1893(h) but may be subject to audits for potential fraud, inappropriate utilization, changes in billing patterns, or information that could not have been considered during the advance determination (such as proof of item delivery).”; and

(2) by adding at the end the following new paragraph:

**“(23) PRIOR AUTHORIZATION FOR POWER MOBILITY DEVICES (PMDs) AND ACCESSORIES.**—Not later than 90 days after the date of the enactment of this paragraph, the Secretary shall, using funds provided under paragraph (2) of section 402(a) of the Social Security Amendments of 1967 and other funds available to the Secretary—

“(A) extend at least through August 31, 2018, the PMD Prior Authorization Demonstration (being conducted under paragraph (1)(J) of such section);

“(B) begin to expand, as appropriate, such demonstration to include additional power mobility devices and accessories as part of initial claims for payment under this part for such devices; and

“(C) begin to expand such demonstration to such additional States or geographic areas as may be appropriate.”.

#### **SEC. 4006. CIVIL MONETARY PENALTIES FOR VIOLATIONS RELATED TO GRANTS, CONTRACTS, AND OTHER AGREEMENTS.**

**(a) IN GENERAL.**—Section 1128A of the Social Security Act (42 U.S.C. 1320a-7a) is amended by adding at the end the following new subsection:

**“(o) Any person (including an organization, agency, or other entity, but excluding a program beneficiary, as defined in subsection (r)(4)) that, with respect to a grant, contract, or other agreement for which the Secretary of Health and Human Services provides funding—**

“(1) knowingly presents or causes to be presented a specified claim (as defined in subsection (r)(6)) under such grant, contract, or other agreement that the person knows or should know is false or fraudulent;

“(2) knowingly makes, uses, or causes to be made or used any false statement, omission, or misrepresentation of a material fact in any application, proposal, bid, progress report, or other document that is required to be submitted in order to directly or indirectly receive or retain funds provided in whole or in part by such Secretary pursuant to such grant, contract, or other agreement;

“(3) knowingly makes, uses, or causes to be made or used, a false record or statement material to a false or fraudulent specified claim under such grant, contract, or other agreement;

“(4) knowingly makes, uses, or causes to be made or used, a false record or statement material to an obligation to pay or transmit funds or property to such Secretary with respect to such grant, contract, or other agreement, or knowingly conceals or knowingly and improperly avoids or decreases an obligation to pay or transmit funds or property to such Secretary with respect to such grant, contract, or other agreement; or

“(5) fails to grant timely access, upon reasonable request (as defined by such Secretary in

regulations), to the Inspector General of the Department, for the purpose of audits, investigations, evaluations, or other statutory functions of such Inspector General in matters involving such grants, contracts, or other agreements;

shall be subject, in addition to any other penalties that may be prescribed by law, to a civil money penalty in cases under paragraph (1), of not more than \$10,000 for each specified claim; in cases under paragraph (2), not more than \$50,000 for each false statement, omission, or misrepresentation of a material fact; in cases under paragraph (3), not more than \$50,000 for each false record or statement; in cases under paragraph (4), not more than \$50,000 for each false record or statement or \$10,000 for each day that the person knowingly conceals or knowingly and improperly avoids or decreases an obligation to pay; or in cases under paragraph (5), not more than \$15,000 for each day of the failure described in such paragraph. In addition, in cases under paragraphs (1) and (3), such a person shall be subject to an assessment of not more than 3 times the amount claimed in the specified claim described in such paragraph in lieu of damages sustained by the United States or a specified State agency because of such specified claim, and in cases under paragraphs (2) and (4), such a person shall be subject to an assessment of not more than 3 times the total amount of the funds described in paragraph (2) or (4), respectively (or, in the case of an obligation to transmit property to the Secretary Health and Human Services described in paragraph (4), of the value of the property described in such paragraph) in lieu of damages sustained by the United States or a specified State agency because of such case. In addition, the Secretary of Health and Human Services may make a determination in the same proceeding to exclude the person from participation in the Federal health care programs (as defined in section 1128B(f)(1)) and to direct the appropriate State agency to exclude the person from participation in any State health care program.

“(p) The provisions of subsections (c), (d), and (g) shall apply to a civil money penalty or assessment under subsection (o) in the same manner as such provisions apply to a penalty, assessment, or proceeding under subsection (a).

“(q) With respect to a penalty or assessment under subsection (o), the Inspector General of the Department is authorized to receive, and to retain for current use, such amounts of such penalty or assessment as are necessary to provide reimbursement for the costs of conducting investigations and audits with respect to such subsection and for monitoring compliance plans with respect to such subsection when such penalty or assessment is ordered by a court, voluntarily agreed to by the payor, or otherwise. Funds received by such Inspector General as reimbursement under the preceding sentence shall be deposited to the credit of the appropriations from which initially paid, or to appropriations for similar purposes currently available at the time of deposit, and shall remain available for obligation for 1 year from the date of the deposit of such funds.

“(r) For purposes of this subsection and subsections (o), (p), and (q):

“(1) The term ‘Department’ means the Department of Health and Human Services.

“(2) The term ‘material’ means having a natural tendency to influence, or be capable of influencing, the payment or receipt of money or property.

“(3) The term ‘other agreement’ includes a cooperative agreement, scholarship, fellowship, loan, subsidy, payment for a specified use, donation agreement, award, or sub-award (regardless of whether one or more of the persons entering into the agreement is a contractor or subcontractor).

“(4) The term ‘program beneficiary’ means, in the case of a grant, contract, or other agreement designed to accomplish the objective of awarding or otherwise furnishing benefits or assistance to individuals and for which the Secretary of Health and Human Services provides funding, an individual who applies for, or who receives, such benefits or assistance from such grant, contract, or other agreement. Such term does not include, with respect to such grant, contract, or other agreement, an officer, employee, or agent of a person or entity that receives such grant or that enters into such contract or other agreement.

“(5) The term ‘recipient’ includes a sub-recipient or subcontractor.

“(6) The term ‘specified claim’ means any application, request, or demand under a grant, contract, or other agreement for money or property, whether or not the United States or a specified State agency has title to the money or property, that is not a claim (as defined in subsection (i)(2)) and that—

“(A) is presented or caused to be presented to an officer, employee, or agent of the Department or agency thereof, or of any specified State agency; or

“(B) is made to a contractor, grantee, or any other recipient if the money or property is to be spent or used on the Department’s behalf or to advance a Department program or interest, and if the Department—

“(i) provides or has provided any portion of the money or property requested or demanded; or

“(ii) will reimburse such contractor, grantee or other recipient for any portion of the money or property which is requested or demanded.

“(7) The term ‘specified State agency’ means an agency of a State government established or designated to administer or supervise the administration of a grant, contract, or other agreement funded in whole or in part by the Secretary of Health and Human Services.

“(s) For purposes of subsection (o), the term ‘obligation’ means an established duty, whether or not fixed, arising from an express or implied contractual, grantor-grantee, or licensor-licensee relationship, for a fee-based or similar relationship, from statute or regulation, or from the retention of any overpayment.”.

(b) CONFORMING AMENDMENTS.—Section 1128A of the Social Security Act (42 U.S.C. 1320a–7a) is amended—

(1) in subsection (d)—

(A) in paragraph (1), by inserting “or specified claims” after “claims”;

(B) in paragraph (2), by inserting “or specified claims” after “claims”;

(2) in subsection (e), by inserting “or specified claim” after “claim”; and

(3) in subsection (f)—

(A) by inserting “or specified claim (as defined in subsection (r)(6))” after “district where the claim”;

(B) by inserting “(or, with respect to a person described in subsection (o), the person)” after “claimant”;

(C) by inserting “that are not received by the Inspector General of the Department of Health and Human Services under subsection (q) as reimbursement” after “amounts recovered”; and

(D) by inserting “(or, in the case of a penalty or assessment under subsection (o), by a specified State agency (as defined in subsection (r)(7))” after “or a State agency”.

#### Subtitle B—Other Reforms

##### SEC. 4041. SPR DRAWDOWN.

(a) DRAWDOWN AND SALE.—Notwithstanding section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241), except as provided in subsection (b) the Secretary of Energy shall draw down and sell—

(1) 4,000,000 barrels of crude oil from the Strategic Petroleum Reserve during fiscal year 2018;

(2) 5,000,000 barrels of crude oil from the Strategic Petroleum Reserve during fiscal year 2019;

(3) 8,000,000 barrels of crude oil from the Strategic Petroleum Reserve during fiscal year 2020;

(4) 8,000,000 barrels of crude oil from the Strategic Petroleum Reserve during fiscal year 2021;

(5) 10,000,000 barrels of crude oil from the Strategic Petroleum Reserve during fiscal year 2022;

(6) 15,000,000 barrels of crude oil from the Strategic Petroleum Reserve during fiscal year 2023;

(7) 15,000,000 barrels of crude oil from the Strategic Petroleum Reserve during fiscal year 2024; and

(8) 15,000,000 barrels of crude oil from the Strategic Petroleum Reserve during fiscal year 2025.

Amounts received for a sale under this subsection shall be deposited in the General Fund of the Treasury during the fiscal year in which the sale occurs.

(b) EMERGENCY PROTECTION.—The Secretary shall not draw down and sell crude oil under this section in amounts that would result in a Strategic Petroleum Reserve that contains an inventory of petroleum products representing less than 90 days of emergency reserves, based on the average daily level of net imports of crude oil and petroleum products in the previous calendar year.

(c) PROCEEDS.—Proceeds from a sale under this section shall be deposited into the general fund of the Treasury of the United States.

#### Subtitle C—Miscellaneous

##### SEC. 4061. LYME DISEASE AND OTHER TICK-BORNE DISEASES.

(a) IN GENERAL.—Title III of the Public Health Service Act (42 U.S.C. 241 et seq.) is amended by adding at the end the following new part:

#### “PART W—LYME DISEASE AND OTHER TICK-BORNE DISEASES

##### “SEC. 3990O. RESEARCH.

“(a) IN GENERAL.—The Secretary shall conduct or support epidemiological, basic, translational, and clinical research regarding Lyme disease and other tick-borne diseases.

“(b) BIENNIAL REPORTS.—The Secretary shall ensure that each biennial report under section 403 includes information on actions undertaken by the National Institutes of Health to carry out subsection (a) with respect to Lyme disease and other tick-borne diseases, including an assessment of the progress made in improving the outcomes of Lyme disease and such other tick-borne diseases.

##### “SEC. 3990O–1. WORKING GROUP.

“(a) ESTABLISHMENT.—The Secretary shall establish a permanent working group, to be known as the Interagency Lyme and Tick-Borne Disease Working Group (in this section and section 3990O–2 referred to as the ‘Working Group’), to review all efforts within the Department of Health and Human Services concerning Lyme disease and other tick-borne diseases to ensure interagency coordination, minimize overlap, and examine research priorities.

“(b) RESPONSIBILITIES.—The Working Group shall—

“(1) not later than 24 months after the date of enactment of this part, and every 24 months thereafter, develop or update a summary of—

“(A) ongoing Lyme disease and other tick-borne disease research related to causes, prevention, treatment, surveillance, diagnosis, diagnostics, duration of illness, intervention, and access to services and supports for individuals with Lyme disease or other tick-borne diseases;

“(B) advances made pursuant to such research;

“(C) the engagement of the Department of Health and Human Services with persons that

participate at the public meetings required by paragraph (5); and

“(D) the comments received by the Working Group at such public meetings and the Secretary’s response to such comments;

“(2) ensure that a broad spectrum of scientific viewpoints is represented in each such summary;

“(3) monitor Federal activities with respect to Lyme disease and other tick-borne diseases;

“(4) make recommendations to the Secretary regarding any appropriate changes to such activities; and

“(5) ensure public input by holding annual public meetings that address scientific advances, research questions, surveillance activities, and emerging strains in species of pathogenic organisms.

“(c) MEMBERSHIP.—

“(1) IN GENERAL.—The Working Group shall be composed of a total of 14 members as follows:

“(A) FEDERAL MEMBERS.—Seven Federal members, consisting of one or more representatives of each of—

“(i) the Office of the Assistant Secretary for Health;

“(ii) the Food and Drug Administration;

“(iii) the Centers for Disease Control and Prevention;

“(iv) the National Institutes of Health; and

“(v) such other agencies and offices of the Department of Health and Human Services as the Secretary determines appropriate.

“(B) NON-FEDERAL PUBLIC MEMBERS.—Seven non-Federal public members, consisting of representatives of the following categories:

“(i) Physicians and other medical providers with experience in diagnosing and treating Lyme disease and other tick-borne diseases.

“(ii) Scientists or researchers with expertise.

“(iii) Patients and their family members.

“(iv) Nonprofit organizations that advocate for patients with respect to Lyme disease and other tick-borne diseases.

“(v) Other individuals whose expertise is determined by the Secretary to be beneficial to the functioning of the Working Group.

“(2) APPOINTMENT.—The members of the Working Group shall be appointed by the Secretary, except that of the non-Federal public members under paragraph (1)(B)—

“(A) one shall be appointed by the Speaker of the House of Representatives; and

“(B) one shall be appointed by the majority leader of the Senate.

“(3) DIVERSITY OF SCIENTIFIC PERSPECTIVES.—In making appointments under paragraph (2), the Secretary, the Speaker of the House of Representatives, and the majority leader of the Senate shall ensure that the non-Federal public members of the Working Group represent a diversity of scientific perspectives.

“(4) TERMS.—The non-Federal public members of the Working Group shall each be appointed to serve a 4-year term and may be reappointed at the end of such term.

“(d) MEETINGS.—The Working Group shall meet as often as necessary, as determined by the Secretary, but not less than twice each year.

“(e) APPLICABILITY OF FACAA.—The Working Group shall be treated as an advisory committee subject to the Federal Advisory Committee Act.

“(f) REPORTING.—Not later than 24 months after the date of enactment of this part, and every 24 months thereafter, the Working Group—

“(1) shall submit a report on its activities, including an up-to-date summary under subsection (b)(1) and any recommendations under subsection (b)(4), to the Secretary, the Committee on Energy and Commerce of the House of Representatives, and the Committee on Health, Education, Labor and Pensions of the Senate;

“(2) shall make each such report publicly available on the website of the Department of Health and Human Services; and

“(3) shall allow any member of the Working Group to include in any such report minority views.

#### “SEC. 39900-2. STRATEGIC PLAN.

“Not later than 3 years after the date of enactment of this section, and every 5 years thereafter, the Secretary shall submit to the Congress a strategic plan, informed by the most recent summary under section 39900-1(b)(1), for the conduct and support of Lyme disease and tick-borne disease research, including—

“(1) proposed budgetary requirements;

“(2) a plan for improving outcomes of Lyme disease and other tick-borne diseases, including progress related to chronic or persistent symptoms and chronic or persistent infection and co-infections;

“(3) a plan for improving diagnosis, treatment, and prevention;

“(4) appropriate benchmarks to measure progress on achieving the improvements described in paragraphs (2) and (3); and

“(5) a plan to disseminate each summary under section 39900-1(b)(1) and other relevant information developed by the Working Group to the public, including health care providers, public health departments, and other relevant medical groups.”.

(b) NO ADDITIONAL AUTHORIZATION OF APPROPRIATIONS.—No additional funds are authorized to be appropriated for the purpose of carrying out this section and the amendment made by this section, and this section and such amendment shall be carried out using amounts otherwise available for such purpose.

The Acting CHAIR. No further amendment to the bill, as amended, shall be in order except those printed in House Report 114-193. Each such further amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

#### AMENDMENT NO. 1 OFFERED BY MR. BRAT

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 114-193.

Mr. BRAT. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, beginning on line 6, strike paragraph (1) and insert the following:

(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the NIH and Cures Innovation Fund \$1,860,000,000 for each of fiscal years 2016 through 2020.

Page 13, beginning on line 3, strike subsection (f).

The Acting CHAIR. Pursuant to House Resolution 350, the gentleman from Virginia (Mr. BRAT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. BRAT. Madam Chair, I yield myself 2 minutes.

I rise to support my amendment against the creation of a new mandatory program.

Some on the other side have called my amendment a poison pill. I consider that a compliment. A poison pill was reserved for the man who brought human reason to Greece. I similarly would like to bring a bit of reason to bear on the budget process of the United States.

We are currently \$127 trillion light on mandatory spending at present. This means by 2027, all Federal revenues will be spent on only mandatory programs. This is a disaster.

My children right now are 13 and 16. By the time they are about 30, we will have zero dollars for running the government because all dollars will be spent on these mandatory programs.

We all want cures, and I am for the underlying bill—make no mistake—but in economics, rationality requires that we rank our preferences in order and fund the best programs. This is one of them.

There is no issue finding \$2 billion out of a \$3.5 trillion budget, but currently, there is no discipline up here in this city. We just fund everything and hand the bill to the next generation.

Every mandatory program starts off with high hopes, but go to the trustee reports on the major mandatory programs today, and you will find that they are all insolvent by around 2030 as well.

Today, you will hear all sorts of fancy terminology about pay-fors and oil reserves and deficits, but don't be fooled. Our annual deficit spending is about \$500 billion right now and on its way to a trillion in a few more years.

We are off course on every front. We always talk about the children, but at present, we are handing our children \$18 trillion in debt and another \$127 trillion in mandatory programs.

You want the truth? The children are the only group up here on Capitol Hill without a lobbyist, and that is why they are getting trashed.

If you want a cure, go to a doctor; but if you want to clean up the U.S. economy, please consult an economist or two. The numbers in the story I have given are not in dispute. The only issue is whether we have the resolve to balance our budgets and leave our children a brighter day.

I urge a “yes” vote on the amendment, and I reserve the balance of my time.

Mr. UPTON. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. UPTON. Madam Chair, I yield myself 1 minute.

Madam Chair, I strongly oppose this amendment because making this funding discretionary and subject to later appropriations is critically shortsighted for two reasons.

We thought that this might be a placebo amendment, but yes, it really is a

poison pill that would undermine the victories the Republicans secured in 21st Century Cures, including transformative regulatory reforms at FDA and permanent entitlement savings in both Medicare and Medicaid.

Second, supporting the amendment means voting against the critical balance that we found to pay for these investments using mandatory savings in a way that reduces the deficit in working with the Appropriations Committee.

According to the CBO, this bill will reduce the deficit by some \$500-plus million over the first 10 years, and we conservatively estimate that it cuts \$7 billion in the second decade.

Third, more than 100 organizations have joined together to oppose this amendment. They represent a cross-section of organizations, including patient groups, universities, veterans, innovators, and medical providers.

I would ask my colleagues to vote "no" on the Brat amendment, and I reserve the balance of my time.

Mr. BRAT. Madam Chair, I yield 1 minute to the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. Madam Chair, the greatest danger facing our country is a national debt that now exceeds our entire economy. This year, we spent \$230 billion just to pay interest on that debt.

The CBO warns that, on our current trajectory, interest payments will exceed our entire defense budget just 8 years from now. Behold the chaos in Greece, and consider that our Nation is not far behind.

Congress has labored mightily to enact a budget that saves us from this dismal future, but having set that course, we must stay that course. The underlying bill makes many worthy changes in law, but it evades the discipline the budget requires to save our country from the fate of Greece.

Mr. BRAT's amendment places this bill back within the boundaries of the budget without budget gimmickry and can be easily accommodated by cutting lower priority spending. The question before us is whether we will fund our priorities responsibly or follow Greece to ruin.

Mr. UPTON. Madam Chair, I yield 1 minute to the gentleman from New Jersey (Mr. PALLONE), my friend and the ranking member of the Energy and Commerce Committee.

Mr. PALLONE. Madam Chairwoman, if we want to speed the pace of innovation and development of new treatment and cures, we must increase funding to NIH.

We all know the numbers. NIH has \$8.2 billion less to spend in fiscal year 2015 than it had in fiscal year 2003, when adjusted for inflation. That funding erosion has reduced the application success rate, leaving promising research ideas to languish due to lack of

funding. It has also left many young and midcareer scientists wondering whether they can support themselves through a career in biomedical research.

The NIH and Cures innovation fund aims to reverse that trajectory by providing \$8.7 in mandatory funding over a 5-year period. Providing mandatory funding through the innovation fund would ensure that NIH has increased funding to make critical investments in research that will help us deliver on the promise of the 21st Century Cures Act, to accelerate the pace of scientific advancement that leads to life-improving and lifesaving treatments and cures.

Madam Chairwoman, without this funding stream, H.R. 6, I think, will be ineffective; and I urge Members to reject the Brat amendment.

I am in strong opposition to the Brat amendment.

Mr. BRAT. Madam Chair, I yield 1 minute to the gentleman from Pennsylvania (Mr. PERRY).

Mr. PERRY. Madam Chair, I support the 21st Century Cures Act underlying text, and I thank the chairman. It has been masterful work.

And who wouldn't? Who doesn't want to do something in Congress about these horrific, debilitating diseases that plague our families? We all do, but targeting additional NIH funding for cures remains critical. We absolutely all support it, but I don't support how we are paying for it—because we are not.

Many of us who preach about the problems associated with mandatory spending have used the same board I use in my townhall meetings. People have seen this, and they know where we are headed. It is the biggest driver of future debt.

We are creating more mandatory spending as we speak, and we are placing the burden of paying for it on people that aren't even alive yet. It is incredible.

I have championed the need for providing a cure for rare diseases and the things that plague members of our citizenry since I have been here. One thing missing from this bill is the legalization of CBD. This act seems to forget about children with epilepsy and their desperate need for a cure.

I ask for support of this amendment simply to shift the money from mandatory to discretionary and force us to make the tough decisions we came here to make.

Mr. UPTON. Madam Chair, I yield 1 minute to the gentleman from Texas (Mr. GENE GREEN), the ranking member on the Health Subcommittee.

Mr. GENE GREEN of Texas. Madam Chair, I thank the chair of the committee for yielding.

If you like how we are doing research right now, then you need to support the Brat amendment because we are

not funding research adequately. Everybody says that. That is why there are so many supporters in the private sector and also 230 cosponsors of this bill.

The sponsor of the amendment called it a poison pill. I don't think there is anything more appropriate than that for this amendment, because this bill is intended to save people's lives and to make people have a better lifestyle. When you take a poison pill, you die. That is what will happen if we do not do mandatory spending in this bill.

This bill is paid for. You can rail against mandatory spending, but there are cuts in other parts of the Federal budget that will pay for this. Don't let anybody delude themselves into thinking that this is increasing spending.

We are cutting spending while we are trying to redirect it to the NIH and FDA to have these new therapies and also get them through the approval process.

Mr. BRAT. Madam Chair, I yield 1 minute to the gentleman from California (Mr. ISSA).

Mr. ISSA. Madam Chair, in this short 1 minute, I will close by reminding people that Ronald Reagan so notably said: "Nothing lasts longer than a temporary government program."

This is a permanent program that is only paid for in offsets at one-quarter what it costs, and that is an estimate. If the cost goes up, it will spend even more.

Understand that we are selling the strategic petroleum reserves to pay for the vast majority of this 5-year program, and then we are taking 10 years to pay for the remainder.

This is a gimmick. It is not paid for. Do not be fooled. If you are a fiscal conservative, you must consider this not a permanent entitlement and vote for the Brat amendment because, if you don't, what you are doing is unfairly adding to this debt.

I would vote for this if it was paid for. Madam Chair, it is not paid for. It is a fraudulent pay-for by any possible means of this body.

Please, vote for the Brat amendment because this is not a pay-for entitlement.

Mr. BRAT. I yield back the balance of my time.

□ 0930

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Members are reminded to refrain from trafficking the well while another Member is under recognition.

Mr. UPTON. Madam Chair, I yield to the gentleman from Pennsylvania (Mr. FATTAH) for a unanimous consent request.

Mr. FATTAH. Madam Chair, I rise in favor of the underlying bill and in opposition to this poison-pill amendment.

Mr. UPTON. Madam Chairman, let me just say to the gentleman from

California, it is paid for. CBO has certified that all of it is paid for.

Madam Chair, I yield the balance of my time to the gentlewoman from Indiana (Mrs. BROOKS), a member of the committee.

Mrs. BROOKS of Indiana. Madam Chairman, I rise today to voice my unwavering support for 21st Century Cures and vehement opposition to the amendment before us.

What the authors of this specific amendment fail to grasp is that 21st Century Cures will actually advance real conservative reforms to the entitlement system that will reduce the deficit and save our Nation billions of dollars.

There are real cuts in this bill. CBO has scored it. And since when are we ignoring CBO?

These reforms didn't happen overnight. This legislation is the result of well over a year of thoughtful and purposeful negotiations.

Unfortunately, the backers of this amendment cannot see the forest for the trees. Contrary to the misinformation that led them to craft it, the innovation fund is not forever on autopilot. It sunsets after 5 years. Those are 5 solid years where we can recruit the top minds to investigate cures that will change and save lives, yes, the lives of our children and the next generation.

I urge my colleagues to stand with me in opposition, in addition to the over 100 groups who are opposed to the Brat amendment, groups of patient groups, universities, veterans, innovators, medical providers. Every one of these groups urges Members to vote "no" on the Brat amendment, and I urge my colleagues to do the same.

Mr. UPTON. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. BRAT).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BRAT. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. YOUNG OF INDIANA

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 114-193.

Mr. YOUNG of Indiana. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 6, line 19, strike "409K" and insert "409L".

Page 15, after line 6, insert the following:

#### SEC. 1002. PRIZE COMPETITIONS.

Part B of title IV of the Public Health Service Act (42 U.S.C. 284 et seq.) is amended by adding at the end the following:

#### "SEC. 409K. PRIZE COMPETITIONS FOR IMPROVING HEALTH OUTCOMES AND REDUCING FEDERAL EXPENDITURES.

"(a) ESTABLISHMENT; GOALS.—The Director of NIH shall establish and implement an Innovation Prizes Program for one or both of the following goals:

"(1) Identifying and funding areas of biomedical science that could realize significant advancements through the creation of a prize competition.

"(2) Improving health outcomes, particularly with respect to human diseases and conditions for which public and private investment in research is disproportionately small relative to Federal Government expenditures on prevention and treatment activities, thereby reducing Federal expenditures on health programs.

"(b) DESIGN OF PRIZE COMPETITIONS.—Not later than 6 months after the date of enactment of this section, the Director of NIH shall—

"(1) design prize competitions—

"(A) to cooperate with competitors to realize innovations to identify and address areas of biomedical science that could realize significant advancements through the creation of a prize competition; and

"(B) to award one or more prizes—

"(i) if appropriate, at the beginning of or during the competitions, to the competitors whose innovations are most promising or demonstrate progress; and

"(ii) at the end of the competitions, to the competitors whose innovations prove to be the best solutions;

"(2) ensure that the design of such competitions—

"(A) is realistic, given the amount of funds to be awarded as prizes;

"(B) does not reflect any bias concerning the type of innovations which will prove to be the best solutions; and

"(C) allows any person to participate as a competitor without regard to the person's place of incorporation, primary place of business, citizenship, and residency, as applicable; and

"(3) submit to the Congress a report on the design of such competitions.

"(c) INNOVATION PRIZES ADVISORY BOARD.—

"(1) ESTABLISHMENT.—The Director of NIH shall establish and maintain a board, to be known as the I-Prize Board, to advise and assist the Director of NIH in carrying out this section.

"(2) COMPOSITION; TERMS.—

"(A) COMPOSITION.—The I-Prize Board shall be composed of 9 voting members as follows:

"(i) The Director of NIH (or the Director's designee).

"(ii) Four members appointed by the Director of NIH.

"(iii) One member appointed by the Speaker of the House of Representatives.

"(iv) One member appointed by the majority leader of the Senate.

"(v) One member appointed by the minority leader of the House of Representatives.

"(vi) One member appointed by the minority leader in the Senate.

"(B) INCLUSION OF CERTAIN EXPERTS.—The members of the I-Prize Board appointed under clauses (ii) through (vi) of subparagraph (A) shall, collectively, include medical, economic, budgetary, innovation, or venture capital experts from for-profit and not-for-profit private sector entities with experience in awarding prizes similar to the prizes under this section.

"(C) TERMS.—The appointed members of the I-Prize Board shall each be appointed for a term of 5 years.

"(D) APPOINTMENT OF INITIAL MEMBERS.—The initial appointed members of the I-Prize Board shall be appointed not later than 120 days after the date of enactment of this section.

"(3) RESPONSIBILITIES.—The I-Prize Board shall be responsible for advising the Director of NIH by—

"(A) identifying areas of biomedical science that could realize significant advancements through the creation of a prize competition;

"(B) making recommendations on establishing the criteria for prize competitions under this section;

"(C) making recommendations on which business organizations or other entities have successfully met the criteria established for the prize competition; and

"(D) gaining insight from researchers, health economists, academia, and industry on how to conduct prize competitions.

"(d) RESTRICTIONS.—

"(1) NO FINANCIAL CONFLICTS OF INTEREST.—Any member of the I-Prize Board, and any officer or employee of the National Institutes of Health responsible for carrying out this section, may not personally or substantially participate in the consideration or determination by the I-Board of any matter that would directly or predictably effect any financial interest of—

"(A) the individual or a relative (as such term is defined in section 109(16) of the Ethics in Government Act of 1978) of the individual; or

"(B) of any business organization or other entity—

"(i) of which the individual is an officer or employee;

"(ii) with respect to which the individual is negotiating for employment; or

"(iii) in which the individual has any other financial interest.

"(2) NO AWARDS TO COMPETITORS LIKELY TO REAP FINANCIAL BENEFIT FROM INNOVATION.—The Director of NIH may not, with respect to an innovation, award a prize under this section to any individual or entity that has a vested financial interest in any product or procedure that is likely to be developed or marketed because of such innovation.

"(e) PROCESS OF AWARD.—The full monetary amount of any prize awarded under this section shall be made available to the prize winner not later than 90 days after the date of such award.

"(f) SIMULATION.—The Director of NIH may—

"(1) award one or more contracts—

"(A) to perform a simulation of the prize competitions to be conducted under this section, based on the designs developed under subsection (b); and

"(B) to use the simulation to assess the effectiveness of the design; and

"(2) not later than 4 months after awarding such one or more contracts, submit to the Congress a report on the results of the simulation and assessment.

"(g) IMPLEMENTATION OF PRIZE COMPETITIONS.—

"(1) IN GENERAL.—The Director of NIH may enter into an agreement with one or more entities described in section 501(c), and exempt from tax under section 501(a), of the Internal Revenue Code of 1986 to implement prize competitions based on the designs developed under subsection (b).

"(2) MINIMUM PERCENTAGE FOR PRIZES.—If the Director of NIH enters into an agreement



under paragraph (1) to provide funds or other assistance (including in-kind contributions and testing or other technical support) to an entity to implement a prize competition under this section—

“(A) not more than 15 percent of such assistance shall be for administration of the prize competition; and

“(B) not less than 85 percent of such assistance shall be for activities in direct support of competitors such as demonstration, testing, education, and prize awards.

“(h) TRACKING; REPORTING.—The Director of NIH shall—

“(1) collect information on—

“(A) the medical efficacy of innovations funded through the prize competitions under this section; and

“(B) the actual and potential effect of the innovations on Federal expenditures; and

“(2) not later than one year after the conclusion of the prize competitions under this section, and not later than the end of each of the 4 succeeding years, submit to the Congress a report on the information collected under paragraph (1).

“(i) INTELLECTUAL PROPERTY.—

“(1) PROHIBITION ON THE GOVERNMENT ACQUIRING INTELLECTUAL PROPERTY RIGHTS.—The Federal Government may not gain an interest in intellectual property developed by a participant in a prize competition under this section without the written consent of the participant.

“(2) LICENSES.—The Federal Government may negotiate a license for the use of intellectual property developed by a participant in a prize competition under this section.”.

Page 26, line 11, insert “, as amended by section 1002 of this Act,” after “et seq.”

Page 26, line 13, strike “409K” and insert “409L”.

The Acting CHAIR. Pursuant to House Resolution 350, the gentleman from Indiana (Mr. YOUNG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. YOUNG of Indiana. Madam Chair, I want to thank Mr. UPTON for his work on the 21st Century Cures Act, finally making medical breakthroughs a national priority. With this bill, we will extend the longevity and improve the lives of millions of Americans now and in the future. And in the process, we will dramatically reduce the taxpayer money we spend to treat sick Americans.

With all that in mind, I want to highlight an amendment that my thoughtful and hard-working colleague, Dr. HARRIS of Maryland, and I have worked on, and I urge my colleagues' support. This amendment would create within NIH a structure for a medical prize program.

The United States is currently spending \$632 billion per year through just one program, Medicare, to cover health services of qualified beneficiaries. To help lower taxpayer costs as well as improve patient outcomes, this amendment will offer modest monetary rewards to those outside of government who can develop significant medical breakthroughs.

The medical prize program will encourage scientists and entrepreneurs,

especially those that don't typically receive NIH grants, to develop cost-saving, life-improving cures for some of the most debilitating diseases that afflict our young and old.

With those thoughts in mind, I urge your support of the amendment, and I reserve the balance of my time.

Mr. PALLONE. Madam Chair, I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. PALLONE. Madam Chair, while I appreciate the efforts of the amendment's sponsors, I cannot support the Young-Harris amendment.

As currently drafted, the amendment threatens to undermine the independent peer review process that is the bedrock of NIH funding by injecting politics into the development and implementation of the prize competition.

The amendment would create an innovation prize advisory board to assist the NIH Director in carrying out the prize competition that is composed of nine members, four of which are politically appointed. It would also take away resources from existing research grant programs and other research efforts at NIH.

It would require NIH to put money on reserve for the prize competition, money that would go back into the Treasury instead of funding research if the prize is not won in a given fiscal year.

While I am not opposed to the potential of setting up a prize-like system—in fact, NIH already has such authority—I would prefer to work with the sponsors on the language to find a more appropriate way to accomplish their goals. Therefore, I would urge my colleagues to vote “no.”

Mr. UPTON. Will the gentleman yield?

Mr. PALLONE. I yield to the gentleman from Michigan.

Mr. UPTON. I would just like to say as chairman of the committee that I look forward to working with the gentleman on the language. I think this is an important amendment. I am going to speak in favor of it on Mr. YOUNG's time in a moment.

But I just want to pledge that we will work with you on language that certainly we can all accept, knowing that the goal is a very good one.

Mr. PALLONE. I appreciate that. Thank you.

I reserve the balance of my time.

Mr. YOUNG of Indiana. Madam Chair, I would just add that the purpose of this amendment, obviously, well received on both sides of the aisle—perhaps there are particulars we can work on—is to catalyze more innovation among the thousands, tens of thousands of entrepreneurs and innovators around this country, really around the world.

If we can get more minds collectively thinking about medical breakthroughs,

about actually curing diseases, as a preventative measure, we can save significant amounts of money in the long term. We can dramatically improve lives in the shorter term.

This is a model that opens up Federal Government funding as a reward for these innovations to our Nation's innovators, our entrepreneurs, our doers.

Right now, the NIH grant process is suboptimal for a lot of these individuals. I can speak to one individual. He used to be my neighbor, Fazni Aziz, of Bloomington, Indiana. He is a Thomas Edison-like figure, and he used to have a workshop right next to his house. He developed medical devices on his own and sold them off to larger companies.

Fazni Aziz would not receive an NIH grant. He will never apply for one. He doesn't have time to apply for one. Would he target a medical innovation on account of a prize that is offered? Indeed. We have consulted with him.

So for the people like Fazni Aziz around the world that can help Americans, we have developed this prize program.

Madam Chair, I yield 1 minute to the gentleman from Michigan (Mr. UPTON), the chairman.

Mr. UPTON. Madam Chair, I do rise in support of this important amendment that, with Mr. YOUNG and Dr. HARRIS, would authorize the NIH to conduct a prize program. The intent of the amendment is, in fact, to incentivize health innovation by offering competitors the chance to win a prize for developing breakthroughs. We ought to be encouraging that.

Importantly, individuals who win the prize competition would keep all of the intellectual property rights. I think that is very important.

So I would ask my colleagues to support the amendment. I look forward to working with both sides of the aisle to make sure that we can, in fact, perfect it as we get to the end of the cycle and, ultimately, to the President's desk.

Mr. PALLONE. Madam Chair, I yield back the balance of my time.

Mr. YOUNG of Indiana. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Indiana (Mr. YOUNG).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MS. LEE

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 114-193.

Ms. LEE. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 13, strike lines 8 through 13 (and make such conforming changes as may be necessary).

The Acting CHAIR. Pursuant to House Resolution 350, the gentlewoman



from California (Ms. LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. LEE. Madam Chair, I am very pleased to offer this amendment with my colleagues, two great women, Representative JAN SCHAKOWSKY and Representative YVETTE CLARKE.

Our amendment is very simple. It would strike a provision in this bill that applies to any policy riders included in the annual Labor, Health and Human Services and Agricultural appropriations bills to the new National Institutes of Health funds and the Federal Drug Administration funds included in H.R. 6, the 21st Century Cures Act.

This provision reiterates the current law restrictions on appropriations bills, like the Hyde amendment, which is restrictive and discriminatory against low-income women to make their own reproductive healthcare decisions. Now this would apply to this new fund created for the NIH in this bill.

Let's be clear what this is really about. It is yet another attempt to insert abortion restrictions and other inappropriate riders into an unrelated bill.

This is a bill to increase biomedical innovative research. The 21st Century Cures Act should have been a non-controversial, bipartisan effort. But anti-choice leaders could not help but add this to the bill after—mind you, after—it had passed out of committee on a bipartisan vote. It is really outrageous and part of a larger effort to force the inclusion of these harmful Hyde restrictions in multiple and unrelated bills.

We know that these dangerous policies disproportionately affect low-income women and women of color. So our amendment is about removing these inappropriate and consistent attacks on a woman's right to make her own healthcare decisions.

I urge my colleagues to vote "yes" to protecting a woman's right to choose.

I reserve the balance of my time.

Mr. UPTON. Madam Chair, I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. UPTON. Madam Chair, I yield 2 minutes to the gentleman from Pennsylvania (Mr. PITTS), the chairman of the Health Subcommittee.

Mr. PITTS. Madam Chair, I rise in opposition to the Lee amendment. If passed, this amendment would allow the National Institutes of Health to use taxpayer dollars to conduct experiments involving abortion or to hone abortion techniques.

Let me be clear. The underlying bill simply applies current Federal health policies that have been approved by both Republican and Democrat majori-

ties for decades to new funds appropriated in the Cures bill. It is nothing more than the status quo applied to new funding.

There is a reason why these policies are the status quo. Americans do not want their tax dollars used to destroy unborn lives. A poll conducted just this January showed 68 percent of Americans oppose taxpayer funding for abortion.

H.R. 6, the 21st Century Cures Act, is about finding cures and protecting the health and well-being of Americans. It would be a terrible injustice if a bill designed to save lives were to become a conduit for the destruction of the most vulnerable, the voiceless unborn who are still too young to be heard crying out for help.

I urge all Members to oppose this amendment.

Ms. LEE. Madam Chair, I yield 1 minute to the gentlewoman from Illinois (Ms. SCHAKOWSKY), a cosponsor of this amendment.

Ms. SCHAKOWSKY. Madam Chair, I am proud to join Congresswoman LEE and Congresswoman CLARKE in offering this amendment.

Our amendment would strike the policy riders that were added to the 21st Century Cures Act after it passed unanimously the Energy and Commerce Committee, 51-0.

□ 0945

Most notably, our amendment would remove the unnecessary addition of the Hyde amendment. The Hyde amendment is a discriminatory policy that denies millions of women the full range of healthcare choices, and it has no business being included in this legislation.

It is time for us to stop using these bills as a way to discriminate against women. Going forward, as far as I am concerned, I will not support any bill that adds such language.

It is time for us to stop taking away health services from low-income women, from women serving in the military, from Federal employees, and from every woman who relies on the Federal Government for her health insurance. All women, regardless of their incomes and what insurance they have, deserve to make their own health choices.

This harmful provision is unrelated to the goals of this otherwise bipartisan landmark legislation, and I ask that Members vote in favor of our amendment.

Mr. UPTON. Madam Chair, I yield 2 minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN), the vice chair of the Energy and Commerce Committee.

Mrs. BLACKBURN. Madam Chairman, I do rise in opposition to this amendment. I think it is important to realize a couple of things.

The American people have spoken out on this issue. Sixty-eight percent

of all Americans oppose taxpayer dollars being used for abortions. Seventy-one percent of all millennials oppose this.

What the Lee amendment would do is strip away bipartisan agreements that we use in appropriations bills. This is not something that is new. It is not language that is new.

The Hyde amendment and the Hyde language has been around for a very long time. The Lee amendment would reverse important limitations to protect these taxpayer dollars.

I have mentioned the opposition to abortion. There is also prohibition for the use of public funds to advocate for gun control, limit Federal grants from being awarded to tax cheats. Do we really want tax cheats being able to get Federal dollars?

It limits extravagant conference spending for public employees. Do we really want them to be able to waste these dollars? Of course not. Of course not.

That is why this language is in the bill. I encourage my colleagues to vote against the Lee amendment.

Ms. LEE. Madam Chair, I yield 1 minute to the gentlewoman from New York (Ms. CLARKE), another cosponsor of this amendment.

Ms. CLARKE of New York. Madam Chair, today I rise in support of the Lee-Schakowsky-Clarke amendment, and I thank them for their leadership in advancing this amendment.

H.R. 6, the 21st Century Cures Act, which received unanimous support from members of the Energy and Commerce Committee, demonstrates that Democrats and Republicans can work together in an effort to develop medicines, treatments, and cures that will save lives.

Unfortunately, our bipartisan consensus has been undermined by a last-minute inclusion of an antichoice provision in this bill. This new provision, which is a cynical poison pill and lacks germaneness to the underlying bill, would place restrictions on women's ability to access health services.

It fails to respect the personal dignity of women by limiting their healthcare options. It interferes with the private relationship between a woman and her doctor, and it denies women what I believe is their fundamental right to have control over their own bodies.

I am deeply concerned that this new provision will only serve as confirmation for the skeptics, who believe that Members of Congress are simply unable to work with each other in the public interest.

We have the opportunity to disprove the skeptic by voting for this amendment and stripping out this provision.

Mr. UPTON. Madam Chair, could I ask how much time is remaining on each side?

The Acting CHAIR. The gentleman from Michigan has 2 minutes remaining, and the gentlewoman from California has 1 minute remaining.

Mr. UPTON. Madam Chair, I yield myself such time as I may consume.

Madam Chair, I do rise in opposition to the Lee amendment. The Lee amendment would strip dozens of important limitations and restrictions that routinely apply to funding appropriated by Congress with bipartisan support and through the normal appropriation process.

For example, this amendment would strike limitations that, as has been noted, would prevent taxpayer dollars from being used to destroy life. And, frankly, they have been in place since the seventies, going back to the Henry Hyde days in the House.

The Lee amendment would also strike other commonsense protections that normally apply to appropriated funds. This includes restrictions that prevent Federal grants from being awarded to tax cheats.

The Lee amendment would be a vote, should it pass, to allow abuse of taxpayer funds. So I would urge the House to reject this amendment.

We carefully wrote provisions that the riders that are in place would apply to each of the years of the NIH funds. And I think that that is appropriate, that the Lee amendment would undermine that.

So I would urge my colleagues to vote "no."

I yield back the balance of my time.

Ms. LEE. I yield 1 minute to the gentlewoman from Colorado (Ms. DEGETTE), a leader of this bill and sponsor.

Ms. DEGETTE. Madam Chair, I rise in strong support of the Lee amendment, which removes completely unnecessary and intrusive policy riders attached to the funding provisions of the underlying bill after its unanimous passage from our committee.

At best, these policy riders are immaterial provisions that have no effect on the policies and activities of the NIH or FDA. Many of them interfere with researchers and the scientific understanding that can make us all safer and healthier.

The inclusion of the Hyde amendment, among these riders, is especially offensive. The last I heard, neither the NIH or the FDA ever performed abortions. And so Hyde's restrictions remind us that even bipartisan efforts are not immune from political attacks.

Women consist of more than half the patients in America, and their healthcare needs should not be insulted and restricted by this Congress.

I want to thank my colleagues, Congresswomen LEE, SCHAKOWSKY, and CLARKE, for introducing this amendment. We should remove these policy riders and keep 21st Century Cures' focus on the great potential to do more for patients.

Ms. LEE. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. LEE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. UPTON. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

#### AMENDMENT NO. 4 OFFERED BY MR. CASTRO OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 114-193.

Mr. CASTRO of Texas. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 32, line 8, insert before the period the following: " , including underrepresented individuals in the sciences, such as women and other minorities".

The Acting CHAIR. Pursuant to House Resolution 350, the gentleman from Texas (Mr. CASTRO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman.

Mr. CASTRO of Texas. Madam Chair, I thank Chairman UPTON, Ranking Member PALLONE, and also Congresswoman DEGETTE for their work on this bill.

My amendment seeks to ensure that, when the NIH reports on its retention of young scientists, it includes data specifically related to women and other underrepresented minority populations in the scientific community.

Madam Chair, I reserve the balance of my time.

Mr. UPTON. Madam Chair, I claim time in opposition, although I do not oppose this amendment.

The Acting CHAIR. Without objection, the gentleman from Michigan is recognized for 5 minutes.

There was no objection.

Mr. UPTON. Madam Chair, we support this amendment. I think that it is important. It would include underrepresented individuals in the sciences in the NIH report on efforts to attract, retain, and develop emerging scientists.

It is important to ensure that the NIH is indeed focused on including all qualified individuals dedicated to finding cures.

I know no one that is opposed to this amendment. We support it. I appreciate your hard work on this and look forward to having it be part of the process as it moves forward.

I yield back the balance of my time.

Mr. CASTRO of Texas. Madam Chair, I yield 1 minute to the gentleman from New Jersey (Mr. PALLONE), the ranking member.

Mr. PALLONE. Madam Chairwoman, this amendment would require the NIH to report on their specific efforts to attract more women and racial and ethnic minorities into the biomedical workforce.

It is clear that we must reverse the harmful trend of limited participation by women and racial and ethnic minorities in the biomedical workforce.

To remain the world's leader in research, we must encourage the best and brightest from all populations to pursue biomedical research careers.

Without robust participation by women and ethnic minorities, we risk losing our position as having the best biomedical workforce in the world.

So I urge my colleagues to vote "yes" on this amendment.

Mr. CASTRO of Texas. Mr. Chair, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Chair, this gives me an opportunity to not only thank the gentleman for his very astute amendment, but to thank the sponsors of this bill, Mr. PALLONE, Mr. GREEN, Ms. DEGETTE, Mr. UPTON, for all the work that has been done.

Having served a number of years on the House Science Committee, I want to thank the gentleman from Texas because all we heard very often was the value of investing in minorities and women as the new cutting edge of scientific research.

We know that this bill is expansive, but we are delighted with your emphasis on the recruiting of women and minorities, particularly for the young emerging scientists, and primarily because they begin to fuel the next generation of research and the next generation of the solving of problems, which is the American Cures Act.

So I rise to support the gentleman's amendment and say to you that the documentation is long, that these individuals will then fill the laboratories of America and begin to do cutting-edge research to be able to create a better life for all of us.

I thank the gentleman. I support his amendment.

Mr. CASTRO of Texas. Mr. Chair, I thank Chairman UPTON and the Republicans for their cooperation on this amendment.

I yield back the balance of my time.

The Acting CHAIR (Mr. HILL). The question is on the amendment offered by the gentleman from Texas (Mr. CASTRO).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MS. SLAUGHTER  
The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 114-193.

Ms. SLAUGHTER. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 152, insert after line 9 the following new subsection:

(C) STUDY AND REPORT ON THE IMPACT OF ADDITIONAL MEDICARE PAYMENT FOR DISARM DRUGS ON USAGE PRACTICES AND DEVELOPMENT OF RESISTANCE.—

(1) STUDY.—The Director of the Centers for Disease Control and Prevention shall conduct a study to examine the effects of the additional payment for DISARM drugs under the Medicare program provided under subparagraph (M) of section 1886(d)(5) of the Social Security Act (42 U.S.C. 1395ww(d)(5)), as added by subsection (a), on—

(A) the usage of DISARM drugs (as defined by clause (iii) of such subparagraph) by subsection (d) hospitals (as defined in section 1886(d)(1)(B) of such Act); and

(B) the development of resistance by individuals to such DISARM drugs.

(2) REPORT.—Not later than three years after the date of the enactment of this Act, such Director shall submit to Congress a report on the study conducted under paragraph (1).

The Acting CHAIR. Pursuant to House Resolution 350, the gentlewoman from New York (Ms. SLAUGHTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Ms. SLAUGHTER. Mr. Chair, I rise today in support of my amendment which directs the CDC, the Centers for Disease Control, to study whether incentivizing the use of new antibiotics, which the underlying bill does, will lead to antibiotic resistance and cause these lifesaving drugs to be less effective.

Section 2123 of the 21st Century Cures Act authorizes additional payments to hospitals for using newly developed antibiotics.

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Of course, the reason we need new antibiotics is that we have frittered away one of the greatest medical achievements of the 21st century by overusing the ones that we already have and hastening the development of bacterial resistance.

I fear that paying hospitals more to use a new generation of antibiotics will just repeat the cycle of overuse and develop more drug-resistant superbugs. Quite simply, the taxpayers should not foot the bill for practices that are making antibiotics less effective.

This amendment directs the CDC to study the effect the bill would have on drugs that are part of the foundation of modern medicine. I urge my colleagues, many of whom have expressed their alarm at the rise of antibiotic resistance, to support the amendment.

I am certainly not alone in my concern about this section of the bill. I know there are several Members, myself included, who will feel safer if section 2123 was removed entirely.

A recent report from the United Kingdom review on antimicrobial resistance, led by brilliant economist Jim O'Neill, noted that increasing reimbursements for new antibiotics risks

undermining “good infection control and antibiotic stewardship practices within hospitals.” The study required by this amendment will provide valuable data on the link between efforts to incentivize development of new antibiotics and the development of resistance to make sure we don’t repeat the cycle.

Mr. Chairman, I want to be clear about what is at stake here. Worldwide, antibiotic-resistant infections already kill 700,000 people every year. If we don’t act now, by the year 2050, according to Mr. O’Neill’s study, the annual death toll will rise to 10 million a year, and the costs will be \$100 trillion.

The World Health Organization has told us that the very future of medicine is at stake. Without antibiotics, modern medical advances such as joint replacements and organ transplants would be impossible, and even the routine procedures such as dental work and caesarean sections would be too risky to perform.

We have to remember that our urgent need for new antibiotics is due to our widespread misuse and overuse of the current antibiotics that led to the crisis of antibiotic resistance. We have to cure that before we use new antibiotics.

Mr. Chairman, 30 to 50 percent of the antibiotics prescribed to humans are unnecessary, but 80 percent of the antibiotics produced in the United States are used on industrial farms where they are routinely fed to healthy animals. It is an absolute recipe for creating antibiotic resistance. We can’t afford to keep using such precious, live-saving resources so thoughtlessly. The changes in how our current antibiotics are used are desperately needed.

Unfortunately, my amendment doesn’t do what I would really like to do, which would be to protect eight classes of antibiotics just for use in human health by not allowing their use on the farm except for sick animals.

Remember, as I said before, these antibiotics, 80 percent, are fed to well animals every single day. However, the amendment will ensure that we can know whether incentives to develop new antibiotics continue the problem of resistance. Having effective antibiotic for humans is too important not to get this right.

Mr. Chairman, I urge my colleagues to support the amendment, and I reserve the balance of my time.

Mr. UPTON. Mr. Chairman, although I am not in opposition to the amendment, I claim the time.

The Acting CHAIR. Without objection, the gentleman from Michigan is recognized for 5 minutes.

There was no objection.

Mr. UPTON. Mr. Chairman, we strongly support this amendment, and I congratulate the gentlewoman for offering it.

Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. BAR-

TON), the former chairman, ranking member, subcommittee chair, ranking member, and now chairman emeritus and former deputy whip.

Mr. BARTON. Mr. Chairman, I thank the gentleman.

Mr. Chairman, if you look up here at the podium right behind me on the Republican side, what do you see? Carved into the balustrade is the word “liberty.” If you look on the Democratic side, what do you see? You see the word “justice.” If you look straight down the center aisle right between them, what do you see? It is “tolerance.”

Mr. Chairman, the bill that is before us today is a culmination of 4 years of hard work between both political parties and both leaderships of the Energy and Commerce Committee on both sides of the aisle in which a lot of tolerance has been exhibited.

Conservatives on the Republican side haven’t gotten everything that we want in this bill, and liberals on the Democratic side haven’t gotten everything they want on this bill, but the work product is a culmination of an open process that Chairman UPTON and subcommittee Chairman PITTS have put together.

Every member of the committee has been invited to numerous working groups—probably 10, 15, I don’t know—and have been given every opportunity to have input into what they want and what they don’t want.

This bill would become law, and it will stay law. It will become law, and it will unite the medical research community. There are things in this bill that I have worked on for 10 years that will help find cures sooner rather than later.

Mr. Chairman, I had a woman in my office in Texas 4 days ago. Her son has autism, and he is 11 years old. He is her only child. They literally don’t know what to do. He speaks one word at a time. He becomes violent.

She has almost given up hope, but we are doing amazing research in autism. This bill will facilitate and expedite that. I am tired of telling parents of children: I don’t know. I can’t help you.

I want to say: Here is what we are doing.

This bill does that.

Now, Mr. Chairman, there is a \$2 billion mandatory program for 5 years called the innovation fund. Some of my conservative friends have said: Oh, we can’t vote for the bill because of that program.

What was Medicare part D? It was a mandatory program—\$40 billion that was not offset. Every Republican in the House voted for that—I might point out every Democrat voted against it—and that was voluntary. The people could participate or not participate, but it was mandatory that the Federal Government had to spend the money.

Last year, we voted on a program for veterans, \$10 billion. Every Republican

in the House voted for that. It wasn't offset.

Now, I would rather that we have everything discretionary. I wish the whole Federal budget was discretionary except for Social Security, but it is not.

The Acting CHAIR. The time of the gentleman has expired.

Mr. UPTON. Mr. Chairman, I yield the gentleman an additional 15 seconds.

Mr. BARTON. Mr. Chairman, let's come together. Let's vote for something that we can all be proud of so that we can tell the parents of children with autism that there is hope and there is a future.

Vote "yes." Please vote "yes."

Ms. SLAUGHTER. Mr. Chairman, I very much want to thank Mr. UPTON for his graciousness in accepting this, and I look forward to working with him further on this issue.

Mr. Chairman, I yield the balance of my time to the gentleman from Texas, Congressman GENE GREEN.

Mr. GENE GREEN of Texas. Mr. Chairman, I want to thank our ranking member on the Rules Committee for bringing up this amendment. I support the amendment.

Mr. Chairman, this bill also includes some great provisions in there for the next generation of research on antibiotics. Congressman JOHN SHIMKUS and I worked on it this session, and previously, over the last two sessions, Congressman Phil Gingrey and I worked on it.

What this amendment addresses is it is not just a new generation, but we also need to not overuse what we have. That is a problem in our country. As I say, I have sinus infections, but those antibiotics won't help it. We need to make sure we don't overuse.

Mr. Chairman, I am glad our colleague has come up with the amendment, and I support her amendment.

Ms. SLAUGHTER. Mr. Chair, I yield back the balance of my time.

Mr. UPTON. Mr. Chairman, I yield the balance of my time to the gentleman from Illinois (Mr. ROSKAM), a member of the important Ways and Means Committee.

Mr. ROSKAM. Thank you, Chairman UPTON.

Mr. Chairman, my DISARM Act is part of this H.R. 6 Cures Act, and I thank Chairman UPTON and his staff for including it. It is a focal point of a lot of discussion on both sides of the aisle as it relates to antibiotics.

Mr. Chairman, there is an incredible health threat that has manifested itself interestingly and sadly in two important ways near my constituency in the Chicago area.

Back in December of 2013, 44 patients at Lutheran General Hospital cultured positive for CRE, which is known as the nightmare bacteria. To put this in perspective, previously, only 96 cases

had been reported to the CDC before. Nearby, in Algonquin, Illinois, two cases of an ostensibly drug-resistant tuberculosis were also diagnosed. Now, according to the CDC, 23,000 patients die annually from this.

What the DISARM Act does—which is embedded in Cures, H.R. 6—is it gets researchers and scientists back in the business of antibiotic research and development by modernizing how Medicare views treatments for infections that are considered to be unmet medical needs.

It reimburses target antibiotics at cost to ensure a functioning marketplace where the right treatment is used at the right time for the right patient helping to reinvigorate the pipeline of drugs and development, and it is a critical piece of the drug resistance puzzle.

Mr. Chairman, I urge passage of Cures, H.R. 6, and I thank Chairman UPTON.

Mr. UPTON. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Ms. SLAUGHTER).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. FITZPATRICK

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 114-193.

Mr. FITZPATRICK. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 235, after line 2, insert the following:

#### **Subtitle R—Other Provisions**

#### **SEC. 2321. SENSE OF CONGRESS.**

It is the sense of the Congress that recording unique device identifiers at the point-of-care in electronic health record systems could significantly enhance the availability of medical device data for postmarket surveillance purposes.

The Acting CHAIR. Pursuant to House Resolution 350, the gentleman from Pennsylvania (Mr. FITZPATRICK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. FITZPATRICK. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, first, I want to express my deep appreciation to Chairman UPTON and Ranking Member DEGETTE on this bill. The funding and these innovative reforms will save lives, and that is something that everyone in this Chamber should be proud of. There are a lot of wonderful provisions in this bill, and we should see those provisions through.

I am a member, Mr. Chairman, of the Rare Disease Caucus. Like most of us here, I have met with constituents with incredible stories of courage and

stories of their battle with diseases without treatments. It would be easy to fall victim to despair, but they don't.

They remain beacons of hope, hope for a treatment and hope for a world where no one else has to go through what they did. They look to us to support them and to fight alongside them for these treatments in lifesaving research, and I am proud to stand with them and to fight for them.

There is a part of this bill that I believe will do more harm than good, and that is the part that deals with easing medical device safety regulations. While we bring our research and treatments into the 21st century, I think it is equally important we bring our medical device safety regulations into the 21st century as well.

As part of a 21st century approach to medical devices, the FDA has established a unique device identification system to adequately identify medical devices through their distribution and use. These codes can significantly improve safety and help track down dangerous recalled products.

Currently, these UDIs are not incorporated into all electronic health records, which make it difficult to fully achieve the benefits to patient safety. For example, a claim form might list a procedure like a routine surgery to remove uterine fibroids, but not note the make or model of the device used, such as the laparoscopic power morcellator, a device that the FDA placed a black box warning on, some manufacturers have recalled, and some insurance companies have stopped covering as a result of its devastating adverse effects on women's health.

It is this tragedy surrounding the power morcellator that has driven me to action, and it is why I offered eight amendments to the Rules Committee which would strengthen our safety laws.

This week, I have heard from dozens of these individuals affected by complications from power morcellation. One doctor from California sent me a note about how her sister died 9 months after a routine surgery with a power morcellator. A woman from Massachusetts described her battle with the cancer that was spread by the morcellator. These constituents wrote their letters to Members of Congress and copied my office.

Another constituent in New York lost her sister to cancer spread by the morcellator and described her sister's tragedy as "a routine surgery ending with a death sentence." A constituent of mine, a doctor and a mother of six children, is courageously fighting an aggressive cancer that was spread by the blades of the device.

What happened, Mr. Chairman, with the power morcellator should never be allowed to happen again, and I think

that we missed an opportunity with this bill to tackle this problem head-on.

In 2011, the Institute of Medicine found the current, four-decade-old medical device safety process known as 510(k) inadequate, noting “510(k) process lacks the legal basis to be a reliable premarket screen of the safety and effectiveness of moderate-risk devices.”

I wish the bill had addressed this gap that allowed the power morcellator to slip through and cause unnecessary harm to way too many families.

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It is time we take our medical device safety regulations into the 21st century. I ask my colleagues to join me in this effort and to support this amendment of mine today, which is a small but important step.

I am proud to stand for patient safety. I urge my colleagues to stand with me and the thousands of others who have been injured or killed by unsafe medical devices.

Mr. Chairman, I yield to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Chair, I rise today in support of the amendment offered by Representative FITZPATRICK.

The Fitzpatrick amendment would put forward a sense of Congress that our healthcare system should find ways to incorporate information from medical devices into the care of our Nation's patients.

I believe that such information can prove a valuable tool advancing quality health care in this country, but it must be done carefully to ensure that the value to patients, healthcare providers, industry, and the government is realized.

Mr. PALLONE. Mr. Chairman, I rise in opposition, although I do want to speak in favor of the amendment.

The Acting CHAIR. Without objection, the gentleman from New Jersey is recognized for 5 minutes.

There was no objection.

Mr. PALLONE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the amendment offered today by Congressman FITZPATRICK expresses a sense of Congress that recording unique device identifiers within electronic health records could significantly enhance the availability of medical device data for purposes of postmarket surveillance.

I have long supported the use of UDIs. In the Food and Drug Administration Amendment Act of 2007, we required FDA to establish a unique device identification system; and in the Food and Drug Administration Safety and Innovation Act of 2012, we required FDA to promulgate final implementing regulations on how UDIs should be used.

Better integrating the use of UDIs into our health system will lead to improved medical devices and care across

our healthcare system that will modernize how FDA monitors the safety of medical devices after they have been approved or cleared, and it will enable FDA and providers to identify medical devices with a history of safety issues. It also will facilitate recalls and make it easier for patients to learn when their medical device, such as a knee implant, is subject to a recall.

The unique device identifier is one more tool that can help FDA and our healthcare system improve their monitoring of the safety of medical devices. Incorporating UDIs into electronic health records will take time, but it is a worthy goal, and one that I support.

I urge my colleagues to support the amendment offered by Congressman FITZPATRICK.

I yield back the balance of my time.

Mr. FITZPATRICK. Mr. Chairman, I would like to thank Ranking Member PALLONE and Chairman PITTS for their support of this amendment.

This amendment will, as I said, take a small step toward improving medical device safety in the United States.

As I said earlier in my remarks, I have seven amendments that did not make it out of Rules Committee, and I hope to be able to work with the chairman and the ranking member on those issues as well.

I urge my colleagues to support the amendment, and I yield back the balance of my time.

Mr. PASCRELL. Mr. Chair, I rise today in support of the Fitzpatrick Amendment.

The unique device identifier (UDI) is an extremely important patient-safety tool, and can help identify safety concerns with devices more quickly or disprove a suspected problem. I support the inclusion of UDI in electronic health records, as this amendment encourages. But I have also been working in the Ways and Means Committee to include the UDI in Medicare claims.

As is the case with any new medical technology, not all adverse events are detected in the product's market approval or clearance processes. However, we can mitigate the impact on patients with a robust post-market surveillance program.

In 2013 and 2014 alone, the FDA recalled more than 120 medical devices, but in many cases, the recall occurs only after the devices have been implanted in or used by hundreds or thousands of patients. This can result in extensive revision surgeries, severe pain or other medical problems, and in some cases, even death. In a 2001 device recall case, Sweden's post-market surveillance program successfully identified the faulty device after it had been implanted in 30 patients. By contrast, the same device was implanted into 3,000 U.S. patients before the gravity of the problem was recognized.

The FDA's Sentinel Initiative, which has been very successful in tracking and evaluating adverse events linked to the use of pharmaceuticals, relies primarily on data from health insurance claims. Because claims currently lack information on the specific devices used in patients' care, Sentinel cannot be ex-

panded to include medical devices as Congress has directed FDA to do. This is a missed opportunity.

Patients deserve access to innovative new devices that improve their health and their lives. And a vote for this amendment tells patients that we owe it to them and to be able to quickly identify problems with devices when they arise.

I urge my colleagues to support this amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. FITZPATRICK).

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. POLIS

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 114-193.

Mr. POLIS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 235, insert after line 2 the following new subtitle:

#### Subtitle R—Other Provisions

#### SEC. 2321. STUDY ON TWO-TIERED APPROVAL PROCESS FOR DEVICES BY FDA.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit to Congress a report assessing the feasibility, benefits, and risks associated with establishing an expedited, two-tiered approval process for devices (as defined in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321)) that would enable devices to be lawfully marketed as of the date on which the device has been shown to be safe—

(1) regardless of whether the device has been shown to be effective; and

(2) so long as the person submitting the application for approval of the device has made no false claims with respect to whether the device is safe or effective.

(b) INCLUDED ELEMENTS OF REPORT.—The report described in subsection (a) shall include—

(1) an analysis of the impact of such a process on survival rates and quality of life measures for seniors and individuals with disabilities;

(2) an analysis of the impact of such a process on survival rates and quality of life measures of individuals suffering from life-threatening or irreversibly debilitating human diseases or conditions;

(3) an estimation of the impact such a process would have on national health care costs;

(4) an analysis of the extent to which such a process could be designed so as to guarantee that patient safety is not compromised;

(5) an analysis of the extent to which fraudulent or ineffective devices could be marketed to patients under such a process and how such risks could be successfully mitigated;

(6) proposals for providing device manufacturers with incentives to show the effectiveness of devices after the Secretary of Health and Human Services has approved such devices to be lawfully marketed under such a system, such as—

(A) by permitting only limited marketing of a device, the effectiveness of which has not yet been shown; or

(B) by revoking approval of any device, the effectiveness of which has not been shown within a specified timeframe; and

(7) recommendations for whether such a process should be applicable to all devices or to only devices that have been granted specific designations by the Secretary or been determined eligible to be approved under specific approval programs under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.).

The Acting CHAIR. Pursuant to House Resolution 350, the gentleman from Colorado (Mr. POLIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Mr. Chairman, I would like to start by commending Chairman UPTON, Ranking Member PALLONE, Ms. DEGETTE, Mr. GREEN, and so many others. I am proud to join as a cosponsor for the 21st Century Cures Act, which is really a first step to updating our approval process to help countless Americans gain access to lifesaving drugs and devices.

This bill will save lives. I am proud to support it and send a strong message that we need to move forward with reform.

But at the same time we are passing this bill, we should start thinking about what the next step is. Passage of this bill should not foreclose additional opportunities in the future to improve access to lifesaving medical device products and lifesaving drugs.

Most importantly, this body can move forward with the next generation and start the process to help people get access to medical technology that can help keep people healthy, independent, save lives, and save money.

It is in that spirit that I put forward my amendment, which would look at a two-tiered approval process for medical devices, that would allow devices to come to market once they have demonstrated safety while the FDA is still reviewing them for efficacy.

This solves a real problem in the world. In the U.S., the cost of bringing a medical device to market through the approval process is \$30 million to \$100 million. Those are costs that are then added to consumers of the medical device. That makes it even more difficult for niche medical devices that may help rare and unusual conditions because they are priced prohibitively.

In addition, there is the aspect of the timeline. In the European market, for instance, if somebody creates a new device to prevent blood clots, it reaches the market in 7 to 11 months. In the U.S. market, they are looking at a timeline of 2½ to 4 years. Think of how many sufferers might die or have additional health problems simply because our own government is keeping that lifesaving product off the market, even though it has been demonstrated as safe.

An additional result is that some medical technology companies are by-

passing the U.S. market altogether when they develop new devices, which can result in years-long delays for access to U.S. patients and, in some cases, companies who view the U.S. approval system as too expensive market their devices exclusively in other nations.

I think it is important to talk about what comes next. I think that with both devices and drugs, we need to look at the potential for a two-tiered process that allows a provisional approval and access to the U.S. market. That doesn't mean that insurance will cover it. That doesn't mean, clearly, that they can make any health claims with regard to the efficacy of their product. That is in existing law. But with regard to the safety being demonstrated, the provisional marketing of the product in America can save lives and will save lives.

I reserve the balance of my time.

Mr. GENE GREEN of Texas. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. GENE GREEN of Texas. Mr. Chairman, I rise not necessarily in opposition to the amendment, but concerning the amendment offered by my colleague, Congressman POLIS.

I want to thank the Congressman for his efforts to advance medical device development and would like to work with him on the legislation to enhance patient access to therapies.

However, I am concerned this amendment as drafted would lower the approval standard for medical devices and suggest that patients should be exposed to products that are not proven effective.

The FDA approval is a global gold standard for safety and effectiveness. While I support efforts to modernize and improve the standard, safety cannot be evaluated in a vacuum, and patients should not be offered treatments that have not been studied or proven useful to their care.

I have great respect for my colleague, Congressman POLIS, and appreciate his commitment to improving our healthcare system. I would like to work with him forward on that because he was correct in his statement, this doesn't mean it will be reimbursed. So we are proving a device is safe but it is not effective. I think there is a way, maybe, we can still make sure that not only we want it to be safe, but we want also to solve the problem or have a cure for whatever particular illness.

Mr. UPTON. Will the gentleman yield?

Mr. GENE GREEN of Texas. I yield to the gentleman from Michigan.

Mr. UPTON. Mr. Chairman, I would like to give my commitment, too. I would like to work with the gentleman from Colorado. This is an important issue. I believe it has got merit, but we

have got to make sure that it is designed just the right way.

I want to say it is probably the lateness of the timing of the amendment when it came forward. It is my understanding the gentleman may withdraw the amendment—I would appreciate that—and allow us some time to really get together and see if there might be another day.

Mr. PALLONE. Will the gentleman yield?

Mr. GENE GREEN of Texas. I yield to the gentleman from New Jersey.

Mr. PALLONE. Mr. Chairman, I just want to join with my other colleagues, Mr. GREEN and also the chairman, that we do understand the purpose of the Polis amendment, but we do have problems with it at the same time. We would like to have a conversation with Mr. POLIS about it. I understand he is going to withdraw it. Then we would follow up and have a conversation and perhaps a meeting with the FDA as well.

Mr. GENE GREEN of Texas. Mr. Chairman, I reserve the balance of my time.

Mr. POLIS. Mr. Chairman, I thank both the chair and the ranking member.

This is a very important discussion to have, both with regard to devices and also with regard to drugs.

We know that there are treatments that are available overseas. I represent a district with, by the way, one of the largest veterinary hospitals in our country, Colorado State University Veterinary Teaching Hospital, and I can tell you that there are actually treatments, advance treatments available today for animals with cancer, like horses, that are not yet approved for humans and are lifesaving.

If we can provide access in a shortened timeframe—I understand that while medical devices might cost \$30 million to \$100 million to bring to market, drugs often cost over \$1 billion to bring to market.

There are additional opportunities, by the way, in making sure that, as part of this provisional process, at least with regard to drugs, the data can be gathered, too. So it can serve a dual function and might, at the same time complying with some of the needs or an updating of the needs of some of the phases of FDA efficacy trials, it can actually be available through a market-oriented plan where people, consumers who are fully informed and, of course, to whom no health claims have been made, can choose to purchase the product, just as they can today, by the way, but they have to buy it overseas and import it for their own personal use. I have constituents who do that. But I think we can facilitate that process.

I deeply appreciate working with the chair and the ranking member of the committee and the subcommittee with regard to helping to bring access to

lifesaving medical devices and pharmaceutical products to our shore.

Mr. FITZPATRICK. Will the gentleman yield?

Mr. POLIS. I yield to the gentleman from Pennsylvania.

Mr. FITZPATRICK. Mr. Chairman, I was actually going to rise in opposition to the amendment, although now it is being withdrawn I see an opportunity here for, perhaps, us to work together on the medical device safety issue.

I was going to object and vote against the amendment because it is my concern that the amendment would actually loosen medical device safety regulations and permit safe but ineffective devices to get to the market. I know that this sort of came late in the process. I would have objected because I had seven amendments before the committee to strengthen medical device regulations. But since the amendment is being withdrawn, I would see an opportunity for us perhaps to work together, take a step back and look at all the FDA regulations on medical device safety.

Mr. POLIS. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Colorado?

There was no objection.

AMENDMENT NO. 8 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 114-193.

Ms. JACKSON LEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 352, after line 8, insert the following:  
**SEC. 4062. OUTREACH TO HISTORICALLY BLACK COLLEGES AND UNIVERSITIES.**

The Secretary of Health and Human Services shall conduct outreach to historically Black colleges and universities, Hispanic-serving institutions, Native American colleges, and rural colleges to ensure that health professionals from underrepresented populations are aware of research opportunities under this Act.

The Acting CHAIR. Pursuant to House Resolution 350, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Chairman, let me add my appreciation to Mr. UPTON, Ms. DEGETTE, Mr. PITTS, Mr. PALLONE, and Mr. GREEN, and I ask the simple question: When have we had a historic opportunity on the floor of the House to have such a major investment—major investment—in the lives and health of Americans, quality investment involving a mandatory fund that will open America's labs and put more people in labs and be able to give

people relief on some of the issues that we have heard discussed today?

I thank Mr. BARTON for raising the sadness that comes of parents that cannot find answers. Many of them are my constituency who have children with sickle cell, as we have been attempting to research this disease for many, many years; or the lupus that took advantage of a very active civic leader and caused the hospitalization for months; or this issue of triple negative breast cancer that many people are not aware of.

The amendment I have today is to emphasize the importance of outreach to our Historically Black Colleges, Hispanic-serving, Indian, Native American, and rural colleges.

Let me explain for a brief moment the importance of this particular message.

Physicians are a gateway to the patient. In short, the Jackson Lee amendment seeks to open up the physician gateway for patients and to researchers. It is to emphasize STEM education. It is to talk about the different medical illnesses and how important it is to reach out to these particular institutions to produce more medical professionals.

According to the Centers for Disease Control and Prevention, sickle cell trait is common among African Americans and occurs in about 1 in 12. Additionally, race and ethnicity have also been shown to affect the effectiveness in response to certain drugs.

We need these students from these colleges to be in our labs, to be physicians, and to welcome minorities into the clinical labs; because we have evidence to show of the short numbers of individuals who volunteer for clinicals, and minorities are at the low end.

□ 1030

I encourage my colleagues to support the Jackson Lee amendment. Open the doors of research and patient care through doctors, and open the doors of solving some of these very difficult diseases.

I reserve the balance of my time.

Mr. UPTON. Mr. Chairman, I claim the time in opposition, although I support the amendment.

The Acting CHAIR. Without objection, the gentleman from Michigan is recognized for 5 minutes.

There was no objection.

Mr. UPTON. Mr. Chairman, I yield myself 2 minutes.

I appreciate this amendment. It is a good amendment, and it builds on what a member of our committee, BOBBY RUSH, did in the full committee markup.

It directs the Secretary of HHS to perform outreach to Historically Black Colleges and Universities, to Hispanic-serving institutions, Native American colleges, and rural colleges to ensure health professionals from unrepre-

sented areas are, in fact, aware of research opportunities under this act. It is a real complement to what was done before.

Mr. RUSH, as I remember, grabbed me on the House floor literally during our markup process and was very supportive of a number of amendments through the night. In fact, we worked on those amendments and included them in the manager's amendment. I offered them the very next morning, and they were accepted on a voice vote. This is clearly a bipartisan amendment. It is essential that we include everyone as we find cures for all.

Ms. JACKSON LEE and I have worked together on a number of health-related issues over the years, on date rape drugs and other issues that really strike to the heart. So I appreciate her value in adding this amendment, and I very strongly support it.

Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. FATTAH).

Mr. FATTAH. Mr. Chairman, this is a special day. This is probably the first day that I would have preferred to have been a member of the chairman's committee rather than of the Appropriations Committee. The committee should be congratulated for its great work on this bill, and I am happy to be an original cosponsor.

I rise in support of the amendment. It is critically important that we have serious outreach to all of our universities and medical centers, including African American, Hispanic, Native American universities, and those in the most rural parts of our country.

I thank the gentleman and DIANA DEGETTE and all of those who worked on this great piece of legislation.

Ms. JACKSON LEE. Mr. Chairman, how much time is remaining?

The Acting CHAIR. The gentlewoman from Texas has 2½ minutes remaining.

Ms. JACKSON LEE. Mr. Chairman, I am delighted to yield 30 seconds to the gentleman from New Jersey (Mr. PALLONE), the distinguished ranking member of the Energy and Commerce Committee.

Mr. PALLONE. Mr. Chairman, I just want to urge support for this amendment.

We need to make sure that emerging scientists from all populations understand Congress' commitment to ensuring that the funding is there to support our biomedical workforce.

Requiring the Secretary to do outreach to colleges and universities that educate large numbers of students from underrepresented groups will ensure that all groups know of our commitment to making sure that funding is not a barrier to a career in biomedical research.

I urge my colleagues to vote "yes" on the SHEILA JACKSON LEE amendment.

Ms. JACKSON LEE. In reclaiming my time, Mr. Chairman, I thank Mr.



UPTON. I certainly thank Mr. FATTAH, Mr. PALLONE, and, again, my dear friend from Texas (Mr. GREEN) for his great leadership.

Let me indicate that certain medical illnesses have been known to have a higher prevalence amongst certain demographic groups, including type 2 diabetes, lupus, sickle cell anemia, triple-negative breast cancer, and many other forms of diseases impacting our children, ones with early birth.

So I ask my colleagues again to support this because increased diversity in research trials could help researchers find better, more precise ways to fight diseases that disproportionately impact certain populations and may be important for the safe and effective use of therapies.

Again, I think this is a historic day, and I join with Mr. UPTON to say that we have been friends. We started with the first bill together, and all of these Members have come together to put a historic mark on this Nation to say that we will not take a back step to any nation on research and on improving the quality of life for all of our citizens.

I must say that this is a historic day as well for minorities. I thank Mr. RUSH for his constant service, and I take note of the fact that increased in this is the ability to raise the FDA loans that people might get to \$50,000, which will help many minorities. I hold this chart to show that minorities don't volunteer for clinicals without the outreach.

Finally, I am delighted to have a letter from United Negro College Fund President Michael Lomax, who indicates that 25 percent of African American graduates with degrees in science, technology, engineering, and math come from our Historically Black Colleges.

They are waiting in line to be a part of these clinicals, to be doctors and researchers, and we must give them that opportunity. It is a historic day.

UNITED NEGRO COLLEGE FUND, INC.,  
Washington, DC, July 9, 2015.

Hon. SHEILA JACKSON LEE,  
House of Representatives,  
Washington, DC.

DEAR REPRESENTATIVE JACKSON LEE: On behalf of UNCF (the United Negro College Fund), our 37 member private historically Black colleges and universities (HBCUs) and the students we serve, I write to express our strong support for your amendment to H.R. 6, the 21st Century Cures Act, which would require the U.S. Department of Health and Human Services to increase its outreach to underrepresented health professionals and researchers regarding federal research opportunities.

As you know, Historically Black Colleges and Universities (HBCUs) are making strong contributions to the nation's scientific, technological, and research workforce. HBCUs enroll 10 percent of African American undergraduates, but produce 25 percent of African American graduates with degrees in science, technology, engineering, and mathematics (STEM) fields. According to the National

Science Foundation (NSF), ten of the top eleven baccalaureate institutions producing African American STEM doctorate recipients are HBCUs. Four HBCU medical institutions supply over 50 percent of African Americans who receive doctoral degrees in medicine, dentistry, and the biomedical sciences each year.

Despite these contributions, federal efforts to tap into this talent pool in the dissemination of federal research grants at the National Institutes of Health, the NSF, and other federal science agencies continues to lag behind. Your amendment will help draw greater attention to the disproportionately low representation of minority researchers in U.S. Department of Health and Human Services-supported biomedical and behavioral research.

We are grateful for your recognition of the vital need to diversify and strengthen the nation's scientific and research workforce and thank you for your ongoing advocacy to drive improvement.

Sincerely,

MICHAEL L. LOMAX, PH.D.,  
President and CEO, UNCF.

Ms. JACKSON LEE. I cannot conclude my remarks without saying that just a few minutes ago, by video, I witnessed the flag of South Carolina—the rebel flag—being taken down.

I would only say that it is a unifying factor. This bill is a unifying factor, and it is going to help all of us. I ask my colleagues to support the Jackson Lee amendment.

Mr. Chair, I have an amendment at the desk. It is listed in the Rule as Jackson Lee #8.

I wish to thank the Chair and Ranking Member of the Committee on Rules for making the Jackson Lee Amendment in order.

I thank Energy and Commerce Committee Chairman UPTON and Ranking Member PALLONE for their collaborative effort that resulted in this bipartisan legislation being reported favorably to the House by a vote of 51–0.

I thank them all for this opportunity to explain the Jackson Lee Amendment, which makes a good bill even better by ensuring that the national goals of finding and bringing more cures and treatments to patients and strengthening the biomedical innovation ecosystem in the United States is aided by an expanding pool of diverse and talented medical researchers.

Specifically, the Jackson Lee Amendment provides:

The Secretary of Health and Human Services shall conduct outreach to historically Black colleges and universities, Hispanic-serving institutions, Native American colleges, and rural colleges to ensure that health professionals from underrepresented populations are aware of research opportunities under this Act.

Many racial health disparities stem from lack of access to quality healthcare and proper health awareness.

Unfortunately this means that incidence of disease does not always match trial populations.

For example, consider that:

1. African-Americans represent 12% of the U.S. population but only 5% of clinical trial participants.

2. Hispanics make up 16% of the population but only 1% of clinical trial participants.

3. Sex distribution in cardiovascular device trials is 67% male.

Other significant barriers to diversified clinical trials, which are the key to sound medical research and the foundation for medical cures and breakthroughs, as reported by investigators and coordinators are insurance status, patient inconvenience costs, availability of transportation, distance to the study site, and patient and family concerns about risk.

But the most significant barriers limiting clinical participation are race, age, and sex of participants:

1. Women and minority patients are more difficult to recruit.

2. Women and minority physicians have less experience and are relatively more costly to engage.

3. Minority patients with limited English proficiency can require costly translation services.

The first step in engaging women and minorities in clinical trials is finding them.

Research has shown that minority patients seek physicians of their own race, so bringing these doctors into trials is critical.

"Physicians are the gateway to the patient".

There are disturbing statistics on the number of African Americans, Hispanics and Native Americans pursuing academic qualification and participating in scientific research.

Many barriers exist that account for the low rate of participation among diverse communities, including patient fear of experimentation and lack of understanding or education with regard to the importance of clinical trials in creating new treatments and cures.

The Jackson Lee Amendment is intended to aid in the necessary effort to diversify the pool of doctors and medical researchers conducting clinical trials, and thereby helping to diversify the participants in the clinical trials.

In short, the Jackson Lee Amendment seeks to open the "physician gateway" to the patient.

The Journal on STEM Education reported in 2011 that only 8.34% of the STEM doctorates awarded in 2006 were given to URM's, despite making up approximately 28% of the U.S. population.

Furthermore, GAO noted that while the percentage of underrepresented minorities nationwide increased from 13% to 19% from 1994 to 2003, the total number of STEM doctorates awarded to the same group dropped during this period from 8,335 to 7,310.

In response, the National Institute of General Medical Sciences (NIGMS) created the Minority Opportunities in Research (MORE) Division and similar academic intervention programs.

The MORE programs are comprised of four primary components: research experience, mentoring and advisement, supplemental instruction and workshops, and financial support.

In 2007, NIGMS' annual budget was \$1.9 billion, of which nearly \$126 million was spent on its MORE programs.

This amount includes the Minority Biomedical Research Support-Research Initiative for Scientific Enhancement (MBRS-RISE) program, the Minority Access to Research Careers (MARC), Post-baccalaureate Research Education Program (PREP), and the Bridges to the Baccalaureate and Bridges to the Ph.D. programs.

The amount of funds dedicated to these programs reflects the commitment by the science and research community to the goals of the MORE Division in addressing this problem.

Certain medical illnesses have been known to have higher prevalence in certain demographic groups, including type II diabetes, lupus, sickle cell anemia, and Triple Negative Breast Cancer for which African Americans are more than twice as likely to be diagnosed on average.

According to the Centers for Disease Control and Prevention, sickle cell trait is common among African Americans and occurs in about 1 in 12, and sickle cell disease occurs in about 1 out of every 500 African-American births, compared to about 1 out of every 36,000 Hispanic-American births.

Race and ethnicity have also been shown to affect the effectiveness of and response to certain drugs, such as anti-hypertensive therapies in the treatment of hypertension in African Americans and anti-depressants in Hispanics.

Increased diversity in research trials could help researchers find better, more precise ways to fight diseases that disproportionately impact certain populations, and may be important for the safe and effective use of new therapies.

But before we can engage more women and minorities to participate in clinical trials, we must be able to find them.

And the key to finding minority patients is to find more physicians from their racial and ethnic groups because research has shown that physicians are the gateway to the patient.

The Jackson Lee Amendment opens that gateway.

I urge support for the Jackson Lee Amendment.

I yield the balance of my time.  
Mr. UPTON. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The amendment was agreed to.

#### ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 114-193 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. BRAT of Virginia.

Amendment No. 3 by Ms. LEE of California.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

#### AMENDMENT NO. 1 OFFERED BY MR. BRAT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. BRAT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 141, noes 281, not voting 11, as follows:

[Roll No. 431]

#### AYES—141

Abraham	Graves (GA)	Poe (TX)
Aderholt	Graves (LA)	Poliquin
Amash	Grothman	Posey
Amodei	Hardy	Price, Tom
Babin	Harris	Ratcliffe
Barr	Hartzler	Renacci
Bishop (MI)	Heck (NV)	Ribble
Bishop (UT)	Hensarling	Rice (SC)
Black	Hice, Jody B.	Rigell
Blum	Holding	Roby
Brady (TX)	Huelskamp	Rohrabacher
Brat	Huizenga (MI)	Rokita
Bridenstine	Hultgren	Rooney (FL)
Brooks (AL)	Hunter	Ross
Buck	Hurd (TX)	Rothfus
Byrne	Hurt (VA)	Rouzer
Carter (GA)	Issa	Royce
Carter (TX)	Jenkins (KS)	Russell
Chabot	Johnson, Sam	Ryan (WI)
Chaffetz	Jolly	Sanford
Clawson (FL)	Jones	Schweikert
Coffman	Jordan	Scott, Austin
Collins (GA)	Joyce	Sensenbrenner
Conaway	King (IA)	Sessions
Cook	Labrador	Smith (MO)
Crawford	LaMalfa	Smith (NE)
Culberson	Lamborn	Smith (TX)
DeSantis	Loudermilk	Stewart
DesJarlais	Love	Stutzman
Duffy	Lummis	Thornberry
Duncan (SC)	Marchant	Tipton
Duncan (TN)	Massie	Trott
Emmer (MN)	McClintock	Walberg
Farenthold	Meadows	Walker
Fincher	Messer	Walorski
Fleischmann	Mica	Weber (TX)
Fleming	Miller (FL)	Webster (FL)
Forbes	Mooleenaar	Wenstrup
Fortenberry	Mooney (WV)	Westerman
Fox	Mulvaney	Westmoreland
Franks (AZ)	Newhouse	Williams
Garrett	Noem	Wilson (SC)
Gibbs	Palazzo	Wittman
Gohmert	Palmer	Woodall
Goodlatte	Paulsen	Yoho
Gosar	Pearce	Young (IN)
Gowdy	Perry	Zinke

#### NOES—281

Adams	Carson (IN)	DelBene
Aguilar	Cartwright	Denham
Allen	Castor (FL)	Dent
Ashford	Castro (TX)	Deutch
Barletta	Chu, Judy	Diaz-Balart
Barton	Cicilline	Dingell
Beatty	Clark (MA)	Doggett
Becerra	Clarke (NY)	Dold
Benishek	Clay	Donovan
Bera	Cleaver	Doyle, Michael
Beyer	Clyburn	F.
Bilirakis	Cohen	Duckworth
Bishop (GA)	Cole	Edwards
Blackburn	Collins (NY)	Ellison
Blumenauer	Comstock	Ellmers (NC)
Bonamici	Connolly	Eshoo
Bost	Conyers	Esty
Boustany	Cooper	Farr
Boyle, Brendan	Costa	Fattah
F.	Costello (PA)	Fitzpatrick
Brady (PA)	Courtney	Flores
Brooks (IN)	Cramer	Foster
Brown (FL)	Crenshaw	Frankel (FL)
Brownley (CA)	Crowley	Frelinghuysen
Buchanan	Cuellar	Fudge
Bucshon	Cummings	Gabbard
Burgess	Curbelo (FL)	Gallego
Bustos	Davis (CA)	Garamendi
Butterfield	Davis, Danny	Gibson
Calvert	Davis, Rodney	Graham
Capps	DeFazio	Granger
Capuano	DeGette	Grayson
Cárdenas	Delaney	Green, Al
Carney	DeLauro	Green, Gene

Griffith	MacArthur	Ryan (OH)
Grijalva	Maloney,	Sánchez, Linda
Guinta	Carolyn	T.
Guthrie	Maloney, Sean	Sarbanes
Hahn	Marino	Scalise
Hanna	Matsui	Schakowsky
Harper	McCarthy	Schiff
Hastings	McCaul	Schrader
Heck (WA)	McCollum	Scott (VA)
Herrera Beutler	McDermott	Scott, David
Higgins	McGovern	Serrano
Hill	McHenry	Sewell (AL)
Himes	McKinley	Sherman
Hinojosa	McMorris	Shimkus
Honda	Rodgers	Shuster
Hoyer	McNerney	Simpson
Hudson	McSally	Sinema
Huffman	Meehan	Sires
Israel	Meeks	Slaughter
Jackson Lee	Meng	Smith (NJ)
Jeffries	Miller (MI)	Smith (WA)
Jenkins (WV)	Moore	Speier
Johnson (GA)	Moulton	Stefanik
Johnson (OH)	Mullin	Stivers
Johnson, E. B.	Murphy (FL)	Swalwell (CA)
Kaptur	Murphy (PA)	Takai
Katko	Nadler	Takano
Keating	Napolitano	Thompson (CA)
Kelly (IL)	Neal	Thompson (MS)
Kelly (MS)	Nolan	Thompson (PA)
Kelly (PA)	Norcross	Tiberi
Kildee	Nugent	Titus
Kilmer	Nunes	Tonko
Kind	O'Rourke	Torres
King (NY)	Olson	Tsongas
Kinzinger (IL)	Pallone	Turner
Kirkpatrick	Pascarell	Upton
Kline	Payne	Valadao
Knight	Pelosi	Van Hollen
Kuster	Perlmutter	Vargas
Lance	Peters	Veasey
Langevin	Peterson	Vela
Larsen (WA)	Pingree	Velázquez
Larson (CT)	Pittenger	Visclosky
Latta	Pitts	Wagner
Lawrence	Pocan	Walden
Lee	Polis	Walters, Mimi
Levin	Pompeo	Walz
Lewis	Price (NC)	Wasserman
Lieu, Ted	Quigley	Schultz
Lipinski	Rangel	Waters, Maxine
LoBiondo	Reed	Watson Coleman
Loeb sack	Reichert	Welch
Long	Rice (NY)	Whitfield
Lowenthal	Richmond	Wilson (FL)
Lowe	Rogers (AL)	Womack
Lucas	Rogers (KY)	Yarmuth
Luetkemeyer	Ros-Lehtinen	Yoder
Lujan Grisham	Roskam	Young (AK)
(NM)	Roybal-Allard	Young (IA)
Luján, Ben Ray	Ruiz	Zeldin
(NM)	Ruppersberger	
Lynch	Rush	

#### NOT VOTING—11

Bass	Gutiérrez	Roe (TN)
DeSaulnier	Kennedy	Salmon
Engel	Lofgren	Sanchez, Loretta
Graves (MO)	Neugebauer	

□ 1107

Messrs. RICHMOND, MARINO, KNIGHT, HUFFMAN, and RYAN of Ohio changed their vote from "aye" to "no."

Mrs. WALORSKI and Mr. TROTT changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

#### AMENDMENT NO. 3 OFFERED BY MS. LEE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 176, noes 245, not voting 12, as follows:

[Roll No. 432]

## AYES—176

Adams	Gabbard	Nolan
Aguilar	Gallego	Norcross
Ashford	Garamendi	O'Rourke
Beatty	Graham	Pallone
Becerra	Grayson	Pascarell
Bera	Green, Al	Payne
Beyer	Green, Gene	Pelosi
Bishop (GA)	Grijalva	Perlmutter
Blumenauer	Hahn	Peters
Bonamici	Hastings	Pingree
Boyle, Brendan	Heck (WA)	Pocan
F.	Higgins	Polis
Brady (PA)	Himes	Price (NC)
Brown (FL)	Hinojosa	Quigley
Brownley (CA)	Honda	Rangel
Bustos	Hoyer	Rice (NY)
Butterfield	Huffman	Richmond
Capps	Israel	Roybal-Allard
Capuano	Jackson Lee	Ruiz
Cárdenas	Jeffries	Ruppersberger
Carney	Johnson (GA)	Rush
Carson (IN)	Johnson, E. B.	Ryan (OH)
Castor (FL)	Keating	Sánchez, Linda
Castro (TX)	Kelly (IL)	T.
Chu, Judy	Kildee	Sarbanes
Cicilline	Kilmer	Schakowsky
Clark (MA)	Kind	Schiff
Clarke (NY)	Kirkpatrick	Schrader
Clay	Kuster	Scott (VA)
Cleaver	Langevin	Scott, David
Clyburn	Larsen (WA)	Serrano
Cohen	Larson (CT)	Sewell (AL)
Connolly	Lawrence	Sherman
Conyers	Lee	Sinema
Cooper	Levin	Sires
Costa	Lewis	Slaughter
Courtney	Lien, Ted	Smith (WA)
Crowley	Loeb sack	Speier
Cummings	Lowenthal	Swalwell (CA)
Davis (CA)	Lowey	Takai
Davis, Danny	Lujan Grisham	Takano
DeFazio	(NM)	Thompson (CA)
DeGette	Lujan, Ben Ray	Thompson (MS)
Delaney	(NM)	Titus
DeLauro	Lynch	Tonko
DeBene	Maloney,	Torres
Deutch	Carolyn	Tsongas
Dingell	Maloney, Sean	Van Hollen
Doggett	Matsui	Vargas
Doyle, Michael	McCollum	Veasey
F.	McDermott	Vela
Duckworth	McGovern	Velázquez
Edwards	McNerney	Visclosky
Ellison	Meeks	Walz
Eshoo	Meng	Wasserman
Esty	Moore	Schultz
Farr	Moulton	Waters, Maxine
Fattah	Murphy (FL)	Watson Coleman
Foster	Nadler	Welch
Frankel (FL)	Napolitano	Wilson (FL)
Fudge	Neal	Yarmuth

## NOES—245

Abraham	Blum	Carter (TX)
Aderholt	Bost	Cartwright
Allen	Boustany	Chabot
Amash	Brady (TX)	Chaffetz
Amodei	Brat	Clawson (FL)
Babin	Bridenstine	Coffman
Barletta	Brooks (AL)	Cole
Barr	Brooks (IN)	Collins (GA)
Barton	Buchanan	Collins (NY)
Benishek	Buck	Comstock
Bilirakis	Bucshon	Conaway
Bishop (MI)	Burgess	Cook
Bishop (UT)	Byrne	Costello (PA)
Black	Calvert	Cramer
Blackburn	Carter (GA)	Crawford

Crenshaw	Jordan	Reichert
Cuellar	Joyce	Renacci
Culberson	Kaptur	Ribbie
Curbelo (FL)	Katko	Rice (SC)
Davis, Rodney	Kelly (MS)	Rigell
Denham	Kelly (PA)	Roby
Dent	King (IA)	Rogers (AL)
DeSantis	King (NY)	Rogers (KY)
DesJarlais	Kinzing (IL)	Rohrabacher
Diaz-Balart	Kline	Rokita
Dold	Knight	Ros-Lehtinen
Donovan	Labrador	Roskam
Duffy	LaMalfa	Ross
Duncan (SC)	Lamborn	Rothfus
Duncan (TN)	Lance	Rouzer
Ellmers (NC)	Latta	Royce
Emmer (MN)	Lipinski	Russell
Farenthold	LoBiondo	Ryan (WI)
Fincher	Long	Sanford
Fitzpatrick	Loudermilk	Scalise
Fleischmann	Love	Schweikert
Fleming	Lucas	Scott, Austin
Flores	Luetkemeyer	Sensenbrenner
Forbes	Lummis	Sessions
Fortenberry	MacArthur	Shimkus
Fox	Marchant	Shuster
Franks (AZ)	Marino	Simpson
Frelinghuysen	Massie	Smith (MO)
Garrett	McCarthy	Smith (NE)
Gibbs	McCauley	Smith (NJ)
Gibson	McClintock	Smith (TX)
Gohmert	McHenry	Stefanik
Goodlatte	McKinley	Stewart
Gosar	McMorris	Stivers
Gowdy	Rodgers	Stutzman
Granger	McSally	Thompson (PA)
Graves (GA)	Meadows	Thornberry
Graves (LA)	Meehan	Tiberi
Griffith	Messer	Tipton
Grothman	Mica	Trott
Guinta	Miller (FL)	Turner
Guthrie	Miller (MI)	Upton
Hanna	Moolenaar	Valadao
Hardy	Mooney (WV)	Wagner
Harper	Mullin	Walberg
Harris	Mulvaney	Walden
Hartzler	Murphy (PA)	Walker
Heck (NV)	Newhouse	Walorski
Hensarling	Noem	Walters, Mimi
Herrera Beutler	Nugent	Weber (TX)
Hice, Jody B.	Nunes	Webster (FL)
Hill	Olson	Wenstrup
Holding	Palazzo	Westerman
Hudson	Palmer	Westmoreland
Huelskamp	Paulsen	Whitfield
Huizenga (MI)	Pearce	Williams
Hultgren	Perry	Wilson (SC)
Hunter	Peterson	Wittman
Hurd (TX)	Pittenger	Womack
Hurt (VA)	Pitts	Woodall
Issa	Poe (TX)	Yoder
Jenkins (KS)	Poliquin	Yoho
Jenkins (WV)	Pompeo	Young (AK)
Johnson (OH)	Posney	Young (IA)
Johnson, Sam	Price, Tom	Young (IN)
Jolly	Ratcliffe	Zeldin
Jones	Reed	Zinke

## NOT VOTING—12

Bass	Gutiérrez	Roe (TN)
DeSaulnier	Kennedy	Rooney (FL)
Engel	Lofgren	Salmon
Graves (MO)	Neugebauer	Sanchez, Loretta

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1115

Mr. GRAYSON changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. There being no further amendments, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. COLLINS of Georgia) having assumed the chair, Mr. HILL, Acting Chair of the Committee of the Whole House on the

state of the Union, reported that that Committee, having had under consideration the bill (H.R. 6) to accelerate the discovery, development, and delivery of 21st century cures, and for other purposes, and, pursuant to House Resolution 350, he reported the bill, as amended by that resolution, back to the House with sundry further amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any further amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

## RECORDED VOTE

Mr. UPTON. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 5-minute vote on passage will be followed by a 5-minute vote on approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—ayes 344, noes 77, not voting 12, as follows:

[Roll No. 433]

## AYES—344

Abraham	Cárdenas	Davis, Rodney
Adams	Carney	DeFazio
Aderholt	Carson (IN)	DeGette
Aguilar	Carter (GA)	Delaney
Allen	Cartwright	DeBene
Amodei	Castor (FL)	Denham
Ashford	Castro (TX)	Dent
Barletta	Chabot	DeSantis
Barr	Chaffetz	Deutch
Barton	Chu, Judy	Diaz-Balart
Beatty	Cicilline	Dingell
Becerra	Clark (MA)	Doggett
Benishek	Clarke (NY)	Dold
Bera	Clawson (FL)	Donovan
Beyer	Clay	Doyle, Michael
Bilirakis	Cleaver	F.
Bishop (GA)	Clyburn	Duckworth
Bishop (MI)	Coffman	Duncan (SC)
Blackburn	Cohen	Duncan (TN)
Blum	Cole	Edwards
Blumenauer	Collins (GA)	Ellison
Bonamici	Collins (NY)	Ellmers (NC)
Bost	Comstock	Emmer (MN)
Boyle, Brendan	Connolly	Esty
F.	Conyers	Fattah
Brady (PA)	Cook	Fleischmann
Brady (TX)	Cooper	Flores
Brooks (IN)	Costa	Fortenberry
Brown (FL)	Costello (PA)	Foster
Brownley (CA)	Courtney	Fox
Buchanan	Cramer	Frankel (FL)
Bucshon	Crenshaw	Franks (AZ)
Burgess	Crowley	Frelinghuysen
Bustos	Cuellar	Fudge
Butterfield	Cummings	Gabbard
Calvert	Curbelo (FL)	Gallego
Capps	Davis (CA)	Garamendi
Capuano	Davis, Danny	Gibson

Gohmert  
Gowdy  
Graham  
Granger  
Graves (LA)  
Grayson  
Green, Al  
Green, Gene  
Griffith  
Guinta  
Guthrie  
Hahn  
Hanna  
Hardy  
Harper  
Harris  
Hastings  
Heck (NV)  
Heck (WA)  
Herrera Beutler  
Higgins  
Hill  
Himes  
Hinojosa  
Honda  
Hoyer  
Hudson  
Huffman  
Huizenga (MI)  
Hultgren  
Hunter  
Hurd (TX)  
Hurt (VA)  
Israel  
Jackson Lee  
Jeffries  
Jenkins (KS)  
Jenkins (WV)  
Johnson (GA)  
Johnson (OH)  
Johnson, E. B.  
Jolly  
Joyce  
Kaptur  
Katko  
Keating  
Kelly (IL)  
Kelly (MS)  
Kelly (PA)  
Kildoe  
Kilmer  
Kind  
King (IA)  
King (NY)  
Kinzinger (IL)  
Kirkpatrick  
Kline  
Knight  
Kuster  
LaMalfa  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)  
Latta  
Lawrence  
Levin  
Lewis  
Lieu, Ted  
Lipinski  
LoBiondo  
Loeback  
Long  
Lowenthal  
Lowey  
Lucas  
Luetkemeyer  
Lujan Grisham (NM)

Luján, Ben Ray (NM)  
Lynch  
MacArthur  
Maloney, Carolyn  
Maloney, Sean  
Marchant  
Marino  
Matsui  
McCarthy  
McCaul  
McCollum  
McDermott  
McGovern  
McHenry  
McKinley  
McMorris  
Rodgers  
McNerney  
McSally  
Meadows  
Meehan  
Meeks  
Meng  
Messer  
Mica  
Miller (MI)  
Moolenaar  
Moore  
Moulton  
Mullin  
Murphy (FL)  
Murphy (PA)  
Napolitano  
Neal  
Newhouse  
Noem  
Nolan  
Norcross  
Nugent  
Nunes  
O'Rourke  
Olson  
Pallone  
Pascarella  
Paulsen  
Payne  
Pelosi  
Perlmutter  
Peters  
Peterson  
Pingree  
Pittenger  
Pitts  
Pocan  
Poliquin  
Polis  
Pompeo  
Posey  
Price (NC)  
Quigley  
Rangel  
Reed  
Reichert  
Ribble  
Rice (NY)  
Richmond  
Rigell  
Rohy  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rooney (FL)  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Rouzer  
Roybal-Allard

Royce  
Ruiz  
Ruppersberger  
Rush  
Russell  
Ryan (OH)  
Ryan (WI)  
Sánchez, Linda T.  
Sarbanes  
Scalise  
Schakowsky  
Schiff  
Schrader  
Schweikert  
Scott (VA)  
Scott, Austin  
Scott, David  
Serrano  
Sessions  
Sewell (AL)  
Sherman  
Shimkus  
Shuster  
Simpson  
Sinema  
Sires  
Slaughter  
Smith (NJ)  
Smith (WA)  
Stefanik  
Stivers  
Swalwell (CA)  
Takai  
Takano  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tiberi  
Titus  
Tonko  
Torres  
Trott  
Tsongas  
Turner  
Upton  
Valadao  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Wagner  
Walberg  
Walden  
Walorski  
Walters, Mimi  
Walz  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Webster (FL)  
Welch  
Whitfield  
Wilson (FL)  
Wilson (SC)  
Womack  
Woodall  
Yarmuth  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Young (IN)  
Zeldin  
Zinke

Labrador  
Lamborn  
Lee  
Loudermilk  
Love  
Lummis  
Massie  
McClintock  
Miller (FL)  
Mooney (WV)  
Mulvaney  
Nadler  
Neugebauer

Palazzo  
Palmer  
Pearce  
Perry  
Poe (TX)  
Price, Tom  
Ratcliffe  
Renacci  
Rice (SC)  
Rokita  
Sanford  
Sensenbrenner  
Smith (MO)

Smith (NE)  
Smith (TX)  
Speier  
Stewart  
Stutzman  
Tipton  
Walker  
Weber (TX)  
Wenstrup  
Westerman  
Westmoreland  
Williams

## NOT VOTING—12

Bass  
Bishop (UT)  
DeSaulnier  
Engel

Graves (MO)  
Gutiérrez  
Kennedy  
Lofgren

Roe (TN)  
Salmon  
Sanchez, Loretta  
Wittman

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1126

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. DESAULNIER. Mr. Speaker, I regret that I was unable to vote on Friday, July 10 as I was attending the memorial services of a dear friend in my congressional district. Had I been present, I would have cast the following votes: rollcall No. 431: "no;" rollcall No. 432: "aye;" rollcall No. 433: "aye."

## PERSONAL EXPLANATION

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I missed votes on H.R. 6, the 21st Century Cures Act. Specifically, I missed an amendment by Rep. DAVE BRAT (R-VA) (rollcall No. 431), amendment by Rep. BARBARA LEE (D-CA) (rollcall No. 432), and Final Passage of H.R. 6 (rollcall No. 433). Had I been present, I would have voted "nay" on the amendment by Rep. DAVE BRAT (R-VA) (rollcall No. 431), "yea" on the amendment by Rep. BARBARA LEE (D-CA) (rollcall no. 432), and "yea" on the Final Passage of H.R. 6 (rollcall No. 433).

## PERSONAL EXPLANATION

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for votes on Friday, July 10, 2015.

Had I been present, I would have voted "nay" on rollcall vote 431, "yea" on rollcall vote 432, and "yea" on rollcall vote 433 in support of H.R. 6—21st Century Cures Act.

## THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

## REPORT ON H.R. 3020, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

Mr. COLE, from the Committee on Appropriations, submitted a privileged report (Rept. No. 114-195) on the bill (H.R. 3020) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore (Ms. STEFANIK). Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

□ 1130

## THE VENEZUELA OF YESTERDAY, TODAY, AND TOMORROW

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Madam Speaker, I urge my colleagues to visit the graphic display that is exhibited right now at the Rayburn foyer called the Venezuela of Yesterday, Today, and Tomorrow.

This exhibit carries the hopes and dreams of Venezuelans and Venezuelan Americans who worked hard to restore democracy, freedom, and prosperity to their homeland.

The Maduro regime has destroyed the economy of a once wealthy nation, causing widespread shortages and long lines for consumer goods.

Innocent men and women who demand the protection of democratic principles are arrested with false charges and tried by kangaroo courts, where their fate is already sealed.

Madam Speaker, I urge all of my colleagues to join the Educational Foundation for Democracy and IVAC for a tour of this impressive collection of photos that documents the prosperous democratic past, the oppressive present, and the bright future that awaits Venezuela, for which they are fighting now.

## CONFEDERATE BATTLE FLAG

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Madam Speaker, today is a proud day in the State of South Carolina and should be a proud day throughout the South in the United States of America, for the South Carolina legislature, under the direction of their Governor, took down the Confederate flag that flew on their capitol.

It should be a proud day for all, for the South is much more than the flag,

## NOES—77

Amash  
Babin  
Black  
Boustany  
Brat  
Bridenstine  
Brooks (AL)  
Buck  
Byrne  
Carter (TX)  
Conaway  
Crawford  
Culberson

DeLauro  
DesJarlais  
Duffy  
Eshoo  
Farenthold  
Farr  
Fincher  
Fitzpatrick  
Fleming  
Forbes  
Garrett  
Gibbs  
Goodlatte

Gosar  
Graves (GA)  
Grijalva  
Grothman  
Hartzler  
Hensarling  
Hice, Jody B.  
Holding  
Huelskamp  
Issa  
Johnson, Sam  
Jones  
Jordan

and the South has much to be proud of. But the flag symbolizes things that are not something the South should not be proud of.

Patterson Hood, a member of a band called Drive-by Truckers, wrote a song called The Southern Thing and has a commentary in The New York Times Magazine this week, expressing why he hates hatred and sees the flag as divisive and why it should come down.

It was the right thing to do. And the Mississippi State flag should come down, which has the rebel flag as part of its insignia and is in the halls of the Congress. That flag, as has been asked by Representative BENNIE THOMPSON of Mississippi and Leader PELOSI, should also come down.

Signs of treason, signs of hate, signs of racism have no place in the United States of America's halls of Congress and should come down.

#### 21ST CENTURY CURES ACT

(Mr. ALLEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALLEN. Madam Speaker, I want to thank my colleagues today for passing the 21st Century Cures Act to create a path forward to expedite the delivery of lifesaving and life-improving cures that will change the lives of millions across this Nation.

I want to share the story of Arturo Solares from my district, who is 7½ years old and lives in Evans, Georgia. Arturo was diagnosed on his fourth birthday with autism. On that day, he had less than 50 words and was considered severely affected. The doctor didn't give his family much hope for the future.

Thanks to the dedication of his parents and innovation in our medical community there, today Arturo doesn't even need speech therapy. However, he still needs medications which are currently caught up in bureaucratic red tape.

This bill, the 21st Century Cures Act, provides a modern healthcare solution that gives hope to so many families like Arturo's and others across this great country.

I thank my colleagues for passing this legislation today that will improve the lives of future generations.

#### TARRANT COUNTY BLACK HISTORICAL & GENEALOGICAL SOCIETY

(Mr. VEASEY asked and was given permission to address the House for 1 minute.)

Mr. VEASEY. Madam Speaker, I rise today to honor the four surviving charter members of the Tarrant County Black Historical & Genealogical Society, those being Ms. Erma Johnson Hadley, Ms. Opal Lee, Mr. Frank Moss, and Reverend Arthur Slaughter.

The Tarrant County Black Historical & Genealogical Society began as a need for material relating to the Black history that was available to Tarrant County universities and libraries.

In 1974, the late Ms. Lenora Rolla began to collect personal papers, scrapbooks, clippings, photographic collections, artwork, and other relevant materials to create this society and, also, what is an incredible archive.

Following its inception, Ms. Hadley, Opal Lee, Frank Moss, and Reverend Slaughter continued the organization's work to educate Tarrant County residents about its rich African American history, and they will be honored during this month's Tarrant County Black Historical & Genealogical Biannual Member Luncheon at the Fort Worth Botanic Gardens.

Today, with the help of these four charter members, the society continues to collect, preserve, and enrich our community, and I applaud their efforts.

#### 21ST CENTURY CURES ACT

(Mrs. ELLMERS of North Carolina asked and was given permission to address the House for 1 minute.)

Mrs. ELLMERS of North Carolina. Mr. Speaker, we have all heard the phrase "if you have your health, you have everything."

But for many who are suffering from debilitating diseases or caring for a family member with one, their ability to pursue life, liberty, and happiness is interrupted.

Mr. Speaker, the reason entitlement spending is so vast in this country is because we have diseases and conditions requiring countless dollars.

We are America, the greatest country in the world. We have big ideas, and we want to provide the best future for our children and our grandchildren.

The 21st Century Cures Act is just one of those big ideas that will produce numerous benefits for everyone. And for fiscal conservatives like myself, we should appreciate this bill and its passage with overwhelming support.

In our healthcare system, we diagnose disease, we treat symptoms, and we have thousands of new seniors on Medicare every day that we must take care of. The passage of this 21st Century Cures Act is a definitive way to take care of every American family.

Today we waged war on disease.

#### EXPORT-IMPORT BANK

(Mr. NOLAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NOLAN. Mr. Speaker, Members of the House, I rise in support of the urgent need to reauthorize the Ex-Im Bank.

I spent the better part of 20 years of my life in export trading, and I know

what a great benefit it has been to the small business community and the banking community.

What happens is a small-town bank wants to provide financial support for local business people to export their goods and their products, but they don't know if a sales contract in Timbuktu or Abu Dhabi or Lagos or wherever is a legitimate contract. So they have to rely on some kind of expertise.

So that is why the local banks, that is why the local business community, supports the Ex-Im Bank, because they do that. And they do it for a fee.

Ironically enough, the Ex-Im Bank has generated almost \$7 billion in profits over the last couple of decades, helping us with our deficit reduction and helping our small- and medium-sized companies to export their goods and services.

I ask all my colleagues to take a look at their district and see how many small businesses benefit from that and join me in support.

There are only a couple of ways to generate wealth, and exporting your goods is one of them.

#### CONGRATULATING WAYZATA HIGH SCHOOL GOLF TEAM

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, I rise to congratulate the Wayzata High School boys golf team on winning this year's Minnesota State championship.

After finishing in the runner-up position for the last two seasons, Wayzata broke through and won the State title by three strokes this year. It was a well-balanced performance by the entire team that allowed them to take the championship.

While many think of golf as an individual sport, it took strong performances from each and every golfer to bring home the State title. The game of golf, Mr. Speaker, can be very humbling, and it takes focus, mental toughness, and skill to compete at a very high level.

I commend these student athletes on their commitment and dedication not only to golf, but to their family obligations and their studies as well. The time commitments required to be a top high school athlete are not easy. And their friends, families, and communities are very proud.

Congratulations again to the Wayzata High School boys golf team.

#### TRANSPORTATION INFRASTRUCTURE

(Ms. NORTON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. NORTON. Mr. Speaker, as you can see by this chart, the Federal gas

user fee, at only \$97 a year, buys drivers \$515 in costs per driver because of bad roads.

Just released data also shows that up to 73 percent of the bridges in some States are deficient. Can you think of any other necessity, except the \$97 gas user fee, that has not increased in 22 years? We are getting what we paid for in the hidden costs of bad roads and bridges.

The congressional response has been so disproportionate to the needs of the States that we are told that another short-term extension—that would be the 34th—12 legislative days from now could yield a veto.

The States say that these short-term extensions are useless. Only the next 2 weeks to get a long-term authorization is pushing it. Given the state of our bridges and roads, we have no alternative.

#### END OF THE MANHUNT

(Ms. STEFANIK asked and was given permission to address the House for 1 minute.)

Ms. STEFANIK. Mr. Speaker, as Americans across the country know, my district was the unfortunate home of a recent manhunt that captured the attention of our country.

For more than 3 weeks, two killers remained at large in our north country community after escaping from Clinton Correctional Facility. During this time period, hundreds and hundreds of brave law enforcement officers worked diligently to find these escaped convicts and protect our community.

Mr. Speaker, I rise today to thank these brave law enforcement officers who risked their safety to protect the families in our neighborhoods, and I rise to thank our local communities for their patience and support during this difficult time.

Going forward, we must find answers as to how this prison break occurred and do what is needed to stop this from ever happening again. But, for now, our north country community can sleep safer, knowing these two killers are no longer at large.

#### CHANGE IS NOT BAD

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, I think it is important to again note what a historic day this was, with the passage of the 21st Century Cures Act, which opens the opportunity for billions of dollars to be invested in the Nation's clinics and laboratories to make America healthy and make America better.

This bill is from the Energy and Commerce Committee. I am very proud to be one of its cosponsors. And I would like to say back to my constituents in

Texas, the Texas Medical Center, and all of the research that is being done: Here is an opportunity to work on those unique and special diseases impacting children with lupus and other diseases. That is why change is not bad.

Additionally, I join with the arguments in my district for changing the names of high schools that are not reflective of the Nation today, those named after confederate generals. The names of these high schools are not reflective of a unifying America.

Frankly, I believe that the school board should address this question and teach the children that that is the past history that was not a positive history and that we should reflect positively on unifying America and carrying the American flag.

Lastly, again, I say on the floor what a very special day, the solemnity in the way the rebel flag was finally put to rest, put to rest, and taken to a relic museum, where it belongs. And we can stand here under this shining American flag saying that we, too, are Americans.

□ 1145

#### KEEP PATENT SYSTEM STRONG

(Mr. MASSIE asked and was given permission to address the House for 1 minute.)

Mr. MASSIE. Mr. Speaker, when patent trolls use U.S. patents to game the system for illegitimate financial gain, it is much like counterfeiting because these are official U.S. documents. What would we do if we found a counterfeiter? Would we go after the counterfeiter, or would we devalue our currency to discourage counterfeiters?

Well, that sounds ridiculous. That would wreck our economy just to go after counterfeiters by devaluing the currency. But that is what the Innovation Act, H.R. 9, does to patents. It devalues all patents, and it is going to wreck our economy if we pass it.

Patents are the currency of invention. If you want invention to be strong in this country, you need to keep the patent system strong.

I urge my colleagues to vote against H.R. 9.

#### 21ST CENTURY CURES ACT

(Mr. KATKO asked and was given permission to address the House for 1 minute.)

Mr. KATKO. Mr. Speaker, I rise today to celebrate the overwhelming passage of the 21st Century Cures Act.

Across central New York, I heard from advocates and individuals suffering from diseases like Alzheimer's, ovarian cancer, multiple sclerosis, and epilepsy, to name a few. That is not just something I heard from my colleagues. Those diseases have stricken those in my family as well.

We owe it to the people and their families to support medical research so that individuals in our communities can live longer, healthier lives.

Today's legislation allows researchers and scientists to move forward in their efforts to produce lifesaving treatments, therapies, and cures for our loved ones. It will reduce medical uncertainty in the development of new medicine and remove barriers to increase research collaboration.

I dream of a time in a not too distant future when I can tell my children that what we did here on the floor of the House today saved lives and prevented them and their children from enduring some of the diseases that we have had to endure in our lifetime.

#### 21ST CENTURY CURES ACT

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, moments ago with my support, the House of Representatives passed H.R. 6, the 21st Century Cures Act.

This bipartisan bill will bring our national healthcare system up to speed in the 21st century by taking advantage of the latest science and expediting the availability of safe and more effective treatments for all Americans.

Mr. Speaker, today there are more than 10,000 known diseases and conditions, but the United States of America only has cures and treatments for roughly 500 of them.

Diseases such as cancer, Parkinson's, and Alzheimer's will take the lives of roughly 1.8 million people this year in the United States alone. This 21st Century Cures Act will help change that, and it is an important step toward helping save the lives of our loved ones.

Having served for nearly 30 years in the healthcare field, I applaud my colleagues on both sides of the aisle for passing this legislation.

#### TRIP FOR FREEDOM

(Mr. CURBELO of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CURBELO of Florida. Mr. Speaker, I want to strongly urge my colleagues to visit an exhibition happening right now in the Rayburn foyer.

The graphic display, which includes a remarkable collection of photos, is entitled the Venezuela of Yesterday, Today, and Tomorrow. It is a reminder of the hard work being done every day by Venezuelans and Venezuelan Americans in their pursuit to restore democracy in a country ravaged by economic turmoil and a regime filled with corrupt leaders who will persecute anyone who voices disagreement.

It is more important now than ever for the United States to remain firm in

our support for the people of Venezuela. We must remain strong in solidarity with the people who fight for a truly democratic Venezuela free from tyranny and the fear of a regime that promotes violence against its own people.

Again, I encourage my colleagues to take advantage of this opportunity to join the Educational Foundation for Democracy and IVAC in the promotion of a better future for Venezuelans and everyone in our hemisphere.

#### IRAN NUCLEAR NEGOTIATIONS

(Mr. DOLD asked and was given permission to address the House for 1 minute.)

Mr. DOLD. Mr. Speaker, another deadline has passed, and Iran continues to act like it has leverage. What is worse, by its action, the administration seems to agree.

Make no mistake about it, Iran desperately needs a deal to relieve its crippling sanctions. Given the parade of U.S. concessions over the past 19 months, we are a long way from the starting point of demanding that Iran's nuclear program be affirmatively and unequivocally dismantled.

Mr. Speaker, there should be no wiggle room that allows any path to a nuclear weapon. Yet Iran's violations of interim agreement have been met with shrugs and painful-to-see justifications by this administration.

How can we trust Iran to uphold any deal when it has clearly proven untrustworthy?

Why would we give the greatest state sponsor of terror another \$150 billion that even the administration acknowledges may go to fund terrorism against the United States, Israel, other democracies, and our allies around the globe?

It is time to walk away, reestablish our leverage, and force Iran back to the table on our terms.

#### RECOGNIZING PHILLIP BURR

(Mr. STEWART asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEWART. Mr. Speaker, I want to take a moment to recognize one of my own constituents, Phillip Burr, from Burrville, Utah.

Phillip has dedicated his career to providing electricity to rural Utah while working for one of my favorite companies, Garkane Energy. He has also spread that passion globally, making trips to such places as Bolivia and, most recently, Haiti.

We all know that electricity is a critical element to improving quality of life and increasing access to basic necessities like healthcare, education, and clean water. After learning Haiti has less than 15 percent of its population with regular access to elec-

tricity, Phillip traveled there to help build a diesel solar hybrid distribution system that will provide safe, affordable, and reliable power to more than 1,600 consumers.

This type of service is what makes America great. I am honored to recognize him for his example of humanitarian service and to thank him for all the work he has done in his community and around the world.

Mr. Burr, I salute you.

#### 125 YEARS OF STATEHOOD FOR WYOMING

(Mrs. LUMMIS asked and was given permission to address the House for 1 minute.)

Mrs. LUMMIS. Mr. Speaker, today, the great State of Wyoming, the Equality State, is celebrating her 125th anniversary of statehood.

Wyoming is a wondrous place, boasting our Nation's first national park, first national forest, and first national monument. Wyoming's scenic treasures are second to none in the world.

Our vast stores of resources—coal, uranium, timber, oil, gas, soda ash, and rare earth elements—all provide critical resources for our Nation.

Wyoming's freedom-loving, hard-working people have a deep sense of place and seamlessly weave the fabric of stewardship into it, inspiring the entire country and, really, the whole world.

I am proud to call Wyoming America's 44th star, my love, my life, and my home. I wish her a blessed 125th year of statehood.

#### BIRTHDAY WISHES

(Mr. KELLY of Mississippi asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KELLY of Mississippi. Mr. Speaker, today, July 10, I rise to celebrate my son's birthday. I also rise in honor of my father's birthday, which was yesterday, and he would have been 74.

A representation of the future, I recognize John Forest Kelly, known to us as JFK. He was born in 1995 and will be 20 today.

In honor of the past, yesterday was my father, big John Kelly's birthday. He was born July 9, 1941. He was a great man and an inspiration to me. He served in the Mississippi Army National Guard from 1959 until he turned 60 in 2001 and retired as a first sergeant.

#### THANKING VIETNAM VETERANS

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, this last Wednesday, we took time out here in the Capitol to honor and remember our Vietnam veterans. This week was the 50th anniversary for the first deployment of our troops in Vietnam.

A lot of times, it is a war that wasn't understood by the American people or appreciated. What is wrong about that is that our troops were not always appreciated for what they did for us. They did it without complaint, they did it with sacrifice, and they did it with honor. So for us here in the Capitol to finally come around to that ideal and honor them was a very good thing.

For our Vietnam troops, we do appreciate you. We will do all we can to help you as you work through VA, as you work through Agent Orange. We know many of you are suffering these things, and you are not getting enough help from our Federal Government or that recognition.

So in recognition of what happened here this week on the 50th anniversary of the first deployment, we say to our Vietnam veterans: Welcome home, and God bless you.

#### SANCTUARY CITIES MUST END

(Mr. BABIN asked and was given permission to address the House for 1 minute.)

Mr. BABIN. Mr. Speaker, the tragic killing of Kathryn Steinle at the hands of a five-time deported illegal alien and a seven-time convicted felon should never have happened. But that is exactly what happens when a city ignores immigration laws.

The consequences of government-sanctioned lawlessness are real, and this is another in a long line of tragic wake-up calls that cry out for deporting criminal aliens.

Ms. Steinle's killer, a wanted criminal illegal alien, had been in custody but then was put back on the streets by San Francisco officials.

The Obama administration shares blame because they have done nothing to combat sanctuary city policies. Instead, they have encouraged them.

We swore an oath to protect the American people from enemies, foreign and domestic. This Congress should take action to combat sanctuary city policies and make sure that criminal aliens are deported.

I rise in strong support of legislation that I have cosponsored that would do just that, because it is time to put the safety of American citizens first.

ADJOURNMENT FROM FRIDAY, JULY 10, 2015, TO MONDAY, JULY 13, 2015

Mr. DOLD. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday, July 13, 2015, when it shall



convene at noon for morning-hour debate and 2 p.m. for legislative business.

The SPEAKER pro tempore (Mr. ALLEN). Is there objection to the request of the gentleman from Illinois?

There was no objection.

#### APPOINTMENT OF ADDITIONAL CONFEREES ON H.R. 1735, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2016

The SPEAKER pro tempore. Without objection, the Chair appoints the following additional conferees on H.R. 1735.

From the Permanent Select Committee on Intelligence, for consideration of matters within the jurisdiction of that committee under clause 11 of rule X: Messrs. NUNES, KING of New York, and SCHIFF.

From the Committee on Education and the Workforce, for consideration of sections 571 and 573 of the House bill and sections 561–63 of the Senate amendment, and modifications committed to conference: Messrs. ROKITA, BISHOP of Michigan, and SCOTT of Virginia.

From the Committee on Energy and Commerce, for consideration of sections 314, 632, 634, 3111–13, 3119, 3133, and 3141 of the House bill and sections 601, 632, 3118, and 3119 of the Senate amendment, and modifications committed to conference: Messrs. UPTON, BARTON, and PALLONE.

From the Committee on Foreign Affairs, for consideration of sections 1011, 1059, 1090, 1092, 1201, 1203–05, 1215, 1221, 1223, 1226, 1234–36, 1247–49, 1253, 1257, 1263, 1264, 1267, 1270, 1301, 1532, 1541, 1542, 1663, 1668–70, 2802, 3118, and 3119 of the House bill and sections 1011, 1012, 1082, 1201–05, 1207, 1209, 1223, 1225, 1228, 1251, 1252, 1261, 1264, 1265, 1272, 1301, 1302, 1531–33, 1631, 1654, and 1655 of the Senate amendment, and modifications committed to conference: Messrs. ROYCE, MARINO, and ENGEL.

From the Committee on Homeland Security, for consideration of sections 589 and 1041 of the Senate amendment, and modifications committed to conference: Mr. MCCAUL, Mrs. MILLER of Michigan, and Mr. THOMPSON of Mississippi.

From the Committee on the Judiciary, for consideration of sections 1040, 1052, 1085, 1216, 1641, and 2862 of the House bill and sections 1032, 1034, 1090, and 1227 of the Senate amendment, and modifications committed to conference: Messrs. GOODLATTE, ISSA, and CONYERS.

From the Committee on Natural Resources, for consideration of sections 312, 632, 634, 2841, 2842, 2851–53, and 2862 of the House bill and sections 313, 601, and 632 of the Senate amendment, and modifications committed to conference: Messrs. COOK, HARDY, and GRIJALVA.

From the Committee on Oversight and Government Reform, for consider-

ation of sections 602, 631, 634, 838, 854, 855, 866, 871, 1069, and 1101–05 of the House bill and sections 592, 593, 631, 806, 830, 861, 1090, 1101, 1102, 1104, 1105, 1107–09, 1111, 1112, 1114, and 1115 of the Senate amendment, and modifications committed to conference: Messrs. HURD of Texas, RUSSELL, and CUMMINGS.

From the Committee on Rules, for consideration of section 1032 of the Senate amendment, and modifications committed to conference: Messrs. SESSIONS, BYRNE, and Ms. SLAUGHTER.

From the Committee on Science, Space, and Technology, for consideration of section 3136 of the House bill and section 1613 of the Senate amendment, and modifications committed to conference: Messrs. LUCAS, KNIGHT, and Ms. EDDIE BERNICE JOHNSON of Texas.

From the Committee on Small Business, for consideration of sections 831–34, 839, 840, 842–46, 854, and 871 of the House bill and sections 828, 831, 882, 883, and 885 of the Senate amendment, and modifications committed to conference: Messrs. CHABOT, HANNA, and Ms. VELÁZQUEZ.

From the Committee on Transportation and Infrastructure, for consideration of sections 302, 562, 569, 570a, 591, 1060a, 1073, 2811, and 3501 of the House bill and sections 601, 642, 1613, 3504, and 3505 of the Senate amendment, and modifications committed to conference: Messrs. GRAVES of Louisiana, CURBELO of Florida, and Ms. EDWARDS.

From the Committee on Veterans' Affairs, for consideration of sections 565, 566, 592, 652, 701, 721, 722, 1105, and 1431 of the House bill and sections 539, 605, 633, 719, 1083, 1084, 1089, 1091, and 1411 of the Senate amendment, and modifications committed to conference: Messrs. ROE of Tennessee, BILIRAKIS, and Ms. BROWN of Florida.

There was no objection.

The SPEAKER pro tempore. The Senate will be notified of the additional conferees.

□ 1200

#### HONORING JOHN DAVID CROW

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Texas (Mr. FLORES) is recognized for 60 minutes as the designee of the majority leader.

Mr. FLORES. Mr. Speaker, I rise today to honor one of my constituents, John David Crow, of College Station, Texas, who passed away on June 17.

To say that John David Crow is a Texas football legend is an understatement. He was a Heisman Trophy winner, a four-time NFL Pro Bowl selection, a college football coach, and an administrator for the Texas A&M University Athletic Department.

John David was born on July 8, 1935, in Marion, Louisiana. When he was born, the umbilical cord was wrapped

around his neck, causing nerve damage and permanently paralyzing the left half of his face. John David, however, never let that hardship hold him back.

As a junior at Springhill High School, he led the football team to win the Class 1A State championship in 1952. As a senior, he led the basketball team to win the Class 1A State championship in 1954.

After graduating from high school, John David married his high school sweetheart, Carolyn Gilliam, on July 2, 1954. Earlier that year, John David had committed to play football at Texas A&M University for legendary coach Paul "Bear" Bryant; so, in the fall of 1954, John David and Carolyn moved to College Station.

During his time at Texas A&M, John David would play running back, defensive positions, and special teams as a kick returner. He truly was the complete collegiate football package.

In 1956, he led the Aggies to their first ever road victory against archrival, the University of Texas, at Memorial Stadium in Austin. He also led the Aggies to a number one ranking during the 1957 season.

Some of the accolades that John David received as an Aggie included being named twice to the Southwest Conference all-conference team in 1956 and 1957. He also received all of the following recognitions in 1957: a consensus All-American, the Walter Camp Memorial Trophy, the Southwesterner of the Year and Amateur Athlete of the Year, the Chick Harley Award, the United Press Player of the Year, the United Press Back of the Year, and the Heisman Trophy.

John David was Texas A&M University's first Heisman Trophy winner and the only Heisman Trophy winner to ever be coached by the legendary Bear Bryant. When Bear Bryant retired from coaching, he was quoted as saying: "John David Crow was the finest player I ever coached. Watching film on him was like watching a grown man play with boys."

John David would graduate from Texas A&M with a degree in business administration and was named to the Scholastic All-American team. He was also recognized as a Who's Who in American Colleges and Universities.

John David would go on to play in the NFL after being drafted in the first round to play for the then Chicago Cardinals, in Chicago and St. Louis, and playing for the San Francisco 49ers. He was named to the Pro Bowl four times and named to the NFL's 1960 All-Decade Team.

After retiring from the NFL, John David began his football coaching career, starting as an assistant for his former coach Bear Bryant at Alabama. He continued his career as an assistant coach in the NFL for the Cleveland Browns and the San Diego Chargers. In 1976, he was named athletic director

and head football coach of Northeast Louisiana University.

In 1981, John David would leave Northeast Louisiana University to work for a private business for a couple of years. In 1983, he returned to his alma mater, Texas A&M University, first as associate athletic director, later as athletic director, and finally, as director of athletic development.

During this time, he was at the forefront of collegiate athletic gender equity as he helped expand women's athletics at Texas A&M to the powerhouse that it is today. In 2001, John David would retire from A&M, but he still maintained a presence on campus and in the Bryan/College Station community.

John David Crow was a great athlete, coach, and athletic administrator. He was inducted into the Texas A&M University Hall of Fame in 1968 and the Louisiana Hall of Fame in 1976. He was named to the National Football Foundation Hall of Fame in 1976 and the Texas Sports Hall of Fame in 1982. He was named a Distinguished Alumnus by Texas A&M University in 2004 and was honored during the Aggies' first year in the Southeastern Conference as an SEC Legend at the 2012 SEC Championship Game.

While John David was dedicated to his career, he was also very much dedicated to his wife, Carolyn, and to their family. He and Carolyn had three children: John, Jr., Annalisa, and Jeannie. They were also blessed with seven grandchildren.

John David was forever thankful for everything Carolyn did for their family. He was once quoted as saying: "Whatever credit I get for doing anything, she deserves a lot more than I do. She has been the stabilizer for our family and very, very good to me."

Mr. Speaker, John David Crow was a humble, kind, generous, and an all-around great man. The greatness that he evoked reached far beyond the football field. He truly embodied the core values of Texas A&M University—respect, integrity, leadership, excellence, loyalty, and selfless service.

He will be greatly missed and will long be remembered as a great athlete, coach, and athletic administrator. More importantly, he will be remembered as a loving husband, a father, a grandfather, and as a friend.

My wife, Gina, and I offer our deepest and heartfelt condolences to Carolyn and to the Crow family. We also lift up the family and friends of John David Crow in our thoughts and in our prayers.

Also, as I close this conversation about John David Crow, I ask that all Americans continue to pray for our country, for our military men and women who protect us from external threats, and for our first responders who protect us here at home.

#### HONORING JACK GILLEY

Mr. FLORES. Mr. Speaker, I rise today to honor Jack Calvin Gilley of Stratford, Texas, who passed away on May 9, 2015.

As a teacher and principal for 34 years, Mr. Gilley touched the lives of hundreds of students and schools throughout Oklahoma and the Texas Panhandle. I was fortunate enough to have Mr. Gilley as a principal during my time at Stratford Middle School.

Jack Gilley was born in Dawson County, Texas, in 1924. He proudly served in the United States Navy during World War II as a torpedoman on the USS *Stockdale*. He attended Panhandle A&M College on basketball and baseball scholarships. Additionally, he received his master's in education from West Texas State University in 1963.

In 1951, Jack married Donna Mal Oldaker. They were married for nearly 59 years, until her passing in 2010. Donna and Jack had four daughters and were blessed with one granddaughter.

After retiring from teaching, Jack began his secondary profession of painting houses, refinishing furniture, and carpentry. He was a member of the First United Methodist Church of Stratford, as well as a member of the American Legion Post 262. He loved hunting pheasant and quail; eating breakfast and drinking coffee with his friends at the local cafe; and all things rodeo and all things sports, especially Duke basketball.

Mr. Speaker, Jack Gilley impacted many lives, including mine, as an educator and as a mentor. He will be greatly missed and long remembered as a loving husband, a father, a grandfather, and a friend.

My wife, Gina, and I offer our deepest and heartfelt condolences to the Gilley family, and we lift up the family and friends of Jack Gilley in our prayers.

Mr. Speaker, as I close, I ask that all Americans continue to pray for our country, for our military men and women who protect us from external threats, and for our first responders who protect us here at home.

Mr. Speaker, I yield back the balance of my time.

#### ADJOURNMENT

Mr. FLORES. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 14 minutes p.m.), under its previous order, the House adjourned until Monday, July 13, 2015, at noon for morning-hour debate.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2130. A letter from the Chief of Staff, Media Bureau, Federal Communications Commis-

sion, transmitting the Commission's final rule — Accessible Emergency Information, and Apparatus Requirements for Emergency Information and Video Description: Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010 [MB Docket No.: 12-107] received July 9, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2131. A letter from the Director, Defense Security Cooperation Agency, transmitting a notice of a proposed lease of defense articles to the Government of the Hashemite Kingdom of Jordan (Transmittal No.: 06-15), pursuant to Sec. 62(a) of the Arms Export Control Act (AECA); to the Committee on Foreign Affairs.

2132. A letter from the Chairman, National Transportation Safety Board, transmitting a list of the Board's 2015 commercial and inherently governmental commercial activities inventory, pursuant to the Federal Activities Inventory Reform (FAIR) Act of 1998, Pub. L. 105-270; to the Committee on Oversight and Government Reform.

2133. A letter from the ICE Regulatory Coordinator, ICE Office of Policy, Regulatory Division, Department of Homeland Security, transmitting the Department's final rule — Change to Existing Regulation Concerning the Interest Rate Paid on Cash Deposited to Secure Immigration Bonds [DHS Docket No.: ICEB-2013-0002] (RIN: 1653-AA66) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on the Judiciary.

2134. A letter from the Deputy Secretary, Department of Defense, transmitting a certification that other countries have contributed an amount not less than 40 percent of the \$1.618 billion appropriated for the Iraq Train and Equip Fund, pursuant to Pub. L. 113-291, Sec. 1236; jointly to the Committees on Foreign Affairs and Armed Services.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COLE: Committee on Appropriations. H.R. 3020. A bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2016, and for other purposes (Rept. 114-195). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOODLATTE: Committee on the Judiciary. H.R. 1155. A bill to provide for the establishment of a process for the review of rules and sets of rules, and for other purposes (Rept. 114-196, Pt. 1). Ordered to be printed.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mrs. BLACKBURN (for herself and Mr. TOM PRICE of Georgia):

H.R. 3018. A bill to provide for a safe harbor period for the transition from the ICD-9 to the ICD-10 standard for health care claims; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for

consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELAURO (for herself, Ms. ESTY, Mr. COURTNEY, Mr. LARSON of Connecticut, and Mr. HIMES):

H.R. 3019. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to furnish, at the request of an eligible veteran, nursing home care and hospital care at State licensed or certified residential care facilities; to the Committee on Veterans' Affairs.

By Mr. POMPEO (for himself, Mr. MULLIN, Mr. SCHRADER, and Mr. MEEKS):

H.R. 3021. A bill to amend the Natural Gas Act to allow the use of aerial survey data for certain applications, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ABRAHAM (for himself, Mr. SCALISE, Mr. RICHMOND, Mr. BOUSTANY, Mr. FLEMING, and Mr. GRAVES of Louisiana):

H.R. 3022. A bill to require that Grambling State University be eligible to receive funds under the Act of August 30, 1890; to the Committee on Agriculture.

By Mr. BUCK:

H.R. 3023. A bill to amend title 5, United States Code, to modify probationary periods with respect to positions within the competitive service and the Senior Executive Service, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. BOUSTANY (for himself and Mr. LEWIS):

H.R. 3024. A bill to amend title XVIII of the Social Security Act to permit review of certain Medicare payment determinations for disproportionate share hospitals, and for other purposes; to the Committee on Ways and Means.

By Mr. COOK:

H.R. 3025. A bill to amend title 18, United States Code, to provide a criminal penalty for launching drones that interfere with fighting wildfires affecting Federal property, and for other purposes; to the Committee on the Judiciary.

By Mr. COOK:

H.R. 3026. A bill to amend part A of title IV of the Social Security Act to clarify the authority of tribal governments in regard to the Temporary Assistance for Needy Families program; to the Committee on Ways and Means.

By Mr. GOSAR (for himself, Mr. GRIJALVA, Mr. FRANKS of Arizona, Mrs. KIRKPATRICK, Mr. SALMON, Ms. SINEMA, Mr. SCHWEIKERT, Mr. GALLEGO, and Ms. MCSALLY):

H.R. 3027. A bill to authorize the conveyance of four small parcels of land within the boundaries of the Imperial National Wildlife Refuge for the purposes of addressing a long-term boundary discrepancy; to the Committee on Natural Resources.

By Mr. JEFFRIES (for himself, Mrs. LAWRENCE, Ms. JACKSON LEE, Ms. BASS, Mr. MEEKS, and Ms. JUDY CHU of California):

H.R. 3028. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide that the Attorney General may give preferential consideration for grants under part Q of title I of that Act to applications from jurisdictions which have in place laws or ordinances to make available to the public grand jury transcripts and other records considered by grand juries, and for other purposes; to the Committee on the Judiciary.

By Ms. NORTON (for herself, Mr. VAN HOLLEN, Mr. BEYER, Ms. EDWARDS,

Mr. RUPPERSBERGER, Mr. CONNOLLY, and Mr. CUMMINGS):

H.R. 3029. A bill to require the Office of Personnel Management to provide complimentary, comprehensive identity protection coverage to all individuals whose personally identifiable information was compromised during recent data breaches at Federal agencies; to the Committee on Oversight and Government Reform.

By Mr. PETERSON:

H.R. 3030. A bill to direct the Commandant of the Coast Guard to convey certain property from the United States to the City of Baudette, Minnesota; to the Committee on Transportation and Infrastructure.

By Mr. SALMON:

H.R. 3031. A bill to prohibit funding to the Voice of America; to the Committee on Foreign Affairs.

By Ms. SINEMA (for herself and Mr. HURT of Virginia):

H.R. 3032. A bill to amend the Securities Exchange Act of 1934 to repeal a certain reporting requirement of the Securities and Exchange Commission; to the Committee on Financial Services.

By Ms. CASTOR of Florida (for herself and Mrs. CAROLYN B. MALONEY of New York):

H. Con. Res. 60. Concurrent resolution expressing the sense of Congress that female athletes be paid the same as their male counterparts and organizers of world class competitions actively take part in combating the wage gap; to the Committee on Education and the Workforce.

By Mr. NOLAN:

H. Res. 357. A resolution expressing the sense of the House of Representatives regarding the need to eliminate partisan redistricting and gerrymandering; to the Committee on the Judiciary.

By Mr. CASTRO of Texas (for himself, Mr. SMITH of Texas, Mr. DOGGETT, Mr. CUELLAR, and Mr. HURD of Texas):

H. Res. 358. A resolution welcoming the United Nations Educational, Scientific and Cultural Organization (UNESCO) World Heritage Committee's inscription of the San Antonio Missions to the World Heritage list, recognizing the San Antonio Missions as having universal historical and cultural significance, and congratulating the people of San Antonio for their years of hard work to make this designation a reality; to the Committee on Foreign Affairs.

By Mr. KING of Iowa (for himself, Mr. FRANKS of Arizona, Mr. BABIN, Mr. HARRIS, Mr. HUELSKAMP, Mr. YOHO, and Mr. GOHMERT):

H. Res. 359. A resolution providing that the House of Representatives disagrees with the majority opinion in Obergefell et al. v. Hodges, and for other purposes; to the Committee on the Judiciary.

By Mr. RUSSELL (for himself, Mr. BENISHEK, Mr. BISHOP of Utah, Mr. BOUSTANY, and Mr. COLE):

H. Res. 360. A resolution recognizing the 50th anniversary of the National Collegiate Honors Council; to the Committee on Education and the Workforce.

tion to enact the accompanying bill or joint resolution.

By Mrs. BLACKBURN:

H.R. 3018.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Ms. DELAURO:

H.R. 3019.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. COLE:

H.R. 3020.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law. . . ." In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States. . . ." Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. POMPEO:

H.R. 3021.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. ABRAHAM:

H.R. 3022.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the United States Constitution

By Mr. BUCK:

H.R. 3023.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the United States

By Mr. BOUSTANY:

H.R. 3024.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3—Business/Labor Regulation—The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. COOK:

H.R. 3025.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. COOK:

H.R. 3026.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. GOSAR:

H.R. 3027.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 (the Property Clause). Under this clause, Congress has the power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States. By virtue of this enumerated power, Congress has governing authority over the lands, territories, or other property of the United States—and with this authority Congress is vested with the power to

#### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitu-

all owners in fee, the ability to sell, lease, dispose, exchange, convey, or simply preserve land. The Supreme Court has described this enumerated grant as one “without limitation” *Kleppe v New Mexico*, 426 U.S. 529, 542–543 (1976) (“And while the furthest reaches of the power granted by the Property Clause have not been definitely resolved, we have repeatedly observed that the power over the public land thus entrusted to Congress is without limitation.”)

Historically, the the federal government transferred ownership of federal property to either private ownership or the states in order to pay off large Revolutionary War debts and to assist with the development of infrastructure. The transfers to private and state ownership by this legislation are constitutional and necessary to resolve a long-term boundary discrepancy and to ensure private property owners are able to utilize and control their private property

By Mr. JEFFRIES:

H.R. 3028.

Congress has the power to enact this legislation pursuant to the following:

US Const. Art. II, Sec. 3, Cl. 3 (“[The President] shall take Care that the Laws be faithfully executed[.]”); and US Const. Art. I, Sec. 8, Cl. 18 (“Congress shall have the power . . . To make all Laws which shall be necessary and proper for carrying into Execution . . . all other Powers vested in this Constitution in the Government of the United States, or in any Department or Officer thereof.”). This bill would instruct the Attorney General to give preferential treatment to police forces that meet certain criteria when distributing grant money, therefore this bill is a valid exercise of Congressional authority per the Necessary and Proper Clause provided the Attorney General’s duties, as an agent of the President, to enforce federal law and punish criminal wrongdoing.

By Ms. NORTON:

H.R. 3029.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the following: clause 18 of section 8 of article I of the Constitution.

By Mr. PETERSON:

H.R. 3030.

Congress has the power to enact this legislation pursuant to the following:

Article IV, section 3, Clause 2: The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States

By Mr. SALMON:

H.R. 3031.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7—“No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.”

By Ms. SINEMA:

H.R. 3032.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3; Article I, Section 8, Clause 18

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 223: Mr. TONKO.  
H.R. 244: Mr. SARBANES.  
H.R. 292: Mr. MURPHY of Florida.  
H.R. 358: Mr. WEBSTER of Florida.  
H.R. 402: Mr. TOM PRICE of Georgia.  
H.R. 448: Mr. AGUILAR.  
H.R. 540: Mr. WILSON of South Carolina.  
H.R. 546: Mr. HILL.  
H.R. 578: Mr. JOYCE.  
H.R. 592: Mr. COLE and Mrs. MILLER of Michigan.  
H.R. 612: Mr. WITTMAN.  
H.R. 702: Mr. COOPER, Mr. WEBSTER of Florida, Mr. NEWHOUSE, Mr. MOONEY of West Virginia, Mrs. HARTZLER, and Ms. SINEMA.  
H.R. 721: Mr. POLIS, Mr. FINCHER, and Mr. COHEN.  
H.R. 766: Mr. ROTHFUS.  
H.R. 775: Ms. MOORE, Mrs. MILLER of Michigan, Ms. MCSALLY, and Ms. DELBENE.  
H.R. 816: Mr. BURGESS.  
H.R. 828: Mr. BROOKS of Alabama.  
H.R. 829: Mr. O’ROURKE, Ms. DELBENE, and Mr. SCHIFF.  
H.R. 845: Ms. BONAMICI.  
H.R. 879: Mr. CONAWAY.  
H.R. 921: Mr. HECK of Washington.  
H.R. 928: Mr. DAVID SCOTT of Georgia.  
H.R. 973: Mr. AGUILAR, Mr. SHUSTER, Ms. MCCOLLUM, Mr. VARGAS, and Mr. PERLMUTTER.  
H.R. 997: Mr. MOONEY of West Virginia.  
H.R. 999: Mr. VALADAO.  
H.R. 1002: Mr. BENISHEK and Mr. TONKO.  
H.R. 1151: Mr. LOBIONDO.  
H.R. 1209: Mr. WALBERG, Mrs. BLACKBURN, Ms. MOORE, Mr. WELCH, and Mrs. TORRES.  
H.R. 1218: Mr. PERLMUTTER.  
H.R. 1233: Mr. REED and Mrs. HARTZLER.  
H.R. 1270: Mr. BURGESS.  
H.R. 1288: Mr. BLUM and Mrs. ELLMERS of North Carolina.  
H.R. 1309: Mr. ROYCE.  
H.R. 1354: Mr. HUFFMAN.  
H.R. 1401: Mr. BENISHEK.  
H.R. 1427: Mr. WALZ.  
H.R. 1439: Mr. LANGEVIN.  
H.R. 1464: Mr. HASTINGS.  
H.R. 1486: Mr. FINCHER.  
H.R. 1492: Ms. KUSTER.  
H.R. 1549: Mr. MARINO.  
H.R. 1550: Mr. CARNEY.  
H.R. 1568: Mr. RODNEY DAVIS of Illinois, Ms. SLAUGHTER, Mr. PETERS, Ms. JACKSON LEE, Mr. COHEN, Ms. DELBENE, Ms. SPEIER, and Mr. QUIGLEY.  
H.R. 1594: Mr. BLUMENAUER, Mr. FOSTER, Ms. SINEMA, Mr. KLINE, Mr. BOUSTANY, and Mrs. ELLMERS of North Carolina.  
H.R. 1610: Mr. SCHWEIKERT.  
H.R. 1624: Mr. SENSENBRENNER, Mr. GRAVES of Louisiana, Ms. JENKINS of Kansas, Ms. MCSALLY, Mr. ROGERS of Kentucky, and Mr. SIMPSON.  
H.R. 1670: Mr. COSTELLO of Pennsylvania.  
H.R. 1714: Mr. KIND.  
H.R. 1745: Ms. EDWARDS.  
H.R. 1769: Mr. KIND, Mr. PETERSON, Mr. SEAN PATRICK MALONEY of New York, Mr. MCKINLEY, Mr. KILMER, and Mr. WALZ.  
H.R. 1784: Mr. GROTHMAN.  
H.R. 1818: Mr. JOHNSON of Ohio.  
H.R. 1875: Mr. McDERMOTT.  
H.R. 1877: Mr. NOLAN.  
H.R. 1902: Mr. SERRANO.  
H.R. 2030: Mr. BEN RAY LUJÁN of New Mexico.  
H.R. 2061: Mr. NOLAN.  
H.R. 2068: Mr. JOHNSON of Georgia.  
H.R. 2121: Mr. UPTON, Mr. KILDEE, Mr. GRIFFITH, and Mr. SIRE.  
H.R. 2141: Mr. FINCHER.

H.R. 2192: Mr. AGUILAR.  
H.R. 2205: Mr. POE of Texas, Mr. WALZ, and Mr. BARR.  
H.R. 2213: Mr. MEADOWS, Mr. PITTENGER, Mr. JONES, and Mr. FORBES.  
H.R. 2244: Mr. GRIFFITH.  
H.R. 2302: Ms. MICHELLE LUJAN GRISHAM of New Mexico.  
H.R. 2303: Mrs. NAPOLITANO.  
H.R. 2342: Mr. WALZ.  
H.R. 2362: Mrs. LUMMIS and Mr. WALZ.  
H.R. 2384: Mr. GOSAR.  
H.R. 2403: Mr. BARR.  
H.R. 2410: Mr. CARTWRIGHT.  
H.R. 2464: Mr. COSTELLO of Pennsylvania and Mr. ABRAHAM.  
H.R. 2510: Mr. POLIQUIN and Mr. VALADAO.  
H.R. 2530: Mr. COHEN.  
H.R. 2535: Mr. POLIS.  
H.R. 2551: Mr. CLAWSON of Florida.  
H.R. 2607: Mr. KATKO.  
H.R. 2660: Mr. CAPUANO.  
H.R. 2678: Mr. GOSAR.  
H.R. 2680: Mr. BLUMENAUER and Ms. VELÁZQUEZ.  
H.R. 2713: Mr. RODNEY DAVIS of Illinois and Mr. TAKANO.  
H.R. 2716: Mr. GOWDY.  
H.R. 2725: Mr. POCAN and Mr. DESAULNIER.  
H.R. 2734: Ms. NORTON, Mr. JOLLY, and Mr. COOPER.  
H.R. 2765: Mr. GOSAR.  
H.R. 2775: Mr. SWALWELL of California.  
H.R. 2793: Mr. ALLEN, Mr. BUCK, Mr. WESTMORELAND, Mrs. LUMMIS, Mr. BABIN, Mrs. WAGNER, and Mr. MESSER.  
H.R. 2861: Ms. TSONGAS and Mrs. LOWEY.  
H.R. 2867: Mrs. KIRKPATRICK.  
H.R. 2896: Mr. BLUM, Mr. COFFMAN, and Mrs. MIMI WALTERS of California.  
H.R. 2902: Mr. BLUMENAUER, Mr. MEEKS, Mr. LARSON of Connecticut, Ms. TSONGAS, Mr. GRIJALVA, Mr. COHEN, Ms. DUCKWORTH, and Mr. KIND.  
H.R. 2905: Mr. OLSON, Mr. CARTER of Texas, Mr. WEBER of Texas, Mr. CULBERSON, Mr. SESSIONS, Mr. CONAWAY, Mr. BURGESS, Mr. FARENTHOLD, Mr. SAM JOHNSON of Texas, and Mr. WALBERG.  
H.R. 2908: Mr. KLINE and Mr. LIPINSKI.  
H.R. 2911: Mr. CROWLEY and Mr. SAM JOHNSON of Texas.  
H.R. 2916: Ms. MATSUI.  
H.R. 2918: Ms. FRANKEL of Florida.  
H.R. 2922: Mr. BURGESS and Mr. WITTMAN.  
H.R. 2942: Mr. MCKINLEY.  
H.R. 2972: Mrs. CAPPS.  
H.R. 2976: Mr. AGUILAR.  
H.R. 2977: Mr. COHEN.  
H.R. 2978: Mrs. RADEWAGEN.  
H.R. 2984: Mr. HUDSON.  
H.R. 3002: Mr. MARINO and Mr. BROOKS of Alabama.  
H.R. 3011: Mr. GROTHMAN and Mr. ABRAHAM.  
H.J. Res. 13: Mr. ZELDIN.  
H. Con. Res. 17: Mr. ASHFORD.  
H. Con. Res. 30: Ms. KUSTER.  
H. Res. 32: Ms. SLAUGHTER, Ms. BROWN of Florida, Mr. VAN HOLLEN, Ms. SPEIER, Mr. SMITH of Washington, Mr. ISRAEL, Mr. SHERMAN, Mr. NADLER, Mrs. BEATTY, Mr. RANGEL, Mr. CLEAVER, Mr. HECK of Washington, Mr. KILDEE, and Mr. HOLDING.  
H. Res. 230: Mrs. COMSTOCK.  
H. Res. 251: Mr. JEFFRIES.  
H. Res. 289: Mr. QUIGLEY.  
H. Res. 325: Ms. CLARK of Massachusetts.

## EXTENSIONS OF REMARKS

COMMENDING LOCAL 2015 HIGH SCHOOL GRADUATES FOR THEIR DECISION TO ENLIST IN THE UNITED STATES AIR FORCE AND OUR COMMUNITY SALUTES OF NORTHERN VIRGINIA FOR HOSTING THE FIFTH ANNUAL ENLISTEE RECOGNITION CEREMONY

**HON. GERALD E. CONNOLLY**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 10, 2015*

Mr. CONNOLLY. Mr. Speaker, I rise to recognize 25 graduating seniors in my community for their record of academic and athletic accomplishments and for their admirable decision to enlist in the United States Air Force. I also express my appreciation to Our Community Salutes of Northern Virginia for providing this opportunity to be among the first to say to each of these young men and women: "Thank you."

I have had the privilege of working with Our Community Salutes of Northern Virginia since its inception in 2011. That year my office was contacted by one of the founding parents who upon learning that her son and other students at his school who had decided to enlist would not receive any recognition during graduation, joined with other parents to organize the first enlistee recognition ceremony of its kind in the region. The first ceremony recognized 9 students; this year we will be honoring 133 local students for choosing to serve our country in uniform.

With graduation season upon us, thousands of young people in my community, and millions across the nation, are preparing for the next chapter in their lives. Some will pursue higher education or vocational training, others will seek to enter the workforce immediately, and many will answer the call to serve their community and their country.

The United States of America has distinguished itself from other nations through the entrepreneurship and spirit of our people, the knowledge that we can achieve any goal if we set our minds to it, our inherent compassion and generosity, our fierce patriotism, and the extraordinary sacrifices and dedication to country exhibited by the members of our Armed Forces. The young men and women from our community who will be enlisting possess an abundance of each of these qualities. I join with their families and friends in congratulating and commending the following graduates on their enlistment in the United States Air Force:

John Ainslie, Philip Baitinger, Merrilee Carder, Valeria Catacora, Brian Daley, Nikhil Deo, Gary Dixon, John Forsythe, Maximino Gabino, Patrick Hailey, Jazlyn Keating, Jun Pyo Kim, Edward Kowalski, Kellen Lovan, Lane Renner, Tran Robinson, Alexa Rolph, Kelsea Ross,

Demay Thong, Robinson Tran, Henry Tran, Justin Von Feldt, Shawn Von Feldt, James Wayne, and Logan Wood.

Mr. Speaker, I ask my colleagues to join me in applauding the courage and dedication of these graduates and in assuring them and their families that the full support and resources of the U.S. Congress and the American people will be behind them on every step of their journey in defense our nation's freedom.

HONORING JAMES FORNI

**HON. JARED HUFFMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 10, 2015*

Mr. HUFFMAN. Mr. Speaker, I rise today in honor of James Forni of Petaluma, who passed away on June 28, 2015 at the age of 36. A beloved husband, basketball coach, and friend to all, Mr. Forni has left us at too young an age. If there's any comfort to be found in the pain his family, students, and colleagues are feeling, perhaps it's the knowledge that James' legacy of kindness and compassion will remain with us indefinitely.

Some people are respected. Some people are loved. James Forni was both. A Petaluma native and local icon, Mr. Forni every day lived the values he instilled in his students, his friends, and his family: resilience, integrity, and strength. He was the soul at the very center of Casa Grande High School. Not only did he coach football and basketball as well as teach physical education for over a decade, he played multiple sports as a member of the 1998 graduating class before continuing on to play football at College of Marin, University of Oregon, and University of Redlands.

Many people would retreat when faced with a fight. Eight years ago Mr. Forni was diagnosed with melanoma, but he didn't back down. Even when his energy lagged and his muscles ached, he was there for his team. He attended basketball games and practices throughout his treatment. He battled the disease for nearly a decade and coached through the end, guiding his team until this season's conclusion.

James Forni lived for others. He left a permanent mark on his school and community for which, years from now, we will continue to be grateful. It is therefore appropriate that we pay tribute to him today and express our heartfelt condolences to his wife Mary, his parents Jim and Jan, and his siblings Jill and Chris.

COMMENDING LOCAL 2015 HIGH SCHOOL GRADUATES FOR THEIR DECISION TO ENLIST IN THE UNITED STATES MARINE CORPS AND OUR COMMUNITY SALUTES OF NORTHERN VIRGINIA FOR HOSTING THE FIFTH ANNUAL ENLISTEE RECOGNITION CEREMONY

**HON. GERALD E. CONNOLLY**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 10, 2015*

Mr. CONNOLLY. Mr. Speaker, I rise to recognize 55 graduating seniors in my community for their record of academic and athletic accomplishments and for their admirable decision to enlist in the United States Marine Corps. I also express my appreciation to Our Community Salutes of Northern Virginia for providing this opportunity to be among the first to say to each of these young men and women: "Thank you."

I have had the privilege of working with Our Community Salutes of Northern Virginia since its inception in 2011. That year my office was contacted by one of the founding parents who upon learning that her son and other students at his school who had decided to enlist would not receive any recognition during graduation, joined with other parents to organize the first enlistee recognition ceremony of its kind in the region. The first ceremony recognized 9 students; this year we will be honoring 133 local students for choosing to serve our country in uniform.

With graduation season upon us, thousands of young people in my community, and millions across the nation, are preparing for the next chapter in their lives. Some will pursue higher education or vocational training, others will seek to enter the workforce immediately, and many will answer the call to serve their community and their country.

The United States of America has distinguished itself from other nations through the entrepreneurship and spirit of our people, the knowledge that we can achieve any goal if we set our minds to it, our inherent compassion and generosity, our fierce patriotism, and the extraordinary sacrifices and dedication to country exhibited by the members of our Armed Forces. The young men and women from our community who will be enlisting possess an abundance of each of these qualities. I join with their families and friends in congratulating and commending the following graduates on their enlistment in the United States Marine Corps:

Jeremy Ainey, Oscar Ayalafranco, Wesley Bacon, Taylor Basnight, Kaelin Bernard, Matthew Byvik, Jose Carrillomeja, Briana Chaisone, Grant Collins, Sebastian Crossley, Dominic Dagostino, Tyler Dewalt, Andrew Forbang, Austin Gilley, Jacob Gomez, Joseph

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Grant, Kaleb Hanson, William Harris, Logan Harvey, Chase Haynes, Sean Heim, Wyatt Helean, Michael Hill, John Hoang, Patrick Johnson, Tyree Johnson, Matthew Jones, Scot Khanna, Joseph Larock, Daniel Lee, Jose Martinez, Mason Matvich, Nash Means, Christopher Meraz, Jacob Miller, Mohamed Mohamed, Aninyou Morkos, Maddison Mozingo, Jose Munoz, Christopher Myers, Michael Odell, Joshua Peters, Kimberly Ramos, David Reeves, Alexander Rojas, Canas Rubia, Spicer Sabruno, Nicky Sanchez, William Schouville, Taylor Terrell, Christian Trujillo, Jacob Vignaroli, Daniel Walton, Michael Wynd, Paul Zandbergen.

Mr. Speaker, I ask my colleagues to join me in applauding the courage and dedication of these graduates and in assuring them and their families that the full support and resources of the U.S. Congress and the American people will be behind them on every step of their journey in defense of our nation's freedom.

COMMENDING LOCAL 2015 HIGH SCHOOL GRADUATES FOR THEIR DECISION TO ENLIST IN THE UNITED STATES ARMY AND OUR COMMUNITY SALUTES OF NORTHERN VIRGINIA FOR HOSTING THE FIFTH ANNUAL ENLISTEE RECOGNITION CEREMONY

### HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2015

Mr. CONNOLLY. Mr. Speaker, I rise to recognize 48 graduating seniors in my community for their record of academic and athletic accomplishments and for their admirable decision to enlist in the United States Army. I also express my appreciation to Our Community Salutes of Northern Virginia for providing this opportunity to be among the first to say to each of these young men and women: "Thank you."

I have had the privilege of working with Our Community Salutes of Northern Virginia since its inception in 2011. That year my office was contacted by one of the founding parents who upon learning that her son and other students at his school who had decided to enlist would not receive any recognition during graduation, joined with other parents to organize the first enlistee recognition ceremony of its kind in the region. The first ceremony recognized 9 students; this year we will be honoring 133 local students for choosing to serve our country in uniform.

With graduation season upon us, thousands of young people in my community, and millions across the nation, are preparing for the next chapter in their lives. Some will pursue higher education or vocational training, others will seek to enter the workforce immediately, and many will answer the call to serve their community and their country.

The United States of America has distinguished itself from other nations through the entrepreneurship and spirit of our people, the knowledge that we can achieve any goal if we

set our minds to it, our inherent compassion and generosity, our fierce patriotism, and the extraordinary sacrifices and dedication to country exhibited by the members of our Armed Forces. The young men and women from our community who will be enlisting possess an abundance of each of these qualities. I join with their families and friends in congratulating and commending the following graduates on their enlistment in the United States Army:

Ronell Akwe, Gustabo Arguero, Eleanore Awwe, Angela Barfield, Ian Bliss, Tony Britvec, Ciara Carter, Dylan Cate, Robert Compton, Dylan Cook, Karon Cook, Giselle Diaz, Mason Dineen, Andrew Drescher, Ian Dumas, Yeni Dzib, Michael Fowlkes, Cristian Garcia, Adrianna Garner, Tabaria Harris, Kiee Harvey, Hunter Henson, Chase Henson, Nicholas Hwang, Lane Ingram, Olivia Jackson, Dylan Jeffries, Arielle Kirk, Andriy Kuranov, Daisey Kyaw, Eric Leach, Katelyn Lloyd, Joshua Marciano, Juan Martinez, Ofori Nana, Carlos Ortega, Thanh Tu Phung, Jordan Rivera, Julian Rivers, Tia Roush, Brian Steele, Louis Surface, Brian Vaughn, Dillon Welton, Steven Wesley, Donovan Wolford, Timothy Yemelyanov, Aisha Yunus.

Mr. Speaker, I ask my colleagues to join me in applauding the courage and dedication of these graduates and in assuring them and their families that the full support and resources of the U.S. Congress and the American people will be behind them on every step of their journey in defense of our nation's freedom.

HONORING PRESIDENT HARVEY SCHMITT OF THE RALEIGH CHAMBER OF COMMERCE

### HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2015

Mr. PRICE of North Carolina. Mr. Speaker, I rise today to recognize the distinguished career of Harvey Schmitt, who recently retired as President and CEO of the Raleigh Chamber of Commerce. In the twenty-one years Harvey has headed the Chamber, he has played an integral role in transforming Raleigh into a thriving city known internationally as one of the best places in America to live, work, and run a business.

Harvey has been a tireless promoter of the city's assets, often assuming the role of recruiter-in-chief. The enterprises he has helped bring to the Triangle include Red Hat, PNC, and the Carolina Hurricanes. He spearheaded the transformation of downtown Raleigh, creating the Downtown Raleigh Alliance, helping to revitalize Fayetteville Street, and leading the charge to build the downtown Raleigh convention center. He also promoted three billion dollars in school construction bonds to ensure that Triangle students learn in first-class facilities.

As Ranking Member of the Transportation, Housing and Urban Development Appropriations Subcommittee, I particularly appreciate Harvey's contribution to modernizing transportation in the Research Triangle. He and the

Chamber created the Regional Transportation Alliance to advocate for improved highways and transit and a diversified system for the future.

Throughout his time at the Chamber, Harvey has been an invaluable asset to and a dedicated advocate for the Triangle. His tireless efforts and winning ways have left a lasting imprint on his adopted city. He has earned our enduring respect and gratitude, and we wish him the best in retirement.

COMMENDING LOCAL 2015 HIGH SCHOOL GRADUATES FOR THEIR DECISION TO ENLIST IN THE UNITED STATES NAVY AND OUR COMMUNITY SALUTES OF NORTHERN VIRGINIA FOR HOSTING THE FIFTH ANNUAL ENLISTEE RECOGNITION CEREMONY

### HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2015

Mr. CONNOLLY. Mr. Speaker, I rise to recognize 5 graduating seniors in my community for their record of academic and athletic accomplishments and for their admirable decision to enlist in the United States Navy. I also express my appreciation to Our Community Salutes of Northern Virginia for providing this opportunity to be among the first to say to each of these young men and women: "Thank you."

I have had the privilege of working with Our Community Salutes of Northern Virginia since its inception in 2011. That year my office was contacted by one of the founding parents who upon learning that her son and other students at his school who had decided to enlist would not receive any recognition during graduation, joined with other parents to organize the first enlistee recognition ceremony of its kind in the region. The first ceremony recognized 9 students; this year we will be honoring 133 local students for choosing to serve our country in uniform.

With graduation season upon us, thousands of young people in my community, and millions across the nation, are preparing for the next chapter in their lives. Some will pursue higher education or vocational training, others will seek to enter the workforce immediately, and many will answer the call to serve their community and their country.

The United States of America has distinguished itself from other nations through the entrepreneurship and spirit of our people, the knowledge that we can achieve any goal if we set our minds to it, our inherent compassion and generosity, our fierce patriotism, and the extraordinary sacrifices and dedication to country exhibited by the members of our Armed Forces. The young men and women from our community who will be enlisting possess an abundance of each of these qualities. I join with their families and friends in congratulating and commending the following graduates on their enlistment in the United States Navy:

Gabriel Berrios, Owen Buzan, Kim Alexandria, Holly Speechant, and Sara Vasquez.

Mr. Speaker, I ask my colleagues to join me in applauding the courage and dedication of these graduates and in assuring them and their families that the full support and resources of the U.S. Congress and the American people will be behind them on every step of their journey in defense of our nation's freedom.

#### PERSONAL EXPLANATION

#### HON. MIKE POMPEO

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 10, 2015*

Mr. POMPEO. Mr. Speaker, on roll call no. 424 I was unable to cast my vote in person due to a previously scheduled engagement. Had I been present, I would have voted "nay".

#### IRAN NUCLEAR NEGOTIATIONS

#### HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 10, 2015*

Mr. BISHOP of Georgia. Mr. Speaker, Secretary of State John Kerry and partners from the P5+1 will meet in Vienna today to continue negotiations with Iran on that nation's nuclear activity. Statements from Iranian leaders such as Ayatollah Khamenei that disparage the United States and Israel remind us of the vital role that Congress has in this process. We must remain vigilant. We must ensure that any agreement holds Iran to the highest standards of transparency and accountability.

The opportunity for the United States to improve our relationship with Iran potentially could lead to greater stability in a region torn apart by war and religious strife. Nevertheless, we must not be naïve. The prospect of peace and stability can be reached only if we are secure that Iran will not threaten its neighbors and the world with nuclear aggression.

Secretary Kerry and his team of negotiators know the gravity of their work. I am confident that they want to see a good deal and will accept nothing less than an agreement that can withstand intense scrutiny. They cannot and should not be rushed into a deal. Nor should they cut corners as the deadline in presenting the details to Congress for a 30-day review approaches.

A good deal means that the international community must be permitted to inspect Iranian military and research installations to ensure that no illicit enrichment takes place. Inspectors must have full and unfettered access to be able to determine whether nuclear infrastructure has been dismantled so that its breakout capacity will be measured in years, not weeks. In addition, Iran must adhere to all U.N. Security Council Resolutions that require detailed explanations of previous nuclear efforts.

Until the U.S. Congress is assured that these measures have been implemented, sanctions must not be eased. The security of the U.S., Israel, and of our allies demands that we continue to apply pressure on the Aya-

tollah and his regime to ensure that they keep their word now and into the future.

#### TRIBUTE TO PAULA BELL

#### HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 10, 2015*

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Paula Bell of Des Moines, Iowa, for receiving the 2014 Wells Fargo Volunteer of the Year Award for the Central Iowa Region.

Wells Fargo has been able to create an environment that fully embraces workplace giving. Last year, they set a company record by pledging \$97.7 million to 30,000 nonprofits and schools. Wells Fargo has donated 6.4 million hours of service since 2011 and steps up in times of need, helping both domestically and abroad.

Paula Bell was granted this prestigious award, as well as \$1000 to donate to a nonprofit organization of her choosing, for volunteering 200 of the 111,415 total hours that Wells Fargo team members in the Central Iowa Region logged in 2014. Paula's hard work and dedication to serving others truly embodies our Iowa values.

I applaud her for her commitment to giving back to the community and service to others. I know my colleagues in the House will join me in congratulating her for receiving this award. I wish her and her family all the best moving forward.

#### HONORING THE DEDICATED SERVICE OF LIEUTENANT COLONEL ERIC A. GIVENS, UNITED STATES ARMY RESERVE

#### HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 10, 2015*

Mr. CONNOLLY. Mr. Speaker, it is with great pleasure that I rise to recognize the dedicated service of Lieutenant Colonel Eric A. Givens while serving with the Legislative Affairs Division at the Office of the Chief of Army Reserve from May 19, 2014, until March 8, 2015. During that short time, Eric made a lasting and positive impact on the Army Reserve through his efforts to foster and maintain relationships with Congressional members and staff.

As lead legislative liaison for military readiness and operations programs, Eric ensured that Army Reserve Soldiers' interests were clearly communicated to Members of Congress and their staffs as they considered the impacts of pending legislation. Additionally, Eric led efforts to draft, refine, and promote Administration-approved legislative proposals designed to ensure the well-being of Army Reserve Soldiers and to maintain the high-quality force the Nation has come to expect from its Army Reserve.

Ever the professional Soldier, LTC Givens arrived at the Legislative Affairs Division with

nearly three decades of Army Reserve service that began with his enlistment in 1985. He received his commission as an officer in 1990 and joined the Active Guard and Reserve program in 1995. His years of experience in the field and as a staff officer at the Pentagon made him an invaluable resource to the Legislative Affairs Division, as his well-developed relationships bore fruit on a daily basis.

LTC Givens' presence in the office and on Capitol Hill brought joy to all who worked with him, and he will no doubt take that same spirit with him wherever his Army Reserve career leads. The Army Reserve's Legislative Affairs Division will remember him as a tireless proponent of Army Reserve equities, and as a Soldier who represents the best of what America has to offer.

The 11th Congressional District of Virginia has one of the highest veteran and military populations in the United States. As Representative of this district, it is critical that I receive accurate and timely information so that I can best represent the needs of our service members and ensure that they and their families receive the protections and benefits that they have earned. This would not be possible without the invaluable contributions of men and women like LTC Givens who tirelessly and effectively communicate with our office and advocate for their fellow soldiers.

On behalf of the United States Congress and the residents of the 11th District, I congratulate and thank LTC Givens and his wife, Lisa, for their service to our country and wish them the best for continued success.

#### HONORING THE EXTRAORDINARY LIFE OF JUDY STUDEBAKER WARREN

#### HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 10, 2015*

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to honor the life of a beloved friend, Judy Studebaker Warren. Judy, of the famous Studebaker automobile family, was a vibrant, caring, and passionate individual. Her love of life and contagious smile had a rippling effect of positivity on everyone around her. Sadly, after an almost two-year battle with cancer, Judy passed away on July 5, 2015. It is my privilege to honor her extraordinary life on the floor of the United States House of Representatives.

A lifelong Hoosier, Judy grew up in Logansport, Indiana and graduated from Logansport High School. After high school she earned her bachelor's degree in sociology from Indiana University, where she was a proud member of the Pi Beta Phi Sorority and later became an active member of the Indiana University Alumni Association. She also served as President of the Junior League of Indianapolis, an organization she loved that benefitted from her energy and talents. Whether it was planning a fundraising gala for the Junior League or hosting a tailgate at an Indiana University football game, Judy was a gracious and amazing hostess who brought joy to everyone around her.



Judy's love of community and commitment to volunteering extended well beyond the Junior League of Indianapolis. She was the founding member of the Indianapolis Chapter of D.A.R.E. in the Pike Township School System and created many inaugural events, including ArtSparkle for the Indianapolis Art Center, the Tribute for the Indiana State Museum, and REV to benefit Methodist Health Foundation.

She also had extensive board participation, serving on the boards of the Indianapolis Art Center, Indiana State Museum, Championship Auto Racing Auxiliary, The National Art Museum of Sports, The Oaks Academy, and Ballet Internationale, to name a few. Her other affiliations include the Governor's Residence Commission, St. Margaret's Hospital Guild, American Cancer Society Guild, Presidents Roundtable, Indiana Children's Wish Fund's Ball and Spotlight, and Keep Indianapolis Beautiful. She was cause-oriented and loved a challenge; give her a goal and she was a fundraising machine. But most of all, she always had fun—and made sure everyone else did, too.

Judy was an innovator and the Hoosier community was her beneficiary. She brought so much good to the City of Indianapolis, and her hard work did not go unnoticed. After she completed her Junior League of Indianapolis Presidency Mayor Bart Peterson named June 4, 2003 as Judy Warren Day in the City of Indianapolis. She also received Governor Daniels' Distinguished Hoosier Award in 2006 and Indianapolis Mayor Greg Ballard's Community Achievement Award in 2010.

Judy was an embodiment of all that is kind and generous. Judy is and always will be an inspiration to me. Her grace, bravery, and spirit will live on through those whose lives she touched. She is survived by her husband, Brick; son, Clay, and his wife Stasha; her mother, Vera; and her beloved grandchildren, Katie and Ethan. She is also survived by her stepson, Ryan, and his wife, Elizabeth; and their children, Elijah Brick (E.B.), Martha Claire and George Taylor Warren. Judy Warren is an example of a great American woman who throughout her lifetime served her family, her friends, and community with passion and love.

H.R. 2999, THE FAIR VA  
ACCOUNTABILITY ACT

**HON. MARK TAKANO**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 10, 2015*

Mr. TAKANO. Mr. Speaker, I am proud to introduce H.R. 2999, the Fair VA Accountability Act, legislation that will bring real accountability to the VA while maintaining constitutional due process protections for civil service employees.

Last year, we were horrified to learn of widespread mismanagement at the VA. We all felt outraged that VA employees whose actions may have harmed veterans remained in their jobs or sat at home for months on paid administrative leave. There have been other bills introduced that seek to bring greater flexibility to the VA to remove problem employees,

but I believe that many do this by destroying the bedrock principles of our civil service, limiting due process to an extent that runs counter to the constitutional protections we enjoy. I think these bills have another failing—they likely would result in outcomes far different than their sponsors and proponents intend. By violating the due process rights of our federal employees, these bills could very well ensure that if followed, VA may never be able to effectively remove bad employees when a court finds them unconstitutional.

The Fair VA Accountability Act increases accountability by allowing VA to immediately suspend without pay any employee whose misconduct poses a direct threat to veterans' health and safety. VA currently has the authority to fire employees with adequate pre-termination notice—usually 30 days. I agree that VA needs to do a better job of utilizing this authority. But the only realistic reason a VA employee should be fired on the spot would be if his or her conduct threatened veterans' health and safety.

I believe my bill provides the proper balance between the needs of the VA and the rights of VA employees. I also believe it provides sufficient due process rights to meet constitutional requirements and provide accused employees with a fair chance to tell their side of the story. Keep in mind that over 30 percent of VA employees are veterans themselves—the largest percentage of veteran employees among civilian agencies. I am proud to promote a policy that protects these employees' constitutional right to due process before losing their federal job.

In addition to the immediate removal provision, my bill increases accountability at the VA by addressing the "revolving door" problem, prohibiting senior VA executives from receiving VA contracts for at least a year after they leave the VA. It also limits the use of paid administrative leave to 14 days, to ensure employees don't continue to draw paychecks while sitting at home for months.

Finally, the Fair VA Accountability Act protects whistleblowers by requiring mandatory back-pay for any employee who proves that dismissal was a result of whistleblower retaliation. My bill also requires the IG to report on the percentage of employees fired who claimed whistleblower protections, and retains existing Title 5 protections for VA employees.

As stated in a letter of support by the American Federation of Government Employees, this language establishes "highly effective mechanisms for increasing VA accountability while preserving the due process rights of front-line employees so that they can still make lifesaving disclosures about patient harm and other mismanagement without the fear of immediate job loss as at-will employees."

RECOGNIZING THE 50TH ANNIVERSARY OF THE OLDE FORGE-SURREY SQUARE CIVIC ASSOCIATION

**HON. GERALD E. CONNOLLY**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 10, 2015*

Mr. CONNOLLY. Mr. Speaker, I rise to congratulate Olde Forge-Surrey Square on the occasion of its 50th anniversary.

Located in the heart of Fairfax County and the 11th Congressional District of Virginia, the Olde Forge-Surrey Square subdivision is set in a beautiful location, surrounded by large parks and streams. The residents take great pride in their community and are willing and eager participants in the community's civic association.

The Olde Forge-Surrey Square Civic Association is dedicated to promoting a high quality of life for all of the residents. There is an active Neighborhood Watch program, which helps to ensure the area remains safe and that neighbors stay connected. The Brandywine Pool is a local gathering place for all, and there are frequent barbecues and other community events. Recently the civic association took on a large project to renovate its playground. Through the generous contributions of the residents, as well as support of the local business community, the civic association was able to raise enough money to qualify for a grant from Fairfax County for a complete playground renovation.

As the former president of my own civic association, I understand that when residents invest their time, care, and energies in their communities, it benefits all. Fairfax County is considered one of the best places in the nation in which to work, live, and raise a family, largely because of the willingness of so many to become actively involved.

Mr. Speaker, I ask that my colleagues join me in congratulating the Olde Forge-Surrey Square Civic Association on its 50th anniversary and in thanking all of the residents for their tireless efforts and dedication to the community and region.

TRIBUTE TO BRIAN REECE

**HON. DAVID YOUNG**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 10, 2015*

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Brian Reece of Osceola, Iowa, on receiving the Presidential Award for Excellence in Mathematics and Science Teaching (PAEMST).

This program, administered by the National Science Foundation on behalf of the White House Office of Science and Technology Policy, recognizes exemplary teachers for their contributions to the teaching and learning of math and science. Each award recipient will be receiving a certificate signed by the President, along with a \$10,000 award from the National Science Foundation. Each recipient will travel to Washington, D.C. for an awards ceremony at a later date.

Brian has been teaching mathematics for the past 19 years. Nine of those years have

been spent at Central Academy, a public high school in Des Moines listed in the top one percent of educational programs by the College Board. He has taught in a number of Iowa school districts, as well as at the Des Moines Area Community College. Brian received his B.A. in Mathematics from Central College in Pella, Iowa, and furthered his mathematics education with a Master's of School Mathematics from Iowa State University.

Mr. Speaker, it is an honor to represent Iowans like Brian Reece who display dedication and pride in developing Iowa's next generation. I know all of my colleagues in the House join me in congratulating Brian for receiving this prestigious award and wishing him nothing but success in the future.

WELCOMING CHARLOTTE BETH STONE

**HON. JOHN L. MICA**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 10, 2015*

Mr. MICA. Mr. Speaker, as I rise today, it is my pleasure to announce the birth of Charlotte Beth Stone on June 3, 2015 at Virginia Hospital Center in Arlington, VA.

Charlotte is the daughter of Kevan Stone, my Special Projects Director, and Alexis Rice. Friends since High School in West Palm Beach, Florida, Alexis and Kevan married years later in Washington, D.C. at the historic Willard Hotel in May of 2014.

On this happy occasion, I ask my colleagues to join me in extending our warmest congratulations and wishes to the Stone and Rice families for continued health and happiness.

PERSONAL EXPLANATION

**HON. MARK DeSAULNIER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 10, 2015*

Mr. DESAULNIER. Mr. Speaker, I regret that I was unable to vote on Friday, July 10 as I was attending the memorial services of a dear friend in my congressional district.

Had I been present, I would have cast my vote in support of H.R. 6, the 21st Century Cures Act, even though I am disappointed that the Republican Majority included last minute and unnecessary policy riders. I am cosponsor of the underlying bill which would encourage biomedical innovation and the development of new treatments and cures (Roll Call #433).

I would have also cast my vote in support of the amendment introduced by Representatives BARBARA LEE, JAN SCHAKOWSKY, and YVETTE CLARKE to H.R. 6, the 21st Century Cures Act. This amendment would remove harmful policy riders that aim to undermine women's access to reproductive health services from this otherwise noncontroversial, bipartisan effort. As a longtime supporter of a woman's right to access comprehensive reproductive healthcare, I oppose the inclusion of these unnecessary policy riders in this important bill (Roll Call #432).

I would have cast my vote in opposition to the Brat/McClintock/Garrett/Stutzman/Perry Amendment to H.R. 6, which would have turned the NIH and Cures Innovation Fund into a discretionary spending program, leading to immense uncertainty which would undercut the Fund's effectiveness and NIH's ability to maximize its work (Roll Call #431).

CONGRATULATING MARY AGEE ON HER RETIREMENT FROM NORTHERN VIRGINIA FAMILY SERVICE

**HON. GERALD E. CONNOLLY**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 10, 2015*

Mr. CONNOLLY. Mr. Speaker, I rise today to congratulate Mary Agee of Fairfax, Virginia on her retirement after 43 years at Northern Virginia Family Service (NVFS).

Since its founding by community volunteers in 1924, NVFS has addressed the growing needs of communities throughout our region. NVFS works to improve the lives of its clients through a variety of programs in five mission initiatives: housing, child and family enrichment, health access, emergency assistance, and workforce development.

Ms. Agee began her career with the organization as a Family Counselor in 1972 and since 1988 has served as Executive Director and then Chief Executive Officer. Four decades of service to our community cannot be fairly summarized in one statement, but just a few examples illustrate the tremendous impact Ms. Agee's efforts have had on the lives of Northern Virginia families.

When she was named Deputy Director in 1978, NVFS had 11 staff, five of whom were full-time, and a budget of \$187,000. Today, the nonprofit organization has 350 employees, approximately 3,600 volunteers, an operating budget of \$32 million and offices in Arlington, Fairfax, Prince William and Loudoun counties, as well as the cities of Alexandria, Manassas and Manassas Park. NVFS is now the largest private, nonprofit human service organization in Northern Virginia. Each year, nearly 34,000 individuals and families turn to NVFS to find housing and emergency services, early childhood programs, health & mental health services, workforce development programs, legal assistance, anti-hunger programs, and intervention and prevention programs.

Additionally, NVFS has played a role in stabilizing families affected by national crises. After the tragedy of 9/11, NVFS led the Survivors' Fund Project, providing direct assistance and long-term case management services to local victims, their families, and first responders. Ms. Agee considers this her proudest moment. In partnership with the Red Cross, NVFS led the Katrina Project for evacuees from New Orleans who relocated to our region. The success of this first-ever collaboration led the Red Cross to establish similar contracts across the nation.

Through Ms. Agee, NVFS has earned a reputation as a leader in the community by supporting community partnerships, taking a leadership role in multi-agency service delivery for clients, and working collaboratively with other

human services agencies on advocacy issues. On an individual level, Ms. Agee has served as an inspiration and mentor to many in the human services community. She carefully works with colleagues to develop their strengths and to nurture relationships that benefit the community and people in need, rather than any particular organization. I had the great pleasure of collaborating with Ms. Agee during my 14 years on the Fairfax County Board of Supervisors. Her leadership was invaluable when the County launched homeless prevention and affordable housing initiatives during my tenure as Chairman, and she, along with the entire team at NVFS, was an invaluable partner for the County's many human service programs to assist our neighbors most in need.

Mr. Speaker, I ask my colleagues to join me in thanking Mary Agee for a lifetime of service to our community and in congratulating her on her retirement. When I was Chairman of the County Board, we often joked when retirement announcements like this were made that we should pass an ordinance not allowing such talented and dedicated people to leave public or community service, and I certainly wish that was the case here. I wish Mary and her family all the best in this next chapter of her life.

PERSONAL EXPLANATION

**HON. LUIS V. GUTIÉRREZ**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 10, 2015*

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber today because I was at the 5th U.S. Circuit Court of Appeals hearing in New Orleans, LA, on President Barack Obama's immigration executive actions.

Had I been present, I would have voted "nay" on roll call vote 431.

I would have voted "yea" on roll call vote 432 and in favor of the Lee/Schakowsky/Clarke Amendment which would have struck from the underlying bill controversial policy riders that will undermine a woman's right to choose. This amendment would have protected women's health care choices and was especially vital to low-income and minority women's health.

I would have voted "yea" on roll call vote 433 in support of H.R. 6, the 21st Century Cures Act.

RECOGNIZING THE 2015 INSTITUTE FOR EXCELLENCE IN SALES & BUSINESS DEVELOPMENT LIFETIME ACHIEVEMENT WINNER MARK WEBER

**HON. GERALD E. CONNOLLY**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 10, 2015*

Mr. CONNOLLY. Mr. Speaker, I rise to recognize the recipients of the Lifetime Achievement presented by the Institute for Excellence in Sales & Business Development (IES&BD).

The Institute was created to foster excellence in business sales and development practices and to help organizations maximize their efforts. This annual award recognizes individuals, teams, and organizations throughout the United States who demonstrate exemplary performance through leadership, risk taking, innovation, vision, and customer development.

The 2015 IES&BD Lifetime Achievement Award honoree is Mark Weber of NetApp, a data management and cloud storage provider based in Vienna, Virginia. With over 30 years of experience in technology sales and engineering, Mr. Weber is a proven leader in Information Technology with particular expertise in serving the public sector.

Mr. Weber began his career as a federal account manager for Hewlett-Packard and later joined Sun Microsystems where he managed a diverse portfolio and served in a variety of positions including regional executive director for federal, state, and local government sales.

At NetApp, as Senior Vice President for the Americas, Mr. Weber leads sales, channels, engineering, professional services, business development, finance, operations, and marketing across North America, South America, and U.S. Public Sector. Prior to his current role, Mr. Weber served as the President and General Manager of NetApp U.S. Public Sector for ten years. He was responsible for managing and developing government business at the federal, state, and local levels in addition to higher education and teaching hospitals.

Under his leadership, NetApp's Vienna office was ranked in the top 10 for the best places to work in D.C. for the sixth time by the Washington Business Journal as well as repeatedly listed in the Washingtonian's Best 50 Places to Work issue.

Mr. Weber's professionalism has earned him the respect and admiration of his peers. In 2014 he was recognized by the Wash100 Exec Ranks as an Innovative GovCon Technologist & Business Leader. He was also awarded the FedScoop50 Industry Leadership award in 2012 and 2013 and the Federal Computer Week's Federal 100 Award in 2011. Within NetApp, he has received the Club Award for nine straight years and is frequently recognized as Sales Leader of the Year within the larger organization.

Mr. Weber sits on the Advisory Council for the Department of Business & Economics at Catholic University in Washington, D.C., and is a board member of the Virginia Tech Science and Engineering Regional Growth Enterprise (VT-SERGE).

Mr. Speaker, I ask my colleagues to join me in recognizing Mark Weber for his many contributions to the federal IT procurement field and on congratulating him on receiving the 2015 Institute for Excellence in Sales & Business Development Lifetime Achievement Award.

#### RECOGNIZING NONE SUCH FARM

**HON. MICHAEL G. FITZPATRICK**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 10, 2015*

Mr. FITZPATRICK. Mr. Speaker, I rise today to honor a very special company in the 8th

Congressional District, None Such Farm, which recently was recognized as a Finalist for the Secretary of Defense Employer Support Freedom Award.

The Freedom Award is the highest recognition given by the U.S. Government to employers for their support of their workers who serve our country in the Guard and Reserve. Nomination requests come from a Guard or Reserve member who is employed by the organization they are nominating, or from a family member. The award was created to publicly recognize employers that provide exceptional support to their Guard and Reserve employees, and the Department of Defense deems it the highest of all employer recognition awards.

30 companies from across the country were selected as a Finalist for this prestigious award. None Such Farm is the only company representing the Commonwealth of Pennsylvania, and all of us in Bucks County are proud.

None Such Farm is owned and operated by the 3rd generation of the Yerkes Family in beautiful Buckingham, Pennsylvania. For over fifty years the Yerkes farm supplied sweet corn for the wholesale market in Philadelphia. In the late 1970's, as the wholesale market began to change, Bill and John Yerkes decided to build a Farm Market. Since 1978, the market has doubled in size, adding a Meat Shop to sell their own farm raised beef, along with a kitchen for high quality "ready to go" food. None Such Farm is a staple of Bucks County, with some of the best sweet corn around, along with delicious fruits, vegetables, and beautiful flowers.

Today, the Yerkes family heritage lives on—through Leslie, Jon and Scott Yerkes, who made the decision to preserve the 217 acre farm. As a County Commissioner and as a United States Congressman, I have seen the tremendous strides that None Such Farm has made and the dedication it has given to its customers and employees.

I am pleased to see the Department of Defense recognize None Such Farm for their good treatment and support of our nation's military families. Thank you to the Yerkes family for taking care of those who serve our country. I am proud of your commitment to our military, and wish you many years of success in the future.

#### RECOGNIZING THE 2014 HONOREES OF THE FAIRFAX COUNTY FEDERATION OF CITIZENS' ASSOCIATIONS

**HON. GERALD E. CONNOLLY**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 10, 2015*

Mr. CONNOLLY. Mr. Speaker, I rise to acknowledge the Fairfax County Federation of Citizens' Associations (the "Federation") and the honorees of its 65th Annual Awards Banquet. The Federation is a coalition of civic and homeowners associations. Each year, the Federation honors a few select individuals for their extraordinary contributions to our community. As a former two-term President of the Federation, I understand that those who volun-

teer their time, energies, and talents to civic activities play a vital role in making Fairfax County one of the best places in the nation in which to live, work, and raise a family. I am honored to recognize the following individuals for their service to our community:

2014 Citizen of the Year: Michael O'Reilly. A lifelong resident of Fairfax County, Michael O'Reilly is a true "model citizen" who never fails to heed the call to public service. Mr. O'Reilly served as Mayor of the Town of Herndon from 2004–2006. In 2009 he helped create the Governing Board of the Fairfax-Falls Church Partnership to Prevent and End Homelessness and has chaired the Board since its inception. He also currently serves as President of the Herndon Council for the Arts and as Co-chair of the Herndon Committee of the Dulles Regional Chamber.

Lifetime Achievement Award: Mary Agee. For the past 43 years, Mary Agee has made an enormous difference in the lives of Northern Virginians, particularly the low income and struggling. Joining Northern Virginia Family Service (NVFS) in 1972, Ms. Agee became the organization's leader 27 years ago. Under her leadership, NVFS has grown into a regional resource that employs 350 people, has approximately 3,400 volunteers, and provides assistance to more than 34,000 Northern Virginia residents every year. Although Ms. Agee is retiring from her position as President and Chief Executive of NVFS, her contributions and impact have left a permanent imprint on our community that will continue to help future generations of Fairfax residents.

Citation of Merit: Connie Hartke. Connie Hartke is best known as President of Rescue Reston, a grassroots organization formed to protect open space. Under her leadership, Rescue Reston secured more than 4,200 signatures in opposition to the construction of homes on the Reston National Golf Course and led citizen engagement efforts with the Board of Supervisors and Board of Zoning Appeals. Ms. Hartke is also a valued supporter of the Walker Nature Center, participating in numerous education programs including hikes, presentations, and environmental film nights.

Citation of Merit: Bruce Wright. Bruce Wright commutes by bicycle to most of the many meetings he attends as Chairman of Fairfax Advocates for Better Bicycling (FABB). Since 2005, Mr. Wright and FABB members have worked with Fairfax County and the Virginia Department of Transportation to ensure that bicycling is an integral part of the county's transportation network. Under his leadership, FABB advocated for the county's first Bicycle Master Plan. He has served on the Hunter Mill District Land Use Committee, the Reston Planning and Zoning Committee, the Tysons Land Use Task Force, the Fairfax County Trails & Sidewalks Committee, and on the Washington Area Bicyclist Association.

Special Gratitude Honoree: Supervisor Michael Frey. Supervisor Frey has represented the Sully District on the Fairfax County Board of Supervisors since the Sully District was created in 1991, and I was proud to serve with him during my 14 years on the Board. Prior to that, he worked for former Board Chairman Jack Herrity and former Springfield District Supervisor Elaine McConnell. Since the beginning of his tenure, Mr. Frey oversaw enormous growth and change in the Centreville/

Chantilly area. His expertise in land use and development issues helped guide the area through this transitional period. His notable accomplishments include the creation of the Centreville Historic District, the acquisition of over 2,000 acres of parkland, and the establishment of a day labor center in Centreville. Mr. Frey has worked tirelessly for transportation improvements in western Fairfax to improve mobility and reduce congestion. A strong proponent of youth activities and opportunities for young children, Mr. Frey has been a leading advocate of youth sports. In addition, Mr. Frey was a strong supporter of the bid by Fairfax County to host the 2015 World Police and Fire Games and currently serves on the Board of Directors for the organization. Mr. Frey is retiring later this year from the Board of Supervisors, and I wish him well in his retirement and thank him for his 24 years of service to the County and the residents of the Sully District.

Special Gratitude Honoree: Supervisor Gerald "Gerry" Hyland. Supervisor Gerry Hyland has represented the Mount Vernon District on the Fairfax County Board of Supervisors since 1988, and I was proud to serve with him during my 14 years on the Board. As one of the longest-serving supervisors, Mr. Hyland has helped shape the tremendous growth and development of southern Fairfax County. He has been a force for renewal within the Mount Vernon District, working tirelessly on such major projects as the revitalization of the Route 1 corridor, the massive expansion of Fort Belvoir required under BRAC, and the transformation of Lorton from an industrial area once known for a prison and landfill into a thriving community known for its parkland, premier golf course, and the Workhouse Art Center. A tireless advocate for his constituents, he has helped manage the explosive growth of Mount Vernon to ensure that the quality of life enjoyed by the residents would not be diminished, but would rather be enhanced by this reinvention of the community. Mr. Hyland is retiring later this year from the Board of Supervisors, and I wish him well in his retirement and thank him for his 27 years of service to the County and the residents of the Mount Vernon District.

Mr. Speaker, I ask my colleagues to join me in thanking these incredible individuals and in congratulating them on being honored by the Fairfax County Federation of Citizens' Associations. Civic engagement is the root of a community, and Fairfax County residents enjoy an exceptional quality of life due in part to the efforts of these individuals. The contributions and leadership of these honorees have been a great benefit to our community and truly merit our highest praise.

H.R. 2647—THE RESILIENT  
FEDERAL FORESTS ACT

**HON. EARL BLUMENAUER**

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 10, 2015*

Mr. BLUMENAUER. Mr. Speaker, yesterday, I voted against H.R. 2647, the Resilient

Federal Forests Act. There are provisions in this bill that I support, such as preventing the practice of "fire borrowing," in which the Forest Service and the Department of the Interior pull funding from accounts meant for prevention of fire and use it to suppress fires. There are also provisions related to the Secure Rural Schools program that many of my colleagues in the Oregon delegation worked hard to include, and I appreciate their efforts.

I opposed the legislation overall. It goes too far in rolling back important environmental protections, beyond what is necessary to have a balanced approach. I am hopeful as this legislation works its way through the process that it is toned down and focused.

INTRODUCTION OF THE RECOVER  
ACT (REDUCING THE EFFECTS  
OF THE CYBERATTACK ON OPM  
VICTIMS EMERGENCY RESPONSE  
ACT OF 2015)

**HON. ELEANOR HOLMES NORTON**

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 10, 2015*

Ms. NORTON. Mr. Speaker, I rise to introduce the Reducing the Effects of the Cyberattack on OPM Victims Emergency Response Act of 2015 (the RECOVER Act), a bill to require the Office of Personnel Management (OPM) to provide complimentary and comprehensive identity protection coverage to all individuals whose personally identifiable information was compromised during recent OPM data breaches. Senator BEN CARDIN (D-MD) has introduced the companion bill in the Senate. Yesterday, OPM reported that more than 21.5 million current and former federal employees have had their personal information compromised in a second OPM data breach, five times more than the 4.2 million already reported, for a grand total of 25.7 million federal employees and retirees. OPM said that the 21.5 million individuals whose background check records were compromised would receive only three years of credit monitoring and identity theft protection services and \$1 million in loss coverage, while the other 4.2 million individuals whose personnel records were compromised would receive 18 months of credit monitoring and \$1 million in loss coverage. In light of the scope of OPM's data breach and the limited protection that is proposed, I, along with my House colleagues CHRIS VAN HOLLEN, DON BEYER, DONNA EDWARDS, C.A. DUTCH RUPPERSBERGER, ELIJAH CUMMINGS, GERALD CONNOLLY, and JOHN DELANEY introduce a bill that would provide free lifetime identity theft protection coverage that includes identity theft insurance for losses up to \$5 million. This protection is particularly necessary since the breach was discovered a year after hackers had already infiltrated OPM's system.

OPM's proposed protection would not protect current and former federal workers if hackers simply waited for a period of years before exploiting the stolen identities. However, our bill would give current and former federal employees some peace of mind.

The RECOVER Act is necessary to reduce the angst of our dedicated public servants re-

sulting from this entire ordeal. OPM failed to protect our current and former federal employees. It follows that the government must do the right thing to make up for its mistake.

CONGRATULATING THE 2015 LORDS  
AND LADIES FAIRFAX, THE RECIPIENT  
OF THE JAMES M. SCOTT COMMUNITY SPIRIT  
AWARD, AND THE CELEBRATE  
FAIRFAX! VOLUNTEERS OF THE  
YEAR

**HON. GERALD E. CONNOLLY**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 10, 2015*

Mr. CONNOLLY. Mr. Speaker, I rise to recognize a dedicated group of men and women in Northern Virginia. Every year, each member of the Fairfax County Board of Supervisors selects two people from his or her district who have demonstrated outstanding volunteer service, heroism, or other exceptional commitments and contributions to our community. Since the program's inception in 1984, approximately 600 individuals have earned the honor of being named a Lord or Lady Fairfax by his or her representative on the Board of Supervisors. The Board also traditionally recognizes these individuals during a reception held in conjunction with the annual Celebrate Fairfax! Festival in June.

This year, the Fairfax County Board of Supervisors will recognize those individuals who have made tremendous impacts through their support of our public schools, parks, youth sports leagues, arts community, public safety, and human service programs. It is nearly impossible to fully describe the diversity of accomplishments by the honorees. Their efforts contribute greatly to the quality of life for the residents of Fairfax County and should be commended.

It is my honor to submit the names of the following 2015 Lords and Ladies Fairfax.

At-Large: Lady Katherine K. Hanley and Lord John P. McAnaw

Braddock District: Lady Donna Goldbranson and Lord Richard B. Chobot

Dranesville District: Lady Sarah C. Kirk and Lord Robert D. Vickers Jr.

Hunter Mill District: Lady L. Adelle Jones and Lord Kenneth R. Fredgren

Lee District: Lady Elizabeth M. McGhan and Lord Christopher M. Soule

Mason District: Lady Terri L. Fox and Lord Martin C. Faga

Mount Vernon District: Lady Elisabeth B. Lardner and Lord Martin W. Tillett

Providence District: Lady Peggy A. Koplitiz and Lord Paul J. Wexler

Springfield District: Lady Kyra M. Beckman and Lord Jeffrey H. Saxe

Sully District: Lady Bonnie L. Hobbs and Lord Jerrold L. Foltz

I also commend the following recipients of the James M. Scott Community Spirit Award and the Celebrate Fairfax! Festival Volunteer of the Year Awards:

*July 10, 2015*

EXTENSIONS OF REMARKS, Vol. 161, Pt. 8

**11345**

James M. Scott Community Spirit Award:  
Dominion  
Celebrate Fairfax! Festival Volunteer of the  
Year Award: Tim Harazin

Mr. Speaker, I ask my colleagues to join me  
in expressing our gratitude to these men and  
women who volunteer their time and energy  
on behalf of our community. Their efforts pro-

vide immeasurable benefits to their fellow resi-  
dents and serves to strengthen and enrich the  
Fairfax County community.

## SENATE—Monday, July 13, 2015

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. HATCH).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Spirit, may our lawmakers delight today in Your guidance, finding joy in their daily fellowship with You. Strengthened by this fellowship, enable them to be as productive as trees planted by streams of water. Lord, give our Senators the wisdom to live for Your glory in each of life's seasons.

Protect our Nation from the forces that seek to destroy it both foreign and domestic. Lord, don't permit the weapons formed against America to prosper, for You remain our refuge and fortress. Continue to be the strength of our lives as we refuse to forget the many times You have protected and preserved us in the past.

We pray in Your Holy Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mrs. ERNST). Under the previous order, the leadership time is reserved.

### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each.

### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

### BASIN AND RANGE NATIONAL MONUMENT

Mr. REID. Madam President, cowboy poet Georgie Connell Sicking conveyed my feelings for the Nevada desert in her poem "Nevada's Subtle Beauty."

This picture I have in the Chamber has appeared all over the country. It appeared, for example, in the Wash-

ington Post a week or so ago, and there are other pictures that show this at more of a distance. The man there is so small compared to the vastness of the Nevada terrain. But here is what Georgie Sicking said in her poem:

Have you gone outdoors one morning after a summer rain,

With a gentle breeze blowing across a black sage valley

And smelled the earthy sagey freshness, none like it on this earth.

It sure makes life worth living, and you know when God was giving, He didn't short-change Nevada.

Have you ever in the afternoon watched the mountains changing colors,

From the shadows as they grow from brown and black to tan and violet,

Or sometimes the deepest blue.

Ever changing, ever different, they seem to smile, then frown,

Waiting for sky colors to be added as the sun goes down.

If these things I mention you have seen and felt and known,

Beware, for Nevada has a hold on you and will claim you for her own.

This is not Iowa terrain. It is very typical Nevada terrain, the deserts of Nevada. It is perfect. It is peaceful. It is the Nevada desert. It feels right. To me, it feels like home.

Last Friday, President Obama permanently protected over 700,000 acres of land in Eastern Nevada as the Basin and Range National Monument, which photographer Tyler Roemer has captured beautifully in these pictures.

The land President Obama designated as a monument—two basins and one range—is a perfect example of the stark beauty of the Nevada desert. This monument is an area where the Mojave Desert meets the Great Basin and Joshua trees and cactus give way to sagebrush. This monument is an area that is home to desert bighorn sheep, mule deer, elk, and pronghorn antelope.

This monument is an area that provided food and shelter for Native Americans and is where one can see their history today in incredible rock art panels we call petroglyphs. This monument is an area that reflects the pioneering western history from early explorers to the ranching that still exists.

Four or five years ago, I visited this area. I had been in the area but not here. I went there for a number of reasons. I had been informed of a five-decade-old art project in the middle of the vastness of this desert. While going to see this work of art, I also saw the unique beauty of the Nevada desert, and it is unique. After I completed my trip, in giving this a lot of thought and contemplation, I became passionate

about doing something to protect and preserve this incredible work of art and the stark beauty of the desert, both of which are priceless.

This picture is part of the City. This work of art has taken 48 years to construct. It is the size of the National Mall here. It is a couple miles long and very wide—almost a mile wide. It is something that is in the center of the Basin and Range National Monument. It is called the City. It is a grand modern art sculpture the size of, I repeat, the National Mall, part of which you can see in this photo from a group called the Triple Aught Foundation.

The creator is internationally renowned artist Michael Heizer, who is known all over the world. He has been working on this project, as I indicated, since 1972.

The New York Times has called City "the most ambitious sculpture anyone has ever built, one of those audacious improbable American dreams at the scale of the West, conceived for the ages." The canvas which makes up the background of his art is the untouched desert land of the Basin Range, which makes it all the more monumental. Hundreds and hundreds of people worked on this under the guidance of Michael Heizer. He has done remarkable stuff all over the world. The latest thing he did is in Los Angeles—in the middle of the city of Los Angeles at the Los Angeles County Museum of Art. That is a big project, but it pales in comparison to this. What he did there, he moved a rock weighing 400 tons 102 miles through the cities of California. It is called Levitated Mass. The thing in L.A.—this 400-ton boulder—looks like it is suspended in space. It is not. But people walk under it.

I talked very recently to the Los Angeles County Museum director, and he said this thing needs no advertising. People come to see this. And that is the same way this will be. This is a wonderful piece of art.

One of the art critics for the Washington Post said it was the most—and I am paraphrasing—significant piece of art in the last 50 years in America.

When I first brought this up to President Obama, he said: Tell me what it is. Explain it to me. I said: I can't. How, Madam President, as you are presiding over this body, would you describe this? It is really hard to describe, and we are only seeing a tiny bit of this. It is 2 miles long and 1 mile wide, approximately.

He has done amazing things. He has developed his own dirt. We have plenty of dirt in the desert, but he was afraid it would be washed away. This will

never be washed away—the same up here.

As I indicated, he has art projects all over the world, but he is from Nevada. He has spent a lot of his time in Nevada for the last 48 years, in addition to his other projects. So I am very happy this has happened in Nevada.

By using his authority under the Antiquities Act, President Obama has helped preserve the life, history, and culture of Nevada—the land I love.

Look at this. This has been preserved for my children, my grandchildren, their children, and their grandchildren. This is exquisite.

Nevada is growing very rapidly. In the southern part of the State—Las Vegas—there are about 3 million people now. People are traveling all over Nevada, and we don't have—even though it is a very large State—much unspoiled land, but this is something that has not been spoiled. There are no roads through it, no railroads, no power lines. This is beautiful, and I am so glad the President did this.

As renowned journalist Steve Sebelius wrote in his Sunday column in the Las Vegas Review-Journal, "Preserving the land from development was the right thing to do. History will bear that out, long after the wails of the disaffected have ceased to echo through the desert canyons of Nevada's newest monument."

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Madam President, I ask unanimous consent to speak in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SALUTING CVS HEALTH

Mr. DURBIN. Madam President, the No. 1 preventable cause of death in America today: tobacco. People who use tobacco—smoking or chewing—develop a myriad of health problems, and many die prematurely.

Tobacco companies are a big business in America. They have been for a long time. And they really try their best to recruit new customers when they go into junior high and high schools. Now they are in the e-cigarette business too, but I want to stick with tobacco for a moment. The notion, of course, is, if you can addict a child to nicotine, they will continue to smoke and eventually become a lifelong user of tobacco products.

It has been a long time since I have engaged this industry in political con-

test. It was a little over 25 years ago when I was a Member of the House of Representatives that I boarded an airplane in Phoenix, AZ, at the last minute—a United airplane. I went to the ticket counter and said to the woman at the counter: Can I get on this plane?

She said: If you hurry, you can get on there. Here is where you are going to be seated.

And I said: Wait a minute. This is in the smoking section of the airplane and you have me in a center seat in the smoking section. Isn't there something you can do?

She looked at my ticket and said: No, Congressman, there is something you can do.

So I got on that plane and flew from Phoenix to Chicago in the smoking section of the airplane—there used to be such things—and thought to myself: This is madness. Here I sit, a non-smoker, breathing in all this second-hand smoke, and there is an elderly person in the so-called nonsmoking section two rows away, and there is a lady with a baby, and why in the world do we have to be subjected to this?

So I came back to Washington and introduced a bill in the House of Representatives to ban smoking on airplanes. After a lot of work and a lot of good luck, I found out that the largest frequent flyer club in America—the House of Representatives—did not much like smoking on airplanes either, and I won—it surprised a lot of people—beat the tobacco lobby.

I called my friend Frank Lautenberg, the Senator from New Jersey, and asked him if he would take up the cause in the Senate. He did it masterfully. The two of us passed the law and changed the way America looked at smoking on airplanes.

Neither Senator Lautenberg nor I knew this was a tipping point in history. I did not know it. But people started thinking: If secondhand smoke is dangerous on an airplane, why isn't it dangerous on a train, in a bus, in an office building, in a hospital, in a restaurant? Today, 25-plus years later, if you walked into someone's office on Capitol Hill and they had an ashtray in the middle of the table, you would think: What are they thinking? People do not do that anymore.

It used to be standard and no one thought twice about lighting up. That was just your personal preference. Things have changed in America, and the number of people using tobacco products has declined because they have come to understand it is dangerous, it can kill you.

But we are not the only country on Earth that has figured this out. Many other countries are ahead of us in terms of regulating tobacco. If you travel overseas, take a look at cigarette packages. Ours still look pretty fancy. They have a little label on them.

But in other countries, the cigarette packages are very stark and very limited in what they can say about the product. Most of what they contain are health care warnings: Tobacco can kill you. Tobacco can harm a fetus in a pregnant woman. These stark reminders are to discourage people from using tobacco products because countries overseas, just like the United States, understand how dangerous they are.

So it was in that context that I was amazed to read something a few weeks ago. The New York Times published a devastating series of articles on how the U.S. Chamber of Commerce has been playing a global strategy to fight against effective tobacco control laws in other countries—the U.S. Chamber of Commerce fighting tobacco control laws in other countries.

Why would the U.S. Chamber of Commerce—once considered a pillar of the American business community—be a champion promoting the sale and consumption of a deadly tobacco product in another country? It does not compute. One reason? The power, the money, and the influence of Big Tobacco is still very strong. The stories and letters published by the New York Times made it clear that the U.S. Chamber of Commerce has effectively rented out its letterhead to the tobacco industry, jeopardizing not only the reputation of the Chamber but all the member companies that belong to it.

I stand here today to salute one company that has fought back at this revelation of this activity by the U.S. Chamber of Commerce. CVS Health—you know them from their drugstores and pharmacies—announced it was going to quit the U.S. Chamber of Commerce because the Chamber's efforts to promote tobacco conflict with the CVS corporate policy that decided over a year ago to stop selling tobacco products in their drugstores.

I congratulate CVS Health. It is pretty bold when they decide they are going to walk out on the U.S. Chamber of Commerce because of these rotten policies they have in discouraging tobacco control overseas. Maybe this decision by CVS will give the Chamber of Commerce a reason to think twice about a policy that is going to result in deadly addictions and terrible disease. It should. The Chamber should end this insidious campaign as quickly as possible. Without question, CVS Health has shown again, as they did last year, that protecting the public health is good business and it is essential to good, responsible corporate citizenship.

The World Health Organization estimates that tobacco kills more than 6 million people worldwide every year. In the 21st century, 1 billion people—1 billion—are expected to die as a result of tobacco. And many of these deaths are in the poorest nations on Earth—8 out of 10 of today's smokers living in low-income and middle-income countries.



It is unconscionable that the U.S. Chamber of Commerce is going after the laws to protect the people in these poor countries.

More than a decade ago, the World Health Organization adopted an international treaty focused on reducing tobacco consumption. This treaty, supported by 180 countries, obligates nations to employ practices to reduce tobacco use. We have made a lot of progress in the last 10 years. Madam President, 49 countries have passed comprehensive smoke-free laws protecting over 1 billion people. Madam President, 42 countries have strong, graphic warning labels, covering almost 20 percent of the population that buys these products. These policies save lives and prevent cancer, heart disease, and lung cancer.

It is hard to imagine how the U.S. Chamber of Commerce can rationalize policies that literally promote the death of innocent people from the use of tobacco.

Hats off to the CVS Health corporation for stepping up and showing responsible corporate citizenship in resigning from the U.S. Chamber of Commerce. Maybe if the U.S. Chamber of Commerce comes to its senses, CVS might consider rejoining it.

#### HAITI

Mr. DURBIN. Madam President, over the Fourth of July recess, I joined with Senator BILL NELSON and we went to Haiti. It is not a popular spot for Members of Congress to go on a weekend, but we made a point of going. It was a return trip for both of us.

Our visit the first time was 5 years ago, after the devastating earthquake that left the capital city of Port au Prince in ruins, claimed more than 200,000 lives, and more than 1 million people were displaced from their homes. I recall visiting the island that many years ago, 2 years after the earthquake, and witnessing the ongoing devastation—people still living in tents. So it was with some satisfaction to see that Haiti has come a long way. Buildings are being rebuilt, the overwhelming majority of those displaced have found housing, and the economy is starting to recover.

The United States has been a major contributor to Haiti's recovery, and I want to praise the dedicated American Government officials who work in a challenging environment—notably under the incredible and tireless and amazing leadership of our U.S. Ambassador in Haiti, Pam White, a career employee of USAID and now our Nation's Ambassador to Haiti.

I noted that the Senate recently confirmed a couple of President Obama's nominees to become Ambassadors. There are now dozens still waiting. Can you imagine the United States of America in our Embassies overseas

with no Ambassador month after month after month, when worthy people have been nominated and the U.S. Senate refuses to even consider an Obama nomination for Ambassador? Many of these are not political. They are career. They spent their career working in the State Department. Now, at the end of their career, they are named Ambassador, and the Foreign Relations Committee in the Senate, under Republican leadership, refuses to call President Obama's nominees for these ambassadorial posts.

In many countries, the foreign minister in those countries counts the days and weeks that the United States has not had an ambassador. It is an embarrassment. I hope the majority party now will at least give the President and our Nation the opportunity to put good representatives of our countries overseas.

Madam President, I wish to say a few words about the current President of Haiti, whose term ends this year. His name is Michel Joseph Martelly. He is known as Sweet Micky, which used to be his stage name when he was a rock and roll singer. He has now been the President 4½ years and has done some very good things. He wisely guided his nation through the post-earthquake process and a lot of political change.

The end of his term marks an important moment for Haiti and its future. Given that the Haitian Parliament dissolved in January, the success and timeliness of these elections cannot be overstated. I urge the political parties and candidates to renounce the use of electoral violence and to participate constructively in the upcoming election. And I hope that the neighboring country, the Dominican Republic, will join with Haiti in resolving some very vexing immigration problems between these two countries. These are problems which involve some of the poorest people on that island of Hispaniola. We need to find a way to treat them in a decent and humane fashion so they can ultimately be located in a place where they can maintain their dignity and their work.

#### EVERY CHILD ACHIEVES ACT

Mr. DURBIN. Madam President, on the floor now when we return for debate is the Elementary and Secondary Education Act, which has been named the Every Child Achieves Act, and is before the Senate this week. We may finish it. The issue is our opportunity on a periodic basis to debate the future of K-12 education in America. Millions of Americans follow this debate. It affects their local schools and school districts.

It was under President George W. Bush that there was an amazing bill passed called the No Child Left Behind Act. What was amazing, politically, was that President Bush—a Republican

and a conservative—called for a larger role by the Federal Government in evaluating school districts and teachers and in deciding whether they were succeeding. It was controversial from the start. Ultimately, we have moved away from it.

This new bill takes a much different approach. Instead of testing, testing, testing and grading school districts, we are basically shifting the responsibility back to the States to do this. It remains to be seen whether this is or will be an improvement.

We learned a lot under No Child Left Behind when we took a close look at test scores. To say what the average test score is at a school meant very little—or nothing—when we broke out the students at the school and found out that some were doing exceedingly well and some not so well at all. We could find groups of students—some minority groups, for example—who were not doing very well at school, but the other kids might have brought the scores up. So now, by disaggregating scores, we can target our efforts and make sure that some students have a fighting chance.

It remains to be seen, under this Every Child Achieves Act, whether we have gone far enough or too far in shifting the responsibility back to the States.

I will mention very briefly, because I see my friend and colleague from Vermont on the floor, that there is one amendment here that I have offered with Senator CAPITO. This bipartisan amendment would require States to include information on their State report cards about postsecondary enrollment rates at public and State institutions. It will allow States to go further and include information on private, public, and out-of-State enrollment as well. It would encourage States to produce and publish data on remediation rates on students, so we can better understand which high schools are truly preparing their students for postsecondary education. Much of the data is already collected by the States. So the additional burden would be minimal.

Ensuring students coming out of high school are college and career ready is an important goal of the bill. Our commonsense bipartisan amendment would help track whether that goal is being met.

The amendment is supported by the Business Roundtable, Leadership Conference on Civil Rights, Education Trust, National Center for Learning Disabilities, National Council of La Raza, the U.S. Chamber of Commerce, and America Forward.

There is one other amendment I have, and I will close on this. When it relates to high school athletics, many of us are concerned about the incidents of concussions occurring in sporting events. I filed an amendment based on my Protecting Student Athletes from

Concussions Act. It is supported by the American Academy of Neurology, American College of Sports Medicine, Illinois High School Association, NCAA, Major League Baseball, National Basketball Association, National Football League, National Hockey League, and many others.

It directs States to develop concussion safety plans for public schools to protect student athletes from this dangerous injury. Most importantly, it would require the adoption of a “when in doubt, sit it out” policy, promoted by the medical community. This means that a student athlete suspected of a concussion would be removed from play and prohibited from returning to play that same day, no matter what. It doesn’t make any difference how much he pleads or what the score of the game is or who is sitting in the stands. If you think you have evidence of a concussion, be safe. Don’t put that student athlete back on the field.

It would take the decision on when to put an injured athlete back in the game out of the hands of the coach, the athlete, and the parents. While I don’t believe we will be able to get the adoption of the full amendment, I am pleased that a substitute includes a clear statement that allows funds to be used to develop these policies. I thank Chairman ALEXANDER and Senator MURRAY for working with us to include that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, my dear friend, the senior Senator from Kansas, is going to speak next, but he has graciously allowed me to have the very few minutes I asked for, and then he will be recognized as soon as I give my statement.

(The remarks of Mr. LEAHY pertaining to the submission of S. Res. 222 are printed in today’s RECORD under “Submitted Resolutions.”)

Mr. LEAHY. I yield the floor, and I thank the Senator from Kansas.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Madam President, I thank my colleague. I hope he gets better from his cold. He did our sports presentation for us this morning. Maybe he could do the sports news for us every morning.

Mr. LEAHY. If the Senator will yield, it is not a cold. There are a few more pollens in the air that we Vermonters are not used to.

Mr. ROBERTS. I understand.

#### EVERY CHILD ACHIEVES ACT

Mr. ROBERTS. Madam President, I rise to talk about the bill we have before us today.

We in the Senate have a unique opportunity long overdue and a responsibility to reauthorize the Elementary

and Secondary Education Act. The acronym is ESEA. This legislation is long overdue. It is vital for our children and their future that we get it right when addressing education policy. The consequences will be seen for years to come.

I would like to acknowledge and especially commend the work of Chairman LAMAR ALEXANDER and Ranking Member PATTY MURRAY, who worked so hard to get us to this point. This is something rather unique in the Senate. We are coming together. We are percolating with regards to important bills. This is a tremendously important bill.

Due to their bipartisan leadership, the Every Child Achieves Act was approved back in April by the HELP Committee, of which I am a proud member, 22 to 0. I was very proud to vote yes.

Let me repeat that. It passed 22 to 0. Because of that hard work, led by Senators ALEXANDER and MURRAY, we are currently debating ESEA in the Senate for the first time since 2001. That is 14 years—14 years—that we have not had a reauthorization bill come to the Senate floor, and there is a lot of hope that it will pass. This is a prime example of what is possible when the Senate functions as it should and committees are actually able to legislate.

Recently, 10 national education groups, representing educators, principals, school boards, superintendents, chief State school officers, parents and PTAs, and school business officials, called on the Senate to consider the Every Child Achieves Act to reauthorize the ESEA.

Daniel Domenech, executive director of the School Superintendents Association, wrote this in a letter:

The nation’s K–6th graders have spent every day of their K–12 experience under an outdated and broken ESEA. Our students want and deserve more.

His remarks perfectly summarize the issues at hand.

I want to turn to a critical issue for States and school districts. Over the last few years, the administration has doubled down on Federal mandates and has used the waiver process to create law by fiat—thereby circumventing Congress and allowing those who have a Federal agenda in Washington to make too many decisions that are best left to the States and the school districts. It is evident that waivers have been granted only to those States that agree to implement the administration’s preferred education policies. That is just not right.

In fact, the New York Times has referred to the waiver process as “the most sweeping use of executive authority to rewrite Federal education law since Washington expanded its involvement in education in the 1960s.”

Under section 9401 of current law, the “Secretary may waive any statutory or regulatory requirement of this Act for

a state education agency, local education agency, Indian tribe or school” if that entity receives funds and requests a waiver.

Language included in the Every Child Achieves Act amends section 9401 to clarify that the waiver process is intended to be led by State and local requests, not Washington mandates. This will help ensure the process is State-driven and will allow for greater flexibility and innovation.

In July 2011, the Congressional Research Service issued a report providing an overview of the Secretary’s waiver authority under ESEA and warned of potential legal limits and challenges to the Secretary’s flexibility proposal.

The report states: “If the Secretary did, as a condition of granting a waiver, require a grantee to take another action not currently required under the ESEA, the likelihood of a successful legal challenge will increase.”

I have worked long and hard for language in the bill—years and years—that will prohibit the Secretary from imposing any additional requirements to waiver requests not authorized by the Congress. I am fully committed to fighting this one-size-fits-all Federal education agenda because I firmly believe local control is best when it comes to education.

The Every Child Achieves Act, in its current form, puts an end to Washington mandates and allows Kansans to make their own decisions about the best way to improve education. While this legislation heads in the right direction in reducing the Federal footprint, I want to remind my colleagues it is important that we avoid adding back Federal mandates and prescriptive requirements.

As we move forward, I will continue to push to return K–12 education decision-making to State and local control, where we can establish the best policies to ensure that every child receives the highest quality education.

Now, I would like to briefly discuss something called Common Core and the Federal overreach in education. Common Core started out as a State-led effort to create high standards that States would voluntarily adopt, but the administration had different ideas.

In homes across America, parents are raising questions about what their children are being taught. In many cases, parents are hearing that local curriculum decisions have been driven by the Common Core education standards that most States adopted in a hurry under Federal pressure with little or no public input.

Decisions about what children are taught are best made on the local level as close to parents as possible. The Federal Government should not have overriding influence over State and local education decisions. Simply put, the Department of Education has

incentivized and coerced States into implementing Common Core education standards. Some within our education community in Kansas have even called this practice a bribe.

The administration made it a criterion for States to adopt Common Core standards to have a reasonable chance to receive Federal funding under the multibillion-dollar Race to the Top Program and used Federal funds to develop Common Core-aligned tests. They have also threatened to withhold waivers from the onerous provisions of the No Child Left Behind Act if States do not adopt Common Core or similarly aligned standards and assessments. This is wrong.

For that reason, earlier this year, I reintroduced the LOCAL Level Act, S. 182, to explicitly prohibit the Federal Government's role and involvement in Common Core. My legislation would strictly forbid the Federal Government from intervening in a State's education standards, its curricula, and assessments through the use of incentives, mandates, grants, waivers or any form of manipulation. Simply put, my legislation will preserve State education autonomy.

A State will now be free from Federal interference in how to decide whether to use Common Core or any other type of academic standard. I am pleased the bill before us includes the language from my LOCAL Level Act and will, once and for all, end the administration's use of waivers to force or incentivize States to adopt Common Core standards.

It will end the Obama administration's—and, for that matter, any future administration's—ability to use any tool of coercion to force States to adopt Common Core or any set of standards at all, whether it is Common Core by another name or some new set of standards—period.

I thank Chairman ALEXANDER for including my language because I firmly believe it will prohibit the administration from finding additional ways to promote a State's adoption of Common Core.

I want to emphasize setting high standards for our schools, our teachers, and our children obviously is the right thing to do. But we will decide those standards in Kansas, and those decisions will be made in other States as well. We need to get the Federal Government out of the classroom and return our community decisions back to where they belong—in the community.

If the Every Child Achieves Act becomes law, we can finally say goodbye to Federal interference in what we teach our kids in school. Chairman ALEXANDER has stated that with this bill, we have the first opportunity in 25 years to restore decision-making back to States, local school districts, superintendents, principals and teachers, local school boards, parents, and especially the students. He is right.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mrs. CAPITO. Madam President, I rise to express my strong support for the Every Child Achieves Act that is pending before the Senate. I want to commend Chairman ALEXANDER and Ranking Member MURRAY for working in such a great bipartisan fashion that brought this bill to the floor that will improve the quality of education for children across our country.

The Every Child Achieves Act puts States and local officials back in control of our local schools. As we heard from the Senator from Kansas, Mr. ROBERTS, his hard work on this bill also stops the Department of Education from conditioning Federal funding on the adoption of national standards like Common Core.

Importantly, this bill also makes sure parents and taxpayers continue to have access to important information about how the schools in their communities are performing. The Every Child Achieves Act deserves the Senate's support this week. Last week, the Senate unanimously adopted an amendment that will allow community school programs the flexibility to use Federal funds to pay for a site resource coordinator at their school or local education agency. This is important to the State of West Virginia. We have community schools. Community school programs provide important health, nutrition, and other key services for many of our West Virginia students who are, unfortunately, living in poverty.

The amendment passed last week will allow those programs to better coordinate with community partners to provide resources and support for our children in need. I was happy to work with Senator BROWN and my fellow Senator from West Virginia, Mr. MANCHIN, to see that that amendment passed.

I also want to talk briefly about a bipartisan amendment I introduced with Senator DURBIN—he spoke about it a few minutes ago on the floor—that takes important steps to create transparency for students and families. It does so by allowing students and parents to know the quality and progress of their schools as it relates to college readiness.

This amendment will require States and local educational agencies to include postsecondary enrollment data on the existing report card measures that are included in the Every Child Achieves Act. It also encourages the inclusion of data on postsecondary remediation.

It is supported by dozens of organizations, including the College Summit, the Business Roundtable, and the U.S. Chamber of Commerce, because this amendment seeks to improve the education outcomes of our students.

Parents and students alike deserve to know they are being adequately pre-

pared to enter and succeed in postsecondary education. Including these simple, easy-to-understand measures on State and local report cards will provide them with the information they need to make informed choices about their future education. Additionally, the data will help States and school districts target limited resources to the schools that need it most. This amendment was carefully crafted to avoid putting onerous and additional burdens on our schools and States. Nearly all States already have made the investments necessary to collect, link, and report this data. In fact, the majority of States are already reporting it. Currently, 40 States produce high school feedback reports that include postsecondary enrollment data. More than 30 States already include some measure of postsecondary success, such as remediation rates.

Adding postsecondary enrollment and remediation rates to existing report card measures included in Every Child Achieves Act would make sure students, parents, educators, and policymakers have access to critical information about how well our high schools are preparing students to enter and succeed in postsecondary education. The end result will be successfully restoring decisionmaking to those who know best—the students and their parents.

I urge everyone to support this amendment and also to support the bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

#### STUDENT NON-DISCRIMINATION ACT

Mr. FRANKEN. Madam President, I rise to speak about the urgency of passing the Student Non-Discrimination Act, which takes the same protections that children have against discrimination on the basis of race and national origin and gender and disability, and it extends those protections to lesbian, gay, bisexual, and transgender children—LGBT children. That is it. It is a simple bill. It stands for the principle that LGBT kids have a right not to be bullied just because of who they are.

There are people who will say: What can you do to stop bullying? Kids will be kids. Boys will be boys. I don't think that is right. Because what we are seeing in our schools today is not just teasing; it is not playground behavior. What we are seeing is more than just bullying. We are seeing discrimination. Let me explain what I mean.

If a Black child was referred to by a racial slur at school, would we say kids will be kids? If a Jewish student got beat up because he wore a yarmulke to school, would we wave it off and say

boys will be boys? If a shop teacher told a female teacher she didn't belong in his class, would we be fine if the school just looked the other way?

No, we would not. In fact, there are Federal civil rights laws that are specifically designed to stop this kind of conduct. But if a gay child is relentlessly harassed by his classmates, if a principal tells a girl she can't go to her senior prom because she wants to bring another girl as her date or if a school stands by as teachers, students, and other administrators refer to a transgender child not as "he" or "she" but as "it," there is no law that was written to protect those children. Our laws fail those children, and that is just wrong. We can change that.

The bullying of LGBT children in our schools has reached epidemic proportions. More than 30 percent of LGBT kids report missing a day of school in the previous month because they felt unsafe. Nearly 75 percent of LGBT students say they have been verbally harassed at school, and more than 35 percent of LGBT students report being physically attacked. You cannot learn if you dread going to school. It has been estimated that, on average, LGBT kids comprise 40 percent of all homeless youth. To be sure, family rejection is a leading factor, but LGBT kids' inability to escape verbal harassment and physical attacks makes them drop out, which makes them much more likely to be homeless. That is unacceptable. Our children should not have to experience that kind of hate at school, and, as we have seen all too often, some of them just can't endure it.

A few years ago, I met a wonderful woman named Wendy Walsh, the mother of Seth Walsh, whose photo is next to me here. Wendy told me that Seth had endured years of anti-gay harassment at school in Tehachapi, CA. When he was in the fifth grade, other students started calling him gay, and as he got older the harassment became more frequent and more abusive. By seventh grade, taunts and verbal abuse were a constant part of Seth's day. Students called him faggot and queer. He was afraid to use the restroom or to be in the boys' locker room before gym class.

Seth had always been a good student, receiving A's and B's, but as the harassment escalated, he started to get failing grades. Friends reported that he became depressed and withdrawn. Wendy desperately tried to get school district officials to do something, but her pleas were brushed aside, and in September of 2010, Seth hanged himself from a tree in his family's backyard. He was 13. Seth left a note expressing his love for family and friends but also his anger at the school.

Justin Aaberg was a rising sophomore at high school in Anoka, MN, my home State. Justin played the cello. In

fact, he composed music for the cello. His mother Tammy told people that he was a "sweet boy who seemed to always have a smile on his face." Justin came out to his mom when he was 13. In July of 2010, Justin hanged himself in his bedroom. His mother later learned from Justin's friends and from messages he left before his death that he had been the victim of incessant bullying at school. Justin was 15 when he died.

Carl Walker Hoover was a Boy Scout and a football player for his school in Springfield, MA. But starting in the sixth grade, the kids at Carl's school started to bully and harass him for "acting gay" or "acting like a girl" even though he didn't identify as LGBT. When Carl's mother, Sirdeaner Walker, learned about the harassment, she spoke to his principal, his teacher, and his guidance counselor repeatedly, asking the school to intervene. But in April of 2009, Sirdeaner found her son hanging by an extension cord on the second floor of her home. In the letter Carl left behind, he said he simply couldn't take it anymore. Carl was 11 years old.

Justin, Seth, and Carl's stories are not anomalies. They are just a few of the many tragic cases in an epidemic of school bullying against LGBT kids or kids who are perceived to be LGBT.

The bill we are debating this week is an education bill, a bill about taking the steps necessary to secure better and brighter futures for our children. It is our responsibility not just as Senators but as adults to protect children and to help them flourish. Children who are afraid to go to school can't get a good education.

Think about the children in your life—your son or your daughter, your grandchild or your niece or nephew—and what it must be like for a child in your life to get up and face the school day ahead not with excitement but with anxiety and fear, with dread and shame. This shouldn't happen in America. In America, we have passed laws that guard against harassment in our schools on the basis of race, national origin, sex, and disability, but LGBT students face bullying and intimidation without recourse.

This amendment would simply provide LGBT kids with the same legal remedies available to other kids under our Federal civil rights laws. It says that schools would have to listen when a parent calls and says: My child isn't safe, and then the school has to do something about it. It would ensure that LGBT kids have the same protections, not some of the same protections, as other kids.

This is not a revolutionary idea. In fact, more than a dozen States have already passed laws that protect students from discrimination based on sexual orientation and gender identity, and it is working. In States that have

protections for sexual orientation and gender identity in schools, LGBT students report nearly one-third fewer instances of physical harassment and nearly half as many instances of physical assault as in States lacking these protections.

We have come incredibly far in our understanding of LGBT people in a very short period of time not just as a country but as a body. In 2013, by a vote of 64 to 32, the Senate passed ENDA, the Employment Non-Discrimination Act, which would prohibit job discrimination on the basis of sexual orientation and gender identity. It would prohibit firing someone or harassing them at work for being gay or transgender. It would protect adults.

Now it is time to protect kids and to put in place policies to ensure that a child of 11 or 13 or 15 is allowed to live their life and discover who they are—to discover that maybe they are a great cellist or a first-round NFL draft pick—without facing taunts and intimidation and physical violence in the school. It is our responsibility as a country and as a body to protect our children. I strongly urge my colleagues to do just that by supporting the Student Non-Discrimination Act and voting for it as an amendment to this bill.

I thank the Presiding Officer and yield the floor.

**THE PRESIDING OFFICER.** The Senator from Massachusetts.

#### PROTECTING STUDENT PRIVACY ACT

**Mr. MARKEY.** Madam President, we do not have to look any further than the recent data breaches at the Government Office of Personnel Management, Target, Home Depot, Sony, Neiman Marcus, and countless others to know there are pitfalls to the rush to store our personal, sensitive data online. And there is no information more personal and more sensitive than that of school-aged children.

The business of sifting through and storing the records of grade school and high school students is growing as fast as students are. By collecting personal information about students' test results and learning abilities, teachers may find better ways to educate their students. We can help improve their test scores, improve academic achievement, and prepare students for the future.

The increased use of data analysis of student performance holds promise for increasing student achievement, but at the same time there are perils from a privacy perspective. Putting the sensitive information of students in the hands of third parties and private sector companies raises a number of very serious questions about the privacy rights of parents and their children. The information being collected is about students as young as 5 years old.

As a nation, we have already decided that children require extra protection, and that is why in the House of Representatives I was the principal author of the Children's Online Privacy Protection Act, or COPPA, which is what it is called. COPPA is the communications constitution for protecting children when they are online. I believe very deeply that parents, not private companies, should have the right to control information about their children, even when a child's data is in the hands of a private company.

We know that the pre-K through 12 educational software and digital content market is currently worth more than \$8 billion. I will say that again. An \$8 billion industry has now been built up around pre-K through 12 educational software, and nearly all of America's school districts rely on cloud services for a diverse range of functions that include data collection and analysis related to student performance.

As data analytics companies increasingly play a role in the education area, Congress must act to ensure that safeguards are in place for student data that is shared with third parties. Show-and-tell should be a classroom exercise with students, not with students' personal and sensitive information.

A child's educational record should not be sold as a product on the open market. That is why earlier this year I introduced the Protecting Student Privacy Act with Senators HATCH and KIRK. That is why today my colleague Senator HATCH and I are offering a bipartisan amendment which the Senators will be asked to vote on which will establish a commission to report to Congress on how we protect student privacy and parental rights in the digital age.

These recommendations the Senators will be voting on here today will include a number of things—No. 1, how to prevent marketers from using educational records to target students with advertisements. The goal here is to help young scholars make the grade—not to have private sector companies make a sale. They should not be using the information they have in order to target young kids with products. That should be an issue for which we have a national policy.

No. 2, when should student information be deleted? Permanent records of children shouldn't be held permanently by private sector companies, but only by students and their parents.

No. 3 is how parents should be able to access and correct private information about their children. Just as there could be an erroneous charge on a credit report and that should not prevent someone from getting a loan, a false grade or a false bit of information on a report card shouldn't prevent a young person from getting into the college of their choice, and parents should have

the ability to say they want that changed.

No. 4, how do we ensure that outside vendors, outside companies that handle and store this sensitive information put in place the strongest possible data security standards? This is a business. These companies are making money, saying: We will store this information so you don't have to build more physical storehouses. We will put this information up into the cloud. That will be a real cost savings for the school system. Well, how much security is that private sector company now going to build around the cloud with all of that information? Are they going to have the highest level of cyber security protections built in? Or are they just going to buy something that is dirt cheap and say they have security precautions but, like Target, like Sony, like the Office of Personnel Management, they will not have actually put in place the security protections which will ensure that children's most sensitive information is not compromised as it is being stored up in the cloud.

The reality is that our data is being increasingly compromised, and companies of all shapes and sizes must devote the resources necessary to protect that information. As it is stored in the cloud and as it is being subjected to malicious attacks, there must be a security system that can repel those attacks.

The amendment Senator HATCH and I bring to the floor here this afternoon at 5:30 brings together privacy experts, parents, school leaders, public advocates, and the technology industry in order to tackle how to best balance protecting students' personal information while promoting greater academic achievement. I urge my colleagues to support this bipartisan amendment.

There is a Dickensian quality to this digital world. It is the best of technology and the worst of technology simultaneously. It can be used to enable and ennoble. It can be used to degrade and debase. How we choose will only be determined by human beings and by those who represent them in the Senate. We have to ensure that we put in place policies that ensure we have the best use of these digital technologies while not having children and their parents be robbed of the private information that is so sensitive to the long term well-being of a child as they are developing.

That is what this amendment is all about here today. I urge an "aye" vote. Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

#### EXTENSION OF MORNING BUSINESS

Mr. GRASSLEY. Madam President, I ask unanimous consent that morning business be extended until 4:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SANCTUARY POLICY

Mr. GRASSLEY. Madam President, just 12 days ago, Kate Steinle was walking along Pier 14 in San Francisco with her father when she was shot by an individual in this country illegally. At the age of 32—a very young age—her life was taken. Friends and family mourned her death and laid her to rest late last week.

Kate Steinle should be with us today. Her death is a result of weak immigration policies, an insecure border, and a lack of will to enforce the law. Her alleged killer was deported five times and has a rap sheet that dates back to 1991. Despite his criminal background, San Francisco's sanctuary policy allowed this man to walk the streets.

Today we are learning that there are thousands of detainees placed each year on undocumented immigrants by Federal officials, but these detainees go ignored.

Detainers are requests to another law enforcement entity that it wants to take custody of a person. The Federal Government will ask, for instance, a State or local jurisdiction to hold an individual for 48 hours until the Federal Government can assume custody.

According to government documents provided by the Center for Immigration Studies, between January and September of 2014, there were 8,811 declined detainees in 276 counties in 43 States, including the District of Columbia. Of the 8,811 declined detainees, 62 percent of them were associated with over 5,000 individuals who were previously charged, convicted of a crime or presented some other public safety concern. And nearly 1,900 of the released offenders were arrested for another crime once they were released by the sanctuary jurisdiction.

This is very disturbing—not only to me but to most Americans. There is no good rationale for noncooperation between Federal officials and State and local law enforcement. Public safety is put at risk when State and local officials provide sanctuary to lawbreaking immigrants just to make some political point.

But San Francisco isn't the only one to shoulder blame here. The Obama administration has turned a blind eye to law enforcement in this area, even releasing thousands of criminal aliens on its own, many of whom have gone on to commit serious crimes—even murder. They have also turned a blind eye to sanctuary cities, all while challenging States to take a more aggressive approach to immigration and enforcing immigration laws.

That is why I wrote to Attorney General Lynch and Department of Homeland Security Secretary Johnson just last week. I urged them to take control

of the situation so that detainees are not ignored and undocumented individuals are safely transferred to Federal custody and put into deportation proceedings. I implored them to take a more direct role in this matter.

This administration needs to stop turning a blind eye to State and local jurisdictions that thumb their nose at the law and harbor criminals who are evading immigration authorities.

But this isn't a new issue for this administration. I wrote to then-Secretary Napolitano in 2011 and asked her to intervene in Cook County, IL, another sanctuary jurisdiction. I wrote to her again, along with then-Attorney General Holder, about sanctuary cities in January of 2012. They failed to do anything at the time. In fact, since then, administration officials have made it clear that detainees did not have to be honored.

The man charged with the murder of Kate Steinle told officials that he sought refuge and moved to San Francisco precisely because of its sanctuary policy.

This is a tipping point, however. There are many other victims we need to remember.

That is why, as chairman of the Judiciary Committee, I plan to hold a hearing on the President's immigration policies and the tragic effect they are having on Americans. I have invited the head of U.S. Immigration and Customs Enforcement as well as the Director of U.S. Citizenship and Immigration Services to testify. Before they testify, I plan to have relatives of victims present to tell Congress how their loved ones and how their lives have been forever changed because of criminal aliens. This hearing will take place next Tuesday.

This is far too important an issue to go unresolved. The heartbreaking death of Kate Steinle at the hands of a criminal alien in the country illegally underscores the need for swift and decisive action to prevent further tragedies of this nature.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. MURRAY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### EVERY CHILD ACHIEVES ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will re-

sume consideration of S. 1177, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (S. 1177) to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

Pending:

Alexander/Murray amendment No. 2089, in the nature of a substitute.

Murray (for Peters) amendment No. 2095 (to amendment No. 2089), to allow local educational agencies to use parent and family engagement funds for financial literacy activities.

Murray (for Warren/Gardner) amendment No. 2120 (to amendment No. 2089), to amend section 1111(d) of the Elementary and Secondary Education Act of 1965 regarding the cross-tabulation of student data.

Alexander (for Kirk) amendment No. 2161 (to amendment No. 2089), to ensure that States measure and report on indicators of student access to critical educational resources and identify disparities in such resources.

Alexander (for Scott) amendment No. 2132 (to amendment No. 2089), to expand opportunity by allowing Title I funds to follow low-income children.

Alexander (for Hatch/Markey) amendment No. 2080 (to amendment No. 2089), to establish a committee on student privacy policy.

Murray (for Franken) amendment No. 2093 (to amendment No. 2089), to end discrimination based on actual or perceived sexual orientation or gender identity in public schools.

Murray (for Kaine) amendment No. 2118 (to amendment No. 2089), to amend the State accountability system under section 1113(b)(3) regarding the measures used to ensure that students are ready to enter postsecondary education or the workforce without the need for postsecondary remediation.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, I believe that providing all of our students with a quality education is one of our most important national priorities. The workforce in the years to come will depend on today's students being able to create and take on the jobs of tomorrow, and providing students with the chance to learn, grow, and thrive will help our country continue to compete and lead in the 21st-century global economy.

Today we are continuing our work on the Senate floor to make sure all of our students have access to a quality education by working to fix the badly broken No Child Left Behind law. I thank Chairman ALEXANDER, the senior Senator from Tennessee, for working with me on this bipartisan bill. He has been a great partner throughout this process. The bipartisan bill, the Every Child Achieves Act, is a good step in the right direction. It gives our States more flexibility while also including Federal guardrails to make sure all students have access to a quality public education. But I want to work, of course, to continue to improve and strengthen this bill throughout this process on the Senate floor. I want to make sure struggling schools get the resources they need. I want to make

sure all of our kids, especially our most vulnerable students, are able to succeed in the classroom.

Finishing this process and getting a bill signed into law isn't going to be easy. Nothing in Congress ever is. But students and parents and teachers in communities across our country—including in my home State of Washington—are looking to Congress to fix this broken law. We cannot let them down. We need to work across the aisle to provide a quality education for all students, regardless of where they live or how they learn or how much money their parents make.

So I look forward to continuing to work with Chairman ALEXANDER as we move this through the Senate floor and to conference—and I think he agrees with me—and, hopefully, to the President to get it signed into law. I see the chairman is here.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I do agree with the Senator on our goal. We had a good week last week. We had a large number of amendments that were agreed to, a number were adopted in addition to ones we had in committee. We need to finish this week. We need Senators to do what members of the committee did, which is to pursue a result exercising some restraint. If we all insist on everything we have a right to insist on, nothing would ever happen.

As Senator MURRAY said, teachers, Governors, school boards, and parents are expecting us to get this job done. We can do it. The House did its part last week. We can finish our work this week. Put it together and then she is correct, we want a result, not just a political speech, which means we need to have the President's signature in the end. So we have a bipartisan process. We are 7 years overdue. This is a bill everybody in the country who cares about education wants us to act on. We have had a remarkable consensus on what we need to do.

Basically, what we are saying is that we want to keep the important measurements of student achievement so parents and teachers and communities can know how children are doing, how schools are doing, whether anyone is being left behind, but we want to restore to States and local school boards and communities and classroom teachers the responsibility for deciding what to do about the results of those tests and make sure they are appropriate and make sure there are not too many tests.

We believe that is the real way to improve teaching, to improve schools, and to have real accountability. So we have taken lots of different opinions and we have put them together in a bill. I was thinking over the weekend, having a bill on elementary and secondary education is like going to a football game



at the University of Tennessee. There are 100,000 people in the stands, and they all are experts on football, whether it is Iowa or Washington or Tennessee.

Well, we are all experts—and so are most of our citizens experts on education—but we need to have a consensus here. We are close to one. I thank Senator MURRAY and the majority leader and the Democratic leader for creating an environment in which we so far have been able to succeed.

Mrs. MURRAY. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. DAINES. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### NUCLEAR AGREEMENT WITH IRAN

Mr. DAINES. Madam President, as we speak, negotiations are ongoing between Iran and the P5+1 countries regarding one of the greatest threats to global security today; that is, a potentially nuclear-capable Iran. If both sides reach a final negotiated agreement, this body will have to consider whether the agreement truly prevents Iran from becoming a nuclear state or whether it paves the way for the leading state sponsor of terror to obtain a nuclear weapon.

Agreeing to a bad deal would pose a serious threat to the national security of the United States, to Israel, and our other allies. We cannot take this decision lightly. We should not base our votes on the legacy of the President. We will be dealing with the consequences of this potential agreement long after President Obama leaves office.

There are specific terms of any final agreement that are vital to preventing Iran's nuclear weapons capability. One-hundred percent certainty is impossible in matters of intelligence, particularly with a regime like Iran's that has a history of being less than forthright about its nuclear program. In fact, on June 21, the Iranian Parliament voted to bar inspectors from military sites. As they were passing this resolution to bar inspectors from military sites, they were chanting "Death to America."

Let's not forget that Iran is the leading state sponsor of terrorism in the world. It is critical that the International Atomic Energy Agency be able to conduct extensive inspections at all military facilities, including unannounced inspections, to ensure that Iran is upholding its commitments.

A final deal must ensure that we have verifiable evidence that Iran is complying with the terms of the agreement before lifting sanctions. A final deal must permit international inspection

to occur anytime, anywhere. A final deal must require Iran to disclose and dismantle its nuclear infrastructure, its uranium stockpile, and all other aspects of its nuclear program as specified in six—let me repeat—six U.N. Security Council resolutions.

A final deal must ensure Iranians never get a nuclear weapon. If Iran does violate these terms, the deal must guarantee that strong sanctions go back into place immediately. It took years to get in place the sanctions we have today. It was largely because of these sanctions that Iran was forced to come to the negotiating table. The sanctions are working. I would also like to address the notion that we either come to a deal or we resort to military action. This is a false choice. In fact, accepting a bad deal now will make military action more likely down the road. A bad deal will provide Iran with an influx of cash to continue sponsoring terrorism around the world, while failing to prevent them from ultimately obtaining a nuclear weapon when this deal expires.

Like so many Montanans I have heard from, I truly hope negotiations are successful. However, I am concerned that based on the framework agreement that we have seen so far, the final agreement will ultimately fail to safeguard our national security and prevent a nuclear-armed Iran. No deal is better than a bad deal. If the final agreement the President presents falls short of the requirements I have talked about today, I will not support it.

Over the past month, we have now blown through four deadlines. It is starting to look like Groundhog Day in Vienna.

#### SAFE KIDS ACT

Madam President, on a separate note, this past week the Senate began debating legislation about our Nation's educational system. In the same week, we learned more about a major data breach at the Office of Personnel Management, which put more than 21 million American's personnel information at risk. Those events and the policy debates bring to light an issue that often does not gather a lot of information; that is, protecting our student's personal information and data in the digital age.

As a father of four, this issue is particularly personal to me. To date, countless schools across the United States utilize electronic records to update student information and transfer data from one school to another. But as the data is collected, it is important students' privacy is maintained and that the data is being stored safely and securely. In 2014, a working group was formed to address the issue of student data privacy. This group produced the Student Data Privacy Pledge, which intended to set self-imposed principles to ensure that information collected

from students is kept both secure as well as private.

This week, I will be introducing legislation called the SAFE KIDS Act, that builds on these ideas by empowering the Federal Trade Commission to oversee and enforce the collection, storage, and usage of covered information. This bill will put important reforms in place to protect students privacy, to establish greater security and transparency measures, and to encourage innovation among education technology providers, and better ensure accountability in keeping our students' information safe.

As someone who spent more than 12 years in the technology sector, I am excited to see technology being used in innovative ways in our schools. As a father of four, I also want to ensure that there are proper safeguards in place to protect our kids' personal data in an increasingly data-driven world.

I also want to thank Senator BLUMENTHAL for joining me this week to introduce this important legislation to protect students' personal information and for his continued work on this issue. With that in mind, I will yield the floor so we can hear more from Senator BLUMENTHAL on this most important issue.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, I thank my colleague Senator DAINES for his extraordinarily valuable work on this bipartisan bill, which will help protect students, help safeguard the privacy of young people, which would be considered separately from the measure now before us, the Every Child Achieves Act, which will strengthen the Federal Government's commitment to ensuring that every child has access to a high-quality education.

The bill Senator DAINES and I are offering ensures that every child is protected during their education from invasive and intrusive sharing and selling of highly private information about their educational progress—all kinds of sensitive, personal data that are accumulated and collected by school authorities and the companies that contract with them in the course of that child's education.

When a parent signs a take-home form permitting their children to use a learning application in math class, for example, they have no assurance right now—none—regarding what information the app company will collect or how the app company will protect that information. That kind of very personal, identifiable, confidential information is inadequately protected in many school systems around the country. If that app company fails to protect the personal information of the student and their family, it could be stolen by hackers. It could be breached. We have seen how Federal files have



been breached on a scale that none of us would ever have imagined—supposedly protected information—and we are talking about companies leaving vulnerable children's information potentially on the same scale—millions of children being at risk of their data being breached and stolen by hackers. But we are also talking about that information being bought and sold, exchanged by companies. The current protections against that commercial exploitation are inadequate. Children and their parents and their families deserve better protection of their privacy.

It is a big business. It is a huge and burgeoning business for those companies. They may serve a very worthwhile purpose for many of those children and for many school authorities who need someone to organize and apply software to the raw information that is collected in test scores or other kinds of educational data. But it is not data that belongs to the companies; it belongs to the student and the school authorities, and it ought to be protected not only because of who owns it but because of whom it belongs to. It belongs to students as a matter of morality, not just legality.

We are introducing student digital privacy legislation, the SAFE KIDS Act. This week Senator DAINES and I will introduce it to establish strong and vital protections that will give parents the peace of mind they need and deserve. Our bill would prohibit companies from reselling student data—something corporations should never profit from doing. The SAFE KIDS Act would also prohibit companies from using student data, including a personal profile of a student, for any targeted advertising. This kind of marketing goes on in our society.

Our legislation also requires companies that hold student data to enact robust protections, such as proper encryption of that data, which will prevent the theft of personal information.

Under our bill, parents are empowered to access their children's information, request corrections of any erroneous information, and request deletion of certain student data.

Our bill charges the FTC with the responsibility to implement and enforce the SAFE KIDS Act, and it enables States to enact stronger, more demanding protections if they choose to do so. It establishes a floor, not a ceiling. It does not preempt stronger measures if States choose to move forward.

This measure is in no way incompatible with the provision and amendment on which we will vote tonight that deals with another aspect of this issue in establishing a commission. I support that amendment. The commission would issue recommendations on a number of specific topics, such as preventing targeted advertising, limiting data retention, and providing parents

with complete information. Those issues are complex, and they need the kinds of studies and research the commission would provide. And the results of that commission would help to inform the FTC regulations that would be issued under the SAFE KIDS Act that Senator DAINES and I are introducing this week.

I look forward to supporting the Hatch-Markey amendment, voting for it, and I urge my colleagues to support it and the SAFE KIDS Act because they enable a comprehensive approach to student privacy.

Make no mistake—this data is in danger and so is the privacy of our students. In a world that has become enormously invasive and intrusive and where personal information is so much at risk, our students, children, and their families deserve this protection. I urge my colleagues to support it.

#### BACKGROUND CHECKS AND GUN VIOLENCE

Madam President, I wish to talk for just a moment about the disclosure last week that Dylan Roof, the alleged killer of nine innocent people in Charleston, SC, was able to buy guns without first passing a background check. The reason, very simply, was the default-to-proceed loophole in the law, which allows—but does not require—firearms retailers to proceed with a gun sale after 3 days if an applicant's background check is still pending.

Undoubtedly, more facts will come to light. Certain facts are unknown now as we speak, but the FBI acknowledges that a completed background check would have uncovered Dylan Roof's prior arrest on a drug charge and his drug addiction. Those discoveries would have barred him from purchasing the .45-caliber handgun he used to take nine lives in that unspeakable, horrific tragedy.

In effect, Dylan Roof's exploitation of this loophole is not an anomaly. In the last 5 years, the default to proceed loophole has led firearms retailers to proceed with 15,729 gun sales to prohibited persons—people who were deemed ineligible to purchase a firearm once their background checks were completed. In effect, those 15,729 people were able to circumvent the law because of that loophole that enabled them to do so on a default to proceed after 3 days.

After that default-to-proceed loophole is exploited, the Bureau of Alcohol, Tobacco, Firearms and Explosives then has the difficult, dangerous, and often impossible job to retrieve the firearms that are sold. In fact, it is often impossible to even expect that they can once those firearms are sold without proper recordkeeping or any recordkeeping. We make that job harder every day by underfunding and hamstringing the work of the ATF in our appropriations bills. That creates that impossible task for them.

Responsible gun retailers can act today. The law allows retailers to decide whether to permit gun sales to proceed after that 3-day default period has elapsed. They have a duty to ensure that their products do not get into the hands of dangerous individuals. They have that moral duty. They have that social responsibility.

In 2008, Walmart, which is the Nation's largest gun store, agreed not to transfer firearms without a background check even if the 3 days have passed without it. The short-term inconvenience to retailers is minimal. In the vast majority of cases, a background check is completed within minutes and the retailer knows whether they may proceed with the sale.

After the horror visited on the Emanuel AME Church in Charleston, no responsible gun retailer should give the benefit of the doubt and hand over a gun without a definitive completion of that background check.

Over the weekend, my colleague Senator MURPHY and I urged the Senate Judiciary Committee to immediately review this failure in our background check system and potential remedies, lest this legislative body's silence on the matter be taken as a consent on the repeated failures we have witnessed. In the long run, this system must be made as effective and error proof as possible, and it should be extended to sales not covered now by the law.

As Senator MURPHY and I and many of our colleagues in the Senate have urged consistently and repeatedly, the failure to adopt a comprehensive, universal background check system is inexcusable, but we also have to make sure loopholes in the current law are eliminated, as the FBI and the Department of Justice have recommended, by extending that 3-day time period and otherwise increasing the efficiency and effectiveness of the background check system.

Senator MURPHY and I will be taking additional steps to try to make it more effective. Gun retailers can step up in the meantime to stop dangerous people from getting their hands on dangerous weapons and taking lives—innocent lives—as happened in Charleston. They can, very simply, stop selling guns to people who have not passed that background check even if the 3 days have expired, even if that default period has come and gone. They can do that on their own.

I look forward to working with my colleagues, including continuing the great work Senator MURPHY and I have sought to do together in making America safer and better and improving our background check system and making sure commonsense, sensible gun violence prevention measures become the law of the land.

I yield the floor.

The PRESIDING OFFICER (Mr. PERDUE). The Senator from Maryland.

Ms. MIKULSKI. Thank you very much.

Mr. President, first, I compliment the Senator from Connecticut on his initial statement related to student privacy. I think it is an essential element to clarify that privacy is meant to protect but not inadvertently inhibit our ability to give help to those who desperately need it.

Certainly, I wish to associate myself with his remarks on doing something about the background check, the timely response. I think the massacre at Emanuel AME Church deeply troubled the Nation, and the very least that can come out of this is not only the flag coming down and all that meant, but other barriers to safety should come down as well. I want the Senator from Connecticut to know that he has my admiration and my support.

#### PROTECTING FEDERAL EMPLOYEES

Mr. President, while we are waiting for the vote, in approximately 15 minutes, I know Senator KAINE will be coming to the floor to talk about an important postsecondary education remediation reform, but I want to comment on the 21 million Federal employees whose personnel records have been hacked by—it looks like—a foreign government. I am not going to go into the who and the attributing of who did the hacking, but I do want to say that, first of all, those Federal employees need to feel they have a government on their side to now protect them. We should have protected them in the first place with the security of dot-gov and certainly our personnel records.

Now, in addition to a bill I have introduced and cosponsored with my colleague from Maryland, Senator CARDIN, where we have put in additional credit protection, credit monitoring, and liability protection, I have also sent a letter to the President today.

The President of the United States is not only the Commander in Chief but he is the Chief Executive Officer of something called the U.S. Government dot-gov, and therefore, OPM is his HR operation. With all due respect to our President, I have called upon him, on behalf of the 300,000 Federal employees and Federal retirees who I have in my State, that they take additional and immediate action to provide lifetime credit monitoring, lifetime credit protection and unlimited liability, and that we also get a new contractor.

I know we want to get a new contractor that does security checks, but I want a new contractor that is supposed to be answering the phone. I want a new contractor answering the phone and responding to my Federal employees, and I have conveyed that to the new Acting Director of OPM, Beth Cobert. I think she has a lot of skill and a lot of knowledge. I know she comes to the White House from the private sector, McKinsey & Company, but I conveyed to her that it is outrageous

what is happening to Federal employees. They try to call to get help to find out what has happened to them, and they are on the phone for 1 hour or 2 hours, and when they finally make contact, they get disconnected.

These are our Federal employees, who we count on, many of whom to protect the Nation—many of whom to protect the Nation. Our cyber shield is down to protect them, and we are also not protecting them in terms of our response to our cyber shield being down.

Who are these Federal employees in Maryland? Well, first of all, they are people who work at the National Institutes of Health trying to find cures from dreaded diseases and all of the laboratory staff and so on who support them. Or they are over at FDA or they are over at Goddard Space Flight Center helping to manage the Hubble telescope. In addition to that, we have people involved in and also who are direct hands-on with national security.

Maryland is the home to many Foreign Service officers. They not only have the information about their own Social Security numbers and their own health information but that of their spouses and their minor children. We are also the home to the National Security Agency. Most of the National Security Agency is made up of civilian DOD personnel with the highest of security clearances.

So my feeling is we have to get in there really quickly to protect them. We have to also do something about this contractor—that he ups his game or we tell him up and out. Up your game or up and out.

The third thing is the President really needs to convene an all-hands-on-deck on how we are going to protect dot-gov in this country.

There will be more to say about this bill and so on, but I see Senator KAINE is now on the floor to discuss and present his postsecondary remediation amendment, so I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINE. Mr. President, I thank my colleague from Maryland, and I second the comments she has made about the status of our employees who have been jeopardized. I am excited to work together on the legislation introduced last Friday to provide them some protection.

#### AMENDMENT NO. 2118

Mr. President, I do rise on behalf of an amendment that will be voted on within the next hour, Kaine amendment No. 2118, which is a bipartisan amendment to the Every Child Achieves Act. It is an amendment to promote career readiness indicators and make sure our students, when they finish high school, are not just ready for college but they are ready for careers.

This is part of a series of amendments I have worked on in a bipartisan

basis, some of which have been included in the underlying bill and one of which was passed as a floor amendment last week.

I thank the managers, Senators ALEXANDER and MURRAY, for working together to support this bipartisan amendment. We need to work to make sure we help all of our students graduate from high school ready for postsecondary education and the workforce.

Over the past 40 years, the percentage of jobs that require some form of postsecondary education has doubled from 29 percent to now nearly 60 percent, but the education system hasn't kept pace with the demand for a more highly educated and skilled workforce. More importantly, we need to define what that is—highly educated and skilled—to incorporate career and technical training, which, for a variety of reasons in the last generation or so, was sort of an undervalued part of the spectrum of American public education.

Within a very few years—by 2020, when our pages are now going to be out in the workforce—two-thirds of jobs will require at least some form of postsecondary education. But projections demonstrate that as a nation we will fall short by nearly 5 million workers. We are already seeing these shortages and having to deal with them, for example, through specialty visas. That is fine for the economy, but wouldn't it be better if we could train those in school right now to be skilled in the areas where the jobs are needed?

The career readiness amendment addresses this problem by encouraging—not requiring but encouraging—States to include in their accountability systems the types of indicators that demonstrate students are ready for postsecondary education and the workforce. These indicators would include State-designed measures to integrate rigorous academics, work-based learning and career and technical education, or technical skill attainment and placement. That will be the core of this bill.

By doing this, we send a strong message to schools, businesses, parents, and students that it is critical to be prepared for the workforce of the 21st century regardless of postsecondary education plans. As I have talked to educators, counselors, and parents, they have often commented upon the degree to which career and technical training has sort of been downgraded and that students aren't encouraged in that area, even though there are great professions to achieve in this area.

Under the amendment, schools and districts would have an incentive to partner with businesses and industries to provide career pathways for students. It is important for State accountability systems. I say this as a

Virginian who is very proud of the Virginia accountability system. It is currently kind of managed by my wife, who is the secretary of education in Virginia. But it is important for these systems to measure and reward schools for helping students earn industry-recognized credentials or earn credit for college while in high school.

Just as an example, if you are a Virginia student and you take the Virginia Standards of Learning Test and you pass, that doesn't necessarily mean anything in North Carolina, and much less Oregon. But if you are a Virginia high school student and you pass a Cisco Systems administrator exam, you can take that credential, move to Oregon and get a job tomorrow. These industry credentials are, in many ways, more known, more valued, and more portable than high school credentials State by State.

Schools across the country are providing this kind of important learning opportunity. Here are just two examples, and then I will conclude. In Alexandria, just across the Potomac, the Academy of Finance at T.C. Williams High School instructs students in money management skills, financial planning, and business development. Students complete a 3-year sequential program, start working at an on-site credit union in the school, and they get early college credit for that financial literacy.

At the other end of the State—in southwest Virginia, in Vinton, near the city of Roanoke—William Byrd High School, after struggling during the 1990s to prepare students for college and career, sought input from nearby businesses and implemented programs in engineering, communication, business, and marketing to match local job needs. These partnerships are helpful in helping students find jobs, and they have also engendered student interest in the curriculum. The school has a 90-percent graduation rate, and 83 percent of students go on to postsecondary education.

I want to thank Senators PORTMAN and BALDWIN—I think Senator PORTMAN was planning on speaking, and may still—for their involvement and working together with me on this particular amendment and on the Senate CTE Caucus.

I urge my colleagues to support this bipartisan initiative, and again, I thank the bill managers for working together with us.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATCH. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. CAPITO). Without objection, it is so ordered.

Mr. HATCH. Madam President, I ask unanimous consent for 2 minutes to make a presentation.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### AMENDMENT NO. 2080

Mr. HATCH. Madam President, I rise in support of an amendment I have offered along with my friend, the junior Senator from Massachusetts. This amendment advances an important priority: protecting student privacy in an era of vast data collection and tenuous security protections.

Advances in education technology are revolutionizing the way students learn in today's classroom. Going forward, it is important to balance the need for innovation to allow students to take advantage of the new learning tools with the need to make sure children's private information is protected. We must also ensure continuing to improve education through research, while not necessarily allowing researchers and their employers access to sensitive data.

To this end, our amendment sets up a commission to come back with recommendations for how to update our outdated Federal education privacy law. The commission's membership consists of experts, parents, teachers, technology professionals, researchers, and State officials—a broad array of leaders capable of providing diverse perspectives on these issues. Within 270 days, the commission is required to report to Congress on the current mechanisms for transparency, parental involvement, research usage, and third-party vendor usage as well as provide recommendations on how to improve the law to better protect students. As we seek to identify the best ways of protecting student data, this commission will serve to outline some commonsense and effective options for reform that we ought to consider.

This amendment has received support from a wide variety of organizations from Microsoft to the National PTA to the U.S. Chamber of Commerce, demonstrating how this is a commonsense, bipartisan idea that we can all support. I urge my colleagues to support this important innovation.

I yield the floor.

The PRESIDING OFFICER (Mr. COATS). Under the previous order, the question now occurs on agreeing to amendment No. 2080, offered by the Senator from Tennessee, Mr. ALEXANDER, for Mr. HATCH.

Mr. ALEXANDER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator

from Missouri (Mr. BLUNT), the Senator from Texas (Mr. CRUZ), the Senator from South Carolina (Mr. GRAHAM), the Senator from Illinois (Mr. KIRK), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Kentucky (Mr. PAUL), the Senator from Idaho (Mr. RISCH), the Senator from Florida (Mr. RUBIO), the Senator from Pennsylvania (Mr. TOOMEY), and the Senator from Louisiana (Mr. VITTER).

Mr. DURBIN. I announce that the Senator from Florida (Mr. NELSON) is necessarily absent.

The PRESIDING OFFICER (Mr. LANKFORD). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 89, nays 0, as follows:

#### [Rollcall Vote No. 231 Leg.]

##### YEAS—89

Alexander	Feinstein	Moran
Ayotte	Fischer	Murphy
Baldwin	Flake	Murray
Barrasso	Franken	Perdue
Bennet	Gardner	Peters
Blumenthal	Gillibrand	Portman
Booker	Grassley	Reed
Boozman	Hatch	Reid
Boxer	Heinrich	Roberts
Brown	Heitkamp	Rounds
Burr	Heller	Sanders
Cantwell	Hirono	Sasse
Capito	Hoeven	Schatz
Cardin	Inhofe	Schumer
Carper	Isakson	Scott
Casey	Johnson	Sessions
Cassidy	Kaine	Shaheen
Coats	King	Shelby
Cochran	Klobuchar	Stabenow
Collins	Lankford	Sullivan
Coons	Leahy	Tester
Corker	Lee	Thune
Cornyn	Manchin	Tillis
Cotton	Markey	Udall
Crapo	McCaïn	Warner
Daines	McCaskill	Warren
Donnelly	McConnell	Whitehouse
Durbin	Menendez	Wicker
Enzi	Merkley	Wyden
Ernst	Mikulski	

##### NOT VOTING—11

Blunt	Murkowski	Rubio
Cruz	Nelson	Toomey
Graham	Paul	Vitter
Kirk	Risch	

The amendment (No. 2080) was agreed to.

#### AMENDMENT NO. 2118

The PRESIDING OFFICER. Under the previous order, the question occurs on agreeing to amendment No. 2118, offered by the Senator from Washington, Mrs. MURRAY, for Mr. KAINE.

The amendment (No. 2118) was agreed to.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, there has been some conversation on the floor. We are working out the order of proceeding.

I ask unanimous consent that Senator WICKER and Senator SHAHEEN be recognized first for a colloquy, followed by remarks by Senator BROWN, followed by remarks by myself, followed by remarks by Senator BALDWIN.

The PRESIDING OFFICER. Is there objection?

Mr. ALEXANDER. Reserving the right to object, I ask the Presiding Officer, are we in morning business?

The PRESIDING OFFICER. No, we are still on the bill.

Mr. ALEXANDER. I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Mississippi.

Mr. WICKER. Mr. President, I ask unanimous consent that Senator SHAHEEN and I be allowed to enter into a colloquy concerning the 20th anniversary of the Srebrenica massacre.

The PRESIDING OFFICER. Without objection, it is so ordered.

20TH ANNIVERSARY OF THE SREBRENICA  
MASSACRE

Mr. WICKER. Mr. President, I am pleased to join my colleague from New Hampshire today to speak about a moving and important commemoration that she and I attended over the weekend. We were part of the U.S. delegation led by former President Bill Clinton that traveled to Bosnia and Herzegovina to remember the victims of the Srebrenica massacre 20 years ago. We were honored to be joined in this delegation by Representative PETER KING from New York, and I think it is significant that former Secretary of State Madeleine Albright was part of that delegation.

On July 11, 1995, more than 8,000 Bosniak Muslim men and boys were brutalized and murdered by Serbian forces that overran a United Nations safe haven during the Bosnian war. It was the worst massacre on European soil since the horrors of World War II.

Today, Senator SHAHEEN and I wear green and white flowers on our lapels. These flowers were crocheted by Srebrenica mothers and widows in remembrance of the lives that were lost 20 years ago. The white is said to symbolize innocence, and the green represents hope. It is said to be significant that the center is green because hope remains central to the country's future and to the region's future.

Two decades provide us with a helpful benchmark for reflecting on the progress that has been made and on the progress that needs to be made. The decades have certainly not erased the deep scars left by the atrocities at Srebrenica, but the hurt continues to heal.

International courts have recognized the massacre as a genocide, and a number of the perpetrators have been imprisoned. Peace is now present in the Western Balkans and we need to do what we can to help maintain this peace. The Bosnian and Herzegovinian leadership is now applying for membership in the European Union. We wish them well in making the progress that will be necessary to attain this status.

Tough decisions still need to be made by the leadership, by the Presidency of Bosnia and Herzegovina with regard to

governance, corruption, and combating extremes. There is still way too much rhetoric that centers on ethnicity and continues to divide Bosnians rather than unite them. But we can celebrate the fact that this region is no longer home to the suffering and violence that predated the historic Dayton Accords, and we can celebrate the contribution and achievement of the Americans in reaching the Dayton Accords and in getting us to where we are now with two decades of peace.

I know that these views are shared by my colleague from New Hampshire. At this point, perhaps she would like to join in this colloquy.

Mrs. SHAHEEN. Mr. President, I would like to join Senator WICKER from Mississippi in talking about what we saw and heard when we were in Bosnia.

Unfortunately, the story that came out about that inspiring commemoration was about the attack by some of the Bosniaks who were attending on the Serbian Prime Minister, Aleksandar Vucic, who had attended the ceremony.

But the larger story was one of reconciliation. The Bosniak mayor of Srebrenica, Camil Durakovic, condemned the attackers, and he was joined by the Tripartite Presidents in condemning the attackers. After the attack, the Serbian Prime Minister said that it should not distract attention from the innocent victims of Srebrenica. He said that his "arms of reconciliation remain stretched towards the Bosniaks." Fortunately, we heard the same from the mayor of Srebrenica, who actually had invited the Prime Minister.

I am very proud of Mayor Durakovic because he is actually a Bosnian-American whose family fled from Srebrenica in July of 1995, and they settled in New Hampshire. He went to high school there, and he got a degree from Southern New Hampshire University. He returned to Srebrenica in 2005 and was elected mayor in 2012.

Aside from that isolated, unfortunate incident with the Prime Minister, the ceremony was a solemn tribute and remembrance to the victims of Srebrenica. There was a spirit of unity and harmony. The theme again and again was of reconciliation.

As my colleague points out, it is particularly important for us to continue to support this reconciliation, for us to continue to support Bosnia and Herzegovina and their efforts to continue to look west to join the EU. Across many centuries, the Balkans has been a flashpoint for conflicts that have spread to the rest of Europe and the entire world. In fact, 101 years ago next month, World War I began with the assassination of Archduke Ferdinand right in Sarajevo. We walked by the block where he was assassinated.

As we have seen most recently in Greece and as we are seeing in the Bal-

kans and in other countries in Eastern Europe, the Russians are quick to exploit any trouble in the southeast corner of Europe in order to spread their influence and destabilize the West. Wouldn't my colleague agree that it is important for us in the United States to join the EU in supporting the Bosniaks, the Serbs, the Croats, the Muslims, the Orthodox Christians, and the Roman Catholics so that they can come together and show the world that we really can create a multi-ethnic, multi-sectarian state that can serve as a model for the Middle East and for countries around the world?

Mr. WICKER. Mr. President, I do agree. I would contrast the magnanimous statements of the Tripresidency and the gesture of the Serbian President in attending with the disappointing actions of the Russian leadership, under the leadership of President Putin, in actually vetoing a Security Council resolution simply to commemorate the 20th anniversary as a genocide. Russia refused to accept a well-established fact, confirmed by international courts such as the International Court of Justice, such as the International Criminal Tribunal for the former Yugoslavia. They vetoed—they were the only vote against it, but it acted as a veto—thus keeping the United Nations officially from going on record as saying this was a genocide and that these acts should be condemned. Such defiance is a disservice not only to the victims at Srebrenica but also to relations in the area going forward. I would just contrast that with the very brave step on the part of the Serbian President, coming to Srebrenica and being part of the commemorative ceremony.

I will tell my colleagues that former President Clinton spoke on behalf of this Republican and spoke on behalf of Democrats alike, making a very instructive and constructive address at the occasion, specifically commending the Serbian President.

I would say, with regard to the rock throwing incident and what the President of Serbia actually did, his glasses were broken, and he and members of his delegation were brought to their knees. I would say that if the 50 or so people who threw those rocks had heard the remarks inside the ceremony, perhaps they would not have felt so bitter as to throw those rocks. I know there are wounds that need to be healed. But I think the conciliatory words inside, if they had been broadcast to the entire crowd, would have perhaps caused that incident, which got all the publicity, not to happen.

This was about 50 people causing a disturbance in a crowd of, I would say, about 5,000 people gathered outside. It was a very important ceremony—actually, a funeral, you might say.

So I would have to just say that the Russian leadership really should be

ashamed of standing in the way of international recognition of this genocide. They thought they were doing their Serbian neighbors a favor, but, on the other hand, the Serbian President stepped forward in a very brave way to create unity in this region, and I think my colleague would agree with that.

Mrs. SHAHEEN. Absolutely, and I know Senator WICKER shared my gratitude as we walked through the streets of Sarajevo and as we met people in Srebrenica for the appreciation they showed the United States for our actions in helping to end that awful war in Bosnia and for our actions in supporting Bosnia as they try to look westward and as they try to keep their country moving forward, addressing the corruption and the democracy issues they face. I think it is in our interest as Americans to support those efforts to help them, as they continue to move their country forward, in every way we can.

Mr. WICKER. The Senator from New Hampshire is exactly right. It is in the United States' interest that we care about the Balkans, that we care about Bosnia and Herzegovina. We owe it to the U.S. troops who were deployed there in 1995 and later, who kept the peace and made it work. There is no country on the face of the Earth that could have done that but the United States of America. We owe it to the memory of the leadership, not only of President Clinton, who basically hosted the Dayton Accords in the United States of America, but also Republicans such as Speaker Gingrich. It was Gingrich and Clinton who joined together and convinced this government to support the Dayton Agreement and support the necessary deployment to make sure this worked.

As the Senator pointed out, we owe it to history going forward to remember that World War I broke out in Sarajevo, that the events leading up to World War II largely occurred in the Balkans, and to do what we can in the interest of U.S. citizens to say that this will not again be a flashpoint for conflict in Europe and conflict internationally.

Mrs. SHAHEEN. I know the Senator shares my views that we owe it to the victims of Srebrenica. I look forward to continuing to work with Senator WICKER to do everything we can to support the efforts in Bosnia and Herzegovina.

Mr. WICKER. I look forward to working on a bipartisan basis to make sure that this peace holds, to make sure that progress is made on the ethnic issues—that we give Bosnians and Herzegovinians every reason to continue to want to embrace Europe and to embrace the United States and to embrace fairness and anticorruption and all the work that it is going to take there.

I appreciate the delegation. I appreciate Secretary Albright. I appreciate

President Clinton leading the delegation. And I appreciate the indulgence of our fellow Senators in hearing this colloquy.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

#### AMERICAN WORKERS AND OVERTIME PAY

Mr. BROWN. Mr. President, too many Americans are still struggling in today's economy. Despite comments by some candidates for President, Americans work hard but still have trouble getting by. We know that Americans on average are working longer hours than workers in almost every other rich country in the world—significantly longer hours. Simply, they are not getting the pay they have earned and the compensation and the lifestyle to which they aspire and have worked so hard toward.

For many workers, it feels as though the harder and longer they work, the less they have to show for it. And they are not imagining things. Since the 1970s, middle class wages have been stagnant while the number of hours spent on the job has gone up. In short, Americans are working more for less.

The middle class has shrunk in every State in this country. The Pew Research Center studies show that the share of adults in middle-income households has fallen from 61 percent in 1970 to 51 percent in 2013. In Ohio the share of families that are middle class is now below 50 percent. We need to do more to build on-ramps for middle-class hard-working Americans instead of saying that Americans are not working hard enough, instead of asking workers to do more and more for less money.

It is not uncommon today for salaried workers—salaried workers, not millionaire salaried workers but lower income and middle-income salaried workers—to work 50-, 60-, 70-hour weeks without getting a cent in overtime. When workers put in extra time, it should be reflected in their paychecks. Right now a number of employers are gaming the system to avoid paying overtime, and American workers are losing wages as a result.

It is past time for overtime hours to mean overtime pay again. That is why my colleagues and I sent a letter to the President earlier this year urging the administration to restore the strength of overtime payrolls. Forty years ago, we as a nation decided that most workers, whether they were paid hourly or a salary, should receive overtime pay when working more than 40 hours a week, but the teeth in that law have been eroded. The strength of that law, the power of that law, and the effectiveness of that law have been eroded over the past 40 years.

In 1975, 65 percent of all salaried workers were covered by overtime pay rules. Currently, just 8 percent of salaried workers are covered. That could be

a night manager in a fast food restaurant making \$30,000 a year classified as management—classified because that person is salaried—and asked to work more than 40 hours and still only making \$30,000 a year. So 40 years ago, 65 percent of salaried workers would have been paid time and a half for those extra hours beyond 40 for that night manager, but today they don't get paid over time. They may work 50 hours, they may work 60 hours, but they simply are not compensated for it.

The salary threshold of \$23,600 a year has remained static for decades because it hasn't been indexed for inflation. So in 1975, somebody making \$23,000 a year was paid overtime for beyond 40 hours. Today someone making \$23,000 a year isn't. If they are making \$30,000 or \$40,000, they aren't paid overtime. So we see what has happened. The salary threshold has been put in place to exempt highly paid executives, but because it hasn't increased in 40 years—they didn't build an inflation number into it or a cost of living adjustment—instead of hitting CEOs and lawyers who shouldn't get paid overtime in hours excess of 40, workers earning as little as \$455 a week now go without overtime pay just because they are salaried and just because they are called management. It allows employers the opportunity to put somebody on salary, work them many more hours, and then fail to compensate them.

The current threshold is now so low that it is below the poverty line for a family of four. So a salaried worker making a few dollars below the poverty line and working 50 or 60 hours doesn't get paid overtime. That is actually what has happened. The American public is starting to understand this, and that is why so many people are calling on the President to do this.

Overtime pay should be available to everyone who puts in the extra time—not just those earning a poverty level wage. That is why I applaud the Department of Labor's proposed rule that would strengthen overtime standards and take them back—not quite even as good, but we are pretty satisfied with this—to the 1975 level. The new rule will more than double the salary threshold for earning overtime pay from \$23,000 annually to \$50,000. That would mean that 40 percent of salaried workers are now eligible for overtime. In my State, as a result of this rule, 160,000 Ohioans would get a raise, as would 5 million Americans in States such as Oklahoma, Rhode Island, Wisconsin, and all over this country.

This means more money in the pockets of American workers. The rule proposes lengthening the threshold to the 40th percentile of income for full-time salaried workers instead of setting a raw number. This means that the strength of the rule is less likely to erode over time. Not only will this rule

help families make ends meet, it also boosts consumer spending, creates jobs, and bolsters the American economy.

Just like raising the minimum wage, when more money is put in the pocket of somebody making \$8 an hour or \$9 an hour or when you put more money in the pocket of a midlevel manager making \$30,000 a year in a fast-food restaurant—if you put more money in their pocket—they are going to spend that money. They are not going to invest that money in a Swiss bank account. They are going to spend that money in the community, buy more groceries, go into the hardware stores and do more to fix up their houses and do more to generate economic activity and create jobs for our economy.

But there is still more we need to do to support American workers. This is an important step toward building our middle class. There is still more we need to do to support American workers. We need to give hourly workers a raise by raising the minimum wage. The legislation a number of us on the floor have worked on, the Raise the Wage Act, would increase the minimum wage incrementally to \$12 an hour by 2020, giving a raise to 1 million Ohioans, 28 million people across the country—1 million Ohioans.

Tipped workers shouldn't have to struggle to get by. They deserve to earn a living wage to help put food on the table. Lots of people in this body are unaware, as some Americans are. People here should be more aware of it, but people here tend not to know people that work in diners. People who work in diners as waitresses and waiters in diners can be paid as little as \$2.13 an hour. The minimum wage for working in a diner in a so-called tipped wage or for the people who push wheelchairs in airports or in some case for many other kinds of jobs is \$2.13 an hour. It is not \$7.25, which is the minimum wage for everyone else. That is why we need to move on raising the minimum wage, on bringing the tipped wage up to at least 70 percent of the minimum wage.

Workers will be happier and they will be more productive when they are healthy, when they are making decent salaries, making a little bit better wages. Americans also deserve a day off when they get sick. Forty-three million Americans—2 million in my State—have no paid sick leave at all. They are faced with impossible choices. Do they stay home to care for a sick child or go to work so they can put food on the table?

Workers are happier and more productive when they are healthy. Guaranteeing paid sick leave would save precious health care resources, it would give employers safe and stable workplaces, and it would give families peace of mind. It would mean that workers are not going to work when they are sick, infecting other workers

and affecting productivity and profits at that business. That is why we should pass the Healthy Family Act. Overtime is important. Minimum wage is important. The Healthy Family Act for sick leave days is important. All are steps that we need to support hard-working American families.

We know what has happened in the economy the last 10 years. We know the wealthiest 5 percent are doing better and better and better. Profits are up for companies. Executives are making bigger and bigger bonuses. But working class, lower-middle-class workers are simply not getting ahead or even able to tread water to stay even, for that matter. The minimum wage will help, paying overtime will help, and the Healthy Family Act will help.

The Toledo Blade put it well last week: "America's widening income gap isn't an inescapable outcome of the free market, but a political choice that can be mitigated with intelligent public policies."

This is a political choice. We have seen this body and the body on the other side of the Capitol continue to give more tax cuts for the wealthiest Americans. We won't invest in infrastructure, we won't invest in working families, we won't help raise wages, we won't help with overtime, and we won't help with workers who just need a few sick days off, as people in bodies such as this typically have.

I urge the Department of Labor to finalize their strong overtime proposal as quickly as possible. It will make a huge difference in the lives of millions of Americans.

With that, I yield back.

20TH ANNIVERSARY OF THE NORMALIZATION OF DIPLOMATIC RELATIONS BETWEEN THE UNITED STATES AND VIETNAM

Mr. WHITEHOUSE. Mr. President, I am here to recognize a historic milestone: the 20th anniversary of the normalization of diplomatic relations between the United States and Vietnam. This occasion has some personal significance for me and my family. My father served as Deputy Ambassador to Vietnam; in effect, the chief operating officer of that conflict. I lived with him in that country for several months during the Vietnam war. If he were alive today, he would be proud of the work both countries have done to reconcile our past.

It took immense courage on both sides to look beyond the scars of that war and envision a future in which our two countries could become partners and friends. No one embodies this courage more than our friend JOHN MCCAIN, who played a major role in establishing diplomatic relations between our two countries, and Secretary of State John Kerry, then a Senator, who was his Democratic partner.

Given Senator MCCAIN's experience as a prisoner in Vietnam, his subse-

quent efforts to strengthen the peace and forgiveness between our two Nations are an enduring inspiration, the power of which I was privileged to see firsthand when I traveled with Senator MCCAIN to Hanoi in 2012 and 2014.

Senator MCCAIN said 20 years ago, "I believe it is my duty to encourage this country to build from the losses and the hopes of our tragic war in Vietnam a better peace for both the American and the Vietnamese people."

Today, the American and the Vietnamese people can be proud of the progress made to forge a lasting peace and friendship. Two years ago, President Obama and Vietnamese President Truong Tan Sang launched the U.S.-Vietnam Comprehensive Partnership, opening a new phase of bilateral relations between our nations based on mutual respect and common interests. I met recently with Nguyen Phu Trong, the General Secretary of the Central Committee of the Communist Party of Vietnam to discuss our shared interests and opportunities for closer collaboration on a range of issues, including regional stability, economic cooperation, and the lingering human and environmental consequences of that war.

I had the honor of meeting with General Secretary Trong while traveling to Vietnam with Senator MCCAIN last summer. I am pleased he has made this historic visit to the United States. I am hopeful Vietnam will bring our interests and values into closer alignment, particularly on human rights, the rights of civil society, transparency, and good governance issues.

To that end, I look forward to working together to achieve closer ties. As the United States and Vietnam continue to deepen our relationship, we should continue to address the legacies of that war, particularly the health effects and environmental contamination associated with Agent Orange and other herbicides. Here at home, we take our commitment to caring for our veterans very seriously. Although the war has ended, many American veterans and their families still battle a range of health problems and serious diseases associated with their service in Vietnam.

We must ensure that veterans get the care they need to combat the long-term health problems related to exposure to Agent Orange. Those contamination and health problems are also serious in Vietnam. I am grateful for Senator LEAHY's leadership on the Appropriations Committee, which has enabled the United States to pursue remediation projects to clean up the dioxin contamination at Da Nang International Airport and other hot spots and to support related health and disability programs.

I urge all of us that we continue to support these initiatives which strengthen our bilateral relationship.

Considerable work remains. According to initial assessments of Bien Hoa Air Base, the contamination there is more severe and cleanup is expected to be more complex and costly than at Da Nang. In addition, health-related problems and disabilities persist in areas sprayed with Agent Orange or otherwise contaminated by dioxin.

In 2008, actor, advocate, and longtime friend Dick Hughes brought this issue closely to my attention and he has shared with me compelling stories about Vietnamese families who have been affected by diseases and disabilities related to Agent Orange exposure. Some of the suffering ascribed to Agent Orange has been harrowing and heart-breaking. Dick has years of experience working on humanitarian issues in Vietnam and is a compelling witness to that suffering.

We first met when I was a teenager in Saigon and Dick had established a program called the Shoeshine Boys Project, to care for homeless children who had been orphaned or left alone during the war. He brought them together and sent them on the streets with shoeshine boxes as a way of making a living and finding something they could do and provided them care and a home when they came home at nightfall.

Over 8 years, that project helped thousands of children in cities all across Vietnam. Dick attributes the success of that project to close partnerships forged with local communities and the project's management by Vietnamese citizens. When Dick returned to the United States, he continued to advocate for postwar humanitarian causes and he started a foundation to raise awareness about the effects of Agent Orange on the Vietnamese population. Dick remains a trusted friend and tireless advocate to the Vietnamese people.

As our two countries work together on a new and more engaged future, we should expand our efforts to improve the health and well-being of the Vietnamese people. We can learn from Dick's experience about the power of partnership and the value of local leadership, and together we can continue to repair the damage—physical, psychological, and political—of the path we share.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

AMENDMENT NO. 2093

Ms. BALDWIN. Mr. President, I rise to speak in support of the Student Non-Discrimination Act, which Senator FRANKEN is offering as an amendment to the Every Child Achieves Act. The Student Non-Discrimination Act would help protect our students from bullying, harassment, and discrimination. I am a proud cosponsor of this amendment and hopeful the Senate will agree to this amendment this week.

As we consider the Every Child Achieves Act, as we did in committee back in April, and as we have discussed it on the floor over the last week, I have been guided by a core principle: that this law should ensure that every child, regardless of his or her background, regardless of his or her family's income, has access to the opportunities provided by a great education, a high-quality education.

Now, part of providing that opportunity is ensuring that every student is able to come to school and succeed in an environment that is safe, supportive, and free from discrimination. While the Every Child Achieves Act helps advance opportunity for students in numerous ways, it falls short in addressing a significant problem limiting the achievement of some of our most vulnerable students.

Unfortunately, there are still far too many stories of harassment, of bullying, and of discrimination against lesbian, gay, bisexual, and transgender students at the hands of their peers but also, sadly, sometimes at the hands of their teachers or administrators as well. There remains no Federal law that explicitly protects these students and provides them and their families with recourse when they face bullying and harassment that limits their educational opportunities.

No student can achieve if he cannot feel safe at school. No student will excel if she spends each day in fear of just being herself. I hear from so many students in my State about the need for us to stand up against bullying. For example, a young woman in Madison wrote to me, and I quote from her letter:

[A]s a student myself, I hear the words "gay", "faggot", "queer" and others get tossed around . . . daily, and I do what I can to deter these words from being used in negative ways by others, but one voice can't make much of a difference. . . . I'm asking you to help raise awareness in schools anyway that you can.

I would tell this young woman in Madison that her voice speaking out on this matter can make a difference. Another young woman from Kimberly, WI, contacted me about her friend who committed suicide after suffering bullying. She wrote:

He made everyone else come alive and be the better people that they were inside. But he killed himself because he thought he had no way out of the pain, no way to make those kids stop, other than to make sure he was not living anymore.

Across the country, lesbian, gay, bisexual, and transgender or LGBT youth experience bullying harassment at school more frequently than their non-LGBT peers. According to a national survey by the Gay, Lesbian & Straight Education Network, in the past year, nearly three-quarters of students were verbally harassed and more than 16 percent were physically assaulted because of their sexual orientation.

More than 60 percent of students who reported an incident of harassment said that school staff did nothing in response. It is unsurprising, then, that nearly one-third of students reported missing school at least once in the last month because they did not feel safe. I believe we must fix this immediately. That is why I support including Senator FRANKEN's Student Non-Discrimination Act as an amendment to the Every Child Achieves Act currently being debated before the Senate. Senator FRANKEN's amendment would provide real and strong protections for LGBT students in public, elementary, and secondary schools. It would also provide recourse through the Department of Education and, if necessary, in the courts to help students vindicate their rights.

This amendment is closely modeled on existing Federal education protections, which have helped ensure that students have remedies when they face unfair treatment based on race, ethnicity, sex, and disability. LGBT students are just as deserving of the opportunity to succeed in the school environment that is supportive and nurturing rather than discriminatory and unwelcoming.

If we are truly to ensure through this legislation that every child achieves, we must act to address the bullying, harassment, and discrimination that limits educational opportunities of too many students. I urge my colleagues to support this amendment.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk for the Alexander substitute amendment No. 2089.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the Alexander amendment No. 2089 to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

Mitch McConnell, Orrin G. Hatch, Lamar Alexander, Cory Gardner, Steve Daines, Pat Roberts, Johnny Isakson, Susan M. Collins, Michael B. Enzi, Kelly Ayotte, John Cornyn, Lisa Murkowski, Tim Scott, Richard Burr, Thom Tillis, Lindsey Graham, John Hoeven.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk for the underlying bill, S. 1177.

The PRESIDING OFFICER. The cloture motion having been presented



under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

Mitch McConnell, Lisa Murkowski, Pat Roberts, Lamar Alexander, Cory Gardner, Steve Daines, Johnny Isakson, Susan M. Collins, Michael B. Enzi, Kelly Ayotte, John Cornyn, Orrin G. Hatch, Richard Burr, Thom Tillis, Lindsey Graham, John Hoeven, Bill Cassidy.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum calls under rule XXII of the Standing Rules of the Senate with respect to the cloture motions be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MORNING BUSINESS

#### PENDING NOMINEES TO THE U.S. COURT OF FEDERAL CLAIMS

Mr. LEAHY. Mr. President, the U.S. Court of Federal Claims has been referred to as the “keeper of the Nation’s conscience” and “the people’s court.” This court was created by Congress approximately 160 years ago and embodies the constitutional principle that individuals have rights against their government. As President Lincoln has said, “It is as much the duty of Government to render prompt justice against itself, in favor of citizens, as it is to administer the same between private individuals.” That is what this court does. It allows citizens to seek prompt justice against our government.

The court’s jurisdiction is authorized by statute, and it primarily hears monetary claims against the U.S. Government deriving from the Constitution, Federal statutes, executive regulations, and civilian or military contracts. The fact that the Court of Federal Claims is an article I court, as opposed to an article III court, does not render any of the cases that it hears any less significant.

For example, the court has presided over such important cases as the savings and loan crisis of the 1980s and the World War II internment of Japanese Americans. It also presides over civilian and military pay claims and money claims under the Fifth Amendment’s takings clause.

The takings clause under the Fifth Amendment of the U.S. Constitution provides: “nor shall private property be taken for public use without just compensation.” As a result of this court’s jurisdiction over takings’ claims, it

considers cases such as the auto bailout suits against General Motors and Chrysler—companies who were required to terminate agreements with franchisees as a condition of receiving Federal bailout money. The court also resolves disputes that critically impact the environment and our economy, such as those involving the taking of wetlands to create solid waste landfills and disputes over water and drainage rights by agricultural landowners.

Last week, the chief judge of the court sent a letter informing the Senate that despite the court’s shortage of judicial officers, its caseload continues unabated. She wrote that “[t]he statutory requirements dictating deadlines for certain types of cases unique to our court, including government contract disputes—some of which involve national defense and national security—remain in effect. The dollar amounts in dispute in our currently pending cases, which are often an indication of the complexity of the underlying issues, are in the billions of dollars. At least three different cases on the court’s pending docket reflect a demand for damages greater than forty billion dollars.”

This is no ordinary court. The Senate Republicans’ insistence on delaying the confirmation of qualified nominees to the Court of Federal Claims harms its ability to resolve issues of national importance in a timely and just manner. Since February 2013, the U.S. Court of Federal Claims has been operating with several vacancies. Only 11 of the 16 seats on the court are occupied by active judges.

We could have a court working at full strength if we confirm the five pending on the Senate Executive Calendar. All five of them were all nominated more than a year ago and have twice been voted out of the Judiciary Committee by unanimous voice vote. I have heard no objections to any of the five nominees to this court. There is no good reason to delay filling these vacancies.

This is especially the case because the nominees before us are superbly qualified. One of the nominees, Armando Bonilla, would be the first Hispanic judge to hold a seat on the court. He is strongly endorsed by the Hispanic National Bar Association. He has spent his entire career—now spanning over two decades—as an attorney for the Department of Justice. He was hired out of law school in the Department’s prestigious Honors Program, and has risen to become the Associate Deputy Attorney General in the Department.

Armando Bonilla’s story is that of the American dream. The son of a Cuban immigrant and Cuban-American father, Armando Bonilla has told the story of his mother’s flight from Havana with his aunt and his grandmother. He has told the story of his “Tí Mario,” who eventually dis-

appeared trying to help other exiles. And he has told the story of his father, who dropped out of high school but would subsequently serve the country by joining the Marines and would ultimately take on several jobs to support Armando and his sister. As Mr. Bonilla has beautifully described, his father “exemplified the most outstanding qualities of the Hispanic culture and Hispanic people: the selfless sacrifice, the steely resolve and unbridled optimism and the genuine pride in an honest day’s work—all toward the cause of improving the lives of the next generation.” Mr. Bonilla should be confirmed without further delay.

Another nominee, Jeri Somers, retired with the rank of Lieutenant Colonel in the U.S. Air Force. She spent over two decades serving first as a judge advocate general and then as a military judge in the U.S. Air Force and the District of Columbia’s Air National Guard. In 2007, she became a board judge with the U.S. Civilian Board of Contract Appeals and currently serves as its vice chair.

Armando Bonilla and Jeri Somers are just two of the five nominees that Senate Republicans have been obstructing. These are two individuals that have done right every step of the way in their careers and are willing to serve on this important court. They have dedicated the majority of their careers in service to our Nation. They deserve better than the treatment they are receiving now.

During the Bush administration, the Senate confirmed nine judges to the Court of Federal Claims—with the support of every Senate Republican. So far during the Obama administration, only three CFC judges have received confirmation votes. That is nine CFC judges during the Bush administration to only three so far in the Obama administration.

Unfortunately, the disparity in treatment of these nominees by Senate Republicans is not surprising. More than half a year into this new Congress, the Republican leadership has scheduled votes to confirm only five district and circuit court judges. This is in stark contrast to the 25 district and circuit court judges confirmed by July 13, 2007, when the shoe was on the other foot and Democrats had regained the Senate majority in the seventh year of the Bush administration. That is 25 district and circuit court judges under a Democratic majority compared to 5 under the Republican majority. That is five times as many judges confirmed under a Democratic majority with a President of the opposite party than today’s Senate Republican majority.

It is up to the majority leader now to treat President Obama’s judicial nominees fairly. I ask that he schedule votes this week on the five Court of Federal Claims nominees pending on the Senate Executive Calendar.

I ask unanimous consent that a recent post to The Hill's Congress Blog by Professor Carl Tobias on the need to fill the vacancies on U.S. Court of Federal Claims be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From The Hill, July 9, 2015]

FILL THE U.S. COURT OF FEDERAL CLAIMS  
VACANCIES

(By Carl Tobias)

The United States Court of Federal Claims was the most important federal court that many Americans had never heard of until last month. That is when Judge Thomas Wheeler of this court ruled that Hank Greenberg and AIG shareholders had proved that the federal government exceeded its authority by demanding an eighty percent equity stake in AIG during the great recession but that plaintiffs were not entitled to damages because they suffered no economic loss.

More critical than this high profile case is the fact that the court has experienced vacancies in five of its judgeships for more than a year, while the well qualified, consensus nominees whom President Barack Obama first tapped for those openings in 2014 have languished awaiting confirmation. Because the Court of Federal Claims needs its full complement of judges to deliver justice and each nominee is highly qualified and uncontroversial, the Senate must expeditiously provide the nominees floor debates, if warranted, and up or down votes.

This tribunal is the court in which citizens seek redress against the federal government for monetary claims. These include claims that the U.S. has taken private property without just compensation under the Fifth Amendment, claims pursued by veterans who seek disability payments for injuries received in combat and claims for compensation filed by persons who allege vaccines injured them. The tribunal's recent caseload has increasingly encompassed complex, high-dollar cases and high profile disputes in fields, such as the 1980s savings and loan crisis and Second World War internment of Japanese Americans by the United States.

On April 10, 2014, Obama nominated Judge Nancy Firestone for reappointment and Thomas Halkowski to fifteen year terms, while on May 21, the White House nominated Armando Bonilla, Patricia McCarthy and Jeri Somers. Obama first nominated all five of the candidates more than one year ago, and they received Judiciary Committee hearings nearly a year ago. The panel unanimously reported all five out of committee rather soon after the hearings. Unfortunately, the Senate accorded none of the nominees a final vote before the 114th Congress adjourned.

Therefore, the White House renominated the five candidates in early January 2015. The Judiciary Committee in turn unanimously approved the nominees without substantive discussion in February. The five nominees have since languished on the floor over four months awaiting debates and yes or no ballots. In a June 24 Congressional Record statement, Sen. Patrick Leahy (D-Vt.), the Judiciary Committee Ranking Member, urged swift votes: "We have heard no opposition to any of these nominees, yet they have been in limbo for months and months because the Republican Leader has refused to schedule a vote."

Now that the Senate has returned from its July 4 recess, one of the chamber's first

items of business must be debates and votes on the five Court of Federal Claims nominees. The tribunal needs all of the judges whom Congress has authorized to dispense justice for members of the public who seek redress because they claim that the federal government has injured them.

#### ADDITIONAL STATEMENTS

#### RECOGNIZING THE 15TH ANNIVERSARY OF THE COLORADO DRAGON BOAT FESTIVAL

• Mr. GARDNER. Mr. President, today I commemorate the annual Colorado Dragon Boat Festival on their 15th-anniversary celebration taking place on July 18 and 19 at Sloan's Lake in Denver, CO.

The Dragon Boat Festival is a ritual that is more than 2,000 years old. This sporting event has spread to cities around the world, and Denver's Dragon Boat Festival is no exception. This cultural event celebrates Colorado's diverse Chinese and Taiwanese population. Thousands of competitors and spectators alike gather downtown for this annual race.

The Colorado Dragon Boat Festival has been recognized as one of Denver's largest and most prolific cultural events. In 2011, the CDBF earned the Denver Mayor's Diversity Award. In 2013, the event received the Denver Mayor's Award for Excellence in Arts and Culture. Additionally, Director Erin Yoshimura was the first Asian American to win the Boettcher Foundation's Livingston Fellowship.

As chairman of the Senate Foreign Relations Committee's Subcommittee on Asia, the Pacific and International Cybersecurity Cooperation, I am dedicated to strengthening relationships with our Asian communities at home and abroad.

Best of luck to the 52 teams competing in this year's race, and I look forward to many more years of celebrating the Colorado Dragon Boat Festival.●

#### TRIBUTE TO COL RHONDA D. SMILLIE

• Mr. JOHNSON. Mr. President, I wish to pay tribute to Col Rhonda Smillie of the U.S. Army Reserve who retired in May 2015 with more than 32 years of service and who, for the past 2 years, has served as a legislative liaison for the chief, Army Reserve. I am grateful for her life of service to the Army Reserve and wish her well as she transitions into retirement.

A native of Fort Atkinson, WI, Rhonda was commissioned via the Reserve Officer's Training Corps Program at the University of Wisconsin-Whitewater, and went on to earn advanced degrees from Lindenwood University in St. Charles, MO, and from the U.S. Army War College in Carlisle, PA.

Currently serving as the legislative liaison for the chief, Army Reserve, with responsibility for 19 States, Colonel Smillie travels extensively throughout her territory. From Ohio to Washington, from North Dakota to Missouri, she conducts education and outreach events that ensure community leaders understand the impact of the Army Reserve. Her efforts highlight key aspects of the Army Reserve that otherwise go unnoticed such as providing medical and dental assistance to underserved communities in northern Montana, providing cost effective training via Chinook helicopter simulators in Kansas, and working to ensure returning soldiers receive necessary support via the Yellow Ribbon Program in various States. She has helped to highlight the Public Private Partnership and other programs unique to the Army Reserve.

Prior to assignment as a legislative liaison, she served as the deputy director, Military Personnel Management, Department of the Army Headquarters, G-1. On points of law and policy she was trusted to consider the needs of the Army, the Army Reserve, and soldiers and families. She expertly assisted in developing personnel policies to keep pace with an Army engaged in persistent conflict while simultaneously drawing down the force.

With more than 20 years of Active Duty in support of the Army Reserve, Colonel Smillie's distinguished career is marked by tremendous accomplishments, impacting across the breadth and depth of the Army. Her distinctive leadership in positions demanding the utmost trust and responsibility, coupled with her exceptional professionalism and selfless service, will have a lasting positive impact on Army personnel readiness.

It is only fair and proper to acknowledge the tireless support of her husband, Mr. Douglas Bryan Way, and their son, Truman Douglas Smillie Way, as it enabled her to work tirelessly on her assigned duties. Let us thank them all for their sacrifices and wish them continued success in the future.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

## MESSAGES FROM THE HOUSE

At 3:02 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 5. An act to support State and local accountability for public education, protect State and local authority, inform parents of the performance of their children's schools, and for other purposes.

H.R. 6. An act to accelerate the discovery, development, and delivery of 21st century cures, and for other purposes.

H.R. 2647. An act to expedite under the National Environmental Policy Act of 1969 and improve forest management activities on National Forest System lands, on public lands under the jurisdiction of the Bureau of Land Management, and on tribal lands to return resilience to overgrown, fire-prone forested lands, and for other purposes.

The message also announced that the Speaker appoints the following Members as additional conferees in the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1735) to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes:

From the Permanent Select Committee on Intelligence, for consideration of matters within the jurisdiction within that committee under clause 11 of rule X: Messrs. NUNES, KING of New York, and SCHIFF.

From the Committee on Education and the Workforce, for consideration of secs. 571 and 573 of the House bill and secs. 561–63 of the Senate amendment and modifications committed to conference: Messrs. ROKITA, BISHOP of Michigan, and SCOTT of Virginia.

From the Committee on Energy and Commerce, for consideration of secs. 314, 632, 634, 3111–13, 3119, 3133, and 3141 of the House bill and secs. 601, 632, 3118, and 3119 of the Senate amendment, and modifications committed to conference: Messrs. UPTON, BARTON, and PALLONE.

From the Committee on Foreign Affairs, for consideration of secs. 1011, 1059, 1090, 1092, 1201, 1203–5, 1215, 1221, 1223, 1226, 1234–36, 1247–49, 1253, 1257, 1263, 1264, 1267, 1270, 1301, 1532, 1541, 1542, 1663, 1668–70, 2802, 3118, and 3119 of the House bill and secs. 1011, 1012, 1082, 1201–05, 1207, 1209, 1223, 1225, 1228, 1251, 1252, 1261, 1264, 1265, 1272, 1301, 1302, 1531–33, 1631, 1654, and 1655 of the Senate amendment and modifications committed to conference: Messrs. ROYCE, MARINO, and ENGEL.

From the Committee on Homeland Security, for consideration of secs. 589 and 1041 of the Senate amendment, and modifications committed to conference: Mr. MCCAUL, Mrs. MILLER of Michigan, and Mr. THOMPSON of Mississippi.

From the Committee on the Judiciary, for consideration of secs. 1040, 1052, 1085, 1216, 1641, and 2862, of the House bill and secs. 1032, 1034, 1090, and 1227 of the Senate amendment, and modifications committed to conference: Messrs. GOODLATTE, ISSA, and CONYERS.

From the Committee on Natural Resources, for consideration of secs. 312, 632, 634, 2841, 2842, 2851–53, and 2862 of the House bill and secs. 313, 601, and 632 of the Senate amendment, and modifications committed to conference: Messrs. COOK, HARDY, and GRIJALVA.

From the Committee on Oversight and Government Reform, for consideration of secs. 602, 631, 634, 838, 854, 855, 866, 871, 1069, and 1101–05 of the House bill and secs. 592, 593, 631, 806, 830, 861, 1090, 1101, 1102, 1104, 1105, 1107–09, 1111, 1112, 1114, and 1115 of the Senate amendment, and modifications committed to conference: Messrs. HURD of Texas, RUSSELL, and CUMMINGS.

From the Committee on Rules, for consideration of sec. 1032 of the Senate amendment, and modifications committed to conference: Messrs. SESSIONS, BYRNE, and Ms. SLAUGHTER.

From the Committee on Science, Space, and Technology, for consideration of sec. 3136 of the House bill and sec. 1613 of the Senate amendment, and modifications committed to conference: Messrs. LUCAS, KNIGHT, and Ms. EDDIE BERNICE JOHNSON of Texas.

From the Committee on Small Business, for consideration of secs. 831–34, 839, 840, 842–46, 854, and 871 of the House bill and secs. 828, 831, 882, 883, and 885 of the Senate amendment, and modifications committed to conference: Messrs. CHABOT, HANNA, and Ms. VELÁZQUEZ.

From the Committee on Transportation and Infrastructure, for consideration of secs. 302, 562, 569, 570a, 591, 1060a, 1073, 2811, and 3501 of the House bill and secs. 601, 642, 1613, 3504, and 3505, of the Senate amendment, and modifications committed to conference: Messrs. GRAVES of Louisiana, CURBELO of Florida, and Ms. EDWARDS.

From the Committee on Veterans' Affairs, for consideration of secs. 565, 566, 592, 652, 701, 721, 722, 1105, and 1431 of the House bill and secs. 539, 605, 633, 719, 1083, 1084, 1089, 1091, and 1411 of the Senate amendment, and modifications committed to conference: Messrs. ROE of Tennessee, BILIRAKIS, and Ms. BROWN of Florida.

## ENROLLED BILL SIGNED

At 5:13 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 2620. An act to amend the United States Cotton Futures Act to exclude certain cotton futures contracts from coverage under such Act.

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

## MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 6. An act to accelerate the discovery, development, and delivery of 21st century cures, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 2647. An act to expedite under the National Environmental Policy Act of 1969 and improve forest management activities on National Forest System lands, on public lands under the jurisdiction of the Bureau of Land Management, and on tribal lands to return resilience to overgrown, fire-prone forested lands, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

## MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 5. An act to support State and local accountability for public education, protect State and local authority, inform parents of the performance of their children's schools, and for other purposes.

## EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2209. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "S-metolachlor; Pesticide Tolerances" (FRL No. 9927-85) received during adjournment of the Senate in the Office of the President of the Senate on July 6, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2210. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of General Larry O. Spencer, United States Air Force, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC-2211. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "2014 Section 45K(d)(2)(C) Reference Price" (Notice 2015-45) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Finance.

EC-2212. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report prepared by the Department of State on progress toward a negotiated solution of the Cyprus question covering the period February 1, 2015 through March 31, 2015; to the Committee on Foreign Relations.

EC-2213. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Clean Air Act Title V Operating Permit Program Revision; Pennsylvania" (FRL

No. 9930-30-Region 3) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Environment and Public Works.

EC-2214. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Determination of Attainment of the 2006 24-Hour Fine Particulate Standard for the Liberty-Clairton Nonattainment Area" (FRL No. 9930-23-Region 3) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Environment and Public Works.

EC-2215. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Kansas; Update to Materials Incorporated by Reference" (FRL No. 9926-48-Region 7) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Environment and Public Works.

EC-2216. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, South Coast Air Quality Management District" (FRL No. 9929-58-Region 9) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Environment and Public Works.

EC-2217. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California SIP, Ventura and Eastern Kern Air Pollution Control Districts; Permit Exemptions" (FRL No. 9929-64-Region 9) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Environment and Public Works.

EC-2218. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, South Coast Air Quality Management District" (FRL No. 9929-60-Region 9) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Environment and Public Works.

EC-2219. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Maryland; Preconstruction Requirements—Nonattainment New Source Review" (FRL No. 9930-31-Region 3) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Environment and Public Works.

EC-2220. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Redesignation Request and Associated Maintenance Plan for the Johnstown Nonattainment Area for the 1997 Annual and 2006 24-Hour Fine Particulate Matter Standard" (FRL No. 9930-24-Region 3) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Environment and Public Works.

EC-2221. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Findings of Failure to Submit a Section 110 State Implementation Plan for Interstate Transport for the 2008 National Ambient Air Quality Standards for Ozone" (FRL No. 9930-25-OAR) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Environment and Public Works.

EC-2222. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Maryland; Low Emissions Vehicle Program Revisions" (FRL No. 9930-35-Region 3) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Environment and Public Works.

EC-2223. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants for the Portland Cement Manufacturing Industry and Standards of Performance for Portland Cement Plants" (FRL No. 9927-62-OAR) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Environment and Public Works.

EC-2224. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; New Mexico; Revisions to the Particulate Matter Less than 2.5 Micrometers (PM<sub>2.5</sub>) Prevention of Significant Deterioration (PSD) Permitting Program State Implementation Plan (SIP)" (FRL No. 9930-27-Region 6) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Environment and Public Works.

EC-2225. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Partial Approval and Partial Disapproval of Air Quality State Implementation Plans; Arizona; Infrastructure Requirements for Lead and Ozone" (FRL No. 9930-28-Region 9) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Environment and Public Works.

EC-2226. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, Feather River Air Quality Management District" (FRL No. 9927-76-Region 9) received during adjournment of the Senate in the Office of the President of the Senate on July 6, 2015; to the Committee on Environment and Public Works.

EC-2227. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, Butte County Air Quality Management District" (FRL No. 9928-50-Region 9) received during adjournment of the Senate in the Office of the President of the Senate on July 6, 2015; to the Committee on Environment and Public Works.

EC-2228. A communication from the Director of the Regulatory Management Division,

Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Polychlorinated Biphenyls (PCBs): Revisions to Manifesting Regulations; Item Number" (FRL No. 9929-92-OSWER) received during adjournment of the Senate in the Office of the President of the Senate on July 6, 2015; to the Committee on Environment and Public Works.

EC-2229. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emissions Standards for Hazardous Air Pollutants for Mineral Wool Production and Wool Fiberglass Manufacturing" (RIN2060-AQ90) (FRL No. 9928-71-OAR) received during adjournment of the Senate in the Office of the President of the Senate on July 6, 2015; to the Committee on Environment and Public Works.

EC-2230. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Modification of Significant New Uses of Certain Chemical Substances" (RIN2070-AB27) (FRL No. 9928-93) received during adjournment of the Senate in the Office of the President of the Senate on July 6, 2015; to the Committee on Environment and Public Works.

EC-2231. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Kansas; Update to Materials Incorporated by Reference" (FRL No. 9926-48-Region 7) received during adjournment of the Senate in the Office of the President of the Senate on July 6, 2015; to the Committee on Environment and Public Works.

EC-2232. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Nebraska; Update to Materials Incorporated by Reference" (FRL No. 9926-49-Region 7) received during adjournment of the Senate in the Office of the President of the Senate on July 6, 2015; to the Committee on Environment and Public Works.

EC-2233. A communication from the Deputy Director, Health Resources and Services Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "National Vaccine Injury Compensation Program: Addition of Intussusception as Injury for Rotavirus Vaccines to the Vaccine Injury Table" (RIN0906-AB00) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC-2234. A communication from the General Counsel, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Partitions of Eligible Multiemployer Plans" (RIN1212-AB29) received in the Office of the President of the Senate on July 8, 2014; to the Committee on Health, Education, Labor, and Pensions.

EC-2235. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" (RIN2120-AA64) (Docket No. FAA-2014-0485) received in the Office of the President of the Senate on July 8, 2015; to the

Committee on Commerce, Science, and Transportation.

EC-2236. A communication from the Chairman, National Transportation Safety Board, transmitting, pursuant to law, a report relative to the Board's 2015 Federal Activities Inventory Reform Act inventory; to the Committee on Homeland Security and Governmental Affairs.

EC-2237. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled "Certification of Fiscal Year 2015 Total Local Source General Fund Revenue Estimate (Net of Dedicated Taxes) in Support of the District's Issuance of General Obligation Bonds (Series 2015A and 2015B)"; to the Committee on Homeland Security and Governmental Affairs.

EC-2238. A communication from the Staff Director, U.S. Sentencing Commission, transmitting, pursuant to law, the 2014 Annual Report and Sourcebook of Federal Sentencing Statistics; to the Committee on the Judiciary.

EC-2239. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Accessible Emergency Information, and Apparatus Requirements for Emergency Information and Video Description" (MB Docket No. 12-107, FCC 15-56) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2240. A communication from the Chief Executive Officer, United States Anti-Doping Agency, transmitting, pursuant to law, the Agency's 2014 annual report and Independent Auditor's reports and financial statements for 2014 and 2013; to the Committee on Commerce, Science, and Transportation.

EC-2241. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Learjet Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2014-0249)) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2242. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Avidyne Corporation Integrated Flight Displays" ((RIN2120-AA64) (Docket No. FAA-2015-2191)) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2243. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2014-0618)) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2244. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2014-0585)) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2245. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Agusta S.p.A. (Agusta) Helicopters" ((RIN2120-AA64) (Docket No. FAA-2015-2119)) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2246. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Tribune, KS" ((RIN2120-AA66) (Docket No. FAA-2015-0744)) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2247. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Tucumari, NM" ((RIN2120-AA66) (Docket No. FAA-2015-0902)) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2248. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment to the Titles of Restricted Areas R-5301, R-5302A, R-5302B, and R-5302C; North Carolina" ((RIN2120-AA66) (Docket No. FAA-2015-1862)) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2249. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Removal of Pilot Pairing Requirement" ((RIN2120-AK68) (Docket No. FAA-2015-2129)) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2250. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Electronic Applications for Licenses, Permits, and Safety Approvals" ((RIN2120-AK58) (Docket No. FAA-2015-1745)) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Commerce, Science, and Transportation.

#### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-45. A resolution adopted by the Senate of the State of Louisiana memorializing the United States Congress to take such actions as are necessary to designate Grambling State University as a United States Department of Agriculture 1890 land-grant institution; to the Committee on Agriculture, Nutrition, and Forestry.

#### SENATE RESOLUTION No. 141

Whereas, a land-grant college or university is a postsecondary education institution that has been designated to receive the benefits of the federal Morrill Acts of 1862 or 1890; and

Whereas, there is at least one land-grant institution in every state and territory of the United States, as well as the District of Columbia, and over the years, land-grant status has been associated with several types of federal support; and

Whereas, two universities in this state, Louisiana State University and Agricultural and Mechanical College (LSU) and Southern University and Agricultural and Mechanical College (SU), are designated as land-grant institutions; LSU received this designation in 1862, and in 1890, what is known as the Second Morrill Act conferred land-grant status to several historically black colleges and universities, commonly referred to as "1890 land-grant institutions", and SU is among this group; and

Whereas, Grambling State University, located in Grambling, Louisiana, is seeking designation as an 1890 land-grant institution under the banner of the Second Morrill Act; and

Whereas, Grambling State University was founded in 1901 by the North Louisiana Colored Agriculture Relief Association; in 1905, it moved to its present location and was renamed the North Louisiana Agricultural and Industrial School; in 1946, it became Grambling College; and in 1949, it earned its first accreditation by the Southern Association of Colleges and Schools; and

Whereas, in 1974, the school began to offer graduate programs in early childhood and elementary education and acquired the name Grambling State University; over the years, several new academic programs have been incorporated and new facilities added to the 384-acre campus; and

Whereas, Grambling now offers more than eight hundred courses and forty-seven degree programs in five colleges, including an honors college, two professional schools, a graduate school, and a Division of Continuing Education; and

Whereas, Grambling combines the academic strengths of a major university with the benefits of a small college, and its students grow and learn in a serene and positive environment; and

Whereas, in addition to being one of the country's top producers of African-American graduates, Grambling is home to the internationally renowned Tiger Marching Band and remains proud of the legacy of the late Eddie Robinson, Sr., a truly legendary football coach; and

Whereas, Grambling places an emphasis on the value and importance of each student, which is exemplified by its motto, "Where Everybody is Somebody"; and

Whereas, after more than a decade since its founding, Grambling remains an important influence in the quality of lives and communities of generations of North Louisiana residents; and

Whereas, the designation of Ohio's Central State University as an 1890 land-grant institution in the 2014 Farm Bill set a very recent precedent for the addition of a university to the land-grant system; and

Whereas, the nation's system of land-grant institutions would be strengthened by the inclusion of Grambling State University; and

Whereas, as a historically black university with a strong record of academics, research, and service, Grambling, with its rich history and traditions, would bring a unique perspective to the land-grant system; and

Whereas, for one hundred twenty-five years, the 1890 land-grant institutions have played a vital role in ensuring access to higher education and opportunity for underserved communities, and as such an institution, Grambling would have access to increased resources that it could direct to

serving such communities and to providing research, extension, and public services in North Louisiana, an area where these services are not currently being provided sufficiently; and

Whereas, such designation would be consistent with Grambling's agricultural origins and its mission and history of service to African-American students and the people of Louisiana and would strengthen Grambling's research and teaching in science, technology, engineering, and mathematics (STEM) programs and enhance existing programs and facilitate the development of new programs in agricultural business, biotechnology, economics, environment and natural resources, family and consumer science, and engineering technology; and

Whereas, Grambling State University has made the same extraordinary contributions to the education of African Americans in the state of Louisiana as other 1890 land-grant universities have made in their respective states; and

Whereas, as the only Historically Black College or University (HBCU) in the University of Louisiana System, the role that Grambling plays in the state is critical; and

Whereas, a land-grant designation would enhance greatly Grambling's service to the people of Louisiana, and it is appropriate that Congress take all necessary measures to grant such designation to Grambling State University: Now, therefore, be it

*Resolved*, That the Senate of the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to designate Grambling State University as a United States Department of Agriculture 1890 land-grant institution; and be it further

*Resolved*, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate, the clerk of the United States House of Representatives, and to each member of the Louisiana delegation to the United States Congress.

POM-46. A concurrent resolution adopted by the Legislature of the State of Louisiana memorializing the United States Congress to take action against illegal, unreported, and unregulated fishing in Louisiana's sovereign waters by passing H.R. 774, the Illegal, Unreported, and Unregulated Fishing Enforcement Act of 2015; to the Committee on Commerce, Science, and Transportation.

#### SENATE CONCURRENT RESOLUTION NO. 66

Whereas, illegal, unreported, and unregulated fishing is a global problem with serious economic, environmental, and security implications; and

Whereas, illegal fishing accounts for economic losses of up to billions of dollars per year nationally and such activity is largely conducted by foreign fleets at the expense of United States fishermen, coastal communities, and the sustainability of global fish stocks; and

Whereas, illegal fishing is of particular consequence in Louisiana, where the Gulf Coast waters supply seafood for the citizens of the United States and support the hospitality industry, tourism-related businesses, and the vibrant recreational and commercial fishing industry; and

Whereas, not only does illegal fishing result in economic losses to the Louisiana fishing industry and other coastal businesses, but it also is a threat to the sustainability of our fisheries and to the Louisiana Gulf Coast ecosystem; and

Whereas, the United States Coast Guard is to be commended for apprehending and in-

vestigating foreign vessels engaged in illegal activity along the U.S.-Mexico border, often patrolling the Gulf of Mexico in a cat-and-mouse game specifically with Mexican fishermen who are fishing illegally; and

Whereas, illegal fishermen in the Gulf of Mexico compete for local fish stock and disregard state and federal laws on catch limits, or of marine species including marine mammals and sea turtles that are indiscriminately killed by the use of illegal long-line netting, and where some of the illegally caught fish is exported back into the U.S. and flood the market; and

Whereas, vessels involved with illegal fishing are also associated with other crimes, including drug trafficking, human trafficking, and illegal immigration, and the incursion by these foreign fishing vessels into U.S. waters constitutes a violation of our sovereignty: Now, therefore, be it

*Resolved*, That the Legislature of Louisiana memorializes the Congress of the United States to take action against illegal, unreported, and unregulated fishing in our sovereign waters by passing H.R. 774, the Illegal, Unreported, and Unregulated Fishing Enforcement Act of 2015; and be it further

*Resolved*, That the Legislature of Louisiana hereby expresses its commitment to the elimination of illegal fishing, to the long-term conservation of Louisiana marine resources, and to the protection of the Louisiana Gulf Coast fishing and coastal communities; and be it further

*Resolved*, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM-47. A resolution adopted by the Senate of the State of Louisiana commending the United States Congress on the passage of bipartisan legislation to permanently set the payment amounts that Medicare pays for physician services, known as the doc fix; to the Committee on Finance.

#### SENATE RESOLUTION NO. 109

Whereas, the term "doc fix" refers to the formula the federal government uses to pay physicians who treat patients covered by Medicare, who pay less than they would otherwise to see a physician and the federal government makes up the difference and pays the physician an amount determined by Congress; and

Whereas, in 1997, Congress cut payments to physicians who treat patients enrolled in Medicare in order to help balance the federal budget; and

Whereas, while Congress had considered cutting the dollars to physicians treating Medicare patients, but did not have the collective will to carry it through, being concerned that some physicians might not continue to treat Medicare patients at a reduced rate, and the cut was postponed until a future date; and

Whereas, over the last eighteen years Congress has postponed the cut seventeen times and the cut has become a possible twenty percent reduction in payments if the attempt to postpone the cuts failed during this Congress; and

Whereas, with the current doc fix extension set to expire on March 31, 2015, Congress may consider the need for structural reforms to Medicare generally, not merely a postponement of the cut for another year; and

Whereas, with the unconscionable cut of more than twenty percent looming without the annual doc fix extension in April, Con-

gress agreed to begin broader structural changes to Medicare, ending the doc fix shell game permanently;

Whereas, despite the reality that healthcare is expensive and that the annual revisiting of the doc fix formula of paying physicians was, at least, a bad way to govern, a bipartisan solution proved attainable even in a time when merely entertaining an idea from the other side of the aisle is often unthinkable; and

Whereas, with the reality that one political party leads both houses of Congress and the other holds the presidency, true bipartisanship is the only path to successfully attacking any of the country's issues, yet that bipartisanship is noticeably absent in the discussion of most of those issues; and

Whereas, while partisan differences have been more likely to win the day, the ability to craft a bipartisan doc fix solution requires the leadership of both political parties in both houses to focus on solutions rather than differences, and for that both the leadership and the members of Congress as a whole should be heartily congratulated; and

Whereas, in reaching agreement on the end to the doc fix extensions, Congress has begun the daunting task of reforming and restructuring America's entitlement programs, a beginning worthy of note and of acclaim: Now, therefore, be it

*Resolved*, That the Senate of the Legislature of Louisiana does hereby commend the United States Congress on the passage of bipartisan legislation to permanently set the payment amounts that Medicare pays for physician services, known as the doc fix; and be it further

*Resolved*, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-48. A concurrent resolution adopted by the Legislature of the State of Louisiana memorializing the United States Congress to restore trade relations between the United States and Cuba in order to open the market to Louisiana rice; to the Committee on Finance.

#### SENATE CONCURRENT RESOLUTION NO. 68

Whereas, in 2014, Louisiana produced over three billion pounds of rice amounting to fifteen percent of the United States' rice production; and

Whereas, the rice industry provides over nine thousand jobs to the Louisiana economy; and

Whereas, increased rice exports to Cuba would lead to greater export opportunities for Louisiana farmers and the potential for increased acreage; and

Whereas, resumed rice exports to Cuba would also benefit those affiliated with rice production, milling, and exporting; and

Whereas, rice farming and milling has a large impact on Louisiana's secondary economy in that for every dollar that Louisiana rice produces, approximately thirty-five cents is added indirectly to the economy through seed and fertilizer sales, farm equipment, crop services, and transportation; and

Whereas, resuming the trade of rice with Cuba would be a huge economic gain for Louisiana's port system; and

Whereas, prior to the creation of the trade embargo in 1962, the Port of New Orleans handled over sixty-five percent of all traded goods to Cuba; and

Whereas, the fifty-plus-year trade embargo between the United States and Cuba remains



the longest-standing embargo in modern history; and

Whereas, Louisiana is the top state of origination for Cuban-bound exports, representing nearly thirty percent of the export market share; and

Whereas, it is time to end an outdated policy that continues to deny valuable business opportunities to Louisiana rice farmers, millers, and allied businesses, such as transportation, storage, and shipping; and

Whereas, Cuba imports more than one billion dollars worth of food every year, including approximately five hundred thousand tons of rice; and

Whereas, the rice industry in Louisiana is positioned to benefit from the market opportunities that normalized trade with Cuba would provide due to our healthy supply, port infrastructure, and proximity to Cuba; and

Whereas, the USA Rice Federation and its affiliate members along with the Louisiana Rice Growers Association, the Louisiana Rice Promotion Board, and the Louisiana Rice Council are in support of restoring trade relations between the United States and Cuba in order to open the market to Louisiana rice; Now, therefore, be it

*Resolved*, That the Legislature of Louisiana memorializes the Congress of the United States to restore trade relations between the United States and Cuba in order to open the market to Louisiana rice; and be it further

*Resolved*, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate, the clerk of the United States House of Representatives, and to each member of the Louisiana delegation to the United States Congress.

POM-49. A concurrent resolution adopted by the Legislature of the State of Missouri urging the President of the United States and the United States Congress to repeal the excise tax on medical devices; to the Committee on Finance.

#### SENATE CONCURRENT RESOLUTION NO. 29

Whereas, a new 2.3% federal excise tax on the sale of taxable medical devices by manufacturers, producers, and importers of such devices took effect on January 1, 2013; and

Whereas, the United States Congress Joint Committee on Taxation estimates that the tax will generate \$29 billion in revenue in its first ten years; and

Whereas, the United States is a net exporter in medical devices, exporting \$5.4 billion more than it imports, and accounts for 40% of the global medical technology market; and

Whereas, a study completed by the Manhattan Institute found that the medical device tax will almost double the medical device industry's total tax bill and could result in the loss of up to 43,000 jobs in the medical technology industry; and

Whereas, the medical device tax will harm the United States' global competitiveness, stunt medical innovation, and restrict the ability of patients to receive the life-saving medical devices and care they need; and

Whereas, the medical device tax is imposed on United States sales, rather than profits, of medical device manufacturers, so it will be particularly damaging to innovative start-up companies; Now, therefore, be it

*Resolved*, That the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge the President of the United States and the Congress of the United States to repeal the excise tax on medical devices; and be it further

*Resolved*, That the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives and the members of the Missouri Congressional delegation.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HEINRICH:

S. 1749. A bill to amend the Internal Revenue Code of 1986 to allow allocation of certain renewable energy tax credits to Indian tribes, and for other purposes; to the Committee on Finance.

By Mr. WARNER (for himself, Mr. BLUNT, Mr. PORTMAN, Mr. WICKER, Mr. KIRK, Mr. GRAHAM, and Mr. TILLIS):

S. 1750. A bill to decrease the deficit by realigning, consolidating, disposing, and improving the efficiency of Federal buildings and other civilian real property, and for other purposes; to the Committee on Environment and Public Works.

By Mr. MURPHY (for himself and Mr. BLUMENTHAL):

S. 1751. A bill to provide for a grant program for handgun licensing programs, and for other purposes; to the Committee on the Judiciary.

By Mr. MCCAIN (for himself and Mr. FLAKE):

S. 1752. A bill to enhance communication between Federal, State, tribal, and local jurisdictions and to ensure the rapid and effective deportation of certain criminal aliens; to the Committee on the Judiciary.

By Mr. BROWN:

S. 1753. A bill to amend the Internal Revenue Code of 1986 to modify and permanently extend qualified zone academy bonds, and to treat such bonds as specified tax credit bonds; to the Committee on Finance.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LEAHY:

S. Res. 222. A resolution expressing the sense of the Senate that the Federation Internationale de Football Association should immediately eliminate gender pay inequity and treat all athletes with the same respect and dignity; to the Committee on Health, Education, Labor, and Pensions.

#### ADDITIONAL COSPONSORS

S. 192

At the request of Mr. ALEXANDER, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Colorado (Mr. BENNET) were added as cosponsors of S. 192, a bill to reauthorize the Older Americans Act of 1965, and for other purposes.

S. 271

At the request of Mr. REID, the name of the Senator from Hawaii (Mr.

SCHATZ) was added as a cosponsor of S. 271, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 313

At the request of Mr. GRASSLEY, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 313, a bill to amend title XVIII of the Social Security Act to add physical therapists to the list of providers allowed to utilize locum tenens arrangements under Medicare.

S. 314

At the request of Mr. GRASSLEY, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 314, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of pharmacist services.

S. 318

At the request of Ms. MIKULSKI, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 318, a bill to prioritize funding for the National Institutes of Health to discover treatments and cures, to maintain global leadership in medical innovation, and to restore the purchasing power the NIH had after the historic doubling campaign that ended in fiscal year 2003.

S. 326

At the request of Mr. FLAKE, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 326, a bill to amend the Healthy Forests Restoration Act of 2003 to provide cancellation ceilings for stewardship end result contracting projects, and for other purposes.

S. 330

At the request of Mr. HELLER, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 330, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions, and for other purposes.

S. 338

At the request of Mr. BURR, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 338, a bill to permanently reauthorize the Land and Water Conservation Fund.

S. 429

At the request of Ms. BALDWIN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 429, a bill to amend title XIX of the Social Security Act to provide a standard definition of therapeutic foster care services in Medicaid.



S. 439

At the request of Mr. FRANKEN, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 439, a bill to end discrimination based on actual or perceived sexual orientation or gender identity in public schools, and for other purposes.

S. 471

At the request of Mr. HELLER, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 471, a bill to improve the provision of health care for women veterans by the Department of Veterans Affairs, and for other purposes.

S. 498

At the request of Mr. CORNYN, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 498, a bill to allow reciprocity for the carrying of certain concealed firearms.

S. 624

At the request of Mr. BROWN, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 624, a bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 626

At the request of Mr. SCHUMER, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 626, a bill to amend title XIX of the Social Security Act to cover physician services delivered by podiatric physicians to ensure access by Medicaid beneficiaries to appropriate quality foot and ankle care, to amend title XVIII of such Act to modify the requirements for diabetic shoes to be included under Medicare, and for other purposes.

S. 637

At the request of Mr. CRAPO, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 637, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 804

At the request of Mrs. SHAHEEN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 804, a bill to amend title XVIII of the Social Security Act to specify coverage of continuous glucose monitoring devices, and for other purposes.

S. 806

At the request of Mr. BOOZMAN, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 806, a bill to amend section 31306 of title 49, United States Code, to recognize hair as an alternative specimen for preemployment and random controlled substances testing of commercial motor vehicle drivers and for other purposes.

S. 1002

At the request of Mr. CARDIN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1002, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 1049

At the request of Ms. HEITKAMP, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1049, a bill to allow the financing by United States persons of sales of agricultural commodities to Cuba.

S. 1119

At the request of Mr. PETERS, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1119, a bill to establish the National Criminal Justice Commission.

S. 1300

At the request of Mrs. FEINSTEIN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1300, a bill to amend the section 221 of the Immigration and Nationality Act to provide relief for adoptive families from immigrant visa fees in certain situations.

S. 1314

At the request of Mr. BOOKER, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 1314, a bill to establish an interim rule for the operation of small unmanned aircraft for commercial purposes and their safe integration into the national airspace system.

S. 1330

At the request of Mrs. MURRAY, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1330, a bill to amend the Equal Credit Opportunity Act to prohibit discrimination on account of sexual orientation or gender identity when extending credit.

S. 1428

At the request of Mr. BARRASSO, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 1428, a bill to amend the USEC Privatization Act to require the Secretary of Energy to issue a long-term Federal excess uranium inventory management plan, and for other purposes.

S. 1429

At the request of Mr. THUNE, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1429, a bill to amend the Internal Revenue Code of 1986 to provide for the deductibility of charitable contributions to agricultural research organizations, and for other purposes.

S. 1434

At the request of Mr. HEINRICH, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. 1434, a bill to

amend the Public Utility Regulatory Policies Act of 1978 to establish an energy storage portfolio standard, and for other purposes.

S. 1490

At the request of Ms. KLOBUCHAR, the names of the Senator from New Hampshire (Ms. AYOTTE), the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. 1490, a bill to establish an advisory office within the Bureau of Consumer Protection of the Federal Trade Commission to prevent fraud targeting seniors, and for other purposes.

S. 1513

At the request of Mr. LEAHY, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 1513, a bill to reauthorize the Second Chance Act of 2007.

S. 1538

At the request of Mr. DURBIN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1538, a bill to reform the financing of Senate elections, and for other purposes.

S. 1554

At the request of Mr. CARDIN, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 1554, a bill to amend the Federal Water Pollution Control Act and to direct the Secretary of the Interior to conduct a study with respect to stormwater runoff from oil and gas operations, and for other purposes.

S. 1579

At the request of Mr. SCHATZ, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 1579, a bill to enhance and integrate Native American tourism, empower Native American communities, increase coordination and collaboration between Federal tourism assets, and expand heritage and cultural tourism opportunities in the United States.

S. 1584

At the request of Mr. CASSIDY, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 1584, a bill to repeal the renewable fuel standard.

S. 1598

At the request of Mr. LEE, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 1598, a bill to prevent discriminatory treatment of any person on the basis of views held with respect to marriage.

S. 1641

At the request of Ms. BALDWIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1641, a bill to improve the use by the Department of Veterans Affairs of opioids in treating veterans, to improve patient advocacy by the Department, and to expand availability of complementary and integrative health, and for other purposes.

S. 1716

At the request of Ms. BALDWIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1716, a bill to provide access to higher education for the students of the United States.

S. 1726

At the request of Mr. MERKLEY, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1726, a bill to create protections for depository institutions that provide financial services to marijuana-related businesses, and for other purposes.

S. 1748

At the request of Mrs. MURRAY, the names of the Senator from Rhode Island (Mr. REED) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 1748, a bill to provide for improved investment in national transportation infrastructure.

S. RES. 213

At the request of Mr. ALEXANDER, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. Res. 213, a resolution designating October 30, 2015, as a national day of remembrance for nuclear weapons program workers.

AMENDMENT NO. 2135

At the request of Mr. PORTMAN, the names of the Senator from Illinois (Mr. KIRK) and the Senator from Wisconsin (Mr. JOHNSON) were added as cosponsors of amendment No. 2135 intended to be proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

At the request of Mrs. GILLIBRAND, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of amendment No. 2135 intended to be proposed to S. 1177, *supra*.

AMENDMENT NO. 2159

At the request of Mr. BENNET, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of amendment No. 2159 intended to be proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

AMENDMENT NO. 2169

At the request of Mr. BOOKER, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of amendment No. 2169 intended to be proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

AMENDMENT NO. 2174

At the request of Ms. HEITKAMP, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of amendment No. 2174 intended to be proposed to S. 1177, an original bill

to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

AMENDMENT NO. 2182

At the request of Ms. AYOTTE, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of amendment No. 2182 intended to be proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BROWN:

S. 1753. A bill to amend the Internal Revenue Code of 1986 to modify and permanently extend qualified zone academy bonds, and to treat such bonds as specified tax credit bonds; to the Committee on Finance.

Mr. BROWN. Mr. President, today I call attention to our Nation's education infrastructure. America's schools are in desperate need of repair. A 2014 report by the National Center for Education Statistics found that the U.S. needs to invest nearly \$200 billion in school facilities just to bring them up to date. This echoed the findings of the American Society of Civil Engineers, who in 2013 gave American public school buildings a D-plus rating.

Fortunately, there is a way for Congress to help facilitate these necessary improvements. The Qualified Zone Academy Bond (QZAB) program helps schools that serve low-income students pay for building renovations, facility upgrades, equipment purchases, and other expensive projects. QZABs provide tax credits to financial institutions who provide bonds or other debt instruments to qualified schools. These tax credits decrease interest payments for schools that take on debt to renovate their facilities.

Since creating QZABs in 1997, Congress has consistently extended the program, even expanding it for a brief period between 2008 and 2010. But the program expired at the end of 2014.

It is time Congress enhanced and made permanent this important tax credit. Today I will introduce the Rebuilding America's Schools Act. This bill would extend permanently the QZAB program and increase the allotted funding for the program from \$400 million per year to the levels authorized under the American Recovery and Reinvestment Act—\$1.4 billion. Lastly, it would allow schools to use QZABs to finance construction of new buildings. Under current law, QZABs can only be used to finance renovations or upgrades to existing school buildings.

I hope my colleagues will join me in cosponsoring the Rebuilding America's Schools Act.

## SUBMITTED RESOLUTIONS

SENATE RESOLUTION 222—EXPRESSING THE SENSE OF THE SENATE THAT THE FÉDÉRATION INTERNATIONALE DE FOOTBALL ASSOCIATION SHOULD IMMEDIATELY ELIMINATE GENDER PAY INEQUITY AND TREAT ALL ATHLETES WITH THE SAME RESPECT AND DIGNITY

Mr. LEAHY submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 222

Whereas the Fédération Internationale de Football Association (referred to in this preamble as "FIFA") awarded \$576,000,000 to the 32 teams that competed in the 2014 Men's World Cup, but only awarded \$15,000,000 to the 24 teams that competed in the 2015 Women's World Cup;

Whereas FIFA awarded \$35,000,000 to the team that won the 2014 Men's World Cup, but only awarded \$2,000,000 to the team that won the 2015 Women's World Cup;

Whereas FIFA awarded \$6,000,000 more in prizes to each team that lost in the first round of the 2014 Men's World Cup than to the team that won the 2015 Women's World Cup;

Whereas FIFA awarded \$420,000,000 to the 32 teams that competed in the 2010 Men's World Cup, but only awarded \$10,000,000 to the 24 teams that competed in the 2011 Women's World Cup;

Whereas FIFA awarded \$31,000,000 to the team that won the 2010 Men's World Cup, but only awarded \$1,000,000 to the team that won the 2011 Women's World Cup;

Whereas the 2015 Women's World Cup Final had more than 25,000,000 viewers in the United States, making it more widely viewed than the Major League Baseball World Series or the National Basketball Association Finals;

Whereas the 2015 Women's World Cup highlighted the need to eliminate the existing gender pay disparity in prize award structure in athletic competitions that has persisted for decades;

Whereas the unfair and unjust prize award allocation system used by FIFA sends a terrible message to women and girls around the world about the value of their contribution to sports;

Whereas, in 2007, Wimbledon finally implemented an equal prize payment structure for all athletes, regardless of gender; and

Whereas gender should not determine the amount of a prize award that a person or team receives in an athletic competition: Now, therefore, be it

*Resolved*, That the Senate—

(1) urges the Fédération Internationale de Football Association to immediately eliminate gender pay inequity and to treat all athletes with the respect and dignity those athletes deserve;

(2) supports an end to the unfair and unjust practice of gender pay inequity in the workplace, including athletic competitions and related prize awards;

(3) urges all other local, State, Federal, and international organizations to eliminate gender pay inequity; and

(4) instructs the Secretary of the Senate to submit a copy of this resolution to the President of the Fédération Internationale de Football Association.

Mr. LEAHY. Mr. President, last week more than 25 million Americans watched the U.S. women's soccer team win for the third time soccer's most coveted title—the Federation Internationale de Football Association (FIFA) World Cup. This thrilling victory was the most widely viewed women's soccer game in our Nation's history. Americans are proud of this impressive victory, and we applaud these world-class athletes for their contributions to our Nation's legacy.

Anybody walking down the road by our farm house the night of the soccer game—we had our windows open—would have heard Marcelle and I screaming with joy at the victory.

But as the celebrations fade, we should all be troubled by the way FIFA discriminates against some of the teams that compete in the World Cup. The U.S. women's team will receive \$2 million for winning the Women's World Cup. The 2014 men's World Cup winner was awarded \$35 million. In fact, men's teams that lost in the first round of the 2014 men's World Cup were awarded \$8 million—four times more than the champion U.S. women's team. The reason for this extreme disparity? Gender.

So today, I am introducing a Senate resolution that calls on FIFA to immediately eliminate this discriminatory prize award structure. Opponents of equal prize awards in sports point to revenue as the reason behind this disparity. But revenue should not be and cannot be accepted as a means for discrimination. In fact, they ought to ask this: How many people watched the women's soccer team? Most teams would give anything to have that viewership.

The 24 women's teams that took part in FIFA's tournament are role models—not just to women and girls but to men and boys across the globe. The World Cup champions should be rewarded for their performance, for their grit, and for their teamwork, rather than devalued for their gender.

Nelson Mandela, a person I met often and admired, once said: “Sport has the power to change the world.” Well, sports bring us together in our communities and on the global stage. They remind us what we have in common, they inspire us to dream, and they push beyond every boundary.

This weekend, millions of people watched American tennis star Serena Williams win the women's final at Wimbledon, marking her sixth championship at the All England Club. The next day, Serbian tennis star Novak Djokovic won the men's final on the very same court. Both of these athletes competed against the very best players in the world, and they were awarded the very same amount of prize money for their impressive victories. This is because Wimbledon chose to be on the right side of history in 2007 by ensuring pay equity for female and male ath-

letes. For years, tennis champions such as Billie Jean King and Venus Williams fought for equal treatment for the future champions of their sport.

I hope the story of the American Women's World Cup champions not receiving fair treatment will inspire more people to join the fight for equal prize awards. With the resolution I introduce today, let the Senate be on record in support of fair treatment for all World Cup champions as we urge FIFA to change its policy, just as the All England Club did years ago.

The fight for gender equality continues and is a fight worth winning. In 2009, I proudly voted for passage of the Lilly Ledbetter Fair Pay Act, which amended the Civil Rights Act of 1964 to clarify the statute of limitations for filing an equal-pay lawsuit regarding pay discrimination. And I supported Senator MIKULSKI's Paycheck Fairness Act, which would ensure that all Americans receive equal pay for equal work.

We have had a lot of civil rights fights in our Nation's history. The battle for true equality has persisted for too long. Let's join together. Let's send a powerful message of equality to those who aspire to one day become a champion. Equal pay for equal work should no longer be an ideal, but instead the reality for all.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 2215. Mr. REID (for Mr. NELSON) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table.

SA 2216. Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2217. Mr. ALEXANDER (for Mr. PAUL) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2218. Mr. ALEXANDER (for Mr. PAUL) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2219. Mr. BURR (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2220. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2221. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2222. Mr. MANCHIN (for himself and Mrs. AYOTTE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2223. Mr. DONNELLY (for himself and Mr. REED) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2224. Mr. BOOKER (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2225. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2226. Mr. TESTER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2227. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2228. Mr. THUNE (for himself, Mr. BARASSO, Ms. HEITKAMP, and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 2215.** Mr. REID (for Mr. NELSON) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

Beginning on page 373, strike line 22 and all that follows through page 374, line 3, and insert the following:

“(C) information on student exposure to and retention in science, technology, engineering, and mathematics fields, including among low-income and underrepresented groups, which may include results from a pre-existing analysis; and

“(D) an analysis of the quality of pre-service preparation at all public institutions of higher education (including alternative pathways to teacher licensure or certification) for individuals preparing to teach science, technology, engineering, and mathematics subjects in the State.

On page 381, between lines 18 and 19, insert the following:

“(vi) partner with current or recently retired science, technology, engineering, and mathematics professionals, such as Federal employees, to engage students and teachers in instruction in such subjects;

“(vii) tailor and integrate educational resources developed by Federal agencies to improve student achievement in science, technology, engineering, and mathematics;

**SA 2216.** Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 385, between lines 4 and 5, insert the following:

**“SEC. 2508. REPORT ON CYBERSECURITY EDUCATION.**

“Not later than June 1, 2016, the Secretary, acting through the Director of the Institute of Education Sciences, shall submit to the Committee on Armed Services and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Armed Services and the Committee on Education and the Workforce of the House of Representatives, a report describing whether secondary and postsecondary education programs are meeting the need of public and private sectors for cyberdefense. Such report shall include—

“(1) an assessment of the shortfalls in current secondary and postsecondary education needed to develop cybersecurity professionals, and recommendations to address such shortfalls;

“(2) an assessment of successful secondary and postsecondary programs that produce competent cybersecurity professionals; and

“(3) recommendations of subjects to be covered by elementary schools and secondary schools to better prepare students for postsecondary cybersecurity education.”.

**SA 2217.** Mr. ALEXANDER (for Mr. PAUL) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

Strike line 18 on page 36 and all that follows through line 5 on page 44 and insert the following:

**“(2) STATE-DESIGNED ACADEMIC ASSESSMENT SYSTEM.—**

“(A) IN GENERAL.—Each State plan shall provide an assurance that the State educational agency, in consultation with local educational agencies, has implemented a State-designed academic assessment system that—

“(i) includes, at a minimum, academic assessments in mathematics, reading or language arts, and science; and

“(ii) meets the requirements of subparagraph (B).

“(B) REQUIREMENTS.—The assessment system under subparagraph (A) shall—

“(i) be aligned with the challenging State academic standards, and provide coherent and timely information about student attainment of such standards;

“(ii) be used for purposes for which such assessments are valid and reliable, be of adequate technical quality for each purpose required under this Act, be consistent with relevant, nationally recognized professional and technical standards, and not evaluate or assess personal or family beliefs or attitudes;

“(iii) involve multiple measures of student academic achievement, which may include measures of student academic growth;

“(iv) provide for—

“(I) the participation in such assessments of all students;

“(II) the reasonable adaptations and accommodations for children with disabilities (as defined in section 602(3) of the Individuals with Disabilities Education Act) necessary to measure the academic achievement of such children relative to the challenging State academic standards;

“(III) alternate assessments aligned with grade-level academic standards, unless the State develops alternate assessments aligned with alternate academic standards, consistent with subparagraph (F), for students with the most significant cognitive disabilities; and

“(IV) the inclusion of children who are English learners, who shall be assessed in a valid and reliable manner and provided reasonable accommodations on assessments administered to such students under this paragraph, including, to the extent practicable, assessments in the language and form most likely to yield accurate data on what such students know and can do in academic content areas, until such students have achieved English language proficiency, as determined pursuant to the English language proficiency standards described in paragraph (1)(F);

“(v) notwithstanding clause (iv)(IV), provide for assessments (using tests in English) of reading or language arts of any student who has attended school in the United States (not including the Commonwealth of Puerto Rico) for 3 or more consecutive school years, except that if the local educational agency determines, on a case-by-case individual basis, that assessments in another language or form would likely yield more accurate and reliable information on what such student knows and can do, the local educational agency may make a determination to assess such student in the appropriate language other than English for a period that does not exceed 2 additional consecutive years, provided that such student has not yet reached a level of English language proficiency sufficient to yield valid and reliable information on what such student knows and can do on tests (written in English) of reading or language arts;

“(vi) produce individual student interpretive, descriptive, and diagnostic reports, consistent with clause (ii), that allow parents, teachers, and principals or other school leaders to understand and address the specific academic needs of students, and include information regarding achievement on assessments, and that are provided to parents, teachers, and principals or other school leaders in a timely manner after the assessment is given, in an understandable and uniform format;

“(vii) enable results to be disaggregated within each State, local educational agency, and school, by—

“(I) each major racial and ethnic group;

“(II) economically disadvantaged students as compared to students who are not economically disadvantaged;

“(III) students with disabilities as compared to nondisabled students;

“(IV) English proficiency status;

“(V) gender; and

“(VI) migrant status; and

“(viii) produce, at a minimum, annual student achievement data in mathematics and reading or language arts that is valid, reliable, of adequate technical quality, and comparable among all local educational agencies within the State and that will be used in the State accountability system under paragraph (3) and to meet reporting requirements under subsection (d).

“(C) EXCEPTION TO DISAGGREGATION.—Notwithstanding subparagraph (B)(vii), the disaggregated results of assessments shall not be required if—

“(i) the number of students in a category described under subparagraph (B)(vii) is insufficient to yield statistically reliable information; or

“(ii) the results would reveal personally identifiable information about an individual student.

“(D) STATE-DESIGNED SYSTEM.—Each State plan shall provide a description of its State-designed assessment system, which may include—

“(i) yearly academic assessments of all students against the challenging State academic standards in the subjects required under subparagraph (A)(i) and any other subjects as determined by the State, that are administered—

“(I) in each of grades 3 through 8; and

“(II) at least once in grades 9 through 12;

“(ii) grade-span academic assessments of all students against the challenging State academic standards in the subjects required under subparagraph (A)(i) and any other subjects as determined by the State, that are administered at least once in—

“(I) grades 3 through 5;

“(II) grades 6 through 9; and

“(III) grades 10 through 12;

“(iii) a combination of yearly academic assessments described in clause (i) and grade-span academic assessments described in clause (ii) of all students against the challenging State academic standards in the subjects required under subparagraph (A)(i) and any other subjects as determined by the State;

“(iv) performance-based academic assessments of all students that may be used in a competency-based education model that emphasizes mastery of standards and aligned competencies;

“(v) formative assessments of all students that may be used to inform teaching and learning;

“(vi) multiple statewide assessments during the course of the year that can provide a summative score of individual student academic growth; or

“(vii) any other system of assessments of all students that meets the requirements of subparagraph (B) and the State determines is appropriate to meet the purposes of this part.

“(E) COMPARABLE DATA DESCRIPTION.—Each State shall describe how the annual student achievement data produced, at a minimum, in mathematics and reading or language arts under the assessment system described in this paragraph is valid, reliable, of high-technical quality, and comparable among all local educational agencies within the State.”.

On page 58, strike lines 16 through 25.

**SA 2218.** Mr. ALEXANDER (for Mr. PAUL) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 58, lines 24 and 25, strike “determinations.” and insert “determinations, except that a State shall allow the parent of a student to opt such student out of an assessment required under this paragraph for any

reason or no reason at all and shall not include such student in calculating the rate of participation under this clause.”.

**SA 2219.** Mr. BURR (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

Strike sections 1009, 1010, and 1011 and insert the following:

**SEC. 1009. ALLOCATIONS.**

(a) IN GENERAL.—Subpart 2 of part A of title I (20 U.S.C. 6331 et seq.) is amended—

(1) by striking sections 1122, 1124A, 1125, 1125AA, and 1125A;

(2) by redesignating section 1121 as section 1122;

(3) by redesignating section 1124 as section 1121, and transferring such section so as to precede section 1122 (as redesignated by paragraph (2));

(4) in section 1121, as redesignated and transferred by paragraph (3)—

(A) by striking the section heading and all that follows through “(c) CHILDREN TO BE COUNTED.—” and inserting the following:

**“SEC. 1121. DEFINITIONS; CHILDREN TO BE COUNTED.**

“(a) DEFINITIONS.—In this subpart:

“(1) STATE.—The term ‘State’ means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

“(2) HIGH POVERTY PERCENTAGE LOCAL EDUCATIONAL AGENCY.—The term ‘high poverty percentage local educational agency’ means a local educational agency for which the number of children determined under subsection (b) for a fiscal year is 20 percent or more of the total population aged 5 to 17, inclusive, of the local educational agency for such fiscal year.

“(b) CHILDREN TO BE COUNTED.—For purposes of section 1123, the number of children to be counted shall be determined in accordance with the following:”; and

(B) by striking subsection (d);

(5) in section 1122(b)(3)(C)(ii), as redesignated by paragraph (2), by striking “challenging State academic content standards” and inserting “challenging State academic standards”;

(6) by inserting after section 1122, as redesignated by paragraph (2), the following:

**“SEC. 1123. EQUITY GRANTS.**

“(a) AUTHORIZATION.—From funds appropriated under section 1002(a) for a fiscal year and not reserved under section 1122, the Secretary is authorized to make grants to States, from allotments under subsection (b), to carry out the programs and activities of this part.

“(b) DISTRIBUTION BASED UPON CONCENTRATIONS OF POVERTY.—

“(1) IN GENERAL.—

“(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), funds appropriated pursuant to subsection (a) for a fiscal year shall be allotted to each State based upon the number of children counted under section 1121(b) in such State multiplied by the product of—

“(i) 40 percent of the average per-pupil expenditure in the United States (other than the Commonwealth of Puerto Rico); multiplied by

“(ii) 1.30 minus such State’s equity factor described in paragraph (2).

“(B) PUERTO RICO.—For each fiscal year, the Secretary shall allot to the Commonwealth of Puerto Rico an amount of the funds appropriated under subsection (a) that bears the same relation to the total amount of funds appropriated under such subsection as the amount that the Commonwealth of Puerto Rico received under this subpart for fiscal year 2015 bears to the total amount received by all States for such fiscal year.

“(C) STATE MINIMUM.—Notwithstanding any other provision of this section, from the total amount available for any fiscal year to carry out this section, each State (except for Puerto Rico) shall be allotted at least the lesser of—

“(i) 0.35 percent of the total amount available to carry out this section for such fiscal year; or

“(ii) the average of—

“(I) 0.35 percent of such total amount for such fiscal year; and

“(II) 150 percent of the national average grant under this section per child described in section 1121(b), without application of a weighting factor, multiplied by the State’s total number of children described in section 1121(b), without application of a weighting factor.

“(2) EQUITY FACTOR.—

“(A) DETERMINATION.—

“(i) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall determine the equity factor under this section for each State in accordance with clause (ii).

“(ii) COMPUTATION.—

“(I) IN GENERAL.—For each State, the Secretary shall compute a weighted coefficient of variation for the per-pupil expenditures of local educational agencies in accordance with subclauses (II), (III), and (IV).

“(II) VARIATION.—In computing coefficients of variation, the Secretary shall weigh the variation between per-pupil expenditures in each local educational agency and the average per-pupil expenditures in the State according to the number of pupils served by the local educational agency.

“(III) NUMBER OF PUPILS.—In determining the number of pupils under this paragraph served by each local educational agency and in each State, the Secretary shall multiply the number of children counted under section 1121(b) by a factor of 1.4.

“(IV) ENROLLMENT REQUIREMENT.—In computing coefficients of variation, the Secretary shall include only those local educational agencies with an enrollment of more than 200 students.

“(B) SPECIAL RULE.—The equity factor for a State that meets the disparity standard described in section 222.162 of title 34, Code of Federal Regulations (as such section was in effect on the day preceding the date of enactment of the No Child Left Behind Act of 2001) or a State with only one local educational agency shall be not greater than 0.10.

“(c) USE OF FUNDS; ELIGIBILITY OF LOCAL EDUCATIONAL AGENCIES.—All funds awarded to each State under this section shall be allocated to local educational agencies under the following provisions:

“(1) DISTRIBUTION WITHIN LOCAL EDUCATIONAL AGENCIES.—Within local educational agencies, funds allocated under this section shall be distributed to schools on a basis consistent with section 1113, and may only be used to carry out activities under this part.

“(2) ELIGIBILITY FOR GRANT.—A local educational agency in a State is eligible to receive a grant under this section for any fiscal year if—

“(A) the number of children in the local educational agency counted under section

1121(b), before application of the weighted child count described in subsection (d), is at least 10; and

“(B) if the number of children counted for grants under section 1121(b), before application of the weighted child count described in subsection (d), is at least 5 percent of the total number of children aged 5 to 17 years, inclusive, in the school district of the local educational agency.

“(d) ALLOCATION OF FUNDS TO ELIGIBLE LOCAL EDUCATIONAL AGENCIES.—

“(1) IN GENERAL.—Funds received by States under this section for a fiscal year shall be allocated within States to eligible local educational agencies on the basis of weighted child counts calculated in accordance with paragraph (2), (3), or (4), as appropriate for each State.

“(2) STATES WITH AN EQUITY FACTOR LESS THAN .10.—

“(A) IN GENERAL.—In States with an equity factor less than .10, the weighted child counts referred to in paragraph (1) for a fiscal year shall be the larger of the two amounts determined under subparagraphs (B) and (C).

“(B) BY PERCENTAGE OF CHILDREN.—The amount referred to in subparagraph (A) is determined by adding—

“(i) the number of children determined under section 1121(b) for that local educational agency who constitute not more than 17.27 percent, inclusive, of the agency’s total population aged 5 to 17, inclusive, multiplied by 1.0;

“(ii) the number of such children who constitute more than 17.27 percent, but not more than 23.48 percent, of such population, multiplied by 1.75;

“(iii) the number of such children who constitute more than 23.48 percent, but not more than 29.11 percent, of such population, multiplied by 2.5;

“(iv) the number of such children who constitute more than 29.11 percent, but not more than 36.10 percent, of such population, multiplied by 3.25; and

“(v) the number of such children who constitute more than 36.10 percent of such population, multiplied by 4.0.

“(C) BY NUMBER OF CHILDREN.—The amount referred to in subparagraph (A) is determined by adding—

“(i) the number of children determined under section 1121(b) who constitute not more than 834, inclusive, of the agency’s total population aged 5 to 17, inclusive, multiplied by 1.0;

“(ii) the number of such children between 835 and 2,629, inclusive, in such population, multiplied by 1.5;

“(iii) the number of such children between 2,630 and 7,668, inclusive, in such population, multiplied by 2.0; and

“(iv) (I) in the case of an agency that is not a high poverty percentage local educational agency, the number of such children in excess of 7,668 in such population, multiplied by 2.0; or

“(II) in the case of a high poverty percentage local educational agency—

“(aa) the number of such children between 7,669 and 26,412, inclusive, in such population, multiplied by 2.5; and

“(bb) the number of such children in excess of 26,412 in such population, multiplied by 3.0.

“(3) STATES WITH AN EQUITY FACTOR GREATER THAN OR EQUAL TO .10 AND LESS THAN .20.—

“(A) IN GENERAL.—In States with an equity factor greater than or equal to .10 and less than .20, the weighted child counts referred to in paragraph (1) for a fiscal year shall be

the larger of the two amounts determined under subparagraphs (B) and (C).

“(B) BY PERCENTAGE OF CHILDREN.—The amount referred to in subparagraph (A) is determined by adding—

“(i) the number of children determined under section 1121(b) for that local educational agency who constitute not more than 17.27 percent, inclusive, of the agency’s total population aged 5 to 17, inclusive, multiplied by 1.0;

“(ii) the number of such children who constitute more than 17.27 percent, but not more than 23.48 percent, of such population, multiplied by 1.5;

“(iii) the number of such children who constitute more than 23.48 percent, but not more than 29.11 percent, of such population, multiplied by 3.0;

“(iv) the number of such children who constitute more than 29.11 percent, but not more than 36.10 percent, of such population, multiplied by 4.5; and

“(v) the number of such children who constitute more than 36.10 percent of such population, multiplied by 6.0.

“(C) BY NUMBER OF CHILDREN.—The amount referred to in subparagraph (A) is determined by adding—

“(i) the number of children determined under section 1121(b) who constitute not more than 834, inclusive, of the agency’s total population aged 5 to 17, inclusive, multiplied by 1.0;

“(ii) the number of such children between 835 and 2,629, inclusive, in such population, multiplied by 1.5;

“(iii) the number of such children between 2,630 and 7,668, inclusive, in such population, multiplied by 2.25; and

“(iv)(I) in the case of an agency that is not a high poverty percentage local educational agency, the number of such children in excess of 7,668 in such population, multiplied by 2.25; or

“(II) in the case of a high poverty percentage local educational agency—

“(aa) the number of such children between 7,669 and 26,412, inclusive, in such population, multiplied by 3.375; and

“(bb) the number of such children in excess of 26,412 in such population, multiplied by 4.5.

“(4) STATES WITH AN EQUITY FACTOR GREATER THAN OR EQUAL TO .20.—

“(A) IN GENERAL.—In States with an equity factor greater than or equal to .20, the weighted child counts referred to in paragraph (1) for a fiscal year shall be the larger of the two amounts determined under subparagraphs (B) and (C).

“(B) BY PERCENTAGE OF CHILDREN.—The amount referred to in subparagraph (A) is determined by adding—

“(i) the number of children determined under section 1121(b) for that local educational agency who constitute not more than 17.27 percent, inclusive, of the agency’s total population aged 5 to 17, inclusive, multiplied by 1.0;

“(ii) the number of such children who constitute more than 17.27 percent, but not more than 23.48 percent, of such population, multiplied by 2.0;

“(iii) the number of such children who constitute more than 23.48 percent, but not more than 29.11 percent, of such population, multiplied by 4.0;

“(iv) the number of such children who constitute more than 29.11 percent, but not more than 36.10 percent, of such population, multiplied by 6.0; and

“(v) the number of such children who constitute more than 36.10 percent of such population, multiplied by 8.0.

“(C) BY NUMBER OF CHILDREN.—The amount referred to in subparagraph (A) is determined by adding—

“(i) the number of children determined under section 1121(b) who constitute not more than 834, inclusive, of the agency’s total population aged 5 to 17, inclusive, multiplied by 1.0;

“(ii) the number of such children between 835 and 2,629, inclusive, in such population, multiplied by 2.0;

“(iii) the number of such children between 2,630 and 7,668, inclusive, in such population, multiplied by 3.0; and

“(iv)(I) in the case of an agency that is not a high poverty percentage local educational agency, the number of such children in excess of 7,668 in such population, multiplied by 3.0; or

“(II) in the case of a high poverty percentage local educational agency—

“(aa) the number of such children between 7,669 and 26,412, inclusive, in such population, multiplied by 4.5; and

“(bb) the number of such children in excess of 26,412 in such population, multiplied by 6.0.

“(e) MAINTENANCE OF EFFORT.—

“(1) IN GENERAL.—A State is entitled to receive its full allotment of funds under this section for any fiscal year if the Secretary finds that the State’s fiscal effort per student or the aggregate expenditures of the State with respect to the provision of free public education by the State for the preceding fiscal year was not less than 90 percent of the fiscal effort or aggregate expenditures for the second preceding fiscal year, subject to the requirements of paragraph (2).

“(2) REDUCTION IN CASE OF FAILURE TO MEET.—

“(A) IN GENERAL.—The Secretary shall reduce the amount of the allotment of funds under this section in any fiscal year in the exact proportion by which a State fails to meet the requirement of paragraph (1) by falling below 90 percent of both the fiscal effort per student and aggregate expenditures (using the measure most favorable to the State), if such State has also failed to meet such requirement (as determined using the measure most favorable to the State) for 1 or more of the 5 immediately preceding fiscal years.

“(B) SPECIAL RULE.—No such lesser amount shall be used for computing the effort required under paragraph (1) for subsequent years.

“(3) WAIVER.—The Secretary may waive the requirements of this subsection if the Secretary determines that a waiver would be equitable due to—

“(A) exceptional or uncontrollable circumstances, such as a natural disaster or a change in the organizational structure of the State; or

“(B) a precipitous decline in the financial resources of the State.

“(f) ADJUSTMENTS WHERE NECESSITATED BY APPROPRIATIONS.—

“(1) IN GENERAL.—If the sums available under this section for any fiscal year are insufficient to pay the full amounts that all local educational agencies in States are eligible to receive under this section for such year, the Secretary shall ratably reduce the allocations to such local educational agencies, subject to paragraphs (2) and (3).

“(2) ADDITIONAL FUNDS.—If additional funds become available for making payments under this section for such fiscal year, allocations that were reduced under paragraph (1) shall be increased on the same basis as they were reduced.

“(3) HOLD HARMLESS AMOUNTS.—

“(A) IN GENERAL.—For each fiscal year, if sufficient funds are available, the amount made available to each local educational agency under this section shall be—

“(i) not less than 95 percent of the amount made available for the preceding fiscal year if the number of children counted under section 1121(b) is equal to or more than 30 percent of the total number of children aged 5 to 17 years, inclusive, in the local educational agency;

“(ii) not less than 90 percent of the amount made available for the preceding fiscal year if the percentage described in clause (i) is less than 30 percent and equal to or more than 15 percent; and

“(iii) not less than 85 percent of the amount made available for the preceding fiscal year if the percentage described in clause (i) is less than 15 percent.

“(B) SPECIAL TRANSITION RULE.—Notwithstanding any other provision of this subsection, for the first fiscal year after the date of enactment of the Every Child Achieves Act of 2015, subparagraph (A) shall apply based on the amounts received under sections 1124, 1124A, 1125, and 1125A, as in effect on the day before the date of enactment of the Every Child Achieves Act of 2015.

“(C) ADDITIONAL FLEXIBILITY.—Notwithstanding subparagraph (A) or subsection (d), for each fiscal year, a State may elect to make allocations for all local educational agencies in the State in accordance with 1 of the following:

“(i) ALLOCATIONS BASED ON 2015 FUNDING.—If, for a fiscal year, the State receives an allotment under this section in an amount that exceeds the sum of the allocations for all local educational agencies in the State under this subpart for fiscal year 2015, as such subpart was in effect on the day before the date of enactment of the Every Child Achieves Act of 2015, the State may elect to make an allocation to each local educational agency in the State that would otherwise receive an allocation that is less than the allocation received under this subpart by the local educational agency for 2015 (including each local educational agency not otherwise eligible for such allocation under subsection (c) or (d)) in an amount that—

“(I) exceeds the allocation the local educational agency would receive under subsection (d); and

“(II) is not more than the amount of the allocation for the local educational agency under this subpart for fiscal year 2015.

“(ii) ALLOCATIONS BASED ON FUNDS FOR SECTIONS 1122, 1124, 1124A, 1125, AND 1125A.—If, for a fiscal year, a State receives an allotment under this section in an amount that exceeds the sum of the allocations that all local educational agencies in the State would have received for such fiscal year under sections 1122, 1124, 1124A, 1125, and 1125A, as such sections were in effect on the day before the date of enactment of the Every Child Achieves Act of 2015, the State may elect to make allocations to each local educational agency in the State (including any local educational agency not otherwise eligible for such allocation under subsection (c) or (d)), in an amount that equals the amount of the allocation that the local educational agency would have received for such year in accordance with sections 1122, 1124, 1124A, 1125, and 1125A, as in effect on the day before the date of enactment of the Every Child Achieves Act of 2015.

“(D) DISTRIBUTION OF ADDITIONAL FUNDS.—In any case where a State elects to allocate funds under this subpart for a fiscal year in



accordance with clause (i) or (ii) of subparagraph (C), the State shall allocate, in accordance with subsection (d), all funds in excess of the amounts necessary to carry out such clause to the local educational agencies in the State that would receive a greater amount of such funds under subsection (d) than received under such clause.

“(4) **APPLICABILITY.**—Notwithstanding any other provision of law, the Secretary shall not take into consideration the hold-harmless provisions of this subsection for any fiscal year for purposes of calculating State or local allocations for the fiscal year under any program administered by the Secretary other than a program authorized under this part.”;

(7) by redesignating sections 1126 and 1127 as sections 1124 and 1125, respectively;

(8) in section 1124, as redesignated by paragraph (7)—

(A) by striking “sections 1124, 1124A, 1125, and 1125A” each place the term appears and inserting “section 1123”; and

(B) in subsection (a)(1), by striking “section 1124(c)(1)(B)” and inserting “section 1121(b)(1)(B)”.

**SA 2220.** Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 616 strike line 6 and all that follows through line 24.

**SA 2221.** Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

Beginning on page 628, strike line 24 and all that follows through page 629, line 24.

**SA 2222.** Mr. MANCHIN (for himself and Ms. AYOTTE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 69, between lines 16 and 17, insert the following:

“(N) if applicable, how the State educational agency will provide support to local educational agencies for the education of children facing substance abuse in the home, which may include how such agency will provide professional development, training, and technical assistance to local educational agencies, elementary schools, and secondary schools in communities with high rates of substance abuse; and”.

**SA 2223.** Mr. DONNELLY (for himself and Mr. REED) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MUR-

RAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 343, line 17, by inserting “economics,” before “and geography”.

On page 344, line 5, by inserting “economics,” before “and geography”.

On page 344, line 18, by inserting “economics,” before “and geography”.

On page 345, line 23, by striking “geography, and civics” and inserting “civics, economics, and geography”.

**SA 2224.** Mr. BOOKER (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 306, after line 23, add the following:

“(V) regularly conducting, and publicly reporting the results of, an assessment and a plan to address such results, of educator support and working conditions that—

“(i) evaluates supports for teachers, leaders, and other school personnel, such as—

“(I) teacher and principal perceptions of availability of high-quality professional development and instructional materials;

“(II) timely availability of data on student academic achievement and growth;

“(III) the presence of high-quality instructional leadership; and

“(IV) opportunities for professional growth, such as career ladders and mentoring and induction programs;

“(i) evaluates working conditions for teachers, leaders and other school personnel, such as—

“(I) school safety and climate;

“(II) availability and use of common planning time and opportunities to collaborate; and

“(III) community engagement; and

“(iii) is developed with teachers, leaders, other school personnel, parents, students, and the community; and

**SA 2225.** Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 111, between lines 24 and 25, insert the following:

“(2) **TESTING TRANSPARENCY.**—

“(A) **IN GENERAL.**—Subject to subparagraph (B), each local educational agency that receives funds under this part shall make widely available through public means (including by posting in a clear and easily accessible manner on the local educational agency’s website and, where practicable, on the website of each school served by the local educational agency) for each grade served by the local educational agency, information on each assessment required by the State to comply with section 1111, other assessments required by the State, and where such information is available and feasible to report,

assessments required districtwide by the local educational agency, including—

“(i) the subject matter assessed;

“(ii) the purpose for which the assessment is designed and used;

“(iii) the source of the requirement for the assessment; and

“(iv) where such information is available—

“(I) the amount of time students will spend taking the assessment, and the schedule and calendar for the assessment; and

“(II) the time and format for disseminating results.

“(B) **LOCAL EDUCATIONAL AGENCY THAT DOES NOT OPERATE A WEBSITE.**—In the case of a local educational agency that does not operate a website, such local educational agency shall determine how to make the information described in subparagraph (A) widely available, such as through distribution of that information to the media, through public agencies, or directly to parents.

**SA 2226.** Mr. TESTER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

#### **SEC. 4006. INCREASING THE NUMBER OF SCHOOL NURSES.**

Title IV (20 U.S.C. 7101 et seq.), as amended by sections 4001, 4004, and 4005 is further amended by adding at the end the following:

#### **“PART E—SCHOOL NURSES**

#### **“SEC. 4501. INCREASING THE NUMBER OF SCHOOL NURSES.**

“(a) **DEFINITIONS.**—In this section:

“(1) **ACUITY.**—The term ‘acuity’, when used with respect to a level, means the level of a patient’s sickness, such as a chronic condition, which influences the need for nursing care.

“(2) **ELIGIBLE ENTITY.**—The term ‘eligible entity’ means—

“(A) a local educational agency in which not less than 20 percent of the children are eligible to participate in the school lunch program established under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.); or

“(B) a consortium of local educational agencies described in subparagraph (A).

“(3) **HIGH-NEED LOCAL EDUCATIONAL AGENCY.**—The term ‘high-need local educational agency’ has the meaning given such term in section 2002(b)(2).

“(4) **NURSE.**—The term ‘nurse’ means a registered nurse, as defined under State law.

“(5) **WORKLOAD.**—The term ‘workload’, when used with respect to a nurse, means the amount of time the nurse takes to provide care and complete the other tasks for which the nurse is responsible.

“(b) **DEMONSTRATION GRANT PROGRAM AUTHORIZED.**—From amounts appropriated to carry out this section, the Secretary of Education, in consultation with the Secretary of Health and Human Services and the Director of the Centers for Disease Control and Prevention, shall award demonstration grants, on a competitive basis, to eligible entities to pay the Federal share of the costs of increasing the number of school nurses in the public elementary schools and secondary schools served by the eligible entity, which may include hiring a school nurse to serve schools in multiple school districts.

“(c) **APPLICATIONS.**—



“(1) IN GENERAL.—An eligible entity desiring a grant under this section shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

“(2) CONTENTS.—Each application submitted under paragraph (1) shall include information with respect to the current (as of the date of application) number of school nurses, student health acuity levels, and workload of school nurses in each of the public elementary schools and secondary schools served by the eligible entity.

“(d) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to each application submitted by an eligible entity that—

“(1) is a high-need local educational agency or a consortium composed of high-need local educational agencies; and

“(2) demonstrates—

“(A) the greatest need for new or additional nursing services among students in the public elementary schools and secondary schools served by the agency or consortium; or

“(B) that the eligible entity does not have a school nurse in any of the public elementary schools and secondary schools served by the eligible entity.

“(e) FEDERAL SHARE; NON-FEDERAL SHARE.—

“(1) FEDERAL SHARE.—The Federal share of a grant under this section—

“(A) shall not exceed 75 percent for each year of the grant; and

“(B) in the case of a multi-year grant, shall decrease for each succeeding year of the grant, in order to ensure the continuity of the increased hiring level of school nurses using State or local sources of funding following the conclusion of the grant.

“(2) NON-FEDERAL SHARE.—The non-Federal share of a grant under this section may be in cash or in-kind, and may be provided from State resources, local resources, contributions from private organizations, or a combination thereof.

“(3) WAIVER.—The Secretary may waive or reduce the non-Federal share of an eligible entity receiving a grant under this section if the eligible entity demonstrates an economic hardship.

“(f) REPORT.—Not later than 2 years after the date on which a grant is first made to a local educational agency under this section, the Secretary shall submit to Congress a report on the results of the demonstration grant program carried out under this section, including an evaluation of—

“(1) the effectiveness of the program in increasing the number of school nurses; and

“(2) the impact of any resulting enhanced health of students on learning, such as academic achievement, attendance, and classroom time.

“(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2016 through 2020.”.

**SA 2227.** Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

**SEC. 10202. EDUCATION FLEXIBILITY PARTNERSHIP ACT OF 1999 REAUTHORIZATION.**

(a) DEFINITIONS.—Section 3 of the Education Flexibility Partnership Act of 1999 (20 U.S.C. 5891a) is amended—

(1) in paragraph (1)—

(A) in the paragraph heading, by striking “LOCAL” and inserting “EDUCATIONAL SERVICE AGENCY; LOCAL”; and

(B) by striking “The terms” and inserting “The terms ‘educational service agency’,”; and

(2) in paragraph (2), by striking “section 1113(a)(2)” and inserting “section 1113(a)(1)(B)”.

(b) GENERAL PROVISIONS.—Section 4 of the Education Flexibility Partnership Act of 1999 (20 U.S.C. 5891b) is amended to read as follows:

**“SEC. 4. EDUCATION FLEXIBILITY PROGRAM.**

“(a) EDUCATIONAL FLEXIBILITY PROGRAM.—

“(1) PROGRAM AUTHORIZED.—

“(A) IN GENERAL.—The Secretary may carry out an educational flexibility program under which the Secretary authorizes a State educational agency that serves an eligible State to waive statutory or regulatory requirements applicable to one or more programs described in subsection (b), other than requirements described in subsection (c), for any local educational agency, educational service agency, or school within the State.

“(B) DESIGNATION.—Each eligible State participating in the program described in subparagraph (A) shall be known as an ‘Ed-Flex Partnership State’.

“(2) ELIGIBLE STATE.—For the purpose of this section, the term ‘eligible State’ means a State that—

“(A) has—

“(i) developed and implemented the challenging State academic standards, and aligned assessments, described in paragraphs (1) and (2) of section 1111(b) of the Elementary and Secondary Education Act of 1965, and is producing the report cards required by section 1111(d)(2) of such Act; or

“(ii) if the State has adopted new challenging State academic standards under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965, as a result of the amendments made to such Act by the Every Child Achieves Act of 2015, and has made substantial progress (as determined by the Secretary) toward developing and implementing such standards and toward producing the report cards required under section 1111(d)(2) of such Act;

“(B) will hold local educational agencies, educational service agencies, and schools accountable for meeting the educational goals described in the local applications submitted under paragraph (4) and for engaging in technical assistance and, as applicable and appropriate, intervention and support strategies consistent with section 1114 of the Elementary and Secondary Education Act of 1965, for the schools that are identified as in need of intervention and support as described in section 1111(b)(3) of such Act; and

“(C) waives State statutory or regulatory requirements relating to education while holding local educational agencies, educational service agencies, or schools within the State that are affected by such waivers accountable for the performance of the students who are affected by such waivers.

“(3) STATE APPLICATION.—

“(A) IN GENERAL.—Each State educational agency desiring to participate in the educational flexibility program under this section shall submit an application to the Secretary at such time, in such manner, and

containing such information as the Secretary may reasonably require. Each such application shall demonstrate that the eligible State has adopted an educational flexibility plan for the State that includes—

“(i) a description of the process the State educational agency will use to evaluate applications from local educational agencies, educational service agencies, or schools requesting waivers of—

“(I) Federal statutory or regulatory requirements as described in paragraph (1)(A); and

“(II) State statutory or regulatory requirements relating to education;

“(ii) a detailed description of the State statutory and regulatory requirements relating to education that the State educational agency will waive;

“(iii) a description of clear educational objectives the State intends to meet under the educational flexibility plan, which may include innovative methods to leverage resources to improve program efficiencies that benefit students;

“(iv) a description of how the educational flexibility plan is coordinated with activities described in section 1111(b) of the Elementary and Secondary Education Act of 1965 and section 1114 of such Act;

“(v) a description of how the State educational agency will evaluate (consistent with the requirements of title I of the Elementary and Secondary Education Act of 1965), the performance of students in the schools, educational service agencies, and local educational agencies affected by the waivers; and

“(vi) a description of how the State educational agency will meet the requirements of paragraph (7).

“(B) APPROVAL AND CONSIDERATIONS.—

“(i) IN GENERAL.—By not later than 90 days after the date on which a State has submitted an application described in subparagraph (A), the Secretary shall issue a written decision that explains why such application has been approved or disapproved, and the process for revising and resubmitting the application for reconsideration.

“(ii) APPROVAL.—The Secretary may approve an application described in subparagraph (A) only if the Secretary determines that such application demonstrates substantial promise of assisting the State educational agency and affected local educational agencies, educational service agencies, and schools within the State in carrying out comprehensive educational reform, after considering—

“(I) the eligibility of the State as described in paragraph (2);

“(II) the comprehensiveness and quality of the educational flexibility plan described in subparagraph (A);

“(III) the ability of the educational flexibility plan to ensure accountability for the activities and goals described in such plan;

“(IV) the degree to which the State’s objectives described in subparagraph (A)(iii)—

“(aa) are clear and have the ability to be assessed; and

“(bb) take into account the performance of local educational agencies, educational service agencies, or schools, and students, particularly those affected by waivers;

“(V) the significance of the State statutory or regulatory requirements relating to education that will be waived; and

“(VI) the quality of the State educational agency’s process for approving applications for waivers of Federal statutory or regulatory requirements as described in paragraph (1)(A) and for monitoring and evaluating the results of such waivers.

“(4) LOCAL APPLICATION.—

“(A) IN GENERAL.—Each local educational agency, educational service agency, or school requesting a waiver of a Federal statutory or regulatory requirement as described in paragraph (1)(A) and any relevant State statutory or regulatory requirement from a State educational agency shall submit an application to the State educational agency at such time, in such manner, and containing such information as the State educational agency may reasonably require. Each such application shall—

“(i) indicate each Federal program affected and each statutory or regulatory requirement that will be waived;

“(ii) describe the purposes and overall expected results of waiving each such requirement, which may include innovative methods to leverage resources to improve program efficiencies that benefit students;

“(iii) describe, for each school year, specific, measurable, educational goals for each local educational agency, educational service agency, or school affected by the proposed waiver, and for the students served by the local educational agency, educational service agency, or school who are affected by the waiver;

“(iv) explain why the waiver will assist the local educational agency, educational service agency, or school in reaching such goals; and

“(v) in the case of an application from a local educational agency or educational service agency, describe how the agency will meet the requirements of paragraph (7).

“(B) EVALUATION OF APPLICATIONS.—A State educational agency shall evaluate an application submitted under subparagraph (A) in accordance with the State’s educational flexibility plan described in paragraph (3)(A).

“(C) APPROVAL.—A State educational agency shall not approve an application for a waiver under this paragraph unless—

“(i) the local educational agency, educational service agency, or school requesting such waiver has developed a local reform plan that—

“(I) is applicable to such agency or school, respectively; and

“(II) may include innovative methods to leverage resources to improve program efficiencies that benefit students;

“(ii) the waiver of Federal statutory or regulatory requirements as described in paragraph (1)(A) will assist the local educational agency, educational service agency, or school in reaching its educational goals, particularly goals with respect to school and student performance; and

“(iii) the State educational agency is satisfied that the underlying purposes of the statutory requirements of each program for which a waiver is granted will continue to be met.

“(D) TERMINATION.—The State educational agency shall annually review the performance of any local educational agency, educational service agency, or school granted a waiver of Federal statutory or regulatory requirements as described in paragraph (1)(A) in accordance with the evaluation requirement described in paragraph (3)(A)(v), and shall terminate or temporarily suspend any waiver granted to the local educational agency, educational service agency, or school if the State educational agency determines, after notice and an opportunity for a hearing, that—

“(i) there is compelling evidence of systematic waste, fraud, or abuse;

“(ii) the performance of the local educational agency, educational service agency,

or school with respect to meeting the accountability requirement described in paragraph (2)(C) and the goals described in paragraph (4)(A)(iii) has been inadequate to justify continuation of such waiver;

“(iii) student achievement in the local educational agency, educational service agency, or school has decreased; or

“(iv) goals established by the State under section 1111(b)(3) of the Elementary and Secondary Education Act of 1965 have not been met.

“(5) OVERSIGHT AND REPORTING.—

“(A) OVERSIGHT.—Each State educational agency participating in the educational flexibility program under this section shall annually monitor the activities of local educational agencies, educational service agencies, and schools receiving waivers under this section.

“(B) STATE REPORTS.—

“(i) ANNUAL REPORTS.—The State educational agency shall submit to the Secretary an annual report on the results of such oversight and the impact of the waivers on school and student performance.

“(ii) PERFORMANCE DATA.—Not later than 2 years after the date a State is designated an Ed-Flex Partnership State, each such State shall include, as part of the State’s annual report submitted under clause (i), data demonstrating the degree to which progress has been made toward meeting the State’s educational objectives. The data, when applicable, shall include—

“(I) information on the total number of waivers granted for Federal and State statutory and regulatory requirements under this section, including the number of waivers granted for each type of waiver;

“(II) information describing the effect of the waivers on the implementation of State and local educational reforms pertaining to school and student performance;

“(III) information describing the relationship of the waivers to the performance of schools and students affected by the waivers; and

“(IV) an assurance from State program managers that the data reported under this section are reliable, complete, and accurate, as defined by the State, or a description of a plan for improving the reliability, completeness, and accuracy of such data as defined by the State.

“(C) SECRETARY’S REPORTS.—The Secretary shall annually—

“(i) make each State report submitted under subparagraph (B) available to Congress and the public; and

“(ii) submit to Congress a report that summarizes the State reports and describes the effects that the educational flexibility program under this section had on the implementation of State and local educational reforms and on the performance of students affected by the waivers.

“(6) DURATION OF FEDERAL WAIVERS.—

“(A) IN GENERAL.—

“(i) DURATION.—The Secretary shall approve the application of a State educational agency under paragraph (3) for a period of not more than 5 years.

“(ii) AUTOMATIC EXTENSION DURING REVIEW.—The Secretary shall automatically extend the authority of a State to continue as an Ed-Flex Partnership State until the Secretary has—

“(I) completed the performance review of the State educational agency’s education flexibility plan as described in subparagraph (B); and

“(II) issued a final decision of any pending request for renewal that was submitted by the State educational agency.

“(iii) EXTENSION OF APPROVAL.—The Secretary may extend the authority of a State to continue as an Ed-Flex Partnership State if the Secretary determines that the authority of the State educational agency to grant waivers—

“(I) has been effective in enabling such State or affected local educational agencies, educational service agencies, or schools to carry out their State or local reform plans and to continue to meet the accountability requirement described in paragraph (2)(C); and

“(II) has improved student performance.

“(B) PERFORMANCE REVIEW.—

“(i) IN GENERAL.—Following the expiration of an approved educational flexibility program for a State that is designated an Ed-Flex Partnership State, the Secretary shall have not more than 180 days to complete a review of the performance of the State educational agency in granting waivers of Federal statutory or regulatory requirements as described in paragraph (1)(A) to determine if the State educational agency—

“(I) has achieved, or is making substantial progress towards achieving, the objectives described in the application submitted pursuant to paragraph (3)(A)(iii) and the specific goals established in section 1111(b)(3) of the Elementary and Secondary Education Act of 1965; and

“(II) demonstrates that local educational agencies, educational service agencies, or schools affected by the waiver authority or waivers have achieved, or are making progress toward achieving, the desired results described in the application submitted pursuant to paragraph (4)(A)(iii).

“(ii) TERMINATION OF AUTHORITY.—The Secretary shall terminate the authority of a State educational agency to grant waivers of Federal statutory or regulatory requirements as described in paragraph (1)(A) if the Secretary determines, after providing the State educational agency with notice and an opportunity for a hearing, that such agency’s performance has been inadequate to justify continuation of such authority based on agency’s performance against specific goals in section 1111(b)(3) of the Elementary and Secondary Education Act of 1965.

“(C) RENEWAL.—

“(i) IN GENERAL.—Each State educational agency desiring to renew an approved educational flexibility program under this section shall submit a request for renewal to the Secretary not later than the date of expiration of the approved educational flexibility program.

“(ii) TIMING FOR RENEWAL.—The Secretary shall either approve or deny the request for renewal by not later than 90 days after completing the performance review of the State described in paragraph (6)(B).

“(iii) DETERMINATION.—In deciding whether to extend a request of a State educational agency for the authority to issue waivers under this section, the Secretary shall review the progress of the State educational agency to determine if the State educational agency—

“(I) has made progress toward achieving the objectives described in the State application submitted pursuant to paragraph (3)(A)(iii); and

“(II) demonstrates in the request that local educational agencies, educational service agencies, or schools affected by the waiver authority or waivers have made progress toward achieving the desired results described in the local application submitted pursuant to paragraph (4)(A)(iii).

“(D) TERMINATION.—

“(i) IN GENERAL.—The Secretary shall terminate or temporarily suspend the authority of a State educational agency to grant waivers under this section if the Secretary determines that—

“(I) there is compelling evidence of systematic waste, fraud or abuse; or

“(II) after notice and an opportunity for a hearing, such agency’s performance (including performance with respect to meeting the objectives described in paragraph (3)(A)(iii)) has been inadequate to justify continuation of such authority.

“(ii) LIMITED COMPLIANCE PERIOD.—A State whose authority to grant such waivers has been terminated shall have not more than 1 additional fiscal year to come into compliance in order to seek renewal of the authority to grant waivers under this section.

“(7) PUBLIC NOTICE AND COMMENT.—Each State educational agency seeking waiver authority under this section and each local educational agency, educational service agency, or school seeking a waiver under this section—

“(A) shall provide the public with adequate and efficient notice of the proposed waiver authority or waiver, consisting of a description of the agency’s application for the proposed waiver authority or waiver on each agency’s website, including a description of any improved student performance that is expected to result from the waiver authority or waiver;

“(B) shall provide the opportunity for parents, educators, school administrators, and all other interested members of the community to comment regarding the proposed waiver authority or waiver;

“(C) shall provide the opportunity described in subparagraph (B) in accordance with any applicable State law specifying how the comments may be received, and how the comments may be reviewed by any member of the public; and

“(D) shall submit the comments received with the application of the agency or school to the Secretary or the State educational agency, as appropriate.

“(b) INCLUDED PROGRAMS.—The statutory or regulatory requirements referred to in subsection (a)(1)(A) are any such requirements for programs that are authorized under the following provisions and under which the Secretary provides funds to State educational agencies on the basis of a formula:

“(1) The following provisions of the Elementary and Secondary Education Act of 1965:

“(A) Part A of title I (other than sections 1111 and 1114).

“(B) Part C of title I.

“(C) Part D of title I.

“(D) Part A of title II.

“(E) Part G of title V.

“(2) Title VII of the McKinney-Vento Homeless Assistance Act. (42 U.S.C. 11301 et seq.).

“(3) The Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.).

“(c) WAIVERS NOT AUTHORIZED.—The Secretary and the State educational agency may not waive under subsection (a)(1)(A) any statutory or regulatory requirement—

“(1) relating to—

“(A) maintenance of effort;

“(B) comparability of services;

“(C) equitable participation of students and professional staff in private schools;

“(D) parental participation and involvement;

“(E) distribution of funds to States or to local educational agencies;

“(F) serving eligible school attendance areas in rank order under section 1113(a)(1)(C) of the Elementary and Secondary Education Act of 1965;

“(G) the selection of a school attendance area or school under paragraphs (1) and (2) of section 1113(a) of the Elementary and Secondary Education Act of 1965, except that a State educational agency may grant a waiver to allow a school attendance area or school to participate in activities under part A of title I of such Act if the percentage of children from low-income families in the school attendance area of such school or who attend such school is not less than 10 percentage points below the lowest percentage of such children for any school attendance area or school of the local educational agency that meets the requirements of such paragraphs (1) and (2);

“(H) use of Federal funds to supplement, not supplant, non-Federal funds; and

“(I) applicable civil rights requirements; and

“(2) unless the State educational agency can demonstrate that the underlying purposes of the statutory requirements of the program for which a waiver is granted continue to be met to the satisfaction of the Secretary.

“(d) TREATMENT OF EXISTING ED-FLEX PARTNERSHIP STATES.—

“(1) IN GENERAL.—Any designation of a State as an Ed-Flex Partnership State that was in effect on the date of enactment of this Act shall be immediately extended for a period of not more than 5 years, if the Secretary makes the determination described in paragraph (2).

“(2) DETERMINATION.—The determination referred to in paragraph (1) is a determination that the performance of the State educational agency, in carrying out the programs for which the State has received a waiver under the educational flexibility program, justifies the extension of the designation.

“(e) PUBLICATION.—A notice of the Secretary’s decision to authorize State educational agencies to issue waivers under this section, including a description of the rationale the Secretary used to approve applications under subsection (a)(3)(B), shall be published in the Federal Register and the Secretary shall provide for the dissemination of such notice to State educational agencies, interested parties (including educators, parents, students, and advocacy and civil rights organizations), and the public.”.

**SA 2228.** Mr. THUNE (for himself, Mr. BARRASSO, Ms. HEITKAMP, and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of title VII of the amendment, add the following:

#### **SEC. 7. ACCESS TO FEDERAL INSURANCE.**

Section 409 of the Indian Health Care Improvement Act (25 U.S.C. 1647b) is amended by inserting “or the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.)” after “(25 U.S.C. 450 et seq.)”.

#### **PRIVILEGES OF THE FLOOR**

Mr. ALEXANDER. Mr. President, I ask unanimous consent that Devon Brenner, an education fellow in Senator COCHRAN’s office, be granted floor privileges through May 31, 2016.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that Andrew Bronstein, an education fellow in my office, and Ethan Arenson, a Judiciary Committee detailee from the Department of Justice, be granted floor privileges for the remainder of this Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### **ORDERS FOR TUESDAY, JULY 14, 2015**

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, July 14; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate resume consideration of S. 1177; and finally, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly caucus meetings and that the filing deadline for first-degree amendments be at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### **ORDER FOR ADJOURNMENT**

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator REID.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Tennessee.

#### **EVERY CHILD ACHIEVES ACT**

Mr. ALEXANDER. Mr. President, I see that the majority leader has filed cloture on the bill, which I understand. We have had a chance to have a good discussion and a good debate.

We are getting toward the end of the consideration of our bill to fix No Child Left Behind. We have a couple of issues that we need to resolve, but there are only a couple, and for a bill this complicated, that is pretty good. So it would be my hope that we could continue on through the process, and the majority leader might even get to the point later in the week where he would be able to vitiate the cloture, and we could finish without a cloture vote.

So far, so good. We have considered 58 amendments in committee and adopted 29. We have considered 25 on the floor, adopted 8 by rollcall, 11 by voice, and we have dozens more that have been agreed to by Senator MURRAY and me and that we would recommend to the Senate that we complete.

So it is my hope that Senators will allow us to have a consensus about this bill. As was said by Newsweek magazine last week, this is the Education bill that everybody wants fixed, and we are the ones who are supposed to fix it. So while there are some issues toward the end that are a little more difficult to resolve than others, I hope Senators will agree that people have had a chance to have their say on education issues and that we can go on to the other important issues facing the country.

I thank the Republican leader for giving us an opportunity to put this on the floor. I thank the Democratic leader for allowing us to move to the floor without delay. I hope we can continue over the next couple of days and finish the bill this week and get on to other important issues.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### FILING CLOTURE

Mr. REID. Mr. President, it is obvious that the Republican leader has certainly changed his view on filing cloture.

There was a time on several occasions when the Republican leader bemoaned what he called “a quick trigger on the cloture motion.” That is a quote. There was a time—that was in

2012, 2013—when the Republican leader called filing cloture “heavy-handed behavior.”

Now, keep in mind the backdrop of all of this. For 4 years, the Republicans simply wouldn’t let us move to anything. We couldn’t offer—they refused to allow bills to come up. We never even got on the bills. We would file a motion to get on a bill; they would object to that.

We have a different world now in the 7 months that we have been under the direction of the Republican leader, the senior Senator from Kentucky. We have been working in good faith to try to get things to move along—specifically this bill, the elementary and secondary education bill. There is no sign of a filibuster that I am aware of, at least on our side.

There are still a number of major amendments that need to be addressed. Senators MURPHY, BOOKER, WARNER, and others have an amendment on accountability for the lowest performing schools. They have worked hard on this. We have Senator FRANKEN, who is very passionate, on an amendment to protect LGBT students from discrimination. Senator MARKEY has an amendment that provides grants to allow schools to teach climate science. Senator CASEY has an amendment to expand and improve early education, particularly for 3- and 4-year-olds. These are important amendments dealing with education. There are others, but these are a few that I mentioned.

So to have the Republican leader come to the floor and file cloture when we have just had a few amendments—he can come out and talk about all the votes we have had, but they have been on nothing amendments. They could have been accepted really. We didn’t even need votes on them. We have had virtually no serious amendments, and now, all of a sudden, the Republican leader has changed totally, I guess, his philosophy on how to legislate by filing cloture very early. I am very disappointed in this, but it speaks vol-

umes about how this Senate is being run by this Republican majority.

It is appropriate to file cloture when the shoe is on the other foot, I guess, except the difference is that we never had a chance to get on the legislation. This is a perfect example of this. We didn’t need to have a vote on a motion to get on a bill. We just said: OK, go ahead and move to it.

So I am really surprised, quite frankly, but that is what has happened. But it is not the first time I have been surprised about how things have been going on around here the last 6 or 7 months.

I have nothing further.

#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 7:08 p.m., adjourned until Tuesday, July 14, 2015, at 10 a.m.

#### NOMINATIONS

Executive nominations received by the Senate:

##### NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

JOHN MAEDA, OF MASSACHUSETTS, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2016. (NEW POSITION)

##### DEPARTMENT OF THE TREASURY

MATTHEW RHETT JEPSON, OF FLORIDA, TO BE DIRECTOR OF THE MINT FOR A TERM OF FIVE YEARS, VICE EDMUND C. MOY, RESIGNED.

##### AMTRAK BOARD OF DIRECTORS

ANTHONY ROSARIO COSCIA, OF NEW JERSEY, TO BE A DIRECTOR OF THE AMTRAK BOARD OF DIRECTORS FOR A TERM OF FIVE YEARS. (REAPPOINTMENT)

DEREK TAI-CHING KAN, OF CALIFORNIA, TO BE A DIRECTOR OF THE AMTRAK BOARD OF DIRECTORS FOR A TERM OF FIVE YEARS, VICE JEFFREY R. MORELAND, TERM EXPIRED.

##### DEPARTMENT OF HEALTH AND HUMAN SERVICES

ANDREW MILLER SLAVITT, OF MINNESOTA, TO BE ADMINISTRATOR OF THE CENTERS FOR MEDICARE AND MEDICAID SERVICES, VICE MARILYN B. TAVENNER, RESIGNED.

MARY KATHERINE WAKEFIELD, OF NORTH DAKOTA, TO BE DEPUTY SECRETARY OF HEALTH AND HUMAN SERVICES, VICE WILLIAM V. CORR, RESIGNED.

## HOUSE OF REPRESENTATIVES—Monday, July 13, 2015

The House met at noon and was called to order by the Speaker pro tempore (Mr. EMMER of Minnesota).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

July 13, 2015.

I hereby appoint the Honorable TOM EMMER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,

*Speaker of the House of Representatives.*

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 1:50 p.m.

### DON FRISBEE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, this weekend, we will gather in Portland to mourn the passing and celebrate the life of Don Frisbee, who died June 26 at the age 91.

Don led an extraordinary life, rising through the company ranks to become the chairman and CEO of PacifiCorp, then the major private utility in the Pacific Northwest.

He was a bold and visionary leader of this important company. He was a board member of Fortune 500 companies like Weyerhaeuser and First Interstate Bank, now Wells Fargo. He was widely regarded as the most influential business leader in Oregon for 2 decades.

Don's influence, though, extended beyond the business space. He was also on the board of two prestigious Northwest academic institutions, Whitman College in Walla Walla and Reed College in Portland, where he played a critical role in the development of that storied institution.

He helped promote the growth of Portland State University, the Oregon

Health Science University, and helped guide the Children's Institute.

Later in his retirement, he worked for 5 years with his daughter-in-law, Denise Frisbee, on a program throughout the State of Oregon to connect people with their public schools.

He cared deeply about the civic infrastructure, how to encourage and empower individuals to make a difference the way that he, himself, had. He was instrumental in the creation and growth of the Oregon Leadership Forum, which now for 30 years has gathered people from all across Oregon on an ongoing, yearlong program to develop leadership capacity and commitment to our State. From its founding to his board leadership, from participating in the very first year's programming, he was the driving force for this unique organization.

The utility executive was passionate about Oregon's special places. He loved the out-of-doors and his own special place, his beloved ranch in Sisters, located in a spectacular setting in central Oregon.

This veteran utility executive didn't think there was a conflict between sound, sustainable business practices and protecting the environment. During the last conversation I had with Don, he talked about how delighted he was with the Pope's encyclical on the environment and global warming.

For all his many accomplishments, his family and friends were central in his life, even more so as the years passed. He lost his beloved wife, Emily, in 2003, after 56 years of marriage. Together, they built a family, a career, and a better community.

A little at loose ends after losing Emily, later in life, he met, wooed, and wed a widow who was his neighbor, Betty Perkins. Together, they found extraordinary happiness. They had an amazing effect on everyone they met, whether on a cruise, on the 60th reunion of Don's class at the Harvard Business School, or just people on the street.

At a time when most their age would be in rocking chairs, they were traveling the world, providing inspiration to all privileged to spend time around them. His was an extraordinary life well lived.

Portland is often regarded as one of America's finest city, listed on all the best places. Over the last 50 years, no one made it a better place than Don Frisbee.

Our hearts go out to Don's family; his wife, Betty; and to all of those who

were touched by this extraordinary man.

### TIME TO STREAMLINE SIMPLE IRA ROLLOVERS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. Mr. Speaker, in 1966, Federal legislation established a new type of employer-sponsored retirement plan known as a SIMPLE IRA. These plans are designed to give small businesses a retirement option for their employees without the administrative burdens of other employer-sponsored retirement plan types.

SIMPLE IRAs face a 25 percent early withdrawal penalty during the first 2 years of their existence, compared to 10 percent for other IRAs. In order to prevent accountholders from unknowingly rolling their IRA funds into SIMPLE IRAs and being surprised by an increased early retirement penalty, current law prohibits rolling funds over into a SIMPLE IRA from other retirement accounts.

However, SIMPLE IRAs have the same early withdrawal penalty as other IRAs after that initial 2-year period, and consumers and financial planners have struggled with the rollover restrictions as they attempt to consolidate accounts.

This week, I will introduce legislation to allow for rollovers into SIMPLE IRA accounts that have met the 2-year threshold. The Joint Committee on Taxation has previously estimated this legislation would have a negligible effect on Federal tax revenues. This bill will simplify retirement planning and ensure a complex Tax Code does not prevent sensible financial planning decisions. Individuals should be able to consolidate their retirement funds in a way that best meets their needs.

This legislation is a small but important first step in the long road to ensuring our tax system works for Americans, not against them.

### SHORT-TERM HIGHWAY FUND EXTENSIONS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from the District of Columbia (Ms. NORTON) for 5 minutes.

Ms. NORTON. Mr. Speaker, 2-year short-term highway fund extensions have become one of Congress' most costly habits. Kudos to the Senate

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Committee on Environment and Public Works, which has marked up the highway portion and may come to the floor this week with a 6-year bill.

That bill is not yet paid for, but the Senate is at least making progress toward a 6-year bill, the kind that is needed to make a dent in the backlog of our construction projects in the States.

We should not be deterred by the likelihood of another short-term bill, perhaps going to the end of the year. The goal before the year is out must be a long-term bill.

Congress has taken to authorizing the highway trust fund for 2 years, knowing full well that the trust fund, collecting gas user fees at 1993 levels, would run out even before those 2 years are out; then the waltz begins with endless short-term bills.

The States are disgusted and exhausted. MAP-21 ran out before the end of its 2-year lifetime. The last short-term bill extension was so useless that it has lasted longer than expected because the States could not apply the funds to the backlog of now endless rescheduled projects; 6-month extensions have yielded 6-month projects, usually only patchwork.

This poster goes beyond showing that the short-term extensions have been useless to the States. These short term bills and extensions are having negative effects on the pocketbooks of our constituents. The highway user fee, which has not been raised for 22 years, costs drivers \$97 a year. The bad roads that are the result cost those same drivers \$515 per year.

Find your State for the cost to your constituents. Here is a random sample: Louisiana, \$514 per year; Oklahoma, \$763 per year; New Jersey, \$685 per driver; Ohio, \$446 per driver; California, \$762 per driver; and Pennsylvania, \$471 per driver.

All the figures are high, regardless of State or region of the country, and those high dollar amounts go out of the pockets of our constituents to patch bad roads, instead of putting the funds into fixing those roads, bridges, and transit.

Congress' short-term attention to our roads, highways, transit and bridges is breaking the bank, not for the Federal Government, but for our constituents. It is no longer the old adage "you can't get something for nothing" rather, not funding the highway trust fund for 6 years costs the people we represent not nothing, but \$515 per driver.

We have got to fund our transportation projects or ask our constituents to pay for their bad roads. The costs to the American people make our options clear what the best thing to do is.

## THE DEPARTMENT OF JUSTICE IS DENYING JUSTICE TO VICTIMS OF SEXUAL ASSAULT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, the Department of Justice is failing rape victims.

Across America, an estimated 400,000 untested rape kits sit on shelves. Government officials long blamed a lack of resources to test the kits; so Congress fixed this problem in the reauthorization of the Violence Against Women Act, VAWA, as it is called.

VAWA included the Sexual Assault Forensic Evidence Reporting Act, or SAFER, which allows and mandates that 75 percent of Debbie Smith DNA Backlog Grant funds go directly to test the long backlog of rape kits.

The bottom line, money has been allocated to fund the backlog of 400,000 rape kits. Funds are required to be made available for audits, so we could find the true number of languishing kits throughout different States and then test them.

The goal of SAFER was to ensure that no rape kit went untested, so all victims had answers and all rapists were brought to justice; yet, Mr. Speaker, it has been 2 years. Kits remain in basements on dusty shelves, and nothing has changed.

The money is there; the law is written, but the DOJ, the Department of Justice, shamelessly ignores this mandate leaving sexual assault victims waiting for justice. Meanwhile, untested rape kits create an unfair treatment of victims. One thing it does is it allows the guilty outlaws to go free and prevents the innocent from being exonerated.

Also, the statute of limitations may expire. Then, when the criminal is captured, he may escape justice because the kit was analyzed too long after the crime was committed. That is a travesty of justice. It is an insult and shameful treatment of sexual assault victims.

To quote an old legal maxim, "the criminal goes free because the constable has blundered" or, in this case, the constable is incompetent.

Without this SAFER Act, which allowed the implementation of funds to analyze backlogs of rape kits, we would still be in a problem that we had 2 years ago.

□ 1215

But these funds are available for the States to analyze and get the kits tested. Once tested, the results would allow the apprehension of criminals.

This is not occurring. The Department of Justice has yet to even offer the SAFER audit grants to the States. The DOJ cannot show that 75 percent of the funds are going to direct testing and lab capacity enhancement, as required by the law.

To give rape victims justice, DNA often holds the critical key and the only key to learning the identity of the perpetrators. Without this, justice is often delayed or denied forever.

Ignoring SAFER is an affront to sexual assault victims. Mr. Speaker, victims deserve to know who assaulted them. They need to know for peace of mind. It is mental turmoil for rape victims not to know the identity of the perpetrator while sometimes they still fear for their own safety. A rape kit DNA test may prove to be their best and last and only hope in knowing the identity of the rapist.

Bureaucrats should do their job. Quit making excuses for not implementing the law.

In my 30 years as a prosecutor and criminal court judge, I talked to and met a lot of sexual assault victims. Sexual assault, or rape, is, to me, the worst crime in society. And rape victims, more than anything else, want to know who did it. They want to know who did it.

We have the capability of helping rape victims know who the perpetrator in 400,000 cases. Why aren't we doing it?

Not knowing the identity of a rapist is haunting to their victims. It is traumatizing. And to know that the rapist still may be on the loose because the testing kit was not done is inexcusable incompetence.

Each day that goes by, we are running out the clock on the statute of limitations, increasing the chance that criminals may escape the long arm of the law. It is time to analyze the 400,000 rape kits and capture the rapists.

The Department of Justice must live up to its name. Enforce the SAFER Act and follow the law. The Department of Justice must ensure justice for victims. Until then, many rape victims see no justice.

Our country deserves better; sexual assault victims deserve better; and, Mr. Speaker, justice deserves better. Because, justice is what we do in this country.

And that is just the way it is.

## ANTIQUITIES ACT ABUSE

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. LAMALFA) for 5 minutes.

Mr. LAMALFA. Mr. Speaker, last week, the President announced his plans to designate, once again, over 300,000 acres, this time of mountains, meadows, and other areas that stretch over 100 miles in northern California, including parts of Yolo, Solano, Napa, Lake, Mendocino, Glenn, and Colusa Counties, as a monument.

This designation now marks the 19th time this President has created or expanded, since taking office, resulting in over 260 million acres of designated

lands and waters in monuments or wilderness areas.

This move actually exemplifies the President's complete disregard for the legislative process and his lack of hesitation on using every single political tool to carry out even more of his executive power grabs.

Indeed, the one in Snow Mountain was a bipartisan effort underway, with legislators working on how that might become a designated area. Instead, that has now been usurped by one more round of executive power, kind of like we have seen recently with the Supreme Court exercising its power usurping the legislative process where we, the legislators, are subject directly to we, the people.

Using the Antiquities Act as justification to designate over a third of a million acres in my State overnight is not only a serious abuse of power, it is a serious misrepresentation of the intent of the law itself. This law, the purpose of this law, which was enacted after archeologists years ago noticed small artifacts disappearing or ending up in private collections across different countries, was meant as an emergency option to curb looting in small archeological sites in the Southwest.

The short and what would seem like simple text of the law actually directs the President to limit any designation to the smallest area compatible with proper care and management of the resource or the objects to be protected.

Now, when you see 330,000 acres designated here or 700,000 designated in Nevada or, a few years ago, when President Clinton declared 1 million acres in Utah, are we really protecting a particular area or zone or is this a widespread power grab?

Indeed, what are we protecting it from? Well, you will hear from the left, from oil and gas development, from timber, from mining, or from all sorts of things that would be devastating to the environment.

Have you noticed how hard it is to get a permit to do any one of those things, by the time you get through the EPA, U.S. Fish and Wildlife, and the whole litany of others that are in the way of doing things that could be done with good environmental stewardship at the same time as developing the resources that people in this country still need? They still need fuel; they still need oil; they still need gas; they still need paper products. Heaven knows, we use enough paper products in this building.

But we need development in this country. We do it more responsibly than anywhere else in the world. Yet these wilderness area designations, these monuments, they don't seek to really protect anything. They just make it off limits to all Americans, even if you just want to go in for hiking or hunting or a little off-roading

and, indeed, those that would develop the resources.

This is so absurd, it even has made it difficult for fire suppression in our forested areas, for our various fire agencies to go do the job they need to do, to have the roads in the areas that are needed so they can attack the fires.

And even more so, as we have seen what happened with the loss of life with illegal immigrants in this country, like Kathryn Steinle in San Francisco, illegal immigration, the effort to stop that at the border was made even more difficult, I believe, down in New Mexico when the President designated a bunch of the area along New Mexico as a monument, making it where the Border Patrol can't even patrol the areas because it is now an environmentally protected zone. That is ridiculous, and I think Americans, when they hear about this, say, "What is going on?"

So this is, again, a power grab that is completely inappropriate. It bypasses the legislative process where the legislators are directly accountable to the people.

It is about time that we change the Antiquities Act, or at least if we had somebody in the White House that knew the balance between designating just a small area that actually helps protect a resource and archaeological site versus hundreds of thousands or millions of acres that makes it just off limits to the type of use the public needs and actually makes the assets a safer and healthier one, for example, with our forests, where we can do the work that needs to be done to keep them healthy.

Local residents have very little input, if any, on a designation happening in their backyard. Is this a transparent process? No.

It is power in Washington, once again, ruling over the people, ruling over the stakeholders in those communities that know best how to manage the resource, what that resource needs, and what that could mean to the local economy, whether it is hunting or fishing or hiking, off-roading, even a little gold mining.

We can do these things. We know how to do them environmentally responsibly, and yet we get run over time and time again by left-leaning folks using the Antiquities Act as something for their environmental dreams.

Mr. Speaker, I am highly frustrated by this, and I hope the American public will get behind an effort to help us change the Antiquities Act and make it something that actually works for the American public and protects what needs protecting, not everything else.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair

declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 23 minutes p.m.), the House stood in recess.

□ 1400

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DENHAM) at 2 p.m.

#### PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

We give You thanks, O God, for giving us another day.

We ask Your blessing upon this assembly and upon all to whom the authority of government is given.

Encourage the Members of this House, O God, to use their abilities and talents in ways that bring righteousness to this Nation and to all people. Ever remind them of the needs of the poor, the homeless or forgotten, and those who live without freedom or liberty. May they be instruments of justice for all Americans.

May Your spirit live with them and with each of us, and may Your grace surround us and those we love that, in all things, we may be the people You would have us be in service to this great Nation.

May all that is done within the people's House this day be for Your greater honor and glory.

Amen.

#### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

#### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from California (Mr. MCNERNEY) come forward and lead the House in the Pledge of Allegiance.

Mr. MCNERNEY led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

#### PRESIDENT OBAMA'S POLICIES DESTROY JOBS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, recently, President Obama struck another blow destroying American jobs with his new proposal to raise



the salary threshold for overtime. This top-down, burdensome regulation will inhibit job creation, burden small businesses, and penalize hard-working Americans.

By increasing the wage threshold, businesses in South Carolina and across America will be faced with difficult choices: reducing hours for workers and cutting jobs. This change will hurt hard-working employees, who will face a lack of flexibility, limited opportunity for advancement within their jobs, and lower base salaries.

The new mandate joins other harmful administration regulations, including mandatory wages and fixed work schedules, destroying jobs.

The failed liberal welfare state policies of the last 50 years have produced increased poverty, and we should change policies to promote a limited government of expanded freedoms, creating jobs.

In conclusion, God bless our troops, and may the President, by his actions, never forget September the 11th in the global war on terrorism.

#### ADDRESSING FORECLOSURES AND SHORT SALES IS CRITICAL

(Mr. McNERNEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McNERNEY. Mr. Speaker, homeownership is one of the cornerstones of the American Dream; yet, since the 2007 housing crisis, millions of Americans have lost their homes through the foreclosure process, and many more continue to struggle.

Addressing foreclosures and short sales is critical. Accelerating the short sale process for homeowners would be part of the solution.

Unfortunately, in California and across the country, one of the most significant factors that slows down the short sale process takes place when a homeowner's second mortgage lender delays final negotiations on the short sale; and too often, second mortgage lenders use stonewalling tactics to delay payouts from the first mortgage lenders. This, unfortunately, delays and hurts the homeowners, willing buyers, and the economy at large.

After further investigation on this issue, I will be introducing a bill to address short sales and ask the Federal Housing Finance Agency to provide an update on what it is doing to facilitate short sales and protect homeowners.

#### WESTERN WATER AND AMERICAN FOOD SECURITY ACT

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, I rise today in support of H.R. 2898, the West-

ern Water and American Food Security Act. This is by Representative VALADAO from California. I appreciate his hard work and bipartisan efforts on this.

California's drought is having devastating effects on agriculture and our food supply nationwide. Last year, drought-related water cutbacks caused an estimated 400,000 acres to be fallowed, costing thousands of jobs and leaving consumers less food choices in the United States.

While the solution is certainly not going to be all encompassed in one bill, this will be a great start towards getting California back where we need to be for drought relief.

We cannot stand by and watch one more family suffer, small businesses and our economy leaving the State, when we should have those jobs right in the valley.

It ends the finger-pointing and blame game, and provides desperately needed short-term relief while advancing commonsense policies to fix the situation in the long term.

It would update Federal laws and streamline water permitting so we could build Sites Reservoir in northern California. Indeed, it also ensures sound and real-time science and water delivery methods so we don't have a situation where we are leasing 15,000 acre-feet twice to benefit less than 30 steelhead fish.

Let's get on with getting California's water supply back on track so that this important legislation is not stalled by the usual suspects on the environmental left.

Indeed, the proof will be in the pudding.

#### CELEBRATION OF THE HUNT

(Mr. EMMER of Minnesota asked and was given permission to address the House for 1 minute.)

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to recognize two young constituents, Connor Hanson and Schuyler Elaine Frashier, for being among the top students to place in the National Shooting Sports Foundation's annual essay contest.

Connor took the top honors, and Schuyler placed in the top 25, and also received a Learning for Life Award.

In Minnesota, hunting is a way of life. These traditions are often passed down from one generation to the next, teaching many important life lessons along the way.

Connor depicts this in his essay, describing the bonding experience with his father, the spirituality of the hunt, as well as everything that the hunt has taught him about life. Connor writes that the "hunting season allows me to see and experience the truth, through God's creation."

I want to congratulate Connor and Schuyler on not only placing in this

competition, but for so accurately portraying how important hunting is to our culture in Minnesota.

Well done.

#### EPA METHANE REGULATION

(Mr. MEADOWS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MEADOWS. Mr. Speaker, as a result of the shale energy revolution, the United States is benefiting from the economic and energy security and, I might add, environmental benefits of a natural gas abundance.

However, the EPA is threatening to take this energy advantage and make it a disadvantage. The EPA is currently trying to further regulate the byproduct of natural gas production, that of methane gas.

The EPA, under the Obama administration, is at its worst. The Obama administration mission is clear: if it is not a "green" energy source that he likes, it should not exist.

And Obama has proven that he will use the EPA to do all he can to make it more difficult and expensive for American families to utilize this incredibly wonderful source of natural gas that we have here in America.

Lower energy prices for Americans, and we have also helped the environment.

So I would urge all of my colleagues to join me in opposing the burdensome mandates that will unnecessarily hinder natural gas production in the United States, thereby dismantling and diminishing the energy advantage that we have today.

#### CURES FOR THE 21ST CENTURY

(Mr. BURGESS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURGESS. Mr. Speaker, Friday afternoon of last week, this House passed what may well be the most important piece of legislation that will be passed in our lifetimes. I am talking about H.R. 6, the 21st Century Cures Act.

This is legislation that is to improve and enhance the discovery, development, and delivery of new medicines, new devices, lifesaving efforts that can bend the course of someone who is trapped right now in an intractable disease. We all know what they are: Alzheimer's, diabetes, recalcitrant cancers, heart disease.

What if we were to be able to solve one of these riddles? What a boon that would be to the Federal budget because, as we can see, in the outyears of expenses for health care, it is nothing but up.

In May of 2012, Glen Campbell and his family came to the Library of Congress. They came and testified before

the Senate, and they gave a very moving presentation on why it was important to deal with diseases such as Alzheimer's. In fact, that night, when Glen Campbell gave a concert at the Library of Congress—you can see him here with his daughter Ashley as they were playing on stage—it was a wonderful reminder just what is at stake here.

What if we could provide one more time for a daughter to smile at her father because we have found, finally, the cure for this intractable disease?

It is time to get the Senate to move and get this done.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, July 10, 2015.

Hon. JOHN A. BOEHNER,  
The Speaker, House of Representatives, Washington, DC.

Dear MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on July 10, 2015 at 12:53 p.m.:

That the Senate passed without amendment H.R. 2620.

That the Senate passed S. 143.

That the Senate passed S. 1180.

That the Senate passed S. 1359.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 4 p.m. today.

Accordingly (at 2 o'clock and 11 minutes p.m.), the House stood in recess.

□ 1600

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of New York) at 4 p.m.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

#### SMALL BUSINESS INVESTMENT COMPANY CAPITAL ACT OF 2015

Mr. CHABOT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1023) to amend the Small Business Investment Act of 1958 to provide for increased limitations on leverage for multiple licenses under common control.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1023

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Small Business Investment Company Capital Act of 2015".

#### SEC. 2. INCREASED LIMITATIONS ON LEVERAGE FOR MULTIPLE LICENSES UNDER COMMON CONTROL.

Section 303(b)(2)(B) of the Small Business Investment Act of 1958 (15 U.S.C. 683(b)(2)(B)) is amended by striking "\$225,000,000" and inserting "\$350,000,000".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. CHABOT) and the gentleman from New York (Ms. VELÁZQUEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

#### GENERAL LEAVE

Mr. CHABOT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CHABOT. Mr. Speaker, I yield myself such time as I may consume.

When an entrepreneur starts a business, one of the first challenges they face is getting the money they need to produce their new product or patent their great idea.

For small businesses, this has remained a constant struggle. However, we also know that small businesses are vital to our economic growth and, since the recession, have accounted for 60 percent of new net jobs in this country.

For these reasons, over 60 years ago Congress created the Small Business Administration, the SBA, and tasked it with the vital mission of ensuring that small businesses can get the capital they need.

The Small Business Investment Company, or SBIC, program is a public-private partnership that provides small businesses access to equity and debt financing.

It has been extremely successful over the years providing billions in private capital to help promising businesses grow into household names. Pandora, Whole Foods, Apple, even Nike, were

all small businesses that received early financing from the SBIC program.

In fiscal year 2014 alone, SBICs invested \$5.46 billion in small firms that employ approximately 113,000 workers all across America. In my home State of Ohio, more than 2,000 people have jobs today because the SBIC program helped small businesses there in Ohio access the resources that they needed to grow.

Under current law, successful SBICs under common control, frequently called the family of funds, are limited in the amount of funds they can provide to small businesses.

By merely raising this cap from \$225 million to \$350 million, as this legislation would do, we could stimulate up to \$750 million a year in capital that would be available to the next Nike or Apple. Given the volatile fiscal climate, we can all agree that small businesses would benefit from such a valuable increase in private investment.

H.R. 1023 increases this flow of private funds to small businesses at no cost—let me repeat—no cost to the taxpayer. The committee passed this bill with bipartisan support, both Republican and Democrat support.

I want to thank several members of the Committee on Small Business for their support and work on this bill, including Representatives BOST, CHU, CURBELO, GIBSON, HAHN, HANNA, KNIGHT, LAWRENCE, LUETKEMEYER, and MENG.

I would urge my colleagues to support H.R. 1023.

I want to thank ILEANA—I want to thank NYDIA VELÁZQUEZ for her strong leadership on this bill and much of the other bipartisan work that we have done in the committee. ILEANA is another Member who I strongly support and admire greatly.

At this point, I reserve the balance of my time.

Ms. VELÁZQUEZ. Mr. Speaker, I yield myself as much time as I may consume.

I, too, want to thank the chairman of the Small Business Committee for working in a bipartisan way to craft this legislation.

Indeed, ILEANA ROS-LEHTINEN is a good friend of mine from Florida. So I don't take any offense.

Small business investment companies have assisted thousands of high-growth companies over the years, providing nearly \$75 billion in capital.

By design, the program fills the gap in the capital markets for business that has outgrown the SBA's 7(a) guaranteed loan program, but remain too small or too risky for traditional private equity markets to bear.

SBICs operate in a unique public-private partnership with SBA. Once managers raise enough private capital, the agency provides matching funds, which are pooled together and invested in high-growth small businesses.

To maximize the impact of the program, the most successful fund managers are permitted to hold more than one SBIC license at a time, known as a family of funds, with the benefit of drawing additional SBA leverage.

The current leverage caps, implemented in 2010, allow single licensees to draw \$175 million and family-of-fund licensees to draw \$225 million. H.R. 1023, the Small Business Investment Company Capital Act of 2015, would increase that cap by an additional 55 percent to \$350 million.

According to SBA data, only seven SBICs would be able to take advantage of the increase, limiting the actual amount of capital that will reach our small business community. The roughly 150 other SBIC families are unlikely to ever need this increase.

Similarly, concentrating additional taxpayer-backed leverage in just a few asset managers necessitates the need for more oversight. I look forward to working with the chairman to strike the right balance ensuring this capital is deployed efficiently, but with less risk.

The SBIC program has done a lot of good for the small business community over the years. In fact, since 2010, SBICs have quadrupled their output to over \$3.4 billion last year alone, but it is still coming up short in its assistance to women, minorities, and veterans.

These groups receive just 6 percent of total SBIC capital. It is my hope, as we work with the Senate on finalized language, steps can be taken to address this inequity.

Providing ways to get more capital into the hands of small business owners is a top priority for both sides of the aisle in this committee.

I want to thank Chairman CHABOT for introducing this legislation, and I am hopeful the increase in leverage will provide new capital opportunities to entrepreneurs from every walk of life.

Mr. Speaker, I reserve the balance of my time.

Mr. CHABOT. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. COLLINS).

Mr. COLLINS of New York. Mr. Speaker, I rise today in support of H.R. 1023, the Small Business Investment Company Capital Act of 2015.

Small businesses serve as America's economic engine, driving essential job creation. In my Western New York district, small businesses provide the good-paying jobs that people need to support their families. However, we need to do more to encourage small business growth.

This legislation aids the SBIC program, which utilizes private investment funds to provide long-term loans and capital to small businesses in need. Without this vital program, many of the small businesses in our country would not be able to succeed.

Since inception, the SBIC program has invested \$73 billion in more than 118,000 U.S. small businesses. In western New York, this program has supported companies like Gemcor in West Seneca and Synacor in Buffalo and is critical to the jobs they provide.

This crucial investment is why I urge my colleagues to join me in supporting H.R. 1023.

Ms. VELÁZQUEZ. Mr. Speaker, I am prepared to close, and I yield myself the balance of my time.

Since its creation in 1958, the SBIC program has injected billions of dollars into promising startups and small businesses.

With the help of the SBIC, some of these small businesses grow into Fortune 500 companies. Apple, Inc., was once an SBIC client. Today it is one of the largest companies in the world by market capitalization.

By providing businesses with capital to grow, the SBIC program has also been a driver of job creation. In 2014 alone, the program helped create or retain 113,000 jobs.

I look forward to working with the chairman and our colleagues in the Senate on this legislation. I urge a "yes" vote.

I yield back the balance of my time. Mr. CHABOT. Mr. Speaker, I yield myself such time as I may consume.

In closing, Mr. Speaker, let me just reiterate the impact this minor change could have on small businesses all across this country.

H.R. 1023 would increase the amount of capital available to small business and enable well-managed SBICs, at no cost to the taxpayer, to increase investment in small businesses.

This legislation is a commonsense, bipartisan reform, and I urge my colleagues to vote "yes" on H.R. 1023.

I yield back the balance of my time.

Ms. MENG. Mr. Speaker, I rise today in support of H.R. 1023, the Small Business Investment Company Capital Act. As a co-sponsor of this bi-partisan legislation and a member of the Small Business Committee, I recognize the importance of supporting small businesses and providing them with resources for success. This bill provides small businesses with such tools by raising the maximum debt that the Small Business Administration can guarantee to borrowers in the Small Business Investment Company, or SBIC program, from \$225 million to \$350 million.

Currently, 30% of SBICs in the program are hitting or approaching the \$225 million cap, thus restricting them from further investment. This bill will allow SBICs to increase its cap by \$125 million, allowing it to invest in many underserved companies, including those led by minorities, women, and veterans.

The Congressional Budget Office has stated that by adopting this bill, there is no expected additional cost to administer the program, nor will there be an additional cost to the taxpayer as businesses participating in the program pay fees that would offset such costs.

In the last five years, SBICs have invested more than \$1.6 billion in my home state of

New York. Last year alone, over \$5.46 billion was invested in 1,085 companies and SBICs supported over 113,000 jobs. As we continue to work to get our economy back on track, we must join together to support small businesses, which drive our nation's economy.

This bill previously passed in the House of Representatives as H.R. 6504 in the 112th Congress. I urge my colleagues to, once again, vote in support of this bill that supports our nation's small businesses.

The SPEAKER pro tempore (Mr. COLLINS of New York). The question is on the motion offered by the gentleman from Ohio (Mr. CHABOT) that the House suspend the rules and pass the bill, H.R. 1023.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### **SUPERSTORM SANDY RELIEF AND DISASTER LOAN PROGRAM IMPROVEMENT ACT OF 2015**

Mr. CHABOT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 208) to require the Administrator of the Small Business Administration to establish a program to make loans to certain businesses, homeowners, and renters affected by Superstorm Sandy, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 208

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### **SECTION 1. SHORT TITLE.**

*This Act may be cited as the "Superstorm Sandy Relief and Disaster Loan Program Improvement Act of 2015".*

#### **SEC. 2. FINDINGS.**

*Congress finds the following:*

(1) In 2012, Superstorm Sandy caused substantial physical and economic damage to the United States, and New York in particular.

(2) For businesses and homeowners, the primary means of obtaining long-term Federal financial assistance in the wake of disasters such as Superstorm Sandy is through the Small Business Administration's Disaster Loan Program.

(3) With regard to the Small Business Administration's operation of the Disaster Loan Program after Superstorm Sandy, the Government Accountability Office found that the Administration did not meet its timeliness goals for processing business loan applications.

(4) According to the Government Accountability Office, the Small Business Administration stated that it was challenged by an unexpectedly high volume of loan applications that it received early in its response to Superstorm Sandy.

(5) As a result, many businesses and homeowners affected by Superstorm Sandy were unable to apply for financing from the Small Business Administration.

#### **SEC. 3. REVISED DISASTER DEADLINE.**

*Section 7(d) of the Small Business Act (15 U.S.C. 636(d)) is amended by adding at the end the following:*

*"(8) DISASTER LOANS FOR SUPERSTORM SANDY.—"*

“(A) IN GENERAL.—Notwithstanding any other provision of law, and subject to the same requirements and procedures that are used to make loans pursuant to subsection (b), a small business concern, homeowner, or renter that was located within an area and during the time period with respect to which a major disaster was declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) by reason of Superstorm Sandy may apply to the Administrator—

“(i) for a loan to repair, rehabilitate, or replace property damaged or destroyed by reason of Superstorm Sandy; or

“(ii) if such a small business concern has suffered substantial economic injury by reason of Superstorm Sandy, for a loan to assist such a small business concern.

“(B) TIMING.—The Administrator shall select loan recipients and make available loans for a period of not less than 1 year after the date on which the Administrator carries out this authority.”.

#### SEC. 4. USE OF PHYSICAL DAMAGE DISASTER LOANS TO CONSTRUCT SAFE ROOMS.

Section 7(b)(1)(A) of the Small Business Act (15 U.S.C. 636(b)(1)(A)) is amended by striking “mitigating measures” and all that follows through “modifying structures” and inserting the following: “mitigating measures, including—

“(i) construction of retaining walls and sea walls;

“(ii) grading and contouring land; and

“(iii) relocating utilities and modifying structures, including construction of a safe room or similar storm shelter designed to protect property and occupants from tornadoes or other natural disasters”.

#### SEC. 5. COLLATERAL REQUIREMENTS FOR SMALL BUSINESS CONCERNS.

Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is amended by inserting after paragraph (9) the following:

“(10) COLLATERAL REQUIREMENTS FOR SMALL BUSINESSES.—In the case of a loan made pursuant to this subsection in an amount not greater than \$250,000, the Administrator may not require a borrower to pledge his or her primary residence as collateral if—

“(A) other collateral exists, including assets related to the operation of a business; and

“(B) such an option does not delay the Administrator’s processing of disaster applications for a disaster.”.

#### SEC. 6. REDUCING DELAYS ON CLOSING AND DISBURSEMENT OF LOANS.

Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is further amended by inserting after paragraph (10) (as added by section 5) the following:

“(11) REDUCING CLOSING AND DISBURSEMENT DELAYS.—The Administrator shall provide a clear and concise notification on all application materials for loans made under this subsection and on relevant websites notifying an applicant that the applicant may submit all documentation necessary for the approval of the loan at the time of application and that failure to submit all documentation could delay the approval and disbursement of the loan.”.

#### SEC. 7. INCREASING TRANSPARENCY IN LOAN APPROVALS.

Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is further amended by inserting after paragraph (11) (as added by section 6) the following:

“(12) INCREASING TRANSPARENCY IN LOAN APPROVALS.—The Administrator shall establish and implement clear, written policies and procedures for analyzing the ability of a loan applicant to repay a loan made under this subsection.”.

#### SEC. 8. SAFEGUARDING TAXPAYERS’ INTERESTS.

Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is further amended by inserting

after paragraph (12) (as added by section 7) the following:

“(13) ENSURING ACCOUNTABILITY IN LOAN APPROVALS.—The Administrator shall establish requirements for the approval of economic injury disaster loan assistance made available pursuant to paragraph (2), which shall include the review of applicant eligibility and shall require that all supporting documentation is submitted prior to loan approval. The Administrator shall require that personnel involved in the approval of such loans be trained on such procedures.”.

#### SEC. 9. DISASTER PERFORMANCE MEASURES.

Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is further amended by inserting after paragraph (13) (as added by section 8) the following:

“(14) REPORTING ON DISASTER PERFORMANCE MEASURES.—The Administrator shall report the average processing time for all other disaster loan applications, including disaggregated data on disaster loan applications that were declined by the Administration’s automated disaster processing system and applications in which the Administrator performed loss verification. For each disaster described in paragraph (2), the Administrator shall report such average processing times on its website and to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate.”.

#### SEC. 10. DISASTER PLAN IMPROVEMENTS.

The Administrator of the Small Business Administration shall revise the comprehensive written disaster response plan required in section 40 of the Small Business Act (15 U.S.C. 657), or any successor thereto, to incorporate the Administration’s response to a situation in which an extreme volume of applications are received during the period of time immediately after a disaster, which shall include a plan to ensure that sufficient human and technological resources are made available and a plan to prevent delays in loan processing.

#### SEC. 11. REPORT TO CONGRESS ON IMPLEMENTATION OF CERTAIN PROGRAMS.

(a) INITIAL REPORT.—The Administrator of the Small Business Administration shall report to Congress not later than 30 days after the date of enactment of this Act on the implementation and status of the private disaster loan program established in section 7(c) of the Small Business Act (15 U.S.C. 636(c)), the Immediate Disaster Assistance program established in section 42 of such Act (15 U.S.C. 657n), and the expedited disaster assistance business loan program established in section 12085 of the Small Business Disaster Response and Loan Improvements Act of 2008 (15 U.S.C. 636j).

(b) REQUIRED CONSULTATION WITH DEPOSITORY INSTITUTIONS AND CREDIT UNIONS.—The Administrator shall require the Associate Administrator for the Office of Disaster Assistance to consult with depository institutions (as defined in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813)) and credit unions regarding their potential participation in any of the programs described in subsection (a).

(c) REPORT ON CONSULTATION.—Not later than 6 months after date of enactment of this Act, the Administrator shall report to Congress on the consultation required under subsection (b).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. CHABOT) and the gentlewoman from New York (Ms. VELÁZQUEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. CHABOT. Mr. Speaker, I ask unanimous consent that all Members

may have 5 legislative days to revise and extend their remarks and include extraneous materials.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CHABOT. Mr. Speaker, I yield myself such time as I may consume.

A natural disaster exposes us to the worst of nature. Yet, in some powerful way, it brings out the best in people. Communities band together. Neighbors help neighbors, and volunteers donate their time and energy all in an effort to rebuild.

In the last decade, America has faced some of its worst natural disasters, with Hurricane Katrina in 2005 and, more recently, Hurricane Sandy in 2012.

In the aftermath of any disaster, it is imperative that the Federal Government programs operate as efficiently and effectively as possible so that victims are able to rebuild and return to their normal lives as soon as possible.

Following Hurricane Sandy, there have been startling reports regarding the Small Business Administration’s inability to properly administer the disaster loan program. The SBA was unwilling to implement and utilize pre-existing statutory authority that would have assisted the agency in its response to Sandy.

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Mr. Speaker, despite our living in the Internet era with smartphones, email, and apps, the SBA was shocked and surprised at the volume of electronic disaster assistance applications it received, and the systems were overwhelmed and unable to process applications. In a poor pun, the SBA’s disaster loan program was a disaster itself for the victims of Hurricane Sandy.

The legislation before us, H.R. 208, is a corrective to those who suffered twice—first, by a disaster and, second, by the SBA’s inability to effectively provide disaster assistance.

As Congress did with those who suffered from Hurricanes Katrina, Rita, and Wilma, this legislation would allow those in the areas affected by Sandy to apply for disaster assistance, irrespective of the artificial and non-binding deadlines imposed by the SBA.

Further, given the struggles that the SBA had in responding to Hurricane Sandy, H.R. 208 makes practical changes to the disaster loan program to help ensure that victims of future disasters do not suffer as those who felt the brunt of Sandy did.

For example, H.R. 208 requires the SBA to update their disaster plan to account for a disaster with extreme application volumes and allows those affected by disasters to use SBA disaster loans to build safe rooms as a mitigating measure against future similar disasters.

Mr. Speaker, this legislation also makes smart changes to create parity among disaster victims by requiring the SBA to establish credit standards so that similarly situated borrowers are treated in an identical manner following a disaster.

These changes, among others, will ensure that the SBA is fully capable of responding to the next catastrophic disaster. Unfortunately, we all know there will be one or probably many.

I want to thank Ranking Member VELÁZQUEZ, once again, for her leadership on this issue and for working with me to develop a bill that strives to ensure those affected by disasters can rebuild quickly.

Mr. Speaker, this bill has broad, bipartisan support. I urge my colleagues to vote "yes" on H.R. 208, and I reserve the balance of my time.

Ms. VELÁZQUEZ. Mr. Speaker, when Hurricane Sandy made landfall in 2012, New York City was one of the hardest hit areas. Thousands of homes suffered damage, infrastructure was disrupted, and our city's small businesses were impacted physically and economically.

Mr. Speaker, 32,000 New Yorkers lost their jobs that November, losses many economists attribute to the storm's economic impact. After disasters like these, it is not uncommon for as many as 40 percent of impacted small businesses to fail, depressing commerce and slowing the overall community's recovery.

The Small Business Administration's disaster lending functions are meant to provide quick credit to small firms and homeowners that have been impacted by catastrophes. With entrepreneurs' and homeowners' livelihoods at stake, it is vital that the SBA's disaster programs operate effectively. That is why, in 2008, after Katrina, Congress passed reforms meant to improve SBA's disaster response.

It became evident after Hurricane Sandy that there is still more work to be done. The Government Accountability Office, the inspector general, and reports from Small Business Committee Democrats have all documented long delays in the processing and disbursement of loans.

Our committee found, for instance, that small businesses waited 46 days to get their application processed by SBA, a threefold increase over previous Atlantic storms.

Mr. Speaker, H.R. 208 takes steps to address these shortcomings and ensure those affected by Hurricane Sandy are treated fairly. To begin, the bill would allow small businesses to apply again for loans. As SBA was so unprepared for a disaster of this scale, it is important that those impacted have another chance at securing assistance.

The bill would also correct a number of the shortcomings that have held back the SBA's programs from functioning smoothly. Businesses will no

longer be prohibited from posting their assets as collateral. This is important as, previously, many entrepreneurs have had to use personal assets for loan collateral. By reducing closing and disbursement delays, H.R. 208 would ensure funds flow more swiftly to businesses after future catastrophes.

Lastly, the measure takes steps to require SBA to implement reforms Congress passed following Katrina. The fact is the agency has been woefully slow in making these changes, and this law will help hold it accountable.

Mr. Speaker, our small businesses are counting on the SBA in times of crises to provide badly needed help so they can recover quickly and continue supporting our local economies. This legislation, which enjoys bipartisan support, will help improve that process, and I urge my colleagues to support it.

Mr. Speaker, when disasters strike, getting small businesses back on their feet quickly can help local economies recover. For that to happen, the SBA's disaster lending initiatives must work as intended, providing American capital to firms that have suffered physical and economic damage.

The legislation we are considering would allow businesses that encountered delays to reapply for assistance and be made whole. It will improve how the agency functions in the future, speeding help to small businesses and homeowners when they are most in need.

Mr. Speaker, this is a bipartisan bill, and it will do much good for entrepreneurs impacted by Sandy and for businesses impacted by future disasters. I thank Chairman CHABOT for his support on this legislation.

I encourage my colleagues to vote "yes," and I yield back the balance of my time.

Mr. CHABOT. Mr. Speaker, in closing, we never know when and where the next disaster will strike, but, unfortunately, we do know that there will be more disasters. Given this, we must ensure that the SBA is truly prepared to help victims in the aftermath of those disasters.

Mr. Speaker, H.R. 208 rights the wrongs imposed by the SBA on those who suffered from the effects of Sandy, but H.R. 208 does more than just correct past mistakes; it imposes obligations on the SBA to ensure that the agency learns from history and does not repeat those mistakes so people in this country are actually helped next time and not harmed by the agency.

Mr. Speaker, I yield back the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, earlier today I was pleased to support the Superstorm Sandy Relief and Disaster Loan Program Improvement Act (H.R. 208). This legislation will provide assistance to both homeowners and businesses that were utterly failed by the Small Business Administration (SBA) in the aftermath of the Superstorm

Sandy, opening up assistance eligibility for an additional year and making necessary changes to the Disaster Loan Program.

Last week, I had the privilege of testifying before the House Small Business Committee regarding the hardships now faced by homeowners who applied for SBA disaster assistance due to a complete lack of information and disclosure in the loan process. This bill will help those who did not even have the opportunity to obtain or file a loan application due to SBA's serious incompetence and disorganization.

As the Government Accountability Office (GAO) reported, SBA missed its timeliness goals by a longshot and is likely still unprepared for another large-scale disaster. SBA was plagued by missed deadlines, decision backlogs, computer systems failures, and insufficient personnel training—problems that should not have come as a surprise in the aftermath of SBA's abysmal response to Hurricane Katrina. Further, GAO found SBA could once again "be unprepared for a large volume of applications to be submitted quickly following future disasters, which may result in delays in loan funds for disaster victims."

These failures cannot continue. Here we are more than two and a half years following Sandy, still correcting failures that have slowed the recovery process. In May, the Federal Emergency Management Agency (FEMA) reopened all Sandy-related flood insurance claims due to widespread fraud and a complete lack of oversight of the National Flood Insurance Program (NFIP). These issues were completely foreseeable but were not addressed, and Sandy victims continue to suffer as a result.

In addition to reopening the loan application process, H.R. 208 will reduce delays in closing and disbursement on loans, allow the construction of safe rooms, modify collateral requirements, increase transparency, establish new performance measures, and require disaster plan improvements, among other commonsense changes. I commend Ms. VELÁZQUEZ and Chairman CHABOT for their leadership on this issue, and look forward to working with them to further address necessary reforms to the SBA Disaster Loan Program.

Mr. COLE. Mr. Speaker, I rise today in support of H.R. 208, Superstorm Sandy Relief and Disaster Loan Program Improvement Act of 2015. I appreciate the support and assistance of both Chairman CHABOT and Ranking Member VELÁZQUEZ to include my legislation, H.R. 2397, the Tornado Family Safety Act of 2015 as part of this legislation.

The Small Business Administration is currently afforded the authority to issue physical disaster loans for 120 percent of the value of property destroyed but not covered by insurance. The purpose of the additional 20 percent is so that individuals and business can modify structures to reduce damage from future disasters. In Oklahoma, the threat of tornadoes is ongoing, and we are always in between tornadoes. Planning is essential in order to militate against damage and loss of life.

It is for this reason that Section 4 is necessary. It reinforces the intent of Congress that already exists in statute—the SBA should

already be including the construction of safe rooms as a use for physical disaster loans because it is mitigating measure. The SBA's existing interpretation of existing language in the Small Business Act is incorrect.

Because of misinterpretation of this section previously, the SBA should now understand that physical disaster loans can also be used for other types of storm shelters as well, including, but not limited to structures that protect occupants from not only tornadoes, but from other natural disasters such as hurricanes, floods and wildfires.

It is important to note that loans may not be used to upgrade homes or make additions unless as required by local building codes and secondary or vacation homes are not eligible for these loans. The SBA does not duplicate insurance claim payments. Generally, loans are made over 30 years and interest rates are not more than 4 percent for those cannot obtain credit elsewhere and for those that can obtain alternative credit, the rate does not exceed 8 percent for the loan.

While local and state governments have an obligation to meet the increase in shelter demand, the construction of the shelters is expensive. Under guidelines from the Federal Emergency Management Agency (FEMA) and the International Code Council (ICC), a safe room should withstand 250 mph winds and the impact of a 15-pound plank hitting a wall at 100 mph, according to the Insurance Institute for Business and Home Safety.

Safe rooms designed to the FEMA and ICC standards are recommended for both tornadoes and hurricanes. For individual homes, a safe room could range anywhere from \$3,000 to \$12,000.

For anyone who has experienced Mother Nature's most indiscriminate and unpredictable terrors, you can truly understand the extent to which they devastate lives and property.

Again, Mr. Speaker, I support Superstorm Sandy Relief and Disaster Loan Program Improvement Act of 2015. As I have stated before on the floor of the House, I hope every Member reflects on the situation of our fellow Americans during a time of crisis or disaster. While we may hope that our communities remain peaceful and safe from crisis; we certainly must support those that do not escape such natural and man-made calamities.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. CHABOT) that the House suspend the rules and pass the bill, H.R. 208, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to improve the disaster assistance programs of the Small Business Administration."

A motion to reconsider was laid on the table.

#### MICROLOAN MODERNIZATION ACT OF 2015

Mr. CHABOT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2670) to amend the Small Business

Act to provide for expanded participation in the microloan program, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2670

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Microloan Modernization Act of 2015".

#### SEC. 2. WAIVERS OF 25/75 RULE.

(a) WAIVER AUTHORIZED.—Section 7(m)(4)(E)(i) of the Small Business Act (15 U.S.C. 636(m)(4)(E)(i)) is amended by adding at the end the following: "The Administrator shall by rule establish a process by which intermediaries may apply for and the Administrator may grant a waiver from the requirements of this clause."

(b) CONTENTS OF RULE.—In the rule required by the amendment made by subsection (a), the Administrator of the Small Business Administration shall require any applicant for a waiver to—

(1) to specify how such applicant will use the additional technical assistance; and

(2) provide assurance in a form provided for by the Administrator in the rule that the intermediary will have sufficient funds to provide technical assistance to all of the intermediary's borrowers.

(c) RULEMAKING REQUIREMENTS.—The rule required by subsection (a) shall be promulgated after notice and the opportunity for comment of not less than 60 days. Such regulation shall be codified in the Code of Federal Regulations and shall incorporate any delegation of the Administrator's authority to approve waivers to any appropriate subsidiary official.

#### SEC. 3. MICROLOAN INTERMEDIARY LENDING LIMIT INCREASED.

Section 7(m)(3)(C) of the Small Business Act (15 U.S.C. 636(m)(3)(C)) is amended by striking "\$5,000,000" and inserting "\$6,000,000".

#### SEC. 4. EXTENDED REPAYMENT TERMS.

Section 7(m)(6) of the Small Business Act (15 U.S.C. 636(m)(6)) is amended by adding at the end the following:

"(F) REPAYMENT TERMS FOR LOANS TO SMALL BUSINESSES.—The Administrator may not impose limitations on the term for repayment of a loan made by an intermediary to a small business concern or entrepreneur, except that—

"(i) in the case of a loan made by an intermediary of \$10,000 or less, the repayment term shall be not more than 6 years; and

"(ii) in the case of a loan greater than \$10,000, the repayment term shall be not more than 10 years."

#### SEC. 5. LINES OF CREDIT AUTHORIZED.

Section 7(m)(6)(A) of the Small Business Act (15 U.S.C. 636(m)(6)(A)) is amended by inserting after "short-term" insert "(including lines of credit)".

#### SEC. 6. GAO STUDY OF MICROENTERPRISE PARTICIPATION.

Not later than 120 days after the date of enactment of this Act, the Comptroller General of the United States shall complete a study on and report to the Committee on Small Business of the House of Representatives on the following:

(1) The operations (including services provided, structure, size, and area of operation) of a representative sample of—

(A) intermediaries that are eligible for participation in the microloan program under

section 7(m) of the Small Business Act and that do participate; and

(B) intermediaries (including those operated for profit, operated as non-profits, and those affiliated with a United States institution of higher learning) that are so eligible and that do not participate.

(2) The reasons why intermediaries described in paragraph (1)(B) choose not to participate.

(3) Recommendations on how to encourage increased participation in the microloan program by intermediaries described in paragraph (1)(B).

(4) Recommendations on how to decrease the costs associated with participation in the microloan program for eligible intermediaries.

#### SEC. 7. OFFICE OF ADVOCACY ECONOMIC STUDY OF MANDATORY SAVINGS REQUIREMENT.

Not later than 120 days after the date of enactment of this Act, the Chief Counsel for Advocacy of the Small Business Administration shall submit to the Committee on Small Business of the House of Representatives a report on the economic impact of a mandatory savings requirement on business concerns eligible to participate in the microloan program under section 7(m) of the Small Business Act, including on the benefits and costs of such a requirement and recommendations on implementation of such a requirement.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. CHABOT) and the gentlewoman from New York (Ms. VELÁZQUEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

#### GENERAL LEAVE

Mr. CHABOT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CHABOT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the microloan program, overseen by the Small Business Administration, the SBA, is designed to provide credit for those entrepreneurs that would not otherwise have any access to credit, even basic revolving credit.

Among the SBA's capital access programs, the microloan program is unique because it also provides technical assistance to borrowers. It merges the money with the know-how.

To borrow a sports reference, microloans punch above their weight. I know the President has used that phrase on a number of occasions. These small-dollar loans are often the most difficult to receive and typically are the deciding factors in an entrepreneur's ability to start a business. This is demonstrated by the large number of first generation entrepreneurs who have received assistance under the microloan program.



Think about the number of successful individuals who recall starting a business with funds pooled from family and friends. Well, if no one in your family has started a business or has money to lend, then that entrepreneur's dream quickly fades to a distant memory. This is particularly true in traditionally underserved markets.

By making small-dollar loans less complicated and more accessible, we will empower individuals to become entrepreneurs; lift up their families; improve their communities; and, most importantly, create jobs for a whole lot of Americans.

H.R. 2670 does that. This bill enhances the microloan program by allowing microloan intermediaries greater flexibility in providing loans and technical assistance to their borrowers. The expectation is that the greater flexibility will result in greater participation by microlenders in the microloan program, thereby increasing the availability of critical small-dollar loans to these micro-entrepreneurs that punch above their size.

Despite the greater flexibility, H.R. 2670 also provides safeguards to maintain the primary feature of the program, and that is low-dollar loans offered to micro-entrepreneurs, along with intermediary-provided technical assistance.

By modernizing the microloan program, as H.R. 2670 does, we are allowing the little guy a chance to get off the ropes, use their skills, and create innovative ideas to compete with the heavyweights of American industry. We all strive for a stronger, more competitive economy; and this bill aids in that mission.

Mr. Speaker, this bill has broad, bipartisan support once again.

I urge my colleagues to vote "yes" on H.R. 2670, and I reserve the balance of my time.

Ms. VELÁZQUEZ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, since 1991, the SBA microloan program has provided millions of dollars in financing and technical assistance to small businesses and entrepreneurs.

By providing loans to nonprofit intermediaries, who in turn lend funds to the smallest of small businesses, the program helps borrowers streamline their operations, grow to profitability, and create new jobs.

However, the program remains substantially the same as when it was first enacted. Over the years, we have identified a number of the program elements that could be updated to better deploy capital.

With that goal in mind, I want to thank Congressman MOULTON for introducing this important legislation. The Microloan Modernization Act of 2015 will make a number of targeted improvements to assist small businesses.

For borrowers, SBA set the maximum term of a microloan at 6 years. Particularly for larger microloans, this has caused financial strain due to higher monthly payments and is impeding some businesses from growing.

Today's bill would allow a repayment period of up to 10 years for loans greater than \$10,000, providing borrowers with the flexibility to better manage cash flow, improve operations, and create more jobs. Similarly, SBA has prohibited lines of credit; yet not all businesses need a fixed-rate term loan.

A line of credit is sometimes the better product for a microbusiness that has cyclic or uneven cash flow. Today's bill will give borrowers and lenders the flexibility to get them in the right loan product for their needs.

For intermediary lenders, today's bill would create a new waiver to the 25-75 rule that restricts the use of technical assistance grants. This waiver process will help intermediaries more efficiently deploy technical assistance funding.

Additionally, the legislation will raise the lending cap by 20 percent. By giving successful intermediaries access to an additional \$1 million in SBA funding, they will be able to serve more borrowers in high-demand areas.

The microloan program fills a critical gap in the capital markets, helping underserved businesses that are too small for the banking sector yet too big to finance with a credit card or loans from friends and family.

Again, Mr. Speaker, I would like to thank Mr. MOULTON for introducing this bill. It will go a long way toward increasing access to capital for our Nation's small businesses.

Mr. Speaker, I just would like to point out the fact that 62 percent of microborrowers are women and minorities, and so this is filling an important gap that exists for these groups to access capital.

□ 1630

I thank the gentleman for introducing this important piece of legislation, and I reserve the balance of my time.

Mr. CHABOT. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. CURBELO), who is the chairman of the Subcommittee on Agriculture, Energy and Trade of the Committee on Small Business.

Mr. CURBELO of Florida. Mr. Speaker, I thank the chairman of the Committee on Small Business for yielding, and I also thank him for his leadership on all of these important issues. I also want to commend the gentleman from Massachusetts (Mr. MOULTON) for his work on this important piece of legislation.

Today, I rise in support of H.R. 2670, the Microloan Modernization Act of 2015. The microloan program is unique due to its focus on merging technical

assistance with access to capital. For several micro-entrepreneurs, particularly those in underserved markets, this offers a way to get the small dollar loans, which a conventional bank would otherwise deny, while learning important skills, such as developing a business plan, that will be critical as the company finds success and grows.

Last year alone, the microloan program was responsible for providing nearly \$56 million in capital and aiding small businesses in creating or retaining 15,000 jobs.

However, after listening to several entrepreneurs and microloan intermediaries, it became clear that for the microloan program to truly tap into its potential, changes were necessary.

H.R. 2670 strives to make those changes and better support entrepreneurs. For example, currently, the statute says that microloan intermediaries may make short-term fixed-rate loans to small firms. Short term can mean different things to different people, but according to SBA regulations, short term means 6 years.

While in some instances this may make sense when the loan is a lower amount, this one-size-fits-all approach is not beneficial to small firms. This bill would remedy that by establishing maximum term limits for loans made by intermediaries to their borrowers: 6 years for loans under \$10,000, and 10 years for loans over \$10,000.

While this may seem like a minor change, we all know that allowing borrowers to get the best repayment terms possible is crucial for ensuring low default rates and increasing participation in the microloan program.

Mr. Speaker, in summary, this is a commonsense, bipartisan reform that will increase access to capital for those most challenged to receive—our micro-entrepreneurs.

I am proud to be a cosponsor of this legislation, and I congratulate Mr. MOULTON for advancing this bill and Chairman CHABOT for bringing it to the House floor.

I urge my colleagues to support H.R. 2670 and remind them that the reason we in the Small Business Committee work so hard for these entrepreneurs, for these people that are making a difference, is because they hire those in our society, in our communities, that most need jobs. Think of the college graduate who is looking for a job; think of the immigrant who arrived in this country and is looking for a way forward. It is small businesses that oftentimes give these people their first shot at success.

Ms. VELÁZQUEZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts (Mr. MOULTON), the sponsor of the legislation.

Mr. MOULTON. Mr. Speaker, I thank Ms. VELÁZQUEZ for yielding.

Mr. Speaker, we often say that small businesses are the engine of economic



growth. That is true; and if you look at the data, new businesses—those younger than 5 years old—created nearly all of our economy's new jobs in the past two decades.

In order to create the conditions for job creation, the Federal Government must increase access to capital so new entrepreneurs with a good idea can take a risk and start a new business. The Small Business Administration's microloan program fills a critical gap in the capital markets, helping underserved businesses that are too small for the banking sector yet too big to finance with a credit card or loans from friends and family.

The program has provided hundreds of millions of dollars in financing and technical assistance to small businesses and entrepreneurs, but the program is in need of reform. That is why I introduced H.R. 2670, the Microloan Modernization Act of 2015, which will make a number of targeted improvements to the program so more borrowers can benefit from access to capital.

First, the bill increases the loan limit cap for intermediary lenders. Many successful intermediaries have hit the current \$5 million cap and, as a result, deserving small businesses are denied capital through no fault of their own.

Second, the bill extends the loan repayment period for loans greater than \$10,000. This small change will provide borrowers with the flexibility to better manage cash flow, improve operations, and create more jobs.

Third, the bill permits lines of credit, which are currently prohibited by the SBA. Not all businesses need a fixed-rate term loan. Sometimes a more flexible line of credit is the better product for a small business that has cyclic or uneven cash flow.

Fourth, the bill creates a waiver for an overly rigid technical assistance formula known as the 25/75 rule to help intermediaries deploy technical assistance more efficiently.

Lastly, the bill commissions two studies to explore ways to incentivize intermediaries to participate in the microloan program and determine if mandatory savings accounts would benefit entrepreneurs.

The microloan program supported nearly 4,000 small businesses just last year, and two of these successful businesses are located in Lynn, Massachusetts, in my district. Prism Products, an industrial distributor, received a microloan from the SBA to purchase extra inventory. As a result of the loan, owner Lisa Fitzpatrick was able to increase revenue and hire a sales professional with 15 years of experience.

In 2013, local restaurateurs Shawn and Noyan Edmond fulfilled their lifelong dream of opening a Caribbean restaurant in downtown Lynn. The

microloan enabled the Edmonds to purchase new kitchen equipment and make renovations to the storefront of Rite Spice Caribbean.

As our economy recovers from the recession, we need more people like the Edmonds and Lisa Fitzpatrick to take a risk and start a business, and we need the SBA microloan program to help them. That is why the Microloan Modernization Act of 2015 is so critical.

In closing, I would like to thank my ranking member, NYDIA VELÁZQUEZ, for her work on this bill; my chairman, STEVE CHABOT; and my colleagues, Representatives CURBELO, CHU, TAKAI, and RADEWAGEN, for cosponsoring this bill.

I urge my colleagues to support America's newest entrepreneurs and vote "yes" on this important legislation.

Mr. CHABOT. Mr. Speaker, I reserve the balance of my time.

Ms. VELÁZQUEZ. Mr. Speaker, I yield myself such time as I may consume.

The microloan program provides very small loans to start-up, newly established, or growing small businesses. Many of these businessowners come from traditionally underserved markets, where personal and commercial credit is hard to come by.

As a result, the SBA's microloan program is a critical resource that not only injects much-needed capital, but provides the necessary business training that ensures borrowers are equipped with the knowledge needed to succeed.

Since the end of the recession, micro-lending is up 25 percent nationwide. By the way, for the last couple of years, the default rate on microloans is going down. In fact, SBA requested an additional \$10 million for next year to handle demand. I can think of no better time to make long-sought changes to improve the program's efficiency and capital deployment.

I wanted to thank the gentleman from Massachusetts for introducing the Microloan Modernization Act of 2015. It will give borrowers new repayment flexibility and loan choices, provide more flexibility to intermediaries, and inject additional capital in high-demand areas.

I urge a "yes" vote, and I yield back the balance of my time.

Mr. CHABOT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in closing, as we work to get capital into the hands of entrepreneurs, we need to keep SBA programs relevant. We also must ensure that our lending partners have the flexibility to manage their loan portfolios in a way that makes the most sense for the borrower. H.R. 2670 does that.

I want to thank Mr. MOULTON and Mr. CURBELO for their leadership on these reforms. And I once again want to recognize the ranking member, Ms.

VELÁZQUEZ, for her leadership and her cooperation in getting this type of legislation to the floor today so that we can pass this.

I urge my colleagues to support H.R. 2670, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. CHABOT) that the House suspend the rules and pass the bill, H.R. 2670.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### VETERANS ENTREPRENEURSHIP ACT OF 2015

Mr. CHABOT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2499) to amend the Small Business Act to increase access to capital for veteran entrepreneurs, to help create jobs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2499

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Veterans Entrepreneurship Act of 2015".*

#### SEC. 2. PERMANENT SBA EXPRESS LOAN GUARANTEE FEE WAIVER FOR VETERANS.

*Section 7(a)(31) of the Small Business Act (15 U.S.C. 636(a)(31)) is amended by adding at the end the following:*

*"(G) GUARANTEE FEE WAIVER FOR VETERANS.—*

*"(i) GUARANTEE FEE WAIVER.—The Administrator may not collect a guarantee fee described in paragraph (18) in connection with a loan made under this paragraph to a veteran or spouse of a veteran on or after October 1, 2015.*

*"(ii) EXCEPTION.—If the President's budget for the upcoming fiscal year, submitted to Congress pursuant to section 1105(a) of title 31, United States Code, includes a cost for the program established under this subsection that is above zero, the requirements of clause (i) shall not apply to loans made during such upcoming fiscal year.*

*"(iii) DEFINITION.—In this subparagraph, the term 'veteran or spouse of a veteran' means—*

*"(I) a veteran, as defined in section 3(q)(4);*

*"(II) an individual who is eligible to participate in the Transition Assistance Program established under section 1144 of title 10, United States Code;*

*"(III) a member of a reserve component of the Armed Forces named in section 10101 of title 10, United States Code;*

*"(IV) the spouse of an individual described in subclause (I), (II), or (III); or*

*"(V) the surviving spouse (as defined in section 101 of title 38, United States Code) of an individual described in subclause (I), (II), or (III) who died while serving on active duty or as a result of a disability that is service-connected (as defined in such section)."*

#### SEC. 3. REPORT ON ACCESSIBILITY AND OUTREACH TO FEMALE VETERANS BY THE SMALL BUSINESS ADMINISTRATION.

*Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to Congress a report assessing the level of*

*outreach to and consultation with female veterans regarding access to capital by women's business centers (as described in section 29 of the Small Business Act (15 U.S.C. 656)) and Veterans Business Outreach Centers (as referred to in section 32 of such Act (15 U.S.C. 657b)).*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. CHABOT) and the gentleman from New York (Ms. VELÁZQUEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

#### GENERAL LEAVE

Mr. CHABOT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CHABOT. Mr. Speaker, I yield myself such time as I may consume.

Every day, American soldiers are risking their lives and leaving family and friends and loved ones behind to protect our freedoms and defend the United States. Currently, there are over 21 million veterans living all across the United States. When these brave men and women return home, they strive to transition seamlessly, hopefully, back into their civilian lives.

Veterans face challenges in that transition, one of those being employment. Our most recent veterans who have served in Active Duty at any time since September 2001 have a higher unemployment rate than the average civilian. In particular, our recent female veterans have an unemployment rate that is over twice the national average.

While finding employment upon transition to civilian life is a challenge, many veterans find that skills learned during military service translate well into entrepreneurship. Yet many veterans have found it difficult to obtain the funds needed to start a small business.

In looking for ways to finance their new businesses, veterans may turn to the Small Business Administration, the SBA, for loan assistance. In fiscal year 2014, veterans received over 2,000 7(a) loans, totaling almost \$600 million, but I believe we can do more to get these loans into the hands of veterans. Already the SBA Administrator is using her authority to waive certain fees charged to veterans.

One way to increase veterans' access to capital is to make SBA loans more affordable for veterans by permanently waiving the up-front fee charged by the SBA to borrowers through the agency's 7(a) express loan program. H.R. 2499 does just that, all at no cost to the taxpayer.

H.R. 2499 strikes a delicate balance between providing a fee waiver to help

America's veterans while safeguarding scarce taxpayer dollars by creating an exception to the fee waiver in any year where an appropriation is necessary to cover the cost of the overall 7(a) loan program. This ensures that this fee waiver will never have a cost to the taxpayer.

I believe, as many Americans do, that we must support our veterans, and this legislation provides support to veteran entrepreneurs for years to come at no cost. It is a smart, commonsense approach which had broad bipartisan support and passed out of our committee by a voice vote, meaning basically everyone supported it on the committee.

Further, this bill has support from major veterans' groups who are well aware of the challenges that brave veterans face in transitioning to civilian life.

I urge my colleagues to support H.R. 2499, and I reserve the balance of my time.

□ 1645

Ms. VELÁZQUEZ. Mr. Speaker, I yield myself such time as I may consume.

Veterans play a significant role in the U.S. economy. They own 2.4 million businesses, employ 5.8 million people, and have generated well over \$1 trillion in receipts.

Like most small businesses, access to capital is still hard to come by, yet is vital to their existence, paving the way for growth and continued job creation. As the Federal Government's main provider of small business assistance, the SBA guarantees loans to veteran-owned businesses through a number of lending programs.

In 2013, the agency's 7(a) program provided over 2,000 veterans with loans, totaling \$600 million. This, however, represented only 4 percent overall. In an effort to increase veteran lending volume, the SBA has waived the borrower fees paid by veterans on small-dollar and SBA Express loans.

In 2014, the impact of the waiver was a mixed bag. While veterans saw a 23 percent increase in loans of \$150,000 or less, the program experienced an 8 percent decrease in veteran loans overall. The initiative has had more success this year with veteran lending seeing a 20 percent increase, which is outpacing the 7(a) program's overall growth.

To build on that trend, H.R. 2499 will make the fee waiver permanent for veterans who are seeking an SBA Express loan. It will reduce costs, spur more veterans to borrow, and, in turn, will grow businesses and create jobs.

I want to thank Chairman CHABOT for introducing this bill to keep more dollars in veteran entrepreneurs' hands. We know that every little bit counts when trying to start or to grow a small business, and I cannot think of a group that is more deserving than that of our veterans.

I reserve the balance of my time.

Mr. CHABOT. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. KNIGHT).

Mr. KNIGHT. Mr. Speaker, I rise today in support of H.R. 2499, the Veterans Entrepreneurship Act of 2015.

This will expand opportunities for veterans who return home and want to apply their skills and disciplines in starting businesses.

What we are doing today is talking about letting our leaders who are out in the field and are defending our Nation come home and do the same thing here, bring their entrepreneurial skills and bring their leadership skills to small business, to the business industry, and to do it in the way they have done when protecting the Nation.

Our fighting men and women are uniquely inclined to succeed in business ventures. They are hard workers and natural leaders and are trained to build teams and to think critically in high-pressure environments.

Veteran-owned small businesses make up about 9 percent of all small firms and nearly 4 million businesses, with average annual revenues of almost \$500,000. These are people who know how to succeed. These are people who know how to lead.

This bill is just taking away some of the obstacles, making it a little bit easier for our leaders to come back into the entrepreneurship of America and succeed.

While the economic environment is improving generally, some of our vets are having a tough time getting access to the funds they need to put their skills into action.

Particularly, female veterans are dealing with outsized obstacles in transitioning to the private sector. The unemployment rate for women warfighters who have come home from Iraq and Afghanistan is 11.4 percent, more than twice that of what our male veterans' national average is.

It is time we turned our attention to addressing the problems faced by our veteran entrepreneurs, who have made such tremendous sacrifices and who want to continue to pursue the American Dream.

This bill takes a prudent, responsible step in harnessing their skills and expertise in order to add value to the economy and in lowering the barriers for these trained leaders to get their ideas off the ground.

Ms. VELÁZQUEZ. Mr. Speaker, in closing, the 7(a) loan program provides a critical source of capital for our veterans.

This year the SBA lending to veteran-owned firms is on track to exceed \$1 billion for the first time ever. Today's bill will save veterans millions of dollars every year at no cost to the taxpayers.

That means that veteran-owned businesses can invest or reinvest this

money into their businesses. Our Nation's veterans are some of the most prolific small business creators, establishing thousands of firms every year.

I would like to thank Chairman CHABOT for taking steps to expand access to capital for this important group of job creators. I look forward to working with him and our colleagues in the Senate to move this legislation forward.

I would also like to take this opportunity to thank all of the staff of the Small Business Committee for their hard work, especially a staff member on my side, Justin Pelletier.

I urge a "yes" vote.

I yield back the balance of my time.

Mr. CHABOT. Mr. Speaker, I yield myself the balance of my time. In closing, I would, first of all, like to acknowledge that Mr. KNIGHT, who just spoke, is a veteran himself, and we certainly appreciate his service to our country.

Again, I want to stress that H.R. 2499 will provide greater assistance to our veterans without imposing any additional costs on taxpayers.

The enactment of H.R. 2499 then represents only a small token of the appreciation that we can show to our veterans as they take their skills learned through service to create small businesses that will help create jobs, thus serving our country a second time. I urge my colleagues to vote "yes" on H.R. 2499.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. CHABOT) that the House suspend the rules and pass the bill, H.R. 2499, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. CHABOT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

#### ECONOMIC DEVELOPMENT THROUGH TRIBAL LAND EX- CHANGE ACT

Mr. COOK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 387) to provide for certain land to be taken into trust for the benefit of Morongo Band of Mission Indians, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 387

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Economic Development Through Tribal Land Exchange Act".

#### SEC. 2. DEFINITIONS.

For the purposes of this Act, the following definitions apply:

(1) BANNING.—The term "Banning" means the City of Banning, which is located in Riverside County, California adjacent to the Morongo Indian Reservation.

(2) FIELDS.—The term "Fields" means Lloyd L. Fields, the owner of record of Parcel A.

(3) MAP.—The term "map" means the map entitled 'Morongo Indian Reservation, County of Riverside, State of California Land Exchange Map', and dated May 22, 2014, which is on file in the Bureau of Land Management State Office in Sacramento, California.

(4) PARCEL A.—The term "Parcel A" means the approximately 41.15 acres designated on the map as "Fields lands".

(5) PARCEL B.—The term "Parcel B" means the approximately 41.15 acres designated on the map as "Morongo lands".

(6) PARCEL C.—The term "Parcel C" means the approximately 1.21 acres designated on the map as "Banning land".

(7) PARCEL D.—The term "Parcel D" means the approximately 1.76 acres designated on the map as "Easement to Banning".

(8) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(9) TRIBE.—The term "Tribe" means the Morongo Band of Mission Indians, a federally recognized Indian tribe.

#### SEC. 3. TRANSFER OF LANDS; TRUST LANDS, EASEMENT.

(a) TRANSFER OF PARCEL A AND PARCEL B AND EASEMENT OVER PARCEL D.—Subject to any valid existing rights of any third parties and to legal review and approval of the form and content of any and all instruments of conveyance and policies of title insurance, upon receipt by the Secretary of confirmation that Fields has duly executed and deposited with a mutually acceptable and jointly instructed escrow holder in California a deed conveying clear and unencumbered title to Parcel A to the United States in trust for the exclusive use and benefit of the Tribe, and upon receipt by Fields of confirmation that the Secretary has duly executed and deposited into escrow with the same mutually acceptable and jointly instructed escrow holder a patent conveying clear and unencumbered title in fee simple to Parcel B to Fields and has duly executed and deposited into escrow with the same mutually acceptable and jointly instructed escrow holder an easement to the City for a public right-of-way over Parcel D, the Secretary shall instruct the escrow holder to simultaneously cause—

(1) the patent to Parcel B to be recorded and issued to Fields;

(2) the easement over Parcel D to be recorded and issued to the City; and

(3) the deed to Parcel A to be delivered to the Secretary, who shall immediately cause said deed to be recorded and held in trust for the Tribe.

(b) TRANSFER OF PARCEL C.—After the simultaneous transfer of parcels A, B, and D under subsection (a), upon receipt by the Secretary of confirmation that the City has vacated its interest in Parcel C pursuant to all applicable State and local laws, the Secretary shall immediately cause Parcel C to be held in trust for the Tribe subject to—

(1) any valid existing rights of any third parties; and

(2) legal review and approval of the form and content of any and all instruments of conveyance.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. COOK) and the gen-

tleman from California (Mr. RUIZ) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. COOK).

#### GENERAL LEAVE

Mr. COOK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. COOK. Mr. Speaker, I yield myself such time as I may consume.

The Morongo Band of Mission Indians, a tribe located about 20 miles west of Palm Springs, California, along with the city of Banning and a private property owner who resides in California together have asked Congress to enact H.R. 387, providing for the exchange of certain lands within or adjacent to the Morongo Reservation.

The bill also directs the Secretary of the Interior to grant an easement to the city of Banning for the use of certain lands currently held in trust on behalf of the tribe. The easement will provide the city with the ability to install electric, sewer, water, and related utility lines to accommodate commercial activity in the area.

This bill will accomplish three goals. First, it will promote the consolidation of the tribe's reservation lands. Second, it will resolve a land use dispute between a private landowner, the city, and the tribe. Third and finally, it will facilitate commercial development on lands adjacent to the tribe's reservation, which will be beneficial for the city of Banning and the tribe as well as for the private landowner.

This bill truly represents a win-win agreement without any of the parties having to compromise their desired goals.

I reserve the balance of my time.

Mr. RUIZ. Mr. Speaker, I yield myself such time as I may consume.

I am proud to rise in support of my bill, H.R. 387, the Economic Development Through Tribal Land Exchange Act.

This non-controversial, bipartisan bill passed unanimously out of the House Natural Resources Committee and is supported by the Department of the Interior. The bill would aid economic development in the city of Banning, California, through a land swap that is supported by all of the parties involved.

Currently, the Morongo Band of Mission Indians and a private landowner, Mr. Lloyd Fields, would like to exchange two parcels of land which are nearly identical in size and value, but they are restrained from doing so because one of the parcels is currently held in trust by the United States on behalf of the tribe.

My bill facilitates an equitable land swap between the Morongo tribe and the landowner to provide more consolidated reservation land for the tribe and commercial development opportunities for the landowner, the city of Banning, and Riverside County.

This bill serves as a model for how land use issues can be addressed by communities coming together while upholding the sacred government-to-government relationship between the Federal Government and Indian tribes.

I would like to thank Chairman Robert Martin of the Morongo Band of Mission Indians and the city of Banning for bringing this issue to my attention.

I would like to thank my colleague, Representative PAUL COOK from California, for being an original cosponsor, and Senator BOXER from California for introducing the bill in the Senate.

I would also like to thank Chairman BISHOP and Ranking Member GRIJALVA for expediting this bill through committee so that we could bring it to the floor today.

Mr. Speaker, this is the type of bill that we can all support for the simple reason that it benefits all parties involved and spurs economic development and job creation.

We passed this bill unanimously on the floor last year. Let's move it once again. I urge a "yes" vote on H.R. 387.

I reserve the balance of my time.

Mr. COOK. Mr. Speaker, in closing, this just basically shows that you can actually get some things done at the local, State, and Federal levels.

This battle has been going on for a long while. I used to represent the area when I was in the State House. And when you can finally get all of the parties together and work in a bipartisan fashion, good things can happen.

I yield back the balance of my time.

Mr. RUIZ. Mr. Speaker, I yield myself such time as I may consume.

This is a clear example, as Representative PAUL COOK said, of two neighboring districts from different parties coming together for the benefit of economic development, for the betterment of our tribes, and for the betterment of our counties.

At this point, Mr. Speaker, I again want to thank my colleague, Representative PAUL COOK, for his support of this legislation, as well as to thank Chairman BISHOP and Ranking Member GRIJALVA for their work to bring this non-controversial bill to the floor before the end of the summer.

Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. TORRES), my friend and colleague, who also sits on the Indian, Insular and Alaska Native Affairs Subcommittee.

□ 1700

Ms. TORRES. Mr. Speaker, I rise in support of H.R. 387, which directs the Secretary of the Interior to take certain land into trust for the benefit of Morongo Band of Mission Indians.

This legislation is a commonsense approach that will benefit the tribe, the city of Banning, and the larger local economy. Taking land into trust on behalf of tribes is one of the visible and impactful actions our government can undertake to uphold our trust obligations to the 567 sovereign tribal nations around the country.

Indian lands are critical for the exercise of tribal self-governance and self-determination and often represent great spiritual and cultural significance to tribal nations.

This bill represents an opportunity for the Morongo Band of Mission Indians to consolidate their land base and provide for their people while also resolving longstanding disputes that will clear the way for increased private economic development opportunities for the region. This legislation is a win-win for the tribe, the city, and private enterprise.

Mr. RUIZ. Mr. Speaker, I would like to thank the gentlewoman from California, NORMA TORRES, for her remarks in support of the bill. I would like to thank you, Mr. Speaker. I would like to again thank Representative PAUL COOK for his support of this legislation.

I would like to thank Chairman BISHOP and Ranking Member GRIJALVA for their work to bring this non-controversial bill to the floor before the end of the summer. I look forward to working together in the future on additional legislation to provide our tribal nations with the tools to create their own economic opportunity through self-determination and self-governance.

I urge my colleagues to come together, once again, and pass this commonsense bill that will create jobs and spur economic development for the Morongo Tribe and the city of Banning. Vote "yes" on H.R. 387.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. RUIZ) that the House suspend the rules and pass the bill, H.R. 387.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 3 minutes p.m.), the House stood in recess.

□ 1830

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro

tempore (Ms. ROS-LEHTINEN) at 6 o'clock and 30 minutes p.m.

#### VETERANS ENTREPRENEURSHIP ACT OF 2015

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2499) to amend the Small Business Act to increase access to capital for veteran entrepreneurs, to help create jobs, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. CHABOT) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 410, nays 1, not voting 22, as follows:

[Roll No. 434]

YEAS—410

Abraham	Coffman	Forbes
Adams	Cohen	Fortenberry
Aguilar	Cole	Foster
Allen	Collins (GA)	Fox
Amodel	Collins (NY)	Frankel (FL)
Ashford	Comstock	Franks (AZ)
Babin	Conaway	Frelinghuysen
Barletta	Connolly	Fudge
Barr	Conyers	Gabbard
Barton	Cook	Galleo
Bass	Cooper	Garamendi
Beatty	Costa	Garrett
Becerra	Costello (PA)	Gibbs
Benishek	Courtney	Gibson
Bera	Cramer	Gohmert
Beyer	Crawford	Goodlatte
Bilirakis	Crenshaw	Gosar
Bishop (GA)	Crowley	Gowdy
Bishop (MI)	Cuellar	Graham
Bishop (UT)	Culberson	Granger
Black	Cummings	Graves (GA)
Blackburn	Curbelo (FL)	Graves (LA)
Blum	Davis (CA)	Graves (MO)
Blumenauer	Davis, Danny	Grayson
Bonamici	Davis, Rodney	Green, Al
Bost	DeFazio	Green, Gene
Boustany	DeGette	Griffith
Boyle, Brendan	Delaney	Grothman
F.	DeLauro	Guinta
Brady (PA)	DelBene	Guthrie
Brady (TX)	Denham	Hahn
Brat	Dent	Hanna
Bridenstine	DeSantis	Hardy
Brooks (AL)	DeSaulnier	Harper
Brooks (IN)	DesJarlais	Harris
Brownley (CA)	Deutch	Hartzler
Buck	Diaz-Balart	Hastings
Bucshon	Dingell	Heck (NV)
Burgess	Doggett	Heck (WA)
Bustos	Dold	Hensarling
Byrne	Donovan	Herrera Beutler
Calvert	Doyle, Michael	Hice, Jody B.
Capps	F.	Higgins
Capuano	Duckworth	Hill
Cárdenas	Duffy	Himes
Carney	Duncan (SC)	Holding
Carson (IN)	Duncan (TN)	Honda
Carter (GA)	Edwards	Hoyer
Carter (TX)	Ellison	Hudson
Cartwright	Ellmers (NC)	Huelskamp
Castor (FL)	Emmer (MN)	Huffman
Castro (TX)	Esty	Huizenga (MI)
Chabot	Farenthold	Hultgren
Chaffetz	Farr	Hunter
Chu, Judy	Fattah	Hurd (TX)
Cicilline	Fincher	Hurt (VA)
Clark (MA)	Fitzpatrick	Israel
Clarke (NY)	Fleischmann	Issa
Clawson (FL)	Fleming	Jackson Lee
Clay	Flores	Jeffries

Jenkins (KS)  
 Jenkins (WV)  
 Johnson (GA)  
 Johnson (OH)  
 Johnson, E. B.  
 Johnson, Sam  
 Jolly  
 Jones  
 Jordan  
 Joyce  
 Kaptur  
 Katko  
 Keating  
 Kelly (IL)  
 Kelly (MS)  
 Kelly (PA)  
 Kennedy  
 Kildee  
 Kilmer  
 King (IA)  
 King (NY)  
 Kinzinger (IL)  
 Kirkpatrick  
 Kline  
 Knight  
 Kuster  
 Labrador  
 LaMalfa  
 Lamborn  
 Lance  
 Langevin  
 Larsen (WA)  
 Larson (CT)  
 Latta  
 Lawrence  
 Lee  
 Levin  
 Lewis  
 Lieu, Ted  
 Lipinski  
 LoBiondo  
 Loebuck  
 Lofgren  
 Long  
 Loudermilk  
 Love  
 Lowenthal  
 Lowey  
 Lucas  
 Luetkemeyer  
 Lujan Grisham  
 (NM)  
 Luján, Ben Ray  
 (NM)  
 Lummis  
 Lynch  
 MacArthur  
 Maloney,  
 Carolyn  
 Maloney, Sean  
 Marino  
 Massie  
 Matsui  
 McCarthy  
 McCaul  
 McClintock  
 McCollum  
 McDermott  
 McGovern  
 McHenry  
 McKinley  
 McMorris  
 Rodgers  
 McNerney  
 McSally  
 Meadows  
 Meehan  
 Meeks  
 Meng  
 Messer

Mica  
 Miller (FL)  
 Miller (MI)  
 Moolenaar  
 Mooney (WV)  
 Moore  
 Moulton  
 Mullin  
 Mulvaney  
 Murphy (FL)  
 Murphy (PA)  
 Nadler  
 Napolitano  
 Neal  
 Neugebauer  
 Newhouse  
 Noem  
 Nolan  
 Norcross  
 Nugent  
 Nunes  
 O'Rourke  
 Olson  
 Palazzo  
 Pallone  
 Palmer  
 Pascarella  
 Paulsen  
 Payne  
 Pearce  
 Pelosi  
 Perlmutter  
 Perry  
 Peters  
 Peterson  
 Pingree  
 Pittenger  
 Pitts  
 Pocan  
 Poe (TX)  
 Poliquin  
 Polis  
 Pompeo  
 Posey  
 Price (NC)  
 Price, Tom  
 Quigley  
 Rangel  
 Ratcliffe  
 Reed  
 Reichert  
 Renacci  
 Ribble  
 Rice (NY)  
 Rice (SC)  
 Rigell  
 Roby  
 Roe (TN)  
 Rogers (AL)  
 Rogers (KY)  
 Rokita  
 Rooney (FL)  
 Ros-Lehtinen  
 Roskam  
 Ross  
 Rothfus  
 Rouzer  
 Roybal-Allard  
 Royce  
 Ruiz  
 Ruppelberger  
 Russell  
 Ryan (OH)  
 Ryan (WI)  
 Salmon  
 Sánchez, Linda  
 T.  
 Sanchez, Loretta  
 Sanford  
 Sarbanes

Scalise  
 Schakowsky  
 Schiff  
 Schrader  
 Schweikert  
 Scott (VA)  
 Scott, Austin  
 Scott, David  
 Sensenbrenner  
 Serrano  
 Sessions  
 Sewell (AL)  
 Sherman  
 Shimkus  
 Shuster  
 Sinema  
 Sires  
 Smith (MO)  
 Smith (NE)  
 Smith (NJ)  
 Smith (WA)  
 Speier  
 Stefanik  
 Stewart  
 Stivers  
 Swalley (CA)  
 Takai  
 Takano  
 Thompson (CA)  
 Thompson (MS)  
 Thompson (PA)  
 Thornberry  
 Tiberi  
 Tipton  
 Titus  
 Tonko  
 Torres  
 Trott  
 Tsongas  
 Turner  
 Upton  
 Valadao  
 Van Hollen  
 Vargas  
 Veasey  
 Vela  
 Velázquez  
 Visclosky  
 Wagner  
 Walberg  
 Walden  
 Walker  
 Walorski  
 Walters, Mimi  
 Walz  
 Wasserman  
 Schultz  
 Waters, Maxine  
 Watson Coleman  
 Weber (TX)  
 Webster (FL)  
 Welch  
 Wenstrup  
 Westerman  
 Whitfield  
 Williams  
 Wilson (FL)  
 Wilson (SC)  
 Wittman  
 Womack  
 Woodall  
 Yarmuth  
 Yoder  
 Yoho  
 Young (AK)  
 Young (IA)  
 Zeldin  
 Zinke

□ 1856

Ms. DEGETTE changed her vote from "no" to "aye."

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent for the following vote on July 13, 2015. Had I been present, I would have voted "yea" on rollcall vote 434.

#### PERMISSION TO FILE SUPPLEMENTAL REPORT ON H.R. 2898

Mr. BISHOP of Utah. Madam Speaker, I ask unanimous consent that the Committee on Natural Resources be authorized to file a supplemental report on the bill H.R. 2898.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

#### JAMES L. OBERSTAR MEMORIAL POST OFFICE BUILDING

Mr. DUNCAN of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (S. 179) to designate the facility of the United States Postal Service located at 14 3rd Avenue, NW, in Chisholm, Minnesota, as the "James L. Oberstar Memorial Post Office Building".

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 179

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. JAMES L. OBERSTAR MEMORIAL POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 14 3rd Avenue, NW, in Chisholm, Minnesota, shall be known and designated as the "James L. Oberstar Memorial Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "James L. Oberstar Memorial Post Office Building".

The SPEAKER pro tempore (Mr. TROTT). Pursuant to the rule, the gentleman from Tennessee (Mr. DUNCAN) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

□ 1900

#### GENERAL LEAVE

Mr. DUNCAN of Tennessee. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous

material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. DUNCAN of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of S. 179, a bill to name a post office in Chisholm, Minnesota, after a very distinguished former Member of this body, Congressman James Oberstar.

The bill was introduced by Senator AMY KLOBUCHAR, and our colleague Congressman RICHARD NOLAN has introduced House companion legislation.

Mr. Oberstar served in the House for a remarkable 36 years, and I think it is very fitting and appropriate to honor his legacy by lending his name to a post office in his hometown of Chisholm.

Congressman Oberstar was born in Chisholm, Minnesota, on September 10, 1934, and graduated from the high school there in 1952. Four years later, he earned a bachelor of arts from the University of St. Thomas in St. Paul, Minnesota. He later earned a master's degree from the College of Europe in Bruges, Belgium. A lot of people knew he was very fluent in French and liked to express himself on many trips in French.

Before running for Congress himself, Congressman Oberstar served on the staff for Congressman John Blatnik of Minnesota from 1963 to 1974. In that capacity, he worked with Congressman Blatnik on all of the legislation from the Public Works and Transportation Committee. In the last 3 years he was with Congressman Blatnik, Congressman Oberstar became the chief of staff for that committee.

Congressman Oberstar was first elected to represent the people of Minnesota's Eighth District in 1974. Among many notable achievements, he served as chairman of the Committee on Transportation and Infrastructure in the 110th and 111th Congresses. In total, he served in 18 Congresses.

Sadly, Mr. Oberstar passed away on May 3, 2014, in Potomac, Maryland. He certainly was a devoted public servant who left a remarkable legacy of service to the citizens of Minnesota and the United States.

Earlier in this Congress, there was another tribute for Congressman Oberstar. At that time, I said this:

It is an astounding figure to think that a man worked on this one committee for 47 years of his life, but he did so with great honor and distinction. In fact, I think most everybody knew that there was no one in the Congress and probably never has been anyone in the history of the Congress who has known transportation issues and understood them and worked on them longer and harder and with more effectiveness than Jim Oberstar did.

At one point, he was chairman of the Aviation Subcommittee. In 1994, after the election, the Republicans took control, and I had

NAYS—1

Amash

NOT VOTING—22

Aderholt  
 Brown (FL)  
 Buchanan  
 Butterfield  
 Cleaver  
 Clyburn  
 Engel  
 Eshoo

Grijalva  
 Gutiérrez  
 Hinojosa  
 Kind  
 Marchant  
 Richmond  
 Rohrabacher  
 Rush

Simpson  
 Slaughter  
 Smith (TX)  
 Stutzman  
 Westmoreland  
 Young (IN)

the honor of becoming the chairman of the Aviation Subcommittee, and I served for 6 years in that position, which was the maximum allowable on our side.

When I took over as chairman of the Aviation Subcommittee, I frequently heard Jim Oberstar referred to as “Mr. Aviation.” So I went to him and asked for his help, and he helped me, guided me, and gave me advice that, to this day, I appreciate very much. He did so in a very kind and humble way.

Of course, then he reached the pinnacle and became chairman of that committee, a committee that he loved. He was a great chairman. He worked across the aisle in a very bipartisan way, and I think he tried to help everyone on both sides of the aisle and others in any way that he possibly could.

I just wanted to join in this opportunity to pay tribute to a man who was a great American and a great Member of this body, Congressman James Oberstar.

Mr. Speaker, I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

I certainly associate myself with the remarks of Mr. DUNCAN.

I am asking my colleagues to join me in supporting S. 179. That is the bill that would designate a United States post office located at 14 3rd Avenue Northwest in Jim Oberstar’s hometown, Chisholm, Minnesota; and it would be called the James L. Oberstar Memorial Post Office.

Mr. Speaker, I am speaking today for a memorial for Jim Oberstar not only because of my position on the committee, but for me, this is an act of love and respect. I am speaking for a man known in this House as one of singular intellect and personal qualities.

Jim was a native of Chisholm. He graduated—and anybody who knew Jim will not be surprised at this—summa cum laude from the University of St. Thomas in St. Paul, Minnesota; then he got a master’s degree in Belgium. That may be where he picked up his French, which he playfully used on us at every opportunity.

Jim was not long out of college when he began working in this House, and working in this House was to determine his destiny for the rest of his life. He first served as clerk of the Committee on Rivers and Harbors, as it was then called. He became administrator of the Committee on Public Works—now called Transportation and Infrastructure—when Representative John Blatnik became chairman in 1970.

Four years later, Jim, himself, ran for Congress, succeeding Mr. Blatnik who retired from Minnesota’s Eighth District of Congress. Then Jim served 36 extraordinary years in this House, and he became the longest serving Member from Minnesota in the House of Representatives. During that period, Jim Oberstar became the leading expert on transportation and infrastructure in the Nation.

Mr. Speaker, for example, he served as chairman of the Subcommittee on Aviation when it passed legislation, increasing our investment in airports and air security, which we are still benefiting from.

Later, he became ranking member of the full committee. There, he worked tirelessly for something we are trying to get in this House now, for that gas user fee, which used to be bipartisan and was often raised and helped Jim and those who served with him improve and make our system reliable on the transportation and infrastructure that we so often celebrate today—and I mean, all of it, roads, bridges, and transit alike.

We were very fortunate when in 2007, Jim Oberstar was elected chairman of the Committee on Transportation and Infrastructure. It was during his chairmanship that the economy went down; and we really needed an expert on transportation and infrastructure, since investment in transportation and infrastructure is the best investment for the dollar during a recession and that, of course, was the deepest recession since the Great Depression.

Jim’s work during that period is still blossoming in the States. He held 300 hearings and passed almost 300 bills and resolutions out of committee and through the House. Nearly 200 of those pieces of legislation were approved by both Houses, including the Water Resources Development Act, the bill that authorized the maintenance and construction of America’s harbors, as well as funding for important wildlife habitat projects.

Mr. Speaker, Jim also was a cyclist. He took transportation seriously. He cycled on the trails that he helped get built and that he so loved. His knowledge of our work was so encyclopedic that Democrats and Republicans alike, when Jim spoke, listened hard because they knew they were getting a once-in-a-lifetime lesson in the complexities associated with transportation and infrastructure in our country. He was a particular leader on intermodalism, which we know as the transportation wave of the future today.

It was with enormous sadness that we learned that Jim Oberstar passed away on May 2, 2014. He was 79 years old. Jim will long be remembered for his dedication to public service and for leaving his mark on transportation in our country. It is a mark that will never be erased.

Mr. Speaker, I reserve the balance of my time.

Mr. DUNCAN of Tennessee. I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield such time as he may consume to the gentleman from Minnesota (Mr. NOLAN), a sponsor of the House companion of S. 179, a member of the Transportation and Infrastructure Committee and the gentleman who rep-

resents the very same district that Jim Oberstar represented.

Mr. NOLAN. Mr. Speaker, I would like to thank Representative DUNCAN and Representative NORTON for the fine tributes to a fine Member and a real credit to this institution.

This bill honors our friend and our colleague, the late Jim Oberstar, in an important way, by naming the United States post office in his hometown of Chisholm, Minnesota, the James L. Oberstar Memorial Post Office.

I will never forget the first day that Jim walked into the Chamber through one of the side doors over here as a former Member of Congress. As he walked in and proceeded down the aisle, Members recognized him, and they started spontaneously, Democrats and Republicans alike, to applaud Jim Oberstar.

By the time he got to the well, the whole House was engaged in this spontaneous, bipartisan, genuine, loving, and appreciative applause for Jim Oberstar. I, quite frankly, have never seen anything like it. I hope to see a lot more things like it in the days to come, but what a remarkable moment that was.

It was a real genuine spirit of affection for someone who worked really hard, knew his material as well or better than anyone, and was such a good nonpartisan when it came to what is good for America; I have never quite seen anything like it.

Jim received more honors than he could count in life; quite frankly, he received even more in his passing, but I think it is safe to say that no honor would please him more than being recognized by his colleagues in the hometown of Chisholm where Jim grew up.

Chisholm, on Minnesota’s Iron Range, is where he learned the value of ideas as a star on his high school debate team. They say he was a pretty good football player, too, but he liked to recall that the editor of his hometown said to him on a couple of occasions, “Jim, you are a really good debater. You really know how to argue. You might want to keep working at that”—and how fitting that he would end up in the Congress of the United States.

It is also in Chisholm where he learned about public service with his first working job for that editor, peddling papers to the miners and to the mining families and learning about the politics of the community. It is also where he learned hard work from his parents. Jim’s dad worked in the mines his entire life and hardly ever missed a day’s work.

Chisholm is also the place where Jim learned those old-fashioned values that brought him to the House of Representatives.

He believed that a good idea was a good idea, and it didn’t matter if it was a Republican idea or a Democratic



idea. All that mattered was that someone had offered the idea; and he had such enormous respect for the process and for his colleagues that he gave every good idea an open, an honest, and a fair hearing.

□ 1915

And if it turned out to be something good for the Nation, why, it was good enough for Jim, regardless of the origin.

So, in urging my colleagues to honor Jim by passing this bill, I would like to ask that we honor him by rededicating ourselves to that spirit of bipartisanship, that spirit of working together, that spirit of getting things done that enabled Jim Oberstar to accomplish the many things that he did that were cited by my colleagues here just a few moments ago. That was the spirit that epitomized Jim Oberstar, and that is how he was so successful in getting things done.

Mr. Speaker, I strongly urge my colleagues to pass this legislation.

Mr. DUNCAN of Tennessee. Mr. Speaker, I continue to reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield 2 minutes to the gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. Mr. Speaker, I thank the ranking member for the time.

I rise to honor the late Jim Oberstar, the Congressman from Minnesota's Eighth District.

For 36 years, Jim Oberstar proudly served the residents of Minnesota's Eighth Congressional District. During his decades of service on the House Transportation and Infrastructure Committee, Representative Oberstar made investing in the future prosperity of this country a top priority.

His commitment to laying the foundation for a 21st century transportation system helped make travel safer and kept millions of Americans working on the job and strengthened our economy. He worked and accomplished all of that.

On August 1, 2007, the Interstate 35W bridge collapsed in Minnesota. Thirteen people lost their lives, including some of my constituents, and many more were injured.

Chairman Oberstar moved with incredible speed to draft legislation to respond to the tragedy, and within 48 hours, he had passed a bill on the floor. On August 6, less than 1 week after the disaster, funding for construction of a new bridge was signed into law.

But he didn't stop there. Chairman Oberstar worked to call attention to the epidemic of weak bridges all across our country. He fought to make bridge repair and replacement the focus of the American Recovery and Reinvestment Act of 2009. Because of his commitment, thousands of bridges were thoroughly inspected, repaired, or, in fact, replaced.

Not that Jim's response was anything out of the ordinary, throughout his career, Jim remained committed to fighting for the people he served and the causes he believed in.

It is fitting that the post office in Chisholm, Minnesota, will be named the James L. Oberstar Memorial Post Office, because we know the success of a post office, after all, is inextricably linked with interstate highways, runways, docks, railways, and roads, because that is how the mail gets delivered and that is how we are connected throughout this world.

The imprint left by Congressman Jim Oberstar on every mode of transportation throughout our country cannot be overstated.

And if I may, on a personal note, Jim, both professionally and personally, helped give the new Congresswoman from Minnesota a lot of thanks.

So, with that, I want to just say, again, it is more than appropriate that the post office in his hometown of Chisholm, Minnesota, be known as the James L. Oberstar Memorial Post Office Building, a testament to his life's work.

Jim, we thank you.

Mr. DUNCAN of Tennessee. Mr. Speaker, I continue to reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. Mr. Speaker, I rise in support of S. 179, to honor the memory of Jim Oberstar, a colleague, mentor, and friend to me and to many more.

From his time serving as a staff member to his tenure as the chairman of the House Committee on Transportation and Infrastructure, Jim spent every day of his 47 years on Capitol Hill working to improve our Nation's infrastructure and, in turn, the lives of Americans across the country.

I was proud to serve with Jim on the T and I Committee for 4 years and to share in his passion for all the things that help ensure that our quality of life is high and that our economy is strong.

Jim's thoughtful, forward-thinking approach to our Nation's infrastructure needs was built from years of experience and careful deliberation, and it earned him the well-deserved nickname, Mr. Transportation. During his time as chairman, committee members knew that they were going to learn something when they arrived at the committee room, and they are going to leave on a mission.

Jim was truly a visionary when it came to our Nation's infrastructure system, but he didn't just talk about what needed to be done. Whether it was modernizing our Nation's airspace, improving rail safety, moving freight on time, repairing our roads, rehabilitating transit systems, or advancing cycling, Jim got things done. That is because Jim had a tireless work ethic

and was as a great leader and friend as he was a policy expert. Jim treated people well, and it didn't matter whether you were Republican or Democrat; he was willing to work with you and help your district and constituents.

My bicycle is a fixture in my office, and its presence reminds me of Jim and the time I spent cycling with him, when I learned more than I ever expected to be able to learn on a bike ride.

Jim was known for his love of the French language, and he spoke it flawlessly. What fewer people know is that Jim perfected his French while serving in a volunteer program that preceded the Peace Corps. He was teaching French and Creole to Americans helping out in Haiti.

Jim loved helping people. He was a big promoter of adoption and a defender of life. It was all an outgrowth, I believe, of his strong Catholic faith.

Mr. Speaker, Congress and the Nation are better because of Jim Oberstar, and those of us who worked closely with him are better public servants, colleagues, and people because of him. S. 179 is a fitting tribute to Jim Oberstar, and I urge its passage.

Mr. DUNCAN of Tennessee. Mr. Speaker, I continue to reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, let me thank the ranking member and the manager of this legislation.

I have had the privilege of being here during the mighty leadership of Jim Oberstar, and I would really call him America's Congressperson.

He would be an eloquent spokesperson today for not isolating his advocacy for his own region or State, but he would rise up on the floor of the House to speak eloquently about the need for the refurbishing, the rebuilding, the restoration of America's infrastructure, transportation infrastructure, from highways and bridges and dams to airports and train stations and tracks.

Mr. Speaker, I just came in today from Philadelphia on Amtrak, and as you know, on trains, we engage with our fellow travelers. I guess we are called passengers, but we are fellow travelers.

It was interesting to engage with these constituents of America who were using this mode of transportation. They made a very valuable point. They said it is not the equipment of Amtrak or whether the Acela can move faster than any other train, it is the infrastructure upon which the train travels. It is the train tracks. It is the investment in that infrastructure to make Amtrak what it needs to be.

Now, Congressman Oberstar certainly did not live in this part of the



country, but he could see the general landscape of what America needed.

I was very interested in hearing my colleague from Minnesota speak of that time when the bridge collapsed. What a tragic incident. All of us were appalled and saddened, and it was amazing how "General Oberstar," if you will, took the leadership role to help America.

So I rise today to support this underlying legislation and to simply thank him and to thank his family for sharing Jim Oberstar, the Frenchman, as he would like to say.

And in concluding my remarks, might I say "merci beaucoup" to you, to the late Jim Oberstar, a man who loved America and could be called America's Congressperson.

Mr. DUNCAN of Tennessee. Mr. Speaker, I continue to reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, Jim Oberstar was a rare Member. He managed to awe us by his knowledge at the same time that he nurtured us with his warmth and his kindness. That is why you have heard Members speak so eloquently about him today. He left his mark in this House.

I am very pleased that, with this bill, he will leave his own mark in his own hometown with a memorial, a post office named for Jim Oberstar. I urge Members of this House to vote for this bill.

I yield back the balance of my time.

Mr. DUNCAN. Mr. Speaker, I yield myself the balance of my time.

I will just close by saying that I am very grateful to Jim Oberstar. He helped me obtain many things for my district. His last year in Congress, in August of that year, he came to my district to dedicate a beautiful new transit center which the city of Knoxville was kind enough to name after me. I always was grateful for his spending that day with me in Knoxville.

I can tell you that I am now in my 27th year in Congress. Twenty-two of those years were spent working with Congressman Oberstar. This Nation, as Mr. LIPINSKI said a few minutes ago, is a better place today because of the work of Congressman Jim Oberstar.

I urge all of my colleagues to support passage of this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. DUNCAN) that the House suspend the rules and pass the bill, S. 179.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

## IRAN NUCLEAR DEAL

□ 1930

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, earlier today, the Supreme Leader's handpicked puppet, Rouhani, prematurely tweeted about what he called a victory of diplomacy and, get this, mutual respect before a nuclear deal between the P5+1 and Iran was actually sealed.

This is the same regime that openly calls for death to America and to our ally, the democratic Jewish State of Israel, and the same despots who support terror all across the globe aimed at U.S. interests.

Now we hear that we may capitulate and end the arms embargo on Iran, its conventional military and ballistic missile program, and that the U.S. will lift all sanctions on day one.

And for what, Mr. Speaker? So that Iran can keep in place every major piece of its nuclear infrastructure, and Iran can claim victory over the Great Satan and the Little Satan.

This will be more than just a defeat for diplomacy. It will be a disaster that will set in motion a nuclear and conventional arms race in the world's most volatile region. And who knows what dangers that will bring.

## WE WANT THE SAME DEAL

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, the nuclear weapon agreement with Iran is near. The deal will lift crude oil export sanctions on Iran. This will be a billion-dollar boom to the world's largest state sponsor of terrorism.

Meanwhile, here in America, the administration bans exporting our own crude oil. We can't even export Texas light crude oil to our closest neighbor, Mexico.

The administration has within its power to lift the crude oil export ban. The ban hurts the U.S. economy. Thousands of oil industry workers have been laid off. Half the drilling rigs in Texas have been shut down. This administration seems to be more worried about making Iran happy and wealthy than helping the U.S. economy by creating energy jobs.

Why can't America get the same deal that Iran is getting? While the administration lifts the sanctions on Iranian exports, it should lift the oil export sanctions on America. And, Mr. Speaker, Texas will even agree not to enrich uranium or develop nuclear weapons if the sanctions are lifted.

And that is just the way it is.

## HIGHWAY TRUST FUND

(Mr. TONKO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TONKO. Mr. Speaker, we are closing in on yet another deadline and yet another needlessly manufactured crisis at the end of this month: the reauthorization of the highway trust fund.

Two months ago this body passed a short-term extension of the highway trust fund at the very last minute, as is standard procedure nowadays here in the House, temporarily protecting 660,000 jobs and extending 6,000 critical construction projects.

Republican House leadership has had more than a year to craft a bill that would repair our crumbling infrastructure, provide certainty to States, and protect hundreds of thousands of good-paying jobs hanging in the balance.

Enough of this brinkmanship. Enough of this manufactured crisis. Enough of the short-term patches that waste time and money on problems that we create for ourselves.

It is time to pass a commonsense, ambitious, and long-term extension of the highway trust fund that rebuilds, renews, and puts America to work.

We just heard memorialized on this floor the former chair, the late Jim Oberstar, who headed the Transportation and Infrastructure Committee.

## VOCATIONAL GUIDANCE SERVICES AND THE ABILITYONE PROGRAM

(Mrs. BEATTY asked and was given permission to address the House for 1 minute.)

Mrs. BEATTY. Mr. Speaker, I rise today to recognize the Vocational Guidance Services program and the AbilityOne Program and Mr. Tubbs, who visited my office a few weeks ago.

VGS provides employment services designed to promote economic self-sufficiency for people with disabilities in the State of Ohio and has maintained a strong presence in my district, Ohio's Third Congressional District.

The AbilityOne Program harnesses the purchasing power of the Federal Government to buy products and services from participating community-based nonprofit agencies that are dedicated to training and employing individuals with disabilities.

Since 2004, nearly 900 area residents received employment opportunities through the Vocational Guidance Services program. In fact, last year alone, VGS provided employment for over 100 Columbus area people with disabilities.

I commend VGS and the AbilityOne Program team for their dedication and commitment to helping individuals who are blind or have significant disabilities to find employment in Ohio.

He knew this was a sound investment in America. Let's go forward with that.

#### REMEMBERING ADAM JAMES LAMBERT

(Mr. YOUNG of Iowa asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YOUNG of Iowa. Mr. Speaker, this morning on the hallowed ground of a hill in Dallas County, Iowa, a hero was laid to rest at the Iowa Veterans Cemetery. This hero and patriot was Adam James Lambert.

Adam was 24 years old. Adam was a marine. He was an honorable young man who put others before himself so that we could be safe and free. He was a dependable and encouraging brother in arms to his fellow Marines.

But long before Adam was a U.S. Marine, he was just a boy. He was a loving son who brought joy and laughter to his mother Jill and father Dean. Adam was a playful protective brother to his sisters McKenzie and Anna. And he made his grandparents so proud. He loved them all so much. And, indeed, they loved him.

Over the weekend I attended a celebration of life service honoring Adam. Indeed, all who attended were moved and touched in a beautiful way. He will be missed so much, but he will be remembered.

I remember Adam. I remember when I first met him in Van Meter. He walked up to me with a wide grin and a firm handshake. He encouraged me. He spoke to me with kindness. He made me laugh. He made me smile.

Adam leaves a smile on all our faces. He leaves with us memories, and Adam will not be forgotten. May God bless his memory and his family in the days ahead.

#### IRAN

(Mr. SHERMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHERMAN. Mr. Speaker, we may be hours away from a deal with Iran. The question before us is not is it a good deal or is it a bad deal or what should the executive branch of government do. The question before us is what should Congress do if we have a President who has signed the deal.

We don't know precisely what is in the deal. But we do know that it has advantages and disadvantages in the first year because it causes the vast majority of Iranian stockpile of enriched uranium and the majority of their centrifuges to be taken off the table. The disadvantage is it provides the Iranian Government with access to \$120 billion plus of its own money.

We do know that, in the next decade, the deal will be unacceptable because

next decade Iran will be able to have massive enrichment facilities.

So the question before Congress is, first, how do we prevent this deal from being morally binding on the American people next decade with that administration and that Congress.

And then the tougher issue is whether we want to forfeit the advantages, knowing there are disadvantages, of what the deal does in its first year.

It is this kind of analysis, not partisans screaming about is it a good deal, is it a bad deal, that should guide us in the future.

#### U.S.-SWITZERLAND SKILLED TRADES COOPERATION

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, last week U.S. Secretary of Commerce Penny Pritzker and Switzerland's Vice President and Federal Councilor, Johann Schneider-Ammann, signed a joint declaration that will provide a framework for cooperation between our two countries in areas such as work-based training, pathways to career development, and the expansion of existing programs into new industry sectors. This notable agreement comes just 1 month after a similar signing with Germany that was largely focused on apprenticeships and vocational education and training.

As co-chair of the Congressional Career and Technical Education Caucus, I applaud these international partnerships and recognize their role in helping us to close our Nation's skills gap.

The skilled trades are the hardest jobs to fill in the United States, with recent data citing 550,000 jobs open in the trade and transportation sectors and 246,000 jobs open in manufacturing.

Working with our allies to address this issue will undoubtedly benefit our economy and allow us to remain globally competitive.

I am confident in our ability to make continued progress in the area of workforce development and am grateful for the assistance of our international partners.

#### CONGRESSIONAL BLACK CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentlewoman from Illinois (Ms. KELLY) is recognized for 60 minutes as the designee of the minority leader.

#### GENERAL LEAVE

Ms. KELLY of Illinois. Mr. Speaker, I ask unanimous consent that all Members be given 5 days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Ms. KELLY of Illinois. Mr. Speaker, we are here tonight to have an important conversation, a conversation that is long overdue, a conversation that is crucial to healing America's deep racial wounds, our topic being the Confederate battle flag and why racial symbols matter.

The Charleston 9 killings focused many of our attention on the significant appropriateness and bigoted history of this flag. In 2015, why do so many still revere a flag that tolerated the shackling of people because of their skin, a flag that allowed human beings to be counted as three-fifths of a person, a flag that was flown during lynchings, the holding of children, and one that symbolized a movement to deny education and equal treatment under our laws?

Fifty years since Selma, we think of the Freedom Riders, marchers, boycotters, protesters, and policymakers who pointed our Nation in a more positive direction. They knew it was time to reject the traditions of the past.

The civil rights movement symbolized the quest of equality and a change in mood for America. Thousands from all backgrounds had the courage to join in peaceful protests, lunch counter sit-ins, and boycotts at the expense of being jailed, beaten, or killed. They did this for one Nation and one flag.

And in the way of these Americans stood those who believed in the perseverance of inequality, who believed in an America of White and colored, an America of two flags, and the Confederate battle flag represented their America.

Jim Crow America saw States that seceded from the Union, reacting to the growth of the civil rights movement, with the use of the Confederate battle flag as the representation of their resistant movement.

In 1956, the State of Georgia incorporated the battle flag into its official State flag design. The movement continued into the sixties, where it met renewed and intensified opposition, opposition that waved the Confederate battle flag in the name of continued racial oppression.

In 1961, just 2 months after the sentencing of nine students arrested for a lunch counter sit-in in Rock Hill, South Carolina, the Confederate battle flag was raised over South Carolina's State house during a centennial celebration of the Civil War's opening.

That same year, in neighboring Georgia, Charlayne Hunter and Hamilton Holmes were the first two African American students to be admitted to the University of Georgia. Their admission only came after a court order sent from Federal court.

Eleven days after arriving on campus, Hunter and Holmes were attacked by a mob of White rioters who threw rocks and bottles at them while waving

the rebel flag. The attacks were so fierce that the dean of students suspended both Hunter and Holmes for their own safety.

Now, even with me highlighting this violence, we are told that the stars and bars are about heritage. That heritage, Mr. Speaker, is not so subtle a reminder to African Americans that they are less than—maybe not three-fifths of a person, but still not equal.

This is a reminder that there are two classes of citizens. And despite our Declaration of Independence clearly stating that all men are created equal, this is a reminder that there is a lesser class and will never be equal.

But why are we honoring the heritage and flag of the hooded night riders of the Klan at our State houses and in this Congress instead of the flag of the Freedom Riders who died for a single, fair, and equal America?

Two years after Martin Luther King, Jr., delivered his "I have dream" speech before 600 civil rights marchers, including our friend and colleague from Georgia, Congressman JOHN LEWIS, a different group of civil rights heroes were greeted by police officers in Selma, Alabama, proudly displaying the Confederate flag on the side of their helmets.

These officers brutally beat the marchers, and their actions were a reminder that Dr. King's speech had not yet resonated in the hearts of those who needed to hear it most.

But it was the undeterred resilience of the protesters who refused to back down and refused to resort to violence that persevered. It was the love, the respect, and the mutual understanding that displayed what was the strongest symbol of strength, honor, and heritage than the Confederate battle flag.

Mr. Speaker, we have come a long way since 1965, but we still have a ways to go. We must move forward. The needed progress, however, will not come if the Federal Government continues to provide American citizens with reminders of our hateful and oppressive past in a manner that legitimizes such hate.

I am glad to host this important Special Order hour with my colleague from New Jersey (Mr. PAYNE) to talk about where we go from here and why we continue to give energy to symbols of hate and division.

I yield to the kind gentleman from Newark, New Jersey (Mr. PAYNE).

Mr. PAYNE. Mr. Speaker, I thank the gentlewoman from Illinois.

This is a very timely topic, as we have seen what has transpired in our Nation over the past several weeks. It is incredible to me how fast this issue has moved over the past month. But it always seems that it takes a horrific act in this country for us to wake up and realize that maybe something isn't right.

□ 1930

Nine people at church study on a Wednesday night, not knowing their fate, were gunned down in cold blood by someone who actually said: You know, they were so nice to me, I almost didn't do it, but I had to.

Last week in South Carolina, there was a monumental step in removing the Confederate flag from its State capitol, where it had shamefully flown for 54 years; but here in our Nation's Capitol last week, Republicans tried to go back to the future.

House Republicans had to pull a vote on a spending bill because some of their Members opposed a measure that would ban Confederate flags from national cemeteries, and when the Democratic leader, NANCY PELOSI, presented an opportunity for Republicans to do the right thing and immediately remove the Confederate flag from the Capitol Grounds, they punted.

South Carolina, the birthplace of the Confederacy, had the courage to do what the House Republicans did not, remove that dreaded symbol. It is the symbol of an incomprehensible hate, a hate that manifested itself in a massacre. Since that unfortunate day 1 month ago, we, as a nation, have been forced to look inward at who we are and who we want to be.

Mr. Speaker, out of this immense grief of that dark day in Charleston came a resounding call throughout our Nation to remove the Confederate flag and other symbols of racism and racial supremacy. For many, the removal of these symbols is a logical step in the trajectory of our Nation, a necessary action on the path toward the more perfect Union.

For others, calls to remove these symbols of hate are seen as an attack on the Southern identity, heritage, and culture; but arguing that the Confederate flag is a symbol of Southern pride celebrates a single homogenous culture.

It means listening to only some voices at the expense of others. It means ignoring the African American experience throughout our Nation's history from the dark period of slavery to the civil rights movement to the present day.

According to a report by the Equal Justice Initiative, 3,959 African Americans in 12 States were killed by the terror of lynching between 1877 and 1950, 3,959 Americans lynched.

If we are going to refer to the past and debate over the Confederate flag, certainly, we need to take all of this into account. The Confederate flag has always stood for racial supremacy and bigotry, and if we are to realize our Nation's promise of justice and full equality, we cannot embrace this symbol. Eradicating symbols of hatred, violence, and cruel oppression steeped in racism is a critical step to confronting prejudice in our society.

Now, Mr. Speaker, we have all heard complaints that this debate does not matter and that removing the Confederate flag and other symbols of hatred is a distraction from the larger problems facing our Nation, such as rampant gun violence.

I agree that significantly more must be done to address racism and persistent inequality in our Nation. I agree that we need meaningful gun reform from expanding background checks to reducing unchecked online ammunition purchases. I agree that we need to create jobs, reduce wealth disparities, and expand educational opportunities.

But symbols matter; symbols legitimize public opinion and, in doing so, entrench attitudes and beliefs. At the same time, they create a meaning, shape actions, and connect us to one another. Just as a symbol can connect us, they can tear us apart.

Mr. Speaker, as I go to my seat, I was talking to my staff the other day about this and how much we were happy to see that flag lowered. The symbol is gone, but the sentiment remains.

Ms. KELLY of Illinois. Thank you, Congressman PAYNE, for those words. Right now, it is my pleasure to introduce the Congressman from North Carolina and the chair of the Congressional Black Caucus, Congressman BUTTERFIELD.

Mr. BUTTERFIELD. Mr. Speaker, let me first thank you, Congresswoman KELLY and Congressman PAYNE, for your leadership. Your leadership is very much appreciated, and your constituents in your respective districts should be very proud of each one of you. I know the Congressional Black Caucus is proud of you.

For the past several weeks, Mr. Speaker, the Nation has been focused on the Confederate battle flag. Most fair-minded Americans have been asking the question: Why is this flag continuing to fly on State grounds and Federal lands? And why are policymakers refusing to squarely address this issue?

The Confederate battle flag, Mr. Speaker, represents an era of American history that ended—or at least it should have ended—150 years ago. This flag represents the years following President Lincoln's election. Those years starting in December of 1860 saw 11 Southern States leave the Union.

The fancy name for their leaving the Union, Mr. Speaker, was called secession, but the reality was that these Southern States were rebelling. They were in rebellion against the Union. They organized a so-called government called the Confederate States of America. They took up arms, Mr. Speaker, and they fought against the Union for 4 long years until they surrendered.

They then returned to the Union. The Confederate flag represents that era where Southern States were resisting

freedom for 4 million slaves. There continues to be elements today in our society who subscribe to separation of the races—how unfortunate. There continues to be elements in our society who believe in White supremacy.

The question now, Mr. Speaker, is: Do we constructively address the question of hate groups in America? Do we continue to insist that other States remove symbols of White supremacy as South Carolina has done? Or do we continue to simply ignore racism?

Other States continue to display Confederate flags, and even in this Capitol—even in this Capitol—you will find eight statues of Confederate soldiers who fought against the Stars and Stripes.

Mr. Speaker, I call upon every American to bury for good the dark history of slavery and bigotry. We are a great nation, and we will be even greater when we can judge our neighbor on the content of their character and not on the color of their skin.

Let's remove these symbols from our view. I thank each one of the floor managers.

Ms. KELLY of Illinois. Thank you, Congressman BUTTERFIELD, for those fine words. Many questions, many questions: Why are they still holding on? Is it just heritage and tradition? Or is it something more?

At this time, Mr. Speaker, I would like to introduce the gentlewoman from the District of Columbia, Congresswoman ELEANOR HOLMES NORTON.

Ms. NORTON. Mr. Speaker, I want to thank my good friend, the gentlewoman from Illinois, and my friend, the gentleman from New Jersey, for their important leadership they are exercising here this evening.

Mr. Speaker, I have come to speak about why symbols matter and why this symbol, the Confederate flag, must not stop with the flag, but must also go to what to do not only about the flag, but about the guns that took down the Charleston 9.

To be sure, symbols matter, Mr. Speaker. To take two of the most powerful symbols in the world, the cross and the Star of David, we know well these symbols can sometimes mean everything. We also know that the Confederate flag is a symbol of a different and lower order.

A symbol stands for more than itself; the symbol tells a story. The religious symbols evoke tears; they evoke joy, and they evoke their own set of stories. The Confederate flag, when it led to the extraordinary tragedy of the Charleston 9 will always—should always—make us think of the gun that was responsible for the Charleston 9—not just the symbol, but the story behind the symbol.

In the 19th century, the flag signaled the importance of slavery. In the 20th century, it had a different meaning. Robert E. Lee had told his soldiers:

Put down the flag. We are one Union now.

He was, in a real sense, the counterpart to Abraham Lincoln, who was trying to draw us together after Lee had lost that war.

In the 20th century, the flag was revived. It was revived by Southern Democrats—Dixiecrats, as they called themselves. It has been, in the 20th century and, now, the 21st century, a symbol of discrimination and racism. No matter what it stood for in the 19th century about heritage, it lost that meaning when, in the 20th century, George Wallace raised it and said “segregation now” and “segregation forever.” Nobody who now speaks of heritage then said: Wait a minute, Governor Wallace, don't take away our heritage.

Only when African Americans have the nerve to raise the notion, after we lost nine good people in Charleston, does it somehow now become a symbol of heritage.

I will give Senator MITCH MCCONNELL some credit. He wants to remove the statue of Jefferson Davis from the Kentucky State Capitol, but when asked about removing the Jefferson Davis statue from the United States Capitol, Mr. MCCONNELL grew silent.

We have got to come to grips with what this flag meant to this boy who used a gun. I am not going to forget those who died and what we owe those who died.

The Dixiecrats bolted from Harry S. Truman when Truman refused to embrace their racism. These were Southern Democrats, and we owe them the 21st century meaning of the Confederate flag.

Mr. Speaker, why are we talking about this symbol and not another symbol? The other symbol is the gun in America.

The grace of the people of Charleston so overwhelmed the country that there were many who were simply grateful that, instead of bursting forward with rage, they showed their extraordinary Christian heritage, the heritage they undoubtedly shared with the gunman. We were so grateful, all of us, and so proud that we have not talked about what took the lives of these nine good people.

Well, I want to talk about it because the Confederate flag for me now will always represent those nine people and the gun that took their lives. That 21-year-old kid didn't know anything about them except their Christian love when they invited him into their sanctuary.

But, he knew about what that flag stood for, and he raised that flag before he went into that sanctuary.

□ 2000

We must not forget not only the flag—we cannot live by symbols alone—we must not forget the gun that took down the Charleston 9.

Now, I understand—I read—that Senator MANCHIN and Senator TOOMEY are

interested in reviving their gun safety legislation. There are several bills here in the House that do that in one form or another.

We know what happened. There was a breakdown in the background check system, which is why this young man was even able to get a gun. He would have been denied a gun if those who opposed any bill hadn't assured that the bill would have only a 3-day time period, during which, if you couldn't find something on the individual, then he got his gun, no matter who he was. That is how he got his gun.

There are some of us who know full well that the Confederate flag has done more than put the flag back on the agenda—on the Nation's agenda—it has put gun safety once again on the agenda.

I must say, I don't believe we, who celebrate the extraordinary grace of the families of the Charleston 9, owe them only our speeches about the flag. They probably, once they saw it come down, have moved on; and now, they have only their loved ones to think about.

If I were one of them, I would wonder: What are those who celebrate the flag coming down going to do about making sure that, never again, will people like our loved ones have to suffer because of gunfire?

The flag is the symbol that is important to raising our consciousness in the long run. If all we have is our memory of the symbol and not why that symbol became important, then we will leave on the table a real memorial to the Charleston 9.

I appreciate the time.

Ms. KELLY of Illinois. Thank you, Congresswoman HOLMES. I am so glad that you and Congressman PAYNE brought up the issue of the gun because we cannot forget that either. I look at Charleston as when racism and hate found the gun.

At this time, I yield to the gentlewoman from Ohio (Ms. FUDGE), our former head of the Congressional Black Caucus.

Ms. FUDGE. Mr. Speaker, I thank the gentlewoman for yielding. I want to thank my colleagues, Congressman PAYNE and Congresswoman KELLY, for leading the Congressional Black Caucus Special Order hour tonight.

Mr. Speaker, if you have not noticed, the people of this country are fed up. Quite frankly, so am I. We are at a point in our Nation's history when we can no longer give lip service to equality and opportunities to succeed. We must take action to show we mean what we say; otherwise, it is nothing more than empty rhetoric.

Mr. Speaker, the Confederate flag is more than just a piece of fabric. It is more than just a visual representation of the Confederacy or part of the storied history of the South. If that were true, we would not be having this conversation today. We would not have

buried nine Americans murdered because of the color of their skin, and the Confederate battle flag would still be flying in the State of South Carolina.

Let's be honest about the history of the Confederate battle flag. While the majority of this House may want to ignore the facts and rewrite history, we will not be ignored. The Confederate battle flag and any adaptation of it is a painful reminder of intimidation, torture, and murder for all of us in the Black community. It is a flying symbol of hatred and injustice that tells Black and Brown people in this country: Your lives have no value, and you don't matter.

It is an embarrassment to all Americans that the majority of this House introduced a spending amendment which included language allowing the battle flag on Federal properties.

It is just plain shameful that they would go even further and use procedure to stifle a motion to openly discuss a ban of the Confederate battle flag imagery from the Capitol Grounds.

How can the Members of the majority of this House continue to say that they represent all Americans when they refuse to have a real discussion about what is really happening in our country? Have we learned nothing from what has happened in the past few weeks?

In a June Gallup poll, African Americans ranked race relations as the most important issue facing the United States. Will taking down the Confederate battle flag immediately change this perspective? Absolutely not—but it will certainly do more than letting it continue to fly.

Mr. Speaker, it is time we do away with lip service. It is time we listen to our constituents and take real action toward healing the racial wounds of this country. It is time we move forward.

The flag must come down.

Ms. KELLY of Illinois. Mr. Speaker, I thank Congresswoman FUDGE for her eloquent words and the truth of what happened in Congress last week and what we need to do to go forward.

At this time, I yield to the gentlewoman from Houston, Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, let me thank the managers of this very Special Order and my words to them and to this House. I want you to take note of the spirit in which these Members have come.

If our constituents are seeing us and watching us, if those who agree with us are watching, no one has come with anger and a cry of hysteria. They have come with a reasoned request and pronouncement of the wrongness of the present situation in this House.

Let me say that it was in 1864 that the States were given the call to send forward two statutes to come to represent their States in the United

States Congress. In addition, we know that the United States Congress has a number of flags representing various States.

This was to be the people's House, and the people's House would reflect the people of the United States of America. History should be something that grows with the Nation and reflects the goodness of the Nation. Yes, there is history that should be taught, such as the ugliness and violence of the slave history; but it is not to be honored.

I join my colleagues today to be able to call for the taking down of signs of Confederacy in the United States Capitol—in particular, as I am in the House of Representatives, in the people's House.

Let me give you a credible basis upon which to do so, why this Supreme Court decision has been so ignored. Let me cite it for my colleagues, *Walker III v. Texas Division, Sons of Confederate Veterans*, issued on June 18, 2015—ironically, the day after the martyrdom of nine wonderful African Americans practicing their Christian faith.

This particular decision indicates that the State of Texas was to be supported. This was a case that engaged many of our constituents in Texas. We organize and galvanize.

I want to thank Dr. Clark, the president of the Missionary Baptist General Convention of Texas, and Reverend Max Miller, who came up as we argued this case. We were convincing. The Texas Department of Motor Vehicles board agreed that a Confederate license plate issued by the State of Texas would be offensive and would be considered, in essence, a public action or public speech.

For those who want to raise the question of the First Amendment, this cry that we, as members of the Congressional Black Caucus, are making is perfectly constitutional and legitimate. We are talking about flags that are flown on State property or Federal property.

This caucus should be congratulated. It is succinct in its argument; it is detailed in its argument, and no First Amendment opposition can be raised because the Supreme Court of the United States has said that we can deny utilizing the Confederate flag that may be considered State action as it is placed on Federal lands on the Federal property here.

Our colleagues, in particular HAKEEM JEFFRIES and Mr. HUFFMAN and others, understood that when they acted last week. Now, the considerate thing to have done is there are amendments to stay in place, the Interior bill to be voted on, and the right thing would have been done because they argued the point that this was State or Federal action.

We now come again to try and clarify for our colleagues that these flags

should come down. In the privileged resolutions that have gone on last week, they made the point very clear that it was an insult to the dignity of the House.

I have introduced H. Res. 342 that I hope will complement, and it is one that talks about the enhancement of unity in America and stands on the Walker decision and, in particular, makes it very clear that divisive symbols—license plates, specialty license plates, replicas, and flags—on public buildings or government property and symbols on State or Federal action, State public speech—that is a speech of those you represent—should not be allowed.

How divisive is that point of view? It is not. The divisiveness is those that stand on a false sense of history, yet want to offend those who likewise have great leadership.

Let me make this point about the battle flag, this Confederate flag. Might I ask the question: Have southerners not fought in the War of 1812, in World War I, in World War II, in the Korean war, in the Hungarian war in the fifties, and in Vietnam and shed their blood under this flag, have they not been honored when they have shed their blood?

Not only that, when Confederate soldiers died, they were honored appropriately in graves where those who desired to honor that shedding of the blood were allowed to do so. We did not run into the funerals of those Southern fallen soldiers and cast upon them and curse them and deny them. They were allowed to be honored appropriately, and they now go into the annals of history.

When you understand what grounds they stood on, what their general stood on, such as Jefferson Davis, who called the individuals who were slaves as unprofitable savages—that is what one general who has been honored has called them, “unprofitable savages”—is that the history that we should be honoring?

Is that what we should be lifting up? Is that what should be placed in the place of honor in the United States Congress? Is that engaged in the uplifting of the dignity of the House? Or is it insulting the dignity of the House?

To my colleagues, I stand with you today to join in trying to create an understanding of the rightness of the work of our colleagues last week on the Interior bill, of the rightness of the Congressional Black Caucus going, as someone would say, on and on and on about this flag; and my good friend from New Jersey said it is symbols, and we need to bridge the gap of the inequity and wealth, we need education, we need jobs.

Let me be very clear, Mr. Speaker, the Congressional Black Caucus and my colleagues and the Democratic Caucus and good will Republicans are

fighting for jobs—or should be—fighting for education. We are not languishing along the side highway of life. We fought to maintain the ObamaCare or the Affordable Care Act. We are not ignoring the other desires of our constituents.

Let me close on this final point, and I am glad that my colleague from the District of Columbia raised it, and Congresswoman KELLY has been a leader, and Congresswoman KELLY, let's rise again, and that is the horror of gun violence.

□ 2015

Let me say to Director Comey, since I am on the Judiciary Committee, thank you for your honesty, but let me make it very clear that we suffered this loophole because of the opposition to the sensibleness of the Brady anti-gun violence legislation.

Imbedded in it was this nonsensical point that, if I don't hear from you, then I am going to sell it. Who is selling it? The gun store.

I have no opposition to our fellow citizens who make their living and provide for their families by selling guns. I do have opposition to the evil and vile perpetrator who went into that Mother Emanuel Church and killed illegally with a gun that he should not have had.

He did so because the 3-day time had expired, because there was a time when the NICS was closed—that is the entity that the FBI relies upon—and the 3 days expired, and the owner said, "I am going to sell the gun."

This week I will be introducing a single piece of legislation—and I ask my colleagues to join me—I know there are many other bills—to eliminate the 3-day period of discretion, that no discretion will exist. They either answer the question that he or she is eligible or it is denied.

So on the graves of these wonderful martyrs, I stand in honor of them. I mourn them, and I mourn for their families. I say to them: We will never forget.

Once and for all, bring the flag down and remove these items in this place of honor that have denigrated and considered one race of people vile and unequal.

Ms. KELLY of Illinois. Thank you, Congresswoman JACKSON LEE. Always detailed and insightful. Thank you for all of your work on the Judiciary Committee. It is very much appreciated and hailed.

Mr. Speaker, I yield to the gentleman from New York (Mr. JEFFRIES), who took center stage last week as we discussed and worked toward the removal of the flag.

Mr. JEFFRIES. I want to thank my good friend, the distinguished gentlewoman from Illinois, ROBIN KELLY, for once again presiding over this important CBC Special Order hour, as well as

her co-anchor, the distinguished gentleman from New Jersey, who is right across the Hudson River, and who so ably serves the communities of Newark and beyond.

Mr. Speaker, this evening we have heard from so many distinguished members of the Congressional Black Caucus, most recently from the gentlewoman from Texas, with whom I serve on the Judiciary Committee, about the importance of the moment in time in which we find ourselves right now related to not just the Confederate battle flag, but perhaps more importantly: What is the legacy that we want to have as Americans, as Members of Congress, in dealing with the complicated issue of race?

It is an honor and a privilege to once again have the chance to come to the House floor to have this conversation.

This is a most distinguished venue from which to speak to the American people, an appropriate one, I would add, given the House's constitutional relationship to the people of America, this, of course, being the only institution that was envisioned by the Founding Fathers as one in which the people serving in the institution would be directly elected by the people.

The Senate's Members, of course, in its original constitutional version, were elected by the State legislature. Then, of course, the Presidency, to this day, is a vehicle through which the individual is selected by the Electoral College.

So this is the people's House, the institution most intimately connected to the people of America and the place where we should be able to speak truth to power.

We witnessed that last week as we were forced, unfortunately, to discuss the issue of the Confederate battle flag at a moment when people of all races—Democrats and Republicans, Blacks, Whites, the extraordinary leadership from the Governor of South Carolina, and the distinguished gentleman from South Carolina, JIM CLYBURN—came together.

At the moment when the Confederate battle flag was coming down in South Carolina, there were Members of this House trying to lift it up.

It was quite unfortunate that we needed to detour from this moment that we were having in America, led in South Carolina, to address the battle flag issue on this House floor; but I am hopeful that, as we move forward now in a more productive way, we can begin to confront some of the public policy challenges that we face in America that supporters of the Confederate battle flag have fought against.

As others have detailed during the presentation here today, the battle flag, which met its initial defeat in 1865 at the end of the Civil War, remained largely dormant in American history until 1954 in the Supreme Court's decision of *Brown vs. Board of Education*.

It was decided that this facade of separate and equal was constitutionally suspect and that African Americans were being denied the opportunity of being educated in quality public schools in the Deep South and in other places in America.

Really, it was in the mid-fifties and then into the early sixties when the Confederate battle flag was resurrected as a symbol of the segregationists who were fighting to uphold Jim Crow.

It was a symbol of those who were fighting to stop the efforts of courageous individuals like Congressman JOHN LEWIS, who in 1965 was the co-chair of the Student Nonviolent Coordinating Committee.

It was a symbol of those who were trying to fight efforts by JOHN LEWIS and others to make sure that the franchise—the right to vote—was color-blind in nature and that the 15th Amendment could actually be brought to life all throughout America and in the Deep South, where there were those who were trying to prevent African Americans from being able to vote. The battle flag was resurrected in the fifties and in the sixties to stop certain things from happening.

It seems to me that, rather than having the discussion about whether it should come down, no reasonable person can take the position that it should have a place of honor. So it is extraordinary to me that we had to take to the House floor last week and have to come to the House floor today to continue to address this issue.

Hopefully, reason will prevail over the next couple of weeks or the next couple of days—even prior to the August recess—and we can move beyond the Confederate battle flag issue and address some important, substantive issues that many would argue remain as part of the legacy of the Confederacy. We don't want to see the ghosts of the Confederacy invading the United States Congress from a policy perspective.

Those nine souls—God-fearing, church-going African Americans—who were killed simply because of the color of their skin died because of someone who charged into that church with the intention of sparking a race war that was inspired, in part, by the Confederate battle flag.

One of the things that has happened as a result of that tragedy is the battle flag has come down, but that is just the beginning of the work that we need to do in response to that tragedy and the conditions that so many people find themselves in all across America.

As has been mentioned, we have got to confront the gun violence issue that we have in the United States. How can it be that we have 5 percent of the world's population, but 50 percent of the world's guns?

It is estimated that we have more than 285 million guns in circulation.

Nobody can give you an exact estimate because a chokehold has been placed around the Federal agencies charged with preventing gun violence and dealing with gun safety in America. It is an incredible act of legislative malpractice, but it is estimated that we have got over 285 million guns in America.

Isn't it reasonable, particularly in the aftermath of this tragedy in Charleston, South Carolina, that we come together and figure out a way to prevent those guns, consistent with the Second Amendment, from falling into the hands of individuals who would do us harm? It seems to me to be a reasonable thing that we can do as Americans.

It also seems important that we would find a way 50 years after the passage of the 1965 Voting Rights Act to stop trying to prevent Americans from exercising their sacred franchise and participating in American democracy.

Yet, something happened in the aftermath of 2008, a real interesting moment in November of that year, that seemed to have shocked a whole lot of people across this country. As a result, 2 years later, when there was a midterm election, subsequent to that, there was an outbreak with this concern of voter fraud, fabricated because no one can point to any evidence of an epidemic of voter fraud.

Not a scintilla of evidence has been presented anywhere in this country that we have got a problem that needs to be addressed; but we have had all of these voter suppression laws enacted that are consistent with the ghosts of the Confederacy and what those folks stood for who were waving the Confederate battle flag in opposition to the changes of the fifties and sixties.

What shocks me is that even the Supreme Court has gotten into the act by decimating the section 5 preclearance through claiming that section 4 is outdated, and this House refuses to act on fixing the Voting Rights Act.

I would argue that—again, consistent with our democracy and the spirit of coming together—that, perhaps, that is one of the things we can address so that we can take down, on the one hand, the divisive symbol of hatred—the Confederate battle flag—from here in this Capitol and in whatever form it hangs all across America so that we can lift up policies that make Americans safer, policies that are consistent with our values and that everyone—White, Black, Latino, Asian, Democrats, and Republicans—should be able to rally around.

I am thankful for Congresswoman KELLY's and Congressman PAYNE's leadership—this wonderful tandem, R. KELLY and D. PAYNE, who are tremendous advocates here in the Congress—and for their giving me this opportunity to share these thoughts.

Ms. KELLY of Illinois. Thank you, Congressman JEFFRIES, for reminding

us about the Voting Rights Act. Again, thank you for everything you did last week in this Congress. It was so commendable.

Mr. Speaker, I yield to the gentleman from Texas (Mr. AL GREEN), who gave a passionate speech on the floor last week about the flag.

□ 2030

Mr. AL GREEN of Texas. I am honored to be with the team of KELLY and PAYNE tonight. You do outstanding work, and you also provide an opportunity for other Members to have an opportunity to call to the attention of our constituents some of the concerns that we have to address in Congress. I will always be grateful for the wonderful work that you do in Congress.

I am also very grateful and thankful to the many persons who worked to bring down the Confederate battle flag in South Carolina. It was not easy. There are many who said they never thought they would see it happen, but it did, and it happened because of a willingness to forgive and an understanding that we had an opportunity to do something meaningful for a good many people across the length and breadth of this country who saw the Confederate battle flag as a symbol of segregation, a symbol of racism and bigotry, a symbol of slavery. Not all did, but it was painful for a good many who did see it this way, many who suffered the indignation and humiliation of segregation, who suffered knowing that their bloodline had suffered slavery.

So I am here tonight to thank those who worked so hard to get this done. It was not easy, and I want to thank you for what you did. But I also know that there are a good many people now who would like to see us go back to normal. They are ready to get back to the normal things that we have in this great country of ours, the richest country in the world. For them, normal is a very pleasant thing. Normal means new homes. Normal means greater opportunities.

But let's talk about normal for some others in this country because normal is not always the same for everyone. Normal for the month of June 2015 unemployment: normal for Whites was 4.6 percent, that is the unemployment rate. That is normal for Whites. Normal for Latinos was 6.6 percent, and normal for Blacks was 9.5 percent.

Now, I have already heard the arguments about how President Obama ought to resolve this; this is all his fault. Not so, my friends. If you look back through the vista of time, you will find that unemployment for African Americans is usually about twice the unemployment rate for White Americans. This is not something new to President Obama. This is not something that started in 2008 when he was elected or when he was sworn in in 2009.

This is not something that is new to us, those of us who know and see the pain and suffering that results from a lack of employment.

We understand that the flag coming down was a great moment for us symbolically. It was symbolism. Now, the substance is what we ultimately have to deal with, and the substance is the normal life that people lead under conditions that are abnormal for many others in this country.

Let's look at normal as it relates to lending for businesses. Minority businessowners in 2012—this is the latest information that I have from the Federal Reserve—paid interest rates that were 32 percent higher than what Whites paid—32 percent higher. That is normal.

Some people don't want to go back to this normal state of affairs. They see the flag coming down as an indication that we need to move on in other substantive areas. Lending, mortgage lending is an important area. Normal for African Americans meant that in 2013 only 4.8 percent of loans made to buy homes were made to Blacks, when Blacks comprise 13.2 percent of the total population. Normal for Latinos meant that in 2013 only 7.3 percent of the loans made to buy homes were made to Latinos, Hispanics, when they make up 17.15 percent of the total population. That is normal.

Normal in 2013 meant the conventional mortgage loan denial rate was, and this is according to CNN, 10.4 percent for Whites, 13.3 percent for Asians, 21.9 percent for Hispanics, and 27.6 percent for African Americans. There are a good many people who don't live normal lives in this normal climate that we want to get back to—we, in a generic sense.

I, not the personal pronoun for me, I don't want to get back to this. I want to see us move on with substantive change. I appreciate what was done in bringing down the flag. I celebrate its coming down, but it is time for us to initiate greater action in areas where we can integrate the money. I am an integrationist. I think we ought to integrate every aspect of American society, including the money.

Let's talk about normal. Normal means that Black applicants are 2.1 times more likely to be denied loans by mortgage lenders than non-Hispanic Whites. That is normal. For Hispanics, it means that they are 1.7 times more likely to be denied loans. That is normal. For Asians, 1.2 times more likely.

So I am saying to us that we have got to create a new normal. It is time for us, those of us who sit on committees of jurisdiction, to use our influence on these committees of jurisdiction to bring about the substantive change that lowering the flag and placing it in its place of honor, proper place where it should be, lowering that Confederate flag. That means that we must do that,



but do it in such a way that we acknowledge that there is more work to be done, and we can do it on our committees of jurisdiction.

So, given that I serve on the Committee on Financial Services, I will be calling to the attention of the committee the need to investigate the mortgage lending culture in banks. We need to understand why it is that African Americans and Latinos who are equally as qualified as Whites can go into a bank and not get a loan when a White can. We have got to find out why. I know that there are many people who are uncomfortable with the language of Black and White and Brown, but that is the language we have to use to communicate clearly a message of what is taking place.

So on my committee, I am going to push for an investigation of banks. We need to know why banks consistently do this. Not all banks, but we need to know why those who do it are doing it.

The way you do this is to test, to send people out who are equally qualified of different ethnicities and acquire the empirical evidence. In every instance—maybe with a few exceptions, but in every instance, in a general sense, we find that Blacks and Browns who are equally as qualified as Whites do not receive their loans.

I encourage all of my colleagues to use your committees of jurisdiction to create a new state of normalcy for those who have been suffering continuously.

Ms. KELLY of Illinois. Thank you so much, Congressman GREEN, for your words, your passion, and your call to action.

I would like to thank all of my colleagues for participating tonight. Symbols of the Confederacy have been an inescapable and often haunting part of life in many Southern States. Every day the Confederate flag is flown proudly in front yards, worn on T-shirts, and you will find them on pickup trucks, and that is the right that folks have.

Many argue this is a symbol of Southern history, tradition, and honor. I would argue against the merits of that. After all, what are we proudly honoring and looking upon nostalgically? The Confederate flag represents a dark time in our Nation's history, full of pain, suffering, and loss.

Why do we allow the mascot of terrorist groups to fly high on the government grounds? Would we permit ISIS the luxury of putting their symbols on our Federal grounds? In modern society, people have made a decision to eradicate materials that do not represent our country's core values: the value of inclusion, the value of non-discrimination, and the value that our Nation can be the beacon of hope for everyone regardless of the color of their skin.

The institution of slavery destroyed families, killed millions, and formed

the beginning of a systemic inequality faced by African Americans today. That is what the Confederacy sought to preserve when it seceded from our great Nation. Every time a Confederate flag flies, whether it is the intent of the owner or not, that is what is being celebrated.

Mr. Speaker, we need to take down the flag and we also need to have a serious conversation about gun violence. On behalf of Congressman PAYNE and me, I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today with my colleagues of the Congressional Black Caucus, to discuss tonight's CBC Special Order Hour: "The Confederate Battle Flag: Why Symbols Matter." I stand here today fully acknowledging that the eradication of this hurtful flag from state and federal grounds is only one step in fully addressing race relations in this country; but, just as so many of my CBC colleagues have stood on this very floor to exclaim that "Black Lives Matter," so too do symbols. Symbols of hatred, institutionalized racism and white supremacy, they matter. Symbols like the flags of Apartheid South Africa and Rhodesia, embraced by Dylann Roof, the terrorist responsible for the unspeakable events at Emmanuel AME Church in Charleston last month, Mr. Speaker, they matter.

Last week, the South Carolina legislature voted overwhelmingly in favor of removing—once and for all—the confederate battle flag from their Capitol grounds. I applaud the state of South Carolina for this historic gesture and for the outstanding leadership necessary to ensure that this flag comes down in the aftermath of the "Emmanuel Nine" tragedy. I implore other southern states that still fly the battle flag on state grounds to follow suit and have the flag removed. As a Member of Congress, I pledge my support to any legislation that completely eradicates this symbol from all federal lands.

To understand why the confederate battle flag has been offensive to millions of Americans for so many years requires a proper framing of American History. The version of the confederate battle flag that most people are familiar with today was first used by the Army of Tennessee during the Civil War. Shortly thereafter, it became widely known as the symbol of the Confederacy—eleven states who wished to secede from the Union over the right to own slaves. For the many Americans who deny a basic historical fact by refusing to believe that slavery was a central point of conflict in the Civil War, I quote directly from the declaration of secession from my home state of Texas:

"We hold as undeniable truths that the governments of the various States, and of the confederacy itself were established exclusively by the white race, for themselves and their posterity; that the African race had no agency in their establishment; that they were rightfully held and regarded as an inferior and dependent race, and in that condition only could their existence in this country be rendered beneficial or tolerable."

Similarly, overt references to slavery as a motivation to secede from the Union are also

present in the declarations of secession of South Carolina, Georgia and Mississippi.

Repeatedly, throughout the 20th century, the confederate battle flag flew as a symbol of direct defiance to advancements in civil rights. The flag was first displayed at the South Carolina state Capitol in 1938 after angry Members of Congress defeated a bill that would have made lynching a federal crime.

In the 1940s, the flag became the symbol of the Dixiecrats, the segregationist political faction birthed out of its firm stance against the civil rights agenda of the national Democratic party of the time. Members of the Dixiecrats were faithfully devoted to maintaining the segregation of the Jim Crow South, many of whom stood on this very House floor decades ago, extolling the virtues of an American society that subjugated its black citizens.

In 1962, the flag was raised to the dome of the South Carolina state Capitol after President Kennedy called on Congress to end poll taxes and literacy tests for voting, and the Supreme Court declared segregation in public transportation unconstitutional. The raising of the confederate battle flag flew as a symbol of resistance in South Carolina to two landmark achievements of progress that our country relied on to move forward in its quest for racial equality.

While the confederate battle flag may represent "Southern Heritage" to some, to millions of other Americans it represents an opposition to the racial equality we still fight for today. This flag is a symbol of the painful history that this country has worked hard to overcome; and in order to continue moving forward, it is a symbol that we must finally put behind us.

Ms. SEWELL of Alabama. Mr. Speaker, today I rise to address the ongoing debate over the Confederate battle flag and its placement on state and federal government property. As a daughter of Selma, Alabama, I have a great respect and understanding of the deep heritage and tradition that every Southerner holds close to their heart. But as an American, I find it very troubling that some continue to defend a symbol of obvious and demonstrated hatred. From its creation, the flag was a denotation of the intention to segregate and enslave African Americans.

While some people genuinely revere the Confederate Battle Flag because of its connection to their ancestors, there can be little doubt that it is cherished by groups and individuals expressing racial hatred. As my colleague and friend JOHN LEWIS declared in this Chamber last week, the state troopers wore the flag on their helmets as they beat him and nearly took his life at the foot of the Edmund Pettus Bridge in 1965. It is clear that the flag is overwhelmingly associated with some of the darkest sins of our nation's past. The original intention of the flag saw resurgence in the 1950s as an expression of resistance to the Civil Rights Movement and desegregation. In 1963, Governor George Wallace raised the Confederate Battle Flag over the Alabama State Capitol as a protest to then U.S. Attorney General Robert Kennedy's visit to Alabama to urge desegregation. This very reaction to the rise of civil rights for African-Americans proves its symbolism as one of racial segregation and not one of heritage.

But let there be no mistake. The removal of this divisive symbol does not cure our society of all discrimination. Hatred stubbornly lingers on even after these flags are lowered. Removing flags from federally owned property or from a state's capitol grounds is a strong step forward, but it is not a final solution to our society's deeply entrenched structural oppression. Much more needs to be done to combat discrimination in our society and in our public institutions.

The United States has always been a beacon of progress and equality, so it stuns me that we continue to be shackled to these discriminatory symbols. The destiny of America is always in the future, not the past. We can learn from the past, both good and ill, but it is to the future that we must always direct our focus and our ambitions. We must forge a path forward, away from the symbols of the darkest times in our nation's history. Racism will end when we confront the hate behind the heritage with unity and reconciliation.

Ms. LEE. Mr. Speaker, first, let me thank Congresswoman ROBIN KELLY and Congressman DONALD PAYNE for hosting this important Special Order. I appreciate your leadership in organizing this important discussion.

I would also like to thank Chairman BUTTERFIELD and Assistant Leader CLYBURN for their continued leadership and dedication to fighting racism and racial bias.

Tonight's special order is particularly important because of recent high profile events that have forced our nation to reflect on race.

Our nation continues to grieve those lost in the terrible tragedy at Mother Emmanuel A.M.E. Church in Charleston, S.C. and my thoughts and prayer remain with their families.

In the wake of this senseless tragedy, Americans all over the country are asking: why do we still celebrate the Confederate battle flag? The confederate battle flag is a true symbol of hate and discrimination.

Late Wednesday night, as the South Carolina legislature debated bringing down the Confederate battle flag that had flown over its statehouse, Congressman KEN CALVERT, a Republican from California, introduced an amendment—in the dark of night—to allow for the sale and display of this symbol of hate in our national parks and federal cemeteries.

That's simply outrageous—this symbol of hate has no place at these federal landmarks. It's past time that we put away these symbols of hate and division.

It's past time that we confront America's long and dark history of racism and work to address the legacy of slavery, Jim Crow and institutional racism that continue to disadvantage too many African American families.

Now I grew up in El Paso, TX and I remember vividly Jim Crow. I remember the segregated schools and separate drinking fountains. I wasn't able to go to the Plaza Theatre with my white and Latino friends—because I was black.

Thankfully, those days of legal segregation have ended but in many ways, we know that segregation and the wounds of racism still persist.

And the Confederate battle flag is a symbol of that hate and racism. It is a symbol that only serves to divide us and that never should have existed.

From its conception, the confederate battle flag has represented white supremacy, and oppression.

In the words of William Thompson, the designer of the confederate battle flag, "As a people we are fighting to maintain the Heaven-ordained supremacy of the white man over the inferior or colored race. A white flag would stand fourth our southern cross, preserving in beautiful contrast the red white and blue"

He continues by saying ". . . it would soon take rank among the proudest ensigns of the nations, and be hailed by the civilized world as the White Man's Flag."

Mr. Speaker—I could not have put it more plainly.

This flag means hate—it always has and always will.

The intent for the confederate battle flag was to create a symbol that will remind the whole world of white supremacy, discrimination, and opposition to America.

It was also the banner under which millions fought against the preservation of our great union.

Under this flag, the Ku Klux Klan; a terrorist organization solely devoted to promoting hate and white supremacy, would unlawfully lynch blacks and burn churches to the ground.

Under this banner, lawmakers instituted laws that established and preserved segregation for generations.

And Dylann Roof looked to the flag as his guiding symbol that legitimized his actions: the murder of 9 peaceful parishioners looking to develop a deeper connection with God and their community.

Mr. Speaker—enough is enough. This symbol of hate has no place in our society—it's past time to take it down.

However, it is not enough to simply take it down. We must get serious about deconstructing the system that the Confederate battle flag represents—a system designed to close off economic opportunity for African Americans. It's past time that we get serious about ensuring liberty and justice for all.

To start, we must pass Congressman BENNIE THOMPSON's resolution to bring down the Confederate battle flag from our nation's Capital. This is a common sense step and I urge the House Administration Committee to quickly move on his legislation.

We can and must do more to put away hate and ensure justice for all.

We must start by creating good-paying jobs that are open to all Americans.

In my role as co-chair of the CBC Task Force on Poverty and the Economy and Chair of the Democratic Whip's Task Force on Poverty, Income Inequality, and Opportunity, I am proud to be working with more than 100 of my colleagues, to advance policies that give all Americans—a fair shot.

This work includes working to pass the Pathways out of Poverty Act (H.R. 2721), which I am proud to have introduced this Congress. This legislation is a comprehensive approach to address poverty in America that starts by creating good-paying jobs that empower families to build pathways out of poverty.

We also need to raise the minimum wage—and fight for a living wage because no one working full time should live in poverty.

To that end, I am proud to be a cosponsor of Congressman AL GREEN's The Original Living Wage Act (H.R. 122) and Congressman SCOTT's Raise the Wage Act (H.R. 2150) to increase paychecks for families living on the edge.

We also need to fight against the disparities that persist in our health care system. The Affordable Care Act was a good start but more is needed.

For years, the Congressional tri-caucus has championed this effort by introducing The Health Equity and Accountability Act (HEAA). Congresswoman ROBIN KELLY will have the honor of introducing this important legislation this Congress and I am proud to co-lead this effort as co-chair of the CAPAC Health Task Force. This legislation builds on the Affordable Care Act and puts us on track to eliminate health disparities in our country.

Lastly, we need criminal justice reform. For too long we have ignored the systemic racial bias that's endemic in our criminal justice institutions and which has created an entire "missing generation" of black men.

That is why Congress should pass the bipartisan Stop Militarizing Law Enforcement Act (H.R. 1232), which I am a proud cosponsor of, to stop the militarization of our nation's police forces.

We need to pass the Police Accountability Act (H.R. 1102) and the Grand Jury Reform Act (H.R. 429) so we can ensure that deadly force cases are heard by a judge and there is more accountability among police officers.

Mr. Speaker—we have the legislation before us to start ending systemic poverty and injustice in America—let's call a vote and pass these bills.

It's time that we get serious about deconstructing the institutions that have oppressed millions and denied them and their families' opportunity to live the American dream.

But first, we must take down the Confederate battle flag—a symbol of those biased institutions.

A symbol of hate—  
Of racism and  
Of treason.

Mr. Speaker—it's past time to take it down.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CLYBURN (at the request of Ms. PELOS) for today.

#### PUBLICATION OF BUDGETARY MATERIAL

REVISIONS TO THE AGGREGATES AND ALLOCATIONS OF THE FISCAL YEAR 2016 BUDGET RESOLUTION

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON THE BUDGET,  
Washington, DC, July 13, 2015.

Mr. TOM PRICE of Georgia: Mr. Speaker, pursuant to section 314(a) of the Congressional Budget Act of 1974, I hereby submit for printing in the Congressional Record revisions to the aggregates and allocations set forth pursuant to the Fiscal Year 2016 Concurrent Resolution on the Budget Conference Report, S. Con. Res. 11. The revision is for

new budget authority and outlays for provisions designated as program integrity initiatives, pursuant to section 251(b)(2)(B) and (C) of the Balanced Budget and Emergency Deficit Control Act of 1985 (BBEDCA), contained in H.R. 3020, the Departments of Labor, Health and Human Services, Education, and Related Agencies Appropriations Act, 2016.

S. Con. Res. 11 set the base discretionary 302(a) allocation to the Committee on Appropriations at \$1,016,582 million, which is the sum of the fiscal year 2016 discretionary spending limits under section 251(c) of BBEDCA. Section 251(b) of BBEDCA allows for adjustments to the discretionary spending limits for certain purposes including overseas contingencies, disaster relief, and program integrity initiatives.

H.R. 3020, the Departments of Labor, Health and Human Services, Education, and Related Agencies Appropriations Act, 2016, contains \$1,484 million in budget authority for program integrity initiatives, which is within the allowable limits for this purpose as established in section 251(b)(2)(B) and (C) of BBEDCA. Accordingly, I am submitting an adjustment to S. Con. Res. 11 for an additional \$1,484 million in budget authority to accommodate program integrity funding contained in H.R. 3020. After making this adjustment, H.R. 3020 is within the fiscal year 2016 discretionary spending limits under section 251(c) of BBEDCA and the 302(a) allocation to the Committee on Appropriations established by S. Con. Res. 11.

These revisions are provided for bills, joint resolutions, and amendments thereto or conference reports thereon, considered by the House subsequent to this filing, as applicable. For fiscal year 2016, aggregate levels of budget authority and outlays and the allocation to the Committee on Appropriations, established by S. Con. Res. 11, are revised. Associated tables are attached.

This revision represents an adjustment for purposes of budgetary enforcement. The revised allocation is to be considered as an allocation included in the budget resolution pursuant to S. Con. Res. 11, as adjusted.

Sincerely,

TOM PRICE, M.D.,  
*Chairman, Committee on the Budget.*

BUDGET AGGREGATES

[On-budget amounts, in millions of dollars]

	Fiscal Year	
	2016	2016–2025
Current Aggregates:		
Budget Authority	3,039,215	<sup>1</sup>
Outlays	3,091,442	<sup>1</sup>
Revenues	2,676,733	32,237,371
Adjustment for H.R. 3020, Departments of Labor, Health and Human Services, Education, and Related Agencies, Appropriations Act, 2016		
Budget Authority	1,083	<sup>1</sup>
Outlays	924	<sup>1</sup>
Revenues	0	0
Revised Aggregates:		
Budget Authority	3,040,298	<sup>1</sup>
Outlays	3,092,366	<sup>1</sup>
Revenues	2,676,733	32,237,371

<sup>1</sup> Not applicable because annual appropriations acts for fiscal years 2017–2025 will not be considered until future sessions of Congress.

ALLOCATION OF SPENDING AUTHORITY TO HOUSE COMMITTEE ON APPROPRIATIONS	
(In millions of dollars)	
	2016
Base Discretionary Action:	
BA	1,016,582
OT	1,156,644
Global War on Terrorism:	
BA	96,287
OT	48,798
Program Integrity:	
BA	1,484
OT	1,277
Total Discretionary Action:	
BA	1,114,353
OT	1,206,719
Current Law Mandatory:	
BA	960,295
OT	952,912

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1359. An act to allow manufacturers to meet warranty and labeling requirements for consumer products by displaying the terms of warranties on Internet websites, and for other purposes; to the Committee on Energy and Commerce.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2620. An act to amend the United States Cotton Futures Act to exclude certain cotton futures contracts from coverage under such Act.

ADJOURNMENT

Ms. KELLY of Illinois. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 39 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, July 14, 2015, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2135. A letter from the Acting Undersecretary of Defense, Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General John M. Bednarek, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

2136. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Noel T. Jones, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

2137. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General William T. Grisoli, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

2138. A letter from the General Counsel, Pension Benefit Guaranty Corporation, transmitting the Corporation's interim final rule — Partitions of Eligible Multiemployer Plans (RIN: 1212-AB29) received July 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by

Public Law 104-121, Sec. 251; to the Committee on Education and the Workforce.

2139. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Tennessee; Redesignation of the Knoxville 2008 8-Hour Ozone Nonattainment Area to Attainment [EPA-R04-OAR-2014-0870; FRL-9930-49-Region 4] received July 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2140. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Determinations of Attainment of the 1997 Annual Fine Particulate Matter Standard for the Libby, Montana Nonattainment Area [EPA-R08-OAR-2014-0254; FRL-9930-47-Region 8] received July 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2141. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Texas; Revisions to the New Source Review State Implementation Plan; Flexible Permit Program [EPA-R06-OAR-2013-0542; FRL-9930-44-Region 6] received July 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2142. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval of Air Quality Implementation Plans; Indiana; Lead Rule Revisions [EPA-R05-OAR-2013-0193; FRL-9930-41-Region 5] received July 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2143. A letter from the Director, Regulatory Management Division, Environmental

Protection Agency, transmitting the Agency's final rule — Protection of Stratospheric Ozone: Change of Listing Status for Certain Substitutes under the Significant New Alternatives Policy Program [EPA-HQ-OAR-2014-0198; FRL-9926-55-OAR] (RIN: 2060-AS18) received July 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2144. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-98, "TOPA Bona Fide Offer of Sale Clarification Temporary Amendment Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(1); to the Committee on Oversight and Government Reform.

2145. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-97, "Heat Wave Safety Temporary Amendment Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(1); to the Committee on Oversight and Government Reform.

2146. A letter from the Executive Analyst (Political), Department of Health and Human Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998, Pub. L. 105-277; to the Committee on Oversight and Government Reform.

2147. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Snapper-Grouper Fishery of the South Atlantic; 2015 Commercial Accountability Measure and Closure for the South Atlantic Lesser Amberjack, Almaco Jack, and Banded Rudderfish Complex [Docket No.: 120815345-3525-02] (RIN: 0648-XD988) received July 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

2148. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Recreational Management Measures for the Summer Flounder, Scup, and Black Sea Bass Fisheries; Fishing Year 2015 [Docket No.: 150211144-5509-02] (RIN: 0648-BE89) received July 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 2898. A bill to provide drought relief in the State of California, and for other purposes; with an amendment (Rept. 114-197, Pt. 1). Referred to the Committee of the Whole House on the state of the union.

Mr. ROGERS of Kentucky: Committee on Appropriations. Revised Suballocation of Budget Allocations for Fiscal Year 2016 (Rept. 114-198). Referred to the Committee of the Whole House on the state of the union.

### DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Agriculture discharged from further consideration. H.R. 2898

referred to Committee of the Whole House on the state of the union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SMITH of Texas (for himself, Ms. BROWNLEY of California, Mr. JOHNSON of Ohio, and Mr. BEYER):

H.R. 3033. A bill to require the President's annual budget request to Congress each year to include a line item for the Research in Disabilities Education program of the National Science Foundation and to require the National Science Foundation to conduct research on dyslexia; to the Committee on Science, Space, and Technology.

By Mr. BUTTERFIELD (for himself, Mr. JONES, Mr. CLYBURN, Mr. AL GREEN of Texas, Mr. CLEAVER, Ms. MAXINE WATERS of California, Mr. SCOTT of Virginia, Mr. LEWIS, Mr. DANNY K. DAVIS of Illinois, Ms. PLASKETT, Ms. WILSON of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HASTINGS, Ms. ESHOO, Ms. LEE, Ms. BROWN of Florida, Mr. RICHMOND, Mr. FATTAH, Mr. RANGEL, Ms. BASS, Ms. NORTON, Mr. CÁRDENAS, Mr. GENE GREEN of Texas, Mr. PAYNE, Mr. CLAY, Mr. JEFFRIES, Mrs. BEATTY, Mr. VEASEY, Mr. THOMPSON of Mississippi, and Ms. SEWELL of Alabama):

H.R. 3034. A bill to provide for the issuance of a commemorative postage stamp in honor of George Henry White; to the Committee on Oversight and Government Reform.

By Mr. ELLISON (for himself, Mr. FITZPATRICK, Mr. AL GREEN of Texas, Mr. PITTENGER, Ms. MOORE, Mr. RENACCI, Mr. CARNEY, Mr. MULVANEY, Mr. HINOJOSA, Mr. JONES, Mr. RUSH, Mr. SCHWEIKERT, Mr. GRIJALVA, and Mr. MCNERNEY):

H.R. 3035. A bill to amend the Fair Credit Reporting Act to clarify Federal law with respect to reporting certain positive consumer credit information to consumer reporting agencies, and for other purposes; to the Committee on Financial Services.

By Mr. MACARTHUR (for himself, Mrs. CAROLYN B. MALONEY of New York, Mr. CALVERT, Mr. KING of New York, and Mr. NADLER):

H.R. 3036. A bill to designate the National September 11 Memorial located at the World Trade Center site in New York City, New York, as a national memorial, and for other purposes; to the Committee on Natural Resources.

By Mr. REED (for himself and Mr. THOMPSON of California):

H.R. 3037. A bill to amend title XVIII of the Social Security Act to improve access to hospice care under the Medicare program, and for other purposes; to the Committee on Ways and Means.

By Mr. RYAN of Wisconsin (for himself and Mr. SHUSTER):

H.R. 3038. A bill to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Ways and Means, Natural Resources, Science, Space, and Technology, Energy and Commerce, Homeland Security, and Education and the

Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BROOKS of Alabama:

H.R. 3039. A bill to impose penalties on state-sponsors of cyberattacks, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Ways and Means, Financial Services, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAPPS (for herself, Mr.

LAMALFA, Ms. BROWNLEY of California, Ms. CLARKE of New York, Mr. COSTA, Mr. HIGGINS, Mr. HONDA, Mr. ISRAEL, Ms. PINGREE, Mr. RANGEL, Mr. SERRANO, Mr. STEWART, Mr. TONKO, Ms. TSONGAS, Mr. VAN HOLLEN, Ms. VELÁZQUEZ, and Mr. YOHIO):

H.R. 3040. A bill to require the Secretary of Defense, in consultation with the Secretary of Veterans Affairs, to develop guidelines regarding the use by the Secretaries of the military departments and the Secretary of Veterans Affairs of unofficial sources of information to determine the eligibility of a member or former member of the Armed Forces for benefits and decorations when the member's service records are incomplete because of damage to the records, including records damaged by a 1973 fire at the National Personnel Records Center in St. Louis, Missouri; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CÁRDENAS (for himself, Ms. LEE, and Mr. ELLISON):

H.R. 3041. A bill to require the Secretary of Energy to provide loans and grants for solar installations in low-income and underserved areas; to the Committee on Energy and Commerce.

By Ms. DELAURO (for herself, Mr. RUSH, Mr. RANGEL, Ms. ESTY, Mr. GARAMENDI, and Ms. WASSERMAN SCHULTZ):

H.R. 3042. A bill to amend the Act of October 19, 1949 (15 U.S.C. 375 et seq.; commonly referred to as the "Jenkins Act"), to prevent the interstate sale and delivery of electronic cigarettes, cigars, and pipe tobacco to minors in violation of law; to the Committee on the Judiciary.

By Mr. GRIJALVA:

H.R. 3043. A bill to amend the Internal Revenue Code of 1986 to allow allocation of certain renewable energy tax credits to Indian tribes, and for other purposes; to the Committee on Ways and Means.

By Mrs. LOWEY:

H.R. 3044. A bill to direct the Administrator of the National Highway Traffic Safety Administration to carry out a collaborative research effort to prevent drunk driving injuries and fatalities, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MCNERNEY (for himself, Mr. DESAULNIER, Mr. HUFFMAN, Mr. FARR, Mr. HONDA, Mr. THOMPSON of California, Ms. SPEIER, Mr. SWALWELL of California, Mr. GARAMENDI, and Ms. LOFGREN):

H.R. 3045. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize certain recycled

water projects, and for other purposes; to the Committee on Natural Resources.

By Mr. RANGEL:

H.R. 3046. A bill to amend the Internal Revenue Code of 1986 to modify and permanently extend qualified zone academy bonds, and to treat such bonds as specified tax credit bonds; to the Committee on Ways and Means.

By Mr. ROUZER:

H.R. 3047. A bill to require certain welfare programs to deny benefits to persons who fail a drug test, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Agriculture, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING of New York (for himself, Mr. REICHERT, Mr. PASCARELL, and Mr. HOYER):

H. Con. Res. 61. Concurrent resolution authorizing the use of the Capitol Grounds for the 2nd Annual Fallen Firefighters Congressional Flag Presentation Ceremony; to the Committee on Transportation and Infrastructure.

## MEMORIALS

Under clause 3 of rule XII,

77. The SPEAKER presented a memorial of the Legislature of the State of Illinois, relative to Senate Joint Resolution No. 7, urging the President of the United States, members of Congress, and the United States Department of Labor to update regulations implementing an executive order prohibiting discrimination by federally-assisted contractors and subcontractors; to the Committee on Oversight and Government Reform.

## CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. SMITH of Texas:

H.R. 3033.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18:

The Congress shall have power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department of Officer thereof.

By Mr. BUTTERFIELD:

H.R. 3034.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Mr. ELLISON:

H.R. 3035.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

By Mr. MACARTHUR:

H.R. 3036.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

By Mr. REED:

H.R. 3037.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. RYAN of Wisconsin:

H.R. 3038.

Congress has the power to enact this legislation pursuant to the following:

Clauses 1, 3, and 18 of Section 8 of Article I of the United States Constitution.

By Mr. BROOKS of Alabama:

H.R. 3039.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts, and Excises shall be uniform throughout the United States;

By Mrs. CAPPES:

H.R. 3040.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. CÁRDENAS:

H.R. 3041.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Ms. DELAURO:

H.R. 3042.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 and Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. GRIJALVA:

H.R. 3043.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §8.

By Mrs. LOWEY:

H.R. 3044.

Congress has the power to enact this legislation pursuant to the following:

Article I

By Mr. MCNERNEY:

H.R. 3045.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

By Mr. RANGEL:

H.R. 3046.

Congress has the power to enact this legislation pursuant to the following:

Article XVI of the Constitution—Congress shall have power to lay and collect taxes on incomes . . .

By Mr. ROUZER:

H.R. 3047.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have the Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debt and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 73: Mrs. LAWRENCE.

H.R. 169: Mrs. BLACKBURN.

H.R. 204: Mr. JOHNSON of Ohio.

H.R. 213: Mr. BRADY of Pennsylvania.

H.R. 282: Mr. KATKO.

H.R. 300: Mr. GROTHMAN and Ms. JENKINS of Kansas.

H.R. 307: Mr. RUIZ.

H.R. 317: Mr. HONDA.

H.R. 333: Ms. ESHOO.

H.R. 353: Mr. KLINE.

H.R. 427: Mr. WALDEN.

H.R. 455: Mr. BENISHEK.

H.R. 504: Mr. JOHNSON of Ohio.

H.R. 540: Mr. PALAZZO.

H.R. 548: Mr. TROTT.

H.R. 563: Mr. SCHIFF and Mr. LIPINSKI.

H.R. 600: Mr. HURT of Virginia.

H.R. 649: Mrs. NAPOLITANO.

H.R. 662: Mr. NUNES.

H.R. 665: Mr. CAPUANO.

H.R. 680: Mr. HINOJOSA.

H.R. 700: Mr. ELLISON and Mr. HINOJOSA.

H.R. 702: Mr. LABRADOR, Mrs. NOEM, Mr. YODER, Mr. SCHRADER, and Mr. JORDAN.

H.R. 707: Mr. WEBSTER of Florida.

H.R. 731: Mr. CARSON of Indiana.

H.R. 745: Mrs. KIRKPATRICK.

H.R. 750: Mr. MEEKS and Ms. LINDA T. SÁNCHEZ of California.

H.R. 753: Mr. COHEN.

H.R. 757: Ms. ROS-LEHTINEN.

H.R. 759: Mr. LABRADOR.

H.R. 793: Mr. JENKINS of West Virginia and Mr. KING of Iowa.

H.R. 815: Mrs. McMORRIS RODGERS and Mr. BUCSHON.

H.R. 821: Mr. KLINE.

H.R. 842: Mr. JONES.

H.R. 868: Mr. BRIDENSTINE.

H.R. 879: Mr. DONOVAN.

H.R. 885: Mr. CARNEY.

H.R. 913: Ms. CLARKE of New York and Mr. THOMPSON of California.

H.R. 932: Mr. THOMPSON of California.

H.R. 985: Mrs. LAWRENCE.

H.R. 986: Mr. JENKINS of West Virginia.

H.R. 1062: Ms. BASS and Mr. KATKO.

H.R. 1086: Mr. GROTHMAN.

H.R. 1098: Mr. CARSON of Indiana.

H.R. 1100: Ms. ESHOO, Mr. ASHFORD, and Mr. VELA.

H.R. 1148: Mr. BRAT.

H.R. 1149: Mr. BRAT.

H.R. 1151: Mrs. MIMI WALTERS of California.

H.R. 1153: Mr. BRAT.

H.R. 1157: Mrs. MIMI WALTERS of California and Mr. KNIGHT.

H.R. 1188: Mrs. NAPOLITANO.

H.R. 1197: Ms. JENKINS of Kansas and Mr. LUETKEMEYER.

H.R. 1212: Mr. JOLLY and Mr. PERRY.

H.R. 1258: Mr. SARBANES.

H.R. 1270: Mrs. BLACK.

H.R. 1277: Ms. BONAMICI.

H.R. 1288: Mr. FRANKS of Arizona, Mr. HUNTER, and Mr. CARTER of Georgia.

H.R. 1300: Mr. BRADY of Pennsylvania.

H.R. 1312: Mr. JOYCE.

H.R. 1342: Ms. BROWN of Florida, Mr. VALADAO, Mr. FOSTER, Mr. LOBIONDO, Ms. GABBARD, Ms. ROYBAL-ALLARD, Mrs. BLACK, and Mr. PERRY.

H.R. 1354: Ms. FUDGE.

H.R. 1356: Mr. KILMER and Mr. ASHFORD.

H.R. 1384: Ms. ESHOO and Mr. KILMER.

H.R. 1391: Mr. TAKAI.

H.R. 1401: Ms. WASSERMAN SCHULTZ and Mr. JOYCE.

H.R. 1415: Mr. CARSON of Indiana.

H.R. 1419: Mr. KIND and Mr. MCDERMOTT.

H.R. 1424: Mr. ROSKAM and Mr. MCHENRY.

H.R. 1439: Mr. BRENDAN F. BOYLE of Pennsylvania.

- H.R. 1441: Miss RICE of New York.  
H.R. 1453: Mr. PASCRELL.  
H.R. 1462: Ms. KAPTUR.  
H.R. 1475: Mr. KIND, Mr. LOBIONDO, and Mr. YOUNG of Alaska.  
H.R. 1516: Ms. JENKINS of Kansas, Ms. TSONGAS, and Ms. ESTY.  
H.R. 1567: Mr. RODNEY DAVIS of Illinois and Mr. DESAULNIER.  
H.R. 1571: Mr. KILMER and Mr. MURPHY of Florida.  
H.R. 1599: Mr. FRANKS of Arizona.  
H.R. 1603: Mrs. COMSTOCK.  
H.R. 1608: Mr. FATTAH.  
H.R. 1622: Mr. POLIS.  
H.R. 1644: Mr. THOMPSON of Pennsylvania.  
H.R. 1718: Mrs. BLACKBURN.  
H.R. 1769: Mr. GALLEGO.  
H.R. 1786: Mr. KILMER and Mr. SCHIFF.  
H.R. 1832: Ms. BASS and Mr. RICHMOND.  
H.R. 1854: Ms. MCSALLY and Mr. AUSTIN SCOTT of Georgia.  
H.R. 1859: Mr. KATKO.  
H.R. 1901: Mr. GRAVES of Georgia and Mr. GOSAR.  
H.R. 1919: Mr. KILMER.  
H.R. 1967: Mr. PETERS, Ms. BONAMICI, Mr. HECK of Washington, Ms. DELBENE, and Mr. CARTWRIGHT.  
H.R. 1969: Mr. JOLLY and Mr. VELA.  
H.R. 1998: Mr. POCAN and Mr. CARSON of Indiana.  
H.R. 2017: Mr. WALZ, Mr. MULVANEY, and Mr. LATTA.  
H.R. 2050: Mr. MCKINLEY.  
H.R. 2141: Mr. STIVERS.  
H.R. 2156: Ms. GABBARD.  
H.R. 2218: Mr. VALADAO.  
H.R. 2293: Mr. KATKO, Mrs. COMSTOCK, Mr. SARBANES, Ms. BONAMICI, and Ms. BROWNLEY of California.  
H.R. 2303: Mr. ELLISON.  
H.R. 2315: Mr. AMODEI, Mr. McDERMOTT, Mr. BISHOP of Utah, Mr. POMPEO, Mr. MACARTHUR, Mr. EMMER of Minnesota, Mr. BARR, Mr. RIGELL, and Mr. LATTA.  
H.R. 2366: Mr. PETERSON, Mr. DAVID SCOTT of Georgia, and Mr. ROE of Tennessee.  
H.R. 2380: Mr. SARBANES.  
H.R. 2391: Mr. SARBANES.  
H.R. 2400: Mr. HANNA.  
H.R. 2404: Mr. DOLD and Mr. COLLINS of New York.  
H.R. 2410: Mr. HASTINGS and Mr. RYAN of Ohio.  
H.R. 2411: Ms. DELBENE.  
H.R. 2464: Mr. ROUZER.  
H.R. 2470: Mr. HASTINGS, Ms. NORTON, Mr. TAKANO, and Mr. DOGGETT.  
H.R. 2493: Mr. O'ROURKE and Mr. PETERS.  
H.R. 2494: Mr. PITTENGER.  
H.R. 2500: Mr. ROE of Tennessee.  
H.R. 2530: Mr. HASTINGS, Ms. DELBENE, Mr. HONDA, and Mr. CARNEY.  
H.R. 2535: Mr. GRIJALVA.  
H.R. 2568: Mrs. MCMORRIS RODGERS and Mr. MEADOWS.  
H.R. 2615: Mr. YOUNG of Alaska and Ms. PINGREE.  
H.R. 2622: Mr. MCKINLEY.  
H.R. 2633: Ms. KUSTER.  
H.R. 2646: Mrs. BLACK and Mr. FLEISCHMANN.  
H.R. 2658: Mr. ABRAHAM.  
H.R. 2675: Mr. BISHOP of Georgia.  
H.R. 2689: Mr. CALVERT and Mr. GARAMENDI.  
H.R. 2692: Miss RICE of New York.  
H.R. 2698: Mr. REED.  
H.R. 2716: Mr. CLAWSON of Florida, Mr. WEBER of Texas, Mr. BROOKS of Alabama, Mr. FARENTHOLD, and Mr. GOSAR.  
H.R. 2726: Mr. TIPTON, Ms. ROS-LEHTINEN, and Ms. GRANGER.  
H.R. 2730: Mr. PAYNE.  
H.R. 2739: Mr. BISHOP of Michigan and Ms. PINGREE.  
H.R. 2752: Mr. COSTELLO of Pennsylvania.  
H.R. 2753: Mr. ROTHFUS.  
H.R. 2769: Mr. BARR.  
H.R. 2770: Mr. DONOVAN.  
H.R. 2775: Mr. SMITH of Washington, Mr. POE of Texas, and Mr. COHEN.  
H.R. 2799: Mr. HASTINGS.  
H.R. 2800: Ms. MCSALLY.  
H.R. 2802: Mr. HARPER, Mr. CLAWSON of Florida, Mr. BLUM, Mr. CARTER of Georgia, Mr. HUNTER, Mr. GOHMERT, Mr. WHITFIELD, Mr. FARENTHOLD, Mr. MARINO, Mr. BOUTSTANY, Mr. JENKINS of West Virginia, Mr. ROONEY of Florida, Mr. JOYCE, Mr. WILSON of South Carolina, Mrs. NOEM, Mr. COLLINS of New York, and Mr. COLE.  
H.R. 2804: Mr. SCHIFF.  
H.R. 2805: Mr. KILMER, Mr. KATKO, and Ms. CLARK of Massachusetts.  
H.R. 2835: Mr. ASHFORD and Mr. CLAWSON of Florida.  
H.R. 2836: Mr. HONDA.  
H.R. 2838: Mr. REED.  
H.R. 2866: Mr. CARTWRIGHT and Mr. RYAN of Ohio.  
H.R. 2873: Mr. GRIJALVA.  
H.R. 2903: Mr. HURT of Virginia, Mr. DENT, Mr. COSTELLO of Pennsylvania, Mr. CALVERT, Mrs. LAWRENCE, Mr. PASCRELL, and Mrs. WAGNER.  
H.R. 2909: Mr. NEWHOUSE.  
H.R. 2923: Mr. RIGELL.  
H.R. 2937: Mr. ROUZER.  
H.R. 2939: Mr. SWALWELL of California.  
H.R. 2944: Mr. RODNEY DAVIS of Illinois, Mr. SERRANO, Mr. JOYCE, and Mr. BUTTERFIELD.  
H.R. 2964: Mr. BARTON, Mr. BROOKS of Alabama, Mr. WEBER of Texas, Mr. GROTHMAN, Mr. FINCHER, Mr. COLE, Mr. TOM PRICE of Georgia, Mr. MCCLINTOCK, Mr. YOUNG of Alaska, Mr. BENISHEK, Mr. CULBERSON, Mr. SMITH of New Jersey, Mr. DUNCAN of South Carolina, Mr. GOHMERT, Mr. FRANKS of Arizona, Ms. JENKINS of Kansas, Mr. SMITH of Texas, Mrs. BLACK, Mr. BRIDENSTINE, and Mr. ROUZER.  
H.R. 2972: Mr. BERA and Miss RICE of New York.  
H.R. 2976: Mr. DELANEY and Ms. BROWNLEY of California.  
H.R. 2979: Ms. SCHAKOWSKY, Mr. DESAULNIER, Ms. SPEIER, and Mr. LYNCH.  
H.R. 2980: Mr. BISHOP of Utah.  
H.R. 2983: Ms. HAHN.  
H.R. 2994: Mr. COHEN and Mr. GRIJALVA.  
H.R. 3002: Mr. BABIN, Mr. BRAT, and Mr. BRIDENSTINE.  
H.R. 3009: Mr. BROOKS of Alabama, Mr. JOYCE, Mr. MCKINLEY, Mr. ROONEY of Florida, Mr. JORDAN, Mr. RENACCI, Mr. FARENTHOLD, Mr. GRAVES of Missouri, and Mr. ROUZER.  
H.R. 3029: Mr. SARBANES and Mr. DELANEY.  
H.J. Res. 11: Mr. ZELDIN.  
H.J. Res. 25: Mr. MURPHY of Florida.  
H.J. Res. 51: Ms. BORDELLO.  
H.J. Res. 58: Mr. GRIJALVA.  
H. Con. Res. 19: Mr. RENACCI and Mr. HUDSON.  
H. Con. Res. 40: Ms. BROWNLEY of California and Ms. LEE.  
H. Res. 12: Mr. SMITH of Washington and Mr. DONOVAN.  
H. Res. 139: Mr. FRELINGHUYSEN.  
H. Res. 140: Mr. YOHO.  
H. Res. 193: Mr. LEVIN.  
H. Res. 220: Mr. JEFFRIES, Mr. BEYER, Mr. SMITH of New Jersey, Mr. ROHRBACHER, Mr. THOMPSON of California, and Mr. CROWLEY.  
H. Res. 230: Mr. MEEHAN and Mr. MCGOVERN.  
H. Res. 291: Mr. YOUNG of Alaska and Ms. PINGREE.  
H. Res. 293: Mr. BILIRAKIS.  
H. Res. 294: Mr. KATKO.  
H. Res. 343: Mr. LARSON of Connecticut, Mr. TROTT, Mr. RIBBLE, Mr. RYAN of Wisconsin, Mr. BENISHEK, Mr. FOSTER, and Mr. LUETKEMEYER.  
H. Res. 354: Mr. MEADOWS, Mr. DIAZ-BALART, Mr. JOYCE, Ms. KAPTUR, Mr. CROWLEY, Miss RICE of New York, Mrs. DAVIS of California, Mr. TONKO, Ms. WASSERMAN SCHULTZ, and Ms. SCHAKOWSKY.  
H. Res. 359: Mr. JONES.

#### AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2898

OFFERED BY: Mr. CALVERT

AMENDMENT No. 1: Page 80, line 3, replace "3" with "2" and after line 15, insert the following:

(vi) 1 member shall be a representative of a wildlife entity that primarily focuses on waterfowl.

## EXTENSIONS OF REMARKS

## PERSONAL EXPLANATION

## HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. WITTMAN. Mr. Speaker, I missed a recorded vote on July 10, 2015. Had I been present, I would have voted "NO" on roll call vote No. 433, H.R. 6, the 21st Century Cures Act.

## CONGRATULATING FRANCIS HOWELL HIGH SCHOOL FOR ITS PLACEMENT IN THE TOP 25 MISSOURI RANKED HIGH SCHOOLS

## HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Francis Howell High School for its placement in the top 25 Missouri high schools as ranked by U.S. News and World Report.

This school's administration, teachers, and students should be commended for all of their hard work throughout this past year and for their commitment to education.

I ask you in joining me in recognizing Francis Howell High School for a job well done.

## RECOGNIZING U&amp;S SERVICES INC. FOR 25 YEARS OF SERVICE TO WESTERN NEW YORK

## HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. HIGGINS. Mr. Speaker, I rise to recognize U&S Services Inc. for its 25th Anniversary of service to our community. With corporate offices centered in the city of Tonawanda in New York's 26th Congressional District, U&S Services has established itself as a leader in building controls services in Western New York.

Founded in 1990 with the desire to be at the very forefront of technical growth in the industry and with a firm commitment to excellence, U&S Services this year celebrates a quarter century of outstanding work in a highly competitive and critically important field. Boasting a highly experienced staff of technicians, engineers, and business professionals, U&S Services offers a vast array of services to its customers. From energy and security systems to fire and life safety monitors and video surveillance, U&S combines traditional approaches

with state-of-the-art innovations essential to the smooth operation of business facilities of all sizes throughout its coverage network.

In its 25 year history U&S Services has participated and continues to lead thousands of projects both large and small, including work on several notable Buffalo area landmarks and institutions. From the Buffalo-Niagara International Airport to Roswell Park Cancer Institute, from First Niagara Center to the Darwin D. Martin House, U&S Services' ubiquitous presence demonstrates why it remains an industry leader.

Mr. Speaker, thank you for allowing me a few moments to honor and recognize U&S Services and I ask that all of our colleagues join me in congratulating U&S Services on a quarter-century of excellence in business, and to commend it for the exemplary work it has done to enrich the communities of Western New York.

## 177TH ANNIVERSARY OF METROPOLITAN AFRICAN METHODIST EPISCOPAL CHURCH

## HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Ms. SEWELL of Alabama. Mr. Speaker, I rise today to recognize the 177th Anniversary of Metropolitan African Methodist Episcopal Church in Washington, D.C. For 177 years Metropolitan A.M.E. Church has stood at the forefront of the fight for social justice and equality.

Metropolitan A.M.E. Church, often referred to as the National Cathedral of African Methodism, was formed by the unification of Israel Bethel and Union Bethel. The churches united as a reaction to the dissatisfaction among African-Americans over racial segregation at Ebenezer Methodist Episcopal Church. Their decision to stand together as one body in the face of unwarranted racism and to work for the advancement of the black community was both courageous and heroic.

On July 6, 1838, the Baltimore Conference of the African Methodist Episcopal Church officially welcomed Union Bethel to the greater community. In 1872, the name was officially changed to Metropolitan A.M.E. when the Baltimore Conference authorized construction of a new church that would be built in "close proximity" to the White House and the United States Capitol.

The cornerstone for the new church was laid in 1881, and a stained glass window was dedicated to each contributing Annual Conference that invested in the church's construction.

Since its founding, Metropolitan A.M.E. Church has played a pivotal role in seeking justice for African-Americans. From leading

anti-slavery efforts and harboring runaway slaves to providing AIDS awareness and registering voters, Metropolitan A.M.E. Church has always been on the forefront of transformative change.

Metropolitan A.M.E. Church serves as a sanctuary to all, providing not only a place for worship but also a safe haven. For 177 years, Metropolitan A.M.E. Church has met the needs of the community and has influenced the civic, cultural, and intellectual lives of African-Americans.

Their walls hold the memories and wisdom of illustrious guests like Frederick Douglass and Eleanor Roosevelt who addressed the most pressing social issues that plagued our growing nation. Metropolitan A.M.E. Church has hosted numerous historic events including the official pre-Inaugural prayer services for President William Jefferson Clinton in 1993 and 1997—thus becoming the first African-American church to ever serve in such a capacity. Likewise, Metropolitan A.M.E. Church hosted the National Memorial Service for Mrs. Rosa Parks, the mother of the modern American Civil Rights movement.

Most recently, Metropolitan A.M.E. Church opened its doors to the community in the aftermath of the June 17, 2015, church shooting at Mother Emanuel in Charleston, South Carolina. Hundreds came to Metropolitan A.M.E. Church to honor the nine victims and to seek comfort in the church's warm embrace.

Metropolitan A.M.E. Church follows in the rich tradition and mission of its parent denomination, the historic African Methodist Episcopal Church. The African Methodist Episcopal Church was born in protest of slavery and racial discrimination in 1787, after members of the Free Africa Society were forced off their knees as they prayed at St. George's Methodist Episcopal Church in Philadelphia, Pennsylvania. It was at this moment that the members of the Free Africa Society realized that when it came to the American Methodist Church, their shackles had not yet been removed.

Richard Allen, Absalom Jones, and other free blacks established the African Methodist Episcopal Church as a refuge from racism—a safe place to worship in spite of the opposition they received as members of St. George's Church. Their journey to establish a new church denomination was not easy, but the seeds they planted soon grew. In the waning days of the Confederacy, the membership of the African Methodist Episcopal Church grew rapidly, as the Union army permitted church members to recruit newly freed slaves.

Metropolitan A.M.E. Church rose out of this rich legacy, and became a powerful agent for change in its own right. Metropolitan A.M.E. Church has played a vital role in our history, standing tall as a cornerstone of its community through the test of time. This tradition continues today, and will continue well into the future.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



On a personal note, I am pleased to serve as the keynote speaker for the 177th Anniversary Service on July 12, 2015. It is a high honor to have the opportunity to celebrate the 177 years of contributions and exemplary service of Metropolitan A.M.E. Church. It is a privilege to stand in the same pulpit as esteemed guests such as Paul Laurence Dunbar, Mary McLeod Bethune, and Dorothy I. Height. As a life member of the historic Brown Chapel A.M.E. Church in Selma, Alabama, I can truly say that it was the support of my church family and the teachings of African Methodist Episcopal Church ministry that helped me grow into the woman I am today.

I ask my colleagues to join me in recognition of the 177th Anniversary of Metropolitan A.M.E. Church on this distinguished occasion. May the glory of Metropolitan A.M.E. Church continue to grow and prosper for years to come.

#### AFRICA'S DISPLACED PEOPLE

### HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. SMITH of New Jersey. Mr. Speaker, last year, nearly 60 million people were displaced worldwide. In fact, one out of every 122 people on Earth today is either a refugee, internally displaced in their home country or seeking asylum in another country.

In sub-Saharan Africa, there are more than 15 million displaced people. Of that total, 3.7 million are refugees and 11.4 million are internally displaced. These disruptions of normal life in Africa are caused by conflicts such as in Somalia, the Central African Republic, South Sudan, Nigeria, the Democratic Republic of the Congo, Mali, Burundi, Western Sahara and elsewhere. These disruptions not only affect those who are displaced, but also the people in whose communities these displaced people are relocated.

African refugees and internally displaced people face numerous issues—from security in the places in which they seek refuge, to death and mayhem trying to reach places of refuge, to conflict with surrounding populations to warehousing that consigns generations to be born and live in foreign countries.

A hearing I held yesterday examined the various issues displaced people face and the U.S. response to these conditions in order to determine the effectiveness of our government's efforts to help and to determine whether course corrections are necessary.

The terrible plight of African refugees has been much in the news in recent months because of the death of thousands trying to reach Europe across the Mediterranean Sea and attacks on refugees in South Africa reportedly caused by xenophobia.

On the South African case, I sent two members of my staff to southern Africa last month to look into the incidents of violence against refugees in South Africa. What they found was appalling. Despite a very generous set of laws and programs to enable immigration into South Africa, refugees were often refused medical service at hospitals that supposedly offer free medical care to all people.

Apparently, no matter what the law in South Africa says, staff who screen patients often simply refuse to allow people they consider foreigners to receive medical care. According to refugees who spoke with my staff, this has meant that refugee women have had to give birth on the floor of hospitals while hospital staff refused to provide services.

As for those refugees trying to cross the Mediterranean to seek sanctuary in Europe, more than 1,800 people have died making that trip this year as of early June. On the cover of the April 25th issue of *The Economist* magazine, the failure of the nations of Europe to devise a workable, humane policy toward those fleeing to their continent was described as "a moral and political disgrace."

Many of the refugees trying to cross the Mediterranean are Eritreans, who also have fled persecution and repression at home through the Gulf of Aden and also through the Sinai Peninsula, where they are often at the mercy of ruthless Bedouin groups, who traffic them or hold them for ransom. Eritrea is a closed society, so our knowledge of conditions there comes mostly from refugees, but one has to ask how bad must conditions there be if so many Eritreans are willing to risk their lives and well-being to find refuge almost anywhere else?

Unresolved conflicts have forced many refugees to experience protracted stays in foreign countries. For example, refugees have not only had children but also grandchildren in camps in Kenya and Algeria. After more than two decades, the situation in Somalia remains unresolved, and Somali refugees are unable to resume their lives in their homeland. Yet they face an increasingly hostile Kenyan environment in which the government is unwilling to allow Somalis to establish financial independence outside refugee camps.

In Algeria, Sahrawis, refugees from the Western Sahara territory under the control of Morocco, have lived in camps in western Algeria since being chased out of the territory by the advance of hundreds of thousands of Moroccans in 1975. The Government of Algeria not only provides a home for the Sahrawis, but also supplies access to free education and health care. Still, income-generating activities by Sahrawis are discouraged to prevent competition with local Algerians.

Internally displaced persons also face serious challenges. In Nigeria, for example, more than 1.5 million people from northeastern Nigeria have fled attacks by Boko Haram and resulting Nigerian military activities. However, Nigeria is a patchwork of 36 states whose creation over the years has inflamed ethnic and religious tensions as state majorities became minorities suddenly. The Nigerian IDPs are generally living in communities rather than camps. The longer they remain in their current areas, the greater the chance their presence will inflame new unrest as the ethnic and religious balance in their new areas is again changed abruptly.

The United States and the rest of the international community face serious challenges in addressing the displacement of so many people. According to U.N. High Commissioner for Refugees Antonio Guterres, the "international response capacities are overstretched by the unprecedented rise in global forced displacement."

We must carefully consider the U.S. role in meeting the increasing challenge of Africa's displaced people, taking into consideration our moral imperative to help those in need, as well as strategic interests in preventing the kind of neglect that makes terrorist recruitment among displaced people easier than it should be.

#### CONGRATULATING KURT ZWIKL

### HON. RYAN A. COSTELLO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise to recognize a community leader who has worked tirelessly to transform the Schuylkill River Heritage Area into a prime destination for outdoor recreation as well as a definitive source of historical information about the significance of this scenic waterway, which flows from the heart of Pennsylvania's anthracite coal region to the City of Philadelphia.

Kurt Zwikl has spent the past 12 years as executive director of the Schuylkill River Heritage Area. He retired from the Pottstown-based non-profit organization on June 30th.

Thanks to his ability to foster community partnerships and his tireless advocacy, Kurt has expanded the number of miles available to bikers and walkers along the Schuylkill River Trail. Eventually, families and residents will be able to enjoy a unified, 130-mile trail system stretching from Schuylkill County to Philadelphia.

A partnership with neighboring Montgomery County Community College enabled the Schuylkill River Heritage Area to open the River of Revolutions Interpretive Center in Pottstown in 2012.

Students from local schools and tourists from around the world can view exhibits and discover how the Schuylkill River has helped secure our independence, fueled our prosperity and inspired stewardship and a deep appreciation for preserving irreplaceable natural resources.

And earlier this month, nearly 200 outdoor enthusiasts paddled 112 miles from Schuylkill Haven Island to Philadelphia during the "Schuylkill River Soujourn." This is an event that has grown each year under Kurt's leadership.

Mr. Speaker, I want to express my gratitude for Kurt Zwikl's tremendous accomplishments as executive director of the Schuylkill River Heritage Area—all of which have improved the public's access to and appreciation of the river and reinvigorated community pride in this amazing natural resource.

#### IN HONOR OF CONCORD POLICE SERGEANT BUCKY SIMPSON

### HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. HUDSON. Mr. Speaker, I rise today to honor former Concord Police Sergeant Richard Howard "Bucky" Simpson, who passed away peacefully on June 24, 2015.

Sergeant Bucky Simpson was born on July 31, 1942, in Charlotte, North Carolina. He is survived by his wife, Susan Phillips Simpson of Concord; his children, Chad D. Simpson of Concord; Phillip A. Simpson and his wife, Jane Blackley Simpson, of Harrisburg; and his grandson, Garrett Parker Simpson.

Bucky was a distinguished Army Vietnam veteran who received many awards including the Purple Heart and Bronze Star. As a Concord Police Sergeant, he worked for 17 years as a Juvenile Officer and helped implement the Drug Abuse Resistance Education (D.A.R.E.) program in Cabarrus County, North Carolina.

One of Bucky's greatest qualities was his ability to teach and help youth in the community. Bucky supervised the hiring of school crossing guards who were known as "Bucky's Angels," and he patiently taught Bike Safety and BB Gun Safety Training to hundreds of kids at Camp Spencer. He also faithfully served on the Board of Directors at the Boys and Girls Club where he once received the "Father of the Year Award." For his continued dedication to helping youth in Concord, Bucky once received the L.T. Williams Award from the North Carolina Officers' Association for being the "Most Outstanding Juvenile Officer" of the year.

Mr. Speaker, please join me today in celebrating former Concord Police Sergeant Bucky Simpson's life as a dedicated husband, father, and public servant.

#### IN HONOR OF MIKE ROOS

#### HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. FARR. Mr. Speaker, I rise today to honor the long and distinguished public service career of our friend, Mr. Mike Roos. I had the great honor of working with Mike as colleagues in the California State Assembly along with several other current and former members of this House. I count myself fortunate to call him a good friend.

In 1999, Mike founded Mike Roos and Company, a public affairs firm that Mike shaped specializes in government relations, corporate issues management, media relations, and ballot measure campaigns. Prior to establishing Mike Roos and Company, Mike served as President and CEO of the Los Angeles Alliance for Restructuring Now, a coalition of business and civic leaders from the Los Angeles Area dedicated to implementing systemic reform and restructuring within the Los Angeles Unified School District. His significant efforts in this capacity have undoubtedly changed countless lives of children in the Los Angeles area for the better.

Mike's distinguished Assembly career began in 1977. He earned the love and respect of both his Democratic and Republican colleagues. His own caucus chose him Majority Floor Leader in his second term, a position he held until his 1987 election as Assembly Speaker Pro Tempore. He had the reputation as a genuine legislator—someone who used the power of lawmaking to make the lives of

the People of California better. Perhaps his most well known achievement is the Mello Roos Community Facilities Act of 1982 and the Roberti-Roos Weapons Control Act of 1989. Mike authored the strictest laws to date protecting the confidentiality of HIV patients, as well as the law creating the Alternative Test Sites Program, which established centers where individuals could receive free, anonymous testing for the AIDS antibody. He consistently fought for a better education for all, authoring legislation prohibiting sex discrimination in California's educational institutions.

Prior to his election to the State Assembly, Mike served as the Executive Director of the Coro Foundation, a leadership training program for future leaders in public service. Thanks to his substantial experience and insight, he continues to be a valuable consultant to civic and educational organizations, speaking on topics ranging from education reform to the legislative process in California politics.

Mr. Speaker, I know I speak for the whole House in thanking Mike for his years of service on behalf of the people of California. I know he looks forward to spending time with his family, including his four daughters Shelby, Melissa, Catherine, and Caroline. I wish him nothing but success and happiness.

#### CONGRATULATING CAMDENTON HIGH SCHOOL ON ITS BRONZE MEDAL AWARD

#### HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Camdenton High School on its Bronze Medal Award as a top Missouri High School from U.S. News and World Report.

This school's administration, teachers, and students should be commended for all of their hard work throughout the past year and for their commitment to education.

I ask you to join me in recognizing Camdenton High School for a job well done.

#### RECOGNIZING THE PRINCIPAL OF THE YEAR AWARD NOMINEE FOR PRINCE WILLIAM COUNTY PUBLIC SCHOOLS

#### HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize the Principal of the Year Award nominee for Prince William County Public Schools.

The Principal of the Year for Prince William County will receive the Distinguished Educational Leadership Award from the Washington Post. Nominated principals must demonstrate the ability to:

Manage effectively

Demonstrate and encourage creativity and innovation

Foster cooperation between the school and the community

Maintain a continuing dialogue with students and parents as well as faculty and staff

Keep abreast of developments in the field of education

Encourage team spirit

Demonstrate leadership and exemplify commitment

Continue to play an active role in the classroom

Maintain their position as principal throughout the 2015–16 school year

Participate in the five day 2015 DELA Seminar to be held July 2015

I would like to extend my personal congratulations to the 2014–2015 nominee, Joyce Stockton of Philip Michael Pennington Traditional School, for Prince William County Schools, Principal of the year award.

Mr. Speaker, I ask that my colleagues join me in commending Ms. Stockton, Principal of the Year Award nominee for Prince William County Public Schools, and in thanking her for her dedication to leadership in our school system. Her continued service will ensure that students of Prince William County are provided with a world class education in a more vibrant learning community.

#### HONORING THE LIFE OF NORTH- WEST FLORIDA'S BELOVED CLARENCE OLIN MARLER

#### HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. MILLER of Florida. Mr. Speaker, I rise to recognize the life and legacy of Northwest Florida's beloved Clarence Olin Marler. On July 9, 2015, Destin, Florida—the "World's Luckiest Fishing Village"—and the recreational boating community suffered a great loss with his passing.

Olin Marler was born in Destin on October 10, 1934, to the late Clarence L. Marler and Gladys Marler. A proud Northwest Floridian, he also pursued his higher education in the area, graduating from the University of West Florida with a Bachelor of Science in Management. It was during his time working as a defense contractor with Vitro Services, now known as BAE Systems, that Olin began his career as a Charter Boat Captain, purchasing his first charter boat in 1965. As a result of his dedication and hard work, what began as a small weekend business, Olin Marler Charters would flourish into one of the oldest and most successful charter boat operations in the State of Florida, and over the years, Olin helped thousands of locals and tourists experience the God-given natural beauty of the Eastern Gulf of Mexico.

To some, Olin Marler will be remembered as a legendary boat captain; to others, he will be remembered for his great stories and his love of fishing. To his friends and family, however, he will forever be remembered as a loving husband, father, grandfather, and great-grandfather. While fishing and the smiles on his customers' faces brought Olin great happiness, his greatest blessing and love was his family.

On behalf of the United States Congress, I am privileged to recognize the life of Clarence Olin Marler. Without question, his contributions to the Northwest Florida economy will be felt for years to come; however, more important was the joy Olin brought to his customers, friends, and family, and the legacy he leaves behind. My wife Vicki and I extend our heartfelt prayers and condolences to his wife, Donna; sons, Greg and Andrew; daughter, Hannah; grandchildren, Caden Lee Olin Marler, Malisa Marler Scott and Jacob Marler; great-grandchildren; and the entire Marler family.

#### BIRTHDAY WISHES

### HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. KELLY of Mississippi. Mr. Speaker, July 10 is a special day to me. It marks the day of my first floor speech as a member of the United States House of Representatives, and I rise to recognize and celebrate two great men who have been influential in my life. They are John Forrest Kelly, my oldest son, who was born on this date in 1995, and my father, John M. Kelly, who was born on July 9, 1941.

I rise in recognition and honor of my son, John Forrest Kelly. John Forrest, or JFK as we commonly refer to him, was born in Tupelo, Mississippi to Sheila Stephens Kelly and me. John Forrest was the first grandchild for both his paternal and maternal lines. JFK is an extremely smart and articulate man. He graduated from Saltillo High School in 2013. During his high school career, he achieved high academic success. He was a well-liked and well-rounded student-athlete. He played one year of football and started for the Saltillo High School Tigers Baseball Team as an outfielder. After high school, he received academic scholarships and is currently a business major at the University of Mississippi; he is a member of the Pi Kappa Alpha Fraternity. John Forrest is an extremely bright young man, and I am confident of a bright future in whatever career path he chooses. I am extremely proud of him and his two siblings Morgan Grace (age 16) and Jackson Trent (age 9).

I rise in remembrance and honor of my father, John M. Kelly. John, commonly referred to as Big John, Papa John, Top, 1SG Kelly, or Papaw, was born on July 9, 1941 in Newton County, Mississippi to Madison Houston Kelly and Ludie Irene Robinson Kelly. The youngest child, his parents were small farmers in Newton County, Mississippi. John excelled in sports, playing basketball, baseball, and football for both Union and Decatur High Schools. He graduated in 1959 from Decatur High School. On June 3, 1961, he married Barbara Carolyn Mott Kelly. Married for 44 years, Big John and Barbara had three children: Lisa Renee Kelly Carley, and two sons, JOHN TRENT KELLY and James Kevin Kelly. With Barbara and his daughter Lisa by his side, Big John passed away from lung cancer on February 7, 2005, while both of his sons were deployed to Iraq as members of the 150th Engineer Battalion, 155th Brigade Combat Team.

Big John was a loving and caring father and a great provider for his family. John started out on the line in the furniture industry. Through hard work and intelligence, he worked his way up to managing furniture plants. He was a foreman, supervisor, superintendent and held many other leadership positions throughout his life. John always made time for family and community, coaching his sons, daughter and others in Union, Mississippi little league baseball until they went to high school.

In 1959, he joined the Mississippi Army National Guard until his retirement in 2001 at the mandatory retirement age of 60. He served with both his sons during his tenure in the National Guard, including mobilizing in 1990 for Desert Shield/Storm in the 134th Combat Engineer Company, 155th Armored Brigade. During Desert Storm, John was a Staff Sergeant and Engineer Squad Leader, I was an Engineer Second Lieutenant and Platoon Leader, and Kevin was a Specialist 4 and Engineer Soldier. John was First Sergeant for three of the four companies of the 150th Combat Engineer Battalion and retired as a Master Sergeant and Operations Sergeant in the 150th Engineer Battalion, 155th Heavy Brigade Combat Team.

Big John was always a caring and giving individual and was loved by most people who knew him. He was never too busy to help anyone in need. I have often said during my life if I am half the man my father was I will be a great man. He was a great husband to my wonderful mother, Barbara. He was a great inspiration and role model for me and my siblings and the best father and grandfather a man could ever ask to have.

Happy Birthday to my son, John Forrest Kelly, and to my father, John "Big John" "Daddy" Kelly. I thank and honor them both for being such a great influence in my life. I love them both with all my heart and soul. Mr. Speaker, I am proud to acknowledge and honor two very important men in my life, one with a great past, the other with a promising future.

#### CONGRATULATING ELDON HIGH SCHOOL ON ITS BRONZE MEDAL AWARD

### HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Eldon High School on its Bronze Medal Award as a top Missouri High School from U.S. News and World Report.

This school's administration, teachers, and students should be commended for all of their hard work throughout the past year and for their commitment to education.

I ask you to join me in recognizing Eldon High School for a job well done.

#### RECOGNIZING THE 2015 OFFICERS OF THE OCCOQUAN WOODBRIDGE LORTON VOLUNTEER FIRE DEPARTMENT

### HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. CONNOLLY. Mr. Speaker, I rise to recognize the 2015 Officers of the Occoquan Woodbridge Lorton Volunteer Fire Department. The 2015 officers and members of the board of directors are taking leadership roles in one of Northern Virginia's longest standing volunteer fire departments. The O.W.L. Volunteer Fire Department was created to address the need for organized fire response capabilities in the growing suburbs of Northern Virginia. Organized in 1938 and chartered in 1940, the Department officially formed to become the only fire department between Fredericksburg and Alexandria. In the subsequent decades O.W.L. has expanded to staff three stations and provide emergency medical services.

The members of O.W.L. are dedicated community volunteers, and the 2015 officers and directors will be diligent stewards of this tradition of service. The 250 active O.W.L. members answer 14,000 calls and serve 60,000 people each year. Their job is demanding and the hours are long, but these brave men and women are driven by their dedication to public safety and the communities that they serve. We would all do well to follow their example.

I congratulate and commend the following 2015 incoming officers:

Department Chief: James F. McAllister

Fire Assistant Chiefs: Kurt Bolland, Michael Clark, Steve Godin, Wayne Haight, and Dave Williams

EMS Assistant Chief: Edward A. Craig

Fire Captains: Jonathan Baldwin, Joshua Culp, Tony Carroll, Tim LeClerc, Ryan Williams, and Justin Witt

EMS Captain: Diana Ondra

Fire Lieutenants: Lindsey Blasius, Jesus Castro, Mark Chandler, Jon Colpitts, Jonathan Holland, Billy Moore, Kody Perry, and Stewart Young

EMS Lieutenants: Chad Fritz, Tammy Hill, Aaron Hope, Cynthia Thackwray, and Sandra Williams

Mr. Speaker, I ask that my colleagues join me in congratulating these remarkable volunteers on their new leadership positions, and in thanking all the members of the Occoquan Woodbridge Lorton Volunteer Fire Department for the vital service they provide to the Prince William County community.

#### 100TH ANNIVERSARY OF THE ANSAR SHRINERS OF SPRINGFIELD, ILLINOIS

### HON. RODNEY DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to congratulate the Ansar

Shriners of Springfield, Illinois on their 100th anniversary. To date, they are the seventeenth largest chapter of over two hundred Shriner chapters worldwide. The Shriners are a fraternity that believes in brotherhood, family, leadership, and giving back. They are dedicated to providing assistance to those in need.

Their philanthropic efforts enable the Shriner hospital network, containing nineteen children hospitals and three burn institutes, to provide care at no cost to their patients. The Shriner hospital network has cared for over one million children since its inception, providing expert pediatric specialty care regardless of their ability to pay.

The Ansar Shriners of Springfield exemplify the importance and power of community service. I thank them for their continued support of the less fortunate and congratulate them on their 100th anniversary.

**INTRODUCTION OF THE RECOVER ACT (REDUCING THE EFFECTS OF THE CYBERATTACK ON OPM VICTIMS EMERGENCY RESPONSE ACT OF 2015)**

**HON. ELEANOR HOLMES NORTON**

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Ms. NORTON. Mr. Speaker, I rise to introduce the Reducing the Effects of the Cyberattack on OPM Victims Emergency Response Act of 2015 (the RECOVER Act), a bill to require the Office of Personnel Management (OPM) to provide complimentary and comprehensive identity protection coverage to all individuals whose personally identifiable information was compromised during recent OPM data breaches. Senator BEN CARDIN (D-MD) has introduced the companion bill in the Senate. Yesterday, OPM reported that more than 21.5 million current and former federal employees have had their personal information compromised in a second OPM data breach, five times more than the 4.2 million already reported, for a grand total of 25.7 million federal employees and retirees. OPM said that the 21.5 million individuals whose background check records were compromised would receive only three years of credit monitoring and identity theft protection services and \$1 million in loss coverage, while the other 4.2 million individuals whose personnel records were compromised would receive 18 months of credit monitoring and \$1 million in loss coverage. In light of the scope of OPM's data breach and the limited protection that is proposed, I, along with my House colleagues CHRIS VAN HOLLEN, DON BEYER, DONNA EDWARDS, C.A. DUTCH RUPPERSBERGER, ELIJAH CUMMINGS, GERALD CONNOLLY, and JOHN DELANEY introduce a bill that would provide free lifetime identity theft protection coverage that includes identity theft insurance for losses up to \$5 million. This protection is particularly necessary since the breach was discovered a year after hackers had already infiltrated OPM's system.

OPM's proposed protection would not protect current and former federal workers if hackers simply waited for a period of years before exploiting the stolen identities. How-

ever, our bill would give current and former federal employees some peace of mind.

The RECOVER Act is necessary to reduce the angst of our dedicated public servants resulting from this entire ordeal. OPM failed to protect our current and former federal employees. It follows that the government must do the right thing to make up for its mistake.

**CONGRATULATING FESTUS HIGH SCHOOL ON ITS BRONZE MEDAL AWARD**

**HON. BLAINE LUETKEMEYER**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Festus High School on its Bronze Medal Award as a top Missouri High School from U.S. News and World Report.

This school's administration, teachers, and students should be commended for all of their hard work throughout the past year and for their commitment to education.

I ask you to join me in recognizing Festus High School for a job well done.

**RECOGNIZING THE 2015 NATIONAL CAPITAL "A CINDERELLA BALL" AND THE TENTH ANNIVERSARY OF THE HOUSE, INC.**

**HON. GERALD E. CONNOLLY**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. CONNOLLY. Mr. Speaker, I rise to recognize the 2015 National Capital "A Cinderella Ball" and the tenth anniversary of The House, Inc.

Founded in 2005, The House, Inc. is a nationally recognized youth development program and offers out-of-school programs for pre-teens and teens in the greater Washington metropolitan region. Named by the Catalogue for Philanthropy: Greater Washington as "One of the Best," The House ensures that our youth are equipped with the knowledge and skills needed to become future leaders.

The House, Inc. is also the founder of the National Capital "A Cinderella Ball," which has been held annually in Washington, D.C., since 2006. The Ball, which honors military families whose children are affected by a disability or life-threatening illness, provides the opportunity for children who are sometimes sidelined from social events to enjoy a formal event featuring dinner, entertainment, and awards presentation. This is a moving and rewarding evening for these students and their families, and it is entirely organized by teen members of The House, Inc. Student Leadership Center.

This year The House, Inc. Student Leadership Center is honored to have the First Lady of the United States of America, Michelle Obama, serving as Honorary Chair of the Ball. Alongside the First Lady, former Secretary of State, Colin L. Powell and Mrs. Alma J. Powell

are recognized as 2015 Honorary Committee Members. Washington Redskin quarterback, Robert Griffin III, whose parents both served in the United States Army, will be a featured speaker, and entertainment will be provided by Grammy Award-winning R&B recording artist, dance music entertainer and actor, Chris Brown.

Mr. Speaker, I ask my colleagues to join me in congratulating the National Capital Area "A Cinderella Ball" and the tenth anniversary of The House, Inc. I thank the Student Leadership Center for its tireless efforts on behalf of teens in our community and its dedication to creating brighter futures for the youth of Prince William County, Virginia.

**TRIBUTE TO RILEY WEEHLER**

**HON. DAVID YOUNG**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to congratulate and recognize Mr. Riley Weehler for winning two state championships at the Iowa High School Rodeo state finals on June 5, 2015. Riley is the son of Neil and Jill Weehler from Maloy, Iowa.

Riley placed first in tie down calf roping and partnered with Payden Dawson from Maryville, MO to capture the team roping crown. His win is the culmination of many years of long practices and competitions throughout his high school career. He has qualified for the 67th National Finals Rodeo in Rock Springs, Wyoming on July 12-18.

Mr. Speaker, I invite my colleagues in the House to join me in congratulating Riley Weehler on a job well done, and wishing him nothing but continued success at the National Rodeo Finals and his future in collegiate rodeo.

**PERSONAL EXPLANATION**

**HON. DAVID P. ROE**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. ROE of Tennessee. Mr. Speaker, I was unable to vote on July 10, 2015. Had I been present, I would have voted:

Roll Call #431—AYE.

Roll Call #432—NO.

Roll Call #433—AYE.

**HONORING KEVIN SUTHERLAND**

**HON. MARC A. VEASEY**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. VEASEY. Mr. Speaker, I rise today to honor a dear friend, Kevin Sutherland, a young man whose always cheerful personality, gentle nature and caring spirit touched all of us who knew him. Kevin was taken from us much, much too soon this past July 4th.

Kevin Sutherland was born and grew up in Trumbull, Connecticut, to Theresa and Douglas Sutherland. Kevin first caught the political bug when he joined his father collecting petition signatures door-to-door. The early political exposure proved to have a powerful effect on Kevin. He became involved in local Connecticut politics and quickly embraced the importance and value of personally engaging in public service.

At just the age of 15, Kevin further honed his political skills by working in Congressman Jim Himes' 2008 and 2010 congressional campaigns in Bridgeport, Connecticut up until his graduation from Trumbull High School in 2009. Following his passion for political activism, Kevin attended American University in Washington, D.C., the epicenter of political action.

At American University, Kevin was active in student government and served as Student Government Secretary for two years. In addition, Kevin discovered his passion and talent for communications and design. He applied his time and talents politically by serving as the Communications Director of the American University College Democrats and also served as the New Media Coordinator for the Kennedy Political Union.

After graduating from American University in 2013, Kevin took his passion for politics and began working professionally with the Lone Star Project, a Democratic political research and communications organization. Kevin's hard work and talent for graphic design then led him to New Blue Interactive, where he could apply his political passion and experience to many Democratic candidates and causes.

Kevin's love and gift for graphic design and photography filled his spare time as well. Kevin embraced living in Washington, D.C. by capturing the sights and sounds of our beautiful Capital city. When traveling to other places, Kevin would return with the essence of his travels captured visually. He graciously shared his work and, in doing so, not only showcased his talent but let us all share in the joy of his experience. It is a gift he gave with-out knowing and one that we will always cherish just as we cherish knowing this wonderful young man.

In honor and remembrance of Kevin Sutherland, whose warm and kind heart touched many lives, I submit this statement.

#### CONGRATULATING HERMANN HIGH SCHOOL ON ITS BRONZE MEDAL AWARD

#### HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Hermann High School on its Bronze Medal Award as a top Missouri High School from U.S. News and World Report.

This school's administration, teachers, and students should be commended for all of their hard work throughout the past year and for their commitment to education.

I ask you to join me in recognizing Hermann High School for a job well done.

#### HUMBLE ISD NAMED WINNER OF H-E-B EXCELLENCE IN EDUCATION AWARDS PROGRAM

#### HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. POE of Texas. Mr. Speaker, the Humble Independent School District (ISD) was named the 2015 Large District winner of the H-E-B Excellence in Education Awards program. H-E-B is a state-wide grocery chain in Texas.

Humble ISD competed alongside six large districts statewide to win the cash prize of \$100,000 and the title of 2015 H-E-B Large District Winner.

The H-E-B Excellence in Education Award recognizes the outstanding teachers, principals, and students of Humble ISD.

Humble ISD has announced that they will dedicate the \$100,000 award to innovative education grants which are awarded to teachers through the Humble ISD Education Foundation. As a former teacher, and husband and father of teachers, I understand the hard work it takes to achieve such an honor.

Congratulations to the outstanding students and teachers of Humble ISD. The people of the Humble and Houston community are fortunate to have such a school district.

And that's just the way it is.

#### 2015 INSTALLATION OF OFFICERS FOR THE EASTERN PRINCE WILLIAM COUNTY DISABLED AMERICAN VETERANS CHAPTER 48

#### HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. CONNOLLY. Mr. Speaker, I rise to recognize the 2015 installation of officers for the Eastern Prince William County Disabled American Veterans Chapter 48. Surrounded by the Pentagon, U.S. Army Garrison Fort Belvoir, and the Marine Corps Base Quantico, Chapter 48 plays a vital role in the lives of the more than 50,000 veterans and active duty service members residing in Prince William County.

It is with great honor I submit the names of the following Chapter 48 Officers:

Commander—Ron Burgess

Senior Vice Commander—Ben Petrone

Junior Vice Commander—Darin Dsouza

Treasurer—Tim Perry

Chaplain—Kristi Pappas

Established by Congressional charter over 90 years ago, the DAV serves as an organization of veterans dedicated to ensuring the general well being of disabled military veterans of the United States Armed Forces and their families. Operating independently of federal funding, the DAV Organization consists of more than 1900 local chapters and 1.2 million

members. Whether it be assistance with filing disability compensation claims or transportation assistance to ensure the safe transport of wounded or ill veterans to their medical appointments, the DAV is readily available for veterans in need.

While a new executive board has been elected, the mission of Chapter 48 remains in alignment with that of the national DAV: "empowering veterans to lead high-quality lives with respect and dignity." Over the past 30 years, Chapter 48 has donated over \$200,000 to the Hunter Holmes McGuire Veterans Administration Medical Center in Richmond to ensure access to a full range of benefits for veterans and their families as well as public education programs on the sacrifices and needs of veterans as they transition back into civilian life.

Mr. Speaker, I ask that my colleague join me in recognizing the men and women of the Eastern Prince William County Disabled American Veterans Chapter 48 for their service to our country and steadfast commitment to their fellow heroes of the Armed Services.

#### RECOGNIZING LIBBY ARY, BEN HEISERMAN, JUSTINE SANDERS, LAUREL TEAL AND FIONA WICHT

#### HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. COFFMAN. Mr. Speaker, I rise today to recognize Libby Ary, Ben Heiserman, Justine Sanders, Laurel Teal and Fiona Wicht for their hard work and dedication to the people of Colorado's Sixth District as interns in my Washington, DC office for the summer of the 114th Congress, First Session.

The work of these young men and women has been exemplary and I know they all have bright futures. They served as tour guides, interacted with constituents, and learned a great deal about our nation's legislative process. I was glad to be able to offer this educational opportunity to these five and look forward to seeing them build their careers in public service.

All five of our interns have made plans to continue their education in Colorado and throughout the United States. I am certain they will succeed in their new roles and wish them all the best in their future endeavors. Mr. Speaker, it is an honor to recognize Libby Ary, Ben Heiserman, Justine Sanders, Laurel Teal and Fiona Wicht for their service this summer.

#### HONORING SIMON LOWES

#### HON. DEVIN NUNES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. NUNES. Mr. Speaker, I rise today to congratulate Simon Lowes, of California's 11th District, upon the occasion of his retirement from Chevron.

After graduating with a Bachelor's Degree in Chemical Engineering from the University of Birmingham in England, Simon began his 48-year career at Chevron in 1967 working as a process engineer at the Richmond Chevron Refinery. After subsequently earning a Master's Degree in Finance at the University of Pennsylvania, Simon continued to build an impressive resume, holding over 15 challenging positions over the next four decades in Indonesia, Nigeria, the Ivory Coast, Singapore, the United Kingdom, and the United States.

Among Simon's most noted accomplishments was his leadership in developing Chevron's Angola Partnership Initiative. Following a 27-year civil war that ravaged Angola's economy, Simon helped to design a social investment initiative to rebuild local capacity and stimulate economic recovery. Due in large part to his efforts, in partnership with the U.S. Agency for International Development, Chevron's unprecedented \$25 million commitment to this effort helped over 2 million people re-establish food security.

Simon was also instrumental in launching the Chevron Aceh Recovery Initiative, which assisted victims of the 2004 tsunami in Indonesia. Through a series of micro-finance programs and the establishment of a polytechnic institute, this program provided job training and livelihoods to thousands of distressed Indonesians.

In recent years, Simon has drawn on his extensive overseas experience to help lead Chevron's Corporate Social Responsibility strategy. As a result of this project and his many other endeavors, Simon's colleagues within Chevron and the development community have come to know him as a passionate innovator, a trusted and loyal mentor and, above all, an eternal optimist.

Simon leaves Chevron with the respect, admiration and gratitude of those who have had the pleasure of working with him, and the knowledge that he has positively impacted not only Chevron, but thousands of people around the world.

I would also like to recognize Simon's devoted wife, Shirley, and their three accomplished children, Aubrey, Chris and Ashley. Together, they built a family-focused life filled with new adventures, embracing each opportunity with curiosity and enthusiasm.

We extend our appreciation for a job well done, and wish Simon a well-deserved retirement.

#### CONGRATULATING OSAGE HIGH SCHOOL FOR ITS BRONZE MEDAL AWARD

**HON. BLAINE LUETKEMEYER**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Osage High School on its Bronze Medal Award as a top Missouri High School from U.S. News and World Report.

This school's administration, teachers, and students should be commended for all of their

hard work throughout the past year and for their commitment to education.

I ask you to join me in recognizing Osage High School for a job well done.

#### CONGRATULATING THE UNITED STATES BOWLING CONGRESS

**HON. MARC A. VEASEY**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. VEASEY. Mr. Speaker, I would like to take this opportunity to congratulate the United States Bowling Congress, headquartered in the 33rd Congressional District, in Arlington, Texas which I have the privilege of representing for leading the International Bowling Campus Youth Development Initiative and being the winner of the 2015 Sports Teach Respect Initiative Values and Excellence (STRIVE) Organization of the Year.

On Tuesday, July 14, Representatives of the U.S. Bowling Congress will be in the nation's capital to accept the STRIVE award as part of the National Youth Sports Week activities being hosted by the National Council of Youth Sports (NCYS) along with various fun sports related participation stations and youth sports participants.

Each year the NCYS recognizes five finalist organizations that meet the "kids first" approach. Nominations are submitted by the public nationwide and each team is assessed on how well they implement best practices and policies that protect kids and promote safety. The five finalist organizations are listed on the NCYS website for voting by the public. The STRIVE Award is then presented to organizations that exhibit heartfelt passion and dedication to helping kids succeed in sports, while maintaining a commitment to safety procedures. The STRIVE award recipient receives a \$5,000 donation.

Comprised of numerous representatives in the youth sports industry, NCYS was founded in 1979, and its membership represents more than 200 organizations/corporations serving 60,000,000 registered participants in organized youth sports programs. NCYS is the largest known organization in America representing the youth sports industry, and its members include organizations such as, the American Association of Cheerleading Coaches and Administrators (Cheer Safe), American Legion Baseball, American Youth Soccer Organization, Jewish Community Centers Association of North America, YMCA of America, Pop Warner, Special Olympics North America, and U.S. Tennis Association.

International Bowling Campus Youth Development is a joint effort of the United States Bowling Congress (USBC) and Bowling Proprietors Association of America (BPAA). It is the largest organization serving youth bowling (145,000 youth bowlers last season) that supports a ladder-based development system designed for the growth of the athlete. Since the inception of the U.S. Bowling Congress' SMART program, more than \$6 million scholarships have been awarded nationally to youth bowlers through organized league and tour-

nament competition. They also collaborate with external amateur athletic organizations to protect the amateur status of student-athletes within bowling, as well as other sports.

I commend the International Bowling Campus Youth Development and the U.S. Bowling Congress on this wonderful achievement and their work in Arlington and around the country, as well as the National Council of Youth Sports on the work it does as the go-to source for youth sports and safety programs.

#### RECOGNIZING THE RECIPIENTS OF THE 2015 PRINCE WILLIAM COUNTY HUMAN RIGHTS COMMISSION AWARDS

**HON. GERALD E. CONNOLLY**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. CONNOLLY. Mr. Speaker, I rise to recognize the recipients of the 2015 Prince William County Human Rights Commission Awards.

The Prince William Board of County Supervisors (BOCS) implemented the Human Rights Ordinance January 15, 1993, formally establishing the Human Rights Commission. Two years prior, the BOCS formed the Human Rights Study Committee to explore the needs of a community that was growing in population and diversity. An exhaustive effort that included numerous committee meetings and public hearings identified a strong community desire for a human rights ordinance and an agency to enforce it. The Human Rights Ordinance prohibits discriminatory practices based on race, color, sex, national origin, religion, marital status, or disability, as well as in the consideration of employment, housing, public accommodations, education, and credit, in Prince William County.

The BOCS approved the ordinance in September 1992 to ensure that "each citizen is treated fairly, provided equal protection of the law, and equal opportunity to participate in the benefits, rights, and privileges of community life." Residents enlist the services of the commission if they feel their rights have been violated in the areas of employment, fair housing, credit, education and public accommodation.

In celebration of Universal Human Rights Day, the Human Rights Commission recognizes individuals and organizations that promote the principles of human rights in Prince William County. It is my honor to submit the recipients of the 2015 Prince William County Human Rights Commission Awards:

Eleana Boyer  
Albert Brooks  
Cynthia Brown  
Victoria Graham  
Luke Torian, 2nd Delegate

Mr. Speaker, I ask that my colleagues join me in commending the recipients of the 2015 Prince William County Human Rights Commission Awards. We owe a deep debt of gratitude to these honorees for their efforts to safeguard our most basic rights and remind us of our common humanity. Let us use their example to rededicate ourselves to the fight against inequity and injustice.

HONORING MR. BILL ALTAFFER

**HON. RAÚL M. GRIJALVA**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. GRIJALVA. Mr. Speaker, the people of Tucson lost a tremendous presence in our community with the recent passing of Bill Altaffer. An attorney by trade and a humanitarian at heart, Bill was deeply committed to improving the quality of life in Arizona, across the country and around the world.

After graduating with honors from Pitzer College and earning his law degree from the University of Arizona, he served as associate general counsel to three Indian nations, assisting their governments in the interpretation of their constitutions and the enactment of environmental protection legislation.

Bill's affiliations speak volumes about his commitment to helping others. He was a member of the Muscular Dystrophy Association's (MDA) National Task Force Steering Committee, and a member and past chairman of the Southern Arizona Task Force on Public Awareness. In 1995, he received the MDA's National Personal Achievement Award, and in 2002, received the Tucson Human Relations Commission's Rabbi Albert T. Bilgray Make a Difference Award for his lifelong activism for human rights and social change based on the rule of law.

Bill and his wife, Colette, led the groundbreaking effort to enact the Inclusive Home Design Ordinance in Pima County, Arizona. This visitability ordinance requires new single-family houses to meet minimum accessibility standards, thereby promoting the independence of people with disabilities. It remains the most progressive legislation of its type in the country today.

It was through this visitability ordinance effort that I first came to know both Bill and Colette. I immediately admired their commitment to their cause, and equally as important, their commitment to each other. The love they shared for each other was an inspiration to anyone who met them. They truly were soul mates, meant to be partners in their lives and in their vision for helping others.

Together they spent countless hours educating elected officials and their staffs, home builders, and community members alike about the incredibly positive impact that simple alterations to home designs can have for individuals with disabilities. Their efforts will benefit our community for decades to come. Bill and Colette guided the committee's efforts in creating and passing a visitability ordinance that propelled Pima County to the forefront of ensuring home accessibility for everyone. Their efforts helped many people remain in their homes, and access the homes of friends and family with little significant costs added to the price of a new home.

Bill may be gone from our material world, but he will remain in the hearts and minds of anyone who was lucky enough to meet him. His life together with Colette is an inspiration to everyone sharing their lifelong commitment to fighting injustice.

OUR UNCONSCIONABLE NATIONAL DEBT

**HON. MIKE COFFMAN**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$18,151,931,284,495.35. We've added \$7,525,054,235,582.27 to our debt in 6 years. This is over \$7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

CONGRATULATING SILEX HIGH SCHOOL ON ITS BRONZE MEDAL AWARD

**HON. BLAINE LUETKEMEYER**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Silex High School on its Bronze Medal Award as a top Missouri High School from U.S. News and World Report.

This school's administration, teachers, and students should be commended for all of their hard work throughout the past year and for their commitment to education.

I ask you to join me in recognizing Silex High School for a job well done.

RECOGNIZING THE 25TH PASTORAL ANNIVERSARY OF PASTOR CHARLES ARTHUR LUNDY OF EBENEZER BAPTIST CHURCH IN WOODBRIDGE, VIRGINIA

**HON. GERALD E. CONNOLLY**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. CONNOLLY. Mr. Speaker, I rise to recognize the 25th Pastoral Anniversary of Pastor Charles Arthur Lundy of Ebenezer Baptist Church in Woodbridge, Virginia.

Pastor Lundy has had a distinguished pastoral career. His spiritual journey began at the young age of 13, when he was baptized at the Wayland Baptist Church in Baltimore, Maryland, under Reverend W.W. Payne. In February of 1981, Pastor Lundy received the distinction of becoming a deacon. Three years later, he was licensed by Star Bethlehem Missionary Baptist Church in Triangle, Virginia, under the tutelage of Reverend Doctor Frederick S. Jones. Pastor Lundy was ordained a Gospel Minister in August of 1987 and served as director of Christian Education for Star Bethlehem.

On June 23, 1990, Pastor Lundy was called to preside over Ebenezer Baptist Church in Occoquan, Virginia. His first sermon was titled, "Stay in the Ship" and established "putting the

family back together" as his pastoral focus. Since 1990, the congregation has grown from 120 to over 800, and the Church is known as a place of comfort and guidance. Dedicated to maintaining a welcoming place to worship, Pastor Lundy continues to lead worship services in the Church's Family Life Center while a new, larger sanctuary is being constructed. The Family Life Center was dedicated in 2000, and Pastor Lundy effectively supervised that project while simultaneously earning a Masters of Divinity from Samuel DeWitt Proctor School of Theology at Virginia Union University, graduating Magna Cum Laude. To accommodate the evolving needs of his congregation, Pastor Lundy maintains a commitment to education; on May 9, 2015, Pastor Lundy received his Doctorate of Ministry Degree.

Pastor Lundy retired from the United States Marine Corps, after serving 26 years and rising to the rank of Major. Further showcasing his commitment to service, Pastor Lundy is a past-Parliamentarian for the Northern Virginia Baptist Association. He is the past-Chairman of the Nominating Committee and a former member of the Commission on Evangelism. He served as Assistant Secretary for the Northern Virginia Minister's Conference and as a former member of United Way for the National Capital Area. In 2009, Pastor Lundy was elected as President of the Samuel DeWitt Proctor School of Theology Alumni Association, and this year he received an Honorary Doctorate of Divinity Degree from Richmond Virginia Seminary.

He is married to the former Jacquelyn Hinton McWhite. They are the proud parents of five daughters and two sons, and grandparents of nine grandsons and two granddaughters.

Mr. Speaker, I ask my colleagues to join me in congratulating Pastor Charles Arthur Lundy on his 25 years of service to Ebenezer Baptist Church. Pastor Lundy remains devoted to the mission and vision of the Church and expanding the ministry's reach into the community.

RECOGNIZING WILL-GRUNDY MEDICAL CLINIC

**HON. BILL FOSTER**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. FOSTER. Mr. Speaker, I rise today to recognize the Will-Grundy Medical Clinic in Joliet, Illinois, as it celebrates the one-year anniversary of its Wellness Program.

For more than three decades, the Will-Grundy Medical Clinic has helped those in need receive the medical care they deserve. Through partnerships with local charities, hospitals, businesses and individuals, the Will-Grundy Medical Clinic has offered free medical and dental service to thousands of patients in our community.

Last year, the Will-Grundy Medical Clinic launched the Wellness Program to encourage overall health in our area. Through this program, the volunteer medical and dental professionals not only treat patients, but also offer educational opportunities to promote healthy lifestyles. The Wellness Program features



classes on basic physical fitness, nutrition, and how to cook healthy, well-rounded meals on any budget.

I would like to congratulate the Will-Grundy Medical Clinic on the one-year anniversary of its Wellness program and thank the staff and volunteers who work so hard to ensure that our community is a stronger, healthier place to raise a family.

#### RECOGNIZING THE 60TH ANNIVERSARY OF THE OPTIMISTS CLUB OF GREATER VIENNA

##### HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. CONNOLLY. Mr. Speaker, I rise to recognize the 60th Anniversary of the Optimist Club of Greater Vienna and to thank its members for their service to our community.

The Optimist Club of Greater Vienna was chartered by Optimist International on June 21, 1955. For sixty years the Optimist Club of Greater Vienna has served its mission, "to bring out the best in kids" and lived up to the Optimist International motto by being the "Friend of Youth" in our community.

This Club has served the youth of the Vienna community in numerous ways, including providing thousands of dollars in scholarships each year to local students through the Carol Waite Brennan Awards, the T.R. Cook Youth of Excellence Awards, the Communication Contest for Deaf and Hard of Hearing students; essay and other oratorical contests, and vocational scholarships.

The Club raises tens of thousands of dollars each year in support of pediatric cancer patients and research through the Walk and Family Fun Day for Growing Hope. Recognizing that it is never too early to serve one's community, the Club promotes community service in elementary school students with the Helping Hands Awards. This emphasis on opportunities for youth to serve and lead continues with Octagon and Junior Optimist Clubs at local schools.

The annual Charles A. Robinson Respect for Law Awards fosters positive relations between the community and local law enforcement. Annual Christmas tree sales and other fundraisers support youth athletic teams, as well as academic, science and arts clubs at area schools. Club members dedicate hundreds of hours each year volunteering for youth-related activities, such as Special Olympics, Alternative House, Ethics Day, the Vienna Community Center Halloween Party, and more.

The Optimists have also contributed greatly to Vienna's community life by operating the Vienna Saturday Farmers Market since 2006, providing not only a marketplace for local, fresh, and healthy foods, but also a meeting place for Vienna residents.

Mr. Speaker, I ask my colleagues to join me in congratulating the Optimist Club of Greater Vienna on its 60th Anniversary of service to the Vienna community and thanking its countless volunteers and supporters for helping to bring out the best in our kids.

#### TRIBUTE TO BEDFORD COMMUNITY SCHOOL DISTRICT

##### HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Bedford Community School District for receiving the Employer Support Freedom Award.

The Freedom Award is the highest recognition given by the Department of Defense to employers for their support of National Guard and Reserve members. Almost half of the U.S. Military is made up of National Guard and Reserve members, many of whom also hold jobs with civilian employers. The Freedom Award recognizes those employers that provide the most outstanding support for the Citizen Warriors.

I applaud and congratulate Bedford Community School District for earning this prestigious award. I am proud to represent them in the U.S. Congress and I know that my colleagues join me in congratulating the school and wishing them nothing but continued success in the future.

#### PERSONAL EXPLANATION

##### HON. DAVID P. ROE

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. ROE of Tennessee. Mr. Speaker, I was unable to vote on the afternoon of July 9, 2015. Had I been present, I would have voted:

Roll Call #427—NO

Roll Call #428—AYE

Roll Call #429—YEA

Roll Call #430—AYE

#### CONGRATULATING ST. ELIZABETH HIGH SCHOOL ON ITS BRONZE MEDAL AWARD

##### HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating St. Elizabeth High School on its Bronze Medal Award as a top Missouri High School from U.S. News and World Report.

This school's administration, teachers, and students should be commended for all of their hard work throughout the past year and for their commitment to education.

I ask you to join me in recognizing St. Elizabeth High School for a job well done.

#### RECOGNIZING THE SPECIAL OLYMPICS

##### HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Ms. JACKSON LEE. Mr. Speaker, I rise today to recognize the significance of the Special Olympics which has established strong and lasting competitive bonds worldwide while simultaneously teaching the world that all people, regardless of their personal struggles, possess the same courage and profound joy in the face of athletic competition.

The Special Olympics has dedicated itself to empowering individuals with intellectual disabilities to become physically fit, productive, and respected members of society through physical education and sport competition.

The origins of this important institution began in the 1950s when Eunice Kennedy Shriver witnessed how children and young adults with intellectual disabilities were being treated by their communities, throughout our country with incredible disrespect.

As her vision slowly came to reality, she began to hold special summer camps for young adults with disabilities in her own backyard.

Throughout the 1960s, Eunice Kennedy Shriver continued as the influential voice which assisted in shaping President John F. Kennedy's White House panel on people with intellectual disabilities.

Through her unwavering support and advocacy for our youth with intellectual disabilities to be no longer viewed as less than a full member of our society with nothing to provide, Eunice Kennedy Shriver created the first Special Olympics that were held on July 20, 1968 in Chicago, Illinois.

At the first Special Olympics, thousands of participants with a variety of intellectual disabilities from 26 U.S. states and Canada competed in track and field, swimming and floor hockey.

These young Americans came to prove they could compete despite their disability.

It is one thing to overcome obstacles to compete in sports recreationally but it takes a genuine drive for excellence to succeed in an arena that was once thought impossible for those with intellectual disabilities.

From that first Special Olympics competition in 1968, this organization began to gain the attention of the world as well as expand the sport competitions at the games.

On February 5, 1977 the games marked the first International Special Olympics Winter Games, which was held in Steamboat Springs, Colorado.

The Special Olympics continued to enhance the original mission of the organization through the creation of programs aimed at providing healthcare services to Special Olympics athletes worldwide.

This organization attracted bipartisan support in 2004, when President George W. Bush signed the "Special Olympics Sport and Empowerment Act."

That piece of bipartisan legislation gave \$15 million every year for five years to Special Olympics programs allowing them to continue their important work.

In February of 2012 the National Basketball Association and Special Olympics, held the first annual NBA Cares Unified Sports Basketball game in Houston, Texas, which allowed Special Olympic athletes to compete alongside professional athletes.

To think that a small summer day camp for intellectually challenged children and adults could evolve into a world-wide organization, is a testament to the lasting vision of Eunice Kennedy Shriver, its founder, and the commitment of volunteers, such as the 40,000 from Texas, to fulfill her dream.

Mr. Speaker, I am proud to recognize the Special Olympics along with the progress this important organization has made towards teaching the world those individuals with intellectual disabilities accept the same challenges as anyone else to compete and win.

25TH ANNUAL MARTIN LUTHER KING, JR. YOUTH ORATORICAL CONTEST HOSTED BY THE PRINCE WILLIAM ALUMNAE CHAPTER OF DELTA SIGMA THETA SORORITY, INC.

### HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize the 25th Annual Martin Luther King, Jr. Youth Oratorical Contest hosted by the Prince William Alumnae Chapter of Delta Sigma Theta Sorority, Inc. and its education foundation.

We must continue the fortitude of those who came before us as we gather to commemorate the 50th Anniversary of the Voting Rights Act. The Reverend Dr. Martin Luther King, Jr. left an indelible mark on our nation in his pursuit of civil rights through civil dialogue. Despite the violence perpetrated against Dr. King and other leaders of the Civil Rights Movement, Dr. King responded with reverent oratory and nonviolent resistance to condemn the injustice of social inequality. His legacy is one of tolerance and steadfast commitment to principled and peaceful communication.

Contestants in the MLK Youth Oratorical Contest pay tribute to Dr. King's legacy with their ability to exercise the strength of the spoken word. This skill will serve them well as they seize future leadership opportunities and forge the personal relationships necessary for effective community engagement and organizing.

I congratulate and applaud the following contestants in the 25th Annual Martin Luther King, Jr. Youth Oratorical Contest:

#### MIDDLE SCHOOL CONTESTANTS

Zoree Jones—Ronald Reagan Middle School

Ayesha Khurseed—Graham Park Middle School

Ksanet Mehari—Stonewall Middle School

#### HIGH SCHOOL CONTESTANTS

Jacob Gonzalez—Thomas Jefferson High School

Denzel Goodlin—Potomac High School

Norman Jones—Stonewall Jackson High School

Mr. Speaker, I ask that my colleagues join me in commending the Delta Sigma Theta Sorority, Inc. for recognizing the benefit that Dr. King's teachings bring to the development of our youth. We lay the foundations of a more tolerant society when we nurture the ability to engage and communicate with one another in a way that respects our common humanity.

### PERSONAL EXPLANATION

#### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. GRAVES of Missouri. Mr. Speaker, on Friday, July 10, I missed a series of Roll Call votes. Had I been present, I would have voted "NAY" on #431 and #432 and "YEA" on #433.

### THE TEXANS OF WWI

#### HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. POE of Texas. Mr. Speaker, we are quickly approaching the 100th anniversary of the United States' entrance into World War One; A war in which Texans played a critical role.

From the fields of Flanders and trenches of France, to the towns of Germany and bases on the home front, 200,000 Texans proudly served in the Armed Forces during the First World War, between 1917 and 1919; They went to a land they had never been and died for people they did not know.

5,000 Texans gave their lives.

Boys who grew up on farms in Texas suddenly became men as they found themselves in the muddy, rainy, and bloody trenches an ocean away.

Life in the trenches was hard. Men were constantly bombarded with artillery and machine gun fire. And they often faced the danger of going over the trenches and crossing no man's land, trying to repel the enemy forces attempting the same.

In the midst of battle and in the face of the enemy, some men displayed tremendous gallantry and were awarded medals for their actions.

Four of the brave souls awarded the Congressional Medal of Honor for their actions were from the great State of Texas.

Daniel R. Edwards, born in Mooreville, Texas, was a Private First Class in the U.S. Army on July 18, 1918. His citation reads that on that day near Soissons, France "... he crawled alone into an enemy trench for the purpose of capturing or killing enemy soldiers ... He killed 4 of the men and took the remaining 4 men prisoners." While taking them to the rear, an artillery shell shattered one of Edwards' legs. For his actions that day, Pfc. Edwards received the Medal of Honor.

David E. Hayden was born in Florence, Texas. He served as a Hospital Apprentice First Class in the U.S. Navy serving with the Marines. On September 15th, 1918, near

Thiaucourt, France his brave actions earned him the Medal of Honor. His citation reads, "During the advance, when [his comrade in arms] was mortally wounded while crossing an open field swept by machinegun fire, Hayden unhesitatingly ran to his assistance and, finding him so severely wounded as to require immediate attention, disregarded his own personal safety to dress the wound under intense machinegun fire, and then carried the wounded man back to a place of safety."

Samuel M. Sampler was born in Decatur, Texas. On October 8, 1918, near St. Etienne, France, the young U.S. Army Corporal became the third Texan in WWI to earn the Medal of Honor. When his company suffered severe casualties during an advance under machinegun fire, "Cpl. Sampler detected the position of the enemy machineguns ... Armed with German handgrenades, which he had picked up, he left the line and rushed forward in the face of heavy fire until he was near the hostile nest, where he grenaded the position. His third grenade landed among the enemy, killing 2, silencing the machineguns, and causing the surrender of 28 Germans, who he sent to the rear as prisoners. As a result of his act the company was immediately enabled to resume the advance."

These three Texans who earned the Medal of Honor were among the ones who survived the war.

A fourth Texan also earned the Medal of Honor during WWI, but gave his life during the actions for which he earned the medal posthumously.

David B. Barkley, of Hispanic descent, was born in 1899 in Laredo, Texas. His father was in the U.S. Army and his mother was a Mexican-American native of South Texas.

David enlisted in the Army before his 18th birthday. Not long after, he was sent to the frontlines in France. On November 9, 1918, Private Barkley's actions went above and beyond the call of duty.

His Medal of Honor citation reads:

"When information was desired as to the enemy's position on the opposite side of the Meuse River, Pvt. Barkley, with another soldier, volunteered without hesitation and swam the river to reconnoiter the exact location. He succeeded in reaching the opposite bank, despite the evident determination of the enemy to prevent a crossing. Having obtained his information, he again entered the water for his return, but before his goal was reached, he was seized with cramps and drowned."

David Barkley's body was not returned home until 1921. His body was laid in state at the Alamo, "The Cradle of Texas Freedom," making him the second person to ever receive that honor, and then buried in San Antonio National Cemetery.

His brave actions were acknowledged at home and abroad. He received medals from France and Italy; an elementary school in San Antonio was named in his honor; and, in 1941, Camp Barkley, a WWII Army installation, was named after him.

In 1989, the Army recognized Private Barkley as the first Hispanic Medal of Honor recipient.

Private Barkley, and the other Medal of Honor recipients from Texas, proudly served their state and country during the First World

War, and they will forever be remembered for their brave actions.

100 years later we still remember the Texas boys of WWI, those that served and returned, those that served and returned with the wounds of war, and those that served and did not return.

And that's just the way it is.

CONGRATULATING FRANCIS HOWELL NORTH HIGH SCHOOL FOR ITS PLACEMENT IN THE TOP 25 MISSOURI RANKED HIGH SCHOOLS

### HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Francis Howell North High School for its placement in the top 25 Missouri high schools as ranked by U.S. News and World Report.

This school's administration, teachers, and students should be commended for all of their hard work throughout this past year and for their commitment to education.

I ask you in joining me in recognizing Francis Howell North High School for a job well done.

2015 PRINCE WILLIAM CHAMBER SCHOLARSHIP RECIPIENTS

### HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. CONNOLLY. Mr. Speaker, I rise today to commend the Education and Innovation Committee of the Prince William Chamber and to recognize the scholastic achievements of the 2015 Prince William Chamber Scholarship Program winners. Focused on educating the workforce of today and tomorrow, the Prince William Chamber seeks to highlight the talents and achievements of high school seniors who have demonstrated a commitment to both academic success and community involvement. This year's scholarship recipients are nothing short of exceptional and for that I wish to recognize the following individuals:

Matthew Critchley, Forest Park High School  
Casey Peschka, Woodbridge Senior High School

Ann Stapor, C.D. Hylton High School

Matthew Critchley is a lifelong resident of Dumfries, Virginia. Given his deep roots in the community, Matthew has expressed a particular interest in the history and legacy of the Town of Dumfries. Currently he serves on the town's Parks and Recreation Commission and volunteers at the Weems-Botts Museum where he researches family genealogy, coordinates special events, and participates in Civil War reenactments. Matthew is a diligent student and boasts a superior academic record. Upon graduation from Forest Park High School, Matthew will be the first in his family

to go to college. He will attend Virginia Commonwealth University in the fall, majoring in Criminal Justice.

Casey Peschka attends Woodbridge Senior High School and is a member of the Advanced Placement Scholars, National Honor Society, Viking Norsemen Community Service Club, and Student Activities Council. He serves as the Editor-in-Chief of the school newspaper, The Valkyrie, and as Team Captain of the Varsity Boys' Lacrosse Team. One of Casey's most notable achievements is serving as co-founder of "El Fuego" or "The Fire," a recreational soccer team that raises funds for ACTS to help combat hunger and poverty in the local community. In college, Casey will major in Biology and Organic Chemistry and plans to pursue a career in medicine as an Oncologist.

Anna Stapor will graduate as valedictorian from C.D. Hylton High School in June. Anna's teachers characterize her as an "exception among the exceptional." With an extensive list of academic achievements, Anna won First Place in the Prince William Youth Salute and was named an Advanced Placement Scholar with Distinction. She is a member of the National Honor Society and the French Honor Society, and is also a recipient of the Presidents Volunteer Service Award. Throughout her high school career, Anna has participated in a number of clubs and organizations; among them, Virginia Girls State, National Council on Youth Leadership, Prince William Model United Nations, and AIU High School Diplomats. Anna was the Captain of Hylton's Varsity Field Hockey and Lacrosse Team, receiving the following honors: Most Valuable Player, The Coaches Award, and Honorable Mention for All Conference Field Hockey Defender. In the fall, Anna will attend Virginia Tech and major in Industrial Design to design products to benefit poverty-stricken communities.

Mr. Speaker, I ask that my colleagues join me in commending the 2015 Prince William Chamber Scholarship recipients for their achievements both in and out of the classroom and in thanking the Prince William Chamber of Commerce for their support of educational excellence.

TRIBUTE TO EMILY GRAVLIN

### HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to congratulate and recognize Miss Emily Gravlin of Creston, Iowa, for winning a State Championship at the Iowa High School Rodeo State Finals on June 5th, 2015. Emily is the daughter of Michelle and Wayne Hanson and David Gravlin Sr.

Emily placed first in barrel racing after a successful season at various rodeos throughout Iowa. Her victory is the culmination of many years of hard work, training, and competing. She has qualified for the 67th National Finals Rodeo in Rock Springs, Wyoming on July 12th–18th.

Mr. Speaker, it is an honor and privilege to represent dedicated Iowans like Emily in the

U.S. House of Representatives. I invite my colleagues in the House to join me in congratulating Emily for a great season, and wishing her nothing but continued success as she competes at the National Rodeo Finals this week and in all her future endeavors.

CONGRATULATING WRIGHT CITY HIGH SCHOOL ON ITS BRONZE MEDAL AWARD

### HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Wright City High School on its Bronze Medal Award as a top Missouri High School from U.S. News and World Report.

This school's administration, teachers, and students should be commended for all of their hard work throughout the past year and for their commitment to education.

I ask you to join me in recognizing Wright City High School for a job well done.

RECOGNIZING THE TEACHERS OF PRINCE WILLIAM COUNTY PUBLIC SCHOOLS GAINING CERTIFICATION FROM THE NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS

### HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize the Prince William County Public School Division teachers who recently received certification from the National Board for Professional Teaching Standards. The National Board is an independent nonprofit organization governed by classroom teachers, school administrators, school board leaders, governors and state legislators, higher education officials, teacher union leaders, and business and community leaders.

The teachers have met the standards established by the National Board, and have undergone a rigorous application process that required they demonstrate the knowledge, skills and accomplishments that comprise teaching excellence. A Board Certified teacher supports a vision of teaching based on the following five core principles:

Teachers are committed to students and their learning;

Teachers know the subjects they teach and how to teach those subjects to students;

Teachers are responsible for managing and monitoring student learning;

Teachers think systematically about their practice and learn from experience; and

Teachers are members of learning communities.

I would like to extend my personal congratulations to the following National Board Certified Teachers for receiving their respective certifications.

Maureen Artist, Montclair Elementary School  
Dina Baird-Berberoglu, Samuel L. Gravely  
Elementary School

Shawn Baugh, Triangle Elementary School  
Cynthia Brown, Montclair Elementary School  
Jennifer Carter, Minnieville Elementary  
School

Allyson Davis, Marsteller Middle School  
Deborah Ellis, Minnieville Elementary  
School

Megan Hostutler, Patriot High School  
Heather Mainwaring, Montclair Elementary  
School

Franki Miller, Old Bridge Elementary School  
Kathryn Miller, Dale City Elementary School  
Michael Neall, Student Learning

Joanne Ortiz, Marumsco Hills Elementary  
School

Kimberly Papandrea, Special Education  
Matthew Ragghianti, Osbourn Park High  
School

Kelly Riley, Swans Creek Elementary  
School

Barbara Rohr, West Gate Elementary  
School

Lori Sterne, Stonewall Jackson High School  
Lydia Stewart, Osbourn Park High School  
Wendee Sukanovich, Montclair Elementary  
School

Rebecca Utter, Battlefield High School

Mr. Speaker, I ask that my colleagues join  
me in commending these teachers for their  
commitment to education and professional de-  
velopment. The Prince William County Public  
School Division delivers a world class edu-  
cation due to the tireless efforts of teachers  
who make excellence the standard.

TRIBUTE TO MRS. ALEAN  
ANDERTON BROCK ON THE OCCA-  
SION OF HER 66TH BIRTHDAY  
CELEBRATION

**HON. ALMA S. ADAMS**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Ms. ADAMS. Mr. Speaker, I rise today to  
pay tribute to one of North Carolina's most de-  
serving citizens, and a very special con-  
stituent, Mrs. Alean Anderton Brock. I applaud  
Mrs. Brock on several significant fronts, first  
and foremost as the dedicated and nurturing  
mother of Charlotte's own Olympian Boxer,  
Calvin Brock. Equally worthy of mentioning,  
Mr. Speaker, is Alean Brock's redefinition of  
courage which she exhibited throughout her  
battle as a two-time breast cancer survivor.  
During her former years, Alean attended Eliza-  
beth City State University and was crowned  
their Homecoming Queen. Alean is compas-  
sionate and kind and imparts words of encour-  
agement to everyone whom she meets; as a  
result, Alean has earned the "most favorite"  
person status among her family and friends  
who are spread across the United States.

Mr. Speaker, all who love and admire Alean  
Brock for her courage, determination, stead-  
fastness and compassion, thought it would be  
appropriate to honor and pay tribute on the  
occasion of her 66th birthday.

Over the years, Mrs. Brock has exhibited  
unwavering courage, determination and has

remained steadfast during her bouts with  
breast cancer. Those persons who are most  
familiar with Alean Brock will support the claim  
that cancer never had a fighting chance with  
her. Cancer was no match because Alean  
knew the rules of the boxing game; after all,  
it was her son, Calvin's childhood dream to  
become the heavyweight boxing champion of  
the world. The main characters in Calvin's ad-  
venturous dream were constant, grounded and  
made many sacrifices. Those characters in-  
cluded Alean Brock, Calvin's father, Calvance  
Brock who doubled as Calvin's coach through-  
out his boxing career, and his precious sister  
Alexis.

Alean Brock fought the cancer like a cham-  
pion and with all steadfastness continued to  
encourage Calvin to pursue his dream. Along  
the way, Calvin achieved the honor as Na-  
tional Golden Gloves Heavyweight Champion  
in 1998; and in 1999 with Alean standing tall,  
bruised by her cancer, but never defeated,  
Calvin won the U.S. Amateur Championship at  
201 pounds. Alean, Calvance and Alexis  
cheered Calvin on to Sydney Australia where  
he participated as an U.S. Olympics Boxing  
Team Member during the 2000 Olympics. With  
strength and determination borrowed from his  
mom's playbook as she continued her battle  
with cancer, Calvin went forward to fight his  
first well-known opponent, Clifford Etienne,  
one of Mike Tyson's opponents whom Calvin  
defeated by round 3 TKO on January 21,  
2005. Alean reached deep and found the zeal  
to cheer Calvin on to win the title of IBF World  
Title Challenger in 2006. Still continuing to  
throw knock out punches at her cancer, Alean  
dug down deep to find strength, but never  
wavered when she learned that Calvin would  
be forced into early retirement after suffering  
an injury that caused damage to the retinal in  
his right eye.

Mr. Speaker, it is fitting that on July 18,  
2015 family and friends will gather from all  
across the United States to pay tribute to  
Alean Brock, including her mother and father,  
Rebecca and Clinton Anderton, her daughter,  
Alexis Brock and the apples of her eye, her  
two grandchildren Jizelle and Brycen along  
with their parents Calvin and Yolanda Brock.

Mr. Speaker, I ask my colleagues to rise  
and join me in paying tribute to Alean  
Anderton Brock, the picture of unwavering  
courage, determination and compassion that  
we all should strive to emulate.

PATRICIA APY: AMERICAN BAR  
ASSOCIATION'S 2015 GRASSROOTS  
ADVOCACY AWARD WINNER

**HON. CHRISTOPHER H. SMITH**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 13, 2015*

Mr. SMITH of New Jersey. Mr. Speaker, I  
am pleased to call attention today to the great  
work and humanitarian achievements accom-  
plished by Patricia Apy, who recently received  
the American Bar Association's 2015 Grass-  
roots Advocacy Award.

A partner at Paras, Apy and Reiss, P.C. in  
Red Bank, New Jersey, Ms. Apy was selected  
for this extraordinary honor by the Board of

Governors of the 400,000 member ABA—for  
her "outstanding support of legal protection  
and assistance to members of the military."

In announcing the award, the ABA noted  
that Ms. Apy is "recognized as one of the na-  
tion's leading experts in family law" who has  
"focused her career on the needs of military  
families, serving as a teacher, advocate, lec-  
turer, consultant and commentator on the  
complexities of international family law." The  
ABA also cited the countless pro bono hours,  
Ms. Apy has dedicated on Capitol Hill and at  
the New Jersey state legislature. They high-  
lighted her equally effective advocacy on be-  
half of victims of international parental child  
abduction.

I first met Patricia Apy "Tricia" when she  
was serving as the lead American attorney for  
David Goldman, a New Jersey resident who  
fought five years for the return of his son Sean  
who was abducted by David's ex-wife to  
Brazil. Tricia delivered expert advice and  
counsel in David's long, arduous, but ulti-  
mately successful case.

As the chairman of the subcommittee that  
oversees human rights, I authored legislation  
to help bring an end to David and Sean's  
nightmare and I held—and continue to hold—  
Congressional hearings to ensure that other  
Americans are spared this pain. Tricia Apy  
has provided comprehensive, world-class testi-  
mony and analysis on the myriad of problems  
left behind parents face. Her insights were key  
as we drafted, the Sean and David Goldman  
International Child Abduction and Prevention  
and Return Act (The Goldman Act—PL 113-  
150), my law to help prevent international pa-  
rental child abduction and secure the return of  
those children who have been abducted and  
remain separated from their left behind parent.

At the ABA award ceremony in her honor—  
hosted at the U.S. Supreme Court—Patricia  
Apy paid special tribute to the inspiration she  
draws from her parents, Joseph and Gloria  
McHale. Having served our Nation valiantly,  
decorated WW II hero Joseph McHale died at  
a young age in a VA hospital leaving Gloria to  
raise three children including Tricia who was  
only nine at the time. She credits their love  
and hard work with her success and it is with  
great pleasure that I share with my colleagues  
her moving comments and acceptance  
speech.

Patricia Apy, American Bar Association's  
2015 Grassroots Advocacy Award Winner:  
"Freedom, Justice, Liberty . . . without  
Lawyers they're just words . . ." Nearly 20  
years ago this was the theme of the Amer-  
ican Bar Association annual meeting. At the  
time, we were accused of hyperbole, I don't  
believe that anyone would accuse us of hy-  
perbole today. I am a member of an associa-  
tion of 400,000 professional advocates, to be  
distinguished in that number is a remark-  
able honor, and I am humbled by this rec-  
ognition. I wish to express my appreciation  
to the Governmental Affairs Office and the  
Board of Governors of the ABA.

I believe that real advocacy, is evidence of  
what inspires you, the experiences you share  
and the opportunities you have had. I am a  
person of faith, and my faith informs me  
that nothing happens to us by accident.  
Which is why I should not have been sur-  
prised to find myself the newest liaison to  
the Standing Committee on Legal Assistance  
for Military Personnel for exactly one month  
on September 11, 2001. On that day, I went

(as my brother Michael has coined it) from being a "mere lawyer" to a "protector of heroes". I like that moniker, understanding that it is one I can only aspire to.

I am so proud of the work that has been accomplished by the LAMP committee during my tenure on it, and by my colleagues, many of whom are in this room who have shared that laboring oar. The LAMP committee is chaired by General Officers, they are all spectacular lawyers and American heroes. But the three men with whom I worked most closely, the incomparable Gen Earl Anderson, Brig Gen David Hague and my own "true north" Rear Adm. John Jenkins, former T-Jag of the Navy, taught me so much more than how to be a great advocate. They taught me about duty and honor, in doing so.

My opportunities for public advocacy, whether on behalf of the United States at the Hague, or consulting with or for our warfighters at the Pentagon, or on behalf of disenfranchised and marginalized women at the UN and the White House, or with my hand in the air testifying before the Congress have in large measure been opportunities afforded me because of my affiliation with the ABA. The people with whom I have worked, whether in the military, diplomacy or governance have typically devoted their personal and professional lives to the service of their country, usually in anonymity. I don't know why anyone would do so in this age of cynicism and partisanship. But they do, and we should all be proud and deeply grateful for the continued commitment to justice that ABA has afforded.

On the wall of my home hangs the Silver Star, and two Bronze Stars, the second with Oak leaf cluster in lieu of a third Bronze Star. My father died in a VA hospital when I was nine years old. I was raised and educated by the heroic efforts my mother, Gloria McHale, in extraordinarily modest means. It is not lost on me, how very improbable it is to be standing here in the Supreme Court of the United States, as the child of a deceased war veteran. I thank my husband David Apy, my family, my law partners and longtime paralegal, and many colleagues and friends in accepting this national recognition. My experience, my inspiration and my faith serve as the motivation for my advocacy.

I have closed each and every one of the over one thousand hours of continuing legal education that I have conducted with and for our military lawyers exactly the same way, never wanting any of them to go into harm's way without knowing for certain and for sure, that on behalf of my family we know that we sleep in peace at night only due to their service and sacrifice. For that, and for this honor . . . I remain profoundly grateful.

#### SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, July 14, 2015 may be found in the Daily Digest of today's RECORD.

#### MEETINGS SCHEDULED

JULY 15

9:30 a.m.

Committee on Environment and Public Works

To hold hearings to examine the nominations of Kristen Marie Kulinowski, of New York, to be a Member of the Chemical Safety and Hazard Investigation Board for a term of five years, and Gregory Guy Nadeau, of Maine, to be Administrator of the Federal Highway Administration, Department of Transportation.

SD-406

10 a.m.

Committee on Banking, Housing, and Urban Affairs

To hold hearings to examine the Consumer Financial Protection Bureau's semi-annual report to Congress.

SD-538

Committee on Commerce, Science, and Transportation

Business meeting to consider S. 1732, to authorize elements of the Department of Transportation.

SR-253

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine securing the border, focusing on understanding threats and strategies for the maritime border.

SD-342

2:15 p.m.

Committee on Indian Affairs

To hold an oversight hearing to examine juvenile justice in Indian Country, focusing on challenges and promising strategies.

SD-628

Special Committee on Aging

To hold hearings to examine diabetes research, focusing on improving lives on the path to a cure.

SD-G50

2:30 p.m.

Committee on Commerce, Science, and Transportation

Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security

To hold hearings to examine the governance and integrity of international soccer.

SR-253

Committee on Foreign Relations

Subcommittee on Western Hemisphere, Transnational Crime, Civilian Security, Democracy, Human Rights, and Global Women's Issues

To hold hearings to examine United States policy towards Haiti prior to the elections; to be immediately followed by a full committee hearing to examine the nominations of Perry L. Holloway, of South Carolina, to be Ambassador to the Co-operative Republic of Guyana, Laura Farnsworth Dogu, of

Texas, to be Ambassador to the Republic of Nicaragua, and Roberta S. Jacobson, of Maryland, to be Ambassador to the United Mexican States.

SD-419

Joint Economic Committee

To hold hearings to examine what lower labor force participation rates tell us about work opportunities and incentives.

SD-562

JULY 16

10 a.m.

Committee on Agriculture, Nutrition, and Forestry

To hold hearings to examine pending Forest Service and forestry related bills.

SR-328A

Committee on Finance

To hold hearings to examine HealthCare.gov controls.

SD-215

Committee on Foreign Relations

To hold hearings to examine human rights around the world, focusing on corruption, Global Magnitsky, and modern slavery.

SD-419

Committee on the Judiciary

Business meeting to consider S. 1169, to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and S. 1599, to provide anti-retaliation protections for antitrust whistleblowers.

SD-226

2 p.m.

Committee on Foreign Relations

Subcommittee on Africa and Global Health Policy

To hold hearings to examine wildlife poaching.

SD-419

Committee on Homeland Security and Governmental Affairs

Subcommittee on Regulatory Affairs and Federal Management

To hold hearings to examine the Office of Information and Regulatory Affairs's role in the regulatory process.

SD-342

2:30 p.m.

Committee on Banking, Housing, and Urban Affairs

To hold hearings to examine the semi-annual monetary policy report to Congress.

SD-538

Select Committee on Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

2:45 p.m.

Committee on Energy and Natural Resources

Subcommittee on Public Lands, Forests, and Mining

To hold hearings to examine S. 132, to improve timber management on Oregon and California Railroad and Coos Bay Wagon Road grant land, S. 326, to amend the Healthy Forests Restoration Act of 2003 to provide cancellation ceilings for stewardship end result contracting projects, and S. 1691, to expedite and prioritize forest management activities to achieve ecosystem restoration objectives.

SD-366

*July 13, 2015*

EXTENSIONS OF REMARKS, Vol. 161, Pt. 8

**11423**

JULY 21

JULY 22

AUGUST 4

10 a.m.

Committee on the Judiciary

To hold an oversight hearing to examine the Administration's immigration enforcement policies.

SD-226

2:15 p.m.

Committee on Indian Affairs

To hold hearings to examine safeguarding the integrity of Indian gaming.

SH-216

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine the back-end of the nuclear fuel cycle and related legislation, including S. 854, to establish a new organization to manage nuclear waste, provide a consensual process for siting nuclear waste facilities, ensure adequate funding for managing nuclear waste.

SD-366

## HOUSE OF REPRESENTATIVES—Tuesday, July 14, 2015

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. CURBELO of Florida).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

July 14, 2015.

I hereby appoint the Honorable CARLOS CURBELO to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,

*Speaker of the House of Representatives.*

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

### SUPPORT FOR UKRAINE AND GEORGIA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. ROSKAM) for 5 minutes.

Mr. ROSKAM. Mr. Speaker, ladies and gentlemen of the House, we ought not bet against Ukraine and Georgia.

I recently returned from a bipartisan delegation of the House Democracy Partnership that visited Ukraine and Georgia over the Fourth of July recess. Our purpose was to reflect this body to those parliamentary bodies in Ukraine and Georgia.

I—and I know the other members of the House Democracy Partnership—came away with a feeling of encouragement and a feeling of gratitude for the tenacity and very seriousness with which the Ukrainians and the Georgians are pursuing freedom.

These are two nations that desperately want to be in the orbit of the West. They desperately want to be a part of the EU; they desperately want to be a part of NATO, and they are doing everything they can to stiff-arm and push back from the aggression of Vladimir Putin. They need our help; they need our encouragement, and they need our support.

It is said that there are some who look at this as the front line of the rising voices against authoritarianism, and I think that is true. We have got to do everything we can in this body not only to provide the economic support and other support that these countries need, but also to do everything we can to push the administration to do the right thing as well.

### TRANSPORTATION FUNDING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, this is a big day on Capitol Hill. The Iranian agreement has been signed. Hopefully, we will all have a chance to study it and think through the implications of this historic event, but the legislative clock is ticking down on another area. We have only 10 legislative days left this month before we face another transportation funding cliff.

The expectation now is that there will be a 34th short-term transportation extension that we have faced since our last, meaningful 6-year reauthorization. People are scrambling for another short-term funding source to keep us going for the next few months that targets, presumably, \$8 billion to \$11 billion to get us through the end of the year.

This is actually worse than no solution at all because it perpetuates the uncertainty, the crisis mentality, the inability of State and local governments that rely on this Federal partnership to supply approximately one-half of the capital expenditures for our surface transportation.

This uncertainty comes at a time when our bridges, roads, and transit systems are all in serious areas of disrepair. We are desperately in need of bigger, longer-term projects.

It is a myth that somehow we can't afford to take action. The public is paying now hundreds of dollars a year in damage to each of their vehicles, costs far in excess of a few cents a day for a gas tax increase.

American commuters and businesses are suffering over \$120 billion a year in costs related to congestion, costs directly related to inadequate infrastructure. People are tying themselves in knots when there is a simple, obvious solution.

As pointed out in a delightful op-ed in The Washington Post on July 9, we should simply follow Ronald Reagan's

example and fill up America's highway trust fund.

They ask how the famously tax-cutting conservative President raised the Federal user fee—the gas tax—on motor fuels 125 percent. While he was concerned about general taxation, he was absolutely comfortable with having user fees cover specific costs like the fuel tax for aviation or inland waterway fees.

He worked with Republicans in Congress, who demonstrated significant support for user fee increases. He then gave his Secretary of Transportation, Drew Lewis, free hand to lay the groundwork.

Finally, when he decided to support a gas tax increase, his Department of Transportation swung into action, as did Ronald Reagan himself. He gave an eloquent speech November 29, 1982, on Thanksgiving Day, calling on Congress to come back into session and approve the gas tax increase.

We have the opportunity for such leadership today. My proposed gas tax increase, H.R. 680, is supported by all the major interest groups: unions, the Chamber of Commerce, truckers, AAA, transit, local government, environmentalists, engineers, and contractors.

The same approach has been used in 20 States since 2012 to raise transportation revenues. Six States have raised the gas tax already this year, six red Republican States. It is simple. My bill would provide the money necessary to actually pass a 6-year bill. It would be sustainable so we wouldn't be back in the same pickle in a year, 2 years, or 5 years.

Finally, it is dedicated so people can count upon it to implement the steps necessary to rebuild and renew America's infrastructure.

It is time to stop temporizing, and it is time to act. Filling the highway trust fund with borrowed money inadequate to do the job but enough to avoid responsibility is not a solution that we can be proud of, especially when America is ready and Ronald Reagan pointed the way.

### AFTER 45 SEASONS, 50 CONSECUTIVE WINS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Minnesota (Mr. EMMER) for 5 minutes.

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to recognize and congratulate St. Cloud Cathedral High School baseball coach Bob Karn on being named not only the Regional



Coach of the Year, but also the Diamond National Coach of the Year, by the American Baseball Coaches Association.

Under Coach Karn's direction, the Crusaders have won 50 consecutive games, and this year, they celebrated their second straight State title. These impressive statistics are nothing new for Coach Karn. Karn has coached a total of 45 seasons, and under his leadership, Cathedral has a record of 736–237 and nine State championships.

Coach Karn, you have made a lasting impact on the lives of your players, and they will no doubt use all you have taught them wherever they go. Your team, your school, and your community have all benefited from your leadership.

Thank you so much for everything that you do. Keep up the excellent work, and best of luck next season.

ACCOUNTABLE REGULATION, NOT MORE  
REGULATION

Mr. EMMER of Minnesota. Mr. Speaker, I rise today in support of the REINS Act.

In my time in Congress, one message I consistently hear at home is Washington is not listening to the people. Unelected, nameless bureaucrats continue to impose harmful and burdensome regulation on the American people.

In total, compliance with Federal regulation costs \$1.8 trillion a year. These regulations are devastating to small business and cost American families nearly \$15,000 a year.

Using the REINS Act, the new Congress has stepped up to the plate. Under the REINS Act, major rules from Federal agencies would require congressional approval before enactment. Through Congress, the American people would have up to 70 days to view a major rule before it is ever called for a vote. To prevent long legal challenges, courts are allowed to ensure agencies have adhered to all necessary requirements before final implementation.

Finally, the REINS Act allows for Congress to disapprove of any minor rule, thus holding this administration accountable and protecting against a runaway Federal Government.

I am a proud cosponsor of the REINS Act, which restores the democratic process in favor of those who originally formed our government, the people.

I ask my colleagues to join me in supporting this vital legislation.

TRANSPORTATION IS OUR FUTURE

Mr. EMMER of Minnesota. Mr. Speaker, transportation is the key to the future economic growth of my district and our Nation.

For years, the Federal highway trust fund has run deficits and fostered an environment of waste and frivolous spending. This week, Congress is poised to pass another short-term fix. While I applaud the efforts of Chairmen RYAN

and SHUSTER, my constituents need long-term answers and solutions to the transportation gridlock and congestion that stifles growth and expansion.

Projects in my district, such as Interstate 94, which is one of the most congested corridors in the region, are slowing development and cost commuters valuable time and money while they are stuck in traffic. U.S. Highway 10 has become such an issue that cities are placing moratoriums on new business development.

Mr. Speaker, this is a travesty, and my constituents have every right to be frustrated. I call upon this body to work to pass a long-term funding bill and give our constituents the certainty they deserve in their transportation system.

ONE OF ST. CLOUD'S FINEST IS ONE OF THE  
WORLD'S STRONGEST

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to recognize St. Cloud's own Nick Tylutki for his second-place finish at the International Powerlifting Federation World Championship in Salo, Finland.

This past year, after topping 108 competitors, Nick won the national title and a ticket to the world championship in Finland. With eight previous world championships under his belt, Nick finished higher than ever before, coming just shy of completing a 744-pound deadlift for the gold.

In addition to his successful powerlifting career, Nick is also a St. Cloud police officer and SWAT team operator. As a child, Nick dreamed of becoming a police officer, and that dream was realized 7 years ago when he joined the St. Cloud police force.

I congratulate Nick on his impressive silver medal at the world championship, and I thank him for his service as one of St. Cloud's finest.

#### MARKING THE OCCASION OF THE "NEW HORIZONS" SPACECRAFT REACHING PLUTO

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. NEAL) for 5 minutes.

Mr. NEAL. Mr. Speaker, I rise this morning to mark the occasion of the *New Horizons* spacecraft reaching Pluto.

*New Horizons* launched on January 19, 2006, and since 2007, has been traveling steadily at 30,000 miles per hour. This morning, at approximately 7:49:57 a.m., the *New Horizons* spacecraft rendezvoused with Pluto, three billion miles away from Earth. Having just passed Pluto this morning, *New Horizons* will continue on in the Kuiper belt.

Standing here as the spacecraft just passed Pluto, I take great pride in noting that a Massachusetts astronomer helped in the discovery of its existence. While Clyde Tombaugh formally dis-

covered Pluto, it was Boston astronomer Percival Lowell's calculations that led the way. The P and the L that make the astronomical symbol for Pluto serve as a testament to Lowell's part in the discovery of this small planet.

Lowell's contribution to astronomy also stands today with the establishment of the Lowell Observatory located in Flagstaff, Arizona. Percival Lowell inspired countless generations with his advocacy of astronomy, and more than 80,000 visitors each year go through the doors of the observatory.

I am certainly proud to have known Lowell's descendants, the Putnam family, for years; and I admire their continued advocacy of the Lowell Observatory.

□ 1015

*New Horizons* is the first in the "New Frontiers" series, inspired by another son of Massachusetts, President John Kennedy, who said about the need to explore space: "We set sail on this new sea because there is a new knowledge to be gained, new rights to be won, and they must be won and used for the progress of all people."

President Kennedy's support of our Nation's first space program set us on course for hope and optimism for our future.

*New Horizons'* accomplishment this morning, along with other initiatives such as the International Space Station, which I am very proud to say that I supported and recall that in this institution, the space station survived by one vote at a precarious time in our history. It serves today as a strong reminder of the continued importance of space exploration and the very smart people that are drawn to this initiative.

I also want to close by saying that I would hope that we might remind ourselves of the optimism of the Kennedy years and the space exploration program which Kennedy highlighted and helped to inaugurate but which he never got to see many of the benefits of, a sentiment that all Members of Congress should grasp, and that is that the candidate who offers the best sense of optimism for the future is generally the candidate that prevails. During the course of a campaign when one makes arguments on behalf of a particular initiative, we are also to understand that it is part of forming a government. So optimism becomes infectious in our political system when embraced properly.

I hope today, as we celebrate this remarkable achievement of *New Horizons* and just the thought that that spacecraft travels at 30,000 miles per hour and the fact, at 3 billion miles from Earth, America's science, achievement, and initiative have once again prevailed in this world, that we will continue to support these space initiatives and embrace the notion and the role that science plays in our lives.

Thank you Percival Lowell, and thank you President John Kennedy.

#### CUT ILLEGAL ALIEN LABOR SUPPLY THAT COSTS AMERICAN JOBS AND SUPPRESSED INCOMES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Alabama (Mr. BROOKS) for 5 minutes.

Mr. BROOKS of Alabama. Mr. Speaker, yesterday Democrat Presidential candidate Hillary Clinton unveiled her economic program stating: "The defining economic challenge of our time is clear. We must raise incomes for hard-working Americans so they can afford a middle class life. We must drive strong and steady income growth that lifts up families"; and, "The measure of our success must be how much incomes rise for hard-working families."

Clinton concluded that: "If you work hard and do your part, you should be able to get ahead. But over the past several decades, that bargain has eroded."

Hillary Clinton identifies the problem and goals; however, I submit her trickle-down Federal Government dictates solution, while splendid rhetoric, misses the target entirely.

What changed over the past several decades that eroded the American dream?

Three decades ago, America gave amnesty to millions of illegal aliens. That amnesty beget millions and millions in more illegal aliens. This illegal alien tsunami has done more to take jobs from and suppress wages of struggling American families than anything else over the past three decades.

The Pew Hispanic Center established in 2009 that American workers lost 7.8 million job opportunities to illegal aliens. A more recent FAIR study estimates Americans lost 8.5 million job opportunities to illegal aliens.

Economic studies reveal that wage suppression caused by the surge in cheap, illegal alien labor costs American high school graduates an estimated \$800 per year and America's low-skilled labor an estimated \$2,300 per year in income. But it is not just illegal alien labor that undermines American opportunity and the American Dream for American citizens.

America's generous legal immigration policy created a second tsunami of legal foreign labor that doubles the economic damage to struggling American families. Census Bureau, Homeland Security, and Labor Department data offers a startling and sobering insight for Americans in the 16-65 age bracket.

While the American economy created 5.6 million net new jobs in the 16-65 age bracket over the past 14 years, American-born citizens lost 127,000 net jobs. All net job gains and more went to illegal and legal immigrants. While Amer-

ican-born citizens lost 127,000 jobs, foreign-born persons gained 5.7 million jobs.

Worse yet, when you factor in population growth, there were 17 million more Americans in the 16-65 age bracket not working in 2014 than in 2000.

Contrary to the propaganda of amnesty and open border proponents and their media allies, immigrants gained across the labor market in lower skilled jobs, such as maintenance, construction, and food service, and middle skilled jobs, like office support and healthcare support, and higher skilled jobs, including management, computers, and healthcare practitioners.

The propaganda that immigrants only do jobs Americans won't do is not supported by fact. Immigrants gained jobs while Americans lost jobs in each of the following high-paying industries: architecture, engineering, transportation and material moving, office and administrative support.

Further, American-born citizens of all major races lost ground. The percentage of working African Americans dropped 9.2 percentage points; Hispanic Americans dropped 7.7 percentage points; Caucasian Americans dropped 6.1 percentage points.

In a dig at Jeb Bush, Clinton added that Americans "don't need a lecture, they need a raise."

Mr. Speaker, Hillary Clinton is right. America does not need lectures. America needs solutions. And the number one job and economic solution for Americans is securing America's borders and implementing a rational immigration policy that reflects economic conditions and protects American jobs and American wages for struggling American families.

#### CENTRAL PENNSYLVANIA FESTIVAL OF THE ARTS

The SPEAKER pro tempore (Mr. COSTELLO of Pennsylvania). The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, this past weekend, over 125,000 people flocked to Pennsylvania's Fifth District to attend the 49th annual Central Pennsylvania Festival of the Arts, affectionately known as Arts Fest.

Every July, people gather in State College, Pennsylvania, to enjoy works of art, live music, and great foods. Arts Fest is home to one the Nation's premier outdoor fine art and craft shows, and hosts over 300 exhibitors.

Now, these artists, ranging from international talent to local artists, display a wide variety of art that fits any and all interests. Live musical performances also take place throughout the weekend at a number of venues.

Arts Fest strives to instill an interest and appreciation of the arts in the area's youth through performances for young people by young people.

Mr. Speaker, as co-chairman of the Congressional Art Competition, I rise in strong support of the arts, and it is my honor to recognize all the volunteers and the staff who did such a great job of putting on this year's Central Pennsylvania Festival of the Arts.

#### STOP IRAN DEAL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. DESANTIS) for 5 minutes.

Mr. DESANTIS. Mr. Speaker, Congress, at this juncture, has one overriding task, and that is to stop President Obama's capitulation to Iran. Make no mistake, this is less a deal than it is a list of concessions to the world's leading state sponsor of terrorism. And there is a reason why you see smiles on the ayatollahs in Tehran and Javad Zarif in Vienna.

Congress should stop this deal because it gives billions of dollars to the Iranian regime, which Iran will use to foment jihad and terrorism throughout the Middle East. Congress should stop this deal because it validates Iran's entire nuclear infrastructure—no dismantling, not even Iran's underground nuclear bunker at Fordo, which has no rational peaceful purpose.

Indeed, Iran is crossing all of President Obama's red lines. President Obama had said you could not have Fordo, he said you could not have a plutonium reactor in Iraq. He said you could not have advanced centrifuges because there is no peaceful purpose for any of those, and yet this final deal validates each and every one of those pieces of Iran's nuclear arsenal.

Congress should stop this deal because it removes sanctions from Iran's Quds force and its commander, Qasem Soleimani, who are responsible for killing hundreds of American soldiers in Iraq. And indeed, when I served in Iraq, Iran was responsible for killing more Americans than even al Qaeda in Iraq.

Why reward those with American blood on their hands by lifting sanctions on them?

Congress needs to stop this deal because it stabs our allies in the back, most notably, our trusted ally Israel. Iran threatens to wipe Israel off the map and refers to Israel as a one-bomb country.

Congress needs to stop this deal because the inspections are not snap inspections. Indeed, the inspections depend on Iran allowing the inspections, and there is an entire bureaucracy set up so that even if you end up getting approval, Iran will have the ability to remove their offending conduct and conceal it before the inspectors see it.

The bottom line is that this deal does not dismantle Iran's nuclear infrastructure. The deal empowers Iran. It makes the world less safe by paving Iran's path to the bomb.

It is a time for choosing in this House. Congress must act swiftly and

decisively and reject this capitulation. This deal cannot stand.

#### THE PRESIDENT'S FOREIGN POLICY SCORECARD

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. WALKER) for 5 minutes.

Mr. WALKER. Mr. Speaker, the President's foreign policy has been disastrous for more than 6 years. If you are keeping score at home on this deal with Iran, feel free to add another major error in the box score, labeled, "The Failed Obama Doctrine."

President Obama's insistence on force-feeding a deal with Iran is troubling. The unrelenting attempt to boost his legacy has created a gross lack of discernment. The President and his State Department have left a trail of detrimental decisions with deteriorating relationships throughout the world.

How can we forget the President's blurred red lines in demanding that Syria's Assad end his human rights violation? After the President drew his line in the sand, Assad responded with the bombing of hospitals and the use of chemical weapons against his own people.

The President has failed to show any initiative or strategy and has consistently attempted to lead from behind. Meanwhile, of all people, Russia's Vladimir Putin was the one who intervened in this international crisis.

Speaking of Putin, the President's posture with Putin has been pitiful.

Of course, it was President Obama who mocked Presidential candidate Mitt Romney's 1980s concern of Russia being a threat. Maybe it is time President Obama revisited Ronald Reagan's foreign policy of the 1980s.

Wasn't it Vice President JOE BIDEN that claimed the President's work in Iraq would be one of the greatest achievements of this administration?

Syria, Russia, Benghazi, Iraq, ISIS, and we are supposed to be excited about a deal with the world's leader in state-sponsored terrorism. All the while, we have given the cold shoulder to Israel, our greatest ally in the Middle East for generations, as we have listened to, over the weekend, shouts from Iran, "Death to Israel. Death to America."

The great majority of Americans had hoped that our President would find the strength to increase the sanctions on Iran rather than remove them and surrender control of inspections to Iran. As a Member of Congress, I will stand against any agreement that doesn't completely strip Iran of all nuclear capability.

While we are at it, Mr. President, maybe it is time to stop ignoring the imprisonment of Saeed Abedini, Jason Rezaian, Bob Levinson, and Amir

Hekmati, our four Americans in Iran. Both the House and the Senate have showed compassion and strength demanding these Americans return home to their families. Saeed has been held for over 1,000 days while his children plead for his release.

I agree with the President when he exclaimed: "We should always do everything in our power to bring these Americans home safe."

Mr. President, it is time to honor the commitment you have made to these men, these families, and to all Americans.

□ 1030

May I close with the words of the Prime Minister of Israel in agreeing that this is "a mistake of historic proportion."

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair.

#### HONORING THE LIFE OF KENTUCKY STATE TROOPER ERIC K. CHRISMAN OF LAWRENCEBURG, KENTUCKY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Kentucky (Mr. BARR) for 5 minutes.

Mr. BARR. Mr. Speaker, I rise today to celebrate the life and to note the recent passing of Kentucky State Trooper Eric K. Chrisman of Lawrenceburg, Kentucky.

On June 23, Trooper Chrisman was killed in the line of duty during a vehicle collision while responding to a distress call. Trooper Chrisman was 23 years old and had served on the force for only 6 months.

The fact that in this year alone 64 law enforcement officers have already been killed while serving in the line of duty gives great testament to the dangers and challenges officers face every single day.

Inscribed on the National Law Enforcement Officers Memorial are the words, "Carved on these walls is the story of America, of a continuing quest to preserve both democracy and decency, and to protect a national treasure that we call the American Dream."

Trooper Chrisman gave his life while striving to preserve democracy and decency, and I thank him for his service and his devotion to his community.

#### LAW ENFORCEMENT AND FIRST RESPONDERS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. LOUDERMILK) for 5 minutes.

Mr. LOUDERMILK. Mr. Speaker, just a few weeks ago, in Fulton County, Georgia, officers of the Fulton County Police Department were alerted to shots fired in a neighborhood around 1:30 in the morning.

The initial call indicated that a man was terrorizing citizens by going house to house, banging on doors and firing a weapon. Officers immediately responded and began searching for the gunman.

About 45 minutes later another call was received, reporting gunfire in another part of the same neighborhood. Additional officers were dispatched.

One of the officers responding to the second call was Detective Terrence Green, a 22-year veteran of the Fulton County Police force. Upon arriving in the neighborhood, officers could hear shots coming from the direction of one of the homes.

As Terrence Green and his fellow officers bravely moved toward the gunfire, they were unknowingly walking into an ambush.

When the officers were in range, the gunman emerged from a concealed position and began firing upon the officers. While running for cover, the officers returned fire, and in the ensuing firefight the gunman was eventually wounded.

When the officers approached the gunman, they discovered that two of their own officers had also been shot during the ambush. All three were rushed to the hospital, where the gunman was treated for nonlife-threatening wounds.

However, Detective Green had received a fatal shot to the head and around 4:30 in the morning succumbed to his injuries, leaving behind four young children.

In all aspects of the term, Detective Green is a hero. He put himself in harm's way to protect the lives of others.

I wish I could stand here today and say that what happened to Terrence Green was an isolated incident; but, unfortunately, this scenario plays out much too often in the cities, towns, and boroughs across America.

But even in the midst of imminent danger, officers like Detective Green courageously fulfill their duty to protect and serve the people of this Nation. And I am grateful to those men and women who willingly put their lives on the line for us daily.

It is the cop walking the streets, the officer on patrol, the sergeant on watch, or the deputy responding to a call who are on the front lines in our States, counties, and cities.

Whether the call is for a crime in progress, an automobile accident, or a natural disaster, they are often the first on the scene to render aid, give comfort, or even save a life.

While they don't do their job for accolades nor do they expect our continuous praise, it is encouraging for someone to occasionally say thank you.

But instead of thanking them for their dedication to duty, some officials

instead publicly criticize our law enforcement community. This unwarranted public criticism not only undermines the morale of our law enforcement officers, but it undermines the public trust in these dedicated servants.

With a growing number of violent protests and riots in our Nation, tensions between the police and the public have grown significantly over the past several years.

But instead of using their positions of influence to diffuse the tension, certain officials have stoked the fire, which has rekindled distrust and encouraged public unrest.

Careless remarks, such as comparing American law enforcement officers to terrorist organizations like ISIS, have placed more officers' lives at risk and have sparked more anti-law enforcement sentiment across our Nation.

As a result, public bashing of our police has skyrocketed and now American law enforcement officers feel they have been thrown under the bus by the very people that should be supporting them.

Recently, during a meeting with local first responders in my district, I asked if there was something I could do to help them.

They asked for me to go back to Washington, D.C., and tell our government officials to please stop undermining them, to stop publicly criticizing them for doing the job they are tasked to do.

"Please make Washington understand," they said, "that it is incredibly demoralizing to be putting your life on the line, fighting crime, while those in positions of leadership are making you out to be the criminal."

Mr. Speaker, as with any organization, there are a few in law enforcement that haven't held themselves to the high standards of dedication expected within the law enforcement community, and those who violate the public trust should and most often are removed from their positions to face harsh disciplinary action.

But just as every elected official in Washington, D.C., our peace officers have sworn an oath to uphold and defend the Constitution of the United States.

And while there are some instances where officers have strayed off-course, from what I have seen in the short time that I have been here, as a whole, law enforcement has a better record of upholding their oaths than some of the elected officials here in Washington.

Mr. Speaker, our law enforcement officers deserve our admiration, respect, and appreciation, and today I want to thank them for the work they do for us.

I want to thank the spouses and the families who have endured many sleepless nights while their loved ones were responding to a call.

And to the families of those that have given their lives in the line of duty, on behalf of a grateful Nation, I thank you for your sacrifice for our safety, security, and freedom.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 37 minutes a.m.), the House stood in recess.

□ 1200

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

#### PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Lord our God, thank You for giving us another day.

Protect us and guide us as a free people who turn to You in faith and prayer and who strive to grow in virtue and integrity.

Be with the Members of this people's House in all their undertakings today. May the recent celebration of the birth of this Nation 239 years ago renew all hearts in the same spirit that guided the signers of the Declaration of Independence and the Framers of the Constitution. May those goals and aspirations still serve to guide every informed decision here today and across this Nation.

Let us, "the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty for ourselves and our posterity."

May all that is done within the people's House this day be for Your greater honor and glory.

Amen.

#### THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

#### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from Indiana (Mrs. WALORSKI) come forward and lead the House in the Pledge of Allegiance.

Mrs. WALORSKI led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

#### ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

#### RECOGNIZING PRINCIPAL JAMES CONDON OF PLYMOUTH HIGH SCHOOL

(Mrs. WALORSKI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. WALORSKI. Mr. Speaker, I rise today to recognize Principal James Condon of Plymouth High School for being named the 2015 Principal of the Year. His success in providing high-quality learning opportunities for students in Plymouth is nothing short of remarkable.

Principal Condon's leadership has been instrumental in the development of digital and project-based learning, creation of dual credit courses, and preparation of students for the job market. As a result of his leadership, Hoosier classrooms are full of future doctors, scientists, and entrepreneurs.

His success reminds us of how important educators are to kids everywhere. Every one of us depends on our teachers, and because of that, they deserve our support and our appreciation.

Principal Condon has helped spark imagination and give young Hoosiers the ability to make their dreams become a reality. Today I thank Principal Condon for helping students in Plymouth develop their talents and become our future leaders.

#### CONTINUED INACTION ON THE HIGHWAY TRUST FUND AND RE-AUTHORIZATION OF OUR SURFACE TRANSPORTATION PROGRAMS

(Ms. ESTY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ESTY. Mr. Speaker, exactly 2 months ago, I came to the floor to speak out against this House's reckless inaction on the highway trust fund, needlessly endangering hundreds of thousands of good-paying jobs. Yet here we are again, with only 10 legislative days left before the highway trust fund runs out of money. Mr. Speaker, this is harmful and it is wrong.

According to the American Society of Civil Engineers, 73 percent of Connecticut's roads are in poor or mediocre condition. These poor road conditions cost the average Connecticut driver \$628 in otherwise unnecessary repairs and expenses every year. Thirty-

five percent of Connecticut's bridges are structurally deficient, functionally obsolete, or both.

A great nation does not respond to crises with duct tape. A great nation leads with bold action. I urge the leadership of the House to work with us to pass a long-term highway bill and invest in America's infrastructure.

#### SUPPORT OUR PUBLIC LIBRARIES

(Mr. COSTELLO of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COSTELLO of Pennsylvania. Mr. Speaker, as students across Pennsylvania's Sixth Congressional District and the rest of the country enjoy the summer months, many are looking for activities to participate in to occupy their days.

I wanted to highlight the value of public libraries and, specifically, an exceptional program in my district that empowers, inspires, and supports performance arts.

The Tredyffrin Public Library is offering a series of camps that seek to "cultivate performance arts skills and instill confidence in students in rising fifth through rising ninth grades."

The vocal and musical theater camps are led by Conestoga High School graduates and serve as a wonderful resource for area students to improve theatrical and music skills over the summer vacation.

It has long been proven that students that participate in the arts have improved academic performance and a strong sense of community. I applaud the Tredyffrin and Paoli Public Libraries across Pennsylvania's Sixth District in their efforts to promote lifelong learning, entertainment, and enrichment.

Our public libraries are local treasures that add value and promote learning in our communities. I encourage everyone to share this support this summer and year-round by attending our libraries, by supporting those who work there and offering our thanks to those who volunteer there.

#### SUPPORTING A LONG-TERM SOLUTION FOR THE HIGHWAY TRUST FUND

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Mr. Speaker, I rise to highlight America's infrastructure crisis.

Almost 30 percent of our Nation's major roadways, and 50 percent in California, are in poor condition, meaning they must be rebuilt, not just patched up.

Drivers are now paying a hidden pot-hole tax, the extra cost to maintain a car because of bad roads. In California,

the average driver pays \$760 because of poor roads. People and goods are slowed down by congestion.

In just 10 legislative days, our highway trust fund expires. Congress must pass a long-term surface transportation bill to ensure that the United States has the best infrastructure.

In May, this Congress kicked the can down the road and passed a short-term bill. It seems we are likely to do that again. This is not a responsible way to govern.

We should invest in our transportation system to be globally competitive and to move these goods efficiently. Drivers want less time stuck in traffic and more time at home with their families. Let's invest in America's future and pass a long-term surface transportation bill.

#### IRAN—WOLF IN WOLF'S CLOTHING

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, while the Ayatollah has preached "Death to America," the United States and the West have made a deal with the deceitful wolf of the desert.

Iran promises to temporarily cut back and not continue its nuclear weapon development capability. Then Iran will receive sanction relief. It will be able to export oil and receive billions of dollars in cash.

In 5 years, the embargo on most conventional weapons against Iran will be lifted. In 8 years, Iran will be able to import ICBMs. In 10 years, the deal expires and Iran can develop nuclear weapons, thus legitimizing the number one state sponsor of terrorism and allowing it to be a nuclear weapons power.

This is dangerous. This will start a nuclear arms race. Israel will be less safe. So will America.

In theory, this deal is supposed to give us "peace in our time," to coin a phrase. But Iran is a wolf in wolf's clothing, and the wolf has made a deal with the sheep not to eat them for 10 years. Then what? Supper?

And that is just the way it is.

#### ARROWS AND AN OLIVE BRANCH

(Mr. DOGGETT asked and was given permission to address the House for 1 minute.)

Mr. DOGGETT. Mr. Speaker, in the Great Seal of the United States, the eagle clutches arrows and an olive branch. While today's Iran agreement puts the olive branch out first, the arrows remain firmly in our grasp.

The safety of all our families in the United States, in Israel, and elsewhere, is advanced by pursuing a verifiable, enforceable, diplomatic solution. Refusing to be frozen by fear or pushed

into conflict by those who are just campaigning or who are campaigning for war, the President recognizes diplomacy as our greatest strength.

So many of those who loudly renounced this deal before they have even read it also loudly supported the stunning historic mistake of a go-it-alone invasion of Iraq.

No choice is without risk, but strong inspections and verification are the best path to peace and security for all of our families.

#### A BAD DEAL FOR THE UNITED STATES AND OUR ALLIES

(Mr. DOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOLD. Mr. Speaker, far from backing Iran's path to a nuclear weapon, the inherently flawed deal announced this morning preserves and legitimizes Iran's nuclear program. The fact that Iran is celebrating and that our allies are not should tell you everything that you need to know about this deal.

I have read the deal. I have it right here.

I believe that it will usher in a terrifying new era of proliferation in which neighboring nations feel no choice but to build nuclear programs of their own, while the massive sanctions relief in the deal will provide Iran with hundreds of billions of dollars in new funds to foment terrorism around the globe and prop up its proxies, like Assad in Syria and Hamas, to launch brutal attacks on Israel.

The measure of success and diplomacy is not simply whether agreement is reached; it is whether a good agreement is achieved. Unfortunately, the administration arrived at this deal through a parade of concessions on poor issues and by straying far from the insistence that Iran's nuclear program be dismantled. The world is a more dangerous place today with this, as a result.

Mr. Speaker, Congress can and must step forward, do the right thing, and reject this deal.

#### WE NEED A LONG-TERM HIGHWAY BILL

(Mrs. BUSTOS asked and was given permission to address the House for 1 minute.)

Mrs. BUSTOS. Mr. Speaker, I rise to urge my colleagues to take up and pass a long-overdue bill to fund our roads and bridges for the long term. Yet again, we are approaching the end of a short-term extension with the highway trust fund in danger of expiring at the end of this month. We can't keep kicking the can down the road. We need a long-term bill, and we need it now.

In my congressional district alone, there are 421 bridges that are structurally deficient. Just earlier this

month, I stood alongside the Murray Baker Bridge in Peoria that runs over the Illinois River, the heart of my district. Its structure is in need of replacement.

Further northwest, where I live, there is the Interstate 74 Bridge. Just over the weekend, I stood alongside it. It spans the Mississippi River. It was built for traffic of about 40,000 cars. Today it accommodates about twice that many. In fact, former Secretary of Transportation Ray LaHood stood alongside that bridge and said it is the worst bridge he has seen in the United States of America.

The families I represent deserve better. The businesses I represent deserve better. We need to pass a bill, a long-term highway bill, and we need to pass it now.

□ 1215

#### IRAN DEAL

(Mr. BABIN asked and was given permission to address the House for 1 minute.)

Mr. BABIN. Mr. Speaker, I rise to talk about this Iran deal. President Obama has made a deal with Islamic Republic of Iran, a terrorist regime that regularly leads chants of "Death to America," burns our flag, and has killed hundreds of American soldiers.

In April, Energy Secretary Moniz said inspectors would have "anywhere, anytime access" to Iran's civil and military sites. Unfortunately, this deal sets forth no such requirement.

Under the deal, inspectors can only ask for permission to access Iranian military sites, like their fortified underground facility in Fordow. Decisions about access will be left to Iran's leaders, who have said that inspectors will not be permitted to inspect military sites even "in their dreams."

This deal doesn't require the release of the American hostages being held by Iran's Government. It has no acknowledgement of Israel's right to exist. These provisions would signal that Iran is serious about changing their ways, but they have said no. And that is why Congress should reject this bad deal.

#### SAN DIEGO PRIDE MONTH

(Mrs. DAVIS of California asked and was given permission to address the House for 1 minute.)

Mrs. DAVIS of California. Mr. Speaker, June may be LGBT Pride month. Back home in San Diego we continue to celebrate well into July, and we sure have something to be proud of this year.

The Supreme Court finally affirmed what all of us know to be true, that love is love, that equality is for everyone, and that discrimination against one is discrimination against all.

Without knowing the outcome of the Supreme Court decision, but knowing

that all are created equal, San Diego Pride appropriately chose this year's theme as "Liberty and Justice for All." As we continue to push toward that goal, we can't forget that there is more to be done.

LGBT individuals still do not have workplace or housing protections in many States. Many LGBT students aren't protected from bullying in schools, and transgender individuals, in particular, face added obstacles that arise from stigma and ignorance.

So while we have much to be proud of, there is still work for this House to do. Let's come together to ensure that truly there is liberty and justice for all.

#### IRAN NUCLEAR NEGOTIATION

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, from the very beginning of the negotiations, President Obama and Secretary Kerry placed far too much faith in the Iranian regime. Trusting Iran to adhere to the terms of this agreement is a fool's errand.

This deal allows Iran to continue research on advanced nuclear technologies. Over the course of the deal, the temporary restrictions on Iran's nuclear weapons program will wind down. President Obama admitted himself that toward the end of the agreement Iran's nuclear breakout time could shrink almost down to zero.

Meanwhile, Iran will receive sanction relief, a boon of \$100 billion in frozen assets, at the same time while chanting "death to America" and "death to Israel."

The agreement lifts an arms embargo of conventional weapons in 5 years, and they will even achieve the ability to have intercontinental ballistic missiles in 8 years, meaning Iran will have even more money and more weapons to continue to destabilize Iraq, Syria, and its neighbors in the Mideast and, with the advent of ICBMs, even the United States of America.

Congress now has 60 days to review this plan and see if there is something good in it or not, but we need to be very cautious. Just to take any deal is not a good deal. So it is time that we be tough with Iran.

#### CUTTING OFF YOUR NOSE TO SPITE YOUR FACE

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, as of the first day of this month, thousands of American exporters, big and small, were unilaterally disarmed in the battle for new business overseas.

The conservative Members of this body succeeded in their quest to kill the U.S. Export-Import Bank. They did it. The Ex-Im's charter has expired.

Now there is only the Export-Import Bank of China, the Export Finance and Insurance Corporation of Australia, the Export Development of Canada, Finnish Export Credit, Hungarian Export Credit Insurance, the Israel Export Insurance Corporation, the Japan Bank for International Cooperation, the Export-Import Bank of Korea, the Norwegian Guarantee Institute for Export Credits, the Export Credit Bank of Turkey, and about 75 other foreign government-run agencies that are all helping businesses, big and small, in their quest to export and create jobs in their countries.

American companies alone find themselves at a distinct disadvantage. Our colleagues have successfully cut off their nose to spite their face.

It is never too late to fix a mistake. Let this Chamber vote on renewing the Export-Import charter and create more American jobs.

#### IRAN, STATE SPONSOR OF TERROR

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, let's not forget the kind of regime that exists in Iran, a country that will soon be receiving billions of dollars in sanctions relief.

Look at this poster. Friday was Al Quds Day in Iran. And what were they all doing? Officially sanctioned parade, shouting "death to America" and "death to Israel."

Iran has been labeled as a U.S.-designated state sponsor of terrorism for over three decades now. Yet, just yesterday the White House spokesman couldn't even confirm that Iran would remain on the terrorism list after this deal.

How hard a question is it to answer, Mr. Speaker? Will the administration's next concession to Iran be to remove it from the terrorism list in addition to the billions of dollars in sanctions relief?

Doing so would mean that we will be helping to finance Iran's support for terror, most of it aimed at us and our ally, the democratic Jewish State of Israel.

Look at this poster, Mr. Speaker, where the Supreme Leader says, "No cure for barbaric Israel, but total annihilation."

Doing so would be a problem of serious consequences to the United States. Let's get a better, tougher deal. We deserve better.

## GI BILL STEM EXTENSION ACT

(Ms. TITUS asked and was given permission to address the House for 1 minute.)

Ms. TITUS. Mr. Speaker, we all agree that we should provide veterans the tools they need to successfully transition from Active Duty to civilian life. Yet, far too many servicemen and -women are struggling to provide for themselves and their families once they return home. We can and must do better.

That is why I am proud to partner with my Republican colleague, DAVID MCKINLEY, in sponsoring legislation to provide resources to help our veterans pursue higher education and gain the skills and training they need to succeed in STEM careers.

The ability to analyze, communicate, and motivate, honed while in the military, makes veterans ideal candidates for the STEM fields. And with growth and demand for STEM experts expected to outpace other professions in the next two decades, this legislation will help meet the need for a highly skilled workforce, enabling us to better compete in the global economy while also creating new employment opportunities for our Nation's heroes.

So I urge my colleagues to join Mr. MCKINLEY and me in supporting the GI Bill STEM Extension Act.

## "WE THE PEOPLE" INITIATIVE

(Mr. GUINTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUINTA. Mr. Speaker, I rise today to urge participation in my new initiative, "We the People."

Imagine a Congress that functions effectively. Imagine a Congress that hears from you daily and, as a result, devises legislation and legislative solutions based on your individual needs and from your own experiences. This is my view of an effective government, and it is why I have launched the "We the People" initiative this week.

Because of your ideas and your feedback, we have been able to pass two pieces of legislation this year. Let's continue to build on that success and continue to make Washington work for the Granite State.

I know we have much left to accomplish. So I want to hear from you. From now on, my office will be accessible 24 hours a day, 7 days a week. You can email me directly your legislative solutions and ideas to [wethepeople@mail.house.gov](mailto:wethepeople@mail.house.gov) or you can call me or text me directly at 603-250-6850.

From your suggestions, I will better be able to tailor legislation to meet your needs. My office remains yours. So please spread the word about the "We the People" initiative.

## U.S. MUST CONSIDER ITS ISLAND TERRITORIES

(Ms. PLASKETT asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PLASKETT. Mr. Speaker, several weeks ago the President announced resumption of diplomatic relations with Cuba.

While we celebrate the implications of a renewed relationship both for Cuban and American citizens, the citizens of my own home district do so with guarded welcome.

Mr. Speaker, the U.S. territories of the Virgin Islands and Puerto Rico and our geographic proximity to Cuba makes us a direct economic competitor. All indicators point to massive growth in Cuba's tourism industry.

While the U.S. Virgin Islands continues to be a premier tourist destination particularly for Americans, with more than 2.7 million tourists in 2014 alone, Cuba is shaping to be a formidable competitor.

Prior to resumption of relations, a report from the Caribbean Tourism Organization showed just over 3 million visitors to Cuba in 2014 compared to 2.7 for the Virgin Islands and 3 million in Puerto Rico.

However, in the first quarter of 2015, the Cuban Government has already reported more than 1.4 million tourist visits, a number that more than doubles the amount reported for the Virgin Islands and Puerto Rico during this same time.

Mr. Speaker, the United States must consider its own island territories of the U.S. Virgin Islands and Puerto Rico in the advancement of diplomatic relations with Cuba. Investments must come to the U.S. Virgin Islands.

I wish all of our French citizens a happy Bastille Day.

## HELPING BUREAU OF INDIAN EDUCATION SCHOOLS

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, we should always strive as a country to make sure that the promises we make are kept. Unfortunately, when it comes to the students at our Bureau of Indian Education schools, our promise to them is falling far short.

Students at these schools in Minnesota and around the country have endured deplorable conditions, including leaking roofs, schools with no heat, and other problems that make it difficult, if not impossible, to learn.

However, momentum is gaining to right this wrong. Some of us in the Minnesota delegation, including my colleagues JOHN KLINE and BETTY MCCOLLUM, have highlighted the need for critical repairs and construction for these schools.

The issue is not just financial, though. Washington, including the executive branch, needs to ensure that red tape is not keeping these students from getting an acceptable learning environment.

Mr. Speaker, it is time for us to take action and focus on making sure that these students have a safe school setting where they can learn, grow, and excel.

## NEVADA FAA 2015 WORLD CHAMPION LIVESTOCK JUDGING TEAM

(Mrs. HARTZLER asked and was given permission to address the House for 1 minute.)

Mrs. HARTZLER. Mr. Speaker, I rise today to give honor to Payton Dahmer, Kaylee Farmer, Cara Comstock, and Skyler Scotten for earning the title of the 2015 World Championship FFA Livestock Judging Team.

These members of the Nevada FAA chapter, along with their coach, Tanya St. John, practiced for countless hours, traveling all across the State and Nation to evaluate the quality of classes of cattle, swine, sheep, and goats as well as demonstrate the reasoning behind their placements in the oral presentation.

At the national competition, the team placed first overall, with all four competitors placing in the top ten individually. Winning nationals qualified them for the International Livestock Judging Competition in Scotland, where they again placed first in the team judging event.

While it was a long and challenging journey to earn this title, I would like to commend the 2015 World Champion FFA Livestock Judging Team for their dedication, perseverance, and poise they displayed in this competition. I am proud of how they represented themselves, their families, and our country.

I want to congratulate Payton, Kaylee, Cara, and Skyler for this amazing achievement. You are the future agriculture leaders this country needs.

□ 1230

## WESTERN WATER AND AMERICAN FOOD SECURITY ACT OF 2015

(Mr. DENHAM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DENHAM. Mr. Speaker, I rise today to talk about California's water crisis. Later this week, we will be debating a bill, the Western Water and American Food Security Act of 2015, which was born out of many conversations with the Senate and with the administration.

Over the years, we have discussed how dry California is. Now, we can't prevent Mother Nature from creating a



drought, but we can plan and store water for those dry years. It has happened for centuries. The problem is it just hasn't been happening in the last several decades in California, which means over 1 million acres of farmland will go fallow.

Mr. Speaker, this is not just a California issue. This is an issue that will affect the entire United States food supply. We need to make sure we are capturing water.

While Members want to continue to debate climate change, shouldn't we all agree that hydroelectricity, the cleanest electricity out there, is good for our environment? The trees that I grow as an almond farmer are good for the environment. If you want to reduce carbon, let's plant more trees.

If we want to have safety and security in our communities that have forestland, then shouldn't we clear the brush and make sure that we don't have a fuel supply again, creating a better environment with a healthy forest?

There are things that we should do to create a healthy California and a healthy country. This water bill is one of those solutions.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. FARENTHOLD). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later today.

#### BREAST CANCER AWARENESS COMMEMORATIVE COIN ACT

Mr. LUETKEMEYER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2722) to require the Secretary of the Treasury to mint coins in recognition of the fight against breast cancer, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2722

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Breast Cancer Awareness Commemorative Coin Act".

#### SEC. 2. FINDINGS.

The Congress finds the following:

(1) Breast cancer is the most common cancer among American women, except for skin cancers. Today, about 1 in 8, or 12 percent of, women in the United States will develop invasive breast cancer during their lifetime. This is an increase from 1 in 11, or 9 percent of, women in 1975.

(2) Breast cancer is the second leading cause of cancer death in women. The chance of dying from breast cancer is about 1 in 36.

Thanks to earlier detection, increased awareness, and improved treatment, death rates from breast cancer have decreased since about 1989.

(3) There is a strong interest among the American public to do more to tackle this disease. The National Cancer Institute estimates \$16.5 billion is spent in the United States each year on breast cancer treatment. Assuming that incidence and survival rates follow recent trends, it is estimated that \$17.2 billion will be spent on breast cancer care in the United States in 2014.

(4) Finding a cure for breast cancer is a goal of the United States Government.

(5) The National Institutes of Health dedicated an estimated \$674 million for breast cancer research in Fiscal Year 2014. In Fiscal Year 2014, the Department of Defense's Breast Cancer Research Program received \$120 million.

(6) While the National Institutes of Health and the Department of Defense program on Breast Cancer research remain the largest funders of breast cancer research in the United States, in 2013, the National Cancer Institute funding was reduced by nearly \$66 million since 2011. The funding level for the Department of Defense Breast Cancer Research Program has remained consistent since 2012, however this amount represents a 20-percent decrease from 2011 funding levels.

(7) Additional private sector support for breast cancer research will help us find cures for breast cancer even faster.

(8) It is estimated that in the United States 231,840 women will be diagnosed with and 40,290 women will die of cancer of the breast in 2015. This means that every 13 minutes a woman dies of breast cancer in the United States.

(9) However, due to disease type and lack of adequate care, African-American women have the highest death rates of all racial and ethnic groups overall and are at least 44 percent more likely to die of breast cancer as compared to other racial and ethnic groups.

(10) Breast cancer used to be considered a disease of aging but recent trends show that more aggressive forms of the disease have been increasingly diagnosed in younger women.

(11) Breast cancer is the most frequently diagnosed cancer among nearly every racial and ethnic group, including African-American, American Indian/Alaska Native, Asian/Pacific Islander and Hispanic/Latina women.

(12) Clinical advances, resulting from research, have led to increased survival from breast cancer. Since 1990, death rates from breast cancer have dropped over 34 percent.

(13) Among men in the United States it is estimated that there will be 2,350 new cases of invasive breast cancer and 440 breast cancer deaths in 2015.

(14) At this time there are more than 3.1 million breast cancer survivors in the United States.

(15) It is estimated that breast cancer costs \$12.5 billion in lost productivity. Such productivity losses will increase with projected growth rate and aging of the U.S. population if cancer mortality rates stay constant in the future.

(16) There is a better chance of survival and there are more treatment options with early stage detection through mammograms and clinical breast exams.

(17) Breast cancer is the most common cancer in women worldwide, with an estimated 1.7 million new cases of breast cancer among women worldwide in 2012.

(18) Breast Cancer Research Foundation (BCRF) is considered one of the most efficient cancer research charities.

(19) Of every dollar donated to BCRF, \$0.91 goes to research and awareness programs—88 cents towards research and 3 cents towards awareness.

(20) Founded in 1993, the BCRF has raised more than \$500 million to fund discoveries in tumor biology, genetics, prevention, treatment, survivorship and metastasis, making BCRF one of the largest private funders of breast cancer research in the world. For 2014-2015, BCRF committed \$58.6 million in research, including \$11.6 million to the international Evelyn H. Lauder Founder's Fund focused on metastasis, to support the work of more than 220 researchers at leading medical institutions across six continents (25 states and 14 countries).

(21) Susan G. Komen (Komen) is the largest non-government funder of breast cancer research, funding research that spans the breast cancer continuum from basic biology to treatment to survivorship.

(22) Over the past 5 years, more than 80 cents of every dollar spent by Komen has gone directly to its mission to save lives and end breast cancer by empowering people, ensuring quality care for all and energizing science to find the cures.

(23) Since its inception in 1982, Komen has invested more than \$2.6 billion towards its mission, including more than \$847 million in over 2400 research grants and 450 clinical trials in 48 states and 21 different countries. Recent funding has focused on research to stem metastatic and aggressive disease, find scientifically sound preventive strategies, and investigate environmental links to breast cancer development.

(24) Today, BCRF and Susan G. Komen continue their work to advance research and support programs for patients and their families.

#### SEC. 3. COIN SPECIFICATIONS.

(a) DENOMINATIONS.—The Secretary of the Treasury (hereafter in this Act referred to as the "Secretary") shall mint and issue the following coins:

(1) \$5 GOLD COINS.—Not more than 50,000 \$5 gold coins, which shall—

(A) have a diameter of 0.850 inches; and

(B) be made of "pink gold" which contains not less than 75 percent gold.

(2) \$1 SILVER COINS.—Not more than 400,000 \$1 coins, which shall—

(A) weigh 26.73 grams;

(B) have a diameter of 1.500 inches; and

(C) contain not less than 90 percent silver.

(3) HALF-DOLLAR CLAD COINS.—Not more than 750,000 half-dollar coins which shall—

(A) weigh 11.34 grams;

(B) have a diameter of 1.205 inches; and

(C) be minted to the specifications for half-dollar coins contained in section 5112(b) of title 31, United States Code.

(b) LEGAL TENDER.—The coins minted under this Act shall be legal tender, as provided in section 5103 of title 31, United States Code.

(c) NUMISMATIC ITEMS.—For purposes of sections 5134 and 5136 of title 31, United States Code, all coins minted under this Act shall be considered to be numismatic items.

#### SEC. 4. DESIGN OF COINS.

(a) DESIGN REQUIREMENTS.—

(1) IN GENERAL.—The design of the coins minted under this Act shall be emblematic of the fight against breast cancer.

(2) DESIGNATION AND INSCRIPTIONS.—On each coin minted under this Act there shall be—

(A) a designation of the face value of the coin;

(B) an inscription of the year "2018"; and

(C) inscriptions of the words "Liberty", "In God We Trust", "United States of America", and "E Pluribus Unum".

(b) **SELECTION.**—The design for the coins minted under this Act shall be selected by the Secretary based on the winning design from a juried, compensated design competition described under subsection (c).

(c) **DESIGN COMPETITION.**—

(1) **IN GENERAL.**—The Secretary shall hold a competition and provide compensation for its winner to design the obverse and reverse of the coins minted under this Act. The competition shall be judged by an expert jury chaired by the Secretary and consisting of 3 members from the Citizens Coinage Advisory Committee who shall be elected by such Committee and 3 members from the Commission of Fine Arts who shall be elected by such Commission.

(2) **PROPOSALS.**—As part of the competition described in this subsection, the Secretary may accept proposals from artists, engravers of the United States Mint, and members of the general public, and any designs submitted for the design review process described herein shall be anonymized until a final selection is made.

(3) **ACCOMPANYING DESIGNS; PREFERENCE FOR PHYSICAL DESIGNS.**—The Secretary shall encourage 3-dimensional designs to be submitted as part of the proposals, and the jury shall give a preference for proposals that are accompanied by a 3-dimensional physical design instead of, or in addition to, an electronic design.

(4) **COMPENSATION.**—The Secretary shall determine compensation for the winning design under this subsection, which shall be not less than \$5,000. The Secretary shall take into account this compensation amount when determining the sale price described in section 6(a).

#### SEC. 5. ISSUANCE OF COINS.

(a) **QUALITY OF COINS.**—Coins minted under this Act shall be issued in uncirculated and proof qualities.

(b) **PERIOD FOR ISSUANCE.**—The Secretary may issue coins minted under this Act only during the 1-year period beginning on January 1, 2018.

#### SEC. 6. SALE OF COINS.

(a) **SALE PRICE.**—The coins issued under this Act shall be sold by the Secretary at a price equal to the sum of—

- (1) the face value of the coins;
- (2) the surcharge provided in section 7(a) with respect to the coins; and
- (3) the cost of designing and issuing the coins (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping).

(b) **BULK SALES.**—The Secretary shall make bulk sales of the coins issued under this Act at a reasonable discount.

(c) **PREPAID ORDERS.**—

(1) **IN GENERAL.**—The Secretary shall accept prepaid orders for the coins minted under this Act before the issuance of such coins.

(2) **DISCOUNT.**—Sale prices with respect to prepaid orders under paragraph (1) shall be at a reasonable discount.

#### SEC. 7. SURCHARGES.

(a) **IN GENERAL.**—All sales of coins issued under this Act shall include a surcharge of—

- (1) \$35 per coin for the \$5 coin;
- (2) \$10 per coin for the \$1 coin; and
- (3) \$5 per coin for the half-dollar coin.

(b) **DISTRIBUTION.**—Subject to section 5134(f) of title 31, United States Code, all surcharges which are received by the Secretary from the sale of coins issued under this Act shall be promptly paid by the Secretary as follows:

(1) ½ to the Susan G. Komen for the Cure, Dallas, Texas, for the purpose of furthering research funded by the organization.

(2) ½ to the Breast Cancer Research Foundation, New York, New York, for the purpose of furthering research funded by the Foundation.

(c) **AUDITS.**—The surcharge recipients under subsection (b) shall be subject to the audit requirements of section 5134(f)(2) of title 31, United States Code, with regard to the amounts received under that subsection.

(d) **LIMITATIONS.**—Notwithstanding subsection (a), no surcharge may be included with respect to the issuance under this Act of any coin during a calendar year if, as of the time of such issuance, the issuance of such coin would result in the number of commemorative coin programs issued during such year to exceed the annual 2 commemorative coin program issuance limitation under section 5112(m)(1) of title 31, United States Code (as in effect on the date of the enactment of this Act). The Secretary of the Treasury may issue guidance to carry out this subsection.

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. **LUETKEMEYER**) and the gentlewoman from California (Ms. **MAXINE WATERS**) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

#### GENERAL LEAVE

Mr. **LUETKEMEYER**. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. **LUETKEMEYER**. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. **SESSIONS**), the distinguished chairman of the Rules Committee.

Mr. **SESSIONS**. Mr. Speaker, I appreciate the gentleman, my dear friend from Missouri, for this opportunity to allow me to speak today.

Mr. Speaker, I rise today with my friends and colleagues, including the gentlewoman from New York, Congresswoman **CAROLYN B. MALONEY**, in support of H.R. 2722, the Breast Cancer Awareness Commemorative Coin Act.

This bipartisan legislation supports research only and awareness with a new \$1 gold minted coin, proceeds of which will benefit breast cancer research.

Mr. Speaker, breast cancer research is one of the most important pieces of research that the Federal Government and other organizations perform on behalf of the American people and people all around the world. This is going to allow, for the first time ever, for these congressionally approved coins to be minted in pink gold in honor of the fight against breast cancer.

Mr. Speaker, today, I wear this pin of the breast cancer fight. I applaud organizations all across the country that

are not only trying to make progress in this issue, but are making sure that awareness about breast cancer and actual research to eliminate this deadly disease, that progress is being made. That is what the funds would do from private contributions of individuals all around the United States.

There will be approximately 231,840 cases—new cases—of breast cancer among women and 2,350 new cases of breast cancer in men this year alone. That means that every 13 minutes, a woman will die of breast cancer in the United States, making breast cancer the second leading cause of death in women in the United States.

I think it is important that we understand what we are trying to accomplish with this coin and this act today. The bottom line is that the United States Congress allows several organizations each year to be able to mint coins on behalf of highlighting the services that they offer to the American people.

It comes at no cost to the taxpayers of this country. As a matter of fact, the Treasury makes a small amount of money as a result of their doing the work.

Mr. Speaker, what will happen is that through this legislation today—that is very intricate and well understood—no money outside of any money that is brought to bear would be for anything other than breast cancer research. I am aware of the sensitivity of taxpayer money and how that might be used, but no taxpayer money would be used for this effort today.

I want to recognize not only the people in breast cancer research, but also many of the survivors all across this country who are recognizing that the awareness and highlighting this project and the money that would be brought to bear of how important that is.

I would say to my colleagues today that breast cancer research cannot be done entirely through taxpayer money. We are counting on outside money. This is allowing the American people to buy coins, just as we did when I handled the Boy Scout coin with the 100th anniversary of the Boy Scouts several years ago. People who were part of the Boy Scouts of America paid money in, and it helped us to sell the coin and to celebrate the 100th anniversary of the Boy Scouts.

That is exactly what this coin would do also. It would be money from citizens all across this country that would highlight breast cancer awareness and the research dollars that would come as a result of that. That is why we are here today, the incredible medical research that is improving the lives of those who are diagnosed and undergoing treatment for breast cancer.

Mr. Speaker, I believe this is the right thing to do for breast cancer research, and I want to thank my colleague, **CAROLYN B. MALONEY**, who has

been doing this bill, not only for the hard work necessary to get 290 Members of Congress to say we want to vote on this bill, but also the awareness that, if we will join ranks with millions of people who are back home in our congressional districts who want to see breast cancer be solved in our lifetime, that it means that it would be all of us across this country.

I want to thank the gentleman who is handling this on behalf of the Financial Services Committee, the gentleman from Missouri, for his great work. I think that this is an overwhelmingly bipartisan bill where the money will go 100 percent for research, not a dime of taxpayer dollars, and it is a well-understood process that is in the best interests of cancer research for our country.

Mr. Speaker, I want to thank the gentleman.

Mr. LUETKEMEYER. Mr. Speaker, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to speak in favor of H.R. 2722, introduced by my distinguished colleague on the Financial Services Committee, Representative CAROLYN B. MALONEY, the ranking member of the Financial Services Subcommittee on Capital Markets and Government Sponsored Enterprises.

I commend the gentlewoman for introducing the bill before us today, the Breast Cancer Awareness Commemorative Coin Act, which provides a chance for all of us to come together to raise awareness about this critical health issue that impacts the lives of so many women and families.

Mr. Speaker, the statistics are startling. Approximately one in eight women in the United States will develop invasive breast cancer during her lifetime; and many of these women, approximately 1 in 36, will lose their lives from this horrible disease.

This means that every 13 minutes, a woman in this country will die from breast cancer. That is 40,290 women in the United States are expected to die from breast cancer in 2015 alone.

□ 1245

While this disease affects women in every community across this country for a variety of reasons, such as the lack of adequate care, the likelihood of dying from the disease is particularly high for African American women. In fact, African American women had a 44 percent higher rate of breast cancer mortality than White women. That is why the conversation we are having here today is so important.

With increased awareness, early detection, new research, and better medicine, we can save lives, thousands of them each year. If consideration of the bill before us today causes at least one woman to get screened for breast cancer, we will be better off for it.

I urge my colleagues to support the bill before us today, which will help raise awareness and modest sums for the fight against breast cancer.

Again, I urge adoption of the bill, and I reserve the balance of my time.

Mr. LUETKEMEYER. Mr. Speaker, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield such time as she may consume to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY), the author of this legislation.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I thank my good friend and colleague from the great State of California for yielding me the time and for her leadership in so many important areas before this body.

Mr. Speaker, I am very, very proud to rise today to urge the passage of H.R. 2722, the Breast Cancer Awareness Commemorative Coin Act, a bill that I authored with my good friend and colleague, Congressman PETE SESSIONS from Texas. I also want to add my thanks to Chairman HENSARLING, Ranking Member MAXINE WATERS of the Financial Services Committee, and the House leadership for bringing this bill so quickly to the floor.

And a very special thank-you to my partner in this effort, Congressman SESSIONS, who has worked with great commitment and, I would say, creativity in bringing this bill forward and has selflessly worked to have it passed in this body. With his leadership, we were able to secure over 307 cosponsors supporting the passage of this bill in writing.

What we are doing together with this bill is we are going to save American lives. I am absolutely delighted that Senator HEIDI HEITKAMP from North Dakota, who is, herself, a breast cancer survivor, has pledged to put 100 percent of her effort to making sure that the passage of this bill happens in the United States Senate.

In the United States, over 200,000 new cases of breast cancer will be diagnosed this year, and more than 40,000 women will die. Breast cancer is the second leading cause of cancer death in women, and over 2,000 men will be diagnosed. Many people think that it is a woman's disease, but there will be, on average, over 400 men a year who will die from breast cancer. There is only one thing, and one thing only, that can possibly save these lives, and that is research.

The Breast Cancer Commemorative Coin Act will create the opportunity to raise millions of dollars for badly needed breast cancer research without spending one taxpayer dime. Money buys research, and research saves lives. Make no mistake, there have been significant advances in medical research and better detection efforts over the years. But 40,000 women are still dying every year, and so much more needs to be done.

I suspect that absolutely everyone in this body and everyone who is listening who hears my voice today knows someone that they love, some woman they admire, some family member that they care for who has been touched by the shadow of breast cancer. Through this bill, we offer them hope.

Our bill directs the U.S. Mint to create up to 50,000 \$5 gold coins, 400,000 silver dollars, and 750,000 clad commemorative coins and make them available for purchase by the public throughout 2018 so that the American public can be involved with their dollars themselves making a decision to support breast cancer research.

These coins will feature designs submitted and judged through a national art competition that will symbolize the fight against this terrible disease. The gold coin will be unique, made out of the beautiful, highly-prized pink gold to reflect the pink ribbon, an international symbol of breast cancer awareness. Like the ribbon, we hope that Americans across this Nation will be wearing the pink gold coin.

Actually, Mr. Speaker, there has never been a pink gold commemorative coin made like this in U.S. history. This will be another congressional first.

This bill is a creative way to raise awareness about breast cancer entirely from private funds for critically needed research that is necessary to find a cure. The proceeds will be split between two outstanding organizations: the Breast Cancer Research Foundation and Susan G. Komen. Over the years, the Breast Cancer Research Foundation and Komen each have raised hundreds of millions of dollars for breast cancer research across this Nation.

I am privileged to represent the Breast Cancer Research Foundation and appreciate the constant support and effort from its founder, Evelyn Lauder, who has passed but created this wonderful organization, and Myra Biblowit, president of the Breast Cancer Research Foundation. The Research Foundation has been responsible for many of the cures that have come forward and breakthroughs.

There are 3.1 million Americans alive today because of cures that have been financed by the Breast Cancer Research Foundation and Komen. Both organizations have low administrative cost rates so that the majority of every dollar received goes directly to research. For instance, for every dollar donated to the Breast Cancer Research Foundation, 91 cents goes directly to research, and that is incredibly important.

The bill requires that every dollar generated through the coin program must also be matched by private fundraising dollars that are raised by these two organizations. The coin program has the potential to raise millions of

dollars to save lives—and at absolutely no cost to the American taxpayer. It can raise as much as \$8 million. The money will buy research, and the research will save lives. When so many lives are on the line, every dollar counts, every dollar matters.

I thank my colleagues, particularly my partner in this effort, Congressman SESSIONS, for their support, and I urge their continued bipartisan support in passing the Breast Cancer Commemorative Coin Act.

Mr. LUETKEMEYER. Mr. Speaker, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I have no additional speakers, and I yield back the balance of my time.

Mr. LUETKEMEYER. Mr. Speaker, I yield myself such time as I may consume.

Just to reiterate, the gentleman from Texas and the fine ladies from New York and California have really done a good job of explaining this bill. The importance of this, the fact that we are going to try and go after one of the Nation's leading killers, a disease that has claimed many lives, I think it is important to show that the bipartisan support here and the well wishes and good intentions of the group are something where it is nice to see something like this happen in Congress.

I urge support of the bill, and I yield back the balance of my time.

Mr. GRAVES of Louisiana. Mr. Speaker, breast cancer is the most common cancer among American women, except for skin cancers. In fact, current statistics show that about 1 in 8 women in the United States will develop invasive breast cancer during their lifetime. It is estimated that in the United States 231,840 women will be diagnosed with and 40,290 women will die of cancer of the breast in 2015. This means that every 13 minutes a woman dies of breast cancer in the United States.

Due to early detection, increased awareness and improved approaches to treatment, death rates from breast cancer have decreased since 1989, but it is still the second leading cause of death in women. It is the most frequently diagnosed cancer among nearly every racial and ethnic group, including African American, American Indian, Alaska native, Asian/Pacific Islander and Hispanic/Latina women. African-American women have the highest death rates of all racial and ethnic groups overall and are at least 44 percent more likely to die of breast cancer as compared to other racial and ethnic groups. This is largely due to disease type and lack of adequate care.

Approximately \$16.5 billion is spent on breast cancer treatment in the United States according to the National Cancer Institute (NCI). The NCI also estimates that the cost of breast cancer treatment will continue to rise if current trends hold steady. Finding a cure for breast cancer is in the best interest of the American public and is a goal of the United States government.

While combined funding for breast cancer research through the National Institutes of

Health, the Department of Defense's Breast Cancer Research Program and the National Cancer Institute approaches one billion dollars, additional private sector support for breast cancer research will help us find a cure even faster.

H.R. 2722, the Breast Cancer Awareness Commemorative Coin Act is designed to generate additional funding for breast cancer research at no cost to taxpayers. The bill compels the U.S. Treasury to raise money for breast cancer research through the sale of \$5 pink gold coins, and \$1 silver commemorative coins in 2018. The additional funding for breast cancer research will aid the efforts currently underway to find a cure for this deadly cancer.

This week, it was brought to the attention of this body that the largest non-government funder of breast cancer research and initially selected as one of the recipients of breast cancer research funding pursuant to H.R. 2722, issues grants to Planned Parenthood. This development gave me pause and conflicted with my well-established pro-life convictions. While I commend work on breast cancer research, I am against any direct or indirect federal funding for abortion.

I was pleased that we were able to resolve the issue by amending the recipient of funds generated pursuant to the Breast Cancer Awareness Commemorative Coin Act, H.R. 2722 and designating 100% of the funds to the Breast Cancer Research Foundation. I supported the amended version of H.R. 2722 and was proud to see this legislation pass through the House. I encourage my colleagues in the Senate take up this bill so that we can move forward with the good and necessary work of pursuing a cure for the most common cancer in women worldwide.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. LUETKEMEYER) that the House suspend the rules and pass the bill, H.R. 2722, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. AMASH. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

#### HOMES FOR HEROES ACT OF 2015

Mr. LUETKEMEYER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 251) to transfer the position of Special Assistant for Veterans Affairs in the Department of Housing and Urban Development to the Office of the Secretary, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 251

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Homes for Heroes Act of 2015".

#### SEC. 2. SPECIAL ASSISTANT FOR VETERANS AFFAIRS IN THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

(a) TRANSFER OF POSITION TO OFFICE OF THE SECRETARY.—Section 4 of the Department of Housing and Urban Development Act (42 U.S.C. 3533) is amended by adding at the end the following new subsection:

“(h) SPECIAL ASSISTANT FOR VETERANS AFFAIRS.—

“(1) POSITION.—There shall be in the Office of the Secretary a Special Assistant for Veterans Affairs, who shall report directly to the Secretary.

“(2) APPOINTMENT.—The Special Assistant for Veterans Affairs shall be appointed based solely on merit and shall be covered under the provisions of title 5, United States Code, governing appointments in the competitive service.

“(3) RESPONSIBILITIES.—The Special Assistant for Veterans Affairs shall be responsible for—

“(A) ensuring veterans have fair access to housing and homeless assistance under each program of the Department providing either such assistance;

“(B) coordinating all programs and activities of the Department relating to veterans;

“(C) serving as a liaison for the Department with the Department of Veterans Affairs, including establishing and maintaining relationships with the Secretary of Veterans Affairs;

“(D) serving as a liaison for the Department, and establishing and maintaining relationships with the United States Interagency Council on Homelessness and officials of State, local, regional, and nongovernmental organizations concerned with veterans;

“(E) providing information and advice regarding—

“(i) sponsoring housing projects for veterans assisted under programs administered by the Department; or

“(ii) assisting veterans in obtaining housing or homeless assistance under programs administered by the Department;

“(F) coordinating with the Secretary of Housing and Urban Development and the Secretary of Veterans Affairs in carrying out section 3 of the Homes for Heroes Act of 2015; and

“(G) carrying out such other duties as may be assigned to the Special Assistant by the Secretary or by law.”.

(b) TRANSFER OF POSITION IN OFFICE OF DEPUTY ASSISTANT SECRETARY FOR SPECIAL NEEDS.—On the date that the initial Special Assistant for Veterans Affairs is appointed pursuant to section 4(h)(2) of the Department of Housing and Urban Development Act, as added by subsection (a) of this section, the position of Special Assistant for Veterans Programs in the Office of the Deputy Assistant Secretary for Special Needs of the Department of Housing and Urban Development shall be terminated.

#### SEC. 3. ANNUAL SUPPLEMENTAL REPORT ON VETERANS HOMELESSNESS.

(a) IN GENERAL.—The Secretary of Housing and Urban Development and the Secretary of Veterans Affairs, in coordination with the United States Interagency Council on Homelessness, shall submit annually to the Committees of the Congress specified in subsection (b), together with the annual reports required by such Secretaries under section 203(c)(1) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11313(c)(1)), a supplemental report that includes the following information with respect to the preceding year:

(1) The same information, for such preceding year, that was included with respect

to 2010 in the report by the Secretary of Housing and Urban Development and the Secretary of Veterans Affairs entitled "Veterans Homelessness: A Supplemental Report to the 2010 Annual Homeless Assessment Report to Congress".

(2) Information regarding the activities of the Department of Housing and Urban Development relating to veterans during such preceding year, as follows:

(A) The number of veterans provided assistance under the housing choice voucher program for Veterans Affairs supported housing (VASH) under section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)), the socioeconomic characteristics of such homeless veterans, and the number, types, and locations of entities contracted under such section to administer the vouchers.

(B) A summary description of the special considerations made for veterans under public housing agency plans submitted pursuant to section 5A of the United States Housing Act of 1937 (42 U.S.C. 1437c-1) and under comprehensive housing affordability strategies submitted pursuant to section 105 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12705).

(C) A description of the activities of the Special Assistant for Veterans Affairs of the Department of Housing and Urban Development.

(D) A description of the efforts of the Department of Housing and Urban Development and the other members of the United States Interagency Council on Homelessness to coordinate the delivery of housing and services to veterans.

(E) The cost to the Department of Housing and Urban Development of administering the programs and activities relating to veterans.

(F) Any other information that the Secretary of Housing and Urban Development and the Secretary of Veterans Affairs consider relevant in assessing the programs and activities of the Department of Housing and Urban Development relating to veterans.

(b) COMMITTEES.—The Committees of the Congress specified in this subsection are as follows:

(1) The Committee on Banking, Housing, and Urban Affairs of the Senate.

(2) The Committee on Veterans' Affairs of the Senate.

(3) The Committee on Appropriations of the Senate.

(4) The Committee on Financial Services of the House of Representatives.

(5) The Committee on Veterans' Affairs of the House of Representatives.

(6) The Committee on Appropriations of the House of Representatives.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. LUETKEMEYER) and the gentlewoman from California (Ms. MAXINE WATERS) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

#### GENERAL LEAVE

Mr. LUETKEMEYER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. LUETKEMEYER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today I rise in support of H.R. 251, the Homes for Heroes Act of 2015.

This bill, introduced by my colleague from Texas, Congressman AL GREEN, would establish the position of special assistant for Veterans Affairs within HUD to coordinate services provided to homeless veterans and to serve as HUD's liaison to the Department of Veterans Affairs, the U.S. Interagency Council on Homelessness, State and local officials, and nonprofit service organizations. The position is currently in the Office of the Deputy Assistant Secretary for Special Needs. This transfer highlights the importance of this issue.

H.R. 251 would also require HUD to submit a comprehensive annual report to Congress on the housing needs of homeless veterans and the steps undertaken by HUD to meet these needs.

Previous iterations of H.R. 251 have garnered broad support in the past. In 2013, the bill passed by a vote of 420-3; in 2012, by a vote of 414-5; in 2009, by a vote of 417-2; and in 2008, by a vote of 412-9.

Our servicemen and -women continue to bravely serve our country both here and abroad. The least we can do is ensure they have proper access to the services offered to them. This bill represents a step in that direction.

I urge my colleagues to again support this worthy endeavor.

Mr. Speaker, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

I would like to thank my colleague and friend, Mr. GREEN, for introducing this important bill, the Homes for Heroes Act of 2015.

This bill aims to help prevent low-income veteran families from falling into homelessness, while also providing relief for those who are currently homeless. This bill achieves these aims by elevating a position at HUD aimed specifically at coordinating efforts to ensure that all Federal agencies working to house our homeless veterans are working together at maximum capacity. This position will work closely with the HUD Secretary to achieve these outcomes.

The Homes for Heroes Act will also ensure the long-term coordination of services for homeless veterans by requiring HUD to submit a comprehensive annual report to Congress on the housing needs of homeless veterans.

This bill will help ensure that we continue to make progress on the goal of ending veteran homelessness so that we can ensure that every veteran has a roof over their head. Recent efforts to house our homeless veterans have seen bipartisan support in both the House

and Senate in the form of supporting robust funding for the HUD-Veterans Affairs Supportive Housing program, also known as HUD-VASH. This bill should be no different.

Our veterans have been at the forefront of protecting this country, and we have an obligation here in Congress to protect and provide for those who are most vulnerable. No person in the country should be deprived of a safe, decent, and affordable place to call home. No person should be deprived of a roof over their head. This bill would help to ensure that we are taking care of those who have taken care of this country.

In addition, this bill is supported by the National Alliance to End Homelessness, a national advocacy organization committed to preventing and ending homelessness in the United States.

An identical bill passed the House last Congress. I urge my colleagues to again pass this important piece of legislation.

I want to thank Mr. GREEN for his persistence in bringing forth this legislation. It is another wonderful moment for him.

I reserve the balance of my time.

Mr. LUETKEMEYER. Mr. Speaker, I yield such time as he may consume to the gentleman from New Hampshire (Mr. GUINTA).

□ 1300

Mr. GUINTA. Mr. Speaker, the U.S. Department of Housing and Urban Development estimates that almost 50,000 veterans are homeless on any given night. That means that right now there are roughly 50,000 of our Nation's heroes on the streets, without shelter, struggling to find a place to live.

This is not how our country should treat the men and women who have risked their lives to protect our Nation. The issue of homeless veterans needs to be addressed and resolved, and it needs to be done now.

It has always been a priority of mine to eliminate veterans homelessness not just in my home State of New Hampshire, but all across this great Nation. I think my colleagues will all agree with me that we must ensure our veterans and their families have access to affordable housing in order to help promote their independence and well-being.

When I was mayor of New Hampshire's largest city, Manchester, I launched a homeless veterans initiative by working with leaders at Liberty House, a safe, supportive, and substance-free housing community for those transitioning out of homelessness.

Our veterans deserve equal treatment and access to HUD housing and homeless assistance programs. We can start now by cutting down the bureaucracy, bureaucratic hurdles, and by ensuring that the highest care is given to our

veterans. This bipartisan bill is a step in the right direction.

I thank the gentleman from Texas (Mr. AL GREEN) for fighting on behalf of homeless veterans. I am proud to rise in support of our Nation's heroes, and I am proud to support H.R. 251.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. AL GREEN), the ranking member of the Subcommittee for Oversight and Investigations of the Financial Services Committee.

Mr. AL GREEN of Texas. I thank the ranking member very much.

Mr. Speaker, I am so honored to stand on the floor with the gentlewoman. Her reputation for supporting the needs of the homeless across the length and breadth of our country is widely known and greatly appreciated and, quite frankly, celebrated.

She has been there for the homeless, she has spoken up in committee, and she has passed legislation to assist. So it does not surprise me that she would be supportive of this legislation.

While it does not surprise me, I still must say that I am greatly appreciative for her support because her support makes a difference in legislation moving forward from our committee.

I am also honored to thank the chair of the committee, Mr. HENSARLING, who, without question, reservation, or hesitation, immediately concluded that this legislation should have an opportunity to be voted upon. He has been a supporter of the legislation in the past, and I thank him for his current support.

Mr. LUETKEMEYER has been supportive of the legislation, and I thank him for his willingness to allow it to come to the floor as quickly as it has. Sometimes it can take a little longer than we would like in getting legislation to the floor, but the gentleman immediately responded, and this legislation has made its way to the floor.

I also would like to thank the gentleman from New Hampshire, who spoke very eloquently about the needs of veterans. It means a lot to me to know that we have the breadth of support in the House of Representatives that we have.

Mr. Speaker, I believe that it is almost sinful for us in the richest country in the world to pass veterans who are living in the streets of life, holding signs indicating that they are homeless and that they need help. I believe that the richest country in the world can afford to provide for those who return home and are homeless.

I think that, when a person signs up to serve in the military, you do not know where that assignment will take you. It could very well mean that you will go to some distant place or it could mean that you will stay right here within the continental United States.

But when you sign up, you sign up to go wherever you are told and to do whatever is required, and a good many of those who sign up and go and do what is required don't always return home the same way they left.

As a result, we see not only veterans on the streets asking for help, but you see veterans who are sometimes without all of their body parts. It is especially painful when you see a person who has served the country and who may be in a wheelchair now who is asking for assistance on a street corner.

I am proud to thank the Obama administration for the work that has been done to eradicate homelessness among our veterans. In Houston, Texas, we had a meeting with the HUD Secretary and others.

At that meeting, our mayor announced that we were ending homelessness in Houston, Texas, in the sense that a person who needs help could find help if one is a veteran in Houston, Texas. That means a lot to me to know that my hometown city is now moving forward and is helping those who are living in the streets of life.

This piece of legislation, H.R. 251, makes permanent what is already taking place. There is a person who is there to look out for veterans in HUD, but we want to make sure that that person is there permanently. That is what this legislation does.

You have heard about the reports that will have to be submitted. It is exceedingly important that we know how many people are homeless in the veterans population, and it is exceedingly important to know what it costs to house and to take care of them. These are the kinds of things that the report will reveal to all who wish to know.

It is also important for us to understand that this is not an effort that we can end, because we are making progress. Progress is important, but to continue the progress and to completely eradicate this homelessness, we have to have people who are there, acting as sentinels, as watchmen, for those who have served us well. That is what this person will do who will be stationed in HUD.

For further edification about the situation in terms of homelessness among the veterans population, let me share the statistical information with you:

In January of 2014, the demographics indicated that, on any given night, as was indicated, about 50,000 veterans—49,933—were homeless.

Let's talk about the people themselves and not allow them to become numbers. Here is what the statistical information further reveals: 12 percent of the homeless adult population are veterans.

It reveals that 20 percent of the male homeless population are veterans. It reveals that 51 percent of individual homeless veterans had disabilities, 51 percent who need our help, 51 percent

who will benefit from having a person whose job it is to monitor and to make sure that they are taken care of.

Further, it would reveal that 70 percent have substance abuse problems, which is something that we really don't like to talk about. We know that it exists, and we know that something can be done about it, but you need someone who is there as a sentinel, as a watchman, to make sure that these needs are taken care of.

Many of them developed their substance abuse problems while in the military, while serving the country. That is unfortunate, but it is a fact. What we want to do is to make sure that we take care of all of them.

I am so honored to say to you that this bill has received great bipartisan support in the past, overwhelmingly so, I might add.

I also want to just thank my colleagues by reminding us of Ruth Smeltzer's words:

Some measure their lives by days and years, others by heartthrobs, passions, and tears; but the surest measure under the God's Sun is what for others in your lifetime have you done.

I want to thank all who are going to do what they can to help eliminate homelessness among the veterans population and those who will support this piece of legislation. Hopefully, we will get it passed in the Senate such that we won't next term find ourselves supporting this same legislation.

I thank the ranking member again so much for her many years of service and for her support for this legislation as well as for the many years of support that she has accorded those who have lived in the streets of life.

God bless her, and God bless our country.

Ms. MAXINE WATERS of California. Mr. Speaker, I have no additional speakers.

I yield back the balance of my time.

Mr. LUETKEMEYER. Mr. Speaker, in closing, just to reiterate and, again, congratulate and associate our remarks with the fine gentleman's from Texas (Mr. AL GREEN), one can see that his hard work and advocacy and his passion for this issue is unparalleled. We certainly want to continue to support him, and we urge the support of this body for his fine bill here, H.R. 251.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in support to H.R. 251, the "Homes for Heroes Act of 2015," which would amend the Department of Housing and Urban Development Act to establish in the Office of the Secretary of the Department of Housing and Urban Development (HUD) a Special Assistant for Veterans Affairs.

Our military veterans deserve our deepest gratitude for the courage and valor they demonstrated in service while defending the United States of America.

I support this bill strongly because it ensure veterans fair access to HUD housing and



homeless assistance programs, coordinates all HUD programs and activities relating to veterans, and better serves as a HUD liaison with the Department of Veterans Affairs (VA).

Also, terminating the position of Special Assistant for Veterans Programs in the Office of the Deputy Assistant Secretary for Special Needs would create more coordinated relations that will better serve the needs of our nation's veterans.

Mr. Speaker, today, in our country, there are approximately 107,000 veterans (male and female) who are homeless on any given night.

And perhaps twice as many (200,000) experience homelessness at some point during the course of a year.

Many other veterans are considered near homeless or at risk because of their poverty, lack of support from family and friends, and dismal living conditions in cheap hotels or in overcrowded or substandard housing.

In my hometown of Houston for example, between the years 2010 and 2012, the number of homeless veterans increased from 771 to 1,162.

President Obama and the Congress made a commitment to end homelessness by 2015.

However, even with all the progress this administration has made, until we have every veteran permanently sheltered in the United States, we have not succeeded.

I have always devoted myself in these efforts, as I know of the kind of impact assisting our heroes to get back on their feet can have on the well-being of our communities.

H.R. 251, the "Homes for Heroes Act of 2015," is a positive step towards the right direction in our effort to support our nation's heroes, who have put their lives on the line for our protection.

Mr. Speaker, we cannot let this issue of homelessness continue.

I urge my colleagues to join me in voting in support of H.R. 251.

The SPEAKER pro tempore (Mr. CARTER of Georgia). The question is on the motion offered by the gentleman from Missouri (Mr. LUETKEMEYER) that the House suspend the rules and pass the bill, H.R. 251.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. LUETKEMEYER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

#### HOUSING ASSISTANCE EFFICIENCY ACT

Mr. LUETKEMEYER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1047) to authorize private nonprofit organizations to administer permanent housing rental assistance provided through the Continuum of Care Program under the McKinney-Vento Homeless Assistance Act, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1047

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Housing Assistance Efficiency Act".

#### SEC. 2. AUTHORITY TO ADMINISTER RENTAL ASSISTANCE.

Subsection (g) of section 423 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11383(g)) is amended by inserting "private nonprofit organization," after "unit of general local government,".

#### SEC. 3. REALLOCATION OF FUNDS.

Paragraph (1) of section 414(d) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11373(d)(1)) is amended by striking "twice" and inserting "once".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. LUETKEMEYER) and the gentlewoman from California (Ms. MAXINE WATERS) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

#### GENERAL LEAVE

Mr. LUETKEMEYER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. LUETKEMEYER. Mr. Speaker, I yield myself such time as I may consume.

I rise today in strong support of H.R. 1047, the Housing Assistance Efficiency Act, introduced by the gentleman from California (Mr. PETERS). This bill makes a technical correction to the 2009 HEARTH Act amendments to the McKinney-Vento Homeless Assistance Act.

H.R. 1047 will accomplish two goals:

First, it would restore the ability of nonprofit organizations to administer permanent housing rental assistance provided through the McKinney-Vento Continuum of Care program.

Second, it would authorize the HUD Secretary to reallocate any housing assistance provided from the Emergency Solutions Grants Program that is unused or returned or that becomes available after the minimum allocation requirements under McKinney-Vento have been met on an annual rather than on a semiannual basis.

In 2009, the HEARTH Act amended McKinney-Vento to combine the Shelter Plus Care program and the supportive housing programs into a single, competitive program.

When combining the activities of the previous programs into one, the HEARTH Act also created a new requirement that only States, units of local governments, or Public Housing Agencies—PHAs—could administer

rental assistance. Previously, these public entities had used private nonprofit organizations to administer the assistance.

H.R. 1047 corrects an unintended consequence of the HEARTH Act by restoring nonprofit participation. The bill maximizes community flexibility to allow existing nonprofits that operate leased housing to homeless families and individuals to continue to manage their McKinney-Vento grants as rental assistance as well as to continue to develop innovative practices that assist homeless families and individuals.

Finally, H.R. 1047 reduces a regulatory burden by requiring HUD to reallocate unused Emergency Solutions Grants Program funds only once per year. As I understand from HUD and many nonprofit organizations, there are very few unused funds available; yet, a complicated reallocation program, as required by current law, must be conducted twice a year even if the amount is miniscule.

Mr. Speaker, I urge my colleagues to pass this commonsense legislation that is supported by the administration and many of the nonprofit organizations that continue to serve homeless populations with limited resources.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

I want to thank my colleague from California (Mr. PETERS) for working on this important issue and introducing this bill.

This bill, entitled the Housing Assistance Efficiency Act, makes two key changes to the McKinney-Vento Homeless Assistance Act that are long overdue.

Specifically, this bill is designed to fix two technical problems that have arisen in HUD's homeless assistance programs due to technical errors in the language in the HEARTH Act, which was a bipartisan bill that significantly reformed the homeless assistance programs in 2009.

Among other things, HUD's homeless assistance programs help homeless people pay rent when they move out of shelters or off the streets and into housing.

Since the inception of these programs, local nonprofit organizations have received funding from HUD to administer efficient and cost-effective rental assistance programs, working with local landlords to get places for homeless people to live.

Unfortunately, in 2009, when certain programs were merged under the HEARTH Act, these nonprofits became ineligible to directly administer permanent rental assistance.

□ 1315

This unintentional result of the HEARTH Act has created huge uncertainty on the ground for many nonprofits who work hard to house our



homeless populations across the country. The permanent fix in H.R. 1047 would be extremely helpful for communities that are working to end homelessness for chronic individuals, veterans, children, and other populations.

The second provision in H.R. 1047 addresses the Emergency Solutions Grants Program, a program aimed at homelessness prevention and rapid rehousing activities. The bill would amend the current HUD requirement to reallocate unused, returned, or otherwise newly available funds twice per year to just once per year. This change provides HUD and local agencies with administrative relief, while having no negative impact on beneficiaries of these programs.

In addition, this program is supported by the National Alliance to End Homelessness, a national advocacy organization committed to preventing and ending homelessness in the United States. An identical bill passed the House last December on the suspension calendar by voice vote. I urge my colleagues to again vote in favor of this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. LUETKEMEYER. I reserve the balance of my time, Mr. Speaker.

Ms. MAXINE WATERS of California. I yield such time as he may consume to the gentleman from California (Mr. PETERS).

Mr. PETERS. Mr. Speaker, I thank the gentlewoman for yielding.

Today, I rise to urge passage of the Housing Assistance Efficiency Act, a bill that I introduced earlier this year. As the ranking member said, an identical version of this legislation passed the House by voice vote last December.

Many laws are intended to ensure efficiency in Federal agencies but often have unintended consequences, preventing agencies from serving the public and costing taxpayers money.

Currently, the Department of Housing and Urban Development's Continuum of Care Program is forced to spend too much time fulfilling administrative obligations, instead of helping individuals and families transition out of homelessness and putting them on a path to independent living.

This legislation will reduce government inefficiency and make it easier for Americans struggling to find a foothold to access the already existing resources available to them.

Twice each fiscal year, HUD has to reallocate unused or returned funds in the Emergency Solutions Grants Program. Because funds are almost never unused or returned under this program, the reallocation of funds takes a lot of time and human capital to complete but with little end purpose.

It is administratively more efficient to reallocate funds only once per year. This frees up HUD employees to provide more human resources toward bet-

ter providing service to constituents. We shouldn't saddle HUD with more administrative work that isn't helping anyone.

In addition to mandatory fund allocations, HUD faces a mountain of paperwork as it tries to administer that important system used by more than 3 million Americans each year. Prior to 2009, private nonprofits could administer rental assistance through HUD's Continuum of Care.

Nonprofits are uniquely positioned to handle the needs of those seeking rental assistance, using expertise in individual communities of vulnerable populations to serve the clients where they are.

The HEARTH Act, however, muddled rental assistance laws, and private nonprofits were left off the list of entities allowed to administer rental assistance. Currently, only States, local government units, or public housing agencies can dispense this housing assistance, although nonprofits have substantial experience and the ability to reach vulnerable populations that is often unavailable to government programs.

Private nonprofits can still execute other homelessness programs, but they have to go through public housing agencies or another layer of bureaucracy to get rental assistance to their clients or to the landlord. This creates more bureaucratic burdens when individuals and families really need the help quickly to stay in their homes.

Passing this bill would remedy both these problems, make HUD a more efficient agency, and get homelessness assistance to those who need it more quickly. This is particularly important in San Diego, where access to affordable housing has been continually one of our region's biggest obstacles and where we have the third largest homeless population in the country. By passing today's bill, we can help HUD be more efficient and ensure that community experts and nonprofits are not hamstrung by Federal inaction.

In their statement supporting this legislation, the San Diego Housing Federation said: "This bill removes barriers to helping get important resources to those who need it most." Mr. Speaker, that is what it is all about.

I urge my colleagues to help pass this legislation and take substantive action to improve government efficiency and help fight chronic homelessness in our country.

Mr. LUETKEMEYER. I reserve the balance of my time, Mr. Speaker.

Ms. MAXINE WATERS of California. Mr. Speaker, I have no additional speakers.

I yield back the balance of my time. Mr. LUETKEMEYER. Mr. Speaker, we just want to reiterate our support for H.R. 1047. We feel it corrects some problems that have arisen inadvertently.

I yield back the balance of my time.

Ms. SEWELL of Alabama. Mr. Speaker, today, I rise in support of H.R. 1047, the Housing Assistance Efficiency Act. This bill would remove non-essential administrative boundaries in order to better serve our nation's homeless population.

Under the McKinney-Vento Homeless Assistance Act, only a state, local government, or public housing agency may administer housing assistance to our nation's homeless. This regulation prevents many non-profit agencies—which often have deep ties to our communities—from assisting the homeless.

Like many districts and states, the State of Alabama faces many challenges in addressing the needs of our homeless. We can accomplish this by correcting any unintended legislative consequences and taking action to create the most fast-acting and efficient system of housing assistance possible.

The Housing Assistance Efficiency Act addresses these problems by increasing efficiency, eliminating red tape, and expediting the process of providing safe, stable shelter for homeless communities.

I congratulate my colleague from California, Congressman PETERS, for remaining vigilant and continuing to be a voice for our most vulnerable communities. This is a valuable opportunity to eliminate barriers and offer a faster and more financially responsible approach to assisting the homeless.

While we continue our efforts to help the homeless, we must remain mindful of our long-term goals. I urge my colleagues to help pass this legislation and reaffirm our commitment to the alleviation of homelessness in all of our communities.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. LUETKEMEYER) that the House suspend the rules and pass the bill, H.R. 1047.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### PRESERVATION ENHANCEMENT AND SAVINGS OPPORTUNITY ACT OF 2015

Mr. LUETKEMEYER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2482) to amend the Low-Income Housing Preservation and Resident Homeownership Act of 1990.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2482

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Preservation Enhancement and Savings Opportunity Act of 2015".

#### SEC. 2. DISTRIBUTIONS AND RESIDUAL RECEIPTS.

Section 222 of the Low-Income Housing Preservation and Resident Homeownership Act of 1990 (12 U.S.C. 4112) is amended by adding at the end the following new subsection:

“(e) DISTRIBUTION AND RESIDUAL RECEIPTS.—

“(1) AUTHORITY.—After the date of the enactment of the Preservation Enhancement and Savings Opportunity Act of 2015, the owner of a property subject to a plan of action or use agreement pursuant to this section shall be entitled to distribute—

“(A) annually, all surplus cash generated by the property, but only if the owner is in material compliance with such use agreement including compliance with prevailing physical condition standards established by the Secretary; and

“(B) notwithstanding any conflicting provision in such use agreement, any funds accumulated in a residual receipts account, but only if the owner is in material compliance with such use agreement and has completed, or set aside sufficient funds for completion of, any capital repairs identified by the most recent third party capital needs assessment.

“(2) OPERATION OF PROPERTY.—An owner that distributes any amounts pursuant to paragraph (1) shall—

“(A) continue to operate the property in accordance with the affordability provisions of the use agreement for the property for the remaining useful life of the property;

“(B) as required by the plan of action for the property, continue to renew or extend any project-based rental assistance contract for a term of not less than 20 years; and

“(C) if the owner has an existing multi-year project-based rental assistance contract for less than 20 years, have the option to extend the contract to a 20-year term.”.

### SEC. 3. FUTURE REFINANCINGS.

Section 214 of the Low-Income Housing Preservation and Resident Homeownership Act of 1990 (12 U.S.C. 4104) is amended by adding at the end the following new subsection:

“(c) FUTURE FINANCING.—Neither this section, nor any plan of action or use agreement implementing this section, shall restrict an owner from obtaining a new loan or refinancing an existing loan secured by the project, or from distributing the proceeds of such a loan; except that, in conjunction with such refinancing—

“(1) the owner shall provide for adequate rehabilitation pursuant to a capital needs assessment to ensure long-term sustainability of the property satisfactory to the lender or bond issuance agency;

“(2) any resulting budget-based rent increase shall include debt service on the new financing, commercially reasonable debt service coverage, and replacement reserves as required by the lender; and

“(3) for tenants of dwelling units not covered by a project- or tenant-based rental subsidy, any rent increases resulting from the refinancing transaction may not exceed 10 percent per year, except that—

“(A) any tenant occupying a dwelling unit as of time of the refinancing may not be required to pay for rent and utilities, for the duration of such tenancy, an amount that exceeds the greater of—

“(i) 30 percent of the tenant's income; or

“(ii) the amount paid by the tenant for rent and utilities immediately before such refinancing; and

“(B) this paragraph shall not apply to any tenant who does not provide the owner with proof of income.

Paragraph (3) may not be construed to limit any rent increases resulting from increased operating costs for a project.”.

### SEC. 4. IMPLEMENTATION.

The Secretary of Housing and Urban Development shall issue any guidance that the Secretary considers necessary to carry out

the provisions added by the amendments made by sections 2 and 3 not later than the expiration of the 120-day period beginning on the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. LUETKEMEYER) and the gentlewoman from California (Ms. MAXINE WATERS) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

#### GENERAL LEAVE

Mr. LUETKEMEYER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. LUETKEMEYER. Mr. Speaker, I rise in support of H.R. 2482, the Preservation Enhancement and Savings Opportunity Act of 2015.

As my colleague from Minnesota, a longtime advocate of this preservation bill, will explain shortly, this bill provides technical changes to the Low-Income Housing Preservation and Resident Homeownership Act of 1990, or LIHPRHA, to allow property owners access to their profits while ensuring long-term preservation of affordable, multifamily housing properties.

By correcting the inequities resulting from a fixed return on investment, we are providing for continued preservation of an important asset and facilitating future recapitalization to maximize the remaining useful life of the LIHPRHA properties without any cost to the Federal Government.

HUD recognized the need to address this issue in the administration's fiscal year 2015 and fiscal year 2016 budget requests. Administratively, HUD has removed the limitation on distributions in similar circumstances where it had the authority to do so but has determined it lacks such authority with the LIHPRHA portfolio.

This bill ensures the continued viability of the properties through continued adherence to the use agreement. This includes compliance with physical need requirements and requirement to provide for any identified capital needs.

I would like to reemphasize that this provision does not result in a cost to the Federal Government and ensures long-term preservation. I thank the gentleman from Minnesota for his hard work on this issue.

Mr. Speaker, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

This bill is the product of years of thoughtful consideration and negotiations. I am very pleased with the com-

promises that were reached on this bill, especially some additional tenant protections that include rent affordability restrictions for existing tenants.

There are currently about 640 properties that are subject to restrictions in the Low-Income Housing Preservation and Resident Homeownership Act of 1990, otherwise known as LIHPRHA. LIHPRHA imposed some significant restrictions on property owners, which have proven to be problematic by making it more difficult for property owners to preserve these aging properties.

This bill would help address this issue by providing affected property owners with greater flexibilities on the condition that they comply with basic requirements that ensure that the properties are adequately maintained and that tenants do not see dramatic increases in rents.

By providing these flexibilities, property owners will have better access to capital to carry out repairs and other improvements that will help preserve these aging properties and ultimately benefit tenants. Particularly in light of the current rental housing crisis, this is an important bipartisan measure that seeks to preserve our affordable housing stock. I urge my colleagues to support this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. LUETKEMEYER. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Minnesota (Mr. PAULSEN), who has been an advocate on this issue for a long, long time.

Mr. PAULSEN. Mr. Speaker, I rise in support of the legislation, the Preservation Enhancement and Savings Opportunity Act. Let me start by thanking the gentleman and the ranking member of the committee for their long efforts to bring this legislation forward with support.

As was mentioned, in 1990 Congress enacted the Low-Income Housing Preservation and Resident Homeownership Act, or LIHPRHA, to preserve and extend the availability of low-income housing throughout the country.

Many low-income housing properties at that time were nearing the end of a 20-year period of the owner's obligation to maintain below-market rents for qualified tenants, and Congress was worried about a flood of thousands of properties coming out of the low-income housing pool.

Congress used LIHPRHA to create new incentives, in the form of low-interest restructured mortgages, to entice property owners to maintain their properties as low-income housing. In exchange for the incentives, owners who agreed to extend low-income use of properties became obligated to operate properties as low-income housing for 50 years or the remaining useful life of the properties, whichever would be greater.

Property owners also agreed to a fixed cap on their allowed annual cash distributions from rents from the properties. The cap was designed to provide the owners with an 8 percent equity return, based on property values at the time. The income from the properties above the cap is still the owner's money, but it is held at HUD in an account that the owners have no right to access until the end of that 50-year period.

These 8 percent distribution limits, while initially workable, over time have resulted in very adverse and unexpected consequences, in particular relating to the Federal income tax liabilities of the owners. Initially, owners were able to offset a portion of their taxes owed with depreciation and mortgage interest deductions. The 8 percent cash distributions were sufficient to meet those tax obligations.

However, since that time, rents have increased, and deductible mortgage interest and depreciation deductions have decreased for LIHPRHA property owners. This effectively means that the annual Federal taxable income of the owners has increased substantially, despite the fact that their allowed cash distributions have remained capped at a constant dollar amount fixed in the 1990s.

Mr. Speaker, in recent years, for example, owners' income tax liabilities have often been more than double the amount of cash permitted to be distributed to them under the law, and this is unfair to LIHPRHA property owners. It will only worsen over time.

Fortunately, there is a simple solution to the problem. The Preservation Enhancement and Savings Opportunity Act will allow LIHPRHA property owners to access their funds held at HUD, after all operating expenses and property maintenance costs have been paid. More importantly, removing the limitation on distributions will not result in any cost to the Federal Government, as the funds belong to the owners and not to HUD.

The legislation also requires individuals refinancing LIHPRHA properties to provide adequate rehabilitation and replacement reserves. It includes protections for low-income housing tenants from excessive rent increases.

Removing the limitation on distributions and the refinancing provisions will facilitate additional recapitalization of these properties by private sector developers and other preservation entities, which will in turn extend the availability of low-income housing across the country for those who most need it. This all happens at no additional cost to American taxpayers.

Mr. Speaker, I insert into the RECORD a letter to Chairman HENSARLING and Ranking Member WATERS from nine national housing organizations endorsing this bill.

I close by asking my colleagues to join me in support of this legislation.

JUNE 11, 2015.

Hon. JEB HENSARLING,  
*Chairman, Committee on Financial Services.*  
Hon. MAXINE WATERS,  
*Ranking Minority Member, Committee on Financial Services.*

DEAR CHAIRMAN HENSARLING AND RANKING MEMBER WATERS: The undersigned organizations urge you to support H.R. 2482, the Preservation, Enhancement and Savings Opportunity Act of 2014. The bill provides technical changes to the Low Income Housing Preservation and Resident Homeownership Act of 1990 (LIHPRHA) while ensuring long-term preservation of these affordable multifamily housing properties.

When LIHPRHA was enacted, property owners were provided incentives to maintain the affordability of the properties for low and moderate income renters for the remaining useful life of the properties in exchange for relinquishing the right to prepay the mortgage after 20 years. As part of the process, the owners' equity contributions in the property were redefined but a contractual limitation on property income distributions remained, even though all surplus funds belong to the ownership entity. Such a limitation was workable twenty years ago, but as the mortgages mature the annual distribution becomes insufficient to address increasing tax liabilities.

The bill would remove the limitation on distributions and provide the ownership entity/sponsor access to its own funds to address tax liabilities or other expenses while ensuring continued preservation and adherence to the properties' use agreements. Such action provides additional incentives for future investors to recapitalize these multifamily properties, therefore extending their useful life and the continuation of a scarce housing resource for years to come. For the last 15 years, HUD has administratively removed limitations on distributions where it had the authority to do so. HUD has concluded that it lacks this authority with the LIHPRHA portfolio.

The bill's changes to LIHPRHA have no associated budgetary or tax cost to the Federal Government and ensure the preservation of an important housing resource. We urge you to support H.R. 2482.

Sincerely,  
Council for Affordable and Rural Housing (CARH); Institute of Real Estate Management (IREM); Institute for Responsible Housing Preservation (IRHP); Mortgage Bankers Association (MBA); National Affordable Housing Management Association (NAHMA); National Apartment Association (NAA); National Association of Home Builders (NAHB); National Leased Housing Association (NLHA); National Multifamily Housing Council (NMHC).

□ 1330

Ms. MAXINE WATERS of California. Mr. Speaker, I have no additional speakers. I encourage support for this bill, and I yield back the balance of my time.

Mr. LUETKEMEYER. Mr. Speaker, I urge support of H.R. 2482, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. LUETKEMEYER) that the House suspend the rules and pass the bill, H.R. 2482.

The question was taken; and (two-thirds being in the affirmative) the

rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### PRIVATE INVESTMENT IN HOUSING ACT OF 2015

Mr. LUETKEMEYER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2997) to authorize the Secretary of Housing and Urban Development to carry out a demonstration program to enter into budget-neutral, performance-based contracts for energy and water conservation improvements for multifamily residential units.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2997

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Private Investment in Housing Act of 2015".

#### SEC. 2. BUDGET-NEUTRAL DEMONSTRATION PROGRAM FOR ENERGY AND WATER CONSERVATION IMPROVEMENTS AT MULTIFAMILY RESIDENTIAL UNITS.

(a) ESTABLISHMENT.—The Secretary of Housing and Urban Development (in this section referred to as the "Secretary") shall establish a demonstration program under which the Secretary may execute budget-neutral, performance-based agreements in fiscal years 2016 through 2019 that result in a reduction in energy or water costs with such entities as the Secretary determines to be appropriate under which the entities shall carry out projects for energy or water conservation improvements at not more than 20,000 residential units in multifamily buildings participating in—

(1) the project-based rental assistance program under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), other than assistance provided under section 8(o) of that Act;

(2) the supportive housing for the elderly program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q); or

(3) the supportive housing for persons with disabilities program under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2)).

#### (b) REQUIREMENTS.—

##### (1) PAYMENTS CONTINGENT ON SAVINGS.—

(A) IN GENERAL.—The Secretary shall provide to an entity a payment under an agreement under this section only during applicable years for which an energy or water cost savings is achieved with respect to the applicable multifamily portfolio of properties, as determined by the Secretary, in accordance with subparagraph (B).

##### (B) PAYMENT METHODOLOGY.—

(i) IN GENERAL.—Each agreement under this section shall include a pay-for-success provision that—

(I) shall serve as a payment threshold for the term of the agreement; and

(II) requires that payments shall be contingent on realized cost savings associated with reduced utility consumption in the participating properties.

(ii) LIMITATIONS.—A payment made by the Secretary under an agreement under this section—

(I) shall be contingent on documented utility savings; and

(II) shall not exceed the utility savings achieved by the date of the payment, and not previously paid, as a result of the improvements made under the agreement.

(C) **THIRD-PARTY VERIFICATION.**—Savings payments made by the Secretary under this section shall be based on a measurement and verification protocol that includes at least—

(i) establishment of a weather-normalized and occupancy-normalized utility consumption baseline established pre-retrofit;

(ii) annual third-party confirmation of actual utility consumption and cost for utilities;

(iii) annual third-party validation of the tenant utility allowances in effect during the applicable year and vacancy rates for each unit type; and

(iv) annual third-party determination of savings to the Secretary.

An agreement under this section with an entity shall provide that the entity shall cover costs associated with third-party verification under this subparagraph.

(2) **TERMS OF PERFORMANCE-BASED AGREEMENTS.**—A performance-based agreement under this section shall include—

(A) the period that the agreement will be in effect and during which payments may be made, which may not be longer than 12 years;

(B) the performance measures that will serve as payment thresholds during the term of the agreement;

(C) an audit protocol for the properties covered by the agreement;

(D) a requirement that payments shall be contingent on realized cost savings associated with reduced utility consumption in the participating properties; and

(E) such other requirements and terms as determined to be appropriate by the Secretary.

(3) **ENTITY ELIGIBILITY.**—The Secretary shall—

(A) establish a competitive process for entering into agreements under this section; and

(B) enter into such agreements only with entities that, either jointly or individually, demonstrate significant experience relating to—

(i) financing or operating properties receiving assistance under a program identified in subsection (a);

(ii) oversight of energy or water conservation programs, including oversight of contractors; and

(iii) raising capital for energy or water conservation improvements from charitable organizations or private investors.

(4) **GEOGRAPHICAL DIVERSITY.**—Each agreement entered into under this section shall provide for the inclusion of properties with the greatest feasible regional and State variance.

(5) **PROPERTIES.**—A property may only be included in the demonstration under this section only if the property is subject to affordability restrictions for at least 15 years after the date of the completion of any conservation improvements made to the property under the demonstration program. Such restrictions may be made through an extended affordability agreement for the property under a new housing assistance payments contract with the Secretary of Housing and Urban Development or through an enforceable covenant with the owner of the property.

(C) **PLAN AND REPORTS.**—

(1) **PLAN.**—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to the Committees on Appropria-

tions and Financial Services of the House of Representatives and the Committees on Appropriations and Banking, Housing, and Urban Affairs of the Senate a detailed plan for the implementation of this section.

(2) **REPORTS.**—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary shall—

(A) conduct an evaluation of the program under this section; and

(B) submit to Congress a report describing each evaluation conducted under subparagraph (A).

(d) **FUNDING.**—For each fiscal year during which an agreement under this section is in effect, the Secretary may use to carry out this section any funds appropriated to the Secretary for the renewal of contracts under a program described in subsection (a).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. LUETKEMEYER) and the gentlewoman from California (Ms. MAXINE WATERS) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

#### GENERAL LEAVE

Mr. LUETKEMEYER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. LUETKEMEYER. Mr. Speaker, I yield myself such time as I may consume.

Today, I rise in support of H.R. 2997, the Private Investment in Housing Act of 2015. This bill, introduced by my colleague, the gentleman from Florida (Mr. ROSS), would authorize the Secretary of Housing and Urban Development to establish a demonstration program to make assisted multifamily properties more energy and water efficient at no cost to U.S. taxpayers.

Currently, HUD spends in excess of \$7 billion in annual energy and water costs for HUD-assisted properties. These properties are generally older, with inefficient energy and water usage. In most cases, owners of these older assisted properties lack the capital to modernize their buildings to perform energy and water efficiency.

H.R. 2997 would create a demonstration for no more than 20,000 assisted units where HUD would enter into agreements with intermediaries—most likely, nonprofit entities—to produce energy and water efficiency in exchange for a share of the savings.

This demonstration and the subsequent contract with the intermediary would allow these entities to raise capital from private investors and foundations. HUD would not provide upfront capital investments for any energy retrofits and there would be no risk to the Federal Government.

Savings due to the retrofits, verified by an independent third party, would

then result in HUD remitting a portion of the savings back to the intermediaries. If savings are not realized, the loss is absorbed by the private investors or foundations.

Mr. Speaker, H.R. 2997 is an example of the public-private partnership innovation needed to attract capital investment to our public- and assisted-housing stock. This demonstration, in addition to the Rental Assistance Demonstration program, is the beginning of bipartisan legislative initiatives to bring private sector resources and management to affordable housing for low- and very low-income families.

As chairman of the Housing and Insurance Subcommittee of the Financial Services Committee, I am working with Members on both sides of the aisle to develop legislation similar to H.R. 2997, which would make the operations of HUD and its programs more efficient. Today's bill is a step in that direction.

In addition to the sponsor, Representative ROSS, I want to thank the ranking member of the Housing and Insurance Subcommittee, Mr. CLEAVER, along with Representatives HIMES of Connecticut and DELANEY of Maryland, for their hard work on this legislation.

I urge all Members to support H.R. 2997, and I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this bill would create a pilot program within HUD which would allow for energy and water efficiency upgrades to be made to certain private multifamily HUD properties at no cost to the government.

Under this innovative pilot program, investors would provide all of the upfront capital to make the improvements, and they would only get paid based on a portion of the cost savings that result from the improvements. If there are no cost savings, the losses would be completely on the investors, not HUD or the taxpayers.

This is a rare win-win situation. HUD and taxpayers benefit from cost savings; tenants benefit from the improvements made to their homes; investors benefit from the profits, and of course, the environment benefits from the more responsible use of natural resources.

This bill also ensures accountability by requiring a third-party evaluation to verify any cost savings and also by requiring the Secretary to report on the outcomes of the pilot within a year of enactment.

There is simply no reason for bipartisan bickering on a bill like this. I urge my colleagues to support this bill, and I reserve the balance of my time.

Mr. LUETKEMEYER. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. ROSS), a distinguished member of the Housing and Insurance Subcommittee.

Mr. ROSS. Mr. Speaker, I thank the chairman and Ranking Member WATERS for their support.

As the chairman pointed out, currently, HUD spends more than \$7 billion annually in energy and water costs. In our current fiscal environment, we must look to new technology and for innovative solutions to generate savings for both taxpayers and the Federal Government.

Today, I am proud to ask my colleagues to join me in supporting bipartisan H.R. 2997, the Private Investment and Housing Act. This legislation will establish a demonstration project that will encourage private sector entities to retrofit and modernize a limited number of HUD multifamily housing units at absolutely no cost to taxpayers.

This legislation is necessary because nonprofits and other entities that focus on financing for affordable housing are unable to enter into contractual agreements to retrofit HUD multifamily housing units. Imagine leveraging private capital to enhance the livability and inhabitability of affordable housing at no cost to the taxpayers or the Federal Government.

It doesn't involve any risk to the Federal Government or the taxpayer. In fact, investors take the first loss position on energy upgrades. If energy savings from these projects are not realized after private entities enter these contracts, the Federal Government does not pay anything, period.

If savings through these projects are achieved, they would lower HUD's energy expenditures by as much as 20 percent, creating tremendous savings for the taxpayer. Private entities who take on the risk to retrofit these units will receive a \$1 return for every \$1 in cost savings that are verified by a third party.

The demonstration program created by this legislation would help improve up to 20,000 HUD-assisted apartments receiving project-based rental assistance, supportive housing for the elderly, or supportive housing for persons with disabilities.

The demonstration projects will help a limited number of people at first in Florida and across the country. However, over time, once it is a proven success, more than 48,000 eligible properties in the State of Florida and the 900 units in my district alone may be able to benefit, again, at no expense to the taxpayer.

In addition to the direct economic benefits to taxpayers, these upgrades will bring meaningful health and other benefits to the families living in the buildings, creating a healthier and safer environment for residents.

I want to thank my colleagues, Representative JIM HIMES; Representative EMANUEL CLEAVER, ranking member of the subcommittee; and Representative JOHN DELANEY, for their support on this legislation.

I also want to thank Enterprise Community Partners for their support of this legislation and for the support of projects that encourage a public-private partnership in affordable housing.

I ask you join me in supporting this legislation to engage the private sector to help HUD reduce their annual \$7 billion in energy and water spending.

Ms. MAXINE WATERS of California. Mr. Speaker, I urge support, and I yield back the balance of my time.

Mr. LUETKEMEYER. Mr. Speaker, I encourage support for H.R. 2997. I think it is a great idea to, again, go into a public-private partnership and utilize that as an opportunity, again, at no cost to the taxpayers.

I yield back the balance of my time. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. LUETKEMEYER) that the House suspend the rules and pass the bill, H.R. 2997.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. LUETKEMEYER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

#### MORTGAGE SERVICING ASSET CAPITAL REQUIREMENTS ACT OF 2015

Mr. LUETKEMEYER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1408) to require certain Federal banking agencies to conduct a study of the appropriate capital requirements for mortgage servicing assets for nonsystemic banking institutions, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1408

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Mortgage Servicing Asset Capital Requirements Act of 2015".

#### SEC. 2. STUDY OF MORTGAGE SERVICING ASSETS.

(a) DEFINITIONS.—In this section:

(1) BANKING INSTITUTION.—The term "banking institution" means an insured depository institution, Federal credit union, State credit union, bank holding company, or savings and loan holding company.

(2) BASEL III CAPITAL REQUIREMENTS.—The term "Basel III capital requirements" means the Global Regulatory Framework for More Resilient Banks and Banking Systems issued by the Basel Committee on Banking Supervision on December 16, 2010, as revised on June 1, 2011.

(3) FEDERAL BANKING AGENCIES.—The term "Federal banking agencies" means the Board of Governors of the Federal Reserve System,

the Office of the Comptroller of the Currency, the Federal Deposit Insurance Corporation, and the National Credit Union Administration.

(4) MORTGAGE SERVICING ASSETS.—The term "mortgage servicing assets" means those assets that result from contracts to service loans secured by real estate, where such loans are owned by third parties.

(5) NCUA CAPITAL REQUIREMENTS.—The term "NCUA capital requirements" means the proposed rule of the National Credit Union Administration entitled "Risk-Based Capital" (80 Fed. Reg. 4340 (January 27, 2015)).

(6) OTHER DEFINITIONS.—

(A) BANKING DEFINITIONS.—The terms "bank holding company", "insured depository institution", and "savings and loan holding company" have the meanings given those terms in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813).

(B) CREDIT UNION DEFINITIONS.—The terms "Federal credit union" and "State credit union" have the meanings given those terms in section 101 of the Federal Credit Union Act (12 U.S.C. 1752).

(b) STUDY OF THE APPROPRIATE CAPITAL FOR MORTGAGE SERVICING ASSETS.—

(1) IN GENERAL.—The Federal banking agencies shall jointly conduct a study of the appropriate capital requirements for mortgage servicing assets for banking institutions.

(2) ISSUES TO BE STUDIED.—The study required under paragraph (1) shall include, with a specific focus on banking institutions—

(A) the risk to banking institutions of holding mortgage servicing assets;

(B) the history of the market for mortgage servicing assets, including in particular the market for those assets in the period of the financial crisis;

(C) the ability of banking institutions to establish a value for mortgage servicing assets of the institution through periodic sales or other means;

(D) regulatory approaches to mortgage servicing assets and capital requirements that may be used to address concerns about the value of and ability to sell mortgage servicing assets;

(E) the impact of imposing the Basel III capital requirements and the NCUA capital requirements on banking institutions on the ability of those institutions—

(i) to compete in the mortgage servicing business, including the need for economies of scale to compete in that business; and

(ii) to provide service to consumers to whom the institutions have made mortgage loans;

(F) an analysis of what the mortgage servicing marketplace would look like if the Basel III capital requirements and the NCUA capital requirements on mortgage servicing assets—

(i) were fully implemented; and

(ii) applied to both banking institutions and nondepository residential mortgage loan servicers;

(G) the significance of problems with mortgage servicing assets, if any, in banking institution failures and problem banking institutions, including specifically identifying failed banking institutions where mortgage servicing assets contributed to the failure; and

(H) an analysis of the relevance of the Basel III capital requirements and the NCUA capital requirements on mortgage servicing assets to the banking systems of other significantly developed countries.

(3) REPORT TO CONGRESS.—Not later than 180 days after the date of enactment of this Act, the Federal banking agencies shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report containing—

(A) the results of the study required under paragraph (1);

(B) any analysis on the specific issue of mortgage servicing assets undertaken by the Federal banking agencies before finalizing regulations implementing the Basel III capital requirements and the NCUA capital requirements; and

(C) any recommendations for legislative or regulatory actions that would address concerns about the value of and ability to sell and the ability of banking institutions to hold mortgage servicing assets.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. LUETKEMEYER) and the gentlewoman from California (Ms. MAXINE WATERS) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

#### GENERAL LEAVE

Mr. LUETKEMEYER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. LUETKEMEYER. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 1408, as amended. I want to thank the gentleman from Colorado (Mr. PERLMUTTER) for introducing the legislation.

Mortgage servicing assets, or MSAs, also known as mortgage servicing rights, are contracts to service mortgage loans. Historically, these assets have been held by banks and credit unions that have existing or developing relationships with their customers.

However, the Basel III negotiations dramatically changed the capital requirements for MSAs, forcing many financial institutions to sell off these assets. Many have been sold to hedge funds or other nonbanks with little to no experience in dealing directly with consumers.

In recent years, a bipartisan group of five members of the Financial Services Committee sent letters to Federal banking regulators asking whether or not they have studied MSAs or MSA performance during the financial crisis before finalizing the Basel-generated capital requirements. The answer was pretty clear; the regulators had not.

There was no consideration of MSAs, how the assets have performed historically, or the impact that higher capital would have on consumers. What is more disconcerting is MSAs exist only

in the United States. These are a uniquely American product. Nowhere else in the world do MSAs exist; yet it was international regulators who decided how these assets should be treated.

Last year, New York State superintendent of financial services Benjamin Lawsky addressed MSAs before a meeting of the Institute of International Bankers. Lawsky stated:

We are finding we are creating giant nonbank servicers who, in a couple of instances . . . are not fully prepared to deal with this exponential rise in their portfolios, and they don't have the capacity to service the loans they are taking on.

Lawsky went on to say:

While, on the one hand, we were trying to get rid of a problem, we made a different problem worse.

H.R. 1408 is a straightforward, bipartisan bill. The bill simply says that the U.S. banking regulators need to go back and study MSAs and the impact the new capital requirements will have on consumers. Given what we have seen in this space in the last year, I think it is not only appropriate but completely necessary that we take another look at MSAs.

I want to, again, thank Mr. PERLMUTTER for his work on this legislation, and I ask that my colleagues support our effort to ensure that a more methodical approach is taken by the banking regulators.

Mr. Speaker, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

During the foreclosure crisis of the last several years, we have learned how important the role of mortgage servicing is to our economy and our constituents. I am proud of the work we did in the Dodd-Frank Act and of the work that the Consumer Financial Protection Bureau continues to do to reform the practices of the mortgage servicing industry.

Unfortunately, this Congress has not been able to move legislation on broader housing finance reform. While we have left this business unfinished, there has been a large shift in the structure of the mortgage servicing industry, as nonbank servicers who are supervised by State regulators play a much larger role than they have in the past.

That is why I am supporting the good, bipartisan work Mr. PERLMUTTER and Mr. LUETKEMEYER have engaged in to make sure that State and Federal regulators are working together to understand the changes in the mortgage servicing industry and to make sure bank and nonbank services are treated appropriately under new financial rules.

This study will give regulators the information they need to monitor the impact of capital standards on the

mortgage servicing market and encourage State and Federal regulators to work together to ensure that all mortgage services are appropriately capitalized, regardless of who regulates them.

□ 1345

H.R. 1408 will ensure that regulators are paying close attention to a vital part of our housing and financial system, and I am happy that we were able to work with the majority to pass this bill.

So I thank you, and I reserve the balance of my time.

Mr. LUETKEMEYER. Mr. Speaker, I yield such time as he may consume to the gentleman from Arkansas (Mr. HILL), who is a distinguished member of our Financial Services Committee.

Mr. HILL. I thank the manager, my friend from Missouri.

Mr. Speaker, I rise today in support of H.R. 1408, the Mortgage Servicing Asset Capital Requirements Act.

Mortgage servicing is a very valued product for our community banks. I am proud to represent several mortgage service firms connected to community banks in my State of Arkansas.

Having mortgage servicing assets connected with a residential lending portfolio adds value; it is incidental and important to banking; and, effectively, it is a proper hedge, a natural hedge for that residential lending business.

However, because of Basel III's capital requirements imposed on mortgage servicing organizations, many banks are being forced to sell their MSA portfolios to hedge funds or nonbanks, which don't really have the experience with the local customers in a personal, knowledgeable way like our community banks do.

MSAs are unique, as the gentleman from Missouri said, to the United States, but they are being regulated by rules developed by an international body without any study as to whether additional capital is even needed or any review on the impact of customer relationships.

In my view, while staying implementation of these capital requirements during a study, as provided in the original version of the bill, would be optimal, it is nonetheless imperative that the impacts of this rule be thoroughly analyzed, vetted, and understood.

I thank my friends, the gentlemen from Colorado and Missouri, for their work. I ask my colleagues to support this commonsense bill.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield such time as he may consume to the gentleman from Colorado (Mr. PERLMUTTER), and I would like to thank him for the work that he has put into this legislation.

Mr. PERLMUTTER. Mr. Speaker, to my friend from California, I thank Congresswoman WATERS, Chairman HENSARLING for allowing me to bring this



forward, my friend from Missouri (Mr. LUETKEMEYER), and I appreciate the remarks of the gentleman from Arkansas (Mr. HILL).

So after years of working on this issue, I am glad to see our work is culminating with the passage of H.R. 1408 today.

The language before us today represents a compromise simply requiring the Federal banking regulators—and by those I mean the Federal Reserve, the Federal Deposit Insurance Corporation, the National Credit Union Administration, and the Office of the Comptroller of Currency—to jointly study the capital treatment of mortgage servicing assets or mortgage servicing rights, and I will say MSRs or MSAs, under the Basel III Accords. It is nearly identical to section 116 of S. 1484, offered by Chairman SHELBY in the Senate Banking Committee.

Now, it differs from the original bill passed out of the Financial Services Committee on March 26 that included language to delay the current rule while regulators conducted a study and then proposed new appropriate capital requirements for MSRs. While many of us wish the bill included those provisions, the study is what is key. The study will be an important step in informing how we proceed with future actions establishing the appropriate capital requirements for MSRs.

Now, what does H.R. 1408 require?

Under H.R. 1408, regulators will have 6 months to study and report back to Congress many outstanding questions about the mortgage servicing industry, including:

One, the risk to banks and credit unions of holding mortgage servicing assets, MSAs;

Two, how the assets performed during the financial crisis;

Three, the ability to establish a value and liquidity for MSAs;

Four, the impact of imposing Basel III capital requirements on banks versus nonbank servicers; and

Five, the impact to consumers and the ability of regulated banks to service mortgages that they originate.

The mortgage servicing industry has shifted since the financial crisis of 2008, as Congresswoman WATERS mentioned. We have seen a significant sale of MSRs and MSAs from banks to nonbanks, including to specialty servicers, private equity firms, and hedge funds.

In 2013, about \$1.03 trillion of mortgage servicing rights were sold, with a vast majority going to nonbank servicing companies. Moreover, the percentage of loans serviced by nonbanks has steadily increased from 12 percent to almost 31 percent.

Now, why is the market shifting?

While there are several factors for the growth in nonbank servicing activity, I believe the primary driver has been the capital treatment of MSAs under the Basel III Accords.

Basel III was always intended to apply to the largest, most interconnected globally active banks, but the MSA capital treatment is actually having the greatest impact on our smaller community banks.

Basel III caps the value of MSAs that depository institutions can count towards their tier 1 capital at 10 percent. Any MSAs that exceed the 10 percent threshold are subject to 100 percent risk weight, a standard that will increase to 250 percent by 2018.

Why is this a concern?

In addition to the capital treatment, there is a discrepancy between how banks and nonbank servicers are regulated. So there is additional regulation that comes down on the community banks while that same kind of regulation isn't seen by the nonbank servicers. And if there were to be another sudden market disruption or downturn, it is important we understand if nonbank mortgage servicers have the capacity or the expertise to manage defaults or modifications.

The Financial Stability Oversight Council, the FSOC, in its 2014 annual report specifically named the transfer of mortgage servicing rights to nonbanks as a "potential emerging threat."

The report says: "MSRs are increasingly being transferred to nonbank mortgage servicing companies. While the CFPB and State regulators have some authority over these companies, many of them are not currently subject to prudential standards such as capital, liquidity, or risk management."

Adam Levitin, the Democratic witness at our hearing, spoke favorably and in support of the bill, saying:

"MSRs have traditionally been an important asset class for depositories, as their value provides a countercyclical offset to mortgage origination activity, and MSR accounting is subject-enough to give depositories room to smooth their earnings."

"Basel III changes make MSRs an unattractive asset for banks."

Representative LUETKEMEYER and I have questioned whether the prudential regulators struck the right balance between limiting risk exposure and ensuring that depository institutions can still compete with the nonbank entrants in the mortgage servicing arena. From the conversations we have had with the regulators, it is clear they did not study the specific capital treatment applied to MSAs and the impacts on consumers and the market.

Banks want to continue servicing mortgages they originate and maintain these connections to their communities, as Mr. HILL mentioned. However, if the current capital requirements remain in effect, it would make it more and more difficult.

Mr. Speaker, I will place in the RECORD two letters that we have received—one dated July 13 from the

American Bankers Association, the other dated July 14 from the National Association of Federal Credit Unions—in support of H.R. 1408. I am glad that we were able to seek and reach a compromise on this bill. I urge the quick passage of H.R. 1408.

AMERICAN BANKERS ASSOCIATION,

July 13, 2015.

Re: ABA Support for H.R. 1334, H.R. 1408 and H.R. 1529

MEMBERS OF THE HOUSE OF REPRESENTATIVES: On behalf of the members of the American Bankers Association (ABA), I am writing to express our strong support for three banking related measures that are scheduled for consideration on the House suspension calendar on Tuesday, July 14.

H.R. 1334, the Holding Company Registration Threshold Equalization Act, introduced by Representatives Steve Womack (R-AR), Jim Himes (D-CT), Ann Wagner (R-MO) and John Delaney (D-MD), would extend to savings and loan holding companies (SLHCs) the Securities and Exchange Commission shareholder registration and deregistration thresholds enacted under the JOBS Act.

The JOBS Act did not expressly extend the new shareholder thresholds to savings and loan holding companies (SLHCs) as defined by the Home Owners Loan Act. However, Congress did not intend to treat SLHCs differently from bank and bank holding companies. H.R. 1334 would correct this oversight and extend the shareholder registration and deregistration requirements to SLHCs.

This bill passed the House Financial Services Committee on May 20, 2015 by a vote of 60-0 and passed the full House last Congress by an overwhelming vote of 417-4. We urge the members to once again pass this legislation.

In addition, the House will consider H.R. 1408, the Community Bank Mortgage Servicing Asset Capital Requirements Act of 2015 introduced by Representatives Ed Perlmutter (D-CO) and Blaine Luetkemeyer (R-MO). This ABA supported legislation would defer implementation of the Basel III rules on mortgage servicing assets ("MSAs") until the impact of the new rules can be studied and alternatives explored.

Many banks that make mortgage loans also engage in servicing, which primarily consists of collecting mortgage payments and forwarding them to the "owner" of the loan; collecting insurance and tax payments; and addressing problems such as late payments, delinquencies, and defaults. Banks commonly sell mortgage loans into the secondary market but retain the right to service the loan (called "servicing retained"). This strategy is an important way for banks to maintain valuable connections with their customers, while managing interest rate risk by selling long-term credit assets.

Banks are retaining less mortgage servicing due to Basel III's unfavorable capital treatment of MSAs. As a result, Basel III is unintentionally increasing the concentration of servicing held by less regulated, non-bank firms such as mortgage companies, REITs, hedge funds, and private equity firms that are not subject to the new capital restrictions. The long-term relationships that banks and their customers have established should not be penalized by Basel III's punitive capital treatment of MSAs.

Banks should be encouraged to service the loans that they make to their customers. This legislation stops the negative effects until the impact can be fully examined. The bill does not apply to the large international banks that Basel III was meant to address.



H.R. 1408 passed the House Financial Services Committee on March 26 by a strong bipartisan vote of 49–9. ABA urges strong support for this legislation.

The House will also consider H.R. 1529, the Community Institution Mortgage Relief Act of 2015, introduced by Representatives Brad Sherman (D-CA) and Blaine Luetkemeyer (R-MO). This bipartisan legislation, which passed the House Financial Services Committee by a vote of 48–10, would exempt from the escrow requirements imposed under the Dodd/Frank Act loans held by small creditors with less than \$10 billion in assets. ABA supports the legislation's expansion of the Consumer Financial Protection Bureau's (CFPB) "small servicer" exemption to include servicers that annually service 20,000 or fewer mortgage loans. These important exemptions recognize the strong history of small institutions in providing high-quality mortgage servicing, even with limited staff and resources of smaller institutions.

Given their track record, small servicers should be incentivized to continue to service mortgage loans. Unfortunately, existing regulations are having the opposite effect. The existing escrow rules have the potential to drive small creditors from the mortgage market because it is difficult, if not impossible, for them to provide escrow services in a cost effective manner. Further, imposing escrow requirements often runs counter to customer preference as many mortgage customers prefer to pay tax and insurance bills on their own and not establish escrow accounts. Without the exemptions provided in this legislation, customers of smaller institutions will face higher costs to offset the cost of compliance for a service which they do not in some cases even want. Worse, some customers will face fewer credit choices as small local lenders choose to exit the mortgage market rather than incur the added staffing and technical expenses of adding escrow services. This is an important piece of legislation and ABA urges the House to pass H.R. 1529.

JAMES BALLENTINE,  
*Executive Vice President, Congressional  
Relations and Political Affairs.*

NATIONAL ASSOCIATION OF  
FEDERAL CREDIT UNIONS,  
*Arlington, VA, July 14, 2015.*

Re: Support for the Mortgage Servicing  
Asset Capital Requirements Act of 2015  
(H.R. 1408)

Hon. JOHN BOEHNER,  
*Speaker, House of Representatives,  
Washington, DC.*

Hon. NANCY PELOSI,  
*Minority Leader, House of Representatives,  
Washington, DC.*

DEAR SPEAKER BOEHNER AND LEADER PELOSI: On behalf of the National Association of Federal Credit Unions (NAFCU), the only trade association exclusively representing the federal interests of our nation's federally insured credit unions, I write today to urge your support of the Mortgage Servicing Asset Capital Requirements Act of 2015 (H.R. 1408), as amended, when it comes to the House floor. This bipartisan measure introduced by Representatives Perlmutter and Luetkemeyer would, among other things, ensure that the National Credit Union Administration (NCUA) study its second risk-based capital proposal's impact on credit union mortgage servicing assets.

As you know, NAFCU has concerns about many aspects of the NCUA's risk-based capital proposal including the portion relative to mortgage servicing assets which has a

risk weight of 250 percent. NAFCU believes this is artificially high and a risk weight of 150 percent is more appropriate. This portion of the proposal is indicative of much larger issues with NCUA's proposal and NAFCU continues to believe it is a solution in search of a problem. In short, this entire proposal should be withdrawn until adequate cost-benefit analysis is done to determine the impact it will have on credit union lending and job creation. While NAFCU does not oppose a risk-based capital regime for credit unions, it must be done properly through statute with ample Congressional input.

Not only does NAFCU urge passage of H.R. 1408 to look at the mortgage servicing assets portion of the NCUA's risk-based capital proposal, but we also encourage the House to support and schedule action on the Risk-Based Capital Study Act of 2015 (H.R. 2769). This bipartisan legislation, introduced by Representatives Fincher, Posey and Denny Heck, would require NCUA to study the full impact of the entire risk-based capital proposal on credit unions and report back to Congress before taking any final action on the proposal.

Again, thank you for scheduling the consideration of the Mortgage Servicing Asset Capital Requirements Act (H.R. 1408) on the floor this week. We urge strong support for this legislation and hope the appropriate capital requirements for credit unions continue to be a focus in the House during this Congress.

Sincerely,

BRAD THALER,  
*Vice President of Legislative Affairs.*

Ms. MAXINE WATERS of California.  
Mr. Speaker, I yield back the balance of my time.

Mr. LUETKEMEYER. Mr. Speaker, I just want to reiterate my support and thanks for the hard work of the gentleman from Colorado. He has been a leader on this issue, and certainly it has been a pleasure to work with him.

I urge passage of H.R. 1408, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. LUETKEMEYER) that the House suspend the rules and pass the bill, H.R. 1408, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to require certain Federal banking agencies to conduct a study of the appropriate capital requirements for mortgage servicing assets for banking institutions, and for other purposes."

A motion to reconsider was laid on the table.

#### SBIC ADVISERS RELIEF ACT OF 2015

Mr. LUETKEMEYER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 432) to amend the Investment Advisers Act of 1940 to prevent duplicative regulation of advisers of small business investment companies.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 432

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "SBIC Advisers Relief Act of 2015".

#### SEC. 2. ADVISERS OF SBICS AND VENTURE CAPITAL FUNDS.

Section 203(l) of the Investment Advisers Act of 1940 (15 U.S.C. 80b-3(l)) is amended—

(1) by striking "No investment adviser" and inserting the following:

"(1) IN GENERAL.—No investment adviser"; and

(2) by adding at the end the following:

"(2) ADVISERS OF SBICS.—For purposes of this subsection, a venture capital fund includes an entity described in subparagraph (A), (B), or (C) of subsection (b)(7) (other than an entity that has elected to be regulated or is regulated as a business development company pursuant to section 54 of the Investment Company Act of 1940)."

#### SEC. 3. ADVISERS OF SBICS AND PRIVATE FUNDS.

Section 203(m) of the Investment Advisers Act of 1940 (15 U.S.C. 80b-3(m)) is amended by adding at the end the following:

"(3) ADVISERS OF SBICS.—For purposes of this subsection, the assets under management of a private fund that is an entity described in subparagraph (A), (B), or (C) of subsection (b)(7) (other than an entity that has elected to be regulated or is regulated as a business development company pursuant to section 54 of the Investment Company Act of 1940) shall be excluded from the limit set forth in paragraph (1)."

#### SEC. 4. RELATIONSHIP TO STATE LAW.

Section 203A(b)(1) of the Investment Advisers Act of 1940 (15 U.S.C. 80b-3A(b)(1)) is amended—

(1) in subparagraph (A), by striking "or" at the end;

(2) in subparagraph (B), by striking the period at the end and inserting "; or"; and

(3) by adding at the end the following: "(C) that is not registered under section 203 because that person is exempt from registration as provided in subsection (b)(7) of such section, or is a supervised person of such person."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. LUETKEMEYER) and the gentlewoman from California (Ms. MAXINE WATERS) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

#### GENERAL LEAVE

Mr. LUETKEMEYER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. LUETKEMEYER. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 432, the SBIC Advisers Relief Act. This legislation allows for commonsense changes that will ultimately allow for

greater small business capital formation and job creation.

The SBIC Advisers Relief Act streamlines the registration and reporting requirements for advisers to small business investment companies, or SBICs. These are advisers to investment funds that make long-term investments in United States small businesses and have to the tune of more than \$63 billion since 1958.

SBICs are heavily regulated and closely supervised by the U.S. Small Business Administration, and they have been for more than 55 years. The existing regulatory regime surrounding SBICs includes an in-depth examination of management, strong investment rules, numerous operation requirements, recordkeeping, examination and reporting mandates, and conflict of interest rules. These entities and the management of these entities are anything but unregulated.

This robust regulatory framework has been well-recognized by Congress. The intent of Congress in including certain exemptions in Dodd-Frank was to reduce the regulatory burden on smaller funds and SBICs. However, the law has resulted in some unintended consequences that need to be addressed.

The SBIC Advisers Relief Act does three things:

One, it allows advisers that jointly advise SBICs and venture funds to be exempt from registration, combining two separate exemptions that exist: one for advisers of SBICs and a separate one for advisers of venture funds;

Two, it excludes SBIC assets from the SEC's assets under management threshold calculation; and

Three, it exempts from State regulation advisers of SBIC funds with less than \$90 million in assets under management, leaving those entities to be regulated by the SBA, as they are today.

Mr. Speaker, I think we can all agree that these changes are common sense. This legislation is not only broadly bipartisan, but it also includes changes suggested by the SEC.

Most importantly, the bill is comprised of sensible provisions that prevent redundant regulatory mandates and allow for greater investment in America's small businesses.

The Financial Services Committee has thoroughly examined this bipartisan legislation in both a legislative hearing and a markup. H.R. 432 passed the committee by a vote of 53-0 in May. Identical legislation passed the House last year by a voice vote.

I want to thank the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) for her help on the bill.

I urge support of H.R. 432, and I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am once again pleased to support this bill related to small business capital formation. This legislation has broad bipartisan support and clarifies the intent of Congress when we passed Dodd-Frank.

H.R. 432, which Representatives LUETKEMEYER and MALONEY worked on in a bipartisan fashion, exempts advisers to small business investment companies, or SBICs, from registration with the SEC in cases where they are inappropriately being required to do so.

Under the Dodd-Frank Act, Congress explicitly exempted advisers to SBIC funds and advisers to venture capital funds from registration. However, the SEC has interpreted the language in the act as still requiring registration if a fund's adviser advises both.

□ 1415

This, to me, is not consistent with the act, and I applaud the authors of this bill for solving this problem.

This bill would also exclude SBIC fund assets from the calculation of fund assets triggering the \$150 million registration threshold, another provision I believe is reasonable.

The SBIC program was created in 1958 to help small businesses grow. It is a self-funded program and has provided needed capital to communities via the partnership between the Small Business Administration and private businesses.

I am also comfortable with the exemptions provided in this legislation because the SBA actively oversees SBICs, ensures compliance, and restricts leverage. I am pleased that we are able to work together in this committee to ensure the continued vitality of this longstanding program.

Last Congress, I met with an SBIC located just outside of my district, Escalate Capital Partners, which finances technology firms. Since 2010, the firm has financed 27 companies and increased its payroll by 2,000 jobs.

However, this firm is being inadvertently caught up in unnecessary SEC registration because, with SBIC assets under management being counted, it exceeds the \$150 million exemption threshold we established in Dodd-Frank.

Without undermining the key systemic risk and investment protection requirements we established under Dodd-Frank, H.R. 432 provides Escalate Capital Partners and similarly situated SBICs with targeted relief.

So I applaud the bipartisan coauthors and urge Members to support this bill. I reserve the balance of my time.

Mr. LUETKEMEYER. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. GARRETT), a member of the Financial Services Committee and distinguished chairman of the Capital Markets and Government Sponsored Enterprises Subcommittee.

Mr. GARRETT. Mr. Speaker, I rise in support of H.R. 432, the SBIC Advisers Relief Act.

First I want to say thank you to the gentleman from Missouri (Mr. LUETKEMEYER) for his hard work and leadership on this issue, among others, and on the legislation, which passed out of the Financial Services Committee unanimously this past May.

And what would it do? It would fix yet another unintended consequence of the Dodd-Frank Act, an interpretation of the bill that would require unnecessary and costly registration of investment advisers who all play a very critical role in our economy today.

You see, the Dodd-Frank Act amended the private fund exemption under the Advisers Act to include an explicit exemption for advisers to both venture capital funds as well as advisers to Small Business Investment Companies, SBICs.

Whatever the merits of changing the private fund exemption in this way, Congress very clearly intended to exempt advisers to such funds from the burdens and the added costs associated with yet another SEC registration.

Unfortunately, due to the way the legislation text has been interpreted, someone who happens to advise both a venture capital fund and, also, an SBIC is being required now to also register with the SEC. This makes absolutely no sense and is clearly contradictory to the statutory language.

There is no valid argument or reason to require an adviser to register simply because they happen to advise both a venture capital fund and an SBIC. You see, such a requirement would not in any way enhance investor protection or promote capital formation.

It is also important to note that SBICs are already overseen and examined by the Small Business Administration; so registration with the SEC would not only be unnecessary, but duplicative as well.

So why is all of this important? Why do we have the legislation here today? Well, according to the Small Business Investor Alliance, initial registration costs with the SEC are estimated to be in excess of \$100,000 a year and annual costs can run up to \$250,000 a year. That is money. That is money that could otherwise be used for salaries and hiring more people and in helping the economy.

In conclusion, it is important to keep in mind that the small businesses that we are talking about often don't have an array of lawyers or compliance specialists to deal with registration and oversight from the SEC. Oftentimes these are businesses that only have a handful of employees.

Again, I thank the gentleman from Missouri (Mr. LUETKEMEYER) and all my colleagues on the other side of the aisle on the Financial Services Committee who support this. I urge passage of the underlying bill.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield such time as she may consume to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. I thank the ranking member for yielding and for her leadership on this committee and in so many other areas.

Mr. Speaker, I rise today in support of H.R. 432, the SBIC Advisers Relief Act. And I am pleased to be an original sponsor of this bill along with my colleague, the gentleman from Missouri (Mr. LUETKEMEYER), a tremendous leader on the Financial Services Committee not only on this bill, but in so many other areas.

The SBIC Advisers Relief Act fixes a truly unintended consequence of Dodd-Frank. Under Dodd-Frank, an investment adviser that only advises a venture capital fund is exempt from SEC registration.

Likewise, an investment adviser that only advises Small Business Investment Companies, or SBICs, is also exempt. But an investment adviser that advises both a venture capital fund and an SBIC is not exempt for some reason.

This makes no sense, and it provides no additional protections for investors. Moreover, it discourages investment advisers who may have experience advising successful venture capital funds that have invested in larger, more mature enterprises from bringing their expertise to SBICs who want to invest in similar startups. This ultimately restricts small businesses' access to much-needed investment capital.

Our bill fixes this problem by clarifying that investment advisers that advise both venture funds and SBICs are also exempt from SEC registration.

This fix does not pose any investor protection concerns because SBICs are already subject to strict oversight by the Small Business Administration, which supports SBICs by providing a guarantee on funds used by SBICs to invest in other small businesses.

The SBIC program has a long history of success and has provided early-stage financing for companies that have since grown to become worldwide icons, such as Apple, Intel, and Staples.

This bill is identical to a bill that passed the House by voice vote last Congress, and it passed unanimously in the Financial Services Committee earlier this year. I, therefore, urge my colleagues to support H.R. 432.

Mr. LUETKEMEYER. Mr. Speaker, I yield such time as he may consume to the gentleman from Arkansas (Mr. HILL), who is a member of the Financial Services Committee.

Mr. HILL. I thank Chairman LUETKEMEYER.

Mr. Speaker, I rise today in support of H.R. 432, the SBIC Advisers Relief Act. This commonsense bill eliminates costly, confusing, and duplicative regulations by State and Federal governments on Small Business Investment

Companies, SBICs, like Diamond State Ventures and McLarty Capital Partners in Little Rock, Arkansas, by correcting the unintended consequence of drafting in the Dodd-Frank Act.

Diamond State, which was named SBIC of the year in 2011 by the Small Business Administration, has made over 18 investments in small businesses in my State, employing over 2,300 Arkansans and investing over \$40 million in Arkansas businesses.

SBICs are already heavily regulated by the SBA and provide significant, long-term investments in small businesses across the USA.

While Dodd-Frank exempted advisers that solely advise SBIC funds from registering with the SEC, it was silent on the concept of State regulation of Federally licensed SBIC funds, creating confusion and requiring this action today. It is going to save money, legal fees, accounting fees, and make our SBICs much more cost-effective.

With that, I thank Chairman LUETKEMEYER and our colleagues for their work on this issue and urge my colleagues to support the bill.

Ms. MAXINE WATERS of California. Mr. Speaker, I have no additional speakers.

I yield back the balance of my time.

Mr. LUETKEMEYER. Mr. Speaker, I just want to thank the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) for her hard work in helping cosponsor this bill, Ranking Member WATERS, as well as the gentleman from Arkansas (Mr. HILL) and the gentleman from New Jersey (Mr. GARRETT) for their support and kind words. I ask for support for H.R. 432.

I yield back the balance of my time.

The SPEAKER pro tempore (Mr. DUNCAN of Tennessee). The question is on the motion offered by the gentleman from Missouri (Mr. LUETKEMEYER) that the House suspend the rules and pass the bill, H.R. 432.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### HOLDING COMPANY REGISTRATION THRESHOLD EQUALIZATION ACT OF 2015

Mr. HURT of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1334) to amend the Securities Exchange Act of 1934 to make the shareholder threshold for registration of savings and loan holding companies the same as for bank holding companies.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1334

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Holding Company Registration Threshold Equalization Act of 2015".

#### SEC. 2. REGISTRATION THRESHOLD FOR SAVINGS AND LOAN HOLDING COMPANIES.

The Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) is amended—

(1) in section 12(g)—

(A) in paragraph (1)(B), by inserting after "is a bank" the following: "a savings and loan holding company (as defined in section 10 of the Home Owners' Loan Act);"; and

(B) in paragraph (4), by inserting after "case of a bank" the following: "a savings and loan holding company (as defined in section 10 of the Home Owners' Loan Act);"; and

(2) in section 15(d), by striking "case of bank" and inserting the following: "case of a bank, a savings and loan holding company (as defined in section 10 of the Home Owners' Loan Act);".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. HURT) and the gentlewoman from California (Ms. MAXINE WATERS) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

#### GENERAL LEAVE

Mr. HURT of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. HURT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1334, the Holding Company Registration Threshold Equalization Act.

I would like to thank Representatives WOMACK, HIMES, WAGNER, and DELANEY for their bipartisan work to achieve a unanimous vote in the Financial Services Committee.

H.R. 1334 provides a technical correction to the JOBS Act in the truest sense of the term. The JOBS Act updated the shareholder threshold for bank holding companies to register and deregister under the Securities Exchange Act to 2,000 shareholders and 1,200 shareholders respectively.

However, due to a technical oversight, the statute did not specifically extend the same treatment to savings and loan holding companies, despite their being similarly organized to bank holding companies.

Since the enactment of the JOBS Act, dozens of bank holding companies have taken advantage of these provisions while savings and loan holding companies have been forced to wait for action from Congress to correct the error.

By putting savings and loan holding companies on par with banks, H.R. 1334 provides these institutions the same flexibility as banks to reduce their

SEC-related compliance costs and better deploy capital throughout their communities. H.R. 1334 is identical to legislation that received 417 votes in the House last Congress.

I ask my colleagues to join me in supporting this commonsense, bipartisan legislation.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is my understanding that this bill addresses an oversight in the JOBS Act that established new, higher thresholds for registration, termination of registration, and suspension of public reporting for banks and bank holding companies, but not for savings and loan companies.

In the JOBS Act, we recognized that banks and bank holding companies were inadvertently becoming public companies by virtue of their securities being distributed to a larger number of shareholders than permitted under the securities laws, even though these institutions were largely held within their own communities.

Accordingly, we provided banks and bank holding companies with regulatory relief by raising the thresholds that trigger public company reporting.

H.R. 1334 would extend this relief to savings and loan companies which, like banks and bank holding companies, are still subject to mandatory public reporting requirements by the banking regulators; so information will continue to be available to shareholders and the public.

Last Congress, we passed this non-controversial bill out of committee and on the House floor. Since that time, the Securities and Exchange Commission has, under its own authority, proposed to extend the JOBS Act provision to savings and loan companies.

□ 1415

The SEC estimates that approximately 90 of the 125 savings and loan holding companies that have a class of registered securities would be eligible to terminate registration or suspend reporting under its proposal.

I am pleased to support this bill, which will extend the benefits we provide in the JOBS Act to those 90 companies that represent an additional class of community banks.

Mr. Speaker, I reserve the balance of my time.

Mr. HURT of Virginia. Mr. Speaker, I yield such time as he may consume to the gentleman from Arkansas (Mr. WOMACK).

Mr. WOMACK. Mr. Speaker, I thank the manager of this legislation for the time. I would like to also thank Chairman HENSARLING and the entire Financial Services Committee for, yet again, ensuring that this bill, the Holding Company Registration Threshold Equalization Act, is put in front of the full House and sent on to the Senate.

I would also like to express my gratitude to my colleagues on both sides of the aisle, Representative HIMES, Representative WAGNER, and Representative DELANEY, for their continued efforts to codify this necessary JOBS Act clarification.

Mr. Speaker, this is the third time that I have come to the floor to speak on this truly bipartisan bill, and it is unfortunate that we are still without a successful resolution to the problem because we can all agree that small community banks and savings and loan holding companies were not the cause of the financial crisis. They shouldn't be treated as if they were.

That is exactly why the House and Senate eliminated some of the unnecessary burdens placed on our small lenders by passing the JOBS Act in the 112th Congress. However, the JOBS Act, which raised the registration threshold and decreased deregistration threshold for bank holding companies, unfortunately didn't explicitly do so for savings and loan holding companies as well. Mr. Speaker, this was an oversight.

Thanks to the oversight, savings and loan holding companies are still having to spend their resources to comply with regulations intended for larger banks, instead of sharing the same ability bank and bank holding companies have been granted to focus on serving the lending needs of their communities.

A cosponsor of the JOBS Act, I can say with absolute certainty that excluding savings and loan holding companies was not our intent. H.R. 1334 would correct this oversight and would simply ensure that savings and loan holding companies are treated in the same manner as bank and bank holding companies, something my colleagues confidently affirmed when this bill passed in the 113th Congress 417-4.

Mr. Speaker, they say the third time is the charm. I am hopeful that, with the Senate's newfound leadership, we will finally get this bill where it needs to be, on the President's desk.

I urge my colleagues to help me get it there by supporting the passage of H.R. 1334.

Ms. MAXINE WATERS of California. Mr. Speaker, I am very pleased to stand here with my colleagues on both sides of the aisle today to support so many pieces of legislation that have come out of the Financial Services Committee.

I have always said with Dodd-Frank, where there were technical problems or oversights or unintended consequences, that I would work with my colleagues on the opposite side of the aisle, and much of what you see here today, that is what we have done.

Just as there may have been some unintended consequences in Dodd-Frank, we find that with the JOBS Act, there were unintended consequences;

and certainly, I stand with them in correcting those. It could happen in any legislation; we know that. This is an example of that. I am very, very pleased to support this legislation today.

I reserve the balance of my time at this moment.

Mr. HURT of Virginia. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. GARRETT), the chairman of the Capital Markets Subcommittee.

Mr. GARRETT. Mr. Speaker, I thank the gentleman for his work on this. I also thank Mr. WOMACK and Mr. HIMES of Connecticut for all of their work on H.R. 1334.

I am thankful for the great bipartisan message that we just heard from the ranking member as well on the JOBS Act, and I will look forward to working with her even more for those technical corrections on the Dodd-Frank piece of legislation. I am looking forward to doing that going forward.

As she says, there is little doubt that the JOBS Act did have a positive impact upon our economy, as evidenced by the boost in initial public offerings since 2012 and the number of companies, both public and private, that are taking advantage of some of the law's provisions right now.

Title VI of the JOBS Act included an important provision that the gentleman talked about, that increased the outdated shareholder thresholds that determined just when banks and bank holding companies have to register with the SEC.

These thresholds, by the way, they have been around for a long time. They haven't been changed for over four decades. What they were doing is they were basically forcing the smaller companies, the small banks, to register as full reporting companies with the SEC, and that is really a very costly burden on them. It is very often the case that it is inappropriate for small lenders who are already regulated and examined by a series of bank regulators.

As the gentleman points out, we had a slight oversight in the drafting of the JOBS Act. The SEC, at first, they did not include savings and loans companies under the updated threshold; and this made no sense, particularly when considering that S&Ls perform largely the same functions as banks and are overseen by the same regulators.

With few exceptions, S&Ls tend to be generally small institutions that serve the local communities. This registration with the SEC would have had the ultimate effect of raising the cost of lending to families and small businesses.

This would be the exact opposite of what the JOBS Act intended. The underlying legislation would make a technical correction to the JOBS Act.

It would ensure that the S&Ls are able to take advantage of the new provisions of the law.

One final point, while the SEC, last December, proposed to include S&Ls under the new thresholds, a regulation that can be taken away at any moment is no substitute for what we have here, statutory text. Congress has a clear role here to step in and fix the issue.

Again, I thank Mr. WOMACK and Mr. HIMES for their work in fixing that issue; and I urge passage of the underlying legislation.

Ms. MAXINE WATERS of California. Mr. Speaker, I have no additional speakers.

I yield back the balance of my time.

Mr. HURT of Virginia. Mr. Speaker, I want to thank the chairman of the Subcommittee on Capital Markets for his leadership on this. I want to thank the ranking member for her spirit of bipartisan cooperation in fixing this part of the JOBS Act.

In conclusion, it is my hope that this House will pass this good, commonsense measure.

Mr. Speaker, I yield back the balance of my time.

Mr. CARTER of Georgia. Mr. Speaker, I rise today in support of H.R. 1334, the Holding Company Registration Threshold Equalization Act of 2015.

In 2012, Congress raised the threshold number of shareholders a bank can have before they must register with Securities and Exchange Commission from 500 to 2,000.

At the same time, Congress raised the threshold for bank shareholders from 300 to 1,200 before a bank could deregister for the Securities and Exchange Commission and convert to a private bank.

However, due to a drafting oversight, these raised thresholds currently do not apply to savings and loan institutions.

These institutions are vital for the continued development and growth of our economy.

For a large segment of American homeowners, savings and loan institutions are the primary source of financial assistance for purchasing a home.

Some would say that the structure in which these companies are built is the same structure that our country was built. They are generally locally owned and privately managed; and communities use these businesses as a savings institution and use these funds to help other individuals in the community construct, purchase, repair, or refinance their home.

With a locally owned, community driven foundation, it is wrong to subject these businesses to the same level of oversight and regulation as a large bank without affording them the same registration and deregistration thresholds.

I support this bill because I believe Congress must use every effort to build up the American people on a local level. We are not going to grow our economy from Washington, D.C., but we can create an environment on a state and local level that empowers Americans to grow themselves.

I would like to thank my colleague from Arkansas, Mr. WOMACK, for his hard work on this

issue and I urge my colleagues to support this bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. HURT) that the House suspend the rules and pass the bill, H.R. 1334.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### SMALL COMPANY SIMPLE REGISTRATION ACT OF 2015

Mr. HURT of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1723) to direct the Securities and Exchange Commission to revise Form S-1 so as to permit smaller reporting companies to use forward incorporation by reference for such form.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1723

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Small Company Simple Registration Act of 2015”.

#### SEC. 2. FORWARD INCORPORATION BY REFERENCE FOR FORM S-1.

Not later than 45 days after the date of the enactment of this Act, the Securities and Exchange Commission shall revise Form S-1 so as to permit a smaller reporting company (as defined in section 230.405 of title 17, Code of Federal Regulations) to incorporate by reference in a registration statement filed on such form any documents that such company files with the Commission after the effective date of such registration statement.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. HURT) and the gentlewoman from California (Ms. MAXINE WATERS) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

#### GENERAL LEAVE

Mr. HURT of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. HURT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1723, the Small Company Simple Registration Act. I would like to thank Representative WAGNER and Representative SEWELL for their efforts to successfully move this legislation through the Financial Services Committee on a unanimous, bipartisan vote.

H.R. 1723 simplifies the registration process by amending the SEC’s form S-

1 registration statement, the basic registration form for new securities offerings, to allow smaller reporting companies to incorporate by reference any documents filed with the SEC after the effective date of the form S-1.

This forward incorporation by reference eliminates the need for filing excessive paperwork with each subsequent filing, thereby lowering compliance costs associated with filing redundant paperwork. Streamlining this requirement allows eligible companies to direct more resources to growing their business.

H.R. 1723 is consistent with the recommendations of the SEC’s Government-Business Forum on Small Business Capital Formation final report and has been endorsed by several witnesses before the Capital Markets Subcommittee.

For example, Tom Quaadman of the United States Chamber of Commerce testified that, by enacting H.R. 1723, smaller companies can use forward incorporation as a way to streamline disclosures and get the information to investors without repetitive disclosures. He went on to say that the explosion of disclosures for smaller companies isn’t providing material information to investors.

Additionally, Professor John Coffee with Columbia University Law School previously testified that, for some time, the SEC’s Government-Business Forum on Small Business Capital Formation has called for changes to permit smaller reporting companies that have filed a form S-1 to incorporate, by reference, documents filed with the SEC. I believe this one does have real efficiency justifications and could help smaller issuers.

H.R. 1723 is a commonsense update to our securities laws that will more appropriately tailor their requirement for smaller companies. I ask my colleagues to join me in supporting H.R. 1723.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 1723, the Small Company Simple Registration Act of 2015 is a commonsense provision to help smaller companies avoid having to obtain an audit related to a filing that is itself already audited. The bill would no longer require a company to amend its registration statement when it issues a quarterly or annual filing.

Although one witness noted the concern that all information would no longer be reflected in a single document, she recommended that the SEC’s public filing system be improved and that the issuer be required to post the registration statement on its Web site, complete with hyperlinks to the documents that are incorporated by reference. This seems like a reasonable approach. I believe that the SEC can do both and likely would if H.R. 1723 is passed.

This one change has the potential to help companies save \$10,000, and with all SEC filings able to be quickly found online, it does not diminish investor protections in any way.

Last Congress, this provision was unfortunately attached to a larger bill that did not make a lot of sense. I am glad to see it has now been offered on its own, as I think it now has a much better likelihood of moving to the President's desk. I certainly support the adoption of this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. HURT of Virginia. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Missouri (Mrs. WAGNER), who is the author of this bill.

Mrs. WAGNER. Mr. Speaker, I thank my colleague, Mr. HURT, for yielding.

I am glad that the House is taking up H.R. 1723, the Small Company Simple Registration Act, which will take a much-needed step in helping remove financial barriers and make it more efficient for small businesses to go public.

This bipartisan legislation, which I have sponsored with Ms. TERRI SEWELL from Alabama and which was approved by the House Financial Services Committee on a completely unanimous vote of 60-0, would make a simple change in the basic registration form for new securities offerings, the form S-1.

Specifically, it would allow smaller reporting companies to incorporate by reference any documents filed with the SEC after the effective date, which means that those companies will not have to go through the trouble of re-filing the form S-1 again and again.

□ 1430

This will have a profound impact on these small companies by cutting compliance costs, as they will not have to file redundant paperwork and wait on the SEC to approve their filing in order to raise capital and grow their small business.

Small companies are increasingly leading the way in terms of technological innovation and job creation but consistently struggle with finding adequate access to capital in order to grow their business. It is a fact that small businesses are the main driver of economic growth in our country, as they create more jobs than any other business sector in America.

In fact, the Kauffman Foundation, which is a nonprofit economic resource organization based in Kansas City, Missouri, estimated in 2010 that startups create an average of 3 million jobs annually and stated: "Without startups, there would be no net job growth in the U.S. economy." It is clear that we must empower small businesses with every avenue to grow and, therefore, create jobs.

For many small businesses looking to take the next step in expanding,

going public is an attractive option that grants them access to the capital markets and allows them to issue stock to a wider range of investors. However, the "price of admission" for this avenue to raising capital is continually increasing through the amount of compliance and red tape required. For many, it simply is not worth it.

Indeed, our securities laws are structured today in a way that favors large companies over small startups, which are struggling to gain market share, by increasingly requiring more legal compliance and providing exemptions for companies over certain revenue thresholds.

The JOBS Act from 2012 made many improvements to this system and provided small companies additional access to the equity markets. My bill, the Small Company Simple Registration Act, expands upon the progress of the JOBS Act by making securities registration forms more efficient for the main driver of our economy, small business.

During a hearing before the House Financial Services Committee earlier this year, a representative of BIO, Mr. Kovacs from PTC Therapeutics, testified about their experiences with doing a follow-on offering inside of a year of their IPO using form S-1. Ultimately, they had to go and update the entire S-1, which is a process that took weeks of work and required help from outside legal counsel.

If the "forward incorporation by reference" provision from H.R. 1723 had been in place, they could simply include a reference to any additional documentation filed alongside their original S-1 form, which would have taken much less time and required significantly less legal help.

Additionally, investors would still be protected by having access to all needed information from the S-1 form, as well as any additional documentation.

I would like to close by urging support for this commonsense and strong bipartisan piece of legislation that would streamline the paperwork that small businesses are required to file. This is something that the SEC's own working group on small business capital formation has recommended for several years now, but which the SEC itself has failed to act upon.

Furthermore, this piece of legislation passed the committee earlier this year on a unanimous vote 60-0.

I urge passage of this legislation.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

I am pleased to also support this legislation. This bipartisan legislation is another example of how we can work together on the Financial Services Committee on behalf of small businesses in this country.

Both Democrats and Republicans have said over and over again that we

must do everything that we can to support our small businesses. That is from capital formation to making sure that we get rid of bureaucratic rules and regulations.

Again, this is another great example of that, and I am pleased to be a part of that.

Mr. Speaker, I yield back the balance of my time.

Mr. HURT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

I would, again, like to thank the ranking member for working together on this piece of bipartisan legislation.

I also want to thank the chairman, Chairman HENSARLING, as well as Representative WAGNER and Representative SEWELL, for their laser focus on streamlining SEC regulations that are unnecessary and costly while still maintaining a rock-solid commitment to investor protection. It is my hope the House will adopt this measure.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. HURT) that the House suspend the rules and pass the bill, H.R. 1723.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HURT of Virginia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

#### SWAP DATA REPOSITORY AND CLEARINGHOUSE INDEMNIFICATION CORRECTION ACT OF 2015

Mr. HURT of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1847) to amend the Securities Exchange Act of 1934 and the Commodity Exchange Act to repeal the indemnification requirements for regulatory authorities to obtain access to swap data required to be provided by swaps entities under such Acts, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1847

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Swap Data Repository and Clearinghouse Indemnification Correction Act of 2015".

#### SEC. 2. REPEAL OF INDEMNIFICATION REQUIREMENTS.

(a) DERIVATIVES CLEARING ORGANIZATIONS.—Section 5b(k)(5) of the Commodity Exchange Act (7 U.S.C. 7a-1(k)(5)) is amended to read as follows:

"(5) CONFIDENTIALITY AGREEMENT.—Before the Commission may share information with



any entity described in paragraph (4), the Commission shall receive a written agreement from each entity stating that the entity shall abide by the confidentiality requirements described in section 8 relating to the information on swap transactions that is provided.”.

(b) SWAP DATA REPOSITORIES.—Section 21 of such Act (7 U.S.C. 24a) is amended—

(1) in subsection (c)(7)—

(A) in the matter preceding subparagraph (A), by striking “all” and inserting “swap”; and

(B) in subparagraph (E)—

(i) in clause (ii), by striking “and” at the end; and

(ii) by adding at the end the following:

“(iv) other foreign authorities; and”;

(2) by striking subsection (d) and inserting the following:

“(d) CONFIDENTIALITY AGREEMENT.—Before the swap data repository may share information with any entity described in subsection (c)(7), the swap data repository shall receive a written agreement from each entity stating that the entity shall abide by the confidentiality requirements described in section 8 relating to the information on swap transactions that is provided.”.

(c) SECURITY-BASED SWAP DATA REPOSITORIES.—Section 13(n)(5) of the Securities Exchange Act of 1934 25 (15 U.S.C. 78m(n)(5)) is amended—

(1) in subparagraph (G)—

(A) in the matter preceding clause (i), by striking “all” and inserting “security-based swap”; and

(B) in subclause (v)—

(i) in subclause (II), by striking “; and” and inserting a semicolon;

(ii) in subclause (III), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(IV) other foreign authorities.”; and

(2) by striking subparagraph (H) and inserting the following:

“(H) CONFIDENTIALITY AGREEMENT.—Before the security-based swap data repository may share information with any entity described in subparagraph (G), the security-based swap data repository shall receive a written agreement from each entity stating that the entity shall abide by the confidentiality requirements described in section 24 relating to the information on security-based swap transactions that is provided.”.

(d) EFFECTIVE DATE.—The amendments made by this Act shall take effect as if enacted as part of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111-203) on July 21, 2010.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. HURT) and the gentlewoman from California (Ms. MAXINE WATERS) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

#### GENERAL LEAVE

Mr. HURT of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. HURT of Virginia. Mr. Speaker, I ask unanimous consent to yield all re-

maining time to the gentleman from Georgia (Mr. AUSTIN SCOTT) and ask unanimous consent that he be allowed to control the time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 1847, the Swap Data Repository and Clearinghouse Indemnification Correction Act of 2015.

I want to thank Mr. HURT and Chairman HENSARLING for allowing the Agriculture Committee to manage time with them today. The members of our committee have always appreciated the close working relationship that we have with the Financial Services Committee on these financial and regulatory issues.

H.R. 1847 is a targeted correction to remove barriers to information sharing. Dodd-Frank currently requires indemnification agreements from foreign regulators requesting information from U.S. swap data repositories or derivatives clearing organizations.

The agreements state that the foreign regulators will abide by certain confidentiality requirements and indemnify the U.S. commissions for any expenses arising from litigation relating to the request for information.

Unfortunately, the concept of indemnification does not exist in many foreign jurisdictions. Therefore, some foreign regulators cannot agree to these requirements. This may hinder our ability to make workable data sharing arrangements with those regulators and, ultimately, fragment the marketplace by encouraging them to establish their own data repositories.

H.R. 1847 addresses this potential data sharing problem by removing the indemnification requirements from current law, while maintaining existing provisions requiring confidentiality obligations.

This technical correction has been a longstanding priority for Congress. Similar legislation passed the House in the 113th Congress by a vote of 420-2 and passed the House again this year as part of H.R. 37, the Promoting Job Creation and Reducing Small Business Burdens Act.

Additionally, this identical language was included in H.R. 2289, the Commodity End-User Relief Act, after a small technical change was offered by Ms. MOORE and Mr. CRAWFORD and accepted by the House.

I urge my colleagues to join me in supporting H.R. 1847 to ensure that regulators and market participants have access to a global set of swap market data.

I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON AGRICULTURE,  
Washington, DC, July 13, 2015.

Hon. JEB HENSARLING,  
Chairman, Committee on Financial Services,  
House of Representatives, Washington, DC.

DEAR CHAIRMAN HENSARLING: I am writing concerning H.R. 1847, the “Swap Data Repository and Clearinghouse Indemnification Correction Act of 2015.”

This legislation contains provisions within the Committee on Agriculture’s Rule X jurisdiction. As a result of your having consulted with the Committee and in order to expedite this bill for floor consideration, the Committee on Agriculture will forego action on the bill. This is being done on the basis of our mutual understanding that doing so will in no way diminish or alter the jurisdiction of the Committee on Agriculture with respect to the appointment of conferees, or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I would appreciate your response to this letter confirming this understanding, and would request that you include a copy of this letter and your response in the Committee Report and in the Congressional Record during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

K. MICHAEL CONAWAY,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FINANCIAL SERVICES,  
Washington, DC, July 14, 2015.

Hon. MICHAEL CONAWAY,  
Chairman, Committee on Agriculture,  
Washington, DC.

DEAR CHAIRMAN CONAWAY: Thank you for your July 13 letter regarding H.R. 1847, the “Swap Data Repository and Clearinghouse Indemnification Correction Act of 2015”.

I am most appreciative of your decision to forego action on H.R. 1847 so that it may move expeditiously to the House floor. I acknowledge that although you are waiving action on the bill, the Committee on Agriculture is in no way waiving its jurisdiction over any subject matter contained in the bill that falls within its jurisdiction. In addition, if a conference is necessary on this legislation, I will support any request that your committee be represented therein.

Finally, I shall be pleased to include your letter and this letter in our committee’s report on H.R. 1847 and in the Congressional Record during floor consideration of the same.

Sincerely,

JEB HENSARLING,  
Chairman.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, transparent trading of derivatives, along with realtime reporting of trades to swap data repositories, is a crucial element of the Dodd-Frank Act.

This bill makes necessary technical changes to better enable our Nation’s regulators to share that data about derivatives with one another and with their foreign counterparts.

An unintended result in Dodd-Frank of trying to protect both regulators



and the data repositories from burdensome litigation was that other regulators lacked the authority to pay future legal expenses, thus threatening to prevent the sharing of information.

This was clearly not intended as one of the primary goals of title VII, to enable regulators and the public to better understand the derivatives market. H.R. 1847 addresses those concerns and is supported by the industry and advocates, like Americans for Financial Reform, alike.

I also understand that the bill includes additional changes to the legislation requested by the SEC to better target the statutory change.

I thank Representative MOORE and Representative CRAWFORD for working together in a bipartisan manner to address these issues and solve a very real threat to cross-border regulatory cooperation and oversight.

I urge support of this legislation, and I reserve the balance of my time.

Mr. AUSTIN SCOTT of Georgia. I yield such time as he may consume to the gentleman from Arkansas (Mr. CRAWFORD) and thank him for his continued work on this technical but critical issue.

Mr. CRAWFORD. Mr. Chairman, I thank the distinguished chairman of the subcommittee, Mr. SCOTT, and I would like to thank the other cosponsors of this bill, Mr. HUIZENGA, Ms. MOORE, and Mr. MALONEY, for joining me in this bipartisan effort to help bring transparency to the global swap markets. I certainly appreciate the subcommittee chairman's support as well.

While I might not agree with every provision in the Dodd-Frank law today, I believe we are working towards its bipartisan goal of giving regulators the tools they need to improve systemic risk mitigation in the global financial markets.

I think everyone agrees that the lack of transparency and the over-the-counter derivatives markets escalated the financial crisis of 2008. In order to provide market transparency, the Dodd-Frank law requires posttrade reporting to swap data repositories, or SDRs as they are called, so that regulators and market participants have access to realtime market data that will help identify systemic risk in the financial system. So far, we have made great strides in reaching this goal, but, unfortunately, a provision in the law threatens to undermine our progress unless we fix it.

Currently, Dodd-Frank requires a provision requiring a foreign regulator to indemnify a U.S.-based SDR from any expenses arising from litigation relating to a request from market data. While the intent of the provision was to protect market confidentiality, in practice, it threatens to fragment global data on swap markets because it is a major stumbling block to our regu-

lators' abilities to coordinate with foreign counterparts.

The intended result is a fragmented global data framework where regulators were unable to see a complete picture of the marketplace. Without effective coordination between international regulators and SDRs, monitoring and mitigating global systematic risk is severely limited.

My bill fixes this problem by removing the indemnification provisions in Dodd-Frank. This legislation has broad bipartisan support and passed the House by an overwhelming vote of 420-2 in the last Congress, as Chairman SCOTT indicated. Additionally, both the SEC and CFTC are on record supporting this bill.

If left unresolved, the indemnification provision in Dodd-Frank has the potential to reduce transparency in the over-the-counter derivatives markets and undo the great progress already being made through the cooperative efforts of more than 50 regulators worldwide.

In passing this legislation, we ensure that regulators will have access to a global set of swap market data, which is essential to maintaining the highest degree of market transparency and risk mitigation.

I strongly urge my colleagues to vote "yes" on this bill.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Wisconsin (Ms. MOORE), who happens to be the ranking member for the Subcommittee on Monetary Policy and Trade.

□ 1445

Ms. MOORE. Mr. Speaker, I thank the madam ranking member for this opportunity to speak on H.R. 1847.

I also want to thank all of my cosponsors on this legislation: Representative HUIZENGA, Representative CRAWFORD, and Representative SEAN PATRICK MALONEY.

Mr. Speaker, the House Financial Services and Agriculture Committees passed this legislation with bipartisan support and without controversy in 2013, 2014, and 2015. This bill has passed the House several times with overwhelming margins, and it is supported by the SEC.

At the Bipartisan Policy Center's 5-year look-back at Dodd-Frank just last week, the question was put to former Commodity Futures Trading Commissioner Jill Sommers: What is yet to be done in Dodd-Frank that needs to be done? Her answer: fixing the indemnification provision.

Here we are today, and we have an opportunity to do this with that bill. Let me try to make this really simple.

A major objective of the Dodd-Frank Act was to improve transparency and to eliminate systemic risk mitigation in global derivatives markets. This bill

is a technical fix to ensure that the goal of swaps transparency is realized.

In fact, Dodd-Frank requires post-trade reporting to swap data repositories. During the crisis, these SDRs did not exist.

As a matter of fact, to quote Warren Buffett when he described the situation we were in, he said:

Only when the tide goes out do you discover who has been swimming naked.

This is a really important feature in Dodd-Frank. However, as written, a provision threatens the reporting regime and threatens to fragment the collection of data by imposing an unnecessary requirement on foreign SDRs and regulators that would impede compliance.

By eliminating this unnecessary requirement, this bill makes it possible to achieve the goal of bringing comprehensive swap trade information, transparency, and oversight to the global derivatives markets.

Regardless of your position on derivatives or on Dodd-Frank, this bill makes sense, and I urge all of my colleagues to support it.

Ms. MAXINE WATERS of California. Mr. Speaker, I have no additional speakers.

I yield back the balance of my time.

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, in closing, I want to thank both the Democrats and the Republicans who have worked on this.

The House has acted several times in a bipartisan manner on this legislation—420-2 on very similar legislation. We have passed this multiple times; so I would just encourage all Members to support this piece of legislation.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. HURT) that the House suspend the rules and pass the bill, H.R. 1847, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### IMPROVING ACCESS TO CAPITAL FOR EMERGING GROWTH COMPANIES ACT

Mr. HURT of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2064) to amend certain provisions of the securities laws relating to the treatment of emerging growth companies, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2064

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Improving Access to Capital for Emerging Growth Companies Act”.

**SEC. 2. FILING REQUIREMENT FOR PUBLIC FILING PRIOR TO PUBLIC OFFERING.**

Section 6(e)(1) of the Securities Act of 1933 (15 U.S.C. 77f(e)(1)) is amended by striking “21 days” and inserting “15 days”.

**SEC. 3. GRACE PERIOD FOR CHANGE OF STATUS OF EMERGING GROWTH COMPANIES.**

Section 6(e)(1) of the Securities Act of 1933 (15 U.S.C. 77f(e)(1)) is further amended by adding at the end the following: “An issuer that was an emerging growth company at the time it submitted a confidential registration statement or, in lieu thereof, a publicly filed registration statement for review under this subsection but ceases to be an emerging growth company thereafter shall continue to be treated as an emerging market growth company for the purposes of this subsection through the earlier of the date on which the issuer consummates its initial public offering pursuant to such registrations statement or the end of the 1-year period beginning on the date the company ceases to be an emerging growth company.”.

**SEC. 4. SIMPLIFIED DISCLOSURE REQUIREMENTS FOR EMERGING GROWTH COMPANIES.**

Section 102 of the Jumpstart Our Business Startups Act (Public Law 112-106) is amended by adding at the end the following:

“(d) **SIMPLIFIED DISCLOSURE REQUIREMENTS.**—With respect to an emerging growth company (as such term is defined under section 2 of the Securities Act of 1933):

“(1) **REQUIREMENT TO INCLUDE NOTICE ON FORMS S-1 AND F-1.**—Not later than 30 days after the date of enactment of this subsection, the Securities and Exchange Commission shall revise its general instructions on Forms S-1 and F-1 to indicate that a registration statement filed (or submitted for confidential review) by an issuer prior to an initial public offering may omit financial information for historical periods otherwise required by regulation S-X (17 C.F.R. 210.1-01 et seq.) as of the time of filing (or confidential submission) of such registration statement, provided that—

“(A) the omitted financial information relates to a historical period that the issuer reasonably believes will not be required to be included in the Form S-1 or F-1 at the time of the contemplated offering; and

“(B) prior to the issuer distributing a preliminary prospectus to investors, such registration statement is amended to include all financial information required by such regulation S-X at the date of such amendment.

“(2) **RELiance BY ISSUERS.**—Effective 30 days after the date of enactment of this subsection, an issuer filing a registration statement (or submitting the statement for confidential review) on Form S-1 or Form F-1 may omit financial information for historical periods otherwise required by regulation S-X (17 C.F.R. 210.1-01 et seq.) as of the time of filing (or confidential submission) of such registration statement, provided that—

“(A) the omitted financial information relates to a historical period that the issuer reasonably believes will not be required to be included in the Form S-1 or Form F-1 at the time of the contemplated offering; and

“(B) prior to the issuer distributing a preliminary prospectus to investors, such registration statement is amended to include all financial information required by such regulation S-X at the date of such amendment.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. HURT) and the gentlewoman from California (Ms. MAXINE WATERS) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

**GENERAL LEAVE**

Mr. HURT of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. HURT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 2064, the Improving Access to Capital for Emerging Growth Companies Act.

I would like to thank the ranking member for her support of this good legislation. I would also like to thank Representative FINCHER and Representative DELANEY for their efforts to successfully move this legislation through the Financial Services Committee on a unanimous, bipartisan vote.

Mr. Speaker, a key component of the JOBS Act was the so-called IPO—the initial public offering—on-ramp provisions of title I, which created a new classification of public company known as an emerging growth company.

Emerging growth company status allows smaller companies that are accessing capital in the public markets to utilize streamlined registration and reporting requirements for up to 5 years after their initial public offerings.

In doing so, emerging growth companies are able to spend fewer resources in complying with costly regulations that are designed for the largest public companies.

Just over 3 years since the JOBS Act's enactment, we continue to witness the successful results of its implementation. In 2014, emerging growth companies represented 86 percent of the 288 initial public offerings, allowing those companies to raise over \$42 billion in capital.

That capital represents real dollars that can be used by these companies to invest in research and development, in innovative products, and, most importantly, in new jobs in their communities.

While these numbers are encouraging, more can still be done to incentivize companies to access capital in our public markets.

H.R. 2064 will decrease the required time for a confidential registration statement to be on file with the SEC before an emerging growth company may conduct a road show from 21 days to 15 and will further streamline disclosure requirements for emerging growth companies. These targeted changes to the Federal securities laws will make IPOs even more appealing to emerging growth companies.

One witness at a previous Capital Markets and Government Sponsored

Enterprises Subcommittee hearing commented:

We support this bill as it creates generally greater optionality for issuers without altering the ultimate level of required disclosure to investors. This bill is in keeping with the philosophy that underlies title I of the JOBS Act and the creation of safe harbors, such as “testing the waters” and “confidential filings.” We believe, for example, that providing issuers with the ability to file without full financial statements will cut issuer time-to-market, which is beneficial in mitigating market risk and speeding access to capital.

I ask that my colleagues join me in supporting H.R. 2064.

Mr. Speaker, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

The Improving Access to Capital for Emerging Growth Companies Act is a good bill and is the product of bipartisan compromise. The bill was amended last year to address certain investor protection concerns while still retaining key relief for small businesses.

H.R. 2064 amends title I of the Jumpstart Our Business Start-Ups Act of 2012, to provide emerging growth companies—that is, EGCs—with additional flexibility when going public.

During a hearing on this bill in the Capital Markets and Government Sponsored Enterprises Subcommittee, one witness expressed concerns that 2 years of financial statements are necessary for the SEC to compare years during its review, and, at a minimum, issuers should be required to provide what they have.

My fear is that, if a company were allowed to delay its filing, as this bill would allow, it would only likely delay the SEC's review, resulting in no real benefit to the issuer.

I would also like to emphasize the problem Congress gets into when it preempts the regulators by trying to issue rules by legislation. When we get it wrong, it takes another act of Congress to fix it. However, I support this legislation today because it seems as if a consensus has emerged that this technical fix is appropriate.

I reserve the balance of my time.

Mr. HURT of Virginia. Mr. Speaker, I yield such time as he may consume to the gentleman from Tennessee (Mr. FINCHER), a coauthor of this legislation.

Mr. FINCHER. Mr. Speaker, I rise today in support of H.R. 2064, the Improving Access to Capital for Emerging Growth Companies Act.

I was pleased to introduce this legislation with my colleague, Congressman JOHN DELANEY of Maryland.

This legislation builds upon the success of the original bipartisan JOBS Act, which I worked on, that created a new category of stock offering for emerging growth companies, which have proven to be a major new source of job creation for the 21st century.

Job creation is the number one reason to support this legislation. As companies are able to expand and go public, they are able to hire more employees and to ultimately invest more in our economy.

Our bill makes important changes to the registration process to ensure that these companies have the most efficient, streamlined access to the market.

Shortening the 21-day filing period to 15 days would save companies exposure to some market volatility before public launch.

The purpose of the 21-day period is to allow the information about the EGC IPO to disseminate to the public before purchase orders are taken on the EGC's stock, but with today's technology, the current 21-day quiet period is unnecessarily long.

The shortened time period would allow the benefit of clearer visibility in market conditions and would save companies from having to update financials and other disclosure before public launch.

Additionally, the bill calls for a grace period of the JOBS Act protections to an issuer who loses EGC status mid-IPO process. Under current law, if a company exceeds the EGC status criteria during the IPO process, it no longer qualifies for the designation.

This discourages a borderline EGC which may be considering going public from making an offering. The grace period would allow an issuer who qualifies as an EGC at the time of filing its confidential registration statement for review to continue to be treated as an EGC through the date on which it completes its initial public offering or 1 year has passed, whichever comes first.

Finally, the bill would permit EGCs to avoid incurring the significant expense and effort of preparing and having audited financials and related disclosures for past periods that will not be included in the prospectus to investors.

This legislation was reported out of committee unanimously, and I urge my colleagues on both sides of the aisle to support the passage of H.R. 2064 today.

This is a simple adjustment to reduce the burdens placed on smaller companies that are trying to access the market, grow their businesses, and hire more employees.

Now more than ever, as Members of Congress, we need to be focused on ways to facilitate job creation. This bill is an important step in that direction.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield such time as he may consume to the gentleman from Maryland (Mr. DELANEY).

It is because of his leadership not only on this issue, but on small business, the opportunities of EGCs, and the fact that his negotiations on this legislation led us to bipartisan support.

Mr. DELANEY. I want to thank the ranking member for her support and leadership on this legislation. I also want to thank the gentleman from Virginia for his support.

Most importantly, I want to thank my friend, the gentleman from Tennessee, for giving me the opportunity to coauthor this piece of legislation with him.

Mr. Speaker, emerging growth companies that raise capital from private investors have two options available to them to give their investors a return. The first option is to take the company public, and the second option is to sell the business.

The data overwhelmingly suggests that, when companies go public, the companies are very likely to take the capital they raise in a public offering, invest it in the business, create jobs, and hire Americans, as compared to when companies are sold, which are often done for strategic reasons that are based on consolidations and often result in jobs being lost.

So, while companies are completely free to make whatever choices they want to make, we, as policymakers, should certainly be trying to level the playing field as it relates to initial public offerings in order to make them more accessible for emerging growth companies, particularly if they can be done without compromising investor protection. I believe strongly that H.R. 2064 does, in fact, do that.

My colleague from Tennessee went through the specifics in terms of the processes that are being improved by the bill.

I have some firsthand experience with this process in having started two businesses in the private sector and in having taken them both public on the New York Stock Exchange, experiences that taught me that a company's initial public offering, as it relates to due diligence and scrutiny and oversight, is the day when they have the most focus by regulators and investors and underwriters.

□ 1500

So it is certainly a time where we have an opportunity for more flexibility around timing, which I believe this bill does and will do successfully. It will lead to more initial public offerings. It will hopefully reverse the trends that we have seen across the last several decades where the number of initial public offerings have decreased.

As I said in my opening comments, the more IPOs we have, the more likely companies are to invest in their businesses, create jobs and hire Americans. It is good for our economy. I urge my colleagues to support H.R. 2064.

Mr. HURT of Virginia. Mr. Speaker, there are very few people in Congress today who have worked harder and understand better the importance of ac-

cess to capital for our small businesses and for job creation than does the chairman of our Subcommittee on Capital Markets and Government Sponsored Enterprises.

I yield such time as he may consume to the gentleman from New Jersey (Mr. GARRETT).

Mr. GARRETT. Mr. Speaker, I thank the vice chairman for those remarks.

I do in fact rise in support of the bill, H.R. 2064, the Improving Access to Capital for Emerging Growth Companies, EGCs. I also want to thank my friend Mr. DELANEY and my other friend Mr. FINCHER for their hard work on the underlying piece of legislation.

As we said before, because of the JOBS Act, we have seen a significant increase, a resurgence, if you will, in initial public offerings, with 2014 being the best year for IPOs in more than a decade now. If you look back, study after study has shown that job creation expands significantly once a company goes public.

So Congress then should do what? We should do more to reduce the burdens on these small and growing companies that want access to the markets and want access there to capital and want access, therefore, to grow and expand and create job creation. That is exactly what this legislation does.

H.R. 2064 would expand upon the success of the JOBS Act by making significant improvements in title I of that bill, including reducing the number of days that an emerging growth company would have to wait before commencing with the so-called road shows once it files with the SEC, and it would significantly reduce and simplify the financial disclosures that go along with it.

These are targeted and incremental changes that reflect the feedback and input that the Committee on Financial Services—the members who have supported it, the vice chairman as well—has received since the JOBS Act was passed back in 2012.

We had a number of hearings on this, and one witness told our committee: "This bill is in keeping with the philosophy that underlies title I of the JOBS Act, and the creation of safe harbors such as 'Testing the Waters' and 'Confidential Filings' . . . providing issuers with the ability to file without financial statements will cut issuer time-to-market which is," at the end of the day, "beneficial in mitigating market risk and speeding access to capital."

With that said, by removing some of the ongoing hurdles to going public, this bill, H.R. 2064, would help promote growth and help promote job creation throughout our entire country, our entire economy. Therefore, I urge its swift passage.

Ms. MAXINE WATERS of California. Mr. Speaker, I think that this is the last bill that we are taking up on suspension today. What you have seen is a

fine example of both sides of the aisle working to do the best thing that we could possibly do for our constituents.

There have been bills that were presented today that were suspect, perhaps, when they first were introduced; there were bills today where we had technical corrections; there were bills today where we had bipartisan support where we never thought we would get bipartisan support. I would like the work that we have done on the floor today to demonstrate that we do have the ability to work together in the best interests of the citizens of this country; and to the degree that we understand that even in Dodd-Frank where there may still be some concerns, that we can be civil about it, that we can be considerate about it, and that we recognize that not only may there may be places for technical corrections in Dodd-Frank, but in the JOBS Act and other bills that we have heard today and that we will hear in the future.

I am very pleased to have been a part of the work that we have done here on this floor today to get together in a bipartisan way, again, to act in the best interests of all of the people of this country.

I yield back the balance of my time.

Mr. HURT of Virginia. Mr. Speaker, I want to thank the ranking member again and those on her side of the aisle for looking for ways we can work together for job creation and streamlining of the regulatory structure as it relates to our financial markets.

I represent Virginia's Fifth District, and over the last 10, 20 years, we have seen a tremendous amount of high unemployment. I would suggest to you that legislation like the legislation that Representative FINCHER and Representative DELANEY have put forward today is the kind of legislation that will lead to more private capital on Main Street all across the Fifth District of Virginia and all across America. I would suggest to you that that is why this bill deserves the full support from the House of Representatives today.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. HURT) that the House suspend the rules and pass the bill, H.R. 2064, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 251, by the yeas and nays;

H.R. 2997, by the yeas and nays;

H.R. 1723, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

#### HOMES FOR HEROES ACT OF 2015

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 251) to transfer the position of Special Assistant for Veterans Affairs in the Department of Housing and Urban Development to the Office of the Secretary, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. LUETKEMEYER) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 412, nays 1, not voting 20, as follows:

[Roll No. 435]

YEAS—412

Abraham	Chabot	Duncan (SC)
Adams	Chaffetz	Duncan (TN)
Aderholt	Chu, Judy	Edwards
Aguilar	Cicilline	Ellmers (NC)
Allen	Clarke (NY)	Emmer (MN)
Amodei	Clawson (FL)	Eshoo
Ashford	Clay	Esty
Babin	Cleaver	Farenthold
Baletta	Clyburn	Farr
Barr	Coffman	Fincher
Barton	Cole	Fitzpatrick
Bass	Collins (GA)	Fleischmann
Beatty	Collins (NY)	Fleming
Becerra	Comstock	Flores
Benish	Conaway	Forbes
Bera	Connolly	Fortenberry
Bilirakis	Conyers	Foster
Bishop (GA)	Cook	Foxx
Bishop (MI)	Cooper	Frankel (FL)
Bishop (UT)	Costa	Franks (AZ)
Black	Costello (PA)	Frelinghuysen
Blackburn	Courtney	Fudge
Blum	Cramer	Gabbard
Blumenauer	Crawford	Gallego
Bonamici	Crenshaw	Garamendi
Bost	Crowley	Garrett
Boustany	Cuellar	Gibbs
Brady (PA)	Culberson	Gibson
Brady (TX)	Cummings	Gohmert
Brat	Curbelo (FL)	Goodlatte
Bridenstine	Davis (CA)	Gosar
Brooks (AL)	Davis, Danny	Gowdy
Brooks (IN)	Davis, Rodney	Graham
Brown (FL)	DeFazio	Granger
Brownley (CA)	DeGette	Graves (GA)
Buchanan	Delaney	Graves (LA)
Buck	DeLauro	Graves (MO)
Bucshon	DelBene	Green, Al
Burgess	Denham	Green, Gene
Bustos	Dent	Griffith
Butterfield	DeSantis	Grothman
Byrne	DeSaunier	Guinta
Calvert	DesJarlais	Guthrie
Capps	Deutch	Gutiérrez
Capuano	Diaz-Balart	Hahn
Cárdenas	Dingell	Hanna
Carney	Doggett	Hardy
Carson (IN)	Dold	Harper
Carter (GA)	Donovan	Harris
Carter (TX)	Doyle, Michael	Hartzler
Cartwright	F.	Hastings
Castor (FL)	Duckworth	Heck (NV)
Castro (TX)	Duffy	Heck (WA)

Hensarling	McCollum
Herrera Beutler	McDermott
Hice, Jody B.	McGovern
Higgins	McHenry
Hill	McKinley
Himes	McMorris
Hinojosa	Rodgers
Holding	McNerney
Hoyer	McSally
Hudson	Meadows
Huelskamp	Meehan
Huffman	Meeks
Huizenga (MI)	Meng
Hultgren	Messer
Hunter	Mica
Hurd (TX)	Miller (FL)
Hurt (VA)	Miller (MI)
Israel	Moolenaar
Issa	Mooney (WV)
Jeffries	Moore
Jenkins (KS)	Moulton
Jenkins (WV)	Mullin
Johnson (GA)	Mulvaney
Johnson (OH)	Murphy (FL)
Johnson, E. B.	Murphy (PA)
Johnson, Sam	Napolitano
Jolly	Neal
Jones	Neugebauer
Jordan	Newhouse
Joyce	Noem
Kaptur	Norcross
Katko	Nugent
Keating	Nunes
Kelly (IL)	O'Rourke
Kelly (MS)	Olson
Kelly (PA)	Palazzo
Kennedy	Pallone
Kildee	Palmer
Kilmer	Pascarell
Kind	Paulsen
King (IA)	Payne
King (NY)	Pearce
Kinzinger (IL)	Perlmutter
Kirkpatrick	Perry
Kline	Peters
Knight	Peterson
Kuster	Pingree
Labrador	Pittenger
LaMalfa	Pitts
Lamborn	Poe (TX)
Lance	Poliquin
Langevin	Pompeo
Larsen (WA)	Posey
Larson (CT)	Price (NC)
Latta	Quigley
Lawrence	Rangel
Levin	Ratcliffe
Lewis	Reed
Lieu, Ted	Reichert
Lipinski	Renacci
LoBiondo	Ribble
Loeback	Rice (NY)
Lofgren	Rice (SC)
Long	Richmond
Loudermilk	Rigell
Love	Roby
Lowenthal	Roe (TN)
Lowe	Rogers (AL)
Lucas	Rogers (KY)
Luetkemeyer	Rohrabacher
Lujan Grisham	Rokita
(NM)	Rooney (FL)
Luján, Ben Ray	Ros-Lehtinen
(NM)	Roskam
Lummis	Ross
Lynch	Rothfus
MacArthur	Rouzer
Maloney	Roybal-Allard
Carolyn	Royce
Maloney, Sean	Ruiz
Marchant	Ruppersberger
Marino	Rush
Massie	Russell
Matsui	Ryan (OH)
McCarthy	Ryan (WI)
McCauley	Salmon
McClintock	

Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—1

Amash

NOT VOTING—20

Beyer	Clark (MA)	Engel
Boyle, Brendan	Cohen	Fattah
F.	Ellison	Grayson

Grijalva  
Honda  
Jackson Lee  
Lee  
Nadler

Nolan  
Pelosi  
Pocan  
Polis  
Price, Tom

Wasserman  
Schultz  
Welch

DeSantis  
DeSaulnier  
DesJarlais  
Deutch  
Dingell  
Doggett  
Dold  
Donovan  
Doyle, Michael  
F.

Duckworth  
Duffy  
Duncan (TN)  
Edwards  
Ellison  
Ellmers (NC)  
Emmer (MN)  
Eshoo  
Esty  
Farenthold  
Farr  
Fincher  
Fitzpatrick  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foster  
Frankel (FL)  
Frelinghuysen  
Fudge  
Gabbard  
Galleo  
Garamendi  
Garrett  
Gibbs  
Gibson  
Goodlatte  
Gosar  
Gowdy  
Graham  
Granger  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Green, Al  
Green, Gene  
Grijalva  
Grothman  
Guinta  
Guthrie  
Gutiérrez  
Hahn  
Hanna  
Hardy  
Harper  
Harris  
Hartzler  
Hastings  
Heck (NV)  
Heck (WA)  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Higgins  
Hill  
Himes  
Hinojosa  
Hulthgren  
Hunter  
Hurd (TX)  
Hurt (VA)  
Israel  
Issa  
Jackson Lee  
Jeffries  
Jenkins (KS)  
Jenkins (WV)  
Johnson (OH)  
Johnson, E. B.  
Johnson, Sam  
Jolly  
Jordan  
Joyce  
Kaptur  
Katko  
Keating  
Kelly (IL)  
Kelly (MS)  
Kelly (PA)

Kennedy  
Kildee  
Kilmer  
Kind  
King (IA)  
King (NY)  
Kinzinger (IL)  
Kirkpatrick  
Kline  
Knight  
Kuster  
Labrador  
LaMalfa  
Lamborn  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)  
Latta  
Lawrence  
Lee  
Levin  
Lewis  
Lieu, Ted  
Lipinski  
LoBiondo  
Loebbeck  
Lofgren  
Long  
Lowenthal  
Lucas  
Luetkemeyer  
Lujan Grisham  
(NM)  
Luján, Ben Ray  
(NM)  
Lynch  
MacArthur  
Maloney  
Carolyn  
Maloney, Sean  
Marchant  
Marino  
Matsui  
McCarthy  
McCaul  
McCollum  
McDermott  
McGovern  
McHenry  
McKinley  
McMorris  
Rodgers  
McNerney  
McSally  
Meadows  
Meeks  
Meng  
Messer  
Mica  
Miller (FL)  
Miller (MI)  
Moolenaar  
Mooney (WV)  
Moore  
Moulton  
Mullin  
Mulvaney  
Murphy (FL)  
Murphy (PA)  
Nadler  
Napolitano  
Neal  
Neugebauer  
Newhouse  
Noem  
Nolan  
Norcross  
Nugent  
Nunes  
O'Rourke  
Olson  
Palazzo  
Pallone  
Pascarella  
Paulsen  
Payne  
Pearce  
Pelosi  
Perlmutter  
Perry  
Peters  
Peterson  
Pingree  
Pittenger

Pitts  
Pocan  
Poliquin  
Polis  
Pompeo  
Posey  
Price (NC)  
Quigley  
Rangel  
Reed  
Reichert  
Renacci  
Rice (NY)  
Richmond  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney (FL)  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Rouzer  
Roybal-Allard  
Royce  
Ruiz  
Ruppersberger  
Rush  
Russell  
Ryan (OH)  
Ryan (WI)  
Salmon  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sanford  
Sarbanes  
Scalise  
Schakowsky  
Schiff  
Schrader  
Schweikert  
Scott (VA)  
Scott, Austin  
Scott, David  
Sensenbrenner  
Serrano  
Sessions  
Sewell (AL)  
Sherman  
Shimkus  
Shuster  
Simpson  
Sinema  
Sires  
Slaughter  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Speier  
Stefanik  
Stewart  
Stivers  
Stutzman  
Swalwell (CA)  
Takai  
Takano  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Tonko  
Torres  
Trott  
Tsongas  
Turner  
Upton  
Valadao  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Wagner  
Walberg  
Walden

Walker  
Walorski  
Walters, Mimi  
Walz  
Waters, Maxine  
Watson Coleman  
Webster (FL)  
Welch  
Wenstrup

Westerman  
Westmoreland  
Whitfield  
Williams  
Wilson (FL)  
Wilson (SC)  
Wittman  
Womack  
Woodall

Yarmuth  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Young (IN)  
Zeldin  
Zinke

□ 1536

Mr. MULLIN changed his vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. LEE. Mr. Speaker, on rollcall No. 435, had I been present, I would have voted “yea.”

Ms. CLARK of Massachusetts. Mr. Speaker, on rollcall No. 435, had I been present, I would have voted “yes.”

Mr. HONDA. Mr. Speaker, on rollcall No. 435, on H.R. 251, had I been present, I would have voted “aye.”

#### PRIVATE INVESTMENT IN HOUSING ACT OF 2015

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2997) to authorize the Secretary of Housing and Urban Development to carry out a demonstration program to enter into budget-neutral, performance-based contracts for energy and water conservation improvements for multifamily residential units, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. LUETKEMEYER) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 395, nays 28, not voting 10, as follows:

[Roll No. 436]

YEAS—395

Abraham  
Adams  
Aderholt  
Aguilar  
Allen  
Amodei  
Ashford  
Barletta  
Barr  
Barton  
Bass  
Beatty  
Becerra  
Benishkek  
Bera  
Beyer  
Bilirakis  
Bishop (GA)  
Bishop (MI)  
Bishop (UT)  
Black  
Blum  
Blumenauer  
Bonamici  
Bost  
Boustany  
Brady (PA)  
Brady (TX)  
Brooks (IN)

Brown (FL)  
Brownley (CA)  
Buchanan  
Bucshon  
Bustos  
Butterfield  
Byrne  
Calvert  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Carter (GA)  
Carter (TX)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chabot  
Chaffetz  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clawson (FL)  
Clay  
Cleave  
Clyburn  
Coffman

Cohen  
Cole  
Collins (NY)  
Comstock  
Connolly  
Conyers  
Cook  
Cooper  
Costa  
Costello (PA)  
Courtney  
Cramer  
Crawford  
Crenshaw  
Crowley  
Cuellar  
Culberson  
Cummings  
Curbelo (FL)  
Davis (CA)  
Davis, Danny  
Davis, Rodney  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Denham  
Dent

Hill  
Himes  
Hinojosa  
Hulthgren  
Hunter  
Hurd (TX)  
Hurt (VA)  
Israel  
Issa  
Jackson Lee  
Jeffries  
Jenkins (KS)  
Jenkins (WV)  
Johnson (OH)  
Johnson, E. B.  
Johnson, Sam  
Jolly  
Jordan  
Joyce  
Kaptur  
Katko  
Keating  
Kelly (IL)  
Kelly (MS)  
Kelly (PA)

Mooney (WV)  
Moore  
Moulton  
Mullin  
Mulvaney  
Murphy (FL)  
Murphy (PA)  
Nadler  
Napolitano  
Neal  
Neugebauer  
Newhouse  
Noem  
Nolan  
Norcross  
Nugent  
Nunes  
O'Rourke  
Olson  
Palazzo  
Pallone  
Pascarella  
Paulsen  
Payne  
Pearce  
Pelosi  
Perlmutter  
Perry  
Peters  
Peterson  
Pingree  
Pittenger

Price (NC)  
Quigley  
Rangel  
Reed  
Reichert  
Renacci  
Rice (NY)  
Richmond  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney (FL)  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Rouzer  
Roybal-Allard  
Royce  
Ruiz  
Ruppersberger  
Rush  
Russell  
Ryan (OH)  
Ryan (WI)  
Salmon  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sanford  
Sarbanes  
Scalise  
Schakowsky  
Schiff  
Schrader  
Schweikert  
Scott (VA)  
Scott, Austin  
Scott, David  
Sensenbrenner  
Serrano  
Sessions  
Sewell (AL)  
Sherman  
Shimkus  
Shuster  
Simpson  
Sinema  
Sires  
Slaughter  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Speier  
Stefanik  
Stewart  
Stivers  
Stutzman  
Swalwell (CA)  
Takai  
Takano  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Tonko  
Torres  
Trott  
Tsongas  
Turner  
Upton  
Valadao  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Wagner  
Walberg  
Walden

NAYS—28

Amash  
Babin  
Blackburn  
Brat  
Bridenstine  
Brooks (AL)  
Buck  
Burgess  
Conaway  
Duncan (SC)

Foxx  
Franks (AZ)  
Gohmert  
Griffith  
Holding  
Huelskamp  
Jones  
Loudermilk  
Love  
Lummis

NOT VOTING—10

Boyle, Brendan  
F.  
Collins (GA)  
Diaz-Balart

Engel  
Fattah  
Grayson  
Johnson (GA)

Meehan  
Price, Tom  
Wasserman  
Schultz

□ 1545

Mr. JONES changed his vote from “yea” to “nay.”

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### SMALL COMPANY SIMPLE REGISTRATION ACT OF 2015

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1723) to direct the Securities and Exchange Commission to revise Form S-1 so as to permit smaller reporting companies to use forward incorporation by reference for such form, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. HURT) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 426, nays 0, not voting 7, as follows:

[Roll No. 437]

YEAS—426

Abraham  
Adams  
Aderholt  
Aguilar  
Allen  
Amash  
Amodei  
Ashford  
Babin  
Barletta  
Barr  
Barton  
Bass  
Beatty  
Becerra  
Benishkek  
Bera  
Beyer  
Bilirakis  
Bishop (GA)

Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Blumenauer  
Bonamici  
Bost  
Boustany  
Brady (PA)  
Brady (TX)  
Brat  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Brown (FL)  
Brownley (CA)  
Buchanan  
Buck  
Bucshon

Burgess  
Bustos  
Butterfield  
Byrne  
Calvert  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Carter (GA)  
Carter (TX)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chabot  
Chaffetz  
Chu, Judy  
Cicilline  
Clark (MA)

Clarke (NY)  
 Clawson (FL)  
 Clay  
 Cleaver  
 Clyburn  
 Coffman  
 Cohen  
 Cole  
 Collins (GA)  
 Collins (NY)  
 Comstock  
 Conaway  
 Connolly  
 Conyers  
 Cook  
 Cooper  
 Costa  
 Costello (PA)  
 Courtney  
 Cramer  
 Crawford  
 Crenshaw  
 Crowley  
 Cuellar  
 Culberson  
 Cummings  
 Curbelo (FL)  
 Davis (CA)  
 Davis, Danny  
 Davis, Rodney  
 DeFazio  
 DeGette  
 Delaney  
 DeLauro  
 DelBene  
 Denham  
 Dent  
 DeSantis  
 DeSaulnier  
 DesJarlais  
 Deutch  
 Diaz-Balart  
 Dingell  
 Doggett  
 Dold  
 Donovan  
 Doyle, Michael  
 F.  
 Duckworth  
 Duffy  
 Duncan (SC)  
 Duncan (TN)  
 Edwards  
 Ellison  
 Ellmers (NC)  
 Emmer (MN)  
 Eshoo  
 Esty  
 Farenthold  
 Farr  
 Fincher  
 Fitzpatrick  
 Fleischmann  
 Fleming  
 Flores  
 Forbes  
 Fortenberry  
 Foster  
 Foxx  
 Frankel (FL)  
 Franks (AZ)  
 Frelinghuysen  
 Fudge  
 Gabbard  
 Gallego  
 Garamendi  
 Garrett  
 Gibbs  
 Gibson  
 Gohmert  
 Goodlatte  
 Gosar  
 Gowdy  
 Graham  
 Granger  
 Graves (GA)  
 Graves (LA)  
 Graves (MO)  
 Green, Al  
 Green, Gene  
 Griffith  
 Grijalva  
 Grothman  
 Guinta  
 Guthrie  
 Gutiérrez

Hahn  
 Hanna  
 Hardy  
 Harper  
 Harris  
 Hartzler  
 Hastings  
 Heck (NV)  
 Heck (WA)  
 Hensarling  
 Herrera Beutler  
 Hice, Jody B.  
 Higgins  
 Hill  
 Himes  
 Hinojosa  
 Holding  
 Honda  
 Hoyer  
 Hudson  
 Huelskamp  
 Huffman  
 Huizenga (MI)  
 Hultgren  
 Hunter  
 Hurd (TX)  
 Hurt (VA)  
 Israel  
 Issa  
 Jackson Lee  
 Jeffries  
 Jenkins (KS)  
 Jenkins (WV)  
 Johnson (OH)  
 Johnson, E. B.  
 Johnson, Sam  
 Jolly  
 Jones  
 Jordan  
 Joyce  
 Kaptur  
 Katko  
 Keating  
 Kelly (IL)  
 Kelly (MS)  
 Kelly (PA)  
 Kennedy  
 Kildee  
 Kilmer  
 Kind  
 King (IA)  
 King (NY)  
 Kinzinger (IL)  
 Kirkpatrick  
 Kline  
 Knight  
 Kuster  
 Labrador  
 LaMalfa  
 Lamborn  
 Lance  
 Langevin  
 Larsen (WA)  
 Larson (CT)  
 Latta  
 Lawrence  
 Lee  
 Levin  
 Lewis  
 Lieu, Ted  
 Lipinski  
 LoBiondo  
 Loebsock  
 Lofgren  
 Long  
 Loudermilk  
 Love  
 Lowenthal  
 Lowey  
 Lucas  
 Luetkemeyer  
 Lujan Grisham  
 (NM)  
 Luján, Ben Ray  
 (NM)  
 Lummis  
 Lynch  
 MacArthur  
 Maloney,  
 Carolyn  
 Maloney, Sean  
 Marchant  
 Marino  
 Massie  
 Matsui  
 McCarthy

McCaull  
 McClintock  
 McCollum  
 McDermott  
 McGovern  
 McHenry  
 McKinley  
 McMorris  
 Rodgers  
 McNeerney  
 McSally  
 Meadows  
 Meehan  
 Meeks  
 Meng  
 Messer  
 Mica  
 Miller (FL)  
 Miller (MI)  
 Moolenaar  
 Mooney (WV)  
 Moore  
 Moulton  
 Mullin  
 Mulvaney  
 Murphy (FL)  
 Murphy (PA)  
 Nadler  
 Napolitano  
 Neal  
 Neugebauer  
 Newhouse  
 Noem  
 Nolan  
 Norcross  
 Nugent  
 Nunes  
 O'Rourke  
 Olson  
 Palazzo  
 Pallone  
 Palmer  
 Pascarell  
 Paulsen  
 Payne  
 Pearce  
 Pelosi  
 Perlmutter  
 Perry  
 Peters  
 Peterson  
 Pingree  
 Pittenger  
 Pitts  
 Pocan  
 Poe (TX)  
 Poliquin  
 Polis  
 Pompeo  
 Posey  
 Price (NC)  
 Quigley  
 Rangel  
 Ratcliffe  
 Reed  
 Reichert  
 Renacci  
 Ribble  
 Rice (NY)  
 Rice (SC)  
 Richmond  
 Rigell  
 Roby  
 Roe (TN)  
 Rogers (AL)  
 Rogers (KY)  
 Rohrabacher  
 Rokita  
 Rooney (FL)  
 Ros-Lehtinen  
 Roskam  
 Ross  
 Rothfus  
 Rouzer  
 Roybal-Allard  
 Royce  
 Ruiz  
 Ruppertsberger  
 Rush  
 Russell  
 Ryan (OH)  
 Ryan (WI)  
 Salmon  
 Sánchez, Linda  
 T.  
 Sanchez, Loretta

Sanford  
 Sarbanes  
 Scalise  
 Schakowsky  
 Schiff  
 Schrader  
 Schweikert  
 Scott (VA)  
 Scott, Austin  
 Scott, David  
 Sensenbrenner  
 Serrano  
 Sessions  
 Sewell (AL)  
 Sherman  
 Shimkus  
 Shuster  
 Simpson  
 Sinema  
 Sires  
 Slaughter  
 Smith (MO)  
 Smith (NE)  
 Smith (NJ)  
 Smith (TX)  
 Smith (WA)  
 Speier  
 Stefanik

Stewart  
 Stivers  
 Stutzman  
 Swalwell (CA)  
 Takai  
 Takano  
 Thompson (CA)  
 Thompson (MS)  
 Thompson (PA)  
 Thornberry  
 Tiberi  
 Tipton  
 Titus  
 Tonko  
 Torres  
 Trott  
 Tsongas  
 Turner  
 Upton  
 Valadao  
 Van Hollen  
 Vargas  
 Veasey  
 Vela  
 Velázquez  
 Visclosky  
 Wagner  
 Walberg

Walden  
 Walker  
 Walorski  
 Walters, Mimi  
 Walz  
 Waters, Maxine  
 Watson Coleman  
 Weber (TX)  
 Webster (FL)  
 Welch  
 Wenstrup  
 Westerman  
 Westmoreland  
 Whitfield  
 Williams  
 Wilson (FL)  
 Wilson (SC)  
 Wittman  
 Womack  
 Woodall  
 Yarmuth  
 Yoder  
 Yoho  
 Young (AK)  
 Young (IA)  
 Young (IN)  
 Zeldin  
 Zinke

## NOT VOTING—7

Boyle, Brendan  
 F.  
 Engel

Fattah  
 Grayson  
 Johnson (GA)

Price, Tom  
 Wasserman  
 Schultz

□ 1553

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. MEEHAN. Mr. Speaker, on rollcall No. 436 I was unavoidably detained. Had I been present, I would have voted "yes."

REMOVAL OF NAME OF MEMBER  
AS COSPONSOR OF H.R. 2722

Mr. CRAWFORD. Madam Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 2722.

The SPEAKER pro tempore (Mrs. MIMI WALTERS of California). Is there objection to the request of the gentleman from Arkansas?

There was no objection.

REMOVAL OF NAME OF MEMBER  
AS COSPONSOR OF H.R. 2722

Mr. HUDSON. Madam Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 2722.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

REMOVAL OF NAME OF MEMBER  
AS COSPONSOR OF H.R. 2722

Mr. GOSAR. Madam Speaker, I ask unanimous consent that my name be withdrawn as a cosponsor of H.R. 2722.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

REMOVAL OF NAME OF MEMBER  
AS COSPONSOR OF H.R. 2722

Mrs. ROBY. Madam Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 2722.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

REMOVAL OF NAME OF MEMBER  
AS COSPONSOR OF H.R. 2722

Mr. FLEMING. Madam Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 2722.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

REMOVAL OF NAME OF MEMBER  
AS COSPONSOR OF H.R. 2722

Mr. MOOLENAAR. Madam Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 2722.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

REMOVAL OF NAME OF MEMBER  
AS COSPONSOR OF H.R. 2722

Mrs. NOEM. Madam Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 2722.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

REMOVAL OF NAME OF MEMBER  
AS COSPONSOR OF H.R. 2722

Mr. CLAWSON of Florida. Madam Speaker, I ask unanimous consent to be removed as a cosponsor of H.R. 2722.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

REMOVAL OF NAME OF MEMBER  
AS COSPONSOR OF H.R. 2722

Mr. HOLDING. Madam Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 2722.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

REMOVAL OF NAME OF MEMBER  
AS COSPONSOR OF H.R. 2722

Mr. BUCK. Madam Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 2722.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

**REMOVAL OF NAME OF MEMBER  
AS COSPONSOR OF H.R. 2722**

Mr. PERRY. Madam Speaker, I ask unanimous consent that my name be removed from bill number H.R. 2722.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

**REMOVAL OF NAME OF MEMBER  
AS COSPONSOR OF H.R. 2722**

Mrs. BLACK. Madam Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 2722.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

**REMOVAL OF NAME OF MEMBER  
AS COSPONSOR OF H.R. 2722**

Mr. MEADOWS. Madam Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 2722.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

**REMOVAL OF NAME OF MEMBER  
AS COSPONSOR OF H.R. 2722**

Mr. YODER. Madam Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 2722.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

**REMOVAL OF NAME OF MEMBER  
AS COSPONSOR OF H.R. 2722**

Mr. DESANTIS. Madam Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 2722.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

**REMOVAL OF NAME OF MEMBER  
AS COSPONSOR OF H.R. 2722**

Mr. CRAMER. Madam Speaker, I ask unanimous consent that my name be removed as cosponsor of H.R. 2722.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

**REMOVAL OF NAME OF MEMBER  
AS COSPONSOR OF H.R. 2722**

Mrs. WALORSKI. Madam Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 2722.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

**REMOVAL OF NAME OF MEMBER  
AS COSPONSOR OF H.R. 2722**

Mrs. BLACKBURN. Madam Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 2722.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

□ 1600

**REMOVAL OF NAME OF MEMBER  
AS COSPONSOR OF H.R. 2722**

Mr. PALMER. Madam Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 2722.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

**REMOVAL OF NAME OF MEMBER  
AS COSPONSOR OF H.R. 2722**

Mrs. LUMMIS. Madam Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 2722.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

**REMOVAL OF NAME OF MEMBER  
AS COSPONSOR OF H.R. 2722**

Mrs. COMSTOCK. Madam Speaker, I ask unanimous consent that my name be removed from H.R. 2722.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

**PERSONAL EXPLANATION**

Ms. JACKSON LEE. Madam Speaker, I was unavoidably detained during a vote on H.R. 251, the Homes for Heroes Act of 2015. If I had been present, I would have voted "yea."

**KATE'S LAW**

(Mr. MARCHANT asked and was given permission to address the House for 1 minute.)

Mr. MARCHANT. Madam Speaker, I rise in support of the Establishing Mandatory Minimums for Illegal Reentry Act, also known as Kate's Law.

This bill mandates 5-year minimum prison sentences for illegal immigrants who return to the U.S. after being deported. It comes in direct response to the murder of Kathryn Steinle in San Francisco by a man who had been de-

ported from the United States five times.

Kate's Law sends a strong message to any person considering illegal reentry: Come back, and you will face serious consequences. This bill strengthens the rule of law and leaves no room for selective enforcement by the administration for any sanctuary city.

Madam Speaker, my deepest condolences go out to Kate's family and her loved ones. We cannot undo this tragedy, but we must work to prevent others by securing the border and strictly enforcing the law.

**OPM DATA BREACH**

(Mr. HOYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOYER. Madam Speaker, last week I was profoundly disappointed to learn just how large the recent data breach was in which personal information was accessed in the files of the Office of Personnel Management.

That breach and the one before it were unacceptable, and it is a problem that requires an all-hands-on-deck approach to prevent future cyber attacks to protect those whose information has been accessed.

Madam Speaker, I am proud to represent 62,000 Federal employees in Maryland's Fifth District. They deserve to know—and all our hard-working Federal employees do—that the personal information they submit when they serve our country is safe and secure and that they will be protected against identity theft if their information was accessed.

The resignation of Director Archuleta does not solve the underlying problems that made OPM vulnerable to these kinds of attacks. I intend to work closely with interim Director Beth Cobert to make sure OPM has the resources it needs to upgrade its systems and prevent a reoccurrence of this event. But this breach and the one that preceded it underscore the larger issue of cybersecurity and how we must do more to make America's networks the safest in the world.

**FETAL ORGAN HARVESTING AND  
TRAFFICKING**

(Mrs. ROBY asked and was given permission to address the House for 1 minute.)

Mrs. ROBY. Madam Speaker, I rise to raise awareness about a disturbing development. Today video surfaced of Dr. Deborah Nucatola, Planned Parenthood's senior director for medical services, admitting—in fact, bragging—about the harvesting and trafficking of fetal organs after abortions.

To those who haven't seen the video, I urge you and encourage you to watch it. But you need to be forewarned: the



casual and callous way she details how babies can be killed in such a way that their tiny hearts, lungs, and livers can be taken and sold for profit is simply horrifying.

To quote Dr. Nucatola: "We have been very good at getting heart, lung, and liver. So I am not going to crush that part. I am going to basically crush below, I am going to crush above, and I am going to see if I can get it all intact."

Madam Speaker, this is one of those moments as a nation that we have to ask ourselves: "Who are we? Are we really going to tolerate this inhumanity? Are we going to look the other way while babies are brutally killed and organs are harvested for profit?"

These are not specimens. They are babies for goodness' sake. I may only have 1 minute today, but I promise, Madam Speaker, we are not done talking about this.

#### HONORING TIM WATSON OF FREMONT

(Mr. SWALWELL of California asked and was given permission to address the House for 1 minute.)

Mr. SWALWELL of California. Madam Speaker, I rise to honor the heroic actions of Tim Watson of Fremont, California.

Last month, Tim, a Santa Clara Valley Transportation Authority bus driver, was driving his bus along I-680 when he got an important alert. It said to be on the lookout for a child abducted at the Milpitas library that morning. It also included a description of the suspect and child.

Quickly realizing that they may be on the bus, Tim pulled off the road. He made up a story to the other passengers that he needed to look for a missing backpack so he could go through the bus and get a good look at the suspect and the child without anyone realizing something may be amiss.

After the search, his suspicion increased, and he called the dispatch center. He was told to continue on his route and that police would follow along the way. He drove his bus slowly, going at less than 30 miles per hour, when Fremont police were able to meet the bus and capture the suspect when it stopped at the Fremont BART station.

Madam Speaker, Tim's quick thinking allowed this kidnapping suspect to be apprehended without incident and for the child to be rescued safely.

Thank you, Tim. Your bravery and quick thinking saved a life, held someone to account, and is an inspiration to all of us.

#### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2722

Mr. SANFORD. Madam Speaker, I ask unanimous consent that my name be removed as cosponsor of H.R. 2722.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

#### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2722

Mr. FLEISCHMANN. Madam Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 2722.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

#### IMMINENT THREATS TO OUR NATIONAL SECURITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentlewoman from North Carolina (Mrs. ELLMERS) is recognized for 60 minutes as the designee of the majority leader.

#### GENERAL LEAVE

Mrs. ELLMERS of North Carolina. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the topic of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mrs. ELLMERS of North Carolina. Madam Speaker, I rise today to stand with my fellow members of the Republican Women's Policy Committee to discuss an issue of concern that is on the minds of every American, especially moms. The topic of concern to so many today is our national security and the need to maintain a strong military presence.

Madam Speaker, we currently face many threats abroad, including the terrorist group ISIS and the newly crafted nuclear agreement with Iran. As threats continue to grow overseas, so should our response. We need for our Commander in Chief to lay out a plan of success. We cannot stand idly by while the Islamic State continues to grow. This barbaric group is an imminent threat to the United States and our allies all over the world.

Yet another national security concern facing us today is Iran, the world's largest state sponsor of terrorism. Just last night, Iran and the other world powers reached a so-called nuclear deal. I remain deeply skeptical of this so-called deal. Furthermore, Iran has threatened our greatest ally, Israel. Prime Minister Netanyahu has already called this deal "a historic mistake."

The President promised us that he would walk away from a bad deal, but instead he has forsaken his promises,

neglected our allies, and disregarded the concerns of the American people. Because of the many freedoms we enjoy here in the United States, we will always have a target on our backs. This is precisely why we must maintain a robust military presence.

At home in North Carolina, I have the privilege of representing the Nation's largest Army installation, Fort Bragg. Despite the mounting threats abroad, the Army began its reduction of 40,000 troops last week. This included a loss of 842 soldiers at Fort Bragg. I firmly believe that any troop reduction is not in the best interests of the national security we have.

However, in light of this troop reduction, I did receive a piece of positive news regarding a decision by the Air Force. The Air Force has decided to stop pursuing their destructive proposal which is to close the 440th Airlift Wing. Our military is one of the best and the brightest. These men and women are the most well trained and well equipped in the world. We are blessed to live in a country that stands for justice and embodies freedom and exemplifies liberty.

Madam Speaker, I now yield to the gentlewoman from Missouri.

Mrs. WAGNER. Madam Speaker, I thank the gentlewoman for having this Special Order. It is wonderful to join my female colleagues here on the House floor to talk about this very important issue.

Madam Speaker, I come to the floor today to sound the alarm about the mistake of historic proportions agreed to by the Obama administration last night in Vienna. In his haste and desire to reach an agreement at any cost, the President has agreed to far-reaching concessions in nearly every area that was supposed to prevent Iran from acquiring a nuclear weapon. In contravention of his stated goal, the deal agreed to by the President last night affords Iran legitimacy for a partial nuclear program now and for a full and unfettered program after 15 years.

Madam Speaker, let me repeat myself for the sake of clarity. Under this deal, Iran will be able to develop a nuclear program with absolutely no restrictions less than 15 years from now. Under this deal, Iran will be allowed to continue to operate more than 6,000 centrifuges and will hold on to nearly 300 kilograms of enriched uranium.

Iran will also receive hundreds of billions of dollars in sanctions relief and regain the access to conventional arms and missiles that it has been denied for nearly a decade. Iran will be free to transfer these weapons to Hezbollah, the Syrian Government, and Yemeni rebels, who all threaten our ally Israel and further inflame the region already in crisis. Iran will be free to use the weapons and money provided by this agreement to fuel its terrorist aspirations around the region and the world.

This is a completely unacceptable outcome for the United States, Israel, our allies, and the Middle East.

Wagering the peace and security of the United States, Israel, and the world on a small chance that a hateful and deceitful regime will suddenly change its entire comportment is not only wrong, it is foolish and it is dangerous. Iran's decades-long record of state-sponsored terrorism will not change simply because this deal has been signed.

Just this past Friday—this past Friday, Madam Speaker—in Tehran, Iranian mullahs led people in chants of “death to America.” Yet, less than 72 hours later, the President is signing a deal with those fanatics, a deal that will eventually pave the way for Iran to obtain a nuclear weapon.

As Prime Minister Netanyahu told us in this Congress, in this very Chamber this year, “a bad deal is worse than no deal.” Madam Speaker, this is a bad deal.

The President expects Congress to stand idly by and do nothing while he trades the security of the U.S. and its allies for a legacy-burnishing accomplishment. He expects us to sit on the sidelines while the administration offers one concession after another to the Iranians and agrees on a deal that would endanger the stability of the entire Middle East and jeopardize U.S. national security. That must not happen.

As the 60-day review process mandated by the Iran Nuclear Agreement Review Act begins, Congress must unequivocally reject this agreement by voting for a resolution of disapproval. We will not stand idly by while the American people's security is traded for some empty promises. A nuclear-armed Iran would start a new arms race in the Middle East and pose an interoperable threat to the national security of the United States and our allies—especially Israel.

Madam Speaker, as Prime Minister Netanyahu said in this very Chamber, again: “Standing up to Iran is not easy; standing up to dark and murderous regimes never is.” But for the sake of our children and our children's children, we must face down this threat now before it is too late.

□ 1615

I urge my colleagues to review this agreement with an eye towards history, towards the past, towards the present, and towards the future of a region critical to America's national interests.

Iran has a record of deception and hostility towards American interest. No amount of wishful thinking will change their core tendencies. Congress must use this opportunity to stand up for what is right.

The United States must not capitulate in the face of persistent evil. We

must stand together, united against the threat of a nuclear Iran in order to guarantee a free and peaceful tomorrow.

Mrs. ELLMERS of North Carolina. I now yield to the gentlewoman from Indiana (Mrs. BROOKS).

Mrs. BROOKS of Indiana. Madam Speaker, I want to thank my dear friend, the gentlewoman from North Carolina, for organizing this session today.

Last week, when she organized this Special Order, I don't think you were really entirely aware how timely the topic would be today. I am so pleased that you did organize this, so thank you.

Now, many of us are still reviewing the text, having just received the 150 pages, that make up this deal with Iran; but from what I have heard thus far, it leaves me highly skeptical that the accord that was reached does not advance our interests in the region and signifies a retreat from the world stage.

Let me first say that, even if we take the President at his word, the words that I heard this morning—and we assume for a second that this deal cuts off “every pathway to a nuclear weapon”—there are still significant ramifications for granting \$150 billion in sanctions relief to a country whose unofficial motto, that we just heard from the gentlewoman of Missouri, has become “death to America.”

As Israeli Ambassador Dermer told some of my constituents just last night at a Christians United for Israel speech, a \$150 billion infusion of cash into Iran's coffers is like a trillion dollars flowing into the United States Treasury; and that money will go toward funding the Ayatollah's terror machines, ranging from Assad's regime in Syria, Hezbollah in Lebanon, the Houthis in Yemen, Hamas, the Islamic jihad in Gaza, and the many other of Iran's terror proxies throughout the region.

This is compounded by the fact that the deal will lift the conventional arms embargo in Iran in no more than 5 years and the embargo on missile sales to Iran in no more than 8 years. What the deal appears to do is give the Iranian regime \$150 billion in sanctions relief, while simultaneously allowing them to buy more conventional weapons, weapons that we know have been used in the past to actually kill American soldiers.

Now, this isn't to mention the unintended consequence that effectively shreds our foreign policy playbook that has guided the U.S. on the world stage for decades. This is a historic mistake—not only what Prime Minister Netanyahu has said is a historic mistake for the world, but it will allow Iran to continue to pursue its aggression and terror in the region. As the Congresswoman from Missouri said, it

will start a nuclear arms race in the Middle East.

Just today, former CIA Director, General Hayden, testified that not only do we need to understand that our nuclear focus does not make other realities go away, even if we had a successful conclusion to these nuclear negotiations, issues will remain.

I just want to close by reminding what our issues with Iran include. We know and believe they are the largest state supporter sponsor of terrorism. They hold American hostages without a fair trial. They support Palestinian terrorism, and they destabilize Iraq where we have invested so much treasure and lives. Hayden concluded the issue is not just Iran's nuclear problem; the issue is Iran itself.

Madam Speaker, no deal is clearly a better outcome than a bad deal; and I, too, am extremely concerned the Obama administration has negotiated a bad deal. I assure you that my colleagues and I will leave no detail of the final negotiated terms unexplored as this decision comes with consequences that will reverberate for generations moving forward.

The world cannot afford a nuclear Iran and thus cannot afford a deal with unacceptable terms.

Mrs. ELLMERS of North Carolina. I yield to the gentlewoman from Indiana (Mrs. WALORSKI).

Mrs. WALORSKI. Madam Speaker, I thank the gentlewoman from North Carolina and also my colleague from Indiana.

Madam Speaker, I rise to express my deepest concern that the President of the United States is signing an agreement with a leading state sponsor of terrorism, Iran. This administration has collectively created a pathway for Iran to create a nuclear bomb.

This agreement endangers the lives of Americans by providing billions of dollars in sanctions relief for Iran to continue killing Americans. The lack of adequate safeguards and controls in this plan that literally allows Iran to choose if and when they agree to verification is deeply troubling, and it should be to every American, especially when we start by lifting sanctions without any verification.

Also, let's not forget that by lifting the weapons embargo, Iran will increase their stockpile of missiles, ICBMs, directly from Russia—able to strike this homeland and other more advanced weapons that will lead to an arms race in the Middle East.

Once again, the President is bypassing the American people by threatening a veto of any legislation that comes from here that would curb his agreement.

The President of the United States continues to reject the will of the American people. As this unrest continues, the United States has to maintain our rich partnership with our allies, including Israel, sitting directly in line with Iran.

I just want to say to my colleagues here, very quickly, let's not forget that it was just a couple of months ago that Prime Minister Netanyahu of Israel stood in this very place right here. It was an unbelievable moment for this country.

He traveled all the way here to tell this body and to tell the American people how bad of a deal and how dangerous this agreement is. If you weren't here, I can tell you there was electricity in this place. People were moved, and America heard for the first time what a danger this was not only to us and our homeland, but the existential threat to the nation of Israel. They were moved, and the next morning, our Nation was not the same.

I just appreciate so much my colleague from North Carolina for allowing us to talk about this tonight. See, the American people know that this is not just a bad deal; this is not just a danger to our Nation. This is the complete unravelling of the Middle East as we know it today, and we are going to do everything we can—I can tell you I will do everything I can—to make sure that this bad deal goes away and we do what we are called upon when we raised our right hand to take these positions, which is to protect this Nation from attack.

Mrs. ELLMERS of North Carolina. I yield to the gentlewoman from Utah (Mrs. LOVE).

Mrs. LOVE. Madam Speaker, when it comes to the deal with Iran, I want to express how incredibly serious this is. That is because the stakes have never been higher.

Are we willing to continue to gamble with America's future and American lives?

Iran is a snake in the grass. Its leaders have made it very clear that they want to implement sharia law, not freedom. Iran does not value human life the way we do. They have actually shown that they are willing to support terrorists. They have shown that they are willing to hurt their own women and children.

On the other hand, we have a President of the United States of America that said he will veto any efforts to stop this bad deal. That shows he has no interest in listening to the American people.

How can we claim we are fighting terror when we are giving the leading state sponsors of terrorism a break to the tune of billions of dollars? At this rate, we will all but build the nuclear weapons for them in 15 years.

Now that a deal with Iran is in place, here is what is most concerning: They will turn around and build a nuclear weapon anyway, funded by the profits made from the lack of sanctions.

This is not a joke. This is not a game. Iran has a history of noncompliance. A great indicator of what is going to happen in the future is what has

happened in the past. How do we know they will never change? How do we know they will change? We don't. Chances are, they won't change.

Ronald Reagan was an advocate of peace through strength. He said that the world would experience peace when the United States was a beacon of strength.

I ask you all to stand strong with the United States against Iran and against any administration that would like to silence us, the American people.

Mrs. ELLMERS of North Carolina. I yield to the gentlewoman from the great State of Alabama (Mrs. ROBY).

Mrs. ROBY. Madam Chair, I thank my friend from North Carolina.

This is a great opportunity today for all of us ladies to be down here on the floor together, having a little conversation about what we recognize and can see matters to the majority of Americans, and that is the safety of this country and our national defense, our ability to defend against enemies. To my friend from North Carolina, there are a lot of those out there right now.

As we watch the lack of leadership in this administration, we have seen these enemies raise their heads, and it is by no mistake because they will seek to fill a void, and that is exactly what is happening around the world.

All of our colleagues that have talked earlier in this hour about the bad, bad deal with Iran, this comes at a time not only where we are seeing the atrocities of ISIS and other groups around the world, but also at a time when we have cut our military not through the muscle, but into the bone.

All of us here, we all have military interests in some respect throughout our districts. I know you have a large military presence in your district and others here joining us today, our colleagues; so everyone here has not felt the pain of what these cuts look like.

To my colleagues, if we don't do something about this sequester here, when it goes into full implementation—we are already cutting combat aviation brigades. We will have to cut even more.

Of course, I represent Fort Rucker, where we train these folks at the Army Aviation Center of Excellence, so, certainly, these realities are not lost on me; and I know you represent Fort Bragg and others here. The gentlewoman from Tennessee has a large military presence.

I guess the conversation that I want to have with you guys today on behalf of our constituents is: What are we going to do about it? We have got to figure this out because, if we don't, it is going to be irresponsible as it relates to our readiness and our ability to defend this Nation.

We owe it to our military families, our men and women that wear the uniform, to ensure that they have everything that they need every time we

send them into harm's way. This is really a dangerous time in our country, and certainly, it is not lost to everyone here as it relates to Iran and the bad deal that was negotiated there.

We have got to be willing to do our part as it relates to that deal. Here in this legislative body, we have to be willing to use the tools that we have and stand up against it and use the courage that we all have in our hearts to fight against this, knowing that it is going to not just have a huge impact on our security here at home, but our very important allies in the Middle East.

I just got back from a codel in the spring where we went to Saudi Arabia, Iraq, and Israel. Our allies over there are looking at us right now, going: What? What?

Anyway, I share my frustration with you, and I know you share it with me as well. We need to give the Army what they need. We need to give our military what they need and know that we are having the appropriate impact in the parts of the world that are under so much pressure right now as it relates to this plan.

I hope we can continue this dialogue. I appreciate all of you coming to the floor and letting me be a part of this.

I am very concerned. This is what literally keeps all of us up at night, worrying about the future of our country and our safety not just here at home, but for all the men and women that are serving our country abroad.

Again, I hope that we collectively can put our heads together and figure out a way to end this sequester, particularly as it relates to defense, once and for all.

Mrs. ELLMERS of North Carolina. I yield to the gentlewoman from Tennessee (Mrs. BLACK).

Mrs. BLACK. Madam Speaker, it is an honor to be here and to be a part of today's Republican Women's Policy Committee on this Special Order on national security, and I want to thank the gentlewoman from North Carolina for bringing us together on this very important topic.

I rise today to specifically address the President's attempts to strike a deal with both Iran and Cuba.

First, Iran—after four missed deadlines, President Obama announced a deal this morning with Iran, the world's largest state sponsor of terrorism and a nation whose Ayatollah famously called the United States “the Great Satan.”

□ 1630

It was a deal praised by the likes of Syria and Russia and condemned by our allies, such as Israel. What is more, under the agreement, international inspectors must ask Iran's permission before reviewing its nuclear sites, by the way, after which, Iran has 2 weeks to decide whether to even grant it. All

told, Iran would have 24 days to drag out this process and conceal signs of noncompliance.

Instead of peace through strength, this agreement amounts to unrest through appeasement. Under the Iran Nuclear Agreement Review Act, Congress does have the power to vote down a bad deal that threatens our national security. I believe this is a bad deal, and I intend to use what we can to show the President we do not support this deal.

Unfortunately, the President's efforts to cozy up to rogue nations doesn't end there. President Obama is attempting to normalize relations with Cuba. Here again, the President is clearly more interested in striking a deal—any deal—rather than knowing the details of the deal.

Consider this: Cuba was listed as a state sponsor of terrorism until the end of May, and now the President wants to open up an embassy on the shores of Havana. So can you tell me what has changed?

Just last week I led nearly 20 of my colleagues in sending a letter to the President, citing a report from the Department of Homeland Security which found more than 21,000 Cuban nationals with felony convictions living within our borders.

These individuals are rated by our Department of Homeland Security as a threat level 1, meaning that they are the worst of the worst. They have no legal status as they have been given orders to be removed, but they are roaming our streets because Cuba will not take back its criminals.

Madam Speaker, if the President insists on opening the door to negotiations with tyrants like Raul Castro, the very least he could do is to force this nation to follow the law on this simple matter and take back these criminals into his own country. Listen, when it comes to Iran and Cuba, the President must put national security and the well-being of the United States before his political legacy.

Again, I thank my colleague and friend from North Carolina for this Special Order today in order to bring these very important issues to the American people.

Mrs. ELLMERS of North Carolina. Madam Speaker, I yield to the gentlewoman from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. I thank the gentlewoman from North Carolina for pulling us together.

Madam Speaker, when you talk about issues that are women's issues, right now national security is at the top of the heap.

As we have talked about soccer moms and Walmart moms and all of these other iterations and descriptions during the years, right now we are looking at a category of security moms because the issue of security is what mothers are talking about.

I appreciate so much the gentlewoman from North Carolina's leadership, and we have two other colleagues who have yet to join us—Ms. ROSLEHTINEN from Florida and Mrs. LUMMIS from Wyoming—to talk about this issue.

Coast to coast, this is what people are talking about, and they sit in disbelief at what this administration is doing.

Whether it is Iran or whether it is other foreign policy, our friends and allies look at us, as the gentlewoman from Alabama said, and they ask: "What are you doing? Where have you been? What are you thinking?" As we would say in Nashville, "They have got a thinking problem."

Our enemies look at us and say: "Asleep at the wheel. This is our opportunity." That is exactly what Iran is doing, and they are looking at what we are doing to our military.

I thank the gentlewoman from Alabama for talking about her love for Fort Rucker and the men and women there. I know the gentlewoman probably sits down with those in her district at Fort Rucker, like I do with the families, with the leadership team, with the men and women in uniform at Fort Campbell, which is located in my district.

They are terribly concerned. They have a mission to fulfill, and it is despicable that this administration will continue to try to cut and cut and cut our military, cut the numbers, don't give them raises, don't give them all the tools and training, don't give them the Flying Hours Program that they need for redeployment.

Guess what, Madam Speaker. Every bit of that affects the effectiveness of our men and women in uniform.

The gentlewoman from Alabama will expand on the point of the cuts that are taking place at Fort Rucker and what that means to her constituents.

Mrs. ROBY. Madam Speaker, I appreciate the gentlewoman and just her shared concern here that we have for our men and women in uniform, for Army aviators, and for their families as well.

If the sequester goes into full effect not only when we are cutting from 12 CABs now—combat aviation brigades—to 10, there is a potential that we could have to go to 9.

What that means directly for Rucker is that we will decrease our student load, the number of Army aviation pilots that we are training. What that means for our country is that we are no longer ready.

I mean, you could make the argument that that, in fact, is the case now. They are going to do everything we ask them to do with what they have. We know that about the United States military, the best in the world. Yet, we are spreading them more and more thin.

We are fighting an enemy overseas right now. Whether you want to call it "war" or not, it is happening, and our men and women are in harm's way. There are boots on the ground, and if these cuts move forward, they are going to suffer more.

I appreciate the gentlewoman for drawing attention to Rucker, and I know that she feels as passionately as I about the military.

Mrs. BLACKBURN. I do, indeed.

The gentlewoman makes a point that is so very important, the readiness and the ability to fight 21st-century warfare on a lot of different fronts.

Madam Speaker, my colleagues and I will say part of that is naming and knowing your enemy, radical Islamist extremists. That is the enemy, and that is one of the reasons that this deal that the President announced this morning is so terribly disturbing to us.

His advisors had said that no deal is better than a bad deal. Guess what. What we saw from the President this morning is a pretty bad deal.

Here is what Iran gets to keep in this deal: 5,060 centrifuges. It includes an 8-year limitation on uranium enrichment. Think about that, an 8-year limitation.

So, then, are we setting a time certain that Iran can move forward? This is something that our constituents and the American people need to know about.

Then you look at the other components of this, the IAEA's not having the ability to just move forward and inspect anytime anywhere, but having to give that 2-week notice. That is something, again, of tremendous concern.

The President has threatened to veto any legislation that impedes the nuclear deal. My hope is that Congress is going to stand up and say "no" to the President in this deal and that we will say "yes" to increasing the security of this Nation.

Mrs. ELLMERS of North Carolina. Madam Speaker, I yield to the gentlewoman from Wyoming (Mrs. LUMMIS).

Mrs. LUMMIS. Madam Speaker, I thank the gentlewoman from North Carolina for sponsoring this Special Order, which allows the women of the Republican Conference to talk about an issue that is affecting all Americans, men and women.

Benjamin Netanyahu is calling this deal a historic mistake. Historic. Think about Israel and history. And when you have its prime minister calling this a historic mistake, we should be paying attention.

Madam Speaker, there is a very real and present danger of nuclear proliferation because of this deal; so it is critical that America not let her military preparedness for deterrence deteriorate. It will have exactly the opposite effect of that which the administration intends.

Consequently, we need all three legs of the nuclear triad—land, air, and water—for a strong defense and deterrence against attack. With a triad of bombers, submarines, and ICBMs, missiles are the most affordable, and they are on alert, protecting America and deterring her enemies 24 hours a day, 7 days a week.

We should be talking with Poland, with the Czech Republic, and we should make sure that they have an adequate missile defense. We are going to have to start talking to Saudi Arabia.

If Israel and Saudi Arabia are already today talking about the consequences of a deal with Iran, what does that tell you? It tells you just what the gentlewoman from Alabama was telling us a few minutes ago when they visited there, which is that security in Saudi Arabia—homeland security—is an enormous issue.

It is because there are always terrorists coming into Saudi Arabia, trying to get at Mecca and Medina, trying to do something that will cause a conflagration around the world, that will incite religious battles.

When they have one of their most feared adversaries now being in a position after 8 years and having now the money because of the lifting of the sanctions to go ahead with a nuclear program, what do you think they are going to do? What are the Saudis going to do? It is critical that we maintain for world peace and the deterrence of nuclear war our own ability to respond and to deter.

Madam Chairman, I thank you for this Special Order, and I thank you for your diligent work in this regard.

Mrs. ELLMERS of North Carolina. Madam Speaker, I yield to the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Madam Speaker, I want to thank my friend and colleague and chair of the Republican Women's Policy Committee, Congresswoman RENEE ELLMERS, for leading the charge on this Special Order so that we can discuss issues of national security.

As we have heard, Madam Speaker, and will continue to hear tonight, there is no shortage of national security threats that are facing us today. That is not what should scare us.

What should scare us is that the Obama administration has no strategy, no plan in place, to address some of the most serious threats that are out there.

Perhaps the most pressing issue currently facing U.S. national security, the security of our friend and ally, really—the Democratic Jewish State of Israel—and, indeed, global security is a nuclear-armed Iran.

□ 1645

If we want to discuss national security threats, we can spend all day discussing the ones the administration

just set into motion when it and the rest of the P5+1 nations announced this nuclear agreement with Iran.

Let's set aside for a moment, Madam Speaker, the fact that the administration just guaranteed that Iran will become a nuclear threshold state as a result of this deal, and we can all set our timers on when that first Iranian bomb will be produced thanks to this weak and dangerous deal.

Let's focus on the fact that the administration just guaranteed that the Iranian regime's billions of dollars that it is going to have to fill its coffers to underwrite its support for terror aimed at the U.S. and aimed at our interests around the world and especially our ally the democratic Jewish State of Israel.

Remember, this is the same regime that was responsible for building and providing the vast majority of roadside bombs that killed and injured thousands of our brave men and women who served valiantly in Iraq. It is the same regime that has propped up the murderous Assad regime in Syria, that supports the Shiite militias, all of which contributed greatly to the rise of the Sunni terror group ISIL, which has now become one of the greatest threats to U.S. national security as well.

This regime is responsible for the bombing of the U.S. Marine barracks and the U.S. Embassy bombings in Beirut and continues to support Hezbollah and Hamas as the terror groups that target Israel.

If this terrifying scenario wasn't bad enough, Madam Speaker, the Obama administration has included in this sweetheart of a deal for the Iranian regime lifting all U.N. Security Council resolutions, including the arms embargo, and that won't even last the duration of the deal, but it will be only in 5 years.

Madam Speaker, what has Iran done to deserve a lifting of the arms embargo, the lifting of sanctions against its ballistic missile program, its support for terror? Iran, in fact, continues to stoke sectarian violence, foment instability in the Middle East, flexing its muscles with the arms and military equipment that it already has.

Now, we are prepared to lift the arms embargo on that murderous regime, lift the restrictions in place on its ballistic missile program, the most expansive program out of any country in the region.

What kind of message did we just send to our partners in the region who fear Iran's hegemonic ambitions? We just allowed their most feared enemy to become a nuclear state, to have access to have even more money to support its illicit activities, and to bolster its conventional weapons and ballistic missile program.

Talk about threats to our national security, Madam Speaker—wow. This nuclear deal that the Obama adminis-

tration announced this morning just guaranteed an all-out conventional and nuclear arms race that very well could lead to what the President claimed he was trying to avoid, a war.

Whether it is Iran or whether it is Cuba, as Mrs. BLACK of Tennessee pointed out, President Obama is going legacy shopping. I fear that Israel will be next on Obama's legacy shopping list. I worry that President Obama will force Israel to accept a bad peace deal with the Palestinians.

Madam Speaker, let's shut down Obama's legacy store. We just can't afford it. I would like to thank Mrs. ELLMERS for her leadership on this national security threat.

Mrs. ELLMERS of North Carolina. I now yield to the gentlewoman from New York (Ms. STEFANIK).

Ms. STEFANIK. Madam Speaker, just this past Monday the Iraqi Government declared that it was beginning a major military operation to retake western Anbar province from ISIS. This area of operation, including major cities of Ramadi and Fallujah, is the same region which ISIS seized this past May.

Following this announcement, American-led coalition airstrikes permeated Anbar province. I fervently support U.S. and coalition military targeted airstrikes which continue to attack the Islamic State within Syria and Iraq. Along with airstrikes, U.S. troops serve as a part of an advise and assist role in Iraq and continue to do so in Afghanistan.

Since September 11, 2001, the Army's 10th Mountain Division has been the most actively deployed division to Iraq and Afghanistan, and I am honored to represent the 10th Mountain Division, a light infantry division comprised of competent, resilient, and skilled warriors.

In New York's north country, we understand what fighting for our Nation's liberties and freedoms truly means; and come this winter, during the holidays, when we are at home with our loved ones, these brave soldiers from the 10th Mountain Division will be serving our Nation in highly kinetic combat zones.

When I speak against ISIS, their barbaric tactics, and the instability they create around the world, I am speaking for my constituents, the brave servicemen and -women who are overseas right now, fighting to protect our national security.

I speak for their loved ones, the military families who are back in the north country at Fort Drum, worrying about their safety, and looking forward to the day they arrive back home.

This is why I am extremely frustrated when cuts to our defense budget continue. Sequestration is a real threat to our national security. Sequestration was proposed by this administration, signed into law by this President, and passed by a previous Congress.

As ISIS remains a major source of terrorism and instability throughout the Middle East, here, in Congress, we must discuss real solutions related to stabilizing the region, continued threats to our own national security, the readiness for our Armed Forces, and the tools they need to keep our country safe.

The National Defense Authorization Act provides our Nation's Armed Forces with the resources they need to defend our national security against ISIS, and soon, this imperative piece of legislation will be on its way to the President for his signature.

A veto could threaten the safety of our Nation's servicemembers and our country's defense. Our national security is gravely at risk, as long as ISIS remains intact and our troops are tasked with doing more with less.

I urge my colleagues to join me in supporting our Armed Forces in fighting against defense sequestration, and I implore this President to sign the National Defense Authorization Act.

Mrs. ELLMERS of North Carolina. I would like to say how much I appreciate receiving General Townsend to the XVIII Airborne Corps as commanding general from the 10th Mountain Division.

I know that you appreciate him as much as I do.

Ms. STEFANIK. Absolutely.

Mrs. ELLMERS of North Carolina. I now yield to the gentlewoman from Arizona (Ms. MCSALLY).

Ms. MCSALLY. Madam Chair, I appreciate you organizing this so that the women in our Conference can speak about something that is vitally important to our communities.

Everywhere I go in my district, my constituents are concerned about the security of our Nation and making sure that our men and women in uniform have everything they need in order to defend America.

Having served 26 years in uniform myself and representing a district of 85,000 veterans and two military bases, right now, we have over 750 of them deployed overseas in the fight against ISIS and also to work with our allies to deter Russian aggression.

People are deeply concerned about what appears to be—and not just appears to be—a failed defense strategy and foreign policy out of this administration. I can tell you, as I look around the world—and I have been doing national security for 30 years—we are in a more dangerous world than I have ever seen in my lifetime. I have got the experience of six combat deployments and a couple master's degrees.

Taking a look at this, we don't have enough time in an hour to go around the world with the threats that are emanating. The one that is obviously taking up the news today is the bad deal related to Iran and their march towards a nuclear capability.

I am going to read the whole thing tonight and tomorrow and make sure that we see all the details, but it seems like, on its surface, the goalposts have been moved; and the deal that has been negotiated is one where, myopically, this administration wanted to get a deal, really at all costs.

That cost is quite high to our national security, to the security of our friends and our allies, with significant destabilization in the Middle East, while we have Iran, which is the greatest state sponsor of terror, continuing to destabilize and fight proxy wars in the region and continuing to threaten Americans.

They have blood on their hands of American soldiers in Iraq and in Lebanon and other places. They are continuing to threaten Israel, destabilizing the region, and propping up nonstate actors in their proxy wars; and none of that is changing.

Now, we basically are legitimizing that and not addressing any of these other issues while potentially lifting the arms embargo. This is potentially a very reckless direction that we are going in. My constituents have been talking to me even today about the concerns and just the myopic focus of this administration on this particular bad deal.

If we take a larger view of the Middle East, there appears to be an absolutely incoherent strategy in the larger Middle East. While we have Qasem Soleimani, the general responsible for the Quds Force, responsible for all these terrorist activities that I mentioned, actually commanding the ground forces in Iraq to take back Tikrit, while we are providing the air power and sort of pretending that we are not operating in the same space for the same objectives, then we see what Iran is doing to continue to destabilize both in Yemen, in their support to Hamas and Hezbollah.

All of this is just absolutely incoherent. If you were to try to ask somebody what are we trying to do in the Middle East relative to Iran, which is the hegemon in the room, as a state sponsor of terror, I don't think anybody could really answer that. I don't think this President can answer this. There is deep concern about this lack of coherency.

When it comes to the fight against ISIS, we are doing these anemic attacks from the air. Having been a fighter pilot myself and having been involved in the targeting process—from being a flight lead in an A-10, all the way up to running the counterterrorism operations in Africa—I am very familiar with the targeting process.

We are in a situation where ISIS is continuing to gain momentum, to recruit foreign fighters. Over 20,000 have been recruited, and it looks like they are taking us on, and they are winning because we are putting the bar so high

on what targets that we can actually strike—legitimate targets that we are having pilots fly away from—and let continue to thrive and murder massive numbers of civilians in Iraq and Syria; gaining a foothold; gaining territory; and, in using social media, gaining new recruits because it looks like they are winning.

We have an absolute incoherent military strategy in the fight against ISIS not using our power in the way that it should be used, with all that it can bring to the fight, in order to achieve our national security objectives.

We had the Secretary of Defense and the Chairman of the Joint Chiefs in front of us on the House Armed Services Committee a couple weeks ago, where they said, related to this strategy, hope is not a strategy, but it looks like that is exactly what we are relying on. We are hoping that the Iraqis have an inclusive government, which they have shown time and time again that they are failing to do.

While Iraq has their national security interests certainly in the region, we have our own interests in making sure that ISIS does not gain a strong foothold with resources and the desire to recruit, train, and inspire individuals to attack Americans and take away our way of life. This strategy has just been failed coming out of this administration.

Russia, just another example, the squadron that I commanded is soon coming back from a deployment to Russia, A-10s over in the region to help assure and train our allies against the continued aggression that we are seeing from Russia.

Our incoming potential Chairman of the Joint Chiefs declared last week in a hearing that he believes Russia is actually the largest threat that we are potentially dealing with; yet the weakness from this administration in standing up and leading to defend our national security interests and reassure our allies is allowing Putin to fill that vacuum.

The Baltics and the other allies that are in the region, after basically the Russians were able to invade Ukraine, are wondering who is next and what is at stake with our NATO partners. This is just another example.

What China is doing in the South and East China Seas is just one more example of us not leading and not being able to assure our allies, showing weakness. Our friends are wondering can they count on us anymore, and our enemies are no longer afraid of us. This is the dangerous world we are in.

Some of these factors were going to be happening anyway, but American leadership can make or break situations, and we can change the course of international events if we are leading or not leading. This administration says that they are leading from behind. In the military, we call that following.

There is no such thing as leading from behind.

We need to make sure we have a strong national security strategy, that we have a capable military. The impact sequestration is having on our military, I have friends and individuals I know that are still serving and trying to serve, and they are rearranging deck chairs right now, trying to deal with the lack of resources and diminishing capabilities in training and readiness.

That is not a strategy-based budget; that is a budget-based strategy. I have been very strong in speaking against sequestration. I think we need to work together in order to make sure we can give the men and women in the military everything they need to defend America.

The last point I will make—and there are many to make, but we don't have enough time—is that we have passed the National Defense Authorization Act for the last 54 years.

□ 1700

This is an important piece of legislation that gives the troops the authorization, the pay raises, and everything that they need—combating sexual assault—all the different things that we have authorized in the NDAA, and this President is threatening to veto it.

I really hope that those around America who are listening to this will rise up and call their Members of Congress, call their Senators, call the White House and tell them that you don't play politics with our men and women in uniform. This is about national security and national defense. You need to sign that bill.

We are working through conference right now to hopefully get it done before we go into recess. This is an important piece of legislation, and we should not be playing political games with our national security.

So thank you, Madam Chairman, for organizing this. Thanks for the opportunity to come down and speak on behalf of our constituents, on behalf of those in my district right now that are serving overseas, the men and women in uniform. We owe it to them to make sure that we have a strong national security, that we have a strong military, we give them everything they need, and that we provide leadership in the world.

We have got to continue to provide oversight to the failed foreign policy and defense policy of this administration, and I look forward to continuing these discussions.

Mrs. ELLMERS of North Carolina. I thank the gentlewoman.

Madam Speaker, on behalf of the members of the Republican Women's Policy Committee, I would like to end this Special Order today by thanking our troops and their families. These men and women voluntarily venture into harm's way to protect our freedoms, ideals, and way of life.

It is equally as important that we recognize the sacrifices that military spouses and children make as well. They deserve our unwavering support for putting the safety and security of our country first.

May God continue to bless this great Nation and our men and women in uniform.

Madam Speaker, I yield back the balance of my time to conclude this Special Order on national security.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2898, WESTERN WATER AND AMERICAN FOOD SECURITY ACT OF 2015, AND PROVIDING FOR CONSIDERATION OF H.R. 3038, HIGHWAY AND TRANSPORTATION FUNDING ACT OF 2015, PART II

Mr. NEWHOUSE (during the Special Order of Mrs. ELLMERS of North Carolina), from the Committee on Rules, submitted a privileged report (Rept. No. 114-204) on the resolution (H. Res. 362) providing for consideration of the bill (H.R. 2898) to provide drought relief in the State of California, and for other purposes, and providing for consideration of the bill (H.R. 3038) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### REPORT ON H.R. 3049, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

Mr. ADERHOLT (during the Special Order of Mrs. ELLMERS of North Carolina), from the Committee on Appropriations, submitted a privileged report (Rept. No. 114-205) on the bill (H.R. 3049) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2016, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

#### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2722

Mr. GRIFFITH. Madam Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 2722.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

#### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2722

Mr. HILL. Madam Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 2722.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

#### MAKE IT IN AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Madam Speaker, we are going to spend about an hour here talking about something that is of great importance to the American people, to the economy, to the strength of America, and, indeed, the discussion we just heard about national security. It is about how we can build the American economy and build jobs for the working men and women of this country, the great middle class.

There will be much discussion in the days ahead about the Iran nuclear deal. That will be something that is of importance. But today, one question that we ought to ask each other is: If we don't have a deal, then what? The answer to that is: Nothing good.

Let's talk about Make It In America. This is an agenda that the minority whip put together about 4 years ago, and it is about building the American economy, how we can do it. The Make It In America agenda has moved along these last 4 years, almost 5 years now, with numerous pieces of legislation, and we are going to talk about those.

Last week, the minority whip, Mr. STENY HOYER, put together a hearing on this subject matter, and those Democrats that have introduced legislation over these many years and have reintroduced that legislation testified at the hearing about their pieces of legislation.

The result of that was, wow, what if we did those things? What if we actually passed those pieces of legislation? What if they became law? Well, I tell you what it would mean. What it would mean is an enormous opportunity for this economy to grow and for the great American middle class to enjoy higher wages, more jobs, and more opportunity.

Essentially, the legislation came down in these various ways. We had trade legislation. For example, the big discussion we have had over the last 3 months about trade policy and the Trans-Pacific Partnership is extremely important for American manufacturing. Done properly, it probably would grow American manufacturing. On the other hand, what we have seen in the many years previously is that trade policy can hollow out, destroy



American manufacturing. So we talked about trade policy.

One issue of extreme importance to me is the maintenance of the Buy America provisions. This is law that has been in place for more than 50 years, and it essentially says, if you are going to spend American taxpayer money, then spend it on American-made goods and equipment.

Tax policy is extremely important. You can, as present tax policy is set in place, encourage the offshoring of American jobs. American corporations are taking their capital, running off to the lowest wage rate country in the world, planting their capital there, building their manufacturing facilities, and leaving behind the American worker. So there are numerous ideas on tax policy.

Energy policy is another issue. We now know that we have had a very robust, large expansion of American energy production, natural gas and oil, so much so that we are likely to ship off in the days ahead liquefied natural gas. Well, if we do a little bit of that, it is probably okay. If we do too much of that, we raise American prices for energy, and then we are going to see less robust American manufacturing.

On labor policy, it is about how we encourage labor, wage rates, and the reeducation for those men and women that have lost their jobs. Education and research and development are extremely important.

These are the essential elements of the Make It In America policy. We will be talking about all of these today.

As my colleagues come in, I want to welcome them to the floor. I see our colleague from the great Northeast, ANN KUSTER, here. If you would like to talk about some of your legislation on Make It In America, we would be delighted to have you join us. I know that you have been working on this a long time in your area, and you have introduced bills in the last Congress and you have new bills in this Congress.

Ms. KUSTER. Mr. GARAMENDI, I appreciate you yielding, and I appreciate you taking the time to share with the American people our Make It In America agenda. I really want to thank you for the fantastic work that you have been doing on growing domestic manufacturing in the country.

We are joined by our wonderful leader, Mr. STENY HOYER, and his leadership on this issue is now legendary. So thank you for that.

New Hampshire has had a long history of being a leader in the manufacturing industry, all the way back to the paper mills at the turn of the century, the textile mills. At one point in Manchester, New Hampshire, we made a mile of cloth a day, and we were leaders in that.

So from the beginning of the time that I have served here in Congress, I

have been highly focused on how we can support successful local businesses and embrace innovation to help move our manufacturing economy into the 21st century.

In New Hampshire and across the country, we have some of the hardest working and most innovative companies in the world. I have had the opportunity to visit dozens of companies in my congressional district, visiting manufacturing companies, community colleges, community groups, and organizations all across the Granite State that are harnessing these new technologies to revitalize the manufacturing sector and breathe new life into our industry.

In Keene, New Hampshire, in the southwest corner of my district, for example, we have a Regional Center for Advanced Manufacturing, bringing together leaders from the community, from the K-12 school unit there, public schools, from our community college—River Valley Community College—our State university system—Keene State University—and students and leaders from all across the region learning and teaching the trades of tomorrow.

Coming up in October, New Hampshire will celebrate a full Manufacturing Week. It is a fabulous program. It started out 1 day; it has now exploded into a whole week. Hundreds, if not thousands, of students from the high schools will come into our manufacturing companies and will have a chance to see firsthand what this looks like, these CNC machines and the computerized precision manufacturing.

This is not your grandfather's factory. It is not dirty. It is not noisy. In fact, it is pristine clean. The machines are run on computerized programming, and every employee in the company needs to have the latest in education and talent. People will be able to come in to the companies and see what the work is that is going on.

I have had the chance to see the CNC computerized machines working with wood, working with textiles, working in glass, even counting and organizing eggs at a wonderful Pete and Gerry's Organic Eggs farm.

The problem is that, during the last several decades, lower wages, lack of access to education and skill training, and changes in our global economy have stacked the deck against our U.S. manufacturers. These issues are standing in the way of innovation.

So that is why we have all come together with this Make It In America agenda: to make the right policy changes to help level the playing field so that our manufacturers can grow and successfully create more jobs. That is my number one priority: jobs and economic development.

As part of the Make It In America agenda that I am supporting, we have developed a strong, comprehensive plan to help manufacturers thrive in the

21st century. The great thing about manufacturing, as my good colleague, Mr. GARAMENDI, has pointed out, is whether you are working on transportation policy, education, taxes, regulatory issues, trade, or most any other issue, we can take actions that help manufacturers. And that is exactly what our Make It In America agenda is seeking to do.

One bill that I introduced—and I am working hard to include it in the agenda, and I am working hard to pass—is the Workforce Development Investment Act. What this important piece of legislation would do is create a tax break for employers who partner with community colleges to provide skill training for specific jobs in their respective industries.

As I go around visiting these companies, they do have jobs available, but they don't always have people in the community with the skills that they need. And so, for example, at Nashua Community College, we got funding to create a new program that would train people in this advanced manufacturing, precision manufacturing computerized techniques, and those people will come out with a 2-year associates degree and walk directly into jobs at \$55,000 with great benefits and a great quality of life right there in New Hampshire.

My legislation would do all of this by encouraging greater collaboration between community colleges and employers to make sure that students not only have the right skills to succeed, but are on a path to employment when they graduate.

So again, I thank Mr. HOYER, Mr. GARAMENDI, and everyone else who has worked to shape this strong manufacturing agenda. I am proud to be a part of it.

Mr. GARAMENDI. Ms. KUSTER, thank you so very, very much. I think New Hampshire is very fortunate to have your leadership on manufacturing. I think I want to go up there and watch your Manufacturing Week. Now, I am not running for President, so that is not why I would go.

I notice that we have our leader, who has put together this program over the last 5 years. He has geared us up with the hearing last week with all of the members of the Democratic Caucus that have introduced legislation.

Mr. HOYER, you are our leader. You have made Make It In America an American agenda. Thank you so much for that leadership. Thank you for being here and for last week's conference. We have got more work to do. We need to get all this legislation in place. I know with your leadership we have got a good shot at it.

Mr. HOYER, welcome.

Mr. HOYER. I thank you very much, Mr. GARAMENDI. You do such an extraordinary job for California—and have for a long period of time—but you are doing an extraordinary job here in

Washington on behalf of America, on behalf of America's workers, on behalf of manufacturers, and on behalf of making sure that we make it here and sell it here and everywhere. That is what Make It In America is about. Nobody, including myself, has been any more tenacious in informing people about this agenda, and I thank you for that.

□ 1715

I want to thank ANN KUSTER. Congresswoman KUSTER and I had an opportunity to visit a really neat manufacturing facility in her district not too long ago.

They were excited about what they were doing, and they were excited, as she has pointed out, about making their business more technology focused and making it more efficient and more productive and, yes, more profitable; but the good news is they were retaining jobs in that effort. I thank Congresswoman KUSTER.

I want to thank DON NORCROSS, who is a new Member of the Congress, but not new to supporting Make It In America—he may not have called it Make It In America in New Jersey—but Make It In America legislation and policies. DON NORCROSS comes from a background of a working family, and he has made them proud and made us proud, and we welcome him to this effort.

I noticed also that SHEILA JACKSON LEE from Houston is also on the floor, who has been a tenacious and very, very faithful spokesperson and worker on behalf of Make It In America.

I am proud to share with my colleagues that House Democrats held a hearing, as has been mentioned, this past Thursday to begin exploring how to improve, expand, and adapt the Make It In America plan to meet the needs and challenges of 2015 and beyond.

As a matter of fact, one of the things we want to find out is how we can better create an environment for new technologies, for new ways of doing business, for new ways of making it in America.

Representative GARAMENDI was one of 34 Members who participated at last week's hearing. For the past 5 years, we have worked together in a bipartisan way to enact already 16 Make It In America bills into law.

These bills included measures to clear the backlog of patent applications, reauthorize the America COMPETES Act, and expand investments in workforce development, which is what Mr. GARAMENDI was talking about and Ms. KUSTER was talking about in terms of training people for the new technologies.

If we are going to compete worldwide in this global marketplace in which we now find ourselves, America is going to be the high value end of the global

marketplace. As a result, we need to make sure that we educate and train people to effectively participate and compete and succeed in that high-tech environment.

For the past 5 years, Make It In America has been focused on creating the conditions that encourage, as I said, business to innovate, manufacture, and create jobs here in the United States of America.

Now, with the rise of new technologies with the potential of transforming our economy, it is now time to update the Make It In America plan to address today's challenges and build on past successes.

That is why, Madam Speaker, the hearing that House Democrats held on Thursday was the first in what will be a series of hearings to solicit feedback from Members, entrepreneurs, job creators, in other words, economists, innovators, and others who have insights to share how we can be more successful in creating jobs and competing. These hearings are entitled: "Make It In America: What's Next?"

Five years have gone by. Circumstances have changed. Challenges have changed. Opportunities have changed. We need to be making sure that we are in a position to seize those opportunities on behalf of all of our people. This is a process of listening, learning, and then implementing the best ideas that emerge.

Thursday's hearings—Mr. GARAMENDI, you participated in them; you were one of the leaders there, which highlighted Members' ideas and feedback they have received from speaking and meeting with constituents back home—was a great success.

I want to emphasize that. We take, from time to time, breaks, and we call them district work periods, and some people call them vacations.

Almost every Member on both sides of the aisle use a district work period to go among their constituents, go to businesses, go to schools, go to construction sites, go to offices, and talk to people about what they think.

That is what our Founding Fathers had in mind: House Members, close to the people, listen to the people, bring their views here. That is what we did at this hearing.

We heard about the economic impact of the so-called Internet of things, which—in my generation, what language are you speaking, Internet of things—which uses wireless technology to connect everyday objects, your home, your refrigerator, your air conditioner, your television, everyday objects; we are all connected now.

We also heard about maker faires and fab labs, where students and professionals alike can transform tinkering into innovation. I sometimes say, Mr. GARAMENDI, that one of the policies that we ought to do is we ought to—a previous President talked about a chicken in every pot.

We ought to give a garage to every graduating high school student. It seems everything is generated in a garage in America. Although, as BILL FOSTER pointed out, these fab labs and maker faires were perhaps the new garages of our time.

Representative GARAMENDI, as I said, was among those who spoke about new ways to help traditional manufacturing, when he discussed the role our shipbuilding industry plays in helping American businesses move natural gas and other goods to market at home and abroad.

That shipbuilding industry was critically important to us winning in World War II. Now, as Mr. GARAMENDI pointed out, it is a shadow of its former self, and we need to rebuild it, and we need to be shipping goods on American fleets.

These were just some of the things that came up in the hearing, and I encourage all of my colleagues and all Americans to go online to [democraticwhip.gov](http://democraticwhip.gov) and read Members' testimonies.

Ms. KUSTER's testimony is on that, Mr. GARAMENDI's, and Mr. NORCROSS' testimony is on the Web; and you can see their perspective, add them all together, and we come up with a powerful agenda to create jobs in America.

That is what we are focused on; that is what the people want us focused on, and that is what we are going to work on. That is what Make It In America is all about.

I want to express my gratitude, again, to all the Members who participated in the first hearing, including, of course, the leader of this Special Order, Mr. GARAMENDI from California, and I thank him for yielding.

Mr. GARAMENDI. Mr. HOYER, none of this would be happening were it not for your leadership. You brought us together, 34 Members of the Democratic Caucus, each with one or more specific pieces of legislation to move the Make It In America agenda, so that Americans can have those middle class jobs and beyond and above and, in the process, grow the American economy. It is the fair way to do it. It is the right way to do it; grow the American economy in a fair way so that those middle class jobs are there.

It is the future; it has been the past; it can be the future with the legislation, and each one of these ideas—trade, taxes, energy, labor, education, research and infrastructure—the 34 Members of your caucus brought forth legislation in each and every one of those areas.

Mr. HOYER. Will the gentleman yield?

Mr. GARAMENDI. I yield to the gentleman from Maryland.

Mr. HOYER. The last item on there is infrastructure. When you build infrastructure in America, you don't create jobs any place other than America.

We are hopefully going to have a highway bill; and we need a permanent highway bill, a long-term, 6-year minimum highway bill, so that we lend confidence to the marketplace that the infrastructure is going to be in place because, if we are going to Make It In America, a good, solid competitive infrastructure is absolutely essential.

I thank the gentleman for that list. I thank him for his work. I thank him for the—I will say a few things while the gentleman is restoring Make It In America to its rightful place.

Mr. GARAMENDI. I am going to move this thing along. I see several of our other colleagues have joined us here.

SHEILA JACKSON LEE, you said you had a brief presentation. Please take the floor, then Mr. NORCROSS, and then we will—MARCY KAPTUR is here from Ohio. Here we go.

Ms. JACKSON LEE. Let me add my appreciation as well to be one of those Members who joined Mr. HOYER 5 years ago to emphasize that Make It In America is a double win. Make It In America, and we will make it in America, and that is what this message has been. I want to thank my good friend from California for leading this effort.

I just want to read what many of our constituents appreciate as being part of this Make It In America. The fair trade concept, taxes, energy, labor, education, research, and infrastructure, all of these are part, if they work fairly for the working man and woman.

I highlighted The Wall Street Journal earlier this year, 2014 marked the best year for job growth in 15 years, with employers adding 2.95 million jobs, and the unemployment rate falling to a postrecession low of 5.6 percent.

For the first time since the recession ended, payrolls are expected to grow. In all of America's cities and throughout the U.S., they are expected to add another 2.6 million jobs.

Houston is ranked as a top city for STEM occupations, jobs requiring a degree in science, technology, engineering, and math. Of course, we are engaged in the energy sector, and for that, we need employees.

All of my colleagues who believe in Make It In America collectively have put in place nearly 100 additional bills that have been introduced to focus on Make It In America. As well, all of us have focused on this concept of skills training.

I introduced H.R. 73, the America RISING Act of 2015, which stands for Realizing the Informational Skills and Initiative of New Graduates, establishing a grant program for stipends to assist in the cost of compensation paid by employers to certain recent college graduates and provide funding for their further education in subjects relating to mathematics, science, engineering, and technology.

What I want to say this evening is that this is a movement that should continue. I am very delighted that America recognizes that manufacturing is an economic engine.

I want to make mention of the Houston Community College, that I have had a meeting with over the last week, to particularly focus on a new facility that we hope will be finalized that will have automotive technology at the highest level and manufacturing as part of its training.

This is to help not only recent graduates or individuals in what we call early college, but it is to help adults to be retrained for important elements that will manufacture, something I want to see increased in Houston, and as well will have us at the highest levels of technology.

It is no longer the auto mechanic; it is the automotive engineer, the person who knows how to deal with sophisticated electric cars, solar-driven cars, and others that make a difference in our lives.

I want to thank the gentleman for having this very special Special Order, as he has done over the years and months, and to say that we are committed to passing legislation, building infrastructure, increasing our education and research, and particularly providing a new generation an opportunity for creating jobs and putting America, as it has been in the past, at the top in production; manufacturing; research; and, certainly, technology.

I thank the gentleman.

Thank you Congressman GARAMENDI for anchoring this Special Order and yielding me time to share with our colleagues legislation I have introduced that comports with the principles underlying our Make It In America agenda.

Our Make it in America plan sets forth four central guiding posts: 1. We must adopt and pursue a well-developed national manufacturing strategy that begins right here in America. 2. We must promote the export of our manufacturing goods so that businesses can compete domestically and internationally. 3. We must also encourage businesses abroad to bring jobs and innovation back to the United States. 4. Lastly, and most importantly, we must train and educate a workforce that will secure the sustainability of this plan.

As we continue this critical work of identifying and advancing effective policy change for our communities and collectively throughout the nation, it is important that we acknowledge the great progress we have made.

I supported the 16 Make It In America bills that have been signed into law by our President.

Additionally, as highlighted by the Wall Street Journal earlier this year, 2014 marked the best year for job growth in 15 years, with employers adding 2.95 million jobs and the unemployment rate falling to a post-recession low of 5.6%.

For the first time since the recession ended, payrolls are expected to grow in all of America's cities and employers throughout the U.S.

are expected to add another 2.65 million jobs this year.

Houston is ranked as a top city for STEM occupations, jobs requiring a degree in science, technology, engineering and math related subjects.

Known as the "Energy Capital of the World", Houston has core strengths in the energy sector, import/export trade activity, medical advancements and a diverse population that supports innovative growth.

However, Houston and other cities across the nation remain at risk of stalemating any progress we have made or are projected to make if we do continue to open up our job market and expand opportunities in all cities across the nation.

As we look to the pillars and priorities of our plan, which aims to ensure that these jobs are permanent and sustainable throughout all sectors and populations of America, it is important to keep sight of the nearly 100 additional bills my colleagues and I have introduced calling for strategic action and fair enhancement of our economy as we continue to experience this growth.

American businesses can only remain competitive when they have the trained and educated workers they need.

This is why I have introduced legislation that will help strengthen our education and skills-training programs to make sure our workers are getting the preparation and certifications they need while also providing an opportunity to find and retain work once trained with those high-demand skills.

H.R. 73, the "America RISING Act of 2015" which stands for Realizing the Informational Skills and Initiative of New Graduates, establishes a grant program for stipends to assist in the cost of compensation paid by employers to certain recent college graduates and provides funding for their further education in subjects relating to mathematics, science, engineering, and technology.

ABOUT H.R. 73, THE "AMERICA RISING ACT OF 2015" AND THE PROBLEM IT ADDRESSES

According to the Bureau of Labor Statistics, in 2012 the national unemployment rate for persons with a bachelor's degree was 4.5% and 6.2% for those persons with associate's degrees among college graduates aged 25 years and older. For college graduates aged 18–25 these percentages were higher at 7.7%.

Because the typical college graduate leaves college owing an average of \$29,400, in student loan debt, a rate that has increased 6% every year since 2008, the current job market offers exceedingly few opportunities for them to obtain employment at a salary adequate to service their college loan debt.

There are more than 26 million small businesses in the United States, of these more than 4 million are owned and operated by members of economically and socially disadvantaged groups.

In the current economic climate, small businesses are experiencing difficulty in finding the resources needed to increase sales, modernize operations, and hire new employees.

Recent college graduates need the experience that can be obtained only in the workplace to refine their skills and lay the groundwork for productive careers.

Small and disadvantaged businesses need the technologically based problem-solving skills possessed by recent college graduates, particularly those with training in the areas of science, technology, engineering, and mathematics.

Enabling recent graduates to obtain employment with small business and companies operating in economically distressed areas benefits the national economy by granting graduates deferred payments on their student loans with frozen interest rates while they gain essential business management experience that they can put into practice throughout their careers, while at the same time providing businesses the human capital and technical expertise needed to compete and win in the global economy of the 21st century.

The key elements of the program would be that the federal government would provide relief to a corps of recent college graduates in order for them to be deployed to assist struggling small and minority businesses in located in disadvantaged or economically depressed areas.

These are the types of business that are most in need of the technical and knowledge based skills possessed by recent college graduates but least able to afford them.

The benefit to participants is three-fold: 1. The federal government would provide relief from the piling interest rates of graduates' student loans by instating a freeze on their payments for two years while graduates who have not obtained a STEM degree are able to pursue a second training course or certification program in the STEM fields with eligibility for federal financial assistance. 2. Those graduates, who would have completed a degree in the STEM fields within the past 24 months, will be eligible to receive deferment of the cost of previous school balances by obtaining two years of additional education in the STEM fields as well as federal financial aid to complete the training. 3. The program participants will gain valuable experience applying the knowledge learned in college to the workplace after graduation or during their re-training.

In the long run the best way to guarantee America's future economic prosperity is to develop and grow an entrepreneurial class of Americans that is broadly represented among all demographic groups.

It is not enough to provide jobs that can be performed by the millions of low-skilled workers who need employment now.

In a global economy, any such job provided cannot be protected over the long haul and cannot be made lucrative enough to sustain a middle class standard of living.

Therefore, it is critical that there exist job training and retraining programs to enable workers to upgrade existing skills and to learn new ones.

I invite all my colleagues to join me in co-sponsoring H.R. 73, the "America RISING Act of 2015," which will help create the next generation of entrepreneurs and businesses that will provide good-paying middle-class jobs for America.

Mr. GARAMENDI. Thank you very much, Ms. JACKSON LEE. I really appreciate it.

As we talk about each of these things, you are talking labor and edu-

cation and the way they come together and, in doing so, increasing the productivity and the ability of an American worker to get a job in the new manufacturing world in which we are living.

These things do come together, all of these pieces of the puzzle, 34 Members of the Caucus, over 100 pieces of legislation in all of these areas.

Joining us, Mr. NORCROSS, thank you very much for joining us today. You were, I think, introduced very nicely by the minority whip. Welcome.

I yield to the gentleman from New Jersey (Mr. NORCROSS).

Mr. NORCROSS. Thank you. Certainly, we appreciate what you are doing here today, and that is highlighting what is going on in America. In south Jersey, where I am from, born and raised, a half century ago, we knew what it was like to Make It In America.

I live in the Victor building, where the Victrolas used to be made. We are not making Victrolas anymore. The Victrola turned into RCA and then went on from there. My father's first job was in the building I now live, which means they are not manufacturing Victrolas there anymore.

During the heyday, we built ships at New York shipyard. In fact, New York shipyard was where the very first nuclear-powered merchant ship was made.

Campbell Soup, who is still in our city, made soups, which now are known around the world.

□ 1730

But we look back over the last half century and see how things have changed. Many of those jobs have moved out because of bad trade deals. I had many, many empty warehouses and manufacturing plants where once thousands of people worked.

But we are on the rise again. And I just want to highlight a couple of items that are going to help us make it in America again.

We have a startup company by Dr. Singh, who was educated at the University of Pennsylvania, and he is now going to make SMR, small modular reactors, unconditionally safe, clean, carbon-free.

He was looking for a place to make them. And he literally could have gone anywhere in the world, where many of his products currently go. He is coming to Camden, New Jersey, here in America.

Why? Because of the educational system. Because those men and women that are going to be trained there are here in America and understand that.

Because we know in education not one size fits all. Most parents—and you hear it day in and day out, that they want to send their children to college. Well, the fact of the matter is not everybody wants or needs to go to college.

We have those who are serving in the military, those in our trade programs.

And we take a look at those trade programs, they are the backbone of what is going to be happening in the next generation of making it in America.

Because Dr. Singh is going to start out with 400 new employees and go to 1,000 after a few years, creating these new SMRs, which is high tech, but very labor intensive, whether it is arc welding, electricians, carpenters.

And they all have to have an education. Not all of them have to go to college. Those who are going to engineer this obviously do.

But working with your hands is a noble trade. I like to tell people, as I started out as an electrician, that I am still an electrician. I just wear a tie.

But that adult learning and having a flexible way to learn, whether—we heard a few moments ago about the community college system, which I firmly believe is the most affordable quality education that somebody leaving high school can go to.

You know, not everybody understands when they get out of high school where they want to go. But having that educational system, whether it is through the community college or through an apprenticeship program, is the way you can make it in America.

Now, when we take a look back over the last 50 years, we have had our ups and downs in America, but we always know the best social program is a job.

When you have a job, many of those other issues that you are facing when you are unemployed tend to go away. And when you have that job, you can make it in America.

I would like to thank my colleague from California for having us down here today and talking about this very important issue. Making it in America is about having a job. And when we stay focused on that here in Congress, America will win.

Mr. GARAMENDI. I thank you very much, Mr. NORCROSS. I knew that you had come out of a family that was in the building trades. You are an electrician, and you are also a Member of Congress.

So you are bringing something very valuable, and that is hands-on experience in the working world, where the middle class has seen their part of the American economy stall out, not able to climb ahead.

But over the last 20 years, we have seen this American middle class basically just barely able to hold its ground. And one of the reasons is the enormous decline in the manufacturing industry in this Nation and, also, that this Nation has not been keeping up with the needs of infrastructure.

So as we look at the Make It In America agenda, yes, education is absolutely important so that the workers of today and tomorrow are prepared for the kind of jobs that are out there.

Electricians—I am sure you can speak to this—when you started in the

business, it was one kind of skill set and, as you proceeded, you have found a need for additional.

Would you like to talk about how that works and the way it might integrate with the small modular reactors?

Mr. NORCROSS. Certainly. And I appreciate you yielding.

When we look at the educational system, apprenticeship programs have been around since the beginning of time, whether it was the shoemaker or the carpenter.

When I started out, it was a 4-year apprenticeship program. Today it is up to 5 years plus, depending on what specialty area you would like to focus on.

But those are the jobs that, when you are working, you are going to school, you are paying your taxes. When you are not working, you are not paying your taxes, and the system is a drag. You can't find a better life.

So when I say the best social program is a job, it is good for America. It pays the taxes. That means you are going to afford to send your kids to college if they want to go to college.

I have three children. Two of them wanted to go to college. One wanted to become an electrician. They each value what they do so much, and they are proud of what they do.

Mr. GARAMENDI. Perhaps it was your testimony at the hearing that the gentleman from Maryland (Mr. HOYER) put together, and they were talking about job training programs.

And I believe one witness, maybe you, said that the largest technical training program in the Nation are the apprenticeship programs that the unions run.

So the electricians union, IEBW, their apprenticeship program, the plumbers union and steelworkers and so forth each have an apprenticeship training program. And, when taken together, it is the single largest job training program in the Nation.

You said you spent some time at that?

Mr. NORCROSS. Well, it is interesting you are bringing that up. There are 15 different craft unions. And the fact of the matter is sometimes we can't see the forest for the trees.

They are the largest training—\$1.9 billion a year, privately funded, not through any government funds—through the apprenticeship training program of those 15 different craft unions.

It is so important because it is in place. That means that, when they are working, they are putting that next generation of people to work.

We need people to be in the STEMs, the engineers. But these apprenticeship programs, over 900 sites around the country, are training carpenters, plumbers, cement masons, laborers each and every day, and they have been doing it.

The way we can help them make it in America is to start the infrastructure

up so that they can start that next generation of folks because an apprenticeship program only works when the journeyman is teaching the apprentice.

Mr. GARAMENDI. In terms of public policy, we have passed a new piece of legislation, the Education and Workforce Innovation Act, last year.

And it seems to me that that piece of legislation, which provides Federal assistance for various kinds of workforce preparation, education, and other activities, to the extent that that can be brought into and connected with the apprenticeship programs that those labor unions that you just described are running out there, we might see even a more robust program within these. And these are employer and union, both of them participating in the apprenticeship programs.

Mr. NORCROSS. It is interesting you brought that up.

Today I spoke in front of the Building & Construction Trades Council. They have a program called Helmets to Hardhats, which is taking those veterans who are returning home and looking for an opportunity.

And those opportunities aren't always there, but those building trades in New Jersey alone over the last 4 years have taken 500 veterans into their apprenticeship programs.

So it is taking an existing program, giving not a handout, but just an opportunity to those vets. And they are some of the best apprentices that we have ever had, and it works extremely well.

Mr. GARAMENDI. We had a job fair out in California 2 weeks ago, and I was talking to some of the folks that were looking for a job.

Many of them had gone to the community college, taken a preapprenticeship training program so that they would be prepared and have the necessary education to go into the apprenticeship program.

That is a very, very important part of the Make It In America agenda: education coupled with labor. It is a very, very powerful piece of this.

Thank you so very much for participating today.

Closing comment?

Mr. NORCROSS. You bring up a good point.

The one issue, the preapprentice program is giving an opportunity to those who might not normally look into it: Women, minorities, and those who haven't been exposed to the trades. And I think that is a great point.

Do you want to be out there when it is in the middle of the summer? Do you want to be out there in the cold? So the preapprentice program exposes them to all the different crafts to see if this is what they want to do. It is a great opportunity to make it in America.

I thank you for the time.

Mr. GARAMENDI. Well, I am going to pass this discussion on to a lady who knows a lot of manufacturing.

I now yield to the gentlewoman from the great State of Ohio (Ms. KAPTUR), the heart of the manufacturing center in the United States.

Thank you so very much for joining us this afternoon.

Ms. KAPTUR. I want to thank you, Congressman GARAMENDI, for your continuing leadership on jobs in America and Make It In America.

It is a pleasure to join also with Congressmen NORCROSS and SHERMAN, who are here tonight after hours as we attempt to bring the cause of the American people here to our Nation's Capitol.

I want to thank you for the logo of "Make It In America." We in the Midwest would also say "make it and grow it in America" because agriculture is a major underpinning of Ohio as well, and I know it is of California.

I want to begin my remarks tonight by saying that the American economy, in a way, is upside down. We have seen two-thirds of the manufacturing jobs in America eliminated over the last three decades, and it isn't just because of technology.

It is because those jobs have been outsourced to third-world environments, where people work for penny wage jobs, and their livelihoods don't really increase. They aren't bettering themselves. They are basically not starving. They certainly don't live a middle class way of life.

But two-thirds of the manufacturing jobs, gone in America. And at the same time, we see the financial sector growing in power. Six banks headquartered on Wall Street mainly controlling the investment that occurs that allows the outsourcing, the very same characters that brought this economy down and hurt the world through the development of derivatives.

It has been interesting to read about the Greek financial crisis and to see that Goldman Sachs is right in there again, creating a derivative instrument that can't hold water. So the inner tube is just leaking all over the place.

It is important for the American people to see that manufacturing jobs have gone down. We have lost two-thirds of them. And the financial sector, meanwhile, has gained power, the very same characters that are outsourcing these jobs.

Because who has the money to invest in third-world environments? It sure isn't the community banks that I represent.

Let me point out that, over the last 30 years, we haven't had a single year where the United States was able to send more out—export goods—than import from other places.

So we have been upside down as an economy now for going on 30 years. And from my region, that means the average family has had their income go down, their net effective buying power, \$7,000 as the middle class hemorrhages.

Let's look at the numbers. We have had over \$10 trillion of trade deficit since the mid-1970s, when the first free trade agreement was signed. That \$10 trillion probably translates into a loss of over 40 million jobs over that period of time.

We are growing now sluggishly, sluggishly, because the "make it" and "grow it" parts of America have been very, very trimmed back.

If you lose two-thirds of your manufacturing jobs, you have growing poverty and you have sinking wages and sinking buying power across our country.

Now, there is a book. I recommend it to everybody. "American Theocracy" by Kevin Phillips. In chapter 8, he talks about the financialization of the U.S. economy: loss of manufacturing jobs, increase of jobs in the financial sector, high rewards for the people that sit at the top, but for everybody else, sinking wages and a shrinking middle class.

The derivative instruments that hurt our country and the collateralized debt obligations that threw us into a spin back in 2008, those weren't invented by people in Toledo, and I doubt they were invented by people in Cleveland or central California. They were invented by money-changers.

And they had figured out how to trade away American jobs, make huge, huge profits for their shareholders at the expense of the rest of the American people, the 99 percent.

On agriculture, I want to say that what has happened over the same period of time—because we have a vast underpinning of agriculture in this country. But even with it, 15 percent of our food is now imported. It used to be about 3 percent.

Start looking at the shelves and you are going: Oh, what did we trade away for that or that or that? And certainly, in pharmaceuticals, we have traded away most of those jobs someplace else.

And isn't it interesting that the cost of pharmaceuticals hasn't gone down, as we have just seen an avalanche of drugs coming in here, whether they be generic or brand-name.

There are people who are financing this outsourcing, and they are sitting fat and happy in the major financial center of our country.

I can go through my region. I can look at companies like Dixon Ticonderoga. It didn't close its doors in Sandusky, Ohio, because it couldn't make its crayons and school supplies anymore. It was moved to Mexico, where it sits near Mexico City. It moved from Sandusky, Ohio, down there.

Delphi moved from the same general area, Port Clinton, Ohio. Ford Focus just last week announced 4,000 jobs out of suburban Detroit down to Mexico. Champion Spark Plug in Toledo, closed. Acklin Stamping in Toledo,

closed. Dura, Dana, Chase Bag, Textile Leather, the list goes on and on. Ford's Maumee Stamping, there couldn't be a better Ford stamping plant in America than the one in Maumee—doors shut, jobs gone.

Two-thirds. That is just one part of America. Two-thirds of the manufacturing jobs of this country, lost.

Our economy is lopsided. It is benefiting a few. We are seeding the field, and that is why the American people feel the pinch.

I just wanted to make one other important point where the gentleman references research and innovation. There will be a patent bill coming up here very soon which I hope people will vote against because it will further dampen the ability of individual inventors and those working in our universities inventing the new products of the future and will reward only the big companies.

And I say to my colleagues, if you haven't decided how to vote on H.R. 9, I hope you will vote "no" on what is being called the Innovation Act because what it is, it is a transfer of more power to the biggest global corporations to say to their patents: Full steam ahead.

But if you are an individual out there in America or you are a person who doesn't have a whole legal team of lawyers who are being paid at your behest, you don't have a chance. You won't have a chance with H.R. 9.

We have a bill, H.R. 2045, that I hope people will look at as an alternative. It is supported by all of the research universities, small inventors across our country, who can't afford any longer to put their invention out there because they don't have the legal or financial capacity to defend it.

There is something really insidious about what is going on with our patent system and will make it so much harder.

And I give as proof, I read in our local newspaper the other day—they listed all the patents that had been approved this year over the first half of the year from my part of the country. There wasn't a single individual patent approved. Every single patent that was approved belonged to a company that had already been successful.

There wasn't even a university patent approved. I thought: Oh, my goodness. This is really not going to support innovation. This only supports the very same big-pocketed folks who already hold all the power in this society and have far too much sway in this Congress.

So I thank the gentleman for allowing me to add my two cents to the discussion this evening and to say the American people deserve a better deal than this.

I hope that Members will look at our Glass-Steagall Act as well. That is my bill, ELIZABETH WARREN's bill over in

the other body, to break up the big banks and to have more democratic activity among the financial institutions of this country and not just lodging over two-thirds of the power in the big six.

It is really warping our society, and it is making it much less representative. It is harming manufacturing. It is harming agriculture. It is harming innovation.

Thank you, Congressman GARAMENDI, for the phenomenal work that you do in allowing all of us whose districts have been so impacted to add to the American fabric and represent all of America, not just the wealthiest part of it.

Mr. GARAMENDI. Ms. KAPTUR, thank you so very much for bringing us the message from America's heartland. And, by the way, agriculture is also a manufacturing industry. The farmer grows, but then the food processors are manufacturing that and bringing added value and a major part.

You are quite correct about the escape of capital, using tax policy and trade policy to encourage American companies to take their capital and build overseas, leaving American workers behind.

Ms. KAPTUR. Will the gentleman yield?

Mr. GARAMENDI. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. I just want to place on the record that our Glass-Steagall bill to essentially break up the big banks and take the investment side of the operation away from the prudent banking portion of it is H.R. 381.

We have over 60 cosponsors of our bill here in the House, and I am hoping, as the American people hear our message tonight, they will encourage their Members of Congress to sponsor our Glass-Steagall Restoration Act, H.R. 381.

□ 1745

Mr. GARAMENDI. Ms. KAPTUR, thank you so very, very much. You talked about things that are extremely important along the way: the trade policy, our tax policy, the escape of American capital, leaving American workers behind, economic theory, and capital and labor resources. If one of those leaves—in this case, capital—then the American worker is left behind.

Mr. Speaker, the Make It In America agenda is all about rebuilding the foundation of America's economic growth. We can do that in several ways. I am going to wrap up with a very quick rendition of several policy opportunities that present themselves to us.

First of all, at the bottom of that list—not because it is at the bottom, but because it is just there—is the issue of infrastructure. We are faced with a huge challenge, one that, unfortunately, I am afraid the Congress will,



once again, duck the challenge of creating a robust program to revitalize the American infrastructure.

Infrastructure is the foundation. It is the sanitation, the water systems; it is the roads, the airports; it is the rivers, the ports, and transportation system.

The President has introduced, in the last Congress, the GROW AMERICA Act. We now call it the GROW AMERICA Act 2. Unfortunately, this week, tomorrow, our majority, our Republican colleagues, are failing to address this issue.

Instead, they are going back to a childhood game called kick the can—in this case, kick the can down the road for another 6 months instead of putting in place a long-term, 5- or 6-year transportation program that can accomplish all of these things—the rail, the buses, the ports, the bridges, the highways, the sanitation systems, and the communications systems. The leadership in the House on the Republican side is simply missing the fundamental necessity of infrastructure.

By the way, Mr. Speaker, this goes back to the Founding Fathers. George Washington asked Alexander Hamilton to develop an economic plan. He came back with one called manufacturers; in that was an infrastructure. Alexander Hamilton, the first Secretary of the Treasury, said that we must build the roads—postal roads at that time—we must build the canals, and we must build the ports if we are going to have a strong economy. The infrastructure is critically important to the Make It In America agenda.

Another one, Mr. Speaker, is using our tax dollars to build the American economy to make it in America. This is a story of two bridges. Very, very quickly, one bridge on the West Coast, this is called the San Francisco-Oakland Bay Bridge, a multibillion dollar project, the other one on the East Coast, and this is on the Hudson River in New York City, the Tappan Zee Bridge.

The San Francisco Bay Bridge, in a fit of what I call stupidity, the State of California decided that they would seek Chinese steel because it was supposed to be 10 percent cheaper to build the bridge. Well, the result was 6,000 jobs were in China, a brand-new steel mill, the most high-tech steel mill in the world—and, for America, taken to the cleaners.

It was a significant overrun of multimillions of dollars, a delay of years and years, steel that was shoddy, welds that were shoddy, and a lesson for America: spend our tax money on American-made equipment and supplies. Buy American steel. Those 6,000 jobs could have been in America. That steel mill could have been in America, and the shoddy work would not have occurred.

New York decided to buy American steel. So what happens—on time and

under budget and 7,728 American jobs were created. It is the story of two coasts: California, stupid policy; New York, wise policy. Spend the American taxpayer dollars on American-made goods and equipment.

One final thing, Mr. Speaker, and then I am going to return this over to the speaker. I don't know if you can see that, but that is a liquefied natural gas tanker. America later this year will begin to export natural gas in the form of LNG, liquefied natural gas. This is a big deal and a big potential for the gas industry.

They are going to make a lot of money because the cost of natural gas around the world is maybe twice to three times what the price would be in the United States, so the gas companies are all for shipping gas overseas. We need to be careful about this because, if we ship too much overseas, then we are going to raise the price.

The Cheniere facility in the Gulf Coast will take 100 tankers, and I have legislation that says, if we are going to ship a strategic national asset overseas, then we ought to take care of the rest of the national security.

Shipbuilding is absolutely essential. American mariners, captains, and seamen and -women are absolutely essential for the American defense and security. Make it in America, ship it on American-built tankers—we are talking about tens of thousands, indeed, over 100,000 jobs and a supply chain for jobs all across the country.

Mr. Speaker, I have got just a few minutes, and I notice that my colleague from New York is here. The East-West show is back in force.

Mr. TONKO, thank you for coming in so quietly. I didn't see you on my left side. Please join us, and let's talk about Make It In America.

Mr. TONKO. Thank you, Representative GARAMENDI. It is always a pleasure to join you on the House floor to speak to any issue, but in this case, to Make It In America.

I am certain through the hour you have talked about the capital and physical infrastructure demands, but we also have to highlight the human infrastructure portion of the equation that will resound in the greatest success for the Make It In America agenda, and that is training the skilled talent that we need.

We need to promote the development and the advancement of manufacturing—advanced manufacturing, as it has been coined of late—but also to understand that it is an innovation economy, and so that means dealing with issues in production with great precision.

That great precision requires extremely gifted skill sets and education, apprentice programs in higher ed, making certain we have a growing force of engineers, where we are woefully underproducing the amount of engineers we require.

There are bits of legislation that all of us have cosponsored, that perhaps we are leading as sponsor, that will encourage the development engineers that we require for our being able to be a great manufacturing nation as we move forward.

Those are important elements, making certain that we have the precision instrumentation that will enable us to, again, compete because it is not the cheapest investment, but the wisest investment that is made.

It is not going to be significant by the dollar only, but what is the best product, what is the most thoughtful product that is developed for whatever needs society may have. The engineering components of all of this is very important, and the skill set component is very important.

As we go forward, we want to make certain that that human infrastructure is geared up and ready to go with cutting-edge skill sets that speak to today's economy. That is very important.

Mr. Speaker, we have always prided ourselves on a strong workforce, a well-trained, well-educated, and well-equipped force that goes out there and enables us to compete and compete effectively in a global race on innovation. That has grown significant over the last decade.

We see more and more investment coming in, that human infrastructure from nations around the world that will then be competing with this Nation to be able to export its goods, so a full complement of programs that are essential in policy format and resource advocacy and investing in that Make It In America agenda, investment here where there are rightful anticipations of lucrative returns on the taxpayer dollars that are invested.

I thank you for the laser sharp focus you put on to Make It In America as an agenda and the underscoring of importance that you have drawn to manufacturing as a sector. It was walked away from by previous administrations.

This administration, the Obama administration, has talked about sound investment in advance manufacturing will enable us to stop bleeding the loss of manufacturing jobs where we are losing, at one point, one out of four.

□ 1800

We are still perched pretty high in terms of manufacturing jobs, but we have to stop that bleeding, and the way we do it is by turning it around with policy and resource advocacy. And I thank you again for your leadership in this regard.

Mr. GARAMENDI. Mr. TONKO, thank you. I know that your previous work before you came to Congress several years ago was in the State of New York working on the innovation economy. You certainly have ramped up innovation economy in the State of New York, and now you are bringing that experience here with legislation.



The Make It In America agenda, I am going to put it back up very, very quickly here because you talked about this. The Make It in America agenda is about the middle class; it is about rebuilding the middle class.

Thirty-four members of the Democratic Caucus talked last week about their legislation dealing with trade and taxes, energy, labor, education, research, and infrastructure, about how that constellation of issues comes together to boost the American middle class, to give every American an opportunity for that middle class job. So it is there.

I see we are about to be out of time, or maybe we are already out of time, so I am going to say I want to thank my colleagues and Mr. HOYER for leading us in this.

Mr. TONKO, you have got 30 seconds to close.

Mr. TONKO. Well, I just say, let's move forward with investment. It happens when we have a laser sharp focus on just where to apply our resources to capital, physical, and human infrastructure, so as to be the strongest competitor out there in a global race for kingpin of the innovation economy, and whoever wins that race, becomes the go-to agent for the worldwide economy. So we can't afford to hesitate or fail in our attempt here.

Thank you, again, for leading us.

Mr. GARAMENDI. Thank you, Mr. TONKO.

Mr. Speaker, I yield back the balance of my time.

#### IRAN NUCLEAR DEAL

The SPEAKER pro tempore (Mr. GRAVES of Louisiana). Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from California (Mr. SHERMAN) for 30 minutes.

Mr. SHERMAN. Mr. Speaker, I would like to begin by praising Mr. GARAMENDI, the gentleman from California, for this excellent presentation on why we should make it in America.

But I am here today to talk about something that was made in Vienna, namely, the Iran nuclear deal. I am going to start with a few observations and then get to the heart of my remarks.

The first observation is that we ought to set the record straight. The sanctions that brought Iran to the table were imposed by Congress over the objection of the executive branch of government.

For 30 years, Congress had it right, and for 30 years, the executive branch had it wrong. For 30 years, every time we passed sanctions acts, they would be argued against and thwarted and watered down due to the efforts of several administrations.

The only time Congress got it wrong is when the House of Representatives

got it right and passed tough sanctions legislation that went over to the Senate where, unfortunately, some in the senior body listened to the administrations at the time and failed to pass our legislation.

The second observation I would like to make is that the deal in Vienna lifts a number of sanctions which were not imposed as a result of Iran's nuclear activity. It provides greater sanctions relief than that which was supposed to be provided.

I, in particular, note that the arms embargo against Iran, an Iran that has created so much mischief in Syria, Yemen, and elsewhere, will be phased out and the Iran Sanctions Act will be waived. The Iran Sanctions Act was passed by the Congress in the early 1990s.

A review of that bill indicates that only one of three reasons it was passed was Iran's work with WMDs. And, of course, weapons of mass destruction come in three forms, not only the nuclear, but also the chemical and the biological. So I would reckon that only one-ninth of the reason Congress passed that bill was Iran's nuclear program, and yet those sanctions are being waived.

And finally, we see that the sanctions relief is so complete that not only are we waiving our secondary sanctions and allowing Iran to do business with the rest of the world, we are even allowing Iran to export to the United States. We won't buy their oil, but we will buy the things that we don't need and they couldn't sell anywhere else.

The next observation I would like to make is that there are those who say this deal may only work for about 10 years, but the Iranian Government will get better over the next 10 years. Do not hold your breath. The whole purpose of sanctions is to put pressure on the government, which either causes it to change its policy or creates a change in regime. That is what you do when you are trying to force a change in government.

Showering this government with economic benefits is not going to lead to its destruction or its eclipse. Look at Tehran. What you see is what you get.

Another observation is about missiles. It is unfortunate that this deal will allow Iran, in 8 years, to get more missile technology. There is only one reason for them to be working on intercontinental ballistic missiles, and that is to deliver a nuclear payload to a different continent than their own—namely, ours; namely, Europe. There is no other reason. Iran is not trying to fly to the Moon. They are trying to get a nuclear device to North America or Europe.

But let us not be sanguine one way or the other about missiles. A nuclear weapon—they vary in size, but they are about the size of a person, and you can

smuggle one into the United States inside a bale of marijuana.

So while we should be doing everything possible to stop Iran's missile program, the heart of our effort has got to be to stop their nuclear weapons program. The heart of my speech is to focus on the deal from a nuclear weapons perspective.

Now, the political pundits outside this Capitol are all trying to make this an "evaluate the President": Are you for him or are you against him? Is this a good deal? Did the President do a good job?

Those questions may be relevant to those seeking ratings on this or that cable television channel, but we in Congress have got to deal with a completely different question: What should Congress do at this time under these circumstances in the real world as it exists today where the President has agreed to sign this deal, not as it existed 2 days ago, not as it existed a decade ago when we should have been enforcing sanctions laws, but what should Congress do today?

Now, in order to reach that conclusion, we need to look at the overall deal and realize that it has different phases. It is a different deal over time. So let us look at the deal from the good, the bad, and the ugly.

In the first year, the most important good parts occur. Iran must ship 90 percent of its uranium stockpiles out of country and mothball two-thirds of the centrifuges. As we craft our policy, we should be loathe to give up those two advantages. We must, whenever we focus on anything, say, yes, there are some bad parts of this deal, but two-thirds of the centrifuges, 90 percent of the stockpiles, that is something we need to be focused on. So that is the good.

The bad also occurs in the first year. Iran will get its hands on \$120 billion-plus of their own money that we have under the sanctions been able to freeze in various money centers around the world.

What will they use this \$120 billion for? Part of it will go to help their own people because they have raised expectations. A good chunk of it will go to graft and corruption in the Iranian regime because it is, after all, the Iranian regime. A large portion of that money will go to kill Sunni Muslims. Some of them deserve it, most do not. And what is left over will be used to kill Americans and Israelis.

So there is bad in the first year and good in the first year.

But what is truly ugly occurs after 10 years. After year 10, Iran can have an unlimited number of centrifuges of unlimited quality. As the President himself says, at that point, their breakout time, the amount of time from the day they kick out the inspectors to the day when they have enough fissile material

for a nuclear weapon, shrinks to virtually zero days for the first bomb, a few more days for the second bomb.

Why is this? Because after 10 years, Iran will be allowed to create a huge industrial facility capable of supporting several electric generation nuclear plants. It is counterintuitive, but true, that it takes an awful lot more enrichment to power a nuclear plant than to create a nuclear bomb. In effect, we will be in a situation where it is as if Iran has an industrial-sized giant bakery capable of feeding many of their cities, and all they need for a nuclear bomb is a bag full of bread-crumbs. Obviously, once they go big, once they go industrial, once we get to the ugly part of this deal, Iran is a nuclear power—perhaps not an admitted nuclear power, but a nuclear power nevertheless.

So we are faced with the good, the bad, and the ugly. But the question is: What should Congress do?

One choice before us, and it is, I hope, the choice we will take, is to consider a resolution of approval of this deal and to vote it down by an overwhelming majority.

What will this do?

It will demonstrate for the world that the American people, the American Congress, and future administrations are not morally or legally bound by this agreement. It will set the stage for a subsequent administration to demand that the limits on uranium centrifuges are continued well past year 10 of this agreement. So the current administration will take advantage of the good, we will suffer the bad, but in the future we will not have to deal with the ugly.

The second approach we can take is to consider a resolution of disapproval. Unlike a resolution of approval, a resolution of disapproval, if adopted, would have immediate legal effects under U.S. law. It would blow a hole in the deal. But as I will get to it, possibly the wrong hole and perhaps no hole at all. Because if we were to consider a resolution of disapproval, I think it would pass this House. I think it might get 60 votes in the other body. The President has already announced he will veto it. And then, as far as I can tell, we would not override the veto.

Now, this would have a similar legal effect to us voting down a resolution of approval. Overall, the majority of the House and the majority of the Senate would have voted to disapprove. But that last picture will be a picture of

the proponents of this agreement winning by not losing more than two-thirds of the vote. That conveys in the most confused way the fact that this agreement will not be binding on future administrations and future Congresses.

There is, of course, the possibility that we somehow override a Presidential veto. That does not put us back where we were yesterday. That does not reinstitute sanctions. That does not create a good platform for creating a better deal, because by then many UN sanctions will be lifted. Our trading partners in Europe will already be doing business. The President will have told the world that Iran is acting reasonably and Congress is acting unreasonably.

□ 1815

Under such circumstance, Iran would get the lion's share of sanctions relief. They would be denied some sanctions relief because U.S. law would remain in effect.

But Iran would have every excuse not to deliver the important good parts of this deal, not to ship their uranium stockpiles out of the country, not to decommission two-thirds of their centrifuges.

So if we pass over a Presidential veto, a resolution of disapproval, we have not blown up the deal and taken us back to where we had the deal.

Rather, we have created a circumstance where Iran has literally split the U.S. Government, with Congress pushing in one direction, the President pushing in another direction, and every nation in the world taking its cue from the President.

Instead, I suggest that we would be in a stronger position if we demonstrate to the world that Congress does not accept this agreement, it is not binding on the American people, the President may not be legally constrained for the remainder of his term in implementing this deal, getting us the good, suffering the bad, but knowing that the ugly is something that needs to be confronted by another administration.

It is another administration that needs to prevent Iran from claiming that it will have the right to unlimited centrifuges 10 years from now but, instead, demanding a renegotiation of this deal.

Finally, the sanctions relief promised in Vienna is relief only from those sanctions due to Iran's nuclear program. It is not a get-out-of-jail-free

card. It is not a protection and a grant of authority to Tehran to engage in all kinds of evil activity in the Middle East and elsewhere.

If Iran continues to support Assad, we need to impose additional sanctions for that reason. If they continue to destabilize Yemen, we need to impose sanctions for that reason. And we cannot give Iran a free pass just because they have entered into this particular deal. This is not rapprochement with Iran.

This is a deal that has, in its first year, the good and the bad and, in its 10th year, is so ugly that we have to demand additional negotiations.

When we make that demand, we need to make that demand in the voice of a President in a future administration who is determined to say that Iran can never have an unlimited number of centrifuges, Iran can never have an unlimited quality of centrifuges, Iran can never be a few days from a nuclear weapon, and that, in order to prevent that, we have the legal right to put all options on the table.

I yield back the balance of my time.

#### SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 179. An act to designate the facility of the United States Postal Service located at 143rd Avenue, NW, in Chisholm, Minnesota, as the "James L. Oberstar Memorial Post Office Building".

#### BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on July 14, 2015, she presented to the President of the United States, for his approval, the following bill:

H.R. 2620. To amend the United States Cotton Futures Act to exclude certain cotton futures contracts from coverage under such act.

#### ADJOURNMENT

Mr. SHERMAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 18 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, July 15, 2015, at 10 a.m. for morning-hour debate.

#### EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the first and second quarters of 2015, pursuant to Public Law 95-384, are as follows:

## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2015

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Visit to Thailand, Philippines, Hong Kong—January 4–12, 2015.											
Catherine Sendak .....	1/7	1/9	Thailand .....		488.25						488.25
	1/9	1/11	Philippines .....		533.97						533.97
	1/11	1/12	Hong Kong .....		493.68						493.68
Commercial airfare .....							14,665.50				14,665.50
Michael Amato .....	1/7	1/9	Thailand .....		488.25						488.25
	1/9	1/11	Philippines .....								
	1/11	1/12	Hong Kong .....		493.68						493.68
Commercial airfare .....							14,665.50				14,665.50
Craig Greene .....	1/7	1/9	Thailand .....		488.25						488.25
	1/9	1/11	Philippines .....								
	1/11	1/12	Hong Kong .....		493.68						493.68
Commercial airfare .....							14,665.50				14,665.50
Delegation expenses .....	1/7	1/9	Thailand .....		559.96						559.96
Visit to Germany with CODEL McCain—February 5–8, 2015.											
Hon. William M. “Mac” Thornberry .....	2/6	2/8	Germany .....		822.00						822.00
Hon. Michael R. Turner .....	2/6	2/8	Germany .....		822.00						822.00
Hon. James Langevin .....	2/6	2/8	Germany .....		822.00						822.00
Visit to India, Pakistan—February 14–21, 2015.											
Alexander Gallo .....	2/15	2/18	India .....		906.00						906.00
	2/18	2/21	Pakistan .....		320.00						320.00
Commercial airfare .....							10,491.00				10,491.00
William Spencer Johnson .....	2/15	2/18	India .....		906.00						906.00
	2/18	2/21	Pakistan .....		320.00						320.00
Commercial airfare .....							10,491.00				10,491.00
Visit to United Arab Emirates, Kuwait, Iraq, Afghanistan, Jordan—February 13–20, 2015.											
Hon. Joe Wilson .....	2/14	2/17	United Arab Emirates .....		396.00						396.00
	2/15	2/16	Afghanistan .....		6.00						6.00
	2/17	2/18	Jordan .....		354.65						354.65
	2/18	2/20	Kuwait .....		220.00						220.00
Commercial airfare .....							4,878.70				4,878.70
Hon. Seth Moulton .....	2/14	2/17	United Arab Emirates .....		396.00						396.00
	2/15	2/16	Afghanistan .....		6.00						6.00
	2/17	2/18	Jordan .....		354.65						354.65
	2/18	2/20	Kuwait .....		220.00						220.00
Commercial airfare .....							13,967.70				13,967.70
Hon. Brad Ashford .....	2/14	2/17	United Arab Emirates .....		396.00						396.00
	2/15	2/16	Afghanistan .....		6.00						6.00
	2/17	2/18	Jordan .....		354.65						354.65
	2/18	2/20	Kuwait .....		220.00						220.00
Commercial airfare .....							13,967.70				13,967.70
Hon. Elise Stefanik .....	2/14	2/17	United Arab Emirates .....		396.00						396.00
	2/15	2/16	Afghanistan .....		6.00						6.00
	2/17	2/18	Jordan .....		354.65						354.65
	2/18	2/20	Kuwait .....		220.00						220.00
Commercial airfare .....							13,967.70				13,967.70
Peter Villano .....	2/14	2/17	United Arab Emirates .....		396.00						396.00
	2/15	2/16	Afghanistan .....		6.00						6.00
	2/17	2/18	Jordan .....		354.65						354.65
	2/18	2/20	Kuwait .....		220.00						220.00
Commercial airfare .....							13,967.70				13,967.70
Lindsay Kavanaugh .....	2/14	2/17	United Arab Emirates .....		396.00						396.00
	2/15	2/16	Afghanistan .....		6.00						6.00
	2/17	2/18	Jordan .....		354.65						354.65
	2/18	2/20	Kuwait .....		220.00						220.00
Commercial airfare .....							13,967.70				13,967.70
Visit to Turkey, Austria, Belgium—February 16–22, 2015.											
Hon. Michael R. Turner .....	2/16	2/16	Belgium .....		645.48						645.48
	2/17	2/19	Turkey .....		89.00						89.00
	2/19	2/20	Austria .....		163.00						163.00
Hon. Paul Cook .....	2/16	2/16	Belgium .....		645.48						645.48
	2/17	2/19	Turkey .....		89.00						89.00
	2/19	2/20	Austria .....		163.00						163.00
Hon. Loretta Sanchez .....	2/16	2/16	Belgium .....		645.48						645.48
	2/17	2/19	Turkey .....		89.00						89.00
	2/19	2/20	Austria .....		163.00						163.00
Jesse Tolleson .....	2/16	2/16	Belgium .....		645.48						645.48
	2/17	2/19	Turkey .....		89.00						89.00
	2/19	2/20	Austria .....		163.00						163.00
Delegation expenses .....	2/14	2/16	Belgium, Turkey .....						6,043.83		6,043.83
Delegation expenses .....	2/19	2/20	Austria .....				1,046.71				1,046.71
Visit to United Kingdom, Germany, Romania—February 16–23, 2015.											
Michael Miller .....			United Kingdom .....		1,518.00						1,518.00
			Germany .....		570.00						570.00
			Romania .....		510.00						510.00
Commercial airfare .....							3,111.40				3,111.40
Brian Garrett .....			United Kingdom .....		1,518.00						1,518.00
			Germany .....		570.00						570.00
			Romania .....		510.00						510.00
Commercial airfare .....							3,111.40				3,111.40
Visit to Belgium with STAFFEDEL, Karem—February 19–21, 2015.											
Michael Casey .....	2/19	2/21	Belgium .....		627.52						627.52
Commercial airfare .....											
Visit to Cuba—February 24, 2015.											
Hon. Vicky Hartzler .....	2/24	2/24	Cuba .....								
Hon. Hank Johnson .....	2/24	2/24	Cuba .....								
Hon. Gwen Graham .....	2/24	2/24	Cuba .....								
Hon. Beto O'Rourke .....	2/24	2/24	Cuba .....								
Hon. Steven M. Palazzo .....	2/24	2/24	Cuba .....								
Hon. Pete Aguilar .....	2/24	2/24	Cuba .....								
Hon. Tom MacArthur .....	2/24	2/24	Cuba .....								
Hon. Jackie Walorski .....	2/24	2/24	Cuba .....								
Christopher J. Bright .....	2/24	2/24	Cuba .....								
Mark Morehouse .....	2/24	2/24	Cuba .....								
Elizabeth Conrad .....	2/24	2/24	Cuba .....								
Michael Casey .....	2/24	2/24	Cuba .....								

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2015—  
Continued

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Visit to Peru, Honduras—March 9–14, 2015.											
Catherine Sendak	3/9	3/12	Peru		571.51						571.51
	3/12	3/14	Honduras		516.00						516.00
Commercial airfare							896.95				896.95
Michael Amato	3/9	3/12	Peru		571.51						571.51
	3/12	3/14	Honduras		516.00						516.00
Commercial airfare							896.95				896.95
Visit to United Kingdom—March 19–23, 2015.											
Hon. Michael Turner	3/19	3/23	England		1,656.59						1,656.59
Commercial airfare							9,657.46				9,657.46
Hon. Loretta Sanchez	3/19	3/23	England		1,656.59						1,656.59
Commercial airfare							9,657.46				9,657.46
Kari Bingen	3/19	3/23	England		1,656.59						1,656.59
Commercial airfare							9,657.46				9,657.46
Joseph Whited	3/19	3/23	England		1,656.59						1,656.59
Commercial airfare							9,657.46				9,657.46
Douglas Bush	3/19	3/23	England		1,656.59						1,656.59
Commercial airfare							9,657.46				9,657.46
Delegation expenses							3,323.98		222.20		3,546.18
Committee totals					34,689.03		200,370.39			6,266.03	241,325.45

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. MAC THORNBERRY, Chairman, June 11, 2015.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE BUDGET, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2015

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Karen Robb .....	3/28	4/3	Myanmar .....		2,079.00		440.00				2,519.00
Committee total .....					2,079.00		440.00				2,519.00

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. TOM PRICE, Chairman, June 26, 2015.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON NATURAL RESOURCES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2015

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Raúl Grijalva .....	5/23	5/28	Cuba .....		1,455.00				637.00		2,092.00
Bertha Guerrero .....	5/23	5/28	Cuba .....		1,455.00				637.00		2,092.00
Committee total .....					2,910.00				1,274.00		4,184.00

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. ROB BISHOP, Chairman, July 8, 2015.

EXECUTIVE COMMUNICATIONS,  
ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2149. A letter from the Counsel, Legal Division, Consumer Financial Protection Bureau, transmitting the Bureau's Major final rule — Integrated Mortgage Disclosures Under the Real Estate Settlement Procedures Act (Regulation X) and the Truth In Lending Act (Regulation Z) [Docket No.: CFPB-2012-0028] (RIN: 3170-AA19) received July 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Financial Services.

2150. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's Major final rule — Permanent Discontinuance or Interruption in Manufacturing of Certain Drug or Biological Products [Docket No.: FDA-2011-N-0898] (RIN: 0910-AG88) received July 10,

2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2151. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's Major final rules — Coverage of Certain Preventive Services Under the Affordable Care Act (RIN: 1210-AB67) received July 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2152. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Freedom of Information Act Regulations: Fee Schedule, Addition of Appeals Time Frame, and Miscellaneous Administrative Changes [Release No.: 34-75388; File No.: S7-07-14] (RIN: 3235-AL58) received July 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Oversight and Government Reform.

2153. A letter from the Assistant Attorney General, Office of Legislative Affairs, De-

partment of Justice, transmitting a report entitled "Report to the Congress of the United States on the Activities of the Department of Justice in Relation to the Prison Rape Elimination Act", pursuant to Sec. 5(b) of Pub. L. 108-79; to the Committee on the Judiciary.

2154. A letter from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting the Department's Office of Privacy and Civil Liberties Activities Semiannual Report covering October 1, 2014, through March 31, 2015, pursuant to Sec. 803 of the Implementing Recommendations of the 9/11 Commission Act of 2007, Pub. L. 110-53, 121 Stat. 266, 361-62 (codified at 42 U.S.C. 2000ee-1(f)); to the Committee on the Judiciary.

2155. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Honeywell International Inc. Turbo-prop Engines [Docket No.: FAA-2006-23706; Directorate Identifier 2006-NE-03-AD; Amendment 39-18177; AD 2014-12-04] (RIN:

2120-AA64) received July 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

2156. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters Deutschland GmbH (Previously Eurocopter Deutschland GmbH) (Airbus Helicopters) [Docket No.: FAA-2014-0577; Directorate Identifier 2013-SW-042-AD; Amendment 39-18184; AD 2015-12-09] (RIN: 2120-AA64) received July 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

2157. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2014-0426; Directorate Identifier 2013-NM-231-AD; Amendment 39-18186; AD 2015-12-11] (RIN: 2120-AA64) received July 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

2158. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Fokker Services B.V. Airplanes [Docket No.: FAA-2014-0492; Directorate Identifier 2013-NM-134-AD; Amendment 39-18187; AD 2015-12-12] (RIN: 2120-AA64) received July 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

2159. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt and Whitney Division Turbofan Engines [Docket No.: FAA-2015-0266; Directorate Identifier 2015-NE-03-AD; Amendment 39-18185; AD 2015-12-10] (RIN: 2120-AA64) received July 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

2160. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Cloverdale, CA [Docket No.: FAA-2014-0457; Airspace Docket No.: 14-AWP-4] received July 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

2161. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Highmore, SD [Docket No.: FAA-2014-0723; Airspace Docket No.: 14-AGL-13] received July 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

2162. A letter from the Regulatory Ombudsman, FMCSA, Department of Transportation, transmitting the Department's final rule — Incorporation by Reference; North American Standard Out-of-Service Criteria; Hazardous Materials Safety Permits [Docket No.: FMCSA-FMCSA-2015-0075] (RIN: 2126-AB78) received July 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

2163. A letter from the Division Chief, FMCSA, Regulatory Development, Department of Transportation, transmitting the Department's final rule — Rulemaking Procedures — Federal Motor Carrier Safety Regulations; Treatment of Confidential Business Information [Docket No.: FMCSA-2015-0168] (RIN: 2126-AB79) received July 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

2164. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D Airspace; Baltimore, Martin State Airport, MD [Docket No.: FAA-2015-0793; Airspace Docket No.: 15-AEA-3] received July 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

*[Pursuant to the order of the House on July 13, 2015 the following report was filed on July 14, 2015]*

Mr. BISHOP of Utah: Committee on Natural Resources. Supplemental report on H.R. 2898. A bill to provide drought relief in the State of California, and for other purposes (Rept. 114-197, Pt. 2).

*[Filed on July 14, 2015]*

Mr. HENSARLING: Committee on Financial Services. H.R. 432. A bill to amend the Investment Advisers Act of 1940 to prevent duplicative regulation of advisers of small business investment companies (Rept. 114-199). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 1334. A bill to amend the Securities Exchange Act of 1934 to make the shareholder threshold for registration of savings and loan holding companies the same as for bank holding companies (Rept. 114-200). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 1723. A bill to direct the Securities and Exchange Commission to revise Form S-1 so as to permit smaller reporting companies to use forward incorporation by reference for such form (Rept. 114-201). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 1847. A bill to amend the Securities Exchange Act of 1934 and the Commodity Exchange Act to repeal the indemnification requirements for regulatory authorities to obtain access to swap data required to be provided by swaps entities under such Acts; with an amendment (Rept. 114-202, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 2064. A bill to amend certain provisions of the securities laws relating to the treatment of emerging growth companies; with an amendment (Rept. 114-203). Referred to the Committee of the Whole House on the state of the Union.

Mr. NEWHOUSE: Committee on Rules. House Resolution 362. Resolution providing for consideration of the bill (H.R. 2898) to

provide drought relief in the State of California, and for other purposes, and providing for consideration of the bill (H.R. 3038) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes (Rept. 114-204). Referred to the House Calendar.

Mr. ADERHOLT: Committee on Appropriations. H.R. 3049. A bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2016, and for other purposes (Rept. 114-205). Referred to the Committee of the Whole House on the state of the Union.

## DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Agriculture discharged from further consideration. H.R. 1847 referred to the Committee of the Whole House on the state of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. WILLIAMS (for himself and Mr. LUCAS):

H.R. 3048. A bill to provide an exemption from rules and regulations of the Bureau of Consumer Financial protection for community financial institutions, and for other purposes; to the Committee on Financial Services.

By Ms. FOXX (for herself and Mr. LARSON of Connecticut):

H.R. 3050. A bill to amend the Internal Revenue Code of 1986 to allow rollovers from other retirement plans into simple retirement accounts; to the Committee on Ways and Means.

By Mr. CLYBURN:

H.R. 3051. A bill to eliminate the requirement that a firearms dealer transfer a firearm if the national instant criminal background check system has been unable to complete a background check of the prospective transferee within 3 business days; to the Committee on the Judiciary.

By Mrs. BLACK:

H.R. 3052. A bill to amend title 28, United States Code, to prevent the misuse of foreign law in Federal courts, and for other purposes; to the Committee on the Judiciary.

By Mr. BUCSHON (for himself, Mr. BOUSTANY, and Ms. CLARK of Massachusetts):

H.R. 3053. A bill to ensure appropriate coverage of ventricular assist devices under the Medicare program under title XVIII of the Social Security Act, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAPUANO (for himself, Mr. JONES, Ms. CLARK of Massachusetts, and Mr. YOHO):

H.R. 3054. A bill to reduce risks to the financial system by limiting banks' ability to engage in certain risky activities and limiting conflicts of interest, to reinstate certain Glass-Steagall Act protections that were repealed by the Gramm-Leach-Bliley Act, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on the Judiciary, for

a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CRAMER (for himself and Mr. WELCH):

H.R. 3055. A bill to authorize the exportation of consumer communication devices to Cuba and the provision of telecommunications services to Cuba, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRAVES of Missouri:

H.R. 3056. A bill to amend title 5, United States Code, to provide for certain special congressional review procedures for EPA rulemakings; to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, Transportation and Infrastructure, Agriculture, Rules, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIJALVA:

H.R. 3057. A bill to require the Secretary of Health and Human Services to issue to Federal agencies guidelines for developing procedures and requirements relating to certain primary care Federal health professionals completing continuing medical education on nutrition and to require Federal agencies to submit annual reports relating to such guidelines, and for other purposes; to the Committee on Energy and Commerce.

By Mr. KELLY of Pennsylvania (for himself and Mr. KIND):

H.R. 3058. A bill to amend the Internal Revenue Code of 1986 to provide for special treatment of the research credit for certain start-up companies, and for other purposes; to the Committee on Ways and Means.

By Mr. RUSSELL (for himself, Mr. LUCAS, Mr. BRIDENSTINE, Mr. MULLIN, and Mr. COLE):

H.R. 3059. A bill to designate the facility of the United States Postal Service located at 4500 SE 28th Street, Del City, Oklahoma, as the James Robert Kalsu Post Office Building; to the Committee on Oversight and Government Reform.

By Mr. SCHIFF (for himself, Ms. ROSELEHTINEN, Mrs. NAPOLITANO, Ms. LEE, Mr. TAKANO, Mr. GRIJALVA, Ms. MOORE, Mr. TONKO, Mr. HINOJOSA, Mr. DESAULNIER, Mr. QUIGLEY, Mr. MCDERMOTT, and Mr. TED LIEU of California):

H.R. 3060. A bill to require certain standards and enforcement provisions to prevent child abuse and neglect in residential programs, and for other purposes; to the Committee on Education and the Workforce.

By Mr. WELCH (for himself, Ms. SCHA-KOWSKY, Ms. SLAUGHTER, Mr. ELLISON, Mr. YARMUTH, Ms. CASTOR of Florida, and Mr. HUFFMAN):

H.R. 3061. A bill to amend part D of title XVIII of the Social Security Act to require the Secretary of Health and Human Services to negotiate covered part D drug prices on behalf of Medicare beneficiaries; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WOMACK (for himself, Mr. HILL, Mr. CRAWFORD, and Mr. WESTERMAN):

H.R. 3062. A bill to prohibit the use of eminent domain in carrying out certain projects; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska (for himself and Mr. RUIZ):

H.R. 3063. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to exempt Alaska Native and American Indian programs from sequestration; to the Committee on the Budget.

By Mrs. BLACKBURN (for herself, Mr. GENE GREEN of Texas, Mr. ENGEL, Mr. FRANKS of Arizona, Mr. BARTON, Mr. ROE of Tennessee, Mr. BABIN, Mr. WOODALL, Mr. BISHOP of Michigan, Mr. BRADY of Texas, Mr. HARDY, Mr. ROUZER, Mr. MCCLINTOCK, Mr. SALMON, Mr. LAMBORN, Mr. WILLIAMS, Mr. SHERMAN, Mr. FLORES, Mr. TOM PRICE of Georgia, and Mr. CHAFFETZ):

H. Con. Res. 62. Concurrent resolution expressing the sense of Congress that Jerusalem is the capital of Israel and therefore, consistent with the location of other United States embassies, the United States embassy in Israel should be located in Jerusalem; to the Committee on Foreign Affairs.

By Mr. WILLIAMS:

H. Res. 361. A resolution expressing the sense of the House of Representatives concerning the need to explore emerging technologies that are mobile and capable of supplying high volumes of sterile, pathogenic-free water, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. WILLIAMS:

H.R. 3048.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 ("To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes").

By Mr. ADERHOLT:

H.R. 3049.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law. . . ." In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States. . . ." Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the author-

ity to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Ms. FOX:

H.R. 3050.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 and the 16th Amendment.

By Mr. CLYBURN:

H.R. 3051.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mrs. BLACK:

H.R. 3052.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. BUCSHON:

H.R. 3053.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 to regulate commerce with foreign nations, and among the several states and with the Indian Tribes.

By Mr. CAPUANO:

H.R. 3054.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. CRAMER:

H.R. 3055.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. GRAVES of Missouri:

H.R. 3056.

Congress has the power to enact this legislation pursuant to the following:

The power granted Congress under Article I, Section 8, Clause 18, of the United States Constitution, in making all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. GRIJALVA:

H.R. 3057.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, § 8.

By Mr. KELLY of Pennsylvania:

H.R. 3058.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 3 of Section 8 of Article I of the United States Constitution. he Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. RUSSELL:

H.R. 3059.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress in Article I, Section 8, Clause 7: "The Congress shall have Power . . . To establish Post Offices and post roads"

By Mr. SCHIFF:

H.R. 3060.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1, 3, and 18 of the United States Constitution

By Mr. WELCH:

H.R. 3061.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. WOMACK:

H.R. 3062.

Congress has the power to enact this legislation pursuant to the following:

clause 3 of section 8 of article I of the Constitution.

By Mr. YOUNG of Alaska:

H.R. 3063.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 3 and 18; and Article 1, Section 9, Clause 7

### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 131: Mr. ZELDIN.  
H.R. 133: Mr. HURT of Virginia.  
H.R. 136: Mr. BERA.  
H.R. 169: Mr. ROKITA.  
H.R. 213: Mr. POMPEO.  
H.R. 239: Ms. MENG, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. COHEN, Mr. HIGGINS, and Mr. HASTINGS.  
H.R. 281: Mr. WENSTRUP.  
H.R. 372: Mr. RICHMOND.  
H.R. 379: Mr. JOYCE and Ms. MATSUI.  
H.R. 381: Mrs. DINGELL, Ms. EDWARDS, and Ms. ROYBAL-ALLARD.  
H.R. 427: Ms. HERRERA BEUTLER, Mr. LABRADOR, and Mr. CARTER of Georgia.  
H.R. 510: Mr. WESTERMAN and Mrs. LUMMIS.  
H.R. 511: Mr. WESTERMAN.  
H.R. 525: Mr. COURTNEY.  
H.R. 546: Ms. DEGETTE and Mr. DUNCAN of South Carolina.  
H.R. 556: Ms. MCSALLY and Mr. NOLAN.  
H.R. 592: Mrs. COMSTOCK and Mr. KING of Iowa.  
H.R. 599: Mr. HULTGREN.  
H.R. 600: Mr. WELCH.  
H.R. 602: Mr. DONOVAN.  
H.R. 604: Mr. BRAT.  
H.R. 616: Mr. ROHRBACHER.  
H.R. 692: Mr. CLAWSON of Florida, Mr. GROTHMAN, Mr. WALKER, and Mrs. ROBY.  
H.R. 700: Mr. THOMPSON of California.  
H.R. 702: Mr. WALKER.  
H.R. 799: Mr. CHABOT.  
H.R. 815: Mr. TOM PRICE of Georgia.  
H.R. 816: Mr. BYRNE and Mr. MULVANEY.  
H.R. 835: Mr. KILDEE.  
H.R. 836: Mr. GRAVES of Missouri.  
H.R. 842: Mr. WILSON of South Carolina, Mr. HANNA, and Mr. VARGAS.  
H.R. 846: Mr. MOULTON and Mr. AGUILAR.  
H.R. 863: Mr. ALLEN.  
H.R. 868: Mr. BRADY of Pennsylvania.  
H.R. 879: Mr. BOST and Mr. CARTER of Georgia.  
H.R. 918: Mr. ROSKAM.  
H.R. 969: Mr. KILDEE and Mrs. MCMORRIS RODGERS.  
H.R. 985: Ms. KELLY of Illinois.  
H.R. 1004: Ms. LOFGREN.  
H.R. 1062: Mr. RYAN of Ohio.  
H.R. 1094: Mr. STEWART, Mr. ROSKAM, Mr. AUSTIN SCOTT of Georgia, and Mr. MEEKS.  
H.R. 1114: Mr. RODNEY DAVIS of Illinois and Mr. KELLY of Pennsylvania.  
H.R. 1147: Mr. BRAT.

H.R. 1151: Mr. RIGELL.  
H.R. 1186: Ms. NORTON.  
H.R. 1202: Mr. KING of Iowa.  
H.R. 1209: Mr. KIND, Mr. GARAMENDI, Ms. MCSALLY, Mr. KATKO, Mr. JOYCE, and Mr. WALZ.  
H.R. 1211: Mr. RICHMOND.  
H.R. 1220: Mr. COOK and Mr. WALZ.  
H.R. 1221: Mr. HIMES.  
H.R. 1248: Mr. BLUM.  
H.R. 1270: Mr. BRADY of Texas.  
H.R. 1299: Mr. COLLINS of New York.  
H.R. 1321: Mr. LIPINSKI and Mr. ELLISON.  
H.R. 1343: Mr. PETERS and Ms. GABBARD.  
H.R. 1344: Mr. RYAN of Ohio.  
H.R. 1356: Mrs. BROOKS of Indiana, Mr. VELA, Mr. CRAMER, Mr. CLAWSON of Florida, and Mr. GRIJALVA.  
H.R. 1370: Mrs. HARTZLER.  
H.R. 1384: Mr. VELA and Mr. CLAWSON of Florida.  
H.R. 1401: Mr. CHABOT.  
H.R. 1427: Mr. KILMER and Ms. SLAUGHTER.  
H.R. 1459: Mr. MURPHY of Florida.  
H.R. 1462: Mr. RYAN of Ohio.  
H.R. 1482: Ms. MCCOLLUM.  
H.R. 1490: Mrs. KIRKPATRICK.  
H.R. 1533: Ms. LOFGREN.  
H.R. 1546: Mrs. KIRKPATRICK and Mr. MURPHY of Florida.  
H.R. 1548: Ms. MCCOLLUM and Mr. AGUILAR.  
H.R. 1594: Mr. VELA, Mr. ASHFORD, and Mr. CLAWSON of Florida.  
H.R. 1598: Mr. HONDA.  
H.R. 1599: Mr. WOODALL, Mr. PITTENGER, and Mr. ABRAHAM.  
H.R. 1607: Ms. LOFGREN and Mr. LARSEN of Washington.  
H.R. 1608: Mr. FARR.  
H.R. 1610: Mr. GRIFFITH.  
H.R. 1624: Mrs. DAVIS of California, Mr. RENACCI, Mr. DUNCAN of South Carolina, Mr. BRADY of Texas, Mrs. ROBY, and Mr. BUCHANAN.  
H.R. 1655: Mr. KELLY of Pennsylvania, Mr. TIBERI, Mr. GIBSON, and Mr. BRADY of Pennsylvania.  
H.R. 1671: Mr. OLSON.  
H.R. 1688: Mrs. WATSON COLEMAN.  
H.R. 1713: Ms. SINEMA.  
H.R. 1726: Mr. BISHOP of Georgia and Mr. HECK of Washington.  
H.R. 1728: Ms. VELÁZQUEZ, Mr. KILMER, Mr. SMITH of Washington, and Mr. ROSS.  
H.R. 1737: Mr. GOODLATTE and Mr. KING of New York.  
H.R. 1752: Mrs. LUMMIS and Mr. LABRADOR.  
H.R. 1814: Ms. CLARK of Massachusetts, Ms. BORDALLO, Mr. YARMUTH, and Mr. ZINKE.  
H.R. 1833: Mr. AGUILAR.  
H.R. 1836: Mr. DUNCAN of South Carolina.  
H.R. 1853: Mr. GUINTA.  
H.R. 1886: Mr. ALLEN.  
H.R. 1901: Mr. GOODLATTE, Mr. GUTHRIE, and Mrs. LUMMIS.  
H.R. 1969: Mr. BILIRAKIS and Mr. MCGOVERN.  
H.R. 1995: Mr. JOYCE.  
H.R. 1996: Mr. TIBERI.  
H.R. 2000: Mrs. BEATTY.  
H.R. 2016: Ms. MOORE.  
H.R. 2050: Ms. BASS and Mr. BOST.  
H.R. 2061: Mrs. MCMORRIS RODGERS and Mr. BRADY of Texas.  
H.R. 2096: Mr. SIMPSON and Mr. HULTGREN.  
H.R. 2167: Mr. SARBANES.  
H.R. 2169: Mr. DEUTCH and Mr. MURPHY of Florida.  
H.R. 2193: Mr. KILDEE.  
H.R. 2217: Mr. KEATING.  
H.R. 2218: Mr. PETERS.  
H.R. 2315: Mr. CARSON of Indiana and Mr. FORTENBERRY.  
H.R. 2382: Mrs. LUMMIS.

H.R. 2404: Mr. NUNES.  
H.R. 2410: Mr. THOMPSON of California.  
H.R. 2483: Mr. MARCHANT.  
H.R. 2510: Mr. EMMER of Minnesota.  
H.R. 2523: Mr. ROSKAM.  
H.R. 2524: Mr. HASTINGS.  
H.R. 2531: Mr. BOST.  
H.R. 2544: Mr. PEARCE.  
H.R. 2588: Mr. ROSS.  
H.R. 2636: Mr. QUIGLEY.  
H.R. 2643: Mr. PEARCE, Mr. ROTHFUS, and Mr. MULVANEY.  
H.R. 2646: Mr. MICHAEL F. DOYLE of Pennsylvania and Ms. KAPTUR.  
H.R. 2675: Mr. ROKITA.  
H.R. 2689: Mr. HUNTER and Mrs. TORRES.  
H.R. 2710: Mr. HARRIS and Mr. WALDEN.  
H.R. 2713: Mr. YARMUTH, Ms. ROYBAL-ALLARD, Ms. PLASKETT, and Mr. HIGGINS.  
H.R. 2715: Mr. KILMER and Ms. MOORE.  
H.R. 2722: Mr. COSTELLO of Pennsylvania and Mrs. RADEWAGEN.  
H.R. 2744: Mr. PIERLUISI, Mr. LOWENTHAL, Mrs. RADEWAGEN, Mr. LARSEN of Washington, Mr. THOMPSON of California, Mr. KILMER, Mr. CLAWSON of Florida, Mr. PETERS, Mr. ROONEY of Florida, Mr. ROUZER, and Mr. JONES.  
H.R. 2754: Mr. KIND, Mr. KELLY of Pennsylvania, and Mr. KING of New York.  
H.R. 2793: Mr. LOUDERMILK, Mr. GROTHMAN, Mr. AUSTIN SCOTT of Georgia, and Mr. KELLY of Mississippi.  
H.R. 2798: Mr. RANGEL.  
H.R. 2799: Mr. PETERS.  
H.R. 2800: Mr. MACARTHUR and Mrs. BLACK.  
H.R. 2817: Ms. MCCOLLUM.  
H.R. 2826: Ms. SINEMA.  
H.R. 2899: Mr. KATKO, Mr. CARTER of Georgia, Mr. WALKER, Mr. DONOVAN, and Ms. MCSALLY.  
H.R. 2903: Mr. PEARCE and Mr. TONKO.  
H.R. 2904: Mr. PETERSON.  
H.R. 2905: Mr. MULVANEY and Mr. KING of Iowa.  
H.R. 2918: Mr. MACARTHUR.  
H.R. 2920: Ms. PINGREE.  
H.R. 2921: Mr. MILLER of Florida.  
H.R. 2937: Mr. RIBBLE and Mr. DUNCAN of South Carolina.  
H.R. 2948: Ms. ESTY.  
H.R. 2973: Mr. DUNCAN of Tennessee, Mr. FLEISCHMANN, and Mr. ROE of Tennessee.  
H.R. 2974: Mr. VARGAS.  
H.R. 2983: Ms. DEGETTE.  
H.R. 2987: Mrs. BEATTY and Mr. BARR.  
H.R. 2991: Mr. JOYCE.  
H.R. 2999: Ms. BROWN of Florida, Ms. BROWNLEY of California, Ms. KUSTER, Ms. TITUS, and Mr. WALZ.  
H.R. 3002: Mr. DUNCAN of South Carolina, Mr. YOHO, and Mr. ADERHOLT.  
H.R. 3009: Mr. MCCLINTOCK and Mr. LUETKEMEYER.  
H.J. Res. 50: Mr. BUCK and Mr. POMPEO.  
H. Con. Res. 19: Mrs. BLACK.  
H. Con. Res. 58: Mr. MOOLENAAR.  
H. Res. 145: Mr. TED LIEU of California.  
H. Res. 208: Mr. VEASEY.  
H. Res. 282: Mr. VAN HOLLEN.  
H. Res. 294: Mr. CARSON of Indiana and Ms. MATSUI.  
H. Res. 354: Mr. BRADY of Pennsylvania, Mr. KLINE, Mr. KING of New York, and Mr. FITZPATRICK.  
H. Res. 359: Mr. ABRAHAM and Mr. GROTHMAN.

### CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks,



limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. MCCLINTOCK

The amendment filed to Rules Committee Print 114-23 for H.R. 2829 by me does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of House rule XXI.

OFFERED BY MR. BISHOP OF UTAH

The provisions that warranted a referral to the Committee on Natural Resources in H.R. 3038 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. KLINE

The provisions that warranted a referral to the Committee on Education and the Workforce in H.R. 3038 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. MCCAUL

The provisions that warranted a referral to the Committee on Homeland Security in

H.R. 3038 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. RYAN OF WISCONSIN

The provisions that warranted a referral to the Committee on Ways and Means in H.R. 3038, "Highway and Transportation Funding Act of 2015, Part II," do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the Rules of the U.S. House of Representatives.

OFFERED BY MR. SHUSTER

H.R. 3038 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. SMITH OF TEXAS

The provisions that warranted a referral to the Committee on Science, Space, and Technology in H.R. 3038, the "Highway and Transportation Funding Act of 2015, Part II," do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. UPTON

The provisions that warranted a referral to the Committee on Energy and Commerce in H.R. 3038 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

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#### DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 2722: Mrs. COMSTOCK, Mr. FLEISCHMANN, Mr. CLAWSON of Florida, Mrs. LUMMIS, Mrs. BLACK, Mr. HILL, Mr. PALMER, Mr. HOLDING, Mrs. WALORSKI, Mr. FLEMING, Mr. MOOLENAAR, Mr. BUCK, Mr. CRAMER, Mr. YODER, Mrs. NOEM, Mr. MEADOWS, Mr. SANFORD, Mrs. BLACKBURN, Mrs. ROBY, Mr. GRIFFITH, Mr. GOSAR, Mr. HUDSON, Mr. CRAWFORD, Mr. DESANTIS, and Mr. PERRY.

**SENATE—Tuesday, July 14, 2015**

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

**PRAYER**

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Father of all, give us Your wisdom in these challenging times. May Your wisdom ignite within us reverential awe for You. Inspired by Your wisdom, help our Senators to strive to ensure that their thoughts, words, and deeds glorify You. May our lawmakers not forget that You are an ever-present help for turbulent times, eager to deliver those who call on Your Holy Name.

Lord, sustain us with Your might that we will live free from fear. Mighty God, salvation belongs to You. Continue to shower us with Your blessings.

We pray in Your majestic Name. Amen.

**PLEDGE OF ALLEGIANCE**

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

**RECOGNITION OF THE MAJORITY LEADER**

The PRESIDENT pro tempore. The majority leader is recognized.

**NUCLEAR AGREEMENT WITH IRAN**

Mr. MCCONNELL. Mr. President, 2 weeks ago, I asked the Obama administration to step back from the Iran negotiations, press pause, and reexamine the point of having the talks in the first place. That would have been the most rational and reasonable approach for the White House to take, especially considering that its own allies in the Senate were using phrases such as “deeply worrying” to describe the direction of the talks.

But instead of taking the time to reexamine basic objectives with its partners and agree on the nonnegotiable elements of any deal—things such as anytime, anywhere inspections, complete disclosure of previous military-related nuclear research, and phased relief of sanctions tied to Iranian compliance—the White House acquiesced instead to artificial deadline after artificial deadline and opportunity after opportunity for Iran to press for additional concessions along the way.

The result is the comprehensive nuclear agreement announced today. Given what we do know so far, it appears that Republicans and Democrats were right to be deeply worried about the direction of these talks.

It seems Americans in both parties were right to fear that a deal inked by the White House would further the flawed elements of April’s interim agreement, that it would aim at the best deal acceptable to Iran rather than one that might actually end Iran’s nuclear program. Remember, ending Iran’s nuclear program was supposed to be the point of these talks in the first place. What is already clear about this agreement is that it will not achieve or even come close to achieving that original purpose.

Instead, the Iranians appear to have prevailed in this negotiation, maintaining thousands of centrifuges, enriching their threshold nuclear capability instead of ending it, reaping a multibillion-dollar windfall to spend freely on terrorism, dividing our Western allies and negotiating partners, some of whom will undoubtedly sell arms to Iran, and gaining legitimacy before the world.

This was an entirely predictable result—in fact, the most predictable result given the administration’s stance. As noted back in 2012, here is what I said: “The only way the Iranian regime can be expected to negotiate to preserve its own survival rather than to simply delay as a means of pursuing nuclear weapons is if the administration imposes the strictest sanctions while at the same time enforcing a firm, declaratory policy that reflects a commitment to the use of force.”

But, no, the administration never did that. Instead, it relied upon train-and-equip programs instead of forward presence, emphasized special operations forces in economy of force efforts, pursued a drawdown from Iraq and Afghanistan based on timelines, not battlefield conditions, and executed a drawdown of our conventional and nuclear forces and a withdrawal of those forces by both attrition and redeployment. Through actions such as these and by eschewing any declaratory policy toward Iran, the President made clear to the world, contrary to his rhetoric, that all options were not on the table. All options were simply not on the table. Knowing this, the Iranians never feared for their survival—of course, the survival of their regime being their No. 1 goal. And so we have the deal we have today.

It appears we have lost the chance to dismantle Iran’s nuclear program and

that will now become a challenge for the next President to confront, regardless of political party. But the Senate has yet to receive the final text of the agreement. We will not come to a final judgment until we do. The country deserves a thorough and fair review right here in the Senate, and that is just what we intend to pursue.

Committees will be holding hearings, witnesses will be coming to testify, and then Congress will approve or disapprove the deal in accordance with the Iran Nuclear Agreement Review Act.

The test of the agreement should be this. Will it leave our country and our allies safer? Will this agreement leave our country and our allies safer?

There are several things we will be looking at in particular as we weigh whether it will, and here are a few of them: Will the agreement allow for anytime, anywhere inspections of military installations and research and development facilities?

Will the agreement compel the Iranians to disclose the possible military dimensions of their nuclear program?

Will the agreement make any real impact on Iran’s ability to continue researching and developing advanced centrifuges?

Will the agreement’s sanctions relief be tied to Iran’s strict adherence to the terms of the deal, and will we have any real way to verify its compliance?

These parameters will also help us determine just how successful the Iranians have been in extracting concessions from the White House. So we will be examining them very closely.

I will remind colleagues of the deadly seriousness of the issue at hand. This should not be about some political legacy project. This is not some game either.

It is certainly not the time for more tired, obviously untrue talking points about the choice here between a bad deal and war. No serious person would believe that is true. Even the people saying these things have to know they are not true, and they probably know that the very opposite is, in fact, more likely. So the country doesn’t have time to waste on more White House messaging exercises when the seriousness of the moment calls for intellectually honest debate. The choices made today are sure to affect our country for years—probably decades—to come.

The future we leave to our children is at issue as well. The Senate should engage in serious consideration of what faces us in the years ahead. I invite every Democrat and every Republican to join us in that critical conversation.

Our country deserves no less. What we must decide now is whether this is really the right time to be reducing pressure on the world's leading state sponsor of terror and for what in return. We already know what the Quds Force is capable of under the sanctions regime. What will Iran's support of terrorism look like with the additional funding obtained from sanctions relief?

Let's not forget that Iran is pursuing a full-spectrum campaign to expand its sphere of influence and undermine American security and standing in the region. Iran's continued support of terrorism and its determination to expand ballistic missile and conventional military capabilities should be gravely concerning to each of us. They certainly are to me. They pose significant challenges to our country and President Obama's successor.

This comes on top of the many other threats that challenge our country today and into the future from groups such as the Taliban, Al Qaeda, and ISIL to increasingly aggressive regimes in Moscow and Beijing. A bad deal won't make any of those threats go away. Pretending otherwise isn't going to make us safer. A bad deal will only ensure that Iran has more funding to threaten us with renewed vigor. It will only ensure that Iran expands its stockpile of missiles and that it strengthens terrorist proxies such as Hezbollah, the Houthi insurgents in Yemen, and the Assad regime in Syria.

In fact, here is a Reuters headline from this morning. Listen to this: "Syria's Assad sees more Iranian support after nuclear deal." That is the reaction from the Syrian regime. "Syria's Assad sees more Iranian support after the nuclear deal."

Look, the White House needs to know that the Congress elected by the people is prepared to do anything it can to make America safer. We want to work collaboratively with the President to advance that goal, but if we have to work against a bad agreement to do so—a flawed deal that threatens our country and our allies—I assure you, we will.

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. COTTON). The Democratic leader is recognized.

#### NUCLEAR AGREEMENT WITH IRAN

Mr. REID. Mr. President, I issued a statement earlier this morning. Today's historic accord is the result of years of hard work by President Obama and his administration. The world community agrees that a nuclear-armed Iran is unacceptable and a threat to our national security, to the safety of Israel, and to the stability of the whole Middle East. Now it is incumbent on

the Congress to review this agreement with a thoughtful, level-headed process and to give this agreement the review it deserves.

#### EDUCATION BILL AND APPROPRIATIONS PROCESS

Mr. REID. Mr. President, in the Chamber this morning we have the chairman of the education committee, a man for whom I have the utmost respect. He is a person who understands education. He was the Governor of the State of Tennessee. He was the Secretary of Education, and he has been an outstanding Senator.

But something occurred last night that I think is really outside the specter of reasonableness. Cloture was filed on the education bill last night, meaning we are going to have a vote on it tomorrow morning.

We have worked on a few amendments, and basically all of them could have been accepted with voice votes. There was not a single difficult amendment that was brought up. So now cloture is being sought, and in the process, ignoring Democratic amendments that we have been waiting to offer for some time now. We are not going to allow cloture to succeed unless we have a pathway forward on these amendments.

The ranking member of the committee, the senior Senator from Washington, knows this. She has talked with the chairman of the committee about this, and we are going to have to have a reasonable time to debate those amendments and have votes on those amendments. Otherwise, we are not going to complete this bill. It is an important bill. We should complete the bill.

Senate Democrats have said for months that Republicans are running a sham on the appropriations process. From the very beginning, the Republicans have proceeded with an appropriations process that is designed to fail. They moved forward bills they know Democrats cannot support. Republican leaders in Congress simply have shown no interest in funding our government in a fair and responsible manner.

This past week, even we were surprised how House Republican leadership has handled the appropriations process. Republicans brought their interior and environment appropriations bill before the House for debate. This legislation is nothing short of a disaster. In fact, the bill that they brought to the floor is so bad that President Obama has made it clear already that it will be vetoed.

What does it do? It strangles the Environmental Protection Agency's budget, cutting it by 9 percent, \$700 million. It prohibits completion and implementation of pollution standards for dirty powerplants to address climate change.

It cuts funding for State drinking water infrastructure. It cuts funding for National Parks.

We have such an infrastructure deficit in our National Park System that it is a crying shame. Yet they cut more from this program. We are the envy of the rest of the world with our national parks, but with how the Republicans have treated this wonderful system of parks we have, they are really being depleted. It allows corporations to shift costs of their toxic waste bills to taxpayers.

We have had for decades a very successful program to clean up these very, very dirty spills dealing with chemicals and other substances that shouldn't be on the ground. It is called Superfund. What it does is make sure that these environmental disasters are paid for by the people who created the disaster. What does the House do on this? They change this and say: No, we are not going to have the people that messed up the environment clean it up; we are going to have the taxpayers clean it up. That is wrong.

This bill that was in the House last week blocks hydraulic fracking rules for public lands designed to provide transparency and protect communities that host oil and gas drilling. Rules for public lands, not private lands—they eliminate that.

Those are only a small number of the devastating provisions the Republicans have piled into this funding bill. But even more shocking was what occurred next, as legislation pertaining to the removal of the Confederate flag brought the Republicans' appropriations bill to a screeching halt. In an attempt to avoid voting on amendments that would outlaw the use of Confederate emblems, the House leadership shut down their own spending bill.

The Confederate flag issue was brought up by Republicans. They accepted it the day before this debacle took place on the House floor. But then they wanted more debate on the Confederate flag, and it didn't sell. What did they do? They figured out a way to drop this bill totally and take it off the floor.

Listen to a few of the headlines that were in the newspapers that follow.

From the Atlantic: "Republican Defenders of the Confederate Flag Derail a Spending Bill."

From Politico: "GOP Leaders Yank Bill after Confederate Flag Fracas."

From Roll Call: "The Confederate Flag Imperils Republican Goal to Finish Spending Bills by August."

Finally, from the Wall Street Journal: "Confederate Flag Debate Prompts House to Pull Spending Bill."

It is very disappointing that this is what the Republican Party of the 21st century stands for—protecting emblems of racism and our tragic past. The Congress should not be protecting the Confederate flag. Protecting the

Confederate flag certainly is not worthy of bringing the entire U.S. Government to a standstill. But that is what the Republicans have been doing all along with their bogus appropriations bills—bringing our country to a standstill.

It has been clear for months that the only way Congress will arrive at a responsible budget is by Republicans and Democrats, Senate and House, sitting down together and finding a path forward. Now is the time to negotiate—not in September, not in October.

We know that the Republicans are experienced in shutting down the government. They did it before for several weeks. It was devastating to our economy, and it was a real shock to the worldwide community. Sequestration is another ingenious method of the Republicans to hurt the American middle class.

Republicans are experienced in shutting down the government. They did it 2 years ago. We know how the American economy suffered.

Senate Democrats aren't the only ones calling on Republican leaders to sit down for bipartisan funding talks. Listen to what was said by congressional Republicans. HAL ROGERS is dean of the Kentucky delegation and chairman of the House Appropriations Committee. Here is what he said:

If we wait until the end of the fiscal year, then we're going to have to pass a C.R. . . . then try to cobble together something in the meantime like we've been doing, but under pressure. And that's not the best way to legislate.

House Appropriations subcommittee chairman MIKE SIMPSON of Idaho said:

Under sequestration, the way it currently exists, you can't pass appropriations bills. It ensures that what you've got is a C.R. for the rest of your life.

House Appropriations subcommittee chairman TOM COLE said:

The reality is we still live in a divided government. It's not as if the Democrats can be shut out, but they can't dictate to us any more than we can dictate to them. It's time to sit down and see if we can make a deal.

CHARLIE DENT, Appropriations subcommittee chairman in the House, from Pennsylvania, said:

We all know there's going to have to be a short-term C.R. to take us from September to December. And I would hope sometime between now and then, we'll have a negotiated budget agreement.

These are just a few of the quotes of the House Republican chairmen. The only way we are going to avoid another Republican Government shutdown is by both parties sitting down to construct a bipartisan agreement.

Let's skip all of the unnecessary drama by starting today to work together to avoid another government shutdown.

What is the business of the day, Mr. President?

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### EVERY CHILD ACHIEVES ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1177, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (S. 1177) to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

Pending:

Alexander/Murray amendment No. 2089, in the nature of a substitute.

Murray (for Peters) amendment No. 2095 (to amendment No. 2089), to allow local educational agencies to use parent and family engagement funds for financial literacy activities.

Murray (for Warren/Gardner) amendment No. 2120 (to amendment No. 2089), to amend section 1111(d) of the Elementary and Secondary Education Act of 1965 regarding the cross-tabulation of student data.

Alexander (for Kirk) amendment No. 2161 (to amendment No. 2089), to ensure that States measure and report on indicators of student access to critical educational resources and identify disparities in such resources.

Alexander (for Scott) amendment No. 2132 (to amendment No. 2089), to expand opportunity by allowing Title I funds to follow low-income children.

Murray (for Franken) amendment No. 2093 (to amendment No. 2089), to end discrimination based on actual or perceived sexual orientation or gender identity in public schools.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, the Democratic leader expressed the hope that we could have a path to the end on amendments, and I can assure him that Senator MURRAY and I agree with him wholeheartedly. We are working together to try to be able to do that. In the committee, we adopted 29 amendments. Most of those were Democratic amendments. We have adopted 22 on the floor, and the majority of those are Democratic amendments. The Democratic leader has been very helpful to allow us to come to the floor without delay, and I can assure him and the majority leader that Senator MURRAY and I intend to try to resolve the couple of issues we have right now and be able to recommend to the leadership a path forward. It would be my hope that we don't even have to have a cloture vote—that we didn't have to have one to get on the floor, and I hope we don't have to have one to get off the floor. I am not prepared to say we can do that yet, but we agree with him, and we will do our best to do that.

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. Through the Chair to my friend, the senior Senator from Ten-

nessee, the way the rules now exist, now after coming in tomorrow, there will be a cloture vote. I say to my friend that we need an agreement prior to that or we are not going to get cloture on the bill, on the substitute, which would be a shame. I hope that we can have adequate debate on these amendments. If we have 5 minutes per amendment, that won't work. I know that my friend is a fair man, but we are trying to understand why there was a rush on filing cloture on this bill.

I know there is a lot of work to do around here, but you can't shortchange one bill in an effort to get to something else that may not work either. We have two cloture votes on this bill. We can avoid the cloture vote, and that would be great. Maybe we can avoid the cloture vote on the bill itself. I hope so. But until my Senators are protected, we are not going to invoke cloture tomorrow morning.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I understand what the Democratic leader is saying. I think the best thing for Senator MURRAY and me to do is to continue to work as we have with other Senators. I believe we know almost all of the amendments that are to be adopted. Not only have we adopted the ones in committee and the ones on the floor, but Senator MURRAY and I have several dozen other amendments that we are prepared to recommend to the full Senate be adopted in the substitute agreement. I would say to Senators that if there is any other amendment, I hope you will let us know about it. The filing deadline is 2:30 this afternoon. I hope we have all of the amendments that we need to have.

Occasionally, I am asked: Why do the Senators argue all the time? My answer usually is this: That is what we are here to do. We are presented with the most contentious issues in the country—issues that can't be resolved in other places. So of course, we are going to argue a lot. We debate. We have rules about debate. We debate what to do about the Iran nuclear deal. We debate what to do about health care. We debate what kind of trade agreements we should have. But occasionally, we come to a consensus about what to do. A consensus is the way you govern a complex country.

I remember very well when I was a very young staff member here, I watched Senator Dirksen, the Republican leader—this was in 1968—and President Johnson, the Democratic President, work together to pass a civil rights bill. The bill was written in the Republican leader's office, even though it had been proposed by the Democratic President. It took 68 votes to pass it, in order to get cloture at that time. When they finally got 68—it took 67; they got 68—Senator Russell of Georgia, who led the opposition, flew to Atlanta and

said: It is the law of the land; we need to support it. That is why we have the Senate. The Senate has been called the one authentic piece of genius in the American political system. It is the only place in our Government that encourages and actually forces consensus on important issues.

When you take a complex issue and try to resolve it and have it be the rule for a country as big and diverse as ours, consensus is the only way to do it. I cannot think of an issue about which there needs to be more consensus than one that involves the 100,000 public schools in our country, which have 50 million children and 3½ million teachers. Having a debate such as this about elementary and secondary education is like attending a football game at the University of Tennessee or Arkansas or Washington. Everybody in the stands is an expert. Everybody in the stands knows they can be the coach or the quarterback.

It is not that easy to get a consensus about what to do about elementary and secondary education in America. What is the proper role for the Federal Government? Once you have decided that, then what do you do about it? How much do you spend? What rules do you set?

The remarkable thing is that we have come to a consensus in two ways here about our elementary and secondary education legislation which is on floor today. The first is that we need to get something done. We are 7 years overdue. Newsweek magazine said this last week in the headline to its story: "The Education Law Everyone Wants to Fix." We have tried twice in the last two Congresses. It was a well-intentioned bipartisan effort. Each failed. Each failed. We don't have to go into the reasons why, but they did fail.

In this Congress, we are off to a different start. We have heard from our teachers, our Governors, our superintendents, and our parents that you have to get this done. We want the bill to be as much like the one each one of us would write as possible. But in the end, let's get it done. Not only do we have a remarkable consensus about the need to fix No Child Left Behind, but we have a remarkable consensus about how to do it. I give a great deal of credit for that to the Senator from Washington, Mrs. MURRAY, who suggested to me that she and I write a draft bill together, which we did. We presented it to our committee, which includes many of the most liberal Members of the Senate and many of the most conservative Members of the Senate.

We worked through that draft. We considered 58 amendments. We adopted 29. A majority of those were Democratic amendments. In the end, every single member of the committee voted to report it to the floor. That did not mean every single member of the committee supported every provision in the

bill, but I think what it meant—and I asked the members this before they voted: One, has it been a fair process? Have you had a chance to have your say? Is this bill good enough to present to the full Senate? The answer was yes for 22 Senators on both sides of the aisle.

Now, we have come to the Senate floor and we have been here about a week. We have adopted already 22 amendments, 14 of them are Democratic amendments. We have several dozen more amendments that Senator MURRAY and I have reviewed with our staffs and we agree with them. We are going to recommend to the full Senate that those be adopted by voice vote. They are important amendments, important contributions to the bill. We have about two dozen remaining to go which we need to vote on.

We need to do that today and we need to do that tomorrow. There is no need for us to go longer than that. We know what the amendments are. We have time to talk about those amendments on those 2 days. One or two of those are particularly contentious. We are trying to work those out.

So today what I would appeal to my colleagues for is cooperation. We have had excellent cooperation in the committee. We have had members of our committee who agreed not to offer amendments in the committee because they were told by me and Senator MURRAY that they have a chance to offer those amendments on the floor. We intend for them to have that opportunity before we finish this bill.

Senators on both sides of the aisle exercised restraint in that way in pursuit of a result. Most of the Members of the Senate on both sides of this aisle so far in this debate for the last week have done the same. I would simply ask all the Members of the Senate on both sides of the aisle in the next couple of days to show that same kind of restraint and help us get a result.

There is no need for us to go more than a couple of days. There is no need for us to have a cloture vote. We should be able to agree the amendments we know about can be scheduled and there can be an adequate time for debate on those and we can vote on them. We should be able to do that by unanimous consent. We want Senators to have a right to have their say on amendments that are related—related to elementary and secondary education.

So I thank the majority leader for placing this bill on the floor. I thank the Democratic leader for helping to create an environment in which we can succeed. I thank Senator MURRAY and her staff and our staff for working with the other Senators to get as far as we go. What I would ask our colleagues once again to do is to say: Our filing deadline is 2:30. We hope we already have all of the amendments. If everyone will cooperate with us, hopefully,

the Senator from Washington and I can present to the leadership a list of amendments, a time agreement for how much debate there should be, and we should get started. We ought to be able to have one or two amendments voted on before lunch. When that is agreed to, we will let Senators know. Otherwise, I would expect there to be several votes in the afternoon, and a great many votes on Wednesday.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, at Zillah High School in my home State of Washington, Jeff Charbonneau teaches science and engineering classes. Nearly half of the students in his school are struggling with poverty or come from low-income backgrounds. But despite the challenges poverty can present for students, Jeff and his colleagues engage their students and work tirelessly to help them succeed.

That dedication had paid off. Zillah High School graduates more than 95 percent of its seniors, and Jeff was named National Teacher of the Year a couple of years ago. But despite all of that success, today Jeff's school is labeled as "failing." The reason: Last year, Washington State lost its waiver from No Child Left Behind requirements. That means most of the schools in my home State are listed as failing.

That is not fair to teachers like Jeff who pour their energy into making sure students can succeed. It is not fair to Washington State parents who are still facing a great deal of uncertainty about their child's school. It is not fair to students who deserve better than the current K-through-12 education law. It is time to finally fix No Child Left Behind. I am working hard to fix this broken law for teachers in my home State like Jeff.

I am working to restore certainty for parents in Washington State and across the country because they want to feel confident in the school where they send their child. I am working to make sure all students can get a quality education at our public schools no matter where they live or how they learn or how much money their parents make. The Every Child Achieves Act is our chance to finally fix the current law.

It gives States more flexibility, while also including Federal guardrails to make sure all students have access to a quality public education. I look forward to making this good bill even better. It is why I am disappointed with the majority leader's decision last night to file cloture and move toward ending debate on the bill. We still have several important issues to address. Senator FRANKEN has an amendment to help protect LGBT students from bullying and discrimination at school.

I think it is an absolutely critical issue. When students do not feel safe at

school, we have failed to provide them with the educational opportunities they deserve. I hope all of our Senate colleagues agree that we need to protect LGBT students from bullying and discrimination. We also have an amendment to expand access to high-quality early childhood education from Senator CASEY, making sure kids can start kindergarten ready to learn. It is one of the best investments we can make to help them succeed in school and later in life. I look forward to having that debate on the Senate floor.

We also need to improve accountability. Our bipartisan bill already includes some Federal guardrails to help students get access to a quality education, but there is more we can do to strengthen those measures and make sure all kids, especially our most vulnerable students, are able to learn and grow and thrive in the classroom.

So we have many issues yet to work through concluding debate on this bill. Getting this right cannot be more important for students across the country. Providing a quality education is not just good for students today, it is an investment in our future workforce, it is an investment in our future economy, and it will help our country grow stronger. Around the country, and in my home State of Washington, parents, students, teachers, and communities are looking to us to fix the No Child Left Behind law. We cannot let them down.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Mr. President, first of all, before I get into my prepared remarks, I want to say thanks to Senator ALEXANDER and Senator MURRAY for their great work on this bill. I very much appreciate where we are today, and hopefully when the amendments are all done, this bill will continue to be a step forward for this country's public education system and the students who are in it.

As everybody may know in this body, I am a third-generation farmer from North Central Montana. My wife Sharla and I have the incredible opportunity of farming the same land my grandfather and grandmother homesteaded and my folks worked for 35 years. I have been working on the farm since I was very young. From the age of 8, I knew I wanted to be a farmer, but my parents were insistent that I work hard in school and that I pursue a degree, even though agriculture was in my blood.

They knew a degree would give me greater opportunity both on and off the farm. My mother, in particular, had an unbreakable faith in the power of public education. So I went to college and after college—I graduated and got a degree—I started teaching in the same elementary school I attended as a child. While my calling as a farmer pulled me

away from my time as a public school teacher in rural America—now, to be honest with you, the fact is, I could make more money in 1 day processing meat than I could in a week of teaching school. But that is another problem.

Nonetheless, I left the formal public education classroom. But it remained a key part of my life because I knew education was important. My parents instilled that in me. So I ran for the school board and got elected. I have been involved in public education my entire life, as a student, as a teacher, as a parent, as a school board member, as a State senator, as a grandfather, and now as a U.S. Senator. I have seen the positive impact that good education can have on folks' lives. I have seen how our system has failed too many kids.

Last year, Denise Juneau, Montana's Superintendent of Public Instruction, put out a report on why graduation matters. Nearly 80 percent of the male inmates in Montana's prison system are high school dropouts—80 percent of the male inmates in Montana's prison system are high school dropouts. Nearly three-quarters of the women in Montana jails are high school dropouts.

Superintendent Juneau estimated that Montana could combine crime reduction savings and additional revenue of over \$19 million annually if we just graduated 5 percent more kids and incarcerated fewer of them. Nationally, these stakes are just as high. According to some figures, over 80 percent of the incarcerated population is high school dropouts. It is true that over 8,000 Americans drop out of high school each and every day. We can see how quickly the cost of incarceration will add up, even if many stay out of trouble and some go back and get their GED years later.

But it is not only the question of incarceration. The only jobs left within reach of a high school dropout are almost always going to be minimum wage or close to it. That perpetuates the cycle of poverty. So every American ought to know what we are up against. I know that what we do this week with the Every Child Achieves Act will affect millions of American families for years to come.

For the past few months, the Appropriations Committee has been working on bills that impact everything from our national defense to veterans, to agriculture, to access to public lands. I have been highly critical of where this majority thinks we should spend money and where it thinks we don't need to invest. My colleagues on the Appropriations Committee deserve a lot of credit for doing the best they can, but the end result is still unacceptable.

They have underfunded care for veterans by over \$850 million compared to what the VA says it needs to keep up

with the increased number of veterans accessing the VA. They have rejected efforts to make Head Start a full-day, full-year learning initiative. By freezing Head Start funding, they risk kicking more than 12,000 kids out of Head Start, despite the successes I have already told you about prison populations and education. It is a direct connection.

They have cut half a billion dollars out of clean water projects. Meanwhile, they have funneled \$40 billion of borrowed money into an off-the-books account used for overseas military operations. This week, as we work to reform elementary and secondary education to ensure that our kids and our grandkids are prepared for the challenges of this worldwide economy in which we live, we simply cannot afford to shortchange their future.

That doesn't just mean providing the framework that will guide our Nation's 100,000 school districts as they work to improve education that our students receive, it also means letting them make decisions for themselves. If schools are not teaching well, they are accountable to school boards. If school boards are hiring bad teachers or misapplying resources, they are accountable to their voters. I can tell you as a former school board member, they are accountable to their voters.

But we also have to provide them with the resources they need to succeed. This is an investment we must make. Almost everyone in this body agrees that education is the single best investment we can make to ensure that folks are able to climb the economic ladder and get out of poverty. While I do not agree with everything in the Every Child Achieves Act, I can tell you it is certainly a step in the right direction.

Most importantly—most importantly—this bill eliminates adequate yearly progress known as AYP and moves us away from some of the failed high-stakes testing we have come to know. The chairman and ranking member need to be applauded for that. No Child Left Behind assumed that all students were the same and that success in the classroom meant passing a standardized test. We all know that is simply not the case. No Child Left Behind aimed to hold teachers and administrators solely responsible for the performance of their students, and punishment for low performance was rendered in the halls of the Department of Education here in Washington, DC.

Well, yes, I can tell you teachers and administrators must be held accountable, but much of that achievement gap is tied to things out of the hands of those teachers and administrators. It is tied to what happens outside the classroom.

Students' lives both inside the classroom and out are significantly different depending on their community and the home in which they live.

One of the single biggest factors that impact students' lives is poverty. If we do not address that issue, then this well-intentioned bill will not have the desired effects. If we do not recognize that urban poverty and rural poverty are very different, then we will fail to keep the promise that in America, any kid can grow up to be in the U.S. Senate or be successful in business or in the arts. Quite simply, if we are going to hold teachers and students accountable without addressing the root of some of the inequities in our public schools, then we are not addressing one of the most basic problems our Nation and our schools face.

Using a single formula to grade the Nation's 100,000 schools didn't work, especially when folks in Washington expected schools to change overnight. That expectation added so much pressure to perform that students and teachers alike dreaded going to school. We lost a lot of good teachers.

This bill, resulting from the hard work of Senator ALEXANDER and Senator MURRAY, acknowledges that Washington doesn't have all the answers when it comes to educating our kids. It puts more control in the hands of our States and local school boards.

For example, under No Child Left Behind, all 100,000 schools in this country were subjected to the same regulation for graduation rates. Under that regulation, schools can only count students who graduate with a diploma in 4 years. School districts don't get credit for students who graduate in 5 years or if they earned a GED.

Oftentimes, students who take more than 4 years to graduate have personal or family issues that prevent them from graduating on time. States would have to beg for permission from the Department of Education to count fifth-year graduates, and if the Department chose to accept those graduates, it would tell the States how much weight those students would count toward the schools' assessment. Under the Every Child Achieves Act, States will no longer have to apply to count fifth-year graduates and they can determine on their own how to weigh those students when assessing graduation rates.

This bill also builds on the Schools of Promise Initiative that has worked well in Montana to put some of our poorest performing schools on the right path. Under the leadership of Superintendent Juneau, the communities that are home to Montana's five lowest rated public schools have received support to attract and retain better teachers and to encourage community members to be more involved in the education of our children. That model, which empowers districts and schools to get better—and hire better—is being strengthened by the Every Child Achieves Act.

While this bill can and should go further to place more power at the local

level, we have taken a good first step in its potential to do even better.

I recently paid a visit to Busby, MT, on the border of the Northern Cheyenne and Crow Indian Reservations. Beautiful country surrounded by rolling hills, Busby is so small that if you blink while driving, you could miss it. Busby is home to one of Montana's three Bureau of Indian Education schools. It is easy to see how broken America's promise to our tribal communities really is when one goes to Busby. The school has too few resources. The science teacher doesn't have any working microscopes. The teachers often cut pages out of their instruction manuals and make photocopies for each of their students. And the school needs maintenance.

While the scene at many BIE schools would drive you to tears, the public schools that educate over 90 percent of our Native American students are also in serious need of support. Over the last decade, Native American students are the only group—they are the only group—who has not seen improvements in reading and math. In fact, the achievement gap in math has actually widened during that time. Native American students are also the most likely to skip school or drop out and the least likely to go to college.

That is why last week the Senate passed my amendment to restore four grant programs that could help improve education in Indian Country, if they get funded. My amendment allows schools and colleges to train teachers to understand Native American culture so they are better equipped to help those Native American students succeed. It preserves fellowship programs for Native American students to get greater hands-on experience through their degree. It protects gifted and talented programs to better address the needs of bright young Native American students, and it maintains support for adult literacy and GED programs in Native American communities. Those title VII initiatives have never been funded, but they will have a major, positive impact on Native Americans across the country if we can find the money to fund them. Last week's bipartisan vote showed there is real support for these initiatives, and we should provide them with adequate resources.

Additionally, this bill includes strong steps toward improving native language instruction. It is a very good initiative because we know that when Indian kids learn in their native language, they do better in school and carry their history and tradition on to future generations, and they graduate at a higher rate.

Another important step we can take—one that I hear about often when meeting with parents, teachers, and administrators back home—is reducing the annual Federal testing requirement

because right now, under No Child Left Behind, we are testing our kids to death. As my colleagues know, a student will take 17 federally mandated tests by the time they graduate high school—17.

I met with some fourth and sixth grade students, as well as their teachers and parents, about how much testing the Feds require. As my colleagues well know, fourth and sixth grade students usually tell it like it is. There is not a political agenda behind it when they ask a question or tell it the way they see it. So when I asked how much testing is the right amount, one bright young girl replied, "I don't know, but I can tell you now it is too much." A fourth grade teacher there told me they are spending over 4 weeks a year testing. That is 4 weeks out of the year. That takes away from instruction time where kids could be learning. The level of testing that is currently required is choking out creativity, innovation, and taking away from our students' ability to learn.

I have offered an amendment to replace that current annual testing with fewer tests. Instead of taking federally mandated tests every year, students would be required to take one test in elementary school, one test in middle school, and one test in high school. If States want to test their students more, they can. If school boards want to test their students more, they can. But, as the young girl in Billings said, what we are doing right now is too much.

My goal and the goal of many in this body is to give a greater voice to the State and local community leaders to determine how best to educate the next generation. This bill as drafted puts us on that path. It is a chance to leave a better future for our country by making sure that every child—from the best school in the big city to the poorest Indian reservation in Montana—has a chance to succeed.

Our schools should not be designed as data warehouses where we can collect statistics on every student in America. Instead, we should be making sure our students love to learn so that they continue to learn even after they graduate and enter the workforce. We should make sure they have the same appreciation for education my mother did. That is what we should be investing in, and that is whom we should be investing for.

I once again thank Senator ALEXANDER and Senator MURRAY for their work on this bill. I look forward to making this bill better through the amendment process—not worse—so that hopefully we have a good bill to vote on at the end of this week.

I thank the Chair.

The PRESIDING OFFICER. The Senator from South Carolina.

AMENDMENT NO. 2132

Mr. SCOTT. Mr. President, I rise today regarding my amendment No.



2132, specifically targeting an opportunity to improve education for those kids attending title I schools. This is a portability amendment.

As we debate this Education bill, we must ensure our focus is in the right place. Education policy is not about protecting a bureaucracy, it should not be about empowering Washington, and it cannot be about an endless, fruitless push for some sort of one-size-fits-all type of system. This conversation must be about kids—5-year-olds and 15-year-olds—and their unlimited potential.

I believe without question that each and every child has within them a reservoir of potential. We should make sure that the access to experiencing the fullness of their potential is available to all Americans throughout this country. Too many of our Nation's children today do not have access to quality education. They don't have access to the education they deserve.

Now, more than half of the students in our Nation's public schools come from low-income households. This is an important point. As someone who grew up in poverty, as someone who grew up in a single-parent household, I know full well the challenges that come with poverty. Poor kids too often move a lot. By the time I was in the fifth grade, I had attended four different schools—four schools in my first 5 years of education. That is 4 different administrators, 4 different sets of teachers, 4 different funding streams—probably 40 different funding streams. So when we look at this through the eyes of a poor kid or if we look at this through the eyes of a single mother who is struggling simply to make ends meet, it seems very clear to me that providing more educational options is the right path forward for us to make sure every child everywhere experiences their full potential.

Giving States the ability to provide portability for the title I dollars—school choice for those most in need—is the kind of reform our kids deserve. It is the kind of reform they need. I don't care whether it is public, private, charter, virtual, home school; I don't really care what option as long as we have all the options so that the parents find the best for their kids.

Instead of forcing funds through red-tape and bureaucracy, let's have it directly follow our students. We are not talking about all the school funding this amazing Nation provides—somewhere around \$700 billion of funding for schools. We are talking about a sliver—about 14 percent. Let that 14 percent of the Federal dollars—let those dollars be portable. Give the children in title I areas the greatest opportunity for success we know as a nation.

We all understand and appreciate the fact that to achieve the American dream today, it requires a quality education. By backpacking those funds, we will help kids who are like I used to

be—growing up in difficult circumstances—to look into their own future with hope, understanding that opportunity lives and breathes everywhere in America.

We are seeing what happens when the majority of parents simply do not have those basic options, and we are seeing it in some challenging and stunning statistics. In 2010, there were 2.8 million high school dropouts between the ages of 16 and 24. The unemployment rate in America today is around 5.2 percent, but for those kids who dropped out, the unemployment rate is 29 percent, and nearly 36 percent—more than a third of those students—were not participating at all in the workforce. Taken as a whole, nearly two-thirds of all high school dropouts are simply not working. These are devastating numbers for our Nation as a whole. No matter where one lives in America, one is impacted by these statistics, and they should cause us to stand up and take notice.

These are students who deserve better, students who just need a little confidence in their abilities, and we can provide that through school choice. These kids, trapped in failing schools and underperforming schools, deserve an opportunity. It is simply not fair to our children, it is not fair to their parents, and it is not fair to America to allow the status quo to remain.

I know there is no silver bullet, but school choice is a large step—a leap—in the right direction. That is one of the reasons why I launched my Opportunity Agenda with school choice, the CHOICE Act, as a part of the foundation. That is why I am standing here today discussing—pleading with my colleagues to take a serious look at the educational opportunities available in some of the poorest ZIP Codes in America.

I think it is important to note that my amendment complements a growing body of evidence where we see 57 school choice programs in 29 States—57 school choice programs in 29 States—not in the South primarily, but in the South, yes; the Southwest, yes; the Northeast, absolutely; and the Midwest, yes. Local and State leaders are figuring out that when parents have a choice, kids have a chance.

Let me be crystal clear. It is absolutely paramount that we act and that we act now. I know opponents of school choice want to use “voucher” as a dirty word. I understand the tactics of those who do not support giving every child a quality opportunity. I understand. But they forget that the Federal Government already authorizes vouchers for education. We just call them Pell grants. Too often too many of our poor kids and our kids of color never receive a Pell grant because their high schools did not prepare them for college.

Now we know there are quality public schools all over this country, and

we should celebrate the success of our quality public schools. I am a big fan of our public schools when they work, but I am a bigger fan of removing the potential traps to our kids in underperforming schools.

We can make a difference, we should make a difference, and this amendment provides us the opportunity to make that difference today. We don't have to wait until tomorrow. We don't have to wait until next year. We can do it today. You see, this Senator took a Pell grant to Charleston Southern University, probably the greatest university in the history of the country. Charleston Southern University, a private university, is where I took my Pell grant and experienced a wonderful education.

Faith and hope are two of the most powerful and necessary emotions. They oftentimes serve as the glue to better opportunity. We can restore those two powerful emotions in areas where kids too often are losing hope. This Senator knows that personally. This Senator has seen it happen personally in his own life. That is the power of school choice.

All of our kids—yes, all of our kids—have amazing potential. I believe there are good people on the other side of this argument. I know the other side believes school choice, as I am describing it, is wrong. I believe they have good intentions. This Senator is speaking from personal experience. This Senator is speaking from the statistical realities that we see across this country. This Senator is speaking on behalf of those kids who have been trapped too long, locked out too often, and said no to too many times. It is up to us as policymakers to create an environment where we unlock their potential.

I hope we will continue to have a robust debate, leaving politics behind and figuring out how to improve educational opportunities for all of our children.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Massachusetts.

#### AMERICAN WORKERS AND OVERTIME PAY

Ms. WARREN. Mr. President, American workers have fought long and hard to improve their lot—banning child labor, better safety on the job, minimum wage, and an 8-hour workday. Unions often led these fights, but their efforts also helped tens of millions of workers who often had no union representation.

In 1868, Congress passed its first 8-hour workday law, and by 1975 rules protecting the 8-hour workday covered about 65 percent of all workers. Of course, those workers might work longer—might be required to work longer—but if they did, they got time and a half for their extra hours. Managers were exempt from those rules, but they were paid more to offset the lost overtime.

To be sure, American workers did their part too. Year over year, decade over decade, workers increased output so that today American workers are among the most productive in the world. The basic 8-hour day, with overtime for extra hours, was a godsend to families, and, in a larger sense, it was a core part of the deal that American workers could count on. From the 1930s through the 1970s, as American workers' productivity increased, GDP went up and so did wages for the average worker. In other words, as companies got richer, their workers got richer too. This was the America that built the great middle class, the America that created opportunity and protected that opportunity for nearly two-thirds of all workers.

But over time, that basic deal quietly vanished because we haven't meaningfully updated these rules since the 1970s. Instead of two-thirds of the workforce being protected, today only 8 percent of all salaried workers are covered. That means that only the lowest paid workers, workers whose salaries are so low that they are below the poverty line for a family of four, are legally entitled to be paid anything for their overtime. Today, a fast-food worker or a janitor or a grocery store clerk making a little over \$23,000 can be classified as a manager and be required to work 10, 12, 14 hours a day, 5, 6 or 7 days a week, with no overtime pay of any kind.

Today, the productivity of American workers continues to rise, but the gains go to Wall Street and to CEOs and are no longer shared with the people doing much of the back-breaking work to make it all happen. That is a broken system.

Two weeks ago, the President announced he is going to fix these broken overtime rules. The administration's new proposal would raise the salary threshold under which a worker is guaranteed overtime pay to just over \$50,000, more than double the current threshold and roughly back to the 1975 level, when both corporations and workers benefited from a growing economy.

This matters. According to the White House, nearly 5 million Americans—including over 100,000 people in Massachusetts alone—will get a raise. They estimate that workers will see an additional \$1.4 billion in wages in just the first year alone.

But make no mistake, it will be a fight. Some businesses are used to getting an extra 5, 10, 20 hours for free from their employees—and they are just fine keeping the rules just the way they are. They will claim that fixing overtime will hurt businesses. Well, don't believe it. History shows that increases in overtime pay are actually good for the economy.

Employers usually respond to increases in the overtime threshold in

one of three ways. Some will actually pay existing employees overtime for the extra work. Others will avoid overtime costs by hiring more workers to get the job done, and some will increase the hours of part-time workers. That is what we are likely to get: higher wages, more jobs or more hours for part-time workers. Even the National Retail Federation, which has lobbied hard against fixing the overtime rules, admits this proposal will add tens of thousands of jobs to this economy. We need those jobs.

But this issue is about more than jobs. This issue is also about fairness. If a worker puts in more time and produces more for the company, the worker should get a chance to share in its benefit. No more free work. Economic growth over the past three decades has been built on the backs of hard-working people, and it is time those hard-working people get a little bit more of all they have produced.

Fixing our outdated overtime rules will not end inequality. It is time to raise the minimum wage. Women should get equal pay for equal work. Workers deserve paid sick leave and paid family leave. Social Security should be expanded. But this is an important step forward, a vital piece of the puzzle that will increase wages, increase hours, and increase employment for millions of Americans, and it is a step that will show that the government can be made to help working people. There are plenty of examples of Washington writing rules that favor the rich and the powerful, but this time we have an overtime rule that will give working families a fighting chance to build some security for themselves. The President has proposed a new rule to benefit working families, and the rest of us are here today ready to fight for that rule.

Thank you, Mr. President.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, we are continuing our discussion of legislation to fix No Child Left Behind. We are still hopeful that we may have an agreement that we will have one or two votes before lunch.

I remind Senators that because of their cooperation we have done pretty well. We have adopted 29 amendments in committee, 22 already on the floor. Senator MURRAY and I have a large number of other amendments that we are prepared to recommend to the full Senate be adopted by consent. We have about two dozen amendments which we would like to have a vote on today and tomorrow. So the sooner we can move to those, the better, which will take some cooperation from all Senators.

Senator TESTER, the Senator from Montana, was here earlier. I thank him for his comments. He is a former school board member. He recognizes that the

idea that we want to restore responsibility for student achievement to local school boards, to classroom teachers, to States, to chief State school officers is not just a Republican idea, it is a bipartisan consensus. We agree. We want to know whether the children are learning, but we want to restore to the States the decisions about what to do about the results of the tests the students take.

As the New York Principal of the Year wrote to us, wrote to our committee: We cherish our children, too. What she was saying was just because we fly to Washington once a week doesn't make us any more caring or any wiser about how to deal with 50 million children in 100,000 public schools from Native villages in Alaska to the mountains of Tennessee. In fact, we are less able to deal with that because we are further removed from those students.

The Senator from South Carolina, Mr. SCOTT, made that point eloquently. He said school choice is not a political slogan, school choice is an option, and we should look at it from the point of view of someone who is low-income or someone who is growing up in a home with a single parent, which he did. He talked from his own perspective. We shouldn't look down, we should be looking up. Look up at opportunity. Look up to the point of view of a single parent with less income and one or more children who is thinking: How can I help my children rise? How can they look up? Probably the one thing that almost all of us would agree on is, the better the educational opportunity is, the more chance that child has to climb the ladder.

If you have money in your family, you have those choices. You may move to a different part of town or you may choose a private school if you have the money. If you don't have the money, you don't have the choices. So what Senator SCOTT proposes to do is to take \$14 billion of Federal funding and allow States—this is not a mandate on the State; this will be up to the State—to say that money can follow the low-income child to the school the child's parent wants that child to attend, public or private.

There is often a lot of talk about what is the proper Federal role for education. Some people don't think there is any. I was in that camp and probably still would be if I were the king. I remember going to see President Reagan in the early 1980s and suggesting that the Federal Government get completely out of elementary and secondary education and let the States do it all. In exchange, the Federal Government would take all of Medicaid. That would have been a good swap for the States, and it would have been good for education. But that is not where we are as a country today.

But if someone were to say what is the single reason why the Federal Government ought to have something to do with education, one answer would be to prevent discrimination, and another answer would be to help low-income children.

What is the best way to help the low-income child? This is what the Senator from South Carolina is saying: Why don't we take the money we have available, and let it follow that child to the school that the child's parent thinks is best? That is what we allow the wealthier parent to do. Why don't we do it for the child? Why do we send it through bureaucracies and let other people make that decision? Why do we look down when, instead, we should be looking up?

As he also pointed out, it is not such an alien thought—this idea of letting money follow a student to a school. He pointed out that since 1944, with the GI bill for veterans, we have had great success in this country with allowing Federal dollars to follow students to the college of their choice.

In fact, the GI bill for veterans is often described as the most successful social piece of legislation in our country's history. It helped to create the "greatest generation." It said you could take your Pell grant or your student loan to Notre Dame, to the University of Arizona, to Maryville College in Tennessee or you can go to Yeshiva, you can go to Howard University. That is your choice. Public, for-profit or nonprofit, you go. If it is accredited, that is your choice.

We also have vouchers, and that is a voucher at the other end of the scale. We have something called the child care and development block grant. It is a very big Federal program, maybe \$8 billion. It says to low-income mothers—mainly mothers—that here is a voucher that you could spend at a daycare center while you work or while you go to school so that you can earn enough money so that you won't have to have a government voucher anymore.

So we have vouchers for parents with 3-, 4-, 5-, and 6-year olds. We have vouchers for students who are 18, 19, and 21 years olds, and somehow we think there is something wrong with having vouchers for elementary and high school students. That line is changing all the time.

I was in Jackson, TN, recently, and the president of Jackson State Community College told me that 30 percent of the students at Jackson State Community College are also in high school. We call that dual enrollment. That means that while you are a junior or a senior in high school, you might be taking physics, mathematics or some program at the community college or some apprenticeship there that might better prepare you for a job.

At Walters State Community College in Morristown, TN, I spoke at the grad-

uation this year. A student there was graduating from Jefferson County High School and Walters State Community College in the same week. That student was going on to Purdue University, but he was going to enter Purdue at the second semester of his sophomore year. In other words, because he had been in both community college and in high school, he was able to save, he said, \$65,000 by enrolling in the second semester of the sophomore year.

So we have a voucher to help him pay, if he is low income, to go to Walters State Community College, but somehow there is something wrong with a voucher to allow him to choose among the public high schools he attends. That doesn't make a lot of sense based on our history. It would be rare that we have a social experiment or a social legislation offered in our country where we have these two good pilot programs: the GI bill for veterans, operating since 1944, and the child care and development block grant, operating since the first President Bush was in office and which was reauthorized just last year by Congress.

We all vote for Pell grant vouchers. We all vote for child care and development block grant vouchers, and then we have a big argument when it comes time to talk about vouchers for elementary and secondary education. I think a way to resolve that is to take Senator SCOTT's advice. Instead of looking down on the students, let's look up. Let's look up from the perspective of Senator SCOTT—the Senator from South Carolina—when he was a child, when he was growing up in a home without much money, with a single parent, with limited educational options.

He knows the value and option that a Pell grant gave him for college. He would like to extend that option to elementary and secondary education for students who grow up as he grew up, and I would like to do that as well. We have an opportunity to do that by voting for his amendment when it comes time for a vote on this bill. I intend to vote yes, and I hope my colleagues will too.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FLAKE). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CASEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CASEY. Mr. President, I ask unanimous consent to set aside the pending amendment and call up Casey amendment No. 2152, the Strong Start for America's Children Act, an amendment to the Every Child Achieves Act, which will establish a Federal-State partnership to provide access to high-quality public prekindergarten edu-

cation for low- and moderate-income families.

Mr. President, I ask unanimous consent, as well, to add Senators TESTER, REED of Rhode Island, KLOBUCHAR, and MERKLEY as cosponsors.

The PRESIDING OFFICER. Is there objection to adding the cosponsors?

Mr. ALEXANDER. No objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. Is there objection to setting aside the pending amendment?

Mr. ALEXANDER. Mr. President, reserving the right to object, this is a very important amendment that was thoroughly discussed in the education committee when we considered this legislation.

Both Senator MURRAY and I believe it should be offered on the floor and that Senators should have a chance to vote on it.

The trouble is that the Finance Committee objects to the way it is paid for. And in a moment, on behalf of the chairman, Senator HATCH, the Senator from Utah, I will have to object.

But my hope would be that the Senator from Pennsylvania, who is a member of that committee, could work with the chairman and the ranking member to come up with a different way of paying for the bill so that Senators would have a chance to vote on this important amendment today or tomorrow.

So I object.

The PRESIDING OFFICER. Objection is heard.

Mr. CASEY. Mr. President, by way of response, I understand what my colleague from Tennessee just mentioned as it relates to the objection to the so-called pay-for. I don't agree, obviously, for a couple of reasons.

No. 1 is I would hope that corporations that get the benefit of retaining a lot of operations in the United States and then seek to avoid taxes by so-called inversion would understand, I believe, the duty they have to this country. They benefit from our workers, our infrastructure. They benefit in so many ways. I would hope those companies would understand and Senators here would agree with the notion that they should undertake the duty to pay their fair share. I understand there is a debate about that. I understand there is an objection, but I would hope at some point we can get to the resolution of this basic question: Are we going to require companies to do more if they seek to engage in a tax-avoidance scheme by a so-called inversion?

But I respect what my colleague said, and we will try to move forward constructively.

Mr. ALEXANDER. Mr. President, I have nothing more.

Mr. CASEY. I yield to my colleague from New York.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Thank you.

Mr. President, first I commend my friend and colleague from Pennsylvania, Senator CASEY, for his amendment, and I appreciate the discussion between him and the chair of the committee.

I think that getting rid of these inversions is very important. I am surprised people on the other side don't want to do it, but so be it. Funding this program is the most important way, and if we could come up with a bipartisan way to get the funding, that will help educate millions of America's young children, and that is why I support this amendment so strongly.

Educating our children is not a sprint, it is a marathon. No one just gets up one day and decides to run a marathon. They plan, they train, and they eat right. We can avoid the most common problems if we start our kids out early with the right training, not just for some but for every student.

The research has shown that children who attend high-quality preschool programs are more likely to be prepared for school and graduate on time. They get better jobs. They are less likely to wind up in the criminal justice system or to rely on our social safety net. All too often in this body we do what many groups, corporations, and others in America do, we are unwilling to think of the long term. We may be spending a dollar today on this program, but we are going to save tens of dollars for each dollar we spend over the long run. All the studies show it. So having quality pre-K programs for kids who need it is a great investment in America. Yet millions of middle-class and low-income children don't have access to these programs that would provide an immense benefit to them and our country.

In short, pre-K should not be a luxury for the wealthy. Every child, no matter where they live or how much money their parents make, should be able to start their education in pre-K. It is not only for the good of them and their families but for the good of America. Senator CASEY's amendment helps us get there by helping States fund high-quality prekindergarten for 4-year-olds from low- and moderate-income families. It specifies that all preschools be inclusive of children with disabilities and addresses the need for increased funding to support their needs.

As I said, there is nothing wrong with doing inversions. Getting rid of them is the right thing to do, but if there is another way to go, I am certainly open to it, and I know Senator CASEY, our leader on this amendment, is too.

By the way, we will see where the pay-for is. It is the kind of win-win that everyone can get behind, and so I hope my colleagues will come together and fully pay for this. If we can't do it with inversions, which I think is right—and I believe most Americans

would think closing the inversion loophole is right—let's find something else.

In New York, there are cities and communities that are already making the investment to ensure access to pre-K for their children. It is working. But at a time when budgets are tight, they shouldn't have to do it alone. Under this amendment, New York will receive the support it needs to serve an additional 137,000 kids over 5 years. States across the country would be able to help a similar number of their schoolchildren, all without costing the Federal Government a single plug nickel.

As we debate how to best ensure students graduate ready for college or careers, we are doing a disservice if we ignore the need to invest in early education.

I thank my friend Senator CASEY for offering this amendment. I urge my colleagues to vote on it in the original form. Stand up against these inversions, but if that vote fails, to have a different proposal would be a good thing to do, although I think we should have a vote on this particular amendment first.

Mr. President, I would like to speak for a moment, with the indulgence of my colleagues, on the title I cuts and the amendment Senator BURR has offered with respect to title I funding, which of course provides assistance to low-income districts and schools that educate a high number of low-income children.

We cannot forget that title I is the largest source of Federal education funding and applies to a wide swath of school districts and includes many suburban and middle-class communities as well as school districts in our cities where poverty is concentrated. You might say: Well, this only affects the poor. It doesn't. If a school is going to lose its title I funding, they may have to do it and spend the money on their own and take away from science or afterschool programs or sports or something else. It affects everybody. Even though title I, since the days of Lyndon Johnson, was aimed at poor kids, it is going to hurt everybody if we make the kind of drastic cuts in so many school districts that the Senator from North Carolina has proposed.

What Senator BURR's amendment would do would not increase funding, which is what we usually do around here when we want to try to change formulas, as we should. He simply robs Peter to pay Paul. He takes away money from a needy school in one State to give to a needy school in another State.

According to the Congressional Research Service, over 9,600 school districts across the country will lose title I funding under this amendment. These schools count on title I funds year in, year out. They budget for it, and without the funding, they could be forced to lay off teachers, cut afterschool pro-

grams, and make other dramatic cuts. So it is no answer. Redistributing a limited pie is no way to make Federal policy.

One of my disappointments with this bill is that every American supports increased funding in education, particularly in things like title I. The bill doesn't do it.

At a time when America is competing against China, Japan, Europe, and the world, we are saying we shouldn't help with education, which is the ladder up for so many millions of American families, but we are not. But then to say, while keeping the funding flat, we should take huge amounts of money—\$300 million from my State—and give it to other States to help the poor, when in fact it doesn't even require that that money goes to the needy, that doesn't make much sense, in my opinion, and that is not the way to legislate.

We should have a real conversation about our Federal investment in education, one that recognizes that all of our school districts with low-income student populations would benefit from additional resources, one in which my colleagues across the aisle are fond of saying, in a different context, we are not picking winners and losers. I think we would agree that all of our low-income school districts need and deserve extra help.

In conclusion, education is the cornerstone of the American dream. We have to keep that American dream alive, and there is no better way than in funding education. I know my colleagues believe that.

I hope everyone will join us across the aisle in opposing Senator BURR's amendment to change the title I formula without increased Federal support for our schools.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I thank the Senator from New York for his remarks. I know how passionately he feels about the amendment by the Senator from North Carolina. He has made that clear to me on more than one occasion, and my hope is that the Senator from New York and the Senator from North Carolina will have a successful resolution of that difference of opinion in the next day or two. I know Senator MURRAY and I will be glad to work with them to try to do that, but I hear him loud and clear, and I appreciate him coming to the floor and making those statements.

Mr. SCHUMER. If the Senator will yield.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I thank my colleague from Tennessee, and I know how much he cares about both this bill and education. I look forward to making this bill as good a bill

as we possibly can make it, and so I am always open to any suggestion he might make.

The PRESIDING OFFICER. The Senator from New York.

Mr. ALEXANDER. Mr. President, I thank the Senator from New York. He has not been on the floor in the past at the beginning of the day when I thanked both the majority leader and Democratic leader for their attitude toward this bill. While it is probably not noticed by people around the country, it is noticed here.

The Democratic leader and the Democratic leadership, which the Senator from New York is a part of, allowed this bill to come to the floor without any delay. We have had a chance to offer and consider a lot of amendments. We have already considered and adopted 22 on the floor.

Senator MURRAY and I have several dozen or more that we will recommend to the full Senate to be adopted, and we have about two dozen other amendments that we would like to begin voting on soon. We seem to be moving along. Senators are cooperating.

There have been some developments this morning that are encouraging, and I hope to be able, within the next few minutes, to announce that we will have a few votes—one to four votes—before lunch and that we will have more votes at 4 p.m., but I am not able to make that agreement yet. For the information of Senators, that is our hope. Then, tomorrow, if we continue on this path, we will have a large number of votes.

I thank the Senators for their cooperation.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I have just a point of clarification. I may have said amendment No. 215—something, it is amendment No. 2152.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I rise again in support of my sanctuary cities amendment and to urge us to come together around sensible legislation that will stop jurisdictions around the country from opposing and not following what is already Federal law.

As the Presiding Officer knows, Federal law is very clear. It says deportation and immigration enforcement is a Federal responsibility, but local law enforcement authorities need to properly cooperate with Federal authorities regarding that. It doesn't mean they need to take it over or take on huge burdens or unfunded mandates. It does mean they need to properly cooperate with Federal authorities.

Well, for several years, as the Presiding Officer knows, there have been hundreds, if not thousands, of so-called sanctuary cities in other jurisdictions around the country that have a formal

policy that is completely at odds with that. These policies in various jurisdictions, such as the city of San Francisco, say straight out: We are not going to cooperate in any meaningful way with Federal immigration enforcement. I think that is flatout ridiculous, and tragically it leads to dangerous situations and horrible results. We saw one of those dangerous situations and horrible results just in the last few weeks with the murder of a completely innocent woman in San Francisco by an illegal alien who had been convicted of felonies seven times, deported five times, and released onto the streets of San Francisco, in part, because of San Francisco's sanctuary city policy.

This absurdness—political correctness gone haywire—is to the detriment and danger of American citizens, and it has to end. That is why several years ago I brought legislation to the Senate, beginning in 2009, to put teeth in what is already Federal law. My legislation will ensure that there are consequences when jurisdictions, such as San Francisco, don't properly cooperate with Federal authorities over immigration enforcement. Unfortunately, that has been blocked and blocked and blocked in the Senate.

I brought the same proposal as an amendment to the education bill that is on the floor now to revisit this issue and to urge us to come together around sound, sensible policy that ends sanctuary cities flaunting Federal law and creating very dangerous situations. I urge my colleagues to come around to a commonsense solution to that.

I have fully cooperated with Senator ALEXANDER, who has been the floor leader on this important education bill. As part of that, I agreed not to demand a vote on that amendment on the floor this week if our Judiciary Committee, the appropriate committee of jurisdiction, takes up the issue in a timely way—we reached that agreement yesterday with Senator GRASSLEY, the chair of the Judiciary Committee—and that a Vitter bill on this topic would be taken up appropriately at a markup of the Judiciary Committee this work period.

Well, that is certainly progress, and so let's use this opportunity to make real progress and end sanctuary cities flaunting Federal law and not properly cooperating with immigration enforcement. Let's come together around a strong, meaningful bill that doesn't allow that, that puts consequences and teeth in present Federal law that says local law enforcement has to properly cooperate with Federal immigration enforcement.

I very much look forward to doing that in the Judiciary Committee—the committee of jurisdiction—thanks to the work of Senator ALEXANDER and the agreement of Senator GRASSLEY to take up this measure to work with me and have a markup this work period.

I very much look forward to that being a very constructive path forward. If for any reason it is not, I will certainly be back. I will certainly be back directly on the floor in the context of the highway bill or some other significant piece of legislation because we can't allow this ridiculous political correctness to continue to create truly dangerous situations in communities all over the country.

Federal law requires local law enforcement to properly cooperate with Federal immigration enforcement. The problem is there are no teeth in that law, and that law is ignored and flaunted all the time by many jurisdictions which advertise and brag about their so-called sanctuary city policy and they will not cooperate with Federal immigration enforcement in any way. Really? A seven-time convicted felon, five times deported from the country. And once he was back in, still released onto the streets of San Francisco to commit murder? Really? That is really going to be your policy? If it is, is it really going to be our response that we do absolutely nothing about it?

I urge appropriate action. I urge us to come together around commonsense change and reform to end this all-too-pervasive practice. I look forward to starting that very constructive path forward in the Judiciary Committee with the markup of the Vitter bill, and I am already working with Senator GRASSLEY and his staff in this work period.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I wish to say to the Senator of Louisiana two things:

First, I understand his passion on this issue. I have heard him speak about it. He talked to us last week about how best to express that on the Senate floor. There are a number of Senators who share his view on that. He is a member of the Judiciary Committee. We will have an opportunity to deal with it when the committee does work next week.

Second, I would like to say to him through the Chair that I greatly appreciate the way he has handled this. He not only gave us advance notice of his interest in this amendment last week, he has worked in the Judiciary Committee to find a way to move ahead on his interest without interfering with the progress of our bill to fix No Child Left Behind. I am not surprised by that because he has made a major contribution to the bill to fix No Child Left Behind. Specifically, we have adopted his language or some of his language that would end the common core mandate and stop Washington, DC, from telling Louisiana, Arizona, Tennessee, and Washington State what their academic standards have to be. If a State wants to have an academic standard, it can

have it; if it doesn't want it, it doesn't have to have that particular standard.

The fact that the Senator has been willing to say that this is a very important issue and that he will work with Senator GRASSLEY in the Judiciary Committee and pursue it there leaves us free to move ahead on fixing No Child Left Behind, which is important to his State as well as to all other States. I greatly appreciate the way he has handled that and thank him for doing that.

We are still hoping to consider three or four amendments and perhaps have one rollcall vote before lunch, but we will know more about that in the next few minutes.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, as we continue to debate this bipartisan bill to fix the badly broken No Child Left Behind law, I want to take a step back to lay out why this is so important.

First of all, the idea of a strong public education for all children is part of who we are as a nation. It is sewn into the fabric of America.

Providing quality education is also an economic imperative. When all of our students have the chance to learn, we strengthen our future workforce, and that helps our country grow stronger. And we empower the next generation of Americans to lead the world. Education is like insurance for our Nation's future economic competitiveness in the years to come. It opens more opportunities for more students, and it helps our economy grow from the middle out, not the top down.

One of the best ways I believe we can strengthen our education system is by making sure more students start kindergarten ready to learn. As we work to fix No Child Left Behind, we also have the opportunity to expand access to high-quality early childhood education and set students on a path toward success.

I am very proud of the bipartisan early learning grants we secured in the base of this bill. I think we should continue to build on that bipartisan progress to make sure more students have access to high-quality early learning programs. That is exactly what Senator CASEY's amendment would do. I urge my colleagues to support it.

First of all, it is important to understand why early learning is essential. Learning begins at birth. Research suggests that before children set foot in kindergarten, they have already developed a foundation that will determine

all of the learning, health, and behavior that follows. Early learning programs can strengthen that foundation so more students can start their K-12 education on strong footing.

Preschool programs can be especially important for students from low-income backgrounds. A child growing up in poverty will hear 30 million fewer words by her third birthday compared to a child from a more affluent family. That is a serious disadvantage. By the time she starts kindergarten, the deck will already be stacked against her and her future success.

Studies have confirmed both the short-term and long-term benefits of quality early learning. Children who attend preschool are less likely to repeat a grade. They are less likely to be placed in special education. They are less likely to drop out of school, depend on social safety net programs, or commit a crime. And they are more likely to go to college and earn higher wages. Research suggests we get back between \$7 and \$8 for every dollar we invest in high-quality preschool programs.

Simply put, early learning is one of the smartest investments we can make for our families, our children, and our country. But today just 14 percent of our 3-year-olds in America are enrolled in Federal- or State-funded preschool programs and 41 percent of 4-year-olds are enrolled.

If we are serious about closing education gaps in grades K through 12 and if we are truly committed to making sure all students have the chance to succeed, we have to invest in quality early education.

I was pleased that during the committee debate on this bill, we were able to pass a bipartisan amendment for early childhood education. I thank my colleague Senator ISAKSON for working with me to include that in the committee markup. Throughout this process, I have appreciated the way he has worked with me on a bipartisan basis to improve the legislation before us.

Our amendment, which is now part of the base bill we are considering, would create a grant program for States that want to improve early childhood education coordination, quality, and access. The program would target resources to low- and moderate-income families. States that want to serve children from birth to the time they enter kindergarten will be eligible. It will help support the work that States like my home State of Washington are already doing to make sure more of our youngest learners have access to preschool. These grants will help States improve the quality of their early childhood system and also expand access to high-quality early learning opportunities for more children.

While I am very proud of what we have achieved in this base bill on our early childhood education, this is not the last step we need to take to im-

prove and expand access to high-quality preschool. The grants are a step in the right direction, but we need to significantly increase investments to ensure that every child in this country starts kindergarten ready to succeed.

My colleague, the senior Senator from Pennsylvania, offered an amendment that would expand access to high-quality preschool programs. It would provide Federal funding to every State that commits to improve access to high-quality learning opportunities for all of our low- and moderate-income 4-year-olds. For the States that already meet that goal, it will help them offer preschool to 3-year-olds. This amendment would support States that don't yet have the infrastructure needed to provide preschool to all low- and moderate-income kids. With preschool development grants, these States will be able to build up their early learning systems. This amendment also provides funding for early Head Start and childcare partnerships to improve the quality of childcare for infants and toddlers through age 3 and provide funding for early learning services for young children with disabilities. Finally, his amendment recognizes the importance of the Maternal, Infant, and Early Childhood Home Visiting Program, which I helped to create to deliver voluntary parent education and family support services to parents with young children.

I am glad to say this amendment will be fully paid for by closing a wasteful corporate tax loophole. Our Tax Code is riddled with a lot of wasteful loopholes and special interest carve-outs. Far too many of these tax breaks are skewed to benefit the wealthiest Americans and biggest corporations.

Today some of my Republican colleagues objected to bringing up his amendment solely because it would close one of those corporate tax loopholes. It is disappointing that they are choosing the biggest corporations over our youngest learners.

I urge our Senate to consider this amendment. I support it because I believe investing in our youngest learners is so important for our children and their families, and it is one of the smartest investments we can make so students can start kindergarten ready to learn and succeed later in life.

I don't believe this is a partisan issue. When I talk to sheriffs in my State, they tell me the young people they bring into the police station might have chosen a better path in life had they had a stronger start in school. That is why law enforcement officials across the country want Congress to expand early learning.

Military leaders have stressed the importance of early learning investments. In fact, at a Senate hearing last year, Air Force Brig. Gen. Douglas Pierce, Retired, said: "How we prepare our youngest kids to learn and succeed

has a profound impact on our military readiness.”

Business leaders have called on Congress to support preschool programs. Why? Because they need the students of today to be able to create and take on the jobs of the 21st-century global economy.

Lawmakers from red States and blue States alike see early learning as a wise investment. Alabama, Kansas, Michigan—States with Republican Governors and Republican-controlled legislatures—have recently made stronger investments in early learning.

It is now time that the U.S. Senate catch up with what State lawmakers, business leaders, law enforcement officials, and military leaders recognize. We need to invest in early childhood education so all of our students can start school ready to learn.

The importance of early childhood education is something I have witnessed firsthand. Before I ever thought about running for office, I taught preschool in a small community in my home State of Washington. I remember that the first day with new students would always start the same way: Some kids would not even know how to hold a pencil or turn a page in a book. But over the first few months, they catch up; they learn how. They learned how to listen at story time. They learned how to line up for recess. By the time they left for kindergarten, they had basic skills so they could tackle a full curriculum in school. I have seen the kind of transformation early learning can inspire in a child.

If we are serious about strengthening our education system, we have to make sure more children have the chance to get a strong start in preschool. In reauthorizing this Education bill, we have the chance to help more students start kindergarten ready to learn.

With the amendment Senator CASEY offers, we have the opportunity to set kids on the path toward success not just in grade school but into adulthood. We have the chance to fortify our economic competitiveness for years to come.

I urge my colleagues to support his amendment, to support this bill that already contains bipartisan early learning grants, and then take a step further and support the Casey amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I would say to the Senator that we are hoping to be able to lock in some amendments, but we are not quite ready yet. So what I might do is ask him to yield during his speech so that we can do that. I would say to the Senator through the Chair that we look forward to his remarks.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### AMERICAN WORKERS AND OVERTIME PAY

Mr. SCHATZ. Mr. President, I want to join my colleagues in voicing my support for President Obama’s proposal to extend overtime benefits to nearly 5 million people across the country. These new rules will significantly enhance family budgets and add over \$1.2 billion nationwide to workers’ pockets. Once implemented, the proposal would more than double the salary threshold for overtime eligibility from the current level of \$455 per week to \$970 a week next year. That means employees earning an annual salary of around \$50,000 or less will automatically become eligible for overtime pay. Today, the annual salary threshold for earning overtime pay is around \$24,000. That is well below the poverty level for a family of four, particularly so for families in Hawaii.

The overtime salary threshold is long overdue for an update. Since 1975, it has been updated only once. Forty years ago, nearly two in three employees benefited from overtime pay—two in three. Today, it is one in nine.

I appreciate the priority this administration and especially Secretary Perez have placed on work and family issues, policies that directly impact the lives of average Americans.

According to the Department of Labor, approximately 20,000 workers in Hawaii would become eligible for overtime pay with this rule change.

By increasing the overtime salary threshold, current employees would be able to earn more money and employers could hire more workers, creating more jobs for our economy.

Housing, transportation, and food costs in Hawaii have made Hawaii one of the most expensive places to live in the country. The high cost of living requires a large percentage of people in Hawaii to work more than one job. The new overtime rules could allow workers to make a liveable wage with one job. If a worker is able to live without a need for a second or third job, it creates more employment opportunities for individuals struggling with unemployment or underemployment to find work.

The potential change in overtime rules can offer more than financial benefit to Americans. If a business does not want to pay overtime, the employees’ hours would be limited to 40 hours a week. Since they are salaried and not paid by the hour, they would have more time off with no loss of pay. This would allow individuals to better balance their work and family obligations and give them the opportunity to spend more time with their family, a chance to volunteer in their community, or perhaps further their education.

The new rules will be subject to a 60-day public comment period. I encourage my constituents from Hawaii to let their voice be heard.

This change in overtime rules is appropriate and will help to lift our national and state economy, offer families more choices, and foster greater fairness in the workplace.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. For the information of Senators, I am about to ask for unanimous consent—which I expect to receive—to have two rollcall votes and two voice votes before lunch. So I now will do that.

I ask unanimous consent that at 12:10 p.m. the Senate vote in relation to the following amendments: Scott No. 2132, Booker No. 2169, Portman No. 2137, Bennet No. 2159; further, that at 4 p.m. today the Senate vote in relation to the following amendments: Isakson No. 2194, Bennet No. 2210, Lee No. 2162, and Franken No. 2093; with no second-degree amendments in order to any of the amendments prior to the votes; that there be 2 minutes equally divided prior to each vote, with 4 minutes prior to the vote on the Franken amendment, and that all after the first vote be 10-minute votes; that the Scott and Franken amendments be subject to a 60-affirmative-vote threshold for adoption and that it be in order to call up any amendments in the list not currently pending.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### AMENDMENTS NOS. 2169, 2159, AND 2210 TO AMENDMENT NO. 2089

Mr. BENNET. Mr. President, I ask to set aside the pending amendment and call up the following amendments en bloc: on behalf of Senator BOOKER, amendment No. 2169; Bennet amendment No. 2159; and Bennet amendment No. 2210.

The PRESIDING OFFICER. The clerk will report the amendments by number.

The senior assistant legislative clerk read as follows:

The Senator from Colorado [Mr. BENNET] proposes amendments numbered 2169, 2159, and 2210 to amendment No. 2089.

The amendments are as follows:

#### AMENDMENT NO. 2169

(Purpose: To require a State’s report card to include information on the graduation rates of homeless children and children in foster care)

On page 76, line 13, insert “and for purposes of subclause (II), homeless status and status as a child in foster care,” after “(b)(3)(A),”.



## AMENDMENT NO. 2159

(Purpose: To amend title IV regarding family engagement in education programs)

(The amendment is printed in the RECORD of July 8, 2015, under "Text of Amendments.")

## AMENDMENT NO. 2210

(Purpose: To require States to establish a limit on the aggregate amount of time spent on assessments)

On page 52, between lines 9 and 10, insert the following:

"(L) LIMITATION ON ASSESSMENT TIME.—

"(i) IN GENERAL.—As a condition of receiving an allocation under this part for any fiscal year, each State shall—

"(I) set a limit on the aggregate amount of time devoted to the administration of assessments (including assessments adopted pursuant to this subsection, other assessments required by the State, and assessments required districtwide by the local educational agency) for each grade, expressed as a percentage of annual instructional hours; and

"(II) ensure that each local educational agency in the State will notify the parents of each student attending any school in the local educational agency, on an annual basis, whenever the limitation described in subclause (I) is exceeded.

"(ii) CHILDREN WITH DISABILITIES AND ENGLISH LEARNERS.—Nothing in clause (i) shall be construed to supersede the requirements of Federal law relating to assessments that apply specifically to children with disabilities or English learners.

## AMENDMENT NO. 2137 TO AMENDMENT NO. 2089

Mr. ALEXANDER. Mr. President, I call up amendment No. 2137.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Tennessee [Mr. ALEXANDER], for Mr. PORTMAN, proposes an amendment numbered 2137 to amendment No. 2089.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide for early college high school and dual or concurrent enrollment opportunities)

On page 69, between lines 16 and 17, insert the following:

"(N) how the State educational agency will demonstrate a coordinated plan to seamlessly transition students from secondary school into postsecondary education or careers without remediation, including a description of the specific transition activities that the State educational agency will carry out, such as providing students with access to early college high school or dual or concurrent enrollment opportunities;

On page 106, line 3, insert "early college high school or" after "access to".

On page 314, between lines 21 and 22, insert the following:

"(C) providing teachers, principals, and other school leaders with professional development activities that enhance or enable the provision of postsecondary coursework through dual or concurrent enrollment and early college high school settings across a local educational agency.

Mr. ALEXANDER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## VOTE ON AMENDMENT NO. 2132

Mr. ALEXANDER. Mr. President, I yield back time on the first amendment.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to the Scott amendment No. 2132.

Mr. ALEXANDER. I ask for the yeas and nays.

The PRESIDING OFFICER. (Mr. CRUZ). Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM) and the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Delaware (Mr. CARPER) and the Senator from Florida (Mr. NELSON) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 45, nays 51, as follows:

## [Rollcall Vote No. 232 Leg.]

## YEAS—45

Alexander	Ernst	Perdue
Ayotte	Flake	Portman
Barrasso	Gardner	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Cassidy	Heller	Sasse
Coats	Hoeven	Scott
Cochran	Inhofe	Sessions
Corker	Isakson	Shelby
Cornyn	Johnson	Sullivan
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Cruz	McCain	Toomey
Daines	McConnell	Vitter
Enzi	Paul	Wicker

## NAYS—51

Baldwin	Franken	Murkowski
Bennet	Gillibrand	Murphy
Blumenthal	Heinrich	Murray
Blunt	Heitkamp	Peters
Booker	Hirono	Reed
Boxer	Kaine	Reid
Brown	King	Sanders
Cantwell	Kirk	Schatz
Capito	Klobuchar	Schumer
Cardin	Leahy	Shaheen
Casey	Manchin	Stabenow
Collins	Markey	Tester
Coons	McCaskey	Udall
Donnelly	Menendez	Warner
Durbin	Merkley	Warren
Feinstein	Mikulski	Whitehouse
Fischer	Moran	Wyden

## NOT VOTING—4

Carper	Nelson
Graham	Rubio

The PRESIDING OFFICER. Under the previous order requiring 60 votes

for the adoption of this amendment, the amendment is rejected.

## AMENDMENT NO. 2169

The PRESIDING OFFICER. There is now 2 minutes of debate prior to a vote on the Booker amendment No. 2169.

Mr. BOOKER. Mr. President, I rise today in support of my amendment, which I am offering with Senator INHOFE, Senator GRASSLEY, Senator AYOTTE, and Senator WYDEN.

The homeless population is at an all-time high in our country, with 1 in 45 children—or 1.6 million—homeless in the United States every year. Homeless students experience a significant educational disruption, and only about 11.4 percent are proficient in math and 14.6 percent proficient in reading compared to their peers. Homeless students are almost twice as likely as other students to have to repeat a grade, be expelled, get suspended, or drop out of high school.

There are more than half a million foster children in the United States, and foster children also have challenges and are not likely to be on grade level, more likely to change schools during the academic year, and more likely to drop out of high school.

Sixty-seven percent of inmates in our State prisons are high school dropouts, and this disproportionate share comes from these backgrounds.

The amendment is simple. It adds a simple reporting of the graduation rates for homeless and foster youth to the State and school district report cards so we can begin to focus in on this important population we should not leave behind. It provides—

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BOOKER. Mr. President, I ask unanimous consent to speak for an additional 18 seconds.

The PRESIDING OFFICER. Without objection.

Mr. BOOKER. This amendment provides essential information to educators, policymakers, and the public toward improving the educational outcomes for these students.

I thank the Presiding Officer and yield back.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I commend the Senator from New Jersey for his passion for education but suggest that I am going to vote no because this amendment is premature. It is another burden on States. It adds reporting requirements instead of reducing reporting requirements. It adds 2 new subgroups for every school in the country, and there are 100,000 of those. These populations are difficult to track due to the transient nature of the populations. For foster youth, school districts are poorly equipped to do it. Child welfare agencies would probably do better.

Now what we should be doing is recognizing that we do not need a national

school board. This is a good argument, but it should be made to the local school board or to the State school board. We do not need another Federal mandate on 100,000 local schools. That is exactly the wrong direction for us to go.

I urge a "no" vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mrs. MURRAY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM) and the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Delaware (Mr. CARPER) and the Senator from Florida (Mr. NELSON) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 56, nays 40, as follows:

[Rollcall Vote No. 233 Leg.]

#### YEAS—56

Ayotte	Grassley	Murkowski
Baldwin	Hatch	Murphy
Bennet	Heinrich	Murray
Blumenthal	Heitkamp	Peters
Booker	Heller	Portman
Boxer	Hirono	Reed
Brown	Inhofe	Reid
Cantwell	Kaine	Sanders
Capito	King	Schatz
Cardin	Kirk	Schumer
Casey	Klobuchar	Shaheen
Collins	Lankford	Stabenow
Coons	Leahy	Tester
Donnelly	Manchin	Udall
Durbin	Markey	Warner
Feinstein	McCaskill	Warren
Franken	Menendez	Whitehouse
Gardner	Merkley	Wyden
Gillibrand	Mikulski	

#### NAYS—40

Alexander	Enzi	Roberts
Barrasso	Ernst	Rounds
Blunt	Fischer	Sasse
Boozman	Flake	Scott
Burr	Hoeben	Sessions
Cassidy	Isakson	Shelby
Coats	Johnson	Sullivan
Cochran	Lee	Thune
Corker	McCain	Tillis
Cornyn	McConnell	Toomey
Cotton	Moran	Vitter
Crapo	Paul	Wicker
Cruz	Perdue	
Daines	Risch	

#### NOT VOTING—4

Carper	Nelson
Graham	Rubio

The amendment (No. 2169) was agreed to.

#### AMENDMENT NO. 2137

The PRESIDING OFFICER. There is now 2 minutes of debate prior to a vote on the Portman amendment No. 2137.

The Senator from Ohio.

Mr. PORTMAN. Mr. President, amendment No. 2137 is about early col-

lege high school. This is a program that is working incredibly well around the country, both to get young people through high school and to increase graduation rates, which is part of the objective of this legislation, and also to get them not just into college but to stay in college. All of the experience from this program indicates it is working.

I had a recent opportunity to visit the Dayton Early College High School, the academy, and 100 percent of their graduates are from a low-income area. Almost every single one of the students were either the first generation to go to college or into the military. Their retention rate in college is incredibly impressive. This amendment encourages more of that.

Early college high schools are working. It is part of the reform effort that is being undertaken in my State and others, and I strongly encourage a "yes" vote.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Mr. President, I am honored to join with the Senator from Ohio in cosponsoring this amendment. I, too, have recently visited an early college high school in my home State, which Delaware State College, our historically Black college, has established. It has shown real promise in terms of the possibilities for college access, college affordability, and college completion.

I urge an "aye" vote from my colleagues.

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to amendment No. 2137.

The amendment (No. 2137) was agreed to.

#### VOTE ON AMENDMENT NO. 2159

The PRESIDING OFFICER. There is now 2 minutes of debate prior to a vote on Bennet amendment No. 2159.

Mrs. MURRAY. Mr. President, I yield back our time.

Mr. ALEXANDER. Mr. President, I yield back.

The PRESIDING OFFICER. All time is yielded back.

Under the previous order, the question is on agreeing to amendment No. 2159.

The amendment (No. 2159) was agreed to.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, that concludes the votes for now. We are moving along very well. We expect to have votes at 4 p.m. today on amendments by Senators ISAKSON, BENNET, LEE, and FRANKEN. We may have other votes.

Senator MURRAY and I have a number of amendments that Senators have suggested to us. We would like to move through them today and tomorrow.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1:05 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

#### EVERY CHILD ACHIEVES ACT OF 2015—Continued

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I am here today to stand up for Maryland and for all the students who could lose resources under an amendment offered by the Senator from North Carolina, Mr. BURR.

There is much I admire about Senator BURR, but his current amendment would cause Maryland tremendous problems. The Burr amendment would punish States that make significant investments in those students who need extra help. This amendment would not do one thing to lift kids out of poverty or to close the achievement gap. In fact, it makes it worse.

The so-called hold-harmless provision that is in the amendment does not hold Maryland harmless. It does not prevent any of the Maryland school districts from losing money. Under the Burr amendment, Maryland would lose \$40 million. Let me repeat. Under the Burr amendment, Maryland would lose \$40 million.

Marylanders know that I have always been on the side of students, teachers, those who run programs, and the taxpayers who pay for them. We in America believe in public education, where one generation is willing to pay taxes to fund the education of the next generation.

Title I in the Elementary and Secondary Education Act was created to lift children up and to close the education gap.

Let me tell you what the Burr amendment would do. Right now, every county and Baltimore City would lose money. There are 24 school districts in Maryland, with 400,000 public school students. Mr. President, 170,000 students—or 45 percent of that population—are eligible for something called title I funding. If the Burr amendment passes, every single one of those boys and girls would lose academic resources they currently get. Let me give you the numbers: Baltimore City, 12 percent; Baltimore County, 23 percent; Garrett County in western Maryland, 20 percent; Somerset County on the Eastern Shore, 15 percent.

From my students in urban schools in the Baltimore/Washington corridor to my rural schools in western Maryland and the Eastern Shore, every single one loses resources, and if you lose resources, you lose opportunity. If we

believe in an opportunity ladder, then do not cut off the rungs. It is not the schools that lose, it is the kids who lose. They lose resources and they lose opportunities.

I have heard from school superintendents across Maryland. They tell me the same thing over and over: Do not cut the money for title I.

Dr. Henry Wagner, the superintendent in Dorchester County over on the Eastern Shore, says that the rural schools on the Eastern Shore would be impacted and that he would have to eliminate teaching positions, reduce reading and math services. And the very services to bring in parents would go by the wayside.

Over in Washington County, the gateway to the Eastern Shore, Dr. Clayton Wilcox, the superintendent of Washington County schools, describes how a rural school would be harmed. In his letter in which he describes title I, he said: Senator MIKULSKI, title I resources "have allowed us to create hope." He said: "They have enabled us to provide extra instructional support in literacy and math—subjects that open up windows and doors often shut to [these boys and girls]." Without title I dollars, Washington County would have to cut this instructional support in literacy and math. He writes: "Senator BURR's amendment is bad for the children and young people of Maryland." It is bad for all of the children in Maryland.

Baltimore City, where we certainly have had our share of problems lately, would be deeply cut. Right now, Baltimore City receives \$50 million. It will lose 10 percent of that funding. Mr. President, \$5 million in Baltimore right now sure means a lot. If we cut that money, we are going to shrink pre-K access. The afterschool and summer learning programs will go by the wayside. If they go by the wayside, you will not only have kids with time on their hands, but they will fall behind in reading, in the very things they had gained over the school year. And the professional development for teachers, especially those new teachers we were bringing in, will be eliminated.

I am so proud that Maryland allocates more of its title I dollars to schools that need it the most. For example, 85 percent of students in Baltimore—those kids live in poverty. It has the lowest wealth per pupil in Maryland. So the State allocates more of its resources in this area.

Maryland actually gets penalized under the Burr amendment for putting money where it will do the most good, and, in fact, Maryland gets penalized for making education a priority. Well, I thought we believed in State determination. If a State determines it is going to make a significant investment in public education and make the funding of the closing of the achievement gap a priority, why punish it for States

that cut taxes, cut opportunity? And now we want to change the formula to reward their behavior when we should be rewarding the good behavior of States like my own.

This amendment is bad for Maryland, it is bad for other States, and most of all it is bad for children. Mr. President, 58 percent of the students who benefit from title I funding will get fewer resources, less opportunity.

Title I certainly does need to be reformed and refreshed. Senators MURRAY and ALEXANDER should be congratulated in the way they led the committee through a civil, cogent process. But we cannot make changes based on the needs of a handful of States that essentially have penalized their own children.

The last time the Congress reauthorized the Elementary and Secondary Education Act was in 2001. During that reauthorization, Congress clearly stated that it shall be a national priority that title I should be a priority. In that bill, Congress committed to steadily increase funding for title I. But Congress never fully funded the program. It never provided the adequate funds.

In the major effort that was done just 2 weeks ago within the appropriations bill of Labor, Health and Human Services, and Education, Senator MURRAY offered an amendment to increase title I by \$1 billion. Every single Republican on the committee voted against it.

We cannot keep doing this. We need to fully fund title I. This is not about statistics. This is not about numbers. This is about human beings. The genius of America is that we believe—we believe—in the education of our people, that we truly believe that the way we lift all boats in our country is to have a public education system that works well and is funded adequately.

We have had a formula that has worked for title I because it rewards those States that are willing to make public education and the next generation a priority. Let's keep the formula we have. Let's reform where we need to. And let's make sure that our focus is not on bottom lines but that more children get to the head of the class.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. DONNELLY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DONNELLY. Mr. President, early childhood learning is critical to building a strong foundation for each child's welfare and success. It is linked to better outcomes in school, such as high school and college completion rates, higher wages, and better social and emotional skills.

Research shows that for every dollar spent, the benefits of early childhood education to society are \$8.60. Around half of that reflects increased earnings for children when they grow up. Early childhood education can also lower involvement with the criminal justice system and reduce the need for remedial education.

Clearly, early childhood education such as pre-K is crucial to preparing each generation for the academic and professional challenges ahead. There is no doubt that families play a critical role in achieving academic success. When families are involved in children's learning at a young age, it better prepares them to succeed in school. Research shows that when parents and families are involved in their children's education, children are more likely to succeed. For example, children whose parents read to them at home recognize letters and write their names sooner than those whose parents do not.

It is because of the importance of early childhood education and parent and family involvement in that early education that I worked on language that is now included in the Every Child Achieves Act.

I thank my colleagues, Chairman ALEXANDER and Ranking Member MURRAY, for working with me to include language allowing funding for programs that promote parent and family engagement in the new early learning and improvement grants as a part of the Every Child Achieves Act. This effort was also supported by the National PTA, the National Center for Families Learning, the National Education Association, and the American Federation of Teachers. The competitive early learning alignment and improvement grants would provide funding to States that propose improvements to coordination, quality, and access for early childhood education. The language I worked on would allow States to use funding from the early learning alignment and improvement grant to develop, implement or coordinate programs determined by the State to increase parent and family involvement; encourage ongoing communication between children, parents, and families, and early childhood educators; and promote active participation of parents, families, and communities.

I thank my colleagues again for working with me to get this included in a substitute amendment because parent and family engagement in those early years is critical to each student's success as well as to our country's future.

I am committed to working with partners in Indiana to ensure that Hoosier children can take advantage of these important programs, and I stand ready to continue working with my friends on both sides of the aisle to

further invest in early childhood education so we can provide brighter futures for more Hoosiers and additional American children.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BENNET. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENNET. Thank you, Mr. President.

I am obviously a Senator from Colorado, but as I rise, I am speaking more as the father of three daughters in the Denver Public Schools and a former superintendent of schools.

It was a great privilege of mine, probably the privilege of a lifetime, to have been the superintendent of Denver Public Schools for almost 5 years. I can't begin to express, as I am standing on this floor, my gratitude for what I have learned from teachers, principals, and parents who were sending their kids to what was then a school district that had seen declining enrollment for many years. It is now the fastest growing urban school district in America. Of course, the students themselves day after day inspired all the adults around them to want to help deliver a high-quality education.

But I also was struck when I was superintendent with the barriers that we have accepted as a country and as a society that we would never accept for our own children. We would never accept them for our own children. The first barrier I talked about on the floor before is the fact that if you are born poor in this country, you show up to kindergarten having heard 30 million fewer words than your more affluent peers. This is an enormous barrier we haven't addressed as a country, and there are many other challenges up to and including the fact that we have made it harder and harder as years go by for people to afford a college education without bankrupting themselves or shackling themselves to a mountain of debt.

In the face of all that, we have been very slow to change. We have been very slow at every level to change the way we deliver K-12 education or early childhood education through higher education. Let me just give you one example that this bill addresses today, in part. We have done almost nothing in this country to change the way we attract teachers, recruit teachers, inspire teachers, train teachers, reward teachers, since we had a labor market that discriminated against women and said the only job you can have is being a teacher or being a nurse. Those are your two jobs. So why don't you come to the Denver Public Schools and teach

Julius Caesar every year for 30 years of your life for a really low compensation. But if you stick with us for 30 years—which you would not do anymore—we will give you a pension worth three times that of Social Security. That sounded like a good deal because you were likely to outlive your spouse, you weren't paid a lot during your lifetime, and you get the pension at the end. We have done nothing to change that. That is our offer.

I can tell you again—not speaking as a politician but speaking as a school superintendent, speaking as somebody who has never done anything but substitute teach. I have never actually taught as a traditional teacher. I substitute taught from time to time. That is the hardest job a person can have, especially when you are teaching in a high poverty school. It is much harder, I can say without any doubt, than any job any Member of the U.S. Senate has. Yet we have an offer that belongs to an era that no longer exists.

In all honesty, we used to subsidize the public education system in this country through that discrimination in our labor, our approach to labor, because even though the deal wasn't a good deal, we might have been able to get the very best British literature student in her class to commit to be a teacher of British literature because she had no other options except for perhaps becoming a nurse. Fortunately, that hasn't been true in this country for 30 or 40 years, but we haven't updated the offer, and we haven't changed the way we train our teachers once they get there.

That is why this bill is important in some parts because it makes some important steps in the right direction. We are not going to teach children from Washington. Our kids who today are in systems all across this country in their schools and classrooms are never going to remember who here worked on the new version of the Elementary and Secondary Education Act. That is not going to be of concern to them, but hopefully what they will remember is a third grade teacher who made a huge difference for them, a fourth grade teacher who made a huge difference for them, a college adviser who took a special interest and made sure somebody who didn't know that college was for them was for them.

Our job, it seems to me, is to do what little we can to try to help put people at home in a position to do that job. That is why it is critical in this bill that we raise the quality of professional development by encouraging on-going training and education that actually tracks the specific strengths and areas of growth for each individual teacher, instead of group workshops that we know are ineffective. For instance, teachers who need help in classroom management will receive training in that specific area, if a school district or a school would want to do that.

We promote collaboration and the use of common planning time, so that teachers can work together in groups as teams, each of whom may have a different view of each kid but together can figure out how to get each child in the school to their potential. One of the things I heard all of the time from the teachers that I worked with in Denver was that they felt that they faced a binary choice when it came to their profession. Yet they loved to teach. They loved being with the kids. But the only other option besides teaching was becoming a principal or going to work in the central office. We worked very hard in that school district and across the State to think differently about career ladders for teachers, to give more opportunity and options for people to give back, and to be able to help perfect their own craft as teachers by learning from their peers and also serving as master teachers.

This bill, for the first time, allows funding to be used for hybrid roles that allow teachers to serve as mentors or academic coaches while remaining in the classroom. It creates options, as I said. It encourages teacher-led and colleague-to-colleague professional development among teachers. I may have learned it the hard way, but I know that nobody knows how best to improve instruction more than our teachers do.

But the struggle is how to figure out how to break out of the old roles to give people the opportunity to be able to have the chance to mentor their colleagues and also, significantly, have the time in the school day and in the school year, when the stress of other business makes it hard to do, to create the time for people to be able to work together for our kids.

In this bill we recognize the work that is happening in cities such as Chicago, Denver, and Boston, around teacher residency programs, an alternative approach to bringing teachers into the profession, not relying anymore solely on higher education, understanding that maybe what we need is content matter experts who can learn how to teach by being latched to master teachers in a school district such as the Denver public schools, who bring their content, their substance from their undergraduate degree but can acquire a masters as they are learning on the job in the classroom, as in a medical residency program. We allow funding to be used for that. These programs can provide critical clinical experience to teacher candidates.

There is funding to train and place effective principals to lead high-need and low-performing schools. You cannot have a good school without a good principal. Ask anyone. You cannot have a good working environment for a teacher without a good principal. It is impossible. We skipped over that in our

efforts of implementation across the country. When I had the good fortune to be the superintendent of Denver Public Schools, my chief academic officer was a guy named Jaime Aquino, a gifted school leader.

He and I would start every single day for 2 hours with a group of 15 principals in one of their schools. It was not about broken boilers, and it was not about who got left on the bus. It was about teaching and learning in Denver Public Schools.

We would do the same thing for 3 weeks, and then we would start over again, which meant that I got to see every principal in my school district once every 3 weeks, and they got to see each other. They came to understand that they had a reciprocal obligation to each other as we thought about the obligation we had to the kids in Denver. I will give you an example of one of the sessions. Jaime would bring a 1½-page piece of student writings to these meetings, because it is really important for teachers to look and analyze student work to be able to differentiate their instruction to meet the individual needs of kids in the classroom.

It is easy to say that. It is easy to have the fly-by professional development where a bunch of people are sleeping in auditorium listening to really boring stuff. It is another thing to actually get people to want to do the work. At the beginning it was hard. We would pass out that piece of student writing and you would hear sort of a crescendo as people were talking about it, and they would say: I cannot read this. I don't know what this says. This looks like a foreign language to me.

Then Jaime would say: Based on what you have read, what are Nancy's strengths as a writer?

She turned out to be a very typical fourth grader in our school district.

They would say: Well, she writes from left to right. She has a sense of story structure. She spells high-frequency words correctly.

Jaime would say: Well, why is that? He would say: Well, maybe she had a vocabulary test. He would say: Maybe she had a word wall, and she is using it to scaffold her instruction.

Over time, the principals saw what their role was as leaders and how reliant we were on them.

I can tell you firsthand that school leaders have a powerful affect dramatically improving the quality of teaching and raising student achievement, and we have skipped over them. This bill no longer skips over them.

We also update and improve the teacher incentive fund in this bill. We encourage districts to redesign their systems for recruiting, hiring, and placing teachers.

We incentivize districts to think about paying different teachers dif-

ferently. In Denver, we don't have a monopoly on wisdom, but if you are working in a high-poverty school, you get paid more for that. It is harder to find you. It is a harder job. We recognize that. If you are teaching a subject for which it is hard to find people to teach, we pay a little more for that.

If you are driving student achievement or your colleagues are, we pay you a little more for that. Through this incentive fund, we promote school autonomy over budgeting, staffing, and other school-level decisions. We incentivize folks to change hiring schedules so high-need schools can hire earlier in the year and select from the best and brightest teachers, instead of the reverse.

So we have done some good things here on teachers. It is one of the reasons why I am supporting this legislation. I want to thank Chairman ALEXANDER and Ranking Member MURRAY, who are both on the floor today, for their exceptional leadership in bringing this bill out of committee. The people who are watching this on television know that this body cannot seem to agree on anything these days. Because of their work, we were able to produce a bill that got unanimous support in the HELP Committee. Every single member of the committee supported it. Imagine that. Imagine that in this body.

You know what. There are no ringers on that committee either. That committee has the junior Senator from Kentucky on it, Mr. PAUL; it has the junior Senator from Vermont on it, Mr. SANDERS, and everybody in between. That is a rare case of unanimity among a very diverse set of Senators, which I think argues well for getting this bill through in the Senate and hopefully in the House.

I see my colleague is here. If I can just take 2 more minutes I want to mention a word or two about the title I formula. I have joined my friend from North Carolina in supporting an amendment to change the title I funding formula. The formula I think that we are trying to propose today is sensible and eliminates the overly complex and opaque formulas that we currently have. It creates one formula that is targeted and provides more funding for districts with higher concentrations of poverty.

I am extremely sensitive to the arguments that others have made, such as my friend from New York. I also agree that we need to invest significantly more in our kids. This formula change is good for my home State of Colorado. I think if you are a poor kid in Alamosa or Woodrow, CO, you deserve every chance to get a great education, including receiving an equitable share of Federal resources.

With that, I see my colleague from Utah is here. So I will relent and yield the floor and come back at a later time.

The PRESIDING OFFICER. The Senator from Utah.

AMENDMENT NO 2162 TO AMENDMENT NO. 2089

Mr. LEE. Mr. President, I ask to call up and make pending the Lee amendment No. 2162.

The PRESIDING OFFICER. The clerk will report the amendment.

The senior assistant legislative clerk read as follows:

The Senator from Utah [Mr. LEE] proposes an amendment numbered 2162 to amendment No. 2089.

Mr. LEE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To amend the Elementary and Secondary Education Act of 1965 relating to parental notification and opt-out of assessments)

On page 52, strike line 3 and all that follows through line 9 and insert the following:

“(K) PARENTAL NOTIFICATION AND OPT-OUT.—

“(i) NOTIFICATION.—Each State receiving funds under this part shall ensure that the parents of each child in the State who are scheduled to take an assessment described in this paragraph during the academic year are notified, at the beginning of that academic year, about any such assessment that their child is scheduled to take and the following information about each such assessment:

“(I) The dates when the assessment will take place.

“(II) The subject of the assessment.

“(III) Any additional information that the State believes will best inform parents regarding the assessment their child is scheduled to take.

“(ii) DELAYED OR CHANGED ASSESSMENT INFORMATION.—If any of the information described in clause (i) is not available at the beginning of the academic school year, or if the initial information provided at that time is changed, the State shall ensure that a subsequent notification is provided to parents not less than 14 days prior to the scheduled assessment, which shall include any new or changed information.

“(iii) OPT-OUT.—

“(I) IN GENERAL.—Notwithstanding the requirement described in section 1111(b)(3)(B)(vi), or any other provision of law, upon the request of the parent of a child made in accordance with subclause (II), and for any reason or no reason at all stated by the parent, a State shall allow the child to opt out of the assessments described in this paragraph. Such an opt-out, or any action related to that opt-out, may not be used by the Secretary, the State, any State or local agency, or any school leader or employee as the basis for any corrective action, penalty, or other consequence against the parent, the child, any school leader or employee, or the school.

“(II) FORM OF PARENTAL OPT-OUT REQUEST.—Unless a State has implemented an alternative process for parents to opt out of assessments as described in this subparagraph, a parent shall request to have their child opt out of an assessment by submitting such request to their child's school in writing.

“(iv) APPLICABILITY.—The requirements relating to notification and opt-out in this subparagraph shall only apply to federally

mandated assessments. A State may implement separate requirements for notification and opt-out relating to State and locally mandated assessments.”.

On page 58, on line 21, after “paragraph (2)” insert “(except that such 95 percent requirements shall exclude any student who, pursuant to paragraph (2)(K), opts out of an assessment)”.

Mr. LEE. Mr. President, I ask unanimous consent that Senator PAUL be added as a cosponsor to my amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEE. Mr. President, parents and teachers all across America are frustrated by Washington, DC’s heavy-handed, overly prescriptive approach to public education policy. I have heard from countless moms and dads in Utah who feel as though anonymous Federal Government officials, living and working 2,000 miles away, have a greater say in the education of their children than they do.

One of the most frustrating issues for parents is the amount of standardized tests that their children are required to take, particularly the tests that are designed and mandated by the Federal Government. It is not just the frequency of those tests that is frustrating. Too often parents do not know when these federally required assessments are going to take place, and they do not even find out until after the fact. It is important to recognize that this is not a partisan issue. The notion that parents should not be expected to forfeit all of their rights to the government, just because they enroll their children in the public school system, is not a Democratic idea nor is it a Republican idea. It is simply an American idea.

That is why several States, including States as distinct as California and Utah, have passed laws that allow parents to opt out of federally required tests. But there is a problem. Under current law, States with opt-out laws risk potentially losing Federal education dollars if a certain portion of parents decides opting out is best for their children, because schools are required to assess 95 percent of their students in order to—and as a condition to—receive Federal funds.

The bill before the Senate today, the Every Student Achieves Act, does not fix this problem. My amendment does. Here is how. My amendment would protect a State’s Federal funding for elementary and secondary schools by removing the number of students who opt out of Federal tests from the number of non-assessed students. In other words, the number of students opting out of federally required tests could not threaten a State’s eligibility to receive Federal funds.

My amendment would also give parents more information about tests mandated by the Federal Government, ensuring that parents are notified of

any federally required assessment that children are scheduled to take. It would allow parents to opt out their children from such assessments. It is important to note that this amendment would have no effect on assessments that are required by the State, local education agency, school or teachers. Nor does it prohibit a State from expanding their parental opt-out laws to apply to a broader set of assessments if they choose to do so.

This amendment would not jeopardize a State law that provides parents the opportunity to opt out their children and it would allow the State to continue to use its own process that allows parents to take such action.

Whether you believe the bill before the Senate today strikes the appropriate balance between Federal and State control, I think all of my colleagues can support this amendment. I believe all of us can agree that parents should have the final say in their child’s education and should have access to information about the testing that is taking place before that testing takes place, and they should be able to decide whether their child will be part of that testing.

I urge all of my colleagues to support this amendment.

The PRESIDING OFFICER (Mr. LANKFORD). The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I thank the Senator from Utah for his comments. We will be voting on the Senator’s amendment this afternoon at 4 o’clock, and I want to just make a couple of comments about it.

I have a little different view of what his proposal is. He talks about our being opposed to Washington’s heavy-handed approach. The way I understand his proposal, it is even more of a heavyhanded approach than the bill we are voting on today, and this is why.

His proposal is that Washington tells Utah or Oklahoma or Tennessee or Washington State what to do about whether parents may opt out of these federally required tests. Now, they are not federally designed. Utah has its test. Tennessee has its test. They are designed by the States, but they are required. And there would be—since 2001, and this continues that—for example, two tests for a third grader. The testimony would be that it might take 2 hours for each test, so that would be 2 hours for a math test, 2 hours for a science test; then again in the fourth grade, 2 hours for a math test, 2 hours for a science test.

I don’t think anyone believes those are a great burden on students, it is all the other tests that seem to be required as schools prepared for the tests I just described. What we have done in this legislation is restore to States the power to decide how much these standardized tests count.

So the legislation Senator MURRAY and I have proposed—and that came

out of our committee unanimously—for the first time authorizes States to decide whether parents may opt out, may allow their children to opt out of these tests or not. Let me say that again. The legislation that Senators will be voting on, hopefully tomorrow for final passage, allows States to decide for themselves whether parents may vote to opt out of the No Child Left Behind tests.

The proposal from the Senator from Utah is a Washington mandate that says to States that Washington will decide that.

So our proposal is local control. His, the way I hear it, is Washington knows best. That is like Common Core.

The proposal that is on the floor for a vote tomorrow says Washington may not mandate to any of our States what its academic standards should be. That ends the Washington Common Core mandate. In the same bill, why should we put a Washington mandate about whether you can opt out of your test? Why don’t we allow States to make that decision?

So I say to my Republican friends, especially, do we believe in local control only when we agree with the local policy? I don’t think so.

The great economist Art Laffer likes to say: States have a right to be right, and States have a right to be wrong.

I have a different view. I am going to vote no on the amendment of the Senator from Utah because it takes away from States the right to decide whether and how to use the Federal tests and whether parents may opt out.

Why is that a problem? Well, in the following States, States use these tests as part of their State accountability system. They don’t have to do it, but they do use it. I am told by the State of Tennessee that if we were to adopt the Utah proposal Federal mandate, that the State would have to come up with a different accountability system.

So which States on their own have decided to use these tests as part of their State accountability system? Florida has, Georgia, Idaho, Indiana, Kentucky, Louisiana, North Carolina, Ohio, Oklahoma, Pennsylvania, Tennessee, and Texas.

So I urge my colleagues to vote for the Alexander-Murray proposal because it reverses the trend toward a national school board and specifically allows States to decide whether States may opt out of tests while the amendment goes the other way. It is a Washington mandate that takes away from States the ability to make that decision.

The PRESIDING OFFICER. The Senator from Georgia.

AMENDMENT NO. 2194 TO AMENDMENT NO. 2089

Mr. ISAKSON. Mr. President, I ask to set aside the pending amendment and call up my Isakson amendment No. 2194.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Georgia [Mr. ISAKSON] proposes an amendment numbered 2194 to amendment No. 2089.

Mr. ISAKSON. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require local educational agencies to inform parents of any State or local educational agency policy, procedure, or parental right regarding student participation in any mandated assessments for that school year)

On page 110, strike lines 7 through 17 and insert the following:

“(1) INFORMATION FOR PARENTS. —

“(A) IN GENERAL.—At the beginning of each school year, a local educational agency that receives funds under this part shall notify the parents of each student attending any school receiving funds under this part that the parents may request, and the agency will provide the parents on request (and in a timely manner), information regarding any State or local educational agency policy, procedure, or parental right regarding student participation in any mandated assessments for that school year, in addition to information regarding the professional qualifications of the student’s classroom teachers, including at a minimum, the following:

Mr. ISAKSON. Mr. President, I begin my remarks by commending Ranking Member MURRAY and Chairman ALEXANDER on a tremendous due diligence effort to see to it that we finally answered the question that States have been asking for 7 years; that is, when are you going to reauthorize the Elementary and Secondary Education Act? When are you going to end the day when 82 percent of all educational public school systems have to get waivers from Washington to teach children the way they want to teach them? When are you going to see to it that money can flow to the States and flow to the student from those States, not everything flow from Washington to the student. It is about time we fixed the Elementary and Secondary Education Act.

In my lifetime, I have been in elected office for 38 years. I have been in every legislative body I can legally be elected to, and I have served on the Education Committee in the Georgia House, the Georgia Senate, the U.S. House, and the U.S. Senate. I don’t know a lot about a lot of things, but I know a little bit about public education. In fact, in 1996, Zell Miller, whose seat I now hold in the Senate, called on me to take over the Georgia State Board of Education when Georgia had a major crisis. So I learned under fire.

I learned the following: Children rise to expectations, and in an absence of expectations, children sink. That is why gangs attract kids from broken families, because they seek some kind of recognition, and the gang gives it to them.

We need to make sure education gives them that recognition, that ex-

pectation, and that goal to reach higher and higher standards, but that happens closest to home, not in Washington, DC. It happens where the parents and the children are. The more opportunities parents have to engage with their children—the children see the expectations of their local students and their local citizens—the better off they will be, which is why in the committee I offered the amendment which is included in the body of the Alexander-Murray bill, which allows parents in States that approve it to opt out of any testing they want to opt out of—a parent’s right to see to it they can opt out of a required test if the State allows them to do so.

Amendment No. 2194, which is before us now, makes sure that provision is in the section of the bill that calls for the parents’ right to know. So every parent has the right to know whether the State allows an opt-out. It already lets them know what their child’s teacher’s qualifications are, what their level of achievement in school is, notice if their child is being taught by a teacher not meeting State standards, and rights as a parent of an English language learner.

The bill is specific in all of those areas, telling the parent: It is your right to know if we have an ESL Program. It is your right to know if we allow an opt-out, and if we do not allow an opt-out, it is your right as a citizen to go to the board of education and make sure we do offer one. In other words, we are opening the door for local control the way all of us planned on it being for years and for years and for years.

It is time we took the shackles off public education. The Washington weight is dragging it down. It is time our school systems no longer have to come to Washington for waivers and all those types of things, but instead we said—in the case of title I, our poorest kids and among those most in need of help, our IDEA kids, where the Federal Government has a role—besides those two areas, it is time for the local system to see to it they are meeting the needs of those kids, the parents know what the system is doing, and the parents have a right to inquire. And if the parent doesn’t want the kid to be tested the way the State is doing it and the State allows it, they should be able to opt out. That is the ultimate of local control. It is also the ultimate of expectations for the child through the parent and the school, not through some Washington mandate.

You know the old saying: Education makes people easy to govern and impossible to enslave, easy to build and impossible to drive.

Education is the power that leads our democracy to discoveries. Just today in America—or just sometime today in America—Pluto was discovered by an American satellite that was launched 9

years ago. It has been traveling hundreds of thousands of miles a second to go there. That manpower was done in the educational system of the United States of America.

There is no dream that can’t be realized in this country, but it has to be based on education and knowledge. It has to be based on a country that relishes education, a State that embellishes education, and a parent that is involved with their child.

I commend Senator MURRAY and Senator ALEXANDER for their work, for including the opt-out provision in the base of the bill. I ask and hope the Senate will adopt my amendment to require that in the parents’ right to know, that provision is made available to every single parent in terms of what the State does and does not require when their kids go into the public school system. So we have a better informed parent, better local control, less Federal mandate, and a child who has expectations that are raised for them by the parents and the teachers closest to them, not by a bureaucrat in Washington, DC.

We live in the greatest country on the face of this Earth. You don’t find anybody trying to break out of the United States of America. They are all trying to break in. And when you ask them why, it is because it is a country of opportunity, education, hope, and promise.

Today and tomorrow, the Senate has the ability to reauthorize the Elementary and Secondary Education Act, which has languished for 7 years without a reauthorization. I hope we will do it and give local systems and local boards of education and the parents the choices they need to make the decisions that are right for their children.

I encourage every Senator to vote for amendment No. 2194, the Isakson opt-out amendment and the parental right-to-know amendment.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, the Senator from Washington is going to speak in just a moment, but while the Senator from Georgia is on the floor, I thank him for his huge contribution to this bill that would fix No Child Left Behind. No committee member has been more valuable than he. He has worked with Senator MURRAY to include within a provision an important step on early childhood education.

He has used his experience as chairman of the Georgia State Board of Education and as a member of the education committee in both the Senate and the House to help us know how to do a better job here.

He is the champion of giving parents the right to know whether their State gives them the opportunity to opt out of the federally required tests. That is



his amendment today. And he was the sponsor of the amendment that appears in the Alexander-Murray bill, which gives States the express authority to decide whether the parents may opt their children out of the tests.

So the Isakson amendment says: Give States the power to provide the opt-out, and it gives parents the opportunity to know enough information to be able to do it. That is consistent with this legislation, which requires the important measurements of achievement so we can know whether children are achieving and whether schools are achieving, but then restores to States and local school boards, classroom teachers, and parents the decisions about how to help those children achieve.

That is the kind of local control of education that I think most of us on both sides of the aisle—whether it is the Senator from Montana speaking this morning or the Senator from Georgia speaking this afternoon, that is the spirit of the consensus that guides this bill.

Senator ISAKSON's contribution has been enormous to the right of parents to provide an opt-out of a federally required test for them and their children if they and their State choose to do it. I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

AMENDMENT NO. 2093

Mrs. MURRAY. Mr. President, I rise this afternoon to speak in favor of the Franken amendment, which we will be voting on shortly. I want to start with the story of Chandler, who was a 9th grader in Arkansas who experienced daily bullying and harassment. At school, his classmates harassed him based on his perceived sexual orientation. His mom described him as a good kid. She said all he wanted was to fit in, but Chandler couldn't walk down the hall between classes without kids harassing him. He wrote to his school counselor saying he couldn't handle "being an outcast for four more years."

And while teachers knew about the bullying, the school district never put a plan in place to address his concerns. And one day in 2010, Chandler took his own life after enduring endless bullying and tormenting at his school.

Chandler's story is more than a tragedy, it feels like an all-too-common trend for students across the country.

As a mother, grandmother, a former educator, and as a citizen, I believe Congress has to act to protect kids such as Chandler. When kids do not feel safe at school, when they are relentlessly bullied because they are different, when they endure harassment simply because of who they are, we have failed to provide them with the educational opportunities they deserve. We have failed them.

As we debate our Nation's K-12 education bill, we need to do everything

we can to prevent bullying, harassment, and discrimination and provide students with a safe learning environment. Today, we will consider an amendment to address the unique challenges LGBT students face.

I thank Senator CASEY for his work on the Safe Schools Improvement Act. It is a bill we will not be voting on but will continue working on. I thank, especially, Senator FRANKEN for his tireless leadership on the Student Non-Discrimination Act.

On the HELP Committee, I have been a proud cosponsor of this legislation for years, and today I hope all of our Senate colleagues will join us in protecting students from discrimination based on their actual or perceived sexual orientation or gender identity.

Discrimination, bullying, and harassment at school leads to students who feel unsafe. It leads to kids who skip classes so they avoid harassment. Some students drop out of school because they don't feel safe there. If students don't feel safe, then there is very little else we can do to improve their education that will matter.

This type of bullying and harassment can be severe, particularly for LGBT students. The Gay, Lesbian & Straight Education Network recently did a survey on the experiences of LGBT youth in our schools. In that survey, 6 out of 10 lesbian, gay, and bisexual students reported feeling unsafe at school and 8 out of 10 transgender students said the same.

Eighty-five percent of LGBT students report they have been harassed because of their sexual or gender identity. Even though bullying and harassment is prevalent for these students, they and their families have limited legal recourse for that kind of discrimination. I believe our students deserve better. The amendment we will be voting on will help to tackle this problem.

The student non-discrimination amendment would prohibit discrimination and harassment in public schools based on actual or perceived sexual orientation and gender identity. The amendment would also prohibit any retaliation for lodging a complaint of discrimination. That would give our LGBT students who are suffering from bullying and harassment legal recourse, and it would allow Federal authorities to address discrimination.

This amendment would offer LGBT students similar protections that currently exist for students who are bullied based on race, gender, religion, disability, or country of national origin. Unless you think LGBT students don't deserve protection from discrimination the way these other students do, this should be easy to support. This amendment is absolutely critical for expanding protections for LGBT students. Again, I thank the junior Senator from Minnesota for his tremendous work.

I know some of our Republican colleagues have argued that taking steps to prevent bullying would only create lawsuits. But I believe these students deserve justice. Giving students and families legal recourse would help provide that.

Under this amendment, the process for legal recourse would be similar to title IX, which actually has been on the books since 1972. In the majority of title IX cases, a school is more than willing to fix the problem so it no longer engages in discriminatory practices. After all, school leaders want to do the right thing and end bullying or harassment in their classrooms. They want to make sure their school is safe for a particular group of students. They want to make sure students are not discriminated against simply because of who they are. With this amendment, this same process would be afforded to LGBT students.

I have also heard some critics of this amendment say there is no need to focus on LGBT students. They don't want to define who would be covered in an anti-discrimination amendment. But that logic doesn't follow what we already know works. There is a reason the civil rights laws of our country clearly define who is protected from discrimination. For example, our civil rights laws make it clear that it is unlawful to discriminate based on race and gender. A generic anti-discrimination policy will not cut it. A vague policy would lead to years of litigation about who is and who is not protected and what legal standards should apply. Making meaningful progress to prevent bullying, harassment, and discrimination requires us to clearly define who will be protected.

We know LGBT students are being bullied. They are being harassed. They are being discriminated against. Ignoring that fact with vague language doesn't help those students; it does them a real disservice, and it is wrong.

I urge my colleagues to support this amendment. The pain physical and emotional abuse can cause is tragic.

In Ohio, a young man named Zach is an openly gay student. Since he was in the third grade, he has been called names at school. That abuse has escalated since then. When he was 16, Zach was physically attacked and repeatedly punched by another student during his third-period class. In a video from the ACLU, Zach's mom said it is not that Zach attended a bad school. She said: "It's just not a good school for gay or lesbian children."

It should not matter what school a child attends; all students deserve a safe learning environment. Bullying and harassment take that away from too many of our Nation's students.

I want to take a moment to note the historical significance of this debate and the vote we will be taking on shortly. A few weeks ago, the Supreme

Court settled a question that for decades has been an issue of debate in our country. After years of fighting for equal rights, LGBT couples finally have the guarantee of marriage equality nationwide and the protections that all married couples enjoy.

I am proud of how far our country has come. Since the Court's ruling, this—right now, today—will be the first vote this body takes on legislation aimed at ending discrimination against LGBT individuals and in this case discrimination against LGBT children in our schools. Surely we can agree that a minority group of students who have long endured bullying, harassment, and discrimination deserves the same protections we afford other groups of students. There is no excuse for a school or for a United States Senator to stand by as our kids endure harassment and discrimination that puts their academic success and emotional well-being in jeopardy. The country will be watching.

I urge our colleagues to support this amendment and give students across the country the assurance that we are on their side.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. HEITKAMP. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. HEITKAMP. Mr. President, I wish to thank Chairman ALEXANDER and Ranking Member MURRAY for their excellent leadership as stewards of this important bipartisan effort. In my conversations with parents, educators, and advocates across my State, one theme prevails: We must reform this outdated law. This bipartisan legislation before us, while not perfect, is a step in the right direction.

I am glad my language was included in the substitute amendment to address conflict resolution and crisis intervention services in schools. It will provide support and the ability of school districts to provide suicide, trafficking, trauma, and violence prevention models. Such models will assist educators as they foster positive school climates so that students can enter school excited and ready to learn.

However, I hope we can also advance my amendment No. 2171, which would support those schools where such interventions are needed the most. My amendment will restore access and make improvements to school and mental health support grants under an existing program in ESEA—the integration of schools and mental health systems. Unfortunately, the bill before us eliminates this program simply because of recent budget cuts. Those

budget cuts have allowed for the diversion of its funding to other priorities. This program, however, is more important than ever today.

I am not calling for new or expanded funding or even a new program. The funding conversation should take place during the appropriations process. But for these purposes, we must make sure the program's authorization is not eliminated, as students across this country and students in my State critically need these integrated services that help them deal with the effects of poor educational environments as well as the effects of toxic stress and trauma.

The need to address this problem is something I have heard repeatedly since becoming North Dakota's Senator and previously in my role as North Dakota's attorney general. Through my personal experiences with affected children, school leaders, and tribal representatives, I have focused on making sure all children have the ability to succeed and overcome obstacles associated with suicide, trauma, violence, and stress on their mental health.

In May of 2015, Futures Without Violence, alongside partners such as the Alliance for Excellent Education, the National Education Association, and the National PTA, released a report entitled "Safe, Healthy, and Ready to Learn" that detailed how unhealthy school climates, exposure to violence, and the effects of trauma reduce academic success. As a result of such conditions, students with two or more adverse childhood experiences are more than twice as likely to repeat a grade. Students exposed to violence are at a greater risk of dropping out or having difficulty in school. Children exposed to violence scored lower on tests of verbal ability and comprehension, reading and math skills, and overall achievement on standardized tests.

As a member of the Indian Affairs Committee, I can attest that nowhere are adverse childhood experiences more common than in schools serving this country's Native communities and Native American tribes. The suicide rate for young adults aged 15 to 34 years is 2½ times higher than the national average.

In South Dakota, from December 2014 to May 2015, the Oglala Sioux Tribe lost nine—nine—of their young people to suicide between the ages of 12 and 24. At least 103—I want to repeat that number—103 attempts were made by young people aged 12 to 24 just in those few months.

North Dakota has had a similar experience with suicide. Five young people—three teenagers and two 25-year-olds—on the Standing Rock Sioux Reservation took their own lives within a 2-month period.

Much like North and South Dakota, Montana, Wyoming, and Alaska's sui-

cide rate has increased dramatically in recent years—jumping 70 percent in 10 years, with large increases among middle and high school students.

As populations have increased in the West, violent crime has similarly risen 121 percent in some areas. Through drug crimes, gunrunning, gang activity, and limited capacity of law enforcement, human trafficking has become epidemic, with 83 percent of all victims in the United States being American. How can we expect children to learn when they face such obstacles as these? This is an injustice.

We must make sure our schools have the means to partner with health systems and provide preventive measures and family engagement models for improving school environments and mental health stress. Unfortunately, schools are often the last line of defense for our country's most vulnerable students. My amendment would simply preserve a voluntary program that helps schools provide children stability and the tools necessary to handle mental stress.

I understand the call for Federal streamlining and local flexibility. For North Dakota, strengthening local efficiency is a top priority. However, this particular program should not be a part of that streamlining. This authorization is about updating a civil rights law based on helping all—even the most disadvantaged—students achieve and have access to a better future.

But for many of our States, those disadvantaged students are also owed a Federal trust responsibility. While this language would protect a grant program that is accessible to all, the services provided under this amendment target issues epidemic to Indian Country. As such, it would work to uphold the distinct trust responsibility of this government to provide educational resources to Native children. Much like the amendment from the senior Senator from Montana, which the Senate adopted last week, I hope the Senate will similarly protect this program.

By helping schools coordinate with health professionals specializing in addressing the effects of traumatic events and mental stress, we will secure for our most disadvantaged the equal opportunity they deserve—that equal opportunity to learn and to achieve.

I want to tell you a quick story. The first year I was elected, I had an opportunity to visit with a lot of North Dakota constituents who came into my office. I remember distinctly the day the grade school principals came to visit me, and I thought that I would prepare for this meeting—that I would prepare on No Child Left Behind. I shared a lot of their concerns, and I was ready to talk about No Child Left Behind. That is not what they wanted to talk about. One principal told me a story about two young boys who were in second and third grade who had ridden the bus that morning and beaten

up two little girls. When they got to school, the principal asked them why they would ever do that. They said: Well, you understand that last night my dad beat up my mom and he went to jail. They wanted to visit their dad.

How prepared is a school district to deal with that situation? If we do not engage the mental health community, our schools will continue to be those first responders, ill prepared to deal with the trauma of that life. We have to begin to integrate these programs, and we have to look at what is happening with trauma and stress and the effects trauma and stress have on learning and the ability to succeed.

I understand and can completely appreciate and support the idea that we need to streamline programs. I think this is a program whose time has come. We should fund this program. That is a conversation for the Appropriations Committee. We have to begin to emphasize the conditions in which children live if we are going to educate all of our children equally.

I hope my colleagues will join me in supporting this amendment.

I ask unanimous consent that the Futures Without Violence report, "Safe, Healthy, and Ready to Learn," be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### SAFE, HEALTHY, AND READY TO LEARN

##### EXECUTIVE SUMMARY

Dr. Martin Luther King, at the crossroads of this nation's civil rights movement more than 50 years ago, talked about the "fierce urgency of now." Today, more than ever, every child deserves equality of access and opportunity that will prepare him or her to compete in the changing economies and realities of the 21st century. Yet, for too many children, exposure to violence and trauma can deny them both access and opportunity. Forty-six million children in the United States will be exposed to violence, crime, abuse, or psychological trauma in a given year: two out of every three children in this country. They are our sons, daughters, grandsons, granddaughters, nieces, and nephews. They are our future.

There is an undeniable urgency of now to shine the light on these children and, even more importantly, prevent our children from exposure to violence. We owe it to them to give them the opportunity to live up to their full potential. We should not wait, we cannot wait, and we must not wait.

In partnership with leaders from throughout the health, education, justice, and child development fields, Futures Without Violence (FUTURES), with the support of The California Endowment, Blue Shield of California Foundation, and the Lisa and John Pritzker Family Fund, has spent the last year working to develop public policy solutions to prevent and address childhood exposure to violence and trauma. We examined research, consulted with experts across the country, and convened a multi-disciplinary working group to develop a comprehensive set of recommendations designed to combat this silent epidemic.

Children's exposure to violence, trauma, and "toxic stress" can have a permanent

negative effect on the chemical and physical structures of their brain, causing cognitive impairments such as trouble with attention, concentration, and memory. Adverse Childhood Experiences (ACEs) research documents the short- and long-term connections between exposure to violence and other adversity and poor health and educational outcomes, such as increased absenteeism in school and changes in school performance. Individuals who have experienced six or more ACEs die, on average, 20 years earlier than those who have none. We know that the effects of this trauma are playing out in numerous ways every day.

The good news is that we know what works to prevent harm and heal children. Our collective task is to identify and elevate the effective policies, programs, and practices that are working and advance them at the federal, state, and local level. This report is designed to do just that.

FUTURES is especially grateful to the thoughtful work and commitment of our policy working group, which made the report possible. The group is unique in its diverse membership and in the willingness of its participants to cross boundaries and recognize the interconnectedness of multiple issues. From reforming school discipline practices and creating positive school climates to combating child abuse and promoting children's physical, emotional and mental health, the group worked to examine and lift up core strategies to meet the needs of the whole child, to address trauma in children's lives, and to create conditions to allow our children to thrive and succeed.

##### GOALS

The working group developed a set of recommendations that will support each of these seven goals:

1. Invest early in parents and young children
2. Help schools promote positive school climates, be trauma sensitive, and raise achievement
3. Train educators, health care workers, and other child-serving professionals about preventing and responding to youth violence and trauma
4. Prevent violence and trauma
5. Improve intra- and inter-governmental coordination and alignment
6. Increase the availability of trauma-informed services for children and families
7. Increase public awareness and knowledge of childhood violence and trauma

##### SUMMARY OF RECOMMENDATIONS

The following summarizes the key recommendations for each goal:

No. 1—Invest early in parents and young children. The federal government should support states, local jurisdictions, and tribes in providing parents, legal guardians, and other caregivers the resources necessary to help their children thrive. A multi-generational approach to comprehensive and evidence-based services and trauma-informed care promotes positive caretaking, reduces inequities, enhances family cohesion, and interrupts the cycle of intergenerational trauma. We recommend expanding the federal Maternal, Infant, and Early Childhood Home Visiting Program (MIECHV) and implementing a two generation approach to addressing ACEs, child abuse, and domestic violence. We also suggest modifying Medicaid and child welfare financing formulas to extend services to parents to address their own experience of trauma.

No. 2—Help schools promote positive school climates, be trauma sensitive, and

raise achievement. The federal government should provide significant resources and incentives for states and local jurisdictions to create connected communities and positive school climates that are trauma-sensitive to keep students healthy and in school, involved in positive social networks, and out of the juvenile justice system. Such investments should increase opportunity and close achievement gaps, promote health, resilience, social and emotional learning, and engage the school personnel necessary to effectuate a positive learning environment. We recommend using the reauthorization of the Elementary and Secondary Education Act to support the creation of positive school climates; supporting full-service community schools that include school-based health centers; adopting inclusive disciplinary policies that involve the community; reconsidering school safety strategies and prioritize investing resources in students' emotional health and social connections; providing assistance to school districts in their efforts to prevent and appropriately respond to incidents of bullying; and having the United States Department of Education design and disseminate a practice guide that offers school-wide strategies and best practices for creating trauma sensitive schools.

No. 3—Train educators, health care workers, and other child-serving professionals about preventing and responding to youth violence and trauma. States and other accrediting bodies should support training and certification of child- and youth-serving professionals to effectively respond to children's exposure to violence with a coordinated and trauma-informed approach. Our report urges that school personnel should be trained on implementing effective academic and behavioral practices, such as Positive Behavioral Interventions and Supports and social and emotional learning, and providing pediatricians and staff in community health settings the tools they need to serve traumatized youth.

No. 4—Prevent violence and trauma. Federal, state, and local governments and tribes should increase incentives and expand violence prevention efforts to reduce children's exposure to violence. Research and strategies should be interwoven among the fields of community violence, child abuse, school violence, sexual assault, and domestic violence. Specific policy recommendations are as follows: expanding funding for domestic violence prevention and response services within the Family Violence Prevention and Services Act; providing greater technical assistance to health care providers so they can effectively deliver universal education to parents and caregivers about the impact of exposure to violence on youth and deliver more integrated care to children who may already be exposed to violence; expanding targeted prevention programs focused on healthy relationships among youth developed jointly by the Centers for Disease Control and Prevention and the Office on Violence Against Women; engaging men and boys in prevention; and supporting resilient and healthy communities.

No. 5—Improve intra- and inter-governmental coordination and alignment. Federal, state, and local governments and tribes should better coordinate youth violence prevention and early intervention approaches among themselves and with non-governmental organizations, particularly as it relates to school/community and public/private sector coordination. We recommend the creation of a White House task force to identify specific youth violence and trauma prevention goals, make recommendations on how

federal agency resources can be used to meet those goals, and provide guidance to state and local partners. In addition, the federal government should include incentives in relevant federal grant applications for states and localities to demonstrate collaboration in service delivery.

No. 6—Increase the availability of trauma-informed services for children and families. It is time to incentivize and fund states, localities, and tribes to scale up the availability of trauma-informed services for children and their families exposed to violence. These services should support the implementation of two-generation, trauma-informed approaches, coordinate efforts among schools, homes, and communities, and ensure gender-specific and culturally competent practices. We recommend permitting federal entitlement programs to support child trauma assessment and intervention, such as home-based services and crisis intervention, that provide for child well-being, family stability, and community health. The federal government should provide specific support and attention to youth in the juvenile justice system, in foster care, and to those who are homeless.

No. 7—Increase public awareness and knowledge of childhood violence and trauma. Federal, state, and local governments and tribes should support public education and engagement campaigns to increase awareness of the adverse effects of childhood exposure to violence and trauma. The campaigns should describe action people can take to prevent harm, and promote effective solutions. We recommend that the federal government, in coordination with the states, conduct a mass media campaign that highlights the impact of ACEs and helps to reduce the stigma attached to those who seek professional help.

We know that meaningful change will not happen overnight, and we recognize that budgets are tight at all levels of government. However, inaction is not an option—not when tens of millions of children are affected by violence and trauma each year. We know what works. We know that these investments will save money and will prevent many children from suffering. This report provides a blueprint for what needs to be done. It is now up to all of us, as policymakers, educators, advocates, and parents, to take action to ensure that our children's future is bright.

Ms. HEITKAMP. I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I thank my colleague from North Dakota for bringing up a critically important issue. The need for counseling and mental health resources in our schools cannot be overstated. There are so many kids who appear to be slow learners and have problems that can be traced directly to these issues.

I know that teachers aren't trained to be psychologists and psychiatrists. Many of them are struggling just to teach. So I think the resources that the Senator from North Dakota is talking about are absolutely essential, and I hope her amendment prevails. I will be happy to support it.

Mr. President, we come together every few years to debate education. Why does the Federal Government get into the conversation about grade

schools and high schools? Because 50 years ago we created programs sending Federal money to these schools.

In my State, about 5 percent of all the money spent on education comes from Washington. The rest of it comes from State and local sources. Sending this money to schools was part of a program for accountability back in the 1960s. The problems we faced were largely twofold, problems of poverty and the resulting difficulties that children had in school and problems with racial discrimination. So we tried to resolve these by sending resources to States and holding them accountable if they received Federal money to move toward improving test scores and performance for children and breaking down the walls of segregation.

It is 50 years later. We have tried so many different approaches to this, and under President George W. Bush, a conservative Republican, there was a surprising new approach called No Child Left Behind. What was surprising is that a conservative Republican President actually called for a bigger role of the Federal Government when it came to education.

President Bush felt that we should hold schools and teachers accountable, that we should test to make sure they were making progress, and frankly, call them out if they were not. It was a pretty bold and controversial idea. Now we come together years later in an effort to do it differently. This bill before us, the Every Child Achieves Act, basically shifts the pendulum to the other side and says that now we are going to give it back to the States to measure the performance and progress of schools and intervene where necessary.

I think this is a worthy effort. We may find that we have gone too far in moving it all back to the States and away from the multiple tests that face school districts under No Child Left Behind, but we are engaging in this new approach in the hopes that it will be better and fairer and that more kids in America will get a good education. That is generally why I think we are here on this floor.

There is one aspect of it which I think we should still maintain, and that is the question or issue of accountability. Senators MURPHY of Connecticut, BOOKER of New Jersey, COONS of Delaware, and WARREN of Massachusetts filed an amendment which I have joined with to insert meaningful accountability measures in this bill, including identifying the 5 percent lowest performing schools—high schools where less than two-thirds of the students graduate—and subgroups of students who are not doing well.

There is a concern on the other side of the aisle, and even from some of my friends and supporters, that we are going back to the Federal accountability standards when schools or sub-

groups are not succeeding. That is not the case with this amendment. It allows the States to still decide which interventions are warranted, but it makes the information public as to how the schools are doing, particularly those that are really struggling, the lowest 5 percent of schools—high schools where two-thirds of the students are not performing. We should know this, and we should hold the States accountable now that it is their responsibility to intervene to make sure that they achieve this. To ignore it and turn our backs on it is not fair. It is to ignore a half-century commitment by this government with the title I program in particular and other programs in our government to really help the States to improve with Federal resources.

We have gone away from overtesting in No Child Left Behind, but let's not reach the point where we ignore the results. Let's hold States accountable. Let them come up with the interventions as required, but let's do it in a way that is transparent so there is accountability. I support this amendment, and I hope it is called up soon.

Mr. President, there is another amendment that may soon be before us offered by Senator BURR of North Carolina that would make changes in the title I funding program in terms of the allocations to States. Title I is the single largest source of Federal funding for elementary and secondary education. It helps States and districts address poverty and the needs of low-income students.

Senator BURR of North Carolina has created a new formula to send money from Washington back to the States. Not surprisingly, his State does very well with that formula, others not so well. The Burr amendment, which we finally saw in writing last night, would be devastating to low-income students in Illinois. It would reduce my State's share of title I funds by \$180 million a year. So 28 percent of all the title I funds now coming into the State would be eliminated by the Burr amendment.

Chicago public schools are struggling. Mayor Emanuel, who is in charge of these schools, is trying to resolve decades' old problems with pensions, trying to put the money into the schools, and faces some extremely difficult choices.

Under the Burr amendment, Chicago's public schools would lose \$68 million. It is not just about the city of Chicago. Every district in Illinois that receives title I funds for low-income students would see a cut. North Chicago and East St. Louis are the two poorest school districts in the State. East St. Louis is my hometown and where I was born. North Chicago would see a 24-percent cut of money for low-income students, and East St. Louis would see a cut of 18 percent—one of the poorest towns in my State. Rockford would lose \$5 million, a 31-percent

cut. Rock Island would see a 43-percent cut with the Burr amendment, and Carbondale and Danville, 27 and 20 percent, respectively. Springfield, my hometown, would lose \$2 million or 26 percent of their total funds would be cut because the Senator from North Carolina wants to take more money home to his State.

These types of cuts to Illinois, divided up among districts in other States, isn't a responsible Federal policy for making sure low-income kids in Illinois get a good education. It isn't responsible, and I have to say to my friend and colleague from North Carolina that he is in for a fight. He may think he has chosen just enough States to get a little more money to get a majority together, but my colleagues, at least on this side of the aisle, realize that tomorrow someone else could come up with a little different formula that would be devastating to their own States. This amendment is the most hurtful and damaging amendment that is before us in this bill as far as my State is concerned.

#### AMENDMENT NO. 2093

Third, there is an amendment from my friend from Minnesota, Senator FRANKEN, called the Student Non-Discrimination Act, also called SNDA. I urge all of my colleagues to support it. SNDA will provide critical protection for LGBT students by explicitly prohibiting discrimination in public schools based on actual or perceived sexual orientation or gender identity.

A few weeks ago the Supreme Court had a historic decision when it came to same-sex couples having the right to marry. While this decision is a major historic achievement, there is more that needs to be done. Students who are or are perceived to be lesbian, gay, bisexual or transgender continue to face extraordinary discrimination.

A recent survey showed that 85 percent of these students reported harassment. The survey also found that these students didn't perform well when they were subjected to this harassment. That is no surprise. Research also shows that these teenagers are four times more likely to attempt suicide, and 40 percent of the homeless students and children in America are LGBT.

I support Senator FRANKEN's amendment. Let's end this discrimination.

Finally, I support the amendment offered by the Senator from Pennsylvania, BOB CASEY, which is based on the Strong Start for America's Children Act, to improve and expand high-quality early childhood education for more than 3 million low-income kids. The Casey amendment would help 100,000 kids in low-income families in Illinois get into pre-K. How important is that?

Well, I am a grandfather and proud of it. We have twin grandkids who are 3½ years old. My wife and I spend a lot of time talking with them and reading to

them. These kids are doing just great. They have terrific parents and are heading to pre-K in just a few months. They won't even be 4 years old when they enter the pre-K program in the city of Brooklyn, NY. We are excited about it. We know they are going to do well. Their parents, and maybe even their grandparents, have helped them reach that point.

What BOB CASEY and his amendment try to do is to extend that opportunity to a lot of families—low-income families that may not have the luxury of being able to spend time with their kids the way other families can. Let's give those kids a fighting chance. Let's give them the pre-K education that gets them off to a good, strong start so they can learn and ultimately earn.

I support the Casey amendment, and I hope my colleagues will too.

I yield the floor.

#### AMENDMENT NO. 2093

Mr. LEAHY. Mr. President, this important debate about how to improve our schools is an opportunity to ensure that children have access to equal educational opportunities. Lesbian, gay, bisexual, and transgender students often face pervasive harassment and bullying in our schools. We must ensure that all children can attend school in a safe and healthy environment. That is why I am proud to support the amendment offered by Senator FRANKEN.

Similar to his bill on this topic, the Student Non-Discrimination Act, this amendment would instill core principles of basic civil rights in our Nation's schools. These are commonsense, fundamental rights that all Americans deserve, particularly children. No person—of any age—should face discrimination because of their race, economic status, religion, gender, gender identity, sexual orientation, or learning abilities.

I have heard from countless Vermont parents about their children being bullied at school and online. I am reminded of the tragic story of Ryan Halligan, an Essex Junction student who took his own life at age 13 after being bullied for his physical appearance. After years of torment, the teasing Ryan endured turned into physical violence. Ryan was harassed online by one of his peers, who took private messages Ryan had sent and showcased them for other students in the school. Ryan was later publically shamed for what he thought was an innocent interaction between himself and a friend.

No child should ever face the needless horror of harassment or bullying. Unfortunately, as many as 7 in 10 students who are, or are perceived to be, lesbian, gay, bisexual, or transgender have been bullied or harassed. But unlike other forms of harassment in our schools, bullying based on gender identity and sexual orientation is often overlooked, and students and their parents have

limited legal options to hold schools accountable for discriminatory treatment.

The Franken amendment would extend Federal protections from discrimination in public schools based on actual or perceived gender identity or sexual orientation. The amendment prohibits public school students from being excluded from educational programs on the basis of sexual identity and allows students to take civil action against such discrimination. It also ensures that students who file suit will not face retaliation of any kind. It is a sad reality that discrimination still exists in our country, and that Americans need the powerful anti-discrimination protection of our civil rights laws. But these abuses are happening in our schools, and children are suffering as a result.

What is worse, LGBT youth who face bullying at school do not always have a sanctuary at home. A disproportionate and growing number of runaway and homeless youth are LGBT, often because their families have rejected them. We must ensure that these kids have a safe place to stay, because they are vulnerable to abuse and sexual exploitation while living on the street. That is why Senator COLLINS and I included a nondiscrimination provision in another key piece of legislation, the Runaway and Homeless Youth and Trafficking Prevention Act. This bill would ensure that no child in need of shelter is turned away based on their sexual orientation or gender identity. We cannot protect these children from every injustice they might face, but we should at least ensure that they will be safe in our public schools and federally funded shelters. I will continue to fight for these protections.

I am proud of the many students in Vermont who have taken steps to prevent bullying in their schools and communities. In 2014, Rutland High School students were nationally recognized for their "Positive Post-it" campaign, in which small notes of praise and encouragement to fellow students were placed on windows and message boards throughout the school. These young students at Rutland High School should be commended for reminding us all that bullying and discrimination have no place at school. Students across the country are doing their part and we must do ours as well.

Last month, the Supreme Court issued two consequential and historic rulings protecting the basic rights of all Americans to marry and to access housing free from discrimination. Our Nation has come a long way but our work must continue. All Americans, especially our children, deserve the same Federal protections. We have the opportunity to extend this simple principle of basic fairness to children across this country and make our schools safe places for all children to

learn. I hope all Senators will support this important amendment.

The PRESIDING OFFICER. The Senator from Tennessee.

AMENDMENT NO. 2194

Mr. ALEXANDER. Mr. President, on behalf of the Senator from Washington, I ask unanimous consent that the 4 p.m. vote begin now.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question now occurs on the Isakson amendment No. 2194.

Mr. ALEXANDER. Excuse me. My fault, Mr. President.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I got a little ahead of myself. I should have checked with Senator ISAKSON to see if he wished to speak on behalf of his amendment. I see he is now here. Why don't we allow him to do that, and then I will ask for the yeas and nays.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, I thank the chairman of the committee, and I wish to reiterate my appreciation for what he and Senator MURRAY have done to bring a great bill to the floor.

This is the ultimate local control amendment, which says if a State allows an opt-out, a parent can opt their kid out of testing, and it requires the States to ensure that parents know if opting out is possible. It is a good amendment for children and local control, and I encourage everyone to cast a "yes" vote.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I support this amendment, and I thank Senator ISAKSON for working with us on this. I encourage a "yes" vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. ALEXANDER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM) and the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Florida (Mr. NELSON) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 97, nays 0, as follows:

[Rollcall Vote No. 234 Leg.]

YEAS—97

Alexander	Barrasso	Blunt
Ayotte	Bennet	Booker
Baldwin	Blumenthal	Boozman

Boxer	Hatch	Peters
Brown	Heinrich	Portman
Burr	Heitkamp	Reed
Cantwell	Heller	Reid
Capito	Hirono	Risch
Cardin	Hoeven	Roberts
Carper	Inhofe	Rounds
Casey	Isakson	Sanders
Cassidy	Johnson	Sasse
Coats	Kaine	Schatz
Cochran	King	Schumer
Collins	Kirk	Scott
Coons	Klobuchar	Sessions
Corker	Lankford	Shaheen
Cornyn	Leahy	Shelby
Cotton	Lee	Stabenow
Crapo	Manchin	Sullivan
Cruz	Markey	Tester
Daines	McCain	Thune
Donnelly	McCaskill	Tillis
Durbin	McConnell	Toomey
Enzi	Menendez	Udall
Ernst	Merkley	Vitter
Feinstein	Mikulski	Warner
Fischer	Moran	Warren
Flake	Murkowski	Whitehouse
Franken	Murphy	Wicker
Gardner	Murray	Wyden
Gillibrand	Paul	
Grassley	Perdue	

NOT VOTING—3

Graham	Nelson	Rubio
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The amendment (No. 2194) was agreed to.

AMENDMENT NO. 2210

The PRESIDING OFFICER. There will now be 2 minutes of debate prior to a vote on Bennet amendment No. 2210.

The Senator from Colorado.

Mr. BENNET. I thank the Presiding Officer.

Mr. President, as the father of three girls in Denver Public Schools and as a former school superintendent, I know there is a lot we can do to streamline tests, but the problem is not the Federal requirement. That is not the real problem. The real problem is the way the Federal requirement works with States and the way the State tests have piled up on the Federal requirements.

That is why States should establish a cap on the total amount of time spent taking these assessments. This target would be State-determined, subject to discussion among parents, teachers, and policymakers. If the district exceeds the policy cap, it would be required to simply notify parents. This is an essential way to respond to concerns voiced by students, parents, teachers, principals, and communities across the country about overtesting.

I urge my colleagues to support this amendment.

The PRESIDING OFFICER. Is there further debate?

Mrs. MURRAY. I yield back time.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to Bennet amendment No. 2210.

The amendment (No. 2210) was agreed to.

AMENDMENT NO. 2162

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided prior to a vote on Lee amendment No. 2162.

The Senator from Utah.

Mr. LEE. Mr. President, my amendment would clarify that parents—not the Federal Government—are the primary educators of their children. It would ensure that parents may allow their children to opt out of federally mandated tests.

Now, the Senator from Tennessee, Mr. ALEXANDER, is right that States should be free to make their own tests mandatory if they so choose. However, that is not what this bill allows. This bill mandates that States give these tests and requires them to get the content of such tests approved by the Secretary of Education.

My amendment is silent on the question of State tests. It simply clarifies that tests mandated by this Congress are, in fact, voluntary, and that parents—not politicians or bureaucrats—will have the final say on whether individual children take Federal tests. It also ensures that the Federal Government cannot punish a State by restricting Federal funding for education should parents choose to opt out their children from these tests.

Thank you.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I urge a "no" vote. This bill is about reversing the trend toward a national school board. The amendment of the Senator from Utah is about more of a national school board. The Alexander-Murray bill expressly says that a State may decide whether to allow parents to opt out of these tests. The Senator's amendment says: Washington knows best; it will tell States what the policy should be.

That is like common core. Our bill says: We are eliminating the Washington mandate on common core. He would reinstate a Washington mandate on the opt-out policy. I would say this to my Republican friends: Do we only agree with local control when we agree with the local policy?

Art Laffer says: States have a right to be right. States have a right to be wrong. A "no" vote is a vote for local control. A "yes" vote is a vote for a national school board.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I concur with the remarks from the chairman of the committee and urge a "no" vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. LEE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER (Mr. COATS). Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator



from South Carolina (Mr. GRAHAM), the Senator from Florida (Mr. RUBIO), and the Senator from Alaska (Mr. SUL-LIVAN).

Mr. DURBIN. I announce that the Senator from Florida (Mr. NELSON) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 32, nays 64, as follows:

[Rollcall Vote No. 235 Leg.]

YEAS—32

Ayotte	Ernst	Paul
Barrasso	Fischer	Perdue
Blunt	Grassley	Risch
Boozman	Heller	Sasse
Cassidy	Hoeben	Scott
Coats	Inhofe	Sessions
Cotton	Johnson	Shelby
Crapo	Lankford	Toomey
Cruz	Lee	Vitter
Daines	McCain	Wicker
Enzi	Moran	

NAYS—64

Alexander	Franken	Murray
Baldwin	Gardner	Peters
Bennet	Gillibrand	Portman
Blumenthal	Hatch	Reed
Booker	Heinrich	Reid
Boxer	Heitkamp	Roberts
Brown	Hirono	Rounds
Burr	Isakson	Sanders
Cantwell	Kaine	Schatz
Capito	King	Schumer
Cardin	Kirk	Shaheen
Carper	Klobuchar	Stabenow
Casey	Leahy	Tester
Cochran	Manchin	Thune
Collins	Markey	Tillis
Coons	McCaskill	Udall
Corker	McConnell	Warner
Cornyn	Menendez	Warren
Donnelly	Merkley	Whitehouse
Durbin	Mikulski	Wyden
Feinstein	Murkowski	
Flake	Murphy	

NOT VOTING—4

Graham	Rubio
Nelson	Sullivan

The amendment (No. 2162) was rejected.

AMENDMENT NO. 2093

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided prior to a vote on Franken amendment No. 2093.

The Senator from Minnesota.

Mr. FRANKEN. Mr. President, the Student Non-Discrimination Act would extend the same Federal civil rights protections available to other children to LGBT children.

I feel very strongly about this, and let me tell you why. LGBT kids are facing an epidemic of bullying in our schools. Nearly 75 percent of LGBT students say they have been verbally harassed at school. More than 30 percent report missing a day of school in the last month because they felt unsafe.

Sometimes kids cannot endure the taunting. These boys, 11 years old, 13, and 15, committed suicide because they were harassed relentlessly, and they are just three of the many tragic cases. And in case after case, the parents begged the school to do something, only to be ignored. Our laws failed

these children, but we can change that. We have come very far on this issue. As a body, we passed ENDA, which protects LGBT adults, but this is about children.

It is our job as adults, not just as Senators, to protect children. Think about the LGBT people you know—your friends, staff, family. Now imagine them as children just beginning to discover who they are but doing so in the face of taunts and intimidation. You cannot get a good education if you dread going to school. My amendment just says that schools would have to listen when a parent says “My kid isn’t safe” and then do something about it.

I thank the chairman and the ranking member for committing to hold this vote. I strongly urge my colleagues to vote to protect our children.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I thank the Senator from Minnesota for bringing up the amendment and for the way he has participated in our debate and worked for us to make it possible to get a result.

I am going to ask for a “no” vote on this amendment. There is no doubt that bullying or harassment of children based on actual or perceived sexual orientation or gender identity is a terrible problem and has become in some parts of our country even accurately described as an epidemic. But the question is, Is this an argument that is best addressed to the local school board or to the State board of education or to a national school board in Washington, DC?

We have 50 million children in 100,000 public schools and 3.5 million teachers. No more set of issues is more difficult to deal with on an individualized basis in a rural area in Alaska or the mountains of Tennessee or the middle of Harlem than a case of harassment or bullying. Teachers, principals, and school advisors deal with those every day. We do not know more about that than they do. The U.S. Department of Education cannot make regulations for that many different kinds of instances.

This substitutes the judgment of the people closest to the children, who cherish them—substitutes the judgment of Washington bureaucrats for them. It allows the Federal Government to regulate and dictate local school gender identity policies, such as those related to restrooms, locker rooms, and dress codes. It will lead to costly lawsuits.

It is well-intentioned. It is a problem that needs to be addressed, but it should be addressed by the local school board, the State board of education, and not by a national school board in Washington, DC.

I urge a “no” vote.

Mr. FRANKEN. Mr. President, may I ask how much time is remaining?

The PRESIDING OFFICER. The Senator from Minnesota has 10 seconds at this time.

Mr. FRANKEN. Mr. President, I ask unanimous consent to speak for 30 more seconds.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Minnesota.

Mr. FRANKEN. This isn’t about lawsuits; this is about schools doing the right thing when the parents ask. They are the same protections granted to the kids by virtue of their race. That wasn’t a local issue; that was a Federal right we had to pass. The same with title IX for girls. That is why we just won the World Cup.

This is the right thing to do. We are adults here. Let’s protect children. Let’s protect children. This is not about lawsuits. It is about adults, about a parent calling the principal and saying “My kid is being harassed” and then the principal will do something—because they aren’t. They aren’t in many, many cases.

Thank you.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I ask unanimous consent for 20 seconds to conclude.

Mr. FRANKEN. I object. I am joking.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, the question is whether difficult cases of bullying and harassment of whatever kind in 100,000 schools with 50 million children are best handled by the judgment of men and women close to the children, close to the circumstances, or by Senators in Washington and Federal employees in the U.S. Department of Education.

I believe this legitimate concern should be addressed by those who are closest to the children because they cherish the children more and they will care for them.

I urge a “no” vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. RISCH. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM) and the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Florida (Mr. NELSON) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?



The result was announced—yeas 52, nays 45, as follows:

[Rollcall Vote No. 236 Leg.]

YEAS—52

Ayotte	Heinrich	Murray
Baldwin	Heitkamp	Peters
Bennet	Heller	Portman
Blumenthal	Hirono	Reed
Booker	Johnson	Reid
Boxer	Kaine	Sanders
Brown	King	Schatz
Cantwell	Kirk	Schumer
Cardin	Klobuchar	Shaheen
Carper	Leahy	Stabenow
Casey	Manchin	Tester
Collins	Markey	Udall
Coons	McCaskill	Warner
Donnelly	Menendez	Warren
Durbin	Merkley	Whitehouse
Feinstein	Mikulski	Wyden
Franken	Murkowski	
Gillibrand	Murphy	

NAYS—45

Alexander	Enzi	Paul
Barrasso	Ernst	Perdue
Blunt	Fischer	Risch
Boozman	Flake	Roberts
Burr	Gardner	Rounds
Capito	Grassley	Sasse
Cassidy	Hatch	Scott
Coats	Hoeven	Sessions
Cochran	Inhofe	Shelby
Corker	Isakson	Sullivan
Cornyn	Lankford	Thune
Cotton	Lee	Tillis
Crapo	McCain	Toomey
Cruz	McConnell	Vitter
Daines	Moran	Wicker

NOT VOTING—3

Graham	Nelson	Rubio
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The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

The Senator from Delaware.

Mr. COONS. Mr. President, as the Senate this week considers the first major reform bill for our Nation's public schools in over a decade, I rise to talk about how we can ensure that every one of our country's children goes to a great school no matter his or her ZIP Code or background. Our Nation has long struggled to fulfill our fundamental promise of equal opportunity since our Nation's founding. It is a struggle that, despite many efforts, continues today.

Fifty years ago, as America fought to break down racial barriers in our Nation's classrooms, President Lyndon Johnson signed the Elementary and Secondary Education Act into law. This civil rights act recognized that without actively investing Federal resources in educating America's underserved children, their dreams would remain tragically deferred.

Since then, our country has continued to struggle with this fundamental civil rights challenge. And five decades after Johnson's landmark law and 14 years after President Bush revamped it with the bipartisan No Child Left Behind Act, we still haven't found a way to ensure that as a nation, we hold every school to the high standards our children deserve.

This week marks the latest effort in this long struggle. The Senate's reform

bill, titled the "Every Child Achieves Act," makes important strides to improve what went wrong in 2001's No Child Left Behind. I would like to start by commending Senator PATTY MURRAY and Senator LAMAR ALEXANDER for accomplishing what has eluded the Senate for so many years—a truly bipartisan compromise that deals with some critical but often divisive issues at the heart of America's public schools. They have worked tirelessly on this bill because they understand the urgency of our national education crisis.

In the wake of No Child Left Behind's Federal micromanagement of schools, this bill heeds an important lesson: Communities need to have some flexibility and some space to innovate and find their own solutions to their education problems. But I would urge my colleagues that as we work together to fix many of the law's weaknesses, we not lose sight of some of No Child Left Behind's important accomplishments.

For all its many problems, it exposed uncomfortable realities in America's classrooms and empowered policymakers with real data that simply did not exist before. Most importantly, it refused to lower our Nation's expectations of any school and demanded that every child in America gets the education he or she deserves.

In our drive to decrease the law's rigidity and address its many other challenges, we must maintain those high standards and continue to hold States and school districts accountable. Unfortunately, if it passed today, the Every Child Achieves Act would turn back the clock to a time when local control too often meant national indifference. It would risk letting too many of our children fall through the cracks.

I, myself, have seen how this indifference can hurt America's students. For 20 years, I was actively involved with the national "I Have a Dream" Foundation, which works to send some of our country's most at-risk students to college. I had the opportunity to visit schools all over the United States, in some of our most stressed and challenged neighborhoods and some of our most struggling and difficult schools. When I met with students during those visits and asked them about their vision for their own future, while many wanted to become teachers, doctors or scientists, too many others did not believe those kinds of careers could ever be within their grasp.

This, to me, illustrated the twin tragedies of our public education system; the fact that for many students with big dreams, their schools will not give them the chance to realize them, while for too many others, dreams long dead in their families and communities had taught them that daring to dream at all was futile.

These students had fallen victim to what President George W. Bush so ac-

curately described as the "soft bigotry of low expectations." They had internalized the failings of the system around them to mean they were not worth investing in, so they might as well just give up from the beginning.

There are two ways I believe we can and should improve the Every Child Achieves Act to change that message, to raise the expectations we communicate to kids from the day they are born to the day they enter the classroom, to the day they graduate.

The first way is to pass amendments that strengthen Federal accountability provisions and shine a brighter spotlight on the small fraction of our schools that fail our children. Simply put, we cannot allow ourselves to lower our expectations for any of America's schools.

I know for many of my colleagues and for teachers and students around the country, the very word "accountability" in the context of education is associated with high-stakes testing and unfunded mandates, but it doesn't have to mean either of those things. Accountability means holding every school and every child to the same high standards because our public schools must work for every student no matter where they are, where they come from or how they learn. Accountability means not allowing schools to maintain the status quo when they fail to graduate large segments of their students. Accountability means refusing to lower our expectation even when the path forward seems hard.

We have already seen what accountability can accomplish for our children. Over the past decade, all students, but particularly disadvantaged students, have graduated at higher and higher rates and are performing in math and reading better than ever before. The national high school graduation rate is currently 81 percent, its highest level on record. Since 2003, the reading gap between Black and White fourth graders has closed by 16 percentage points, and over the same period Hispanic eighth graders have closed the gap in math by 24 percentage points.

Federal accountability is a critical part of ensuring we invest in all American students as if they were our own children. I urge my colleagues to support Senator MURPHY's amendment, which I am proud to join and cosponsor. This amendment would strengthen accountability in this bill by requiring States to identify low-performing schools and tailor interventions to help them improve their performance. It also ensures that schools set high goals for—and pay attention to—all students, including students with disabilities, low-income students, English language learners, Latino and African-American students.

The second amendment I wish to address takes on another piece of increasing expectations of urging every one of

our children to dream. That amendment is based on my bipartisan bill called the American Dream Accounts Act with Senator RUBIO, and it would send the important message to low-income students that a college education can be within their grasp.

For too long, college has been out of reach for the vast majority of poor Americans, but unlike in past decades, economic success today is defined by college access. With the new global economy, Americans with just a high school diploma earn literally \$1 million less over their working lives compared to those who go to college. Yet too many of our students who need it most are not given the tools, the resources, and the information to complete a college education.

As the administration has pointed out, just about 1 out of 10 children from low-income families will complete a college degree by the time they are 24—just 1 out of 10. The American Dream Accounts Act is designed to address and break down many of the barriers to college access that our most at-risk students face in seeking higher education. They encourage partnerships between schools, colleges, nonprofits, and businesses to develop secure, Web-based individual student accounts that contain information about each student's academic preparedness, financial literacy, connects them to high-impact mentoring, and is tied to an individual college savings account.

Instead of having each of these different resources available separately through separate silos, an American dream account connects them across existing separated programs and across existing education efforts at the State and Federal level. By connecting across these different silos, it deploys a powerful new tool and resource for students, parents, teachers, and mentors.

Many of the kids I worked with over many years at the "I Have a Dream" Foundation have grown up in schools, communities, and families where almost no one around them had the opportunity for a college education. These kids took that to mean college just wasn't for them, that it shouldn't be a part of their plan for their future.

As part of that organization, it was our job to change that perception, and I saw time and again how sending the message that college was a possibility from elementary school on had a powerful and compounding positive impact on these students' ideas of whom they could be and what they could achieve. It demonstrated that exciting and engaging not just young students but their parents, teachers, and an array of mentors has a cumulative, powerful, positive impact.

The American dream accounts would expand on this idea and use modern social networking technology to bring together existing programs and deliver ideas that will work for more and more

of our kids. The good news is that by utilizing existing Department of Education funds, this legislation would come at no additional cost to taxpayers.

I urge my colleagues to support my amendment with Senator RUBIO. It is amendment No. 2127, and it would authorize a pilot program to begin making the American dream accounts a reality.

We have an opportunity right now to build on the bill that Senators MURRAY and ALEXANDER wrote to reform our public schools in a way that communicates to every child in every public school that they deserve a high-quality education, the kind of education that tells them not only that they should have dreams but that those dreams are within their grasp.

Mr. President, 55 years after U.S. marshals escorted first grader Ruby Bridges to school, the nature of and need for Federal intervention in public education has surely changed. While schools are no longer closed to certain races by law, too many students are dropping out of school too early or just not receiving an education that prepares them for college and future success.

So while educational inequality is no longer a story of deliberate, legalized racism in need of Federal intervention, it is, unfortunately, still a persistent and tragic national reality that afflicts classrooms from coast to coast.

We have made significant progress due in part to a bipartisan national commitment to raising the bar for all of America's children. We cannot allow ourselves to lower it once again.

I look forward to continuing this important debate and working with my colleagues to make sure this bill strikes the right balance between Federal oversight and local flexibility. We must work together to make sure this bill moves us closer toward the goal President Johnson reached for when he first signed the Elementary and Secondary Education Act into law.

#### UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. President, I now ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar No. 27, Calendar No. 28, Calendar No. 29, Calendar No. 30, and Calendar No. 31, and that the Senate proceed to a vote without intervening action or debate on the nominations; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nominations; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative action.

The PRESIDING OFFICER. Is there objection?

The Senator from Arkansas.

Mr. COTTON. Mr. President, reserving the right to object, and I will object.

The reason we should not confirm new judges to the Court of Federal Claims has little to do with these nominees and more to do with the court itself. It doesn't need new judges. We should keep in mind that the number of active judges authorized for the Court of Federal Claims by statute, 16, isn't a minimum number, it is a maximum. It is our duty as Senators to determine if the court needs that full contingent and to balance judicial needs in light of our obligation to be good stewards of taxpayer dollars.

What the caseload data shows is that the court does not need all 16 judges—far from it. As we can see from this chart, since 2007, the court's caseload has dropped dramatically and consistently every year. Last year, the court had 2,528 cases on its docket. That is 51 percent fewer than in 2011 and 68 percent fewer than in 2007, when the court had 7,185 cases on its docket.

Today, a full-time judge on the court is responsible for an average caseload of 180 cases. That is far less than the average caseload of 324 cases in 2011 and the average of 488 cases in 2007.

In light of the dramatic drop in caseloads at the court, it is hard to justify spending more money to confirm additional judges. The court currently also uses a contingent of six senior judges who have retired from active status but can continue to hear cases. While there are currently only 11 active judges, there are actually a total of 17 judges at the court hearing cases.

Furthermore, we should understand that senior judges receive a lifetime annuity worth a full-time salary regardless of whether they handle cases. If the Senate confirms the five nominees, this will expand the number of judges receiving a salary at an extra cost of \$800,000 every year.

The bottom line is that there is no caseload crisis at the Court of Federal Claims. If anything, there is a caseload shortage. It therefore makes no sense to spend more taxpayer dollars on judges that the court simply does not need. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. COONS. Mr. President, I ask my colleague from Arkansas, through the Chair, first, if we cannot receive consent to take up these nominations which were made over 15 months ago as a group. I wish to briefly describe one of the truly exceptional candidates. If I might also, I think it is important for all of us in the Chamber to recognize that the Court of Federal Claims, while the actual number of cases considered may have decreased, faces a steadily increasing number of complex cases which are subject to statutory case management deadlines that drive the

workload of the court and have roughly doubled in recent years from 68 back in 2005 to 113 last year and likely double that this year. So the actual number of cases may be declining, but their complexity and their workload, because of the need for them to be resolved in a certain period of time, have steadily increased, and I will simply suggest to my colleague from Arkansas that looking more broadly at the workload would suggest some of these nominees are worthy of consideration and confirmation.

I will briefly reference one of the five pending nominees, Jeri Somers, who has spent a decade at the DOJ civil division as a trial attorney but recently retired, having served in the U.S. Air Force Reserves as a lieutenant colonel, having spent two decades as a judge advocate and a military judge in the U.S. Air Force. She is a patriot, a veteran, a highly qualified attorney, and I will simply inquire of my colleague, through the Chair, whether any of the five nominees might be subject for consideration for confirmation today.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. COTTON. Mr. President, I have to object. Again, this is not so much about a particular nominee but the fact that the Court of Federal Claims is operating with 11 active judges, and when you include the senior judges ready, able, and willing to hear cases, they have more than 16 judges allowed by statute, and those judges will continue to receive their salary even if we confirm any of these new judges.

Furthermore, as someone who has practiced at the Court of Federal Claims myself many moons ago when I was a lawyer, albeit not a very good one, I know the caseload there has always been complex, and I simply think the judges who are at the court are ready, willing, and able to handle the court's work. Therefore, I must object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Delaware.

Mr. COONS. In conclusion, we have a range of highly qualified nominees. Armando Bonilla would be the first Hispanic judge to hold a seat and has been with the Department of Justice. Thomas Halkowski, a third pending nominee, is a respected partner at Fish & Richardson in Wilmington, one of the preeminent IP law firms in the Nation, and has a wealth of experience at a variety of different Federal courts. I think all three of the nominees I referenced today will make excellent additions. While my colleague and I view the caseload differently, I think the President has nominated able and capable nominees and the court needs and deserves to not have to rely on senior status judges to meet its constitutional and statutory obligations.

So, with that, I will yield the floor, although I will not yield on the issue.

I thank the Presiding Officer.

The PRESIDING OFFICER. The Senator from Michigan.

AMENDMENT NO. 2095

Mr. PETERS. Mr. President, I rise to speak in support of the Peters amendment No. 2095. Financial literacy has been defined as the ability to use knowledge and skills to manage financial resources effectively for a lifetime of financial well-being. Unfortunately, too many American families, both parents and their children, lack basic financial skills. Recent studies have shown that future generations are likely to be less financially stable than those who preceded them.

Just last year, the FINRA Investor Education Foundation conducted a survey and found that millennials engaged in problematic financial behaviors and expressed concerns about their debt. To address this issue, a number of States have included financial literacy as a core component of high school education.

A separate FINRA study found that credit scores significantly improved and delinquency rates on credit accounts were reduced in States with financial literacy education. For example, that study found that credit scores improved by 11 points in Georgia, 16 points in Idaho, and 32 points in Texas.

There is a clear need for practical education programming for both parents and students, and we should provide States with the flexibility to provide this programming. That is why I have filed amendment No. 2095. The Peters amendment will include family financial literacy programming as an allowable use for title I parent and family engagement funding.

Family financial literacy programming can ensure our Nation's parents and children have the skills necessary to properly utilize credit, finance an education, manage a household budget, and plan for retirement.

I believe we must do all we can to help our Nation's parents and students succeed in every aspect of their lives.

I thank Senator MURRAY and Senator ALEXANDER for their leadership on this bill and for their willingness to work with me on this amendment. I hope my colleagues will join me in supporting the Peters family financial literacy amendment No. 2095.

Mr. President, in addition to my financial literacy amendment, I was happy to work with the chairman and ranking member to include language in the text of the bill that will help us identify and assist our most vulnerable children. The term "dual status youth" refers to children who have come into contact with both the child welfare and juvenile justice systems.

A growing body of research has shown that dual status youth experience poor educational performance, higher recidivism rates, and higher detention rates. Many at-risk children

lack stable home lives, and they are frequently funneled through the school-to-prison pipeline. I am glad the Every Child Achieves Act now includes language that would encourage States to identify dual status youth and improve intervention programs in order to reduce school suspensions, expulsions, and referrals to law enforcement.

I was also pleased to join Senator GARDNER in introducing an amendment to allow title I funds to be used to support concurrent and dual enrollment programs at eligible schools. This amendment would enable high school students to simultaneously receive college credit from courses taught by college-approved teachers in secondary education. With the cost of higher education continuing to grow, helping students get a head start on completing their college courses helps them save money and get ahead.

I am proud that this body approved the Gardner-Peters amendment last week. This provision will make the dream of higher education more accessible to students in Michigan and across the country.

WORKING AMERICANS AND OVERTIME PAY

Mr. President, I wish to speak at this time in strong support of plans to increase our Nation's overtime pay threshold for the first time in over a decade and restore meaning to a threshold that has significantly eroded over the last 40 years.

In 1938, Congress passed the Fair Labor Standards Act and President Franklin Delano Roosevelt signed the bill into law. This landmark legislation represents an important promise that is as true today as it was 77 years ago—that if you work hard and play by the rules, you will have a secure future. Ensuring fair overtime pay for employees is one of the most critical components of the Fair Labor Standards Act. It ensures that hard-working Americans are able to make an honest wage for their hard work. For middle-class families, who are the backbone of our country, and for those families working hard to get there, we must protect the important safeguards put in place by the Fair Labor Standards Act.

I personally learned the value of hard work and the importance of protecting labor standards for all Americans from my mother, Madeleine. Born a French citizen, she met my father during World War II, married him, and moved to this country. She later worked as a nurse's aide. While she enjoyed working with her patients, she did not like the way she or her coworkers were treated by their employer, so she fought for a better workplace and ultimately to win union representation. She later went on to serve as a union steward.

A strong labor movement nationwide helped build economic opportunity for millions of Americans just like my mother. Standing together to call for

fair wages, safer work places, and better hours, American workers and their families helped build the American middle class and make the American dream a reality for regular folks.

The strong protections of the Fair Labor Standards Act helped ensure that American workers have a minimum wage, a 40-hour workweek, and overtime pay. Unfortunately, we have allowed these protections to fall behind present-day needs. Today, growing income inequality and stagnant wages are a serious threat to our middle class, to our economy, and to our democracy.

Americans are working harder and harder only to fall further and further behind, receiving less and less pay for their long hours. Middle-class families are struggling to stay afloat, and those who aspire to be in the middle class are finding it more and more difficult to achieve.

Today, some employees are required to put in 50 or 60 hours or more a week and are not receiving any overtime pay for their efforts. Our Nation's overtime pay rules are long overdue for an update. Decades of inflation have outpaced the current overtime pay threshold of \$23,600 and eroded the value of an honest paycheck for millions of hard-working Americans. This means a worker earning only \$23,600 gets paid the same whether they are working 40 hours or 60 hours in a week. That is simply unacceptable. This is not a fair wage, and it is not the American dream we fought to secure for generations.

If we are truly committed to building a strong American economy, then we have to make sure American families can thrive. Raising the salary threshold for overtime pay will help nearly 5 million workers across the country and as many as 100,000 workers in Michigan earn better wages for their hard work.

The pillars used to build and grow our middle class and support our democracy are in jeopardy of crumbling if we do not stand up and protect them. The American middle class and those who aspire to be in it are the heart and soul of our country, and we have an obligation to help every family nationwide realize their version of the American dream.

My home State of Michigan is the birthplace of our Nation's auto industry, where American workers and their families helped build the middle class and make the American dream a reality for millions of people. We owe it to our future generations to preserve this legacy.

I know there are some who do not believe we should update the overtime pay rules. They will oppose this rule saying it is a harmful attack on our Nation's business community. Well, I strongly disagree with that position.

Prior to coming to Congress, I worked in business for more than 20 years and I hired many people. I found

that paying employees a fair wage is the best way to ensure a happy and productive workforce. It is good business, and it is the right thing to do. Providing a fair paycheck to hard-working Americans so they can build their family and own a home and help save for their children's college education as well as enjoy a secure retirement is good for business and it is good for our country. Workers who are paid fairly for their work are able to spend their hard-earned money in their communities, creating new customers for local businesses and in the process help our economy grow. If we invest in American workers—the best and brightest in the world—we will get a strong return on that investment.

Enforcing the Fair Labor Standards Act gives American workers a fair wage for a fair day's work, and it will help keep the possibility of the American dream alive. We must do what is right for our workers. Updating the overtime pay rule will give millions of Americans a wage increase that they have earned and provide economic stability and security for hard-working families, while boosting our economy.

I am proud to support these efforts, and I urge my colleagues to do the same.

I yield the floor.

THE PRESIDING OFFICER. The Senator from South Dakota.

#### NUCLEAR AGREEMENT WITH IRAN

Mr. THUNE. Mr. President, I wish to begin by taking a few moments to discuss the nuclear deal with Iran that was announced this morning. While I am still reviewing the intricacies of the deal, right now I am deeply skeptical that this agreement will prevent Iran from acquiring a nuclear weapon.

The Obama administration appears to have capitulated on almost every redline it established at the outset, and I have strong doubts about whether the final provisions requiring inspections and curtailing enrichment and research and development are strong enough to be effective.

Another significant concern is the fact that removal of sanctions will give Iran access to billions of dollars and other resources to fund its campaign for increased regional influence, which includes proxy wars and material support for terrorist organizations. In fact, if we look at almost anywhere in the Middle East, whether it is Hezbollah in Lebanon or Hamas in the Gaza Strip or the Houthis in Yemen or the Shia militias in Iraq, they all trace their lineage back to and are proxies for Iran.

I am deeply concerned about the fact that the deal creates a timeline for lifting the embargo on conventional and ballistic weapons without requiring Iran to change its behavior in any meaningful way. Given that Iran is the world's leading state sponsor of terrorism and is already intervening in

conflicts in the region, the last thing we should be doing is expanding Iran's access to weapons.

In the lead-up to this agreement, Members of both parties expressed their concerns about the direction this deal was headed, and the release of the final document has confirmed many of those fears. Unfortunately, the President is apparently unwilling to listen to Members of either party, and in his speech this morning he threatened to veto any legislation that would prevent his deal from going into effect. Well, that is very disappointing, and it lends credence to the concern that the President is more worried about securing his political legacy than he is about actually preventing Iran from acquiring a weapon.

Regardless of his veto threat, Members of both parties will carefully examine this deal and continue to do everything we can to ensure Iran never acquires a nuclear weapon.

Mr. President, I wish to speak as well this week about what the Senate is currently doing. The Senate is taking a huge step forward on education.

Nearly 8 years after No Child Left Behind expired, Congress is reauthorizing Federal K-12 education programs. While the law's focus on improving education for our students was laudable, No Child Left Behind must be updated. The Every Child Achieves Act—the legislation we are considering this week—will restore control of education to the people who know students best: teachers, parents, and local school boards.

Just 10 percent of education funding each year comes from the Federal Government. Despite this, the Federal Government has a huge oversight role in education. Every day, teachers and administrators and students have their day shaped by a host of Federal mandates, from testing requirements to precisely what to do if a school is deemed “failing.”

Federal control of education has reached its peak in recent years, with the Federal Government going so far as to coerce States into adopting its preferred curriculum and educational standards.

No Child Left Behind demanded that schools meet a number of benchmarks to be judged as adequate. Failure to meet these requirements would result in a school being labeled as failing. Unfortunately, the rigid nature of these standards meant that many schools were at risk of being labeled as failing. In response, States have made it a habit to apply to the Federal Government for waivers from the terms of the law so they can avoid the burdensome requirements that come along with the “failing” label. The Obama administration has generally complied—but with Federal strings attached. Essentially, the administration informs States that it is happy to grant them waivers as

long as they agree to implement the Federal Government's preferred academic standards, adopt the Federal Government's preferred method of evaluating teachers, and take the steps the Federal Government believes are the appropriate steps to address failing schools.

Neither Congress nor the administration should be telling States and local communities what to teach in their schools. Decisions about education should be made by those who actually educate students, not by a group of bureaucrats or politicians in Washington, DC.

As any teacher will tell us, education is not a one-size-fits-all proposition. Even within a single classroom, students are likely to come from a wide variety of backgrounds and experiences and have different learning styles. Teachers are constantly adapting their methods and material to meet the needs of the particular students they have in front of them. That is a lot harder to do when Washington is dictating those methods.

The legislation we are considering today—the Every Child Achieves Act—will revoke the Federal Government's authority to dictate standards to the States. Specifically, this legislation explicitly prohibits the Federal Government from tying Federal funds to a State's adoption of specific educational standards. In other words, the Federal Government will no longer be able to blackmail States into adopting its preferred academic criteria.

This is a huge victory for students and for teachers. Thanks to this legislation, States and localities will have much more freedom to adopt the standards and curricula that will help their students achieve.

Another one of the problems created by No Child Left Behind, as any parent or teacher will tell you, is the phenomenon of overtesting. I have received hundreds of letters this year from teachers and parents concerned about the effect overtesting is having on students' education.

While NCLB only required two or three tests per year, the law made these tests the primary indicator of a school's performance, which resulted in many schools deciding to teach to the test. The result? Not surprisingly, instead of teachers deciding what is important material based upon their knowledge of their subject, teachers' instructional priorities are often dictated by the material they think will be on the required tests. As a result, students may never receive instruction in important topics or concepts simply because they are not covered on the tests. In addition, instead of one or two yearly tests required by law, students are subject to months of preparatory testing in order to make sure the school maintains its ranking by gaining acceptable average scores on the mandated tests.

It is undoubtedly true that the tests, including standardized tests, can be incredibly useful in the teaching process both as a diagnostic tool and as a measurement of student progress, but problems arise when tests become the only measure of progress.

The Every Child Achieves Act keeps the testing requirements of No Child Left Behind but gives States the option to give a single comprehensive test, as they do now, or break up the assessment into smaller components that can be given throughout the school year.

Most importantly, the Every Child Achieves Act removes test results as the primary indicator of a school's performance. In fact, it takes progress measurements out of the hands of the Federal Government entirely and gives them to the States. Under this bill, States, not the Federal Government, will be the ones developing accountability systems to measure schools' effectiveness. Instead of a one-size-fits-all Federal standard, each State will be able to identify the best ways to chart the progress of its schools and measure student performance.

In addition, the Every Child Achieves Act removes the Federal Government's national teacher evaluation requirements and allows States to decide whether and how to measure the effectiveness of their teachers.

I have offered several amendments to the Every Child Achieves Act, including two very important measures to address the tragic rash of student suicides that has beset Indian Country over the past several months. The first of these amendments would require the Secretary of Education to coordinate with the Secretary of the Interior and the Secretary of Health and Human Services to report on their Federal response to these suicides, compile and analyze available Federal resources, and make recommendations for improving Federal programs. The second measure would strengthen the Project School Emergency Response to Violence Program—or Project SERV—to help schools prevent tragedies such as youth suicide. I am hopeful that the Senate will pass both of these measures.

I am also pleased that the underlying bill contains important improvements that I championed to the Federal Impact Aid Program—a program that provides districts with revenue to make up for nontaxable Federal activity in school districts.

The reforms contained in the Every Child Achieves Act have been a long time coming, and they have been greeted eagerly. This bill is supported by everyone from the school superintendents organization, to the National Governors Association, to Teach for America. And, of course, this legislation is strongly supported by both Republicans and Democrats in the Senate.

One big reason a No Child Left Behind reauthorization has moved from

legislation no Member of Congress wanted to touch to the bipartisan bill that is before us today is Republicans' commitment to restoring regular order to the Senate. We have restored the committee process and ensured that Members of both parties are able to make their voices heard through amendments. The result is legislation like the Every Child Achieves Act—a bill with strong bipartisan authorship and strong bipartisan support. I hope we will have many more achievements like this in the Republican-led Senate this year.

We need to get control out of the hands of Washington bureaucrats—people who have never been to South Dakota, much less a South Dakota school. They shouldn't be telling South Dakota teachers what to teach. The legislation before us today will help strengthen education in this country by putting decisionmaking about education where it belongs—in the hands of State and local school districts. I look forward to the Senate passing this bill later this week.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from North Carolina.

Mr. BURR. Mr. President, I thank my colleague from South Dakota for highlighting the real benefits of doing away with No Child Left Behind, breaking down the national school board, and saying to States and localities across this country: We ought to put you in charge of K-through-12 education.

That is where the responsibility needs to be. That is where we will have decisions closer to students. And I don't think there is disagreement among Members of the Senate or Congress or Republicans or Democrats or people from the North or the South—we want to make sure K-through-12 education works. Every child should get across the goal line to graduation, and every child with a diploma should be marketable either to higher education or to a job with a skill that has a paycheck.

I will say that the Federal Government's role is not to micromanage the education system; it is to be a financial partner to K-through-12 education, to be a partner without strings, and to be a partner that provides equity across the board.

So I am here to talk about the Full Education Opportunity Act of 2015, which I hope will be an amendment to this bill. Title I-A is the Federal Government's central financial assistance to 21 million poor children in America. They attend school districts with high levels of poverty, and the kids come from low-income families. They define exactly what the Federal Government should be focused on. It has served as the cornerstone of the Federal Government's education funding for K through 12 since elementary and secondary education was first signed into

law in 1965. At the bill signing, President Lyndon Johnson said that the assistance provided under ESEA would serve to assist in the "full educational opportunity" of low-income students and to provide "financial assistance to school districts serving areas with concentrations of children from low-income families." That summed it up in two sentences. That is what the Federal Government's funding source was designed to meet.

So what has happened since 1965? Like every other funding formula in the Federal Government, as the population shifted somewhere else in the country, money never seemed to follow it.

We had this debate several years ago on HIV-AIDS when we woke up one day and realized how much we were investing in the war against HIV-AIDS to keep people alive and find a cure, and we found towns like Washington that were getting a phenomenal amount of money but their HIV-AIDS population had gone down, and throughout rural America, we had an explosion of HIV-AIDS, primarily in African-American women. We worked and we worked and we worked, and we finally changed the legislation to reflect what the intent was so that the money followed the population it was intended to help. Today, there are individuals across this country in rural America who are now getting the drugs they need to either hold in check the disease or in hopes to slow its progression.

Well, I am here today because in 1965 Lyndon Johnson said that is the Federal Government's role—to make sure we target low-income families, kids in poverty.

Despite recognizing that these formula funds were not fully targeted at high-poverty areas, Congress has simply taken the easy route and added more formulas to title I-A in hopes that by putting more formulas out there, eventually it would help the people who were affected. Well, what it has done is it has compounded the problem.

The inadequacies in how we target poverty today just aren't right. My amendment attempts to end this practice and creates a simple, highly targeted program toward poverty with a new formula.

First, what does it do? It is important to make clear that this amendment only addresses title I formulas. It is not the overall funding—that is for appropriators to determine—but it is to structure the formula.

I am a strong supporter of title I funding, and I believe, regardless of the amount at which title I is funded, it should be distributed fairly and targeted to its intended population, which is kids in poverty, low-income families. Simply adding more funds still allows the inequities in the formula to persist. That is why I am attempting to fix the formula once and for all.

This amendment consolidates all of title I's formulas into one simple formula called equity grants. Let me say this. It simplifies I-A so that the calculation, put very simply, is equity grants equal the State's number of poor children times the national average of educating each child. It ends the policy that awards a wealthy State with title I money simply because they are able to spend more on education and therefore they get a higher allotment as a result. For decades, this has penalized poorer States that spend high shares of their tax revenue on education but don't spend as much in absolute terms as wealthier States. This change ensures that poor children born in a poor State aren't penalized because of their ZIP Code and for not living in a wealthy State elsewhere in the country.

Why will equity grants work and where are they targeted? Very simply, this formula takes the number of low-income children in a State, multiplies that by how equitably a State spends its own money on helping low-income children, and then sends the amount to the school district in the State, while placing heavy weights on the school districts that exhibit the highest levels of poverty—embraced in the 1965 initiative of President Johnson.

Current law rewards States that spend a much higher amount of money on their students than poorer States that, despite spending large shares of their overall budget on education, cannot compete with wealthier States in absolute dollars. Essentially, as long as you are above the national average in spending, you get a very large title I bonus payment. For example, the national average per-pupil education spending in the country is \$11,014. For States such as Pennsylvania, it is \$13,864; Massachusetts, \$14,515; and Connecticut, \$16,631 per pupil. This has been a pretty good deal for them. For States such as Mississippi, it is \$8,130; North Carolina, \$8,090; and Utah spends \$6,555—not so good a deal. Who gets cheated? The kids in poverty, kids from low-income families.

Rewarding wealth over poverty is also contrary to the original purpose of title I-A funding. This has a real impact on how much a formula child will receive based upon the State in which he or she lives. For example, a child in Guilford County, NC, is only worth \$1,128. A poor child in Albuquerque, NM, is only worth \$1,158. A poor child in Seattle is only worth \$1,240. On the other hand, a poor child in Philadelphia is worth \$1,986. A poor child in New Jersey is worth \$1,838. A poor child in Boston, MA, is worth \$1,847. This is a highly inequitable and unfair formula to the poor children in most States. Because of the changes in this amendment, these disparities go away. They are almost completely eliminated.

Eliminating this provision has been suggested by organizations like the

Center for American Progress, the Formula Fairness Campaign, the Rural School and Community Trust, and others. These are not conservative groups. These are very left-of-center groups who said equity is important.

No States should get a bonus payment just because they spend more or they are wealthy. The focus since 1965 was supposed to be kids in poverty. If you have more kids in poverty, you should receive a larger Federal share.

This amendment also addresses the bonus that very large districts that might have small numbers of poverty have enjoyed. Under the current law, a district must meet a \$6,500 formula child threshold to receive concentration grants. This has typically resulted in purely large and not necessarily high-concentration impoverished districts receiving large grant awards. This hurts smaller, mostly rural districts with large percentages of poverty but not necessarily high numbers. To fix this, we impart a 20-percent poverty test within the equity grant for large districts to show that they have a concentration of poverty.

Now, this is a novel approach. We have a formula that is targeted to be a Federal partner in money, targeted at kids in poverty, and all of a sudden we are asking them: Show us that you have that population. Under the current law, districts also receive title I-A dollars for merely meeting a small threshold of 10 formula kids or just 2 percent of their overall population being poor.

This has meant that schools in Loudoun County, VA—I am sure there are some in here who might have graduated from Loudoun County schools or have kids in Loudoun County schools—have only 3 percent poor children. It is one of the wealthiest counties in America. It receives about a \$1 million as part of an overall nearly \$1 billion budget. This is about half the entire spending of the State of South Dakota, which the previous speaker is from.

Now, should he be cheated because they do not spend as much as Virginia, though he has kids in poverty, low-income families, individuals to whom in 1965 the Congress and the President said: This is who we should target—we the Federal Government on behalf of taxpayers. Well, this hurts smaller, rural districts with large percentages of poverty but not necessarily high numbers.

Under current law, it is not going to change. We should do our best to send the money to districts in States that are truly in need by focusing the formula on poverty. Now, sometimes it is easier to see than it is to listen. This is the amendment—the Full Educational Opportunity Act. What do we do? It treats all low-income children the same. I think that is what the Federal Government is supposed to do—to target the poorest communities. That was



the spirit of the 1965 law—to prioritize equity, meaning everybody should be treated equal, that you should not disadvantage a poor child in one area to advantage a system in another area.

Is it fair? A title I child versus a title I child? Denver, CO, \$1,218; Boston, MA, \$1,847; Miami, FL, \$1,212; Philadelphia, PA, \$1,986; Albuquerque, NM, \$1,158; New Haven, CT, \$1,717; Portland, OR, \$1,292; Camden, NJ, \$2,083; Seattle, WA, \$1,240; New York City, \$1,839—if I am over here, I think this funding formula is awfully good because we are getting rewarded whether we have poverty kids or not.

Over here, who is being hurt? It is not the States. People have come down to the floor, and they have beaten me up on this amendment for the last few days. Oh, how could you do this? How could you take away something that we have already got? It is real simple. You don't have low-income poverty kids or at least you don't have as much as here. If you did you would qualify under the new formula.

But it gets worse. Fair? Florida has the same number of low-income students, 690,000, as New York, 686,000. What is the distribution of title I funds? It is \$774 million, \$1.1 billion—the same population but New York receives \$400 million more than the State of Florida. How can that be fair? Now, you can be greedy and say: We deserve it; that is what the formula said. You cannot punish us because this is not equitable.

Well, maybe we can. But for once, Congress can do the right thing and fix the formula. That is all I am on the floor attempting to do with my amendment—to fix it. Since 1965 we have not had the backbone to do it when we figured out it was wrong. Well, when we see this, if it is targeted for low-income kids and they have the same numbers, they ought to get the same money. But no, some believe that \$400 million is worth it because they have always gotten more.

Here is New Mexico versus Massachusetts. There are 107,000 low-income students in New Mexico and 80,000 low-income students in Massachusetts. New Mexico receives \$116 million. Massachusetts receives \$116 million. It is the same amount of money, but there are 27,000 more low-income poverty kids in New Mexico. What do you say to a child in New Mexico that just happened to grow up in a poor family? You don't get to get as good an education. You should be have been born in Massachusetts. This is the Federal Government doing it with taxpayer money, and we don't have a problem with this.

My God, this is at the heart of what the Federal Government is supposed to do. There are individuals who come down here and talk about equitable treatment all the time. This is the most unequal thing that can exist. Yet some would block this amendment

from coming to the floor. Is this fair? This is title I-A allocation per poor child: Florida, \$1,284; New York, \$1,611; Minnesota, \$1,189; Massachusetts, \$1,453; Oregon, \$1,149; Maryland, \$1,585; Washington, \$1,127; Connecticut, \$1,447; New Mexico, \$1,093; Pennsylvania, \$1,517. It does not matter how you slice it. They get more. They get more if they do not have the population to support it.

So who is getting more than their fair share? Boy, pictures speak louder than words. Look at that. The green States get more money. The white States, even though they have kids in poverty, they do not get an equitable distribution of Federal money through the title I-A program. It is embarrassing. It is embarrassing to Congress that we did not change this a long time ago.

For poor children who lose under the current formula, this is the reverse. Now, it is the kids who live in the States that are red that get cheated. They get cheated based upon the 1965 initiative under Lyndon Johnson, signed into law after Congress passed it—the Early Childhood Program, elementary and secondary education. I do not think I have ever seen an issue that broadly affects America where there was this much disparity in equitable distribution of Federal dollars. As a matter of fact, I would say it could not happen. But not only did it happen, people argue that this is fair. Well, all I can say is that if you say this is fair, then you are not focused on what this formula was designed to do, and that is to target low-income kids in poverty.

But you know it does not stop there. Let's go further. Let me take my State of North Carolina, with 391,000 low-income students. We get \$417 million in title I-A money. Pennsylvania has 357,000 low-income students. They get \$542 million in title I money. So I have 34,000 more low-income children, but I am asked to be satisfied with \$125 million less in money to target low-income kids in poverty.

Now, I think I am being pretty diplomatic when I come down here and show things like this. This is what America hates. This is what makes them sick. This is what they think is a great example that we don't have a sense of reality. What do you say to a kid in North Carolina who struggles through K-through-12 education when you say: You are worth \$125 million less if you are in poverty than the investment we are going to make in Pennsylvania.

Well, it is only appropriate that the Presiding Officer would be from Colorado, which has 143,000 low-income students and receives \$150 million. Maryland has 124,000 low-income students and receives \$196 million. There are 19,000 more low-income students in Colorado, but you get \$46 million less. I am sure the Presiding Officer has the

same hard time I do going back to Colorado and saying: Don't worry; this is fair. This is fair because it has been this way for 25 years.

The money is supposed to follow the population we are targeting to be invested in. In this particular case, it is the most at-risk in our country, from getting the tools they need to getting a job that has a paycheck. Fair?

Nevada, the minority leader's State has 102,000 low-income students. They get \$116 million. Connecticut has 80,000 low-income students. They get \$116 million. Well, if I were from Nevada, I would be furious at this. You would think that if you get the same amount of money, you should at least have the same amount of kids in poverty, because that is what the formula was designed to do.

But no, wealthy States have found ways to game it by getting bonus payments. Fair?

Indiana, the State of the previous Presiding Officer before this one, has 235,000 low-income students. They get \$256 million in Indiana. There are 228,000 low-income students in New Jersey. They get \$331 million—7,000 more low-income students in Indiana and somehow New Jersey gets \$75 million more than Indiana. This is sort of embarrassing. Some find no shame in this: We are just out for as much money as our State can get.

Let me say to my colleagues that I don't know what the outcome of this amendment is going to be. But let me ask you for 1 minute to put the windfall your State is getting aside and ask yourself this: Do we have an obligation, based upon how elementary and secondary education was perceived and conceived in 1965, to actually make sure that the money follows where kids in poverty are?

If not, don't come down here and talk about equity on every other funding formula. Don't say that money should follow people, when you have the most at-risk population, kids in poverty, and we are talking educating them to where they can function in society, to where they can get a job and a paycheck and not be a ward of anybody, where they can be independent and enjoy every opportunity this country has to offer.

Well, you cannot be for that and be against this amendment. You cannot be for those kids and not fund them where every State is red. It cannot happen. But over history, just like other things, this creates winners and a lot of losers. But let me suggest to you that you take these lines away, and you just see the United States of America. Who should be the winners? Every kid in poverty.

Every kid born into a low-income family should be the recipient of title I-A money in an equal capacity because they should have as good an opportunity and a future—an economic future—regardless of the State they live



in, regardless of the ZIP Code. Regardless of whether they are in rural America or urban America, there shouldn't be a discrepancy. This rights a very bad wrong. This makes it work for all kids in poverty—not some kids, not school districts that are wealthy, but all kids in poverty.

Let me just say for my colleagues that it is not going to happen unless we have a backbone that is strong enough to actually bring an amendment up and vote on it. I am willing to do that. I am willing to roll the dice.

Look at the number of States that benefit from this—and I said that wrong. Look at the number of kids that benefit from this change. This is not about States, and it is not about parties. This is about kids. It is what this act was created for in 1965, and I can't find the reason as to why Congress didn't fix it before 2015. But the fact is that we are talking about reauthorizing the Elementary and Secondary Education Act. It happens about once every 10 years. We have an opportunity to fix this inequity now.

I don't want to look back and say: I had an opportunity to fix it, but, you know, that was hard. It was difficult. It meant that there were winners and losers.

Everybody cannot be a winner when some take advantage of the system like this has. Well, there is only one way to make everybody a winner, and that is to fix the formula. Regardless of how long it takes us to work out of it, we can fix it from this point forward.

I urge my colleagues, if given the opportunity to vote on the Burr-Bennet Full Educational Opportunity Act, to support it. I can't believe I am in the Senate saying "if, if, if" we are given an opportunity to actually bring up a germane, relevant amendment that affects every kid in poverty in the United States. I can't imagine the Senate is not willing to debate and vote on that amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I am not sure what the intentions are of the chairman of the energy committee. As chairman, I would be delighted to yield to her if she is going to take some time on the floor, and I would need about 10 minutes for my remarks.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, it was my understanding that I was next in the queue. If I am incorrect, I would be happy to get this squared away. I, too, have about 15 minutes.

Mr. WHITEHOUSE. Mr. President, I am happy to yield. I thought we went back and forth from side to side ordinarily, but I am very happy to yield. I have a chairman who is a very busy person.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. I thank my colleague from Rhode Island, and I thank him for the opportunity to speak directly to this bill this afternoon.

Mr. President, I wish to speak briefly about the measure we have on the floor today, the Every Child Achieves Act, the bill where we have all been waiting for about 15 years to fix the flawed one-size-fits-all No Child Left Behind Act.

I begin my comments by thanking Senator ALEXANDER, who is the chairman, as well as Senator MURRAY, the ranking member, for how they have managed this legislation from the very beginning.

I think we know there is a little bit of inside baseball that goes on around here that perhaps isn't interesting to many. But I think it is important to note that Chairman ALEXANDER and Ranking Member MURRAY have led this bill in a way that has fostered consensus building and, I think, very constructive negotiations.

More importantly, in the process they allowed the voices of the American people—of Alaskans—to be heard. I think that was one of the reasons why we saw this legislation move unanimously through the HELP Committee in April, and I think that is one of the reasons that you are seeing us move through a series of amendments on issues that are considerable but in a very constructive manner and certainly respectful of one another. So I wish to acknowledge and recognize the masterful work they have done in guiding this bill forward.

I also wish to recognize the work of my staff. Karen McCarthy on my staff has done yeoman's work in working with so many Alaskans, educators, administrators, and the like. That has been an effort that I think has yielded benefit to folks in my home State. But I also wish to recognize the work of those on both Senator MURRAY's staff as well as Senator ALEXANDER's—very hard-working professional staff who are a credit to their Senators and their State.

So why am I standing today before you in support of the Every Child Achieves Act?

When Alaskans are visiting about the education bill that we know as No Child Left Behind, it is clear that to a number—whether you are an educator, whether it is students, parents, tribes; it didn't make any difference—nobody was happy. The one-size-fits-all mandate, poor tribal consultation, and the lack of State and local control over our children's education clearly were not working.

I say that one of the first immersions into politics I had was when I was a PTA president at my son's elementary school. That, for me, was my first introduction to what the mandates meant that were coming out of No Child Left Behind when our school was deemed as a failure because we failed

to meet AYP because of the 31 different ways to fail. We certainly made it by not having sufficient subgroups taking the test on the day that the test was required. Our neighborhood school was a failure. It didn't seem to me that it made sense and still does not.

So I make sure to take that experience as a mom, as a PTA president, and as one for whom No Child Left Behind was not just some theoretical exercise. It was Federal law imposed in my town and in my schools, which had a negative and a direct impact on those who were part of our school.

So my top priority was to make sure that any rewrite of No Child Left Behind gave more power to make decisions about Alaska's schools to Alaska and to our local communities.

The failed experiment of adequate yearly progress had to go. Under the Every Child Achieves Act, that is done.

The failed highly qualified teacher mandates that made little sense and also did not work had to go, and they are gone. States will again be able to decide what qualifications and skills to demand of teachers and principals, whether to have a statewide evaluation system, and, if so, whether those evaluations consider growth in student proficiency.

Now, I am very aware that some across the country—in fact, I have heard from some in Alaska—are concerned that the Every Child Achieves Act does not do enough to return local control to schools, that it perpetuates, somehow, the common core standards. In fact, the Every Child Achieves Act specifically and expressly prohibits the Secretary from having any authority to "mandate, direct, control, coerce, or exercise any direction or supervision over any of the challenging State academic standards adopted or implemented by a State."

Now I have also heard that some are concerned that the bill maintains secretarial approval of State plans, with the implication then that the Secretary will be able to change or deny elements of State plans, whether it is State standards, assessments or accountability systems, as somehow a condition of approval. But the Every Child Achieves Act also places a number of limitations on the Secretary's authority over the State's plans.

The act prohibits the Secretary from requiring a State to include or delete any element of its State standards from the State plans, use specific assessment instruments or items, set goals, timelines, weights or significance to any indicators of student proficiency, include or delete from the plan standards, measures, assessment, student growth benchmarks or goals of student achievement for school accountability, as well as any aspect of teacher or principal quality, effectiveness or evaluations systems, or require

any data collection beyond current reporting requirements. There are similar prohibitions that are scattered throughout the Every Child Achieves Act.

In short, I am confident that the act returns control of State standards, curriculum, instruction, assessments, educator qualifications, and school accountability to the State of Alaska, and that is where I want it to be.

I also have other reasons for supporting the act that will directly impact students, parents, educators, and communities across Alaska in a positive way and with provisions that Alaskans ask for most specifically.

I acknowledge the work that I was able to do with Senator BOXER. Together we worked to craft the support for the Afterschool for America's Children Act. She and I worked on this bill to update and strengthen the 21st Community Learning Centers afterschool program across the country. We worked with a number of other Members in the Senate to make sure that this important program—the program that keeps our children safe and engaged after school and during the summer—works for all of our States.

We worked with the chairman and ranking member, and after a lot of good negotiation, the Afterschool for America's Children Act, with some amendment, was included in the Every Child Achieves Act, and this was done by unanimous consent in the HELP Committee, which I appreciate.

On the issue of how we ensure that our Native children are cared for and addressed in a real and meaningful way, there were several provisions that we were able to include in the act to better meet the needs of Native children.

At my request, the act requires the States and school districts, where applicable, to consult and engage with the American Indian, Alaska Native or Native Hawaiian tribes and parents in creating State and local plans and in implementing Federal education programs that serve Native students in order to meet their cultural language and education needs. These are our Nation's first peoples, with whom the United States has a constitutionally mandated responsibility to interact with on a government-to-government basis. So I think it is time that our tribes and our Native organizations throughout the country were part of designing the plans and shaping the programs used to improve schools that serve our Native students.

Senator FRANKEN and I, working with Senator TESTER, were able to include a new program in the Every Child Achieves Act to help our Nation's first peoples maintain and revitalize their Native languages through the schools. This is a new grant program that will support the creation, the improvement, and the expansion of Native language

immersion schools in which Alaska Native, American Indian, and Native Hawaiian students learn their lessons through ancestral languages. This opportunity will help preserve the fast-vanishing Native languages of our first peoples.

So what we worked to do within the program was that the Native Alaskan language immersion schools and programs will help Native language immersion schools develop curriculum and assessments, provide professional development to teachers and other staff, and carry out activities that will promote the maintenance and revitalization of these endangered languages.

This is a provision where I really am quite proud of what we have been able to do, working with our colleagues to make sure that we do not lose that focus in this important act.

We also eliminate some technical redtape that makes it nearly impossible for Alaska's rural school districts to claim impact aid dollars to which they are entitled just because NCLB and the Alaska Native Claims Settlement Act didn't play well together. While it is more complicated to explain, I just leave it by saying that many rural Alaskan school districts are no longer going to have to bang their heads against a brick wall of illogical and contradictory Federal rules after this provision is enacted. And that is always a good thing.

I would point out that fixing this problem started because a handful of schools, business officials, and superintendents took the time to reach out to me to let me know: We have a problem here. This is really one of those examples where working together we are all building legislation.

I am also quite proud to have helped move strong improvements to the Alaska Native Education Equity Program. We call it ANEP in this legislation. For some years now, Alaska Native leaders have asked: Why do schools get all of the title VII Indian education money and most of the ANEP funding. They explained that they are more than ready to take on responsibility to help their children achieve in school. Alaska Native leaders have a valuable and, indeed, indispensable role to play in designing and implementing programs to help our children succeed. These are sound arguments.

While Alaska receives no funding from the Bureau of Indian Education, and our schools receive the title VII, part A funding, the government-to-government relationship between the Federal Government and Alaska tribes and Native organizations has not been fully honored under ANEP.

Under the amendments we include in the act, ANEP funds will either go directly to tribes and Native organizations that have expertise running education programs or the funds will go to tribes and Native organizations with-

out such experience that partner with school districts. In addition, tribes and tribal organizations may partner with the university and other Non-Native entities if they so choose. This will not only honor our constitutional relationship to Alaska Natives but ensure that they can take on more responsibility for helping their children succeed, which, again, is the right thing to do.

In closing, I wish to say that the Every Child Achieves Act is a good piece of legislation, and it is getting better with each day as we consider additional amendments. It is far better than what we ever had with No Child Left Behind.

While I am positive that each of us will have more thoughts about how this could be a better bill, be a more perfect piece of legislation if only one or two more changes were made, on the whole this is a sound improvement over the current, failed law. I certainly intend to be supportive as we move through the end of this process.

With that, I appreciate the courtesy of my colleague from Rhode Island in deferring, and know that when I have a similar opportunity to yield to the Senator, I shall do so.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I wish to join Chairman MURKOWSKI in expressing my satisfaction and pleasure with this bill we are on and join her in commending the leadership of Ranking Member PATTY MURRAY and Chairman LAMAR ALEXANDER. As a result of their work, we have a significant piece of legislation before us. It received bipartisan support in the committee, and I think the secret of their success was that they knew how to let Senators be Senators and work on a bill, really on the merits of it, without a lot of partisan gunslinging. As a result, the legislation before us creates a tremendous improvement in K-2 education over the failed No Child Left Behind Act. The process that led to this was bipartisan, substantive, and thorough. They really listened to a wide array of viewpoints. The result is this strong bipartisan proposal. As one of my senior colleagues on the committee said, this is what happens when you have committee leaders who really know what they are doing.

By now, most Americans—certainly my constituents—are familiar with the failures of No Child Left Behind. It overemphasized a peculiar form of testing, a form of testing in which the student took the test but wasn't graded on it. The subject of the test really was the performance of the school itself. Schools became frantic to heap up student performance to protect themselves. As a result, there was a lot of drama in the schools around these tests. If you did not do well, that pitched you into a narrow, one-size-

fits-all approach to fixing the low-performing school. That combination served neither students nor communities well.

The Every Child Achieves Act is based on a very simple idea that I think has broad support in the Senate: Less classroom time spent on this frantic test preparation for the high-stakes exams means more time actually learning. The Every Child Achieves Act allows States to take a whole range of factors into account to gauge how students are doing and how the schools are doing, not just one test. I call that the data dashboard. It can include things such as graduation rates, college performance rates afterwards, how many students are taking AP classes and SAT tests, incidents of violence or bullying, and even working conditions for teachers. It is something we have worked on in Rhode Island through something called the InfoWorks Program. It is a commonsense way of understanding school and student performance without creating this massive distraction and drama.

Less emphasis on this peculiar high-stakes testing regime means more time for teachers to teach a more balanced, well-rounded curriculum, giving attention to important subjects such as history and the arts, which, because they weren't covered under these high-pressure standardized tests, fell out of the curriculum. So what parents ought to see after we pass this bill is a much richer curriculum for their kids and one that some kids simply need in order to stay interested in school. If arts are your passion as a child and if that has fallen out because of this testing regime, you really have been hurt. If history and the stories of what happened in the olden days are what really gets you excited about education and if that gets squeezed out so you can do the math and the reading test better, you really have been hurt as a student. So that has changed. I am glad we have language in this bill that supports civics and American history education so that beyond reading and math—the tested subjects—students who graduate from public education have a real understanding of what it means to be an American citizen. It means something to be an American citizen. They need to understand the trajectory of this country so that they can fill that role as American citizens better.

The bill supports school libraries, which is an issue my senior Senator, JACK REED, has long championed and which I was proud to support in committee.

It includes an initiative I supported that was led by Senator MIKULSKI to provide support for gifted and talented students, particularly those who are in high-poverty schools. It can be hard to keep a high-ability child engaged and motivated if they are not challenged. I believe Senator MIKULSKI's language

will be a big help to these kids, their teachers, and their parents.

When a school does fall short, the Every Child Achieves Act rejects the overly punitive interventions of the No Child Left Behind Act. Instead, it allows communities, parents, and teachers to work together to improve their school in ways that make sense for the students and give them the tools to succeed.

In my experience, I have learned that the greatest unmet area—at least in Rhode Island—is in middle schools. When I talk to people from other States, they see the same thing. Those middle grades are a tipping point in the lives of many students, especially those at risk of dropping out.

When I was Rhode Island's attorney general, I saw hundreds of juvenile cases that had a common thread, which was catastrophic levels of middle school truancy. In order to get a better handle on what was happening in the middle schools, I adopted one—the Oliver Hazard Perry Middle School in Providence. We worked hard to create a real relationship between the police department and the school. We helped get truant kids back in classrooms. We began a mentoring program between students and the attorneys in my office. We brought in community groups to start afterschool programs. We did a lot of different things.

Those years of working with middle school stakeholders helped me realize how much the middle grades bear on a child's future. It is an age when the child is beginning to make his or her own decisions, which can be dangerously bad ones at that time. But they can still be influenced by positive adults and by enriching experiences in their lives.

Many students who fail in high school showed the warning signs in middle school. We need to be reaching back into middle school to help them stay on track. That is why I am so glad to have partnered with our friend Senator BALDWIN on a measure that requires States to identify and support students at risk of dropping out in middle school and not wait until they are in serious trouble in high school.

I am also proud that the bill includes key elements of the Community Partnerships in Education Act, the House version of which was championed by my House colleague Congressman DAVID CICILLINE.

The outstanding success in Rhode Island of the Providence After School Alliance shows that schools and their students can thrive with help from strong community partners focused on sustainable and coordinated afterschool learning opportunities. PASA is really a model. Community-based afterschool has long been underappreciated, and I am glad it is on an even basis in this bill with school-based afterschool.

The Every Child Achieves Act also makes progress in educating students who have become involved in the criminal justice system. As with the juvenile justice reauthorization that I am working on with Chairman GRASSLEY in the Judiciary Committee, this bill tries to break the cycle of troubled kids who enter the juvenile justice system, who get marginalized, who fall further behind in their education, leading to more trouble and ultimately to crime. This phenomenon is referred to as the school-to-prison-pipeline, and it is tragic and it needs to end.

I have also seen and heard how Federal, State, and local regulations can get in the way of innovative reforms. Over the last 2 years, I have worked closely with Rhode Island educators, who have told me time and time again that they could achieve much better results if not for the layers of professional education bureaucracy stifling innovation at multiple levels.

I am working to include an amendment to establish an innovation schools demonstration, giving teachers, parents, and school leaders, who have a unique understanding of the students and communities they serve, the flexibility to turn those ideas into action.

In Rhode Island, I have heard from school leaders who would like to extend the school day for struggling students, reboot their curriculum, take ownership over their school's budgeting and financing, or better manage their school's human resources. But they can't because existing rules and regulations get in the way. They are often daunting because if you try to get after the local regulations, you still have the State regulations. If you try to go after the local and the State regulations, you still have the Federal regulations. So they give up.

My amendment establishes a fast-track process to give public schools relief from barriers to school-level innovation—relief from local, State, and Federal regulations.

Here is what Victor Capellan, superintendent of the Central Falls, RI, School District, told me: "As a leader, having more flexibility to design the learning around the needs of my students and teachers and within the local context that exists—and not based on old and fixed conditions—makes all the sense in the world to me."

Overall, the Every Child Achieves Act returns more decisionmaking authority to public schools, gives them tools to help every student succeed, and promotes greater flexibility in achieving high standards.

As I prepared at home for this bill, I worked with a lot of Rhode Islanders to learn what was needed. I am grateful to the groups who gave me so much time. Many of us met over and over to work through these issues and lay the foundation, particularly for the middle

school part of the bill and for the innovation schools part of the bill. There was a lot of good Rhode Island work that went into those, and I appreciate it.

I believe this bill responds to the needs and concerns of the many Rhode Island teachers, reformers, students, school administrators, and union officials I worked with. I am proud to support it.

I will close by saying one last thing. There are many issues we deal with where we experience a lot of confrontation. Often we come into a situation thinking we know what the confrontation is. Before we even get to it, we anticipate the confrontation. What I learned from sitting down and spending real time with teachers who are in teachers unions, with reformers who are determined to make schools better and able to innovate, administrators who work in public schools and the administrators who work in charter schools, you put them all together and they agree on so much of what is in this bill. If you treat people involved in this system with the respect they deserve individually, and if you listen to them, the agreement is far greater than the disagreement.

I will close where I began. What Chairman ALEXANDER and Ranking Member MURRAY did was to create a process where we could be Senators, and as a Senator I was able to bring those voices from Rhode Island into this process in a meaningful way. My ability to bring that voice in a meaningful way empowered me to be able to bring those voices together back in Rhode Island and find the kind of agreement that has enabled these successes, so I am very grateful to them as well.

With that comment, I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TILLIS). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### HIRE MORE HEROES ACT OF 2015— MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to Calendar No. 19, H.R. 22.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 19, H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate ap-

plies under the Patient Protection and Affordable Care Act.

#### CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 19, H.R. 22, an act to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

Mitch McConnell, Roger F. Wicker, Shelley Moore Capito, Rob Portman, John Cornyn, James M. Inhofe, Daniel Coats, John Boozman, Johnny Isakson, Pat Roberts, John Barrasso, Mike Rounds, Mike Crapo, Roy Blunt, Thom Tillis, Deb Fischer, Richard Burr.

Mr. MCCONNELL. Mr. President, I withdraw my motion to proceed.

The PRESIDING OFFICER. The motion is withdrawn.

#### ADOPTIVE FAMILY RELIEF ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 145, S. 1300.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 1300) to amend the section 221 of the Immigration and Nationality Act to provide relief for adoptive families from immigrant visa fees in certain situations.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1300) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1300

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Adoptive Family Relief Act".

#### SEC. 2. WAIVER OF FEES FOR RENEWAL OF IMMIGRANT VISA FOR ADOPTED CHILD IN CERTAIN SITUATIONS.

Section 221(c) of the Immigration and Nationality Act (8 U.S.C. 1201(c)) is amended to read as follows:

"(C) PERIOD OF VALIDITY; RENEWAL OR REPLACEMENT.—

"(1) IMMIGRANT VISAS.—An immigrant visa shall be valid for such period, not exceeding

six months, as shall be by regulations prescribed, except that any visa issued to a child lawfully adopted by a United States citizen and spouse while such citizen is serving abroad in the United States Armed Forces, or is employed abroad by the United States Government, or is temporarily abroad on business, shall be valid until such time, for a period not to exceed three years, as the adoptive citizen parent returns to the United States in due course of his service, employment, or business.

"(2) NONIMMIGRANT VISAS.—A non-immigrant visa shall be valid for such periods as shall be by regulations prescribed. In prescribing the period of validity of a non-immigrant visa in the case of nationals of any foreign country who are eligible for such visas, the Secretary of State shall, insofar as practicable, accord to such nationals the same treatment upon a reciprocal basis as such foreign country accords to nationals of the United States who are within a similar class; except that in the case of aliens who are nationals of a foreign country and who either are granted refugee status and firmly resettled in another foreign country or are granted permanent residence and residing in another foreign country, the Secretary of State may prescribe the period of validity of such a visa based upon the treatment granted by that other foreign country to alien refugees and permanent residents, respectively, in the United States.

"(3) VISA REPLACEMENT.—An immigrant visa may be replaced under the original number during the fiscal year in which the original visa was issued for an immigrant who establishes to the satisfaction of the consular officer that the immigrant—

"(A) was unable to use the original immigrant visa during the period of its validity because of reasons beyond his control and for which he was not responsible;

"(B) is found by a consular officer to be eligible for an immigrant visa; and

"(C) pays again the statutory fees for an application and an immigrant visa.

"(4) FEE WAIVER.—If an immigrant visa was issued, on or after March 27, 2013, for a child who has been lawfully adopted, or who is coming to the United States to be adopted, by a United States citizen, any statutory immigrant visa fees relating to a renewal or replacement of such visa may be waived or, if already paid, may be refunded upon request, subject to such criteria as the Secretary of State may prescribe, if—

"(A) the immigrant child was unable to use the original immigrant visa during the period of its validity as a direct result of extraordinary circumstances, including the denial of an exit permit; and

"(B) if such inability was attributable to factors beyond the control of the adopting parent or parents and of the immigrant."

Mr. MCCONNELL. Mr. President, I just want to briefly say a few words about today's Senate passage of S. 1300, the Adoptive Family Relief Act. The issue this bill addresses is of particular importance to me, and I am proud to be a cosponsor of the legislation.

More than 400 American families—approximately 20 of them from Kentucky—have successfully adopted children from the Democratic Republic of the Congo or the DRC. However, due to the DRC Government's suspension of exit permits—which has been in place for close to 2 years now—many of these families have been unable to bring

their adoptive children home to the United States.

For example, although I was pleased to be able to help the Brock family from Owensboro, KY, with the return of one of their adopted sons last Christmas, their other son still remains in the DRC. To make matters worse, many of these families have been financially burdened by the cost of continually renewing their children's visas while they wait for the day the DRC decides to lift the suspension.

In an attempt to help these families, the Adoptive Family Relief Act will provide meaningful financial relief by granting the State Department the authority to waive the fees for multiple visa renewals in this and other extraordinary adoption circumstances.

The bill builds on Congress's bipartisan efforts on this adoption issue, including a provision in this year's congressional budget resolution to encourage a solution to the stalemate in the DRC.

I strongly urge the DRC Government to resolve this matter. I truly hope there is a solution to it soon, but until then I urge the House and President Obama to help us enact the Adoptive Family Relief Act. The passage of this bill through the Senate today will help bring needed assistance to so many loving families across our country who want nothing more than to open their homes to a child in need.

I wish to thank the bill's sponsors, Senators FEINSTEIN and JOHNSON, the 17 other bipartisan cosponsors, and the Judiciary Committee for their hard work and truly bipartisan commitment to solving this heartbreaking issue.

I suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator withhold?

Mr. MCCONNELL. I am sorry. I withhold.

#### EVERY CHILD ACHIEVES ACT OF 2015—Continued

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I thank the majority leader.

I ask unanimous consent to speak for up to 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### 5TH ANNIVERSARY OF DODD-FRANK WALL STREET REFORM ACT

Mr. BROWN. Mr. President, next Tuesday, July 21, is my wife's birthday, and it is also the 5-year anniversary of the Dodd-Frank Wall Street Reform Act becoming law.

Nearly two decades before that, Barings, an international bank, was destroyed by fraud committed by a single one of their traders. In reality, there were no profits, unbeknownst to many at the time, just big losses that this trader managed to conceal until the firm collapsed.

When writing about his actions later in his memoir, the trader said:

Luckily for my fraud, there were too many chiefs who would chat about it at arm's length but never go further. And they never dared to ask me any basic questions, since they were afraid of looking stupid about not understanding futures and options.

This helps illustrate how we got to that financial crisis.

Wall Street so often speaks its own language—one most Americans can't understand and one that prevented consumers and taxpayers and sometimes even participants from asking questions and from challenging Wall Street.

September 2008 was preceded by a decade of deregulation, after furious lobbying by the financial industry—lobbying buttressed by obfuscation and deceit, always underscored by greed. Risky behavior was rewarded with gargantuan profits for the firms and multimillion-dollar bonuses for the traders and the executives. Questions were not asked. People often looked the other way. So many were confused and tricked, if you will.

Regulators didn't do their jobs. Congress was too—putting it mildly—bought and sold by Wall Street, and look what happened to the American public. Most Americans didn't fully appreciate the connection between Wall Street and our lives until 2008. That is when the biggest banks' recklessness led to the loss of 9 million jobs. The unemployment rate reached 10 percent, 5 million Americans lost their homes, and \$13 trillion, with a "T"—that is 13,000 billion; that is what a trillion is, 13,000 billion dollars—in household wealth was erased.

My wife and I for 2 years have lived in the city of Cleveland in ZIP Code 44105. I mention the ZIP Code because that ZIP Code in 2007, I believe—it was around that time—that ZIP Code had the highest rate of foreclosures of any ZIP Code in the United States of America. It wasn't because people in Slavic Village, Cleveland, OH, in my neighborhood were trying to game the system. It was not because there were all kinds of con men and women in the neighborhood. It was mostly because of job loss due to the decline in manufacturing. It was also because firms that were rewarded by turning over homes and fees came into those communities offering something more than people could really think they would get, and so foreclosure after foreclosure after foreclosure happened.

The financial crisis created 9 million people who wanted to work for a living, contribute to society, and support their families but could not. And behind the millions of foreclosures were 5 million painful conversations.

Think about this. We in this body talk about numbers, we talk about statistics, we talk about foreclosures, we talk about derivatives, we talk about

banks, we talk about fees, we talk about all of this, but think about what a foreclosure means. We don't dress the way we do, making good salaries and benefits, hanging out more with people of means rather than people without much means; we don't think a lot about what a foreclosure might mean to a family. Think about this: A mother and father both have sort of middle-income jobs, working-class jobs. They have a daughter who is 12 and a son who is 13. The mother comes home one day and says: I lost my job. The family scrapes things together, figures they can keep going. Six months later the father comes home and says he lost his job. The kids and the father have a conversation.

It is pretty clear they are going to have to move out of their house because they are going to be foreclosed on. They sit down with the son and daughter and they try to explain what this is going to mean.

The daughter says: What school are we going to go to?

The parents say: I don't know. We are going to have to move out of this house and leave our school district.

The son says: What happens to our friends?

And the parents say: We don't know because we are going to move.

Then they have another painful conversation.

What happens to our dog?

We don't have the money to feed the dog, and in that new apartment we are not going to be allowed to have a pet.

Think about that. They lose their home and their neighborhood and their friends. They even have to give away their family pets. They are cutting back.

These are the stories that aren't really told around here—what actually happens to these families when they are foreclosed on. Those conversations happened—I don't know how many conversations, but I know there were 5 million homes foreclosed on where conversations took place such as that night after night after night, as parents explained to their children what was happening to their way of life. Parents were sometimes telling their children, we are going to have to share a house with relatives. Families leaving neighborhoods, leaving schools, leaving friends behind, parents trying to find a new home for the family dog that the child had grown up with since the child was 3 or 4 years old, that is why we passed Wall Street reform.

Despite doomsday predictions from the Republicans—almost all of whom opposed Dodd-Frank reform, almost all of whom opposed Dodd-Frank because Wall Street opposed Dodd-Frank reform—despite those predictions, it has been a huge success.

In 2011, as the law was beginning to be implemented, we heard Republicans running for President, people such as

Newt Gingrich, a historical figure who has, by and large, been forgotten now, who used to be the Speaker of the House down the hall, who used to be one of the most powerful people in Washington, who stood toe-to-toe with President Clinton and shut down the government in the 1990s. He said Dodd-Frank will kill small banks, kill small business, kill the housing industry. He was wrong.

Since Dodd-Frank has been implemented over the past 5 years, the private sector has created 13 million new jobs, household wealth has grown by \$13 trillion, exceeding precrisis levels, and business lending has climbed 30 percent. Wall Street reform didn't ruin the economy, Wall Street reform stabilized and strengthened it.

Polling that Americans for Financial Reform released last week shows that Americans agree with this assessment. They overwhelmingly support strong financial regulations and they overwhelmingly support the goals of the Consumer Financial Protection Bureau.

But this month—and for the rest of the year—we have seen Republicans try to undermine Wall Street reform, try to do the bidding of Wall Street itself, and try to do all they can to weaken the Consumer Financial Protection Bureau. We have seen it in the Budget Committee and in the Agriculture Committee and in the Banking Committee and in the appropriations process.

Last week, in the Senate Banking Committee, Republicans held another hearing with representatives from the financial industry advocating for legislation to undermine parts of Dodd-Frank. Week after week, it seems, we hear from people who come in front of the Banking Committee—people who seem oblivious to the fact that Wall Street caused this damage to our society, people doing the bidding for Wall Street banks, people who have excused the greed and the overreach of Wall Street and what Wall Street has done to the men and women, done to children, done to families, done to neighborhoods in our society.

My ZIP Code is doing better than it was, but we can still see the ruin and the devastation brought to ZIP Code 44105, in part, because of Wall Street greed. We can see it all over this country.

Tomorrow, Consumer Financial Protection Bureau Director Rich Cordray, who I can proudly say is from my State of Ohio, will testify again in Congress. This will mark his 54th appearance—either him or someone else from the CFPB. As Republicans claim, the CFPB is unaccountable to Congress—hailed in front of Congress one, two, three, four-plus dozen times, and they still say it is unaccountable. Figure that out. It is all about the politics. Again, they are doing Wall Street's bidding.

This past weekend, two Republican Commissioners on the Securities and Exchange Commission and the Commodities Futures Trading Commission—agencies whose job it is to police Wall Street, to prevent another crisis—these two Republican Commissioners wrote an op-ed denouncing regulation. They wrote: "One of the greatest potential risks to the financial markets is the work of the regulators themselves." They are not saying regulators should have been tougher on Wall Street. They are saying these regulators are overreaching and not doing what they should. In fact, these regulations shouldn't have existed many times. This is the attitude we are up against. We know they will keep fighting to tear down this law just as hard as they fought to keep it from passing.

Now, when Dodd-Frank was passed back in July 5 years ago, in 2010, President Obama signed the bill only a few hours later. The chief lobbyist for the top financial services, the top lobbyist in Washington, proclaimed: "Now it's halftime." What did he mean by "now it's halftime"? It was that, Wall Street lost that battle in Congress on Dodd-Frank, and now it was time to turn to the agencies and to try to weaken, obfuscate, blunt these rules, delay, and do whatever they could. There were 3,000 lobbyists during the Dodd-Frank act—6 lobbyists for every Member of Congress. Even then they couldn't win because enough of us here had the guts to stand up to Wall Street and do the right thing. Many of those 3,000 lobbyists are back.

In 2012, lobbyists for banks outnumbered consumer protection advocates 20 to 1—1 consumer advocate to 20 bank lobbyists spending hundreds of millions of dollars trying to weaken the law. We must stand firm. We must push back on efforts that roll back the reforms. We should stand up for the CFPB. Nobody is arguing that we can't improve and strengthen Dodd-Frank. We want to do that. But if improve and strengthen means doing Wall Street bidding, that is not what improve and strengthen should mean.

There are enormous challenges we have to tackle. Today's typical American consumer obviously has no union to demand a defined pension or a fair wage and no dependable retirement savings account. The average borrower has left college with a diploma and \$33,000 in student loan debt. Nearly 60 percent of 18- to 24-year-olds now live with their parents, largely due to staggering student loan debt and stagnant wages. Five million Americans have mortgages that are under water, meaning they owe more than the house is worth, which represents nearly \$350 billion of negative equity. That means if you total up all of the debt of those 5 million Americans—how much they owe on their homes—and subtract what their homes are worth, it would

amount to \$350 billion of negative equity.

One in five Americans has an error on her credit report that might prevent her from accessing a traditional banking system. It is not due to a mistake they made, but they have an error on their credit report that they, for whatever reason, have not been able to fix. One in three American adults has debt in collections, the majority of which is medical debt. Fifty-seven percent of Americans say they are not financially prepared for the unexpected. A financial crisis only makes these trends worse.

Where do we go? Some sectors of our economy have done better than others. When times are good, we return to discussions about regulatory relief, which I support, for small banks and credit unions. I think we need to make some changes in the mid-sized regional banks, such as the Huntington in Columbus or the Fifth Third Bank in Cincinnati, to help make them competitive, particularly with the large banks.

What about relief for the average American? All of us in this body need to broaden our focus beyond so-called regulatory relief. The answer to everything, according to my friends on the other side of the aisle, is to cut taxes on the rich and deregulate and weaken consumer laws, weaken safe drinking water laws, weaken clean air laws, and weaken Dodd-Frank laws. That is their answer to everything.

What about relief for average Americans? What about increasing the minimum wage? What about helping Americans who are making \$30,000 or \$40,000 but are denied overtime because they have been put in a salary or management category even though they are only making \$30,000? They may be running the night shift at a fast-food restaurant and have been classified as bosses so as salaried workers, they don't get overtime even if they are working 60 hours a week. How about relief for that average American?

How about relief for Americans who don't have sick leave and go to work when they are sick and take the chance of infecting somebody else, because if they stay home, they will not receive any pay?

How about if their child is sick? Do they send their child to school, because they can't take a day off because they don't get a personal leave day to take care of their child? So their child may end up going to school, doesn't do as well and may get other children sick, which means less productive students or less productive workers if the parent ends up going to work sick—all of those things. Why don't we have relief for working-class and middle-class families—minimum wage, overtime pay when they have earned it and help those families get the kind of sick pay and sick leave as the people who work here have who dress up and are well



paid and have the advantage of working in the Senate? Why are we not doing that?

We shouldn't be afraid to ask questions that will lead to the reforms we need. We shouldn't be afraid to challenge the status quo, and we should never be afraid to make Wall Street accountable.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

### MORNING BUSINESS

### VOTE EXPLANATION

• Mr. NELSON. Mr. President, on Monday, July 13, 2015, I was necessarily absent for a vote on amendment No. 2080 to the Every Child Achieves Act. Had I been present, I would have voted in favor of the amendment.●

### REMEMBERING BEAU BIDEN

Mr. CASEY. Mr. President, I wish to pay tribute to Joseph Robinette "Beau" Biden III. Beau was a husband, father, son, brother, veteran, and friend, who lived a life of service, devoted to his family and his country. For Beau Biden, family was the center of his life: his father, our Vice President, and Dr. Jill Biden, his brother Hunter, his sister Ashley, and especially his wife Hallie and their children, Natalie and Hunter. Beau Biden's family and my family have been connected as friends, neighbors, and political allies for two generations. Like Vice President BIDEN, Beau was committed to duty, had great political skills, and lived his daily life with joy.

Inscribed on the front of the Finance Building in Harrisburg, PA, is the following quotation: "All public service is a trust, given in faith and accepted in honor." As a soldier and a public official in Delaware, Beau Biden's work was a testament to that inscription. He accepted the trust he was given by serving with honor and distinction. Beau Biden served in the Delaware Army National Guard as a major in the Judge Advocate General, JAG Corps, which included a tour in Iraq. Growing up with a father who was a United States Senator, Beau Biden could have taken an easy road to elected office, but that was not his way. He wanted to earn the trust of the people. He turned down an appointment as attorney general of Delaware, preferring to run for the position on his own. He won and served two terms as a faithful public servant. He was on track to become the

next Governor of Delaware when his life was tragically cut short.

As attorney general, Beau Biden fought every day to protect children. Albert Camus once said: "Perhaps we cannot prevent this world from being a world in which children are tortured. But we can reduce the number of tortured children. And if you don't help us, who else in the world can help us do this?" Beau Biden answered that call. He said keeping children safe is why he wanted to be the attorney general of Delaware, and during his years in that position, he prosecuted child predators and worked to protect children from sexual abuse. In a column in the Wilmington News Journal, he wrote, "As adults, we have a legal and moral obligation to stand up and speak out for children who are being abused—they cannot speak for themselves." It is fitting that his family established the Beau Biden Foundation for the Protection of Children to continue his fight.

At times like this, people often think about what could have been. A decade after Robert F. Kennedy died, Allard Lowenstein wrote an article entitled "Anniversary of an Assassination." In it he wrote, "And anybody who finds himself wishing on this occasion that Robert Kennedy were around knows what Robert Kennedy would be saying if he were here—knows that we have dallied long enough, and that it is past time to try again to do better, to make a difference; past time to dream again of things as they ought to be, and ask again why they are not." Beau Biden would not only want us to do the same thing, he would expect us to. He would be telling us to keep up the fight to protect children. He would be reminding us about the honor of public service, and he would be encouraging us to go out and serve our communities and our country.

### RECOGNIZING THE HERO CAMPAIGN FOR DESIGNATED DRIVERS

Mr. BOOKER. Mr. President, each year, tens of thousands of lives are lost and millions more are injured in collisions on our Nation's highways. According to the National Highway Traffic Safety Administration, about 40 percent of all traffic fatalities involve alcohol. This preventable behavior continues to impose a terrible toll on our families and our Nation.

To eradicate drunk driving from our roads, we must change our Nation's culture around stepping behind the wheel after consuming alcohol. A major way to enact this change is to encourage and celebrate the role of designated drivers—those who make a commitment to remain sober to ensure that the passengers in their vehicle return home safely at the end of the night.

For this reason, I rise today to honor the 15th anniversary of the HERO Cam-

paign, which works to create partnerships that encourage and support designated drivers.

The HERO Campaign was created in memory of U.S. Navy ENS John Elliott, a New Jersey resident and a graduate of the U.S. Naval Academy. Ensign Elliott was an outstanding citizen and Naval cadet. In each of his 4 years at Annapolis, Elliott was selected by his peers to serve as a human education resource officer, or HERO, to mentor fellow members of his company. At graduation, Elliott was honored as the outstanding HERO in his class.

On July 22, 2000, Ensign Elliott was driving to his home in Egg Harbor Township, NJ with his girlfriend when his vehicle was struck by an oncoming vehicle that crossed into his lane. The driver of that vehicle was operating under the influence of alcohol. Along with Ensign Elliott, that driver was killed in the collision.

Shortly after Ensign Elliott's life came to its untimely end, his parents, Bill and Muriel Elliott, started the HERO Campaign. The HERO Campaign is a non-profit organization that brings together schools, professional sports teams, law enforcement, taverns and restaurants, and community groups to recognize and encourage designated drivers.

Since its inception, the HERO Campaign has registered more than 100,000 designated drivers at sports stadiums, concerts, schools, and colleges in 7 States. In New Jersey, the HERO Campaign contributed to a 35.4 percent decline in alcohol-related driving fatalities in the general population and a 65.1 percent decline for those under 21 years of age. Truly, the accomplishments of the HERO Campaign are nothing less than heroic.

But their work is not done yet. The ultimate goal of the HERO Campaign is to register one million designated drivers across our Nation, and to ensure that having a designated driver before stepping out for the night becomes as automatic as putting on a seatbelt when getting into the car. As Bill Elliott says, the message is simple: "Who's your HERO tonight?"

I can safely say that, to me, Bill and Muriel Elliott and their colleagues at the HERO Campaign are my heroes this and every night. I commend their accomplishments and support their efforts to save lives by helping others realize their heroic potential as designated drivers.

### ADDITIONAL STATEMENTS

#### TRIBUTE TO BISHOP PAUL S. MORTON

• Mr. VITTER. Mr. President, I wish to honor Bishop Paul S. Morton. Bishop Morton was born in Windsor, Ontario,



where he graduated from J.C. Patterson Collegiate Institute and St. Clair College. Despite his northern roots, Bishop Morton was called to New Orleans, LA, in 1972 to preach and spread the Gospel of the Lord. The Greater St. Stephen Missionary Baptist Church was Morton's first home, where he was installed as senior pastor in January 1975. Under the pastor's leadership, the congregation grew dramatically, resulting in the need to expand to a 2,000 seat sanctuary in 1980 and a 4,000 seat sanctuary in 1988. In 1991, Greater St. Stephen Missionary Baptist Church became Greater St. Stephen Full Gospel Baptist Church which preaches of the manifestation of miracles, healings, and gifts of the Holy Spirit.

With his unique leadership skills and his care for the community, Greater St. Stephen Full Gospel Baptist Church grew from 647 members to more than 20,000 members requiring 3 locations in the Greater New Orleans area. In addition to this great local accomplishment, Bishop Morton is also the senior pastor of Changing a Generation Full Gospel Church in Atlanta, GA, as well as the founding presiding bishop of the Full Gospel Baptist Church Fellowship International. The Full Gospel Baptist Church Fellowship represents thousands of church leaders and congregations around the world and focuses on cultivating positive values such as sustainability, holiness, innovation, family, and transcendence.

Bishop Paul S. Morton's dedication to his congregation is seen in the services he provides to the community. In 1997, the Greater St. Stephen ministry purchased a former naval base and converted it into affordable housing for more than 125 families in the New Orleans area. In addition to being an accomplished Gospel singer, the bishop hosts "Changing a Generation," a daily radio show and weekly TV broadcast with the goal of changing the way people view going to church. Bishop Morton also serves as president of the Paul S. Morton, Sr. Scholarship Foundation and president of the Paul S. Morton Bible College and School of Ministry.

I am honored to share the accomplished career of Bishop Paul S. Morton, and I thank him for his services to the State of Louisiana.●

#### MESSAGES FROM THE HOUSE

At 11:14 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 179. An act to designate the facility of the United States Postal Service located at 14 3rd Avenue, NW, in Chisholm, Minnesota, as the "James L. Oberstar Memorial Post Office Building".

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 208. An act to improve the disaster assistance programs of the Small Business Administration.

H.R. 387. An act to provide for certain land to be taken into trust for the benefit of Morongo Band of Mission Indians, and for other purposes.

H.R. 1023. An act to amend the Small Business Investment Act of 1958 to provide for increased limitations on leverage for multiple licenses under common control.

H.R. 2499. An act to amend the Small Business Act to increase access to capital for veteran entrepreneurs, to help create jobs, and for other purposes.

H.R. 2670. An act to amend the Small Business Act to provide for expanded participation in the microloan program, and for other purposes.

#### ENROLLED BILL SIGNED

At 12:47 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 179. An act to designate the facility of the United States Postal Service located at 14 3rd Avenue, NW, in Chisholm, Minnesota, as the "James L. Oberstar Memorial Post Office Building".

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 208. An act to improve the disaster assistance programs of the Small Business Administration; to the Committee on Small Business and Entrepreneurship.

H.R. 387. An act to provide for certain land to be taken into trust for the benefit of Morongo Band of Mission Indians, and for other purposes; to the Committee on Indian Affairs.

H.R. 2670. An act to amend the Small Business Act to provide for expanded participation in the microloan program, and for other purposes; to the Committee on Small Business and Entrepreneurship.

#### MEASURES PLACED ON THE CALENDAR

The following bills were read the first and second times by unanimous consent, and placed on the calendar:

H.R. 1023. An act to amend the Small Business Investment Act of 1958 to provide for increased limitations on leverage for multiple licenses under common control.

H.R. 2499. An act to amend the Small Business Act to increase access to capital for veteran entrepreneurs, to help create jobs, and for other purposes.

#### ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, July 14, 2015, she had presented to the President of the United States the following enrolled bills:

S. 179. An act to designate the facility of the United States Postal Service located at

14 3rd Avenue, NW, in Chisholm, Minnesota, as the "James L. Oberstar Memorial Post Office Building".

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. SHAHEEN:

S. 1754. A bill to amend title 38, United States Code, to make permanent the temporary increase in number of judges presiding over the United States Court of Appeals for Veterans Claims, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SCHATZ (for himself, Mr. HEINRICH, Mrs. FEINSTEIN, Mr. BOOKER, Mr. WHITEHOUSE, and Mr. FRANKEN):

S. 1755. A bill to amend the Internal Revenue Code of 1986 to provide for a 5-year extension of the tax credit for residential energy efficient property; to the Committee on Finance.

By Mrs. SHAHEEN (for herself and Mr. COONS):

S. 1756. A bill to help small businesses take advantage of energy efficiency; to the Committee on Small Business and Entrepreneurship.

By Mr. PORTMAN (for himself, Mr. HEINRICH, Mr. THUNE, and Mr. BENNETT):

S. 1757. A bill to amend title XVIII of the Social Security Act to promote health care technology innovation and access to medical devices and services for which patients choose to self-pay under the Medicare program, and for other purposes; to the Committee on Finance.

By Mr. COATS:

S. 1758. A bill to amend the Social Security Act to make certain revisions to provisions limiting payment of benefits to fugitive felons under titles II, VIII, and XVI of the Social Security Act; to the Committee on Finance.

By Mr. REID (for Mr. NELSON (for himself, Ms. KLOBUCHAR, and Mr. DONNELLY)):

S. 1759. A bill to prevent caller ID spoofing, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. GILLIBRAND (for herself, Mr. KIRK, and Mr. DURBIN):

S. 1760. A bill to prevent gun trafficking; to the Committee on the Judiciary.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 1761. A bill to take certain Federal land located in Lassen County, California, into trust for the benefit of the Susanville Indian Rancheria, and for other purposes; to the Committee on Indian Affairs.

By Mr. CRUZ:

S. 1762. A bill to amend the Immigration and Nationality Act to increase the penalties applicable to aliens who unlawfully reenter the United States after being removed; to the Committee on the Judiciary.

By Mr. DURBIN (for himself and Mr. PETERS):

S. 1763. A bill to require a study on the public health and environmental impacts of the production, transportation, storage, and use of petroleum coke, and for other purposes; to the Committee on Environment and Public Works.

By Mr. PAUL:

S. 1764. A bill to prohibit certain Federal funds from being made available to sanctuary cities and for other purposes; to the Committee on the Judiciary.

By Mr. BENNET (for himself, Mr. MERKLEY, and Ms. BALDWIN):

S. 1765. A bill to amend the Older Americans Act of 1965 to provide equal treatment of LGBT older individuals, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. FEINSTEIN (for herself and Mr. LANKFORD):

S. Res. 223. A resolution designating September 2015 as "National Child Awareness Month" to promote awareness of charities benefitting children and youth-serving organizations throughout the United States and recognizing the efforts made by those charities and organizations on behalf of children and youth as critical contributions to the future of the United States; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 192

At the request of Mr. ALEXANDER, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 192, a bill to reauthorize the Older Americans Act of 1965, and for other purposes.

S. 298

At the request of Mr. BENNET, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 298, a bill to amend titles XIX and XXI of the Social Security Act to provide States with the option of providing services to children with medically complex conditions under the Medicaid program and Children's Health Insurance Program through a care coordination program focused on improving health outcomes for children with medically complex conditions and lowering costs, and for other purposes.

S. 326

At the request of Mr. FLAKE, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 326, a bill to amend the Healthy Forests Restoration Act of 2003 to provide cancellation ceilings for stewardship end result contracting projects, and for other purposes.

S. 491

At the request of Ms. KLOBUCHAR, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 491, a bill to lift the trade embargo on Cuba.

S. 571

At the request of Mr. INHOFE, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S.

571, a bill to amend the Pilot's Bill of Rights to facilitate appeals and to apply to other certificates issued by the Federal Aviation Administration, to require the revision of the third class medical certification regulations issued by the Federal Aviation Administration, and for other purposes.

S. 637

At the request of Mr. CRAPO, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 637, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 667

At the request of Mr. ENZI, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 667, a bill to ensure that organizations with religious or moral convictions are allowed to continue to provide services for children.

S. 700

At the request of Mr. DURBIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 700, a bill to amend the Asbestos Information Act of 1988 to establish a public database of asbestos-containing products, to require public disclosure of information pertaining to the manufacture, processing, distribution, and use of asbestos-containing products in the United States, and for other purposes.

S. 704

At the request of Mr. GRASSLEY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 704, a bill to establish a Community-Based Institutional Special Needs Plan demonstration program to target home and community-based care to eligible Medicare beneficiaries.

S. 707

At the request of Mr. MARKEY, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 707, a bill to provide certain protections from civil liability with respect to the emergency administration of opioid overdose drugs.

S. 885

At the request of Ms. WARREN, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 885, a bill to direct the Architect of the Capitol to place in the United States Capitol a chair honoring American Prisoners of War/Missing in Action.

S. 928

At the request of Mrs. GILLIBRAND, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 928, a bill to reauthorize the World Trade Center Health Program and the September 11th Victim Compensation Fund of 2001, and for other purposes.

S. 1021

At the request of Mr. DURBIN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1021, a bill to require the Secretary of Veterans Affairs to award grants to establish, or expand upon, master's degree programs in orthotics and prosthetics, and for other purposes.

S. 1170

At the request of Mrs. FEINSTEIN, the names of the Senator from Missouri (Mr. BLUNT) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 1170, a bill to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research, and for other purposes.

S. 1212

At the request of Mr. CARDIN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1212, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 1214

At the request of Mr. MENENDEZ, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 1214, a bill to prevent human health threats posed by the consumption of equines raised in the United States.

S. 1300

At the request of Mrs. FEINSTEIN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1300, a bill to amend the section 221 of the Immigration and Nationality Act to provide relief for adoptive families from immigrant visa fees in certain situations.

S. 1392

At the request of Mr. MARKEY, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1392, a bill to require certain practitioners authorized to prescribe controlled substances to complete continuing education.

S. 1409

At the request of Mr. MARKEY, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1409, a bill to amend title XIX of the Social Security Act to require States to suspend, rather than terminate, an individual's eligibility for medical assistance under the State Medicaid plan while such individual is an inmate of a public institution.

S. 1491

At the request of Mr. BROWN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1491, a bill to provide sensible relief to community financial institutions, to protect consumers, and for other purposes.

S. 1498

At the request of Mr. WYDEN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1498, a bill to amend title 10, United States Code, to require that military working dogs be retired in the United States, and for other purposes.

S. 1512

At the request of Mr. CASEY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1512, a bill to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition.

S. 1533

At the request of Mr. BARRASSO, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 1533, a bill to authorize the Secretary of the Interior to coordinate Federal and State permitting processes related to the construction of new surface water storage projects on lands under the jurisdiction of the Secretary of the Interior and the Secretary of Agriculture and to designate the Bureau of Reclamation as the lead agency for permit processing, and for other purposes.

S. 1555

At the request of Ms. HIRONO, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1555, a bill to award a Congressional Gold Medal, collectively, to the Filipino veterans of World War II, in recognition of the dedicated service of the veterans during World War II.

S. 1617

At the request of Mrs. SHAHEEN, the names of the Senator from Kansas (Mr. MORAN), the Senator from South Carolina (Mr. GRAHAM) and the Senator from Texas (Mr. CRUZ) were added as cosponsors of S. 1617, a bill to prevent Hizballah and associated entities from gaining access to international financial and other institutions, and for other purposes.

S. 1654

At the request of Mr. REED, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1654, a bill to prevent deaths occurring from drug overdoses.

S. 1746

At the request of Mr. CARDIN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1746, a bill to require the Office of Personnel Management to provide complimentary, comprehensive identity protection coverage to all individuals whose personally identifiable information was compromised during recent data breaches at Federal agencies.

S. RES. 222

At the request of Mr. LEAHY, the names of the Senator from Rhode Is-

land (Mr. WHITEHOUSE), the Senator from Vermont (Mr. SANDERS), the Senator from California (Mrs. FEINSTEIN), the Senator from New York (Mrs. GILLIBRAND), the Senator from Hawaii (Ms. HIRONO) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. Res. 222, a resolution expressing the sense of the Senate that the Federation Internationale de Football Association should immediately eliminate gender pay inequity and treat all athletes with the same respect and dignity.

AMENDMENT NO. 2128

At the request of Mr. KAINE, the names of the Senator from Ohio (Mr. PORTMAN), the Senator from West Virginia (Mrs. CAPITO) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of amendment No. 2128 intended to be proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

AMENDMENT NO. 2135

At the request of Mrs. GILLIBRAND, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of amendment No. 2135 intended to be proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

AMENDMENT NO. 2152

At the request of Mr. CASEY, the names of the Senator from Montana (Mr. TESTER), the Senator from Rhode Island (Mr. REED), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of amendment No. 2152 intended to be proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

AMENDMENT NO. 2162

At the request of Mr. LEE, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of amendment No. 2162 proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

AMENDMENT NO. 2179

At the request of Mr. CRAPO, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of amendment No. 2179 intended to be proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

AMENDMENT NO. 2180

At the request of Mr. CRUZ, the names of the Senator from Georgia (Mr. PERDUE) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of amendment No. 2180 intended to be proposed to S. 1177, an

original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

AMENDMENT NO. 2227

At the request of Mr. CORNYN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of amendment No. 2227 intended to be proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself and Mr. PETERS):

S. 1763. A bill to require a study on the public health and environmental impacts of the production, transportation, storage, and use of petroleum coke, and for other purposes; to the Committee on Environment and Public Works.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1763

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the "Petroleum Coke Transparency and Public Health Protection Act".

### SEC. 2. FINDINGS.

Congress finds the following:

(1) In the past several years, United States crude oil refineries have grown their coking capacity to accommodate the conversion of heavy crude oils into refined petroleum products.

(2) As coking capacity has grown, the domestic production of petroleum coke is expected to grow, leading to increases in the storage, transportation, and use of the material.

(3) In Detroit, piles of petroleum coke have been stored in the open air on the banks of the Detroit River.

(4) Uncovered piles of petroleum coke have also been stored in Southeast Chicago near homes and local baseball fields.

(5) State regulators, communities, and industry stakeholders would benefit from a complete understanding of petroleum coke and the potential impact on public health and the environment related to the production, transportation, storage, and use of petroleum coke.

### SEC. 3. STUDY OF PETROLEUM COKE PUBLIC HEALTH AND ENVIRONMENTAL IMPACTS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Health and Human Services, in consultation with the Administrator of the Environmental Protection Agency, the Secretary of Transportation, and the Secretary of Energy, shall submit to Congress a report containing the results of a study concerning petroleum coke that includes the following:

(1) An analysis of the public health and environmental impacts of the production,

transportation, storage, and use of petroleum coke.

(2) An assessment of potential approaches and best practices for storing, transporting, and managing petroleum coke.

(3) A quantitative analysis of current and projected domestic petroleum coke production and utilization locations.

(b) BEST AVAILABLE SCIENCE.—The study under subsection (a) shall be carried out using the best available science, including readily available information from appropriate State agencies, nonprofit entities, academic entities, and industry.

(c) PUBLICATION OF REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary of Health and Human Services shall publish on the Internet website of the Department of Health and Human Service the report described in subsection (a).

#### SEC. 4. IMPLEMENTATION OF STANDARDS.

Not later than one year after the date of enactment of this Act, the Administrator of the Environmental Protection Agency, in consultation with the Secretary of Transportation, shall promulgate rules concerning the storage and transportation of petroleum coke that ensure the protection of public and ecological health based upon the findings of the study conducted under section 3.

### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 223—DESIGNATING SEPTEMBER 2015 AS “NATIONAL CHILD AWARENESS MONTH” TO PROMOTE AWARENESS OF CHARITIES BENEFITTING CHILDREN AND YOUTH-SERVING ORGANIZATIONS THROUGHOUT THE UNITED STATES AND RECOGNIZING THE EFFORTS MADE BY THOSE CHARITIES AND ORGANIZATIONS ON BEHALF OF CHILDREN AND YOUTH AS CRITICAL CONTRIBUTIONS TO THE FUTURE OF THE UNITED STATES

Mrs. FEINSTEIN (for herself and Mr. LANKFORD) submitted the following resolution; which was considered and agreed to:

S. RES. 223

Whereas millions of children and youth in the United States represent the hopes and future of the United States;

Whereas numerous individuals, charities benefitting children, and youth-serving organizations that work with children and youth collaborate to provide invaluable services to enrich and better the lives of children and youth throughout the United States;

Whereas raising awareness of, and increasing support for, organizations that provide access to health care, social services, education, the arts, sports, and other services will result in the development of character and the future success of the children and youth of the United States;

Whereas the month of September, as the school year begins, is a time when parents, families, teachers, school administrators, and communities increase focus on children and youth throughout the United States;

Whereas the month of September is a time for the people of the United States to highlight and be mindful of the needs of children and youth;

Whereas private corporations and businesses have joined with hundreds of national and local charitable organizations throughout the United States in support of a month-long focus on children and youth; and

Whereas designating September 2015 as “National Child Awareness Month” would recognize that a long-term commitment to children and youth is in the public interest and will encourage widespread support for charities and organizations that seek to provide a better future for the children and youth of the United States: Now, therefore, be it

*Resolved*, That the Senate designates September 2015 as “National Child Awareness Month”

(1) to promote awareness of charities benefitting children and youth-serving organizations throughout the United States; and

(2) to recognize the efforts made by the charities and organizations on behalf of children and youth as critical contributions to the future of the United States.

### AMENDMENTS SUBMITTED AND PROPOSED

SA 2229. Mr. BLUMENTHAL (for himself, Mr. MURPHY, and Ms. CANTWELL) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table.

SA 2230. Mr. MARKEY submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2231. Mr. BOOZMAN (for himself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2232. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2233. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2234. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2235. Ms. HEITKAMP submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2236. Ms. WARREN (for herself, Mr. BOOKER, Mr. DURBIN, Ms. BALDWIN, Mr. BROWN, Ms. HIRONO, Mr. MARKEY, Mr. HEINRICH, Mr. SANDERS, Mr. WYDEN, Mr. CASEY, Mr. FRANKEN, and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2237. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for

himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2238. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2239. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2240. Mr. SCHATZ (for himself, Ms. MURKOWSKI, and Mr. DAINES) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2241. Mr. MURPHY (for himself, Mr. BOOKER, Mr. COONS, Ms. WARREN, and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2242. Mr. CASEY (for himself, Mrs. MURRAY, Ms. HIRONO, Mr. DURBIN, Mr. MURPHY, Mr. HEINRICH, Ms. BALDWIN, Mr. UDALL, Mr. SCHATZ, Ms. MIKULSKI, Mr. FRANKEN, Mr. MARKEY, Mr. WHITEHOUSE, Mrs. GILLIBRAND, Mr. WYDEN, Mr. COONS, Ms. WARREN, Ms. CANTWELL, Mrs. SHAHEEN, Mr. SCHUMER, Mr. SANDERS, Mr. BOOKER, Mr. TESTER, Mr. REED, Ms. KLOBUCHAR, and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2243. Mr. COONS (for himself and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2244. Mr. CASSIDY submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2245. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2246. Mr. MCCAIN (for himself and Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2247. Mr. BURR (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2248. Mr. BURR (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2249. Ms. WARREN (for herself, Mr. GARDNER, and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2250. Mr. BENNET (for himself and Mr. CARPER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2251. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2252. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2253. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2254. Mr. KING (for himself and Mrs. CAPITO) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2255. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 2229.** Mr. BLUMENTHAL (for himself, Mr. MURPHY, and Ms. CANTWELL) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 281, between lines 9 and 10, insert the following:

“(IV) programs that supplement, not supplant, training for teachers, principals, other school leaders, or specialized instructional support personnel in practices that have demonstrated effectiveness in improving student achievement, attainment, behavior, and school climate through addressing the social and emotional development needs of students, such as through social and emotional learning programming.

On page 302, between lines 17 and 18, insert the following:

“(vi) address the social and emotional development needs of students to improve student achievement, attainment, behavior, and school climate such as through social and emotional learning programming;

**SA 2230.** Mr. MARKEY submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

#### SEC. 5011. CLIMATE CHANGE EDUCATION.

(a) **SHORT TITLE.**—This section may be cited as the “Climate Change Education Act”.

(b) **FINDINGS.**—Congress finds that—

(1) carbon pollution is accumulating in the atmosphere, causing global temperatures to rise at a rate that poses a significant threat to the economy and security of the United States, to public health and welfare, and to the global environment;

(2) climate change is already impacting the United States with sea level rise, ocean acidification, and more frequent or intense extreme weather events such as heat waves, heavy rainfalls, droughts, floods, and wildfires;

(3) the scientific evidence for human-induced climate change is overwhelming and undeniable as demonstrated by statements from the National Academy of Sciences, the National Climate Assessment, and numerous other science professional organizations in the United States;

(4) the United States has a responsibility to children and future generations of the United States to address the harmful effects of climate change;

(5) providing clear information about climate change, in a variety of forms, can encourage individuals and communities to take action;

(6) the actions of a single nation cannot solve the climate crisis, so solutions that address both mitigation and adaptation must involve developed and developing nations around the world;

(7) investing in the development of innovative clean energy and energy efficiency technologies will—

(A) enhance the global leadership and competitiveness of the United States; and

(B) create and sustain short and long term job growth;

(8) implementation of measures that promote energy efficiency, conservation, renewable energy, and low-carbon fossil energy will greatly reduce human impact on the environment; and

(9) education about climate change is important to ensure the future generation of leaders is well-informed about the challenges facing our planet in order to make decisions based on science and fact.

(c) **AMENDMENT TO ESEA.**—Title V of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7201 et seq.), as amended by section 5010, is further amended by adding at the end the following:

#### “PART J—CLIMATE CHANGE EDUCATION “SEC. 5911. CLIMATE CHANGE EDUCATION PROGRAM.

“(a) **PURPOSE.**—The purpose of this section is to—

“(1) broaden the understanding of human induced climate change, possible long and short-term consequences, and potential solutions;

“(2) provide learning opportunities in climate science education for all students through grade 12, including those of diverse cultural and linguistic backgrounds;

“(3) emphasize actionable information to help students understand how to utilize new technologies and programs related to energy conservation, clean energy, and carbon pollution reduction; and

“(4) inform the public of impacts to human health and safety as a result of climate change.

“(b) **GRANTS AUTHORIZED.**—The Secretary, in consultation with the National Oceanic and Atmospheric Administration, the Environmental Protection Agency, and the De-

partment of Energy, shall establish a competitive grant program to provide grants to States to—

“(1) develop or improve climate science curriculum and supplementary educational materials for grades kindergarten through grade 12;

“(2) initiate, develop, expand, or implement statewide plans and programs for climate change education, including relevant teacher training and professional development and multidisciplinary studies to ensure that students graduate from high school climate literate; or

“(3) create State green school building standards or policies.

“(c) **APPLICATION.**—A State desiring to receive a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

“(d) **REPORT TO CONGRESS.**—Not later than 1 year after the date of enactment of this section, and annually thereafter, the Secretary shall transmit to Congress a report that evaluates the scientific merits, educational effectiveness, and broader impacts of activities under this section.

“(e) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section such sums as may be necessary.”.

**SA 2231.** Mr. BOOZMAN (for himself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 284, strike lines 4 through 8 and insert the following:

(ix) Supporting the efforts and professional development of teachers, principals, and other school leaders to integrate academic and career and technical education content into instructional practices, which may include—

(I) integrating career and technical education with advanced coursework, such as by allowing the acquisition of postsecondary credits, recognized postsecondary credentials, and industry-based credentials, by students while in high school; or

(II) coordinating activities with employers and entities carrying out initiatives under other workforce development programs to identify State and regional workforce needs, such as through the development of State and local plans under title I of the Workforce Innovation and Opportunity Act (29 U.S.C. 3111 et seq);

On page 306, strike lines 18 through 23 and insert the following:

(U) providing high-quality professional development for teachers, principals, and other school leaders on effective strategies to integrate rigorous academic content, career and technical education, and work-based learning, if appropriate, which may include providing common planning time, to help prepare students for postsecondary education and the workforce without the need for remediation; and

**SA 2232.** Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize

the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 431, between lines 19 and 20, insert the following:

“(e) PROJECT SERV.—

“(1) ADDITIONAL USE OF FUNDS.—Funds available under subsection (a)(4) for extended services grants under the Project School Emergency Response to Violence program (referred to in this subsection as the ‘Project SERV program’) may be used by a local educational agency or institution of higher education receiving such grant to initiate or strengthen violence prevention activities, as part of the activities designed to restore the learning environment that was disrupted by the violent or traumatic crisis in response to which the grant was awarded, and as provided in this subsection.

“(2) APPLICATION PROCESS.—

“(A) IN GENERAL.—A local educational agency or institution of higher education desiring to use a portion of extended services grant funds under the Project SERV program to initiate or strengthen a violence prevention activity shall—

“(i) submit, in an application that meets all requirements of the Secretary for the Project SERV program, the information described in subparagraph (B); or

“(ii) in the case of a local educational agency or institution of higher education that has already received an extended services grant under the Project SERV program, submit an addition to the original application that includes the information described in subparagraph (B).

“(B) APPLICATION REQUIREMENTS.—The information required under this subparagraph is the following:

“(i) A demonstration that there is a continued disruption or a substantial risk of disruption to the learning environment that would be addressed by such activity.

“(ii) An explanation of the proposed activity designed to restore and preserve the learning environment.

“(iii) A budget and budget narrative for the proposed activity.

“(3) AWARD BASIS.—Any award of funds under the Project SERV program for violence prevention activities under this subsection shall be subject to the discretion of the Secretary and the availability of funds.

“(4) PROHIBITED USE.—No funds provided to a local educational agency or institution of higher education under the Project SERV program for violence prevention activities may be used for construction, renovation, or repair of a facility or for the permanent infrastructure of the local educational agency or institution.

**SA 2233.** Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 630, between lines 4 and 5, insert the following:

**SEC. 5011. WORLD LANGUAGE ADVANCEMENT GRANT PROGRAM.**

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part I, as added by section 5010, the following:

**“PART J—WORLD LANGUAGE ADVANCEMENT ACT**

**“SEC. 5910. SHORT TITLE.**

“This part may be cited as the ‘World Language Advancement Act of 2015’.

**“SEC. 5911. PROGRAM AUTHORIZED.**

“(a) PROGRAM AUTHORITY.—

“(1) IN GENERAL.—The Secretary is authorized to make grants, on a competitive basis, to State educational agencies and local educational agencies to pay the Federal share of the cost of innovative model programs providing for the establishment, improvement, or expansion of foreign language study for elementary school and secondary school students.

“(2) DURATION.—Each grant under paragraph (1) shall be awarded for a period of 3 years.

“(b) REQUIREMENTS.—In awarding a grant under subsection (a) to a State educational agency or local educational agency, the Secretary shall support programs that—

“(1) show the promise of being continued beyond the grant period;

“(2) demonstrate approaches that can be disseminated and duplicated in other States or local educational agencies; and

“(3) may include a professional development component.

“(c) FEDERAL SHARE.—

“(1) IN GENERAL.—The Federal share for each fiscal year shall be 50 percent.

“(2) WAIVER.—The Secretary may waive all or part of the matching requirement described in paragraph (1) for any fiscal year for a State educational agency or local educational agency if the Secretary determines that applying the matching requirement would result in serious hardship or an inability to carry out the activities described in this part.

“(d) SPECIAL RULE.—Not less than 75 percent of the funds made available to carry out this part shall be used for the expansion of foreign language learning in the elementary grades.

“(e) RESERVATION.—The Secretary may reserve not more than 5 percent of funds made available to carry out this part for a fiscal year to evaluate the efficacy of programs assisted under this part.

**“SEC. 5912. APPLICATIONS.**

“(a) IN GENERAL.—Any State educational agency or local educational agency desiring a grant under this part shall submit an application to the Secretary at such time, in such manner, and containing such information and assurances as the Secretary may require.

“(b) SPECIAL CONSIDERATION.—The Secretary shall give special consideration to applications describing programs that—

“(1) include intensive summer foreign language programs for professional development of foreign language teachers;

“(2) link non-native English speakers in the community with the schools in order to promote two-way language learning;

“(3) promote the sequential study of a foreign language for students, beginning in elementary schools;

“(4) make effective use of technology, such as computer-assisted instruction, language laboratories, or distance learning, to promote foreign language study; and

“(5) promote innovative activities, such as foreign language immersion, partial foreign language immersion, or content-based instruction.

**“SEC. 5913. AUTHORIZATION OF APPROPRIATIONS.**

“There are authorized to be appropriated to carry out this part such sums as may be necessary.”.

**SA 2234.** Mr. LEE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

After section 9115, insert the following:

**SEC. 9116. RULE OF CONSTRUCTION REGARDING TRAVEL TO AND FROM SCHOOL.**

Subpart 2 of part F of title IX (20 U.S.C. 7901 et seq.), as amended by sections, 9114 and 9115, and redesignated by section 9601, is further amended by adding at the end the following:

**“SEC. 9539A. RULE OF CONSTRUCTION REGARDING TRAVEL TO AND FROM SCHOOL.**

“(a) IN GENERAL.—Subject to subsection (b), nothing in this Act shall authorize the Secretary to, or shall be construed to—

“(1) prohibit a child from traveling to and from school on foot or by car, bus, or bike when the parents of the child have given permission; or

“(2) expose parents to civil or criminal charges for allowing their child to responsibly and safely travel to and from school by a means the parents believe is age appropriate.

“(b) NO PREEMPTION OF STATE OR LOCAL LAWS.—Notwithstanding subsection (a), nothing in this section shall be construed to preempt State or local laws.”.

**SA 2235.** Ms. HEITKAMP submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 669, strike lines 3 and 4, and insert the following:

“(7) activities designed to educate individuals and improve school climate and safety, such as training for school personnel related to conflict prevention and resolution practices, including—

“(A) suicide prevention;

“(B) substance abuse prevention;

“(C) effective and trauma-informed practices in classroom management;

“(D) crisis management techniques;

“(E) human trafficking (defined as an act or practice described in paragraph (9) or (10) of section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102)); and

“(F) school-based violence prevention strategies;

**SA 2236.** Ms. WARREN (for herself, Mr. BOOKER, Mr. DURBIN, Ms. BALDWIN, Mr. BROWN, Ms. HIRONO, Mr. MARKEY, Mr. HEINRICH, Mr. SANDERS, Mr. WYDEN, Mr. CASEY, Mr. FRANKEN, and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 146, line 12, strike the semicolon and insert the following: “, which method



shall identify a public high school as in need of intervention and support if the high school—

(i) has a 4-year adjusted cohort graduation rate at or below 67 percent for 2 or more consecutive years; or

(ii) has an extended-year adjusted cohort graduation rate at or below 67 percent (or a higher percentage determined by the State);

**SA 2237.** Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 840, after line 5, add the following:

**PART C—MISCELLANEOUS  
REAUTHORIZATIONS**

**SEC. 10301. EXTENSION OF SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION PROGRAM.**

(a) DEFINITION OF FULL FUNDING AMOUNT.—Section 3(11) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7102(11)) is amended—

(1) in subparagraph (B), by striking “and” at the end;

(2) in subparagraph (C)—

(A) by striking “fiscal year 2012 and each fiscal year thereafter” and inserting “each of fiscal years 2012 and 2013”; and

(B) by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(D) for fiscal year 2014 and each fiscal year thereafter, the amount that is equal to the full funding amount for fiscal year 2011.”

(b) SECURE PAYMENTS FOR STATES AND COUNTIES CONTAINING FEDERAL LAND.—

(1) AVAILABILITY OF PAYMENTS.—Section 101 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7111) is amended by striking “2013” each place it appears and inserting “2016”.

(2) ELECTIONS.—Section 102(b) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112(b)) is amended—

(A) in paragraph (1)(A), by striking “by August 1, 2013 (or as soon thereafter as the Secretary concerned determines is practicable), and August 1 of each second fiscal year thereafter” and inserting “by August 1 of each applicable fiscal year (or as soon thereafter as the Secretary concerned determines is practicable)”; and

(B) in paragraph (2)(B)—

(i) by striking “in 2013” and inserting “in 2014”; and

(ii) by striking “fiscal year 2013” and inserting “fiscal year 2016”.

(3) ELECTION AS TO USE OF BALANCE.—Section 102(d)(1) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112(d)(1)) is amended—

(A) in subparagraph (B)(ii), by striking “not more than 7 percent of the total share for the eligible county of the State payment or the county payment” and inserting “any portion of the balance”; and

(B) by striking subparagraph (C) and inserting the following:

“(C) COUNTIES WITH MAJOR DISTRIBUTIONS.—In the case of each eligible county to which \$350,000 or more is distributed for any fiscal year pursuant to paragraph (1)(B) or (2)(B) of subsection (a), the eligible county shall elect to do 1 or more of the following with the bal-

ance of any funds not expended pursuant to subparagraph (A):

“(i) Reserve any portion of the balance for projects in accordance with title II.

“(ii) Reserve not more than 7 percent of the total share for the eligible county of the State payment or the county payment for projects in accordance with title III.

“(iii) Return the portion of the balance not reserved under clauses (i) and (ii) to the Treasury of the United States.”

(4) NOTIFICATION OF ELECTION.—Section 102(d)(3)(A) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112(d)(3)(A)) is amended by striking “2012,” and inserting “2014 (or as soon thereafter as the Secretary concerned determines is practicable)”.

(5) FAILURE TO ELECT.—Section 102(d)(3)(B)(i) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112(d)(3)(B)(i)) is amended by striking “purpose described in section 202(b)” and inserting “purposes described in section 202(b), 203(c), or 204(a)(5)”.

(6) DISTRIBUTION OF PAYMENTS TO ELIGIBLE COUNTIES.—Section 103(d)(2) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7113(d)(2)) is amended by striking “2013” and inserting “2016”.

(c) CONTINUATION OF AUTHORITY TO CONDUCT SPECIAL PROJECTS ON FEDERAL LAND.—

(1) SUBMISSION OF PROJECT PROPOSALS.—Section 203(a)(1) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7123(a)(1)) is amended by striking “September 30 for fiscal year 2008 (or as soon thereafter as the Secretary concerned determines is practicable), and each September 30 thereafter for each succeeding fiscal year through fiscal year 2013” and inserting “September 30 of each applicable fiscal year (or as soon thereafter as the Secretary concerned determines is practicable)”.

(2) EVALUATION AND APPROVAL OF PROJECTS BY SECRETARY CONCERNED.—Section 204(e) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7124(e)) is amended by striking paragraph (3).

(3) RESOURCE ADVISORY COMMITTEES.—Section 205(a)(4) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7125(a)(4)) is amended by striking “2012” each place it appears and inserting “2015”.

(4) AVAILABILITY OF PROJECT FUNDS.—Section 207(a) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7127(a)) is amended by striking “September 30, 2008 (or as soon thereafter as the Secretary concerned determines is practicable), and each September 30 thereafter for each succeeding fiscal year through fiscal year 2013” and inserting “September 30 of each applicable fiscal year (or as soon thereafter as the Secretary concerned determines is practicable)”.

(5) TERMINATION OF AUTHORITY.—Section 208 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7128) is amended—

(A) in subsection (a), by striking “2013” and inserting “2016 (or as soon thereafter as the Secretary concerned determines is practicable)”; and

(B) in subsection (b), by striking “2014” and inserting “2017”.

(d) CONTINUATION OF AUTHORITY TO RESERVE AND USE COUNTY FUNDS.—Section 304 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7144) is amended—

(1) in subsection (a), by striking “2013” and inserting “2016 (or as soon thereafter as the

Secretary concerned determines is practicable)”; and

(2) in subsection (b), by striking “September 30, 2014, shall be returned to the Treasury of the United States” and inserting “September 30, 2017, may be retained by the counties for the purposes identified in section 302(a)(2)”.

(e) AUTHORIZATION OF APPROPRIATIONS.—Section 402 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7152) is amended by striking “2013” and inserting “2016”.

(f) AVAILABILITY OF FUNDS.—

(1) TITLE II FUNDS.—Any funds that were not obligated as required by section 208 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7128) (as in effect on the day before the date of enactment of this Act) shall be available for use in accordance with title II of that Act (16 U.S.C. 7121 et seq.).

(2) TITLE III FUNDS.—Any funds that were not obligated as required by section 304 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7144) (as in effect on the day before the date of enactment of this Act) shall be available for use in accordance with title III of that Act (16 U.S.C. 7141 et seq.).

**SEC. 10302. RESTORING MANDATORY FUNDING STATUS TO THE PAYMENT IN LIEU OF TAXES PROGRAM.**

Section 6906 of title 31, United States Code, is amended in the matter preceding paragraph (1), by striking “of fiscal years 2008 through 2014” and inserting “fiscal year”.

**SA 2238.** Ms. WARREN submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 128, line 7, insert “the school receives a waiver from the State educational agency and” after “if”.

**SA 2239.** Ms. WARREN submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

Beginning on page 53, strike line 6 and all that follows through line 3 on page 54 and insert the following:

“(i)(I) Annually establishes State-designed ambitious but achievable goals for all students and separately for each of the categories of students in the State. Such goals shall expect accelerated academic gains from the categories of students who are the farthest away from reaching the State-determined multi-year goals as described in subclause (II) and the graduation rate goals as described in subclause (III) and shall include, at a minimum—

“(aa) academic achievement, which may include student growth, on the State assessments under paragraph (2); and

“(bb) high school graduation rates, including—

“(AA) the 4-year adjusted cohort graduation rate; and

“(BB) at the State’s discretion, the extended-year adjusted cohort graduation rate.



“(II) Sets multi-year goals that are consistent with the challenging State academic standards under subsection (b)(1)(A) to ensure that all students graduate prepared to enter the workforce or postsecondary education without the need for postsecondary remediation.

“(III) Sets a multi-year graduation rate goal of not less than 90 percent.

**SA 2240.** Mr. SCHATZ (for himself, Ms. MURKOWSKI, and Mr. DAINES) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

**SEC. 1020. REPORT ON NATIVE AMERICAN LANGUAGE MEDIUM EDUCATION.**

(a) **PURPOSE.**—The purpose of this section is to authorize a study to evaluate all levels of education being provided primarily through the medium of Native languages and to require a report of the findings, within the context of the findings, purposes, and provisions of the Native American Languages Act (25 U.S.C. 2901), the findings, purposes, and provisions of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), and other related laws.

(b) **STUDY AND REVIEW.**—The Secretary of Education shall award grants to eligible entities to study and review Native language medium schools and programs.

(c) **ELIGIBLE ENTITY DEFINED.**—In this section, the term “eligible entity” means a consortium that—

(1) includes not less than 3 units of an institution of higher education, such as a department, center, or college, that has significant experience—

(A) and expertise in Native American or Alaska Native languages, and Native language medium education; and

(B) in outreach and collaboration with Native communities;

(2) has within its membership at least 10 years of experience—

(A) addressing a range of Native American or Alaska Native languages and indigenous language medium education issues through the lens of Native studies, linguistics, and education; and

(B) working in close association with a variety of schools and programs taught predominantly through the medium of a Native language;

(3) includes for each of American Indians, Alaska Natives, and Native Hawaiians, at least 1 unit of an institution of higher education that focuses on schools that serve such populations; and

(4) includes Native American scholars and staff who are fluent in Native American languages.

(d) **APPLICATIONS.**—An eligible entity that desires to receive a grant under this section shall submit an application to the Secretary of Education that—

(1) identifies 1 unit in the consortium that is the lead unit of the consortium for the study, reporting, and funding purposes;

(2) includes letters of verification of participation from the top internal administrators of each unit in the consortium;

(3) includes a brief description of how the consortium meets the eligibility qualifications under subsection (c);

(4) describes the work proposed to carry out the purpose of this section; and

(5) provides other information as requested by the Secretary of Education.

(e) **SCOPE OF STUDY.**—An eligible entity that receives a grant under this section shall use the grant funds to study and review Native American language medium schools and programs and evaluate the components, policies, and practices of successful Native language medium schools and programs and how the students who enroll in them do over the long term, including—

(1) the level of expertise in educational pedagogy, Native language fluency, and experience of the principal, teachers, paraprofessionals, and other educational staff;

(2) how such schools and programs are using Native languages to provide instruction in reading, language arts, mathematics, science, and, as applicable, other core academic subjects;

(3) how such school and programs' curricula incorporates the relevant Native culture of the students;

(4) how such schools and programs assess the academic proficiency of the students, including—

(A) whether the school administers assessments of language arts, mathematics, science, and other academic subjects in the Native language of instruction;

(B) whether the school administers assessments of language arts, mathematics, science, and other academic subjects in English; and

(C) how the standards measured by the assessments in the Native language of instruction and in English compare;

(5) the academic, graduation rate, and other outcomes of students who have completed the highest grade taught primarily through such schools or programs, including, when available, college attendance rates compared with demographically similar students who did not attend a school in which the language of instruction was a Native language; and

(6) other appropriate information consistent with the purpose of this section.

(f) **OTHER ENTITIES.**—An eligible entity may enter into a contract with another individual, entity, or organization to assist in carrying out research necessary to fulfill the purpose of this section.

(g) **RECOMMENDATIONS.**—Not later than 18 months after the date of enactment of this Act, an eligible entity that receives a grant under this section shall—

(1) develop a detailed statement of findings and conclusions regarding the study completed under subsection (e), including recommendations for such legislative and administrative actions as the eligible entity considers to be appropriate; and

(2) submit a report setting forth the findings and conclusions, including recommendations, described in paragraph (1) to each of the following:

(A) The Committee on Health, Education, Labor, and Pensions of the Senate.

(B) The Committee on Education and the Workforce of the House of Representatives.

(C) The Committee on Indian Affairs of the Senate.

(D) The Subcommittee on Indian, Insular, and Alaska Native Affairs of the House of Representatives.

(E) The Secretary of Education.

(F) The Secretary of the Interior.

**SA 2241.** Mr. MURPHY (for himself, Mr. BOOKER, Mr. COONS, Ms. WARREN, and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr.

ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 26, strike lines 5 through 9.

On page 27, line 11, strike “goals, or metrics” and insert “or goals”.

On page 27, strike lines 13 through 17.

Beginning on page 53, strike line 6 and all that follows through page 58, line 25, and insert the following:

“(i) Establishes measurable State-designed goals for all students and separately for each of the categories of students in the State that take into account the progress necessary for all students and each of the categories of students to graduate from high school prepared for postsecondary education or the workforce without the need for postsecondary remediation, which shall be based on a composite of the following indicators:

“(I) Academic achievement, which may include student growth, on the State assessments under paragraph (2).

“(II) High school graduation rates, including—

“(aa) the 4-year adjusted cohort graduation rate; and

“(bb) at the State's discretion, the extended-year adjusted cohort graduation rate.

“(III) For public elementary schools and secondary schools that are not high schools, an academic indicator of student performance that is valid and reliable and the same statewide for all public elementary school students and all students at such secondary schools and each category of students and which is consistent with progress toward readiness for postsecondary education or the workforce without the need for postsecondary remediation, which may include—

“(aa) measures of early literacy skills;

“(bb) performance measures aligned to the State's challenging academic standards;

“(cc) student project-based assessments or student portfolios that meet assessment requirements under clauses (i) through (v), (vii), (viii), and (x) through (xiii) of paragraph (2)(B); or

“(dd) on-track rates to postsecondary education or the workforce without the need for postsecondary remediation.

“(IV) English language proficiency of all English learners towards meeting the goals described in subsection (c)(1)(K) in all public schools and local educational agencies, which may include measures of student growth.

“(V) Not less than one other valid and reliable indicator of student readiness to enter postsecondary education or the workforce without the need for remediation, that will be applied to all local educational agencies and all public schools consistently throughout the State for all students and for each of the categories of students, which may include measures of—

“(aa) successful completion of Advanced Placement, International Baccalaureate, dual or concurrent enrollment, or early college high school courses;

“(bb) student project-based assessments or student portfolios that meet assessment requirements under clauses (i) through (v), (vii), (viii), and (x) through (xiii) of paragraph (2)(B);

“(cc) student attainment of industry-recognized credentials for career and technical education; or

“(dd) performance measures aligned to the State's challenging academic standards.

“(VI) Not less than one other valid and reliable indicator of school quality, student success, or student supports, as determined appropriate by the State, that will be applied to all local educational agencies and public schools consistently throughout the State for all students and for each of the categories of students, which may include measures of—

“(aa) student engagement, such as attendance rates and chronic absenteeism;

“(bb) educator engagement, such as educator satisfaction (including working conditions within the school), teacher quality and effectiveness, and teacher absenteeism;

“(cc) results from student, parent, and educator surveys;

“(dd) school climate and safety, such as incidents of school violence, bullying, and harassment, and disciplinary rates, including rates of suspension, expulsion, referrals to law enforcement, school-based arrests, disciplinary transfers (including placements in alternative schools), and student detentions;

“(ee) student access to or success in advanced coursework or educational programs or opportunities; and

“(ff) any other State-determined measure of school quality or student success.

“(VII) In carrying out this clause and in developing the composite goals for all students and for each category of students, the indicators described in subclauses (I), (II), (III), and (IV) shall weigh more heavily than the indicators described in subclauses (V) and (VI) combined.

“(ii) Establishes a system of annually identifying and meaningfully differentiating among all public schools in the State, which shall—

“(I) be based on the goals described in clause (i) for all students and separately for each of the categories of students; and

“(II) differentiate schools where any category of students miss the goals described in clause (i) for 2 consecutive years.

“(iii) For public schools receiving assistance under this part, meets the requirements of section 1114.

“(iv) Provides a clear and understandable explanation of the method of identifying and meaningfully differentiating schools under clause (ii).

“(v) Measures the annual progress of not less than 95 percent of all students, and students in each of the categories of students, who are enrolled in the school and are required to take the assessments under paragraph (2) and provides a clear and understandable explanation of how the State will factor this requirement into the State-designed accountability system determinations.

On page 61, line 13, strike “(3)(B)(ii)(II)(aa)” and insert “(3)(B)(i)(III)”.

On page 61, line 14, strike “paragraph (3)(B)(ii)(IV)” and insert “subclause (V) or (VI) of paragraph (3)(B)(i)”.

On page 61, lines 18 and 19, strike “subclauses (III) and (IV) of paragraph (3)(B)(ii)” and insert “subclauses (IV), (V), and (VI) of paragraph (3)(B)(i)”.

Beginning on page 61, strike line 22 and all that follows through page 62, line 4.

Beginning on page 62, strike line 23 and all that follows through page 63, line 25 and insert the following:

“(i) the minimum number of students that the State determines are necessary to be included in each such category of students to carry out such requirements and how that number is statistically sound and is the same for each category of students;

“(ii) how such minimum number of students was determined by the State, including

how the State collaborated with teachers, principals, other school leaders, parents, and other stakeholders when setting the minimum number; and

“(iii) how the State ensures that such minimum number does not reveal personally identifiable information about students;

“(B) the State educational agency’s system to monitor and evaluate the intervention and support strategies implemented by local educational agencies in schools identified as in need of intervention and support under section 1114(a)(1)(A), and, if such strategies are not effective within 3 years of implementation, the steps the State will take to further assist local educational agencies;

Beginning on page 146, strike line 3 and all that follows through page 156, line 2, and insert the following:

“(a) STATE REVIEW AND RESPONSIBILITIES.—

“(1) IN GENERAL.—Each State educational agency receiving funds under this part shall use the system designed by the State under section 1111(b)(3) to annually—

“(A) meaningfully differentiate among all public schools, including public schools operated or supported by the Bureau of Indian Education, that receive funds under this part and are in need of intervention and support using the method established by the State in section 1111(b)(3)(B)(ii) which—

“(i) may include establishing multiple levels of school performance or other methods for differentiating among all public schools; and

“(ii) shall include the identification of at least—

“(I) the lowest-performing public schools that receive funds under this part in the State not meeting the goals described in section 1111(b)(3)(B)(i), and which shall include at least 5 percent of all the State’s public schools that receive funds under this part;

“(II) any public high school that receives funds under this part and has a 4-year adjusted cohort graduation rate at or below 67 percent for 2 or more consecutive years, or an extended-year adjusted cohort graduation rate for 2 or more consecutive years that is at or below a rate determined by the State and set higher than 67 percent; and

“(III) any public school that receives funds under this part with any category of students, as defined in section 1111(b)(3)(A), not meeting the goals described in section 1111(b)(3)(B)(i) for 2 consecutive years;

“(B) require for inclusion—

“(i) on each local educational agency report card required under section 1111(d), the names of schools served by the agency described under subparagraph (A)(ii); and

“(ii) on each school report card required under section 1111(d), whether the school was described under subparagraph (A)(ii);

“(C) ensure that all public schools that receive funds under this part and are identified as in need of intervention and support under subparagraph (A), implement an evidence-based intervention or support strategy designed by the State or local educational agency described in subparagraph (A) or (B) of subsection (b)(3) that addresses the reason for the school’s identification and that takes into account performance on all of the indicators in the State’s accountability system under section 1111(b)(3)(B)(i);

“(D) prioritize intervention and supports in the identified schools most in need of intervention and support, as determined by the State, using the results of the accountability system under 1111(b)(3)(B); and

“(E) monitor and evaluate the implementation of school intervention and support strategies by local educational agencies, in-

cluding in the lowest-performing elementary schools and secondary schools in the State, and use the results of the evaluation to take appropriate steps to change or improve interventions or support strategies as necessary.

“(2) STATE EDUCATIONAL AGENCY RESPONSIBILITIES.—The State educational agency shall—

“(A) make technical assistance available to local educational agencies that serve schools identified as in need of intervention and support under paragraph (1)(A);

“(B) if the State educational agency determines that a local educational agency failed to carry out its responsibilities under this section, or that its intervention and support strategies were not effective within 3 years of implementation, take such actions as the State educational agency determines to be appropriate and in compliance with State law to assist the local educational agency and ensure that such local educational agency is carrying out its responsibilities;

“(C) inform local educational agencies of schools identified as in need of intervention and support under paragraph (1)(A) in a timely and easily accessible manner that is before the beginning of the school year; and

“(D) publicize and disseminate to the public, including teachers, principals and other school leaders, and parents, the results of the State review under paragraph (1).

“(b) LOCAL EDUCATIONAL AGENCY REVIEW AND RESPONSIBILITIES.—

“(1) IN GENERAL.—Each local educational agency with a school identified as in need of intervention and support under subsection (a)(1)(A) shall, in consultation with teachers, principals and other school leaders, school personnel, parents, and community members—

“(A) conduct a review of such school, including by examining the indicators and measures included in the State-determined accountability system described in section 1111(b)(3)(B) to determine the factors that led to such identification;

“(B) conduct a review of the policies, procedures, personnel decisions, and budgetary decisions of the local educational agency, including the measures on the local educational agency and school report cards under section 1111(d) that impact the school and could have contributed to the identification of the school;

“(C) develop and implement appropriate intervention and support strategies, as described in paragraph (3), that are proportional to the identified needs of the school, for assisting the identified school;

“(D) develop a rigorous comprehensive plan that will be publicly available and provided to parents, for ensuring the successful implementation of the intervention and support strategies described in paragraph (3) in identified schools, which may include—

“(i) technical assistance that will be provided to the school;

“(ii) ensuring identified schools have access to resources, such as adequate facilities, funding, and technology;

“(iii) improved delivery of services to be provided by the local educational agency;

“(iv) increased support for stronger curriculum, program of instruction, wraparound services, or other resources provided to students in the school;

“(v) any changes to personnel necessary to improve educational opportunities for children in the school;

“(vi) redesigning how time for student learning or teacher collaboration is used within the school;

“(vii) using data to inform instruction for continuous improvement;

“(viii) providing increased coaching or support for principals and other school leaders and teachers;

“(ix) improving school climate and safety;

“(x) providing ongoing mechanisms, such as evidence-based community schools and wraparound services, for family and community engagement to improve student learning;

“(xi) establishing partnerships with entities, including private entities with a demonstrated record of improving student achievement, that will assist the local educational agency in fulfilling its responsibilities under this section; and

“(xii) an ongoing process, involving parents, teachers and their representatives, principals, and other school leaders, to improve school leader and staff engagement in the development and implementation of the comprehensive plan; and

“(E) collect and use data on an ongoing basis to monitor the results of the intervention and support strategies and adjust such strategies as necessary during implementation in order to improve student academic achievement.

“(2) NOTICE TO PARENTS.—A local educational agency shall promptly provide to a parent or parents of each student enrolled in a school identified as in need of intervention and support under subsection (a)(1)(A) in an easily accessible and understandable form and, to the extent practicable, in a language that parents can understand—

“(A) an explanation of what the identification means, and how the school compares in terms of academic achievement and other measures in the State accountability system under section 1111(b)(3)(B) to other schools served by the local educational agency and the State educational agency involved;

“(B) the reasons for the identification;

“(C) an explanation of what the local educational agency or State educational agency is doing to help the school address student academic achievement and other measures, including a description of the intervention and support strategies developed under paragraph (1)(C) that will be implemented in the school;

“(D) an explanation of how the parents can become involved in addressing academic achievement and other measures that caused the school to be identified; and

“(E) an explanation of the parents’ option to transfer their child to another public school under paragraph (4), if applicable.

“(3) SCHOOL INTERVENTION AND SUPPORT STRATEGIES.—

“(A) IN GENERAL.—Consistent with subsection (a)(1) and paragraph (1), a local educational agency shall develop and implement evidence-based intervention and support strategies for an identified school that the local educational agency determines appropriate to address the needs of students in such identified school, which shall—

“(i) be designed to address the specific reasons for identification, as described in paragraph (1)(A);

“(ii) take into account performance on the indicators used by the State as described in 1111(b)(3)(B)(i);

“(iii) be implemented, at a minimum, in a manner that is proportional to the specific reasons for identification, as described in subparagraphs (A) and (B) of paragraph (1); and

“(iv) distinguish between the schools identified in subclauses (I) and (II) of subsection (a)(1)(A)(ii) and in need of comprehensive

supports and schools identified in subsection (a)(1)(A)(ii)(III) in need of targeted supports.

“(B) STATE-DETERMINED STRATEGIES.—Consistent with State law, a State educational agency may establish alternative evidence-based State-determined strategies that can be used by local educational agencies to assist a school identified as in need of intervention and support under subsection (a)(1)(A), in addition to the assistance strategies developed by a local educational agency under subparagraph (A).

“(4) PUBLIC SCHOOL CHOICE.—

“(A) IN GENERAL.—A local educational agency may provide all students enrolled in a school identified as in need of intervention and support under subclauses (I) and (II) of subsection (a)(1)(A)(ii) with the option to transfer to another public school served by the local educational agency, unless such an option is prohibited by State law.

“(B) PRIORITY.—In providing students the option to transfer to another public school, the local educational agency shall give priority to the lowest achieving children from low-income families, as determined by the local educational agency for the purposes of allocating funds to schools under section 1113(a)(3).

“(C) TREATMENT.—Students who use the option to transfer to another public school shall be enrolled in classes and other activities in the public school to which the students transfer in the same manner as all other children at the public school.

“(D) SPECIAL RULE.—A local educational agency shall permit a child who transfers to another public school under this paragraph to remain in that school until the child has completed the highest grade in that school.

“(E) FUNDING FOR TRANSPORTATION.—A local educational agency may spend an amount equal to not more than 5 percent of its allocation under subpart 2 to pay for the provision of transportation for students who transfer under this paragraph to the public schools to which the students transfer.

On page 156, strike lines 13 through 15.

**SA 2242.** Mr. CASEY (for himself, Mrs. MURRAY, Ms. HIRONO, Mr. DURBIN, Mr. MURPHY, Mr. HEINRICH, Ms. BALDWIN, Mr. UDALL, Mr. SCHATZ, Ms. MIKULSKI, Mr. FRANKEN, Mr. MARKEY, Mr. WHITEHOUSE, Mrs. GILLIBRAND, Mr. WYDEN, Mr. COONS, Ms. WARREN, Ms. CANTWELL, Mrs. SHAHEEN, Mr. SCHUMER, Mr. SANDERS, Mr. BOOKER, Mr. TESTER, Mr. REED, Ms. KLOBUCHAR, and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

## **PART C—UNIVERSAL PREKINDERGARTEN**

### **Subpart A—Prekindergarten Access**

#### **SEC. 10300. SHORT TITLE.**

This part may be cited as the “Strong Start for America’s Children Act of 2015”.

#### **SEC. 10301. PURPOSES.**

The purposes of this subpart are to—

(1) establish a Federal-State partnership to provide access to high-quality public pre-kindergarten programs for all children from low-income and moderate-income families to ensure that they enter kindergarten prepared for success;

(2) broaden participation in such programs to include children from additional middle-class families;

(3) promote access to high-quality kindergarten, and high-quality early childhood education programs and settings for children; and

(4) increase access to appropriate supports so children with disabilities and other children who need specialized supports can fully participate in high-quality early education programs.

#### **SEC. 10302. DEFINITIONS.**

In this subpart:

(1) **CHILD WITH A DISABILITY.**—The term “child with a disability” means—

(A) a child with a disability, as defined in section 602 of the Individuals with Disabilities Education Act (20 U.S.C. 1401); or

(B) an infant or toddler with a disability, as defined in section 632 of the Individuals with Disabilities Education Act (20 U.S.C. 1432).

(2) **COMPREHENSIVE EARLY LEARNING ASSESSMENT SYSTEM.**—The term “comprehensive early learning assessment system”—

(A) means a coordinated and comprehensive system of multiple assessments, each of which is valid and reliable for its specified purpose and for the population with which it will be used, that—

(i) organizes information about the process and context of young children’s learning and development to help early childhood educators make informed instructional and programmatic decisions; and

(ii) conforms to the recommendations of the National Research Council reports on early childhood; and

(B) includes, at a minimum—

(i) child screening measures to identify children who may need follow-up services to address developmental, learning, or health needs in, at a minimum, areas of physical health, behavioral health, oral health, child development, vision, and hearing;

(ii) child formative assessments;

(iii) measures of environmental quality; and

(iv) measures of the quality of adult-child interactions.

(3) **DUAL LANGUAGE LEARNER.**—The term “dual language learner” means an individual who is limited English proficient.

(4) **EARLY CHILDHOOD EDUCATION PROGRAM.**—The term “early childhood education program” has the meaning given the term under section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

(5) **ELEMENTARY SCHOOL.**—The term “elementary school” has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(6) **ELIGIBILITY DETERMINATION DATE.**—The term “eligibility determination date” means the date used to determine eligibility for public elementary school in the community in which the eligible local entity involved is located.

(7) **ELIGIBLE LOCAL ENTITY.**—The term “eligible local entity” means—

(A) a local educational agency, including a charter school or a charter management organization that acts as a local educational agency, or an educational service agency in partnership with a local educational agency;

(B) an entity (including a Head Start program or licensed child care setting) that carries out, administers, or supports an early childhood education program; or

(C) a consortium of entities described in subparagraph (A) or (B).

(8) **FULL-DAY.**—The term “full-day” means a day that is—

- (A) equivalent to a full school day at the public elementary schools in a State; and
- (B) not less than 5 hours a day.

(9) **GOVERNOR.**—The term “Governor” means the chief executive officer of a State.

(10) **HIGH-QUALITY PREKINDERGARTEN PROGRAM.**—The term “high-quality prekindergarten program” means a prekindergarten program supported by an eligible local entity that includes, at a minimum, the following elements based on nationally recognized standards:

- (A) Serves children who—
  - (i) are age 4 or children who are age 3 or 4, by the eligibility determination date (including children who turn age 5 while attending the program); or
  - (ii) have attained the legal age for State-funded prekindergarten.

(B) Requires high qualifications for staff, including that teachers meet the requirements of 1 of the following clauses:

- (i) The teacher has a bachelor’s degree in early childhood education or a related field with coursework that demonstrates competence in early childhood education.

(ii) The teacher—

- (I) has a bachelor’s degree in any field;
- (II) has demonstrated knowledge of early childhood education by passing a State-approved assessment in early childhood education;

(III) while employed as a teacher in the prekindergarten program, is engaged in ongoing professional development in early childhood education for not less than 2 years; and

(IV) not more than 4 years after starting employment as a teacher in the prekindergarten program, enrolls in and completes a State-approved educator preparation program in which the teacher receives training and support in early childhood education.

(iii) The teacher has bachelor’s degree with a credential, license, or endorsement that demonstrates competence in early childhood education.

(C) Maintains an evidence-based maximum class size.

(D) Maintains an evidence-based child to instructional staff ratio.

(E) Offers a full-day program.

(F) Provides developmentally appropriate learning environments and evidence-based curricula that are aligned with the State’s early learning and development standards described in section 10305(1).

(G) Offers instructional staff salaries comparable to kindergarten through grade 12 teaching staff.

(H) Provides for ongoing monitoring and program evaluation to ensure continuous improvement.

(I) Offers accessible comprehensive services for children that include, at a minimum—

- (i) screenings for vision, hearing, dental, health (including mental health), and development (including early literacy and math skill development) and referrals, and assistance obtaining services, when appropriate;

(ii) family engagement opportunities that take into account home language, such as parent conferences (including parent input about their child’s development) and support services, such as parent education, home visiting, and family literacy services;

(iii) nutrition services, including nutritious meals and snack options aligned with requirements set by the most recent Child and Adult Care Food Program guidelines promulgated by the Department of Agriculture as well as regular, age-appropriate,

nutrition education for children and their families;

(iv) programs in coordination with local educational agencies and entities providing services and supports authorized under part B and part C of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.; 1431 et seq.) to ensure the full participation of children with disabilities;

(v) physical activity programs aligned with evidence-based guidelines, such as those recommended by the Institute of Medicine, and which take into account and accommodate children with disabilities;

(vi) additional support services, as appropriate, based on the findings of the community assessment, as described in section 10311(b)(4); and

(vii) on-site coordination, to the maximum extent practicable.

(J) Provides high-quality professional development for all staff, including regular in-classroom observation for teachers and teacher assistants by individuals trained in such observation and which may include evidence-based coaching.

(K) Meets the education performance standards in effect under section 641A(a)(1)(B) of the Head Start Act (42 U.S.C. 9836a(a)(1)(B)).

(L) Maintains evidence-based health and safety standards.

(M) Maintains disciplinary policies that do not include expulsion or suspension of participating children, except as a last resort in extraordinary circumstances where—

(i) there is a determination of a serious safety threat; and

(ii) policies are in place to provide appropriate alternative early educational services to expelled or suspended children while they are out of school.

(11) **HOMELESS CHILD.**—The term “homeless child” means a child or youth described in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)).

(12) **INDIAN TRIBE; TRIBAL ORGANIZATION.**—The terms “Indian tribe” and “tribal organization” have the meanings given the terms in 658P of the Child Care and Development Block Grant of 1990 (42 U.S.C. 9858n).

(13) **INSTITUTION OF HIGHER EDUCATION.**—The term “institution of higher education” has the meaning given the term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).

(14) **LIMITED ENGLISH PROFICIENT.**—The term “limited English proficient” has the meaning given the term in section 637 of the Head Start Act (42 U.S.C. 9832).

(15) **LOCAL EDUCATIONAL AGENCY; STATE EDUCATIONAL AGENCY; EDUCATIONAL SERVICE AGENCY.**—The terms “local educational agency”, “State educational agency”, and “educational service agency” have the meanings given the terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(16) **MIGRATORY CHILD.**—The term “migratory child” has the meaning given the term in section 1309 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6399).

(17) **OUTLYING AREA.**—The term “outlying area” means each of the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the Republic of Palau, the Federated States of Micronesia, and the Republic of the Marshall Islands.

(18) **POVERTY LINE.**—The term “poverty line” means the official poverty line (as defined by the Office of Management and Budget)—

(A) adjusted to reflect the percentage change in the Consumer Price Index for All

Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor for the most recent 12-month period or other interval for which the data are available; and

(B) applicable to a family of the size involved.

(19) **SECONDARY SCHOOL.**—The term “secondary school” has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(20) **SECRETARY.**—The term “Secretary” means the Secretary of Education.

(21) **STATE.**—Except as otherwise provided in this subpart, the term “State” means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and each of the outlying areas.

(22) **STATE ADVISORY COUNCIL ON EARLY CHILDHOOD EDUCATION AND CARE.**—The term “State Advisory Council on Early Childhood Education and Care” means the State Advisory Council on Early Childhood Education and Care established under section 642B(b) of the Head Start Act (42 U.S.C. 9837b(b)).

#### **SEC. 10303. PROGRAM AUTHORIZATION.**

From amounts made available to carry out this subpart, the Secretary, in consultation with the Secretary of Health and Human Services, shall award grants to States to implement high-quality prekindergarten programs, consistent with the purposes of this subpart described in section 10301. For each fiscal year, the funds provided under a grant to a State shall equal the allotment determined for the State under section 10304.

#### **SEC. 10304. ALLOTMENTS AND RESERVATIONS OF FUNDS.**

(a) **RESERVATION.**—From the amount made available each fiscal year to carry out this subpart, the Secretary shall—

(1) reserve not less than 1 percent and not more than 2 percent for payments to Indian tribes and tribal organizations;

(2) reserve one-half of 1 percent for the outlying areas to be distributed among the outlying areas on the basis of their relative need, as determined by the Secretary in accordance with the purposes of this subpart;

(3) reserve one-half of 1 percent for eligible local entities that serve children in families who are engaged in migrant or seasonal agricultural labor; and

(4) reserve not more than 1 percent or \$30,000,000, whichever amount is less, for national activities, including administration, technical assistance, and evaluation.

(b) **ALLOTMENTS.**—

(1) **IN GENERAL.**—From the amount made available each fiscal year to carry out this subpart and not reserved under subsection (a), the Secretary shall make allotments to States in accordance with paragraph (2) that have submitted an approved application.

(2) **ALLOTMENT AMOUNT.**—

(A) **IN GENERAL.**—Subject to subparagraph (B), the Secretary shall allot the amount made available under paragraph (1) for a fiscal year among the States in proportion to the number of children who are age 4 who reside within the State and are from families with incomes at or below 200 percent of the poverty line for the most recent year for which satisfactory data are available, compared to the number of such children who reside in all such States for that fiscal year.

(B) **MINIMUM ALLOTMENT AMOUNT.**—No State receiving an allotment under subparagraph (A) may receive less than one-half of 1 percent of the total amount allotted under such subparagraph.

(3) **REALLOTMENT AND CARRY OVER.**—

(A) **IN GENERAL.**—If one or more States do not receive an allotment under this subsection for any fiscal year, the Secretary

may use the amount of the allotment for that State or States, in such amounts as the Secretary determines appropriate, for either or both of the following:

(i) To increase the allotments of States with approved applications for the fiscal year, consistent with subparagraph (B).

(ii) To carry over the funds to the next fiscal year.

(B) **REALLOTMENT.**—In increasing allotments under subparagraph (A)(i), the Secretary shall allot to each State with an approved application an amount that bears the same relationship to the total amount to be allotted under subparagraph (A)(i), as the amount the State received under paragraph (2) for that fiscal year bears to the amount that all States received under paragraph (2) for that fiscal year.

(4) **STATE.**—For purposes of this subsection, the term “State” means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

(c) **FLEXIBILITY.**—The Secretary may make minimal adjustments to allotments under subsection (b), which shall neither lead to a significant increase or decrease in a State's allotment determined under subsection (b), based on a set of factors, such as the level of program participation and the estimated cost of the activities specified in the State plan under section 10306(2).

#### **SEC. 10305. STATE ELIGIBILITY CRITERIA.**

A State is eligible to receive a grant under this subpart if the State demonstrates to the Secretary that the State—

(1) has established or will establish early learning and development standards that—

(A) describe what children from birth to kindergarten entry should know and be able to do;

(B) are universally designed and developmentally, culturally, and linguistically appropriate;

(C) are aligned with the State's challenging academic content standards and challenging student academic achievement standards, as adopted under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(1)); and

(D) cover all of the essential domains of school readiness, which address—

(i) physical well-being and motor development;

(ii) social and emotional development;

(iii) approaches to learning, including creative arts expression;

(iv) developmentally appropriate oral and written language and literacy development; and

(v) cognition and general knowledge, including early mathematics and early scientific development;

(2) has the ability or will develop the ability to link prekindergarten data with State elementary school and secondary school data for the purpose of collecting longitudinal information for all children participating in the State's high-quality prekindergarten program and any other federally funded early childhood program that will remain with the child through the child's public education through grade 12;

(3) offers State-funded kindergarten for children who are eligible children for that service in the State; and

(4) has established a State Advisory Council on Early Childhood Education and Care.

#### **SEC. 10306. STATE APPLICATIONS.**

To receive a grant under this subpart, the Governor of a State, in consultation with the Indian tribes and tribal organizations in the State, if any, shall submit an application to the Secretary at such time, in such manner,

and containing such information as the Secretary may reasonably require. At a minimum, each such application shall include—

(1) an assurance that the State—

(A) will coordinate with and continue to participate in the programs authorized under section 619 and part C of the Individuals with Disabilities Education Act (20 U.S.C. 1419; 1431 et seq.), the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), and the maternal, infant, and early childhood home visiting programs funded under section 511 of the Social Security Act (42 U.S.C. 711) for the duration of the grant;

(B) will designate a State-level entity (such as an agency or joint interagency office), selected by the Governor, for the administration of the grant, which shall coordinate and consult with the State educational agency if the entity is not the State educational agency; and

(C) will establish, or certify the existence of, program standards for all State prekindergarten programs consistent with the definition of a high-quality prekindergarten program under section 10302;

(2) a description of the State's plan to—

(A) use funds received under this subpart and the State's matching funds to provide high-quality prekindergarten programs, in accordance with section 10307(d), with open enrollment for all children in the State who—

(i) are described in section 10302(10)(A); and

(ii) are from families with incomes at or below 200 percent of the poverty line;

(B) develop or enhance a system for monitoring eligible local entities that are receiving funds under this subpart for compliance with quality standards developed by the State and to provide program improvement support, which may be accomplished through the use of a State-developed system for quality rating and improvement;

(C) if applicable, expand participation in the State's high-quality prekindergarten programs to children from families with incomes above 200 percent of the poverty line;

(D) carry out the State's comprehensive early learning assessment system, or how the State plans to develop such a system, ensuring that any assessments are culturally, developmentally, and age-appropriate and consistent with the recommendations from the study on Developmental Outcomes and Assessments for Young Children by the National Academy of Sciences, consistent with section 649(j) of the Head Start Act (42 U.S.C. 9844);

(E) develop, implement, and make publicly available the performance measures and targets described in section 10309;

(F) increase the number of teachers with bachelor's degrees in early childhood education, or with bachelor's degrees in another closely related field and specialized training and demonstrated competency in early childhood education, including how institutions of higher education will support increasing the number of teachers with such degrees and training, including through the use of assessments of prior learning, knowledge, and skills to facilitate and expedite attainment of such degrees;

(G) coordinate and integrate the activities funded under this subpart with Federal, State, and local services and programs that support early childhood education and care, including programs supported under this subpart, the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), the Head Start Act (42 U.S.C. 9831 et seq.), the Community Services

Block Grant Act (42 U.S.C. 9901 et seq.), the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), the temporary assistance for needy families program under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), the Race to the Top program under section 14006 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5), federally funded early literacy programs, the maternal, infant, and early childhood home visiting programs funded under section 511 of the Social Security Act (42 U.S.C. 711), health improvements to child care funded under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), the program under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.), the innovation fund program under section 14007 of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5), programs authorized under part E of title IV of the Social Security Act (42 U.S.C. 670 et seq.), the Fostering Connections to Success and Increasing Adoptions Act of 2008 (Public Law 110-351), grants for infant and toddler care through Early Head Start-Child Care Partnerships funded under the heading “CHILDREN AND FAMILIES SERVICES PROGRAMS” under the heading ADMINISTRATION FOR CHILDREN AND FAMILIES in title II of division H of the Department of Health and Human Services Appropriations Act, 2014 (Public Law 113-76; 128 Stat. 377-378), the preschool development grants program funded under the heading “INNOVATION AND IMPROVEMENT” in title III of division G of the Department of Education Appropriations Act, 2015 (Public Law 113-235; 128 Stat. 2496), and any other Federal, State, or local early childhood education programs used in the State;

(H) award subgrants to eligible local entities, and in awarding such subgrants, facilitate a delivery system of high-quality prekindergarten programs that includes diverse providers, such as providers in community-based, public school, and private settings, and consider the system's impact on options for families;

(I) in the case of a State that does not have a State-determined funding mechanism for prekindergarten, use objective criteria in awarding subgrants to eligible local entities that will implement high-quality prekindergarten programs, including actions the State will take to ensure that eligible local entities will coordinate with local educational agencies or other early learning providers, as appropriate, to carry out activities to provide children served under this subpart with a successful transition from preschool into kindergarten, which activities shall include—

(i) aligning curricular objectives and instruction;

(ii) providing staff professional development, including opportunities for joint-professional development on early learning and kindergarten through grade 3 standards, assessments, and curricula;

(iii) coordinating family engagement and support services; and

(iv) encouraging the shared use of facilities and transportation, as appropriate;

(J) use the State early learning and development standards described in section 10305(1) to address the needs of dual language learners, including by incorporating benchmarks related to English language development;

(K) identify barriers, and propose solutions to overcome such barriers, which may include seeking assistance under section 10316, in the State to effectively use and integrate

Federal, State, and local public funds and private funds for early childhood education that are available to the State on the date on which the application is submitted;

(L) support articulation agreements (as defined in section 486A of the Higher Education Act of 1965 (20 U.S.C. 1093a)) between public 2-year and public 4-year institutions of higher education and other credit-bearing professional development in the State for early childhood teacher preparation programs and closely related fields;

(M) ensure that the higher education programs in the State have the capacity to prepare a workforce to provide high-quality prekindergarten programs;

(N) support workforce development, including State and local policies that support prekindergarten instructional staff's ability to earn a degree, certification, or other specializations or qualifications, including policies on leave, substitutes, and child care services, including non-traditional hour child care;

(O) hold eligible local entities accountable for use of funds;

(P) ensure that the State's early learning and development standards are integrated into the instructional and programmatic practices of high-quality prekindergarten programs and related programs and services, such as those provided to children under section 619 and part C of the Individuals with Disabilities Education Act (20 U.S.C. 1419 and 1431 et seq.);

(Q) increase the number of children in the State who are enrolled in high-quality kindergarten programs and carry out a strategy to implement such a plan;

(R) coordinate the State's activities supported by grants under this subpart with activities in State plans required under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), the Head Start Act (42 U.S.C. 9831 et seq.), the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), and the Adult Education and Family Literacy Act (29 U.S.C. 3271 et seq.);

(S) encourage eligible local entities to coordinate with community-based learning resources, such as libraries, arts and arts education programs, appropriate media programs, family literacy programs, public parks and recreation programs, museums, nutrition education programs, and programs supported by the Corporation for National and Community Service;

(T) work with eligible local entities, in consultation with elementary school principals, to ensure that high-quality prekindergarten programs have sufficient and appropriate facilities to meet the needs of children eligible for prekindergarten;

(U) support local early childhood coordinating entities, such as local early childhood councils, if applicable, and help such entities to coordinate early childhood education programs with high-quality prekindergarten programs to ensure effective and efficient delivery of early childhood education program services;

(V) support shared services administering entities, if applicable;

(W) ensure that the provision of high-quality prekindergarten programs will not lead to a diminution in the quality or supply of services for infants and toddlers or disrupt the care of infants and toddlers in the geographic area served by the eligible local entity, which may include demonstrating that the State will direct funds to provide high-quality early childhood education and care

to infants and toddlers in accordance with section 10307(d); and

(X) encourage or promote socioeconomic, racial, and ethnic diversity in the classrooms of high-quality prekindergarten programs, as applicable; and

(3) an inventory of the State's higher education programs that prepare individuals for work in a high-quality prekindergarten program, including—

(A) certification programs;

(B) associate degree programs;

(C) baccalaureate degree programs;

(D) masters degree programs; and

(E) other programs that lead to a specialization in early childhood education, or a related field.

#### SEC. 10307. STATE USE OF FUNDS.

(a) RESERVATION FOR QUALITY IMPROVEMENT ACTIVITIES.—

(1) IN GENERAL.—A State that receives a grant under this subpart may reserve, for not more than the first 4 years such State receives such a grant, not more than 20 percent of the grant funds for quality improvement activities that support the elements of high-quality prekindergarten programs. Such quality improvement activities may include supporting teachers, center directors, and principals in a State's high-quality prekindergarten program, licensed or regulated child care, or Head Start programs to enable such teachers, principals, or directors to earn a baccalaureate degree in early childhood education, or a closely related field, through activities which may include—

(A) expanding or establishing scholarships, counseling, and compensation initiatives to cover the cost of tuition, fees, materials, transportation, and release time for such teachers;

(B) providing ongoing professional development opportunities, including regular in-classroom observation by individuals trained in such observation, for such teachers, directors, principals, and teachers assistants to enable such teachers, directors, principals, and teachers assistants to carry out the elements of high-quality prekindergarten programs, which may include activities that address—

(i) promoting children's development across all of the essential domains of early learning and development;

(ii) developmentally appropriate curricula and teacher-child interaction;

(iii) effective family engagement;

(iv) providing culturally competent instruction;

(v) working with a diversity of children and families, including children with disabilities and dual language learners;

(vi) childhood nutrition and physical education programs;

(vii) supporting the implementation of evidence-based curricula;

(viii) social and emotional development; and

(ix) incorporating age-appropriate strategies of positive behavioral interventions and supports; and

(C) providing families with increased opportunities to learn how best to support their children's physical, cognitive, social, and emotional development during the first 5 years of life.

(2) NOT SUBJECT TO MATCHING.—The amount reserved under paragraph (1) shall not be subject to the matching requirements under section 10310.

(3) COORDINATION.—A State that reserves an amount under paragraph (1) shall coordinate the use of such amount with activities funded under section 658G of the Child Care

and Development Block Grant Act of 1990 (42 U.S.C. 9858e) and the Head Start Act (42 U.S.C. 9831 et seq.).

(4) CONSTRUCTION.—A State may not use funds reserved under this subsection to meet the requirement described in 10302(10)(G).

(b) SUBGRANTS FOR HIGH-QUALITY PREKINDERGARTEN PROGRAMS.—A State that receives a grant under this subpart shall award subgrants of sufficient size to eligible local entities to enable such eligible local entities to implement high-quality prekindergarten programs for children who—

(1) are described in section 10302(10)(A);

(2) reside within the State; and

(3) are from families with incomes at or below 200 percent of the poverty line.

(c) ADMINISTRATION.—A State that receives a grant under this subpart may reserve not more than 1 percent of the grant funds for administration of the grant, and may use part of that reservation for the maintenance of the State Advisory Council on Early Childhood Education and Care.

(d) EARLY CHILDHOOD EDUCATION AND CARE PROGRAMS FOR INFANTS AND TODDLERS.—

(1) USE OF ALLOTMENT FOR INFANTS AND TODDLERS.—An eligible State may apply to use, and the appropriate Secretary may grant permission for the State to use, not more than 15 percent of the funds made available through a grant received under this subpart to award subgrants to early childhood education programs to provide, consistent with the State's early learning and development guidelines for infants and toddlers, high-quality early childhood education and care to infants and toddlers who reside within the State and are from families with incomes at or below 200 percent of the poverty line.

(2) APPLICATION.—To be eligible to use the grant funds as described in paragraph (1), the State shall submit an application to the appropriate Secretary at such time, in such manner, and containing such information as the Secretary may require. Such application shall, at a minimum, include a description of how the State will—

(A) designate a lead agency which shall administer such funds;

(B) ensure that such lead agency, in coordination with the State's Advisory Council on Early Childhood Education and Care, will collaborate with other agencies in administering programs supported under this subsection for infants and toddlers in order to obtain input about the appropriate use of such funds and ensure coordination with programs for infants and toddlers funded under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), the Head Start Act (42 U.S.C. 9831 et seq.) (including any Early Learning Quality Partnerships established in the State under section 645B of the Head Start Act, as added by section 202), the Race to the Top program under section 14006 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5), the maternal, infant, and early childhood home visiting programs funded under section 511 of the Social Security Act (42 U.S.C. 711), part C of the Individuals with Disabilities Education Act (20 U.S.C. 1431 et seq.), and grants for infant and toddler care through Early Head Start-Child Care Partnerships funded under the heading "CHILDREN AND FAMILIES SERVICES PROGRAMS" under the heading ADMINISTRATION FOR CHILDREN AND FAMILIES in title II of division H of the Department of Health and Human Services Appropriations Act, 2014 (Public Law 113-76; 128 Stat. 377-378);

(C) ensure that infants and toddlers who benefit from amounts made available under

this subsection will transition to and have the opportunity to participate in a high-quality prekindergarten program supported under this subpart;

(D) in awarding subgrants, give preference to early childhood education programs that have a written formal plan with baseline data, benchmarks, and timetables to increase access to and full participation in high-quality prekindergarten programs for children who need additional support, including children with developmental delays or disabilities, children who are dual language learners, homeless children, children who are in foster care, children of migrant families, children eligible for a free or reduced-price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), or children in the child welfare system; and

(E) give priority to activities carried out under this subsection that will increase access to high-quality early childhood education programs for infants and toddlers in local areas with significant concentrations of low-income families that do not currently benefit from such programs.

(3) **ELIGIBLE PROVIDERS.**—A State may use the grant funds as described in paragraph (1) to serve infants and toddlers only by working with early childhood education program providers that—

(A) offer full-day, full-year care, or otherwise meet the needs of working families; and

(B) meet high-quality standards, such as—

(i) Early Head Start program performance standards under the Head Start Act (42 U.S.C. 9831 et seq.); or

(ii) high-quality, demonstrated, valid, and reliable program standards that have been established through a national entity that accredits early childhood education programs.

(4) **FEDERAL ADMINISTRATION.**—

(A) **IN GENERAL.**—The Secretary shall bear responsibility for obligating and disbursing funds to support activities under this subsection and ensuring compliance with applicable laws and administrative requirements, subject to paragraph (3).

(B) **INTERAGENCY AGREEMENT.**—The Secretary of Education and the Secretary of Health and Human Services shall jointly administer activities supported under this subsection on such terms as such Secretaries shall set forth in an interagency agreement. The Secretary of Health and Human Services shall be responsible for any final approval of a State's application under this subsection that addresses the use of funds designated for services to infants and toddlers.

(C) **APPROPRIATE SECRETARY.**—In this subsection, the term “appropriate Secretary” used with respect to a function, means the Secretary designated for that function under the interagency agreement.

#### **SEC. 10308. ADDITIONAL PREKINDERGARTEN SERVICES.**

(a) **PREKINDERGARTEN FOR 3-YEAR-OLDS.**—Each State that certifies to the Secretary that the State provides universally available, voluntary, high-quality prekindergarten programs for 4-year-old children who reside within the State and are from families with incomes at or below 200 percent of the poverty line may use the State's allocation under section 10304(b) to provide high-quality prekindergarten programs for 3-year-old children who reside within the State and are from families with incomes at or below 200 percent of the poverty line.

(b) **SUBGRANTS.**—In each State that has a city, county, or local educational agency that provides universally available high-quality prekindergarten programs for 4-year-

old children who reside within the State and are from families with incomes at or below 200 percent of the poverty line the State may use amounts from the State's allocation under section 10304(b) to award subgrants to eligible local entities to enable such eligible local entities to provide high-quality prekindergarten programs for 3-year-old children who are from families with incomes at or below 200 percent of the poverty line and who reside in such city, county, or local educational agency.

#### **SEC. 10309. PERFORMANCE MEASURES AND TARGETS.**

(a) **IN GENERAL.**—A State that receives a grant under this subpart shall develop, implement, and make publicly available the performance measures and targets for the activities carried out with grant funds. Such measures shall, at a minimum, track the State's progress in—

(1) increasing school readiness across all domains for all categories of children, as described in section 10313(b)(7), including children with disabilities and dual language learners;

(2) narrowing school readiness gaps between minority and nonminority children, and low-income children and more advantaged children, in preparation for kindergarten entry;

(3) decreasing the number of years that children receive special education and related services as described in part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.);

(4) increasing the number of programs meeting the criteria for high-quality prekindergarten programs across all types of local eligible entities, as defined by the State and in accordance with section 10302;

(5) decreasing the need for grade-to-grade retention in elementary school;

(6) if applicable, ensuring that high-quality prekindergarten programs do not experience instances of chronic absence among the children who participate in such programs;

(7) increasing the number and percentage of low-income children in high-quality early childhood education programs that receive financial support through funds provided under this subpart; and

(8) providing high-quality nutrition services, nutrition education, physical activity, and obesity prevention programs.

(b) **PROHIBITION OF MISDIAGNOSIS PRACTICES.**—A State shall not, in order to meet the performance measures and targets described in subsection (a), engage in practices or policies that will lead to the misdiagnosis or under-diagnosis of disabilities or developmental delays among children who are served through programs supported under this subpart.

#### **SEC. 10310. MATCHING REQUIREMENTS.**

(a) **MATCHING FUNDS.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), a State that receives a grant under this subpart shall provide matching funds from non-Federal sources, as described in subsection (c), in an amount equal to—

(A) 10 percent of the Federal funds provided under the grant in the first year of grant administration;

(B) 10 percent of the Federal funds provided under the grant in the second year of grant administration;

(C) 20 percent of the Federal funds provided under the grant in the third year of grant administration;

(D) 30 percent of the Federal funds provided under the grant in the fourth year of grant administration; and

(E) 40 percent of the Federal funds provided under the grant in the fifth year of grant administration.

(2) **REDUCED MATCH RATE.**—A State that meets the requirements under subsection (b) may provide matching funds from non-Federal sources at a reduced rate. The full reduced matching funds rate shall be in an amount equal to—

(A) 5 percent of the Federal funds provided under the grant in the first year of grant administration;

(B) 5 percent of the Federal funds provided under the grant in the second year of grant administration;

(C) 10 percent of the Federal funds provided under the grant in the third year of grant administration;

(D) 20 percent of the Federal funds provided under the grant in the fourth year of grant administration; and

(E) 30 percent of the Federal funds provided under the grant in the fifth year of grant administration.

(b) **REDUCED MATCH RATE ELIGIBILITY.**—A State that receives a grant under this subpart may provide matching funds from non-Federal sources at the full reduced rate under subsection (a)(2) if the State, across all publicly funded programs (including locally funded programs)—

(1)(A) offers enrollment in high-quality prekindergarten programs to not less than half of children in the State who are—

(i) age 4 on the eligibility determination date; and

(ii) from families with incomes at or below 200 percent of the poverty line; and

(B) has a plan for continuing to expand access to high-quality prekindergarten programs for such children in the State; and

(2) has a plan to expand access to high-quality prekindergarten programs to children from moderate income families whose income exceeds 200 percent of the poverty line.

(c) **NON-FEDERAL RESOURCES.**—

(1) **IN CASH.**—A State shall provide the matching funds under this section in cash with non-Federal resources which may include State funding, local funding, or contributions from philanthropy or other private sources, or a combination thereof.

(2) **FUNDS TO BE CONSIDERED AS MATCHING FUNDS.**—A State may include, as part of the State's matching funds under this section, not more than 10 percent of the amount of State or local funds designated for State or local prekindergarten programs or to supplement Head Start programs under the Head Start Act (42 U.S.C. 9831 et seq.) as of the date of enactment of this Act, but may not include any funds that are attributed as matching funds, as part of a non-Federal share, or as a maintenance of effort requirement, for any other Federal program.

(d) **MAINTENANCE OF EFFORT.**—

(1) **IN GENERAL.**—If a State reduces its combined fiscal effort per student or the aggregate expenditures within the State to support early childhood education programs for any fiscal year that a State receives a grant authorized under this subpart relative to the previous fiscal year, the Secretary shall reduce support for such State under this subpart by the same amount as the decline in State effort for such fiscal year.

(2) **WAIVER.**—The Secretary may waive the requirements of paragraph (1) if—

(A) the Secretary determines that a waiver would be appropriate due to a precipitous decline in the financial resources of a State as a result of unforeseen economic hardship or a natural disaster that has necessitated



across-the-board reductions in State services, including early childhood education programs; or

(B) due to the circumstances of a State requiring reductions in specific programs, including early childhood education, if the State presents to the Secretary a justification and demonstration why other programs could not be reduced and how early childhood programs in the State will not be disproportionately harmed by such State action.

(e) **SUPPLEMENT NOT SUPPLANT.**—Grant funds received under this subpart shall be used to supplement and not supplant other Federal, State, and local public funds expended on public prekindergarten programs in the State.

#### **SEC. 10311. ELIGIBLE LOCAL ENTITY APPLICATIONS.**

(a) **IN GENERAL.**—An eligible local entity desiring to receive a subgrant under section 10307(b) shall submit an application to the State, at such time, in such manner, and containing such information as the State may reasonably require.

(b) **CONTENTS.**—Each application submitted under subsection (a) shall include the following:

(1) **PARENT AND FAMILY ENGAGEMENT.**—A description of how the eligible local entity plans to engage the parents and families of the children such entity serves and ensure that parents and families of eligible children, as described in clauses (i) and (ii) of section 10306(2)(A), are aware of the services provided by the eligible local entity, which shall include a plan to—

(A) carry out meaningful parent and family engagement, through the implementation and replication of evidence-based or promising practices and strategies, which shall be coordinated with parent and family engagement strategies supported under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), part A of title I and title V of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.; 7201 et seq.), and strategies in the Head Start Parent, Family, and Community Engagement Framework, if applicable, to—

(i) provide parents and family members with the skills and opportunities necessary to become engaged and effective partners in their children's education, particularly the families of dual language learners and children with disabilities, which may include access to family literacy services;

(ii) improve child development; and

(iii) strengthen relationships among prekindergarten staff and parents and family members; and

(B) participate in community outreach to encourage families with eligible children to participate in the eligible local entity's high-quality prekindergarten program, including—

(i) homeless children;

(ii) dual language learners;

(iii) children in foster care;

(iv) children with disabilities; and

(v) migrant children.

(2) **COORDINATION AND ALIGNMENT.**—A description of how the eligible local entity will—

(A) coordinate, if applicable, the eligible local entity's activities with—

(i) Head Start agencies (consistent with section 642(e)(5) of the Head Start Act (42 U.S.C. 9837(e)(5))), if the local entity is not a Head Start agency;

(ii) local educational agencies, if the eligible local entity is not a local educational agency;

(iii) providers of services under part C of the Individuals with Disabilities Education Act (20 U.S.C. 1431 et seq.);

(iv) programs carried out under section 619 of the Individuals with Disabilities Education Act (20 U.S.C. 1419); and

(v) if feasible, other entities carrying out early childhood education programs and services within the area served by the local educational agency;

(B) develop a process to promote continuity of developmentally appropriate instructional programs and shared expectations with local elementary schools for children's learning and development as children transition to kindergarten;

(C) organize, if feasible, and participate in joint training, when available, including transition-related training for school staff and early childhood education program staff;

(D) establish comprehensive transition policies and procedures, with applicable elementary schools and principals, for the children served by the eligible local entity that support the school readiness of children transitioning to kindergarten, including the transfer of early childhood education program records, with parental consent;

(E) conduct outreach to parents, families, and elementary school teachers and principals to discuss the educational, developmental, and other needs of children entering kindergarten;

(F) help parents, including parents of children who are dual language learners, understand and engage with the instructional and other services provided by the kindergarten in which such child will enroll after participation in a high-quality prekindergarten program; and

(G) develop and implement a system to increase program participation of underserved populations of eligible children, especially homeless children, children eligible for a free or reduced-price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), parents of children who are dual language learners, and parents of children with disabilities.

(3) **FULL PARTICIPATION OF ALL CHILDREN.**—A description of how the eligible local entity will meet the diverse needs of children in the community to be served, including children with disabilities, dual language learners, children who need additional support, children in the State foster care system, and homeless children. Such description shall demonstrate, at a minimum, how the entity plans to—

(A) ensure the eligible local entity's high-quality prekindergarten program is accessible and appropriate for children with disabilities and dual language learners;

(B) establish effective procedures for ensuring use of evidence-based practices in assessment and instruction, including use of data for progress monitoring of child performance and provision of technical assistance support for staff to ensure fidelity with evidence-based practices;

(C) establish effective procedures for timely referral of children with disabilities to entities authorized under part B and part C of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.; 1431 et seq.);

(D) ensure that the eligible local entity's high-quality prekindergarten program works with appropriate entities to address the elimination of barriers to immediate and continuous enrollment for homeless children; and

(E) ensure access to and continuity of enrollment in high-quality prekindergarten programs for migratory children, if applica-

ble, and homeless children, including through policies and procedures that require—

(i) outreach to identify migratory children and homeless children;

(ii) immediate enrollment, including enrollment during the period of time when documents typically required for enrollment, including health and immunization records, proof of eligibility, and other documents, are obtained;

(iii) continuous enrollment and participation in the same high-quality prekindergarten program for a child, even if the child moves out of the program's service area, if that enrollment and participation are in the child's best interest, including by providing transportation when necessary;

(iv) professional development for high-quality prekindergarten program staff regarding migratory children and homelessness among families with young children; and

(v) in serving homeless children, collaboration with local educational agency liaisons designated under section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432(g)(1)(J)(ii)), and local homeless service providers.

(4) **ACCESSIBLE COMPREHENSIVE SERVICES.**—A description of how the eligible local entity plans to provide accessible comprehensive services, described in section 10302(10)(I), to the children the eligible local entity serves. Such description shall provide information on how the entity will—

(A) conduct a data-driven community assessment in coordination with members of the community, including parents and community organizations, or use a recently conducted data-driven assessment, which—

(i) may involve an external partner with expertise in conducting such needs analysis, to determine the most appropriate social or other support services to offer through the eligible local entity's on-site comprehensive services to children who participate in high-quality prekindergarten programs; and

(ii) shall consider the resources available at the school, local educational agency, and community levels to address the needs of the community and improve child outcomes; and

(B) have a coordinated system to facilitate the screening, referral, and provision of services related to health, nutrition, mental health, disability, and family support for children served by the eligible local entity.

(5) **WORKFORCE.**—A description of how the eligible local entity plans to support the instructional staff of such entity's high-quality prekindergarten program, which shall, at a minimum, include a plan to provide high-quality professional development, or facilitate the provision of high-quality professional development through an external partner with expertise and a demonstrated track record of success, based on scientifically valid research, that will improve the knowledge and skills of high-quality prekindergarten teachers and staff through activities, which may include—

(A) acquiring content knowledge and learning teaching strategies needed to provide effective instruction that addresses the State's early learning and development standards described under section 10305(1), including professional training to support the social and emotional development of children;

(B) enabling high-quality prekindergarten teachers and staff to pursue specialized training in early childhood development;

(C) enabling high-quality prekindergarten teachers and staff to acquire the knowledge

and skills to provide instruction and appropriate language and support services to increase the English language skills of dual language learners;

(D) enabling high-quality prekindergarten teachers and staff to acquire the knowledge and skills to provide developmentally appropriate instruction for children with disabilities;

(E) promoting classroom management;

(F) providing high-quality induction and support for incoming high-quality prekindergarten teachers and staff in high-quality prekindergarten programs, including through the use of mentoring programs and coaching that have a demonstrated track record of success;

(G) promoting the acquisition of relevant credentials, including in ways that support career advancement through career ladders; and

(H) enabling high-quality prekindergarten teachers and staff to acquire the knowledge and skills to provide culturally competent instruction for children from diverse backgrounds.

#### SEC. 10312. REQUIRED SUBGRANT ACTIVITIES.

(a) IN GENERAL.—An eligible local entity that receives a subgrant under section 10307(b) shall use subgrant funds to implement the elements of a high-quality prekindergarten program for the children described in section 10307(b).

(b) COORDINATION.—

(1) LOCAL EDUCATIONAL AGENCY PARTNERSHIPS WITH LOCAL EARLY CHILDHOOD EDUCATION PROGRAMS.—A local educational agency that receives a subgrant under this subpart shall provide an assurance that the local educational agency will enter into strong partnerships with local early childhood education programs, including programs supported through the Head Start Act (42 U.S.C. 9831 et seq.).

(2) ELIGIBLE LOCAL ENTITIES THAT ARE NOT LOCAL EDUCATIONAL AGENCIES.—An eligible local entity that is not a local educational agency that receives a subgrant under this subpart shall provide an assurance that such entity will enter into strong partnerships with local educational agencies.

#### SEC. 10313. REPORT AND EVALUATION.

(a) IN GENERAL.—Each State that receives a grant under this subpart shall prepare an annual report, in such manner and containing such information as the Secretary may reasonably require.

(b) CONTENTS.—A report prepared under subsection (a) shall contain, at a minimum—

(1) a description of the manner in which the State has used the funds made available through the grant and a report of the expenditures made with the funds;

(2) a summary of the State's progress toward providing access to high-quality prekindergarten programs for children eligible for such services, as determined by the State, from families with incomes at or below 200 percent of the poverty line, including the percentage of funds spent on children from families with incomes—

(A) at or below 100 percent of the poverty line;

(B) at or below between 101 and 150 percent of the poverty line; and

(C) at or below between 151 and 200 percent of the poverty line;

(3) an evaluation of the State's progress toward achieving the State's performance targets, described in section 10309;

(4) data on the number of high-quality prekindergarten program teachers and staff in the State (including teacher turnover rates and teacher compensation levels compared

to teachers in elementary schools and secondary schools), according to the setting in which such teachers and staff work (which settings shall include, at a minimum, Head Start programs, public prekindergarten, and child care programs) who received training or education during the period of the grant and remained in the early childhood education program field;

(5) data on the kindergarten readiness of children in the State;

(6) a description of the State's progress in effectively using Federal, State, and local public funds and private funds, for early childhood education;

(7) the number and percentage of children in the State participating in high-quality prekindergarten programs, disaggregated by race, ethnicity, family income, child age, disability, whether the children are homeless children, and whether the children are dual language learners;

(8) data on the availability, affordability, and quality of infant and toddler care in the State;

(9) the number of operational minutes per week and per year for each eligible local entity that receives a subgrant;

(10) the local educational agency and zip code in which each eligible local entity that receives a subgrant operates;

(11) information, for each of the local educational agencies described in paragraph (10), on the percentage of the costs of the public early childhood education programs that is funded from Federal, from State, and from local sources, including the percentages from specific funding programs;

(12) data on the number and percentage of children in the State participating in public kindergarten programs, disaggregated by race, family income, child age, disability, whether the children are homeless children, and whether the children are dual language learners, with information on whether such programs are offered—

(A) for a full day; and

(B) at no cost to families;

(13) data on the number of individuals in the State who are supported with scholarships, if applicable, to meet the bachelor's degree requirement for high-quality prekindergarten programs, as defined in section 10302; and

(14) information on—

(A) the rates of expulsion, suspension, and similar disciplinary action, of children in the State participating in high-quality prekindergarten programs, disaggregated by race, ethnicity, family income, child age, and disability;

(B) the State's progress in establishing policies on effective behavior management strategies and training that promote positive social and emotional development to eliminate expulsions and suspensions of children participating in high-quality prekindergarten programs; and

(C) the State's policies on providing early learning services to children in the State participating in high-quality prekindergarten programs who have been suspended.

(c) SUBMISSION.—A State shall submit the annual report prepared under subsection (a), at the end of each fiscal year, to the Secretary, the Secretary of Health and Human Services, and the State Advisory Council on Early Childhood Education and Care.

(d) COOPERATION.—An eligible local entity that receives a subgrant under this subpart shall cooperate with all Federal and State efforts to evaluate the effectiveness of the program the entity implements with subgrant funds.

(e) NATIONAL REPORT.—The Secretary shall compile and summarize the annual State reports described under subsection (c) and shall prepare and submit an annual report to Congress that includes a summary of such State reports.

#### SEC. 10314. PROHIBITION OF REQUIRED PARTICIPATION OR USE OF FUNDS FOR ASSESSMENTS.

(a) PROHIBITION ON REQUIRED PARTICIPATION.—A State receiving a grant under this subpart shall not require any child to participate in any Federal, State, local, or private early childhood education program, including a high-quality prekindergarten program.

(b) PROHIBITION ON USE OF FUNDS FOR ASSESSMENT.—A State receiving a grant under this subpart and an eligible local entity receiving a subgrant under this subpart shall not use any grant or subgrant funds to carry out any of the following activities:

(1) An assessment that provides rewards or sanctions for individual children, teachers, or principals.

(2) An assessment that is used as the primary or sole method for assessing program effectiveness.

(3) Evaluating children, other than for the purposes of—

(A) improving instruction or the classroom environment;

(B) targeting professional development;

(C) determining the need for health, mental health, disability, or family support services;

(D) program evaluation for the purposes of program improvement and parent information; and

(E) improving parent and family engagement.

#### SEC. 10315. COORDINATION WITH HEAD START PROGRAMS.

(a) INCREASED ACCESS FOR YOUNGER CHILDREN.—Not later than 1 year after the date of enactment of this Act, the Secretary and the Secretary of Health and Human Services shall develop a process—

(1) for use in the event that Head Start programs funded under the Head Start Act (42 U.S.C. 9831 et seq.) operate in States or regions that have achieved sustained universal, voluntary access to 4-year-old children who reside within the State and who are from families with incomes at or below 200 percent of the poverty line to high-quality prekindergarten programs; and

(2) for how such Head Start programs will begin converting slots for children who are age 4 on the eligibility determination date to children who are age 3 on the eligibility determination date, or, when appropriate, converting Head Start programs into Early Head Start programs to serve infants and toddlers.

(b) COMMUNITY NEED AND RESOURCES.—The process described in subsection (a) shall—

(1) be carried out on a case-by-case basis and shall ensure that sufficient resources and time are allocated for the development of such a process so that no child or cohort is excluded from currently available services; and

(2) ensure that any conversion shall be based on community need and not on the aggregate number of children served in a State or region that has achieved sustained, universal, voluntary access to high-quality prekindergarten programs.

(c) PUBLIC COMMENT AND NOTICE.—Not fewer than 90 days after the development of the proposed process described in subsection (a), the Secretary and the Secretary of Health and Human Services shall publish a

notice describing such proposed process for conversion in the Federal Register providing at least 90 days for public comment. The Secretaries shall review and consider public comments prior to finalizing the process for conversion of Head Start slots and programs.

(d) **REPORTS TO CONGRESS.**—Concurrently with publishing a notice in the Federal Register as described in subsection (c), the Secretaries shall provide a report to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate that provides a detailed description of the proposed process described in subsection (a), including a description of the degree to which Head Start programs are providing State-funded high-quality prekindergarten programs as a result of the grant opportunity provided under this subpart in States where Head Start programs are eligible for conversion described in subsection (a).

#### **SEC. 10316. TECHNICAL ASSISTANCE IN PROGRAM ADMINISTRATION.**

In providing technical assistance to carry out activities under this subpart, the Secretary shall coordinate that technical assistance, in appropriate cases, with technical assistance provided by the Secretary of Health and Human Services to carry out the programs authorized under the Head Start Act (42 U.S.C. 9831 et seq.), the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), and the maternal, infant and early childhood home visiting programs assisted under section 511 of the Social Security Act (42 U.S.C. 711).

#### **SEC. 10317. AUTHORIZATION OF APPROPRIATIONS.**

To carry out this subpart, there are authorized to be appropriated, and there are appropriated—

- (1) \$1,300,000,000 for fiscal year 2016;
- (2) \$3,250,000,000 for fiscal year 2017;
- (3) \$5,780,000,000 for fiscal year 2018;
- (4) \$7,580,000,000 for fiscal year 2019; and
- (5) \$8,960,000,000 for fiscal year 2020.

#### **Subpart B—Prekindergarten Development Grants**

#### **SEC. 10321. PREKINDERGARTEN DEVELOPMENT GRANTS.**

(a) **IN GENERAL.**—The Secretary of Education, in consultation with the Secretary of Health and Human Services, shall award competitive grants to States that wish to increase their capacity and build the infrastructure within the State to offer high-quality prekindergarten programs.

(b) **ELIGIBILITY OF STATES.**—A State that is not receiving funds under subpart A may compete for grant funds under this section if the State provides an assurance that the State will, through the support of grant funds awarded under this section, meet the eligibility requirements of section 10305 not later than 3 years after the date the State first receives grant funds under this section.

(c) **GRANT DURATION.**—The Secretary shall award grants under this section for a period of not more than 3 years. Such grants shall not be renewed.

(d) **APPLICATION.**—

(1) **IN GENERAL.**—A Governor, or chief executive officer of a State that desires to receive a grant under this section shall submit an application to the Secretary of Education at such time, in such manner, and accompanied by such information as the Secretary of Education may reasonably require, including, if applicable, a description of how the State plans to become eligible for grants under section 10305 by not later than 3 years after the date the State first receives grant funds under this section.

(2) **DEVELOPMENT OF STATE APPLICATION.**—In developing an application for a grant under this section, a State shall consult with the State Advisory Council on Early Childhood Education and Care and incorporate the Council's recommendations, where applicable.

(e) **MATCHING REQUIREMENT.**—

(1) **IN GENERAL.**—To be eligible to receive a grant under this section, a State shall contribute for the activities for which the grant was awarded non-Federal matching funds in an amount equal to not less than 20 percent of the amount of the grant.

(2) **NON-FEDERAL FUNDS.**—To satisfy the requirement of paragraph (1), a State may use—

(A) non-Federal resources in the form of State funding, local funding, or contributions from philanthropy or other private sources, or a combination of such resources; or

(B) in-kind contributions.

(3) **FINANCIAL HARDSHIP WAIVER.**—The Secretary may waive the requirement under paragraph (1) or reduce the amount of matching funds required under that paragraph for a State that has submitted an application for a grant under this subsection if the State demonstrates, in the application, a need for such a waiver or reduction due to extreme financial hardship, as determined by the Secretary.

(f) **SUBGRANTS.**—

(1) **IN GENERAL.**—A State awarded a grant under this section may use the grant funds to award subgrants to eligible local entities, as defined in section 10302, to carry out the activities under the grant.

(2) **SUBGRANTEES.**—An eligible local entity awarded a subgrant under paragraph (1) shall comply with the requirements of this section relating to grantees, as appropriate.

(g) **AUTHORIZATION OF APPROPRIATIONS.**—To carry out this section, there are authorized to be appropriated, and there are appropriated, \$750,000,000 for each of fiscal years 2016 through 2020.

#### **Subpart C—Early Learning Quality Partnerships**

#### **SEC. 10331. PURPOSES.**

The purposes of this part are to—

(1) increase the availability of, and access to, high-quality early childhood education and care programming for infants and toddlers;

(2) support a higher quality of, and increase capacity for, such programming in both child care centers and family child care homes;

(3) encourage the provision of comprehensive, coordinated full-day services and supports for infants and toddlers; and

(4) increase access to appropriate supports so children with disabilities and other children who need specialized supports can fully participate in high-quality early education programs.

#### **SEC. 10332. EARLY LEARNING QUALITY PARTNERSHIPS.**

The Head Start Act is amended—

(1) by amending section 645A(e) (42 U.S.C. 9840a(e)) to read as follows:

“(e) **SELECTION OF GRANT RECIPIENTS.**—The Secretary shall award grants under this section on a competitive basis to applicants meeting the criteria in subsection (d) (giving priority to entities with a record of providing early, continuous, and comprehensive childhood development and family services and entities that agree to partner with a center-based or family child care provider to carry out the activities described in section 645B).”; and

(2) by inserting after section 645A the following:

#### **“SEC. 645B. EARLY LEARNING QUALITY PARTNERSHIPS.**

“(a) **IN GENERAL.**—The Secretary shall make grants to Early Head Start agencies to enable the Early Head Start agencies to form early learning quality partnerships by partnering with center-based or family child care providers, particularly those that receive support under the Child Care and Development Block Grant of 1990 (42 U.S.C. 9858 et seq.), that agree to meet the program performance standards described in section 641A(a)(1) and Early Head Start standards described in section 645A that are applicable to the ages of children served with funding and technical assistance from the Early Head Start agency.

“(b) **SELECTION OF GRANT RECIPIENTS.**—

“(1) **IN GENERAL.**—Except as provided in paragraphs (2) and (3), the Secretary shall award grants under this section in a manner consistent with section 645A(e).

“(2) **COMPETITIVE PRIORITY.**—In awarding grants under this section, the Secretary shall give priority to applicants—

“(A) that propose to create strong alignment of programs with maternal, infant, and early childhood home visiting programs assisted under section 511 of the Social Security Act (42 U.S.C. 711), State-funded prekindergarten programs, programs carried out under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), and other programs supported under this Act, to create a strong continuum of high-quality services for children from birth to school entry; and

“(B) that seek to work with child care providers across settings, including center-based and home-based programs.

“(3) **ALLOCATION.**—

“(A) **RESERVATION.**—From funds appropriated to carry out this section, the Secretary shall reserve—

“(i) not less than 3 percent of such funds for Indian Head Start programs that serve young children;

“(ii) not less than 4.5 percent for migrant and seasonal Head Start programs that serve young children; and

“(iii) not less than 0.2 percent for programs funded under clause (iv) or (v) of section 640(a)(2)(B).

“(B) **ALLOCATION AMONG STATES.**—The Secretary shall allocate funds appropriated to carry out this section and not reserved under subparagraph (A) among the States proportionally based on the number of young children from families whose income is below the poverty line residing in such States.

“(C) **ELIGIBILITY OF CHILDREN.**—Partnerships formed through assistance provided under this section may serve children through age 3, and the standards applied to children in subsection (a) shall be consistent with those applied to 3-year-old children under this subchapter.

“(d) **PARTNERSHIPS.**—An Early Head Start agency that receives a grant under this section shall—

“(1) enter into a contractual relationship with a center-based or family child care provider to raise the quality of such provider's programs so that the provider meets the program performance standards described in subsection (a) through activities that may include—

“(A) expanding the center-based or family child care provider's programs through financial support;

“(B) providing training, technical assistance, and support to the provider in order to

help the provider meet the program performance standards, which may include supporting program and partner staff in earning a child development associate credential, associate's degree, or baccalaureate degree in early childhood education or a closely related field for working with infants and toddlers; and

“(C) blending funds received under the Child Care and Development Block Grant of 1990 (42 U.S.C. 9858 et seq.) and the Early Head Start program carried out under section 645A in order to provide high-quality child care, for a full day, that meets the program performance standards;

“(2) develop and implement a proposal to recruit and enter into a contract with a center-based or family child care provider, particularly a provider that serves children who receive assistance under the Child Care and Development Block Grant of 1990 (42 U.S.C. 9858 et seq.);

“(3) create a clear and realizable timeline to increase the quality and capacity of a center-based or family child care provider so that the provider meets the program performance standards described in subsection (a); and

“(4) align activities and services provided through funding under this section with the Head Start Child Outcomes Framework.

“(e) STANDARDS.—Prior to awarding grants under this section, the Secretary shall establish standards to ensure that the responsibility and expectations of the Early Head Start agency and the partner child care providers are clearly defined.

“(f) DESIGNATION RENEWAL.—A partner child care provider that receives assistance through a grant provided under this section shall be exempt, for a period of 18 months, from the designation renewal requirements under section 641(c).

“(g) SURVEY OF EARLY HEAD START AGENCIES AND REPORT TO CONGRESS.—Within one year of the effective date of this section, the Secretary shall conduct a survey of Early Head Start agencies to determine the extent of barriers to entering into early learning quality partnership agreements under this section on Early Head Start agencies and on child care providers, and submit this information, with suggested steps to overcome such barriers, in a report to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate, including a detailed description of the degree to which Early Head Start agencies are utilizing the funds provided.

“(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

“(1) \$1,430,376,000 for fiscal year 2016; and

“(2) such sums as may be necessary for each of fiscal years 2017 through 2020.”.

#### **Subpart D—Authorization of Appropriations for the Education of Children With Disabilities**

##### **SEC. 10341. PRESCHOOL GRANTS.**

Section 619(j) of the Individuals with Disabilities Education Act (20 U.S.C. 1419(j)) is amended to read as follows:

“(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$418,000,000 for fiscal year 2016 and such sums as may be necessary for each succeeding fiscal year.”.

##### **SEC. 10342. INFANTS AND TODDLERS WITH DISABILITIES.**

Section 644 of the Individuals with Disabilities Education Act (20 U.S.C. 1444) is amended to read as follows:

##### **“SEC. 644. AUTHORIZATION OF APPROPRIATIONS.**

“For the purpose of carrying out this part, there are authorized to be appropriated \$508,000,000 for fiscal year 2016 and such sums as may be necessary for each succeeding fiscal year.”.

#### **Subpart E—Maternal, Infant, and Early Childhood Home Visiting Program**

##### **SEC. 10351. SENSE OF THE SENATE.**

It is the sense of the Senate that—

(1) from the prenatal period to the first day of kindergarten, children's development rapidly progresses at a pace exceeding that of any subsequent stage of life;

(2) as reported by the National Academy of Sciences in 2001, striking disparities exist in what children know and can do that are evident well before they enter kindergarten;

(3) such differences are strongly associated with social and economic circumstances, and they are predictive of subsequent academic performance;

(4) research has consistently demonstrated that investments in high-quality programs that serve infants and toddlers—

(A) better positions those children for success in elementary, secondary, and postsecondary education; and

(B) helps those children develop the critical physical, emotional, social, and cognitive skills that they will need for the rest of their lives;

(5) in 2011, there were 11,000,000 infants and toddlers living in the United States, and 49 percent of these children came from low-income families with incomes at or below 200 percent of the Federal poverty guidelines;

(6) the Maternal, Infant, and Early Childhood Home Visiting program (referred to as “MIECHV”) was authorized by Congress to facilitate collaboration and partnership at the Federal, State, and community levels to improve health and development outcomes for at-risk children, including those from low-income families, through evidence-based home visiting programs;

(7) MIECHV is an evidence-based policy initiative and the program's authorizing legislation requires that at least 75 percent of funds dedicated to the program must support programs to implement evidence-based home visiting models, which includes the home-based model of Early Head Start; and

(8) Congress should continue to provide resources to MIECHV to support the work of States to help at-risk families voluntarily receive home visits from nurses and social workers to—

(A) promote maternal, infant, and child health;

(B) improve school readiness and achievement;

(C) prevent potential child abuse or neglect and injuries;

(D) support family economic self-sufficiency;

(E) reduce crime or domestic violence; and

(F) improve coordination or referrals for community resources and supports.

#### **Subpart F—Paying a Fair Share**

##### **SEC. 10361. FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS.**

(a) IN GENERAL.—Subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new part:

#### **“PART VII—FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS**

“Sec. 59A. Fair share tax.

##### **“SEC. 59A. FAIR SHARE TAX.**

“(a) GENERAL RULE.—

“(1) PHASE-IN OF TAX.—In the case of any high-income taxpayer, there is hereby im-

posed for a taxable year (in addition to any other tax imposed by this subtitle) a tax equal to the product of—

“(A) the amount determined under paragraph (2), and

“(B) a fraction (not to exceed 1)—

“(i) the numerator of which is the excess of—

“(I) the taxpayer's adjusted gross income, over

“(II) the dollar amount in effect under subsection (c)(1), and

“(ii) the denominator of which is the dollar amount in effect under subsection (c)(1).

“(2) AMOUNT OF TAX.—The amount of tax determined under this paragraph is an amount equal to the excess (if any) of—

“(A) the tentative fair share tax for the taxable year, over

“(B) the excess of—

“(i) the sum of—

“(I) the regular tax liability (as defined in section 26(b)) for the taxable year, determined without regard to any tax liability determined under this section,

“(II) the tax imposed by section 55 for the taxable year, plus

“(III) the payroll tax for the taxable year, over

“(ii) the credits allowable under part IV of subchapter A (other than sections 27(a), 31, and 34).

“(b) TENTATIVE FAIR SHARE TAX.—For purposes of this section—

“(1) IN GENERAL.—The tentative fair share tax for the taxable year is 30 percent of the excess of—

“(A) the adjusted gross income of the taxpayer, over

“(B) the modified charitable contribution deduction for the taxable year.

“(2) MODIFIED CHARITABLE CONTRIBUTION DEDUCTION.—For purposes of paragraph (1)—

“(A) IN GENERAL.—The modified charitable contribution deduction for any taxable year is an amount equal to the amount which bears the same ratio to the deduction allowable under section 170 (section 642(c) in the case of a trust or estate) for such taxable year as—

“(i) the amount of itemized deductions allowable under the regular tax (as defined in section 55) for such taxable year, determined after the application of section 68, bears to

“(ii) such amount, determined before the application of section 68.

“(B) TAXPAYER MUST ITEMIZE.—In the case of any individual who does not elect to itemize deductions for the taxable year, the modified charitable contribution deduction shall be zero.

“(c) HIGH-INCOME TAXPAYER.—For purposes of this section—

“(1) IN GENERAL.—The term ‘high-income taxpayer’ means, with respect to any taxable year, any taxpayer (other than a corporation) with an adjusted gross income for such taxable year in excess of \$1,000,000 (50 percent of such amount in the case of a married individual who files a separate return).

“(2) INFLATION ADJUSTMENT.—

“(A) IN GENERAL.—In the case of a taxable year beginning after 2016, the \$1,000,000 amount under paragraph (1) shall be increased by an amount equal to—

“(i) such dollar amount, multiplied by

“(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting ‘calendar year 2015’ for ‘calendar year 1992’ in subparagraph (B) thereof.

“(B) ROUNDING.—If any amount as adjusted under subparagraph (A) is not a multiple of

\$10,000, such amount shall be rounded to the next lowest multiple of \$10,000.

“(d) PAYROLL TAX.—For purposes of this section, the payroll tax for any taxable year is an amount equal to the excess of—

“(1) the taxes imposed on the taxpayer under sections 1401, 1411, 3101, 3201, and 3211(a) (to the extent such tax is attributable to the rate of tax in effect under section 3101) with respect to such taxable year or wages or compensation received during such taxable year, over

“(2) the deduction allowable under section 164(f) for such taxable year.

“(e) SPECIAL RULE FOR ESTATES AND TRUSTS.—For purposes of this section, in the case of an estate or trust, adjusted gross income shall be computed in the manner described in section 67(e).

“(f) NOT TREATED AS TAX IMPOSED BY THIS CHAPTER FOR CERTAIN PURPOSES.—The tax imposed under this section shall not be treated as tax imposed by this chapter for purposes of determining the amount of any credit under this chapter (other than the credit allowed under section 27(a)) or for purposes of section 55.”.

(b) CLERICAL AMENDMENT.—The table of parts for subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

“PART VII—FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

(d) FUNDING.—Any increase in revenue attributable to the amendments made by this section shall be allocated to carrying out subparts A and B.

**SA 2243.** Mr. COONS (for himself and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

#### **PART C—AMERICAN DREAM ACCOUNTS**

##### **SEC. 10301. SHORT TITLE.**

This part may be cited as the “American Dream Accounts Act”.

##### **SEC. 10302. DEFINITIONS.**

In this part:

(1) AMERICAN DREAM ACCOUNT.—The term “American Dream Account” means a personal online account for low-income students that monitors higher education readiness and includes a college savings account.

(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means the Committee on Health, Education, Labor, and Pensions, the Committee on Appropriations, and the Committee on Finance of the Senate, and the Committee on Education and the Workforce, the Committee on Appropriations, and the Committee on Ways and Means of the House of Representatives, as well as any other Committee of the Senate or House of Representatives that the Secretary determines appropriate.

(3) CHARTER SCHOOL.—The term “charter school” has the meaning given such term in section 5110 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7221i).

(4) COLLEGE SAVINGS ACCOUNT.—The term “college savings account” means a trust cre-

ated or organized exclusively for the purpose of paying the qualified expenses of only an individual who, when the trust is created or organized, has not obtained 18 years of age, if the written governing instrument creating the trust contains the following requirements:

(A) The trustee is a Federally insured financial institution, or a State insured financial institution if a Federally insured financial institution is not available.

(B) The assets of the trust will be invested in accordance with the direction of the individual or of a parent or guardian of the individual, after consultation with the entity providing the initial contribution to the trust or, if applicable, a matching or other contribution for the individual.

(C) The assets of the trust will not be commingled with other property except in a common trust fund or common investment fund.

(D) Any amount in the trust that is attributable to an account seed or matched deposit may be paid or distributed from the trust only for the purpose of paying qualified expenses of the individual.

(5) DUAL OR CONCURRENT ENROLLMENT PROGRAM.—The term “dual or concurrent enrollment program” means a program of study—

(A) provided by an institution of higher education through which a student who has not graduated from high school with a regular high school diploma (as defined in section 200.19(b)(1)(iv) of title 34, Code of Federal Regulations, as such section was in effect on November 28, 2008) is able to earn postsecondary credit; and

(B) that shall consist of not less than 2 postsecondary credit-bearing courses and support and academic services that help a student persist and complete such courses.

(6) EARLY COLLEGE HIGH SCHOOL PROGRAM.—The term “early college high school program” means a formal partnership between at least 1 local educational agency and at least 1 institution of higher education that allows participants, who are primarily low-income students, to simultaneously complete requirements toward earning a regular high school diploma (as defined in section 200.19(b)(1)(iv) of title 34, Code of Federal Regulations, as such section was in effect on November 28, 2008) and earn not less than 12 transferable credits as part of an organized course of study toward a postsecondary degree or credential.

(7) ELIGIBLE ENTITY.—The term “eligible entity” means—

(A) a State educational agency;

(B) a local educational agency, including a charter school that operates as its own local educational agency;

(C) a charter management organization or charter school authorizer;

(D) an institution of higher education or a Tribal College or University;

(E) a nonprofit organization;

(F) an entity with demonstrated experience in educational savings or in assisting low-income students to prepare for, and attend, an institution of higher education;

(G) a consortium of 2 or more of the entities described in subparagraphs (A) through (F); or

(H) a consortium of 1 or more of the entities described in subparagraphs (A) through (F) and a public school, a charter school, a school operated by the Bureau of Indian Affairs, or a tribally controlled school.

(8) INSTITUTION OF HIGHER EDUCATION.—The term “institution of higher education” has the meaning given such term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(9) LOCAL EDUCATIONAL AGENCY.—The term “local educational agency” has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(10) LOW-INCOME STUDENT.—The term “low-income student” means a student who is eligible to receive a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.).

(11) PARENT.—The term “parent” has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(12) QUALIFIED EXPENSES.—The term “qualified expenses” means, with respect to an individual, expenses that—

(A) are incurred after the individual receives a secondary school diploma or its recognized equivalent; and

(B) are associated with attending an institution of higher education, including—

(i) tuition and fees;

(ii) room and board;

(iii) textbooks;

(iv) supplies and equipment; and

(v) Internet access.

(13) SECRETARY.—The term “Secretary” means the Secretary of Education.

(14) STATE EDUCATIONAL AGENCY.—The term “State educational agency” has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(15) TRIBAL COLLEGE OR UNIVERSITY.—The term “Tribal College or University” has the meaning given such term in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)).

(16) TRIBALLY CONTROLLED SCHOOL.—The term “tribally controlled school” has the meaning given such term in section 5212 of the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2511).

#### **SEC. 10303. GRANT PROGRAM.**

(a) PROGRAM AUTHORIZED.—The Secretary shall establish a pilot program and award 10 grants to eligible entities to enable such eligible entities to establish and administer American Dream Accounts for a group of low-income students.

(b) RESERVATION.—From the amounts appropriated each fiscal year to carry out this part, the Secretary shall reserve not more than 5 percent of such amount to carry out the evaluation activities described in section 10306.

(c) DURATION.—A grant awarded under this part shall be for a period of not more than 3 years. The Secretary may extend such grant for an additional 2-year period if the Secretary determines that the eligible entity has demonstrated significant progress, based on the factors described in section 10304(b)(11).

#### **SEC. 10304. APPLICATIONS; PRIORITY.**

(a) IN GENERAL.—Each eligible entity desiring a grant under this part shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(b) CONTENTS.—At a minimum, the application described in subsection (a) shall include the following:

(1) A description of the characteristics of a group of not less than 30 low-income public school students who—

(A) are, at the time of the application, attending a grade not higher than grade 9; and

(B) will, under the grant, receive an American Dream Account.

(2) A description of how the eligible entity will engage, and provide support (such as tutoring and mentoring for students, and

training for teachers and other stakeholders) either online or in person, to—

(A) the students in the group described in paragraph (1);

(B) the family members and teachers of such students; and

(C) other stakeholders such as school administrators and school counselors.

(3) An identification of partners who will assist the eligible entity in establishing and sustaining American Dream Accounts.

(4) A description of what experience the eligible entity or the partners of the eligible entity have in managing college savings accounts, preparing low-income students for postsecondary education, managing online systems, and teaching financial literacy.

(5) A demonstration that the eligible entity has sufficient resources to provide an initial deposit into the college savings account portion of each American Dream Account.

(6) A description of how the eligible entity will help increase the value of the college savings account portion of each American Dream Account, such as by providing matching funds or incentives for academic achievement.

(7) A description of how the eligible entity will notify each participating student in the group described in paragraph (1), on a semi-annual basis, of the current balance and status of the college savings account portion of the American Dream Account of the student.

(8) A plan that describes how the eligible entity will monitor participating students in the group described in paragraph (1) to ensure that the American Dream Account of each student will be maintained if a student in such group changes schools before graduating from secondary school.

(9) A plan that describes how the American Dream Accounts will be managed for not less than 1 year after a majority of the students in the group described in paragraph (1) graduate from secondary school.

(10) A description of how the eligible entity will encourage students in the group described in paragraph (1) who fail to graduate from secondary school to continue their education.

(11) A description of how the eligible entity will evaluate the grant program, including by collecting, as applicable, the following data about the students in the group described in paragraph (1) during the grant period, or until the time of graduation from a secondary school, whichever comes first, and, if sufficient grant funds are available, after the grant period:

(A) Attendance rates.

(B) Progress reports.

(C) Grades and course selections.

(D) The student graduation rate, as defined as the percentage of students who graduate from secondary school with a regular diploma in the standard number of years.

(E) Rates of student completion of the Free Application for Federal Student Aid described in section 483 of the Higher Education Act of 1965 (20 U.S.C. 1090).

(F) Rates of enrollment in an institution of higher education.

(G) Rates of completion at an institution of higher education.

(12) A description of what will happen to the funds in the college savings account portion of the American Dream Accounts that are dedicated to participating students described in paragraph (1) who have not matriculated at an institution of higher education at the time of the conclusion of the period of American Dream Account management described in paragraph (9), including how the eligible entity will give students this information.

(13) A description of how the eligible entity will ensure that participating students described in paragraph (1) will have access to the Internet.

(14) A description of how the eligible entity will take into consideration how funds in the college savings account portion of American Dream Accounts will affect participating families' eligibility for public assistance.

(c) PRIORITY.—In awarding grants under this part, the Secretary shall give priority to applications from eligible entities that—

(1) are described in subparagraph (G) or (H) of section 10302(7);

(2) serve the largest number of low-income students;

(3) in the case of an eligible entity described in subparagraph (A) or (B) of section 10302(7), provide opportunities for participating students described in subsection (b)(1) to participate in a dual or concurrent enrollment program or early college high school program at no cost to the student or the student's family; or

(4) as of the time of application, have been awarded a grant under chapter 2 of subpart 2 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a–21 et seq.) (commonly referred to as the “GEAR UP program”).

#### SEC. 10305. AUTHORIZED ACTIVITIES.

(a) IN GENERAL.—An eligible entity that receives a grant under this part shall use such grant funds to establish an American Dream Account for each participating student described in section 10304(b)(1), that will be used to—

(1) open a college savings account for such student;

(2) monitor the progress of such student online, which—

(A) shall include monitoring student data relating to—

(i) grades and course selections;

(ii) progress reports; and

(iii) attendance and disciplinary records; and

(B) may also include monitoring student data relating to a broad range of information, provided by teachers and family members, related to postsecondary education readiness, access, and completion;

(3) provide opportunities for such students, either online or in person, to learn about financial literacy, including by—

(A) assisting such students in financial planning for enrollment in an institution of higher education;

(B) assisting such students in identifying and applying for financial aid (such as loans, grants, and scholarships) for an institution of higher education; and

(C) enhancing student understanding of consumer, economic, and personal finance concepts;

(4) provide opportunities for such students, either online or in person, to learn about preparing for enrollment in an institution of higher education, including by providing instruction to students about—

(A) choosing the appropriate courses to prepare for postsecondary education;

(B) applying to an institution of higher education;

(C) building a student portfolio, which may be used when applying to an institution of higher education;

(D) selecting an institution of higher education;

(E) choosing a major for the student's postsecondary program of education or a career path; and

(F) adapting to life at an institution of higher education; and

(5) provide opportunities for such students, either online or in person, to identify skills or interests, including career interests.

(b) ACCESS TO AMERICAN DREAM ACCOUNT.—

(1) IN GENERAL.—Subject to paragraphs (3) and (4), and in accordance with applicable Federal laws and regulations relating to privacy of information and the privacy of children, an eligible entity that receives a grant under this part shall allow vested stakeholders, as described in paragraph (2), to have secure access, through an Internet website, to an American Dream Account.

(2) VESTED STAKEHOLDERS.—The vested stakeholders that an eligible entity shall permit to access an American Dream Account are individuals (such as the student's teachers, school counselors, school administrators, or other individuals) that are designated, in accordance with section 444 of the General Education Provisions Act (20 U.S.C. 1232g, commonly known as the “Family Educational Rights and Privacy Act of 1974”), by the parent of a participating student in whose name such American Dream Account is held, as having permission to access the account. A student's parent may withdraw such designation from an individual at any time.

(3) EXCEPTION FOR COLLEGE SAVINGS ACCOUNT.—An eligible entity that receives a grant under this part shall not be required to give vested stakeholders, as described in paragraph (2), access to the college savings account portion of a student's American Dream Account.

(4) ADULT STUDENTS.—Notwithstanding paragraphs (1), (2), and (3), if a participating student is age 18 or older, an eligible entity that receives a grant under this part shall not provide access to such participating student's American Dream Account without the student's consent, in accordance with section 444 of the General Education Provisions Act (20 U.S.C. 1232g, commonly known as the “Family Educational Rights and Privacy Act of 1974”).

(5) INPUT OF STUDENT INFORMATION.—Student data collected pursuant to subsection (a)(2)(A) shall be entered into an American Dream Account only by a school administrator or the designee of such administrator.

(c) PROHIBITION ON USE OF STUDENT INFORMATION.—An eligible entity that receives a grant under this part shall not use any student-level information or data for the purpose of soliciting, advertising, or marketing any financial or non-financial consumer product or service that is offered by such eligible entity, or on behalf of any other person.

(d) PROHIBITION ON THE USE OF GRANT FUNDS.—An eligible entity shall not use grant funds provided under this part to provide any deposits into a college savings account portion of a student's American Dream Account.

#### SEC. 10306. REPORTS AND EVALUATIONS.

(a) IN GENERAL.—Not later than 1 year after the Secretary has disbursed grants under this part, and annually thereafter until each grant disbursed under this part has ended, the Secretary shall prepare and submit a report to the appropriate committees of Congress, which shall include an evaluation of the effectiveness of the grant program established under this part.

(b) CONTENTS.—The report described in subsection (a) shall—

(1) list the grants that have been awarded under section 10303(a);

(2) include the number of students who have an American Dream Account established through a grant awarded under section 10303(a);

(3) provide data (including the interest accrued on college savings accounts that are part of an American Dream Account) in the aggregate, regarding students who have an American Dream Account established through a grant awarded under section 10303(a), as compared to similarly situated students who do not have an American Dream Account;

(4) identify best practices developed by the eligible entities receiving grants under this part;

(5) identify any issues related to student privacy and stakeholder accessibility to American Dream Accounts;

(6) provide feedback from participating students and the parents of such students about the grant program, including—

(A) the impact of the program;

(B) aspects of the program that are successful;

(C) aspects of the program that are not successful; and

(D) any other data required by the Secretary; and

(7) provide recommendations for expanding the American Dream Accounts program.

**SEC. 10307. ELIGIBILITY TO RECEIVE FEDERAL STUDENT FINANCIAL AID.**

Notwithstanding any other provision of law, any funds that are in the college savings account portion of a student's American Dream Account shall not affect such student's eligibility to receive Federal student financial aid, including any Federal student financial aid under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), and shall not be considered in determining the amount of any such Federal student aid.

**SEC. 10308. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated to carry out this part such sums as may be necessary for fiscal year 2016 and each of the 4 succeeding fiscal years.

**SA 2244.** Mr. CASSIDY submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 66, between lines 2 and 3, insert the following:

“(H) how the State educational agency will—

“(i) provide information on the immunization rates of local educational agencies (in accordance with State law) to inform parents and to protect the health and safety of students; and

“(ii) make such information publically available in an understandable and usable format on the State educational agency's website, including links to each local educational agency's website and the appropriate State health agency that has such information;

**SA 2245.** Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

**SEC. 1020. SENSE OF THE SENATE ON SEQUESTRATION.**

It is the Sense of the Senate that—

(1) the Nation's fiscal challenges are a top priority for Congress, and sequestration, non-strategic, across-the-board budget cuts, remains an unreasonable and inadequate budgeting tool to address the Nation's deficits and debt;

(2) sequestration relief must be accomplished for fiscal years 2016 and 2017;

(3) sequestration relief should include equal defense and non-defense relief; and

(4) sequestration relief should be offset through targeted changes in mandatory and discretionary categories and revenues.

**SA 2246.** Mr. MCCAIN (for himself and Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end, add the following:

**TITLE XI—MISCELLANEOUS**

**SEC. 11001. REVIEW AND NOTIFICATIONS OF CATEGORICAL EXCLUSIONS GRANTED FOR NEXT GENERATION FLIGHT PROCEDURES.**

Section 213(c) of the FAA Modernization and Reform Act of 2012 (Public Law 112-95; 49 U.S.C. 40101 note) is amended by adding at the end the following:

“(3) NOTIFICATIONS AND CONSULTATIONS.—Not less than 30 days before granting a categorical exclusion under this subsection for a new procedure, the Administrator shall notify and consult with the affected public and the operator of the airport at which the procedure would be implemented.

“(4) REVIEW OF CERTAIN CATEGORICAL EXCLUSIONS.—

“(A) IN GENERAL.—The Administrator shall review a decision of the Administrator made on or after February 14, 2012, and before the date of the enactment of this paragraph to grant a categorical exclusion under this subsection with respect to a procedure to be implemented at an airport to determine if the implementation of the procedure had a significant effect on the human environment in the community in which the airport is located if the operator of that airport requests such a review and demonstrates that there is good cause to believe that the implementation of the procedure had such an effect.

“(B) CONTENT OF REVIEW.—If, in conducting a review under subparagraph (A) with respect to a procedure implemented at an airport, the Administrator, in consultation with the operator of the airport, determines that implementing the procedure had a significant effect on the human environment in the community in which the airport is located, the Administrator shall—

“(i) consult with the operator of the airport to identify measures to mitigate the effect of the procedure on the human environment; and

“(ii) in conducting such consultations, consider the use of alternative flight paths.”.

**SA 2247.** Mr. BURR (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Eleme-

tary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

Strike sections 1009, 1010, and 1011 and insert the following:

**SEC. 1009. GRANTS FOR THE OUTLYING AREAS AND THE SECRETARY OF THE INTERIOR.**

Section 1121 (20 U.S.C. 6331) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking “and 1125A(f)”; and

(2) in subsection (b)(3)(C)(ii), by striking “challenging State academic content standards” and inserting “challenging State academic standards”.

**SEC. 1010. ALLOCATIONS TO STATES.**

Section 1122 (20 U.S.C. 6332) is amended—

(1) by striking subsection (a) and inserting the following:

“(a) ALLOCATION FORMULA.—

“(1) INITIAL ALLOCATION.—For each of fiscal years 2016 through 2021 (referred to in this subsection as the ‘current fiscal year’), the Secretary shall allocate \$14,500,000,000 of the amount appropriated under section 1002(a) to carry out this part (or, if the total amount appropriated for this part is equal to or less than \$14,500,000,000, all of such amount) in accordance with the following:

“(A) An amount equal to the amount made available to carry out section 1124 for fiscal year 2001 shall be allocated in accordance with section 1124.

“(B) An amount equal to the amount made available to carry out section 1124A for fiscal year 2001 shall be allocated in accordance with section 1124A.

“(C) An amount equal to 100 percent of the amount, if any, by which the amount made available under this paragraph for the current fiscal year for which the determination is made exceeds the amount available to carry out sections 1124 and 1124A for fiscal year 2001 shall be allocated in accordance with section 1125 and 1125A.

“(2) ALLOCATIONS IN EXCESS OF \$14,500,000,000.—For each of the current fiscal years for which the amounts appropriated under section 1002(a) to carry out this part exceed \$14,500,000,000, an amount equal to such excess amount shall be allocated in accordance with section 1123.”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking “under this subpart” and inserting “under subsection (a)(1) for sections 1124, 1124A, 1125, and 1125A”; and

(ii) by striking “and 1125” and inserting “1125, and 1125A”; and

(B) in paragraph (2)—

(i) by inserting “under subsection (a)(1)” after “become available”; and

(ii) by striking “and 1125” and inserting “1125, and 1125A”;

(3) in subsection (c)(1), by inserting “and to the extent amounts under subsection (a)(1) are available” after “For each fiscal year”; and

(4) in subsection (d)(1), by striking “under this subpart” and inserting “under subsection (a)(1) for sections 1124, 1124A, 1125, and 1125A”.

**SEC. 1011. EQUITY GRANTS.**

Subpart 2 of part A of title I (20 U.S.C. 6331 et seq.) is amended by inserting after section 1122 the following:

**“SEC. 1123. EQUITY GRANTS.**

“(a) AUTHORIZATION.—From funds appropriated under section 1002(a) for a fiscal year and available for allocation pursuant to section 1122(a)(2), the Secretary is authorized to



make grants to States, from allotments under subsection (b), to carry out the programs and activities of this part.

“(b) DISTRIBUTION BASED UPON CONCENTRATIONS OF POVERTY.—

“(1) IN GENERAL.—

“(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), funds appropriated pursuant to subsection (a) for a fiscal year shall be allotted to each State based upon the number of children counted under section 1124(c) in such State multiplied by the product of—

“(i) 40 percent of the average per-pupil expenditure in the United States (other than the Commonwealth of Puerto Rico); multiplied by

“(ii) 1.30 minus such State's equity factor described in paragraph (2).

“(B) PUERTO RICO.—For each fiscal year, the Secretary shall allot to the Commonwealth of Puerto Rico an amount of the funds appropriated under subsection (a) that bears the same relation to the total amount of funds appropriated under such subsection as the amount that the Commonwealth of Puerto Rico received under this subpart for fiscal year 2015 bears to the total amount received by all States for such fiscal year.

“(C) STATE MINIMUM.—Notwithstanding any other provision of this section, from the total amount available for any fiscal year to carry out this section, each State (except for Puerto Rico) shall be allotted at least the lesser of—

“(i) 0.35 percent of the total amount available to carry out this section for such fiscal year; or

“(ii) the average of—

“(I) 0.35 percent of such total amount for such fiscal year; and

“(II) 150 percent of the national average grant under this section per child described in section 1124(c), without application of a weighting factor, multiplied by the State's total number of children described in section 1124(c), without application of a weighting factor.

“(2) EQUITY FACTOR.—

“(A) DETERMINATION.—

“(i) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall determine the equity factor under this section for each State in accordance with clause (ii).

“(ii) COMPUTATION.—

“(I) IN GENERAL.—For each State, the Secretary shall compute a weighted coefficient of variation for the per-pupil expenditures of local educational agencies in accordance with subclauses (II), (III), and (IV).

“(II) VARIATION.—In computing coefficients of variation, the Secretary shall weigh the variation between per-pupil expenditures in each local educational agency and the average per-pupil expenditures in the State according to the number of pupils served by the local educational agency.

“(III) NUMBER OF PUPILS.—In determining the number of pupils under this paragraph served by each local educational agency and in each State, the Secretary shall multiply the number of children counted under section 1124(c) by a factor of 1.4.

“(IV) ENROLLMENT REQUIREMENT.—In computing coefficients of variation, the Secretary shall include only those local educational agencies with an enrollment of more than 200 students.

“(B) SPECIAL RULE.—The equity factor for a State that meets the disparity standard described in section 222.162 of title 34, Code of Federal Regulations (as such section was in effect on the day preceding the date of enactment of the No Child Left Behind Act of 2001)

or a State with only one local educational agency shall be not greater than 0.10.

“(c) USE OF FUNDS; ELIGIBILITY OF LOCAL EDUCATIONAL AGENCIES.—All funds awarded to each State under this section shall be allocated to local educational agencies under the following provisions:

“(1) DISTRIBUTION WITHIN LOCAL EDUCATIONAL AGENCIES.—Within local educational agencies, funds allocated under this section shall be distributed to schools on a basis consistent with section 1113, and may only be used to carry out activities under this part.

“(2) ELIGIBILITY FOR GRANT.—A local educational agency in a State is eligible to receive a grant under this section for any fiscal year if—

“(A) the number of children in the local educational agency counted under section 1124(c), before application of the weighted child count described in subsection (d), is at least 10; and

“(B) if the number of children counted for grants under section 1124(c), before application of the weighted child count described in subsection (d), is at least 5 percent of the total number of children aged 5 to 17 years, inclusive, in the school district of the local educational agency.

“(d) ALLOCATION OF FUNDS TO ELIGIBLE LOCAL EDUCATIONAL AGENCIES.—

“(1) IN GENERAL.—Funds received by States under this section for a fiscal year shall be allocated within States to eligible local educational agencies on the basis of weighted child counts calculated in accordance with paragraph (2), (3), or (4), as appropriate for each State.

“(2) STATES WITH AN EQUITY FACTOR LESS THAN .10.—

“(A) IN GENERAL.—In States with an equity factor less than .10, the weighted child counts referred to in paragraph (1) for a fiscal year shall be the larger of the 2 amounts determined under subparagraphs (B) and (C).

“(B) BY PERCENTAGE OF CHILDREN.—The amount referred to in subparagraph (A) is determined by adding—

“(i) the number of children determined under section 1124(c) for that local educational agency who constitute not more than 17.27 percent, inclusive, of the agency's total population aged 5 to 17, inclusive, multiplied by 1.0;

“(ii) the number of such children who constitute more than 17.27 percent, but not more than 23.48 percent, of such population, multiplied by 1.75;

“(iii) the number of such children who constitute more than 23.48 percent, but not more than 29.11 percent, of such population, multiplied by 2.5;

“(iv) the number of such children who constitute more than 29.11 percent, but not more than 36.10 percent, of such population, multiplied by 3.25; and

“(v) the number of such children who constitute more than 36.10 percent of such population, multiplied by 4.0.

“(C) BY NUMBER OF CHILDREN.—The amount referred to in subparagraph (A) is determined by adding—

“(i) the number of children determined under section 1124(c) who constitute not more than 834, inclusive, of the agency's total population aged 5 to 17, inclusive, multiplied by 1.0;

“(ii) the number of such children between 835 and 2,629, inclusive, in such population, multiplied by 1.5;

“(iii) the number of such children between 2,630 and 7,668, inclusive, in such population, multiplied by 2.0; and

“(iv)(I) in the case of an agency that is not a high poverty percentage local educational agency, the number of such children in excess of 7,668 in such population, multiplied by 2.0; or

“(II) in the case of a high poverty percentage local educational agency—

“(aa) the number of such children between 7,669 and 26,412, inclusive, in such population, multiplied by 2.5; and

“(bb) the number of such children in excess of 26,412 in such population, multiplied by 3.0.

“(3) STATES WITH AN EQUITY FACTOR GREATER THAN OR EQUAL TO .10 AND LESS THAN .20.—

“(A) IN GENERAL.—In States with an equity factor greater than or equal to .10 and less than .20, the weighted child counts referred to in paragraph (1) for a fiscal year shall be the larger of the 2 amounts determined under subparagraphs (B) and (C).

“(B) BY PERCENTAGE OF CHILDREN.—The amount referred to in subparagraph (A) is determined by adding—

“(i) the number of children determined under section 1124(c) for that local educational agency who constitute not more than 17.27 percent, inclusive, of the agency's total population aged 5 to 17, inclusive, multiplied by 1.0;

“(ii) the number of such children who constitute more than 17.27 percent, but not more than 23.48 percent, of such population, multiplied by 1.5;

“(iii) the number of such children who constitute more than 23.48 percent, but not more than 29.11 percent, of such population, multiplied by 3.0;

“(iv) the number of such children who constitute more than 29.11 percent, but not more than 36.10 percent, of such population, multiplied by 4.5; and

“(v) the number of such children who constitute more than 36.10 percent of such population, multiplied by 6.0.

“(C) BY NUMBER OF CHILDREN.—The amount referred to in subparagraph (A) is determined by adding—

“(i) the number of children determined under section 1124(c) who constitute not more than 834, inclusive, of the agency's total population aged 5 to 17, inclusive, multiplied by 1.0;

“(ii) the number of such children between 835 and 2,629, inclusive, in such population, multiplied by 1.5;

“(iii) the number of such children between 2,630 and 7,668, inclusive, in such population, multiplied by 2.25; and

“(iv)(I) in the case of an agency that is not a high poverty percentage local educational agency, the number of such children in excess of 7,668 in such population, multiplied by 2.25; or

“(II) in the case of a high poverty percentage local educational agency—

“(aa) the number of such children between 7,669 and 26,412, inclusive, in such population, multiplied by 3.375; and

“(bb) the number of such children in excess of 26,412 in such population, multiplied by 4.5.

“(4) STATES WITH AN EQUITY FACTOR GREATER THAN OR EQUAL TO .20.—

“(A) IN GENERAL.—In States with an equity factor greater than or equal to .20, the weighted child counts referred to in paragraph (1) for a fiscal year shall be the larger of the 2 amounts determined under subparagraphs (B) and (C).

“(B) BY PERCENTAGE OF CHILDREN.—The amount referred to in subparagraph (A) is determined by adding—

“(i) the number of children determined under section 1124(c) for that local educational agency who constitute not more than 17.27 percent, inclusive, of the agency’s total population aged 5 to 17, inclusive, multiplied by 1.0;

“(ii) the number of such children who constitute more than 17.27 percent, but not more than 23.48 percent, of such population, multiplied by 2.0;

“(iii) the number of such children who constitute more than 23.48 percent, but not more than 29.11 percent, of such population, multiplied by 4.0;

“(iv) the number of such children who constitute more than 29.11 percent, but not more than 36.10 percent, of such population, multiplied by 6.0; and

“(v) the number of such children who constitute more than 36.10 percent of such population, multiplied by 8.0.

“(C) BY NUMBER OF CHILDREN.—The amount referred to in subparagraph (A) is determined by adding—

“(i) the number of children determined under section 1124(c) who constitute not more than 834, inclusive, of the agency’s total population aged 5 to 17, inclusive, multiplied by 1.0;

“(ii) the number of such children between 835 and 2,629, inclusive, in such population, multiplied by 2.0;

“(iii) the number of such children between 2,630 and 7,668, inclusive, in such population, multiplied by 3.0; and

“(iv) (I) in the case of an agency that is not a high poverty percentage local educational agency, the number of such children in excess of 7,668 in such population, multiplied by 3.0; or

“(II) in the case of a high poverty percentage local educational agency—

“(aa) the number of such children between 7,669 and 26,412, inclusive, in such population, multiplied by 4.5; and

“(bb) the number of such children in excess of 26,412 in such population, multiplied by 6.0.

“(e) MAINTENANCE OF EFFORT.—

“(1) IN GENERAL.—A State is entitled to receive its full allotment of funds under this section for any fiscal year if the Secretary finds that the State’s fiscal effort per student or the aggregate expenditures of the State with respect to the provision of free public education by the State for the preceding fiscal year was not less than 90 percent of the fiscal effort or aggregate expenditures for the second preceding fiscal year, subject to the requirements of paragraph (2).

“(2) REDUCTION IN CASE OF FAILURE TO MEET.—

“(A) IN GENERAL.—The Secretary shall reduce the amount of the allotment of funds under this section in any fiscal year in the exact proportion by which a State fails to meet the requirement of paragraph (1) by falling below 90 percent of both the fiscal effort per student and aggregate expenditures (using the measure most favorable to the State), if such State has also failed to meet such requirement (as determined using the measure most favorable to the State) for 1 or more of the 5 immediately preceding fiscal years.

“(B) SPECIAL RULE.—No such lesser amount shall be used for computing the effort required under paragraph (1) for subsequent years.

“(3) WAIVER.—The Secretary may waive the requirements of this subsection if the Secretary determines that a waiver would be equitable due to—

“(A) exceptional or uncontrollable circumstances, such as a natural disaster or a

change in the organizational structure of the State; or

“(B) a precipitous decline in the financial resources of the State.

“(f) ADJUSTMENTS WHERE NECESSITATED BY APPROPRIATIONS.—

“(1) IN GENERAL.—If the sums available under this section for any fiscal year are insufficient to pay the full amounts that all local educational agencies in States are eligible to receive under this section for such year, the Secretary shall ratably reduce the allocations to such local educational agencies, subject to paragraphs (2) and (3).

“(2) ADDITIONAL FUNDS.—If additional funds become available for making payments under this section for such fiscal year, allocations that were reduced under paragraph (1) shall be increased on the same basis as they were reduced.

“(3) HOLD HARMLESS AMOUNTS.—Beginning with the second fiscal year for which amounts are appropriated to carry out this section, and if sufficient funds are available, the amount made available to each local educational agency under this section for a fiscal year shall be—

“(A) not less than 95 percent of the amount made available for the preceding fiscal year if the number of children counted under section 1124(c) is equal to or more than 30 percent of the total number of children aged 5 to 17 years, inclusive, in the local educational agency;

“(B) not less than 90 percent of the amount made available for the preceding fiscal year if the percentage described in subparagraph (A) is less than 30 percent and equal to or more than 15 percent; and

“(C) not less than 85 percent of the amount made available for the preceding fiscal year if the percentage described in subparagraph (A) is less than 15 percent.

“(4) APPLICABILITY.—Notwithstanding any other provision of law, the Secretary shall not take into consideration the hold-harmless provisions of this subsection for any fiscal year for purposes of calculating State or local allocations for the fiscal year under any program administered by the Secretary other than a program authorized under this part.

“(g) DEFINITIONS.—In this section:

“(1) HIGH POVERTY PERCENTAGE LOCAL EDUCATIONAL AGENCY.—The term ‘high poverty percentage local educational agency’ means a local educational agency for which the number of children determined under subsection (b) for a fiscal year is 20 percent or more of the total population aged 5 to 17, inclusive, of the local educational agency for such fiscal year.

“(2) STATE.—The term ‘State’ means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.”.

#### SEC. 1011A. ADEQUACY OF FUNDING RULE.

Section 1125AA(b) (20 U.S.C. 6336(b)) is amended by striking “section 1122(a)” and inserting “section 1122(a)(1)”.

#### SEC. 1011B. EDUCATION FINANCE INCENTIVE GRANT PROGRAM.

In section 1125A (20 U.S.C. 6337)—

(1) in subsection (a), by striking “under subsection (f)” and inserting “under section 1002(a) and made available under section 1122(a)(1)”;

(2) in subsection (b), by striking “pursuant to subsection (f)” and inserting “made available for this section under section 1122(a)(1)”;

(3) in subsection (c), by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively;

(4) in subsection (d)(1)(A)(ii), by striking “clause ‘(i)’” and inserting “clause (i)”;

(5) by striking subsection (e) and inserting the following:

“(e) MAINTENANCE OF EFFORT.—

“(1) IN GENERAL.—A State is entitled to receive its full allotment of funds under this section for any fiscal year if the Secretary finds that the State’s fiscal effort per student or the aggregate expenditures of the State with respect to the provision of free public education by the State for the preceding fiscal year was not less than 90 percent of the fiscal effort or aggregate expenditures for the second preceding fiscal year, subject to the requirements of paragraph (2).

“(2) REDUCTION IN CASE OF FAILURE TO MEET.—

“(A) IN GENERAL.—The Secretary shall reduce the amount of the allotment of funds under this section for any fiscal year in the exact proportion by which a State fails to meet the requirement of paragraph (1) by falling below 90 percent of both the fiscal effort per student and aggregate expenditures (using the measure most favorable to the State), if such State has also failed to meet such requirement (as determined using the measure most favorable to the State) for 1 or more of the 5 immediately preceding fiscal years.

“(B) SPECIAL RULE.—No such lesser amount shall be used for computing the effort required under paragraph (1) for subsequent years.

“(3) WAIVER.—The Secretary may waive the requirements of this subsection if the Secretary determines that a waiver would be equitable due to—

“(A) exceptional or uncontrollable circumstances, such as a natural disaster or a change in the organizational structure of the State; or

“(B) a precipitous decline in the financial resources of the State.”;

(6) by striking subsection (f);

(7) by redesignating subsection (g) as subsection (f); and

(8) in subsection (f), as redesignated by paragraph (7)—

(A) in paragraph (1), by striking “under this section” and inserting “to carry out this section”; and

(B) in subsection (f)(3), in the matter preceding subparagraph (A), by striking “shall be” and inserting “shall be—”.

#### SEC. 1011C. SPECIAL ALLOCATION PROCEDURES.

Section 1126 (20 U.S.C. 6338) is amended by striking “sections 1124, 1124A, 1125, and 1125A” each place the term appears and inserting “sections 1123, 1124, 1124A, 1125, and 1125A”.

**SA 2248.** Mr. BURR (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

Strike sections 1009, 1010, and 1011 and insert the following:

#### 1009. GRANTS FOR THE OUTLYING AREAS AND THE SECRETARY OF THE INTERIOR.

Section 1121 (20 U.S.C. 6331) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking “and 1125A(f)”;

(2) in subsection (b)(3)(C)(ii), by striking “challenging State academic content standards” and inserting “challenging State academic standards”.

**SEC. 1010. ALLOCATIONS TO STATES.**

(a) AMENDMENTS.—Section 1122 (20 U.S.C. 6332) is amended—

(1) by striking subsection (a) and inserting the following:

“(a) ALLOCATION FORMULA.—

“(1) INITIAL ALLOCATION.—For each of fiscal years 2016 through 2021 (referred to in this subsection as the ‘current fiscal year’), the Secretary shall allocate \$14,500,000,000 of the amount appropriated under section 1002(a) to carry out this part (or, if the total amount appropriated for this part is equal to or less than \$14,500,000,000, all of such amount) in accordance with the following:

“(A) An amount equal to the amount made available to carry out section 1124 for fiscal year 2001 shall be allocated in accordance with section 1124.

“(B) An amount equal to the amount made available to carry out section 1124A for fiscal year 2001 shall be allocated in accordance with section 1124A.

“(C) An amount equal to 100 percent of the amount, if any, by which the amount made available under this paragraph for the current fiscal year for which the determination is made exceeds the amount available to carry out sections 1124 and 1124A for fiscal year 2001 shall be allocated in accordance with section 1125 and 1125A.

“(2) ALLOCATIONS IN EXCESS OF \$14,500,000,000.—For each of the current fiscal years for which the amounts appropriated under section 1002(a) to carry out this part exceed \$14,500,000,000, an amount equal to such excess amount shall be allocated in accordance with section 1123.”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking “under this subpart” and inserting “under subsection (a)(1) for sections 1124, 1124A, 1125, and 1125A”; and

(ii) by striking “and 1125” and inserting “1125, and 1125A”; and

(B) in paragraph (2)—

(i) by inserting “under subsection (a)(1)” after “become available”; and

(ii) by striking “and 1125” and inserting “1125, and 1125A”;

(3) in subsection (c)(1), by inserting “and to the extent amounts under subsection (a)(1) are available” after “For each fiscal year”; and

(4) in subsection (d)(1), by striking “under this subpart” and inserting “under subsection (a)(1) for sections 1124, 1124A, 1125, and 1125A”.

(b) POINT OF ORDER.—

(1) IN THE SENATE.—

(A) IN GENERAL.—When the Senate is considering a bill or joint resolution making appropriations for a fiscal year, or an amendment thereto, amendment between the Houses in relation thereto, conference report thereon, or motion thereon, if a point of order is made by a Senator against a provision that provides appropriations for part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) in an amount greater than \$14,500,000,000 for such year and does not appropriate funds for equity grants under section 1123 of such Act in accordance with section 1122(a)(2) of such Act, as amended by this Act, and the point of order is sustained by the Chair, that provision shall be stricken from the measure and may not be offered as an amendment from the floor.

(B) FORM OF THE POINT OF ORDER.—In the Senate, a point of order under subparagraph (A) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974 (2 U.S.C. 644(e)).

(C) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill or joint resolution, upon a point of order being made by any Senator pursuant to subparagraph (A), and such point of order being sustained, such material contained in such conference report or House amendment shall be stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(D) SUPERMAJORITY WAIVER AND APPEAL.—In the Senate, this paragraph may be waived or suspended only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of Members of the Senate, duly chosen and sworn shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this paragraph.

(2) IN THE HOUSE OF REPRESENTATIVES.—

(A) IN GENERAL.—A provision in a bill or joint resolution making appropriations for a fiscal year that provides appropriations for part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) in an amount greater than \$14,500,000,000 for such year and does not appropriate funds for equity grants under section 1123 of such Act in accordance with section 1122(a)(2) of such Act, as amended by this Act, shall not be in order in the House of Representatives.

(B) AMENDMENTS AND CONFERENCE REPORTS.—It shall not be in order in the House of Representatives to consider an amendment to, or a conference report on, a bill or joint resolution making appropriations for a fiscal year if such amendment thereto or conference report thereon provides appropriations for part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) in an amount greater than \$14,500,000,000 for such year and does not appropriate funds for equity grants under section 1123 of such Act in accordance with section 1122(a)(2) of such Act, as amended by this Act.

(3) EXERCISE OF RULEMAKING POWERS.—Congress adopts the provisions of this subsection—

(A) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House or of that House to which they specifically apply, and such rules shall supersede other rules only to the extent that they are inconsistent with such other rules; and

(B) with full recognition of the constitutional right of either the Senate or the House of Representatives to change those rules (insofar as they relate to that House) at any time, in the same manner, and to the same extent as is the case of any other rule of the Senate or House of Representatives.

**SEC. 1011. EQUITY GRANTS.**

Subpart 2 of part A of title I (20 U.S.C. 6331 et seq.) is amended by inserting after section 1122 the following:

**“SEC. 1123. EQUITY GRANTS.**

“(a) AUTHORIZATION.—From funds appropriated under section 1002(a) for a fiscal year and available for allocation pursuant to section 1122(a)(2), the Secretary is authorized to make grants to States, from allotments under subsection (b), to carry out the programs and activities of this part.

“(b) DISTRIBUTION BASED UPON CONCENTRATIONS OF POVERTY.—

“(1) IN GENERAL.—

“(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), funds appropriated pursuant to subsection (a) for a fiscal year shall be allotted to each State based upon the number of children counted under section 1124(c) in such State multiplied by the product of—

“(i) 40 percent of the average per-pupil expenditure in the United States (other than the Commonwealth of Puerto Rico); multiplied by

“(ii) 1.30 minus such State’s equity factor described in paragraph (2).

“(B) PUERTO RICO.—For each fiscal year, the Secretary shall allot to the Commonwealth of Puerto Rico an amount of the funds appropriated under subsection (a) that bears the same relation to the total amount of funds appropriated under such subsection as the amount that the Commonwealth of Puerto Rico received under this subpart for fiscal year 2015 bears to the total amount received by all States for such fiscal year.

“(C) STATE MINIMUM.—Notwithstanding any other provision of this section, from the total amount available for any fiscal year to carry out this section, each State (except for Puerto Rico) shall be allotted at least the lesser of—

“(i) 0.35 percent of the total amount available to carry out this section for such fiscal year; or

“(ii) the average of—

“(I) 0.35 percent of such total amount for such fiscal year; and

“(II) 150 percent of the national average grant under this section per child described in section 1124(c), without application of a weighting factor, multiplied by the State’s total number of children described in section 1124(c), without application of a weighting factor.

“(2) EQUITY FACTOR.—

“(A) DETERMINATION.—

“(i) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall determine the equity factor under this section for each State in accordance with clause (ii).

“(ii) COMPUTATION.—

“(I) IN GENERAL.—For each State, the Secretary shall compute a weighted coefficient of variation for the per-pupil expenditures of local educational agencies in accordance with subclauses (II), (III), and (IV).

“(II) VARIATION.—In computing coefficients of variation, the Secretary shall weigh the variation between per-pupil expenditures in each local educational agency and the average per-pupil expenditures in the State according to the number of pupils served by the local educational agency.

“(III) NUMBER OF PUPILS.—In determining the number of pupils under this paragraph served by each local educational agency and in each State, the Secretary shall multiply the number of children counted under section 1124(c) by a factor of 1.4.

“(IV) ENROLLMENT REQUIREMENT.—In computing coefficients of variation, the Secretary shall include only those local educational agencies with an enrollment of more than 200 students.

“(B) SPECIAL RULE.—The equity factor for a State that meets the disparity standard described in section 222.162 of title 34, Code of Federal Regulations (as such section was in effect on the day preceding the date of enactment of the No Child Left Behind Act of 2001) or a State with only one local educational agency shall be not greater than 0.10.

“(C) USE OF FUNDS; ELIGIBILITY OF LOCAL EDUCATIONAL AGENCIES.—All funds awarded to each State under this section shall be allocated to local educational agencies under the following provisions:

“(1) DISTRIBUTION WITHIN LOCAL EDUCATIONAL AGENCIES.—Within local educational agencies, funds allocated under this section shall be distributed to schools on a basis consistent with section 1113, and may only be used to carry out activities under this part.

“(2) ELIGIBILITY FOR GRANT.—A local educational agency in a State is eligible to receive a grant under this section for any fiscal year if—

“(A) the number of children in the local educational agency counted under section 1124(c), before application of the weighted child count described in subsection (d), is at least 10; and

“(B) if the number of children counted for grants under section 1124(c), before application of the weighted child count described in subsection (d), is at least 5 percent of the total number of children aged 5 to 17 years, inclusive, in the school district of the local educational agency.

“(d) ALLOCATION OF FUNDS TO ELIGIBLE LOCAL EDUCATIONAL AGENCIES.—

“(1) IN GENERAL.—Funds received by States under this section for a fiscal year shall be allocated within States to eligible local educational agencies on the basis of weighted child counts calculated in accordance with paragraph (2), (3), or (4), as appropriate for each State.

“(2) STATES WITH AN EQUITY FACTOR LESS THAN .10.—

“(A) IN GENERAL.—In States with an equity factor less than .10, the weighted child counts referred to in paragraph (1) for a fiscal year shall be the larger of the 2 amounts determined under subparagraphs (B) and (C).

“(B) BY PERCENTAGE OF CHILDREN.—The amount referred to in subparagraph (A) is determined by adding—

“(i) the number of children determined under section 1124(c) for that local educational agency who constitute not more than 17.27 percent, inclusive, of the agency's total population aged 5 to 17, inclusive, multiplied by 1.0;

“(ii) the number of such children who constitute more than 17.27 percent, but not more than 23.48 percent, of such population, multiplied by 1.75;

“(iii) the number of such children who constitute more than 23.48 percent, but not more than 29.11 percent, of such population, multiplied by 2.5;

“(iv) the number of such children who constitute more than 29.11 percent, but not more than 36.10 percent, of such population, multiplied by 3.25; and

“(v) the number of such children who constitute more than 36.10 percent of such population, multiplied by 4.0.

“(C) BY NUMBER OF CHILDREN.—The amount referred to in subparagraph (A) is determined by adding—

“(i) the number of children determined under section 1124(c) who constitute not more than 834, inclusive, of the agency's total population aged 5 to 17, inclusive, multiplied by 1.0;

“(ii) the number of such children between 835 and 2,629, inclusive, in such population, multiplied by 1.5;

“(iii) the number of such children between 2,630 and 7,668, inclusive, in such population, multiplied by 2.0; and

“(iv)(I) in the case of an agency that is not a high poverty percentage local educational agency, the number of such children in excess of 7,668 in such population, multiplied by 2.0; or

“(II) in the case of a high poverty percentage local educational agency—

“(aa) the number of such children between 7,669 and 26,412, inclusive, in such population, multiplied by 2.5; and

“(bb) the number of such children in excess of 26,412 in such population, multiplied by 3.0.

“(3) STATES WITH AN EQUITY FACTOR GREATER THAN OR EQUAL TO .10 AND LESS THAN .20.—

“(A) IN GENERAL.—In States with an equity factor greater than or equal to .10 and less than .20, the weighted child counts referred to in paragraph (1) for a fiscal year shall be the larger of the 2 amounts determined under subparagraphs (B) and (C).

“(B) BY PERCENTAGE OF CHILDREN.—The amount referred to in subparagraph (A) is determined by adding—

“(i) the number of children determined under section 1124(c) for that local educational agency who constitute not more than 17.27 percent, inclusive, of the agency's total population aged 5 to 17, inclusive, multiplied by 1.0;

“(ii) the number of such children who constitute more than 17.27 percent, but not more than 23.48 percent, of such population, multiplied by 1.5;

“(iii) the number of such children who constitute more than 23.48 percent, but not more than 29.11 percent, of such population, multiplied by 3.0;

“(iv) the number of such children who constitute more than 29.11 percent, but not more than 36.10 percent, of such population, multiplied by 4.5; and

“(v) the number of such children who constitute more than 36.10 percent of such population, multiplied by 6.0.

“(C) BY NUMBER OF CHILDREN.—The amount referred to in subparagraph (A) is determined by adding—

“(i) the number of children determined under section 1124(c) who constitute not more than 834, inclusive, of the agency's total population aged 5 to 17, inclusive, multiplied by 1.0;

“(ii) the number of such children between 835 and 2,629, inclusive, in such population, multiplied by 1.5;

“(iii) the number of such children between 2,630 and 7,668, inclusive, in such population, multiplied by 2.25; and

“(iv)(I) in the case of an agency that is not a high poverty percentage local educational agency, the number of such children in excess of 7,668 in such population, multiplied by 2.25; or

“(II) in the case of a high poverty percentage local educational agency—

“(aa) the number of such children between 7,669 and 26,412, inclusive, in such population, multiplied by 3.375; and

“(bb) the number of such children in excess of 26,412 in such population, multiplied by 4.5.

“(4) STATES WITH AN EQUITY FACTOR GREATER THAN OR EQUAL TO .20.—

“(A) IN GENERAL.—In States with an equity factor greater than or equal to .20, the weighted child counts referred to in paragraph (1) for a fiscal year shall be the larger

of the 2 amounts determined under subparagraphs (B) and (C).

“(B) BY PERCENTAGE OF CHILDREN.—The amount referred to in subparagraph (A) is determined by adding—

“(i) the number of children determined under section 1124(c) for that local educational agency who constitute not more than 17.27 percent, inclusive, of the agency's total population aged 5 to 17, inclusive, multiplied by 1.0;

“(ii) the number of such children who constitute more than 17.27 percent, but not more than 23.48 percent, of such population, multiplied by 2.0;

“(iii) the number of such children who constitute more than 23.48 percent, but not more than 29.11 percent, of such population, multiplied by 4.0;

“(iv) the number of such children who constitute more than 29.11 percent, but not more than 36.10 percent, of such population, multiplied by 6.0; and

“(v) the number of such children who constitute more than 36.10 percent of such population, multiplied by 8.0.

“(C) BY NUMBER OF CHILDREN.—The amount referred to in subparagraph (A) is determined by adding—

“(i) the number of children determined under section 1124(c) who constitute not more than 834, inclusive, of the agency's total population aged 5 to 17, inclusive, multiplied by 1.0;

“(ii) the number of such children between 835 and 2,629, inclusive, in such population, multiplied by 2.0;

“(iii) the number of such children between 2,630 and 7,668, inclusive, in such population, multiplied by 3.0; and

“(iv)(I) in the case of an agency that is not a high poverty percentage local educational agency, the number of such children in excess of 7,668 in such population, multiplied by 3.0; or

“(II) in the case of a high poverty percentage local educational agency—

“(aa) the number of such children between 7,669 and 26,412, inclusive, in such population, multiplied by 4.5; and

“(bb) the number of such children in excess of 26,412 in such population, multiplied by 6.0.

“(e) MAINTENANCE OF EFFORT.—

“(1) IN GENERAL.—A State is entitled to receive its full allotment of funds under this section for any fiscal year if the Secretary finds that the State's fiscal effort per student or the aggregate expenditures of the State with respect to the provision of free public education by the State for the preceding fiscal year was not less than 90 percent of the fiscal effort or aggregate expenditures for the second preceding fiscal year, subject to the requirements of paragraph (2).

“(2) REDUCTION IN CASE OF FAILURE TO MEET.—

“(A) IN GENERAL.—The Secretary shall reduce the amount of the allotment of funds under this section in any fiscal year in the exact proportion by which a State fails to meet the requirement of paragraph (1) by falling below 90 percent of both the fiscal effort per student and aggregate expenditures (using the measure most favorable to the State), if such State has also failed to meet such requirement (as determined using the measure most favorable to the State) for 1 or more of the 5 immediately preceding fiscal years.

“(B) SPECIAL RULE.—No such lesser amount shall be used for computing the effort required under paragraph (1) for subsequent years.

“(3) **WAIVER.**—The Secretary may waive the requirements of this subsection if the Secretary determines that a waiver would be equitable due to—

“(A) exceptional or uncontrollable circumstances, such as a natural disaster or a change in the organizational structure of the State; or

“(B) a precipitous decline in the financial resources of the State.

“(f) **ADJUSTMENTS WHERE NECESSITATED BY APPROPRIATIONS.**—

“(1) **IN GENERAL.**—If the sums available under this section for any fiscal year are insufficient to pay the full amounts that all local educational agencies in States are eligible to receive under this section for such year, the Secretary shall ratably reduce the allocations to such local educational agencies, subject to paragraphs (2) and (3).

“(2) **ADDITIONAL FUNDS.**—If additional funds become available for making payments under this section for such fiscal year, allocations that were reduced under paragraph (1) shall be increased on the same basis as they were reduced.

“(3) **HOLD HARMLESS AMOUNTS.**—Beginning with the second fiscal year for which amounts are appropriated to carry out this section, and if sufficient funds are available, the amount made available to each local educational agency under this section for a fiscal year shall be—

“(A) not less than 95 percent of the amount made available for the preceding fiscal year if the number of children counted under section 1124(c) is equal to or more than 30 percent of the total number of children aged 5 to 17 years, inclusive, in the local educational agency;

“(B) not less than 90 percent of the amount made available for the preceding fiscal year if the percentage described in subparagraph (A) is less than 30 percent and equal to or more than 15 percent; and

“(C) not less than 85 percent of the amount made available for the preceding fiscal year if the percentage described in subparagraph (A) is less than 15 percent.

“(4) **APPLICABILITY.**—Notwithstanding any other provision of law, the Secretary shall not take into consideration the hold-harmless provisions of this subsection for any fiscal year for purposes of calculating State or local allocations for the fiscal year under any program administered by the Secretary other than a program authorized under this part.

“(g) **DEFINITIONS.**—In this section:

“(1) **HIGH POVERTY PERCENTAGE LOCAL EDUCATIONAL AGENCY.**—The term ‘high poverty percentage local educational agency’ means a local educational agency for which the number of children determined under subsection (b) for a fiscal year is 20 percent or more of the total population aged 5 to 17, inclusive, of the local educational agency for such fiscal year.

“(2) **STATE.**—The term ‘State’ means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.”.

#### SEC. 1011A. ADEQUACY OF FUNDING RULE.

Section 1125AA(b) (20 U.S.C. 6336(b)) is amended by striking “section 1122(a)” and inserting “section 1122(a)(1)”.

#### SEC. 1011B. EDUCATION FINANCE INCENTIVE GRANT PROGRAM.

In section 1125A (20 U.S.C. 6337)—

(1) in subsection (a), by striking “under subsection (f)” and inserting “under section 1002(a) and made available under section 1122(a)(1)”;

(2) in subsection (b), by striking “pursuant to subsection (f)” and inserting “made avail-

able for this section under section 1122(a)(1)”;

(3) in subsection (c), by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively;

(4) in subsection (d)(1)(A)(ii), by striking “clause (i)” and inserting “clause (i)”;

(5) by striking subsection (e) and inserting the following:

“(e) **MAINTENANCE OF EFFORT.**—

“(1) **IN GENERAL.**—A State is entitled to receive its full allotment of funds under this section for any fiscal year if the Secretary finds that the State’s fiscal effort per student or the aggregate expenditures of the State with respect to the provision of free public education by the State for the preceding fiscal year was not less than 90 percent of the fiscal effort or aggregate expenditures for the second preceding fiscal year, subject to the requirements of paragraph (2).

“(2) **REDUCTION IN CASE OF FAILURE TO MEET.**—

“(A) **IN GENERAL.**—The Secretary shall reduce the amount of the allotment of funds under this section for any fiscal year in the exact proportion by which a State fails to meet the requirement of paragraph (1) by falling below 90 percent of both the fiscal effort per student and aggregate expenditures (using the measure most favorable to the State), if such State has also failed to meet such requirement (as determined using the measure most favorable to the State) for 1 or more of the 5 immediately preceding fiscal years.

“(B) **SPECIAL RULE.**—No such lesser amount shall be used for computing the effort required under paragraph (1) for subsequent years.

“(3) **WAIVER.**—The Secretary may waive the requirements of this subsection if the Secretary determines that a waiver would be equitable due to—

“(A) exceptional or uncontrollable circumstances, such as a natural disaster or a change in the organizational structure of the State; or

“(B) a precipitous decline in the financial resources of the State.”;

(6) by striking subsection (f);

(7) by redesignating subsection (g) as subsection (f); and

(8) in subsection (f), as redesignated by paragraph (7)—

(A) in paragraph (1), by striking “under this section” and inserting “to carry out this section”; and

(B) in subsection (f)(3), in the matter preceding subparagraph (A), by striking “shall be” and inserting “shall be—”.

#### SEC. 1011C. SPECIAL ALLOCATION PROCEDURES.

Section 1126 (20 U.S.C. 6338) is amended by striking “sections 1124, 1124A, 1125, and 1125A” each place the term appears and inserting “sections 1123, 1124, 1124A, 1125, and 1125A”.

**SA 2249.** Ms. WARREN (for herself, Mr. GARDNER, and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 73, line 12, strike the period at the end and insert the following: “; and

“(N) the State educational agency will provide the information described in clauses (ii), (iii), and (iv) of subsection (d)(1)(C) to the

public in an easily accessible and user-friendly manner that can be cross-tabulated by, at a minimum, each major racial and ethnic group, gender, English proficiency, and students with or without disabilities, which—

“(i) may be accomplished by including such information on the annual State report card described subsection (d)(1)(C)); and

“(ii) shall be presented in a manner that—

“(I) is first anonymized and does not reveal personally identifiable information about an individual student;

“(II) does not include a number of students in any category of students that is insufficient to yield statistically reliable information or that would reveal personally identifiable information about an individual student; and

“(III) is consistent with the requirements of section 444 of the General Education Provisions Act (20 U.S.C. 1232g, commonly known as the ‘Family Educational Rights and Privacy Act of 1974’).

“(3) **RULES OF CONSTRUCTION.**—Nothing in paragraph (2)(N) shall be construed to—

“(A) require groups of students obtained by any entity that cross-tabulates the information provided under such paragraph to be considered categories of students under subsection (b)(3)(A) for the purposes of the State accountability system under subsection (b)(3); or

“(B) to prohibit States from publicly reporting data in a cross-tabulated manner, in order to meet the requirements of paragraph (2)(N).

“(4) **TECHNICAL ASSISTANCE.**—Upon request by a State educational agency, the Secretary shall provide technical assistance to such agency in order to meet the requirements of paragraph (2)(N).

On page 189, after line 23, insert the following:

“(5) Designing the report cards and reports under section 1111(d) in an easily accessible, user-friendly manner that cross-tabulates student information by any category the State determines appropriate, as long as such cross-tabulation—

“(A) does not reveal personally identifiable information about an individual student; and

“(B) is derived from existing State and local reporting requirements and data sources.

“(b) **RULE OF CONSTRUCTION.**—Nothing in paragraph (5) shall be construed as authorizing, requiring, or allowing any additional reporting requirements, data elements, or information to be reported to the Secretary not otherwise explicitly authorized under this Act.

**SA 2250.** Mr. BENNET (for himself and Mr. CARPER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 336, between lines 4 and 5, insert the following:

**“PART C—TEACHER, TEACHER LEADER, PRINCIPAL, OR OTHER SCHOOL LEADER PATHWAYS**

#### “SEC. 2251. PROGRAM AUTHORIZED.

“From the funds made available under section 2256(a) and not reserved under section

2256(b) for each fiscal year, the Secretary is authorized to award grants, on a competitive basis, to eligible entities to enable such eligible entities to create or expand evidence-based programs that provide pathways into teaching, teacher leadership, and school administration that employ innovative approaches to recruitment, competitive selection, preparation, and placement of new teachers, teacher leaders, principals, and other school leaders to teach or lead in and meet the specific needs of local educational agencies with a high share of high-need schools.

**“SEC. 2252. DEFINITIONS.**

“In this part:

“(1) **ELIGIBLE ENTITY.**—The term ‘eligible entity’ means—

“(A) one or more institutions of higher education or nonprofit organizations with a demonstrated record of—

“(i) preparing teachers, principals, or other school leaders who meet a high standard of performance in the classroom, including by increasing student learning; and

“(ii) placing a significant percentage of those teachers, principals, or other school leaders in high-need schools, including in low-performing high-need schools, and, as appropriate within those schools, in high-need fields, subjects, or geographic areas; or

“(B) a high-need local educational agency or consortium of such agencies that has—

“(i) a demonstrated record of preparing teachers, principals, or other school leaders who meet a high standard of performance, including by increasing student learning; or

“(ii) a promising new preparation model that meets the description of evidence-based under subclause (I) or (II) of section 9101(23)(A)(i).

“(2) **GRADUATE.**—The terms ‘program graduates’, ‘graduates’, and ‘graduate’ may include program participants who are teachers of record, principals, or other school leaders.

**“SEC. 2253. APPLICATIONS.**

“(a) **IN GENERAL.**—An eligible entity that desires a grant under this part shall submit an application to the Secretary at such time, in such manner, and containing such information and assurances as the Secretary may reasonably require.

“(b) **CONTENTS.**—Each application shall—

“(1) describe how the eligible entity will implement an evidence-based teacher, principal, or other school leader preparation program that prepares teachers, principals, or other school leaders to meet a high standard of performance in the classroom or school, including by increasing student learning, and shall include a description of how the eligible entity will—

“(A) recruit and competitively select candidates, especially from underrepresented groups, with high potential to be effective teachers, principals, or other school leaders in high-need schools;

“(B) prepare candidates to meet the specific needs of high-need schools and, as appropriate within those schools, to teach or lead in high-need fields or subjects, or across the entire school, including providing sustained, rigorous, high-quality school-based clinical preparation and on-the-job support; and

“(C) determine if an individual participating in the program is attaining, or has attained, the competencies needed to complete the training and succeed in the classroom or school, and ensure a high standard for exit from the program while providing counseling to individuals who have not attained those competencies needed to complete the training;

“(2) identify local educational agencies to be served under the grant and describe how the eligible entity determined the educator quality needs of each local educational agency and how the activities to be conducted under the grant program will meet such needs;

“(3) identify any partners that will be involved in developing or implementing projects under the grant and the role of those partners in implementing the program, including any partner that will provide training to prospective teachers, principals, or other school leaders;

“(4) if applying to expand an existing preparation model by an experienced provider to more candidates or to a new geographic area, provide data about the eligible entity’s record of producing teachers, principals, or other school leaders who—

“(A) have been hired to teach or lead in high-need schools;

“(B) meet a high standard of performance in classrooms or in school administration, including increasing student learning; and

“(C) have high early career retention rates in high-need schools;

“(5) describe how the eligible entity will maintain a system to track and report on the success of program graduates based on multiple measures, including if applicable, as appropriate, and if feasible—

“(A) the percentage of graduates who are effective under a State evaluation system, or if the eligible entity operates in a State that has no State evaluation system, a local educational agency evaluation system, that uses multiple measures of educator performance, including student learning and growth, and provides clear, timely, and useful feedback that identifies needs and guides professional development;

“(B) student learning, including growth of students taught or lead by the graduate;

“(C) the percentage of program participants who become teachers, principals, or other school leaders in a high-need or low-performing school;

“(D) the percentage of graduates who remain in high-need schools for 3 years or more;

“(E) graduate and supervisor feedback; and

“(F) certification pass rate; and

“(6) describe how the eligible entity will maintain specialized accreditation or demonstrate that graduates have content and pedagogical knowledge and high-quality clinical preparation, and have met rigorous exit requirements.

“(c) **PRIORITY.**—In awarding grants under this part,—

“(1) the Secretary shall give priority to an applicant that includes an entity that will implement or expand a preparation program or activities in a program that has strong or moderate evidence; and

“(2) the Secretary may give priority to an application that includes an eligible entity that will rigorously evaluate the program and activities funded by the grant in a manner that will help further build the evidence base in the field relevant to this part.

**“SEC. 2254. SELECTION CRITERIA.**

“In awarding grants under this part, the Secretary—

“(1) shall consider—

“(A) the proposed program’s level of evidence; and

“(B) the extent to which an eligible entity will—

“(i) rigorously evaluate the programs and activities funded by the grant in a manner that will help further build the evidence base in the field relevant to this part;

“(ii) comprehensively track and report on the effectiveness of program graduates based on multiple measures, including performance at the classroom or school level, placement and retention in high-need schools, or other indicators of teacher, principal, or other school leader quality, and use data to continuously improve the program;

“(iii) prepare prospective teachers, principals, or other school leaders to meet specific local educational agency needs in high-need and low-performing schools;

“(iv) if applicable, prepare prospective teachers to teach in high-need fields or subjects within high-need schools;

“(v) ensure a high standard for entry to and exit from the program; and

“(vi) align the coursework and clinical preparation provided to prospective teachers, principals, or other school leaders being prepared under the grant, as appropriate, with the content areas the individuals will be teaching or leading, the school environment in which the individuals will be working (including significant special populations the individuals may be working with), and the instructional activities the individuals will be expected to perform or lead; and

“(2) may consider the extent to which an eligible entity—

“(A) allows prospective teachers, principals, or other school leaders being prepared under the grant to demonstrate competency on subject-matter tests;

“(B) recruits, competitively selects, and prepares veterans of the Armed Forces (including those recently separated from military service) or candidates from underrepresented groups who—

“(i) have strong potential to be effective educators in high-need schools; and

“(ii) are interested in beginning a career as a teacher, principal, or other school leader; or

“(C) will provide a teacher residency program or a school leader residency program.

**“SEC. 2255. USES OF FUNDS.**

“(a) **IN GENERAL.**—A recipient of a grant under this part may use grant funds to carry out evidence-based teacher, principal, or other school leader preparation programs that prepare teachers, principals, or other school leaders to meet a high standard of performance in the classroom or school, including by increasing student learning, and to teach and lead in high-need schools, which may include activities to—

“(1) rigorously recruit and competitively select candidates with the strongest potential to be effective educators in high-need schools, especially from underrepresented groups;

“(2) provide robust, continuous, and high-quality school-based clinical experiences, which may include teacher residency programs or school leader residency programs;

“(3) develop program participants’ ability to analyze quantitative and qualitative student data to inform planning, instructional decisions, and professional development;

“(4) train candidates to implement personalized learning environments, tools, resources, and activities, including through the effective use of educational technology;

“(5) prepare teachers in classroom management, instructional planning and delivery, subject matter, and teaching skills;

“(6) place candidates who are prepared to immediately meet a high standard of performance on the job in teaching or leadership positions in high-need schools and classrooms;

“(7) provide induction, mentoring, and support programs for early career program graduates;

“(8) train teacher, principal, or other school leader candidates on how to effectively communicate and engage with parents, relatives, and other family members to improve student outcomes; and

“(9) provide training and compensation for staff in schools that are used for a proposed clinical portion of the preparation program, as well as the development of curriculum and training materials for such staff.

“(b) STIPENDS, SERVICE, WAIVER, REPAYMENT.—

“(1) A grantee may use a portion of its grant funds under this part to provide a stipend and other support services for prospective teachers, teacher leaders, principals, or other school leaders selected for programs under the grant.

“(2) Where applicable, the grantee shall establish such rules for length of service, waiver of service, repayment requirements, and amount of stipends, for Federal funds used under this part for stipends and other support services for prospective teachers, teacher leaders, principals, or other school leaders selected for programs under the grant, as the Secretary deems appropriate. A grantee shall use any repayment recovered under those rules to carry out additional activities that are consistent with the purpose of this part.

**“SEC. 2256. AUTHORIZATION OF APPROPRIATIONS.**

“(a) IN GENERAL.—For the purposes of carrying out this part, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.

“(b) RESERVATION.—From the funds made available under subsection (a) for any fiscal year, the Secretary may reserve not more than 5 percent for national leadership activities, including—

“(1) technical assistance to grantees; and

“(2) evaluation of the effectiveness of the program assisted under this part, which shall be conducted by a third party or by the Institute of Education Sciences.”.

**SA 2251.** Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 367, by striking “using” on line 9 and all that follows through line 23 and inserting “by calculating—

“(i) the sum of—

“(I) 75 percent of the number of individuals age 5 to 21 who speak English less than very well in the State, as determined from 3 year estimates through data available from the American Community Survey conducted by the Department of Commerce; and

“(II) 25 percent of the number of students who are determined not to be English proficient on the basis of the State’s English language proficiency assessment under section 1111(b)(2)(G) (which may be multiyear estimates); or

“(ii) another combination of the data derived from the sources described in subclauses (I) and (II) of clause (i), except that such combination of data shall include not less than 25 percent of the number of students described in clause (i)(II);

**SA 2252.** Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr.

ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 746, between lines 2 and 3, insert the following:

(i) in subparagraph (B), by striking clause (iv) and inserting the following:

“(iv)(I) In the case of a local educational agency that has a total student enrollment of fewer than 1,000 students and that has a per-pupil expenditure that is less than the average per-pupil expenditure of the State in which the agency is located or less than the average per-pupil expenditure of all the States, the total percentage used to calculate threshold payments under clause (i) shall not be less than 40 percent.

“(II) In the case of a local educational agency that, on the date of enactment of the Every Child Achieves Act of 2015, met the description in subclause (I) and whose total student enrollment increases for a subsequent year to—

“(aa) more than 999 but not more than 1,100 students, the total percentage used to calculate threshold payments under clause (i) shall not be less than 30 percent, unless such local educational agency would receive a larger payment under subsection (e); or

“(bb) more than 1,100 but not more than 1,200 students, the total percentage used to calculate threshold payments under clause (i) shall not be less than 20 percent, unless such local educational agency would receive a larger payment under subsection (e).”.

**SA 2253.** Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 146, line 12, after “1111(b)(3)(B)(iii)” insert “which shall include identification of the lowest-performing public schools that receive funds under this part in the State based on the method described in section 1111(b)(3)(B)(iii), which shall include at least 5 percent of all the State’s public schools that receive funds under this part”.

**SA 2254.** Mr. KING (for himself and Mrs. CAPITO) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

Beginning on page 587, strike line 15 and all that follows through page 588, line 10, and insert the following:

“(2) ELIGIBLE TECHNOLOGY.—The term ‘eligible technology’ means modern computer, and communication technology software, services, or tools, including computer or mobile devices (which may include any service or device that provides Internet access outside of the school day), software applications, systems and platforms, and digital learning content, and related services and supports.

“(3) TECHNOLOGY READINESS SURVEY.—The term ‘technology readiness survey’ means a survey completed by a local educational agency that provides standardized information on the quantity and types of technology infrastructure and access available to the students and in the community served by the local educational agency, including computer devices, access to school libraries, Internet connectivity (including Internet access outside of the school day), operating systems, related network infrastructure, data systems, educator professional learning needs and priorities, and data security.

“(4) UNIVERSAL DESIGN FOR LEARNING.—The term ‘universal design for learning’ has the meaning given the term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

**“SEC. 5702A. RESTRICTION.**

“Funds awarded under this part shall not be used to address the networking needs of an entity that is eligible to receive support under the E-rate program.

**SA 2255.** Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

Beginning on page 228, strike line 21 and all that follows through page 230, line 19, and insert the following:

“(a) STATE ALLOCATIONS.—

“(1) IN GENERAL.—Except as provided in subsection (b) and paragraph (2), each State (other than the Commonwealth of Puerto Rico) is entitled to receive under this part for a fiscal year an amount equal to—

“(A) the sum of

“(i) the average number of identified eligible migratory children, aged 3 through 21, residing in the State, based on data for the preceding 3 fiscal years; and

“(ii) the number of identified eligible migratory children, aged 3 through 21, who received services under this part in summer or intersession programs provided by the State during the previous fiscal year; multiplied by

“(B) 40 percent of the average per-pupil expenditure in the State, except that the amount calculated under this paragraph shall not be less than 32 percent, nor more than 48 percent, of the average per-pupil expenditure in the United States.

“(2) HOLD HARMLESS.—Notwithstanding paragraph (1), for each of fiscal years 2016, 2017, and 2018, no State shall receive under this part less than 90 percent of the amount such State received under this part for the previous fiscal year.”.

**AUTHORITY FOR COMMITTEES TO MEET**

**COMMITTEE ON ARMED SERVICES**

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on July 14, 2015, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION**

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and



Transportation be authorized to meet during the session of the Senate on July 14, 2015 at 10 a.m., in room SR-253 of the Russell Senate Office Building to conduct a subcommittee hearing entitled "Unlocking the Cures for America's Most Deadly Diseases."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMERCE ON ENERGY AND NATURAL  
RESOURCES

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on July 14, 2015, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS AND  
ENTREPRENEURSHIP

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on July 14, 2015, at 2:30 p.m. in room 428A of the Russell Senate Office Building to conduct a hearing entitled "Challenges and Opportunities for Small Businesses Engaged in Energy Development and Energy Intensive Manufacturing."

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 14, 2015, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Ms. WARREN. Mr. President, I ask unanimous consent that Lindsay Owens from my staff be given privileges for the remainder of the 114th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the following individuals who are interns on my staff for this summer be given privileges of the floor: Steven Murphy, Gwen Ranniger, Christian Escalante, Alexander Wong, Cassandra Adams, Taylor Sheldon, Max Blust, Kellie Chong, Malia Walters, and Kaitlin Bowers.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

NOMINATION OF ROMONIA S.  
DIXON TO BE A MEMBER OF THE  
BOARD OF DIRECTORS OF THE  
CORPORATION FOR NATIONAL  
AND COMMUNITY SERVICE

NOMINATION OF VICTORIA ANN  
HUGHES TO BE A MEMBER OF  
THE BOARD OF DIRECTORS OF  
THE CORPORATION FOR NA-  
TIONAL AND COMMUNITY SERV-  
ICE

NOMINATION OF RICHARD  
CHRISTMAN TO BE A MEMBER  
OF THE BOARD OF DIRECTORS  
OF THE CORPORATION FOR NA-  
TIONAL AND COMMUNITY SERV-  
ICE

NOMINATION OF ERIC P. LIU TO  
BE A MEMBER OF THE BOARD  
OF DIRECTORS OF THE COR-  
PORATION FOR NATIONAL AND  
COMMUNITY SERVICE

NOMINATION OF DEAN A. REUTER  
TO BE A MEMBER OF THE  
BOARD OF DIRECTORS OF THE  
CORPORATION FOR NATIONAL  
AND COMMUNITY SERVICE

NOMINATION OF SHAMINA SINGH  
TO BE A MEMBER OF THE  
BOARD OF DIRECTORS OF THE  
CORPORATION FOR NATIONAL  
AND COMMUNITY SERVICE

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations en bloc: Calendar Nos. 133, 134, 135, 206, 207, and 208; that the Senate proceed to vote without intervening action or debate; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nominations; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the nominations.

The senior assistant legislative clerk read the nominations of Romonia S. Dixon, of Arizona, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2018; Victoria Ann Hughes, of Virginia, to be a Member of the Board of Directors of the Corporation for National and Com-

munity Service for a term expiring October 6, 2016; Richard Christman, of Kentucky, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2017; Eric P. Liu, of Washington, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring December 27, 2017; Dean A. Reuter, of Virginia, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring September 14, 2016; and Shamina Singh, of New York, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2019.

VOTE ON DIXON NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Romonia S. Dixon, of Arizona, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2018?

The nomination was confirmed.

VOTE ON HUGHES NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Victoria Ann Hughes, of Virginia, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2016?

The nomination was confirmed.

VOTE ON CHRISTMAN NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Richard Christman, of Kentucky, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2017?

The nomination was confirmed.

VOTE ON LIU NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Eric P. Liu, of Washington, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring December 27, 2017?

The nomination was confirmed.

VOTE ON REUTER NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Dean A. Reuter, of Virginia, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring September 14, 2016?

The nomination was confirmed.

VOTE ON SINGH NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Shamina Singh, of New York, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2019?

The nomination was confirmed.

### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session. The Senator from Tennessee.

### SYRIAN WAR CRIMES ACCOUNTABILITY ACT OF 2015

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 117, S. 756.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 756) to require a report on accountability for war crimes and crimes against humanity in Syria.

There being no objection, the Senate proceeded to consider the bill.

Mr. ALEXANDER. I further ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 756) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 756

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Syrian War Crimes Accountability Act of 2015”.

#### SEC. 2. FINDINGS.

Congress makes the following findings:

(1) March 2015 marks the fourth year of the ongoing conflict in Syria.

(2) On December 17, 2014, the United Nations Security Council unanimously adopted Resolution 2191 “expressing outrage at the unacceptable and escalating level of violence and the killing of more than 191,000 people, including well over 10,000 children” and approximately 1,000,000 injured in Syria.

(3) More than half of Syria’s population is displaced as of March 2015, with more than 7,600,000 internally displaced and more than 3,700,000 refugees in neighboring countries.

(4) On February 19, 2015, United Nations Secretary-General Ban Ki-moon reported to the Security Council that “parties to the conflict are failing to live up to their international legal obligations to protect civilians” and called for action to ensure the unfettered delivery of humanitarian relief, an end to the use of denial of services as a weapon of war, and a response to “the relentless and indiscriminate attacks on civilians, including through the use of barrel bombs”.

(5) On February 27, 2014, the Department of State issued its 2013 Human Rights Report on Syria, which described President Bashar al Assad’s use of “indiscriminate and deadly force” in the conflict, including the August 21, 2013, use of “sarin gas and artillery to target East Ghouta and Moadamiya al-Sham, suburbs of Damascus, which killed over 1,000 people”.

(6) The 2014 United States Commission on International Religious Freedom Annual Report states that in Syria “terrorist organiza-

tions espouse violence and the creation of an Islamic state with no space for religious diversity and have carried out religiously-motivated attacks and massacres against Alawite, Shi’a and Christian civilians.”

(7) On February 4, 2015, the Executive Council of the Organization for the Prohibition of Chemical Weapons (OPCW) adopted a decision expressing serious concern about the findings “with a high degree of confidence” of an OPCW fact-finding mission that chlorine had been used as a weapon in some areas of Syria in 2014 and calling for those individuals responsible to be held accountable.

(8) The United Nations Independent International Commission of Inquiry on the Syrian Arab Republic reports that pro-government forces have conducted attacks on Syrian civilian populations, and have utilized murder, torture, assault, and rape as war tactics. Anti-government groups have also committed murder and torture, engaged in hostage-taking, attacked protected objects, and shelled civilian neighborhoods. The Commission’s February 2015 report states that Syria’s civil war “has been characterized by massive, recurrent violations of human rights and international humanitarian law that demand urgent international and national action”.

(9) On March 12, 2015, Physicians for Human Rights (PHR) reported that since 2011, at least 610 medical personnel have been killed and there have been 233 deliberate or indiscriminate attacks on 183 medical facilities in Syria. The Physicians for Human Rights report cited evidence that the Government of Syria committed 88 percent of the recorded hospital attacks and 97 percent of medical personnel killings, and “has targeted health care and increasingly used it as a weapon of war to destroy its opponents by preventing care, killing thousands of civilians along the way”.

(10) Internationally accepted rules of war require actors to distinguish between civilians and combatants and that all parties are obligated to respect and protect the wounded and sick and to take care all reasonable measures to provide safe and prompt access for the wounded and sick to medical care.

#### SEC. 3. SENSE OF CONGRESS.

Congress—

(1) strongly condemns the ongoing violence, use of chemical weapons, targeting of civilian populations with barrel, incendiary, and cluster bombs and SCUD missiles, and systematic gross human rights violations carried out by Government of Syria and pro-government forces under the direction of President Bashar al-Assad, as well as all abuses committed by violent extremist groups and other combatants involved in the civil war in Syria;

(2) expresses its support for the people of Syria seeking democratic change;

(3) urges all parties to the conflict to immediately halt indiscriminate attacks on civilians, allow for the delivery of humanitarian and medical assistance, and end sieges of civilian populations;

(4) calls on the President to support efforts in Syria and on the part of the international community to ensure accountability for war crimes and crimes against humanity committed during the conflict; and

(5) supports the requirement in United Nations Security Council Resolutions 2191, 2165 and 2139 for regular reporting by the Secretary-General on implementation on the resolutions, including of paragraph 2 of resolution 2139, which demands that all parties desist from violations of international hu-

manitarian law and violations and abuses of human rights and calls on the Security Council to establish a committee to investigate past and ongoing gross violations of human rights and war crimes in the Syrian conflict.

#### SEC. 4. REPORT ON ACCOUNTABILITY FOR WAR CRIMES AND CRIMES AGAINST HUMANITY IN SYRIA.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and again not later than 180 days after the cessation of violence in Syria, the Secretary of State shall submit to the appropriate congressional committees a report on war crimes and crimes against humanity in Syria.

(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:

(1) A description of violations of internationally recognized human rights, war crimes, and crimes against humanity perpetrated during the civil war in Syria, including—

(A) an account of incidents that may constitute war crimes and crimes against humanity committed by the regime of President Bashar al-Assad and all forces fighting on its behalf;

(B) an account of incidents that may constitute war crimes and crimes against humanity committed by violent extremist groups, anti-government forces, and any other combatants in the conflict;

(C) a description of any incidents that may violate the principle of medical neutrality and, when possible, an identification of the individual or individuals who engaged in or organized such violations; and

(D) where possible, a description of the conventional and unconventional weapons used for such crimes and, the origins of the weapons.

(2) A description of efforts by the Department of State and the United States Agency for International Development to ensure accountability for violations of internationally recognized human rights, international humanitarian law, and crimes against humanity perpetrated against the people of Syria by the regime of President Bashar al-Assad, violent extremist groups, and other combatants involved in the conflict, including—

(A) a description of initiatives that the United States Government has undertaken to train investigators in Syria on how to document, investigate, and develop findings of war crimes, including the number of United States Government or contract personnel currently designated to work full-time on these issues and an identification of the authorities and appropriations being used to support training efforts;

(B) a description and assessment of Syrian and international efforts to ensure accountability for crimes committed during the Syrian conflict, including efforts to promote a transitional justice process that would include criminal accountability and the establishment of an ad hoc tribunal to prosecute the perpetrators of war crimes committed during the civil war in Syria; and

(C) an assessment of the influence of accountability measures on efforts to reach a negotiated settlement to the conflict during the reporting period.

(c) FORM.—The report required under subsection (a) may be in unclassified or classified form, but shall include a publicly available annex.

(d) APPROPRIATE CONGRESSIONAL COMMITTEE DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Relations of the Senate; and  
 (2) the Committee on Foreign Affairs of the House of Representatives.

#### NEED-BASED EDUCATIONAL AID ACT OF 2015

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 146, S. 1482.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1482) to improve and reauthorize provisions relating to the application of the antitrust laws to the award of need-based educational aid.

There being no objection, the Senate proceeded to consider the bill.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1482) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1482

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Need-Based Educational Aid Act of 2015”.

#### SEC. 2. EXTENSION RELATING TO THE APPLICATION OF THE ANTRITRUST LAWS TO THE AWARD OF NEED-BASED EDUCATIONAL AID.

Section 568 of the Improving America’s Schools Act of 1994 (15 U.S.C. 1 note) is amended—

- (1) in subsection (a)—
- (A) in paragraph (2), by inserting “or” after the semicolon;
- (B) in paragraph (3), by striking “; or” and inserting a period at the end; and
- (C) by striking paragraph (4); and
- (2) in subsection (d), by striking “2015” and inserting “2022”.

Mr. LEAHY. Mr. President, today the Senate has passed the bipartisan Need-Based Educational Aid Act of 2015, which will extend for another 7 years the anti-trust exemption permitting colleges and universities to collaborate on issues of need-based financial aid. I worked on this legislation with Senators GRASSLEY and LEE. Together we crafted an approach to reauthorize this exemption which earned the unanimous support of the Judiciary Committee just last week. This anti-trust exemption allows colleges and universities that admit students on a need-blind basis to collaborate on the formula used to determine how much families can pay for college. Without congressional action, this exemption will expire at the end of September.

Congress first enacted this exemption in 1994 and this will be the third time we have acted to reauthorize it. It is important for Congress to carefully re-

view anti-trust exemptions to ensure that they continue to serve the public interest. In this case, our review led us to conclude that one particular provision should sunset because it has never been used by colleges and universities. The need for this slight modification underscores why I am skeptical of permanent anti-trust exemptions. Requiring those who benefit from exemptions to the anti-trust laws to come to Congress and justify renewal ensures that they do not become a blank check for anti-competitive behavior.

I would contrast the limited renewal the Senate has passed today with the McCarran-Ferguson Act, a permanent anti-trust exemption that the insurance industry has enjoyed since 1945. I have worked for years on a bipartisan basis to repeal that law precisely because marketplace conditions can change significantly over a 7-year period, not to mention the 70 years since McCarran-Ferguson was enacted. We should learn from our experience with today’s bill.

Our bipartisan and bicameral bill serves an important goal—allowing covered universities to focus their resources on ensuring the most qualified students can attend some of the best schools in the country, regardless of income. I am proud that Middlebury College in Vermont is one of those covered schools. I also appreciate the efforts of the bill’s sponsors in the House, Congressmen SMITH and JOHNSON. I urge the House to pass our bipartisan bill this week.

#### WORLD REFUGEE DAY

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 134, S. Res. 204.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:  
 A resolution (S. Res. 204) recognizing June 20, 2015 as “World Refugee Day.”

There being no objection, the Senate proceeded to consider the resolution.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 204) was agreed to.

The preamble was agreed to.  
 (The resolution, with its preamble, is printed in the RECORD of June 18, 2015, under “Submitted Resolutions.”)

#### NATIONAL CHILD AWARENESS MONTH

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Sen-

ate proceed to the immediate consideration of S. Res. 223, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 223) designating September 2015 as “National Child Awareness Month” to promote awareness of charities benefitting children and youth-serving organizations throughout the United States and recognizing the efforts made by those charities and organizations on behalf of children and youth as critical contributions to the future of the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 223) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

#### EVERY CHILD ACHIEVES ACT

Mr. ALEXANDER. Mr. President, we have had a good day on our legislation to fix No Child Left Behind. I thank the Senators for their cooperation. We have worked through most issues. I think it is important to note that in our committee consideration, we considered 58 amendments and adopted 29. So far, we have considered 22 on the floor and adopted—well, we have adopted 22 on the floor.

Senator MURRAY—the ranking member—and I have agreed to another couple of dozen amendments from both sides of the aisle; more of them are Democratic than Republican. We are prepared to recommend them to the Senate for adoption by unanimous consent. There are another two dozen amendments; more of them are Democratic than Republican, including several which are important to the Democratic side—the accountability amendment, for example; the early childhood amendment, for example—which I think deserve a vote. I don’t support them, but I think they deserve a vote. We are prepared to recommend that the Senate consider them. If we were to do that, we could finish the bill.

We have one remaining issue. It is an impasse over a formula funding question, which State gets more money from title I. That is always very difficult. The disputants are two of the most distinguished Members of the Senate. I am confident that they see the larger picture, which is that most Americans expect us to finish this bill

and most Senators would expect us to be able to vote on the nearly 50 amendments that I just described.

So my hope is that we can come to some agreement; that tomorrow morning even before the cloture vote is scheduled we announce that agreement and we proceed to adopt by unanimous consent the amendments that remain to be adopted and then we vote on the amendments that remain to be voted on, all of which would permit us to finish the bill on Thursday.

So I thank Senators for that. I continue to ask for cooperation. I think an excellent example of that cooperation was the Senator from Minnesota, Mr. FRANKEN, who withheld his amendment in committee and offered it on the floor in order to make sure the bill passed.

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#### ORDERS FOR WEDNESDAY, JULY 15, 2015

Mr. ALEXANDER. Mr. President, I ask unanimous consent that when the

Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, July 15; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate resume consideration of S. 1177, with the time until the cloture vote equally divided in the usual form; finally, that the filing deadline for all second-degree amendments to the substitute amendment No. 2089 and the underlying bill, S. 1177, be at 10 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

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#### ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. ALEXANDER. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:39 p.m., adjourned until Wednesday, July 15, 2015, at 9:30 a.m.

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#### CONFIRMATIONS

Executive nominations confirmed by the Senate July 14, 2015:

##### CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

ROMONIA S. DIXON, OF ARIZONA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2018.

VICTORIA ANN HUGHES, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2016.

RICHARD CHRISTMAN, OF KENTUCKY, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2017.

ERIC P. LIU, OF WASHINGTON, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING DECEMBER 27, 2017.

DEAN A. REUTER, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING SEPTEMBER 14, 2016.

SHAMINA SINGH, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2019.

## EXTENSIONS OF REMARKS

IN HONOR OF WILLIAM LAWSON  
LITTLE III

**HON. SAM FARR**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 2015*

Mr. FARR. Mr. Speaker, I rise today in memory of William Lawson Little III, an important community leader whose integrity, compassion, and business acumen enriched the lives of his family, friends and the entire Monterey Peninsula. Lawson passed away on June 29, 2015. As his family and friends gather to honor and remember his wonderful life, I ask all my colleagues to join me in saluting one of the Monterey Peninsula's most well-respected figures.

Lawson was born in 1957 to William Lawson Little Jr. and Dorothy Hurd. He grew up along the golf links of Pebble Beach, and followed in the footsteps of his father, a Hall of Fame Golfer, as a true lover of the game of golf. He attended Carmel High School, Monterey Peninsula College, and San Jose State University. After college he played in professional golf tournaments around the world and spent a time as a tennis pro in Palm Desert. In 2009, Lawson was inducted into the California Golf Writers Hall of Fame and in 2010 he was inducted into the Monterey Peninsula College Hall of Fame.

In 1974, Lawson left professional sports and began a remarkable career at Quail Lodge Golf and Country Club, where he made a lasting mark beyond the golf course and in our community. He was a key leader in the development of Quail Meadows and would rise to become Vice President and President of Quail Lodge. While at Quail Lodge, Lawson brought a number of notable events to the Monterey Peninsula, including The Quail, A Motorsports Gathering, The Quail Rally, and the Eagle Cup. All of these events brought joy to thousands of people and raised much needed funding for a variety of local charities.

Mindful of the importance of serving one's community, Lawson made time to serve a number of local civic organizations, including the Jim Tunney Youth Foundation Board, G16 Coalition, Coalition for Monterey Peninsula Business, Monterey County Sheriffs Advisory Board, Carmel River Watershed Conservancy, Monterey County Emergency Assistance Team, as well as many others.

In 1977, Lawson married the love of his life, Rose and they would raise their two children, Chris and Sarah Rose in Carmel Valley. Despite his professional success and civic engagement, more than anything, Lawson will be remembered for being a role model, mentor, friend, and family man. He was a man who always put others above himself. He offered countless people counsel in their time of need and steady guidance to those that needed it. He was a man of undeniable strength and

quiet wisdom. He was incredibly fun, lived in the moment, and loved playing games. He cherished classic cars, the San Francisco Giants, and making lasting memories with his family. Put simply, Lawson improved the lives of all of those around him.

Mr. Speaker, I know I speak for the whole House in honoring Lawson's lifetime of achievement and in extending our heartfelt condolences to his friends, and family members, including his wife Rose, son Chris, daughter Sarah Rose and sisters Linda, Sandy, and Sonya. I ask all my colleagues to pause and join me in paying respect to an extraordinary man, William Lawson Little III.

RECOGNIZING THE SESQUICENTEN-  
NIAL CELEBRATION OF SAND  
CREEK, WISCONSIN

**HON. RON KIND**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 2015*

Mr. KIND. Mr. Speaker, this weekend we recognize the sesquicentennial celebration of Sand Creek, Wisconsin. On this historic occasion, it is only fitting that we reflect on and celebrate the rich history of this town, whose agricultural heritage is a reflection of western and central Wisconsin values.

Since the town's founding in 1865, the agricultural fertility of the land and the beautiful Red Cedar River have driven the development of the community. Norwegian settlers who decided to homestead in the area were the first to recognize the potential of the land in the Sand Creek region. Despite the wild land that these settlers first encountered, they were able to see through the wilderness and envision the future success that the land and water in the area could provide.

With a population of about 600 residents today, the Township of Sand Creek should be proud of its countless close-knit community connections. Those connections—and the people of Sand Creek who form them—are what make this community so special and what will lead the community to continued success.

Throughout this weekend's celebration, Sand Creek residents will come together for a full slate of exciting activities, all put on by their fellow community members. While they enjoy the weekend activities that commemorate Sand Creek's 150 years, we remember the past, reflect on the present, and look to the future.

Congratulations on 150 proud and prosperous years. Best wishes and many more to come.

CONGRATULATING FRANCIS HOW-  
ELL CENTRAL HIGH SCHOOL FOR  
ITS PLACEMENT IN THE TOP 25  
MISSOURI RANKED HIGH  
SCHOOLS

**HON. BLAINE LUETKEMEYER**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 2015*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Francis Howell Central High School for its placement in the top 25 Missouri high schools as ranked by U.S. News and World Report.

This school's administration, teachers, and students should be commended for all of their hard work throughout this past year and for their commitment to education.

I ask you to join me in recognizing Francis Howell Central High School for a job well done.

HONORING KATIE ARROYO AND  
JARED BAILEY OF THE FLORIDA  
SMALL BUSINESS DEVELOPMENT  
CENTER AT THE UNIVERSITY OF  
NORTH FLORIDA FOR RECEIVING  
THE FLORIDA INNOVATIVE  
SERVICE AND BEST PRACTICE  
AWARD OF 2015

**HON. ANDER CRENSHAW**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 2015*

Mr. CRENSHAW. Mr. Speaker, I rise today to honor Katie Arroyo and Jared Bailey of the Florida Small Business Development Center at the University of North Florida for receiving the Florida Innovative Service and Best Practice Award of 2015. Katie and Jared received this prestigious award for their hard work and expertise in creating the International Marketing Metrics tool.

Using the International Marketing Metrics tool as part of the network's international trade services, small business exporters are able to quickly compare dozens of markets via the interactive country ranking matrix and illustrative graphing system. Jared and Katie developed this new and progressive tool for the Small Business Development Center at the University of North Florida.

The Florida Innovative Service and Best Practice Award is given in recognition for significant contributions to organizational improvement and enhanced performance in Florida's SBDC network, which is exactly what the International Marketing Metrics tool accomplishes. They were presented this prestigious award by Florida SBDC Network CEO and State Director Michael Myhre in Miami, Florida

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

on June 23, 2015 as part of the Florida SBDC Network's professional development conference. At the annual conference, they recognize top personnel, volunteers, and partners for their contributions to the Network's mission in helping Florida's small businesses grow and succeed.

I am honored to have two such motivated and dedicated individuals living and working in the Fourth Congressional District of Florida. They truly exemplify what it means to work tirelessly in their effort to provide small businesses with the tools they need to grow and be successful here in Florida and across the nation.

I salute the dedicated work of both Katie Arroyo and Jared Bailey, and their well-deserved recognition upon being selected for this prestigious award.

IN HONOR OF KANNAPOLIS POLICE  
SERGEANT CHUCK MORGAN'S CA-  
REER

**HON. RICHARD HUDSON**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 2015*

Mr. HUDSON. Mr. Speaker, I rise today to honor Police Sergeant Chuck Morgan for his faithful service with the Kannapolis Police Department located in the 8th Congressional District of North Carolina.

Sergeant Morgan began his career with the Kannapolis Police Department as a Patrol Officer in 1986 and was then promoted to the rank of Sergeant on April 7, 1999. As a Sergeant, he has served the Kannapolis community in both the Patrol and Traffic Divisions.

As a result of his exemplary service, Sergeant Morgan has received various commendations from law enforcement agencies, civic organizations, churches, and his peers. To highlight a few, he earned a 10-year safe driving award in 1996 and then the Kannapolis Police Department's Physical Fitness Award in 2013.

Equally as impressive as his excellence in the field was his dedication to becoming a better officer. Sergeant Morgan earned an Advanced Law Enforcement Certificate from the N.C. Criminal Justice Education and Training Standards Commission having successfully completed 2,977 hours of professional training.

Mr. Speaker, please join me today in thanking Sergeant Chuck Morgan for his esteemed service to our community and congratulating him on his retirement.

RECOGNIZING FRED DEHARO FOR  
HIS POSITIVE IMPACT ON IM-  
PROVING HEALTH EDUCATION  
FOR PRESIDENTS OF THE  
COACHELLA VALLEY

**HON. RAUL RUIZ**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 2015*

Mr. RUIZ. Mr. Speaker, I rise today to congratulate and recognize the extraordinary con-

tributions Fred Deharo has made to the health and wellbeing of residents in the Coachella Valley, making a real difference in the lives of the people I serve.

There is a dire need for quality health education and health care in the Coachella Valley. As an Emergency Physician myself, I know how critical it is for this population to have access to health care and education, and have seen first-hand the impact of Mr. Deharo's work.

For the last 35 years, Mr. Deharo has dedicated his life to expanding and improving public health. Upon graduating from UCLA with a Masters of Arts in Health Education-School of Public Health, Mr. Deharo was hired by "El Progreso Del Desierto," a farm worker health clinic in Coachella, to run their health education program, and eventually became their Executive Director.

Mr. Deharo's genuine passion for our country's medically underserved populations steered him toward his next professional endeavor. In 1993, he began consulting and grant writing, and was instrumental in the opening of the health clinic "Clinicas Del Pueblo" in Mecca, CA. Mecca, primarily a farming community, lacks access to basic health care and health education facilities.

Continuing with his service to underserved communities of Southern California, Mr. Deharo returned to the Coachella Valley in 1998 and in collaboration with another passionate health advocate, Rosa Lucas, they contributed to the opening of another clinic "Santa Rosa Del Valle" in Coachella, CA. Currently Mr. Deharo is Chief Contracts Officer for Borrego Community Health Foundation. And soon will be the Director of Contracting and Business Development for Clinicas Del Camino Real, Inc. in Ventura County, Ca.

Mr. Deharo recognizes the urgent needs that medically underserved communities struggle with on a daily basis. As a resident of the Coachella Valley, and as a Doctor, I thank Mr. Deharo for his life's work to provide better healthcare access to the rural and underserved communities of the Coachella Valley.

Mr. Speaker, on behalf of the thousands of families and children who have access to a Doctor through the health clinics that Mr. Deharo helped make possible, I would like to offer my sincerest thanks to Mr. Deharo, and look forward to continuing to support his legacy.

CONGRATULATING TIMBERLAND  
HIGH SCHOOL ON ITS BRONZE  
MEDAL AWARD

**HON. BLAINE LUETKEMEYER**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 2015*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Timberland High School on its Bronze Medal Award as a top Missouri High School from U.S. News and World Report.

This school's administration, teachers, and students should be commended for all of their hard work throughout the past year and for their commitment to education.

I ask you to join me in recognizing Timberland High School for a job well done.

IN RECOGNITION OF COLONEL  
SCOTT B. AVERY

**HON. SANFORD D. BISHOP, JR.**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 2015*

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to recognize and commend Colonel Scott B. Avery, Commander of Martin Army Community Hospital, for his distinguished service to the United States of America. Colonel Avery was instrumental in the partnership between the United States Department of Veterans Affairs (VA) and the Martin Army Community Hospital at Fort Benning, Georgia to greatly improve the healthcare services provided by the VA in the Columbus, Georgia area. On Tuesday, July 14, 2015, Colonel Avery relinquished Command of Martin Army Community Hospital to Colonel Marie A. Dominguez.

Colonel Avery was commissioned as a Medical Service Corps Officer in the U.S. Army after graduating from the University of Washington in June 1988 with a baccalaureate degree in Political Science. After completing the Medical Service Corps Officer Basic Course in November 1988, Colonel Avery was stationed in Kirchgoens, Germany as a Medical Platoon Leader for 4th BN, 32nd Armor, and 3rd Armor Division. From there, he went on to hone his leadership skills as he successfully completed numerous command and staff assignments at Fort Irwin, California; Fort Bragg, North Carolina; Ansbach, Germany; Wiesbaden, Germany; Joint Base Lewis-McChord, Washington; and Fort Benning, Georgia. In between his staff and command positions, Colonel Avery became a UH-60 Blackhawk pilot and a Master Navigator. He also completed numerous combat tours during his career. He deployed to Bosnia-Herzegovina during Operation Joint Guard; to the Middle East in support of Operation Desert Shield/Desert Storm; to Kosovo twice in support of Operation Joint Guardian II; and to Iraq twice in support of Operation Iraqi Freedom and Operation New Dawn.

The Second Congressional District of Georgia gained a respected and compassionate leader when Colonel Avery arrived in Ft. Benning, Georgia in June 2011 to serve as Commander of the Martin Army Community Hospital. In this capacity, Colonel Avery was instrumental in improving the lives and health of veterans in the Chattahoochee Valley. Colonel Avery's partnership with the U.S. Department of Veterans Affairs resulted in the opening of a new 19,000-square foot Veterans Affairs Clinic at Fort Benning on July 6, 2015. The new VA clinic will improve access to health care for veterans, as well as its quality and cost effectiveness. The new clinic will offer a full complement of primary care providers with integrated mental health services which will serve more than 13,000 veterans and implement tele-health hubs to provide an additional 96 appointments per week.

Colonel Avery is the epitome of the U.S. Army values: Loyalty, Duty, Respect, Selfless

Service, Honor, and Personal Courage. The new clinic would not exist today without Colonel Avery's personal courage, selfless service, relentless desire, and tireless duty to improve the lives of those who have fought to protect our cherished liberties. His loyalty and respect to the current and former servicemen and servicewomen is commendable and should be emulated by leaders in the military and in Congress.

Mr. Speaker, I ask my colleagues to join me, my wife Vivian, the Chattahoochee Valley community, and the 730,000 residents of Georgia's Second Congressional District in honoring Colonel Scott B. Avery for his contributions to the veterans of Southwest Georgia. We extend our best wishes to Colonel Avery and his family in his next assignment and throughout his career as he continues to be a champion for veterans.

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TRIBUTE TO EAGLE SCOUT  
AUSTIN PERRIN

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**HON. DAVID YOUNG**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 2015*

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Austin Perrin of Boy Scout Troop 218 in Shenandoah, Iowa, for achieving the rank of Eagle Scout. The Eagle Scout rank is the highest advancement rank in scouting. Only about five percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained for more than a century.

For nine years Austin has dedicated his time and efforts to the Scouts. Not only has he excelled in Scouts, but he's also been a top-notch student and role model in the community. He represents his freshman class as their President and representative on the student council. He also participates in athletics and a number of different school related activities.

To earn the Eagle Scout rank, a Boy Scout must pass specific tests organized by requirements and merit badges, and complete an Eagle Project to benefit the community. For his Eagle Scout Service Project, Austin built a 28-foot cedar gazebo at Priest Park in Shenandoah. His inspiration came from seeing young students waiting for the bus in the rain without any shelter. Now, each day that it rains, students have a dry place to wait for the bus.

Mr. Speaker, the example set by this young man and his service to his community demonstrates the rewards of hard work, dedication and perseverance. I am honored to represent Austin in the United States Congress. I know that all of my colleagues in the U.S. House of Representatives will join me in congratulating him on reaching the rank of Eagle Scout, and I wish him nothing but continued success in his future education and career.

HONORING GANNETT FLEMING

**HON. SCOTT PERRY**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 2015*

Mr. PERRY. Mr. Speaker, I'm proud to take this opportunity to offer my sincere congratulations to Gannett Fleming on the 100th Anniversary of their company's founding. Their record of accomplishment and longevity truly is exceptional and praiseworthy.

When Farley Gannett partnered with Theodore Seelye to form "Farley Gannett, Consulting Engineer" in Harrisburg on August 1, 1915, they laid the foundation for a company that would become a driving force in improving our communities through a commitment to growth, ethics and technical excellence.

Whether designing water supply and flood control dams to improve the quality of drinking water and reducing the risk of flooding, building highways that strengthen our economy and allow for the safe and efficient movement of people and goods, or water and wastewater treatment plants that result in cleaner streams, Gannett Fleming's more than 2,000 employees maintain the tradition of excellence, innovation and responsiveness that began 100 years ago.

Mr. Speaker, I also commend Gannett Fleming and its employees for their work on military and public service projects, including the Cancer Institute and Children's Hospital at the University's Medical Center in Hershey. Additionally, their ongoing support of community and charitable organizations throughout the region is invaluable.

Congratulations once again to Gannett Fleming and their employees on this wonderful milestone. Best wishes for continued success in the years to come.

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CONGRATULATING ST. CLAIR HIGH  
SCHOOL ON ITS BRONZE MEDAL  
AWARD

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**HON. BLAINE LUETKEMEYER**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 2015*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating St. Clair High School on its Bronze Medal Award as a top Missouri High School from U.S. News and World Report.

This school's administration, teachers, and students should be commended for all of their hard work throughout the past year and for their commitment to education.

I ask you to join me in recognizing St. Clair High School for a job well done.

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OLDER AMERICANS ACT 50TH  
ANNIVERSARY

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**HON. JOYCE BEATTY**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 2015*

Mrs. BEATTY. Mr. Speaker, today marks the 50th anniversary of the landmark Older

Americans Act, which President Lyndon Johnson signed into law on July 14, 1965.

Congress passed the Older Americans Act in response to concerns by policymakers about a lack of community social services for older persons.

The Older Americans Act is the major federal vehicle for the delivery of social and nutrition services for older persons.

It ensures seniors have transportation to medical appointments, the grocery store, adult day care and more.

It provides critical support and respite services to those caring for older adults—and, today, over 35 million Americans are family caregivers for older Americans.

The Older Americans Act also promotes health and well-being—helping manage diabetes, prevent falls, and improve behavioral health so seniors can live at home in their community.

The Older Americans Act has been serving our seniors and families well for half a century.

With 10,000 Americans turning 65 each day, we have an obligation to keep the Older Americans Act strong.

Just yesterday, President Obama spoke at the 2015 White House Conference on Aging to emphasize the importance of addressing aging issues and reauthorization of the Older Americans Act.

Across the country, older Americans are running businesses, helping to raise their grandchildren, serving as teachers, acting as mentors, and contributing their many talents for the better of their community.

I am committed to making sure that Americans are able to enjoy the secure retirement they deserve—whether they are already retired, are about to retire or are just starting out.

I will continue to work to protect and expand Social Security, improve health care affordability, and create affordable long-term care options.

Americans who have worked hard, raised families, and kept our country strong should be able to live their years in retirement with dignity and independence.

The Older Americans Act helps them do that by providing critical services to millions of senior citizens and their families.

Reauthorization of this important piece of legislation should occur as soon as possible.

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PERSONAL EXPLANATION

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**HON. LOUISE McINTOSH SLAUGHTER**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 2015*

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed Roll Call vote number 434. Had I been present, I would have voted aye.



HONORING BEAR WALLOW  
DISTILLERY

## HON. TODD C. YOUNG

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 2015*

Mr. YOUNG of Indiana. Mr. Speaker, small businesses across my district work every day to produce the goods and services needed to drive our economy, and today it is my honor to highlight one of them. My home state of Indiana has a long heritage of agriculture and manufacturing business, as well as a spirit of entrepreneurship and innovation. One small business in Indiana's 9th District, Bear Wallow Distillery, sits at the center of these proud Hoosier traditions.

Bear Wallow Distillery, located in scenic and historic Brown County, Indiana, is a home-grown success story. Founded and still owned by Mike and Susan Spagnuolo, their craft distillery opened its doors in August 2014. In the year since, the company has expanded its initial offering of Hoosier-made moonshine to include bourbon and several different whiskeys; all crafted from locally grown and supplied ingredients. Operating a still and a serving room, Bear Wallow has served thousands of thirsty Hoosiers. Visitors can see the distillery operation on behind-the-scene tours and sample local foods as well as drinks.

Bear Wallow does its part to support our long tradition of quality craftsmanship. The company creates its signature spirits using a traditional copper still from another family-owned small business, Vendome Brass and Copper of Louisville, KY. The small-batch, handcrafted spirits that Bear Wallow produces are then aged in charred American White Oak barrels and served-up straight or as part of a cocktail. The business is known for its "Moonshine shake-ups," made with fruit elixirs and served in a tasting area featuring Prohibition-era decorations and a bare-wood bar made from locally milled red oak.

Bear Wallow refers to itself as "the first legal distillery in Indiana." The claim rings very true, as the success of Bear Wallow would not have been possible even two years ago. Previous Indiana law prevented would-be entrepreneurs from operating small distilleries in the state. Following changes to the law in 2013, Mike and Susan Spagnuolo were on the front line pioneering this industry that is flourishing in Indiana's 9th District. Their small business, like so many others, is helping to create needed jobs, drive our local economy, and generate tourism throughout the state.

It is an honor representing entrepreneurs like the Spagnuolos who took a risk opening Bear Wallow Distillery. I hope their example serves to inspire other would-be entrepreneurs, and am pleased to highlight their good work today in this installment of Indiana's 9th District Small Business Spotlight.

CONGRATULATING SECKMAN SENIOR  
HIGH SCHOOL FOR ITS  
BRONZE MEDAL AWARD

## HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 2015*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Seckman Senior High School on its Bronze Medal Award as a top Missouri High School from U.S. News and World Report.

This school's administration, teachers, and students should be commended for all of their hard work throughout the past year and for their commitment to education.

I ask you to join me in recognizing Seckman Senior High School for a job well done.

HONORING JOANNE LEINOW ON  
THE OCCASION OF HER RETIREMENT AS PARTNERSHIP DEVELOPMENT  
DIRECTOR OF BIG BROTHERS BIG SISTERS OF THE  
DESERT

## HON. RAUL RUIZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 2015*

Mr. RUIZ. Mr. Speaker, I rise today to congratulate Ms. Joanne Leinow on her retirement after 28 years of service with the Big Brothers Big Sisters (BBBS) program, whose mission is to provide children facing adversity with strong and enduring, professionally supported one-to-one relationships that change their lives for the better, forever.

Throughout her nearly three decades of service, Ms. Leinow has been involved in with BBBS in both large and small communities, all across the country including Cincinnati, Ohio, Los Angeles, California, and most recently here in our desert. From her contribution in 1960, in Cincinnati, Ohio, to her work with the Jewish Big Brothers Big Sisters in Los Angeles in the 1990s, and finally her most recent service over the past 9 years with Big Brothers Big Sisters of the Desert, Ms. Leinow has made a tremendous impact on thousands of youth in our nation.

In 2002, Ms. Leinow was hired at the BBBS of the Desert to develop a site based mentoring program. Unfamiliar with the region, Ms. Leinow performed her BBBS "magic." In 2006 she was promoted to Partnership Development Director for her incredible job recruiting new volunteers, developing community and business partnerships, and making sure that the Coachella Valley community knew BBBS was the "go-to" agency for mentoring.

From the time Ms. Leinow became the Partnership Development Director in 2006, BBBS has seen a 108% increase in the number of children served, increasing from 333 children in 2006 to 555 in 2010.

Ms. Leinow's hard work and passion for public service does not go unnoticed. She has been recognized with numerous awards, including the Skip Walsh Award in 2011, which honors BBBS professionals who excel in the

qualities of education, enthusiasm, and generosity.

Mr. Speaker, Ms. Leinow's commitment to public service and particularly to stimulate children to overcome hardship through mentorship is an act of human kindness. On behalf of all those who have benefited from BBBS, and the residents of California's 36th Congressional District, I would like to offer my sincerest thanks and congratulate Ms. Leinow for her exceptional commitment. I wish her well in her well-deserved retirement.

IN RECOGNITION OF THE ACHIEVEMENTS  
OF PERCIVAL LOWELL

## HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 2015*

Mr. NEAL. Mr. Speaker, I would like to take this opportunity to introduce an article entitled "The Bostonian astronomer who dreamed of Pluto" that was published in the Boston Globe on July 12, 2015. Written by Ted Widmer, this article reviews the life and accomplishments of Percival Lowell, the Boston astronomer that had a tremendous impact on the discovery of Pluto. As the *New Horizons* spacecraft sped past that distant planet this morning, this article stands as a tribute to ensure we do not forget Percival Lowell's part in this great human achievement of innovation and exploration.

THE BOSTONIAN ASTRONOMER WHO DREAMED  
OF PLUTO

(By Ted Widmer, The Boston Globe)

This Tuesday, July 14, at 7:49:57 a.m. EDT, the New Horizons spacecraft will rendezvous with Pluto at a point in space nearly 3 billion miles from Earth. It's been a long strange trip.

New Horizons launched nearly a decade ago, on Jan. 19, 2006. It received a gravity boost from Jupiter in 2007, and has been cruising at more than 30,000 miles per hour ever since. It won't even slow down as it passes by the planet at the end of the solar system, but it will gather data and take photos as it screams silently by.

By 7:49:58, the moment will have passed, and New Horizons will be seeking new adventures in the Kuiper Belt.

For New Englanders, there are a couple reasons to feel proud of the fly-by. The mission is the first in the "New Frontiers" series, named after President Kennedy. And Pluto is something of a local concern. Though Pluto was formally discovered by a Kansan named Clyde Tombaugh in 1930, he was spurred to look where he did because of calculations made years earlier by a Bostonian astronomer, Percival Lowell.

Lowell was born in 1855, near the State House—the epicenter of "the Hub of the Solar System," as Oliver Wendell Holmes famously called the city. More than most, Lowell helped Boston live up to that claim, with his relentless research into the heavens. The astronomical symbol for Pluto, a P and L mashed together, is a tribute to him. And by laying out instructions for where to look for the celestial object he called "Planet X," Lowell was like the owner of a shoveled-out parking spot, leaving a battered lawn chair as a space-saver, to mark his territory forever. How Boston is that?

Lowell was an unlikely astronomical pioneer. He grew up privileged, one of a brood that included Harvard's future president, A. Lawrence Lowell, and the poet Amy Lowell (whom he called "Big Fat Baby"). He could have coasted, the way so many wealthy Americans did in the smug years that followed the Civil War. But three deep passions seized him, and helped him to achieve escape velocity—enough to leave Boston's gravity forever.

The first of these was Japan. In 1883, after a brief period managing family investments, he set sail for what he called "the morning land," in search of spiritual enlightenment. Americans had begun to appreciate Japanese design at the 1876 Centennial Exposition in Philadelphia, so fresh and direct in contrast to the grandiloquent statements of the Gilded Age. A small wavelet of Bostonians traveled there, or even established residence, including William Sturgis Bigelow (who gave 40,000 Japanese artifacts to the MFA), Isabella Stewart Gardner, Edward Sylvester Morse, and Ernest Fenollosa. Lowell happily joined this expatriate tide, which fit perfectly his desire to declare independence from the Hub.

He lived in Japan for 10 years, and wrote prolifically about Shintoism and other aspects of a culture that he found un-Bostonian in every way—except for its ancestor worship. At the same time, Boston helped him immensely, by distributing his esoteric musings through well-trusted outlets like *The Atlantic*. His writings inspired other Japanophiles, and they helped Lowell gain the confidence to explore other worlds. These he was beginning to glimpse, by climbing Japanese mountains, where it was understood that spiritual understanding came more quickly. The Buddhists revere what they call "celestial" enlightenment. Typically, Lowell found it in his own way, by searching the skies for unusual objects.

In 1893, he began to devote intense study to the planet Mars, the second of his three obsessions. Learning that Mars would be approaching close to Earth the next year, he dropped everything and began to prepare. He purchased land on an elevated plateau near Flagstaff, Ariz., brought two large telescopes, and for the next 23 years devoted his attention to the place he named Mars Hill. It became a kind of transcendental-astronomical paradise for him, and he delivered philosophical musings, like, "To stand a mile and a half nearer the stars is not to stand immune." Lowell's principal thesis—that Mars contained a network of canals, and was likely inhabited—was more imaginative than scientific.

But despite Lowell's failure to find signs of extraterrestrial life, his years of close observation yielded much valuable data, and helped people see our planetary neighbor in new ways. The science fiction industry was not slow to follow his lead, and tales of Martian invaders have never failed to sell. He built an important establishment in Arizona, the Lowell Observatory. And once again, he fell in love with an exotic land—this time, the Southwest, where he wandered happily, collecting plant specimens by day, and stars by night.

Lowell's third passion took him even further afield. Earlier in life, as a young man recently graduated from Harvard, he had tired of Boston's predictability, and written, with the studied weariness of the young, that he was considering "migrating to another planet or ceasing to exist."

In 1905, he began an obsessive search for a new planet, beyond Neptune, the legendary

"Planet X." He predicted where it might be found, and even photographed it in 1915, although he was not aware that he had. He died a year later, but it would have delighted this otherworldly thinker to know that his research lived on and provided a road map to the sky-gazers who followed in his wake.

In 1930, when Pluto was finally pinpointed, there was universal excitement. Walt Disney named Mickey Mouse's dog after the discovery. The element plutonium was also named after Pluto. There were now nine planets—a number that felt right. It seemed as if Lowell had found final vindication, after all those years chasing Japanese ghosts and Martian canals.

But year by year, as scientists got to know Pluto better, they liked it less, finding it smaller than expected, icy, and dubious in other ways, including its orbit and its relationship with neighboring objects. In 2006, 101 years after Lowell began his search for it, Pluto suffered the ultimate indignity when it was downgraded to a "dwarf planet." The fleeting fly-by this Tuesday may help restore luster to the object formerly known as Planet X. But more than likely, we will have to look elsewhere for Lowell's vindication.

Fortunately, it's not too hard to find. In June, scientists began to get excited again about the possibility of life on Mars, and research is coming into the Martian subsoil. A different monument to Lowell exists right here, in Cambridge's Mount Auburn Cemetery. He is not buried there, that would be too predictable (his actual grave is at Mars Hill, in Arizona). But a piece of petrified rock, left by his instruction, gives his grave's real location, and testifies to the enduring individuality of a Bostonian who wanted to be present, but not too present. Percival Lowell always encountered the world on his own terms.

#### CONGRATULATING NEW HAVEN HIGH SCHOOL FOR ITS BRONZE MEDAL AWARD

**HON. BLAINE LUETKEMEYER**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 2015*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating New Haven High School on its Bronze Medal Award as a top Missouri High School from U.S. News and World Report.

This school's administration, teachers, and students should be commended for all of their hard work throughout the past year and for their commitment to education.

I ask you to join me in recognizing New Haven High School for a job well done.

#### TRIBUTE TO STANLEY AND WILMA EMBREE

**HON. DAVID YOUNG**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 2015*

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Stanley and Wilma Embree on the very special occasion of their 70th wedding anniversary on June 17, 2015.

This couple was married in North Carolina in 1945 and farmed in Adams County until the 1980's. Stanley and Wilma now live in Atlantic, Iowa in Cass County. Stanley and Wilma's lifelong commitment to each other and to their children and family truly embodies Iowa's values. I congratulate this devoted couple on their 70 years together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

#### DISTINGUISHED OFFICER EDWARD ALFRED THOMAS

**HON. TED POE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 2015*

Mr. POE of Texas. Mr. Speaker, the Houston Police Headquarters will soon be renamed in honor of the retired Senior Police Officer Edward Alfred Thomas, a fitting tribute to his lifelong service to the city of Houston.

Police Officer Edward Alfred Thomas, also known as "Mr. Thomas" around the station, has provided 65 years of service as an officer to the Houston Police Department.

Officer Thomas served the Houston Police Department from January 12, 1948 to July 23, 2011. His accomplishments are numerous and include The 100 Club, Officer of the Year, the Lifetime Achievement Award, and a Chief of Police Commendation.

Officer Thomas served nearly 20 years prior to the Civil Rights Movement and was one of the first African-American police officers to integrate into the Houston Police Department.

Fellow officers declare that Officer Thomas has been an incredible example of perseverance, courage, and duty to the Houston Police Force.

Several organizations support the proposal to name the Police Headquarters in Officer Thomas's honor such as the African American Police Officer League (AAPOL), Houston Police Officer's Union (HPOU), the Houston Organization of Public Employees (HOPE), and Houston Police Organization of Spanish Speaking Officers (OSSO).

The City Council unanimously approved the proposal to name the Houston Police Headquarters in his honor on June 15, 2015.

And that's just the way it is.

#### OUR UNCONSCIONABLE NATIONAL DEBT

**HON. MIKE COFFMAN**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 2015*

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$18,151,921,010,337.51. We've added \$7,525,044,062,425.42 to our debt in 6 years. This is over \$7.5 trillion in debt our nation, our economy, and our children could

have avoided with a balanced budget amendment.

CONGRATULATING FT. ZUMWALT  
SOUTH HIGH SCHOOL ON ITS  
BRONZE MEDAL AWARD

**HON. BLAINE LUETKEMEYER**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 2015*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Ft. Zumwalt South High School on its Bronze Medal Award as a top Missouri High School from U.S. News and World Report.

This school's administration, teachers, and students should be commended for all of their hard work throughout the past year and for their commitment to education.

I ask you to join me in recognizing Ft. Zumwalt South High School for a job well done.

DULLES ACADEMIC CHAMPIONSHIP

**HON. PETE OLSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 2015*

Mr. OLSON. Mr. Speaker, I rise today to congratulate Dulles High School on being named the 2015 6A Academic State Champions. This win marks Dulles' third state title in four years.

This impressive achievement brought the gold medal to Dulles for the third time in just four years. This year's win also marks the eighth consecutive academic championship title for Fort Bend ISD. Dulles earned first place team honors in Science, Math, and Speech and Debate and second place team honors in Number Sense. No doubt, these students worked diligently all year to win this championship. Their success would not have been possible without the support of their teachers, principal, and parents. We are all looking forward to the continued achievements of this bright group of students.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Dulles High School's Academic State Champions. This victory makes the entire Fort Bend ISD community proud.

RECOGNIZING MOMS2B PROGRAM

**HON. STEVE STIVERS**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 2015*

Mr. STIVERS. Mr. Speaker, I rise today to recognize the Moms2B program in Columbus, Ohio for receiving the Supporting the Safety Net Award from the Association of Community Affiliated Plans (ACAP). The award was given at the 2015 ACAP CEO Summit. ACAP works with not-for-profit Safety Net Health Plans in

their efforts to improve the health of lower-income and vulnerable populations.

Moms2B was founded in 2010 and began as a 10-week nutrition course. The program has now grown into a multidisciplinary program with a variety of healthcare professionals serving the neighborhoods of Columbus.

The program is designed to address maternal and infant health issues in low-income communities with high rates of infant mortality. Specifically, there is a focus on helping pregnant women deliver full term, healthy babies. Moms2B also partners with a variety of organizations, including the American Red Cross, The Mid-Ohio Food Bank, the Ohio State University Outreach and Engagement, and many others in an effort to improve their outreach and care to the families in Central Ohio.

Moms2B has enrolled more than 350 women into the program, and has seen great success in its short time in operation. Through August 2013, program participants had a 50 percent reduction in low birth weight babies compared to the Medicaid expected number.

Winning the ACAP Supporting Safety Net Award is a true testament to the incredible impact Moms2B has had on families in Central Ohio. On behalf of the people of Ohio's 15th Congressional District, I thank Moms2B for all they do for our community and wish them continued success in the future.

CONGRATULATING FATIMA HIGH  
SCHOOL ON ITS BRONZE MEDAL  
AWARD

**HON. BLAINE LUETKEMEYER**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 2015*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Fatima High School on its Bronze Medal Award as a top Missouri High School from U.S. News and World Report.

This school's administration, teachers, and students should be commended for all of their hard work throughout the past year and for their commitment to education.

I ask you to join me in recognizing Fatima High School for a job well done.

2015 CARNEGIE HALL NATIONAL  
YOUTH ORCHESTRA

**HON. LOUISE McINTOSH SLAUGHTER**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 2015*

Ms. SLAUGHTER. Mr. Speaker, today I rise to recognize the 2015 National Youth Orchestra of the United States of America.

Each summer, Carnegie Hall's Weill Music Institute brings together some of the finest young musicians from across the country to form the prestigious National Youth Orchestra. The musicians, ranging from ages 16–19 years old, undergo a comprehensive audition process; the 114 talented, dedicated musicians who are selected reflect the breadth, diversity and quality of young musicians in the United States.

After an intensive two-week training residency at State University of New York Purchase College with faculty from some of the country's finest professional orchestras, the players travel the world on an annual tour to top music capitals. Our musicians have the opportunity to interact with local young musicians and sightsee wherever they travel, and they inspire their audiences with their music-making.

In its inaugural season in 2013, the Orchestra traveled to Russia and the UK. This year, from July 10–26, they will travel from New York City to China. In Beijing, Shanghai, Hong Kong, and four other cities, the Orchestra will share their talent with Chinese audiences while experiencing firsthand the richness of China's culture and history. As musical ambassadors for America, the orchestra will strengthen ties between citizens of the US and the People's Republic of China through culture.

I am thrilled to announce this summer's performers include two young musicians from my own Congressional district. Martine Thomas, 17, plays viola with the Rochester Philharmonic Youth Orchestra. She was a member of the National Youth Orchestra's inaugural summer tour in 2013, and this will be her second appearance with the group. She enjoys spending her weekends busking at a farmers market and performing at assisted living centers. Additionally, Helen Wong, 17, plays violin and attends Webster Schroeder High School is a performer in this year's National Youth Orchestra. She enjoys performing piano and violin at senior centers and churches in her free time.

Participating in the arts can have incredible benefits on our nation's students. From higher test scores to better behavior, stronger critical thinking skills, and better decision making skills. Team building skills along that these students will cultivate in the orchestra are essential to today's interconnected workplace.

Again, I would like to congratulate all of the young musicians of the 2015 National Youth Orchestra and wish them the best of luck in their future endeavors.

IN RECOGNITION OF JAMES  
SICILIANO

**HON. FRANK PALLONE, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 2015*

Mr. PALLONE. Mr. Speaker, I rise today to recognize Mr. James Siciliano. Mr. Siciliano will be honored by the Italian American Memorial Association (IAMA) on July 18, 2015 and I would like to join with its members in congratulating Mr. Siciliano.

The son of first generation Italian Americans, Mr. Siciliano honors his heritage and continues to uphold the objective of the IAMA to promote social, cultural and recreational activities for the betterment of the residents of Long Branch, New Jersey. His dedication to the community and the IAMA is truly deserving of this body's recognition.

A native of Long Branch, Mr. Siciliano has been involved with the IAMA since childhood.

Having participated in the IAMA Little League, Mr. Siciliano knows first-hand the positive influence the association's recreational and athletic activities have on the community's youth. As a member and President of the IAMA, he maintains active participation in the association and ensures its continued success. Under his leadership, the IAMA has grown in membership and activities. He also helped begin the association's scholarship program and oversees the daily functions of the center.

Mr. Speaker, I sincerely hope that my colleagues will join me in recognizing Mr. James Siciliano as he is honored by the Italian American Memorial Association and thanking him for his countless contributions to the community.

#### HONORING THE OLDER AMERICANS ACT 50TH ANNIVERSARY

##### HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 2015*

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in honor of the Older Americans Act 50th Anniversary. Originally passed in 1965, the Older Americans Act ensures that older individuals and their caregivers have access to a wide array of services. Aside from Medicare, Medicaid, and Social Security, services such as community-based care, meal delivery, health prevention programs, and elder rights protection are just a few of the many vital programs that the Older Americans Act provides.

The population age 65 and over increased by 24.7 percent between 2003 and 2013 and the number of individuals in need of aging programs continues to rise. Nearly 50 million older Americans and Americans with disabilities rely on Medicare coverage and more than 70 million individuals depend on Medicaid and the Children's Health Insurance Program for their health care needs. Nearly 42 million Americans receive Social Security retirement benefits and for 6 out of 10 seniors, Social Security provides most of their income. I strongly believe in solvent Medicare, Medicaid, and Social Security systems that give older Americans the security they need.

As for the impact of the community and social services provided by the Older Americans Act, the aging network serves an average of 11 million people each year. For example, over a five year period, 130 million rides to doctors' offices, grocery stores, and other locations were provided. More than 1 billion meals were served and 95 percent of those served would recommend the nutrition program. Nearly 20 million hours of case management, over 60 million hours of homemaker services, and more than 30 million hours of respite care were provided, helping older adults continue to live in their own homes. Through the Senior Community Service Employment Program, more than 200,000 participants provided almost 248 million hours of community service, effectively allowing seniors to give back to their community.

As the Baby Boomer Generation enters the 65 and over age bracket and the average life

expectancy lengthens, it is clear that we cannot afford a shortage of services. As we celebrate the Older Americans Act 50th Anniversary, we must also keep in mind that these services often end up on the chopping block. On this historic day, I hope that we can all work together to find ways to continue to provide these vital services to our older Americans.

#### CONGRATULATING THE CHAMOIS HIGH SCHOOL ON ITS BRONZE MEDAL AWARD

##### HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 2015*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Chamois High School on its Bronze Medal Award as a top Missouri High School from U.S. News and World Report.

This school's administration, teachers, and students should be commended for all of their hard work throughout the past year and for their commitment to education.

I ask you to join me in recognizing Chamois High School for a job well done.

#### HOUSTON COMMUNITY COLLEGE AND TEXAS A&M UNIVERSITY

##### HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 2015*

Mr. POE of Texas. Mr. Speaker, Texas A&M University has recently announced the new Texas A&M-Chevron Engineering Academies at two year colleges across Texas, including Houston Community College. This allows more students to receive a high quality engineering degree. The Texas Workforce Commission projects that by 2022 the state of Texas will need 62,000 more engineers, and this program is one of the ways Texas is going to get there.

In this program, students can complete their first two years of core classes at HCC and be granted full emission into Texas A&M to complete their major specific classes. Students will be able to learn in smaller environments for a fraction of the price. It combines the best from both schools, the atmospheres and learning setting. HCC already offers a wide variety of engineering majors, and now with A&Ms majors available to them, the possibilities for these students are endless.

Texas A&M is one of the top engineering programs not only in the state of Texas, not only in the country, but the world. Much like the 19th century British empire, the sun never sets in Aggieland, for they have campuses set all over the world.

Houston Community College has 60,000 students annually and serves Houston as one of the top schools to earn a degree from. This partnership is ensuring that more students have access to a top engineering education and the connections they make through this

will benefit not only them, but our future economy and industrial developments throughout the world.

And that's just the way it is.

#### RECOGNIZING OUR NATION'S COMMUNITY CORRECTIONS PROFESSIONALS

##### HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 2015*

Ms. NORTON. Mr. Speaker, I rise today to ask the House of Representatives to join me in recognizing the invaluable contribution to public safety made by community corrections professionals in the United States and throughout the world. Every year, the American Probation and Parole Association (APPA) and its allied members set aside a week to honor these valued public servants, and this year, they have chosen July 12-18 to mark Pretrial, Probation and Parole Supervision Week 2015. I am proud to stand in support of corrections professionals not only in the District of Columbia but around the world.

In the nation's capital, thousands of women and men serve as pretrial, probation and parole officers or administrators. As public servants, these constituents, along with many other Americans, commit themselves on a daily basis to helping improve the lives of those involved in the criminal justice system. Mr. Speaker, the work of these professionals ultimately results in stronger and safer communities for all.

Community corrections professionals are responsible for supervising adult and juvenile offenders in communities throughout our nation. In many cases, these trained professionals go above and beyond the call of duty by providing their clients supportive services or referrals to critical community-based resources, employment opportunities and housing programs. Additionally, community corrections professionals provide services, support, and protection for victims, while continuously promoting the importance of crime prevention and restorative justice.

In honor of Pretrial, Probation and Parole Supervision Week 2015, I recognize, in particular, the community corrections and supervision services carried out here in the District of Columbia by the Court Services and Offender Supervision Agency for the District of Columbia (CSOSA) and the Pretrial Services Agency for the District of Columbia (PSA). CSOSA and PSA stand out as model community supervision agencies due to both their professionalism and their novel, partnership-based approach to reentry and public safety in the District of Columbia.

On any given day, CSOSA is responsible for supervising approximately 12,000 individuals on probation, parole or supervised release, whereas PSA supervises roughly 20,000 defendants. Charged with having to balance issues of public safety with social services and reentry support, the employees of CSOSA and PSA help to enhance the security of everyone that lives, works or visits the District of Columbia,

I extend my gratitude to these public servants for their commitment, compassion and contributions to healthier and safer communities throughout the District of Columbia.

Mr. Speaker, I ask the House of Representatives to join me in acknowledging the impact community corrections professionals have on the quality of life of so many Americans, and recognizing July 12–18 as Pretrial, Probation and Parole Supervision Week 2015.

CONGRATULATING THE LAKE COUNTY VETERANS AND FAMILY SERVICES FOUNDATION ON THE OPENING OF THE NEW DRYHOOTCH DROP-IN CENTER AND OFFICES

**HON. ROBERT J. DOLD**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 2015*

Mr. DOLD. Mr. Speaker, I rise today to recognize the Lake County Veterans and Family Services Foundation (LCVFSF) of Grayslake, Illinois on the opening of their new Dryhootch Drop-In Center and Offices on July 16, 2015. The new center provides a welcoming atmosphere for active service members, veterans, and their families to come and enjoy a cup of coffee, meet others who have shared their military experience, or learn more about the many services available to them through LCVFSF from a veteran peer specialist.

The new facility was made possible through a joint partnership between LCVFSF and Dryhootch of America—a nonprofit organization formed by combat veterans to help veterans in their return home. Dryhootch was envisioned as a place where veterans could gather informally in a drug and alcohol free coffeehouse environment that is safe and comfortable. LCVFSF's goal is to make veterans' transition to civilian life easier and safer by providing support from those who have been there in the past. Their vision is to embed 100 percent free and confidential care for Lake County veterans, reservists, guardsmen, and their families—regardless of their discharge status—into the community through a network of veteran volunteers, veteran peer-to-peer specialists, and critical community resources.

Mr. Speaker, I applaud the LCVFSF Board of Directors and staff on the opening of this new facility to help veterans and families in their time of need. I look forward to working with them in the future as they bring employment and peer support services to the veterans of Illinois' 10th District.

CONGRATULATING BLAIR OAKS HIGH SCHOOL ON ITS BRONZE MEDAL AWARD

**HON. BLAINE LUETKEMEYER**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 2015*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in con-

gratulating Blair Oaks High School on its Bronze Medal Award as a top Missouri High School from U.S. News and World Report.

This school's administration, teachers, and students should be commended for all of their hard work throughout the past year and for their commitment to education.

I ask you to join me in recognizing Blair Oaks High School for a job well done.

HONORING MARÍA DEHARO ON THE OCCASION OF HER RETIREMENT AS DIRECTOR OF MIGRANT EDUCATION FOR THE RIVERSIDE COUNTY OFFICE OF EDUCATION

**HON. RAUL RUIZ**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 2015*

Mr. RUIZ. Mr. Speaker, I rise today to congratulate Mrs. Deharo on her well-deserved retirement as Director of Migrant Education, after 35 years of educational service in various capacities in Coachella Valley, especially on behalf of migrant farmworkers families and children in Riverside County.

For more than thirty years, Mrs. Deharo dedicated both her career and her life to improving the lives of hundreds of migrant children and their families. In the face of adversity, and despite a chronic lack of resources, Mrs. Deharo has successfully helped students graduate from high school and attend college, enhancing not only their lives, but their community as a whole.

Mrs. Deharo's involvement with students goes beyond the classroom. She routinely participated in countless student and family events, from after-school tutoring and summer college institutes, to home visits. Mrs. Deharo vision to bring services to students in their communities became a reality when she fought and received funding for a bookmobile, which helps migrant children and families by strengthening their literacy skills through computer training, story time, arts and crafts and free books.

In her long and successful career, Mrs. Deharo, worked as a teacher for ten years at the Coachella Valley Unified School District, she was a School Facilitator for three years, Bilingual Coordinator for three years, and a Principal for 9 years. Mrs. Deharo also served as the Riverside County Office of Education Director of Migrant Education for 11 years. As proof of her achievement and leadership, county offices and district from across the great state of California have requested her assistance with their migrant education programs.

Mrs. Deharo understands firsthand the difficulties that these children face. Having someone like Mrs. Deharo by our side is a blessing and an inspiration to achieve the American Dream.

Mr. Speaker, on behalf of all the thousands of children and families that had the opportunity to work with Mrs. Deharo, and the residents of California's 36th Congressional District, I would like to offer my sincerest thanks and congratulate Mrs. Deharo for her passion

and pride for educational excellence. I wish her well in her well-deserved retirement.

HONORING MAINE VETERAN SAMUEL ALDERETE FOR HEROIC SERVICE IN WWII

**HON. CHELLIE PINGREE**

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 2015*

Ms. PINGREE. Mr. Speaker, I rise today to congratulate one of my constituents—94-year-old Samuel Alderete of Topsham, Maine—on receiving the prestigious French Legion of Honour and to applaud the courageous actions for which it is being awarded.

As a young Army warrant officer in WWII, Mr. Alderete fought his way across France, Belgium, and Germany with the 980th Field Artillery Battalion. He fought in and survived the infamous Battle of the Bulge. The actions of Mr. Alderete and his brothers in arms, many of whom didn't make it home, directly contributed to the liberation of France. I sincerely thank the French Government for recognizing Mr. Alderete and other American veterans who fought to save the French people.

I am deeply grateful for Mr. Alderete's brave service—both in WWII and his later combat experience in Korea—and also admire him for exhibiting the kind of humility that characterizes the Maine veterans I've had the pleasure of meeting. When asked for any heroic actions or battles he participated in, Mr. Alderete simply replies, "Nothing heroic. Just soldiered in combat."

Despite Mr. Alderete's assertion, Mr. Speaker, I find his actions to be quite heroic. He fought with courage and honor at great personal danger, in terrible conditions, far from home. The 70 years that have passed since then have done nothing to diminish his distinguished service. I wholeheartedly congratulate him on receiving this well-deserved honor from the French people.

PERSONAL EXPLANATION

**HON. ANNA G. ESHOO**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 2015*

Ms. ESHOO. Mr. Speaker, I was not present during roll call vote number 434 on July 13, 2015, due to a flight delay.

On roll call vote no. 434 I would have voted YES.

HONORING ALBUQUERQUE SOL

**HON. MICHELLE LUJAN GRISHAM**

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 2015*

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to commend all those involved in assembling a remarkable and successful professional international soccer match that took place in Albuquerque,

New Mexico on Saturday, June 27, 2015 between Lobos de la BUAP of Ascenso, Mexico and Albuquerque Sol Football Club (FC) of the Premier Development League.

The Sore No More Summer Clasico was organized by PinVaca & Associates, LLC, a local sports marketing firm committed to bringing quality sporting events to New Mexico. Under the leadership of New Mexico State Representative Antonio "Moe" Maestas, a local company which manufactures and distributes a natural pain relieving gel, "Sore No More," agreed to be the title sponsor.

Professional Club de Futbol Lobos de la Benemerita Universidad Autonoma de Puebla is based in Puebla, Mexico and is a professional team representing the Autonomous University of Puebla. The club conducted a youth soccer clinic while in Albuquerque and brought several dignitaries from Puebla, including the University President.

Lobos de la BUAP felt right at home, as the club's mascot is also the mascot of the University of New Mexico—where the match was played.

Albuquerque Sol FC was founded in 2013 by Ron Patel, a native of Liverpool, England who played soccer with his local team, grew up playing soccer with his dad in the front yard and watching his national team compete for the European and World Cups. His passion for "the beautiful game" has contributed greatly to Albuquerque's growing soccer culture.

The fans in attendance were treated to an exciting match featuring world class play. Both teams demonstrated exceptional defense and attacking offense that ended in a 0-0 draw. This type of competition brings the community together and emphasizes to New Mexico's youth the importance of dedication, teamwork and camaraderie. We look forward to more international friendlies in the future. I thank the sponsors for reaching out to talented soccer clubs around the world and bringing them to New Mexico.

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REMEMBERING THE LIFE OF  
FRANK E. MILLER

**HON. MARCY KAPTUR**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 2015*

Ms. KAPTUR. Mr. Speaker, I rise to remember the life and achievements of Frank E. Mil-

ler, who passed from this life at the dawn of Spring, not long after the first ships began arriving after winter's break. Frank was instrumental in the development of Toledo, Ohio's seaport.

Frank Miller was born in Marion, Ohio in 1929 to Carl and Alverta Miller. He married his wife Vera in 1951 and together they raised three children, Gary, Brian and Linda. Frank served in the U.S. Army Corps of Engineers during the Korean War. After coming home, he moved to Toledo, Ohio to work as a crane operator.

In 1962 he became an equipment operator and overseas docks supervisor for the Toledo Lucas County Port Authority. With his 1976 appointment as Director of the Seaport Frank moved the port forward to become a major seaport both domestically and internationally. His claim to fame was as "the man behind the seaport's 'Big Lucas' gantry crane. He designed and operated the large cargo handling crane for many years and taught many others to do the same." Frank was a pathbreaking, early leader for development of Toledo's Port, its cranes and storage capacity, now the busiest on the lower Great Lakes. He mounted the equipment and literally, made the Port hum with activity. He was an enthusiastic, persevering advocate for the Port and its global potential.

Frank was a leader in the Association of Great Lakes Ports and served as a director of the American Association of Port Authorities. He also was a self published author and good humored observer of everyday life.

After leaving his imprimatur on the Toledo Lucas County Port Authority, Frank started his own business, Toledo World Industries located in Toledo's East Side. He was also owner and publisher of Business Venture Magazine until his retirement in the 1990s.

A community leader, Frank Miller also found time to enjoy "golf, Ohio State University football, Detroit Red Wings hockey and spending time on the docks at the Port Authority." Most important was his family and he was a supportive grandpa to his five grandchildren.

To Vera, their children, grandchildren and great-grandchild, we offer our prayers that they find comfort in their memories of a wonderful, devoted man who understood what it takes to create a close family and an enterprising community.

HONORING APHRODITE LOUTAS

**HON. MIKE QUIGLEY**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 2015*

Mr. QUIGLEY. Mr. Speaker, I rise today to honor the distinguished career of Aphrodite Loutas. After over 28 years of government service, Ms. Loutas will be retiring as Chief of Staff for U.S. Citizenship and Immigration Services.

A Chicago resident since 1972, Ms. Loutas began her outstanding career with Immigration and Naturalization Services in 1987 as a Supervisory Legalization Officer for the Legalization Program. She joined the District in 1990 as Immigration Examiner and became a supervisor in citizenship from 1991 through 1997. In 1997, she was asked to serve in headquarters for a year as Central Region Coordinator for the Headquarters Office of Naturalization Operations.

In 1999, Ms. Loutas was appointed to Special Assistant to the District Director in the Chicago district in and contributed to that capacity until 2005.

Ms. Loutas then served as the Assistant Director for Mission Support, where she worked diligently to secure America's promise as a nation of immigrants and ensure the integrity of our immigration system to constituents. She was named Chief of Staff of the Chicago's 14th District office in 2009. In 2011, she was honored with the United States Citizenship and Immigration Services Director's Heritage Award for her outstanding service and dedication.

I invite my colleagues to join me in honoring Aphrodite Loutas for the work she has done for the 14th District, her community, and this great nation. I thank her for her invaluable service, and wish her well in all future endeavors.

## SENATE—Wednesday, July 15, 2015

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Answer us when we call, O God, and bless our Nation.

May our lawmakers work to do Your will, remembering that You have set apart the Godly for yourself. Inspire our Senators to find refuge in You and to discover blessings and joy in Your favor.

Lord, continue to supply our needs according to Your riches in glory, encouraging us to learn contentment by trusting the unfolding of Your loving providence. Keep us from stumbling or slipping as we find safety by walking with integrity.

Eternal God, to Your precious Name we ascribe glory, majesty and might, dominion and power, now and always. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. PAUL). The majority leader is recognized.

### KENTUCKY FLOODING

Mr. MCCONNELL. Mr. President, this morning we are all thinking of the many Kentuckians who have been impacted by severe flooding over the past couple of days. Eastern Kentucky has been especially hard hit. Governor Beshear has declared a state of emergency, and the Kentucky delegation stands ready to assist in this effort.

The tragic flooding has already claimed two lives in Johnson County. Six remain missing. Others were forced to watch as homes and cherished memories were swept away. We can only imagine what these Kentuckians and their families must be going through.

This has been an especially trying task for our first responders as well. They have had to battle against debris and downed power lines. They have

worked to rescue Kentuckians from trees. It hasn't been easy, but it reminds us again of why we owe these men and women so very much. I join Kentuckians in thanking them for all they have done and all they continue to do.

### NUCLEAR AGREEMENT WITH IRAN

Mr. MCCONNELL. Mr. President, on an entirely different matter, I said yesterday the Senate would thoroughly review the White House deal with Iran. I said we would hold hearings and we would call witnesses and ultimately vote to approve or disapprove the deal in accordance with the Iran Nuclear Agreement Review Act. That is what we have long planned to do, and once the administration fully transmits the text, that is just what we will do.

Senators are already taking a close look at what they have been able to get their hands on thus far, but the Senate eagerly awaits the full transmission of that text and the required certifications. We await the beginning of a comprehensive review process premised on a simple question: Can the agreement meet its essential test of leaving our country and our allies safer?

### EVERY CHILD ACHIEVES ACT

Mr. MCCONNELL. Finally, Mr. President, turning to the business currently before the Senate, the bipartisan education debate we are having in the new Senate is good for our country and it was long overdue.

For too long, bureaucrats in Washington tried to dictate top-down, one-size-fits-all education policies to millions of students and families across our country. It was hurting our kids, and it needed to change. So a new Senate that is back to work for the American people decided to work together to do something about it. We thought it was past time to place more education decisionmaking power where it truly belongs—with parents, with teachers, with States, and with school boards, not with a distant Federal bureaucracy.

The pundits said Washington could never address these challenges, but the bipartisan Every Child Achieves Act actually received unanimous support from every Democrat and every Republican in committee. Just think about that for a moment. It is an impressive achievement, and it wouldn't have been possible without a functioning Senate and a lot of dedication and determination from the bill's primary sponsors, the Republican Senator from Ten-

nessee and the Democratic Senator from Washington.

This debate may be years overdue, but Republicans and Democrats are certainly having their voices heard today. They are working across the aisle, they are representing the views of their constituents, and they are offering amendments. The new Senate has processed over two dozen amendments to this bill already, and we have adopted quite a few of them. In fact, we have now taken more rollcall amendment votes this year in the new Congress than throughout the entirety of the last Congress combined. That is an achievement both parties can celebrate. It represents progress for our country. And this afternoon we have a chance to make more because, with cooperation from our friends across the aisle, we can continue to advance the Every Child Achieves Act later today and set up final passage soon. That would mean another bipartisan achievement for our country and a long-overdue win for our kids.

### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

### CLIMATE CHANGE

Mr. REID. Mr. President, my heart goes out to the people in Eastern Kentucky, with the devastating floods. The issue before our entire country is that we have storms like this appearing from nowhere, storms like we have never had before. I don't know the history of Kentucky, but I have watched and been briefed on what is going on around the rest of the Nation, and these storms are coming all the time—untoward.

It is too bad that my Republican colleagues have denied climate change. We have to do something, and we have to do something very soon.

There was a meeting a few days ago at the White House where the President announced that with regard to climate change we have to do something now. He said that by the year 2100, scientists say, the seas will have risen 16 feet. What does that mean? It means that much of Florida will be underwater.

We have things happening that have never been recorded before. In the Sierras, some bears are not hibernating. We have an average rainfall and snowpack in upper Colorado, and none of it gets into the river. So I would hope my friends would join with us in doing



something positive with regard to climate change.

#### PUBLIC SAFETY AND THE HIGHWAY BILL

Mr. REID. Mr. President, more than 62 million vehicles were recalled last year in our country—twice the previous record. The number of safety complaints to the National Highway Traffic Safety Administration doubled. Over the past year, for example, faulty ignition switches led to the recall of 2.6 million cars. At least 124 people died and almost 300 were injured by this ignition switch problem, which did many different things, one of which was to stall a car in traffic and during the process disable the airbags. The manufacturer was aware of the defect for more than a decade and did nothing about it. Exploding airbags—another problem—claimed the lives of at least 8 people and led to the recall of 34 million vehicles—the largest recall of any consumer product in the United States ever. Once again, it appears the manufacturer knew of the defect years before notifying Federal regulators.

Given the number of recalls, Congress should be investing the resources to improve public safety and give regulators the tools to keep us safe. But it appears Senate Republicans have learned nothing from the many recalls just this year. The Republican highway safety bill, which is being considered in the committee on commerce today, does not increase funding for Federal traffic programs. In fact, it cuts them back. Why? The bill does not provide any new resources to address the record level of safety recalls and consumer complaints. Under the Republican bill that is being considered, automakers that cover up defects will continue to face the same very limited penalties. Their executives will be able to continue to escape accountability.

But that isn't all of it. The highway bill the Republicans are pushing forward is loaded with harmful provisions that roll back efforts to strengthen public safety. The bill would allow 18-year-old young men and women—18 years old—to drive commercial 18-wheelers across State lines. Think about that. Despite studies which show that these young drivers have a fatal crash rate almost 70 percent higher than older drivers, the Republican safety plan would allow these inexperienced teenagers to drive the largest trucks that appear on the road.

If this odyssey of the Republicans in the commerce committee is signed into law, it will lead to more crashes and, sadly, more injuries and more deaths.

Every day, 30 people in our great country are killed by drunk drivers—30 people killed by drunk drivers. I just learned a couple of days ago of a person who worked for me, who was a tremendously great employee of the Senate—

their brother-in-law was killed by a drunk driver. It is so sad that we are not doing more to not only stop drunk driving but to punish drunk drivers. The policy Republicans propose today hurts our efforts to combat drunk driving.

Listen to this one. The Republicans' bill would lessen incentives for States that develop programs to prevent people who have been convicted of drunk driving from starting their cars if they have been drinking—for example, just a simple, inexpensive device on a car. If someone has been drinking too much, the car won't start. But Republicans are going to take care of this and get rid of it. No longer will States have the ability to do that. The Federal Government should not be involved in programs like that.

The Republicans' plan also undermines safety measures that protect passengers and trains and, of course, the safety of all of us because of the problems we have with freight trains. There is a program that was designed by science—it has been available for a long time—called positive train control which overrides operator error. A perfect example of this is what happened in Philadelphia. If that had been in effect, that accident would not have occurred. But the Republicans fixed this—they are going to stop the program for 3 years.

Under the present law, these programs had to be implemented by the end of this year—not with the Republicans in the commerce committee, which will be part of any highway bill we have. They will just stop it for 3 years, and that will lead to more deaths, more injuries, and more terror.

I can't understand why the Republicans would propose doing that—delaying the deadline for positive train control by more than 3 years. I said 3 years, but it is actually more than that. There is no reason to roll back deadlines for important safety measures for our passenger trains. Is this the best Republicans can do? I ask that.

For Americans who live near rail lines, trains are increasingly carrying more and more flammable materials—oil, ethanol, and other explosive products. In February of this year, a train carrying oil derailed in West Virginia, sending exploding fireballs into the air and causing large necessary evacuations.

This and other crashes led the Department of Transportation to require the installation of new electronic brakes for any train moving flammable materials. Requiring better brakes when carrying these materials seems like a commonsense safety measure.

What do the Republicans do? Their bill repeals an important freight rail provision, jeopardizing communities across the country with tragic spills. We don't need more accidents. We need

fewer accidents. We need to move forward and to continue the minimal programs we have, not roll them back. It is clear the Republicans have not learned anything from the auto recalls or the train crashes. The Senate can do better than adopting the Republican's attack on public safety. If the Republicans choose to put those measures in the highway bill that I am told is coming forward, it will not survive the Senate. We can't have stuff like that. It would be just untoward and wrong.

Mr. President, there is no one on the floor, and I ask that the Chair announce the business of the day.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### EVERY CHILD ACHIEVES ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1177, which the clerk will report.

The bill clerk read as follows:

A bill (S. 1177) to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

Pending:

Alexander/Murray amendment No. 2089, in the nature of a substitute.

Murray (for Peters) amendment No. 2095 (to amendment No. 2089), to allow local educational agencies to use parent and family engagement funds for financial literacy activities.

Murray (for Warren/Gardner) amendment No. 2120 (to amendment No. 2089), to amend section 1111(d) of the Elementary and Secondary Education Act of 1965 regarding the cross-tabulation of student data.

Alexander (for Kirk) amendment No. 2161 (to amendment No. 2089), to ensure that States measure and report on indicators of student access to critical educational resources and identify disparities in such resources.

The PRESIDING OFFICER. Under the previous order, the time until 10:30 a.m. will be equally divided in the usual form.

Mr. REID. Mr. President, is the time under this quorum call we will be in equally divided?

The PRESIDING OFFICER. The time is not equally divided.

Mr. REID. Mr. President, I ask unanimous consent that the time be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MERKLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COTTON). Without objection, it is so ordered.

Mr. MERKLEY. Mr. President, I rise to address an amendment I am proposing to the bill, the Every Child Achieves Act. I am not going to ask to call up the amendment at this time, but I certainly would like to do so at a later point in the day. I hope this amendment will be part of any effort to wrap-up debate on this bill because it addresses an important component that is being left out of discussion on the Every Child Achieves Act.

The Every Child Achieves Act is the authorization act, but it leaves out the vision for school policy. This is a bipartisan bill. It is a bill that would give a lot more flexibility to our States, and it has been an important effort to address many shortcomings in the former act, the No Child Left Behind Act, that in fact left a lot of children behind. In my discussions with educators throughout the State of Oregon, with parents, administrators, and teachers, they found a great number of difficulties and problems with an act that was undermining the success of our public schools, leaving a huge number of children behind, and focusing on what these educators referred to as “the bubble”—that is, those children who are close enough to the testing line to get them over the top, while decreasing attention paid to those children who could already meet the testing line or those they think were not able to get to that line. That is not a holistic, comprehensive education system addressing the needs of all our children. So I am delighted to see this reform on the floor of the Senate. The focus on assisting every child in achieving is appropriate.

But we cannot achieve a world-class education system that responds to a world knowledge economy, preparing our children to be fully successful members of that world knowledge economy, if we do not provide the resources necessary for our schools to thrive. It strikes me as a real failure of our legislative process that a generation after I went through elementary and secondary education, we are a far richer nation, but our schools have far fewer resources.

My children have been attending public schools in the same blue-collar school district I grew up in. I have a firsthand view of the difference between what the school provided when I was there and what has been provided while my children are there. The short conclusion is that our classrooms are more crowded and our schools are unable to provide the same range of options that benefited my generation.

How is it that we are a much richer nation, but we are undervaluing and underfunding our elementary and secondary education system in this Nation? Well, we can tie that back to a

lot that has transpired, including a huge growth in inequality in our Nation. But here is the key point: While we sit here on the floor debating better education policy, shouldn't we also be recognizing explicitly this huge failure to provide basic resources to the elementary and secondary education system?

The funding cuts that are currently anticipated under the sequester would bring Federal investments and programs under the Elementary and Secondary Education Act to their lowest levels since fiscal year 2002. Let me repeat that: the lowest level since fiscal year 2002. Of the lowest achieving 5 percent of schools that receive funds under part A of title I of such act, about two-thirds of students are not meeting their grade-level standards. It is certainly a more difficult task for teachers to enable students to meet those standards when our classrooms are more crowded.

The proposed appropriations act cuts funding for part A of title I of the Elementary and Secondary Education Act of 1965 by \$850 million as compared to the President's budget and the Democratic funding alternative.

The PRESIDING OFFICER. All time for debate has expired.

Mr. MERKLEY. Mr. President, I ask unanimous consent to extend the time allotted to complete my statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MERKLEY. Mr. President, research shows that high-quality early education is critical to the educational development of every child. There, too, we are underfunding the effort. The proposed appropriations act provides no funding for preschool development grants and a cut of \$750 million as compared to the President's budget and the Democratic alternative.

Now, this is happening—this underfunding of education—within the construct known as the sequester. The sequester was partially alleviated 2 years ago by a budget deal known as Ryan-Murray. That Ryan-Murray agreement led to saying that according to the sequester principle defense spending and nondefense spending would be treated equally. If one is capped, the other is capped. If one is raised, the other is raised.

That fundamental understanding led to an improvement over the last 2 years. But that improvement is gone. So at the very moment, we are talking about better education policy, and we are talking about worse education funding. That is simply wrong—wrong for our children, wrong for the next generation and the success of America. So let's embrace that second half of the conversation and through my amendment—amendment No. 2203—call for an intense negotiation to occur, essentially to restore appropriate funding on the nondefense programs.

This is a rational counterpart to the debate over the bill that we have before us right now. It is certainly important for America to recognize that you cannot, on the one hand, call for better education policy and on the other hand devastate the funding for early childhood education and devastate the funding for K-12 education and feel like you have done something to make American education work better, because you have not.

If you have underfunded education, you have undervalued our children, and you have undermined the future success of our Nation. I hope that amendment No. 2203, which calls upon the House and Senate to come together and address this failure of funding, will be a significant part of our conversation as we work to wrap up debate on the Every Child Achieves Act.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SULLIVAN). Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Senator from Maine be allowed to speak for 5 minutes following my comments.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. For the information of Senators, within a few minutes we hope to have a cloture vote. We are still working out an agreement, but we hope to have that done within a very few minutes and may begin to move on that shortly after the Senator from Maine finishes his remarks.

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. Mr. President, I ask unanimous consent to address the Senate as in morning business for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### NUCLEAR AGREEMENT WITH IRAN

Mr. KING. “Fellow-citizens, we cannot escape history. We of this Congress and this administration, will be remembered in spite of ourselves. No personal significance, or insignificance, can spare one or another of us. The fiery trial through which we pass, will light us down, in honor or dishonor, to the latest generation.” That was Abraham Lincoln in a message to Congress on December 1, 1862. I think his words echo today as we talk about the serious and solemn issues before us and the one that will be coming up within 60 days, the consideration of the agreement with Iran.

We are embarked on a historic process, a process that will result in one of the most important votes that any of us will ever take in this body, a vote

that entails risks of war and peace, of life and death, of relationships in the Middle East and throughout the world.

I have been thinking in the last 24 hours about how to approach this decision, and I would like to share that today. This is a solemn responsibility. The first step for this Senator is to read the agreement word for word and to note in the margins the questions, data, and analysis that we think we need in order to make this decision. That is No. 1.

No. 2 is to seek expertise, to reach outside of this body to people in the nuclear field—one literally needs to be a nuclear physicist to understand some parts of this agreement—to arms inspection people, to economists, to foreign policy experts. I hope and expect this will happen in hearings before the Foreign Relations Committee and other committees of this Senate, but it is also incumbent upon us as individuals to reach out and to try to gain as much knowledge and expertise in the facts of this agreement as we possibly can.

Then I think we need to debate—to really debate with the Senators here in the Chamber, face to face. Our legal system is based upon the principle of an adversarial system where truth emerges from the fire of argument. And I believe that is something we owe the American people, not the strange debate we have where one person comes and speaks to an empty Chamber and then another person comes and speaks to an empty Chamber. I think this is an occasion where Senators should confront one another with their best arguments, their best facts, and listen to one another and make their decisions based upon what they learn and what they hear.

Of course, the context of the decision is important. We must consider the alternatives. What happens if we don't accept this agreement? What happens if we do? No agreement like this can be judged solely in isolation; it has to be viewed in terms of what are the alternatives. What if nothing happens? What does Iran do then? What are the relationships in the Middle East? What is Iran's path to a bomb if this agreement is not approved?

Mr. President, I did not plan to come to the floor today, but I am here because I have been shocked and, frankly, surprised at the outpouring of reaction from people who haven't read the agreement, who haven't studied the implications, who haven't gained the facts. To denounce an agreement or a deal before the ink is even dry strikes me as an abdication of our responsibility.

My message today is, let's slow down and take a deep breath. Let's listen to one another. Let's gain the facts.

I have not yet made my decision. And I commend that position to my colleagues. This is too important to be-

come just another political issue. Even though we are headed into a Presidential year, even though there are partisan differences, even though there are differences with this President, this is a historic vote and it is a solemn responsibility. We owe our constituents, we owe the people of our States and America a close reading of the facts, a balanced weighing of the alternatives, and our best judgment. That is what the people of Maine expect of this Senator, and I believe that is what the people of America expect of us.

The Senate has an extraordinary opportunity to regain its place in this country as the world's greatest deliberative body, and that means we have to deliberate and listen and learn the facts, and that is how we should approach this momentous decision.

History will judge us. History will judge us not only on our ultimate decision but how we reached it, how we wrestled with the facts and the alternatives and the consequences, and how we made this decision that will have long-term implications for this country, for the Middle East, for our allies, and for the world.

Mr. President, I have confidence in this institution. I have confidence that we can make this decision in a thoughtful, deliberative, and consciously deliberate way to reach a conclusion that is in the best interests of the people of America.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

Mr. ALEXANDER. Madam President, I ask unanimous consent that, notwithstanding rule XXII, there be 10 minutes of debate equally divided before the vote to invoke cloture on the Alexander-Murray substitute amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. Madam President, for the information of Senators, we have an agreement on the amendments to our legislation to fix No Child Left Behind.

The agreement represents all of the amendments that we will be dealing with. The exact time of the final passage will be determined by the Republican and Democratic leaders.

This is how we will proceed. First, we will propose and hopefully adopt by consent a managers' package of 21 amendments. Second, we will lock in an agreement by consent to vote on 24 more amendments. That voting will

begin this afternoon, perhaps, at 2:30 p.m. or 3 p.m. There are slightly more Democratic amendments than Republican amendments in that group of 45 amendments.

Following the reading of that, Senator MURRAY and I will each have 3 or 4 minutes of remarks that we would like to make, and then we will have a cloture vote, and that will be all we will do before lunch.

Following lunch, as I said, at about 2:30 p.m. or 3 p.m., we will move to vote.

I am now going to move to the managers' package, a list of 21 amendments that have been cleared by both the Republican and Democratic sides.

AMENDMENTS NOS. 2111; 2141; 2145; 2149; 2150; 2151, AS MODIFIED; 2154; 2155; 2157; 2234; 2170; 2178; 2181; 2185; 2195; 2216; 2199; 2201; 2225; 2224; AND 2227 TO AMENDMENT NO. 2089

Madam President, I ask unanimous consent that the following amendments be called up and agreed to en bloc: McCain-Reid No. 2111; Bennet-Ayotte No. 2141; Ayotte No. 2145; Udall No. 2149; Feinstein-Cornyn-Gardner No. 2150; Carper-Ayotte No. 2151, as modified with the changes at the desk; King-Capito No. 2154; Thune No. 2155; Flake No. 2157; Lee No. 2234; Booker No. 2170; Coons-Reed-Blunt No. 2178; McCain No. 2181; Whitehouse No. 2185; Blunt-Cardin-Mikulski-Collins No. 2195; Gillibrand No. 2216; Graham No. 2199; Alexander No. 2201; Bennet No. 2225; Booker No. 2224; and Cornyn No. 2227.

The PRESIDING OFFICER. Is there objection.

Without objection, it is so ordered.

The amendments (Nos. 2111; 2141; 2145; 2149; 2150; 2151, as Modified; 2154; 2155; 2157; 2234; 2170; 2178; 2181; 2185; 2195; 2216; 2199; 2201; 2225; 2224; and 2227) proposed and agreed to are as follows:

#### AMENDMENT NO. 2111

(Purpose: To express the sense of Congress that John Arthur "Jack" Johnson should receive a posthumous pardon for the racially-motivated conviction in 1913 that diminished the athletic, cultural, and historical significance of Jack Johnson and unduly tarnished his reputation)

At the end of part B of title X, add the following:

#### SEC. \_\_\_\_\_. POSTHUMOUS PARDON.

(a) FINDINGS.—Congress finds the following:

(1) John Arthur "Jack" Johnson was a flamboyant, defiant, and controversial figure in the history of the United States who challenged racial biases.

(2) Jack Johnson was born in Galveston, Texas, in 1878 to parents who were former slaves.

(3) Jack Johnson became a professional boxer and traveled throughout the United States, fighting White and African-American heavyweights.

(4) After being denied (on purely racial grounds) the opportunity to fight 2 White champions, in 1908, Jack Johnson was granted an opportunity by an Australian promoter to fight the reigning White title-holder, Tommy Burns.

(5) Jack Johnson defeated Tommy Burns to become the first African-American to hold the title of Heavyweight Champion of the World.

(6) The victory by Jack Johnson over Tommy Burns prompted a search for a White boxer who could beat Jack Johnson, a recruitment effort that was dubbed the search for the "great white hope".

(7) In 1910, a White former champion named Jim Jeffries left retirement to fight Jack Johnson in Reno, Nevada.

(8) Jim Jeffries lost to Jack Johnson in what was deemed the "Battle of the Century".

(9) The defeat of Jim Jeffries by Jack Johnson led to rioting, aggression against African-Americans, and the racially-motivated murder of African-Americans throughout the United States.

(10) The relationships of Jack Johnson with White women compounded the resentment felt toward him by many Whites.

(11) Between 1901 and 1910, 754 African-Americans were lynched, some simply for being "too familiar" with White women.

(12) In 1910, Congress passed the Act of June 25, 1910 (commonly known as the "White Slave Traffic Act" or the "Mann Act") (18 U.S.C. 2421 et seq.), which outlawed the transportation of women in interstate or foreign commerce "for the purpose of prostitution or debauchery, or for any other immoral purpose".

(13) In October 1912, Jack Johnson became involved with a White woman whose mother disapproved of their relationship and sought action from the Department of Justice, claiming that Jack Johnson had abducted her daughter.

(14) Jack Johnson was arrested by Federal marshals on October 18, 1912, for transporting the woman across State lines for an "immoral purpose" in violation of the Mann Act.

(15) The Mann Act charges against Jack Johnson were dropped when the woman refused to cooperate with Federal authorities, and then married Jack Johnson.

(16) Federal authorities persisted and summoned a White woman named Belle Schreiber, who testified that Jack Johnson had transported her across State lines for the purpose of "prostitution and debauchery".

(17) In 1913, Jack Johnson was convicted of violating the Mann Act and sentenced to 1 year and 1 day in Federal prison.

(18) Jack Johnson fled the United States to Canada and various European and South American countries.

(19) Jack Johnson lost the Heavyweight Championship title to Jess Willard in Cuba in 1915.

(20) Jack Johnson returned to the United States in July 1920, surrendered to authorities, and served nearly a year in the Federal penitentiary at Leavenworth, Kansas.

(21) Jack Johnson subsequently fought in boxing matches, but never regained the Heavyweight Championship title.

(22) Jack Johnson served the United States during World War II by encouraging citizens to buy war bonds and participating in exhibition boxing matches to promote the war bond cause.

(23) Jack Johnson died in an automobile accident in 1946.

(24) In 1954, Jack Johnson was inducted into the Boxing Hall of Fame.

(25) Senate Concurrent Resolution 29, 111th Congress, agreed to July 29, 2009, expressed the sense of the 111th Congress that Jack Johnson should receive a posthumous pardon for his racially-motivated 1913 conviction.

(b) RECOMMENDATIONS.—It remains the sense of Congress that Jack Johnson should receive a posthumous pardon—

(1) to expunge a racially-motivated abuse of the prosecutorial authority of the Federal Government from the annals of criminal justice in the United States; and

(2) in recognition of the athletic and cultural contributions of Jack Johnson to society.

#### AMENDMENT NO. 2141

(Purpose: To provide for shared services strategies and models)

On page 622, line 18, insert "such as through entities administering shared services," after "strategies,".

On page 624, line 9, insert "which may include the use of shared services models" after "time in program".

#### AMENDMENT NO. 2145

(Purpose: To allow States to use State activity funds provided under part A of title IV of the Elementary and Secondary Education Act of 1965 for certain evidence-based mental health awareness programs)

On page 430, between lines 6 and 7, insert the following:

"(ix) designing and implementing evidence-based mental health awareness training programs for the purposes of—

"(I) recognizing the signs and symptoms of mental illness;

"(II) providing education to school personnel regarding resources available in the community for students with mental illnesses and other relevant resources relating to mental health; or

"(III) providing education to school personnel regarding the safe de-escalation of crisis situations involving a student with a mental illness; and

#### AMENDMENT NO. 2149

(Purpose: To allow the Bureau of Indian Education to apply for certain competitive grants under the Elementary and Secondary Education Act of 1965)

On page 799, between lines 17 and 18, insert the following:

#### SEC. 9114A. APPLICATION FOR COMPETITIVE GRANTS FROM THE BUREAU OF INDIAN EDUCATION.

Subpart 2 of part F of title IX (20 U.S.C. 7901 et seq.), as amended by sections 4001(3) and 9114 and redesignated by section 9106(1), is further amended by adding at the end the following:

#### "SEC. 9539. APPLICATION FOR COMPETITIVE GRANTS FROM THE BUREAU OF INDIAN EDUCATION.

"(a) IN GENERAL.—Notwithstanding any other provision of this Act and subject to subsection (b), the Bureau of Indian Education may apply for, and carry out, any grant program awarded on a competitive basis under this Act, as appropriate, on behalf of the schools and the Indian children that the Bureau serves, and shall not be subject to any provision of the program that requires grant recipients to contribute funds toward the costs of the grant program.

"(b) LIMITATION.—In the case of any competitive grant program described in subsection (a) that also provides a reservation of funds to the Bureau of Indian Education, the Bureau shall not, for any fiscal year, receive both a grant and a reservation under the competitive grant program."

#### AMENDMENT NO. 2150

(Purpose: To allow eligible entities to use funds provided under part A of title III of the Elementary and Secondary Education Act of 1965 for bilingual paraprofessionals and linguistically responsive materials)

On page 403, strike line 15 and insert the following:

"(B) intensified instruction, which may include linguistically responsive materials; and

"(C) bilingual paraprofessionals, which may include interpreters and translators.

#### AMENDMENT NO. 2151, AS MODIFIED

(Purpose: To amend part A of title II of the Elementary and Secondary Education Act of 1965 to improve preparation programs and strengthen support for principals and other school leaders)

On page 287, between lines 8 and 9, insert the following:

"(J) A description of actions the State may take to improve preparation programs and strengthen support for principals and other school leaders based on the needs of the State, as identified by the State educational agency.

#### AMENDMENT NO. 2154

(Purpose: To authorize the Institute of Education Sciences to conduct a study on student access to digital learning resources outside of the school day)

On page 264, between lines 11 and 12, insert the following:

#### SEC. 1018. REPORT ON STUDENT HOME ACCESS TO DIGITAL LEARNING RESOURCES.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Director of the Institute of Education Sciences, in consultation with relevant Federal agencies, shall complete a national study on the educational trends and behaviors associated with access to digital learning resources outside of the classroom, which shall include analysis of extant data and new surveys about students and teachers that provide—

(1) a description of the various locations from which students access the Internet and digital learning resources outside of the classroom, including through an after-school or summer program, a library, and at home;

(2) a description of the various devices and technology through which students access the Internet and digital learning resources outside of the classroom, including through a computer or mobile device;

(3) data associated with the number of students who lack home Internet access, disaggregated by—

(A) each of the categories of students, as defined in section 1111(b)(3)(A) of the Elementary and Secondary Education Act of 1965;

(B) homeless students and children or youth in foster care; and

(C) students in geographically diverse areas, including urban, suburban, and rural areas;

(4) data associated with the barriers to students acquiring home Internet access;

(5) data associated with the proportion of educators who assign homework or implement innovative learning models that require or are substantially augmented by a student having home Internet access and the frequency of the need for such access;

(6) a description of the learning behaviors associated with students who lack home Internet access, including—

(A) student participation in the classroom, including the ability to complete homework

and participate in innovative learning models;

(B) student engagement, through such measures as attendance rates and chronic absenteeism; and

(C) a student's ability to apply for employment, postsecondary education, and financial aid programs;

(7) an analysis of the how a student's lack of home Internet access impacts the instructional practice of educators, including—

(A) the extent to which educators alter instructional methods, resources, homework assignments, and curriculum in order to accommodate differing levels of home Internet access; and

(B) strategies employed by educators, school leaders, and administrators to address the differing levels of home Internet access among students; and

(8) a description of the ways in which State educational agencies, local educational agencies, schools, and other entities, including through partnerships, have developed effective means to provide students with Internet access outside of the school day.

(b) **PUBLIC DISSEMINATION.**—The Director of the Institute of Education Sciences shall widely disseminate the findings of the study under this section—

(1) in a timely fashion;

(2) in a form that is understandable, easily accessible, and publicly available and usable, or adaptable for use in, the improvement of educational practice;

(3) through electronic transfer and other means, such as posting, as available, to the website of the Institute of Education Sciences, or the Department of Education; and

(4) to all State educational agencies and other recipients of funds under part D of title IV of the Elementary and Secondary Education Act of 1965.

(c) **DEFINITION OF DIGITAL LEARNING.**—In this section, the term “digital learning”—

(1) has the meaning given the term in section 5702 of the Elementary and Secondary Education Act of 1965; and

(2) includes an educational practice that effectively uses technology to strengthen a student's learning experience within and outside of the classroom and at home, which may include the use of digital learning content, video, software, and other resources that may be developed, as the Secretary of Education may determine.

#### AMENDMENT NO. 2155

(Purpose: To require a report on responses to Indian student suicides)

At the end of title VII, insert the following:

#### **SEC. 7006. REPORT ON RESPONSES TO INDIAN STUDENT SUICIDES.**

(a) **PREPARATION.**—

(1) **IN GENERAL.**—The Secretary of Education, in coordination with the Secretary of the Interior and the Secretary of Health and Human Services, shall prepare a report on efforts to address outbreaks of suicides among elementary school and secondary school students (referred to in this section as “student suicides”) that occurred within 1 year prior to the date of enactment of this Act in Indian country (as defined in section 1151 of title 18, United States Code).

(2) **CONTENTS.**—The report shall include information on—

(A) the Federal response to the occurrence of high numbers of student suicides in Indian country (as so defined);

(B) a list of Federal resources available to prevent and respond to outbreaks of student

suicides, including the availability and use of tele-behavioral health care;

(C) any barriers to timely implementation of programs or interagency collaboration regarding student suicides;

(D) interagency collaboration efforts to streamline access to programs regarding student suicides, including information on how the Department of Education, the Department of the Interior, and the Department of Health and Human Services work together on administration of such programs;

(E) recommendations to improve or consolidate resources or programs described in subparagraph (B) or (D); and

(F) feedback from Indian tribes to the Federal response described in subparagraph (A).

(b) **SUBMISSION.**—Not later than 90 days after the date of enactment of this Act, the Secretary of Education shall submit the report described in subsection (a) to the appropriate committees of Congress.

#### AMENDMENT NO. 2157

(Purpose: To reserve funds for an evaluation of early learning alignment and improvement grants)

On page 615, between lines 22 and 23, insert the following:

“(3) **RESERVATION FOR EVALUATION.**—From the amounts appropriated under section 5903 for a fiscal year, the Secretary shall reserve one-half of 1 percent to conduct, in consultation with the Secretary of Health and Human Services, an evaluation to determine whether grants under this part are—

(A) improving efficiency in the use of Federal funds for early childhood education programs;

(B) improving coordination across Federal early childhood education programs; and

(C) increasing the availability of, and access to, high-quality early childhood education programs for eligible children.

#### AMENDMENT NO. 2234

(Purpose: To establish a rule of construction regarding travel to and from school)

After section 9115, insert the following:

#### **SEC. 9116. RULE OF CONSTRUCTION REGARDING TRAVEL TO AND FROM SCHOOL.**

Subpart 2 of part F of title IX (20 U.S.C. 7901 et seq.), as amended by sections, 9114 and 9115, and redesignated by section 9601, is further amended by adding at the end the following:

#### **“SEC. 9539A. RULE OF CONSTRUCTION REGARDING TRAVEL TO AND FROM SCHOOL.**

“(a) **IN GENERAL.**—Subject to subsection (b), nothing in this Act shall authorize the Secretary to, or shall be construed to—

“(1) prohibit a child from traveling to and from school on foot or by car, bus, or bike when the parents of the child have given permission; or

“(2) expose parents to civil or criminal charges for allowing their child to responsibly and safely travel to and from school by a means the parents believe is age appropriate.

“(b) **NO PREEMPTION OF STATE OR LOCAL LAWS.**—Notwithstanding subsection (a), nothing in this section shall be construed to preempt State or local laws.”.

#### AMENDMENT NO. 2170

(Purpose: To amend the early learning alignment and improvement grant program under part I of title V of the Elementary and Secondary Education Act of 1965 to ensure that States support early childhood education programs that maintain disciplinary policies that do not include expulsion or suspension of participating children)

On page 623, strike line 8 and insert the following:

“(14) a description of how the State will support, through the use of professional development, early childhood education programs that maintain disciplinary policies that do not include expulsion or suspension of participating children, except as a last resort in extraordinary circumstances where—

“(A) there is a determination of a serious safety threat; and

“(B) policies are in place to provide appropriate alternative early educational services to expelled or suspended children while they are out of school; and”.

#### AMENDMENT NO. 2178

(Purpose: To encourage increasing the amount of funds available for parent and family engagement)

On page 170, strike lines 20 through 25, and insert the following:

“(A) **IN GENERAL.**—Each local educational agency shall reserve at least 1 percent of its allocation under subpart 2 to assist schools to carry out the activities described in this section, except that this subparagraph shall not apply if 1 percent of such agency's allocation under subpart 2 for the fiscal year for which the determination is made is \$5,000 or less. Nothing in this subparagraph shall be construed to limit local educational agencies from reserving more than the 1 percent of its allocation under subpart 2 to assist schools to carry out activities described in this section.”;

#### AMENDMENT NO. 2181

(Purpose: To allow States to use funding under part A of title I of the Elementary and Secondary Education Act of 1965 to replicate and expand successful practices from high-performing public schools)

On page 70, line 3, strike the period and insert the following: “; and

“(iii) use funds under this part to support efforts to expand and replicate successful practices from high-performing charter schools, magnet schools, and traditional public schools.

#### AMENDMENT NO. 2185

(Purpose: To support innovation schools)

(The amendment is printed in the RECORD of July 9, 2015, under “Text of Amendments.”)

#### AMENDMENT NO. 2195

(Purpose: To amend section 1113(c) of the Elementary and Secondary Education Act of 1965 to allow local educational agencies to address the needs of children in schools served by schoolwide programs by providing school-based mental health programs)

On page 132, line 1, insert “school-based mental health programs,” after “counseling.”.

#### AMENDMENT NO. 2216

(Purpose: To require a report on cybersecurity education)

On page 385, between lines 4 and 5, insert the following:

#### **“SEC. 2508. REPORT ON CYBERSECURITY EDUCATION.**

“Not later than June 1, 2016, the Secretary, acting through the Director of the Institute of Education Sciences, shall submit to the Committee on Armed Services and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Armed Services and the Committee on Education and the Workforce of the House of Representatives, a report describing whether secondary and postsecondary education programs are meeting the need of public and

private sectors for cyberdefense. Such report shall include—

“(1) an assessment of the shortfalls in current secondary and postsecondary education needed to develop cybersecurity professionals, and recommendations to address such shortfalls;

“(2) an assessment of successful secondary and postsecondary programs that produce competent cybersecurity professionals; and

“(3) recommendations of subjects to be covered by elementary schools and secondary schools to better prepare students for postsecondary cybersecurity education.”.

#### AMENDMENT NO. 2199

(Purpose: To include entrepreneurship as a local educational agency allowable use of funds under title II)

On page 306, after line 23, insert the following:

“(V) providing educator training to increase students’ entrepreneurship skills; and

#### AMENDMENT NO. 2201

(Purpose: To provide that State assessments not evaluate or assess personal or family beliefs and attitudes, or publicly disclose personally identifiable information)

Beginning on page 37, strike line 24 and all that follows through page 38, line 4, and insert the following:

“(iii) be used for purposes for which such assessments are valid and reliable, consistent with relevant, nationally recognized professional and technical testing standards, objectively measure academic achievement, knowledge, and skills, and be tests that do not evaluate or assess personal or family beliefs and attitudes, or publicly disclose personally identifiable information;

#### AMENDMENT NO. 2225

(Purpose: To improve title I by including information about assessments in the categories of information that parents have a right to know about)

On page 111, between lines 24 and 25, insert the following:

#### “(2) TESTING TRANSPARENCY.—

“(A) IN GENERAL.—Subject to subparagraph (B), each local educational agency that receives funds under this part shall make widely available through public means (including by posting in a clear and easily accessible manner on the local educational agency’s website and, where practicable, on the website of each school served by the local educational agency) for each grade served by the local educational agency, information on each assessment required by the State to comply with section 1111, other assessments required by the State, and where such information is available and feasible to report, assessments required districtwide by the local educational agency, including—

“(i) the subject matter assessed;

“(ii) the purpose for which the assessment is designed and used;

“(iii) the source of the requirement for the assessment; and

“(iv) where such information is available—

“(I) the amount of time students will spend taking the assessment, and the schedule and calendar for the assessment; and

“(II) the time and format for disseminating results.

“(B) LOCAL EDUCATIONAL AGENCY THAT DOES NOT OPERATE A WEBSITE.—In the case of a local educational agency that does not operate a website, such local educational agency shall determine how to make the information described in subparagraph (A) widely available, such as through distribution of that information to the media, through public agencies, or directly to parents.

#### AMENDMENT NO. 2224

(Purpose: To assess and improve educator support and working conditions)

On page 306, after line 23, add the following:

“(V) regularly conducting, and publicly reporting the results of, an assessment and a plan to address such results, of educator support and working conditions that—

“(i) evaluates supports for teachers, leaders, and other school personnel, such as—

“(I) teacher and principal perceptions of availability of high-quality professional development and instructional materials;

“(II) timely availability of data on student academic achievement and growth;

“(III) the presence of high-quality instructional leadership; and

“(IV) opportunities for professional growth, such as career ladders and mentoring and induction programs;

“(ii) evaluates working conditions for teachers, leaders and other school personnel, such as—

“(I) school safety and climate;

“(II) availability and use of common planning time and opportunities to collaborate; and

“(III) community engagement; and

“(iii) is developed with teachers, leaders, other school personnel, parents, students, and the community; and

#### AMENDMENT NO. 2227

(Purpose: To reauthorize the Education Flexibility Partnership Act of 1999)

(The amendment is printed in the RECORD of July 13, 2015, under “Text of Amendments.”)

Mr. ALEXANDER. Madam President, I ask unanimous consent, notwithstanding rule XXII, on behalf of myself and Senator MURRAY, that if cloture is invoked on the Alexander amendment No. 2089, the following amendments be made pending en bloc: Coons No. 2243; Cruz No. 2180; Heitkamp No. 2171; Hatch No. 2082; Warren No. 2106; Burr No. 2247, as modified with the changes at the desk; Murphy No. 2186; Brown No. 2100; Wicker No. 2144; Markey No. 2176; Murphy No. 2241; Sanders No. 2177; Casey No. 2242; Schatz No. 2130; Nelson No. 2215, as modified with the changes at the desk; Manchin No. 2222; Boozman No. 2231; Baldwin No. 2188; Capito No. 2156; Thune No. 2232; King No. 2256; Schatz No. 2240; and Warren No. 2249.

Following that, at a time to be determined by the majority leader in consultation with the Democratic leader either today or tomorrow, the Senate vote in relation to the following amendments: Brown No. 2100; Heitkamp No. 2171, 60-vote threshold; Coons No. 2243, 60-vote threshold; Kirk No. 2161, 60-vote threshold; Burr No. 2247, as modified with the changes at the desk; Hatch No. 2082; Warren No. 2106; Wicker No. 2144, 60-vote threshold; Markey No. 2176, 60-vote threshold; Murphy No. 2241, 60-vote threshold; Sanders No. 2177, 60-vote threshold; Casey No. 2242, 60-vote threshold; Cruz No. 2180; Schatz No. 2130; Murphy No. 2186; Nelson No. 2215, as modified with the changes at the desk; Manchin No. 2222; Boozman No. 2231; Baldwin No. 2188; Capito No. 2156; Thune No. 2232;

King No. 2256; Schatz No. 2240; and Warren No. 2249, with no second-degree amendments in order to any of the amendments prior to the votes, that there be 2 minutes equally divided prior to each vote; and that all after the first vote in each series be 10 minutes in length; also that the Warren amendment No. 2120 be withdrawn and that the following amendments in this agreement be subject to a 60-affirmative-vote threshold for adoption: Coons No. 2243, Heitkamp No. 2171, Kirk No. 2161, Wicker No. 2144, Markey No. 2176, Murphy No. 2241, Sanders No. 2177, and Casey No. 2242.

The PRESIDING OFFICER. Is there objection.

Without objection, it is so ordered.

Mr. ALEXANDER. Madam President, in just a few minutes, after brief comments by Senator MURRAY and me, we will proceed to a cloture vote and then our next votes will be at 2:30.

I think, from the reading of the amendments, that the Senators can see that we have had a fair and open amendment process. Just to give you an example, in our committee consideration to fix No Child Left Behind, we adopted 29 amendments, and the committee was pleased enough with the process that they reported the bill unanimously.

The substitute amendment, one of the amendments I just listed, adopts the priorities of 52 Members into that substitute amendment.

On the Senate floor already since last week, we have adopted 27 amendments, and I just read the two consent requests. The manager’s package has 21 amendments in it, and those have been adopted. Then there are the 21 more votes that we just secured approval to vote on either by voice or in fact.

So the vote we are about to have is a vote on whether to end debate on our bill to fix No Child Left Behind. I think the question before the Senators is this: Do you think there has been a fair process? Do you think it is open enough? Do you think the bill is worthy of having these votes and going toward final passage? I hope every single Senator will agree that yes, it has been.

This is the way the Senate is supposed to work. Basically, we are concluding the bill by a unanimous consent agreement, which is to say that virtually every Senator who wants an amendment has had that amendment considered, and we are going to dispose of it one way or another. We are going to adopt it or vote on it, whatever the Senate likes.

That is important for the country to see. This is a bill that Newsweek magazine said is the education bill everyone wants fixed.

There is a remarkable consensus that we need to do it. After 7 years, this bill is overdue and a “yes” vote today on cloture says: We recognize that Governors, teachers, school board members, and school superintendents have



united in a remarkable coalition to support the way we propose to fix it. So we have a consensus that it needs to be fixed, and we have a consensus on how to fix it. This is a vote about whether we are ready to do that—to do our job.

I thank Senator MURRAY principally for her leadership in this respect, making it possible to create this environment in which we have been able to have such a good process.

I thank the majority leader for putting the bill on the floor and giving us a week of time—more than a week—to deal with it.

I thank the majority whip for his efforts, especially in helping to bring this to a conclusion.

I thank the Democratic leader, Senator REID, as well as Senators SCHUMER, DURBIN and PATTY MURRAY, who is also part of that leadership, for creating the kind of working environment to give Senators on both sides of the aisle a chance to go home and say: We fixed No Child Left Behind. I had my say in it, and we are going to restore responsibility. We are going to keep the important measurements of student achievement, but restore to the classroom teachers, the Governors, the legislatures, the school boards, and to the parents the responsibility for student achievement.

I thank the Chair, and I urge my colleagues to vote yes on cloture so we can move toward these remaining 21 amendments on the bill.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, I rise again to encourage all of our colleagues to support this vote to move us to a negotiated conclusion to this very important bill.

I thank the senior Senator from Tennessee, as well as the majority leader, for working with us to get this agreement so we can continue moving forward in a bipartisan way to get this done.

Across the country, students, parents, teachers, and communities are really counting on us to fix No Child Left Behind. I have been very pleased to work with Chairman ALEXANDER on this bipartisan bill called the Every Child Achieves Act.

This bill will give our States more flexibility, but it will also include some Federal guardrails to make sure all of our students do have access to quality education. It passed through our committee unanimously and, for the past week or so, we have made good progress on the Senate floor.

There is still some work to be done. There are a number of amendments that we will be voting on this afternoon and into tomorrow. The senior Senator from Pennsylvania is offering a very important amendment I support to expand high-quality early childhood education.

We have an amendment that we will be voting on to strengthen the Federal guardrails. It is the accountability amendment from Senators MURPHY, BOOKER, WARREN, and COONS to help make sure all of our kids, especially our most vulnerable students, have what they need.

There are many more amendments, as you know, from Democrats and Republicans, to finish this bill, but I urge our colleagues to vote yes on cloture. We are finishing this bill and working to make sure that we can fix a broken law.

I will have more to say about the amendments as we go through the process. But at this moment, I urge all of our colleagues to support this vote, continue this bipartisan process, and let's work to get this bill done.

I yield the floor.

I yield back the remainder of my time.

Mr. ALEXANDER. Madam President, I yield back the remainder of my time.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the Alexander amendment No. 2089 to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

Mitch McConnell, Orrin G. Hatch, Lamar Alexander, Cory Gardner, Steve Daines, Pat Roberts, Johnny Isakson, Susan M. Collins, Michael B. Enzi, Kelly Ayotte, John Cornyn, Lisa Murkowski, Tim Scott, Richard Burr, Thom Tillis, Lindsey Graham, John Hoeven.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the Alexander amendment No. 2089, offered by the Senator from Tennessee, Mr. ALEXANDER, to S. 1177, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from South Carolina (Mr. GRAHAM).

Mr. DURBIN. I announce that the Senator from Florida (Mr. NELSON) is necessarily absent.

The PRESIDING OFFICER (Mr. TILLIS). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 86, nays 12, as follows:

[Rollcall Vote No. 237 Leg.]

#### YEAS—86

Alexander	Fischer	Murkowski
Ayotte	Flake	Murphy
Baldwin	Franken	Murray
Barrasso	Gardner	Perdue
Bennet	Gillibrand	Peters
Blumenthal	Grassley	Portman
Booker	Hatch	Reed
Boozman	Heinrich	Reid
Boxer	Heitkamp	Roberts
Brown	Heller	Rounds
Burr	Hirono	Sanders
Cantwell	Hoeven	Schatz
Capito	Inhofe	Schumer
Cardin	Isakson	Scott
Carper	Johnson	Sessions
Casey	Kaine	Shaheen
Cassidy	King	Stabenow
Coats	Kirk	Sullivan
Cochran	Klobuchar	Tester
Collins	Lankford	Thune
Coons	Leahy	Tillis
Corker	Manchin	Toomey
Cornyn	Markey	Udall
Cotton	McCaIn	Warner
Donnelly	McCaskill	Warren
Durbin	McConnell	Whitehouse
Enzi	Menendez	Wicker
Ernst	Merkley	Wyden
Feinstein	Mikulski	

#### NAYS—12

Blunt	Lee	Rubio
Crapo	Moran	Sasse
Cruz	Paul	Shelby
Daines	Risch	Vitter

#### NOT VOTING—2

Graham	Nelson
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The PRESIDING OFFICER. On this vote, the yeas are 86, the nays are 12.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

AMENDMENTS NOS. 2243; 2180; 2171; 2082; 2106; 2247, AS MODIFIED; 2186; 2100; 2144; 2176; 2241; 2177; 2242; 2130; 2215, AS MODIFIED; 2222; 2231; 2188; 2156; 2232; 2256; 2240; 2249 TO AMENDMENT NO. 2089

The PRESIDING OFFICER. Cloture having been invoked, under the previous order, the 23 amendments enumerated earlier are now pending en bloc.

The amendments (Nos. 2243; 2180; 2171; 2082; 2106; 2247, as modified; 2186; 2100; 2144; 2176; 2241; 2177; 2242; 2130; 2215, as modified; 2222; 2231; 2188; 2156; 2232; 2256; 2240; 2249) are proposed, as follows:

#### AMENDMENT NO. 2243

(Purpose: To authorize the establishment of American Dream Accounts)

(The amendment is printed in the RECORD of July 14, 2015, under "Text of Amendments.")

#### AMENDMENT NO. 2180

(Purpose: To provide for State-determined assessment and accountability systems, and for other purposes)

On page 28, between lines 6 and 7, insert the following:

"(vi) include in the plan a description of assessments referred to in paragraph (2), or an accountability system referred to in paragraph (3), of subsection (b), nor may the Secretary require inclusion of a description of such assessments or system in a plan or application, or use inclusion of such assessments or system as a factor in awarding Federal funding, under any other provision of this Act; or

On page 28, line 7, strike "(vi)" and insert "(vii)".



On page 36, strike line 18 and all that follows through line 25 on page 58, and insert the following:

“(2) **ASSESSMENTS.**—A State may include in the State plan a description of, and may implement, a set of high-quality statewide academic assessments.

“(3) **ACCOUNTABILITY.**—A State may include in the State plan a description of, and may implement, an accountability system.

On page 146, strike line 1 and all that follows through line 23, on page 166.

On page 183, between lines 6 and 7, insert the following

**SEC. 1008A. STATE-DETERMINED ASSESSMENTS AND ACCOUNTABILITY.**

After section 1118, as redesignated by section 1004(3), insert the following:

**“SEC. 1119. STATE-DETERMINED ASSESSMENTS AND ACCOUNTABILITY.**

“Notwithstanding any other provision of law, including any other provision of this Act, wherever in this Act a reference is made to assessments or accountability under this part, including a reference to a provision under paragraphs (2) or (3) of section 1111(b)—

“(1) in the case of a State that elects to implement assessments referred to in section 1111(b)(2), a reference to assessments under this part shall be deemed to be a reference to those assessments and shall be carried out to the extent practicable based on the State-determined assessments;

“(2) in the case of a State that elects to implement an accountability system referred to in section 1111(b)(3), a reference to accountability under this part shall be deemed to be a reference to accountability under that system, and shall be carried out to the extent practicable based on the State-determined accountability system; and

“(3) in the case of any State not described in paragraph (1) or (2), the reference shall have no effect.”.

On page 185, strike line 19 and all that follows through line 2 on page 228 and insert the following:

**SEC. 1012. REPEAL.**

Part B of title I (20 U.S.C. 6361 et seq.) is repealed.

**AMENDMENT NO. 2171**

(Purpose: To reinstate grants to improve the mental health of children)

On page 492, after line 22, insert the following:

**SEC. 4006. GRANTS FOR THE INTEGRATION OF SCHOOLS AND MENTAL HEALTH SYSTEMS.**

Title IV (20 U.S.C. 7101 et seq.), as amended by sections 4001, 4004, and 4005, is further amended by adding at the end the following:

**“PART E—GRANTS TO IMPROVE THE MENTAL HEALTH OF CHILDREN**

**“SEC. 4501. GRANTS FOR THE INTEGRATION OF SCHOOLS AND MENTAL HEALTH SYSTEMS.**

“(a) **AUTHORIZATION.**—The Secretary is authorized to award grants to, or enter into contracts or cooperative agreements with, State educational agencies, local educational agencies, Indian tribes or their tribal education agency, a school operated by the Bureau of Indian Education, or a Regional Corporation (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602)) for the purpose of increasing student access to quality mental health care and support by developing innovative programs to link local school systems with local mental health systems, such as those under the Indian Health Service.

“(b) **DURATION.**—With respect to a grant, contract, or cooperative agreement awarded

or entered into under this section, the period during which payments under such grant, contract or agreement are made to the recipient may not exceed 5 years.

“(c) **USE OF FUNDS.**—An entity that receives a grant, contract, or cooperative agreement under this section shall use amounts made available through such grant, contract, or cooperative agreement for the following:

“(1) To enhance, improve, or develop collaborative efforts between school-based service systems and mental health service systems to provide, enhance, or improve prevention, diagnosis, and treatment services to students.

“(2) To enhance the availability of crisis intervention services and conflict resolution practices, such as those focused on decreasing rates of bullying, teen dating violence, suicide, trauma, and human trafficking (defined as an act or practice described in paragraph (9) or (10) of section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102)), as well as provide appropriate referrals for students potentially in need of mental health services, and ongoing mental health services.

“(3) To provide training and professional development for the school personnel and mental health professionals who will participate in the program carried out under this section.

“(4) To provide technical assistance and consultation to school systems and mental health agencies as well as to families participating in the program carried out under this section.

“(5) To provide linguistically appropriate and culturally competent services.

“(6) To evaluate the effectiveness of the program carried out under this section in increasing student access to quality mental health services, and make recommendations to the Secretary about the sustainability of the program.

“(7) To engage and utilize expertise provided by institutions of higher education, such as a Tribal College or University, as defined in section 316(b) of the Higher Education Act of 1965.

“(d) **APPLICATIONS.**—To be eligible to receive a grant, contract, or cooperative agreement under this section, an entity described in subsection (a) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require, such as the following:

“(1) A description of the program to be funded under the grant, contract, or cooperative agreement.

“(2) A description of how such program will increase access to quality mental health services for students.

“(3) A description of how the applicant will establish a crisis intervention program or conflict resolution practices, or both, that provide immediate mental health services to the school community as necessary.

“(4) An assurance that—

“(A) persons providing services under the grant, contract, or cooperative agreement are adequately trained to provide such services;

“(B) the services will be provided in accordance with subsection (c);

“(C) teachers, administrators, parents or guardians, representatives of local Indian tribes, and other school personnel are aware of the program; and

“(D) parents or guardians of students participating in services under this section will be engaged and involved in the design and implementation of the services.

“(5) An assurance that the applicant will support and integrate existing school-based services with the program in order to provide appropriate mental health services for students.

“(6) An assurance that the applicant will establish a program that will support students and the school in improving the school climate in order to support an environment conducive to learning.

“(e) **INTERAGENCY AGREEMENTS.**—

“(1) **DESIGNATION OF LEAD AGENCY.**—A recipient of a grant, contract, or cooperative agreement under this section shall designate a lead agency to direct the establishment of an interagency agreement among local educational agencies, juvenile justice authorities, mental health agencies, and other relevant entities in the State, in collaboration with local entities, such as Indian tribes.

“(2) **CONTENTS.**—The interagency agreement shall ensure the provision of the services described in subsection (c), specifying with respect to each agency, authority, or entity—

“(A) the financial responsibility for the services;

“(B) the conditions and terms of responsibility for the services, including quality, accountability, and coordination of the services; and

“(C) the conditions and terms of reimbursement among the agencies, authorities, or entities that are parties to the interagency agreement, including procedures for dispute resolution.

“(f) **EVALUATION.**—The Secretary shall evaluate each program carried out under this section and shall disseminate the findings with respect to each such evaluation to appropriate public, tribal, and private entities.

“(g) **DISTRIBUTION OF AWARDS.**—The Secretary shall ensure that grants, contracts, and cooperative agreements awarded or entered into under this section are equitably distributed among the geographical regions of the United States and among tribal, urban, suburban, and rural populations.

“(h) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed—

“(1) to prohibit an entity involved with a program carried out under this section from reporting a crime that is committed by a student to appropriate authorities; or

“(2) to prevent State and tribal law enforcement and judicial authorities from exercising their responsibilities with regard to the application of Federal, tribal, and State law to crimes committed by a student.

“(i) **SUPPLEMENT, NOT SUPPLANT.**—Any services provided through programs carried out under this section shall supplement, and not supplant, existing mental health services, including any services required to be provided under the Individuals with Disabilities Education Act.

“(j) **CONSULTATION WITH INDIAN TRIBES.**—In carrying out subsection (a), the Secretary shall, in a timely manner, meaningfully consult, engage, and cooperate with Indian tribes and their representatives to ensure notice of eligibility.

“(k) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal years 2016 through 2021.”.

**AMENDMENT NO. 2082**

(Purpose: To amend the Elementary and Secondary Education Act of 1965 relating to early learning)

On page 627, line 8, strike “State.” and insert “State, such as pay for success initiatives that promote coordination among existing programs and meet the purposes of this part.”.

## AMENDMENT NO. 2106

(Purpose: To amend title II of the Elementary and Secondary Education Act of 1965 to include specialized instructional support personnel in the literacy development of children)

On page 361, line 3, strike “school leaders, and” and insert “school leaders, specialized instructional support personnel (as appropriate), and”.

On page 362, line 19, insert “specialized instructional support personnel (as appropriate),” after “other school leaders.”.

On page 364, line 20, strike “and school personnel” and insert “school personnel, and specialized instructional support personnel (as appropriate)”.

On page 366, line 5, strike “and school personnel” and insert “specialized instructional support personnel (as appropriate), and school personnel”.

On page 367, line 2, insert “or specialized instructional support personnel” after “librarians”.

## AMENDMENT NO. 2247, AS MODIFIED

(Purpose: To amend the allocation of funds under subpart 2 of part A of title I of the Elementary and Secondary Education Act of 1965)

Strike sections 1009, 1010, and 1011 and insert the following:

**SEC. 1009. GRANTS FOR THE OUTLYING AREAS AND THE SECRETARY OF THE INTERIOR.**

Section 1121 (20 U.S.C. 6331) is amended—  
(1) in subsection (a), in the matter preceding paragraph (1), by striking “and 1125A(f)”;

(2) in subsection (b)(3)(C)(ii), by striking “challenging State academic content standards” and inserting “challenging State academic standards”.

**SEC. 1010. ALLOCATIONS TO STATES.**

Section 1122 (20 U.S.C. 6332) is amended—  
(1) by striking subsection (a) and inserting the following:

“(a) ALLOCATION FORMULA.—

“(1) INITIAL ALLOCATION.—For each of fiscal years 2016 through 2021 (referred to in this subsection as the ‘current fiscal year’), the Secretary shall allocate \$17,000,000,000 of the amount appropriated under section 1002(a) to carry out this part (or, if the total amount appropriated for this part is equal to or less than \$17,000,000,000, all of such amount) in accordance with the following:

“(A) An amount equal to the amount made available to carry out section 1124 for fiscal year 2015 shall be allocated in accordance with section 1124.

“(B) An amount equal to the amount made available to carry out section 1124A for fiscal year 2015 shall be allocated in accordance with section 1124A.

“(C) An amount equal to 100 percent of the amount, if any, by which the amount made available under this paragraph for the current fiscal year for which the determination is made exceeds the amount available to carry out sections 1124 and 1124A for fiscal year 2001 shall be allocated in accordance with section 1125 and 1125A.

“(2) ALLOCATIONS IN EXCESS OF \$17,000,000,000.—For each of the current fiscal years for which the amounts appropriated under section 1002(a) to carry out this part exceed \$17,000,000,000, an amount equal to such excess amount shall be allocated in accordance with section 1123.”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking “under this subpart” and inserting “under subsection (a)(1) for sections 1124, 1124A, 1125, and 1125A”;

(ii) by striking “and 1125” and inserting “1125, and 1125A”;

(B) in paragraph (2)—

(i) by inserting “under subsection (a)(1)” after “become available”;

(ii) by striking “and 1125” and inserting “1125, and 1125A”;

(3) in subsection (c)(1), by inserting “and to the extent amounts under subsection (a)(1) are available” after “For each fiscal year”;

(4) in subsection (d)(1), by striking “under this subpart” and inserting “under subsection (a)(1) for sections 1124, 1124A, 1125, and 1125A”.

**SEC. 1011. EQUITY GRANTS.**

Subpart 2 of part A of title I (20 U.S.C. 6331 et se.) is amended by inserting after section 1122 the following:

**“SEC. 1123. EQUITY GRANTS.**

“(a) AUTHORIZATION.—From funds appropriated under section 1002(a) for a fiscal year and available for allocation pursuant to section 1122(a)(2), the Secretary is authorized to make grants to States, from allotments under subsection (b), to carry out the programs and activities of this part.

“(b) DISTRIBUTION BASED UPON CONCENTRATIONS OF POVERTY.—

“(1) IN GENERAL.—

“(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), funds appropriated pursuant to subsection (a) for a fiscal year shall be allotted to each State based upon the number of children counted under section 1124(c) in such State multiplied by the product of—

“(i) 40 percent of the average per-pupil expenditure in the United States (other than the Commonwealth of Puerto Rico); multiplied by

“(ii) 1.30 minus such State’s equity factor described in paragraph (2).

“(B) PUERTO RICO.—For each fiscal year, the Secretary shall allot to the Commonwealth of Puerto Rico an amount of the funds appropriated under subsection (a) that bears the same relation to the total amount of funds appropriated under such subsection as the amount that the Commonwealth of Puerto Rico received under this subpart for fiscal year 2015 bears to the total amount received by all States for such fiscal year.

“(C) STATE MINIMUM.—Notwithstanding any other provision of this section except for subparagraph (B), from the total amount available for any fiscal year to carry out this section, each State shall be allotted at least the lesser of—

“(i) 0.35 percent of the total amount available to carry out this section for such fiscal year; or

“(ii) the average of—

“(I) 0.35 percent of such total amount for such fiscal year; and

“(II) 150 percent of the national average grant under this section per child described in section 1124(c), without application of a weighting factor, multiplied by the State’s total number of children described in section 1124(c), without application of a weighting factor.

“(2) EQUITY FACTOR.—

“(A) DETERMINATION.—

“(i) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall determine the equity factor under this section for each State in accordance with clause (ii).

“(ii) COMPUTATION.—

“(I) IN GENERAL.—For each State, the Secretary shall compute a weighted coefficient of variation for the per-pupil expenditures of local educational agencies in accordance with subclauses (II), (III), and (IV).

“(II) VARIATION.—In computing coefficients of variation, the Secretary shall weigh the variation between per-pupil expenditures in each local educational agency and the average per-pupil expenditures in the State according to the number of pupils served by the local educational agency.

“(III) NUMBER OF PUPILS.—In determining the number of pupils under this paragraph served by each local educational agency and in each State, the Secretary shall multiply the number of children counted under section 1124(c) by a factor of 1.4.

“(IV) ENROLLMENT REQUIREMENT.—In computing coefficients of variation, the Secretary shall include only those local educational agencies with an enrollment of more than 200 students.

“(B) SPECIAL RULE.—The equity factor for a State that meets the disparity standard described in section 222.162 of title 34, Code of Federal Regulations (as such section was in effect on the day preceding the date of enactment of the No Child Left Behind Act of 2001) or a State with only one local educational agency shall be not greater than 0.10.

“(c) USE OF FUNDS; ELIGIBILITY OF LOCAL EDUCATIONAL AGENCIES.—All funds awarded to each State under this section shall be allocated to local educational agencies under the following provisions:

“(1) DISTRIBUTION WITHIN LOCAL EDUCATIONAL AGENCIES.—Within local educational agencies, funds allocated under this section shall be distributed to schools on a basis consistent with section 1113, and may only be used to carry out activities under this part.

“(2) ELIGIBILITY FOR GRANT.—A local educational agency in a State is eligible to receive a grant under this section for any fiscal year if—

“(A) the number of children in the local educational agency counted under section 1124(c), before application of the weighted child count described in subsection (d), is at least 10; and

“(B) if the number of children counted for grants under section 1124(c), before application of the weighted child count described in subsection (d), is at least 5 percent of the total number of children aged 5 to 17 years, inclusive, in the school district of the local educational agency.

“(d) ALLOCATION OF FUNDS TO ELIGIBLE LOCAL EDUCATIONAL AGENCIES.—

“(1) IN GENERAL.—Funds received by States under this section for a fiscal year shall be allocated within States to eligible local educational agencies on the basis of weighted child counts calculated in accordance with paragraph (2), (3), or (4), as appropriate for each State.

“(2) STATES WITH AN EQUITY FACTOR LESS THAN .10.—

“(A) IN GENERAL.—In States with an equity factor less than .10, the weighted child counts referred to in paragraph (1) for a fiscal year shall be the larger of the 2 amounts determined under subparagraphs (B) and (C).

“(B) BY PERCENTAGE OF CHILDREN.—The amount referred to in subparagraph (A) is determined by adding—

“(i) the number of children determined under section 1124(c) for that local educational agency who constitute not more than 17.27 percent, inclusive, of the agency’s total population aged 5 to 17, inclusive, multiplied by 1.0;

“(ii) the number of such children who constitute more than 17.27 percent, but not more than 23.48 percent, of such population, multiplied by 1.75;

“(iii) the number of such children who constitute more than 23.48 percent, but not more

than 29.11 percent, of such population, multiplied by 2.5;

“(iv) the number of such children who constitute more than 29.11 percent, but not more than 36.10 percent, of such population, multiplied by 3.25; and

“(v) the number of such children who constitute more than 36.10 percent of such population, multiplied by 4.0.

“(C) BY NUMBER OF CHILDREN.—The amount referred to in subparagraph (A) is determined by adding—

“(i) the number of children determined under section 1124(c) who constitute not more than 834, inclusive, of the agency's total population aged 5 to 17, inclusive, multiplied by 1.0;

“(ii) the number of such children between 835 and 2,629, inclusive, in such population, multiplied by 1.5;

“(iii) the number of such children between 2,630 and 7,668, inclusive, in such population, multiplied by 2.0; and

“(iv)(I) in the case of an agency that is not a high poverty percentage local educational agency, the number of such children in excess of 7,668 in such population, multiplied by 2.0; or

“(II) in the case of a high poverty percentage local educational agency—

“(aa) the number of such children between 7,669 and 26,412, inclusive, in such population, multiplied by 2.5; and

“(bb) the number of such children in excess of 26,412 in such population, multiplied by 3.0.

“(3) STATES WITH AN EQUITY FACTOR GREATER THAN OR EQUAL TO .10 AND LESS THAN .20.—

“(A) IN GENERAL.—In States with an equity factor greater than or equal to .10 and less than .20, the weighted child counts referred to in paragraph (1) for a fiscal year shall be the larger of the 2 amounts determined under subparagraphs (B) and (C).

“(B) BY PERCENTAGE OF CHILDREN.—The amount referred to in subparagraph (A) is determined by adding—

“(i) the number of children determined under section 1124(c) for that local educational agency who constitute not more than 17.27 percent, inclusive, of the agency's total population aged 5 to 17, inclusive, multiplied by 1.0;

“(ii) the number of such children who constitute more than 17.27 percent, but not more than 23.48 percent, of such population, multiplied by 1.5;

“(iii) the number of such children who constitute more than 23.48 percent, but not more than 29.11 percent, of such population, multiplied by 3.0;

“(iv) the number of such children who constitute more than 29.11 percent, but not more than 36.10 percent, of such population, multiplied by 4.5; and

“(v) the number of such children who constitute more than 36.10 percent of such population, multiplied by 6.0.

“(C) BY NUMBER OF CHILDREN.—The amount referred to in subparagraph (A) is determined by adding—

“(i) the number of children determined under section 1124(c) who constitute not more than 834, inclusive, of the agency's total population aged 5 to 17, inclusive, multiplied by 1.0;

“(ii) the number of such children between 835 and 2,629, inclusive, in such population, multiplied by 1.5;

“(iii) the number of such children between 2,630 and 7,668, inclusive, in such population, multiplied by 2.25; and

“(iv)(I) in the case of an agency that is not a high poverty percentage local educational

agency, the number of such children in excess of 7,668 in such population, multiplied by 2.25; or

“(II) in the case of a high poverty percentage local educational agency—

“(aa) the number of such children between 7,669 and 26,412, inclusive, in such population, multiplied by 3.375; and

“(bb) the number of such children in excess of 26,412 in such population, multiplied by 4.5.

“(4) STATES WITH AN EQUITY FACTOR GREATER THAN OR EQUAL TO .20.—

“(A) IN GENERAL.—In States with an equity factor greater than or equal to .20, the weighted child counts referred to in paragraph (1) for a fiscal year shall be the larger of the 2 amounts determined under subparagraphs (B) and (C).

“(B) BY PERCENTAGE OF CHILDREN.—The amount referred to in subparagraph (A) is determined by adding—

“(i) the number of children determined under section 1124(c) for that local educational agency who constitute not more than 17.27 percent, inclusive, of the agency's total population aged 5 to 17, inclusive, multiplied by 1.0;

“(ii) the number of such children who constitute more than 17.27 percent, but not more than 23.48 percent, of such population, multiplied by 2.0;

“(iii) the number of such children who constitute more than 23.48 percent, but not more than 29.11 percent, of such population, multiplied by 4.0;

“(iv) the number of such children who constitute more than 29.11 percent, but not more than 36.10 percent, of such population, multiplied by 6.0; and

“(v) the number of such children who constitute more than 36.10 percent of such population, multiplied by 8.0.

“(C) BY NUMBER OF CHILDREN.—The amount referred to in subparagraph (A) is determined by adding—

“(i) the number of children determined under section 1124(c) who constitute not more than 834, inclusive, of the agency's total population aged 5 to 17, inclusive, multiplied by 1.0;

“(ii) the number of such children between 835 and 2,629, inclusive, in such population, multiplied by 2.0;

“(iii) the number of such children between 2,630 and 7,668, inclusive, in such population, multiplied by 3.0; and

“(iv)(I) in the case of an agency that is not a high poverty percentage local educational agency, the number of such children in excess of 7,668 in such population, multiplied by 3.0; or

“(II) in the case of a high poverty percentage local educational agency—

“(aa) the number of such children between 7,669 and 26,412, inclusive, in such population, multiplied by 4.5; and

“(bb) the number of such children in excess of 26,412 in such population, multiplied by 6.0.

“(e) MAINTENANCE OF EFFORT.—

“(1) IN GENERAL.—A State is entitled to receive its full allotment of funds under this section for any fiscal year if the Secretary finds that the State's fiscal effort per student or the aggregate expenditures of the State with respect to the provision of free public education by the State for the preceding fiscal year was not less than 90 percent of the fiscal effort or aggregate expenditures for the second preceding fiscal year, subject to the requirements of paragraph (2).

“(2) REDUCTION IN CASE OF FAILURE TO MEET.—

“(A) IN GENERAL.—The Secretary shall reduce the amount of the allotment of funds under this section in any fiscal year in the exact proportion by which a State fails to meet the requirement of paragraph (1) by falling below 90 percent of both the fiscal effort per student and aggregate expenditures (using the measure most favorable to the State), if such State has also failed to meet such requirement (as determined using the measure most favorable to the State) for 1 or more of the 5 immediately preceding fiscal years.

“(B) SPECIAL RULE.—No such lesser amount shall be used for computing the effort required under paragraph (1) for subsequent years.

“(3) WAIVER.—The Secretary may waive the requirements of this subsection if the Secretary determines that a waiver would be equitable due to—

“(A) exceptional or uncontrollable circumstances, such as a natural disaster or a change in the organizational structure of the State; or

“(B) a precipitous decline in the financial resources of the State.

“(f) ADJUSTMENTS WHERE NECESSITATED BY APPROPRIATIONS.—

“(1) IN GENERAL.—If the sums available under this section for any fiscal year are insufficient to pay the full amounts that all local educational agencies in States are eligible to receive under this section for such year, the Secretary shall ratably reduce the allocations to such local educational agencies, subject to paragraphs (2) and (3).

“(2) ADDITIONAL FUNDS.—If additional funds become available for making payments under this section for such fiscal year, allocations that were reduced under paragraph (1) shall be increased on the same basis as they were reduced.

“(3) HOLD HARMLESS AMOUNTS.—Beginning with the second fiscal year for which amounts are appropriated to carry out this section, and if sufficient funds are available, the amount made available to each local educational agency under this section for a fiscal year shall be—

“(A) not less than 95 percent of the amount made available for the preceding fiscal year if the number of children counted under section 1124(c) is equal to or more than 30 percent of the total number of children aged 5 to 17 years, inclusive, in the local educational agency;

“(B) not less than 90 percent of the amount made available for the preceding fiscal year if the percentage described in subparagraph (A) is less than 30 percent and equal to or more than 15 percent; and

“(C) not less than 85 percent of the amount made available for the preceding fiscal year if the percentage described in subparagraph (A) is less than 15 percent.

“(4) APPLICABILITY.—Notwithstanding any other provision of law, the Secretary shall not take into consideration the hold-harmless provisions of this subsection for any fiscal year for purposes of calculating State or local allocations for the fiscal year under any program administered by the Secretary other than a program authorized under this part.

“(g) DEFINITIONS.—In this section:

“(1) HIGH POVERTY PERCENTAGE LOCAL EDUCATIONAL AGENCY.—The term ‘high poverty percentage local educational agency’ means a local educational agency for which the number of children determined under subsection (b) for a fiscal year is 20 percent or more of the total population aged 5 to 17, inclusive, of the local educational agency for such fiscal year.

“(2) STATE.—The term ‘State’ means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.”.

#### SEC. 1011A. ADEQUACY OF FUNDING RULE.

Section 1125AA(b) (20 U.S.C. 6336(b)) is amended by striking “section 1122(a)” and inserting “section 1122(a)(1)”.

#### SEC. 1011B. EDUCATION FINANCE INCENTIVE GRANT PROGRAM.

In section 1125A (20 U.S.C. 6337)—

(1) in subsection (a), by striking “under subsection (f)” and inserting “under section 1002(a) and made available under section 1122(a)(1)”;

(2) in subsection (b), by striking “pursuant to subsection (f)” and inserting “made available for this section under section 1122(a)(1)”;

(3) in subsection (c), by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively;

(4) in subsection (d)(1)(A)(ii), by striking “clause ‘(i)’” and inserting “clause (i)”;

(5) by striking subsection (e) and inserting the following:

“(e) MAINTENANCE OF EFFORT.—

“(1) IN GENERAL.—A State is entitled to receive its full allotment of funds under this section for any fiscal year if the Secretary finds that the State’s fiscal effort per student or the aggregate expenditures of the State with respect to the provision of free public education by the State for the preceding fiscal year was not less than 90 percent of the fiscal effort or aggregate expenditures for the second preceding fiscal year, subject to the requirements of paragraph (2).

“(2) REDUCTION IN CASE OF FAILURE TO MEET.—

“(A) IN GENERAL.—The Secretary shall reduce the amount of the allotment of funds under this section for any fiscal year in the exact proportion by which a State fails to meet the requirement of paragraph (1) by falling below 90 percent of both the fiscal effort per student and aggregate expenditures (using the measure most favorable to the State), if such State has also failed to meet such requirement (as determined using the measure most favorable to the State) for 1 or more of the 5 immediately preceding fiscal years.

“(B) SPECIAL RULE.—No such lesser amount shall be used for computing the effort required under paragraph (1) for subsequent years.

“(3) WAIVER.—The Secretary may waive the requirements of this subsection if the Secretary determines that a waiver would be equitable due to—

“(A) exceptional or uncontrollable circumstances, such as a natural disaster or a change in the organizational structure of the State; or

“(B) a precipitous decline in the financial resources of the State.”;

(6) by striking subsection (f);

(7) by redesignating subsection (g) as subsection (f); and

(8) in subsection (f), as redesignated by paragraph (7)—

(A) in paragraph (1), by striking “under this section” and inserting “to carry out this section”; and

(B) in subsection (f)(3), in the matter preceding subparagraph (A), by striking “shall be” and inserting “shall be—”.

#### SEC. 1011C. SPECIAL ALLOCATION PROCEDURES.

Section 1126 (20 U.S.C. 6338) is amended by striking “sections 1124, 1124A, 1125, and 1125A” each place the term appears and inserting “sections 1123, 1124, 1124A, 1125, and 1125A”.

#### AMENDMENT NO. 2186

(Purpose: To establish the Promise Neighborhoods program)

(The amendment is printed in the RECORD of July 9, 2015, under “Text of Amendments.”)

#### AMENDMENT NO. 2100

(Purpose: To amend title V of the Elementary and Secondary Education Act of 1965 to establish a full-service community schools grant program)

(The amendment is printed in the RECORD of July 7, 2015, under “Text of Amendments.”)

#### AMENDMENT NO. 2144

(Purpose: To provide States and local educational agencies with resources on climate theory to promote improved science education)

At the end of part B of title X, add the following:

#### SEC. 10202. RESOURCES FOR IMPROVED SCIENCE EDUCATION.

(a) IN GENERAL.—The Administrator of the Environmental Protection Agency and the Administrator of the National Oceanic and Atmospheric Administration shall provide States and local educational agencies with balanced, objective resources on climate theory to promote improved science education for students in kindergarten through grade 12, including materials regarding—

(1) the natural causes and cycles of climate change;

(2) the uncertainties inherent in climate modeling; and

(3) the myriad factors that influence the climate of the Earth.

(b) RESOURCES.—The resources provided under subsection (a) shall be—

(1) in addition to any climate theory resources the Administrator of the Environmental Protection Agency or the Administrator of the National Oceanic and Atmospheric Administration are providing to States or local educational agencies on the day before the date of enactment of this Act; and

(2) made available to promote open classroom discussion that builds student skills in scientific reasoning, critical thinking, and independent thought.

#### AMENDMENT NO. 2176

(Purpose: To establish a climate change education program)

At the end of title V, add the following:

#### SEC. 5011. CLIMATE CHANGE EDUCATION.

(a) SHORT TITLE.—This section may be cited as the “Climate Change Education Act”.

(b) FINDINGS.—Congress finds that—

(1) carbon pollution is accumulating in the atmosphere, causing global temperatures to rise at a rate that poses a significant threat to the economy and security of the United States, to public health and welfare, and to the global environment;

(2) climate change is already impacting the United States with sea level rise, ocean acidification, and more frequent or intense extreme weather events such as heat waves, heavy rainfalls, droughts, floods, and wildfires;

(3) the scientific evidence for human-induced climate change is overwhelming and undeniable as demonstrated by statements from the National Academy of Sciences, the National Climate Assessment, and numerous other science professional organizations in the United States;

(4) the United States has a responsibility to children and future generations of the

United States to address the harmful effects of climate change;

(5) providing clear information about climate change, in a variety of forms, can encourage individuals and communities to take action;

(6) the actions of a single nation cannot solve the climate crisis, so solutions that address both mitigation and adaptation must involve developed and developing nations around the world;

(7) investing in the development of innovative clean energy and energy efficiency technologies will—

(A) enhance the global leadership and competitiveness of the United States; and

(B) create and sustain short and long term job growth;

(8) implementation of measures that promote energy efficiency, conservation, and renewable energy will greatly reduce human impact on the environment; and

(9) education about climate change is important to ensure the future generation of leaders is well-informed about the challenges facing our planet in order to make decisions based on science and fact.

(c) AMENDMENT TO ESEA.—Title V of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7201 et seq.), as amended by section 5010, is further amended by adding at the end the following:

#### “PART J—CLIMATE CHANGE EDUCATION

##### “SEC. 5911. CLIMATE CHANGE EDUCATION PROGRAM.

“(a) PURPOSE.—The purpose of this section is to—

“(1) broaden the understanding of human induced climate change, possible long and short-term consequences, and potential solutions;

“(2) provide learning opportunities in climate science education for all students through grade 12, including those of diverse cultural and linguistic backgrounds;

“(3) emphasize actionable information to help students understand how to utilize new technologies and programs related to energy conservation, clean energy, and carbon pollution reduction; and

“(4) inform the public of impacts to human health and safety as a result of climate change.

“(b) GRANTS AUTHORIZED.—The Secretary, in consultation with the National Oceanic and Atmospheric Administration, the Environmental Protection Agency, and the Department of Energy, shall establish a competitive grant program to provide grants to States to—

“(1) develop or improve climate science curriculum and supplementary educational materials for grades kindergarten through grade 12;

“(2) initiate, develop, expand, or implement statewide plans and programs for climate change education, including relevant teacher training and professional development and multidisciplinary studies to ensure that students graduate from high school climate literate; or

“(3) create State green school building standards or policies.

“(c) APPLICATION.—A State desiring to receive a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

“(d) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this section, and annually thereafter, the Secretary shall transmit to Congress a report

that evaluates the scientific merits, educational effectiveness, and broader impacts of activities under this section.

“(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary.”.

## AMENDMENT NO. 2241

(Purpose: To amend the accountability provisions)

(The amendment is printed in the RECORD of July 14, 2015, under “Text of Amendments.”)

## AMENDMENT NO. 2177

(Purpose: To provide for youth jobs, and for other purposes)

(The amendment is printed in the RECORD of July 8, 2015, under “Text of Amendments.”)

## AMENDMENT NO. 2242

(Purpose: To establish a Federal-State partnership to provide access to high-quality public prekindergarten programs from low-income and moderate-income families to ensure that they enter kindergarten prepared for success, and for other purposes)

(The amendment is printed in the RECORD of July 14, 2015, under “Text of Amendments.”)

## AMENDMENT NO. 2130

(Purpose: To amend title I to support assessments of school facilities)

On page 69, between lines 16 and 17, insert the following:

“(N) if applicable, whether the State conducts periodic assessments of the condition of elementary school and secondary school facilities in the State, which may include an assessment of the age of the facility and the state of repair of the facility;

## AMENDMENT NO. 2215, AS MODIFIED

(Purpose: To include partnering with current and recently retired STEM professionals and tailoring educational resources to engage students and teachers in STEM)

Beginning on page 373, strike line 22 and all that follows through page 374, line 3, and insert the following:

“(C) information on student exposure to and retention in science, technology, engineering, and mathematics fields, including among low-income and underrepresented groups, which may include results from a pre-existing analysis; and

“(D) an analysis of the quality of pre-service preparation at all public institutions of higher education (including alternative pathways to teacher licensure or certification) for individuals preparing to teach science, technology, engineering, and mathematics subjects in the State.

On page 381, between lines 18 and 19, insert the following:

“(vi) partner with current or recently retired science, technology, engineering, and mathematics professionals to engage students and teachers in instruction in such subjects;

“(vii) tailor and integrate educational resources developed by Federal agencies, as appropriate, to improve student achievement in science, technology, engineering, and mathematics;

## AMENDMENT NO. 2222

(Purpose: To amend the State plan requirements of section 1111 of the Elementary and Secondary Education Act of 1965 in order to support children facing substance abuse in the home)

On page 69, between lines 16 and 17, insert the following:

“(N) if applicable, how the State educational agency will provide support to local educational agencies for the education of children facing substance abuse in the home, which may include how such agency will provide professional development, training, and technical assistance to local educational agencies, elementary schools, and secondary schools in communities with high rates of substance abuse; and”.

## AMENDMENT NO. 2231

(Purpose: To support professional development to help students prepare for postsecondary education and the workforce)

On page 284, strike lines 4 through 8 and insert the following:

(xix) Supporting the efforts and professional development of teachers, principals, and other school leaders to integrate academic and career and technical education content into instructional practices, which may include—

(I) integrating career and technical education with advanced coursework, such as by allowing the acquisition of postsecondary credits, recognized postsecondary credentials, and industry-based credentials, by students while in high school; or

(II) coordinating activities with employers and entities carrying out initiatives under other workforce development programs to identify State and regional workforce needs, such as through the development of State and local plans under title I of the Workforce Innovation and Opportunity Act (29 U.S.C. 3111 et seq);

On page 306, strike lines 18 through 23 and insert the following:

(U) providing high-quality professional development for teachers, principals, and other school leaders on effective strategies to integrate rigorous academic content, career and technical education, and work-based learning, if appropriate, which may include providing common planning time, to help prepare students for postsecondary education and the workforce without the need for remediation; and

## AMENDMENT NO. 2188

(Purpose: To ensure States will ensure the unique needs of students at all levels of schooling)

On page 69, between lines 12 and 13, insert the following:

“(M) how the State will ensure the unique needs of students at all levels of schooling are met, particularly students in the middle grades and high school, including how the State will work with local educational agencies to—

“(i) assist in the identification of middle grades and high school students who are at-risk of dropping out, such as through the continuous use of student data related to measures such as attendance, student suspensions, course performance, and, postsecondary credit accumulation that results in actionable steps to inform and differentiate instruction and support;

“(ii) ensure effective student transitions from elementary school to middle grades and middle grades to high school, such as by aligning curriculum and supports or implementing personal academic plans to enable

such students to stay on the path to graduation;

“(iii) ensure effective student transitions from high school to postsecondary education, such as through the establishment of partnerships between local educational agencies and institutions of higher education and providing students with choices for pathways to postsecondary education, which may include the integration of rigorous academics, career and technical education, and work-based learning;

“(iv) provide professional development to teachers, principals, other school leaders, and other school personnel in addressing the academic and developmental needs of such students; and

“(v) implement any other evidence-based strategies or activities that the State determines appropriate for addressing the unique needs of such students;

On page 69, line 13, strike “(M)” and insert “(N)”.

On page 69, line 17, strike “(N)” and insert “(O)”.

On page 772, between lines 14 and 15, insert the following:

“(47) MIDDLE GRADES.—The term middle grades means any of grades 5 through 8.”.

At the end of the bill, add the following:

**SEC. 1020 . REPORT ON THE REDUCTION OF THE NUMBER AND PERCENTAGE OF STUDENTS WHO DROP OUT OF SCHOOL.**

Not later than 5 years after the date of enactment of this Act, the Director of the Institute of Education Sciences shall evaluate the impact of section 1111(c)(1)(M) on reducing the number and percentage of students who drop out of school.

## AMENDMENT NO. 2156

(Purpose: To amend the State report card under section 1111 of the Elementary and Secondary Education Act of 1965 to include the rates of enrollment in postsecondary education, and remediation rates, for high schools)

On page 82, between lines 23 and 24, insert the following:

“(xviii) for each high school in the State, and beginning with the report card released in 2017, the cohort rate (in the aggregate, and disaggregated for each category of students defined in subsection (b)(3)(A), except that such disaggregation shall not be required in a case in which the number of students is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student) at which students who graduate from the high school enroll, for the first academic year that begins after the students’ graduation—

“(I) in programs of public postsecondary education in the State; and

“(II) if data are available and to the extent practicable, in programs of private postsecondary education in the State or programs of postsecondary education outside the State;

“(xix) if available and to the extent practicable, for each high school in the State and beginning with the report card released in 2018, the remediation rate (in the aggregate, and disaggregated for each category of students defined in subsection (b)(3)(A), except that such disaggregation shall not be required in a case in which the number of students is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student) for students who graduate from the high school at—

“(I) programs of postsecondary education in the State; and

“(II) programs of postsecondary education outside the State;

## AMENDMENT NO. 2232

(Purpose: To allow extended services Project SERV grants under part A of title IV of the Elementary and Secondary Education Act of 1965 to be available for violence prevention activities)

On page 431, between lines 19 and 20, insert the following:

“(e) PROJECT SERV.—

“(1) ADDITIONAL USE OF FUNDS.—Funds available under subsection (a)(4) for extended services grants under the Project School Emergency Response to Violence program (referred to in this subsection as the ‘Project SERV program’) may be used by a local educational agency or institution of higher education receiving such grant to initiate or strengthen violence prevention activities, as part of the activities designed to restore the learning environment that was disrupted by the violent or traumatic crisis in response to which the grant was awarded, and as provided in this subsection.

“(2) APPLICATION PROCESS.—

“(A) IN GENERAL.—A local educational agency or institution of higher education desiring to use a portion of extended services grant funds under the Project SERV program to initiate or strengthen a violence prevention activity shall—

“(i) submit, in an application that meets all requirements of the Secretary for the Project SERV program, the information described in subparagraph (B); or

“(ii) in the case of a local educational agency or institution of higher education that has already received an extended services grant under the Project SERV program, submit an addition to the original application that includes the information described in subparagraph (B).

“(B) APPLICATION REQUIREMENTS.—The information required under this subparagraph is the following:

“(i) A demonstration that there is a continued disruption or a substantial risk of disruption to the learning environment that would be addressed by such activity.

“(ii) An explanation of the proposed activity designed to restore and preserve the learning environment.

“(iii) A budget and budget narrative for the proposed activity.

“(3) AWARD BASIS.—Any award of funds under the Project SERV program for violence prevention activities under this subsection shall be subject to the discretion of the Secretary and the availability of funds.

“(4) PROHIBITED USE.—No funds provided to a local educational agency or institution of higher education under the Project SERV program for violence prevention activities may be used for construction, renovation, or repair of a facility or for the permanent infrastructure of the local educational agency or institution.

## AMENDMENT NO. 2256

(Purpose: To amend the definitions of eligible technology and technology readiness survey and to provide a restriction on funds)

Beginning on page 587, strike line 15 and all that follows through page 588, line 10, and insert the following:

“(2) ELIGIBLE TECHNOLOGY.—The term ‘eligible technology’ means modern computer, and communication technology software, services, or tools, including computer or mobile devices, whether for use in school or at home, software applications, systems and platforms, digital learning content, and related services, supports, and strategies, which may include strategies to assist eligi-

ble children without adequate Internet access at home to complete homework.

“(3) TECHNOLOGY READINESS SURVEY.—The term ‘technology readiness survey’ means a survey completed by a local educational agency that provides standardized information on the quantity and types of technology infrastructure and access available to the students and in the community served by the local educational agency, including computer devices, access to school libraries, Internet connectivity (including Internet access outside of the school day), operating systems, related network infrastructure, data systems, educator professional learning needs and priorities, and data security.

“(4) UNIVERSAL DESIGN FOR LEARNING.—The term ‘universal design for learning’ has the meaning given the term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

## “SEC. 5702A. RESTRICTION.

“Funds awarded under this part shall not be used to address the networking needs of an entity that is eligible to receive support under the E-rate program.

## AMENDMENT NO. 2240

(Purpose: To provide resources needed to study and review Native American language medium schools and programs)

At the end of the bill, add the following:

## SEC. 1020. REPORT ON NATIVE AMERICAN LANGUAGE MEDIUM EDUCATION.

(a) PURPOSE.—The purpose of this section is to authorize a study to evaluate all levels of education being provided primarily through the medium of Native languages and to require a report of the findings, within the context of the findings, purposes, and provisions of the Native American Languages Act (25 U.S.C. 2901), the findings, purposes, and provisions of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), and other related laws.

(b) STUDY AND REVIEW.—The Secretary of Education shall award grants to eligible entities to study and review Native language medium schools and programs.

(c) ELIGIBLE ENTITY DEFINED.—In this section, the term “eligible entity” means a consortium that—

(1) includes not less than 3 units of an institution of higher education, such as a department, center, or college, that has significant experience—

(A) and expertise in Native American or Alaska Native languages, and Native language medium education; and

(B) in outreach and collaboration with Native communities;

(2) has within its membership at least 10 years of experience—

(A) addressing a range of Native American or Alaska Native languages and indigenous language medium education issues through the lens of Native studies, linguistics, and education; and

(B) working in close association with a variety of schools and programs taught predominantly through the medium of a Native language;

(3) includes for each of American Indians, Alaska Natives, and Native Hawaiians, at least 1 unit of an institution of higher education that focuses on schools that serve such populations; and

(4) includes Native American scholars and staff who are fluent in Native American languages.

(d) APPLICATIONS.—An eligible entity that desires to receive a grant under this section shall submit an application to the Secretary of Education that—

(1) identifies 1 unit in the consortium that is the lead unit of the consortium for the study, reporting, and funding purposes;

(2) includes letters of verification of participation from the top internal administrators of each unit in the consortium;

(3) includes a brief description of how the consortium meets the eligibility qualifications under subsection (c);

(4) describes the work proposed to carry out the purpose of this section; and

(5) provides other information as requested by the Secretary of Education.

(e) SCOPE OF STUDY.—An eligible entity that receives a grant under this section shall use the grant funds to study and review Native American language medium schools and programs and evaluate the components, policies, and practices of successful Native language medium schools and programs and how the students who enroll in them do over the long term, including—

(1) the level of expertise in educational pedagogy, Native language fluency, and experience of the principal, teachers, paraprofessionals, and other educational staff;

(2) how such schools and programs are using Native languages to provide instruction in reading, language arts, mathematics, science, and, as applicable, other core academic subjects;

(3) how such school and programs’ curricula incorporates the relevant Native culture of the students;

(4) how such schools and programs assess the academic proficiency of the students, including—

(A) whether the school administers assessments of language arts, mathematics, science, and other academic subjects in the Native language of instruction;

(B) whether the school administers assessments of language arts, mathematics, science, and other academic subjects in English; and

(C) how the standards measured by the assessments in the Native language of instruction and in English compare;

(5) the academic, graduation rate, and other outcomes of students who have completed the highest grade taught primarily through such schools or programs, including, when available, college attendance rates compared with demographically similar students who did not attend a school in which the language of instruction was a Native language; and

(6) other appropriate information consistent with the purpose of this section.

(f) OTHER ENTITIES.—An eligible entity may enter into a contract with another individual, entity, or organization to assist in carrying out research necessary to fulfill the purpose of this section.

(g) RECOMMENDATIONS.—Not later than 18 months after the date of enactment of this Act, an eligible entity that receives a grant under this section shall—

(1) develop a detailed statement of findings and conclusions regarding the study completed under subsection (e), including recommendations for such legislative and administrative actions as the eligible entity considers to be appropriate; and

(2) submit a report setting forth the findings and conclusions, including recommendations, described in paragraph (1) to each of the following:

(A) The Committee on Health, Education, Labor, and Pensions of the Senate.

(B) The Committee on Education and the Workforce of the House of Representatives.

(C) The Committee on Indian Affairs of the Senate.

(D) The Subcommittee on Indian, Insular, and Alaska Native Affairs of the House of Representatives.

- (E) The Secretary of Education.  
 (F) The Secretary of the Interior.

## AMENDMENT NO. 2249

(Purpose: To amend section 1111(c) of the ESEA to require States to provide an assurance regarding cross-tabulation of student data)

On page 73, line 12, strike the period at the end and insert the following: “; and

“(N) the State educational agency will provide the information described in clauses (ii), (iii), and (iv) of subsection (d)(1)(C) to the public in an easily accessible and user-friendly manner that can be cross-tabulated by, at a minimum, each major racial and ethnic group, gender, English proficiency, and students with or without disabilities, which—

“(i) may be accomplished by including such information on the annual State report card described subsection (d)(1)(C); and

“(ii) shall be presented in a manner that—  
 “(I) is first anonymized and does not reveal personally identifiable information about an individual student;

“(II) does not include a number of students in any category of students that is insufficient to yield statistically reliable information or that would reveal personally identifiable information about an individual student; and

“(III) is consistent with the requirements of section 444 of the General Education Provisions Act (20 U.S.C. 1232g, commonly known as the ‘Family Educational Rights and Privacy Act of 1974’).

“(3) RULES OF CONSTRUCTION.—Nothing in paragraph (2)(N) shall be construed to—

“(A) require groups of students obtained by any entity that cross-tabulates the information provided under such paragraph to be considered categories of students under subsection (b)(3)(A) for the purposes of the State accountability system under subsection (b)(3); or

“(B) to prohibit States from publicly reporting data in a cross-tabulated manner, in order to meet the requirements of paragraph (2)(N).

“(4) TECHNICAL ASSISTANCE.—Upon request by a State educational agency, the Secretary shall provide technical assistance to such agency in order to meet the requirements of paragraph (2)(N).

On page 189, after line 23, insert the following:

“(5) Designing the report cards and reports under section 1111(d) in an easily accessible, user-friendly manner that cross-tabulates student information by any category the State determines appropriate, as long as such cross-tabulation—

“(A) does not reveal personally identifiable information about an individual student; and

“(B) is derived from existing State and local reporting requirements and data sources.

“(b) RULE OF CONSTRUCTION.—Nothing in paragraph (5) shall be construed as authorizing, requiring, or allowing any additional reporting requirements, data elements, or information to be reported to the Secretary not otherwise explicitly authorized under this Act.

## AMENDMENT NO. 2120 WITHDRAWN

The PRESIDING OFFICER. Under the previous order, the Warren amendment No. 2120 is withdrawn.

The Senator from Missouri.

Mr. BLUNT. Mr. President, I ask unanimous consent to address the Senate as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

## NUCLEAR AGREEMENT WITH IRAN

Mr. BLUNT. Mr. President, needless to say, yesterday’s announcement about our ongoing stature and status with Iran is, in my view, a dangerous step forward in advancing not only the illicit nuclear program that they have had up until now but the clear nuclear weapons capability they would have under this agreement.

I think the agreement confirms that the President was too willing to get a deal with Iran at any price. The concessions made by the administration, based on the starting point of these discussions, I believe to be stunning. All we have to do is go back and review a little bit of recent history to see that today Iran’s advancement of instability, terrorism, and violence in the world continues unabated and not hampered by the agreement that has just been announced. Tomorrow, we will see all of those things still continue unabated, and unfortunately they are much better positioned and much better funded than they are right now.

Supported by Iran, Assad in Syria has been massacring his own people, resulting in the deaths of at least 191,000 people in Syria. That is according to the U.N., and those numbers were reported a year ago. Assad, by the way, stepped forward immediately to praise this agreement.

Supported by Iran, Shiite militias are continuing to support Assad and promote division and violence throughout the country of Iraq. Supported by Iran, Houthi rebels have seized key territory in Yemen and continue to work to destabilize that country. Supported by Iran, Hezbollah in Lebanon wages terrorism and calls for the annihilation. Supported by Iran, Palestinian terrorist groups in Gaza continue to lob mortars and rockets into Israel.

Last April, Iran’s Islamic Revolutionary Guard Corps Navy stopped a Marshall Islands-flagged ship as it tried to go into the Strait of Hormuz. This is at a time when Iran is trying to get major countries in the world to negotiate with them.

Iran continues to hold hostages without any reasonable way of defining hostages and without any reasonable charge. They currently have three Americans held as hostages: Pastor Saeed Abedini, former U.S. Marine Amir Hekmati, and Washington Post journalist Jason Rezaian. They also remain totally uncooperative in helping to locate former FBI official Robert Levinson. When the Secretary of State was asked about why these people weren’t part of the negotiations, he said: Well, this was a negotiation about nuclear weapons but not about people unlawfully and wrongly detained.

Well, it quickly became a negotiation about not just nuclear weapons but all kinds of other weapons that we have

prevented the Iranians from having access to in a worldwide marketplace. That was quickly added to the topic, but we couldn’t get three Americans released and find out more about one American than we know now.

The concessions laid out by yesterday’s announcement were also, I thought, pretty stunning. Concerning uranium enrichment, the Obama administration said a year and a half ago Iran didn’t have the right to enrich.

In November of 2013, the Secretary of State told ABC News:

We do not recognize the right to enrich. It is clear . . . in the nonproliferation treaty, it’s very, very [clear] that there is no right to enrich.

Under the agreement, Iran is allowed to continue to enrich.

As far as inspections, the President said we would have to be able to verify Iran’s compliance or Iran’s cheating through anywhere, anytime inspections. It is widely understood that any good deal must allow inspections—trust but verify. The President may say that is in there, but it is clearly not in there.

In fact, last April the President’s Deputy National Security Advisor proudly proclaimed that “under this deal” we “will have anywhere, anytime 24/7 access” to Iran’s nuclear facilities. As it turns out under this deal, inspectors will be forced to wait up to 24 days for access to suspicious sites once they ask for access to suspicious sites. That is a brand-new definition of “anywhere, anytime.” You can possibly have access in 24 days, and obviously lots of things can and would change in 24 days.

Militarily, the President said we would disclose and define the possible military dimensions of the research and where Iran’s illegal nuclear program was headed. The President said this information is critical to knowing what Iran’s true breakout potential and their true intentions would be. Under this agreement, however, the option of examining the possible military dimensions of Iran’s nuclear program is off the table.

As far as sanctions, the administration said that removing all sanctions was a nonstarter until Iran demonstrated that it is complying with the agreement. A little over a year ago, in March of 2014, Secretary Kerry said: “Iran is not open for business until Iran is closed for nuclear bombs.” However, we know now that Iran will, in fact, be open for business much sooner than that. This deal will not only allow them to be open for business, but they will be rewarded with hundreds of millions of dollars’ worth of sanctions relief and return of assets that didn’t have to be returned. And under this agreement all sanctions, even those related to arms, missiles, and proliferation, will be removed—not suspended. These will be removed. We have some



of the most aggressive arms suppliers in the world, and Iran is now being given access to all kinds of arms that they couldn't get legally or easily up until now.

All economic and banking sections, as well as those imposed on transport, insurance, petrochemical industries, and valuable materials will be removed.

As far as dismantling, the President said Iran would have to dismantle its illegal nuclear program. In December of 2013, the chief negotiator, Wendy Sherman, told PBS that a final agreement should include "a lot of dismantling of their infrastructure." Yet under this deal we are seeing that Iran's program will, in fact, almost all be preserved, not dismantled.

The length of the agreement—the P5+1 initially stipulated that Iran must accept restrictions on its nuclear program for 20 years plus another 25 years, and then later they said 20 years plus another 10 years, and finally their last offer was just 20 years, which in the end was reduced to 10 years. I think over the next 60 days, as people read the fine print of the agreement, they might find out that it is even less than 10 years, but they certainly know now it is not 20 years plus 25 years.

This is a bad deal for the United States and one that will embolden our enemies, jeopardize the security of our allies, and further lead our friends to not believe they can trust us and our enemies not to be afraid of us. In a dangerous world, what worse place could we be in than that.

The stated goal of the negotiations was to ensure that Iran never developed the capability of producing a nuclear weapon. Yet the President agreed to a deal that does just the opposite. By allowing Iran to become nuclear weapons capable and failing to provide for anytime, anywhere inspections, this deal gives Iran a free pass to cheat at its military sites with no access to U.S. inspectors.

Meanwhile, just last week Iran continued its calls for the destruction of Israel. These are the people we are allowing, through this process, to have access to more weapons and to become nuclear weapons capable. Just last week, Iran called, as it has for decades, for the destruction of Israel and "death to America." In fact, Iran's Supreme Leader stood by, calling for the need to fight the United States even if there is an agreement. I don't know that we have ever before entered into an agreement with another country that, while we are in the agreement, says: And by the way, no matter if there is an agreement or not, we want to continue to see the United States as an enemy we need to fight.

This deal undermines the security of our friends and allies. It legitimizes Iran's unapologetic sponsorship of terrorism throughout the Middle East.

It is interesting what could be included, by the way, and what couldn't be included.

Iran has repeatedly refused to abide by international agreements that require inspection of nuclear facilities, details of facility designs, acquisition and production of nuclear materials. What makes us think Iran is going to change that behavior now? The negotiations themselves should lead us to believe the new Iran is still the old Iran.

This is a bad deal. It is a deal that just hopes that in the next 8 or 10 years the Iranian Government totally changes, the Iranian attitude totally changes, our relationship with them totally changes, and it just hopes that in the interim—during the time we have that hoped-for change—the Iranians don't cheat. This is a hope, not a strategy, and it is a hope, not a strategy, wherein we would let the world become much more destabilized as a result.

After months of negotiations, Iran hasn't released a single American prisoner, nor have they announced any intentions to do so.

The Iranians, the Russians, the Chinese, the Syrians—or at least the Syrians who are still controlled by Assad—may like this deal, but this is a bad deal for the United States of America, it is a bad deal for world stability, and it is a bad deal for our friends.

Frankly, I think the law that Congress passed that now gives the Congress of the United States 60 days to look at it will turn out to be 60 days that the President himself is about to find out what is in the deal he and the administration signed.

This is a serious matter for every Member of the Senate.

I was asked earlier today: Are you going to lobby Members of the Senate as to how they should vote on this agreement when it comes up?

I said: I am going to do everything I can to talk about the real shortcomings of this agreement, the destabilizing effects of this agreement, but every Member of the Senate is going to have to answer for this agreement and this vote for a long time.

Members of the Senate on their own are going to have to decide what side of this to wind up on. I predict that a majority—and maybe a substantial majority—of the Senate will wind up understanding that this is a bad deal for America and a bad deal for the future of the world's security.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BENNET. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2241

Mr. BENNET. Mr. President, as we wait for colleagues to arrive to the floor, I thought I would take a few minutes to speak a little bit about accountability in this bill.

As we know, the No Child Left Behind legislation and now this new version of the Elementary and Secondary Education Act require annual tests. They are not popular.

I believe we are overtesting kids in this country. It is not the Federal requirement that is causing that; it is the relationship of the Federal requirement to State and local tests that are administered, so that by the time we get to the classroom inhabited by one of my three daughters who go to Denver's public schools, for example, kids end up spending too much time being tested. Part of that is because we haven't done a good job, I don't think, of distinguishing between tests that are used for accountability purposes—how is the school doing growing kids—and tests that are used for teaching and learning purposes, which are assessments that have to happen all the time during the school year. When I was in school, we called those quizzes, and we dreaded them, just as people dread them today. That was the way teachers were able to keep an eye on how students were doing in their classroom throughout the year so they could course correct, so they could make changes based on the individual needs of the kids in their classroom.

Teaching and learning and accountability aren't the same things, and I think we put too much freight on some of these assessments. I hope what we are going to see as we come out of this new reauthorization is an understanding about the importance of the accountability—why we have it—and better implementation of tests at the State and local level.

There is no reason for the Federal Government to be involved in education, really—only 9 percent of what we spend is Federal money, and the rest of it is State and local money—except for one reason. The civil rights imperative in this bill and that is at the heart of this bill has said to us that we just can't look the other way when it comes to kids of color and kids living in poverty in this country, which we did for decades—for decades—without knowing where we were headed.

The one great benefit of No Child Left Behind is that it required that data about kids living in poverty, kids of color, kids with special needs, and English language learners as well be published so we could see the huge gaps that exist all across this country in educational attainment. We can't go backward on that. I agree that allowing States to have more flexibility in the design of these systems is important. It is an important step forward in this bill.

As I mentioned yesterday, when I was the superintendent of the Denver Public Schools—the best job I ever had; I had that honor—I used to wonder all the time why people in Washington were so mean to our teachers and to our kids. I got here and I realized they weren't mean, they just have absolutely no idea what is going on in our schools and our classrooms. Where the Presiding Officer is right now, right here, in this place—and I mean this literally—is as far away as one can get from a school or a classroom in this country and still be in this universe. We are very distant. We may think we know what is going on there, but we don't know. This institution doesn't know.

While I, as that superintendent, have developed a very strong view that I didn't want to be told how we should do things by Washington, and I didn't want Washington telling my teachers how to do things, our principals how to do things, kids and families how to do things, I think it is important and imperative that we have a national expectation for what kids ought to be able to do at certain grade levels and that we have a national imperative around the achievement gap in this country.

We also have a national imperative—people may not like to know this—to figure out how we are going to replace the 1.5 million teachers we are going to require in this country over the next several years.

Those are all issues of national concern, but our federalist system tells us there are certain responsibilities assumed by the States and certain responsibilities assumed by the Federal Government, and we have gotten that twisted up when it comes to education. So I think that is an important step forward, that we are not going to be telling people how to do it, but we need to remind people that they need to do it.

It is not OK that we live in a country where if you are unlucky enough to be born poor, your chances of getting a college degree or its equivalent are roughly 9 in 100. That is not OK. That is a matter of national concern. That is why the accountability provisions in this bill are so important. To be honest, that is why the annual testing is so important, if it is done wisely and well and if the data is used in a thoughtful way to measure student growth.

No Child Left Behind not only was a huge overreach by the Federal Government, it also asked and answered the profoundly wrong question. It asked: How did this year's group of fourth graders do compared to last year's fourth graders? That is how we evaluated schools, on that basis. That is crazy. They are not the same kids. The question we should be asking and the question we are asking now in many States and in many communities across the country is this: How did this

group of sixth graders do compared to how they did as fifth graders compared to how they did as fourth graders and then compared to all the kids in the State—this is the way we do it in Colorado—who had a statistically similar test history. That reveals a lot of information.

For No Child Left Behind, we used to have a matrix in Denver, and it was four squares, and in the upper right-hand corner was—well, there are two measures; one is growth and one is status. How much did you grow this year? It would be like saying, how much weight did you gain or lose this year, versus status, which is, how much did you weigh? What is your achievement level? Those are two different ideas.

In those four boxes I mentioned earlier, in the upper right we had high growth, high status schools, and in this corner we had high status but low growth schools. Those are schools we called excellent schools under No Child Left Behind. Those were blue ribbon schools even though kids were losing ground in those schools. They arguably shouldn't have been because those schools didn't have the struggles schools have with kids living in poverty. Those were blue ribbon schools. Those are schools where we were telling moms and dads and kids that everything is fine, even though kids were losing ground when they showed up at the schoolhouse door.

The reverse was also true. The reverse was also true because we were saying to schools that were below the threshold of high status—low status schools—that they were failing schools even though they might have been schools where what we were seeing was 2 years of growth for kids who had started out way behind because they had come to kindergarten with that stubborn word gap, that 30 million word gap that kids have who are living in poverty and are showing up in kindergarten. By the way, we are not doing anything, almost, as a country to deal with that problem.

As I mentioned yesterday, we are having a debate in Washington about income redistribution sometimes. We have a discussion about what the Tax Code should be, and there are people here who believe that it shouldn't do anything. That is a principled position, but if that is a person's position, they better be working day and night to make sure every single kid in America has access to high-quality early childhood education. We better make sure every kid in America has access and a choice to go to a high-performing K–12 school. And we better make sure we are doing everything we can to make it easier, not harder, to go to college to get a higher education degree because this unforgiving international economy is not going to change its mind about whether a high school degree is enough or dropping out of high school is enough.

We need to be focused on education in this country. It is the single most important public good we provide domestically. If a person asks me as a parent what I would take a risk on for my kids, the No. 1 thing I wouldn't take a risk on is their education. That is how we ought to be feeling about all of the kids in the United States of America. We should stop treating America's children as though they are someone else's kids. They are not someone else's kids; they are our kids. And if we extrapolate the academic outcomes that we are seeing in this country, the college graduation rates we are seeing, the high school graduation rates—if we extrapolate those against the changing demographics in the United States, we are not going to recognize ourselves in the 21st century.

When we constrain a child, a human being, an American citizen to the margin of this economy or the margin of the democracy simply because they are born into poverty and we can't do the work to provide a high-quality education, that is all the evidence we need that we are treating people as though they are someone else's kids. That is why, by the way, there is more we need to do on accountability.

I feel as though we have made good progress with a lot of this bill, and I am extremely grateful for the leadership of Chairman ALEXANDER from Tennessee and the ranking member of the committee, Senator PATTY MURRAY, and I am pleased to see that the bill passed out of committee unanimously. Remember, ESEA is fundamentally a civil rights law. We should measure growth. We should identify the bottom 5 percent of schools in this country. We need to ensure that subgroups and high-performing schools are not left behind. And that is the power of the data that is collected, and that is the power of what is called the disaggregation of that data so that we can see outcomes.

I see my colleague from New Jersey is here. Through the Chair, I would ask if he wishes to speak, and if so, I will stop. I was filling time. I do want to talk about the comparability loophole, but I will come back to that and yield to my colleague from New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BOOKER. Mr. President, I am grateful to Senator BENNET. Senator BENNET and I met around education issues. Senator BENNET led the largest public school system in the State of Colorado. Senator BENNET has been in the weeds of education for years, if not decades.

I am grateful that Senator BENNET began his remarks by saying all of the things that have been wrong with No Child Left Behind. That was a bad piece of legislation. We saw the aspects of it that were causing problems and that have created a bipartisan push to fix them.

I want to give credit to Senator LAMAR ALEXANDER and Senator PATTY MURRAY for joining together and doing the things necessary to improve the bill. The culture of education has shifted in this country, from high-stakes testing to looking at measures that made no sense to creating artificial deadlines that could not be met or even doing things that undermined the very goals and aspirations that we have for our country, which is to lead the globe in educational excellence.

So, I am encouraged by Senator BENNET and myself and the majority of this body who agree that this legislation needs to be changed. It is a left-right coalition that is encouraging to me.

But I want to echo Senator BENNET's concerns about a problem that is not being addressed—that as the pendulum swings away from the problems of No Child Left Behind, we not create new ones that cut against the very ideals with which this legislation was put in place by Lyndon Johnson. Lyndon Johnson said clearly that this was a bill to bridge the gap in this country between help and the helpless, for those children who are suffering on the educational margins of our society, drowning in the eddies of educational lack of opportunity, caught in the quicksand of poverty and race, and with challenges that undermine and contribute to the dysfunction and inequality in our Nation. This was to be the bridge. It is why this body acted under President Johnson.

So now, Senator BENNET, I have a distressed heart, because what this amendment we are trying to put forward does is to allow us to get to a point where we are now not even putting a spotlight on where we are failing to live up to our values. This amendment calls for us to at least acknowledge that there are children in our country who are stuck in so-called dropout factories, children who are perpetually underachieving, and schools that are failing the genius of our children. What this amendment was seeking to do was to say that we cannot ignore our children, we cannot turn our backs on these children, we cannot turn over and say it doesn't exist, because we do have a problem in our Nation. What anguishes me about this problem is that the children we are turning our backs on and not focusing on are children that are poor and children that are disproportionately minority.

To paraphrase Martin Luther King, he said that what we will have to repent for in this day and age is not the vitriolic words and actions of the bad people but the appalling silence and inaction of the good people.

I hear time and again that we love our children in America. Well, if we love them, we should do something about the challenges that are afflicting

a small percentage of our kids who do not get the educational environment they deserve. This is a peculiar form of American insanity—insanity being defined as doing the same thing over and over again and expecting different results. We are not going to change this problem of perpetual failure in too many of our schools that affect poor and minorities by not having some attention to that problem.

Let's be clear. We have learned lessons. This amendment No. 2241, the ESEA accountability amendment, does not do the things that this body in its majority thinks should no longer be done by the Federal Government.

Let me be clear. This amendment does not reinstate any type of adequate yearly progress, or AYP. In fact, the underlying bill is repealed. AYP is repealed. It does not establish artificial deadlines such as No Child Left Behind did, saying that all children will be proficient by 2014. It does not establish Federal goals for our students. States will have the prerogative to set their own. It does not impose test-based accountability on States. States must include a range of factors in their State-designed accountability systems. It does not require schools to implement a one-size-fits-all intervention. Local districts will design the intervention for underperforming schools.

This legislation is not prescriptive. This legislation is not Washington telling local districts what to do. This amendment does not design programs. It simply says that there must be a commitment made when there are these dropout factories and when there are these populations that are not being served to ensure that States identify certain low-performing schools so that students in these schools receive the support they need.

It would require locally designed, evidence-based interventions to schools identified in the following categories: the lowest performing 5 percent of our schools; high schools where less than two-thirds of students graduate; and schools where subgroups, including low-income students, students of color, students with disabilities, and English learners miss State-established goals on multiple measures for 2 consecutive years. This amendment says that we cannot ignore those children whom we are failing to serve, and that we can't turn our back on these kids.

We salute this flag and say "liberty and justice for all." Well, every issue that I hear discussed in this august body cannot be dealt with unless we deal with all children. The achievement gap in America will not be addressed unless we focus on all children. The poverty gap in America will not be addressed unless we focus on all children. The opportunity gap in America will not be addressed unless we deal with all children. Issues that I am passionate about such as mass incarcer-

ation will not be addressed unless we focus on all children. And the competitive economy—the productivity of our Nation—will not reach its full strength unless we focus on all children.

So I am distressed today that this body will put into place a piece of educational legislation that ignores the very children to whom this original legislation was dedicated to serving years ago. We cannot be a great nation if we have parts of our country—be they neighborhoods or schools—that fail to experience what should be the bedrock of our country: equal opportunity, a great education, and the opportunity to succeed through one's grit, sweat, and hard work. We don't have that now.

If we in this body create legislation that pours millions of dollars into the States and then say that if States choose to ignore these kids, if States choose to turn their backs on the children who need them most, if States don't even want to put forward an idea of how to address this persistent problem, and we are OK, then to me we belie the oath we took, the pledge we gave to bring justice to all children.

We speak of accountability in this country. Well, we should be accountable to the government dollars that we spend for America. We should be accountable for the ideals of this Nation.

So I hope I can get my colleagues to support this bill that Senator MURPHY and Senator BENNET are leading so well. I hope we can stand up in a chorus of conviction in this body, saying that every single child—no matter what station in life, no matter how poor your parents are, no matter what your background, color, creed or religion—can have hope and opportunity in our public schools.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Mr. President, I thank Senator BOOKER.

I see the Senator from Pennsylvania is here. The Senator from Connecticut is here, and I want to thank him for his leadership and how he has stuck with it week after week after week.

I want to say to my friend from New Jersey, through the Chair, how much I appreciate his words and his aspirations for our country, because we are falling down on the job.

We have issue after issue after issue that comes here to the Senate floor—sometimes resolved, sometimes not. Education almost never is in front of us.

I sometimes hear people say this, and it rattles me when I hear them say it. Sometimes people say: MICHAEL, don't you know that not everybody is going to go to college? Don't you know that not everybody is going to go to college?

That is OK with me as long as it is their decision that they are making and that they are an educated 12th grader but they are deciding not going

to go to college. That is the decision they are making.

But the reality is that it is not that we are sort of, kind of getting it right when it comes to kids in this country. Let's do the math. If you are born poor in the United States, because of the way our K-12 system works in access to higher education, you stand a 9-in-100 chance of getting a college degree—not an 80 percent chance, not a 75 percent chance, but 9 in 100.

If we were poor kids in this place instead of Senators, it would be those desks in the front row, the desks in the row behind them, and three desks in the next row. The entire rest of this Senate would be a sea of people without a college degree. That is the condition for poor kids living in the United States of America. That is the circumstance they face. We have to start believing there are kids—they are not someone else's kids. We learned for the first time a month ago—this is not a measure of poverty in the same sense that I was just using the word, but for the first time in this country's history, over half our public school children are poor enough that they qualify for free and reduced lunch.

We did not change the standard for free and reduced lunch. That is the effect of 20 years of an economy that is not driving middle-class wages up and the worst recession since the Great Depression. So at every level from the schoolhouse door to the floor of the Senate, this ought to be our No. 1 priority. Because as the Senator from New Jersey said, all the other stuff that we want to fix—he mentioned what we need to do with sentencing reform.

Eighty-five percent of the people in our prisons are high school dropouts. That tells you something about what you might do to cure that problem. This ought to be our No. 1 issue. It ought to be our No. 1 here, and it ought to be our No. 1 issue at home.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BOOKER. Before our leader on this amendment speaks, Senator MURPHY, I do want to echo what Senator BENNET said. He has been leading this charge in a bipartisan manner, pulling people together trying to get this across. I just want to echo that last point that Senator BENNET made. We as a nation have this ideal that America is the best country if you are poor to be born into; that you can make it here. This is the country—Statue of Liberty, give us your tired, your hungry, the wretched refuse of your teeming shores. This is the country you can make it in.

Well, unfortunately, in social mobility, which is a measurable index—the ability for somebody to make it out of poverty into the middle class—we have fallen. We have fallen on that list com-

pared to our peers from other nations. If you just have the simple goal of making it out of poverty, America is no longer the No. 1 country to do that.

The principle reason for this is that the tried and true pathway to the middle class must be the schoolhouse door. That path must lead through educational systems. If our children don't have that access or if we leave some children behind, we shut those doors to quality education. Then it is an affront to the very ideal of the American dream, and we are failing the purpose, the greatness, the glory that is America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

#### AMENDMENT NO. 2247, AS MODIFIED

Mr. TOOMEY. Mr. President, I rise to speak on an amendment that is offered by the senior Senator from North Carolina. It is an amendment that would change the formula for how title I funds are allocated among the States. So first by way of background, title I is the largest category of Federal financial assistance for K-through-12 education. So we are talking about a large pot of money. This is the biggest single source of Federal funding for primary and secondary education.

Under current law, the formula for how that money is allocated to the school districts is based on two things. It is based on the number of children who live in poverty in these respective districts, but it is also related to the average amount that the various States spend on education. So let me be very clear. It is not a single, uniform amount per student. It was never meant to be. It still is not.

There is a reason for that. The reason is it is meant—this correlation to not only the number of kids in poverty but also the amount of money States spend on education is designed that way in order to reflect the fact that there are different costs of living in different States. Nobody would dispute that, I don't think. In some States, the real estate on which you build the school is more expensive. Some States have a higher general wage level, so teachers get paid more. States just have different expenses.

In addition, there is an incentive element. The incentive is, for States that are willing to commit more resources—that means taxing their residents more to fund education—then there is that little bit more that comes from the Federal Government. So this is a finite amount of money. What this amendment goes to is the question of how does this get allocated? The amendment originally offered by the senior Senator from North Carolina was very troubling to me because it would profoundly change the formula effective immediately. This is a zero-sum game. So some States would win a lot, other States would lose a lot. Pennsylvania

stood to lose a lot of funding under the formulation that was originally constructed for this amendment—the gist of it being to convert the funding to an almost uniform amount per student.

I can assure you, I was hearing loudly and clearly from the folks who run especially the large school districts in Pennsylvania about how concerned they were because it was a multi-million-dollar-per-year hit that they were going to take. I spoke with Dr. Hite, who is the superintendent of Philadelphia schools, and Dr. Lane from Pittsburgh school district, as they would have been hit the hardest in the Commonwealth of Pennsylvania.

In total, had the original amendment become law, it would have cost Pennsylvania over \$120 million per year. Every one of Pennsylvania's 500 school districts, except one, would have lost money. So 499 school districts would have had to do with less and one would have had a little more. Many of them would have lost huge amounts of their funding.

I first want to say I appreciate the fact that the Senator from North Carolina and other Senators worked with my office and other offices across the aisle to take a different approach. So the original amendment is no longer under consideration. My understanding is the unanimous consent agreement which was struck earlier abandons that approach, but it does still have an element of that direction that does concern me.

I want to touch on that. So here is my understanding: Under the form that the amendment now takes, and which we will be voting on maybe later today, the current levels of funding will continue under the current formula. In fact, that funding level, as it naturally tends to grow each year because the Federal Government increases funding in this—for a while, that growth will also occur according to the current formulation. But at some point in the not-too-distant future, the total spending on title I funding will reach about \$17 billion—now it is about 14.5. When it gets to \$17 billion, from that point forward, prospectively, the increments each year will then be allocated according to the new formula, which is, by the design, the same design as the original amendment, which is nearly uniform spending per child, disregarding, in my view, the important consideration of the different costs of living in the various States.

So this is a huge improvement, from my point of view, over what we were looking at before. Pennsylvania will not have a dime cut from its spending. The formula does not change next year or the year after. I am not sure exactly when we will reach that \$17 billion figure. But at some point, if this amendment passes, this reformulated amendment from the senior Senator from North Carolina, if it does pass, then at

some point we start to move incremental funding into this sort of uniform formulation, rather than the current formulation where we take into account the varying costs of education. So while this is a huge improvement over the original version of this amendment, it is still something that I think is very problematic and so I will be voting no on this.

I would just summarize by saying that I think the amendment is mistaken in two respects: One, it fundamentally fails to recognize the varying costs of living in varying States. That is a very big difference. Secondly, it penalizes those States that are willing to ask their citizens to invest more in education by eliminating the current mechanism. So I would urge my colleagues to vote no on that amendment.

I yield the floor.

Mr. MURPHY. Mr. President, I thank my great friends Senator BOOKER and Senator BENNET for their passionate and moving remarks about the task ahead of us, to make sure that as we reauthorize No Child Left Behind, as we reorder our priorities, that we remember that this law is an education reform law, but it has to be a civil rights law as well. It has to make sure that in the best traditions of this country, we are requiring that every single child gets a quality education.

I want to talk about my amendment that is cosponsored by Senators BOOKER and WARREN, COONS, DURBIN, MIKULSKI, and others. I want to start by telling a story that is, unfortunately, not unfamiliar in probably every corner of this country. I am going to talk about a 16-year-old African-American boy, an eighth grader in an urban middle school in Connecticut. I will call him James for today's purposes.

James had a habit of walking out of class in the middle of instruction. He walked out of class and he would wander the hallways until he would eventually run into a teacher, an administrator, a school resource officer, who would haul him down to the principal's office. His grandmother, who was his primary care giver, would get a phone call. She would come pick him up and then the suspension proceedings would start.

James would get suspended for a few days. He would come back, and the whole cycle would play out again, such that by the middle of his first semester of his eighth grade year, he had been out of school—suspended—more days than he had been in school. One day he was so frustrated when an assistant principal stopped him, once again, as he was wandering the halls that he had an argument. He was a big kid for his age, but he was a total teddy bear. He never hurt anybody. But that day when he talked back to that assistant principal, they called the police and James got arrested. Now he has a criminal

record. But the reason he was walking out of class day after day, week after week, was pretty simple: James was an eighth grader who could not read—he could not read. He could barely read. So he had this toxic mixture of frustration and embarrassment every day that he sat in class such that it had no relevance to him and he walked out.

The worst of it is that the school knew he could not read because he had an identified learning disability. It was not a mystery. Yet James got promoted year after year because it was easier to pass him along, easier to push him out, as the suspensions and eventual arrest were on their way to doing, rather than actually give James an education. Now, I only know this story because my wife, who was then a legal aid lawyer in Connecticut, represented James. His grandmother, who just wanted James to get a decent education, would call my wife in tears every time James was found in the hallway and suspended again and again.

My wife actually got the services James needed. But James' story is not unique. Most kids do not have legal aid lawyers fighting on their behalf. Most kids in James' situation have the deck stacked against them: disabled kids who are hard to teach, poor kids who are warehoused in failing schools, Black and Hispanic kids struggling to overcome generations of discrimination.

They do not all have lawyers. They have us in the Congress. This place, Washington, DC, has had its finest moments when it stands up for educational civil rights: the idea that a child in this country should get a quality education no matter their race or their address or their disability. Whether we like it or not, there are these political pressures in America that cause minority kids and disabled kids and poor kids to get an education that is not equal to that of their White or nondisabled or more affluent peers.

The facts are just very stubborn. I can't say them any better than Senator BENNET did earlier today. Today, half of African-American and Latino fourth grade students score below the basic level of reading that we expect of our students. Just one out of every seven African-American eighth grade students scores at a basic proficiency level in math. Nationally, 70 percent of students who attend high school with low graduation rates come from low-income families. These statistics, they represent a stain on the conscience of our Nation.

If this body wants to stay true to its history of standing up for educational civil rights, then we have to make a stand this week to make sure that Every Child Achieves Act ensures that minority and poor and disabled kids get a fair shot at a good education.

Now, right now this bill does not meet this test. That is why the Na-

tion's leading civil rights organizations, from the NAACP to La Raza, to the Urban League oppose this bill in its current form. It is why they have joined together with business groups who want to make sure our educational system stays competitive for everyone, to propose a fairly simple solution to a problem that is also fairly simple.

So this bill requires that schools continue to assess student performance while getting rid of those annual high-stakes tests that were unquestionably bad for schools and for students. No Child Left Behind was a bad bill for my State and for the Nation. So I am glad Senators MURRAY and ALEXANDER have come together to create something better for our kids.

The bill requires that States track results by what we call subgroups: minority students, disabled students, poor students, and non-English-speaking students. But the problem is that when the schools are failing or when minority or disabled students are falling way behind their peers, the bill doesn't require or even ask States or school districts to do anything to fix it—nothing. As a civil rights matter, that is unacceptable.

No Child Left Behind said a lot on this issue, and most of it wasn't helpful or productive. NCLB made the measurement of schools and subgroups a test and only a test. NCLB prescribed in a detailed way what schools had to do to turn around student outcomes, and NCLB punished schools that didn't turn around those outcomes quickly enough.

We have learned a lot from that backwards approach, from this "Washington knows best" attitude. That is why the amendment we are offering today takes a very different approach to accountability for vulnerable kids. Under our amendment, States are required to identify the bottom 5 percent of performing schools according to their measurement of performance; they have to identify the dropout factories—the high schools where fewer than two-thirds of the students are graduating; and then they have to identify, again according to their own measurement, schools where subgroups of students—low-income students, students of color, students with disabilities, English learners—aren't meeting their own set of criteria.

This amendment ensures that schools are identified based on a measurement that is set by the State, not by Washington, and it has to include multiple measures, not just test scores alone. Let me say that again. The measurement is determined by the State, and it cannot be based on test scores alone.

Then the amendment says that once you have identified those schools or those student groups who are in need of improvement according to your own measurements, then the State needs to come up with a plan to improve outcomes. Period. Stop. Identify your

achievement gaps according to your own comprehensive measurements and come up with a plan to fix the gaps. There is no federally dictated measurement, no federally set intervention, no Federal penalty if you don't succeed. Just identify your problems and come up with a plan to make the problems better. The accountability will then happen naturally, as students and parents and community members have input into that plan and the ability to watch to see if it is working—local solutions, local oversight, local accountability.

In 2006, as a candidate for Congress, I excoriated No Child Left Behind wherever I went. I come from a family of teachers, and I married a former teacher. Now I have two kids, one in the public school system and one on his way there. And I watched firsthand as NCLB failed teachers, parents, and students.

But about a month or so after I was sworn in to the House of Representatives in 2007, I received a visit from the Children's Defense Fund. They had heard how vocal I was in my criticism of the law, and they just wanted me to know that not every State was like Connecticut. They told me stories of places where prior to NCLB kids with disabilities were sent for half a day of "vocational training" with the janitor. Nothing was expected of those kids, and more often than not those kids lived up to the low expectations that were set for them.

So maybe the only redeeming quality of No Child Left Behind was that it did expose these inexcusable gaps in performance between disabled and non-disabled kids. It forced States to talk about why Black students year after year were 30 percent behind their White peer students in achievement tests. It caused embarrassment for school systems with schools where the majority of kids got so little out of school that they dropped out before graduation. And it put pressure on all of us to do better.

This is an education bill, but it is not a worthwhile bill unless it is also a civil rights bill. Every single child, no matter their race or their geography, their income or their disability, deserves a first-rate education.

I urge my colleagues to join me in supporting this vital amendment that continues our march away from the stringent, inflexible requirements of No Child Left Behind, while ensuring that all of our students receive the support they need to be successful.

I yield the floor.

The PRESIDING OFFICER (Mr. SCOTT). The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I rise today to talk about a couple aspects of the legislation. I will do it in summary form. I will submit a longer statement for the RECORD.

First, I wish to say how much I appreciate the work that has been done not only this week but over many weeks and months that led up to today. We were working a number of months ago on the Health, Education, Labor and Pensions Committee to get a bill out of the committee. After it was completed, of course it looked easy, but I know how hard Senator ALEXANDER, the chairman of the committee, and Senator MURRAY, the ranking member, worked to reach this point. The vote that day was 22 to 0, and now we are considering the bill on the floor. So that is significant and noteworthy, especially in these times in the Senate.

I just wanted to talk about a couple of aspects of this legislation.

For far too long, States have had to deal with the uncertainty of Federal waivers. One aspect of the legislation we are focused on is that we need one law that provides States and districts with more flexibility.

We hear all across the country—I certainly heard it in Pennsylvania—that among the concerns people had was a lack of flexibility, sometimes a one-size-fits-all regimen that came from Washington. So that flexibility is important. We also want to make sure we are recapturing the original intent of the Elementary and Secondary Education Act—to protect our most vulnerable students.

The bill acknowledges the anxiety students, parents, and teachers often feel about testing, but it also realizes and contemplates that we must at the same time have a way to determine what students are learning each year. So I am pleased to see that the legislation strikes the balance by maintaining annual testing while taking significant steps to reduce the high-stakes nature of the testing.

So while there is more work to be done to ensure that all our children have access to high-quality early childhood education, I am encouraged that the bill builds on decades of research on early learning by requiring that States align their early learning guidelines with their kindergarten through 12th grade standards. So this change will help educators from Head Start, childcare, and other early childhood education programs in elementary schools work together so young children have a successful continuity of learning over time that sets a strong foundation throughout the kindergarten through 12th grade years and beyond. That is something I pushed for over many years in the so-called Continuum of Learning Act, and I am pleased it has been included in the bill.

Mr. President, I wish to move to two other topics. I know we may have limited time. The first is on the question of bullying, which we have begun to address in the debates we have had leading up to this legislation. We had a vote yesterday on Senator FRANKEN'S

Student Non-Discrimination Act. I supported that, and I commend him for his work, but even with that vote, we have a long way to go on this issue.

Bullying, of course, is not what my generation understood it to be. It is a much worse problem today. It is more severe, it is more damaging, and it is destroying lives all across the country.

More students than ever are not in school every day for one reason—bullying, because of the impact bullying has on their lives. If a child is gay, lesbian, bisexual, or transgender, they are often and disproportionately the victims of bullying. If a student has a disability, he or she is often the victim of bullying, and again it is disproportionate. So students are more likely to be bullied if they are disabled, if they have a disability, or if they are gay, lesbian, bisexual, or transgender. That is an abomination. That is an insult to our country. Unless we begin to do something about this, we will still see those numbers soaring.

Bullying, of course, is the ultimate betrayal. It is a betrayal by adults with regard to children, and it is a betrayal of everything we claim to stand for in America because we say to our children, "If you go to school every day and study hard and go to class and do your homework and study hard for tests and quizzes, you will succeed," but, of course, often children are betrayed because in between there, they are bullied. When they go home, they are bullied. When dinner is over at night, they are bullied. All throughout the night they are bullied often because of technology and because of vicious students who go after one student and use social media or other tools to harass and bully that person. We have to do something about this. We have to do more than just debate it and talk about it. We need to do something.

I am hoping that some of the efforts I have undertaken in my legislation will be the subject of not just more debate but more action, progress, and results when we get through the conference committee because I think this overall legislation should reach the point of getting to conference.

I am going to conclude because I see our chairman, who wants some time before we start.

Mr. ALEXANDER. I am fine.

Mr. CASEY. Thank you.

I wish to give one example of a particular individual—a real-life example of what bullying means, and I will have some comments as well about pre-kindergarten education.

This is a real-life story. Brandon Bitner, 14 years old, of Mount Pleasant Mills, PA, walked 13 miles from his home on an early Friday morning in November of 2010 to a busy intersection and threw himself in front of an oncoming tractor trailer after leaving a suicide note at his home. That is what

happened to a 14-year-old Pennsylvanian. I cannot even imagine the horror of that, what led to that action he took when he took his own life. It is, unfortunately, not an isolated example. There are too many of these today. There would be too many if there were one, but unfortunately there are many more than one.

So there seems to be little doubt in our minds and certainly in the minds of those who knew Brandon why he did what he did on that day in November of 2010. I am going to quote a friend, Takara Jo Folk. Here is what Takara said: "It was because of bullying." That was written in a letter to the *Daily Item*, a newspaper in central Pennsylvania.

Quoting again from that letter:

"It was not about race or gender, but they bullied him for his sexual preferences and the way he dressed. Which," she said, "they wrongly accused him of."

Brandon's suicide note reportedly explained that he was constantly bullied at Midwest High School in Middleburg, where he was a freshman. Bullies at that school allegedly called Brandon names—names which I will not repeat on the floor of the Senate. He stated in the note that a humiliating event in school this past week was the "straw that broke the camel's back."

Brandon was an accomplished violinist, having been a member of the Susquehanna Youth Orchestra in 2009, the year before he took his own life.

That story, unfortunately and tragically, is emblematic of the problem. We read these stories all the time. They may not be every single day and in every single newspaper, but not more than a week can go by in the United States of America where you don't read something like that.

I have others I could read as well, but I think folks within the sound of my voice know this. We all know this. So what are we going to do about it? Well, we all have a role to play. Parents have to do a lot more. Parents haven't done enough. Public officials haven't done enough. Schools haven't done enough. You could go down the list. At a minimum—and that is why I introduced legislation that we want to get back to; we want to be able to reach consensus—at a minimum, we should say to school districts: Look, if you are getting Federal money and you don't have a policy in place that deals with bullying and harassment and you don't specifically define or list or enumerate what is unlawful conduct, what is prohibited, then there should be a consequence for that. You should have to prescribe what is wrong by way of a set of rules, a code of conduct. You should enforce it. And you should keep data. If we take those kinds of steps, at least we can say that in a school or a school district, there is a heightened consciousness about this problem and that it is everybody's problem. This isn't

just the problem of the person being bullied and the person engaging in bullying; it is the problem of all of us, whether we are parents, taxpayers, public officials, or whatever. We all have an obligation.

So I hope we can get back to this, in addition to continuing the good work Senator FRANKEN and others have started, because this is a betrayal. It is a betrayal of our children. And we are all diminished by our allowing this problem to persist.

The only good news here—and it is significant—is that in a lot of places we have parents who are taking responsibility, teachers, school administrators, school board directors, and of course students themselves taking on the responsibility of making sure in their school there will be zero tolerance for bullying, the best that they can implement that kind of a policy. So we have students who are working with other students to resolve disputes, to help someone who might be a victim before something goes wrong and someone becomes a tragedy after being a victim of bullying. So we have a way to go on this issue, and we have more to do.

#### AMENDMENT NO. 2242

Let me conclude with some thoughts about what we will likely be voting on tomorrow, which is prekindergarten education. It is a very rare vote on the floor of the Senate where the entire Senate will cast a vote on a very basic program—a program to make sure that if a State wants to join together in partnership with the Federal Government to build upon, expand, enlarge, or even start from scratch an early learning, prekindergarten program for 4-year-olds, this legislation will give them that opportunity. This is paid for. We have an offset for the cost of it.

This is the right thing to do for 3 million American children, meaning that if this prekindergarten education program were enacted and if every State took advantage and implemented this program, 3 million children in the country would have prekindergarten education, 93,930 in Pennsylvania alone. The State of Texas, for example, upon passage of this kind of a program into law, will have the opportunity to have 300,000 children get the benefit of early learning.

Let me say finally that this is not just any program; we want high-quality early learning. All the experts know, have known for years, and have told us for years what works. If there is a high-quality program, a child will learn more now and he or she will earn more later. It is not just a rhyme, it is the truth. We have 50 years of data making that direct linkage between learning and earning, and all we need to do is give States the opportunity to work with us to develop a nationwide strategy so that the United States can say we are preparing not just our chil-

dren for that bright future we hope they have but that we are preparing our workforce and our economy. When you make that linkage between learning and earning, you are literally not just improving the life of that child, but you are improving our economic prosperity as well. I think our economic destiny is tied to these kinds of strategies.

So we have a long way to go to get there, but tomorrow we should have a vote, and I am looking forward to that.

I also again commend Senators ALEXANDER and MURRAY for their work on the legislation overall.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. ALEXANDER. Will the Senator yield for a moment?

Mr. SANDERS. Of course.

Mr. ALEXANDER. Mr. President, for Senators' information, I will be talking to Senator MURRAY in the next few minutes, and there is a good possibility we will have votes beginning at about 3 o'clock. But I will have more to report, hopefully, after the Senator from Vermont makes his remarks.

I thank the Senator.

The PRESIDING OFFICER. The Senator from Vermont.

#### AMENDMENT NO. 2177

Mr. SANDERS. Mr. President, one of the amendments that will be offered is an amendment I have submitted regarding a major crisis in this country that we don't talk about enough, and that is the frighteningly high rate of youth unemployment in America.

I am delighted that the Elementary and Secondary Education Act is on the floor for debate today, and I thank Senator ALEXANDER and Senator MURRAY for their hard and constructive work on this important piece of legislation. In my State of Vermont, we have held town meetings on No Child Left Behind, and the people of Vermont want to leave No Child Left Behind very far behind. They want to get rid of it. They feel it has not been productive for our kids, and I think that sentiment exists all over the country. If we go forward on this legislation, I think we will be taking a very important step forward for the children of America.

When we talk about the needs of our young people, it is not just a dysfunctional child care system we talk about and the need to make sure working families all over this country have good-quality, affordable childcare; it is not simply that college is increasingly unaffordable for millions of working-class families; it is not just that the United States, tragically and embarrassingly, has the highest rate by far of childhood poverty of any major industrialized country on Earth. We talk about the future. We talk about family values. But the truth is that we have significantly ignored the needs of our children, and that is not what a great



nation does—not a nation that looks forward to the future.

This country has to come to grips with the reality that we have not just a high rate of youth unemployment but a tragically high rate of youth unemployment in this country. This is an issue we don't discuss. It is literally swept under the rug. We have to bring it out in the open, we have to discuss it, and we have to address this issue.

Last month, the Economic Policy Institute released a new study about the level of youth unemployment in this country. This study took a close look at census data on unemployment among young people between 17 and 20 who are jobless, those who are working part time when they need a full-time job, and those who have given up looking for work altogether. The results of this study should concern everybody in our country and every Member of the Congress.

By the way, I have mentioned these facts in the past. PolitiFact, which seems to check every statement I make, checked it out, and they said these facts are basically accurate.

Here is what the Economic Policy Institute found. From April of 2014 to March of 2015, the average real unemployment rate for young White high school graduates between the ages of 17 and 20 was 33.8 percent. High school graduates, high school dropouts, White, 17 to 20—33.8 percent. The jobless figures for Hispanic kids in the same age group was 36.1 percent. And incredibly, the average real unemployment rate for African-American high school graduates was 51.3 percent. High school graduates or dropouts between the ages of 17 and 20, African American, over 50 percent unemployed or underemployed.

Today in America, over 5.5 million young people have either dropped out of high school or have graduated high school and do not have jobs. It is no great secret—not to any parent, not to any Member of the Senate—that when kids are not in school, when kids have no jobs, that is when kids get into trouble, when they get into drugs, when they get into self-destructive activity.

The result of kids not being in school and kids not having jobs is that tragically, today, we in this country have more people in jail than any other country on Earth, including China—a Communist authoritarian country with a population four times our size. We have more people in jail than China does. Incredibly, over 3 percent of our country's population is under some form of correctional control.

According to the NAACP, from 1980 to 2012, the number of people incarcerated in America quadrupled—quadrupled—from roughly 500,000 to 2.2 million people.

A January 2014 study published in the journal *Crime & Delinquency* found that almost half of Black males in the

United States are arrested by the age of 23. That is an unbelievable statistic and a tragic statistic. If this current trend continues, one in four Black males born today can expect to spend time in prison during his lifetime. What a tragedy this is. We cannot ignore it. We have to deal with this reality.

But this crisis is not just a destruction of human life and of potential, it is also very costly to the taxpayers of our country. In America, we now spend nearly \$200 billion on public safety, including \$70 billion on correctional facilities each and every year.

It is beyond comprehension that we as a nation have not focused attention on the fact that millions of young people are unable to find work and begin their careers in a productive economy. That is what young people want to do. They want to get out, they want to get a job, they want to earn some money, they want to become independent from their parents, and they want to begin a career ladder, but for millions of these young people, that is not taking place today.

Let me be as clear as I can be. It makes a lot more sense for us to invest in jobs and education rather than in more and more incarceration and more and more jails. The time is long overdue for us to start investing in our young people, to help them get the jobs they need, to help them get the education they need.

This is not only saving human life; it is saving dollars. It is a very expensive proposition to put people into jail. Many people who go to jail come out of jail and go back to jail. They don't get jobs, and they don't pay taxes. Their lives are destroyed. Their families' lives are destroyed. It is high time we understood that. We have to invest in jobs, and we have to invest in education—not more jails, not more incarceration.

I have offered an amendment that will be voted upon, either today or tomorrow, that is pretty simple and pretty straight forward. It says to us that now is the time to keep kids out of jail, to get them jobs, and to get them an education. This amendment would simply provide \$5.5 billion in immediate funding to States and cities throughout the country to create 1 million jobs for young Americans between the ages of 16 and 24. This amendment would also provide job opportunities for hundreds of thousands of young adults.

Frankly, this amendment doesn't go far enough, but it is an important start in trying to save the lives of countless numbers of young people who, if we do not address their needs, are going to end up in jail or with destroyed lives.

Specifically, under this amendment the U.S. Department of Labor would provide \$4 billion in grants to States and local governments to provide summer and year-round employment op-

portunities for economically disadvantaged youth, with direct links to academic and occupational learning. This amendment would also make sure that young Americans have access to transportation and childcare services they may need in order to participate in job opportunities all over this country. This amendment would also provide \$1.5 billion in competitive grants to local areas to provide work-based job training to low- and moderate-income youth and disadvantaged young adults.

I hope very much we can have bipartisan support for this amendment, because what we are talking about is not just saving countless numbers of lives and not just saving taxpayers a substantial sum of money. It is much more cost effective to invest in kids so they have productive lives rather than seeing them go into jail and into jail and into jail and see their families being destroyed. It is high time we addressed this issue. This amendment is an important first step. I look forward to seeing bipartisan support for it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### NUCLEAR AGREEMENT WITH IRAN

Mr. CORNYN. Mr. President, yesterday President Obama announced a deal with Iran, one that will send billions of dollars to a regime with a long history of violently opposing the United States and its allies.

I come to the floor to express again my deep skepticism about how the Obama administration has approached these talks and my great concerns about what has been revealed about the deal so far—recognizing that we should all, perhaps, reserve our judgment for the process that will unfold over the next couple of months, by which we will actually be able to read the text of the deal and then to show to the American people what it contains and express our concerns publicly and debate those. That is going to unfold over the next couple of months.

But I think we can all agree that bringing Iran to the negotiating table and securing an agreement that prohibits 100 percent of their ability to gain the capacity to create a nuclear weapon would be a tremendous legacy for any President to accomplish.

Preventing Iran from becoming a nuclear power would have been a legacy item for President Obama or any President. But these negotiations have been particularly concerning because, in

spite of the fact that the Iranian regime has given us no reason to trust it, the President has been operating under the assumption that any deal is better than no deal.

I am afraid the President has demonstrated the old adage that if you want a deal bad enough, that is exactly what you are going to get—a bad deal.

In so doing, the President has abandoned longstanding U.S. policy. Our policy has always been to prevent Iran from getting nuclear weapons. Instead, the administration has said: Well, it is OK. We will allow you a plan forward, and—in the words of Prime Minister Netanyahu—pave the way toward your acquisition of nuclear weapons.

This is an outcome that is irresponsible, unacceptable, and exceedingly dangerous.

I found it interesting that during his announcement the President said U.S. engagement in Iran was built upon “mutual interests and mutual respect.” The theocratic Iranian regime is a government that just last week encouraged its citizens to shout slogans often heard on the streets of Tehran. “Death to America,” they say. “Death to Israel.” I don’t see how the President can consider such actions a sign of “mutual respect.” It is just the opposite.

But I should be fair to the President. He is of course not the only person who supports this deal. We hear that Russia’s President Vladimir Putin has endorsed it. So has Syria’s President Bashar al-Assad, who called the agreement a “major turning point.” Our enemies think this is a great deal, and they strongly support it.

But I hope the administration is aware that the optimism they have surrounding Iran and this deal is not universal. Our staunchest ally in the Middle East, the nation of Israel, has stated its clear opposition yesterday.

President Netanyahu, as he did in a joint session of Congress just a few short months ago, said in crystal clear language that this agreement represents a “historic mistake” for the world. That is likely because the Iranian regime has regularly—even throughout the ongoing negotiations—called for the destruction of Israel.

So while our enemies such as Bashar al-Assad of Syria called the deal a major turning point, our greatest ally called it a “historic mistake.” That should give all of us pause. What other warning signs do we need? Can a deal that is wholeheartedly endorsed by our adversaries and simultaneously disdained by one of our closest allies possibly be in the best interest of the United States of America? I am interested in hearing the answer to that question during the course of our review and debates because that is the question we will have the chance to answer for ourselves at the end of this next 60-day period of time.

Although I have seen several headlines talking about Republican opposition to the agreement, I would like to point out that there are a number of Democratic colleagues who have been quick to voice their concerns as well. This should not, and I pray will not, become a partisan disagreement. What we ought to be doing, in the best interest of the United States of America and our national security and those of our allies, is getting to the bottom of this agreement, raising concerns, and asking questions. Perhaps the President would like for this to become a partisan debate because then he wins, and in so doing America and our allies lose.

Yesterday, the ranking member of the Senate Foreign Relations Committee said that “there is no trust when it comes to Iran.” That statement was made by the distinguished Senator from Maryland, Mr. CARDIN. Similarly, another Democratic colleague, the senior Senator from New Jersey and former chairman of the Foreign Relations Committee, said that “the deal doesn’t end Iran’s nuclear program,” but instead it “preserves it.”

This deal cements many of the longstanding concerns that I and many of my colleagues have had. Instead of ridding the world of an Iranian nuclear weapon once and for all, this simply kicks the deal down the road—when, by the way, President Obama will no longer be in office—but it completely preserves the nuclear infrastructure required to create a nuclear weapon in as little as 1 year. We can’t afford to sit back, cross our fingers, and wait for the regime to resurrect its nuclear program after their main obligations under the deal have expired.

Let me just be clear. The American people are not so desperate to cut this deal with the Iranian regime, and I think they will be even less supportive than they have been so far once the details of this deal gets vetted.

I wholeheartedly reject the suggestion the President has made on numerous occasions that there are two alternatives: There is this deal or there is war. That is ridiculous. That is a false choice. What it should be is a choice between this deal and something better—something that actually denies Iran nuclear weapons and doesn’t unleash billions of dollars for them to fight their proxy war against the United States and our allies.

Again, the No. 1 state sponsor of international terrorism is Iran, and we are going to unleash the sanctions on the oil that they will now be able to sell in global markets and reap windfall profits perhaps, along with released funds that have been sequestered in American banks and other institutions, so they can now prop up their economy and again pay for the war they are fighting against Israel and the United States and other allies.

The bipartisan sanctions regime that Congress has put in place over decades should not and cannot be undone through an Executive agreement between President Obama and the head of the world’s leader in state-sponsored terrorism. As elected representatives of the American people, we, all of us, in addition to the President, are committed to securing a good deal for the people who sent us here, and that means making sure Iran will never have the ability to build a nuclear weapon, protecting our interests and our allies against a threatening regional power and, first and foremost, ensuring that the American people are safer tomorrow than they were yesterday.

Now that the White House has submitted the first 109 pages of this deal to Congress, we are in the process of reviewing it, but there is more to come—classified annexes and all. I look forward to reading this agreement word-for-word, understanding it better, and asking many of the similar-type questions which I posed here today, which need good and solid and reliability answers. We can’t base this on a policy of hope or even trust in the rogue regime in Tehran. We need answers to these questions and, even more importantly, so do the American people.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### AMENDMENT NO. 2241

Mrs. MURRAY. Mr. President, our Nation has always held the ideal of providing education for all, but a half century ago we put that ideal into action with the Elementary and Secondary Education Act or ESEA. That law aimed to close education gaps between rich and poor, Black and White, kids from rural areas, and kids from big cities.

Today, we are debating an amendment to strengthen accountability in our bill to reauthorize ESEA to do even more by making sure schools are delivering on the promise of quality and equality to every student in America.

Across the country, too many schools today have failed too many of our children for too long, and that has to change. Now our bipartisan bill removes the unrealistic goals and one-size-fits-all mandates of No Child Left Behind. But we can still have strong accountability without going back to those requirements.

Senator MURPHY’s amendment, which we will be voting on shortly, will shine a light on the persistent inequality and achievement gap that still exists and

do something about it, and it would ensure that we make sure children from low-income backgrounds, the kids of color, the students who are still learning English, and students with disabilities have access to a high-quality education.

Under his amendment, States would identify the bottom 5 percent of schools, States would identify the high schools that are failing to graduate one-third or more of their students, and States would identify schools that have failed to help subgroups of students make progress.

Now, of course, accountability is about more than just identifying the schools and districts that need help. We have to make sure those schools get the resources they need. The Every Child Achieves Act allows districts to design interventions tailored to the individual needs of low-performing schools. This amendment doesn't change that, but this amendment would give parents, teachers, and communities important measures to hold schools accountable for delivering a quality education to every child.

I will also note that in our bipartisan bill, we have done a lot to help the adults in this school get the support they need from professional development to easing the burden on school administrators. I was very proud to work on all of those provisions. But this amendment isn't about the adults. It is about the children in our schools. So I urge my colleagues to vote yes on the Murphy amendment so we can do even more to make sure all of our students learn, no matter where they live or how they learn or how much money their parents make.

Let's fix No Child Left Behind. Let's continue to improve this bill by strengthening accountability, and let's reaffirm our Nation's commitment to providing a quality education to every student in America.

I thank the Presiding Officer, and I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. HIRONO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. HIRONO. Mr. President, I rise to discuss the Every Child Achieves Act, S. 1177, which replaces the education law better known as No Child Left Behind. I wish to thank the HELP Committee Chairman ALEXANDER and ranking member PATTY MURRAY for their hard work on today's bipartisan compromise bill.

Today's Every Child Achieves Act isn't perfect, but it makes good progress. For years, I have heard from Hawaii's teachers, parents, and admin-

istrators that No Child Left Behind, or NCLB, is broken. It is time to leave NCLB behind.

I have been working to fix this broken law, first as a member of the House of Representatives' Education and Labor Committee in 2007 and now as a Senator. I also began to work on education reform when I was Lieutenant Governor of the State of Hawaii.

I will start with one of the biggest problems with NCLB, which is the testing requirements. I heard from teachers in Hawaii loud and clear that NCLB brought us too much testing. Teachers and students in some schools spent so much time on testing and test prep that they didn't have enough time for teaching and learning.

Today's bill includes Senator BALDWIN's SMART Act legislation, which I cosponsored, to cut redundant State and local tests, and it also includes Senator BENNET's amendment that sets a cap on the percent of time spent on testing.

I also strongly support the early education parts of this program as negotiated by Senator MURRAY, herself a former preschool teacher. I urge my colleagues to expand on this work by also supporting the Strong Start for America's Children amendment led by Senators CASEY, MURRAY, myself, and others.

The Strong Start amendment would invest significant resources in high-quality preschool grant programs, which would serve some 16,000 Hawaii children in my State alone. It would expand early Head Start childcare partnerships, such as Hawaii's Parents And Children Together and Kama'aina Kids, and would strengthen the Maternal, Infant, and Early Childhood Home Visiting Program, supporting programs like the Hawaii Home Visiting Network.

Quality early education helps kids enter kindergarten ready to learn, a recipe for success in school and in life. Studies show that by age 3, there is a 30-million word gap, basically a 2-to-1 gap, between low-income children and their wealthier peers with regard to their language skills. Quality early education can help close this gap early. Kids then are more likely to succeed in school, avoid crime or teen pregnancy, graduate from high school and college, earn more income, pay more taxes, and need fewer public services. Why?

First, they have the knowledge and skills necessary to succeed in a changing economy. Business and financial leaders in Hawaii—Hawaii's Business Roundtable executive director Gary Kai is a huge supporter of quality early education, and former Federal Reserve Chair Ben Bernanke also agrees that early childhood education is a key investment in U.S. competitiveness.

Second, military leaders have also stressed the importance of quality early education as a national security

issue. The Department of Defense has estimated that 75 percent of Americans age 17 to 24 are ineligible for military service due to poor education, physical unfitness or criminal records. Hundreds of retired admirals and generals know that quality early learning can reverse this trend.

Third, early education investments make financial sense for taxpayers. A study by the University of Hawaii and Good Beginnings Alliance estimated a return of more than \$4 for every \$1 invested in early education. National studies are even higher. Some show a return as high as \$17 for every \$1 invested in quality early education. That depends, of course, on the quality of the program and particularly if we target the highest need students.

Finally, parents themselves are demanding quality, affordable preschool for their children. In April of this year, I visited Kauai Community College whose Early Childhood Development Center reopened after a few years of renovations.

This center trains early childhood educators while providing high-quality early learning services to children of faculty, staff, and the community. Their lead teacher and coordinator, Gina Medrano, said, "So far, no one has cried since we opened. They only cry when it is time to go home." That is evidence of how important early education is to our kids themselves.

Currently, the KCC Center can only serve 20 children. There are wait-lists for this program and for quality early learning programs in Kauai, all across Hawaii, and nationwide. We can and should do much better.

The Strong Start for America's children amendment would help make early learning the national priority it deserves to be. The amendment would provide quality preschool to over 3 million children nationwide. I urge my colleagues to vote yes on this amendment when it comes to the floor.

So many of us recognize that education is a continuum which starts early and continues throughout life; therefore, coordination of effort is important. So I am pleased that this bill before us includes provisions to foster coordination between existing early childhood programs and their local elementary school. In 2011, Senator CASEY and I introduced the Continuum of Learning Act, and today's bill on the floor includes many pieces from that legislation.

On balance, the Every Child Achieves Act before us means good progress for our keiki—our children—and I hope we can continue moving forward and pass the bill before us in a bipartisan way.

Our country is at its best when all students have access to high-quality education from birth to college and career. Improving our education system through evidence-based reforms will help every child achieve so that our

next generation can compete and lead in the 21st-century global economy.

I yield the floor.

The PRESIDING OFFICER (Mr. PERDUE). The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, on behalf of Senator MURRAY from Washington and myself, I ask unanimous consent that at 3:15 p.m. today, the Senate vote on the following amendments in the order listed: Markey amendment No. 2176, 60-vote threshold; Heitkamp amendment No. 2171, 60-vote threshold; Kirk amendment No. 2161, 60-vote threshold; and Murphy amendment No. 2241, 60-vote threshold.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 2144 WITHDRAWN

Mr. ALEXANDER. I further ask unanimous consent that the Wicker amendment No. 2144 be withdrawn.

The PRESIDING OFFICER. Without objection, amendment No. 2144 is withdrawn.

Mr. ALEXANDER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MARKEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2176

Mr. MARKEY. I ask unanimous consent to speak for up to 2 minutes on my amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MARKEY. Mr. President, my amendment is very simple. It would create a competitive grant program to support the development and improvement of educational materials and teacher training on climate change science and solutions.

The scientific evidence of climate change is longstanding and wide-ranging. The National Academy of Sciences and numerous science professional organizations all recognize the reality of climate change and the influence of human activities upon it. The children of our country deserve the best scientific education they can get on this topic. They are the future leaders of our country and the world. They must be equipped for this generational challenge.

This is without question one of the overarching issues of our 21st century. We must ensure that we provide the best science training available for this next generation—the green generation. They are going to have to confront this problem. They should have the best scientific evidence available.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Thank you, Mr. President.

Mr. President, we will have a vote on the Markey amendment. I would urge a “no” vote for the following reasons: If you love Washington getting involved in Common Core, you will love this amendment, because it gets the Federal Government involved in creating a curriculum for climate change in your local high schools and other schools.

Based upon what we know about the U.S. Department of Education, as soon as we authorize this, it will begin to write regulations defining what we mean by climate change, and we would have to change textbooks in 100,000 public schools every time we have a Presidential election. Just imagine what the curriculum on climate change would be if we shifted from President Obama to President Cruz and then back to President Sanders and then to President Trump. There would be a lot of wasted paper, writing and rewriting textbooks.

The Every Child Achieves Act prohibits officials of the Federal Government from getting involved with the instructional material in classrooms. If we want to have better climate science, the appeal should not be to a national school board that gets Washington involved in climate change. It should be to the local school board or the State school board. I say that as a Republican who believes that climate change is a problem and that human activity is a major contributor to that problem. But I do not want the Federal Government involved in local high school and elementary school curricula for climate science or anything else.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ) and the Senator from South Carolina (Mr. GRAHAM).

Mr. DURBIN. I announce that the Senator from Florida (Mr. NELSON) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 44, nays 53, as follows:

[Rollcall Vote No. 238 Leg.]

YEAS—44

Ayotte	Brown	Donnelly
Baldwin	Cantwell	Durbin
Bennet	Cardin	Feinstein
Blumenthal	Carper	Franken
Booker	Casey	Gillibrand
Boxer	Coons	Heinrich

Hirono	Merkley	Schumer
Kaine	Mikulski	Shaheen
King	Murphy	Stabenow
Kirk	Murray	Udall
Klobuchar	Peters	Warner
Leahy	Reed	Warren
Markey	Reid	Whitehouse
McCaskill	Sanders	Wyden
Menendez	Schatz	

NAYS—53

Alexander	Flake	Perdue
Barrasso	Gardner	Portman
Blunt	Grassley	Risch
Boozman	Hatch	Roberts
Burr	Heitkamp	Rounds
Capito	Heller	Rubio
Cassidy	Hoeven	Sasse
Coats	Inhofe	Scott
Cochran	Isakson	Sessions
Collins	Johnson	Shelby
Corker	Lankford	Sullivan
Cornyn	Lee	Tester
Cotton	Manchin	Thune
Crapo	McCain	Tillis
Daines	McConnell	Toomey
Enzi	Moran	Vitter
Ernst	Murkowski	Wicker
Fischer	Paul	

NOT VOTING—3

Cruz	Graham	Nelson
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The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

AMENDMENT NO. 2171

Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to Heitkamp amendment No. 2171.

The Senator from North Dakota.

Ms. HEITKAMP. Mr. President, I rise to urge my colleagues to support my amendment. As you have been talking to your school districts and as you have been talking to the school personnel, if they don't mention the challenges they have dealing with children in their schools who need services beyond education services, who come unready to learn because of behavior and mental health problems, we have a program that has existed for a number of years. I understand it has been underutilized. But if there has ever been a time, as we talk about the behavior and mental health challenges that we have in our communities and in our schools, and if there has ever been a challenge for a grant program that develops best practices, it is today.

I urge my colleagues to support this amendment and integrate these behavior and mental health programs into the schools and into the education system so that we can better address the concerns, so that we can, in fact, begin to challenge our society to deal with these issues at the school level. Schools should not be in this alone. We need to integrate the behavioral health and mental health systems into our schools.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I urge a “no” vote. Of course, we should help and care about the mental health of children, but the Federal Government already funds at least 16 programs related to mental health.

A new program isn't needed, and the Department of Education is not the best suited agency to administer it. It ought to be in the Department of Health and Human Services.

It is unnecessary. The district may use funds already under the education bill and other health programs for this purpose.

One of the problems we have as a Congress is we have a good idea and we appropriate and create a new program without realizing there are already 16 other programs there. We should stop that and focus our efforts on existing programs and giving States more flexibility to use that money.

I urge a "no" vote.

Ms. HEITKAMP. Mr. President, do I have any time remaining?

The PRESIDING OFFICER. All time has expired.

The question is on agreeing to the amendment.

Mr. DURBIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ) and the Senator from South Carolina (Mr. GRAHAM).

Mr. DURBIN. I announce that the Senator from Florida (Mr. NELSON) is necessarily absent.

The PRESIDING OFFICER (Mr. GARDNER). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 58, nays 39, as follows:

[Rollcall Vote No. 239 Leg.]

#### YEAS—58

Ayotte	Gillibrand	Murray
Baldwin	Heinrich	Peters
Bennet	Heitkamp	Portman
Blumenthal	Heller	Reed
Booker	Hirono	Reid
Boxer	Hoeven	Sanders
Brown	Kaine	Schatz
Cantwell	King	Schumer
Cardin	Kirk	Shaheen
Carper	Klobuchar	Stabenow
Casey	Leahy	Sullivan
Cassidy	Manchin	Tester
Collins	Markey	Thune
Coons	McCaskill	Udall
Daines	Menendez	Warner
Donnelly	Merkley	Warren
Durbin	Mikulski	Whitehouse
Ernst	Moran	Wyden
Feinstein	Murkowski	
Franken	Murphy	

#### NAYS—39

Alexander	Fischer	Perdue
Barrasso	Flake	Risch
Blunt	Gardner	Roberts
Boozman	Grassley	Rounds
Burr	Hatch	Rubio
Capito	Inhofe	Sasse
Coats	Isakson	Scott
Cochran	Johnson	Sessions
Corker	Lankford	Shelby
Cornyn	Lee	Tillis
Cotton	McCain	Toomey
Crapo	McConnell	Vitter
Enzi	Paul	Wicker

#### NOT VOTING—3

Cruz Graham Nelson

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

#### AMENDMENT NO. 2161

Under the previous order, there will be 2 minutes of debate equally divided prior to a vote in relation to Kirk amendment No. 2161.

The Senator from Rhode Island.

Mr. REED. Mr. President, I urge all my colleagues to vote yes on the Kirk-Reed-Baldwin-Brown amendment.

Essentially, in this legislation—and I commend the chairman and the ranking member for all the work they have done—they have established lofty goals, but without adequate resources, all of our students cannot succeed. This amendment encourages the States to develop and report on measures of access to critical education resources; identify disparities in districts' access to those resources; develop plans with school districts to address these disparities; and include the Opportunity Dashboard of Core Resources on the State report card.

Again, it is a very simple concept. Lofty goals without adequate resources will not give opportunities to American students. We hope this will help provide equitable access to critical resources.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I urge a "no" vote. This bipartisan bill on the floor is about reversing the trend toward a national school board. This amendment is about making the national school board bigger and more powerful. It would result in the Federal Government deciding for States which educational resources are critical. That would have the Federal Government deciding about licensing teachers, teachers' salaries, library books, wellness programs, school facilities, and it would produce new lawsuits.

We need to go in the other direction. We need to keep the measurements of how children are doing but restore to States and local school boards the responsibility for making these decisions.

I urge a "no" vote.

The PRESIDING OFFICER. The question occurs on agreeing to amendment No. 2161.

Mr. ALEXANDER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ) and the Senator from South Carolina (Mr. GRAHAM).

Mr. DURBIN. I announce that the Senator from Connecticut (Mr.

BLUMENTHAL) and the Senator from Florida (Mr. NELSON) are necessarily absent.

I further announce that, if present and voting, the Senator from Connecticut (Mr. BLUMENTHAL) would have voted "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 46, nays 50, as follows:

[Rollcall Vote No. 240 Leg.]

#### YEAS—46

Baldwin	Heinrich	Peters
Bennet	Heitkamp	Portman
Booker	Heller	Reed
Boxer	Hirono	Reid
Brown	Kaine	Sanders
Cantwell	Kirk	Schatz
Cardin	Klobuchar	Schumer
Carper	Leahy	Shaheen
Casey	Markey	Stabenow
Coons	McCaskill	Udall
Donnelly	Menendez	Warner
Durbin	Merkley	Warren
Feinstein	Mikulski	Whitehouse
Franken	Murkowski	Wyden
Gillibrand	Murphy	
Hatch	Murray	

#### NAYS—50

Alexander	Ernst	Perdue
Ayotte	Fischer	Risch
Barrasso	Flake	Roberts
Blunt	Gardner	Rounds
Boozman	Grassley	Rubio
Burr	Hoeven	Sasse
Capito	Inhofe	Scott
Cassidy	Isakson	Sessions
Coats	Johnson	Shelby
Cochran	King	Sullivan
Collins	Lankford	Tester
Corker	Lee	Thune
Cornyn	Manchin	Tillis
Cotton	McCain	Toomey
Crapo	McConnell	Vitter
Daines	Moran	Wicker
Enzi	Paul	

#### NOT VOTING—4

Blumenthal Graham Nelson  
Cruz

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

#### AMENDMENT NO. 2241

Under the previous order, there is 2 minutes of debate equally divided prior to a vote on Murphy amendment No. 2241.

The Senator from Connecticut.

Mr. MURPHY. Mr. President, arguably the only good thing that the existing education law did was expose these unconscionable gaps in this country between the performance of minority kids and nonminority kids, between disabled kids and nondisabled kids.

Frankly, this body is at its best when it says that, no matter your race, geography, disability or income, you deserve access to a quality education. If we can't guarantee that, then the question is this: What good is a Federal education law in the first place?

So this amendment learns from the mistakes of No Child Left Behind, and it simply says two things. States have to identify when they have these unjustifiable yawning gaps between the

performance of disabled kids or minority kids and the rest of the school, and then they have to come up with a plan through a community conversation as to how to fix that—period, stop. Identify your problem, your achievements.

The PRESIDING OFFICER. The majority leader.

Mr. McCONNELL. Mr. President, let me quickly say that this vote will be the last vote.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. All this amendment says is that just simply on a State by State basis, identify your achievement gap and then come up with a plan to fix it—no Federal intervention, no Federal prescription of how you fix the problem.

It is a big, big problem in this country that has a very simple solution in this amendment, and it deserves our support.

I yield back.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, yesterday the Senator from Montana, Mr. TESTER, came on the floor and said he supported this bill because it got rid of adequate yearly progress. This is adequate yearly progress through the back door. Instead of fixing No Child Left Behind, it keeps the worst parts of it and restores those kinds of parts with new mandates.

If you don't believe me, here is a letter dated yesterday from the National Educational Association on behalf of its 3 million members:

After 13 years of witnessing firsthand the negative consequences [of] No Child Left Behind's one-size-fits-all approach to accountability . . . our members strongly oppose more of the same. . . . we believe the Murphy amendment would continue the narrow and punitive focus of NCLB.

Our members are deeply concerned the amendment would mark an entire school for intervention if a single subgroup misses goals for two consecutive years—precisely the approach that misidentified schools under the Adequate Yearly Progress (AYP) provision of [No Child Left Behind].

We are reversing the trend toward a national school board, not establishing more of a school board. Governors, teachers, school board members, and superintendents agree with that.

I urge a "no" vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mrs. MURRAY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ) and the Senator from South Carolina (Mr. GRAHAM).

Mr. DURBIN. I announce that the Senator from Florida (Mr. NELSON) is necessarily absent.

The PRESIDING OFFICER (Mr. PERDUE). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 43, nays 54, as follows:

[Rollcall Vote No. 241 Leg.]

YEAS—43

Baldwin	Gillibrand	Peters
Bennet	Heinrich	Portman
Blumenthal	Heitkamp	Reed
Booker	Hirono	Reid
Boxer	Kaine	Sanders
Brown	Klobuchar	Schatz
Cantwell	Leahy	Schumer
Cardin	Manchin	Stabenow
Carper	Markey	Udall
Casey	McCaskill	Warner
Coons	Menendez	Warren
Donnelly	Merkley	Whitehouse
Durbin	Mikulski	Wyden
Feinstein	Murphy	
Franken	Murray	

NAYS—54

Alexander	Fischer	Paul
Ayotte	Flake	Perdue
Barrasso	Gardner	Risch
Blunt	Grassley	Roberts
Boozman	Hatch	Rounds
Burr	Heller	Rubio
Capito	Hoeven	Sasse
Cassidy	Inhofe	Scott
Coats	Isakson	Sessions
Cochran	Johnson	Shaheen
Collins	King	Shelby
Corker	Kirk	Sullivan
Cornyn	Lankford	Tester
Cotton	Lee	Thune
Crapo	McCain	Tillis
Daines	McConnell	Toomey
Enzi	Moran	Vitter
Ernst	Murkowski	Wicker

NOT VOTING—3

Cruz Graham Nelson

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

The Senator from Ohio.

AMENDMENT NO. 2247, AS MODIFIED

Mr. PORTMAN. Mr. President, I rise to speak regarding the Burr amendment, which has been offered to the underlying education bill. This is an amendment that I understand has been modified recently, but it still has some of the flaws it has had all along; that is, it tells States that if they invest in their kids, they are penalized, which I think is the wrong message. I hope this amendment can be defeated on that basis alone.

It also happens to be bad for some States because, for instance, in my home State of Ohio, we would lose an estimated \$70 million because we do invest in our children who are poor, who are vulnerable. Therefore, because of formula changes, we get less money in Ohio.

I hope States that are affected one way or another, though, will look at this from a policy perspective and understand that certainly in this Federal K-12 education bill, we ought not to be telling the States, such as my home State of Ohio, that because they invest more in their kids, somehow they are penalized.

I know the Burr amendment was changed to reach a different level before this formula change would occur. I think it is \$17 billion; right now it is \$14.4 billion. This means that this change will not occur for a few years, as I understand it, but the same problem remains.

We hope this authorization will last through that period and we will not be back revisiting this on the floor of the Senate. Therefore, I urge my colleagues on both sides of the aisle—and I know there is opposition on both sides of the aisle to this amendment—to stand tall and to say let's not tell the States that if they invest in kids who come from some of the lowest income school jurisdictions in our country, that somehow they are going to be penalized under a new formula.

This amendment is a mistake because it fails to take into account that the cost of education in different parts of the country differs, and again it penalizes States that invest more in education.

I urge my colleagues to vote no on the Burr amendment.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, I ask unanimous consent to speak for 3 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING DR. ELSON FLOYD

Mrs. MURRAY. Mr. President, every once in a while you meet an individual who thinks bigger than themselves, rises above challenges with grace, is driven by a passion to better the world around them and, most importantly, is a truly wonderful human being. I have come across many advocates and community leaders in my career, but Dr. Elson Floyd was exceptional. He was a giant in Washington State's higher education community. He inspired countless students and teachers and many across the State as Washington State University's president. I can only imagine what else he would have accomplished had his life not been cut painfully short.

For 8 years, I have had the privilege to work with Dr. Floyd in his role as the beloved president of my alma mater, Washington State University. He was one of our Nation's most successful advocates for affordable and accessible higher education. I always admired his dedication to his students, his passion for education, and his desire to make a great university even better.

The last time I spoke with Dr. Floyd a few months ago, he spoke of the bright future of Washington State University and the innovative steps the institution was taking to provide high-quality education to its students.

As we look back now on the life and legacy of Dr. Elson Floyd, we will remember how he led WSU through a trying economic recession by tirelessly advocating for investments in higher education as a path to the middle class and how he doubled the enrollment of students of color. We will remember how he skillfully convinced our State legislature to allow the university to begin building the State's second medical school at Washington State University-Spokane. And, most importantly, we will remember how, through a warm handshake to visiting alumni or a comforting hug to a student, he always had a way of making those around him feel welcome.

I hope to honor Dr. Floyd's memory by striving every day to better our higher education system with the enthusiasm and the warmth he emanated as a tireless advocate for Washington State students.

There is so much we can all learn from his work, and I know his legacy will continue to live on in Washington State and across the higher education community.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER (Mr. LEE).  
The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I ask unanimous consent that I be recognized for such time as I shall consume.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. I ask unanimous consent that following my remarks, the junior Senator from Oklahoma, Mr. LANKFORD, be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### DRIVE ACT

Mr. INHOFE. Mr. President, right now probably the most significant thing we will be facing as soon as we get through with the education bill that Senator LAMAR ALEXANDER has done such a great job on is the transportation reauthorization bill. I found out the House just passed a few minutes ago a 5-month extension to the highway reauthorization bill.

I would suggest to the people who may think there is some type of adversarial relationship between our bill in the Senate and the House bill that there isn't. We are working together and we both want to accomplish a long-term bill, and I anticipate that we will actually have passed in the next few days a long-term—maybe a 6-year—highway reauthorization bill, at which time we will go to conference with the House and it will be business as usual. I want to make sure, in case there is a fire looming out there, that we put it out early.

Passing the long-term transportation bill has been my top priority since I returned as chairman of the Environment and Public Works Committee. Ironically, the ranking member of that committee, Senator BOXER of California, feels just as strongly that it is her top priority also. So I consider this to be the second most significant bill of the year, the first one being of course the Defense reauthorization, which we have already addressed here. But we felt strongly enough about this being a top priority that we had our first full committee hearing on the need to reauthorize what at that time was MAP-21. We had Anthony Foxx, the Secretary of Transportation, as well as a lot of government leaders so they could share the importance of an ongoing Federal and State partnership in building and maintaining a modern surface infrastructure system.

Since that hearing, my committee has put forward a bold bipartisan solution called the DRIVE Act that will put our Nation on the path to having a world-class transportation system. I have often said there is no such thing as a Republican or a Democratic road or bridge. This is something that is bipartisan. By the way, I have to say when the DRIVE Act passed through my committee, it passed unanimously—every Democrat and every Republican voted for the bill.

The Transcontinental Railroad, I am proud to say, the Republicans have historically been leading the way in transportation going all the way back to the Lincoln days. We passed the Transcontinental Railroad. The Panama Canal was done by Teddy Roosevelt.

Of course, the Interstate Highway System was done by Eisenhower. Eisenhower said the transportation system is a dynamic element in the very name we bear, United States. Without it, we would be a mere alliance of many separate parts. What he also said—let's remember that Eisenhower was a President. He was a star. He was concerned, and he started the first highway bill by addressing the problems of defense. The fact is that if you don't have a highway system within the United States, you can't adequately supply the necessary means to fight and win wars. So that was the very first motivation for it. In laying out the full interstate system, Eisenhower envisioned it to be the physical backbone of the economy, fueling the growth of our GDP, our cities, and the competitiveness of our exports.

Now, this vision and certainty maximized the economic and mobility benefits of the system. Businesses and individuals knew that if they could locate somewhere on a future interstate system, they would be connected not just with the Nation but with the world.

I am afraid this legacy system, which was built with a 50-year design life, is now more than 50 years old. So we are

out of warranty now, and we need to address that. That is the sense of urgency that we have. We are in serious danger of eroding a half century of investments without proper maintenance, modernization, and reconstruction. We are on borrowed time with a system that is in full need of restoration.

Our national interstate system currently has a maintenance backlog of \$185 billion. Now that national interstate system is actually 47,000 miles in length, and just to bring back the system to the original 1956 design, it would be that expensive.

Maintaining Eisenhower's vision of economic opportunity and strength in defense requires a continued partnership between the Federal Government and the States, which is the hallmark of the DRIVE Act. Yet due to 33 short-term passages since 2005, the highway construction now consists of maintenance patchwork.

This is what happened. We had a transportation reauthorization bill that was a 5-year bill. This was in 2005. I am very familiar with it. I was the author of the bill at that time. In 2005, we passed this long-term bill. Since that time, we have been unable to pass a long-term reauthorization bill. So we have been operating on extensions—short-term extensions.

It is interesting that we are now looking at something that has both a liberal and a conservative perspective. The conservative position is a long-term bill because the only alternative is short-term extensions. Short-term extensions—I don't think anyone has ever challenged this—costs about 30 percent more because you can't get big projects, which we are talking about in a minute. So we are now to the point where we are going to be able to do something with a long-term bill.

Passing a long-term bill is crucial in many aspects of day-to-day life in America. More than 250 million vehicles and 18 billion tons valued at \$17 trillion in goods traverse across the country every year. Yet every day 2,000 miles of our highways slow below the posted speed limits because of the stop-and-go conditions of overcongestion.

The National Highway System—this is kind of interesting. Not many people are aware of this. Our whole National Highway System is 5.5 percent of the total Nation's roads, but it carries 55 percent of all vehicles traveling and 97 percent of the truck-borne freight. So 5.5 percent of the Nation's roads account for the transportation of 97 percent of the freight crossing this country. This type of congestion has a huge negative impact on our businesses throughout America.

Congress just passed a 2-month extension, and we now have a responsibility to pass a long-term solution. As I mentioned, they did pass something over in the House that we are in agreement that will get them to conference



with us, and I think most of them are going to be—from the ones I talked to over there—very excited about the fact that we are going to have funding for a 6-year bill.

The highway trust fund needs \$15 billion a year to maintain current spending. What we are saying there is, if you take proceeds of the gas tax that is out there in order to do what we are currently doing, it takes an additional \$15 billion each year just to do that, but we need to do more than just maintain the system. We need to improve it for the future of America's growing economy. Fortunately, my committee just passed this bill unanimously with what we call the DRIVE Act.

The DRIVE Act will put America back on the map as the best place to do business. The DRIVE Act has several key components to position America's transportation system to support our growing economy.

First of all, it prioritizes funding for core transportation formula programs to provide States and local governments with strong Federal partners. In other words, the States have needs. They articulate those needs to the Federal Government. The Federal Government goes in and makes sure that is going to be a reality. Let's keep in mind, there are some States—suggesting Wyoming as an example—it would take three times as much money actually to take care of the roads in Wyoming than could be produced by the sparse population of that State. So that is one of the major initial reasons for the program.

Secondly, it prioritizes the interstate system, the National Highway System, and the bridges at risk system. Well, as I said, the interstate system is 47,000 miles, but the National Highway System is 220,000 miles, which does encompass the 47,000 miles of the interstate system.

Thirdly, it creates a new multibillion-dollar-per-year freight program to help the States deliver projects that promote the safe, efficient, and reliable transportation of consumer goods and products across the United States.

The fourth thing is—and this is something a lot of people are not aware of—a lot of people think that we in Washington have this infinite wisdom that we know what is best for the States. We don't believe that. We believe the States should set their own priorities. In my State of Oklahoma, I don't even get involved in what projects are going to be there. We have a State system, where the State does evaluate, and certainly they know more about our needs in Oklahoma than the Federal Government does. Don't you agree? That is right. Well, that is where we are on that. We let the States determine what projects we are going to be doing.

The fifth thing is to provide greater efficiency in the project delivery proc-

ess through reforms that put DOT in the driver's seat during the NEPA process by requiring other agents to bring in their issues. Here is what happens. We have a lot of good rules in the NEPA Program, in the environmental programs, but there are some things where we feel that should not slow down the construction of roads, highways, and bridges, both new bridges and repairs. To do that, we have to write that into the law, so that streamlines the system. If you have nothing but short-term extensions, that doesn't happen. They don't get streamlined.

Let me compliment my partner in this, the ranking member Senator BOXER from California. It is interesting. I am among one of the most conservative Members of the U.S. Senate. She is a very proud liberal. Yet we both agree on what our priorities should be, and that makes this process more important. She has been willing to do things she didn't really want to do because it does short-circuit some of the NEPA requirements, and as a general rule she would not want to do that. But this has been a give-and-take, and that is why we have a bill that passed our committee unanimously.

The sixth or seventh thing is eliminating duplicative reviews and expanding categorical exclusions. To give an example of that, we have bridge projects that are given special considerations with new exemptions from section 4(f), the historic property reviews. Now, to be a historic property, it has to be over 50 years old. For them to continue to be able to do it, it takes these exemptions from what other historic things have to go through because we are in the business of building bridges.

Secondly, we have the Migratory Bird Treaty Act on the books, and it allows us to go ahead and start working on projects even though swallows nests—I know it sounds kind of insignificant, but it is not, because swallows go in there, and while they are not protected or listed as an endangered species, they still are protected by the Migratory Bird Treaty Act, and they have caused us to stop construction on many of the bridges around the country.

This is kind of a brief overview of the bill. As the DRIVE Act progresses on the floor, I intend to address the significance of each program in a lot more detail. Most importantly, the DRIVE Act sets up funding levels for the next 6 years. This is at the very best what the Federal Government should provide so States and local officials in the construction industry can gear up for large projects—the \$500 million to \$2 billion projects. These are things you can't do with extensions, but you can do with a bill such as the bill we have successfully passed.

We have thousands of projects around the Nation that are currently in jeop-

ardy, and construction will come to a halt unless this legislation becomes a reality.

As shown in this picture I have in the Chamber, this is the Brent Spence Bridge. This goes from Kentucky to Ohio. Right now it is in dire need. One can see actually the problems with this antiquated bridge. There are chunks of it dropping off into the river below and it has become very dangerous.

We saw not long ago in another adjoining State what can happen if a bridge goes down. Here in DC we had the Memorial Bridge. It is literally crumbling. You can go right down and you can see the pieces of the bridge dropping into the Potomac River. It was built in 1932. It has only received patchwork ever since that time. It is estimated that nearly \$250 million will be required to keep the bridge operational. That is not a new bridge. That is to make that into an operational bridge.

You recognize this. You drive by it, many of you, every day. But you don't see—you have to get down there and you can see concrete dropping into the Potomac. We have many more like this. What else do we have here? The Mobile River Bridge. This is in Alabama. This is what it will look like later. That is not a current picture. This is what it is right now.

These are the types of projects that we can do now which we could not do with just extensions, as we have been doing since 2009. I believe more than just a small part of the economic success enjoyed by the United States over the past 50 years has been the interstate system started by President Eisenhower. But today we literally sit in a situation where we would have to do something to carry this forward.

That is why Senator BOXER and I are bringing the DRIVE Act to the Senate floor. It will ensure that States have the tools and certainty to make the necessary new investments to rebuild Eisenhower's vision, fight growing congestion and maintain the mobility of goods and services across our country. So we are going to have this up. I think this will be on the floor, probably the next thing after we finish with the education bill.

Again, no one can argue that this is the second most significant bill that we address each year. We have not addressed this one in the right way since 2005. So it is very significant. We are looking forward to it. Anyway, we are going to be coming forth with this, I'm going to be coming to the floor and talking about it in a lot more detail. We have got to get the roads and the bridges taken care of. We intend to do it. The product to do that is the DRIVE Act.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, in the 1960s the Johnson administration

led Congress to start allotting a small amount of money—of Federal funding from the Federal taxpayers to target schools and reach out to the poorest of the poor in America and try to help beat back poverty. Five decades later, we have an education policy in America that reaches out to every single school district in America—millions of kids—that continues to fail them, to fail their parents, and that still has not solved the poverty issue.

What we have is an ever-increasing Federal bureaucracy that has reached well beyond what it was designed for in the 1960s and, I would assure you, reaches well beyond what it was originally designed for—something that would help the poorest of the poor or take care of kids on military bases and those on Indian tribal lands.

No Child Left Behind passed in 2001, authorizing education policy that was even more expansive. The goal was good—make sure that every child in America has the opportunity for success, that every teacher has teaching qualifications, and that every school has accountability. It was approved through 2008, and it still continues today.

Math, reading, and science are now measured in adequate yearly progress for each school, and it has become the slow-rolling disaster. The problem was the source and the goal. Parents, local districts, and States should set education policy—I would think that is something we should agree on—not a massive, centralized, controlled bureaucracy—the bureaucracy that is here, made up of a lot of nice folks who do care about kids; it is just that most of the folks who are here in this bureaucracy dealing with education have never been to Oklahoma, and the folks in Oklahoma don't know their names and don't know why they are managing their district.

The goal should be progress for each student, not each school, but the annual yearly progress demanded by No Child Left Behind really managed the progress of the school, not the child. I can assure you that the parents at home are not trying to figure out if the school is better; they are trying to figure out if their child is better in a particular subject.

Annual yearly progress and the Federal mandates have put my State in the untenable position of playing "Mother, may I" with the Federal Government and asking for a waiver every single year and having the national education board determine what our schools in Oklahoma can and cannot do. That has to change.

We want our students in Oklahoma to be college- and career-ready. We want accountability to the parents and the community. We want less burden on the educators who give their lives and their time to the task of helping parents and their children. We want

that. As surprising as it may be to some in Washington, DC, we actually do care about our kids. We want the best for them. So we ask a simple thing. Allow Oklahomans to manage education for Oklahomans and just take this assumption: We do love our kids. We are going to work hard to make sure they are taken well care of.

My mom was an educator for decades. She started teaching elementary school and then went into a library and was an elementary school librarian and then a high school librarian and then moved into the black hole of education that is the administration building downtown, where she worked in a burnt-out position in school administration for a district for years. She is passionate about kids. She passed that on to me.

I started out my first year in college as a business major. I thoroughly enjoyed it for probably a week and then shifted the next year to secondary education—the thing that I fought against because my mom was in education, so surely I should not do the same thing, but I loved being with students. I spent 22 years of my life serving students after college. It is a passion in my family. There are multiple educators in my family, both at the college level and in the schools. We believe in education.

I will never forget the student teaching time that I had in college, interacting with those kids for the first time, stepping out of a college setting of being the student to now suddenly being the student teacher and having a classroom and understanding for the first time that it is my responsibility to help those parents educate their children; that I am not now the parent for this child—this child has a parent, and that parent has the responsibility to be able to raise their child well, but I have a responsibility to come alongside that parent and help. Allow us to have that.

This is what I want. I want greater flexibility for States. I want greater authority and responsibility to be placed on parents in education. The people in Oklahoma want the freedom to be able to make decisions about their own children, their own families. That is why I voted for the A PLUS Act. I tried to add that as an amendment to this bill. STEVE DAINES from Montana and I and multiple others supported the ability for States to have even more control if they choose to, to have both the responsibility and the authority for all areas of all parts of education. We did not win that amendment, but it was a blanket "We want everything to go back to the States if they choose to have it." We will continue to have that fight in the days ahead.

LAMAR ALEXANDER brought out an amendment that would have been great to have. It allowed parents to choose their school regardless of whether it is public or private.

Education union leaders had kittens about that, saying: The public schools are getting better, and so we don't want to take funds away from those public schools; we want to keep all of the funds in the public schools.

The parents are saying: I understand that school is going to get better someday, but my child is there right now.

Certain leaders in schools will say: We cannot have Federal funds moved to follow the child.

I would say: Would you allow the parent to help that child have the one shot they are going to get to get an education and allow them to choose where they want to go?

That is why I am also a supporter of things such as the DC opportunity scholarships that will allow children in Washington, DC, to be able to choose the school they attend. The President has fought adamantly against that. So have the education unions. Quite frankly, the parents here in DC want to have the option to send their child anywhere they choose to send them.

I would like to see more reductions in duplication of education programs. There is real reduction in that in this particular bill, but I would like to see even more. We have education programs in the Departments of Defense and Ag and Health and Human Services and multiple other places scattered around the bureaucracy. We need to be able to shrink all of those different programs and to be able to make sure that we are not feeding the bureaucracy but that we are actually helping kids.

I would actually like to see more in this bill dealing with options for those who are homeless. This bill helps us get a better count and better insight on the educational quality and the graduation rate for homeless and foster children. But I would like to have greater flexibility built into this bill, which I did not get. I would like the parents and the people in the local district to be able to have better decision-making capability.

What did I get? There are some things we won in this bill. There are no common core mandates. I can assure you, in my State of Oklahoma, most every person in my State stands and cheers when they find out one thing: that there are no common core mandates in this. There are no Federal tests at all. States—my State in particular—will have absolute control over standardized testing and the results of those tests and how they apply the information gained from those tests. The leaders in my State will manage that, control that, and make sure that is accurate for us.

There are no Federal education standards. There is no Federal curriculum. There are reductions in some of the education programs. I am glad to see that, although, as I have already mentioned, I would like to see more of that.

It breaks down some of the funding silos. Do you realize right now that if there is money available in one silo dealing with kitchens, for instance, and nutrition for school, they may allot Federal dollars and say, "You can have those Federal dollars if you want to buy a new oven." But if a district says, "We don't need more money for ovens; we need money for special education," the Federal Government currently says, "No, you can't do that. You have to buy a new oven." That is dumb. Why don't we allow the districts to make that decision? This bill begins to break down some of those funding silos, and it gives them the opportunity to be able to make decisions on that.

What I would like to see and what I did get was more local control of education, dramatically increased local control, in fact, local authority and additional local responsibility. That is the way it should be. INHOFE and I even had a bill on local school board flexibility. We got good downpayment on that bill. There is more to go on that. We need to get a chance to see additional things, but those are things we were able to win.

Can I tell you the one big thing we really won? It is that my State, after this bill passes—if we can get this bill done, my State will no longer have to crawl back to Washington, DC, every year and beg for a waiver in education to maintain the education funding—which, by the way, came out of our State. Literally, the Federal taxpayers pay in with their tax dollars, and the State of Oklahoma has to come crawling to Washington, DC, saying: Can I please have those dollars back to our State? Right now, we have to do that every year.

My State actually lost Federal control because we chose not to do common core. The Department of Education said: If you don't do this, then you are going to lose your funding. For months we lost control of that funding, but that was our choice because we were setting our own standards. We have now won that waiver back. In fact, just a few weeks ago, that waiver was renewed again.

I am already sick to death of our State having to come beg for the Federal dollars that we put into the system and to get permission from someone in DC. This bill finally fixes that. Does it go as far as I want to go? No. I have been pretty clear about that. But it is the first step taking in our long journey towards taking us back in the direction where we need to be—our schools, our parents making decisions for our kids.

Again, I remind you, Oklahoma parents do love their kids, and Oklahoma legislators are doing a great job of trying to turn some things around in a very hard situation. Let's give them the ability to be able to do that. I en-

courage this body to pass this education bill, and let's get going again towards educating our students and doing the right thing.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak for up to 20 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, as folks around here know by now, I come to the floor once a week to say as clearly as I can that it is time to wake up to the mounting hazard of climate change. Today is the 106th consecutive time.

Why do I do it? Why do I care so much? Because I know the harm we are causing through carbon pollution spells trouble for my home State of Rhode Island. I see it already. We are the Ocean State.

Here is a recent headline from the Washington Post: "Human impact on the oceans is growing—and climate change is the biggest culprit."

But I don't have to read the Washington Post to know that. With the changes from carbon pollution, our Rhode Island fishermen see strange catches coming up in their nets. Our homeowners and business owners along the coast see rising sea levels, worsening erosion, and extreme weather. It is no longer rare for extreme weather to claw people's homes into the sea. Sandy took several.

Rhode Islanders get all of this. But unless and until the men and women in this Chamber decide to heed the warnings of all of our best scientists—not to mention America's insurance companies, faith leaders, our military leaders, virtually every big American company not associated with the fossil fuel industry, and, of course, the American public—Rhode Island and all States will continue to risk even worse effects.

For the fossil fuel industry, we are the best Congress money can buy. For everyone else, we are a disaster.

Last year I went to New Hampshire to talk with people about the changes they see there. I met climate scientist Dr. Cameron Wake of the University of New Hampshire. He showed me a detailed analysis on climate change in New Hampshire—what scientists have already measured and what projections indicate the future may hold. We had a good talk and after my visit he ran for me a similar analysis of climate change in Rhode Island.

This is what he found. This chart shows measurements of the average annual maximum temperature for three weather-monitoring stations in Rhode Island. Block Island is in blue, Kingston is in red, and Providence is in orange. It measures the highest daily

temperature for each day, averaged over the whole year from 1895 to 2012. Let me remind everyone that these are measurements. This is not theory. These are measurements. This is climate change on the march in Rhode Island. What does it show? Warming. The trend is indisputable.

Dr. Wake's analysis shows that the average annual maximum temperature has increased at a rate of 3.6 Fahrenheit per century in Block Island, 2.8 degrees per century in Kingston, and 3.1 degrees per century in Providence.

Dr. Wake then looked to the future of Rhode Island. This chart shows the same thing we were looking at on the last chart—the average annual maximum temperature. But while that one just looks backward, this one looks forward. It shows two scenarios: business as usual in red or reduced carbon emissions in blue. It shows us, in effect, the difference that cutting back on carbon pollution could make for future generations of Rhode Islanders.

If we do nothing to curb our carbon pollution here, the annual average goes up toward 68 degrees, some years close to 70 degrees Fahrenheit by year's end.

Remember the last chart, which ended around here in 2010? The historical record there ended at around 60 degrees. Carry on this flood of carbon pollution and here is where you end, around 8 degrees warmer on average.

Between 1980 and 2010, the average annual maximum temperature of Washington, DC, was 68 degrees. That is the 8-degree difference. The difference that this flood of carbon pollution portends is Providence feeling like steamy, sweltering, Washington, DC. But if we take action to dial back our pollution, the warming is about half as much and less severe.

This is not the only measure of what carbon pollution will bring to Rhode Island. Winter temperatures going up mean fewer snow-covered days. Extreme precipitation will likely increase, and as the average annual maximum temperature increases, there will also be more very hot days in the summer.

This chart shows the increase in the number of days with a maximum temperature above 90 degrees Fahrenheit. Hot days such as that are common here in sweltering Washington, but historically Rhode Island might see maybe three 90-degree days a year. People come from all over to our cool, beautiful shores to swim in our cool, beautiful Atlantic.

This chart shows that even in the best case, Rhode Island can expect to see 18 such sweltering 90-degree days per year and, in the worst case, that number could rise to over 50 90-degree days every year, with the mercury soaring over 95 degrees Fahrenheit for 16 of those days.

Well, if you want to sit inside watching TV, cranking up your air conditioner, that may be fine, but Rhode Islanders like to go outside. We enjoy the beach, and we enjoy the bay. We are not looking forward to what these temperature consequences mean for our health.

Earlier this year, the Rhode Island Department of Health produced an in-depth report on heat and health in Rhode Island, concluding this: "The destabilizing effects of climate change on our environment are among the most significant potential health threats faced by individuals and Rhode Island communities today."

That is the official word of the Rhode Island Health Department. So don't expect me to ignore this issue here because it is uncomfortable for someone. Rising temperatures and extreme heat cause serious human health effects, such as dehydration, heat exhaustion. Hospitalizations result and even death. The department of health projected that the calculated temperature increases in Rhode Island will result in almost 400 additional emergency room visits in the year 2022 alone and nearly 1,400 more in 2084.

Researchers at the Harvard School of Public Health just published a study showing that death rates among seniors in New England increased when summer temperatures rose significantly. The risk, they believe, comes not only from the hotter temperatures but also from variability in temperatures as climate change makes the weather weirder and more unpredictable.

There is a documentary series, "Years of Living Dangerously," which looked at how this works, as has the Rhode Island Department of Health, working with Brown University. Both found that a pronounced increase in emergency room visits and deaths as temperatures rise was statistically related to heat.

In many cases, it was not specifically indicated in the chart as related to heat. This suggests that heat-related deaths and illness may be underdiagnosed if you just look at medical charts. So this is a significant health issue that we face.

Then there are the storms. Climate change will increase the frequency and intensity of extreme weather events in Rhode Island, such as Hurricane Sandy, to the tune of \$2 billion to \$6 billion in Rhode Island, according to one report. In a State of 1 million people, that is a lot of damage. The heavy rains that brought on our floods in 2010 will become more frequent as well.

This is what our health director wrote: "In Rhode Island, where our economy, culture, and identity are all so closely tied to the ocean and to Narragansett Bay, the effects of climate change will be particularly acute." Again, that is the official word of our health department.

Climate change threatens our water systems as temperatures increase and as we see more intense rain events. Stormwater and sewer overflows can contaminate Rhode Island coastal waters. Warmer waters can foster bacterial growth that can be harmful. Swimming in or consuming polluted water obviously can cause illness.

Then there is vibrio. The world-renowned shellfish of Narragansett Bay are becoming susceptible to a group of marine bacteria known as vibrio. If vibrio gets into seafood, it can be very unpleasant. Symptoms can be especially severe in people with compromised immune systems. Rhode Island health officials now have to work with the State's shellfish industry, with the University of Rhode Island, and others to monitor water quality and shellfish growing and harvesting conditions to protect this important resource.

These are just a few of the health threats laid out in the report. The department of health is just one of many agencies and organizations in our State that have had to put climate action and clean energy at the heart of their work as we in Congress pretend this problem does not exist.

Dozens of the most dedicated and innovative minds in our State recently came to Washington for my sixth annual Rhode Island Energy and Environmental Leaders Day. Our attendees represent some of the best work being done in Rhode Island to stave off the devastating effects of climate change.

Janet Coit, our director of environmental management chairs the Executive Climate Change Coordinating Council, created by our Governor to coordinate State agencies to address threats from climate change, threats to the State's environment, the State's economy, and the State's people.

The council was established by the Resilient Rhode Island Act, passed by our general assembly in 2014. That law also set specific greenhouse gas reduction targets and incorporates consideration of climate change effects into the powers and duties of all State agencies. The bill's author, Representative Art Handy, also came down and joined us for the Rhode Island Energy and Environmental Leaders Day, along with his colleague Representative Carlos Tobon, a member of the Rhode Island House Committee on the Environment and Natural Resources.

Dennis Nixon was there. He heads Rhode Island Sea Grant at the University of Rhode Island School of Oceanography. Sea Grant works with the Rhode Island government agencies and coastal communities to support climate resiliency and to protect vibrant waterfronts.

Marion Gold, our commissioner of the office of energy resources, was there. She has advanced incentives for large and small renewable energy de-

velopment in our State, and she has helped Rhode Island become the third most energy-efficient State in the Nation.

Recently, we saw this report: "Study shows Northeast states benefit from carbon cap program." We are a part of RGGI. Marion Gold helps supervise that. It has created jobs, it has saved money. It is proving that solving the carbon pollution problem is not actually a burden on the economy. It is a boost to the economy.

One of the special breakout sessions at the Energy and Environmental Leaders Day focused on corporate sustainability efforts to spur innovation, save money, and reduce emissions.

Representatives from Microsoft, Mars—the company—FedEx, and Schneider Electric shared their sustainability success stories. For these companies, efforts to improve energy efficiency and reduce carbon emissions are more than good intentions; they are good business.

Another breakout session looked at faith perspectives on environmental stewardship. Rev. Anita Schell of Rhode Island Interfaith Power & Light came. She works with local faith-based institutions to raise awareness about climate change and about safeguarding the poor of the world, who are least responsible for and most vulnerable to climate change. As Pope Francis gives his voice to this moral calling, these faith perspectives were especially welcome.

Dozens of other smart, hard-working Rhode Islanders attended—too many to mention them all. But I am always proud of the important work going on in Rhode Island to combat climate change. It is my inspiration to continue fighting for responsible action in Washington.

As our senior Senator JACK REED told the group, "Rhode Island is one of the leaders in the country in smart policies . . . and it's the result of the culmination of lots of individual activities."

Rhode Island gets it, and we are pulling together in one direction. Our homes, our shores, and our way of life are at stake. We need every State in the Nation to join us to take this issue seriously, and we need every Senator to pay attention. It is truly time to wake up.

I ask my colleagues here today, if this were you, if something this threatening were happening to your State, would you really expect me to stand down because it was uncomfortable for big powerful industries and big aggressive donors? You would not. You would go to war to protect Utah and to protect Iowa from a threat such as this.

So forgive me if I am impatient, but this is serious in our Ocean State. If your department of health projected these kinds of threats for your home State people, you would be up in arms.

So forgive me for being a little bit up in arms.

I will close with this. Look at this picture. Do you know what that is? That is a picture of Pluto. That is a picture of the dwarf planet Pluto. Do you know how we got that? We got that off of NASA's New Horizons spacecraft. It made it to Pluto after crossing the solar system for 9½ years. It traveled 3 billion miles from Earth and came within 8,000 miles of the surface of Pluto. It was traveling at more than 31,000 miles per hour, and it took 3 minutes to cross the face of Pluto, where it took innumerable images and samples for our scientists.

Let me quote one of the lead scientists, whose name is Bowman, who managed 1 hour of sleep in her office Monday night. She said:

I have to pinch myself. Look what we accomplished. It's truly amazing humankind can go out and explore these worlds, and see Pluto revealed just before our eyes. It's just fantastic.

And it really is. These are American scientists who are able to run an American craft 3 billion miles to cross within 8,000 miles of Pluto traveling 31,000 miles an hour. When those scientists from NASA tell us that climate change is real, what do we have to say to them? We say that they are part of a hoax.

Really? Is that going to be the position of Members in this body—that the people driving a rover around on the surface of Mars and the people who flew this New Horizons craft by Pluto don't know what they are talking about when they say that climate change is real?

We have people trying to unfund their satellites so that we don't have the information to prove what is happening on climate change. Is that responsible with respect to NASA?

A day of reckoning is going to come on this, and we had better start getting this right.

I yield the floor.

The PRESIDING OFFICER (Mr. PERDUE). The Senator from Iowa.

Mr. GRASSLEY. Mr. President, in 1965, Congress passed the original Elementary and Secondary Education Act as part of President Lyndon Johnson's War on Poverty. The centerpiece of that law, then as now, is title I funding provided as a block grant to local school districts to serve children in poverty.

The assumption in 1965 was that simply providing an infusion of Federal cash to schools with more disadvantaged children would correct educational inequities compared to more affluent schools. As it turned out, simply providing more money didn't result in improved educational outcomes for disadvantaged children.

So every time this law came back up for reauthorization, Congress added more stipulations on the use of the

funds and additional programs that well-meaning Members of Congress hoped would help students.

Meanwhile, Congress kept raising the level of funding. Over time, there began to be a bipartisan realization that all this funding and all these programs were not resulting in improved student achievement, so something needed to change.

In this context, President Bush proposed what became the No Child Left Behind Act. His original proposal promised to fundamentally change the old Washington-knows-best approach to improving teaching and learning.

The theory was that we would cut the Federal strings that tied the hands of local administrators and teachers, allowing them to focus on teaching kids. In return, the law would require greater accountability in terms of student achievement outcomes.

However, the final compromise that passed Congress included a very detailed one-size-fits-all assessment and accountability system, but not the degree of local freedom that many had hoped for.

In retrospect, I think most people believe the focus on achievement for all students was positive. But like with many Federal laws, how it worked in practice didn't live up to the good intentions.

The reality is that the new federally mandated accountability system included required interventions that were cooked up in Washington and designed for big city failing school districts. These were not a good fit for communities in Iowa and many other States. Moreover, they set a new precedent for Federal intervention into how local schools are run.

Secretary Duncan took this a step further through the Race to the Top program and his abuse of the Federal waiver authority by adding conditions found nowhere in law. He used these tools to coerce States into adopting his preferred policies. These included new, even more heavy-handed mandates regarding reorganizing local schools, specific methods for schools to evaluate their teachers, and most infamously, pushing States to adopt the common core standards.

I believe these actions go well beyond any authority Congress gave the Secretary of Education, and I told him so in a letter when he denied Iowa's waiver. This should be a warning to Congress that if you give an inch, Federal officials might just take a mile.

The high-stakes system in No Child Left Behind also created negative incentives for schools to focus on getting passing test scores rather than meeting the individual learning needs of each student.

For instance, I have had a concern for a long time in how Federal education policy affects gifted and talented students. The exclusive focus on

bringing struggling students up to some minimum level means that we are setting our sights on mediocrity.

Left out of this equation are gifted students, including those from disadvantaged backgrounds, who have enormous potential but need to be challenged to reach that potential.

At the end of the day, the goal of making sure all students are receiving a quality education is a good one, but the record of Washington's intervention in this issue has not been a success. It is time for Congress to take a step back and have a little humility. We don't know what's best for every child in every school. We can't design a single national education system that can meet the individual needs of children we will never meet.

Our Founding Fathers designed a federal system of government for a reason. The principle of federalism is that decisions should be made at the level of government as close as practicable to the people those decisions impact.

When it comes to education, no one has a greater stake in educational decisions, or knows better what is right for a specific child, than that child's parents. As a result, parents should have maximum control over their child's education. When governments make decisions that impact education, it should be at a level of government as close as possible to the parents and children who are affected.

The Every Child Achieves Act is a step in that direction. It eliminates the very specific mandates on States requiring that they evaluate schools based on test scores and apply federally designed interventions. States will be free to design their own assessment and accountability systems.

The bill retains the requirement that States test annually in grades 3-8, which I understand was necessary to get a bipartisan agreement. However, States will have wide discretion in how they design their assessments. And, the elimination of the federally mandated school interventions that raise the stakes on the test results will reduce teaching to the test.

This bill also consolidates Federal funding in a way that provides more latitude to local school districts to better meet their individual needs, although less so than in the House-passed bill. By contrast, the Obama administration's blueprint for reauthorizing the Elementary and Secondary Education Act called for replacing the current set of Federal mandates with a new set of Federal mandates. What the President proposes would include even more intrusive, mandatory Federal interventions for certain schools.

It also proposed a series of new Federal competitive grants with broad purposes, which puts smaller rural schools at a disadvantage and gives the Secretary of Education an inappropriate degree of control over which schools

get funding for which purposes. Moreover, the President's blueprint proposes tying Federal education funds to the adoption of State content standards that are "college and career ready," which is code for common core.

In short, the Obama blueprint would have essentially ratified this administration's heavy-handed intrusions into how and what students are taught and enabled further Federal overreach.

The Every Child Achieves Act represents a rejection of that approach and an admission that the model of Federal control of local schools has not worked. As a result, President Obama has said he cannot support the bill as it stands unless it adds back more power for the Secretary. That position flies in the face of what I hear from Iowa educators and parents.

In fact, this bill quite intentionally tightens up some of the language in current law to prevent future overreach by the Secretary of Education. For instance, the Elementary and Secondary Education Act has always required States to develop a State plan to show how it will comply with the law in order to get Federal funding.

Under current law, the Secretary of Education is charged with approving the plan unless it does not meet the requirements of the law. That should be sufficient to tell the Secretary that he must approve a plan so long as it complies with the law.

However, given the current Secretary's track record, the language in this bill is more explicit. It requires the Secretary to deem a State plan approved within 90 days of its submission unless he can provide a detailed description of the specific requirements in law that the State did not comply with. It then lists three pages of explicit limitations on the Secretary's authority describing what he cannot consider in evaluating a State plan. That is then followed by a rule reemphasizing that the Secretary cannot require anything at all from States beyond what is in the law.

This bill also voids any conditions attached to waivers already granted by the Secretary of Education and prohibits the attaching of any new ones in the future.

I am also glad that this bill includes very comprehensive language I worked on with Senator ROBERTS to explicitly shut off all the avenues this administration has used to coerce States to adopt the common core standards. This will free States to adopt whatever content standards they choose based on the input from their citizens without Federal coercion or fear of Federal repercussions.

Too often, Congress passes vague laws that delegate excessive discretion to Federal agencies to fill in the blanks. This bill is an improvement over the standard practice. It makes congressional intent more clear and

fills in many gaps to ensure that the Department implements the law as intended rather than based on the whims of the Secretary.

Some bipartisan compromise is necessary for any bill to pass the Senate, and like any compromise, most people can find some things they don't like in this bill. Some Senators feel this bill goes too far in reducing the Federal role in education and some Senators feel it doesn't go far enough. I am one of those Senators who would prefer to see a maximum degree of State and local control and I voted for amendments to that effect.

However, the Every Child Achieves Act is a step in the direction of reducing Federal control on local schools so teachers can teach and parents know who to hold accountable for decisions that affect their children. Given the current mess with an unworkable law on the books, many States ceding control over major policies to Washington in return for a waiver, and an unprecedented degree of Federal intervention into what happens in neighborhood schools, it is overdue for Congress to act. Local schools can do more when Washington does less. Let's give them that chance.

I yield the floor.

#### EDUCATION

Mrs. FEINSTEIN. Mr. President, I wish to talk about our education system—why it is not working and what we can do to fix it.

Ensuring every child in this country gets a high-quality education is critical to our country's future. Education remains the primary tool to obtaining a good-paying job and building a middle-class life. But too many children are not getting the education they need to succeed in the 21st century workforce.

Nearly 20 percent of students don't graduate from high school. For Hispanic and African-American students, the dropout rate is nearly 25 and 30 percent, respectively.

Hundreds of thousands of high-skilled jobs remain unfilled, and too many Americans find themselves stuck in low-wage jobs that can't support their families. Simply put, our education system is failing our children.

There are a number of reasons for this. Our education system is one-size-fits-all. Teachers are forced to teach to the test and our schools are not equipped with support services to address the many issues that prevent children from learning.

In my view, the main reason we are falling short is that our education system is one-size-fits-all, which doesn't work in education. Students learn differently. Some flourish in large settings and others in small settings with more teacher attention.

Students have varied needs based on where they live. Do they live in a rural

area, suburb or city? What is their economic status? Is their family living in poverty? How is their home life? Are they raised in a single parent household? What are their individual interests? Do they like art and music? Or are they more interested in science and technology?

A child who comes from an affluent home in the suburbs learns differently from a child living in poverty in a city. Both children can learn—if the right approach for each child is taken. We need to give States and local school districts more flexibility to do what is right for their students.

Teaching to the test is another problem that plagues our education system. When the emphasis is placed on memorization rather than comprehension, or answering essay questions with a formula rather than reasoning and critical thinking, students are not actively engaged in learning.

Students fail to gain the comprehension and critical thinking skills needed in college and to be successful in the workplace. That is a big reason why up to 60 percent of students who enroll in college need to take remedial English and math classes. Schools need to be places where children learn, not where children memorize.

A child's life outside of school has a tremendous effect on his or her ability to succeed in school. Does a child get enough to eat at home? Are a child's parents working multiple jobs to pay the bills? Is there violence in the home? Is a child homeless?

Our schools are not equipped with the support services they need, such as mental health professionals and basic health care services that help to address the issues that prevent children from learning.

The good news is that we have solutions to these problems. They are in place, and they need to be implemented on a larger scale.

During the 2013–2014 school year, California implemented its local control funding formula, which targets State funding for poor students, students of color, students with disabilities, foster youth, and English learners.

Under this new formula, local districts can use that funding to teach these students in the way that best works for them. It has made a difference. For example, San Diego Unified School District plans to reduce class sizes from a 25-to-1 to a 22-to-1 student teacher ratio in 29 of the most disadvantaged schools.

The district also plans to look at resource equity and provide expanded access to counseling services and additional services for English learners and students with disabilities.

We also need to expand charter schools and provide continued support to existing, high-quality charter schools. Charter schools tailor instruction to each student and are not bound

by traditional school district requirements.

Every child deserves a quality education, and many children who struggle in underperforming schools go on to flourish in charter schools. Here are just a couple of examples from California:

Nolan from East Los Angeles was reading below grade level when he enrolled in a charter school. Within 6 months, he had advanced two grade levels.

Trina, a seventh grader in the Bay area, stated:

I think KIPP teachers are extremely important because they teach us everything we need to know to reach our goal of climbing the mountain to college. I can remember back to my very first day as a KIPPster. We learned that we would need to "work hard" and "be nice." Working hard meant that in our English classes we would be reading and writing every day. When I came to KIPP, I found out that I was at a second grade reading level in the fifth grade! I was shocked, so I worked hard and got to the sixth grade reading level by the end of the year.

Parents desperately want opportunities for their children, and unfortunately the demand for charter schools remains much higher than the supply. Currently in California, approximately 150,000 students are on waiting lists. We need to continue to invest in the expansion and development of charter schools so more children receive the education they deserve now.

Providing support services to at-risk students has also proven to be successful. If students are less worried about meeting their basic needs and everything that goes on in their lives outside of school, they can learn.

The Monarch School for homeless students in San Diego is a great example of this. It provides food, clothing, counseling, health care, and transportation to its students. And more than 90 percent of graduates go to college or pursue vocational training. We need to fund these kinds of support services in schools where children need them the most. We know that they work.

Education remains the great equalizer in this country, but we have failed in giving all of our children access to the quality education they deserve. By directing extra resources where they are needed most and giving schools the ability to do what is right for their students, we can turn things around—for our children and our country.

Mr. GRASSLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCONNELL. Mr. President, I ask unanimous consent that at 10:45

a.m. tomorrow, Thursday, July 16, the Senate vote on the following amendments in the order listed: Cruz amendment No. 2180; Sanders amendment No. 2177; Coons amendment No. 2243; Burr amendment No. 2247, as modified; Brown amendment No. 2100; Casey amendment No. 2242; Hatch amendment No. 2082; Warren amendment No. 2106; Schatz amendment No. 2130; Murphy amendment No. 2186; Nelson amendment No. 2215, as modified; Manchin amendment No. 2222; Boozman amendment No. 2231; Baldwin amendment No. 2188; Capito amendment No. 2156; Thune amendment No. 2232; King amendment No. 2256; Schatz amendment No. 2240; and Warren amendment No. 2249.

The PRESIDING OFFICER. Without objection, it is so ordered.

## MORNING BUSINESS

### REMEMBERING JIM GASTON

• Mr. BOOZMAN. Mr. President, today I recognize the life and legacy of Arkansas outdoorsman, tourism advocate, and business owner Jim Gaston.

Jim spent his life as a champion of the Arkansas outdoors—sharing his passion of Mother Nature's landscape, wildlife and recreation, and helped paved the path for the Arkansas tourism industry.

Jim inherited the family business, Gaston's White River Resort, in his early 20s when his dad passed away. He saved the property from foreclosure and turned the six cottages and six boats into the premier destination for anglers and tourists that it is known as today. Under Jim's leadership, the resort grew into a 400-acre property with 79 cottages along 2 miles of river frontage in addition to a restaurant, conference center and other amenities.

As a regular fixture on the White River for more than seven decades, he saw a lot of improvements, often because of his own contributions. His advocacy of minimum flow helped provide a steady stream of water in the river and create the habitat trout need to survive—boosting Arkansas's trout fishing and tourism industry.

Jim was a strong voice for Arkansas tourism locally, regionally, and statewide. He was a lifetime member of the Arkansas Department of Parks and Tourism Commission. He served in numerous leadership positions to promote tourism throughout the State including president of the Arkansas Tourism Development Foundation and Arkansas Hospitality Association. In 2010, Jim Gaston was named the Arkansas Business Executive of the Year and will be awarded the Legacy Award at this year's Arkansas Game & Fish Foundation Outdoor Hall of Fame Awards.

Jim truly transformed Arkansas. His contribution is commemorated in the

James A. Gaston Visitor Center, a multi-million dollar facility that teaches about the rivers he loved his entire life.

My thoughts and prayers go out to Jim's wife Jill and the entire Gaston family. I humbly offer my appreciation and gratitude for his contributions to the State of Arkansas, his friendship, and many great memories that I will cherish forever.●

### RECOGNIZING ARKANSAS FARM BUREAU FARM FAMILIES

• Mr. COTTON. Mr. President, I would like to recognize six Arkansas families who recently were named finalists for the Arkansas Farm Bureau Farm Family of the Year. Their hard work, dedication, and passion have been instrumental not only in the success of their individual farms but our State's agriculture industry as a whole, the largest industry in Arkansas.

The Arkansas Farm Family of the Year program is the longest running program of its kind in the country. Each year a panel of judges selects families who demonstrate outstanding efforts in production, conservation of energy and resources, and leadership in agricultural and family affairs. This year's finalists are John and Mikki Hamilton of Searcy, Allen and Melissa Glidewell of St. Joe, the Wildy Family Farms in Manila, Brent and Ronda Butler of Siloam Springs, the Fueller family of Poplar Grove, Phil and Lesia Hamaker of Junction City, Billy and Charlotte Wilchman of Cleveland, and Roy and Carolyn Ham of Arkadelphia.

These eight families farm a wide variety of crops, including cotton, corn, soybeans, tomatoes, strawberries, peanuts, rice, poultry, and cattle. Growing up on our family farm in Dardanelle, I learned it takes the whole family to make a farm successful. I want to thank not only these couples but also their children for the sacrifices they have made and the importance they place on the agriculture industry in the community and State. Congratulations on this well-deserved recognition.●

### REMEMBERING DARYLE HOLLOWAY

• Mr. VITTER. Mr. President, I wish to honor the memory of Officer Daryle Holloway, a 22-year veteran of the New Orleans Police Department who was killed in the line of duty Saturday, June 20, 2015.

In 1992, Officer Holloway joined the New Orleans Police Department after graduating from St. Augustine High School. Throughout his career, he asked to remain a patrol officer in order to better interact with the residents of district 5 of New Orleans.



Known for his sunny disposition, sincerity, and good nature, Officer Holloway truly cared about the neighborhoods he protected.

Following the levee breaches after Hurricane Katrina, Officer Holloway remained in the city providing security at Charity Hospital. Later he performed water rescue missions, bravely rescuing numerous people trapped in their homes or on their rooftops.

Besides his duty as a police officer, Officer Holloway remained an ardent supporter of his high school alma mater, St. Augustine, where he volunteered as a mentor to troubled students and continued to be a valuable part of the all-boys Catholic high school.

For the past 22 years, Officer Holloway served the citizens of New Orleans, LA, with his professionalism, skill, enthusiasm, and leadership. He selflessly served his community as a guardian, mentor, and father of three children, Kalia, Cydni, and Dillion. It is with a heavy heart that I honor the esteemed life and career of Officer Daryle Holloway. I thank him for his years of service to our State and country and pray for his family and friends.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting nominations which were referred to the Committee on Armed Services.

(The messages received today are printed at the end of the Senate proceedings.)

#### MESSAGE FROM THE HOUSE

At 1:28 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 251. An act to transfer the position of Special Assistant for Veterans Affairs in the Department of Housing and Urban Development to the Office of the Secretary, and for other purposes.

H.R. 432. An act to amend the Investment Advisers Act of 1940 to prevent duplicative regulation of advisers of small business investment companies.

H.R. 1047. An act to authorize private non-profit organizations to administer permanent housing rental assistance provided through the Continuum of Care Program under the McKinney-Vento Homeless Assistance Act, and for other purposes.

H.R. 1334. An act to amend the Securities Exchange Act of 1934 to make the shareholder threshold for registration of savings

and loan holding companies the same as for bank holding companies.

H.R. 1408. An act to require certain Federal banking agencies to conduct a study of the appropriate capital requirements for mortgage servicing assets for banking institutions, and for other purposes.

H.R. 1723. An act to direct the Securities and Exchange Commission to revise Form S-1 so as to permit smaller reporting companies to use forward incorporation by reference for such form.

H.R. 1847. An act to amend the Securities Exchange Act of 1934 and the Commodity Exchange Act to repeal the indemnification requirements for regulatory authorities to obtain access to swap data required to be provided by swaps entities under such Acts.

H.R. 2064. An act to amend certain provisions of the securities laws relating to the treatment of emerging growth companies.

H.R. 2482. An act to amend the Low-Income Housing Preservation and Resident Homeownership Act of 1990.

H.R. 2997. An act to authorize the Secretary of Housing and Urban Development to carry out a demonstration program to enter into budget-neutral, performance-based contracts for energy and water conservation improvements for multifamily residential units.

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 251. An act to transfer the position of Special Assistant for Veterans Affairs in the Department of Housing and Urban Development to the Office of the Secretary, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 432. An act to amend the Investment Advisers Act of 1940 to prevent duplicative regulation of advisers of small business investment companies; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 1047. An act to authorize private non-profit organizations to administer permanent housing rental assistance provided through the Continuum of Care Program under the McKinney-Vento Homeless Assistance Act, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 1334. An act to amend the Securities Exchange Act of 1934 to make the shareholder threshold for registration of savings and loan holding companies the same as for bank holding companies; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 1408. An act to require certain Federal banking agencies to conduct a study of the appropriate capital requirements for mortgage servicing assets for banking institutions, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 1723. An act to direct the Securities and Exchange Commission to revise Form S-1 so as to permit smaller reporting companies to use forward incorporation by reference for such form; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 1847. An act to amend the Securities Exchange Act of 1934 and the Commodity Exchange Act to repeal the indemnification requirements for regulatory authorities to obtain access to swap data required to be provided by swaps entities under such Acts; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 2064. An act to amend certain provisions of the securities laws relating to the treatment of emerging growth companies; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2482. An act to amend the Low-Income Housing Preservation and Resident Homeownership Act of 1990; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2997. An act to authorize the Secretary of Housing and Urban Development to carry out a demonstration program to enter into budget-neutral, performance-based contracts for energy and water conservation improvements for multifamily residential units; to the Committee on Banking, Housing, and Urban Affairs.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2251. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Viruses, Serums, Toxins, and Analogous Products; Single Label Claim for Veterinary Biological Products" (RIN0579-AD64) (Docket No. APHIS-2011-0049) received in the Office of the President of the Senate on July 13, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2252. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Rear Admiral Michael H. Miller, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-2253. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of major general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-2254. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of twenty-two (22) officers authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-2255. A communication from the Secretary of the Army, transmitting, pursuant to law, a report entitled "Notification to Congress on the Permanent Reduction of Sizeable Numbers of Members of the Armed Forces"; to the Committee on Armed Services.

EC-2256. A communication from the Secretary, Office of FOIA Services, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Freedom of Information Act Regulations: Fee Schedule, Addition of Appeals Time Frame, and Miscellaneous Administrative Changes" (RIN3235-AL58) received during adjournment of the Senate in the Office of the President of the Senate on July 10, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-2257. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Protection of Stratospheric Ozone:

Change of Listing Status for Certain Substitutes under the Significant New Alternatives Policy Program" (RIN2060-AS18) (FRL No. 9926-55-OAR)) received during adjournment of the Senate in the Office of the President of the Senate on July 10, 2015; to the Committee on Environment and Public Works.

EC-2258. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Determinations of Attainment of the 1997 Annual Fine Particulate Matter Standard for the Libby, Montana Nonattainment Area" (FRL No. 9930-47-Region 8) received during adjournment of the Senate in the Office of the President of the Senate on July 10, 2015; to the Committee on Environment and Public Works.

EC-2259. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of Air Quality Implementation Plans; Indiana; Lead Rule Revisions" (FRL No. 9930-41-Region 5) received during adjournment of the Senate in the Office of the President of the Senate on July 10, 2015; to the Committee on Environment and Public Works.

EC-2260. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Texas; Revisions to the New Source Review State Implementation Plan; Flexible Permit Program" (FRL No. 9930-44-Region 6) received during adjournment of the Senate in the Office of the President of the Senate on July 10, 2015; to the Committee on Environment and Public Works.

EC-2261. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans and Designation of Areas for Quality Planning Purposes; Tennessee; Redesignation of the Knoxville 2008 8-Hour Ozone Nonattainment Area to Attainment" (FRL No. 9930-49-Region 4) received during adjournment of the Senate in the Office of the President of the Senate on July 10, 2015; to the Committee on Environment and Public Works.

EC-2262. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "2014 Actuarial Report on the Financial Outlook for Medicaid"; to the Committee on Finance.

EC-2263. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a financial report for fiscal year 2014 relative to the Biosimilar User Fee Act of 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-2264. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Coverage of Certain Preventive Services Under the Affordable Care Act" (RIN1210-AB67) received in the Office of the President of the Senate on July 13, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC-2265. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, De-

partment of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Permanent Discontinuance or Interruption in Manufacturing of Certain Drug or Biological Products" (RIN0910-AG88) (Docket No. FDA-2011-N-0898) received during adjournment of the Senate in the Office of the President of the Senate on July 10, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC-2266. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "National Plan to Address Alzheimer's Disease: 2015 Update"; to the Committee on Health, Education, Labor, and Pensions.

EC-2267. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Annual Report to Congress on the Prevention and Reduction of Underage Drinking"; to the Committee on Health, Education, Labor, and Pensions.

EC-2268. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-97, "Heat Wave Safety Temporary Amendment Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-2269. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-98, "TOPA Bona Fide Offer of Sale Clarification Temporary Amendment Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-2270. A communication from the Director, Planning and Policy Analysis, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Federal Employees Health Benefits Program: FEHB Plan Performance Assessment System" (RIN3206-AN13) received in the Office of the President of the Senate on July 13, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-2271. A communication from the Director, Retirement Services, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Federal Employees' Retirement System: Present Value Conversion Factors for Spouses of Deceased Separated Employees" (RIN3206-AN16) received in the Office of the President of the Senate on July 13, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-2272. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report relative to the implementation of the recommendations of the 9/11 Commission for the period from October 1, 2014, through March 31, 2015; to the Committee on the Judiciary.

EC-2273. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, an annual report on the Department's activities during calendar year 2013 relative to prison rape abatement; to the Committee on the Judiciary.

EC-2274. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D Airspace; Baltimore, Martin State Airport, MD" (RIN2120-AA66) (Docket No. FAA-2015-0793) received during adjournment of the Senate in the Office of the Presi-

dent of the Senate on July 10, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2275. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Cloverdale, CA" (RIN2120-AA66) (Docket No. FAA-2014-0457) received during adjournment of the Senate in the Office of the President of the Senate on July 10, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2276. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Highmore, SD" (RIN2120-AA66) (Docket No. FAA-2014-0723) received during adjournment of the Senate in the Office of the President of the Senate on July 10, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2277. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Helicopters Deutschland GmbH (Previously Eurocopter Deutschland GmbH) (Airbus Helicopters)" (RIN2120-AA64) (Docket No. FAA-2014-0577) received during adjournment of the Senate in the Office of the President of the Senate on July 10, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2278. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" (RIN2120-AA64) (Docket No. FAA-2014-0426) received during adjournment of the Senate in the Office of the President of the Senate on July 10, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2279. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Fokker Services B.V. Airplanes" (RIN2120-AA64) (Docket No. FAA-2014-0492) received during adjournment of the Senate in the Office of the President of the Senate on July 10, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2280. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Honeywell International Inc. Turboprop Engines" (RIN2120-AA64) (Docket No. FAA-2006-23706) received during adjournment of the Senate in the Office of the President of the Senate on July 10, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2281. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pratt and Whitney Division Turbofan Engines" (RIN2120-AA64) (Docket No. FAA-2015-0266) received during adjournment of the Senate in the Office of the President of the Senate on July 10, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2282. A communication from the Regulatory Ombudsman, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Incorporation by Reference; North American Standard Out-of-Service Criteria; Hazardous Materials Safety Permits" (RIN2126-AB78) received during adjournment of the Senate in the Office of the President of the Senate on July 10, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2283. A communication from the Division Chief of Regulatory Development, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Rulemaking Procedures—Federal Motor Carrier Safety Regulations; Treatment of Confidential Business Information" (RIN2126-AB79) received during adjournment of the Senate in the Office of the President of the Senate on July 10, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2284. A communication from the Program Analyst, Office of Managing Director, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Assessment and Collection of Regulatory Fees for Fiscal Years 2014 and 2015; and Amendment of Part 1 of the Commission's Rules" ((MD Docket No. 15-121; MD Docket No. 14-92) (FCC 15-59)) received in the Office of the President of the Senate on July 13, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2285. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Oil Exploration Staging Area in Dutch Harbor, AK" ((RIN1625-AA00) (Docket No. USCG-2015-0246)) received in the Office of the President of the Senate on July 13, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2286. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; Marine Events held in the Sector Long Island Sound Captain of the Port Zone" ((RIN1625-AA00) (Docket No. USCG-2015-0438)) received in the Office of the President of the Senate on July 13, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2287. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; 520 Bridge Construction, Lake Washington; Seattle, WA" ((RIN1625-AA00) (Docket No. USCG-2015-0570)) received in the Office of the President of the Senate on July 13, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2288. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Underwater Vessel Testing, San Francisco Bay, San Francisco, CA" ((RIN1625-AA00) (Docket No. USCG-2015-0422)) received in the Office of the President of the Senate on July 13, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2289. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations for Marine Events,

Manasquan River, Seaside Park, New Jersey" ((RIN1625-AA08) (Docket No. USCG-2015-0328)) received in the Office of the President of the Senate on July 13, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2290. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; L'HERMIONE Parade, Upper New York Bay and Lower Hudson River, New York, NY" ((RIN1625-AA08) (Docket No. USCG-2015-0457)) received in the Office of the President of the Senate on July 13, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2291. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Erie Boom on the Bay Fireworks Display; Presque Isle Bay, Erie, PA" ((RIN1625-AA00) (Docket No. USCG-2015-0506)) received in the Office of the President of the Senate on July 13, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2292. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Bay Village Independence Day Celebration Fireworks Display; Lake Erie, Bay Village, OH" ((RIN1625-AA00) (Docket No. USCG-2015-0500)) received in the Office of the President of the Senate on July 13, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2293. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Independence Day Celebration Fireworks Display; Lake Ontario, Oswego, NY" ((RIN1625-AA00) (Docket No. USCG-2015-0503)) received in the Office of the President of the Senate on July 13, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2294. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Alexandria Bay Chamber of Commerce Fireworks Display; Saint Lawrence River, Heart Island, Alexandria Bay, NY" ((RIN1625-AA00) (Docket No. USCG-2015-0504)) received in the Office of the President of the Senate on July 13, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2295. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Three Rivers Regatta/Three River Regatta and Fireworks, Ohio River, mile 0.5 to mile 0.5 on the Allegheny River and mile 0.5 on the Monongahela River; Pittsburgh, PA" ((RIN1625-AA00) (Docket No. USCG-2015-0436)) received in the Office of the President of the Senate on July 13, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2296. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Chesapeake Bay; Cape Charles, VA" ((RIN1625-AA00) (Docket No. USCG-2015-0048)) received in the Office of the President of the Senate on July 13, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2297. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; Fourth of July Fireworks Displays, Murrells Inlet and North Myrtle Beach, SC" ((RIN1625-AA00) (Docket No. USCG-2015-0529)) received in the Office of the President of the Senate on July 13, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2298. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Ohio River between mile 618.5 and mile 619.5; Louisville, KY" ((RIN1625-AA00) (Docket No. USCG-2015-0198)) received in the Office of the President of the Senate on July 13, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2299. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone, Fourth of July fireworks, Lake Winnebago; Menasha, Wisconsin" ((RIN1625-AA00) (Docket No. USCG-2015-0532)) received in the Office of the President of the Senate on July 13, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2300. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Ohio River between mile 603.4 and 605.4; Louisville, KY" ((RIN1625-AA00) (Docket No. USCG-2015-0505)) received in the Office of the President of the Senate on July 13, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2301. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Black River Kayak-a-thon; Black River, Lorain, OH" ((RIN1625-AA00) (Docket No. USCG-2015-0496)) received in the Office of the President of the Senate on July 13, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2302. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone for Fireworks Display, Chesapeake Bay, Prospect Bay; Queen Anne's County, MD" ((RIN1625-AA00) (Docket No. USCG-2015-0279)) received in the Office of the President of the Senate on July 13, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2303. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones, St. Petersburg Captain of the Port Zone" ((RIN1625-AA00) (Docket No. USCG-2014-0764)) received in the Office of the President of the Senate on July 13, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2304. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Fireworks Display, Columbia River, Cathlamet, WA" ((RIN1625-AA00) (Docket No. USCG-2015-0358)) received in the Office of the President of the Senate on July 13, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2305. A communication from the Attorney-Advisor, U.S. Coast Guard, Department

of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Niantic River, Niantic, CT" ((RIN1625-AA09) (Docket No. USCG-2015-0218)) received in the Office of the President of the Senate on July 13, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2306. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Grand River, Grand Haven, MI" ((RIN1625-AA09) (Docket No. USCG-2015-0373)) received in the Office of the President of the Senate on July 13, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2307. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone, Indian River Bay; Millsboro, Delaware" ((RIN1625-AA00) (Docket No. USCG-2015-0317)) received in the Office of the President of the Senate on July 13, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2308. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone for Fireworks Display, Patapsco River, Inner Harbor; Baltimore, MD" ((RIN1625-AA00) (Docket No. USCG-2015-0315)) received in the Office of the President of the Senate on July 13, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2309. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Salvage and Recovery of CSS Georgia and Recovery and Transit of Unexploded Ordnance, Savannah River, Savannah, GA" ((RIN1625-AA00) (Docket No. USCG-2015-0434)) received in the Office of the President of the Senate on July 13, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2310. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations; Grand National Drag Boat Races, Atlantic Intracoastal Waterway; Bucksport, SC" ((RIN1625-AA00) (Docket No. USCG-2015-0340)) received in the Office of the President of the Senate on July 13, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2311. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations for Marine Events, Atlantic Ocean; Atlantic City, New Jersey" ((RIN1625-AA00) (Docket No. USCG-2015-0329)) received in the Office of the President of the Senate on July 13, 2015; to the Committee on Commerce, Science, and Transportation.

EC-2312. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Bridgefest Regatta Fireworks, Portage Canal, Hancock, MI" ((RIN1625-AA00) (Docket No. USCG-2015-0531)) received in the Office of the President of the Senate on July 13, 2015; to the Committee on Commerce, Science, and Transportation.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. INHOFE, from the Committee on Environment and Public Works, with amendments:

S. 1647. A bill to amend title 23, United States Code, to authorize funds for Federal-aid highways and highway safety construction programs, and for other purposes (Rept. No. 114-80).

By Mr. COCHRAN, from the Committee on Appropriations:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals from the Concurrent Resolution for Fiscal Year 2016" (Rept. No. 114-81).

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. SCHATZ (for himself, Mrs. GILLIBRAND, Ms. WARREN, Mr. WHITEHOUSE, Mr. MARKEY, Mrs. SHAHEEN, Mr. BROWN, Mr. MERKLEY, Mr. WYDEN, Ms. KLOBUCHAR, Mr. PETERS, Mr. UDALL, Ms. CANTWELL, Mr. BENNET, Ms. BALDWIN, Ms. HIRONO, Mr. SCHUMER, Mr. HEINRICH, Mrs. BOXER, Mrs. FEINSTEIN, Mr. MURPHY, Mr. FRANKEN, and Mr. BOOKER):

S. 1766. A bill to direct the Secretary of Defense to review the discharge characterization of former members of the Armed Forces who were discharged by reason of the sexual orientation of the member, and for other purposes; to the Committee on Armed Services.

By Mr. ISAKSON (for himself, Mr. CASEY, and Mr. ROBERTS):

S. 1767. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to combination products, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ROBERTS (for himself and Mr. MORAN):

S. 1768. A bill to authorize States to enforce safety requirements related to wellbores at interstate storage facilities; to the Committee on Commerce, Science, and Transportation.

By Mr. DAINES (for himself and Mr. ALEXANDER):

S. 1769. A bill to amend the African Elephant Conservation Act to conserve elephants while appropriately regulating ivory in the United States; to the Committee on Environment and Public Works.

By Mr. CASEY (for himself, Mr. INHOFE, Mr. PETERS, and Mr. VITTER):

S. 1770. A bill to provide for evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention to help build individual, family, and community strength and resiliency to ensure that youth lead productive, safe, healthy, gang-free, and law-abiding lives; to the Committee on the Judiciary.

By Mr. DAINES (for himself, Mr. THUNE, and Mr. CRAPO):

S. 1771. A bill to amend the Internal Revenue Code of 1986 to exempt Indian tribal governments and other tribal entities from the employer health coverage mandate; to the Committee on Finance.

By Ms. WARREN (for herself, Mrs. MURRAY, Mr. MURPHY, Ms. BALDWIN,

Mr. BLUMENTHAL, Mr. BROWN, Mr. DURBIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. LEAHY, Mr. MARKEY, Mr. MERKLEY, Ms. MIKULSKI, Mr. SANDERS, Mr. SCHUMER, Mr. WHITEHOUSE, Mr. WYDEN, and Ms. HIRONO):

S. 1772. A bill to permit employees to request changes to their work schedules without fear of retaliation and to ensure that employers consider these requests, and to require employers to provide more predictable and stable schedules for employees in certain occupations with evidence of unpredictable and unstable scheduling practices that negatively affect employees, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BROWN (for himself, Mr. MERKLEY, Mr. BLUMENTHAL, Mr. DURBIN, and Mr. FRANKEN):

S. 1773. A bill to amend title 11, United States Code, to require creditors to inform consumer reporting agencies that certain debts have been discharged in bankruptcy cases; to the Committee on the Judiciary.

By Mr. BLUMENTHAL (for himself, Mr. SCHUMER, Mr. NELSON, Mrs. GILLIBRAND, Ms. WARREN, Mr. MENENDEZ, Mr. BOOKER, Mr. REID, Mr. MURPHY, Mr. SANDERS, Mr. HEINRICH, and Ms. HIRONO):

S. 1774. A bill to amend title 11 of the United States Code to treat Puerto Rico as a State for purposes of chapter 9 of such title relating to the adjustment of debts of municipalities; to the Committee on the Judiciary.

By Mr. MURPHY (for himself, Ms. COLLINS, and Mr. BLUMENTHAL):

S. 1775. A bill to direct the Secretary of Homeland Security to accept additional documentation when considering the application for veterans status of an individual who performed service as a coastwise merchant seaman during World War II, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BARRASSO (for himself and Mr. CRAPO):

S. 1776. A bill to enhance tribal road safety, and for other purposes; to the Committee on Indian Affairs.

By Mr. RISCH (for himself and Mr. CRAPO):

S. 1777. A bill to amend the Wild and Scenic Rivers Act to authorize the Secretary of Agriculture to maintain or replace certain facilities and structures for commercial recreation services at Smith Gulch in Idaho, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. HIRONO (for herself and Mrs. ERNST):

S. 1778. A bill to amend title XVIII of the Social Security Act to permit certain Medicare providers licensed in a State to provide telemedicine services to certain Medicare beneficiaries in a different State; to the Committee on Finance.

By Ms. BALDWIN (for herself, Mr. SCHATZ, and Ms. WARREN):

S. 1779. A bill to prevent conflicts of interest that stem from executive Government employees receiving bonuses or other compensation arrangements from nongovernment sources, from the revolving door that raises concerns about the independence of financial services regulators, and from the revolving door that casts aspersions over the awarding of Government contracts and other financial benefits; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HEINRICH (for himself and Mr. FLAKE):

S. 1780. A bill to amend the Omnibus Public Land Management Act of 2009 to promote watershed health, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HATCH:

S. 1781. A bill to amend title 23, United States Code, to modify a provision relating to the obligation and release of funds; to the Committee on Environment and Public Works.

By Mr. HATCH:

S. 1782. A bill to permit a State transportation department to approve a justification report for a project to build or modify a free-way-to-crossroad interchange on the Interstate Highway System within a transportation management area in such State; to the Committee on Environment and Public Works.

By Mr. HATCH:

S. 1783. A bill to amend the Omnibus Public Land Management Act of 2009 to clarify a provision relating to the designation of a northern transportation route in Washington County, Utah; to the Committee on Energy and Natural Resources.

By Mr. RUBIO (for himself and Mr. COTTON):

S.J. Res. 19. A joint resolution to express the disfavor of Congress regarding the proposed agreement for cooperation between the United States and the People's Republic of China transmitted to the Congress by the President on April 21, 2015, pursuant to the Atomic Energy Act of 1954; to the Committee on Foreign Relations.

#### ADDITIONAL COSPONSORS

S. 192

At the request of Mr. ALEXANDER, the names of the Senator from Hawaii (Ms. HIRONO) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 192, a bill to reauthorize the Older Americans Act of 1965, and for other purposes.

S. 210

At the request of Mr. CASEY, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 210, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts paid by a spouse of a member of the Armed Forces for a new State license or certification required by reason of a permanent change in the duty station of such member to another State.

S. 314

At the request of Mr. GRASSLEY, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 314, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of pharmacist services.

S. 574

At the request of Mr. BOOKER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 574, a bill to amend the Internal Revenue Code of 1986 to allow employers a credit against income tax for employees who participate in qualified apprenticeship programs.

S. 586

At the request of Mrs. SHAHEEN, the name of the Senator from Virginia (Mr.

KAINE) was added as a cosponsor of S. 586, a bill to amend the Public Health Service Act to foster more effective implementation and coordination of clinical care for people with pre-diabetes, diabetes, and the chronic diseases and conditions that result from diabetes.

S. 621

At the request of Mrs. FEINSTEIN, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 621, a bill to amend the Federal Food, Drug, and Cosmetic Act to ensure the safety and effectiveness of medically important antimicrobials approved for use in the prevention and control of animal diseases, in order to minimize the development of antibiotic-resistant bacteria.

S. 637

At the request of Mr. CRAPO, the names of the Senator from Missouri (Mr. BLUNT) and the Senator from Nevada (Mr. HELLER) were added as cosponsors of S. 637, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 804

At the request of Ms. COLLINS, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 804, a bill to amend title XVIII of the Social Security Act to specify coverage of continuous glucose monitoring devices, and for other purposes.

S. 849

At the request of Mr. ISAKSON, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 849, a bill to amend the Public Health Service Act to provide for systematic data collection and analysis and epidemiological research regarding Multiple Sclerosis (MS), Parkinson's disease, and other neurological diseases.

S. 928

At the request of Mrs. GILLIBRAND, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 928, a bill to reauthorize the World Trade Center Health Program and the September 11th Victim Compensation Fund of 2001, and for other purposes.

S. 1004

At the request of Mr. KIRK, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1004, a bill to amend title 36, United States Code, to encourage the nationwide observance of two minutes of silence each Veterans Day.

S. 1020

At the request of Mr. VITTER, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 1020, a bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services, and for other purposes.

S. 1135

At the request of Mrs. MCCASKILL, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1135, a bill to amend title XVIII of the Social Security Act to provide for fairness in hospital payments under the Medicare program.

S. 1205

At the request of Mr. MERKLEY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1205, a bill to designate the same individual serving as the Chief Nurse Officer of the Public Health Service as the National Nurse for Public Health.

S. 1246

At the request of Ms. STABENOW, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 1246, a bill to amend the Internal Revenue Code of 1986 to revise the definition of municipal solid waste for purposes of the renewable electricity production credit.

S. 1383

At the request of Mr. PERDUE, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 1383, a bill to amend the Consumer Financial Protection Act of 2010 to subject the Bureau of Consumer Financial Protection to the regular appropriations process, and for other purposes.

S. 1390

At the request of Mr. GARDNER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1390, a bill to help provide relief to State education budgets during a recovering economy, to help fulfill the Federal mandate to provide higher educational opportunities for Native American Indians, and for other purposes.

S. 1458

At the request of Mr. COATS, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 1458, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to ensure scientific transparency in the development of environmental regulations and for other purposes.

S. 1584

At the request of Mr. CASSIDY, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 1584, a bill to repeal the renewable fuel standard.

S. 1617

At the request of Mr. RUBIO, the names of the Senator from Utah (Mr. HATCH) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 1617, a bill to prevent Hizballah and associated entities from gaining access to international financial and other institutions, and for other purposes.

S. 1651

At the request of Mr. BROWN, the names of the Senator from California

(Mrs. BOXER) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 1651, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 1676

At the request of Mr. TESTER, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1676, a bill to increase the number of graduate medical education positions treating veterans, to improve the compensation of health care providers, medical directors, and directors of Veterans Integrated Service Networks of the Department of Veterans Affairs, and for other purposes.

S. 1691

At the request of Mr. BARRASSO, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 1691, a bill to expedite and prioritize forest management activities to achieve ecosystem restoration objectives, and for other purposes.

S. 1762

At the request of Mr. CRUZ, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 1762, a bill to amend the Immigration and Nationality Act to increase the penalties applicable to aliens who unlawfully reenter the United States after being removed.

S. RES. 222

At the request of Mr. LEAHY, the names of the Senator from Ohio (Mr. BROWN), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Illinois (Mr. DURBIN), the Senator from Pennsylvania (Mr. CASEY) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. Res. 222, a resolution expressing the sense of the Senate that the Federation Internationale de Football Association should immediately eliminate gender pay inequity and treat all athletes with the same respect and dignity.

AMENDMENT NO. 2188

At the request of Ms. BALDWIN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of amendment No. 2188 proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

AMENDMENT NO. 2215

At the request of Mr. PETERS, his name was added as a cosponsor of amendment No. 2215 proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

AMENDMENT NO. 2240

At the request of Mr. SCHATZ, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of amendment No. 2240 proposed to S.

1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

AMENDMENT NO. 2241

At the request of Mr. MURPHY, the names of the Senator from Maryland (Ms. MIKULSKI) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of amendment No. 2241 proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

AMENDMENT NO. 2243

At the request of Mr. COONS, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of amendment No. 2243 proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BARRASSO (for himself and Mr. CRAPO):

S. 1776. A bill to enhance tribal road safety, and for other purposes; to the Committee on Indian Affairs.

Mr. BARRASSO. Mr. President, I rise today to speak about legislation I introduced that will improve safety on roads across Indian Country. Roads and bridges in Indian Country are in desperate need of improvement.

According to the Bureau of Indian Affairs, only 17 percent of the roads are considered to be in acceptable condition. The remainder are considered to be in poor and unacceptable condition and many are simply unpaved. According to the National Congress of American Indians, "These roads are among the most underdeveloped and unsafe road networks in the Nation, even though they are the primary means of access" throughout these tribal communities. The Centers for Disease Control lists motor vehicle crashes as the leading cause of death for Native American children. Meanwhile, Indian infants, under the age of 1 year old, are eight times more likely to die in a vehicle-related crash than other children.

That is why I am introducing the Tribal Infrastructure and Roads Enhancement and Safety Act, or TIRES Act for short. The TIRES Act supports increasing the safety of roads throughout Indian Country by: streamlining the process to start and complete safety projects, increasing available funding for tribal road programs, and reinstating the tribal facility bridge program. This legislation will reduce the administrative fees that the Bureau of Indian Affairs charges tribes for road work and will speed up the time such projects take to get approved.

The TIRES Act also commissions two important road safety studies. In one

study, the Department of Interior, in consultation with the Department of Transportation and other relevant Federal agencies, will examine the quality of transportation safety data collected. Such a study can benefit tribes by finding ways to prevent future car crashes and recover damages caused by motorists on roads on Indian reservations. The second study will examine and identify ways to improve safety on all public roads on Indian reservations.

The number of lives lost on roads in Indian Country is far too high. Something needs to be done and this bill is a good first step towards improving safety on the roads in tribal communities.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 2256. Mr. KING (for himself and Mrs. CAPITO) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

#### TEXT OF AMENDMENTS

**SA 2256.** Mr. KING (for himself and Mrs. CAPITO) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; as follows:

Beginning on page 587, strike line 15 and all that follows through page 588, line 10, and insert the following:

"(2) **ELIGIBLE TECHNOLOGY.**—The term 'eligible technology' means modern computer, and communication technology software, services, or tools, including computer or mobile devices, whether for use in school or at home, software applications, systems and platforms, digital learning content, and related services, supports, and strategies, which may include strategies to assist eligible children without adequate Internet access at home to complete homework.

"(3) **TECHNOLOGY READINESS SURVEY.**—The term 'technology readiness survey' means a survey completed by a local educational agency that provides standardized information on the quantity and types of technology infrastructure and access available to the students and in the community served by the local educational agency, including computer devices, access to school libraries, Internet connectivity (including Internet access outside of the school day), operating systems, related network infrastructure, data systems, educator professional learning needs and priorities, and data security.

"(4) **UNIVERSAL DESIGN FOR LEARNING.**—The term 'universal design for learning' has the meaning given the term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

**"SEC. 5702A. RESTRICTION.**

"Funds awarded under this part shall not be used to address the networking needs of an entity that is eligible to receive support under the E-rate program.



# AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on July 15 at 10 a.m. to conduct a hearing entitled "The Consumer Financial Protection Bureau's Semi-Annual Report to Congress."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on July 15, 2015, at 2:30 p.m., in room SR-253 of the Russell Senate Office Building to conduct a Subcommittee hearing entitled "Examining the Governance and Integrity of International Soccer."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on July 15, 2015, at 4:45 p.m., in room SR-253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on July 15, 2015, at 9:30 a.m., in room SD-406 of the Dirksen Senate Office Building, to conduct a hearing entitled "Nomination hearing for Kristen Kulinowski to be a Member of the Chemical Safety Board and Greg Nadeau to be Administrator of the Federal Highways Administration."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations Subcommittee on Western Hemisphere be authorized to meet during the session of the Senate on July 15, 2015, at 2:30 p.m., to conduct a hearing entitled "Overview of U.S. Policy Towards Haiti Prior to the Elections."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be author-

ized to meet during the session of the Senate on July 15, 2015, at 3:30 p.m., to conduct a hearing entitled "Nominations."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on July 15, 2015, at 10 a.m. to conduct a hearing entitled "Securing the Border: Understanding Threats and Strategies for the Maritime Border."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on July 15, 2015, in room SD-628 of the Dirksen Senate Office Building, at 2:15 p.m., to conduct a hearing entitled "Juvenile Justice in Indian Country: Challenges and Promising Strategies."

The PRESIDING OFFICER. Without objection, it is so ordered.

SPECIAL COMMITTEE ON AGING

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on July 15, 2015, at 2:15 p.m., in room SDG-50 of the Dirksen Senate Office Building, to conduct a hearing entitled "Diabetes Research: Improving Lives on the Path to a Cure."

The PRESIDING OFFICER. Without objection, it is so ordered.

## PRIVILEGES OF THE FLOOR

Mr. MURPHY. Mr. President, I ask unanimous consent that Russell Armstrong, a fellow in my office, be granted floor privileges for the rest of the month.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CASEY. Mr. President, I ask unanimous consent that a member of my staff, Joseph Hill, be granted floor access for the remainder of the debate on the Every Child Achieves Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

## ORDERS FOR THURSDAY, JULY 16, 2015

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. tomorrow, Thursday, July 16; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that fol-

lowing leader remarks, the Senate resume consideration of S. 1177; finally, that all time during the adjournment of the Senate count postcloture on the substitute amendment No. 2089.

The PRESIDING OFFICER. Without objection, it is so ordered.

## ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:22 p.m., adjourned until Thursday, July 16, 2015, at 9:30 a.m.

## NOMINATIONS

Executive nominations received by the Senate:

### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### *To be general*

LT. GEN. CARLTON D. EVERHART II

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

#### *To be brigadier general*

COL. ALLAN L. SWARTZMILLER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE CHIEF OF CHAPLAINS, UNITED STATES AIR FORCE, AND APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 8039:

#### *To be major general*

COL. DONDI E. COSTIN

### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### *To be lieutenant general*

MAJ. GEN. STEPHEN R. LYONS

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

#### *To be major general*

BRIG. GEN. MATTHEW T. QUINN

### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### *To be vice admiral*

REAR ADM. JOHN C. AQUILINO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### *To be vice admiral*

VICE ADM. ROBERT L. THOMAS, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be rear admiral*

REAR ADM. (LH) DAVID F. STEINDL

### IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS COMMANDANT OF THE MARINE CORPS AND APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 5043:



*To be general*

LT. GEN. ROBERT B. NELLER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. LAWRENCE D. NICHOLSON

IN THE AIR FORCE

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

*To be major*

JOSE M. GOYOS

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

*To be colonel*

ALLEN KIPP ALBRIGHT  
ANNMARIE K. ANTHONY  
RUSTY LYNN BALLARD  
MICHAEL H. BARTEN  
BRIAN THOMAS BELL  
JOSEPH ELLIOTT BENSON, JR.  
KEVIN JAY BLASER  
PETER M. BOONE  
ALLAN R. CECIL  
WESLEY JAMES CLARE  
EVA MARIE LUHM CLEET  
JOHN D. CONAWAY  
SCOTT A. CONIGLIO  
TRAVIS J. CRAWMER  
JAMES H. CULP  
BUEL JAY DICKSON

MARK PATRICK DONAHUE  
MICHAEL T. DOTSON  
DAVID L. EADDY  
GLENN H. EVENSON  
CRAIG J. FERY  
BRIAN SCOTT FILLER  
SHAWN P. FITZGERALD  
LEE T. FURCHES  
RUSSELL BENTLEY GABY  
CHRISTOPHER LAWRENCE GNAGI  
JOHN C. GREENAN  
MICHAEL S. GRIESBAUM  
DARREN J. GUTTMANN  
JOHN FRANCIS HALL  
MARTIN LEE HARTLEY, JR.  
JEFFREY LEWIS HEDGES  
JOSHUA LANGSTON HENDRIX  
KENNETH R. HEUTMAKER  
BRADLEY W. HILBERT  
SCOTT A. HOWARD  
CHRISTOPHER WILLIAM HURLEY  
CHRIS JAMES IODER  
THOMAS PATRICK JACKSON  
TOMMY FORREST JAMES, JR.  
DAVID B. JOHNSON  
GREGORY ALLAN JOHNSON  
GARY D. JONES  
DAVID WILLIAM KAISER  
ANDREW J. LEE  
CONSTANTINE ANDREW LEON  
DARRIN BLANE LETSINGER  
MAKI T. LIVESAY  
MARTIN D. LOUIE  
MARK LAWRENCE MANOR  
TIMOTHY DOUGLAS MARTENSON  
MICHAEL PATRICK MCDERMOTT  
DAVID C. MCPHETRES  
DANIEL S. MCSEVENEY  
MARK L. MILLER  
ROBERT K. MITCHELL  
MARK W. MITCHUM  
STEPHEN A. MIZAK  
GARY S. MONROE

GERALD S. NALL  
ORLANDO E. NEGRON  
KYLE J. NOEL  
JENIFER E. PARDY  
MICHAEL CHRISTOPHER PARRINELLO  
JONI MARIE PENTIFALLO  
MATTHEW J. PETERSON  
DANIEL J. POTAS  
TROY E. POU  
MACK H. PRAYTOR  
ALVIN LYNN PUNT  
JOHN V. C. RAMOS  
MICHAEL LEWIS REICHARD  
ADAM THOMAS RICE  
JOHN W. ROGERS  
RAUL ROSARIO  
VINCENT VITUS SANTANGELO  
CHARLES A. SCHAAAN  
ERIC A. SCHADLER  
KEVIN E. SCHNELL  
EILEEN E. SCUTT  
GARY DEAN SMITH  
THOMAS CHRISTIAN SODEMAN  
JON DOUGLAS STONE  
TIMOTHY DAVID STUMBAUGH  
DANIEL M. SUTCH  
JONATHAN RONALD THORPE  
JONATHAN LEVIN VINSON  
BRADLEY DAVID WATERS  
MICHAEL GARY WATSON  
WILLIAM LEE WHEELER  
BRADLEY DUNCAN WHITE

## IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS PERMANENT PROFESSOR AT THE UNITED STATES MILITARY ACADEMY IN THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 4333(B) AND 4336(A):

*To be colonel*

MARK R. READ

## HOUSE OF REPRESENTATIVES—Wednesday, July 15, 2015

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. MOOLENAAR).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

July 15, 2015.

I hereby appoint the Honorable JOHN R. MOOLENAAR to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,

*Speaker of the House of Representatives.*

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

### THE NEW AMERICAN COALITION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. GUTIERREZ) for 5 minutes.

Mr. GUTIERREZ. Mr. Speaker, a few weeks ago, I was on the HBO show "Real Time" with Bill Maher on a Friday night, and I had a chance to talk with Ann Coulter who, as you might have guessed, I don't have on my speed dial for regular conversations. It was a couple of days after Donald Trump announced he was running for the Republican nomination because he thought Mexican immigrants were criminals, drug dealers, and rapists.

When it was my turn, I told Ms. Coulter—and, by extension, Mr. Trump—that what they were saying about Mexican immigrants would serve as a voter registration machine to turbocharge voter registration in the Latino and immigrant community, all because of their particularly mean and—frankly, let's be honest—racist attacks on Mexican immigrants.

It was particularly important that I was in California for the show because I was watching the Republican Party make exactly the same mistake they made in the 1990s when it lost control of the politics in California.

By supporting extreme anti-immigrant policies to kick kids out of school and cut off families from being part of our society, California went from a purple State that had given the Republican Party important leaders like Richard Nixon and Ronald Reagan and, in just a few years, was transformed into a deep shade of Pacific blue.

Why? It is because millions of immigrants became citizens; millions of immigrant citizens registered to vote; and millions of registered voters voted to punish the Republican Party for being mean, shortsighted, and for offering demagoguery, not real solutions to issues.

This brings me back to Mr. Trump, who is trying to be the standard bearer of the anti-immigrant wing of the Republican Party and trying to define the party as one that will fight against immigrants it sees as murderers, drug dealers, criminals, and rapists.

Jan Brewer has endorsed Trump, and there he was, this past weekend, standing with Joe Arpaio in Arizona. Democrats could not paint a clearer picture if we tried. You should understand that, when Donald Trump said Mexican immigrants are criminals, what do I and other Puerto Ricans hear? I hear him saying all Puerto Ricans are criminals; and, as far as the Republicans are concerned, we all are.

Millions of others here—Hondurans, Colombians, and Dominicans—it is clear to all of us that what he is really saying is that all Latinos are suspect, whether we were born here or not.

Look, Trump's stereotyping is nothing new. Every single wave of immigrants has met the same resistance. They say they are lazy, they are bringing crime and diseases, that they are not like us, and they are coming to kill our sons and rape our daughters.

Whether you came to Chicago from Mexico a decade ago or from Mississippi in the 1950s to escape Jim Crow, you heard the same thing. If you came to New York from Ireland or came from Sicily a century ago, it has always been the same thing.

I say that Latinos should do what the Irish and the Polish and the Italians did, become citizens and vote. To my constituents and anyone today that is offended by what Donald Trump stands for, I have a simple message: Become a citizen—"hazte ciudadano."

There are more than 8.8 million immigrants who hold green cards and meet the residency requirements and are eligible to apply for citizenship

today. That includes about 5 million Latinos who can apply to become citizens today.

Mr. Speaker, let me fill you in on a little secret. With fee waivers, up to 20 percent of all of those 8.8 million will pay absolutely nothing for their citizenship application. Becoming a citizen for free so you can make it clear that you are offended by Donald Trump, it is poetic and patriotic. Rather than renew your green card for \$450, become a citizen for about \$230 more, or zero if you are part of the 20 percent.

Look, Mr. Speaker, almost all of the immigrants in this country are going to remain in this country until the day they die. Let's be honest. For the millions who meet the requirements of citizenship, I say take the step, learn the language, learn our history and how our government works, and take the test. Every time you see Trump's face on your TV, vow to learn a little more English or a few more history facts so you can take the citizenship test.

Let's turn the ignorance and the hatred of a TV personality running for President and turn it into something that strengthens democracy for all Americans.

You know what, if millions of people naturalize, become citizens, and we add to that the million Latino citizens who this year will turn 18, plus all of our allies in the African American community, the LGBT voters, younger voters, environmental voters, women voters, Asian voters, and union voters that are being pushed away by the Republican Party, all the people they don't want in their coalition constitute a majority of Americans.

Together, we are the new American coalition that will dominate politics for decades to come; and together, we will create a stronger, more inclusive, and more egalitarian Nation.

Let's turn Trump's negative words into something positive. That is how you deal with bullies and bigots.

### NEVADA'S BASIN AND RANGE MONUMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Nevada (Mr. HARDY) for 5 minutes.

Mr. HARDY. Mr. Speaker, last Friday, the President signed away more than 700,000 acres of Lincoln and Nye Counties, as the Basin and Range National Monument in my district, locking these lands up from economic development the region depends on. This is unacceptable.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Mr. Speaker, I stand here today to give a voice to what Nevada's argument is and what Nevada's argument is not. Some on the other side of the aisle wish to paint those who oppose the designation as enemies of our public lands, when nothing could be further from the truth.

Southeastern rural Nevada is in my blood. As a fifth-generation son of farmers and ranchers from Mesquite, Nevada, I am directly descended from the very same mountain men and the settlers whose bravery and resolve blazed the trail for the founding of our great State and who are mentioned in the President's proclamation. I grew up to explore the rugged landscapes of Lincoln and Nye Counties, hunting, hiking, and camping in these one-of-a-kind surroundings.

I love Nevada as much as the next Nevadan, and we refuse to be lectured by those who feel that they are first among equals in matters that concern our future. Our argument is not about whether or not to preserve our national treasures contained on our public lands. I wholeheartedly agree that we have a responsibility; we must protect what needs to be protected.

It comes down to this: The Antiquities Act is antiquated. The law is rooted in the last century, and it has been manipulated over the years to exceed its original intent. It has become a tool of political patronage, bur-nishing the legacies of those privileged enough to hold our Nation's highest elected offices. It also furthers the insidious notion that Washington knows best.

The primary orchestrator of this monument maneuver even went so far as to say to the concerned people of Lincoln and Nye Counties: Don't worry. This is going to be great for you.

Despite the Orwellian refrain, the people in Nevada demanded the right to think for themselves, and they strongly disagree.

According to the letter I received from Nye County, the entire county board of commissioners opposes the Basin and Range National Monument designation, stating the dire concerns about the absence of any consultation with the Federal Government and the harmful economic constraints. With 98 percent of Nye County already under Federal control, it can ill afford to lose additional economic opportunities.

As for Lincoln County, the commissioners have expressed grave concerns about having such a large swath of the county administered "for a singular, specific, preferred use, rather than for a multiple-use management resource plan."

Despite what the White House asserts, this outcome would particularly be harmful for a county that is already 97 percent federally controlled.

Mr. Speaker, at the end of the day, there is no doubt in my mind the An-

tiquities Act is a holdover of a bygone era. We continue to see Presidents pay lip service to the requirement that the boundaries of national monuments should be "confined to the smallest area compatible"—700,000 acres, really?

What I would like to encourage my colleagues and those in the administration to remember is that rural Nevada's culture, the will and resolve of its people, are not things that can be locked away in an outdoor museum. They live on in today's generations who continue to carry on the traditions of those who came before them and respect the land they call home.

With proper consultation across all levels of government and the local buy-in, I am confident that Democrats and Republicans can work together to protect America's natural heritage, while also preserving its people's way of life.

This photograph is a great example of the possibilities. The Tule Springs Fossil Beds National Monument is a case study of a successful effort to preserve Nevada's national heritage that was given due consideration and that had a widespread community backing. That is why Congress passed legislation to create the Tule Springs Fossil Bed National Monument in Nevada last year.

If I can pose for a picture, smiling wide and holding a sign with the words "national monument" on it, there must be a right way to go about protecting our public lands.

Mr. Speaker, we need local input; we need votes in Congress, and we need to fix the antiquated Antiquities Act.

#### IRAN DEAL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, for 35 years, the United States' relationship with Iran has been frozen in amber, locked in a series of proxy wars and covert struggles.

Circumstances have occasionally thrust us together, like our shared actions against the Taliban after 9/11 or, more recently, working together against some of the most barbarous forces in the Middle East.

Now, no one is under any illusions that the military leadership and hard-line clerics are bad actors opposed to the United States, but that is only part of the story of a complex narrative.

The new and potentially more significant chapter of that relationship is an effort to contain Iran's nuclear ambition, not through force, but a combination of tough, multinational sanctions and diplomacy. This all started in the Bush administration a decade ago and has continued. Congress is now beginning the analysis of this historic agreement.

For the first time, Iran's nuclear activities have been reined in. They have

followed what they said they would do for the last 2 years. For the first time in history, we have an agreement that would last for a decade or more, reached not just by the United States alone—we could not have done this alone—but with all five members of the U.N. Security Council, Germany, and the cooperation of potential consumers of Iranian oil like India and Japan.

Now, we must be prepared to hear people, starting with Prime Minister Netanyahu, attack it. We will hear that it is not good enough, that it contains potential downsides.

Iran might well try to cheat. Netanyahu will make his arguments with the same certitude as when he appeared in Washington before the Iraq war and talked about the benefits of attacking Iraq. He would have more credibility with me if he weren't so wrong then and if he had any credible alternative now. He has complaints but no solution.

Indeed, he doesn't even have a peace plan for dealing with Israel's own ongoing festering problems with the Palestinians in the Israeli-occupied territories—a man with no plan and no alternative attacking the best option for America and Israel that we have seen.

With this agreement in place, we will have more tools than we have ever had to inspect, to monitor, and enforce and more allies to make it work. If the United States walks away from this agreement, it is certain that the countries that helped us reach this point will walk away, too, starting with Russia and China.

Without this perfect alignment of interests for punishing sanctions, they will fall apart, and we will lose this moment.

□ 1015

Now, despite the huffing and puffing, military action is not viable. Talk to your constituents about what their appetite is for another military engagement in the Middle East, particularly, with the horrific costs and consequences that would follow.

Military action would only strengthen the most reactionary evil forces in Iran to unleash the next escalation of global terror, which is frightening to comprehend. An attack will strengthen Iran's resolve to secure their own nuclear weapons, just as North Korea has done. And you cannot bomb away the knowledge that Iran has on nuclear technology.

Ten, fifteen years is a lifetime in international affairs. Who could have imagined what has taken place in the last 15 years of our history? The world was a much different place in the year 2000.

We ought to work to keep this coalition in support of the agreement alive and well and work to implement it and to enforce it, because we can snap back these sanctions if Iran crosses the line.

The evidence is that the American public, and especially the majority of Jewish Americans, want to give diplomacy a chance.

Congress should allow it. Reject the alternative for people who have no alternative. Recognize this as a major achievement, and work together to make diplomacy work. Let's seize this once-in-a-generation opportunity.

#### EGYPT AND THE PERSECUTION OF COPTIC CHRISTIANS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, there is a cultural and religious cleansing sweeping across the Middle East. ISIS has made it clear that there is no compromise on religion. It is intolerant of any religious belief different than its own. If a person is not a Muslim, they are forced to pay a tax, convert, or be executed. In the face of this ugly terrorist group that preaches hate, Christians are persecuted.

But ISIS is just one example of groups that are intolerant of Christians. Egypt is a hotbed of persecution of Coptic Christians.

Some people thought after the fall of Mubarak, things would get better, but that hasn't been true for Coptic Christians.

A schoolteacher told a Coptic teenager to hide his cross that was on his necklace. He wouldn't do so, so the teacher encouraged the class to punish the boy to protect the name of Allah. His classmates beat him to death. He died because he was a Christian.

A mere rumor that a Muslim girl was dating a Christian boy led to church burnings and a curfew for Christians.

Since 2011, the U.S. Commission on International Religious Freedom has deemed Egypt a "country of particular concern."

In 2013, the Muslim Brotherhood blamed Coptic Christians for the downfall of President Morsi, even though it was the majority of the Egyptians that were tired of Morsi's oppressive rule. So Muslim mobs battered their way into an Orthodox church south of Cairo, tore down the cross, and torched the building. After they looted the church, they set the church on fire with Molotov cocktails and gasoline. When they left, they spray-painted a nearby wall with the words, "Egypt is Islamic."

In all, over 40 Christian churches were destroyed or damaged in Egypt.

Like the Nazi marking of Jewish homes, black Xs are painted on Christian stores so attackers know which shops to target. Dozens of houses, shops, hotels, and vehicles belonging to Christians have been burned and looted.

The military said it would help rebuild churches that were destroyed,

but the law requires non-Muslim places of worship to receive Presidential approval before rebuilding a church; and of course, Presidential approval is very difficult to obtain. So this is the government's way of stopping construction of Christian churches across Egypt. The government is still not protecting Coptic Orthodox Christians and their churches.

Coptic Christians are often treated as second-class citizens by the government. Bishop Boulous was charged with blasphemy, or "defaming Islam," in 2009 because he wanted to change his religion on his national identity card from Muslim to Christian.

You see, Mr. Speaker, in Egypt you have to put your religious affiliation on your identification card.

After receiving multiple threats, his wife and his children were forced to flee the country. The prosecutors have ignored court deadlines for his trial, and he remains in prison today.

President el-Sisi has staked his legacy on the fight against terrorism, ISIS, and the Muslim Brotherhood. Ensuring human rights for Christians must be given the same priority.

Four years after the so-called Arab Spring, attacks against Christians have not stopped. In February, 21 Egyptian Coptic Christians were beheaded by ISIS. The brutal mass murder was filmed in a 5-minute, highly produced video and disseminated by ISIS' propaganda arm. When their relatives got permission from the President of Egypt to build a church in the memory of the martyrs, they were attacked by rock-throwing radical mobs.

Coptic Christians just want to be left alone and worship and exercise their religion. They want to be able to gather on Sunday without fearing the church they are in will be bombed or burned. They want to live in peace without having to hide from radical, intolerant mobs ready to attack them.

These are not unreasonable requests. They are basic freedoms. Our ally, Egypt, must do a better job of protecting all religious groups.

Religious freedom is a human right. We guarantee in our First Amendment, and, Mr. Speaker, it is the first right of the five rights mentioned in the First Amendment. That placement is not accidental.

The right to practice one's religion is a basic human right. Egypt should protect all religious groups, including Coptic Christians, from religious cleansing.

And that is just the way it is.

#### CHILD SEXUAL ABUSE AWARENESS AND PREVENTION ACT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Massachusetts (Ms. CLARK) for 5 minutes.

Ms. CLARK of Massachusetts. Mr. Speaker, I would like to share the

story of a determined woman who took a traumatic personal experience from her past and is using it to help people.

Erin Merryn is a survivor of childhood sexual assault that began when she was just 7 years old. In her book, Erin shares: "The only message I got as a child came from my abusers, and that was to stay silent or else. I went to bed night after night crying and keeping my secrets locked away in my childhood diary."

Tragically, Erin's is not an uncommon story. Childhood sexual assault is a silent epidemic that exists in every one of our communities, and I am asking us to come together to do something about it. I am asking, as a mom of three boys first and as a lawmaker second, because every 6 minutes a child is sexually assaulted in the United States. One in four girls, and one in twenty boys are sexually assaulted before they turn age 18, and yet only a tenth of children who are sexually abused will tell someone.

Survivors of child sexual assault carry the corrosive burden of this heinous act with them the rest of their lives. Survivors often experience guilt, isolation, problems with self-esteem, and building relationships.

Erin shared her story to educate and protect thousands, if not millions, of children. And today, thanks to her work, policies that require schools to provide age-appropriate sexual abuse prevention education for teachers and students are called Erin's Law.

As Members of Congress, as parents, as neighbors, we owe it to our kids to follow Erin's example and be their strongest advocates. Children, teachers, and parents are on the front line of this problem, but they often don't have the tools necessary to identify it or get kids the help they need.

While Erin's Law is an important step for States that have implemented it, every child in America should benefit from the policies that prevent sexual abuse. Children learn tornado drills, fire drills, bus safety drills in school, but too often they learn nothing about how to protect themselves from predators and how to report abuse.

Congress can and should do more to help, and that is why today I am introducing the Child Sexual Abuse Awareness and Prevention Act. This legislation will help schools implement and expand child sexual abuse awareness and prevention programs by authorizing funding through existing grant programs.

It is common sense that we teach our children to stay safe and how to reach out to an adult when they are in trouble. By passing this bill, we can help schools across the United States protect some of the most vulnerable children in our country.

I am grateful to Representative JOE HECK for partnering with me in the

House, and to Senators GILLIBRAND, HELLER, and FEINSTEIN for introducing the bill in the Senate. I am also grateful to the Rape, Abuse, and Incest National Network for their leadership on this issue in ending abuse and violence.

Most importantly, I am thankful for Erin, for her bravery, leadership, and determination. No child should ever feel like they have nowhere to turn when they are being abused, and with the Child Sexual Abuse Awareness and Prevention Act, we can take a critical step toward making sure that they aren't.

#### IRAN'S NUCLEAR DEAL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. DESANTIS) for 5 minutes.

Mr. DESANTIS. Mr. Speaker, I rise to discuss one aspect of this Iran deal which I think is a fatal flaw, in addition to other fatal flaws—but this one, I think, in particular—and that is the issue of inspections.

Now, the crucial part of any type of deal dealing with nuclear disarmament involves inspections. You have got to inspect to make sure that they are not—that, in this case, Iran is not—building a nuclear weapon.

Now, the best way to have done that would be to insist that the sanctions remain in place until Iran affirmatively dismantles their program, and then you have inspectors go in to verify that the program has been dismantled; and then as long as the program is, in fact, dismantled and they don't have a nuclear infrastructure, then the sanctions are relieved. The minute that they are caught trying to rebuild, then the sanctions go back on.

But that is not what this deal is at all. What this deal is is a huge, huge influx of cash, hundreds of billions of dollars up front to the Iranian regime, which will be used, no doubt, much of that money, to fund terrorism and to expand Iran's influence throughout the Middle East.

And we are affirmatively recognizing Iran's nuclear program. They are not required to dismantle their infrastructure, so they get to keep that. So a huge influx of cash, and they keep the nuclear program.

You are not going to sell me once you go down that road, because I don't think they have a right to any nuclear material. But other people will say, well, as long as we can inspect, then maybe it is going to be okay. And here, in this deal, we don't even have legitimate inspections.

Now, the administration has drawn a lot of red lines with this Iran deal. One of them was, of course we are going to have anywhere, anytime inspections, and they said that repeatedly. Just a couple of months ago, in April, Ben Rhodes, Deputy National Security Adviser, said the deal would include any-

time, anywhere inspections. Energy Secretary Moniz said of course you have to have anytime, anywhere inspections.

And then guess what? The deal comes out. Rhodes is asked on TV, what about anytime, anywhere? I thought that was part of the deal. He said we never sought anywhere, anytime inspections. So the administration is recognizing the reality that this deal does not include anywhere, anytime inspections.

What it does have is a convoluted bureaucratic process that, if we or the IAEA or the U.N. suspect that Iran is developing a nuclear weapon in, say, one of their military sites, you actually have to petition to be able to inspect it. Iran gets to weigh in on whether they want to.

There is a convoluted bureaucratic appeals process. Basically, Iran can drag it out for 24 days, and that is even assuming you get a positive resolution, which, by the way, is going to require the assent of Russia and China, and they may not even be willing to give approval. So even if you get that, that is 3-plus weeks where Iran will have the ability to conceal any of the offending conduct that they were suspected of. So the bottom line is a 24-day delay makes the inspections regime utterly useless.

So this is a country that has sponsored terrorism consistently for decades. They have lied to the United Nations for decades. Then we are in a situation where somehow they should be able to block access to their potential weapon sites?

The bottom line is Iran should not be able to interfere with any inspections for any reason at any time. Unless you have that, this is not going to be something that has any chance of success.

And guess what. Not only are the inspections not valid, but you are lifting the arms embargo over a couple of years, and you are relieving sanctions on the Quds Force and Qasem Soleimani. These are designated terrorists. Our country has viewed them as a designated terrorist organization.

□ 1030

So the bottom line is, on its own terms, this deal will not succeed. It is a dangerous mistake. Congress has the ability over these next 60 days to scrutinize it, to debate it, and, ultimately, God willing, to stop it.

#### THIRTY-ONE GIVES OF COLUMBUS, OHIO

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Ohio (Mrs. BEATTY) for 5 minutes.

Mrs. BEATTY. Mr. Speaker, I rise today in honor of the Thirty-One Gives Foundation that is a philanthropic arm of Thirty-One Gifts, Inc., which is the 17th largest direct selling company in the world. I am so proud to have both

based in my Ohio Third Congressional District.

The Thirty-One Gives Foundation is an organization dedicated to celebrating girls, women, and families by providing them with the support and self-esteem needed to lead to successful lives.

Since its first meeting just in 2012, Thirty-One Gives has donated over \$80 million in product and cash to non-profit organizations committed to their same mission.

They have proudly partnered with many well-known national organizations, such as the Ronald McDonald House, Girl Talk, Salvation Army, the American Heart Association, the Girl Scouts, and the YWCA of Central Ohio to advance this philanthropic mission.

Cleverly built around their name, Thirty-One Gifts, with over 16,000 consultants, volunteer on the 31st day of every month with 31 days.

Mr. Speaker, I salute their volunteers for providing services such as preparing and serving homemade meals to families staying at the Central Ohio Ronald McDonald House, helping to give stability and strength in these families' homes away from homes.

They volunteer also to serve meals at the YWCA Family Center of Central Ohio, which provides emergency shelter and critical services to stabilize homeless families.

As a long-time advocate against human trafficking and one of the sponsors of legislation included in the Justice for Victims of Trafficking Act, S. 178, which was recently signed into law by President Obama, I salute Thirty-One Gives for assisting over 15,000 women in transition from human trafficking, domestic violence, and homelessness.

Mr. Speaker, during my recent district job tour, I had the opportunity to visit Thirty-One Gifts and meet the founder, CEO, and president, Cindy Monroe.

Today I salute this incredible civic leader, self-starter, and entrepreneur and her team for making a difference in the lives of others and presenting a unique solution to the emotional and economic empowerment of women locally, nationally, and worldwide.

I look forward to welcoming and joining this inspirational organization on Sunday, July 26, when some 16,500 sales leaders from Thirty-One Gifts travel to my congressional district for their annual national sales conference being held right in Columbus, Ohio.

As the members of Thirty-One Gifts know, when we all work together and give a little piece of our heart, we can make a huge difference.

#### 21ST CENTURY CURES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. MEEHAN) for 5 minutes.

Mr. MEEHAN. Mr. Speaker, I want to express my deep appreciation to my colleagues on both sides of the aisle. I was proud to be part of this body last week when together, in a bipartisan fashion, we, in strong numbers, passed the 21st Century Cures bill.

Let me tell you why that bill matters. It matters because of people like this. This is a picture of Rhoda Mull, a woman that I had the opportunity to spend some time with this Monday when we sat together for a period of time, talking about a number of issues, but, most specifically, her life.

Rhoda is an attorney of some distinction. She worked with a major pharmaceutical firm dealing in complex legal issues, traveling throughout the world.

In about 2007, she began to feel a little droop in her foot. It continued to move further up. Ultimately, after numerous consultations with physicians, she was diagnosed with ALS, better known to many as Lou Gehrig's disease, and, thus, began the slow, but continuing, challenge of the ability for her to move about.

But Rhoda, much to the inspiration, didn't allow this to hold her back. Quite the opposite. She embraced the challenge of the moment and reached out to become a voice, a voice for those some 30,000 people in our country every year who are victimized by the disease, Lou Gehrig's disease, ALS. She came to be a voice for those people. It is one of the reasons why what we can accomplish with 21st Century Cures is so important.

Let me talk for a second about the fact that she was a voice. Today this body is very likely to deal with the issue of something called the Steve Gleason Act.

It is an act which will enable the voice recorder that allows Rhoda to speak to be able to be approved in such a manner that they will not have to have these important communication tools capped by a rental policy that has been part of CMS' attempts to try to deal with the costs associated with these devices.

One of the things that we are working on is to allow people to have continued access to these technologies, to see the courage of Rhoda, a vibrant woman in her mind, but who isn't capable of feeding herself or dressing herself, yet is able to speak with me.

Inside this mind, there are tremendous things going on. And as she moved to that voice box and communicated with me, it inspired me to say we have got to continue to fight for people like Rhoda, who has been given a voice.

We must stand here and give her a voice as well, to fight for passage of the Steve Gleason Act today and to reach out to our colleagues on the other side of this building to make sure that we fight for the passage of 21st Century Cures.

ALS is just one of thousands of conditions for which we have no real cure.

We have made tremendous advancements in medicine in the last two decades. There is still much we do not know about conditions like multiple sclerosis and Alzheimer's.

I have some good news to share with Rhoda. Just last week the House approved the 21st Century Cures Act that will direct money towards research into cures for conditions like ALS.

It expands lifesaving research into conditions that affect millions of Americans, increasing the budget of the National Institutes of Health by \$10 billion over the next 5 years.

It cuts the red tape and bureaucracy, just as importantly, that stands between us and groundbreaking new treatments and will help train the next generations of doctors, scientists, and researchers. Millions of Americans with conditions like cancer, Alzheimer's, ALS, cystic fibrosis, and others stand to benefit from this research.

Mr. Speaker, I urge my colleagues on the other side of the Senate to get behind this and pass the 21st Century Cures Act. I urge my colleagues in this House to stand up today and cast an important vote in support of the Steve Gleason Act.

#### P5+1 NUCLEAR AGREEMENT WITH IRAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. WEBER) for 5 minutes.

Mr. WEBER of Texas. Mr. Speaker, I rise today to speak on the P5+1 nuclear agreement with Iran.

No longer do we have to guess at rumors or wonder what the deal is. We now know. We know that enrichment, despite earlier promises, will continue. We know that the arms embargo will be removed.

We know that the entire sanctions regime, covering problems with human rights abuses, terrorism, and the ballistic missile programs, will cease to exist.

We know that Iran has the capability of usurping an anytime, anywhere inspections program, thanks to required advance permission for each individual inspection, up to 24 days sometimes.

After decades of animosity on the part of Iran toward the American people, we also know that our Americans are still sitting in Iranian prisons. I wonder how many 24-day periods they have been there.

We know that Iran still views the United States and Israel as their enemy, as stated earlier this month by multiple members of the Iranian regime.

We know that Iran's sponsorship of terrorism will continue unabated, only now they will have more money and increased market access to ensure that weapons and funds continue to flow into the very hands of those who wish our death.

President Obama announced, "America negotiated from a position of strength and principle."

Really? That was our beginning position? Well, when did they cease to push that position? All I see is capitulation to a regime which has repeatedly violated the terms of the negotiations, all the while sitting at the very negotiation table.

America's failure to truly lead is what has caused both President Obama and Secretary Kerry to state that this deal had the support of the international community.

Obviously, they forget that our greatest ally, Israel, is part of the international community as well as other gulf coast countries. Aren't they all members of the same international community?

Now it is incumbent upon Congress to seek answers to a number of questions prior to finalizing our votes on an expected resolution.

Number one, do we really believe it will prevent a nuclear armed Iran? Answer: No. Do you really believe it will prevent a nuclear arms race in the Middle East? Answer: No. Do you really believe that the removal of a comprehensive sanctions program that brought a terroristic Iranian regime to the negotiation table in the first place can truly be "snapped back"? Answer: No. Have we lost decades of work? Unfortunately, answer: Yes.

Do you believe this deal makes the world a safer place? As for me, the answer is no. The answer to all of these questions is no. As such, I cannot nor will I support approval of Iran's deal of a lifetime.

All I can say, Mr. Speaker, is it is a good thing President Obama wasn't on the decks of the USS *Missouri* to end World War II because, had he been, we would all be speaking Japanese.

#### CLEAR LAW ENFORCEMENT FOR CRIMINAL ALIEN REMOVAL ACT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Tennessee (Mrs. BLACKBURN) for 5 minutes.

Mrs. BLACKBURN. Mr. Speaker, sitting here listening to my colleagues, I find it just so incredibly interesting that nearly everyone that is coming to the floor today is talking about an issue that centers on our Nation's security, whether it is our national security writ large in the world, what is happening in the Middle East, or what is happening here at home.

And, as I talk to female constituents, it is amazing to me what comes up over and over: How are we going to be certain that we are safe in our homes, in our communities? How do I know that my children are going to be safe at school? How do I know that we are going to be safe when we are out at events in the community or driving in the car or going to church?

These are questions of concern to so many moms who, like me, worry about their children and their grandchildren.

□ 1045

Mr. Speaker, this is one of the issues that brings me to the floor today. I have legislation that I first filed in 2007. It is called the CLEAR Act. It is H.R. 2964.

The CLEAR Act addresses the issues with the criminal illegal aliens that are in our country and the policies that have arisen around sanctuary cities. These sanctuary city policies and the executive amnesty really have turned every State into a border State and every town into a border town in this country.

Here is why: There are lax, permissive, and liberal policies that have really created an open border society here in our country—and do you know what, it makes Americans less safe every single day.

Now, the CLEAR Act isn't a big bill; it is 20 pages, but let me tell you what it does specifically. It withholds funding from section 241(i) of the Immigration and Nationality Act to sanctuary States and cities.

That is important to do because, as I said, those lax, liberal, and permissive policies have now allowed over the last 7 or 8 years to create a total of nearly 300 sanctuary cities in this country. This should disturb us because we are becoming a sanctuary country.

I would ask my colleagues: Will you support that provision of the CLEAR Act?

The second thing the CLEAR Act does, Mr. Speaker, is when a State or local law enforcement agency arrests an alien and requests that DHS, Homeland Security, take custody of that alien, the CLEAR Act requires DHS to do two things: take the alien into Federal custody and incarcerate him or her within 48 hours or request that the State or municipality temporarily incarcerate the alien or transport them to Federal custody.

The CLEAR Act requires the DHS to train State and local police in enforcing immigration laws and to repay them for the money that they have spent.

Now, sanctuary cities first started to happen in the United States in 1979. Los Angeles was the first sanctuary city. That means these cities choose—choose—to stand in violation of Federal law and to not comply with Federal immigration law.

Mr. Speaker, I think it is so instructive that the Department of Justice has never taken one of these cities to court, but if you let a State like Arizona try to strengthen their immigration laws, then the Department of Justice takes them to court. There is something wrong with that.

Another thing that has happened is the illegal alien crime rate which has

continued to grow. Do you know what the illegal alien crime rate should be? It is zero—zero.

There should not be tolerance for this. We see it all across our country. Certainly, we saw it on a San Francisco pier. In Tennessee, a Tennessee Highway Patrol officer made a traffic stop on I-40 that led to the arrest of a man with an order of deportation and the recovery of a 19-year-old who may have been a victim of human sex trafficking.

Mr. Speaker, it is time to address this issue, and I encourage support for the CLEAR Act.

#### MOURNING THE LOSS OF JUDGE D'ARMY BAILEY

The SPEAKER pro tempore (Mr. FLEISCHMANN). The Chair recognizes the gentleman from Tennessee (Mr. COHEN) for 5 minutes.

Mr. COHEN. Mr. Speaker, the city of Memphis lost one of its most outstanding citizens on Sunday evening. D'Army Bailey, who had served as a judge in circuit court for nearly two decades, was a national figure, recognized for such in The New York Times yesterday with a very large and meaningful obituary.

D'Army Bailey was singularly responsible for the creation of the National Civil Rights Museum in Memphis, Tennessee. There was a time when the Lorraine Motel, which is the site of the National Civil Rights Museum and the site of Dr. Martin Luther King's assassination, was going to be foreclosed and possibly demolished; but D'Army Bailey, then an attorney, saw that as wrong and knew that the National Civil Rights Museum should be built at the site of the assassination of Dr. King and that site should be preserved for generations for people to learn about civil rights and learn about Dr. King.

He got together, Mr. Speaker, and raised money from individuals and the city of Memphis and was able to save the Lorraine from foreclosure demolition.

He then put together the idea of the city, the county, and the State governments funding the beginnings of a national civil rights museum. There was private funding as well, but it was the initial work of D'Army Bailey coming to Nashville, where I was a State senator, and working to get Governor McWherter and the State legislature on board and then the city of Memphis and the county of Shelby.

Now, there is a phoenix, having risen from the ashes, a great civil rights museum in Memphis, Tennessee; and there is one man who had the idea and refused to see the site destroyed and sought out the funding when people said it couldn't happen and made sure it happened. That was Judge D'Army Bailey—Judge D'Army Bailey.

He was recognized because he spoke truth to power, and he spoke truth to power in Baton Rouge during the civil rights movement; in Berkeley when Berkeley was an evolving center of thought and questioning of values and where he was the city councilman; and on Beale Street, where he brought students to Memphis to march with Dr. King.

Mr. Speaker, D'Army Bailey was a respected figure in the city of Memphis. He crossed all boundaries in the city, economic and racial, and all because of his gigantic intellect.

Many Members in the House have asked me about his passing. He had an effect on this country and an effect on our city. His was a life well lived, and he will be missed.

#### CRIMINAL JUSTICE REFORM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee (Mr. DUNCAN) for 5 minutes.

Mr. DUNCAN of Tennessee. Mr. Speaker, yesterday, I participated in a hearing on criminal justice reform before the Oversight and Government Reform Committee. A second hearing is being held today on this issue in the same committee. At both hearings, conservatives and liberals are joining together to urge that we stop or at least try to slow the growth of our Federal police state.

Conservative columnist George Will wrote a few months ago: "Overcriminalization has become a national plague."

Paul Larkin, senior legal research fellow at the Edwin Meese III Center for Legal and Judicial Studies, wrote in The Washington Times: "Today, there are perhaps 4,500 Federal offenses—and more than 300,000 relevant regulations—on the books. No one knows exactly how many. The Justice Department and the American Bar Association each tried to identify every crime and failed."

Mr. Larkin continued: "No reasonable person, not even a judge or lawyer, could possibly know all of these legal prohibitions, although criminal penalties are attached to each."

John Baker, a retired Louisiana State University law professor said: "There is no one in the United States over the age of 18 who cannot be indicted for some Federal crime."

He added: "That is not an exaggeration."

Mr. Speaker, I have special interests in this because, for 7½ years before coming to Congress, I was a criminal court judge in Tennessee trying the felony criminal cases. I believe in being tough on crime, and I have been a very strong supporter of local law enforcement, the people on the front lines who are fighting the real crime, the violent crime that everyone is so concerned about.



I remember in 1993 reading an article in *Forbes* magazine, one of the Nation's most conservative magazines. This article said that we had quadrupled the Justice Department just between 1980 and 1993 and that Federal prosecutors were falling all over themselves trying to find cases to prosecute. We have kept on expanding the Justice Department since then and have had explosive growth in the number of Federal crimes.

We have had far too many cases where overzealous prosecutors have prosecuted high-profile defendants just so that a prosecutor could make a name for himself. I remember the totally unjustified case against Secretary of Labor, Ray Donovan, in which, after he was acquitted, made the famous statement: "Where do I go to get my reputation back?"

Our Federal Government has become far too big, and it is far too powerful. We all have heard how particularly the IRS is running roughshod over individual citizens. *Newsweek* magazine a few years had on its cover: "Inside The IRS—Lawless, Abusive, and Out of Control."

Unfortunately, while there are many good Federal prosecutors, there are far too many of them and, unfortunately, some who, like the IRS, are lawless, abusive, and out of control.

Mr. Speaker, there are now so many laws, rules, and regulations on the books today that people are being prosecuted for violating laws they didn't even know were in existence.

Paul Larkin, whom I quoted earlier, said that we need a "mistake of law" defense. An innocent mistake is not supposed to be criminal, but a zealous prosecutor can make even an innocent mistake look criminal, and there is an old saying that a prosecutor could indict a ham sandwich if he wanted to.

Almost everyone has violated some tax law—they are so convoluted and confusing—and almost every person in any type of business has unknowingly violated some law, rule, or regulation for which they could be prosecuted.

That is why, yesterday, we had at our hearing a conservative Republican like Senator JOHN CORNYN, a former justice of the Texas Supreme Court; and Senator CORY BOOKER, a liberal Democrat; and a conservative like Representative SENSENBRENNER; and a liberal like Representative BOBBY SCOTT—all joining together to urge reform.

Lastly, let me mention one other aspect of our Nation's crime problem. In my years as a judge, I handled over 10,000 cases because probably 97 or 98 percent of the defendants enter some type of guilty plea and then apply for probation.

Every day, for 7½ years, I would read several 8- or 10-page reports into a defendant's background, and I would read, "Defendant's father left home when defendant was 2 and never re-

turned," or "Defendant's father left home to get a pack of cigarettes and never came back."

Mr. Speaker, over 90 percent of the defendants in felony cases in my court came from father-absent households. Drugs and/or alcohol are involved in most cases, but they are secondary to the absent father problem.

Years ago, I read a report that said 57 percent of marriages break up in arguments, disputes, or disagreements about money. As government has grown so much at all levels, Federal, State, and local over the past 40 or 50 years, it has become a major factor in the breakup of the American family by taking so much money and making it so much more difficult for families to stay together.

This, Mr. Speaker, has had a major impact on our Nation's crime problem.

#### FREEDOM OF SPEECH

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. JODY B. HICE) for 5 minutes.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I rise today in order to stand in strong support of a foundational American law and principle that I feel has been woefully neglected recently. I rise in defense of the First Amendment, which in part states: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."

Due to the recent Supreme Court decision on marriage, I feel that the First Amendment is at risk of being horribly violated in the name of judicial activism. I am deeply concerned for the First Amendment rights of all American citizens and feel strongly that the Court did not act within its limited constitutional constraints.

Due to this decision, Mr. Speaker, there now exists a direct conflict between the law of man and the law of God, and we have tens of millions of Americans who are now facing a dilemma to choose between their faith and their religious convictions and the government. As Christians, we must obey the law of God.

This decision by the Supreme Court is devastating, and it directly ignored the will of the people and the will of most States. It was a direct rejection of previously held decisions; it rejected dozens of State laws and Constitutions, and, yes, it rejected God's law.

In effect, this decision took the people's prerogative and the States' prerogative and threw it out the window in favor of incorrectly defining and interpreting that which is detrimental to our First Amendment, the First Amendment which guarantees not only the freedom of speech, but also the freedom of religious expression without fear of harassment or penalty from our government.

Now, Mr. Speaker, we must find different avenues where citizens and lawmakers can get involved to address this egregious offense to our First Amendment. In my home State of Georgia, local legislatures are considering the Pastor Protection Act which would endeavor to ensure that no pastor or minister or house of faith would be forced to perform a wedding that they believe violates their religious beliefs. That is good, but we must do more. It is a good first step.

Frankly, it is my hope that other States would raise the mantle of our Constitution and protect it and protect not just pastors and ministers, but all citizens, including businessmen and -women.

In addition to State action, Congress also must be heavily involved at this time. As an initial step, I am personally proud to have cosponsored H.R. 2802, the First Amendment Defense Act, offered by my good friend and colleague Representative RAÚL LABRADOR from Idaho.

□ 1100

This bill includes many provisions that would both reaffirm and safeguard our First Amendment rights. It would ensure that the Federal Government could not penalize institutions, churches, and individuals for simply exercising their First Amendment right.

Furthermore, it prohibits the Federal Government from blocking access due to deeply held religious convictions from those who are seeking grants or licenses or contracts or accreditation or tax-exempt status. I believe this bill would help greatly to deal with the uncertainty that currently is held by millions.

In closing, Mr. Speaker, it is my sincere hope and desire that we can all come together to defend our First Amendment. I think DANIEL WEBSTER said it best when he said:

If we abide by the principles taught in the Bible, our country will go on to prosper, but if we and our posterity neglect its instructions and authority, no man can tell how sudden a catastrophe may overwhelm us and bury all our glory in profound obscurity.

I, for one, Mr. Speaker, will continue fighting for our First Amendment.

#### HIGHWAY TRUST FUND

The SPEAKER pro tempore. The Chair recognizes the gentleman from Wisconsin (Mr. RIBBLE) for 5 minutes.

Mr. RIBBLE. Mr. Speaker, this afternoon, this body is going to come together and in bipartisan fashion—I think that is normally a good thing, in bipartisan fashion—be able to applaud themselves for fixing the highway trust fund. Like the proverbial magician that takes the shiny object in one hand to distract you, they will, with sleight of hand, with the other hand borrow \$8.1 billion when the American people aren't watching.

I want to refer you to the chart on my left. You will see three lines. I want to talk about the bottom two first.

The very bottom line is the revenue line. That is the amount of money we receive from excise taxes and gasoline taxes to pay for roads and bridges and infrastructure. The red line above it is the expenditures. That is the money that we are spending. The difference between the two is the deficit. That is the borrowed money. I will show you where it is.

For decades—for decades—we have been adding red ink to the American people's debt. We have been borrowing billions of dollars annually each year to spend on our infrastructure rather than telling the American people the truth: that if we believe as Members of Congress and this body that roads and bridges and airports are important enough to buy, they are important enough to pay for. But we don't want to do that. We don't want to tell the American people we are going to raise taxes.

But I want you to know that this afternoon when we borrow \$1.8 billion to build roads and bridges, we are going to raise taxes. Here is what I mean. We are going to raise taxes on kids, on our children, on my 11-year-old grandson. Do you want to know why? Because we don't want to tell them, we don't want to tell adults today that they have to pay for the roads and bridges that they buy today. What we would rather do is say you can have these things for free. We are going to wave the shiny magic object here. We are going to borrow money while telling the American people it is paid for, and then we are going to ask our children when they grow up to buy our roads and bridges when the bill comes due.

We are perfectly fine on raising taxes on kids, raising taxes on children. Do you want to know why? Because they can't vote. So let's tell them they have got to pay for this stuff rather than us paying for this stuff. Remember, all deficit spending is nothing more than future taxation.

What is the top line here, the hash line? Back in 1992, the last time that we raised the national gas tax, Congress, before I came here and before many of my colleagues came here, decided not to index the gas tax to inflation. So our purchasing power is disappearing because we have left it where it is.

Now, I am going to use a green pen here. All that green is lost opportunity.

I don't know how many of you have flown into LaGuardia, JFK, O'Hare, these international airports. They are the international gateway to the United States economy, and they are also an international embarrassment on a global scale.

We continue to let these places degrade and fall apart, and yet none of us

in our own spending would do that in our homes. If the roof leaks, we fix it. If the House needs painting, we paint it. We take care of these things and maintain them because they are our assets. They are what we are passing on to the next generation. We have lost all this opportunity.

What I would much rather see is either we are honest with the American people, Mr. Speaker, and say, if it is worth buying and worth doing, we should pay for it, and then raise the taxes necessary to do that, like Ronald Reagan did, like George Bush did, like Dwight Eisenhower did—all Republican Presidents. They said it is worth paying for. Let's not burden our children. Let's not tax them. If it is worth doing that, we should do that.

If it is not worth doing that, we should bring our expenditures down to the revenue level and not spend the money in the first place so that we are sending a clear message back to each of the States that are getting Federal largess on highways and roads that we are not going to do that and that you need to raise your taxes to cover the gap.

Both of those ideas would be better than what we are doing right now, which is nothing but a magic trick on children, and we ought to stop it.

#### IRAN NUCLEAR DEAL

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. McCLINTOCK) for 5 minutes.

Mr. McCLINTOCK. Mr. Speaker, I don't know how adequately to express my alarm and outrage over the President's agreement with Iran. It is a breathtakingly dangerous act. Some have compared it to Neville Chamberlain's Munich accord with Nazi Germany, but that does not fully illustrate the danger. In this case, we are talking about a rogue state with all of Nazi Germany's genocidal intentions, but this one will be armed with nuclear weapons.

In its preamble, the agreement asserts that Iran will comply with the nuclear nonproliferation treaty that it signed long ago. Well, wait a second. If it had obeyed this treaty, we wouldn't be having this discussion to begin with now, would we?

The fact is that Iran has a well-established and consistent record of routinely violating international law. Its intention to acquire nuclear weapons is obvious.

The immediate effect of the President's action is to release hundreds of billions of dollars of direct and indirect resources to Iran with which its government can pursue its military and terrorist activities, activities that aren't even addressed in this agreement. It is sobering to consider that Iran's extensive terrorist operations, which reportedly now reach into South

America, are about to get a huge infusion of cash.

But lifting the sanctions does far more damage than merely releasing resources to this outlaw regime with which to kill Israelis and Americans, as its leader vowed to do just last week. The sanctions were having a major impact on destabilizing the regime according to all of the Iranian expatriates I have talked with. Relieving those sanctions undermines what had been a rapidly building uprising against the regime from within.

Over the last several years, the Iranian opposition had grown dramatically for two reasons: there was a strong and growing perception among the Iranian people that the Iranian dictatorship was a pariah in the international community, and that the resulting international economic sanctions had created conditions that make the regime's overthrow imperative—that is, until Barack Obama blundered onto the scene.

This agreement cannot be verified. We are now learning that the 24/7 access to inspections promised by the President does not exist. Under this agreement, the regime can stall any inspection for many weeks or even months.

The President's promise that violations will result in a snapback of sanctions is also completely empty. Restoring sanctions would require the assent of China and Russia, something much less likely, given our rapidly deteriorating relations with them.

And even if Iran scrupulously abided by every detail of the agreement, they can continue to run centrifuges for low-level enrichment, continue their research and development of advanced centrifuges, continue their heavy water research, and within 8 years acquire intercontinental ballistic missiles. That means, even under this agreement, within a decade, Iran will have a nuclear breakout capability and the launch vehicles necessary to deliver those weapons anywhere in the world with the solemn vow of its government to wipe Israel and the United States off the map.

Indeed, just last week, the Chairman of the Joint Chiefs of Staff warned: "Under no circumstances should we relieve pressure on Iran relative to ballistic missile capabilities and arms trafficking." Yet a week later, that is exactly what this agreement does.

The President says there is no alternative. Well, this is utter nonsense. The sanctions were working. The domestic resistance to this Islamic-fascist dictatorship mustered over 100,000 Iranian expatriates at its annual meeting in Paris last month. This movement desperately needs the moral and material support of our Nation to bring down this regime from within. That is precisely what this administration has denied them.

Last month, I fear the Congress became complicit in this agreement by adopting a completely extraconstitutional process for ratification that I believe was a sham. Instead of two-thirds vote of the Senate to approve treaties, it requires an almost impossible two-thirds vote of both Houses to reject it as an agreement. But at this moment in time, nothing is more important to the world than for two-thirds of this Congress to repudiate this dangerous falling.

Despite all of the indignities, retreats, and self-inflicted wounds our country has endured these past 6½ years, the freedom-loving people of the world still look to us for leadership and support. We are still what Lincoln called the last best hope of mankind. It is imperative that Congress now rise to the occasion.

#### IRAN NUCLEAR DEAL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, yesterday, President Obama announced that the final framework for a nuclear deal with Iran had been reached.

While I am supportive of a strong deal that would prevent the nuclear armament of Iran and thereby easing tensions with our ally Israel, no deal is better than a bad deal.

One provision of particular concern has been the relief of congressional sanctions that were implemented years ago. By authorizing sanction relief, the Iranian Government will have billions of dollars at their disposal to use for the same secretive activities that we have grown accustomed to seeing them support.

As such, hundreds of Members on both sides of the aisle have expressed their opposition to a deal that does not appropriately address the shortfall of transparency or cooperation that Iran has demonstrated repeatedly. Merely threatening them with snapback sanctions does not go far enough to institute a level of accountability, nor does it prove to be a viable option once sanction relief has been in motion.

Mr. Speaker, as I have stated, I have joined with a significant majority of both Democrats and Republicans communicating expectations to the President on behalf of the American people for any negotiated deal with Iran. I am very concerned these expectations have not been met in this announced proposed deal.

The deal should never provide Iran a pathway to a bomb. This deal does not prevent that but, rather, prolongs the time until Iran develops nuclear weapons.

To achieve security and peace, this agreement must be long-lasting. Any

deal that allows Iran to access conventional weapons in 5 years and ballistic missiles in 8 years is anything but long-term, anything but peaceful, anything but appropriate.

Relief of sanctions should be earned by full compliance, access, and transparency regarding the Iranian nuclear program. Sanction relief loaded upfront is unacceptable. This deal fails that requirement. Sanction relief will only provide a financial stimulus to fund the world's number one exporter of terrorism—Iran.

During this 60-day congressional review period, I encourage all of my colleagues and the American people to take a very detailed look at this agreement and determine whether it is a good deal for America.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 14 minutes a.m.), the House stood in recess.

□ 1200

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DOLD) at noon.

#### PRAYER

Reverend Dr. William Langford, Great Bridge Baptist Church, Chesapeake, Virginia, offered the following prayer:

Our Heavenly Father, as we stand here today, we cannot help but first be thankful for Your providential hand that has guided and blessed our country.

Father, I am also very thankful for the Members of this people's House, for their willingness to serve and to represent the citizens who have called upon them. And as they take on the issues of this day, I ask you, Lord, that You would first give them a spirit of humility to recognize our limitations, but to also recognize our need for You.

I pray, Lord, that You would give them a heart to seek Your infinite wisdom, rather than relying on our finite understanding.

I pray, Lord, that You would give them clarity as they discern Your direction, and then I pray that You would give them the courage to follow You and to lead us and protect us in these challenging and increasingly dangerous days.

Father, I pray that You would give us the assurance that whenever we stand resolved to seek Your wisdom to act on Your leadership, that You will indeed bless our tomorrows.

I pray all these things in the name of Jesus, who is eternally faithful and forever trustworthy.

Amen.

#### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. LAMALFA. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. LAMALFA. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

#### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Washington (Mr. KILMER) come forward and lead the House in the Pledge of Allegiance.

Mr. KILMER led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

#### WELCOMING REVEREND DR. WILLIAM LANGFORD

The SPEAKER pro tempore. Without objection, the gentleman from Virginia (Mr. FORBES) is recognized for 1 minute.

There was no objection.

Mr. FORBES. Mr. Speaker, I rise to honor today's guest chaplain, Pastor Will Langford. Pastor Langford is the lead pastor of Great Bridge Baptist Church in Chesapeake, Virginia, where I am proud to say I have been a member for over 50 years.

Pastor Langford has served for almost 30 years at churches in Ohio, Kentucky, and Virginia. He received his doctor of ministry and master of divinity at Southern Baptist Theological Seminary. He is also an author, speaker, and host of a local Christian teaching radio program, "Real Conviction."

Pastor Langford has dedicated his life to serving his congregation and the community in Chesapeake. I am personally grateful not just for the wisdom he shares from the pulpit, but for

his day-to-day example of the impact one can have on his or her community, State, and nation when they personify the teachings of Jesus Christ.

Pastor Langford is joined today by his wife of nearly 30 years, Melissa; and they are the proud parents of two daughters, Brittany Nicole and Bethany Anne.

Please, join me in welcoming Pastor Langford.

#### BREAST CANCER AWARENESS COMMEMORATIVE COIN ACT

Mr. LUETKEMEYER. Mr. Speaker, I ask unanimous consent that the text of H.R. 2722, as proposed to be passed under suspension of the rules, be modified by the amendment that I have placed at the desk.

The SPEAKER pro tempore. The Clerk will report the modification.

The Clerk read as follows:

Page 7, strike line 15 and all that follows through page 8, line 12.

Page 12, strike line 22 and all that follows through page 13, line 6, and insert the following:

(b) DISTRIBUTION.—Subject to section 5134(f) of title 31, United States Code, all surcharges which are received by the Secretary from the sale of coins issued under this Act shall be promptly paid by the Secretary to the Breast Cancer Research Foundation, New York, New York, for the purpose of furthering breast cancer research funded by the Foundation.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, July 15, 2015.

Hon. JOHN A. BOEHNER,  
*The Speaker, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on July 15, 2015 at 9:05 a.m.:

That the Senate passed S. 1300.

That the Senate passed S. 756.

That the Senate passed S. 1482.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

#### IRAN NUCLEAR DEAL

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, the nuclear deal President Obama has reached with Iran is dangerous and delusional. He says it will stop Iran from getting the bomb. Well, I would like him to tell us how it would do so when it puts us at the mercy of Iran.

This deal does not provide for anytime, anywhere inspections. We would have to ask Iran permission, which they could deny.

The idea that Iran will not go nuclear with this deal defies history. Worse yet, it will undoubtedly start a nuclear arms race in the Middle East. I say that as a veteran of two wars.

This deal reflects Obama's disastrously naive foreign policy of appeasing our adversaries and stiffing our friends.

We have a duty to protect American citizens from harm, and that is why I will be voting against this deal.

#### EXPIRATION OF THE HIGHWAY TRUST FUND

(Mr. QUIGLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. QUIGLEY. Mr. Speaker, we are 16 days away from the latest expiration of the highway trust fund. This is nothing new. Over the last 6 years, Congress has passed 33 stop-gap funding bills to extend transportation funding. Today we will vote on the 34th.

Congress has repeatedly failed to provide the long-term investments in transportation that we so badly need. Without serious long-term investments, we simply will not be able to compete in today's global economy. Europe now invests twice as much as we do in transportation. China invests four times as much.

Our crumbling infrastructure, rated a D-minus by the American Society of Engineers, is slowing our economic growth. State and local governments are being forced to cut back on their construction projects. Private sector companies are being forced to stop hiring workers and investing in capital.

It is time to provide American businesses and American workers with transportation funding certainty. It is past time to pass a long-term transportation bill that will grow our economy and create jobs.

#### TAXPAYERS' DOLLARS

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, the American people have an expectation that the hard-earned money that they pay in taxes will not be wasted or used fraudulently. However, we have seen far too many examples of the Federal Government squandering taxpayer dollars.

Take the IRS, for example. We have learned the earned income tax credit has an error rate of over 27 percent. That means taxpayer money is wasted to the tune of \$15 billion. Compare that to the private sector, where Visa maintains an error rate of 0.06 percent.

In another shocking revelation, it was even discovered that a single mailbox received 24,000 fraudulent tax returns, totaling \$46 million. One mailbox, Mr. Speaker.

In addition to fixing a broken Tax Code by making it simpler and fairer, Washington needs to also be good stewards of taxpayer money, making sure that taxpayer dollars are not wasted, are not misused, and that there is appropriate oversight over the IRS.

#### ENSURING CAREGIVERS' OPPORTUNITIES

(Mr. KILMER asked and was given permission to address the House for 1 minute.)

Mr. KILMER. Mr. Speaker, older Americans want to spend their golden years living in dignity. For many, that means being able to stay in their own homes.

In concert with the White House Conference on Aging, this week I met with a group of home care workers that turned that wish into a reality. They work tirelessly to cook meals, help with therapies, make sure medication is taken properly, and help people live under their own roof.

The work of caregivers is so valuable, so I want to call on this Congress to actually value them. What does it say when the people who care about our most vulnerable—our parents and our grandparents—are so poorly compensated?

One of the caregivers I met with expressed that her pay was so low she wasn't building up enough in Social Security to retire, herself.

We need to work for better wages and for the notion that, when someone works overtime, they get paid overtime. We need to expand training and apprenticeship opportunities so those working hard in these demanding positions can move up.

Mr. Speaker, I have a grandmother who is now 105 years old. I want the caregivers taking care of her and her generation and future generations to know that we respect what they do, not just with words, but with policies and pay that supports them.

#### COLLEGE SAVINGS PLANS

(Mr. NUGENT asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. NUGENT. Mr. Speaker, I rise today to discuss a simple solution to a straightforward problem. A constituent of mine came to me with this issue. He had created college funds for each of his grandchildren in a 529 college savings plan.

Some of his grandchildren decided not to go to college, while others went to college and graduated, but with student debt. While he wanted to use the leftover college savings to pay off those loans, which makes sense because the loans were the same expenses that the 529 plan money is intended for, he was not able to spend that money on the loans without being hit with both the capital gains taxes and an additional 10 percent penalty, the same as if he were using the money for some other purchase.

Today, I am introducing a bill to strike the additional penalty when the 529 college savings plan money is used to pay for student loans that were taken out for qualified educational expenses. In this age of rising college costs, there is no reason to penalize families for paying down student debt.

#### PROMOTING LITERACY

(Ms. KELLY of Illinois asked and was given permission to address the House for 1 minute.)

Ms. KELLY of Illinois. Mr. Speaker, as students enjoy summer break, we need to ensure that our kids remain intellectually engaged.

Today we hear so much about our youth being glued to their screens, their tablets, and their gaming apps. It has caused concerns among parents who worry that their kids will remain idle without mental exercise during the summer months.

I know that our kids can be just as enthusiastic about reading as they are about Minecraft.

Last year, I started Robin's Readers, a literacy challenge for students in my district. I was blown away by the response. More than 3,000 kids participated and read over 20,000 books in a 10-week period. This past April, I hosted an awards event for these kids and saw firsthand their passion for reading.

Chicago's mayor, Rahm Emanuel, has also started Rahm's Readers, which will ensure that the love for reading continues to burn strong over the summer months.

I urge my colleagues, especially my Illinois colleagues, to work with me to promote literacy. I call on you to start your own reading programs. Together, we can instill a lifelong love of reading in our children.

□ 1215

#### ILLEGAL BABY PARTS SALES BY PLANNED PARENTHOOD

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, yesterday my colleague from Alabama, Congresswoman MARTHA ROBY, spoke eloquently on the floor following the extremely disturbing and unsettling video that surfaced, showing Planned Parenthood's top doctor caught on camera explaining how abortion industry professionals illegally sell the body parts of aborted babies.

I rise today to thank her for her conviction and join her in raising awareness of this horrific development.

Planned Parenthood still is the largest abortion provider in the Nation and still somehow receives Federal dollars.

The video literally states in graphic, horrendous detail the procedure in how she can crush the baby's body without damaging the organs tissue brokers are seeking at the rate of \$30 to \$100 for fetal body parts, allowing this organization to profit off taking the life of an unborn child.

These revelations are not only inhumane and barbaric, they raise many questions of legality and integrity. Federal law explicitly prohibits the harvesting, sale, and use of tissue and body parts of aborted children for payment.

I urge my colleagues not only to watch this video, but to also take a serious look at the practices of this organization. I will join efforts to demand a congressional investigation into the practices of Planned Parenthood and organizations like that.

#### GI BILL

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, the original GI Bill, the Serviceman's Readjustment Act of 1944, is one of the most significant laws in our history. It provided education to millions of Americans and created economic opportunity for a generation.

Subsequent GI Bills were signed into law to cover the soldiers of subsequent conflicts, but these benefits came with a catch. They had to be used within 10 or 15 years.

Mr. Speaker, the sacrifice of our soldiers is immeasurable and timeless, and our gratitude should not come with an expiration date. Many returning veterans postpone education to support their families or rehabilitate from war injuries.

A recent VA report found that 21 percent of veterans had not used their educational benefits because their period of eligibility had expired. More-

over, placing limits on educational benefits is out of step with the increasingly competitive global economy. Today many workers will need specific skill training throughout their entire career.

I have introduced the Veterans Education Flexibility Act to remove these outdated deadlines and retroactively restore the benefits to the Americans who earned them. I encourage my colleagues to join on this bill to correct this terrible injustice.

#### END FEDERAL FUNDING FOR PLANNED PARENTHOOD

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, yesterday a disturbing video surfaced of Dr. Deborah Nucatola, Planned Parenthood's senior director of medical services, discussing the sale of fetal organs from aborted babies as she casually eats lunch.

The heartless way that Dr. Nucatola describes how Planned Parenthood clinics kill innocent children and then harvest their precious hearts, lungs, and livers to sell is sickening.

In 2014 alone, Planned Parenthood was directly responsible for killing over 350,000 unborn babies in their clinics. It is unconscionable and inexcusable that we are giving the hard-earned money of American taxpayers to an organization that callously kills an innocent, unborn child every 90 seconds.

At its core, Planned Parenthood supports the systematic extermination of the most vulnerable among us. It is past time to end Federal funding of this organization, which views the life of the unborn as a revenue-generator.

#### IN MEMORY OF PROFESSOR DAVID GROSSMAN

(Mr. KENNEDY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KENNEDY. Mr. Speaker, I rise today in memory of a dear friend and mentor who passed away over the weekend.

Professor David Grossman was a talented lawyer, a dedicated teacher, and a passionate advocate. He committed his life to the fair implementation of the law, believing that it applies to all of us and protects each of us.

Throughout his career, he showed how words like "justice" and "fairness" were not just ideas for discussion, but principles that had to be fought for, protected, and defended. He made the law come alive. He gave it a face and a family.

Serving at the helm of the Harvard Legal Aid Bureau for nearly a decade, he trained, supervised, and worked with over 180 law students and served

roughly 2,700 low-income individuals and their families.

Through his service, he protected thousands of people in need and inspired hundreds of young lawyers. Our community has lost a champion, but his values and vision live on through all those he touched.

My thoughts and prayers are with Stacy, Lev, and Shayna during this difficult time.

May his memory be a blessing for us all.

#### HONORING STEPHANIE BURKE

(Mr. GUINTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUINTA. Mr. Speaker, I rise today to congratulate a Granite State teacher who is a leader in our Nation, with her innovative and engaging approach to teaching.

Stephanie Burke, a middle school science teacher at West Running Brook Middle School in Derry, has excelled not just in the classroom, but also in her community. Her work and dedication to educating Granite State youth have earned her the distinct honor of the 2015 Presidential Award for Excellence in Mathematics and Science Teaching. Only 108 teachers nationwide received this honor.

A Granite Stater through and through, Stephanie graduated from the University of New Hampshire and obtained her master's degree from New England College. Throughout her career, she has worked tirelessly to engage and mold the young minds in her classroom.

Oftentimes, our teachers don't get the thanks or credit they deserve. Stephanie Burke represents the best in teaching, and I applaud this incredible and well-deserved accomplishment.

Stephanie, it is because of you that our Nation remains the world leader of innovation, ideas, and excellence.

#### CENTRAL FIRE COMPANY CENTENNIAL

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, I rise today to recognize the men and women of the Central Fire Company in Warren, Rhode Island, who are celebrating their 100th anniversary this weekend.

A nonprofit organization, Central Fire Company Number 1 was first registered on July 30, 1915, to provide volunteer firefighting services for the people of the town of Warren.

"The defenders of the North End and protectors of the world," as they are known, not only serve as critical first responders for the people of Warren, they have also helped to raise thousands of dollars for those less fortunate in their community.

In February 2003, the Central Fire Company provided critical assistance during one of the most destructive fires in our Nation's history, the Station Night Club fire.

Every day, in cities and towns around our Nation, first responders put their own lives in the line of danger so that they may protect their fellow citizens.

I salute the Central Fire Company on 100 years of service to the people of Warren, Rhode Island.

#### SECURE THE BORDER NOW

(Mr. FARENTHOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FARENTHOLD. Mr. Speaker, yesterday at a Judiciary Committee hearing, Homeland Security Secretary Jeh Johnson didn't know who Kate Steinle was. I hope he sure remembers his own Border Patrol agent Javier Vega, Jr., a father, husband, and south Texan.

Both of these fine Americans were gunned down by illegal aliens who had been deported multiple times, but were back in our country. Mr. Johnson couldn't tell me what percentage of the border was secure.

Last month I visited the border and talked to some hard-working Border Patrol agents who are very frustrated. They keep apprehending the same people again and again.

They are frustrated with our so-called catch-and-release program, where human smugglers called coyotes and drug smugglers with small loads or less than four or five people are simply let go.

We have got to secure our border to avoid tragedies like Kate Steinle and Javier Vega, Jr. For that matter, we need to secure the borders to keep us safe.

#### LONG-TERM FUNDING FOR HIGHWAY TRUST FUND

(Mr. GALLEGO asked and was given permission to address the House for 1 minute.)

Mr. GALLEGO. Mr. Speaker, I rise to urge the Republican leadership to bring up a long-term funding transportation bill.

Rather than develop a long-term strategy, Republicans again want to pass a short-term extension for the highway trust fund that fails to make the appropriate infrastructure investments that our economy needs.

Our Nation's infrastructure is in a bad state, and it is critical that we make the necessary long-term, predictable investments in our country's roads, transit system, and highways that will create jobs, grow our economy, and offer a certainty for States to invest in larger, much-needed projects.

Mr. Speaker, 42 State chambers of commerce agree that "Our deteriorating national infrastructure is an issue that directly affects our ability to compete in the global marketplace and provide financial security for millions of middle-class American families."

It is time for the Republican leadership to stop kicking the can down the road with short-term fixes that are costing us more money in the long run, hurting our economy, and costing jobs.

I call on Republican leadership to bring up a long-term funding bill and stop playing games with America's crumbling infrastructure.

#### PERSECUTION OF CHRISTIANS

(Mr. DOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOLD. Mr. Speaker, I rise today to address the glaring issue of the persecution of Christians around the globe.

Our Nation was founded on the principles of religious liberty and tolerance, and the United States continues to promote these ideals. We must remain steadfast in our efforts to help individuals who are persecuted simply due to their faith.

Everyone around the globe, Mr. Speaker, should be free to live a life of faith, to worship as they choose, without fear of persecution from a ruthless regime.

This basic freedom, which was enshrined by our Founding Fathers, must not only be promoted here, but also around the world.

As a shining city upon a hill with the eyes of the world upon us, it is our Nation's duty to be a leader in the fight against the persecution of Christians.

As ISIS continues to attack Christians in the Middle East, we must continue to show that our Nation will stand up and defend those who cannot defend themselves.

#### HIGHWAY TRUST FUND

(Mr. AGUILAR asked and was given permission to address the House for 1 minute.)

Mr. AGUILAR. Mr. Speaker, less than 2 months ago House Republicans refused to take the opportunity to extend the highway trust fund and, instead, decided to be reckless and kick the can down the road. Well, to no one's surprise, today we are back at it, faced with the same predicament.

How long will Republican leadership continuously refuse to govern? They have played the same political games with the funding of the Department of Homeland Security, which keeps our Nation safe from national security threats, and allowed the Export-Import Bank to expire, punishing American

businessowners across the Nation. And now they want to gamble with the safety of millions of Americans who rely on our transportation and infrastructure, which is crumbling beneath us.

Enough is enough. We need a comprehensive and long-term surface transportation plan, not a short-term fix. The highway trust fund supports critical projects, which include improving the I-10 freeway in the Inland Empire, as well as countless other projects within the country.

It is time that we start governing and bring a long-term extension measured in years, not months. We don't need another short-term patch. It is time for real solutions.

#### IRAN DEAL

(Mr. FITZPATRICK asked and was given permission to address the House for 1 minute.)

Mr. FITZPATRICK. Mr. Speaker, I have deep concerns about the direction the Obama administration has taken in reaching this agreement with Iran.

While I support all diplomatic efforts to promote peace and cooperation, there is little reason to believe this deal will halt Iran's nuclear program or that the Iranian regime is truly committed to rejoining the international community.

Even during negotiations, Iranian leaders have spewed hateful language toward the United States, Israel, and the Jewish people and have unapologetically continued their state sponsorship of terrorism.

Next week the bipartisan Task Force to Investigate Terrorism Financing that I am proud to chair will take a closer look at Iran's role in financing terrorist groups around the world, information that I feel is vital to the administration, to Congress, and the American people when reviewing any nuclear agreement with Iran that includes sanctions relief.

In the end, this announced deal is under congressional authority to review, and I will only support it if it meets the simple benchmark of forever preventing a nuclear Iran.

#### TITLE VIII NURSING WORKFORCE REAUTHORIZATION ACT

(Mrs. CAPPS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPPS. Mr. Speaker, I rise in support of H.R. 2713, the title VIII Nursing Workforce Reauthorization Act, a bipartisan bill that I authored with my Nursing Caucus co-chair DAVID JOYCE.

When President Johnson first signed these programs into law, he observed that the Nurse Training Act of 1964 was the most important nursing legislation in our Nation's history. And, indeed, it has been.

Over the past 50 years, title VIII programs have bolstered nursing education at all levels, from entry-level preparation through graduate study, not only supplying our Nation with needed healthcare providers, but also strengthening the nursing education pipeline to train the nurses of tomorrow.

These programs are targeted to address specific needs within the nursing population, nursing workforce, and America's patient population. Simply put, title VIII nursing workforce programs are a direct investment in our Nation's health.

The Nursing Workforce Reauthorization Act of 2015 is a bipartisan effort to simply ensure that these critical programs are available for years to come. I urge my colleagues on both sides of the aisle to cosponsor H.R. 2713.

□ 1230

#### IRAN NUCLEAR AGREEMENT

(Mr. ALLEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALLEN. Mr. Speaker, I rise today to speak about a matter that is critical to the future security of not only the United States, but to our allies and international security.

Yesterday, the President announced a nuclear agreement had been reached between Iran and six other nations led by the United States. Throughout these negotiations, I have been skeptical of the concessions made by this administration to Iran, despite its history of dangerous and defiant behavior.

Iran is the world's leading state sponsor of terrorism and has consistently shown a pattern of noncompliance. I have serious concerns this deal will fail to prevent a nuclear Iran while rewarding the Iranian Government's past actions with billions of dollars in sanctions relief.

Mr. Speaker, as Congress continues to evaluate the deal, I believe we must reject any agreement that further bolsters the Iranian regime; endangers our allies, especially Israel; and fuels instability in the region.

Far too much is at stake to accept a bad deal that puts the security of our Nation and our fight to combat violent extremism at greater risk.

Mr. Speaker, how can you have a deal with someone you can't trust?

#### THE PARTNERSHIP TO BUILD AMERICA ACT

(Mr. BERA asked and was given permission to address the House for 1 minute.)

Mr. BERA. Mr. Speaker, today, we are going to be asked to vote on another short-term funding patch for the highway trust fund. We have done this

over 30 times, but what we need is a bipartisan plan and a long-term transportation goal that is fiscally responsible. It is what we have always done throughout our history.

Think about it. President Lincoln built the transcontinental railroad, put thousands of people to work, and helped lead an economic boom. President Eisenhower invested in the interstate highway bill, which built our interstate commerce system and transport system and put thousands of people to work and led to an economic boom.

Mr. Speaker, let's think big. That is what we do as Americans. Let's invest in ourselves. Let's come up with a long-term highway trust fund bill that invests in our infrastructure; puts thousands of Americans to work; and lets us lead an economic recovery not just in the United States, but in the world.

That is what we do as Americans; we think big. Mr. Speaker, let's get this done.

#### THE IRAN NUCLEAR AGREEMENT JEOPARDIZES NATIONAL SECURITY

(Mrs. HARTZLER asked and was given permission to address the House for 1 minute.)

Mrs. HARTZLER. Mr. Speaker, I rise today in response to the Obama administration's announcement of reaching an agreement with the Islamic Republic of Iran, a state sponsor of terrorism, regarding its nuclear program.

This agreement jeopardizes our national security and that of our allies by giving Iran the ability to continue its march towards nuclear capability. Where are the restrictions that the American people and her allies were promised? Where are the "anytime, anywhere" inspections? Where is the dismantling of Iran's nuclear infrastructure? I do not see these restrictions, Mr. Speaker.

Additionally, this deal will hand Iran billions in sanctions relief for it to continue funding terrorism and promoting instability in the region.

This agreement jeopardizes our closest ally, Israel, and relies on the hope that Iran, which has proven to shirk agreements in the past, complies with the terms. In short, this agreement does not stop Iran from being on the doorstep of nuclear capability. We cannot allow that to happen.

Mr. Speaker, any deal that ends in a nuclear Iran is a bad deal and should be rejected.

#### WEAR RED WEDNESDAY

(Ms. WILSON of Florida asked and was given permission to address the House for 1 minute.)

Ms. WILSON of Florida. Mr. Speaker, today, we wear red to bring back our girls.



This week, Boko Haram said it will free the Chibok girls in exchange for the extremist group's leaders. We who have raised our voices to shout "bring back our girls" knew that this would come.

Mr. Speaker, Boko Haram could not risk killing the Chibok girls, but to hold 219 girls hostage for more than a year and then parade them out only as bargaining chips shows how little Boko Haram values these precious girls.

If I can speak to the girls, I would tell them: We value you. Your friends and family who pray for you daily value you. Your new President who has taken steps to defeat Boko Haram values you. Your friends in Congress who wear red on Wednesdays to bring attention to your values and to your cause value you.

Mr. Speaker, we will continue to tweet, tweet, tweet #bringbackour girls; tweet, tweet, tweet #joinrepwilson—until we bring back our girls.

#### DRUG TESTING FOR WELFARE RECIPIENTS ACT

(Mr. ROUZER asked and was given permission to address the House for 1 minute.)

Mr. ROUZER. Mr. Speaker, if you work, you should be better off than if you don't work. That is why, earlier this week, I introduced the Drug Testing for Welfare Recipients Act. This bill is designed to improve welfare programs by requiring recipients who have a known history of drug use to pass a drug test for eligibility.

I am a firm believer that we have a moral obligation to help those in need who cannot help themselves; yet it is critically important to get the incentives right so that these programs are not abused.

Mr. Speaker, most employers require workers to pass a drug test as a condition for employment. The government should expect the same of people who receive welfare benefits. If recipients can't meet the basic standards of employment, in essence, they are trapped in a cycle of welfare dependency.

Mr. Speaker, I believe this bill is one step in the right direction to improve our welfare programs, and I encourage my colleagues to support this common-sense bill.

#### THE CARLTON COMPLEX WILDFIRE

(Mr. NEWHOUSE asked and was given permission to address the House for 1 minute.)

Mr. NEWHOUSE. Mr. Speaker, roughly 1 year ago today, the Carlton Complex wildfire broke out in Okanogan County in my district. This fire was the most destructive in Washington State's history, burning over 250,000 acres, destroying hundreds of

homes and businesses, and devastating the environment.

Communities in the Methow Valley continue to deal with the fire's long-term consequences and are still working to rebuild and recover. One year later, we recognize the heroic efforts of thousands of first responders, firefighters, and volunteers who worked around the clock at great personal risk to fight the blaze.

Mr. Speaker, I saw firsthand how the community pulled together to help one another. Volunteers provided shelter to survivors, cooked meals, and unloaded trucks of relief supplies. The outpouring of support from volunteers from all over the State is a testament to the spirit and determination of Washingtonians.

We must remember the losses caused by this catastrophic wildfire, and Congress must continue to push to improve forest health to ensure that this does not happen again.

#### FETAL ORGAN HARVESTING AND TRAFFICKING

(Mr. YODER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YODER. Mr. Speaker, I rise today saddened and horrified at recent media reports that Planned Parenthood, as an abortion provider, is harvesting or attempting to harvest and sell baby organs preserved in partial-birth abortion.

It shocks and sickens the conscience of our Nation and each of us as human beings that these providers would use these innocent children, ripped from their mother's womb and their skulls crushed, to sell their organs for profit—organs that they have never even had a chance to use. It is a sad day.

Mr. Speaker, we are becoming a more compassionate pro-life Nation each and every day, and all of us must speak out against these barbaric practices. We must ensure that these providers are prosecuted under the law, and we should pass whatever legislation necessary to ensure that we appropriately punish these heartless acts.

We should also ensure that not one penny of American tax dollars goes to Planned Parenthood or any organization that performs or profits off of abortion. No organization which enriches itself commodifying unborn human life is worthy of hard-earned taxpayer dollars.

Mr. Speaker, let us come together as Representatives of the American people and declare with one voice that we will not tolerate or condone something so despicable.

#### GREECE

(Mr. STUTZMAN asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. STUTZMAN. Mr. Speaker, in light of the third Greek bailout announced this week, I rise with great concern over our own Nation's finances.

Mr. Speaker, last month, the Congressional Budget Office released their "2015 Long-Term Budget Outlook." This report paints a troubling picture; with interest rates expected to rise, an aging population, increasing health-care costs per person, and more and more recipients of government payments and subsidies, our Nation's debt held by the public is expected to rise to 100 percent of our economy in just 25 years. Only one other time in our history, the end of World War II, has it ever been higher.

Mr. Speaker, doing nothing about this coming crisis is not an option. We can avoid the very predictable fiscal mistakes that have caused so much turmoil in Europe. We need policies that spur economic growth. Just yesterday, the White House revised down their GDP growth estimates for this year from 3 percent down to 2 percent.

Mr. Speaker, let's rein in our government's out-of-control spending and balance our budget, which will get our economy moving again.

#### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2722

Mr. ROUZER. Mr. Speaker, I ask unanimous consent to have my name removed as the cosponsor of H.R. 2722, the Breast Cancer Awareness Commemorative Coin Act.

The SPEAKER pro tempore (Mr. RODNEY DAVIS of Illinois). Is there objection to the request of the gentleman from North Carolina?

There was no objection.

#### PROVIDING FOR CONSIDERATION OF H.R. 2898, WESTERN WATER AND AMERICAN FOOD SECURITY ACT OF 2015, AND PROVIDING FOR CONSIDERATION OF H.R. 3038, HIGHWAY AND TRANSPORTATION FUNDING ACT OF 2015, PART II

Mr. NEWHOUSE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 362 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 362

*Resolved*, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2898) to provide drought relief in the State of California, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are

waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-23. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3038) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided among and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure and the chair and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit.

The SPEAKER pro tempore. The gentleman from Washington is recognized for 1 hour.

Mr. NEWHOUSE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the good gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. NEWHOUSE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

□ 1245

Mr. NEWHOUSE. Mr. Speaker, on Tuesday, the Rules Committee met and reported a rule, H. Res. 362, providing for consideration of two very important pieces of legislation: H.R. 2898, which is the Western Water and American Food Act of 2015, and H.R. 3038, the Highway and Transportation Funding Act of 2015, Part II.

The rule provides for consideration of H.R. 2898 under a structured rule, with eight amendments made in order that are evenly split between Democratic and Republican Members of this body. The rule also provides for consideration of H.R. 3038 under a closed rule.

Mr. Speaker, this rule will allow us to consider the Western Water and American Food Act, which is an important bill that will help us respond to the severe water shortages facing California, which I am sure many of you have heard, and much of the Western United States. Many people are confronting the worst drought that they have seen in many, many years, and a growing number of communities across the West have been acutely impacted by these arid conditions.

While this crisis has been caused by the drought, our environmental laws, as well as misguided and outdated regulatory restrictions, have exacerbated the situation. This bill addresses these policy failures and seeks to alleviate the impacts of drought in the short and in the long term.

My own district in central Washington is dealing with serious water supply shortages. Actually, the whole State is declared a drought area. These are impacting the agriculture, energy, and manufacturing sectors, as well as families and small businesses that rely on an adequate and stable supply of water. These conditions are also increasing the threat of dangerous wildfires and increasing the likelihood of catastrophic wildfire, which could destroy homes, businesses, and large amounts of land, as well as crippling many communities throughout the West.

Over the past 2 weeks in my State of Washington, we have already seen wildfire outbreaks across the State in cities like Wenatchee and Quincy and counties such as Benton, Grant, Adams, and Douglas. Sadly, with an extremely low snowpack and continuing drought conditions, we are likely to see even more fires.

Mr. Speaker, as a third-generation farmer, I know firsthand the challenges facing many in our Western agricultural communities and the critically important role that water plays in agriculture's success. In recognition of this fact, earlier this year, I introduced

H.R. 2097, the Bureau of Reclamation Surface Water Storage Streamlining Act. This measure will speed up Reclamation's feasibility study process on surface water storage, spurring the development of new projects across the West, and I was very proud to have it included in this essential legislation that we are considering today.

Water is not just a resource, it is the lifeblood of farming and ranching communities all across the West, and we must act swiftly and decisively to mitigate the impacts of this crisis that we are facing. The importance of water to agriculture production cannot be overstated, and we must take steps to support this vital industry that is responsible for feeding billions of people around the globe. In fact, today, I am proud to say, the average American farmer is responsible for feeding upwards of 144 people, a drastic increase from just 50 years ago when that number was around 25.

The reason for this change is simple and complex. Our modern farmers are growing more disease- and pest-resistant crops that require less water, less pesticides, and better conserve our natural resources. Although modern agriculture allows us to use less water for agriculture to flourish, we still must have a reliable supply of water.

Mr. Speaker, the Western Water and American Food Act represents a comprehensive and bipartisan approach aimed at alleviating the drought's impacts through short-term and long-term measures. This bill will address the root causes of the crisis: complex and inconsistent laws, faulty court decisions, and onerous regulations at the State and Federal level that have exacerbated an already devastating drought.

In California and across the West, millions are facing water shortages and rationing, yet many of the drought's damaging effects are preventable. H.R. 2898 aims to fix our broken regulatory system and bring our water infrastructure into the 21st century. This bill gives immediate relief to millions of Americans facing mandatory water rationing and invests in new water storage facilities to prepare for future droughts. Additionally, it will provide farmers with the certainty they need to produce the majority of our Nation's fruits and vegetables, which feed our Nation, as well as people around the world.

This rule also provides for consideration of H.R. 3038, the Highway and Transportation Funding Act of 2015, Part II, a bill that will extend Federal surface transportation programs, as well as the hazardous materials transportation program and the Dingell-Johnson Sport Fish Restoration Act, until December 18, 2015, and fund these programs at the fiscal year 2014 authorized level. This extension will provide

the committee of jurisdiction with additional time to continue their important work towards a long-term highway and surface transportation bill. Mr. Speaker, this extension will provide the House and Senate with time to work out a long-term surface transportation reauthorization bill in a bicameral, bipartisan manner.

Every State transportation department in the country currently has numerous multiyear transportation projects that would benefit greatly from the increased certainty a 6-year transportation bill would provide. My hope, and I think the hope of everyone in this Chamber, is that this short-term extension gives us time to reach an agreement that can provide certainty for all of our constituents.

Additionally, this legislation will also allow us to work on a resolution for the highway trust fund, which is facing a \$90 billion shortfall. Failing to address the trust fund would have disastrous impacts across our country. If the trust fund were to go insolvent, many State transportation and infrastructure projects would grind to a halt, leading to furloughed workers and lost capital from investments on existing projects. The cost of shutting down and then restarting all of these projects would be astronomical and would end up costing our taxpayers much more in the long run.

Mr. Speaker, another short-term extension is not what any of us would have wanted. Our States need certainty, and that will only come from a long-term transportation authorization. While the bill before us may not be what we all would have preferred, it is a good stepping stone to something greater. I believe passing H.R. 3038 is the right thing to do and will allow us to consider a long-term, 6-year authorization in the very near future.

Mr. Speaker, this is a good, straightforward rule, allowing for consideration of two critically important pieces of legislation. H.R. 2898 will help drought-stricken communities in the West by providing critically needed reforms to the broken regulatory system, as well as bipartisan solutions to help provide relief to families, farms, the environment, and the American economy. H.R. 3038 will ensure that many important transportation programs do not lapse and will extend the highway trust fund expenditure authority, guaranteeing that this vital fund will remain solvent and available for infrastructure projects across the country while working towards a lasting solution.

With that, Mr. Speaker, I support the rule's adoption, and I urge my colleagues to support both the rule and the underlying bills.

I reserve the balance of my time.

Mr. HASTINGS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to thank the gentleman, my friend, Mr.

NEWHOUSE, for yielding me the customary 30 minutes for debate.

Mr. Speaker, we already know what H.R. 2898 and H.R. 3038 are called, but they are follow-up legislation to the short-term temporary transportation funding bill that was signed into law last May. I am troubled by a number of issues concerning the rule and underlying bills that we are considering today.

First, as I have stated on numerous occasions, I take serious issue with the manner in which the majority has chosen to consider legislation in this Chamber. Grouping or combining multiple, unrelated pieces of legislation into one rule has become the new normal, precluding the Members of this body from making informed judgments about the proper floor procedure for each measure and creating often confusing debates about an assortment of unconnected issues. The majority's insistence on the continued use of grab-bag rules prevents the thoughtful deliberation that important legislation requires and does both the Members of this Chamber and the American people an immeasurable disservice.

Next, there are now only 9 legislative days remaining before Congress recesses in August, and much important work remains. For example, millions of Americans continue to suffer dire economic ramifications from the GOP's failure to reauthorize the Export-Import Bank, the charter for which expired June 30.

The Ex-Im Bank supported 164,000 private sector American jobs in fiscal year 2014, alone, and over 1.3 million jobs since 2009. What is more, the Ex-Im Bank has received the support of the last 13 Presidents, Republicans and Democrats, including Ronald Reagan, George H. W. Bush, George W. Bush, and Bill Clinton. It is high time Republicans allow a vote on its reauthorization.

In the face of realities such as these, Republicans in Congress continue to put forward legislation for consideration that has very little bipartisan support and stands even less chance of becoming law. Indeed, President Obama has issued a Statement of Administration Policy advising that, if he is presented with H.R. 2898, the Water bill we are considering today, he will veto it.

Mr. Speaker, I include that Statement for the RECORD.

STATEMENT OF ADMINISTRATION POLICY  
H.R. 2898—WESTERN WATER AND AMERICAN FOOD  
SECURITY ACT OF 2015

(Rep. Valadao, R-CA, July 14, 2015)

The Administration strongly opposes H.R. 2898, the Western Water and American Food Security Act of 2015, because it fails to address critical elements of California's complex water challenges and will, if enacted, impede an effective and timely response to the continuing drought while providing no additional water to hard hit communities. Like similar legislation in the last Congress,

H.R. 2898 was developed with little input from the public, the Administration, or key stakeholders affected by the drought. The urgency and seriousness of the California drought requires a balanced and flexible approach that promotes water reliability and ecosystem restoration.

Specifically, H.R. 2898 dictates operational decisions and imposes a new legal standard which could actually limit water supplies by creating new and confusing conflicts with existing laws, adding an unnecessary layer of complexity to Federal and State cooperation. This additional standard could slow decision-making, generate significant litigation, and limit real-time operational flexibility critical to maximizing water delivery. And, contrary to current and past Federal reclamation law that defers to State water law, the bill would preempt California water law.

In addition, H.R. 2898 directs specific operations inconsistent with the Endangered Species Act (ESA), thereby resulting in conditions that could be detrimental to the Delta fish and other species listed under Federal and State endangered species laws.

The Administration strongly supports efforts to help alleviate the effects of drought in the West; however, the Administration is concerned with section 401, which establishes deadlines for completing feasibility studies for certain water storage projects. The provision is unnecessary and the dates provided in the bill could prevent the participation of non-Federal partners in certain studies and may inhibit the Administration's ability to consider a full range of options for addressing these issues. In addition, financial penalties levied upon the Bureau of Reclamation under section 403 for not meeting these deadlines would only undermine the Department of the Interior's ability to help address the effects of drought in the West.

Much of the bill contains provisions that have little connection to the ongoing drought. The bill includes language constraining the Administration's ability to protect the commercial and tribal fishery on the Trinity and Klamath Rivers, which will have impacts not just in California, but throughout the west coast. The bill would also repeal the San Joaquin River Settlement Agreement, which the Congress enacted to resolve 18 years of contentious litigation. Full repeal of the settlement agreement would likely result in the resumption of costly litigation, creating an uncertain future for river restoration and water delivery operations for water users on the San Joaquin River.

Californians are facing significant drought-related challenges. This is why the Administration has directed Federal agencies to work with state and local officials in real-time to maximize limited water supplies, prioritize public health and safety, meet state water quality requirements, and ensure a balanced approach to providing for the water needs of people, agriculture, businesses, power, imperiled species and the environment. Consistent with the 2015 Interagency Drought Strategy, the Administration and Federal agencies have partnered with state agencies in California to improve coordination of water operations in the state. In June, the Administration announced new actions and investments of more than \$110 million to support workers, farmers, and rural communities suffering from drought and to combat wildfires. This builds on the more than \$190 million that agencies across the Federal government have invested to support drought-stricken communities so far this year. Unfortunately,

H.R. 2898 would undermine these efforts and the progress that has been made.

For these reasons, if the President were presented with H.R. 2898, his senior advisors would recommend that he veto the bill.

Mr. HASTINGS. Mr. Speaker, even more offensive, in a display of colossal incompetence, last week, the Republican leadership was forced to pull their entire Interior Appropriations bill to protect their Conference from having to defend the display of the Confederate battle flag on Federal lands, imagery long recognized as a symbol of hatred and intolerance. As a result, funding for critically important agencies such as the Environmental Protection Agency, whose programs protect wildlife, the environment, and public health, continues to hang in the balance.

This rule first provides for consideration of H.R. 2898, the Western Water and American Food Security Act of 2015, which Republicans claim will alleviate the drought crisis currently unfolding in California and other Western States, but this bill is just another example of the countless partisan attempts made by the majority to roll back important environmental protections while also preempting State laws. Let me put a footnote right there, “preempting State laws.” These are the people that argue State rights and now would preempt them in Western portions of our great country, particularly California, reducing water management flexibility.

□ 1300

Mr. Speaker, this bill undercuts the Endangered Species Act by changing the well-defined standard used to determine when an action negatively affects an endangered species and introduces an untested, undefined standard.

As evidenced by this piece of legislation, the Republicans’ solution to the drought crisis is to provide handouts to big agricultural interests at the expense of the environment and everyone else.

I want to make it very clear that I represent agricultural interests as do my colleagues who are Republicans. We represent all of the specialty crops and sugarcane grown, and we understand these dynamics very well.

Not only will this bill scale back desperately needed environmental protections, it will affect thousands of fishing jobs in California and Oregon that local residents depend on.

Given the changing standard of the Endangered Species Act, this bill will dramatically weaken protections for salmon and other fish and wildlife in California’s Bay-Delta Estuary.

This bill claims to help California, but even California doesn’t want it. California’s own Secretary of Natural Resources has said that this bill—and let me quote him—will “reignite water wars, move water policy back into the courts, and try to pit one part of the State against another.”

This bill will elevate the water rights for certain agricultural contractors over the existing water rights that benefit refuges and wildlife areas.

In short, this bill circumvents California’s groundbreaking equitable water conservation programs and puts the desires of big agriculture over everyone else.

This combined rule also provides for the consideration of H.R. 3038, termed the Highway and Transportation Funding Act of 2015, Part II, because it is yet another short-term, temporary patch to ensure that the highway trust fund does not become insolvent.

It is a patch. It is the ninth time we are patching. If you had a tire and were riding down a highway and if every time you looked up you had to have another patch, pretty soon you would recognize that you would need new tires. What we need in this country is a 6-year highway bill.

Back in May, Congress passed and the President signed a bill we can now appropriately call the Highway and Transportation Funding Act of 2015, Part I.

At that time, we were assured by our colleagues on the other side of the aisle that a multiyear bill that would provide the long-term funding certainty and stability needed to keep transportation and construction projects operating was on the horizon. That was in May.

We were promised, Mr. Speaker, that if we voted to provide funding through July 31, the comprehensive, multiyear highway bill America so desperately needs would become a reality in time to avoid any insolvency.

Unfortunately, today we find ourselves in the same situation as we did in May. I just heard my good friend from Washington make the argument that, in the next 6 months, we will be able to work together to do the things necessary for a 6-year highway bill. I am paraphrasing what he said.

As we had in May, today we have a rapidly approaching, self-imposed deadline and are frantically seeking an interim fix. Like its predecessor, this highway bill does nothing to address the long-term solvency of the highway trust fund.

There is one thing I have learned here about kicking the can down the road: If kicking the can down the road were an Olympic sport, here in the United States Congress, we would win gold, we would win bronze, we would win silver, and we would win aluminum for kicking the can down the road.

Instead, we are again being asked to vote for legislation that would keep the highway trust fund solvent through December 18.

Note the date of December 18, just before Christmas, so that we can play the game: “If you don’t vote for this next patch—if we don’t do 6 years—then we will keep you here until

Christmas without the necessary assurances that a long-term bill will become a reality.”

This is no way to govern. Our insistence on kicking the can down the road does nothing to protect American jobs or to invest in critical infrastructure that every man and woman in this House of Representatives recognizes is desperately needed in this Nation of falling bridges and pock-marked roads.

Finally, investing in our Nation’s infrastructure and, indeed, in our Nation’s future will require us to make tough choices.

Instead of considering raising the Federal gas tax—I said the ugly words, “Federal gas tax”—which is the primary source of funding for the highway trust fund—and it has not been increased since 1993, people—this bill seeks to cut taxes on liquefied natural gas and liquefied petroleum gas at a cost of \$90 million over the next decade.

Any comprehensive highway bill must consider, in part, addressing the Federal gas tax. Why don’t we just face up to that, go to our constituents and explain it to them so they will understand that this is a desperate need for this entire Nation.

Our failure to come together to pass a multiyear transportation bill year after year has resulted in 65 percent of our Nation’s roads being rated “deficient.” All you have to do is drive around Washington to recognize that.

It has left 25 percent of our Nation’s bridges in disrepair, and it has left 45 percent of Americans without access to transit.

This failure has far-reaching and devastating implications and must be addressed with thoughtful and meaningful bipartisan legislation that will provide the certainty and consistency required to fuel jobs and keep the highways and other transportation infrastructure safe.

Mr. Speaker, I reserve the balance of my time.

Mr. NEWHOUSE. Mr. Speaker, I yield myself such time as I may consume.

I share the gentleman from Florida’s enthusiasm for the important work that is in front of this Congress. These combined rules offer us the opportunity to bring forward important legislation at a critical time in as efficient a way as possible.

I am excited, as a freshman Congressman, to be able to be a part of this institution, certainly, but to be able to do this hard work that we have in front of us. We have a lot to do, and doing it in this way allows us to get these important things done very quickly.

Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. VALADAO), a young man who shares a very interesting perspective because he is living the drought conditions that we just read about in the State of California. He is the author of this important bill we have before us, and he is a resident of Hanford, California.

Mr. VALADAO. I thank the gentleman from Washington for his help with this important legislation.

Mr. Speaker, a little bit on the history of the Valley and the area that I represent. It is an area filled with immigrants.

When you look at my district and when you look at the people I represent, 80 percent of them are minorities. One of the reasons I feel that I had the opportunity to be elected and the honor of being able to represent that district is due to my own background.

My dad came to this country in 1969 as a new immigrant. He didn't speak English as well as he should have, and still, to this day, he speaks with a very strong accent, as does my mom.

When my dad started working in plants and trying to save money so that he could start his own farm someday and give us the opportunity to have the American Dream, he learned to speak Spanish while working alongside a lot of Hispanic folks.

While working really hard and saving his money, he had the opportunity to save enough money to actually buy some cattle and work his way up to the point at which he actually owned some land.

When we look at an opportunity for the American Dream, when we listen to people talk about the opportunity to be successful and protect the small business guy, I am that guy.

I am the guy who had that opportunity because of my parents, because of their hard work. I have been in that struggle. I don't just represent them in Congress, I am that face. I am that person who had that opportunity because of that hard work.

When we see the struggle and when someone claims to tell me or to tell us on our side what those struggles are really like and how this piece of legislation has an impact only for the largest of the large, when you raise the cost of water because you restrict the amount of water that we have delivered to the Valley, it hurts the smallest guy the most.

Those people I represent, that 80 percent minority district, are seeing unemployment numbers as high as 50 percent because those farmers are not getting that water. Those food lines are starting to grow, lines that I stood in, where I helped serve food. It is food that was grown in other countries because we can no longer grow it in the Valley.

These are all people that my friends across the aisle claim to represent, but they don't, because they don't have that background and they didn't have that opportunity to be there to work with them and to grow up in that life where they had to work before and after school like I did—drive a tractor, feed calves, and do all that different type of stuff—because that is what the American Dream is all about: working,

saving your money, and having that opportunity.

It is also about having government at their backs. But, right now government is making it more and more difficult for that little guy. Water has gotten so expensive because you have the large cities coming in and spending a bunch of money so that water is going right through the Valley to the southern portion.

All we are asking for in this piece of legislation is for some common sense, common sense that says: "Let's look at what science we are using." If we are going to protect a species, show me the evidence that meets and actually delivers the protection of species.

We have lived through two decades of this, and now we are seeing that the endangered species they claim to want to protect is on the verge of annihilation, almost gone, extinct, after delivering almost no water.

We have gotten an allocation over these past few years of zero percent. We are not asking for a lot of water. We are not asking to be taught how to conserve water. We have done that. We have reached that point.

We are at zero. We have got zero water, and we have got high unemployment numbers. We have got people standing in line, asking for food and begging for help, when all they want to do is work an honest living and provide for their families and for their neighbors.

We have seen too much suffering. It is getting old. We need to pass legislation. We need people who are sincere in this conversation to show up and show some courage and vote for this legislation.

Mr. HASTINGS. Mr. Speaker, I yield myself such time as I may consume.

When the gentleman speaks of growing up in that area, my father grew up in Griffin, Georgia, on a farm. My first job was on a farm. I picked beans, I stripped celery, and I cut chicory. So I don't need lectures about not understanding farming. I picked beans in Pahokee, Florida, which I am proud to represent now as their Congressperson.

Mr. Speaker, I yield 3 minutes to the gentleman from Vermont (Mr. WELCH), my good friend.

Mr. WELCH. I thank the gentleman.

Mr. Speaker, America needs a long-term, sustainably funded surface transportation bill. You know it. I know it. The Governors in all of our States know it. We need it to repair our roads and bridges and to fix our crumbling infrastructure.

Every single one of the 435 Members in this body has needs in his district. Speaker BOEHNER has 136 deficient bridges in his district. Leader PELOSI has 29. In my State of Vermont, we have 252 structurally deficient bridges. A photo of one of them is right here. It is disgraceful and it is unnecessary.

Yet, instead of facing up to this problem that we all share and doing some-

thing that a proud and confident country would do—invest in its future—with reckless irresponsibility, we are acting, once again, to dodge our duty with yet another short-term extension of our highway bill.

This time, the plan is a bold extension for 5 months, through December 18. Can our transportation agencies really plan a bridge replacement or a major repair in the next 5 months?

By the way, how is it paid for? It is not by asking users to pay, which has traditionally been the way we have funded our roads and bridges, but by, in this case, among other dubious devices.

We are asking airline passengers 10 years from now to pay a few billion dollars to fix our highways tomorrow. Think about it. Airline passengers in 10 years—2025—will pay for road repairs we make tomorrow.

By the way, this resort to gimmicks is not new. It has become a habit. This is the 35th short-term extension in the past 6 years. The last one in July of 2014 was paid for by the gimmick of all gimmicks, pension smoothing. We created a pothole in somebody's pension in the future to fix a pothole in his highway today.

Mr. Speaker, we need a long-term plan. We need it first to restore some semblance of duty and responsibility to this House of Representatives that has failed to do its job.

□ 1315

We need to have those 600,000 good-paying jobs start digging dirt and fixing those roads and bridges, and we need it to make America more competitive.

Mr. Speaker, enough is enough. I urge you to join me in voting "no" to this joke of a short-term plan. No more Band-Aids, no more patches, no more smoke and mirrors, no more gimmicks.

American contractors and workers are ready to do their job. It is time for Congress to do its job and pass a long-term highway transportation bill.

Mr. NEWHOUSE. Mr. Speaker, I was just handed a Statement of Administration Policy from the Executive Office of the President, a statement of his policy position on H.R. 3038. It says:

The administration supports passage of H.R. 3038 to give the House and Senate the necessary time to work on a long-term bill this year that increases investment to meet the needs of the Nation's infrastructure.

I just wanted to add that to the RECORD.

At this time, I yield 2 minutes to the gentleman from Nevada (Mr. HARDY), a fellow freshman, a gentleman from the scenic Virgin Valley of Nevada.

Mr. HARDY. Mr. Speaker, I would like to thank the gentleman from Washington for yielding me time to speak on the rule of this vital piece of legislation, H.R. 2898, the Western Water and American Food Security Act.

Coming from Nevada, the Nation's most arid State, we continue to battle a drought in all 17 counties. At no time in recent memory has the significance and proactivity of managing our water resources across the West been more important.

I can sympathize with my colleagues from across the neighboring State of California, who are also facing the fourth consecutive year of drought. We obviously cannot afford to keep this status quo.

As the only Member of Nevada's House delegation on the Committee on Natural Resources, I take a great deal of pride in speaking up for my constituents and the people of my State on important issues facing our communities. Those communities are affected by the droughts currently affecting California's Central Valley, the source of so much of our Nation's food.

For those in my district and around the country who are still battling to get this economic recovery, they can ill afford to pay more of their hard-earned income at the supermarket to feed their families.

As the son of farmer-ranchers from southeastern Nevada, I feel for the hard-working farmers whose suffering is being made worse by burdensome environmental laws and the failure of our elected leaders to provide adequate water infrastructure to meet the ever-growing demands of the 21st century. Though long overdue, we have a real opportunity to provide some common-sense solutions to this very dire situation.

Again, I would like to thank the gentleman from Washington for yielding me some time. I strongly urge a "yes" vote on the rule and a "yes" on the underlying bill.

Mr. HASTINGS. Mr. Speaker, would you be kind enough to advise how much time remains on both sides?

The SPEAKER pro tempore. The gentleman from Washington has 13 minutes remaining. The gentleman from Florida has 15 minutes remaining.

Mr. HASTINGS. Mr. Speaker, at this time, I yield 2 minutes to the distinguished gentlewoman from California (Ms. HAHN), my good friend.

Ms. HAHN. I thank my colleague from Florida for allowing me these few minutes.

Mr. Speaker, I rise today to explain why I am voting against this rule today. As has been said, California is now in the fourth year of a record drought. In response, our State and local governments have implemented mandatory conservation measures, but we also need to think about how we will increase our water supply.

The bill that the House will consider today does not do that. It just moves water from one need to another. That is why I attempted to offer an amendment to address present and current water needs. However, my amendment

was not made in order by the Committee on Rules.

My father, who was Los Angeles County Supervisor Kenny Hahn, had an idea in the 1970s to build a water pipeline from Alaska to California. The idea was never completely investigated but continues to have merit; therefore, I believe that the Department of the Interior should study the feasibility of a water pipeline network, linking our Nation's Federal reservoirs to transport water from wet regions to the dry regions in this country. That is what I thought my amendment would accomplish.

My proposal, I thought, was a first step in building pipelines from regions that have more than enough water to regions that do not. If we can transport oil via pipeline, we should be able to do the same thing with water. I am disappointed that the Committee on Rules did not find this amendment in order. It was a study to determine if this idea is feasible.

I believe a water pipeline and other creative ideas to increase our water supply should be studied. I would think Mr. VALADAO, my fellow Californian, would support an idea like this that we could consider.

To ensure that California and other States have enough water for our residents and other needs, even during periods of drought now and in the future, I think Congress should encourage and support efforts leading to these kinds of creative solutions.

Mr. NEWHOUSE. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. NUNES), a young man from the San Joaquin Valley to add to the California voice.

Mr. NUNES. Mr. Speaker, I thank the fine gentleman from Washington from the Committee on Rules and, of course, Chairman SESSIONS for, again, bringing a water bill to the floor of the House.

Five years ago, we passed a water bill very similar to this. It was in a year where we had abundant rainfall. Unfortunately, that rain was not captured. The water flowed right out to the ocean and was wasted. We have continued to dump water out to the ocean over the last 4 years. Even today, we are continuing to dump water out to the ocean.

When I hear my colleagues talk about drought, yes, we are in the third year of a drought, a very bad drought; but, in fact, the founding fathers of our State built the water systems to withstand 5 years of drought.

Back from 1987 to 1992—it is a drought that I still remember and many of my constituents remember—we really didn't have harsh problems until that fifth year of the drought. Since that time, places down in Los Angeles have built big water storage projects—in our area, no new water storage projects, only taking water away.

You go to 1992; they pass the Central Valley Project Improvement Act that took a million acre feet away and dumped it out to the ocean. In 2009, the San Joaquin River Act took another 250,000 acre feet and wasted it. In addition to that, you have had lawsuits brought forth by the Endangered Species Act by radical environmental groups that have taken the rest of the water away.

The reason we don't have any water is not because of drought; it is because we didn't hold the water when we had a chance to hold the water and keep the water and use it and spread it throughout the State of California.

In fact, it is unfortunate to say because I don't wish ill on the people in San Francisco or the Silicon Valley, but they get their water from our area that they actually pipe over, instead of contributing to the environment.

Now, I don't want the people of San Francisco to lose their water, but at the same time, the people of San Francisco shouldn't be willing to forfeit and give up our water that we rightfully own while they are taking some of ours and not contributing to the fish populations that, no matter how much water we put down, down the river and out to the ocean, the fish continue to die.

At some point, you would think that people would step back and say: Well, if flushing water out to the ocean doesn't work and hasn't helped the fish populations, then we should stop doing that.

Mr. HASTINGS. Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from California (Ms. MATSUI) to add further perspective from California.

Ms. MATSUI. I thank the gentleman from Florida for yielding.

Mr. Speaker, I rise in strong opposition to H.R. 2898. California is in the fourth year of a devastating drought, and what is on the House floor today does nothing to address the crisis, but, rather, it sets California back by fanning the flames of century-old water wars.

The story of California and the West's drought is known across the country because it is unprecedented. Not only has our annual rainfall plummeted, but for the first time in our history, California has no snowpack—none. The snow in the Sierras once sustained us through the dry summers and replenished our streams with cold water, but not this year.

Folsom Reservoir, just upstream from the city of Sacramento, is projected to be at the lowest it has been by the end of September, less than 15 percent of capacity. This is not due to government mismanagement or environmental restrictions; it is due to the lack of rain.

We need real solutions to this crisis, short- and long-term solutions. There



are no silver bullet solutions. It is an all-of-the-above approach, and it should certainly not be the fear-mongering legislation like H.R. 2898.

For the short term, our State has used the flexibility it already has to move the water and make timely deliveries to make the best of this very, very bad situation. We also need to continue our conservation efforts and fix our infrastructure where there are leaks and wastes, but that is just for the short term.

In the long term, we need to be investing in wastewater recycling, above- and below-ground water storage, and new technologies to help us monitor our water use on demand.

I have introduced a sensible bill that will allow wastewater recycling projects to move forward much more quickly with Federal support. We should be debating solutions like that and not wasting time, yet again, on a bill that does not solve the real problem.

As the daughter of a Central Valley farmer and the granddaughter of another, I grew up on a farm, and I deeply understand the value of and the controversy over water. In northern California, we have done our best to balance our watershed to provide water for our farms, our cities, and the environment.

To say that this bill will help the drought is grossly misleading and, frankly, irresponsible. Mr. Speaker, even if we pump as much water south as possible, it still wouldn't be enough.

The problem is a lack of rain. There is simply no more water to pump from the delta. This bill only further divides our State. My district, the city of Sacramento, the Sacramento region, and northern California as a whole strongly opposes this bill.

Some of the concerns that have been raised include the loss of the State's right to manage its own water; the decimation of environmental protections for our Sacramento-San Joaquin Delta; the ability to manage Folsom Reservoir for the benefit of the Sacramento metropolitan area; and, most importantly, the overall instability that this bill will create in California.

We cannot afford to give up California's right to control its own water future. The stakes are too high. I urge my colleagues to strongly reject this legislation.

Mr. NEWHOUSE. Mr. Speaker, I yield 3 minutes to the gentleman from Lawrenceville, Georgia (Mr. WOODALL), a fellow member of the Committee on Rules.

Mr. WOODALL. Mr. Speaker, I thank my friend on the Committee on Rules for yielding and appreciate what he is doing down here today.

Mr. Speaker, you serve on the Committee on Transportation and Infrastructure, as I do; you know how important it is that we get to these infra-

structure questions. I see colleague after colleague after colleague coming and saying we need long-term solutions to infrastructure. What I don't see is any colleague coming and saying that those long-term solutions are available to us, as we stand here today.

I don't have to get everything I want in this institution, Mr. Speaker, but I do have to move the ball forward. Three yards and a cloud of dust is what I tell constituents back home is the way we are going to get what we all want for this country; and if the answer is to sit on your hands and do nothing for this thing that has been so vexing to this institution, we are looking at 34, 35 extensions.

We have an opportunity to put a stop to it. The Senate, in its wildest imaginations, says maybe we can get a 4-year deal; most likely, it will be an 18-month deal. When I turn to the chairman of the Committee on Ways and Means here in the House, when I turn to the chairman of the Committee on Transportation and Infrastructure in the House, they say: Colleagues, give me 5 months, and we can do it right.

Colleagues, give me 5 months, and we will do what no other Congress has been able to do for nearly a decade. Give us 5 months, and we will deliver on not just the promises, but the expectations that every single American has.

□ 1330

My colleagues, we have gotten in the business of telling the American people that they can have their roads for free, and that is not true. If you want better roads to drive on, you have got to provide the money to make that happen.

For years, our solution has been to transfer general fund revenues into the user fee-funded transportation account. User fees mean that people who benefit from it pay for it.

I have never bumped into an American who didn't believe they ought to pay for what they use. I have never bumped into an American who didn't believe that paying their fair share was at the fabric of who we are as a nation.

This rule gives us the best chance we have, and the best chance we have had in a decade, to make transportation certainty a reality for this country. It means better roads. It means more savings of taxpayer dollars. It means better efficiency. It means more accountability.

I am grateful to my friend on the Rules Committee for bringing this rule forward and giving me an opportunity to cast my "yes" vote on this rule and a "yes" vote on the underlying bill. Five months to a better solution for America.

Mr. HASTINGS. Mr. Speaker, I will keep my good friend from Georgia's statement for him on December 18, and remind him of what he said.

Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Oregon (Mr. BLUMENAUER), my good friend.

Mr. BLUMENAUER. I listened to my friend from Georgia talking about 5 months and we will be able to finally fix this. I actually have in my hand my speech from 1 year ago today speaking on the rule where we dodged the bullet again, and I said at that time I could pull out some of my other speeches. All this does is let people off the hook.

Why didn't we fix it last fall or this spring? My good friend from Washington used to serve in the State legislature. His State legislature just passed a 15-cent gas tax increase, joining a list of six States, all Republican States, that have raised the gas tax this year.

My friend from Georgia says he has never met anybody that doesn't really want to pay for their infrastructure. Well, he ought to take a hard look at his leadership. They have denied an opportunity to move forward with something championed by Ronald Reagan in 1982, when the gas tax, at his direction, under his leadership, was raised 125 percent.

There is no excuse to keep torturing people at the State and local government level to stop enabling people to avoid their responsibility here.

My good friend, Mr. DEFAZIO, is on the floor. In 2 months, he and BILL SHUSTER, the chair of the Transportation and Infrastructure Committee, could give us a 6-year bill, but Congress has to give them a number.

Does anybody in their right mind think that we are going to go into 2016, with half the people in the other body running for President, holidays, treaties? Think again. It is a fool's errand. We ought to step up, follow Ronald Reagan's lead, replenish the gas tax, and get on with work.

Mr. NEWHOUSE. Mr. Speaker, I would inquire how much time is remaining.

The SPEAKER pro tempore (Mr. SIMPSON). The gentleman from Washington has 8½ minutes remaining. The gentleman from Florida has 8 minutes remaining.

Mr. NEWHOUSE. I reserve the balance of my time.

Mr. HASTINGS. Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up H.R. 3064, a comprehensive, 6-year surface transportation bill that is partially paid for by restricting U.S. companies from using so-called inversion to shirk their tax obligations.

Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Oregon (Mr. DEFAZIO), my good friend and the ranking member of the Committee on Transportation and Infrastructure, who will discuss our proposal.

Mr. DEFAZIO. I thank the gentleman for yielding.

As we have heard, a year ago today, the House passed a temporary extension of 1 year. Chairman RYAN of the Ways and Means Committee, who was



supposed to figure out how to pay for this, said we will use this year to put the transportation highway trust fund on a sustainable path so we can avoid stopgap legislation in the future.

Well, that didn't happen, but they were occupied with much more important things. For instance, they said that estates worth more than \$10 million shouldn't pay a penny in taxes—none, zero. That cost \$289 billion. If we had dedicated that to surface transportation, we could have basically doubled spending over 10 years.

So today, the Democrats are here to offer a real, 6-year, long-term increase in investment in America's failing infrastructure.

There are 140,000 bridges that need repair or replacement on the National Highway System. Forty percent of the pavement is at the point where you have to dig up the underlayment and rebuild the whole road.

We have an \$84 billion backlog just bringing our existing transit systems up to a state of good repair. It is so bad that people are dying on Metro here in Washington, D.C., because of the decrepit condition of the system.

With the Buy America rules, we would create a phenomenal number of jobs. In fact, under our funding proposal in our bill, we would create an additional 300,000 jobs a year. And we need those jobs here in America, and they are good-paying jobs. They are not just construction jobs. They are engineering, they are technical, they are small business, and they are minority business enterprises. They are a whole host of things that would lift the whole economy—make us more energy efficient, make Americans save money getting out of congestion, not driving their cars through giant potholes and incurring costs—but the Republicans can't figure out how to get there.

Well, we are offering an alternative—a good, solid, 6-year bill. Yes, we haven't figure out the 6-year funding yet because you guys are totally opposed to user fees, despite Ronald Reagan and Dwight Eisenhower and the history of the Republican Party on user fees, and also former chairman of the committee, Bud Shuster, who joined with the Democrats in 1993, the last time when we raised the Federal gas tax to 18.3 cents a gallon.

We would fund 2 years of this bill by prohibiting corporate inversions; i.e., Benedict Arnold corporations that continue to have all of their operations in America but go overseas and buy some minor entity and claim that is their international headquarters, like a corner drug store somewhere in London for a pharmaceutical company. It is an outrageous practice. While they enjoy all the benefits of America and all the protections of our law and our military and all those costs, they don't want to pay, and they don't want to pay for transportation either.

So we are offering an alternative today. If we defeat the previous question, we would go into an open rule, something that never happens much around here, where both sides of the aisle, any Member of Congress, could offer an amendment to increase spending, decrease spending, target one or another part of the infrastructure that they feel needs more investment.

So I urge my colleagues to defeat this rule, move to an open rule, something we were promised when the Republicans took over, and fund a 6-year bill. We will give you 2 years of funding, and we can figure out the rest over the next 2 years.

Mr. NEWHOUSE. I reserve the balance of my time.

Mr. HASTINGS. Mr. Speaker, I am very pleased to yield 4 minutes to the distinguished gentleman from Maryland (Mr. VAN HOLLEN), my good friend and the ranking member of the Committee on the Budget.

Mr. VAN HOLLEN. Let me thank my friend from Florida (Mr. HASTINGS) and congratulate Mr. DEFAZIO and Mr. BLUMENAUER on all their work on trying to modernize our national infrastructure. They know what every American out there knows, which is that we have an embarrassing state of affairs when it comes to our roads, our bridges, and our transitways.

It is not just them. We also know from the American Society of Civil Engineers, who are the nonpartisan pros, that they have concluded we have failing infrastructure. They gave our infrastructure system a grade of D-plus, a grade we should all be embarrassed by. But what is even worse is this Congress should get a grade of F for its refusal to actually do something about it.

So we are about to see an expiration of the authorization in a few weeks. Funding will dry out in a few weeks. And so what is the proposal from our Republican colleagues? Let's do 5 more months, through December, at a level they know is inadequate to help modernize our infrastructure. That is their proposal.

As my colleagues have said, we have been here before, and we are tired of Band-Aids. Who can plan to modernize their infrastructure with just a 5-month time period?

These are major investments our States are making, major investments we are making on behalf of our country, and to not have any kind of certainty that the funds are going to be there after the end of December is something that is embarrassing for a country like the United States of America.

So we are proposing today to do the 6-year plan. Mr. DEFAZIO has put that forward. The President has put forward the 6-year plan, the Grow America plan, to modernize our infrastructure and grow more jobs in the process, and

we fund the first 2-year installment. How do we fund it? We fund through a mechanism that I will bet you virtually every American will support, which is to close these pernicious tax loopholes that are allowing American companies simply to move their mailing address overseas in order to dodge their obligations to the American people.

These companies are not moving their employees. They are not moving their management. They are not moving their factories or anything else. They are just changing their mailing address by acquiring a small overseas company. It is called inversion. By doing that, they are escaping their responsibilities to their own country.

That is why my colleague called them Benedict Arnold corporations, because they are still benefiting from everything this country has to offer—educating their employees, the infrastructure that we do have, and all the other support structures they get—but they don't want to pay for it. And when they don't pay for it, guess who pays for it. The American people. Their taxes go up, or we have to borrow more on our credit card to pay for it.

So what we are saying is let's stop these inversions. Let's use that \$41 billion to fund the first 2-year installment of a robust infrastructure plan. And we can do it now.

We have introduced the bill, H.R. 3064, introduced by Mr. DEFAZIO, myself, Mr. ISRAEL, Mr. LEVIN, Ms. HOLMES NORTON. The next vote we have, the next vote we cast, will allow this body to take up that legislation.

So we don't have to kick the can down the road for just 5 months with all that uncertainty. We can vote to do a robust 6-year plan, have a modernized infrastructure, and pay for it by shutting down these loopholes that corporations are abusing.

Let's take that money that is right now going into the pockets of people who are dodging our tax laws and invest in infrastructure. Let's get the job done today, not 5 months from now or a year from now. Let's get it done today.

I urge my colleagues to support this legislation and defeat the previous question so we can take it up.

Mr. NEWHOUSE. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. DENHAM).

Mr. DENHAM. Mr. Speaker, it is an important and critical time for the State of California. We are facing an unprecedented drought that is affecting farms, families, and communities that are just being shut off from water, communities that are not only rationing, but now having to have water trucked in.

This has been an ongoing battle. This battle has been going on for years. Some would say this is all due to climate change. But shouldn't we as a

country, shouldn't we as a State be focused on infrastructure that will actually capture water so that we can save the water for years like this rather than seeing huge unemployment levels?

Rather than seeing people waiting in lines to receive free food because they can't get a job, shouldn't we be making the simple fixes to actually store and capture our water?

The amendments that we heard earlier talk about desalinization. Sure, I am fine with desalinization. I think we ought to use every opportunity that we have. But rather than pushing all of our clean water out into the ocean only to desalinate the salt water to bring it back into clean water, shouldn't we first start by saving the precious resources that we have?

So, sure, desalinization is a good idea, but it ought to be mixed in with everything else that we do. We ought to have greater water storage. We ought to be actually protecting the fish that we talk about protecting. Let's actually address the predator fish that eat 95 to 98 percent of the fish that we are trying to save, spending millions of dollars not only trying to save them, but pushing out thousands of acre-feet of freshwater that would go to our communities, which would create thousands of jobs rather than seeing this huge population that begins to see unemployment levels at record levels.

□ 1345

We ought to do the restoration to the environment. We have a number of different tributaries that we entered into agreement on, bipartisan agreements, to actually address the restoration of that area.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NEWHOUSE. Mr. Speaker, I yield the gentleman an additional 30 seconds.

Mr. DENHAM. Rather than restore the riverbeds themselves, we truck the fish around the river. That doesn't help the environment; it doesn't help the fish, and it certainly does not help the communities of California.

What the rest of the country needs to worry about is this shortage of food, the scarcity of food that we will see across the country not only being sent from California, but the high prices that go with it.

You are affecting the American family; you are affecting the jobs in California, and it is time to fix this water situation on the West Coast and in the United States and in California and to do it now.

Mr. HASTINGS. Mr. Speaker, I reserve the balance of my time to close.

Mr. NEWHOUSE. Mr. Speaker, I have one more good gentleman from California I would like to hear from.

I yield 2 minutes to the young man from Richvale, California (Mr. LAMALFA).

Mr. LAMALFA. Mr. Speaker, this bill, H.R. 2898, is the product of bipartisan, bicameral negotiations and will protect State water rights, store more water during winter storms, address invasive fish that my colleague Mr. DENHAM was talking about that have decimated endangered species, and advance new water infrastructure to prepare for future droughts.

One project alone—Sites Reservoir, in my region—would reduce the State's need for rationing by 60 percent with that project.

My northern California district is a source of a vast amount of the State's usable water supply and its largest reservoirs; yet even my constituents are facing water rationing. Fields across my district are fallow because Federal agencies haven't adapted to drought conditions.

While some in the minority party would prefer to simply hand out borrowed money, doing so only ensures that this crisis will be repeated again and again. Our conditions in our lakes are already desperate. Folsom Lake, for example, will soon be a dead pool, and that is an important water source for Sacramento, due to the attempts to try to keep water under salmon down there.

This bill increases access to water for all Californians, without benefiting one region at the expense of another.

Mr. Speaker, California and the Nation cannot wait any longer. We need H.R. 2898 to move forward in the bipartisan effort we have had so far. The answer to this crisis isn't billions again and more borrowed dollars or more environmental restrictions. It is action to move on California's drought and add to California's water supply.

I urge your support for H.R. 2898. Let's get California back moving again.

Mr. HASTINGS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD, along with extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HASTINGS. Mr. Speaker, there is too little time left on the legislative calendar for this body to be considering partisan legislation that we have been assured will not become law.

Furthermore, the future of our Nation's highways and transportation systems are far too important to continue to fund using short-term Band-Aid patches. Our constituents, this great country, deserves better.

I yield back the balance of my time.

Mr. NEWHOUSE. Mr. Speaker, I yield myself the balance of my time.

In closing, the issues we have considered here today are critical to the sta-

bility of our transportation infrastructure and the health of our rural western communities, as well as the economic well-being of our country.

This rule provides for consideration of H.R. 3038, the Highway and Transportation Funding Act, as well as H.R. 2898, the Western Water and American Food Security Act, a comprehensive and bipartisan bill that aims at alleviating drought impacts in the short and long term.

Water is not just a resource in the West; it is the lifeblood of farming and ranching all across the region, and we must act swiftly and decisively to mitigate the impacts of this crisis.

California and many areas in the West are facing devastating drought conditions. This bill fixes the bureaucratic and regulatory mess that has prevented people from getting water they so desperately need. Failing to pass this bill would deal a devastating blow to farm families and the American economy.

Many families, businesses, and ag producers are producing with some of the most dire drought conditions they have seen in decades; and a growing number of communities have been impacted by water shortages and rationing.

However, most of the damaging effects of the drought are preventable, and this bill comes to the aid of the West by fixing the broken regulatory system and updating our water infrastructure for this coming century.

While the root of the cause of this crisis is the drought, complex and inconsistent laws, misguided court decisions, and burdensome regulations have exacerbated an already devastating situation.

Mr. Speaker, this bill addresses these policy failures and seeks to alleviate the drought's short- and long-term impacts. It will give immediate relief to millions of Americans who are facing mandatory water rationing and will invest in new water storage facilities to prepare for future droughts.

While the Obama administration has issued a veto threat for this bill, people suffering in the West have little time for political theater, which is why I am urging my colleagues on both sides of the aisle to support this critical legislation.

This rule also provides for consideration of H.R. 3038, the Highway and Transportation Funding Act, a bill that will extend the Federal surface transportation programs. This extension will provide the House and Senate with time to work out a long-term surface transportation reauthorization bill in a bicameral, bipartisan manner.

This bill will also allow us to work towards a resolution of the highway trust fund, which is currently facing a \$90 billion shortfall, as we have heard. If we fail to address the trust fund, its insolvency would have disastrous impacts on States across our country.

Many projects would grind to a halt. Workers would be furloughed, and existing infrastructure investments would be lost.

While another short-term extension is not what any of us wanted, our States need certainty, and that certainty can only come from the long-term reauthorization of these transportation programs, as well as a lasting solution for the trust fund.

Mr. Speaker, this is a good, straightforward rule, allowing for consideration of two important pieces of legislation that will help protect our rural, Western communities, while providing much relief from devastating water shortages and drought conditions.

It will also ensure that many important transportation programs do not lapse and will extend the highway trust fund expenditure authority so that this vital fund remains solvent and available for projects across the country while we work towards a lasting solution.

I appreciate the discussion we have had over the last hour. It has been great, very enlightening. Although we may have some differences of opinion, I believe this rule and the underlying bills are strong measures that are important to our country's future.

I urge my colleagues to support House Resolution 362 and the underlying bills.

The material previously referred to by Mr. HASTINGS is as follows:

AN AMENDMENT TO H. RES. 362 OFFERED BY  
MR. HASTINGS OF FLORIDA

Strike section 2 and insert the following:

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3064) to authorize highway infrastructure and safety, transit, motor carrier, rail, and other surface transportation programs, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure and the chair and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 3064.

THE VOTE ON THE PREVIOUS QUESTION: WHAT  
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. NEWHOUSE. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 245, nays 182, not voting 6, as follows:

[Roll No. 438]

YEAS—245

Abraham	Fleming	Love
Aderholt	Flores	Lucas
Allen	Forbes	Luetkemeyer
Amash	Fortenberry	Lummis
Amodei	Fox	MacArthur
Babin	Franks (AZ)	Marchant
Barletta	Frelinghuysen	Marino
Barr	Garrett	Massie
Barton	Gibbs	McCarthy
Benishek	Gibson	McCaul
Bilirakis	Gohmert	McClintock
Bishop (MI)	Goodlatte	McHenry
Bishop (UT)	Gosar	McKinley
Black	Gowdy	McMorris
Blackburn	Granger	Rodgers
Blum	Graves (GA)	McSally
Bost	Graves (LA)	Meadows
Boustany	Graves (MO)	Meehan
Brady (TX)	Griffith	Messer
Brat	Grothman	Mica
Bridenstine	Guinta	Miller (FL)
Brooks (AL)	Guthrie	Miller (MI)
Brooks (IN)	Hanna	Moolenaar
Brown (FL)	Hardy	Mooney (WV)
Buchanan	Harper	Mullin
Buck	Harris	Mulvaney
Bucshon	Hartzler	Murphy (PA)
Burgess	Heck (NV)	Neugebauer
Byrne	Hensarling	Newhouse
Calvert	Herrera Beutler	Noem
Carter (GA)	Hice, Jody B.	Nugent
Carter (TX)	Hill	Nunes
Chabot	Holding	Olson
Chaffetz	Hudson	Palazzo
Clawson (FL)	Huelskamp	Palmer
Coffman	Huizenga (MI)	Paulsen
Cole	Hultgren	Pearce
Collins (GA)	Hunter	Perry
Collins (NY)	Hurd (TX)	Pittenger
Comstock	Hurt (VA)	Pitts
Conaway	Issa	Poe (TX)
Cook	Jenkins (KS)	Poliquin
Costa	Jenkins (WV)	Pompeo
Costello (PA)	Johnson (OH)	Posey
Crawford	Johnson, Sam	Price, Tom
Crenshaw	Jolly	Ratcliffe
Culberson	Jones	Reed
Curbelo (FL)	Jordan	Reichert
Davis, Rodney	Joyce	Renacci
Denham	Katko	Ribble
Dent	Kelly (MS)	Rice (SC)
DeSantis	Kelly (PA)	Rigell
DesJarlais	King (IA)	Roby
Diaz-Balart	King (NY)	Roe (TN)
Dold	Kinzing (IL)	Rogers (AL)
Donovan	Kline	Rogers (KY)
Duffy	Knight	Rohrabacher
Duncan (SC)	Labrador	Rokita
Duncan (TN)	LaMalfa	Rooney (FL)
Ellmers (NC)	Lamborn	Ros-Lehtinen
Emmer (MN)	Lance	Roskam
Farenthold	Latta	Ross
Fincher	LoBiondo	Rothfus
Fitzpatrick	Long	Rouzer
Fleischmann	Loudermilk	Royce

Russell  
Ryan (WI)  
Salmon  
Sanford  
Scalise  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Stefanik

## NAYS—182

Adams  
Aguilar  
Ashford  
Bass  
Beatty  
Becerra  
Bera  
Bishop (GA)  
Blumenauer  
Bonamici  
Boyle, Brendan F.  
Brady (PA)  
Brownley (CA)  
Bustos  
Butterfield  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly  
Conyers  
Cooper  
Courtney  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
DeSaulnier  
Deutch  
Dingell  
Doggett  
Doyle, Michael F.  
Duckworth  
Edwards  
Ellison  
Eshoo  
Esty  
Farr  
Fattah  
Foster  
Frankel (FL)  
Fudge  
Gabbard

## NOT VOTING—6

Beyer  
Cramer

□ 1422

Mrs. DINGELL and Mr. POLIS changed their vote from “yea” to “nay.”

So the previous question was ordered.

Webster (FL)  
Wenstrup  
Westerman  
Westmoreland  
Whitfield  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Young (IN)  
Zeldin  
Zinke

Nolan  
Norcross  
O'Rourke  
Pallone  
Pascarelli  
Payne  
Pelosi  
Perlmutter  
Peters  
Peterson  
Pingree  
Pocan  
Polis  
Price (NC)  
Quigley  
Rangel  
Rice (NY)  
Richmond  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez, Linda T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schrader  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Sherman  
Sinema  
Sires  
Slaughter  
Smith (WA)  
Speier  
Swalwell (CA)  
Takai  
Takano  
Thompson (CA)  
Thompson (MS)  
Titus  
Tonko  
Torres  
Tsongas  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Walz  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Welch  
Wilson (FL)  
Yarmuth

Keating  
Wagner

The result of the vote was announced as above recorded.

Stated for:

Mrs. WAGNER. Mr. Speaker, on rollcall No. 438, I was unavoidably detained by media. Had I been present, I would have voted “yes.”

The SPEAKER pro tempore (Mr. YODER). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

## RECORDED VOTE

Mr. HASTINGS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 245, noes 183, not voting 5, as follows:

[Roll No. 439]

## AYES—245

Abraham  
Aderholt  
Allen  
Amash  
Amodei  
Babin  
Barletta  
Barr  
Barton  
Benishek  
Bilirakis  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Bost  
Boustany  
Brady (TX)  
Brat  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Buchanan  
Buck  
Bucshon  
Burgess  
Byrne  
Calvert  
Carter (GA)  
Carter (TX)  
Chabot  
Chaffetz  
Clawson (FL)  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comstock  
Conaway  
Cook  
Costa  
Costello (PA)  
Cramer  
Crawford  
Crenshaw  
Culberson  
Joyce  
Curbelo (FL)  
Davis, Rodney  
Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Dold  
Donovan  
Duffy  
Duncan (SC)  
Duncan (TN)  
Elmiers (NC)  
Emmer (MN)  
Farenthold  
Fincher  
Fitzpatrick  
Fleischmann

Ryan (WI)  
Salmon  
Sanford  
Scalise  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Stefanik  
Stewart

Adams  
Aguilar  
Ashford  
Bass  
Beatty  
Becerra  
Bera  
Bishop (GA)  
Blumenauer  
Bonamici  
Boyle, Brendan F.  
Brady (PA)  
Brown (FL)  
Brownley (CA)  
Bustos  
Butterfield  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly  
Conyers  
Cooper  
Courtney  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DelBene  
DeSaulnier  
Deutch  
Dingell  
Doggett  
Doyle, Michael F.  
Duckworth  
Edwards  
Ellison  
Eshoo  
Esty  
Farr  
Fattah  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego

Beyer  
DeLauro

Stivers  
Stutzman  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Trott  
Turner  
Upton  
Valadao  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)

## NOES—183

Garamendi  
Graham  
Grayson  
Green, Al  
Green, Gene  
Grijalva  
Gutiérrez  
Hahn  
Hastings  
Heck (WA)  
Higgins  
Himes  
Hinojosa  
Honda  
Hoyer  
Huffman  
Israel  
Jackson Lee  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Kelly (IL)  
Kennedy  
Kildee  
Kilmer  
Kind  
Kirkpatrick  
Kuster  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Lee  
Levin  
Lewis  
Lieu, Ted  
Lipinski  
Loebach  
Lofgren  
Lowenthal  
Lowey  
Lujan Grisham  
(NM)  
Luján, Ben Ray  
(NM)  
Lynch  
Maloney  
Carolyn  
Maloney, Sean  
Matsui  
McCollum  
McDermott  
McGovern  
McNerney  
Meeks  
Meng  
Moore  
Moulton  
Murphy (FL)  
Nadler  
Napolitano  
Neal  
Nolan

## NOT VOTING—5

Engel  
Fortenberry

□ 1430

So the resolution was agreed to.  
The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## HIGHWAY AND TRANSPORTATION FUNDING ACT OF 2015, PART II

Mr. SHUSTER. Mr. Speaker, pursuant to House Resolution 362, I call up the bill (H.R. 3038) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 362, the bill is considered read.

The text of the bill is as follows:

H.R. 3038

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE; RECONCILIATION OF FUNDS; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Highway and Transportation Funding Act of 2015, Part II”.

(b) RECONCILIATION OF FUNDS.—The Secretary of Transportation shall reduce the amount apportioned or allocated for a program, project, or activity under this Act in fiscal year 2015 by amounts apportioned or allocated pursuant to the Highway and Transportation Funding Act of 2014 and the Highway and Transportation Funding Act of 2015, including the amendments made by such Acts, for the period beginning on October 1, 2014, and ending on July 31, 2015.

(c) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; reconciliation of funds; table of contents.

#### TITLE I—SURFACE TRANSPORTATION PROGRAM EXTENSION

##### Subtitle A—Federal-Aid Highways

Sec. 1001. Extension of Federal-aid highway programs.

Sec. 1002. Administrative expenses.

##### Subtitle B—Extension of Highway Safety Programs

Sec. 1101. Extension of National Highway Traffic Safety Administration highway safety programs.

Sec. 1102. Extension of Federal Motor Carrier Safety Administration programs.

Sec. 1103. Dingell-Johnson Sport Fish Restoration Act.

##### Subtitle C—Public Transportation Programs

Sec. 1201. Formula grants for rural areas.

Sec. 1202. Apportionment of appropriations for formula grants.

Sec. 1203. Authorizations for public transportation.

Sec. 1204. Bus and bus facilities formula grants.

##### Subtitle D—Hazardous Materials

Sec. 1301. Authorization of appropriations.

#### TITLE II—REVENUE PROVISIONS

Sec. 2001. Extension of Highway Trust Fund expenditure authority.

Sec. 2002. Funding of Highway Trust Fund.

Sec. 2003. Modification of mortgage reporting requirements.

Sec. 2004. Consistent basis reporting between estate and person acquiring property from decedent.

Sec. 2005. Clarification of 6-year statute of limitations in case of overstatement of basis.

Sec. 2006. Tax return due dates.

Sec. 2007. Transfers of excess pension assets to retiree health accounts.

Sec. 2008. Equalization of Highway Trust Fund excise taxes on liquefied natural gas, liquefied petroleum gas, and compressed natural gas.

#### TITLE III—ADDITIONAL PROVISIONS

Sec. 3001. Service fees.

#### TITLE I—SURFACE TRANSPORTATION PROGRAM EXTENSION

##### Subtitle A—Federal-Aid Highways

#### SEC. 1001. EXTENSION OF FEDERAL-AID HIGHWAY PROGRAMS.

(a) IN GENERAL.—Section 1001(a) of the Highway and Transportation Funding Act of 2014 (128 Stat. 1840) is amended by striking “July 31, 2015” and inserting “December 18, 2015”.

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) HIGHWAY TRUST FUND.—Section 1001(b)(1) of the Highway and Transportation Funding Act of 2014 (128 Stat. 1840) is amended to read as follows:

“(1) HIGHWAY TRUST FUND.—Except as provided in section 1002, there is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account)—

“(A) for fiscal year 2015, a sum equal to the total amount authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) for programs, projects, and activities for fiscal year 2014 under divisions A and E of MAP-21 (Public Law 112-141) and title 23, United States Code (excluding chapter 4 of that title); and

“(B) for the period beginning on October 1, 2015, and ending on December 18, 2015, <sup>79</sup>/<sub>366</sub> of the total amount authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) for programs, projects, and activities for fiscal year 2015 under divisions A and E of MAP-21 (Public Law 112-141) and title 23, United States Code (excluding chapter 4 of that title).”.

(2) GENERAL FUND.—Section 1123(h)(1) of MAP-21 (23 U.S.C. 202 note) is amended by striking “each of fiscal years 2013 and 2014 and \$24,986,301 out of the general fund of the Treasury to carry out the program for the period beginning on October 1, 2014, and ending on July 31, 2015” and inserting “each of fiscal years 2013 through 2015 and \$6,475,410 out of the general fund of the Treasury to carry out the program for the period beginning on October 1, 2015, and ending on December 18, 2015”.

(c) USE OF FUNDS.—

(1) IN GENERAL.—Section 1001(c)(1) of the Highway and Transportation Funding Act of 2014 (128 Stat. 1840) is amended by striking “(1) IN GENERAL.—” and all that follows through “to carry out programs” and inserting the following:

“(1) IN GENERAL.—Except as otherwise expressly provided in this subtitle, funds authorized to be appropriated under subsection (b)(1)—

“(A) for fiscal year 2015 shall be distributed, administered, limited, and made available for obligation in the same manner and at the same levels as the amounts of funds authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) for fiscal year 2014; and

“(B) for the period beginning on October 1, 2015, and ending on December 18, 2015, shall be distributed, administered, limited, and made available for obligation in the same manner and at the same levels as <sup>79</sup>/<sub>366</sub> of the

amounts of funds authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) for fiscal year 2015, to carry out programs”.

(2) OBLIGATION CEILING.—Section 1102 of MAP-21 (23 U.S.C. 104 note) is amended—

(A) in subsection (a)—

(i) by striking “and” at the end of paragraph (2); and

(ii) by striking paragraph (3) and inserting the following:

“(3) \$40,256,000,000 for fiscal year 2015; and

“(4) \$8,689,136,612 for the period beginning on October 1, 2015, and ending on December 18, 2015.”;

(B) in subsection (b)(12)—

(i) by striking “each of fiscal years 2013 through 2014” and inserting “each of fiscal years 2013 through 2015”; and

(ii) by striking “, and for the period beginning on October 1, 2014, and ending on July 31, 2015, only in an amount equal to \$639,000,000, less any reductions that would have otherwise been required for that year by section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a), then multiplied by <sup>304</sup>/<sub>365</sub> for that period” and inserting “, and for the period beginning on October 1, 2015, and ending on December 18, 2015, only in an amount equal to \$639,000,000, less any reductions that would have otherwise been required for that year by section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a), then multiplied by <sup>79</sup>/<sub>366</sub> for that period”;

(C) in subsection (c)—

(i) in the matter preceding paragraph (1) by striking “each of fiscal years 2013 through 2014 and for the period beginning on October 1, 2014, and ending on July 31, 2015” and inserting “each of fiscal years 2013 through 2015 and for the period beginning on October 1, 2015, and ending on December 18, 2015”; and

(ii) in paragraph (2) in the matter preceding subparagraph (A) by striking “for the period beginning on October 1, 2014, and ending on July 31, 2015, that is equal to <sup>304</sup>/<sub>365</sub> of such unobligated balance” and inserting “for the period beginning on October 1, 2015, and ending on December 18, 2015, that is equal to <sup>79</sup>/<sub>366</sub> of such unobligated balance”;

(D) in subsection (d) in the matter preceding paragraph (1) by striking “2015” and inserting “2016”; and

(E) in subsection (f)(1) in the matter preceding subparagraph (A) by striking “each of fiscal years 2013 through 2014 and for the period beginning on October 1, 2014, and ending on July 31, 2015” and inserting “each of fiscal years 2013 through 2015 and for the period beginning on October 1, 2015, and ending on December 18, 2015”.

#### SEC. 1002. ADMINISTRATIVE EXPENSES.

Section 1002 of the Highway and Transportation Funding Act of 2014 (128 Stat. 1842) is amended—

(1) in subsection (a) by striking “for administrative expenses of the Federal-aid highway program \$366,465,753 for the period beginning on October 1, 2014, and ending on July 31, 2015.” and inserting “for administrative expenses of the Federal-aid highway program—

“(1) \$440,000,000 for fiscal year 2015; and

“(2) \$94,972,678 for the period beginning on October 1, 2015, and ending on December 18, 2015.”; and

(2) by striking subsection (b)(2) and inserting the following:

“(2) for fiscal year 2015 and for the period beginning on October 1, 2015, and ending on December 18, 2015, subject to the limitations

on administrative expenses under the heading 'Federal Highway Administration' in appropriations Acts that apply, respectively, to that fiscal year and period."

**Subtitle B—Extension of Highway Safety Programs**

**SEC. 1101. EXTENSION OF NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION HIGHWAY SAFETY PROGRAMS.**

(a) EXTENSION OF PROGRAMS.—

(1) HIGHWAY SAFETY PROGRAMS.—Section 31101(a)(1) of MAP-21 (126 Stat. 733) is amended—

(A) by striking "and" at the end of subparagraph (B); and

(B) by striking subparagraph (C) and inserting the following:

"(C) \$235,000,000 for fiscal year 2015; and

"(D) \$50,724,044 for the period beginning on October 1, 2015, and ending on December 18, 2015."

(2) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—Section 31101(a)(2) of MAP-21 (126 Stat. 733) is amended—

(A) by striking "and" at the end of subparagraph (B); and

(B) by striking subparagraph (C) and inserting the following:

"(C) \$113,500,000 for fiscal year 2015; and

"(D) \$24,498,634 for the period beginning on October 1, 2015, and ending on December 18, 2015."

(3) NATIONAL PRIORITY SAFETY PROGRAMS.—Section 31101(a)(3) of MAP-21 (126 Stat. 733) is amended—

(A) by striking "and" at the end of subparagraph (B); and

(B) by striking subparagraph (C) and inserting the following:

"(C) \$272,000,000 for fiscal year 2015; and

"(D) \$58,710,383 for the period beginning on October 1, 2015, and ending on December 18, 2015."

(4) NATIONAL DRIVER REGISTER.—Section 31101(a)(4) of MAP-21 (126 Stat. 733) is amended—

(A) by striking "and" at the end of subparagraph (B); and

(B) by striking subparagraph (C) and inserting the following:

"(C) \$5,000,000 for fiscal year 2015; and

"(D) \$1,079,235 for the period beginning on October 1, 2015, and ending on December 18, 2015."

(5) HIGH VISIBILITY ENFORCEMENT PROGRAM.—

(A) AUTHORIZATION OF APPROPRIATIONS.—Section 31101(a)(5) of MAP-21 (126 Stat. 733) is amended—

(i) by striking "and" at the end of subparagraph (B); and

(ii) by striking subparagraph (C) and inserting the following:

"(C) \$29,000,000 for fiscal year 2015; and

"(D) \$6,259,563 for the period beginning on October 1, 2015, and ending on December 18, 2015."

(B) LAW ENFORCEMENT CAMPAIGNS.—Section 2009(a) of SAFETEA-LU (23 U.S.C. 402 note) is amended—

(i) in the first sentence by striking "each of fiscal years 2013 and 2014 and in the period beginning on October 1, 2014, and ending on July 31, 2015" and inserting "each of fiscal years 2013 through 2015 and in the period beginning on October 1, 2015, and ending on December 18, 2015"; and

(ii) in the second sentence by striking "each of fiscal years 2013 and 2014 and in the period beginning on October 1, 2014, and ending on July 31, 2015," and inserting "each of fiscal years 2013 through 2015 and in the period beginning on October 1, 2015, and ending on December 18, 2015,".

(6) ADMINISTRATIVE EXPENSES.—Section 31101(a)(6) of MAP-21 (126 Stat. 733) is amended—

(A) by striking "and" at the end of subparagraph (B); and

(B) by striking subparagraph (C) and inserting the following:

"(C) \$25,500,000 for fiscal year 2015; and

"(D) \$5,504,098 for the period beginning on October 1, 2015, and ending on December 18, 2015."

(b) COOPERATIVE RESEARCH AND EVALUATION.—Section 403(f)(1) of title 23, United States Code, is amended by striking "each fiscal year ending before October 1, 2014, and \$2,082,192 of the total amount available for apportionment to the States for highway safety programs under section 402(c) in the period beginning on October 1, 2014, and ending on July 31, 2015," and inserting "each fiscal year ending before October 1, 2015, and \$539,617 of the total amount available for apportionment to the States for highway safety programs under section 402(c) in the period beginning on October 1, 2015, and ending on December 18, 2015,".

(c) APPLICABILITY OF TITLE 23.—Section 31101(c) of MAP-21 (126 Stat. 733) is amended by striking "fiscal years 2013 and 2014 and for the period beginning on October 1, 2014, and ending on July 31, 2015," and inserting "each of fiscal years 2013 through 2015 and for the period beginning on October 1, 2015, and ending on December 18, 2015,".

**SEC. 1102. EXTENSION OF FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION PROGRAMS.**

(a) MOTOR CARRIER SAFETY GRANTS.—Section 31104(a) of title 49, United States Code, is amended—

(1) by striking "and" at the end of paragraph (9); and

(2) by striking paragraph (10) and inserting the following:

"(10) \$218,000,000 for fiscal year 2015; and

"(11) \$47,054,645 for the period beginning on October 1, 2015, and ending on December 18, 2015."

(b) ADMINISTRATIVE EXPENSES.—Section 31104(i)(1) of title 49, United States Code, is amended—

(1) by striking "and" at the end of subparagraph (I); and

(2) by striking subparagraph (J) and inserting the following:

"(J) \$259,000,000 for fiscal year 2015; and

"(K) \$55,904,372 for the period beginning on October 1, 2015, and ending on December 18, 2015."

(c) GRANT PROGRAMS.—

(1) COMMERCIAL DRIVER'S LICENSE PROGRAM IMPROVEMENT GRANTS.—Section 4101(c)(1) of SAFETEA-LU (119 Stat. 1715) is amended by striking "each of fiscal years 2013 and 2014 and \$24,986,301 for the period beginning on October 1, 2014, and ending on July 31, 2015" and inserting "each of fiscal years 2013 through 2015 and \$6,475,410 for the period beginning on October 1, 2015, and ending on December 18, 2015,".

(2) BORDER ENFORCEMENT GRANTS.—Section 4101(c)(2) of SAFETEA-LU (119 Stat. 1715) is amended by striking "each of fiscal years 2013 and 2014 and \$26,652,055 for the period beginning on October 1, 2014, and ending on July 31, 2015" and inserting "each of fiscal years 2013 through 2015 and \$6,907,104 for the period beginning on October 1, 2015, and ending on December 18, 2015,".

(3) PERFORMANCE AND REGISTRATION INFORMATION SYSTEM MANAGEMENT GRANT PROGRAM.—Section 4101(c)(3) of SAFETEA-LU (119 Stat. 1715) is amended by striking "each of fiscal years 2013 and 2014 and \$4,164,384 for

the period beginning on October 1, 2014, and ending on July 31, 2015" and inserting "each of fiscal years 2013 through 2015 and \$1,079,235 for the period beginning on October 1, 2015, and ending on December 18, 2015,".

(4) COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS DEPLOYMENT PROGRAM.—Section 4101(c)(4) of SAFETEA-LU (119 Stat. 1715) is amended by striking "each of fiscal years 2013 and 2014 and \$20,821,918 for the period beginning on October 1, 2014, and ending on July 31, 2015" and inserting "each of fiscal years 2013 through 2015 and \$5,396,175 for the period beginning on October 1, 2015, and ending on December 18, 2015,".

(5) SAFETY DATA IMPROVEMENT GRANTS.—Section 4101(c)(5) of SAFETEA-LU (119 Stat. 1715) is amended by striking "each of fiscal years 2013 and 2014 and \$2,498,630 for the period beginning on October 1, 2014, and ending on July 31, 2015" and inserting "each of fiscal years 2013 through 2015 and \$647,541 for the period beginning on October 1, 2015, and ending on December 18, 2015,".

(d) HIGH-PRIORITY ACTIVITIES.—Section 31104(k)(2) of title 49, United States Code, is amended by striking "each of fiscal years 2006 through 2014 and up to \$12,493,151 for the period beginning on October 1, 2014, and ending on July 31, 2015," and inserting "each of fiscal years 2006 through 2015 and up to \$3,237,705 for the period beginning on October 1, 2015, and ending on December 18, 2015,".

(e) NEW ENTRANT AUDITS.—Section 31144(g)(5)(B) of title 49, United States Code, is amended by striking "per fiscal year and up to \$26,652,055 for the period beginning on October 1, 2014, and ending on July 31, 2015," and inserting "per fiscal year and up to \$6,907,104 for the period beginning on October 1, 2015, and ending on December 18, 2015,".

(f) OUTREACH AND EDUCATION.—Section 4127(e) of SAFETEA-LU (119 Stat. 1741) is amended by striking "each of fiscal years 2013 and 2014 and \$3,331,507 to the Federal Motor Carrier Safety Administration for the period beginning on October 1, 2014, and ending on July 31, 2015," and inserting "each of fiscal years 2013 through 2015 and \$863,388 to the Federal Motor Carrier Safety Administration for the period beginning on October 1, 2015, and ending on December 18, 2015,".

(g) GRANT PROGRAM FOR COMMERCIAL MOTOR VEHICLE OPERATORS.—Section 4134(c) of SAFETEA-LU (49 U.S.C. 31301 note) is amended by striking "each of fiscal years 2005 through 2014 and \$832,877 for the period beginning on October 1, 2014, and ending on July 31, 2015," and inserting "each of fiscal years 2005 through 2015 and \$215,847 for the period beginning on October 1, 2015, and ending on December 18, 2015,".

**SEC. 1103. DINGELL-JOHNSON SPORT FISH RESTORATION ACT.**

Section 4 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c) is amended—

(1) in subsection (a) in the matter preceding paragraph (1) by striking "each fiscal year through 2014 and for the period beginning on October 1, 2014, and ending on July 31, 2015" and inserting "each fiscal year through 2015 and for the period beginning on October 1, 2015, and ending on December 18, 2015"; and

(2) in subsection (b)(1)(A) by striking "for each fiscal year ending before October 1, 2014, and for the period beginning on October 1, 2014, and ending on July 31, 2015," and inserting "for each fiscal year ending before October 1, 2015, and for the period beginning on October 1, 2015, and ending on December 18, 2015,".

**Subtitle C—Public Transportation Programs****SEC. 1201. FORMULA GRANTS FOR RURAL AREAS.**

Section 5311(c)(1) of title 49, United States Code, is amended—

(1) in subparagraph (A) by striking “for each fiscal year ending before October 1, 2014, and \$4,164,384 for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “for each fiscal year ending before October 1, 2015, and \$1,079,235 for the period beginning on October 1, 2015, and ending on December 18, 2015,”; and

(2) in subparagraph (B) by striking “for each fiscal year ending before October 1, 2014, and \$20,821,918 for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “for each fiscal year ending before October 1, 2015, and \$5,396,175 for the period beginning on October 1, 2015, and ending on December 18, 2015.”.

**SEC. 1202. APPORTIONMENT OF APPROPRIATIONS FOR FORMULA GRANTS.**

Section 5336(h)(1) of title 49, United States Code, is amended by striking “for each fiscal year ending before October 1, 2014, and \$24,986,301 for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “for each fiscal year ending before October 1, 2015, and \$6,475,410 for the period beginning on October 1, 2015, and ending on December 18, 2015.”.

**SEC. 1203. AUTHORIZATIONS FOR PUBLIC TRANSPORTATION.**

(a) **FORMULA GRANTS.**—Section 5338(a) of title 49, United States Code, is amended—

(1) in paragraph (1) by striking “and \$7,158,575,342 for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “\$8,595,000,000 for fiscal year 2015, and \$1,855,204,918 for the period beginning on October 1, 2015, and ending on December 18, 2015”;

(2) in paragraph (2)—

(A) in subparagraph (A) by striking “and \$107,274,521 for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “\$128,800,000 for fiscal 2015, and \$27,801,093 for the period beginning on October 1, 2015, and ending on December 18, 2015.”;

(B) in subparagraph (B) by striking “for each of fiscal years 2013 and 2014 and \$8,328,767 for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “for each of fiscal years 2013 through 2015 and \$2,158,470 for the period beginning on October 1, 2015, and ending on December 18, 2015.”;

(C) in subparagraph (C) by striking “and \$3,713,505,753 for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “\$4,458,650,000 for fiscal year 2015, and \$962,386,202 for the period beginning on October 1, 2015, and ending on December 18, 2015.”;

(D) in subparagraph (D) by striking “and \$215,132,055 for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “\$258,300,000 for fiscal year 2015, and \$55,753,279 for the period beginning on October 1, 2015, and ending on December 18, 2015.”;

(E) in subparagraph (E)—

(i) by striking “and \$506,222,466 for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “\$607,800,000 for fiscal year 2015, and \$131,191,803 for the period beginning on October 1, 2015, and ending on December 18, 2015.”;

(ii) by striking “and \$24,986,301 for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “\$30,000,000 for fiscal year 2015, and \$6,475,410 for the period beginning on October 1, 2015, and ending on December 18, 2015.”; and

(iii) by striking “and \$16,657,534 for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “\$20,000,000 for fiscal year 2015, and \$4,316,940 for the period beginning on October 1, 2015, and ending on December 18, 2015.”;

(F) in subparagraph (F) by striking “each of fiscal years 2013 and 2014 and \$2,498,630 for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “each of fiscal years 2013 through 2015 and \$647,541 for the period beginning on October 1, 2015, and ending on December 18, 2015.”;

(G) in subparagraph (G) by striking “each of fiscal years 2013 and 2014 and \$4,164,384 for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “each of fiscal years 2013 through 2015 and \$1,079,235 for the period beginning on October 1, 2015, and ending on December 18, 2015.”;

(H) in subparagraph (H) by striking “each of fiscal years 2013 and 2014 and \$3,206,575 for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “each of fiscal years 2013 through 2015 and \$831,011 for the period beginning on October 1, 2015, and ending on December 18, 2015.”;

(I) in subparagraph (I) by striking “and \$1,803,927,671 for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “\$2,165,900,000 for fiscal year 2015, and \$467,503,005 for the period beginning on October 1, 2015, and ending on December 18, 2015.”;

(J) in subparagraph (J) by striking “and \$356,304,658 for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “\$427,800,000 for fiscal year 2015, and \$92,339,344 for the period beginning on October 1, 2015, and ending on December 18, 2015.”; and

(K) in subparagraph (K) by striking “and \$438,009,863 for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “\$525,900,000 for fiscal year 2015, and \$113,513,934 for the period beginning on October 1, 2015, and ending on December 18, 2015.”.

(b) **RESEARCH, DEVELOPMENT DEMONSTRATION AND DEPLOYMENT PROJECTS.**—Section 5338(b) of title 49, United States Code, is amended by striking “and \$58,301,370 for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “\$70,000,000 for fiscal year 2015, and \$15,109,290 for the period beginning on October 1, 2015, and ending on December 18, 2015.”.

(c) **TRANSIT COOPERATIVE RESEARCH PROGRAM.**—Section 5338(c) of title 49, United States Code, is amended by striking “and \$5,830,137 for the period beginning on October 1, 2014, and ending on July 31, 2015” and inserting “\$7,000,000 for fiscal year 2015, and \$1,510,929 for the period beginning on October 1, 2015, and ending on December 18, 2015.”.

(d) **TECHNICAL ASSISTANCE AND STANDARDS DEVELOPMENT.**—Section 5338(d) of title 49, United States Code, is amended by striking “and \$5,830,137 for the period beginning on October 1, 2014, and ending on July 31, 2015” and inserting “\$7,000,000 for fiscal year 2015, and \$1,510,929 for the period beginning on October 1, 2015, and ending on December 18, 2015.”.

(e) **HUMAN RESOURCES AND TRAINING.**—Section 5338(e) of title 49, United States Code, is amended by striking “and \$4,164,384 for the period beginning on October 1, 2014, and ending on July 31, 2015” and inserting “\$5,000,000 for fiscal year 2015, and \$1,079,235 for the period beginning on October 1, 2015, and ending on December 18, 2015.”.

(f) **CAPITAL INVESTMENT GRANTS.**—Section 5338(g) of title 49, United States Code, is

amended by striking “and \$1,558,295,890 for the period beginning on October 1, 2014, and ending on July 31, 2015” and inserting “\$1,907,000,000 for fiscal year 2015, and \$411,620,219 for the period beginning on October 1, 2015, and ending on December 18, 2015”.

(g) **ADMINISTRATION.**—Section 5338(h) of title 49, United States Code, is amended—

(1) in paragraph (1) by striking “and \$86,619,178 for the period beginning on October 1, 2014, and ending on July 31, 2015” and inserting “\$104,000,000 for fiscal year 2015, and \$22,448,087 for the period beginning on October 1, 2015, and ending on December 18, 2015”;

(2) in paragraph (2) by striking “each of fiscal years 2013 and 2014 and not less than \$4,164,384 for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “each of fiscal years 2013 through 2015 and not less than \$1,079,235 for the period beginning on October 1, 2015, and ending on December 18, 2015.”; and

(3) in paragraph (3) by striking “each of fiscal years 2013 and 2014 and not less than \$832,877 for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “each of fiscal years 2013 through 2015 and not less than \$215,847 for the period beginning on October 1, 2015, and ending on December 18, 2015.”.

**SEC. 1204. BUS AND BUS FACILITIES FORMULA GRANTS.**

Section 5339(d)(1) of title 49, United States Code, is amended—

(1) by striking “each of fiscal years 2013 and 2014 and \$54,553,425 for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “each of fiscal years 2013 through 2015 and \$14,137,978 for the period beginning on October 1, 2015, and ending on December 18, 2015.”;

(2) by striking “\$1,041,096 for such period” and inserting “\$269,809 for such period”;

(3) by striking “\$416,438 for such period” and inserting “\$107,923 for such period”.

**Subtitle D—Hazardous Materials****SEC. 1301. AUTHORIZATION OF APPROPRIATIONS.**

(a) **IN GENERAL.**—Section 5128(a) of title 49, United States Code, is amended—

(1) by striking “and” at the end of paragraph (2); and

(2) by striking paragraph (3) and inserting the following:

“(3) \$42,762,000 for fiscal year 2015; and

“(4) \$9,230,049 for the period beginning on October 1, 2015, and ending on December 18, 2015.”.

(b) **HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS FUND.**—Section 5128(b) of title 49, United States Code, is amended—

(1) in paragraph (1)—

(A) in the paragraph heading by striking “FISCAL YEARS 2013 AND 2014” and inserting “FISCAL YEARS 2013 THROUGH 2015”; and

(B) in the matter preceding subparagraph (A) by striking “fiscal years 2013 and 2014” and inserting “fiscal years 2013 through 2015”; and

(2) by striking paragraph (2) and inserting the following:

“(2) **FISCAL YEAR 2016.**—From the Hazardous Materials Emergency Preparedness Fund established under section 5116(i), the Secretary may expend for the period beginning on October 1, 2015, and ending on December 18, 2015—

“(A) \$40,579 to carry out section 5115;

“(B) \$4,705,464 to carry out subsections (a) and (b) of section 5116, of which not less than \$2,946,311 shall be available to carry out section 5116(b);

“(C) \$32,377 to carry out section 5116(f);



“(D) \$134,904 to publish and distribute the Emergency Response Guidebook under section 5116(i)(3); and

“(E) \$215,847 to carry out section 5116(j).”.

(c) HAZARDOUS MATERIALS TRAINING GRANTS.—Section 5128(c) of title 49, United States Code, is amended by striking “each of the fiscal years 2013 and 2014 and \$3,331,507 for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “each of fiscal years 2013 through 2015 and \$863,388 for the period beginning on October 1, 2015, and ending on December 18, 2015.”.

## TITLE II—REVENUE PROVISIONS

### SEC. 2001. EXTENSION OF HIGHWAY TRUST FUND EXPENDITURE AUTHORITY.

(a) HIGHWAY TRUST FUND.—Section 9503 of the Internal Revenue Code of 1986 is amended—

(1) by striking “August 1, 2015” in subsections (b)(6)(B), (c)(1), and (e)(3) and inserting “December 19, 2015”, and

(2) by striking “Highway and Transportation Funding Act of 2015” in subsections (c)(1) and (e)(3) and inserting “Highway and Transportation Funding Act of 2015, Part II”.

(b) SPORT FISH RESTORATION AND BOATING TRUST FUND.—Section 9504 of such Code is amended—

(1) by striking “Highway and Transportation Funding Act of 2015” each place it appears in subsection (b)(2) and inserting “Highway and Transportation Funding Act of 2015, Part II”, and

(2) by striking “August 1, 2015” in subsection (d)(2) and inserting “December 19, 2015”.

(c) LEAKING UNDERGROUND STORAGE TANK TRUST FUND.—Section 9508(e)(2) of such Code is amended by striking “August 1, 2015” and inserting “December 19, 2015”.

### SEC. 2002. FUNDING OF HIGHWAY TRUST FUND.

Section 9503(f) of the Internal Revenue Code of 1986 is amended by redesignating paragraph (7) as paragraph (8) and by inserting after paragraph (6) the following new paragraph:

“(7) ADDITIONAL SUMS.—Out of money in the Treasury not otherwise appropriated, there is hereby appropriated—

“(A) \$6,068,000,000 to the Highway Account (as defined in subsection (e)(5)(B)) in the Highway Trust Fund; and

“(B) \$2,000,000,000 to the Mass Transit Account in the Highway Trust Fund.”.

### SEC. 2003. MODIFICATION OF MORTGAGE REPORTING REQUIREMENTS.

(a) INFORMATION RETURN REQUIREMENTS.—Section 6050H(b)(2) of the Internal Revenue Code of 1986 is amended by striking “and” at the end of subparagraph (C), by redesignating subparagraph (D) as subparagraph (G) and by inserting after subparagraph (C) the following new subparagraphs:

“(D) the amount of outstanding principal on the mortgage as of the beginning of such calendar year,

“(E) the date of the origination of the mortgage,

“(F) the address (or other description in the case of property without an address) of the property which secures the mortgage, and”.

(b) STATEMENTS TO INDIVIDUALS.—Section 6050H(d)(2) of such Code is amended by striking “subsection (b)(2)(C)” and inserting “subparagraphs (C), (D), (E), and (F) of subsection (b)(2)”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to returns required to be made, and statements required to be furnished, after December 31, 2016.

### SEC. 2004. CONSISTENT BASIS REPORTING BETWEEN ESTATE AND PERSON ACQUIRING PROPERTY FROM DECEDENT.

(a) PROPERTY ACQUIRED FROM A DECEDENT.—Section 1014 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(f) BASIS MUST BE CONSISTENT WITH ESTATE TAX RETURN.—For purposes of this section—

“(1) IN GENERAL.—The basis of any property to which subsection (a) applies shall not exceed—

“(A) in the case of property the final value of which has been determined for purposes of the tax imposed by chapter 11 on the estate of such decedent, such value, and

“(B) in the case of property not described in subparagraph (A) and with respect to which a statement has been furnished under section 6035(a) identifying the value of such property, such value.

“(2) EXCEPTION.—Paragraph (1) shall only apply to any property whose inclusion in the decedent's estate increased the liability for the tax imposed by chapter 11 (reduced by credits allowable against such tax) on such estate.

“(3) DETERMINATION.—For purposes of paragraph (1), the basis of property has been determined for purposes of the tax imposed by chapter 11 if—

“(A) the value of such property is shown on a return under section 6018 and such value is not contested by the Secretary before the expiration of the time for assessing a tax under chapter 11,

“(B) in a case not described in subparagraph (A), the value is specified by the Secretary and such value is not timely contested by the executor of the estate, or

“(C) the value is determined by a court or pursuant to a settlement agreement with the Secretary.

“(4) REGULATIONS.—The Secretary may by regulations provide exceptions to the application of this subsection.”.

(b) INFORMATION REPORTING.—

(1) IN GENERAL.—Subpart A of part III of subchapter A of chapter 61 of such Code is amended by inserting after section 6034A the following new section:

#### “SEC. 6035. BASIS INFORMATION TO PERSONS ACQUIRING PROPERTY FROM DECEDENT.

“(a) INFORMATION WITH RESPECT TO PROPERTY ACQUIRED FROM DECEDENTS.—

“(1) IN GENERAL.—The executor of any estate required to file a return under section 6018(a) shall furnish to the Secretary and to each person acquiring any interest in property included in the decedent's gross estate for Federal estate tax purposes a statement identifying the value of each interest in such property as reported on such return and such other information with respect to such interest as the Secretary may prescribe.

“(2) STATEMENTS BY BENEFICIARIES.—Each person required to file a return under section 6018(b) shall furnish to the Secretary and to each other person who holds a legal or beneficial interest in the property to which such return relates a statement identifying the information described in paragraph (1).

“(3) TIME FOR FURNISHING STATEMENT.—

“(A) IN GENERAL.—Each statement required to be furnished under paragraph (1) or (2) shall be furnished at such time as the Secretary may prescribe, but in no case at a time later than the earlier of—

“(i) the date which is 30 days after the date on which the return under section 6018 was required to be filed (including extensions, if any), or

“(ii) the date which is 30 days after the date such return is filed.

“(B) ADJUSTMENTS.—In any case in which there is an adjustment to the information required to be included on a statement filed under paragraph (1) or (2) after such statement has been filed, a supplemental statement under such paragraph shall be filed not later than the date which is 30 days after such adjustment is made.

“(b) REGULATIONS.—The Secretary shall prescribe such regulations as necessary to carry out this section, including regulations relating to—

“(1) the application of this section to property with regard to which no estate tax return is required to be filed, and

“(2) situations in which the surviving joint tenant or other recipient may have better information than the executor regarding the basis or fair market value of the property.”.

(2) PENALTY FOR FAILURE TO FILE.—

(A) RETURN.—Section 6724(d)(1) of such Code is amended by striking “and” at the end of subparagraph (B), by striking the period at the end of subparagraph (C) and inserting “, and”, and by adding at the end the following new subparagraph:

“(D) any statement required to be filed with the Secretary under section 6035.”.

(B) STATEMENT.—Section 6724(d)(2) of such Code is amended by striking “or” at the end of subparagraph (GG), by striking the period at the end of subparagraph (HH) and inserting “, or”, and by adding at the end the following new subparagraph:

“(II) section 6035 (other than a statement described in paragraph (1)(D)).”.

(3) CLERICAL AMENDMENT.—The table of sections for subpart A of part III of subchapter A of chapter 61 of such Code is amended by inserting after the item relating to section 6034A the following new item:

“Sec. 6035. Basis information to persons acquiring property from decedent.”.

(c) PENALTY FOR INCONSISTENT REPORTING.—

(1) IN GENERAL.—Section 6662(b) of such Code is amended by inserting after paragraph (7) the following new paragraph:

“(8) Any inconsistent estate basis.”.

(2) INCONSISTENT BASIS REPORTING.—Section 6662 of such Code is amended by adding at the end the following new subsection:

“(k) INCONSISTENT ESTATE BASIS REPORTING.—For purposes of this section, there is an ‘inconsistent estate basis’ if the basis of property claimed on a return exceeds the basis as determined under section 1014(f).”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to property with respect to which an estate tax return is filed after the date of the enactment of this Act.

### SEC. 2005. CLARIFICATION OF 6-YEAR STATUTE OF LIMITATIONS IN CASE OF OVERSTATEMENT OF BASIS.

(a) IN GENERAL.—Section 6501(e)(1)(B) of the Internal Revenue Code of 1986 is amended—

(1) by striking “and” at the end of clause (i), by redesignating clause (ii) as clause (iii), and by inserting after clause (i) the following new clause:

“(ii) An understatement of gross income by reason of an overstatement of unrecovered cost or other basis is an omission from gross income; and”, and

(2) by inserting “(other than in the case of an overstatement of unrecovered cost or other basis)” in clause (iii) (as so redesignated) after “In determining the amount omitted from gross income”.

(b) **EFFECTIVE DATE.**—The amendments made by this section shall apply to—

(1) returns filed after the date of the enactment of this Act, and

(2) returns filed on or before such date if the period specified in section 6501 of the Internal Revenue Code of 1986 (determined without regard to such amendments) for assessment of the taxes with respect to which such return relates has not expired as of such date.

**SEC. 2006. TAX RETURN DUE DATES.**

(a) **DUE DATES FOR RETURNS OF PARTNERSHIPS, S CORPORATIONS, AND C CORPORATIONS.**—

(1) **PARTNERSHIPS AND S CORPORATIONS.**—

(A) **IN GENERAL.**—So much of subsection (b) of 6072 of the Internal Revenue Code of 1986 as precedes the second sentence thereof is amended to read as follows:

“(b) **RETURNS OF PARTNERSHIPS AND S CORPORATIONS.**—Returns of partnerships under section 6031 and returns of S corporations under sections 6012 and 6037 made on the basis of the calendar year shall be filed on or before the 15th day of March following the close of the calendar year, and such returns made on the basis of a fiscal year shall be filed on or before the 15th day of the third month following the close of the fiscal year.”.

(B) **CONFORMING AMENDMENT.**—Section 6072(a) of such Code is amended by striking “6017, or 6031” and inserting “or 6017”.

(2) **CONFORMING AMENDMENTS RELATING TO C CORPORATION DUE DATE OF 15TH DAY OF FOURTH MONTH FOLLOWING TAXABLE YEAR.**—

(A) Section 170(a)(2)(B) of such Code is amended by striking “third month” and inserting “fourth month”.

(B) Section 563 of such Code is amended by striking “third month” each place it appears and inserting “fourth month”.

(C) Section 1354(d)(1)(B)(i) of such Code is amended by striking “3d month” and inserting “4th month”.

(D) Subsections (a) and (c) of section 6167 of such Code are each amended by striking “third month” and inserting “fourth month”.

(E) Section 6425(a)(1) of such Code is amended by striking “third month” and inserting “fourth month”.

(F) Subsections (b)(2)(A), (g)(3), and (h)(1) of section 6655 of such Code are each amended by striking “3rd month” and inserting “4th month”.

(G) Section 6655(g)(4) of such Code is amended by redesignating subparagraph (E) as subparagraph (F) and by inserting after subparagraph (D) the following new subparagraph:

“(E) Subsection (b)(2)(A) shall be applied by substituting ‘3rd month’ for ‘4th month’.”.

(3) **EFFECTIVE DATES.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (B), the amendments made by this subsection shall apply to returns for taxable years beginning after December 31, 2015.

(B) **SPECIAL RULE FOR C CORPORATIONS WITH FISCAL YEARS ENDING ON JUNE 30.**—In the case of any C corporation with a taxable year ending on June 30, the amendments made by this subsection shall apply to returns for taxable years beginning after December 31, 2025.

(b) **MODIFICATION OF DUE DATES BY REGULATION.**—In the case of returns for taxable years beginning after December 31, 2015, the Secretary of the Treasury, or the Secretary's designee, shall modify appropriate regulations to provide as follows:

(1) The maximum extension for the returns of partnerships filing Form 1065 shall be a 6-month period ending on September 15 for calendar year taxpayers.

(2) The maximum extension for the returns of trusts filing Form 1041 shall be a 5½-month period ending on September 30 for calendar year taxpayers.

(3) The maximum extension for the returns of employee benefit plans filing Form 5500 shall be an automatic 3½-month period ending on November 15 for calendar year plans.

(4) The maximum extension for the returns of organizations exempt from income tax filing Form 990 (series) shall be an automatic 6-month period ending on November 15 for calendar year filers.

(5) The maximum extension for the returns of organizations exempt from income tax that are required to file Form 4720 returns of excise taxes shall be an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(6) The maximum extension for the returns of trusts required to file Form 5227 shall be an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(7) The maximum extension for filing Form 6069, Return of Excise Tax on Excess Contributions to Black Lung Benefit Trust Under Section 4953 and Computation of Section 192 Deduction, shall be an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(8) The maximum extension for a taxpayer required to file Form 8870 shall be an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(9) The due date of Form 3520-A, Annual Information Return of a Foreign Trust with a United States Owner, shall be the 15th day of the 3d month after the close of the trust's taxable year, and the maximum extension shall be a 6-month period beginning on such day.

(10) The due date of Form 3520, Annual Return to Report Transactions with Foreign Trusts and Receipt of Certain Foreign Gifts, for calendar year filers shall be April 15 with a maximum extension for a 6-month period ending on October 15.

(11) The due date of FinCEN Report 114 (relating to Report of Foreign Bank and Financial Accounts) shall be April 15 with a maximum extension for a 6-month period ending on October 15 and with provision for an extension under rules similar to the rules in Treas. Reg. section 1.6081-5. For any taxpayer required to file such Form for the first time, any penalty for failure to timely request for, or file, an extension, may be waived by the Secretary.

(c) **CORPORATIONS PERMITTED STATUTORY AUTOMATIC 6-MONTH EXTENSION OF INCOME TAX RETURNS.**—

(1) **IN GENERAL.**—Section 6081(b) of such Code is amended—

(A) by striking “3 months” and inserting “6 months”, and

(B) by adding at the end the following: “In the case of any return for a taxable year of a C corporation which ends on December 31 and begins before January 1, 2026, the first sentence of this subsection shall be applied by substituting ‘5 months’ for ‘6 months’. In the case of any return for a taxable year of a C corporation which ends on June 30 and begins before January 1, 2026, the first sentence of this subsection shall be applied by substituting ‘7 months’ for ‘6 months’.”.

(2) **EFFECTIVE DATE.**—The amendments made by this subsection shall apply to returns for taxable years beginning after December 31, 2015.

**SEC. 2007. TRANSFERS OF EXCESS PENSION ASSETS TO RETIREE HEALTH ACCOUNTS.**

(a) **IN GENERAL.**—Section 420(b)(4) of the Internal Revenue Code of 1986 is amended by striking “December 31, 2021” and inserting “December 31, 2025”.

(b) **CONFORMING ERISA AMENDMENTS.**—

(1) Sections 101(e)(3), 403(c)(1), and 408(b)(13) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1021(e)(3), 1103(c)(1), 1108(b)(13)) are each amended by striking “MAP-21” and inserting “Highway and Transportation Funding Act of 2015, Part II”.

(2) Section 408(b)(13) of such Act (29 U.S.C. 1108(b)(13)) is amended by striking “January 1, 2022” and inserting “January 1, 2026”.

**SEC. 2008. EQUALIZATION OF HIGHWAY TRUST FUND EXCISE TAXES ON LIQUEFIED NATURAL GAS, LIQUEFIED PETROLEUM GAS, AND COMPRESSED NATURAL GAS.**

(a) **LIQUEFIED PETROLEUM GAS.**—

(1) **IN GENERAL.**—Section 4041(a)(2)(B) of the Internal Revenue Code of 1986 is amended by striking “and” at the end of clause (i), by redesignating clause (ii) as clause (iii), and by inserting after clause (i) the following new clause:

“(ii) in the case of liquefied petroleum gas, 18.3 cents per energy equivalent of a gallon of gasoline, and”.

(2) **ENERGY EQUIVALENT OF A GALLON OF GASOLINE.**—Section 4041(a)(2) of such Code is amended by adding at the end the following:

“(C) **ENERGY EQUIVALENT OF A GALLON OF GASOLINE.**—For purposes of this paragraph, the term ‘energy equivalent of a gallon of gasoline’ means, with respect to a liquefied petroleum gas fuel, the amount of such fuel having a Btu content of 115,400 (lower heating value). For purposes of the preceding sentence, a Btu content of 115,400 (lower heating value) is equal to 5.75 pounds of liquefied petroleum gas.”.

(b) **LIQUEFIED NATURAL GAS.**—

(1) **IN GENERAL.**—Section 4041(a)(2)(B) of such Code, as amended by subsection (a)(1), is amended by striking “and” at the end of clause (ii), by striking the period at the end of clause (iii) and inserting “, and” and by inserting after clause (iii) the following new clause:

“(iv) in the case of liquefied natural gas, 24.3 cents per energy equivalent of a gallon of diesel.”.

(2) **ENERGY EQUIVALENT OF A GALLON OF DIESEL.**—Section 4041(a)(2) of such Code, as amended by subsection (a)(2), is amended by adding at the end the following:

“(D) **ENERGY EQUIVALENT OF A GALLON OF DIESEL.**—For purposes of this paragraph, the term ‘energy equivalent of a gallon of diesel’ means, with respect to a liquefied natural gas fuel, the amount of such fuel having a Btu content of 128,700 (lower heating value). For purposes of the preceding sentence, a Btu content of 128,700 (lower heating value) is equal to 6.06 pounds of liquefied natural gas.”.

(3) **CONFORMING AMENDMENTS.**—Section 4041(a)(2)(B)(iii) of such Code, as redesignated by subsection (a)(1), is amended—

(A) by striking “liquefied natural gas,” and

(B) by striking “peat,” and inserting “peat” and

(C) **ENERGY EQUIVALENT OF A GALLON OF GASOLINE TO COMPRESSED NATURAL GAS.**—Section 4041(a)(3) of such Code is amended by adding at the end the following:

“(D) ENERGY EQUIVALENT OF A GALLON OF GASOLINE.—For purposes of this paragraph, the term ‘energy equivalent of a gallon of gasoline’ means 5.66 pounds of compressed natural gas.”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to any sale or use of fuel after December 31, 2015.

### TITLE III—ADDITIONAL PROVISIONS

#### SEC. 3001. SERVICE FEES.

Paragraph (4) of section 44940(i) of title 49, United States Code, is amended by adding at the end the following new subparagraphs:

“(K) \$1,560,000,000 for fiscal year 2024.

“(L) \$1,600,000,000 for fiscal year 2025.”.

The SPEAKER pro tempore. The bill shall be debatable for 1 hour, equally divided among and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure and the chair and ranking minority member of the Committee on Ways and Means.

The gentleman from Pennsylvania (Mr. SHUSTER), the gentleman from Oregon (Mr. DEFAZIO), the gentleman from Wisconsin (Mr. RYAN), and the gentleman from Michigan (Mr. LEVIN), each will control 15 minutes.

The Chair recognizes the gentleman from Pennsylvania.

#### GENERAL LEAVE

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous materials on the bill, H.R. 3038.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SHUSTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 3038, the Highway and Transportation Funding Act of 2015, Part II.

This bill extends the Federal surface transportation programs through December 18, 2015. H.R. 3038 is a clean extension and funds the programs at authorized levels for fiscal year 2014.

The bill also ensures the solvency of the highway trust fund. We have an immediate, critical need to address the solvency of the trust fund and extend the current surface transportation law.

If Congress fails to act, the States will not be able to be reimbursed for past expenses, transportation projects, and jobs across the country will be at risk; and over 4,000 U.S. Department of Transportation employees will be furloughed.

I appreciate Chairman RYAN's attention to this pressing issue, as well as his commitment to addressing the solvency of the trust fund.

A long-term surface transportation reauthorization bill remains a top priority for this committee, and it should be for this Congress.

I am committed to continuing to work with Chairman RYAN, Ranking Member DEFAZIO, and others on achieving a long-term reauthorization

bill. I believe this extension gives us our best shot.

I strongly urge all Members to support H.R. 3038, and I reserve the balance of my time.

Mr. DEFAZIO. Mr. Speaker, I yield myself such time as I may consume.

Ironically, it was exactly 1 year ago today that the chairman of the Ways and Means Committee said they needed time to come together for funding a 6-year surface transportation bill investing in our transportation system, 1 year ago today.

There was an extension until the end of the year, then there was an extension until May, and then there was an extension from May until now—temporary extensions, I think 34 temporary extensions we have seen now.

Now, we are talking about another temporary extension with the hope that maybe they can find some money under the couch cushions or pass tax reform and cut taxes on rich people and use dynamic scoring and say it raises money and then put it in the trust fund. I don't know what their solution is.

We have had a user fee funded transportation system in this country since Dwight David Eisenhower was President, followed by Ronald Reagan who doubled the tax; and Ronald Reagan also put transit into the highway trust fund, saying we should not ignore our population centers and actually our centers of economic growth.

Then in 1993—granted, Democratic President and Democratic Congress, but we didn't quite have the votes to increase the gas tax—and Bud Shuster, Republican chair of the Transportation Committee back then, actual relation to current chairman, he brought us quite a number of Republicans to vote with the Democrats to go to 18.3 cents a gallon; and there it stood since 1993.

We are hearing now you can't increase the gas tax, so I have offered alternatives. Let's eliminate the gas tax and put a tax on a barrel of oil, the fraction that goes into taxable transportation uses, which economists say means Wall Street might eat part of that because they are speculating so much, ExxonMobil might eat part of that, OPEC—hey, we might get Saudi Arabia to pay for a little bit of our infrastructure; but I am told, no, they can't do that.

I proposed just indexing the existing gas tax and bonding, pay it back over time with that increment. Now, if we double index the gas tax, it might go up 1.7 cents next year. There is apparently a fear in this place that if gas went up 1.7 cents a gallon—unlike ExxonMobil jacking it up 25 cents while you are driving by in May because Memorial Day is coming—but of the Federal Government to invest in filling in the potholes, fixing the bridges and the transit systems and raised it 1.7 cents, oh, my God, people lose their elections.

Well, we have seen six Republican States raise their gas tax this year, all red, deep red States; and those same States have said to us in testimony: It is not enough that we are raising the gas tax; we need more Federal investment.

The system is falling apart—140,000 bridges, 140,000 need repair or replacement. Forty percent of the surface national highway system needs to be not just resurfaced; it needs to be dug up and rebuilt—and that our transit systems, \$84 billion backlog to bring them up to a state of good repair.

It is so bad in Washington, D.C., that they are killing people; they are killing people on the transit system because it is so outmoded.

Now, if we made those investments and we made them in a more robust level than we are doing now, we could put hundreds of thousands of Americans to work. It is not just construction workers; you are talking manufacturing; you are talking small business; you are talking minority business enterprises; you are talking engineering; you are talking technical.

The Buy America requirements are the strongest in the whole government. It would have an incredible stimulative effect on the economy. In addition, it would put 300,000 people back to work, and we could begin to climb back toward where we were.

Dwight David Eisenhower gave us a system that was the envy of the world. We were number one in infrastructure. We are now 16. We are dropping like a rock. Pretty soon, we will be down there with Third World countries in terms of state of our infrastructure in this country. It is embarrassing. It is pathetic. It is not necessary.

Today, we should be considering a long-term bill. We have introduced a viable long-term bill. We propose today a way to pay for the first 2 years of it by just saying Benedict Arnold corporations can't buy a drugstore overseas for a major pharmaceutical company and then say: Oh, that is our home headquarters, although we are still here enjoying all the protections of American citizenship law and our military, but we don't want to pay for it and our infrastructure.

There are ways forward. There seems to be an incredible reluctance on their side, so here we are again saying let's do a patch until December 18. Meanwhile, the Senate over there has been in who knows what kind of circles. They are proposing to get most of the money by reducing retirement for Federal employees. Now, that is a tremendous relationship to infrastructure and user fees. Let's not get too far away from the idea of user pays.

Mr. Speaker, I reserve the balance of my time.

Mr. SHUSTER. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. GRAVES).

Mr. GRAVES of Louisiana. Mr. Speaker, I want to make note, the highway program funding mechanism expires at the end of this month. It expires; that means it runs out of funding. Voting against this bill causes the program to shut down, causes a decline, a dropoff on investment in our Nation's infrastructure.

Right now, we are seeing growth; we are seeing increasing demand. As the gentleman from Oregon just noted, we are seeing underinvestment in our infrastructure system. We have got to increase the investment. We have got to work hard to address the outdated funding mechanism that funds our current highway system. As was noted, we have lost value in the current funding mechanism.

Having a user fee is absolutely critical, but a user fee that ensures the level of investment that we truly need. This extension gives us time to recreate that. We have been using the same user fee for decades, a user fee with static figures since 1993, as was just mentioned, and a user fee that has conflicting Federal policies that reduces the value of the income of this trust fund as a result of the corporate average fuel economy or CAFE standards that require greater fuel efficiency out of vehicles.

We have got to take a fresh look at this. We have got to take this time and use it wisely to ensure that we can ensure the level of funding that we need to invest in our Nation's infrastructure. We need a fundamentally different approach, and we need to do it without raising taxes.

Mr. Speaker, back in my home State of Louisiana, we have some of the worst traffic in the Nation for a region of its size. We have an area that the interstate system, the only place in the Nation where it literally drops down to one lane, the interstate, an incredible bottleneck, in this same area where we are having a manufacturing renaissance, where we are seeing tens of billions of dollars in new economic development opportunities; yet the infrastructure is struggling. The infrastructure is strangling that growth and strangling that investment.

I urge all Members to support this. I urge all Members to work together to ensure we develop a new funding stream that meets the demand of our crumbling infrastructure in this Nation.

I want to thank Chairman SHUSTER, and I want to thank Chairman RYAN and Ranking Member DEFAZIO, to ensure that this legislation moves forward.

Mr. DEFAZIO. Mr. Speaker, I yield 3 minutes to the gentlewoman from the District of Columbia (Ms. NORTON), the ranking member of the Highways and Transit Subcommittee.

Ms. NORTON. Mr. Speaker, I thank my good friend, the ranking member, for yielding.

Mr. Speaker, the majority has turned virtually its only congressional policy, tax savings, on its head with useless short-term transportation bills and extensions. Their short-term policy on the Nation's highways, bridges, and transit has simply transferred the transportation tax burden to the State taxes of their constituents.

Twenty-one States and the District of Columbia have raised their gas user fees—six since July 1—Iowa, Wyoming, Maryland, Massachusetts, New Hampshire, Pennsylvania, Rhode Island, Virginia, Vermont, District of Columbia, South Dakota, Idaho, Georgia, Nebraska, and Vermont.

□ 1445

States going in that direction are Michigan, North Carolina, Utah, and Washington State.

States also considering user fee increases are Kentucky, Missouri, New Jersey, and South Carolina. That makes almost half the States that Congress has driven to State taxpayers alone, States that have nothing in common except the desire to keep their transportation infrastructure, the key to a growth economy, from completely disintegrating.

Meanwhile, the Representatives in Washington have continually failed to pay their part, on the average, about 50 percent of the costs of State infrastructure with Federal dollars, yet the Federal dollars are only a pass-through that goes right back to the States.

For 22 years, we have allowed the Federal user fee to remain fixed at 1993 levels, although fuel efficiency long ago made that obsolete.

Although American taxpayers have stepped up, they can't do their projects without a Federal long-term bill. In the Nation's capital, for example, the iconic Memorial Bridge, gateway to Arlington Cemetery in the south and, on the north, to the National Mall, is partially closed, leaving thousands of workers unable to take Metro buses to get to work.

Even bridges like the H Street bridge here, which needs only repair, is standing in the way of billions of dollars of nontransportation development here and nationwide.

So whatever the Congress does in the next authorization bill, two things must be done: We must put in pilots that instruct us, guide us, for a new way to fund transportation infrastructure in light of fuel efficiencies, such as cars like my hybrid Ford C-Max.

And, most of all, to be useful at all, we must have a 6-year transportation bill.

Mr. SHUSTER. I yield 3 minutes to the gentleman from Florida (Mr. MICA), the former chairman of the committee.

Mr. MICA. Mr. Speaker, here we are. It is the last minute to avoid an infrastructure disaster across the country.

How did we get here? Well, when we knew that we needed a substantial

amount of money, the other side of the aisle found out that there was a little bit of money left.

We had asked several months ago to consider going to the end of the year when we are doing tax reform, and we could find sufficient money to fund a 4-to 6-year bill. They said "no."

They had to spend the last dime in the cookie jar, take it out of the cookie jar, and that is what put us in this situation. What that has done is at least seven States have almost closed down their infrastructure projects.

My State isn't affected, but some of the northern States are affected because they have a very short work period. So they are missing that work period.

States don't operate like the Federal Government. They have to pay their bills. They can't be spending, producing, and printing paper money without backing. So we have let them down.

So here we are, asking to go where we wanted to go to before December. So I urge the Members to pass this legislation.

It is kind of interesting. Sometimes I think that there is a lot of amnesia around here. Mr. Speaker, I don't know if we could go down to the health clinic downstairs and get a supply of ginkgo, but it would be good to give some of the Members on the other side of the aisle some ginkgo to help their memory.

Three years ago they controlled the House, the Senate, and the White House. They could have passed this legislation they are talking about, funded it, and we would have a bill that would be in place now.

The President came in. I was there. Ray LaHood came in, cut the knees out of Mr. Oberstar when he was chairman and said they weren't going to move forward, they weren't going to raise taxes. Now they call for raising taxes.

Well, 21 States have raised it. They have done the responsible thing, and they have to do it. It is better for them to do it because the overhead and the carrying charge is so great in Washington. So they have to do it.

Going to the well instead of raising gas taxes, now, didn't we recommend that to the other side and they ignored it? I think we need a double dose of ginkgo.

So I think now we step up to the plate and we help Mr. SHUSTER and Mr. RYAN. They will get us to December. The leadership of the House is committed to a long-term bill, and we will get that done, everybody working together. And maybe a few people having another little dose of ginkgo might help around here.

Mr. DEFAZIO. Mr. Speaker, I must say it is one of the most bizarre and fanciful things I have ever heard. There never was a viable plan to go to year-end. The Republicans never proposed the revenues.

They just recently found revenues under couch cushions to get us through to December 18th. And they have not meaningfully addressed any long-term funding, despite having been in charge 4½ years, and he wants to blame us.

They just held the first hearing ever in Ways and Means on revenues just a couple of weeks ago, and the chairman started by saying, “No user fees.”

Well, you have now ruled out the traditional way of paying for infrastructure. So they are going to have to come up with something else. But that was totally bizarre.

I yield 2 minutes to the gentlewoman from Maryland (Ms. EDWARDS).

Ms. EDWARDS. Mr. Speaker, for months Republicans have actually squandered an opportunity to develop and pass a long-term authorization for highway spending, and it is pretty regrettable, since May 19 Republicans simply brought up and passed another 2-month extension.

We have already heard—sometimes we lose count. Is it 33? Is it 34?—extensions. Unfortunately, here we are 2 months later and we are careening yet again to another Republican-made crisis, more gridlock for the highway trust fund, right in the middle of the critical construction season.

Hundreds of thousands of jobs, as has been said, and vital construction projects across the country are really hanging in the balance, and here we just have a few days left. What do we know? We know that Republicans don't have a plan and they don't have any ideas.

Well, we have some ideas, and those ideas are contained in the Grow America Act. I am one of the original co-sponsors. It is a 6-year, \$478 billion bill that would be a framework for our discussions. We could put that on the floor here today, vote on it, and make sure that we get underway.

But, oh, no, we are stuck yet again with another extension. Frankly, I am not really sure whether, when we get to December, we won't be stuck with yet another extension. This just goes on and on and on. The American people have had enough.

We know that, if we invest in our infrastructure, we create jobs, and we know that our infrastructure is falling apart. So this seems like a no-brainer to most Americans and to working people. And I don't understand what the complication here is, Mr. Speaker, but enough is enough.

It is time for Republicans to be the adults at the table to bring a plan and a program to the floor for a long-term authorization and put America back to work not 6 months at a time, not 2 months at a time, but for a long time.

Mr. SHUSTER. Mr. Speaker, I again would like to remind my colleagues that the Senate was controlled up until January by their party. The White House has been controlled for 6½ years by their party.

I know the ranking member at the time when the stimulus came out—as I recall, I believe he voted against the stimulus because they were going to squander \$800 billion.

If they would have listened to the ranking member at the time, they would have put much more or a lot more money into the investment of infrastructure. Instead of that \$800 billion bill, about \$68 billion went to transportation.

So everybody can point fingers at everybody, but the reality is here we are. We need to extend this so that the Ways and Means Committee and the Finance Committee in the Senate can figure out the dollars in a responsible way, not to continue to raise the debt and the deficit, but find a responsible funding level to get us to a 6-year bill, which I am committed to and I know Chairman RYAN has said many, many times in public he is committed to, and our leadership in the House is committed to a long-term bill.

Instead of pointing fingers at each other, let's figure out a way to move forward together, and I believe we will. I reserve the balance of my time.

Mr. DEFAZIO. Mr. Speaker, could I inquire as to the time left before we proceed?

The SPEAKER pro tempore (Mr. WESTMORELAND). The gentleman from Oregon has 4 minutes remaining.

Mr. DEFAZIO. I yield 1½ minutes to the gentleman from Minnesota (Mr. NOLAN).

Mr. NOLAN. Mr. Speaker, Members of the House, the simple truth is, as has been articulated so well here today by my colleague, that this Nation desperately needs a long-term transportation funding bill to repair our Nation's crumbling infrastructure, not another kick-the-can-down-the-road, short-term, temporary, convoluted fix.

Last week Congress appropriately honored the late chairman of the Transportation Committee, Jim Oberstar, with the naming of his hometown post office in Chisholm, Minnesota. What a wonderful tribute it was to Chairman Oberstar.

But here we are once again kicking the can down the road on the issue that Jim Oberstar cared most about. As chairman, Jim worked hard to ensure the committee drafted good, strong, bipartisan legislation, and that is what we need here today.

If the Transportation Committee were allowed to do that, I have every confidence that we would indeed write a long-term transportation funding bill.

Mr. Speaker, the fact is that the trains are running off the tracks, the bridges are falling down, the wastewater treatment facilities are overflowing.

So let's do right by our good friend, former Congressman Jim Oberstar, and let's create a long-term fix to our national transportation infrastructure.

Mr. Speaker, I include an article for the RECORD.

[From The Washington Post, July 14, 2015]  
HOUSE HONORS THE LATE REP. JIM OBERSTAR  
AS CONGRESS FUMBLES HIS GREATEST PASSION

(By Colby Itkowitz)

It was curious timing for House members to honor the late Democratic congressman Jim Oberstar.

On Monday evening, they voted to rename a post office after Oberstar in his hometown of Chisholm, Minn. Several members spoke on the floor about his deep institutional memory, passion for everything transportation and all-around collegiality.

“I'd like to ask that we honor him by re-dedicating ourselves to that spirit of bipartisanship, that spirit of working together, that spirit of getting things done . . . that was the spirit that epitomized Jim Oberstar and that's how so he was successful in getting things done,” Rep. Rick Nolan (D-Minn.), who represents Oberstar's former district, said in floor remarks.

But as Oberstar was being memorialized by his former colleagues, a Republican plan was being hatched to place another Band-Aid over the gaping, oozing wound that is federal highway program funding. Whatever short-term fix is agreed to, it will be just another patch to temporarily staunch the bleeding, when what's really needed is invasive surgery.

Oberstar knew this. He had a plan. And when he finally earned the gavel of the Transportation committee in 2007 (he'd begun his career as a young staffer on the then-Public Works panel and then, as a new congressman in 1975, climbed his way up from the lowest rung on the committee dais to the chairman's perch), he thought the Democratic majorities in both chambers and two years later the White House would lead to real investment in transportation.

But there was no political will then, or now, for the easiest immediate solution to ramp up revenue for the starved highway programs—raising the federal gas tax for the first time since 1993. Instead, Congress is poised to find a short-term fix to bailout the Highway Trust Fund for the seventh time since President George W. Bush first shifted money from the general treasury in 2008 to keep the trust fund solvent.

This time, with the highway program set to expire at the end of this month, House Budget Chairman Rep. Paul Ryan (R-Wis.) wants to find savings through complicated tax compliance rules to patch the highway program as lawmakers continue to fight over how to pay for a multi-year reauthorization, which has evaded Congress for years.

In 2009, when Oberstar released his six-year, \$450 billion plan for surface transportation, he warned that the short-term extensions don't allow state departments of transportation the certainty to plan for bigger, more ambitious projects. It's a sentiment that's been echoed by governors, mayors, big business and labor.

Oberstar, who lost his reelection in 2010, believed that if Democrats had passed his bill they would not have lost the House in those mid-term elections because the infrastructure jobs would have been such a boon to the economy.

It's of course impossible to know if that would have been true. But Oberstar, who died in May 2014, would probably feel quite conflicted this week—deeply honored by the post office naming and deeply disheartened that Congress still hasn't made transportation spending a priority.

Mr. SHUSTER. May I inquire as to how much time is remaining?

The SPEAKER pro tempore. The gentleman from Pennsylvania has 7 minutes remaining. The gentleman from Oregon has 3½ minutes remaining.

Mr. SHUSTER. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri (Mr. GRAVES), the chairman of the Subcommittee on Surface Transportation.

Mr. GRAVES of Missouri. Mr. Speaker, I want to associate myself with the words of my colleagues, who just spoke obviously on the need to do this and the need for a long-term transportation bill.

I remember Chairman Oberstar working diligently to try to do that in the six, seven extensions, I think, that we had at this time and never did come up with a transportation bill. That is why we are working so hard to make sure we have a good bipartisan bill.

I do rise in support of H.R. 3038. It is going to extend the current transportation law until December 18, 2015, until we can get that long-term bill in place.

As chairman of the Subcommittee on Highways and Transit, I believe it is critical for Congress to come together on this bipartisan, long-term, surface transportation reauthorization bill.

In my home State of Missouri, we have nearly 35,000 highway miles and over 10,000 bridges that are begging for our attention.

Last month, I had a hearing focusing on the transportation needs of rural America. Our roads and bridges demonstrate why we need a strong Federal highway program. A network of efficient, interconnected roads is critical to moving people and goods and to the overall health of this economy.

That is why I am committed to working with Chairman SHUSTER, Chairman RYAN, and others to get a reauthorization bill done.

Federal surface transportation programs are set to expire at the end of this month, and Congress has to act to ensure that these programs continue and that the solvency of the highway trust fund is addressed.

State and local governments need to be able to plan for projects with confidence. They need certainty not just for the next 5 or 6 months, but for the next 5 or 6 years.

This bill enables us to continue our bipartisan efforts on a reauthorization bill, which we hope to accomplish by the end of the year.

We have a tremendous opportunity to secure that bill that is going to improve, rebuild, and modernize our Nation's transportation system, and it is time that we come together to do that.

I want to thank both of the chairmen on their work on H.R. 3038.

□ 1500

Mr. DEFAZIO. I yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentleman's courtesy in yielding me time.

Mr. Speaker, I could not agree with the chairman of the committee more. I personally think that it is time to stop pointing fingers. There is enough bipartisan blame to go around. We didn't quite do the job when the economy was in free fall. We would have, a number of us—I know the ranking member would have—written the Recovery Act differently, but the point is we are here now with the challenge to fund it.

Six States, six Republican States have increased the gas tax already this year. I have got a proposal that is ready to go that could be passed in 2 weeks, and the committee could have the resources to actually fund the bill, but there could be other options. I know the ranking member has a barrel tax, a proposal to index the gas tax and bond against it. I don't care what it is that we do. I do care that we don't continue to stall.

It was exactly a year ago today we were standing here on this moment saying: Don't spill this to the end of the year; we need to get on with it because we will be right back here a year from now. And we are. It is time to act.

Mr. SHUSTER. I continue to reserve the balance of my time.

Mr. DEFAZIO. I yield 1 minute to the gentleman from Pennsylvania (Mr. BRENDAN F. BOYLE).

Mr. BRENDAN F. BOYLE of Pennsylvania. I want to thank my colleague for yielding me the time.

Mr. Speaker, this is just embarrassing. It is embarrassing that we are here talking about the umpteenth patch for the umpteenth time. Other countries around the world right now are looking at us and wondering whether or not the United States is still interested in leading. Let's forget the short-term patches. Let's finally deal with the problem.

The previous speaker, Mr. BLUMENAUER, is exactly right. Before coming here, as a State legislator in Pennsylvania, we had Democrats and Republicans band together and cast a very politically tough vote. It was the right thing to do. Both Democrats and Republicans did it, and now we are finally building bridges and repairing roads that we neglected for 20 years in our State.

It is time for the U.S. Federal Government to do exactly the same, right thing. Bite the bullet, and let's show that in America we can solve big problems and we can lead again.

Mr. SHUSTER. Mr. Speaker, I continue to reserve the balance of my time.

Mr. DEFAZIO. Mr. Speaker, I yield myself the balance of my time to close.

Investing in infrastructure in America has always been extraordinarily bipartisan over the entire time I have been here. Recently, we have kind of

gone off the tracks. It means we both have to cooperate on policy and on funding. For the life of me, why has the Republican Party drawn a line in the sand, saying we cannot have user fee-based investment in transportation which benefits people who drive cars, pickup trucks, buses, everybody who moves goods in America, we can't do that anymore, we have got to come up with some fanciful tax reform which may or may not happen? It is very sad.

I proposed doing away with the retail gas tax, imposing a barrel tax, where some of the costs would be paid by ExxonMobil, Wall Street speculators, OPEC, Saudi Arabia, and, yes, they would probably pass a lot of it through at the pump, but that would be a fair way to move forward to make the massive investment we need to put hundreds of thousands of people back to work and get America moving again.

I yield back the balance of my time.

Mr. SHUSTER. Mr. Speaker, my colleague from Oregon makes a good point. We are not spending the kind of dollars—at least, we are not spending wisely the kind of dollars, I would also add to that—to fix our infrastructure problem.

But we do face more difficult times today than we did when we set up the fund in the 1950s or even in the 1980s, as the economy grew. In the 1990s, the economy grew. Today we have an \$18 trillion debt. Republicans want to make sure this is fiscally responsible. We want to make sure we are just not layering something else on top of the American people.

More importantly, I hope my colleagues join with me to continue to reduce the regulatory burden that we have put out there to people who build the roads, who operate on the roads, the States that have to come up with a plan to building them.

So again, there is a lot of work to be done. I feel confident that Chairman RYAN and his committee will be able to come up with a funding level that we can continue to work to get a 6-year bill, which I think is essential to this Nation to give the certainty we need to help boost the economy.

A vote against this bill is a vote in favor of shutting down these vital programs, putting transportation projects and jobs across the country at risk, and furloughing Federal employees.

Mr. Speaker, I urge all Members to support this bill.

I yield back the balance of my time.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself such time as I may consume.

I rise to speak in favor of this. Here is basically what we are trying to do:

We want to get to a long-term highway solution. We believe that, for the sake of jobs, the economy, certainty, planning big projects in our States, we want to do a multiyear highway bill, and typically a multiyear highway bill



means a 6-year bill. That is our aspiration and our goal.

We know we are not going to write that bill in the next 2 weeks. We know we need at least 2 or 3 months to write that bill. Unfortunately, the highway trust fund has a fiscal shortfall in 2 weeks, so we are here to extend the highway trust fund through December 18 to give us the time we need to put together a multiyear solution. That costs \$8 billion just to do that. What we use are revenue compliance measures to make it easier for people to file their taxes, effectively, and some spending savings to get the \$8 billion. Not a single fee increase, not a single tax increase is in this bill to finance the extension of the highway trust fund solvency to December 18.

For example, TSA fees, TSA fees are not being increased. They are staying exactly the same as they are, so nobody getting on an airplane will see anything different. The difference is we keep those fees going to mandatory spending. We keep those fees going to where they are instead of going into discretionary spending where they can be spent in addition to other spending. So by walling off that money so Congress can't go spend it somewhere else, we save money by doing that.

Things like this are what we do. Savings for the taxpayer, tax compliance, easier to comply with your taxes, making sure that fees don't get spent in other areas are some important fiscal savings that we have to make sure that we can extend the solvency of the highway trust fund.

Now, the other point I would simply make is we believe that we have a chance of writing a big multiyear bill. That is why we are seeking this extension. If we didn't think that we had the chance and the opportunity on a bipartisan, bipartisan basis to do a 6-year highway funding bill, then we would just do a 2-year bill like the other body is attempting to do. We think we can do a multiyear bill. We think there are ways of doing it, such as incorporating it with international tax reform, things that are important for the economy, things that are important for our businesses. We think that is an opportunity, and that is something that we are exploring on a bipartisan basis.

So for that reason and many others, I urge adoption of this. I think it makes sense. Where I come from in Wisconsin, the way we say it is: We have two seasons—road construction season and winter. The last thing we want to do is see road construction stop at the beginning of August. We need to give our construction, our highways, our people who are filling these construction projects a little certainty, at least get into the winter so they can finish the building season while we work out a long-term highway solution.

Mr. Speaker, I reserve the balance of my time.

Mr. LEVIN. I yield myself such time as I may consume.

As was said, here we go again. A bill from the majority. They have been in power over 4 years, and the result is another patch. We need to do better. We know the state of highways and the infrastructure in this country, our national infrastructure, receives a D-plus grade, getting worse every day. So it has been said we need multiyear, and that is so true.

It is also being said that there needs to be a bipartisan, bicameral bill. I want to just talk to the chairman, to talk to this entire House, to talk to the Congress, having also met with the administration. There is no way to have a multiyear bill, 5, 6 years, unless it is truly bipartisan, involving Democrats as well as Republicans in both Houses.

We have come up with some ideas. We are suggesting today, for example, passage of the Stop Corporate Inversions Act that many others and I introduced some time ago. So we need to consider everything.

I want to close this way: We will not have a multiyear bill if lines are drawn not in sand, but in concrete. If the majority takes the position that some ideas cannot be considered, it is likely to lead infrastructure to another dead end. We need to do much better: multiyear, bipartisan, both Houses, with the administration. If we don't do that, the rest is talk.

This delay has cost millions of jobs. Everybody, including the majority, now talks about middle income and stagnation. Part of it is because we have been stagnant in terms of an infrastructure bill on a long-term basis. That has to stop. We need to put a big red sign that says "Stop" in front of the majority in this House and the entire House and the Congress and get busy on a bipartisan basis on a highway long-term bill, all infrastructure.

I reserve the balance of my time.

Mr. RYAN of Wisconsin. Mr. Speaker, I think the gentleman from Michigan has more speakers than I do, so if it is all right with him, why don't a few of the speakers on his side of the aisle go first.

Mr. LEVIN. We will be glad to do that. We are so full of vigor on this, we have lots of speakers.

I yield 1½ minutes to the gentleman from California (Mr. BECERRA), a member of our committee, who is also chair of our Caucus.

Mr. BECERRA. I thank the gentleman for yielding.

Mr. Speaker, in the greatest, most capacitated nation on Earth, there is no excuse for so many crumbling roads and bridges and for the ever-growing traffic gridlock and congestion that we see every day that we try to get to work. There is no reason why hundreds of thousands of men and women in the construction industry today should remain unemployed because this Con-

gress won't do its job of replenishing the highway trust fund. It is crazy.

We know that when we repair a road or a bridge, we put an American to work, and we make it easier for all of us to get to work so we can be more efficient. But here we are for the 34th time doing a patch to the highway trust fund, which doesn't help any city or county in America because you don't build a road or build a bridge or retrofit a bridge with 2 months of funding or 5 months of funding. You need 6 years to know how much money you can rely on because that contractor doesn't buy cement or lumber for 2 months or 6 months. They buy for 4 or 5 years because, for them, time is money.

We are costing the American people a ton of money by doing these constant patches. Why? Because we are not willing to do what we were elected to do: our job. Instead of just speculating, we should be coming up with the funds to have those roads built and repaired, those bridges built and repaired, to replace those aging buses and trains that stop us from being efficient.

Mr. Speaker, it is time to do it the right way, the long way, a long-term fix, not this short-term patch.

Mr. RYAN of Wisconsin. I yield 3 minutes to the gentleman from Washington (Mr. REICHERT), the chairman of the Subcommittee on Select Revenue Measures.

□ 1515

Mr. REICHERT. Mr. Speaker, I thank the chairman for yielding.

Mr. Speaker, I rise in support of today's legislation that will ensure that our country's infrastructure needs are met.

The bottom line is we are all here. We have agreement on a lot of the discussion we are having today. We all want a multiyear highway bill. We all recognize that that is what our communities need. That is exactly why we need to pass this bill today, so that we can have that opportunity to discuss these issues over the next few months to come up with a multiyear bill.

It continues funding for construction projects through the end of the year, while giving us the time to come together on a solution that funds a multiyear transportation bill.

This is not just about the economy—it is about the economy, but not just about the economy. It is about jobs and jobs connected with construction and jobs connected with moving our goods across the country and in our communities. It is also about the quality of life that our constituents are having to deal with back home, stuck in traffic for an hour or 2 hours, trying to get home and not having time with their families.

There is a lot involved here with our discussion today and the benefits of a multiyear plan. Of course, when I go



back home—just like any other Member—we drive on the highways. We see the need. We experience the congestion.

I want to go back and tell my constituents that we have listened to them, that we realize and recognize that there is a problem; but most of all, I want to go back and say: We have a plan. As Democrats and Republicans, we are going to work together on a multiyear plan that we can agree on to move this country forward, a plan that includes a multiyear highway bill that offers communities greater certainty to plan for the future, improves our roads and bridges, reduces congestion, and eases the movement of goods.

To get there, we must find a way—of course, this is where the rub comes in—to pay for it. By the end of the year, I want to be able to say to my constituents that we have met this challenge and that we have found a solution.

We can start by evaluating whether we can accomplish our goals through a solution that modernizes our international tax system, supports the competitiveness of our American companies, and secures funding for a multiyear transportation bill—and finally defining a permanent funding solution for our infrastructure needs.

Mr. Speaker, I want to ask pardon for a pun I am about to use in my next sentence. The bill today can help drive us there and give us time to have these discussions.

Today, let's pass this bill; send it to the Senate, and let's get to work together, Mr. Speaker. People want us to work together on a multiyear solution to our transportation and infrastructure needs.

Mr. LEVIN. I yield 2 minutes to the gentleman from Massachusetts (Mr. NEAL), an active member of our committee.

Mr. NEAL. Mr. Speaker, in reference to the point that my friend, Sheriff REICHERT, just made, I would note the irony of his advocacy on behalf of a plan. I guess, after 35 short-term extensions, we haven't been able to find the time to develop a plan. You need years out to develop a plan.

Just weeks ago, in this very Chamber, our friends on the other side made a full-throated argument about America remaining competitive in the world, and that is why we needed the Trans-Pacific Partnership.

Let me think about this for a moment. We want America to be competitive in the world, and we simultaneously allow America's infrastructure to crumble as we speak. Do you know what is going to get Congress to move, sadly enough? That catastrophe that awaits us somewhere across this country.

The European Union has a highway system that, in many instances, is the envy of the world; the Chinese are developing high-speed rail that is the

envy of the world, and we are doing the 35th short-term extension on a highway bill.

Let me relate to our friends on the other side, as you travel across the Federal highway system, there is this great sign everywhere. It says the Dwight D. Eisenhower Federal highway system because a Republican President had the foresight and vision in the aftermath of World War II to develop a first-class Federal highway system.

You know what else he had? He had two great allies in the Congress: Lyndon Johnson, the majority leader in the Senate; and Sam Rayburn, who was the Speaker of this House—who helped sponsor legislation that gave us a system that was the envy of the world.

Mr. Speaker, 35 times we are not going to talk about extending the highway bill because we don't have time to develop a plan.

Mr. RYAN of Wisconsin. I reserve the balance of my time.

Mr. LEVIN. I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER), another valued member of our committee.

Mr. BLUMENAUER. Mr. Speaker, America is still falling apart and falling behind. We are looking now to slide again past the deadline towards the end of the year. The problem is we are still pretending we can pay for 2015 infrastructure with 1993 dollars. It isn't that hard. It doesn't take 6 months to come up with a funding stream.

I have legislation that is in the committee that could be acted on. We could follow the example of 20 States that have raised their user fees for transportation. We could get courage from the 6 Republican States that have raised their gas tax already this year.

Just a few days ago, in the State of Washington, the Republican-controlled State Senate approved a 15-cent gas tax increase. We could follow the example of Ronald Reagan in 1982, when he urged this Congress to bite the bullet and raise the gas tax. He proposed and Congress followed through on a 125 percent increase in the gas tax.

Somehow, my Republican friends are afraid to use the mechanism that is fast, that is accepted, that the people in the States—Republicans in the States—have the courage to undertake.

Why is it that this year is going to be any different than last year? Why will my speech be any different? Is it going to be cheaper? Is it going to become less complex? Are we going to have a little more backbone?

It is time for us to step up. I would hope that our Ways and Means Committee could take the next 2 weeks, follow regular order, and provide funding so that we could give the Transportation Committee the 2 months they need to fund it, and the job would be done.

Mr. RYAN of Wisconsin. I reserve the balance of my time.

Mr. LEVIN. I yield 1½ minutes to the gentleman from New Jersey (Mr. PASCRELL), another valued member of our committee.

Mr. PASCRELL. Mr. Speaker, what are we writing here, a new Magna Carta? They have had 4 years, for crying out loud; and we still don't have legislation in front of us.

It has been 2 months since we were last here. We had a lot of talks 2 months ago about how bad extensions are for transportation planning and policy, how the last extension was going to be the last extension. Nothing has changed.

You keep on talking about the anxiety over tax reform and tax change. What about the anxiety that the American people and the contractors and workers have of getting our roads and highways and airports up to snuff? The bill before us today has the Congress paying for our highways and transit systems with more gimmicks.

Tax compliance—these are the same provisions the House rejected last year. Transportation security administrative fees—Nick Calio at the airlines trade association rightfully criticizes: "This plan proposes to use tomorrow's dollars to pay for today's problems."

The international tax can be part of a solution to bridge the gap, but corporate America is counting on those revenues to lower their rates and not pay for highway spending. Using an international tax scheme now will make it that much more difficult to get back to a user fee system. The people who use the system should pay for the system. That is what we should be agreeing on.

The Ways and Means Committee did hold two hearings on renewing the trust fund—and we come to this?

This is the new Magna Carta. I am waiting to see the final results 6 months from now. It has been 10 years since this Congress passed a transportation bill. Neither party has the courage to deal with it.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from Kansas (Ms. JENKINS), a member of the Ways and Means Committee.

Ms. JENKINS of Kansas. I thank the gentleman for yielding, and I thank him for his leadership on this very important issue.

I rise today in support of H.R. 3038. With the prospect of the highway trust fund dollars and spending authority expiring in just over 2 weeks, this bill is a critical step to give our States the certainty that they need to continue work on important infrastructure projects back home. This bill gives the House and the Senate time to work together toward a long-term highway package by the end of the year.

It is also important to note that this bill includes provisions I have pushed for to help many small businesses by

establishing a chronological set of due dates for them to pay their taxes. The current law fails to do this, which causes small business and their owners unnecessary grief, time, and money.

I have worked during the past two Congresses on legislation to fix this problem, and I am pleased that the House is acting today to take another burden off the shoulders of small-business people.

I urge support of H.R. 3038.

Mr. LEVIN. I yield 1½ minutes to the gentleman from Illinois (Mr. DANNY K. DAVIS), another valued member of our committee.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, we all know that on July 31, the highway trust fund will expire, but we didn't just learn it. It is not that we just found out last week or last month. We have always known it. Now, we come to where we are backed up against the wall.

We know we need a long-term fix, but I am going to vote for a short-term fix. I am going to vote for it because I want the contractors in my State to keep working. I want the construction workers to keep laying concrete. I want the bridgebuilders to keep repairing bridges.

We can't afford to have a short season. In Illinois, if you don't do construction now, you may not get a chance to do much.

On the basis of the logic of keeping the construction industry moving, I vote "yes" for the highway bill that we are considering today.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself 1 minute to respond to the gentleman from Chicago.

As a person who represents the State line and drives to O'Hare every week, back and forth, I want to add to the comment. They are in the middle of road construction right now on I-90 going to Chicago. If we don't pass this bill, construction projects like that will stop.

By the way, we need more construction in the Chicagoland area, just like we do around the rest of America. That is why we have to pass this.

I think the gentleman from Illinois hit it right, which is, yes, we knew this was coming; but it takes a while to figure out how to do things like rewrite international tax laws, something we haven't done for decades. It takes a while to figure out how to come up with long-term financing of something like a highway trust fund.

We know that we cannot come up with that answer within the next 2 weeks. We don't want to see these construction projects like the really important one on I-90 and I-94 going to O'Hare—and everywhere else in America—stop in 2 weeks.

That is why this is necessary. We don't like patches anymore than anybody else does, but this patch is necessary to make sure that those projects don't stop.

Mr. Speaker, I reserve the balance of my time.

□ 1530

Mr. LEVIN. I yield 1½ minutes to the gentleman from Georgia (Mr. LEWIS), a truly valued member of our committee and this Congress.

Mr. LEWIS. Mr. Speaker, I want to thank my friend for yielding.

Mr. Speaker, I rise to express my strong concern with yet another stop-gap measure. Nearly 60 years ago, a Republican President, Dwight Eisenhower, led the charge to create the Interstate Highway System. He realized that good roads were not just about commerce and economic development, they are a national security priority to keep America safe.

I have said it before and I will remind you again: there is no such thing as a Republican road or a Democratic bridge. Today, American roads and bridges, American transit, and American highways are crumbling. This is a national embarrassment.

We have already rolled the ball down the road more than 30 times, and here we are doing it again. The time for talk is past. In the words of Dr. King: We have been bogged down in the paralysis of analysis for too long.

Delay for another day is not an option. American jobs are on the line. In a few short weeks, transportation projects across our country will grind to a stop. We must act, and we must act now.

Mr. RYAN of Wisconsin. Mr. Speaker, I reserve the balance of my time.

Mr. LEVIN. Mr. Speaker, I yield myself the balance of my time.

As I think back, we have been doing this so often, and our chairman said it takes a while. It has been a decade.

I just want to emphasize, if we are no longer going to take a while but do it right, it is going to have to be done on a truly bipartisan basis.

There is a tendency, I think, to go off on a wild goose chase, and that won't build highways. And it won't build if one party doesn't work with another, if the Senate doesn't work with the House. Now we have the Senate seeming to go a different way on a short-term thinking they can do a long-term. Chaos doesn't build highways. So I really hope, however we vote on this bill, that there will be a new dedication to doing what is so long overdue.

All the talk about middle class incomes essentially goes up in smoke when we fail to do what is so clearly in the interest of middle class jobs, and that is to build highways, to repair bridges, to take care of airports, to take care of our infrastructure.

Coming from Michigan, I am ashamed of the state of highways in Michigan compared to when I was a kid and later on. Disrepair has essentially been the hallmark of highway and infrastructure in this country because

there has been a failure to step up to the plate.

I just want to finish by saying: Don't put anything aside. Don't say anything can't be considered because that is a ticket, really, to another bridge to nowhere.

I yield back the balance of my time.

Mr. RYAN of Wisconsin. I yield myself the balance of my time.

Mr. Speaker, I will spare the cliches and just simply say I think this is important that we get this done. Both parties have patched this trust fund for, as the gentleman said, 10 years.

Part of the problem we have right now, Mr. Speaker, is the revenue source for highways is a revenue source that is no longer relevant, that doesn't work anymore. Gas taxes don't work well.

Why?

There is a good reason why. We get much better gas mileage. Our engine technology is better. Some cars don't even use gas. They are electric, and therefore, as a result, we don't pay as much for the highways we use, and that is the problem.

So we are trying to figure out what is a way we can bridge finance the highway trust fund so that we can come up with a new revenue source for the long term. That means we have to have a medium term, a 6-year highway bill to make sure that the construction that we need to get done gets done, and that is going to take us some time to figure this out.

That is why we need to have this patch to give us that time, because if we fail to pass this extension right now, then I can, sure as day, tell you what will come over from the other body will be a medium, about an 18-month extension, and that will come through here, and we will not get the bridge we need. We will not get the ability to give multiyear projects the ability to plan and get off the ground, and we will not have done our jobs.

So in order to give us a chance to do our jobs, to get the long-term solution in place, to work on these big issues, we need to get ourselves a few more months' time. That is why I think, on a bipartisan basis, Members understand and appreciate this situation and therefore will, hopefully, support this.

Mr. Speaker, I yield back the balance of my time.

Mr. CONYERS. Mr. Speaker, I will vote for H.R. 3038, the Highway and Transportation Funding Act of 2015, because our nation cannot afford a surface transportation shutdown. There are still upwards of 15 million Americans either unemployed or underemployed, and a lapse in highway funding—however brief—would jeopardize thousands of Americans' livelihoods. My hope is that Republicans will stop careening toward crisis and finally pass a long-term measure to fix our aging infrastructure and put Americans to work. I am proud to support such a solution: today's Democratic Motion to Recommit aimed to

allow a vote to re-authorize a long-term Transportation Bill to provide 6 years of funding for states and localities to repair crumbling roads and bridges. The time has come to stop governing by crisis and start making long-term investments to build a full employment society.

Mr. PRICE of North Carolina. Mr. Speaker, roads, bridges, and railroads are crumbling all across America. In North Carolina, which used to be known as the "good roads" state, over 5,500 bridges are structurally unsound, and poor roads cost drivers \$1.5 billion a year. That's why I am so frustrated that instead of seizing the opportunity to build a viable transportation system with a long-term highway-transit bill, Republican leaders have instead elected to once again kick the can down the proverbial road and forgo critical repairs and safety improvements, to say nothing of new construction.

Despite these grave reservations, I will vote for today's 5-month extension because I believe it will allow congressional leaders to negotiate the comprehensive transportation overhaul we so desperately need. However, like President Obama, I will not support future efforts to shirk the responsibility of rebuilding our nation's infrastructure.

Short-term, stop-gap, extension-to-extension governance has become the norm over the past few years, and I'm frankly fed up with it. House Democrats are ready to get serious about making the investments we need to make to thrive as a country—I strongly encourage Republicans to answer the call.

Ms. SEWELL of Alabama. Mr. Speaker, today, I rise in support of a long-term surface transportation bill.

It's disappointing that Congress once again has failed to propose a long-term solution to invest in our nation's roads, bridges, and rails.

The bill being brought to the floor is nothing more than a Band Aid: however, without this temporary fix, the Department of Transportation would be unable to fund new obligations to repair America's crumbling roads and fix our Nation's vast infrastructure problems. The reality is our nation's investment in infrastructure is woefully inadequate. These shortfalls hurt our constituents and damage our entire economy.

In Alabama, twenty percent of our major city streets are in poor condition. Driving on deteriorating roads costs motorists approximately \$1.4 billion a year.

Across our country, an estimated one in three fatal traffic accidents is caused by roads that are in poor or mediocre condition. Moreover, The American Society of Civil Engineers estimates that one out of every nine bridges in the U.S. is structurally deficient.

By building the infrastructure of tomorrow, we would create thousands of good-paying construction jobs that help more hard-working Americans earn a living.

Investing in our infrastructure would also enhance our economic competitiveness by reducing transit costs and travel delays.

We can't continue to kick the can down the road—we must do better by our constituents. There's no reason why Congress cannot pass a long-term plan that would fix our aging infrastructure and boost our nation's economic development.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in support of H.R.

3064, the GROW AMERICA Act, a bill that underscores the urgent need for a long-term investment in our Country's transportation infrastructure.

With only eighteen days left before the Highway Trust Fund expires on July 31st, we should be urgently seeking out a long term solution.

Instead, we are considering H.R. 3038, another short term extension of the Highway Trust Fund that only provides five months of additional funding. This five month quick-fix fails to provide America with the stability of a more permanent solution. Passing this bill only continues the repeated pattern of kicking the can down the road, further putting off the sensible solution that we owe to our constituents.

In my home state of Texas, 38 percent of roads are in mediocre or poor condition, forcing drivers to spend approximately \$5.3 billion annually on otherwise unnecessary automotive repairs. With 19% of our state's bridges being structurally deficient, it is clear that a sweeping bipartisan effort is needed to invest in the future of America's infrastructure.

Without a long term extension, many states are unable to plan future construction projects, providing much needed repair to deteriorating roads. This is particularly crippling for Texas, which has a longer construction season because of its climate.

In the Dallas area specifically, we currently have nine major construction projects costing in excess of \$275 million that would be put on hold, in the event that the highway trust fund runs out of money. This is simply unfair. It is harmful to the growth that this region is experiencing, and places an unnecessary burden on Dallas residents and their ability to commute safely.

Just a few months ago, I spoke out against the House's refusal to take up long term action on the Highway Trust Fund; and yet, we are again attempting to put a band-aid on a deep cut to America's transportation needs.

By contrast, H.R. 3064, the GROW AMERICA Act seeks to address the harmful impacts of continuous stop-gap funding. This bill infuses our economy with transportation infrastructure investment, providing \$478 billion over six years for highways, bridges, public transportation, highway safety, and rail programs.

Enacting a six-year GROW AMERICA Act adds nearly two million jobs, compared to another extension of surface transportation programs, and is desperately needed to improve transportation quality across the nation.

I urge my colleagues to call their transportation departments, if they have not already, and find out how short funding patches in Federal highway funds would affect their states. Bridge replacements, traffic decongestion projects, and road widening efforts, all impact safety, time, money and jobs; all of which stand to be harmed by short-term funding.

Mr. Speaker, with only eighteen days until the Highway Trust Fund runs out of money, I urge my colleagues to support the GROW AMERICA Act, a multi-year solution that provides states with the funding necessary to adequately invest in their infrastructure.

Ms. SCHAKOWSKY. Mr. Speaker, I support workers and the important transportation and infrastructure jobs they do. They deserve the

certainty and support that a long-term, well-funded highway funding bill would provide. H.R. 3038 is not that bill.

Our infrastructure is rated a D+ by the American Society of Civil Engineers. A transportation system that was once the envy of the world has fallen into disrepair. We've passed dozens of short-term extensions over the past decade, and they haven't done the trick.

We know where this bill will leave us: infrastructure projects won't be planned beyond December, long-overdue projects will hang in limbo, and workers will be left wondering if they'll spend the holidays unemployed.

Every business owner, worker, and state and local official I have spoken with has asked for the same thing: a long-term, well-funded bill. In order to do that, we need to make a commitment to filling the funding gap from the gas tax—which has not been increased in more than two decades.

I support gradually raising the gas tax to pay for our infrastructure priorities. I also joined 184 of my Democratic colleagues in supporting a motion that would have paid for a long-term, well-funded highway bill by preventing corporate tax inversions—the process of moving corporate headquarters overseas. Just one Republican supported that proposal. Doing either of those things would sustain the vital infrastructure investments we need.

Those who suggest we can't afford a good highway bill are wrong. We are the richest country in the world at the richest time in our history. Funding our roads and bridges is a priority. We can afford it, and the American people demand that we do.

What we cannot do is continue the path of unpredictability and short-term planning that results from these stopgap measures for our highways, bridges, and other infrastructure projects. That is why I voted against H.R. 3038.

This is the greatest country in the world, and there is nothing we cannot do. It's time to act accordingly by advancing a long-term, well-funded transportation bill.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 362, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

#### MOTION TO RECOMMIT

Mr. VAN HOLLEN. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. VAN HOLLEN. I am opposed, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Van Hollen moves to recommit the bill H.R. 3038 to the Committee on Ways and Means with instructions to report the same back to the House forthwith with the following amendment:

At the end of the bill, add the following:

**TITLE IV—STOP CORPORATE EXPATRIATION AND INVEST IN AMERICA'S INFRASTRUCTURE ACT**

**SEC. 4001. SHORT TITLE.**

This title may be cited as the “Stop Corporate Expatriation and Invest in America’s Infrastructure Act of 2015”.

**SEC. 4002. MODIFICATIONS TO RULES RELATING TO INVERTED CORPORATIONS.**

(a) IN GENERAL.—Subsection (b) of section 7874 of the Internal Revenue Code of 1986 is amended to read as follows:

“(b) INVERTED CORPORATIONS TREATED AS DOMESTIC CORPORATIONS.—

“(1) IN GENERAL.—Notwithstanding section 7701(a)(4), a foreign corporation shall be treated for purposes of this title as a domestic corporation if—

“(A) such corporation would be a surrogate foreign corporation if subsection (a)(2) were applied by substituting ‘80 percent’ for ‘60 percent’, or

“(B) such corporation is an inverted domestic corporation.

“(2) INVERTED DOMESTIC CORPORATION.—For purposes of this subsection, a foreign corporation shall be treated as an inverted domestic corporation if, pursuant to a plan (or a series of related transactions)—

“(A) the entity completes after May 8, 2014, the direct or indirect acquisition of—

“(i) substantially all of the properties held directly or indirectly by a domestic corporation, or

“(ii) substantially all of the assets of, or substantially all of the properties constituting a trade or business of, a domestic partnership, and

“(B) after the acquisition, either—

“(i) more than 50 percent of the stock (by vote or value) of the entity is held—

“(I) in the case of an acquisition with respect to a domestic corporation, by former shareholders of the domestic corporation by reason of holding stock in the domestic corporation, or

“(II) in the case of an acquisition with respect to a domestic partnership, by former partners of the domestic partnership by reason of holding a capital or profits interest in the domestic partnership, or

“(ii) the management and control of the expanded affiliated group which includes the entity occurs, directly or indirectly, primarily within the United States, and such expanded affiliated group has significant domestic business activities.

“(3) EXCEPTION FOR CORPORATIONS WITH SUBSTANTIAL BUSINESS ACTIVITIES IN FOREIGN COUNTRY OF ORGANIZATION.—A foreign corporation described in paragraph (2) shall not be treated as an inverted domestic corporation if after the acquisition the expanded affiliated group which includes the entity has substantial business activities in the foreign country in which or under the law of which the entity is created or organized when compared to the total business activities of such expanded affiliated group. For purposes of subsection (a)(2)(B)(iii) and the preceding sentence, the term ‘substantial business activities’ shall have the meaning given such term under regulations in effect on May 8, 2014, except that the Secretary may issue regulations increasing the threshold percent in any of the tests under such regulations for determining if business activities constitute substantial business activities for purposes of this paragraph.

“(4) MANAGEMENT AND CONTROL.—For purposes of paragraph (2)(B)(ii)—

“(A) IN GENERAL.—The Secretary shall prescribe regulations for purposes of deter-

mining cases in which the management and control of an expanded affiliated group is to be treated as occurring, directly or indirectly, primarily within the United States. The regulations prescribed under the preceding sentence shall apply to periods after May 8, 2014.

“(B) EXECUTIVE OFFICERS AND SENIOR MANAGEMENT.—Such regulations shall provide that the management and control of an expanded affiliated group shall be treated as occurring, directly or indirectly, primarily within the United States if substantially all of the executive officers and senior management of the expanded affiliated group who exercise day-to-day responsibility for making decisions involving strategic, financial, and operational policies of the expanded affiliated group are based or primarily located within the United States. Individuals who in fact exercise such day-to-day responsibilities shall be treated as executive officers and senior management regardless of their title.

“(5) SIGNIFICANT DOMESTIC BUSINESS ACTIVITIES.—For purposes of paragraph (2)(B)(ii), an expanded affiliated group has significant domestic business activities if at least 25 percent of—

“(A) the employees of the group are based in the United States,

“(B) the employee compensation incurred by the group is incurred with respect to employees based in the United States,

“(C) the assets of the group are located in the United States, or

“(D) the income of the group is derived in the United States,

determined in the same manner as such determinations are made for purposes of determining substantial business activities under regulations referred to in paragraph (3) as in effect on May 8, 2014, but applied by treating all references in such regulations to ‘foreign country’ and ‘relevant foreign country’ as references to ‘the United States’. The Secretary may issue regulations decreasing the threshold percent in any of the tests under such regulations for determining if business activities constitute significant domestic business activities for purposes of this paragraph.”.

(b) CONFORMING AMENDMENTS.—

(1) Clause (i) of section 7874(a)(2)(B) of such Code is amended by striking “after March 4, 2003,” and inserting “after March 4, 2003, and before May 9, 2014.”.

(2) Subsection (c) of section 7874 of such Code is amended—

(A) in paragraph (2)—

(i) by striking “subsection (a)(2)(B)(ii)” and inserting “subsections (a)(2)(B)(ii) and (b)(2)(B)(i)”, and

(ii) by inserting “or (b)(2)(A)” after “(a)(2)(B)(i)” in subparagraph (B),

(B) in paragraph (3), by inserting “or (b)(2)(B)(i), as the case may be,” after “(a)(2)(B)(ii)”,

(C) in paragraph (5), by striking “subsection (a)(2)(B)(ii)” and inserting “subsections (a)(2)(B)(ii) and (b)(2)(B)(i)”, and

(D) in paragraph (6), by inserting “or inverted domestic corporation, as the case may be,” after “surrogate foreign corporation”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after May 8, 2014.

Mr. RYAN of Wisconsin (during the reading). Mr. Speaker, I ask unanimous consent that the reading be dispensed with.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. RYAN of Wisconsin. Mr. Speaker, I reserve a point of order.

The SPEAKER pro tempore. A point of order is reserved.

Pursuant to the rule, the gentleman from Maryland is recognized for 5 minutes in support of his motion.

Mr. VAN HOLLEN. Mr. Speaker, we have a very sad state of affairs here. We know we have an urgent problem with respect to infrastructure around America. Our roads, our bridges, our transitways are in disrepair at a time when we should actually be investing more to modernize our American infrastructure so we can compete and put people back to work.

And yet what do we have from our Republican colleagues? More of the same. Five more months of inadequate funding, no certainty for people who need to plan for projects. People are going to face layoffs again. So we have an urgent problem, and the response we get from our Republican colleagues is 5 months of inadequate funding.

We have put forward a 6-year plan, the first 2 years fully funded of a more robust plan. How do we fund it? We fund it by saying “no more” to the companies, the American companies that are cheating the American taxpayers by inversion.

So what are they doing? They are simply changing their addresses to an overseas address so they don’t have to pay any more into helping our infrastructure and helping our country.

Let me give you an example of what these companies are doing. They are not moving their employees. They are not moving their management. They are not moving their factories or anything else. They are just changing their mailing address by acquiring a small foreign company and, in doing so, saying: We are not going to pay any more of our taxes.

So to the chairman of the Ways and Means Committee, I think most Americans would disagree with you that we need more time. We don’t need 5 more months to figure out that these corporations are cheating, as taxpayers, by using these special provisions. We can close this tax loophole right now. In fact, about 30 of these companies have inverted in the last 5 years.

So we want to wait another 5 months and allow 5, 10 more to use this tax device to escape their responsibilities to the American taxpayer? Why should we do that?

Let’s do the right thing, and let’s do it right now. We have that within our power. That is what the legislation that we have put forward is all about. Let’s invest in our national infrastructure, and let’s use it by getting the savings from these companies that are engaging in these inversion tax practices.

I am pleased to yield to the gentleman from New York (Mr. ISRAEL).

Mr. ISRAEL. I thank my colleague.

Mr. Speaker, Republicans and Democrats until this Congress have always agreed that the way you build an economy is by building highways, bridges, tunnels, and transit.

With this Congress, Mr. Speaker, under this Republican Congress, we are not building; we are patching. As a result, the American people are sitting in more traffic, longer rush hours, with higher repair bills.

Well, this is a choice, Mr. Speaker. Under the Republican plan, we can kick the can down the crumbling highway. We can patch through December, telling construction workers we don't know if they are going to work after that. We can fund the status quo.

Or, under this plan, we can be big, bold, and fair. We have 6 years of work, a 6-year extension of the highway trust fund, \$40 billion in jobs and construction. It is funded not by asking Americans to dig deeper into their pockets or take something from their paychecks. It is funded by telling America's corporations they cannot establish an address for themselves in the Caribbean in order to avoid paying their fair share of taxes right here at home.

Mr. Speaker, the American people are fed up. They are sitting in traffic. They can feel their tires hitting the potholes. They are told we can't afford to fix those potholes because we don't have the money. They sit in longer rush hours. Meanwhile, corporations rush to the Caribbean to avoid paying their fair share of taxes to fix the potholes.

This is the choice: Will we protect tax gimmicks for America's biggest corporations, or will we protect the American taxpayer and America's workers?

Our proposal, Mr. Speaker, grows jobs, creates sustainable growth and paychecks. It fixes potholes. It fixes our highways and transit. It gets Americans to their jobs on time. It rebuilds our economy by rebuilding jobs. And it is a choice we are making today.

The choice is this, Mr. Speaker: Will we protect tax gimmicks for tax dodgers, or will we protect jobs for the American people?

Mr. VAN HOLLEN. Mr. Speaker, I yield back the balance of my time.

Mr. RYAN of Wisconsin. Mr. Speaker, I withdraw the reservation of the point of order.

The SPEAKER pro tempore. The reservation of the point of order is withdrawn.

Mr. RYAN of Wisconsin. Mr. Speaker, I claim the time in opposition.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. RYAN of Wisconsin. I have a few points.

Number one, I am looking through the bill, the motion to recommit here. There is no 6-year plan in here. There is no 6-year highway project plan in

here. They may have proposed one, but it is not being offered here today. All this bill does is the stop corporate expatriation and invest in America's infrastructure, but there is no invest in America's infrastructure here, just the tax increase.

Let's speak to that.

We have heard speaker after speaker after speaker here from the other side of the aisle say: You are getting away from gas taxes to fund highways, to fund infrastructure.

What does this do? This isn't a gas tax increase. So you are moving away from the user fee principle yourself in your own rhetoric.

Let's speak to the substance of this particular proposal. This proposal will do a couple of things.

Number one, it will encourage foreign companies to buy U.S. companies. You might as well say this is the Buy American Company Act of 2015.

Number two, it will encourage U.S. corporate headquarters to move overseas. Don't take my word for it. That is the characterization of this bill by the Senate Democratic Policy chair, the senior Senator from New York, who has said this policy will encourage U.S. headquarters to be moved overseas.

□ 1545

Inversions are bad. We want to stop inversions. But to quote the Treasury Secretary of the other side's party, the way to stop inversions is tax reform.

Why are we here doing this patch? So that we can give ourselves the time to do tax reform, to do international tax reform, so that we can prevent inversions. That is the whole purpose of this episode that we are having here.

So not only is this really bad policy, it doesn't work. It won't affect what they are trying to do.

If you want to stop inversions, you have got to do tax reforms. Adding more obstacles to U.S. companies doesn't stop U.S. companies from moving. It simply says that they are more ripe for takeovers by foreign companies.

There is a very dangerous trend, Mr. Speaker, of foreign companies buying U.S. companies. It is happening at an alarming pace. If this were to pass, it would accelerate that pace.

And the way that this is written, it would say: If you have your headquarters in America, as an American company, you had better move them overseas. Why would we want to do that?

The real solution is tax reform, make America more competitive and make America the place you want to have your corporate headquarters.

Let's have American companies buy foreign companies instead of the other way around. That is what we should be doing.

Let's just have a little truth in advertising here. This doesn't stop inver-

sions. This accelerates American companies being bought by foreign companies. It accelerates American headquarters going overseas, and it doesn't fund anything for the next 6 years.

So with that and many other reasons, I urge a "no" vote on this motion to recommit.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. VAN HOLLEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage, if ordered; the motion to suspend the rules on H.R. 2722; and approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 185, nays 244, not voting 4, as follows:

[Roll No. 440]

YEAS—185

Adams	Doyle, Michael	Lieu, Ted
Aguilar	F.	Lipinski
Ashford	Duckworth	Loebuck
Bass	Edwards	Lofgren
Beatty	Ellison	Lowenthal
Becerra	Eshoo	Lowey
Bera	Esty	Lujan Grisham
Bishop (GA)	Farr	(NM)
Blumenauer	Fattah	Lujan, Ben Ray
Bonamici	Foster	(NM)
Boyle, Brendan	Frankel (FL)	Lynch
F.	Fudge	Maloney,
Brady (PA)	Gabbard	Carolyn
Brown (FL)	Galleo	Maloney, Sean
Brownley (CA)	Garamendi	Matsui
Bustos	Graham	McCollum
Butterfield	Grayson	McDermott
Capps	Green, Al	McGovern
Capuano	Green, Gene	McNerney
Cárdenas	Grijalva	Meeks
Carney	Gutiérrez	Meng
Carson (IN)	Hahn	Moore
Cartwright	Hastings	Moulton
Castor (FL)	Heck (WA)	Murphy (FL)
Castro (TX)	Higgins	Nadler
Chu, Judy	Himes	Napolitano
Cicilline	Hinojosa	Neal
Clark (MA)	Honda	Nolan
Clarke (NY)	Hoyer	Norcross
Clay	Huffman	O'Rourke
Cleaver	Israel	Pallone
Clyburn	Jackson Lee	Payne
Cohen	Jeffries	Pelosi
Connolly	Johnson (GA)	Perlmutter
Conyers	Johnson, E. B.	Peters
Cooper	Jones	Peterson
Costa	Kaptur	Pingree
Courtney	Keating	Pocan
Crowley	Kelly (IL)	Polis
Cuellar	Kennedy	Price (NC)
Cummings	Kildee	Quigley
Davis (CA)	Kilmer	Rangel
Davis, Danny	Kind	Rice (NY)
DeFazio	Kirkpatrick	Richmond
DeGette	Kuster	Roybal-Allard
Delaney	Langevin	Ruiz
DeLauro	Larsen (WA)	Ruppersberger
DelBene	Larson (CT)	Rush
DeSaulnier	Lawrence	Ryan (OH)
Deutch	Lee	Sánchez, Linda
Dingell	Levin	T.
Doggett	Lewis	Sánchez, Loretta

Sarbanes	Speier	Veasey
Schakowsky	Swalwell (CA)	Yoho
Schiff	Takai	Young (AK)
Scott (VA)	Takano	
Scott, David	Thompson (CA)	Beyer
Serrano	Thompson (MS)	Bishop (UT)
Sewell (AL)	Titus	
Sherman	Tonko	
Sinema	Torres	
Sires	Tsongas	
Slaughter	Van Hollen	
Smith (WA)	Vargas	

## NAYS—244

Abraham	Graves (MO)	Palazzo
Aderholt	Griffith	Palmer
Allen	Grothman	Pascrell
Amash	Guinta	Paulsen
Amodel	Guthrie	Pearce
Babin	Hanna	Perry
Barletta	Hardy	Pittenger
Barr	Harper	Pitts
Barton	Harris	Poe (TX)
Benishkek	Hartzler	Poliquin
Bilirakis	Heck (NV)	Pompeo
Bishop (MI)	Hensarling	Posey
Black	Herrera Beutler	Price, Tom
Blackburn	Hice, Jody B.	Ratcliffe
Blum	Hill	Reed
Bost	Holding	Reichert
Boustany	Hudson	Renacci
Brady (TX)	Huelskamp	Ribble
Brat	Huizenga (MI)	Rice (SC)
Bridenstine	Hultgren	Rigell
Brooks (AL)	Hunter	Roby
Brooks (IN)	Hurd (TX)	Roe (TN)
Buchanan	Hurt (VA)	Rogers (AL)
Buck	Issa	Rogers (KY)
Bucshon	Jenkins (KS)	Rohrabacher
Burgess	Jenkins (WV)	Rokita
Byrne	Johnson (OH)	Rooney (FL)
Calvert	Johnson, Sam	Ros-Lehtinen
Carter (GA)	Jolly	Roskam
Carter (TX)	Jordan	Ross
Chabot	Joyce	Rothfus
Chaffetz	Katko	Rouzer
Clawson (FL)	Kelly (MS)	Royce
Coffman	Kelly (PA)	Russell
Cole	King (IA)	Ryan (WI)
Collins (GA)	King (NY)	Salmon
Collins (NY)	Kinzingler (IL)	Sanford
Comstock	Kline	Scalise
Conaway	Knight	Schweikert
Cook	Labrador	Scott, Austin
Costello (PA)	LaMalfa	Sensenbrenner
Cramer	Lamborn	Sessions
Crawford	Lance	Shimkus
Crenshaw	Latta	Shuster
Culberson	LoBiondo	Simpson
Curbelo (FL)	Long	Smith (MO)
Davis, Rodney	Loudermilk	Smith (UT)
Denham	Love	Smith (NE)
Dent	Lucas	Smith (NJ)
DeSantis	Luetkemeyer	Smith (TX)
DesJarlais	Lummis	Stefanik
Diaz-Balart	MacArthur	Stewart
Dold	Marchant	Stivers
Donovan	Marino	Stutzman
Duffy	Massie	Thompson (PA)
Duncan (SC)	McCarthy	Thornberry
Duncan (TN)	McCaul	Tiberi
Ellmers (NC)	McClintock	Tipton
Emmer (MN)	McHenry	Trott
Farenthold	McKinley	Turner
Fincher	McMorris	Upton
Fitzpatrick	Rodgers	Valadao
Fleischmann	McSally	Wagner
Fleming	Meadows	Walberg
Flores	Meehan	Walden
Forbes	Messer	Walker
Fortenberry	Mica	Walorski
Fox	Miller (FL)	Walters, Mimi
Franks (AZ)	Miller (MI)	Weber (TX)
Frelinghuysen	Moolenaar	Webster (FL)
Garrett	Mooney (WV)	Wenstrup
Gibbs	Mullin	Westerman
Gibson	Mulvaney	Westmoreland
Gohmert	Murphy (PA)	Whitfield
Goodlatte	Neugebauer	Williams
Gosar	Newhouse	Wilson (SC)
Goody	Noem	Wittman
Granger	Nugent	Womack
Graves (GA)	Nunes	Woodall
Graves (LA)	Olson	Yoder

Yoho	Young (IA)	Young (IN)	Zeldin
Young (AK)			Zinke

## NOT VOTING—4

□ 1613

Messrs. WENSTRUP, DUNCAN of Tennessee, BROOKS of Alabama, MACARTHUR, HULTGREN, PITTENGER, and HARDY changed their vote from “yea” to “nay.”

Ms. CASTOR of Florida, Messrs. PETERS and LARSON of Connecticut changed their vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

## RECORDED VOTE

Mr. BLUMENAUER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 312, noes 119, not voting 2, as follows:

[Roll No. 441]

## AYES—312

Abraham	Conaway	Goodlatte
Adams	Connolly	Goody
Aderholt	Conyers	Graham
Allen	Cook	Granger
Ashford	Costa	Graves (LA)
Babin	Costello (PA)	Graves (MO)
Barr	Cramer	Grayson
Barton	Crawford	Green, Al
Bass	Crenshaw	Green, Gene
Beatty	Crowley	Guinta
Benishkek	Cuellar	Guthrie
Bera	Culberson	Hahn
Bilirakis	Curbelo (FL)	Hanna
Bishop (GA)	Davis (CA)	Hardy
Bishop (MI)	Davis, Danny	Harper
Bishop (UT)	Davis, Rodney	Harris
Black	DeFazio	Hastings
Bonamici	Delaney	Heck (WA)
Bost	DelBene	Hensarling
Boustany	Denham	Herrera Beutler
Boyle, Brendan	Dent	Higgins
F.	Deutch	Hill
Brady (PA)	Diaz-Balart	Himes
Brady (TX)	Dingell	Hinojosa
Brooks (IN)	Dold	Holding
Brownley (CA)	Donovan	Honda
Buchanan	Duckworth	Hoyer
Bucshon	Duncan (TN)	Hudson
Burgess	Ellison	Huffman
Bustos	Ellmers (NC)	Huizenga (MI)
Butterfield	Emmer (MN)	Hultgren
Calvert	Eshoo	Hunter
Capps	Esty	Hurd (TX)
Capuano	Farr	Hurt (VA)
Carrson (IN)	Fattah	Israel
Carter (GA)	Fincher	Issa
Carter (TX)	Fitzpatrick	Jackson Lee
Castro (TX)	Fleischmann	Jeffries
Chabot	Forbes	Jenkins (KS)
Chaffetz	Fortenberry	Jenkins (WV)
Chu, Judy	Foster	Johnson (GA)
Ciциlline	Fox	Johnson (OH)
Clarke (NY)	Frankel (FL)	Johnson, E. B.
Clyburn	Frelinghuysen	Johnson, Sam
Coffman	Gabbard	Joyce
Cohen	Gallego	Katko
Cole	Garamendi	Keating
Collins (NY)	Gibbs	Kelly (MS)
Comstock	Gibson	Kelly (PA)

Kilmer	Murphy (PA)	Shuster
King (IA)	Nadler	Simpson
King (NY)	Napolitano	Sinema
Kinzingler (IL)	Newhouse	Sires
Kirkpatrick	Noem	Slaughter
Kline	Nolan	Smith (MO)
Knight	Norcross	Smith (NE)
Kuster	Nugent	Smith (NJ)
LaMalfa	Nunes	Smith (TX)
Lance	O'Rourke	Smith (WA)
Langevin	Olson	Stefanik
Larsen (WA)	Pallone	Stewart
Lawrence	Paulsen	Stivers
Lee	Payne	Stutzman
Levin	Pelosi	Swalwell (CA)
Lewis	Petersen	Takai
Lieu, Ted	Pingree	Takano
Lipinski	Pittenger	Thompson (CA)
LoBiondo	Pitts	Thompson (PA)
Loeb sack	Pocan	Thornberry
Lofgren	Poe (TX)	Tiberi
Long	Poliquin	Titus
Love	Price (NC)	Torres
Lowenthal	Price, Tom	Trott
Lowey	Quigley	Turner
Lucas	Reed	Upton
Luetkemeyer	Reichert	Valadao
Lujan Grisham	Richmond	Vargas
(NM)	Roby	Veasey
Lujan, Ben Ray	Roe (TN)	Vela
(NM)	Rogers (AL)	Velázquez
Lynch	Rogers (KY)	Wagner
MacArthur	Rohrabacher	Walberg
Maloney,	Rokita	Walden
Carolyn	Rooney (FL)	Walorski
Marchant	Ros-Lehtinen	Walters, Mimi
Marino	Roskam	Walz
McCarthy	Ross	Wasserman
McCaul	Rouzer	Schultz
McHenry	Roybal-Allard	Waters, Maxine
McKinley	Royce	Watson Coleman
McMorris	Ruiz	Webster (FL)
Rodgers	Ruppersberger	Wenstrup
McNerney	Rush	Westerman
McSally	Russell	Whitfield
Meadows	Ryan (OH)	Williams
Meehan	Ryan (WI)	Wilson (FL)
Meeks	Sanchez, Loretta	Wilson (SC)
Meng	Sarbanes	Wittman
Messer	Scalise	Womack
Mica	Schiff	Woodall
Miller (FL)	Scott, David	Yarmuth
Miller (MI)	Serrano	Young (AK)
Moolenaar	Sessions	Young (IA)
Mooney (WV)	Sewell (AL)	Young (IN)
Mullin	Sherman	Zeldin
Murphy (FL)	Shimkus	Zinke

## NOES—119

Aguilar	Edwards	McCollum
Amash	Farenthold	McDermott
Amodel	Fleming	McGovern
Barletta	Flores	Moore
Becerra	Franks (AZ)	Moulton
Blackburn	Fudge	Mulvaney
Blum	Garrett	Neal
Blumenauer	Gohmert	Neugebauer
Brat	Gosar	Palazzo
Bridenstine	Graves (GA)	Palmer
Brooks (AL)	Griffith	Pascrell
Brown (FL)	Grijalva	Pearce
Buck	Grothman	Perlmutter
Byrne	Gutiérrez	Perry
Cárdenas	Hartzler	Peters
Carney	Heck (NV)	Polis
Cartwright	Hice, Jody B.	Pompeo
Castor (FL)	Huelskamp	Posey
Clark (MA)	Jolly	Rangel
Clawson (FL)	Jones	Ratcliffe
Clay	Jordan	Renacci
Cleaver	Kaptur	Ribble
Collins (GA)	Kelly (IL)	Rice (NY)
Cooper	Kennedy	Rice (SC)
Courtney	Kildee	Rigell
Cummings	Kind	Rothfus
DeGette	Labrador	Salmon
DeLauro	Lamborn	Sánchez, Linda
DeSantis	Larson (CT)	T.
DeSaulnier	Latta	Sanford
DesJarlais	Loudermilk	Schakowsky
Doggett	Lummis	Schrader
Doyle, Michael	Maloney, Sean	Schweikert
F.	Matsui	Scott (VA)
Duffy	McClintock	Scott, Austin
Duncan (SC)		Sensenbrenner

Speier	Van Hollen	Westmoreland
Thompson (MS)	Visclosky	Yoder
Tipton	Walker	Yoho
Tonko	Weber (TX)	
Tsongas	Welch	

## NOT VOTING—2

Beyer	Engel
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## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1620

Ms. BROWN of Florida and Mr. GOHMERT changed their vote from “aye” to “no.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

BREAST CANCER AWARENESS  
COMMEMORATIVE COIN ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2722) to require the Secretary of the Treasury to mint coins in recognition of the fight against breast cancer, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. LUETKEMEYER) that the House suspend the rules and pass the bill, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 421, nays 9, answered “present” 1, not voting 2, as follows:

[Roll No. 442]

## YEAS—421

Abraham	Bucshon	Costa
Adams	Burgess	Costello (PA)
Aderholt	Bustos	Courtney
Aguilar	Butterfield	Cramer
Allen	Byrne	Crawford
Amodei	Calvert	Crenshaw
Ashford	Capps	Crowley
Babin	Capuano	Cuellar
Barletta	Cárdenas	Culberson
Barr	Carney	Cummings
Barton	Carson (IN)	Curbelo (FL)
Bass	Carter (GA)	Davis (CA)
Beatty	Carter (TX)	Davis, Danny
Becerra	Cartwright	Davis, Rodney
Benishek	Castor (FL)	DeFazio
Bera	Castro (TX)	DeGette
Bilirakis	Chabot	Delaney
Bishop (GA)	Chu, Judy	DeLauro
Bishop (MI)	Cicilline	DelBene
Bishop (UT)	Clark (MA)	Denham
Black	Clarke (NY)	Dent
Blackburn	Clawson (FL)	DeSantis
Blum	Clay	DeSaulnier
Blumenauer	Cleaver	DesJarlais
Bonamici	Clyburn	Deutch
Bost	Coffman	Diaz-Balart
Boustany	Cohen	Dingell
Boyle, Brendan	Cole	Doggett
F.	Collins (GA)	Dold
Brady (PA)	Collins (NY)	Donovan
Brat	Comstock	Doyle, Michael
Brooks (AL)	Conaway	F.
Brooks (IN)	Connolly	Duckworth
Brown (FL)	Conyers	Duffy
Brownley (CA)	Cook	Duncan (SC)
Buchanan	Cooper	Duncan (TN)

Edwards	King (IA)	Pittenger
Ellison	King (NY)	Pitts
Elmiers (NC)	Kinzinger (IL)	Pocan
Emmer (MN)	Kirkpatrick	Poe (TX)
Eshoo	Kline	Poliquin
Esty	Knight	Polis
Farenthold	Kuster	Pompeo
Farr	Labrador	Posey
Fattah	LaMalfa	Price (NC)
Fincher	Lamborn	Price, Tom
Fitzpatrick	Lance	Quigley
Fleischmann	Langevin	Rangel
Fleming	Larsen (WA)	Ratcliffe
Flores	Larson (CT)	Reed
Forbes	Latta	Reichert
Fortenberry	Lawrence	Renacci
Foster	Lee	Ribble
Fox	Levin	Rice (NY)
Frankel (FL)	Lewis	Rice (SC)
Franks (AZ)	Lieu, Ted	Richmond
Frelinghuysen	Lipinski	Rigell
Fudge	LoBiondo	Roby
Gabbard	Loeb	Roe (TN)
Gallego	Lofgren	Rogers (AL)
Garamendi	Long	Rogers (KY)
Garrett	Loudermilk	Rohrabacher
Gibbs	Love	Rokita
Gibson	Lowenthal	Rooney (FL)
Gohmert	Lowe	Ros-Lehtinen
Goodlatte	Lucas	Roskam
Gosar	Luetkemeyer	Ross
Gowdy	Lujan Grisham	Rothfus
Graham	(NM)	Rouzer
Granger	Luján, Ben Ray	Roybal-Allard
Graves (GA)	(NM)	Royce
Graves (LA)	Lummis	Ruiz
Graves (MO)	Lynch	Ruppersberger
Grayson	MacArthur	Rush
Green, Al	Maloney,	Russell
Green, Gene	Carolyn	Ryan (OH)
Griffith	Maloney, Sean	Ryan (WI)
Grijalva	Marchant	Salmon
Grothman	Marino	Sánchez, Linda
Guinta	Matsui	T.
Guthrie	McCarthy	Sanchez, Loretta
Gutiérrez	McCaul	Sarbanes
Hahn	McClintock	Scalise
Hanna	McCollum	Schakowsky
Hardy	McDermott	Schiff
Harper	McGovern	Schrader
Harris	McHenry	Schweikert
Hartzler	McKinley	Scott (VA)
Hastings	McMorris	Scott, Austin
Heck (NV)	Rodgers	Scott, David
Heck (WA)	McNerney	Sensenbrenner
Hensarling	McSally	Serrano
Herrera Beutler	Meadows	Sessions
Hice, Jody B.	Meehan	Sewell (AL)
Higgins	Meeks	Sherman
Hill	Meng	Shimkus
Himes	Messer	Shuster
Hinojosa	Mica	Simpson
Holding	Miller (FL)	Sinema
Honda	Miller (MI)	Sires
Hoyer	Moolenaar	Slaughter
Hudson	Mooney (WV)	Smith (MO)
Huffman	Moore	Smith (NE)
Huizenga (MI)	Moulton	Smith (NJ)
Hultgren	Mullin	Smith (TX)
Hunter	Murphy (FL)	Smith (WA)
Hurd (TX)	Murphy (PA)	Speier
Hurt (VA)	Nadler	Stefanik
Israel	Napolitano	Stewart
Issa	Neal	Stivers
Jackson Lee	Neugebauer	Stutzman
Jeffries	Newhouse	Swalwell (CA)
Jenkins (KS)	Noem	Takai
Jenkins (WV)	Nolan	Takano
Johnson (GA)	Norcross	Thompson (CA)
Johnson (OH)	Nugent	Thompson (MS)
Johnson, E. B.	Nunes	Thompson (PA)
Johnson, Sam	O'Rourke	Thornberry
Jolly	Olson	Tiberi
Jones	Palazzo	Tipton
Jordan	Pallone	Titus
Joyce	Palmer	Tonko
Kaptur	Pascrell	Torres
Katko	Paulsen	Trott
Keating	Payne	Tsongas
Kelly (IL)	Pearce	Turner
Kelly (MS)	Pelosi	Upton
Kelly (PA)	Perlmutter	Valadao
Kennedy	Perry	Van Hollen
Kildee	Peters	Vargas
Kilmer	Peterson	Veasey
Kind	Pingree	Vela

Velázquez	Waters, Maxine	Wittman
Visclosky	Watson Coleman	Womack
Wagner	Webster (FL)	Woodall
Walberg	Welch	Yarmuth
Walden	Wenstrup	Yoder
Walker	Westerman	Yoho
Walorski	Westmoreland	Young (AK)
Walters, Mimi	Whitfield	Young (IA)
Walz	Williams	Young (IN)
Wasserman	Wilson (FL)	Zeldin
Schultz	Wilson (SC)	Zinke

## NAYS—9

Amash	Buck	Massie
Brady (TX)	Chaffetz	Sanford
Bridenstine	Huelskamp	Weber (TX)

## ANSWERED “PRESENT”—1

Mulvaney

## NOT VOTING—2

Beyer	Engel
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□ 1628

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## THE JOURNAL

The SPEAKER pro tempore (Mr. BYRNE). The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

□ 1630

## HOUR OF MEETING ON TOMORROW

Mr. GRAVES of Louisiana. Mr. Speaker, I ask unanimous consent that, when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER  
PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

## STEVE GLEASON ACT OF 2015

Mr. RYAN of Wisconsin. Mr. Speaker, I move to suspend the rules and pass the bill (S. 984) to amend title XVIII of the Social Security Act to provide Medicare beneficiary access to eye tracking accessories for speech generating devices and to remove the rental



cap for durable medical equipment under the Medicare Program with respect to speech generating devices.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 984

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

# SECTION 1. SHORT TITLE.

This Act may be cited as the “Steve Gleason Act of 2015”.

## SEC. 2. PROVIDING MEDICARE BENEFICIARY ACCESS TO EYE TRACKING ACCESSORIES FOR SPEECH GENERATING DEVICES.

(a) IN GENERAL.—Section 1861(n) of the Social Security Act (42 U.S.C. 1395x(n)) is amended by inserting “and eye tracking and gaze interaction accessories for speech generating devices furnished to individuals with a demonstrated medical need for such accessories” after “appropriate organizations”).

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to devices furnished on or after January 1, 2016.

## SEC. 3. REMOVING THE RENTAL CAP FOR DURABLE MEDICAL EQUIPMENT UNDER MEDICARE WITH RESPECT TO SPEECH GENERATING DEVICES.

Section 1834(a)(2)(A) of the Social Security Act (42 U.S.C. 1395m(a)(2)(A)) is amended—

(1) in clause (ii), by striking “or” at the end;

(2) in clause (iii), by adding “or” at the end; and

(3) by inserting after clause (iii) the following new clause:

“(iv) in the case of devices furnished on or after October 1, 2015, and before October 1, 2018, which serves as a speech generating device or which is an accessory that is needed for the individual to effectively utilize such a device.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. RYAN) and the gentleman from Washington (Mr. McDERMOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

### GENERAL LEAVE

Mr. RYAN of Wisconsin. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on S. 984, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself such time as I may consume.

I rise in favor of the Steve Gleason Act. This bill would expand access to life-changing equipment called SGDs, otherwise known as speech-generating devices.

People with severe diseases like ALS or Parkinson’s need these devices to communicate. They often add SGDs as accessories to their wheelchairs.

Now, for a long time, Medicare has covered their wheelchairs and these de-

vices and people have been able to buy SGDs so they can customize their devices.

There is one device that I have seen that is just incredible. It is called an eye-gaze. It allows someone to use one’s eyes to actually navigate a computer and hit the mouse click to do things like turn on the TV, go on the phone, speech communication, everything. It is just incredible, but there is a problem.

Two years ago CMS changed the policy. Before, you could buy this and you could add an upgrade to it. CMS changed the policy, and seniors now have to rent an SGD for 13 months before they can buy it.

What is worse, Medicare will stop making these rental payments if a senior citizen makes an upgrade that is not directly related to speech.

As you also know, Mr. Speaker, not just seniors go on Medicare. People with certain disabilities as well are allowed to go on Medicare; so this affects people of all ages.

This change is so sweeping that Medicare is refusing to pay for things like an eye-gaze, the very thing that patients need in order to use their SGDs.

This bill would remove the 13-month rental requirement so as to allow seniors to buy their SGDs immediately. It would also make sure that Medicare continues to cover SGDs if they are entering nursing homes.

The people who need these devices are truly the most disabled and most vulnerable among us. The whole point of Medicare is to protect these very patients and to give them the care that they need.

And this bill goes to the heart of Medicare’s mission. It goes to the heart of fixing a flaw that I think everybody recognizes needs to be fixed.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Washington (Mrs. McMORRIS RODGERS), our distinguished Conference chair.

Mrs. McMORRIS RODGERS. I thank the chairman for yielding.

Mr. Speaker, last summer more than 17 million people participated in the ice bucket challenge to raise awareness of the crippling disease of ALS and the physical and emotional toll it takes on millions of men and women and their families.

Around the same time, Gail Gleason, who is the mother of former NFL star Steve Gleason, who has ALS, came to me with concerns about Medicare denying access to cutting-edge speech-generating technology for patients who are living with degenerative diseases.

Gail and Steve feared thousands of people would lose their ability to communicate with the world around them, to share their stories, order coffee, tell jokes, ask for help, say “I love you.”

Before eye-tracking technology became available, once people lost their

ability to type, they could no longer communicate, but all that has changed with revolutionary technology.

Today patients can continue communicating by typing with their eyes, but top-down, government-knows-best rules and regulations threaten to take it all away for those who need it most.

I pledge to do everything within my power to fix this, and I am proud to help steer this bill through Congress, from the start to the finish, with the help of Majority Leader MCCARTHY, Majority Whip SCALISE, Representative PAULSEN, and Senator VITTER.

So many have joined us in this effort. We led a letter with more than 200 Republicans and Democrats to push CMS to investigate this arbitrary decision, and I am proud today to stand to help support the effort to send the Steve Gleason Act to the President’s desk.

Mr. Speaker, life-changing innovation cannot help people when it is collecting dust on a desk or is getting caught up in red tape. Because of Gail Gleason and Steve Gleason, thousands of Americans living with degenerative diseases can have peace of mind today that their voices will continue to be heard and that they will still be able to say “I love you.”

Mr. McDERMOTT. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of S. 984, the Steve Gleason Act. This legislation is named after Steve Gleason, a former professional football player for the New Orleans Saints and a native of Washington State.

The bill will increase access to speech-generating devices that help patients living with ALS and other neurological disorders. ALS is what is commonly known as Lou Gehrig’s Disease.

Under current law, speech-generating devices are treated as capped rental items by Medicare, requiring beneficiaries to rent their devices for 13 months before they are able to own them. This cap has made it difficult for many beneficiaries to have access to these devices.

In a recent national coverage determination, CMS has already begun providing payment for speech-generating devices. This is a good step, but it does not necessarily ensure continued payment for the devices if a beneficiary moves from a post-acute facility, such as a nursing home.

This legislation makes a simple fix that will eliminate the rental cap and clarify that beneficiaries may purchase speech-generating devices immediately.

It will ensure payment for these devices even if a beneficiary is admitted into a facility for which payment is bundled into a post-acute facility payment.

It will improve the Medicare program, and it will make a meaningful

difference in the lives of beneficiaries who are living with ALS.

I am pleased to see the chairman out here pushing this, and I am glad to join with him. I hope someday I will join with him to provide hearing aids to senior citizens who are having trouble paying for them today.

I reserve the balance of my time.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. SCALISE), the distinguished majority whip.

Mr. SCALISE. I thank the gentleman from Wisconsin for yielding and for his leadership in bringing the Steve Gleason Act to the floor.

Mr. Speaker, Steve Gleason is somebody who has served as an inspiration for the people of Louisiana for a long time, going back, of course, to the 2006 game when the Superdome was reopened after Hurricane Katrina.

That night was really one of the galvanizing moments that helped bring the city of New Orleans back, that helped reinspire the people of New Orleans to come back.

It was Steve Gleason who blocked the punt at the end of the game to win the game. I was in the Dome that night. I know my wife, Jennifer, and I were as euphoric as everybody in that building.

The reason that Steve Gleason inspires people today, Mr. Speaker, is not because of what he did on the football field. It is because of what he has done to serve as an inspiration for people all across the country, people with all disabilities, since he was diagnosed with ALS, with Lou Gehrig's Disease.

What he has done is to go out and show that he is able to exhibit his voice because of the speech-generating device that he has.

This isn't something that he just wants for himself. He wants this for all people who have something to say, who have that same voice, to be able to go out and inspire other people.

When CMS made the change in policy that started to take away that voice, he spoke up, as so many others did, and said, "We need to reverse this."

I commend Senator VITTER for bringing the legislation forward that we are debating that was passed through the Senate, for this is a bill that truly will give voice to thousands of people.

Over 5,000 people every year are diagnosed with Lou Gehrig's Disease, with ALS. They all have something to say. They all have that voice.

The Steve Gleason Act will give them that voice so they can go out and continue to achieve their lives' potential.

I urge the passage of this legislation.

Mr. McDERMOTT. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. RICHMOND).

Mr. RICHMOND. Mr. Speaker, I join my colleague and my friend, Majority Whip STEVE SCALISE, in advocating for and in asking our colleagues to vote today for the Steve Gleason Act.

Steve's name is on it, but it is a lot bigger than Steve. If you know Steve and what he stands for, you will understand that this bill and this fight on behalf of him and his family—the fight that they have fought—benefits thousands of people in our society who really need the help.

That is why last year I was happy to join in a letter with Mrs. MCMORRIS RODGERS to CMS, asking them to change this policy.

It is important to put patients first and to fix this extremely misguided and harmful Medicare regulation that has had a devastating impact on the lives of ALS patients, stroke victims, and other folks who are experiencing significant paralysis. It has really prohibited them from talking to and communicating with their families.

I think Steve did a great job of expressing what Steve means to the people of New Orleans. Gleason's actions on the football field and his actions since being diagnosed with ALS really exemplify the resilience that the people of New Orleans have had after being knocked down time and time again from hurricanes and other things.

□ 1645

But just as Steve stood up and just as the city of New Orleans stood up to help themselves, government has a responsibility to make the lives of people better and to help them help themselves, and that is what this does.

I will give you Steve's words. He said: If we have a purpose in life beyond being a cog in the human machine, mine is to help inspire people. And that is pretty cool.

What I would like to say today is that Steve inspired Congress to make the lives of thousands and thousands of people better; and what Steve was able to do was bring out the best of what is in this body, and that is both sides working together to make sure that we do tangible things to improve the lives of the people whom we represent.

I am proud to stand here with my colleagues on both sides of the aisle and enjoy the benefit of their hard work and a team effort to do this. So I would just encourage my colleagues to vote for the Steve Gleason Act.

Mr. RYAN of Wisconsin. I yield 2 minutes to the gentleman from Minnesota (Mr. PAULSEN), a distinguished member of the Ways and Means Committee.

Mr. PAULSEN. Mr. Speaker, let me first thank the chairman for his leadership on this issue.

As has already been mentioned, last summer, millions of Americans participated in the ice bucket challenge, raising more than \$100 million to combat ALS, or Lou Gehrig's disease.

What most people don't realize, though, is at the exact same time this movement was sweeping the Nation, the Centers for Medicare and Medicaid

Services was implementing misguided policies to deny access to speech-generating devices for those patients with ALS and other degenerative conditions. Now, for many people who have ALS, speech-generating devices and the eye-tracking technology that is often used with these devices are the only way to communicate with your loved ones, with families, friends, and others.

In response to the agency's new policies, Representative CATHY MCMORRIS RODGERS and I led a bipartisan letter with over 200 Republicans and Democrats asking for changes to the proposals. While the agency has taken some actions to roll back some of the rules, we have got to guarantee that these patients will have access to speech-generating devices.

That is why Senator VITTER, Representative MCMORRIS RODGERS, and Majority Whip SCALISE and I first introduced the Steve Gleason Act. Now, this bill gets its name, as was mentioned, from former New Orleans Saints safety Steve Gleason. Steve famously blocked a punt, resulting in the first touchdown for the New Orleans Saints in their dramatic return to the Superdome after Hurricane Katrina. Today, Steve faces a new opponent as he battles ALS. This bill is for Steve and the millions of people who have ALS.

The ice bucket challenge was a good start, but there is more we can do to help people with that deadly disease. Instead of limiting access to life-improving devices, we should be embracing 21st century cures and technologies that empower millions of Americans living with degenerative disabilities to have a better life and communicate with their family, friends, physicians, and loved ones.

I am glad we could come together in a bipartisan manner to embrace innovation and help so many patients, Mr. Speaker. I encourage passage of this important legislation.

Mr. RYAN of Wisconsin. I yield 2 minutes to the gentleman from Louisiana (Mr. BOUSTANY), a distinguished member of the Ways and Means Committee.

Mr. BOUSTANY. Mr. Speaker, to thousands of Americans living with ALS and end-stage Parkinson's disease, the Steve Gleason Act literally means the difference between the ability to speak and silence.

I had the great privilege 2 weeks ago to spend about an hour with Steve and his mother in Steve's home in New Orleans. You have heard about Steve's exploits on the football field and how he inspired so many in that first return back to the Superdome after Katrina. But Steve lost his ability to speak and is wheelchair bound due to ALS. This happened earlier this year. His 2011 diagnosis could have been a tragedy, but he turned it into something amazing and good.

When I visited with Steve, it was amazing to see the fire and the spirit in his eyes because, despite all that has happened to him, he is determined to help a lot of people. He told me: I am not going to give up until you guys pass this legislation so we could help so many others who don't have access to this technology that I have been blessed to have.

So Steve started Team Gleason, an advocacy organization. Its main priority is to raise awareness for ALS. And Steve is communicating, using this amazing technology, but he knows not all individuals with ALS or end-stage Parkinson's have the resources to be able to afford these expensive devices.

This bill is named for Steve because of his tireless advocacy, and this final legislation will provide the resources to give voice to thousands of individuals living across this country with ALS, end-stage Parkinson's, and other types of neurological disorders.

I am proud to have played a little role on the Ways and Means Committee with my chairman to help move this bill through. I think this is a very proud day for America. We are happy for Steve and his advocacy and happy for so many individuals who are caught with this very difficult disease.

Mr. RYAN of Wisconsin. I yield 2 minutes to the gentleman from Washington (Mr. REICHERT), another senior member of the Ways and Means Committee.

Mr. REICHERT. Mr. Speaker, I thank the chairman again for yielding to me today.

I rise today to support the Steve Gleason Act of 2015. I have never had the honor of meeting Steve; however, he is a native Washingtonian.

I have had the honor of knowing a good friend and partner who passed away from ALS while I was with the sheriff's office back in Washington State in King County in the city of Seattle. His name was Jim. And I have heard people talk about Steve, his inspiration, and the fight and fire in his eyes this afternoon, and Jim had that same inspiration to those around him and had that same fire in his eyes.

He came to work every day. And people noticed there was something a little bit different, not quite right about Jim, but Jim just said, you know: I had an operation on my knee.

He limped into work and he committed himself to doing the job and getting it done. He was working on one of the biggest serial murder cases this country has ever known, the Green River case. He lived long enough to interview the person that we finally arrested, which took us 19 years. He stayed alive long enough to interview—I am not even going to mention that person's name on the floor of the House.

Jim was a good friend. For CMS to make a ruling like this, to withhold

commonsense medical devices for people who need it, to help Americans across this country, is almost unbelievable and illogical. CMS has made other rules, too, denying medical devices for people with lymphedema, for example, commonsense medical devices, like garments to help them live a normal life.

I am so pleased to hear today that we are able to change this rule to help people with ALS communicate, to be able to say, "I love you."

Mr. McDERMOTT. Mr. Speaker, I urge my colleagues to vote for the bill, and I yield back the balance of my time.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself such time as I may consume for the purpose of closing.

Mr. Speaker, as I saw STEVE SCALISE talk about that play—I am a big NFC fan, and I remember that play. My friend Aaron Stecker, who is a friend of mine from Wisconsin, played on that team at that time. I just have to say, Mr. Speaker, in America, we have all of these heroes, and the best among us are the heroes that have been so high and have been brought so low but have come back up and have shown a great example of courage to the rest of us.

We are very pleased to be bringing this bill to the floor. I basically want to thank the members of the Louisiana delegation for bringing this issue to our attention, for making us know about this.

This is one of those things where the bureaucracy just got it wrong. The bureaucracy basically came up with a rule that effectively denied these devices to people, which means they can't live a full life.

These SGD's are invaluable. They are absolutely essential for people suffering from ALS to be able to communicate and to be able to function. I had a constituent at a town hall meeting walk me through how his eye gaze technology worked as a part of SGD, and it is just truly remarkable.

So this is one of those issues that speaks to absolute common sense. The bureaucracy got it wrong, and this is Congress in action. This is democracy in action. Our constituents brought us an issue. We understood that there was a problem that needed to be solved. So, in a bipartisan basis, here we are, passing legislation, fixing this problem so that we can make sure that this program, Medicare, fulfills its mission by making sure that it is there for the people who need it. That is democracy.

I want to thank the people from Louisiana for bringing this to our attention. I urge the passage of this bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. RYAN) that the House suspend the rules and pass the bill, S. 984.

The question was taken; and (two-thirds being in the affirmative) the

rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### MEDICARE INDEPENDENCE AT HOME MEDICAL PRACTICE DEMONSTRATION IMPROVEMENT ACT OF 2015

Mr. RYAN of Wisconsin. Mr. Speaker, I move to suspend the rules and pass the bill (S. 971) to amend title XVIII of the Social Security Act to provide for an increase in the limit on the length of an agreement under the Medicare independence at home medical practice demonstration program.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 971

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Medicare Independence at Home Medical Practice Demonstration Improvement Act of 2015".

#### SEC. 2. INCREASE IN THE LIMIT ON THE LENGTH OF AN AGREEMENT UNDER THE MEDICARE INDEPENDENCE AT HOME MEDICAL PRACTICE DEMONSTRATION PROGRAM.

Section 1866E(e)(1) of the Social Security Act (42 U.S.C. 1395cc-5(e)(1)) is amended by striking "3-year" and inserting "5-year".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. RYAN) and the gentleman from Washington (Mr. McDERMOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

#### GENERAL LEAVE

Mr. RYAN of Wisconsin. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on S. 971, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. ROSKAM), the author of this bill and a member of the Ways and Means Committee, for the purpose of describing this bill.

Mr. ROSKAM. Mr. Speaker, I thank Chairman RYAN for yielding time.

I am pleased to see that we are taking up this 2-year extension of the independence at home demonstration project, which expired on May 1.

I first got interested in this because of a constituent, Dr. Thomas Cornwell from Wheaton, Illinois. He is actually a visionary. He was way ahead of his time on this effort to reach out to patients at home. He is the president of the American Academy of Home Care

Physicians and chairman and chief medical officer of the Home Centered Care Institute. He has been really passionate about this idea of trying to reach people where they are.

Since the founding of his home care practice in 1997, Mr. Speaker, he has personally made over 30,000 house calls. So he knows intimately the difference that a home care option makes in the lives of individuals with multiple chronic conditions and the savings that it can bring to the healthcare system to treat these people at home rather than at the hospital.

So what he has been able to do is to say, look, this is better for the patient and it is better for the system, so let's pursue this and let's move it further along. That is exactly what the independence at home demonstration brings to Medicare. It focuses on reducing costs where the needs are the highest and improving care where the needs are the greatest. It provides home-based care to medical enrollees with two or more chronic conditions who are within the 5 to 25 percent of beneficiaries that account for nearly 80 percent of all Medicare spending.

Of the 34 Medicare home care demonstrations over the past 20 years, the IAH is decidedly different, requiring that doctors meet fiscally responsible conditions of participation. Here is what they have got to do: they have to return a minimum savings of at least 5 percent to Medicare; they have to produce good outcomes; and they have to pass patient and caregiver satisfaction ratings.

It even provides an additional incentive by allowing successful patient participants to share in any savings that generate from Medicare above that 5 percent mark on an 80/20 basis. So think about that; everybody comes out ahead on this. And it is working.

□ 1700

In June, CMS reported that IAH saved over \$25 million in its first performance year. That is an average of over \$3,000 for each of the 8,400 beneficiaries that participated in the demonstration.

In other words, have you heard, have you talked about, have you contemplated anything that is like this? In other words, you have got happier patients, and they are saving money at \$3,000 a person. What is not to love about this?

We have several lessons from this that have been artfully crafted into the demonstration itself. It requires participants to save taxpayer money by avoiding unnecessary hospitalizations, ER visits, and nursing home admissions.

It protects the viability of the Medicare Program, provides quality health care for those most in need, and benefits providers by giving them the flexibility they need to care for their pa-

tients and share in the savings they produce.

For those reasons, I strongly support passage of this, and I thank Chairman RYAN for his support.

Mr. McDERMOTT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of S. 971, the Medicare Independence at Home Extension Medical Practice Demonstration Improvement Act of 2015. This bill provides for a 2-year extension of an interesting program intended to help beneficiaries living with multiple chronic conditions.

The Affordable Care Act, which has been reviled extensively, established the Medicare independence at home demonstration. The purpose of this project is to test a new service delivery and payment incentive model that utilizes primary care teams directed by doctors and nurse practitioners to provide care to patients in their home.

Practices that successfully reduce costs and meet quality measures will be rewarded with incentive payments. If this is successful, this model would provide Medicare beneficiaries with access to home-based primary care and avoid costly and unnecessary trips to the hospital.

In 2012, 15 practices launched IAH practices, but the authority to continue these practices will expire in 2015. S. 971 extends this authority by 2 years. This will provide CMS with additional time to evaluate the results of the demonstration and to determine whether this is a sustainable model to pursue moving forward.

This will give policymakers the additional information we need to inform our decisionmaking as we look for innovative ways to coordinate care and reduce costs in the healthcare system.

It is noteworthy to note that this was instituted by the ACA. There are good things in that bill. As they have tried again and again out here to repeal it, we never thought about things like independent health practices.

I think that it is important for us, as a Congress, to look individually at the programs before we make sweeping generalizations.

Mr. Speaker, I reserve the balance of my time.

Mr. RYAN of Wisconsin. I yield 5 minutes to the gentleman from Texas (Mr. BURGESS), the author of this legislation, a Member of the Energy and Commerce Committee, and a physician.

Mr. BURGESS. I thank the gentleman for yielding. I certainly thank him for having this bill on the floor this afternoon.

I am pleased the House is considering this bipartisan, bicameral legislation. S. 971 is identical to H.R. 2196, the Medicare Independence At Home Medical Practice Demonstration Improvement Act, which I introduced with Mr.

ROSKAM of Illinois and Mr. THOMPSON of California. The bill extends the Medicare independence at home medical practice demonstration program for an additional 2 years.

S. 971 passed the other Chamber with unanimous consent in April. Let me reiterate that this bill has cleared the Senate, and we have the opportunity to actually advance this bill today and have it become law shortly.

Now, more than ever, it is essential that we consider innovative ways to deliver care that is led by providers. Individuals are aging into Medicare at a rate of 10,000 seniors a day, with many of the most elderly being severely disabled or home limited. It just so happens that one of the best ways to both lower costs and improve care is to return to the simple house calls of the past.

The independence at home program puts patients and their families first by allowing them to stay at home as long as possible and incentivizing their providers to coordinate the care they provide to their patients.

This program targets Medicare beneficiaries with multiple chronic conditions who have the highest healthcare costs, require more services from providers, and have a greater need for coordinated care.

Independence at home allows providers to take a more active role in patient care and is proving to decrease unnecessary hospitalizations, unnecessary ER visits, and unnecessary nursing home visits.

Independence at home offers incentives to doctors, specialists, and nurse practitioners to better coordinate care for patients while also cutting costs. This is accomplished by requiring that these groups attain a savings of at least 5 percent of which each qualified patient would otherwise have cost the Medicare system.

I will say it again: The program has and must deliver savings by law. If these providers fail to achieve the mandatory 5 percent savings, they face removal from the program; however, if they are able to accomplish the 5 percent savings threshold, these groups may keep up to 80 percent of the savings.

This program is proving to reduce costs and increase quality by reducing duplicative and unnecessary services, delaying or eliminating the need for nursing home placement, and reducing readmissions to the hospital simply by having a coordinating team of providers.

In addition to saving Medicare money, the patient and their family are able to spend quality time at home, instead of the doctor's office or a hospital. In fact, these programs must improve patient and caregiver satisfaction for the program to continue.

This demonstration program is generating substantial savings and positive outcomes. While the Congressional

Budget Office estimated a zero score on June 12, a week later, the Centers for Medicare and Medicaid Services released practice results from year one of the program, showing a savings of \$25 million the first performance year.

Since CMS has been able to release the data, we are confident that if the Congressional Budget Office were to look at this bill again, they would estimate savings for the program, and we expect higher savings in coming years.

Without this extension, there would be a disruption in care for Medicare beneficiaries and lost savings that are being generated for the Medicare Program.

A vote in favor of S. 971 is a vote in favor of ensuring improved, better managed care for chronically ill Medicare beneficiaries and smarter spending in the Medicare Program.

This bill has gone through regular order. It passed the Ways and Means Committee. I would like to thank Chairman RYAN and Ranking Member LEVIN for that. I would also like to thank the Ways and Means Committee staff on both sides of the dais, as well as the Energy and Commerce staffs, for discharging and advancing the bill.

I want to thank Representative ROSKAM and Representative THOMPSON and their staffs. I certainly want to thank J.P. Paluskiewicz and Lauren Fleming from my office who have worked to get this bill to the floor.

Mr. Speaker, the program has been a success. Mr. Speaker, the program has no cost. Mr. Speaker, the program is generating savings. If it does not generate savings in the future, it goes away.

This program is generating higher satisfaction for Medicare beneficiaries. If it does not generate beneficiary satisfaction in the future, it goes away.

The Senate has already passed this bill by unanimous consent. Mr. Speaker, there is no reason for us not to do so as well.

I urge everyone to vote in the affirmative.

Mr. McDERMOTT. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. I thank the gentleman for yielding.

Mr. Speaker, I rise in strong support of S. 971, the Medicare Independence at Home Extension Medical Practice Demonstration Improvement Act. As was pointed out, it is a 2-year extension to a very important and critical component of ObamaCare.

I thank Mr. ROSKAM from Illinois and Mr. BURGESS from Texas, the two folks who coauthored the House bill with me. I appreciate them and their staff for the great work they did.

According to the Centers for Medicare and Medicaid, more than two-thirds of Medicare beneficiaries suffer from multiple chronic conditions, the care and the treatment for which ac-

count for more than a majority of the Medicare spending. These costs are expected to increase substantially with the growing population of seniors, particularly those living with multiple chronic conditions.

Consequently, there is a need for programs aimed at reducing unnecessary hospital admissions and ER visits, strengthening chronic care coordination for our sickest seniors, and slowing the growth in Medicare spending.

This program, the independence at home demonstration program, was created in ObamaCare to do just that. This program provides chronically ill Medicare beneficiaries with primary care services in the comfort of their homes, where they will be able to retain their independence, dignity, and quality of life. It is essential. In essence, it is doctors making house calls, a "back to the future" way of providing care.

The demonstration is targeted; it is immediate; it is proven; it is fiscally responsible, and it is in high demand by Medicare beneficiaries and their families in my home State of California and every State in the Nation.

During its first year, the demonstration saved over \$25 million, an average of over \$3,000 per benefactor. These are very real savings, and there is more to come if we act today to extend this important and successful demonstration for 2 more years. Without this extension, there would be a disruption in care for our most fragile seniors and lost savings to the Medicare Program.

The independence at home demonstration enjoys strong, bipartisan support in both the House and the Senate. It passed the Senate by unanimous consent and in the Ways and Means Committee on a voice vote. I hope that we do the same here. I urge everyone to vote for this important piece of legislation.

Mr. RYAN of Wisconsin. Mr. Speaker, I have no further speakers, and I am prepared to close.

Mr. McDERMOTT. Mr. Speaker, I have no further speakers. I urge Members to vote for the bill, and I yield back the balance of my time.

Mr. RYAN of Wisconsin. Mr. Speaker, I act on the sentiment of the gentleman from Washington.

I urge Members to vote for the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. RYAN) that the House suspend the rules and pass the bill, S. 971.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### JDRF CHILDREN'S CONGRESS

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise to recognize the Juvenile Diabetes Research Foundation, the leading global organization funding type 1 diabetes research.

This week, the JDRF Children's Congress took place here in our Nation's Capital. Delegates from across the country visited my colleagues and me to help us understand what life is like with type 1 diabetes and why research to fund life-changing therapies until a cure can be found is so critical.

As part of this important event, I had the honor of meeting Madyson Huston, an eighth-grader at Fort LeBoeuf Middle School located in my district. Madyson was diagnosed with type 1 diabetes 2 years ago and has since become a tremendous advocate for JDRF. I admire her courageous spirit and willingness to fight for a cure.

I was encouraged by the recent passage of the 21st Century Cures Act, and I look forward to working with my colleagues and advocates like Madyson to advance similar initiatives that will improve the lives and health of Americans.

#### RECOGNIZING THE LIFE OF JONATHAN ROSADO

(Mr. BRENDAN F. BOYLE of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, Jonathan Rosado was a model citizen who generously shared his strong character and kind spirit through the act of teaching tennis to disadvantaged children.

Jonathan fostered the Legacy Youth Tennis program's presence in the Hunting Park community, a groundbreaking addition to youth programming for this Philadelphia neighborhood. His steadfast commitment to community service has served as a tremendous benefit to the many lives he touched.

Jonathan's sense of responsibility and dedication was instilled in him by his own childhood participation in the Legacy Youth Tennis program, and he chose to contribute those attributes right back into the program as he ascended into adulthood.

Jonathan was tragically murdered last year. Although he is sorely missed by all, his bright spirit will continue to be felt in the Hunting Park neighborhood and in Philadelphia long into the future.

I recognize Jonathan here on the floor of the House of Representatives, the people's House, so that his shining example can be more widely witnessed across the Nation.

□ 1715

# UNCLE SAM OWNS OVER 27 PERCENT OF AMERICAN LAND

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, the Federal Government is hoarding American land. The bureaucrats own about 640 million acres of it. That is 27 percent of America, larger than all of Western Europe.

The government cannot afford this massive estate. Notice this map. All the red area is what the Federal Government owns. Over half the West is owned by the Federal Government.

Day by day, unused and unmaintained land sits idle. Instead of Uncle Sam hoarding this land, the government should consider selling the land to Americans. To be clear, I am not talking about selling off national parks, monuments, forests, or protected areas—just unused land and unmaintained land the government doesn't take care of.

The revenue from the sales could go toward reducing the debt or improving transportation. Plus, the sale of land would help State and local governments because new property owners will be paying taxes on the land.

It is time for the Federal Government to let Americans own more of America. Does Uncle Sam really need all of this land?

And that is just the way it is.

## PURSUING PEACE THROUGH DIPLOMACY

The SPEAKER pro tempore (Mr. YOUNG of Iowa). Under the Speaker's announced policy of January 6, 2015, the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) is recognized for 60 minutes as the designee of the minority leader.

### GENERAL LEAVE

Mrs. WATSON COLEMAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New Jersey?

There was no objection.

Mrs. WATSON COLEMAN. Mr. Speaker, yesterday, the United States and our allies reached a landmark agreement with Iran to prevent them from obtaining a nuclear weapon.

To get to this point, Mr. Speaker, we used diplomacy to find a potential solution that seeks to stabilize the entire Middle East region. Diplomacy affords us a clearer picture of what the Iranian Government is doing and what they are capable of.

We used peaceful means to promote peace in one of the most volatile re-

gions in the world, and I am proud of the commitment of President Obama, this administration, and our allies, in keeping these negotiations alive.

Mr. Speaker, I am not saying that our job is done. Congress must and should take a very close look at this agreement in its final form. In fact, I firmly believe that Congress has a critical role to play in the next steps of this agreement.

Let's look at what this agreement does. Within the text, Iran affirms that it will not seek, develop, or acquire a nuclear weapon; but we must ensure that the language will fully deter them from going back on their word and duly punish them if they take that path.

Within the text of the agreement, we accept that the United States will lift the sanctions that we have placed on Iran, but we must have mechanisms that will allow for oversight on the ground in Iran that holds them accountable.

This is a difficult and sensitive balance, but if this agreement has managed to strike that balance, we would miss a once-in-a-generation opportunity to transform the Middle East if we reject this deal. That is not something we can afford to flippantly dismiss.

What this teaches us, Mr. Speaker, is that aggression is not the only answer we have to handle difficult relations across the globe. In fact, aggression would not have brought us to this point where, without any loss of life for us or our allies, without significant cost to our Nation or the global economy, we have managed to find compromise.

Sanctions cannot and should not be the only way we bring nations to the table. They serve a critical purpose, and certainly, they helped in bringing us to this point.

They also come at a significant cost; rather than starving their government in the way we thought they would, they pushed the government to starve its people, resulting in vast unemployment and limited opportunity for a generation of Iranians and probably fertile ground for the radicalization of individuals.

They pushed Iran to ally itself with international actors that further hampered our efforts to stabilize this region. They pushed Iran towards total isolation, a situation in which we have no impact whatsoever. At some point, sanctions that have at points been effective become obsolete and counterproductive.

I would not ask any of my colleagues to support a deal that does not achieve our chief purpose, preventing a nuclear-armed Iran, with the ability to wreak havoc on the United States, our allies, and the world.

I will also ask my colleagues to consider the alternative if we fail to ratify a deal that would meet these goals appropriately, pushing Iran further into

the shadows; giving us no chance at monitoring how, where, and when Iran is enriching uranium; and sending Iran further into the arms of bad actors or offering Iran even greater motivation to undermine basic international law.

I have one pretty solid idea of the outcome: a dangerous, complicated war that would drag what is likely the most volatile region in the world into complete chaos.

This agreement may be the best chance to put Iran at the table and keep them accountable, to engage the international community in monitoring their activities, to operate in the known and not the unknown of what they are capable of, and to give them a reason to seek the same kind of international peace that every country desperately relies upon.

Further aggression, further sanctions, further isolation can no longer be our answer, especially when we have been given a real opportunity to open the door to peace.

I urge my colleagues to give this agreement real consideration. I urge my colleagues to read this agreement. I urge my colleagues to approach this agreement without partisan or political bias.

It is time to give peace a chance.

Mr. Speaker, I yield back the balance of my time.

Ms. LEE. Mr. Speaker, let me start by thanking BONNIE WATSON COLEMAN for leading this important special order and for her leadership on these issues.

Mr. Speaker, yesterday, President Obama announced that the United States—along with our P5+1 negotiating partners—had reached a deal with Iran—a deal that if fully implemented, will prevent Iran from obtaining a nuclear weapon.

As someone who has long supported sustained diplomatic engagement with Iran, I applaud President Obama, Secretary Kerry, and our P5+1 partners for their tireless work to obtain a deal which promotes peace and global security.

In the 112th and 113th Congresses, I introduced a bill—the Prevent Iran from Acquiring Nuclear Weapons and Stop War Through Diplomacy Act—that called on the President to use all diplomatic means to resolve the nuclear issue with Iran. It urged the President to “secure an agreement that ensures Iran does not engage in nuclear weapons work,” through increased safeguards and international inspections.

Yesterday's announcement demonstrates just how effective that type of sustained engagement and diplomacy can be.

When fully implemented, this deal—or the Joint Comprehensive Plan of Action—will prevent an Iranian nuclear weapon while ensuring greater stability in the Middle East. The deal is an important victory for diplomacy and America's leadership abroad as well as for United States national security and of course for global peace and security.

And as the President said yesterday during his announcement—“This deal meets every single one of the bottom lines we established



when we achieved a framework earlier this spring. Every pathway to a nuclear weapon is cut off."

Prior to yesterday's announcement, negotiations with Iran had already led to a first-step agreement that has significantly reduced Iran's nuclear stockpile and their ability to create a nuclear weapon. Without those negotiations and the framework agreements, Iran's nuclear program would have been unmonitored, unrestrained and Iran would have continued the production of medium enriched uranium.

Now, we know that more work remains. The deal has to go to the United Nations Security Council—and Congress now has 60 days to review the terms of the agreement.

Mr. Speaker, all of us share the same goal; preventing Iran from developing a nuclear weapon.

That is why it is critical—as this process moves forward—that Congress act in good faith and ensure the success of this agreement.

This negotiated deal, between Iran and our international partners, remains the best route to ensuring national and regional security while preventing another war in the Middle East.

We simply cannot afford the alternative to this deal.

Diplomacy is the best way to cut off any potential pathways to an Iranian nuclear weapon.

It is the best way to ensure oversight and inspection.

And it is the best way to ensure regional security.

So I urge my colleagues to support the President, support our negotiators, and to give this deal the chance to succeed.

#### PORT CHICAGO DISASTER

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from California (Mr. DESAULNIER) is recognized for the remainder of the hour as the designee of the minority leader.

#### GENERAL LEAVE

Mr. DESAULNIER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DESAULNIER. Mr. Speaker, I rise today, along with my colleagues from the Congressional Black Caucus, to talk today to the American people about the tragedy of Port Chicago, California, and the injustice that marked the lives of 50 African American sailors in 1944 and continues to mark every American today.

On my right is an overview of where the facility is. It is still an existing Naval facility—or a Department of Defense facility—an important deepwater port that allows for munitions to go to strategic assets in the Pacific.

This is the map of the bay area. You can see it is in the Sacramento delta,

as the delta comes into the San Francisco Bay. The photograph is an aerial photograph, obviously, of how the facility looked in 1944. You can see where the trains came in and put the boxcars into sidings that had concrete on either side to protect people from explosions, and then you can see where the ships docked.

In this photograph, there is one ship docked. On the night that we will talk about, there were two ships loaded. In continuously operated shifts, those ships were loaded, as witnesses would say, in a manner that sacrificed safety in order for expedience.

The fateful, moonless night on Monday, July 17, 1944, was clear and cool. A slight breeze was blowing from the southwest. Two cargo ships were tied up at the pier, Port Chicago pier. Under floodlights, work was proceeding at full speed, all hours.

Shortly after 10:18 p.m., disaster struck. This is how the day of the explosion is described by Dr. Robert Allen in his book, titled "The Port Chicago Mutiny."

The deadliest homefront disaster of World War II occurred at Port Chicago Naval Magazine, a major ammunition facility in my district in northern California.

The shipyard site was 2 miles from a little community of Port Chicago, population 1,500. In those days, the greater area was largely wheat fields and had a very small population of under 50,000. The area currently has a population of over 600,000.

Indicative of the discriminatory practices at the time, all of the enlisted men loading ammunition at the site were African American, whereas all of their officers were Caucasian. The explosion killed or wounded 710 people, 435 of whom were African American.

They had no formal training in safe methods of ammunition or explosives handling given to any of the enlisted men. The Navy failed to adequately provide these enlisted men with the tools necessary to be able to operate under safe working conditions, even after the tragedy struck.

When the surviving 258 African American sailors who, understandably, refused to return to work in these deplorable conditions following the explosion, 50 were charged with mutiny and convicted.

During this time, we seek to bring attention to the systemic racial discrimination suffered by these sailors while on duty, in order to bring perspective to the ongoing discrimination against people of color as we enter into the weekend which will note the 71st anniversary of this tragedy.

Prior to the explosion, many officers at Port Chicago had no previous training either or experience in ship-loading, handling ammunition, or commanding enlisted men. Many of them

were reservists. They were called to Active Duty from civilian life and given little or no training. They had to, as they said, learn by doing.

Black enlisted men were also untrained. While they were very aware of the inherent danger of their jobs, these African Americans coped by discounting the risks, much by humor.

Weeks before the explosion, the longshoremen's union of San Francisco warned the Navy that there would be disaster at Port Chicago if the Navy continued to use untrained seamen to load ammunition.

The longshoremen's union was doing similar work in either ports on the West Coast and knew how to load these dangerous materials safely and did not sacrifice safety for speed. The union offered to send experienced longshoremen to train Navy recruits in the safe handling of ammunition, but this offer was ignored by the Navy.

Existing policy required the Coast Guard to provide a detail to ensure that safe handling procedures were followed. Navy commanders believed that this was unnecessary and would create confusion and disrupt loading.

When the Coast Guard tried to oversee operations, it rejected the Navy's common practice, including the practice of moving bombs by rolling and dropping them into place in the ship's hold. Alternative methods offered by the Coast Guard were considered "ridiculous" by the Navy and ignored.

In addition, sailors were encouraged to compete against each other to load as much ammunition as possible into the ship, and officers placed nightly bets among themselves as to which division would load more and then pursued their individual enlisted men to make sure that they would win bets as small as \$5.

During the environment of this whole period, 8-day work periods were what were allowed by the Navy. You would have 6 days of loading ammunition, with a sleep break, and with meals and short rest periods; then after the sixth day, you would have what was called a duty day, which you would do duty around the facility. You had 1 day of liberty.

Now, this, at that time, was a very remote facility and was a long way from Oakland, the nearest major city; but many of the enlisted men made that trip anyway and went back to work very exhausted.

□ 1730

Aside from the petty officers, all the officers at Port Chicago were white. Commanding officers believed Black enlisted men were a major problem rather than an asset.

Captain Nelson Goss, the commanding officer of Mare Island, of which Port Chicago was a subcommand, said the Black recruits "arrived with a chip on their shoulder, if not, indeed, one on each shoulder."



In actuality, these recruits joined the military to defend their country and to fight, if necessary, and put themselves in harm's way overseas. Captain Goss also complained that they were poor workers, capable of only 60 percent of the work compared to White workers.

In turn, Black men resented, obviously, that only they were assigned to essential labor battalions charged with doing dangerous work. They were distressed that they could not receive the rating and promotions that they thought they deserved. For men working under these precarious conditions, the situation amounted to a new form of slavery.

A worker described Port Chicago as a "slave outfit," adding that, "We were considered a cheap labor force from the beginning." They believed their lives were worth less. They were treated as if their lives were worth less, just as their work and abilities were valued less.

A group of men drafted a letter in 1943 setting their grievances and pointing out that the morale among the enlisted men at Port Chicago had dropped to an "alarming depth."

On the evening of 17th, two ships—as I said, the *E.A. Bryan* and the *Quinault Victory*—the *Quinault Victory* was a brand-new ship that was about to embark on its maiden voyage—were both in port being loaded. The *E.A. Bryan* was almost fully loaded as they entered into the graveyard shift.

In the enlisted men's barracks a short distance away, it was quiet. Many men were in their bunks when suddenly an unbelievable explosion occurred shortly after 10:18 p.m.

Survivors in Oakland and San Francisco still remember the explosion from 20 and 35 miles away. People in the nearby rural communities continue to remember this explosion the way survivors of the earthquake in San Francisco did for many years after.

The *E.A. Bryan* was loaded that night with 4,600 tons of ammunition and high explosives. Bombs weighing 650 pounds each and with their activating mechanisms, or fuses, fully installed were being loaded one at a time.

The dock and the ship had disappeared after the explosion. The *E.A. Bryan* was eviscerated. Very few pieces were found of this large ship. The *Quinault Victory* was lifted clear out of the water in an instant by the blast, turned over, and broken into pieces, with very little of it remaining. The 1,200-foot-long wooden pier simply disappeared.

This is the day after the explosion, and this is what was left of the pier.

During the evening, the accounts talk about people in the barracks being completely in black because all the electricity went out. Not knowing what had happened, not knowing what had happened to their colleagues down at the pier, many of them thought they were under attack by the Japanese.

I have one account from Jack Critten, who was a guard on duty that night. "The barracks had a lot of windows, lower and upper deck, whole side was windows." This is a distance away from this site. "And they were blown to pieces. Some guys lost their sight; others were badly cut. Finally, they got the emergency lights together. Then some guys came by in a truck. And we went down to the dock, but when we got there, we didn't see no dock, no ship, no nothing," just darkness.

Everyone onboard the two ships and the fire barge were killed instantly: 320 men, 202 of whom were African American. Another 390 military personnel and civilians were injured, including 233 Black enlisted men.

This single stunning disaster accounted for more than 15 percent of all Black naval casualties during World War II. Property damage, military and civilian, was estimated at that time at more than \$12 million.

Again, Mr. Critten recounted, "You'd see a shoe with a foot in it, and then you would remember how you'd joked about who was gonna be the first one out of the hold if something went wrong. You'd see a head floating across the water—just the head—or an arm, bodies. Just awful."

Four Port Chicago seamen and one Black enlisted man were awarded medals for their heroic conduct in fighting the ammunition boxcar fire and subsequent fires that broke out that evening after the explosion.

A proposal was presented in Congress to grant families up to \$5,000 in compensation for the loss of their loved ones. However, when Mississippi Representative John Rankin objected to the plan because most of the beneficiaries would be Black, Congress reduced the maximum allowable grant to \$3,000.

Four days after the explosion, a Naval Court of Inquiry convened on Mare Island to inquire into the circumstances of the explosion.

Captain Nelson Goss admitted that a port director had previously warned him that, "Conditions are bad up there. You've got to do something about it. If you aren't careful, something's going to happen, and you'll be held responsible for it."

The judge advocate of the inquiry concluded by addressing the question of the role of Black enlisted personnel in his official inquiry: "The consensus of opinion of the witness—and practically admitted by the interested parties—is that the colored enlisted personnel are neither temperamentally or intellectually capable of handling high explosives."

In short, they blamed the victims because they were African American.

During the weeks after and the days after, the men obviously were in a state of shock, troubled by the vivid

memory of the horrible explosion in which so many of their friends had died and so many of them had believed would come to bear and then, unfortunately, saw the tragedy worse than they could imagine.

"Everybody was scared," one survivor recalled. "If someone dropped a box or slammed a door, people began jumping around like crazy."

Many of the Black survivors expected to be granted survivor's leave, as was the custom at the time in the Navy, to visit their families before being reassigned to regular duty.

They waited and waited to get these 30 days off to go visit friends and to start to process what they had seen before they would come back to regular duty, which they were happy to do.

Such leaves were not granted. Even men who had been hospitalized were not granted leaves. All men were to be sent back to work loading ammunition under the same officers before. However, White officers were allowed to go home for 30-day leaves, all of them.

You can see why, under these circumstances and given the tragedy, many of the enlisted African American survivors at Port Chicago were upset in the 3 weeks after the explosion.

They continued to be treated as they were treated before the explosion in spite of their warnings, the warnings of the professionals in the longshoremen union, and the United States Coast Guard.

So some weeks later the men were sent back to Mare Island, a short distance away from where Port Chicago is, across the strait, where munition ships were again being loaded for the war effort, an important job.

As the men marched to go back to work 3 weeks after the incident, they still did not know where they were going as they marched.

But they did know that, at a certain juncture in the road, they could be ordered to turn right, which would take them to the parade ground, or they could be ordered to turn left, which would take them to a ferry that crossed the river to the ammunition loading dock, where they would inevitably resume doing the same work they had done before.

There was a young enlisted man from New Jersey who had natural leadership qualities, who we will hear about shortly, enlisted man Small.

He actually directed the cadence as they walked back. And he described what happened next as he delivered the cadence and he marched his division back towards the pier:

"I was marching on the left-hand side of the ranks. When the lieutenant gave the command 'column left,' everybody stopped dead, boom, just like that. He said, 'Forward march, column left.' Nobody moved."

An officer asked Small, "Small, are you going to go back to work?" He answered, "No, sir." The officer asked why. And he said, "I am afraid."

Seen as a leader among the men, others refused to work when he refused to go back. Someone over in the ranks said, "If Small don't go, we're not going either."

Mr. Speaker, 328 followed enlisted member Small and refused to return to work at that moment. 258 were imprisoned as a result. And shortly thereafter 50 were charged with conspiring to make mutiny.

The trial commenced on Treasure Island shortly thereafter. If these 50 were convicted of the charge, the men faced prison terms of 15 years or death.

Mutiny was defined by the defense as "unlawful opposition or resistance to or defiance of superior military authority with a deliberate purpose to usurp, subvert, or override the same."

Mutiny was defined by the prosecution as "collective insubordination. Collective disobedience of lawful orders of a superior. A conspiracy to disobey lawful orders of a superior is mutiny" as opposed to what we described.

One sailor stated that, "We didn't know you could define disobeying orders as being mutiny. We thought mutiny could only happen on a ship."

A refusal to work is a passive act of resistance, without intent to seize power. A mutiny, on the other hand, is an active revolt with the intent of taking charge.

At this point, I yield to the gentleman from Louisiana (Mr. RICHMOND), the gentleman from the Congressional Black Caucus.

Mr. RICHMOND. Mr. Speaker, may I inquire from the Chair how much time remains?

The SPEAKER pro tempore. The gentleman from California has 35 minutes remaining.

Mr. RICHMOND. First I would like to thank Congressman DESAULNIER for bringing this important issue up and highlighting, one, the contribution made by the sailors; two, the challenges they faced during this ordeal; and, three, the remarkable sense of patriotism that each one of them exhibited and their desire to serve our country.

Not often do we bring up things that happened 71 years ago, especially things that have not gained a lot of media attention. But the sacrifice of every man and woman in this country, whether Black, White, or otherwise, deserves recognition.

So I am honored to be a part of this hour tonight, and I feel really privileged that I get a chance to talk about a few of my constituents' families that really exemplified what is best in America and what is best about the American people.

So the first sailor I will start with is Ernest Joseph Gaines. He was a native of New Orleans. He enlisted in the Navy in 1942, when he was only 20 years old.

Before enlisting, he worked as a helper, doing sheet metal work in a ma-

chine shop. At Port Chicago, he was a winch operator and worked loading the *E.A. Bryan*, one of the ships that was destroyed in the explosion at the base.

At the mutiny trial, Gaines testified that he had "a lot of trouble" controlling the winch he was operating. After the explosion, he said he became afraid of loading ammunition because he knew he could not control the winch.

And just as a side note here, there was a report of trouble with the brake on the number one winch on the *E.A. Bryan* before the explosion, but whether it was fixed is not known to us.

The next person I would like to talk about is Martin Bordenave from New Orleans. And just think about his eagerness to show his patriotism.

□ 1745

Mr. Speaker, he initially volunteered for the Navy in 1942 when he was 16 years old. He wanted to follow in the footsteps of his four older brothers, all of whom had enlisted in the Navy. When they discovered he was underaged, they immediately discharged him, but he immediately reenlisted in 1944 when he was of proper age. In the meantime, Bordenave worked as a painter helping his father who had a job painting houses. The ultimate thing with Bordenave, although his patriotism is remarkable, he was one of the African American soldiers that was injured in the explosion and hospitalized.

Of the last two, one of which is Miller Matthews, he was born and raised in New Orleans, had 5 years of elementary education before becoming a shoeshine boy, then a busboy, and then a delivery boy, before finally becoming a longshoreman loading and unloading Mississippi riverboats for 6 years. He enlisted in the Navy in 1943 at the age of 27.

Then we have Lloyd McKinney, Mr. Speaker, who was born and raised in Donaldsonville, Louisiana, which is another part of my district, where he completed 1 year of high school and then went on to work as a porter in a hotel and later as a helper in an auto repair shop. He enlisted at the age of 18 in 1942. McKinney, in the explosion, suffered lacerations from flying glass. But imagine this: he declined to be taken to the hospital because he did not want to take up space that other officers would need because they were more seriously injured.

So again, Mr. Speaker, I would like to thank my colleague for really bringing up this story, which I am not ashamed to say is a story that was new to me, and I think that every day we learn more and more about our country, about the people who sacrificed to make this country great; and talking about past instances of discrimination and unfair treatment that African Americans went through, especially while serving their country, only

makes this country better. It helps us share perspective and gives us the real-life experiences that others went through, which makes this country stronger, which makes this country better, and it breeds understanding and a love that makes us exceptional.

With that, Mr. Speaker, I thank my colleague again for letting me participate in this Special Order.

Mr. DESAULNIER. Thank you, Mr. RICHMOND.

I yield, Mr. Speaker, to the gentlewoman from New Jersey, Representative WATSON COLEMAN, my friend.

Mrs. WATSON COLEMAN. Mr. Speaker, I thank the gentlemen for yielding to me.

Mr. Speaker, I rise today to join his call for justice for the sailors and their families who suffered in the discriminatory and callous response to the Port Chicago Naval Magazine tragedy.

This is of particular importance to me because I have the honor of representing the district that the alleged leader of that protest, Joseph Randolph Small, had called home. It is also important because of where we are in the arc of history. The events of the past couple months have forced our Nation to do quite a bit of soul-searching on the topic of race and the enduring injustices felt by men and women of color.

From the seemingly inexplicable use of force against unarmed people of color in cases like those of Walter Scott in South Carolina and Tamir Rice in Cleveland, Ohio, to the explicit and disturbing hate crime committed at Mother Emanuel, we know that the bias and discrimination that occurred at Port Chicago is not isolated to the past.

But, Mr. Speaker, if there is any positive outcome to these tragedies, it is in the opportunity to heal long buried but never bandaged wounds. Recognizing one such wound, South Carolina recently voted to remove the Confederate battle flag from the grounds of its statehouse. Exonerating the sailors who were unfairly punished simply for seeking safer working conditions would help heal yet another.

Mr. Speaker, as my colleague already described, in 1944, a segregated U.S. Navy used Black enlisted men with no training to do the heavy, dangerous work of loading ammunition onto vessels that would transport them to the front. That lack of training and neglect for the safety of those sailors led to the greatest homefront disaster of World War II and claimed several hundred lives—most of them Black.

Small, who hailed from beautiful Somerset, New Jersey, led the protest because the survivors understood that to return to the same routine would mean risking another explosion. That simple protest of basic rights and consideration led to convictions of mutiny, prison sentences, and dishonorable discharges for the sailors who stood with Small.

Before the explosion, Small had complained to the new commander that he was promoting inherently dangerous behavior by rewarding the sailors who could load the most ammunition in the shortest period of time. Small was ignored. And after joining his peers in protest, he was kept in solitary confinement during his trial and sentenced to 15 years simply for seeking justice.

Mr. Speaker, exonerating these men would make right a longstanding injustice, and I am proud to stand with my colleagues in this call for action. I thank the gentleman for his work.

Mr. DESAULNIER. I thank the gentlewoman.

Mr. Speaker, I now yield to the gentleman from Ohio (Mr. CHABOT).

Mr. CHABOT. Mr. Speaker, I thank the gentlemen for yielding.

Mr. Speaker, I want to thank Congressman DESAULNIER and Congresswoman LEE for their leadership and drawing attention to this issue and for helping to bring attention to this story of injustice. The story of the Port Chicago 50 isn't in most textbooks or histories of World War II, but perhaps it should be.

While it may not be this Nation's proudest moment, it is a part of our history, and it is a tragic event from which we can learn and we can actually grow, I think, as a nation.

The enlisted men stationed at the Port Chicago Naval Magazine, including the Port Chicago 50, served our Nation proudly, and they served her honorably. For that, they deserve our gratitude.

For those unfamiliar with the story, and I know it has already been talked about, but I would like to talk about it very briefly again.

Following a catastrophic cargo vessel explosion on July 17, 1944, which killed or wounded 710 people, several enlisted men voiced concerns about continuing to handle munitions at the port. Among those voicing concerns were two gentlemen from Cincinnati, Ohio, from the area that I am proud to serve, Mentor Burns and Edward Lee Longmire. Both men enlisted in 1943. They were not lifelong soldiers with extensive training. They were ordinary, patriotic Americans doing their part to help in the war effort. Mr. Burns was a wood-turner in a furniture factory before enlisting. Mr. Longmire worked as a sales clerk selling poultry.

Nothing in their background prepared them for handling munitions, and, unfortunately, the Navy at that time, did not provide adequate training for the men serving at Port Chicago. So it is understandable that the men who survived the explosion were reluctant to continue loading munitions without efforts to make the process safer. For that, they were charged with mutiny.

Reluctance and even refusal to return to unsafe conditions and proce-

dures is not mutiny; it is common sense.

Mr. Speaker, America is the greatest country on the face of the globe, but that doesn't mean we don't at times make mistakes, and that is what happened here. Injustices like the mutiny convictions for the Port Chicago 50 certainly fall within that category. However, one of the things that makes America great is the freedom of the American people and the people's elected representatives to speak out against injustices, correct past wrongs, and strive for a better future for all of us.

Mr. Speaker, we can't go back in time and prevent the convictions of the Port Chicago 50, but we can correct the record, and we can exonerate those wrongfully convicted and give their families and their loved ones the peace of knowing that they served our Nation honorably and faithfully and that they did nothing wrong.

Mr. Speaker, it is far past time that the Port Chicago 50 received justice. We owe it to Mr. Burns, Mr. Longmire, and the rest of those wrongfully convicted and discharged. We need to set the record straight.

I want to thank my colleagues for making it possible for us this evening to participate in this effort.

Mr. DESAULNIER. Mr. Speaker, I thank the gentleman for his eloquence and to the point of what we asked for today.

I yield to the gentlewoman from California (Ms. LEE), my neighbor, my colleague, and my partner in this effort.

Ms. LEE. Mr. Speaker, let me just start by thanking my colleague and my neighbor in the East Bay, Congressman DESAULNIER, for organizing this very important and long overdue Special Order.

Since being elected to the House, Congressman DESAULNIER, you have really been doing a phenomenal job working on behalf of your constituents on a whole range of issues as a member of the Oversight and Government Reform Committee. So I know your constituents are thanking you, but I just want to thank you for coming and hitting the ground running on so many issues, including our efforts to eliminate poverty.

Also tonight, it is so important, this special hour, calling for the exoneration of these brave and courageous men. This is an issue, I must say, that I have worked on for many, many years, first as a staffer to my mentor and predecessor, Congressman Ron Delums, and then alongside your predecessor, Congressman George Miller, who was a true leader on so many issues.

Some, and you may have mentioned this earlier, may know that in 1999 we pulled together a national petition and persuaded President Clinton to pardon one of the few surviving convicted sail-

ors affected by this tragedy. We also worked tirelessly to preserve the Port Chicago National Memorial through legislation, the Port Chicago Naval Magazine Memorial Enhancement Act, which President Obama signed into law in 2009. So I am very pleased to see that we are here tonight once again calling for justice for the African American sailors at Port Chicago.

Mr. Speaker, this story needs to be told over and over and over again, as we are doing tonight. And, once again, thank you for taking that baton, continuing to fight the good fight for justice, Congressman DESAULNIER.

We stand here just days before the 71st anniversary of a national tragedy that is far too often forgotten. Today we remember 320 American sailors—African American soldiers were, I think, 200 of the 320—who lost their lives in the deadliest homefront disaster of World War II. But we also remember how deeply this tragedy was marked by, yes, institutional racism and the solemn duty we have to undue the legacy of that racism today, which Congresswoman BONNIE WATSON COLEMAN talked about very eloquently.

The Port Chicago Naval Magazine, as some may know, is located near Concord, California, right next to my congressional district. On the evening of July 17, 1944, a violent explosion ripped through the magazine, shattering piers, destroying vital ships, and blowing out windows as far away as San Francisco. As I said earlier, all in all, 320 sailors lost their lives; 200 of them were African Americans.

The cause of this tragedy was inadequate training and insufficient safety precautions around handling active munitions. All of the enlisted men who were unloading the active munitions onto a cargo vessel at the time of the explosion were African American. Our Nation's then-segregated military barred African American enlisted servicemen from active naval duty and, therefore, from receiving the proper training to handle artillery.

Nevertheless, White officers at Port Chicago ordered African American sailors to improperly load active munitions into ships resulting in the tragic explosion. These men died serving their country on the homefront and died because their lives and personal safety were not valued by their commanding officers.

But the story does not end there. Three weeks after the tragedy, the more than 300 African Americans sailors who survived the tragedy were once again ordered to continue loading ships in the same perilous fashion. Nearly all of them stood their ground and refused to return to work without proper safety conditions and ammunition training in place. All of those who refused to go back to work in unsafe conditions were arrested, and 208 of them were sentenced to bad conduct discharges and

forfeiture of 3 months' pay for disobeying orders.

This is mind-boggling as I recount the history of this tonight. It is so sad.

The 50 of these men who stood up for their rights and spoke truth to power about the value of their lives were charged with mutiny—mutiny, mind you—convicted and sentenced to hard labor, and dishonorably discharged from the Navy. They are now known as the Port Chicago 50.

So we are here tonight, Mr. Speaker, demanding justice for their courage and recognition for their service. Instead of being cited for mutiny and dishonor, these men should be recognized for standing up to the specter of discrimination and racism in the Armed Forces. As the daughter of a retired lieutenant colonel in the Army, I remember these days very, very vividly as a child.

These naval sailors, these men, showed that their courageous act of defiance really is part of the long history of people of color demanding just basic respect for their rights and their lives, which continues to this day. That is why it is so important for us to stand here tonight and remember their brave actions and how they pushed us towards progress in our Nation and the Armed Forces.

But to date, only one of the Port Chicago 50 has been pardoned—only one. For the remaining 49, their families have been patiently waiting for their names to be cleared of this unjust conviction.

So I urge my colleagues to join us in calling for the exoneration of these 49 sailors. These brave sailors should be remembered for their courage. They were heroes. They are heroes. They stood up in the face of discrimination and the devaluing of Black lives.

□ 1800

We must continue to tell the story, which is far too often left out of our narratives on civil rights; military history; and, yes, California history; and the history of our Nation.

As Dr. King said and, Congressman DESAULNIER, I am reminded of this tonight because you are certainly showing us that Dr. King's quote, the arc of history is long, but it bends towards justice, this is one night that you are helping to bend that arc towards justice.

Thank you again, Congressman DESAULNIER, for your leadership and ensuring that not only we remember those who were lost in this tragedy, but that we move forward and exonerate each and every one of them.

Mr. DESAULNIER. Thank you, Congresswoman LEE. Thank you for all of your support.

I do want to thank and recognize my predecessor, Congressman Miller and his staff, particularly his former chief of staff, John Lawrence, who put so

much effort into this and still has been helpful.

I just want to conclude, Mr. Speaker, with a few brief comments and a quote from Thurgood Marshall and then a brief quote from Mr. Small.

Thurgood Marshall was then chief counsel of the NAACP, and he came West to observe the case. During the trial, Marshall declared:

This is not an individual case. This is not 50 men on trial for mutiny. This is the Navy on trial for its whole vicious policy towards Blacks. Black Americans are not afraid of anything anymore than anyone else is. Blacks in the Navy don't mind loading ammunition. They just want to know why they are the only ones doing the loading. They wanted to know why they are segregated, why they don't get promoted.

The future Justice of the U.S. Supreme Court, Mr. Marshall, continued. He said:

I want to know why the Navy disregarded official warnings by the San Francisco waterfront unions—before the Port Chicago disaster—that an explosion was inevitable if they persisted in using untrained seamen in the loading of ammunition.

I want to know why the Navy disregarded an offer by these same unions to send experienced men to train Navy personnel in the safe handling of explosives. I want to know why commissioned officers at Port Chicago were allowed to race their men. I want to know why bets ranging from \$5 up were made between division officers as to whose crew would load more ammunition.

Still, these men were convicted, whereupon Mr. Marshall responded after the trial by saying these men were tried and convicted of mutiny "solely because of their race and color."

He continued:

The accused were made scapegoats in a situation brought about by a combination of circumstances.

He concluded by saying:

Justice can only be done in this case by a complete reversal of the findings.

That is why we are here today.

Mr. Speaker, the events at Port Chicago and their aftermath played a role in the eventual desegregation of the Armed Forces in 1948. That was a good thing.

The rebellion by the Port Chicago 50, like the civil rights movement of the 1960s and the ongoing conversation today on violence against Americans of color, are a part of a continued struggle against social injustice.

Joseph Small described the events, just before his death, in an interview by the author of a book on the incident. Mr. Small said:

So my only way of changing what was an impossible situation was not to work. It wasn't a planned thing; it was brought on by circumstances, working conditions—it was inevitable, just the same way the explosion was inevitable. Something would have happened to set off that explosion because of the way they were handling the ammunition; it had to happen.

What else can I say? It has been more than 40 years ago, but that is more vivid in my

memory than the actual court-martial—the conditions under which we were working, because they were so appalling.

That is apropos for many instances that we see today in our society.

Mr. Speaker, as the Nation seeks to heal the deep racial wound that continues to permeate into violent acts of our fellow citizens of color, we must seek to rectify injustices like these in order to continue to forge a better future—as Dr. King said so well: "Injustice anywhere is a threat to justice everywhere."

America would do well to remember Port Chicago; indeed, America must remember Port Chicago. For Marshall's words are more poignant today than ever before when he said, during the trial: "What's at stake here is more than the rights of my clients. It's the moral commitment stated in our Nation's creed."

Mr. Speaker, I yield back the balance of my time.

#### EXPORT-IMPORT BANK

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Washington (Mr. NEWHOUSE) is recognized for 60 minutes as the designee of the majority leader.

#### GENERAL LEAVE

Mr. NEWHOUSE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous materials on the topic of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. NEWHOUSE. Mr. Speaker, I rise today with friends and colleagues from every corner of our great country to support an American institution that, in its 81 years, has created countless jobs here at home and supported the export of American-made goods around the world.

The Export-Import Bank, while first created under Franklin D. Roosevelt in response to the Great Depression, is an institution that has supported American manufacturers and producers through both good times and bad; it has experienced strong support over the years from both Republicans and Democrats.

President Ronald Reagan, praising the Export-Import Bank, declared:

Exports create and sustain jobs for millions of American workers and contribute to the growth and strength of the United States economy. The Export-Import Bank contributes in a significant way to our Nation's export sales.

Mr. Speaker, the charter for the Export-Import Bank recently expired on June 30 of this year, depriving our Nation of a critical financial tool for growing our economy in an age where

we must stay as competitive as possible in the global economy.

Today, my colleagues and I will explain the role of the Bank, clear up any misconceptions surrounding it, and explain that, like any institution, it should be reformed to make it leaner and more competitive; this is still a very worthwhile institution that we should support and reauthorize as soon as possible.

I urge House leadership to allow a vote to reauthorize the Export-Import Bank and let the members of this Chamber weigh the merits of the Bank for themselves.

I would like to extend a special thanks to my colleagues, Congressman COLLINS from New York and Congressman FINCHER from Tennessee, who helped organize today's Special Order.

Mr. Speaker, I yield to the gentleman from Tennessee (Mr. FINCHER) for his thoughts on the Export-Import Bank.

Mr. FINCHER. Mr. Speaker, I thank the gentleman from Washington for yielding on this important subject and the rest of my colleagues for coming tonight to hopefully shed light on why the Export-Import Bank is so important.

I have a few stats I just want to read. My comments will be brief. The Bank supports about 200,000 jobs each year at no cost—let me repeat—no cost to the U.S. taxpayer, including 8,315 jobs in my home State of Tennessee. That is around 1.4 million American jobs in the past 5 years.

In fiscal year 2014, Ex-Im Bank supported \$27.5 billion in exports and 164,000 U.S. jobs. The Bank returned \$675 million to the U.S. Treasury in fiscal year 2014, reducing the deficit. In fiscal year 2013, the Bank sent back more than \$1 billion. Small businesses accounted for nearly 90 percent of the Bank's transactions in 2014.

Last year, the Bank had a historically low active default rate of less than one-quarter of 1 percent. Its default rate for the past quarter was .167 percent.

We have a very, very serious obligation to our constituents that we represent back in our districts. I serve the Eighth Congressional District of Tennessee—a wonderful State and a wonderful district—and my constituents send me to Washington to make the government more accountable, to make it better, to make it smaller, to make it more transparent, and to make it work for them back in their districts.

They don't send me to Washington—I don't go home every week to my district, and my constituents come to me and say: STEPHEN, we wish you would shut down the government this week. We wish you would end, STEPHEN, the only good government programs that work. We want you to abolish them.

They send us up here to make these things work. The Export-Import Bank

is in need of serious reforms, and that is why, a few months ago, we started to work on a reform package, our bill to reauthorize with reforms, with 31 reforms, to fix the Bank and to make it work better and more transparent and more accountable.

For some reason, some of my colleagues in the House have taken a very different approach. They have taken a political approach that this is going to be the hill, so to speak, that they are going to die on and the facts don't matter; all that matters are the political outside groups calling for whatever is in their best interest, not the best interest of our districts and our constituents back home.

Think about this. I go home to my district and my constituents come up to me and say: Congressman, have you been able to get rid of Freddie Mac and Fannie Mae?

I will say to them: Well, we are working on it.

They say: Well, Congressman, have you been able to reform Medicare and Social Security and make sure it is solvent for future generations?

I say: Well, we are working on it.

They say: Well, Congressman, have you been able to do tax reform?

I say: Well, we are getting there.

They say: But, Congressman, let me make sure I understand that the only thing that Congress did do was get rid of the only thing that worked that helped create my job, and now, I am on the unemployment line because I don't have a job.

Surely, surely, we are better than this and that we can work for our constituents all over this great country.

I look back at history, and I look back a few years ago. In 2006, this was voice voted. My chairman, who is on opposite sides with me on this issue, was here in 2006. Now, if this was such a big deal, why in 2006 was this issue not raised? We are doing more in the way of reforms probably than Ronald Reagan did many, many years ago.

Plain and simple, this is about jobs; this is about making sure that we are working for our districts; this is a serious reform bill that moves this Export-Import Bank in the right direction by making it work.

I urge my colleagues—hopefully, we get a chance to vote on this in the next week to 10 days, but that we pass this, and we do what is right for our constituents.

Mr. NEWHOUSE. Thank you, Mr. FINCHER. I thank you for bringing forward the legislation to reauthorize the Bank and for your compelling arguments. Those are great strong statistics on the benefits that Ex-Im has given our country, the manufacturers, and employees all over the United States.

Mr. Speaker, next, I yield to the gentleman from the State of New York (Mr. COLLINS).

Mr. COLLINS of New York. Mr. Speaker, I want to thank my friend from Washington for his work organizing this Special Order and certainly thank the gentleman from Tennessee (Mr. FINCHER) for his steadfast work to ensure the reauthorization of the Export-Import Bank, and his impassioned speech that he just delivered pretty much sums it up.

I rise today in support of the Export-Import Bank, which supports hundreds of thousands of jobs and returns a profit to the U.S. Treasury and ensures that U.S. exporters can compete on a level playing field in the global market.

My chart here says it all. The Ex-Im Bank equals jobs.

Not too long ago, I said I was befuddled by why the majority of my own Conference seemed focused on ending the charter for the Export-Import Bank—and I got to give them the credit for this—they did that.

Well, we are here to say that we can reauthorize this Bank, get back to supporting small business, and growing jobs because that is what this is all about.

□ 1815

There has been misinformation and, I would say, misguided outside influences that have come into play, as Mr. FINCHER pointed out. This has always been voice voted, and all of a sudden, this became the cause, as he said, that someone wanted to die on the Hill for.

But why do we want to kill jobs in the United States, jobs that contribute to a surplus of exports? We have a trade imbalance. These jobs are creating exports that are being shipped overseas to reduce that trade imbalance.

In my district alone, the Ex-Im Bank supports over 700 jobs and \$100 million in exports. Reauthorizing the Ex-Im Bank is vital for manufacturers of all sizes to grow and to prosper in a competitive world economy.

U.S. exporters look to the Ex-Im Bank when they face direct competition from foreign export credit agencies when regulatory constraints hinder commercial lending, when they are selling in the markets with political risks or economic uncertainty, or when a foreign customer requires official export credit as part of the bidding process.

Unlike most, I know from experience. Before coming to Congress, I started and ran a number of small businesses. One of those small businesses that I founded in 2004 was Audubon Machinery Corporation, located in North Tonawanda, New York.

Today Audubon is a diversified manufacturing company that, amongst other things, exports oxygen-generating systems around the world. These are medical-grade oxygen systems used in hospitals in Nigeria, Vietnam, Mainland China, places where the hospitals

don't have the liquid oxygen tank outside like they do in the U.S. and Europe.

We simply take the nitrogen out of the air we breathe. The air we breathe is 22 percent oxygen and 78 percent nitrogen.

We take that nitrogen out of the air, producing 93 percent medical-grade oxygen used in these hospitals throughout the developing countries in Africa, South America, Asia, and, like I said, there are major exports into Mainland China.

The Export-Import Bank plays a critical role in what we do. We pay a fee to the Export-Import Bank to provide a guarantee to our commercial bank that guarantees a portion of the line of credit we use to buy the inventory we need to make the product.

I will say it again: In a small business, cash is king. We have to buy materials, and we have to pay our vendors. But we probably are not going to ship that product for 5 or 6 months, so there is a gap there.

We collect our money after we ship, but we have 4 or 5 months in which we have had to borrow money to buy the inventory to make the product. That is how business works.

The commercial banks in the United States are more than willing to loan that money for business done in the United States and perhaps in Europe, but in the rest of the world—Africa, Asia, and much of South America—the banks will not take that risk.

So, with the Export-Import Bank, we pay a fee and they loan us the money. That is a surplus for the Ex-Im Bank because we are going to ultimately, certainly, never default on that loan. That is how those jobs are created.

Without the Export-Import Bank, the commercial banks are saying: I am not going to lend you for the inventory you need to ship those hospital systems to Mainland China.

Mr. DOLD. Mr. Speaker, I am fascinated by the example. I had a constituent, actually, who came in to talk to me. He is a manufacturer who manufactures tractors, and tractors cost about \$1 million apiece.

When he said he was shipping his tractor over to France, the local bank that he was dealing with said that there was no way in the world it would accept the collateral.

So it is a specific example. I assume that is exactly the type of thing that we are seeing in small businesses all across the country.

Mr. COLLINS of New York. It just comes down to the banks today being very risk averse. I know what they are thinking.

Here are their thoughts: We have taken an order from Vietnam to produce a hospital system that costs \$250,000. We have to buy the inventory. We get the inventory.

I think what the bank is worried about is that somehow that order is

canceled. When that order is canceled, its fear would be: We are not going to have any recourse to collect cancellation charges, and we are going to have this useless inventory in our factory.

First of all, in our case, that is not true. We send the same systems around the world. In fact, in our case, we would be able to use that inventory on a future order.

But you can see where the banks would just have a credit policy that they are not going to lend for foreign inventories without some kind of backup. Now, the backup is the Export-Import Bank at about an 80 percent guarantee.

When I have said I am somewhat befuddled by what we are doing here, I have asked my fellow colleagues directly if they support the Small Business Administration, the SBA, which makes the very same loan guarantees to the very same banks.

The small businesses pay a fee for those Small Business Administration loan guarantees for start-up companies.

How can you support the SBA, on the one hand, which is helping small businesses, and not support the Ex-Im Bank, on the other hand, which is supporting small businesses?

I will make another point.

The default rate on SBA loans is many multiples of that on the Ex-Im loans. Why? Start-up companies fail at a pretty regular pace. I can't give you the exact percentage, but we all know that start-up companies fail.

That is why the SBA makes an 80 percent guarantee for those loans. It is so the bank will lend them money. Their risk is very small, but you have a lot of failures.

Companies that are producing products and exporting around the world have been in business for 5 or 10 years. You don't open your doors and immediately start making products and shipping them into Mainland China, Vietnam, and Indonesia. No.

You are going to wait until you are mature enough to enter those markets, which is why the default rate is so low. These are small businesses that have been around for 5 or 10 years.

In being around that long, they just need the credit to support the inventory for the 4 or 5 months that they are in production. That is why the default rate is so low.

When I have asked fellow Members, "How can you support the SBA and not the Ex-Im Bank?" I don't get a good answer.

Now, typically, the answer I get is that they will call it the "bank of Boeing" or the "bank of General Electric" because, in competing against Airbus, which has access to European credit, I would say, "Sure. That is another piece of it besides small business, but GE and Boeing buy from a lot of small businesses as well. You are absolutely in-

consistent to say you support the SBA, and you can't support the Ex-Im Bank."

I know that the moneys my companies have paid for this insurance, if you will, has created that surplus that the Ex-Im Bank returns year in and year out.

I would like to stay around to continue the discussion, but I think it comes back to Ex-Im equals jobs.

Ex-Im is creating jobs that manufacture and ship products overseas, reducing our trade deficit and creating a surplus for the U.S. Treasury to reduce our financial deficit.

This should be voice voted like it has been forever. It hasn't been. So now we have got to lead this charge, and that is what we are doing here.

Mr. NEWHOUSE. Mr. COLLINS, your stories of small businesses in your State and your district, I think, can be told of virtually every district in the country. They are very powerful stories.

Mr. Speaker, I yield to the gentleman from Illinois (Mr. DOLD), a great member of our caucus and, technically, a member of our freshman team. I am very happy to have him here this evening.

Mr. DOLD. Mr. Speaker, I certainly thank my good friend from Washington for organizing this Special Order. I want to thank my good friend Mr. FINCHER for his work on the legislation, and I thank those who are really talking about trying to create jobs.

Mr. Speaker, really, what we are talking about here is in terms of the Ex-Im Bank. The Export-Import Bank—it is a bipartisan piece of legislation that we are looking to reauthorize. We are looking to make sure that, again, we are creating jobs.

As for the reauthorization of the bank, for those who might have forgotten and for those who may be tuned in, Mr. Speaker, in 2012, the reauthorization passed on a suspension vote of 330–93. It passed in the Senate 78–20. This was not three decades ago. This was 3 years ago.

There is a reason to support the reauthorization of the Ex-Im Bank, and I appreciate my good friend Mr. COLLINS for talking about how Ex-Im equals jobs. I do believe that is the case.

You have all heard the statistics. I mean, 83 percent of the loans nationwide from the Ex-Im Bank are going to small businesses. Small businesses create two-thirds of the net new jobs in our Nation.

I have to tell you, in talking to my colleagues around this very body, the number one issue that we encounter is the fact that it is jobs and the economy. We want to create and make sure that there is a robust number of good, high-paying careers.

The Ex-Im Bank enables those small businesses to be able to keep their doors open, to be able to ship to 96 percent of the world's consumers, which

happen to be outside of the United States.

It is interesting to me when we talk about this because there are a lot of big businesses out there that have the ability and the resources to put a plant over in places like Malaysia or Germany or those other places. It is the small businesses that oftentimes don't have that ability.

You heard me having a conversation with Mr. COLLINS earlier about someone who came into my office who was talking about the fact that he manufactures tractors. The tractors aren't big tractors. They are fairly small tractors. But the tractors cost about \$1 million apiece.

If they aren't able to manufacture those tractors here in the United States in getting that Export-Import Bank financing, they will go somewhere else. They have a facility in France that they will be able to use. Those are jobs that are going to leave the United States.

I do believe that, when we talk about the economic growth in manufacturing, my district and, I know, many of the other districts of my colleagues here are heavy in manufacturing.

We are the fourth largest manufacturing district in the 10th District of Illinois. We have literally hundreds of jobs—54,000—in the district that rely upon exports.

I recognize that there are a lot of people who want to talk about Boeing, but Boeing actually has three dozen suppliers in the 10th District of Illinois. These are three dozen businesses and hundreds of employees who support making things that go into a Boeing plane.

You have heard the adage that, when a Boeing plane lands, 21,000 small businesses land with it. This is important. This is talking about good, high-paying jobs, things that the Export-Import Bank absolutely helps support.

The thing that is interesting to me is that, if we choose to not reauthorize the Export-Import Bank, who loses? Our competitors overseas have export financing. Our small businesses will be the ones that lose.

We are going to, in essence, tie one hand behind our back and make us less competitive. I can't think of a crazier thing, that of making us less competitive.

We want to be more competitive. We want to give our small businesses every advantage possible to be able to go out and compete and win. This is what we have an obligation to do. This is what we have an opportunity to do.

I am delighted to be able to stand up here with my friends to talk in a bipartisan way, actually, about why it is important that we reauthorize the Export-Import Bank.

It is because there are jobs and there are businesses in Vernon Hills, in Wheeling, in Lincolnshire, in North-

brook, in Waukegan, in Glenview, in Des Plaines, in Gurnee, in Elmhurst, in Lake Villa, in Bannockburn, and in Mount Prospect. These are all towns in the 10th District that have companies that utilize the Export-Import Bank.

This is not some random deal. This is something that small businesses utilize in order to make sure that they can sell their goods to places all over the globe, to places like France, Germany, India, and China.

It is super important that we give them the opportunity to not only make it here in America, but to be able to send it all over the globe.

Mr. Speaker, if we are looking for an opportunity to end a government program, listen, I am all for government accountability and for trying to make sure that the government is smaller and more responsive. Let's not focus on a government program that brings billions of dollars into the Federal Treasury and creates jobs.

We have heard about the crony capitalism. Frankly, I think that we need to be focusing on how we help small businesses because, again, if we shut down the Export-Import Bank, who loses? It is our small businesses, not the small businesses that they compete against that may be overseas, because they will have an export financing arm.

As my friend Mr. COLLINS was talking about before, if the private sector and the private sector banks would do it, I understand, but there are a lot of those private sector banks and a lot of those local community banks, even those mid-sized banks, that see the collateral go overseas that they can't touch and that they can't get back.

When they walk in for \$1 million of financing to send that tractor overseas, the answer is "no." Guess what. They can't hire that next individual to create and make that tractor.

□ 1830

We need export financing. We need to make sure that the Export-Import Bank has some restructuring. This bill does some of that in terms of the bill that we are looking for, to try to have some changes that go into the Export-Import Bank to make sure that we are having that appropriate oversight, to make sure that we are holding them accountable. But it is absolutely vital, Mr. Speaker, for good, high-paying careers that the Export-Import Bank is reauthorized, and reauthorized with an overwhelming support. If it comes to the floor, Mr. Speaker, I am confident that this passes.

I want to thank my good friend from Washington for bringing this up. I want to thank my colleagues for standing up and supporting what we all know is going to be absolutely good for small business.

Mr. NEWHOUSE. I thank Mr. DOLD for his comments about the small jobs. Coming from a State like Washington,

as I do, I can certainly relate. Fully 40 percent of the jobs in my State are related to exports, so we understand the importance of having all the tools we can at our disposal to make these small businesses successful in the world economy.

I would like to yield to the gentleman from Ohio (Mr. STIVERS), a colleague of mine who sits on the Committee on Rules, for his comments.

Mr. STIVERS. I thank the gentleman from Washington for yielding. I also thank him for doing this Special Order. This message needs to get out. I also want to thank the gentleman from Tennessee, STEVE FINCHER, for sponsoring the reform bill that makes 31 meaningful reforms in the Export-Import Bank.

I think it is important to note, we need to reauthorize and reform the Ex-Im Bank. Obviously, the Ex-Im Bank is about jobs. You have heard that message all evening. The charter did expire on June 30. Today, the Export-Import Bank can service existing loans, but they can't make new loan guarantees. That is why we need to act now to reform and reauthorize the Export-Import Bank.

We are facing competition against 59 countries that have similar export credit finance agencies, and it is really important that we reauthorize our Export-Import Bank. The worst thing we could do would be to unilaterally disarm in a trade war against these 59 other countries and put our small businesses and job creators and exporters at a competitive disadvantage.

I want to tell a story about one of the companies in my district called Davenport Aviation. It is a small exporter that sends aircraft spare parts to sub-Saharan Africa. Only 1 percent of exporters use the Export-Import Bank, but Davenport Aviation is one that really needs it because in places like Angola and places like Mozambique, there is a political risk, there is a credit risk, and only the Export-Import Bank can come in and take that risk and make that happen, because, as the gentleman from New York said earlier, it is probably pretty hard to get a bank loan to sell spare parts into Angola, Mozambique, and other places in sub-Saharan Africa. Davenport Aviation has thrived because the Export-Import Bank has been there. Now there are 12 jobs in Davenport Aviation, a company that started with just one person just 3 years ago.

There are companies like that all throughout my district. J D Equipment exports tractors, and Showa Aluminum exports a lot of things using the Export-Import Bank. This bill that Mr. FINCHER has created will help make sure those job creators can continue to make and create products that they export to other countries and create American jobs in the process.

As you heard, the Fincher bill has 31 reforms that are meaningful. I am



working on amendments that would create four additional reforms. One would be a reinsurance pilot that would determine the private sector price, an actuarially sound price of this credit insurance just so we could have that conversation. The second is a restructuring of the appointment process to make sure that minority and majority views are heard on the board of the Export-Import Bank. The third would be a report on any adverse impacts going on to American companies by loans that the Export-Import Bank guarantees. Finally, I have an amendment that would end the discrimination of coal and make sure that we can fund an all-of-the-above energy policy through our exports because export markets are an important place for energy and American-made energy. We need to make sure that we create jobs here to export the energy where possible.

As you have heard, this debate is about jobs. The Export-Import Bank is about jobs. In fact, if we do nothing, America will lose 164,000 jobs; in Ohio, we will lose 15,300 jobs; and in my district, we will lose almost 1,500 jobs. So we have got to act. We need to act to reauthorize and reform the Ex-Im Bank.

I am working hard to make sure we do that. I appreciate the gentleman from Washington. I appreciate the gentleman from Tennessee and everybody that is participating tonight. It is important to remember this debate is about jobs, and, in fact, the Export-Import Bank guaranteed \$2.4 billion worth of exports in Ohio since 2007 and has helped make sure that 15,300 Ohioans had jobs.

Thank you for this Special Order. Thank you, everyone, for participating. I urge my colleagues to support reforming and reauthorizing the Export-Import Bank.

Mr. NEWHOUSE. Those are powerful, powerful arguments. I appreciate Mr. STIVERS' contribution here this evening.

Next, I would like to turn to one of the stars of our freshman class, a colleague of mine from New York, Ms. ELISE STEFANIK.

Ms. STEFANIK. First, I want to take a moment to thank Congressman NEWHOUSE and my colleague from New York, Congressman COLLINS, for spearheading and organizing this Special Order. I also thank Congressman FINCHER for all of his work and leadership on H.R. 597.

Mr. Speaker, I stand today to express my support for the reauthorization of the Export-Import Bank and of H.R. 597, of which I am a proud original cosponsor. H.R. 597 would reform and reauthorize this critical institution.

For the last 80 years, the Export-Import Bank has helped facilitate exports on behalf of thousands of businesses and has created jobs in all 50 States.

Failing to reauthorize the Ex-Im Bank would create a stark disadvantage for our country's businesses and cause significant job loss. In fact, over 40 other nations have an export credit agency. If America's is not reauthorized, our Nation would be the only country in the top 20 economies in terms of GDP not to have one.

As I travel throughout my district, I hear from manufacturers who are directly impacted by the Ex-Im Bank. For example, the Plattco Corporation out of Plattsburgh, New York, has been in operation since 1897 and specializes in valve engineering for a wide variety of industrial applications. Through innovation and expertise, this small business has become the industry standard, and their products are sold in over 50 countries around the world. Exports represent 40 percent of Plattco's sales, and over half of these are financed by the Export-Import Bank.

In addition to financing the overseas sales, the Ex-Im Bank also provides due diligence by determining which customers are creditworthy enough to receive a loan. Plattco and their 70 employees do not have the infrastructure or the resources to do this on their own.

Another example in my district is New York Air Brake in Watertown, which has been serving the rail industry since 1890. Among their many products, New York Air Brake develops train brakes and controls which are among the most reliable in the world today. New York Air Brake's largest customers utilize Ex-Im Bank. These customers use Ex-Im to finance their railcar sales and other manufactured products around the world.

Failing to reauthorize Ex-Im Bank would lead to purchases from overseas instead of U.S. manufacturers here. If this were to occur, the loss isn't just felt by the company making the sale, but it is also felt by New York Air Brake and their 575 employees who supply railcar assemblers with exceptional products.

New York Air Brake is truly vital to our economy and our local community, and as leaders in Congress, we must continue to support these types of companies that provide high-paying manufacturing jobs.

On behalf of Plattco Corporation, New York Air Brake, their employees, and thousands of other small businesses that create jobs in New York's north country and across the U.S., I urge my colleagues to join me in supporting the reauthorization of the Export-Import Bank.

Mr. NEWHOUSE. I thank the gentleman from New York for underscoring the importance of the Ex-Im Bank to small businesses, small businesses that employ a huge number of people around this country. That is very important to point out.

Next I would like to turn to the good gentleman from the State of Georgia

(Mr. CARTER), another freshman colleague of mine.

Mr. CARTER of Georgia. Mr. Speaker, the greatest threat to our national security is our national debt. It is the number one issue facing our country right now and one of the primary reasons I sought to serve in this body. I have often said that the only way that we are ever going to balance our budget, the only way that we are ever going to retire our national debt is by three things: first of all, we have got to cut spending; secondly, we have got to have entitlement reform; and, thirdly, and perhaps most importantly, we have got to grow our way out of this. The Ex-Im Bank helps us to do that.

As a small-business man, having owned three independent retail pharmacies for the last 27 years, I understand the value in business of cutting costs and increasing revenues. It is important. You have to both cut costs and increase revenues, and you have to grow your business.

The Ex-Im Bank helps us to increase revenues. It helps us to retire our national debt. First of all, the Ex-Im Bank has returned money to the Treasury in the form of revenues it generates from loan interest and fees. Last year alone, the Bank generated a surplus of \$675 million.

Secondly, and most importantly, the Ex-Im Bank encourages economic growth by supporting the purchase of American-made goods around the world. These purchases sustain thousands of American companies who rely on exports and put food on the table of hard-working men and women employed by them.

In my district alone, there are 19 companies that in recent years have utilized the Ex-Im Bank to export goods overseas. These companies range from Gulfstream, a leading manufacturer of aircraft, to Strength of Nature, a company founded by immigrants who fled the Castro regime and started a company that now exports many of their goods to the Caribbean and to Africa.

The Ex-Im Bank helps businesses, big and small, across America to compete with the competitors abroad by leveling the playing field. With over 60 government export credit agencies currently active around the world, including every modern industrialized economy, allowing the Bank to expire is tantamount to unilaterally disarming ourselves in the competition for big contracts around the globe.

If a company cannot get financing to buy Gulfstream manufactured in Savannah, Georgia, they will go to Canada, which actively promotes Bombardier, or Brazil, which does the same for its Embraer jets. If they can't get a Caterpillar excavator made in Athens, Georgia, they will go to Japan to buy a Komatsu. If they can't get access to an

AGCO tractor headquartered in Duluth, Georgia, they will go to India to buy Mahindra.

Mr. Speaker, again, as a small-business owner myself, I know that American companies can compete when the playing field is level. In a perfect world, we wouldn't need an Ex-Im Bank, but we don't live in a perfect world. Instead of leveling the playing field for American businesses, those who would shutter the Bank are stacking the deck against them.

Mr. Speaker, unilaterally closing the Bank would expose our economy to a devastating blow at a time when we can least afford it. It would also further erode our global competitiveness and America's influence around the globe.

While we stand here debating the future of the Ex-Im Bank, our competitors are leveraging their own versions of their export-import banks to increase their market shares abroad. Every minute we wait, foreign countries and companies are expanding. If we don't fill the market need, countries like Russia and China will, and with it, the influence of their regimes is on the rise. They relish in every day that we wait.

Like any Federal agency, the Ex-Im Bank can and should be reformed to make it more accountable, more efficient, more transparent. I support reforms that would bring interest rates more in line with those found in an open private market.

I support reforms to ensure the Bank is a true lender of last resort for all companies by implementing measures to ensure the Bank's customers prove that they have exhausted all their options for financing by private lenders before seeking assistance from the Bank. One way to do that would be to require three letters of denial as part of an application. The Bank should also produce a report explaining why certain businesses receive assistance by the Bank in order to provide taxpayers with more information on exactly what the Bank is doing and why.

□ 1845

Full transparency of the Bank's actions is the only way to hold it accountable, while demonstrating the valuable role the Bank plays in maintaining our competitiveness in global markets.

I stand here today ready to work with my colleagues to implement these and other necessary reforms to the Ex-Im Bank, but allowing it to expire is a disservice to the constituents that we serve.

The Ex-Im Bank not only supports America's manufacturers and the working American families they employ, it helps to promote America's national interests abroad. Most importantly, it helps address our national debt, both through economic expansion

and by returning its surplus to the Treasury each year.

I want to thank my colleagues—DAN NEWHOUSE, STEPHEN FINCHER, and CHRIS COLLINS—for helping to host this forum and all those working with us to restore the Ex-Im Bank to its important function.

Mr. NEWHOUSE. I appreciate your powerful words and the importance of the Ex-Im Bank to your district, to your State, and to our country.

Next, I yield to the gentleman from Illinois (Mr. RODNEY DAVIS), another member of the Agriculture Committee on which I serve.

I appreciate Mr. RODNEY DAVIS taking the time to come here and with helping us make the points on the importance of this authorization.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I thank my good friend from Washington for leading this special order. Thank you to all of those who are interested in what I think is doing the right thing, reauthorizing and reforming the Ex-Im Bank.

Mr. Speaker, I rise today in support of small businesses, American manufacturing, and good jobs right here at home.

The simple reality is that more than 95 percent of the globe's consumers live outside of our borders; therefore, our ability to export American products around the world has a direct impact on many small, medium, and large companies and their ability to create and sustain jobs.

Unfortunately, many potential global customers are not able to secure the necessary financing to complete a purchase from an American company because of the instability of their region or another circumstance.

In order to connect these American exporters with their buyers around the globe, the Ex-Im Bank can provide vital loans to complete transactions with American companies that otherwise may not have occurred.

The economic impacts here at home are significant. Last year, the Ex-Im Bank provided financing for \$27.5 billion in U.S. exports. That supports more than 160,000 American jobs; most importantly, 90 percent of all of these public-private transactions were with America's small businesses.

Some have called for ending the Ex-Im Bank on the grounds that it competes with the private market. That is simply not the case. While we do need to reform this agency, we still need to make sure that the Ex-Im Bank is allowed to level the playing field and fill the gaps that exist in the private credit market.

Additionally, the Ex-Im Bank brings in a surplus of dollars to the U.S. Treasury. Last year alone, it was upwards of \$700 million. Over the past two decades, the surplus has been \$7 billion. I ask many of my colleagues on both sides of the aisle: What are we going to do to fill that hole?

Ex-Im supports good-paying jobs in Illinois, not only at great companies like Caterpillar and John Deere, but also at small- and medium-sized businesses, such as the GSI Group in Assumption, Illinois, my home county's largest employer, and also Litanía Sports Group in Champaign.

Congress has already let the Ex-Im Bank expire, but we cannot afford to put more jobs at risk. We must reform and reauthorize the Ex-Im Bank now, and I urge a speedy process to do so.

I thank my colleague, once again, for his time, his energy, and his focus on this important issue.

Mr. NEWHOUSE. Mr. DAVIS, I am very grateful for you sharing with us today.

I yield to the gentleman from Oklahoma (Mr. COLE).

Mr. COLE. Mr. Speaker, I want to begin by thanking my friend from Washington and my friend from Tennessee for organizing this exceptionally important discussion tonight.

I think the case, from a national standpoint, in terms of maintaining the Ex-Im or the Export-Import Bank, is really almost uncontestable. It is not a new institution. It has been around well over 80 years. It is not a unique institution.

As has been mentioned here on the floor several times, literally dozens of other countries have a similar tool in their toolbox to facilitate exports.

It has not cost the American taxpayer a dime during the course of its existence. It has actually made billions of dollars back, indeed, since 2007, \$2.8 billion last year alone, a billion dollars extra to the United States Treasury.

What it has done and what every American ought to be interested in is it creates thousands and thousands and thousands of jobs for our fellow Americans competing in the international marketplace.

Now, I can talk about some big companies that have a presence in my State that have been enormously well served by the Ex-Im Bank. Boeing aircraft, we have almost 3,000 Boeing jobs in Oklahoma. That is important to us, and we are very proud to have them. Halliburton, historically founded in California, headquartered now in Texas, but their largest machinery production facility is in my district in Duncan, Oklahoma—1,500 jobs. Those are real Oklahomans going to work.

What impresses me the most is the opportunities that the Export-Import Bank have created for small companies to get into the international marketplace. The Export-Import Bank in Oklahoma in recent years has helped 129 exporting firms; 87 of those, over two-thirds, are small businesses, and that has made a difference in small communities.

The small business is the bedrock of the American economy, and Ex-Im helps them open markets that they

would never have had an opportunity to participate in, absent that particular mechanism. Don't take my word for it.

Here is a story from a third-generation Oklahoma company about how the Export-Import Bank has been able to help them. The Mills Machine Company operating in Shawnee, Oklahoma, just outside my district but in the district next to it, has been in business since 1908—over 100 years. It makes drill bits, augers, and other tools for water construction in geothermal industries.

According to the current president, Chuck Mills, who is actually the third generation in the family to run the company—his grandfather started it; his father maintained it, and he is now operating it. He was the first one to think about operating overseas.

How does a small company in the middle of Oklahoma identify and finance overseas sales? He figured out the Export-Import Bank would be the way to open the door for him to create jobs for his employees in Shawnee, Oklahoma.

Today, the Export-Import Bank provides credit insurance when his company is selling their products abroad, which is awfully necessary because some of those individual items, while they sound mundane, cost up to \$30,000 apiece. That is a lot of risk for a small company.

Access to the Ex-Im Bank has allowed the Mills Machine Company to actually increase their exports overseas by 20 percent. Now, when you are a company of 20–30 employees, 20 percent is five or six jobs that literally would not have been there absent the services of this Bank.

The Export-Import Bank actually allows our companies to compete in the global marketplace where countries often directly subsidize or own the means of productions.

We don't have a free market today in every way. Our competitors have this tool. They use this tool aggressively. We need to have the ability to counter them, when necessary, with the Export-Import Bank.

I want to encourage my colleagues to support this bill to understand how essential it is to some of—not just the biggest, but some of the smallest exporters in the American economy and how many thousands of jobs it creates.

Remember, it has never cost the taxpayers of the United States of America a single dime. It has always put billions of dollars, over time, into our Treasury. Most importantly, there are thousands of Americans working today thanks to what the Export-Import Bank has done to facilitate the export of American products into the international marketplace.

I want to urge my colleagues to support the reauthorization of this important institution.

Mr. NEWHOUSE. Mr. COLE, thank you very much for participating tonight and pointing out the importance of the Bank to your State and to your district.

I yield now to gentleman from Florida (Mr. MICA).

Mr. MICA. Mr. Speaker, I appreciate the gentleman from Washington organizing this special order in support of Ex-Im.

I will tell you one of the worst mistakes that Congress could make is not acting to reauthorize the Ex-Im Bank.

Unfortunately, few people in Congress have been involved in international trade. For some 7 years, I was very active in international trade, got into it by accident in other businesses, but I have led delegations and represented some very big corporations, some of the biggest in Florida and the United States and some of the smallest companies trying to compete.

I have been in every country in South America except the Guianas. I have been throughout the entire Caribbean, trying to sell U.S. products. I was in Egypt, the Middle East. I took the first trade delegations into the Eastern bloc countries—Lithuania, I went into Poland and Slovakia.

I have seen international trade up close. I am telling you, folks, it is not a level playing field. It is very rough in the global market.

Some of our competitors, the Chinese and the Europeans, were doing trade across borders, well, when the Americas were still in loincloths. These are experienced people. They throw their mother-in-law in to close the deal. It is a very tough market out there. To cut the legs out from our folks has consequences when it comes to financing.

In business and international trade, if you can finance the deal, you can do the deal. Why would we do this? You just heard the other gentleman say that this is one of the least risks of guaranteeing or providing a loan, less than 1 percent. Banks are 10 times that.

There is no cost to the taxpayer; we actually make money from this, but what we have out there is competition that is unfair, unlevel.

It is possible that we can make some reforms. In fact, we should make reforms to get us into some areas where we don't have export-import. I was the only Member from the House, at least from the Transportation and Infrastructure Committee, to go to the biggest airshow—I hadn't been for about 12 years—in Europe recently.

Our competitors were applauding at the time that America was going to let Ex-Im go down the tubes because they, again, are experts in being able to finance things. In aviation, aviation is one of our biggest areas of exports, huge opportunities; and these people are now being asked to fight and struggle.

We should be expanding. For example, I heard from some of our military folks at the airshow that other countries have ex-im for military foreign sales and that we are losing part of that market while others are getting into it.

If you want to send jobs overseas, if you want to kill American manufacturing, if you want to tie the hands of American companies overseas, and if you want to close down some jobs in my district—I have a large power generation headquarters, which also manufactures in North Carolina.

Here is a statement from their company. They will lose a \$300 million contract, lots of jobs in my district in North Carolina, to Japanese competitors. There is just one.

Here is Caterpillar, not in my district. They are going to lose a \$650 million opportunity in a competition to an Asian competitor. How many jobs would that be in Illinois? They are not my district. It is for a project in Australia.

We are not financing any foreign operations. We are financing American products and supporting American jobs. We absolutely must reauthorize this important program.

□ 1900

Mr. NEWHOUSE. One of the great things about this body is having people with so many different kinds of experiences. Mr. MICA, you personally know the importance because of your experience in being in other countries, of selling American products abroad, how important this tool is to the American businesses.

Mr. MICA. Will the gentleman yield?

Mr. NEWHOUSE. I yield to the gentleman from Florida.

Mr. MICA. I thank the gentleman.

And that is where the markets are, and that is a small area we should be supporting, where we are just minor players right now. We should actually be expanding.

But I thank you for bringing this to the attention of the Congress and the American people. And you are going to hear about agriculture and how important that is in all of this, and jobs and opportunities for Americans.

Mr. NEWHOUSE. I thank the gentleman.

And that is a great segue into who I would like to share some of this time with next. I yield to the gentleman, also from Oklahoma (Mr. LUCAS), the former chairman of the House Agriculture Committee.

Mr. LUCAS. Congressman NEWHOUSE, I am very appreciative of you organizing this Special Order to discuss an issue that perhaps not many of our neighbors back home have had time to focus on and to have speakers from a variety of perspectives discuss what it really means in job creation, economic growth, opportunities in their home

districts and their communities, the Export-Import Bank.

I would be remiss if I didn't note to our colleagues, you and I are both farmers, and one of the common threads in agriculture throughout this great country is, since colonial times, we have always produced more than we could consume in this country. We have always had to sell our surplus in the world markets. That is the only way that we could maintain a healthy production agriculture, to have reasonable job opportunities, a reasonable standard of living in our agricultural communities.

Export-Import touches on many of those issues, created in the 1930s as a tool to help all parts of the American economy have the credit and the ability to sell in the world markets.

As a matter of fact, the concept is so practical, it has been so well-defined, as you and I both know, 50-plus other countries have the same type of a system to help their manufacturers, their producers, their economic interests do business into the outside world.

Now, that said, we have been engaged for some time on the Financial Services Committee and in this body in a very, at times, heated debate about whether not just should Export-Import Bank be reformed to make it more efficient, make it more accountable, more responsible to the taxpayers, but whether it should even exist at all.

Now, some of our colleagues believe that, with a lack of action, the official expiration of the authorization, it is gone. We have heard our friends say here today that until all of the loans that are outstanding, all of the guarantees, all of the obligations that have been committed to are completed, the institution will continue to exist. It simply cannot provide new economic opportunities to do business around the world for our people.

And that brings us to this point, and I think it is the point that I want to stress. Can Export-Import Bank, in its present form, be reformed? Can it be made better? Can it be made more accountable?

Of course. There is not an institution in government anywhere that can't be made better, more efficient, more effective, more accountable to the taxpayers.

But the real tragedy of what is going on here is we have been presented, many of us, with the stark debate of end it all or, through circumstances beyond our control, have it reauthorized, most likely in its present form, without any of those reforms. That is why many of us are on the Fincher bill, because we believe Export-Import serves a purpose in helping create better jobs, more economic opportunities for many of our citizens, but that it needs to be done in a more responsible, accountable fashion.

I have been highly disappointed that we have not had a debate, a markup in

committee on this very issue that would have ultimately led, I believe, to a debate and consideration on the floor of this United States House so that we could potentially have sent a better product than we have now to the other body. We have not been allowed to do that.

So now we are faced with a stark contrast. How do we continue this very effective effort at moving our products into the world markets, creating those jobs here at home for our fellow citizens?

Either we have to wait for a bill to come from the other body, most likely not containing the level of reforms that we would have placed in such a reauthorization bill in the House, or, at some point, we will have a markup, either in committee or on the floor, of another piece of legislation where there will be an effort to attach it. That kind of an effort probably won't contain the level of Fincher reforms that we all want.

That is the tragedy, Congressman. We are going to reauthorize Export-Import. It is just, in what form will it be reauthorized?

We cannot allow 50-plus of our competitors around the world to have a tool, a resource, an ability for their businesses to push their products into the American economy that we don't match punch for punch economically. We cannot allow that to happen.

I hope we are going to work on behalf of our fellow workers, our fellow citizens, our fellow businesspeople in this country. But it is a tragedy, Congressman, that we are not going to have the kind of discussion and debate where we could create a dramatically improved, refined, or reformed Export-Import Bank.

We each represent our constituents. I care about mine just as you care about every one of yours, and making sure that we have the ability—the ability—for all those citizens to have good jobs, good-paying jobs, good, new economic opportunities, is just too important for us to back away—too important for us to back away.

If we don't get the reforms that our fellow citizens deserve, it won't be because you and I didn't try. We have tried for months. It will be because the choices thrust upon us by others are either all or nothing at all, present or nothing.

I want to keep selling those products that our hard-working fellow citizens make into the world market. I want to keep competing economically, blow for blow, with the rest of the world.

You know, some have said: Let's just do away with Export-Import. We will establish the principle, and the rest of the world will follow us.

Does anybody really believe that, that when we give up our ability to sell our products into other markets they will suddenly say: Oh, what a great

principle. We will stop selling into your markets.

That is not the way it works, Dan, not the way it works.

I appreciate the gentleman's time, his effort on this critically important issue. Something will happen; it is just how soon and in what form.

Mr. NEWHOUSE. I yield back the balance of my time.

Mr. Speaker, tonight we've heard from Representatives from all over the country—from my home state of Washington, to Oklahoma, to Florida—about the economic importance of the Export-Import Bank to our nation. Before we conclude for the evening, there were three other topics I wanted to discuss—wine, music stands, and mint oil. As unrelated as these three things sound, they have a couple of important commonalities. First, these are small businesses in Washington State that create all three of these products. L'Ecole Winery in Walla Walla makes a fantastic, award-winning Bordeaux blend, and sells their wines in over 20 countries. I had the chance to recently tour the Manhasset Specialty Company, located in Yakima, Washington, which manufactures and sells the gold-standard of music stands the world over. Norwest Ingredients, a company located in Royal City, Washington, grows and refines mint extract, and sells it around the globe to food and pharmaceutical producers for flavoring.

The other thing these three businesses have in common, besides making some of the best products in the world, is that they all use Export-Import Bank financing to share their products with the world. They are great examples of small businesses utilizing the Bank—and for the record, they are definitely small businesses, employing a total of 43 full-time employees between the three of them, and that number is growing. In fact, to clear up a common misconception about the Ex-Im Bank, in fiscal year 2014, an astounding 89% of the Export-Import Bank's loans were to small businesses. When these small businesses are seeking to export their product—that is, to grow their businesses and create jobs—they often need financing to do that. However, selling your product in Sidney or Seoul is not the same thing as selling it in St. Louis or San Francisco. When selling overseas, under a different set of laws, sometimes there's little recourse if you have issues with getting paid for your goods. Or say there's a natural disaster or labor dispute—how then can you access your product or the money you're owed? When your product spends six weeks on a barge, and your money is locked in that product in a crate, sometimes you need capital that's just not accessible. In some countries, just to access their markets and sell your products you have to have an insurance guarantee from your home country. And that's where the Export-Import Bank comes in.

The Export-Import Bank supplements private financiers, providing direct loans, working capital, loan guarantees, and other forms of financial insurance, allowing these businesses to reach markets and sell goods they would be unable to otherwise.

Critics on one side argue this simply means these ventures are too risky, and shouldn't be entered into if private financing can't handle

the job. On the other side, they argue the reason private financiers can't handle it is because Ex-Im crowds them out of the market, offering rates private finance can't compete with. But, if we look at the evidence, we can see both of these claims are just not true. If the Export-Import Bank backed inherently risky ventures, then how do we account for the 0.175% default rate on Ex-Im loans? This rate is far below the standard market rate, meaning that the Bank's loans are careful, and judicious with taxpayer dollars. As for the Export-Import Bank crowding private lenders out of the market, right now Ex-Im requires in its charter that the Bank only, and I quote only, "supplement and encourage, and not compete with private capital." It also requires that the Export-Import Bank provide an annual report to Congress with a breakdown of all of their loans, demonstrating that private lenders were either unable or unwilling to offer these loans.

However, I would agree with critics that this isn't enough, and we should go further. That's one of the reasons I'm a cosponsor of Mr. Fincher's Export-Import Reform legislation, H.R. 597, the Reform Exports and Expand the American Economy Act. Mr. Fincher's bill reiterates that the Export-Import Bank is the "lender of last resort" to companies, and that companies seeking credit must demonstrate they've tried to procure private financing before they can even be considered for Ex-Im financing.

Mr. Fincher's Export-Import reform bill would make other positive changes to the Bank as well. It would require the Government Accountability Office (GAO) to regularly audit Ex-Im's fraud control measures, as well as their loan, insurance, and guarantee programs. This legislation would require that the Bank's Board of Directors publish an annual list of countries that loan participants should not be doing business with, whether it's because they violate human rights, aid our nation's enemies, or for other foreign policy reason. These are good, ethical reforms that should be made. The reform legislation would also impose capital reserve requirements on Ex-Im so that, while unlikely, should a financial crisis affect the Bank, it will have strong capital reserves to protect taxpayer dollars.

Mr. Speaker, my colleagues and I aren't asking for a straight reauthorization of Ex-Im—we think there are improvements that can and should be made to the Bank. And we would love to work with those who are critical of the Export-Import Bank to join us in reforming the Bank so that it's more accountable, it's more supportive of the free market, and is a better steward of taxpayer dollars.

Speaking of taxpayer dollars, there's another common myth about the Export-Import Bank that I would like to clear up. Critics of the Bank claim that it's a huge consumer of taxpayer dollars, and that it constantly risks those funds. However, this couldn't be further from the truth. When a business takes out a loan, just like everyone else, they have to repay that balance with interest—and that's where the Export-Import Bank, like any other lender, makes its revenue.

To quote from a June 17, 2015 Congressional Research Service report, "Ex-Im Bank's activities in FY2013 were estimated to reduce the budget deficit by \$1 billion in FY2013, and

are estimated to reduce the budget deficit by \$570 million in FY2014."

Let me repeat that to let it sink in—two years ago, Ex-Im reduced our federal deficit by a billion dollars, and last year it reduced it by \$570 million. Some of the most ardent critics of the Bank are fellow conservative friends of mine, who are just as concerned with federal spending as I am. That's why I have a hard time understanding how they can advocate for ending a program that is helping to curb our deficits by half a billion to a billion dollars annually.

Another misconception I'd like to address is that allowing Export-Import Bank to permanently expire won't cost our country jobs—it certainly will. It's estimated that every year, Ex-Im helps our nation's businesses support about 167,000 jobs. To put this into perspective, that's more than half the population of St. Louis, Missouri. Those are jobs we will be forfeiting if we allow Ex-Im to permanently expire.

Moreover, allowing expiration of the Export-Import Bank will put our nation at a permanent trade disadvantage. Currently, every other nation in the Organization for Economic Co-operation and Development (OECD) has their own Export-Import Bank to support their country's producers—Britain, Korea, Mexico, Italy, Estonia—you name it. And some of them are enormous. Germany's bank backs \$22.6 billion in exports annually—significantly more than the U.S.'s average of \$14.5 billion. And China's is off the charts—backing \$45.5 billion in exports annually. For those of you keeping track, that's over three times the size of our Bank.

In fact, the Chairman of India's Export-Import Bank in a recent interview with Business Insider was asked for his thoughts on the U.S. Bank expiring. His response? "With the U.S. Ex-Im Bank closing down, we would now have more market, because Indian products were competed by U.S. products." Right now, these other nations are looking for every advantage they can get for their businesses to grow their economies, and they see the U.S. willingly retracting from the global stage and conceding market share. If we would like to maintain U.S. strength abroad, allowing expiration of the Export-Import Bank is a poor strategic decision.

Mr. Speaker, in conclusion, now is the time to reform and reauthorize the Export-Import Bank, and I encourage House leadership to allow us to vote on its reauthorization as soon as possible. The Export-Import Bank helps our nation's small businesses grow and create jobs. It reduces our nation's federal deficit, and makes us more competitive on the global stage. Could it use reforms? Certainly—there isn't an institution out there that couldn't, and I'd love to work with my friends who are critical of the Bank to see these reforms put in place. But we can't willingly remove tools from our arsenal if we want to keep our great nation strong and competitive for decades to come.

#### IRAN'S NUCLEAR DEAL

The SPEAKER pro tempore (Mr. ZELDIN). Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, there is a great deal of tragedy going on in the world. I know that at times there are people around this Congress that have felt very much alone.

I know there have been times when Presidents have felt very much alone, like Abraham Lincoln, a year or so after his son had died. His wife was fussing at him. He was going to commemorate a battlefield. There have been people who have been very alone in this town. But, Mr. Speaker, I would suggest that no one in the world feels more betrayed and dejected than the leader of our former friend, Israel.

Now, Israel is still the friend of many of ours. We still hold it in the highest regard because of its similarity in belief and human rights that we have here, even there in the midst of the Middle East.

The President has announced that he is going to the United Nations to get their approval before he would even ask for a vote in Congress. That struck a chord. That rang a bell.

March of 2011, a letter from the White House in which the President advises that, he says:

At my direction, U.S. military forces commenced operations to assist an international effort authorized by the United Nation's Security Council and undertaken with the support of European allies and Arab partners to prevent a humanitarian catastrophe and address the threat posed to international peace and security by the crisis in Libya.

The trouble is, Mr. Speaker, that our President created the catastrophe, created the crisis, the real crisis in Libya, as it exists today, far worse than anything that anybody conceived would or could exist in 2011 before the President went to the U.N. to seek authority instead of coming to Congress.

Since 2003, Qadhafi had given up all efforts at supporting terrorism. He had given up efforts, all efforts, at pursuing weapons that the United States did not give him authority to keep.

As some of our Muslim Arab leaders in the Middle East have told some of us privately, since 2003, Qadhafi was doing more to help you tamp out terrorism than most anybody in the world, and yet this President decided that a small problem in Libya was enough to justify him taking out Qadhafi.

Oh, I know, we were going to create a no-fly zone, but let's be serious. The President's bombing runs that he authorized ended up, even in the face of Qadhafi asking to be allowed to just leave, and leave the country peaceably, he asked for a response within 3 days, and this President authorized bombing, apparently, as an answer.

So make no mistake, the incredibly bad judgment in this White House created a debacle in northern Africa that has spilled into other nations around Libya, that has created all kinds of human atrocities, that has created a massive movement of people heading for boats from Libya, heading north to anywhere they can go.

This President did that without authorization of Congress. He caused that without authorization of Congress. But he did have the consent of the United Nations, as he now says he is going to seek before he gets approval for his Iranian deal in Congress.

March 21 of 2011, an article by Charlie Savage in *The New York Times*, points out: "Some Democratic lawmakers—including Representatives JERROLD NADLER of New York, BARBARA LEE of California and MICHAEL E. CAPUANO of Massachusetts—complained in the House Democratic Caucus conference call as the bombing began that Mr. Obama had exceeded his constitutional authority by authorizing the attack without Congressional permission."

I would have to say that my friend, Mr. NADLER, Ms. LEE, Mr. CAPUANO of Massachusetts, they were right. I haven't said that a whole lot about my friend, Mr. NADLER, but he was right.

The article goes on: "On Monday, Mr. Obama sent Congress a two-page letter saying that as commander in chief, he had constitutional authority to authorize the strikes, which were undertaken with French, British and other allies."

The article points out: "As a presidential candidate who promoted his background as an instructor of constitutional law, Mr. Obama appeared to adopt a more limited view of executive power when he answered a question about whether a president could order the bombing of Iranian nuclear sites without a use-of-force authorization from Congress."

□ 1915

Then it quotes Mr. Obama. It says:

"The President does not have power under the Constitution to unilaterally authorize a military attack in a situation that does not involve stopping an actual or imminent threat to the nation," Mr. Obama told *The Boston Globe* in December of 2007.

It mentions further down that, in the *Globe* survey, Vice President JOSEPH R. BIDEN, Jr., then a Senator, argued that a President would have no authority under the Constitution to bomb Iranian nuclear sites without congressional authorization because even limited strikes can unintentionally prompt all-out war.

Well, they have violated what Mr. Obama and Mr. BIDEN said before they were in the White House and the Vice President's quarters. They created a disaster in northern Africa because they believed that their opinion was adequate and that the massive number of countries in the United Nations that hate Israel were better confidants than Congress. Regardless of whether that is true or not, it is not constitutional.

In March of 2011, there was a national review article by Bill Burk which points out: "President Obama's war in Libya is unconstitutional without con-

gressional authorization. But that is so only because the President has not yet given us a reason to fight that is constitutionally sound." And it goes on.

So the President helped create this massive disaster in northern Africa that has human tragedy occurring day after day, people fleeing in boats, some dying trying to get away from the Libya that he created because he decided it was time for Qadhafi to go.

Some of our Muslim leader friends in north Africa and the Middle East continue to ask: "Does your President not understand that he keeps helping the people that are at war with the United States? Does your President not understand that he is harming the people that are helping stop terrorism in the world?"

This deal that has now been cut with Iran, the largest supporter of terrorism in the world, is going to do for the Middle East and the world what President Obama's bombing did for Libya.

It has to be stopped. This deal has to be stopped. It does not meet any of the requirements that the President and all his minions said were going to come out of a deal with Iran.

And, oh, yes, there were celebrations here in Washington because they were able to convince Iran into taking back over \$100 billion. And, also, we were able to convince them to allow us to take them off the arms embargo so they could go ahead and start buying weapons from Russia, from China, wherever they wish.

Let's help the Russian economy. Let's help the Chinese economy. Let's give hundreds of billions of dollars to the largest supporter of terrorism in the world and allow them to pursue arms with that money.

Isn't there enough terrorism in the world today without this administration being accomplices to death and destruction the world over through the assistance, through this so-called deal that it has cut with Iran?

An article from certainly not a great press friend of the United States, but AFP—the *Agence France-Presse* has an article from Tehran which says, "Hard-Liners in Tehran, brought up on chants of 'death to America,' have repeatedly voiced opposition to the quest for a deal with a power derided as the 'great Satan' ever since the Islamic revolution of 1979.

The article goes on further: "Rather than representing submission to the West, the agreement is likely to consolidate Khamenei's rule, according to Davoud Hermidas Bavand, a veteran political analyst at Tehran University."

And make no mistake, this is Tehran that is in Iran, from a veteran political analyst that serves at the pleasure—or keeps his life at the pleasure of Khamenei.

The article says, "And whatever the evident contradictions of a pact with

'the great Satan,' the core of Iran's nuclear program has been preserved."

Thank you, President Barack Hussein Obama.

Yes, I know there are people celebrating in Washington. Yes, we got a great deal. We got them to take \$100 billion off our hands. We got them to agree to start being able for they themselves to buy arms.

We got them off the terrorist watch list so they can move more freely as they want to create terrorism. It is a great day. Oh, it is time to celebrate.

This article, in what may be one of the most understated comments about the deal, says, "It probably amounts to a marginal win over Israel, Saudi Arabia, and even Turkey." And that is from Mr. Bavand, describing the nuclear deal as a step forward for a war-wracked Middle East.

An article from Max Boot in *commentarymagazine.com* points out that, for a more succinct account, go right to the statement issued by Tehran's official Islamic news agency. And this comes from that.

"World powers have recognized Iran's peaceful nuclear program and are to respect the nuclear rights of Iranian nation within international conventions."

The second says—and this is from Iran—"The Islamic Republic of Iran is to be recognized as a nuclear technology power authorized to have peaceful nuclear programs, such as complete nuclear fuel cycle and enrichment to be identified by the United Nations."

"All unfair sanctions imposed by the UN Security Council, including economic and financial sanctions on Iran, are to be lifted, as per the agreement and through issuance of a new resolution by the United Nations Security Council," most all of which hate Israel.

"All nuclear installations and sites are to continue their work, contrary to the early demands of the other party"—that would be the United States—"None of them will be dismantled."

That is Iran's interpretation of the deal being celebrated down the street here, down Pennsylvania Avenue. They are celebrating because they say none of their nuclear facilities have to be dismantled.

It goes on: "The policy on preventing enrichment uranium is now failed, and Iran will go ahead with its enrichment program."

Further from Iran, they declare that "Iran's nuclear infrastructure will remain intact; no centrifuges will be dismantled; and research and development on key and advanced centrifuges . . ." "will continue."

And that is rather amazing. We heard the President say that they were going to have to dismantle like two-thirds of their centrifuges.

But it appears, from what we can find out about the deal so far, that, actually, they may dismantle some of the



centrifuges, but only because we are going to help them install and work with the most advanced centrifuges in the world, more advanced than anything Iran would have now. So far as we know, this is a huge boom to their nuclear efforts.

This article says, "The agreement specifies that it would take no fewer than 24 days to compel an inspection." It is talking about the nuclear sites. "That's plenty of time for the Iranians to 'sanitize' any suspect site so as to remove any evidence of nuclear activity; and it's far removed from the kind of '24/7 access' that President Obama said just today that inspectors would have."

"The Iranians had insisted that the agreement stick only to the nuclear issue—that's why, for example, the Iranians did not agree, as part of this deal, to release the American hostages they are holding or to end their support for terrorism or their commitment to Israel's destruction. But it turns out the agreement isn't just limited to nuclear issues. It includes a commitment to lift the conventional arms embargo on Iran in no more than 5 years and the embargo on missile sales to Iran in no more than 8 years and possibly sooner, if Iran is said to be in compliance with the nuclear accord."

And, gee, won't that be interesting. They may be able to have people that hate Israel give them the go-ahead much earlier than 8 years.

This article points out, "What this means is that Iran will soon have more than \$100 billion extra to spend not only on exporting the Iranian revolution and dominating neighboring states, but that it will also, before long, be free to purchase as many weapons—even ballistic missiles—as it likes on the world market. No wonder Vladimir Putin appears to be happy: This deal is likely to become a windfall for Russian arms makers, although you can be sure that Iran will also spread its largesse to manufacturers in France and, if possible, the U.K. so as to give those countries an extra stake in not re-imposing sanctions."

And that is good news for Ukraine, good news for Georgia, because this means that this deal, if it goes through—and the President is already saying, "We are going to lift these sanctions. We are going to get them the \$100 billion plus." Some say it is going to be \$150 billion.

Can you imagine what Russia can do with money that Iran pays it? Why, they could probably take over all of Ukraine with that kind of money.

And then the Russians, as they take over more and more of Ukraine, can be putting big posters on their tanks saying "Thank you, President Obama. Without your deal with Iran, we would never have had the money to take over Ukraine."

And what about Egypt? This is devastating news that this deal is coming to fruition for Egypt. When over 30 million Egyptians come to the street—it would be like over 100 million Americans going to the streets and demanding the ouster of the Muslim Brother president that was seizing all power and demanding that he be gotten rid of. The military did as the people of Egypt ordered. What an incredible peaceful uprising.

□ 1930

That was impeachment as peaceably as it could be done since the Americans assisting Egypt did not even help them put in an impeachment provision in their constitution.

Mr. Speaker, it is bad news obviously for Saudi Arabia. It is bad news for Jordan. It is bad news for all countries in the Middle East. It is bad news for Syria. It is bad news for Turkey.

Oh, there will be some in Turkey and some in Syria that will be just shouting with joy, particularly President Assad. He may need to send President Obama a thank you note for the money that comes flowing in to help him in Syria perhaps; but there is going to be money spread all around to weapons makers and to people who peddle war and destruction because of what this President has done and agreed to without any promise—not even a promise—of giving up terrorism—not even a promise, not even a verbal promise, for Heaven's sake, that Iran will not try to destroy Israel.

We have this article from AFP also back in March 2 of 2015, this year. The article says: "Obama told Reuters if 'Iran is willing to agree to double-digit years of keeping their program where it is,' there will be a deal."

Well, that is not what President Obama agreed to. This article goes on—and, again, this is March—"Netanyahu on Monday told a pro-Israel conference that a deal with Iran would 'threaten the survival of Israel.'"

"Obama said that sentiment is wrongheaded, noting Netanyahu's previous opposition to an interim Iran deal as evidence Israel should back the talks."

"Netanyahu made all sorts of claims. This was going to be a terrible deal. This was going to result in Iran getting \$50 billion worth of relief. Iran would not abide by the agreement. None of that has come true."

Well, Mr. Speaker, it turns out the President was the one who was wrong, and Prime Minister Netanyahu is the one that was exactly right that it was a bad deal, that this was a terrible deal. He was right.

Now, I have to admit, Mr. Speaker, that Prime Minister Netanyahu was extremely wrong about one aspect of the Iranian deal between it and President Obama; I have to admit.

I think the world of Prime Minister Netanyahu; he is a great man, and he

has the potential of being one of Israel's truly great leaders, but he was wrong when he said that this deal was going to result in Iran getting \$50 billion worth of relief.

He was way wrong because they are going to get maybe \$150 billion of relief, but certainly over \$100 billion of relief. We have to chalk it up as the one area that President Obama was right about Netanyahu being wrong.

Netanyahu understated the amount of cash this administration was willing to fork over to the terrorist state of Iran. It wasn't \$50 billion; it was over \$100 billion, possibly \$150 billion. There it is on the record; Netanyahu was wrong. He said \$50 billion is what Iran would get, and it was over \$100 billion.

Mr. Speaker, let's look at this deal and what has been said in the past about it. Under Secretary of State Wendy Sherman—Mr. Speaker, you will remember that she is the one who was key in the negotiations with North Korea where we gave them nuclear power plants and material and all we got in return was a promise that, if we just gave them everything they needed, all the technology to make nuclear bombs, they would use it for nuclear power plants. Of course, we know they broke their word.

When you are dealing with a scorpion and it stings you, you shouldn't ask later: Why did you do that? You know why. The answer in the old fable is: It is because I am a scorpion; it is what I do. That is what the leader of North Korea is, and it is what he did.

If you look at the leaders of Iran, there is a similar fable about the snake. Someone warms the snake up, and it ends up biting him. Why did you do that? It is because I am a snake. Perhaps in the near future, President Obama and Secretary Kerry will be heard to ask: Why did you break all these terms?

The answer should be: It is because we are snakes; that is what we do.

Mr. Speaker, Wendy Sherman said, on February 4 of 2014, nearly a year and a half ago, about the Iranian deal:

We raised possible military dimensions. In fact, in the Joint Plan of Action, we have required that Iran come clean on its past actions as part of any comprehensive agreement.

Well, that didn't happen. Wendy Sherman was as wrong about that as she was about North Korea not using the nuclear capacity we gave them to make nuclear weapons.

Of course, December 7, 2013, President Obama himself said: "It is my strong belief that we can envision an end state that gives us an assurance that even if they have some modest enrichment capability, it is so constrained and the inspections so intrusive that they, as a practical matter, do not have breakout capacity."

Now, that is a great statement there because he is not saying that we will



get Iran to that point. If you look carefully, he says that we will have “an end state that gives us an assurance.”

Well, Iran is willing to give us assurance, but they are not even willing to give us an assurance of what President Obama hoped for, for goodness’ sake.

Secretary Kerry said, on November 24, 2013: “There is no right to enrich. We do not recognize a right to enrich. It is clear,” in the NPT, “in the non-proliferation treaty, it’s very, very clear that there is no right to enrich.”

Well, now, we know that Secretary Kerry was very, very wrong about it being very, very clear there was no right to enrich; not only is there a right to enrich, we are going to help Iran enrich. Thank you, President Obama.

Sanctions relief, here is a quote from John Kerry from March 3. Secretary of State Kerry said: “Iran is not open for business until Iran is closed for nuclear bombs.”

Well, we know that is not going to be the case. They are open for business, and they are still enriching.

Again, Under Secretary of State Wendy Sherman said: “This includes a lot of dismantling of their infrastructure.”

Well, it turns out that is not the case, either.

Under Secretary of State Wendy Sherman, February 4 of 2014, said: “It

is true that in these first six months we’ve not shut down all of their production of any ballistic missile.”

Well, it turns out they are not going to at all—how about that.

March 5, 2015, Secretary Kerry: “It will reduce the pressure for a regional nuclear arms race, and it will increase the strength of the international non-proliferation regime. It will also vastly improve the prospects for peace both here and elsewhere.”

Secretary Kerry was wrong, wrong, wrong.

Now, they want the U.N. to pass the deal. Well, gosh, I am sure they will get plenty of votes from people that want the money that the U.S. is going to make sure Iran has to buy nuclear weapons.

Prime Minister Netanyahu says that the Iran deal is a grave mistake, and he is as right now as he was before. This deal has to be stopped for the sake of mankind.

Mr. Speaker, I yield back the balance of my time.

## PUBLICATION OF BUDGETARY MATERIAL

REVISIONS TO THE AGGREGATES AND ALLOCATIONS OF THE FISCAL YEAR 2015 AND 2016 BUDGET RESOLUTIONS

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON THE BUDGET,  
Washington, DC, July 15, 2015.

MR. SPEAKER: I hereby submit for printing in the Congressional Record revisions to the applicable budget allocations and aggregates pursuant to section 3(e)(1)(B) of H. Res. 5 and section 4509 of S. Con. Res. 11, the Fiscal Year 2016 Concurrent Resolution on the Budget.

For fiscal year 2015, the applicable budget allocations and aggregates set forth in the Congressional Record on April 29, 2014, as adjusted in the 113th Congress, are revised. For fiscal years 2016 through 2025, the applicable budget allocations and aggregates provided by S. Con. Res. 11 are revised. These revisions are designated for H.R. 3038, the Highway and Transportation Funding Act of 2015, Part II. Corresponding tables are attached.

This revision represents an adjustment for purposes of budgetary enforcement. These revised allocations and aggregates are to be considered as the aggregates and allocations included in the budget resolution, pursuant to S. Con. Res. 11, as adjusted. Pursuant to section 3402 of such concurrent resolution, this revision to the allocations and aggregates shall apply only while H.R. 3038 is under consideration or upon its enactment.

Sincerely,

TOM PRICE, M.D.,  
Chairman.

TABLE 1—REVISION TO ON-BUDGET AGGREGATES  
[Budget aggregates—on-budget amounts, in millions of dollars]

	Fiscal Year		
	2015	2016	2016–2025
Current Aggregates:			
Budget Authority .....	3,033,319	3,040,298	<sup>1</sup>
Outlays .....	3,027,686	3,092,366	<sup>1</sup>
Revenues .....	2,535,978	2,676,733	32,237,371
Adjustment for the Highway and Transportation Funding Act of 2015, Part II:			
Budget Authority .....	8,068	0	<sup>1</sup>
Outlays .....	8,068	0	<sup>1</sup>
Revenues .....	19	171	4,889
Revised Aggregates:			
Budget Authority .....	3,041,387	3,040,298	<sup>1</sup>
Outlays .....	3,035,754	3,092,366	<sup>1</sup>
Revenues .....	2,535,997	2,676,904	32,242,260

<sup>1</sup> Not applicable because annual appropriations acts for fiscal years 2017–2025 will not be considered until future sessions of Congress.

TABLE 2—REVISION TO THE COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE  
[Authorizing committee 302(a) allocations—on-budget amounts, in millions of dollars]

	2015		2016		2016–2025 Total	
	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays
Current Allocation .....	71,391	17,102	57,975	16,407	520,762	184,208
Adjustment for the Highway & Transportation Funding Act of 2015 .....	8,068	8,068	0	0	0	0
Revised Allocation .....	79,459	25,170	57,975	16,407	520,762	184,208

TABLE 3—REVISION TO THE COMMITTEE ON HOMELAND SECURITY  
[Authorizing committee 302(a) allocations—on-budget amounts, in millions of dollars]

	2015		2016		2016–2025 Total	
	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays
Current Allocation .....	1,913	1,887	1,808	1,793	3,591	3,736
Adjustment for the Highway & Transportation Funding Act of 2015 .....	0	0	0	0	–3,160	–3,160
Revised Allocation .....	1,913	1,887	1,808	1,793	431	576

## SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 756. An act to require a report on accountability for war crimes and crimes against humanity in Syria; to the Committee on Foreign Affairs.

## ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 38 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, July 16, 2015, at 9 a.m.

EXECUTIVE COMMUNICATIONS,  
ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2165. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule — Viruses, Serums, Toxins, and Analogous Products; Single Label Claim for Veterinary Biological Products [Docket No.: APHIS-2011-0049] (RIN: 0579-AD64) received July 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Agriculture.

2166. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of General Larry O. Spencer, United States Air Force, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

2167. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement Rear Admiral Michael H. Miller, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

2168. A letter from the Under Secretary, Personnel and Readiness, Department of Defense, transmitting authorization for Brigadier General John D. Bansemer to wear the insignia of the grade of major general, pursuant to 10 U.S.C. 777; to the Committee on Armed Services.

2169. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter authorizing twenty-two officers on an enclosed list to wear the insignia of the grade of brigadier general, as indicated, pursuant to 10 U.S.C. 777; to the Committee on Armed Services.

2170. A letter from the Secretary, Army, Department of Defense, transmitting a notification to Congress on the details of the Army's plan to reduce more than 1,000 members of the Armed Forces assigned at several military installations, in accordance with 10 U.S.C. 993; to the Committee on Armed Services.

2171. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled "2014 Actuarial Report on the Financial Outlook for Medicaid", pursuant to Sec. 506 of the Children's Health

Insurance Program Reauthorization Act of 2009 (Pub. L. 111-3); to the Committee on Energy and Commerce.

2172. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the FY 2014 report on the financial aspects of the implementation of the Biosimilar User Fee Act of 2012, pursuant to Public Law 112-144; to the Committee on Energy and Commerce.

2173. A letter from the Deputy Director/ODRM, Department of Health and Human Services, transmitting the Department's Major final rules — Coverage of Certain Preventative Services Under the Affordable Care Act [CMS-9940-F] (RIN: 0938-AS50) received July 14, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2174. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting a report entitled "National Plan to Address Alzheimer's Disease: 2015 Update", pursuant to Pub. L. 111-375; to the Committee on Energy and Commerce.

2175. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the report entitled "Report to Congress on the Prevention and Reduction of Underage Drinking", pursuant to Pub. L. 109-422, Sec. 2(c)(1)(F); to the Committee on Energy and Commerce.

2176. A letter from the Program Analyst, Office of Managing Director, Federal Communications Commission, transmitting the Commission's final rule — Assessment and Collection of Regulatory Fees for Fiscal Year 2015; Amendment of Part 1 of the Commission's Rules; Assessment and Collection of Regulatory Fees for Fiscal Year 2014 [MD Docket No.: 15-121] [MD Docket No.: 15-121] [MD Docket No.: 14-92] received July 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2177. A letter from the Director, Defense Security Cooperation Agency, transmitting a notice of Proposed Issuance of Letter of Offer and Acceptance to the Republic of Korea, pursuant to Sec. 36(b)(1) of the Arms Export Control Act, as amended, Pub. L. 94-329, Transmittal No.: 15-33; to the Committee on Foreign Affairs.

2178. A letter from the Director, International Cooperation, Acquisition, Technology and Logistics, Department of Defense, transmitting pursuant to Section 27(f) of the Arms Export Control Act and Executive Order 13637, Transmittal No.: 6-15, informing the Congress of the Department's intent to sign a Memorandum of Understanding with Australia, Canada, the United Kingdom of Great Britain and Northern Ireland; to the Committee on Foreign Affairs.

2179. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — Federal Employees' Retirement System; Present Value Conversion Factors for Spouses of Deceased Separated Employees (RIN: 3206-AN16) received July 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Oversight and Government Reform.

2180. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — Federal Employees Health Benefits Program: FEHB Plan Performance Assessment System (RIN: 3206-AN13) received July 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Oversight and Government Reform.

2181. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting a report entitled "Certification of Fiscal Year 2015 Total Local Source General Fund Revenue Estimate (Net of Dedicated Taxes) in Support of the District's Issuance of General Obligation Bonds (Series 2015A and 2015B)"; to the Committee on Oversight and Government Reform.

2182. A letter from the Secretary, Department of Transportation, transmitting the 28th Annual Report of Accomplishments under the Airport Improvement Program for FY 2011, pursuant to 49 U.S.C. 47131; to the Committee on Transportation and Infrastructure.

2183. A letter from the Acting Director, Office of Regulation Policy and Management, Office of the General Counsel (02REG), Department of Veterans Affairs, transmitting the Department's final rule — Agency Interpretation of Prosthetic Replacement of a Joint (RIN: 2900-AP38) received July 14, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Veterans' Affairs.

2184. A letter from the Acting Director, Office of Regulation Policy and Management, Office of the General Counsel (02 REG), Department of Veterans Affairs, transmitting the Department's final rule — Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Updating References (RIN: 2900-AP22) received July 14, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Veterans' Affairs.

2185. A letter from the Inspector General, Department of Health and Human Services, transmitting the report entitled "Part D Plans Generally Include Drugs Commonly Used by Dual Eligibles: 2015" (OEI-05-15-00120), pursuant to the Patient Protection and Affordable Care Act; jointly to the Committees on Energy and Commerce and Ways and Means.

## DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the following action was taken by the Speaker:

The Committee on Energy and Commerce discharged from further consideration, S. 984 referred to the Committee of the Whole House on the state of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. VAN HOLLEN (for himself, Mr. ISRAEL, Mr. DEFAZIO, Mr. LEVIN, Ms. NORTON, Ms. BROWNLEY of California, Ms. ESTY, Mr. HUFFMAN, and Mrs. NAPOLITANO):

H.R. 3064. A bill to authorize highway infrastructure and safety, transit, motor carrier, rail, and other surface transportation programs, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, Ways and Means, Science, Space, and Technology, Natural Resources, Oversight and Government Reform, the Budget, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CUMMINGS:

H.R. 3065. A bill to prevent conflicts of interest that stem from executive Government employees receiving bonuses or other compensation arrangements from nongovernment sources, from the revolving door that raises concerns about the independence of financial services regulators, and from the revolving door that casts aspersions over the awarding of Government contracts and other financial benefits; to the Committee on Oversight and Government Reform, and in addition to the Committees on the Judiciary, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of New Jersey (for himself, Ms. MENG, and Mr. KING of New York):

H.R. 3066. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to clarify that houses of worship are eligible for certain disaster relief and emergency assistance on terms equal to other eligible private nonprofit facilities, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. CLARK of Massachusetts (for herself and Mr. HECK of Nevada):

H.R. 3067. A bill to amend the Elementary and Secondary Education Act of 1965 to authorize local educational agencies and schools to carry out child sexual abuse awareness and prevention programs or activities; to the Committee on Education and the Workforce.

By Mr. POCAN (for himself, Mr. RANGEL, Mr. ASHFORD, Mr. BLUMENAUER, Ms. BONAMICI, Ms. BROWNLEY of California, Mrs. BUSTOS, Mrs. CAPPS, Mr. CÁRDENAS, Mr. CARSON of Indiana, Mr. CARTWRIGHT, Ms. JUDY CHU of California, Mr. CICILLINE, Ms. CLARKE of New York, Mr. COHEN, Mr. CONNOLLY, Mr. CONYERS, Mr. CROWLEY, Mr. CUMMINGS, Mr. DEFazio, Mr. DELANEY, Ms. DELAURO, Ms. DELBENE, Mr. DESAULNIER, Mr. DEUTCH, Ms. DUCKWORTH, Mr. ELLISON, Mr. ENGEL, Ms. ESHOO, Ms. ESTY, Mr. FARR, Mr. FOSTER, Ms. FRANKEL of Florida, Mr. GRAYSON, Mr. GRIJALVA, Mr. GUTIÉRREZ, Ms. HAHN, Mr. HASTINGS, Mr. HECK of Washington, Mr. HIGGINS, Mr. HONDA, Mr. ISRAEL, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. KEATING, Ms. KELLY of Illinois, Mr. KENNEDY, Mr. KILDEE, Mr. KILMER, Mr. KIND, Mrs. KIRKPATRICK, Mr. LANGEVIN, Mr. LARSON of Connecticut, Ms. LEE, Mr. LEWIS, Mr. TED LIEU of California, Mr. LOWENTHAL, Mr. BEN RAY LUJÁN of New Mexico, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. LYNCH, Mrs. CAROLYN B. MALONEY of New York, Mr. SEAN PATRICK MALONEY of New York, Ms. MCCOLLUM, Mr. McDERMOTT, Mr. MCGOVERN, Ms. MENG, Ms. MOORE, Mr. MURPHY of Florida, Mrs. NAPOLITANO, Mr. PAYNE, Mr. PERLMUTTER, Mr. PETERS, Ms. PINGREE, Mr. POLIS, Mr. QUIGLEY, Mr. RIBBLE, Miss RICE of New York, Ms. ROS-LEHTINEN, Ms. ROYBAL-ALLARD, Mr. RUIZ, Mr. RUSH, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SERRANO, Ms. SINEMA, Mr. SIREs, Ms. SPEIER, Mr. TAKAI, Mr. TAKANO, Ms. TITUS, Mr. TONKO, Ms. TSONGAS, Mr. VAN HOLLEN, Mr. VEASEY, Mr. WALZ, Ms. WILSON of

Florida, Mr. YARMUTH, and Mr. BEYER):

H.R. 3068. A bill to direct the Secretary of Defense to review the discharge characterization of former members of the Armed Forces who were discharged by reason of the sexual orientation of the member, and for other purposes; to the Committee on Armed Services.

By Mr. VEASEY (for himself, Mr. CÁRDENAS, Ms. JUDY CHU of California, Mr. CONYERS, Mr. FARR, Mr. GRIJALVA, Mr. GUTIÉRREZ, Mr. HINOJOSA, Mr. HONDA, Ms. JACKSON LEE, Mr. JOHNSON of Georgia, Ms. LEE, Ms. LOFGREN, Mr. McDERMOTT, Mr. MCGOVERN, Ms. MENG, Ms. NORTON, Mr. O'ROURKE, Mr. POLIS, Mr. RANGEL, Ms. SCHAKOWSKY, Mr. SERRANO, Mrs. TORRES, Mr. VARGAS, Mrs. NAPOLITANO, Mr. ELLISON, Mr. GENE GREEN of Texas, and Mr. CUMMINGS):

H.R. 3069. A bill to amend section 240(c)(7)(C) of the Immigration and Nationality Act to eliminate the time limit on the filing of a motion to reopen a removal proceeding if the basis of the motion is fraud, negligence, misrepresentation, or extortion by, or the attempted, promised, or actual practice of law without authorization on the part of, a representative; to the Committee on the Judiciary.

By Mr. ZELDIN:

H.R. 3070. A bill to clarify that for purposes of all Federal laws governing marine fisheries management, the landward boundary of the exclusive economic zone between areas south of Montauk, New York, and Point Judith, Rhode Island, and for other purposes; to the Committee on Natural Resources.

By Ms. DELAURO (for herself, Mr. SCOTT of Virginia, Ms. ADAMS, Mr. BLUMENAUER, Ms. BONAMICI, Mr. BRADY of Pennsylvania, Mr. CARTWRIGHT, Ms. JUDY CHU of California, Ms. CLARKE of New York, Mr. CONYERS, Mr. COURTNEY, Mr. CUMMINGS, Mr. DELANEY, Mr. DESAULNIER, Ms. EDWARDS, Mr. ELLISON, Ms. FUDGE, Mr. GRIJALVA, Mr. GUTIÉRREZ, Ms. HAHN, Mr. HONDA, Ms. JACKSON LEE, Mr. JEFFRIES, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. KENNEDY, Mr. LANGEVIN, Ms. LEE, Mr. LEWIS, Mrs. CAROLYN B. MALONEY of New York, Ms. MATSUI, Ms. MCCOLLUM, Mr. MCGOVERN, Ms. MOORE, Mr. NADLER, Ms. NORTON, Mr. PASCRELL, Ms. PINGREE, Mr. POCAN, Mr. RANGEL, Mr. RUSH, Mr. RYAN of Ohio, Ms. LORETTA SANCHEZ of California, Ms. SCHAKOWSKY, Mr. TAKANO, Mr. TONKO, Mr. VAN HOLLEN, Ms. WILSON of Florida, Mrs. WATSON COLEMAN, Ms. SLAUGHTER, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. CLARK of Massachusetts, Mr. DANNY K. DAVIS of Illinois, Mr. GENE GREEN of Texas, Mr. McDERMOTT, Mrs. NAPOLITANO, Ms. PLASKETT, Ms. SPEIER, Mr. BECERRA, Mr. BEYER, Mrs. DAVIS of California, Mr. AL GREEN of Texas, Mr. HIGGINS, Mr. LARSEN of Washington, Mr. TED LIEU of California, and Ms. ROYBAL-ALLARD):

H.R. 3071. A bill to permit employees to request changes to their work schedules without fear of retaliation and to ensure that employers consider these requests, and to require employers to provide more predictable and stable schedules for employees in certain occupations with evidence of unpredictable and unstable scheduling practices that negatively affect employees, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on House Administration, Oversight and Government Reform, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

poses; to the Committee on Education and the Workforce, and in addition to the Committees on House Administration, Oversight and Government Reform, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DENT (for himself, Mrs. BLACKBURN, Mr. ROKITA, Mr. GOSAR, Mr. FLEISCHMANN, Mr. ROUZER, Mr. JOYCE, Mr. CRENSHAW, Mr. MURPHY of Pennsylvania, and Mr. POMPEO):

H.R. 3072. A bill to remove the authority of the Secretary of Energy to amend or issue new energy efficiency standards for ceiling fans; to the Committee on Energy and Commerce.

By Mr. DESJARLAIS:

H.R. 3073. A bill to prohibit the receipt of Federal financial assistance by sanctuary cities, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DUNCAN of Tennessee (for himself, Mr. HARPER, Mrs. RADEWAGEN, and Mr. ROE of Tennessee):

H.R. 3074. A bill to mandate the monthly formulation and publication of a consumer price index specifically for senior citizens for the purpose of establishing an accurate Social Security COLA for such citizens; to the Committee on Education and the Workforce.

By Mr. KATKO:

H.R. 3075. A bill to amend the Homeland Security Act of 2002 to establish a grant program to establish counter-messaging campaigns targeting terrorist propaganda; to the Committee on Homeland Security.

By Ms. KELLY of Illinois:

H.R. 3076. A bill to amend the Agricultural Act of 2014 to increase the number of base acres upon which agricultural producers are authorized to grow fruits and vegetables without a resulting reduction in payment acres on their farm when the resulting produce is used to help alleviate a food desert, and for other purposes; to the Committee on Agriculture.

By Mr. KIND (for himself, Mr. RIBBLE, Mr. TIBERI, and Ms. DUCKWORTH):

H.R. 3077. A bill to require any amounts remaining in Members' Representational Allowances at the end of a fiscal year to be deposited in the Treasury and used for deficit reduction or to reduce the Federal debt; to the Committee on House Administration.

By Mrs. CAROLYN B. MALONEY of New York (for herself and Mr. HONDA):

H.R. 3078. A bill to establish a commission to study how Federal laws and policies affect United States citizens living in foreign countries; to the Committee on Oversight and Government Reform, and in addition to the Committees on Financial Services, Ways and Means, the Judiciary, House Administration, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. McCLINTOCK:

H.R. 3079. A bill to take certain Federal land located in Tuolumne County, California, into trust for the benefit of the Tuolumne Band of Me-Wuk Indians, and for other purposes; to the Committee on Natural Resources.

By Mrs. NOEM (for herself and Mr. ZINKE):

H.R. 3080. A bill to amend the Internal Revenue Code of 1986 to provide an exception to the employer health insurance mandate for Indian tribal governments and tribally owned businesses; to the Committee on Ways and Means.

By Mr. NUNES (for himself, Mr. PAL-LONE, Mr. CARTWRIGHT, Mr. PETERS, Mr. RUSH, Mr. SARBANES, Mrs. WAGNER, Mr. YOUNG of Indiana, Mr. MARCHANT, Mr. TIBERI, Mr. COLLINS of New York, Mr. KELLY of Pennsylvania, Mr. PEARCE, Mr. PETERSON, Mr. CALVERT, Mr. HOLDING, Mr. ROE of Tennessee, and Mr. BOUSTANY):

H.R. 3081. A bill to amend title XVIII of the Social Security Act to permit certain Medicare providers licensed in a State to provide telemedicine services to certain Medicare beneficiaries in a different State; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RICHMOND (for himself, Mr. SCALISE, Mr. GRAVES of Louisiana, Mr. BOUSTANY, Mr. ABRAHAM, and Mr. FLEMING):

H.R. 3082. A bill to designate the facility of the United States Postal Service located at 5919 Chef Menteur Highway in New Orleans, Louisiana, as the "Daryle Holloway Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. WILLIAMS:

H.R. 3083. A bill to amend the Internal Revenue Code of 1986 to make permanent the dividends received deduction for repatriated foreign earnings, and for other purposes; to the Committee on Ways and Means.

By Ms. JENKINS of Kansas:

H. Con. Res. 63. Concurrent resolution to express the sense of the Congress that any Executive order that infringes on the powers and duties of the Congress under article I, section 8 of the Constitution, or that would require the expenditure of Federal funds not specifically appropriated for the purpose of the Executive order, is advisory only and has no force or effect unless enacted as law; to the Committee on the Judiciary.

By Mr. NOLAN:

H. Res. 363. A resolution expressing the sense of the House of Representatives regarding the power of Congress to protect the right to vote; to the Committee on House Administration.

By Ms. LINDA T. SÁNCHEZ of California (for herself, Ms. SPEIER, Mr. VARGAS, Mr. GRIJALVA, Mrs. WATSON COLEMAN, Ms. KAPTUR, Ms. EDWARDS, Mrs. CAPPS, Mr. CONYERS, Ms. DELAUNO, Ms. CASTOR of Florida, Mr. NADLER, Ms. CLARK of Massachusetts, Ms. SLAUGHTER, Mr. DEUTCH, Ms. MENG, Mrs. BUSTOS, Mr. CARSON of Indiana, Ms. DUCKWORTH, Mr. ELLISON, Ms. JUDY CHU of California, Ms. CLARKE of New York, Ms. NORTON, Ms. JACKSON LEE, Mr. YARMUTH, Mr. HONDA, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. LEWIS, Mr. PASCRELL, Mr. DESAULNIER, Mr. BLUMENAUER, Mr. FARR, Mr. VAN HOLLEN, Mr. TED LIEU of California, Mr. KILDEE, Ms. BROWN of Florida, and Mr. ISRAEL):

H. Res. 364. A resolution expressing the sense of the House of Representatives that the Fédération Internationale de Football

Association should immediately eliminate gender pay inequity and treat all athletes with the same respect and dignity; to the Committee on Foreign Affairs, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON:

H. Res. 365. A resolution expressing support for dancing as a form of valuable exercise and of artistic expression, and for the designation of July 25, 2015, "National Dance Day"; to the Committee on Energy and Commerce.

## MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

78. The SPEAKER presented a memorial of the Legislature of the State of California, relative to Assembly Joint Resolution No. 11, urging the President and the Congress of the United States to recognize the unique military value of California's defense installations and the disproportionate sacrifices California has endured in previous base realignment and closure rounds; to the Committee on Armed Services.

79. Also, a memorial of the Legislature of the State of Utah, relative to Senate Joint Resolution 14, urging the federal government to recognize that service members need additional GI Bill support in order to achieve their goals of a college education and related employment; to the Committee on Armed Services.

80. Also, a memorial of the Legislature of the State of California, relative to Assembly Joint Resolution No. 6, urging the President and the Congress of the United States to enact legislation to establish guarantees by the federal government to support the responsible sale of postearthquake bonds by financially sound residential-earthquake-insurance programs operated by any of the several states on an actuarially sound basis; to the Committee on Financial Services.

81. Also, a memorial of the Legislature of the State of California, relative to Assembly Joint Resolution No. 14, urging the Congress to support legislation reauthorizing the Export-Import Bank of the United States; to the Committee on Financial Services.

82. Also, a memorial of the Legislature of the State of Utah, relative to Senate Joint Resolution 17, stating that the Legislature of the state of Utah recognizes the 800th anniversary of Magna Carta; to the Committee on Foreign Affairs.

83. Also, a memorial of the Legislature of the State of Illinois, relative to House Joint Resolution 28, urging the President, the Secretary of the Department of Labor, the Office of Federal Contract Compliance Programs, and the members of Congress to update the regulations implementing Executive Order 11246; to the Committee on Oversight and Government Reform.

84. Also, a memorial of the Legislature of the State of Iowa, relative to Senate Concurrent Resolution 5, urging the members of the United States Senate and House of Representatives to repeal the Act of June 30, 1948, that conferred on the State of Iowa jurisdiction over offenses committed by or against Indians on the Meskwaki Settlement; to the Committee on Natural Resources.

85. Also, a memorial of the Legislature of the State of Utah, relative to Senate Concur-

rent Resolution 2, declaring support for the negotiated settlement of federal reserved water rights between the Navajo Nation and representatives of the state of Utah; to the Committee on Natural Resources.

86. Also, a memorial of the Legislature of the State of Utah, relative to Senate Concurrent Resolution 4, urging Congress to create a process for establishing a national monument that includes public participation and local and state involvement; to the Committee on Natural Resources.

87. Also, a memorial of the Legislature of the State of Utah, relative to Senate Joint Resolution 7, urging the United States Congress to create a process for transferring to the state of Utah authority to protect and manage feral horses and burros within its borders; to the Committee on Natural Resources.

88. Also, a memorial of the Legislature of the State of Utah, relative to Senate Joint Resolution 6, urging the United States Congress to pass legislation for fair and constitutional collection and remittance of state and local sales and use taxes by both in-state and remote sellers; to the Committee on the Judiciary.

89. Also, a memorial of the Legislature of the State of Utah, relative to House Joint Resolution No. 7, requesting the Congress of the United States call a convention of the States to propose amendments to the Constitution of the United States; to the Committee on the Judiciary.

90. Also, a memorial of the Legislature of the State of Utah, relative to Senate Joint Resolution 13, asking Congress to eliminate the freeze on longer combination vehicles and consent to the creation of a voluntary compact between western states that will establish uniform standards for operation of longer combination vehicles; to the Committee on Transportation and Infrastructure.

91. Also, a memorial of the Legislature of the State of Utah, relative to House Joint Resolution 13, urging the federal government to recognize its unreported liabilities in its financial statements and enact changes that will resolve the national debt crisis; to the Committee on Ways and Means.

92. Also, a memorial of the Legislature of the State of Utah, relative to House Concurrent Resolution 8, urging the President of the United States to direct federal agencies that implement management practices that increase soil carbon sequestration to develop comprehensive plans that achieve the maximum amount of carbon sequestration possible and increase the economic and environmental productivity of rangelands and urges similar action within each state; jointly to the Committees on Energy and Commerce and Agriculture.

93. Also, a memorial of the Legislature of the State of Utah, relative to Senate Joint Resolution 1, urging actions to promote the interstate sharing of putative father registry information; jointly to the Committees on the Judiciary and Ways and Means.

## CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. VAN HOLLEN:  
H.R. 3064.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I Section 8 of the United States Constitution.

By Mr. CUMMINGS:

H.R. 3065.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. SMITH of New Jersey:

H.R. 3066.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution.

By Ms. CLARK of Massachusetts:

H.R. 3067.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States.

By Mr. POCAN:

H.R. 3068.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. VEASEY:

H.R. 3069.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4: The Congress shall have the Power to establish a uniform Rule of Naturalization.

By Mr. ZELDIN:

H.R. 3070.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Ms. DELAURO:

H.R. 3071.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution and Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. DENT:

H.R. 3072.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

By Mr. DESJARLAIS:

H.R. 3073.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4 of the United States Constitution

By Mr. DUNCAN of Tennessee:

H.R. 3074.

Congress has the power to enact this legislation pursuant to the following:

Article I

Section 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section 8.

1) The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. KATKO:

H.R. 3075.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. KELLY of Illinois:

H.R. 3076.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. Art. I, Sec. 8, Cl. 3 ("The Congress shall have Power . . . To regulate Commerce with foreign nations, and among the several states, and with the Indian tribes [.]") (This bill would alter crop insurance policy to create incentives for farmers to plant more fruits and vegetables, and for those fruits and vegetables to be sold or donated to communities that lack access to traditional grocery stores—causing a shift in allocation and supply of fruits and vegetables. Such a shift of produce allocation alters commercial activity—making the bill a valid exercise of the Commerce Clause).

By Mr. KIND:

H.R. 3077.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 3078.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 10

The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof

By Mr. MCCLINTOCK:

H.R. 3079.

Congress has the power to enact this legislation pursuant to the following:

(1) U.S. Constitution, Article IV, Section 3, Clause 2 (the Property Clause), which confers on Congress the authority over lands belonging to the United States, including the placement of such lands into trust for Native American Tribes.

(2) U.S. Constitution, Article I, Section 8, Clause 3 (the Commerce Clause) and U.S. Constitution, Article II, Section 2 (the Treaty Clause), which confer on Congress plenary authority over Native American affairs.

By Mrs. NOEM:

H.R. 3080.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: To regulate Commerce with foreign Nations, and among the several States and with the Indian Tribes;

By Mr. NUNES:

H.R. 3081.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article I of the United States Constitution

By Mr. RICHMOND:

H.R. 3082.

Congress has the power to enact this legislation pursuant to the following:

This bill is introduced pursuant to the powers granted to Congress under the General Welfare Clause (Art. 1 Sec. 8 Cl. 1), the Commerce Clause (Art. 1 Sec. 8 Cl. 3), and

the Necessary and Proper Clause (Art. 1 Sec. 8 Cl. 18).

Further, this statement of constitutional authority is made for the sole purpose of compliance with clause 7 of Rule XII of the Rules of the House of Representatives and shall have no bearing on judicial review of the accompanying bill.

By Mr. WILLIAMS:

H.R. 3083.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 38: Mr. JOYCE.  
H.R. 93: Mr. DENT.  
H.R. 167: Mr. KLINE.  
H.R. 210: Mr. OLSON.  
H.R. 217: Mr. PALMER.  
H.R. 249: Mr. HECK of Washington.  
H.R. 276: Mr. OLSON.  
H.R. 300: Mr. FORTENBERRY and Mr. OLSON.  
H.R. 303: Mr. PRICE of North Carolina and Mr. THOMPSON of California.  
H.R. 320: Mr. BISHOP of Michigan.  
H.R. 333: Mr. RUSH.  
H.R. 343: Mr. KIND.  
H.R. 402: Mr. BABIN.  
H.R. 423: Mr. OLSON.  
H.R. 483: Mr. McDERMOTT and Mr. SCOTT of Virginia.  
H.R. 503: Mr. OLSON.  
H.R. 532: Mr. SCHIFF.  
H.R. 540: Mr. MULLIN, Mr. HONDA, Mr. HULTGREN, Mr. GIBBS, Mr. ROE of Tennessee, Mrs. BLACKBURN, and Mr. ROKITA.  
H.R. 577: Mr. MOONEY of West Virginia.  
H.R. 605: Mr. CARTWRIGHT.  
H.R. 664: Mr. NADLER, Mr. PETERSON, Ms. TITUS, Mr. TONKO, Ms. CLARKE of New York, and Mr. ASHFORD.  
H.R. 692: Mr. LONG.  
H.R. 699: Mr. STEWART.  
H.R. 702: Mr. DUFFY.  
H.R. 757: Mr. PETERSON and Mr. KLINE.  
H.R. 816: Mr. GOSAR and Ms. HERRERA BEUTLER.  
H.R. 865: Mrs. NOEM.  
H.R. 868: Mr. HONDA and Mr. WEBER of Texas.  
H.R. 879: Mr. SENSENBRENNER and Mr. COSTELLO of Pennsylvania.  
H.R. 912: Ms. LOFGREN.  
H.R. 918: Mr. ZINKE and Mrs. BLACKBURN.  
H.R. 940: Mrs. NOEM.  
H.R. 953: Mr. MEEHAN.  
H.R. 961: Mr. SAM JOHNSON of Texas.  
H.R. 969: Mr. WESTMORELAND, Mr. DENHAM, and Ms. ESHOO.  
H.R. 985: Mr. FOSTER and Mr. ROSS.  
H.R. 1019: Mr. LARSON of Connecticut.  
H.R. 1086: Mr. CARTWRIGHT and Mr. BABIN.  
H.R. 1100: Mr. CLAWSON of Florida, Mr. TURNER, Mr. WALZ, and Mr. THOMPSON of California.  
H.R. 1151: Mrs. NOEM.  
H.R. 1178: Mr. JOHNSON of Ohio and Mr. DANNY K. DAVIS of Illinois.  
H.R. 1211: Mrs. DINGELL.  
H.R. 1247: Mr. LYNCH.  
H.R. 1277: Mr. KILMER.  
H.R. 1312: Mrs. WATSON COLEMAN.

H.R. 1356: Mr. SEAN PATRICK MALONEY of New York, Mrs. DINGELL, Mr. THOMPSON of California, Mr. CONNOLLY, Mr. HONDA, Mr. RUSH, and Mr. WALZ.

H.R. 1384: Mr. GRIJALVA, Mr. COOK, and Mr. RUSH.

H.R. 1388: Mr. DUNCAN of South Carolina.

H.R. 1399: Mr. MICA.

H.R. 1427: Mr. GRIFFITH, Mr. WILSON of South Carolina, Mr. WELCH, Mr. LEWIS, and Mr. CONYERS.

H.R. 1441: Mr. KING of New York.

H.R. 1460: Ms. MCCOLLUM.

H.R. 1482: Mr. AGUILAR.

H.R. 1490: Mr. THOMPSON of Mississippi.

H.R. 1516: Mrs. DINGELL.

H.R. 1523: Mr. COLLINS of Georgia and Mr. REED.

H.R. 1553: Mr. KING of New York.

H.R. 1567: Mr. LYNCH.

H.R. 1594: Mr. CALVERT and Ms. ESHOO.

H.R. 1599: Mr. STIVERS, Mr. JORDAN, Mr. BUCK, Mr. BUCHSHON, Mr. PETERSON, Mr. CONAWAY, Mr. CRAWFORD, Mr. RODNEY DAVIS of Illinois, Mr. MOOLENAAR, Mr. ROUZER, Mr. BOST, Mr. ROGERS of Alabama, Mr. GOODLATTE, Mr. NEUGEBAUER, Mr. GIBBS, Mr. EMMER of Minnesota, Mr. LUCAS, Mr. KELLY of Mississippi, Mr. BENISHEK, Mr. AUSTIN SCOTT of Georgia, Mr. LAMALFA, Mr. YOHIO, Mrs. WALORSKI, Mr. ALLEN, Mrs. NOEM, and Mr. KINZINGER of Illinois.

H.R. 1603: Mrs. NOEM and Mr. BOST.

H.R. 1610: Mr. OLSON, Mr. TED LIEU of California, and Mr. MILLER of Florida.

H.R. 1628: Mrs. DINGELL.

H.R. 1635: Mr. WITTMAN and Mrs. WAGNER.

H.R. 1644: Mr. WESTERMAN.

H.R. 1684: Mr. RANGEL.

H.R. 1711: Mr. JORDAN.

H.R. 1752: Mr. WEBSTER of Florida.

H.R. 1779: Mr. QUIGLEY.

H.R. 1786: Mr. QUIGLEY.

H.R. 1788: Mr. KINZINGER of Illinois.

H.R. 1801: Mrs. DINGELL.

H.R. 1817: Ms. MCSALLY.

H.R. 1843: Mrs. BEATTY.

H.R. 1881: Ms. TITUS.

H.R. 1893: Mr. GIBBS, Mr. GOODLATTE, Mr. GRAVES of Georgia, Mr. MCCLINTOCK, and Mr. MILLER of Florida.

H.R. 1919: Mr. MURPHY of Pennsylvania, Mr. PAULSEN, Mr. MOULTON, Mr. VEASEY, Ms. SLAUGHTER, Mr. MEEHAN, Mr. ABRAHAM, Mr. WHITFIELD, Mr. ROGERS of Kentucky, Ms. MCCOLLUM, Mrs. ELLMERS of North Carolina, Mr. MURPHY of Florida, and Mr. BENISHEK.

H.R. 1933: Mr. LARSEN of Washington.

H.R. 1976: Mr. GRIJALVA.

H.R. 1994: Mr. BOST, Mr. RIGELL, and Mrs. ELLMERS of North Carolina.

H.R. 2017: Mr. CHABOT, Mr. BENISHEK, and Mrs. HARTZLER.

H.R. 2019: Mr. WESTERMAN.

H.R. 2030: Mr. PETERS.

H.R. 2043: Mr. TOM PRICE of Georgia, Mr. RIGELL, and Mr. HECK of Washington.

H.R. 2052: Ms. DELAURO.

H.R. 2059: Mr. THOMPSON of Pennsylvania.

H.R. 2076: Mr. SWALWELL of California.

H.R. 2134: Mr. BABIN.

H.R. 2141: Mr. WALKER.

H.R. 2142: Mr. COLE.

H.R. 2145: Mr. OLSON.

H.R. 2168: Mr. THOMPSON of California.

H.R. 2191: Mrs. DINGELL.

H.R. 2205: Mr. BISHOP of Michigan and Mr. MARCHANT.

H.R. 2217: Mr. ELLISON.

H.R. 2221: Mr. JONES.

H.R. 2257: Mr. NOLAN.

H.R. 2282: Mr. RANGEL, Mr. ISRAEL, Mr. HASTINGS, Ms. BORDALLO, Mr. JOHNSON of Georgia, and Mr. PETERS.

H.R. 2315: Mr. PAULSEN.

H.R. 2320: Mr. COOPER.

H.R. 2369: Mr. CRAMER, Mr. POSEY, Mr. FLEMING, Mr. WALBERG, Mr. PITTENGER, Mr. FRANKS of Arizona, Mr. BISHOP of Michigan, Mr. ROGERS of Alabama, Mr. YOHIO, Mr. BOST, Mrs. WALORSKI, Mr. ABRAHAM, Mr. MOOLENAAR, and Mr. EMMER of Minnesota.

H.R. 2398: Mr. OLSON.

H.R. 2407: Mrs. HARTZLER.

H.R. 2410: Mr. AGUILAR.

H.R. 2411: Mr. KILMER.

H.R. 2412: Ms. CASTOR of Florida.

H.R. 2429: Ms. LOFGREN and Mr. PETERS.

H.R. 2458: Mr. BOUSTANY, Mr. GRAVES of Louisiana, and Mr. ABRAHAM.

H.R. 2460: Mr. COSTELLO of Pennsylvania.

H.R. 2464: Mr. CRAMER.

H.R. 2465: Ms. BORDALLO.

H.R. 2494: Mr. LOBIONDO and Mrs. MIMI WALTERS of California.

H.R. 2513: Mr. JOHNSON of Ohio.

H.R. 2530: Ms. LEE, Ms. PINGREE, and Mr. CICILLINE.

H.R. 2568: Mr. LAMALFA.

H.R. 2606: Mr. ZINKE.

H.R. 2623: Mr. PETERSON.

H.R. 2646: Mr. OLSON, Mr. CARTER of Texas, Mr. CUELLAR, Mr. ROSKAM, Mr. BUCHSHON, Mrs. BROOKS of Indiana, Mr. DUFFY, Mr. SENBRENNER and Mr. THOMPSON of Pennsylvania.

H.R. 2654: Mr. TED LIEU of California, Mr. GALLEGGO, and Mrs. BEATTY.

H.R. 2657: Mr. PASCRELL and Mr. RODNEY DAVIS of Illinois.

H.R. 2675: Mr. GUTHRIE.

H.R. 2694: Mr. CROWLEY, Mr. RYAN of Ohio, and Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 2697: Mr. CLEAVER, Mr. HONDA, Mr. KEATING, Mr. KILMER, and Mr. POCAN.

H.R. 2716: Mr. CHAFFETZ, Mr. DESJARLAIS, and Mr. JODY B. HICE of Georgia.

H.R. 2726: Mrs. ROBY and Ms. KELLY of Illinois.

H.R. 2734: Mr. COHEN.

H.R. 2775: Mr. HASTINGS, Mr. BARTON, Mr. MACARTHUR, Mr. CUELLAR, and Mr. KINZINGER of Illinois.

H.R. 2777: Mr. OLSON.

H.R. 2799: Mr. OLSON.

H.R. 2812: Mr. OLSON.

H.R. 2835: Mr. OLSON.

H.R. 2856: Mr. OLSON.

H.R. 2868: Mr. OLSON, Mr. COLE, and Mrs. BLACKBURN.

H.R. 2899: Mr. KING of New York.

H.R. 2902: Mr. MOULTON.

H.R. 2903: Mr. MCHENRY, Mr. POLIQUIN, Ms. TITUS, Mr. POLIS, and Mr. SMITH of Missouri.

H.R. 2937: Mr. OLSON.

H.R. 2939: Mr. GRIJALVA.

H.R. 2942: Mr. FLORES, Mr. GROTHMAN, Mr. EMMER of Minnesota, Mr. KELLY of Mississippi, Mr. CRAMER, Mr. SAM JOHNSON of Texas, and Mr. OLSON.

H.R. 2944: Mr. FITZPATRICK, Mr. FATTAH, Mr. OLSON, and Ms. SCHAKOWSKY.

H.R. 2948: Ms. ESHOO and Mr. JOLLY.

H.R. 2964: Mr. DUNCAN of Tennessee, Mr. KELLY of Mississippi, Mr. LANCE, and Mr. OLSON.

H.R. 2972: Ms. VELÁZQUEZ, Ms. ESTY, Mr. DEFazio, Mr. MURPHY of Florida, Mr. KILDEE, Mr. PETERS, and Mr. BRADY of Pennsylvania.

H.R. 2973: Mr. CHAFFETZ and Mr. GROTHMAN.

H.R. 2976: Mr. TED LIEU of California, Mr. POLIS, and Mr. QUIGLEY.

H.R. 2978: Mr. KING of New York.

H.R. 2983: Mr. POCAN.

H.R. 2999: Mr. MCNERNEY and Mrs. KIRKPATRICK.

H.R. 3002: Mr. CARTER of Georgia, Mr. GOSAR, Mr. OLSON, Mr. JOYCE, Mr. RENACCI, and Mr. ABRAHAM.

H.R. 3005: Mr. CLAY.

H.R. 3008: Mrs. DINGELL.

H.R. 3009: Mr. OLSON.

H.R. 3011: Mr. PERRY, Mr. FLORES, Mr. FORTENBERRY, Mr. FARENTHOLD, Mr. DESANTIS, Mr. CRAMER, Mr. PALAZZO, and Mr. OLSON.

H.R. 3016: Mr. WILSON of South Carolina, Mr. COSTELLO of Pennsylvania, and Mrs. RADEWAGEN.

H.R. 3025: Mr. AGUILAR.

H.R. 3037: Mr. FITZPATRICK and Mr. HASTINGS.

H.R. 3040: Mr. TAKANO, Mr. SIMPSON, and Mr. MCGOVERN.

H.R. 3052: Mr. OLSON.

H.R. 3060: Ms. LOFGREN, Ms. NORTON, and Mr. HONDA.

H.J. Res. 9: Mr. BABIN and Mr. OLSON.

H.J. Res. 59: Mr. MCKINLEY, Mr. ZINKE, Mr. HUELSKAMP, Mr. JONES, and Mr. CHAFFETZ.

H. Con. Res. 19: Mr. JOLLY and Mr. MEEHAN.

H. Con. Res. 33: Mr. MOONEY of West Virginia.

H. Con. Res. 37: Mr. CICILLINE and Mrs. BEATTY.

H. Con. Res. 40: Mr. SMITH of Washington and Mr. MARINO.

H. Res. 28: Mr. KATKO.

H. Res. 54: Mr. KATKO.

H. Res. 112: Mr. HASTINGS.

H. Res. 209: Mr. OLSON.

H. Res. 230: Mr. CURBELO of Florida.

H. Res. 294: Mr. LOWENTHAL, Mr. PETERS, and Mrs. NOEM.

H. Res. 318: Mr. OLSON.

H. Res. 359: Mr. CONAWAY, Mr. BARTON, Mr. ZINKE, Mr. WEBER of Texas, Mrs. BLACKBURN, Mr. PITTS, and Mr. WALBERG.

## DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 2722: Mr. ROUZER.

## PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

16. The SPEAKER presented a petition of the Board of Chosen Freeholders of the County of Monmouth, relative to Official Resolution No. 2015-0539, opposing the Base Realignment and Closure Commission's potential closure of Federal Military Bases in the State of New Jersey; to the Committee on Armed Services.

17. Also, a petition of City of Miami, relative to Miami City Commission Resolution R-15-0259, urging the Congress and President to pass legislation requiring that imported construction materials meet the same safety standards as domestic construction materials and that the Environmental Protection Agency and/or CPSC promulgate rules to protect consumers from potential adverse health effects from such materials; to the Committee on Energy and Commerce.

## EXTENSIONS OF REMARKS

RECOGNIZING COL. RICHARD J. MURASKI, JR.'S SERVICE TO FORT WORTH AND AMERICA

**HON. KAY GRANGER**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 15, 2015*

Ms. GRANGER. Mr. Speaker, I rise today to honor Deputy Commander of the Southwestern Division of the U.S. Army Corps of Engineers Colonel Richard J. Muraski, Jr.

Colonel Muraski is retiring after a long and impressive career in the Army. In Fort Worth we are particularly grateful for his work on the Trinity River Vision, which is a vital part of Fort Worth's future.

He played a critical role in the implementation of the highest standard of Flood Risk Management. His programmatic approach and respect for others fostered excellent communication and solutions.

Colonel Muraski led the U.S. Army Corps of Engineers Fort Worth District Staff in the planning, engineering and design of the existing Fort Worth floodway and the new Central City Project.

Colonel Muraski is a native of Kansas City, MO, and earned a Bachelor's degree in Geology from St. Mary's University in San Antonio and a Master of Science degree in Geodetic Sciences from Purdue University.

During his career he has served in a variety of operational, command and staff assignments in the United States and overseas. He deployed with a National Geospatial-Intelligence Agency support team to Afghanistan and Kuwait in support of Operation Enduring Freedom and Operation Iraqi Freedom.

Colonel Muraski assumed command of the 588th Engineer Battalion in June 2004. Under the Army's modular reorganization, he transformed the 588th into the Special Troops Battalion, 2nd Brigade. The battalion deployed to Operation Iraqi Freedom in November 2005 and was responsible for the majority of Babil Province, conducting combat operations along with training Iraqi security forces.

The City of Fort Worth and our country owe Colonel Muraski a debt of gratitude for his work.

HONORING SERGEANT JAMES R. STEPHENSON

**HON. JARED HUFFMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 15, 2015*

Mr. HUFFMAN. Mr. Speaker, I rise today in recognition of Sergeant James R. Stephenson as he prepares to retire from the Petaluma Police Department on July 31, 2015. With over twenty-five years of exemplary service as a

police officer, twenty-one of these have been with the City of Petaluma where Sergeant Stephenson has been instrumental in building positive relationships with local residents and ensuring the overall safety of the Petaluma community.

Sergeant Stephenson joined the Petaluma Police Department on August 9, 1994 and quickly distinguished himself as an outstanding street officer, often detecting criminal activity from subtle clues. In 1999, he was named as the Sonoma County Law Enforcement Officer of the Year in recognition of his exceptional work. One noteworthy example was Sergeant Stephenson's skillful arrest of an armed, drug induced and mentally unstable man. Rather than resorting to stronger measures, he physically restrained the man, ultimately protecting both the individual and the broader community from more serious consequences after an arsenal of firearms and thousands of rounds of ammunition were discovered in the citizen's home.

Throughout his career, there have been many other instances when Sergeant Stephenson's calm demeanor and sharp instincts have helped to prevent crime. In his most recent assignment as Supervisor of the Traffic Safety Unit, his leadership has been important in helping officers to develop efficient action plans for responding to and investigating many serious accidents.

Sergeant Stephenson's legacy is one of dedicated service to the people of Petaluma. Please join me in congratulating Sergeant James Stephenson and expressing deep appreciation for his long and exceptional career and outstanding contributions to the City of Petaluma.

CONGRATULATING TONY IOVINELLI ON HIS 40TH ANNIVERSARY AT TURANO BAKERY

**HON. PETER J. ROSKAM**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 15, 2015*

Mr. ROSKAM. Mr. Speaker, I rise today to congratulate Mr. Tony Iovinelli on his recent 40th anniversary at Turano Baking Company, a nationwide leader in baked products.

Tony started his career at Turano at the ripe old age of 16, in an ominous-sounding set of circumstances. You see, Mr. Speaker, Tony was dating the owner's daughter-in-law, and a job he had lined up at a printing company fell through. But contrary to the stories fathers tell the boyfriends of their daughters, this is not a story that has a bad ending. It is a story that has a good ending. Over many years, Tony and the Turano family have worked together and supported each other and ultimately achieved a remarkable thing, and that is the growth of a small-time family business into a leading national brand.

For Tony, it all started during high school, when he began working after class cleaning the bakery. In the summers, he would work full-time, cleaning and helping out in the packaging department. After graduating high school, he went on to attend a local college, where he was able to continue working at the bakery in the evenings. As his years at the bakery piled up, Tony took on more senior roles. He became shipping supervisor. After expressing an interest in learning the production side of the business, and through a lot of hard work and dedication, Tony was eventually promoted to plant manager, supervising the day-to-day operations of Turano's Berwyn, Illinois production facility. For 40 years, Tony has worked in many roles at the bakery. As he wistfully recalls, "I came for the summer and never left."

In Tony's 40 years of service, Turano has grown tremendously. Long gone are the days of the original 1,000 square foot facility. Turano has established new product lines, expanded into new plants in Bolingbrook, IL, Villa Rica, GA, and Orlando, FL. They now offer delivery across the United States. In today's economy, it is easy to overlook the significance of a successful, 40 year long career with one employer. But I want the House to pause for a moment and reflect on the incredible loyalty and commitment Tony's journey shows. And by the way, after 40 years, he's still going strong.

Mr. Speaker and Distinguished Colleagues, please join me in congratulating Tony Iovinelli on his remarkable 40 years of service at Turano Baking Company and wishing him every success for the years to come.

RECOGNIZING MR. CARLOS ALEMANY

**HON. DANIEL WEBSTER**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 15, 2015*

Mr. WEBSTER of Florida. Mr. Speaker, it is my privilege to recognize one of my constituents, Mr. Carlos Alemany of Windermere, Florida, for his acceptance to the People to People World Leadership Forum in Washington, D.C. Mr. Alemany was selected for his academic excellence, leadership potential and exemplary citizenship.

The mission of People to People Leadership Ambassador Programs is to bridge cultural and political borders through education and exchange. To this end, People to People offers domestic and international educational programs that promote cooperation, cross-cultural understanding and leadership. It is my hope that Mr. Alemany benefitted greatly from his participation in the World Leadership Forum, and I wish him all the best in his future endeavors.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



HONORING THE 100TH ANNIVERSARY OF KIWANIS INTERNATIONAL

**HON. MIKE KELLY**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 15, 2015*

Mr. KELLY of Pennsylvania. Mr. Speaker, I rise today to recognize the 100th anniversary of Kiwanis International.

Founded on January 21, 1915, in Detroit, Michigan, Kiwanis International has become a global organization with dedicated, hard-working volunteers from 96 different countries who work tirelessly to improve our communities and better the lives of children.

Guided by six permanent "Objects of Kiwanis," Kiwanis Club members acquire personal and professional connections while having fun, making friends, and helping others. Kiwanis initiatives put an emphasis on children, including pediatric trauma, child safety, child care, early development, and infant and child health nutrition. Kiwanis has continued to support impressive service leadership programs such as K-Kids, the Aktion Club, the Key Club International, Circle K, and the Builders Club.

In my home state of Pennsylvania, the Pennsylvania District of Kiwanis International consists of more than 200 Kiwanis Clubs and 400 members throughout the commonwealth who have developed a partnership with the Pennsylvania Early Learning Investment Commission to foster early educational opportunities for our kids.

For all of these reasons, I am incredibly pleased that the Keystone State has officially declared this August to be "Kiwanis Month."

I commend and thank all Kiwanis for their long participation in the honorable work of improving our communities. It is with tremendous pride and appreciation that I extend my heartfelt congratulations to Kiwanis International for their 100th anniversary. God bless them for all that they do.

RECOGNIZING DONNA CHAMBERS ON THE OCCASION OF HER RETIREMENT

**HON. JARED HUFFMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 15, 2015*

Mr. HUFFMAN. Mr. Speaker, I rise today to congratulate Donna Chambers, executive director of the Humboldt County Resource Conservation District, on her retirement.

Donna's service to Humboldt County and her efforts on behalf of the Salt River Ecosystem Restoration Project have been exemplary. Since she began working with the Resource Conservation District, Donna has overseen vital agreements, funding and permitting, and construction of one of the most significant estuary restoration and agricultural improvement projects in California. Located at the mouth of the Eel River, the Salt River project is crucial to salmon and steelhead, wildlife, and agricultural production.

After graduating from Humboldt State University in 1996 with a bachelor's degree in social work and a minor in business management, Donna worked for the Humboldt Access Project, the Humboldt Community Access and Resource Center, and the Area 1 Agency on Aging. When she joined the Resource Conservation District in 2008, Donna became known as a champion for agricultural producers. Donna helped develop nutrient management plans, projects to handle dairy waste, and helped producers upgrade facilities like roof and gutter structures and concrete slabs and ramps to improve efficiency and protect water quality. She also helped dairy and beef ranchers reduce the impacts of Aleutian cackling geese on private lands. Donna helped bring more than \$20 million in funding to the Resource Conservation District and the local community since she began working with the district.

Mr. Speaker, Donna Chamber's commitment to agriculture and environmental protection is commendable and worthy of recognition. I urge my colleagues to join me in extending our congratulations to her.

RECOGNIZING THE DEDICATED SERVICE OF PENSACOLA CHIEF OF POLICE CHIP W. SIMMONS

**HON. JEFF MILLER**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 15, 2015*

Mr. MILLER of Florida. Mr. Speaker, I rise to recognize Pensacola Chief of Police Chip W. Simmons on the occasion of his retirement after nearly 30 years on the force serving the people of Florida's Gulf Coast.

Shortly after his graduation from Pine Forest High School, in Pensacola, Chief Simmons started his career in law enforcement at the Escambia County Sheriff's Department as a Corrections Officer. Upon his graduation from the Pensacola Police Academy, Chief Simmons joined the Pensacola Police Department in October 1986. Like so many other dedicated law enforcement officers, he entered the force looking to serve the community that he loved, and after less than 10 years on the force, during which Chief Simmons served on numerous state and federal task forces and completed both Bachelors' and Masters' degrees, he received a promotion to Sergeant. This promotion, a reflection of Chief Simmons assiduous work ethic and unquestioned commitment to excellence, would portend many future promotions to come.

In 1997, Chief Simmons was appointed the city's SWAT Commander, a position he held for four years, and in 1998 he received yet another promotion to Lieutenant. During this period, Chief Simmons also graduated from the FBI National Academy in Quantico, VA, while also serving as a member of the U.S. Customs Blue Lighting Strike Force. In 2002, Chief Simmons was promoted to Captain, before being appointed Assistant Chief of Police in 2005. Following the retirement of his predecessor, Chief John W. Mathis, Chief Simmons was nominated and chosen to serve as the Chief of Police for the Pensacola Police Department.

During Chief Simmons' years at the helm, the Pensacola Police Department has worked tirelessly to protect and serve the local citizens, and Chief Simmons has overseen several impressive accomplishments. Most importantly, under his leadership, the City of Pensacola has recorded the lowest crime rate in recorded history, while also pursuing a rigorous accreditation process from the Commission for Florida Law Enforcement Accreditation, Inc. certifying the department's professional excellence.

Given Chief Simmons' dedication to his community and the department, it should come as no surprise that he is one of the most decorated officers in Pensacola Police Department history. While his full list of awards and commendations is too numerous to mention, he has received the department's highest award for heroism—the Gold Medal of Valor—and numerous merit awards from both the department and the city. In addition, Chief Simmons has been recognized by state and local law enforcement bodies on several occasions, receiving both the Drug Enforcement Administration's Achievement Award and induction into the Police and Firefighters Heroes Hall of Fame.

Chief Simmons is also a true leader in the Northwest Florida civic community, and, in addition to his service as a police officer, he has also served in many leadership capacities at civic organizations. Among these positions, he currently serves on the Board of Trustees of Pensacola State College, a position appointed by the Governor of Florida, and he has served on the Board of Directors of Ronald McDonald House, Favorhouse of Northwest Florida, the Community and Alcohol Commission, as well as the Pensacola Chamber of Commerce's Military Affairs Committee.

As a former Deputy Sheriff, I understand the important and sometimes underappreciated role of law enforcement officers. Each and every day, dedicated law enforcement officers put themselves in danger to protect and serve their community as an officer of the law. Chief Simmons exemplifies all of the qualities of a world-class law enforcement officer, and his decades of service are a testament to his commitment to our Nation and the law enforcement community.

Mr. Speaker, on behalf of the United States Congress, I am privileged to recognize Chief Simmons for his service to the people of Northwest Florida. My wife Vicki and I congratulate him on his retirement and wish him all the best in his future endeavors.

FEDERAL DISASTER ASSISTANCE NONPROFIT FAIRNESS ACT OF 2015

**HON. CHRISTOPHER H. SMITH**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 15, 2015*

Mr. SMITH of New Jersey. Mr. Speaker, over two years ago the House came together in the wake of Superstorm Sandy and overwhelmingly supported and passed the Federal Disaster Assistance Nonprofit Fairness Act. Because the Senate failed to take action before the close of the 113th Congress, the Federal Emergency Management Agency (FEMA)

has continued to deny houses of worship access to otherwise generally available disaster relief funds.

Today, along with my colleagues GRACE MENG and PETE KING, I am reintroducing this important legislation to achieve fairness and nondiscrimination in the manner by which FEMA distributes federal disaster assistance.

Houses of worship are foundational pillars of our communities. In the aftermath of disasters, they help feed, comfort, clothe, and shelter thousands of victims—yet when it comes to federal relief, they continue to be left out and left behind. While FEMA has a policy in place to aid nonprofit facilities damaged in disasters, it has excluded houses of worship from such support. This policy is patently unfair, unjustified, and discriminatory and may even suggest hostility to religion.

Plain and simple, it is wrong—and it is time that Congress ensures fundamental fairness for these essential private nonprofits. The bipartisan Federal Disaster Assistance Nonprofit Fairness Act of 2015 will ensure that houses of worship are eligible for federal disaster aid administered by FEMA. It is important to note that FEMA's discriminatory policy of exclusion is not prescribed by any law. There is nothing in the Stafford Act that precludes funds to repair, replace, or restore houses of worship.

Further, congressional precedent favors enactment of this legislation, as there are several pertinent examples of public funding being allocated to houses of worship. In 1995, federal grants were explicitly authorized and provided to churches damaged by the Oklahoma City terrorist attack. The Department of Homeland Security's (DHS) Urban Area Security Initiative (UASI) provides funding to houses of worship for security upgrades. The Department of the Interior (DOI) proves funding to grants for historically significant properties, including active churches and active synagogues. The Small Business Administration (SBA) provides low-interest loans to houses of worship.

A controlling Department of Justice (DOJ) Office of Legal Counsel (OLC) memorandum explains in detail the legal principles that make the Federal Disaster Assistance Nonprofit Fairness Act constitutional. In a 2002 written opinion, the OLC concluded it was constitutional for Congress to provide disaster relief and reconstruction funds to a religious Jewish school, along with all sorts of other organizations, following a devastating earthquake. The same principles apply to protect religious organizations following other natural disasters, such as devastating hurricanes or tornadoes.

As the OLC memo concluded, "we believe that provision of disaster assistance to the religious school cannot be materially distinguished from aid programs that are constitutional under longstanding Supreme Court precedent establishing that religious institutions are fully entitled to receive generally available government benefits and services, such as fire and police protection."

This bipartisan legislation exhibits no government preference for or against religion, or any particular religion, as it merely permits houses of worship to receive the same type of generally available assistance. It not only passes the test of constitutionality, but the test of basic decency—permitting houses of worship to receive the same type of generally

available assistance as many other similarly situated nonprofits in picking up the pieces after devastation.

As Professor Alan Dershowitz of Harvard Law School concluded in his 2013 analysis of the bill, "once FEMA has the policy in place to aid various nonprofit organizations with their building repairs, houses of worship should not be excluded from receiving this aid on the same terms. This is all the more appropriate given the neutral role we have witnessed houses of worship play, without regard to the religion of those affected, in the wake of Sandy and countless previous disasters. Federal disaster relief aid is a form of social insurance and a means of helping battered communities get back on their feet. Churches, synagogues, mosques, and other houses of worship are an essential part of the recovery process."

Similarly, Professor Douglas Laycock of the University of Virginia School of Law concluded that "charitable contributions to places of worship are tax deductible, without significant controversy, even though the tax benefits to the donor are like a matching grant from the government. These deductions have been uncontroversial because they are included without discrimination in the much broader category of all not-for-profit organizations devoted to charitable, educational, religious, or scientific purposes. The neutral category here is equally broad. To include houses of worship in disaster relief is neutral; to exclude them would be affirmatively hostile. There is no constitutional obstacle to including them."

This legislation is supported by a broad coalition of organizations who believe that the recovery of houses of worship is essential to the recovery of neighborhoods, towns, and States. Houses of worship are critical public institutions within our communities, and they must not be denied the equal treatment they deserve. I urge my colleagues to move swiftly and pass this much needed legislation.

#### RECOGNIZING SAMANTHA MOEN

##### HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 15, 2015*

Mr. HUNTER. Mr. Speaker, I rise today in recognition of Samantha Moen, of Santee, California, who qualified for the USA Shooting's National Junior Olympic Championship in International Trap. Samantha's hard work and dedication to the sport of trap shooting have earned her the distinct honor of representing not only the City of Santee, but the State of California in this month's Championship, taking place in Colorado Springs, Colorado.

Since 1995, USA Shooting has operated as the National Governing Body for the sport of shooting in the United States. The nonprofit organization represents all shooting athletes who go on to represent the United States in the Olympic and Paralympic games, meaning that only the nation's most qualified and distinguished shooters have the opportunity to train and compete at their Colorado Springs headquarters.

For many, the invitation to the National Junior Olympic Championship is the first oppor-

tunity young shooters have at realizing their dream of representing the United States on the international stage of shooting. In the case of Samantha, who took home the Silver Medal in the California Junior State Olympics, the sport of shooting has offered her something more than the opportunity to compete at the national level—it's paved her way to compete at the top collegiate shooting program in the nation, at Lindenwood University in St. Charles, Missouri.

In order to realize her dream of representing the United States in the Olympics, Samantha will have to continue honing her trap shooting abilities in the coming years. And I have no doubt that the experience of competing later this month in Colorado Springs will only further instill a desire in Samantha to strive for the best.

I'm honored to wish Samantha Moen the best of luck at the USA Shooting's National Junior Olympic Championship. I am sure Samantha will represent our community and state well, and am hopeful she will one day represent our nation on the international stage.

#### PERSONAL EXPLANATION

##### HON. MARK POCAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 15, 2015*

Mr. POCAN. Mr. Speaker, on July 14, 2015 I missed the first recorded vote, Roll #435. On Roll Call #435, I would have voted YEA (Passage of H.R. 251).

#### HONORING STERLING SMITH

##### HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 15, 2015*

Mr. SMITH of Washington. Mr. Speaker, I rise to honor the life and accomplishments of Sterling Smith, an extraordinary civic leader who will be remembered for his invaluable contributions to the community.

Sterling graduated from the University of Washington in 1963. From there, he secured a position teaching at Chinook Junior High, where he became chair of the English Department, and then later at Tyee High School. Sterling was well known as a beloved teacher with a high standard of excellence for his students. On top of his success as an educator, he was also known for his compassion, good humor, and the significant influence he had on the lives of his students.

During my own time as a student at Tyee, I was fortunate to have Sterling as a teacher. I am grateful for the positive impact that Sterling had on my life and my decision to pursue a career in public service. Sterling continued to teach language arts at Tyee until he retired in June 1994.

Sterling was an incredible educator and treasured community member dedicated to serving others in various capacities. He served on several boards that interviewed candidates

running for office, including candidates for the Washington State Governor's office. Moreover, Sterling spent countless hours volunteering at the Kubota Gardens, one of Seattle's beautiful Japanese gardens and a cultural center for the region. Along with his partner, Jem, Smith was the caregiver to 37 patients living with AIDS over a 22 year span. On numerous occasions, Sterling and Jem also opened their Federal Way home and gardens to community activities, including events for the Federal Way Symphony Orchestra and the South End Social Group picnic.

Mr. Speaker, it is with great honor that I recognize the life of Sterling Smith, an individual whose unrelenting and quiet dedication to his students and community serves as an example of the tremendous impact one person can have.

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HONORING THE SERVICE OF MR.  
MICHAEL GODBEY

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**HON. ANDY BARR**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 15, 2015*

Mr. BARR. Mr. Speaker, I rise today to recognize an outstanding educator, Michael Godbey. Mr. Godbey leads Frankfort High School as its principal. Mr. Godbey's career as an educator spans twenty years. In this time he has served as an instructional assistant, bus driver, mathematics teacher, assistant principal, director of curriculum and instruction, and principal. Under Godbey's leadership, Frankfort High School has earned the classification of a Proficient and Progressing High School based on Kentucky's Next Generation Learner Accountability system. Frankfort High School was also ranked the Twelfth Best High School in the Commonwealth of Kentucky by U.S. News and World Report in 2014.

Mr. Godbey was recently selected as the 2015 Principal of the Year for the Commonwealth of Kentucky. This Award was presented by the National Association of Secondary School Principals (NASSP). Godbey earned this award by his accomplishments in the education field over the years. His dedication to the education of his students is evident.

Godbey earned his B.A. in Secondary Education from the University of Kentucky and his M.A. in Education from Eastern Kentucky University. Prior to his tenure at Frankfort High School, Godbey worked in the Danville, Kentucky Independent School district. He and his wife Claudia reside in Nicholasville, Kentucky with their sons Jared and Hayden.

Education of our nations' young men and women is critically important. Mr. Godbey has exemplified strong leadership and innovation and is very deserving of the recent Principal of the Year award. Mr. Speaker, I applaud his creative talents and dedication in the education field.

STATE BOARD OF NURSING  
APPOINTMENT

**HON. PETE OLSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 15, 2015*

Mr. OLSON. Mr. Speaker, I rise to congratulate Dr. Doris Jackson, DHA (ABD) for being appointed to the Texas Board of Nursing by Governor Greg Abbott.

Dr. Jackson, a Pearland resident, is a registered nurse and a professor at Lone Star College's associate degree nursing program in Kingwood. She is also a member of the Society of Pediatric Nurses, Texas Nurse Association, American Nurse Association and the Student Nurse Association Faculty Advisor. Dr. Jackson has used her role to care for others and to help future nurses become the best that they can be. Her appointment is well-deserved.

On behalf of the Twenty-Second Congressional District of Texas, congratulations to Dr. Doris Jackson on her appointment to the Texas Board of Nursing. Governor Abbott made a great decision in selecting you.

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PERSONAL EXPLANATION

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**HON. RICHARD M. NOLAN**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 15, 2015*

Mr. NOLAN. Mr. Speaker, on July 14th, 2015, I was unavoidably detained in a caucus event with several of my colleagues. Had I been present and voting on Roll Call No. 435, I would have voted yes.

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PERSONAL EXPLANATION

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**HON. ZOE LOFGREN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 15, 2015*

Ms. LOFGREN. Mr. Speaker, during the week of July 6th I was unable to travel to Washington, D.C. for health reasons.

Had I been present, I would have cast the following votes:

July 7

Roll Call 390—yes

Roll Call 391—yes

July 8

Roll Call 392—no

Roll Call 393—yes

Roll Call 394—yes

Roll Call 395—yes

Roll Call 396—yes

Roll Call 397—yes

Roll Call 398—yes

Roll Call 399—yes

Roll Call 400—yes

Roll Call 401—yes

Roll Call 402—yes

Roll Call 403—yes

Roll Call 404—yes

Roll Call 405—yes

Roll Call 406—yes

Roll Call 407—no  
Roll Call 408—no  
Roll Call 409—no  
Roll Call 410—no  
Roll Call 411—yes  
Roll Call 412—yes  
Roll Call 413—yes  
Roll Call 414—yes  
Roll Call 415—yes  
Roll Call 416—yes  
Roll Call 417—yes  
Roll Call 418—yes  
Roll Call 419—no  
Roll Call 420—no  
Roll Call 421—yes  
Roll Call 422—yes  
Roll Call 423—no  
July 9  
Roll Call 424—no  
Roll Call 425—no  
Roll Call 426—no  
Roll Call 427—yes  
Roll Call 428—no  
Roll Call 429—no  
Roll Call 430—no  
July 10  
Roll Call 431—no  
Roll Call 432—yes  
Roll Call 433—yes

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HONORING ANGEL GOMEZ AND  
OPERATION H.O.P.E.

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**HON. BETO O'ROURKE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 15, 2015*

Mr. O'ROURKE. Mr. Speaker, today I rise to recognize the tireless work and service to El Paso of Angel Gomez.

Angel Gomez is a lifelong El Pasoan, graduate of Bowie High School, and a Veteran of the United States Navy. After serving our nation in uniform, Angel continued his life of service by making a difference in the lives of El Pasoans.

Angel Gomez founded Operation H.O.P.E. (Helping Other People Endure) with long-time friend Ron Standing in November of 2009. With the continuous loving support of his wife, Patricia, and their daughter, Rubi, Angel has been able to bring a smile to the faces of thousands of families in need within the El Paso community.

Whether it is school supplies, clothing, blankets, toiletries, toys, food, or funeral services, Angel Gomez and Operation H.O.P.E. have consistently provided assistance and charitable work every Thanksgiving, Christmas, Easter, and throughout the year.

His commitment to helping others is truly inspiring and is an example for all Americans. I thank Angel Gomez and Operation H.O.P.E. for their passion for service and for helping so many in our community.

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IN OPPOSITION TO H.R. 5021

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**HON. EARL BLUMENAUER**

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 15, 2015*

Mr. BLUMENAUER. Mr. Speaker, I would like to submit the following statement I made last year on H.R. 5021:

I am pleased that Congress is finally acting today, not with a looming crisis, but one that is already upon us. This is entirely predictable.

I have been arguing for months that Congress needs to act because the stopgap measure we did last Congress was designed to create precisely this Congress at precisely this time.

Sixty-two groups may have signed on a letter of support, but they prefer us to act meaningfully for long-term funding. They accept this because it is the only alternative to shutting down activities this summer.

My Republican friends are unwilling—not unable—but unwilling to resolve the funding contradictions. Revenues have failed to keep pace with the demands of an aging growing Nation, making no change for 21 years, as our infrastructure ages and falls apart, our Nation continues to grow and transportation patterns change. It is guaranteed that we should change as well.

This Congress has refused to address its responsibilities. The House Ways and Means Committee has not had a single hearing on transportation finance. One of our most important responsibilities, uniquely ours, one that is unlike so many other items we deal with, it is possible to resolve. We haven't had a hearing in the 43 months that the Republicans have been in charge of Congress.

Now, I understand there are conflicts within the Republican Caucus. There are some that appear satisfied with locking us into a slow, steady decline called for in the Republican budget—no new projects until October of 2015 and a 30 percent reduction over the next decade, at exactly the time the Federal partnership should be enhanced, not reduced.

There are others in the Republicans whose answer is to just abandon ship, to give up on the Federal partnership, slash the Federal gas tax, and abandon any hope of a national transportation policy and partnership to help States with projects that are multistate in nature or that need to be done whether economic times are bad.

That would be tragic and wrong to abandon the partnership that has meant so much, but it is part of what is driving some of our Republican Tea Party friends. Just because there may not be a majority in the Republican ranks for either approach does not mean that we should continue to dither.

Because Republicans friends are unwilling or unable to resolve this, we have frozen the Transportation Committee in place. They don't have a bill. They are not going to have a bill unless we resolve what the budget number is: increase, continue the downward slide, or abandon it altogether.

We will be no better off next May to resolve this question. In fact, we will be worse off because we will be in the middle of a Presidential campaign, with a new Congress, maybe new committee lineups.

We should reject this approach to hand off our responsibilities. We should resolve the resource question, and we should commit that this Congress is not going to recess for August vacation, not going to recess to campaign in October, until we have worked to give the American people a transportation bill they need—deserve—to jump-start the economy, create hundreds of thousands of family-wage jobs, and strengthen communities and families across the Nation.

American infrastructure used to be the best in the world and a point of pride bringing Americans together. It is now a source of embarrassment and deep concern as we fall further and further behind global leaders.

## OUR UNCONSCIONABLE NATIONAL DEBT

### HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$18,151,890,180,391.62. We've added \$7,525,013,131,478.54 to our debt in 6 years. This is over \$7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

IN HONOR OF MR. WOODROW R. PACKER, SR.

### HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 2015

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to pay tribute to an outstanding educator and respected community leader, Mr. Woodrow R. Packer, Sr. Mr. Packer departed to his eternal reward on Saturday, July 11, 2015. A funeral service will be held at 11:00 a.m. on Friday, July 17, 2015 at St. Paul's Memorial Chapel in Lawrenceville, Virginia, where Mr. Packer's family will be surrounded by friends and loved ones paying their respects to a man who touched many lives, including my own.

Mr. Packer was born in Wilcox County, Alabama, on March 11, 1919 as the eleventh of twelve children born to the late Hal and Lucy Packer. Over the course of his lifetime, Mr. Packer exemplified the meaning of servant leadership. In 1942, Mr. Packer left his family in Alabama to serve his country in World War II, spending time in North Africa and Italy. Following his service in the war, he was honorably discharged as a Staff Sergeant in 1945.

Throughout his life, Mr. Packer always demonstrated a passion for knowledge. He earned a Bachelor of Science and Master of Education degree from Alabama State University in Montgomery, Alabama. He studied further at Carnegie-Mellon Institute of Technology in Pittsburgh, Pennsylvania; Wesleyan University in Middletown, Connecticut; the University of Virginia in Charlottesville, Virginia; Virginia State University in Petersburg, Virginia; and the University of Georgia in Athens, Georgia.

During his lifelong pursuit of knowledge, Mr. Packer strove to impart this knowledge upon his students. In 1948, he began his career as an educator at Choctaw County High School in Butler, Alabama. Mr. Packer later became principal of Blount High School in Anniston, Alabama and then of Chickasaw Terrace School in Prichard, Alabama. In 1964, Mr. Packer moved to Farmville, Virginia to teach at R.R. Moton High School, now a historic landmark of the Civil Rights Movement.

Mr. Packer then went on to serve Saint Paul's College in Lawrenceville, Virginia for 27 years, first as an instructor, then as a Dean, before retiring as Vice President for Student

Affairs. His dedication to Saint Paul's College was evident in the number of students he recruited, many from his home state of Alabama, which led to his being deemed "The Alabama Dean."

After retiring from education in 1991, he continued to contribute to the community by helping numerous friends and neighbors in Brunswick County. Mr. Packer served in countless leadership roles with organizations such as the Alberta Family Health Service, Brunswick Chamber of Commerce, Lawrenceville Rotary Club, and the Lawrenceville Town Council.

George Washington Carver once said, "No individual has any right to come into the world and go out of it without leaving behind distinct and legitimate reasons for having passed through it." We are all so blessed that Mr. Woodrow Packer passed this way and during his life's journey did so much for so many for so long. He leaves behind a great legacy in education to the thousands of students, teachers, and administrators whose lives he touched and brightened.

On a personal note, Mr. Packer and his family were close personal friends of my family, as well as a role model and mentor to me. I have truly been blessed by his friendship, counsel and inspiration throughout the years.

Mr. Speaker, I ask my colleagues to join me and my wife, Vivian, in paying tribute to Mr. Woodrow R. Packer, Sr. for his dedication to educating young people, his passion for his country, and his deep commitment to his family and his community. We extend our deepest sympathies to Mr. Packer's family and friends during this very difficult time. May they be consoled and comforted by their abiding faith and the Holy Spirit in the days, weeks and months ahead.

## RECOGNIZING MICHAEL F. COLLEY

### HON. STEVE STIVERS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 2015

Mr. STIVERS. Mr. Speaker, I rise today to recognize my mentor and friend Michael F. Colley, who passed away at the age of 78 on June 20, 2015.

Michael Colley was born in Youngstown, Ohio and grew up in Columbus, Ohio. After graduating from St. Charles Preparatory School, Michael attended the Ohio State University where he served as President of his fraternity, Kappa Sigma, and was a member of the baseball team. Michael continued his education at Ohio State after graduation in law school, where he earned his Juris Doctoral degree in 1961.

Following his graduation from law school, Michael served in the Ohio National Guard and as an Assistant Prosecutor in the Columbus City Attorney's Office. Soon after, he went into private practice where he had an extremely successful career for his clients in personal injury, medical malpractice and product liability. Throughout his career, Michael served as president of state and national legal organizations: Ohio Academy of Trial Lawyers, the Franklin County Trial Lawyers Association, the

Association of Trial Lawyers of America, and the American Board of Trial Advocates. Michael is distinguished as the only person to serve as president of both the Association of Trial Lawyers of America and the American Board of Trial Advocates.

Outside of the courtroom, Michael remained involved in his community and his alma mater. In 1968, Michael helped form the Direction for Youth and Families to help struggling youth and families in central Ohio. In 1991, Michael was appointed to the Board of Trustees for Ohio State and later served as Chairman of the Board. Michael rarely missed a Buckeye football or basketball game throughout his lifetime.

Michael showed an incredible dedication to his community and public service throughout his life.

#### HOMETOWN BASKETBALL STARS

### HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 15, 2015*

Mr. OLSON. Mr. Speaker, I rise today to recognize the Harrison twins from Richmond, TX in Fort Bend County for their outstanding performance and success in their young basketball careers.

Together, they won a basketball state championship for Travis High School, competed in two NCAA Final Fours and were prospects in the 2015 NBA draft. Andrew Harrison was selected by the Phoenix Suns to play in the NBA before being traded to the Memphis Grizzlies. Aaron Harrison has the opportunity to play in the NBA summer league for the Charlotte Hornets. These young men have made their parents, coaches, and the rest of Fort Bend County proud.

On behalf of the Twenty-Second Congressional District of Texas, congratulations to the Harrison twins on all of their achievements. We look forward to hearing more about their continued success on and off the court.

#### HONORING THE LIFE OF JONATHAN ROSADO

### HON. BRENDAN F. BOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 15, 2015*

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, Jonathan Rosado, senselessly murdered in the Cayuga section of Philadelphia, Pennsylvania late last year, was a model citizen who generously shared his strong character and kind spirit through the act of teaching tennis to disadvantaged children. Jonathan's commitment to his students was motivated by far more than the perfection of the game's technique, though; he was deeply committed to serving as a thoroughly positive role model for his pupils. Jonathan fostered the Legacy Youth Tennis program's presence in the Hunting Park community, a groundbreaking addition to youth programming for this North Philadelphia neighborhood.

Jonathan's ingenuity and steadfast commitment to community service has served as a tremendous benefit to the many lives he has touched. Jonathan's sense of responsibility and dedication was instilled in him by his own childhood participation in the Legacy Youth Tennis program, and he chose to contribute those attributes right back into the program as he ascended into adulthood. His selflessness helped to cultivate the potential of the children in his community, who will in turn grow up to follow Jonathan's constructive example.

Although he is sorely missed by all, Jonathan's bright spirit will continue to be felt in Hunting Park long into the future. I submit this statement so that Jonathan's example can be more widely witnessed across the nation and across time.

#### IN HONOR OF THE 70TH ANNIVERSARY OF TRINITY TEST

### HON. BEN RAY LUJÁN

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 15, 2015*

Mr. BEN RAY LUJÁN of New Mexico. Mr. Speaker, I rise today to honor the memory of those who have fallen ill or passed on due to radiation exposure from the Trinity test. On this day 70 years ago, rural New Mexico became ground zero for the detonation of the first nuclear bomb. While it would usher in the start of the atomic age, it also marked the beginning of sickness and suffering for generations of people who lived and grew up in the Tularosa Basin and other areas downwind of the test site.

Today, we remember those who continue to bear the costs of nuclear testing decades later and recommit to seeking recognition and compensation for the men and women who have been gravely impacted. As a nation we have a responsibility to act and acknowledge the pain that so many New Mexicans and other downwinders have experienced following the Trinity Test. The legacy of that moment in our nation's history is still alive and continues to be felt to this very day by all those battling cancer and other diseases as a result of radiation exposure.

It is long past time for Congress to take action and pass legislation expanding the Radiation Expose Compensation Act so that these individuals are no longer left behind, and so that we can come to terms with the full impact of the nuclear age.

Though we can never fully compensate these Americans for what they have lost, they deserve to be recognized and receive just compensation that will help generations of families who have gotten sick because of uranium mining or nuclear testing. The men and women who have suffered from radiation exposure must not be forgotten.

#### IN OPPOSITION TO THE RULE ON H.R. 5021

### HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 15, 2015*

Mr. BLUMENAUER. Mr. Speaker, I would like to submit the following statement I made last year on the Rule on H.R. 5021:

I listened carefully to what you said, and you are right—this closed rule is a disservice. My respected friend from Florida, I think, is just wrong.

Mr. Speaker, this is not a solution, and it is not a deliberate, thoughtful process. We have not had a single hearing on transportation finance in the Ways and Means Committee all year. We didn't have one the year before that. We haven't had a hearing in the 43 months that Republicans have been in charge.

This is a perfectly predictable problem that was created by the halfhearted bill that they passed last Congress. We knew this was coming for months. Now we are here.

With all due respect, I, too, am disappointed that we have a rule that does not make in order broad discussion and amendment. We have been unable in this Congress to deal meaningfully with the looming transportation crisis.

The gentleman is on the Transportation Committee. He doesn't have a bill. We are almost through this Congress, and we don't have a bill. America is falling apart. America is falling behind. We have failed to give America's communities the resources and a robust 6-year reauthorization plan.

We have done it before under the chairmanship of Bud Shuster and Ranking Member Jim Oberstar, and I was happy to have played a small role. That bill made a difference.

If we fail to come to grips with the funding level and, instead, in approving this rule and the underlying bill, this Congress is giving itself a ticket out of town to adjourn and pass it on to not just the next Congress but to the Congress after that. Make no mistake. In May 2015, you are not going to be in any different a place. It is going to be May 2017.

Congress has legitimate policy differences. I appreciate my friend from New Jersey. Some people think that the Federal Government should get out of the partnership that we have had and reduce or eliminate the Federal gas tax.

They are willing to give up on the successful partnership and let each State decide what to do, when it wants to do it, or what it is able or not able to do. They would abandon all sense of a national vision and the ability to shape transportation policies. That is rejected by the mayors, rejected by county commissioners, rejected by State transportation officials. They want that partnership.

Frankly, there are some people who feel the gas tax ought to be adjusted to deal with inflation and increased fuel economy as well as the demands of a growing Nation with an aging infrastructure.

Some people are comfortable with the Republican budget, which will have no new projects for 15 months and will doom us to a 30 percent reduction over the next 10 years.

Those are legitimate policy differences, but we are not dealing with them here on the floor. We are shrugging our shoulders, passing them on to the next Congress and, frankly, to the Congress after that.

I agree with the people who build and maintain and use our transportation infrastructure. We should address this infrastructure question head on. American infrastructure used to be the best in the world and a point of pride, bringing Americans together. It is now a source of embarrassment and deep concern as we fall further and further behind global leaders.

We ought to reject this rule. We ought to allow full debate and, by all means, resolve the funding question now so we can go forward. America deserves no less.

IN RECOGNITION OF THE INTRODUCTION OF THE COMMISSION ON AMERICANS LIVING ABROAD ACT OF 2015

**HON. CAROLYN B. MALONEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 15, 2015*

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, there are an estimated 6–8 million constituents scattered across the world who promote our culture and values while strengthening our nation's global influence as they live and work abroad. For years I have worked to ensure that overseas Americans can fully exercise their rights as U.S. citizens by having their voices heard loud and clear by Congress. Eight years ago, I formed the Congressional Americans Abroad Caucus because I wanted to bring awareness and focus to the concerns of those residing abroad. U.S. citizens remain just that, citizens, regardless of where they choose to live and should not be ignored by virtue of residence.

Our constituents living and working abroad have consistently voiced concerns about the impact federal policies have on the issues directly affecting them like voting, immigration, access to financial institutions, and taxation. The time has come to take a look at the importance of federal policies for our overseas community rather than continuing to ignore the calls from our abroad constituents. That is why today I am introducing the Commission on Americans Living Abroad Act, which creates an Executive Commission with the main purpose of examining those concerns. The Commission creates a 10 member panel to examine the impact of federal policymaking on U.S. citizens abroad. The resulting study would then be used by Congress and the Executive Branch when considering the best steps we can take to engage the abroad community and ensure their voices are heard. This process will ensure clearer awareness of the federal issues impacting Americans abroad and will open a path for coordination with those communities towards more robust representation.

We must take a real and comprehensive look at how we, as Members of Congress, respond to U.S. citizens living abroad. Each of our constituents has a right to have their interests represented and to have a role in the political process. The Commission on Americans Living Abroad would establish a foundation from which we can work to better serve the needs of our global constituents. I welcome and urge my colleagues to lend their support to this bill.

HONORING THE LIFE OF NORMAN BUCHERT

**HON. TED LIEU**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 15, 2015*

Mr. TED LIEU of California. Mr. Speaker. I rise today to honor the life and legacy of Mr. Norman Buchert, a loving family man and successful engineer. Upon graduating from the University of Florida, Norman began working in a nascent aerospace industry at the Kennedy Space Center, contributing to the development of the Apollo 11 launch and other space shuttle launches. Throughout his life he loved to tell stories about his time working in the space program.

While Norman's career as an engineer is remarkable, his role as a loving family man is what he will be remembered for most. I have had the privilege of working closely with his daughter, Genelle, who truly embodies his caring spirit. He has left a positive mark on our world and that his legacy will live on through his family.

Mr. Speaker, I know that my colleagues will join with me in honoring the life of this special man. We should all be so fortunate to live such a full life. I submit his obituary:

Norman Charles Buchert was born in Cincinnati, Ohio on May 13, 1942. He graduated from Port St. Joe High School, Port St. Joe, Florida; and from the University of Florida with a BS and MS in Electrical Engineering.

His career began at Kennedy Space Center on January 27th, 1967 with North American Aviation (NAA) as an RF and Telemetry Engineer working on the Apollo/Saturn Launch Vehicle second stage. He then worked on the Saturn V moon launches including the Apollo II launch to the moon (and back) and worked in the Saturn V Launch Control Center Firing room at the RF and Telemetry console. He later transferred to the Apollo Command and Service Module (CSM) organization to work on the experiments that the CSM carried to the moon and the Lunar Sounder experiment searching for water on the moon. Their first daughter, Genelle, was born shortly after man's first walk on the moon. Twenty two months later their second daughter, Charisse, was born.

In 1972, he began work as a Space Shuttle design integration engineer in Downey, California for NAA. In 1975, their third daughter, Felicia, was born. That same year he transferred back to KSC to help design, manufacture and install the Orbiter Processing Facility Communications and Tracking checkout station. In 1984, they welcomed their youngest daughter, April. Promoted to Supervisor of the NAA Communications and Tracking group, he supervised the checkout of the first Shuttle launch Orbiter Communications and NavAids Systems eventually becoming the Director of Advanced Programs and Business Development for Rockwell (formerly NAA) at KSC. After Boeing purchased the Space Division portion of Rockwell in 1996, Norman became the Director of Advanced Engineering for the Space Shuttle Program finishing his career in this capacity. Norman received many awards and recognitions including the Astronaut Snoopy award for his work on the Apollo Program presented by Apollo astronaut, Hank Hartsfield.

Norman worked for Boeing for over 44 years; was an avid University of Florida

Gator sports fan; enjoyed talking about his experiences in the space program as a KSC docent; was active in his church; was a doting grandfather, and devoted owner of his prized mutt, Mars Rover.

He is survived by Carol, his wife of 47 years, daughters, Genelle Buchert, Charisse Buchert, Felicia Kai (Sam) and April Walters (Cameron); brother Jerry Buchert (Laurie), sisters, Margie Vogt (Jim) and Carole Pille (Skip), half sister Chris Haley (Pat) and step sister Marlene Guerrieri (Bruno); beloved grandchildren Annabella Kai, Graciella Kai and Serenity Kai (with a fourth grandchild in progress) and many nieces and nephews.

Norman was welcomed into Heaven on May 9, 2015, after a brave and courageous battle with cancer. He was preceded in death by his father Robert Valentine Buchert and mothers, Erlene Buchert and Norma Riester Boehl. He will be in our hearts always.

HONORING APHRODITE LOUTAS

**HON. JANICE D. SCHAKOWSKY**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 15, 2015*

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to honor and thank my constituent Aphrodite Loutas, who is retiring after a distinguished 28-year career of public service. Ms. Loutas has been District 14 Chief of Staff for the U.S. Citizenship and Immigration Service (USCIS) since her appointment in 2009 and is currently the Acting District Director.

Ms. Loutas started her federal government service with Immigration and Naturalization Services (INS) in 1987 as a Supervisory Legalization Officer for the Legalization Program. She became an Immigration Examiner in 1990, and was a supervisor in Citizenship from 1991 through 1997. In 1997 she served as Central Regional Coordinator for the Headquarters Office of Naturalization Operations.

Ms. Loutas was then appointed as Special Assistant to the District Director in the Chicago district in 1999 and served in that capacity until 2005. From 2005 to 2009, she was the Assistant Director for Mission Support.

Ms. Loutas was honored in 2011 with the USCIS Director's Heritage Award for her outstanding service.

My staff and I have had the pleasure of working closely with Ms. Loutas since 1999. She is compassionate, efficient, effective, and an exemplary public servant. She will be greatly missed.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, July 16, 2015 may be found in the Daily Digest of today's RECORD.

#### MEETINGS SCHEDULED JULY 21

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the nomination of General Mark A. Milley, USA, to be Chief of Staff of the Army.

SH-216

10 a.m.

Committee on the Judiciary

To hold an oversight hearing to examine the Administration's immigration enforcement policies.

SD-226

2:30 p.m.

Committee on Foreign Relations

To hold hearings to examine the nominations of Paul Wayne Jones, of Maryland, to be Ambassador to the Republic of Poland, Hans G. Klemm, of Michigan, to be Ambassador to Romania, Kathleen Ann Doherty, of New York, to be Ambassador to the Republic of Cyprus, and James Desmond Melville, Jr., of New Jersey, to be Ambassador to the Republic of Estonia.

SD-419

Committee on Health, Education, Labor, and Pensions

Subcommittee on Employment and Workplace Safety

To hold hearings to examine the Department of Labor's investment proposal for American families and retirees.

SD-430

JULY 22

10 a.m.

Committee on Banking, Housing, and Urban Affairs  
Subcommittee on Securities, Insurance, and Investment

To hold an oversight hearing to examine the Financial Stability Oversight Council designation process.

SD-538

Committee on Commerce, Science, and Transportation

To hold hearings to examine the nomination of Marie Therese Dominguez, of Virginia, to be Administrator of the Pipeline and Hazardous Materials Safety Administration, Department of Transportation.

SR-253

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine reauthorizing the Higher Education Act, focusing on exploring barriers and opportunities within innovation.

SD-430

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine protecting the electric grid from the potential threats of solar storms and electromagnetic pulse.

SD-342

Committee on the Judiciary

To hold hearings to examine the nominations of John Michael Vazquez, to be United States District Judge for the District of New Jersey, Wilhelmina Marie Wright, to be United States District Judge for the District of Minnesota, Paula Xinis, to be United States District Judge for the District of Maryland, and Cono R. Namorato, of Virginia, to be an Assistant Attorney General, Department of Justice.

SD-226

Committee on Small Business and Entrepreneurship

To hold hearings to examine targeted tax reform, focusing on solutions to relieve the tax compliance burden for America's small businesses.

SR-428A

1:30 p.m.

Committee on the Judiciary

Subcommittee on Oversight, Agency Action, Federal Rights and Federal Courts

To hold hearings to examine Supreme Court activism and possible solutions.

SD-226

2:15 p.m.

Committee on Indian Affairs

To hold hearings to examine safeguarding the integrity of Indian gaming.

SH-216

Special Committee on Aging

To hold hearings to examine combating medicare provider enrollment fraud.

SD-562

JULY 23

10 a.m.

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine health information technology, focusing on information blocking and potential solutions.

SD-430

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine the nomination of Denise Turner Roth, of North Carolina, to be Administrator of General Services, General Services Administration.

SD-342

AUGUST 4

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine the back-end of the nuclear fuel cycle and related legislation, including S. 854, to establish a new organization to manage nuclear waste, provide a consensual process for siting nuclear waste facilities, ensure adequate funding for managing nuclear waste.

SD-366



## SENATE—Thursday, July 16, 2015

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Righteous God, lead us not into temptation but deliver us from evil. Set our lawmakers on safe paths, protecting them from dangers seen and unseen. Preserve them and their loved ones, doing for them more than they can ask or imagine. Provide our Senators with counsel even in the night seasons, that they may prevail against the evil forces that seek to destroy our Nation and world. As they trust Your loving kindness, may their hearts rejoice in Your salvation. Lord, deal bountifully with them and the members of their staffs.

We pray in Your marvelous Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. HELLER). The majority leader is recognized.

### EVERY CHILD ACHIEVES ACT

Mr. MCCONNELL. Mr. President, the pundits told us it would never happen. Republicans and Democrats will never agree on a way to replace No Child Left Behind, they said. But a new Senate that is back to work is proving them wrong. We are poised to pass bipartisan legislation that will replace an education law that no longer works with significant education reforms that will work.

It is a bipartisan bill that would take decisionmaking power away from distant Federal bureaucrats and empower parents, teachers, States, and school boards instead. It is a bipartisan bill that would end the practice of States being coerced into adopting measures such as Common Core. It is a bipartisan bill that would substitute one-size-fits-all Washington mandates for greater State and local flexibility.

Because the needs of a student in Kentucky aren't likely to be the same

as the needs of a student in Montana or California, this is a bill that would clear the way for educational standards and programs to be designed with the needs of local students in mind. In short, the Every Child Achieves Act is aimed at helping students succeed instead of helping Washington grow.

I urge colleagues to join me in passing it soon. That would be a big achievement for our kids, and it would be another reminder of what is possible in a Senate that is back to work for the American people.

After all, what did our constituents see in this debate? They saw Senators they sent to Washington, regardless of party, having their voices heard. They saw Senators working across the aisle. They saw Senators of both parties offering amendment after amendment and then voting to adopt many of them.

On this bill alone, the new Senate has already taken rollcall votes on 17 amendments. We expect to take up to 6 more today. Just to put that in perspective, the new Senate will have taken more amendment rollcall votes on this single bill alone than the old Senate took all of last year on all bills combined. That is something we should all want to celebrate because it means the voices of the American people are being heard again here in the Senate.

So I want to thank the senior Senators from Tennessee and Washington for all of their hard work on this bill. Their continued dedication helped to lead us to the point where we are today.

I also want to acknowledge the efforts of the House of Representatives on this issue. The Republican-led House passed legislation to address this issue the past few years, but the old Senate did not act. This year the Senate, under new management, is poised to finally do its job. We look forward to going to conference with the House on this issue.

But first, we must pass the bill before us. So let's keep the productive momentum going. Let's pass this bill, and let's replace No Child Left Behind once and for all.

After all, we have already seen how States such as Kentucky have been able to achieve more success by obtaining just a limited amount of flexibility from the current law via conditional waivers. Just imagine what Kentucky and other States can achieve when fully empowered to do what is right for their students.

### ORDER OF PROCEDURE

Mr. MCCONNELL. Now, Mr. President, I ask unanimous consent that notwithstanding the provisions of rule XXII, the vote on the motion to invoke cloture on the motion to proceed to H.R. 22 occur at 2:15 p.m. on Tuesday, July 21.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

### THE HIGHWAY BILL

Mr. MCCONNELL. Mr. President, let me just say to all Senators that we are making progress on the highway bill, and we are setting the vote for next Tuesday to allow the bipartisan supporters of a longer term bill a couple of days to complete the draft substitute.

Chairman INHOFE, Senator BOXER, and a bipartisan group of Senators are working out the final language. I want to thank them for their efforts, and I hope we will find a way to go forward on a multiyear, paid-for highway bill.

### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

### A COOPERATIVE MINORITY

Mr. REID. Mr. President, I commend Senators MURRAY and ALEXANDER for their good work on this education bill. But I want the RECORD to be spread with this. The bill is passing this Congress because we have had a constructive minority during this Congress.

Senator Harkin, who was chair of that committee, had indicated—and I said this on the RECORD last week—that on two separate occasions they reported the bill out of the education committee, but it was filibustered and never got to the floor.

So I understand why my friend the Republican leader is beating his chest about how great the Senate works, because it does work if you have a cooperative minority, and that is what we have done. We have worked very hard to try to get this done, and as a result of our work together, we have been able to get it done. But please save everyone the lack of history. My friend keeps bringing up: Boy, the Senate is working so well. It is very cynical what my friends did in stopping everything for the last 4 years. They stopped everything. Hundreds of times they stopped bills from moving to the floor. So my friend comes to the floor and

says: Oh man, things are working so great now. Isn't it great the Senate is working?

Cynical as it was, the Republicans had a plan, and that was to oppose everything. We had a Democratic President, we had a Democratic Senate, and if they opposed everything, it would work out great for them, and it did. It wasn't good for the country, but they are now in the majority. Now, how long they stay there remains to be seen.

If you look at the poll numbers about how well my friend is doing, the Republican leader is not doing very well, with the lowest numbers since they started doing polling on leaders—Democratic or Republican leaders.

So we will continue to cooperate when we can. The highway bill is coming up, and I hope we can work together to get something done on that. It is something that is long overdue. We have tried to get that done in the past, but we had Republican objections on everything we tried.

We have had 33 short-term extensions on the highway bill—33. We used to do them as a matter of routine every 5 years. But that isn't the way it is any longer. But we are going to cooperate as much as we can on the highway bill and everything else.

#### EXPORT-IMPORT BANK

Mr. REID. Mr. President, prior to leaving the floor, I want to talk about another subject that is extremely important.

One of the sad things that has happened the last few months is that Republicans have brought to a standstill—and that is even an understatement to say that—the Export-Import Bank. It is now gone. Legislation was not passed. So something we have always done in the past routinely—reauthorized this bill—we have not done so this time. The Republicans have stopped it. It is gone. The Export-Import Bank is gone.

Our ability to sell to other countries our products has been seriously overwhelmed. It is so sad. And it really is sad. Other countries have these export-import banks. There is some mindset from my Republican friends that we can't do anything that government is involved in. But if we are going to be competitive in the world, we have to have a program such as the Export-Import Bank. It has been around for a long time and has been very successful. If we don't do this, for example, the airplanes we build in the State of Washington will actually come to a screeching halt. They can sell to America but not to other countries.

Now, am I making all this up? No. In fact, other countries have these banks. Is it one or two countries? No, it is scores of countries—scores of countries. I will take a minute or two to read the names of the countries that

have working export-import banks to help their businesses and workers compete globally: Argentina, Australia, Austria, Bangladesh, Barbados, Belgium, Brazil, Canada, China, Hong Kong, Colombia, Croatia, Czech Republic, Denmark, Ecuador, Estonia, Finland, France, Germany, Greece, Hungary, India, Indonesia, Israel, Italy, Japan, Jordan, Luxembourg, Malaysia, Mexico, Netherlands, New Zealand, Norway, Oman, Poland, Portugal, Russia, Singapore, Slovakia, Slovenia, South Africa, South Korea, Spain, Sweden, Switzerland, Thailand, Turkey, United Kingdom, Uzbekistan.

Every one of these countries has a working export-import bank. Why do they have them? Because they want to be competitive. Whatever they are able to sell to a foreign country—whether a bag of wheat or some kind of product they manufacture—they want to be able to help their local businesses sell to foreign countries—but not the United States. And we are really hurting.

I can't imagine—I can't imagine—how the Republicans, whose support for business-oriented operations—we thought over the years their interest was in helping business—has just turned a blind eye. They are not interested in helping business any more. Why? Because these working Export-Import Banks are government operations. Does it cost the Federal Government of the United States money? Of course not. We have received \$7 billion back in rewards that goes to our Treasury. We make money on the deal.

So I would say to my friend who believes the Senate is working well, I wish somebody would say to my Republican friends, you know, every small business organization supports the Export-Import Bank. The chamber of commerce is not an organization that is out beating the drums for Democrats, but they are running ads all over America saying: Republicans, do something about this. Huge companies like Boeing—there are hundreds of thousands of jobs at Boeing—are dependent on being able to export those big airplanes.

As a result of Republicans' nonaction and not reauthorizing this important piece of legislation—before this collapse of the Bank took place, there were 165,000 Americans working in jobs related to the Export-Import Bank. I don't know how many there are today, but I guarantee there are not 165,000. Each day that goes by, others lose their jobs. Little companies from the State of Nevada are calling me and saying: We have to have this. We are going to go out of business.

The bad feeling my Republican friends have for anything dealing with the government so that they do stuff like this—it is hard to explain to anybody why they would do something like this.

Every one of these countries has programs. I have read their names into the RECORD. I think it is just a shame what has happened with this wonderful institution that is so good for creating jobs for America.

If the Presiding Officer would announce the business of the day.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### EVERY CHILD ACHIEVES ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1177, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 1177) to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

Pending:

Alexander/Murray amendment No. 2089, in the nature of a substitute.

Murray (for Peters) amendment No. 2095 (to amendment No. 2089), to allow local educational agencies to use parent and family engagement funds for financial literacy activities.

Murray (for Coons/Rubio) amendment No. 2243 (to amendment No. 2089), to authorize the establishment of American Dream Accounts.

Alexander (for Cruz/Lee) amendment No. 2180 (to amendment No. 2089), to provide for State-determined assessment and accountability systems.

Alexander (for Hatch/Bennet) amendment No. 2082 (to amendment No. 2089), to amend the Elementary and Secondary Education Act of 1965 relating to early learning.

Murray (for Warren) amendment No. 2106 (to amendment No. 2089), to amend title II of the Elementary and Secondary Education Act of 1965 to include specialized instructional support personnel in the literacy development of children.

Alexander (for Burr/Bennet) modified amendment No. 2247 (to amendment No. 2089), to amend the allocation of funds under subpart 2 of part A of title I of the Elementary and Secondary Education Act of 1965.

Murray (for Murphy) amendment No. 2186 (to amendment No. 2089), to establish the Promise Neighborhoods program.

Murray (for Brown/Manchin) amendment No. 2100 (to amendment No. 2089), to amend title V of the Elementary and Secondary Education Act of 1965 to establish a full-service community schools grant program.

Murray (for Sanders) amendment No. 2177 (to amendment No. 2089), to provide for youth jobs.

Murray (for Casey) amendment No. 2242 (to amendment No. 2089), to establish a Federal-State partnership to provide access to high-quality public prekindergarten programs from low-income and moderate-income families to ensure that they enter kindergarten prepared for success.

Murray (for Schatz) amendment No. 2130 (to amendment No. 2089), to amend title I to support assessments of school facilities.

Murray (for Nelson) modified amendment No. 2215 (to amendment No. 2089), to include

partnering with current and recently retired STEM professionals and tailoring educational resources to engage students and teachers in STEM.

Murray (for Manchin/Ayotte) amendment No. 2222 (to amendment No. 2089), to amend the State plan requirements of section 1111 of the Elementary and Secondary Education Act of 1965 in order to support children facing substance abuse in the home.

Alexander (for Boozman/Gillibrand) amendment No. 2231 (to amendment No. 2089), to support professional development to help students prepare for postsecondary education and the workforce.

Murray (for Baldwin/Whitehouse) amendment No. 2188 (to amendment No. 2089), to ensure States will ensure the unique needs of students at all levels of schooling.

Alexander (for Capito/Durbin) amendment No. 2156 (to amendment No. 2089), to amend the State report card under section 1111 of the Elementary and Secondary Education Act of 1965 to include the rates of enrollment in postsecondary education, and remediation rates, for high schools.

Alexander (for Thune) amendment No. 2232 (to amendment No. 2089), to allow extended services Project SERV grants under part A of title IV of the Elementary and Secondary Education Act of 1965 to be available for violence prevention activities.

Murray (for King/Capito) amendment No. 2256 (to amendment No. 2089), to amend the definitions of eligible technology and technology readiness survey and to provide a restriction on funds.

Murray (for Schatz) amendment No. 2240 (to amendment No. 2089), to provide resources needed to study and review Native American language medium schools and programs.

Murray (for Warren/Gardner) amendment No. 2249 (to amendment No. 2089), to amend section 1111(c) of the ESEA to require States to provide an assurance regarding cross-tabulation of student data.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. AYOTTE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. AYOTTE. Mr. President, I come to the floor this morning to speak about the bill that we have pending on the floor, a law that is long past due for reexamination and reauthorization, the Elementary and Secondary Education Act.

This law was last updated in 2001 as the No Child Left Behind Act. Fourteen years is far too long to go without updating the primary law focused on an issue that is so important to the future of our country, ensuring that children in New Hampshire and across this country receive a high-quality education.

I am the mother of a 7-year-old and 10-year-old, and this could not be a more important issue to me and to, I know, other mothers across the country. Many parents, teachers, and school leaders in New Hampshire have ex-

pressed to me their concerns about No Child Left Behind, and so it is past time for us to update and improve this law.

I believe education decisions are best made locally, including decisions about school curriculum and how education dollars are spent. While its goals of accountability were very important and laudable, No Child Left Behind, unfortunately, imposed a one-size-fits-all regime on every school in every State in this country.

No Child Left Behind imposed unworkable mandates and unreasonable goals that led many schools in America to be labeled as failing, with no reasonable way to get off the failing list. Congress's inaction, up to this point has led to a system where the Federal Secretary of Education can dictate to States what priorities they must set in order to receive a conditional waiver from parts of this law.

This Senate's bipartisan education reform bill, the Every Child Achieves Act that is on the floor right now, would return decisionmaking on education to where it belongs, back to States, local schools, teachers, and parents.

I wish to thank Chairman ALEXANDER and Ranking Member MURRAY of the HELP Committee for conducting an open debate on this critically important legislation and working together. I am encouraged that Republicans and Democrats worked together and overcame disagreements to move this important legislation forward. That is how the Senate should work and that is what the American people deserve from their elected representatives.

Like all Granite Staters, I want children in our State and across our country to have even better opportunities than our generation has had, and the foundation for future success starts with a quality education. Every parent knows that, and that is why this is such an important topic that we have been debating on this floor.

Granite Staters have shared with me some of the biggest challenges facing our students because of No Child Left Behind, and the Every Child Achieves Act seeks to address them. For example, as I mentioned, No Child Left Behind created a one-size-fits-all system that ignored differences between different parts of the country and primarily used tests as the measure of accountability at the expense of other important measures of success, such as student progress, attendance and graduation rates, parent and teacher engagement, among others.

We have seen what happened under this law over the last decade. Schools are overtesting and educators are teaching for the test as opposed to making sure our children really learn the topic matter. That is not how we should be educating our young people.

We want to make sure they have a firm understanding of the concepts they are learning in school.

The Every Child Achieves Act restores these powers to the States. It makes sure States have the flexibility they need to develop their own ways to test and measure accountability. I know from our local communities and our local school boards that they are focused every single day in their own communities on making sure their communities are delivering the best quality education and understand the geography and the different challenges facing their communities, and it is important we restore that decision-making to them.

This bill will let States decide how to measure student achievement and school success within their own borders. What might be right and work for North Dakota may not be the right approach for a State like New Hampshire, and so this allows each State and locality to engage on what is best for the State.

The Every Child Achieves Act also prohibits Washington from mandating or incentivizing any States to adopt any particular curriculum standards, such as common core. This is an issue many of my constituents have raised with me, and so this bill will, again, restore this decisionmaking to the States and the parents and teachers. In doing so, this bill reaffirms that it should be the State, not the Federal Government, that determines education standards. Each State is different and uniquely situated to determine the curriculum and accountability measures that best fit the needs of their students without interference from Washington. We don't need the Washington-knows-best attitude. We know the best decisions are made locally.

This bill includes additional reforms that will help strengthen our education system and better prepare our young people to join the rapidly changing and competitive global 21st century workforce. It ensures parents can still have access to data about their State, district, and school's education performance so they can make informed decisions about their child's education. It increases support for high-quality charter schools, giving parents greater choice to determine the best learning environment for their children. It creates State-based need assessments to help identify low-performing schools and allows States, not the Federal Government, to determine how to best help low-performing schools.

All of these reforms are much needed, commonsense steps toward reforming and improving our education system, and I believe more can be done to specifically help students in New Hampshire. That is why I appreciate the willingness of Senators ALEXANDER and MURRAY to work with me to allow votes on several bipartisan amendments that I have included in this bill,

and I know this has been a very open process. This is how the Senate should operate.

I was able to work across the aisle on a number of amendments that addressed New Hampshire's priorities. The first of those is strengthening our mental health first aid training to ensure that school personnel have the critical mental health first aid training they need to improve the safety and well-being of students in schools in New Hampshire and across the country. This is something I have heard so much about from our local communities. That is why I was pleased to see the Senate adopted my amendment on mental health awareness training programs yesterday.

I wish to thank Senator BLUMENTHAL for working with me to include this important amendment that will help school personnel safely address mental health issues earlier, before they reach a crisis stage.

I know an issue I have heard so much about in New Hampshire about that 21st century workforce is STEM education. When it comes to developing the high-skilled workers we need to compete, we must ensure that we have better STEM education in our schools for that next generation of American innovators. Promoting education initiatives and job training in the areas of science, technology, engineering, and mathematics is critical to ensuring that we stay on the cutting edge and that we ensure that our children have the skills they need to get those good-paying jobs when they leave high school, postsecondary education, and beyond with their college education.

Over the last few years, an effort to increase students' proficiency and close the education gap between the United States and other countries has seen a renewed focus on STEM, and we have seen it in New Hampshire as well. One of the issues I have seen a focus on which I think is very important is including more women and girls in STEM education.

At the college level, women are currently studying in the STEM fields at a lower rate than men, and many women who do earn STEM degrees actually end up working in other fields. Despite that fact, we are expected to see a 20-percent increase in STEM jobs we are going to need to build that workforce. Yet women only make up 25 percent of the STEM workforce. So we have a long way to go, and that is one of the reasons I worked with Senator GILLIBRAND on a measure to broaden student access to mentorship, tutoring, and afterschool activities to encourage interest in and develop STEM skills. Our amendment was focused on encouraging States to explore ways to increase participation in STEM programs by underrepresented groups, including girls, minority students, English learners, students with disabilities, and low-

income students, so we can have a broad array of our students ready to take on those jobs and the workforce we need to grow our economy.

Another area where we need to grow the economy in our country is in manufacturing. We are seeing the beginnings of a manufacturing renaissance. Last week, I was visiting a company in New Hampshire called Rapid Manufacturing in Nashua, NH. They have a partnership with a local community college to train their workforce and to bring them right from the community college into Rapid Manufacturing. They have more positions than they can fill right now. In fact, they are going into the middle schools and high schools to get kids excited about career and technical education. We really need this, and the jobs are there. I hear this from so many of our employers.

I was glad to work across the aisle on an important amendment that did not get included but got quite a bit of support from Senator KAINE and gained support from Senators PORTMAN, CAPITO, GRAHAM, BOXER, WHITEHOUSE, CASEY, and WARNER, and I wish to thank them.

This would create a pilot program in our middle schools to get our children excited about career and technical education for those advanced manufacturing jobs where we need to grow our workforce. While I am disappointed this amendment was not included on this bill, I am encouraged that Senator ALEXANDER said he would be open to working with us on this effort as a potential when we reauthorize the Perkins Act in the future, which will deal with higher education.

In addition to the issues we see with workforce, STEM, and manufacturing, unfortunately, an issue too many of our States are dealing with—and New Hampshire has been hit hard—is substance abuse. As part of my ongoing efforts to combat the heroin and prescription addiction crisis in New Hampshire, I worked with Senator MANCHIN to put forth two measures to better assist students dealing with substance abuse issues at home. Our amendment would encourage local education decisionmakers to provide professional development, training, and technical assistance to schools and communities that are affected by the crisis of addiction, and this is something I know we are also going to address in an amendment I am supporting later today.

New Hampshire has been a leader in what is called competency-based education. What that means is actually assessing students on measures other than tests. That is actually measuring students on innovative assessments and measures of accountability; for example, when students actually go out into their community and have real hands-on experience based on the career they are focusing on. New Hampshire has been the first State in the

Nation to actually receive a grant on competency-based education.

I was very glad to work with Senator KING to improve a section of this bill that would allow a greater ability for States to participate in alternative assessment pilot programs like we have seen in New Hampshire. This is, again, about transferring control from Washington of how we assess how our students are doing and how we ensure accountability in our schools to innovative local ideas like what we have seen in New Hampshire when it comes to competency-based education. So I want to thank Senator KING for working with me on that.

There are a number of other amendments for which I thank my colleagues on both sides of the aisle and which I think are very important in this bill. I was very glad to work on them with my colleagues. They include working with Senator BOOKER on assisting homeless and foster youth; working with Senator WARNER on including language ensuring better transitions from school to the workplace; and working with Senator BENNET on supporting the use of shared service alliances for early childhood education programs. For example, in New Hampshire we have the Seacoast Early Learning Alliance. I was very glad to work with Senator BENNET on that amendment. Also, improving oversight of the Early Learning Alignment and Improvement Grants Program—oversight of our programs is critical. I was glad to work with Senator WARNER on oversight of these programs and, finally, work with Senator ISAKSON again on the local control piece, and that is putting the decisionmaking back with the parents. This amendment will better inform parents about their rights when it comes to mandatory assessments and the qualifications of their classroom teachers. I think we need to inform parents so that they can make the best decisions for their children.

I am confident that the bipartisan, commonsense reforms in the Every Child Achieves Act will improve our education system and certainly make sure that the decisionmaking rests where it should—with parents, teachers, local school boards, and our States, rather than the Washington one-size-fits-all approach we have seen too often. In turn, it will help prepare students in New Hampshire and across our country for good careers and a brighter future. All of us here want to ensure that our children will have better opportunities than we have had in this great country, and we certainly owe that to our children. I am very glad we had this important debate on the floor.

Again, I thank Senator ALEXANDER and Senator MURRAY for working across the aisle on this important bill.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER (Mr. ROUNDS). The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

EPA RULE

Mr. BARRASSO. Mr. President, late last month, the Supreme Court issued a severe rebuke to the Obama administration and to his Environmental Protection Agency. It was a strong stand against Washington overreach.

The Environmental Protection Agency had written what it called the mercury and air toxics standards rule. The rule was a key part of the Obama administration's war on coal. The Supreme Court said that when Washington bureaucrats were writing this rule, they failed—the EPA failed—to consider the overwhelming costs they were imposing on hard-working American families. The Court said: "One would not say that it is even rational, never mind appropriate, to impose billions of dollars in economic costs in return for a few dollars in health and environmental benefits." It wasn't even rational, never mind appropriate. The Court's decision was exactly right, and many of us saw it as a big step forward in reining in this out-of-control Environmental Protection Agency.

Here is the problem. The rule came out in 2012, and the Supreme Court didn't make its ruling until 2015. That is 3 years. It is far too late for many Americans who work at coal plants and who have already been hurt by the EPA's ruling in 2012. That is because power companies were already having to comply with that rule while it made its way through the court process. They have already closed plants because of the rule, even though the Supreme Court now says that the rule was inappropriate, it was wrong. Now, unemployed workers won't get their jobs back now that the Court has ruled against the Obama administration. Because of these regulations, people are already paying higher electricity rates than they would have been paying otherwise. Consumers don't get their money back, either, now that the Supreme Court says the Environmental Protection Agency overstepped its authority.

This isn't the first time this Agency has gone beyond the law and beyond what it is allowed to do. That is what it did when it put out its so-called waters of the United States rule. It is a recent rule—waters of the United States. It is a new regulation. The Agency wants to use it to greatly expand government control over the Nation's land and water. Farmers, ranchers, hard-working families would no longer be able to decide what to do with their own land. States, counties, and towns would no longer be able to decide what regulations will be best to

protect the streams and the waters and the lakes within their borders. That is the problem. These decisions would now be made by Washington bureaucrats no matter what the cost, no matter how small the benefits or how large the cost.

Not only did the Agency increase its authority dramatically, it appears that it abused the rulemaking process to get the results the EPA wanted. What do I mean by that? Well, when Washington writes big, expensive regulations, it is supposed to have a public comment period so that people who might be harmed by the rules can have their say. According to news reports, when the EPA was writing the waters of the United States rule, the EPA twisted the public comment process into its own private, government-funded spin machine. This government agency ignored the negative comments by Americans who were actually concerned about the law and who were hurt by the law.

That is not what I am saying; that is what the New York Times said when it reported on the scandal back in May. The New York Times said that the EPA used taxpayer dollars to lobby liberal groups to flood the Agency with positive comments. These were the same phony, ginned-up comments that it used to justify the dramatic overreach of its new regulations. It is incredible, it is unbelievable, and I believe it is also illegal.

If my colleagues want another example of overreach by the Environmental Protection Agency, look at the regulations it wrote to restrict the amount of carbon dioxide produced by powerplants. It is called the Clean Power Plan. When the EPA was writing this rule, it did the exact same thing the Supreme Court just said was not even rational. The EPA counted up what it said would be the benefits of the regulation without caring at all about the true costs.

So what are the true costs? Well, according to one estimate, the new regulations would add up to \$366 billion in additional costs over the next 15 years. That cost will be passed on to consumers and will force more powerplants to close and more Americans to lose their jobs. For all of that expense, all of that damage to hard-working families, the benefits would be minimal.

The Obama administration makes wild claims about environmental benefits of this regulation. They are the same kinds of claims that it made for the rule the Supreme Court just called unreasonable. The Agency exaggerates the benefits, the Agency ignores the costs, and it puts its thumb on the scale to come up with the policy that it wants.

One of the big costs the Environmental Protection Agency has been ignoring is the damaging health effects

of the unemployment caused by the regulations. When a powerplant closes, people in those communities lose their jobs and their health suffers. High unemployment increases the likelihood of hospital visits, of illnesses, of premature death. High unemployment raises health care costs, and it hurts children's health and family well-being. Those are real costs to families, to society, and the EPA continues to intentionally ignore them.

The Environmental Protection Agency was wrong when it wrote its mercury and air toxics rule, it was wrong when it wrote its waters of the United States rule, and it was wrong when it wrote its powerplant rule.

The Supreme Court has said the Environmental Protection Agency needs to take a more honest approach—the Supreme Court telling President Obama's EPA to take an honest approach—and it needs to take the true costs into consideration. That is what States across the country are already doing. Governors in Oklahoma, Wisconsin, Indiana, and Texas are refusing to be bullied by the Obama administration. They are refusing to give up their right to decide what is best for their own citizens. I believe these States are taking the right approach. They are waiting to get a true idea of the costs as well as the benefits before they rush to allow rules that would shut down powerplants and put thousands of people out of work. The Supreme Court says that is what Washington should be doing as well.

Maybe now the Obama administration will finally listen and start basing its regulations on what the science says is true, not just on what the bureaucrats of the administration wish were true.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, in my home State of Washington and across the country, students and parents and teachers and communities are counting on us to finally fix No Child Left Behind. I have been very glad to work with Chairman ALEXANDER on our bipartisan bill called the Every Child Achieves Act. Our bipartisan bill gives States more flexibility while also including Federal guardrails to make sure all students have access to a quality public education.

I am very proud of the bipartisan work we have done on the Senate floor—debating amendments, taking votes, and making this good bill even

better. It is not the bill I would have written on my own, and I am sure it is not the bill Chairman ALEXANDER would have written on his own, but it is a good, strong step in the right direction. And it is not the last opportunity, of course, we will have to work on this bill before it is signed into law. In fact, after the Senate passes the bill today, we will go to conference, and then I will be looking forward to working closely with their ranking member, BOBBY SCOTT, with the administration, and with Democrats and Republicans in the House and Senate who are interested in building on the Senate's bipartisan work and getting this done. I hope Chairman KLINE and House Republicans will be willing to join us at the table to reach an agreement on the final product that works for our kids and our parents and our schools and our communities across the country.

Strengthening accountability is extremely important to me and to Ranking Member SCOTT. Democrats, including 42 of our Senate Democrats, voted for Senator MURPHY's accountability amendment yesterday. It is also important to the administration. We will continue to push for that in conference.

We still have more work to do today before we wrap up and vote on final passage. The senior Senator from Pennsylvania has offered an amendment to expand access to high-quality early education. That is being offered by Senator CASEY. Making sure kids can start kindergarten ready to learn is one of the best investments I believe we can make to help our kids succeed in school and later in life. I urge my colleagues to vote for that amendment when it comes up for a vote shortly. Then, of course, we will have a number of other amendments and finally passage, and hopefully we will be able to reach that in a positive way today.

Mr. President, I said this many times on the Senate floor, but it bears repeating to emphasize how important education is for the future of this country. Providing a quality education isn't just good for students today, it is an investment in our future workforce, it is an investment in our future economy, and it is an investment in a growing strong middle class that will help our country grow stronger. As we all know, across the country today, parents, students, and teachers in our communities are looking to us to fix No Child Left Behind.

So, again, I commend Senator ALEXANDER for his strong work on this, for his willingness to work on a bipartisan basis and get us to where we are today, to be able to look very soon to passing the bill out of the Senate and continuing our work to fix this broken law.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I thank the Senator from Washington for her comments. At 10:45 a.m., we will begin voting. We have six amendments—five or six that we expect to vote on, and then at 1:45 p.m. we will have passage of the bill or cloture and final passage of the bill. So we will finish our bill fixing No Child Left Behind today. Of course, in the U.S. Senate nothing is done until it is done, so I don't want to anticipate that—but I think it is fair to make a few comments about the bill at this point, anticipating we will have a successful conclusion this afternoon.

If we are able to pass a bill fixing No Child Left Behind this afternoon, it will be a remarkable accomplishment for a U.S. Senate filled with 100 experts on education. I said earlier this week that dealing with a piece of legislation about elementary and secondary education is a little bit like going to a football game at the University of Tennessee, where there are 100,000 people in the stands and every one of them is an expert on football, and they know exactly what the next play is to call. Consensus among experts is not easy, but consensus is necessary in the U.S. Senate if we are going to deal even with such a complex problem as this, and that is exactly what we have achieved.

As Senator MURRAY said, we found a consensus first about the urgent need to fix No Child Left Behind, 7 years overdue. That is our collective thought in the U.S. Congress. We tried twice the last two Congresses, but we fell apart over partisan differences. I will give Senator MURRAY credit for coming up with the idea of how we began this process earlier this year, and that was for the two of us, consulting with our committee members and other Senators, to produce a draft that would be a starting point for our committee, and that worked well. We considered nearly 60 amendments in committee, adopted 27, I believe, and the committee reported unanimously to this body a bill to fix No Child Left Behind. That gave us a very good head start because members of our committee represent some of our most liberal Members and some of our most conservative Members. The fact that we could agree on how to take that step made a big difference, and that is one reason we will succeed this afternoon in passing the bill.

So we found a consensus not only on the urgent need to fix No Child Left Behind but on how to fix No Child Left Behind, and the consensus is this: continue the law's important measurements of academic progress of students but restore to States, school districts, classrooms, teachers, and parents the responsibility for deciding what to do about improving student achievement. That theme runs through this bill.

This change, in my opinion, should produce fewer tests and more appro-

priate ways to measure students' achievement. It is the most effective way to advance higher State standards, better teaching, and real accountability. We have had a lot of talk about accountability during this debate, as we should have, and the Presiding Officer, as I was, having been a Governor, watched over the last 15 years how States have become better prepared in dealing with student achievement, how they worked together to create higher standards State by State, worked together to create better assessments, tests State by State, and now work together to create better accountability State by State.

This bill is a recognition of that preparation by the States and recognition also as the New York Principal of the Year said in a letter to us, that people closest to the children cherish their children, and we should not assume that just because we have flown to Washington, DC, for the week that suddenly we are so much wiser about what to do about children in 100,000 public schools and cherish the children more than the classroom teachers and the parents and the school board members and the community and the legislators and the Governors who are closer to them than we are.

The next step, if we are successful this afternoon, is to go to a conference with the House. I have had numerous discussions with Chairman KLINE at the House of Representatives. We have been on parallel paths. We know better than to try to make our institutions do exactly the same thing—that defies human nature—but we can communicate and stay in touch with each other, and our bills are not that different. The committee members are familiar with the bill. There are some important differences, and we will have to work those out, but our goal, if we succeed today, is to take the bill passed by the House, put it together with the Senate bill, produce a conference report, and send it to the desk of President Obama in a form he will be comfortable signing.

I believe the President also sees the need to fix No Child Left Behind. He knows there is confusion and anxiety in most of our 100,000 public schools that need to be settled, and we hope we have come up with a version of the bill that while it wouldn't be the bill he would write if only he were writing it—and as Senator MURRAY said, it is not the bill she would write if only she were writing it, and it certainly would not be the bill I would write if only I were writing it, but we had a consensus we needed to come to. Why do we need a consensus? Because that is how to govern in a complex society.

I first came to the Senate at a young age in the late sixties, and I watched Everett Dirksen, the Republican leader, and President Johnson, the Democratic President, work together to



produce the civil rights legislation. That was more difficult than this—although this has been pretty difficult. It took 68 votes to get cloture at that time, and they did that. It was only because they had a consensus. Senator Russell from Georgia, who had opposed the civil rights bill, went home to Georgia the next day and said: It is the law of the land. We need to support it. The way to govern a complex country is through consensus, and the agency of our government that is the only agent for encouraging and achieving consensus is the U.S. Senate. I thank my colleagues on both sides of the aisle for creating an environment where we could do that.

Senator McCONNELL has done that by putting the bill on the floor, giving us enough time to have amendments, and having a policy of encouraging amendments so Senators on both sides can have their say, both on the committee and on the floor. There have been more Democratic amendments considered and adopted than Republican amendments, and that is appropriate. Senator CORNYN, Senator THUNE, Senator BARRASSO on this side of the aisle have been very helpful.

I have several times thanked the Democratic leader Senator REID. He has helped to create an environment that permitted this to move in an orderly fashion. We basically conducted the end of the consideration of this bill by unanimous consent. Enough Senators had a chance to have their say that they agreed by unanimous consent that we can consider these amendments and only these amendments in a certain way, with a certain amount of time, and go all the way through to the end. That is a very good way to operate the Senate, and the Democratic leader made that possible, first by allowing the bill to come to the floor without a cloture vote and by working with us as we went through it, and Senator SCHUMER and Senator DURBIN, who along with Senator MURRAY are part of the Democratic leadership, have done the same.

Senator VITTER, Senator LEE, Senator TOOMEY, and Senator BURR have all stepped back a little bit on things they would like to do—so did Senator FRANKEN and so did Senator CASEY on that side of the aisle. In other words, a number of Senators exercised restraint to permit us to work toward a result. In a body that operates by unanimous consent, that is absolutely essential. So this has been a good process.

We have six more amendments this morning, and we look forward to debating those and acting on them. At 1:45, hopefully, we will have a big vote in favor of fixing No Child Left Behind, reflecting the consensus that will keep the important measurements of student achievement, but we will turn back and restore to the State and local governments the responsibility for

what to do about the results of those tests. That is the consensus in this bill that survived very well through the committee process and through the amendments so far, and I expect it to survive through the rest of the day.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CRUZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### AMENDMENT NO. 2180

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote on the Cruz amendment No. 2180.

The Senator from Texas.

Mr. CRUZ. Mr. President, there are a number of Members of this body who in good faith are moving forward to reduce the Federal burdens on States, on teachers, on education. Yet at the end of the day, this bill still mandates specific testing requirements. This amendment is a straightforward amendment to remove the testing mandates and to leave the substance of any testing that occurs to the States.

This leaves power over choices in education in the hands of teachers, in the hands of school boards, in the hands of States, in the hands of government that is closest to the people. We have seen with the bipartisan objection to Common Core that the last thing we need in education is unelected bureaucrats in Washington dictating what is being taught to kids at home. This amendment simply takes out the Federal mandates and empowers teachers, school boards, and parents to control the education of their own children.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I would urge a “no” vote on this amendment. This is the report card. The Federal Government is saying: We will give you \$23 billion, and all we are asking in return is that you, State, write a test; that you, State, figure out what the accountability system is and you report it to the parents and the public.

That would mean a third grader, for example, would take two tests a year. Each test would be about 2 hours. So it is a State test, a State assessment. In our Alexander-Murray bipartisan bill, we keep what works in No Child Left Behind, which is the report card, but we get rid of what does not work, and we give back to States responsibility for determining student achievement. This is the consensus that supports this bill.

Keeping the important measure of student achievement is essential to

maintaining that consensus. So if you want to get rid of the Common Core mandate, get rid of the waivers for 42 States, reverse the trend to a national school board, vote no and keep the requirement for important measures of student achievement, which are State tests.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2180.

Mr. ALEXANDER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from South Carolina (Mr. GRAHAM).

Mr. DURBIN. I announce that the Senator from Florida (Mr. NELSON) is necessarily absent.

The PRESIDING OFFICER (Mrs. FISCHER). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 40, nays 58, as follows:

[Rollcall Vote No. 242 Leg.]

#### YEAS—40

Barrasso	Grassley	Risch
Blunt	Hatch	Roberts
Boozman	Heller	Rubio
Burr	Hoeven	Sasse
Cassidy	Inhofe	Scott
Coats	Isakson	Sessions
Cornyn	Johnson	Shelby
Cotton	Lankford	Sullivan
Crapo	Lee	Tillis
Cruz	McCain	Toomey
Daines	McConnell	Vitter
Enzi	Moran	Wicker
Ernst	Paul	
Fischer	Perdue	

#### NAYS—58

Alexander	Flake	Murray
Ayotte	Franken	Peters
Baldwin	Gardner	Portman
Bennet	Gillibrand	Reed
Blumenthal	Heinrich	Reid
Booker	Heitkamp	Rounds
Boxer	Hirono	Sanders
Brown	Kaine	Schatz
Cantwell	King	Schumer
Capito	Kirk	Shaheen
Cardin	Klobuchar	Stabenow
Carper	Leahy	Tester
Casey	Manchin	Thune
Cochran	Markey	Udall
Collins	McCaskill	Warner
Coons	Menendez	Warren
Corker	Merkley	Whitehouse
Donnelly	Mikulski	Wyden
Durbin	Murkowski	
Feinstein	Murphy	

#### NOT VOTING—2

Graham	Nelson
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The amendment (No. 2180) was rejected.

#### AMENDMENT NO. 2177

The PRESIDING OFFICER. Under the previous order there will be 2 minutes of debate equally divided prior to a vote on the Sanders amendment No. 2177.

The Senator from Vermont.

Mr. SANDERS. Madam President, I applaud President Obama for visiting a



Federal penitentiary today to highlight the fact that, tragically, the United States has more people in jail than any other country on Earth. One of the reasons we have so many people in jail is that we have an obscenely high level of youth unemployment: for young White kids, 33 percent; for Hispanic kids, 36 percent; for African-American kids, 51 percent.

The time has come for us to begin investing in jobs and education for our kids, not jails and incarceration. This bill, over a 2-year period, would create 2 million jobs for our young people. It is paid for by closing the carried-interest loophole that allows billionaires to pay a lower tax rate than working class Americans.

It is high time we addressed this issue of high youth unemployment. I ask for bipartisan support.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, the five remaining votes will be 10-minute votes.

I urge a "no" vote, No. 1, because this proposal is unconstitutional. You cannot start a tax increase in the Senate. It has to start in the House. No. 2, we already have three workforce programs that we created just last year: Jobs Corps, the youth bill, and dislocated workers. No. 3, it is a big tax increase. So because it is a big tax increase, because it is duplicative of existing programs, and because it is unconstitutional, I urge a "no" vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mrs. MURRAY. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from South Carolina (Mr. GRAHAM).

Mr. DURBIN. I announce that the Senator from Florida (Mr. NELSON) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 43, nays 55, as follows:

[Rollcall Vote No. 243 Leg.]

#### YEAS—43

Baldwin	Feinstein	Mikulski
Bennet	Franken	Murphy
Blumenthal	Gillibrand	Murray
Booker	Heinrich	Peters
Boxer	Heitkamp	Reed
Brown	Hirono	Reid
Cantwell	Kaine	Sanders
Cardin	Klobuchar	Schatz
Carper	Leahy	Schumer
Casey	Markley	Shaheen
Coons	McCaskill	Stabenow
Donnelly	Menendez	
Durbin	Merkley	

Tester  
Udall

Warner  
Warren

Whitehouse  
Wyden

#### NAYS—55

Alexander  
Ayotte  
Barrasso  
Blunt  
Boozman  
Burr  
Capito  
Cassidy  
Coats  
Cochran  
Collins  
Corker  
Cornyn  
Cotton  
Crapo  
Cruz  
Daines  
Enzi  
Ernst

Fischer  
Flake  
Gardner  
Grassley  
Hatch  
Heller  
Hoeven  
Inhofe  
Isakson  
Johnson  
King  
Kirk  
Lankford  
Lee  
Manchin  
McCain  
McConnell  
Moran  
Murkowski

Paul  
Perdue  
Portman  
Risch  
Roberts  
Rounds  
Rubio  
Sasse  
Scott  
Sessions  
Shelby  
Sullivan  
Thune  
Tillis  
Toomey  
Vitter  
Wicker

#### NOT VOTING—2

Graham

Nelson

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

#### AMENDMENT NO. 2243

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on the Coons amendment No. 2243.

The Senator from Delaware.

Mr. COONS. Madam President, the bipartisan amendment I am offering today with Senator RUBIO—and I am grateful to Senator GILLIBRAND for co-sponsoring—this American dream accounts amendment is about one thing: giving every child the chance to go to college if they are willing to work hard for it. Time and again, we have seen in this country what kids can achieve when they know their dreams are possible. That is what this amendment and the American dream accounts help solve, ensuring that every child knows a college education is possible.

The American dream accounts encourage partnerships in 10 demonstration sites to develop secure, Web-based student accounts that develop information about each student's literacy and academic preparedness and then ties it to high-impact mentoring and a college savings account.

I myself have seen over the years of working with the national "I Have a Dream" Foundation how sending the message to our kids that college is a real possibility for them can make a powerful impact, from elementary school, to middle school, to high school, to college, and it has an impact that changes their behavior and their outcomes in school.

American dream accounts are a bipartisan idea whose time has come. I urge my colleagues to support it with a "yes" vote.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, if I could have the attention of Senators, we have four more votes before lunch. It is 11:40 a.m. What we would

like to do is to have 10-minute votes. So if Senators will stay on the floor, we will have 10-minute votes or come as close to that as we can.

Madam President, this is an interesting idea, but it belongs in the Higher Education Act, which we are about to take up in our committee, and here is why: It duplicates two existing Federal programs called Gear Up and TRIO.

No. 2, we already have \$30 billion of tax credits that we spend. This involves more tax credits. We already spend \$30 billion. We should calculate the advantages of this program, along with the \$100 billion of loans we make, the \$35 billion of Pell grants we make, the \$30 billion of tax credits we have, and see where it fits into that. The time to do that is in the next big bill we have from our committee, which is the reauthorization of the Higher Education Act.

I urge a "no" vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. COONS. Madam President, how much time do I have remaining?

The PRESIDING OFFICER. There is no time remaining.

Mr. RUBIO. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from South Carolina (Mr. GRAHAM).

Mr. DURBIN. I announce that the Senator from Florida (Mr. NELSON) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 68, nays 30, as follows:

[Rollcall Vote No. 244 Leg.]

#### YEAS—68

Ayotte	Gardner	Murray
Baldwin	Gillibrand	Peters
Bennet	Heinrich	Reed
Blumenthal	Heitkamp	Reid
Blunt	Hirono	Risch
Booker	Hoeven	Rubio
Boozman	Inhofe	Sanders
Boxer	Johnson	Sasse
Brown	Kaine	Schatz
Cantwell	King	Schumer
Capito	Kirk	Scott
Cardin	Klobuchar	Shaheen
Carper	Leahy	Stabenow
Casey	Manchin	Sullivan
Coons	Markley	Tester
Cotton	McCain	Toomey
Crapo	McCaskill	Udall
Cruz	McConnell	Vitter
Daines	Menendez	Warner
Donnelly	Merkley	Warren
Durbin	Mikulski	Whitehouse
Feinstein	Moran	
Franken	Murphy	Wyden

#### NAYS—30

Alexander	Burr	Coats
Barrasso	Cassidy	Cochran

Collins	Hatch	Portman
Corker	Heller	Roberts
Cornyn	Isakson	Rounds
Enzi	Lankford	Sessions
Ernst	Lee	Shelby
Fischer	Murkowski	Thune
Flake	Paul	Tillis
Grassley	Perdue	Wicker

## NOT VOTING—2

Graham	Nelson
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The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is agreed to.

## AMENDMENT NO. 2247, AS MODIFIED

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on the Burr amendment No. 2247, as modified.

The Senator from North Carolina.

Mr. BURR. Madam President, in 1965, President Lyndon Johnson, when the ESEA was passed, said this: Financial assistance to school districts serving areas with concentrations of children of low income should be the target of it. We have never successfully targeted all of those kids in poverty.

Let me say to my colleagues, if your State is in red, your poor students lose under the current formula.

Now, we have come to a compromise, and though I don't think it reflects the best policy, compromise is at the heart of this institution. Therefore, with \$14 billion worth of appropriations in title I-A today, this new formula would not take place until we have reached \$17 billion, meaning for the next years—probably 10 based upon historical numbers—there would be no change in the distribution in any States. But after that point, this body, for once—for the first time in 50 years—would have the money follow kids in poverty, represented by the red States we see on this map.

I urge my colleagues to support this amendment. It is the right thing to do. I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Madam President, I ask that 30 seconds of my time be yielded to the Senator from Ohio.

I oppose this amendment. I thank the Senators from Tennessee, Washington, and North Carolina for making it less onerous. We did come to a compromise. As he said, it starts at \$17 billion, but there is still a major fallacy here.

When we change formulas, we have always held harmless the States that would lose money, but we have been able to increase money. In this bill, we don't. We keep it flat. So we are robbing Peter to pay Paul, which will be an awful precedent which will bite every one of us.

Second, my good friend said the money should go to people from poverty, but they also voted against the Merkley amendment, which required the money to go to people in poverty, and now it can go anywhere.

So I respectfully urge my colleagues to oppose this amendment, although it is improved from the original.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Madam President, I appreciate the fact that we have delayed the impact of this, but the impact is still severe. In my State and many other States, we will see a significant cut.

Do my colleagues know what it is? It is telling States that if you invest in children, you are going to be penalized.

This legislation, the underlying bill, is about helping our children succeed. Yet, in this amendment, we are actually telling States that if you help your kids succeed, you are going to be penalized under a new formula. It is not part of the bill that came out of committee. It is not part of the underlying bill.

So I urge my colleagues to vote no on this amendment and ensure that the States that are helping our kids continue to be able to do so.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. ALEXANDER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from South Carolina (Mr. GRAHAM).

Mr. DURBIN. I announce that the Senator from Florida (Mr. NELSON) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 59, nays 39, as follows:

## [Rollcall Vote No. 245 Leg.]

## YEAS—59

Alexander	Ernst	Murkowski
Ayotte	Feinstein	Murray
Barrasso	Flake	Paul
Bennet	Franken	Perdue
Blunt	Gardner	Risch
Boozman	Grassley	Roberts
Boxer	Hatch	Rounds
Burr	Heitkamp	Rubio
Cantwell	Heller	Scott
Coats	Hoeven	Sessions
Cochran	Inhofe	Shaheen
Collins	Isakson	Shelby
Corker	King	Sullivan
Cornyn	Klobuchar	Tester
Cotton	Lankford	Thune
Crapo	McCain	Tillis
Cruz	McCaskey	Udall
Daines	McConnell	Wicker
Donnelly	Merkley	Wyden
Enzi	Moran	

## NAYS—39

Baldwin	Casey	Hirono
Blumenthal	Cassidy	Johnson
Booker	Coons	Kaine
Brown	Durbin	Kirk
Capito	Fischer	Leahy
Cardin	Gillibrand	Lee
Carper	Heinrich	Manchin

Markey	Reed	Stabenow
Menendez	Reid	Toomey
Mikulski	Sanders	Vitter
Murphy	Sasse	Warner
Peters	Schatz	Warren
Portman	Schumer	Whitehouse

## NOT VOTING—2

Graham	Nelson
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The amendment (No. 2247), as modified, was agreed to.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Madam President, I ask unanimous consent to engage in a brief colloquy with my colleagues from the State of Tennessee and the State of Washington for no more than 2 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SCHUMER. Thank you, Madam President.

As we stated, some of us had serious objections to changing the formula, but thankfully the modified amendment follows in a tradition of compromise. And I appreciate my colleagues from Tennessee, Washington, and North Carolina working on it. As a result, we will continue to abide by the "do no harm" principle. New York's funding will not be cut, and neither will the funding in any of the other 13 States that would have been cut by the original amendment. We will not punish schools unfairly by using a formula that creates winners and losers. This takes the idea of losing school districts off the table. So, again, I would like to thank my colleagues for working with me to ensure that our students in New York and the 13 other States do not start the next school year at a disadvantage with fewer school resources.

The title I changes we have agreed to reflect our commitment to increasing funding and supporting funding for low- and moderate-income students. I appreciate the commitment my colleagues from Tennessee and Washington have made, and I would like to confirm those here on the floor.

I would ask my dear friend Senator ALEXANDER—I would like you to confirm your commitment to maintain this title I funding proposal which we just passed which is contained in amendment No. 2247, as modified—when the Senate and House convene a conference, that we will not go any lower than this.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I would say through the Chair to the distinguished Senator from New York and the Senator from Illinois and the Republican Senators who are interested in this that the answer to Senator SCHUMER's question is yes, that my commitment is to work—to keep the Senate decision in conference.

Mr. SCHUMER. Madam President, reclaiming the floor, I would just ask my

dear friend from the State of Washington whether she concurs in that statement.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, through the Chair to the Senator from New York, I will work in conference to keep the commitment of this amendment.

Mr. DURBIN addressed the Chair.

Mr. SCHUMER. Madam President, I yield to my friend from Illinois.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SCHUMER. Madam President, I ask unanimous consent that I be given 1 more minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. I yield that minute to the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. I thank my friend and colleague from New York.

Madam President, the original core amendment would have cost Illinois \$180 million in title I funds—\$68 million cut to Chicago Public Schools. It was unconscionable. It would have been devastating. They have so many low-income students. I am glad there is a better approach now.

I hope the title I funding will reach \$17 billion soon. It is currently at \$14.4 billion, and it has been at that level roughly for the last 5 years.

I thank my colleagues from Tennessee and Washington for affirming that they are going to stand behind this protection during the course of the conference committee.

I would like to commend the leaders of the HELP Committee for working with Senators to reach an agreement on Senator BURR's proposal to rewrite the formula for distributing title I education dollars to the States.

Title I is the single largest source of Federal funding for elementary and secondary education. It helps States and districts offer the kind of teachers and extra services that help low-income students learn and succeed in school.

The Burr amendment we just voted on would change the way those dollars are distributed and would hurt low-income students in Illinois—based in part on the fact that Illinois spends more per pupil on elementary and secondary education than the national average. That is neither fair nor good policy.

The original Burr amendment would have cut Illinois' title I funding by \$180 million next year. Every district in the State receiving title I funds would have seen a cut. With the modifications we were able to work out, Illinois' students won't be hurt until title I funding at the Federal level reaches \$17 billion a year.

While I hope Federal title I spending would reach \$17 billion soon, is cur-

rently at \$14.4 billion and has remained around that level for the last 5 years. Looking at history and understanding the fiscal challenges in Congress, it is unlikely that Illinois' title I allocation would be impacted by the new formula during the 5-year lifespan of this authorization bill.

I am concerned, however, that the agreement we reached in the Senate could be undermined during conference negotiations with the House. I ask the leaders of the committee, through the Chair, for their assurance that the title I formula will not be further altered in conference.

Mr. SCHUMER. I yield the floor.

AMENDMENT NO. 2100

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on the Brown amendment No. 2100.

The Senator from Ohio.

Mr. BROWN. Madam President, the Brown-Manchin amendment expands the full-service community schools model to schools across the country. Community schools are different from Promised Neighborhoods—two different approaches to what is a complex set of challenges. Community schools start with a focus on the school, engage partners in joint efforts to improve student achievement and development, and in the process work to strengthen family and community.

Madam President, I yield the remainder of my time to Senator MANCHIN.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Madam President, all of us have challenged areas in our States. I have a county—one of the poorest counties in the country is McDowell County. These children have no chance whatsoever. It has the absolute worst statistics any child could be living in. And it is because of these programs that are bringing the compassion of public-private partnerships that we are able to work through to reestablish the services these children won't get. The areas are so sparsely populated, and there is high unemployment.

I would encourage all of you to support this amendment. It continues the program. It is worthwhile. We have McDowell County now with 125 public-private partnerships that we would not have, and these children will not have a chance without them. I encourage your support.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I urge a "no" vote because States may already do what the amendment says they can do in this new program. There is money in titles I, II, and IV to do that. All this does is take money away from existing programs and give it to a new program which States, if they choose, can already do.

Second, we are approving today an almost identical program called Promised Neighborhoods which the Center for American Progress recommended Congress consolidate with the program this amendment would authorize and create. So we are creating two programs that do the same thing in the same day. In addition, the Education Department Secretary for the Obama administration said Promised Neighborhood in full-service community schools are much more similar than different.

So we need to stop this business of doing well-intentioned programs. One well-intentioned program is enough. We don't need to create two that do the same thing.

I urge a "no" vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. MANCHIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM) and the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Florida (Mr. NELSON) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 53, nays 44, as follows:

[Rollcall Vote No. 246 Leg.]

#### YEAS—53

Ayotte	Fischer	Murphy
Baldwin	Franken	Murray
Bennet	Gillibrand	Peters
Blumenthal	Heinrich	Portman
Blunt	Heitkamp	Reed
Booker	Hirono	Reid
Boxer	Hoeven	Sanders
Brown	Isakson	Schatz
Cantwell	Kaine	Schumer
Capito	King	Shaheen
Cardin	Klobuchar	Stabenow
Carper	Leahy	Tester
Casey	Manchin	Udall
Collins	Markey	Warner
Coons	McCaskill	Warren
Donnelly	Menendez	Whitehouse
Durbin	Merkley	Wyden
Feinstein	Mikulski	

#### NAYS—44

Alexander	Flake	Perdue
Barrasso	Gardner	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Cassidy	Heller	Sasse
Coats	Inhofe	Scott
Cochran	Johnson	Sessions
Corker	Kirk	Shelby
Cornyn	Lankford	Sullivan
Cotton	Lee	Thune
Crapo	McCain	Tillis
Cruz	McConnell	Toomey
Daines	Moran	Vitter
Enzi	Murkowski	Wicker
Ernst	Paul	

## NOT VOTING—3

Graham Nelson Rubio

The amendment (No. 2100) was agreed to.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, for the information of Senators, this is the last vote before lunch. We will have two votes beginning at 1:45 p.m., a cloture vote and the vote on final passage.

## AMENDMENT NO. 2242

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on the Casey amendment No. 2242.

The Senator from Pennsylvania.

Mr. CASEY. Madam President, this amendment focuses on the link between learning and earning. We know that if we invest in our children in pre-kindergarten education, they will learn more now and earn more later. It is a State-Federal partnership. It is paid for. It focuses on 4-year-olds. Three million 4-year-olds in the country will benefit from high-quality early learning.

The best testimony about this issue comes from parents. Beth in southwestern Pennsylvania said—talking about an early learning program in Pennsylvania: Her daughter couldn't write any of her letters or even recognize them. Now she's improved so much since the first day of class.

And then Megan in southeastern Pennsylvania said: When her son came into this program, he was shy and had very little verbal communication. He now talks nonstop and loves hearing.

That is why we need this amendment to pass. I urge a "yes" vote on the Casey amendment.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I urge a "no" vote.

The amendment is unnecessary because the Federal Government already spends \$22 billion on early childhood education through 45 programs. States spend money through the title I program on early childhood education. Our underlying bill has an important amendment on early childhood, fashioned by Senator MURRAY and Senator ISAKSON, to spend that money more effectively.

This proposal has a familiar ring. It is like a Medicaid mandate, States would pay 40 percent. It is like a national school board, the Federal Government would define teacher salaries, class size, staff-child ratios, and professional development. It is a national school board for 4-year-olds. That is the reverse of what we want to do in this bill.

Another familiar ring is it would be Common Core for kindergarten, so I urge a "no" vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. WICKER. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM) and the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Florida (Mr. NELSON) is necessarily absent.

The PRESIDING OFFICER (Mr. SASSE). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 45, nays 52, as follows:

## [Rollcall Vote No. 247 Leg.]

## YEAS—45

Baldwin	Gillibrand	Murray
Bennet	Heinrich	Peters
Blumenthal	Heitkamp	Reed
Booker	Hirono	Reid
Boxer	Kaine	Sanders
Brown	King	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Leahy	Shaheen
Carper	Manchin	Stabenow
Casey	Markey	Tester
Coons	McCaskill	Udall
Donnelly	Menendez	Warner
Durbin	Merkley	Warren
Feinstein	Mikulski	Whitehouse
Franken	Murphy	Wyden

## NAYS—52

Alexander	Ernst	Paul
Ayotte	Fischer	Perdue
Barrasso	Flake	Portman
Blunt	Gardner	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Capito	Heller	Sasse
Cassidy	Hoeven	Scott
Coats	Inhofe	Sessions
Cochran	Isakson	Shelby
Collins	Johnson	Sullivan
Corker	Kirk	Thune
Cornyn	Lankford	Tillis
Cotton	Lee	Toomey
Crapo	McCain	Vitter
Cruz	McConnell	Wicker
Daines	Moran	
Enzi	Murkowski	

## NOT VOTING—3

Graham Nelson Rubio

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

The Senator from South Dakota.

## AMENDMENT NO. 2232

Mr. THUNE. Mr. President, I wish to make just a quick couple of comments on an amendment that I appreciate the floor managers, Senators ALEXANDER and MURRAY, agreeing to accept by voice vote. It deals with an issue that is really important to my home State. This amendment would expand the authorized use of Project School Emergency Response to Violence—what we call Project SERV—grants to include violence prevention.

Currently, Project SERV funds are used to restore the learning environment by addressing the disruptive ef-

fects of a traumatic crisis or event. However, these funds cannot be used to fund violence prevention activities, such as afterschool programs, mentoring, anger management or skills-building programs.

My amendment would permit a limited and focused expansion of Project SERV to permit prevention activities as part of the efforts to restore the learning environment in cases where there is a continued risk of disruption. This would better tie prevention to a crisis or trauma that has already occurred and better restore and preserve the learning environment in cases such as the tragic suicide crisis in Indian Country or gang violence.

For example, on South Dakota's Pine Ridge Indian Reservation alone, two high school and two middle school age students have committed suicide just since December. My amendment would help give these areas of crisis additional flexibility in restoring our schools to safe and positive environments.

I have worked closely with Chairman ALEXANDER and Ranking Member MURRAY to keep this expansion limited so as not to detract from Project SERV's current scope, and I appreciate very much their help and the Senate's support.

Mr. President, I now ask unanimous consent that following the disposition of the Warren amendment No. 2249, all postcloture time on the substitute amendment be yielded back; further, that the cloture vote on S. 1177 be at 1:45 p.m. today, and that if cloture is invoked, all postcloture time, except for 4 minutes equally divided between Senators ALEXANDER and MURRAY, be yielded back; and following the use or yielding back of time, the Senate vote on passage of S. 1177, as amended, if amended.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

## AMENDMENT NO. 2082

Mr. HATCH. Mr. President, the Hatch-Bennet amendment amends the early learning grant program to allow States to use Pay for Success Initiatives to improve the quality and coordination of the State's system of early learning and care services. My home State of Utah has the first-ever pay for success program designed to expand access to early childhood education for at-risk children. The Utah High Quality Preschool Program delivers a high-impact, targeted curriculum that increases school readiness and academic performance among 3- and 4-year-olds. As children enter kindergarten better prepared, fewer students will need to use special education and remedial services in kindergarten through 12th grade, allowing schools and States to save money. We should build on this success and empower other States to do the same.

I should reiterate that this amendment only allows government funds to be used if the program is successful, encouraging effective use of taxpayer dollars. We should be allowing States to use their funding to encourage ground-up, evidence-based practices. I look forward to seeing meaningful results.

The PRESIDING OFFICER. The question is on agreeing to the Hatch amendment No. 2082.

The amendment (No. 2082) was agreed to.

VOTE ON AMENDMENT NO. 2106

The PRESIDING OFFICER. The question is on agreeing to the Warren amendment No. 2106.

The amendment (No. 2106) was agreed to.

VOTE ON AMENDMENT NO. 2130

The PRESIDING OFFICER. The question is on agreeing to the Schatz amendment No. 2130.

The amendment (No. 2130) was agreed to.

VOTE ON AMENDMENT NO. 2186

The PRESIDING OFFICER. The question is on agreeing to the Murphy amendment No. 2186.

The amendment (No. 2186) was agreed to.

VOTE ON AMENDMENT NO. 2215, AS MODIFIED

The PRESIDING OFFICER. The question is on agreeing to the Nelson amendment No. 2215, as modified.

The amendment (No. 2215), as modified, was agreed to.

VOTE ON AMENDMENT NO. 2222

The PRESIDING OFFICER. The question is on agreeing to the Manchin amendment No. 2222.

The amendment (No. 2222) was agreed to.

VOTE ON AMENDMENT NO. 2231

The PRESIDING OFFICER. The question is on agreeing to the Boozman amendment No. 2231.

The amendment (No. 2231) was agreed to.

VOTE ON AMENDMENT NO. 2188

The PRESIDING OFFICER. The question is on agreeing to the Baldwin amendment No. 2188.

The amendment (No. 2188) was agreed to.

VOTE ON AMENDMENT NO. 2156

The PRESIDING OFFICER. The question is on agreeing to the Capito amendment No. 2156.

The amendment (No. 2156) was agreed to.

VOTE ON AMENDMENT NO. 2232

The PRESIDING OFFICER. The question is on agreeing to the Thune amendment No. 2232.

The amendment (No. 2232) was agreed to.

VOTE ON AMENDMENT NO. 2256

The PRESIDING OFFICER. The question is on agreeing to the King amendment No. 2256.

The amendment (No. 2256) was agreed to.

VOTE ON AMENDMENT NO. 2240

The PRESIDING OFFICER. The question is on agreeing to the Schatz amendment No. 2240.

The amendment (No. 2240) was agreed to.

VOTE ON AMENDMENT NO. 2249

The PRESIDING OFFICER. The question is on agreeing to the Warren amendment No. 2249.

The amendment (No. 2249) was agreed to.

The PRESIDING OFFICER. Under the previous order, all postcloture time on the substitute amendment is yielded back.

VOTE ON AMENDMENT NO. 2095

The question is on agreeing to the Peters amendment No. 2095.

The amendment (No. 2095) was agreed to.

VOTE ON AMENDMENT NO. 2089, AS AMENDED

The PRESIDING OFFICER. The question is on agreeing to the substitute amendment, as amended.

The amendment (No. 2089), as amended, was agreed to.

The PRESIDING OFFICER. The Senator from Colorado.

AMENDMENT NO. 2249

Mr. GARDNER Mr. President, I thank the Senator from Washington and the Senator from Tennessee for their leadership over the past several days—last week and this week—as we talk about the future of education in this country. I commend them for creating a bill that takes away the Federal Government's mandates on curriculum and direction and makes sure we provide local control to school districts and teachers.

As a father myself of a student who is going into the sixth grade, I have heard a lot about tests over the past several years, and I want to commend the leadership for making sure we are actually getting Congress out of the classroom. So I appreciate my colleagues' leadership.

Today I want to talk about an amendment accepted in the education bill we are dealing with here today that deals with the use of title I funds for concurrent and dual enrollment programs at eligible schools throughout the country.

According to the Georgetown Public Policy Institute, by 2020, 65 percent of the jobs available in the country today will require secondary education. In Colorado, that number is even higher. Again, by 2020, 65 percent of our jobs will require secondary education. In Colorado, that number is going to be greater. The Colorado Department of Education estimates it is not just 65 percent of the jobs that require a secondary education in Colorado by 2020. It will actually be 74 percent of the jobs in our State that are going to require some form of postsecondary education.

Ensuring that our students have the skills necessary to excel in college and

in the workforce is absolutely and by far and away the best way to address this concern so we can make sure that we are providing our students with successful futures. Concurrent enrollment and dual enrollment programs have a proven record of success in this arena.

I was in the State legislature in Colorado when we embarked on the first concurrent enrollment ideas that came out of the legislature and that have been greatly successful. But we know it is not just the anecdotes from Colorado, but it is the American Institutes for Research that finds that participation in concurrent and dual enrollment programs reduces the number of students dropping out of high school, increasing a student's likelihood of entering college, making sure they complete college, and getting through to a career.

But our challenge today is that an astounding number of students need to take remedial courses when they enter college. Sitting down with junior college leaders and community college presidents and talking to our universities, they all tell stories about how many students come from high schools to their college or to their campus requiring remedial work in English or mathematics.

According to a report by testing organization ETS, nearly one-half of U.S. millennials scored below the threshold that indicates proficiency in literacy, and two-thirds of U.S. millennials missed the cutoff mark in math proficiency.

Students are discouraged from continuing college when they are required to take courses—nobody wants to go on to college and take the same course—that you thought you had completed in high school. But concurrent and dual enrollment will help solve this problem by allowing students to participate in college-level courses, which, upon completion, will ensure that these students are indeed proficient.

Not only does concurrent and dual enrollment allow proficiency, but it allows students to get ahead of the curve and doing so while in high school.

A study by the National Education Longitudinal Study found that concurrent and dual enrollment participants were 16 to 20 percent more likely to complete a bachelor's degree than their counterparts. Research shows that students who participate in concurrent and dual enrollment programs complete their degrees earlier than their counterparts as well.

A study in 2010 by Kristen Klopfenstein, a Colorado native and graduate of the University of Texas, found that “the results of taking one or more concurrent or dual credit class tripled the likelihood of graduating from associate programs in three years in relation to students who did not take such courses who typically graduate in four years.”

“Dual enrollment participation was also positively correlated to completing bachelor’s degrees in four and five years, relative to students who did not take such courses who typically take longer to graduate.”

These are the types of programs that reward students for their hard work and prepare them for their college career and success.

Many people recognize that courses that provide college credit are typically taken by high-achieving students already on the path to college. A lot of college courses that we see are filled with people we knew were destined for college in the first place. But I think we have to talk about the times where that is not the case, where college courses were taken by people who perhaps never thought they had college in their future. I will share one such story today.

We were visited in the office not too long ago by a young woman from Colorado who told her story about how concurrent enrollment in Colorado really opened the doors to a college future and a college degree she never thought was possible.

The community where I come from is not one that promises a bright future. I am from a low income area of Denver, CO, and we weren’t expected to go to college.

I had always known I wanted to pursue higher education, but was nervous that I wouldn’t have the skills to succeed.

Fortunately for me, because of concurrent enrollment I was able to get ahead in college for free. I graduated high school with all of my high school credits along with 15 credit hours of college credits.

Concurrent enrollment has helped me in phenomenal ways. It gave me the confidence to know I had the capabilities to succeed in college.

In addition, with the high cost of college I was able to save money. I am now a student at Colorado State University and made the Dean’s list this semester.

I am on track to graduate early and it would never have been possible without the programs I participated in in high school.

I want to spread the word so other students can benefit from concurrent enrollment the way that I have. Every young person who wants to go to college should have the opportunity to attend, and I’m thankful I had the opportunity to do so.

Those aren’t my words. Those are the words of a Coloradan whose future was made brighter by the fact that she was able to take advantage, while in high school, of college credit classes.

Stories like this are why we have to make sure that, not just Coloradans, but everyone across this country, is able to use title I programs in the same beneficial manner.

So the amendment we offered and that has been accepted, thanks to the work of Senator ALEXANDER, our great chairman, and Ranking Member PATTY MURRAY, would empower students to use these kinds of programs and would allow schools to use title I funds for concurrent and dual enrollment programs, enabling students to simulta-

neously receive college credit from courses taught by college-approved teachers in secondary education. It would allow eligible schools to use fifth-year program partnerships with institutions of higher education to allow students to participate in concurrent enrollment in the year directly following their senior year of high school.

Earning a postsecondary degree has become a prerequisite for jobs in the 21st century. Going back to the statistics that we shared in the very beginning, 74 percent of jobs in Colorado will require, by the year 2020, a postsecondary education degree. As we face more competition in the global workplace, as we face more competition abroad, we have to have the kinds of education and educational opportunities that give the next generation of business leaders, innovators, and entrepreneurs the skills to succeed.

I believe the concurrent and dual enrollment high school program not only gives them the types of skills they need while in high school but the opportunity to further a college degree and perhaps, as in the story I shared earlier today from that young Coloradan, the chance to go to college, the chance to receive a degree, and to prove they have that bright future. That is what this policy is about. That is what this amendment has been about.

Again, I thank the chairman for the consideration and acceptance of the amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

AMENDMENT NO. 2222

Mr. MANCHIN. Mr. President, I rise today to talk about a problem that each one of us—all 100 Senators—knows. In any gathering we go to, in our State or around the country, people are affected by drug abuse, whether legal or illegal. In our personal families, immediate families or extended families, we know somebody whose life is affected.

So today I urge my colleagues to support a commonsense amendment that I have introduced to the Every Child Achieves Act that addresses an epidemic that is devastating to my State and our country—and I know to the Presiding Officer’s State also—which is substance abuse.

Communities across the country, including many in my beautiful State of West Virginia, are seeing an alarming rise in substance abuse and addiction to legal prescription drugs. These are drugs we would find in the medicine cabinet of our home.

West Virginia is No. 1 in overdose deaths—No. 1 in overdose deaths—due to drug abuse.

We have seen over a 600-percent increase in the number of people dying since 1999. Nationally, 21.6 million

Americans are battling substance dependence or abuse. But as most of us know, we can’t truly understand substance abuse by just listening to facts and statistics. It is one that can only be understood by hearing stories of those impacted.

When I was Governor of the State of West Virginia, I traveled around the State, and I saw firsthand the effects that substance abuse can have. We tried to tackle many of these issues at the State level. But it is impossible. All of us have to be in this.

But one of the most moving experiences occurred during my first trip back to the Mountain State after becoming a Senator. I traveled to the really beautiful little town of Oceana, WV.

I went to Oceana Middle School, where I had expected to talk about the importance of receiving a good education and working hard to gain the necessary skills to be successful in the workforce. Instead, I heard personal stories from 11-year-olds who spoke candidly about the ways that drugs were tearing apart their families, their homes, and their community.

As tears trickled down their faces, they shared how they rarely played outside because too many needles coated the streets and drug deals often took place right in front of them.

It is one thing to hear about overdoses and addictions from doctors, medical experts or police officers who deal with substance abuse cases every day. But I can tell you that it is another thing to sit across from an 11-year-old girl who is fighting through tears to describe how her family and her family life have been destroyed.

Her father was hurt in the coal mines and gradually became addicted to painkillers, causing her family to lose everything. As I listened to her story, I couldn’t help but think that this young girl had to grow up so very fast and miss some of the pleasures of childhood.

That is why I am doing everything in my power to fight this national problem. My commonsense bipartisan amendment with Senator AYOTTE would simply require that, in States where this is a significant problem, the State education plan include a strategy for how the State will help local education agencies educate students who face substance abuse in their home.

What we are saying is no child can be in a drug-infected home and have a normal childhood. They can’t have a normal learning experience in the school system.

To be clear, it does not prescribe or require any particular response. We are not saying you have to do this. The States that wish to have this done can. It simply gives the States the flexibility to craft proposals that meet particular local needs.

That means if there is a child that basically needs extracurricular activity, extra help, extra support, preschool or afterschool, they are able to intervene and change the system that would meet the needs of that community.

Substance abuse by parents and other caregivers can have a significant negative impact on the well-being of children, and it makes it more difficult for them to learn and thrive in schools, as we know.

This amendment is a small step forward toward addressing that problem. But it will encourage the States to consider solutions that will enable local schools and communities to better help these vulnerable children and ensure that every child is ready to learn.

Our country, our States, our communities, our schools, and our children need us to take action to protect them from the devastation of substance abuse.

I am often reminded of the five promises we as adults should make to every child. Colin Powell started this—the five promises—and my wife and I have adopted it when I was Governor. We still have a foundation.

The first promise is that every child has to have a loving, caring adult in their life—a loving, caring adult and unconditional love.

Second, every child should have a safe place.

Every child should have a healthy start in life.

Every child should have an education and have a skill set.

The fifth promise is what we can't teach. We can usually show it from example. Every child should grow to be a loving, caring adult and give something back.

If we don't give children the chance to have that type of an experience and they know they don't have a loving, caring adult, and they don't have a safe place because the home has been ruined because of drug abuse, this is where we need to step in. If we are going to save a generation, this is where we do it. This is the frontline of defense today.

The No. 1 thing that is killing our country is drug abuse, and it is basically coming from prescription drugs. It starts with manufacturing. It goes down with the FDA putting all these lethal drugs on the market that we never had before. It goes down to distribution and dispensing by doctors. Yet we don't have any treatment centers to cure people once they get into it.

So I am asking all of you to please consider supporting this amendment. It is most reasonable, most responsible. It is not mandatory. It is optional. You can fit the needs and tailor this however your community, your State or your county might need.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

JUSTICE FOR TULAROSA BASIN DOWNWINDERS

Mr. UDALL. Mr. President, 70 years ago today, the first atomic bomb was exploded at the Trinity test site in New Mexico. For our Nation, it was the beginning of the nuclear age. For the residents of the Tularosa Basin, it was also the beginning—of great suffering, of generations of cancer and chronic illness. Seven decades later, their suffering continues and so does their fight for justice.

Windows rattled hundreds of miles away. The people of Tularosa saw radioactive debris fall from the sky, not knowing what it was. The fallout killed cattle, and poisoned water, food, and the air. The damage was done. The destruction was real, and so is the sadness, disappointment, and anger. That is very real too.

The Tularosa Basin Downwinders have not forgotten. They rightly ask that we not forget, either.

I met with them and their families earlier this month in Tularosa, and they told me their stories, some of which I will share today.

Henry Herrera was just 11 years old at the time of the blast. He is now 81. He remembers:

I heard a very large blast and saw a very big flash of light. I got so scared I thought the world was coming to an end.

He himself is a cancer survivor. He told me:

I'm the only one alive to tell about it. Everyone else has died of cancer.

Edna Hinkle recalled so many in her family that had cancer, one after the other—aunts, uncles, cousins, mother, sister, and herself. She said: "My oldest daughter . . . says it's not a matter of if you get cancer, it's a matter of when."

Marjie Trujillo told me that of nine members of her family, six have cancer, and three died from it. The loss is tragic and so is the frustration. She said: "Many in our community feel our government has turned a deaf ear to our health issues."

I also heard from Virginia Duran. She was born in Tularosa in 1940 and lived on Padilla Lane. She told me that on the street where she lived, at least 10 people have had cancer. That is just one block.

Many families from the Tularosa Basin know this loss and pain. Nora Foltz is 71 years old. She is the only sibling of five who doesn't have cancer. Her sister, Helen Guerra, is 81 years old. Helen was diagnosed with kidney cancer 17 years ago. Helen's daughter Lupe had multiple illnesses and chronic pain and died at the age of 62.

There are so many stories—far too many stories—like this. As Gloria Herrera said, the Tularosa community has "shed enough tears to fill a lake."

It was my privilege to meet with these survivors. Their stories are cou-

rageous and troubling, but most troubling of all is the people who were not there, who were not able to speak, and those who have passed away over the last seven decades. We all speak for them now, and we will keep on speaking until justice is done.

The Tularosa Basin Downwinders Consortium is doing critical work. They are organizing the community, telling their stories, and making sure people listen and understand what happened. Tina Cordova is one of the many great advocates who are dedicated, committed, and refusing give up. Tina summed up the feelings of many when she told me: "We were the unknown, unwilling guinea pigs in the world's greatest experiment." I agree with Tina and the members of the consortium. Theirs is a tragic story. They suffered so that we could develop bombs and win wars. That is why I have again pushed for legislation with my colleagues—Senator CRAPO and several others—to amend the Radiation Exposure Compensation Act and finally recognize the Trinity site and include New Mexicans who have suffered for decades. They deserve justice, they deserve compensation, and they are still waiting 70 years later.

We can't change the years that have passed, nor can we erase the years of illness and the pain endured by too many for too long, but fair compensation will make a difference and will provide badly needed help.

It took many years to create the original RECA Program. My father helped to lay the groundwork. He devoted many years to fighting in the courts for men, women, and children who were sick because they had lived downwind during nuclear tests. They were exposed to dangerous radiation. They should have been helped but were ignored instead.

I remember going with him to meet folks in St. George, UT, in 1978. I was just out of law school. There were about 40 or 50 survivors there. They loved their country and trusted their government. They were hesitant to speak out. They did not seek special treatment, but they were wounded people. Caught in the fallout of the nuclear age, they had a right to be heard. My dad heard them, and he demanded that others hear them as well. He fought for them until the end of his life at 90 years old, first in the courts and then in the Congress. He worked with Senators Ted Kennedy and ORRIN HATCH—an unlikely match if ever there were one—and they kept pushing.

President H.W. Bush signed RECA into law 25 years ago in 1990. It was a bipartisan bill. It was driven by simple fairness and it was a historic step forward, but it left some folks behind, including the Downwinders in the Tularosa Basin.

My dad would not give up, the families he worked with would not give up,



and we won't give up either. Our bill expands the downwind exposure area to include seven States from the Trinity and Nevada test sites, and it also includes Guam from the Pacific site. It would also allow compensation for post-1971 uranium workers and fund a critical public health study for those who live and work in uranium development communities.

I will continue to push for this legislation. It is the right thing to do, and we should get it done, which is why I will again join my Senate colleagues in sending a letter to the Judiciary Committee to request a hearing on this important bill.

Many families in New Mexico have been hurt, and they worry there is more harm to come. When I was in Tularosa this month, I spoke with a woman named Louisa Lopez. Her husband has mantle cell lymphoma. They know at least 17 other people who have cancer or who have died from it. She said, "We fear passing this on to our children, future grandchildren, and other generations."

This weekend, there will be a candlelight vigil in Tularosa. Folks will gather, as they do every year now. They will stand together as candles flicker in the warm New Mexico night. They will remember those who have been brought down by cancer and other radiation-related diseases. They will remember those who have passed away. They will remember that a wrong was done and has yet to be righted. And they will offer prayers and support for those who continue to struggle.

Rosemary Cordova told me in Tularosa:

We can't bring back those we've lost, but we can support those still suffering. All we're asking is that our government face up to the wrong that has been done . . . that someday soon our government will do what should [have] been done long ago.

It takes courage to speak out. It takes courage to speak truth to power. These folks are heroes, and on this 70th anniversary, I want to say to them: Thank you. Thank you for making your voices heard. Thank you for making your stories known. And thank you for refusing to give up. I will not give up, either. Together, we will keep working for fairness, and the day will come when we can stand together in Tularosa and light the candles of remembrance and finally say justice has been done.

I thank the Presiding Officer.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Senator from Tennessee, Mr. CORKER, and I be permitted to engage in a short colloquy.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SHOOTING IN CHATTANOOGA

Mr. ALEXANDER. Mr. President, the details are still coming in, but earlier today, between 11 a.m. and 1 p.m., there was a violent attack in Chattanooga, where Senator CORKER was once mayor. Right now Federal, State, and local officials are responding in Tennessee.

I am deeply disturbed by the reports. We understand that the shooting took place at the Naval Reserve Center in Chattanooga and that a police officer has been injured. We also understand that other individuals at the Naval Reserve Center may have been injured as well. Many local businesses, schools, and hospitals are locked down.

I have been in touch with Federal, State, and local officials and will continue to monitor the situation closely. My thoughts and prayers are with all of those involved.

Mr. CORKER. Mr. President, I wish to join our senior Senator in expressing our deep sorrow for those who have been affected and extending our thoughts and prayers to the families. Details are still emerging. We believe this took place in multiple locations, and I know the local representatives there are dealing with this effectively as they move ahead.

I thank the Senator for having us take the time right now to express our sorrow and support for those who are dealing with this issue. I hope those who were injured will survive and end up having full lives, but we know some people were tragically injured. I appreciate the reach-out that has taken place at the local, State, and Federal level to ensure that we are aware of what is occurring.

With that, I yield the floor.

#### CHARTER SCHOOL AUTHORIZING LANGUAGE

Mr. FLAKE. Mr. President, I ask unanimous consent to enter into a colloquy with Senator ALEXANDER.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FLAKE. As the Senate prepares to vote on the Every Child Achieves Act, I wish to commend Senator ALEXANDER for working with me to include language regarding charter school authorizers in the substitute amendment language.

A charter school authorizer is an entity approved by the State legislature and is responsible for establishing charter schools' academic and accountability standards, among other things. State charter laws vary from State to State in regards to how and to whom authorizers are subject to accountability. For example, a State with independent or multiple authorizers

gives entities other than local education boards or the State board, the authority to approve charter schools. These entities are typically outside the traditional education structure of a state and can include independent, statewide charter school boards, or colleges and universities. According to the Center for Education Reform, "there is a direct correlation between States with multiple authorizers and higher student achievement." Out of 44 State laws, 21 States have created independent authorizers.

The language in the underlying Every Child Achieves Act encouraged States applying for grants to Support High-Quality Charter Schools (Sec. 5103) to establish authorizing standards of an authorized public chartering agency, despite the fact that some States don't have any explicit authority over charter school authorizing. This language didn't take into consideration the variation of State by State authorizing structures for charter schools and required that the Federal Government, not States, dictate how and what charter authorizing agencies must do to demonstrate success. In addition, subjecting charter schools to the same rules governing traditional public institutions would make them identical to the very entities that charter schools were meant to provide an alternative to.

The language that Chairman ALEXANDER and I worked with, and ultimately included in the substitute, recognizes that some States have elected to use multiple or independent authorizers and ensures that those States don't have to add an additional layer of bureaucracy to receive grants under the Every Child Achieves Act.

This bill goes a long way in recognizing that Washington cannot be a national school board, and that is why it is imperative that the Federal Government continue to encourage States to determine their own authorizing standards and learn what works best for their students.

The Center for Education Reform, a leading organization promoting charter education supported the language in the substitute explaining ". . . Charter schools are public schools, which are free from many onerous rules but accountable for performance to their authorizers, which vary State by State. The substitute ensures respect for those individual differences State by State as well as the hard work they are doing to ensure the proliferation of quality schooling option for all children."

I commend Chairman ALEXANDER for his hard work on this legislation, and for working with me to ensure States, not the Federal Government, are determining charter authorizing standards.

Senator ALEXANDER. Mr. President, I thank Senator FLAKE for his hard work to ensure that charter

schools and their authorizers continue to operate with the flexibility needed for them to thrive. Charter schools are public schools that provide more choices for parents to improve their children's future and more freedom for teachers and principals to increase the academic performance of their students. The Every Child Achieves Act supports charter schools in many ways by solidifying Federal support for expanding and replicating high-quality charter schools with a demonstrated record of success, giving States more flexibility to invest in new school models and encouraging them to strengthen charter school authorizing practices. The language championed by Senator FLAKE will promote quality charter authorizing activities without imposing layers of Federal bureaucracy and structures that are incompatible with State practices and laws. As we fix a law that has effectively resulted in 100,000 public schools being controlled by a National School Board in the U.S. Department of Education, it is important to recognize the variance in State laws governing charter schools and empower States to determine their own quality standards.

Today, nearly 2.9 million students—6 percent of U.S. public school students—were enrolled in approximately 6,700 charter schools, and just over the past year, charter school enrollment has grown by over 14 percent, or an additional 348,000 students. I commend Senator FLAKE on his actions to strengthen the program and to promote better State charter school policies and activities that help high quality charter schools continue to grow and flourish.

AMENDMENT NO. 2161

Mrs. MURRAY. Mr. President, when all students have the chance to learn, we strengthen our future workforce. Our country grows stronger. We empower the next generation of Americans to lead the world. We create more opportunities for more families, and we help the economy grow from the middle out, not the top down.

But today, across the country, stark educational inequalities exist. The students in some schools simply don't have the same opportunity to graduate college-and-career ready like other students do. In our country, all students should have access to a quality public education, no matter where they live, how they learn, or how much money their parents make.

So that is why I am glad our bipartisan bill to fix No Child Left Behind has Federal protections to hold schools accountable for educating all students. And I will continue to fight for stronger protections as the bill moves forward.

But educating all students is a tall order if schools don't have the very resources that help students succeed. That is why it is so important to make sure States address inequalities in re-

sources. Senators KIRK, REED, BALDWIN, and BROWN offered a bipartisan amendment that would help schools and States address persistent inequalities in resources and opportunities. I strongly urged my colleagues to support it.

Students do better in school when they have access to a well-rounded education. That includes rigorous coursework that helps prepare students for a college curriculum. It includes offering classes like arts, music, physical education, and STEM education. It includes setting up effective school library programs that can inspire in kids a love for reading. Those classes and those programs create a school environment where students can learn and thrive.

But too many students across the country do not have access to those critical resources. And too often, it is students of color, kids with disabilities, English-language learners, and students from low-income backgrounds who have the least access to resources that can help them get ahead.

Take experienced teachers, for example. Students of color are more likely to have a teacher who is new to the profession. These students often don't have access to advanced classes and classes like art and music. Students of color are more likely than their White peers to go to a high school that does not offer AP classes. In fact, 20 percent of African-American high schoolers go to a high school that does not offer AP classes. And in 2008, White students were twice as likely to have access to arts education as African-American and Hispanic students.

The same inequality exists for access to technology. Students from low-income backgrounds often don't have access to the Internet or to computers, compared to their peers. A study from Stanford University put this into sharp focus. The researchers asked teachers if their students have the digital tools they need to effectively complete assignments at home. More than half of teachers from more affluent schools said yes. But just 3 percent of teachers from high-poverty schools said their students had access to tools like computers and the Internet.

All of this inequality holds students back. It widens achievement gaps. It robs students of the chance to learn and excel in the classroom. And we need to do something about it, so all students have the opportunity to learn.

We have made important progress in the Every Child Achieves Act. Under the current bill, school districts will already be required to report on: access to safe and healthy school environments, per-pupil expenditures, access to advanced coursework, the number of children enrolled in preschool, and teacher qualifications. And that is a good step in the right direction.

But this bipartisan amendment would take the next step. First, it

would expand the list of resource indicators to include things like access to art and music and dedicated school library programs. And it would give States a choice on which resources will be the most meaningful in their communities.

Most importantly, this amendment would help States remedy opportunity gaps across school districts. It does this by requiring States to create a plan to improve access to resources in the schools that lack those tools. And because the plans will be designed by the States and must include input from the communities, these plans will be tailored to fit the needs of local school districts. And States would be required to disaggregate the data on how resources are distributed by income, race, language proficiency, and disability. That will shine a light on if some groups of students are not getting the kinds of opportunities as others. And it will help parents know which resources their local schools offer and where the gaps are.

In short, this amendment will help strengthen our commitment to providing a quality education to all students. This amendment is also important for another key reason. Of course, nearly everyone agrees that the current law, No Child Left Behind, is badly broken. And one of the main reasons is that it placed an almost singular focus on test scores for reading and math. But test scores do not paint the whole picture of how a school is performing.

This amendment would give parents and communities a more holistic view to determine if a school is providing a quality learning environment for all students. And most importantly, this will help States focus resources on traditionally underserved populations so they will get the supports they need to succeed.

Now, some of my Republican colleagues have argued that we don't need this amendment because States and school districts should be responsible for solving resource disparities. But for too long, States and school districts have gotten off the hook for stark inequality. That is why we have seen the persistent inequality of some schools simply not getting the resources they need to help their students succeed. And that needs to end.

This amendment would not tell States how to address inequality. But it would require them to identify the disparities that exist and to create a plan to address them. That is why this amendment would be a good step in the right direction.

I know that others have argued that simply reporting the disparities between resources would be enough. But acknowledging the problem won't necessarily solve the problem. And on something as important as ensuring that students have equal opportunities

to succeed, we need action. And that is why I believe it is so important that this amendment would help States act to address inequalities.

This isn't just important for student success in the classroom. It has long-term implications for our country. When some students don't have the chance to graduate from high school college-and-career ready, we lose out on the full potential of our Nation's future workforce, entrepreneurs, and leaders. In the years to come, our economy will rely on the students of today being able to take on and create the jobs of the 21st century economy. We can help States and school districts make sure all students have the resources that defines a quality education by supporting this bill and this amendment. These resources are fundamental to student success—in school and in the future. So I urge my colleagues to support this amendment to address resources equity.

AMENDMENT NO. 2247, AS MODIFIED

Ms. MIKULSKI. Mr. President, today I wish to talk about my reasons for voting against Senator BURR's amendment to change the title I formula and on cloture to cut off debate on the Every Child Achieves Act.

The bill before us is not perfect, but it is a step in the right direction towards giving all kids a shot at quality education and fixing the failures of No Child Left Behind. I support a number of the provisions in this bill, including raising academic standards for students, supporting teachers with additional development tools, and providing resources to the lowest performing schools.

However, the bill also includes an amendment offered by Senator BURR to change the title I formula, which would drastically and negatively affect Maryland. Every single school district in my State would have lost money.

I could not let that happen. So I rolled up my sleeves and got to work. I formed a coalition with other Senators whose students—like mine—would lose under this amendment. The amendment was eventually changed. Now it says that any funds Congress appropriates for title I above \$17 billion will be subject to a new formula. Since title I is currently funded at \$14.5 billion, the new formula will not kick in at any time soon and Maryland won't lose any of its funds.

I am happy that I saved Maryland from losing \$40 million, but the language sets a terrible precedent. It penalizes States that do right by their students and their schools. As the Senator for Maryland, I can't support any formula that could cause Maryland to lose Federal dollars in the future—even one labeled a "compromise." As vice chairwoman of the Senate Appropriations Committee, I cannot support any disincentive to fully fund title I when additional funds would harm Maryland.

As long as this amendment is included, I cannot vote to move this bill forward and will vote no on cloture.

Ms. CANTWELL. Mr. President, I rise today to voice my support for the Every Child Achieves Act. I would like to thank Senator ALEXANDER and Senator MURRAY for their hard work on this legislation. This bipartisan bill offers an opportunity for real progress in educating our children.

The Every Child Achieves Act takes an important step forward in updating the badly broken No Child Left Behind Act. This reauthorization is greatly needed to support Washington State's students, educators, and families. Currently in Washington, our schools must still comply with the original and most onerous requirements of No Child Left Behind since our flexibility waiver was revoked in 2014. The Every Child Achieves Act would end the States' need for waivers and provide them with greater flexibility to come up with state-led education plans.

I have visited a number of schools in Washington and I have heard from so many of my constituents about the need to improve this law to better support our Nation's teachers and students. I am pleased that the Senate was able to have this important debate that is critical to our Nation's progress.

Today, we live in a global economy and our children are not only competing with other students in the United States but with students across the world. Therefore, I am particularly interested in science, technology, engineering, and math education to keep American students competitive in the 21st century. Washington State ranks first in the Nation in the concentration of STEM-related jobs, and it is essential that we invest in our future workforce.

The Every Child Achieves Act includes an important dedicated funding stream to support partnerships between schools, businesses, universities, and nonprofit organizations to support student achievement and teacher training in STEM subjects. I am a strong supporter of these partnerships and I am pleased that the bill also includes a provision with an emphasis on increasing access to STEM subjects for women, minorities, economically disadvantaged students, and other groups that are frequently underrepresented in STEM subjects.

Additionally, I am pleased that this bill includes a new competitive grant program championed by my colleague, Senator MURRAY, to enable States to improve early childhood learning. I long have supported early childhood learning due to its importance to developing young minds and intelligence. These grants would target resources for low- and moderate-income families.

There are few programs more important than early childhood education in

preparing children to succeed. I am proud to be a cosponsor of Senator CASEY's Strong Start for America's Children amendment, which I regret did not receive enough votes for adoption. This would have established a partnership between the Federal Government and the States to fund high-quality kindergarten programs for low- and moderate-income families.

Washington State has been on the fore-front of early education and since 2006, the Department of Early Learning has ensured that Washington students have access to high-quality learning opportunities, so that they are prepared for kindergarten and a successful school career. According to the Washington State Department of Early Learning, there is clear and convincing science that early childhood is a critical time for mental development. Economists and social scientists have found that for every \$1 invested in high-quality early learning, at least \$3 are returned in reduced costs for remedial education, public safety, health care, and other social spending. I would call this a good return on investment.

In closing, I would like to commend my colleague Senator MURRAY for her leadership and for her steadfast commitment to ensure that STEM education and early childhood education were included in the Every Child Achieves Act. I was happy to partner with her on these efforts. I urge my colleagues to support these important investments in our Nation's education system.

Mr. ALEXANDER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. Is it time to vote?

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

Mitch McConnell, Lisa Murkowski, Pat Roberts, Lamar Alexander, Cory Gardner, Steve Daines, Johnny Isakson, Susan M. Collins, Michael B. Enzi, Kelly Ayotte, John Cornyn, Orrin G. Hatch, Richard Burr, Thom Tillis, Lindsey Graham, John Hoeven, Bill Cassidy.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves, as amended, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM) and the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Florida (Mr. NELSON) is necessarily absent.

The PRESIDING OFFICER (Mr. HOEVEN). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 79, nays 18, as follows:

[Rollcall Vote No. 248 Leg.]

#### YEAS—79

Alexander	Fischer	Murkowski
Ayotte	Flake	Murray
Baldwin	Franken	Perdue
Barrasso	Gardner	Peters
Bennet	Grassley	Portman
Blumenthal	Hatch	Reed
Boozman	Heinrich	Reid
Boxer	Heitkamp	Roberts
Brown	Heller	Rounds
Burr	Hirono	Sanders
Cantwell	Hoeven	Schatz
Capito	Inhofe	Scott
Carper	Isakson	Sessions
Casey	Johnson	Shaheen
Cassidy	Kaine	Stabenow
Coats	King	Sullivan
Cochran	Kirk	Tester
Collins	Klobuchar	Thune
Coons	Lankford	Tillis
Corker	Leahy	Toomey
Cornyn	Manchin	Udall
Cotton	Markey	Warner
Donnelly	McCain	Whitehouse
Durbin	McCaskey	Wicker
Enzi	McConnell	Wyden
Ernst	Menendez	
Feinstein	Merkley	

#### NAYS—18

Blunt	Gillibrand	Risch
Booker	Lee	Sasse
Cardin	Mikulski	Schumer
Crapo	Moran	Shelby
Cruz	Murphy	Vitter
Daines	Paul	Warren

#### NOT VOTING—3

Graham	Nelson	Rubio
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The PRESIDING OFFICER. On this vote, the yeas are 79, the nays are 18.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Under the previous order, there is now 4 minutes of debate equally divided between Senators ALEXANDER and MURRAY.

The Senator from Washington.

Mrs. MURRAY. Mr. President, I first want to thank Chairman ALEXANDER for working with me on the Every Child Achieves Act. He has been a great partner in getting us to this point with this bill. This process start-

ed when he and I agreed that No Child Left Behind is badly broken and needs to be fixed. Our bill, the Every Child Achieves Act, is an important step forward to do just that.

The current law overemphasized test scores. Our bill will give States flexibility to use multiple measures, not just test scores, to determine how well a school is performing. Our bill also eliminates the one-size-fits-all provisions of No Child Left Behind that have been so damaging for our schools and our districts. Instead, it allows our communities, our parents, and our teachers to work together to improve schools and ensure that every child can get a well-rounded education.

Our bill maintains Federal protections to help students graduate from high school with the tools they need to compete and lead in the 21st century economy. This is a good bill. I will keep working, of course, to make it better—even after our vote today—in conference.

I hope we can continue to build on the Senate's strong bipartisan work. I will continue to push to strengthen the accountability measures in our bill and address inequality in schools. But today I urge my colleagues to vote to pass the Every Child Achieves Act that will give all students the chance to learn and grow and thrive. Let's fix No Child Left Behind. Let's prove that Congress can break through gridlock and work together. Let's pass this bill for students, parents, teachers, and communities across the country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I ask unanimous consent for an extra minute if I need it.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, Senator MURRAY suggested we work on this in a bipartisan way. I took her advice. It was good advice. This is the result. We have had 100 amendments in committee and on the floor. We have had excellent process. I thank the majority leader. I thank Senator REID, the Democratic leader, for creating an environment to do that.

Now, let me say this about the vote we are about to have. This is a law that everybody wants fixed. We have a consensus on that. We have a consensus on how to fix it: keep the important measurements of academic achievement and turn the rest of it over to the States, to classroom teachers, and others who are closest to the children. That is what the Governors, that is what the superintendents, that is what the teachers organizations have said to us. They want us to fix it. They support the way we are proposing to fix it.

Now, in the last few years, we have created in this country, in effect, a national school board. It has made it

harder to have better teaching, harder to set higher standards, harder to have real accountability in the States. So we changed that. We reversed the trend toward the national school board. We end the common core mandate. We end the waivers that the U.S. Department of Education is using to run public schools. We end DC evaluating teachers. We end adequate yearly progress.

Some are saying vote no because you should go further. Well, we had a chance to go further. We voted for the Daines amendment, the Scott amendment, and the Alexander amendment. That would have gotten us 90 percent of what we wanted. We got about 45 votes, so we didn't get anything. This gets us about 80 percent of what we want. A President named Reagan used to say: If you got 80 percent of what you wanted, you might take it and fight for the rest on another day. I am recommending we follow this advice.

If we vote no today, that means we leave the Common Core mandate right where it is. That means the waivers are still running your schools. That means adequate yearly progress is determined from Washington, DC, not in your hometown, and that means Washington, DC, is evaluating your teachers. Everybody wants this law fixed. If you vote no, we fix nothing. We fix nothing. So no means we haven't fixed anything. So vote yes. Do what the Governors, do what the superintendents, do what the teachers say we ought to do. They all agree on that. This is the most important step in that direction we have had in 25 years. Let's not miss the opportunity. Vote to restore to the people closest to the children the responsibility for their education. Vote yes for local control of public schools.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. Under the previous order, the bill having been read the third time, the question is, Shall it pass?

Mrs. MURRAY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from South Carolina (Mr. GRAHAM).

Mr. DURBIN. I announce that the Senator from Florida (Mr. NELSON) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 81, nays 17, as follows:

[Rollcall Vote No. 249 Leg.]

## YEAS—81

Alexander	Feinstein	Merkley
Ayotte	Fischer	Mikulski
Baldwin	Franken	Murkowski
Barrasso	Gardner	Murray
Bennet	Gillibrand	Perdue
Blumenthal	Grassley	Peters
Boozman	Hatch	Portman
Boxer	Heinrich	Reed
Brown	Heitkamp	Reid
Burr	Heller	Roberts
Cantwell	Hirono	Rounds
Capito	Hoeven	Sanders
Cardin	Inhofe	Schatz
Carper	Isakson	Schumer
Casey	Johnson	Sessions
Cassidy	Kaine	Shaheen
Coats	King	Stabenow
Cochran	Kirk	Sullivan
Collins	Klobuchar	Tester
Coons	Lankford	Thune
Corker	Leahy	Tillis
Cornyn	Manchin	Toomey
Cotton	Markey	Udall
Donnelly	McCain	Warner
Durbin	McCaskill	Whitehouse
Enzi	McConnell	Wicker
Ernst	Menendez	Wyden

## NAYS—17

Blunt	Lee	Sasse
Booker	Moran	Scott
Crapo	Murphy	Shelby
Cruz	Paul	Vitter
Daines	Risch	Warren
Flake	Rubio	

## NOT VOTING—2

Graham	Nelson
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The bill (S. 1177), as amended, was passed.

(The bill, as amended, will be printed in a future edition of the RECORD.)

The PRESIDING OFFICER. The Senator from Tennessee.

## MORNING BUSINESS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Senator from Washington and I be permitted to speak for as much time as we require.

The PRESIDING OFFICER. Without objection, it is so ordered.

## EVERY CHILD ACHIEVES ACT

Mr. ALEXANDER. Mr. President, the vote was 81 to 17. What that says to me and should say to the American people is that not only is there a consensus in this country that everybody wants to fix No Child Left Behind, that is the consensus we began with. Not only was there consensus in the Senate's education committee about how to fix it—which was unanimous in a 22-member committee that includes Members who are about as diverse as you could find in the Senate—the entire Senate has a consensus on how to fix it.

The Senator from Washington and I were just talking. This is a com-

plicated piece of legislation. There are crocodiles in every corner, any of which could have made it difficult for this bill to succeed. For the Senate to take a look at the 100,000 schools in this country for the 50 million children and the 3.5 million teachers and say, "We hear you. We know you want to end the confusion, the anxiety, and the feeling that you are not in charge of your own children. We hear you. We have listened to you, and we have come up with a solution with which you agree"—and that we voted by a vote of 81 to 17 is a remarkable event.

So we have a remarkable consensus that No Child Left Behind needed to be fixed. We had a remarkable consensus on how to fix it in the committee. There are not many times on a bill this difficult and this encompassing that we have a consensus this remarkable—81 to 17—in the Senate. I mentioned in my earlier remarks the importance of the Senate in this way.

Someone said the Senate is the one authentic piece of genius in the American political system. The only claim we would have to that exalted description would be that we are the only part of our government that is created for the express purpose of developing consensus. The House of Representatives is America's sounding board. The country moves suddenly, the House moves suddenly. Our job is to take all the different points of view and to consult with each other and to see whether we can create the kind of consensus so that when people look at the Senate and see a result, they may say: Well, I am not sure I agree with every single thing they did, but if 81 Senators of both parties—out of 100—believe this is the right way to fix No Child Left Behind, I will accept it.

That is the way the civil rights bill was done in the 1960s and the 1970s. Large majorities—bipartisan groups—came to a complicated decision on a complex problem. The way you govern a complex country is by consensus, and the only agency in the government that is capable of creating that kind of consensus on a major piece of legislation is the United States Senate. It has done that today, and I am very proud of my colleagues for the way they have done this.

I especially thank the majority leader for creating the time to deal with it. We took a little more than a week. We came on the floor a week ago Tuesday, so we didn't really take that long. We got on and off the floor pretty quick. I also thank him for creating an environment where we could adopt a lot of amendments. Senators are here to have their say whether or not we agree. People of North Dakota expect that. People of Texas expect that. Senator MCCONNELL has created that environment.

Senator CORNYN, Senator THUNE, Senator BARRASSO, and the other lead-

ers on the Republican side have been an enormous help.

I have during the week thanked the Democratic leader, Senator REID. Senator REID allowed this bill to come to the floor without delay. That helps a lot. During the week, he, Senator SCHUMER, Senator DURBIN, and the other members of the Democratic leadership, along with Senator MURRAY, created the environment where we could do what we have accomplished—especially Senator MURRAY. I have often said that the reason we are here is because she suggested to me a way to go forward, a way to do this together. She did that after both of us watched the last two Congresses where we just fell apart in the partisan differences. I took her advice—it was good advice—and that is why we are where we are today. I deeply respect the way she works toward a result. She is deeply passionate on the things she cares about, but she knows we are here to get a result, and that means in this case we need to work with the House of Representatives, which we will begin to do in the next few weeks. Then we will produce a bill and send it to the President in a form he is comfortable signing.

There are a number of Senators who, because we are able to offer amendments on the floor, withheld their amendment or stepped aside because what they were doing might have interfered with our result. I think of Senator FRANKEN on an amendment he feels powerfully about. He stepped aside and didn't offer it in committee but waited until the floor. Senator VITTER stepped aside on an amendment he felt strongly about because he could bring it up in the Judiciary Committee. Senator LEE, Senator TOOMEY, and Senator BURR all did that. They showed some restraint in pursuit of a result.

I thank those outside this Senate whose work was so important to us. There are a lot of remarkable things about this consensus, but none was more remarkable than what those outside of the Congress thought. It is rare that you see the National Governors Association, the Council of Chief State School Officers, the American Association of School Administrators, the National Education Association, and the American Federation of Teachers all agree that not only did No Child Left Behind need to be fixed but that this was the way to fix it, and that made it easier to get a vote of 81 to 17.

Finally, all of us in the Senate know how important staff work is. In this case, staffs have worked for days and days, and the trust Senator MURRAY and I have developed is the same kind of trust they have developed. So I especially thank David Cleary, who is the staff director of the education committee, our HELP Committee, Peter Oppenheim, Lindsay Fryer, Lindsey

Seidman, Liz Wolgemuth, Jim Jeffries, Margaret Atkinson, Bill Knudsen, Jordan Hynes, Steve Townsend, Hillary Knudson, Jake Baker, Kayla McMurray, Bobby McMillin, Matthew Stern, Diane Tran, Haley Hudler, Patrick Murray, and Allison Martin.

On Senator MURRAY's exceptional staff, I thank Evan Schatz, Sarah Bolton, Mike Spahn, Amanda Beaumont, John Righter, Jake Cornet, Leanne Hotek, Allie Kimmel, Aissa Canchola, Ariel Evans, Aurora Steinle, Leslie Clithero, Sarah Cupp, Eli Zupnik, and Helen Hare.

On the floor, I thank those who have the oil cans, Laura Dove and Robert Duncan, who keep this side greased and working, Gary Myrick on Senator REED's side, Chris Tuck, Mary Elizabeth Taylor, Megan Mercer, Tony Hanagan, Mike Smith, and Chloe Barz.

I would also like to thank the Senate Legislative Counsel's staff who worked long hours on the bill and then on the amendments, so I would like to especially thank Amy Gaynor, Kristin Romero, and Margaret Bomba.

We always rely on the experts at the Congressional Research Service to give us good information in a timely manner, so on behalf of the Committee I extend our thanks to Becky Skinner, Jeff Kuenzi, Jody Feder, and Gail McCallion.

On Senator MCCONNELL's staff, I would like to thank Sharon Soderstrom, Don Stewart, Jen Kuskowski, Katelyn Conner, Erica Suares, John Abegg, Neil Chatterjee, and Johnathan Burks.

On Senator CORNYN's staff, I thank Russ Thomasson, Monica Popp, Emily Kirlin, John Chapuis, and Michele Chin.

I would also like to thank the following staff who played critical roles to help pass this important legislation. Dana Barbieri with the Republican Policy Committee; Meghan Taira and Veronica Duron with Senator SCHUMER; Dena Morris and Brad Middleton with Senator DURBIN; Natasha Hickman and Chris Toppings with Senator BURR; Josh Yurek with Senator ROBERTS; Tara Shaw and Kristin Chapman with Senator ENZI; Natalie Burkhalter with Senator PAUL; Bret Layson with Senator ISAKSON; Katie Neil and Bill Castle with Senator HATCH; Katie Brown with Senator COLLINS; Karen McCarthy with Senator MURKOWSKI; Cade Clurman with Senator KIRK; Lizzy Simmons, Will Holloway, and Daniel Bunn with Senator SCOTT; Pam Davidson and Chris Gillott with Senator CASSIDY; Josh Delaney and Julie Morgan with Senator WARREN; David Cohen with Senator SANDERS; Brenna Barber, and Chris Stavish with Senator WHITEHOUSE; Michael DiNapoli and Brian Moulton with Senator BALDWIN; Brent Palmer with Senator MIKULSKI; Jared Solomon and Joe Hill with Senator CASEY; Boris Granovskiy and

Gohar Sedighi with Senator FRANKEN; Juliana Hermann with Senator BENNET; Russell Armstrong with Senator MURPHY; Aisha Woodward with Senator KING; David Cole with Senator MCCAIN; Sharon Burd with Senator FISCHER; Dana Richter with Senator CAPITO; Jordan Hess with the Republican Steering Committee; Christy Knese with Senator LEE; Devon Brenner and Constance Payne with Senator COCHRAN; Jennifer Bowman with Senator INHOFE; Crystal Martinez with Senator FEINSTEIN; Nancy Richardson and Viraj Mirani with Senator COATS; Desiree Mowry with Senator BLUNT; Moira Lenehan with Senator REED; Mary Blanche Hankey with Senator SESSIONS; Jessica-Phillips Tyson with Senator GRAHAM; Jane Lucas and Jon Abdnor with Senator THUNE; Travis Johnson and Kate LaBorde with Senator VITTER; Daniel Auger with Senator AYOTTE; Jennifer Humphrey and Toni-Marie Higgins with Senator BOOZMAN; Mike Thomas with Senator CARDIN; Robert Murray with Senator WICKER; Brian Perkins with Senator MORAN; Shawn Affolter with Senator HOEVEN; Emily Bouck with Senator RUBIO; Sean Riley with Senator JOHNSON; James Mikolowsky and Ethan Saxon with Senator BLUMENTHAL; Rachel Green with Senator HELLER; Will Holloway and Daniel Bunn with Senator SCOTT; Sarah Towles with Senator FLAKE; Jonathan Elkin with Senator HIRONO; Elizabeth Hill with Senator HEINRICH; Jeff Murray, Andrew White, and Courtney Asbill with Senator CRUZ; Clint Bowers with Senator HEITKAMP; Chris Slevin and Ashley Eden with Senator BOOKER; Curtis Swager and Alison Toal with Senator GARDNER; Katherine Mayne with Senator LANKFORD; John Martin with Senator DAINES; John Eustice with Senator PERDUE; Joe Nolan with Senator TILLIS; Peter Eckrich with Senator ROUNDS; Tony Frye with Senator ERNST; Alyene Senger and Andy Reuss with Senator SASSE, and Kate Wolgemuth with Senator SULLIVAN.

I also thank members of the education community for their persistent help with this bill, including Mary Kusler with the National Education Association; Tor Cowan with the American Federation of Teachers; Chris Minnich, Peter Zamora Carissa Moffat Miller, and Jessah Walker with the Council of Chief State School Officers. There are many others who have helped, but this is a day I am very proud of the Senate. For 50 million children, 3½ million teachers, and 100,000 public schools, it is a big step forward.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, the senior Senator from Tennessee, as he often does, has laid it out very well. I believe it is the case the U.S. Senate is

the only legislative body in the world where a simple majority is not enough on almost everything.

This body was crafted in a way that would ensure, unless one side has a really big majority, that we work together, but it doesn't automatically work unless you have leaders like Senator ALEXANDER and Senator MURRAY who want to get a result.

So I want to commend both these outstanding Senators for an extraordinary accomplishment. This is a significant bill for the country, and to fold all of these disparate interest groups, with all their separate agendas, into a position of support was an extraordinary leadership contribution. So I say to both of you, both the Senator from Washington and the Senator from Tennessee, the Senate is proud of you for what you did here.

This is a good example for all the rest of us. On a little more contentious issue, Senator MURRAY and I had a chance to work together on trade promotion authority. We hope to do that on highways. We hope to do it on cyber security. The Senate is back to work. I think Members on both sides appreciate that, and we are going to continue to do this, but I thank both Senators for providing a wonderful example for all the rest of us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I recently heard from a teacher in Seattle by the name of Lyon Terry. Over the course of his 17-year career, he has taught second, third, and fourth grade. What makes Mr. Terry a great teacher is the way he engages with his students. He starts the morning by playing songs on his guitar. He keeps his students laughing with jokes, and every day he tries to create an environment where kids want to come to school.

Last year, he was named Washington State Teacher of the Year for 2015. This week, Mr. Terry has been following our debate on the Senate floor, and he was truly hoping we would pass this bill because he says the current law doesn't reflect the work he and his fellow teachers at Lawton Elementary School are doing every day.

So let me echo the words of the chairman of our committee and the majority leader. I am proud today that the Senate passed a bill to fix No Child Left Behind for teachers like Mr. Terry, for parents, for communities, and most importantly for our students—a bill to continue our mission of delivering on the promise of providing every child with the best our Nation can provide.

I have been very proud to partner with Chairman ALEXANDER on the Every Child Achieves Act, and I want to thank him tremendously for the successful bipartisan process we have had.

I want to thank all our colleagues on the Committee on Health, Education, Labor and Pensions for their work and dedication in moving this bill forward. And, of course, I want to thank the staff as well—both my staff and the staff of Senator ALEXANDER—for all of their hard work. They have worked many, many, many long days and late nights and weekends to get us to this point today.

I will submit a full list of names later, but there are some staffers in particular I want to recognize. On Senator ALEXANDER's staff, I want to acknowledge and thank his staff director David Cleary, as well as Lindsey Seidman, Peter Oppenheim, and Lindsay Fryer. They have done an excellent job. On my staff, I want to acknowledge and thank my staff director Evan Shatz, and my education policy director Sarah Bolton for their outstanding leadership, as well as Amanda Beaumont, Leanne Hotek, Allie Kimmel, Aissa Canchola, Ariel Evans, Jake Cornett, Leslie Clithero, Aurora Steinle, Helen Hare, and Mary Robbins. Thank you for all of your hard work on this important bill.

I, too, want to thank our floor staff on our side, Gary Myrick, Tim Mitchell, Tricia Engle, and all our floor staff—Republican and Democratic—for their help and guidance. We couldn't be here without them.

I want to take a step back for a moment to look at the work we have done so far and the work that remains even beyond the vote we had today.

Of course, nearly everyone agrees No Child Left Behind is badly broken. That goes almost without saying. I have heard it from so many parents, teachers, and administrators in Washington State—Democrats, Republicans, and Independents. They are sick and tired of the broken law in front of us. They want Congress to fix it, and they do not want us to wait any longer.

That is why I am so proud our bill, the Every Child Achieves Act, is a strong step in the right direction to finally fix the broken No Child Left Behind law and make sure all of our students have access to a high-quality public education.

For one, our bill addresses high-stakes testing. The current law over-emphasizes test scores to measure how students are doing in school. Our bill will give flexibility to States to use multiple measures, not just test scores, to determine how well a school is performing. These steps will reduce the pressure on students, teachers, and parents so they can focus less on test prep and more on learning.

Our bill eliminates the one-size-fits-all provisions of No Child Left Behind that have been so damaging for our schools and our districts. Instead, it allows communities and parents and teachers to work together to improve their schools and ensure that every

child gets a well-rounded education. Our bill maintains Federal protections to help students graduate from high school college- and career-ready.

When the education committee debated the bill, I was very proud to work on a bipartisan amendment with Senator ISAKSON to expand and improve on early learning programs. As a former preschool teacher, I have seen the kind of transformation early learning can inspire in a child. So I am very glad this bill will help us expand access to high-quality early childhood education so more kids can start kindergarten ready to learn.

I have also seen fixing the current law as a multistage process. At the beginning of this year, as the chairman said, he released his discussion draft for reauthorizing ESEA. After that, the two of us had a conversation about a path as to how to move forward. Instead of going down a partisan path and letting politics become our guide, we agreed to work together to find common ground. We agreed to do everything we could to put our students first, to put the families and communities we represent first, to break through the gridlock and dysfunction that too often paralyzes this Congress, and to chart a path to fix a broken law.

I again want to commend my partner Chairman ALEXANDER for sticking to that approach. He is a role model for all of us, and I appreciate all he is doing. The result is our Every Child Achieves Act. It wasn't the bill I would have written on my own, I know it isn't the bill he would have written on his own, but it is what is called a compromise. It is a strong bill that all sides can be proud of.

After we negotiated our bipartisan compromise in April, we passed our bill out of committee with a unanimous vote—12 Republicans, 10 Democrats. So I want to thank all of our Health, Education, Labor and Pensions Committee members who worked to improve and strengthen this bill in committee and all the Members—Democrats and Republicans on our committee and off—who wrote the dozens of amendments we included in our substitute and managers' packages, and all those who brought their ideas to the floor and debated and voted on them over the past week on the Senate floor.

Today, I am very proud we have passed this bill with a strong bipartisan vote. As we know, our work is not yet done. Now we begin the next phase. As Chairman ALEXANDER has said throughout our floor debate, ultimately we need a bill President Obama will sign into law, and though this bill has taken a number of steps in the right direction, there are still a few more we need to do before our work is done. We have important work to do in conference to reach an agreement on a final bill.

The President has made it very clear to us he can only sign a bill that

strengthens the accountability measures in the Every Child Achieves Act and that addresses inequality, where some schools are unable to offer the same opportunities as others. I agree that is a must, and I know I will continue to work hard, alongside ranking member BOBBY SCOTT in the House and the administration, to make accountability and resource equity a priority in conference.

The only way forward is for the strong bipartisan work we have seen in the Senate to continue in that process. Now, I will say, unfortunately, so far, House Republicans chose a partisan approach to reauthorize this bill. Their bill doesn't represent one end and ours represents another, where we have to meet in the middle. Their bill really represents an unacceptable partisan approach and path and ours represents a carefully negotiated compromise with just a few important steps to go.

So I hope in conference our friends in the House, the House Republicans, will be ready to join House and Senate Democrats, Senate Republicans, and the administration as we work together to get this done in a way that works for all our students and families.

By working together, I am confident we can get this bill over the finish line and fix this broken law for our teachers in my home State and across the country and help make sure all our students have a quality education. Delivering on that promise of a good education for all students will pay off for generations to come. This is one of the best investments in our country we can make to ensure we have broad-based and long-term economic growth because, as we all know, when students have the chance to learn, we strengthen our future workforce. We know our country grows stronger and we empower the next generation of Americans to lead the world. We will help our economy grow from the middle out, not just the top down, and that is something we have known for a long time.

Fifty years ago, in what would be just months before signing the original Elementary and Secondary Education Act into law, President Johnson said, when it comes to education, "nothing matters more for the future of our country." That is still true today. The future of our country hinges on our students' ability to one day lead the world.

So I am looking forward to our continued work on this Every Child Achieves Act for our students, for our parents, for our teachers, and for the future of our country.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, it is my understanding we are in morning business.

The PRESIDING OFFICER. The Senator is correct.



Mr. ALEXANDER. Mr. President, will the Senator from Indiana yield for 60 seconds?

Mr. COATS. I will be glad to yield.

Mr. ALEXANDER. Mr. President, I forgot to mention the number of amendments that were considered, and I would like to place that in the RECORD.

In the committee, we adopted 29 amendments. On the floor, 178 amendments were filed, 78 were considered, and 65 amendments were adopted—10 of those through rollcall votes, 28 through voice votes, and 27 by unanimous consent through two managers' packages.

Nearly 100 amendments were adopted to the bipartisan draft that Senator MURRAY and I presented to our education committee earlier this year. I think the fact so many Senators not only had a chance to have their say but had their ideas included in the bill—and I think especially of the Senator from Rhode Island who has worked for the last couple of years on a particular provision—was one important reason why we had a consensus that rose to 81 votes.

I thank the Senator from Indiana for his courtesy.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, I rise to speak but first want to acknowledge and thank my colleague Senator COLLINS for allowing me to step ahead of her in this process. I promise to be expeditious in terms of getting through this. It turns out her plane to Maine leaves later than my plane to Indiana, so she has very graciously allowed me to go forward.

#### WASTEFUL SPENDING

Mr. COATS. Mr. President, the last 6 months of this Senate I have been coming down here every week to talk about the "Waste of the Week"—examples of waste, fraud, and abuse within the Federal Government. I can't believe this is No. 17. We are continuing to rack up significant savings to the taxpayer. We can eliminate these documented and certified wastes that have been determined through the various government agencies, inspectors general, and others.

Today we turn to a rather serious topic regarding the receipt of taxpayer dollars by criminals who are avoiding felony arrest but are still receiving benefits at taxpayers' expense.

Here is a little history. The Social Security Act currently prohibits those fleeing justice from receiving Social Security and other Federal benefits. Congress first addressed this issue in 1996, when it banned fugitive felons from receiving Social Security benefits. It then expanded this prohibition in 2004 to also apply this ban to Social Security disability insurance and World War II benefits.

Unfortunately this law has run into some conflicting opinions by court challenges, which have weakened the effects of the law and led to a lack of clarity in terms of what the original language and original intent by Congress was supposed to be. To address this problem—because it is a problem, and there is lack of clarity—I have this week introduced legislation to amend the Social Security Act to clearly state—to clarify—the intent of the law that prohibits fugitive felons from receiving Social Security retirement and disability benefits. My bill would clarify this law and return the implementation of the policy to its original intent.

Now, let me be clear. The government should not be providing benefits to those avoiding prosecution, custody or confinement for a crime or attempt to commit a crime that is considered a felony. But we are not talking about individuals who get speeding tickets or make a mistake on their taxes. This legislation applies only to those with an arrest order for felony charges.

The crime must be of enough serious magnitude to carry with it a minimum sentence of 1 or more years in prison.

So we want to be careful here that we are not imposing this restriction of receipt of benefits on someone who doesn't qualify under the law, and that is another clarification that we want to make.

Furthermore, the bill retains the ability of the Social Security Administration to continue or restore benefits if the individual can show good cause—such as that they were exonerated of the crime or perhaps were victim of an identity theft or other legitimate reasons to not lose benefits.

According to the Congressional Budget Office, this commonsense fix could save taxpayers \$4.8 billion over the next 10 years alone.

So the bottom line is this: We pull out our chart with our ever-growing gauge of money that has been wasted through fraud and abuse within the Federal Government. We are climbing very quickly to \$100 billion. I thought it would take a year to get there if I did one a week. We are going to have to make a major extension to this chart or redo this because we are closing in on \$100 billion of wasted taxpayer money documented by Federal Government agencies in investigations. So passage of this bill would add \$4.8 billion to our chart.

We have come across so many instances of bloat, waste, fraud, and abuse. I could be down here every day the Senate is in session. I could be down here every hour the Senate is in session—such is the staggering amount of dysfunction occurring through this bloated bureaucracy called the Federal Government.

Here we are, trying to protect taxpayers of our States who are stretched

to the gills in terms of what they have to pay not only in Federal but State or sales—you name it—or real estate taxes that roll up and consume so much of everybody's weekly pay.

The least we can do—while we need to make major fixes to our fiscal problems here—is take those that have been identified by legitimate neutral organizations—inspectors general of the United States, various agencies—bring those to light, and then do something about it and not just come down here and make a chart and add some red ink, but actually introduce legislation, which I am trying to do on some of these pieces so that we can remedy this problem.

So meanwhile we have an administration here that has refused over and over to sit down and work out a long-term fiscal debt reduction program, which this country desperately needs because the debt clock is still ticking away like crazy.

If you want to see it, go to my Web site at [coats.senate.gov](http://coats.senate.gov). We have the clock right there. We haven't talked about it much down here lately. We made a big push earlier. Too many people have thrown up their hands and said that under this administration it is not going to happen. That probably is right. But the least we can do then, until we get new management in the White House, is to find these issues of waste, fraud, and abuse, and do something about it now. So that is what we are trying to do.

I look forward to being back here next week with the latest edition of "Waste of the Week."

I thank my colleague from Maine for her patience.

I yield the floor.

The PRESIDING OFFICER (Mr. CASIDY). The Senator from Rhode Island.

#### OLDER AMERICANS ACT

Mr. WHITEHOUSE. Mr. President, the Senator from Maine is about to speak I believe on the Older Americans Act.

While she is here on the floor, I wish to take a moment to express my personal appreciation to her and to Chairman ALEXANDER for an issue that arose during the course of the Older Americans Act.

I have a very strong concern that older Americans, particularly as they approach the end of their lives, are not getting their wishes honored. In fact, very often nobody even knows what their wishes are about how they would like to be treated at the end of their lives. Do they want to be at home? Do they not particularly care about using all the medical apparatuses available to them? Do they want to be in the hospital and have everybody take every available measure? That should be their choice. It should be an informed choice and a choice that we should honor.

I sought language within the Older Americans Act to try to empower that. There were difficulties with it, and those difficulties were resolved by the willingness of Chairman ALEXANDER to ask Chairman COLLINS to hold a hearing on this subject in the Select Committee on Aging and for all of the chairmen and ranking members on the two committees to send a letter to the Government Accountability Office to lay out the case and put a factual brief before us for that hearing.

This would not have happened without the courtesy of Senator COLLINS. This is an aging committee thing that she has been willing to do to resolve an issue that actually started in the HELP Committee. It was very gracious of her. She has been a leader on these end-of-life issues for a long time. I didn't want to miss this chance to express my appreciation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, before the Senator from Rhode Island leaves the floor, let me thank him for his kind comments. I have enjoyed working with him on issues such as hospice care and advanced planning. I know these issues are very important to him, as they are to me. I am happy we are able to collaborate on a GAO request and also on a hearing later this year.

So I thank him for his efforts in resolving this issue so that the reauthorization of the Older Americans Act could go forward.

#### EVERY CHILD ACHIEVES ACT

Ms. COLLINS. Mr. President, before I begin my comments on the Older Americans Act, I do want to add to the accolades that have been given today to the chairman and the ranking member of the Senate Health, Education, Labor and Pensions Committee, on which I am pleased to serve.

They have worked as a team, providing tremendous leadership that brought us to a tremendous accomplishment today, and that is the passage of the Every Child Achieves Act. It would not have happened without the extraordinary leadership of Chairman ALEXANDER and Senator MURRAY, the ranking minority member. I thank them for their hard work in this regard.

#### OLDER AMERICANS ACT

Ms. COLLINS. Mr. President, as the chairman of the Senate Special Committee on Aging and as the cosponsor of the reauthorization of the Older Americans Act, I also commend the chairman and the ranking member of the HELP Committee for their hard work over the past 2 years in developing a bipartisan consensus bill to reauthorize and strengthen the Older

Americans Act. It is my hope that the Senate later today will unanimously pass this important legislation.

The programs authorized by the Older Americans Act are tremendously important in the State of Maine and across the country. Maine is the oldest State by median age in the entire country. Probably, if I asked most of my colleagues, they would guess it was Florida, but in fact it is the State of Maine.

Maine's network of five area agencies on aging provides invaluable supports and services to more than 100,000 seniors living in my State.

In just the past few months, I have received almost 700 letters from seniors across Maine urging that we pass the reauthorization bill. I look forward to letting my constituents know that the Senate soon will do just that.

While funding has been provided on a continuing basis through the appropriations process, the fact is that legislation reauthorizing the Older Americans Act is long overdue. The authorization expired in 2011.

It is particularly significant that the Senate pass this legislation this month, for July marks the 50th anniversary of the Older Americans Act.

This law funds critical services in communities across our Nation that help to keep our older adults healthy and independent. Its funding supports some of the most vital and successful Federal programs for our Nation's seniors.

Nearly 12 million older Americans receive services through this law, such services as Meals on Wheels, senior centers, transportation, legal services, and caregiver support.

Moreover, these programs are operated through a national network of area agencies on aging that stresses local decisionmaking regarding what services are most needed for older adults in a particular community. It is a flexible program that allows local needs to be met.

Older Americans Act programs also help to relieve the financial pressure on the Medicare and Medicaid Programs, because they help seniors to stay healthy, independent, and living right where they want to be—in the comfort, security, and privacy of their own homes.

AARP's surveys consistently reflect the fact that aging in place is the preferred option for seniors who want to continue to live independently and avoid expensive nursing home and other institutionalized care as long as possible.

This bill also includes important provisions to strengthen the Long-Term Care Ombudsman Program and to help protect our vulnerable seniors from financial exploitation and abuse. Financial exploitation of our seniors is a growing epidemic that cost them an estimated \$2.9 billion in 2010. It is so dis-

turbing that in 90 percent of these cases, the financial exploitation abuse is perpetrated by a family member, a trusted individual, a caregiver—someone whom the senior knows well. The Aging Committee has held hearings to highlight this issue, and the bill that will be coming before the Senate later today will take steps to strengthen the Federal response to this growing problem.

Of course passage by the Senate, while an essential step, is not the final step in reauthorizing this significant law. I look forward to continuing to work with the chairman, the ranking member, and our colleagues here and in the House to make the reauthorization of the Older Americans Act a reality this year. And how wonderful would it be if it could be a reality this month, which marks the 50th anniversary of this significant law.

I thank the Presiding Officer and yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LANKFORD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ABORTION

Mr. LANKFORD. Mr. President, I wish to take just a moment to speak about a subject that is very difficult for me to speak about and, quite frankly, difficult for a lot of Americans to speak about and hear about. It connects to all of us in extremely personal ways. Let me set some context.

Not long ago, a group of animal rights activists gathered around a research facility that was using animals for their testing. The activists gathered around the facility, chanted, and had signs they held up that said "It is not science, it is violence" and other signs that said "Animal lives are their right; we have just begun to fight" as they protested to protect the lives of the animals that were being used for research in that facility.

I understand their frustration, but let me put it in the context of some things that came out this week. We have learned that this week an organization called Planned Parenthood is using children who were aborted and sending the bodies of those aborted children to research facilities—sometimes for sale, different body parts—to be used in research. These are not mice. These are not lab rats. These are children—children who have gone through the process of a horrific abortion.

This morning, in an appropriations hearing the Presiding Officer and I both were in, we had an extensive conversation about the rights of orca

whales. This protracted conversation went on and on—many people also were connected to this—about the rights of orca whales and about their care. Then we had a protracted conversation about horse slaughter and how horses would be humanely put down. But in the middle of all that conversation that happened today, there were children still being aborted with an instrument reaching into a mother and tearing apart a child but carefully protecting certain organs because those organs would be valuable to sell.

Now the challenge we have on this as a nation is the argument that that baby is not really a baby, that it is just a fetus, it is tissue. “That is not a human baby” is what everyone is told. “That is just tissue, and it is up to the mom to determine what happens to that tissue.” And then on the flip side of it, moments later, they take that tissue and then sell it because it is human organs that are needed for research. You can’t say in one moment that it is not a human and then sell it in the next moment as a human organ and now suddenly say it is. It was a human all the way through. There was never a time that wasn’t a child. There was never a time that wasn’t a human.

It seems the ultimate irony to me that we spend time talking about the humane treatment of animals being put down, such as in horse slaughter, and we completely miss children being ripped apart in the womb and their body parts being sold.

Here is how it happens. A mom comes into a facility, gives consent to have an abortion, makes that request. After that request is made, to some moms—and we don’t know exactly how they choose which moms—to some moms they then ask consent for their child, after it is aborted, to be used for research purposes.

From the video that was put out this week, they said that was actually comforting to some moms, that as they know how traumatic the abortion is, at least some good would come out of it, that those body parts would then be used for research to hopefully save other children—which again comes back to the ultimate irony that we literally tear one child apart in an abortion with the assumption that hopefully that would actually help some other child in the future, missing out on the significance of the child who is right there who could be helped by protecting their life.

Then the doctor in this particular video gives the details of how once they get that consent from the mom, they would be careful to reach in and actually crush the head of the child to kill the child in the womb so they could preserve the rest of the organs because the kidney has value, because the liver has value, because the lungs have value, and because the muscles in the legs have value.

I would tell you that child has value and that every single adult who can hear me right now was once 20 weeks old in the womb. We can look at each other and understand that the difference between that child in the womb and any of us now is time. That is a human being we are talking about, and it doesn’t bring me comfort to know that one child is torn apart so that maybe they can do research on the child’s organs so that at some future moment, it may help a different child.

Not every woman is being asked if her aborted child can be used for research, and we really don’t know the why. Maybe they are looking for particularly healthy moms. Maybe they are looking for very mature, healthy babies. Maybe it is a situation where a particular mom couldn’t afford to have the abortion procedure, and so they swap off and say: If you can’t afford the abortion procedure, maybe we can cover the costs by then possibly selling some of these organs. We don’t know.

But I think maybe the question needs to be asked why this Congress would spend time today debating horse slaughter and debating orca whales, and yet we have become so numb to children that the other debate doesn’t seem to come up.

Maybe we need to start again as a nation asking a basic question: Is that a child? In our Declaration, we said every person, we believe, is endowed by our Creator to life, liberty, and the pursuit of Happiness. Maybe we need to ask again as a nation, do we really believe that?

Let’s start with some basic things. How about a child of 20 weeks who we know scientifically can feel pain cannot have their limbs ripped apart in an abortion. There are only seven countries in the world that allow that. We are in a prime group—like North Korea and China—of nations which still allow abortions that late. We should ask that question again: Is that really who we are as America?

Maybe we need to ask the question again to Planned Parenthood, to which we give half a billion dollars in funding. Maybe this is not a good idea. Other organizations that serve people all over the country raise their funds separately and don’t do it with Federal funds. Maybe that is a legitimate question we need to ask.

We have hard questions to deal with as a nation—budget, regulations, the future direction we are going. Why don’t we add to the list? Do we really care about children or not? And on a day that we passed an education bill, before we pat ourselves on the back saying how much we care about children, let’s make sure we are dealing with a compassion for children at every age, not just at certain ages. Have we really become this numb? And how do we turn it around?

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, are we in a quorum call?

The PRESIDING OFFICER. The Senate is not in a quorum call.

#### OECD BASE EROSION AND PROFIT SHIFTING PROJECT

Mr. HATCH. Mr. President, I rise today to express serious concern about an ongoing project at the Organization for Economic Co-operation and Development, or OECD. It is called the Base Erosion and Profit Shifting—or BEPS—Project. BEPS is a program that is intended to address perceived flaws in international tax rules that have allowed multinational corporations to shift profits—but not necessarily corresponding economic activity—from high-tax to low-tax jurisdictions. These strategies, in some cases, had a negative impact on the tax basis of OECD countries, creating a need for solutions.

Unfortunately, it appears that the project has moved well beyond its original mandate, and many U.S. companies are rightly concerned that they may be facing significant negative consequences. This should concern all of us in government as well.

Let’s talk for a minute about how we got to where we are today. In 2012, the G20 tasked the OECD with developing a comprehensive and coordinated approach to addressing certain aggressive tax-planning strategies. As we all know, the G20 is an international forum for governments and central bank officials from 20 major economies around the world which meets periodically behind closed doors to discuss financial matters and, even though it has no formal charter, arrive at agreements.

The G20’s direction resulted, at least in part, because of the BEPS project. It was originally supposed to be limited in scope, with a focus on discrete actions to address inappropriate tax avoidance. The idea was to find ways to possibly arrive at consensus on how to prevent those strategies that result in very little or no taxation of profits or what some have come to call “stateless income.”

The OECD released what it called its BEPS Action Plan in 2013. The plan identified 15 action items for changes in tax policy. Among those action items were recommendations to modify domestic laws to, one, strengthen controlled foreign corporation or CFC rules and limits on interest deductions; two, prevent tax treaty abuse; three, increase taxpayer reporting requirements and information sharing among governments; and, four, develop a multilateral instrument to implement certain BEPS actions.

Discussion drafts have been released on many of the action plan items and

final reports are anticipated to be finalized and delivered to the G20 later this year.

The Obama administration's Treasury Department has been actively involved in the BEPS project. Last summer, Deputy Assistant Treasury Secretary for International Tax Affairs Robert Stack stated that "failure in the BEPS project could well result in countries taking unilateral, inconsistent actions thereby increasing double taxation, the cost to the U.S. Treasury, and the number of tax disputes."

Now, given this and other statements from Treasury officials, it appears Treasury believes its role in the BEPS project is to protect the U.S. tax base from erosion and to protect U.S. multinational companies from actions from other countries that could lead to double taxation and time-consuming disputes. In that regard, Treasury has been actively negotiating on behalf of the U.S. Government to reach consensus on the BEPS action items.

These are laudable goals. However, I do not believe these goals have been achieved. Indeed, just last month, Deputy Assistant Treasury Secretary Stack himself faulted the UK and Australia for taking unilateral actions targeting U.S. multinationals, possibly contrary to the commitments those countries have made in their treaties with the United States.

More importantly, I am very concerned there are bigger issues at play and that the BEPS project has far exceeded its original mandate. Once again, BEPS was meant to be limited in scope, focusing on the prevention of tax strategies that yield inappropriate results. Instead, it appears to have become a mechanism for rewriting global tax strategies—potentially including those commonly used by U.S. companies—behind closed doors without the input or consent of Congress itself.

As we all know, only Congress can make changes to U.S. tax law. Yet no representatives from Congress have been offered a seat at the table in any of the BEPS negotiations. Sure, the OECD has been quite forthcoming in meeting with Members and congressional staff, but in the actual BEPS deliberations, all the decisions are being made by unelected bureaucrats in Paris and not by anyone from the Senate or House of Representatives.

The Senate Committee on Finance, which I chair, is currently engaged in an effort that we hope will eventually lead to comprehensive tax reform. This has been a long-term effort and Members of both parties and both Chambers of Congress have been engaged in this endeavor for quite some time. Yet while Congress continues to work toward this long-term goal, the Treasury Department is negotiating the BEPS action items, which may attempt to commit the United States to make

changes to our domestic tax laws, without any substantive input from Congress or Congress's tax-writing committees.

We know this is a problem. Indeed, certain positions already agreed to by the Treasury Department as part of the BEPS project could materially damage U.S. tax reform efforts. Congress and the administration need to work together on these issues. When I say "work together," I do not mean that Treasury officials should only periodically come to the Hill in order to brief congressional staff on decisions that have already been made. I mean administration officials should not make any commitments that could impact U.S. tax policy without adequate consultation and explicit agreement from Congress.

We all remember when, years ago, then-Treasury Secretary Geithner decided to reach an agreement with other officials in the G20 regarding funding for the International Monetary Fund or IMF. After reaching this agreement, without any significant input or consent from Congress, the Obama administration presented, and continues to present, the issue of altered IMF funding as an "international commitment" the administration made and Congress must honor.

Put simply, that is not an appropriate model for pursuing and achieving changes to U.S. law. And if the administration intends to use a similar model for the changes recommended by the BEPS project, that is, as the saying goes, a dog that just won't hunt.

I am going to put this as simply as I can. Congress is the steward of the American taxpayer resources. Those resources are not bargaining chips for international agreements that may or may not advance our Nation's interests. Make no mistake, international cooperation and consensus are important. I don't object to unified actions toward common goals and shared objectives, but when the resources of U.S. taxpayers are on the line—as they appear to be with the BEPS project—Congress must play a significant role.

Once again, some of the BEPS action items would commit the resources of U.S. taxpayers either in the form of alterations to tax rules governing the taxation of U.S. multinationals or in the form of resources American taxpayers will have to expend in order to abide by the terms of the BEPS action items.

Last month, the OECD held a conference on the BEPS project here in Washington, DC. Prior to the conference, the House Ways and Means Committee chairman, PAUL RYAN, and I sent a letter to Treasury Secretary Lew outlining our concerns with several of the actions proposed under the BEPS project, including country-by-country reporting, "master file" documentation, potential limits on interest

deductibility, and others. Those specific proposals could have far-reaching negative consequences for U.S. multinationals and the U.S. Government.

For example, consider the master file documentation scheme envisioned in the BEPS project. Under this proposal, companies would have to provide additional detailed and intricate information about their tax plan and business models to foreign tax authorities. If we impose this requirement on U.S. businesses, what assurances do we have that these foreign governments would keep the information confidential? I don't know, and no one from Treasury has told me.

What about countries with prevalent state-owned enterprises that would greatly benefit from this type of information? Wouldn't the BEPS proposal force U.S. companies to reveal sensitive information to foreign governments that either own or substantially back competing enterprises? I don't know, and no one at Treasury has told me.

I could go on for quite a while about these proposals, especially given the broad scope of the BEPS project, the breadth of possible tax effects, and the potential negative impact these proposals could have on our companies and our economy. Needless to say, as the chairman of the Senate's tax-writing committee, I have many concerns.

Before any additional steps are taken, and before we can even consider moving on any of the BEPS action items, we need more information. In fact, the President's lead negotiator on BEPS, Deputy Assistant Secretary Stack, stated we need to slow down the pace of the BEPS work substantially.

We need to know more about the costs relative to the benefits of the BEPS proposals. We also need to know whether the IRS is capable of sharing sensitive tax information with foreign tax authorities without violating the confidentiality of American businesses. After all, the IRS does not have the best track record. Between the fraud and overpayment rates on various refundable tax credits and other breaches of trust at that agency, we have more than enough reasons to be concerned about whether the IRS can effectively and appropriately implement a plan for global information sharing.

To address these questions, I sent a letter today to the Comptroller General asking that the Government Accountability Office engage with me and my staff to begin an indepth analysis of these issues, so we can at least get a sense as to how the OECD's proposals might impact the U.S. economy, including employment, investment, and revenues. In the coming months, I will be reaching out to other experts as well.

It is difficult to imagine the analysis and discussions that would have to accompany consideration and adoption of

BEPS-related rules and schemes can be completed by September, when the OECD has stated it hopes to render final action plans by the time of the next G20 meeting. But as I stated, even if final reports from the BEPS project are released on schedule, many, if not all, of the action plan items would need congressional action in order to be implemented in the United States.

So, again, I urge Treasury to work very closely with Congress on this and not tie our hands as we move toward tax reform by consenting to bad outcomes. I urge them to consider the interests of U.S. taxpayers and not make any commitments that would impose unnecessary burdens on American companies and put them at a competitive disadvantage.

The United States has always recognized the right of other countries to tax income earned within their borders, to the extent such taxation is consistent with treaty obligations. However, regardless of what some in other countries may think, the U.S. tax base should not be up for grabs in an international free-for-all, and I expect officials at the U.S. Department of Treasury to remember that. In fact, I demand they remember that.

Mr. President, I will have much more to say on these matters in the coming weeks and months.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ENZI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### EPA REGULATIONS

Mr. ENZI. Mr. President, I rise today to speak about the economic effect of regulations coming out of the Environmental Protection Agency on the energy sector and particularly on fossil fuels and coal.

The State of Wyoming is the largest coal-producing State in the Nation. Coal represents almost 40 percent of our share of electricity generation across the United States. It is abundant, it is affordable, it is stockpileable, it can be clean, and it shouldn't be replaced through regulatory actions. But this administration continues to try to regulate coal out of existence.

In 2012, the EPA finalized a standard that requires a strict reduction in air emissions from electric-generating utilities. It is known as the mercury and air toxic standards rule. Like many of the rules coming from the EPA, the costs of this regulation are great and the benefits are very limited.

EPA estimates the rule will create between \$500,000 and \$6 million in bene-

fits. That sounds like a lot of money. But related to the mercury reductions, the cost is \$10 billion annually—\$10 billion annually—for a return of \$500,000 to \$6 million. That is a pretty big range. It indicates there probably isn't a lot of calculation into how that came into being or much transparency so we can see how that came about.

The \$10 billion annual cost will be to consumers of electricity. Those are costs that aren't allowed to be recouped. Now, many of those have already been put in place. They become part of the rate base, and, under most of the laws dealing with utilities, they are allowed to make a return on that. So there wouldn't be a huge protest for it. It is a lot of upfront cost for them, but they get to recoup that over a period of time. We have to be sure that when we are making regulations, we don't flood a whole bunch of them in there that have huge costs and very little benefit.

We just had a hearing on this a short time ago on the homeland subcommittee on regulations, talking about how all of those costs come about. Well, the actual cost of doing it is pretty easily calculable. There are things that have to be bought and put in place and construction done in order to get it done. The benefits? It is a little hard to find out where those come from, and a lot of the things aren't clearly cut so that the problem comes from a single spot. Often there are a lot of things involved, but there is a tendency to pick on one place.

Three years after the rule was finalized, the Supreme Court has ruled that the EPA should have considered costs before determining to regulate mercury from fossil-fired powerplants. The cost-benefit ratio, assuming the EPA's best case scenario, is approximately 1,600 to 1. The Court's majority opinion called this an overreach and stated: "The Agency gave cost no thought at all, because it considered cost irrelevant to its initial decision to regulate."

Since these standards began to take effect in April, utilities have already retired or plan to retire coal-fired plants to comply with cuts in emissions. Sometimes it is cheaper to shut them down than it is to make the changes. The courts did not issue a stay on implementation, so companies began installing the mandated controls to meet the deadline for compliance. These costs will be passed on to consumers and will result in higher electricity prices. On average, a household could see their electricity bill go up by \$400 a year—a cost that will disproportionately impact those with lower, fixed incomes, such as many older Americans.

In 2012, Congress had a chance to use the Congressional Review Act to stop this devastating rule from moving forward. The Congressional Review Act

gives Congress the ability to disapprove rules that go beyond what Congress intended. It requires a simple majority for passage and was a legislative vehicle available to stop the MATS rule from moving forward. Unfortunately, it was rejected by the Senate majority at the time.

With the process, you have to get a petition with a lot of signatures on it, and then you are guaranteed 8 hours of debate and an up-or-down vote. Of course, after it goes to the Senate, it also has to go to the House. And after it goes to the House, it then has to go to the President for his signature. The rules and regulations are done by Congress, not by the President. The President is the enforcer of the rules that we supposedly put in place. So it should not take a Presidential signature to stop the action if the House and Senate agree. In this case, it was rejected by the Senate majority. It wasn't until this lawsuit filed by State Governors was finally decided that the Agency was called out for charging ahead with this disastrous rule without considering the consequences.

Ratepayers shouldn't have to wait this long for the correct decision. Congress has to stand up to this runaway agency, but we need to expand on our tools to fight governing by rulemaking. We need to increase accountability for and transparency in the Federal regulatory process by requiring that Congress approve all new major regulations. The Regulations From the Executive in Need of Scrutiny, or REINS, Act would make sure the people's representatives get a say in regulatory action affecting our Nation's economy. The presumption should not be deference to a Federal agency attempting to implement a regulation but to Congress and to the States.

If enacted, the REINS Act would require an up-or-down vote by both Houses of Congress before any executive branch rule or regulation with an annual economic impact of \$100 million or more could be enacted. In the case of the Clean Power Plan, the costs are in the billions. So it would ensure Congress gets a say to stop the EPA from regulating coal out of business.

Additionally, the Environment and Public Works Committee has moved legislation—that is, the Affordable Reliable Energy Now Act—which would extend the proposed rule's compliance dates pending further judicial review. That way we don't see premature plant closures that harm our grid reliability and make energy more expensive before even knowing whether the rule is on good legal standing and whether the numbers are good.

Both of these bills would give Congress additional tools to fight Executive overreach, and the House has already passed legislation similar to the Affordable Reliable Energy Now Act. We must do what we can because there

is no doubt that MATS regulations will continue to be challenged for its requirement of outside-of-the-fence-line changes, its coordination with existing source performance standards, the implementation of Federal standards should States not submit plans or on the scientific basis if the status quo contributes to the endangerment of public health. In fact, the White House has requested over \$50 million to defend the rule in court. That is your tax money. They have already lost once.

And while the EPA ignores the costs, outside groups have projected four to seven times the costs of the regulation. The National Economics Research Association found an annual compliance cost for MATS \$41 to \$73 billion. That is the annual compliance costs. So that would be up to \$73,000 million, as I like to put it, because I think talking about millions instead of billions makes it a little more understandable. So that is the policy that is going to affect consumer prices.

It also shows States like Wyoming seeing double-digit increases in electrical prices. Congress must ensure the EPA does not continue to act unreasonably by not considering the costs of compliance before drafting carbon regulations. By requiring States to implement their own plans, the EPA is trying to skirt their responsibility to determine the true costs. The EPA has not adequately considered the costs of the Clean Power Plan. So what they did was shift that over and said: States, this is what each of you has to do to make the Federal plan work, but since this is a State plan, we don't have to do all of this analysis to see what the costs are going to be. Of course, we need more transparency in the calculations.

As I mentioned, costs are easy to come up with, but benefits are pretty hard to determine, and they are kind of in the eye of the beholder or eye of the calculator. Usually, the costs happen upfront in just a few years—5 years, maybe 10 years at the most—but they are allowed to calculate benefits over 50 years, 100 years. How long can they do that? The company has to pay it upfront, but the consumers have to pay it over a regular short period of time.

Fifteen percent of U.S. coal-generating capacity is already planned for retirement. Wyoming would be forced to prematurely close four additional coal-fired plants under this rule. Incidentally, that is about the amount of electricity that we export to California. The EPA asserts that since States determine compliance, the remaining useful life of coal-powered units prematurely shut down need not be considered.

Governors have already begun telling the EPA that they will not be able to submit plans to meet the proposed standards, so Administrator MCCARTHY has threatened a Federal implementa-

tion plan if States do not comply. Now, a Federal implementation plan is a Federal regulatory action, and so they need to consider the costs of premature plant shutdowns and the consumer energy prices that will cause prior to being finalized. You cannot bypass these considerations by placing the onus on the States first.

Congress also needs to empower States to oppose Federal regulations that hurt their constituencies, again with little benefit. As Wyoming's Governor Matt Meads commented on MATS: "The EPA does not have the legal authority to propose, finalize or enforce this proposal." The EPA has introduced a proposal that functionally and structurally hamstring energy and electricity sectors, thereby driving up the electrical prices. It would burden our Nation's economic security and prosperity with almost no environmental or health benefits. The State of Wyoming is considering its legal options once the rule is finalized. They can't do anything until it is finalized.

I have proposed an amendment to the Constitution which would give States the ability to repeal Federal laws and regulations when ratified by two-thirds of the legislators. That is almost like calling a constitutional convention under article V of the Constitution. This amendment stands up for States' rights and gives them another option other than the court system to find solutions to regulatory problems. Ultimately, the States know what is best for them, and it is time to shift the power back into their hands. Even when Federal regulations may have good intentions, they can create situations in which they cause more harm than good.

Unfortunately, the regulatory process is skewed in favor of the administration. We need to find a way to empower Congress and to empower the States—those most accountable to the voters—to keep runaway agencies in check or we will continue to see regulations that impede our economy by directly hurting the energy industry, which hurts individuals, costs jobs, and hits the ratepayers—the price ultimately paid by the consumers.

I thank the Presiding Officer.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. COLLINS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### OLDER AMERICANS ACT REAUTHORIZATION ACT OF 2015

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate

now proceed to the consideration of Calendar No. 12, S. 192; that the bill be read for the third time; and that the Senate vote on passage of the bill with no intervening action or debate.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 192) to reauthorize the Older Americans Act of 1965, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. Hearing no further debate, the question is, Shall the bill pass?

The bill (S. 192) was passed, as follows:

S. 192

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Older Americans Act Reauthorization Act of 2015".

#### SEC. 2. DEFINITIONS.

Section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002) is amended—

(1) by striking paragraph (1) and inserting the following:

"(1) The term 'abuse' means the knowing infliction of physical or psychological harm or the knowing deprivation of goods or services that are necessary to meet essential needs or to avoid physical or psychological harm.";

(2) by striking paragraph (3) and inserting the following:

"(3) The term 'adult protective services' means such services provided to adults as the Secretary may specify and includes services such as—

"(A) receiving reports of adult abuse, neglect, or exploitation;

"(B) investigating the reports described in subparagraph (A);

"(C) case planning, monitoring, evaluation, and other casework and services; and

"(D) providing, arranging for, or facilitating the provision of medical, social service, economic, legal, housing, law enforcement, or other protective, emergency, or support services.";

(3) by striking paragraph (4) and inserting the following:

"(4) The term 'Aging and Disability Resource Center' means an entity, network, or consortium established by a State as part of the State system of long-term care, to provide a coordinated and integrated system for older individuals and individuals with disabilities (as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)), and the caregivers of older individuals and individuals with disabilities, that provides—

"(A) comprehensive information on the full range of available public and private long-term care programs, options, service providers, and resources within a community, including information on the availability of integrated long-term care services, and Federal or State programs that provide long-term care services and supports through home and community-based service programs;

"(B) person-centered counseling to assist individuals in assessing their existing or anticipated long-term care needs and goals, and

developing and implementing a person-centered plan for long-term care that is consistent with the desires of such an individual and designed to meet the individual's specific needs, goals, and circumstances;

“(C) access for individuals to the full range of publicly-supported long-term care services and supports for which the individuals may be eligible, including home and community-based service options, by serving as a convenient point of entry for such programs and supports; and

“(D) in cooperation with area agencies on aging, centers for independent living described in part C of title VII of the Rehabilitation Act of 1973 (29 U.S.C. 796f et seq.), and other community-based entities, information and referrals regarding available home and community-based services for individuals who are at risk for residing in, or who reside in, institutional settings, so that the individuals have the choice to remain in or to return to the community.”;

(4) in paragraph (14)(B), by inserting “oral health,” after “bone density,”;

(5) by striking paragraph (17) and inserting the following:

“(17) The term ‘elder justice’ means—

“(A) from a societal perspective, efforts to—

“(i) prevent, detect, treat, intervene in, and prosecute elder abuse, neglect, and exploitation; and

“(ii) protect older individuals with diminished capacity while maximizing their autonomy; and

“(B) from an individual perspective, the recognition of an older individual's rights, including the right to be free of abuse, neglect, and exploitation.”;

(6) in paragraph (18)(A), by striking “term ‘exploitation’ means” and inserting “terms ‘exploitation’ and ‘financial exploitation’ mean”.

#### SEC. 3. ADMINISTRATION ON AGING.

(a) BEST PRACTICES.—Section 201 of the Older Americans Act of 1965 (42 U.S.C. 3011) is amended—

(1) in subsection (d)(3)—

(A) in subparagraph (H), by striking “202(a)(21)” and inserting “202(a)(18)”;

(B) in subparagraph (K), by striking “and” at the end;

(C) in subparagraph (L)—

(i) by striking “Older Americans Act Amendments of 1992” and inserting “Older Americans Act Reauthorization Act of 2015”; and

(ii) by striking “712(h)(4).” and inserting “712(h)(5); and”;

(D) by adding at the end the following:

“(M) collect and analyze best practices related to responding to elder abuse, neglect, and exploitation in long-term care facilities, and publish a report of such best practices.”;

(2) in subsection (e)(2), in the matter preceding subparagraph (A), by inserting “, and in coordination with the heads of State adult protective services programs and the Director of the Office of Long-Term Care Ombudsman Programs” after “and services”.

(b) TRAINING.—Section 202 of the Older Americans Act of 1965 (42 U.S.C. 3012) is amended—

(1) in subsection (a)—

(A) in paragraph (5), by inserting “health and economic” before “needs of older individuals”;

(B) in paragraph (7), by inserting “health and economic” before “welfare”;

(C) in paragraph (14), by inserting “(including the Health Resources and Services Administration)” after “other agencies”;

(D) in paragraph (27), by striking “and” at the end;

(E) in paragraph (28), by striking the period and inserting a semicolon; and

(F) by adding at the end the following:

“(29) provide information and technical assistance to States, area agencies on aging, and service providers, in collaboration with relevant Federal agencies, on providing efficient, person-centered transportation services, including across geographic boundaries;

“(30) identify model programs and provide information and technical assistance to States, area agencies on aging, and service providers (including providers operating multipurpose senior centers), to support the modernization of multipurpose senior centers; and

“(31) provide technical assistance to and share best practices with States, area agencies on aging, and Aging and Disability Resource Centers, on how to collaborate and coordinate services with health care entities, such as Federally-qualified health centers, as defined in section 1905(l)(2)(B) of the Social Security Act (42 U.S.C. 1396d(l)(2)(B)), in order to improve care coordination for individuals with multiple chronic illnesses.”;

(2) in subsection (b)—

(A) in paragraph (5)—

(i) in subparagraph (B), by striking “and” after the semicolon;

(ii) in subparagraph (C), by inserting “and” after the semicolon; and

(iii) by adding at the end the following:

“(D) when feasible, developing, in consultation with States and national organizations, a consumer-friendly tool to assist older individuals and their families in choosing home and community-based services, with a particular focus on ways for consumers to assess how providers protect the health, safety, welfare, and rights, including the rights provided under section 314, of older individuals.”;

(B) in paragraph (8)—

(i) in subparagraph (B), by inserting “to identify and articulate goals of care and” after “individuals”;

(ii) in subparagraph (D)—

(I) by inserting “respond to or” before “plan”; and

(II) by striking “future long-term care needs; and” and inserting “long-term care needs”;

(iii) in subparagraph (E), by adding “and” at the end; and

(iv) by adding at the end the following:

“(F) to provide information and referrals regarding available home and community-based services for individuals who are at risk for residing in, or who reside in, institutional settings, so that the individuals have the choice to remain in or to return to the community.”;

(3) by adding at the end the following:

“(g) The Assistant Secretary shall, as appropriate, ensure that programs authorized under this Act include appropriate training in the prevention of abuse, neglect, and exploitation and provision of services that address elder justice and the exploitation of older individuals.”.

(c) REPORTS.—Section 207(a) of the Older Americans Act of 1965 (42 U.S.C. 3018(a)) is amended—

(1) in paragraph (2), by striking “202(a)(19)” and inserting “202(a)(16)”;

(2) in paragraph (4), by striking “202(a)(17)” and inserting “202(a)(14)”.

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 216 of the Older Americans Act of 1965 (42 U.S.C. 3020f) is amended—

(1) in subsection (a), by striking “2007, 2008, 2009, 2010, and 2011” and inserting “2016, 2017, and 2018”;

(2) in subsection (b)—

(A) by striking “202(a)(24)” and inserting “202(a)(21)”;

(B) by striking “2007, 2008, 2009, 2010, and 2011” and inserting “2016, 2017, and 2018”;

(3) in subsection (c), by striking “2007, 2008, 2009, 2010, and 2011” and inserting “2016, 2017, and 2018”.

#### SEC. 4. STATE AND COMMUNITY PROGRAMS ON AGING.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 303 of the Older Americans Act of 1965 (42 U.S.C. 3023) is amended—

(1) in subsection (a)(1), by striking “fiscal years 2007” and all that follows and inserting “each of fiscal years 2016 through 2018.”;

(2) in subsection (b)—

(A) in paragraph (1), by striking “fiscal years 2007” and all that follows and inserting “each of fiscal years 2016 through 2018.”;

(B) in paragraph (2), by striking “fiscal years 2007” and all that follows and inserting “each of fiscal years 2016 through 2018.”;

(3) in subsection (d), by striking “fiscal years 2007” and all that follows and inserting “each of fiscal years 2016 through 2018.”;

(4) in subsection (e)(2), by striking “2011” and inserting “2011 and each of fiscal years 2016 through 2018”.

(b) ALLOTMENT.—Section 304 of the Older Americans Act of 1965 (42 U.S.C. 3024) is amended—

(1) in subsection (a)(3), by striking subparagraph (D) and inserting the following:

“(D)(i) For each of fiscal years 2016 through 2018, no State shall be allotted an amount that is less than 99 percent of the amount allotted to such State for the previous fiscal year.

“(ii) For fiscal year 2019 and each subsequent fiscal year, no State shall be allotted an amount that is less than 100 percent of the amount allotted to such State for fiscal year 2018.”;

(2) in subsection (b), by striking “subpart 1 of”.

(c) PLANNING AND SERVICE AREAS.—Section 305(b)(5)(C)(i)(III) of the Older Americans Act of 1965 (42 U.S.C. 3025(b)(5)(C)(i)(III)) is amended by striking “planning and services areas” and inserting “planning and service areas”.

(d) AREA PLANS.—Section 306 of the Older Americans Act of 1965 (42 U.S.C. 3026) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “establishment, maintenance, or construction of multipurpose senior centers,” and inserting “establishment, maintenance, modernization, or construction of multipurpose senior centers (including a plan to use the skills and services of older individuals in paid and unpaid work, including multigenerational and older individual to older individual work)”;

(B) in paragraph (6)—

(i) in subparagraph (G), by adding “and” at the end; and

(ii) by adding at the end the following:

“(H) in coordination with the State agency and with the State agency responsible for elder abuse prevention services, increase public awareness of elder abuse, neglect, and exploitation, and remove barriers to education, prevention, investigation, and treatment of elder abuse, neglect, and exploitation, as appropriate.”;

(2) in subsection (b)(3)—

(A) in subparagraph (J), by striking “and” at the end;



(B) by redesignating subparagraph (K) as subparagraph (L); and

(C) by inserting after subparagraph (J) the following:

“(K) protection from elder abuse, neglect, and exploitation; and”.

(e) **STATE PLANS.**—Section 307(a)(2)(A) of the Older Americans Act of 1965 (42 U.S.C. 3027(a)(2)(A)) is amended by striking “202(a)(29)” and inserting “202(a)(26)”.

(f) **NUTRITION SERVICES INCENTIVE PROGRAM.**—Section 311(e) of the Older Americans Act of 1965 (42 U.S.C. 3030a(e)) is amended by striking “fiscal year 2007” and all that follows and inserting “each of fiscal years 2016 through 2018.”.

(g) **SUPPORTIVE SERVICES.**—Section 321 of the Older Americans Act of 1965 (42 U.S.C. 3030d) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “or referral services” and inserting “referral, chronic condition self-care management, or falls prevention services”;

(B) in paragraph (8), by striking “(including)” and all that follows and inserting the following: “(including mental and behavioral health screening and falls prevention services screening) to detect or prevent (or both) illnesses and injuries that occur most frequently in older individuals;” and

(C) in paragraph (15), by inserting before the semicolon the following: “, and screening for elder abuse, neglect, and exploitation”;

(2) in subsection (b)(1), by inserting “or modernization” after “construction”;

(3) in subsection (c), by inserting before the period the following: “, and pursue opportunities for the development of intergenerational shared site models for programs or projects, consistent with the purposes of this Act”; and

(4) by adding at the end the following:

“(e) In this section, the term ‘adult child with a disability’ means a child who—

“(1) is age 18 or older;

“(2) is financially dependent on an older individual who is a parent of the child; and

“(3) has a disability.”.

(h) **HOME DELIVERED NUTRITION SERVICES PROGRAM.**—Section 336(1) of the Older Americans Act of 1965 (42 U.S.C. 3030f(1)) is amended by striking “canned” and all that follows through “meals” and inserting “canned, or fresh foods and, as appropriate, supplemental foods, and any additional meals”.

(i) **NUTRITION SERVICES.**—Section 339 of the Older Americans Act of 1965 (42 U.S.C. 3030g–21) is amended

(1) in paragraph (1), by striking “solicit” and inserting “utilize”; and

(2) in paragraph (2)—

(A) in subparagraph (J), by striking “and” at the end;

(B) in subparagraph (K), by striking the period and inserting “, and”; and

(C) by adding at the end the following:

“(L) where feasible, encourages the use of locally grown foods in meal programs and identifies potential partnerships and contracts with local producers and providers of locally grown foods.”.

(j) **EVIDENCE-BASED DISEASE PREVENTION AND HEALTH PROMOTION SERVICES PROGRAM.**—Part D of title III of the Older Americans Act of 1965 (42 U.S.C. 3030m et seq.) is amended—

(1) in the part heading, by inserting “EVIDENCE-BASED” before “DISEASE”; and

(2) in section 361(a), by inserting “evidence-based” after “to provide”.

(k) **OLDER RELATIVE CAREGIVERS.**—

(1) **TECHNICAL AMENDMENT.**—Part E of title III of the Older Americans Act of 1965 (42

U.S.C. 3030s et seq.) is amended by striking the subpart heading for subpart 1.

(2) **DEFINITIONS.**—Section 372 of such Act (42 U.S.C. 3030s) is amended—

(A) in subsection (a)—

(i) in paragraph (1), by striking “or who is an individual with a disability”; and

(ii) by striking paragraph (2) and inserting the following:

“(2) **INDIVIDUAL WITH A DISABILITY.**—The term ‘individual with a disability’ means an individual with a disability, as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102), who is not less than age 18 and not more than age 59.

“(3) **OLDER RELATIVE CAREGIVER.**—The term ‘older relative caregiver’ means a caregiver who—

“(A)(i) is age 55 or older; and

“(ii) lives with, is the informal provider of in-home and community care to, and is the primary caregiver for, a child or an individual with a disability;

“(B) in the case of a caregiver for a child—

“(i) is the grandparent, stepgrandparent, or other relative (other than the parent) by blood, marriage, or adoption, of the child;

“(ii) is the primary caregiver of the child because the biological or adoptive parents are unable or unwilling to serve as the primary caregivers of the child; and

“(iii) has a legal relationship to the child, such as legal custody, adoption, or guardianship, or is raising the child informally; and

“(C) in the case of a caregiver for an individual with a disability, is the parent, grandparent, or other relative by blood, marriage, or adoption, of the individual with a disability.”; and

(B) in subsection (b)—

(i) by striking “subpart” and all that follows through “family caregivers” and inserting “part, for family caregivers”;

(ii) by striking “; and” and inserting a period; and

(iii) by striking paragraph (2).

(1) **NATIONAL FAMILY CAREGIVER SUPPORT PROGRAM.**—Section 373 of the Older Americans Act of 1965 (42 U.S.C. 3030s–1) is amended—

(1) in subsection (a)(2), by striking “grandparents or older individuals who are relative caregivers.” and inserting “older relative caregivers.”;

(2) in subsection (c)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking “grandparents and older individuals who are relative caregivers, and who” and inserting “older relative caregivers, who”; and

(B) in paragraph (2)(B), by striking “to older individuals providing care to individuals with severe disabilities, including children with severe disabilities” and inserting “to older relative caregivers of children with severe disabilities, or individuals with disabilities who have severe disabilities”;

(3) in subsection (e)(3), by striking “grandparents or older individuals who are relative caregivers” and inserting “older relative caregivers”;

(4) in subsection (f)(1)(A), by striking “for fiscal years 2007, 2008, 2009, 2010, and 2011” and inserting “for a fiscal year”; and

(5) in subsection (g)(2)(C), by striking “grandparents and older individuals who are relative caregivers of a child who is not more than 18 years of age” and inserting “older relative caregivers”.

(m) **CONFORMING AMENDMENT.**—Part E of title III is amended by striking “this subpart” each place it appears and inserting “this part”.

## SEC. 5. ACTIVITIES FOR HEALTH, INDEPENDENCE, AND LONGEVITY.

(a) **GRANT PROGRAMS.**—Section 411 of the Older Americans Act of 1965 (42 U.S.C. 3032) is amended—

(1) in subsection (a)—

(A) in paragraph (12), by striking “and” at the end;

(B) by redesignating paragraph (13) as paragraph (14); and

(C) by inserting after paragraph (12) the following:

“(13) continuing support for program integrity initiatives concerning the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) that train senior volunteers to prevent and identify health care fraud and abuse; and”;

(2) in subsection (b), by striking “for fiscal years 2007” and all that follows through “2011” and inserting “for each of fiscal years 2016 through 2018”.

(b) **NATIVE AMERICAN PROGRAMS.**—Section 418(b) of the Older Americans Act of 1965 (42 U.S.C. 3032g(b)) is amended by striking “a national meeting to train” and inserting “national trainings for”.

(c) **LEGAL ASSISTANCE FOR OLDER AMERICANS.**—Section 420(c) of the Older Americans Act of 1965 (42 U.S.C. 3032i(c)) is amended by striking “national”.

(d) **REPEALS.**—Sections 415, 419, and 421 of the Older Americans Act of 1965 (42 U.S.C. 3032d, 3032h, 3032j) are repealed.

(e) **CONFORMING AMENDMENT.**—Section 417(a)(1)(A) of the Older Americans Act of 1965 (42 U.S.C. 3032f(a)(1)(A)) is amended by striking “grandparents and other older individuals who are relative caregivers” and inserting “older relative caregivers (as defined in section 372)”.

## SEC. 6. COMMUNITY SERVICE SENIOR OPPORTUNITIES.

Section 517(a) of the Older Americans Act of 1965 (42 U.S.C. 3056o(a)) is amended by striking “fiscal years 2007, 2008, 2009, 2010, and 2011” and inserting “each of fiscal years 2016 through 2018”.

## SEC. 7. GRANTS FOR NATIVE AMERICANS.

Section 643(2) of the Older Americans Act of 1965 (42 U.S.C. 3057n(2)) is amended by striking “fiscal year 2011” and inserting “each of fiscal years 2016 through 2018”.

## SEC. 8. VULNERABLE ELDER RIGHTS PROTECTION ACTIVITIES.

(a) **OMBUDSMAN DEFINITIONS.**—Section 711(6) of the Older Americans Act of 1965 (42 U.S.C. 3058f(6)) is amended by striking “older”.

(b) **OMBUDSMAN PROGRAMS.**—Section 712 of the Older Americans Act of 1965 (42 U.S.C. 3058g) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by adding at the end the following: “The Ombudsman shall be responsible for the management, including the fiscal management, of the Office.”;

(B) in paragraph (3)—

(i) in subparagraph (A), by striking clause (i) and inserting the following:

“(i) are made by, or on behalf of, residents, including residents with limited or no decisionmaking capacity and who have no known legal representative, and if such a resident is unable to communicate consent for an Ombudsman to work on a complaint directly involving the resident, the Ombudsman shall seek evidence to indicate what outcome the resident would have communicated (and, in the absence of evidence to the contrary, shall assume that the resident wishes to have the resident’s health, safety, welfare, and rights protected) and shall work to accomplish that outcome; and”;

(ii) in subparagraph (D), by striking “regular, and timely” and inserting “regular, timely, private, and unimpeded”;

(iii) in subparagraph (H)(iii)—

(I) by inserting “, actively encourage, and assist in” after “provide technical support for”; and

(II) by striking “and” after the semicolon; (iv) by redesignating subparagraph (I) as subparagraph (J); and

(v) by inserting after subparagraph (H) the following:

“(I) when feasible, continue to carry out the functions described in this section on behalf of residents transitioning from a long-term care facility to a home care setting; and”;

(C) in paragraph (5)(B)—

(i) in clause (vi)—

(I) by inserting “, actively encourage, and assist in” after “support”; and

(II) by striking “and” after the semicolon;

(ii) by redesignating clause (vii) as clause (viii); and

(iii) by inserting after clause (vi) the following:

“(vii) identify, investigate, and resolve complaints described in clause (iii) that are made by or on behalf of residents with limited or no decisionmaking capacity and who have no known legal representative, and if such a resident is unable to communicate consent for an Ombudsman to work on a complaint directly involving the resident, the Ombudsman shall seek evidence to indicate what outcome the resident would have communicated (and, in the absence of evidence to the contrary, shall assume that the resident wishes to have the resident’s health, safety, welfare, and rights protected) and shall work to accomplish that outcome; and”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking “access” and inserting “private and unimpeded access”; and

(ii) in subparagraph (B)—

(I) in clause (1)—

(aa) in the matter preceding subclause (I), by striking “the medical and social records of a” and inserting “all files, records, and other information concerning a”; and

(bb) in subclause (II), by striking “to consent” and inserting “to communicate consent”; and

(II) in clause (ii), in the matter before subclause (I), by striking “the records” and inserting “the files, records, and information”; and

(B) by adding at the end the following:

“(3) HEALTH OVERSIGHT AGENCY.—For purposes of section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (including regulations issued under that section) (42 U.S.C. 1320d-2 note), the Ombudsman and a representative of the Office shall be considered a ‘health oversight agency,’ so that release of residents’ individually identifiable health information to the Ombudsman or representative is not precluded in cases in which the requirements of clause (i) or (ii) of paragraph (1)(B), or the requirements of paragraph (1)(D), are otherwise met.”;

(3) in subsection (c)(2)(D), by striking “202(a)(21)” and inserting “202(a)(18)”;

(4) in subsection (d)—

(A) in paragraph (1), by striking “files” and inserting “files, records, and other information”; and

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking “files and records” each place such term appears and inserting “files, records, and other information”; and

(II) by striking “and” after the semicolon; (ii) in subparagraph (B)—

(I) by striking “files or records” and inserting “files, records, or other information”; and

(II) in clause (iii), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(C) notwithstanding subparagraph (B), ensure that the Ombudsman may disclose information as needed in order to best serve residents with limited or no decisionmaking capacity who have no known legal representative and are unable to communicate consent, in order for the Ombudsman to carry out the functions and duties described in paragraphs (3)(A) and (5)(B) of subsection (a).”; and

(5) by striking subsection (f) and inserting the following:

“(f) CONFLICT OF INTEREST.—

“(1) INDIVIDUAL CONFLICT OF INTEREST.—The State agency shall—

“(A) ensure that no individual, or member of the immediate family of an individual, involved in the designation of the Ombudsman (whether by appointment or otherwise) or the designation of an entity designated under subsection (a)(5), is subject to a conflict of interest;

“(B) ensure that no officer or employee of the Office, representative of a local Ombudsman entity, or member of the immediate family of the officer, employee, or representative, is subject to a conflict of interest; and

“(C) ensure that the Ombudsman—

“(i) does not have a direct involvement in the licensing or certification of a long-term care facility or of a provider of a long-term care service;

“(ii) does not have an ownership or investment interest (represented by equity, debt, or other financial relationship) in a long-term care facility or a long-term care service;

“(iii) is not employed by, or participating in the management of, a long-term care facility or a related organization, and has not been employed by such a facility or organization within 1 year before the date of the termination involved;

“(iv) does not receive, or have the right to receive, directly or indirectly, remuneration (in cash or in kind) under a compensation arrangement with an owner or operator of a long-term care facility;

“(v) does not have management responsibility for, or operate under the supervision of an individual with management responsibility for, adult protective services; and

“(vi) does not serve as a guardian or in another fiduciary capacity for residents of long-term care facilities in an official capacity (as opposed to serving as a guardian or fiduciary for a family member, in a personal capacity).”

“(2) ORGANIZATIONAL CONFLICT OF INTEREST.—

“(A) IN GENERAL.—The State agency shall comply with subparagraph (B)(i) in a case in which the Office poses an organizational conflict of interest, including a situation in which the Office is placed in an organization that—

“(i) is responsible for licensing, certifying, or surveying long-term care services in the State;

“(ii) is an association (or an affiliate of such an association) of long-term care facilities, or of any other residential facilities for older individuals;

“(iii) provides long-term care services, including programs carried out under a Medicaid waiver approved under section 1115 of

the Social Security Act (42 U.S.C. 1315) or under subsection (b) or (c) of section 1915 of the Social Security Act (42 U.S.C. 1396n), or under a Medicaid State plan amendment under subsection (i), (j), or (k) of section 1915 of the Social Security Act (42 U.S.C. 1396n);

“(iv) provides long-term care case management;

“(v) sets rates for long-term care services;

“(vi) provides adult protective services;

“(vii) is responsible for eligibility determinations for the Medicaid program carried out under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.);

“(viii) conducts preadmission screening for placements in facilities described in clause (ii); or

“(ix) makes decisions regarding admission or discharge of individuals to or from such facilities.

“(B) IDENTIFYING, REMOVING, AND REMEDYING ORGANIZATIONAL CONFLICT.—

“(i) IN GENERAL.—The State agency may not operate the Office or carry out the program, directly, or by contract or other arrangement with any public agency or non-profit private organization, in a case in which there is an organizational conflict of interest (within the meaning of subparagraph (A)) unless such conflict of interest has been—

“(I) identified by the State agency;

“(II) disclosed by the State agency to the Assistant Secretary in writing; and

“(III) remedied in accordance with this subparagraph.

“(ii) ACTION BY ASSISTANT SECRETARY.—In a case in which a potential or actual organizational conflict of interest (within the meaning of subparagraph (A)) involving the Office is disclosed or reported to the Assistant Secretary by any person or entity, the Assistant Secretary shall require that the State agency, in accordance with the policies and procedures established by the State agency under subsection (a)(5)(D)(iii)—

“(I) remove the conflict; or

“(II) submit, and obtain the approval of the Assistant Secretary for, an adequate remedial plan that indicates how the Ombudsman will be unencumbered in fulfilling all of the functions specified in subsection (a)(3).”; and

(6) in subsection (h)—

(A) in paragraph (3)(A)(i), by striking “older”;

(B) in paragraph (4), by striking all that precedes “procedures” and inserting the following:

“(4) strengthen and update”;

(C) by redesignating paragraphs (4) through (9) as paragraphs (5) through (10), respectively;

(D) by inserting after paragraph (3) the following:

“(4) ensure that the Ombudsman or a designee participates in training provided by the National Ombudsman Resource Center established in section 202(a)(18);”;

(E) in paragraph (6)(A), as redesignated by subparagraph (C) of this paragraph, by striking “paragraph (4)” and inserting “paragraph (5)”;

(F) in paragraph (7)(A), as redesignated by subparagraph (C) of this paragraph, by striking “subtitle C of the” and inserting “subtitle C of title I of the”; and

(G) in paragraph (10), as redesignated by subparagraph (C) of this paragraph, by striking “(6), or (7)” and inserting “(7), or (8)”.

(c) OMBUDSMAN REGULATIONS.—Section 713 of the Older Americans Act of 1965 (42 U.S.C. 3058h) is amended—

(1) in paragraph (1), by striking “paragraphs (1) and (2) of section 712(f)” and inserting “subparagraphs (A) and (B) of section 712(f)(1)”; and

(2) in paragraph (2), by striking “subparagraphs (A) through (D) of section 712(f)(3)” and inserting “clauses (i) through (vi) of section 712(f)(1)(C)”.

(d) PREVENTION OF ELDER ABUSE, NEGLECT, AND EXPLOITATION.—Section 721 of the Older Americans Act of 1965 (42 U.S.C. 3058i) is amended—

(1) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking “(including financial exploitation)”;

(B) by redesignating paragraphs (5) through (12) as paragraphs (6) through (13), respectively;

(C) by inserting after paragraph (4) the following:

“(5) promoting the submission of data on elder abuse, neglect, and exploitation for the appropriate database of the Administration or another database specified by the Assistant Secretary;”;

(D) in paragraph (10)(C), as redesignated by subparagraph (B) of this paragraph—

(i) in clause (ii), by inserting “, such as forensic specialists,” after “such personnel”; and

(ii) in clause (v), by inserting before the comma the following: “, including programs and arrangements that protect against financial exploitation”; and

(E) in paragraph (12), as redesignated by subparagraph (B) of this paragraph—

(i) in subparagraph (D), by striking “and” at the end; and

(ii) by adding at the end the following:

“(F) supporting and studying innovative practices in communities to develop partnerships across disciplines for the prevention, investigation, and prosecution of abuse, neglect, and exploitation; and”;

(2) in subsection (e)(2), in the matter preceding subparagraph (A)—

(A) by striking “subsection (b)(9)(B)(i)” and inserting “subsection (b)(10)(B)(i)”;

(B) by striking “subsection (b)(9)(B)(ii)” and inserting “subsection (b)(10)(B)(ii)”.

#### SEC. 9. BEHAVIORAL HEALTH.

The Older Americans Act of 1965 is amended—

(1) in section 102 (42 U.S.C. 3002)—

(A) in paragraph (14)(G), by inserting “and behavioral” after “mental”;

(B) in paragraph (36), by inserting “and behavioral” after “mental”; and

(C) in paragraph (47)(B), by inserting “and behavioral” after “mental”;

(2) in section 201(f)(1) (42 U.S.C. 3011(f)(1)), by inserting “and behavioral” after “mental”;

(3) in section 202(a)(5) (42 U.S.C. 3012(a)(5)), by inserting “and behavioral” after “mental”;

(4) in section 306(a) (42 U.S.C. 3026(a))—

(A) in paragraph (2)(A), by inserting “and behavioral” after “mental”; and

(B) in paragraph (6)(F), by striking “mental health services” each place such term appears and inserting “mental and behavioral health services”; and

(5) in section 321(a) (42 U.S.C. 3030d)—

(A) in paragraph (1), as amended by section 4(g), by inserting “and behavioral” after “mental”;

(B) in paragraph (14)(B), by inserting “and behavioral” after “mental”; and

(C) in paragraph (23), by inserting “and behavioral” after “mental”.

#### SEC. 10. GUIDANCE ON SERVING HOLOCAUST SURVIVORS.

(a) IN GENERAL.—Because the services under the Older Americans Act of 1965 (42 U.S.C. 3001 et seq.) are critical to meeting the urgent needs of Holocaust survivors to age in place with dignity, comfort, security, and quality of life, the Assistant Secretary for Aging shall issue guidance to States, that shall be applicable to States, area agencies on aging, and providers of services for older individuals, with respect to serving Holocaust survivors, including guidance on promising practices for conducting outreach to that population. In developing the guidance, the Assistant Secretary for Aging shall consult with experts and organizations serving Holocaust survivors, and shall take into account the possibility that the needs of Holocaust survivors may differ based on geography.

(b) CONTENTS.—The guidance shall include the following:

(1) How nutrition service providers may meet the special health-related or other dietary needs of participants in programs under the Older Americans Act of 1965, including needs based on religious, cultural, or ethnic requirements.

(2) How transportation service providers may address the urgent transportation needs of Holocaust survivors.

(3) How State long-term care ombudsmen may address the unique needs of residents of long-term care facilities for whom institutional settings may produce sights, sounds, smells, emotions, and routines, that can induce panic, anxiety, and retraumatization as a result of experiences from the Holocaust.

(4) How supportive services providers may consider the unique needs of Holocaust survivors.

(5) How other services provided under that Act, as determined by the Assistant Secretary for Aging, may serve Holocaust survivors.

(c) DATE OF ISSUANCE.—The guidance described in subsection (a) shall be issued not later than 180 days after the date of enactment of this Act.

Ms. COLLINS. Mr. President, I ask unanimous consent that the motion to reconsider be made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. COLLINS. Mr. President, the Senate has now passed the reauthorization of the Older Americans Act by voice vote.

As the chairman of the Senate Committee on Aging and as a Senator who represents a State with the highest median age, I am well aware of how important the programs authorized by this law are to our Nation's seniors. They include, for example, Meals on Wheels, which is a wonderful program that allows so many of our seniors to stay in their own homes and yet have their nutritional needs met. I also know how much the seniors in my State look forward to the visits from those who are delivering Meals on Wheels. It is a way that their health and well-being can be checked on. In some cases, it may be the only social interaction they have on a given day.

In my State, the five area agencies on aging are very active in delivering the services needed for the seniors in

that particular community or region in my State, particularly in rural Maine, where there may be an absence of services, such as caregiving services. The area agency on aging plays an absolutely critical role. In some other areas of the State, under the Older Americans Act programs, transportation services are provided to our seniors, legal services, whatever is needed.

One of the provisions of this bill in which I have a particular interest is the strengthening of the role of the ombudsman for long-term care. That is important for the quality of care our seniors are receiving in nursing homes and other institutionalized settings. But the great thing about the Older Americans Act is that it helps many of our seniors avoid nursing homes and instead remain in the comfort, security, and privacy of their own homes—just where they want to be.

This bill also takes steps to help safeguard older Americans from abuse and financial exploitation. I know from the hearings we have held before the Aging Committee that this is a growing problem. In fact, in the year 2011, it is estimated that older Americans lost some \$2.9 billion due to schemes that were foisted on them. That probably is a greatly understated number because, sadly, 90 percent of this exploitation comes from people the senior knows well—either a relative, a trusted adviser, or a caregiver. Oftentimes, seniors are very hesitant to report these crimes because they don't want to get a loved one in trouble or they are simply too embarrassed to go to the police.

We have held hearings on how technology has made the Do Not Call list virtually useless these days because unfortunately technology allows people from call centers in India, for example, to call into this country pretending to be a member of the Internal Revenue Service or the local police department. Well, when a senior sees on the caller ID that the Department of Treasury from Washington, DC, is calling, they are going to pick up the phone, and thus the exploitation begins.

We are making a real effort on the Aging Committee to educate seniors about these con artists and the techniques they use to try to rip off people of all ages but with a particular focus on our senior citizens. So I am pleased that the Older Americans Act is focused on financial exploitation and trying to stop that kind of abuse.

In short, the reauthorization of these important programs under the Older Americans Act is long overdue. While we have continued to fund them, the reauthorization expired years ago, and I am very pleased that the chairman and the ranking member of the Senate Health, Education, Labor and Pensions Committee, of which the Presiding Officer is such a valuable member, have worked together to produce the bipartisan bill we just passed. This shows

what the Senate can do when we work together to meet the needs of our citizens.

It is an honor to be on the floor to manage this bill. I hope, since it was 50 years ago this month when the Older Americans Act first passed, that we can move rapidly to see it approved by the House of Representatives as well and signed into law by the President.

Thank you, Mr. President.

I yield the floor.

Mrs. MURRAY. Mr. President, 50 years ago this week, President Lyndon Johnson signed the Older Americans Act, which enshrined into law our responsibility for helping seniors live healthier, fuller, and more independent lives. Fifty years later, I am pleased Congress has worked to reauthorize the Older Americans Act to once again uphold that promise of our Nation. And I am pleased we came together in a bipartisan way to provide important support for seniors in my home State of Washington and those across the country.

I especially thank Senators ALEXANDER, SANDERS, and BURR for all of their hard work on this bill. I believe we should be doing everything we can to support seniors so they can lead healthy, independent lives. Improving opportunities for seniors is part of how we can restore some much-needed economic security for them. And it is how we can help ensure our country is working for all Americans, not just the wealthiest few.

But today, far too many seniors find themselves skipping meals or going hungry, instead of getting the nutrition they need. In fact, 9.3 million seniors in our country face the threat of hunger, according to a 2012 report. And in my home State of Washington, 13.5 percent of seniors struggle with hunger.

As if that isn't enough, many seniors face other serious challenges, like elder abuse. That can include mistreatment in a nursing home or financial exploitation. This bill to reauthorize the Older Americans Act supports crucial social services and nutrition programs for seniors.

As one example, this bill sustains our investment in Meals on Wheels. In my home State of Washington, more than 460,000 seniors enroll in that program. Meals on Wheels is a critical lifeline for them. It is an important investment for our country. For every dollar we invest in Meals on Wheels, we can save up to \$50 in Medicaid spending, according to a study from the Center for Effective Government. Among other important provisions, the bill also strengthens programs to combat elder abuse.

This bill focuses on the critical importance of both abuse screenings and prevention efforts, and it would improve the response to abuse, neglect, and exploitation in long-term care fa-

cilities. It also puts a key emphasis on evidence-based public health programs.

It bolsters transportation programs, and it ensures that OAA programs include a focus on seniors' behavioral health needs. I am proud that this bill is the result of strong bipartisan work. It proves yet again that when Republicans and Democrats work together, we can get results, so I hope we can build on this progress.

I want to continue to work with Republicans to find common ground and get results for families and communities in Washington State and across the country. And I hope to continue to work on ways to restore economic stability and security to more seniors.

In 1965, at the original signing of the Older Americans Act, President Johnson said the true significance of this bill would be in its results. He said he hoped the bill would, quote, "help us to expand our opportunities for enriching the lives of all of our citizens in our country, now and in the years to come."

Reauthorizing this law will carry out that mission and expand opportunities so more seniors can lead healthy, independent lives. It is an important part of our work to help the economy grow from the middle out, not the top down. It will be another step toward making sure our government is working for all families, not just the wealthiest few.

Today, I call on all my colleagues to support this bill. Let's reauthorize the Older Americans Act and live up to our Nation's responsibility to seniors across the country.

Mr. LEAHY. Mr. President, I am glad the Senate has turned today to the reauthorization of the programs under the Older Americans Act. For decades, this law has provided community assistance to seniors in underserved and rural areas across the country, but unfortunately, these programs have gone unauthorized since 2011. As our population ages, seniors face an increased need for community resources, which is what makes this bill so important.

The Older Americans Reauthorization Act of 2015 will prioritize funding for crucial community and in-home services that offer the protection and reassurance for seniors requiring specialized care. The bill will reauthorize transportation assistance and home-delivered nutrition programs. It will also strengthen State grants for in-home caregiver support. Through the coordination of community and health care providers, the bill will improve disease promotion services and increase mental health awareness among elderly populations. Furthermore, the legislation will strengthen programs that prevent senior abuse, neglect, and exploitation by holding health facilities and adult care homes accountable for promoting excellent patient care.

These programs have given seniors in Vermont and across the country the

chance for independence and wellbeing long after retirement. This is not a partisan issue, but one we can all agree requires our dedication and support. I am pleased to cosponsor this legislation and wish to thank Senators MURRAY, ALEXANDER, SANDERS, and BURR for making this issue a priority this Congress. I am pleased the Senate has passed this legislation, which will help to improve the livelihood of our Nation's seniors.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Mr. President, once again I see my good friend Senator COLLINS fighting for all of the good people of her State and all of our States and raising important issues—issues that I dealt with, quite honestly, quite a bit when I was attorney general of my State. Exploitation is a horrible practice that takes away the dignity and the opportunity for a healthy life of an elderly American citizen. So I congratulate the Senator from Maine on her fine work, and I pledge my full support as she moves forward with this bill.

I thank the Senator from Maine.

#### HONORING VIETNAM VETERANS AND NORTH DAKOTA'S SOLDIERS WHO LOST THEIR LIVES IN VIETNAM

Ms. HEITKAMP. Mr. President, today, as I do most Thursdays in this Senate, I rise to speak about the young men from my State of North Dakota who went to Vietnam and certainly those who died while serving in the Vietnam war. As I have said before, the families of each of these 198 fallen North Dakotans deserve to have America pause to honor and remember each of them.

Before I speak about some of the North Dakotans who are missing or who died during the Vietnam war, I wish to thank Author "Tom" Mandan, a Vietnam veteran from New Town, ND, who is an inspiration to our State and to our country.

In 1966, Tom chose to enlist in the Army. He was stationed in Vietnam as a medic. He volunteered to extend his time in Vietnam twice and spent a total of 3 years there. The Army awarded him with a Purple Heart and Bronze Star with the V device to denote his heroism involving conflict with the armed enemy.

Tom comes from a family who is also an example of service to our country. Tom and his four brothers all served in Vietnam, each one after the other. Previously, their father, Victor Mandan, served our country in World War II.

When Tom returned to the United States from Vietnam, he raised his family and became a teacher. He enjoyed teaching fourth graders in Mandari and teaching the Hidatsa language to elementary and middle school

students. Tom retired from teaching and now serves the Mandan Hidatsa Arikara Nation, working full time as tribal liaison for elders and veterans.

Tom is a proud father and proud grandfather, but he is humbled about his important contributions to his tribe, to his State, and to his country.

Tom's first cousin, Myron Johnson, who was like a brother to Tom, also served in Vietnam and was killed in action there. I now would like to talk about Myron and four other young men who didn't come home from the war.

#### MYRON "CHIEF'S HIGH" JOHNSON

Myron "Chief's High" Johnson was born September 26, 1948. He was from Mandaree and was an enrolled member of the Mandan Hidatsa Arikara Nation. He served in the Army's 1st Battalion, 46th Infantry, Americal Division. Myron died March 28, 1971. He was 22 years old.

He was the sixth of nine children born to Melvin Johnson and Eloise Mandan Johnson. His siblings said that Myron had a magnetic personality and was kind and sincere to everyone who met him. When people reminisce about Myron, they always talk about how much they loved him.

Myron enjoyed riding bucking horses and was a top contender in the American Indian Rodeo Association. He was also a good hunter and a great shot.

In Vietnam, Myron's best friend Richard Boehm and 32 other American soldiers were killed in action when Firebase Mary Ann was attacked. Myron received many medals for his honorable and distinguished service in Vietnam.

Diane Johnson is Myron's sister and my great friend. Diane said that after Myron's death, he was escorted by his first cousin, John Morsette, who, in the Indian way, was Myron's brother. John Morsette served two tours in Vietnam and also was highly decorated. John told Diane that taking Myron home was the hardest thing he ever did. The trail of cars accompanying Myron from the Minot Airport back to his home in Mandaree was miles long.

In addition to his parents and siblings, Myron left his wife Sharol and daughter Melanie. Myron's family said that his death left a permanent scarred hole that can never be filled. They will continue to honor veterans and honor Myron for giving his life for his country.

The Mandaree American Legion Post 271 is named after Myron and Myron's nephew, Nathan Good Iron, who was killed in Afghanistan in 2006.

The Mandaree American Legion Post honors me consistently by allowing me to enter with their shawl at American pow-wows and honors me by allowing me to walk with Nathan's mother Harriet as we honor her as a Gold Star Mother.

For over 30 years, Myron's mother, despite her limited resources, honored

Myron by giving away star quilts and shawls she made in Myron's name. These giveaways were held throughout the years at various flag raisings, various pow-wows, and Memorial Day and Veterans Day services.

On Myron's mother's death bed, she looked up and smiled and said in her native language, "Oh my son, you're here. You've finally come to see me."

#### FRANCIS DOWLING

Francis Dowling was from Coopers-town, and he was born July 13, 1929. He served as a sergeant major in the Army's First Infantry Division. Francis was 38 years old when he died on October 17, 1967.

Francis was one of eight children. His two brothers also served in the Vietnam war—George in the Air Force and Forrest in the Marines. We were unable to reach any of Francis's family members, but according to a remembrance written by Jim Shelton, who served with him, Francis was a brave and a loyal soldier. Jim described Francis as "tall, handsome, and professional," with a strong sense of humor.

Michael Meyers also served with Francis, and he recalls that Francis was easily 6 feet 6 inches tall and was very muscular. Michael said, "He was so big people thought he was mean, but 97 percent of the time he had a big smile on his face."

Francis died during an ambush when he was trying to shield his wounded commanding officer from further fire. Francis is buried in Arlington National Cemetery.

#### GLENN MAIER

Glenn Maier was from Bismarck and was born December 31, 1949. He served in the Navy and was trained as a fireman. Glenn died July 11, 1970, when he was 20 years old.

This Senator has the pleasure of knowing Glenn's family. His parents, Vi and Chuck Tracy, lived just two doors down from my house where I raised my family in Mandan.

Glenn's father, Ervin Maier, served our country in the military and died when Glenn was very young. Vi later married Chuck Tracy, and they raised Glenn together. Vi and Chuck also gave Glenn a brother, Bob, and a sister, Sue. Bob and Sue said that Glenn was a happy-go-lucky guy. They remember him riding his Vespa scooter and enjoying time with his friends and especially playing a lot of pinochle.

Glenn's sister Sue chuckles when she thinks about growing up and Glenn not knowing how to swim. Even though Sue was younger by 6 years, she tried to teach him how to swim in the small swimming holes on the sandbars of the Missouri River. When Glenn decided to enlist in the Navy, she joked with him that he was foolish, but he assured her that the Navy would make sure he could swim.

Glenn's brother Bob is grateful for meeting other men who served with

Glenn in the Navy. They told Bob stories about Glenn's service, like how despite being trained in the Navy as a firefighter, Glenn served on a swift boat in brown waters running machine guns. They said they always requested Glenn for missions because he was so good with .50-caliber machine guns. The month he was killed, he was scheduled to leave Vietnam to train in the United States as a Navy SEAL.

#### JOHN TAGUE

John Tague was from Burlington. He was born December 2, 1945. John served in the Army's 1st Infantry Division. He was 22 years old when he died on June 16, 1968.

He was the oldest child in his family, and he had three sisters: Alice, Georgia, and Jody. Alice and Georgia said that John loved to hunt and fish and did so at every opportunity. His golden retriever followed him everywhere, especially when he went hunting.

After high school, John joined the Job Corps, where he helped teach others about life and taking care of themselves. The Wahpeton Job Corps honored John for his outstanding work by naming a building after him. When that facility closed, Job Corps gave John's family the building sign with John's name.

John's sisters appreciate that their former Des Lacs Burlington High School classmates are planning to honor John in a parade float this summer.

In Vietnam, John served as a field communications electronics equipment mechanic. John was about 6 months into his tour of duty when he was severely burned. Shortly thereafter, he was flown to Japan, where he died of his injuries. He was laid to rest in Rose Hill Memorial Park in Minot.

#### LOWELL EINARSON

Lowell Einarson was from Bantry and was born March 18, 1938. He served in the Navy as a shipfitter. Lowell was 28 years old when he died on September 1, 1966.

Lowell and his sister Marilyn were the children of immigrants from Iceland, Joe and Sophie Einarson. They grew up on a small farm outside of Bantry.

Lowell's niece Vonda remembers hearing her mother Marilyn telling stories about how she and Lowell traveled to school in the winter by cross-country skiing. Marilyn told Vonda that Lowell was a strong young man who watched over her and took care of her, taking care of the many chores, especially after Marilyn was diagnosed with polio at age 7.

Shortly after completing high school, Lowell enlisted in the Navy. He served for 10 years until he died of a heart attack during the early part of the Vietnam war.

Marilyn cherished the three sets of china Lowell brought home for her, their mother, and for himself. Sadly,

Marilyn lost her belongings, including Lowell's china, when her home burned down in the 1970s.

Lowell's niece Sue keeps a rubbing of Lowell's name etched on the Vietnam Memorial Wall, and shared that several family members have said that Lowell's nephew Mitch resembles Lowell.

I continue to speak here on the floor of the U.S. Senate about the lives and deaths of North Dakotans who died while serving in the war because these men remain in our hearts, and they certainly remain in the hearts of the wonderful families we have had an opportunity to get to know during our work on this project.

The 2012 Presidential Proclamation on the Commemoration of the 50th Anniversary of the Vietnam War states:

In the reflection of The Wall, we see the military family members and veterans who carry a pain that may never fade. May they find peace in knowing their loved ones endure, not only in medals and memories, but in the hearts of all Americans, who are forever grateful for their service, valor, and sacrifice.

It is so important that we never forget the sacrifice of those who served in Vietnam or the sacrifice of those who serve today, and that is why I consider it such a privilege to tell the stories of those who did not make it home and listen to the stories of those who did.

I want to share with you a song that was sung at the recent Vietnam Memorial Exhibit at the Fargo Air Museum in May. I was really moved by a local poet and local performing artist, Shaun Schipper, who was able to sing this song to honor those who served, and I would like to read the lyrics of his song, which is called "Nineteen Years Old." I am not going to sing it, and all of you should be very excited that I am not singing it. I couldn't do justice to the words he wrote.

He wrote:

nineteen years old six months from prom  
out in a jungle in Vietnam  
so scared don't wanna die  
thinking bout home, tears in my eyes  
what are we fighting for, I'm so sick of war  
I bet the guys on the other side  
wanna go home like I do  
miss your mom and dad, the life I had  
I pray to God I'll get back home again  
to be with you

search and destroy, kill or be killed  
mayhem out here in the battlefield  
adrenaline flowing another sleepless night  
holding my M16, ready for a fight  
here in the trenches fear everywhere  
death and destruction smoke in the air  
mortars grenades deafening sounds  
shrapnel and bullets flying all around  
praying to God calling for mom's  
another buddy dies in Vietnam  
another buddy dies in Vietnam  
and it goes on and on and on and on  
what are we fighting for, I am so sick of war  
I bet the guys on the other side  
Wanna go home like I do

I want to thank him, and I know he was greatly moved by and inspired to

write this song by encountering a Vietnam vet. I think all of us who have had those experiences meeting veterans and people who serve can't help but be moved by the quality of their continued devotion to their brothers-in-arms but also the quality of their service.

#### CONNECT WITH VETERANS ACT

So I was moved to doing something for veterans, making sure that our veterans have an opportunity when they return home to basically reconnect with their families. So while each week I come to the Senate floor to honor the persons who gave their lives in the Vietnam war, to truly honor them and our current servicemembers and veterans, we have to make real changes to better support them.

Today I am proud to reintroduce a bipartisan bill with Senators MORAN, KING, and BOOZMAN that would better connect our Nation's new veterans with the services, resources, and benefits that are available right at home in their communities. My Connect With Veterans Act, S. 1797, aims to help servicemembers transitioning to civilian life after they separate from the military and begin to settle into their communities.

Organizations, such as the Association of Defense Communities, have stated that the most important part of the transition from servicemember to civilian comes in the short period of time after that servicemember leaves the military. We need to make sure it is effective and successful, and there is more we could do to accomplish that goal.

Too often, these veterans do not have access to the basic information on local services, and many communities have few ways to connect with them. I have traveled across North Dakota and listened to our veterans. I hear time and time again about the need for veterans to have more information on services and opportunities available to them at the local level.

My Connect With Veterans Act would provide these veterans with better access to that information by making it easier for cities, counties, and tribes to interact directly with them. It is a simple but commonsense bill. Participation, No. 1, is completely voluntary. Transitioning servicemembers will be given the option to share their contact information with communities in which they intend to live after completing military service.

Interested cities, counties, and tribes will be able to request that contact information from a secure directory maintained by the Department of Veterans Affairs so they can provide the information. Integrating back into civilian life may be particularly difficult for those living in rural communities, like so many of the communities in my home State of North Dakota, as they often have fewer resources and access to less services.

As a study from 2014 shows, half of the veterans polled from the wars in Iraq and Afghanistan said they are having difficulty adjusting to civilian life. This reasonable solution would help change that by allowing local communities to connect with new veterans at the earliest possible point in the transition process. With 550 servicemembers transitioning daily—I want to repeat that—550 servicemembers transitioning daily nationwide out of the military and with nearly 250,000 service men and women expected to leave military service over the next 5 years, we have to prepare.

We have to say thank you by making sure they get the services they have earned and that we can connect them with communities where they can continue to participate and serve their country and their communities. I know from talking to North Dakotans that this bill will especially benefit communities in my State that have unmet employment needs.

As you can imagine, over 20,000 jobs go unfilled, and we have all of these trained servicemembers who are coming out of the military who would be just excellent additions to our North Dakota community. So whether it is employment or health care or family support services, we have to do better. I appreciate the opportunity to talk about this. We have to have a plan for our servicemembers. I think connecting them with their community is a great plan.

#### EXPORT-IMPORT BANK

Ms. HEITKAMP. Finally, Mr. President, I would just like to give a little update on what has been happening since we have basically allowed the charter of the Ex-Im Bank to expire. Just as we predicted, that unilateral disarmament in our trade financing opportunities would open the door for opportunities in other countries. We are seeing more and more this delay in basically having a fully functioning Ex-Im Bank is already costing jobs and opportunities in our State.

So I want to reinforce that, not by just my words but talk about what is being said about the U.S. Export-Import Bank being shut down as what is good for China and bad for our competitiveness. Today, the Business Standard printed an interview with the head of the Export-Import Bank of India, who said that with U.S. Ex-Im Bank closing down, we would now have more markets because Indian products are going to compete with U.S. products, and now that competition will go away.

In a recent Reuters article, the chief risk analyst of the China Export-Import Bank said that the end of the American Export-Import Bank would help China be more competitive. He said, "With respect to competition in

strategy and policies between the U.S. and China, this is a good thing" for China.

Another recent article said China's central bank is injecting \$32 billion into the China Development Bank and \$30 billion into the Export-Import Bank of China. We are seeing very similar growth in the Export-Import Bank of India.

So I would suggest, if we truly want to remain a global competitor, if we truly want to access an international market where we have—in fact, 95 percent of all consumers live outside our country. If we don't have access to those markets and if we are not competing on a level playing field, it is going to cost American business, including American small business, opportunities—opportunities for exports, opportunities for profitability. But equally important, it is going to cost American jobs. So sooner rather than later we expect we will have a vote on reauthorizing the Ex-Im Bank.

I know we continue to see challenges to having that vote. We continue to see challenges to this institution. But I will tell you that many small businesses in my State are contacting us, wondering why in the world we would do this. Why in the world would we shut down the Ex-Im Bank that is a critical part of that trade infrastructure? So why in the world, indeed. Why would we ever make this decision? It is a decision that needs to be reversed. We need to get the Ex-Im Bank fully functioning and back in business.

So we are going to be doing everything we can in this next month and into future months, if we expect that we are going to eliminate the possibility of unilateral disarmament in trade financing.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SULLIVAN). Without objection, it is so ordered.

#### TRAGEDY IN CHATTANOOGA

Mr. MCCONNELL. Mr. President, this is a sad day in Chattanooga and a sad day across our country—another terrible tragedy—a mass shooting, apparently. A thorough investigation is underway.

The Senate's thoughts are with the families of the marines and our entire military community. Our thanks, as usual in these situations, goes out to the first responders and the community that mobilized so quickly.

We have two great Senators from Tennessee, who I know are mourning

the events of today, and the American people will be interested in knowing as soon as possible as many facts about this horrible shooting as possible.

#### TRIBUTE TO PIKEVILLE INDEPENDENT SCHOOLS

Mr. MCCONNELL. Mr. President, I rise to recognize and congratulate the Pikeville Independent Schools system in Pikeville, KY, on the occasion of its 100th anniversary. Under the leadership of Superintendent Jerry Green, it is one of the best public school systems in the Commonwealth.

Before the founding of Pikeville Independent Schools, in the early 20th century, the region contained only a scattering of small, one-room schoolhouses. In 1915, the first public high school in Pike County opened under the system's first superintendent, Tobias J. Kendrick. There were approximately 150 students and 9 teachers and administrators. Courses taught included geometry, advanced algebra, physics, German, rhetoric, and 4 years of Latin. The first senior class contained only one graduate, a man named Vernon Stump.

Today, Pikeville Independent Schools includes Pikeville Elementary and Pikeville Junior High/High School. The district boasts some 1,280 students from preschool to the 12th grade, and all go by the nickname "Pikeville Panthers." Both Pikeville Elementary and Pikeville High are accredited by the Southern Association of Colleges and Schools, and the school district has been chosen as one of only 17 Kentucky school districts to receive the What Parents Want Award.

Pikeville Independent Schools is constantly evaluating and creating programs to serve the needs of the students in the district. Pikeville Elementary, which serves preschool through grade 6, features full-time humanities teachers for art, music, and band. It has transition programs for both new students entering preschool and exiting students graduating into the seventh grade. It has many volunteer programs, and Pikeville Elementary volunteers log an average of 3,000 volunteer hours per year. It features a fully equipped science lab, an active and supportive parent-teacher organization, small class sizes, and individual instruction and tutoring.

Pikeville High School, which serves grades 7 through 12, offers its students 8 honors courses and 10 advanced placement courses, as well as unlimited opportunities for students to earn dual credit at the University of Pikeville. Currently, 45 percent of Pikeville High juniors and seniors are taking one or more dual credit courses through the university.

Pikeville High offers five vocational school programs and four career majors—business management, business

technology, web development and administration, and information support services. A wide variety of extracurricular activities are available, including Key Club, Pep Club, Future Business Leaders of America, and the National Honor Society, just to name a few.

Pikeville Independent Schools ranks second in the State for college and career readiness. The district's juniors place sixth in the State on the ACT test composite score. And the high school placed in the 97th percentile this past year among all schools in the State. The district's graduation rate for the 2012–2013 school year was over 96 percent. Athletics and artistic achievement are also highly valued in the district, and Pikeville Independent Schools have a long tradition of outstanding music groups, basketball, and football teams.

For 100 years, Pikeville Independent Schools has excelled at its mission to prepare students to become productive, contributing, valuable members of society who have pride in their school and their community. Kentucky is proud of the Pikeville Independent Schools system, and I congratulate the many men and women who work there for their service. I wish them the very best as they embark on a new century of representing the very best of Kentucky public education.

#### STORMS IN QUINCY, ILLINOIS

Mr. DURBIN. Mr. President, I have represented Quincy, IL, and Adams County since coming to Congress in 1983 as a Member of the House of Representatives. I have found that there is something special about the Gem City—its people, its strong sense of community, and the fighting spirit to tackle any crisis from floods to storms.

That spirit was tested this week.

I am relieved and thankful that there were no serious injuries or fatalities after a major storm tore through Quincy on Monday night. Torrential rain and winds up to 74 miles per hour felled trees, broke dozens of utility poles, and tore roofs off several homes and businesses during the event. The Quincy mayor declared a citywide state of emergency Monday evening and Adams County followed with a state of disaster declaration. Several people say the battered city looked like a warzone.

More than 21,000 people were without power on Monday night and Tuesday. Crews have worked around the clock to restore electricity to most. Due to the loss of power, many stoplights were out throughout the city. Between the outages, flooded streets, and streets made impassable by fallen trees, navigating Quincy has been a challenge.

The Quincy Park District estimates that the "jaw dropping" damage to the city's 29 parks—especially Madison and



South Parks—far exceeds the devastation from severe storms in 2011 that costs the District more than \$400,000. Caretakers at Woodland Cemetery discovered after the worst of the storm had passed that a 20-foot piece of a Civil War monument was toppled by the high winds and at least 35 trees were uprooted in the cemetery, many of which were more than a century old.

Dozens of Quincy residents checked into motels to escape the heat as they started the cleanup of their homes and properties without power. John Wood Community College and the Quincy Senior and Family Resources Center set up cooling centers to give people a place to take a break. The Red Cross, Salvation Army, and other local agencies have been on site to lend a helping hand.

I am grateful that Quincy fire chief Joe Henning, Adams County emergency management agency director John Simon, Quincy police chief Rob Copley, and many other elected officials and community leaders are leading cleanup and recovery efforts. Getting the city back on its feet and helping the people whose homes and businesses were damaged is a big job.

In today's Quincy Herald-Whig columnist Steve Eighinger said it best, "It's going to be quite a while before things are back to what we consider normal, but we'll get there. We're Quincy. We pay it forward."

Mr. President, I ask unanimous consent that the column be printed in the RECORD.

In closing, I would like to commend the Quincy and Adams County community for pulling together to get through this storm and the aftermath. The cleanup is daunting, but the spirit endures. From the people of Hannibal and Macomb who have sent crews, trucks, and supplies to area residents who opened their homes and businesses to the displaced to the local businesses—grocery stores and gas stations—that have supplied free ice, water, and recharging stations, and done their best to restock basic supplies so residents can feed and care for their families to the Kroc Center and its supporters who have fed Quincyans. This has been a team effort.

I stand ready to support the local cleanup and recovery efforts in Quincy and Adams County and will continue to keep community residents in my thoughts as they get the Gem City back up and running.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Quincy Herald-Whig, July 16, 2015]  
'NORMAL' STILL A WAYS AWAY, BUT WE WILL GET THERE

(By Steve Eighinger)

There is no use trying to sugar coat what has happened. It has been a brutal week in and around Quincy, thanks to the monstrous storm that swept through Monday night.

It was the first time in my life that I was legitimately scared of what might happen at the height of that blowing downpour and accompanying 74 mph winds.

My wife, Kathy, was screaming at me to get in the basement with her and Ashes, the family dog. For some reason, I refused. I vowed to stay upstairs, running from one window to another, from one door to the next, to make sure they didn't blow open.

Massive limbs and entire trees were falling all around our home. I saw them. I heard them. It was like nothing I had ever experienced.

If our home was going down, I had vowed to go with it.

Obviously, that was not the smartest thing I ever chose to do. If I had to relive those frightening 30 minutes or so, I would have joined Kathy and Ashes in the basement.

It's what happened after the storm had finally passed that was equally—if not more so—incredible.

On street after street, block after block, neighbors were assisting friends and helping people they did not even know. While only initial, limited assistance could be offered Monday night because of the lack of light, but the true heart of Quincy emerged Tuesday, as it always does.

One of the most heartwarming stories I encountered this week involved a family of five—a husband, wife and three kids—seeking out homeowners, particularly older adults, in need of help. The anonymous family cleaned yards, did not ask for anything in return and quietly moved on to the next person in need.

They did not seek and would not accept publicity. I admired that more than anything.

"We're doing it because we should," they answered.

That is the ultimate pay it forward.

Another offering of help was provided by at least one Hannibal inn handling an influx of displaced Quincyans on Monday night who needed a place to stay, including one family with a special-needs child who needed air conditioning. The lodge in question not only found the Quincyans rooms, but also provided them at a discount.

Hannibal has a big heart, too.

How about the cooperation of the drivers working their way through the maze of downed trees and no stoplights? Most major Quincy intersections became a little more than four-way stops, which could have become incredibly dangerous at major sites like 36th and Broadway. Instead, there was an esprit de corps among Quincyans, who politely made it all work.

Hats off to the local supermarkets for providing items like free bags of ice and places to recharge cellphones.

If you follow any social media, you have been impressed with the salutes, praises and admiration of Ameren and other workers trying to restore power to city residents. More than 1,000 Ameren workers alone have been working around the clock.

It's going to be quite awhile before things are back to what we consider "normal," but we'll get there.

We're Quincy. We pay it forward.

#### EVERY CHILD ACHIEVES ACT

Mr. LEAHY. Mr. President, today, the Senate has approved landmark legislation to reauthorize the Elementary and Secondary Education Act of 1965. Since 2001, the failed policies of No

Child Left Behind have unfairly burdened educators and administrators by holding students accountable for snapshot academic progress. The Senate's bipartisan action today—an overwhelming vote of approval—is one step forward in the reversal of these troubling measures. The Every Child Achieves Act further highlights the Federal Government's crucial responsibility to ensure that students everywhere, across the country, have access to the resources they need for lasting academic success.

Since 2001, I have heard from parents, teachers, students, policymakers, and administrators about the negative impact of No Child Left Behind. I voted against the legislation, as I did not agree, and still do not agree, with a one-size-fits-all approach to education. I was also disappointed with the bill's rigid Federal accountability measures, as I truly believe States and local education agencies deserve flexibility when it comes to how schools operate.

The Every Child Achieves Act restores educational flexibility to the States, while safeguarding student access to resources, regardless of race, gender, financial status, and learning level. I am pleased that the bill takes into account the greater needs of students in rural areas, increases funding for early childhood education programs, and improves school safety measures. I am especially pleased with the bill's innovative assessment and accountability demonstration authority provision, which will allow Vermont to adopt competency and performance-based assessments that prove far more than how well a student can perform on a test on one given day.

Of course, no bill is perfect, and this one is no different. I am disappointed that several amendments that would have improved the bill were not adopted. The Student Non-Discrimination Act, authored and filed as an amendment by Senator FRANKEN, would have taken the important step of ensuring protections for students who face harassment and bullying simply because of their actual or perceived gender identity or sexual orientation. I was proud to cosponsor the amendment, and remain committed to revisiting this important discussion to ensure all children are protected against bullying and discrimination in our schools. It garnered a majority of support in the Senate; it should have been adopted.

In a strong statement of support, the Senate came together in opposition against amendments on portability and private school vouchers, which would have unfairly redistributed title I funding from our Nation's highest need schools. I commend Chairman ALEXANDER and Ranking Member MURRAY for their leadership throughout the debates, and for their tireless dedication to promoting educational reform that serves the needs of all students.

We have come together, members on both sides of the aisle, to support the Every Child Achieves Act. Amid the partisan rancor, bipartisanship won the day, and the winners in this debate will be students in Vermont and across the country. As the House and Senate move to conference, I hope Congress will use this opportunity to promote the many measures included in the Senate's bill, which reflect the true needs of all students, educators, parents, and administrators.

#### TRUCK SAFETY ACT

Mr. BOOKER. Mr. President, trucking is critical to the movement of goods to consumers across the country. The trucking industry is a vital part of our economy. But we must also strive to ensure that goods are moved as safely as possible.

Each year, nearly 4,000 lives are lost due to truck crashes on our Nation's highways. Research by the National Transportation Safety Board has shown that many of these crashes could have been prevented. We owe it to the individuals and families affected by these tragedies to take every step possible to reduce the risks and prevent needless crashes.

That is why I have introduced the Truck Safety Act of 2015, legislation that will modernize our truck safety standards and embrace new technologies that can help reduce crashes across the country.

This legislation includes a provision to require collision-avoidance technologies in commercial vehicles involved in interstate commerce. Many of the fatalities that occur today are the result of rear-end collisions that could have been prevented with current technology. The technology can detect an impending collision or unsafe lane departure and automatically apply corrective action if a human operator is unable to do so. The U.S. Department of Transportation has been working on this issue for several years and many companies have adopted these technologies. It is far past time that these lifesaving devices were required in all new trucks.

This legislation also updates the minimum liability insurance for trucking companies in order to ensure victims of crashes are able to fully recover the cost of their damages. In a report to Congress, the Department of Transportation found compelling evidence to reevaluate the current minimums. In some crashes, the costs to the victims far exceed the current minimum of \$750,000. This can leave the victim uncompensated for damages. Minimum insurance levels have not been raised since the 1980s, so my legislation requires an immediate increase to the trucking minimum insurance level, requires annual adjustment for inflation, and requires the Department

of Transportation to evaluate whether minimum insurance levels need to be increased further.

Another provision in this legislation would allow the Secretary to require trucking employers to compensate drivers for time spent on duty but not driving. Currently, drivers are compensated for miles driven, not hours worked. This sets up an unsafe incentive structure in which drivers are penalized for taking the rest they need in order to drive safely. Drivers in this country play a critical role in ensuring Americans get the products they rely on for everyday life. They should not be forced to choose between resting to ensure their safety and feeding their families at home.

The Truck Safety Act is an important step to protect our truck drivers, individuals, and families traveling on our Nation's highways. I urge my colleagues to support this legislation that will improve the lives of New Jerseyans and individuals across the country.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO SHAYNE PIERRE

• Mr. DAINES. Mr. President, I wish to recognize Shayne Pierre of Polson, MT as Montanan of the Week. This week, Mr. Pierre was given the rare honor of receiving the Colonel's Meritorious Service Award from the Lake County Sheriff's Office and the Montana Highway Patrol for his selfless acts to assist all victims of a drunk driving accident that occurred this past May.

Shayne was riding the school bus home when the accident occurred. A speeding drunk driver caused a collision with the school bus, injuring both Shayne and his fellow students on the bus. Upon noticing a gas leak on the pavement, Shayne quickly instructed all students to exit the bus. He also acted heroically when he ran to help the driver who caused the accident, despite the injuries Shayne himself had sustained.

Shayne's quick actions and selflessness deserve many thanks and for that, I want to recognize him. Through this incident, Shayne acted as a role model not only to the students on the bus, but to his classmates, peers and community. I am proud that he is a citizen of the great State of Montana and an example to all.●

##### REMEMBERING ROY KIDDER

• Mr. HELLER. Mr. President, today, we honor the life and legacy of an upstanding Nevadan, Roy Kidder, whose passing signifies a great loss to the State. I send my condolences and prayers to his wife Cookie and all of Mr. Kidder's family in this time of mourning. He was a man truly committed to his family and his community. Al-

though he will be sorely missed, his great influence in Nevada will be felt for years to come.

Mr. Kidder was born on July 31, 1937, in Tonopah. His first 3 months were spent in Manhattan, NV, where his father worked on the dredge. His family then moved to Honey Lake for 5 months and later to Hawthorne, where he was raised. Throughout his youth, Mr. Kidder was recognized for his incredible athletic ability, excelling in baseball, basketball, and track at Mineral County High School. He also contributed to the school's football team as a manager. Along with sports, he exceeded expectations in the academic world. Mr. Kidder participated in Mineral County High School's Honor Society and Block H, as well as attending American Legion Boys State, which is a highly respected educational program. After graduating high school, he attended the University of Nevada, Reno, UNR, where his drive in sports continued. From 1957 to 1959, Mr. Kidder played on the university's baseball team for Wolf Pack Coach Jake Lawlor. He graduated from UNR in 1959.

Shortly after, Mr. Kidder was recruited by Al Seeliger to teach and coach in Carson City. Throughout his tenure, he taught physical education, social studies, and Nevada history, and he served as department head for six different departments. He also coached golf, softball, basketball, and baseball and helped with the track team. His excellent teaching and coaching skills touched the lives of generations of Nevada students, including me. He was truly a role model as my physical education teacher. His tremendous involvement in Carson City will never be forgotten.

Mr. Kidder maintained only the highest level of excellence for himself and for the local community throughout his career. Carson City remains better because of his outstanding contributions. Today, I join citizens across the Silver State in celebrating the life of a truly dedicated and inspirational Nevadan, Roy Kidder.●

##### TRIBUTE TO CAPTAIN CHRISTY WISE

• Mr. HELLER. Mr. President, today, I wish to recognize Capt. Christy Wise for her unwavering dedication to both the U.S. Air Force and to overcoming great adversity. It gives me great pleasure to recognize this young woman's incredible strength. She embodies the true Battle Born spirit of determination, fearlessness, confidence, and resilience.

Captain Wise was raised in Reno with her twin sister and younger brother. She was accepted into the Air Force Academy, where she discovered her passion for flying. Shortly after, she

was accepted into flight school. Captain Wise flies HC-130 search and rescue planes supporting pararescue jumpers and helicopters at her squadron base in Valdosta, GA. She flew in six rescue missions in Afghanistan in 2012 and is scheduled to redeploy this December. I extend my deepest gratitude to her for her service and wish her a safe deployment.

Recently, Captain Wise competed in the 2015 Department of Defense Wounded Warrior Games after sustaining serious injuries in a boating accident. Immediately after recovering from her injuries, which included the loss of her right leg above the knee, Captain Wise began her rehabilitation. She had heard about the Department of Defense Wounded Warrior Games through a fellow amputee patient at the gym and decided to compete. Less than 3 months after the accident, Captain Wise competed in track and field, swimming, and cycling events, earning 11 medals total. It was only 2 days before the games that she was cleared to participate in the swimming events, leaving her little time to practice for the five events in which she would compete. She received silver medals in both hand cycling and field competitions and received a bronze medal in the 100-meter wheelchair race. Her insatiable drive to excel is truly inspirational.

Captain Wise has demonstrated unwavering commitment and dedication to the highest standards of the U.S. Air Force. I am proud to call her a fellow Nevadan, and today, I ask my colleagues to join me in recognizing Captain Wise and her great achievements. I wish her well in all of her future endeavors and in her time in the U.S. Air Force for years to come.●

#### RECOGNIZING LIEUTENANT GENERAL JOHN D. JOHNSON

● Mr. INHOFE. Mr. President, I wish to recognize the service of LTG John D. Johnson, the director of the Department of Defense's newest combat support agency, the Joint Improvised-Threat Defeat Agency, JIDA, who will retire on September 1, 2015, after 38 years of active service.

Lieutenant General Johnson honorably served his country for more than three decades. After graduating from the Virginia Military Institute in 1977 as an infantry officer, he commanded troops at every level and is a veteran of multiple deployments to Iraq. As a young officer, he served in Germany, Georgia, California, and the Pentagon. He attained the rank of brigadier general in 2006 and was assigned as the assistant division commander for maneuver of the 2nd Infantry Division in Korea. Upon returning, he was assigned to the U.S. Army Installation Management Command. From there, he became the deputy commanding general,

operations, for I Corps and Fort Lewis, WA. He deployed to Iraq serving in that role to the Headquarters for Multi-National Corps—Iraq, where he learned first-hand the atrocities inflicted by improvised explosive devices, foreshadowing his rise to his final position. In his penultimate position, he was the commanding general, Eighth U.S. Army; and Chief of Staff for United Nations Command, Combined Forces Command, and U.S. Forces Korea, preserving readiness for coalition forces across the Korean Peninsula.

As the director of JIDA, Lieutenant General Johnson set the conditions for the Joint Improvised Explosive Device Defeat Organization, JIEDDO, to become JIDA, a permanent defense agency that will enhance our Nation's capabilities to fight improvised weapons and those who employ them. He has fostered countless cooperative relationships with government agencies, coalition partners, academia, and industry supporters in an effort to find innovative solutions to these pervasive improvised threats. During this challenging transition period for JIEDDO, he led an extensive effort to right-size the workforce and streamline processes while still bestowing a high level of support to the warfighter.

I had the pleasure of personally working with Lieutenant General Johnson during his tenure at JIEDDO. He is an inspiring leader, an admirable mentor, and a fine example for his fellow servicemembers. I am proud to share in the celebration of Lieutenant General Johnson's career, his extraordinary leadership, his distinguished military service and his unwavering dedication to this great Nation. I wish him, his wife Cheryl, and their daughter Elizabeth all the best in their future endeavors.●

#### RECOGNIZING REACTWELL

● Mr. VITTER. Mr. President, every business starts out with an entrepreneur willing to put in the hard work and take risks in order to turn an idea into reality. I am delighted to name ReactWell of New Orleans, LA, as Small Business of the Week. ReactWell is on the forefront of developing cutting edge technological advancements with the potential to revolutionize the energy, chemical, and petrochemical industries.

In 2010 after seeing the devastation from the British Petroleum, BP, oil spill in the Gulf of Mexico, Baton Rouge native Brandon Iglesias founded ReactWell—a company that focuses on recycling existing carbon dioxide into useful oils and chemicals. Primarily, ReactWell develops technology that creates cleaner synthetic crude oil by using underground geothermal reactors and algae. Iglesias' technological invention relies on the natural forces and

gravitational pressure to convert algae and chemicals into usable crude oil, while also reusing the waste produced from the reaction to feed the algae strains back into the system.

After years of hands-on research in the oil field, Brandon Iglesias took his research to a local entrepreneurial start-up competition, ultimately receiving crucial start-up capital and attention from interested investors across the country. Today, ReactWell continues to grow both its synthetic synthesizing programs, while additionally expanding their reach into a robust catalog of service and product applications spanning technoeconomic modeling, carbon sequestration, green chemistry, water treatment, and thermochemical conversions. Additionally, ReactWell maintains a laboratory with capabilities that include air sampling, cryogenic milling, and distillation, and process simulation capabilities in bio-physical modeling SIM Finite Element Analysis, FEA, 3D studio animation, and fusion and alias design.

Congratulations again to ReactWell for being selected as Small Business of the Week. I look forward to seeing the long-term impact ReactWell's innovative technologies will have in aiding Louisiana and the Nation.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

#### MESSAGE FROM THE HOUSE

At 9:52 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 971. An act to amend title XVIII of the Social Security Act to provide for an increase in the limit on the length of an agreement under the Medicare independence at home medical practice demonstration program.

S. 984. An act to amend title XVIII of the Social Security Act to provide Medicare beneficiary access to eye tracking accessories for speech generating devices and to remove the rental cap for durable medical equipment under the Medicare Program with respect to speech generating devices.

The message also announced that the House has passed the following bills, in

which it requests the concurrence of the Senate:

H.R. 2722. An act to require the Secretary of the Treasury to mint coins in recognition of the fight against breast cancer.

H.R. 3038. An act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

### MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2722. An act to require the Secretary of the Treasury to mint coins in recognition of the fight against breast cancer; to the Committee on Banking, Housing, and Urban Affairs.

### MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 3038. An act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MORAN, from the Committee on Appropriations, without amendment:

S. 1800. An original bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2016, and for other purposes (Rept. No. 114-82).

By Mr. BURR, from the Select Committee on Intelligence:

Report to accompany S. 1705, An original bill to authorize appropriations for fiscal year 2016 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes (Rept. No. 114-83).

By Mr. INHOFE, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 1140. A bill to require the Secretary of the Army and the Administrator of the Environmental Protection Agency to propose a regulation revising the definition of the term "waters of the United States", and for other purposes (Rept. No. 114-84).

By Mr. GRASSLEY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 1599. A bill to provide anti-retaliation protections for antitrust whistleblowers.

### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MCCONNELL (for himself and Mr. PAUL):

S. 1784. A bill to require the Director of the Bureau of Prisons to be appointed by and

with the advice and consent of the Senate; to the Committee on the Judiciary.

By Mr. LEE (for himself, Mr. RUBIO, Mr. MCCAIN, Mr. PERDUE, Mr. CRUZ, Mr. JOHNSON, Mr. COTTON, Mr. CORNYN, Mr. ALEXANDER, and Mr. SCOTT):

S. 1785. A bill to repeal the wage rate requirements of the Davis-Bacon Act; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CORNYN (for himself, Mr. PAUL, and Mr. CRUZ):

S. 1786. A bill to establish a commission to examine the United States monetary policy, evaluate alternative monetary regimes, and recommend a course for monetary policy going forward; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BROWN (for himself and Mr. MANCHIN):

S. 1787. A bill to amend title V of the Elementary and Secondary Education Act of 1965 to establish a full-service community schools grant program; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DAINES (for himself and Mr. BLUMENTHAL):

S. 1788. A bill to require operators that provide online and similar services to educational agencies, institutions, or programs to protect the privacy and security of personally identifiable information, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. RUBIO:

S. 1789. A bill to improve defense cooperation between the United States and the Hashemite Kingdom of Jordan; to the Committee on Foreign Relations.

By Mr. VITTER:

S. 1790. A bill to amend the Federal Food, Drug, and Cosmetic Act to allow for the personal importation of safe and affordable prescription drugs from approved pharmacies; to the Committee on Health, Education, Labor, and Pensions.

By Mr. VITTER (for himself and Mr. CASSIDY):

S. 1791. A bill to amend the Delta Development Act to include Vernon and Sabine parishes in the definition of the term "Lower Mississippi"; to the Committee on Environment and Public Works.

By Mr. SCHUMER (for himself, Mr. CARDIN, Mr. CASEY, Mr. CARPER, Mr. MENENDEZ, Mr. MERKLEY, Mrs. GILLIBRAND, Mr. BLUMENTHAL, and Mr. MARKEY):

S. 1792. A bill to amend the Internal Revenue Code of 1986 to equalize the exclusion from gross income of parking and transportation fringe benefits and to provide for a common cost-of-living adjustment, and for other purposes; to the Committee on Finance.

By Mrs. MURRAY (for herself and Mr. WICKER):

S. 1793. A bill to provide for the publication by the Secretary of Health and Human Services of physical activity recommendations for Americans; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MERKLEY (for himself, Mr. HEINRICH, Mr. MARKEY, Mr. WHITEHOUSE, Mr. SANDERS, and Mr. FRANKEN):

S. 1794. A bill to prohibit drilling in the Arctic Ocean; to the Committee on Energy and Natural Resources.

By Mr. VITTER (for himself, Mr. SCHUMER, Mr. CASSIDY, Mr. MANCHIN, Mrs. CAPITO, Mr. BENNET, Mrs. GILLIBRAND, Mr. BOOKER, and Mr. MENENDEZ):

S. 1795. A bill to amend the Internal Revenue Code of 1986 to provide tax relief for major disasters declared in any of calendar years 2012 through 2015, to make certain tax relief provisions permanent, and for other purposes; to the Committee on Finance.

By Mr. CASEY (for himself, Mr. SANDERS, Ms. MIKULSKI, Ms. WARREN, and Mrs. MURRAY):

S. 1796. A bill to amend the Child Nutrition Act of 1966 to increase the age of eligibility for children to receive benefits under the special supplemental nutrition program for women, infants, and children and to allow States to certify infants for participation in that program for a period of 2 years, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. HEITKAMP (for herself, Mr. MORAN, Mr. KING, and Mr. BOOZMAN):

S. 1797. A bill to require the Secretary of Veterans Affairs to establish a voluntary national directory of veterans to support outreach to veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. RUBIO:

S. 1798. A bill to reauthorize the United States Commission on International Religious Freedom, and for other purposes; to the Committee on Foreign Relations.

By Ms. COLLINS:

S. 1799. A bill to provide authority for certain depository institutions, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MORAN:

S. 1800. An original bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2016, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Ms. KLOBUCHAR (for herself and Mr. SCHUMER):

S. 1801. A bill to amend the Internal Revenue Code of 1986 to treat certain farming business machinery and equipment as 5-year property for purposes of depreciation; to the Committee on Finance.

By Mr. TOOMEY (for himself, Mr. MANCHIN, Mr. CRAPO, and Mr. MENENDEZ):

S. 1802. A bill to protect the investment choices of American investors, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HOEVEN (for himself and Mr. MANCHIN):

S. 1803. A bill to amend subtitle D of the Solid Waste Disposal Act to encourage recovery and beneficial use of coal combustion residuals and establish requirements for the proper management and disposal of coal combustion residuals that are protective of human health and the environment; to the Committee on Environment and Public Works.

### ADDITIONAL COSPONSORS

S. 51

At the request of Mr. VITTER, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 51, a bill to amend title X of the Public Health Service Act to prohibit family planning grants from being awarded to any entity that performs abortions, and for other purposes.

S. 210

At the request of Ms. MURKOWSKI, her name was added as a cosponsor of S.

210, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts paid by a spouse of a member of the Armed Forces for a new State license or certification required by reason of a permanent change in the duty station of such member to another State.

S. 226

At the request of Mr. PAUL, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 226, a bill to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law.

S. 471

At the request of Mr. HELLER, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 471, a bill to improve the provision of health care for women veterans by the Department of Veterans Affairs, and for other purposes.

S. 571

At the request of Mr. INHOFE, the names of the Senator from Ohio (Mr. BROWN), the Senator from Delaware (Mr. COONS), the Senator from West Virginia (Mrs. CAPITO), the Senator from North Carolina (Mr. TILLIS), the Senator from Idaho (Mr. RISCH), the Senator from Louisiana (Mr. CASSIDY), the Senator from Alabama (Mr. SHELBY), the Senator from Wyoming (Mr. ENZI), the Senator from Missouri (Mr. BLUNT), the Senator from Georgia (Mr. ISAKSON), the Senator from Arkansas (Mr. COTTON) and the Senator from Pennsylvania (Mr. TOOMEY) were added as cosponsors of S. 571, a bill to amend the Pilot's Bill of Rights to facilitate appeals and to apply to other certificates issued by the Federal Aviation Administration, to require the revision of the third class medical certification regulations issued by the Federal Aviation Administration, and for other purposes.

S. 627

At the request of Ms. AYOTTE, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 627, a bill to require the Secretary of Veterans Affairs to revoke bonuses paid to employees involved in electronic wait list manipulations, and for other purposes.

S. 628

At the request of Ms. BALDWIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 628, a bill to amend the Public Health Service Act to provide for the designation of maternity care health professional shortage areas.

S. 637

At the request of Mr. CRAPO, the names of the Senator from Maine (Ms. COLLINS), the Senator from Maine (Mr. KING) and the Senator from Massachusetts (Mr. MARKEY) were added as co-

sponsors of S. 637, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 697

At the request of Mr. UDALL, the names of the Senator from Wisconsin (Ms. BALDWIN), the Senator from North Carolina (Mr. BURR) and the Senator from North Carolina (Mr. TILLIS) were added as cosponsors of S. 697, a bill to amend the Toxic Substances Control Act to reauthorize and modernize that Act, and for other purposes.

S. 743

At the request of Ms. MURKOWSKI, her name was added as a cosponsor of S. 743, a bill to amend title 38, United States Code, to recognize the service in the reserve components of the Armed Forces of certain persons by honoring them with status as veterans under law, and for other purposes.

S. 799

At the request of Mr. MCCONNELL, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 799, a bill to combat the rise of prenatal opioid abuse and neonatal abstinence syndrome.

S. 849

At the request of Mr. ISAKSON, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 849, a bill to amend the Public Health Service Act to provide for systematic data collection and analysis and epidemiological research regarding Multiple Sclerosis (MS), Parkinson's disease, and other neurological diseases.

S. 890

At the request of Ms. CANTWELL, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 890, a bill to amend title 54, United States Code, to provide consistent and reliable authority for, and for the funding of, the Land and Water Conservation Fund to maximize the effectiveness of the Fund for future generations, and for other purposes.

S. 979

At the request of Ms. MURKOWSKI, her name was added as a cosponsor of S. 979, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 1082

At the request of Mr. RUBIO, the names of the Senator from Louisiana (Mr. CASSIDY) and the Senator from Arizona (Mr. FLAKE) were added as cosponsors of S. 1082, a bill to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes.

S. 1148

At the request of Mr. BLUMENTHAL, his name was added as a cosponsor of

S. 1148, a bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes.

S. 1169

At the request of Mr. WHITEHOUSE, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1169, a bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

S. 1182

At the request of Mr. BLUNT, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 1182, a bill to exempt application of JSA attribution rule in case of existing agreements.

S. 1424

At the request of Mrs. GILLIBRAND, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1424, a bill to prohibit the sale or distribution of cosmetics containing synthetic plastic microbeads.

S. 1428

At the request of Mr. BARRASSO, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 1428, a bill to amend the USEC Privatization Act to require the Secretary of Energy to issue a long-term Federal excess uranium inventory management plan, and for other purposes.

S. 1495

At the request of Mr. TOOMEY, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 1495, a bill to curtail the use of changes in mandatory programs affecting the Crime Victims Fund to inflate spending.

S. 1498

At the request of Mr. WYDEN, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 1498, a bill to amend title 10, United States Code, to require that military working dogs be retired in the United States, and for other purposes.

S. 1547

At the request of Mr. ISAKSON, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 1547, a bill to provide high-skilled visas for nationals of the Republic of Korea, and for other purposes.

S. 1598

At the request of Mr. LEE, the names of the Senator from Kentucky (Mr. PAUL) and the Senator from South Carolina (Mr. SCOTT) were added as cosponsors of S. 1598, a bill to prevent discriminatory treatment of any person on the basis of views held with respect to marriage.

S. 1603

At the request of Mr. FLAKE, the names of the Senator from Alaska (Mr.

SULLIVAN) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 1603, a bill to actively recruit members of the Armed Forces who are separating from military service to serve as Customs and Border Protection Officers.

S. 1632

At the request of Ms. COLLINS, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 1632, a bill to require a regional strategy to address the threat posed by Boko Haram.

S. 1648

At the request of Mr. GRASSLEY, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 1648, a bill to amend title XVIII of the Social Security Act to create a sustainable future for rural healthcare.

S. 1664

At the request of Mr. CARPER, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1664, a bill to count revenues from military and veteran education programs toward the limit on Federal revenues that certain proprietary institutions of higher education are allowed to receive for purposes of section 487 of the Higher Education Act of 1965, and for other purposes.

S. 1676

At the request of Mr. TESTER, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1676, a bill to increase the number of graduate medical education positions treating veterans, to improve the compensation of health care providers, medical directors, and directors of Veterans Integrated Service Networks of the Department of Veterans Affairs, and for other purposes.

S. 1692

At the request of Mr. MORAN, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1692, a bill to amend title 49, United States Code, to clarify the use of a towaway trailer transportation combination, and for other purposes.

S. 1709

At the request of Mr. SANDERS, his name was added as a cosponsor of S. 1709, a bill to reduce risks to the financial system by limiting banks' ability to engage in certain risky activities and limiting conflicts of interest, to reinstate certain Glass-Steagall Act protections that were repealed by the Gramm-Leach-Bliley Act, and for other purposes.

S. 1714

At the request of Mr. MANCHIN, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 1714, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the Multiemployer Health Benefit Plan and the 1974 United Mine Workers of America Pension Plan, and for other purposes.

S. CON. RES. 17

At the request of Mr. ROUNDS, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. Con. Res. 17, a concurrent resolution establishing a joint select committee to address regulatory reform.

S. RES. 148

At the request of Mr. KIRK, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. Res. 148, a resolution condemning the Government of Iran's state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 197

At the request of Mr. BLUMENTHAL, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. Res. 197, a resolution recognizing the need to improve physical access to many federally funded facilities for all people of the United States, particularly people with disabilities.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MCCONNELL (for himself and Mr. PAUL):

S. 1784. A bill to require the Director of the Bureau of Prisons to be appointed by and with the advice and consent of the Senate; to the Committee on the Judiciary.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1784

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Prisons Accountability Act of 2015".

#### SEC. 2. FINDINGS.

Congress finds the following:

(1) The Director of the Bureau of Prisons leads a law enforcement component of the Department of Justice with a budget that exceeds \$6,900,000,000 for fiscal year 2015.

(2) With the exception of the Federal Bureau of Investigation, the Bureau of Prisons has the largest operating budget of any unit within the Department of Justice.

(3) The Director of the Bureau of Prisons oversees 122 facilities and is responsible for the welfare of more than 208,000 Federal inmates.

(4) The Director of the Bureau of Prisons supervises more than 39,000 employees, many of whom operate in hazardous environments that involve regular interaction with violent offenders.

(5) The Director of the Bureau of Prisons also serves as the chief operating officer for Federal Prisons Industries, a wholly owned government enterprise of 78 prison factories that directly competes against the private sector, including small businesses, for Government contracts.

(6) Within the Department of Justice, in addition to those officials who oversee litigating components, the Director of the Bureau of Alcohol, Tobacco, Firearms, and Explosives, the Director of the Bureau of Justice Assistance, the Director of the Bureau of Justice Statistics, the Director of the Community Relations Service, the Director of the Federal Bureau of Investigation, the Director of the National Institute of Justice, the Director of the Office for Victims of Crime, the Director of the Office on Violence Against Women, the Administrator of the Drug Enforcement Administration, the Deputy Administrator of the Drug Enforcement Administration, the Administrator of the Office of Juvenile Justice and Delinquency Prevention, the Director of the United States Marshals Service, 94 United States Marshals, the Inspector General of the Department of Justice, and the Special Counsel for Immigration Related Unfair Employment Practices, are all appointed by the President by and with the advice and consent of the Senate.

(7) Despite the significant budget of the Bureau of Prisons and the vast number of people under the responsibility of the Director of the Bureau of Prisons, the Director is not appointed by and with the advice and consent of the Senate.

#### SEC. 3. DIRECTOR OF THE BUREAU OF PRISONS.

(a) IN GENERAL.—Section 4041 of title 18, United States Code, is amended by striking "appointed by and serving directly under the Attorney General." and inserting the following: "who shall be appointed by the President by and with the advice and consent of the Senate. The Director shall serve directly under the Attorney General."

(b) INCUMBENT.—Notwithstanding the amendment made by subsection (a), the individual serving as the Director of the Bureau of Prisons on the date of enactment of this Act may serve as the Director of the Bureau of Prisons until the date that is 3 months after the date of enactment of this Act.

(c) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to limit the ability of the President to appoint the individual serving as the Director of the Bureau of Prisons on the date of enactment of this Act to the position of the Director of the Bureau of Prisons in accordance with section 4041 of title 18, United States Code, as amended by subsection (a).

By Mr. CORNYN (for himself, Mr. PAUL, and Mr. CRUZ):

S. 1786. A bill to establish a commission to examine the United States monetary policy, evaluate alternative monetary regimes, and recommend a course for monetary policy going forward; to the Committee on Banking, Housing, and Urban Affairs.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1786

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Centennial Monetary Commission Act of 2015".

#### SEC. 2. FINDINGS.

Congress finds the following:

(1) The Constitution endows Congress with the power “to coin money, regulate the value thereof”.

(2) Following the financial crisis known as the Panic of 1907, Congress established the National Monetary Commission to provide recommendations for the reform of the financial and monetary systems of the United States.

(3) Incorporating several of the recommendations of the National Monetary Commission, Congress created the Federal Reserve System in 1913. As currently organized, the Federal Reserve System consists of the Board of Governors in Washington, District of Columbia, and the Federal Reserve Banks organized into 12 districts around the United States. The stockholders of the 12 Federal Reserve Banks include national and certain state-chartered commercial banks, which operate on a fractional reserve basis.

(4) Originally, Congress gave the Federal Reserve System a monetary mandate to provide an elastic currency, within the context of a gold standard, in response to seasonal fluctuations in the demand for currency.

(5) Congress also gave the Federal Reserve System a financial stability mandate to serve as the lender of last resort to solvent but illiquid banks during a financial crisis.

(6) In 1977, Congress changed the monetary mandate of the Federal Reserve System to a dual mandate for maximum employment and stable prices.

(7) Empirical studies and historical evidence, both within the United States and in other countries, demonstrate that price stability is desirable because both inflation and deflation damage the economy.

(8) The economic challenge of recent years—most notably the bursting of the housing bubble, the financial crisis of 2008, and the ensuing anemic recovery—have occurred at great cost in terms of lost jobs and output.

(9) Policymakers are reexamining the structure and functioning of financial institutions and markets to determine what, if any, changes need to be made to place the financial system on a stronger, more sustainable path going forward.

(10) The Federal Reserve System has taken extraordinary actions in response to the recent economic challenges.

(11) The Federal Open Market Committee has engaged in multiple rounds of quantitative easing, providing unprecedented liquidity to financial markets, while committing to holding short-term interest rates low for a seemingly indefinite period, and pursuing a policy of credit allocation by purchasing Federal agency debt and mortgage-backed securities.

(12) In the wake of the recent extraordinary actions of the Federal Reserve System, Congress—consistent with its constitutional responsibilities and as it has done periodically throughout the history of the United States—has once again renewed its examination of monetary policy.

(13) Central in such examination has been a renewed look at what is the most proper mandate for the Federal Reserve System to conduct monetary policy in the 21st century.

### SEC. 3. ESTABLISHMENT.

There is established a commission to be known as the “Centennial Monetary Commission” (in this Act referred to as the “Commission”).

### SEC. 4. DUTIES.

(a) STUDY OF MONETARY POLICY.—The Commission shall—

(1) examine how United States monetary policy since the creation of the Board of Governors of the Federal Reserve System in 1913 has affected the performance of the United States economy in terms of output, employment, prices, and financial stability over time;

(2) evaluate various operational regimes under which the Board of Governors of the Federal Reserve System and the Federal Open Market Committee may conduct monetary policy in terms achieving the maximum sustainable level of output and employment and price stability over the long term, including—

(A) discretion in determining monetary policy without an operational regime;

(B) price level targeting;

(C) inflation rate targeting;

(D) nominal gross domestic product targeting (both level and growth rate);

(E) the use of monetary policy rules; and

(F) the gold standard;

(3) evaluate the use of macro-prudential supervision and regulation as a tool of monetary policy in terms of achieving the maximum sustainable level of output and employment and price stability over the long term;

(4) evaluate the use of the lender-of-last-resort function of the Board of Governors of the Federal Reserve System as a tool of monetary policy in terms of achieving the maximum sustainable level of output and employment and price stability over the long term; and

(5) recommend a course for United States monetary policy going forward, including—

(A) the legislative mandate;

(B) the operational regime;

(C) the securities used in open market operations; and

(D) transparency issues.

(b) REPORT ON MONETARY POLICY.—Not later than December 1, 2016, the Commission shall submit to Congress and make publicly available a report containing a statement of the findings and conclusions of the Commission in carrying out the study under subsection (a), together with the recommendations the Commission considers appropriate.

### SEC. 5. MEMBERSHIP.

(a) NUMBER AND APPOINTMENT.—

(1) APPOINTED VOTING MEMBERS.—The Commission shall contain 12 voting members as follows:

(A) Six members appointed by the Speaker of the House of Representatives, with four members from the majority party and two members from the minority party; and

(B) Six members appointed by the President Pro Tempore of the Senate, with four members from the majority party and two members from the minority party.

(2) CHAIRMAN.—The Speaker of the House of Representatives and the majority leader of the Senate shall jointly designate one of the members of the Commission as Chairman.

(3) NON-VOTING MEMBERS.—The Commission shall contain 2 non-voting members as follows:

(A) One member appointed by the Secretary of the Treasury.

(B) One member who is the president of a district Federal reserve bank appointed by the Chair of the Board of Governors of the Federal Reserve System.

(b) PERIOD OF APPOINTMENT.—Each member shall be appointed for the life of the Commission.

(c) TIMING OF APPOINTMENT.—All members of the Commission shall be appointed not before January 5, 2015, and not later than 30

days after the date of the enactment of this Act.

(d) VACANCIES.—A vacancy in the Commission shall not affect its powers, and shall be filled in the manner in which the original appointment was made.

(e) MEETINGS.—

(1) INITIAL MEETING.—The Commission shall hold its initial meeting and begin the operations of the Commission as soon as is practicable.

(2) FURTHER MEETINGS.—The Commission shall meet upon the call of the Chair or a majority of its members.

(f) QUORUM.—Seven voting members of the Commission shall constitute a quorum but a lesser number may hold hearings.

(g) MEMBER OF CONGRESS DEFINED.—In this section, the term “Member of Congress” means a Senator or a Representative in, or Delegate or Resident Commissioner to, the Congress.

### SEC. 6. POWERS.

(a) HEARINGS AND SESSIONS.—The Commission or, on the authority of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out this Act, hold hearings, sit and act at times and places, take testimony, receive evidence, or administer oaths as the Commission or such subcommittee or member thereof considers appropriate.

(b) CONTRACT AUTHORITY.—To the extent or in the amounts provided in advance in appropriation Acts, the Commission may contract with and compensate government and private agencies or persons to enable the Commission to discharge its duties under this Act, without regard to section 3709 of the Revised Statutes (41 U.S.C. 5).

(c) OBTAINING OFFICIAL DATA.—

(1) IN GENERAL.—The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the Government, any information, including suggestions, estimates, or statistics, for the purposes of this Act.

(2) REQUESTING OFFICIAL DATA.—The head of such department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the government shall, to the extent authorized by law, furnish such information upon request made by—

(A) the Chair;

(B) the Chair of any subcommittee created by a majority of the Commission; or

(C) any member of the Commission designated by a majority of the commission to request such information.

(d) ASSISTANCE FROM FEDERAL AGENCIES.—

(1) GENERAL SERVICES ADMINISTRATION.—The Administrator of General Services shall provide to the Commission on a reimbursable basis administrative support and other services for the performance of the functions of the Commission.

(2) OTHER DEPARTMENTS AND AGENCIES.—In addition to the assistance prescribed in paragraph (1), at the request of the Commission, departments and agencies of the United States shall provide such services, funds, facilities, staff, and other support services as may be authorized by law.

(e) POSTAL SERVICE.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

### SEC. 7. COMMISSION PERSONNEL.

(a) APPOINTMENT AND COMPENSATION OF STAFF.—



(1) **IN GENERAL.**—Subject to rules prescribed by the Commission, the Chair may appoint and fix the pay of the executive director and other personnel as the Chair considers appropriate.

(2) **APPLICABILITY OF CIVIL SERVICE LAWS.**—The staff of the Commission may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except that an individual so appointed may not receive pay in excess of level V of the Executive Schedule.

(b) **CONSULTANTS.**—The Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not to exceed the daily equivalent of the rate of pay for a person occupying a position at level IV of the Executive Schedule.

(c) **STAFF OF FEDERAL AGENCIES.**—Upon request of the Commission, the head of any Federal department or agency may detail, on a reimbursable basis, any of the personnel of such department or agency to the Commission to assist it in carrying out its duties under this Act.

#### SEC. 8. TERMINATION.

(a) **IN GENERAL.**—The Commission shall terminate on June 1, 2017.

(b) **ADMINISTRATIVE ACTIVITIES BEFORE TERMINATION.**—The Commission may use the period between the submission of its report and its termination for the purpose of concluding its activities, including providing testimony to committee of Congress concerning its report.

#### SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this Act and such sums shall remain available until the date on which the Commission terminates.

By Ms. COLLINS:

S. 1799. A bill to provide authority for certain depository institutions, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Ms. COLLINS. Mr. President, I rise to introduce the Community Bank Sensible Regulation Act of 2015, a bill which would allow financial regulators to exempt community banks from unnecessary and unduly burdensome requirements, if doing so is in the public interest. My bill would provide this authority to the FDIC, the Office of the Comptroller of the Currency, and the Federal Reserve, and would apply to financial institutions with less than \$10 billion in assets.

The aim of my legislation is to allow the financial regulators to exempt community banks from highly complex regulations designed to protect our financial system from systemic risks that would arise from the failure of larger banks. All banks, large and small, should be well-capitalized and properly regulated, but that does not mean that our financial regulators must impose a “one size fits all” regulatory regime across the board without regard to the risks posed to the finan-

cial system by banks with fundamentally different business models and of vastly different sizes.

Some regulations that are appropriate or essential for larger banks may make no sense when applied to community banks. For example, current law requires community banks to demonstrate that they are in compliance with the Volcker Rule—which restricts proprietary trading and hedge fund investments by banks—even though community banks rarely engage in such trading. Even so, community banks must shoulder the burden of complying with this complex regulation. My bill would allow the regulators to exempt community banks from the Volcker Rule.

As the GAO has noted, smaller banks are “disproportionately affected by increased regulation, because they are less able to absorb additional costs.” These costs are significant. According to industry representatives, the cost of complying with regulations absorbs 12 percent of total bank operating expenses, and is two-and-a-half times greater for small banks than for large banks.

The cost of regulation puts community banks at a competitive disadvantage vis-à-vis larger banks. Over the past 2 decades, the share of the U.S. banking industry represented by community banks has declined from 40 percent to just 18 percent. Over the same period, the share of the market represented by the five largest banks has grown from roughly 18 percent to 46 percent. I am concerned that unnecessary regulation will accelerate these trends, and ironically, contribute to the further consolidation of the banking industry into a handful of “too big to fail” banks.

Community banks play an essential role in meeting the credit needs of their customers, particularly small businesses, homeowners, and farmers. Although community banks represent just 18 percent of total banking assets, they are responsible for half of our nation’s small business loans. With small business formation at generational lows, it is essential that we preserve and protect their access to credit, as they are the major driver of job creation in our country. In addition, community banks provide  $\frac{3}{4}$  of our Nation’s agricultural loans, a line of finance that requires highly specialized knowledge of farming and a long-term perspective suited to agricultural cycles.

Regulators should be able to tailor their regulations to take the distinctive nature of community banks into account. My bill would allow regulators to exempt community banks from unnecessary and burdensome regulations where it is in the public interest to do so. I urge my colleagues to support it.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 2257. Mr. MCCAIN (for himself and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 2257. Mr. MCCAIN (for himself and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### SEC. \_\_\_\_ REVIEW AND NOTIFICATIONS OF CATEGORICAL EXCLUSIONS GRANTED FOR NEXT GENERATION FLIGHT PROCEDURES.

Section 213(c) of the FAA Modernization and Reform Act of 2012 (Public Law 112-95; 49 U.S.C. 40101 note) is amended by adding at the end the following:

“(3) **NOTIFICATIONS AND CONSULTATIONS.**—Not less than 30 days before granting a categorical exclusion under this subsection for a new procedure, the Administrator shall notify and consult with the affected public and the operator of the airport at which the procedure would be implemented.

“(4) **REVIEW OF CERTAIN CATEGORICAL EXCLUSIONS.**—

“(A) **IN GENERAL.**—The Administrator shall review a decision of the Administrator made on or after February 14, 2012, and before the date of the enactment of this paragraph to grant a categorical exclusion under this subsection with respect to a procedure to be implemented at an airport to determine if the implementation of the procedure had a significant effect on the human environment in the community in which the airport is located if the operator of that airport requests such a review and demonstrates that there is good cause to believe that the implementation of the procedure had such an effect.

“(B) **CONTENT OF REVIEW.**—If, in conducting a review under subparagraph (A) with respect to a procedure implemented at an airport, the Administrator, in consultation with the operator of the airport, determines that implementing the procedure had a significant effect on the human environment in the community in which the airport is located, the Administrator shall—

“(i) consult with the operator of the airport to identify measures to mitigate the effect of the procedure on the human environment; and

“(ii) in conducting such consultations, consider the use of alternative flight paths.”.

# AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on July 16, 2015, at 10 a.m., in room SR-328A of the Russell Senate Office Building, to conduct a hearing entitled "Legislative Hearing to Review Pending Forest Service and Forestry Related Bills."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on July 16, 2015, at 2:30 p.m., to conduct a hearing entitled "The Semiannual Monetary Policy Report to the Congress."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on July 16, 2015, at 10 a.m., in room SD-215 of the Dirksen Senate Office Building, to conduct a hearing entitled "Reviewing HealthCare.gov Controls."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 16, 2015, at 10 a.m., to conduct a hearing entitled "Corruption, Global Magnitsky, and Modern Slavery—Review of Human Rights Around the World."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on July 16, 2015, at 11 a.m., in room SD-216 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 16, 2015, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON AFRICA AND GLOBAL HEALTH

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations Sub-

committee on Africa and Global Health be authorized to meet during the session of the Senate on July 16, 2015, at 2 p.m., to conduct a hearing entitled "Wildlife Poaching."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON PUBLIC LANDS, FORESTS, AND MINING

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources' Subcommittee on Public Lands, Forests, and Mining be authorized to meet during the session of the Senate on July 16, 2015, at 2:45 p.m., in room SD-366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON REGULATORY AFFAIRS AND FEDERAL MANAGEMENT

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Subcommittee on Regulatory Affairs and Federal Management of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on July 16, 2015, at 2 p.m., to conduct a hearing entitled, "Reviewing the Office of Information and Regulatory Affairs' Role in the Regulatory Process."

The PRESIDING OFFICER. Without objection, it is so ordered.

## ENSURING ACCESS TO CLINICAL TRIALS ACT OF 2015

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Finance Committee be discharged from further consideration of S. 139 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 139) to permanently allow an exclusion under the Supplemental Security Income program and the Medicaid program for compensation provided to individuals who participate in clinical trials for rare diseases or conditions.

There being no objection, the Senate proceeded to consider the bill.

Mr. McCONNELL. Mr. President, I further ask unanimous consent that the bill be read a third time and passed, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 139) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 139

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the "Ensuring Access to Clinical Trials Act of 2015".

### SEC. 2. ELIMINATION OF SUNSET PROVISION.

Effective as if included in the enactment of the Improving Access to Clinical Trials Act of 2009 (Public Law 111-255, 124 Stat. 2640), section 3 of that Act is amended by striking subsection (e).

## MEASURE READ THE FIRST TIME—H.R. 3038

Mr. McCONNELL. Mr. President, I understand that there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (H.R. 3038) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

Mr. McCONNELL. Mr. President, I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

## ORDERS FOR FRIDAY, JULY 17, 2015, AND TUESDAY, JULY 21, 2015

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10:40 a.m., Friday, July 17, for a pro forma session only, with no business being conducted; further, that following the pro forma session, the Senate adjourn until Tuesday, July 21, at 10 a.m.; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each until 12:30 p.m., with the time equally divided in the usual form; and finally, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

## ADJOURNMENT UNTIL 10:40 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:04 p.m., adjourned until Friday, July 17, 2015, at 10:40 a.m.

## NOMINATIONS

Executive nominations received by the Senate:

## NUCLEAR REGULATORY COMMISSION

JESSIE HILL ROBERSON, OF ALABAMA, TO BE A MEMBER OF THE NUCLEAR REGULATORY COMMISSION FOR THE TERM OF FIVE YEARS EXPIRING JUNE 30, 2020, VICE JEFFERY MARTIN BARAN, RESIGNED.

## DEPARTMENT OF STATE

SUSAN COPPEDGE AMATO, OF GEORGIA, TO BE DIRECTOR OF THE OFFICE TO MONITOR AND COMBAT TRAFFICKING, WITH THE RANK OF AMBASSADOR AT LARGE, VICE LUIS C. DE BACA, RESIGNED.

MARC JONATHAN SIEVERS, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAOR-

DINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE SULTANATE OF OMAN.

KENNETH DAMIAN WARD, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR EXECUTIVE SERVICE, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS UNITED STATES REPRESENTATIVE TO THE ORGANIZATION FOR THE PROHIBITION OF CHEMICAL WEAPONS.

## THE JUDICIARY

MARK A. YOUNG, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA, VICE AUDREY B. COLLINS, RETIRED .

## WITHDRAWAL

Executive Message transmitted by the President to the Senate on July 16, 2015 withdrawing from further Senate consideration the following nomination:

JESSIE HILL ROBERSON, OF ALABAMA, TO BE A MEMBER OF THE DEFENSE NUCLEAR FACILITIES SAFETY BOARD FOR A TERM EXPIRING OCTOBER 18, 2018, (RE-APPOINTMENT), WHICH WAS SENT TO THE SENATE ON FEBRUARY 5, 2015.

## HOUSE OF REPRESENTATIVES—Thursday, July 16, 2015

The House met at 9 a.m. and was called to order by the Speaker.

### PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

We give You thanks, O God, for giving us another day.

With renewed inspirations, we commend to You the Members of Congress, the President, his Cabinet, and all who struggle to lead Your people. May they acknowledge Your sovereignty over all events and times.

Renew America in confident faith and deepen our commitment to seek peace—help us to work together when confronting those whom we find it difficult to trust, but with whom we must try to forge a common future of security and prosperity.

In all, inspire the Members of this people's House with Your spirit, that all might seek to find first areas of agreement, where possible, and openness to honest exchange where it is not.

May all that is done within the people's House be for Your greater honor and glory.

Amen.

### THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Arkansas (Mr. CRAWFORD) come forward and lead the House in the Pledge of Allegiance.

Mr. CRAWFORD led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

### PLANNED PARENTHOOD MUST ANSWER FOR ORGAN HARVESTING

(Mr. HULTGREN asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. HULTGREN. Mr. Speaker, I rise today to deplore the deeply disturbing actions of Planned Parenthood, which has no reservations about using macabre tactics to harvest the lungs, livers, heads, and hearts of aborted babies.

This week, a video investigation caught the organization's senior director of medical services eagerly promoting the harvesting of such body parts, purportedly for medical research. The director said she holds a daily huddle to determine how best to obtain them from unborn children scheduled for abortion. Callously discussing a menu of aborted body parts over lunch and red wine demonstrates a new level of depravity.

Planned Parenthood's damage control fails to answer two basic questions: Have their affiliates done "better than break even" and profited from the sale of baby body parts? And under what medical, ethical, or legal code is it okay to choose a particular abortion method to preserve particular organs for harvesting?

Nothing can erase what was caught on tape. Trafficking in human body parts is a Federal offense. Planned Parenthood receives over half a billion in taxpayer dollars every year.

I am calling for a stop to their inhumane practices and support the renewed congressional investigation into the organization.

### BEST WISHES TO PRESIDENT GEORGE H.W. BUSH

(Mr. AL GREEN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. AL GREEN of Texas. Mr. Speaker, when I was first elected to office, I had the preeminent privilege of meeting with a President of the United States of America. It was one of the most rewarding and gratifying meetings that I have had.

At that meeting, we talked about many things. One of the things that I walked away from the meeting with was a sense and spirit of bipartisanship and how important it was to be able to work with people across lines.

I am honored to tell you that that President was George Bush 41. I understand that he has suffered an injury. I want him, his family, and all to know that I will keep them in my prayers as they move forward. He recently cele-

brated a birthday, and I wish him many, many more birthdays.

God bless you, President Bush, and God bless the United States of America.

### HONORING MARVIN "BUTCH" BADEN

(Mr. CRAWFORD asked and was given permission to address the House for 1 minute.)

Mr. CRAWFORD. Mr. Speaker, I rise today in honor of Marvin "Butch" Baden.

Butch began his career in the U.S. rice industry in 1958 as an "office errand boy" at Riceland Foods. He has served in many capacities since that time, including his current role as senior vice president of rice sales at Producers Rice Mill.

During Butch's 37 years at Producers Rice Mill alone, he has marketed the equivalent of 1.3 billion bushels of rough rice, which translates to about 20 million metric tons of both milled and brown rice.

In 1981, when U.S. rice acreage exploded from 2 million acres per year to just under 4 million acres, new market access for U.S. rice was crucial in supporting prices for U.S. rice farmers. Butch was one of the critical pioneers at the time who dramatically expanded the export demand for U.S. rice.

Butch was directly involved in the opening of new export markets for U.S. rice in the Caribbean, Iran, Iraq, and Nigeria. Butch also expanded U.S. rice exports in Europe, Saudi Arabia, and South Africa.

With nearly 50 percent of the U.S. rice production required to be exported, the fruits of Butch's efforts not only enhanced the returns of the farmers he worked for, but the new export demand for U.S. rice also benefited the market prices of all U.S. rice farmers. In all, Butch has logged nearly 9 million air miles on behalf of the U.S. rice industry.

From humble beginnings as an office errand boy, Marvin "Butch" Baden, through hard work and perseverance, has earned and achieved the highest level of respect and appreciation within the U.S. rice industry.

### HONORING DON NEWTON

(Mr. FOSTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FOSTER. Mr. Speaker, I rise today in honor of Don Newton, a proud

40-year member of the International Union of Bricklayers and Allied Craftworkers, Local 56, of West Chicago, Illinois—and a friend of mine—who passed away recently.

There was a time when workers fighting for their rights were met with lead pipes and management-paid gangs. Today, they fight for their rights with picket lines, elections, and the rule of law and with icons like Scabby, the inflatable rat.

Scabby the Rat, a towering, inflatable mascot of labor protests, was dreamed up by Don Newton and fellow organizer Ken Lambert during labor disputes of the 1990s. Today, Scabby can be seen throughout the country, reminding us of the constant struggle for fair wages and safe working conditions and the importance of unity and solidarity in labor disputes.

On the front lines of protests, as workers fight to hold on to the protections they need to maintain fair wages and a healthy middle class, Scabby the Rat and the memory of Don Newton will never be forgotten; and you can now follow Scabby the Rat on Wikipedia and Facebook.

#### IRAN NUCLEAR AGREEMENT

(Mr. ROTHFUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROTHFUS. Mr. Speaker, this week, President Obama announced a nuclear agreement with Iran that falls far short of the commitments he made to the American people.

This agreement simply does not stop Iran's quest for nuclear weapons. It lifts an arms embargo against the world's number one state sponsor of terror. It also opens the possibility for Iran to acquire ballistic missiles capable of reaching anywhere in the world.

The President's agreement ends sanctions, frees up hundreds of billions to help Iran's economy, and will allow an unrepentant Iran to finance terrorism around the world, undermining the safety and security of the United States, Israel, and our allies. Never forget Iran is responsible for the deaths of hundreds of American servicemembers, from Beirut to Baghdad, and beyond.

The initial "anytime, anywhere access" standard for monitoring Iran's nuclear program is replaced with "managed access," where we have to ask permission before entering suspected facilities.

This deal does not make the world safer. Far from ending the potential of a nuclear arms race in the Middle East, it all but guarantees one.

#### MAKE IT IN AMERICA: WHAT'S NEXT?

(Mrs. LAWRENCE asked and was given permission to address the House for 1 minute.)

Mrs. LAWRENCE. Mr. Speaker, I stand in strong support of the Make It In America plan and working to strengthen America's great manufacturing comeback. One of the biggest threats to that comeback is the growing skills gap in manufacturing, which is why I and my colleagues on both sides of the aisle have joined together to lead the Congressional Investment in America's Workforce Caucus.

Through initiatives like Make It In America and the CIAW Caucus, we are working to expand apprenticeships and on-the-job training, increase employer-provided educational benefits, and provide tax credits for businesses who provide critical workforce training.

Some of the efforts in my district are already seeing results. According to yesterday's Detroit Free Press, Wayne County, in my district, is leading the Nation in new manufacturing jobs added last year. Three other counties in the State of Michigan were added as well.

If we keep this up and if we continue to work to close that manufacturing gap, we can make it in America.

#### SENATE DEMOCRATS ARE PUTTING OUR NATIONAL SECURITY IN JEOPARDY

(Mr. AUSTIN SCOTT of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, I rise today to voice my concerns over Senate Democrats standing in the way of funding our national security. Once again, we find ourselves in a position where Democrats in the Senate are attempting to extort higher Federal spending on their social agenda in return for adequately funding our troops.

To be clear, this House passed a spending bill with the same proposed spending limits that the President of the United States asked for, but Senate Democrats are using the 60-vote rule to prohibit this appropriation measure from coming to the floor.

General Dempsey, Chairman of the Joint Chiefs, recently said:

Since 2011, global disorder has significantly increased while some of our comparative military advantage has begun to erode.

We have seen this before, Mr. Speaker, where our security becomes a political bargaining chip. This is irresponsible, and I respectfully request my colleagues in the Senate to abandon these tactics. I urge my colleagues in the Senate to stop this dangerous game and support the Defense Appropriations bill.

#### HOLDING THE VA ACCOUNTABLE

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, our veterans have earned the care they are due to receive through the Department of Veterans Affairs. So many men and women of the military put their lives on the line every day to ensure the safety and security of our country.

Unfortunately, bad news coming out of the Department continues to pile up. This week, it was revealed that nearly one-third of the 847,000 veterans with pending applications for health care may have already passed away.

This means, at some point in their lives, over 200,000 men and women who served our country bravely weren't able to access the care that they were promised. These benefits were earned through service, but due to mismanagement, they remained in an endless waiting line.

Mr. Speaker, we can and must do better for our Nation's servicemen and -women. We must continue to institute reforms at the VA to ensure that our veterans receive proper care.

#### WESTERN WATER AND AMERICAN FOOD SECURITY ACT OF 2015

##### GENERAL LEAVE

Mrs. LUMMIS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2898.

The SPEAKER pro tempore (Mr. LAMALFA). Is there objection to the request of the gentlewoman from Wyoming?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 362 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2898.

The Chair appoints the gentleman from Illinois (Mr. HULTGREN) to preside over the Committee of the Whole.

□ 0913

##### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2898) to provide drought relief in the State of California, and for other purposes, with Mr. HULTGREN in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentlewoman from Wyoming (Mrs. LUMMIS) and the gentleman from California (Mr. HUFFMAN) each will control 30 minutes.

The Chair recognizes the gentlewoman from Wyoming.

Mrs. LUMMIS. Mr. Chairman, the American West is in the midst of a severe drought, especially central California. This problem demands swift action, with tens of thousands of trees, plants, jobs, food, and livelihoods at stake.

H.R. 2898 will help bring our Western water supply infrastructure into the 21st century, making it more drought resistant. The bill also addresses the manmade Federal decisions that are exacerbating the drought.

H.R. 2898 ensures scientific transparency in Federal actions that are literally taking water away from people that desperately need it, all for questionable benefit of endangered fish.

The bill also requires the deployment of more effective management tools like addressing the nonnative fish that are harming the endangered fish.

□ 0915

West-wide, the bill takes steps to build new water storage that is crucial to the well-being of Western communities and economies. To assist non-Federal projects, the bill creates a one-stop shop for water storage permitting at the Bureau of Reclamation.

Oftentimes, Federal agencies overlap or conflict with each other when it comes to permitting non-Federal facilities. This provision forces them to sit down with one lead agency, the Bureau of Reclamation, to resolve issues and expedite permitting.

For Federal projects, the bill creates a streamlined and transparent process for the Bureau that mirrors the Army Corps' provisions in the Water Resource Reform and Development Act of 2014, which was enacted by overwhelming bipartisan majorities in both Houses of Congress.

To offset the bill's implementation costs and finance new water storage, the bill allows irrigation districts and water utilities to prepay their share of the capital costs of Federal water projects.

Mr. Chairman, some water users are prohibited from paying off contracts early. This is nonsensical. Congress has lifted the restrictions in piecemeal fashion before, and it is time to dispense with it altogether.

One way to efficiently construct new storage is to allow the Bureau of Reclamation to make water storage improvements during the course of making safety improvements. H.R. 2898 allows the Bureau to do just that.

Finally, the bill prohibits the Departments of the Interior and Agriculture from holding public land permits hostage unless permittees give up their State-endowed water rights. This will put a stop to the Federal Government's repeated attempts to grab water rights at the expense of State authority from the Forest Service's interim directive for ski area permits to the Service's ill-fated groundwater directive.

Mr. Chairman, this bill takes a commonsense approach to solving water problems in the West, and I urge its adoption.

Mr. Chairman, I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON AGRICULTURE,  
Washington, DC, July 8, 2015.

Hon. ROB BISHOP,  
Chairman, Committee on Natural Resources,  
House of Representatives, Washington, DC.

DEAR CHAIRMAN BISHOP: I am writing concerning H.R. 2898, the "Western Water and American Food Security Act of 2015."

This legislation contains provisions within the Committee on Agriculture's Rule X jurisdiction. As a result of your having consulted with the Committee and in order to expedite this bill for floor consideration, the Committee on Agriculture will forego action on the bill. This is being done on the basis of our mutual understanding that doing so will in no way diminish or alter the jurisdiction of the Committee on Agriculture with respect to the appointment of conferees, or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I would appreciate your response to this letter confirming this understanding, and would request that you include a copy of this letter and your response in the Committee Report and in the Congressional Record during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

K. MICHAEL CONAWAY,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON NATURAL RESOURCES,  
Washington, DC, July 9, 2015.

Hon. K. MICHAEL CONAWAY,  
Chairman, Committee on Agriculture, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: On July 9, 2015, the Committee on Natural Resources ordered reported with amendments H.R. 2898, the Western Water and American Food Security Act of 2015. The bill was referred primarily to the Committee on Natural Resources, with an additional referral to the Committee on Agriculture.

I ask that you allow the Committee on Agriculture to be discharged from further consideration of the bill so that it may be scheduled expeditiously by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Agriculture represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Natural Resources as well as in the Congressional Record to memorialize our understanding.

Thank you for your consideration of my request, and for your continued strong cooperation between our committees.

Sincerely,

ROB BISHOP,  
Chairman, Committee on Natural Resources.

Mr. HUFFMAN. Mr. Chairman, I yield myself such time as I may consume.

It was just last winter that we were here on the House floor talking about another so-called drought bill that my Republican colleagues were attempting to slam through the House within just a few days of its introduction.

This time the bill has a different title, but it is pretty much the same bill. We are back today to consider yet another bill that harms West Coast

fisheries and tribal interests, another bill that undermines State law, another bill that micromanages the most complex water system in the world in a way that benefits a select few at the expense of many others across the State of California, another bill that is going nowhere.

We have a SAP from the administration. We have a withering three-page letter of opposition critiquing the bill from the Department of the Interior. The two largest circulation papers in California have both editorialized against it. The State of California is on record opposing prior versions of this bill.

Now, unlike last year, when the House did not allow any amendments to the bill, we are here today with 4 out of 5 Republican amendments made in order and 4 out of 24 Democratic amendments made in order.

That may seem like marginal progress over the 113th Congress' very closed process, but that is no way to do business and certainly no way to get a bill signed into law. With something as complicated and important as California water, we really should make sure everyone has a say, and that is what Democrats have attempted to do. We have introduced a drought response bill, H.R. 2983, which is a comprehensive drought bill. It brings everyone to the table.

This bill had 6 weeks of public review before even being formally introduced, resulting in substantial crowdsourced changes to the bill. Our water future deserves that kind of open debate and real solutions.

I have been joined by 34 cosponsors on that bill because it provides both short- and long-term investments in water supply reliability, the kind of tools that all Western States will need.

My bill includes significant resources to support farmworkers and others who are out of work, not just lip service. And I submit that if my Republican colleagues really care about the challenges faced by farmworkers and others affected by this drought, they will join us in backing real solutions that provide meaningful assistance in addition to stretching our limited water supplies.

Our bill is supported by the Association of California Water Agencies, California sanitation agencies, numerous other water agencies, environmental groups and stakeholders, and both the L.A. Times and the San Francisco Chronicle have editorialized in favor of the Democratic alternative drought response bill and opposed to the bill we are considering here today.

Mr. Chairman, let's have some hearings. Despite the importance of this issue, we have held no legislative hearings on drought responses in the 114th Congress, not on the majority's bill, not on my alternative.

Let's have hearings on both bills. Let's see which one produces the most

water, which one produces that water more quickly, and which one produces it more cost-effectively and more reliably.

I hope that someday, Mr. Chairman, we will be discussing real water solutions in that spirit, vetted in an open hearing, that can actually produce something that will be signed into law, instead of the same tired, divisive ideas that pit our State's water users against each other.

Now, a lot of people have asked me: Why do your Republican colleagues refuse to have serious hearings on their water proposal? I think the answer is pretty clear. Like its predecessors, we are here considering a bill that, when it is exposed to public scrutiny, simply falls apart.

Here's what the Department of the Interior said last week in a letter to our committee, in lieu of testimony, of course, because there was no legislative hearing on the bill. They said: "Instead of increasing water supplies, H.R. 2898 dictates operational decisions and imposes an additional new legal standard. Instead of saving water, this could actually limit water supplies by creating new and confusing conflicts with existing laws, thereby adding an unnecessary layer of complexity to Federal and State project operations. As a result of this additional standard, we believe H.R. 2898 will slow decision-making, generate significant litigation, and limit the real-time operational flexibility that is so critical to maximizing water delivery."

Although the Pacific Fishery Management Council wasn't given an opportunity to actually testify on this bill, again, because we had no hearings, they opposed last year's version, and they wrote to us this week to say that they are on record on what appears to be similar legislation. Specifically, they are concerned about the bill's provisions that redirect water away from salmon habitat.

The closure of the West Coast salmon fishery in 2008 and 2009 required \$158 million in Federal disaster relief. And, sadly, the Rules Committee did not allow a vote on our amendment to require a full Pacific Fishery Management Council review of this legislation.

There is no question that this bill explicitly preempts State water law, and it waives and weakens the application of bedrock Federal environmental laws, including the Endangered Species Act and NEPA, but the Rules Committee did not allow a vote on my amendment to protect California water law from preemption nor my amendment to strengthen the water rights protections in the bill. It seems that the issue of states' rights is simply an inconvenient subject when it comes to Republican water legislation.

Mr. Chairman, water is a complex subject, but it doesn't have to be partisan combat. It doesn't have to scape-

goat environmental laws or pit one region against the other in a zero-sum game.

I chaired the California Assembly's Water Committee during the last drought in 2009, and we did it the right way. We held lots of hearings. We brought interests from all over the State together and, in the end, although it was a lot of work, through that deliberative, transparent process we produced comprehensive water legislation that was supported by Republicans and Democrats from all corners of the State.

Last year, Mr. Chairman, a near unanimous California legislature agreed on a multibillion-dollar water bond that has created significant water reforms in full public view. If my colleagues on the other side of the aisle would just give up on the idea of ramming the same divisive ideas through Congress every few months, we too might be able to make some progress on solving water problems.

I reserve the balance of my time.

Mrs. LUMMIS. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. McCLINTOCK).

Mr. McCLINTOCK. Mr. Chairman, droughts are nature's fault, but water shortages are our fault. They are a deliberate choice we made nearly 40 years ago when we stopped building new dams. We haven't added a major reservoir in California since 1979, while the population of our State has nearly doubled.

Even before the drought, leftist policies created severe water shortages in California's Central Valley, devastating the economy and creating the spectacle of food lines in one of the most fertile agricultural regions of our Nation.

For 4 years, the House has passed comprehensive legislation to resolve this crisis before it became a crisis. For 4 years, Senate Democrats blocked it; but the public has now awakened, and the Senate has changed.

The voices we hear in opposition are the same voices that have dominated Western water policy these past 40 years. We now know where that leads.

This bill doesn't preempt California water law; it protects it by forbidding State officials from fulfilling their threats to violate it. It comes at the request of local water agencies that are sick and tired of having their water expropriated by ideological zealots.

It is time to choose between two very different visions of water policy. One is the nihilistic vision of the environmental left; increasingly severe, government-induced shortages, forced rationing, astronomical water prices, and a permanently declining quality of life for our children who will be required to stretch and ration every drop of water in their parched homes. The other is a vision of abundance, a new era of clean, cheap, and plentiful water and

hydroelectricity; great new reservoirs to store water in wet years to assure plenty in dry ones; a society whose children can enjoy the prosperity that abundant water provides, including fresh and affordable groceries from America's agricultural cornucopia.

Mr. Chairman, we choose abundance.

Mr. HUFFMAN. Mr. Chairman, I yield myself such time as I may consume.

The alternative vision that we offer is certainly not one of austerity and sacrifice; it is one of reality.

There was a time when the reclamation program from the Federal Government proceeded on the assumption that rain follows the plow. It was completely wishful, completely delusional, and we seem to be hearing vestiges of that old argument even today.

What Democrats offer are real solutions—solutions that have been underfunded by Republicans for too many years, solutions that will generate more water and more water supply reliability than the Republican alternative we are considering.

We continue to hear representations that are simply not correct. The claim that we haven't built a major reservoir in California since 1979, tell that to the folks that built Los Vaqueros Reservoir or Diamond Valley Reservoir or many others.

We hear that the doubling of the population in the last few decades is what is driving this crisis. Well, in fact, the urban centers where that population has doubled have held their demand flat. The population has gone up. The water consumption has not.

We continue to hear that this bill—remarkably, we continue to hear that it doesn't preempt State law. Well, Mr. Chairman, I would refer you simply to the CBO report at page 2, which recognizes that H.R. 2898 would impose intergovernmental mandates by preempting the ability of the State of California to enforce its own water management and wildlife preservation laws. There is no question that this bill preempts State laws, and saving money by telling Federal agencies they no longer have to comply with State laws is no way to make public policy.

Mr. Chairman, I yield 3 minutes to the gentleman from the delta region California (Mr. McNERNEY). He has been a champion on sustainable management of our water resources, and I am pleased to have him with us.

Mr. McNERNEY. Mr. Chairman, I rise to express my strong opposition to H.R. 2898.

Many of my colleagues here in Washington have told me they don't want to get involved in the California water wars, and I don't blame them. I don't want them to get involved in the California water wars, but this legislation will do tremendous harm to the California delta, an area that I am privileged to represent.



Let's start with the facts. California is experiencing its driest year on record. In May, there was not even enough snowpack to measure. The United States Drought Monitor measured that about 46 percent of California is in an "exceptional drought."

The so-called drought bill does nothing to solve California's water issues or address drought across the West. Instead, it preempts State laws, reduces management flexibility, eliminates protection for salmon and other endangered species, and rolls back our Nation's fundamental environmental laws.

We need to look at real solutions and not waste time and resources recycling old, bad ideas. Moving more water south doesn't answer our problems. It hurts delta farmers and the salmon industry. We can't pick and choose our economies. We need to fight for all of them.

Let's be clear. My Republican colleagues are basing a lot of their arguments on the idea that environmental regulations send too much water to the ocean that otherwise could be used by communities. But according to the State Water Resources Control Board, in 2014, 72 percent of the delta outflow was required to control salinity so that the delta's water supply did not become too salty for agriculture or urban communities across the State.

□ 0930

If we override these laws, permanent damage will result for fishermen, farmers, families, and businesses throughout California. What I don't understand is why our Republican colleagues keep fighting against protections that preserve the quality of water for their constituents.

The Department of the Interior also opposes this bill because it would "impede an effective and timely response to the continuing drought while providing no additional water to hard-hit communities."

And California doesn't want Federal legislation to "weaken State and Federal environmental protections . . . preempt State law . . . and favor one region of the State over another," which is exactly what this bill does.

We are a State known for innovation, and we have to support bold, forward-thinking solutions that create new water and don't pit regions of California against each other. We should be supporting water efficiency, storage, reuse, recycling, water management, innovative water projects, and long-term approaches to water shortages.

While this legislation will further disrupt a fragile delta and hurt its local economy, I, along with my colleagues, will be pushing for solutions that create more water and respond to the needs of the entire State.

The CHAIR. The time of the gentleman has expired.

Mr. HUFFMAN. I yield the gentleman an additional 20 seconds.

Mr. MCNERNEY. I want to ask my colleagues in the Great Lakes region and the Florida Everglades to pay attention. This bill, if passed, will set a new precedent for grabbing freshwater over any environmental protections. Your water could be next.

I urge my colleagues to oppose H.R. 2898.

Mrs. LUMMIS. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. LAMALFA).

Mr. LAMALFA. I thank the gentlewoman from Wyoming (Mrs. LUMMIS).

Mr. Chairman, we have heard today and will hear quite a bit more claims from the opposition, and I think it is high time that we reintroduce facts into the debate on California water.

My district is the source of much of California's water and home to its largest reservoirs, just two of which can hold 8 million acre-feet, enough for 32 million people for an entire year. This water is delivered throughout the length of the State, and no other district provides so much for so many.

However, even my constituents are facing mandatory rationing and fallowed fields. I support this measure because it respects State water rights and aids all Californians without favoring any region of the State over another.

Ask the Bay Area lawmakers, who have expressed so much concern over "sparking a water war" where their water comes from. You will find that their water comes from my district, my colleagues' districts in the Valley, as well as the Sierras.

This bill advances planning of five surface water storage projects that would yield enough water for 9.6 million people, projects that two-thirds of Californians voted to fund with State money just last year.

Yet, my disappointment here is that we have so many California legislators today and in the past that oppose anything we try to do to enhance the water supply and deliverability in the State of California.

What is more, it isn't human water use that is negatively impacting listed species. According to the National Marine Fisheries Service and Delta Stewardship Council, 90 percent of endangered winter-run salmon are killed and eaten by invasive fish species before they even reach the delta.

The opposition, despite all data to the contrary, denies that invasive species are a part of the problem. Years of lawsuits aimed at reducing water use haven't helped at all endangered salmon, but this bill takes real steps to aid that population. This bill takes action to reduce the populations of invasive species.

While opponents may claim this bill impacts commercial salmon fishing, they won't say that the National Ma-

rine Fisheries Service found that commercial ocean fishing reduces the remaining endangered winter-run Chinook population by as much as 25 percent.

So there it is right there. 92.5 percent of endangered winter-run Chinook are killed by invasive species and commercial fishing outside of whatever happens in the delta, 92.5 percent.

When opponents claim that this bill alters the Endangered Species Act, ask them to show you the language where it does so. They can't show you that because it doesn't exist. Believe me, if I could, I would amend the Endangered Species Act to be more effective, actually, in helping species as well as human needs.

In fact, this bill enhances implementation of the ESA by requiring improved population monitoring and invasive species management, components that should be universally supportable.

Mr. Chairman, let's put a stop to the half-truths and misleading rhetoric, such as no hearings being held. We had two hearings as well as hearings in the Valley on this bill and its components.

The opponents don't believe that we should take any action at all, that nothing is wrong, despite 36 percent mandatory water reductions to homes—such as in my district, like in Redding—thousands of lost jobs, and a half million fallowed acres.

These drought deniers claim that 38 million people—soon to be 50 million in California—can prosper with water delivery infrastructure built for 20 million people years ago, despite irrefutable evidence that our State's economy has dried up.

Mr. Chairman, it is time to take action and pass H.R. 2898.

Mr. HUFFMAN. Mr. Chairman, by way of clarification, the opposition does not oppose addressing invasive species that may have impacts on our fisheries.

What we do agree with, though, is all of the serious science, including peer-reviewed science, that finds that water diversions are the main challenge and the main impact. And we cannot ignore the elephant in the room when we are talking about recovering our fisheries.

As for this claim that there was some kind of a hearing in the Valley, Mr. Chairman, not in this Congress and not a real hearing.

It doesn't count when you have a Republican swing through Fresno with a fundraiser and a rally and a press event and no Democratic ranking members in attendance. That is not serious deliberation.

We are talking about real hearings where diverse witnesses and water experts and lots of Democrats get to participate in a serious and meaningful way.

Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Mrs.

NAPOLITANO), the ranking member of our Water Resources and Environment Subcommittee of the T&I Committee, a champion on water issues for many, many years.

Mrs. NAPOLITANO. I thank my colleague for yielding.

Mr. Chairman, I do heavily oppose H.R. 2898. It does create no new wet water.

I am hearing a lot of rhetoric on all these different things that have happened. I have been on that subcommittee for 17 years, and I have heard it all.

I have been to the Central Valley. I have been talking to farmers. But I don't see any of my colleagues on the other side visiting southern California and checking out how we do things in San Diego and Los Angeles, to be able to have hearings with the water agencies and all those that are critically affected by what is affecting southern California.

Now, this bill has been introduced. There has been no hearing in our Subcommittee on Water Resources and Environment. There has been no consultation with Democrats, except one maybe, with no water agency, with State agencies, with cities, and with tribes.

It does nothing for farmworkers, the ones who are really affected by the drought and who have no way of being able to have income or other way of subsistence.

The bill focuses on the Central Valley at the expense of the rest of both northern California and southern California.

It requires mandatory pumping to agribusiness, which reduces southern California water deliveries. It creates a complicated and ill-defined system that is a very poor attempt at protecting State water deliveries to southern California.

And it is proof, also, that the authors know that the bill will reduce deliveries to southern California due to water quality and environmental problems created with increased pumping to the Central Valley.

This bill affects the entire country, the U.S., by weakening Federal environmental review laws, by creating unreasonable deadlines for environmental review when the biggest problem with delayed view is "inadequate funding."

California's Natural Resources Secretary, John Laird, states that this bill would "reignite water wars, move water policy back into the courts, and try to pit one part of the State against another."

California Senator DIANNE FEINSTEIN, senior Senator, said the bill contains provisions "that would violate environmental law."

California Senator BARBARA BOXER says the bill "will only reignite the water wars."

The White House opposes this legislation and will veto it, saying that "it

fails to address critical elements of California's complex water challenges and will, if enacted, impede an effective and timely response to the continuing drought while providing no additional water to the hard-hit communities."

We must work on this water issue in a bipartisan manner to address California's entire State drought.

I have introduced H.R. 291, the Water in the 21st Century Act, which would provide actual drought relief to all of California with water conservation programs, water recycling projects, groundwater improvement operations, stormwater capture solutions, and desalinization.

We need to support long-term solutions with shovel-ready projects that quickly create water.

The CHAIR. The time of the gentleman has expired.

Mr. HUFFMAN. I yield the gentleman an additional 15 seconds.

Mrs. NAPOLITANO. There is a \$300 million backlog on title XVI for recycled water that would help southern California be able to wean itself off of the imported water. Key House Democratic proposals have been excluded from the bill we are marking up today.

Mr. Chairman, I ask my colleagues to oppose H.R. 2898.

Mrs. LUMMIS. Mr. Chairman, 18 hearings in 5 years have been held on this subject. Democrat Members were invited to attend hearings in California. Only one chose to attend.

Mr. Chairman, I yield 1 minute to the gentleman from Arizona (Mr. GOSAR).

Mr. GOSAR. Mr. Chairman, I rise today in support of Western Water and American Food Security Act.

The Obama administration has exacerbated drought conditions in the West by putting the demands of extremist special interest groups ahead of hard-working American families.

For example, Federal regulations and environmental lawsuits have allowed for hundreds of billions of gallons of water to be diverted into the San Francisco Bay in order to protect a 3-inch fish.

This has had a dramatic impact, killing thousands of jobs, harming our food supply, and leading to unemployment levels as high as 40 percent in some communities.

H.R. 2898 is a balanced approach for combating drought conditions in the West. The bill protects private water rights and prohibits Federal takings. This legislation streamlines the Federal permitting process and will increase water storage capacity.

American families are hurting in the West and need some relief. H.R. 2898 will help ensure a reliable water supply for our citizens and our Nation's ag producers.

I urge adoption of this commonsense bill.

Mr. HUFFMAN. Mr. Chairman, more clarification is needed. We continue to

hear about this legendary 3-inch fish that is apparently taking so much water from Californians.

Facts are stubborn things. And the facts are that, over the last 2 years, that 3-inch fish has taken exactly zero water from those who depend on water diverted out of the delta system.

As for employment levels, certainly folks are hurting from this drought throughout California and in other Western States.

But with reference to agricultural employment, thanks to the incredible productivity of our farmers in California, ag employment was actually up 2 percent last year, another stubborn fact that needs to be remembered so that we can get the context of this bill right.

I am proud to yield 3 minutes to the gentleman from Arizona (Mr. GRIJALVA), our distinguished ranking member of the Natural Resources Committee.

Mr. GRIJALVA. I thank the gentleman from California for yielding me the time and for the good work he has done on the water issues in our committee and for the rational thought he brings to the discussion.

Mr. Chairman, the Endangered Species Act is not causing the California drought, period. It is wrong to mislead the people living through the drought by telling them that the answer is to abolish environmental laws. It isn't.

But here come the House Republicans again with another unfounded attack on endangered species that will go extinct without ESA protection.

Here they come again, claiming "power grab" and "overreach" every time that they don't get their way.

Here they come again, using a serious water challenge as an excuse to chip away at a law they don't support, even if it is unrelated to the problem at hand.

Millions of Californians need Congress to take this drought seriously. But my friends across the aisle have decided their opposition to the Endangered Species Act is more important, and the drought in California is a convenient excuse to dismantle ESA.

We recently finished debating the Interior, Environment, and Related Agencies appropriations bill that now includes language that would jeopardize the survival of the African elephant, greater sage-grouse, gray wolf, northern long-eared bat, Sonoran desert tortoise, and many other endangered species.

H.R. 2898 will add the delta smelt and several salmon and steelhead runs to the list of species that the House Republicans have decided we can do without.

I guess we shouldn't be surprised. After all, the sponsor of this legislation said last month on live television that he would "hopefully someday repeal the Endangered Species Act." That

kind of rhetoric is not constructive, but is a useful glimpse into the real Republican agenda.

□ 0945

By showing what this bill is actually about, these comments tell us Republicans know that this is a distraction from the real problem. California faces a crippling drought and global warming that will continue to make the State drier and hotter, and the demand for water far outstrips supply.

Californians will have to make some tough choices in this drought, but they do not need to choose to exterminate fish and wildlife resources that belong to the American people. Congress should not choose to do so either.

People and wildlife can coexist, and the ESA is proving it. Since 1973, 99 percent of protected species have survived, and the U.S. economy has tripled from just over 5 trillion to more than 16 trillion. Restoring delta smelt, salmon, and steelheads will have additional economic benefit for commercial and recreational fishermen.

If that isn't enough, Americans are telling us that we have to protect species. Recent polling shows 90 percent of voters support ESA.

Sadly, this bill is just another example of House Republicans ignoring the will of the American people and driving the extinction of American fish and wildlife one species at a time.

I ask for a "no" vote on H.R. 2898.

Mrs. LUMMIS. Mr. Chair, I yield 3 minutes to the gentleman from California (Mr. VALADAO), the sponsor of the bill.

Mr. VALADAO. Mr. Chairman, I thank my friend from Wyoming, who has been a huge support on this legislation.

I hear on the other side that there are no real solutions in this bill, real solutions that actually help deliver water; and that frustrates me to no end because there are a lot of solutions that have a lot of support.

We also hear that this delta smelt has had no impact on pumping this water out of the delta, when the Bureau of Reclamation, through their own estimates, say about a million acre-feet annually is impacted between the Central Valley project and the State water project. That is a government agency that is doing the restricting and holding back the water that is telling us themselves.

Then every year in the news, we hear another three fish were caught in the pumps. They are looking and counting, and they are already starting to figure out when they are going to turn the pumps off again so they can restrict the pumping of those fish.

Then we hear this does not have an impact on farmworkers. Farmworkers aren't looking for your handouts. They are sick and tired of sitting at home and taking a check. They want to work. They want to produce.

They want to walk into a grocery store with the money they earned and purchase the products that they were involved in growing. To them, that is a sign of the American dream. It is a sign of having the opportunity to produce and to be a productive member of society and to show their family and raise their family in an environment that allows them to grow with a little bit of respect and dignity for what they do.

Now, as far as the solutions in this bill that they claim don't exist, reservoirs are a big deal. That is what holds water so that we can use it for later on in periods like now. We actually asked to streamline the process so we can get those approved quicker.

We have asked to end the studies that have been going on for nearly 15 years. We are 13 years into it, and \$150 million of taxpayer money has been spent studying these things to no end. We want to end that. I don't think that is unreasonable. The President seems to think it is, but I don't see how it possibly could be.

We target predator species that are actually having an impact on the delta smelt. According to studies, you hear about 95 percent of those delta smelt and salmonoid are being consumed by these predator species. We offer a solution in order to take care of that problem.

Real science, we asked for a layer of bureaucracy. My opponent or my friend from the other side seems to think it is a layer of bureaucracy, but we are asking for real science to be put in place to make sure that, when we decide to turn off these pumps to hurt the communities in the Central Valley, to put these people out of work, that real science is actually used; and we actually try to verify that things are actually accomplishing something when we turn these pumps off.

As far as hearings, we have had hearings. We wanted those hearings in the valley. We took the request of our friends on the other side, and we had the hearing right there in Fresno in the heart of the problem so they can see for themselves what this is causing, what effect this is having in our communities.

Like my friend from Wyoming mentioned, we had one person show up; and I would like to thank that gentleman for coming, Mr. COSTA, and spending some time. It is his hometown, so he understands the issue well.

This is something that we take very seriously. This bill is a comprehensive bill that covers a lot of different topics, but it also helps deliver real water. I don't know what the difference between wet water and dry water is, but we are looking to deliver real water to the valley.

If this didn't deliver real water like they claim, what are they afraid of? What is the fear of this legislation passing if it doesn't deliver, in their own words?

We are looking to get some water, helping our community and helping people get back to work and grow delicious, wonderful American food that we are very proud of.

Mr. HUFFMAN. Mr. Chairman, I just want to cite testimony from the United States Fish and Wildlife Service before the State water board just a few months ago, February 18, 2015, in which they testified the delta smelt biological opinion has not required mandatory restrictions on water exports since early 2013, over 2 years ago.

Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. COSTA), my distinguished colleague from Fresno.

I do not agree with him on this particular bill, but I do want to say that he has been a champion for his district and certainly has great command of the water issue.

Mr. COSTA. Mr. Chairman, I thank the gentleman from California for yielding me 2 minutes.

I strongly urge my colleagues to support the Western Water and American Food Security Act that we are debating here today.

Yes, we are debating this issue, and this is not new. What you have exhibited here and seen this morning is where the water fault lines lie in California, and it also is reflective of many of the Western States.

This 4 years of historic drought has pointed out clearly that we have a broken water system in California. Here we are on the floor, having another debate over whether or not we are going to pass a bill to help people because, at the end of the day, these are people problems, people problems in every region of California.

Nowhere have those people been more impacted than in the San Joaquin Valley, which much of us represent. These are families where parents have lost their jobs, whose children are not able to attend school. These are farmworkers, these are farm communities that have felt the most severe impact of this drought and the water constraints that we now are dealing with.

My colleagues on the Democratic side argue that this is simply a cause of 4 continuous dry years, and while that is partially true, it ignores that that talking point doesn't recognize that, in fact, we have a broken water system designed for 20 million people.

Communities in the San Joaquin Valley have seen their water supply reduced long term by 40 percent, and agricultural use has declined over the last 40 years because we are more efficient water users. Some, in my area, have had a zero water allocation the last 2 years. Zero, that is no water.

This reduced reliability has impacted every region of the State to be sure. It has impacted large metropolitan areas like the Silicon Valley, Los Angeles, San Diego, as well as the small rural

and often disadvantaged communities like those in the valley that I represent.

This measure, H.R. 2898, takes a step toward addressing this longstanding imbalance by enhancing scientific management of the water projects in California and then giving it greater flexibility. It also provides additional storage.

The CHAIR. The time of the gentleman has expired.

Mrs. LUMMIS. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. COSTA).

Mr. COSTA. I thank the gentlewoman. It provides additional flexibility to increase our water supply. We have to use all the water tools in the water management toolbox, and that includes increasing storage capacity, and it is about time that we began doing that.

It also tries to address many of the other factors that are preventing the recovery of endangered species, like the invasive species that are the result of a lot of the decline in salmon in California.

Let me quote Karen Hesse, an author of "Out of the Dust." She said: "The way I see it, hard times aren't only about money or drought or dust. Hard times are about losing the spirit and hope and what happens when dreams dry up."

Well, ladies and gentlemen, I am here to tell you that a lot of the dreams are drying up in the people that I represent in the San Joaquin Valley. This drought is crushing their spirit, making them feel as if their dreams never become a reality and too often feel like they are the country cousin, literally and figuratively, of the two urban areas in southern California and northern California.

The solution that California needs is not more talking points, but legislation working together on a bipartisan basis. This legislation starts that process. It is a work in progress. Obviously, it will be amended.

It will be changed as we work with the Senate later this fall.

Mrs. LUMMIS. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. MCCARTHY).

Mr. MCCARTHY. Mr. Chairman, I thank the gentlewoman for yielding; and I thank my colleague on the other side, Mr. COSTA, for his work on this in the bipartisan bill. I thank Congressman VALADAO for bringing it to the floor.

Mr. Chairman, I come from a place that is called, for a very good reason, "America's salad bowl." We produce the vegetables; we produce the fruits, and we produce the nuts that feed the Nation.

The Nation should know what the people in my district know: Food grows where water flows, and no water equals higher food costs.

That is what the signs read across the district if you drive down the highways, but you can see trouble in more than just the signs you read. You see it in the parched farmlands, in the reservoirs that are all but empty, and in the faces of those whose jobs have dried up with the water.

Now, I am talking about this as a Californian, a native from Bakersfield, but this isn't a local problem. Half of the produce we eat in America is grown in California, and California is the eighth largest economy in the world. When California hurts, the entire Nation hurts as well.

This is even bigger than just California. Almost 40 percent of the West is facing a severe drought, and it is undeniably clear that the status quo is unsustainable.

If we do nothing, people will lose their livelihoods; water prices also continue to go up, and America will have to rely more and more on foreign food, perhaps from countries that don't have the same labor or environmental laws that we do.

Now, we can't make it rain, but we can't give up either. Some people want to do just that, Mr. Chairman; some believe that our way of life has to change, that it is time to focus on conservation above all and manage our decline. I reject that.

If California is in decline, then the American West is in decline, and the hope of so many generations is in decline. We will lose that pioneering spirit that will lead us through the 21st century.

Now, we have a bill before us today that rejects the idea that we have reached the heights of the shining city on a hill and that it is time to come back down to a world of limits and of uncertainty. We have never accepted failure; nothing, not even a historic drought, will make us start now.

Here in the House, we have tried time and again to address this problem. This Congress, the last two Congresses, have addressed it before we hit a historic drought. Let's not forget, just 5 years ago, we had 172 percent of snowpack.

We talk a lot about desalinization, and I support it. What does desalinization do? It takes saltwater and makes it freshwater. Why in California do we allow our freshwater to become saltwater? Shouldn't we protect that first?

This bill takes ideas from both sides, as we just heard from Congressman COSTA and from this side. We designed the bill to move as much water down south to our farms and to our cities as possible without making any fundamental changes to the environmental law.

In reality, this bill is very simple. It does four things in California. We allow water to flow through the delta. We create a process to build more storage that has been promised so many years before but has been held in bureau-

cratic red tape. We will increase the reservoirs, and we will protect the senior water rights and the California State water project.

This drought also extends beyond California. That is why this bill includes so many provisions to help our friends in the Western States through their tough times as well.

You see, Mr. Chairman, we have a challenge before us. It is a challenge of nature, yes; but it is also a change of policy, foresight, and plain common sense. For decades, our State and country have faced droughts. For years, Californians have endured this drought.

Now, we are here today to move forward toward a solution. It is a solution built upon ideas from, yes, Democrats and Republicans. It is a solution that rejects the idea of decline and failure and says with a clear voice: We will not let the drought defeat us.

California is better than that; the West is better than that, and, Mr. Chairman, America is better than that. We will not lose hope. We will solve the problem with or without you.

□ 1000

Mr. HUFFMAN. Mr. Chairman, could I inquire as to the balance of my time?

The CHAIR. The gentleman from California has 8½ minutes remaining. The gentlewoman from Wyoming has 15¼ minutes remaining.

Mr. HUFFMAN. Mr. Chairman, I appreciate the majority leader's statements about when freshwater becomes saltwater.

I am pleased to yield 3 minutes to the gentleman from California (Mr. THOMPSON), who represents the part of California that understands the incredible ecological and economic value of that mixing zone where freshwater becomes saltwater, and represents communities that are on that thin blue line depending on that point at which freshwater becomes saltwater. And if it were compromised, and if that saltwater were allowed to intrude by virtue of some of the provisions in this bill, he represents the front line of communities that would be very adversely impacted.

Mr. THOMPSON of California. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, he is absolutely correct. In my district, if that freshwater doesn't run through and run out to the ocean, the saltwater runs back in. I have two major cities in my district that rely on that for a source of water. If this bill were to pass, their water supply is in jeopardy. You can't drink saltwater; it just doesn't work.

California is in the middle of a very extreme drought. It is not due to a lack of pumping; it is not because of our State's water regulations, and it is not because we are putting fish ahead of farms and people. It is because there is no rain and there is no snow. No bill

can make it rain, but this bill makes a bad situation even worse. It is wrong for California. It won't stop the drought; it won't make it rain; but it will kill jobs, and it will ruin drinking water for millions of Californians.

The State of California won't support this bill because it ignores 20 years of established science and undermines our extensive efforts to implement equal measures to address longstanding water shortages.

We have been down this road before in California. We ignored science and we diverted water out of the Klamath River, and nearly 80,000 spawning salmon died. Communities were devastated and livelihoods were lost.

This bill also sets a dangerous precedent for every other State in our country. California has longstanding water management rules. This bill overrides the very system of water regulations that Californians themselves devised to govern our State's water supply. It tells local resource managers and water districts how to administer their water supply.

If we pass this bill, we are telling every State in America that we are okay with the Federal Government undermining local experts and State laws from coast to coast. If that weren't enough, this bill also undercuts longstanding environmental laws.

The legislation we are debating today redefines the standard by which the Endangered Species Act is applied. This will weaken the law, increase the risk of species extinction, and lead to countless lawsuits and costly litigation. It is as if the majority is holding wildlife responsible for our lack of rain.

You will hear the other side talk about a little fish, the delta smelt, and how we are protecting fish at the expense of people. The truth is, as the gentleman from California mentioned, that protection of the smelt hasn't prevented one drop of water from being pumped south since 2013. We haven't pumped more water south because there simply isn't enough water. We are in a drought.

I am not insensitive to the supply and demand reality of California's water. I understand the concerns of the Central Valley farmers. I am a farmer myself. But if my well runs dry, the solution isn't to steal the water from my neighbors. We need real solutions that are based on science and that work for everyone. This bill is not that solution. It is bad for California; it is bad for other States; it is bad for our environment.

Mrs. LUMMIS. Mr. Chairman, facts are stubborn things. According to the Bureau of Reclamation, biological opinions involving species did reduce Central Valley's exports by 62,200 acre-feet in 2014. Already this year, according to the Bureau of Reclamation, species have reduced Central Valley

project waters to farmers by 280,000 acre-feet. Again, my source is the Bureau of Reclamation.

At this time, Mr. Chairman, I yield 2 minutes to the gentleman from Utah (Mr. BISHOP), chairman of the House Natural Resources Committee.

Mr. BISHOP of Utah. Mr. Chairman, the other day, Topper Shutt in his broadcast, said, "Today is going to be a glorious day." He obviously was talking about the sunshine outside, which means we should have done this bill yesterday so I could be on my deck right now, but that is beside the point.

This is, though, a glorious day because we are finally doing a solution that helps people. Instead of just kicking the can down the road again for another year, we are going to find a solution to this problem, this problem of a drought that is affecting the entire West to such a degree that one would think that Nostradamus' quatrains have come true. But what we are doing here is finding a solution.

Many of the opponents of this bill would simply say let's pass more rain dances and hope something happens. What we are doing here is taking the advice of our pioneer forefathers and saying what we have, save. Do it as storage. And not just for California, but for the entire West. That is the purpose behind this particular bill.

There are some concerns about environmental issues that may or may not have been wise to do in the past. That is not the concern of this bill. We are not stopping any of that. What we are doing is finding a creative way to provide for that, but also provide a way of getting water to people where they need it.

In the middle of the last century, we did water projects and hydropower projects that helped us win the war. Now is the time to do water projects and hydropower projects to help us feed people in this Nation and in the entire world and to help out areas that have up to 50 percent unemployment. I have been down there and I have seen those particular communities, many of them first- and second-generation Americans, minorities who only want to provide a decent living for themselves and for their families and to work.

What we need to do is actually solve this problem so we can put people to work to provide food for this country and to provide jobs for people and to help people. That is what this bill is about: finally helping people with creative solutions. If the Romans could build an aqueduct system to move water, we can build a system to move water that actually helps people. This is about people.

Pass this bill. Let's move it on. Let's solve the problem.

Mr. HUFFMAN. Mr. Chairman, I am pleased to yield 2½ minutes to the gentleman from California (Mr. CÁRDENAS), my colleague from Los An-

geles, a city that, frankly, is pioneering some of the most promising water management strategies we have in California, strategies that are reflected in our alternative bill, for which I am grateful Mr. CÁRDENAS is a cosponsor. They are stretching water supplies not just using imported water wisely, but managing recycled water, groundwater, treating storm water, working on the cutting edge. They deserve Federal support for those proven strategies, support that our colleagues across the aisle have withheld for too many years.

Mr. CÁRDENAS. Mr. Chairman, I thank my colleague for yielding me time. Thank you for your wonderful work always on these issues.

Ladies and gentlemen, what we have here is a failure to communicate, a failure to communicate our priorities, but, more importantly, as legislators, a failure to work on compromise.

California is currently facing a historic drought. We can no longer take water for granted. Every single Californian has been forced to examine how much we truly depend on clean, reliable water in our everyday lives. Cities, residents, and businesses around the State are cutting back, but it is not enough. Unless the Western United States experiences significant rainfall in the near future, we will see ghost towns in extreme hardship for the most at-risk populations of our State.

While much of the coverage in the media has been on brown lawns across the State and the rationing that is going on, the real impacts threaten the lives of hard-working families throughout our State.

Take a trip through California's Central Valley. There you will see the gravity of the situation. You will see unemployment rates double or triple the national average, forcing families into makeshift dwellings that remind us of the Hoovervilles during the Dust Bowl. These families aren't thinking of their brown lawns. They are thinking of the fact that they have lost their home. These families want their jobs back. They want to go to work so that they can feed their children.

This bill and the various Democratic alternatives are works in progress. We have to find a solution, but this bill is not it.

If we are serious about facing the challenges our constituents sent us here to solve, I am ready and willing to work with you, and with you, to make the necessary, tough decisions and compromises.

I look forward to working with Mr. COSTA, whose district is facing the most significant impacts, and Senators DIANNE FEINSTEIN and BARBARA BOXER to craft a stronger bipartisan and bicameral solution.

We have no choice but to find better ways to capture and transport water in all parts of the State to meet the needs

of the people and our economy while protecting the environment and delicate species. We must not use this time of need as a way to pick partisan fights. We have to find legislation that protects our environment while we also protect California families.

Lives are at stake. Ladies and gentlemen, we need to come together and work together.

Mrs. LUMMIS. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. CALVERT), chairman of the Subcommittee on Interior and Environment of the House Appropriations Committee.

Mr. CALVERT. Mr. Chairman, I thank the gentlewoman for yielding.

Mr. Chairman, here we go again, debating solutions to California's water woes, with each side making similar arguments we have heard for years.

In fact, more than a decade ago, I was standing in this very spot, in the middle of the debate of the last significant Western water law that Congress has passed. We passed the CALFED law in 2004 and hoped that it would help California establish reliable and affordable water supplies that would help us get through dry spells like we are currently experiencing.

So why are we back here again debating many of the same issues? The simplest answer to that question is we allowed the "don't build anything" faction in California to block the critical investments we need to make in our State's water infrastructure.

The CALFED law authorized feasibility studies for large water storage projects like Temperance Flat, Sites Reservoir, Upper San Joaquin, expanding Los Vaqueros Reservoir and raising Shasta Dam. A decade later, our State's population has grown by 3 million new residents, and those projects are still being studied. Think about that for a second. California's population has grown the same amount as the population of the entire State of Iowa, and we haven't made a significant investment in our water infrastructure to accommodate those residents.

It is well past time to stop talking about these projects and start building them. Thankfully, the bill before us will move us in that direction by requiring our resource agencies to finally complete those decade-long feasibility studies.

Of course, building water storage doesn't help us in the short term, and it also requires excess water that can be diverted. That is why the Western Water and American Food Security Act injects commonsense and science in the operation of our water infrastructure.

When it does rain again, we simply can't afford to make the same mistakes we have made in the past and allow millions of gallons to flow out to the Pacific Ocean. Those wasted flows

don't benefit the environment, farmers, or California residents, and they must be directed to a higher, better use.

The Acting CHAIR (Mr. FORTENBERRY). The time of the gentleman has expired.

Mrs. LUMMIS. I yield the gentleman an additional 30 seconds.

Mr. CALVERT. Mr. Chairman, we have a clear choice before us today. We can continue to listen to those who oppose investing in California's water infrastructure and we can believe we can restrict our way out of this problem, or we can recognize that California's situation today is far worse than it should be precisely because of our failure to build adequate water storage and restore more science and commonsense into our water policies that are operating today.

I encourage all my colleagues to support the Western Water and American Food Security Act so that we can avoid being back here on the House floor during California's next drought having these very same arguments.

Mr. HUFFMAN. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from California has 3 minutes remaining.

Mr. HUFFMAN. I yield 2 minutes to the distinguished gentleman from California (Mr. GARAMENDI), from the Sacramento Valley.

Mr. GARAMENDI. Mr. Chairman, I thank my colleagues.

We have been here before. I have listened to my colleagues who are the proponents of this bill over the last 5 years. As the previous speaker said, we have gone down this path before.

There really is a solution. Unfortunately, I guess all of us, in one way or another, hang on to our past rhetoric and ignore the opportunity that really demands our attention now to develop a comprehensive, good policy for California.

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There is a lot in this bill that goes in the proper direction, and it is an improvement over the past bills. There is no doubt about it.

The issue of moving forward with the projects that are necessary, that is all good, dams and other kinds of programs and the aquifer restoration. It is a good deal. However, in this bill, there are things that are very, very troublesome.

You cannot mandate by law the operations of the water systems in California or anywhere else. You cannot specify how they will be operating because you do not know on a day-to-day or a year-to-year or a month-to-month basis what is actually going to be on the ground.

So that portion of the bill that sets out those operating procedures should be removed. Goals, yes. Operating procedures, no. It just won't work.

As said by both the Federal and State governments, if you were to move this bill forward into law, you would create chaos in California. Every paragraph, every comma, every word, in California water law—both in law and in court decisions—sets the precedent, but, unfortunately, this bill overrides that.

We are very close to it. We can put this together. My colleague, Mr. HUFFMAN, has a proposal that is comprehensive, and it ought to be integrated into our programs and it ought to be integrated into this bill. But the kind of compromise and discussion that is necessary to develop a law that actually works has not been undertaken.

I would urge my colleagues, the proponents of this bill, to slow it down, to let the State and Federal Governments continue to do what they are doing, and that is to operate this system to the maximum potential despite the fact that there is very, very little water.

The Acting CHAIR. The time of the gentleman has expired.

Mr. HUFFMAN. I yield the gentleman an additional 15 seconds.

Mr. GARAMENDI. We can do this, but we have to work together. Unfortunately, that has not occurred; so I urge my colleagues, the proponents of this bill, to take the time to meet with those of us who will be the losers if this bill moves forward. We can all be winners.

I draw your attention to Mr. HUFFMAN's legislation, which is comprehensive, which will work, and which could be integrated into this legislation.

In the meantime, I continue to oppose it.

Mrs. LUMMIS. Mr. Chairman, respectfully, when I was in the Central Valley in California, I saw chaos. It is already happening, and the people are desperate for a solution.

Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. NUNES).

Mr. NUNES. Mr. Chairman, for 7 or 8 years, continually, the Republicans have offered solutions and, continually, nearly all of the Democrats have voted "no."

This isn't about solutions, because the real solution the left wants is to idle over a million acres of farm ground in the San Joaquin Valley. This is why the forefathers of our State built a system that would withstand a drought of 5 years.

Look, we need additional storage, but everyone in this body—anyone who knows anything about water—knows that, if you don't fix the plumbing in the delta, if you don't deal with the San Joaquin River settlement and if you don't build a few new storage projects, over a million acres of farm ground are going to go idle.

Those are the facts. Conveniently, most of my friends who are up here speaking on the left live in the coastal areas and get their water—they steal their water—from our area to give themselves pristine drinking water. That is what they do.

Now we are going to be left with the chaos that has developed from over a million acres of farm ground coming out of production unless the Senate can take and act on this legislation quickly.

Mr. Chair, in the summer of 2002, shortly before I was elected to Congress, I sat through an eye-opening meeting with representatives from the Natural Resources Defense Council and several local environmental activist groups. Hoping to convince me to support various water restrictions, they argued that San Joaquin Valley farmers should stop growing alfalfa and cotton in order to save water—though they allowed that the planting of high-value crops such as almonds could continue.

Then, as our discussion turned to the groups' overall vision for the San Joaquin Valley, they told me something astonishing:

Their goal was to remove 1.3 million acres of farmland from production. They showed me maps that laid out their whole plan: From Merced all the way down to Bakersfield, and on the entire west side of the Valley as well as part of the east side, productive agriculture would end and the land would return to some ideal state of nature. I was stunned by the vicious audacity of their goal—and I quickly learned how dedicated they were to realizing it.

#### HOW TO STEAL WATER AND GET AWAY WITH IT

For decades, extreme environmentalists have pursued this goal in California with relentless determination. The method they have used to depopulate the targeted land—water deprivation—has been ruthless and effective.

Much of the media and many politicians blame the San Joaquin Valley's water shortage on drought, but that is merely an aggravating factor. From my experience representing California's agricultural heartland, I know that our water crisis is not an unfortunate natural occurrence; it is the intended result of a long-term campaign waged by radical environmentalists who resorted to political pressure as well as profuse lawsuits.

Working in cooperation with sympathetic judges and friendly federal and state officials, environmental groups have gone to extreme lengths to deprive the San Joaquin Valley, the heart of much of the U.S. agricultural production, of much-needed water. Consider the following actions they took:

The Central Valley Project Improvement Act: Backed by the NRDC, Sierra Club and other extreme environmental groups, large Democratic majorities in Congress passed the CVPIA in 1992 after attaching it to a must-pass public lands bill. The act stipulated that 800,000 acre-feet of water—or 260 billion gallons—on the Valley's west side had to be diverted annually to environmental causes, with an additional 400,000 acre-feet later being diverted annually to wildlife refuges.

Smelt and salmon biological opinions: Lawsuits filed by the NRDC and similar organiza-

tions forced the U.S. Fish and Wildlife Service and the National Marine Fisheries Service to issue, respectively, biological opinions on smelt (in 2008) and on salmon (in 2009). These opinions virtually ended operation of the Jones and Banks pumping plants—the two major pumping stations that move San Joaquin River Delta water—and resulted in massive diversions of water for environmental purposes.

The San Joaquin River Settlement: After nearly two decades of litigation related to a lawsuit filed in 1988 by the National Resources Defense Council, Sierra Club and other environmental groups, San Joaquin Valley agriculture organizations agreed to a settlement in 2006, later approved by a Democratic Congress and signed into law by President Obama. The settlement created the San Joaquin River Restoration Program. The program, which aims to create salmon runs along the San Joaquin River, required major new water diversions from Valley communities. Despite warnings from me and other California Republicans, agriculture groups naively approved the settlement based on false promises by the settlement's supporters that Valley water supplies would eventually be restored at some future, unspecified date.

Groundwater regulation: In September 2014, California Gov. Jerry Brown approved regulations requiring that water basins implement plans to achieve "groundwater sustainability"—essentially limiting how much water locals can use from underground storage supplies. But these pumping restrictions, slated to take effect over the next decade, will reduce access to what has become the final water source for many Valley communities, which have increasingly turned to groundwater pumping as their surface water supplies were drastically cut.

#### A LITANY OF HYPOCRISY

As radical groups have pursued this campaign to dry up the San Joaquin Valley, it's worth noting some of their stunning contradictions, hypocrisies, fallacies and failures:

"There's not enough water in California": Environmentalists often claim that the California water crisis stems from the state not having enough water to satisfy its rapidly growing population, especially during a drought.

However, the state in fact has abundant water flowing into the Delta, which is the heart of California's irrigation structure. Water that originates in the snowpack of the Sierra Nevada Mountains runs off into the Delta, which has two pumping stations that help distribute the water throughout the state.

But on average, due to environmental regulations as well as a lack of water storage capacity (attributable, in large part, to activist groups' opposition to new storage projects), 70% of the water that enters the Delta is simply flushed into the ocean. California's water infrastructure was designed to withstand five years of drought, so the current crisis, which began about three years ago, should not be a crisis at all. During those three years, the state has flushed more than 2 million acre-feet of water—or 652 billion gallons—into the ocean due to the aforementioned biological opinions, which have prevented the irrigation infrastructure from operating at full capacity.

"Farmers use 80% of California's water": Having deliberately reduced the California water supply through decades of litigation, the radicals now need a scapegoat for the resulting crisis. So they blame farmers ("big agriculture," as they call them) for using 80% of the state's water.

This statistic, widely parroted by the media and some politicians, is a gross distortion. Of the water that is captured for use, farmers get 40%, cities get 10% and a full 50% goes to environmental purposes—that is, it gets flushed into the ocean. By arbitrarily excluding the huge environmental water diversion from their calculations—as if it is somehow irrelevant to the water crisis—environmentalists deceptively double the farmers' usage from 40% to 80%.

If at first you don't succeed, do the exact same thing: Many of the Delta water cuts stem from the radicals' litigation meant to protect salmon and smelt. Yet after decades of water reductions, the salmon population fluctuates wildly, while the smelt population has fallen to historic lows. The radicals' solution, however, is always to dump even more water from the Delta into the ocean, even though this approach has failed time and again.

The striped bass absurdity: If the radicals really want to protect salmon and the Delta smelt, it's a bit of a mystery why they also champion protections for the striped bass, a non-native species that eats both salmon and smelt.

Hetch Hetchy hypocrites: The San Francisco Bay Area provides a primary support base for many environmental groups. Lucky for them, their supporters don't have to endure the kinds of hardships these organizations have foisted on San Joaquin Valley communities.

While the radicals push for ever-harsher water restrictions in the Valley, their Bay Area supporters enjoy an unimpeded water supply piped in across the state from the Hetch Hetchy reservoir in Yosemite National Park. This water is diverted around the Delta, meaning it does not contribute to the Delta's water quality standards. Environmental groups have conveniently decided not to subject Hetch Hetchy water to any sort of litigation that would cut the supply to the Bay Area.

We're from the government, and we're here to help: Government agencies that catch smelt as part of scientific population measurements actually kill more of the fish than are destroyed in the supposedly killer water pumps.

Hitchhiking salmon: The San Joaquin River Settlement is estimated already to have cost taxpayers \$1.2 billion—and it's clear to me that the total price tag will likely exceed \$2 billion—in a disastrous effort to restore salmon runs to the San Joaquin River.

Moreover, the settlement legislation defines success as reintroducing 500 salmon to the river, which means spending \$4 million per fish. The salmon, which have not been in the river for more than half a century, have proved so incapable of sustaining themselves that agents have resorted to plucking them out of the water and trucking them wherever they are supposed to go. It is a badly kept secret among both environmentalists and federal officials that this project has already failed.



A man-made state of nature: The radicals claim they want to reverse human depredations in the Delta and restore fish to their natural habitat. Yet the entire Delta system is not natural at all. It's a man-made network of islands that functions only thanks to upstream water storage projects. In fact, without man-made storage projects, canals and dams, in dry years such as this the rivers would quickly run dry, meaning there would be no water and no fish.

#### A THREE-STEP SOLUTION

The radicals have pursued their plan methodically and successfully; between the CVPIA, the biological opinions, and the San Joaquin River Settlement, around a million acres of farmland have been idled. What's left of the water supply is inadequate for sustaining Valley farming communities: South of the Delta, we now face an annual water supply deficit of approximately 2.5 million acre-feet, or 815 billion gallons.

In fact, with the state groundwater regulations announced last year, the radicals are poised to achieve their goal. The depletion of groundwater is a direct effect—and indeed, was an intended result—of the radicals' assault on our surface water.

(After all, if farmers, churches, schools and communities can't get surface water, they'll predictably resort to ground water.)

But the radicals have perversely cited the groundwater depletion they themselves engineered to justify regulating the groundwater supply. This is the final step in their program, since many farmers will not be able to keep growing food if they continue to receive zero water allocations and are restricted from tapping enough ground water.

The Valley cannot endure this situation much longer, but the good news is that it's not too late to save our communities. Led by the Valley's Republican delegation, the U.S. House has passed legislation twice that would bring a long-term end to the water crisis. The solution comprises these three simple measures:

Return Delta pumping to normal operations at federal and state pumps. Because normal pumping levels are already paid for, this measure would cost taxpayers zero dollars.

Fix the San Joaquin River Settlement. Instead of continuing to spend hundreds of millions of dollars on an unworkable scheme to recreate salmon runs, we should turn the San Joaquin River into a year-round flowing river with recirculated water. This approach would be good for the warm-water fish habitat and for recreation, and it would save taxpayers hundreds of millions of dollars that will otherwise go down the salmon-run rat hole.

Expedite and approve construction of major new water projects. This should include building the Temperance Flat dam along the San Joaquin River, raising Shasta dam to increase its reservoir capacity, expanding the San Luis Reservoir and approving construction of the Sites Reservoir in the Sacramento Valley. Because water users themselves should rightfully pay for these projects, they would cost federal taxpayers zero dollars.

These measures would not only end the water crisis, they would improve the environment for fish and wildlife—all while saving taxpayer dollars.

#### THE PRICE OF INACTION

I warned of the likely outcome of the radicals' campaign in my testimony to a House committee back in 2009:

"Failure to act, and it's over. You will witness the collapse of modern civilization in the San Joaquin Valley."

That is indeed the grim future facing the Valley if we don't change our present trajectory. The solution passed twice by the U.S. House, however, was blocked by Senate Democrats, who were supported by the administration of Gov. Brown as well as the Obama administration. These Democrats need to begin speaking frankly and honestly with San Joaquin Valley communities, and with Californians more broadly, about the effects of idling 1.3 million acres of farmland. This will ruin not only Valley farming operations, but will wipe out entire swathes of associated local businesses and industries.

The damage is not limited to the Valley. Although residents of coastal areas such as Los Angeles, the Bay Area and San Diego have been led to believe they are being subject to water restrictions due to the drought, that's not actually true. As in the Valley, these areas and many others ultimately depend on the Delta pumps for their water supply. If the pumps had been functioning normally for the past decade, none of these cities would be undergoing a water crisis today.

And it's a safe bet that Brown's mandatory water reductions will not alleviate the crisis, leading to a drastic increase in restrictions in the not-too-distant future. Watering your lawn, washing your car and countless other everyday activities will be banned up and down California. In their mania to attack Central Valley farming, the radicals are inadvertently running the entire state out of water.

#### ENDGAME

Many organizations representing California agriculture, including water districts and—shockingly—even some San Joaquin Valley cities and counties, became part of the problem instead of the solution, having lent no support to the House-passed water bills. Suffering from a strange kind of Stockholm Syndrome, many of these groups and agencies hope that if they meekly accept their fate, their overlords will magnanimously bestow a few drops of water on them.

This mousy strategy, which willfully ignores what the radicals are really trying to achieve, hasn't worked out well for growers of almonds and other high-value crops. Although the radicals had been promising them a free pass back when the groups met with me in 2002, these growers have CS now become the radicals' primary scapegoat for the water crisis. This condemnation is reflected in articles such as *The Atlantic's* "The Dark Side of Almond Use," *The Guardian's* "Alarm as Almond Farms Consume California's Water," and *Bloomberg View's* "Amid a Drought, Cue the Almond Shaming."

Sadly, the end is near for communities whose land will be forced out of production. One hopes the affected families will eventually find a more welcome home in some other state where those who wield power appreciate folks who grow our food instead of demonize them.

But for now, the pitiless, decades-long assault to deprive them of their livelihoods is

hurtling toward its apex. Meanwhile, many of those capable of advancing a solution are content to wring their hands, blame global warming and continue whistling past the graveyard.

Agriculture groups, water districts and municipalities that refuse to support the two House-passed bills owe their constituents an alternative solution that will resolve our water shortfall. Water bureaucrats who ignore or oppose the most prominent, viable solutions while offering no alternative are, in effect, complicit in the radicals' long struggle. They should publicly declare which land ought to come out of production and which Valley industries should be eliminated since they have no proposals to steer us away from that outcome.

The Valley's critical situation today demands unity around constructive solutions. To paraphrase Benjamin Franklin, we must all hang together, or we will surely all hang separately.

Mr. HUFFMAN. Mr. Chairman, I reserve the balance of my time.

Mrs. LUMMIS. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. DENHAM).

Mr. DENHAM. I thank the gentlewoman for yielding on this important issue.

Mr. Chairman, some will say they are not voting for this bill because of the challenges they perceive are in it. The biggest problem with this bill is that it doesn't do enough.

We need millions of new acre-feet of water. We should be looking at the next generation. I want my kids to farm, but without new water supplies, we continue to see farmers go out of business.

That speaks to the security of our food supply as a country. You can't farm with a zero allocation of water, which is why you see the high unemployment, which is why you see farmworkers who are going to be homeless and without jobs this year, which is why you will see more farms go out of business.

This is a battle that has gone on for quite some time, but this bill deals with some very small issues that will be very significant this year.

We need to have the full debate about what our country is going to do with its water supplies and the greater storage that we are going to need in the future.

Yet, we are dealing with some commonsense issues like predator fish? Why would we try to save fish only to allow them to be eaten by a nonnative fish that eats 98 percent of the fish that we are spending millions of dollars to preserve?

That is not an environmental solution any more than trucking fish around a river because the river can't handle the fish.

If you want to be an extremist, be an extremist and deal with the commonsense solution here. This bill moves us in the right direction.

This will help farms stay in business, and this will allow us to continue to

have jobs in the Central Valley and a vibrant food supply for the rest of the country.

This bill is ripe for passing this morning, and we would ask for a bipartisan vote.

Mr. HUFFMAN. Mr. Chairman, I reserve the balance of my time.

Mrs. LUMMIS. Mr. Chairman, I yield 1 minute to the gentleman from Colorado (Mr. TIPTON).

Mr. TIPTON. I thank the gentlewoman for yielding.

Mr. Chairman, I rise in support of the Western Water and American Food Security Act of 2015.

My Water Rights Protection Act, incorporated as part of H.R. 2898, would uphold State water law and priority-based systems and provide water users with a line of defense from increasingly brazen Federal attempts to take private water rights without compensation.

These Federal water grabs undermine long-held State water law, priority-based systems, and our private priority rights. By extorting water rights from those who hold water rights under State law, the Federal Government is overreaching, violating private property rights and the U.S. Constitution.

Federal land management agency attempts to take or to control private water rights and circumvent State law have put the ski community, grazers, municipalities, and local businesses at risk.

These private property rights are vital to Colorado and to the Western U.S. when it pertains to water. Many businesses depend on them as collateral to be able to get loans, expand, and create jobs.

Water is our lifeblood. Water users need certainty that the Federal land management agencies are prohibited from future attempts to take privately held water rights.

This legislation offers a sensible approach to preserve those rights. I urge its passage.

Mr. HUFFMAN. Mr. Chairman, I reserve the balance of my time.

Mrs. LUMMIS. Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I was going to put this up, but I don't know how to work the tripod very well. But it is a very important issue, and this is a very important chart because many have asked: Why would somebody from Illinois come talk about a bill that has to do with water in California?

Look at this chart. 99 percent of the almonds, 99 percent of the dates, and 99 percent of the kiwis that we eat in central Illinois, in my district, come from the Central Valley of California. All of those crops need water to grow.

Now, I want to thank my colleague from California (Mr. VALADAO) for introducing this bill. This is important

to me because I have seen the Central Valley of California. I understand the importance of this industry to my consumers and as the subcommittee chairman on the House Agriculture Committee's Subcommittee on Biotechnology, Horticulture, and Research.

The issues we face here—changing policies in Washington, D.C.—affect the price of food that my consumers pay back in Illinois and affect the many Californians living in the Central Valley who are dealing with this tremendous issue.

I urge a “yes” vote on this bill. I want to thank all of my colleagues who are here today and encourage them once more.

Mr. HUFFMAN. Mr. Chairman, I reserve the balance of my time.

Mrs. LUMMIS. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Mrs. MIMI WALTERS).

Mrs. MIMI WALTERS of California. Mr. Chairman, this year marks California's fourth consecutive year of the drought. In California alone, over 37 million people are impacted by the drought.

The economic cost of the drought is expected to be nearly \$3 billion, and almost 19,000 agriculture-related jobs will be lost as a result.

Our current drought is not the result of a lack of rain. It is the result of failed policies that have mismanaged critical water resources throughout the West.

My colleagues and I in the House come before you today with a solution: the Western Water and American Food Security Act of 2015. This vital bill will modernize our water infrastructure into the 21st century and will ensure that California is well equipped to handle future drought crises.

I urge my colleagues to support this bill and to stand with me as we work to provide Californians with the water resources they need.

Mr. HUFFMAN. Mr. Chairman, I reserve the balance of my time.

Mrs. LUMMIS. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. KNIGHT).

Mr. KNIGHT. Mr. Chairman, I rise in support of H.R. 2898, the Western Water and American Food Security Act. And I will give just a couple of examples.

I live in the desert of southern California. I am not a northern California person, and I am not a Central Valley person, but I am a desert rat in California who understands water is imperative to all of our needs.

What is happening in my district right now is a 35 percent reduction in water. That is what they are requesting. All of our water companies have come forward and have said that they are raising the rates between 30 and 40 percent.

Now, let me tell you that you cannot reduce your water by 35 percent. You just cannot do it in a single family

house. You can reduce. You can get down to about 10 or 15 percent. But when you are talking 35 percent, it just doesn't happen. That is the life we are living in today.

I have been sitting here for about an hour, and I have taken a few notes about what might happen if we pass this.

One of the things that hit me was reignite the environmental wars, reignite the problems that we are having with water in California.

Let me tell you that I don't believe there is a State in the Union that is going through as many adjudications of water than is happening in California right now.

If we are talking about reigniting the water wars or about reigniting the environmental wars, they are happening today, right now.

In my district alone, we have water adjudication that has been going on for 17 years. If we are talking about reigniting the environmental wars, it is happening right now, today. It is not just the delta smelt. It is the environmental impacts that we are putting on fish above people.

In my district, again, we have an issue where the Department of Water and Power from L.A. cannot release water down a canyon to help the people in the canyon because we have the stickleback fish in there.

They are afraid that it is going to harm that fish; so they have reduced the water from 1,200 acre-feet a year to 300 acre-feet. The environmental wars are happening in California today.

The Acting CHAIR. The time of the gentleman has expired.

Mrs. LUMMIS. I yield the gentleman an additional 1 minute.

Mr. KNIGHT. If we do not do something today, then when? When do we do something? When do we go back to our constituents and say that we are actually working on the number one priority in California? A State without water is dead.

I did a tele-town hall 2 weeks ago. I took 18 phone calls in 1 hour. There were 17 phone calls that were on water, and on one phone call, he had no idea what he was talking about. But 17 phone calls out of 18 were on water. This is the number one priority.

If not today, when?

Mr. HUFFMAN. Mr. Chairman, I reserve the balance of my time.

Mrs. LUMMIS. Mr. Chairman, we have no more speakers, and we are prepared to close.

Mr. HUFFMAN. Mr. Chairman, I yield myself the balance of my time.

We have a bill, unfortunately, that would run roughshod over California State law with respect to water, with respect to the management of wildlife.

It is a bill that would do harm to the Endangered Species Act and other environmental Federal laws. It is a bill that would, indeed, ignite a water war

rather than seriously solve problems on this important issue.

Don't take it from me. Take it from other serious voices that have examined this bill and the Democratic alternative. Take it from the Los Angeles Times. Take it from the San Francisco Chronicle. Take it from the Department of the Interior and from the Obama administration, which has issued a veto threat.

□ 1030

This is the same bill that has passed on party lines each of the last few years, only to be parked in the Senate and go nowhere. It is high time that we start talking to each other and working with each other on serious, bipartisan solutions for our water challenges instead of playing party politics. I urge a "no" vote.

I yield back the balance of my time.

Mrs. LUMMIS. Mr. Chairman, I would prefer to take it from the farmers who are desperate for water. These are people who have instituted conservation measures that cost them millions of dollars, changing their crops from things like lettuce and tomatoes to almond and pistachio trees with drip irrigation systems that conserve tremendous amounts of water. Still, those trees were allowed to dry up and die.

Mr. Chairman, to close, I yield the remainder of my time to the gentleman from California (Mr. VALADAO), the sponsor of this bill.

Mr. VALADAO. Mr. Chairman, I would like to begin by thanking so many on both sides of the aisle who worked very hard on this legislation. We spent months working on this. We have crafted it throughout the beginning of this Congress, and it has been an important bill. It is going to continue to be an important bill. We look forward to seeing who has the courage to stand up and actually vote to help the folks of California.

When we see the situation that is going on out there in the valley and we see the faces of these people standing in the food lines, the people who have worked so hard for so many years to help build farms, to help build businesses for their families and we see those farmworkers who have come and had the opportunity to put their kids through school. Many of them end up in really great places, some of them even in Congress, like myself. You see so many different opportunities that come from the valley.

When we have a situation like we have today, where we have literally been cut off from water, we have had years in the past decade where we have had abundance of water and abundance of snowpack, and we still get a small fraction of the contracted amounts. Now, today, we are down to zero.

When people speak of conservation, we have got to find a way to conserve water, we have got to find a way to

save water, absolutely. We have done those things. We have implemented a lot of different programs, from drip irrigation, to change of crops, to even trying to breed better, more drought-tolerant crops.

We have done what we can. We do it in our homes; we have done it in the way we live our lives, but at the end of the day, you can't conserve anything from zero because zero is nothing. There is nothing left. What it has done to our economy, what it has done to the people in the valley, what it has done to the Nation, what it has done to food costs across the Nation, when we look at all the different programs, when we are looking for a place to save money, food cost is having a huge impact on us all throughout the country.

I ask for an "aye" vote.

Mrs. LUMMIS. Mr. Chairman, I yield back the balance of my time.

Ms. ESHOO. Mr. Chair, I rise in strong opposition to H.R. 2898 because it upends decades of state and federal water law and needlessly pits water users against one another. In the midst of California's worst drought in its history, this bill mandates that certain interests come out ahead of others.

California is currently in the fourth year of a punishing drought that has forced every resident to conserve water, has caused millions of acres of agricultural land to be fallowed, and places us at risk of major wildfires. But, this crisis should not be used as an excuse to permanently upend a century of water law and countless protections for threatened and endangered wildlife.

H.R. 2898 will weaken or override decades of state and federal law, including California state water law and the California Constitution; the state and federal Endangered Species Acts; the National Environmental Policy Act; and the San Joaquin River Settlement Act. This list should set off alarm bells for any proponent of states' rights or cooperative federalism. For over a century, the federal government has deferred to state water law whenever possible, but this bill unwinds that history entirely.

And what do we gain by discarding a century of water law and species protections? According to the Department of Interior which manages the Delta collaboratively with the state, this bill "will not provide additional meaningful relief to those most affected by the drought." Local conservationists predict that this bill would cause a complete extinction of the Delta smelt and would accelerate the decline of the wild salmon and steelhead runs in California which have been an important part of the Northern California economy since the mid-19th century.

Instead of taking up partisan legislation that will start a new water war in California, Congress should be providing immediate relief to drought-impacted communities and should invest in long-term drought resilience measures such as conservation, recycling, and desalination, which would drastically increase the amount of water available to farmers in the Central Valley.

This irresponsible bill would override science-based management of the delicate

Delta infrastructure and would gut several of our most bedrock environmental laws. For these reasons I strongly oppose this legislation and I urge my colleagues to vote against it.

Mr. DESAULNIER. Mr. Chair, I rise to express my strong opposition to H.R. 2898, the so-called "Western Water and American Food Security Act of 2015".

I represent a portion of the Sacramento-San Joaquin Delta, the largest estuary west of the Mississippi and the source of roughly half of California's fresh water. Nearly 25 million Californians rely upon the Delta in one form or another for their drinking water supply. Additionally, many species depend on the habitats in and around the 700,000-acre estuary for survival. Species in the Delta include birds and waterfowl like sand hill cranes, and fish like Chinook salmon, Central Valley steelhead and green sturgeon. Many of these species are unique to the Delta and found nowhere else on earth. H.R. 2898 would dramatically weaken protections for these ecosystems and for salmon, migratory birds, and other fish and wildlife in California's Bay-Delta estuary, as well as the thousands of fishing jobs in California and Oregon that depend on the health of these species.

California's ongoing drought—not federal environmental laws—is the primary reason for low water supplies across the state. California's drought is real, and we need real solutions. However, H.R. 2898 does nothing to solve California's severe water shortage or address drought across the West. Instead, this bill preempts state laws, reduces management flexibility, eliminates protections for salmon and other endangered species, and rolls back our nation's fundamental environmental laws.

H.R. 2898 is not a temporary response to drought. It permanently amends and overrides the requirements of the Endangered Species Act and other federal laws. The bill would also limit National Environmental Policy Act review for water projects, reducing transparency and eliminating the opportunity for local communities to provide input in the planning process. Moreover, several provisions of the bill would preempt state law, including section 313, which would override state laws, federal laws, a court order, and a binding settlement agreement to restore the San Joaquin River.

This measure would undermine the State of California's groundbreaking work to address the drought through the equitable implementation of water conservation programs, infrastructure improvements, and innovative water recycling initiatives. Water shortages are a result of four dry years, not the landmark environmental protections that this bill seeks to undermine. This bill will not make it rain. Permanently repealing proper environmental review will not solve the drought.

Ultimately, this bill would not fix our biggest problem—the lack of water—and would instead set a dangerous precedent of federal overreach for our state, and a repeal of America's longstanding and effective environmental protections. As a Californian and a Delta member, I strongly oppose H.R. 2898, due to the negative impact that this bill would have on my constituents and the environment.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-23. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 2898

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the “Western Water and American Food Security Act of 2015”.

(b) **TABLE OF CONTENTS.**—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Findings.

Sec. 3. Definitions.

#### **TITLE I—ADJUSTING DELTA SMELT MANAGEMENT BASED ON INCREASED REAL-TIME MONITORING AND UPDATED SCIENCE**

Sec. 101. Definitions.

Sec. 102. Revise incidental take level calculation for delta smelt to reflect new science.

Sec. 103. Factoring increased real-time monitoring and updated science into Delta smelt management.

#### **TITLE II—ENSURING SALMONID MANAGEMENT IS RESPONSIVE TO NEW SCIENCE**

Sec. 201. Definitions.

Sec. 202. Process for ensuring salmonid management is responsive to new science.

Sec. 203. Non-Federal program to protect native anadromous fish in the Stanislaus River.

Sec. 204. Pilot projects to implement calfed invasive species program.

#### **TITLE III—OPERATIONAL FLEXIBILITY AND DROUGHT RELIEF**

Sec. 301. Definitions.

Sec. 302. Operational flexibility in times of drought.

Sec. 303. Operation of cross-channel gates.

Sec. 304. Flexibility for export/inflow ratio.

Sec. 305. Emergency environmental reviews.

Sec. 306. Increased flexibility for regular project operations.

Sec. 307. Temporary operational flexibility for first few storms of the water year.

Sec. 308. Expediting water transfers.

Sec. 309. Additional emergency consultation.

Sec. 310. Additional storage at New Melones.

Sec. 311. Regarding the operation of Folsom Reservoir.

Sec. 312. Applicants.

Sec. 313. San Joaquin River settlement.

Sec. 314. Program for water rescheduling.

#### **TITLE IV—CALFED STORAGE FEASIBILITY STUDIES**

Sec. 401. Studies.

Sec. 402. Temperance Flat.

Sec. 403. CALFED storage accountability.

Sec. 404. Water storage project construction.

#### **TITLE V—WATER RIGHTS PROTECTIONS**

Sec. 501. Offset for State Water Project.

Sec. 502. Area of origin protections.

Sec. 503. No redirected adverse impacts.

Sec. 504. Allocations for Sacramento Valley contractors.

Sec. 505. Effect on existing obligations.

#### **TITLE VI—MISCELLANEOUS**

Sec. 601. Authorized service area.

Sec. 602. Oversight board for Restoration Fund.

Sec. 603. Water supply accounting.

Sec. 604. Implementation of water replacement plan.

Sec. 605. Natural and artificially spawned species.

Sec. 606. Transfer the New Melones Unit, Central Valley Project to interested providers.

Sec. 607. Basin studies.

Sec. 608. Operations of the Trinity River Division.

Sec. 609. Amendment to purposes.

Sec. 610. Amendment to definition.

#### **TITLE VII—WATER SUPPLY PERMITTING ACT**

Sec. 701. Short title.

Sec. 702. Definitions.

Sec. 703. Establishment of lead agency and co-operating agencies.

Sec. 704. Bureau responsibilities.

Sec. 705. Cooperating agency responsibilities.

Sec. 706. Funding to process permits.

#### **TITLE VIII—BUREAU OF RECLAMATION PROJECT STREAMLINING**

Sec. 801. Short title.

Sec. 802. Definitions.

Sec. 803. Acceleration of studies.

Sec. 804. Expedited completion of reports.

Sec. 805. Project acceleration.

Sec. 806. Annual report to Congress.

#### **TITLE IX—ACCELERATED REVENUE, REPAYMENT, AND SURFACE WATER STORAGE ENHANCEMENT**

Sec. 901. Short title.

Sec. 902. Prepayment of certain repayment contracts between the United States and contractors of federally developed water supplies.

#### **TITLE X—SAFETY OF DAMS**

Sec. 1001. Authorization of additional project benefits.

#### **TITLE XI—WATER RIGHTS PROTECTION**

Sec. 1101. Short title.

Sec. 1102. Definition of water right.

Sec. 1103. Treatment of water rights.

Sec. 1104. Recognition of State authority.

Sec. 1105. Effect of title.

#### **SEC. 2. FINDINGS.**

Congress finds as follows:

(1) As established in the Proclamation of a State of Emergency issued by the Governor of the State on January 17, 2014, the State is experiencing record dry conditions.

(2) Extremely dry conditions have persisted in the State since 2012, and the drought conditions are likely to persist into the future.

(3) The water supplies of the State are at record-low levels, as indicated by the fact that all major Central Valley Project reservoir levels were at 20–35 percent of capacity as of September 25, 2014.

(4) The lack of precipitation has been a significant contributing factor to the 6,091 fires experienced in the State as of September 15, 2014, and which covered nearly 400,000 acres.

(5) According to a study released by the University of California, Davis in July 2014, the drought has led to the following of 428,000 acres of farmland, loss of \$810 million in crop revenue, loss of \$203 million in dairy and other livestock value, and increased groundwater pumping costs by \$454 million. The statewide economic costs are estimated to be \$2.2 billion, with over

17,000 seasonal and part-time agricultural jobs lost.

(6) CVPIA Level II water deliveries to refuges have also been reduced by 25 percent in the north of Delta region, and by 35 percent in the south of Delta region.

(7) Only one-sixth of the usual acres of rice fields are being flooded this fall, which leads to a significant decline in habitat for migratory birds and an increased risk of disease at the remaining wetlands due to overcrowding of such birds.

(8) The drought of 2013 through 2014 constitutes a serious emergency that poses immediate and severe risks to human life and safety and to the environment throughout the State.

(9) The serious emergency described in paragraph (4) requires—

(A) immediate and credible action that respects the complexity of the water system of the State and the importance of the water system to the entire State; and

(B) policies that do not pit stakeholders against one another, which history shows only leads to costly litigation that benefits no one and prevents any real solutions.

(10) Data on the difference between water demand and reliable water supplies for various regions of California south of the Delta, including the San Joaquin Valley, indicate there is a significant annual gap between reliable water supplies to meet agricultural, municipal and industrial, groundwater, and refuges water needs within the Delta Division, San Luis Unit and Friant Division of the Central Valley Project and the State Water Project south of the Sacramento-San Joaquin River Delta and the demands of those areas. This gap varies depending on the methodology of the analysis performed, but can be represented in the following ways:

(A) For Central Valley Project South-of-Delta water service contractors, if it is assumed that a water supply deficit is the difference in the amount of water available for allocation versus the maximum contract quantity, then the water supply deficits that have developed from 1992 to 2014 as a result of legislative and regulatory changes besides natural variations in hydrology during this timeframe range between 720,000 and 1,100,000 acre-feet.

(B) For Central Valley Project and State Water Project water service contractors south of the Delta and north of the Tehachapi mountain range, if it is assumed that a water supply deficit is the difference between reliable water supplies, including maximum water contract deliveries, safe yield of groundwater, safe yield of local and surface supplies and long-term contracted water transfers, and water demands, including water demands from agriculture, municipal and industrial and refuge contractors, then the water supply deficit ranges between approximately 2,500,000 to 2,700,000 acre-feet.

(11) Data of pumping activities at the Central Valley Project and State Water Project delta pumps identifies that, on average from Water Year 2009 to Water Year 2014, take of Delta smelt is 80 percent less than allowable take levels under the biological opinion issued December 15, 2008.

(12) Data of field sampling activities of the Interagency Ecological Program located in the Sacramento-San Joaquin Estuary identifies that, on average from 2005 to 2013, the program “takes” 3,500 delta smelt during annual surveys with an authorized “take” level of 33,480 delta smelt annually—according to the biological opinion issued December 9, 1997.

(13) In 2015, better information exists than was known in 2008 concerning conditions and operations that may or may not lead to high salvage events that jeopardize the fish populations, and what alternative management actions can be taken to avoid jeopardy.

(14) Alternative management strategies, removing non-native species, enhancing habitat, monitoring fish movement and location in real-time, and improving water quality in the Delta can contribute significantly to protecting and recovering these endangered fish species, and at potentially lower costs to water supplies.

(15) Resolution of fundamental policy questions concerning the extent to which application of the Endangered Species Act of 1973 affects the operation of the Central Valley Project and State Water Project is the responsibility of Congress.

#### SEC. 3. DEFINITIONS.

In this Act:

(1) **DELTA.**—The term “Delta” means the Sacramento-San Joaquin Delta and the Suisun Marsh, as defined in sections 12220 and 29101 of the California Public Resources Code.

(2) **EXPORT PUMPING RATES.**—The term “export pumping rates” means the rates of pumping at the C.W. “Bill” Jones Pumping Plant and the Harvey O. Banks Pumping Plant, in the southern Delta.

(3) **LISTED FISH SPECIES.**—The term “listed fish species” means listed salmonid species and the Delta smelt.

(4) **LISTED SALMONID SPECIES.**—The term “listed salmonid species” means natural origin steelhead, natural origin genetic spring run Chinook, and genetic winter run Chinook salmon including hatchery steelhead or salmon populations within the evolutionary significant unit (ESU) or distinct population segment (DPS).

(5) **NEGATIVE IMPACT ON THE LONG-TERM SURVIVAL.**—The term “negative impact on the long-term survival” means to reduce appreciably the likelihood of the survival of a listed species in the wild by reducing the reproduction, numbers, or distribution of that species.

(6) **OMR.**—The term “OMR” means the Old and Middle River in the Delta.

(7) **OMR FLOW OF -5,000 CUBIC FEET PER SECOND.**—The term “OMR flow of -5,000 cubic feet per second” means Old and Middle River flow of negative 5,000 cubic feet per second as described in—

- (A) the smelt biological opinion; and
- (B) the salmonid biological opinion.

(8) **SALMONID BIOLOGICAL OPINION.**—The term “salmonid biological opinion” means the biological opinion issued by the National Marine Fisheries Service on June 4, 2009.

(9) **SMELT BIOLOGICAL OPINION.**—The term “smelt biological opinion” means the biological opinion on the Long-Term Operational Criteria and Plan for coordination of the Central Valley Project and State Water Project issued by the United States Fish and Wildlife Service on December 15, 2008.

(10) **STATE.**—The term “State” means the State of California.

#### TITLE I—ADJUSTING DELTA SMELT MANAGEMENT BASED ON INCREASED REAL-TIME MONITORING AND UPDATED SCIENCE

##### SEC. 101. DEFINITIONS.

In this title:

(1) **DIRECTOR.**—The term “Director” means the Director of the United States Fish and Wildlife Service.

(2) **DELTA SMELT.**—The term “Delta smelt” means the fish species with the scientific name *Hypomesus transpacificus*.

(3) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(4) **COMMISSIONER.**—The term “Commissioner” means the Commissioner of the Bureau of Reclamation.

##### SEC. 102. REVISE INCIDENTAL TAKE LEVEL CALCULATION FOR DELTA SMELT TO REFLECT NEW SCIENCE.

(a) **REVIEW AND MODIFICATION.**—Not later than October 1, 2016, and at least every five

years thereafter, the Director, in cooperation with other Federal, State, and local agencies, shall use the best scientific and commercial data available to complete a review and, modify the method used to calculate the incidental take levels for adult and larval/juvenile Delta smelt in the smelt biological opinion that takes into account all life stages, among other considerations—

(1) salvage information collected since at least 1993;

(2) updated or more recently developed statistical models;

(3) updated scientific and commercial data; and

(4) the most recent information regarding the environmental factors affecting Delta smelt salvage.

(b) **MODIFIED INCIDENTAL TAKE LEVEL.**—Unless the Director determines in writing that one or more of the requirements described in paragraphs (1) through (4) are not appropriate, the modified incidental take level described in subsection (a) shall—

(1) be normalized for the abundance of prespawning adult Delta smelt using the Fall Midwater Trawl Index or other index;

(2) be based on a simulation of the salvage that would have occurred from 1993 through 2012 if OMR flow has been consistent with the smelt biological opinions;

(3) base the simulation on a correlation between annual salvage rates and historic water clarity and OMR flow during the adult salvage period; and

(4) set the incidental take level as the 80 percent upper prediction interval derived from simulated salvage rates since at least 1993.

##### SEC. 103. FACTORING INCREASED REAL-TIME MONITORING AND UPDATED SCIENCE INTO DELTA SMELT MANAGEMENT.

(a) **IN GENERAL.**—The Director shall use the best scientific and commercial data available to implement, continuously evaluate, and refine or amend, as appropriate, the reasonable and prudent alternative described in the smelt biological opinion, and any successor opinions or court order. The Secretary shall make all significant decisions under the smelt biological opinion, or any successor opinions that affect Central Valley Project and State Water Project operations, in writing, and shall document the significant facts upon which such decisions are made, consistent with section 706 of title 5, United States Code.

(b) **INCREASED MONITORING TO INFORM REAL-TIME OPERATIONS.**—The Secretary shall conduct additional surveys, on an annual basis at the appropriate time of the year based on environmental conditions, in collaboration with other Delta science interests.

(1) In implementing this section, the Secretary shall—

(A) use the most accurate survey methods available for the detection of Delta smelt to determine the extent that adult Delta smelt are distributed in relation to certain levels of turbidity, or other environmental factors that may influence salvage rate; and

(B) use results from appropriate survey methods for the detection of Delta smelt to determine how the Central Valley Project and State Water Project may be operated more efficiently to minimize salvage while maximizing export pumping rates without causing a significant negative impact on the long-term survival of the Delta smelt.

(2) During the period beginning on December 1, 2015, and ending March 31, 2016, and in each successive December through March period, if suspended sediment loads enter the Delta from the Sacramento River and the suspended sediment loads appear likely to raise turbidity levels in the Old River north of the export pumps from

values below 12 Nephelometric Turbidity Units (NTU) to values above 12 NTU, the Secretary shall—

(A) conduct daily monitoring using appropriate survey methods at locations including, but not limited to, the vicinity of Station 902 to determine the extent that adult Delta smelt are moving with turbidity toward the export pumps; and

(B) use results from the monitoring surveys referenced in paragraph (A) to determine how increased trawling can inform daily real-time Central Valley Project and State Water Project operations to minimize salvage while maximizing export pumping rates without causing a significant negative impact on the long-term survival of the Delta smelt.

(c) **PERIODIC REVIEW OF MONITORING.**—Within 12 months of the date of enactment of this title, and at least once every 5 years thereafter, the Secretary shall—

(1) evaluate whether the monitoring program under subsection (b), combined with other monitoring programs for the Delta, is providing sufficient data to inform Central Valley Project and State Water Project operations to minimize salvage while maximizing export pumping rates without causing a significant negative impact on the long-term survival of the Delta smelt; and

(2) determine whether the monitoring efforts should be changed in the short or long term to provide more useful data.

(d) **DELTA SMELT DISTRIBUTION STUDY.**—

(1) **IN GENERAL.**—No later than January 1, 2016, and at least every five years thereafter, the Secretary, in collaboration with the California Department of Fish and Wildlife, the California Department of Water Resources, public water agencies, and other interested entities, shall implement new targeted sampling and monitoring specifically designed to understand Delta smelt abundance, distribution, and the types of habitat occupied by Delta smelt during all life stages.

(2) **SAMPLING.**—The Delta smelt distribution study shall, at a minimum—

(A) include recording water quality and tidal data;

(B) be designed to understand Delta smelt abundance, distribution, habitat use, and movement throughout the Delta, Suisun Marsh, and other areas occupied by the Delta smelt during all seasons;

(C) consider areas not routinely sampled by existing monitoring programs, including wetland channels, near-shore water, depths below 35 feet, and shallow water; and

(D) use survey methods, including sampling gear, best suited to collect the most accurate data for the type of sampling or monitoring.

(e) **SCIENTIFICALLY SUPPORTED IMPLEMENTATION OF OMR FLOW REQUIREMENTS.**—In implementing the provisions of the smelt biological opinion, or any successor biological opinion or court order, pertaining to management of reverse flow in the Old and Middle Rivers, the Secretary shall—

(1) consider the relevant provisions of the biological opinion or any successor biological opinion;

(2) to maximize Central Valley project and State Water Project water supplies, manage export pumping rates to achieve a reverse OMR flow rate of -5,000 cubic feet per second unless information developed by the Secretary under paragraphs (3) and (4) leads the Secretary to reasonably conclude that a less negative OMR flow rate is necessary to avoid a negative impact on the long-term survival of the Delta smelt. If information available to the Secretary indicates that a reverse OMR flow rate more negative than -5,000 cubic feet per second can be established without an imminent negative impact on

the long-term survival of the Delta smelt, the Secretary shall manage export pumping rates to achieve that more negative OMR flow rate;

(3) document in writing any significant facts about real-time conditions relevant to the determinations of OMR reverse flow rates, including—

(A) whether targeted real-time fish monitoring in the Old River pursuant to this section, including monitoring in the vicinity of Station 902, indicates that a significant negative impact on the long-term survival of the Delta smelt is imminent; and

(B) whether near-term forecasts with available salvage models show under prevailing conditions that OMR flow of  $-5,000$  cubic feet per second or higher will cause a significant negative impact on the long-term survival of the Delta smelt;

(4) show in writing that any determination to manage OMR reverse flow at rates less negative than  $-5,000$  cubic feet per second is necessary to avoid a significant negative impact on the long-term survival of the Delta smelt, including an explanation of the data examined and the connection between those data and the choice made, after considering—

(A) the distribution of Delta smelt throughout the Delta;

(B) the potential effects of documented, quantified entrainment on subsequent Delta smelt abundance;

(C) the water temperature;

(D) other significant factors relevant to the determination; and

(E) whether any alternative measures could have a substantially lesser water supply impact; and

(5) for any subsequent biological opinion, make the showing required in paragraph (4) for any determination to manage OMR reverse flow at rates less negative than the most negative limit in the biological opinion if the most negative limit in the biological opinion is more negative than  $-5,000$  cubic feet per second.

(f) **MEMORANDUM OF UNDERSTANDING.**—No later than December 1, 2015, the Commissioner and the Director will execute a Memorandum of Understanding (MOU) to ensure that the smelt biological opinion is implemented in a manner that maximizes water supply while complying with applicable laws and regulations. If that MOU alters any procedures set out in the biological opinion, there will be no need to reinstitute consultation if those changes will not have a significant negative impact on the long-term survival on listed species and the implementation of the MOU would not be a major change to implementation of the biological opinion. Any change to procedures that does not create a significant negative impact on the long-term survival to listed species will not alter application of the take permitted by the incidental take statement in the biological opinion under section 7(o)(2) of the Endangered Species Act of 1973.

(g) **CALCULATION OF REVERSE FLOW IN OMR.**—Within 90 days of the enactment of this title, the Secretary is directed, in consultation with the California Department of Water Resources to revise the method used to calculate reverse flow in Old and Middle Rivers for implementation of the reasonable and prudent alternatives in the smelt biological opinion and the salmonid biological opinion, and any succeeding biological opinions, for the purpose of increasing Central Valley Project and State Water Project water supplies. The method of calculating reverse flow in Old and Middle Rivers shall be reevaluated not less than every five years thereafter to achieve maximum export pumping rates within limits established by the smelt biological opinion, the salmonid biological opinion, and any succeeding biological opinions.

## **TITLE II—ENSURING SALMONID MANAGEMENT IS RESPONSIVE TO NEW SCIENCE**

### **SEC. 201. DEFINITIONS.**

In this title:

(1) **ASSISTANT ADMINISTRATOR.**—The term “Assistant Administrator” means the Assistant Administrator of the National Oceanic and Atmospheric Administration for Fisheries.

(2) **SECRETARY.**—The term “Secretary” means the Secretary of Commerce.

(3) **OTHER AFFECTED INTERESTS.**—The term “other affected interests” means the State of California, Indian tribes, subdivisions of the State of California, public water agencies and those who benefit directly and indirectly from the operations of the Central Valley Project and the State Water Project.

(4) **COMMISSIONER.**—The term “Commissioner” means the Commissioner of the Bureau of Reclamation.

(5) **DIRECTOR.**—The term “Director” means the Director of the United States Fish and Wildlife Service.

### **SEC. 202. PROCESS FOR ENSURING SALMONID MANAGEMENT IS RESPONSIVE TO NEW SCIENCE.**

(a) **GENERAL DIRECTIVE.**—The reasonable and prudent alternative described in the salmonid biological opinion allows for and anticipates adjustments in Central Valley Project and State Water Project operation parameters to reflect the best scientific and commercial data currently available, and authorizes efforts to test and evaluate improvements in operations that will meet applicable regulatory requirements and maximize Central Valley Project and State Water Project water supplies and reliability. Implementation of the reasonable and prudent alternative described in the salmonid biological opinion shall be adjusted accordingly as new scientific and commercial data are developed. The Commissioner and the Assistant Administrator shall fully utilize these authorities as described below.

(b) **ANNUAL REVIEWS OF CERTAIN CENTRAL VALLEY PROJECT AND STATE WATER PROJECT OPERATIONS.**—No later than December 31, 2016, and at least annually thereafter:

(1) The Commissioner, with the assistance of the Assistant Administrator, shall examine and identify adjustments to the initiation of Action IV.2.3 as set forth in the Biological Opinion and Conference Opinion on the Long-Term Operations of the Central Valley Project and State Water Project, Endangered Species Act Section 7 Consultation, issued by the National Marine Fisheries Service on June 4, 2009, pertaining to negative OMR flows, subject to paragraph (5).

(2) The Commissioner, with the assistance of the Assistant Administrator, shall examine and identify adjustments in the timing, triggers or other operational details relating to the implementation of pumping restrictions in Action IV.2.1 pertaining to the inflow to export ratio, subject to paragraph (5).

(3) Pursuant to the consultation and assessments carried out under paragraphs (1) and (2) of this subsection, the Commissioner and the Assistant Administrator shall jointly make recommendations to the Secretary of the Interior and to the Secretary on adjustments to project operations that, in the exercise of the adaptive management provisions of the salmonid biological opinion, will reduce water supply impacts of the salmonid biological opinion on the Central Valley Project and the California State Water Project and are consistent with the requirements of applicable law and as further described in subsection (c).

(4) The Secretary and the Secretary of the Interior shall direct the Commissioner and Assistant Administrator to implement recommended adjustments to Central Valley Project and State Water Project operations for which the conditions under subsection (c) are met.

(5) The Assistant Administrator and the Commissioner shall review and identify adjustments to Central Valley Project and State Water Project operations with water supply restrictions in any successor biological opinion to the salmonid biological opinion, applying the provisions of this section to those water supply restrictions where there are references to Actions IV.2.1 and IV.2.3.

(c) **IMPLEMENTATION OF OPERATIONAL ADJUSTMENTS.**—After reviewing the recommendations under subsection (b), the Secretary of the Interior and the Secretary shall direct the Commissioner and the Assistant Administrator to implement those operational adjustments, or any combination, for which, in aggregate—

(1) the net effect on listed species is equivalent to those of the underlying project operational parameters in the salmonid biological opinion, taking into account both—

(A) efforts to minimize the adverse effects of the adjustment to project operations; and

(B) whatever additional actions or measures may be implemented in conjunction with the adjustments to operations to offset the adverse effects to listed species, consistent with (d), that are in excess of the adverse effects of the underlying operational parameters, if any; and

(2) the effects of the adjustment can be reasonably expected to fall within the incidental take authorizations.

(d) **EVALUATION OF OFFSETTING MEASURES.**—When examining and identifying opportunities to offset the potential adverse effect of adjustments to operations under subsection (c)(1)(B), the Commissioner and the Assistant Administrator shall take into account the potential species survival improvements that are likely to result from other measures which, if implemented in conjunction with such adjustments, would offset adverse effects, if any, of the adjustments. When evaluating offsetting measures, the Commissioner and the Assistant Administrator shall consider the type, timing and nature of the adverse effects, if any, to specific species and ensure that the measures likely provide equivalent overall benefits to the listed species in the aggregate, as long as the change will not cause a significant negative impact on the long-term survival of a listed salmonid species.

(e) **FRAMEWORK FOR EXAMINING OPPORTUNITIES TO MINIMIZE OR OFFSET THE POTENTIAL ADVERSE EFFECT OF ADJUSTMENTS TO OPERATIONS.**—Not later than December 31, 2015, and every five years thereafter, the Assistant Administrator shall, in collaboration with the Director of the California Department of Fish and Wildlife, based on the best scientific and commercial data available and for each listed salmonid species, issue estimates of the increase in through-Delta survival the Secretary expects to be achieved—

(1) through restrictions on export pumping rates as specified by Action IV.2.3 as compared to limiting OMR flow to a fixed rate of  $-5,000$  cubic feet per second within the time period Action IV.2.3 is applicable, based on a given rate of San Joaquin River inflow to the Delta and holding other relevant factors constant;

(2) through San Joaquin River inflow to export restrictions on export pumping rates specified within Action IV.2.1 as compared to the restrictions in the April/May period imposed by the State Water Resources Control Board decision D-1641, based on a given rate of San Joaquin River inflow to the Delta and holding other relevant factors constant;

(3) through physical habitat restoration improvements;

(4) through predation control programs;

(5) through the installation of temporary barriers, the management of Cross Channel Gates operations, and other projects affecting flow in the Delta;



(6) through salvaging fish that have been entrained near the entrance to Clifton Court Forebay;

(7) through any other management measures that may provide equivalent or better protections for listed species while maximizing export pumping rates without causing a significant negative impact on the long-term survival of a listed salmonid species; and

(8) through development and implementation of conservation hatchery programs for salmon and steelhead to aid in the recovery of listed salmon and steelhead species.

**(f) SURVIVAL ESTIMATES.—**

(1) To the maximum extent practicable, the Assistant Administrator shall make quantitative estimates of survival such as a range of percentage increases in through-Delta survival that could result from the management measures, and if the scientific information is lacking for quantitative estimates, shall do so on qualitative terms based upon the best available science.

(2) If the Assistant Administrator provides qualitative survival estimates for a species resulting from one or more management measures, the Secretary shall, to the maximum extent feasible, rank the management measures described in subsection (e) in terms of their most likely expected contribution to increased through-Delta survival relative to the other measures.

(3) If at the time the Assistant Administrator conducts the reviews under subsection (b), the Secretary has not issued an estimate of increased through-Delta survival from different management measures pursuant to subsection (e), the Secretary shall compare the protections to the species from different management measures based on the best scientific and commercial data available at the time.

**(g) COMPARISON OF ADVERSE CONSEQUENCES FOR ALTERNATIVE MANAGEMENT MEASURES OF EQUIVALENT PROTECTION FOR A SPECIES.—**

(1) For the purposes of this subsection and subsection (c)—

(A) the alternative management measure or combination of alternative management measures identified in paragraph (2) shall be known as the “equivalent alternative measure”;

(B) the existing measure or measures identified in subparagraphs (2) (A), (B), (C), or (D) shall be known as the “equivalent existing measure”;

(C) an “equivalent increase in through-Delta survival rates for listed salmonid species” shall mean an increase in through-Delta survival rates that is equivalent when considering the change in through-Delta survival rates for the listed salmonid species in the aggregate, and not the same change for each individual species, as long as the change in survival rates will not cause a significant negative impact on the long-term survival of a listed salmonid species.

(2) As part of the reviews of project operations pursuant to subsection (b), the Assistant Administrator shall determine whether any alternative management measures or combination of alternative management measures listed in subsection (e) (3) through (8) would provide an increase in through-Delta survival rates for listed salmonid species that is equivalent to the increase in through-Delta survival rates for listed salmonid species from the following:

(A) Through restrictions on export pumping rates as specified by Action IV.2.3, as compared to limiting OMR flow to a fixed rate of -5,000 cubic feet per second within the time period Action IV.2.3 is applicable.

(B) Through restrictions on export pumping rates as specified by Action IV.2.3, as compared to a modification of Action IV.2.3 that would provide additional water supplies, other than that described in subparagraph (A).

(C) Through San Joaquin River inflow to export restrictions on export pumping rates speci-

fied within Action IV.2.1, as compared to the restrictions in the April/May period imposed by the State Water Resources Control Board decision D-1641.

(D) Through San Joaquin River inflow to export restrictions on export pumping rates specified within Action IV.2.1, as compared to a modification of Action IV.2.1 that would reduce water supply impacts of the salmonid biological opinion on the Central Valley Project and the California State Water Project, other than that described in subparagraph (C).

(3) If the Assistant Administrator identifies an equivalent alternative measure pursuant to paragraph (2), the Assistant Administrator shall determine whether—

(A) it is technically feasible and within Federal jurisdiction to implement the equivalent alternative measure;

(B) the State of California, or subdivision thereof, or local agency with jurisdiction has certified in writing within 10 calendar days to the Assistant Administrator that it has the authority and capability to implement the pertinent equivalent alternative measure; or

(C) the adverse consequences of doing so are less than the adverse consequences of the equivalent existing measure, including a concise evaluation of the adverse consequences to other affected interests.

(4) If the Assistant Administrator makes the determinations in subparagraph (3)(A) or (3)(B), the Commissioner shall adjust project operations to implement the equivalent alternative measure in place of the equivalent existing measure in order to increase export rates of pumping to the greatest extent possible while maintaining a net combined effect of equivalent through-Delta survival rates for the listed salmonid species.

**(h) TRACKING ADVERSE EFFECTS BEYOND THE RANGE OF EFFECTS ACCOUNTED FOR IN THE SALMONID BIOLOGICAL OPINION AND COORDINATED OPERATION WITH THE DELTA SMELT BIOLOGICAL OPINION.—**

(1) Among the adjustments to the project operations considered through the adaptive management process under this section, the Assistant Administrator and the Commissioner shall—

(A) evaluate the effects on listed salmonid species and water supply of the potential adjustment to operational criteria described in subparagraph (B); and

(B) consider requiring that before some or all of the provisions of Actions IV.2.1. or IV.2.3 are imposed in any specific instance, the Assistant Administrator show that the implementation of these provisions in that specific instance is necessary to avoid a significant negative impact on the long-term survival of a listed salmonid species.

(2) The Assistant Administrator, the Director, and the Commissioner, in coordination with State officials as appropriate, shall establish operational criteria to coordinate management of OMR flows under the smelt and salmonid biological opinions, in order to take advantage of opportunities to provide additional water supplies from the coordinated implementation of the biological opinions.

(3) The Assistant Administrator and the Commissioner shall document the effects of any adaptive management decisions related to the coordinated operation of the smelt and salmonid biological opinions that prioritizes the maintenance of one species at the expense of the other.

(i) **REAL-TIME MONITORING AND MANAGEMENT.**—Notwithstanding the calendar based triggers described in the salmonid biological opinion Reasonable and Prudent Alternative (RPA), the Assistant Administrator and the Commissioner shall not limit OMR reverse flow to -5,000 cubic feet per second unless current monitoring data indicate that this OMR flow limitation is reasonably required to avoid a sig-

nificant negative impact on the long-term survival of a listed salmonid species.

(j) **EVALUATION AND IMPLEMENTATION OF MANAGEMENT MEASURES.**—If the quantitative estimates of through-Delta survival established by the Secretary for the adjustments in subsection (b)(2) exceed the through-Delta survival established for the RPAs, the Secretary shall evaluate and implement the management measures in subsection (b)(2) as a prerequisite to implementing the RPAs contained in the Salmonid Biological Opinion.

(k) **ACCORDANCE WITH OTHER LAW.**—Consistent with section 706 of title 5, United States Code, decisions of the Assistant Administrator and the Commissioner described in subsections (b) through (j) shall be made in writing, on the basis of best scientific and commercial data currently available, and shall include an explanation of the data examined at the connection between those data and the decisions made.

**SEC. 203. NON-FEDERAL PROGRAM TO PROTECT NATIVE ANADROMOUS FISH IN THE STANISLAUS RIVER.**

(a) **ESTABLISHMENT OF NONNATIVE PREDATOR FISH REMOVAL PROGRAM.**—The Secretary and the districts, in consultation with the Director, shall jointly develop and conduct a nonnative predator fish removal program to remove nonnative striped bass, smallmouth bass, largemouth bass, black bass, and other nonnative predator fish species from the Stanislaus River. The program shall—

(1) be scientifically based;

(2) include methods to quantify the number and size of predator fish removed each year, the impact of such removal on the overall abundance of predator fish, and the impact of such removal on the populations of juvenile anadromous fish found in the Stanislaus River by, among other things, evaluating the number of juvenile anadromous fish that migrate past the rotary screw trap located at Caswell;

(3) among other methods, use wire fyke trapping, portable resistance board weirs, and boat electrofishing; and

(4) be implemented as quickly as possible following the issuance of all necessary scientific research.

(b) **MANAGEMENT.**—The management of the program shall be the joint responsibility of the Secretary and the districts. Such parties shall work collaboratively to ensure the performance of the program, and shall discuss and agree upon, among other things, changes in the structure, management, personnel, techniques, strategy, data collection, reporting, and conduct of the program.

**(c) CONDUCT.—**

(1) **IN GENERAL.**—By agreement between the Secretary and the districts, the program may be conducted by their own personnel, qualified private contractors hired by the districts, personnel of, on loan to, or otherwise assigned to the National Marine Fisheries Service, or a combination thereof.

(2) **PARTICIPATION BY THE NATIONAL MARINE FISHERIES SERVICE.**—If the districts elect to conduct the program using their own personnel or qualified private contractors hired by them in accordance with paragraph (1), the Secretary may assign an employee of, on loan to, or otherwise assigned to the National Marine Fisheries Service, to be present for all activities performed in the field. Such presence shall ensure compliance with the agreed-upon elements specified in subsection (b). The districts shall pay the cost of such participation in accordance with subsection (d).

(3) **TIMING OF ELECTION.**—The districts shall notify the Secretary of their election on or before October 15 of each calendar year of the program. Such an election shall apply to the work performed in the subsequent calendar year.



(d) FUNDING.—

(1) IN GENERAL.—The districts shall be responsible for 100 percent of the cost of the program.

(2) CONTRIBUTED FUNDS.—The Secretary may accept and use contributions of funds from the districts to carry out activities under the program.

(3) ESTIMATION OF COST.—On or before December 1 of each year of the program, the Secretary shall submit to the districts an estimate of the cost to be incurred by the National Marine Fisheries Service for the program in the following calendar year, if any, including the cost of any data collection and posting under subsection (e). If an amount equal to the estimate is not provided through contributions pursuant to paragraph (2) before December 31 of that year—

(A) the Secretary shall have no obligation to conduct the program activities otherwise scheduled for such following calendar year until such amount is contributed by the districts; and

(B) the districts may not conduct any aspect of the program until such amount is contributed by the districts.

(4) ACCOUNTING.—On or before September 1 of each year, the Secretary shall provide to the districts an accounting of the costs incurred by the Secretary for the program in the preceding calendar year. If the amount contributed by the districts pursuant to paragraph (2) for that year was greater than the costs incurred by the Secretary, the Secretary shall—

(A) apply the excess contributions to costs of activities to be performed by the Secretary under the program, if any, in the next calendar year; or

(B) if no such activities are to be performed, repay the excess contribution to the districts.

(e) POSTING AND EVALUATION.—On or before the 15th day of each month, the Secretary shall post on the Internet website of the National Marine Fisheries Service a tabular summary of the raw data collected under the program in the preceding month.

(f) IMPLEMENTATION.—The program is hereby found to be consistent with the requirements of the Central Valley Project Improvement Act (Public Law 102-575). No provision, plan or definition established or required by the Central Valley Project Improvement Act (Public Law 102-575) shall be used to prohibit the imposition of the program, or to prevent the accomplishment of its goals.

(g) TREATMENT OF STRIPED BASS.—For purposes of the application of the Central Valley Project Improvement Act (title XXXIV of Public Law 102-575) with respect to the program, striped bass shall not be treated as anadromous fish.

(h) DEFINITION.—For the purposes of this section, the term “districts” means the Oakdale Irrigation District and the South San Joaquin Irrigation District, California.

#### SEC. 204. PILOT PROJECTS TO IMPLEMENT CALFED INVASIVE SPECIES PROGRAM.

(a) IN GENERAL.—Not later than January 1, 2017, the Secretary of the Interior, in collaboration with the Secretary of Commerce, the Director of the California Department of Fish and Wildlife, and other relevant agencies and interested parties, shall begin pilot projects to implement the invasive species control program authorized pursuant to section 103(d)(6)(A)(iv) of Public Law 108-361 (118 Stat. 1690).

(b) REQUIREMENTS.—The pilot projects shall—

(1) seek to reduce invasive aquatic vegetation, predators, and other competitors which contribute to the decline of native listed pelagic and anadromous species that occupy the Sacramento and San Joaquin Rivers and their tributaries and the Sacramento-San Joaquin Bay-Delta; and

(2) remove, reduce, or control the effects of species, including Asiatic clams, silversides, gobies, Brazilian water weed, largemouth bass, smallmouth bass, striped bass, crappie, bluegill, white and channel catfish, and brown bullheads.

(c) SUNSET.—The authorities provided under this subsection shall expire seven years after the Secretaries commence implementation of the pilot projects pursuant to subsection (a).

(d) EMERGENCY ENVIRONMENTAL REVIEWS.—To expedite the environmentally beneficial programs for the conservation of threatened and endangered species, the Secretaries shall consult with the Council on Environmental Quality in accordance with section 1506.11 of title 40, Code of Federal Regulations (or successor regulations), to develop alternative arrangements to comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for the projects pursuant to subsection (a).

### TITLE III—OPERATIONAL FLEXIBILITY AND DROUGHT RELIEF

#### SEC. 301. DEFINITIONS.

In this title:

(1) CENTRAL VALLEY PROJECT.—The term “Central Valley Project” has the meaning given the term in section 3403 of the Central Valley Project Improvement Act (Public Law 102-575; 106 Stat. 4707).

(2) RECLAMATION PROJECT.—The term “Reclamation Project” means a project constructed pursuant to the authorities of the reclamation laws and whose facilities are wholly or partially located in the State.

(3) SECRETARIES.—The term “Secretaries” means—

- (A) the Secretary of Agriculture;
- (B) the Secretary of Commerce; and
- (C) the Secretary of the Interior.

(4) STATE WATER PROJECT.—The term “State Water Project” means the water project described by California Water Code section 11550 et seq. and operated by the California Department of Water Resources.

(5) STATE.—The term “State” means the State of California.

#### SEC. 302. OPERATIONAL FLEXIBILITY IN TIMES OF DROUGHT.

(a) WATER SUPPLIES.—For the period of time such that in any year that the Sacramento Valley Index is 6.5 or lower, or at the request of the State of California, and until two succeeding years following either of those events have been completed where the final Sacramento Valley Index is 7.8 or greater, the Secretaries shall provide the maximum quantity of water supplies practicable to all individuals or district who receive Central Valley Project water under water service or repayments contracts, water rights settlement contracts, exchange contracts, or refuge contracts or agreements entered into prior to or after the date of enactment of this title; State Water Project contractors, and any other tribe, locality, water agency, or municipality in the State, by approving, consistent with applicable laws (including regulations), projects and operations to provide additional water supplies as quickly as practicable based on available information to address the emergency conditions.

(b) ADMINISTRATION.—In carrying out subsection (a), the Secretaries shall, consistent with applicable laws (including regulations)—

(1) issue all necessary permit decisions under the authority of the Secretaries not later than 30 days after the date on which the Secretaries receive a completed application from the State to place and use temporary barriers or operable gates in Delta channels to improve water quantity and quality for the State Water Project and the Central Valley Project south of Delta water contractors and other water users, on the condition that the barriers or operable gates—

(A) do not result in a significant negative impact on the long-term survival of listed species

within the Delta and provide benefits or have a neutral impact on in-Delta water user water quality; and

(B) are designed so that formal consultations under section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536) are not necessary;

(2) require the Director of the United States Fish and Wildlife Service and the Commissioner of Reclamation—

(A) to complete, not later than 30 days after the date on which the Director or the Commissioner receives a complete written request for water transfer, all requirements under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) necessary to make final permit decisions on the request; and

(B) to approve any water transfer request described in subparagraph (A) to maximize the quantity of water supplies available for non-habitat uses, on the condition that actions associated with the water transfer comply with applicable Federal laws (including regulations);

(3) adopt a 1:1 inflow to export ratio, as measured as a 3-day running average at Vernalis during the period beginning on April 1, and ending on May 31, absent a determination in writing that a more restrictive inflow to export ratio is required to avoid a significant negative impact on the long-term survival of a listed salmonid species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); provided that the 1:1 inflow to export ratio shall apply for the increment of increased flow of the San Joaquin River resulting from the voluntary sale, transfers, or exchanges of water from agencies with rights to divert water from the San Joaquin River or its tributaries and provided that the movement of the acquired, transferred, or exchanged water through the Delta consistent with the Central Valley Project's and the State Water Project's permitted water rights and provided that movement of the Central Valley Project water is consistent with the requirements of section 3405(a)(1)(H) of the Central Valley Project Improvement Act; and

(4) allow and facilitate, consistent with existing priorities, water transfers through the C.W. “Bill” Jones Pumping Plant or the Harvey O. Banks Pumping Plant from April 1 to November 30 provided water transfers comply with State law, including the California Environmental Quality Act.

#### (c) ACCELERATED PROJECT DECISION AND ELEVATION.—

(1) IN GENERAL.—On request by the Governor of the State, the Secretaries shall use the expedited procedures under this subsection to make final decisions relating to a Federal project or operation, or to local or State projects or operations that require decisions by the Secretary of the Interior or the Secretary of Commerce to provide additional water supplies if the project's or operation's purpose is to provide relief for emergency drought conditions pursuant to subsections (a) and (b).

#### (2) REQUEST FOR RESOLUTION.—

(A) IN GENERAL.—On request by the Governor of the State, the Secretaries referenced in paragraph (1), or the head of another Federal agency responsible for carrying out a review of a project, as applicable, the Secretary of the Interior shall convene a final project decision meeting with the heads of all relevant Federal agencies to decide whether to approve a project to provide relief for emergency drought conditions.

(B) MEETING.—The Secretary of the Interior shall convene a meeting requested under subparagraph (A) not later than 7 days after the date on which the meeting request is received.

(3) NOTIFICATION.—On receipt of a request for a meeting under paragraph (2), the Secretary of the Interior shall notify the heads of all relevant Federal agencies of the request, including

information on the project to be reviewed and the date of the meeting.

(4) **DECISION.**—Not later than 10 days after the date on which a meeting is requested under paragraph (2), the head of the relevant Federal agency shall issue a final decision on the project, subject to subsection (e)(2).

(5) **MEETING CONVENED BY SECRETARY.**—The Secretary of the Interior may convene a final project decision meeting under this subsection at any time, at the discretion of the Secretary, regardless of whether a meeting is requested under paragraph (2).

(d) **APPLICATION.**—To the extent that a Federal agency, other than the agencies headed by the Secretaries, has a role in approving projects described in subsections (a) and (b), this section shall apply to those Federal agencies.

(e) **LIMITATION.**—Nothing in this section authorizes the Secretaries to approve projects—

(1) that would otherwise require congressional authorization; or

(2) without following procedures required by applicable law.

(f) **DROUGHT PLAN.**—For the period of time such that in any year that the Sacramento Valley index is 6.5 or lower, or at the request of the State of California, and until two succeeding years following either of those events have been completed where the final Sacramento Valley Index is 7.8 or greater, the Secretaries of Commerce and the Interior, in consultation with appropriate State officials, shall develop a drought operations plan that is consistent with the provisions of this Act including the provisions that are intended to provide additional water supplies that could be of assistance during the current drought.

#### **SEC. 303. OPERATION OF CROSS-CHANNEL GATES.**

(a) **IN GENERAL.**—The Secretary of Commerce and the Secretary of the Interior shall jointly—

(1) authorize and implement activities to ensure that the Delta Cross Channel Gates remain open to the maximum extent practicable using findings from the United States Geological Survey on diurnal behavior of juvenile salmonids, timed to maximize the peak flood tide period and provide water supply and water quality benefits for the duration of the drought emergency declaration of the State, and for the period of time such that in any year that the Sacramento Valley index is 6.5 or lower, or at the request of the State of California, and until two succeeding years following either of those events have been completed where the final Sacramento Valley Index is 7.8 or greater, consistent with operational criteria and monitoring criteria set forth into the Order Approving a Temporary Urgency Change in License and Permit Terms in Response to Drought Conditions of the California State Water Resources Control Board, effective January 31, 2014 (or a successor order) and other authorizations associated with it;

(2) with respect to the operation of the Delta Cross Channel Gates described in paragraph (1), collect data on the impact of that operation on—

(A) species listed as threatened or endangered under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(B) water quality; and

(C) water supply;

(3) collaborate with the California Department of Water Resources to install a deflection barrier at Georgiana Slough in coordination with Delta Cross Channel Gate diurnal operations to protect migrating salmonids, consistent with knowledge gained from activities carried out during 2014 and 2015;

(4) evaluate the combined salmonid survival in light of activities carried out pursuant to paragraphs (1) through (3) in deciding how to operate the Delta Cross Channel gates to enhance salmonid survival and water supply benefits; and

(5) not later than May 15, 2016, submit to the appropriate committees of the House of Representatives and the Senate a notice and explanation on the extent to which the gates are able to remain open.

(b) **RECOMMENDATIONS.**—After assessing the information collected under subsection (a), the Secretary of the Interior shall recommend revisions to the operation of the Delta Cross-Channel Gates, to the Central Valley Project, and to the State Water Project, including, if appropriate, any reasonable and prudent alternative contained in the biological opinion issued by the National Marine Fisheries Service on June 4, 2009, that are likely to produce water supply benefits without causing a significant negative impact on the long-term survival of the listed fish species within the Delta or on water quality.

#### **SEC. 304. FLEXIBILITY FOR EXPORT/INFLOW RATIO.**

For the period of time such that in any year that the Sacramento Valley index is 6.5 or lower, or at the request of the State of California, and until two succeeding years following either of those events have been completed where the final Sacramento Valley Index is 7.8 or greater, the Commissioner of the Bureau of Reclamation shall continue to vary the averaging period of the Delta Export/Inflow ratio pursuant to the California State Water Resources Control Board decision D1641—

(1) to operate to a 35-percent Export/Inflow ratio with a 3-day averaging period on the rising limb of a Delta inflow hydrograph; and

(2) to operate to a 14-day averaging period on the falling limb of the Delta inflow hydrograph.

#### **SEC. 305. EMERGENCY ENVIRONMENTAL REVIEWS.**

(a) **NEPA COMPLIANCE.**—To minimize the time spent carrying out environmental reviews and to deliver water quickly that is needed to address emergency drought conditions in the State during the duration of an emergency drought declaration, the Secretaries shall, in carrying out this Act, consult with the Council on Environmental Quality in accordance with section 1506.11 of title 40, Code of Federal Regulations (including successor regulations), to develop alternative arrangements to comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) during the emergency.

(b) **DETERMINATIONS.**—For the purposes of this section, a Secretary may deem a project to be in compliance with all necessary environmental regulations and reviews if the Secretary determines that the immediate implementation of the project is necessary to address—

(1) human health and safety; or

(2) a specific and imminent loss of agriculture production upon which an identifiable region depends for 25 percent or more of its tax revenue used to support public services including schools, fire or police services, city or county health facilities, unemployment services or other associated social services.

#### **SEC. 306. INCREASED FLEXIBILITY FOR REGULAR PROJECT OPERATIONS.**

The Secretaries shall, consistent with applicable laws (including regulations)—

(1) in coordination with the California Department of Water Resources and the California Department of Fish and Wildlife, implement off-site upstream projects in the Delta and upstream of the Sacramento River and San Joaquin basins that offset the effects on species listed as threatened or endangered under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) due to activities carried out pursuant this Act, as determined by the Secretaries;

(2) manage reverse flow in the Old and Middle Rivers at –6,100 cubic feet per second if real-time monitoring indicates that flows of –6,100 cubic feet per second or more negative can be es-

tablished for specific periods without causing a significant negative impact on the long-term survival of the Delta smelt, or if real-time monitoring does not support flows of –6,100 cubic feet per second than manage OMR flows at –5,000 cubic feet per second subject to section 103(e) (3) and (4); and

(3) use all available scientific tools to identify any changes to real-time operations of the Bureau of Reclamation, State, and local water projects that could result in the availability of additional water supplies.

#### **SEC. 307. TEMPORARY OPERATIONAL FLEXIBILITY FOR FIRST FEW STORMS OF THE WATER YEAR.**

(a) **IN GENERAL.**—Consistent with avoiding a significant negative impact on the long-term survival in the short term upon listed fish species beyond the range of those authorized under the Endangered Species Act of 1973 and other environmental protections under subsection (e), the Secretaries shall authorize the Central Valley Project and the State Water Project, combined, to operate at levels that result in negative OMR flows at –7,500 cubic feet per second (based on United States Geological Survey gauges on Old and Middle Rivers) daily average for 56 cumulative days after October 1 as described in subsection (c).

(b) **DAYS OF TEMPORARY OPERATIONAL FLEXIBILITY.**—The temporary operational flexibility described in subsection (a) shall be authorized on days that the California Department of Water Resources determines the daily average river flow of the Sacramento River is at, or above, 17,000 cubic feet per second as measured at the Sacramento River at Freeport gauge maintained by the United States Geologic Survey.

(c) **COMPLIANCE WITH ENDANGERED SPECIES ACT AUTHORIZATIONS.**—In carrying out this section, the Secretaries may continue to impose any requirements under the smelt and salmonid biological opinions during any period of temporary operational flexibility as they determine are reasonably necessary to avoid an additional significant negative impacts on the long-term survival of a listed fish species beyond the range of those authorized under the Endangered Species Act of 1973, provided that the requirements imposed do not reduce water supplies available for the Central Valley Project and the State Water Project.

(d) **OTHER ENVIRONMENTAL PROTECTIONS.**—

(1) **STATE LAW.**—The Secretaries' actions under this section shall be consistent with applicable regulatory requirements under State law.

(2) **FIRST SEDIMENT FLUSH.**—During the first flush of sediment out of the Delta in each water year, and provided that such determination is based upon objective evidence, OMR flow may be managed at rates less negative than –5,000 cubic feet per second for a minimum duration to avoid movement of adult Delta smelt (*Hypomesus transpacificus*) to areas in the southern Delta that would be likely to increase entrainment at Central Valley Project and State Water Project pumping plants.

(3) **APPLICABILITY OF OPINION.**—This section shall not affect the application of the salmonid biological opinion from April 1 to May 31, unless the Secretary of Commerce finds that some or all of such applicable requirements may be adjusted during this time period to provide emergency water supply relief without resulting in additional adverse effects beyond those authorized under the Endangered Species Act of 1973. In addition to any other actions to benefit water supply, the Secretary of the Interior and the Secretary of Commerce shall consider allowing through-Delta water transfers to occur during this period if they can be accomplished consistent with section 3405(a)(1)(H) of the Central Valley Project Improvement Act. Water transfers solely or exclusively through the State Water

Project are not required to be consistent with section 3405(a)(1)(H) of the Central Valley Project Improvement Act.

(4) **MONITORING.**—During operations under this section, the Commissioner of Reclamation, in coordination with the Fish and Wildlife Service, National Marine Fisheries Service, and California Department of Fish and Wildlife, shall undertake a monitoring program and other data gathering to ensure incidental take levels are not exceeded, and to identify potential negative impacts and actions, if any, necessary to mitigate impacts of the temporary operational flexibility to species listed under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(e) **TECHNICAL ADJUSTMENTS TO TARGET PERIOD.**—If, before temporary operational flexibility has been implemented on 56 cumulative days, the Secretaries operate the Central Valley Project and the State Water Project combined at levels that result in OMR flows less negative than -7,500 cubic feet per second during days of temporary operational flexibility as defined in subsection (c), the duration of such operation shall not be counted toward the 56 cumulative days specified in subsection (a).

(f) **EMERGENCY CONSULTATION; EFFECT ON RUNNING AVERAGES.**—

(1) If necessary to implement the provisions of this section, the Commissioner is authorized to take any action necessary to implement this section for up to 56 cumulative days. If during the 56 cumulative days the Commissioner determines that actions necessary to implement this section will exceed 56 days, the Commissioner shall use the emergency consultation procedures under the Endangered Species Act of 1973 and its implementing regulation at section 402.05 of title 50, Code of Federal Regulations, to temporarily adjust the operating criteria under the biological opinions—

(A) solely for extending beyond the 56 cumulative days for additional days of temporary operational flexibility—

(i) no more than necessary to achieve the purposes of this section consistent with the environmental protections in subsections (d) and (e); and

(ii) including, as appropriate, adjustments to ensure that the actual flow rates during the periods of temporary operational flexibility do not count toward the 5-day and 14-day running averages of tidally filtered daily OMR flow requirements under the biological opinions, or

(B) for other adjustments to operating criteria or to take other urgent actions to address water supply shortages for the least amount of time or volume of diversion necessary as determined by the Commissioner.

(2) Following the conclusion of the 56 cumulative days of temporary operational flexibility, or the extended number of days covered by the emergency consultation procedures, the Commissioner shall not reinitiate consultation on these adjusted operations, and no mitigation shall be required, if the effects on listed fish species of these operations under this section remain within the range of those authorized under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.). If the Commissioner reinitiates consultation, no mitigation measures shall be required.

(g) **LEVEL OF DETAIL REQUIRED FOR ANALYSIS.**—In articulating the determinations required under this section, the Secretaries shall fully satisfy the requirements herein but shall not be expected to provide a greater level of supporting detail for the analysis than feasible to provide within the short timeframe permitted for timely decisionmaking in response to changing conditions in the Delta.

#### SEC. 308. EXPEDITING WATER TRANSFERS.

(a) **IN GENERAL.**—Section 3405(a) of the Central Valley Project Improvement Act (Public Law 102-575; 106 Stat. 4709(a)) is amended—

(1) by redesignating paragraphs (1) through (3) as paragraphs (4) through (6), respectively;

(2) in the matter preceding paragraph (4) (as so designated)—

(A) in the first sentence, by striking “In order to” and inserting the following:

“(1) **IN GENERAL.**—In order to”; and

(B) in the second sentence, by striking “Except as provided herein” and inserting the following:

“(3) **TERMS.**—Except as otherwise provided in this section”;

(3) by inserting before paragraph (3) (as so designated) the following:

“(2) **EXPEDITED TRANSFER OF WATER.**—The Secretary shall take all necessary actions to facilitate and expedite transfers of Central Valley Project water in accordance with—

“(A) this Act;

“(B) any other applicable provision of the reclamation laws; and

“(C) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).”;

(4) in paragraph (4) (as so designated)—

(A) in subparagraph (A), by striking “to combination” and inserting “or combination”; and

(B) by striking “3405(a)(2) of this title” each place it appears and inserting “(5)”;

(5) in paragraph (5) (as so designated), by adding at the end the following:

“(E) The contracting district from which the water is coming, the agency, or the Secretary shall determine if a written transfer proposal is complete within 45 days after the date of submission of the proposal. If the contracting district or agency or the Secretary determines that the proposal is incomplete, the district or agency or the Secretary shall state with specificity what must be added to or revised for the proposal to be complete.”; and

(6) in paragraph (6) (as so designated), by striking “3405(a)(1)(A)–(C), (E), (G), (H), (I), (L), and (M) of this title” and inserting “(A) through (C), (E), (G), (H), (I), (L), and (M) of paragraph (4)”.

(b) **CONFORMING AMENDMENTS.**—The Central Valley Project Improvement Act (Public Law 102-575) is amended—

(1) in section 3407(c)(1) (106 Stat. 4726), by striking “3405(a)(1)(C)” and inserting “3405(a)(4)(C)”;

(2) in section 3408(i)(1) (106 Stat. 4729), by striking “3405(a)(1) (A) and (J) of this title” and inserting “subparagraphs (A) and (J) of section 3405(a)(4)”.

#### SEC. 309. ADDITIONAL EMERGENCY CONSULTATION.

For adjustments to operating criteria other than under section 308 of this Act or to take urgent actions to address water supply shortages for the least amount of time or volume of diversion necessary as determined by the Commissioner of Reclamation, no mitigation measures shall be required during any year that the Sacramento Valley index is 6.5 or lower, or at the request of the State of California, and until two succeeding years following either of those events have been completed where the final Sacramento Valley Index is 7.8 or greater, and any mitigation measures imposed must be based on quantitative data and required only to the extent that such data demonstrates actual harm to species.

#### SEC. 310. ADDITIONAL STORAGE AT NEW MELONES.

The Commissioner of Reclamation is directed to work with local water and irrigation districts in the Stanislaus River Basin to ascertain the water storage made available by the Draft Plan of Operations in New Melones Reservoir (DRPO) for water conservation programs, conjunctive use projects, water transfers, rescheduled project water and other projects to maximize water storage and ensure the beneficial use

of the water resources in the Stanislaus River Basin. All such programs and projects shall be implemented according to all applicable laws and regulations. The source of water for any such storage program at New Melones Reservoir shall be made available under a valid water right, consistent with the State of California water transfer guidelines and any other applicable State water law. The Commissioner shall inform the Congress within 18 months setting forth the amount of storage made available by the DRPO that has been put to use under this program, including proposals received by the Commissioner from interested parties for the purpose of this section.

#### SEC. 311. REGARDING THE OPERATION OF FOLSOM RESERVOIR.

The Secretary of the Interior, in collaboration with the Sacramento Water Forum, shall expedite evaluation, completion and implementation of the Modified Lower American River Flow Management Standard developed by the Water Forum in 2015 to improve water supply reliability for Central Valley Project American River water contractors and resource protection in the lower American River during consecutive dry-years under current and future demand and climate change conditions.

#### SEC. 312. APPLICANTS.

In the event that the Bureau of Reclamation or another Federal agency initiates or reinitiates consultation with the U.S. Fish and Wildlife Service or the National Marine Fisheries Service under section 7(a)(2) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)(2)), with respect to construction or operation of the Central Valley Project and State Water Project, or any part thereof, the State Water Project contractors and the Central Valley Project contractors will be accorded all the rights and responsibilities extended to applicants in the consultation process.

#### SEC. 313. SAN JOAQUIN RIVER SETTLEMENT.

(a) **CALIFORNIA STATE LAW SATISFIED BY WARM WATER FISHERY.**—

(1) **IN GENERAL.**—Sections 5930 through 5948 of the California Fish and Game Code, and all applicable Federal laws, including the San Joaquin River Restoration Settlement Act (Public Law 111-11) and the Stipulation of Settlement (Natural Resources Defense Council, et al. v. Kirk Rodgers, et al., Eastern District of California, No. Civ. S-88-1658-LKK/GGH), shall be satisfied by the existence of a warm water fishery in the San Joaquin River below Friant Dam, but upstream of Gravelly Ford.

(2) **DEFINITION OF WARM WATER FISHERY.**—For the purposes of this section, the term “warm water fishery” means a water system that has an environment suitable for species of fish other than salmon (including all subspecies) and trout (including all subspecies).

(b) **REPEAL OF THE SAN JOAQUIN RIVER SETTLEMENT.**—As of the date of enactment of this section, the Secretary of the Interior shall cease any action to implement the San Joaquin River Restoration Settlement Act (subtitle A of title X of Public Law 111-11) and the Stipulation of Settlement (Natural Resources Defense Council, et al. v. Kirk Rodgers, et al., Eastern District of California, No. Civ. S-88-1658 LKK/GGH).

#### SEC. 314. PROGRAM FOR WATER RESCHEDULING.

By December 31, 2015, the Secretary of the Interior shall develop and implement a program, including rescheduling guidelines for Shasta and Folsom Reservoirs, to allow existing Central Valley Project agricultural water service contractors within the Sacramento River Watershed, and refuge service and municipal and industrial water service contractors within the Sacramento River Watershed and the American River Watershed to reschedule water, provided for under their Central Valley Project contracts, from one year to the next; provided, that the

program is consistent with existing rescheduling guidelines as utilized by the Bureau of Reclamation for rescheduling water for Central Valley Project water service contractors that are located South of the Delta.

#### **TITLE IV—CALFED STORAGE FEASIBILITY STUDIES**

##### **SEC. 401. STUDIES.**

The Secretary of the Interior, through the Commissioner of Reclamation, shall—

(1) complete the feasibility studies described in clauses (i)(I) and (ii)(II) of section 103(d)(1)(A) of Public Law 108–361 (118 Stat. 1684) and submit such studies to the appropriate committees of the House of Representatives and the Senate not later than December 31, 2015;

(2) complete the feasibility studies described in clauses (i)(II) and (ii)(I) of section 103(d)(1)(A) of Public Law 108–361 and submit such studies to the appropriate committees of the House of Representatives and the Senate not later than November 30, 2016;

(3) complete the feasibility study described in section 103(f)(1)(A) of Public Law 108–361 (118 Stat. 1694) and submit such study to the appropriate Committees of the House of Representatives and the Senate not later than December 31, 2017;

(4) provide a progress report on the status of the feasibility studies referred to in paragraphs (1) through (3) to the appropriate committees of the House of Representatives and the Senate not later than 90 days after the date of the enactment of this Act and each 180 days thereafter until December 31, 2017, as applicable. The report shall include timelines for study completion, draft environmental impact statements, final environmental impact statements, and Records of Decision;

(5) in conducting any feasibility study under this Act, the reclamation laws, the Central Valley Project Improvement Act (title XXXIV of Public Law 102–575; 106 Stat. 4706), the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), and other applicable law, for the purposes of determining feasibility the Secretary shall document, delineate, and publish costs directly relating to the engineering and construction of a water storage project separately from the costs resulting from regulatory compliance or the construction of auxiliary facilities necessary to achieve regulatory compliance; and

(6) communicate, coordinate and cooperate with public water agencies that contract with the United States for Central Valley Project water and that are expected to participate in the cost pools that will be created for the projects proposed in the feasibility studies under this section.

##### **SEC. 402. TEMPERANCE FLAT.**

(a) **DEFINITIONS.**—For the purposes of this section:

(1) **PROJECT.**—The term “Project” means the Temperance Flat Reservoir Project on the Upper San Joaquin River.

(2) **RMP.**—The term “RMP” means the document titled “Bakersfield Field Office, Record of Decision and Approved Resource Management Plan,” dated December 2014.

(3) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(b) **APPLICABILITY OF RMP.**—The RMP and findings related thereto shall have no effect on or applicability to the Secretary’s determination of feasibility of, or on any findings or environmental review documents related to—

(1) the Project; or

(2) actions taken by the Secretary pursuant to section 103(d)(1)(A)(ii)(II) of the Bay-Delta Authorization Act (title I of Public Law 108–361).

(c) **DUTIES OF SECRETARY UPON DETERMINATION OF FEASIBILITY.**—If the Secretary finds the Project to be feasible, the Secretary shall man-

age the land recommended in the RMP for designation under the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.) in a manner that does not impede any environmental reviews, preconstruction, construction, or other activities of the Project, regardless of whether or not the Secretary submits any official recommendation to Congress under the Wild and Scenic Rivers Act.

(d) **RESERVED WATER RIGHTS.**—Effective December 22, 2014, there shall be no Federal reserved water rights to any segment of the San Joaquin River related to the Project as a result of any designation made under the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.).

##### **SEC. 403. CALFED STORAGE ACCOUNTABILITY.**

If the Secretary of the Interior fails to provide the feasibility studies described in section 401 to the appropriate committees of the House of Representatives and the Senate by the times prescribed, the Secretary shall notify each committee chair individually in person on the status of each project once a month until the feasibility study for that project is provided to Congress.

##### **SEC. 404. WATER STORAGE PROJECT CONSTRUCTION.**

(a) **PARTNERSHIP AND AGREEMENTS.**—The Secretary of the Interior, acting through the Commissioner of the Bureau of Reclamation, may partner or enter into an agreement on the water storage projects identified in section 103(d)(1) of the Water Supply Reliability and Environmental Improvement Act (Public Law 108–361) (and Acts supplemental and amendatory to the Act) with local joint powers authorities formed pursuant to State law by irrigation districts and other local water districts and local governments within the applicable hydrologic region, to advance those projects.

(b) **AUTHORIZATION FOR PROJECT.**—If the Secretary determines a project described in section 402(a)(1) and (2) is feasible, the Secretary is authorized to carry out the project in a manner that is substantially in accordance with the recommended plan, and subject to the conditions described in the feasibility study, provided that no Federal funding shall be used to construct the project.

#### **TITLE V—WATER RIGHTS PROTECTIONS**

##### **SEC. 501. OFFSET FOR STATE WATER PROJECT.**

(a) **IMPLEMENTATION IMPACTS.**—The Secretary of the Interior shall confer with the California Department of Fish and Wildlife in connection with the implementation of this Act on potential impacts to any consistency determination for operations of the State Water Project issued pursuant to California Fish and Game Code section 2080.1.

(b) **ADDITIONAL YIELD.**—If, as a result of the application of this Act, the California Department of Fish and Wildlife—

(1) revokes the consistency determinations pursuant to California Fish and Game Code section 2080.1 that are applicable to the State Water Project;

(2) amends or issues one or more new consistency determinations pursuant to California Fish and Game Code section 2080.1 in a manner that directly or indirectly results in reduced water supply to the State Water Project as compared with the water supply available under the smelt biological opinion and the salmonid biological opinion; or

(3) requires take authorization under California Fish and Game Code section 2081 for operation of the State Water Project in a manner that directly or indirectly results in reduced water supply to the State Water Project as compared with the water supply available under the smelt biological opinion and the salmonid biological opinion, and as a consequence of the Department’s action, Central Valley Project yield

is greater than it would have been absent the Department’s actions, then that additional yield shall be made available to the State Water Project for delivery to State Water Project contractors to offset losses resulting from the Department’s action.

(c) **NOTIFICATION RELATED TO ENVIRONMENTAL PROTECTIONS.**—The Secretary of the Interior shall immediately notify the Director of the California Department of Fish and Wildlife in writing if the Secretary of the Interior determines that implementation of the smelt biological opinion and the salmonid biological opinion consistent with this Act reduces environmental protections for any species covered by the opinions.

##### **SEC. 502. AREA OF ORIGIN PROTECTIONS.**

(a) **IN GENERAL.**—The Secretary of the Interior is directed, in the operation of the Central Valley Project, to adhere to California’s water rights laws governing water rights priorities and to honor water rights senior to those held by the United States for operation of the Central Valley Project, regardless of the source of priority, including any appropriative water rights initiated prior to December 19, 1914, as well as water rights and other priorities perfected or to be perfected pursuant to California Water Code Part 2 of Division 2. Article 1.7 (commencing with section 1215 of chapter 1 of part 2 of division 2, sections 10505, 10505.5, 11128, 11460, 11461, 11462, and 11463, and sections 12200 to 12220, inclusive).

(b) **DIVERSIONS.**—Any action undertaken by the Secretary of the Interior and the Secretary of Commerce pursuant to both this Act and section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) that requires that diversions from the Sacramento River or the San Joaquin River watersheds upstream of the Delta be bypassed shall not be undertaken in a manner that alters the water rights priorities established by California law.

(c) **ENDANGERED SPECIES ACT.**—Nothing in this title alters the existing authorities provided to and obligations placed upon the Federal Government under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), as amended.

(d) **CONTRACTS.**—With respect to individuals and entities with water rights on the Sacramento River, the mandates of this section may be met, in whole or in part, through a contract with the Secretary of the Interior executed pursuant to section 14 of Public Law 76–260; 53 Stat. 1187 (43 U.S.C. 389) that is in conformance with the Sacramento River Settlement Contracts renewed by the Secretary of the Interior in 2005.

##### **SEC. 503. NO REDIRECTED ADVERSE IMPACTS.**

(a) **IN GENERAL.**—The Secretary of the Interior shall ensure that, except as otherwise provided for in a water service or repayment contract, actions taken in compliance with legal obligations imposed pursuant to or as a result of this Act, including such actions under section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) and other applicable Federal and State laws, shall not directly or indirectly—

(1) result in the involuntary reduction of water supply or fiscal impacts to individuals or districts who receive water from either the State Water Project or the United States under water rights settlement contracts, exchange contracts, water service contracts, repayment contracts, or water supply contracts; or

(2) cause redirected adverse water supply or fiscal impacts to those within the Sacramento River watershed, the San Joaquin River watershed or the State Water Project service area.

(b) **COSTS.**—To the extent that costs are incurred solely pursuant to or as a result of this Act and would not otherwise have been incurred by any entity or public or local agency or subdivision of the State of California, such costs shall not be borne by any such entity, agency,

or subdivision of the State of California, unless such costs are incurred on a voluntary basis.

(c) **RIGHTS AND OBLIGATIONS NOT MODIFIED OR AMENDED.**—Nothing in this Act shall modify or amend the rights and obligations of the parties to any existing—

(1) water service, repayment, settlement, purchase, or exchange contract with the United States, including the obligation to satisfy exchange contracts and settlement contracts prior to the allocation of any other Central Valley Project water; or

(2) State Water Project water supply or settlement contract with the State.

**SEC. 504. ALLOCATIONS FOR SACRAMENTO VALLEY CONTRACTORS.**

(a) **ALLOCATIONS.**—

(1) **IN GENERAL.**—Subject to paragraph (2) and subsection (b), the Secretary of the Interior is directed, in the operation of the Central Valley Project, to allocate water provided for irrigation purposes to existing Central Valley Project agricultural water service contractors within the Sacramento River Watershed in compliance with the following:

(A) Not less than 100 percent of their contract quantities in a “Wet” year.

(B) Not less than 100 percent of their contract quantities in an “Above Normal” year.

(C) Not less than 100 percent of their contract quantities in a “Below Normal” year that is preceded by an “Above Normal” or a “Wet” year.

(D) Not less than 50 percent of their contract quantities in a “Dry” year that is preceded by a “Below Normal,” an “Above Normal,” or a “Wet” year.

(E) In all other years not identified herein, the allocation percentage for existing Central Valley Project agricultural water service contractors within the Sacramento River Watershed shall not be less than twice the allocation percentage to south-of-Delta Central Valley Project agricultural water service contractors, up to 100 percent; provided, that nothing herein shall preclude an allocation to existing Central Valley Project agricultural water service contractors within the Sacramento River Watershed that is greater than twice the allocation percentage to south-of-Delta Central Valley Project agricultural water service contractors.

(2) **CONDITIONS.**—The Secretary’s actions under paragraph (a) shall be subject to—

(A) the priority of individuals or entities with Sacramento River water rights, including those with Sacramento River Settlement Contracts, that have priority to the diversion and use of Sacramento River water over water rights held by the United States for operations of the Central Valley Project;

(B) the United States obligation to make a substitute supply of water available to the San Joaquin River Exchange Contractors; and

(C) the Secretary’s obligation to make water available to managed wetlands pursuant to section 3406(d) of the Central Valley Project Improvement Act (Public Law 102-575).

(b) **PROTECTION OF MUNICIPAL AND INDUSTRIAL SUPPLIES.**—Nothing in subsection (a) shall be deemed to—

(1) modify any provision of a water service contract that addresses municipal and industrial water shortage policies of the Secretary;

(2) affect or limit the authority of the Secretary to adopt or modify municipal and industrial water shortage policies;

(3) affect or limit the authority of the Secretary to implement municipal and industrial water shortage policies; or

(4) affect allocations to Central Valley Project municipal and industrial contractors pursuant to such policies.

Neither subsection (a) nor the Secretary’s implementation of subsection (a) shall constrain, gov-

ern or affect, directly, the operations of the Central Valley Project’s American River Division or any deliveries from that Division, its units or facilities.

(c) **NO EFFECT ON ALLOCATIONS.**—This section shall not—

(1) affect the allocation of water to Friant Division contractors; or

(2) result in the involuntary reduction in contract water allocations to individuals or entities with contracts to receive water from the Friant Division.

(d) **PROGRAM FOR WATER RESCHEDULING.**—The Secretary of the Interior shall develop and implement a program, not later than 1 year after the date of the enactment of this Act, to provide for the opportunity for existing Central Valley Project agricultural water service contractors within the Sacramento River Watershed to reschedule water, provided for under their Central Valley Project water service contracts, from one year to the next.

(e) **DEFINITIONS.**—In this section:

(1) The term “existing Central Valley Project agricultural water service contractors within the Sacramento River Watershed” means water service contractors within the Shasta, Trinity, and Sacramento River Divisions of the Central Valley Project, that have a water service contract in effect, on the date of the enactment of this section, that provides water for irrigation.

(2) The year type terms used in subsection (a) have the meaning given those year types in the Sacramento Valley Water Year Type (40-30-30) Index.

**SEC. 505. EFFECT ON EXISTING OBLIGATIONS.**

Nothing in this Act preempts or modifies any existing obligation of the United States under Federal reclamation law to operate the Central Valley Project in conformity with State law, including established water rights priorities.

**TITLE VI—MISCELLANEOUS**

**SEC. 601. AUTHORIZED SERVICE AREA.**

(a) **IN GENERAL.**—The authorized service area of the Central Valley Project authorized under the Central Valley Project Improvement Act (Public Law 102-575; 106 Stat. 4706) shall include the area within the boundaries of the Kettleman City Community Services District, California, as in existence on the date of enactment of this Act.

(b) **LONG-TERM CONTRACT.**—

(1) **IN GENERAL.**—Notwithstanding the Central Valley Project Improvement Act (Public Law 102-575; 106 Stat. 4706) and subject to paragraph (2), the Secretary of the Interior, in accordance with the Federal reclamation laws, shall enter into a long-term contract with the Kettleman City Community Services District, California, under terms and conditions mutually agreeable to the parties, for the delivery of up to 900 acre-feet of Central Valley Project water for municipal and industrial use.

(2) **LIMITATION.**—Central Valley Project water deliveries authorized under the contract entered into under paragraph (1) shall be limited to the minimal quantity necessary to meet the immediate needs of the Kettleman City Community Services District, California, in the event that local supplies or State Water Project allocations are insufficient to meet those needs.

(c) **PERMIT.**—The Secretary shall apply for a permit with the State for a joint place of use for water deliveries authorized under the contract entered into under subsection (b) with respect to the expanded service area under subsection (a), consistent with State law.

(d) **ADDITIONAL COSTS.**—If any additional infrastructure, water treatment, or related costs are needed to implement this section, those costs shall be the responsibility of the non-Federal entity.

**SEC. 602. OVERSIGHT BOARD FOR RESTORATION FUND.**

(a) **PLAN; ADVISORY BOARD.**—Section 3407 of the Central Valley Project Improvement Act (Public Law 102-575; 106 Stat. 4726) is amended by adding at the end the following:

“(g) **PLAN ON EXPENDITURE OF FUNDS.**—

“(1) **IN GENERAL.**—For each fiscal year, the Secretary, in consultation with the Advisory Board, shall submit to Congress a plan for the expenditure of all of the funds deposited into the Restoration Fund during the preceding fiscal year.

“(2) **CONTENTS.**—The plan shall include an analysis of the cost-effectiveness of each expenditure.

“(h) **ADVISORY BOARD.**—

“(1) **ESTABLISHMENT.**—There is established the Restoration Fund Advisory Board (referred to in this section as the ‘Advisory Board’), which shall be composed of 11 members appointed by the Secretary.

“(2) **MEMBERSHIP.**—

“(A) **IN GENERAL.**—The Secretary shall appoint members to the Advisory Board that represent the various Central Valley Project stakeholders, of whom—

“(i) 4 members shall be agricultural users of the Central Valley Project, including at least one agricultural user from north-of-the-Delta and one agricultural user from south-of-the-Delta;

“(ii) 2 members shall be municipal and industrial users of the Central Valley Project, including one municipal and industrial user from north-of-the-Delta and one municipal and industrial user from south-of-the-Delta;

“(iii) 3 members shall be power contractors of the Central Valley Project, including at least one power contractor from north-of-the-Delta and from south-of-the-Delta;

“(iv) 1 member shall be a representative of a Federal national wildlife refuge that contracts for Central Valley Project water supplies with the Bureau of Reclamation; and

“(v) 1 member shall have expertise in the economic impacts of the changes to water operations.

“(B) **OBSERVER.**—The Secretary and the Secretary of Commerce may each designate a representative to act as an observer of the Advisory Board.

“(C) **CHAIR.**—The Secretary shall appoint 1 of the members described in subparagraph (A) to serve as Chair of the Advisory Board.

“(3) **TERMS.**—The term of each member of the Advisory Board shall be 4 years.

“(4) **DATE OF APPOINTMENTS.**—The appointment of a member of the Panel shall be made not later than—

“(A) the date that is 120 days after the date of enactment of this Act; or

“(B) in the case of a vacancy on the Panel described in subsection (c)(2), the date that is 120 days after the date on which the vacancy occurs.

“(5) **VACANCIES.**—

“(A) **IN GENERAL.**—A vacancy on the Panel shall be filled in the manner in which the original appointment was made and shall be subject to any conditions that applied with respect to the original appointment.

“(B) **FILLING UNEXPIRED TERM.**—An individual chosen to fill a vacancy shall be appointed for the unexpired term of the member replaced.

“(C) **EXPIRATION OF TERMS.**—The term of any member shall not expire before the date on which the successor of the member takes office.

“(6) **REMOVAL.**—A member of the Panel may be removed from office by the Secretary of the Interior.

“(7) **FEDERAL ADVISORY COMMITTEE ACT.**—The Panel shall not be subject to the requirements of the Federal Advisory Committee Act.

“(8) DUTIES.—The duties of the Advisory Board are—

“(A) to meet not less frequently than semi-annually to develop and make recommendations to the Secretary regarding priorities and spending levels on projects and programs carried out under this title;

“(B) to ensure that any advice given or recommendation made by the Advisory Board reflects the independent judgment of the Advisory Board;

“(C) not later than December 31, 2015, and annually thereafter, to submit to the Secretary and Congress the recommendations under subparagraph (A); and

“(D) not later than December 31, 2015, and biennially thereafter, to submit to Congress details of the progress made in achieving the actions required under section 3406.

“(9) ADMINISTRATION.—With the consent of the appropriate agency head, the Advisory Board may use the facilities and services of any Federal agency.

“(10) COOPERATION AND ASSISTANCE.—

“(A) PROVISION OF INFORMATION.—Upon request of the Panel Chair for information or assistance to facilitate carrying out this section, the Secretary of the Interior shall promptly provide such information, unless otherwise prohibited by law.

“(B) SPACE AND ASSISTANCE.—The Secretary of the Interior shall provide the Panel with appropriate and adequate office space, together with such equipment, office supplies, and communications facilities and services as may be necessary for the operation of the Panel, and shall provide necessary maintenance services for such offices and the equipment and facilities located therein.”.

#### SEC. 603. WATER SUPPLY ACCOUNTING.

(a) IN GENERAL.—All Central Valley Project water, except Central Valley Project water released pursuant to U.S. Department of the Interior Record of Decision, Trinity River Mainstem Fishery Restoration Final Environmental Impact Statement/Environmental Impact Report dated December 2000 used to implement an action undertaken for a fishery beneficial purpose that was not imposed by terms and conditions existing in licenses, permits, and other agreements pertaining to the Central Valley Project under applicable State or Federal law existing on October 30, 1992, shall be credited to the quantity of Central Valley Project yield dedicated and managed under this section; provided, that nothing herein shall affect the Secretary of the Interior's duty to comply with any otherwise lawful requirement imposed on operations of the Central Valley Project under any provision of Federal or State law.

(b) RECLAMATION POLICIES AND ALLOCATIONS.—Reclamation policies and allocations shall not be based upon any premise or assumption that Central Valley Project contract supplies are supplemental or secondary to any other contractor source of supply.

#### SEC. 604. IMPLEMENTATION OF WATER REPLACEMENT PLAN.

(a) IN GENERAL.—Not later than October 1, 2016, the Secretary of the Interior shall update and implement the plan required by section 3408(j) of title XXXIV of Public Law 102-575. The Secretary shall notify the Congress annually describing the progress of implementing the plan required by section 3408(j) of title XXXIV of Public Law 102-575.

(b) POTENTIAL AMENDMENT.—If the plan required in subsection (a) has not increased the Central Valley Project yield by 800,000 acre-feet within 5 years after the enactment of this Act, then section 3406 of the Central Valley Project Improvement Act (title XXXIV of Public Law 102-575) is amended as follows:

(1) In subsection (b)—

(A) by amending paragraph (2)(C) to read:

“(C) If by March 15, 2021, and any year thereafter the quantity of Central Valley Project water forecasted to be made available to all water service or repayment contractors of the Central Valley Project is below 50 percent of the total quantity of water to be made available under said contracts, the quantity of Central Valley Project yield dedicated and managed for that year under this paragraph shall be reduced by 25 percent.”.

#### SEC. 605. NATURAL AND ARTIFICIALLY SPAWNED SPECIES.

After the date of the enactment of this title, and regardless of the date of listing, the Secretaries of the Interior and Commerce shall not distinguish between natural-spawned and hatchery-spawned or otherwise artificially propagated strains of a species in making any determination under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) that relates to any anadromous or pelagic fish species that resides for all or a portion of its life in the Sacramento-San Joaquin Delta or rivers tributary thereto.

#### SEC. 606. TRANSFER THE NEW MELONES UNIT, CENTRAL VALLEY PROJECT TO INTERESTED PROVIDERS.

(a) DEFINITIONS.—For the purposes of this section, the following terms apply:

(1) INTERESTED LOCAL WATER AND POWER PROVIDERS.—The term “interested local water and power providers” includes the Calaveras County Water District, Calaveras Public Power Agency, Central San Joaquin Water Conservation District, Oakdale Irrigation District, Stockton East Water District, South San Joaquin Irrigation District, Tuolumne Utilities District, Tuolumne Public Power Agency, and Union Public Utilities District.

(2) NEW MELONES UNIT, CENTRAL VALLEY PROJECT.—The term “New Melones Unit, Central Valley Project” means all Federal reclamation projects located within or diverting water from or to the watershed of the Stanislaus and San Joaquin rivers and their tributaries as authorized by the Act of August 26, 1937 (50 Stat. 850), and all Acts amendatory or supplemental thereto, including the Act of October 23, 1962 (76 Stat. 1173).

(3) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(b) NEGOTIATIONS.—Notwithstanding any other provision of law, not later than 180 days after the date of the enactment of this Act, the Secretary shall enter into negotiations with interested local water and power providers for the transfer ownership, control, and operation of the New Melones Unit, Central Valley Project to interested local water and power providers within the State of California.

(c) TRANSFER.—The Secretary shall transfer the New Melones Unit, Central Valley Project in accordance with an agreement reached pursuant to negotiations conducted under subsection (b).

(d) NOTIFICATION.—Not later than 360 days after the date of the enactment of this Act, and every 6 months thereafter, the Secretary shall notify the appropriate committees of the House of Representatives and the Senate—

(1) if an agreement is reached pursuant to negotiations conducted under subsection (b), the terms of that agreement;

(2) of the status of formal discussions with interested local water and power providers for the transfer of ownership, control, and operation of the New Melones Unit, Central Valley Project to interested local water and power providers;

(3) of all unresolved issues that are preventing execution of an agreement for the transfer of ownership, control, and operation of the New Melones Unit, Central Valley Project to interested local water and power providers;

(4) on analysis and review of studies, reports, discussions, hearing transcripts, negotiations,

and other information about past and present formal discussions that—

(A) have a serious impact on the progress of the formal discussions;

(B) explain or provide information about the issues that prevent progress or finalization of formal discussions; or

(C) are, in whole or in part, preventing execution of an agreement for the transfer; and

(5) of any actions the Secretary recommends that the United States should take to finalize an agreement for that transfer.

#### SEC. 607. BASIN STUDIES.

(a) AUTHORIZED STUDIES.—The Secretary of the Interior is authorized and directed to expand opportunities and expedite completion of assessments under section 9503(b) of the SECURE Water Act (42 U.S.C. 10363(b)), with non-Federal partners, of individual sub-basins and watersheds within major Reclamation river basins; and shall ensure timely decision and expedited implementation of adaptation and mitigation strategies developed through the special study process.

(b) FUNDING.—

(1) IN GENERAL.—The non-Federal partners shall be responsible for 100 percent of the cost of the special studies.

(2) CONTRIBUTED FUNDS.—The Secretary may accept and use contributions of funds from the non-Federal partners to carry out activities under the special studies.

#### SEC. 608. OPERATIONS OF THE TRINITY RIVER DIVISION.

The Secretary of the Interior, in the operation of the Trinity River Division of the Central Valley Project, shall not make releases from Lewiston Dam in excess of the volume for each water-year type required by the U.S. Department of the Interior Record of Decision, Trinity River Mainstem Fishery Restoration Final Environmental Impact Statement/Environmental Impact Report dated December 2000.

(1) A maximum of 369,000 acre-feet in a “Critically Dry” year.

(2) A maximum of 453,000 acre-feet in a “Dry” year.

(3) A maximum of 647,000 acre-feet in a “Normal” year.

(4) A maximum of 701,000 acre-feet in a “Wet” year.

(5) A maximum of 815,000 acre-feet in an “Extremely Wet” year.

#### SEC. 609. AMENDMENT TO PURPOSES.

Section 3402 of the Central Valley Project Improvement Act (106 Stat. 4706) is amended—

(1) in subsection (f), by striking the period at the end; and

(2) by adding at the end the following:

“(g) to ensure that water dedicated to fish and wildlife purposes by this title is replaced and provided to Central Valley Project water contractors by December 31, 2018, at the lowest cost reasonably achievable; and

“(h) to facilitate and expedite water transfers in accordance with this Act.”.

#### SEC. 610. AMENDMENT TO DEFINITION.

Section 3403 of the Central Valley Project Improvement Act (106 Stat. 4707) is amended—

(1) by amending subsection (a) to read as follows:

“(a) the term ‘anadromous fish’ means those native stocks of salmon (including steelhead) and sturgeon that, as of October 30, 1992, were present in the Sacramento and San Joaquin Rivers and their tributaries and ascend those rivers and their tributaries to reproduce after maturing in San Francisco Bay or the Pacific Ocean;”;

(2) in subsection (l), by striking “and,”;

(3) in subsection (m), by striking the period and inserting “; and”; and

(4) by adding at the end the following:

“(n) the term ‘reasonable flow’ means water flows capable of being maintained taking into



account competing consumptive uses of water and economic, environmental, and social factors.”.

## **TITLE VII—WATER SUPPLY PERMITTING ACT**

### **SEC. 701. SHORT TITLE.**

This title may be cited as the “Water Supply Permitting Coordination Act”.

### **SEC. 702. DEFINITIONS.**

In this title:

(1) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(2) **BUREAU.**—The term “Bureau” means the Bureau of Reclamation.

(3) **QUALIFYING PROJECTS.**—The term “qualifying projects” means new surface water storage projects in the States covered under the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.) constructed on lands administered by the Department of the Interior or the Department of Agriculture, exclusive of any easement, right-of-way, lease, or any private holding.

(4) **COOPERATING AGENCIES.**—The term “cooperating agency” means a Federal agency with jurisdiction over a review, analysis, opinion, statement, permit, license, or other approval or decision required for a qualifying project under applicable Federal laws and regulations, or a State agency subject to section 703(c).

### **SEC. 703. ESTABLISHMENT OF LEAD AGENCY AND COOPERATING AGENCIES.**

(a) **ESTABLISHMENT OF LEAD AGENCY.**—The Bureau of Reclamation is established as the lead agency for purposes of coordinating all reviews, analyses, opinions, statements, permits, licenses, or other approvals or decisions required under Federal law to construct qualifying projects.

(b) **IDENTIFICATION AND ESTABLISHMENT OF COOPERATING AGENCIES.**—The Commissioner of the Bureau shall—

(1) identify, as early as practicable upon receipt of an application for a qualifying project, any Federal agency that may have jurisdiction over a review, analysis, opinion, statement, permit, license, approval, or decision required for a qualifying project under applicable Federal laws and regulations; and

(2) notify any such agency, within a reasonable timeframe, that the agency has been designated as a cooperating agency in regards to the qualifying project unless that agency responds to the Bureau in writing, within a timeframe set forth by the Bureau, notifying the Bureau that the agency—

(A) has no jurisdiction or authority with respect to the qualifying project;

(B) has no expertise or information relevant to the qualifying project or any review, analysis, opinion, statement, permit, license, or other approval or decision associated therewith; or

(C) does not intend to submit comments on the qualifying project or conduct any review of such a project or make any decision with respect to such project in a manner other than in cooperation with the Bureau.

(c) **STATE AUTHORITY.**—A State in which a qualifying project is being considered may choose, consistent with State law—

(1) to participate as a cooperating agency; and

(2) to make subject to the processes of this title all State agencies that—

(A) have jurisdiction over the qualifying project;

(B) are required to conduct or issue a review, analysis, or opinion for the qualifying project; or

(C) are required to make a determination on issuing a permit, license, or approval for the qualifying project.

### **SEC. 704. BUREAU RESPONSIBILITIES.**

(a) **IN GENERAL.**—The principal responsibilities of the Bureau under this title are to—

(1) serve as the point of contact for applicants, State agencies, Indian tribes, and others regarding proposed qualifying projects;

(2) coordinate preparation of unified environmental documentation that will serve as the basis for all Federal decisions necessary to authorize the use of Federal lands for qualifying projects; and

(3) coordinate all Federal agency reviews necessary for project development and construction of qualifying projects.

(b) **COORDINATION PROCESS.**—The Bureau shall have the following coordination responsibilities:

(1) **PRE-APPLICATION COORDINATION.**—Notify cooperating agencies of proposed qualifying projects not later than 30 days after receipt of a proposal and facilitate a preapplication meeting for prospective applicants, relevant Federal and State agencies, and Indian tribes to—

(A) explain applicable processes, data requirements, and applicant submissions necessary to complete the required Federal agency reviews within the timeframe established; and

(B) establish the schedule for the qualifying project.

(2) **CONSULTATION WITH COOPERATING AGENCIES.**—Consult with the cooperating agencies throughout the Federal agency review process, identify and obtain relevant data in a timely manner, and set necessary deadlines for cooperating agencies.

(3) **SCHEDULE.**—Work with the qualifying project applicant and cooperating agencies to establish a project schedule. In establishing the schedule, the Bureau shall consider, among other factors—

(A) the responsibilities of cooperating agencies under applicable laws and regulations;

(B) the resources available to the cooperating agencies and the non-Federal qualifying project sponsor, as applicable;

(C) the overall size and complexity of the qualifying project;

(D) the overall schedule for and cost of the qualifying project; and

(E) the sensitivity of the natural and historic resources that may be affected by the qualifying project.

(4) **ENVIRONMENTAL COMPLIANCE.**—Prepare a unified environmental review document for each qualifying project application, incorporating a single environmental record on which all cooperating agencies with authority to issue approvals for a given qualifying project shall base project approval decisions. Help ensure that cooperating agencies make necessary decisions, within their respective authorities, regarding Federal approvals in accordance with the following timelines:

(A) Not later than one year after acceptance of a completed project application when an environmental assessment and finding of no significant impact is determined to be the appropriate level of review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(B) Not later than one year and 30 days after the close of the public comment period for a draft environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), when an environmental impact statement is required under the same.

(5) **CONSOLIDATED ADMINISTRATIVE RECORD.**—Maintain a consolidated administrative record of the information assembled and used by the cooperating agencies as the basis for agency decisions.

(6) **PROJECT DATA RECORDS.**—To the extent practicable and consistent with Federal law, ensure that all project data is submitted and maintained in generally accessible electronic format, compile, and where authorized under existing law, make available such project data to cooper-

ating agencies, the qualifying project applicant, and to the public.

(7) **PROJECT MANAGER.**—Appoint a project manager for each qualifying project. The project manager shall have authority to oversee the project and to facilitate the issuance of the relevant final authorizing documents, and shall be responsible for ensuring fulfillment of all Bureau responsibilities set forth in this section and all cooperating agency responsibilities under section 705.

### **SEC. 705. COOPERATING AGENCY RESPONSIBILITIES.**

(a) **ADHERENCE TO BUREAU SCHEDULE.**—Upon notification of an application for a qualifying project, all cooperating agencies shall submit to the Bureau a timeframe under which the cooperating agency reasonably considers it will be able to complete its authorizing responsibilities. The Bureau shall use the timeframe submitted under this subsection to establish the project schedule under section 704, and the cooperating agencies shall adhere to the project schedule established by the Bureau.

(b) **ENVIRONMENTAL RECORD.**—Cooperating agencies shall submit to the Bureau all environmental review material produced or compiled in the course of carrying out activities required under Federal law consistent with the project schedule established by the Bureau.

(c) **DATA SUBMISSION.**—To the extent practicable and consistent with Federal law, the cooperating agencies shall submit all relevant project data to the Bureau in a generally accessible electronic format subject to the project schedule set forth by the Bureau.

### **SEC. 706. FUNDING TO PROCESS PERMITS.**

(a) **IN GENERAL.**—The Secretary, after public notice in accordance with the Administrative Procedures Act (5 U.S.C. 553), may accept and expend funds contributed by a non-Federal public entity to expedite the evaluation of a permit of that entity related to a qualifying project.

(b) **EFFECT ON PERMITTING.**—

(1) **IN GENERAL.**—In carrying out this section, the Secretary shall ensure that the use of funds accepted under subsection (a) will not impact impartial decisionmaking with respect to permits, either substantively or procedurally.

(2) **EVALUATION OF PERMITS.**—In carrying out this section, the Secretary shall ensure that the evaluation of permits carried out using funds accepted under this section shall—

(A) be reviewed by the Regional Director of the Bureau, or the Regional Director's designee, of the region in which the qualifying project or activity is located; and

(B) use the same procedures for decisions that would otherwise be required for the evaluation of permits for similar projects or activities not carried out using funds authorized under this section.

(3) **IMPARTIAL DECISIONMAKING.**—In carrying out this section, the Secretary and the cooperating agencies receiving funds under this section for qualifying projects shall ensure that the use of the funds accepted under this section for such projects shall not—

(A) impact impartial decisionmaking with respect to the issuance of permits, either substantively or procedurally; or

(B) diminish, modify, or otherwise affect the statutory or regulatory authorities of such agencies.

(c) **LIMITATION ON USE OF FUNDS.**—None of the funds accepted under this section shall be used to carry out a review of the evaluation of permits required under subsection (b)(2)(A).

(d) **PUBLIC AVAILABILITY.**—The Secretary shall ensure that all final permit decisions carried out using funds authorized under this section are made available to the public, including on the Internet.



# **TITLE VIII—BUREAU OF RECLAMATION PROJECT STREAMLINING**

## **SEC. 801. SHORT TITLE.**

This title may be cited as the “Bureau of Reclamation Project Streamlining Act”.

## **SEC. 802. DEFINITIONS.**

In this title:

(1) **ENVIRONMENTAL IMPACT STATEMENT.**—The term “environmental impact statement” means the detailed statement of environmental impacts of a project required to be prepared pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(2) **ENVIRONMENTAL REVIEW PROCESS.**—

(A) **IN GENERAL.**—The term “environmental review process” means the process of preparing an environmental impact statement, environmental assessment, categorical exclusion, or other document under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for a project study.

(B) **INCLUSIONS.**—The term “environmental review process” includes the process for and completion of any environmental permit, approval, review, or study required for a project study under any Federal law other than the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(3) **FEDERAL JURISDICTIONAL AGENCY.**—The term “Federal jurisdictional agency” means a Federal agency with jurisdiction delegated by law, regulation, order, or otherwise over a review, analysis, opinion, statement, permit, license, or other approval or decision required for a project study under applicable Federal laws (including regulations).

(4) **FEDERAL LEAD AGENCY.**—The term “Federal lead agency” means the Bureau of Reclamation.

(5) **PROJECT.**—The term “project” means a surface water project, a project under the purview of title XVI of Public Law 102–575, or a rural water supply project investigated under Public Law 109–451 to be carried out, funded or operated in whole or in part by the Secretary pursuant to the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.).

(6) **PROJECT SPONSOR.**—The term “project sponsor” means a State, regional, or local authority or instrumentality or other qualifying entity, such as a water conservation district, irrigation district, water conservancy district, joint powers authority, mutual water company, canal company, rural water district or association, or any other entity that has the capacity to contract with the United States under Federal reclamation law.

(7) **PROJECT STUDY.**—The term “project study” means a feasibility study for a project carried out pursuant to the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.).

(8) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(9) **SURFACE WATER STORAGE.**—The term “surface water storage” means any surface water reservoir or impoundment that would be owned, funded or operated in whole or in part by the Bureau of Reclamation or that would be integrated into a larger system owned, operated or administered in whole or in part by the Bureau of Reclamation.

## **SEC. 803. ACCELERATION OF STUDIES.**

(a) **IN GENERAL.**—To the extent practicable, a project study initiated by the Secretary, after the date of enactment of this Act, under the Reclamation Act of 1902 (32 Stat. 388), and all Acts amendatory thereof or supplementary thereto, shall—

(1) result in the completion of a final feasibility report not later than 3 years after the date of initiation;

(2) have a maximum Federal cost of \$3,000,000; and

(3) ensure that personnel from the local project area, region, and headquarters levels of the Bureau of Reclamation concurrently conduct the review required under this section.

(b) **EXTENSION.**—If the Secretary determines that a project study described in subsection (a) will not be conducted in accordance with subsection (a), the Secretary, not later than 30 days after the date of making the determination, shall—

(1) prepare an updated project study schedule and cost estimate;

(2) notify the non-Federal project cost-sharing partner that the project study has been delayed; and

(3) provide written notice to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate as to the reasons the requirements of subsection (a) are not attainable.

(c) **EXCEPTION.**—

(1) **IN GENERAL.**—Notwithstanding the requirements of subsection (a), the Secretary may extend the timeline of a project study by a period not to exceed 3 years, if the Secretary determines that the project study is too complex to comply with the requirements of subsection (a).

(2) **FACTORS.**—In making a determination that a study is too complex to comply with the requirements of subsection (a), the Secretary shall consider—

(A) the type, size, location, scope, and overall cost of the project;

(B) whether the project will use any innovative design or construction techniques;

(C) whether the project will require significant action by other Federal, State, or local agencies;

(D) whether there is significant public dispute as to the nature or effects of the project; and

(E) whether there is significant public dispute as to the economic or environmental costs or benefits of the project.

(3) **NOTIFICATION.**—Each time the Secretary makes a determination under this subsection, the Secretary shall provide written notice to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate as to the results of that determination, including an identification of the specific one or more factors used in making the determination that the project is complex.

(4) **LIMITATION.**—The Secretary shall not extend the timeline for a project study for a period of more than 7 years, and any project study that is not completed before that date shall no longer be authorized.

(d) **REVIEWS.**—Not later than 90 days after the date of the initiation of a project study described in subsection (a), the Secretary shall—

(1) take all steps necessary to initiate the process for completing federally mandated reviews that the Secretary is required to complete as part of the study, including the environmental review process under section 805;

(2) convene a meeting of all Federal, tribal, and State agencies identified under section 805(d) that may—

(A) have jurisdiction over the project;

(B) be required by law to conduct or issue a review, analysis, opinion, or statement for the project study; or

(C) be required to make a determination on issuing a permit, license, or other approval or decision for the project study; and

(3) take all steps necessary to provide information that will enable required reviews and analyses related to the project to be conducted by other agencies in a thorough and timely manner.

(e) **INTERIM REPORT.**—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to the Committee on Natural Resources of the House of Representa-

tives and the Committee on Energy and Natural Resources of the Senate and make publicly available a report that describes—

(1) the status of the implementation of the planning process under this section, including the number of participating projects;

(2) a review of project delivery schedules, including a description of any delays on those studies initiated prior to the date of the enactment of this Act; and

(3) any recommendations for additional authority necessary to support efforts to expedite the project.

(f) **FINAL REPORT.**—Not later than 4 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate and make publicly available a report that describes—

(1) the status of the implementation of this section, including a description of each project study subject to the requirements of this section;

(2) the amount of time taken to complete each project study; and

(3) any recommendations for additional authority necessary to support efforts to expedite the project study process, including an analysis of whether the limitation established by subsection (a)(2) needs to be adjusted to address the impacts of inflation.

## **SEC. 804. EXPEDITED COMPLETION OF REPORTS.**

The Secretary shall—

(1) expedite the completion of any ongoing project study initiated before the date of enactment of this Act; and

(2) if the Secretary determines that the project is justified in a completed report, proceed directly to preconstruction planning, engineering, and design of the project in accordance with the Reclamation Act of 1902 (32 Stat. 388), and all Acts amendatory thereof or supplementary thereto.

## **SEC. 805. PROJECT ACCELERATION.**

(a) **APPLICABILITY.**—

(1) **IN GENERAL.**—This section shall apply to—

(A) each project study that is initiated after the date of enactment of this Act and for which an environmental impact statement is prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(B) the extent determined appropriate by the Secretary, to other project studies initiated before the date of enactment of this Act and for which an environmental review process document is prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(C) any project study for the development of a non-federally owned and operated surface water storage project for which the Secretary determines there is a demonstrable Federal interest and the project—

(i) is located in a river basin where other Bureau of Reclamation water projects are located;

(ii) will create additional water supplies that support Bureau of Reclamation water projects; or

(iii) will become integrated into the operation of Bureau of Reclamation water projects.

(2) **FLEXIBILITY.**—Any authority granted under this section may be exercised, and any requirement established under this section may be satisfied, for the conduct of an environmental review process for a project study, a class of project studies, or a program of project studies.

(3) **LIST OF PROJECT STUDIES.**—

(A) **IN GENERAL.**—The Secretary shall annually prepare, and make publicly available, a list of all project studies that the Secretary has determined—

(i) meets the standards described in paragraph (1); and

(ii) does not have adequate funding to make substantial progress toward the completion of the project study.

(B) **INCLUSIONS.**—The Secretary shall include for each project study on the list under subparagraph (A) a description of the estimated amounts necessary to make substantial progress on the project study.

(b) **PROJECT REVIEW PROCESS.**—

(1) **IN GENERAL.**—The Secretary shall develop and implement a coordinated environmental review process for the development of project studies.

(2) **COORDINATED REVIEW.**—The coordinated environmental review process described in paragraph (1) shall require that any review, analysis, opinion, statement, permit, license, or other approval or decision issued or made by a Federal, State, or local governmental agency or an Indian tribe for a project study described in subsection (b) be conducted, to the maximum extent practicable, concurrently with any other applicable governmental agency or Indian tribe.

(3) **TIMING.**—The coordinated environmental review process under this subsection shall be completed not later than the date on which the Secretary, in consultation and concurrence with the agencies identified under section 805(d), establishes with respect to the project study.

(c) **LEAD AGENCIES.**—

(1) **JOINT LEAD AGENCIES.**—

(A) **IN GENERAL.**—Subject to the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the requirements of section 1506.8 of title 40, Code of Federal Regulations (or successor regulations), including the concurrence of the proposed joint lead agency, a project sponsor may serve as the joint lead agency.

(B) **PROJECT SPONSOR AS JOINT LEAD AGENCY.**—A project sponsor that is a State or local governmental entity may—

(i) with the concurrence of the Secretary, serve as a joint lead agency with the Federal lead agency for purposes of preparing any environmental document under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(ii) prepare any environmental review process document under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) required in support of any action or approval by the Secretary if—

(I) the Secretary provides guidance in the preparation process and independently evaluates that document;

(II) the project sponsor complies with all requirements applicable to the Secretary under—

(aa) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(bb) any regulation implementing that Act; and

(cc) any other applicable Federal law; and

(III) the Secretary approves and adopts the document before the Secretary takes any subsequent action or makes any approval based on that document, regardless of whether the action or approval of the Secretary results in Federal funding.

(2) **DUTIES.**—The Secretary shall ensure that—

(A) the project sponsor complies with all design and mitigation commitments made jointly by the Secretary and the project sponsor in any environmental document prepared by the project sponsor in accordance with this subsection; and

(B) any environmental document prepared by the project sponsor is appropriately supplemented to address any changes to the project the Secretary determines are necessary.

(3) **ADOPTION AND USE OF DOCUMENTS.**—Any environmental document prepared in accordance with this subsection shall be adopted and used by any Federal agency making any determination related to the project study to the same extent that the Federal agency could adopt or use a document prepared by another Federal agency under—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(B) parts 1500 through 1508 of title 40, Code of Federal Regulations (or successor regulations).

(4) **ROLES AND RESPONSIBILITY OF LEAD AGENCY.**—With respect to the environmental review process for any project study, the Federal lead agency shall have authority and responsibility—

(A) to take such actions as are necessary and proper and within the authority of the Federal lead agency to facilitate the expeditious resolution of the environmental review process for the project study; and

(B) to prepare or ensure that any required environmental impact statement or other environmental review document for a project study required to be completed under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) is completed in accordance with this section and applicable Federal law.

(d) **PARTICIPATING AND COOPERATING AGENCIES.**—

(1) **IDENTIFICATION OF JURISDICTIONAL AGENCIES.**—With respect to carrying out the environmental review process for a project study, the Secretary shall identify, as early as practicable in the environmental review process, all Federal, State, and local government agencies and Indian tribes that may—

(A) have jurisdiction over the project;

(B) be required by law to conduct or issue a review, analysis, opinion, or statement for the project study; or

(C) be required to make a determination on issuing a permit, license, or other approval or decision for the project study.

(2) **STATE AUTHORITY.**—If the environmental review process is being implemented by the Secretary for a project study within the boundaries of a State, the State, consistent with State law, may choose to participate in the process and to make subject to the process all State agencies that—

(A) have jurisdiction over the project;

(B) are required to conduct or issue a review, analysis, opinion, or statement for the project study; or

(C) are required to make a determination on issuing a permit, license, or other approval or decision for the project study.

(3) **INVITATION.**—

(A) **IN GENERAL.**—The Federal lead agency shall invite, as early as practicable in the environmental review process, any agency identified under paragraph (1) to become a participating or cooperating agency, as applicable, in the environmental review process for the project study.

(B) **DEADLINE.**—An invitation to participate issued under subparagraph (A) shall set a deadline by which a response to the invitation shall be submitted, which may be extended by the Federal lead agency for good cause.

(4) **PROCEDURES.**—Section 1501.6 of title 40, Code of Federal Regulations (as in effect on the date of enactment of the Bureau of Reclamation Project Streamlining Act) shall govern the identification and the participation of a cooperating agency.

(5) **FEDERAL COOPERATING AGENCIES.**—Any Federal agency that is invited by the Federal lead agency to participate in the environmental review process for a project study shall be designated as a cooperating agency by the Federal lead agency unless the invited agency informs the Federal lead agency, in writing, by the deadline specified in the invitation that the invited agency—

(A)(i) has no jurisdiction or authority with respect to the project;

(ii) has no expertise or information relevant to the project; or

(iii) does not have adequate funds to participate in the project; and

(B) does not intend to submit comments on the project.

(6) **ADMINISTRATION.**—A participating or cooperating agency shall comply with this section and any schedule established under this section.

(7) **EFFECT OF DESIGNATION.**—Designation as a participating or cooperating agency under this subsection shall not imply that the participating or cooperating agency—

(A) supports a proposed project; or

(B) has any jurisdiction over, or special expertise with respect to evaluation of, the project.

(8) **CONCURRENT REVIEWS.**—Each participating or cooperating agency shall—

(A) carry out the obligations of that agency under other applicable law concurrently and in conjunction with the required environmental review process, unless doing so would prevent the participating or cooperating agency from conducting needed analysis or otherwise carrying out those obligations; and

(B) formulate and implement administrative, policy, and procedural mechanisms to enable the agency to ensure completion of the environmental review process in a timely, coordinated, and environmentally responsible manner.

(e) **NON-FEDERAL PROJECTS INTEGRATED INTO RECLAMATION SYSTEMS.**—The Federal lead agency shall serve in that capacity for the entirety of all non-Federal projects that will be integrated into a larger system owned, operated or administered in whole or in part by the Bureau of Reclamation.

(f) **NON-FEDERAL PROJECT.**—If the Secretary determines that a project can be expedited by a non-Federal sponsor and that there is a demonstrable Federal interest in expediting that project, the Secretary shall take such actions as are necessary to advance such a project as a non-Federal project, including, but not limited to, entering into agreements with the non-Federal sponsor of such project to support the planning, design and permitting of such project as a non-Federal project.

(g) **PROGRAMMATIC COMPLIANCE.**—

(1) **IN GENERAL.**—The Secretary shall issue guidance regarding the use of programmatic approaches to carry out the environmental review process that—

(A) eliminates repetitive discussions of the same issues;

(B) focuses on the actual issues ripe for analyses at each level of review;

(C) establishes a formal process for coordinating with participating and cooperating agencies, including the creation of a list of all data that are needed to carry out an environmental review process; and

(D) complies with—

(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(ii) all other applicable laws.

(2) **REQUIREMENTS.**—In carrying out paragraph (1), the Secretary shall—

(A) as the first step in drafting guidance under that paragraph, consult with relevant Federal, State, and local governmental agencies, Indian tribes, and the public on the appropriate use and scope of the programmatic approaches;

(B) emphasize the importance of collaboration among relevant Federal, State, and local governmental agencies, and Indian tribes in undertaking programmatic reviews, especially with respect to including reviews with a broad geographical scope;

(C) ensure that the programmatic reviews—

(i) promote transparency, including of the analyses and data used in the environmental review process, the treatment of any deferred issues raised by Federal, State, and local governmental agencies, Indian tribes, or the public, and the temporal and special scales to be used to analyze those issues;

(ii) use accurate and timely information in the environmental review process, including—

(I) criteria for determining the general duration of the usefulness of the review; and

(II) the timeline for updating any out-of-date review;

(iii) describe—

(I) the relationship between programmatic analysis and future tiered analysis; and

(II) the role of the public in the creation of future tiered analysis; and

(iv) are available to other relevant Federal, State, and local governmental agencies, Indian tribes, and the public;

(D) allow not fewer than 60 days of public notice and comment on any proposed guidance; and

(E) address any comments received under subparagraph (D).

(h) COORDINATED REVIEWS.—

(1) COORDINATION PLAN.—

(A) ESTABLISHMENT.—The Federal lead agency shall, after consultation with and with the concurrence of each participating and cooperating agency and the project sponsor or joint lead agency, as applicable, establish a plan for coordinating public and agency participation in, and comment on, the environmental review process for a project study or a category of project studies.

(B) SCHEDULE.—

(i) IN GENERAL.—As soon as practicable but not later than 45 days after the close of the public comment period on a draft environmental impact statement, the Federal lead agency, after consultation with and the concurrence of each participating and cooperating agency and the project sponsor or joint lead agency, as applicable, shall establish, as part of the coordination plan established in subparagraph (A), a schedule for completion of the environmental review process for the project study.

(ii) FACTORS FOR CONSIDERATION.—In establishing a schedule, the Secretary shall consider factors such as—

(I) the responsibilities of participating and cooperating agencies under applicable laws;

(II) the resources available to the project sponsor, joint lead agency, and other relevant Federal and State agencies, as applicable;

(III) the overall size and complexity of the project;

(IV) the overall schedule for and cost of the project; and

(V) the sensitivity of the natural and historical resources that could be affected by the project.

(iii) MODIFICATIONS.—The Secretary may—

(I) lengthen a schedule established under clause (i) for good cause; and

(II) shorten a schedule only with concurrence of the affected participating and cooperating agencies and the project sponsor or joint lead agency, as applicable.

(iv) DISSEMINATION.—A copy of a schedule established under clause (i) shall be—

(I) provided to each participating and cooperating agency and the project sponsor or joint lead agency, as applicable; and

(II) made available to the public.

(2) COMMENT DEADLINES.—The Federal lead agency shall establish the following deadlines for comment during the environmental review process for a project study:

(A) DRAFT ENVIRONMENTAL IMPACT STATEMENTS.—For comments by Federal and State agencies and the public on a draft environmental impact statement, a period of not more than 60 days after publication in the Federal Register of notice of the date of public availability of the draft environmental impact statement, unless—

(i) a different deadline is established by agreement of the Federal lead agency, the project sponsor or joint lead agency, as applicable, and all participating and cooperating agencies; or

(ii) the deadline is extended by the Federal lead agency for good cause.

(B) OTHER ENVIRONMENTAL REVIEW PROCESSES.—For all other comment periods established by the Federal lead agency for agency or public comments in the environmental review process, a period of not more than 30 days after the date on which the materials on which comment is requested are made available, unless—

(i) a different deadline is established by agreement of the Federal lead agency, the project sponsor, or joint lead agency, as applicable, and all participating and cooperating agencies; or

(ii) the deadline is extended by the Federal lead agency for good cause.

(3) DEADLINES FOR DECISIONS UNDER OTHER LAWS.—In any case in which a decision under any Federal law relating to a project study, including the issuance or denial of a permit or license, is required to be made by the date described in subsection (i)(5)(B), the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate—

(A) as soon as practicable after the 180-day period described in subsection (i)(5)(B), an initial notice of the failure of the Federal agency to make the decision; and

(B) every 60 days thereafter until such date as all decisions of the Federal agency relating to the project study have been made by the Federal agency, an additional notice that describes the number of decisions of the Federal agency that remain outstanding as of the date of the additional notice.

(4) INVOLVEMENT OF THE PUBLIC.—Nothing in this subsection reduces any time period provided for public comment in the environmental review process under applicable Federal law (including regulations).

(5) TRANSPARENCY REPORTING.—

(A) REPORTING REQUIREMENTS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish and maintain an electronic database and, in coordination with other Federal and State agencies, issue reporting requirements to make publicly available the status and progress with respect to compliance with applicable requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any other Federal, State, or local approval or action required for a project study for which this section is applicable.

(B) PROJECT STUDY TRANSPARENCY.—Consistent with the requirements established under subparagraph (A), the Secretary shall make publicly available the status and progress of any Federal, State, or local decision, action, or approval required under applicable laws for each project study for which this section is applicable.

(i) ISSUE IDENTIFICATION AND RESOLUTION.—

(1) COOPERATION.—The Federal lead agency, the cooperating agencies, and any participating agencies shall work cooperatively in accordance with this section to identify and resolve issues that could delay completion of the environmental review process or result in the denial of any approval required for the project study under applicable laws.

(2) FEDERAL LEAD AGENCY RESPONSIBILITIES.—

(A) IN GENERAL.—The Federal lead agency shall make information available to the cooperating agencies and participating agencies as early as practicable in the environmental review process regarding the environmental and socioeconomic resources located within the project area and the general locations of the alternatives under consideration.

(B) DATA SOURCES.—The information under subparagraph (A) may be based on existing data sources, including geographic information systems mapping.

(3) COOPERATING AND PARTICIPATING AGENCY RESPONSIBILITIES.—Based on information received from the Federal lead agency, cooperating and participating agencies shall identify, as early as practicable, any issues of concern regarding the potential environmental or socioeconomic impacts of the project, including any issues that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the project study.

(4) ACCELERATED ISSUE RESOLUTION AND ELEVATION.—

(A) IN GENERAL.—On the request of a participating or cooperating agency or project sponsor, the Secretary shall convene an issue resolution meeting with the relevant participating and cooperating agencies and the project sponsor or joint lead agency, as applicable, to resolve issues that may—

(i) delay completion of the environmental review process; or

(ii) result in denial of any approval required for the project study under applicable laws.

(B) MEETING DATE.—A meeting requested under this paragraph shall be held not later than 21 days after the date on which the Secretary receives the request for the meeting, unless the Secretary determines that there is good cause to extend that deadline.

(C) NOTIFICATION.—On receipt of a request for a meeting under this paragraph, the Secretary shall notify all relevant participating and cooperating agencies of the request, including the issue to be resolved and the date for the meeting.

(D) ELEVATION OF ISSUE RESOLUTION.—If a resolution cannot be achieved within the 30-day period beginning on the date of a meeting under this paragraph and a determination is made by the Secretary that all information necessary to resolve the issue has been obtained, the Secretary shall forward the dispute to the heads of the relevant agencies for resolution.

(E) CONVENTION BY SECRETARY.—The Secretary may convene an issue resolution meeting under this paragraph at any time, at the discretion of the Secretary, regardless of whether a meeting is requested under subparagraph (A).

(5) FINANCIAL PENALTY PROVISIONS.—

(A) IN GENERAL.—A Federal jurisdictional agency shall complete any required approval or decision for the environmental review process on an expeditious basis using the shortest existing applicable process.

(B) FAILURE TO DECIDE.—

(i) IN GENERAL.—

(I) TRANSFER OF FUNDS.—If a Federal jurisdictional agency fails to render a decision required under any Federal law relating to a project study that requires the preparation of an environmental impact statement or environmental assessment, including the issuance or denial of a permit, license, statement, opinion, or other approval by the date described in clause (ii), the amount of funds made available to support the office of the head of the Federal jurisdictional agency shall be reduced by an amount of funding equal to the amount specified in item (aa) or (bb) of subclause (II), and those funds shall be made available to the division of the Federal jurisdictional agency charged with rendering the decision by not later than 1 day after the applicable date under clause (ii), and once each week thereafter until a final decision is rendered, subject to subparagraph (C).

(II) AMOUNT TO BE TRANSFERRED.—The amount referred to in subclause (I) is—

(aa) \$20,000 for any project study requiring the preparation of an environmental assessment or environmental impact statement; or

(bb) \$10,000 for any project study requiring any type of review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) other than an environmental assessment or environmental impact statement.

(ii) **DESCRIPTION OF DATE.**—The date referred to in clause (i) is the later of—

(I) the date that is 180 days after the date on which an application for the permit, license, or approval is complete; and

(II) the date that is 180 days after the date on which the Federal lead agency issues a decision on the project under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(C) **LIMITATIONS.**—

(i) **IN GENERAL.**—No transfer of funds under subparagraph (B) relating to an individual project study shall exceed, in any fiscal year, an amount equal to 1 percent of the funds made available for the applicable agency office.

(ii) **FAILURE TO DECIDE.**—The total amount transferred in a fiscal year as a result of a failure by an agency to make a decision by an applicable deadline shall not exceed an amount equal to 5 percent of the funds made available for the applicable agency office for that fiscal year.

(iii) **AGGREGATE.**—Notwithstanding any other provision of law, for each fiscal year, the aggregate amount of financial penalties assessed against each applicable agency office under this Act and any other Federal law as a result of a failure of the agency to make a decision by an applicable deadline for environmental review, including the total amount transferred under this paragraph, shall not exceed an amount equal to 9.5 percent of the funds made available for the agency office for that fiscal year.

(D) **NOTIFICATION OF TRANSFERS.**—Not later than 10 days after the last date in a fiscal year on which funds of the Federal jurisdictional agency may be transferred under subparagraph (B)(5) with respect to an individual decision, the agency shall submit to the appropriate committees of the House of Representatives and the Senate written notification that includes a description of—

(i) the decision;

(ii) the project study involved;

(iii) the amount of each transfer under subparagraph (B) in that fiscal year relating to the decision;

(iv) the total amount of all transfers under subparagraph (B) in that fiscal year relating to the decision; and

(v) the total amount of all transfers of the agency under subparagraph (B) in that fiscal year.

(E) **NO FAULT OF AGENCY.**—

(i) **IN GENERAL.**—A transfer of funds under this paragraph shall not be made if the applicable agency described in subparagraph (A) notifies, with a supporting explanation, the Federal lead agency, cooperating agencies, and project sponsor, as applicable, that—

(I) the agency has not received necessary information or approvals from another entity in a manner that affects the ability of the agency to meet any requirements under Federal, State, or local law;

(II) significant new information, including from public comments, or circumstances, including a major modification to an aspect of the project, requires additional analysis for the agency to make a decision on the project application; or

(III) the agency lacks the financial resources to complete the review under the scheduled timeframe, including a description of the number of full-time employees required to complete the review, the amount of funding required to complete the review, and a justification as to why not enough funding is available to complete the review by the deadline.

(ii) **LACK OF FINANCIAL RESOURCES.**—If the agency provides notice under clause (i)(III), the Inspector General of the agency shall—

(I) conduct a financial audit to review the notice; and

(II) not later than 90 days after the date on which the review described in subclause (I) is completed, submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate the results of the audit conducted under subclause (I).

(F) **LIMITATION.**—The Federal agency from which funds are transferred pursuant to this paragraph shall not reprogram funds to the office of the head of the agency, or equivalent office, to reimburse that office for the loss of the funds.

(G) **EFFECT OF PARAGRAPH.**—Nothing in this paragraph affects or limits the application of, or obligation to comply with, any Federal, State, local, or tribal law.

(j) **MEMORANDUM OF AGREEMENTS FOR EARLY COORDINATION.**—

(I) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(A) the Secretary and other Federal agencies with relevant jurisdiction in the environmental review process should cooperate with each other, State and local agencies, and Indian tribes on environmental review and Bureau of Reclamation project delivery activities at the earliest practicable time to avoid delays and duplication of effort later in the process, prevent potential conflicts, and ensure that planning and project development decisions reflect environmental values; and

(B) the cooperation referred to in subparagraph (A) should include the development of policies and the designation of staff that advise planning agencies and project sponsors of studies or other information foreseeably required for later Federal action and early consultation with appropriate State and local agencies and Indian tribes.

(2) **TECHNICAL ASSISTANCE.**—If requested at any time by a State or project sponsor, the Secretary and other Federal agencies with relevant jurisdiction in the environmental review process, shall, to the maximum extent practicable and appropriate, as determined by the agencies, provide technical assistance to the State or project sponsor in carrying out early coordination activities.

(3) **MEMORANDUM OF AGENCY AGREEMENT.**—If requested at any time by a State or project sponsor, the Federal lead agency, in consultation with other Federal agencies with relevant jurisdiction in the environmental review process, may establish memoranda of agreement with the project sponsor, Indian tribes, State and local governments, and other appropriate entities to carry out the early coordination activities, including providing technical assistance in identifying potential impacts and mitigation issues in an integrated fashion.

(k) **LIMITATIONS.**—Nothing in this section preempts or interferes with—

(I) any obligation to comply with the provisions of any Federal law, including—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(B) any other Federal environmental law;

(2) the reviewability of any final Federal agency action in a court of the United States or in the court of any State;

(3) any requirement for seeking, considering, or responding to public comment; or

(4) any power, jurisdiction, responsibility, duty, or authority that a Federal, State, or local governmental agency, Indian tribe, or project sponsor has with respect to carrying out a project or any other provision of law applicable to projects.

(l) **TIMING OF CLAIMS.**—

(I) **TIMING.**—

(A) **IN GENERAL.**—Notwithstanding any other provision of law, a claim arising under Federal law seeking judicial review of a permit, license,

or other approval issued by a Federal agency for a project study shall be barred unless the claim is filed not later than 3 years after publication of a notice in the Federal Register announcing that the permit, license, or other approval is final pursuant to the law under which the agency action is taken, unless a shorter time is specified in the Federal law that allows judicial review.

(B) **APPLICABILITY.**—Nothing in this subsection creates a right to judicial review or places any limit on filing a claim that a person has violated the terms of a permit, license, or other approval.

(2) **NEW INFORMATION.**—

(A) **IN GENERAL.**—The Secretary shall consider new information received after the close of a comment period if the information satisfies the requirements for a supplemental environmental impact statement under title 40, Code of Federal Regulations (including successor regulations).

(B) **SEPARATE ACTION.**—The preparation of a supplemental environmental impact statement or other environmental document, if required under this section, shall be considered a separate final agency action and the deadline for filing a claim for judicial review of the action shall be 3 years after the date of publication of a notice in the Federal Register announcing the action relating to such supplemental environmental impact statement or other environmental document.

(m) **CATEGORICAL EXCLUSIONS.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall—

(A) survey the use by the Bureau of Reclamation of categorical exclusions in projects since 2005;

(B) publish a review of the survey that includes a description of—

(i) the types of actions that were categorically excluded or could be the basis for developing a new categorical exclusion; and

(ii) any requests previously received by the Secretary for new categorical exclusions; and

(C) solicit requests from other Federal agencies and project sponsors for new categorical exclusions.

(2) **NEW CATEGORICAL EXCLUSIONS.**—Not later than 1 year after the date of enactment of this Act, if the Secretary has identified a category of activities that merit establishing a categorical exclusion that did not exist on the day before the date of enactment this Act based on the review under paragraph (1), the Secretary shall publish a notice of proposed rulemaking to propose that new categorical exclusion, to the extent that the categorical exclusion meets the criteria for a categorical exclusion under section 1508.4 of title 40, Code of Federal Regulations (or successor regulation).

(n) **REVIEW OF PROJECT ACCELERATION REFORMS.**—

(1) **IN GENERAL.**—The Comptroller General of the United States shall—

(A) assess the reforms carried out under this section; and

(B) not later than 5 years and not later than 10 years after the date of enactment of this Act, submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes the results of the assessment.

(2) **CONTENTS.**—The reports under paragraph (1) shall include an evaluation of impacts of the reforms carried out under this section on—

(A) project delivery;

(B) compliance with environmental laws; and

(C) the environmental impact of projects.

(o) **PERFORMANCE MEASUREMENT.**—The Secretary shall establish a program to measure and report on progress made toward improving and

expediting the planning and environmental review process.

(p) **CATEGORICAL EXCLUSIONS IN EMERGENCIES.**—For the repair, reconstruction, or rehabilitation of a Bureau of Reclamation surface water storage project that is in operation or under construction when damaged by an event or incident that results in a declaration by the President of a major disaster or emergency pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Secretary shall treat such repair, reconstruction, or rehabilitation activity as a class of action categorically excluded from the requirements relating to environmental assessments or environmental impact statements under section 1508.4 of title 40, Code of Federal Regulations (or successor regulations), if the repair or reconstruction activity is—

(1) in the same location with the same capacity, dimensions, and design as the original Bureau of Reclamation surface water storage project as before the declaration described in this section; and

(2) commenced within a 2-year period beginning on the date of a declaration described in this subsection.

#### SEC. 806. ANNUAL REPORT TO CONGRESS.

(a) **IN GENERAL.**—Not later than February 1 of each year, the Secretary shall develop and submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate an annual report, to be entitled “Report to Congress on Future Water Project Development”, that identifies the following:

(1) **PROJECT REPORTS.**—Each project report that meets the criteria established in subsection (c)(1)(A).

(2) **PROPOSED PROJECT STUDIES.**—Any proposed project study submitted to the Secretary by a non-Federal interest pursuant to subsection (b) that meets the criteria established in subsection (c)(1)(A).

(3) **PROPOSED MODIFICATIONS.**—Any proposed modification to an authorized water project or project study that meets the criteria established in subsection (c)(1)(A) that—

(A) is submitted to the Secretary by a non-Federal interest pursuant to subsection (b); or

(B) is identified by the Secretary for authorization.

(4) **EXPEDITED COMPLETION OF REPORT AND DETERMINATIONS.**—Any project study that was expedited and any Secretarial determinations under section 804.

(b) **REQUESTS FOR PROPOSALS.**—

(1) **PUBLICATION.**—Not later than May 1 of each year, the Secretary shall publish in the Federal Register a notice requesting proposals from non-Federal interests for proposed project studies and proposed modifications to authorized projects and project studies to be included in the annual report.

(2) **DEADLINE FOR REQUESTS.**—The Secretary shall include in each notice required by this subsection a requirement that non-Federal interests submit to the Secretary any proposals described in paragraph (1) by not later than 120 days after the date of publication of the notice in the Federal Register in order for the proposals to be considered for inclusion in the annual report.

(3) **NOTIFICATION.**—On the date of publication of each notice required by this subsection, the Secretary shall—

(A) make the notice publicly available, including on the Internet; and

(B) provide written notification of the publication to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(c) **CONTENTS.**—

(1) **PROJECT REPORTS, PROPOSED PROJECT STUDIES, AND PROPOSED MODIFICATIONS.**—

(A) **CRITERIA FOR INCLUSION IN REPORT.**—The Secretary shall include in the annual report only those project reports, proposed project studies, and proposed modifications to authorized projects and project studies that—

(i) are related to the missions and authorities of the Bureau of Reclamation;

(ii) require specific congressional authorization, including by an Act of Congress;

(iii) have not been congressionally authorized;

(iv) have not been included in any previous annual report; and

(v) if authorized, could be carried out by the Bureau of Reclamation.

(B) **DESCRIPTION OF BENEFITS.**—

(i) **DESCRIPTION.**—The Secretary shall describe in the annual report, to the extent applicable and practicable, for each proposed project study and proposed modification to an authorized water resources development project or project study included in the annual report, the benefits, as described in clause (ii), of each such study or proposed modification.

(ii) **BENEFITS.**—The benefits (or expected benefits, in the case of a proposed project study) described in this clause are benefits to—

(I) the protection of human life and property;

(II) improvement to domestic irrigated water and power supplies;

(III) the national economy;

(IV) the environment; or

(V) the national security interests of the United States.

(C) **IDENTIFICATION OF OTHER FACTORS.**—The Secretary shall identify in the annual report, to the extent practicable—

(i) for each proposed project study included in the annual report, the non-Federal interest that submitted the proposed project study pursuant to subsection (b); and

(ii) for each proposed project study and proposed modification to a project or project study included in the annual report, whether the non-Federal interest has demonstrated—

(I) that local support exists for the proposed project study or proposed modification to an authorized project or project study (including the surface water storage development project that is the subject of the proposed feasibility study or the proposed modification to an authorized project study); and

(II) the financial ability to provide the required non-Federal cost share.

(2) **TRANSPARENCY.**—The Secretary shall include in the annual report, for each project report, proposed project study, and proposed modification to a project or project study included under paragraph (1)(A)—

(A) the name of the associated non-Federal interest, including the name of any non-Federal interest that has contributed, or is expected to contribute, a non-Federal share of the cost of—

(i) the project report;

(ii) the proposed project study;

(iii) the authorized project study for which the modification is proposed; or

(iv) construction of—

(I) the project that is the subject of—

(aa) the water report;

(bb) the proposed project study; or

(cc) the authorized project study for which a modification is proposed; or

(II) the proposed modification to a project;

(B) a letter or statement of support for the water report, proposed project study, or proposed modification to a project or project study from each associated non-Federal interest;

(C) the purpose of the feasibility report, proposed feasibility study, or proposed modification to a project or project study;

(D) an estimate, to the extent practicable, of the Federal, non-Federal, and total costs of—

(i) the proposed modification to an authorized project study; and

(ii) construction of—

(I) the project that is the subject of—

(aa) the project report; or

(bb) the authorized project study for which a modification is proposed, with respect to the change in costs resulting from such modification; or

(II) the proposed modification to an authorized project; and

(E) an estimate, to the extent practicable, of the monetary and nonmonetary benefits of—

(i) the project that is the subject of—

(I) the project report; or

(II) the authorized project study for which a modification is proposed, with respect to the benefits of such modification; or

(ii) the proposed modification to an authorized project.

(3) **CERTIFICATION.**—The Secretary shall include in the annual report a certification stating that each feasibility report, proposed feasibility study, and proposed modification to a project or project study included in the annual report meets the criteria established in paragraph (1)(A).

(4) **APPENDIX.**—The Secretary shall include in the annual report an appendix listing the proposals submitted under subsection (b) that were not included in the annual report under paragraph (1)(A) and a description of why the Secretary determined that those proposals did not meet the criteria for inclusion under such paragraph.

(d) **SPECIAL RULE FOR INITIAL ANNUAL REPORT.**—Notwithstanding any other deadlines required by this section, the Secretary shall—

(1) not later than 60 days after the date of enactment of this Act, publish in the Federal Register a notice required by subsection (b)(1); and

(2) include in such notice a requirement that non-Federal interests submit to the Secretary any proposals described in subsection (b)(1) by not later than 120 days after the date of publication of such notice in the Federal Register in order for such proposals to be considered for inclusion in the first annual report developed by the Secretary under this section.

(e) **PUBLICATION.**—Upon submission of an annual report to Congress, the Secretary shall make the annual report publicly available, including through publication on the Internet.

(f) **DEFINITION.**—In this section, the term “project report” means a final feasibility report developed under the Reclamation Act of 1902 (32 Stat. 388), and all Acts amendatory thereof or supplementary thereto.

**TITLE IX—ACCELERATED REVENUE, REPAYMENT, AND SURFACE WATER STORAGE ENHANCEMENT**

**SEC. 901. SHORT TITLE.**

This title may be cited as the “Accelerated Revenue, Repayment, and Surface Water Storage Enhancement Act”.

**SEC. 902. PREPAYMENT OF CERTAIN REPAYMENT CONTRACTS BETWEEN THE UNITED STATES AND CONTRACTORS OF FEDERALLY DEVELOPED WATER SUPPLIES.**

(a) **CONVERSION AND PREPAYMENT OF CONTRACTS.**—

(1) **CONVERSION.**—Upon request of the contractor, the Secretary of the Interior shall convert any water service contract in effect on the date of enactment of this Act and between the United States and a water users’ association to allow for prepayment of the repayment contract pursuant to paragraph (2) under mutually agreeable terms and conditions. The manner of conversion under this paragraph shall be as follows:

(A) Water service contracts that were entered into under section 9(e) of the Act of August 4, 1939 (53 Stat. 1196), to be converted under this section shall be converted to repayment contracts under section 9(d) of that Act (53 Stat. 1195).

(ii) construction of—

(I) the project that is the subject of—

(aa) the project report; or

(bb) the authorized project study for which a modification is proposed, with respect to the change in costs resulting from such modification; or

(II) the proposed modification to an authorized project; and

(E) an estimate, to the extent practicable, of the monetary and nonmonetary benefits of—

(i) the project that is the subject of—

(I) the project report; or

(II) the authorized project study for which a modification is proposed, with respect to the benefits of such modification; or

(ii) the proposed modification to an authorized project.

(3) **CERTIFICATION.**—The Secretary shall include in the annual report a certification stating that each feasibility report, proposed feasibility study, and proposed modification to a project or project study included in the annual report meets the criteria established in paragraph (1)(A).

(4) **APPENDIX.**—The Secretary shall include in the annual report an appendix listing the proposals submitted under subsection (b) that were not included in the annual report under paragraph (1)(A) and a description of why the Secretary determined that those proposals did not meet the criteria for inclusion under such paragraph.

(d) **SPECIAL RULE FOR INITIAL ANNUAL REPORT.**—Notwithstanding any other deadlines required by this section, the Secretary shall—

(1) not later than 60 days after the date of enactment of this Act, publish in the Federal Register a notice required by subsection (b)(1); and

(2) include in such notice a requirement that non-Federal interests submit to the Secretary any proposals described in subsection (b)(1) by not later than 120 days after the date of publication of such notice in the Federal Register in order for such proposals to be considered for inclusion in the first annual report developed by the Secretary under this section.

(e) **PUBLICATION.**—Upon submission of an annual report to Congress, the Secretary shall make the annual report publicly available, including through publication on the Internet.

(f) **DEFINITION.**—In this section, the term “project report” means a final feasibility report developed under the Reclamation Act of 1902 (32 Stat. 388), and all Acts amendatory thereof or supplementary thereto.

#### TITLE IX—ACCELERATED REVENUE, REPAYMENT, AND SURFACE WATER STORAGE ENHANCEMENT

##### SEC. 901. SHORT TITLE.

This title may be cited as the “Accelerated Revenue, Repayment, and Surface Water Storage Enhancement Act”.

##### SEC. 902. PREPAYMENT OF CERTAIN REPAYMENT CONTRACTS BETWEEN THE UNITED STATES AND CONTRACTORS OF FEDERALLY DEVELOPED WATER SUPPLIES.

(a) **CONVERSION AND PREPAYMENT OF CONTRACTS.**—

(1) **CONVERSION.**—Upon request of the contractor, the Secretary of the Interior shall convert any water service contract in effect on the date of enactment of this Act and between the United States and a water users’ association to allow for prepayment of the repayment contract pursuant to paragraph (2) under mutually agreeable terms and conditions. The manner of conversion under this paragraph shall be as follows:

(A) Water service contracts that were entered into under section 9(e) of the Act of August 4, 1939 (53 Stat. 1196), to be converted under this section shall be converted to repayment contracts under section 9(d) of that Act (53 Stat. 1195).

(B) Water service contracts that were entered under subsection (c)(2) of section 9 of the Act of August 4, 1939 (53 Stat. 1194), to be converted under this section shall be converted to a contract under subsection (c)(1) of section 9 of that Act (53 Stat. 1195).

(2) **PREPAYMENT.**—All repayment contracts under section 9(d) of that Act (53 Stat. 1195) in effect on the date of enactment of this Act at the request of the contractor, and all contracts converted pursuant to paragraph (1)(A) shall—

(A) provide for the repayment, either in lump sum or by accelerated prepayment, of the remaining construction costs identified in water project specific irrigation rate repayment schedules, as adjusted to reflect payment not reflected in such schedule, and properly assignable for ultimate return by the contractor, or if made in approximately equal installments, no later than 3 years after the effective date of the repayment contract, such amount to be discounted by  $\frac{1}{2}$  the Treasury rate. An estimate of the remaining construction costs, as adjusted, shall be provided by the Secretary to the contractor no later than 90 days following receipt of request of the contractor;

(B) require that construction costs or other capitalized costs incurred after the effective date of the contract or not reflected in the rate schedule referenced in subparagraph (A), and properly assignable to such contractor shall be repaid in not more than 5 years after notification of the allocation if such amount is a result of a collective annual allocation of capital costs to the contractors exercising contract conversation under this subsection of less than \$5,000,000. If such amount is \$5,000,000 or greater, such cost shall be repaid as provided by applicable reclamation law;

(C) provide that power revenues will not be available to aid in repayment of construction costs allocated to irrigation under the contract; and

(D) continue so long as the contractor pays applicable charges, consistent with section 9(d) of the Act of August 4, 1939 (53 Stat. 1195), and applicable law.

(3) **CONTRACT REQUIREMENTS.**—The following shall apply with regard to all repayment contracts under subsection (c)(1) of section 9 of that Act (53 Stat. 1195) in effect on the date of enactment of this Act at the request of the contractor, and all contracts converted pursuant to paragraph (1)(B):

(A) Provide for the repayment in lump sum of the remaining construction costs identified in water project specific municipal and industrial rate repayment schedules, as adjusted to reflect payments not reflected in such schedule, and properly assignable for ultimate return by the contractor. An estimate of the remaining construction costs, as adjusted, shall be provided by the Secretary to the contractor no later than 90 days after receipt of request of contractor.

(B) The contract shall require that construction costs or other capitalized costs incurred after the effective date of the contract or not reflected in the rate schedule referenced in subparagraph (A), and properly assignable to such contractor, shall be repaid in not more than 5 years after notification of the allocation if such amount is a result of a collective annual allocation of capital costs to the contractors exercising contract conversation under this subsection of less than \$5,000,000. If such amount is \$5,000,000 or greater, such cost shall be repaid as provided by applicable reclamation law.

(C) Continue so long as the contractor pays applicable charges, consistent with section 9(c)(1) of the Act of August 4, 1939 (53 Stat. 1195), and applicable law.

(4) **CONDITIONS.**—All contracts entered into pursuant to paragraphs (1), (2), and (3) shall—

(A) not be adjusted on the basis of the type of prepayment financing used by the water users' association;

(B) conform to any other agreements, such as applicable settlement agreements and new constructed appurtenant facilities; and

(C) not modify other water service, repayment, exchange and transfer contractual rights between the water users' association, and the Bureau of Reclamation, or any rights, obligations, or relationships of the water users' association and their landowners as provided under State law.

(b) **ACCOUNTING.**—The amounts paid pursuant to subsection (a) shall be subject to adjustment following a final cost allocation by the Secretary of the Interior. In the event that the final cost allocation indicates that the costs properly assignable to the contractor are greater than what has been paid by the contractor, the contractor shall be obligated to pay the remaining allocated costs. The term of such additional repayment contract shall be not less than one year and not more than 10 years, however, mutually agreeable provisions regarding the rate of repayment of such amount may be developed by the parties. In the event that the final cost allocation indicates that the costs properly assignable to the contractor are less than what the contractor has paid, the Secretary shall credit such overpayment as an offset against any outstanding or future obligation of the contractor.

(c) **APPLICABILITY OF CERTAIN PROVISIONS.**—

(1) **EFFECT OF EXISTING LAW.**—Upon a contractor's compliance with and discharge of the obligation of repayment of the construction costs pursuant to a contract entered into pursuant to subsection (a)(2)(A), subsections (a) and (b) of section 213 of the Reclamation Reform Act of 1982 (96 Stat. 1269) shall apply to affected lands.

(2) **EFFECT OF OTHER OBLIGATIONS.**—The obligation of a contractor to repay construction costs or other capitalized costs described in subsection (a)(2)(B), (a)(3)(B), or (b) shall not affect a contractor's status as having repaid all of the construction costs assignable to the contractor or the applicability of subsections (a) and (b) of section 213 of the Reclamation Reform Act of 1982 (96 Stat. 1269) once the amount required to be paid by the contractor under the repayment contract entered into pursuant to subsection (a)(2)(A) have been paid.

(d) **EFFECT ON EXISTING LAW NOT ALTERED.**—Implementation of the provisions of this title shall not alter—

(1) the repayment obligation of any water service or repayment contractor receiving water from the same water project, or shift any costs that would otherwise have been properly assignable to the water users' association identified in subsections (a)(1), (a)(2), and (a)(3) absent this section, including operation and maintenance costs, construction costs, or other capitalized costs incurred after the date of the enactment of this Act, or to other contractors; and

(2) specific requirements for the disposition of amounts received as repayments by the Secretary under the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.).

(e) **SURFACE WATER STORAGE ENHANCEMENT PROGRAM.**—

(1) **IN GENERAL.**—Except as provided in subsection (d)(2), three years following the date of enactment of this Act, 50 percent of receipts generated from prepayment of contracts under this section beyond amounts necessary to cover the amount of receipts forgone from scheduled payments under current law for the 10-year period following the date of enactment of this Act shall be directed to the Reclamation Surface Water Storage Account under paragraph (2).

(2) **SURFACE STORAGE ACCOUNT.**—The Secretary shall allocate amounts collected under paragraph (1) into the "Reclamation Surface Storage Account" to fund the construction of

surface water storage. The Secretary may also enter into cooperative agreements with water users' associations for the construction of surface water storage and amounts within the Surface Storage Account may be used to fund such construction. Surface water storage projects that are otherwise not federally authorized shall not be considered Federal facilities as a result of any amounts allocated from the Surface Storage Account for part or all of such facilities.

(3) **REPAYMENT.**—Amounts used for surface water storage construction from the Account shall be fully reimbursed to the Account consistent with the requirements under Federal reclamation law (the law (the Act of June 17, 1902 (32 Stat. 388, chapter 1093))), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.) except that all funds reimbursed shall be deposited in the Account established under paragraph (2).

(4) **AVAILABILITY OF AMOUNTS.**—Amounts deposited in the Account under this subsection shall—

(A) be made available in accordance with this section, subject to appropriation; and

(B) be in addition to amounts appropriated for such purposes under any other provision of law.

(5) **PURPOSES OF SURFACE WATER STORAGE.**—Construction of surface water storage under this section shall be made for the following purposes:

(A) Increased municipal and industrial water supply.

(B) Agricultural floodwater, erosion, and sedimentation reduction.

(C) Agricultural drainage improvements.

(D) Agricultural irrigation.

(E) Increased recreation opportunities.

(F) Reduced adverse impacts to fish and wildlife from water storage or diversion projects within watersheds associated with water storage projects funded under this section.

(G) Any other purposes consistent with reclamation laws or other Federal law.

(f) **DEFINITIONS.**—For the purposes of this title, the following definitions apply:

(1) **ACCOUNT.**—The term "Account" means the Reclamation Surface Water Storage Account established under subsection (e)(2).

(2) **CONSTRUCTION.**—The term "construction" means the designing, materials engineering and testing, surveying, and building of surface water storage including additions to existing surface water storage and construction of new surface water storage facilities, exclusive of any Federal statutory or regulatory obligations relating to any permit, review, approval, or other such requirement.

(3) **SURFACE WATER STORAGE.**—The term "surface water storage" means any federally owned facility under the jurisdiction of the Bureau of Reclamation or any non-Federal facility used for the surface storage and supply of water resources.

(4) **TREASURY RATE.**—The term "Treasury rate" means the 20-year Constant Maturity Treasury (CMT) rate published by the United States Department of the Treasury existing on the effective date of the contract.

(5) **WATER USERS' ASSOCIATION.**—The term "water users' association" means—

(A) an entity organized and recognized under State laws that is eligible to enter into contracts with reclamation to receive contract water for delivery to and users of the water and to pay applicable charges; and

(B) includes a variety of entities with different names and differing functions, such as associations, conservatory district, irrigation district, municipality, and water project contract unit.

## TITLE X—SAFETY OF DAMS

### SEC. 1001. AUTHORIZATION OF ADDITIONAL PROJECT BENEFITS.

The Reclamation Safety of Dams Act of 1978 is amended—



(1) in section 3, by striking "Construction" and inserting "Except as provided in section 5B, construction"; and

(2) by inserting after section 5A (43 U.S.C. 509) the following:

**"SEC. 5B. AUTHORIZATION OF ADDITIONAL PROJECT BENEFITS.**

"Notwithstanding section 3, if the Secretary determines that additional project benefits, including but not limited to additional conservation storage capacity, are feasible and not inconsistent with the purposes of this Act, the Secretary is authorized to develop additional project benefits through the construction of new or supplementary works on a project in conjunction with the Secretary's activities under section 2 of this Act and subject to the conditions described in the feasibility study, provided—

"(1) the Secretary determines that developing additional project benefits through the construction of new or supplementary works on a project will promote more efficient management of water and water-related facilities;

"(2) the feasibility study pertaining to additional project benefits has been authorized pursuant to section 8 of the Federal Water Project Recreation Act of 1965 (16 U.S.C. 4601–18); and

"(3) the costs associated with developing the additional project benefits are agreed to in writing between the Secretary and project proponents and shall be allocated to the authorized purposes of the structure and repaid consistent with all provisions of Federal Reclamation law (the Act of June 17, 1902, 43 U.S.C. 371 et seq.) and Acts supplemental to and amendatory of that Act.".

**TITLE XI—WATER RIGHTS PROTECTION**

**SEC. 1101. SHORT TITLE.**

This title may be cited as the "Water Rights Protection Act".

**SEC. 1102. DEFINITION OF WATER RIGHT.**

In this title, the term "water right" means any surface or groundwater right filed, permitted, certified, confirmed, decreed, adjudicated, or otherwise recognized by a judicial proceeding or by the State in which the user acquires possession of the water or puts the water to beneficial use, including water rights for federally recognized Indian tribes.

**SEC. 1103. TREATMENT OF WATER RIGHTS.**

The Secretary of the Interior and the Secretary of Agriculture shall not—

(1) condition or withhold, in whole or in part, the issuance, renewal, amendment, or extension of any permit, approval, license, lease, allotment, easement, right-of-way, or other land use or occupancy agreement on—

(A) limitation or encumbrance of any water right, or the transfer of any water right (including joint and sole ownership), directly or indirectly to the United States or any other designee; or

(B) any other impairment of any water right, in whole or in part, granted or otherwise recognized under State law, by Federal or State adjudication, decree, or other judgment, or pursuant to any interstate water compact;

(2) require any water user (including any federally recognized Indian tribe) to apply for or acquire a water right in the name of the United States under State law as a condition of the issuance, renewal, amendment, or extension of any permit, approval, license, lease, allotment, easement, right-of-way, or other land use or occupancy agreement;

(3) assert jurisdiction over groundwater withdrawals or impacts on groundwater resources, unless jurisdiction is asserted, and any regulatory or policy actions taken pursuant to such assertion are, consistent with, and impose no greater restrictions or regulatory requirements than, applicable State laws (including regulations) and policies governing the protection and use of groundwater resources; or

(4) infringe on the rights and obligations of a State in evaluating, allocating, and adjudicating the waters of the State originating on or under, or flowing from, land owned or managed by the Federal Government.

**SEC. 1104. RECOGNITION OF STATE AUTHORITY.**

(a) **IN GENERAL.**—In carrying out section 1103, the Secretary of the Interior and the Secretary of Agriculture shall—

(1) recognize the longstanding authority of the States relating to evaluating, protecting, allocating, regulating, and adjudicating groundwater by any means, including a rulemaking, permitting, directive, water court adjudication, resource management planning, regional authority, or other policy; and

(2) coordinate with the States in the adoption and implementation by the Secretary of the Interior or the Secretary of Agriculture of any rulemaking, policy, directive, management plan, or other similar Federal action so as to ensure that such actions are consistent with, and impose no greater restrictions or regulatory requirements than, State groundwater laws and programs.

(b) **EFFECT ON STATE WATER RIGHTS.**—In carrying out this title, the Secretary of the Interior and the Secretary of Agriculture shall not take any action that adversely affects—

(1) any water rights granted by a State;

(2) the authority of a State in adjudicating water rights;

(3) definitions established by a State with respect to the term "beneficial use", "priority of water rights", or "terms of use";

(4) terms and conditions of groundwater withdrawal, guidance and reporting procedures, and conservation and source protection measures established by a State;

(5) the use of groundwater in accordance with State law; or

(6) any other rights and obligations of a State established under State law.

**SEC. 1105. EFFECT OF TITLE.**

(a) **EFFECT ON EXISTING AUTHORITY.**—Nothing in this title limits or expands any existing legally recognized authority of the Secretary of the Interior or the Secretary of Agriculture to issue, grant, or condition any permit, approval, license, lease, allotment, easement, right-of-way, or other land use or occupancy agreement on Federal land subject to the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture, respectively.

(b) **EFFECT ON RECLAMATION CONTRACTS.**—Nothing in this title interferes with Bureau of Reclamation contracts entered into pursuant to the reclamation laws.

(c) **EFFECT ON ENDANGERED SPECIES ACT.**—Nothing in this title affects the implementation of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(d) **EFFECT ON FEDERAL RESERVED WATER RIGHTS.**—Nothing in this title limits or expands any existing or claimed reserved water rights of the Federal Government on land administered by the Secretary of the Interior or the Secretary of Agriculture.

(e) **EFFECT ON FEDERAL POWER ACT.**—Nothing in this title limits or expands authorities under sections 4(e), 10(j), or 18 of the Federal Power Act (16 U.S.C. 797(e), 803(j), 811).

(f) **EFFECT ON INDIAN WATER RIGHTS.**—Nothing in this title limits or expands any water right or treaty right of any federally recognized Indian tribe.

The Acting CHAIR. No amendment to the amendment in the nature of a substitute shall be in order except those printed in House Report 114–204. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report,

shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. MCCLINTOCK

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 114–204.

Mr. MCCLINTOCK. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In the table of contents, in the matter regarding section 204, strike "calfed" and insert "CALFED".

Page 155, line 19, strike "All repayment contracts" and insert "Except for those repayment contracts under which the contractor has previously negotiated for prepayment, all repayment contracts".

Page 157, line 11, strike "The following" and insert "Except for those repayment contracts under which the contractor has previously negotiated for prepayment, the following".

The Acting CHAIR. Pursuant to House Resolution 362, the gentleman from California (Mr. MCCLINTOCK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. MCCLINTOCK. Mr. Chairman, this amendment makes one technical change to the bill by capitalizing an acronym in the table of contents and makes one clarifying change to title IX by ensuring that those who have already negotiated prepayments of their debt to the U.S. Treasury are not impacted by provisions in that title.

Mr. Chairman, I reserve the balance of my time.

Mr. HUFFMAN. Mr. Chairman, I claim time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. HUFFMAN. I reserve the balance of my time.

Mr. MCCLINTOCK. Mr. Chairman, who has the right to close?

The Acting CHAIR. The gentleman from California (Mr. MCCLINTOCK) has the right to close.

Mr. MCCLINTOCK. Mr. Chairman, I am prepared to close. I reserve the balance of my time.

Mr. HUFFMAN. Mr. Chairman, again, I do not oppose this technical amendment to the bill, but I do want to point out that fixing typos and re-alphabetizing indexes and other technical changes do not fix the much deeper problems with this bill and do not change the reality that it is not going to become law because it has deep substantive problems that need to be addressed.



That is why it is so widely opposed, as it has been in prior years, when essentially the same bill has been run through on party lines.

I yield 1 minute to the gentleman from Fresno, California (Mr. COSTA).

Mr. COSTA. I thank the gentleman for yielding me the time.

Mr. Chairman, while this amendment does make technical changes that were agreed upon in committee, it speaks to, I think, a much larger question, which is the debate we have been having here, and that is: Is this, in fact, a work in progress? I submit that it is.

Obviously, this legislation would not be signed into law under its current form, and I think many of those who are supporting the legislation understand that; but we understand that, in fact, there is a crisis, a drought affecting every region of California.

For those of us who feel very strongly about trying to maintain a strong agricultural economy, we know we have to work together. The fact is California produces half—half—of the Nation's fruits and vegetables, and these are 300 commodities that are so important to not only America's food supply but to a good healthy diet and to ensure that, in fact, we can compete around the world as it relates to ensuring that America remains independent in producing its own food.

There is a lot at stake here. We need to work together as this process goes along. We will have serious areas of disagreement, but that doesn't mean we can't continue to work together.

Mr. McCLINTOCK. Mr. Chairman, I am prepared to close when the gentleman is finished.

Mr. HUFFMAN. Mr. Chairman, again, we don't oppose this technical amendment, but we wish that there were substantive amendments that might address some of the deep flaws that have prevented this bill from having any chance of becoming law in prior years and will again this year.

I will just close by quoting from the Los Angeles Times. It states:

A competing Democratic bill, H.R. 2983 by Representative Jared Huffman, has some areas of overlap. Like the Valadao bill, it reasonably calls on the Federal Government to accelerate feasibility studies for a number of proposed dams that have been stuck for years in the planning phase. Republicans, of course, have faith that the dams will pencil out and will be funded. Many Democrats are convinced that the yield numbers—the amount of additional water that would be stored and the associated dollar cost—would be so paltry as to finally put an end to the discussion.

In other areas, though, the Huffman bill is starkly different and, frankly, much smarter, focusing on updating Federal water policies and practices that today are firmly rooted in outdated, mid-20th century knowledge and technology.

There is a lot we could be working on together substantively. We certainly have no problem with the technical changes here, but it is high time that

we have hearings and serious deliberations and discussions about substance. If we do that, we might just find that there are some common solutions that could become law.

I yield back the balance of my time.

Mr. McCLINTOCK. Mr. Chairman, I would simply remind my colleague that, in the 112th Congress, this bill went through one of the most exhaustive public processes of any bill heard by Congress.

Its genesis was in two public hearings in the Central Valley in 2010 and 2011. It was vetted through not one, but two public hearings in Washington in which minority Democrats called twice as many witnesses as majority Republicans.

On the House floor, every Democratic amendment was made in order and considered. In fact, over the past 5 years, we have held 18 hearings on various versions of this bill. We consulted 60 water agencies throughout northern and central California, including many in Democratic districts.

The bill was taken up again in the 113th Congress and redebated. This time, extensive negotiations took place between House and Senate Members. The fact is there are few issues in this Congress that have been more thoroughly debated than those encompassed in this bill.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. McCLINTOCK).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. MCNERNEY

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 114-204.

Mr. MCNERNEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 39, line 10, after "water weed," insert "water hyacinth,".

The Acting CHAIR. Pursuant to House Resolution 362, the gentleman from California (Mr. MCNERNEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. MCNERNEY. Mr. Chairman, my amendment is simple and straightforward but addresses a critical issue affecting the economy, the environment, and the health of the delta as well as other regions throughout the State.

This amendment adds water hyacinth to the list of invasive species to be considered for a pilot project established by the bill. The water hyacinth is an extremely invasive weed that has taken over the delta.

Take a look at the picture. This channel is completely blocked over by

the weed. It can double in size every 10 days. It has seeds that remain buried in sediment and remain viable for 20 years. It is difficult to remove mechanically and to manage through pesticides.

The result is what you see here in this picture. It clogs waterways, preventing the movement of water through the delta. It negatively affects farmers, recreational opportunities, and disrupts the national ecosystem. These effects have only been worsened by the drought.

I represent the Port of Stockton. This is the third largest inland port in the Nation. The hyacinth affects traffic in and out of the port, preventing navigation of the channels at night because of ships that can't navigate between the weeds, the levees, and smaller vessels.

This causes unreasonable delays and costs importers approximately \$200,000 in additional expenses per year. Last year alone, the port had to remove more than 2 million tons of the plants. Even Stockton's Christmas lighted boat parade had to be canceled for the first time in its 35-year history.

Eradicating this invasive species will take a holistic approach, involving stakeholders at all levels. I have heard from the marina owners, farmers, environmental organizations, and local communities on how the water hyacinth continues to impact their lives on a daily basis.

I was fortunate enough to help secure \$1 million in Federal funding to help an existing effort between Federal, State, and local partners focused on managing the water hyacinth infestation, but these efforts are just the beginning. This amendment ensures that we continue building off the current work.

I would like to thank my colleagues, Mr. GARAMENDI, Mr. DESAULNIER, and Mr. COSTA, for joining me on this amendment. I urge its adoption.

I yield 1 minute to the gentleman from California (Mr. GARAMENDI), my colleague.

Mr. GARAMENDI. Mr. Chairman, I thank my colleague from the delta.

This is but one small example of what we ought to be doing, and that is working together to solve very, very complex problems. Unfortunately, the underlying legislation really is not the result of the kind of interaction that is necessary.

Mr. MCNERNEY and I represent the delta. That delta is as large as the Westlands Water District, and it also happens to be the largest estuary on the West Coast of the Western Hemisphere from Alaska to Chile. It is absolutely an essential element in the environment of the entire West Coast of the United States; yet the underlying legislation ignores the fact that those of us who represent this area have been no part of the legislation.

If we work together, we can solve problems such as water hyacinth and

the next amendment, which I will be taking up. I want to commend Mr. McNERNEY for putting forth this amendment and hopefully beginning the interaction necessary to develop a proper water bill for all California.

□ 1045

Mr. McNERNEY. I yield 1 minute to the gentleman from California (Mr. COSTA).

Mr. COSTA. Mr. Chairman, I want to thank the gentleman from California (Mr. McNERNEY) for offering this amendment.

Water hyacinth is a significant problem that has impacted the operations of both the Central Valley water project as well as the State Water Project.

This year, as a result of water hyacinth infestation, pumping at the Jones Pumping Plant was reduced significantly for periods of time that resulted in the loss of water. Local water contractors responded in a collaborative manner to help remove that infestation that we see there, over 89,000 cubic yards of hyacinth at a cost of almost \$2 million to remove it to try to get the operations to continue.

Luckily, the capacity at the State pump, Banks pump, provided an opportunity to make up the difference. However, we may not be so lucky in the future.

So I want to support this amendment. It impacts not just cities, boaters, and recreationalists, but farmers and the entire region. This is a good amendment, and I urge my colleagues to support it.

Mr. McNERNEY. I yield back the balance of my time.

Mr. DENHAM. Mr. Chairman, I ask unanimous consent to claim time in opposition to this amendment, although I am not opposed to it.

The Acting CHAIR. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. DENHAM. Mr. Chairman, I, too, represent San Joaquin County, along with Representative McNERNEY, and believe that this is a solution to a big problem that we share within the delta.

This native species is something that needs to be managed and is a welcome amendment to this bill. This amendment rightly focuses on the invasive plant that can have devastating impacts on fish and other organisms in the delta.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. McNERNEY).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY Mr. GARAMENDI

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 114-204.

Mr. GARAMENDI. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 48, after line 19, insert the following:  
(4) collaborate with the California Department of Water Resources to install a fish screen at the Delta Cross Channel Gates in coordination with operations to protect migrating smelt and salmonids;

The Acting CHAIR. Pursuant to House Resolution 362, the gentleman from California (Mr. GARAMENDI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. GARAMENDI. Mr. Chairman, this amendment, like the previous amendment, is simple but very important.

We heard the discussion from Mr. McNERNEY and supporters of his amendment about the water hyacinth and the endangered species that have plagued not just the California delta, but other parts of the West.

It is important. This amendment is also a small but important amendment. It deals with a way of providing a fish screen on the Delta Cross Channel, a very important element in the California water system. Why this hasn't been done before, I don't know.

I live within a mile of the Delta Cross Channel, and I have often wondered why the agencies have not pursued a fish screen. They have to close the channel gates when the fish are in the river, thereby providing less water through the delta. So this would simply move it along.

These two amendments are an example of what we ought to be doing.

Mr. McNERNEY and I represent the delta, which is 700,000 acres, equal in size to the area that is the principal proponent of the underlying legislation, that is the Westlands Water District. Both are important and critical agriculture areas, both of which need water.

The underlying legislation ignores the environmental needs and the agricultural needs of the delta, and in a very complex way provides a mechanism to take water out of the delta without regard to either the environmental or the agricultural or the community needs in the area.

It is not going to pass. It should never become law. It is an example of how not to solve California water problems. The way you solve California water problems are with amendments such as Mr. McNERNEY's or this amendment that I am putting forth and serious discussions between those of us who represent the delta.

I would also like to point out to my colleagues who are proponents of this bill that I represent 200 miles of the Sacramento River, from the very end

of it—that is at San Francisco Bay—to an area 199.6 miles upriver, including virtually all of the rice industry of California, of which there are some 600,000 acres, and nearly half of that acreage is fallow this year.

So the drought isn't just about the impact on the San Joaquin Valley system, of which we have heard much debate this morning. It is also about the Sacramento Valley north of the delta, where the drought has had a major impact.

California needs to work together in the immediate situation, which it is actually doing. The Federal and State governments' water policy through the Department of the Interior and the Bureau of Reclamation, the Fish and Wildlife Agency—both the State and Federal Government have done yeoman's work, extraordinary work, stretching the water supplies of California. This bill would override that effort and make it impossible for them to continue.

God help us if the drought goes another year—it could—in which case this bill, if it would become law, all that has been done in California over this last 3 years to stretch the water supplies would be pushed aside.

We shouldn't do it that way. We should be working together. Mr. HUFFMAN has a good piece of legislation that has already achieved statewide support from water contractors, from those who understand the intricacies of this system. We can do it if we sat down together. And that has not happened.

For those of us who represent the delta and north of the delta, we find this to be objectionable and we find it to be rather foolish. There is a middle ground. But don't, as this bill does, push aside the environmental laws, which are the only protections for the largest estuary system on the West Coast of the Western Hemisphere. Don't do that.

Why would you destroy the salmon fisheries? Why would you destroy 700,000 acres and the water supplies for the Bay area? You shouldn't do that. You don't need to do that.

There are rational and reasonable ways to solve the California water problem. Some of it is in this bill. The storage systems are good, well done, but don't do that in a way that pushes aside the environmental protections that provide the balance not just for the environment, but for the communities that are affected. Don't do that. We can work together. Just give us a chance to do so, which you have not thus far done.

I yield back the balance of my time.

Mr. DENHAM. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. DENHAM. Mr. Chairman, the gentleman from California talks about

a bill that he is not willing to support, but yet he wants to amend a bill that he says is going nowhere.

The truth is the bill is going somewhere. This bill is going to move off this floor and move into the Senate. It is time for the Senate to show some action. It is time for the two bodies to actually do what they are supposed to do and work together to find a solution for California.

To do nothing is criminal. To do nothing will put farms out of business, will create much higher unemployment than seen anywhere else in the country, and will devastate a food supply that feeds the rest of the Nation and much of the world.

Now this amendment in particular has some problems. In conversations with the Bureau of Reclamation, they have not asked for this project and they have no money identified for the project. I am unaware of the State of California's position as well.

Fish screens are hugely expensive projects. They are subject to destruction under high flow events due to debris and restrict recreation.

I am concerned that this project is not even feasible. What this project aims to do is make sure that water is not transferred south of the delta. What many of my friends forget is, as I represent San Joaquin County, Mountain House, a community—not just farmland—that gets a zero allocation, is south of the delta. It actually exports water. So does Tracy, Manteca, Ripon, Escalon, areas in San Joaquin that I represent that are south of the delta.

This is not an us against them fight. This is a fight for the survival of California. And it is not just about an emergency transfer of water. It is about the future of California. Do we want to have enough water for all of our residents? Do we want our number one industry, agriculture, to be a vibrant industry?

We have the opportunity to have greater storage. And we ought to have some commonsense solutions in the process. You talk about wanting to save fish? Why not get rid of the predator fish, or at least go out and harvest some of them so they are not eating 98 percent of the fish that you say you are trying to help?

There are commonsense solutions in here that will allow us to have greater flexibility, greater storage, and a better plan for the future of California. We should not be wasting water and just allowing freshwater to get pushed arbitrarily out to the ocean.

This is sound environmental policy that will help us in the future and gives us a negotiating point with the Senate, Republicans and Democrats actually working together, for a solution that helps us in California.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gen-

tleman from California (Mr. GARAMENDI).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GARAMENDI. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. LAMALFA

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 114-204.

Mr. LAMALFA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 65, strike lines 1 through 6 and insert the following (and redesignate the subsequent provisions accordingly):

(2) complete the feasibility study described in clause (i)(II) of section 103(d)(1)(A) of Public Law 108-361 and submit such study to the appropriate committees of the House of Representatives and the Senate not later than November 30, 2016;

(3) complete a publicly available draft of the feasibility study described in clause (ii)(I) of section 103(d)(1)(A) of Public Law 108-361 and submit such study to the appropriate committees of the House of Representatives and the Senate not later than November 30, 2016;

(4) complete the feasibility study described in clause (ii)(I) of section 103(d)(1)(A) of Public Law 108-361 and submit such study to the appropriate committees of the House of Representatives and the Senate not later than November 30, 2017;

The Acting CHAIR. Pursuant to House Resolution 362, the gentleman from California (Mr. GARAMENDI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. LAMALFA. Mr. Chairman, I am pleased to offer this amendment with my neighbor to the north, Mr. WALDEN, which will protect due process for water contractors of the Bureau of Reclamation-operated Klamath Project in California and Oregon.

The amendment confers applicant status on these contractors, ensuring that they are included in Endangered Species Act consultations that could affect operations of the water projects they rely upon. Applicant status also ensures that information and alternative actions provided by the contractors must be considered when the Bureau considers ESA-related operational changes.

While the Bureau has, in its own words, treated the contractors in a manner similar to applicants since the 1990s, and local Indian tribes have invited contractors to provide information, the Bureau has not granted them the protections and inputs the full applicant status would provide, which is why we need the bill.

H.R. 2898 already provides applicant status for the federally operated Central Valley Project in California.

Mr. DENHAM. Will the gentleman yield?

Mr. LAMALFA. I yield to the gentleman from California.

Mr. DENHAM. I believe the gentleman has two amendments today.

Mr. LAMALFA. Yes. This first amendment is on the Klamath Project. Are the amendments out of order? They are out of numerical order.

Mr. Chairman, I offer this amendment on the Sites Reservoir. This helps complete a surface water storage project feasibility study by aligning the bill's language with the MOU recently signed by the Bureau of Reclamation and project stakeholders.

□ 1100

Sites Reservoir has been studied for decades, but stakeholders recently agreed to help fund the study's completion. Last year, California's voters authorized billions in funding for projects like Sites, but the State cannot determine which projects to invest in until the feasibility studies are complete.

This is a key project to help the State prepare for future droughts, and the State Department of Water Resources found that it would generate an additional 900,000 acre-feet of water during drought years. That is enough for 7.2 million people per year.

This noncontroversial amendment helps to allow Californians to invest in their own water infrastructure, which is a laudable goal that I think we should all support.

I have been pleased to sponsor a bill with my colleague, Mr. GARAMENDI, aimed at advancing this project, and I hope I will have your support today on this amendment.

I reserve the balance of my time.

Mr. HUFFMAN. Mr. Chairman, I ask unanimous consent to claim time in opposition, though I am not opposed to this amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from California?

There was no objection.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. HUFFMAN. Mr. Chairman, I yield 2 minutes to my distinguished colleague from Fresno, California (Mr. COSTA).

Mr. COSTA. I thank the gentleman for yielding me the time.

Mr. Chairman, as my colleague mentioned, this amendment updates the bill to be consistent with the memorandum of understanding between the Bureau of Reclamation and the Sites Joint Powers Authority.

As has been noted by speakers on both sides, California last year came together, in a bipartisan, overwhelming way, to provide \$7.5 billion

for improving our water system to provide more funding for the tools in our water toolbox to provide greater reliability throughout California; \$2.7 billion of that water bond measure was set aside for water storage projects. This is one of the projects that can participate in that funding.

I support this effort because increased storage capacity—both surface, as well as groundwater recharge—is absolutely necessary to provide the additional resiliency and reliability in California's water system.

I support the construction of Sites Reservoir, working in conjunction with increasing the supply of Shasta Reservoir, by increasing that dam, would provide additional water supply, as well as Temperance Flat, as well as the expansion of Los Vaqueros, which is underway by the Contra Costa Water District, as well as the expansion of San Luis Reservoir, which is allowed for in this legislation, as well as increased groundwater banking. All of these are part of the solution.

We must expand the storage in the State to reduce the impacts of future droughts and the population growth; therefore, I support this amendment.

Mr. LAMALFA. Mr. Chairman, again, this is a technical measure to help align the language in H.R. 2898 with the MOU, memorandum of understanding, that the Bureau of Reclamation has put forward so that we can expedite the studies for the Sites Reservoir project, one that we have needed for a long, long time and will be very helpful towards water solutions for California.

I ask for the support of this very simple technical measure, and I yield back the balance of my time.

Mr. HUFFMAN. Mr. Chairman, this amendment simply aligns the bill with the recently signed MOU with the Bureau of Reclamation regarding these studies. We do not oppose it. It is consistent with an earlier policy rider added to the Energy and Water Appropriations bill.

Contrary to some of the things we have heard in this debate, I and other Democrats are not standing in the way of these storage studies. The delta smelt and the environmental laws are not standing in the way of these storage studies.

In fact, my own drought bill, H.R. 2983, provides crucial funding and direction to the Bureau of Reclamation to finish CALFED feasibility studies that have the financing possible to be completed within the next 10 years.

We do support finishing these studies. Now, some of these projects may pencil out, but I think it has become clear over the many, many years these studies have languished that some of these projects have turned into zombie reservoirs which won't go away because project proponents have never been forced to fully account for how their financing will actually work.

Many of these projects will not pencil out, but it is high time that we complete the studies, face the reality, and get the information so that we can move on with real water solutions.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. LAMALFA). The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. CALVERT

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 114-204.

Mr. CALVERT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 81, line 3, strike "3" and insert "2".

Page 81, line 12, strike "and".

Page 81, line 15, strike the period and insert "; and".

Page 81, after line 15, insert the following: "(vi) 1 member shall be a representative of a wildlife entity that primarily focuses on waterfowl."

The Acting CHAIR. Pursuant to House Resolution 362, the gentleman from California (Mr. CALVERT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. CALVERT. Mr. Chairman, I yield myself as much time as I may consume.

Mr. Chairman, in H.R. 2898, we establish an oversight board for the Central Valley Project Restoration Fund.

What my amendment does is simple. It adds an additional conservation seat to the 11-member board, which will provide parity between the environmental and user group interests.

The advisory board reflects the interests of agriculture, municipal and industrial users, power contractors, wildlife refuges, in addition to the economic impacts of water operations, so that the Secretary of the Interior will receive recommendations that encompass a broad perspective.

The reason for my amendment is also simple, to ensure that a more balanced and effective approach is being taken as the Secretary of the Interior prioritizes spending levels on projects and programs carried out through the restoration fund.

Again, in closing, my amendment strikes a better balance between conservation and user groups interests on the 11-member board and will help to ensure that the annual surcharges water and power users contribute will be spent on the most effective methods in habitat restoration and environmental mitigation.

Mrs. LUMMIS. Will the gentleman yield?

Mr. CALVERT. I yield to the gentleman from Wyoming.

Mrs. LUMMIS. Mr. Chairman, we support the amendment and commend the author for offering it.

Mr. CALVERT. Mr. Chairman, I reserve the balance of my time.

Mr. HUFFMAN. Mr. Chairman, I ask unanimous consent to claim time in opposition, though I do not oppose the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from California?

There was no objection.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. HUFFMAN. Mr. Chairman, I, too, commend the author for his concern about waterfowl and wildlife. This amendment, by itself, is not harmful, but it is important to acknowledge that it doesn't come close to curing the problems with this bill that are, in fact, very harmful to fish and wildlife.

The gentleman's amendment seeks to provide cover in some ways to proponents of this bill who are now coming under fire from the California Waterfowl Association and other sportsmen's groups because this bill hurts migratory birds and other wildlife and waterfowl.

The California Waterfowl Association is on record opposing this bill because: "It would eliminate water supplies for California migratory waterfowl and other wetlands-dependent species."

Other sportsmen's groups also oppose. Trout Unlimited has spoken out against the bill because it would weaken protections for steelhead and salmon.

While I do not oppose this bill, it is important not to suggest that this bill is somehow good for or supported by hunters or sportsmen's groups. It is not.

Mr. Chairman, I yield 1 minute to the distinguished gentleman from Fresno, California (Mr. COSTA).

Mr. COSTA. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, this is a very legitimate concern that my colleagues are dealing with in terms of how funds are being spent by the restoration programs and how we provide support for the efforts to provide more accountability and improve the transparency of the expenditures of the fund.

I appreciate and support my colleague's amendment to improve the makeup of the advisory board, which I think is important. However, I think that adding one more waterfowl representative needs to be done to try to provide additional balance in terms of the representation of the various interests on the board.

Let me finally say I represent Grasslands, a large part of Grasslands district, which is the largest part of the Pacific Flyway in terms of almost 200,000 acres of contiguous wetlands, and they have raised some issues as relates to this legislation, and we are going to work those out because, in fact, that is a very important part of the Pacific Flyway.

In addition to that, the flexibility that we create in the underlying bill really is, in part, to ensure that we do provide water, even the limited water available, so that we can maintain this important habitat.

Mr. CALVERT. I thank my colleagues for supporting this amendment. It is a simple amendment. This is a process, as my friend from California has mentioned. After we move this bill forward today, we will have the opportunity, hopefully, to conference with the Senate. Hopefully, they can pass a bill in the Senate, and we can do something good for the State of California.

I yield back the balance of my time.  
Mr. HUFFMAN. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. CALVERT).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. COSTA

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 114-204.

Mr. COSTA. Mr. Chairman, I rise for an amendment that is before the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 92, after line 19, insert the following:  
**SEC. 611. REPORT ON RESULTS OF WATER USAGE.**

The Secretary of the Interior, in consultation with the Secretary of Commerce and the Secretary of Natural Resources of the State of California, shall publish an annual report detailing instream flow releases from the Central Valley Project and California State Water Project, their explicit purpose and authority, and all measured environmental benefit as a result of the releases.

The Acting CHAIR. Pursuant to House Resolution 362, the gentleman from California (Mr. COSTA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. COSTA. Mr. Chair, and the ranking member, since the early 1990s, the Federal and State lawmakers and regulators have made a number of policy choices to implement the Endangered Species Act and Clean Water Act and the Central Valley Project Improvement Act. All of these have had good intentions.

From the Trinity River, to the Shasta Reservoir, to the San Francisco Bay Delta, and up to the San Joaquin River, about 3.5 million acre-feet of Central Valley Project and California State Water Project have been as a result of those acts rededicated for environmental management purposes.

The Central Valley Project Improvement Act alone, since its enactment, has resulted in over 17 million acre-feet of water being reprioritized for different needs and for different purposes.

It is important to note that this doesn't mean that the water, in

reprioritization, doesn't continue to serve multiple purposes within the system because it does; but it does mean that the use has been prioritized so that, in fact, it must meet environmental objectives over that of human needs, which are a distant second to the environmental uses of this water as a result of the passage of those previous acts.

These changes, I believe, have harmed a large number of Californians, including those from small, rural, and often disadvantaged communities that I represent, as well as to the larger areas that are dependent upon this water supply, whether we talk about Santa Clara in Silicon Valley or Los Angeles, in the metropolitan water district.

Approximately 25 million people and 7 of the Nation's top 10 agricultural counties have seen their water supply diminish and their water cost escalate over the last 20 years; that is a fact, and as my colleagues say, facts are hard to dispute. The increased cost has been there, and the reduction of the water supply is, in fact, a result of this.

Many of the farmers I serve have seen their water supplies diminish to 40 percent—40 percent—of their long-term average and have received no surface water—no surface water—for the last 2 years.

Communities that I have represented have had their drinking wells go dry, leaving entire towns without a water supply for drinking or bathing. These are incredibly harmful impacts to a very simple question.

We ought to know the benefits. Has society benefited from the policy changes to dedicate the water for these important environmental purposes, like preventing the extinction of species, which none of us want to do?

The answer, I am sad to say, is it seems to have had not the impact that was intended because the species continue to decline.

Unfortunately, though, notwithstanding efforts within the Federal agencies, the State agencies, and the National Academy of Sciences, we don't really know. We don't really know because we don't have an accurate reporting or accounting of how end-stream flows are used and what benefit is expected to be achieved by them and whether the benefit was achieved by those flows.

□ 1115

I would certainly feel a little better knowing that we are increasing the species, the salmonoid in California, notwithstanding the loss of water. In fact, the salmonoid have continued to decline.

The dedication of millions of acre-feet of water and the expenditure of billions of dollars has resulted in a water supply situation that has never been worse for all of California. Like-

wise, the condition of the species to which we have dedicated so much has never been so much at risk.

The latest delta smelt population index is zero, and the status of protected salmon is in serious doubt. While the extinction of these species isn't probable, given the hatchery-based fish populations, the potential loss of wild populations is of grave concern to all of us.

One thing that the drought has achieved to make operational priorities of the project abundantly clear is that the first priority of the projects, besides this cosharing, is flood control. God, I would pray that it would flood in California. I would love to have what they are having in Texas.

The second priority is followed by salmon temperature management, which is very problematic right now as a result of this drought. This is followed by protecting the bay-delta water quality—people ought to have good water quality; I want my friends in the bay area to drink good, fresh water—and, finally, any possible deliveries to the communities for the refuge wildlife, which I spoke to a moment ago, that includes grasslands and other refuges, as well as our farms, our farms that produce the food.

I am introducing this amendment to create at least some accountability and transparency in the environmental management efforts underway so that we can better understand and so we can measure what is working and what isn't working. That is why this amendment is important.

I ask that it be adopted for all the reasons that I have stated.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. COSTA).

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. LAMALFA

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 114-204.

Mr. LAMALFA. Mr. Chair, I have another amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 92, line 20, insert the following new section:

**SEC. 611. KLAMATH PROJECT CONSULTATION APPLICANTS.**

If the Bureau of Reclamation initiates or reinstitutes consultation with the U.S. Fish and Wildlife Service or the National Marine Fisheries Service under section 7(a)(2) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)(2)), with respect to construction or operation of the Klamath Project (or any part thereof), Klamath Project contractors shall be accorded all the rights and responsibilities extended to applicants in the consultation process. Upon request of the Klamath Project contractors, they may be represented through an association or organization.

The Acting CHAIR. Pursuant to House Resolution 362, the gentleman

from California (Mr. LAMALFA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. LAMALFA. Mr. Chairman, this is the much anticipated amendment having to do with the Klamath project that I am offering with my neighbor, Mr. WALDEN, from the north side of the border.

The amendment again confers applicant status on those contractors that are involved in the Klamath project, ensuring that they are included in the Endangered Species Act consultations that could affect operations of the water project they rely upon.

Applicant status also ensures that information and alternative actions provided by the contractors must be considered when the Bureau considers ESA-related operational changes.

While the Bureau has, in its words, treated the contractors "in a manner similar to applicants" since the 1990s and local tribes have invited contractors to provide information, the Bureau has not granted them the protections and input that the full applicant status would provide.

H.R. 2898 already provides applicant status for the federally operated Central Valley Project in California, and this simply ensures that all Federal water contractors in the region receive equal legal protections.

I yield to the gentleman from Oregon (Mr. WALDEN).

Mr. WALDEN. Mr. Chairman, I thank the gentleman from California (Mr. LAMALFA) for yielding and for working with me on this amendment as well, which will assist our Klamath project farmers in the Klamath Basin.

As you pointed out, there is a long history of water issues in this basin and there is much work to be done. Frankly, a basin-wide, long-term solution is what is most needed. While we are working toward that solution, these issues remain.

In the interim, it is critical that we pass this amendment to simply formalize the rule of the Klamath project irrigators by giving them applicant status for ESA consultations.

The Klamath project contractors have existing contracts with the Bureau of Reclamation, and they are directly affected by Reclamation's consultation with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service.

In recent years, as you mentioned, the Klamath project contractors have provided input to the section 7 consultations through the invitation of the Klamath tribes. I would like to thank the Klamath tribes and especially Klamath Tribal Chairman Don Gentry for working with the project contractors through this process.

So passing this amendment would only formalize the practice that has al-

ready been occurring and ensure the project contractors could continue this process in the future.

To legislatively designate the project contractors as having the role of applicants would not change the substantive obligations of the Bureau of Reclamation under the ESA or the obligations of the wildlife agencies to prepare biological opinions.

So I would ask my colleagues to join us in formalizing a process that has been sort of informal along the way, but inconsistent at times, and give the consistency there that is important to continue the discussions that are underway in the basin.

Mr. HUFFMAN. Mr. Chair, I rise to claim time in opposition.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. HUFFMAN. Mr. Chair, I am the other neighbor on this Klamath-Trinity water system. I didn't have the benefit of working with my colleagues on this legislation.

My hope, as we go forward, is that we could be a little more neighborly and try to talk with each other and work together on this system that affects our mutual constituents.

Mr. Chair, as if the underlying bill, which includes numerous assaults on the Endangered Species Act, is not bad enough, unfortunately, this is an amendment that would make it even worse.

It plays favorites among stakeholders, elevating agriculture above all else at the expense of the environment and other cultural and economic interests.

As if the Klamath water contractors don't have things good enough with taxpayer-subsidized water and zero-interest loans, this amendment seeks to give them special status and significantly more leverage during the Endangered Species Act consultation process.

As long as the project is in place, the Bureau of Reclamation has a duty to manage it for the benefit of all stakeholders. That is important.

The interests of the water contractors are certainly no more legitimate than those of the Klamath tribes for whom endangered fish are part of their cultural heritage, nor are they more important than the interests of commercial and recreational fishermen, who generate hundreds of millions of dollars for the economy and continue to wait patiently for the restoration of fish stocks vital to their livelihoods.

In addition to being a bad deal for tribes and fishermen, this amendment is yet another attempt by House Republicans to drive the extinction of American fish and wildlife one species at a time.

Let's be honest. Giving agricultural interests privileged status in "helping" to determine the fate of endangered

coho salmon and endangered Lost River and shortnose suckers is nothing short of a death sentence for those species.

It is past time for my colleagues across the aisle to stop blaming the Endangered Species Act for all of their ills. Fish did not cause the drought, and killing them will not make it go away.

The better solution is to make water use more sustainable for Californians and the environment that they cherish.

I yield back the balance of my time.

Mr. LAMALFA. Mr. Chair, it is a little harder to be neighborly when the facts get twisted around and the intent of the bill is misconstrued.

Indeed, this has been a collaborative process with the Bureau, the tribes inviting information from those stakeholders that are the water contractors.

This would simply confer a status upon them that would make them fully at the table as an applicant. It doesn't do anything to change the allocation or any other factor of those water contractors or give them any favorite status.

I yield to the gentleman from Oregon (Mr. WALDEN).

Mr. WALDEN. Mr. Chair, I would just say, as somebody who has been involved in these issues going back to 1999, I have worked with the tribes. I have worked with irrigators to prove fish passage and to help improve fish health.

So I really take offense to the kind of language you are using here on the floor because we have done a lot of good to put fish screens in, to help improve the survivability of the suckers, to put more water aside. We have done a lot of good things.

So I welcome you to this House, and I welcome you to work with us on these issues, but I have to tell you it is a little offensive in your comments.

Mr. HUFFMAN. Will the gentleman yield for a question?

Mr. LAMALFA. I yield to the gentleman from California.

Mr. HUFFMAN. We could start working together on the Klamath restoration settlement and, moving forward, that legislation.

I hope that we can begin to talk together. We have legitimate interests on both sides of the State border and at both ends of this important watershed.

Mr. WALDEN. If the gentleman will yield, I am just saying there is a better way to have this discussion than hurling the kind of language you are hurling around, because a lot of us have worked, both sides, bipartisan, and a lot of work. I open the door to have those conversations with you as well.

The Acting CHAIR. The Chair reminds the gentleman from Oregon that the gentleman from California (Mr. LAMALFA) controls the time.

Mr. LAMALFA. Mr. Chair, the ESA requires us to use the best available

science and information and have all the stakeholders able to be at the table, such as having full applicant status, for the Klamath water users.

Having them as an applicant just gets more information and more input from everybody that might be affected by possible ESA decisions.

We would love to work in a collaborative, neighborly process around here. When the rhetoric flies so much that accuses us, accuses that water users up there a long time, that have had a promise made to them by the Federal Government of being something other than what they are, it does make it difficult. And it is the kind of thing that the American people, as they view the operations on TV, really get tired of.

So I would be one that would love to cooperate and get a result. But on this amendment here, we need this help for those contractors to have a fair seat at the table.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. LAMALFA).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. HUFFMAN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 8 OFFERED BY MR. GRIJALVA

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 114-204.

Mr. GRIJALVA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 162, line 5, strike "into the" and all that follows through line 15, and insert "for projects that reclaim and reuse wastewaters."

The Acting CHAIR. Pursuant to House Resolution 362, the gentleman from Arizona (Mr. GRIJALVA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GRIJALVA. Mr. Chair, before I speak to my amendment, I want to acknowledge the gentlewoman from California (Mrs. NAPOLITANO) for her input on this amendment and for her long advocacy for water reuse, recycling, and conservation, and for emphasizing that we need a near-term water-creation strategy, along with a long-term sustainable strategy. H.R. 2898 is not that long-term sustainable strategy.

Californians and others across the west need drought relief now. The proponents of this legislation know that it will not provide that immediate relief. They also know their bill will never become law.

So why are we here today, wasting everybody's time? It is simply because House Republicans are not going to miss an opportunity to attack the Endangered Species Act and the National Environmental Policy Act.

The allegation that environmental laws have restricted dam construction is patently false. In fact, it was President Reagan who first sought to help curb the deficit by turning off the tap of easy Federal money that had funded multi-billion-dollar boondoggles and pork barrel dam projects.

Building new dams takes forever because it doesn't make economic sense without heavy government subsidies. Instead of flushing taxpayers' dollars, we should be investing in projects that recycle wastewater, create reuse, and provide immediate water supplies.

Eighty-seven percent of California's wastewater, hundreds of billions of gallons of water that could supply the needs of agriculture and people, is lost to the Pacific Ocean each year because we do not have enough water recycling projects in place. This is literally an ocean of missed opportunity.

□ 1130

Mr. Chairman, my amendment creates new water for the people of California. If Republicans were serious about solving this drought problem, they would have written a bill that creates new water. Sadly, they have not. Instead, they have written a bill that uses a very real crisis to attack the ESA and NEPA.

This bill insults people who are suffering through this historic drought, and it is just the latest example of House Republicans blocking public participation in government and driving the extinction of American fish and wildlife one species at a time.

I agree with my colleagues; this is a manmade drought. It is manmade because we are not conserving and recycling water that we have and because we are wasting time on this bill instead of planning to increase water supplies in the short term and in long-term sustainable strategies.

Mr. Chairman, I urge my colleagues to vote "yes" on my amendment, and I reserve the balance of my time.

Mrs. LUMMIS. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Wyoming is recognized for 5 minutes.

Mrs. LUMMIS. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. Mr. Chairman, I said earlier this is a time of choosing between two very different visions. The Democrats offer us a vision of scarcity and astronomical water prices. We have been trying it their way—it doesn't end well. Our bill serves a different vision of abundant water and

hydroelectricity at affordable prices—and the prosperity and the quality of life that means for every American.

Water is plentiful, but it is unevenly distributed over time. We build reservoirs to store water in wet years so that we have it in dry ones. We stopped building major reservoirs over 1 million acre-feet 40 years ago because of policies imposed on us by the very same voices that we now hear raised against this bill. The Sacramento River is bigger than the Colorado, yet we store 70 million acre-feet on the Colorado and only 10 million acre-feet on the Sacramento.

We will not solve our water shortage until we build more dams. That is what our bill does.

This amendment would scrap this vision of abundance for more of the same—not more water, only more conservation, more recycling, and more doing with less. Conservation is important in a drought, but conservation is the management of a shortage. Managing a shortage does not solve a shortage. Only abundance can do that.

Mr. Chairman, when we confuse conservation with supply, as these voices from the left always do, in a real drought, we discover that we have already played that card and we no longer have it available to stretch supplies in an emergency.

Mr. Chairman, new dams not only mean more abundant water for the West; they provide clean, cheap, and reliable hydroelectricity. They provide flood control to protect regions that would otherwise be inundated and uninhabitable. They assure year-round flows of water to riparian habitats that would otherwise be desiccated in drought and devastated by flood. All of these benefits would be sacrificed on the altar of the environmental left by this amendment.

Supply or shortage, that is the question. This bill opens up a new era of supply. This amendment takes us further down the road of coping with shortage not as a temporary stopgap, but as a way of life.

Well, we have had a taste of that way of life. We have watched our lawns turn brown. We have watched our water bills skyrocket. We have watched businesses shut down. We have watched thousands of farmworkers thrown out of work. We have seen food lines in the fertile agricultural region of the West. We have had enough.

Mr. Chairman, we seek a new future where water and hydroelectricity are abundant and inexpensive, where jobs are plentiful, where grocery shelves are full, where water police are not knocking on the door because we have taken too long in the shower, and where our lawns and gardens are green again.

Mr. GRIJALVA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the Los Angeles Times had an article entitled, "Editorial: GOP Water Bill in Congress



Should Be Rejected.” It compared the two pieces of legislation, JARED HUFFMAN’s H.R. 2983 and the bill that is on the floor today, H.R. 2898. The conclusion was that we needed a common-sense, comprehensive approach.

The article says, “the Huffman bill is starkly different and frankly much smarter, focusing on updating Federal water policies and practices that today are firmly rooted in outdated, mid-20th century knowledge and technology.”

It is a comprehensive approach that my side of the aisle seeks, and this legislation before us today does nothing.

Mr. Chairman, I want to speak to another important aspect of the legislation, which is the issue of relief. Providing a near-term relief, I think, is essential—that is not to stall a long-term solution, but to provide the relief that everybody has talked about that California and the Central Valley needs.

The Central Valley has been described as the “Salad Bowl” of America. The delicious crops that are grown there are consumed by Americans at a low cost. There is an occasional reference to the people that day in and day out labor to pick those crops and put them on the tables of the American people—the farmworkers.

Referencing their dire economic and living conditions that they find themselves in right now, the conclusion is that we need to proceed to pass H.R. 2898 to help these farmworkers and their families. I agree; farmworkers and their families must be a priority for relief. H.R. 2898 doesn’t provide any relief to farmworkers and their families.

Mr. Chairman, farmworkers need an investment. They need an investment in education; they need an investment in housing; they need an investment in livable incomes, and they need to work on the concentrated poverty that we find. Those areas of farmworker communities had one of the highest poverty rates in California before the drought; they are at a high poverty rate now with the drought; and if we want to change the course of history, we need to deal with that issue. We need to continue to restrict pesticide use that harms humans, and we need to have working conditions and opportunity available to farmworkers.

Farmworkers don’t need crocodile tears. They need relief; they need attention, and they need investment. They need a relief that is near term and not one dominated by technology and outmoded strategies that will not bring that relief to them. We should be about creating opportunity, creating immediate relief, and helping those families not only in the near term, but in the long term.

Mr. Chairman, I yield back the balance of my time.

Mrs. LUMMIS. Mr. Chairman, I yield the remainder of my time to the gentleman from California (Mr. COSTA).

Mr. COSTA. Mr. Chairman, I thank the gentlewoman from Wyoming for yielding the time.

Mr. Chairman, I am opposed to this amendment not because it provides additional water for reclamation and reuse, which I support. I am opposed to this amendment because it prevents any of these funds from being used for storage—groundwater and surface storage water.

As I said earlier, Californians, by over a two-thirds vote, supported a significant bond measure last year for that water storage, both surface and groundwater. This amendment would prevent that from occurring.

Mr. Chairman, let me also talk a little bit about the narrative that has been coming from some of my colleagues that I just firmly reject about this legislation and the underlying bill.

This does not—this does not—amend the Endangered Species Act. It does not provide any kind of a rollback of the endangered species law. That is just false.

It does not impact the water quality of the delta or the bay. And do you know why? Because we have a State law in California under Decision 1641 that requires the State Water Board to monitor the level of salinity in the delta and to protect the water quality for people in the Bay area who derive their water from that source.

So how could this legislation impact Decision 1641? It simply cannot.

As it relates to the operational flexibility, which has been alluded to as the great problem in this legislation, much of that flexibility that we have been urging over 4 years has begun to take place in the last year or 2. This legislation would take that flexibility that they finally have begun to do and put that in practice and codify it in law. That is what this legislation does.

I must say, Mr. Chairman, that under the constraints of this legislation, with this greater flexibility, the Secretary of the Interior still has the ability to provide the justification, in fact, if she feels that this flexibility cannot be implemented.

Mr. Chairman, those protections are there. That is what this legislation does. I urge your support.

Mrs. LUMMIS. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. LUMMIS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will

now resume on those amendments printed in House Report 114-204 on which further proceedings were postponed, in the following order:

Amendment No. 3 by Mr. GARAMENDI of California.

Amendment No. 7 by Mr. LAMALFA of California.

Amendment No. 8 by Mr. GRIJALVA of Arizona.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 3 OFFERED BY MR. GARAMENDI

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. GARAMENDI) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 182, noes 236, not voting 15, as follows:

[Roll No. 443]

#### AYES—182

Adams	DeSaulnier	Larsen (WA)
Aguilar	Deutch	Lawrence
Ashford	Dingell	Lee
Bass	Doggett	Levin
Beatty	Duckworth	Lewis
Becerra	Edwards	Lieu, Ted
Bera	Ellison	Lipinski
Beyer	Eshoo	Loeb sack
Bishop (GA)	Esty	Lofgren
Blumenauer	Farr	Lowenthal
Bonamici	Fattah	Lowe y
Boyle, Brendan	Fitzpatrick	Lujan Grisham
F.	Foster	(NM)
Brady (PA)	Frankel (FL)	Lujan, Ben Ray
Brown (FL)	Fudge	(NM)
Brownley (CA)	Gabbard	Lynch
Bustos	Gallego	Maloney,
Butterfield	Garamendi	Carolyn
Capps	Graham	Maloney, Sean
Capuano	Grayson	Matsui
Cárdenas	Green, Al	McCollum
Carney	Green, Gene	McDermott
Carson (IN)	Grijalva	McGovern
Cartwright	Gutiérrez	McNerney
Castor (FL)	Hahn	Meeks
Castro (TX)	Hanna	Meng
Chu, Judy	Hastings	Moore
Cicilline	Heck (WA)	Moulton
Clark (MA)	Higgins	Murphy (FL)
Clarke (NY)	Himes	Nadler
Clay	Hinojosa	Napolitano
Cleaver	Honda	Neal
Clyburn	Hoyer	Norcross
Cohen	Huffman	O'Rourke
Connolly	Israel	Pallone
Cooper	Jackson Lee	Pascarell
Costa	Jeffries	Payne
Courtney	Johnson, E. B.	Pelosi
Crowley	Kaptur	Perlmutter
Cuellar	Keating	Peters
Cummings	Kelly (IL)	Peterson
Davis (CA)	Kennedy	Pingree
Davis, Danny	Kildee	Pocan
DeFazio	Kilmer	Polis
DeGette	Kind	Price (NC)
Delaney	Kirkpatrick	Quigley
DeLauro	Kuster	Rangel
DelBene	Langevin	Rice (NY)

Richmond  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schrader  
Scott (VA)  
Scott, David

## NOES—236

Abraham  
Aderholt  
Allen  
Amash  
Amodei  
Babin  
Barletta  
Barr  
Barton  
Benishek  
Bilirakis  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Bost  
Boustany  
Brady (TX)  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Buchanan  
Buck  
Bucshon  
Burgess  
Calvert  
Carter (GA)  
Carter (TX)  
Chabot  
Chaffetz  
Clawson (FL)  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comstock  
Conaway  
Cook  
Cramer  
Crawford  
Crenshaw  
Culberson  
Curbelo (FL)  
Davis, Rodney  
Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Dold  
Donovan  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers (NC)  
Emmer (MN)  
Farenthold  
Fincher  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gibbs  
Gibson  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Griffith

Serrano  
Sewell (AL)  
Sherman  
Sinema  
Slaughter  
Speier  
Swalwell (CA)  
Takai  
Takano  
Thompson (CA)  
Thompson (MS)  
Titus  
Tonko  
Torres

Tsongas  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Walz  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Welch  
Yarmuth

Pearce  
Perry  
Pittenger  
Pitts  
Poe (TX)  
Poliquin  
Pompeo  
Posey  
Price, Tom  
Ratcliffe  
Reed  
Reichert  
Renacci  
Ribble  
Rice (SC)  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney (FL)  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Rouzer  
Royce  
Russell  
Ryan (WI)  
Salmon  
Sanford  
Kline  
Scalise  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Stefanik  
Stewart  
Stivers  
Stutzman  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Trott  
Turner  
Upton  
Valadao  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Westmoreland  
Whitfield  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder

Yoho  
Young (AK)  
Young (IA)  
Young (IN)  
Zeldin  
Zinke

## NOT VOTING—15

Engel  
Garrett  
Hudson  
Johnson (GA)  
Larson (CT)  
Long  
Newhouse  
Nolan  
Smith (WA)  
Wilson (FL)

## □ 1206

Messrs. MCKINLEY, SHIMKUS, and HENSARLING changed their vote from “aye” to “no.”

Mr. RANGEL, Ms. KELLY of Illinois, Mr. GENE GREEN of Texas, Ms. LOFGREN, and Mr. PASCRELL changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. WILSON of Florida. Mr. Chair, on rollcall No. 443, had I been present, I would have voted “yes.”

Stated against:

Mr. NEWHOUSE. Mr. Chair, on rollcall No. 443, I was unavoidably detained. Had I been present, I would have voted “no.”

Mr. BRAT. Mr. Chair, on rollcall No. 443, I was unavoidably detained. Had I been present, I would have voted “no.”

## AMENDMENT NO. 7 OFFERED BY MR. LAMALFA

The Acting CHAIR (Mr. HOLDING). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. LAMALFA) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 246, noes 172, not voting 15, as follows:

[Roll No. 444]

## AYES—246

Abraham  
Aderholt  
Allen  
Amash  
Amodei  
Babin  
Barletta  
Barr  
Barton  
Benishek  
Bera  
Bilirakis  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Bost  
Boustany  
Brady (TX)  
Brat  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Buchanan  
Buck  
Bucshon  
Burgess  
Byrne  
Calvert  
Carter (GA)  
Carter (TX)  
Chabot  
Chaffetz  
Clawson (FL)  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comstock  
Conaway  
Cook  
Costa  
Cramer  
Crawford  
Crenshaw  
Cuellar  
Culberson  
Curbelo (FL)  
Davis, Rodney  
Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Dold  
Donovan  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers (NC)  
Emmer (MN)  
Fincher  
Fitzpatrick  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Garamendi  
Gibbs

Gibson  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (LA)  
Griffith  
Grothman  
Guinta  
Guthrie  
Hanna  
Hardy  
Harper  
Harris  
Hartzler  
Heck (NV)  
Hensarling  
Hice, Jody B.  
Hill  
Holding  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurd (TX)  
Hurt (VA)  
Issa  
Jenkins (KS)  
Jenkins (WV)  
Johnson (OH)  
Johnson, Sam  
Jolly  
Jones  
Jordan  
Katko  
Kelly (MS)  
Kelly (PA)  
King (IA)  
King (NY)  
Kinzinger (IL)  
Kline  
Knight  
Labrador  
LaMalfa  
Lamborn  
Lance  
Latta  
LoBiondo  
Loudermilk  
Love  
Lucas  
Luetkemeyer  
Lummis  
MacArthur  
Marchant  
Marino

Adams  
Aguilar  
Ashford  
Bass  
Beatty  
Becerra  
Beyer  
Bishop (GA)  
Blumenauer  
Bonamici  
Boyle, Brendan  
F.  
Brady (PA)  
Brown (FL)  
Brownley (CA)  
Bustos  
Butterfield  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly  
Cooper  
Courtney  
Crowley  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
DeSaulnier  
Deutch  
Dingell  
Doggett  
Duckworth  
Edwards  
Ellison  
Esty  
Farr  
Fattah  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Graham  
Grayson  
Green, Al  
Green, Gene  
Grijalva  
Gutiérrez  
Hahn  
Hastings  
Heck (WA)  
Higgins  
Himes

Massie  
McCarthy  
McCaull  
McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Meehan  
Messer  
Mica  
Miller (FL)  
Miller (MI)  
Moolenaar  
Mooney (WV)  
Mullin  
Mulvaney  
Murphy (PA)  
Neugebauer  
Newhouse  
Noem  
Nugent  
Nunes  
Olson  
Palazzo  
Palmer  
Paulsen  
Pearce  
Perry  
Peterson  
Pittenger  
Pitts  
Poe (TX)  
Poliquin  
Pompeo  
Posey  
Price, Tom  
Ratcliffe  
Reed  
Reichert  
Renacci  
Ribble  
Rice (SC)  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney (FL)  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Rouzer  
Royce  
Ruiz  
Ruppersberger  
Russell  
Ryan (WI)  
Salmon  
Sanford  
Scalise  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Sinema  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Stefanik  
Stewart  
Stivers  
Stutzman  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Trott  
Turner  
Upton  
Valadao  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Westmoreland  
Whitfield  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Young (IN)  
Zeldin  
Zinke

## NOES—172

Hinojosa  
Honda  
Hoyer  
Huffman  
Israel  
Jackson Lee  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Keating  
Kelly (IL)  
Kennedy  
Kildee  
Kilmer  
Kind  
Kirkpatrick  
Kuster  
Langevin  
Larsen (WA)  
Lawrence  
Lee  
Levin  
Lewis  
Lieu, Ted  
Lipinski  
Loebach  
Loftgren  
Lowenthal  
Lujan Grisham  
(NM)  
Luján, Ben Ray  
(NM)  
Lynch

Maloney, Carolyn	Polis	Swalwell (CA)	Garamendi	Lowey	Sánchez, Linda T.	Nunes	Ros-Lehtinen	Tiberi
Maloney, Sean	Price (NC)	Takai	Graham	Lujan Grisham (NM)	Sánchez, Loretta T.	Olson	Roskam	Tipton
Matsui	Quigley	Takano	Grayson	Luján, Ben Ray (NM)	Sarbanes	Palazzo	Ross	Trott
McCollum	Rangel	Thompson (CA)	Green, Al	Lynch	Schakowsky	Palmer	Rothfus	Turner
McDermott	Rice (NY)	Thompson (MS)	Green, Gene	Maloney, Carolyn	Schiff	Paulsen	Rouzer	Upton
McGovern	Richmond	Titus	Grijalva	McCollum	Schrader	Pearce	Royce	Valadao
McNerney	Roybal-Allard	Tonko	Gutiérrez	McDermott	Scott (VA)	Perry	Ruppersberger	Wagner
Meeks	Rush	Torres	Hahn	McGovern	Scott, David	Peterson	Russell	Walberg
Meng	Ryan (OH)	Tsongas	Hastings	McNerney	Serrano	Pittenger	Ryan (WI)	Walden
Moore	Sánchez, Linda T.	Van Hollen	Heck (WA)	Meeks	Sewell (AL)	Pitts	Salmon	Walker
Moulton	T.	Vargas	Higgins	Meng	Sherman	Poe (TX)	Sanford	Walorski
Murphy (FL)	Sánchez, Loretta	Veasey	Himes	Moore	Sinema	Poliquin	Scalise	Walters, Mimi
Nadler	Sarbanes	Vela	Hinojosa	Moulton	Sires	Pompeo	Schweikert	Weber (TX)
Napolitano	Schakowsky	Velázquez	Honda	Murphy (FL)	Smith (WA)	Posey	Scott, Austin	Webster (FL)
Neal	Schiff	Visclosky	Hoyer	Nadler	Speier	Price, Tom	Sensenbrenner	Wenstrup
Norcross	Schrader	Walz	Huffman	Napolitano	Swalwell (CA)	Ratcliffe	Sessions	Westerman
O'Rourke	Scott (VA)	Wasserman	Israel	Neal	Takai	Reed	Shimkus	Westmoreland
Pallone	Scott, David	Schultz	Jackson Lee	McCollum	Thompson (CA)	Reichert	Shuster	Whitfield
Pascarell	Serrano	Waters, Maxine	Jeffries	McGovern	Thompson (MS)	Renacci	Simpson	Williams
Payne	Sewell (AL)	Watson Coleman	Johnson (GA)	Nadler	Titus	Ribble	Smith (MO)	Wilson (SC)
Perlmutter	Sherman	Welch	Johnson, E. B.	Napolitano	Tonko	Rice (SC)	Smith (NE)	Wittman
Peters	Sires	Wilson (FL)	Kaptur	Neal	Torres	Rigell	Smith (NJ)	Womack
Pingree	Slaughter	Yarmuth	Keating	O'Rourke	Tsongas	Roby	Smith (TX)	Yoder
Pocan	Smith (WA)		Kelly (IL)	Pallone	Van Hollen	Roe (TN)	Stefanik	Yoho
	Speier		Kennedy	Pascarell	Vargas	Rogers (AL)	Stewart	Young (AK)
			Kildee	Payne	Veasey	Rogers (KY)	Stivers	Young (IA)
			Kind	Perlmutter	Vela	Rohrabacher	Stutzman	Young (IN)
			Kirkpatrick	Peters	Velázquez	Rokita	Thompson (PA)	Zeldin
			Kuster	Pingree	Visclosky	Rooney (FL)	Thornberry	Zinke
			Langevin	Pocan	Walz			
			Larsen (WA)	Polis	Wasserman			
			Lawrence	Price (NC)	Schultz			
			Lee	Quigley	Waters, Maxine			
			Levin	Rangel	Watson Coleman			
			Lewis	Rice (NY)	Welch			
			Lieu, Ted	Richmond	Wilson (FL)			
			Lipinski	Roybal-Allard	Yarmuth			
			Loebach	Ruiz				
			Lofgren	Rush				
			Lowenthal	Ryan (OH)				

## NOT VOTING—15

Conyers	Eshoo	Larson (CT)
Costello (PA)	Garrett	Long
Cummings	Graves (MO)	Nolan
Doyle, Michael F.	Herrera Beutler	Pelosi
Engel	Hudson	
	Joyce	

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1210

So the amendment was agreed to.

The result of the vote was announced as above recorded.

## AMENDMENT NO. 8 OFFERED BY MR. GRIJALVA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 179, noes 242, not voting 12, as follows:

[Roll No. 445]

## AYES—179

Adams	Carson (IN)	DeGette
Aguilar	Cartwright	Delaney
Bass	Castor (FL)	DeLauro
Beatty	Castro (TX)	DeBene
Becerra	Chu, Judy	DeSaulnier
Bera	Cicilline	Deutch
Beyer	Clark (MA)	Dingell
Bishop (GA)	Clarke (NY)	Doggett
Blumenauer	Clay	Duckworth
Bonamici	Cleaver	Edwards
Boyle, Brendan F.	Clyburn	Ellison
Brady (PA)	Cohen	Eshoo
Brown (FL)	Connolly	Esty
Brownley (CA)	Cooper	Farr
Bustos	Courtney	Fattah
Butterfield	Crowley	Fitzpatrick
Capps	Cuellar	Foster
Capuano	Cummings	Frankel (FL)
Cardenas	Davis (CA)	Fudge
Carney	Davis, Danny	Gabbard
	DeFazio	Gallego

## NOES—242

DesJarlais	Jenkins (WV)
Diaz-Balart	Johnson (OH)
Dold	Johnson, Sam
Donovan	Jolly
Duffy	Jones
Duncan (SC)	Jordan
Duncan (TN)	Joyce
Ellmers (NC)	Katko
Emmer (MN)	Kelly (MS)
Farenthold	Kelly (PA)
Fincher	King (IA)
Fleischmann	King (NY)
Fleming	Kinzinger (IL)
Flores	Kline
Forbes	Knight
Fortenberry	Labrador
Fox	LaMalfa
Franks (AZ)	Lamborn
Frelinghuysen	Lance
Gibbs	Latta
Gibson	LoBiondo
Gohmert	Loudermilk
Goodlatte	Love
Gosar	Lucas
Gowdy	Luetkemeyer
Granger	Lummis
Graves (GA)	MacArthur
Graves (LA)	Marino
Graves (MO)	Massie
Griffith	McCarthy
Grothman	McCaul
Guinta	McClintock
Guthrie	McHenry
Hanna	McKinley
Hardy	McMorris
Harper	Rodgers
Harris	McSally
Hartzler	Meadows
Heck (NV)	Meehan
Hensarling	Messer
Herrera Beutler	Mica
Hice, Jody B.	Miller (FL)
Hill	Miller (MI)
Holding	Moolenaar
Huelskamp	Mooney (WV)
Huizenga (MI)	Mullin
Hultgren	Mulvaney
Hunter	Murphy (PA)
Hurd (TX)	Neugebauer
Hurt (VA)	Newhouse
Issa	Noem
Jenkins (KS)	Nugent

## NOT VOTING—12

Conyers	Garrett	Nolan
Costello (PA)	Hudson	Pelosi
Doyle, Michael F.	Larson (CT)	Woodall
Engel	Long	
	Marchant	

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1214

Mr. BUCK changed his vote from “aye” to “no.”

Ms. ESHOO changed her vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HULTGREN) having assumed the chair, Mr. HOLDING, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2898) to provide drought relief in the State of California, and for other purposes, and, pursuant to House Resolution 362, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. BERA. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. BERA. I am opposed in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Bera moves to recommit the bill H.R. 2898 to the Natural Resources Committee, with instructions to report the same back to the House forthwith, with the following amendment:

After section 610, insert the following:

**SEC. 611. PROTECTING THE SUPPLY OF WATER FOR DRINKING AND TO FIGHT WILDFIRES.**

Under the provisions of this Act, the Secretary shall ensure that there is an adequate supply of water—

(1) for residential drinking water that is safe and not tainted with arsenic, salt, nitrates from fertilizers, industrial chemicals, or harmful algae, which become concentrated in diminished water supplies; and

(2) to fight wildfires, utilizing water from reservoirs or other surface waters, and to honor Tribal water rights.

Mr. BISHOP of Utah (during the reading). Mr. Speaker, I ask unanimous consent that we consider it as having been read and we dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

Mr. BERA. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, this bill will immediately proceed to final passage as amended.

Mr. Speaker, this amendment is simple. It ensures that we have safe drinking water for our constituents and enough water to fight wildfires.

It has been hot and dry in California. We are now in the fourth straight year of drought conditions; and, in fact, 95 percent of our State has reached severe drought status. This is a problem.

We are talking about families; we are talking about farmers, small-business owners who are feeling the pain of this prolonged drought every day. It is a crisis, and in a crisis, everyone has to come together, to work together to find solutions that work for all of us.

However, the bill offered today, yet again, undermines the efforts that were taken in California to work together, and instead, it allows Washington, D.C., politicians to pick winners and losers and pit communities against each other. This bill creates no water. It does not solve this crisis, and that is a problem.

Look at this picture. This is my home district, Folsom Lake. This is what it looked like last summer, and this summer, it is worse. In fact, Folsom Lake right now is at 42 percent of capacity. By August, it is expected to reach the lowest point in recorded history. Over half a million people depend on Folsom Lake for their drinking water.

We owe it to the families of Folsom, Fair Oaks, Roseville, and all across the State to work together to better manage the water that we have. As currently written, this bill would jeopardize their access to safe water. As water supplies decrease, residential drinking water risks contamination from higher concentrations of nitrates, arsenic, industrial chemicals, and harmful algae.

We owe it to the people in our State to make sure, when they turn on their taps, they have safe drinking water. Let's work together to find comprehensive solutions, long-term solutions to ensure their access to storage. We have got to work together as Democrats and Republicans, not pit northern California against southern California. I urge my colleagues on both sides of the aisle to give this motion their full support.

I yield to the gentleman from southern California (Mr. PETERS), my colleague.

Mr. PETERS. Mr. Speaker, across the West and particularly in California, we are in the fourth year of a prolonged drought that is placing us at increased risk for wildfires.

The underlying bill would harm not just one community or industrial sector, but would undercut years of existing water policy and put communities like mine in San Diego in more danger. The images of depleted reservoirs, lakes, and streams drying up abound, with millions of dead trees littering our forests. As The New York Times reported just yesterday: "For those who know fire, fuel is now all they see."

We are in the midst of what we expect to be a long and harsh wildfire season. Just since January 1, California fire officials have responded to more than 3,300 wildfires, which is a thousand more than the average from the last 5 years.

The lake fire that started just a month ago has consumed an area of national forest roughly the size of San Francisco, and the dozens of wildfires that erupted in San Diego last May burned thousands of acres and destroyed 65 homes. Projections show that the cost of fighting wildfires this year could reach up to \$2.1 billion, far above the roughly \$450 million spent annually in the 1990s.

It is not just money at stake. Two of the most deadly wildfires in California history, the Witch and Cedar fires occurred in San Diego and killed 17 people. This is also a matter of life and death.

This bill does not make it rain; no one can do that. It simply undermines the State of California's water policies to move water away from one set of communities and into different ones.

The motion to recommit requires that, as we make changes to Western water allocations, we ensure there is enough water in reservoirs, lakes, and community supplies to make sure that wildfires can be fought when they occur, which they certainly will. It also ensures that we honor the existing tribal water rights and protect the health of those communities.

I urge my colleagues to support this motion to recommit and to oppose the underlying legislation.

Mr. BERA. Mr. Speaker, I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I claim the time in opposition to the motion.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Utah. Mr. Speaker, this is a procedural motion. Obviously, if it were a serious one, we could have considered it anytime in committee or on the floor in the amendment process, but it is a procedural motion that is also somewhat flawed.

In this particular one, it mentions that nothing will happen until the Secretary shall ensure that something happens. Unfortunately, in this provision of the bill, they don't define Secretary, so I am not really sure which Secretary would have to define something. It could be the secretary of my office if you really wanted it that way. It provides that we are going to have water for drinking and for wildfires.

Now, some of you may remember that, last week, we actually had a forest bill in here which provided for wildfires. We gave them money; we gave them authority; we gave them the tools. It passed with a bipartisan vote, but some of our friends who are not voting for this one weren't voting for that one either. We solved the wildfire issue already, scratched that one off.

If you really want drinking water, that is what the base bill does. The entire purpose of this bill is to emphasize the fact that, in this drought, we are trying to help people. The goal is to get water to people so they can work.

In an area that has a 50 percent unemployment rate, they can provide food for people. It is important to all of us. It is not as important for me as it used to be, but it is still important for all of us.

We actually provide jobs for people in these areas where they desperately need that work. We are doing it. This is about people. This is moving water so people can actually be helped, and that is what the underlying bill has to do, and the procedural issues that we are trying to hold up this process, they don't actually help people. They may help the process, but they don't actually help people.

We need a policy more than the opponents of this bill have, which is: Let's pray for rain and hope something happens.

We need to do what our pioneer ancestors told us to do and take the water we have and save it and store it, and that is what the underlying bill does, not just for California, but for the rest of the West, for all of us, where we have these same types of situations.

You can vote for the underlying bill, realizing you are helping people. Good grief, 2008, we found water on Mars; we can actually find water for people here in the West.

Vote "no" on the motion to recommit; support the underlying bill. Let's get this bill going through the system so we can actually do something good for the people of this country.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

#### RECORDED VOTE

Mr. BERA. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 5-minute vote will be followed by a 5-minute vote on passage of the bill, if ordered.

The vote was taken by electronic device, and there were—ayes 183, noes 239, not voting 11, as follows:

[Roll No. 446]

#### AYES—183

Adams	Costa	Heck (WA)
Aguilar	Courtney	Higgins
Ashford	Crowley	Himes
Bass	Cuellar	Hinojosa
Beatty	Cummings	Honda
Becerra	Davis (CA)	Hoyer
Bera	Davis, Danny	Huffman
Beyer	DeFazio	Israel
Bishop (GA)	DeGette	Jackson Lee
Blumenauer	Delaney	Jeffries
Bonomici	DeLauro	Johnson (GA)
Boyle, Brendan	DelBene	Johnson, E. B.
F.	DeSaulnier	Kaptur
Brady (PA)	Deutch	Keating
Brown (FL)	Dingell	Kelly (IL)
Brownley (CA)	Doggett	Kennedy
Bustos	Duckworth	Kildee
Butterfield	Edwards	Kilmer
Capps	Ellison	Kind
Capuano	Eshoo	Kirkpatrick
Cárdenas	Esty	Kuster
Carney	Farr	Langevin
Carson (IN)	Fattah	Larsen (WA)
Cartwright	Foster	Lawrence
Castor (FL)	Frankel (FL)	Lee
Castro (TX)	Fudge	Levin
Chu, Judy	Gabbard	Lewis
Cicilline	Galleo	Lieu, Ted
Clark (MA)	Garamendi	Lipinski
Clarke (NY)	Graham	Loeb sack
Clay	Grayson	Lofgren
Cleaver	Green, Al	Lowenthal
Clyburn	Green, Gene	Lowey
Cohen	Grijalva	Lujan Grisham
Connolly	Gutiérrez	(NM)
Conyers	Hahn	Luján, Ben Ray
Cooper	Hastings	(NM)

Lynch	Pocan	Slaughter
Maloney,	Polis	Smith (WA)
Carolyn	Price (NC)	Speier
Maloney, Sean	Quigley	Swalwell (CA)
Matsui	Rangel	Takai
McCollum	Rice (NY)	Takano
McDermott	Richmond	Thompson (CA)
McGovern	Roybal-Allard	Thompson (MS)
McNerney	Ruiz	Titus
Meeks	Ruppersberger	Tonko
Meng	Rush	Torres
Moore	Ryan (OH)	Tsongas
Moulton	Sánchez, Linda	Van Hollen
Nadler	T.	Vargas
Napolitano	Sanchez, Loretta	Veasey
Neal	Sarbanes	Vela
Norcross	Schakowsky	Velázquez
O'Rourke	Schiff	Visclosky
Pallone	Schrader	Walz
Pascarell	Scott (VA)	Wasserman
Payne	Scott, David	Schultz
Pelosi	Serrano	Waters, Maxine
Perlmutter	Sewell (AL)	Watson Coleman
Peters	Sherman	Welch
Peterson	Sinema	Wilson (FL)
Pingree	Sires	Yarmuth

#### NOES—239

Abraham	Franks (AZ)	McClintock
Aderholt	Frelinghuysen	McHenry
Allen	Gibbs	McKinley
Amash	Gibson	McMorris
Amodei	Gohmert	Rodgers
Babin	Goodlatte	McSally
Barletta	Gosar	Meadows
Barr	Gowdy	Meehan
Barton	Granger	Messer
Benishek	Graves (GA)	Mica
Bilirakis	Graves (LA)	Miller (FL)
Bishop (MI)	Graves (MO)	Miller (MI)
Bishop (UT)	Griffith	Moolenaar
Black	Grothman	Mooney (WV)
Blackburn	Guinta	Mullin
Blum	Guthrie	Mulvaney
Bost	Hanna	Murphy (PA)
Boustany	Hardy	Neugebauer
Brady (TX)	Harper	Newhouse
Bridenstine	Harris	Noem
Brooks (AL)	Hartzler	Nugent
Brooks (IN)	Heck (NV)	Nunes
Buchanan	Hensarling	Olson
Buck	Herrera Beutler	Palmer
Bucshon	Hice, Jody B.	Paulsen
Burgess	Hill	Pearce
Byrne	Holding	Perry
Calvert	Huelskamp	Pittenger
Carter (GA)	Huizenga (MI)	Pitts
Carter (TX)	Hultgren	Poe (TX)
Chabot	Hunter	Poliquin
Chaffetz	Hurd (TX)	Pompeo
Claawson (FL)	Hurt (VA)	Posey
Coffman	Issa	Price, Tom
Cole	Jenkins (KS)	Ratcliffe
Collins (GA)	Jenkins (WV)	Reed
Collins (NY)	Johnson (OH)	Reichert
Comstock	Johnson, Sam	Renacci
Conaway	Jolly	Ribble
Cook	Jones	Rice (SC)
Cramer	Jordan	Rigell
Crawford	Joyce	Roby
Crenshaw	Katko	Roe (TN)
Culberson	Kelly (MS)	Rogers (AL)
Curbelo (FL)	Kelly (PA)	Rogers (KY)
Davis, Rodney	King (IA)	Rohrabacher
Denham	King (NY)	Rokita
Dent	Kinzingier (IL)	Rooney (FL)
DeSantis	Kline	Ros-Lehtinen
DesJarlais	Knight	Roskam
Diaz-Balart	Labrador	Ross
Dold	LaMalfa	Rothfus
Donovan	Lamborn	Rouzer
Duffy	Lance	Royce
Duncan (SC)	Latta	Russell
Duncan (TN)	LoBiondo	Ryan (WI)
Ellmers (NC)	Loudermilk	Salmon
Ellmer (MN)	Love	Sanford
Farenthold	Lucas	Scalise
Fincher	Luetkemeyer	Schweikert
Fitzpatrick	Lummis	Scott, Austin
Fleischmann	MacArthur	Sensenbrenner
Fleming	Marchant	Sessions
Flores	Marino	Shimkus
Forbes	Massie	Shuster
Fortenberry	McCarthy	Simpson
Fox	McCaul	Smith (MO)

Smith (NE)	Upton	Whitfield
Smith (NJ)	Valadao	Williams
Smith (TX)	Wagner	Wilson (SC)
Stefanik	Walberg	Wittman
Stewart	Walden	Womack
Stivers	Walker	Woodall
Stutzman	Walorski	Yoder
Thompson (PA)	Walters, Mimi	Yoho
Thornberry	Weber (TX)	Young (AK)
Tiberi	Webster (FL)	Young (IA)
Tipton	Wenstrup	Young (IN)
Trott	Westerman	Zeldin
Turner	Westmoreland	Zinke

#### NOT VOTING—11

Brat	Engel	Long
Costello (PA)	Garrett	Murphy (FL)
Doyle, Michael	Hudson	Nolan
F.	Larson (CT)	Palazzo

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1233

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. BRAT. Mr. Speaker, on rollcall No. 446, my vote did not register. Had I been present, I would have voted "no."

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

#### RECORDED VOTE

Mr. TONKO. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 245, noes 176, not voting 12, as follows:

[Roll No. 447]

#### AYES—245

Abraham	Cole	Gibbs
Aderholt	Collins (GA)	Gibson
Allen	Collins (NY)	Gohmert
Amash	Comstock	Goodlatte
Amodei	Conaway	Gosar
Ashford	Cook	Gowdy
Babin	Costa	Granger
Barletta	Cramer	Graves (GA)
Barr	Crawford	Graves (LA)
Barton	Crenshaw	Graves (MO)
Benishek	Culberson	Griffith
Bilirakis	Curbelo (FL)	Grothman
Bishop (MI)	Davis, Rodney	Guinta
Bishop (UT)	Denham	Guthrie
Black	Dent	Hanna
Blackburn	DeSantis	Hardy
Blum	DesJarlais	Harper
Bost	Diaz-Balart	Harris
Boustany	Dold	Hartzler
Brady (TX)	Donovan	Heck (NV)
Brat	Duffy	Hensarling
Bridenstine	Duncan (SC)	Herrera Beutler
Brooks (AL)	Duncan (TN)	Hice, Jody B.
Brooks (IN)	Ellmers (NC)	Hill
Buchanan	Emmer (MN)	Holding
Buck	Farenthold	Huelskamp
Bucshon	Fincher	Huizenga (MI)
Burgess	Fitzpatrick	Hultgren
Byrne	Fleischmann	Hunter
Calvert	Fleming	Hurd (TX)
Carter (GA)	Flores	Hurt (VA)
Carter (TX)	Forbes	Issa
Chabot	Fortenberry	Jenkins (KS)
Chaffetz	Fox	Jenkins (WV)
Clawson (FL)	Franks (AZ)	Johnson (OH)
Coffman	Frelinghuysen	Johnson, Sam

Jolly  
Jones  
Jordan  
Joyce  
Katko  
Kelly (MS)  
Kelly (PA)  
King (IA)  
King (NY)  
Kinzinger (IL)  
Kline  
Knight  
Labrador  
LaMalfa  
Lamborn  
Lance  
Latta  
LoBiondo  
Loudermilk  
Love  
Lucas  
Luetkemeyer  
Lummis  
MacArthur  
Marchant  
Marino  
Massie  
McCarthy  
McCaul  
McClintock  
McHenry  
McKinley  
McMorris  
Rogers  
McSally  
Meadows  
Meehan  
Messer  
Mica  
Miller (FL)  
Miller (MI)  
Moolenaar  
Mooney (WV)  
Mullin  
Mulvaney  
Murphy (PA)

Neugebauer  
Newhouse  
Noem  
Nugent  
Nunes  
Olson  
Palazzo  
Palmer  
Paulsen  
Pearce  
Perry  
Peterson  
Pittenger  
Pitts  
Poe (TX)  
Poliquin  
Pompeo  
Posey  
Price, Tom  
Ratcliffe  
Reed  
Reichert  
Renacci  
Ribble  
Rice (SC)  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney (FL)  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Rouzer  
Royce  
Ruppersberger  
Russell  
Ryan (WI)  
Salmon  
Sanford  
Scalise  
Schweikert

Scott, Austin  
Scott, David  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Stefanik  
Stewart  
Stivers  
Stutzman  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Trott  
Turner  
Upton  
Valadao  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Westmoreland  
Whitfield  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Young (IN)  
Zeldin  
Zinke

## NOES—176

Adams  
Aguilar  
Bass  
Beatty  
Becerra  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Bonamici  
Boyle, Brendan  
F.  
Brady (PA)  
Brown (FL)  
Brownley (CA)  
Bustos  
Butterfield  
Capps  
Capuano  
Cárdenas  
Carney  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Clever  
Clyburn  
Cohen  
Connolly  
Cooper  
Courtney  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DeBene  
DeSaulnier  
Deutch

Dingell  
Doggett  
Duckworth  
Edwards  
Ellison  
Eshoo  
Esty  
Farr  
Fattah  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Garamendi  
Graham  
Grayson  
Green, Al  
Green, Gene  
Grijalva  
Gutiérrez  
Hahn  
Hastings  
Heck (WA)  
Higgins  
Himes  
Hinojosa  
Honda  
Hoyer  
Huffman  
Israel  
Jackson Lee  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Keating  
Kelly (IL)  
Kennedy  
Kildee  
Kilmer  
Kind  
Kirkpatrick  
Kuster  
Langevin  
Larsen (WA)  
Lawrence  
Lee

Levin  
Lewis  
Lieu, Ted  
Lipinski  
Loebsack  
Lofgren  
Lowenthal  
Lowey  
Lujan Grisham  
(NM)  
Luján, Ben Ray  
(NM)  
Lynch  
Maloney,  
Carolyn  
Maloney, Sean  
Matsui  
McCollum  
McDermott  
McGovern  
McNerney  
Meeks  
Meng  
Moore  
Moulton  
Nadler  
Napolitano  
Neal  
Norcross  
O'Rourke  
Pallone  
Pascarelli  
Payne  
Pelosi  
Perlmutter  
Peters  
Pingree  
Pocan  
Polis  
Price (NC)  
Quigley  
Rangel  
Rice (NY)  
Richmond  
Roybal-Allard  
Ruiz  
Rush

Ryan (OH)  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schrader  
Scott (VA)  
Sensenbrenner  
Serrano  
Sewell (AL)  
Sherman  
Sinema

Sires  
Slaughter  
Smith (WA)  
Speier  
Swalwell (CA)  
Takai  
Takano  
Thompson (CA)  
Thompson (MS)  
Titus  
Tonko  
Torres  
Tsongas  
Van Hollen

Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Walz  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Welch  
Wilson (FL)  
Yarmuth

## NOT VOTING—12

Carson (IN)  
Conyers  
Costello (PA)  
Doyle, Michael  
F.  
Engel  
Gallego  
Garrett  
Hudson  
Larson (CT)  
Long  
Murphy (FL)  
Nolan

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1239

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. MURPHY of Florida. Mr. Speaker, on rollcall Nos. 446 and 447. 446 Recommit—"yes," 447. Passage of H.R. 2898—"no."

# AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 2898, WESTERN WATER AND AMERICAN FOOD SECURITY ACT OF 2015

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that, in the engrossment of H.R. 2898, the Clerk be authorized to correct section numbers, punctuation, and cross-references, and to make such other technical and conforming changes as may be necessary to reflect the actions of the House in amending the bill, including striking the instruction "line 20" and inserting "after line 19" in amendment No. 7.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

## LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, I yield to the majority leader, Mr. MCCARTHY, for the purpose of inquiring about the schedule of the week to come and thereafter.

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, on Monday, no votes are expected in the House. On Tuesday, the House will meet at noon for morning-hour and 2 p.m. for legislative business. Votes will be postponed until 6:30.

On Wednesday and Thursday, the House will meet at 10 a.m. for morning hour and noon for legislative business.

On Friday, the House will meet at 9 a.m. for legislative business. Last votes of the week are expected no later than 3 p.m.

Mr. Speaker, the House will consider a number of suspensions next week, a complete list of which will be announced by close of business tomorrow.

In addition, the House will consider H.R. 1734, the Improving Coal Combustion Residuals Regulation Act, sponsored by Representative DAVID MCKINLEY. This bill is essential to protect and create jobs.

If we do not act, the EPA will replace the existing successful State-based regulatory program with harmful new regulations that will cost hundreds of thousands of jobs and result in billions of dollars in burdensome costs for job creators.

□ 1245

The House will also consider H.R. 1599, the Safe and Accurate Food Labeling Act, sponsored by Representative MIKE POMPEO. This bipartisan bill will ensure uniform national labeling of foods from genetically engineered plants. By addressing the patchwork of conflicting labeling laws, we will fix the growing problem of inconsistent and confusing information for consumers.

Finally, Mr. Speaker, the House is expected to consider the conference report for the National Defense Authorization Act for Fiscal Year 2016.

Mr. HOYER. I thank the gentleman for his information with respect to the legislation for next week.

As the gentleman knows, we have now passed six appropriation bills. Last week, consideration of the Interior bill was postponed. The gentleman and Mr. ROGERS have both made representations that they hope to do all 12 appropriations bills.

You did not announce any appropriations bills on the schedule for next week. Can the gentleman tell me whether or not he expects to bring additional appropriations bills to the floor prior to the August break?

I yield to my friend.

Mr. MCCARTHY. I thank the gentleman for yielding.

Yes, it is our intention to get back to the appropriations process as soon as possible. As the gentleman does know, there are some very serious and sensitive issues involved. We are in the midst of a constructive and bipartisan conversation on how we can resolve these issues. I will be sure to keep the Members updated as the appropriations bills are scheduled for continued consideration.

Mr. HOYER. I thank the gentleman for his comment, particularly in terms of the willingness to work in a bipartisan fashion.

As the majority leader knows, there is, on his side of the aisle and on our side of the aisle, a great concern that

the 302 allocations to the Appropriations Committee are insufficient to meet their responsibilities. Mr. ROGERS, as you know, your chairman of the Appropriations Committee, a Member of your side of the aisle from Kentucky, has characterized the sequestration numbers as unrealistic and ill-advised.

The Senate has not passed any appropriations bills, as the gentleman knows. It is my hope, and I would like to ask the majority leader whether he contemplates any bipartisan discussions with reference to how we might come to an agreement so that appropriations bills could, in fact, be enacted, sent to the President, and signed by the President.

The President, as you know, sent down a budget which was paid for, which had Defense numbers at the numbers that your side of the aisle used by utilizing Overseas Contingency Operation funds to bridge the gap between the sequester number and the President's number.

My question to you is: Is there any contemplation, either before we break or shortly after we come back—because October 1 will be on us very, very quickly—to have bipartisan discussions, a la Ryan-Murray, to get to a number that we can agree on and that we can pass appropriations bills, have conferences, and send them to the President and be signed, hopefully, before October 1, but if not before October 1, certainly before December 18?

I yield to my friend.

Mr. MCCARTHY. I thank the gentleman for yielding and his continuous questions throughout the months on this.

It is still our intention on this side of the aisle to get our business done, uphold the current law which is in place. I know you and I have had many debates back and forth that we know that sequestration started in the White House, and we continue to play by what the law states today and move our bills in a bipartisan manner, with a very open process on the floor where any Member can bring an amendment up, and we will continue to use that process as we move forward.

Mr. HOYER. I thank the gentleman.

The majority leader, Mr. Speaker, regularly brings up that sequester started in the White House. He knows I very severely disagree with that. And he voted for a Cut, Cap, and Balance Act which had in that bill—which no Democrat, I think, voted for—sequester. And it was passed 5 days before our Republican friends, Mr. Speaker, alleged that Mr. Lew suggested that to Mr. REID as a way we could get by the House's refusal, up to that point in time, to extend the debt limit, which meant we couldn't pay our bills. But I don't think that is very useful in discussing how we get by this loggerhead that we have met on the appropriations process.

I served on the Appropriations Committee for 23 years before I became a leader, and we did pass bills—not always on time, but we had an ability, Republicans and Democrats working on the Appropriations Committee, working in the Congress, to get our bills done.

Mr. Speaker, I don't know whether you recall. I presume you will recall that when we got to a similar impasse, Mr. RYAN, the then-chairman of the Budget Committee, Ms. MURRAY, the then-chairwoman of the Budget Committee in the Senate, got together and came up with some figures that we could agree on on a bipartisan basis. Until that time, we had the same kind of scenario that we are now confronted with.

Mr. Speaker, it is my view that, unless we have such a meeting of the minds, we are going to put this country in another crisis of our own making.

We, Democrats, are prepared to enter into some sort of an agreement, consistent with HAL ROGERS' belief, that we can get to a realistic and advised compromise, not this unrealistic and ill-advised—Mr. ROGERS' words, Republican chair of the Appropriations Committee, not mine.

And if we don't do so, when we get to September 30, or we get to December 18, let's not wring our hands and say, How did this happen? We will know exactly how it happened, and it will have happened because we refused to sit down, as the majority leader just said a few minutes ago, in a bipartisan way to do the people's business in a responsible, collegial way in which we can get to an agreement so the bills can be passed.

I think this argument about who is responsible for sequestration—clearly, we have a different point of view—and a bill that passed before the suggestion was made by Jack Lew so we could get by the impasse and America pay its bills is really not very useful.

Mr. Leader, let me go to another subject. The gentleman moved, on two occasions, to refer to the House Administration Committee legislation which related to the use of the Confederate battle flag. Both of those issues are now pending in the House Administration Committee. One of them has been there for some 3 weeks now.

Can the gentleman tell me whether there is any suggested action by the committee, whether there have been any hearings scheduled, and whether or not we may see that legislation brought to the floor at any time in the foreseeable future?

I yield to my friend.

Mr. MCCARTHY. I thank the gentleman for yielding.

Just to clarify before I answer your other question on some of your other statements, I am concerned about what the rest of the summer looks like. A lot of my concern stems from what I

hear on the other side of the aisle, especially in the Senate side.

As the gentleman knows from his years of working for more than two decades on appropriations, the appropriations process we have today is the most open this House has ever seen. Never in history, while you were on the Appropriations Committee, was it as open a process that any Member from any side of the aisle could just offer an amendment, not even prewritten, just a closed process.

But your comments about sequester, what I am really concerned about is the comments of Senator SCHUMER, Senator REID, that they were going to have the summer of the shutdown, the destruction, that they were going to shut everything down, and I am concerned about some of your comments that are leading in that direction. I don't want to go there. I want to finish our work as we have been doing here.

And history, I can't rewrite it. I mean, Bob Woodward, respected journalist as we all know from his days back to Watergate, today, in his "The Price of Politics," he wrote of the time in history. Sequester was not debated here on this floor or created on this floor, not even in the Senate as well. You can read it in his book. It was created in the White House of this administration. It is the law of the land. We will uphold the law of the land and do our work based upon those numbers.

Now, the question you had before me was dealing with what we referred to House Administration. I have met with the chair and I have met with Members on the gentleman's side of the aisle. We have nothing scheduled for next week, but we are currently working towards solving this, to me, a very serious and sensitive issue, and I look forward to getting it done and working with you to make it happen.

Mr. HOYER. I appreciate the fact that we might be bringing something to the floor so that we can express the opinion of this House. As the house and senate in South Carolina expressed its opinion, it surely is appropriate for this House of Representatives, representing the values of our country, sworn to uphold our Constitution that stands for equality of all, that we can express ourselves and take appropriate action. I appreciate the gentleman's view.

I have great respect for Mr. Woodward. Mr. Woodward, shortly after that book came out, I called him. He came into my office. We had a discussion about that representation. I will tell the gentleman that I believe Mr. Woodward was incorrect. He did not have information I gave him. I don't mean that he necessarily says he is incorrect.

But there is no doubt, when you want to talk about history, you passed a bill 5 days before the suggestion was made by Jack Lew, which was, presumably,



coming out of the White House, to Mr. REID, the majority leader. Five days before that, you passed, on this floor, a bill which was called Cut, Cap, and Balance, which had sequester as your fall-back policy.

So you are right. You can't change history. That is history. I have said that a number of times. The gentleman has not corrected me. I presume that, therefore, he believes that I am accurate in that representation of the timing.

But very frankly, that history is irrelevant. What is relevant, as the gentleman and I, I think, both agree, if we don't get to an agreement on a number that is as we did in Ryan-Murray—we have done this before. We have done this before. Now, my view is we did it because you didn't want to have your Members vote on legislation that had numbers that were draconian before the election, but that may be only my personal perspective.

But the fact of the matter is the American people expect us to get their work done. Getting their work done, at minimum, means funding the government at appropriate levels. And, again, I would say that Mr. ROGERS does not believe the sequester—I agree with you. It is the law of the land. I think it is wrong. I think it is a bad law. It was not a law that was intended to go into effect. It went into effect simply because the supercommittee that was established in that same legislation couldn't come out with a solution.

In 13 months, the Congress couldn't come out with a solution, and, therefore, on January 1, 2014, we were confronted with these draconian, ill-conceived numbers, according to Mr. ROGERS. Let's not be confronted with those numbers 60 days from now on October 1 where we are unable to do our business. So I would urge my friend, and I would be glad to work with him toward that end.

We just passed a bill, Mr. Leader, which I voted for. We passed it on a bipartisan basis—the majority of my Members voted for it; the majority of your Members voted for it—a highway bill. It was, however, I know on our side, and I know that in discussions with you, your feeling as well, that it is not what we ought to be doing.

What we ought to be doing is passing a long-term, at least 6-year reauthorization bill for the highway program so that Governors, mayors, county executives, local officials, contractors, and construction workers would all have some confidence that there would be a revenue stream to fix our roads, repair our bridges, and build roads where they are needed.

Can the gentleman tell me whether he believes that there is a plan to get to the—and I know he and I have discussed it—but a plan to get to, before the December 18 date that the present bill calls for, a long-term highway reauthorization?

I yield to my friend.

Mr. MCCARTHY. I thank the gentleman for yielding, and I thank him for his work and help on passing the highway bill this week.

As the gentleman knows, nobody in this House wants to pass a short-term highway bill. We want certainty. We want to make sure the money goes the furthest and in the most efficient and effective way.

The reason why we are going to a short-term, December 18, is because it is our plan and our intention, together, to be able to find the resources to have a highway bill that can be 5 years.

□ 1300

It is our intention to be able to have that.

We have a plan, I believe, we are working towards, and the first step was extending highways to the December 18 date. All we have next is to pass the Senate.

If they pass our highway bill, we will be in the right place, prepared to have it done before December, a 5-year that we could all work together in a bipartisan manner to have done.

Mr. HOYER. I hope we do that.

In the short term, however, we have done another item which we have not reauthorized, and that is the Export-Import Bank.

Senator MCCONNELL believes that that has the votes in the Senate, and he believes that the highway bill that we have just sent them is a vehicle to add that Export-Import Bank proposal to. And my presumption is it will be in that bill when it comes back to us.

Hopefully, it will come back within the next few days because, of course, the highway authorization ends at the end of this month, in which case there will be no authorization to spend money on the highway program.

Can the gentleman tell me whether or not, if that comes back, it will be on the floor? I have heard some discussion about the fact that the Speaker says it will be on the floor, but the Export-Import Bank would be open to amendment.

Would the gentleman tell me whether or not there are any plans along those lines.

I yield to my friend.

Mr. MCCARTHY. I thank the gentleman for yielding to me one more time.

The gentleman is well aware of how I feel about the Export-Import Bank, and we have a difference of opinion. I am one who has always believed in the principle that you should just deal with the subject that is before you.

We have passed the highway bill. The best advice I can give to the Senate—it is a clean highway bill until December 18—is to pass a clean highway bill and move it to the President.

Mr. HOYER. I understand that that is the gentleman's desire. I know he is

opposed to the Ex-Im Bank reauthorization.

As you know, we passed it in a bipartisan fashion when the gentleman from Virginia (Mr. Cantor) was the majority leader, and the gentleman voted for it. He has changed his mind. Certainly many of us do that from time to time.

But my question to him is: If they don't do what the gentleman suggests—i.e., a clean highway bill—and they send it back, as, apparently, Leader MCCONNELL thought that they would do, consistent with his representation to the Senator from Washington State and others—if they add the Ex-Im Bank to that bill and it comes back—I know the gentleman is reluctant to speculate. But we have a very, very short period of time left in this session before the August break.

Does the gentleman believe that, if it comes back and is in the highway bill, that we would make the Export-Import Bank portion of that bill at least open to amendment?

I yield to my friend.

Mr. MCCARTHY. I thank the gentleman for yielding.

And if I just may correct the gentleman, he took the liberty of saying whether I changed my mind. I did vote for the Ex-Im Bank 2 years ago, but I voted for an Ex-Im Bank that had reform in it. I have not seen that reform. I did not change my mind. I kept my principle. The same principle that I have is my best advice to the Senate.

I know you want to talk hypotheticals, and I know our colloquy is about next week. But none of that is scheduled for next week.

But to the gentleman and to the Senate, my best advice for them is to pass our clean highway bill and send it to the President.

Mr. HOYER. I thank the gentleman.

Mr. Speaker, the problem with the suggestion the majority leader makes is the Export-Import Bank will be out of business. If that happens, Speaker BOEHNER has said it is going to adversely affect jobs in America. It will adversely affect the ability of small, medium, and large businesses to sell our goods overseas by people working here in America.

The Export-Import Bank is about jobs, and to simply let it twist in the wind and let it be unauthorized simply because of inattention, when it has the majority of votes on this floor? Mr. Speaker, I have said that over and over again and have not been contradicted.

There are 60 Republicans who have sponsored the Export-Import Bank's reauthorization. There are 188 Democrats—or at least 185 Democrats who will vote for it. That is 249 votes. All you need is 218. There is no doubt that the Export-Import Bank has the votes to pass this House and the Senate, and, yet, we fiddle while jobs are being burned.

Mr. Speaker, that is not good policy for our country. It is not good policy

for our workers. It is not good policy for our businesses, for our exporters. It makes us uncompetitive with the rest of the world. Sixty countries have a similar facility. I know in a perfect world perhaps that wouldn't exist. But 60 of our competitors around the world have such a facility that make their goods cheaper than we will be making ours.

That is not good sense. It is not good policy. It is not the expectation, I think, of the American people. And it is not the will of this House.

I regret that we have not addressed this already. But I certainly hope when the Senate—as I expect them to do—adds it to the House highway bill—and I am not sure whether it will be our bill or their bill or our bill amended—we may have to go to conference or we may have to get to an agreement.

But one way or the other, we ought to adopt the will of this House and reauthorize the Export-Import Bank so that we will protect jobs.

It was Speaker BOEHNER who said that it was shortly after we took the action we took on June 30 and allowed the Export-Import Bank to expire that we would lose jobs. In fact, that is happening. So I would hope that that would not be the case.

Lastly, Mr. Speaker, I would like to ask the majority leader this: I get a lot of rumors on my side. I know you get a lot of rumors on your side. And I sort of smile at them and I say, "I think not."

But I have had 20 Members today ask me, Mr. Speaker, are we not going to be here the last week of July that is presently scheduled. And I would like to clear that up.

I yield to my friend for a definitive answer on the schedule for—this is a scheduling question, by the way, as to whether or not, in fact, we are going to be here the last week of July.

Mr. MCCARTHY. I thank the gentleman for yielding.

I smile because the only rumor I heard more of was about Taylor Swift in the Capitol the other day.

I think this is just wishful thinking of the Members. But the American people expect us to get our work done. We have a lot of work to get done. No, we will be here, as the schedule says, and we will finish it. But we will not be leaving early.

Mr. HOYER. I appreciate the majority leader's clarification. My Members will not necessarily appreciate it, but I understand it.

I yield back the balance of my time.

ADJOURNMENT FROM THURSDAY, JULY 16, 2015, TO MONDAY, JULY 20, 2015

Mr. MCCARTHY. Mr. Speaker, I ask unanimous consent that, when the House adjourns today, it adjourn to meet at 2 p.m. on Monday next and

that the order of the House of January 6, 2015, regarding morning-hour debate not apply on that day.

The SPEAKER pro tempore (Mr. ABRAHAM). Is there objection to the request of the gentleman from California?

There was no objection.

#### FETAL BODY PARTS TRAFFICKING

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, evidence has been made public that the largest abortion provider in America has been actively engaged in the illegal and horrific practice of trafficking of fetal body parts.

Planned Parenthood performs over 300,000 abortions annually. This organization financially gains from the destruction of innocent, unborn children and now has been shown to profit from the selling of children's organs to fetal tissue brokers.

Those who defend Planned Parenthood and these evil practices argue these clinics simultaneously provide access to other needed health services. Well, Mr. Speaker, one does not justify the other.

Throughout the United States, there is no shortage of faith-based health service providers that, unlike Planned Parenthood, honor, respect, and care for all women and unborn children. They do not prey on vulnerable individuals for profit.

Mr. Speaker, I have joined my colleagues, calling for an investigation into the trafficking of fetal tissue and activities of abortion providers, such as Planned Parenthood, companies that broker fetal tissue, and any incentives created by National Institutes of Health funding for research using body parts of unborn children.

#### PRIDE PARADE FESTIVAL IN ISTANBUL, TURKEY

(Mr. SEAN PATRICK MALONEY of New York asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SEAN PATRICK MALONEY of New York. Mr. Speaker, I rise to express my deep concern over the atrocities that recently occurred at this year's pride parade in Istanbul, Turkey.

For years, the Turkish LGBT community and their supporters have been able to partake in one of the few permitted pride parades in the Muslim world, but this year this peaceful parade was broken up when police dispersed the parade with tear gas, rubber bullets, and water cannons, reminiscent of the worst full countertactics of the American civil rights movement.

LGBT pride gatherings are peaceful, focusing on love and solidarity and the

human rights of all people, including LGBT people, which is a stark contrast to the unnecessary and brutal violence endured by those parade-goers.

This past May I had the opportunity to visit the brave LGBT activists in Turkey and to speak to them about their hopes for a better community.

As a member of the LGBT community and of the Congressional Equality Caucus, I am deeply disturbed by the way in which such a positive festival was received by the Turkish Government.

Turkey has long expressed, by its commitments to the Organization for Security and Co-operation in Europe, its dedication to freedom of assembly and freedom of speech. Turkey is a NATO ally. Its actions are at odds with these previous commitments to freedom.

I am urging this Congress to join me in condemning these actions. Today we will send a letter signed by more than 50 Members of this body to the Turkish Ambassador, expressing our outrage by these actions and our support of the Turkish people.

#### PLANNED PARENTHOOD'S SALE OF FETAL TISSUE

(Mrs. LOVE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. LOVE. Mr. Speaker, I stand before this body because I am outraged at the recent revelation by a Planned Parenthood director who speaks on video about harvesting an unborn baby's body parts to sell.

She details the horrific and barbaric practice of aborting babies in such a cold, casual way as to preserve certain body parts for sale.

Mr. Speaker, this is an organization that receives Federal funds to do their work. Is this what the taxpayers are paying for? Is this what they asked for? No.

Given Planned Parenthood's official comments on video and the list of serious questions that are raised, I am calling for a full congressional investigation.

I demand information about Planned Parenthood's donation of fetal tissue for research or for any other purpose and for Federal funds to be completely withdrawn.

This is not over. We will press on. I will continue to remind this body that we work for the American people—not the other way around—that we swore to uphold and defend the Constitution of the United States, and we will preserve life, liberty, and the pursuit of happiness.

This is un-American and absolutely unacceptable.

#### FETAL TISSUE TRAFFICKING

(Mr. HUELSKAMP asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. HUELSKAMP. Mr. Speaker, earlier this year Members of Congress stood on this House floor and condemned the evils of trafficking humans, especially the exploitation of women and children who are treated as commodities to be bought, used, and disposed of.

And we then walked the talk, refusing to turn a blind eye to these horrors, and passed sweeping reforms to combat and end this egregious human rights abuse.

Now we must urgently act again. Abortion giant Planned Parenthood has exposed itself as a perpetuator of another shocking form of trafficking: the illegal selling and buying of baby body parts and intact organs.

That is right. It is not enough that Planned Parenthood kills babies in the womb. No. It has to profit off the death of its victims by first dismembering these unborn children and then selling their organs piece by piece to the highest bidder.

Enough is enough. We will investigate this unlawful, barbaric practice and bring an end to these horrifying abuses.

□ 1315

#### HONORING THE "NEW HORIZONS" MISSION

(Mr. DOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOLD. Mr. Speaker, I rise today to celebrate NASA's *New Horizons* mission. Yesterday, after traveling more than 3 billion miles, the *New Horizons* probe passed just 7,800 miles from the surface of Pluto.

Pluto was discovered in 1930 by a 24-year-old astronomer from my home State of Illinois. In 2006, NASA launched *New Horizons* in an effort to learn more about Pluto, the Kuiper belt, and the formation of our solar system. Yesterday, *New Horizons* sent us back our first closeup pictures of Pluto's surface.

Mr. Speaker, the *New Horizons* mission is a great success for NASA. Not only will we learn great things about our solar system, but I hope that these pictures will serve to inspire a new generation of astronomers and physicists.

America's future relies on a strong and robust program of science, technology, engineering, and math education, or STEM, and I hope that the success of this mission will encourage more students to follow that path.

#### FORT HOOD

(Mr. WILLIAMS asked and was given permission to address the House for 1 minute.)

Mr. WILLIAMS. Mr. Speaker, as a representative from the 25th Congressional District of Texas, it is my pleasure to represent Fort Hood in the United States Congress.

From its state-of-the-art training facilities to its experienced leadership and world-renowned reputation, Fort Hood demonstrates 21st century training for the 21st century soldier. Fort Hood is a treasure of Texas, but it is also the gold standard for the Army, the Department of Defense, and our Nation's overall national security posture.

Last week, in an address to the National Commission on the Future of the Army, I presented my thoughts on the recent troop reduction announcement and how it relates to Fort Hood.

If sequestration takes effect in October as planned, the U.S. Army will have to cut 30,000 soldiers in addition to the 40,000 soldiers that will be removed from ranks over the next 2 years. At this level, our military may not be able to commit to current deployments, let alone successfully take on new challenges.

Mr. Speaker, with the expansion of ISIS in Syria and Iraq, the instability of governments in the Middle East, and an aggressive Russia and China, I do not believe this is the time to be cutting our Army to pre-World War II levels.

Mr. Speaker, Fort Hood is a resilient community made up of the finest soldiers I have ever met. They have been dealt some serious challenges in recent years, and each time, they have overcome them.

Fort Hood is the Great Place; even so, Mr. Speaker, it is imperative this Congress relieves the strain the sequester has put on Fort Hood and our entire military. It is not fair for our brave men and women to suffer the consequences of our inability to properly govern.

I would like to express my gratitude to Fort Hood, the Department of the Army, our soldiers and their families, and fellow Texans.

May God bless our troops; may God bless the Great Place, and God bless the United States of America.

In God We Trust.

#### THE WAR ON POVERTY

(Mr. HILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HILL. Mr. Speaker, over the past four decades, the growth of upward mobility in America has stagnated despite the numerous programs and trillions of dollars spent on our efforts to reduce poverty.

In the wake of a stalemated war on poverty, we need to move beyond the status quo and, instead, look at the tangible impact that local leadership is

having on the programs and concepts that they have created to help those who are struggling in our communities.

In other words, Mr. Speaker, we need to focus on what works. Our goal should be moving people out of poverty and up the socioeconomic ladder, and we can start by turning to our local nonprofit leaders that are working to defeat hopelessness and offering concrete and aspirational futures.

Look at AR Kids Read, the volunteer-based literacy initiative getting private sector volunteers into our elementary schools in Little Rock and Pulaski County and guiding third-graders to a successful future by working with them to assure that they read at grade level.

Let's look at Our House shelter in Little Rock, which teaches families who are struggling with homelessness how to make and sustain positive change.

Mr. Speaker, by prioritizing innovation and success in our community engagement, organizations like these—private, faith-based, and public—working hand in hand can offer our families hope, aspiration, and a roadmap toward the pursuit of happiness.

#### CRIMINAL JUSTICE REFORM

(Mr. FITZPATRICK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FITZPATRICK. Mr. Speaker, it seems like, too often, issues in this town are predetermined—Republicans care about this; Democrats care about that. There isn't any crossover, and then we are stuck in gridlock.

As someone who has spent my time in Congress working to bridge the gap between left and right, I know there is more that unites us than divides us on the big issues. Today, I am proud to highlight another area of bipartisan agreement, criminal justice reform.

The SAFE Justice Act is a legislative proposal to modernize and strengthen our criminal justice system for the 21st century, addressing its exploding costs to taxpayers and often disproportionate application.

States across the Nation—red and blue alike—have led the way on this important issue, and they offer a blueprint for how we address corrections at the Federal level.

The SAFE Justice Act expands on these lessons by seeking to curtail overcriminalization, increase evidence-based sentencing alternatives, reduce recidivism, and increase transparency and accountability.

Mr. Speaker, there is a serious, bipartisan appetite to address this issue now, from the House and the Senate to the White House; and I look forward to working with my colleagues to tackle serious criminal justice reform in this Congress.

# CONGRATULATING NASA AND THE "NEW HORIZONS" TEAM

(Mr. LAMALFA asked and was given permission to address the House for 1 minute.)

Mr. LAMALFA. Mr. Speaker, this week, the first closeup images of Pluto were released thanks to the first-ever mission to explore this world 3 billion miles away.

NASA's *New Horizons* spacecraft launched at a speed well above 30,000 miles per hour, making it the fastest spacecraft ever launched. The *New Horizons* probe was launched almost 10 years ago; yet NASA was able to predict its arrival time within 1 minute only a few thousands miles from the planet.

*New Horizons*' successful mission reaffirms the leadership role the United States plays and must play in the future in space exploration. This helps foster innovation and new technology. The space program also inspires future generations to pursue degrees and careers in science, technology, engineering, and mathematics.

As *New Horizons* begins the process of transmitting data, we will learn even more about Pluto, as well as the Kuiper belt, on its next mission beyond Pluto.

Mr. Speaker, NASA's *New Horizons* team needs to be congratulated for its historic accomplishment, and it is one that all Americans can be proud of as a testament to America's ingenuity and determination.

Once again, NASA has expanded the reach of space exploration, and we applaud their efforts and the *New Horizons* team.

# APPOINTMENT OF INDIVIDUALS TO UNITED STATES-CHINA ECO- NOMIC AND SECURITY REVIEW COMMISSION

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 1238(b)(3) of the Floyd D. Spence National Defense Authorization Act for fiscal year 2001 (22 U.S.C. 7002), as amended, and the order of the House of January 6, 2015, of the following individuals on the part of the House to the United States-China Economic and Security Review Commission for a term expiring on December 31, 2016:

Mr. Larry Wortzel, Williamsburg, Virginia

Mr. Peter Brookes, Springfield, Virginia

# LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HUDSON (at the request of Mr. MCCARTHY) for today on account of a family illness.

# ADJOURNMENT

Mr. LAMALFA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 23 minutes p.m.), under its previous order, the House adjourned until Monday, July 20, 2016, at 2 p.m.

# EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2186. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Novaluron; Pesticide Tolerances [EPA-HQ-OPP-2014-0232; FRL-9929-57] received July 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Agriculture.

2187. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Thiabendazole; Pesticide Tolerances for Emergency Exemptions [EPA-HQ-OPP-2015-0396; FRL-9929-95] received July 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Agriculture.

2188. A letter from the Director, Office of Management and Budget, Executive Office of the President, transmitting a supplemental update of the Budget, commonly known as the Mid-Session Review, containing revised estimates of receipts, outlays, budget authority, and the budget deficit for fiscal years 2015 through 2025, pursuant to 31 U.S.C. 1106; to the Committee on the Budget.

2189. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Distillates (Fischer-Tropsch), heavy, C18-C50, branched, cyclic and linear; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2012-0585; FRL-9929-27] received July 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2190. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Washington: Interstate Transport Requirements for the 2008 Lead and 2010 Nitrogen Dioxide National Ambient Air Quality Standards [EPA-R10-OAR-2015-0329; FRL-9930-69-Region 10] received July 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2191. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Implementation Plans; Texas: Low Reid Vapor Pressure Fuel Regulations [EPA-R06-OAR-2015-0027; FRL-9930-79-Region 6] received July 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2192. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Implementation Plans; North Carolina; Nitrogen Dioxide and Sulfur Diox-

ide National Ambient Air Quality Standards Changes [EPA-R04-OAR-2015-0368; FRL-9930-76-Region 4] received July 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2193. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Revision to the Definition of Volatile Organic Compounds [EPA-R03-OAR-2015-0360; FRL-9930-63-Region 3] received July 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2194. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Redesignation Request and Associated Maintenance Plan for the Lancaster Nonattainment Area for the 1997 Annual and 2006 24-Hour Fine Particulate Matter Standard [EPA-R03-OAR-2015-0050; FRL-9930-56-Region 3] received July 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2195. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Illinois; Midwest Generation Variances [EPA-R05-OAR-2013-0436; EPA-R05-OAR-2014-0663; FRL-9929-71-Region 5] received July 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2196. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Air Quality Implementation Plans; Connecticut; Prevention of Significant Deterioration and Nonattainment New Source Review [EPA-R01-OAR-2014-0842; A-1-FRL-9927-32-Region 1] received July 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2197. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final NUREG rule — Open Phase Conditions in Electric Power System (BTP 8-9) received July 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2198. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final NUREG rule — Physical Security — Review of Physical Security System Designs — Standard Design Certification and Operating Reactor Licensing Applications (SRP 13.6.2) received July 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2199. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final NUREG rule — Strategies and Guidance to Address Loss of Large Areas of the Plant Due to Explosions and Fires (SRP 19.4) received July 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2200. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's Major final rule — Revision of Fee Schedules; Fee Recovery for Fiscal Year 2015 [NRC-2014-0200] (RIN: 3150-AJ44) received July 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2201. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Clarifications and Corrections to the Export Administration Regulations (EAR): Control of Spacecraft Systems and Related Items the President Determines No Longer Warrant Control Under the United States Munitions List (USML) [Docket No.: 150325297-5297-01] (RIN: 0694-AG59) received July 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Foreign Affairs.

2202. A letter from the Assistant Secretary of the Army (Civil Works), Department of Defense, transmitting the final feasibility report and final environmental assessment of the Portsmouth Harbor and Piscataqua River, New Hampshire and Maine Navigation Improvement Project, pursuant to the Water Resources Development Act of 2000, Sec. 436 and the Flood Control Act of 1970, Sec. 216; (H. Doc. No. 114-47); to the Committee on Transportation and Infrastructure and ordered to be printed.

2203. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Transaction of Interest Notice for Basket Contacts (Notice 2015-48) (NOT-110323-15) received July 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

2204. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Listing Notice for Basket Option Contacts (Notice 2015-47) (NOT-139093-14) received July 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

2205. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Use of Lump Sum Payments to Replace Lifetime Income Being received By Retirees Under Defined Benefit Pension Plans [Notice 2015-49] received July 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

2206. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Coverage of Certain Preventive Services Under the Affordable Care Act [TD-9726] (RIN: 1545-BJ58, 1545-BM37, 1545-BM39) received July 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 675. A bill to increase,

effective as of December 1, 2015, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes; with amendments (Rept. 114-206). Referred to the Committee of the Whole House on the state of the Union.

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 1607. A bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for other purposes; with an amendment (Rept. 114-207). Referred to the Committee of the Whole House on the state of the Union.

Mr. CONAWAY: Committee on Agriculture. H.R. 1599. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to food produced from, containing, or consisting of a bioengineered organism, the labeling of natural foods, and for other purposes; with an amendment (Rept. 114-208, Pt. 1). Ordered to be printed.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 1777. A bill to amend the Act of August 25, 1958, commonly known as the "Former Presidents Act of 1958", with respect to the monetary allowance payable to a former President, and for other purposes; with an amendment (Rept. 114-209). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 2395. A bill to amend the Inspector General Act of 1978 to strengthen the independence of the Inspectors General, and for other purposes (Rept. 114-210). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 1831. A bill to establish the Commission on Evidence-Based Policymaking, and for other purposes; with an amendment (Rept. 114-211). Referred to the Committee of the Whole House on the state of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BARR (for himself and Mr. TONKO):

H.R. 3084. A bill to improve the integrity and safety of Thoroughbred horseracing by requiring a uniform anti-doping program to be developed and enforced by an independent Thoroughbred Horseracing Anti-Doping Authority; to the Committee on Energy and Commerce.

By Mr. CARTWRIGHT (for himself, Mr. CICILLINE, Mr. CUMMINGS, and Mr. GRIJALVA):

H.R. 3085. A bill to amend section 1018 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 to make violators of such section liable to residents and invitees of target housing for such violations, and for other purposes; to the Committee on Financial Services.

By Mr. SAM JOHNSON of Texas (for himself and Mr. LARSON of Connecticut):

H.R. 3086. A bill to amend the Internal Revenue Code of 1986 to provide tax benefits to individuals who have been wrongfully incarcerated; to the Committee on Ways and Means.

By Mr. DANNY K. DAVIS of Illinois (for himself and Ms. BASS):

H.R. 3087. A bill to amend the Elementary and Secondary Education Act of 1965 to assure educational stability for children in foster care, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RODNEY DAVIS of Illinois (for himself and Mr. LIPINSKI):

H.R. 3088. A bill to amend the Internal Revenue Code of 1986 to allow employers a credit against income tax for employees who participate in qualified apprenticeship programs; to the Committee on Ways and Means, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WALBERG (for himself and Mrs. LAWRENCE):

H.R. 3089. A bill to close out expired grants, and for other purposes; to the Committee on Oversight and Government Reform.

By Ms. MAXINE WATERS of California (for herself, Mr. SMITH of New Jersey,

Mr. FATTAH, Mr. GARAMENDI, Mrs. BEATTY, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BRADY of Pennsylvania, Ms. BROWN of Florida, Ms. CLARKE of Massachusetts, Ms. CLARKE of New York, Mr. COHEN, Mr. CONNOLLY, Mr. DELANEY, Mrs. DINGELL, Mr. DOGGETT, Ms. EDWARDS, Ms. FRANKEL of Florida, Mr. GRIJALVA, Ms. HAHN, Mr. HASTINGS, Mr. HIGGINS, Mr. ISRAEL, Ms. JACKSON LEE, Mr. JOHNSON of Georgia, Mr. KEATING, Ms. KELLY of Illinois, Mrs. LAWRENCE, Ms. LEE, Mr. LEWIS, Mr. LYNCH, Ms. MATSUI, Mr. MCGOVERN, Mr. NADLER, Ms. NORTON, Mr. PAYNE, Mr. POLIS, Mr. RANGEL, Ms. LINDA T. SANCHEZ of California, Ms. LORETTA SANCHEZ of California, Ms. SCHAKOWSKY, Mr. DAVID SCOTT of Georgia, Mr. SIREN, Mr. TONKO, Mr. VAN HOLLEN, and Mrs. WATSON COLEMAN):

H.R. 3090. A bill to amend the Public Health Service Act to authorize grants for training and support services for Alzheimer's patients and their families; to the Committee on Energy and Commerce.

By Ms. MAXINE WATERS of California (for herself, Mr. SMITH of New Jersey,

Mr. FATTAH, Mr. GARAMENDI, Mrs. BEATTY, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BRADY of Pennsylvania, Ms. BROWN of Florida, Ms. CLARKE of Massachusetts, Ms. CLARKE of New York, Mr. COHEN, Mr. CONNOLLY, Mr. DELANEY, Mrs. DINGELL, Mr. DOGGETT, Ms. EDWARDS, Ms. FRANKEL of Florida, Mr. GRIJALVA, Ms. HAHN, Mr. HASTINGS, Mr. HIGGINS, Mr. ISRAEL, Ms. JACKSON LEE, Mr. JOHNSON of Georgia, Mr. KEATING, Ms. KELLY of Illinois, Mrs. LAWRENCE, Ms. LEE, Mr. LEWIS, Mr. LYNCH, Ms. MATSUI, Mr. MCGOVERN, Mr. NADLER, Ms. NORTON, Mr. PAYNE, Mr. POLIS, Mr. RANGEL, Ms. LINDA T. SANCHEZ of California, Ms. LORETTA SANCHEZ of California, Ms. SCHAKOWSKY, Mr. DAVID SCOTT of Georgia, Mr. SIREN, Mr. TONKO, Mr. VAN HOLLEN, and Mrs. WATSON COLEMAN):

H.R. 3091. A bill to amend the Violent Crime Control and Law Enforcement Act of 1994 to reauthorize the Missing Alzheimer's Disease Patient Alert Program; to the Committee on the Judiciary.

By Ms. MAXINE WATERS of California (for herself, Mr. SMITH of New Jersey, Mr. FATTAH, Mr. GARAMENDI, Mrs. BEATTY, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BRADY of Pennsylvania, Ms. BROWN of Florida, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. COHEN, Mr. CONNOLLY, Mr. DELANEY, Mrs. DINGELL, Mr. DOGGETT, Ms. EDWARDS, Ms. FRANKEL of Florida, Mr. GRIJALVA, Ms. HAHN, Mr. HASTINGS, Mr. HIGGINS, Mr. ISRAEL, Ms. JACKSON LEE, Mr. JOHNSON of Georgia, Mr. KEATING, Ms. KELLY of Illinois, Mrs. LAWRENCE, Ms. LEE, Mr. LEWIS, Mr. LYNCH, Ms. MATSUI, Mr. MCGOVERN, Mr. NADLER, Ms. NORTON, Mr. PAYNE, Mr. POLIS, Mr. RANGEL, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SÁNCHEZ of California, Ms. SCHAKOWSKY, Mr. DAVID SCOTT of Georgia, Mr. SIRES, Mr. TONKO, Mr. VAN HOLLEN, Mrs. WATSON COLEMAN, Mr. LIPINSKI, and Mr. PETERS):

H.R. 3092. A bill to provide for the issuance of an Alzheimer's Disease Research Semipostal Stamp; to the Committee on Oversight and Government Reform, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GIBBS:

H.R. 3093. A bill to direct the Secretary of Transportation to make certain changes in the implementation of the Compliance, Safety, Accountability program of the Federal Motor Carrier Safety Administration, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. GRAVES of Louisiana (for himself, Mr. MILLER of Florida, Mr. RICHMOND, Mr. AUSTIN SCOTT of Georgia, Mr. THOMPSON of Mississippi, Mr. BOUSTANY, Mr. ABRAHAM, Mr. PALAZZO, Mr. WITTMAN, Mr. OLSON, Mr. GENE GREEN of Texas, Mr. WESTMORELAND, Mr. DUNCAN of South Carolina, Mr. BENISHEK, Mr. JODY B. HICE of Georgia, Mr. LONG, Mr. BABIN, Mr. COOK, Mr. WALZ, Mr. LAMALFA, Mr. LATTA, and Mr. CARTER of Georgia):

H.R. 3094. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to transfer to States the authority to manage red snapper fisheries in the Gulf of Mexico; to the Committee on Natural Resources.

By Mr. SMITH of Nebraska (for himself, Mr. KIND, Mr. THOMPSON of California, Mr. SCHRADER, and Mr. YOUNG of Iowa):

H.R. 3095. A bill to amend the Internal Revenue Code of 1986 to provide for an exclusion for assistance provided to participants in certain veterinary student loan repayment or forgiveness programs; to the Committee on Ways and Means.

By Mr. PRICE of North Carolina (for himself, Mr. LANCE, Mr. CROWLEY, and Mr. YOUNG of Alaska):

H.R. 3096. A bill to amend the Elementary and Secondary Education Act of 1965 to award grants to State and local educational agencies for the establishment, improve-

ment, and expansion of world language education programs; to the Committee on Education and the Workforce.

By Mr. AMASH (for himself, Mr. RIBBLE, Mr. MULVANEY, Mr. JORDAN, Mr. LABRADOR, Mr. MASSIE, Mr. DUNCAN of South Carolina, Mr. GOSAR, Mr. BRIDENSTINE, Mr. LOUDERMILK, Mr. SANFORD, Mr. BUCK, Mr. BRAT, Mr. CHAFFETZ, Mr. MEADOWS, and Mr. PERRY):

H.R. 3097. A bill to prohibit the payment of surcharges for commemorative coin programs to private organizations or entities, and for other purposes; to the Committee on Financial Services.

By Ms. HAHN:

H.R. 3098. A bill to establish the Brownfield Redevelopment and Economic Development Innovative Financing program to promote urban renewal, and for other purposes; to the Committee on Financial Services.

By Mr. HARPER (for himself, Ms. CASTOR of Florida, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Mrs. BLACK):

H.R. 3099. A bill to provide for the establishment and maintenance of a National Family Caregiving Strategy, and for other purposes; to the Committee on Education and the Workforce.

By Mr. TOM PRICE of Georgia:

H.R. 3100. A bill to prohibit conditioning health care provider licensure on participation in a health plan or the meaningful use of electronic health records; to the Committee on Energy and Commerce.

By Mr. JOHNSON of Ohio (for himself, Mr. STIVERS, and Mr. TIBERI):

H.R. 3101. A bill to direct the Secretary of Veterans Affairs to review the list of veterans designated as former prisoners of war, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. KATKO (for himself and Miss RICE of New York):

H.R. 3102. A bill to amend the Homeland Security Act of 2002 to reform programs of the Transportation Security Administration, streamline transportation security regulations, and for other purposes; to the Committee on Homeland Security.

By Mr. KINZINGER of Illinois (for himself and Mr. LOEBSACK):

H.R. 3103. A bill to encourage spectrum licenses to make unused spectrum available for use by rural and smaller carriers in order to expand wireless coverage; to the Committee on Energy and Commerce.

By Mr. LARSON of Connecticut:

H.R. 3104. A bill to amend the Internal Revenue Code of 1986 to reduce carbon pollution in the United States, invest in the Nation's infrastructure, and cut taxes for working Americans; to the Committee on Ways and Means, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEVIN (for himself, Ms. PELOSI, Mr. RANGEL, Mr. McDERMOTT, Mr. LEWIS, Mr. BECERRA, Mr. DOGGETT, Mr. THOMPSON of California, Mr. LARSON of Connecticut, Mr. BLUMENAUER, Mr. PASCRELL, Mr. CROWLEY, Mr. DANNY K. DAVIS of Illinois, Ms. LINDA T. SÁNCHEZ of California, Mr. HOYER, Mr. CLYBURN, Mrs. DINGELL, Mr. KIND, and Mr. NEAL):

H.R. 3105. A bill to amend the Internal Revenue Code of 1986 to clarify that all provisions shall apply to legally married same-sex

couples in the same manner as other married couples, and for other purposes; to the Committee on Ways and Means.

By Mr. MILLER of Florida:

H.R. 3106. A bill to authorize Department major medical facility construction projects for fiscal year 2015, to amend title 38, United States Code, to make certain improvements in the administration of Department medical facility construction projects, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PEARCE (for himself, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. STEWART, Mr. COFFMAN, Mr. BEN RAY LUJAN of New Mexico, Mr. BYRNE, Mr. COLLINS of Georgia, and Mrs. ROBY):

H.R. 3107. A bill to require the continuation in effect of sanctions imposed with respect to Belarus, and for other purposes; to the Committee on Foreign Affairs.

By Mr. PETERS (for himself, Mr. HONDA, and Mr. GALLEGO):

H.R. 3108. A bill to improve energy savings by the Department of Defense, and for other purposes; to the Committee on Armed Services.

By Mr. POSEY:

H.R. 3109. A bill to permit certain current loans that would otherwise be treated as non-accrual loans as accrual loans, and for other purposes; to the Committee on Financial Services.

By Mr. REED (for himself, Mr. PASCRELL, Mr. HARPER, Mr. RANGEL, Mr. KING of New York, Mr. THOMPSON of California, Ms. DELBENE, Mr. GIBSON, Mr. COLE, Mr. RODNEY DAVIS of Illinois, Mr. DENT, Mr. KELLY of Pennsylvania, Mr. MEEHAN, Mr. SMITH of New Jersey, and Mr. FITZPATRICK):

H.R. 3110. A bill to amend the Internal Revenue Code of 1986 to provide tax relief for major disasters declared in any of calendar years 2012 through 2015, to make certain tax relief provisions permanent, and for other purposes; to the Committee on Ways and Means.

By Mr. SALMON:

H.R. 3111. A bill to reduce the number of nonessential vehicles purchased and leased by the Federal Government, and for other purposes; to the Committee on Oversight and Government Reform.

By Ms. STEFANIK (for herself, Mr. HUDSON, and Mr. WALBERG):

H.R. 3112. A bill to repeal a requirement that new employees of certain employers be automatically enrolled in the employer's health benefits plan; to the Committee on Education and the Workforce.

By Mr. WEBER of Texas (for himself, Mr. RIBBLE, Mr. OLSON, Mr. BURGESS, Mr. BABIN, Mr. JENKINS of West Virginia, Mr. FARENTHOLD, and Mr. CRAMER):

H.R. 3113. A bill to prohibit the Secretary of Veterans Affairs from obligating or expending funds for alternative energy generation projects unless specifically authorized by law, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MAXINE WATERS of California (for herself, Ms. LEE, Mr. GRIJALVA, Mr. RANGEL, Mr. DANNY K. DAVIS of Illinois, Mr. SMITH of Washington, Mr. NADLER, Ms. NORTON, Ms. JACKSON LEE, Mr. HASTINGS, Mrs. BEATTY,



Mr. MEEKS, Ms. CLARKE of New York, Mr. BUTTERFIELD, Mr. TAKANO, Mr. MCGOVERN, Mr. PASCARELL, Mr. COHEN, Mrs. WATSON COLEMAN, Mr. RUSH, Ms. BROWN of Florida, Mr. SRES, Mr. LEWIS, and Mr. MCDERMOTT):

H. Res. 366. A resolution supporting the goals and ideals of National Clinicians HIV/AIDS Testing and Awareness Day, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ROSKAM (for himself, Mr. ABRAHAM, Mr. ADERHOLT, Mr. ALLEN, Mr. AMODEI, Mr. BABIN, Mr. BARR, Mr. BARTON, Mr. BENISHEK, Mr. BILIRAKIS, Mr. BISHOP of Michigan, Mr. BISHOP of Utah, Mrs. BLACK, Mrs. BLACKBURN, Mr. BLUM, Mr. BOST, Mr. BRADY of Texas, Mr. BRAT, Mr. BRIDENSTINE, Mrs. BROOKS of Indiana, Mr. BUCHANAN, Mr. BUCSHON, Mr. BURGESS, Mr. BYRNE, Mr. CARTER of Texas, Mr. CHABOT, Mr. CHAFFETZ, Mr. COLLINS of New York, Mr. COLLINS of Georgia, Mrs. COMSTOCK, Mr. CONAWAY, Mr. COOK, Mr. CRAMER, Mr. CURBELO of Florida, Mr. RODNEY DAVIS of Illinois, Mr. DENHAM, Mr. DESANTIS, Mr. DESJARLAIS, Mr. DOLD, Mr. DONOVAN, Mr. DUNCAN of South Carolina, Mrs. ELLMERS of North Carolina, Mr. EMMER of Minnesota, Mr. FARENTHOLD, Mr. FINCHER, Mr. FLORES, Mr. FRANKS of Arizona, Mr. FRELINGHUYSEN, Mr. GIBBS, Mr. GIBSON, Mr. GOHMERT, Mr. GOSAR, Mr. GOWDY, Mr. GRAVES of Georgia, Mr. GUINTA, Mr. HARPER, Mr. HARRIS, Mr. HENSARLING, Mr. JODY B. HICE of Georgia, Mr. HILL, Mr. HOLDING, Mr. HUDSON, Mr. HUIZENGA of Michigan, Mr. HULTGREN, Mr. HUNTER, Mr. HURD of Texas, Mr. HURT of Virginia, Mr. ISSA, Mr. JENKINS of West Virginia, Ms. JENKINS of Kansas, Mr. SAM JOHNSON of Texas, Mr. JORDAN, Mr. JOYCE, Mr. KELLY of Pennsylvania, Mr. KING of Iowa, Mr. KING of New York, Mr. KINZINGER of Illinois, Mr. KLINE, Mr. KNIGHT, Mr. LAMALFA, Mr. LAMBORN, Mr. LANCE, Mr. LATTA, Mr. LUETKEMEYER, Mr. LONG, Mr. LOUDERMILK, Mrs. LOVE, Mr. MACARTHUR, Mr. MARCHANT, Mr. MCCLINTOCK, Mr. MCKINLEY, Mr. MEADOWS, Mr. MESSER, Mr. MILLER of Florida, Mrs. MILLER of Michigan, Mr. MOOLENAAR, Mr. MOONEY of West Virginia, Mr. MULVANEY, Mr. MURPHY of Pennsylvania, Mr. NEUGEBAUER, Mrs. NOEM, Mr. NUNES, Mr. OLSON, Mr. PALAZZO, Mr. PALMER, Mr. PEARCE, Mr. PERRY, Mr. PITTINGER, Mr. PITTS, Mr. POE of Texas, Mr. POMPEO, Mr. POSEY, Mr. TOM PRICE of Georgia, Mrs. RADEWAGEN, Mr. RATCLIFFE, Mr. REICHERT, Mr. RENACCI, Mr. RIBBLE, Mr. RICE of South Carolina, Mrs. ROBY, Mr. ROE of Tennessee, Mr. ROGERS of Alabama, Mr. ROKITA, Mr. ROONEY of Florida, Ms. ROSLEHTINEN, Mr. ROSS, Mr. ROTHFUS, Mr. ROUZER, Mr. SALMON, Mr. SANFORD, Mr. SCHWEIKERT, Mr. AUSTIN SCOTT of Georgia, Mr. SENSENBRENNER, Mr. SESSIONS, Mr. SHIMKUS, Mr. SHUSTER, Mr. SMITH of Nebraska, Mr. SMITH of New Jersey, Mr. SMITH of Texas, Ms. STEFANIK, Mr. STEWART, Mr. STIVERS, Mr. STUTZMAN, Mr. THOMPSON of Pennsylvania, Mr. TIBERI, Mr. TIPTON, Mr. TURNER, Mr.

VALADAO, Mrs. WAGNER, Mr. WALBERG, Mr. WALKER, Mrs. WALORSKI, Mrs. MIMI WALTERS of California, Mr. WEBER of Texas, Mr. WEBSTER of Florida, Mr. WENSTRUP, Mr. WESTERMAN, Mr. WESTMORELAND, Mr. WILLIAMS, Mr. WILSON of South Carolina, Mr. WOMACK, Mr. WOODALL, Mr. YODER, Mr. YOHO, Mr. ZELDIN, and Mr. ZINKE):

H. Res. 367. A resolution expressing the sense of the House of Representatives in disapproval of the Joint Comprehensive Plan of Action agreed to by the P5+1 and Iran on July 14, 2015; to the Committee on Foreign Affairs.

By Mr. LEWIS (for himself, Mr. CONYERS, Mr. RANGEL, Mr. MCDERMOTT, Mr. MCGOVERN, Ms. BASS, Ms. CLARKE of New York, Mr. GRIJALVA, Ms. JACKSON LEE, Mrs. LAWRENCE, Ms. NORTON, Ms. WASSERMAN SCHULTZ, Mr. RICHMOND, Mr. SERRANO, and Ms. SEWELL of Alabama):

H. Res. 368. A resolution expressing the sense of the House of Representatives on Nelson Mandela International Day; to the Committee on Foreign Affairs.

## MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

94. The SPEAKER presented a memorial of the Legislature of the State of California, relative to Assembly Joint Resolution No. 11, urging the President and the Congress of the United States to recognize the unique military value of California's defense installations and the disproportionate sacrifices California has endured in previous base realignment and closure rounds; to the Committee on Armed Services.

95. Also, a memorial of the Legislature of the State of California, relative to Assembly Joint Resolution No. 6, urging the President and the Congress of the United States to enact legislation to establish guarantees by the federal government to support the responsible sale of postearthquake bonds by financially sound residential-earthquake-insurance programs operated by any of the several states on an actuarially sound basis; to the Committee on Financial Services.

96. Also, a memorial of the Legislature of the State of California, relative to Assembly Joint Resolution No. 14, urging Congress to support legislation reauthorizing the Export-Import Bank of the United States; to the Committee on Financial Services.

## CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. BARR:

H.R. 3084.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

"to regulate commerce with foreign nations, and among the several states, and with the Indian tribes."

By Mr. CARTWRIGHT:

H.R. 3085.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (relating to the power of Congress to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.)

By Mr. SAM JOHNSON of Texas:

H.R. 3086.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. DANNY K. DAVIS of Illinois:

H.R. 3087.

Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution and its subsequent amendments and further clarified and interpreted by the Supreme Court of the United States.

By Mr. RODNEY DAVIS of Illinois:

H.R. 3088.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of, and the Sixteenth Amendment to, the United States Constitution.

By Mr. WALBERG:

H.R. 3089.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7 of the Constitution of the United States;

"No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time."

The purpose of the bill is to require the Office of Management and Budget to provide a more extensive account of the receipts and expenditures of all current grant programs to determine which programs should be closed.

By Ms. MAXINE WATERS of California:

H.R. 3090.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 1 of the U.S. Constitution and

Article 1, Section 8, clause 3 of the U.S. Constitution.

By Ms. MAXINE WATERS of California:

H.R. 3091.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 1 of the U.S. Constitution and

Article 1, Section 8, clause 3 of the U.S. Constitution.

By Ms. MAXINE WATERS of California:

H.R. 3092.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution.

By Mr. GIBBS:

H.R. 3093.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, of the United States Constitution.

By Mr. GRAVES of Louisiana:

H.R. 3094.

Congress has the power to enact this legislation pursuant to the following:

Article I, §8, Clause 3, of the United States Constitution

By Mr. SMITH of Nebraska:

H.R. 3095.

Congress has the power to enact this legislation pursuant to the following:



This bill makes changes to existing law relating to Article 1, Section 7 which provides that "All bills for raising Revenue shall originate in the House of Representatives."

By Mr. PRICE of North Carolina:

H.R. 3096.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution provides Congress with the authority to "make all Laws which shall be necessary and proper" to provide for the "general Welfare" of Americans. In the Department of Education Organization Act (P.L. 96-88), Congress declared that "the establishment of a Department of Education is in the public interest, will promote the general welfare of the United States, will help ensure that education issues receive proper treatment at the Federal level, and will enable the Federal Government to coordinate its education activities more effectively." The Department of Education's mission is to "promote student achievement and preparation for global competitiveness by fostering education excellence and ensuring equal access."

By Mr. AMASH:

H.R. 3097.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 5 empowers Congress "To coin Money, [and] regulate the Value thereof." Congress currently authorizes the minting of commemorative coins, and this bill directs the proceeds of the minting.

By Ms. HAHN:

H.R. 3098.

Congress has the power to enact this legislation pursuant to the following:

According to Article 1: Section 8: Clause 18: of the United States Constitution, seen below, this bill falls within the Constitutional Authority of the United States Congress.

Article 1: Section 8: Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. HARPER:

H.R. 3099.

Congress has the power to enact this legislation pursuant to the following:

Article I, §8, clause 3

By Mr. TOM PRICE of Georgia:

H.R. 3100.

Congress has the power to enact this legislation pursuant to the following:

Consistent with the original understanding of the Commerce Clause, the authority to enact this legislation is found within Clause 3 of Section 8, Article 1 of the U.S. Constitution. Furthermore, the treatment of Medicaid among other provisions provide for the general welfare of the United States and thereby retain authority within Clause 1 of Section 8, Article of the U.S. Constitution.

By Mr. JOHNSON of Ohio:

H.R. 3101.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Mr. KATKO:

H.R. 3102.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3-To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes; and

Article I, Section 8, Clause 18-To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. KINZINGER of Illinois:

H.R. 3103.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution

By Mr. LARSON of Connecticut:

H.R. 3104.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article 1 of the United States Constitution

By Mr. LEVIN:

H.R. 3105.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article 1 of the United States Constitution

By Mr. MILLER of Florida:

H.R. 3106.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. PEARCE:

H.R. 3107.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the United States Constitution

By Mr. PETERS:

H.R. 3108.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution

By Mr. POSEY:

H.R. 3109.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. REED:

H.R. 3110.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I and Amendment XVI of the United States Constitution.

By Mr. SALMON:

H.R. 3111.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7—"No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time."

By Ms. STEFANIK:

H.R. 3112.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3 of the United States Constitution.

By Mr. WEBER of Texas:

H.R. 3113.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1 Section 1 and Article 1 Section 9. "All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives." "No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time."

tions made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public money shall be published from time to time."

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 136: Ms. BASS and Ms. LORETTA SANCHEZ of California.

H.R. 167: Mrs. NOEM.

H.R. 169: Mr. MEADOWS.

H.R. 272: Mrs. BLACKBURN.

H.R. 300: Mr. LAMBORN.

H.R. 303: Mr. COLE.

H.R. 333: Mr. VEASEY, Mr. ENGEL, and Mrs. LAWRENCE.

H.R. 501: Ms. GABBARD.

H.R. 563: Mrs. LAWRENCE and Mr. TAKANO.

H.R. 592: Mr. BROOKS of Alabama.

H.R. 600: Ms. STEFANIK.

H.R. 700: Mr. LYNCH.

H.R. 721: Ms. WASSERMAN SCHULTZ.

H.R. 757: Ms. LORETTA SANCHEZ of California and Mr. RODNEY DAVIS of Illinois.

H.R. 759: Mr. RUSSELL.

H.R. 775: Mr. KIND.

H.R. 815: Mrs. NAPOLITANO.

H.R. 828: Mr. ROSKAM and Mrs. NOEM.

H.R. 842: Mr. REED.

H.R. 911: Mr. WILLIAMS.

H.R. 921: Mr. WELCH and Mr. REED.

H.R. 928: Mrs. McMORRIS RODGERS.

H.R. 961: Mr. SMITH of Nebraska.

H.R. 969: Mr. KNIGHT, Mr. MULLIN, Mr. NUNES, Ms. VELÁZQUEZ, Mr. RODNEY DAVIS of Illinois, and Mrs. MIMI WALTERS of California.

H.R. 985: Ms. WASSERMAN SCHULTZ.

H.R. 1019: Ms. SPEIER.

H.R. 1091: Ms. GRAHAM.

H.R. 1148: Ms. JENKINS of Kansas.

H.R. 1178: Mr. LEWIS.

H.R. 1209: Mrs. KIRKPATRICK.

H.R. 1233: Mr. WOMACK, Mr. DESJARLAIS, Mr. GOODLATTE, and Mr. COLLINS of Georgia.

H.R. 1270: Mr. POSEY and Mr. MCKINLEY.

H.R. 1301: Mr. COFFMAN.

H.R. 1309: Mr. GRIFFITH.

H.R. 1344: Mr. OLSON and Mr. PASCRELL.

H.R. 1356: Mrs. BUSTOS, Mr. RYAN of Ohio, Mr. ENGEL, Mr. HINOJOSA, Mrs. LAWRENCE, and Mr. VEASEY.

H.R. 1399: Ms. GABBARD.

H.R. 1422: Mr. KIND.

H.R. 1427: Mr. YARMUTH and Mr. MOONEY of West Virginia.

H.R. 1475: Mr. PETERS and Mr. OLSON.

H.R. 1516: Mr. REED and Mr. JOHNSON of Georgia.

H.R. 1559: Mr. LYNCH, Ms. HAHN, Ms. LINDA T. SANCHEZ of California, Mr. DELANEY, and Mr. LIPINSKI.

H.R. 1594: Mr. BENISHEK, Mr. WELCH, and Mr. ENGEL.

H.R. 1599: Mr. GOSAR, Mr. HURT of Virginia, Mr. BROOKS of Alabama, Mr. STUTZMAN, Mr. SCHWEIKERT, Mr. SHUSTER, Mr. DENHAM, and Mrs. MILLER of Michigan.

H.R. 1610: Mr. RATCLIFFE and Mr. LUETKEMEYER.

H.R. 1612: Mr. GALLEGO and Mr. GRIJALVA.

H.R. 1624: Mr. FITZPATRICK, Mr. BARR, Mr. STIVERS, Mrs. NOEM, Mr. COSTA, Mrs. WALORSKI, Mr. PAULSEN, Mr. NEUGEBAUER, Mr. REED, and Mr. TURNER.

H.R. 1671: Mr. BROOKS of Alabama.

H.R. 1728: Mr. ASHFORD.

H.R. 1736: Mr. POMPEO and Mr. BOST.

H.R. 1772: Mr. LANCE.

H.R. 1786: Mr. PRICE of North Carolina and Mr. JOYCE.

- H.R. 1832: Mr. SWALWELL of California.  
H.R. 1886: Mr. BISHOP of Michigan.  
H.R. 1887: Mr. DONOVAN.  
H.R. 1901: Mr. WALKER and Mr. DUNCAN of South Carolina.  
H.R. 1902: Ms. VELÁZQUEZ.  
H.R. 1969: Mr. ENGEL, Mr. RYAN of Ohio, Mr. CONNOLLY, Mr. WALZ, Mr. RUSH, Ms. BORDALLO, Mr. THOMPSON of California, Mr. SEAN PATRICK MALONEY of New York, Mr. COLE, and Mr. VEASEY.  
H.R. 1994: Mr. GIBSON, Mr. MARINO, and Mr. BRAT.  
H.R. 2050: Mr. COOK and Mr. COSTELLO of Pennsylvania.  
H.R. 2061: Mr. HURT of Virginia.  
H.R. 2063: Mr. GRIJALVA, Mr. CICILLINE, Ms. NORTON, and Ms. BORDALLO.  
H.R. 2096: Mr. MEEHAN and Mrs. MCMORRIS RODGERS.  
H.R. 2156: Mr. FRELINGHUYSEN.  
H.R. 2169: Ms. GRAHAM.  
H.R. 2193: Mrs. DINGELL.  
H.R. 2215: Mr. GRAVES of Louisiana.  
H.R. 2258: Mr. GRAVES of Louisiana.  
H.R. 2287: Mr. CHABOT.  
H.R. 2355: Ms. DELBENE.  
H.R. 2358: Mr. GUTHRIE.  
H.R. 2400: Mr. JOHNSON of Ohio, Mr. WEBSTER of Florida, Mr. HARRIS, Mr. JOLLY, Mr. LAMALFA, and Mr. ZINKE.  
H.R. 2403: Mr. HANNA.  
H.R. 2408: Mr. BLUMENAUER.  
H.R. 2417: Mr. OLSON.  
H.R. 2449: Mr. O'ROURKE, Mr. HIGGINS, Ms. ROYBAL-ALLARD, Ms. MATSUI, and Ms. WASSERMAN SCHULTZ.  
H.R. 2464: Mr. BOUSTANY, Mr. YOHO, and Mr. JONES.  
H.R. 2477: Mr. EMMER of Minnesota.  
H.R. 2494: Mrs. NAPOLITANO and Mr. COFFMAN.  
H.R. 2510: Mr. NEWHOUSE.  
H.R. 2530: Mr. THOMPSON of California and Ms. MATSUI.  
H.R. 2553: Mr. ROSS, Ms. DELAULO, and Mrs. NAPOLITANO.  
H.R. 2564: Ms. CASTOR of Florida.  
H.R. 2588: Mr. TIPTON.  
H.R. 2635: Mrs. RADEWAGEN.  
H.R. 2657: Mr. MCKINLEY.  
H.R. 2658: Mr. LOBIONDO.  
H.R. 2663: Mr. TIPTON, Mr. PERLMUTTER, Mr. AMODEI, and Mr. COOK.  
H.R. 2715: Ms. BONAMICI.  
H.R. 2740: Mrs. KIRKPATRICK.  
H.R. 2754: Mr. KILMER.  
H.R. 2775: Mr. COOPER and Mr. SIMPSON.  
H.R. 2793: Mr. OLSON and Mr. POLIQUIN.  
H.R. 2798: Mr. HIGGINS.  
H.R. 2802: Mr. KELLY of Mississippi, Mr. CRAWFORD, Mr. AUSTIN SCOTT of Georgia, Mr. GIBBS, Mr. HENSARLING, and Mr. MASSIE.  
H.R. 2817: Mr. WELCH.  
H.R. 2818: Mr. FLEMING, Mr. ROE of Tennessee, Mrs. BLACKBURN, Mr. BABIN, Mr. WALBERG, and Mr. WITTMAN.  
H.R. 2867: Mr. TAKANO, Ms. FRANKEL of Florida, Mr. ENGEL, Mr. MURPHY of Florida, Mr. TONKO, Ms. ADAMS, and Ms. MENG.  
H.R. 2899: Mr. MARINO.  
H.R. 2920: Mr. QUIGLEY, Mr. PASCRELL, and Ms. MCSALLY.  
H.R. 2960: Mr. BURGESS.  
H.R. 2978: Mr. MURPHY of Florida, Ms. KAPTUR, Ms. CASTOR of Florida, Ms. JACKSON LEE, and Ms. WILSON of Florida.  
H.R. 2979: Mr. LEVIN, Mr. LARSON of Connecticut, Mr. KEATING, Mr. WALZ, and Mr. VEASEY.  
H.R. 2992: Ms. BORDALLO.  
H.R. 3006: Mr. GIBBS, Mr. ROE of Tennessee, Mr. PITTENGER, and Mr. PEARCE.  
H.R. 3024: Mr. MARCHANT and Ms. LINDA T. SÁNCHEZ of California.  
H.R. 3025: Mr. CALVERT.  
H.R. 3026: Mr. RUIZ.  
H.R. 3037: Mrs. KIRKPATRICK.  
H.R. 3052: Mr. JONES, Mr. SAM JOHNSON of Texas, and Mr. DUNCAN of South Carolina.  
H.R. 3057: Mr. THOMPSON of Pennsylvania.  
H.R. 3067: Ms. JENKINS of Kansas, Mr. RANGEL, and Mrs. LAWRENCE.  
H.J. Res. 55: Mr. CLAWSON of Florida.  
H.J. Res. 59: Mr. BURGESS.  
H. Con. Res. 17: Mr. MOONEY of West Virginia and Mrs. RADEWAGEN.  
H. Con. Res. 19: Mr. FRANKS of Arizona.  
H. Con. Res. 20: Mr. MOONEY of West Virginia.  
H. Con. Res. 40: Mr. GIBSON and Mr. VEASEY.  
H. Con. Res. 41: Mr. COHEN.  
H. Con. Res. 50: Ms. CLARK of Massachusetts.  
H. Con. Res. 62: Mr. GROTHMAN, Mr. WEBER of Texas, Mr. DESANTIS, Mr. JOHNSON of Ohio, Mr. GRAVES of Missouri, and Mr. FLEMING.  
H. Res. 130: Mr. BISHOP of Michigan.  
H. Res. 290: Mr. BISHOP of Michigan and Ms. ESHOO.  
H. Res. 343: Mr. BILIRAKIS.  
H. Res. 346: Mr. DIAZ-BALART.  
H. Res. 354: Mr. CARTWRIGHT, Ms. WILSON of Florida, Mr. PASCRELL, and Mr. VEASEY.

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#### AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2898 OFFERED BY: Mr. GARAMENDI

AMENDMENT No. 2: Strike “collaborate with the California Department of Water Resources to install” and insert “conduct a study, in collaboration with the California Department of Water Resources, to determine the feasibility and suitability of installing”.

## EXTENSIONS OF REMARKS

### RECOGNIZING THE TYLER JUNIOR COLLEGE APACHES' 2015 NJCAA DIVISION III WORLD SERIES CHAMPIONSHIP

#### HON. LOUIE GOHMERT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 2015

Mr. GOHMERT. Mr. Speaker, it is an extraordinary privilege of extending recognition to a team winning, not merely a state or conference championship, but a national title, not for the first time, but for the second year in a row. Once again, the Tyler Junior College Apaches Baseball Team has achieved national prominence by winning the 2015 NJCAA Division III World Series baseball tournament.

This back to back national title is the third national baseball championship title for Tyler Junior College, and marks the fifty-second national championship for TJC since athletics was first organized at the school back in the 1940s.

The TJC Apaches traveled to Kinston, North Carolina along with a host of devoted Apache fans, where the doggedly tenacious team defeated Joliet (Illinois) Junior College with a final score of 10–9. They never lost sight of their unified goal of capturing another national title for TJC. The TJC Apaches pushed onward with unmitigated perseverance and determination, despite a season wrought with weather related delays and cancellations.

A tremendously skilled coaching and administrative staff helped lead the Apaches to another consecutive victory. Those individuals include Head Baseball Coach Doug Wren (NJCAA Div. III Baseball Coach of the Year); Assistant Coaches Chad Sherman, Taylor White, and Trent Buchhorn.

The exceptionally talented, resolute, relentless national championship team is comprised of Zane Ancell, Austin Ballew, Cody Brown (Tournament MVP), Landon Brune, Jace Campbell, Derek Clemons (Tournament Elite Hitter & All-Tournament Team), Aaron Clemons (All-Tournament Team), Michael Crews, Manny Galvan, Jonathan Groff, Jacob Hickman, Chantz Holland, Tim Hunter, Jimmy Johnson, Garrett Johnston, Alex Masotto (All-Tournament Team), AJ Merkel, Chandler Muckleroy, Brady O'Borski, Zane Otten, Jared Pauley, Gunnar Quick, Reese Read, Taylor Rich, Drew Robertson, Adan Ross, Reid Russell, Sam Sitton, Weston Smart, Travis Smith, Brady Usherwood, Jace Vines, and Brandon Webb (All-Tournament Team). Of course, every great team needs assistance to round out and hold them together as a team and keep them physically on the field playing, and that help came in the very able assistance of Training Staff Eddy McGuire, Jeff Derrick, Spenser Deeken, Lynsee Jistel, and Nathan Tanaka; and Student Support Staff consisting of Chad Cunningham and Justin Doelitsch.

Without question, there is a long legacy of academic and athletic achievement at Tyler Junior College, even as it continues to reach new levels of prestige under the meticulous leadership of TJC President Dr. L. Michael Metke; Athletic Director Dr. Tim Drain; Assistant Athletic Director Chuck Smith; Athletic Department Coordinator M. Angela Clemons; and Provost and Vice President for Academic and Student Affairs Dr. Juan Mejia.

One must also recognize the unwavering support of the players' families, Tyler Junior College alumni, faculty, staff members, and the entire East Texas community. Without this remarkably loyal support system, the Apaches' road to back-to-back national championships would have been a much more difficult journey.

It is with great pride that I join the constituents of the First District of Texas in congratulating the players and athletic staff of the 2015 NJCAA Division III World Series National Champions, the TJC Apaches Baseball Team, whose legacy is now recorded in the CONGRESSIONAL RECORD that will endure as long as there is a United States of America.

### RECOGNIZING GOTEMBA, JAPAN ON ITS 55TH ANNIVERSARY AS CHAMBERSBURG, PENNSYLVANIA'S SISTER CITY

#### HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 2015

Mr. SHUSTER. Mr. Speaker, I rise today to recognize the city of Gotemba, Japan on the occasion of its 55th year as Chambersburg, Pennsylvania's Sister City.

In 1958 the Gotemba City Assembly took the first step in creating an exciting international bond when it voted to establish a Sister City relationship with Chambersburg, PA. With a vibrant population of nearly 89,000 people and a picturesque location near the base of Mt. Fuji, Gotemba has been an extraordinary partner and gracious host.

Originally presented as an opportunity for building friendships and exchanging ideas and cultural interests, this arrangement has created long-lasting connections and spurred experiences that any international city would be lucky to have.

Long after the first personal contact by citizens of Chambersburg visiting Gotemba occurred in April, 1960, our friendship remains strong. It is my honor to help welcome the Gotemba citizens and highlight their 2015 visit to Chambersburg, as it is not only the first of its kind in a decade but also marks the 55th year of our unique relationship. Additionally, I would like to recognize those who have built and maintained the Sister City status, for they have made this milestone and all of its posi-

tive impacts on both of our communities possible.

Today I am proud to celebrate the 55 years Chambersburg and Gotemba have shared as Sister Cities and wish this international union endless success in the future.

### RECOGNIZING THE 30TH ANNIVERSARY OF THE BREVARD SMALL BUSINESS ASSISTANCE COUNCIL

#### HON. BILL POSEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 2015

Mr. POSEY. Mr. Speaker, small businesses are the backbone of our economy and have historically created the bulk of new jobs in America. Wherever and whenever efforts are undertaken to encourage small business development and entrepreneurship, we make our economy stronger and provide new opportunities to hard working Americans and their families. One such organization dedicated to this cause is the Brevard Small Business Assistance Council (BSBAC).

Founded in 1985, BSBAC is a not-for-profit organization dedicated to promoting the growth of small businesses in Brevard County, Florida, by providing networking opportunities, learning and coordinating advocacy on issues that influence businesses in Brevard County. Some of its members include Brevard County's local governments and chambers of commerce, banks, legal offices, the federal government and many prime contractors for the Air Force and NASA.

On August 1, 2015 the Brevard Small Business Assistance Council will achieve a great milestone in its life and celebrate its 30th Anniversary.

I urge my colleagues to join me in congratulating BSBAC for their successful efforts over the past 30 years to support local business development, and salute their continued commitment to enhancing commercial and government procurement opportunities for Brevard County and Florida's small businesses.

### RECOGNIZING KEN "KENNY" STABLER OAKLAND RAIDER LEGEND ON HIS PASSING

#### HON. ERIC SWALWELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 2015

Mr. SWALWELL of California. Mr. Speaker, I rise with Congressman JIM COSTA of California, and Congressman BRADLEY BYRNE of Alabama to recognize Oakland Raider legend Kenny Stabler on the occasion of his passing away from colon cancer on July 9, 2015 at the age of 69.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

After playing football at the University of Alabama, Stabler joined the Oakland Raiders and was their quarterback during the franchise's glory years from 1970–1979.

In his time as the Raiders' starting quarterback, Stabler compiled a record of 69–26–1, was named to the Pro Bowl four times, earned NFL MVP honors in 1974, and won a Super Bowl in 1977. He was one of the most accurate passers in football and revolutionized the quarterback position with his mobility in an illustrious career that also included stops with the Houston Oilers (1980–1981) and New Orleans Saints (1982–1984).

More than any statistics or records, (which were impressive enough in their own right), Stabler was a clutch performer who was cool under pressure. Nicknamed "the Snake," he embodied the toughness, grit, yet fun-loving spirit that epitomized the Silver and Black during a storied era.

Stabler was at the helm for some of the NFL's most iconic moments including the "Sea of Hands" completion to Clarence Davis to defeat the Miami Dolphins in the 1974 playoffs, the "Ghost to the Post" to Dave Casper leading to a victory against the Baltimore Colts in the 1977 playoffs, and the "Holy Roller" fumble he initiated to secure a victory over their AFC West rival San Diego Chargers in 1978.

In fact, NFL Hall of Fame Coach and Commentator John Madden said that if he could only have one quarterback in all of NFL history to lead a final game-winning drive, it would undoubtedly be Kenny Stabler.

Kenny's commitment to excellence with pride and poise was truly extraordinary. Along with Congressman COSTA and Congressman BYRNE, I want to acknowledge him for his stellar career and pass along my condolences to his family, friends, and the Oakland Raiders franchise.

#### RECOGNIZING NIKI KENNEDY'S FULBRIGHT SCHOLAR ACHIEVEMENT

#### HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 2015

Mr. LONG. Mr. Speaker, I rise today to recognize and congratulate Niki Kennedy on receiving a renowned Fulbright English Teaching Assistant Award for the 2014–2015 academic year.

Niki, a Marionville, Missouri, native, was awarded a Fulbright U.S. Student Program grant to serve as an English Teaching Assistant in Germany. The award has allowed Niki to continue learning the German language and culture after graduating from Missouri State University, while at the same time serving the people of Germany.

A Fulbright English Teaching Assistantship allows individuals to teach English and serve as a cultural ambassador for the U.S. by being placed in a classroom abroad. Niki's work through her scholarship has helped strengthen American ties with the German people and improve American relations with the country.

I am extremely proud that talented, hard-working, and dedicated individuals such as

Niki represent the Seventh District of Missouri. I urge my colleagues to join me in congratulating Niki Kennedy for her service and for receiving this esteemed award.

#### IN RECOGNITION OF THE 70TH AN- NIVERSARY OF ST. JOHN MIS- SIONARY BAPTIST CHURCH

#### HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 2015

Ms. MATSUI. Mr. Speaker, I rise today to recognize St. John Missionary Baptist Church and its parishioners as they celebrate the church's 70th anniversary. As its congregation gathers to celebrate this wonderful occasion, I ask all of my colleagues to join me in recognizing and honoring St. John Missionary Baptist Church for their contributions to the Sacramento community.

St. John Missionary Baptist Church was formed on August 24, 1945, under the leadership of Reverend Benjamin F. Davis. Their first location was known as "the little storefront church" and was located downtown on Capitol Avenue between Third and Fifth Streets. The church has been at their current location at 2130 4th Street for the last 53 years and it has thrived under the pastoral leadership of the Rev. J. D. Griffin, Dr. William E. Hights, and their current pastor, Rev. Darryl B. Heath.

St. John Missionary Baptist Church is committed to building stronger and synergistic relationships with its neighboring families and businesses. Their motto is "Small Enough to Care, Large Enough to Serve!" They do this by providing much needed social services to the underserved. An example of their exemplary work includes the Repairing the Breach Neighborhood Project which was established in 2008 and the Resource Referral Center opened in 2010, which is staffed by volunteers to assist in home ownership and financial counseling.

Mr. Speaker, as the congregation gathers for their 70th anniversary celebration, I am pleased to honor and recognize St. John Missionary Baptist Church for its important role in enhancing Sacramento's community. I ask my colleagues to join me in wishing them continued success and thanking them for their service to the Sacramento region.

#### TRIBUTE TO ADMIRAL JOHN GROSSENBACHER

#### HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 2015

Mr. SIMPSON. Mr. Speaker, I rise today to recognize John Grossenbacher for an exceptional career dedicated to public service. After a distinguished 33-year career in the United States Navy, John became Laboratory Director of the Idaho National Laboratory in 2005. Since becoming Lab Director, John has dedicated himself to making INL a world-class nuclear energy research and development insti-

tution. John's tenure as Lab Director will soon come to an end, and while his legacy of leadership will endure for some time, I want to take this moment to say thank you and best wishes for the future.

When John Grossenbacher assumed command of the Idaho National Laboratory, he navigated the separation of cleanup work from research activities and the merger of two distinctly different research institutions. Since that time, John has brought a focus and purpose to INL's nuclear energy programs and he has worked with various leaders at the Department of Energy to strengthen our nation's nuclear energy programs and the important facilities in Idaho. Part of John's charge was to bring in the best and brightest to lead INL and the talent that he has brought to Idaho from other labs, industry and universities has strengthened our institution and its impact. John also spearheaded an effort to revitalize INL's facilities. Today what once was a field in Idaho Falls is now a gleaming boulevard with modern and efficient laboratories and offices. Idaho National Laboratory is now a strong, vibrant and respected institution and John Grossenbacher, the Battelle Energy Alliance, the Department of Energy, and the State of Idaho deserve credit for this enormously successful partnership.

While John pushed hard for the modernization of INL's nuclear capabilities, he also recognized that INL's unique physical and intellectual infrastructure provided opportunities to greatly expand the lab's work in national and homeland security programs, clean energy initiatives and regional partnerships. Today these INL programs are having a significant impact in their own unique areas and more and more people are looking to work with INL to solve their pressing challenges and get results.

As Laboratory Director, John Grossenbacher has steered the lab through numerous challenges and hurdles. In each of these instances, John assesses the situation, he tells you what he thinks, and he does what he thinks is necessary to solve the problem. John's candor, his unmatched integrity and his dedication to his job have ruffled feathers at times but have also brought him scores of supporters and advocates—and respect. Count me among his supporters.

John Grossenbacher has given INL a legacy of leadership and world class capabilities. John still has lots of energy and a desire to serve his country; and I am confident we will see him soon in some other significant capacity after his tenure at INL comes to an end.

Speaking for many, many others let me say, Admiral, thank you for a job well done.

#### CONGRATULATING VALDESE WEAVERS ON 100 YEARS

#### HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 2015

Ms. FOXX. Mr. Speaker, this year Valdesse Weavers, a creative design studio and state-of-the-art manufacturer located in North Carolina, celebrates its 100th anniversary.

The company is the largest decorative jacquard textile mill in North America and a leader in the design and manufacturing of jacquard fabrics for residential and commercial markets.

Valdese Weavers began in 1915 as the Waldensian Swiss Embroidery Company, a lace and embroidery manufacturer developed by Italian immigrants. Twenty years later, Harley Shuford purchased the company and changed its name to Valdese Weavers Inc., introducing jacquard woven fabrics to the company's product line.

Today its six branded companies—Valdese Weavers, Valdese Weavers Contract, Circa 1801, Home Fabrics, Valdese International Products (VIP) and Dicey Fabrics—develop fabrics from value to high-end price points and cover the residential, contract, hospitality, health care and specialty markets.

Congratulations to everyone at Valdese Weavers as you celebrate this significant milestone.

#### IN RECOGNITION OF THE RETIREMENT OF CHERYL CUNNINGHAM

##### HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 2015

Mr. ROGERS of Alabama. Mr. Speaker, I ask for the House's attention today to recognize the retirement of Cheryl Cunningham from my staff.

Cheryl was born on August 5, 1945 in Akron, Ohio to parents Dorothy Newhouse Smith and Charles Coker Smith. She had an older brother named Charles Huntley Smith.

Her family moved to Union Springs, Alabama, when Cheryl was two years old and she grew up in this small town and farming community and graduated from Union Springs High School. Cheryl attended Troy State College and Huntingdon College following graduation from high school.

Cheryl started her career working for the State of Alabama in the tax division. She married James C. Cunningham Jr., and had three children, James (Todd) Carter Cunningham III (deceased), Leigh-Ellen and Heather Farrish Cunningham. She is the proud grandmother of six grandchildren including: James C. Ellison (Casey), Charles Tyler Ellison, Earl W. Reed (Trey), Anne Carter Reed, Michael M. Hodges Jr. and Hunter James Hodges.

Cheryl later worked at General Motors in Montgomery before buying their first farm and moving to Macon County, Alabama in 1972. Cheryl became involved in the community of Franklin and was part of the successful effort to incorporate the Town of Franklin in 1977. She served as the first town clerk under Mayor Robert Perry.

Later, Cheryl was hired by Alice Hendon, Tax Assessor of Macon County and by her successor, Ed Corbitt, Revenue Commissioner to serve in their offices as well as serving as Executive Secretary to Macon County Commission Clerk, George Austin in Tuskegee, Alabama.

Cheryl became very active in the Macon County Republican Club and served as County Chairman for several years. She also

served as County Coordinator in Macon County for an unsuccessful run by Emory Folmar for Governor of Alabama. She was appointed by Governor Guy Hunt to serve as Chairman of the Macon County Board of Registrars and served many years under Gov. Hunt and Gov. Fob James. She also served as President of the State Board of Registrars for two terms.

In 2000, Cheryl was hired as a Field Representative for Congressman Bob Riley working for him until he was elected Governor of Alabama in 2002. She continued to work for the Third District in my office and will retire on July 31.

Cheryl served as a member of the Alabama Federation of Republican Women and was later elected as District 3 Director. During her tenure, the first women's Republican club in District 3 was established, the Republican Women of East Alabama.

The Cunningham family loves farming and caring for animals. At present, they have two dogs, three horses, two cats, and a pet goat, Bentley. In the past, they have had bob cats, deer, skunks, raccoons, an opossum, flying squirrels and a 650-pound pig named Blossom.

Cheryl attends First United Methodist Church in Auburn, Alabama, is a member of the Macon County Farmer's Federation, Alabama Forestry Association and serves on the Board of Directors for Sunset Point I Condominium Association at Lake Martin.

Cheryl and her husband continue to give back in Macon County. One of their biggest joys is running the Todd Cunningham Christmas Memorial Fund in honor of their late son. Last year they served over 38 families in Macon County that would have not had gifts for their children at Christmas.

Mr. Speaker, please join me in recognizing a great lady and thanking her for her public service, philanthropic spirit and the great work she did for the Third District. Cheryl, we will miss you, but congratulations on your retirement.

#### RECOGNIZING LIEUTENANT COLONEL LEO BRUNING ON HIS 100TH BIRTHDAY

##### HON. ERIC SWALWELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 2015

Mr. SWALWELL of California. Mr. Speaker, I rise to recognize Lieutenant Colonel Leo Bruning on the occasion of his 100th birthday, which will be celebrated on August 15, 2015.

After graduating from San Jose State in 1937 and working as a teacher and coach at Hayward High School until 1940, Lieutenant Colonel Bruning began his military service by joining the Army with the 7th Quartermaster Battalion stationed at Ford Ord in Monterey, California. After the Pearl Harbor attack on December 7, 1941, he immediately took up training to become a pilot and served in that capacity on the homefront throughout World War II.

Once the need for Army pilots subsided and Lieutenant Colonel Bruning was discharged, he wanted to continue his military service to

his country so he joined the Air Force. He was stationed in Vienna, Austria to provide support to U.S. embassies in Budapest and Bucharest in the years immediately after World War II, working under constant tension as his airbase was inside of the Soviet sector of the city.

In 1952 Lieutenant Colonel Bruning returned home and left active duty, but he enlisted in an Air Force Reserve program for troop transport. During the next five years Lieutenant Colonel Bruning led his squadron in compiling a total of 2,600 hours of flying on 23 different types of military aircraft. He remained in the Reserves until his 60th birthday with 35 years of military service.

In addition to his military service, Lieutenant Colonel Bruning has been an active member of the Dublin community for 52 years and was a successful business executive for a local ladder company.

I want to acknowledge Lieutenant Colonel Bruning and extend my sincere appreciation for his stellar career of service to our nation and wish him well as he celebrates this significant milestone of reaching his 100th birthday.

#### IN RECOGNITION OF PATROLMAN JOHN J. WILDING FOR SERVING AND PROTECTING THE CITY OF SCRANTON

##### HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 2015

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor Patrolman John Wilding, whose faithful watch ended this past Sunday morning, July 12, due to injuries sustained while on duty, and those injuries tragically ended Patrolman Wilding's life the next day.

A native son of Scranton, Pennsylvania, John Wilding joined the Scranton Police Department in April 2014, after working for years to earn his place on the force. John's passion to serve and protect his city was exhibited in his work. A fixture in his community, John would regularly check in with local businesses and talk to West Scranton High School students on their way home from class as part of his policing duties.

Early this past Saturday morning, John responded to reports of a stolen vehicle in Scranton. During a pursuit, suspects exited this vehicle near the 300 block of North Main Avenue. Several officers, including Patrolman Wilding, pursued the perpetrators on foot. During the chase, John leapt over a wall not realizing that a fifteen-foot descent was on the other side. He suffered a serious head injury as a result of the fall. John succumbed to his injuries the next day at Geisinger Community Medical Center.

Patrolman Wilding is survived by his wife, Kristen Tansits Wilding, his daughter, Lola Mae, his son, Sidney Wolfgang. He was a dedicated provider for his family, but, beyond that, he was a loving husband and a playful, devoted, and protective father to his children.

It is a great tragedy to lose such a highly regarded officer of the law and an honest, well-respected man. I am grateful for John Wilding's bravery, his public service, and his dedication to our community. His watch has now ended; may he rest in peace.

RECOGNIZING MS. MADISON KING

**HON. DANIEL WEBSTER**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 16, 2015*

Mr. WEBSTER of Florida. Mr. Speaker, it is my privilege to recognize one of my constituents, Ms. Madison King of Orlando, Florida, for her acceptance to the People to People World Leadership Forum in Washington, D.C. Ms. King was selected for her academic excellence, leadership potential and exemplary citizenship.

The mission of People to People Leadership Ambassador Programs is to bridge cultural and political borders through education and exchange. To this end, People to People offers domestic and international educational programs that promote cooperation, cross-cultural understanding and leadership. It is my hope that Ms. King benefitted greatly from her participation in the World Leadership Forum, and I wish her all the best in her future endeavors.

HONORING JUAN FELIPE HERRERA

**HON. PETE AGUILAR**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 16, 2015*

Mr. AGUILAR. Mr. Speaker, today I rise to honor Juan Felipe Herrera, the United States' newest poet laureate and the first Latino poet laureate. As the son of migrant farmworkers and as a Chicano civil rights movement activist, Mr. Herrera serves as an inspiration to Latino Americans everywhere. His poetry sheds light on the Mexican-American experience and allows people of all generations and backgrounds to appreciate his artistry and history.

Mr. Herrera was most recently the California poet laureate from 2012 to 2014. He retired in March from the University of California, Riverside where he worked as a professor. Mr. Herrera was a Redlands resident and we are so honored and proud to have had him play a role in the Inland Empire community. He brought our community into his world, engaging Redlands residents in his state project "The Most Incredible & Biggest Poem on Unity in the World." The 170-page poem included submissions from hundreds of people across the state, including those in the Inland Empire.

Today we thank Mr. Herrera for sharing his gift with all of us and for giving Latino Americans a voice in the world of poetry. We are so proud of what he has accomplished and com-

mend him on the distinguished honor of being the poet laureate of the United States, and the first Latino poet laureate in American history.

CONGRATULATING YADKIN VALLEY MOTOR COMPANY ON 100 YEARS

**HON. VIRGINIA FOXX**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 16, 2015*

Ms. FOXX. Mr. Speaker, today I rise to recognize Yadkin Valley Motor Company in North Wilkesboro, North Carolina, which recently celebrated its 100th anniversary.

It is the oldest Ford dealership in the Carolinas and 20th oldest out of about 3,100 Ford dealerships nationwide.

A.F. Kilby was the first of four generations of Kilbys to sell Fords at Yadkin Valley. His son, Andrew "Bud" Kilby, and grandson, John Kilby Sr., now own the dealership. At 89 years old, Bud still works at the dealership six days a week. John serves as general manager, and his son, John Kilby Jr., is a salesman and Internet manager.

In May more than 1,500 people turned out for a special car show marking the 100th anniversary. Several hundred vehicles, including a number of antique Fords, participated.

Congratulations to the Kilby family and everyone at Yadkin Valley Motor Company on this significant milestone.

CONGRATULATING MARY ELLEN KLINCK

**HON. JOE COURTNEY**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 16, 2015*

Mr. COURTNEY. Mr. Speaker, today I rise to congratulate a friend and stalwart in the town of East Haddam, Connecticut, Mary Ellen Klinck. This week she will be honored with the Frank Davis Award from the East Haddam Democratic Town Committee for her lifelong commitment to fairness and justice. I ask my colleagues to join me in thanking Mary Ellen for her lifetime of service.

Mary Ellen's involvement in local government, state government and Democratic politics spans decades and has left a huge footprint of people she has helped and public officials she has helped elect. She has served as the Commissioner of the State Department on Aging, on the Connecticut State Environmental Committee, as an East Haddam Selectwoman, a member of the East Haddam Economic Re-

vitalization Committee, the East Haddam DTC Chair and executive board member, as a member of the Democratic Women's Club, as a volunteer for countless Democratic campaigns, and of course, as a candidate herself.

The first time I met Mary Ellen she was a freshman state representative in 1987, when she worked with the new Democratic majority to permanently enact a state prescription drug program for seniors—known as the CONNPAGE program. At the time, Medicare provided no coverage for outpatient prescription drugs and under Governor William O'Neill, and Commissioner Klinck, Connecticut became one of a handful of states to step up and provide affordable lifesaving medications. It took over 15 long years before Congress created Medicare Part D and followed Mary Ellen's vision for strengthening the health care of America's elderly.

After her historic term as Commissioner of the State Department on Aging, Mary Ellen continued to be a force of nature in public life, advocating for small business, the environment, and helping aspiring candidates for public office, such as yours truly who will be eternally grateful for all her help in my election to Congress in 2006 by the slender margin of 83 votes.

A tireless advocate for seniors, the environment, local small businesses and the history and culture of East Haddam, Mary Ellen's energy and dedication is unmatched. The East Haddam community is fortunate to have her experience and enthusiasm as a constant force for good. Few know East Haddam as well as Mary Ellen, and even fewer have devoted as many hours of their time working tirelessly to improve community life for its residents. I once again ask my colleagues to join me in congratulating Mary Ellen for this well-deserved honor.

OUR UNCONSCIONABLE NATIONAL DEBT

**HON. MIKE COFFMAN**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 16, 2015*

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$18,151,879,901,274.20. We've added \$7,525,002,852,361.12 to our debt in 6 years. This is over \$7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

**SENATE—*Friday, July 17, 2015***

The Senate met at 10:40 and 2 seconds a.m. and was called to order by the President pro tempore (Mr. HATCH).

ADJOURNMENT UNTIL TUESDAY,  
JULY 21, 2015, AT 10 A.M.

adjourned until Tuesday, July 21, 2015,  
at 10 a.m.

The PRESIDENT pro tempore. Under  
the previous order, the Senate stands

Thereupon, the Senate, at 10:40 and 14  
seconds a.m., adjourned until Tuesday,  
July 21, 2015, at 10 a.m.



## HOUSE OF REPRESENTATIVES—Monday, July 20, 2015

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. SESSIONS).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
July 20, 2015.

I hereby appoint the Honorable PETE SESSIONS to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,  
*Speaker of the House of Representatives.*

### PRAYER

Reverend Timothy Kesicki, S.J., Jesuit Conference, Washington, D.C., offered the following prayer:

In the book of Proverbs, chapter 10, we are taught, "He who gathers in summer is a son who acts wisely." This wise pursuit from the wisdom of Solomon has built our Nation.

Of this season, the African American poet from Dayton, Ohio, Paul Laurence Dunbar, writes:

Oh, summer has clothed the earth  
In a cloak from the loom of the sun!  
And a mantle, too, of the skies' soft blue,  
And a belt where the river run.

O, ye who toil in the town,  
And ye who moil in the mart,  
Hear the artless song, and your faith made strong  
Shall renew your joy of heart.

The fruits of the Earth from the bounty of our land are all Your gift.  
And we praise You this day, O God, for all who labor for our sustenance and those who govern our Nation.

Amen.

### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, July 17, 2015.

Hon. JOHN A. BOEHNER,  
*The Speaker, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on July 17, 2015 at 1:46 p.m.:

That the Senate passed S. 192.

That the Senate passed S. 139.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

### SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 139. An act to permanently allow an exclusion under the Supplemental Security Income program and the Medicaid program for compensation provided to individuals who participate in clinical trials for rare diseases or conditions, to the Committee on Ways and Means.

In addition, to the Committee on Energy and Commerce for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S. 192. An act to reauthorize the Older Americans Act of 1965, and for other purposes, to the Committee on Education and the Workforce.

### ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until noon tomorrow for morning-hour debate.

There was no objection.

Thereupon (at 2 o'clock and 3 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, July 21, 2015, at noon for morning-hour debate.

### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2207. A letter from the Assistant General Counsel for Legislation, Regulation and En-

ergy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule — Energy Conservation Program for Certain Industrial Equipment: Energy Conservation Standards and Test Procedures for Commercial Heating, Air-Conditioning, and Water-Heating Equipment [Docket No.: EERE-2014-BT-STD-0015] (RIN: 1904-AD23) received July 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2208. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's interim final rule — Health Resources Priority and Allocations Systems (HRPAS) (RIN: 0991-AB94) received July 16, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2209. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Air Quality Implementation Plans; Rhode Island; Control of Volatile Organic Compounds from Adhesives and Sealants [EPA-R01-OAR-2010-0460; A-1-FRL-9930-94-Region 1] received July 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2210. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — TSCA Section 5 Premanufacture and Significant New Use Notification Electronic Reporting; Revisions to Notification Regulations [EPA-HQ-OPPT-2013-0385; FRL-9927-79] (RIN: 2070-AJ98) received July 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2211. A communication from the President of the United States, transmitting a notification that the national emergency, with respect to the former Liberian regime of Charles Taylor, originally declared on July 22, 2004, by Executive Order 13348, is to continue in effect beyond July 22, 2015, pursuant to 50 U.S.C. 1622(d); (H. Doc. No. 114—48); to the Committee on Foreign Affairs and ordered to be printed.

2212. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-99, "Fiscal Year 2016 Budget Request Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(1); to the Committee on Oversight and Government Reform.

2213. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone — Oil Exploration Staging Area in Goodhope Bay; Kotzebue Sound, AK [Docket No.: USCG-2015-0267] (RIN: 1625-AA00) received July 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

2214. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Security, transmitting the Department's temporary final rule — Safety Zone; Black River Kayak-a-thon; Black River, Lorain, OH [Docket No.: USCG-2015-0496] (RIN: 1625-AA00) received July 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

2215. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Ohio River between mile 603.4 and 605.4; Louisville, KY [Docket No.: USCG-2015-0505] (RIN: 1625-AA00) received July 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

2216. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone, Fourth of July fireworks, Lake Winnebago; Menasha, Wisconsin [Docket No.: USCG-2015-0532] (RIN: 1625-AA00) received July 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

2217. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Ohio River between mile 618.5 and mile 619.5; Louisville, KY [Docket No.: USCG-2015-0198] (RIN: 1625-AA00) received July 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

2218. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zones; Fourth of July Fireworks Displays, Murrells Inlet and North Myrtle Beach, SC [Docket No.: USCG-2015-0529] (RIN: 1625-AA00) received July 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

2219. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone, Chesapeake Bay; Cape Charles, VA [Docket No.: USCG-2015-0048] (RIN: 1625-AA00) received July 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

2220. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Three Rivers Regatta/Three River Regatta and Fireworks, Ohio River, mile 0.5 to mile 0.5 on the Allegheny River and mile 0.5 on the Monongahela River; Pittsburgh, PA [Docket No.: USCG-2015-0436] (RIN: 1625-AA00) received July 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

2221. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Regulated Navigation Area; 4th of July, Biscayne Bay, Miami, FL [Docket No.: USCG-2015-0450] (RIN: 1625-AA11) received July 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

2222. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland

Security, transmitting the Department's temporary final rule — Safety Zone; Independence Day Celebration Fireworks Display; Lake Ontario, Oswego, NY [Docket No.: USCG-2015-0503] (RIN: 1625-AA00) received July 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

2223. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Alexandria Bay Chamber of Commerce Fireworks Display; Saint Lawrence River, Heart Island, Alexandria Bay, NY [Docket No.: USCG-2015-0504] (RIN: 1625-AA00) received July 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

2224. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Bay Village Independence Day Celebration Fireworks Display; Lake Erie, Bay Village, OH [Docket No.: USCG-2015-0500] (RIN: 1625-AA00) received July 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

2225. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Erie Boom on the Bay Fireworks Display; Presque Isle Bay, Erie, PA [Docket No.: USCG-2015-0506] (RIN: 1625-AA00) received July 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

2226. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary interim rule — Special Local Regulation; L'HERMIONE Parade, Upper New York Bay and Lower Hudson River, New York, NY [Docket No.: USCG-2015-0457] (RIN: 1625-AA08) received July 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

2227. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Special Local Regulations For Marine Events, Manasquan River; Seaside Park, New Jersey [Docket No.: USCG-2015-0328] (RIN: 1625-AA08) received July 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

2228. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Special Local Regulations; Grand National Drag Boat Races, Atlantic Intracoastal Waterway; Bucksport, SC [Docket No.: USCG-2015-0340] (RIN: 1625-AA08) received July 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

2229. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Special Local Regulations for Marine Events, Atlantic Ocean; Atlantic City, New Jersey [Docket No.: USCG-2015-0329] (RIN: 1625-AA08) received July 20, 2015, pursuant to 5 U.S.C.

801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

2230. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Niantic River, Niantic, CT [Docket No.: USCG-2015-0218] (RIN: 1625-AA09) received July 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

2231. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Grand River, Grand Haven, MI [Docket No.: USCG-2015-0373] (RIN: 1625-AA09) received July 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

2232. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Safety Zones, St. Petersburg Captain of the Port Zone [Docket No.: USCG-2014-0764] (RIN: 1625-AA00) received July 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

2233. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zones; Marine Events held in the Sector Long Island Sound Captain of the Port Zone [Docket No.: USCG-2015-0438] (RIN: 1625-AA00) received July 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

2234. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone for Fireworks Display, Chesapeake Bay, Prospect Bay; Queen Anne's County, MD [Docket No.: USCG-2015-0279] (RIN: 1625-AA00) received July 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

2235. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone, Indian River Bay; Millsboro, Delaware [Docket No.: USCG-2015-0317] (RIN: 1625-AA00) received July 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

2236. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Salvage and Recovery of CSS Georgia and Recovery and Transit of Unexploded Ordnance, Savannah River, Savannah, GA [Docket No.: USCG-2015-0434] (RIN: 1625-AA00) received July 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

2237. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Bridgefest Regatta Fireworks, Portage Canal, Hancock, MI [Docket No.: USCG-2015-0531] (RIN: 1625-AA00) received July 20, 2015,

pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

2238. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone for Fireworks Display, Patapsco River, Inner Harbor; Baltimore, MD [Docket No.: USCG-2015-0315] (RIN: 1625-AA00) received July 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

2239. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone — Oil Exploration Staging Area in Dutch Harbor, AK [Docket No.: USCG-2015-0246] (RIN: 1625-AA00) received July 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

2240. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone: Underwater Vessel Testing, San Francisco Bay, San Francisco, CA [Docket No.: USCG-2015-0422] (RIN: 1625-AA00) received July 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

2241. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; 520 Bridge Construction, Lake Washington; Seattle, WA [Docket No.: USCG-2015-0570] (RIN: 1625-AA00) received July 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

2242. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Modification of Notice 2015-4 (Notice 2015-51) received July 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

2243. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Update for Weighted Average Interest Rates, Yield Curves, and Segment Rates (Notice 2015-50) received July 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

#### REPORTED BILL SEQUENTIALLY REFERRED

Under clause 2 of rule XII, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 774. A bill to strengthen enforcement mechanisms to stop illegal, unreported, and unregulated fishing, to amend the Tuna Conventions Act of 1950 to implement the Antigua Convention, and for other purposes; with an amendment (H. Rept. 114-212, Pt. 1); referred to the Committee on the Judiciary for a period ending not later than July 30, 2015, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(1), rule X.

#### DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Transportation and Infrastructure discharged from further consideration H.R. 774.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mrs. NAPOLITANO (for herself and Mr. RODNEY DAVIS of Illinois):

H.R. 3114. A bill to provide funds to the Army Corps of Engineers to hire veterans and members of the Armed Forces to assist the Corps with curation and historic preservation activities, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. DESJARLAIS (for himself, Mrs. BLACKBURN, Mr. DUNCAN of Tennessee, Mr. REICHERT, Mrs. BLACK, Mr. ROE of Tennessee, Mr. FLEISCHMANN, Mr. COHEN, Mr. GRAVES of Georgia, Mr. COOPER, and Mr. FINCHER):

H.R. 3115. A bill to safeguard military and civilian personnel on military bases and Armed Forces recruitment facilities by repealing bans on military personnel carrying firearms on military bases and recruitment facilities, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TED LIEU of California:

H.R. 3116. A bill to extend by 15 years the authority of the Secretary of Commerce to conduct the quarterly financial report program; to the Committee on Oversight and Government Reform.

By Ms. MENG:

H.R. 3117. A bill to amend the Internal Revenue Code of 1986 to provide for reimbursement from health flexible spending arrangements for feminine hygiene products; to the Committee on Ways and Means.

By Mr. RATCLIFFE (for himself, Mr.

CULBERSON, Mr. BISHOP of Michigan, Mr. YOUNG of Alaska, Mr. ROKITA, Mr. GRAVES of Louisiana, Mr. CONAWAY, Mr. CHAFFETZ, Mr. BRADY of Texas, Mr. BABIN, Mr. PALMER, Mr. HURD of Texas, Mr. LAMALFA, Mr. SAM JOHNSON of Texas, Mr. POE of Texas, Mr. SESSIONS, Mr. OLSON, Mr. PERRY, Mr. MULVANEY, Mr. SENSENBRENNER, Mr. HUDSON, Mr. WALKER, Mr. SMITH of Texas, Mr. FARENTHOLD, Mr. AMASH, Mr. DUNCAN of Tennessee, Mr. MEADOWS, Mr. GOHMERT, Mr. CRAMER, Mr. WEBER of Texas, Ms. JENKINS of Kansas, Mrs. WALORSKI, Mr. FLORES, Mr. DUNCAN of South Carolina, Mr. LOUDERMILK, Mr. ALLEN, Mr. HARRIS, Mr. DESANTIS, Mr. ABRAHAM, Mr. ROUZER, Mr. COLLINS of Georgia, Mr. SALMON, Mr. TROTT, Mr. STEWART, Mr. HUELSKAMP, Mr. WILSON of South Carolina, and Mr. MCHENRY):

H.R. 3118. A bill to eliminate the Bureau of Consumer Financial Protection by repealing title X of the Dodd-Frank Wall Street Reform and Consumer Protection Act, commonly known as the Consumer Financial Protection Act of 2010; to the Committee on Financial Services.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mrs. NAPOLITANO:

H.R. 3114.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, clause 1 and clause 18 of the Constitution.

By Mr. DESJARLAIS:

H.R. 3115.

Congress has the power to enact this legislation pursuant to the following:

Amendment 2: A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

By Mr. TED LIEU of California:

H.R. 3116.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, of the Constitution of the United States

By Ms. MENG:

H.R. 3117.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. RATCLIFFE:

H.R. 3118.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 213: Mr. BISHOP of Michigan.

H.R. 217: Mr. KELLY of Mississippi, Mr. BUCHANAN, Mr. ABRAHAM, Mr. LAMALFA, and Mr. BRAT.

H.R. 282: Mr. DESAULNIER.

H.R. 407: Mr. HECK of Washington.

H.R. 448: Mr. LEWIS.

H.R. 592: Mr. LEWIS, Mr. CARSON of Indiana, Mr. FORTENBERRY, and Mr. NORCROSS.

H.R. 699: Mr. JEFFRIES.

H.R. 703: Mr. BARTON.

H.R. 711: Mr. HURD of Texas, Mr. POLIQUIN, Mr. BURGESS, Mr. VARGAS, Mr. NEUGEBAUER, and Mrs. KIRKPATRICK.

H.R. 759: Mr. DUNCAN of Tennessee.

H.R. 816: Mrs. MILLER of Michigan and Mr. SHIMKUS.

H.R. 915: Ms. WASSERMAN SCHULTZ and Mrs. LOWEY.

H.R. 921: Mr. SHIMKUS.

H.R. 985: Mr. QUIGLEY and Mr. JENKINS of West Virginia.

H.R. 1002: Mr. SHUSTER, Mr. FOSTER, Mr. PERRY, and Ms. KELLY of Illinois.

H.R. 1100: Mr. RYAN of Ohio, Mr. ENGEL, Mrs. LAWRENCE, and Mr. HINOJOSA.

H.R. 1148: Mr. JOYCE.

H.R. 1233: Mr. WALBERG and Mr. WEBER of Texas.

H.R. 1249: Mr. MILLER of Florida.

H.R. 1344: Mrs. NAPOLITANO and Mrs. ELLMERS of North Carolina.

H.R. 1384: Mr. RYAN of Ohio, Mr. ENGEL, Mr. HINOJOSA, and Ms. MATSUI.

H.R. 1439: Mr. NOLAN.

H.R. 1462: Mr. JOHNSON of Ohio.

H.R. 1479: Mr. ROGERS of Kentucky.

H.R. 1551: Mr. STUTZMAN.  
H.R. 1594: Mrs. LAWRENCE, Mr. VEASEY, Mr. HINOJOSA, and Mr. TURNER.  
H.R. 1595: Ms. WILSON of Florida.  
H.R. 1598: Mrs. LOWEY.  
H.R. 1610: Mr. DAVID SCOTT of Georgia.  
H.R. 1624: Mr. FORBES, Mr. COFFMAN, Mr. GIBBS, Mr. YODER, Mr. WILLIAMS, Mr. CARSON of Indiana, Mr. ZINKE, Mr. BROOKS of Alabama, Ms. GRAHAM, and Mrs. BUSTOS.  
H.R. 1644: Mr. NEWHOUSE.  
H.R. 1683: Mr. GRIFFITH, Mr. BEN RAY LUJÁN of New Mexico, and Mr. MACARTHUR.  
H.R. 1726: Mr. ZINKE.  
H.R. 1994: Ms. HERRERA BEUTLER, Mrs. MIMI WALTERS of California, Mr. NEWHOUSE, and Mrs. LOVE.  
H.R. 2030: Mr. COHEN, Mr. CARTWRIGHT, and Ms. CASTOR of Florida.  
H.R. 2063: Mr. CUMMINGS and Ms. JUDY CHU of California.  
H.R. 2173: Mr. HECK of Washington and Mr. NADLER.  
H.R. 2217: Mr. BLUMENAUER and Ms. BROWNLEY of California.

H.R. 2220: Mr. TAKAI.  
H.R. 2260: Ms. MCSALLY and Mr. FOSTER.  
H.R. 2291: Ms. BORDALLO.  
H.R. 2300: Mr. CHABOT.  
H.R. 2309: Mr. KILDEE and Mr. JEFFRIES.  
H.R. 2410: Mr. DESAULNIER and Mr. RUSH.  
H.R. 2523: Ms. NORTON.  
H.R. 2539: Mr. GALLEGGO.  
H.R. 2540: Mr. WELCH and Mr. TIBERI.  
H.R. 2657: Mr. MACARTHUR and Mr. MARINO.  
H.R. 2716: Mr. OLSON.  
H.R. 2737: Mr. SCHIFF.  
H.R. 2753: Mr. MILLER of Florida.  
H.R. 2754: Mr. CURBELO of Florida.  
H.R. 2849: Mr. DEUTCH, Mr. CAPUANO, Mr. SCHIFF, and Mr. BUCHANAN.  
H.R. 2894: Mr. CURBELO of Florida.  
H.R. 2905: Mr. PERRY and Mr. YOHO.  
H.R. 2912: Mr. CRAMER, Mr. BRIDENSTINE, Ms. GRANGER, Ms. FOXX, Mr. SAM JOHNSON of Texas, Mr. ROKITA, and Mr. OLSON.  
H.R. 2913: Mr. CRAMER, Mr. BRIDENSTINE, Ms. FOXX, Mr. SAM JOHNSON of Texas, Mr. ROKITA, Mr. OLSON, and Mr. LONG.  
H.R. 2920: Mr. CUMMINGS, Mr. LARSEN of Washington, Mrs. LOWEY, and Mr. SWALWELL of California.

H.R. 2922: Mr. PETERSON and Mr. OLSON.  
H.R. 2976: Mr. VAN HOLLEN.  
H.R. 2978: Ms. MAXINE WATERS of California, Mr. CAPUANO, and Mrs. LOWEY.  
H.R. 2983: Mr. CARTWRIGHT and Mr. AGUILAR.  
H.R. 2987: Mr. VARGAS and Ms. SINEMA.  
H.R. 3000: Ms. NORTON.  
H.R. 3009: Mr. SESSIONS.  
H.R. 3105: Mr. VAN HOLLEN.  
H.R. 3110: Mr. RICHMOND.  
H. Res. 282: Mr. RANGEL.  
H. Res. 354: Mr. HANNA, Mr. CARTER of Georgia, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CURBELO of Florida, Mr. NEWHOUSE, Mr. LANCE, Mr. TIBERI, and Mr. SCHWEIKERT.  
H. Res. 367: Mr. YOUNG of Indiana, Mr. MCHENRY, Mr. REED, Mr. COFFMAN, Mr. CALVERT, Mr. CARTER of Georgia, Mr. FORBES, Mr. HECK of Nevada, Mrs. HARTZLER, and Ms. MCSALLY.

## EXTENSIONS OF REMARKS

### HONORING THE LIFE OF CHAD TAYLOR JOHNSON

#### HON. BRIAN BABIN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 20, 2015*

Mr. BABIN. Mr. Speaker, I rise today to honor the life of Chad Taylor Johnson. Chad passed away on July 7, 2015, at the age of 32.

Chad was an impressive young man who proudly served his country in the United States Army. As a decorated Army Forward Scout, Chad served our nation courageously in the 2003 invasion of Iraq. He was a close friend of our family and he will be sorely missed by us, his family, his community and the nation he served.

My prayers and condolences go out to Chad's loving wife, Jennifer, and his parents, Tillman and Beverly Johnson.

### 150TH ANNIVERSARY OF THE NEW YORK FIRE DEPARTMENT

#### HON. DANIEL M. DONOVAN, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 20, 2015*

Mr. DONOVAN. Mr. Speaker, I rise today to honor the New York City Fire Department (FDNY) in recognition of 150 years of dedicated service to the people of the City of New York.

Since the founding of the FDNY in 1865, New York City firefighters have been a shining example of heroism, bravery, and civil service. For every moment of every day over the last 150 years, New York's Bravest have risked their lives to save ours.

Their bravery has never been more apparent than on the morning of September 11th, 2001 when 343 members of the FDNY sacrificed their lives as they rushed into the World Trade Center. It is the heroism that they displayed not only on that day, but on every day, that makes me proud to call myself a New Yorker.

Mr. Speaker, the dedication of the brave men and women of the FDNY to protecting and saving the lives of their fellow New Yorkers on a daily basis is what makes their 150th Anniversary truly special. To each and every firefighter keeping the City of New York safe every day, I say thank you for consistently putting your lives on the line to protect ours.

### IN RECOGNITION OF THE 54TH MASSACHUSETTS VOLUNTEER INFANTRY REGIMENT

#### HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 20, 2015*

Mr. KEATING. Mr. Speaker, I rise today in recognition of the 54th Massachusetts Volunteer Infantry Regiment. Established in 1863 as one of the first military units comprised entirely of African American soldiers to fight in the Civil War for the Union, the 54th Massachusetts Volunteer Infantry Regiment will further be memorialized with the unveiling of a historic mural in New Bedford, Massachusetts.

While the declaration of the Emancipation Proclamation on January 1, 1863 provided an avenue for free black men to serve as soldiers, it remained the responsibility of state governors to raise regiments for federal service. Massachusetts Governor John A. Andrews became the first governor in the nation to authorize an all-African American voluntary infantry regiment. In three months' time, the regiment had grown to consist of over 1,000 enlisted volunteers from across the Commonwealth, united under the command of Robert Gould Shaw, a white officer. Included among the regiment's enlistees were none other than Charles and Lewis Douglass—two sons of the well-known writer and abolitionist, Frederick Douglass, as well as the first African American Congressional Medal of Honor recipient and one of New Bedford's most famous sons, Sergeant William H. Carney.

It was not long after its formation that the 54th Massachusetts Regiment earned the fighting recognition it had anticipated. Following a joyous parade and honorary celebration in the streets of Boston in May 1863, the regiment headed south to the hostile coast of South Carolina. By July 18, 1863, after several days of fighting on little sleep, food or water, the regiment prepared for an assault on Fort Wagner, which protected the Port of Charleston.

Tragically, due to a fatal miscalculation of the number of Confederate troops, the 54th Massachusetts Regiment saw over 280 of its men killed, wounded, or captured during the siege on Fort Wagner, including Colonel Shaw. However, not all was lost. It was during this battle that the severely wounded Sergeant William H. Carney saved the regiment's flag from being captured by Confederate troops. Upon his return to his regiment, he famously shouted, "The Old Flag never touched the ground!" For these heroic actions, Sergeant Carney became the first African American soldier awarded the Congressional Medal of Honor.

The courage, bravery, and dedication demonstrated by the 54th Massachusetts Volunteer Infantry Regiment over 150 years ago

lives on in the pride of our community. Now, thanks to the partnership of the New Bedford Historical Society, University of Massachusetts Dartmouth, Artworks, and the New Bedford National Historical Park, residents of and visitors to the City of New Bedford will further celebrate the memory of Sergeant Carney and the 54th Massachusetts Volunteer Infantry Regiment with a mural depicting the gallant men of the Regiment in the exact spot where local New Bedford volunteers enlisted throughout the Civil War.

Mr. Speaker, it brings me great pleasure to recognize the unveiling of this historic mural and to call attention yet again to the bravery and dedication of the men who served in the 54th Regiment Massachusetts Volunteer Infantry.

### MAJOR THREATS TO RULE OF LAW IN RUSSIA

#### HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 20, 2015*

Ms. KAPTUR. Mr. Speaker, I rise today to discuss an issue of critical importance—the U.S. relationship with Russia. The U.S. has a complicated bilateral relationship with Russia, which includes a number of vital global issues including ISIL, Syria, Iran's nuclear ambitions and peace in the Ukraine, among others. However, a central aspect in the relationship that must guide all of the issues is the rule of law—and Russia has shown little respect for this essential principle.

As a Member of Congress of Polish descent and who is the co-chair and leader of a number of country caucuses in the Congress, I am well aware of Russia's sometimes unacceptable behavior on the world stage.

An important but not widely known rule of law issue, is the \$50 billion arbitration brought against Russia by GML on behalf of the shareholders of Yukos Oil, whose company was illegally seized over a decade ago. In July of 2014, a tribunal in The Hague ruled that Russia violated the Energy Charter Treaty (ECT), and awarded Yukos a \$50 billion arbitration award. Since last summer, Russia has appealed the ruling, asking that it be set aside and dismissed by the Dutch Courts, a review process that could continue for 10 years.

In the decision, an independent arbitral tribunal sitting in The Hague ruled unanimously that the actions of the Russian Federation were politically motivated and constituted expropriation of the majority shareholders' investment in Yukos. The roots of the ECT date back to political initiatives in Europe following the end of the Cold War. The fundamental aim of the ECT is to strengthen the rule of law on energy issues by creating a level playing field of rules to be observed by all governments who are signatories to the Treaty.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Mr. Speaker, Russia needs to do much better in respecting rule of law, international institutions and global treaties. The GML case is a bellwether for Russia's behavior, intentions and future actions. It will help demonstrate if Russia will truly be accountable under rule of law and serve as a constructive partner in the global community. I urge my colleagues to learn more by reading the November 15, 2014 article in *The Economist* entitled, "The Yukos affair: The chase is on." It is a case the U.S. Administration and Congress should follow closely to strongly support and urge adherence to the rule of law.

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PERSONAL EXPLANATION

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**HON. RUBEN GALLEGO**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 20, 2015*

Mr. GALLEGO. Mr. Speaker, I was unavoidably detained and did not cast one roll call vote on Thursday, July 16, 2015. Had I been present, I would have voted in this manner:

Roll Call Vote # 447—Final Passage: Western Water and American Food Security Act—NO.

TRIBUTE TO PROFESSOR MWANGI S. KIMENYI, SENIOR FELLOW AND FORMER DIRECTOR OF THE AFRICAN GROWTH INITIATIVE AT THE BROOKINGS INSTITUTION

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**HON. KAREN BASS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 20, 2015*

Ms. BASS. Mr. Speaker, I rise today to remember the late Professor Mwangi S. Kimenyi, senior fellow and former director of the Africa Growth Initiative at the Brookings Institution, who passed away on June 6, 2015.

I had the honor of working with Professor Kimenyi over the last several years. I drew on his expertise for one of the "Africa Policy Breakfasts" I hosted earlier this year that drew hundreds of people.

You just needed to listen to Professor Kimenyi speak for a few minutes to understand that he was one of the foremost scholars and experts in the relationship between the United States and the nations of the African continent. His breadth of knowledge stretched from institutions of higher education as well as the non-profit sector. He drew on his ability to teach from his years of experience as a former professor at the University of Mississippi and the University of Connecticut.

He was the founding executive director of the Kenya Institute for Public Policy Research and Analysis, a resource person with the African Economic Research Consortium, and a research associate with the Center for the Study of African Economies, University of Oxford.

He was rightly recognized for his years of work when he received the Outstanding Research Award from the Global Development Network in 2001 and the Georgescu-Roegen Prize in Economics in 1991. In 1994, Professor Kimenyi was also named by *Policy Review* among the top 10 young market economists in the United States.

The House of Representatives voted to give final Congressional passage to the African Growth and Opportunity Act. Renewing AGOA was only possible because of the work of Professor Kimenyi and the hundreds of Africans like him who committed themselves to ensuring that the United States and the nations on the African continent became true partners that work together to benefit our respective people and economies.

I join with so many in sending my condolences to Professor Kimenyi's family, friends, colleagues and everyone who benefited from his years of work and his commitment to the relationship between the United States and the countries on the African continent. Although he has left us, his work will benefit people for generations to come.